

**AGENDA-REGULAR MEETING  
GODDARD PLANNING COMMISSION  
118 NORTH MAIN  
GODDARD, KANSAS**

March 9, 2020  
7:00 P.M.

- A) CALL TO ORDER**
- B) PLEDGE OF ALLEGIANCE AND INVOCATION**
- C) APPROVAL OF THE AGENDA**
- D) CITIZEN COMMENTS**
- E) CONSENT AGENDA:**

Items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, the item will be removed from the Consent Agenda and considered separately.

  - 1. Approval of Minutes**
    - a. Regular Meeting – February 10, 2020
- F) BOARD of ZONING APPEALS**
  - 1. Sign Variance for Arbor Creek
- G) OLD BUSINESS**
  - 1. 227 Cedar St R-3 Rezoning request
- H) NEW BUSINESS**
  - 1. Easement Dedication Arbor Creek
  - 2. Design Review Committee removal from subdivision regulations
- I) CITY PLANNER REPORT**
  - 1. 301 E 1<sup>st</sup> Ave (CUP) – Garage
  - 2. Vacation and Dedication of Arbor Creek Entrance
  - 3. Planning Intern
- J) COMMISSIONER COMMENTS**
- K) ADJOURNMENT**

The Next Regular Meeting of the Planning Commission is scheduled for  
April 13, 2020 at 7pm.

**MINUTES-REGULAR SESSION  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
FEBRUARY 10, 2020**

The Goddard Planning Commission met in a Regular Session at Goddard City Hall on Monday February 10, 2020. Chairman VanAmburg called the meeting to order at 7:07 p.m. ViceChair Grafing led in the Pledge of Allegiance and the Invocation.

Commission members present were:

Justin Parks, Jody Dendurent, Shane Grafing, Doug Hall, Jamie Coyne, Doug VanAmburg

Commissioners absent were:

Darrin Cline

Also present were: Micah Scoggan, City Planner

**APPROVAL OF THE AGENDA**

**MOTION:** Commissioner *Grafing* moved to approve the agenda. Commissioner *Coyne* seconded the motion. The motion carried unanimously.

**APPROVAL OF THE MINUTES**

**MOTION:** Commissioner *Hall* moved to approve the minutes from January 10, 2020. Commissioner *Coyne* seconded the motion. The motion carried unanimously.

**CITIZEN COMMENTS**

Mike Walsh {1922 N Mcrae} *VERBATIM FROM WRITTEN LETTER*

My name is Mike Walsh and I am the owner of the Farmers insurance here in Goddard and also live at 1922. N. Mcrae in the Spring Hill neighborhood. I'm here tonight to express my concerns as a business owner for the lack of affordable housing in Goddard. By affordable, I mean houses less than \$150k, and rentals that would be less than \$1k/month. As a business owner, the lack of more affordable housing hinders my ability to recruit employees to my business because people that are making entry level

wages don't want to have a large commute to work due to the expense, or because bus routes don't come to Goddard.

I bought my house here in 2013 in Spring Hill and was fortunate to find a great 3-bedroom, 3 bath house with a finished basement that didn't need a lot of work for \$133k. Today, that same house would go on the market starting at around 170-180k so at today's market, I wouldn't have even considered my house because of the price point.

Additionally, in my line of work, I speak with real estate agents who are working with young professionals, young families, or otherwise, first time home buyers who want to live in Goddard for the school district but can't because even when a home does come on the market that is in their price

range, it sells very quickly and for more than asking price. That tells me that the supply of homes less than \$150k is very small. This pushes those potential taxpayers into west Wichita where they can find neighborhoods with duplexes, condos, or even nice apartments.

I don't have the answers on how to make it happen, but I feel that as a city we need to start about 3 years ago on building an employee base that can support the additional businesses that we hope to see in the coming years. I encourage the council to proactively work toward that end.

Russell Lowen{19894 W Kellogg Dr A/B} *OWNER OF THE ACE HARDWARE STORE*

Mr Lowen said that he spends a lot of money in the community even though he does not live inside the city. He said that he felt that high end housing is very good and bring in a lot of revenue to the City but he felt that high end housing would always be here and at some point the city needs to focus on getting in more affordable housing or entry level housing.

**BOARD OF ZONING**

NONE

**OLD BUSINESS**

NONE

**NEW BUSINESS**

NONE

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## **CITY PLANNER REPORT**

**Scoggan** informed the Planning Commission that on March 9,2020 they would be considering removing the Design Review Committee from the subdivision regulations. Scoggan informed the Planning Commission that state law requires 20 days advanced notice prior to any consideration for amending the subdivision regulations.

**Scoggan** informed the Planning Commission that on March 9,2020 they would be considering the rezoning of 227 Cedar St for an R-3 classification from an R-1. This Item has been on the agenda since December 2019 and In January the Planning Commission approved the developer re-submitting the application for rezoning.

**Scoggan** informed the Planning Commission that on March 9,2020 they would be considering the Site Plan for 227 Cedar St to be viewed concurrently with the re-zoning application.

**Scoggan** informed the Planning Commission that on March 9,2020 they would be considering a sign variance for the Arbor Creek subdivision. The developer wants to erect a marketing sign promoting the new development but since the development is zoned R-1 the sign requirements prohibit a sign exceeding a certain gross square footage. This has been published in the City newspaper and letters sent out to property owners within 200' within the City limit and 1000' outside the City limit (County)

## **GOVERNING BODY COMMENTS**

Commissioner **Parks** asked about the removal of the design committee and did the City planner remember ever using it before in the past?

**Scoggan** replied he was not here when they utilized the DRC

Chair **VanAmburg** said he served on the DRC as well as the Planning Commission and he felt that during that time the work of the DRC was redundant as everything they approved eventually came before the Planning Commission who then approved it under the same guidelines.

Commissioner **Park** asked about design guidelines for facades and whether the Site Plan review incorporated the ideas they came up with several years ago.

**Scoggan** replied that as far as he could tell they did not incorporate a minimum standard in terms of material requirements.

Commissioner **Parks** said he felt that it would be a good idea to have a base line for design standards of maybe 5 checklist items that everyone could abide by for commercial buildings.

Commissioner **Dendurent** agreed and felt that this was similar to the sign ordinance in which a more defined measurement could be used when evaluating site plans.

Commissioner **Coyne** agreed and said it would help developers know what to expect on the front end when proposing a new development.

Commissioner **Dendurent** agreed and said these checklists would be helpful.

**Scoggan** mentioned that Site Plans are introduced before the Planning Commission at the discretion of the City Planner which would be why the Planning Commission sees more Site Plans now than previously.

He further stated that the Planning Commission has a certain amount of latitude to impose more stipulations upon a development if they feel it is necessary or would help with a specific project.

Commissioner **Parks** stated that he felt that the Planning Commission in some cases acted as arbitration for developers. He stated that if the City Planner was following the subdivision regulations and a Site Plan came before the Planning Commission, they could lessen the severity of the subdivision's application under certain situations.

Commissioner **Coyne** asked about the status of the up zoning review

**Scoggan** replied they were moving very slowly to introduce the idea to a broad audience of Planning Commissioners and Governing Body members before publishing anything for official review.

Commissioner **Dendurent** asked how they could encourage development in Old Goddard and what they could do to mitigate future blighted properties.

**Scoggan** replied that is a challenge that is multi-layered and takes a great deal of analysis and time to incorporate a plan to tackle this challenge.

Chair **VanAmburg** stated that is only individuals looked at the number of rentals in the area perhaps they would have a different sense of the issue at hand.

## **ADJOURNMENT**

**MOTION:** Commissioner **Grafing** moved to adjourn the regular meeting.  
Commissioner **Coyne** seconded the motion. The motion carried unanimously.

**Meeting adjourned at 8:18 pm.**  
**Micah Scoggan, City Planner**

**City of Goddard  
Goddard Planning Commission  
March 9, 2020  
7:00 PM**

**TO:** Planning Commission  
**SUBJECT:** Sign Variance Request  
**PREPARED BY:** City Planner  
**AGENDA:** Board of Zoning Adjustment

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**Background:** The development known as Arbor Creek is in the process of putting together a sign for to market their subdivision within the City of Goddard. This marketing sign is consistent with almost every other subdivision around the metro area. However, the sign they requested to build exceeded the gross square footage allowable within the Arbor Creek Subdivision, which is R-1.

The sign ordinance for R-1 deals predominantly with residents who want to put up signs in their yards and not with the overall marketing of the subdivision. As such it can be cumbersome for developers to submit a marketing sign for a R-1 subdivision only to find the sign ordinance for R-1 prohibits the sign from exceeding a certain size.

**Analysis:** Authorized Variances and Findings of Fact

Article 10-107.C. Authorized. Variances from the provisions of these regulations shall be granted by the Board only in accordance with the standards set out in Section 10-107.D, and may be granted only in the following instances and in no others:

1. To vary the applicable minimum lot area, lot width and lot depth requirements.
2. To vary the applicable bulk regulations, including maximum height and lot coverage and minimum yard requirements.
3. To vary the dimensional provisions for permitted obstructions in required yards including fences in Section 3-103F.
4. To vary the applicable number of required off-street parking spaces and the amount of off-street loading requirements of Article 5.
5. To vary the applicable dimensional sign provisions of Section 7-102 regarding general standards and Section 7-104 regarding district regulations.
6. To vary the applicable requirements in Sections 10-107 C1 through 5 above in conjunction with conditional use applications for nonconforming, nonresidential structures and uses under provisions of Section 8-105.
7. To vary the applicable provisions permitted by the Floodplain Regulations. (See Appendix for Floodplain Regulations.)

1. The Board may grant a variance upon specific written findings of fact based upon the particular evidence presented to it at the hearing that all the conditions required by K.S.A. 12-759(e) have been met which are listed below:

i. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district. and is not created by an action or actions of the property owner or the applicant; **Not created by the property owner. Unique to the property has to do with the subdivision as a whole and not individual lots as it commonly the case.**

ii. That granting of the variance will not adversely affect the rights of adjacent property owners or residents; **It will not adversely affect the property owners who are currently home builders who would like to see their homes marketed.**

iii. That strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application; **It is common practice in Sedgwick county to market subdivisions with larger signs for temporary use (10 Years) Hardship would occur in the competition of selling homes.**

iv. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and

v. That granting the variance desired will not be opposed to the general spirit and intent of these regulations. **It will not affect health, safety or welfare, and is for the purpose of competition and helping Goddard grow.**

**Financial:** Public notice was given incurring a small cost.

**Legal Considerations:** Approved as to form

**Recommendation/Actions:** It is recommended that the Planning Commission approve the sign variance request (**VOICE**)

**Attachments:** Exhibit F.1a Application for sign permit (4 Pages); Exhibit F.1b Affidavit of publication (1 Page) ; Exhibit F.1c Variance Application (2 Pages)



**SIGN PERMIT APPLICATION**  
Call 316-794-2441 to Request Inspection

City of Goddard  
118 North Main, PO Box 667  
Goddard, KS 67052  
P: 316-794-2441  
F: 316-794-2401

Date of Application 01-10-2020

Permit # \_\_\_\_\_

Receipt # \_\_\_\_\_

**LOCATION OF WORK**

Name of Business: Schellenberg Developments Contact Name: Jesse Schellenberg

Address: 2243 N. Ridge Rd. Wichita, KS 67205 Phone: 316-721-2153

Zoning District: \_\_\_\_\_

**COMPANY/CONTRACTOR INFORMATION**

Company/Contractor Name: Lb Signs Phone: 316-721-5934

Address: 5010 N. Maize Rd. Maize, KS 67101

License #: 3376

Signature: Jacob Schiefelbein

**SIGN**

Sign Type: Monument Sign (Awning, marquee, monument, temporary, etc. - See Goddard Zoning Code Article 7)

Illuminated: NO (Yes/No- if yes, electrical permit required from MABCD)

Circle one: **Erect** Alter Repair Remove Constructed on or off site? on

Number of Faces: 2 Maximum Gross Surface Area: 128 Sq. ft.

**FOR TEMPORARY SIGNS**

Install Date: \_\_\_\_\_

Remove Date: \_\_\_\_\_

**FOR SPECIAL EVENT SIGNS:** Install Date: \_\_\_\_\_

Remove Date: \_\_\_\_\_

**FEES**

Sign Type	Cost	Total Amount
<b>New:</b> Placed, located, erected, constructed, reconstructed, remodeled, relocated, altered, hung, affixed, created by painting	\$25.00 + \$6.00 per each 10 square feet of gross surface area or fraction thereof	\$103.00
<b>Altered:</b> Increased size or height	\$25.00 + \$6.00 per each 10 square feet of gross surface area or fraction thereof	
<b>Face or Copy Change Only</b>	\$25.00	
<b>Temporary</b>	\$10.00 + \$1.00 per each 10 square feet of gross surface area or fraction thereof	
<b>Commercial Balloon</b>	\$15.00 per each 7 day permit	
<b>Total</b>		

Received and Approved By (City): \_\_\_\_\_ Date: \_\_\_\_\_

Drawing/sketch attached? Yes

16 ft.



ARBOR | CREEK

316-640-1186

chrislary1@gmail.com



NEW HOMES!

Starting at \$225k

The Estates - Starting at \$325k

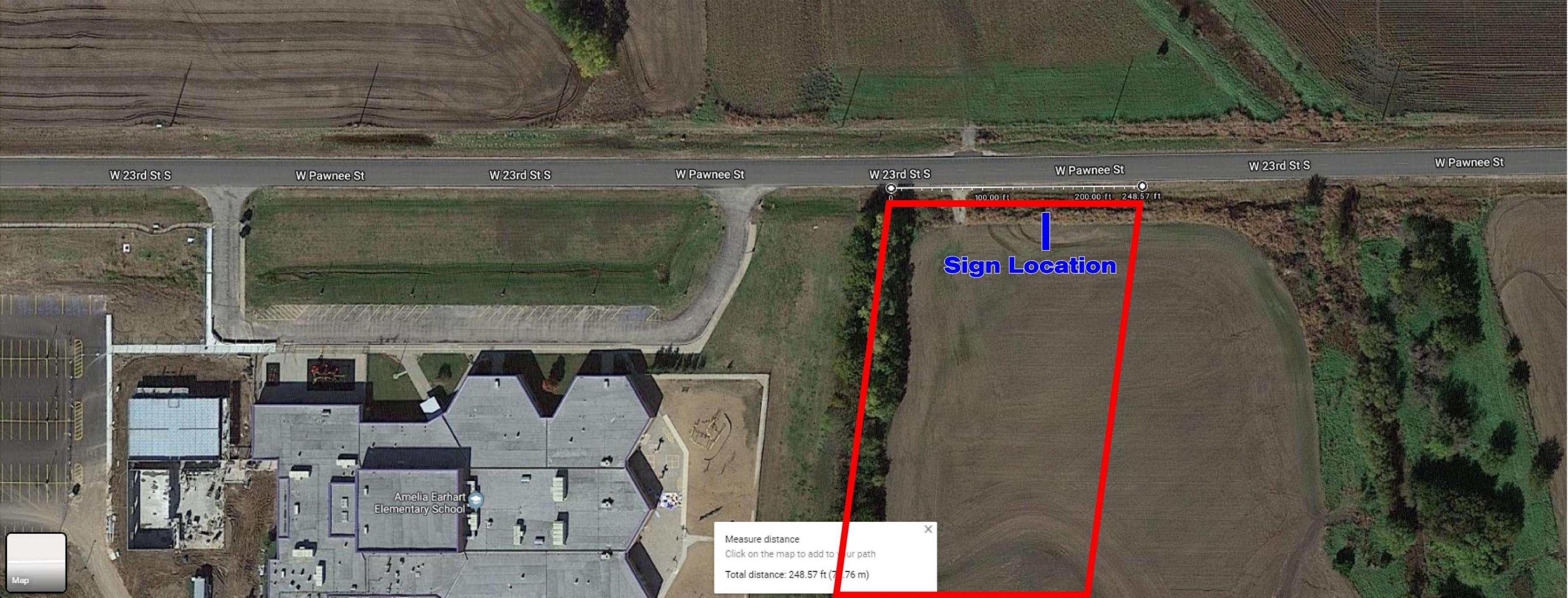
www.YourHomeWichita.com



Fitness Room | Clubhouse | Dog Park | Pickle Ball Courts | Playground | Pool

8 ft.

5 ft.



**248 Linear Ft.**

**.80 of frontage=198.4 or less than 150 sq. ft. Allowed  
Sq. Ft. of sign=128 sq. ft.**



		<b>NEW HOMES!</b>	
ARBOR CREEK		Starting at \$225k	
316-640-1186		The Estates - Starting at \$325k	
chickakryl@gmail.com		www.yourdreamshouse.com	
 2024AR1980		 	
Patio Room   Clubhouse   Dog Park   Pickle Ball Courts   Playground   Pool			

**Affidavit of Publication**

Michelle R. Leidy-Franklin  
Of lawful age being duly sworn upon oath states  
That she is the lawful billing clerk at

**Times-Sentinel Newspapers, LLC  
State of Kansas**

A weekly newspaper printed in the state of Kansas,  
And published in and of general circulation in Sedgwick  
County, with a general paid circulation on a yearly  
Basis in Sedgwick County of Kansas, and that said  
Newspaper is not a trade, religious, or fraternal  
Publication. That said newspaper has been published  
At least weekly 50 times a year, has been so published  
Continuously and uninterruptedly in said county and state  
For a period of more than five years prior to the first  
Publication of said notice and has been admitted to the  
Post Office of Cheney, Kansas, in Sedgwick County as  
Second class matter. That the attached is a true copy  
Thereof and was published on the following dates in the  
Regular and entire Issue of said newspaper.

First Publication was made  
On the 6<sup>th</sup> Day of Feb, 2020  
Second Publication was made  
On the \_\_\_\_\_ Day of \_\_\_\_\_, 2020  
Third Publication was made  
On the \_\_\_\_\_ Day of \_\_\_\_\_, 2020

Total Publication Fee \$ 94.50

*Michelle R. Leidy-Franklin*

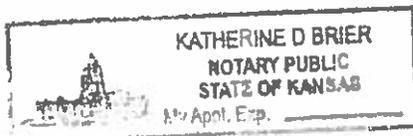
Subscribed and sworn to before me this

6<sup>th</sup> Day of Feb, 2020

*Kasly D*

Notary Public

My Commission expires on 5/8/23



**PUBLIC NOTICE**

First Published in The Times-Sentinel February 6, 2020 (11)

**NOTICE OF HEARING**

TO ALL PERSONS CONCERNED:

Notice is hereby given that the Goddard Board of Zoning Appeals will conduct a public hearing in the City Council chambers at Goddard City Hall, 118 N. Main Street, Goddard, KS on Monday, March 9, 2020 at 7:00 p.m. or as soon thereafter as the matter may be heard, to consider a sign variance application.

For:

The consideration of removing the sign regulation requirements for an R-1 development. For the purpose of allowing the building of a sign for marketing that exceeds the maximum gross square feet of that zoning classification.

At such time and place, all persons interested may appear and be heard as to this matter. After hearing the views and wishes of all persons interested in the case, the Board of Zoning Appeals will close the public hearing. The public hearing may be recessed and continued from time to time without further notice.

The application for the variance, including the full legal description of the property at issue, is on file at Goddard City Hall, 118 N. Main St. Goddard, KS 87052 and may be inspected during general business hours of 8:00 a.m. – 4:30 p.m. Monday – Friday. If you are unable to attend the meeting you may submit your comments in writing to the City and those comments will be presented to the Board of Zoning Appeals during the public hearing.

If you have any questions concerning this matter please contact Goddard City Hall, 118 N. Main St; via phone at (316) 794-2441; or email at [mecoggan@goddards.gov](mailto:mecoggan@goddards.gov)

/s/ Micah Scoggan  
City Planner/Code Enforcement  
City of Goddard, Kansas



APPLICATION FOR A VARIANCE FROM CITY OF GODDARD ZONING REGULATIONS

118 North Main, PO Box 667 Goddard, KS 67052 P. 316.794.2441 F. 316.794.2401 goddardks.gov

This application for a variance from the City of Goddard Zoning Regulations must be completed in accordance with accompanying instructions and filed with the Zoning Administrator at City Hall, 118 N. Main, PO Box 667, Goddard, KS 67052, www.goddardks.gov.

(INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED)

Filing Deadline: \_\_\_\_\_

Applicant Name: Schellenberg Development Company Phone: 316-721-2153

Applicant Address: 2243 N. Ridge Rd #105 Wichita, KS 67205

Name of Agent, if applicable: n/a Phone: n/a

Agent Address: n/a

Relationship of applicant to the property is: Owner (Owner, Tenant, Agent, Lessee, etc.)

Property Location: residential development on 23rd between 183rd and 199th St.

Legal Description: Reserve C Arbour Creek Addition

Zoning Classification (District): R1

Application for a variance must contain the following information:

1. Requirements of these regulations which prevent the proposed use or construction: size of approved signage

2. Characteristics of the subject property which prevent compliance with the requirements of these regulations: sign is too large - 8x16

3. Reduction of minimum requirements of these regulations necessary to permit the proposed use/construction:

Need to allow for a larger sign, approx. 8' x 16'

4. Hardship resulting if the particular requirements of the regulations were applied to the property:

It would be hard to let people know about the new residential development if they can't read the signage

The applicant or his/her authorized agent acknowledges that:

- A. He/she has received informational material concerning the filing and hearing of this matter, and
- B. He/she has been advised of the fee requirements established and that the appropriate fee has been paid, and
- C. He/she has been advised of his/her right to bring action in District Court of Sedgwick County to appeal the decision of the Goddard Board of Zoning Appeals, and
- D. All documents are attached hereto as required in the instructions, and
- E. The Goddard Board of Zoning Appeals has the authority to require such conditions as are deemed necessary and reasonable in order to serve the public interest.

*[Handwritten Signature]*  
Applicant/Agent Signature

1-15-2020  
Date

(FOR OFFICE USE ONLY)

Accepted by:

\_\_\_\_\_  
Zoning Administrator

\_\_\_\_\_  
Date

Meeting Date: \_\_\_\_\_

cc: Applicant

**City of Goddard  
Goddard Planning Commission  
March 9, 2020  
7:00 PM**

**TO:** Planning Commission  
**SUBJECT:** 227 Cedar St rezoning to R-3  
**PREPARED BY:** City Planner  
**AGENDA:** Old Business

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**Background:** AST Investment properties has submitted a rezoning request for a property located at 227 N Cedar St. The property currently exists as an empty lot and the builder is proposing to build a 3-plex. The current zoning is R-1 and they would like to rezone to a R-3 zoning classification.

The Planning Commission tabled the consideration on December 9, 2019 and approved a motion for a resubmittal of the rezoning application from a PUD to an R-3 on January 13, 2020.

The developer changed the design from a 5-plex to and 3 plex dropping the number of units and allowing the new proposal to fit the bulk regulations of a R-3 classification.

**Analysis:**

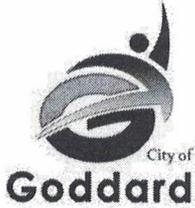
- With the residential growth occurring inside Goddard, there is an unmet demand for rental properties of quality.
- Density within proximity to main street would help buttress proposed and existing commercial businesses.
- This rezoning to a R-3 would allow for the three-unit development being proposed increasing the water usage and property taxes generated.
- The property manager would do credit checks and background checks to ensure renters of quality
- According to Jack Manion (Sedgwick County Residential Land Analyst) this development will virtually guarantee property values to increase in proximity due to it being proposed on a vacant lot

**Financial:** Public notice was given incurring a small cost.

**Legal Considerations:** Approved as to form

**Recommendation/Actions:** It is recommended that the Planning Commission approve rezoning request for 227 Cedar St from R-1 to R-3 (**VOICE**)

**Attachments:** Exhibit G.1a Rezoning Application (2 Pages); Exhibit G.1b Affidavit of Publication (1 Page); Exhibit G.1c Context Site Map (1 Page)



City of Goddard  
 118 North Main, PO Box 667  
 Goddard, KS 67052  
 P. 316.794.2441  
 F. 316.794.2401  
 goddardks.gov

**APPLICATION FOR CHANGE OF ZONING DISTRICT CLASSIFICATION**

This form is an application for changing a zoning district classification within the City of Goddard, Kansas. Please complete the form in accordance with the directions on the following pages and return to the City of Goddard:

- By email: mscoggan@goddardks.gov
- By mail: 118 N. Main, PO Box 667 Goddard KS 67052
- By fax: 316-794-2441

Please note, an incomplete application cannot be accepted.

1. Name of applicant(s) and/or his/her agent(s). The owners of all property requesting to be rezoned must be listed.

- a. Applicant AST Investment Properties, LLC.  
 Address 1815 Southwest Blvd Phone 316-619-4767  
 Agent (if any) Tori Hornecker  
 Address 1815 Southwest Blvd Phone 316-641-9727
- b. Applicant \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Agent (if any) \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_

*(Use a separate sheet if necessary for names of additional applicants.)*

2. The Applicant(s) request a change of zoning from the current R1 Zoning District classification to an R3 Zoning District classification for property legally described as Lot(s) 17-18 of Block 13 in the Original town of Goddard Addition to the City of Goddard, KS.

*(A metes and bounds description may be provided in the space below or on an attached sheet.)*

3. Dimensions of the property are 100 feet in depth by 141 feet in width, and comprise .30 acres (rounded to the nearest tenth) or 13,914.5 square feet in area.

4. The general location of the property is (use appropriate section):

a. The address is 227 N. Cedar St

b. At the Southwest corner of N Cedar St Street and E 2nd Ave Street.

c. On the West side of N Cedar St Street between E 2nd Ave Street and E 1st Ave Street.

5. Is this property part of a recorded plat? Yes  No

6. The property is presently used for Vacant and this change of zoning is requested for the following reasons: to build a 3-plex unit and offer additional vacancy in Goddard, KS.

7. I (We), the applicant(s), acknowledge receipt of the instructions and further state that I (We) have read the material. If an agent, I further state that I have or will provide the owner(s) of the property for which the change of zoning is requested an explanation of or copy of this material. I (We) realize that this application cannot be processed unless it is complete and is accompanied by a current property ownership list for the notification are, along with the appropriate fee.

[Signature] 1/7/2020  
Applicant Date Applicant Date

Applicant Date Applicant Date

City of Goddard Office Use Only

This application was received by the City at \_\_\_\_\_ (a.m./p.m.) on \_\_\_\_\_ (Date)

It has been reviewed and found to be complete and accompanied by the required property ownership list and application fee of \$\_\_\_\_\_.

City Planner Micah Scoggan, City Planner

**Affidavit of Publication**

Michelle R. Leidy-Franklin  
Of lawful age being duly sworn upon oath states  
That she is the lawful billing clerk at

**Times-Sentinel Newspapers, LLC  
State of Kansas**

A weekly newspaper printed in the state of Kansas,  
And published in and of general circulation in Sedgwick  
County, with a general paid circulation on a yearly  
Basis in Sedgwick County of Kansas, and that said  
Newspaper is not a trade, religious, or fraternal  
Publication. That said newspaper has been published  
At least weekly 50 times a year, has been so published  
Continuously and uninterruptedly in said county and state  
For a period of more than five years prior to the first  
Publication of said notice and has been admitted to the  
Post Office of Cheney, Kansas, in Sedgwick County as  
Second class matter. That the attached is a true copy  
Thereof and was published on the following dates in the  
Regular and entire Issue of said newspaper.

First Publication was made  
On the 6<sup>th</sup> Day of Feb, 2020  
Second Publication was made  
On the \_\_\_\_\_ Day of \_\_\_\_\_, 2020  
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Total Publication Fee \$ 94.50

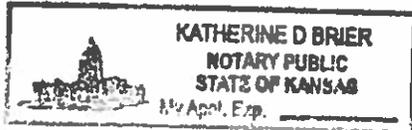
*Michelle R. Leidy-Franklin*

Subscribed and sworn to before me this

6<sup>th</sup> Day of Feb, 2020

*Kathleen D. Brier*  
\_\_\_\_\_  
Notary Public

My Commission expires on 5/8/23



**PUBLIC NOTICE**

First Published in The Times-Sentinel February 6, 2020 (1)

**NOTICE OF HEARING**

**TO ALL PERSONS CONCERNED:**

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**For:**

The consideration of rezoning an R-1 lot to an R-3 zoning classification. For the purpose of allowing the development of a three-plex development on an otherwise empty lot.

At such time and place, all persons interested may appear and be heard as to this matter. After hearing the views and wishes of all persons interested in the case, the Board of Zoning Appeals will close the public hearing. The public hearing may be recessed and continued from time to time without further notice.

The application for the rezoning application, including the full legal description of the property at issue, is on file at Goddard City Hall, 118 N. Main St. Goddard, KS 67052 and may be inspected during general business hours of 8:00 a.m. – 4:30 p.m. Monday – Friday. If you are unable to attend the meeting you may submit your comments in writing to the City and those comments will be presented to the Board of Zoning Appeals during the public hearing.

If you have any questions concerning this matter please contact Goddard City Hall, 118 N. Main St; via phone at (316) 794-2441; or email at [mecoggan@goddardks.gov](mailto:mecoggan@goddardks.gov)

/s/ Micah Scoggan  
City Planner/Code Enforcement  
City of Goddard, Kansas



W 2ND AVE

E 2ND AVE

227 N CEDAR ST

N MAIN ST

N CEDAR ST

W 1ST AVE

E 1ST AVE

E 1ST AVE

City Hall

N CEDAR ST



0 50 100 Feet

— Roads

▭ Property for re-zoning to R-3

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**City of Goddard  
Goddard Planning Commission  
March 9, 2020  
7:00 PM**

**TO:** Planning Commission  
**SUBJECT:** Easement Dedication for Arbor Creek  
**PREPARED BY:** City Planner  
**AGENDA:** New Business

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**Background:** Schellenberg Development is going through the physical process of building the subdivision known as Arbor Creek. During this process, small changes in the design may occur requiring review by the Planning Commission and Governing Body. After initial design work the engineers of MKEC who represent Schellenberg in this development would like to dedicate an additional 10' to an existing 20' sanitary sewer easement. The Engineers feel that this additional easement would be necessary for the maintenance of this line in the future.

**Analysis:** The Planning Commission will determine if those offering the dedication can in fact make such a dedication to the City.

- If the title work proves accurate than the Planning Commission will determine if the dedication would be in the City's best interest. The Developer does have the title work for this property and the engineering firm MKEC represents the developer.
- After which a recommendation will be made before the Governing Body to either accept or reject the dedication
- Dedications do not require public notice.
- The City Engineer and the Public Works Director approve of this dedication.

**Financial:** None

**Legal Considerations:** Approved as to form

**Recommendation/Actions:** It is recommended that the Planning Commission approve the dedication of the additional sanitary sewer easement for the Arbor Creek Addition (**VOICE**)

**Attachments:** Exhibit H.2a Easement dedication (3 Pages)

## SANITARY SEWER EASEMENT

THIS EASEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2020, by, Arbor Creek Development, LLC, a Kansas limited liability company, of the first party and the City of Goddard, Kansas, of the second party.

WITNESSED, That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the second party a perpetual right-of-way and easement, for the purposes of accessing, constructing, maintaining, operating, and repairing their sanitary sewer / force main utilities, along, over, and under the following described real estate situated in Goddard, Sedgwick County, Kansas, to wit:

A 10-foot-wide tract of land lying within portions of Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 10, and portions of Reserves R, T, and U, Arbor Creek Addition, an addition Goddard, Sedgwick County, Kansas, said 10-foot-wide tract of land being centered 5.00 feet each side of the following described line:

COMMECNING at the northeast corner of said Reserve T; thence along the north line of said Reserve T on a platted bearing of S88°32'15"W, 15.02 feet to the POINT OF BEGINNING; thence parallel with and 15.00 feet west of the east line of said Lots 1 and 2, and said Reserve T, S01°15'58"W, 353.34 feet; thence parallel with and 15.00 feet south of the north line of said Lots 4, 5, 6, 7, 8, and 9, and said Reserves R and U, N89°09'27"E, 748.08 feet to a point 5.00 feet west of the east line of said Reserve R; thence parallel with and 5.00 feet west of the east line of said Reserve R, S01°13'59"W, 1195.76 feet to a point on a north line of a platted 60x80 foot Sanitary Sewer Easement, also being the POINT OF TERMINATION, the sidelines being prolong and/or shortened to terminate on said north lines of said Reserve T and said easement.

And said second party is hereby granted the right to enter upon said premises at any time for the purposes of accessing, constructing, maintaining, operating, and repairing all of their sanitary sewer / force main utilities.



IN WITNESS WHEREOF: The first party has signed these presents the day and year first written.

Arbor Creek Development, LLC, a Kansas limited liability company  
By: Goddard LLC, a Kansas limited liability company, its manager

\_\_\_\_\_  
Marvin L. Schellenberg, Sole Member

STATE OF KANSAS, SEDGWICK COUNTY} ss:

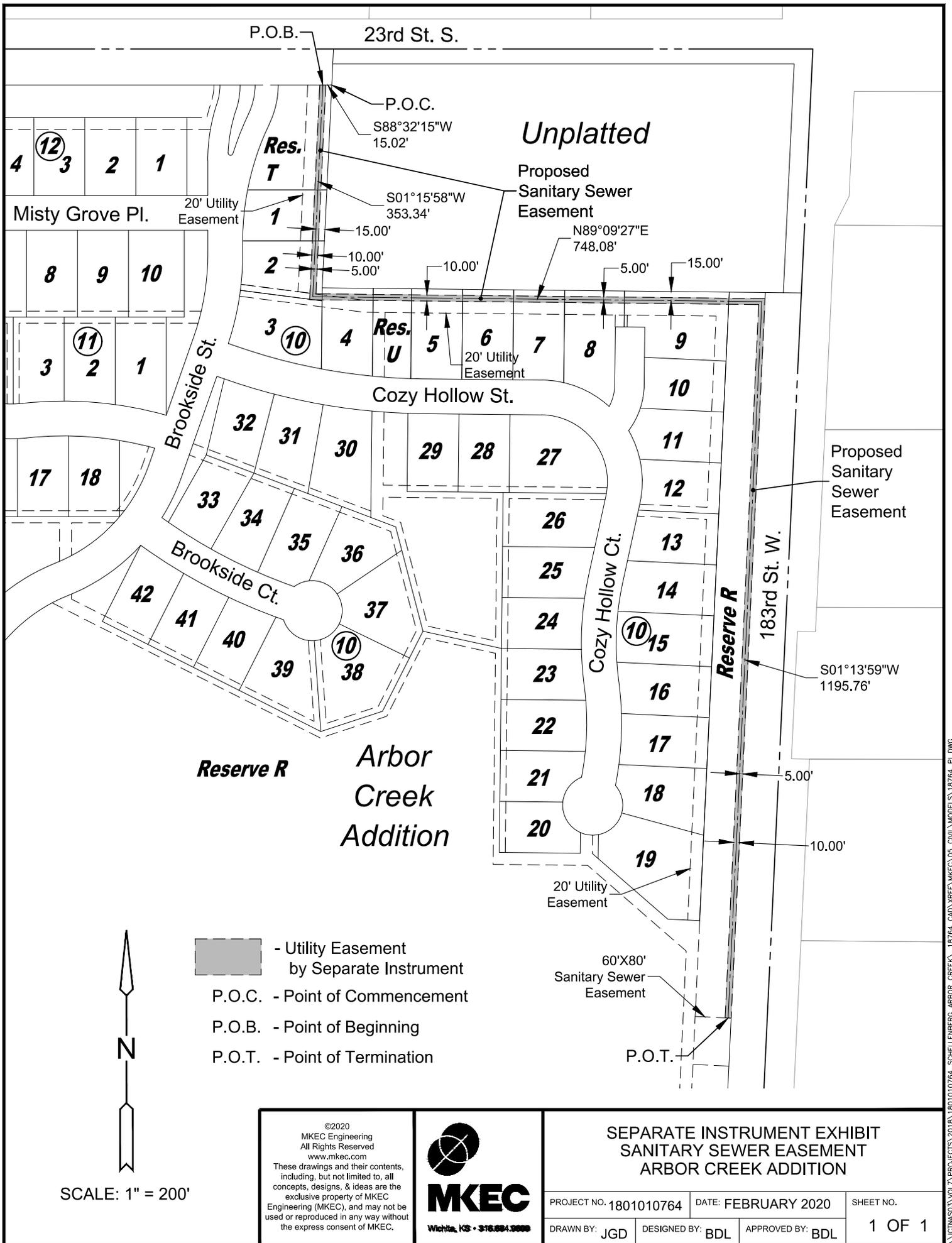
This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2020, by Marvin L. Schellenberg, Sole Member for Goddard LLC, a Kansas limited liability company, manger of Arbor Creek Development, LLC, a Kansas limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

\_\_\_\_\_, Notary Public

My Term Expires: \_\_\_\_\_





-  - Utility Easement by Separate Instrument
- P.O.C. - Point of Commencement
- P.O.B. - Point of Beginning
- P.O.T. - Point of Termination



SCALE: 1" = 200'

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<b>SEPARATE INSTRUMENT EXHIBIT SANITARY SEWER EASEMENT ARBOR CREEK ADDITION</b>			
PROJECT NO. 1801010764	DATE: FEBRUARY 2020	SHEET NO.	
DRAWN BY: JGD	DESIGNED BY: BDL	APPROVED BY: BDL	1 OF 1

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**City of Goddard  
Goddard Planning Commission  
March 9, 2020  
7:00 PM**

**TO:** Planning Commission  
**SUBJECT:** Design Review Committee - removal  
**PREPARED BY:** City Planner  
**AGENDA:** New Business

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**Background:** There is a sub-group of the Planning Commission called the Design Review Committee (DRC) and this committee reviews Site Plans for the Planning Commission and gives them their recommendation. The DRC is currently a non-active subgroup and the only function of the Design Review Committee was for the review of Site Plans.

**Analysis:**

- The Design Review Committee has the same function as the Planning Commission regarding Site Plans, making the committee redundant.
- The DRC is non-active and can become misleading to developers who would want to have the DRC review a site plan if they missed a Planning Commission date.
- Reducing needless subcommittees unifies the City with less groups handling project material and decision making.

**Financial:** Public notice was given incurring a small cost.

**Legal Considerations:** Approved as to form

**Recommendation/Actions:** It is recommended that the Planning Commission approve the removal of the Design Review Committee from the zoning & subdivision regulations (**VOICE**)

**Attachments:** Exhibit H.3a Notice of Affidavit (1 Page) ; Exhibit H.3b Design Review Committee section of the sub regulations (1 Page)

**Affidavit of Publication**

Michelle R. Leidy-Franklin  
Of lawful age being duly sworn upon oath states  
That she is the lawful billing clerk at

**Times-Sentinel Newspapers, LLC  
State of Kansas**

A weekly newspaper printed in the state of Kansas,  
And published in and of general circulation in Sedgwick  
County, with a general paid circulation on a yearly  
Basis in Sedgwick County of Kansas, and that said  
Newspaper is not a trade, religious, or fraternal  
Publication. That said newspaper has been published  
At least weekly 50 times a year, has been so published  
Continuously and uninterruptedly in said county and state  
For a period of more than five years prior to the first  
Publication of said notice and has been admitted to the  
Post Office of Cheney, Kansas, in Sedgwick County as  
Second class matter. That the attached is a true copy  
Thereof and was published on the following dates in the  
Regular and entire Issue of said newspaper.

First Publication was made  
On the 6<sup>th</sup> Day of Feb, 2020  
Second Publication was made  
On the \_\_\_\_\_ Day of \_\_\_\_\_, 2020  
Third Publication was made  
On the \_\_\_\_\_ Day of \_\_\_\_\_, 2020

Total Publication Fee \$ 94.50

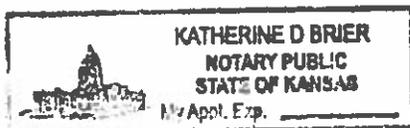
*Michelle R. Leidy-Franklin*

Subscribed and sworn to before me this

6<sup>th</sup> Day of Feb, 2020

*Katharine D Brier*  
\_\_\_\_\_  
Notary Public

My Commission expires on 5/8/23



**PUBLIC NOTICE**

First Published in The Times-Sentinel February 6, 2020 (11)

**NOTICE OF HEARING**

TO ALL PERSONS CONCERNED:

Notice is hereby given that the Goddard Planning Commission/Board of Zoning Appeals will conduct a public hearing in the City Council chambers at Goddard City Hall, 118 N. Main Street, Goddard, KS on Monday, March 9, 2020 at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider a text amendment to Article 11.102.G to remove the Development Review Committee as subcommittee of the Planning Commission.

At such time and place, all persons interested may appear and be heard as to this matter. After hearing the views and wishes of all persons interested in the case, the Planning Commission/Board of Zoning Appeals will close the public hearing and consider a recommendation to the Governing Body. The public hearing may be recessed and continued from time to time without further notice.

The proposed Amendment is on file at Goddard City Hall, 118 N. Main St. Goddard, KS 67052 and may be inspected during general business hours of 8:00 a.m. – 4:30 p.m. Monday – Friday. If you are unable to attend the meeting you may submit your comments in writing to the City and those comments will be presented to the Planning Commission/Board of Zoning Appeals during the public hearing.

If you have any questions concerning this matter please contact Goddard City Hall, 118 N. Main St; via phone at (318) 794-2441; or email at [mscoggan@goddardks.gov](mailto:mscoggan@goddardks.gov)

/s/ Micah Scoggan  
City Planner/Code Enforcement  
City of Goddard, Kansas

**ARTICLE 11. SITE PLAN REVIEW CRITERIA**

- 100 Purpose. The purpose of this Article is to establish requirements for Site Plan Review in Goddard and increase public participation in the design and physical development of the community.
- 101 JURISDICTION. These regulations shall apply to all land located within the City of Goddard and within the Urban Growth Boundary as defined by the Metropolitan Area Planning Commission and Sedgwick County Board of County Commissioners.
- 102 PROCESS.
- A. Projects that present potential impacts to surrounding properties and neighborhoods go to the Planning Commission.
  - B. The Community Development Director shall make a determination if a project is to be reviewed by the Planning Commission.
  - C. Plats are reviewed separately by the Planning Commission.
  - D. When required, a Site Plan Review application must then be submitted.
  - E. Each submittal must include the information listed on the application.
    - a. After accepting your application for processing, the Community Development Director will review the application for completeness.
    - b. If your application is found to be incomplete, you will be notified and asked to submit the additional information required to process your application. This may delay the scheduling of your project for the Planning Commission.
  - F. Applications are processed on a monthly cycle and are due 25 days prior to the Planning Commission meeting by 12:00 p.m. (If the due date falls on a weekend the application shall be submitted on the Friday before.) The City maintains a listing of the Planning Commission Calendar for all applicants.
  - G. The site plan may be reviewed by the Development Review Committee (DRC), a subcommittee of the Planning Commission, before going for approval with or without conditions or disapproval by the Planning Commission.
    - a. The Development Review Committee meets within ten days prior to the Planning Commission meeting.
    - b. Each meeting is publicly noticed and an agenda is made available. All meetings are open to the public.
    - c. The committee is composed of five members including three from the Planning Commission, one from the City Council or their designee and one at large member of the community. The at large member is appointed by the Planning Commission chairperson with consent of the Planning Commission. That member shall be selected with a technical background, business or other experience which aids the review process.
    - d. Members shall serve two year terms. Initially, the three members of the Planning Commission shall serve two year terms and the other members shall serve a one year term. Members may be reappointed when their term expires. Vacancies are filled by appointment for the unexpired term. A quorum requires three members be present. The Planning Commission then meets on the second Monday of the month.

**City of Goddard  
Goddard Planning Commission  
March 9, 2020  
7:00 PM**

**TO:** Planning Commission  
**SUBJECT:** Several items of note for informative purposes but not for voting on  
**PREPARED BY:** City Planner  
**AGENDA:** Staff Report

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**Background:** Micah Scoggan, City Planner, compiles a short concise report outlining relevant information and presents it to the Planning Commission.

**1. 301 E 1<sup>st</sup> Ave Conditional Use Permit**

- Mr Preston Roberts would like to request a CUP for the building of an accessory garage that exceeds 720 sq ft

**2. Vacation and Dedication of Arbor Creek entrance**

- MKEC on behalf of Schellenberg Development is requesting a vacation and a dedication concurrently for an entrance into the Arbor Creek subdivision. The vacation required public notice

**3. Planning Intern**

- Introducing Justin Lloyd, the City's Planning Intern from Feb until June. Justin Graduated from Brigham Young University with a bachelors in Geo-computing
- It was on the campus of BYU where he met his wife, Brookelynn and the two are now happily married with two kids age 2 and 5 months
- When he is not spending time delving into the intricacies of geographical, spatial computing he is spending time with his wife and kids exploring the outdoors and going on family vacations.

