**AGENDA-REGULAR MEETING**
**GODDARD PLANNING COMMISSION**
**118 NORTH MAIN**
**GODDARD, KANSAS**
April 13, 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 – March 9, 2020

**F) BOARD of ZONING APPEALS**

1. 301 E 1st Ave – Conditional Use Permit
2. Vacation & Dedication of Arbor Creek Entrance

**G) OLD BUSINESS**

None

**H) NEW BUSINESS**

1. 227 Cedar St Site Plan

**I) CITY PLANNER REPORT**
1. COVID-19
2. STAR Bond
3. Permit Portal
4. More Multi-family zoning

**J) COMMISSIONER COMMENTS**

**K) ADJOURNMENT**

The Next Regular Meeting of the Planning Commission is scheduled for
May 11, 2020 at 7pm.

**MINUTES-REGULAR SESSION**
**CITY OF GODDARD**
**118 NORTH MAIN, GODDARD, KS**
**March 9, 2020**

The Goddard Planning Commission met in a Regular Session at Goddard City Hall on Monday March 9, 2020. Chairman VanAmburg called the meeting to order at 7:11 p.m. Chairman VanAmburg led in the Pledge of Allegiance and the Invocation.

Commission members present were:

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

Commissioners absent were:

Darrin Cline, Shane Grafing

Also present were: Micah Scoggan, City Planner ; Cody Schellenberg, Schellenberg Development; Joey Deneke, MKEC; Tori, Lease Wichita, Logan Mills of CED

## APPROVAL OF THE AGENDA

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

## APPROVAL OF THE MINUTES

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

## CITIZEN COMMENTS

Thomas Bariner {211 N Cedar} Stated that most of the neighborhood did not want this development going in. He said that most of his neighbors thought that the Planning Commission was going to act in favor of the development regardless of what the neighbors thought. He said he noticed it went form a 5-plex to a 3-plex but he stated he still didn't want any rental of any kind.

Chair VanAmburg stated that the Planning Commission tabled the matter and spent several months in deliberation prior to coming to their conclusion.

Thomas Bariner asked whether they were going to approve it.

Chair VanAmburg said he believed they were.

Thomas Barriner said you don't care what we think and left the meeting

## BOARD OF ZONING

### F.1 Sign Variance for Arbor Creek

***Scoggan*** introduced the subject. He stated the development known as Arbor Creek is in the process of putting together a sign for marketing 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 zoning classification for Arbor Creek, which is an R-1 zoning.

He stated 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 common for larger marketing signs.

He stated that there are criteria for both determining if a variance can be used and when it is accepted as a valid variance

***Scoggan*** recommended that the Planning Commission approve the variance request for the Arbor Creek subdivision.

Commissioner ***Hall*** asked if the sign would be permanent

***Schellenberg*** stated it would be up till about 80% of the lots were sold. If it fell into disrepair during that time they would fix it to keep it looking nice.

Commissioner ***Dendurent*** asked if there were any other requirements that this variance would cover or was it just the gross sq footage?

***Scoggan*** replied it was just for the gross square footage

**MOTION**: Commissioner ***Hall*** motioned to approve the sign variance request for the Arbor Creek subdivision. Commissioner ***Dendurent*** seconded the motion.

**5-0** Motion Carried

## OLD BUSINESS

### G.1 227 Cedar St R-3 Rezoning Request

***Scoggan*** introduced the subject. He stated AST Investment properties had 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.

He stated 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.

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

He recommended that the Planning Commission approve the approve the rezoning of the property located at 227 Cedar St.

Commissioner ***Parks*** stated that he felt that multi-family is often mischaracterized and often overlooks the potential for housing teachers and others who would want to live and work in Goddard.

He further stated that perhaps the zoning was wrong and in fact it needed to be zoned this way initially. It makes more sense to have a higher density zoning running parallel to a business district.

Commissioner ***Dendurent*** agreed stating there was many missed opportunities and she had received several offers already by developers who wanted to flip the house at a higher cost or rent out.

***Tori*** of Lease Wichita thanked the Planning Commission for their comments.

**MOTION**: Commissioner ***Dendurent*** motioned to approve the rezoning of the property located at 227 Cedar St. Commissioner ***Parks*** seconded the motion.

**5-0** Motion Carried

## NEW BUSINESS

### H.1 Easement Dedication Arbor Creek

***Scoggan*** introduced the subject. He stated that 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.
He stated 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.

He stated how the Planning Commission would first need to determine if those offering the dedication can in fact make such a dedication to the City.

He stated if the title work proves accurate than the Planning Commission will determine if the dedication would be in the City’s best interest.

He noted 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.

He stated dedications do not require public notice.

He further stated the City Engineer and the Public Works Director approved of this dedication.

***Scoggan*** recommended the Planning Commission approve the Arbor Creek sanitary sewer dedication.

Chair ***VanAmburg*** asked if this was a common occurrence because he had never seen this before.

***Deneke*** replied that subdivisions commonly go through dedications by separate instrument as the project changes.

Commissioner ***Dendurent*** asked about the drainage easement behind the properties if they were already platted.

***Scoggan*** replied that they were and that easements prohibited permanent structures from being in the easement with the exception of fences

Commissioner ***Dendurent*** asked if the original design did not have the force main taken into account?

***Deneke*** replied they had not designed for it but changes to the engineering required it.

**MOTION**: Commissioner ***Dendurent*** motioned to approve the dedication of the easement for the Sanitary Sewer. Commissioner ***Parks*** seconded the motion.

**5-0** Motion Carried

**H.2 Removal of the Design Review Committee (DRC)**

***Scoggan*** introduced the subject. He stated that 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.
If approved, this recommendation would go on before the Governing Body for consideration to remove.

Chair ***VanAmburg*** mentioned that he used to be on the DRC and found that he would see the

same site plans and approve them based on the same criteria. He mentioned that the City Planner also reviewed site plans.

Commissioner ***Parks*** mentioned that it might be good for them to have a checklist for themselves for review of site plans.

**MOTION**: Commissioner ***Coyne*** motioned to approve the dedication of the easement for the Sanitary Sewer. Commissioner ***Hall*** seconded the motion.

**5-0** Motion Carried

## CITY PLANNER REPORT

***Scoggan*** informed the Planning Commission that on April 13,2020 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 April 13,2020 they would be considering the Site Plan for 227 Cedar St after which the Developer could pull their building permits.

***Scoggan*** informed the Planning Commission that on April 13,2020 they would be considering a Conditional Use Permit (CUP) for 301 E 1st for considering an accessory garage that exceeds 720 Sq Ft.

***Scoggan*** mentioned that Justin Lloyd will be joining the City from Brigham Young University where he will be graduating with a Bachelor's degree in Geo-computing.

## GOVERNING BODY COMMENTS

Chair ***VanAmburg*** apologized for his tardiness and the late start.

## ADJOURNMENT

**MOTION:** Commissioner ***Coyne*** moved to adjourn the regular meeting.

Commissioner ***Parks*** seconded the motion**.** The motion carried unanimously.

***Meeting adjourned at 8:12 pm.***
***Micah Scoggan, City Planner***

**Item F.1**

**City of Goddard**
**Goddard Planning Commission**
**April 13, 2020**
**7:00 PM**

| | |
|---|---|
| **TO:** | Planning Commission |
| **SUBJECT:** | 301 E 1st Ave - Conditional Use Permit |
| **INITIATED BY**: | City Planner |
| **AGENDA:** | Board of Zoning Adjustment |

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**Background:** Preston Roberts is the owner of 301 E 1st Ave. His lot is an above average lot sitting at around 0.5 acres. This lot currently has an attached garage but Mr Roberts was hoping he could build a detached garage on his lot if it abided by all the necessary setbacks. All Conditional Use Permits (CUP) must be approved through the Planning Commission.

This request by itself does not require a CUP but Mr Roberts was hoping he could build a detached garage at 1200 sq ft or 30x40. Currently the zoning and subdivision regulations limit the size of detached garages to 720 square feet and this is where he would like to get a CUP approved.

**Analysis:** According to Article 6 100.B of the Subdivision Regulations:

B. Permitted Accessory Uses. Any structure or use that complies with the terms of Section 6-100A may be allowed as an accessory use or structure and may be included, but is not limited to the following list: *

1. Off-street parking and loading space as regulated by Article 5 of these regulations, including detached garages and carports. On lots for single and two-family dwelling units and all types of manufactured and mobile homes such structures may contain incidental space for storage and other uses and are limited to one each per zoning lot not over 720 square feet in gross floor area for a garage and 400 for a carport, unless a conditional use is approved by the Board of Zoning Appeals for a larger structure.

- The lot is large enough to allow the Accessory Garage safely without compromising the setbacks
- The accessory garage will increase the property value of the lot.
- The request was published in the paper and sent out to everyone with 200’ of the property and no phone calls of emails of concern have been voiced.

**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 Conditional Use Permit for the detached garage for the property located at 301 E 1st Ave **(VOICE)**

**Attachments:** Exhibit F.1a Application for CUP (2 Pages); Exhibit F.1b Affidavit of publication (1 Page) ; Exhibit F.1c Notice of Hearing (1 Pages) Exhibit F.1d Location (2 pages)

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

# APPLICATION FOR A CONDITIONAL USE UNDER CITY OF GODDARD ZONING REGULATIONS

Case Number CUP-_____

This application for a Conditional Use under 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)**

Applicant Name: Preston Roberts Phone: 316-655-5600

Applicant Address: 301 E 1st Ave.

Name of Agent, if applicable: N/A Email Phone: Preston.Roberts88@Gmail.com

Agent Address: NA

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

Zoning Classification (District): R-1

Application for a Conditional Use as an exception provided for in Section 10-108 of the City's Zoning Regulations to permit the establishment of: Additional Garage / Detach Garage Acess of 720 Sq.Ft.

Property Location: 301 E 1st Ave.

Legal Description: LOTS 1-2-3 Block 24, City of Goddard

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 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.

Applicant/Agent Signature

12-30-19
Date

(FOR OFFICE USE ONLY)

Accepted by:

Zoning Administrator

12/30/2019
Date

Meeting Date: _____)

cc: Applicant

## 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 27th 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 $ 90.00

Michelle R Leidy-Franklin

Subscribed and sworn to before me this

27 Day of Feb, 2020

Diana Vajnar

Notary Public

My Commission expires on 2/19/2024

# PUBLIC NOTICE

First Published in The Times-Sentinel February 27, 2020 (1t)

**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, April 13, 2020 at 7:00 p.m, or as soon thereafter as the matter may be heard, to consider a Conditional Use Permit for 301 E 1st Ave

For:
The consideration of adding an accessory detached garage that will exceed the maximum square footage of 720. The proposed garage lands around 30x40 or 1200 sq ft.

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 Conditional Use Permit, 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 mscoggan@goddardks.gov

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

DIANA J. VAJNAR
Notary Public - State of Kansas
My Appt. Expires 2/19/2024

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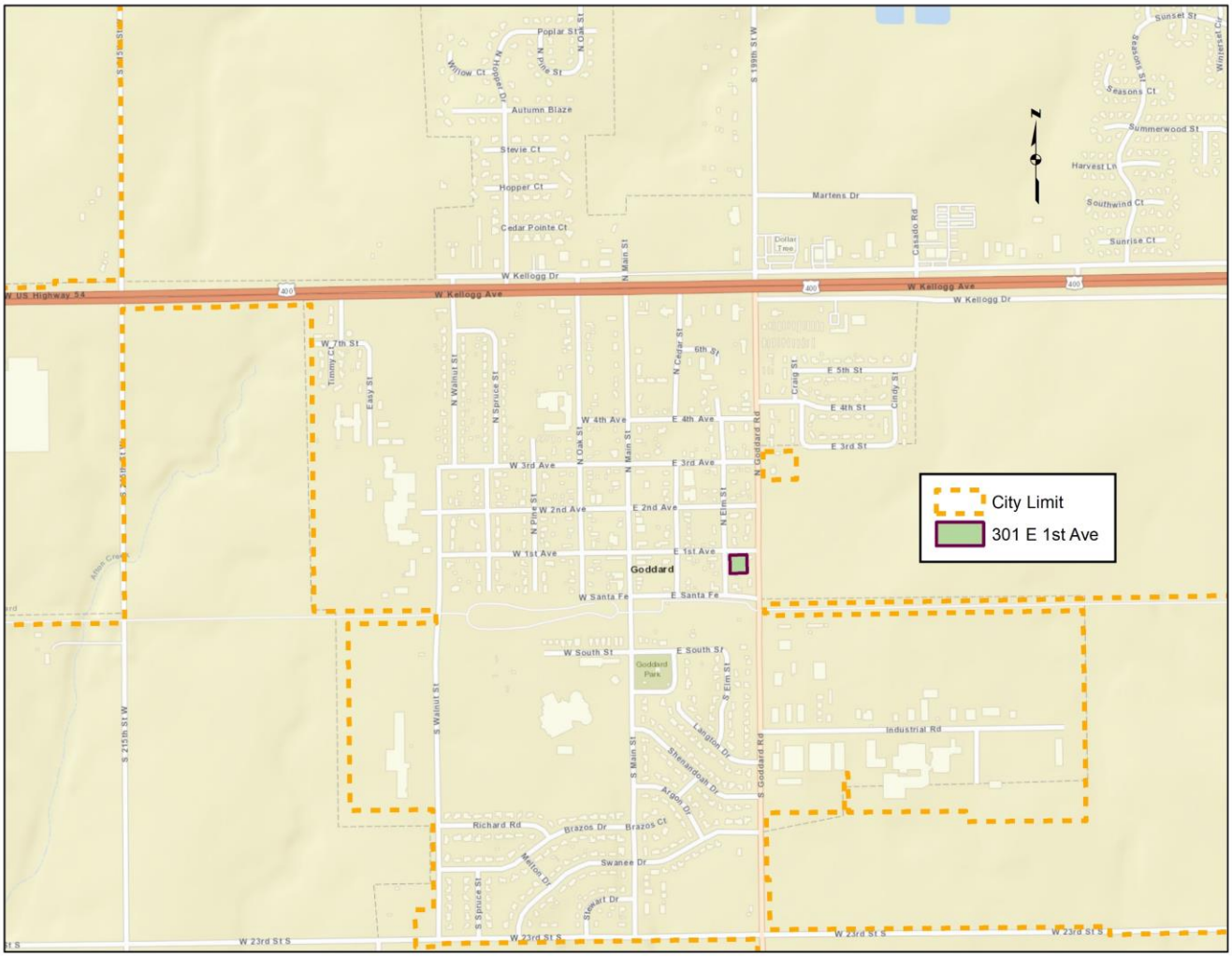
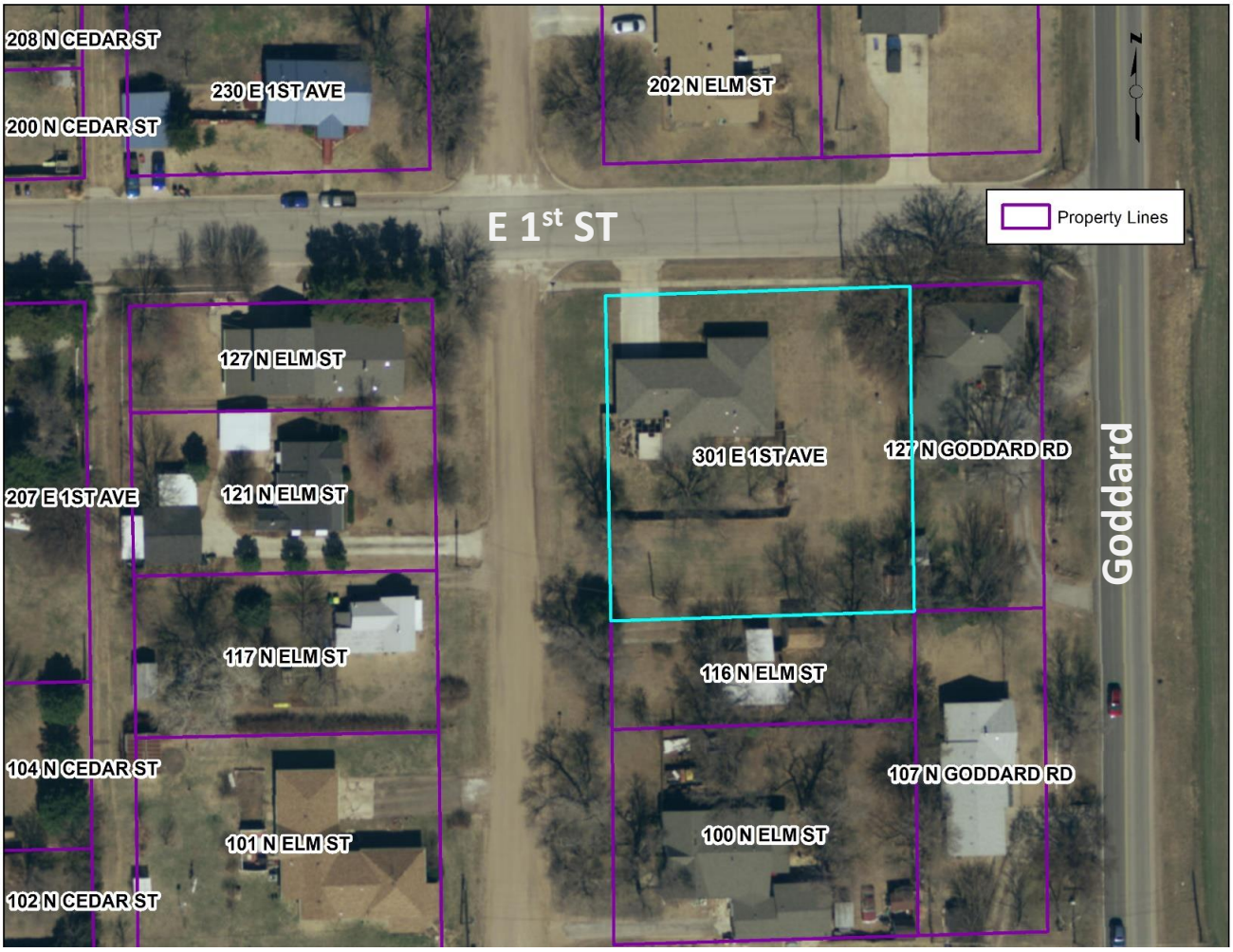
Micah Scoggan, City Planner

_____

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


City Limit
301 E 1st Ave
Goddard
W Kellogg Ave
W US Highway 54
W Kellogg Dr
Martens Dr
Industrial Rd
W 23rd St S
Richard Rd
Brazos Dr
Swanee Dr
Goddard Park


208 N CEDAR ST
230 E 1ST AVE
200 N CEDAR ST
202 N ELM ST
E 1st ST
Property Lines
127 N ELM ST
301 E 1ST AVE
127 N GODDARD RD
207 E 1ST AVE
121 N ELM ST
Goddard
117 N ELM ST
116 N ELM ST
104 N CEDAR ST
107 N GODDARD RD
101 N ELM ST
100 N ELM ST
102 N CEDAR ST

**Item F.2**

**City of Goddard**
**Goddard Planning Commission**
**April 13, 2020**
**7:00 PM**

| | |
|---|---|
| **TO:** | Planning Commission |
| **SUBJECT:** | Arbor Creek Entrance Vacation and Dedication |
| **INITIATED BY**: | City Planner |
| **AGENDA:** | Board of Zoning Adjustment |

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**Background:** The Engineering Firm MKEC is working on behalf of the Schellenberg Development Group for the development of the Arbor Creek subdivision. The Engineering firm MKEC upon review of the western most entry point of the development felt that

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

- All Vacations must be review and approved by the Planning Commission. This is pursuant to Kansas Statutes Annotated (K.S.A) 12-505. This requires public notice allowing 20 days to elapse prior to the meeting.
- Dedication must be approved by the Planning Commission, but they do not require public notice.
- The vacation and dedication have been reviewed and approved by the City Engineer and the Public Works Director.
- 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.

**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 Vacation of Track 1 and the Dedication of Track 2 for the Arbor Creek Entrance **(VOICE)**

**Attachments:** Exhibit F.2a Application for Vacation & Dedication (8 Pages); Exhibit F.2b Affidavit of publication (1 Page) ; Exhibit F.2c Notice of Hearing (3 Pages)

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

# APPLICATION FOR A VACATION OF PUBLIC EASEMENT OR RIGHT-OF-WAY

DATE 2/11/2020

Applicant Name: Arbor Creek Development, LLC, Attn: Marv Schellenberg

Address: 2243 N. Ridge R., Wichita ZIP: 67205 Phone: 316.854.0001

Request is hereby made to vacate the following (Check one)

Street X Alley _____ Easement _____ Other _____

Reason for vacation request: reconfiguring development entry way design.

Address and Legal Description of subject property: _____

Surface improvements located in subject property to be vacated:

None X Paving _____ Curb & Gutter _____ Power Lines/Poles _____ Fences/Walls _____

Other _____

Underground Improvements located in subject right-of-way:

None _____ Telephone _____ Electric _____ Gas _____ Water _____ Sewer _____ Storm Drain _____

Other _____

Future use of the vacated right-of-way:

Yards _____ Parking _____ Expansion _____ Re-plat with abutting land ☑
Other _____

Signatures: All owners of the properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Name

Legal Description

Mailing Address

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. The undersigned also understands that they have the right to bring action within 30 days in the District Court of the County to appeal the decision.

Signed By: _____ Date 2-11-2020

Land Owner/Applicant/Agent (circle one) If signed by agent, provide owner's authorization.

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

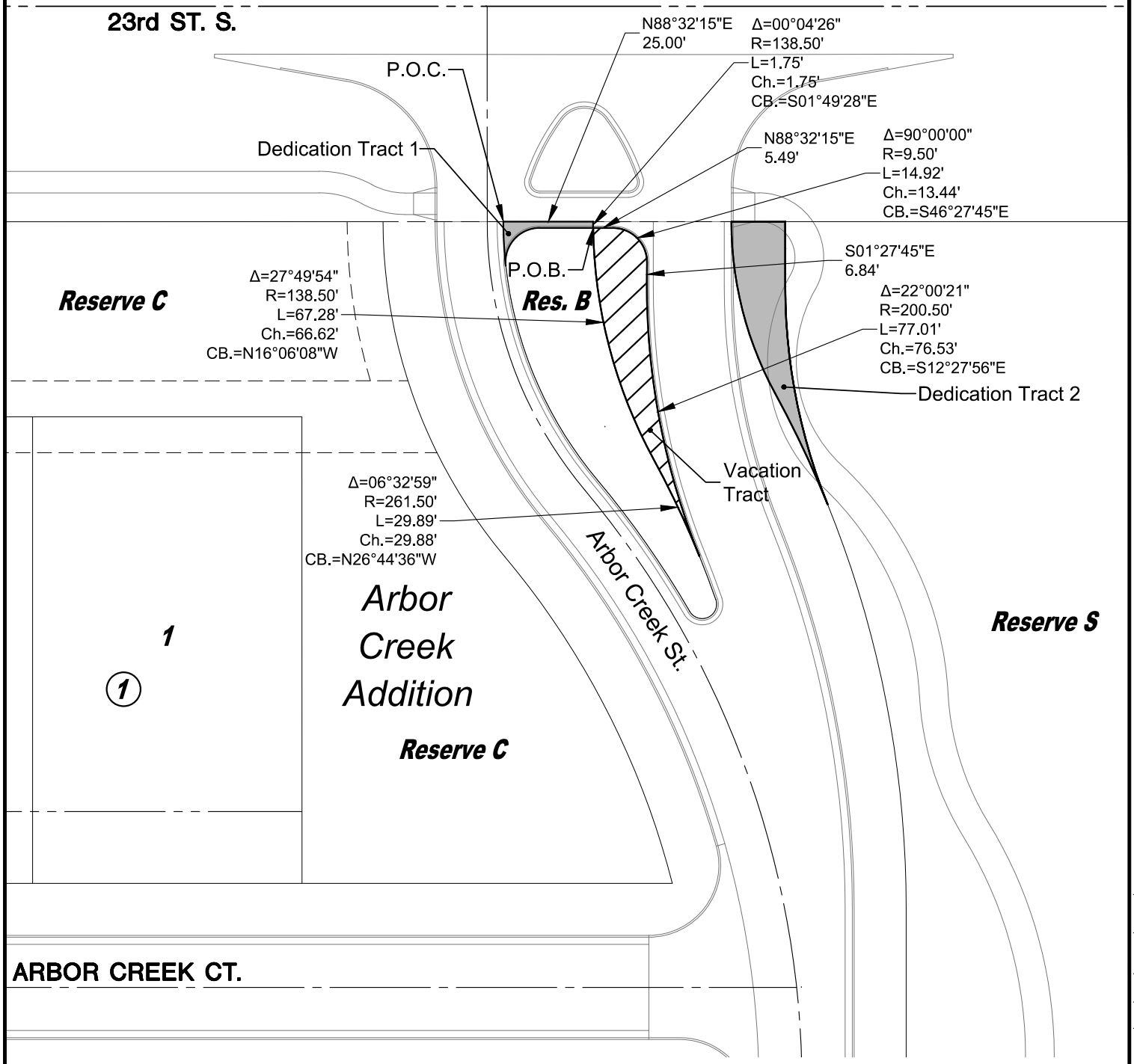
**DESCRIPTION OF**
**Street Right-of-Way Vacation**

## Vacation Tract

A tract of land lying within a portion of Arbor Creek Street right-of-way, as platted in Arbor Creek Addition, an addition to Goddard, Sedgwick County, Kansas, said tract of land being more particularly described as follows:

COMMENCING at the northwest most corner of said Reserve B; thence along the north line of said Reserve B on a platted bearing of N88°32'15"E, 25.00 feet to the northeast corner of said Reserve B, also being a point on a non-tangent curve to the left, said curve having a radius of 138.50 feet, a central angle of 00°04'26", a chord bearing of S01°49'28"E, and a chord distance of 1.75 feet; thence along the east line of said Reserve B and along said non-tangent curve to the left, 1.75 feet to the POINT OF BEGINNING; thence N88°32'15"E, 5.49 feet to a point on a curve to the right, said curve having a radius of 9.50 feet, a central angle of 90°00'00", a chord bearing of S46°27'45"E, and a chord distance of 13.44 feet; thence along said curve to the right, 14.92 feet; thence S01°27'45"E, 6.84 feet to a point on a curve to the left, said curve having a radius of 200.50 feet, a central angle of 22°00'21", a chord bearing of S12°27'56"E, and a chord distance of 76.53 feet; thence along said curve to the left, 77.01 feet to a point on said east line, also being a point on a non-tangent curve to the left, said curve having a radius of 261.50 feet, a central angle of 06°32'59", a chord bearing of N26°44'36"W, and a chord distance of 29.88 feet; thence along said east line and said non-tangent curve to the left, 29.89 feet to a point on a curve to the right, said curve having a radius of 138.50 feet, a central angle of 27°49'54", a chord bearing of N16°06'08"W, and a chord distance of 66.62 feet; thence continuing along said east line and along said curve to the right, 67.28 feet to the POINT OF BEGINNING.

Said tract CONTAINS: 714 square feet of land, more or less.

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MKEC
Wichita, KS • 316.684.9000

# STREET RIGHT-OF-WAY VACATION EXHIBIT ARBOR CREEK ADDITION

| PROJECT NO. 1801010764 | DATE: JANUARY 2020 | SHEET NO. 2 OF 3 |
|---|---|---|
| DRAWN BY: JGD | DESIGNED BY: BDL | APPROVED BY: BDL |

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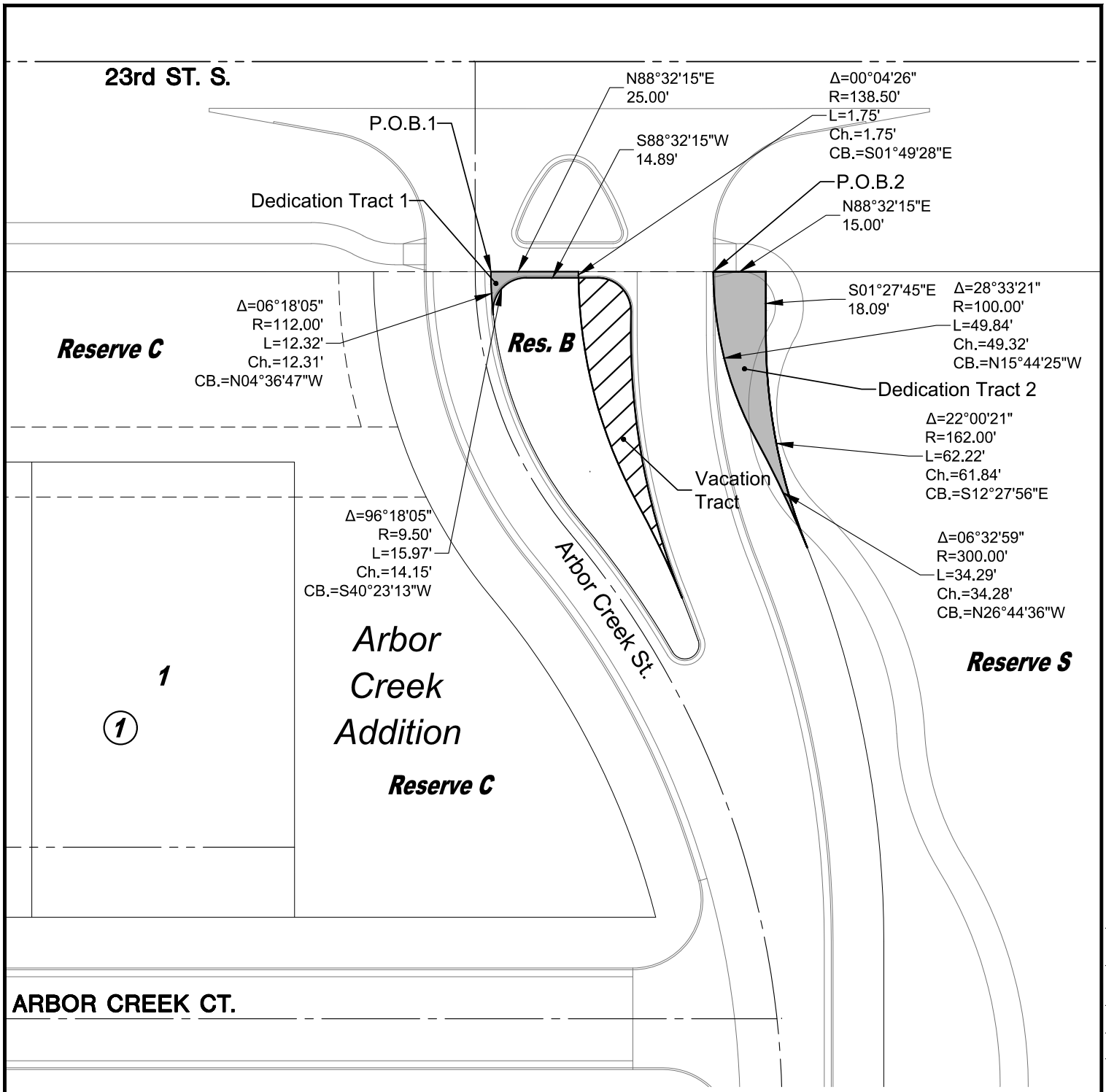


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MKEC
Wichita, KS • 316.684.9000

# STREET RIGHT-OF-WAY DEDICATION EXHIBIT ARBOR CREEK ADDITION

| PROJECT NO. 1801010764 | DATE: JANUARY 2020 | SHEET NO. |
|---|---|---|
| DRAWN BY: JGD | DESIGNED BY: BDL | APPROVED BY: BDL | 1 OF 3 |

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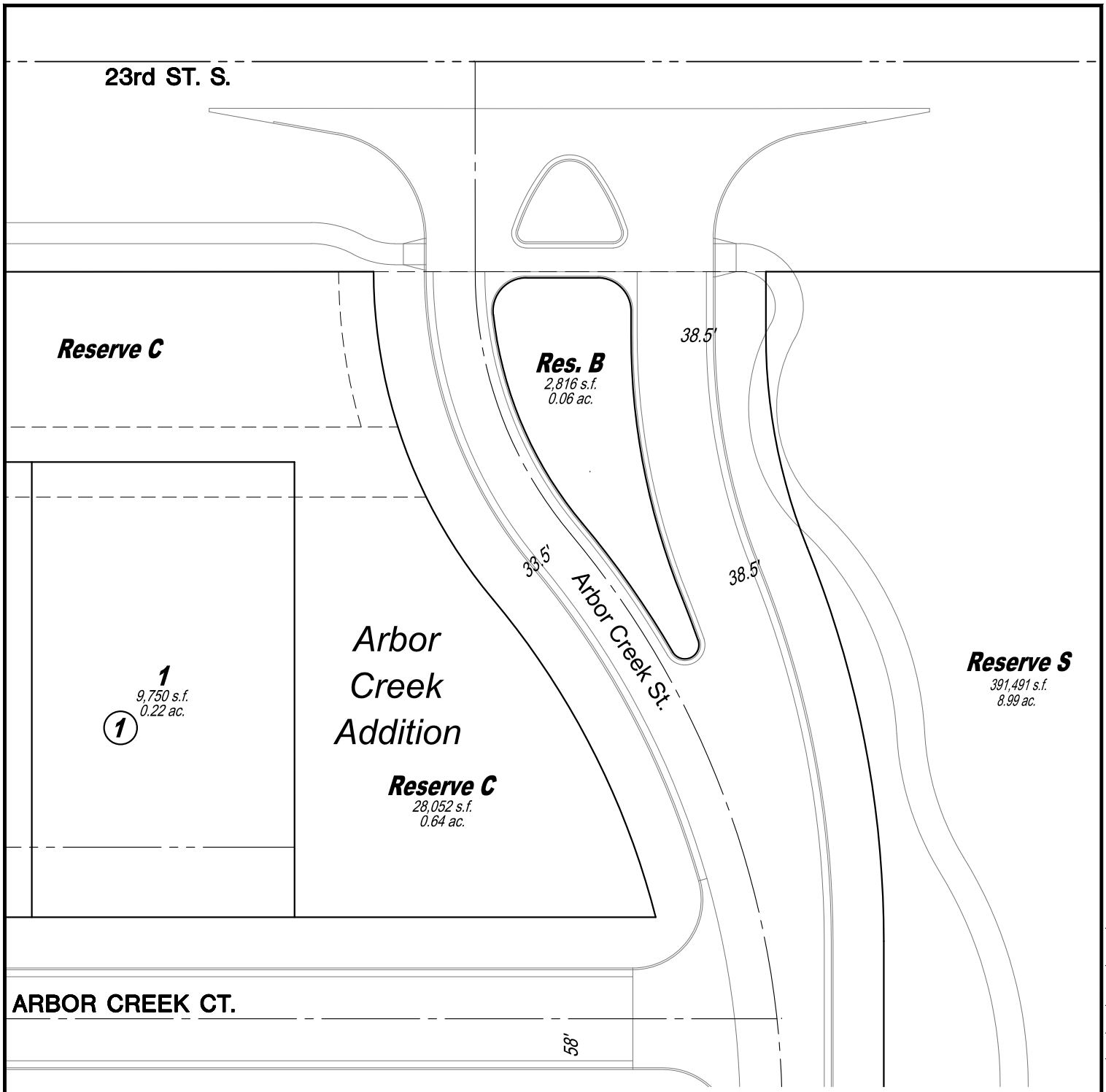


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SCALE: 1"=40'

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MKEC
Wichita, KS • 316.684.9000

# NEW RESERVES B AND S
# SITE EXHIBIT
# ARBOR CREEK ADDITION

| PROJECT NO. | DATE: | SHEET NO. |
|---|---|---|
| 1801010764 | JANUARY 2020 | 3 OF 3 |

| DRAWN BY: | DESIGNED BY: | APPROVED BY: |
|---|---|---|
| JGD | BDL | BDL |

\\CTNAS03\VOL7\PROJECTS\2018\1801010764_SCHELLENBERG ARBOR CREEK_18764 CAD\XREF\MKEC\05 CIVIL\MODELS\18764_PL.DWG

## DEDICATION

THIS DEDICATION made this ___ day of _____, 2020, by Arbor Creek Development, LLC, a Kansas limited liability company, of the first part and the City of Goddard, Kansas, of the second part.

KNOW ALL MEN BY THESE PRESENTS: 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 dedicate, grant, and convey unto the said second party a perpetual right of way for street, sidewalk, drainage, and utility purposes, along and under the following described real estate situated in Goddard, Sedgwick, County, Kansas, to wit:

Dedication Tract 1

A tract of land lying within a portion of Reserve B, Arbor Creek Addition, an addition to Goddard, Sedgwick County, Kansas, said tract of land being more particularly described as follows:

BEGINNING (P.O.B.1) at the northwest most corner of said Reserve B; thence along the north line of said Reserve B on a platted bearing of N88°32'15"E, 25.00 feet to the northeast corner of said Reserve B, also being a point on a non-tangent curve to the left, said curve having a radius of 138.50 feet, a central angle of 00°04'26", a chord bearing of S01°49'28"E, and a chord distance of 1.75 feet; thence along the east line of said Reserve B and along said non-tangent curve to the left, 1.75 feet; thence S88°32'15"W, 14.89 feet to a point on a curve to the left, said curve having a radius of 9.50 feet, a central angle of 96°18'05", a chord bearing of S40°23'13"W, and a chord distance of 14.15 feet; thence along said curve to the left, 15.97 feet to a point on the west line of said Reserve B, also being a point on a non-tangent curve to the right, said curve having a radius of 112.00 feet, a central angle of 06°18'05", a chord bearing of N04°36'47"W, and a chord distance of 12.31 feet; thence along said west line and along said non-tangent curve to the right, 12.32 feet to the POINT OF BEGINNING (P.O.B.1),

Said tract CONTAINS: 67 square feet of land, more or less,

TOGETHER WITH,

MKEC

Dedication Tract 2

A tract of land lying within a portion of Reserve S, Arbor Creek Addition, an addition to Goddard, Sedgwick County, Kansas, said tract of land being more particularly described as follows:

BEGINNING (P.O.B.2) at the northwest most corner of said Reserve S; thence along the north line of said Reserve S on a platted bearing of N88°32'15"E, 15.00 feet; thence S01°27'45"E, 18.09 feet to a point on a curve to the left, said curve having a radius of 162.00 feet, a central angle of 22°00'21", a chord bearing of S12°27'56"E, and a chord distance of 61.84 feet; thence along said curve to the left, 62.22 feet to a point on the east right-of-way line of Arbor Creek Street, as platted, and the west line of said Reserve S, also being a point on a non-tangent curve to the left, said curve having a radius of 300.00 feet, a central angle of 06°32'59", a chord bearing of N26°44'36"W, and a chord distance of 34.28 feet; thence along said east right-of-way line, said west line of Reserve S, and along said non-tangent curve to the left, 34.29 feet to a point on a curve to the right, said curve having a radius of 100.00 feet, a central angle of 28°33'21", a chord bearing of N15°44'25"W, and a chord distance of 49.32 feet; thence continuing along said east right-of-way line, said west line of said Reserve S and along said curve to the right, 49.84 feet to the POINT OF BEGINNING (P.O.B.2).

Said tract CONTAINS: 613 square feet of land, more or less.

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, manager 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:_____

## 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 27th 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 $ 333.00

Michelle R. Leidy-Franklin

Subscribed and sworn to before me this
27 Day of Feb, 2020

Diana Vajnar

Notary Public

My Commission expires on 2/19/2024

DIANA J. VAJNAR
Notary Public - State of Kansas
My Appt. Expires 2/19/2024

# PUBLIC NOTICE

First Published in The Times-Sentinel February 27, 2020 (1t)

**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, April 13, 2020 at 7:00 p.m, or as soon thereafter as the matter may be heard, to consider a vacation of street ROW and dedication of street ROW within the Arbor Creek subdivision.

For:
The consideration of vacating a portion of street described as follows:

**DESCRIPTION OF**
**Street Right-of-Way Vacation**

**Vacation Tract**

A tract of land lying within a portion of Arbor Creek Street right-of-way, as platted in Arbor Creek Addition, an addition to Goddard, Sedgwick County, Kansas, said tract of land being more particularly described as follows:

COMMENCING at the northwest most corner of said Reserve B; thence along the north line of said Reserve B on a platted bearing of N88°32'15"E, 25.00 feet to the northeast corner of said Reserve B, also being a point on a non-tangent curve to the left, said curve having a radius of 138.50 feet, a central angle of 00°04'26", a chord bearing of S01°49'28"E, and a chord distance of 1.75 feet; thence along the east line of said Reserve B and along said non-tangent curve to the left, 1.75 feet to the POINT OF BEGINNING; thence N88°32'15"E, 5.49 feet to a point on a curve to the right, said curve having a radius of 9.50 feet, a central angle of 90°00'00", a chord bearing of S46°27'45"E, and a chord distance of 13.44 feet; thence along said curve to the right, 14.92 feet; thence S01°27'45"E, 6.84 feet to a point on a curve to the left, said curve having a radius of 200.50 feet, a central angle of 22°00'21", a chord bearing of S12°27'56"E, and a chord distance of 76.53 feet; thence along said curve to the left, 77.01 feet to a point on said east line, also being a point on a non-tangent curve to the left, said curve having a radius of 261.50 feet, a central angle of 06°32'59", a chord bearing of N26°44'36"W, and a chord distance of 29.86 feet; thence along said east line and said non-tangent curve to the left, 29.89 feet to a point on a curve to the right, said curve having a radius of 138.50 feet, a central angle of 27°49'54", a chord bearing of N16°06'08"W, and a chord distance of 66.62 feet; thence continuing along said east line and along said curve to the right, 67.28 feet to the POINT OF BEGINNING.

Said tract CONTAINS: 714 square feet of land, more or less.

For:
Dedicating two (2) tracks of land described as follows:

**Dedication Tract 1**

A tract of land lying within a portion of Reserve B, Arbor Creek Addition, an addition to Goddard, Sedgwick County, Kansas, said tract of land being more particularly described as follows:

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Said tract CONTAINS: 67 square feet of land, more or less, TOGETHER WITH,

TOGETHER WITH

**Dedication Tract 2**

A tract of land lying within a portion of Reserve S, Arbor Creek Addition, an addition to Goddard, Sedgwick County, Kansas, said tract of land being more particularly described as follows:

BEGINNING (P.O.B.2) at the northwest most corner of said Reserve S; thence along the north line of said Reserve S on a platted bearing of N88°32'15"E, 15.00 feet; thence S01°27'45"E, 18.09 feet to a point on a curve to the left, said curve having a radius of 162.00 feet, a central angle of 22°00'21", a chord bearing of S12°27'56"E, and a chord distance of 61.84 feet; thence along said curve to the left, 62.22 feet to a point on the east right-of-way line of Arbor Creek Street, as platted, and the west line of said Reserve S, also being a point on a non-tangent curve to the left, said curve having a radius of 300.00 feet, a central angle of 06°32'59", a chord bearing of N26°44'36"W, and a chord distance of 34.28 feet; thence along said east right-of-way line, said west line of Reserve S, and along said non-tangent curve to the left, 34.29 feet to a point on a curve to the right, said curve having a radius of 100.00 feet, a central angle of 28°33'21", a chord bearing of N15°44'25"W, and a chord distance of 49.32 feet; thence continuing along said east right-of-way line, said west line of said Reserve S and along said curve to the right, 49.84 feet to the POINT OF BEGINNING (P.O.B.2).

Said tract CONTAINS: 613 square feet of land, more or less.

This will be under K.S.A 12-505.

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 vacation, and the dedication, 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 mscoggan@goddardks.gov

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

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TOGETHER WITH

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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 mscoggan@goddardks.gov

Micah Scoggan, City Planner

_____

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

**Item H.1**

**City of Goddard**
**Goddard Planning Commission**
**April 13, 2020**
**7:00 PM**

| | |
|---|---|
| **TO:** | Planning Commission |
| **SUBJECT:** | Site Plan for 227 Cedar St |
| **INITIATED BY**: | City Planner |
| **AGENDA:** | New Business |

---

**Background:** AST Investment properties has gone through the rezoning and process which was approved by the Planning Commission and the Governing Body. Now they have submitted a site plan for review and approval before the Planning Commission.

**Analysis:**

- All new structures are required to have a site plan submitted except for single family-detached and duplexes (unless the duplexes are in a grouped setting with a common area)
- Staff has reviewed the site plan and found it in compliance with the subdivision regulations.
- The Planning Commission could require additional provisions should they feel it is necessary for the safety, health and welfare of the community.

**Financial:** None

**Legal Considerations:** Approved as to form

**Recommendation/Actions:** It is recommended that the Planning Commission approve the Site Plan for 227 Cedar St **(VOICE)**

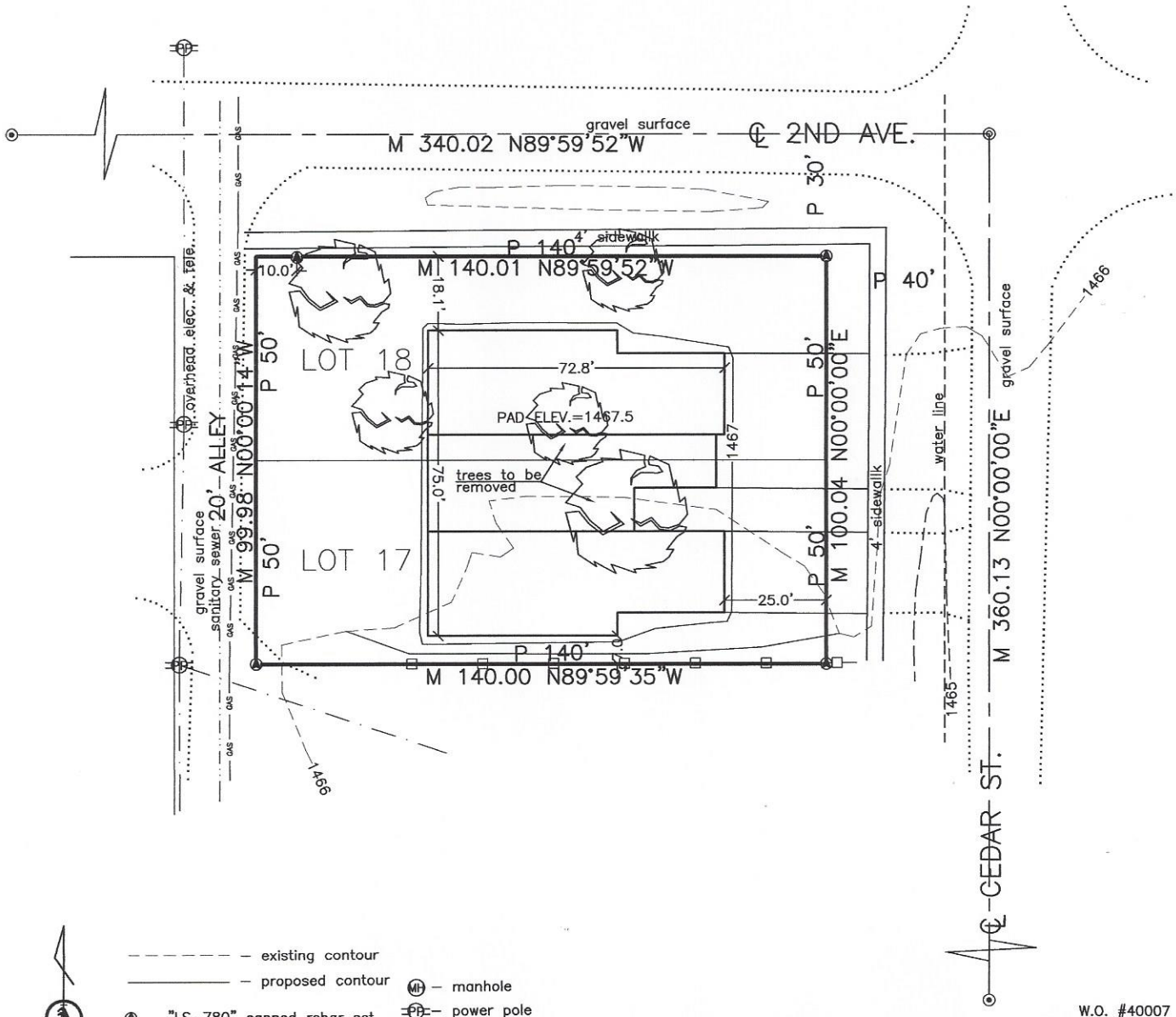
**Attachments:** Exhibit H.1a Site Plan (8 Pages)

N
E 2ND AVE
M 140.01 N89°59'52"W
10.0'
18.1'
P 50'
LOT 18
72.8'
P 50'
PAD ELEV.=1467.5
1467
75.0'
trees to be removed
P 50'
LOT 17
P 50'
25.0'
P 140'
N CEDAR ST

318 N MAIN ST
311 N CEDAR ST
301 N CEDAR ST
N
300 N CEDAR ST
E 2ND AVE
228 N MAIN ST
222 N MAIN ST
216 N MAIN ST
206 N MAIN ST
M 140.01 N89°59'52"W
10.0'
18.1'
P 50'
LOT 18
72.8'
P 50'
PAD ELEV.=1467.5
1467
227 N CEDAR ST
trees to be removed
75.0'
P 50'
LOT 17
P 50'
25.0'
P 140'
217 N CEDAR ST
211 N CEDAR ST
120 E 1ST AVE
N CEDAR ST
228 N CEDAR ST
220 N CEDAR ST
214 N CEDAR ST
208 N CEDAR ST
200 N CEDAR ST
Legend
Building Footprints
Property Lines

# SITE PLAN

LEGAL DESCRIPTION: Lots 17 and 18, Block 13, City of Goddard, Sedgwick County, Kansas
ADDRESS: 227 N. Cedar Street
PROPOSED ZONING: R–3
LAND USE DESIGNATION: Multi–Family
GROSS FLOOR AREA: 4,900 sq. ft.
GROSS TRACT AREA: 14,000 ± sq. ft.
PERCENT LOT COVERAGE: 35%
BLULDING HEIGHT: 21 ft.
BLULDINGS WITHIN 150 FT: 300 N Cedar St., 301 Cedar St., 311 N Cedar St., 217 N Cedar St., 211 N Cedar St., 228 N Cedar St., 220 N Cedar St., 214 N Cedar St., 120 E 1Sst Ave, 228 N Main St., 226 N Main St., 222 N Main St., 216 N Main St., & 206 N. Main St.



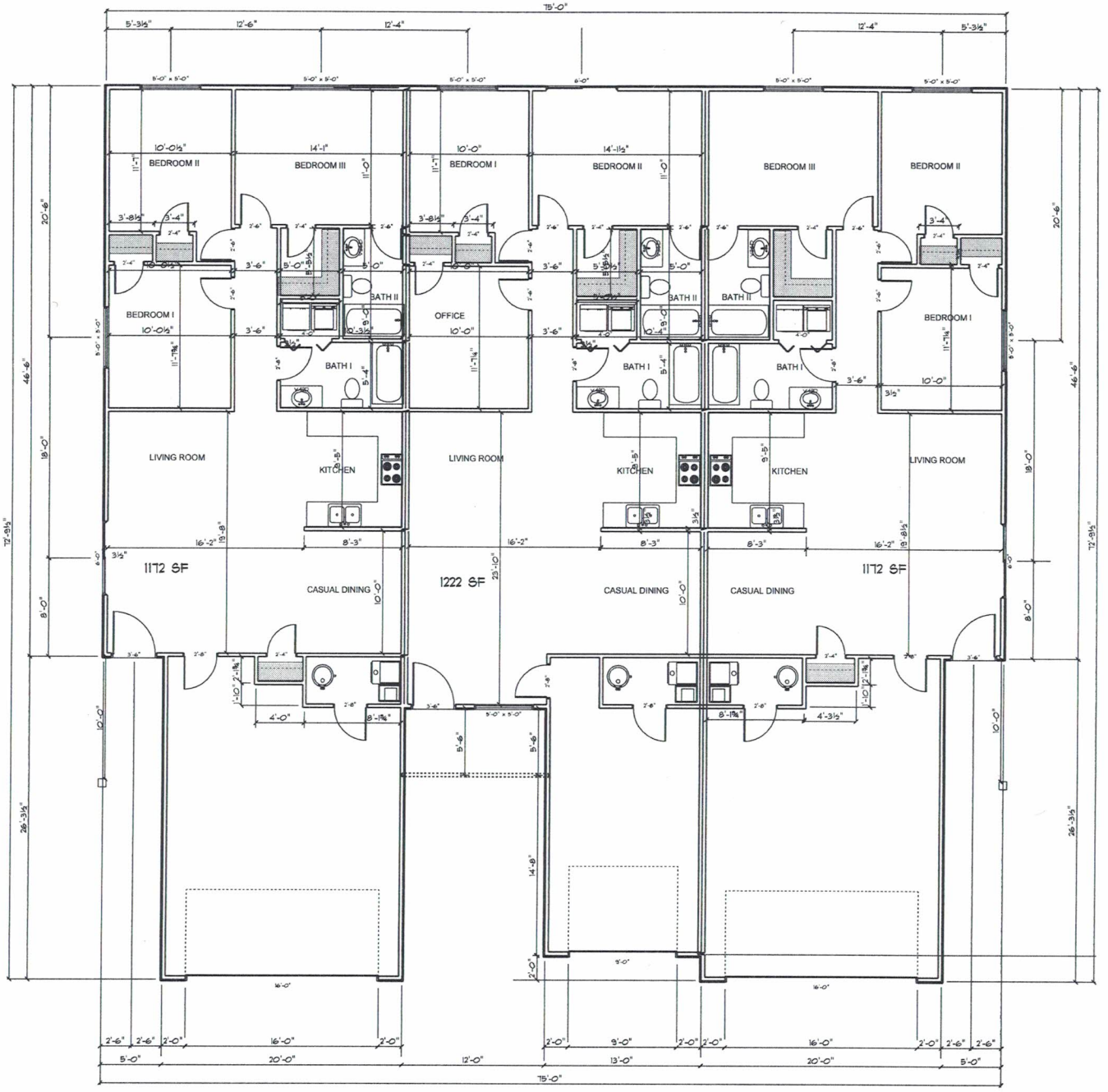

SCALE 1"=40'

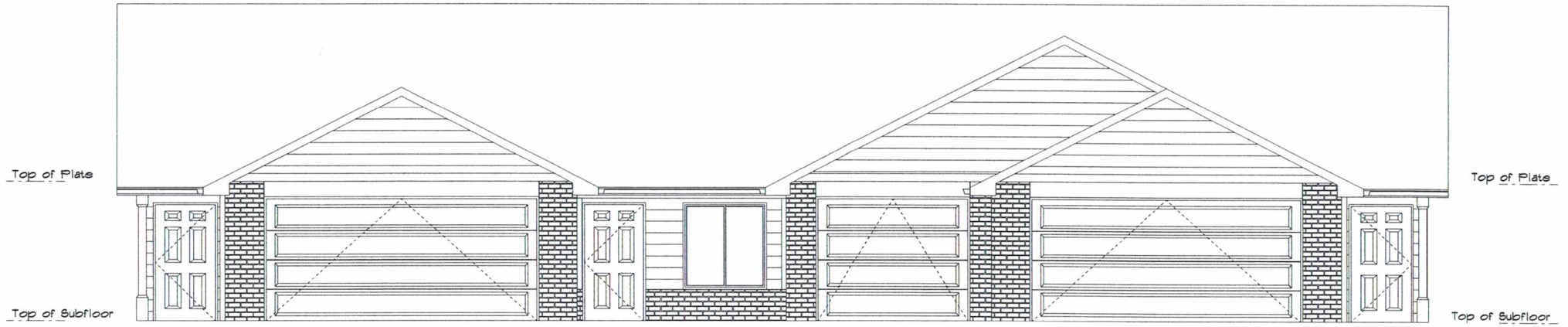
– existing contour
– proposed contour
– "LS–780" capped rebar set
– 1/2" iron pipe found
– 60d nail found
M – measured distance
P – plat distance

– manhole
– power pole
– fire hydrant
– sewer cleanout
– water meter
– gas meter

W.O. #40007

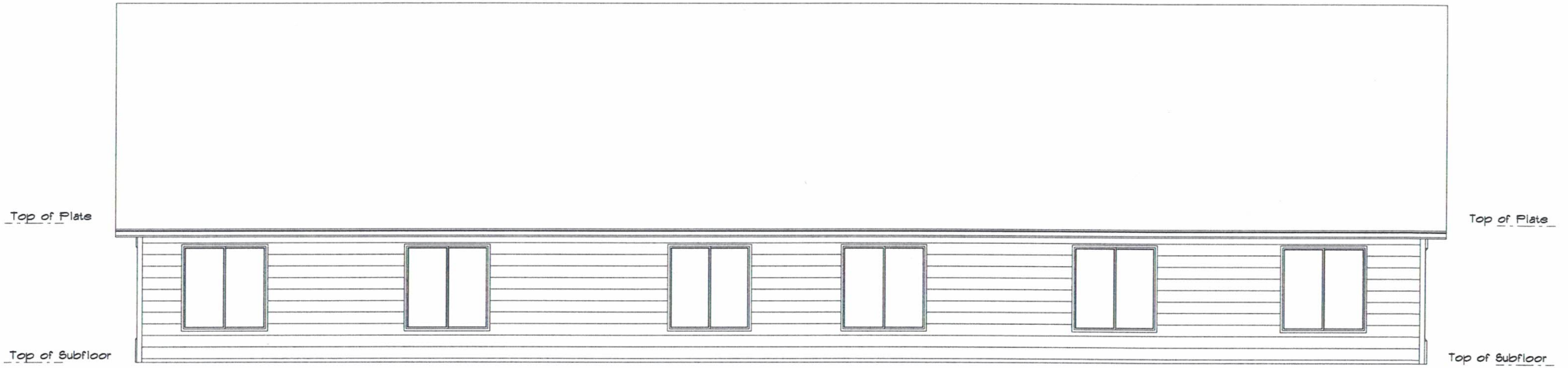

ARMSTRONG LAND SURVEY, P.A.
1601 E. HARRY
WICHITA, KS 67211
PH. (316) 263–0082
surveys@armstrong.kscoxmail.com


BEDROOM II
BEDROOM III
BEDROOM I
OFFICE
BATH II
BATH I
LIVING ROOM
KITCHEN
CASUAL DINING
1172 SF
1222 SF
1172 SF
75'-0"



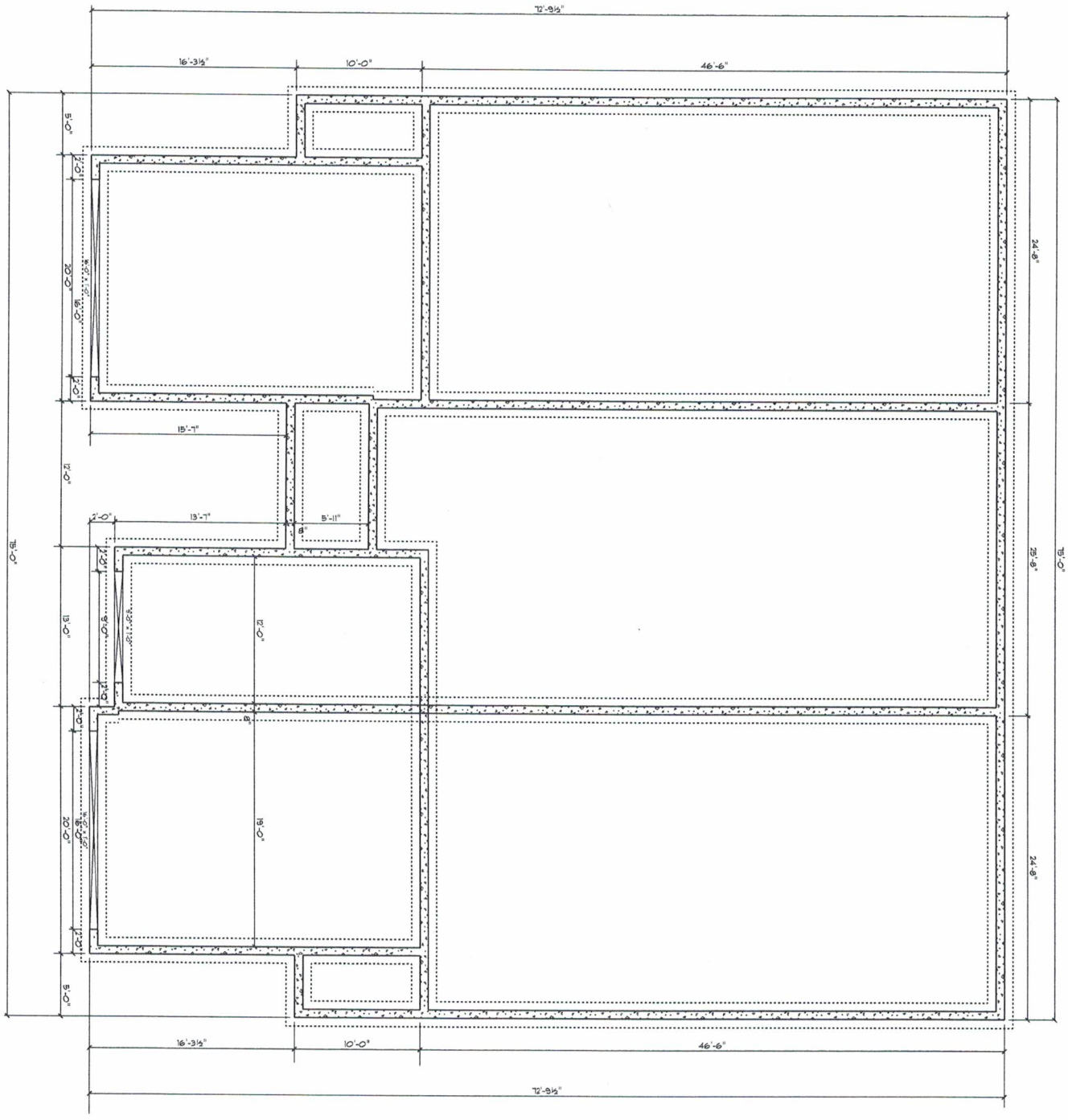

## Front Elevation

SCALE: 3/16" = 1'-0"




## Rear Elevation

SCALE: 3/16" = 1'-0"

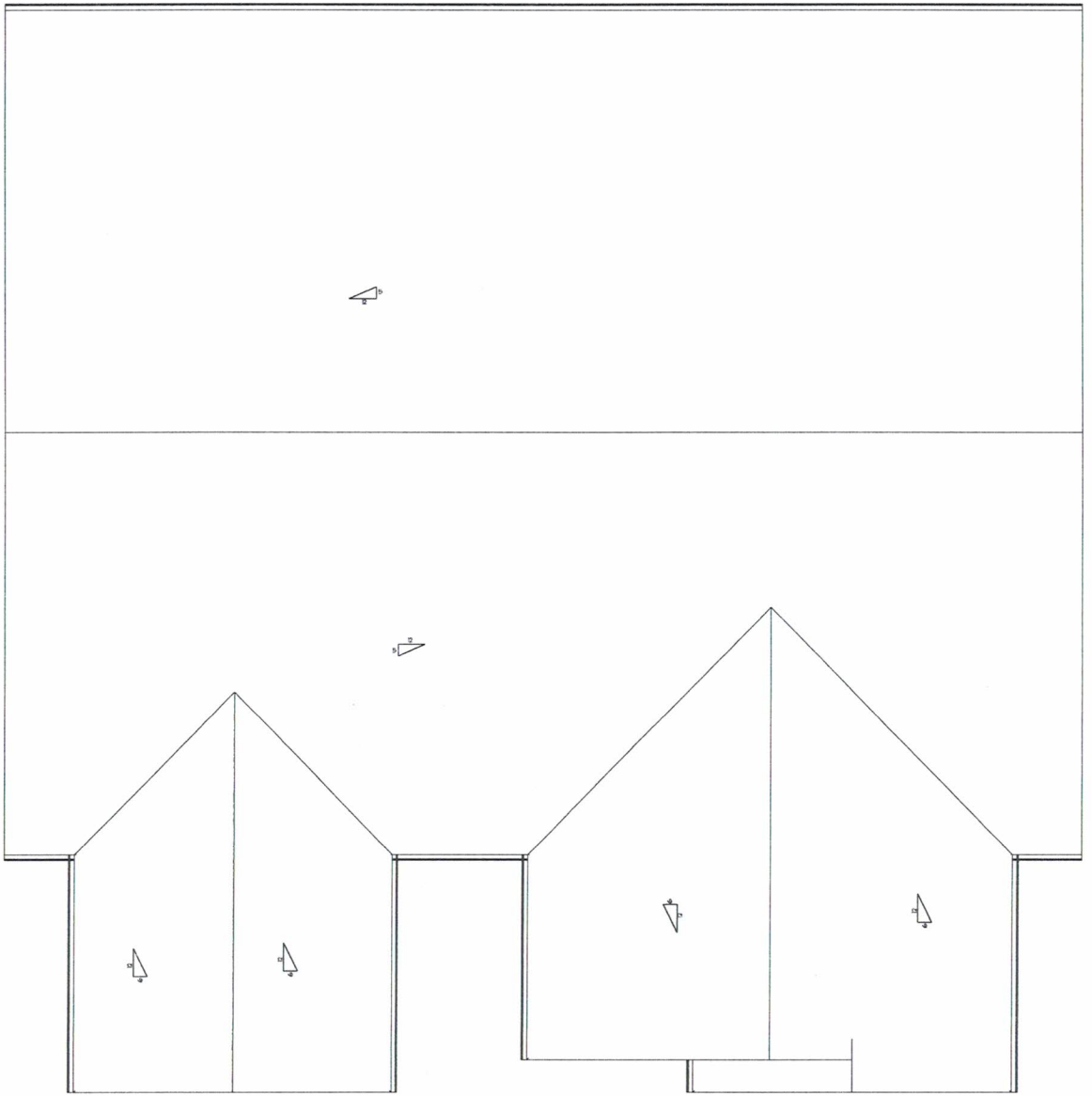

72'-9½"
16'-3½"
10'-0"
46'-6"
5'-0"
2'-0"
20'-0"
16'-0"
2'-0"
24'-8"
15'-7"
12'-0"
2'-0"
13'-7"
5'-11"
75'-0"
25'-8"
15'-0"
2'-0"
13'-0"
9'-0"
2'-0"
12'-0"
2'-0"
2'-0"
20'-0"
16'-0"
2'-0"
19'-0"
24'-8"
5'-0"
16'-3½"
10'-0"
46'-6"
72'-9½"

## Right Elevation

SCALE: 3/16" = 1'-0"

## Left Elevation

SCALE: 3/16" = 1'-0"



# Roof Plan

SCALE: 1/8" = 1'-0"

**Item I**

**City of Goddard**
**Goddard Planning Commission**
**April 13, 2020**
**7:00 PM**

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

---

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

1. **COVID-19**

   COVID - 19 has caused a slowdown in the development rate we would have normally anticipated during the spring. Even so we have seen building permits and roofing permits coming in as well as the occasional fence permit. More people have been asking about Chicken permits and we have even issued one for a property in Goddard that does not have an HOA.

2. **STAR BOND**

   The STAR Bond is moving forward. We are now seeing the walls being erected but they are limited when they can put them in as each wall weighs 35 tons and they must wait for a day when the wind is not blowing hard.

3. **PERMIT PORTAL**

   The City permit portal is moving forward, and we anticipate it will be up and running sometime in mid-May. This permitting software will allow anyone to pull permits from the City website and pay for them online as well as track the status and approval from any electronic device.

4. **ZONING/MULTI-FAMILY**

   We have had another developer ask about zoning in the City for multi-family. This trend is remaining steady despite the COVID-19 virus and this could be because property is seen as a relatively safe environment for money right now.