

**MINUTES-REGULAR SESSION
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
February 14, 2022**

The Goddard Planning Commission met in regular session at Goddard City Hall on Monday February 14, 2022. Chair Grafing called the meeting to order at 7:04 p.m. Chair Grafing led in the Pledge of Allegiance and Commissioner Coyne led the Invocation.

Commission members present were:

Doug Hall, Jamie Coyne, Justin Parks, Shane Grafing.

Commissioners absent were:

Darrin Cline, Jody Crow

Also present were: Micah Scoggan Community Development Director; Thatcher Moddie Assistant to the City Administrator; Jacob Burnett of Loving Cup LLC, Christopher Bohm of Garver, Chad Abbott of Abbott Surveying, Bryan Lagaly of ICT LLC, Dave Vavak of Omaha Neon Sign.

APPROVAL OF THE AGENDA

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

4-0

APPROVAL OF THE MINUTES

MOTION: *Commissioner Coyne* moved to approve the minutes from January 10, 2022. *Commissioner Hall* seconded the motion. The motion carried unanimously.

4-0

CITIZEN COMMENTS

None

Chair Grafing [closed the portion of citizens comments]

BOARD OF ZONING

F.1 Industrial District Modification

Scoggan introduced the subject. He stated that during 2020 and 2021 the Planning Commission had discussed market changes that have occurred both recently and in the past. These market changes can occasionally run at odds with the zoning classifications that they abide within. From time to time the zoning classifications should be reviewed for amendments to allow for these market changes to benefit the city and capitalization on growth trends both locally and nationally.

He further stated that If the Planning Commission approves the changes to the I-1 zoning classification, it will then be considered by the City Council and become finalized 30 days after publication in the city newspaper.

Scoggan introduced slides outlining the I-1 industrial district and the modifications proposed.

Scoggan mentioned that the Stroots locker is a grandfathered use and technically if it relocated it could not function within the city limits in any zoning classification since it is a slaughterhouse and stockyard.

Scoggan also mentioned that certain landuse restrictions were changed to make it more favorable to outside display and marketing similar to the First Fridays of Kansas City.

Scoggan also mentioned that the use limitation pertaining to nuisances was changed to make it more reasonable within the zoning classification.

Chair Grafing asked what the Planning Commission thought on the slaughterhouse?

Commissioner Coyne said a stockyard and a slaughterhouse could be separate uses?

Scoggan said yes, they could. A stockyard is the storing of the animals prior to slaughter and the slaughterhouse is the slaughtering and rendering of the animal.

Commissioner Coyne said he was not sure where that could be in Goddard. He said it would not be popular to have it in the industrial district now since it is close to homes and the baseball diamonds.

Chair Grafing said he likes the way it looks, and he agrees with the stockyard portion.

Liberal Kansas was mentioned that the stockyards create an odor.

Commissioner Hall mentioned he likes that it opens up the industrial district to more retail development.

Mayor Larkin asked Scoggan if the land next to stroots that was sold needs any special provisions for what they were proposing.

Scoggan said no they are grandfathered in and the land that was sold will be used for rendering and not slaughtering so the land use is acceptable.

MOTION: *Commissioner Hall* motioned to approve the modifications to the I-1 zoning classification allowing staff to incorporate any additional changes or recommendations made by the Planning Commission during the regular meeting. *Commissioner Parks* seconded the motion.

Motion carried **4-0**

F.2 Sign Variance Request (Scooters) Case # VAR-22-1

Scoggan introduced the subject. He stated that Omaha Neon sign co has submitted a sign variance application on behalf of Scooters coffee for additional wall signs. The city of Goddard subdivision regulations allows one wall sign for each abutting street frontage. The Scooters coffee drive thru is abutting two streets and allowing for only two wall signs one on each face of the building. Omaha Neon sign co is requesting two additional wall signs for wall faces that are not abutting the street. This will put one wall sign on each building face.

The Planning Commission approved the site plan for Scooters on January 10, 2022, contingent upon review of the sign variance request.

Variances require publication and 20 days to elapse prior to reviewing the proposal. Notices were sent out to every property owner within 200'. The KDOT reached out to ask if the sign would be located in the K.D.O.T R.O.W and they were informed it would not be. No other property owners have reached out.

Scoggan outlined his answers in the presentation answering specific questions related to K.S.A 12-759(e)

Commissioner Hall asked how big the signs are.

Dave Vavak [14515 W 101st Terrace, Lenexa KS 66215] said the circular signs are 25 square feet. The other signs are 14' wide and 5' for height.

Commissioner Hall said he did not think they looked bad or anything and they appear to be the appropriate size.

Commissioner Parks asked if they were all illuminated.

Dave Vavak said they are.

Chair Grafing said he did not have a problem with it. More than anything trying to keep it from looking like the liquor store at the west end of town.

Dave Vavak said they won't be flashing, and he think it looks good for the business, it is the general way it is done in the area.

Commissioner Parks said he doesn't have any issues.

MOTION: Commissioner Coyne motioned to approve the sign variance request for Scooters for additional wall signs. **Commissioner Hall** seconded the motion.

Motion carried 4-0

F.3 R-2 zoning modification

Scoggan introduced the subject. He stated that on March 11, 2019, the Planning Commission approved amending the R-2 zoning classification to allow for smaller lot sizes and reduced bulk regulations. On March 18, 2019, the City Council approved these changes. Continuing review of the subdivision regulations have shown that R-2 allows for single family detached housing to have 6-foot side yard setbacks while single family-attached, and duplexes must have 10-foot side yard setbacks. This requirement impedes the potential design layout for duplexes and twin homes in Goddard and disproportionately limits 2 family developments over single family.

The revised regulations allow for any acceptable principal use to have the same side yard setbacks and same lot requirements.

It also modifies the lot width and other necessary bulk regulations.

Scoggan stated that if the Planning Commission approves the changes to the R-2 zoning classification, it will then be considered by the City Council and become finalized 30 days after publication in the city newspaper.

Scoggan introduced slides outlining the R-2 district and the modifications proposed.

Scoggan stated that the provisions favored single family with more generous side yard setbacks than two-family even though the two family was supposed to be the predominant use.

Scoggan outlined the bulk regulations and the changes proposed. He said it was re-written that if it was an acceptable use, it would have the same side yard setbacks.

Commissioner Parks asked if a residential manufactured home wanted to come to Planning Commission for review, could they?

Scoggan said right now, the way it was written it would not be allowed. It could be written as a conditional use.

Commissioner Parks said whatever you think is best.

Commissioner Hall asked about barndominiums and would they be allowed.

Scoggan said R-1 would allow it now with certain provisions. R-2 would not allow it they way it is being presented.

Commissioner Hall asked if the barndominium off of 23rd was in the county?

Scoggan said it was in the county.

Chair Grafing said newer developments have an HOA that prevent that type of housing anyway.

Commissioner Coyne agreed and said the current neighborhoods wouldn't allow it. He said if someone did want one would they have to get it rezoned?

Scoggan said yes it would have to be rezoned for a residential designed manufactured home.

Commissioner Parks ask if lot coverage was defined or made clear.

Scoggan said it was in article 2 general provisions it defines what it means and states it defines it by roof coverage and not all impervious surfaces.

Commissioner Hall asked if that included out buildings.

Scoggan said it did and usually you can find those dimensions on the property records card.

Scoggan asked about residential manufactured homes.

Commissioner Hall said he knows there are some around town that are made to look more like traditional homes. He said if can look like it fits in the neighborhood it could be allowed.

Scoggan said would they like it to be moved to a conditional use instead of a use limitation?

Chair Grafing said he thinks that would make sense so they can review it.

MOTION: *Commissioner Hall* motioned to approve the modifications to the R-2 zoning classification allowing staff to incorporate any additional changes or recommendations made by the Planning Commission during the regular meeting. *Commissioner Parks* seconded the

motion.

Motion carried 4-0

F.4 Lot split Clover Leaf

Scoggan introduced the subject. He stated that Abbott Land Surveyors has submitted a lot split request for several parcel sin the Clover Leaf Farms subdivision. This request comes at the behest of the city to fall in line with the subdivision regulation requirements for changing a duplex into a twin home.

Scoggan stated that duplexes are considered single ownership with both sides being rented. Twin homes are one building with both sides owned by separate owners and they share a common lot line.

Scoggan showed Article 2, 102 which outlined the criteria for duplexes and twin homes.

Scoggan displayed the criteria necessary to consider a lot split and sowed his answer to the questions.

Commissioner Hall asked about the duplexes on the west side of Clover Leaf Farms.

Scoggan said those were staying duplexes. If they wanted to convert them, they would have to go through lot split as well.

Chair Grafing asked if the Planning Commission had any comments?

Commissioner Coyne made a motion to approve the lot split requests for the following lots: Parcel G, Parcel E, Parcel D, Parcel F, Parcel C, Parcel B in the Clover Leaf Farms subdivision.

Commissioner Parks asked why Parcel E was placed to one side.

Scoggan mentioned the design of the duplex was different than your typical duplex in that the side of the duplex was where the second garage would be located which would require a greater approach and driveway on that side.

Chair Grafing said it was a side loaded duplex.

Chad Abbott said it was also to work around utilities.

MOTION: *Commissioner Coyne [Previous motion in play]* motioned to approve the lot split requests for the following lots: Parcel G, Parcel E, Parcel D, Parcel F, Parcel C, Parcel B in the Clover Leaf Farms subdivision. *Commissioner Hall* seconded the motion.

Motion carried 4-0

OLD BUSINESS

None

NEW BUSINESS

H.1 Preliminary Plat for ICT Development (Trails End)

Scoggan introduced the subject. He stated that Garver L.L.C has submitted a preliminary plat on behalf of the developer Bryan Lagaly and Kirk Richards for the development Trails End. This development is located east of 215th and north of 23rd.

Scoggan said the city council annexed this development on December 20th, 2021, bringing it into the corporate limits of the city of Goddard. The city council agreed to the rezoning for the development if it was accompanied by a restrictive covenant limiting the number of duplexes to 79 duplexes or 40% whichever is less for the development which has been submitted by Garver for review by the city attorney.

Garver is drafting the storm water engineering requirements for review by the city engineer. The final plat will be considered in March by the Planning Commission. The proposed plat incorporates a wall easement on the south and west which in addition to inclosing the development from view will help slow the rate of runoff for the development.

The development is proposing 3 retention ponds to manage water runoff which is being worked on by the City Engineer and Baughman Engineering.

Scoggan mentioned the walls surrounding the development will help slow the flow of water, but it cannot be used in lieu of retention ponds and the developer is proposing 3 retention ponds to mitigate storm water.

Scoggan stated the development has 199 lots and he outlined other provisions of the development.

Commissioner Parks asked if they were wet ponds or dry ponds

Christopher Bohm said they were wet ponds.

Christopher Bohm [1995 Midfield Rd, Wichita, 67209] said phase 1 would consist of 104 lots. He said lot width requirements put the development at 199 and they honored the single family detached lots being located of the development. They would look for 6 additional lots to meet the 79 maximum duplexes in the area.

Commissioner Parks asked about the water running out of reserve C and what does it look like as it crosses under the road.

Christopher Bohm said there are two culvert pipes under the road that go south. He said the ponds are a two-part pond.

Commissioner Parks asked if it would connect to a water way after?

Christopher Bohm said that was correct. The development would over detain accounting for different storm conditions.

Chair Grafing reiterated that the first phase would be 104 lots?

Christopher Bohm said that was correct.

Chair Grafing said that was a big phase.

Commissioner Parks asked if the pool and everything was included in that phase?

Christopher Bohm said that was correct. He showed where the pool was in the reserve.

Chair Grafing asked if the five-foot easement with the wall would be on the lot line.

Christopher Bohm said yes.

Commissioner Coyne asked *Scoggan* if the road on 23rd was where the citizens of the county said there was an issue?

Scoggan said some of the concerns brought up in December was traffic and he said 215 and 23rd at different times of the day and the only real concern seemed to be freight traffic at 215th and US 54 during the snow recently.

Scoggan said he asked for 50 feet from the centerline of 23rd and 60' from the centerline on 215th that when they do determine that they need to add an additional road or turning lanes it can be

accomplished.

Commissioner Coyne mentioned the pothole that was brought up by the citizens of the county and culverts.

Scoggan said once the city annexes it becomes their culvert and once, they go through that process.

Commissioner Coyne asked if they had any idea when they would start?

Bryan Lagaly said as soon as *Christopher Bohm* gets them going.

Scoggan said there typically don't allow street subcontractors and home builders in the same place at the same time because of the issues it raises.

MOTION: *Commissioner Coyne* motioned to approve the preliminary plat for the Trails End development. *Commissioner Hall* seconded the motion.
Motion carried **4-0**

CITY PLANNER REPORT

I.1 Development status

Scoggan introduced the subject. He stated that Rustic Creek will begin submitting building permits soon as Pearson construction has finished installing the roads for phase 1.

He said the Star bond development phase 2 softball diamonds are under way for the Goddard Genesis development and the hotel is making significant progress. The general manager has stated it could be open in July.

Scoggan also said Clover Leaf Farms has had more than half of its Phase 2 lots sell, and engineering is under way for reviewing phase 3.

I.2 Rezoning of City Purchased Land.

Scoggan stated that Garver LLC has submitted a rezoning request for land under contract to be purchased from the city. The city owned land at 23rd and 199th (Goddard Rd) is under contract by Mr. Bob Armstrong to be bought from the city. This land has a due diligence provision on it to allow Mr. Armstrong to go through the rezoning process before the land purchased is closed. The rezoning will come before the Planning Commission on March 14th, 2022.

Commissioner Hall asked where it was located?

Scoggan said it was located at 23rd and 199th. He mentioned there was an old Baptist Church that is no longer in use near that location.

Scoggan went into details about the land abutting the city owned land and some of the history surrounding the land sale.

PLANNING COMMISSIONER COMMENTS

Commissioner Coyne asked if there was going to be a new member next month?

Scoggan said he met with Mr. Ryan Walker, and the Mayor and the Mayor will recommend Mr Ryan Walker to the City Council to be approved to be on the Planning Commission. After the city council approves the mayor's recommendation, Mr. Walker could start in April.

Commissioner Coyne asked if Commissioner Crow can stay on the Planning Commission or not.

Scoggan said that was being worked out internally at the moment. The City Council did amend the Planning Commissioner bylaws requiring any planning commissioner that did not reside in the state mandated zone, outside the city limits but within 3 miles, to reside in the city limits. He said it is being reviewed for Commissioner Crow.

Commissioner Grafing asked about the natatorium and the pool at the Genesis Development. He asked if it would be accomplished at the same time.

Scoggan said they would be separate times. He anticipates the softball diamonds would be done first than the hotel than the genesis and the natatorium.

Commissioner Grafing asked about a second hotel.

Scoggan said it was speculative at the moment. There are hopes but nothing is definitive, and he has not seen anything at this time.

ADJOURNMENT

MOTION: *Commissioner Hall* motioned to adjourn the meeting. *Commissioner Coyne* seconded the motion.

Motion carried **4-0**

Meeting adjourned at 8:15 pm.

Micah Scoggan, Community Development Director