

**MINUTES-REGULAR SESSION
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
February 13, 2023**

The Goddard Planning Commission met in regular session at Goddard City Hall on Monday February 13, 2023. Chair Grafing called the meeting to order at 7:00 p.m. Chair Grafing led in the Pledge of Allegiance and Commissioner Hall led the Invocation.

Commission members present were:

Doug Hall, Shane Grafing , Justin Parks, Daniel Hayden, Darrin Cline, Jamie Coyne, Ryan Walker.

Commissioners absent were:

None

Also present were: Micah Scoggan Community Development Director. Phil Meyer of Baughman Company.

APPROVAL OF THE AGENDA

MOTION: *Commissioner Walker* moved to approve the agenda. *Commissioner Hayden* seconded the motion. The motion carried unanimously.

7-0

APPROVAL OF THE MINUTES

MOTION: *Commissioner Hall* moved to approve the minutes from February 13, 2023. *Commissioner Hayden* seconded the motion. The motion carried unanimously.

7-0

CITIZEN COMMENTS

Denise Heick [2300 S Leo St] said she was against seeing a duplex on that small scale lot. She is concerned with the safety of children. The back yard is to small according to her and that means the kids will play in the street.

She said with multiple cars on the lot they will park in the street and people will not be able to see the kids when they play in the street.

She mentioned the property her son owns shows up as renter occupied on the map, but it is actually owner occupied and her son has spent a lot of money fixing it up. She said she has only found people against duplexes and no one in favor of them. She said please listen to the people and consider building a single-family home so that children that live in them would have a whole backyard.

Chair Grafing [Closed Citizens Comments]

BOARD OF ZONING

F.1 Rezoning 321 N Pine St Case # ZONE-22-8

Scoggan introduced the subject. He stated that Kirk Richards has submitted an application for rezoning one lot located off of Pine St with the address 321 N Pine St. The land is currently zoned “R-1” Single Family Residential and is around 0.16 acres. The developer would like to build a duplex on the lot and wants to rezone it to “R-2” Two Family Residential. The lot is currently vacant.

Final consideration for the rezoning will be before the City Council. The Planning Commission tabled the agenda item on January 9, 2023. Concerns were raised about the size of the lot with the new duplex being proposed.

Scoggan said the concept images provide by the developer (Attachment F.1b) show that the duplex would conform to all the bulk regulations of the R-2 zoning district.

Bulk regulations for R-2 are as follows: Front Yard 25’ / Back yard 20’ / side yard 6’/ Maximum lot coverage 40% Lot requirements are as follows: minimum lot width for two-family is 35’ /minimum lot depth 100’ Lot dimensions are 50’ by 140’

Scoggan explained how they performed a simple regression analysis based on proximity to duplexes to determine if there was an impact on the home appraised value and determined it was statistically insignificant.

Scoggan explained how they came up with renter occupied versus owner occupied homes on the map.

Scoggan explained how older lots can be more non-conforming and this is something *Commissioner Cline* brought up if there was a natural disaster certain homes could not be rebuilt.

Chair Grafing asked *Commissioner Cline* his thoughts.

Commissioner Cline said he thinks it is too big for the lot.

Chair Grafing said it is shoe horned in there.

Commissioner Hall asked what the square footage of the home was going to be?

Scoggan said he is not sure it was not included.

Chair Grafing said it would be 1,123 square feet per side.

Chair Grafing asked Commissioner Parks what he thought.

Commissioner Parks said he knows it meets the requirements. He said it was close to the house on the south. He was not sure about the 6 foot side yard setback but he had seen houses in the newer subdivisions that are 10 feet apart.

Commissioner Parks said there were four windows assuming the elevations are the same. He said there were windows on the south side facing the house to the south.

Commissioner Cline said there were four windows on the house.

Chair Grafing said he has seen the same thing on a single family house and he wonders if they would be having the same conversation if it was single family.

Commissioner Cline said it wouldn't bother him if it was single family.

Commissioner Hall asked what would they be saying if it was a single-family house?

Commissioner Parks said they wouldn't be saying anything because they would be allowed to build it.

Commissioner Coyne said zoning change that was the difference.

Commissioner Parks said he was right.

Chair Grafing said it would be legal. The odds of something placing a 2100 square foot house in the middle of town is virtually nil.

Chair Grafing said cities have these older homes in their center and they have a hard time getting rid of them without subsidized housing.

Commissioner Coyne asked what else would go there?

Commissioner Walker said that was his point. What else would go there?

Commissioner Parks said they should look at the positive and negative impacts. If they don't see a negative impact then that's fine but if there is a negative impact, like on the south property, there could be concern.

Commissioner Walker asked what he meant by negative impact?

Commissioner Parks said it could be the shadow of the building so it could be environmental.

Commissioner Walker asked if the property owners were notified for this rezoning?

Scoggan said yes they are required to send out letters to everyone within 200 feet unless it is abutting the city limits than it goes out 1,000 feet.

Scoggan explained the process for considering a rezoning and mentioned it was tabled on January 9, 2023 so it was now coming back to the Planning Commission.

Chair Grafing said if each side had two high school students there would be four vehicles per side.

Commissioner Coyne asked where the individual lived who commented?

Scoggan said 2300 S Leo St.

Chair Grafing asked if there was any more discussion. He said if not he was looking for a motion.

MOTION: *Commissioner Coyne* motioned to approve the rezoning request case # ZONE-22-8. *Commissioner Hall* seconded the motion. The motion carried.

6-1

OLD BUSINESS

None

NEW BUSINESS

H.1 Voting on Chair and Vice Chair

Scoggan introduced the subject. He stated that according to the Planning Commission bylaws the position of Chair and Vice Chair must be decided by a decision of the Planning Commission annually. This is done by selecting individuals from amongst existing Planning Commission members.

A vote was taken, and *Chair Grafing* remained Chair for the year of 2023 and *Commissioner Hall* was selected for vice chair.

H.2 Site Plan 6S Bar and Pickle Ball Courts

Scoggan introduced the subject. He stated that Martin Hanney of Hanney Architecture has submitted a site plan for a bar and grill and pickleball courts located off of Goddard Rd within the Star bond development area.

The development is part of the second phase of the Star bond development. It deviates from the original proposal and as such the site plan contains an overall review of the area with how it interacts with the current development layout.

The development is in line with the re-plat that was approved by the Planning Commission on November 14, 2022, and then finalized by the City Council on November 21, 2022.

The site plan has one building being proposed with two parts. One for the restaurant/bar and the other for the indoor pickle ball courts.

Scoggan explained the subdivision regulations require standalone metal buildings to be wrapped to the soffit on the side that is abutting a street.

Scoggan said this was mentioned to the developer and he said they might prefer a variance.

Commissioner Coyne said that no one walks from the door to the other door, so it is not continuous.

Chair Grafing said if it was closed in.

Commissioner Coyne said he would consider it separate.

Commissioner Hall asked how tall the side wall was?

Scoggan said it is in the site plan.

Commissioner Parks said it was a really good question. He would call it the same facility.
Commissioner Cline asked about the design standards.

Scoggan explained it was changed in 2019 so that buildings that had corrugated metal that were exposed to the public had to be wrapped to the soffit. Exposed meant they were not behind another building or wall or shrubbery.

Scoggan said this building was facing Goddard road and was exposed so the architect was wondering if it was one building that was connected and the requirements were covered or did they need additional façade covering. If they did need to wrap it, they would want a variance.

Commissioner Hayden asked if they deny the variance is there another option?

Scoggan said no that would be the end of it, and they would have to do something else.

Commissioner Parks said the tree row went away. They shifted the tree row to put in the pickle ball building and if they shifted everything to the east it doesn't take anything away from the layout.

Chair Grafing asked if the part displayed faces Goddard Rd.

Scoggan said yes.

Commissioner Walker asked if the architect was looking for something specific?

Scoggan said he was trying to emulate chicken and pickle. The chicken and pickle building was a more industrial chic style with prefabricated metal.

Commissioner Coyne asked who makes the call on what is acceptable for this?

Scoggan said the Planning Commission does.

Commissioner Coyne said if there was anything legally, they had to consider?

Scoggan said it changed during the joint meeting of the Planning Commission and the city council because metal building was unappealing to look at but they held their cost during this high inflationary period of the last three years. So it was decided collectively by the Planning Commission and the City Council to allow metal buildings to but to have the exposed side to the public when they are driving to be wrapped.

Chair Grafing said he liked that they had a wainscoting on the building.

Scoggan said he mentioned the variance to the Architect and let him know that the Planning Commission could deny it and if they did he would have to go back to the drawing board.

Scoggan said that metal buildings built in conjunction with other materials does not necessarily constitute a free-standing building. As soon as it is a metal only building it should be wrapped to the soffit.

Chair Grafing said it has a breeze way.

Commissioner Cline said the breezeway does not allow you to go from one to the other.

Chair Grafing said he feels it is a different building.

Commissioner Cline said he agrees.

Commissioner Hall mentioned Orscheln and O'reilly had a similar layout with a metal building and wainscoting.

Chair Grafing said is anyone opposed to metal options?

Commissioner Cline said he thinks it should be brick.

Chair Grafing asked all the way?

Commissioner Cline said all the way to the top.

MOTION: *Commissioner Hall* motioned to approve the site plan for the new 6S bar and grill and pickle ball courts contingent upon final approval of the pickle ball building façade and the final site plan for landscaping and signage with no variance and additional façade covering on the west wall of the pickle ball building.

Commissioner Coyne seconded the motion.

Motion carried **7-0**

Chair Grafing said let them know if they have 4 feet of wainscoting and 14 feet of metal.

Scoggan asked if the Planning Commission was okay with a different type of metal?

Chair Grafing said if it looks good.

MOTION: *Commissioner Parks* motioned to approve the site plan for the new Starbucks Coffee Shop contingent upon the façade approval and sign regulation amendment by the city council.

Commissioner Hall seconded the motion.

Motion carried **4-0**

H.3 Goddard City Center Addition

Scoggan introduced the subject. He stated that Baughman company has submitted an application for platting on behalf of the developer Ben Healy to plat certain land that has been incorporated into the city limits.

This track of land was annexed on November 7th, 2022, with ordinance 907.

The developer agent submitted a rezoning application for a PUD that was considered and approved by the Planning Commission on December 12, 2022.

The city council review and approved the preliminary PUD concept on January 3, 2023.

Platting is the next step with both a preliminary and final. After which a final PUD plan will be reviewed and approved by the Planning Commission and the city council.

Scoggan said the Planning Commission is reviewing the preliminary plat for the Goddard City Center Addition. It has Gross Acreage: 52.57 Acres. Number of residential lots: 46

Number of Commercial lots: 6

Zoning: Planned Unit Development (P.U.D)

Developer: Ben Healy

Engineering Firm: Baughman Company

Chair Grafing asked if the farm house was going away.

Scoggan said it was.

Commissioner Cline asked where the water was going for this site?

Chair Grafing asked if the water was going through the Marie Meadows addition.

Phil Meyer showed on the map where they would have a detention pond. He said after they release from detaining it would flow south under the trail.

Commissioner Cline asked if it would go under the bike path.

Phil Meyer said it would go under the rail road tracks.

Commissioner Cline asked if there was going to be a problem with the subdivision to the south with the water?

Phil Meyer said no sir. They should release the same amount of water after the development as is being released now. He said it might take 6 to 24 hours to drain out as opposed to flowing out immediately.

Chair Grafing asked if it would improve the issues in that area?

Phil Meyer said if they are having problems now it should help improve the situation.

Commissioner Cline said it would slow down the run off?

Phil Meyer said if you have a saturated field it would run off quickly.

Commissioner Cline said it is just like cement at that point.

Chair Grafing asked if Harlan has looked at the drainage plan?

Scoggan said Harlan is in the process of looking at the drainage plan that is why Baughman is submitting a preliminary now and the Planning Commission will look at the final plat at a later time.

MOTION: *Commissioner Walker* motioned to approve the preliminary plat for the Goddard City Center Addition.

Commissioner Cline seconded the motion.

Motion carried 7-0

CITY PLANNER REPORT

Background: Micah Scoggan, Community Development Director, compiles a short concise report outlining relevant information and presents it to the Planning Commission.

I.1 Governance Change

Scoggan said as many are aware the City Administrator Brian Silcott and Assistant City Administrator Thatcher Moddie are no longer with the city.

The City Council is working on what process they will use for hiring another City Administrator

and any follow up information will be presented to the Planning Commission, so they are kept apprised of any changes.

I.2 Economic Report

Scoggan showed some slides about economic trends and growth for the city and the surrounding area.

PLANNING COMMISSIONER COMMENTS

Commissioner Hall asked if there was still going to be a joint workshop between the city council and the Planning Commission.

Scoggan said he was not sure. That initiative was led by ex-mayor Larry Zimmerman who is no longer with the council so he could not say.

Chair Grafing asked if there could be a discussion item on duplexes on the next Planning Commission meeting.

Scoggan asked if it was related to concentrated duplexes or duplexes over all.

Chair Grafing said concentrated duplexes.

Commissioner Parks said it should be about all duplexes. Like a percentage over all.

Chair Grafing said he wanted to discuss a moratorium on large concentrations of duplexes someone wanting to put them here or there.

Commissioner Cline said we should do them all.

Commissioner Walker asked about a comment someone made about a Comprehensive Plan.

Scoggan explained that a citizen asked him about next steps and he mentioned the comprehensive plan was drafted and adopted a guidelines in 2015 and typically should be updated every 5 years to reflect the changes in the markets and changes to the city. He mentioned with new city council members potential being elected in 2024 does it make sense to do it this year or wait.

Chair Grafing said he would like to see being done this year since it seems the citizens want it. He stated that since there is more funds available without the City Administrator and the assistant City Administrator it could go to paying for the comprehensive plan study.

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Scoggan mentioned budgets are complicated and funding that is allocated towards staff cannot just be shifted towards another budget item.

ADJOURNMENT

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

Motion carried **7-0**

Meeting adjourned at 8:08 pm.

Micah Scoggan, Community Development Director