

**MINUTES-REGULAR SESSION
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
June 13, 2022**

The Goddard Planning Commission met in regular session at Goddard City Hall on Monday June 13, 2022. Chair Grafing called the meeting to order at 7:02 p.m. Chair Grafing led in the Pledge of Allegiance and Commissioner Cline led the Invocation.

Commission members present were:

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

Commissioners absent were:

None

Also present were: Micah Scoggan Community Development Director; Thatcher Moddie Assistant to the City Administrator; Beau Hudson of Landmark Commercial Real estate; Phil Meyer of Baughman Co; Justin Underwood (Developer) and Fisher Wells (Developer)

APPROVAL OF THE AGENDA

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

6-0

APPROVAL OF THE MINUTES

MOTION: *Commissioner Coyne* moved to approve the minutes from May 9, 2022. *Commissioner Cline* seconded the motion. The motion carried unanimously.

6-0

CITIZEN COMMENTS

Chair Grafing [Opened the portion of citizens comments]

Rolf Anderson [300 N 179th Ct W] Expressed his concern about changing the zoning from Single family to dual family. Concerned about property values and traffic and if the school district can support the increase in children. He further stated he is supportive of single family and that it makes sense, but he is not supportive of dual family.

Daryle Fisher [230 N 179th Ct W] He said water is going to be an issue because his well is not functioning properly. He stated the development is probably going to have to be on city water. He and his wife oppose the dual family housing in the area. He understands the need for single family housing, but he does not want dual family because it will hurt his property value. He was hoping they could keep their natural barrier with the trees.

He stated the surrounding properties are on 5 acres and the houses are worth around \$400,000-\$600,000

He said in 2011 the surrounding area was rural and if it was very pretty and he thinks it would be best if more homes came in that were single family, but he does understand times are tough. He said he wants to keep the standards in the area as high as they can be. He wants to keep the wildlife and keep it a rural area as much as they can.

Adam Beck [1937 N McCrae Ct] Said he was the HOA president for Spring Hill. He said his concern was overcrowding in the schools and the traffic on maple and 183rd. He said he has noticed the traffic increase over the last 13 years. He said he has seen an increase in street racing on Maple behind his house.

He said he opposes dual family, and he would like to see single family. He said he wants Goddard students to be high quality and Goddard to be a nice place to live.

Dana Alexander [435 N 179 St Cir W] She said for most of the people who live out there they moved there for extra room and no crime. She said they bought out there because it was R-1. If it is allowed to be R-2 that means a lot of rental properties. Rental properties are not maintained. They care about the property values. The yards are full of trash and the properties are not in good stead. She thinks it is unfair that after you buy into an R-1 the city is rezoning to get rental properties in there. She said it will decrease their property values and she thinks that is not right. She is against changing the zoning to R-2

Lucas Jacobsen [1949 N Mcrae Ct] Said he is opposed to changing the zoning from R-1 to R-2. He said he did some research before he bought his property, and he has no interest in being across from duplexes. He said it will bring increased crime, traffic and increase the burden on the public schools. He said he doesn't think it is right that it can be changed after people built their houses with the expectation that the area will be single family homes.

Scoggan read an email comment from a *Kathleen Schrader [459 N 179th Circle West]* She said she received a copy of the re-zoning request from her neighbor. She did not receive any notice. No signs are on the property, thus she feels this has not been published properly.

She wants this zoning request to add the statement that 179th street will never be extended so that this property can use 179th as access. 179th is a gravel road and cannot be maintained properly with additional traffic.

She said Goddard already has a new addition full of duplexes (north of Kellogg and west of

199th), thus she questions the need for more two-family units. She would request that this zoning application require NO RENTALS.

Chair Grafing [Closed the portion of citizens comments]

BOARD OF ZONING

F.1 Wells/Underwood Development Rezoning Request Case # ZONE-22-3

Scoggan introduced the subject. He stated that Fisher Wells has submitted a rezoning request on behalf of both himself and Justin Underwood for a proposed development on Maple between 167 St and 183rd.

The rezoning request would change the zoning classification of the proposed land development from “R-1” Single Family Residential Development to “R-2” Two Family Development. The purpose of the rezoning of the land would be to allow duplexes to be built for a duplex community development. This would allow the developer to proceed without having to go through a Conditional Use Permit (CUP) for each lot.

If the Planning Commission approves the re-zoning it would then have to go before the City Council for a final decision and if it was approved, it would become official 30 days after publication in the city newspaper

Scoggan went through the 17 questions outlined in the subdivision regulations that helps guide the conversation for the rezoning request.

Scoggan went into the Kansas law about posting signs and receiving letters. State law does not require the posting of signs on lots for notification of zoning changes. K.S.A 12-757 (Confirmed by City Attorney) He stated that some cities choose to take that route to increase transparency, but the city subdivision regulations do not mandate it.

Scoggan quoted the city subdivision regulations for Article 10.103

Scoggan mentioned that current R-1 zoning is around 90% with R-2 zoning round 9% and R-3 is around 1%

Scoggan outlined how Wichita has more residential developments in the Goddard School district than Goddard and thus impacts the school district more heavily than Goddard does.

Scoggan said it was staff’s recommendation that they approve the rezoning request for Case # ZONE-22-3

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Justin Underwood spoke outlining how his developments are different than Wichita developers. He said they build their product and hold the product. He mentioned that they build to rent and manage the properties themselves. He said it will take a long time to develop 150 acres.

He said they are not affected by the interest rates and they build upper end duplexes which are not typically seen in the Wichita metro area. He said it is a planned community with the landscaping, fencing and they manage the properties. He said he wants to be a good neighbor and something that adds value.

He said R-2 gives them the flexibility to develop the land the way they want to and it avoids Conditional Use Permits for each individual lot.

He mentioned the north side of the development and the possibility of leaving the tree row in place. He stated he looked around to see if there were any other duplexes communities like this around and he didn't see any.

Commissioner Hall asked if they maintain and operate all of the duplexes.

Justin Underwood said he owns a large property management team in Wichita with the intention of coming to Goddard and developing/ He said they will build it and manage it. He said they rent the properties at different price points with some renting for \$1,800 or more. He said they require three times the gross rent to allow people into the properties.

Commissioner Grafing asked if it was \$1,800 per side.

Justin Underwood said that was correct. The duplexes on the northwest side of Wichita that is 1,250 square feet is bringing \$1,650 to \$1,750 a month. They are adding an additional 300-400 square feet. He said they will get the rents.

Commissioner Hall asked about the square footage range for that rent.

Justin Underwood said it is about 1,550-1,650 square feet per side. All one level. It is setup that any age range could live there.

Commissioner Walker asked what is included in the maintenance.

Justin Underwood said they do all the lawn care and exterior maintenance.

Commissioner Cline asked if they were adding any pools, playgrounds, or sidewalks?

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Justin Underwood said they were going to put in a pool and sidewalks. They will propose a pool and some amenities as it ends up laying out.

Justin Underwood all energy star efficient, led lighting and center wall insulated to reduce noise.

Phil Meyer said everyone is discussing land use tonight but if there any specific questions related to the plating process let him know.

Commissioner Hall said he likes what he sees and what he is hearing but he thinks there needs to be threshold of duplexes compared to single family detached. He said most people that are going to live in a home are going to buy. Rentals may be a different situation.

Justin Underwood said about 30% all closings in the US for single family detached housing has been for rental properties. He said the country is swaying to the rental properties. There are changing life preferences. He also said large corporations have gotten out of the multi-family market and have gotten into the single-family market.

Justin Underwood said he would guess that the development across the street has more rental properties now, perhaps even 15% He said they are buying 150 acres because they have to buy 150 acres. He said their vacancy rate is less than 1% with around 1,600 units.

Commissioner Walker asked ***Scoggan*** to show them where the county city line was on the map.

Commissioner Parks asked which parcel was parcel 1 and which parcel was parcel 2.

Phil Meyer stated he believed that parcel two was on the east and parcel one was on the west based on acreage.

Commissioner Parks asked if there has been any discussion about leaving parcel one an R-1 and just changing parcel 2 to an R-2.

Phil Meyer said if Planning Commission was going to approve one of the two parcels it would be best from an engineering standpoint to start on the west parcel. The list station is across the street and so is the water.

Commissioner Parks asked what was on the corner of Maple and 167th? He said he knew what it was but he just wanted it to be said.

Scoggan replied it was a mobile park.

Commissioner Parks said from a Planning perspective it should be transitional where it steps from a higher density to an R-2 to an R-1 to large rural lots. It becomes a sort of natural progression. He said the parcel to the east is abutting a mobile park and agricultural and there is no one over there who have 5 acre lots that were counting on it staying R-1 like the parcel to the west. He gets that the world is changing and rentals are more prominent now and he says it might swing back but no one knows.

Commissioner Parks said he is looking at this for the first time and it naturally seems that you would have R-2 on the east end and R-2 on the west.

Commissioner Grafing asked if it was even possible to consider that?

Scoggan said the application was for the whole 150 acres to be re-zoned so at this point it would be a recommended motion to City Council.

Commissioner Grafing asked if this was something they could do at the plating stage?

Scoggan said in December during the plating stage for trails End they had a restrictive covenant passed to restrict the number of duplexes but they also marked on the plat where they were going to place duplexes to help illustrate it further. He said they also delineated a wall easement for screening purposes on the plat to screen the development.

Scoggan said ultimately this is for land use consideration and rezoning of both lots so Planning Commission would just have to make that determination.

Commissioner Grafing asked if a motion could be made approving it with a consideration being made to limit the number of duplexes?

Scoggan said yes whatever you felt would be prudent.

Commissioner Grafing asked if that meant single family on one side and duplexes on the other could they make that recommendation?

Scoggan said yes.

Justin Underwood said from the developer's side of things it would have to start with duplexes because everything is to the west. So if they started with Duplexes on the east side the infrastructure would have to be brought to the east.

Commissioner Hall said he felt like what was done in December was pretty successful in terms of giving on both sides. They agreed to a single-family buffer around the development. Also an allowed amount of R-2 properties on the inside.

Commissioner Grafing said you want to make a motion to city council... (undiscernible)

Commissioner Hall said that was at their request. They had odd percentages, so it changed things. This is more black and white. This is R-2 or not.

Commissioner Parks said this is purely recommendation?

Scoggan said ultimately yes but they want to hear your feedback. They finalize the rezoning request either way, but if you were in favor or against or they wanted a single-family buffer that would be taken into account. Everything is recorded as part of the Planning Commissions opinion and City Council takes that into account for how they want to proceed.

Commissioner Cline asked if that was **Commissioner Parks** motion?

Commissioner Parks said he understands things are changing but he doesn't take rezoning lightly.

Commissioner Coyne asked if they had a number for the amount of single-family homes versus the amount of duplexes?

Justin Underwood said he was not sure since the way things get developed in Kansas versus other places it was hard to tell. It was different with the bonds and the way things are done in out here. He said they are more pressed than usual on this because of the way the contract on the land is written. There has been a lot of pressure to close on the land from the seller and this has limited the amount of discussion that they are afforded. He asked how the process works for developing the land?

Scoggan said that is a long conversation

Justin Underwood said he was just sure of the process and if he bought 40 acres would they let him develop just 40 acres?

Scoggan said he understands what the developer is getting at. Specials are unique to this area and it can be odd for someone who is not familiar with it.

Justin Underwood said he was wondering mostly about if he buys 150 acres can he plat and

develop just 40 or those acres along those lines.

Scoggan said yes. The zoning would be for all 150 acres but you can plat only 40 and develop only 40 with the specials being applied to that 40 acres. It could be done in phases similar to Saint Andrews addition.

Scoggan said the city doesn't get involved in land sales so most of this is coming from the seller of the land.

Commissioner Walker asked about Maple Street. Since it was a combination of city and county is there anything on the docket talking about that road. What would it look like with the city county interacting together?

Scoggan said he was aware of Wichita having a 2027 lane expansion for Maple but he was not aware of that was still in their books for development. He said the City has both sides of Maple abutting the land except for a small section that KDOT owns and as traffic increase it is measured and there is a determination when to expand the road. The plating dedicates additional land for that purpose.

Commissioner Hall said the developer is saying they would prefer to develop less but if they do rezone the 150 acres what is to stop the developer from selling the property off? That would be a concern that he would have.

Scoggan said that be taken into consideration.

Commissioner Parks said they have to assume it will change hands. He said he believes the developer, but it is just lip service.

Scoggan said that could be covered under a restrictive covenant since the restrictive covenant travels with the land and not the property owner. He said that would be part of the recommendation before the City Council that the Planning Commission is concerned the land would sell and be developed differently than what is being proposed.

Commissioner Grafing said that would solve the issue.

Commissioner Cline said there is nothing there now.

Scoggan said no there is nothing right now. Planning Commission is making a recommendation before the City Council.

Commissioner Grafing said City Council is usually pretty active on their recommendations.

Commissioner Grafing asked if there was any more discussion or did they have a motion? With recommendations or restrictions?

Commissioner Hall said what would they want to restrict it to?

Commissioner Coyne asked if they could change the rezoning with the restriction?

Scoggan said the Planning Commission could approve the rezoning with a restriction.

Commissioner Coyne said if they sold it couldn't revert back to R-1.

Scoggan said they would have to remove the restrictive covenants and rezone it at the same time.

Commissioner Grafing asked if the Planning Commission wanted to approve and put restrictive covenants on it like they did with Trails End.

Commissioner Parks said he could see making a recommendation that the rezoning be approved with the west parcel remaining R-1.

Commissioner Grafing asked if he wanted a portion of the west parcel rezoned?

Commissioner Parks said it was trapped between what was to the west.

Scoggan said there was a house on 5 acres to the west and an open field and a horse barn.

Commissioner Cline said he wanted to make a motion the east side go to R-2 and west side go to R-1 and they both have restrictive covenants.

Commissioner Grafing said can that be done?

Scoggan said it would have to be all for the whole 150 with restrictive covenants as you deem necessary.

Scoggan said approving the request for only half is essentially a denial of a portion of the request and they would be asking the city council to deny the request and force the developer to resubmit the rezoning request.

Commissioner Cline said he withdraws his motion.

Commissioner Parks said he recommends it be rezoned to an R-2 with a stipulation that the west stay an R-1 and the east be an R-2 or they deny it and they resubmit with the west being an R-1 and the east being an R-2. It would simply be resubmitting the application which is only two pages.

Scoggan said the Planning Commission would be approving the request asking the City Council to deny the request and have it resubmitted with an amended application.

Commissioner Grafing said he can't make a motion, but could they approve with a buffer of single family around the development?

Scoggan said yes it would an approval of the motion with restrictive covenants.

Commissioner Grafing said it would be like they did at Trails End. They would buffer it on the north and the west.

MOTION: **Commissioner Walker** moved to approve the rezoning request for Case # ZONE-22-3.

Commissioner Coyne seconded the motion.

The motion was as follows:

Commissioner Hall voted no

Commissioner Parks voted no

Commissioner Cline voted no

Commissioner Grafing abstained from voting (yes vote)

Commissioner Coyne voted yes

Commissioner Walker voted yes

3-3

Motion failed to pass. Unable to establish an official vote.

F.2 RD Wood Rezoning Request Case # ZONE-22-2

Scoggan introduced the subject. He stated that Beau Hudson of Landmark Commercial Real estate (LCR) has submitted an application on behalf of a Mr. R.D Wood to rezone four acres of city owned land from C-2 general commercial district to R-4 high density residential. The city has been working with LCR since June of last year, reviewing all the possible option for developing the four acres of city owned land located directly north of the Orscheln Farm and Home store.

Original conversations started with the property remaining commercial for a commercial development. However, after some review it was determined that the location made it difficult for that property to be marketed to the general public due to it being screened from US-54 by Orscheln.

This led to conversations of rezoning to a mixed use or a higher density development and ultimately the decision was made to look at possibly rezoning to higher density residential leaning towards Row Homes or Quadplexes.

Scoggan went through the 17 questions outlined in the subdivision regulations that helps guide the conversation for the rezoning request.

Scoggan quoted the city subdivision regulations for Article 10.103

Scoggan said he spoke with Everett Haynes who is the Assistant City Planner in Derby and they allowed residential development in all commercial districts, included single family-detached housing. Everett mentioned that quadplex developments have become very popular in Derby since they are better received than larger style apartments. They have gained momentum due to the higher use among seniors.

Commissioner Cline asked if there were any comments from Rustic Creek?

Scoggan replied that the only comment they got was from the developer of Rustic Creek asking for a potential rezoning on their property.

Commissioner Grafing asked if there were any individuals living in Rustic Creek right now?

Scoggan replied there were not right now. Rustic Creek is owned by the developer, so any letters were received by him.

Commissioner Grafing said when they buy the lots on the south side, they will know there are going to be quadplexes there.

Scoggan said yes and there will be a screening requirement if they do 3 units or more on the lot.

Commissioner Hall asked if these units will be similar to medical lodge.

Scoggan said no medical lodge are duplexes and these will be quadplexes.

Commissioner Cline asked about setbacks on an R-4.

Scoggan replied that they have reduced setbacks but not zero lot line.

Commissioner Cline asked if it was required between quadplexes?

Scoggan said yes unless they had several units side by side exceeding 4 than they would be talking about row homes.

Commissioner Parks asked if they could put an apartment complex on the lot that covers most of it?

Scoggan said yes. R-4 allows for maximum density with residential for that zoning.

Commissioner Parks said that would be the most density possible.

Scoggan said yes except they would have to account for parking. He mentioned Florida in Lake County they do it based on density and not land use. The subdivision regulations dictate lot coverage.

Commissioner Hall asked if the development would have its own drainage requirements?

Scoggan said yes it will have to have its own drainage requirements since it is greater than an acre.

Commissioner Parks asked how many acres is the site?

Scoggan said 4 acres.

Commissioner Parks asked if the retention ponds to the north designed for larger flow?

Scoggan said yes but it was designed for the Rustic Creek subdivision and to capture storm water runoff from the west that drains from hopper and Autumn Blaze.

Commissioner Hall said it is right along the Kellogg corridor.

Commissioner Cline agreed.

Beau Hudson introduced himself and said he can answer any questions of the Planning Commission.

Commissioner Parks asked if there were any concept images?

Beau Hudson said yes and *Scoggan* distributed the concept images around.

Beau Hudson said since they are not required yet to provide the full site plan this is just conceptual. He said this was just an idea of what it would look like but was not definitive.

Beau Hudson said each unit was about 1,350 square feet. There have been some being built near Wichita State University and Derby. He mentioned it has been popular from everyone from a college student to seniors.

Beau Hudson said since this is an infill site there are not a lot of things that you can do with it so they felt like this was good transitional land use to the housing to the north.

Commissioner Walker asked if it was slab or basement.

Beau Hudson said it was slab. It would have 3 bedrooms and 2 baths.

Commissioner Grafing said he didn't have any other questions.

It is recommended that the Planning Commission: Approve the rezoning request for Case # ZONE-22-2

MOTION: *Commissioner Coyne* moved to approve the rezoning request for Case # ZONE-22-2.

Commissioner Cline seconded the motion

6-0

Motion Passed

NEW BUSINESS

None

CITY PLANNER REPORT

None

PLANNING COMMISSIONER COMMENTS

Commissioner Hall said he appreciates they brought additional housing variety. He said he thinks it has to be in the right area. He said he liked what being presented for the duplexes, but he did not feel comfortable making the whole thing R-2.

Commissioner Parks said you can't go back. Once you have zoned it you can't go back.

Commissioner Grafing said the recommendation to restrict it would have come in.

Commissioner Hall said he thinks they need to figure out what the threshold is for two family or greater compared to single family.

Commissioner Grafing said even with all the duplexes being proposed it still would have been around 18%

Scoggan said yes around 18% correct.

Commissioner Grafing asked if the single-family percentage mentioned was existing built, not including Rustic Creek or Arbor Creek additional phases?

Scoggan said yes. He pulled data from the county to show from everything that is built what percentage is attributed to what land use. He mentioned that there are many acres that are zoned that are not able to be developed like retention ponds and Schools. He further stated typically there is no reason to reason if you are not seeking the highest possible density to maximize your profit.

Commissioner Parks said perhaps they can consider that every time they are considering rezoning in a district that is abutting single family in the county there is a buffer between the city and the county with single family.

Scoggan said that is something that could be considered. Another factor is the city does not dictate land sale and purchase so if a land seller says they have to buy 150 acres the city is not going to intervene in that process.

Commissioner Grafing said there have been duplexes proposed in the city too and there is always that stigma of duplexes.

Commissioner Cline said he liked *Commissioner Parks* idea.

Commissioner Parks said it was those people who bought huge lots and build big homes on them and then the city turns around and the Planning Commissioners are the ones who look like the bad guys who want to change it to a less restrictive zoning.

Commissioner Grafing asked if the northeast corner of 167th and maple sold or is it still for sale?

Commissioner Cline said it sold.

Commissioner Grafing said there is nothing that is stopping Wichita from rezoning that land to R-2 and filling that development with duplexes.

Scoggan mentioned that the land on the northeast corner was annexed by Wichita.

Commissioner Walker said there was a development that sold at 167th and Central.

Scoggan said the land on the west of 167th is in talks about development, but on the east side Wichita annexed it last year in December.

Commissioner Grafing said there is always that stigma with Duplexes, but at those kinds of rates you are not going to be getting...

Commissioner Parks said they cannot assume that is true.

Commissioner Cline agreed.

Commissioner Parks said I have to weed out all that crap.

Commissioner Grafing said the current ones they juts built...

Commissioner Parks said what they are sitting here telling us doesn't mean anything. They could go to Baughman and build a super dense all duplex neighborhood.

Commissioner Grafing said unless they put restrictions on it.

Commissioner Parks agreed.

Commissioner Grafing said after that they still have to approve the plat plan. This was just rezoning.

Commissioner Walker said exactly.

Commissioner Grafing we could stop the super density at the plating stage.

Commissioner Parks said you are right.

Commissioner Cline said he did like the buffer of single family around the duplex.

Commissioner Parks said they would stop getting people in here if they knew there was a 200-foot buffer. He said I know that some of them don't want anyone out here they don't want any progress.

Commissioner Coyne said could that be mitigated with a screening requirement as well? A certain number of feet without screening and reduced if it has screening.

Scoggan said the Planning Commission has pretty wide latitude to make approvals contingent upon screening or restrictive covenants or buffers but ultimately it has to be taken to City Council for final consideration.

Commissioner Grafing said they could approve the whole thing without them.

Commissioner Parks said they are going to it, they have already proved that.

Commissioner Grafing said during the plating stage they could have approved an 8-foot concrete wall on the south side of the tree row.

Scoggan said that is correct.

Commissioner Parks said if there was a buffer it would be more consistent. Their decisions are going to waiver if it is a good day or a bad day.

Commissioner Coyne said he wonders if the buffer with or without the screening would determine so much.

Commissioner Parks said they need something more solid and straightforward.

Commissioner Cline said they need it to be more black and white.

Commissioner Grafing said if he lived on the 179th court he wouldn't want the trees to go either.

Commissioner Parks said they would put in a restriction that they couldn't cut down the hedge row.

Commissioner Grafing said and they would have an 8-foot wall for an additional buffer. Do they even have a legal right to take out the tree row?

Scoggan said that would be a civil matter.

Commissioner Parks said than you would be asking someone to spend money.

Commissioner Grafing said if anyone was going to spend the money that gentlemen would have been it.

Commissioner Parks said he understands he just considers the worst-case scenario.

Commissioner Grafing said he rented a duplex in the hopper addition before he found a house that he wanted to buy. He said is he bad because he rented before he owned his home? No, he just needed a place to live in until he found a home. He said that is the stigma that goes with it unfortunately.

Commissioner Parks said people move out to Goddard to get away from Wichita. To get away from the density in theory.

Commissioner Grafing said the Goddard Schools are a huge draw for people.

Commissioner Parks said than point of concern about the Goddard Schools be overwhelmed is valid.

Commissioner Grafing said they don't control that aspect the school district has already got it planned for another whole sets of schools whenever that happens, and they can't do everything waiting on the schools. The school is not going to put the cart before the horse.

Commissioner Parks said that is true.

Commissioner Hall said they are not going to do that with the roads either.

Commissioner Grafing said the land use is ready to go and the roads will get changed because that is where people are willing to go.

Commissioner Parks said he still wants a buffer for the Rural Residential.

Commissioner Hall said any of these West Wichita single family communities, you are hard pressed to find a for sale sign anywhere. When they sell, they fill up just as quickly as the duplexes.

Commissioner Grafing said before the new subdivisions went in there were rentals in the neighborhoods now. There are rentals in his neighborhood. You can build single family homes and you will still have rentals. It could all be R-1 and everything in there could be a rental.

Commissioner Cline said there is one up the street from him that rents for \$1,700 a month.

Commissioner Parks said do the HOAs restrict the rentals?

Commissioner Grafing said it is against state law to restrict renting your property. The HOA can make sure it is maintained. There would be restrictive covenants on the R-2 zoned duplexes to be kept up and maintained.

ADJOURNMENT

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

Motion carried **6-0**

Meeting adjourned at 8:52 pm.

Micah Scoggan, Community Development Director