



CITY OF GOODLAND
PLANNING COMMISSION AGENDA
TUESDAY, DECEMBER 20TH, 2022 AT 6:00P.M.
CITY HALL, 204 W. 11th ST., GOODLAND, KS

1. Call to Order

- a. Roll Call

2. Public Comment

3. Variance Request Amendment – Jacob Leis 418 Main Street

The applicant is requesting an amendment to the previously approved variance request that was considered in June by the Planning Commission. The amendment requests a variance to **Section 19-602. - Yard Regulations – regarding the location of the accessory building on the lot at 418 Main St.**

4. Storage Unit Expansion 509 Caldwell

The applicant would like to add on 5 new units to the existing units. The addition will be 12 ft by 50 ft and will fit on the existing concrete.

5. Reports

- A. Planning Commissioners
B. Staff

6. Minutes

- a. **July 12, 2022 Minutes**
b. **August 9, 2022 Minutes**
c. **October 11, 2022 Minutes**

7. Adjournment



City of Goodland
204 W. 11th Street
Goodland, KS 67735

MEMORANDUM

TO: Planning Commissioners
FROM: Kent Brown, City Manager
Jeff Dinkel, Building Official
DATE: December 20, 2022
SUBJECT: Agenda Report

3. Variance Request Amendment – Jacob Leis 418 Main Street

At the scheduled meeting, the Planning Commission acting as the Board of Zoning Appeals shall hear all facts and testimony from all parties wishing to be heard concerning the requested variance. In this case, this is an amendment to a previous variance request. Even though one member of the commission may not be able to attend, staff went ahead with the schedule for this meeting since there was not a quorum at the November meeting. The applicant has put off the construction of his building for the last two months until there is a decision on the variance amendment request – including the relocation of the gas line (service line to the house) if the variance request amendment is approved. In addition, notices have been posted and sent to the neighbors regarding the hearing.

In each case, the Board of Zoning Appeals shall not grant a variance unless it finds, based on the evidence presented, facts which conclusively support all of the following findings:

UNIQUENESS:

ADJACENT PROPERTY:

HARDSHIP:

PUBLIC INTEREST:

SPIRIT AND INTENT:

MINIMUM VARIANCE:

At the conclusion of this section, the planning commission will need to make a motion to APPROVE, CONDITIONALLY APPROVE, or DENY the variance request.

RECOMMENDED MOTION: I move that we approve / approve with conditions / or deny the application for the amendment of the previous variance request of side yard and rear yard setbacks at 418 Main St.

4. Storage Unit Expansion 509 Caldwell

Sec. 19-1302. – Applicability - The Building Official shall require that all applications for building permits for new buildings or expansion of any existing buildings in multifamily, commercial and industrial zoning districts be subject to Site Plan Review in accordance with these regulations.

The property owner at 509 Caldwell has submitted a sketch plan to add 5 storage units to the present building. No additional water or electricity connections will be needed and the current street access will remain and not need to be modified.

5. Discussion

No topics scheduled for this meeting.

6. Reports:

A. Planning Commissioners

The Chair will ask each Planning Commissioner for their comments or questions for staff on any other topic not on the agenda at this time.

B. Staff

7. Minutes:

A. July 12, 2022 Planning Commission Minutes

B. August 9, 2022 Planning Commission Minutes

C. October 11, 2022 Planning Commission Minutes

Staff recommends approval of the Meeting Minutes with any changes requested by the commission. Planning Commissioners can approve A, B & C as one motion or can approve each set of minutes separately.

RECOMMENDED MOTION: I move that we approve the planning commission meeting minutes of July 12, 2022, August 9, 2022 and October 11, 2022.

CITY OF GOODLAND

PLANNING COMMISSION

AGENDA ACTION/DISCUSSION ITEM

AGENDA ITEM TITLE: Variance Request

Jacob Leis 418 Main Street

Background

On June 7, 2022, a variance request for 418 Main Street was heard by the Planning Commission. The variance request for height and size was approved. However, the location of the garage on the lot was discussed; but, not part of the original decision. The following is the background portion of the original variance request.

The applicant, Jacob Leis, moved back to Goodland and would like to open his electrical business to run from his new garage. The applicant included the following in his application:

“The property in question as it currently stands does not have the capacity to facilitate a growing business. The land up until recently was overgrown with trash and junk to the point of it being deemed uninhabitable. If the variance isn’t approved there is no practical reason for the new owners to continue cleaning up the property if they aren’t able to use it to its full potential. It would negatively affect the occupants’ future plans and the overall condition of the neighborhood. The variance is simply requested to help accommodate a new growing business in the community.”

The applicant proposes to build a new garage requesting the size be 1500 sq ft. - 300 sq ft over the current maximum allowance of 1200 sq ft. with a maximum height of less than 22 feet at the peak of the sloped roof. The request is for a variance from the following code section requirements:

Sec. 19-502. - Use standards. A. Accessory Uses. (1)Residential Accessory Uses. Residential uses shall include, but not be limited to, the following accessory uses, activities and structures: (C)Garages, carports and off-street parking and loading areas, provided that a detached garage or carport shall not cover more than twelve (12) percent of the total lot area, with a maximum of 1,200 square feet; and no more than twenty (20) feet to the peak of the roof or structure;

The applicant proposes to build a new garage with the south side of the building facing 5th Street. The desired location for the shop would be the southwest corner of the property with the building’s orientation north and south. The building dimensions are 50x30x16. **This amendment of the original variance request** would allow the property owner to place the building three (3) feet off of the edge of the alley way which is allowed per Goodland’s building

code and eighteen (18) feet of the southern curb edge adjacent to Fifth (5) Street. Fifth (5th) Street has an 80 foot right of way. Forty (40) feet from the centerline of 5th Street is 18 feet past the curb of the street into the yard of 418 Main Street.

The applicant's request to amend the variance request includes the following:

Approving the requested spacing off of the southern curb would allow the property owner to utilize the property in a way that would eliminate congestion on public streets. The electrical business that will be working out of the shop will have multiple vehicles including a ¾ ton pickup, a large oversized boom truck and a 14 foot enclosed job trailer. The property owner also owns a passenger vehicle that will be stored on the back side of the shop. The remaining space to the north side of the shop could facilitate all of the previously mentioned vehicles in a way that would be more aesthetically pleasing for the city and also not subject the owner to potential theft of vandalism.

The request to amend the variance request to include a variance from the following code section:

Sec. 19-602. - Yard regulations.

A. Minimum Yard Requirements: The yard requirements heretofore established in all districts shall be adjusted in the following cases:

(1) Where the property fronts on two intersecting streets (a corner lot), such lot shall maintain the established building line on both streets, except in the following cases:

(a) Where no building line is established, the minimum side yard requirement along such street shall be 15 feet.

(b) Where more than half of the buildings on a frontage have observed a front yard greater or less than required then:

(1) Where a building to be erected on a parcel of land that is within 100 feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front corners of adjacent buildings on the two sides, or

(2) Where a building to be erected on a parcel of land that is within 100 feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.

(Ord. No. 1467, § 1(Art. 6, § 2), 12-3-01; Ord. No. 1733 , § 1, 9-21-20)

In addition, Section 19-502 says the following:

Sec. 19-502. - Use standards.

A. Accessory Uses.

(3) Accessory Use Development and Operational Standards. The following standards shall apply to all accessory uses and structures unless otherwise specifically provided:

(B) Interior (Rear) Setback: Accessory structures shall not be required to comply with the interior rear setback standard that applies to principal uses. Accessory structures shall, however, be set back at least ten feet from rear lot lines and shall not be closer to the side lot line than the applicable minimum interior side setback.

Garages with entrances to an alley shall be set off a minimum of ten feet from the alley, garages with out direct access to the alley may be setback three feet from the alley. Accessory structures of less than 150 square feet are exempt from side yard requirements.

Article 14 of the Goodland Municipal Code provides guidance as to the approval or denial of a requested variance. Per Appendix III Article 14 of the Goodland Municipal Code "...The Board may grant a variance only if it makes findings that all the following requirements, insofar as applicable, have been satisfied:

UNIQUENESS: The variance requested arises from conditions which are unique to the property in question, which are not ordinarily found in the same zoning district, and which are not caused by actions of the property owners or applicant. Such conditions include the peculiar physical surroundings, shape, or topographical condition of the specific property involved which would result in a practical difficulty or unnecessary hardship for the applicant, as distinguished from a mere inconvenience, if the requested variance was not granted.

ADJACENT PROPERTY: The granting of the variance will not be materially detrimental or adversely affect the rights of adjacent property owners or residents.

HARDSHIP: The strict application of the provisions of the zoning regulations from which a variance is requested will constitute an unnecessary hardship upon the applicant. Although the desire to increase the profitability of the property may be an indication of hardship, it shall not be a sufficient reason by itself to justify the variance.

PUBLIC INTEREST: The variance desired will not adversely affect the public health, safety, morals, order, convenience, or general welfare of the community. The proposed variance shall not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

SPIRIT AND INTENT: Granting the requested variance will not be opposed to the general spirit and intent of the zoning regulations.

MINIMUM VARIANCE: The variance requested is the minimum variance that will make possible the reasonable use of the land or structure.

The following paragraphs are from the original variance application - - -

In the variance application that was filled out (attached in packet), the applicant indicates that:

1. A variance is warranted due to the land being previously inhabitable and a nuisance to the city, if the variance is not approved the owners have no reason to continue clean up and renovations to make the land/home livable, operable and improve the conditions of the home and neighborhood;
2. That the property's proposed structure will not negatively affect any of the neighboring properties or cause them any hardship
3. That if unable to build the structure at the requested size, the business that is planning to operate out of it will not have sufficient space for storage of equipment and materials.

The overflow would have to occupy the land outside of the building causing a general eyesore for the rest of the neighborhood and city; and

4. Approving the building of this structure will not adversely affect the public health in a negative way. It will not create any impairment of lighting to other properties or diminish air quality. The variance desired will have a positive effect on the community as a whole. Housing a business that can help to accomplish construction projects and renovations in the community for years to come;

Staff comments

The following paragraphs are from the original variance application agenda item - - -

The application appears to be in order, and should allow the Board to make findings as to whether all requirements have been satisfied. If a variance is granted, the garage will be set back at least 5 feet from their rear property lines and 5 feet back from the power lines. The applicant also plans on eliminating an existing curb and sidewalk to pave a small driveway up to the garage door.

While the application is proper, it is difficult to meet the requirements of the code in being unique to this property. There is no express right to accessory buildings larger than 1200 square feet as a guaranteed amenity. The neighbors' opinions will be key here, because a variance really means that a slightly larger accessory building will be allowed on the neighboring property.

The property is zoned as R-1 Residential. The intent of the district in the code follows: Sec. 19-452. - "R-1" Residential—Single-family and two-family district.

1 .Intent: The intent of this district is to provide for low-density residential development, including those uses which reinforce residential neighborhoods, and to allow certain public facilities.

The applicant's proposal would allow storage for his electrical business and there would be no customer traffic to the property.

Across the street to the south is C-2 – Central Business District. For properties in C-2, Sec. 19-456 12F states the following:

F. Loading docks, trash enclosures, outdoor storage and similar facilities and functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are reduced to as great an extent as possible and are out of view from adjacent properties and public streets.

This application for a larger accessory building at the applicant's property meets the same criteria as listed above – to reduce the visual and acoustic impacts of the outdoor storage to as great an extent as possible and are out of view from adjacent properties and public streets.

=====

Additional staff comments on this amendment to the original variance request:

The right of way for 5th Street extends 18 feet past the curb line of the street into the yard of 418 Main Street. Section 19-602 puts an additional restriction on properties that are corner lots. Section 19-602 would require the property owner to build the garage at the same distance from the southern curb line as the main residence on the property – 31 feet from the curb. This additional restriction would place an additional burden on the property owner that is not required of the neighboring properties. This request meets the same criteria as the original variance request – to reduce the visual and acoustic impacts of the outdoor storage to as great an extent as possible and are out of view from adjacent properties and the public streets.

FINDINGS OF BOARD OF ZONING APPEALS ON EACH OF THE FOLLOWING CONDITIONS:

	Approved	Denied
a. Uniqueness		
b. Adjacent Property		
c. Hardship		
d. Public Interest		
e. Spirit and Intent		
f. Minimum Variance		

Conditions (if any):

RECOMMENDED MOTION: I move to approve the amendment of the approved variance for the location of a new accessory building at 418 Main St. to be 18 feet from the curblin on the south edge of the property and 3 feet from the alley right of way.

a. (add findings)

ALTERNATE MOTION: I move to disapprove the amendment of the approved variance for the location of a new accessory building at 418 Main St. to be 18 feet from the curblin on the south edge of the property and 3 feet from the alley right of way.

a. (add findings)

b. (add conditions)

Attachments:

- 1) Amendment to original variance request which also includes:
 - a. Applicant's drawing/site plan of 418 Main St. including house and shop.
 - b. Aerial view of 418 Main St.
- 2) Official notification of hearing on 11/15/2022
- 3) Owners list
- 4) Original variance application received in May 2022

CITY OF GOODLAND, KANSAS
VARIANCE APPLICATION
BOARD OF ZONING APPEALS

Return Form To:
Inspections and Code Enforcement Department
City of Goodland
204 W. 11th Street
Goodland, KS 67735-0059
(785) 899-4550
(785) 899-4532 (fax)

For Office Use Only
Case No.: _____
Deposit: _____
Date Advertised: _____
Public Hearing Date:: _____

APPLICANT INFORMATION:

Applicant: Jacob Leis Phone: 785-821-1411
Address: 515 Harrison Ave, Goodland KS Zip: 67735
Owner: Stephen West Phone: _____
Address: _____ Zip: _____

PROPERTY INFORMATION:

Location of Property: 418 Main St Goodland, KS 67735
Legal Description: _____

ADJACENT ZONING AND LAND USE:

	Existing Land Use	Zoning
North	<u>Home / Residence</u>	<u>Residential</u>
South	<u>Dentist office</u>	<u>commercial</u>
East	<u>Home / residence</u>	<u>Residential</u>
West	<u>Home / residence</u>	<u>Residential</u>

CITY OF GOODLAND, KANSAS, - PROCEDURES MANUAL

Article 14- Variance Procedure

Present Use of Property: Renovation for future residence

Proposed Use of Property: primary business & electrical business

Utility Lines or Easements that would restrict proposed development: overhead power line needs raised or moved.

PLEASE INDICATE BELOW THE EXTENT TO WHICH THE FOLLOWING STANDARDS ARE MET, IN THE APPLICANT'S OPINION. PROVIDE AN EXPLANATION ON A SEPARATE SHEET FOR EACH STANDARD WHICH IS FOUND TO BE MET.	Yes	No
UNIQUENESS: The variance requested arises from conditions which are unique to the property in question, which are not ordinarily found in the same zoning district, and which are not caused by actions of the property owners or applicant. Such conditions include the peculiar physical surroundings, shape, or topographical condition of the specific property involved which would result in a practical difficulty or unnecessary hardship for the applicant, as distinguished from a mere inconvenience, if the requested variance was not granted.	✓	
ADJACENT PROPERTY: The granting of the variance will not be materially detrimental or adversely affect the rights of adjacent property owners or residents.	✓	
HARDSHIP: The strict application of the provisions of the zoning regulations from which a variance is requested will constitute an unnecessary hardship upon the applicant. Although the desire to increase the profitability of the property may be an indication of hardship, it shall not be a sufficient reason by itself to justify the variance.	✓	
PUBLIC INTEREST: The variance desired will not adversely affect the public health, safety, morals, order, convenience, or general welfare of the community. The proposed variance shall not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.	✓	
SPIRIT AND INTENT: Granting the requested variance will not be opposed to the general spirit and intent of the zoning regulations.	✓	
MINIMUM VARIANCE: The variance requested is the minimum variance that will make possible the reasonable use of the land or structure.	✓	

John Lee
Applicant's Signature

5-5-22
Date

Uniqueness: The property in question as it currently stands does not have the capacity to facilitate a growing business. The land up until recently was overgrown with trash and junk to the point of it being deemed uninhabitable. The improvements to the land, home. If the variance isn't approved there is no practical reason for the new owners to continue cleaning up the property if they aren't able to use it to its full potential. It would negatively affect the occupants future plans and the overall condition of the neighborhood.

Adjacent Property: The proposed structure will not negatively effect any of the neighboring properties or cause them any hardship.

Hardship: If unable to build the structure at the requested size, the business that is planning to operate out of it will not have sufficient space for storage of equipment and materials. The overflow would have to occupy the land outside of the building causing a general eyesore for the rest of the neighborhood and city.

Public interest: approving the building of this structure will not adversely affect the public health in a negative way. It will not create any impairment of lighting to other properties or diminish air quality. the variance desired will have a positive effect on the community as a whole. Housing a business that can help to accomplish construction projects and renovations in the community for years to come.

Spirit and intent: granting the requested variance will be well within the spirit and intent of zoning regulations. It is simply requested to help accommodate a growing business in the community

Minimum variance: the smallest variance needed for this property is to add another 300 square feet past the current maximum 1200 square foot. The total building dimensions will be no greater than 30x50x16 with a maximum height of less than 22 feet at the peak of the sloped roof

Fence

Neighbor

North

38 feet
Between

37 ft
Between

Needs to be
IDA from Alley

Shop 30x50
16 Feet tall

How SE

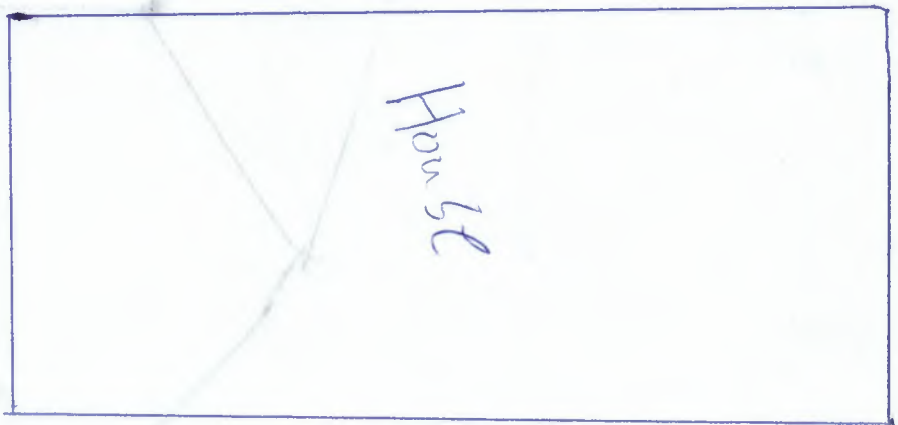
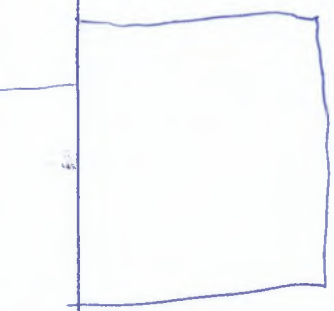
5ft
From property
line

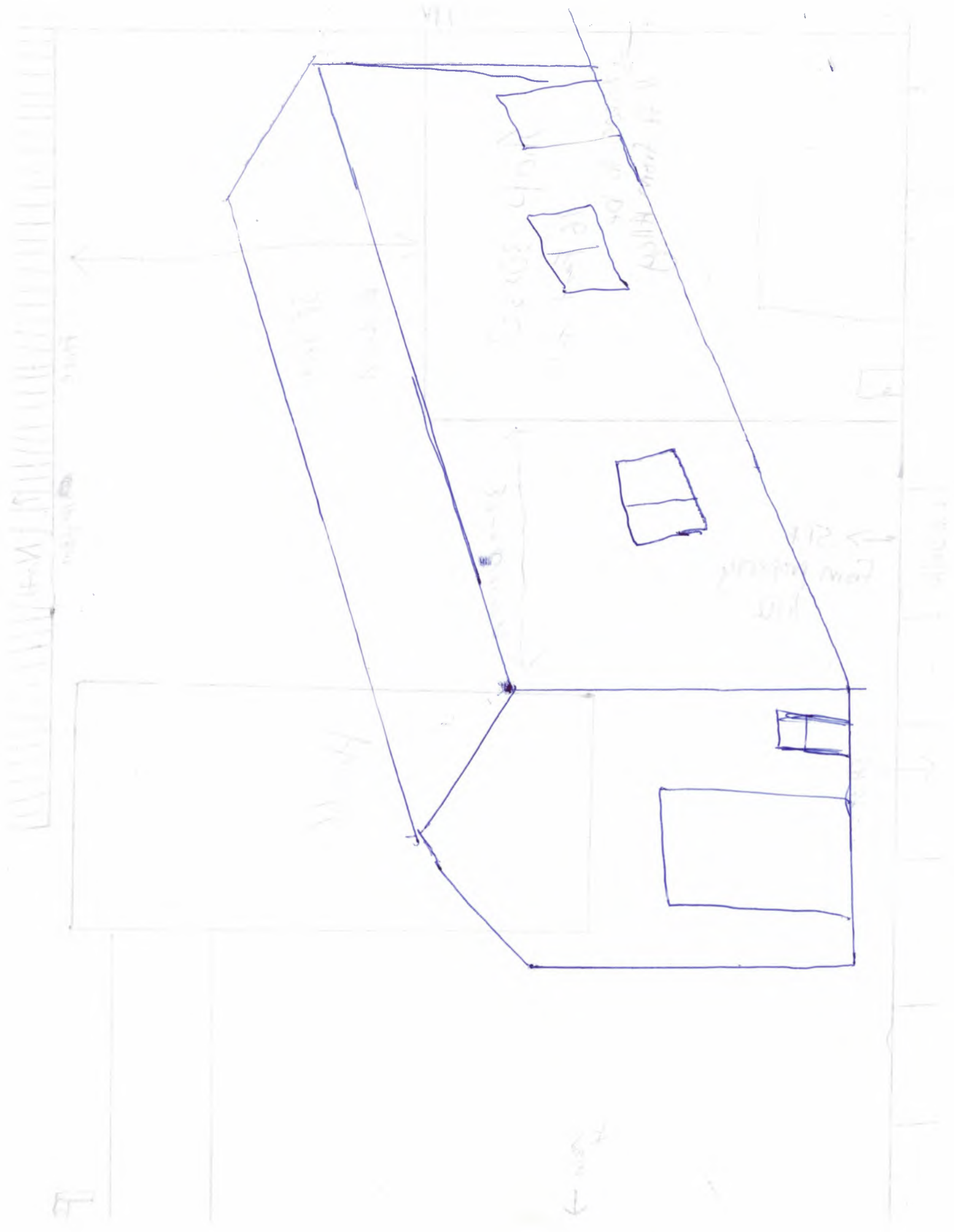
5ft

Main
St

sidewalk

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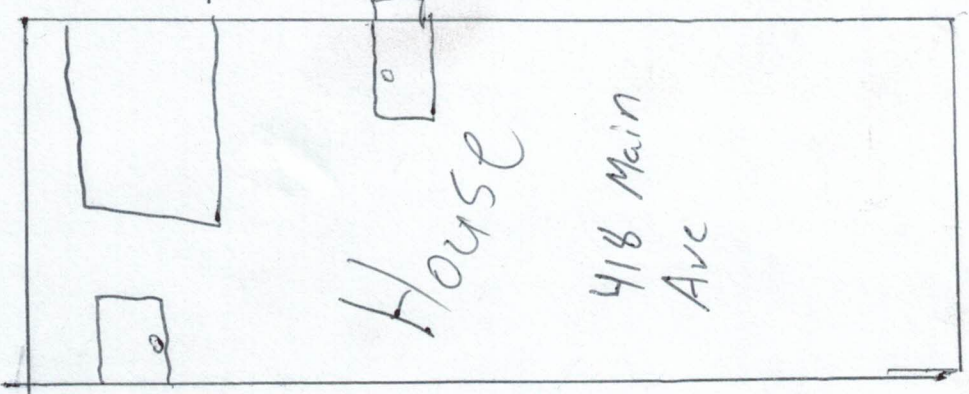




Amendment to original variance request.

The original variance request for the property 418 Main Ave in Goodland Ks was for an additional 300 square feet of building space. This amendment pertains to the placement of the building in question. The desired location for the shop would be on the southwest corner of the property orientated north and south. The building dimensions are 50x30x16. This variance would allow the property owner to place the building 3 feet off of the edge of the alleyway which is allowed per Goodland's building code and 10 feet off of the southern curbs edge. Approving the requested spacing off of the southern curb would allow the property owner to utilize the property in a way that would eliminate congestion on public streets. The Electrical business that will be working out of the shop will have multiple vehicles including a 3/4 ton pickup, a large oversized boom truck and a 14 foot enclosed job trailer. There is also a 2006 mustang that the owner of the property owns that will be stored on the back side of the shop. The remaining space to the North side of the shop could facilitate all of the previously mentioned vehicles in a way that would be more aesthetically pleasing for the city and also not subject the owner to potential theft or vandalism.

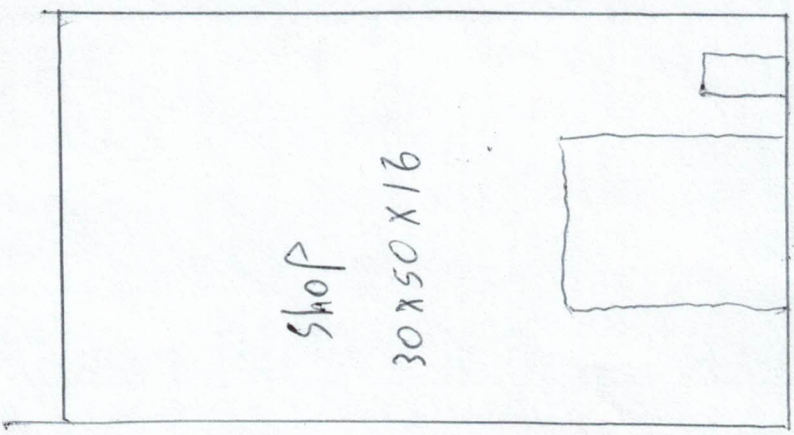
North



31 feet

↖ edge of curb

Parking spaces
for Boom truck
&
Job trailer &
vehicle



18 feet off
edge of curb

Alley

3 feet
off
Alley





Open Records for Kansas Appraisers - Sherman County



OFFICIAL NOTICE

Public Hearing for Amendment of Variance Request

To Whom It May Concern and to all persons interested:

Notice is hereby given that at **6 p.m. on December 20, 2022** the City of Goodland Board of Zoning Appeals, at City Hall, 204 W. 11th Street, Goodland, Kansas, will consider a request for a variance **amendment** for Section 19-602 of Article VI of the Goodland Zoning Regulations.

Section 19-602. - Yard Regulations. B. Where more than half of the buildings on a frontage have observed a front yard greater or less than required

(1)Where a building to be erected on a parcel of land that is within 100 feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front corners of adjacent buildings on the two sides

(2) Where a building to be erected on a parcel of land that is within 100 feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.

Said variance relates to location of the detached garage on the property which is a corner lot.

The property to which the application applies is legally described and generally located as follows:

Case No. 2ND ADDN TO GOODLAND, BLOCK 25, Lot 10 - 12. More commonly known as 418 Main St. Goodland KS

As provided in the Goodland Zoning Regulations the above variance will be discussed and considered by the City of Goodland Board of Zoning Appeals, and all interested parties may voice their wishes/opinions at the hearing and/or send written comments to:

The City of Goodland

PO Box 59

Goodland, KS 67735

The full application may be examined at Town Hall, 204 W 11th Street. Questions may be directed to the Building Inspector at 785-890-4550.

CERTIFIED, this 28th day of November 2022

Building Official _____

Owner : NELSON, SHAWN E & CONNIE S

Mailing Address : 403 MAIN AVE GOODLAND, KS 67735-1839

Owner : SCHMIDT, NATHAN & CLAUDIA

Mailing Address : 414 MAIN AVE GOODLAND, KS 67735-1840

Owner : PECK, DOUGLAS A FAMILY REV TR

Mailing Address : 404 MAIN AVE GOODLAND, KS 67735-1840

Owner : MORALES, BRIAN & LEAH P

Mailing Address : 425 CENTER AVE GOODLAND, KS 67735

Owner : BROWN, CHRIS D

Mailing Address : 411 CENTER AVE GOODLAND, KS 67735-1625

Owner : SALMANS, LEE J

Mailing Address : 405 CENTER AVE GOODLAND, KS 67735-1625

Owner : BAIRD, JAMES R & CAROLYN SUE

Mailing Address : 401 CENTER AVE GOODLAND, KS 67735-1625

Owner : RUHS, MICHAEL L & CHANDRA L TOD

Mailing Address : 501 BROADWAY AVE GOODLAND, KS 67735-1828
RE: Location : 424 CENTER AVE, Goodland, KS 67735.

Owner : RUHS, MICHAEL L & CHANDRA L TOD

Mailing Address : 501 BROADWAY AVE GOODLAND, KS 67735-1828
RE: Location : 412 CENTER AVE, Goodland, KS 67735.

Owner : SCHLOSSER, RICHARD K & JENNY

Mailing Address : 408 CENTER AVE GOODLAND, KS 67735-1626

Owner : WINDELL, SPENCER & MURRAY, CASSANDRA

Mailing Address : 419 MAIN AVE GOODLAND, KS 67735-1839

wner : TITUS, LORI ANN

Mailing Address : 415 MAIN AVE GOODLAND, KS 67735-1839

Owner : NELSON, SHAWN & CONNIE

Mailing Address : 403 MAIN AVE GOODLAND, KS 67735-1839
RE: Location : 409 Main Av.

Owner : NELSON, SHAWN

Mailing Address : 403 MAIN AVE GOODLAND, KS 67735-1839

Owner : JARVIS, ERIC D & SARAH L

Mailing Address : 416 BROADWAY AVE GOODLAND, KS 67735-1827

Owner : VATCHER, ELWYN W & ROSALEE J

Mailing Address : 418 BROADWAY AVE GOODLAND, KS 67735-1827

Owner : JORDAN, JOSHUA & SHARA

Mailing Address : 424 BROADWAY AVE GOODLAND, KS 67735-1827

Owner : DAUTEL, JUSTIN Q & JULIE L

Mailing Address : 502 CENTER AVE GOODLAND, KS 67735-1628

Owner : MELIA, MARTIN K & KATHLEEN J

Mailing Address : 510 CENTER AVE GOODLAND, KS 67735-1628

Owner : GOODLAND MASONIC LODGE 321

Mailing Address : PO BOX 393 GOODLAND, KS 67735-0393

Owner : KRAYCA, DIANE R & DAN

Mailing Address : 523 CENTER AVE GOODLAND, KS 67735-1627

Owner : T & M LLC

Mailing Address : 836 APRIL RAIN RD LAWRENCE, KS 66049

Owner : ACROSS THE STREETS LLC

Mailing Address : 520 MAIN AVE #STE 2 GOODLAND, KS 67735-1852

Owner : SHARON, DAVID R

Mailing Address : 118 N CALDWELL AVE GOODLAND, KS 67735-1527
RE: Location : 503 MAIN AVE, Goodland, KS 67735.

Owner : MCCLURE, MICHAEL SCOTT & SUZANNE SIMPSON

Mailing Address : 507 MAIN AVE GOODLAND, KS 67735-1841

Owner : LOVELESS, CRAIG & KAREN LIV TR

Mailing Address : 517 MAIN AVE GOODLAND, KS 67735-1841

wner : SIMMONS, BOB E & JOANN

Mailing Address : 115 E 5TH ST GOODLAND, KS 67735-1808

CITY OF GOODLAND, KANSAS
SITE PLAN REVIEW

Return Form To:
Inspections and Code Enforcement Department
City of Goodland
204 W. 11th Street
Goodland, KS 67735-0059
(785) 899-4550
(785) 899-4532 (fax)

For Office Use Only
Case No. _____
Filing Fee: _____
Deposit: _____
Dated Filed: _____

APPLICANT INFORMATION:

Applicant: Branden White Phone: 785-821-1691
Address: 214 Spruce Rd. Goodland, KS Zip: 67735
Owner: Branden White Phone: 785-821-1691
Address: 214 Spruce Rd. Goodland, KS Zip: 67735

PROPERTY INFORMATION:

Address of Property: 509 Caldwell Ave.

Legal Description: Beahm's addn to Goodland, Block 35, Lot 7-14

Present Zoning Classification: C-1 General Business Acreage: 28,000 Square feet

Present Use of Property: Mini-Warehouse (Storage Units)

Proposed Use of Property: Same as present

ADJACENT ZONING AND LAND USE:

	Land Use	Zoning
North	<u>Residential</u>	<u>R-1</u>
South	<u>Lumber yard</u>	<u>C-1</u>
East	<u>Residential</u>	<u>R-1</u>
West	<u>Storage Units</u>	<u>C-1</u>

CITY OF GOODLAND, KANSAS, - PROCEDURES MANUAL

Article 12 – Site Plan Review

Does the proposed site plan meet the following criteria? If yes, attach a separate sheet explaining why (To be completed by the applicant).		Yes	No
1.	Does the proposal conform with the provisions of the City's Zoning regulations?	✓	
2.	Will the development be compatible with the surrounding area?	✓	
3.	Does the proposal conform with the provisions of the City's Subdivision Regulations?	✓	
4.	Does the proposal conform to the goals, objectives and policies of the Comprehensive Plan?	✓	
5.	Does the proposal conform with the customary engineering standards used in the City?	✓	
6.	Are the streets, paths, walkways, and driveways located such that they enhance safety and minimize any adverse traffic impact on the surrounding area?	✓	
7.	Have the proposed buildings, structures, walkways, roads, driveways, open space (if any), and parking lots been located to preserve existing off-site views and create desirable on-site views, conserve natural resources and amenities including prime agricultural land, minimize any adverse flood impact, ensure that proposed structures are located on suitable soils, minimize any adverse environmental impact, and minimize any present or future cost to the City and private providers of utilities in order to adequately provide public utility services to the site.	✓	

ATTACHMENTS REQUIRED:

- A. Site Plan Review Checklist
- B. 10 copies of site plan

Brandon A. Little
Applicant's Signature

12-16-22
Date

CITY OF GOODLAND, KANSAS
SITE PLAN CHECKLIST

Return Form To:
Inspections and Code Enforcement Department
City of Goodland
204 W. 11th Street
Goodland, KS 67735-0059
(785) 899-4550
(785) 899-4532 (fax)

For Office Use Only:
Date Filed: _____
Date of Meeting: _____
Filing Fee: _____
Deposit: _____

1. Name of Project: 3w LLC
2. Location of Project: 509 Caldwell Ave
3. Name of Owner: Brandon White
4. Name of Person who Prepared the Site Plan: Brandon White
5. Instructions:

The following checklist is to be completed by the Building Official. The Site Plan shall include the following data, details and supporting information which are found to be relevant to the proposal. All site plans shall be prepared by an architect or landscape architect registered in the State of Kansas, or by a professional engineer licensed in the State of Kansas. The number of pages submitted will depend on the proposal's size and complexity.

A. Site Plan Content Requirements: Does the Site Plan comply with or show the following?

	<u>Yes</u>	<u>No</u>
1. Name of the project, address, boundaries, date, north arrow and scale of the plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Name and address of all owners of record of abutting parcels.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. All existing lot lines, easements, and rights-of-way. Include area in acres or square feet, abutting land uses and structures.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. The location and use of all existing and proposed buildings and structures within the development, including all dimensions of height and floor area, show all exterior entrances and all anticipated future additions and alterations, and typical elevations and building materials.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CITY OF GOODLAND, KANSAS, - PROCEDURES MANUAL

Article 12 – Site Plan Review

	<u>Yes</u>	<u>No</u>
6. The location of all present and proposed public and private ways, driveways, sidewalks, ramps, curbs and fences. Location type and screening details for all waste disposal containers shall also be shown.	_____	_____ ✓
7. The location of required parking areas including parking stalls, setbacks and loading and service areas.	_____	_____ ✓
8. The location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties.	_____	_____ ✓
9. The location, height, size, materials, and design of all proposed signage.	_____	_____ ✓
10. A landscape plan showing all existing open space, trees forest cover and water sources, and all proposed changes to these features including the size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains, and drainage retention areas.	_____	_____ ✓
11. The location of all existing and proposed utility systems including:		
a. sewer lines and manholes;	_____	_____ ✓
b. water lines and fire hydrants;	_____	_____ ✓
c. telephone, cable and electrical systems; and	_____	_____ ✓
d. storm drainage system including existing and proposed drain lines, culverts, catch basins, head walls, end walls, hydrants, manholes, and drainage swales.	_____	_____ ✓
12. Plans to prevent the pollution of surface or groundwater, the erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.	_____	_____ ✓
13. Existing and proposed topography shown at not more than two-foot contour intervals. All elevation shall refer to United States Geodetic Survey (U.S.G.S.) datum. No building shall be located in the 100-year flood plain.	_____	_____ ✓

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Article 12 – Site Plan Review

		<u>Yes</u>	<u>No</u>
14.	Existing and proposed zoning district boundaries adjacent to the site's perimeter shall be drawn and identified on the plan.	_____	✓ _____
15.	Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within 100 feet of the site.	✓ _____	_____
16.	A detailed traffic study for mixed use and multi-tenant developments, or for developments in heavy traffic areas, if required by the Building Official, to include:		
a.	The projected number of motor vehicle trips to enter or exit the site, estimated for daily and peak hour traffic level.	_____	✓ _____
b.	The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and	_____	✓ _____
c.	The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given.	_____	✓ _____
 B. Design Standards:			
1.	Is the proposed development located in Downtown? <i>If the answer to letter B.1 above is no, go to letter C below.</i>	_____	✓ _____
2.	Does the building roof top have at least two of the following features: Parapets concealing flat roofs and roof top equipment; overhanging eaves; sloped roofs; and three or more roof slope planes?	✓ _____	_____
3.	Except for meters, electric and telephone service pedestals, transformers, three-phase feeder lines, subtransmission and transmission lines (34.5kv and above), electrical substations and such other facilities as the utility may deem necessary to install utilizing "overhead" type construction, are all telephone and cable television lines, electrical services and distribution lines placed underground?	✓ _____	_____
4.	Are all gas meters in any front yards, located within three feet of the building foundation?	_____	✓ _____
5.	Is the form and proportion of buildings consistent or compatible with the scale, form and proportion of existing development in the immediate area?	✓ _____	_____

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- | | <u>Yes</u> | <u>No</u> |
|--|-------------------------------------|-------------------------------------|
| 6. Pedestrian access shall be an integral part of the overall design of each multifamily, commercial, and industrial development. | | |
| a. Does the pedestrian access provide safe and convenient access to and from off-street parking areas? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Does the pedestrian access connect with abutting properties and developments so as to create an alternative means of transportation for residents of the city? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Do sidewalk widths meet those required by the Subdivision Regulations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Is there a continuous internal pedestrian sidewalk provided from the perimeter public sidewalk to the principal customer entrance(s)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Are sidewalks provided along the full length of the building along any facade featuring a customer entrance and along any facade abutting a public parking areas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Are sidewalks located at least five feet away from the building facade to provide planting areas for landscaping along the foundation of the building? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Architectural design should create visual interest through the use of different textures, complementary colors, shadow lines and contrasting shapes. | | |
| a. Will the buildings have a variation of detail, form, and siting to provide visual interest? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Are loading docks, trash enclosures, outdoor storage and similar facilities and functions incorporated into the over-all design of the building and the landscaping so that the visual and acoustic impacts of these functions are reduced to as great an extent as possible and are out of view from adjacent properties and public streets? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Do building facades 100 feet or greater in length incorporate recesses and projections along at least 20 percent of the length of the building facade? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Do windows, awnings, and arcades total at least 60 percent of the facade length abutting any public street? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

CITY OF GOODLAND, KANSAS, - PROCEDURES MANUAL

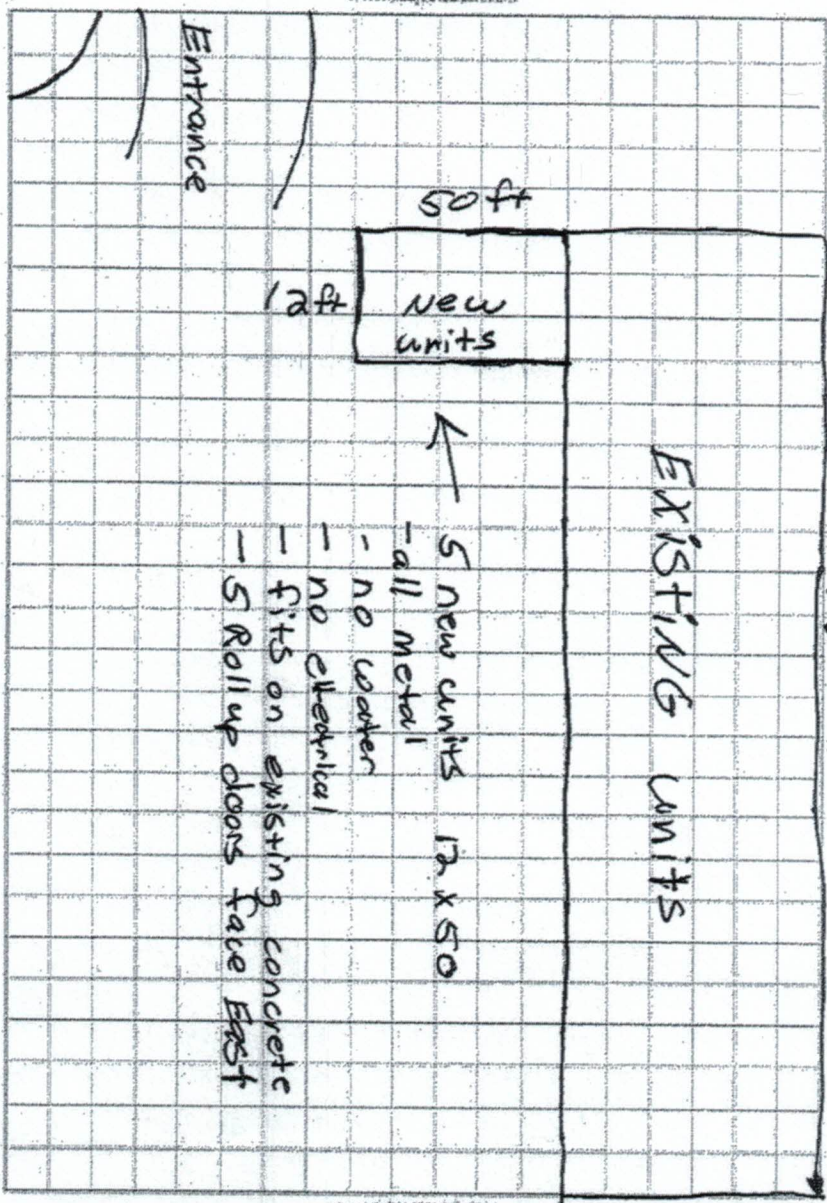
Article 12 – Site Plan Review

	<u>Yes</u>	<u>No</u>
e. Does any building facade 100 feet or greater in length abutting a residential district, have an earth berm of at least six feet in height installed between the building facade and the abutting residential district and is the earth berm landscaped with evergreen trees at intervals of at least 20 feet on center, or in clusters?	_____	<input checked="" type="checkbox"/>
10. Minimum Exterior Building Material Standards: Does a minimum of 50% of each exterior wall consist of one or more of the following materials?:		
a. Masonry: Masonry construction which include solid cavity faced or veneered-wall construction, or similar materials.	_____	<input checked="" type="checkbox"/>
b. Glass Walls: Glass walls shall include glass curtain walls or glass block construction.	_____	<input checked="" type="checkbox"/>
c. Wood other than exposed plywood paneling.	_____	<input checked="" type="checkbox"/>
d. Concrete finish or precast concrete panel (tilt wall) that has exposed aggregate, hammered, sandblasted or covered with a cement-based acrylic coating.	_____	<input checked="" type="checkbox"/>
e. Metal panels with a depth of one inch or more; or a thickness of U.S. Standard 26 gauge or more.	<input checked="" type="checkbox"/>	_____

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509 Caldwell

www.subjectcoach.com



www.subjectcoach.com

Alley

3W LLC
 Brandon White
 785-821-1691

S

Not to Scale

E

11-2-22

Property Details for PID: 0911541703021003000

Shareable link to Property Information : <https://www.kansasgis.org/orka/permalinkprop.cfm?parcelid=0911541703021003000>

Shareable link to Map: <https://www.kansasgis.org/orka/permalink.cfm?parcelid=0911541703021003000>

QuickRef ID : R1846

Owner Name : 3W LLC

Location: 509 CALDWELL AVE, Goodland, KS 67735

Abbreviated Boundary Description: BEAHM'S ADDN TO GOODLAND , BLOCK 35 , Lot 7 - 14

Owner Information:

Owner 3W LLC

Mailing Address Attn: WHITE, BRANDON 214 SPRUCE RD GOODLAND, KS 67735-1539

Property Information:

Type Commercial & Industrial

Status Active

Taxing Unit CITY OF GOODLAND

Neighborhood Code 110

No Secondary Address Details found

Market Land Details:

Actual Width:	0
Eff. Width	0
Eff. Depth	0
Acres	1
Square Feet	28,000

Permit Details

Number	Date	Amount	Purpose
90708	Sep 04, 2008	85000.0000	
B060815	Jun 23, 2015	20500.0000	installing overhead doors, siding and roof
B090315	Sep 10, 2015	3200.0000	framing interior walls
B072417	Jul 24, 2017	16512.0000	REROOF

Deed Book Page Details

Book	Page
173	705
181	152
176	967
180	903
156	168

Additional Deed Book Page Details

Deed Book/Page 97-D/0112 0084/0404 0042/0213 0023/0303

Value Details

	Year	2022
Current Final Value (Commercial and Industrial)	Land	\$10,300.00
	Building	\$61,670.00
	Total	\$71,970.00

No Dwelling Details found

No Manufactured Home Details found

No Additional Dwelling Details found

No Other Improvements found

Commercial Building Details

Building No:	units :	Ident Units :	Struct Type :
1	9	1	Warehouse, prefab

Commercial Building Section Details

Section No:	Level From :	Level To :	Size :	Perimeter :	Occupancy :	Wall Height :	Year Built :
1	1	1	7301	396	Mini-Warehouse	12	1966

Commercial Component Details

Commercial Component :	No HVAC	Units :	0 %
Commercial Component :	Paving, Concrete with Base	Units :	4550
Commercial Component :	Single - Metal on Wood Frame	Units :	100 %

No Ag Land Details found

No Ag Building Details found





City of Goodland Planning Commission Minutes

07/12/2022

1. CALL TO ORDER:

The July 7, 2022 meeting of the Planning Commission was called to order at 6:01 p.m. Planning commissioners in attendance: Grady Bonsall and Matt Mckenzie. Staff in attendance: Kent Brown, City Manager and Jeff Dinkel, building official.

2. Public Comment

There was no public comment

3. Review Current Comprehensive Plan-

Grady asked if Goodland has a vision statement. Kent replied that he hasn't seen a specific one, but sometimes there are themes that come out of conferences that we will use.

There was discussion about how the city demographics have changed since 1990.

About 10% of our housing units are vacant—Some are dilapidated and in need of major repair.

There was also discussion about quality of life and economic development including costs involved with building new housing developments.

Everyone agreed that we need to come together with other communities to save resources and come up with ideas- we are all a part of the same team.

4. Minutes from the 06/21/2022 meeting were delayed until the next meeting.

August 9th was decided on for scheduling the next meeting.

Matt motioned to adjourn, seconded by Grady. Motion passed unanimously. The meeting was adjourned at 7:02 p.m.

City of Goodland Planning Commission Minutes

08/9/2022

1. CALL TO ORDER:

The August 9, 2022 meeting of the Planning Commission was called to order at 6:00 p.m.

Roll call: Matt Mckenzie, Dennis Snethen, Grady Bonsall, Kent Brown, City Manager, Jeff Dinkel, Building Official

Guest:

2. Discussion of site plan

There was a proposal for a self-service Dog Wash located at 722 W Hwy 24. The commission only had a few concerns in regards to ordinances, such as setbacks, electrical, etc.

3. Public Comment

There was no public comment.

4. Review Current Comprehensive Plan-

Kent brought up the possibility of an off road biking trail at Sherman State Fishing Lake.

Matt was discussing the aging of our hospital, and how we have made an improvement on our retirement home

The committee discussed how nice it would be to have a walking trail out to the industrial side of town.

We are in process of updating building codes right now, but it can be tough as we are put at odds with home owners.

The committee discussed bringing more attention to the scenic byway.

5. Misc. Items

Grady had a question about growing crops within the city limits as farm animals are not permitted.

Minutes from the 6/28/2022 and 07/12/2022 meetings were still pending and not reviewed.

9/13/2022 was decided on for scheduling the next meeting. Matt Motioned to adjourn, seconded by Dennis. Motion passed unanimously. The meeting was adjourned at 7:09 p.m.

City of Goodland Planning Commission Minutes

10/11/2022

1. CALL TO ORDER:

The October 11, 2022 meeting of the Planning Commission was called to order at 6:02 p.m. Planning commissioners in attendance: Grady Bonsall, Dennis Snethen and Matt McKenzie. Staff in attendance: Kent Brown, City Manager and Jeff Dinkel, building official. Visitors – Lisa Rodriguez and Gary Bennett

2. Public Comment

There was no public comment

3. Public Hearing - Zoning Change Request from a Single Family and Two Family District to General Business District – 905 W. 16th St.

Planning Commissioner McKenzie opened the public hearing at 6:03 p.m.

City Manager Brown reviewed the application that was received. The request is to change the zoning from "R-1" Residential—Single-family and two-family district to "C-1" General business district for 905 W. 16th St..

The applicants, Raul and Lisa Rodriguez, own the property at 905 W. 16th Street, SHARP'S ADDN TO GOODLAND, BLOCK 8, Lots 1 – 2. Retail Sales and Service is not allowed in the R-1 Residential Zone. The applicant also owns the property at 1612 Colorado Avenue and has a shop at that location. The applicant requests to change the zoning to add to the shop at 1612 Colorado Avenue onto the property at 905 W. 16th St. and beautify the corner.

City Manager Brown reviewed the location of the property on the zoning map with the Commission.

City Manager Brown and Building Official Dinkel then reviewed some concerns raised in a conversation with the applicant. The applicant, Lisa Rodriguez, had stated that they wanted a residential use for a portion of the property and a commercial use for the remainder of the property. In meeting with the applicant prior to this meeting, Mr. Brown and Mr. Dinkel had reviewed the restrictions of C-1, General business district zoning with the applicant. The restrictions did not allow a residential use to be built in C-1. Current residences in C-1 were allowed to remain; but, if the building was damaged or demolished, the residence would not be allowed to be rebuilt. In the discussion, staff and the applicant reviewed how the property could have both a residential use and a commercial use. Mr. Brown stated that the applicant and staff came to the conclusion that the request could be accomplished if the lot was split. Lisa Rodriguez stated that they wanted to make the residential use be connected with the building on Colorado St. that they own. Mr. Brown stated that staff could not find a way that the city's zoning ordinance would allow the residential building be built in a commercial zone and attached to the commercial property to the south.

Planning Commissioner Snethen asked how insurance would be affected. Lisa Rodriguez stated she did not know. Planning Commissioner McKenzie stated that it did not seem that the original request by the applicants could not be approved. Lisa Rodriguez stated that she would have to discuss with her husband how they would like to move forward; but understood and agreed that the current application

could not be approved. Lisa Rodriguez would discuss with her husband to request to split the property and submit another application.

City Manager Brown reviewed the procedures for the planning commission. Planning Commissioner Bonsall asked whether there is a difference in street construction between a residential street and a commercial street. City Manager Brown reviewed the construction standards. Lisa Rodriguez

Planning Commissioner McKenzie asked if there were additional comments.

Gary Bennett, 904 W. 16th St., stated that he wanted to know what they had planned for the property. He didn't want to open his door and see a truck stop. He said their streets aren't wide enough for semi trucks. He said the current workshop on Colorado Ave. is not a problem. He just had a concern because his house faced south and faced the property in consideration.

City Manager Brown distributed a written letter from Geneva Luna, the daughter of Jimmy and Dominga Reyna, the property owners that live at 1624 Colorado Av. which is south of the property in consideration. City Manager Brown read the letter to the Planning Commission that expressed concerns with the shop that was built and the history between her parents at 1624 Colorado Av. and the applicants that own the shop at 1612 Colorado Av. Geneva Luna expressed opposition to the zone change request on behalf of her parents. Lisa Rodriguez responded to the concerns of the current shop expressed in the letter.

Planning Commissioner McKenzie closed the public hearing at 6:37 p.m.

City Manager Brown stated that the staff review that was in the packet was completed before the most recent conversations with the applicant. The staff review of the current zoning, current land use and the future land use plan was not changed. The adequacy of public utilities is adequate. The suitability of the property would not be suited to add onto the shop which is the reason for the rezone. The compatibility with nearby properties is a concern raised and the comments by the neighbor to the north, Gary Bennett, that was expressed at the hearing. Finally, the comparison of the gain for the property owner versus the effect on the neighboring properties.

City Manager Brown stated that after discussion with the applicant, there is a better solution than rezoning the entire property. Staff is in agreement to recommend to the Planning Commission that they disapprove the current application. City Manager Brown asked Lisa Rodriguez, the applicant, if she agreed with the recommendation to disapprove the current application. Lisa Rodriguez agreed.

Planning Commissioner McKenzie moved, seconded by Commissioner Bonsall, to recommend disapproval of the zone change request for 905 W. 16th St. to the City Commission. Motion passed unanimously.

4. Reports.

City Manager Brown and Building Official Dinkel reviewed a request to amend the previous variance approval at 418 Main St. for the location of the building. The request would come to the Planning Commission at their next meeting.

5. Minutes

City Manager Brown stated that the minutes were not supplied to the Planning Commission. They would be supplied in the next packet.

Commissioner Bonsall motioned to adjourn, seconded by Commissioner Snethen. Motion passed unanimously. The meeting was adjourned at 6:49 p.m.