

PLANNING AND ZONING BOARD MEETING MINUTES

CITY OF VALLEY CENTER, KANSAS

TUESDAY, MAY 28, 2019, 7:00 P.M.
CITY HALL, 121 S. MERIDIAN AVE.

CALL TO ORDER: Vice Chairperson Don Keenan called the meeting to order at 7:00 P.M. with the following members present: Kelsey Parker, Rick Shellenbarger (via Conference Call), and Danielle Keenan.

Members Absent: Gary Janzen and Katie Patry

Staff Present: Ryan Shrack, Tristan Hendrickson

Audience: Tobias and Judy Conrady

Meeting started with the Pledge of Allegiance to the American Flag.

AGENDA: A motion was made by Board Member Parker and seconded by Vice Chairperson Keenan to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Vice Chairperson Keenan asked that a modification be made to the minutes to reflect that the opening and closing of the public hearing was made by Chairperson Janzen and not Vice Chairperson Keenan. A motion was made by Board Member Parker to approve the January 22, 2019 meeting minutes as amended. The motion was seconded Vice Chairperson Keenan. Motion passed unanimously.

COMMUNICATIONS: A motion was made by Vice Chairperson Keenan to table the election of officers for 2019 to the June Planning and Zoning Board meeting. The motion was seconded by Board Member Parker and motion passed unanimously.

PUBLIC HEARING BEFORE THE PLANNING AND ZONING BOARD:

- A. Review of RZ-2019-01, application of Judy and Tobias Conrady, pursuant to Section 17.11, who are petitioning for a rezoning of land that is currently zoned R-1B, which is the City's designation for a single family residential district, to R-3, which is the City's designation for a multi-family residential district for the lot located at 338 N. Ash Ave., Valley Center, KS 67147.

Community Development Director Ryan Shrack presented the following staff report to the Planning and Zoning Board:



Date: May 20, 2019

Present Zoning: R-1B (Single Family Residential District)

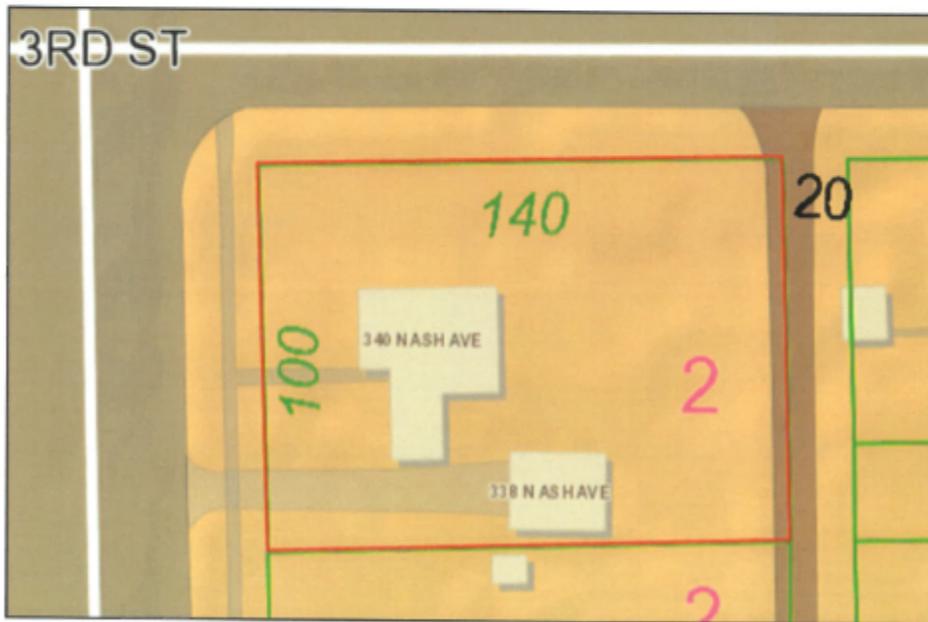
Proposed Zoning: R-3 (Multi-Family Residential District)

Rezoning Number: RZ-2019-01

Applicant: Tobias and Judy Conrady

Property Address: 338 N. Ash Ave., Valley Center, KS 67147

Applicant's reasons for Rezoning: The applicants are requesting a rezoning of this property to allow for the future construction of a four-plex residential building. Once rezoning is approved, the applicants will demolish the two existing buildings on the property and go through the City's site plan review process for the proposed four-plex. The building addressed as 340 N. Ash Ave. is currently vacant and the building addressed as 338 N. Ash Ave. is currently being used as a rental unit. The applicants plan to begin construction by early fall of this year.



Review Criteria for a Zoning Amendment per 17.11.01.H (criteria in italics)

1. *What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?*

This lot is located in a residential section of the community, which contains primarily single-family homes, along with a church and a handful of multi-family residences located within three to four blocks of this property.

2. *What is the current zoning of the subject property and that of the surrounding neighborhood in relationship to the requested change?*

The current zoning is R-1B (Single Family Residential District). The surrounding zoning and land uses are as follows:

- North: R-1B Single Family Residential District
- South: R-1B Single Family Residential District
- East: R-1B Single Family Residential District
- West: R-1B Single Family Residential District

3. *Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?*

Yes, while this property is not currently vacant, there has been an eight percent decrease in the appraised value of the property (per Sedgwick County appraisal valuations) over the course of the past five years. This property is also designated as a "C" rated property on the City's 2018 Housing Survey. A "C" rated property designations means that there would need to be a substantial amount of work done to bring the property up to code and additional work, possibly structural, to ensure the property meets a minimum housing quality standard.

4. *Would the request correct an error in the application of these regulations?*

No

5. *Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?*

No

6. *Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?*

Yes, all utilities and appropriate street access are provided to the existing buildings now. The site plan for the proposed four-plex will document where this new building will connect to public facilities and where driveways will be located between the building and public streets.

7. *Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, and access control or building setback lines?*

No

8. *Would a screening plan be necessary for existing and/or potential uses of the subject property?*

No

9. *Is there suitable vacant land or buildings available or not available for development that currently has the same zoning?*

Not Applicable

10. *If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?*

Not applicable

11. *Is the subject property suitable for the uses in the current zoning to which it has been restricted?*

Under the lot's current zoning, the only type of activity that could take place would have to be single family residential use. As noted previously in this report, this property has a "C" rating on the 2018 Housing Survey, which means that the applicants would have to spend significant funds to raise the current housing rating. The applicant, as noted in the attached letter, is requesting this rezoning to allow for the construction of a multi-family residential building.

12. *To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?*

The transition from a single family to multi-family designation will not have a detrimental impact on the surrounding neighborhood. It is anticipated that the existing residential buildings in the surrounding area will continue to function as single-family residences. It is anticipated that the construction of the four-plex will raise the assessed value of this property.

13. *Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?*

Yes

14. *Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?*

The Comprehensive Plan shows this property as low density residential. The proposed rezoning will preserve the surrounding area's future designation as residential properties.

15. *What is the nature of the support or opposition of the request?*

- City staff supports this rezoning as it will allow the applicant to redevelop a "C" rated residential property and create additional housing units in the community. Notices were sent out to surrounding property owners and, at the time of this report being sent to the Planning and Zoning Board members, two inquiries have been received and questions have been answered. No one has voiced an opposition to this rezoning request.
- Other public comments in support or opposition will not be known until the public hearing.

16. *Is there any information or are there recommendations on this request available from professional persons or persons with related expertise which would be helpful in its evaluation?*

No

17. *By comparison, does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the request?*

No

City staff recommends approval of this rezoning application.

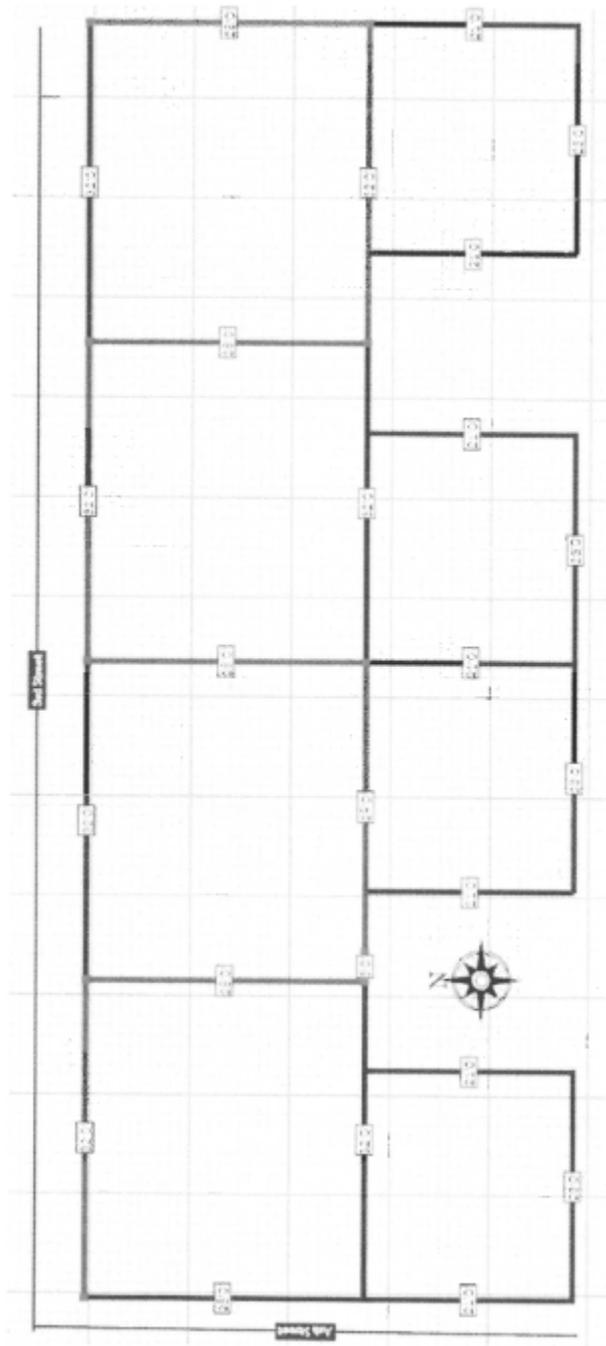
Narrative proposal attachment to Rezoning/Land Use Amendment Application for 338 N Ash, Valley Center, KS 67147.

We propose to demolish the existing structures currently occupying the property and construct a residential quadruplex. The approximate lot size is 150' (East to West) by 120' (North to South) or 18,000sf. The furthest perimeters of the proposed quadruplex would be approximately 128' (East to West) by 50' (North to South). The structures dimensions are subject to change pending code requirements and easement regulations.

The quadruplex would make better use of the corner lot than current structures, increase the assessed property value leading to higher property tax collections and provide new residential space for residents of the city.


Judy Conrady


Tobias Conrady



After the staff report presentation, Vice Chairperson Keenan opened the public hearing at 7:07 P.M.

Tobias Conrady stood up in front of the Board Members to answer any questions they might have. Board Member Parker asked Mr. Conrady if there were any problems with the existing lease agreement. Conrady answered with "No problems with lease agreements". The current tenants will move out before demolition permits are approved by the City. Board Member Parker inquired about the rent prices for the new four-plex. Mr. Conrady shared that the projected monthly rate will be between \$900-\$1,100 and each unit will have four bedrooms and two bathrooms. Vice Chairperson Keenan proceeded to ask if the some of the trees would be demolished when the house is going to be demolished as well; Conrady replied with "Yes most of the trees and bushes will be demolished and pulled." Last questions were from Vice Chairperson Keenan wondering if the trees will be replanted and if the future four-plex will be four distinct apartments from street view of the new building. Conrady explained in the future that pine and brad pear trees will be planted and that, yes, there will be a distinction in that there are four separate living spaces that are obvious and pleasing to the eye. The board was reminded that the proposed four-plex will be required to go through the site plan review process and that they will have the opportunity to see the plans at a later meeting.

Vice Chairperson Keenan closed the public hearing at 7:13 P.M.

Based on City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Board Member Keenan made a motion to approve RZ-2019-01. Board Member Parker seconded the motion. The vote was unanimous.

NEW BUSINESS- Ryan informed the Board Members that the next meeting will take place on June 25, 2019.

OLD OR UNFINISHED BUSINESS-None

COMMITTEE AND STAFF REPORTS- None

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

Gary Janzen-Not present
Don Keenan-Nothing
Kelsey Parker-Nothing
Rick Shellenbarger-Nothing
Katie Patry-Not present
Danielle Keenan-Nothing

ADJOURNMENT OF THE PLANNING AND ZONING BOARD MEETING: At 7:15 P.M., a motion was made by Board Member Parker to adjourn and was seconded by Vice Chairperson Keenan. Vote was unanimous.

Respectfully submitted,

Ryan Shrack, Community Development Director

Don Keenan, Vice Chairperson