

# PLANNING AND ZONING BOARD MEETING MINUTES

CITY OF VALLEY CENTER, KANSAS

TUESDAY, JUNE 23, 2020, 7:00 P.M.  
VIA ZOOM (<https://us02web.zoom.us/j/88300326660>)

**CALL TO ORDER:** Vice Chairperson Kelsey Parker called the meeting to order at 7:00 P.M. with the following members present: Don Keenan, Rick Shellenbarger, Mike Boyd, and Katie Patry.

**Members Absent:** Gary Janzen, Toby Meadows

**Staff Present:** Ryan Shrack, Angela Basden, Brent Clark

**Audience:** Spike Anderson, Kirk Miller

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

**APPROVAL OF DRAFT MINUTES:** Board Member Keenan made a motion to approve the April 28, 2020 DRAFT meeting minutes. The motion was seconded by Vice Chairperson Parker. Motion passed unanimously.

**COMMUNICATIONS:** 2020 Officer Elections- Board Member Keenan made a motion to table the 2020 Officer Elections discussion until the next meeting on July 28, 2020. The motion was seconded by Vice Chairperson Parker. Motion passed unanimously.

## **PUBLIC HEARING BEFORE THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS:**

1. Review of RZ-2020-01, application of Spike Anderson, pursuant to Section 17.11., who is petitioning for a rezoning of land that is currently zoned MH-1, which is the City's designation for a manufactured home park district, to R-3, which is the City's designation for a multi-family residential district, for the property located at 212 S. Meridian Ave., Valley Center, KS 67147.

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



**Date:** June 16, 2020

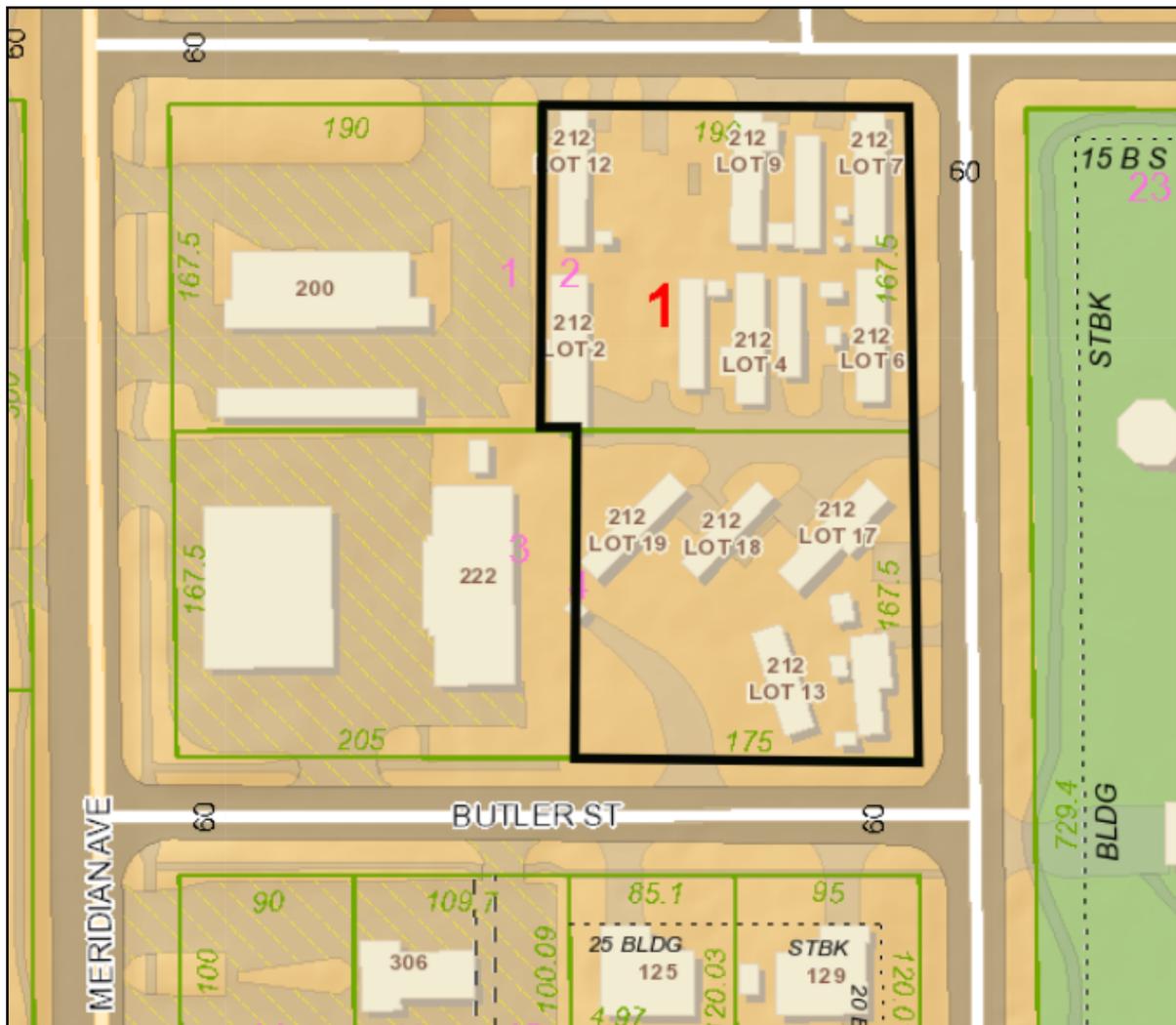
**Present Zoning:** MH-1 (Manufactured Home Park District)

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

**Rezoning Number:** RZ-2020-01

**Applicant:** Spike Anderson

**Property Address:** 212 S. Meridian Ave., Valley Center, KS 67147 (outlined in black below)



**Applicant's Reasons for Rezoning:** The applicant is requesting a rezoning from MH-1 to R-3 in order to allow for the construction of five triplexes on the property. The applicant is in the process of

clearing the remaining mobile home units from the property and will be submitting a site plan application for review by the Planning and Zoning Board at a future meeting. The applicant has submitted a request letter, which has been attached this report.

**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 property is located in a mixed-use section of the community, which contains single-family and multi-family housing, along with commercial buildings and community recreation space. The property is located across the street from Lions Park and just east of the commercial corridor along Meridian Avenue.

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 MH-1 (Manufactured Home Park District). The surrounding zoning and land uses are as follows:

- North: R-1B Single-Family Residential District
- South: R-2 Two-Family Residential District
- East: R-1B Single-Family Residential District (Lions Park)
- West: C-2 General Business District

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

No

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 property now and any new construction will connect to the City's utilities and meet City standards for utilities and street access.

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 property's current zoning, the only type of residences allowed are manufacture homes. The applicants would like to construct five triplexes, so the zoning needs to be changed to allow for this new multi-family residential building type.

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 manufactured home park district to a multi-family residential designation will not have any detrimental impacts on the surrounding neighborhood. There are other multi-family buildings in the surrounding neighborhood. It is anticipated that the dismantling of the current mobile home park and the construction of new triplexes will increase the assessed valuation of the 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 manufactured home use in the future land use part of the plan. The proposed rezoning adheres to the proposed future land use still being used for a residential purpose in the comprehensive plan.

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

- City staff supports this rezoning. Notices were sent out to surrounding property owners and, at the time of this report being sent to the Planning and Zoning Board members, one response has been received (this person was in favor of the rezoning and proposed residential project) and no one else has voiced opposition to the proposed rezoning.
- 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 request.**

City of Valley Center  
Attn: Ryan Schrack  
121 S Meridian  
Valley Center, KS 67147

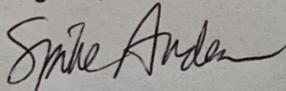
Ryan,

I am requesting a zoning change of the Valley Center mobile home park, located west of Lions Park and east of Casey's General Store and Sonic.

I am in the process of removing the mobile homes and would like to construct 5 triplexes eventually. We plan to erect two units, starting late this summer, and then start building others when the first two units are leased.

Please let me know if you have questions.

Regards,



Spike Anderson  
(316) 871-3413

Shrack noted that the applicant (Spike Anderson) is in attendance with the project engineer, Kirk Miller, as part of the virtual audience. There are 2 lots located to the West of Lions Park being requested for rezoning so that 5 triplexes can be built on the two parcels of land. City staff reviewed the application and recommends approval of the rezoning of the two lots. Letters were sent out to surrounding property owners and input in the public newspaper. There were no objections and only one response. A property owner was very excited to see the project move forward and to see improvements in the area. This is a mixed zone area, a transitional area, there are commercial buildings, Lions Park, and a mix of single-family homes and multi-housing. The triplexes will fit in well.

Vice Chairperson Parker opened the public hearing at 7:07 P.M.

Vice Chairperson Parker asked if applicant wanted to speak. Applicant Spike Anderson referred to Engineer Kirk Miller. There were no questions, only excitement regarding this project.

Vice Chairperson Parker closed the public hearing at 7:08 P.M.

Based on City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Parker made a motion to approve RZ-2020-01. Board Member Keenan seconded the motion. The vote was unanimous.

Shrack relayed to applicant Spike Anderson that the next step is to receive its first reading with rezoning ordinance before City Council at the July 7<sup>th</sup> meeting, and a second meeting in July for rezoning to R-3. The applicant will next submit a site plan application for approval by the Planning and Zoning Board and the deadline for application is this Friday for inclusion in the July meeting. Shrack inquired if the applicant would have the plans ready for review by July, per Spike it would be close. Shrack advised if plans not 100% complete, City staff will work with him, but would like to have the site plans for review at the July 28<sup>th</sup> meeting.

**NEW BUSINESS**-no new business.

**OLD OR UNFINISHED BUSINESS**-none.

**COMMITTEE AND STAFF REPORTS**- Shrack mentioned that during the last meeting a question was raised regarding small tract plats as part of subdivision code. The City of Valley Center overall code, the platting to take place on small tracts, 5 acres or smaller, as long as there are no more than 5 lots created nor the creation of public streets or publicly dedicated easements, small tract plats still adhere to all other subdivision regulations and development standards of City of Valley Center. Upon review- other cities in Sedgwick County that have similar policies are Park City, Bel Aire, Derby, and Maize. This allows the smaller tract plats process to move forward without having to go through the preliminary and final plat process. Standards are same, and to the standards of City of Valley Center. There have been a few small tract plats filed over the past few years, creating 3-5 new lots out of a plat. By his research, he wanted to provide information to and answer any questions regarding this part of the City's subdivision code. The board thanked Mr. Shrack for his research and clarifications regarding small tract plats and the platting process.

Shrack asked Vice Chairperson Parker if the detached garage/accessory building memo discussion should be tabled until next month. Vice Chairperson Parker agreed to table to next month's meeting. The board members were asked to review the memo and it will be included in the July packet as well. If any questions, please email Shrack.

Shrack reminded the Board that the next Planning and Zoning Board meeting will be Tuesday, July 28, 2020 at 7 P.M. and inquired of the Board if the meeting should be held via Zoom or in person. The board decided to hold the meeting via Zoom. At the next meeting, the board will have Officer Elections, a Valley Center School District site plan for expanding the school district office on Meridian, the site plan review for Spike Anderson's triplex project, and the City's 2014 Comprehensive Plan future land use map will be discussed. Sedgwick County reached out to the local communities to ask for any changes that the City of Valley Center would like to make to the urban area of influence. Clark and Shrack are taking the future use land map and the comprehensive plan to expand the Urban Area of Influence. They will submit a new map for approval by Planning and Zoning Board and then obtain final approval from City Council in August.

**ITEMS BY PLANNING AND ZONING BOARD MEMBERS:**

Gary Janzen-Not present  
Don Keenan-Nothing  
Kelsey Parker-Nothing  
Rick Shellenbarger-Nothing  
Katie Patry-Nothing  
Mike Boyd-Nothing  
Toby Meadows-Not present

**ADJOURNMENT OF THE PLANNING AND ZONING BOARD MEETING:** At 7:22 P.M., a motion was made by Vice Chairperson Parker to adjourn and was seconded by Board Member Boyd. Vote was unanimous.

Respectfully submitted,

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Ryan Shrack, Community Development Director

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Gary Janzen, Chairperson