



The City of Andover

Agenda

Planning Commission & Board of Zoning Appeals Meeting

Tuesday, June 16, 2026 @ 7:00 PM
City Hall - 1609 East Central Avenue

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To: Planning Commission
From:
Date: June 16, 2026
Subject: Election of Vice-Chairperson



To: Planning Commission
From: Julie Boyd
Date: June 16, 2026
Subject: May 19, 2026

RECOMMENDED ACTION: Approve the minutes of the May 19, 2026 meeting of the Andover Planning Commission and Board of Zoning Appeals.

ATTACHMENTS:

[Draft Planning Commission Minutes - 05/19/26](#)



1. CALL TO ORDER

The meeting was called to order at 7:00pm by Acting Chairperson Gary Israel.

2. ROLL CALL

Committee Members present: Acting Chairperson Gary Israel, Acting Secretary Marshall Martin, David Foley, Kemp Smith

Staff Members present: Jolene Graham, Assistant City Administrator; Kevin Graham, City Engineer; Julie Boyd, Planning & Zoning Administrator; Dylan Carroll, Planning Technician.

3. APPROVAL OF THE MINUTES OF THE APRIL 12, 2026 MEETING

David Foley made a motion to approve the minutes of the April 12, 2026 meeting as presented. Seconded by Kemp Smith. Motion passed 4-0.

4. COMMUNICATIONS

A. COMMITTEE & STAFF REPORT

Julie Boyd reminded the Commission members that the review session for the Unified Development Manual is next week.

B. POTENTIAL RESIDENTIAL DEVELOPMENT REPORT

Julie Boyd stated that residential development has been on the upswing lately.

5. AGENDA

5.1 FINAL PUD — REVIEW AND RECOMMENDATION ON THE HODGES EIGHTH SUBDIVISION FINAL PLANNED UNIT DEVELOPMENT, ON CERTAIN LANDS GENERALLY LOCATED AT W. TURNPIKE RD., ANDOVER, KANSAS

Acting Chairperson Gary Israel called the first agenda item pertaining to the review and recommendation on the Hodges Eighth Subdivision Final PUD, on certain lands generally located at W. Turnpike Rd.

Julie Boyd introduced the agenda item by stating the Committee approved the preliminary PUD for the Hodges Eighth Addition several months ago, since then the applicant has prepared the final PUD. This final PUD has gone before the Subdivision Committee and was recommended for approval contingent on Staff comments being addressed. There are currently no outstanding Staff comments. This PUD seeks to replat the existing Hodges 7th



Addition, which was not a PUD, and a couple of surrounding properties to create the much larger Hodges 8th Addition. There are some currently constructed duplexes in the Hodges 7th Addition, and the applicant would like to expand the duplex concept to the entirety of the Hodges 8th Addition. Julie further stated that the connection point for this property would be to 13th Street to the North and was moved as far East as possible to try and minimize any potential traffic congestion issues. This area is designated with the Mixed Residential Neighborhood place type which encourages higher density use and duplexes are a perfect example of this. This final PUD was briefly put on hold while the applicant worked with the KTA to acquire a bit of right of way that was owned by the Turnpike to the North. The deal is currently in progress and Staff have documents indicating that the Turnpike is in favor of turning over this small portion of right of way. This final PUD will not go before the City Council until that deal is approved and finalized.

Phil Meyer from Baughman Co. was present as the agent for the applicant and spoke at the podium to address any potential questions the Committee may have. Mr. Meyer gave a brief description of the phases of development for this project and what they are intending to build. He stated that the lending institution they are working with preferred that development occurred in phases. He further stated that there are multiple different spaces available for potential green spaces.

Acting Chairperson Gary Israel asked when they might begin construction. Mr. Meyer replied that they will have to go before the Site Plan Review Committee first, but they plan to start soon after that.

David Foley made a motion to approve the Hodges 8th Subdivision Final PUD and recommend that the Governing Body accept the dedications of land for public purposes. Seconded by Kemp Smith. Motion passed 4-0.

5.2 Z-A26-0001 — PUBLIC HEARING ON AN APPLICATION FOR A CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE SF-2 SINGLE FAMILY RESIDENTIAL / MEDIUM DENSITY DISTRICT TO THE B-3 RETAIL & SERVICE BUSINESS DISTRICT, ON CERTAIN LANDS GENERALLY LOCATED AT 601 S. DAISY LN., ANDOVER, KANSAS

Acting Chairperson Gary Israel called the next agenda item pertaining to the public hearing on an application for a change of zoning district classification from the SF-2 Single Family Residential / Medium Density District to the B-3 Retail & Service Business District, on certain lands generally located at 601 S. Daisy Ln.

The public hearing was opened at 7:11pm.

Julie Boyd introduced the agenda item by stating that this is an application for a zoning change on an approx. 0.4-acre parcel which currently carries the SF-2 Single Family Residential / Medium Density District. The property owner has applied to rezone the property to the B-3



Retail & Service Business District to redevelop it. Julie stated that currently the property is vacant and has been for some time. The house that was previously on the lot was demolished roughly 10 years ago due to a fire. The applicant intends to replat this lot along with some of the surrounding properties, assuming this case is approved, in order to provide for an expansion of the Andover Auto Body Shop, which would share the B-3 zone throughout. The Comprehensive Plan for this area designated this property with a Mixed Residential Neighborhood place type, which indicated that it serves as a transition between lower density development and higher intensity commercial or mixed-use centers. Julie pointed out that the Andover Auto Body Shop is located in the City Center place type, so this is a bit of a bleed on the lines of the Comprehensive Plan. However, this type of bleed on the lines is acceptable and to be expected, but it is something of note. Julie stated the Commission may recall a similar case to this located across the street a few months back. In the previous case, it was a different base zoning district, but very much the same situation otherwise. Mr. Coykendall provided a concept site plan which includes extensive landscaping buffers that have to be installed whenever something happens like this between a commercial and residential property. In addition, any landscaping and screening buffers will need to be approved by the Site Plan Review Committee.

Bill Brouhard, current owner of 601 S. Daisy Ln, was present and spoke at the podium. He stated he has a sales contract with Jeff Coykendall (owner of Andover Auto Body Shop) contingent upon approval of the zoning change. Mr. Brouhard stated that the house had already burned down when he purchased the property over 10 years ago. He further stated that he has been mowing this empty lot for over 10 years at this point and it has become apparent to him that he does not have any use for this property any longer.

Darren Burger, resident of 628 S Daisy Ln, approached the podium to speak on the proposed zoning change. He expressed concerns regarding the proposed zoning and development changes along Daisy Ln. Mr. Burger referenced prior discussions from December 2025 at the rezoning case for 602 S. Daisy, where City Staff acknowledge that an auto body shop would be a more intensive use than typically appropriate for a mixed residential neighborhood. Mr. Burger further stated that the current proposals appear to move away from the intended mixed-use transition described in the Comprehensive Plan and instead resembles incremental industrial expansion into his neighborhood. He further noted concerns about the increasing size and intensity of commercial developments, including the progression of rezoning from residential to commercial properties lot by lot moving southward along the corridor. He questioned whether large-scale auto body shop uses align with the city's mixed-use vision and expressed opposition to continually shifting the commercial-residential boundary.

Mr. Burger stated that he does not see auto body shops listed under the City Center or Mixed Residential Place type as approved uses and asked City Staff if they believe it falls into those two categories. Julie Boyd responded that it is not a prescriptive list of what is allowed, that is what the zoning code is for, the Comprehensive Plan is simply what the larger community has decided is the best path forward for development in different areas of town.

Jolene Graham stated that the City Center place type is designated along key corridors seeking to leverage transportation infrastructure and economic development potential. When it was



developed, the plan identified this area as the City Center, where the auto body shop is located, which would mean that it fits into that place type.

Mr. Burger further referenced the city's comprehensive plan and argued that the proposed development does not align with the intended "city center" or "mixed residential" place types. Mr. Burger described a city center as typically consisting of walkable mixed-use development, such as retail, apartments, and gathering spaces, and noted that the comprehensive plan only permits light industrial uses in city center areas through special use consideration or approval. Mr. Burger stated that the scale and design of the proposed auto body shop more closely resemble the "industrial center" examples shown in the comprehensive plan, citing large warehouse-style buildings that do not contribute to a walkable neighborhood environment. Mr. Burger expressed concern that the area lacks an appropriate transition between industrial and single-family residential uses, stating that industrial-style businesses are being placed directly adjacent to residential neighborhoods.

David Foley asked for clarification on where Mr. Burger lived on Daisy Ln. He stated he lived at 628 S Daisy Ln. In response, Mr. Foley asked him to explain how the current situation has affected him and his property. Mr. Burger stated that during the day, he hears power tools and other loud noises and at night, there are a lot of bright lights shining in the area. He reiterated concerns about what he described as incremental commercial encroachment into residential areas without a clearly communicated long-term plan from the city. Mr. Burger stated that repeated rezoning actions appear to be occurring parcel by parcel and questioned where the expansion would end, adding that he had previously asked city officials, including the mayor, for clarification on the overall plan but had not received a clear answer.

Acting Chairperson Gary Israel responded that, while he understood the concerns raised regarding long-term planning and incremental rezoning, the city does not have a fixed or exact development plan for every parcel. He stated that the comprehensive plan serves as a general guideline rather than prescribing specific uses for individual lots. Acting Chairperson Israel noted that Andover has experienced significant growth since the early 1990s, bringing increased demand for businesses and development opportunities. Acting Chairperson Israel explained that development decisions often occur on a case-by-case basis, influenced by property owners seeking to sell or develop land and businesses seeking opportunities to expand. Israel stated that, in his view, the proposed expansion is consistent with the broader direction of the comprehensive plan and reflects the evolving nature of the city over time.

Marshall Martin asked how tall the proposed building would be. Mr. Coykendall stated that he believes it will be about 1 foot taller than the original Andover Auto Body Shop building. Mr. Martin then asked how much light and noise the structure would block. Mr. Coykendall responded that the Site Plan Review Committee will tell him how many lights he will need in the parking lot, but it will probably just be 1 pole light. In response to concerns about noise and screening, the applicant stated that a landscaped buffer with trees would be installed along the property line and noted that business operations end at 5:00 p.m., with shop doors typically remaining closed due to heating and air conditioning. Julie Boyd explained that the Unified Development Manual (UDM) contains specific requirements addressing situations where residential and non-residential uses are adjacent. She further stated that future site plan



review would evaluate building height, roof design, lighting photometric plans, landscaping, buffering, and screening to ensure compliance with city standards and to limit impacts on neighboring residences. She further explained that if approved site plan conditions were violated in the future, the city could require corrective action.

During additional discussion regarding buffering standards, staff clarified that the required buffer between SF-2 residential zoning and B-3 commercial zoning includes a minimum six-foot-tall solid fence or wall, along with landscaping requirements of either one shade tree per 40 linear feet or one ornamental tree per 30 linear feet of buffer area. Staff noted that if parking, loading areas, or traffic circulation occur adjacent to residential property, the required buffer width increases to 20 feet with additional landscaping requirements.

Staff emphasized that the submitted site layout was conceptual only and that several additional review processes, including platting, drainage review, stormwater detention analysis, and detailed site plan approval, would occur before any development could proceed.

Mr. Burger raised additional concerns regarding references in prior site plan review committee minutes stating that outdoor storage is not permitted within the B-3 zoning district. He questioned whether the proposed parking areas would effectively function as outdoor storage for vehicles associated with the auto body shop. Mr. Coykendall responded that vehicles parked outside would only be present temporarily during business hours while awaiting service and stated that all vehicles are typically moved inside the buildings overnight. Mr. Coykendall further explained that additional awnings had recently been constructed between existing buildings to accommodate vehicle storage indoors and noted that overnight security monitoring is in place. He acknowledged that, on occasion, a small number of non-operational vehicles may remain outside temporarily.

Mr. Burger also expressed concern about increased stormwater runoff resulting from the addition of paved parking areas on the property. He estimated that a significant volume of runoff could be generated during heavy rainfall events and stated that while the runoff might not directly affect his property, it could impact neighboring properties. Commission members and City Engineer Kevin Graham responded that, if the project proceeds, a formal drainage study and stormwater review process would be required to evaluate and address runoff and drainage impacts prior to development approval.

Karlie Wolff, property owner of 640 S Daisy Ln, spoke at the podium to articulate her concerns with the rezone request. She asked for clarification regarding the scope of the zoning request, noting that materials she reviewed indicated the subject property would be used as a parking lot rather than for construction of a new building. Staff and Mr. Coykendall confirmed that the current zoning request pertains to a parking area only and not a new building. Ms. Wolff also requested clarification regarding the status of Daisy Lane and whether the current dead-end street would be extended, expressing concern about potential increases in traffic and vehicle access through the neighborhood. Mr. Coykendall explained that Daisy Lane would remain a dead-end street, with access to the parking area limited to the north and east sides of the property. Kevin Graham stated that fencing and a fire access gate would be installed and that a future platting process may slightly shorten the public right-of-way along Daisy Lane.



Ms. Wolff additionally requested that neighborhood residents be included in future discussions related to buffering, landscaping, and site design if the rezoning is approved. She referenced prior discussions during earlier zoning cases where community involvement in buffer planning had been discussed. Ms. Wolff expressed concern about the removal of existing trees and buffering during previous demolition activity and stated that lighting from the existing business already affects neighboring backyards at night. She emphasized the importance of maintaining landscaping and buffering features that help preserve the residential character of the neighborhood despite its proximity to commercial areas and US-54.

Julie Boyd stated that, in that earlier case, the Planning Commission directed staff to notify nearby residents when the project advanced to the site plan review committee stage. She further stated that the Commission could provide the same direction for the current case, and that notification letters would be mailed to surrounding residents informing them of future site plan review meetings and related discussions.

The public hearing was closed at 7:46pm.

STAFF ITEMS

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| <p>1. 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 if the change in zoning were approved?</p> <p>STAFF : The subject property has ready access to existing, nearby Wichita water and Andover sewer lines, and it can access the street system via S. Daisy Ln.</p> |
| <p>2. If the zoning change request was approved, would the subject property need to be platted or replatted, or have in-lieu-of dedications made, in order to provide needed rights-of-way, easements, building setback lines, or access control?</p> <p>STAFF : The property would need to be replatted. The applicant intends to replat the subject property along with a parcel adjacent to the north.</p> |
| <p>3. If the zoning change request was approved, would the subject property need a screening plan for existing or potential uses?</p> <p>STAFF : Yes. The subject property would change to commercial use, bordering parcels with residential uses and character. A substantial screening buffer would be required.</p> |
| <p>4. What fact-based information in support of or in opposition to the requested zoning change has staff received?</p> <p>STAFF : None at this time.</p> |



5 If there has been an error in the application of these Zoning Regulations to the subject property, would the requested zoning change correct the error?

STAFF No error is known to exist.

STAFF & COMMISSION ITEMS

6 How suitable or unsuitable is the subject property for its current zoning?

STAFF The subject property is reasonably suitable for its current zoning, as it is adjacent to other residential-use parcels.

PLANNING Concur

COUNCIL

7 Is the length of time the subject property has been vacant or undeveloped under its current zoning a factor in the zoning change request?

STAFF Yes. The property has been undeveloped for over ten years since the applicant acquired it after the demolition of a dwelling.

PLANNING Concur

COUNCIL

8 How reasonably well-suited will the requested zoning change of the subject property be with the current zoning of nearby properties.

STAFF Nearby properties range from low- and medium-density residential uses to the south and west, to medium-density commercial uses to the north and east. The proposed zoning would align with those existing commercial business parcels to the north and east, but would be more at odds with the existing residential parcels to the south and west.

PLANNING Concur

COUNCIL

9 Has the zoning change been requested because conditions in the area of the subject property have changed or are changing? If so, what is the nature and significance of these conditions?



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| STAFF | Yes: the Andover Auto Body business to the north continues to expand, and the property owner wishes to convert the subject property from a vacant lot to a parking area for the business. The property across from the subject property on Daisy Ln. was rezoned to the same B-3 district in 2025, for similar purposes. |
| PLANNING | Concur |
| COUNCIL | |

10 What are the current land uses, character and condition of the subject property and the surrounding neighborhood?

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| STAFF | Nearby properties range from low- and medium-density residential uses to the south and west, to medium-density commercial uses to the north and east. Daisy Ln. serves a primary residential area, though it is surrounded by commercial uses to the north and east, being close to the S. Andover Rd. corridor. |
| PLANNING | Concur |
| COUNCIL | |

11 Would the proposed zoning change of the subject property allow land uses which might have detrimental effects on nearby properties, and if so, how?

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| STAFF | Yes. A change to a commercial zone, especially if development takes place on the now-vacant lot, would bring with it a potential increase in noise, light, pollution, and traffic for the area. These detriments can be mitigated with a robust screening buffers to the south and west of the subject property. |
| PLANNING | Concur |
| COUNCIL | |

12 How would the requested zoning change conform with the City's Comprehensive Plan and other adopted master plans and policies?

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| STAFF | The Comprehensive Plan designates the subject property with the Mixed Residential Neighborhood place type, a place type it shares with adjacent parcels and the parcel across Daisy Ln. to the east. While some nearby parcels designated with this place type abut properties with other, more commercially-focused place types, the subject property is located at a |
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transitional point between a business-zoned commercial parcel to the north, and residentially-zoned parcels to the south. It is not uncommon to see this type of 'bleed' at the edges of an area designated with a particular place type; Staff anticipate that over time, the area around the subject property will shift more toward commercial uses as the Andover Rd. corridor continues to develop.

PLANNING Concur

COUNCIL

1: Do any professional persons knowledgeable on conditions that affect this zoning change request have information or recommendations to provide, which would be helpful in its evaluation?

STAFF Staff support the proposed change in zoning district classification.

PLANNING Concur

COUNCIL

1: How would the potential loss in value or hardship imposed on the Applicant compare to the relative gain to the public health, safety and welfare, if there is a change from the current zone to the requested zone?

STAFF If the zone were not changed, the subject property, as well as the parcel adjacent to the north, would likely continue to be undeveloped. Detrimental effects of future development, to public health, safety and welfare, are expected to be minimal, and can be mitigated by way of required screening buffers abutting the residential-use properties nearby.

PLANNING Concur

COUNCIL

Acting Chairperson Gary Israel made a motion to recommend to the Governing Body that case number Z-A26-0001 be approved based on the findings of fact #9, #10, #12. Seconded by Kemp Smith. Motion passed 4-0.

RECESS THE PLANNING COMMISSION AND CONVENE THE BOARD OF ZONING APPEALS



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| STAFF | The proposed Conditional Use complies with all applicable regulations. The dwelling which is proposed is in fact existing on the site. |
| BZA | Concur |
| 1f | The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood. |
| STAFF | No such detrimental effects are anticipated. The proposed dwelling already exists on the subject property. |
| BZA | Concur |
| 1f | The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to: <ul style="list-style-type: none"> a. The location, nature, size and height of building, structures, walls and fences on the site; and b. The nature and extent of landscaping and screening on the site. |
| STAFF | The proposed Conditional Use would not dominate the neighborhood, given that it is already in place without conflicts with nearby properties. |
| BZA | Concur |
| 1f | Off-street parking and loading areas will be provided in accordance with the standards set forth in Article 5 of these regulations. Such areas will be screened from adjoining residential uses and located so as to protect such residential uses from injurious effects. |
| STAFF | No such parking or loading areas would be installed on the property. |
| BZA | Concur |
| 1f | Adequate utility, drainage and other such necessary facilities have been installed or will be provided by platting, dedications and/or guarantees. |
| STAFF | The property is currently served by the Andover sewer and Wichita Water. No change in utility service is expected. |
| BZA | Concur |



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| 2 | Adequate access roads, entrance and exit drives and/or access control is available or will be provided by platting, dedications and/or guarantees and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and roads. |
| STAFF | The existing driveway would be retained. No additional access is planned, nor is it necessary. |
| BZA | Concur |

Kemp Smith made a motion to authorize the Chairperson to sign a resolution granting the Conditional Use as requested. Seconded by David Foley. Motion passed 4-0.

ADJOURN THE BOARD OF ZONING APPEALS AND RECONVENE THE PLANNING COMMISSION

Acting Chairperson Gary Israel made a motion to adjourn the Board of Zoning Appeals and reconvene the Planning Commission at 8:07pm. Motion seconded by Kemp Smith. Motion passed 4-0.

6. MEMBER ITEMS

Marshall Martin introduced himself to the Committee and stated he currently lives in the Green Valley Addition and became interested in joining the Planning Commission at the Andover Citizens Academy.

7. ADJOURN

Acting Chairperson Gary Israel made a motion to adjourn. Seconded by Kemp Smith. Motion passed 4-0.

Meeting adjourned at 8:11pm.



To: Planning Commission
From: Les Mangus
Date: June 16, 2026
Subject: Committee & Staff Report

RECOMMENDED ACTION: No action is necessary. Please review and file the development-related meeting minutes.

SUMMARY:

Attached are the meeting minutes of all development-related meetings that have occurred since the last Planning Commission meeting. These minutes provide an overview of recent discussions and actions taken regarding community development in the City of Andover.

The May Site Plan Review and draft Subdivision Committee minutes are attached.

ATTACHMENTS:

[Site Plan Review Minutes - 05/06/26](#)

[Draft Subdivision Committee Minutes - 05/12/26](#)



1. CALL TO ORDER

The meeting was called to order at 6:00pm by Chairperson Bonebrake.

2. ROLL CALL

Committee Members present: Chairperson Scott Bonebrake, Jessica Friedrichs, John VanSickle, Zach Smith & Homer Henry (arrived at 6:02pm)

Staff Members present: Julie Boyd, Planning & Zoning Administrator

3. APPROVAL OF THE MINUTES OF THE APRIL 7, 2026 MEETING.

Chairperson Bonebrake made a motion to approve the minutes of the April 7, 2026, meeting as presented.

Seconded by Jessica Friedrichs. Motion passed 4-0.

4. COMMUNICATIONS

A. COMMITTEE & STAFF REPORT

Zach Smith introduced himself to the Committee. He stated that he has a background in Civil Engineering, specifically relating to development and subdivisions, both on the construction and design side.

Jessica Friedrichs asked Staff if the review of the UDM is progressing and if the review of signs would be a part of the process. Julie Boyd responded that Staff are in the process of reviewing the UDM with an outside consultant, but signs are still on the radar.

B. POTENTIAL RESIDENTIAL DEVELOPMENT REPORT

5. AGENDA

5.1 SP-A26-0014 — REVIEW AND APPROVAL OF THE SIGN PLAN FOR BARK 44, GENERALLY LOCATED AT 301 W. CENTRAL AVE., ANDOVER, KANSAS

Chairperson Bonebrake called the first and only agenda item, pertaining to the review and approval of the sign plan for Bark 44, generally located at 301 W Central Ave.

Julie Boyd introduced the item by stating that this is a pretty simple sign plan, including a sign at the street connected to an existing pole and a wall sign. Julie further stated that both of these signs already exist as temporary signs, which they did receive a permit for. The current temporary signs are made of vinyl material and will be replaced by identical aluminum signs, which will not be lit. Julie stated that we do not have current measurements for all of the signs on the building, but the proposed sign will be about 60 square feet and they should still fall under the maximum wall coverage.



Chairperson Bonebrake asked if they are essentially replacing the banners with identical aluminum signage. Julie Boyd responded that was correct. She further noted that the wall sign has an aluminum frame and the banner is currently stretched over the frame.

John VanSickle asked if it was possible to paint the black metal pole along with the white rail on the pole sign. Julie Boyd responded that they absolutely could make it a condition of the approval.

Zach Smith commented that he would like the metal wall sign to be fully enclosed on all sides to ensure that there are not exposed metal sheets showing. Homer Henry joined the discussion and stated he would like to see the sign enclosed like a cabinet on all sides instead of seeing two metal flashing on either side of the poles.

Homer Henry asked about pole signs and if they are allowed throughout the city or only in certain zones. Julie responded that certain zones allow it, but not all do. However, pretty much every commercial zone allows them.

Homer Henry made a motion to approve the sign plan at 301 W Central Ave. for Bark 44 with the conditions to put a top and bottom on the sign, similar to endcaps, and then also paint the exiting poles back to black to match the sign. Seconded by Chairperson Scott Bonebrake. Motion passed 5-0.

6. MEMBER ITEMS

John VanSickle asked if there was a timeline for when they may receive the results of the UDM consultation that the Committee attended a couple of weeks ago. Julie Boyd responded that they expect to see the report by the end of June.

7. ADJOURN

Chairperson Bonebrake made a motion to adjourn the meeting. Seconded by Homer Henry. Motion passed 5-0.

Meeting adjourned at 6:09pm.



1. CALL TO ORDER

The meeting was called to order at 5:31pm by Chairperson Gary Israel

2. ROLL CALL

Committee Members present: Chairperson Gary Israel

Staff Members present: Les Mangus, Director of Community Development; Kevin Graham, City Engineer; Mike Roosevelt, Fire Marshal; Julie Boyd, Planning & Zoning Administrator; Dylan Carroll, Planning Technician.

3. APPROVAL OF THE MINUTES OF THE APRIL 14, 2026 MEETING

Chairperson Gary Israel made a motion to approve the minutes of the April 14, 2026, as presented. Motion passed 1-0.

4. COMMUNICATIONS

A. COMMITTEE & STAFF REPORT

B. POTENTIAL RESIDENTIAL DEVELOPMENT REPORT

Les Mangus stated that residential housing permits have spiked in the last couple of months. Isaac (Permit Technician) wrote 24 single-family permits last month.

5. AGENDA

5.1 FINAL PUD — REVIEW AND RECOMMENDATION ON THE HODGES EIGHTH SUBDIVISION FINAL PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED AT W. TURNPIKE RD., ANDOVER, KANSAS

Chairperson Israel called the first and only agenda item pertaining to the review and recommendation on the Hodges 8th subdivision final PUD, generally located at W. Turnpike Rd.

Julie Boyd introduced the agenda item by stating that this property is just shy of 6.5 acres which the applicant intends to replat into the Hodges 8th PUD, the 7th addition was not a PUD, but the 8th addition will be. The development is a bit different from the other additions as it features a bunch of duplexes, which the PUD allows for this density. Turnpike Road, which is located to the North and runs parallel to the Turnpike itself, would be vacated via this plat and become a private road. This would allow access to the duplexes without the road being a city street. Julie further stated that the Comprehensive Plan is in support of this, specifically the mixed residential neighborhood place type. Julie mentioned that there are some duplexes located not far from the planned site, so it would not be out of place for the area. There are currently 5 to 6 duplexes constructed in the Hodges 7th and they will be replatted into the new Hodges 8th. There are four different reserves laid out in the PUD that are for utilities, drainage, landscaping and some open green space for residents to enjoy. Julie mentioned that Preliminary PUD was reviewed some time ago and the final PUD has been finished and put on



hold temporarily until the KTA owned triangle of land can be transferred over. That change is in progress, and the PUD cannot go before the City Council until it has been completed. Julie commented that Staff had provided quite a few comments to the applicant back in April and Staff have received this revised final PUD right before the final packet was sent out. Staff was not able to fully review the PUD, so Staff recommends approval contingent on Staff approval of all outstanding comments.

Phil Meyer from Baughman Co. was present and spoke to address any comments from the Committee. He stated that they have board approval from the KTA regarding the triangle parcel of land and they are not waiting on the deeding process to complete. He said he estimates that the process shouldn't take longer than 30 days. Mr. Meyer stated he believes they have made all the changes requested by Staff.

Kevin Graham and Phil Meyer had a discussion about sewer lines located at the northwest corner of the property and whether or not the sewer lines would be public or private and if an easement would be needed later on in the process.

Chairperson Israel asked about the location of the duplexes located in the northwest corner of the property and if they had been mirrored from the Preliminary PUD. Les Mangus stated that Staff had some discussions with the developer and they elected to mirror the duplexes to allow for a cleaner access path.

Mike Roosevelt led a discussion about the street layout and if a fire-approved turnaround would be required. In addition, there was also discussion about the techniques Firefighters use to fight fires in high density neighborhoods. The consensus was that the longest stretch of road fell below the 150-foot requirement and a fire-approved turnaround would not be required. Mike Roosevelt also made comments regarding the staircase materials and the need to use non-combustible materials.

Chairperson Israel asked if the Police Department had reviewed this plan. Les Mangus stated that the Police Department does not look at final plans. However, they were notified of the zoning change and they had no comment.

Mike Roosevelt made a couple of comments and led a discussion regarding the existing fire hydrant on the extreme west edge of the property and the water line that serves it. The discussion centered around whether the hydrant and water line would need to be moved. Les Mangus commented that those are details that will need to be worked out in the final utility plan and site plan review.

Chairperson Gary Israel asked if in the reserve spaces, there might be room for a playset or playground area. Mr. Meyer responded that there may be. He commented that Paul Gray (Owner) had talked about potentially placing a dog park in one of the reserves, but nothing final yet.

Kevin Graham stated for the record that any public improvements will require financial guarantee and petitions per the Subdivision regulations before the plan goes to the City Council.



Chairperson Gary Israel made a motion to approve the Hodges 8th subdivision on the condition that any outstanding staff markups be satisfied. Motion passed 1-0.

6. MEMBER ITEMS

Chairperson Gary Israel asked about the gate that has been placed along Yorktown Parkway. Les Mangus stated that the gate is for private access to one of the lots along Yorktown Pkwy.

7. ADJOURN

Gary Israel made a motion to adjourn the meeting. Motion passed 1-0.

Meeting adjourned at 5:59pm.



To: [Planning Commission](#)
From: [Les Mangus](#)
Date: [June 16, 2026](#)
Subject: [Potential Residential Development Report](#)

RECOMMENDED ACTION: No action is necessary. Please review and file the Potential Residential Development Report.

SUMMARY:

The Potential Residential Development Report provides a general overview of single-family and multi-family development within the City of Andover. The report compares the total number of platted lots versus the total number of building permits issued.

ATTACHMENTS:

[Potential Residential Development Report](#)

POTENTIAL RESIDENTIAL DEVELOPMENT

| SINGLE - FAMILY | Platted | Permits | 2024 | Available for | Unplatted | % with | % with | #-Cof O's |
|--|-------------|-------------|------------|---------------|------------|---------------|----------|-------------|
| | Lots | Issued | Permits | Construction | Lots | Bldg Permits | C of O's | Issued |
| Aspen Creek | 31 | 27 | | 4 | 0 | 87.10% | 87.10% | 27 |
| Cedar Park | 52 | 51 | | 1 | 0 | 98.08% | 98.08% | 51 |
| Chateauroux | 38 | 36 | | 2 | 0 | 94.74% | 94.74% | 36 |
| Cornerstone 1st | 105 | 105 | | 0 | 0 | 100.00% | 99.05% | 104 |
| Cornerstone 3rd | 135 | 133 | | 2 | 160 | 100.00% | 98.50% | 131 |
| Cornerstone 6th | 33 | 33 | | 0 | 0 | 100.00% | 96.97% | 32 |
| Cornerstone 10th | 32 | 31 | 5 | 1 | 0 | 96.88% | 96.88% | 31 |
| Cornerstone 11th | 40 | 39 | 4 | 1 | 0 | 100.00% | 92.31% | 36 |
| Courtyard @ Cornerstone | 58 | 25 | 2 | 33 | 0 | 43.10% | 39.66% | 23 |
| Cottages @ Cornerstone | 80 | 0 | | 80 | 0 | 0.00% | 0.00% | 0 |
| Crescent Lakes | 84 | 83 | | 1 | 0 | 98.81% | 97.62% | 82 |
| Crescent Lakes 5th | 117 | 117 | | 0 | 0 | 100.00% | 97.44% | 114 |
| Diamond Creek | 0 | 0 | | 0 | 185 | 0.00% | 0.00% | 0 |
| Flint Hills Phase 1 | 23 | 20 | | 3 | 0 | 86.96% | 86.96% | 20 |
| Flint Hills Phase 2 | 36 | 35 | | 1 | 0 | 97.22% | 94.44% | 34 |
| Flint Hills Phase 3 (FHN Club Estates) | 33 | 29 | | 4 | 0 | 87.88% | 81.82% | 27 |
| Flint Hills Phase 4 | 31 | 25 | | 6 | 0 | 80.65% | 80.65% | 25 |
| Flint Hills Phase 5 | 23 | 21 | 1 | 2 | 13 | 91.30% | 82.61% | 19 |
| Flint Hills Phase 6 | 30 | 12 | 1 | 18 | 13 | 40.00% | 40.00% | 9 |
| Heritage 1st | 75 | 75 | 2 | 0 | 0 | 100.00% | 98.67% | 74 |
| Heritage 2nd | 72 | 38 | 2 | 34 | 0 | 55.88% | 36.76% | 25 |
| Heritage 3rd | 44 | 23 | 13 | 21 | 0 | 52.27% | 43.18% | 19 |
| Heritage Mixed-Use | | 0 | | 0 | | 0.00% | 0.00% | 0 |
| Hilltop | 7 | 7 | | 0 | 0 | 100.00% | 100.00% | 7 |
| Jaguar Estates | | 0 | | 0 | | 0.00% | 0.00% | 0 |
| Lafayette Addition | 8 | 1 | 0 | 7 | 0 | 8.33% | 0.00% | 0 |
| Meadowbrook 2nd | 17 | 17 | 9 | 0 | 0 | 100.00% | 100.00% | 17 |
| Meadowbrook 4th | 43 | 18 | | 25 | 0 | 150.00% | 25.00% | 3 |
| North Meadows 3rd Addition | 59 | 58 | 2 | 1 | 0 | 98.31% | 98.31% | 58 |
| Prairie Creek 6th | 45 | 45 | 22 | 0 | 0 | 100.00% | 100.00% | 45 |
| Reflection Lake @ Cloud City 2nd | 65 | 65 | | 0 | 0 | 100.00% | 100.00% | 65 |
| Reflection Lake 3rd | 81 | 81 | | 0 | 0 | 100.00% | 98.77% | 80 |
| Scattered Lots | 86 | 10 | | 76 | 0 | 11.63% | 9.30% | 8 |
| Shadow Rock | 60 | 60 | 1 | 0 | 0 | 100.00% | 98.33% | 59 |
| Southern Hills | | 0 | | 0 | | 0.00% | 0.00% | 0 |
| Speyside @ Terradyne | 28 | 13 | 5 | 15 | 0 | 46.43% | 39.29% | 11 |
| Summerlin | 33 | 5 | 1 | 28 | 0 | 15.15% | 6.06% | 2 |
| Terradyne 2nd Addition | 43 | 43 | | 0 | 0 | 100.00% | 97.67% | 42 |
| Tuscany 3rd | 19 | 18 | 3 | 1 | 0 | 100.00% | 88.89% | 16 |
| Tuscany 5th | 26 | 14 | | 12 | | 116.67% | 41.67% | 5 |
| Valsong | 3 | 1 | | 2 | 0 | 33.33% | 33.33% | 1 |
| Total Single Family | 2800 | 2417 | 73 | 383 | 719 | | | 2341 |
| MULTIFAMILY | | Permits | | Available for | Unplatted | % with | % with | #-C of O's |
| | Units | Issued | | Construction | Units | Bldg. Permits | C of O's | Issued |
| Cornerstone 5th | 29 | 27 | 10 | 2 | 0 | 93.10% | 13.79% | 4 |
| Prairie Creek 2nd - Duplex | 41 | 41 | | 0 | 0 | 100.00% | 92.68% | 38 |
| Hodges 6th - Duplex | 17 | 30 | | -13 | 0 | 96.77% | 96.77% | 30 |
| Hodges 7th- Duplex | 11 | 7 | | 4 | | 100.00% | 100.00% | 7 |
| Prairie Pointe @ Cornerstone - Duplex | 17 | 17 | | 0 | 0 | 100.00% | 100.00% | 17 |
| Prairie Pointe 2nd @ Cornerstone - Duplex | 17 | 17 | 8 | 0 | 0 | 100.00% | 100.00% | 17 |
| Prairie Pointe 3rd @ Cornerstone - Duplex | 17 | 0 | 0 | 17 | 0 | 0.00% | 0.00% | 1 |
| The Residences @ Heritage West | 60 | | | | | | | |
| Buffalo Ridge Apartments | | 7 | | -7 | | 100.00% | 0.00% | 0 |
| Total Multifamily | 195 | 107 | 18 | -2 | 0 | 54.87% | | 170 |
| Total Dwelling Units | 2995 | 2524 | 109 | 381 | 719 | 84.27% | | |
| Total Lots/Units, Platted and Unplatted | 3714 | 2524 | | 1909 | 719 | 67.96% | | |



To: Planning Commission
From: Julie Boyd
Date: June 16, 2026
Subject: Special Use: 224 E. Central Ave. (Z-SU26-0002)

RECOMMENDED ACTION: Recommend that the Governing Body APPROVE the application for a Special Use to permit an intermediate care facility on the property generally located at 224 E. Central Ave., Andover, Kansas.

SUMMARY:

The subject property is an approximately 2.7-acre parcel zoned MXR Multiple-Family/Mixed Residential Use District, and is the former site of a skilled nursing facility, which closed before the pandemic. In March of 2024, the property received a Special Use permit for an intermediate care facility under new ownership.

A Special Use authorization is valid for one year from the date of the effectuating Ordinance, which in that case was March 2, 2024. As long as a zoning permit is issued within that one-year period of validity, the Special Use remains valid for the duration of the zoning permit. Unfortunately, a zoning permit was not issued for the property within one year of March 2, 2024, so the Special Use which had previously been granted expired.

The property is now under new ownership, and the new owners intend to revitalize the efforts to re-open the facility as an intermediate care facility. As such, they are seeking a new Special Use authorization on the property for the same use as that proposed in 2024. The building would serve as an inpatient rehabilitation clinic, a use which fits under the [definition of an intermediate care facility in the Unified Development Manual](#) (UDM).

The applicant has indicated that they have already received a license to operate such a facility from the state of Kansas. The state mandates certain inspection and security requirements for such facilities.

The applicant has been made aware of the Site Plan requirements for the parcel; Staff are aware that certain elements of the exterior landscaping may not have been maintained as the ownership of the property varied. Any changes to the exterior approved Site Plan would require re-approval from the Site Plan Review Committee.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

If granted, the Special Use is valid for a period of one year from the publication date of its effectuating ordinance, unless one of the conditions applies per Subsection [12-101.C1](#) of the City's Zoning Regulations:

- a. Another time period is designated, as a condition attached to the Special Use.
- b. An application is filed and a zoning permit is approved during the period of validity. As long as a zoning permit is received within the period of validity, the Special Use remains valid for the duration that the zoning permit is valid.

ATTACHMENTS:

[Map - Aerial](#)

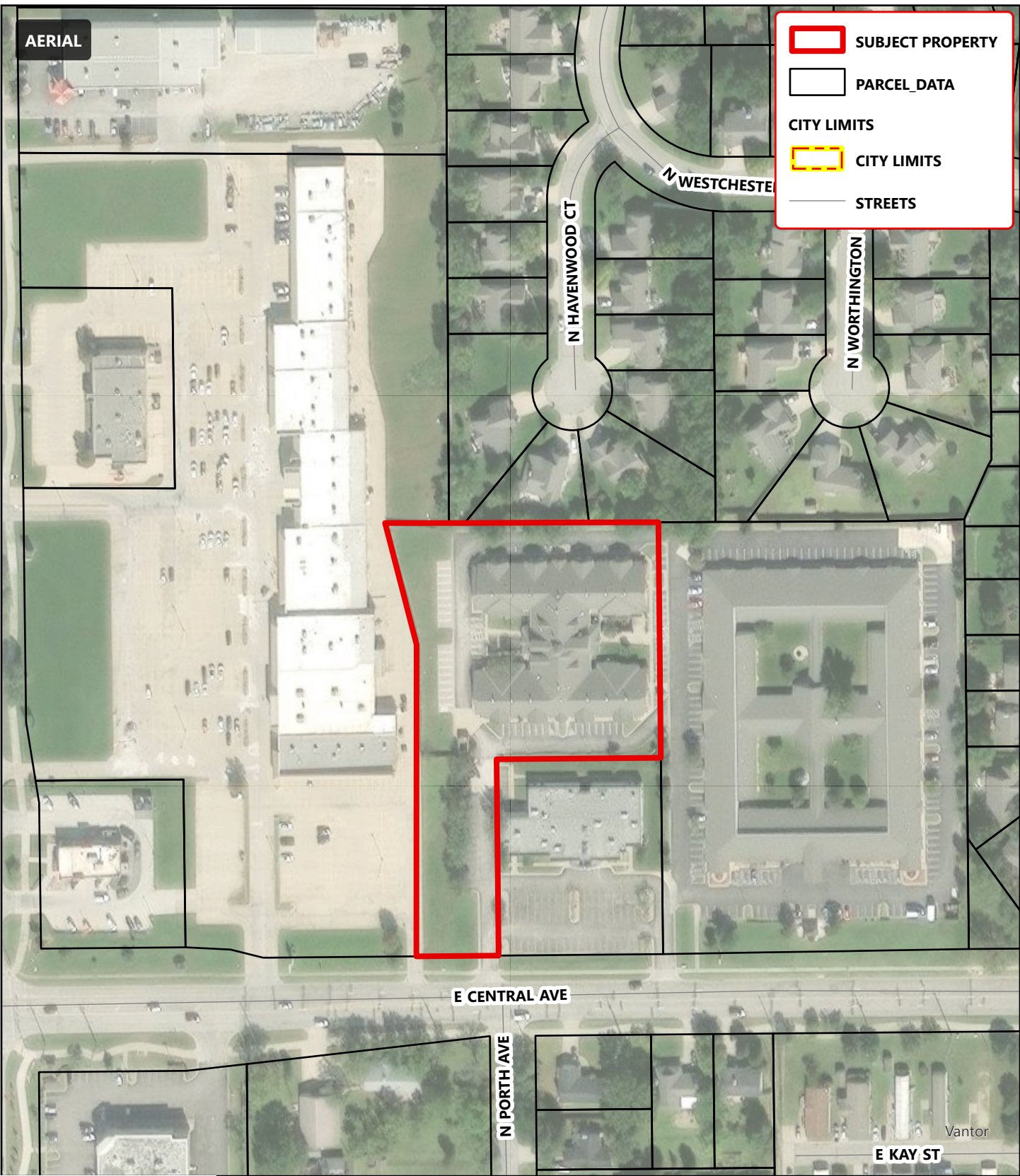
[Map - Zoning](#)

[Map - Comp Plan](#)

[Special Use Report](#)

[Chairperson's Checklist](#)

[2024 Planning Commission Minutes Excerpts - 01/16/24 & 02/20/24](#)



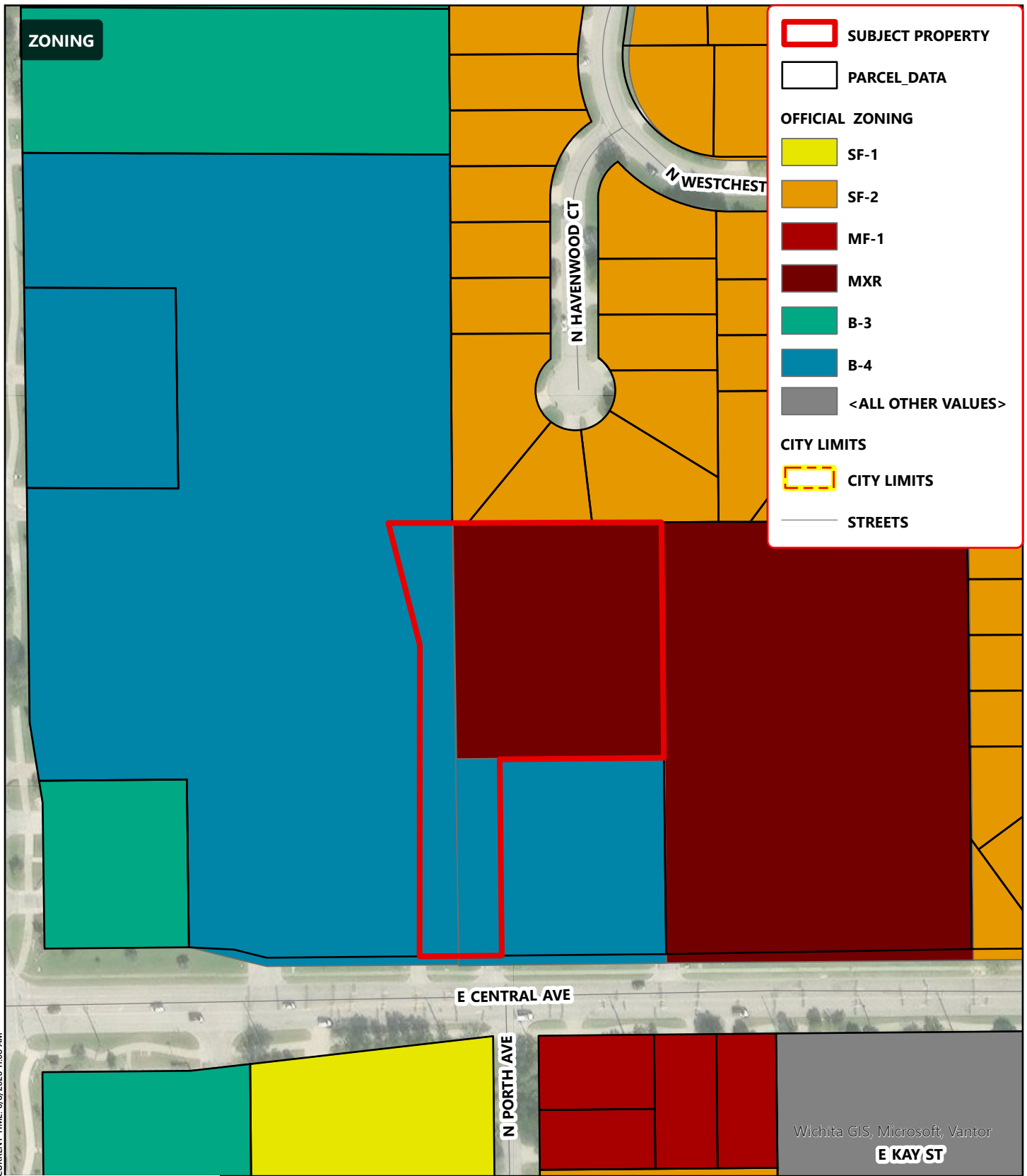
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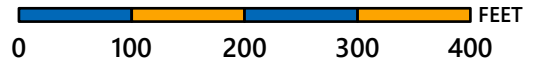
Z-SU26--0002 // 224 E CENTRAL AVE.

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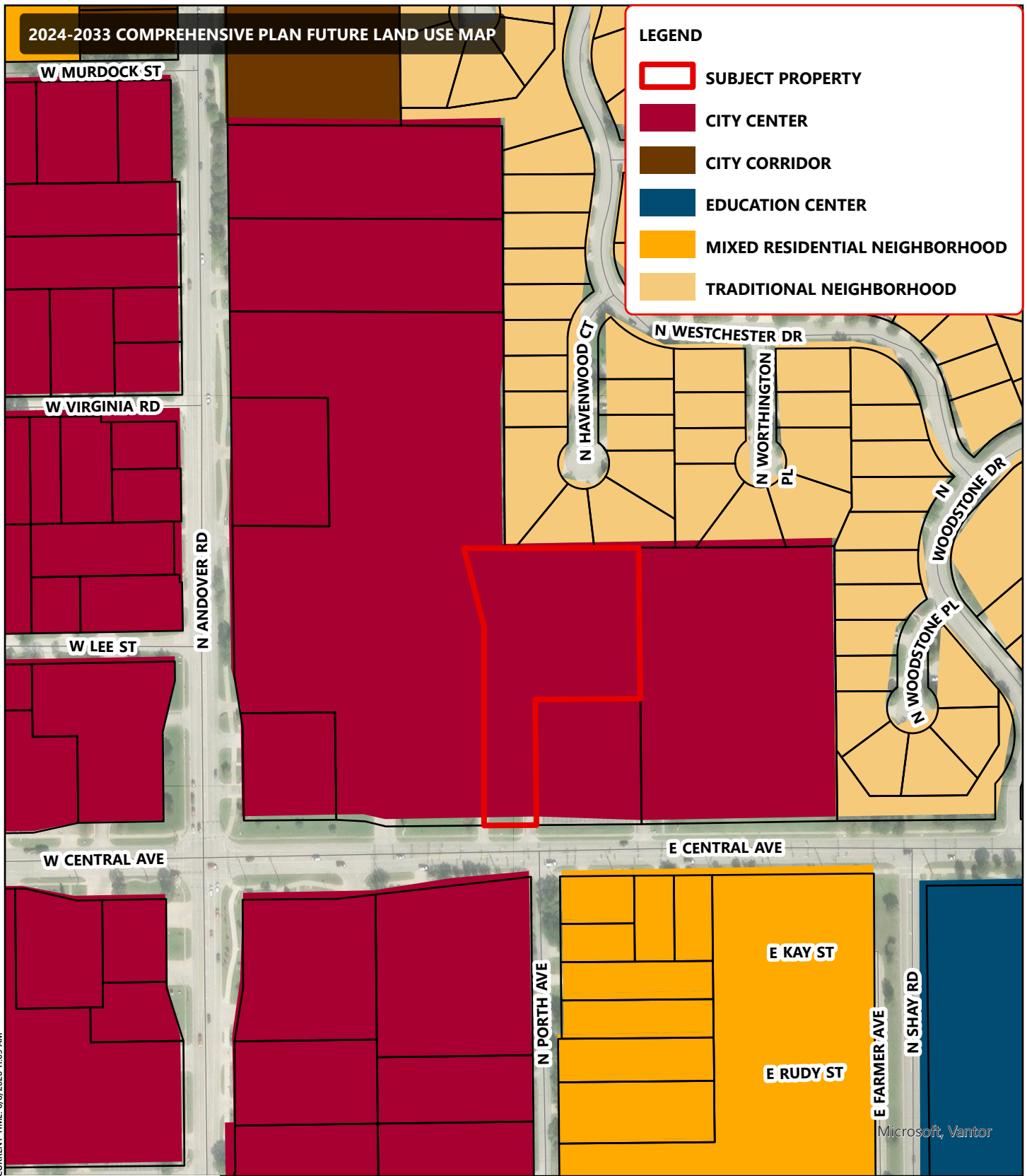
Z-SU26--0002 // 224 E CENTRAL AVE.

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2024-2033 COMPREHENSIVE PLAN FUTURE LAND USE MAP

LEGEND

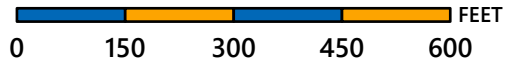
- SUBJECT PROPERTY
- CITY CENTER
- CITY CORRIDOR
- EDUCATION CENTER
- MIXED RESIDENTIAL NEIGHBORHOOD
- TRADITIONAL NEIGHBORHOOD



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Microsoft, Vantor



Z-SU26-0002 // 224 E CENTRAL AVE.

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PLANNING & ZONING
 1609 E. CENTRAL AVE.
 ANDOVER, KS 67002
 316.733.1303

PLANNING COMMISSION
SPECIAL USE REPORT
CASE NO. Z-SU26-0002

APPLICATION INFORMATION

| | |
|-----------|---|
| APPLICANT | Lifespring Recovery of Andover |
| AGENT | Nick Motu – Ascension Management Services |
| REQUEST | Special Use to allow for Intermediate Care Facility |

SITE INFORMATION

| | |
|-------------------------|--|
| GENERAL LOCATION | 224 E. Central Ave., Andover, Butler County, Kansas |
| SITE SIZE | ± 2.7 Acres |
| CURRENT USE | MXR Multiple-Family / Mixed Residential Use District |
| PROPOSED USE | Intermediate Care Facility |
| ADJACENT ZONING – NORTH | SF-2 Single Family Residential / Medium Density |
| ADJACENT ZONING – EAST | MXR Multiple-Family / Mixed Residential Use District |
| ADJACENT ZONING – WEST | B-4 Central Business / Mixed Use District |
| ADJACENT ZONING - SOUTH | B-2 Neighborhood Business District & SF-1 Single Family Residential / Low Density District |

BACKGROUND INFORMATION.

The subject property is an approximately 2.7-acre parcel zoned MXR Multiple-Family/Mixed Residential Use District, and is the former site of a skilled nursing facility, which closed before the pandemic. In March of 2024, the property received a Special Use permit for an intermediate care facility under new ownership.

A Special Use authorization is valid for one year from the date of the effectuating Ordinance, which in that case was March 2, 2024. As long as a zoning permit is issued within that one-year period of validity, the Special Use remains valid for the duration of the zoning permit. Unfortunately, a zoning permit was not issued for the property within one year of March 2, 2024, so the Special Use which was previously granted expired.

The property is now under new ownership, and the new owners intend to revitalize the efforts to re-open the facility as an intermediate care facility. As such, they are seeking a new Special Use authorization on the property for the same use as that proposed in 2024. The building would serve as an inpatient rehabilitation clinic, a use which fits under the [definition of an intermediate care facility in the Unified Development Manual \(UDM\)](#).

The applicant has indicated that they have already received a license to operate such a facility from the state of Kansas. The state mandates certain inspection and security requirements for such facilities.

The applicant has been made aware of the Site Plan requirements for the parcel; Staff are aware that certain elements of the exterior landscaping may not have been maintained as the ownership of the property varied. Any changes to the exterior Site Plan would require approval from the Site Plan Review Committee.

FACTORS & FINDINGS

This report is to assist the Planning Commission to determine their findings from the evidence presented at the hearing so as to base their rezoning recommendation on the required 14 factors found in Article 12 of the Zoning Regulations. The responses provided need to be evaluated with the evidence and reworded as necessary to reflect the Planning Commission's considered opinion. Sample motions are provided to ensure the accuracy of the motion and facilitate the summary of the hearing for the minutes. Conditions attached to the motion, if any, should be carefully worded to provide instructions to the applicant and facilitate enforcement by the Zoning Administrator.

STAFF ITEMS

| | |
|-------|---|
| 1. | 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 if the change in zoning were approved? |
| STAFF | The property has existing access to Wichita Water, Andover sewers, and the public street system. |
| 2. | If the special use request was approved, would the subject property need to be platted or replatted, or have in-lieu-of dedications made, in order to provide needed rights-of-way, easements, building setback lines, or access control? |
| STAFF | The subject property is already platted, and no additional dedications are expected to be necessary. |
| 3. | If the special use request was approved, would the subject property need a screening plan for existing or potential uses? |
| STAFF | The subject property has an existing Site Plan in place, which includes screening. No additional screening would be required under the proposed use, so long as the approved Site Plan is complied with. |
| 4. | What fact-based information in support of or in opposition to the requested zoning change has staff received? |
| STAFF | Staff support the proposed Special Use application. |
| 5. | If there has been an error in the application of these Zoning Regulations to the subject property, would the requested zoning change correct the error? |
| STAFF | No error is known to exist. |

STAFF & COMMISSION/COUNCIL ITEMS

6. How suitable or unsuitable is the subject property for its current use?

STAFF | The subject property is reasonably suitable for its current use as a skilled nursing facility, despite being vacant for several years.

PLANNING

COUNCIL

7. Is the length of time the subject property has been vacant or undeveloped under its current zoning a factor in the special use request?

STAFF | Yes. The subject property has been vacant for several years. A Special Use was obtained in 2024 for this same purpose, but was not acted on within the period of validity, and the property remains vacant as a result.

PLANNING

COUNCIL

8. How reasonably well-suited will the requested special use of the subject property be with the current zoning of nearby properties.

STAFF | The Special Use would be well suited with the current zoning of nearby properties, which are similarly mixed-use in nature, and which already feature similar medical-type uses.

PLANNING

COUNCIL

9. Has the special use been requested because conditions in the area of the subject property have changed or are changing? If so, what is the nature and significance of these conditions?

STAFF | Yes—the building sat vacant for many years, and, despite efforts to open as an intermediate care facility in 2024, remains so.

PLANNING

COUNCIL

10. What are the current land uses, character and condition of the subject property and the surrounding neighborhood?

STAFF | The subject property abuts a residential neighborhood to the north, similar medical facility uses to the south and east, and a large commercial parcel (a multi-tenant retail space) to the west. Across E. Central Ave., further to the south, is another residential neighborhood.

PLANNING

COUNCIL

11. Would the proposed special use of the subject property allow land uses which might have detrimental effects on nearby properties, and if so, how?

STAFF The proposed use is no more intense than the existing permitted skilled nursing care facility use.

PLANNING

COUNCIL

12. How would the requested special use conform with the City’s Comprehensive Plan and other adopted master plans and policies?

STAFF The subject property is designated with the City Center place type, which encourages “...larger-scale tenants, restaurants, commercial retailers, mixed-use developments, and small-scale office uses.” A “Medical Campus/Hospital” is listed as a typical land use which may be found in this place type, making the proposed Special Use well-suited for the area.

PLANNING

COUNCIL

13. Do any professional persons knowledgeable on conditions that affect this special use request have information or recommendations to provide, which would be helpful in its evaluation?

STAFF Staff support the proposed Special Use.

PLANNING

COUNCIL

14. How would the potential loss in value or hardship imposed on the Applicant compare to the relative gain to the public health, safety and welfare, if there is a change from the current use to the requested use?

STAFF Staff anticipate no detrimental effects to public health, safety, and welfare associated with this minor change in use.

PLANNING

COUNCIL



CALL AGENDA ITEM

I now call Agenda Item 5.2, which is a public hearing on Case No. Z-SU26-0002.

DISQUALIFICATION DECLARED & QUORUM DETERMINED

Before we proceed with the hearing, I'll ask the Commission members if any of them intend to disqualify themselves from participating in this case, because they or a relative own property in the area of notification or have conflicts of interest.

- In the case of disqualification
 - Let the minutes show that ----- has disqualified himself/herself and has temporarily disassociated himself/herself from our Commission. According to our Bylaws, those members who only abstain from voting are still part of the quorum. I now declare that we have a quorum of -- present for the hearing.

ZONING ADMINISTRATOR'S REPORT

I now call on the City's Zoning Administrator to provide us with a report on this case.

APPLICANT'S REQUEST

I now call upon the applicant to make his/her presentation on the request and any response to the Zoning Administrator's report.

PUBLIC COMMENTS

Are there any members of the public who wish to speak on this case?

- Recognize first come, first served
- Obtain name and address
- If an unusual number of people wish to speak, a time limit can be implemented. Speakers may also be asked not to repeat what has already been said

WRITTEN COMMUNICATIONS

Have any written communications been received?

APPLICANT'S FINAL COMMENTS

Does the applicant wish to present any final comments?

CLOSE THE PUBLIC HEARING

Hearing no further public comments, I hereby close the public portion of the hearing. There will be no further public comments unless the Commission wishes to ask questions to clarify information.

PLANNING COMMISSION DELIBERATIONS

The Planning Commission will now deliberate the request. There are 14 factors which the commission must consider in order to make findings and, ultimately, a recommendation.

COMMISSION DELIBERATION

Having discussed and reached conclusions on our findings of fact, I would remind the Commission that a proper motion should reflect the factors on which it is based and, if approval is recommended, then consideration should be given to any conditions that might be attached. Is there a motion to either recommend approval, modification and approval, disapproval or to table the discussion?

| APPROVE | DISAPPROVE | TABLE |
|--|--|--|
| Having considered the evidence at the hearing and the factors to evaluate the application, I, -----, move that we recommend to the Governing Body that Case No. Z-SU26-0002 be <i>(approved) (modified & approved)</i> based on the findings of the Planning Commission on findings: #, #, #, # as recorded in the summary of this hearing. (and that the following conditions be attached to this recommendation.) Motion seconded by -----. Motion carried -/-/. | Having considered the evidence at the hearing and the factors to evaluate the application, I, -----, move that we recommend to the Governing Body that Case No. Z-SU26-0002 be <i>disapproved</i> based on the findings of the Planning Commission on findings: #, #, #, # as recorded in the summary of this hearing. Motion seconded by ----. Motion carried -/-/. | I, -----, move that Case No. Z-SU26-0002 be <i>tabled</i> until ----- --, -- at :-:pm. Motion seconded by ----. Motion carried -/-/. |

CONDITIONS

| | |
|----------------------------------|--|
| PLATTING & REPLATTING | That (all) or (a portion of) such property to be platted (or replatted) and recorded within one year from the date of Governing Body approval or the case be considered disapproved and closed, and that the Ordinance effectuating the zone change not be published by the City Clerk until the final plat has been recorded with the Register of Deeds during the period stated above. |
| DEDICATION | That, in lieu of platting, a dedication be made before the effectuating ordinance is published for (an additional) _____ foot right-of-way to the ____ side of _____) (and) (a _____ foot easement located on _____ for (utility) (drainage) (screening) (_____ purposes) (and) (total access control along _____ with not more than _____ openings permitted which are not more than ___ feet wide and not less than _____ feet from the corner of the property at the street intersection) (and) (a building setback line of ___ feet on _____.) |
| SITE PLAN | That a site plan be submitted to the Site Plan Review Committee for approval prior to the approval of a zoning permit. |
| ANNEXATION | That an annexation ordinance be approved and published prior to the effectuating ordinance for the rezoning amendment. |
| OTHER | -- |

| | |
|----------|---|
| STAFF | No loss to public health safety and welfare are perceived as a result of the change |
| PLANNING | Concur. |
| COUNCIL | |

Having considered the evidence at the hearing and the factors to evaluate the application, Gary Israel made a motion that the Planning Commission recommend that case Z-PUD23-0006 be approved based on findings 8, 9, 10, and 12. Motion seconded by Peter Fox. Motion carried 5/0.

5.4 Z-SU23-0006 – PUBLIC HEARING ON AN APPLICATION FOR A SPECIAL USE PERMIT TO ALLOW FOR AN INTERMEDIATE CARE FACILITY ON THE PROPERTY GENERALLY LOCATED AT 224 E. CENTRAL AVENUE, ANDOVER, KANSAS

Chairperson Garwood opened the public hearing at 8:10 P.M.

Mr. Mangus introduced the subject property, a uniquely-shaped lot situated behind another medical office and a shopping area on Central Avenue. He continued that the building is a former skilled nursing facility that has been vacant for several years, and the applicant wishes to use the facility as an adult intermediate care facility.

The applicant, Frank Braider, was in attendance. He explained that he develops this type of facility nationwide, and that this specific property is very well-suited to being a substance abuse/residential care center due to its previous use and access to Central Avenue. He added that the proposed use would only add a monument sign to the street, and would not affect the other nearby properties.

Mr. Israel asked if patients at the facility would be ‘committed’, or if they would be allowed to leave. Mr. Braider replied that any patient may sign themselves out of the facility at any time, “against medical advice”, even those that were court-ordered to a rehabilitation facility.

Chairperson Garwood closed the public hearing at 8:17 P.M.

STAFF ITEMS

| | |
|-------|---|
| 1. | 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 if change in zoning were approved? |
| STAFF | The subject property is served with public streets, water, and sewer |
| 2. | If the special use request was approved, would the subject property need to be platted or replatted, or have in-lieu-of dedications made, in order to provide needed rights-of-way, easements, building setback lines, access control? |
| STAFF | The subject property is platted. |
| 3. | If the special use request was approved, would the subject property need a screening plan for existing or potential uses? |
| STAFF | Screening and buffering are provided |

| | | |
|----|-------|---|
| 4. | | What fact-based information in support of or in opposition to the requested zoning change has staff received? |
| | STAFF | None at this time. |
| 5. | | If there has been an error in the application of these Zoning Regulations to the subject property, would the requested zoning change correct the error? |
| | STAFF | No errors are known to exist. |

STAFF & COMMISSION/COUNCIL ITEMS

| | | |
|----|------------------|--|
| 6. | | How suitable or unsuitable is the subject property for its current use? |
| | STAFF | The subject property is suitable for its current zoning. |
| | PLANNING COUNCIL | Concur. |
| 7. | | Is the length of time the subject property has been vacant or undeveloped under its current zoning a factor in the special use request? |
| | STAFF | Yes. The skilled nursing facility has been vacant for some time. The skilled nursing care business was particularly hard hit by the COVID-19 Pandemic. |
| | PLANNING COUNCIL | Concur. |
| 8. | | How reasonably well-suited will the requested special use of the subject property be with the current zoning nearby properties. |
| | STAFF | The proposed use is comparable in use and intensity to the former skilled nursing care facility. Screening and buffering have already been provided between the existing building and the surrounding properties. |
| | PLANNING COUNCIL | Concur. |
| 9. | | Has the special use been requested because conditions in the area of the subject property have changed or are changing? If so, what is the nature and significance of these conditions? |
| | STAFF | Yes. The skilled nursing facility has been vacant for some time. The skilled nursing care business was particularly hard hit by the COVID-19 Pandemic. Many skilled nursing care facilities across the nation are being converted to other uses. |

PLANNING Concur.

COUNCIL

10. What are the current land uses, character and condition of the subject property and the surrounding neighborhood?

STAFF The surrounding land uses are widely mixed with mixed commercial, institutional, and residential uses.

PLANNING Concur.

COUNCIL

11. Would the proposed special use of the subject property allow land uses which might have detrimental effects on nearby properties, and if so, how?

STAFF The proposed use is no more intense than the existing permitted skilled nursing care facility use.

PLANNING Concur.

COUNCIL

12. How would the requested special use conform with the City's Comprehensive Plan and other adopted master plans and policies.

STAFF The surrounding land uses are widely mixed as proposed in the future "City Center" place type. The proposed use fits within the cluster of existing medical/institutional uses and commercial activity.

PLANNING Concur.

COUNCIL

13. Do any professional persons knowledgeable on conditions that affect this special use request have information or recommendations to provide, which would be helpful in its evaluation?

STAFF Approval as applied for.

PLANNING Concur.

COUNCIL

14. How would the potential loss in value or hardship imposed on the Applicant compare to the relative gain to the public health, safety and welfare, if there is a change from the current use to the requested use?

STAFF Staff perceives no detriment to the public health, safety and welfare created by the minor change in use.

PLANNING Concur.

COUNCIL

Having considered the evidence at the hearing and the factors to evaluate the application, Marla Canfield moved that the Planning Commission recommend that case Z-SU23-0006 be approved based on the findings 7, 9, 10, and 11. Motion seconded by Gary Israel. Motion carried 5/0.

Gary Israel made a motion to recess the Planning Commission and convene the Board of Zoning Appeals. Motion seconded by Marla Canfield. Motion carried 5/0.

5.5 BZA-V23-0015 – PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE OF 248 SF. FROM THE 500 SF. MAXIMUM FLOOR AREA OF AN ACCESSORY STRUCTURE ON THE PROPERTY GENERALLY LOCATED AT 701 E. FLINT HILLS NATIONAL PARKWAY, ANDOVER, KANSAS

Chairperson Garwood opened the public hearing at 8:29 P.M.

Mr. Mangus introduced the case, a very typical Variance application on a property that greatly exceeds the minimum area for its zoning district. The applicant intends to construct a pool house, which is an approved accessory structure that Staff and the committee deal with often.

The applicant was not in attendance.

Chairperson Garwood closed the public hearing at 8:31 P.M.

DOES THE EVIDENCE DEMONSTRATE THAT:

1. The physical surroundings, shape or topography of the property would result in a practical difficulty, as distinguished from a mere inconvenience, for the owner, lessee or occupant.

STAFF The subject property is a 2.3-acre lot adjacent to the Golf Course with adequate space for the proposed accessory structure and required building setbacks.

BZA Concur.

2. Granting the variance will result in material detriment or injury to other property or improvements in the neighborhood.

STAFF No detriment and/or injury to other property or improvements is anticipated.

BZA Concur.

3. Granting the variance will result in an inadequate supply of light or air to adjacent property, substantially increase traffic congestion, increased fire risk, or substantially diminished property values in the neighborhood.

STAFF No adverse effects are anticipated.

BZA Concur.

“2021 Strategic Plan Vision Statement: The City of Andover will be an authentic, vibrant community providing economic opportunities and thriving destinations to live, work, learn, and play.”

“Andover aspires to be a complete community that welcomes all people, supports a diverse economy, encourages fun and vibrancy, and integrates the natural environment”

“Strategy GE+WO-2.3: Capitalize on niche industries. Capitalize on the revenue produced from Andover’s unique offerings, such as outdoor recreation amenities, and expand the variety of potential attractions.”

“Strategy GE+WO-2.4: Incentivize distinct attractions. Encourage the development or creation of unique destinations, dining, shopping, attractions, events, entertainment, and places that appeal to the locals and attract visitors from throughout the region.”

PLANNING Concur.

COUNCIL

13. Do any professional persons knowledgeable on conditions that affect this special use request have information or recommendations to provide, which would be helpful in its evaluation?

STAFF Approval as applied for

PLANNING Concur.

COUNCIL

14. How would the potential loss in value or hardship imposed on the Applicant compare to the relative gain to the public health, safety and welfare, if there is a change from the current use to the requested use?

STAFF No loss to the public health, safety and welfare is perceived.

PLANNING Concur.

COUNCIL

Mr. Israel asked if all of the country club amenities would be available to renters. Mr. Welsh answered that no, only the golf course and restaurant would be available to renters at this time.

Having considered the evidence at the hearing and the factors to evaluate the application, David Foley made a motion that the Planning Commission recommend that case Z-SU24-0001 be approved based on findings 8, 10, and 12. Motion seconded by Gary Israel. Motion carried 5/0.

5.6 Z-SU23-0006 – PUBLIC HEARING ON AN APPLICATION FOR A SPECIAL USE PERMIT TO ALLOW FOR AN INTERMEDIATE CARE FACILITY ON THE PROPERTY GENERALLY LOCATED AT 224 E. CENTRAL AVENUE, ANDOVER, KANSAS

Chairperson Garwood opened the public hearing at 7:57 P.M.

Mr. Mangus stated that this case had been returned to the Planning Commission by the Governing Body, for additional discussion on questions #10, #12, and #14. He explained the options before the Committee, and stated that the applicant was present to discuss any questions that may be outstanding.

The applicant, Frank Braider, began by stating that while he could not speak to question #10 (the land uses of the surrounding properties), he wanted to clarify what types of care would not be present at the facility. Mr. Braider stated that the facility is not to be a walk-in clinic for outpatient care, where patients could receive detoxification

drugs daily. He stated that the facility is to be a so-called "30-day" facility with inpatient care, in which most patients stay for approximately 30 days. He continued by clarifying the ability for a patient to leave the facility "against medical advice" ("AMA"), stating that while no patient is held against their will, in order to leave, a patient would have to meet with medical professionals and establish transportation either with a family member, or to the airport to return to their home. Mr. Braider added that only about 1% of patients leave these facilities, and they do not simply discharge them into the street.

Mr. Teinert asked if a doctor would have to sign the patient out if they wished to leave the facility. Mr. Braider responded that yes, the doctor would be involved, and that the desire to leave would be discussed with the patient and family member. Mr. Braider stated that facility staff keeps close communication with family members of patients.

Mr. Foley wished to clarify whether the facility would feature outpatient care, and what drugs would be administered on site. Mr. Braider answered that no, the facility is exclusively for inpatient care, and that the only detoxification drug to be used on site is Suboxone, in order to taper those with heavy opioid addictions off of the addictive drugs. Mr. Foley then asked if patients at the facility would be in care for opioid addiction or alcohol addiction. Mr. Braider answered that he expects roughly half and half opioid and alcohol cases. Mr. Foley asked if a licensed psychiatrist would be on staff, and whether this person would be on the facility premises. Mr. Braider replied that a psychiatrist would be on staff, and would be present at the facility at least three times per week. Mr. Braider added that the facility would be overseen by a Medical Director, and a Director of Nursing.

Mr. Israel asked a prepared list of questions, beginning by asking whether patients obtaining treatment would be staying overnight and seeking room and board at the facility- Mr. Braider answered in the affirmative. Mr. Israel asked if patients would be free to leave the facility at night. Mr. Braider answered that no, the doors are locked at night and security keeps ingress and egress under control, and any patient exit would involve the aforementioned medical discharge with staff made aware. Mr. Israel asked how many patients would be staying at the facility. Mr. Braider answered that he expects somewhere between 60 and 75 patients, pending the conditions of the state license, and that the facility previously held up to 74 patients. Mr. Israel asked how many staff members would be present during the day and at night. Mr. Braider answered that generally, the facilities have 33% of the patient population of staff, with around 12 techs and at least one nurse on site at night in addition to security. Mr. Israel asked about rules for visitors. Mr. Braider answered that visitation is limited to the weekend, and is limited to HIPAA-approved guests, which mostly includes immediate family. He stated that while visitors are not searched, the visitation is supervised, and drug tests are taken by patients upon admission and multiple times per week. Mr. Israel asked if the applicant already had other similar facilities. Mr. Braider responded that this would be the third such facility he has overseen, with one already established in Florida and one in Texas. Mr. Israel asked if there had been any issues or complaints from the community around these other facilities, and Mr. Braider said that there had not been any issues.

Mr. Fox stated that he did not wish to significantly increase the workload of the local police. Mr. Braider concurred, and stated that he would be willing to meet with law enforcement to discuss any concerns they may have. He continued that safety is the priority for patients and the surrounding community, and that patients generally want to be in rehabilitation, adding that even court-ordered patients choose their facility for treatment.

Mr. Israel asked about transportation, should patients need to leave the facility for any reason. Mr. Braider answered that staff technicians would drive any patients if they needed to exit the facility, and that no patient would be released without supervision to, for example, go shopping.

Mr. Mangus wished to address another concern from the City Council, stating that notice had been given to 15 property owners of record near the subject property, and that among these, 8 were single-family residences. He continued by addressing the Comprehensive Plan, in which the subject property is classified under the City Center place type, a mixed-use place type that allows for medical facilities alongside residences and other higher-intensity uses.

Mr. Braider added that the facility will employ many members of the community, and that safety is beneficial to the community and to the business.

Mr. Israel asked who normally pays for patients to stay at these facilities. Mr. Braider stated that 98% of the time, private insurance covers most or all of the bill for rehabilitation, though in rare cases a family member may contribute. Mr. Israel asked about the total cost for a rehabilitation stay. Mr. Braider answered that generally care costs between \$20,000 and \$30,000.

Chairperson Garwood closed the public hearing at 8:31 P.M.

STAFF & COMMISSION/COUNCIL ITEMS

10. What are the current land uses, character and condition of the subject property and the surrounding neighborhood?

STAFF The surrounding land uses are widely mixed with mixed commercial, institutional, and residential uses.

PLANNING Concur. Mr. Israel added that the facility was previously a skilled nursing care center, and no new facilities would be constructed. Mr. Fox stated that security would be much more intense for this facility compared to the previous use.

COUNCIL

12. How would the requested special use conform with the City's Comprehensive Plan and other adopted master plans and policies.

STAFF The surrounding land uses are widely mixed as proposed in the future "City Center" place type. The proposed use fits within the cluster of existing medical/institutional uses and commercial activity.

PLANNING Concur. Mr. Israel stressed a need for a treatment facility of this kind in the area. Chairperson Garwood noted that the facility is currently employing no one, but should this facility be opened, roughly 60 jobs would be created in the community.

COUNCIL

Mr. Israel asked if the facility's license could be revoked if it presented legal infractions or issues with care as defined by the granting body. Ms. McCausland answered that she believed this to be the case, but noted that the City does not handle licensing of this kind, but does issue the occupancy certificate, and would perform code inspections as per usual. Mr. Braider added that the state licensing body performs their own inspections and evaluations for the purpose of continuing the license to operate.

Mr. Israel asked if repeated police calls would jeopardize the facility license. Mr. Braider said that it would, and added that all law enforcement calls are reported to the state licensing body.

Mr. Mangus stated that in order to address the Council's concerns, the Committee should expand their answer to question #14. Mr. Teinert stated that he feels that an appropriate "buffer" exists between the patients and the community, in the case of any adverse effects.

14. How would the potential loss in value or hardship imposed on the Applicant compare to the relative gain to the public health, safety and welfare, if there is a change from the current use to the requested use?

STAFF *Staff perceives no detriment to the public health, safety and welfare created by the minor change in use.*

PLANNING *Concur.*

COUNCIL

Having considered the evidence at the hearing and the factors to evaluate the application, Gary Israel made a motion that the Planning Commission resubmit their recommendation that case Z-SU23-0006 be approved based on findings 10, 12, and 14, on the condition that Mr. Frank Braider be present at the meeting of the Governing Body when this case is heard. Motion seconded by Peter Fox. Motion carried 5/0.

Note: The recording of this meeting is available [HERE](#), on the AndoverKSCity YouTube channel. Agenda item 5.6 is discussed starting at the 57:00 mark.

Gary Israel made a motion to recess the Planning Commission and convene the Board of Zoning Appeals. Motion seconded by David Foley. Motion carried 5/0.

5.7 BZA-V23-0014 – PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE OF 11 FEET FROM THE 35 FOOT MINIMUM FRONT YARD SETBACK; AND A VARIANCE OF 1148 SF. FROM THE 2152 SF. MAXIMUM LOT COVERAGE ON THE PROPERTY GENERALLY LOCATED AT 115 W. ALLISON STREET, ANDOVER, KANSAS

Mr. Mangus reminded the Committee that at their last meeting on January 16th, 2024, this agenda item was tabled pending the attendance of the applicant. The applicant was absent from this meeting. Chairperson Garwood stated that he feels that nothing has changed on this item.

Gary Israel made a motion to table case BZA-V23-0014 until the applicant can be present at the meeting. Motion seconded by David Foley. Motion carried 5/0.

Gary Israel made a motion to adjourn the Board of Zoning Appeals and reconvene the Planning Commission. Motion seconded by Clint Teinert. Motion carried 5/0.

6. MEMBER ITEMS

Mr. Israel wished to express his appreciation to Staff, without whom these meetings would not go as smoothly.

7. ADJOURN

Peter Fox made a motion to adjourn the meeting. Motion seconded by David Foley. Motion carried 5/0.

Meeting adjourned at 8:45 P.M.