



PLANNING AND ZONING BOARD MEETING AGENDA

Wednesday, October 25, 2023
7:00 PM

THE PLANNING AND ZONING BOARD SHALL HOLD ITS REGULAR MEETING IN THE COUNCIL CHAMBER IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN AVE., BEGINNING AT 7:00 P.M. (MEETING WILL ALSO BE BROADCASTED ON CITY'S YOUTUBE CHANNEL AND/OR COX PUBLIC ACCESS CHANNEL 7)

A. CALL TO ORDER THE PLANNING AND ZONING BOARD

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

<input type="checkbox"/> Gary Janzen	<input type="checkbox"/> Brian Shelton	<input type="checkbox"/> Scot Phillips
<input type="checkbox"/> Paul Spranger	<input type="checkbox"/> Rick Shellenbarger	<input type="checkbox"/> Dalton Wilson
<input type="checkbox"/> Steve Conway		

D. SET/AMEND AGENDA

Motion made by (______). Seconded by (______). For ____ Against ____

E. APPROVAL OF DRAFT MINUTES

September 26, 2023 DRAFT meeting minutes

Motion made by (______). Seconded by (______). For ____ Against ____

F. COMMUNICATIONS

G. PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD

1. Review of LS-2023-04, application of the Daniel Houston, pursuant to City Code 16.09., who is petitioning for a lot split involving the splitting of property the applicant owns and is currently addressed as 5219 W. 77th St. N., Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME _____
- Chairperson closes public hearing: TIME _____

RECOMMENDED MOTION: Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, I _____ make a motion to (approve, deny, or table) LS-2023-04. Seconded by _____ . For ____ Against ____

2. Review of SD-2023-01, application of Lou Robelli, pursuant to City Code 16.04, who is petitioning for approval of a final plat for land located southeast of the intersection of 93rd Street and Meridian Avenue (currently unaddressed), Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME _____
- Chairperson closes public hearing: TIME _____

RECOMMENDED MOTION: Based on the City staff recommendations, public comments, and discussion by the Planning and Zoning Board, I _____ make a motion to (**approve**, **deny**, or **table**) SD-2023-01. Seconded by _____ . For _____ Against _____

3. Review of RZ-2023-05, application of Lou Robelli, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned RR-1, which is the City's designation for a suburban residential district, to R-2, which is the City's designations for a two-family residential district and C-2, which is the City's designation for a general business district. The property is currently unaddressed, but located southeast of the intersection of Meridian Avenue and 93rd Street, Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME _____
- Chairperson closes public hearing: TIME _____

RECOMMENDED MOTION: Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, I _____ make a motion to (**approve**, **deny**, or **table**) RZ-2023-05. Seconded by _____ . For _____ Against _____

4. Review of RZ-2023-06, application of David Leeker, Leeker Real Estate Partnership, LP, and Steven and Sherryl Simon, pursuant to City Code 17.11, who are petitioning for a rezoning of land that is currently zoned RR-1, which is the City's designation for a suburban residential district, to A-1, which is the City's designations for an agricultural district. The property is currently unaddressed, but located southeast of the intersection of Ridge Road and 85th Street (in between 85th St. and 77th St.), Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME _____
- Chairperson closes public hearing: TIME _____

RECOMMENDED MOTION: Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, I _____ make a motion to (**approve**, **deny**, or **table**) RZ-2023-06. Seconded by _____ . For _____ Against _____

H. OLD/UNFINISHED BUSINESS

I. NEW BUSINESS

J. STAFF REPORTS

K. ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

<input type="checkbox"/> Gary Janzen	<input type="checkbox"/> Brian Shelton	<input type="checkbox"/> Scot Phillips
<input type="checkbox"/> Paul Spranger	<input type="checkbox"/> Rick Shellenbarger	<input type="checkbox"/> Dalton Wilson
<input type="checkbox"/> Steve Conway		

L. ADJOURNMENT OF THE PLANNING AND ZONING BOARD

Motion made by _____ . Seconded by _____ . For _____ Against _____

Note to Planning and Zoning Board Members: If you are unable to attend this meeting, please contact Ryan Shrack (316-755-7320) prior to the meeting.

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice. At anytime during the regular Planning and Zoning Board meeting, the Planning and Zoning Board may meet in executive session for consultation concerning cases to be deliberated. This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the Community Development Department in a timely manner, at communitydevelopment@valleycenterks.org or by phone at (316)755-7320. For additional information on any item on the agenda, please visit www.valleycenterks.org or call (316) 755-7320.



STORMWATER CITIZENS ADVISORY COMMITTEE MEETING AGENDA

Wednesday, October 25, 2023

7:00 PM (immediately following the Planning and Zoning Board Meeting)

THE STORMWATER CITIZENS ADVISORY COMMITTEE SHALL HOLD ITS REGULAR MEETING IN THE COUNCIL CHAMBER IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN AVE., BEGINNING AT 7:00 P.M. (MEETING WILL ALSO BE BROADCASTED ON CITY'S YOUTUBE CHANNEL AND/OR COX PUBLIC ACCESS CHANNEL 7)

A. CALL TO ORDER THE STORMWATER CITIZENS ADVISORY COMMITTEE MEETING

B. ROLL CALL

<input type="checkbox"/> Gary Janzen	<input type="checkbox"/> Brian Shelton	<input type="checkbox"/> Scot Phillips
<input type="checkbox"/> Paul Spranger	<input type="checkbox"/> Rick Shellenbarger	<input type="checkbox"/> Dalton Wilson
<input type="checkbox"/> Steve Conway		

C. SET/AMEND AGENDA

Motion made by (______). Seconded by (______). For ___ Against ___

D. APPROVAL OF DRAFT MINUTES

September 26, 2023 DRAFT meeting minutes

Motion made by (______). Seconded by (______). For ___ Against ___

E. COMMUNICATIONS

F. OLD/UNFINISHED BUSINESS

1. Response to On-Site Structural BMP Question
2. Response to Public Education and Outreach

G. NEW BUSINESS

1. General Discussion
2. Next Meeting Date

H. ADJOURNMENT OF THE STORMWATER CITIZENS ADVISORY COMMITTEE MEETING

Motion made by _____. Seconded by _____. For ___ Against ___

Note to Stormwater Citizens Advisory Committee Members: If you are unable to attend this meeting, please contact Rodney Eggleston (316-755-7320) by 4:00 PM on the previous day of the meeting.

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice. This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to

attend the meeting should contact the Public Works Dept. in a timely manner, at reggleston@valleycenterks.org or by phone at (316) 755-7320. For Additional information on any item on the agenda, please visit www.valleycenterks.org or call (316) 755-7320.

PLANNING AND ZONING BOARD MEETING MINUTES
CITY OF VALLEY CENTER, KANSAS

Tuesday, September 26, 2023, 7:00 P.M.

CALL TO ORDER: Chairperson Janzen called the meeting to order at 7:01 P.M. with the following board members present: Steve Conway, Rick Shellenbarger, Scot Phillips, and Dalton Wilson

Members Absent: Brian Shelton and Paul Spranger

City Staff Present: Ryan Shrack, Brittney Ortega, Rodney Eggleston, and Brent Clark

Audience: Steve Brown, Terry Foster, and Jake Vasa

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

APPROVAL OF DRAFT MINUTES: Chairperson Janzen made a motion to approve the August 22, 2023, meeting minutes. The motion was seconded by Board Member Wilson. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD:

1. Review of SD-2023-01, application of Lou Robelli, pursuant to City Code 16.04, who is petitioning for approval of a preliminary plat for land located southeast of the intersection of 93rd Street and Meridian Avenue (currently unaddressed), Valley Center, KS 67147.

R. Shrack gave a summary of his staff report. The applicant is working with a developer on the creation of a mixed-use subdivision (called Harvest Place) that will include new commercial land, as well as land that will be used to build single-family houses and duplexes. The new aquatic and recreation complex property is included in this platted area. Mr. Shrack reviewed the proposed street names, which were suggested by students from the school district. When the final plat is submitted, a rezoning application will also be submitted to change the zoning of this land to commercial and residential. City staff recommended approval of the preliminary plat contingent on the completion/approval by the City Staff Review Team of a traffic impact study for the intersection of 93rd St. and Sunflower Dr. and the City Staff Review Team granting final approval to the drainage report and reviewing the final plat at the October 25, 2023 board meeting. Mr. Vasa discussed proposed drainage and the proposed ponds to be built throughout the subdivision.

Chairperson Janzen opened the hearing for comments from the public: 7:07 PM

Chairperson Janzen closed the hearing for comments from the public: 7:32 PM

Steve Brown, who lives on Hedgeapple Circle, asked questions about adjacent lighting and streetlights, proposed on-site water storage, and general infrastructure improvements and public safety. All of his questions were addressed by either Mr. Vasa or City staff. Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SD-2023-01. Motion was seconded by Board Member Shellenbarger. The vote was unanimous.

OLD OR UNFINISHED BUSINESS: None

NEW BUSINESS: None

STAFF REPORTS: R. Shrack reminded the board that the next meeting will be held on Wednesday, October 25, 2023.

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

Gary Janzen-none
Paul Spranger-absent
Brian Shelton-absent
Rick Shellenbarger-none
Scot Phillips-none
Steve Conway-none
Dalton Wilson-none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD MEETING: At 7:33 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Board Member Wilson. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

/s/ Ryan Shrack, Secretary

Gary Janzen, Chairperson

STORMWATER CITIZENS ADVISORY COMMITTEE MEETING MINUTES
CITY OF VALLEY CENTER, KANSAS

Tuesday, September 26, 2023, 7:00 P.M.

CALL TO ORDER: Chairperson Janzen called the meeting to order at 7:33 P.M. with the following committee members present: Steve Conway, Rick Shellenbarger, Scot Phillips, and Dalton Wilson

Members Absent: Brian Shelton and Paul Spranger

City Staff Present: Ryan Shrack, Brittney Ortega, Rodney Eggleston, and Brent Clark

Audience: Jake Vasa

AGENDA: A motion was made by Chairperson Janzen and seconded by Committee Member Shellenbarger to set the agenda. Motion passed unanimously.

COMMUNICATIONS: None

OLD/UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Introductions

Rodney Eggleston introduced himself to the committee and thanked everyone for their willingness to serve on this new committee of the City. The committee is part of the City's NPDES permit and gives points as part of the City's Stormwater Management Plan. The City must maintain a certain number of points to remain in good standing with their NPDES' regulatory control measures. The committee is required to meet at least two times each year. The committee can provide input regarding the City's Stormwater Management Plan.

2. Review of City's Stormwater Management Plan

Mr. Eggleston has previously emailed the plan to all committee members and addressed a couple of questions regarding the current state of stormwater management in Valley Center. Mr. Eggleston also shared the City's new GIS map showing the existing stormwater infrastructure in the community.

3. Next Meeting Date

The committee will hold its next meeting on Wednesday, October 25, 2023 immediately following the adjournment of the Planning and Zoning Board meeting held at City Hall.

ADJOURNMENT OF THE STORMWATER CITIZENS ADVISORY COMMITTEE

MEETING: At 7:56 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Board Member Wilson. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

/s/ Ryan Shrack, Secretary

Gary Janzen, Chairperson



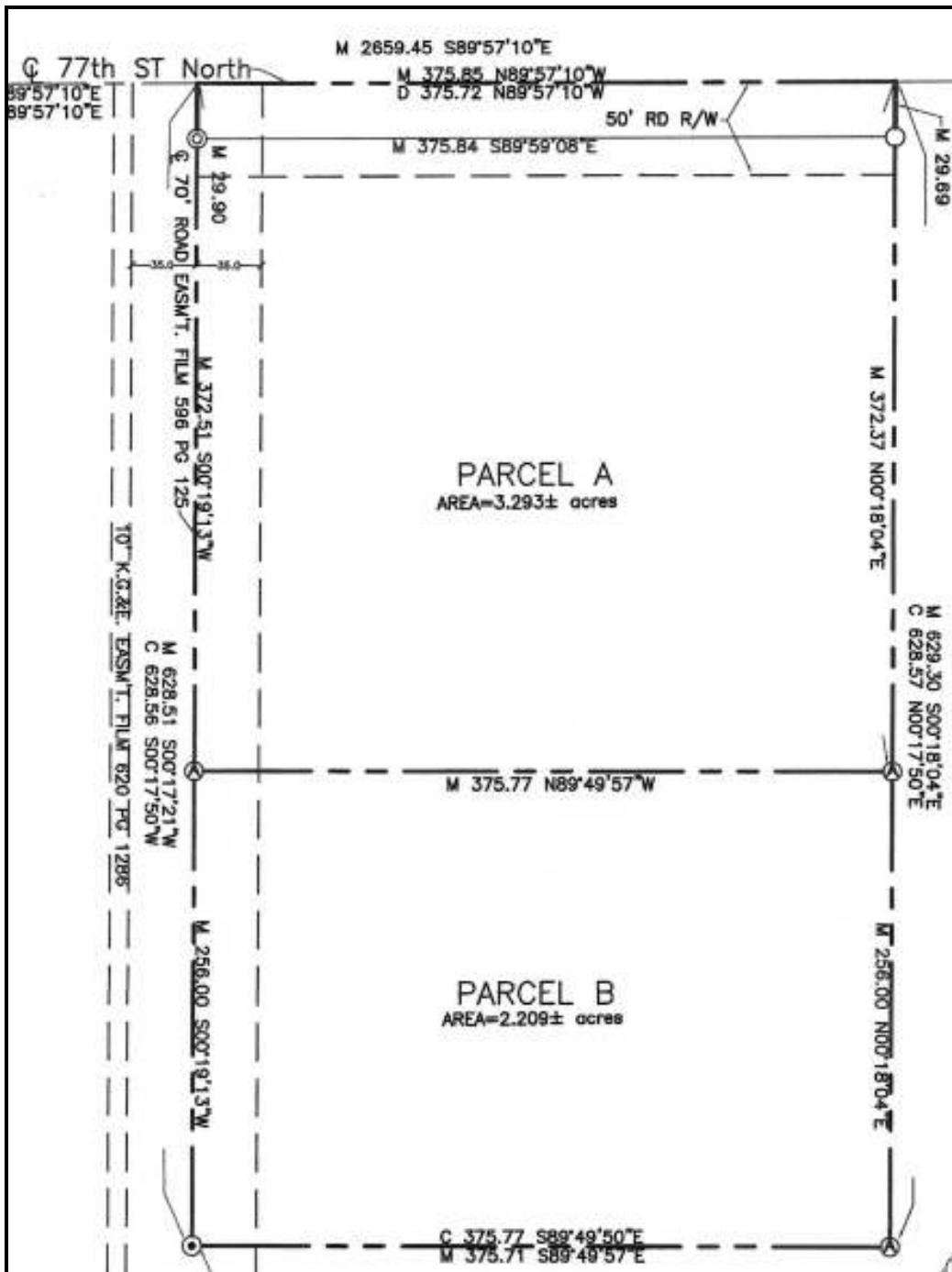
Date: October 19, 2023

To: City of Valley Center Planning and Zoning Board

From: Ryan W. Shrack, *Community Development Director*

RE: Lot Split Application (LS-2023-04)

Petition: Daniel Houston, is petitioning for a lot split to divide the parcel of land located at 5219 W. 77th St. N., Valley Center, KS 67147, into two lots as shown in the image below:



Existing Lot (outlined in black):



Staff Review Comments:

Currently, the lot in question consists of one residentially zoned property. All existing buildings will remain on the same lot (designated on the lot split as Parcel A). The land is zoned RR-1 (Suburban Residential District). The applicant's completed lot split survey documents are attached to the end of this staff report. Parcel A will be owned by the applicant and Parcel B will be sold to someone else who intends to build a single-family house on this lot. As noted in the attached lot split documents, there is an existing 70' ingress/egress easement that will provide access to a publicly dedicated street for Parcel B.

A public notice was sent out to all adjacent property owners and a public notice was published in *The Ark Valley News*. To date, no responses have been received regarding the proposed lot split. Any responses received after this report's creation will be shared with the board during the October 25, 2023 meeting.

City staff recommends approval of this lot split application.

Lot Split Survey Documents



Armstrong Land Survey, P.A.

P.O. Box 161039
WICHITA, KS 67211

Ph. (316)263-0082
info@armstrongsurvey.com

LOT SPLIT FOR DANIEL HOUSTON

State of Kansas)
County of Sedgwick) SS

I, Donald C. Armstrong, registered and authorized to practice Land Surveying in said state and county do hereby certify that I prepared the following descriptions to split a parcel from an existing parcel:

PARCEL A: The North half of a tract described as COMMENCING at the Northwest of the Northwest Quarter (NW1/4) of Section 2, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; THENCE S89°57'10"E along the North line of said NW1/4, a distance of 1149.18 feet for a place of BEGINNING; THENCE S00°17'50"W being parallel with the East line of said NW1/4, a distance of 1257.12 feet to a point 1275.71 feet North of the South line of said NW1/4; THENCE S89°42'30"E, being parallel with the South line of said NW1/4, a distance of 375.72 feet; THENCE N00°17'50"E, a distance of 1258.73 feet to the North line of said NW1/4; THENCE N89°57'10"W, a distance of 375.72 feet to the point of BEGINNING, EXCEPT the South 256 feet thereof, containing 3.293 acres more or less and subject to easements of record.

PARCEL B: The South 256 feet of the North half of a tract described as COMMENCING at the Northwest of the Northwest Quarter (NW1/4) of Section 2, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, THENCE S89°57'10"E along the North line of said NW1/4, a distance of 1149.18 feet for a place of BEGINNING; THENCE S00°17'50"W being parallel with the East line of said NW1/4, a distance of 1275.12 feet to a point 1257.71 feet North of the South line of said NW1/4; THENCE S89°42'30"E, being parallel with the South line of said NW1/4, a distance of 375.72 feet; THENCE N00°17'50"E, a distance of 1258.73 feet to the North line of said NW1/4; THENCE N89°57'10"W, a distance of 375.72 feet to the point of BEGINNING, containing 2.209 acres more or less and subject to easements of record.

The accompanying sketch is a true and correct exhibit of said survey.

Date of survey: September 20, 2023

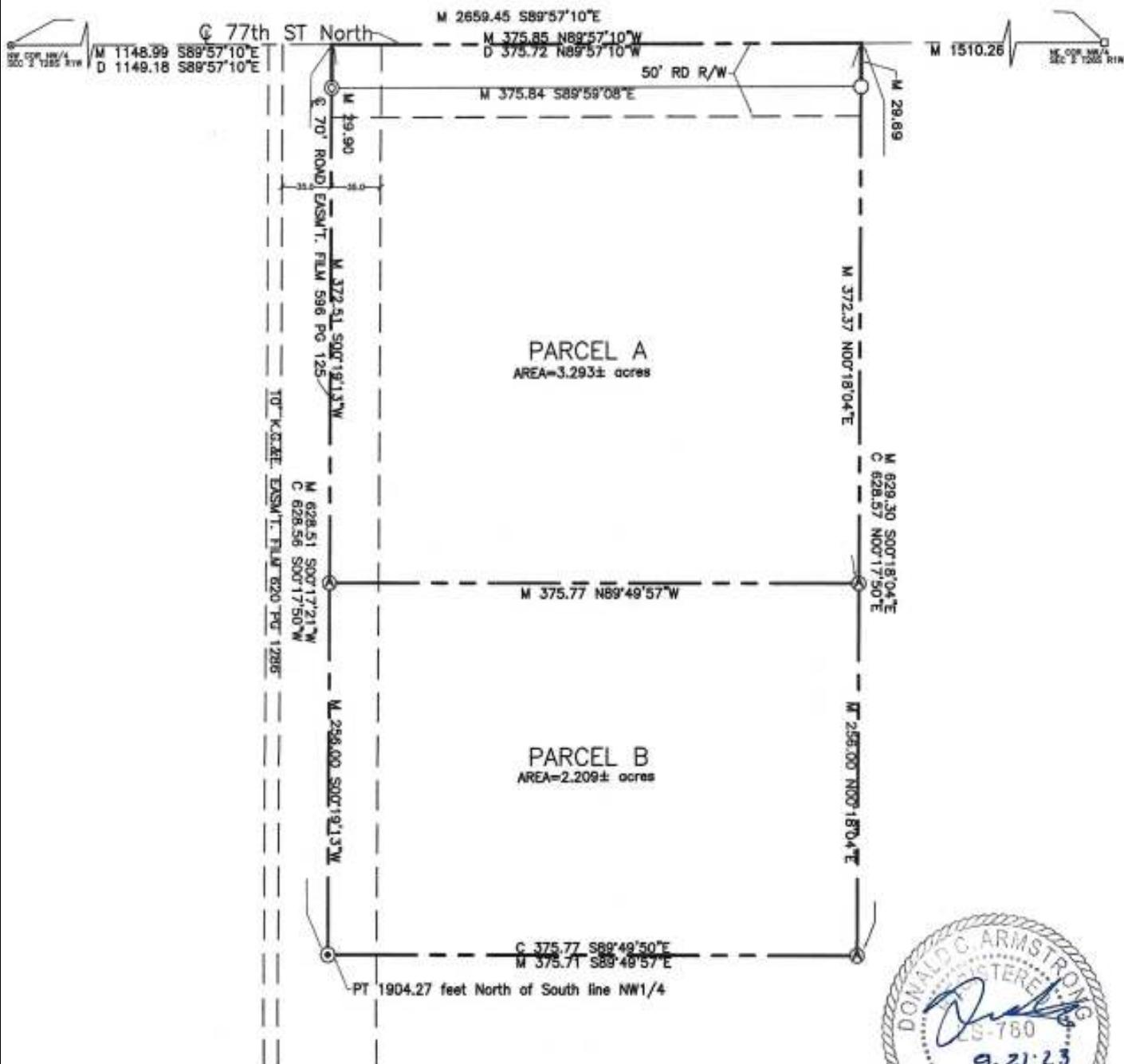


Reviewed in accordance of K.S.A. 58-2005 on this
22nd day of September, 2023




Tricia L. Robello, PS#1246
Deputy County Surveyor
Sedgwick County, Kansas

LOT SPLIT
FOR DANIEL HOUSTON



- Ⓐ - "Armstrong" capped rebar set
- Ⓑ - 1" iron pipe found
- Ⓒ - 1/2" iron pipe found
- Ⓓ - 3/4" iron pipe found
- Ⓔ - square rebar found
- M - measured distance
- D - dead distance
- C - calculated distance

SCALE 1"=100'

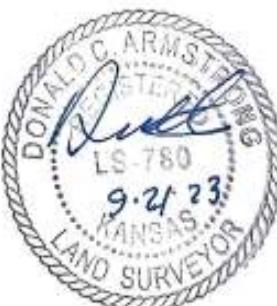
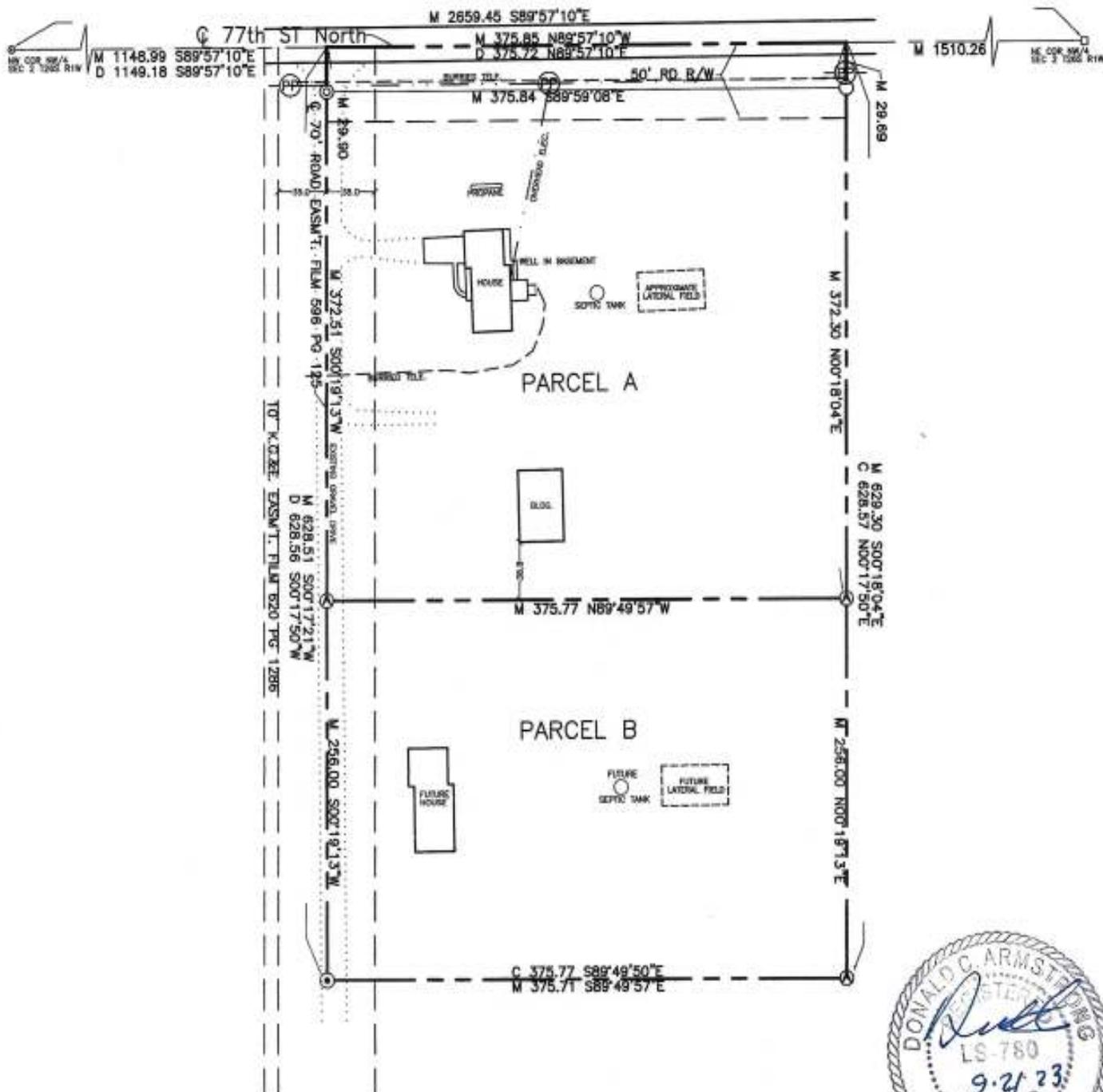


ARMSTRONG
LAND SURVEY, P.A.

W.O. #42552
PAGE 2 OF 2

**ARMSTRONG
LAND SURVEY, P.A.**

SITE PLAN



W.O. #42552
PAGE 1 OF 1

SCALE 1"=100'



ARMSTRONG
LAND SURVEY, P.A.

P.O. Box 161039
WICHITA, KS 67216
PH. (316) 263-0082
info@armstrongsurvey.com



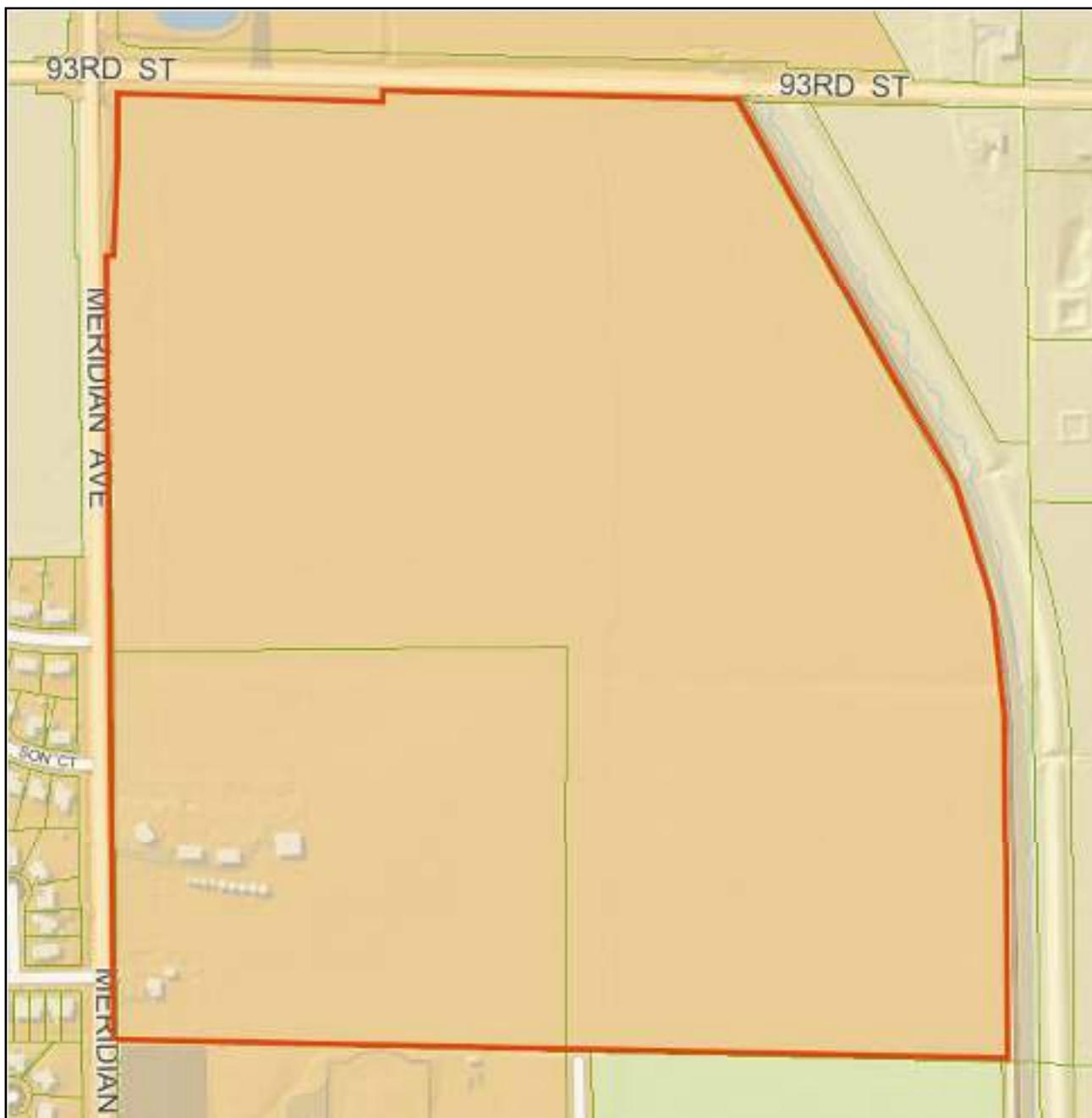
Date: October 19, 2023

To: City of Valley Center Planning and Zoning Board

From: Ryan W. Shrack, *Community Development Director*

Final Plat Approval for Harvest Place Subdivision Plat (SD-2023-01)

Lou Robelli, pursuant to Section 16.04., is petitioning the City of Valley Center Planning and Zoning Board to approve a final plat for the land (outlined in red below) currently not addressed, but located southeast of the intersection of 93rd Street and Meridian Avenue, Valley Center, KS 67147.



Applicant's Reasons for Platting:

The current property owner is working with a developer to transform this area into a mixed-use neighborhood with new single-family and duplex housing, along with commercial lots along Meridian Avenue. The City-owned parcel on which the new recreation and aquatic center is being built is included in this proposed subdivision. The City-owned land will be divided through this platting process into multiple lots.

Staff Comments:

The final plat has been reviewed by the City Staff Review Team, which has provided multiple comments/revisions that have been incorporated into the final plat documents, which are included as a separate attachment with this staff report. A traffic impact study was completed for the intersection area of Sunflower Dr. and 93rd Street, which is being reviewed for approval by the City Staff Review Team at this time. The final plat meets all the requirements listed in the required contents section (16.05.02) for final plats submitted to the City of Valley Center for approval. Once the final plat is approved by the Planning and Zoning Board, it will go to City Council for final approval (tentatively) at the November 7, 2023 meeting. After this approval is granted, the final plat documents will be signed and filed with the Sedgwick County Register of Deeds Office. This property is currently zoned RR-1 (Suburban Residential District), so a rezoning application will be reviewed immediately following the review/approval of this final plat application to change the zoning of this property from RR-1 to R-2 (Two-Family Residential District) and C-2 (General Business District) in the respective development areas. As currently shown, this plat will create a total of 209 new parcels, along with fifteen designated reserve areas.

A public notice was published in *The Ark Valley News*, along with letters sent to all property owners within 200 feet of the boundary of the proposed final plat for properties inside the incorporated boundary of Valley Center and 1,000 feet for property in the unincorporated area surrounding the land included in the proposed final plat. As of the date of this report, there have been no responses regarding this application and no one has submitted any protest against this proposed final plat.

Staff Recommendation:

City staff will provide a final recommendation at the Oct. 25, 2023 meeting due to items still being reviewed by the City Staff Review Team at the time of this report's publication.

FINAL PLAT HARVEST PLACE

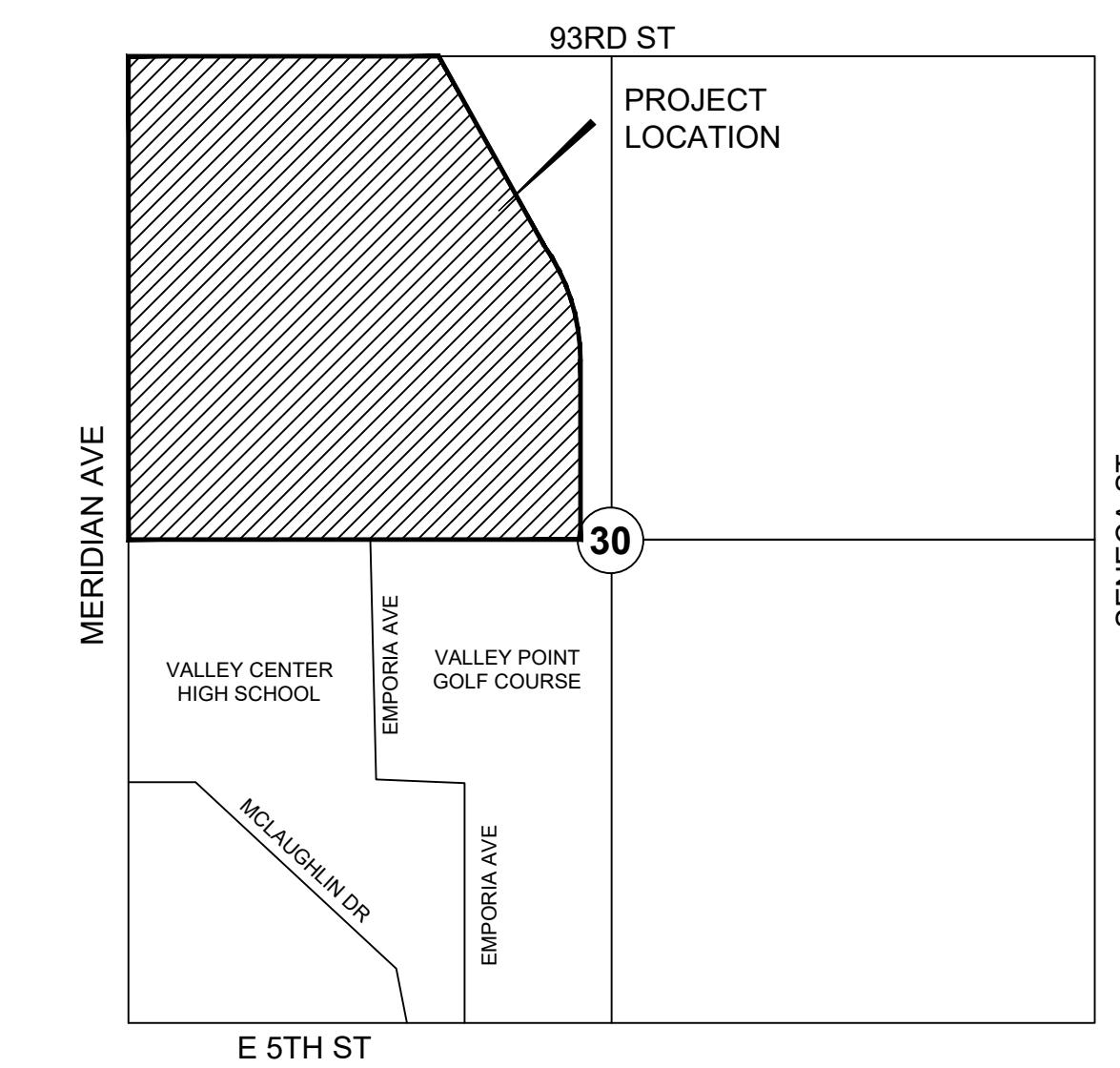
AN ADDITION TO THE CITY OF VALLEY CENTER,
SEDGWICK COUNTY, KANSAS

NW 1/4, SEC. 30-T25S-R1E

NOTES:

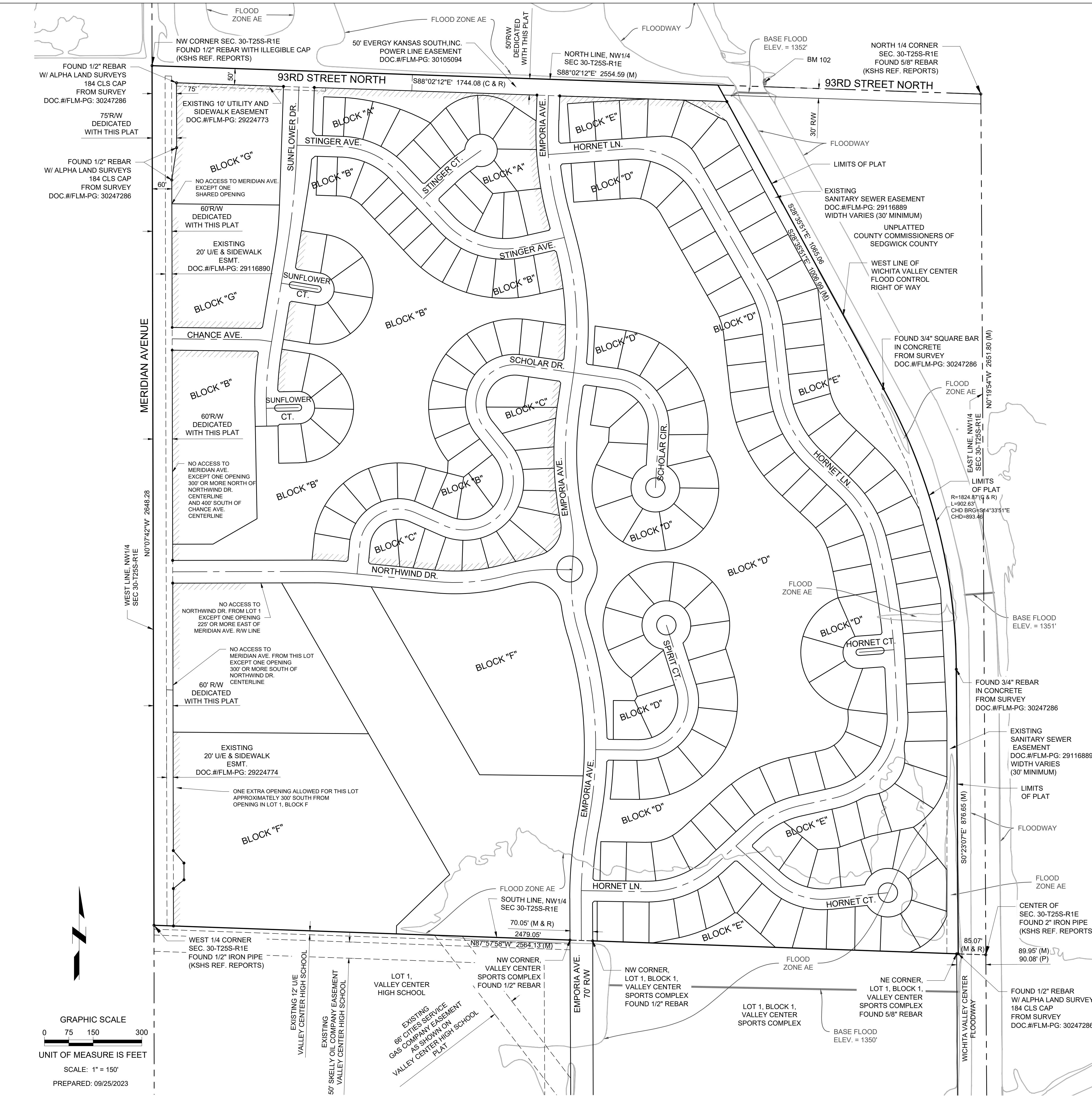
- PARTS OF BLOCK "D", "E" AND "F" ARE LOCATED WITHIN A DESIGNATED "SPECIAL FLOOD HAZARD AREA", ZONE AE (SUBJECT TO 1% ANNUAL CHANCE OF FLOODING WITH BASE FLOOD ELEVATIONS DETERMINED), PER FEMA MAP NUMBER 20173C0201G, LAST REVISED DECEMBER 22, 2016.
- BLOCKS "A", "C", "D" AND "E" ARE ZONED R-2. BLOCKS "F" AND "G" ARE ZONED C-2. ALL OF BLOCK "B" IS ZONED R-2 WITH THE EXCEPTION OF LOT 46 WHICH IS ZONED C-2.
- BUILDING SETBACKS:**
 - ZONE R-2:
 - FRONT YARD SETBACK = 25'
 - FRONT YARD SETBACK (SECONDARY - FOR CORNER LOTS) = 20'
 - SIDE YARD SETBACK = 6'
 - REAR YARD SETBACK = 20'
 - ZONE C-2:
 - FRONT YARD SETBACK = 35'
 - SIDE YARD SETBACK = 5'
 - REAR YARD SETBACK = 10'
- BUILDING SETBACK FROM GAS LINE = 50'
- RESERVED LOTS ARE TO BE USED FOR RECREATION AND LANDSCAPE PURPOSES AND DEDICATED AS UTILITY, DRAINAGE AND ACCESS EASEMENTS. RESERVE LOTS SHALL HAVE NO ACCESS OPENINGS ON TO PUBLIC STREETS OTHER THAN FOR PEDESTRIAN OR MAINTENANCE ACCESS. SEE OWNER DEDICATION STATEMENT FOR DETAILS.
- PIPELINE BLANKET EASEMENTS FOR EXISTING AND ABANDONED PIPELINES RECORDED IN BOOK G / PAGE 140, BOOK 100 / PAGE 590, BOOK 126 / PAGE 466 AND BOOK 270 / PAGE 199 WILL BE CONFINED/RELEASED BY SEPARATE INSTRUMENT.
- BASIS OF BEARINGS: KANSAS REGIONAL COORDINATE SYSTEM (KRCS) - ZONE 17 - WICHITA.
- ELEVATIONS SHOWN ON THIS PLAT ARE BASED ON NAVD 88.
PROJECT BENCHMARK:
BM 102 ELEVATION = 1356.87'
DISK IN TOP EAST END OF NORTH CONCRETE CURB RAIL ON 93RD STREET BRIDGE STAMPED "CITY OF WICHITA BENCHMARK" NEAR NORTHEAST CORNER OF PLATTED PROPERTY.
- PER AGREEMENT WITH THE CLIENT, THE LOTS WILL BE PINNED AFTER THE COMPLETION OF PUBLIC IMPROVEMENTS.
- MINIMUM FINISHED FLOOR ELEVATION FOR THIS SITE IS 1353.0' (NAVD 88)
- THIS SURVEY WAS COMPLETED IN THE FIELD ON OCTOBER 19, 2023.
- THE ORIGIN OF FOUND MONUMENT IS UNKNOWN, UNLESS OTHERWISE NOTED.

LOCATION MAP:



LEGEND:

○	MONUMENT FOUND AS NOTED
●	SET 5/8" x 24" REBAR WITH CAP "SOMMERS PS 1542"
▨	ACCESS CONTROL (NO ACCESS)
(M)	MEASURED DIMENSION
(R)	RECORD DIMENSION
R/W	RIGHT-OF-WAY
U/E	UTILITY EASEMENT
D/E	DRAINAGE EASEMENT
A/E	ACCESS EASEMENT
S/E	SANITARY SEWER EASEMENT



FINAL PLAT HARVEST PLACE

AN ADDITION TO THE CITY OF VALLEY CENTER,
SEDGWICK COUNTY, KANSAS
NW 1/4, SEC. 30-T25S-R1E



15750 DODGE ROAD
OMAHA, NE 68118
PH: (402) 513-8200

ATE: 10/19/2023 PLOT DATE: 10/19/2023
C: DV SEH PROJECT: 172050
BY: AK SHEET 2 OF 4

FINAL PLAT HARVEST PLACE

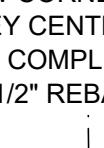
AN ADDITION TO THE CITY OF VALLEY CENTER,
SEDGWICK COUNTY, KANSAS
NW 1/4 SEC 30-T25S-R1E

ALLEY CENTER HIGH SCHOOL

EXISTING
66' CITIES SERVICE
GAS COMPANY EASEMENT
AS SHOWN ON
VALLEY CENTER HIGH SCHOOL
PLAT

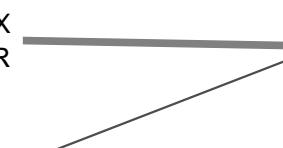
A diagram showing a dashed line with two arrows pointing towards each other from opposite ends. The line is labeled 'S' at the top right and 'F' at the bottom right.

NW CORNER,
ALLEY CENTER
PTS COMPLEX
D 1/2" REBAR



NW COR
LOT 1, BL
VALLEY C
SPORTS
FOUND 1

1,
ER
PLEX
EBAR



NE COR
LOT 1, BLO
VALLEY CEN
SPORTS COM
FOUND 5/8" RE

FOU
W/ ALPHA L

DOC.#/FLM

Architectural drawing of a concrete column with rebar and survey markers. The drawing shows a vertical column with a horizontal rebar at the bottom. A survey marker is indicated at the top of the column. The text '2" REBAR' is written vertically on the left side of the rebar. The text 'SURVEYS' is written vertically above the survey marker. The text 'CLS CAP' is written vertically below the survey marker. The text 'I SURVEY' is written vertically below 'CLS CAP'. The text '30247286' is written horizontally below 'I SURVEY'. The drawing includes a north arrow and a scale bar.

The logo for SEH, featuring a stylized graphic of three peaks above the letters "SEH".

15750 DODGE ROAD
OMAHA, NE 66118
PH: (402) 513-8200

GRAPHIC SCALE

0 40 80 160

UNIT OF MEASURE IS FEET

SCALE: 1" = 80'

FOUND 1/2" REBAR
W/ ALPHA LAND SURVEYS
184 CLS CAP
FROM SURVEY
DOC #/FLM-PG: 30247286

VEY DATE:	10/19/2023	PLOT DATE:	10/19/2023
WN BY:	DV	SEH PROJECT:	172050
CKED BY:	AK	SHEET	3 OF 4

FINAL PLAT HARVEST PLACE

AN ADDITION TO THE CITY OF VALLEY CENTER,
SEDGWICK COUNTY, KANSAS
NW 1/4, SEC. 30-T25S-R1E

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	211.14	1200.00	N4° 51' 36"E	210.87
C2	564.66	1200.00	N3° 34' 47"W	559.46
C3	183.08	500.00	N6° 34' 12"W	182.06
C4	124.72	500.00	N3° 13' 34"W	124.40
C5	339.08	1035.00	N0° 59' 13"W	337.56
C6	403.37	1000.00	N3° 09' 26"W	400.64
C7	291.07	1000.00	N6° 22' 29"W	290.04
C8	280.72	250.00	S6° 50' 45"E	266.20
C9	142.14	350.00	S18° 02' 36"E	141.16
C10	246.37	350.00	S26° 34' 29"E	241.31
C11	200.27	350.00	S30° 20' 53"E	197.55
C12	275.61	2000.00	S10° 00' 28"E	275.39
C13	115.20	2015.00	S4° 25' 20"E	115.19
C14	352.87	252.00	S37° 19' 52"W	324.74
C15	159.17	304.00	S62° 26' 50"W	157.36
C16	233.18	307.00	S69° 12' 24"W	227.61
C17	179.69	215.00	S72° 15' 23"E	174.50
C18	144.42	505.00	N82° 42' 27"E	143.93
C19	219.85	600.00	N85° 00' 43"E	218.62
C20	98.39	1000.00	S87° 18' 35"E	98.35
C21	226.84	120.00	S59° 39' 45"W	194.54
C22	399.08	150.00	S37° 35' 48"W	291.36
C23	286.53	120.00	S29° 46' 51"W	223.15
C24	258.30	248.00	S73° 01' 53"E	246.78
C25	47.85	350.00	N50° 43' 20"E	47.81
C26	195.66	250.00	S65° 36' 55"E	190.71
C27	305.70	2446.36	N5° 55' 59"E	305.50
C28	176.36	965.00	N4° 08' 28"E	176.12
C29	30.40	200.00	S84° 58' 37"E	30.37
C30	282.93	150.00	S36° 26' 21"W	242.81
C31	222.47	150.00	N39° 19' 37"W	202.63

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C101	301.25	1035.00	S6° 22' 29"E	300.19
C102	227.75	170.00	N86° 15' 40"E	211.10
C103	275.32	629.14	S73° 23' 07"E	273.13
C104	220.71	282.00	S65° 36' 55"E	215.12
C105	52.22	382.00	N50° 43' 20"E	52.18
C106	244.71	50.00	S35° 21' 42"E	64.00
C107	43.47	318.00	N50° 43' 20"E	43.44
C108	224.97	216.00	N73° 01' 53"W	214.94
C201	97.90	1035.00	S87° 25' 06"E	97.87
C202	287.33	152.00	N59° 39' 45"E	246.42
C203	313.94	118.00	N37° 35' 48"E	229.21
C204	362.93	152.00	N29° 46' 51"E	282.66
C205	332.06	965.00	S4° 03' 21"E	330.42
C206	291.63	280.00	S73° 01' 53"E	278.62
C207	170.62	218.00	S65° 36' 55"E	166.30
C208	70.63	1000.00	N7° 07' 54"E	70.62
C209	157.08	50.00	S9° 22' 37"W	100.00
C210	120.54	930.00	N5° 39' 49"E	120.46
C211	115.08	50.00	S1° 05' 40"E	100.00
C212	495.20	170.00	S5° 27' 21"W	337.78
C213	534.07	170.00	S9° 22' 37"W	340.00
C214	76.70	98.00	N65° 36' 55"W	74.76
C215	416.61	400.00	N73° 01' 53"W	398.03
C216	639.68	269.22	S29° 04' 39"W	499.48
C217	477.46	262.00	N57° 42' 56"E	414.08
C218	166.56	1000.00	N3° 40' 38"E	166.37
C219	4.64	165.00	S88° 31' 34"E	4.64
C301	166.35	88.00	N59° 39' 45"E	142.66
C302	484.22	182.00	N37° 35' 48"E	353.52
C303	210.12	88.00	N29° 46' 51"E	163.64
C304	364.78	1070.00	S1° 22' 05"E	363.01

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C305	131.02	90.00	S30° 34' 12"W	119.75
C306	87.82	965.00	N74° 52' 53"E	87.79
C307	30.32	600.00	S76° 02' 27"W	30.32
C308	206.25	565.00	S85° 03' 04"W	205.11
C401	247.03	220.00	S61° 50' 45"E	234.26
C402	129.14	318.00	S18° 02' 36"E	128.26
C403	268.89	382.00	S26° 34' 29"E	263.38
C404	181.96	318.00	S30° 20' 53"E	179.49
C405	275.85	1968.00	S9° 56' 25"E	275.62
C406	157.08	50.00	S4° 19' 55"E	100.00
C407	308.06	220.00	S37° 19' 52"W	283.50
C408	175.92	336.00	S62° 26' 50"W	173.92
C409	208.87	275.00	S69° 12' 24"W	203.89
C410	117.73	155.00	N69° 12' 24"E	114.92
C411	238.75	456.00	N62° 26' 50"E	236.03
C412	140.03	100.00	N37° 19' 52"E	128.87
C413	462.82	180.00	N4° 59' 29"W	345.46
C414	138.64	1848.00	N11° 48' 23"W	138.61
C415	113.30	198.00	S30° 20' 53"E	111.76
C416	502.00	202.00	S26° 34' 29"W	346.11
C417	80.41	198.00	S18° 02' 36"E	79.86
C418	110.04	98.00	N65° 36' 55"W	104.35
C419	447.91	302.00	N39° 19' 37"W	407.97
C420	806.80	195.00	N82° 54' 13"E	342.65
C421	175.01	118.00	S39° 19' 37"E	159.41
C422	405.12	75.00	S86° 50' 18"E	64.00
C423	269.93	182.00	N39° 19' 37"W	245.86
C424	876.62	195.00	S72° 24' 13"W	304.00
C425	569.63	302.00	N36° 26' 21"E	488.87
C426	120.37	1255.00	S4° 40' 58"W	120.32
C427	343.29	182.00	S36° 26' 21"W	294.61

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C428	405.12	75.00	N72° 24' 13"E	64.00
C429	222.57	118.00	N36° 26' 21"E	191.01
C430	166.52	1235.00	N6° 02' 17"E	166.39
C431	144.37	1165.00	N6° 21' 02"E	144.28
C432	341.60	1235.00	N9° 08' 09"W	340.51
C433	43.67	465.00	N14° 22' 09"W	43.66
C434	65.78	100.00	N7° 10' 01"E	64.60
C435	83.04	98.48	N1° 17' 48"W	80.60
C436	213.13	934.18	N13° 04' 43"W	212.67
C437	251.85	1000.00	N1° 11' 01"E	251.



Date: October 18, 2023

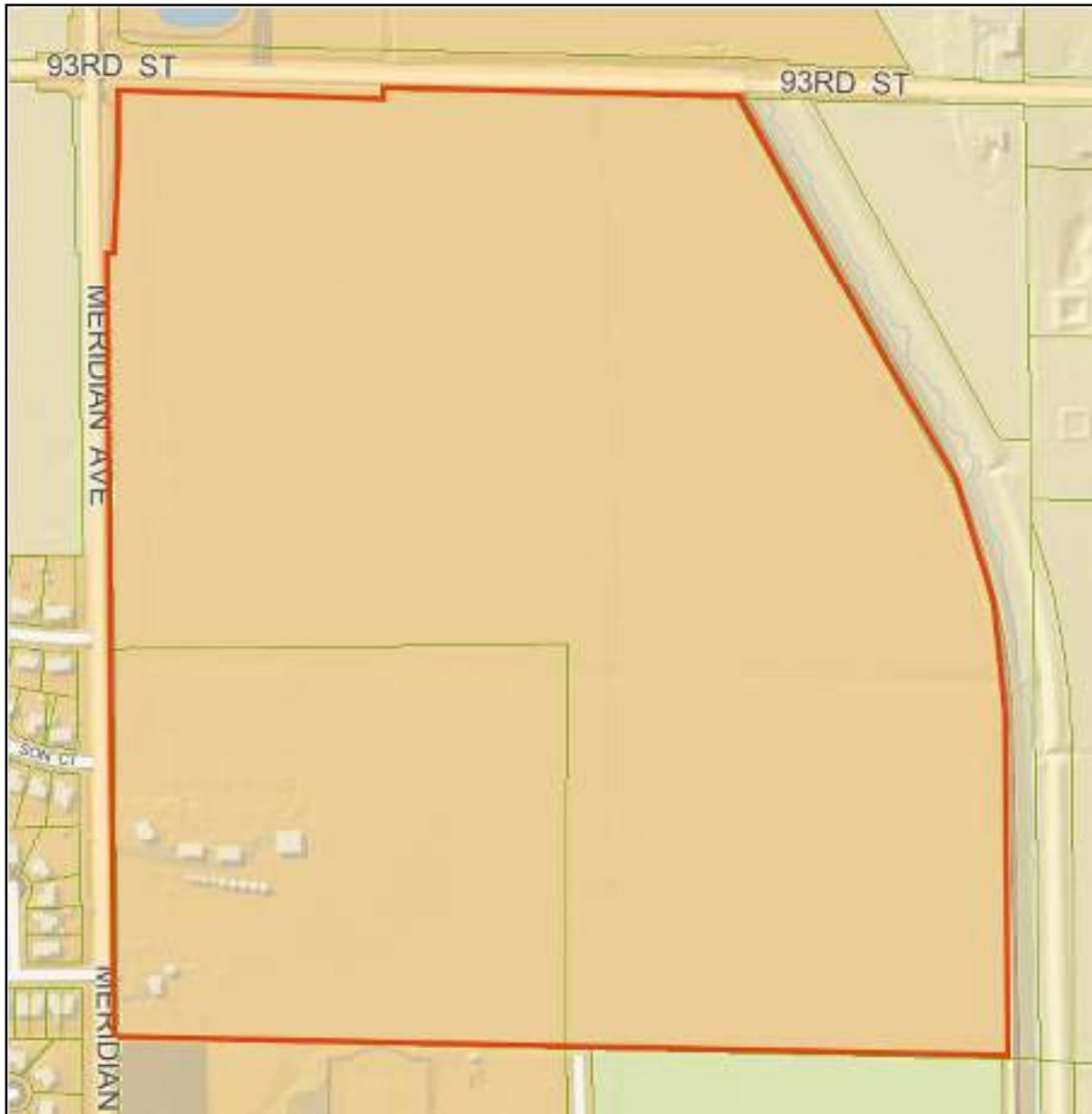
Present Zoning: RR-1 (Suburban Residential District)

Proposed Zoning: R-2 (Two-Family Residential District)/C-2 (General Business District)

Rezoning Application Case Number: RZ-2023-05

Applicant: Lou Robelli

Property Address: Currently unaddressed, but located southeast of the intersection of Meridian Avenue and 93rd St., Valley Center, KS 67147 (outlined in red below)



Applicants' Reasons for Rezoning: The applicant is requesting a rezoning from RR-1 to R-2/C-2 in conjunction with approval of the final plat for the subject property. Once the final plat and rezoning applications are approved, the applicant's developer will start developing the new subdivision, which will consist of new commercial buildings, single-family houses, and duplexes. Attached to this staff report is a map showing the proposed rezoning of the subject property. Currently, this property is vacant, except for the southwest area where the community's new aquatic and recreation center is currently being constructed.

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?*

The subject property is vacant, with the exception of the southwest area where the new aquatic and recreation center is being built. This property is located in a primarily residential area, with single-family and two-family houses located to the west of this property, the Valley Center High School is located north of this property, and the Valley Center Middle School and Valley Point Golf Course located south of this property.

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

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

- North: R-1B (Single-Family Residential District)
- South: R-1B (Single-Family Residential District)
- East: RR (Sedgwick Co. jurisdiction, Rural Residential District)
- West: R-1B (Single-Family Residential District)/R-2 (Two-Family Residential District)/RR (Sedgwick Co. jurisdiction, Rural Residential 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?*

The rezoning request is the direct result of the applicant's developer's plan to develop the subject property for new residential and commercial uses. Before development can start, the property needs to be zoned correctly to allow the proposed uses to take place.

- 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, public water and sanitary sewer are available directly adjacent to this property. Infrastructure plans will be created and approved by the City to bring new utility services, streets, etc. into the subdivision.

- 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?*

Yes, platting is being done concurrently with this rezoning request.

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

Any future construction to be built on the commercially-zoned parcels along Meridian Ave. and 93rd Street will be required to get a site plan review approved by the City Staff Review Team and Planning and Zoning Board. A screening plan may be required as part of the site plan dependent on the proposed commercial development.

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

There are other vacant parcels that are currently zoned RR-1, but do not have readily available access to public utilizes and/or are not being considered for development.

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

Yes, there is currently a shortage of available commercial lots ready for development in Valley Center and this rezoning application and platting will create five new commercial lots to attract new businesses to the community and generate new employment opportunities.

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

The subject property could be used for only single-family houses. The proposed residential and commercial development will allow for the construction of new commercial buildings, as well as duplexes.

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 rezoning request should not have a negative impact on the surrounding properties. There are existing single-family houses and a few duplexes to the west of this property and schools to the north and south of this area.

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?

Yes

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

- City staff support this rezoning. The standard public notice was published in *The Ark Valley News* and notices were sent out to surrounding property owners. Zero responses have been received as of this date.
- Other public comments in support or opposition will not be known until the public hearing.

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

No

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

No

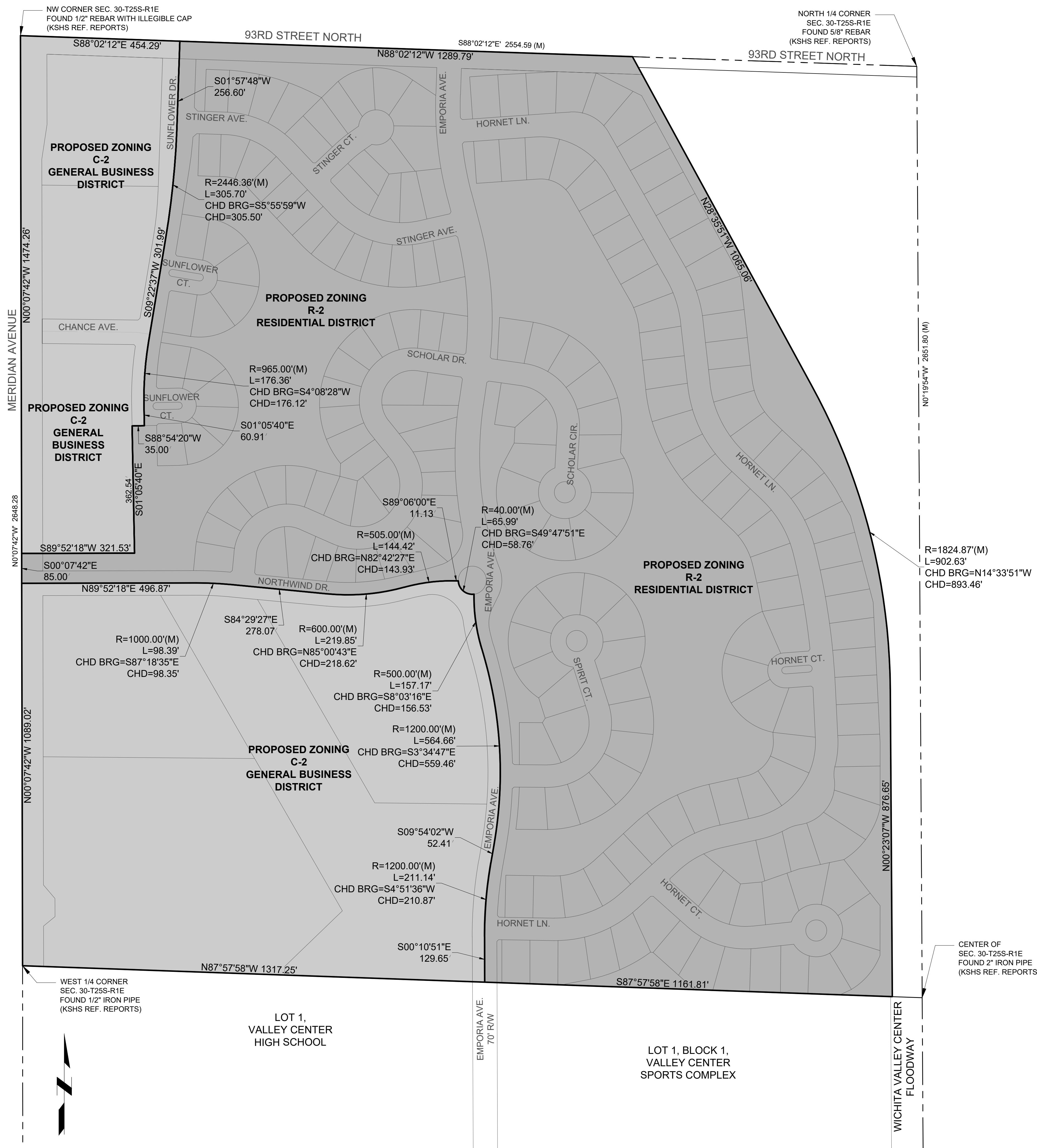
City staff recommends approval of this rezoning application.

REZONING EXHIBIT

CITY OF VALLEY CENTER

SEDGWICK COUNTY, KANSAS

PART OF THE NW 1/4, SEC. 30-T25S-R1E



PROPOSED C-2 ZONE DESCRIPTION

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4, 2023, AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE S88°02'12"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 454.29' FEET; THENCE SOUTH S01°57'48"W, A DISTANCE OF 256.60 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2446.36 FEET, AN ARC LENGTH OF 305.70 FEET, A CHORD BEARING OF S05°55'59"W AND A CHORD DISTANCE OF 305.50 FEET; THENCE S09°22'37"W, A DISTANCE OF 301.99 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 965.00 FEET, AN ARC LENGTH OF 176.36 FEET, A CHORD BEARING OF S04°08'28"W AND A CHORD DISTANCE OF 176.12 FEET; THENCE S01°05'40"E, A DISTANCE OF 60.91 FEET; THENCE S88°54'20"W, A DISTANCE OF 35.00 FEET; THENCE S01°05'40"E, A DISTANCE OF 362.54 FEET; THENCE S89°52'18"W, A DISTANCE OF 321.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE N00°07'42" W ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1474.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 564.502 SQUARE FEET OR 12.959 ACRES, MORE OR LESS

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4 2023, AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE S00°07'42" E ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1559.26 FEET TO THE POINT OF BEGINNING; THENCE N89°52'18"E, A DISTANCE OF 496.87 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 98.39 FEET, A CHORD BEARING OF S87°18'35"E AND A CHORD DISTANCE OF 98.35 FEET; THENCE S84°29'27"E, A DISTANCE OF 278.07 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 219.85 FEET, A CHORD BEARING OF N85°00'43"E AND A CHORD DISTANCE OF 218.62 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 505.00 FEET, AN ARC LENGTH OF 144.42 FEET, A CHORD BEARING OF N82°42'27"E AND A CHORD DISTANCE OF 143.93 FEET; THENCE S89°06'00"E, A DISTANCE OF 11.13 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 65.99 FEET, A CHORD BEARING OF S49°47'51"E AND A CHORD DISTANCE OF 58.76 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 157.17 FEET, A CHORD BEARING OF S08°03'16"E AND A CHORD DISTANCE OF 156.53 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 564.66 FEET, A CHORD BEARING OF S03°34'47"E AND A CHORD DISTANCE OF 559.46 FEET; THENCE S09°54'02"W, A DISTANCE OF 52.41 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 211.14 FEET, A CHORD BEARING OF S04°51'36"W AND A CHORD DISTANCE OF 210.87 FEET; THENCE S00°10'51"E, A DISTANCE OF 129.65 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE N87°57'58"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.25' TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE N00°07'42"W ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1089.02' FEET TO THE POINT OF BEGINNING.

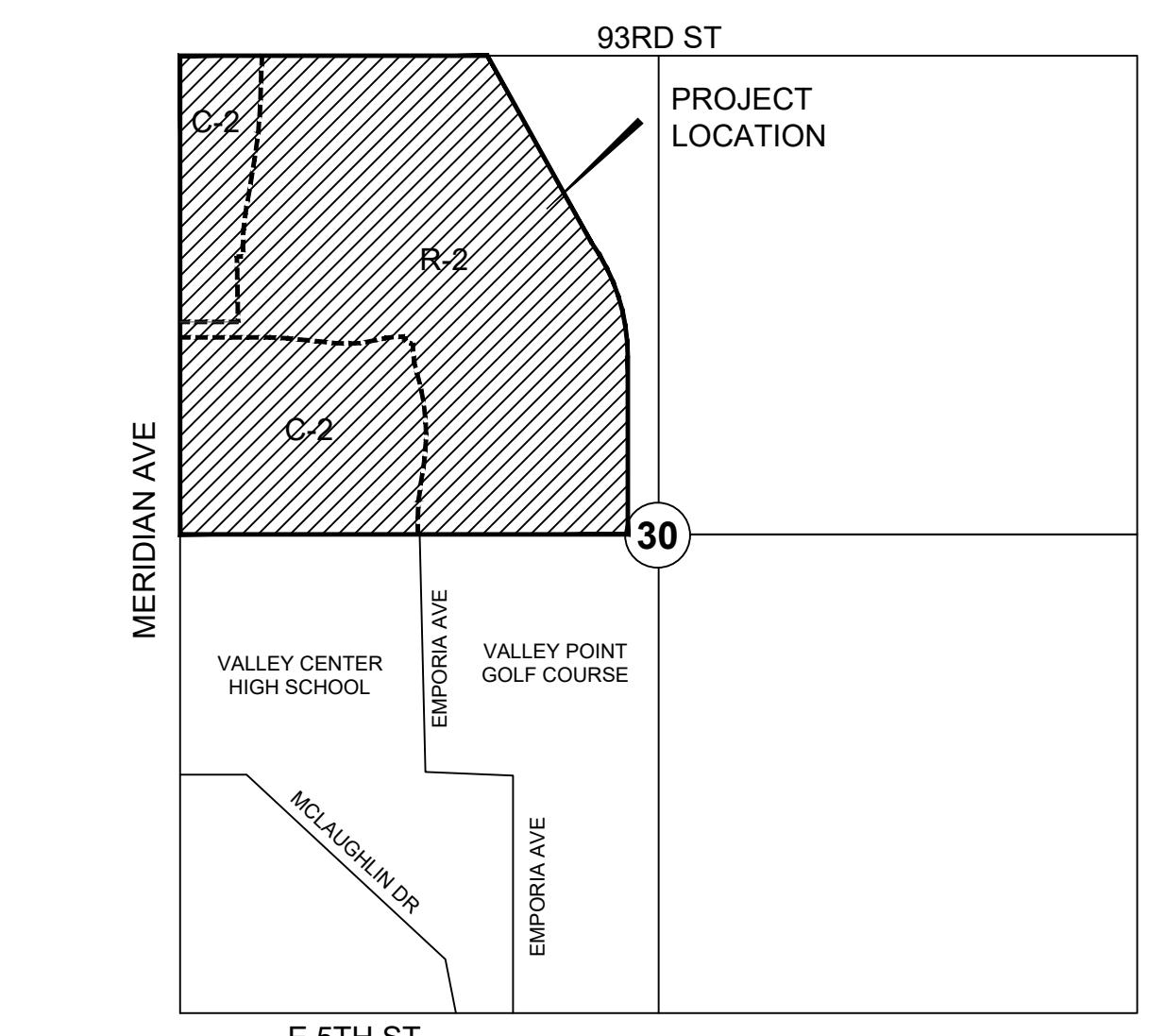
B.3 DESCRIPTION

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4, 2023, AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE S88°02'12"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 454.29' FEET TO THE POINT OF BEGINNING; THENCE SOUTH S01°57'48"W, A DISTANCE OF 256.60 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2446.36 FEET, AN ARC LENGTH OF 305.70 FEET, A CHORD BEARING OF S05°55'59"W AND A CHORD DISTANCE OF 305.50 FEET; THENCE S09°22'37"W, A DISTANCE OF 301.99 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 965.00 FEET, AN ARC LENGTH OF 176.36 FEET, A CHORD BEARING OF S04°08'28"W AND A CHORD DISTANCE OF 176.12 FEET; THENCE S01°05'40"E, A DISTANCE OF 60.91 FEET; THENCE S88°54'20"W, A DISTANCE OF 35.00 FEET; THENCE S01°05'40"E, A DISTANCE OF 362.54 FEET; THENCE S89°52'18"W, A DISTANCE OF 321.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE S00°07'42"E ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 85.00 FEET; THENCE N89°52'18"E, A DISTANCE OF 496.87 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 98.39 FEET, A CHORD BEARING OF S87°18'35"E AND A CHORD DISTANCE OF 98.35 FEET; THENCE S84°29'27"E, A DISTANCE OF 278.07 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 219.85 FEET, A CHORD BEARING OF N85°00'43"E AND A CHORD DISTANCE OF 218.62 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 505.00 FEET, AN ARC LENGTH OF 144.42 FEET, A CHORD BEARING OF N82°42'27"E AND A CHORD DISTANCE OF 143.93 FEET; THENCE S89°06'00"E, A DISTANCE OF 11.13 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 157.17 FEET, A CHORD BEARING OF S08°03'16"E AND A CHORD DISTANCE OF 156.53 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 564.66 FEET, A CHORD BEARING OF S03°34'47"E AND A CHORD DISTANCE OF 559.46 FEET; THENCE S09°54'02"W, A DISTANCE OF 52.41 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 211.14 FEET, A CHORD BEARING OF S04°51'36"W AND A CHORD DISTANCE OF 210.87 FEET; THENCE S00°10'51"E, A DISTANCE OF 129.65 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE S87°57'58"E ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1161.81 FEET TO THE WEST LINE OF THE WICHITA VALLEY CENTER FLOOD CONTROL RIGHT OF WAY; THENCE N00°23'07"W ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 876.65 FEET; THENCE CONTINUING ON SAID WEST RIGHT OF WAY LINE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1824.87 FEET, AN ARC LENGTH OF 902.63' FEET, A CHORD BEARING OF N14°33'51"W AND A CHORD DISTANCE OF 893.46 FEET; THENCE N28°35'51"W ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 1065.06 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE N88°02'12"W ON THE NORTH LINE OF SAID NORTHWEST QUARTER. A DISTANCE OF 1289.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,021,016 SQUARE FEET OR 92.330 ACRES, MORE OR LESS.

LOCATION MAP:



LEGEND:



Date: October 18, 2023

Present Zoning: RR-1 (Suburban Residential District)

Proposed Zoning: A-1 (Agricultural District)

Rezoning Application Case Number: RZ-2023-06

Applicant: David Leeker, Leeker Real Estate Partnership, LP, and Steven and Sherryl Simon

Property Address: Currently unaddressed, but located southeast of the intersection of Ridge Road and 85th St. (in between 85th St. and 77th St.), Valley Center, KS 67147 (outlined in red below)



Applicants' Reasons for Rezoning: The applicants are requesting a rezoning from RR-1 to A-1 in preparation for the submission of a special use application in the near future. If the rezoning is approved by the Planning and Zoning Board and City Council, the applicants will submit a special use application to allow for the construction of a mineral extraction (sand pit) operation on the subject property. Mineral extraction is classified as a special use on A-1 zoned property. The special use application is required to be approved by both the Planning and Zoning Board and City Council.

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?*

The subject property is currently used for agricultural purposes. This property is located in a primarily rural residential area, with single-family houses, farms, and agricultural fields. There are both paved and gravel roads in the surrounding area.

- 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 of the subject property is RR-1 (Suburban Residential District). The surrounding zoning and land uses are as follows:

- North: RR (Sedgwick Co. jurisdiction, Rural Residential District)
- South: RR (Sedgwick Co. jurisdiction, Rural Residential District)
- East: RR (Sedgwick Co. jurisdiction, Rural Residential District)
- West: RR (Sedgwick Co. jurisdiction, Rural Residential District)/GC (Sedgwick Co. jurisdiction, General Commercial 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?*

The rezoning request is the direct result of the applicants' plan to construct a mineral extraction operation on the subject property. Before this operation can start, the property needs to be zoned correctly to allow for a subsequent special use application to be submitted to the City for review/approval. Mineral extraction is an allowed special use activity on A-1 zoned property.

- 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?*

Currently, public water and sewer services are not available to the subject property. Street access does exist to the area. Public water and sewer services would not be required as part of the proposed mineral extraction operation. Again, should this rezoning be approved and a special use application submitted, the applicants will be required to submit a site plan showing how the subject property will be safely accessed during the mineral extraction operation period.

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?*

A screening plan will be required as part of the future special use application.

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

The extraction of minerals, including sand, must take place where the resources exist. The subject property has been identified as an area that contains available sand and could be extracted by professional excavating companies.

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

While the request is not to rezone this area to a commercial or industrial designation, the requested A-1 designation will allow for a special use application to be submitted which, if approved, will allow for the construction of a new sand pit. This new sand pit would provide a new source of this material that is needed in the local/regional construction industry and, possibly, provide new employment opportunities to the surrounding area.

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

In its current zoning of RR-1, the subject property has the following permitted uses:

- Single-family detached dwellings, modular, and residential-design manufactured homes and group homes as defined in Section 17.02.09
- Religious Institution (see Section 17.02.09 for definition)
- Golf courses, including accessory clubhouses, but not driving ranges and miniature golf courses operated for commercial purposes
- Existing Airports

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 rezoning request should not have a negative impact on the surrounding properties. The permitted uses on A-1 zoned property include the following:

- Single-family detached dwellings, modulars, and residential-design manufactured homes
- Religious Institution
- Wind Energy Conversion Systems (subject to approval by the City's Board of Zoning Appeals)
- Golf courses, including accessory clubhouses, but not driving ranges and miniature golf courses operated for commercial purposes

Even if the future special use application is not approved, the permitted uses should not have a negative impact on the surrounding property owners. Religious institutions and golf courses would be required to go through the site plan review process with the City Staff Review Team and Planning and Zoning Board before any construction could commence on said facilities. The continuance of agricultural activities on the subject property will not be detrimental to the surrounding property owners.

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 subject property, along with a larger surrounding area, was added to the City's designated Urban Growth Area/Area of Influence with Sedgwick County and the Future Land Use Map (part of the City's Comprehensive Plan) in 2020. The recent annexation of the subject property into Valley Center shows that the City is growing in this area and desires to see it developed.

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

- City staff support this rezoning request. The standard public notice was published in *The Ark Valley News* and notices were sent out to surrounding property owners within 1,000 feet of the subject property. Five responses have been received as of the date of this report and are all opposed to this rezoning request due to its connection with the future sand pit special use application. One written response has been received and is attached to this staff report.
- Other public comments in support or opposition will not be known until the public hearing. All written responses received after the agenda packet is officially published will be given to each member of the Planning and Zoning Board prior to the start of the October 25, 2023 board meeting.

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, the approval of this rezoning application will not negatively impact the public health, safety, and general welfare of the surrounding property owners. The potential impacts of the proposed sand pit will be considered during the review of the special use application. Approval of the rezoning application does **not** mean the special use application for the proposed sand pit will be approved.

City staff recommend approval of this rezoning application.

Written Response

Ryan Shrack

From: jason dunbar <dunbar1471@yahoo.com>
Sent: Wednesday, October 11, 2023 4:40 PM
To: Ryan Shrack
Subject: Annexed land

I am in strong opposition to the land that was just annexed into becoming a sand pit. That would be awful for that area and unnecessary.

[Sent from Yahoo Mail on Android](#)



Stormwater Citizens Advisory Committee meeting 10/25

Questions: 9/26 meeting

1. On-site Structural BMP requirements.
 - A. We do require certain levels of water quality & quantity from all development/redevelopment sites. 80%TSS removal for development and redevelopment sites. 20% reduction of impervious surface from redevelopment sites. I have included stormwater quality & quantity chapters from our Stormwater ordinance as well as the stormwater policies chapter from our stormwater design manual.
2. Public Education & Outreach
 - A. We send out a stormwater mailer in the water bills twice yearly. (I have included the most recent in this packet)
 - B. Katie Lechner devises an illicit discharge & detection training document every year to be sent to different resident/commercial groups. (I have included the one for this year.)

12.65.131 Stormwater quality management standards.

A. Applicability.

1. Water quality treatment and downstream channel protection shall be required of owners of new developments and redevelopments that cause a land disturbance greater than or equal to one acre, including projects that cause a land disturbance less than one acre that are part of a larger common plan of development or sale.
2. The requirements of shall not apply to:
 - a. New developments or redevelopments that have a construction plan approved by January 1, 2022 and will have completed construction of all stormwater management facilities within ninety (90) days of January 1, 2023. This does not exempt such new developments from water quality management regulations that may be required in the future by EPA or KDHE; or
 - b. Redevelopment projects that consist solely of ordinary maintenance activities, remodeling of buildings on the existing foundation, resurfacing (milling and overlay) of existing paved areas, and exterior changes or improvements.

B. Water Quality Treatment Standard for New Developments. Stormwater runoff from applicable new developments must be treated for water quality prior to discharge from the development site in accordance with the stormwater treatment standards and criteria provided in the stormwater manual.

C. Water Quality Treatment Standard for Redevelopments. Owners of applicable redevelopments must adhere to one of the following requirements.

1. The total impervious cover of the property after redevelopment shall be reduced by at least twenty (20) percent from the total impervious cover of the property prior to the proposed redevelopment.
2. Stormwater runoff from at least thirty (30) percent of the site's existing impervious cover and for one hundred (100) percent of any new land disturbance that will result from the proposed redevelopment shall be treated for water quality prior to discharge from the redevelopment site in accordance with the stormwater treatment standards and criteria provided in the stormwater manual.
3. The owner shall provide stormwater controls at an alternative location in the same watershed as the proposed redevelopment. The level of stormwater control provided shall be equivalent to what would have been provided at the proposed redevelopment for either requirement [subsection] 1 or 2 above, at a minimum.
4. In agreement and partnership with the city of Valley Center, the owner shall provide engineering design and/or construction activities to address one or more known downstream water quality or channel erosion issues located within the same watershed as the proposed redevelopment, through stream restoration and/or other off-site remedies approved by the environmental control officer.
5. Any combination of [subsections] 1 through 4 above may be acceptable to the city of Valley Center or other solution(s) approved by the director that meets the intent of this chapter.

D. Downstream Stabilization Standard. Downstream long-term channel protection shall be provided for applicable new developments and redevelopments prior to discharge from the new/redevelopment site in accordance with the downstream stabilization standards and criteria provided in the stormwater manual.

(Ord. No. 1364 , 12-7-21)

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12.65.132 Stormwater quantity management standards.

- A. Applicability. Stormwater runoff peak discharge analysis and control shall be required for new developments and redevelopments that will create or add one acre or greater of impervious cover, including projects that have less than one acre in impervious cover that are part of a larger common plan of development or sale that will result in one acre or greater of impervious cover.
- B. Water Quantity Management Standard. Stormwater runoff peak discharge analysis and control shall be required for applicable new developments or redevelopments in accordance with the stormwater quantity standards and criteria provided in the stormwater manual.

(Ord. No. 1364 , 12-7-21)

12.65.133 Other stormwater management requirements.

- A. Applicability. Section 12.65.133 is applicable to new developments and redevelopments that are required to comply with Section 12.65.131 and/or section 12.65.132.
- B. Alternative Standards for Individual Watersheds. Alternative stormwater management standards, either lesser or greater than those specified in this chapter, may be required by the director in those areas or watersheds where water quality, flooding or erosion problems are known to exist, or in individual watersheds where a watershed plan or stormwater master plan, approved by the city council of the city of Valley Center, specifies such alternative standards.
- C. Other Requirements for Stormwater Discharges.
 - 1. Stormwater discharges shall be managed in consideration of the erosion control measures detailed in the stormwater manual.
 - 2. Any discharge of stormwater runoff to groundwater must meet all applicable local, state and federal requirements, permits, plans and programs. The owner is responsible for complying with all local state and federal permits that are applicable to the site.
- D. Requirement to Stabilize Banks. Banks of all streams, channels, ditches and other earthen stormwater conveyances shall be left in a stabilized condition upon completion of the new development or redevelopment. No actively eroding, bare or unstable vertical banks shall remain after completion of construction.
- E. Requirement to Use the Stormwater Manual. All stormwater facilities and systems, including those designed and constructed for water quality treatment, downstream channel stabilization, and peak discharge control shall be designed, constructed and maintained in accordance with the criteria, standards, and specifications presented in the stormwater manual. The standards for water quality treatment, downstream channel stability and peak discharge analysis and control shall be achieved through the use of one or more stormwater quality management facilities that are designed and constructed in accordance with the design criteria, guidance, and specifications provided in the stormwater manual. Methods, designs or technologies for stormwater quality management facilities that are not provided in the stormwater manual may be submitted for approval by the city and is proven that such methods, designs or technologies will meet or exceed the stormwater treatment standards set forth in the stormwater manual and this chapter. Proof of such methods, designs, or technologies must meet minimum testing criteria set forth in the stormwater manual.
- F. Stormwater Facilities on Public Property. Stormwater management facilities shall not be installed within public rights-of-way or on public property unless a permit has been issued by the city engineer.

(Ord. No. 1364 , 12-7-21)

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STORMWATER POLICIES

3.1 General Policies

The following general policies shall apply to new developments or redevelopments for which stormwater management controls are required:

- A waiver for compliance with any of the stormwater management standards must be requested of the local jurisdiction in writing at the time of, or prior to, the submittal of stormwater design information for the new development or redevelopment. The local jurisdiction will notify the person(s) requesting the waiver in writing at the time of, or prior to, approval or denial of the stormwater design information.
- Design computations shall be performed in accordance with the calculation guidance provided in this Manual, or other criteria that the local jurisdiction establishes based on scientific and engineering information to supplement or supersede this guidance.
- Stormwater runoff resulting from developed conditions on a site must be routed at appropriately small time intervals through water quality and quantity controls using either hand calculations or computer software/models that are approved by the City of Valley Center. Acceptable computer software/models are presented in Volume 2 of this Manual.
- All calculations utilized in the design of stormwater controls must be prepared by an engineer that is proficient in the field of hydrology and hydraulics and licensed to practice in the State of Kansas.
- The boundaries and elevations of the floodplain and floodway shall be depicted on stormwater design plans using site specific topography.
- The local jurisdiction may require the stormwater management facility(s) that serve the development or new development to be placed in a reserve and/or a drainage easement that is suitable for access by maintenance equipment. The need for reserves/drainage easements for stormwater facilities will be determined by the local jurisdiction during their review of the drainage plan for the site. In general, water quality volume reduction areas, open channels, creeks, flood hazard areas, dry detention ponds, extended detention ponds, and wet ponds shall be located in a reserve.

3.2 Water Quality Treatment

3.2.1 Summary of Local Regulatory Language

The requirements for water quality treatment for new development and redevelopment that are stated in the local stormwater management regulations differ slightly, as summarized in the box below. Note: the requirements stated in the regulations are only summarized here. Readers should refer to the actual stormwater management regulations for the specific and correct wording of these requirements.

Water Quality Treatment Requirement for New Developments

Stormwater runoff must be treated for water quality prior in accordance with the standards and criteria presented in this section of the Stormwater Manual.

Water Quality Treatment Requirement for Redevelopments

Property owners must adhere to one of the following options in order to comply with the water quality treatment requirement for redevelopments.

1. A 20% reduction in impervious area on the property;
2. Stormwater runoff from at least thirty percent (30%) of the site's existing impervious cover and for one-hundred percent (100%) of the impervious cover for any newly disturbed area must be treated for water quality prior in accordance with the standards and criteria presented in this section of the Stormwater Manual;
3. Equivalent water quality controls must be provided at an alternative location in the same watershed as the proposed redevelopment;
4. One or more known downstream water quality or channel erosion issues located within the same watershed as the proposed redevelopment must be addressed through stream restoration and/or other off-site remedies.
5. Any combination of (1) through (4).

The Water Quality Treatment Standard that is referred to in the requirement for new developments and in options 1, 2 and 3 for redevelopments is presented in this section. Note that policies that are specific to design calculations for different stormwater management facilities are included in Volume 2 of this Manual, where facility design specifications are presented.

3.2.2 Stormwater Treatment Standards and Criteria

The following policies comprise the stormwater quality treatment standards and criteria for the City of Valley Center.

- Water quality treatment facilities shall be designed to remove, at a minimum, 80% of the average annual total suspended solids (TSS) load for typical urban runoff (after-development) from the stormwater volume required for water quality treatment. This stormwater volume shall henceforth be called the "water quality treatment volume" (WQ_v). This standard is also referred to in this Manual as the "80% TSS removal standard".

- The 80% TSS removal standard shall be applied to the 85th percentile storm event for the Valley Center area, which is equal to 1.2 inches of rainfall. The 85th percentile storm event is defined as the storm depth for which 85 percent of all storms are smaller.
- The WQ_v and % TSS removal shall be calculated for the development or redevelopment in accordance with the policies and calculation guidance provided in Volumes 1 and 2 this Manual. In order to comply with the 80% TSS removal standard, the result of the % TSS removal calculations for the entire development or redevelopment must be no less than 80%.
- It is presumed that a stormwater management facility (or system of facilities) complies with the Water Quality Treatment Standard if the structural water quality controls are selected, designed, constructed and maintained in accordance with the design criteria specified in this manual and whose calculated TSS removal % for the entire development or redevelopment is equal to or greater than 80% TSS. Because this is a presumptive standard, analytical monitoring (i.e., sample collection and analysis of stormwater runoff) upstream or downstream of structural water quality controls is not required.
- Only those structural facilities that are included in this Manual are permitted for use as a water quality treatment facility. Other facilities are prohibited, unless their performance has been verified and they are approved by the local jurisdiction. This list of controls has sufficient flexibility and variation to fit most site development situations.
- The structural facilities (and variations thereof as described in Volume 2 Chapter 3) that are acceptable for use in the City of Valley Center to attain the Water Quality Treatment Standard are presented in Table 3-1.

Table 3-1 % TSS Removal for WQ_v Treatment Structural Facilities

Structural Facility	% TSS Removal
Stormwater Pond	80
Dry Extended Detention Pond	60
Enhanced Swale	90
Grass Channel	50
Infiltration Trench	90
Soakage Trench	90
Vegetative Filter Strip	50
Surface Sand Filter	80
Underground Sand Filter	80
Organic Filter	80
Bioretention Area	85
Stormwater Wetland	75
Proprietary Manufactured Device	device-specific
Gravity Oil/Water Separator	device-specific
Alum Treatment	90
Green Roof	installation-specific

Table 3-1 also presents the % TSS removal value that is assigned to each structural facility type. Only this value shall be used to calculate the total weighted % TSS removal for the development site.

- Innovative technologies that are not included in this Manual are encouraged provided that such methods, designs or technologies will meet or exceed the stormwater treatment standards set forth by local regulation and this Manual. It is the responsibility of the property owner and/or the site design engineer to provide adequate proof of the effectiveness of such methods, designs, or technologies in meeting local requirements.

3.2.3 Obtaining a Waiver

The requirements for water quality treatment may be waived by the local jurisdiction if it is determined by the local jurisdiction that the pollutants of concern from the new development or redevelopment are not those identified in the Manual and would be best treated using an alternative approach than that defined by the Manual.

3.2.4 Water Quality Treatment Controls for Special Circumstances

The local jurisdiction may require additional water quality treatment criteria or controls to conform to State and/or Federal regulatory requirements, and/or to address watershed or site-specific water quality requirements, or on land uses that have the potential to discharge pollutants in higher amounts or that would not be adequately treated using the structural facilities identified in this manual. For example, additional treatment criteria may be required if the new development or redevelopment will have a land use or on-site activities that have the potential to generate highly polluted runoff, with concentrations of pollutants in excess of those typically found in stormwater. Examples of such land uses might include operations producing concrete or asphalt, auto repair shops, auto supply shops, large commercial parking areas, or restaurants. Examples of additional controls for such lands uses could include installation of specialized structural facilities such as oil/water separators for petroleum based pollutants, or the implementation of pollution prevention practices, such as employee training programs on chemical handling/application. The implementation of any additional controls are the responsibility of the property owner and/or business/activity operator.

General policies for structural facilities and pollution prevention activities at land uses that are often identified as having a higher than normal pollutant potential are presented in the following paragraphs.

Gas stations, vehicle maintenance, washing or storage facilities. Gas stations, vehicle storage and/or maintenance facilities shall address the potential for pollutant discharges from petroleum-based products, oils and other fluids in the following manner:

- Oil/water separators or other separation or absorbent devices that target removal of gasoline, petroleum based products, oils and other fluids commonly associated with motor vehicles (e.g., anti-freeze) shall be installed to reduce or eliminate the potential for such pollutants to be discharged into stormwater runoff.

- Gas pump areas and vehicle maintenance areas shall be covered and not exposed to rainfall and stormwater runoff. Floor drains in these areas shall not be connected to the stormwater system. Wash water from these areas should be prevented from discharging to the stormwater drainage system.
- Discharges of wash water resulting from the hosing or cleaning of vehicles, equipment and/or facilities is considered an illegal non-stormwater discharge. Therefore, wash water must be prevented from entering the stormwater system. These activities could include blocking the stormwater system or diverting the wash water into a pre-treatment measure and then into the sanitary sewer system. Floor drains in vehicle wash areas shall not be connected to the stormwater system. It is preferred that these areas be covered and therefore not exposed to rainfall and stormwater runoff.
- Pollution prevention activities for vehicle maintenance, washing, or storage land uses shall be employed as appropriate, focusing on:
 - spill prevention and cleanup;
 - oil and other fluid and material recycling;
 - staff education on proper pollution prevention techniques; and,
 - customer education about repair and maintenance activities that are or are not acceptable on the premises.
- For businesses where vehicles will be stored, pollution prevention activities must also include routine inspection of the vehicles for leaks or discharges. Drip pans must be used to capture leaks and discharges until the vehicle can be maintained or fluids should be drained completely from vehicles that will remain unused.

Recycling and salvage yard facilities. Where the land use is a business that recycles or salvages vehicles or other equipment, the pollution prevention practices for that site must include draining the equipment of all fluids before storage. If the storage area is uncovered, pre-treatment controls are required to treat additional pollutants that could result from the storage or deterioration of the equipment or vehicles before the runoff discharges to structural stormwater controls.

Restaurants, grocery stores, and other food service facilities. Grease, trash and organic pollutants are pollutants that are typically encountered around restaurants, grocery stores, and other food service facilities. Pre-treatment to remove such pollutants prior to discharging to structural stormwater facilities is required, in order to prevent clogging of downstream BMPs and the stormwater system. Grease traps are required for all sinks and floor drains. Dumpsters shall be covered at all times, and leakage from dumpsters shall not be allowed to discharge to the stormwater system. As well, wash water from equipment and/or facility cleaning activities must either be discharged to the sanitary sewer or be pre-treated prior to discharging to a stormwater facility. Litter and other wastes shall be picked-up on a regular basis to prevent them from entering the stormwater system. Parking lots shall be swept/cleaned on a regular basis to remove gross solids. Wastes gathered during litter collection and parking lot cleaning activities shall be disposed of properly.

Facilities that temporarily or permanently house animals outside (non-agricultural).

Animal housing facilities, such as veterinary clinics, boarding facilities, recreational (i.e., non-agricultural) livestock stables, and animal shelters have the potential to deliver higher than normal bacterial loadings to the stormwater system. High counts of bacteria in streams and rivers can cause water quality impairments, but can also cause illnesses in people. Pollution prevention practices for these types of facilities shall include pet waste management practices, such as collecting and properly disposing of pet waste at landfills or wastewater treatment facilities. Soiled animal bedding shall be removed and properly disposed. Wood shavings or chips shall not be allowed to migrate into the stormwater system.

3.3 Water Quality Control using Non-Structural Preferred Site Design Practices

Non-structural stormwater control practices (also called “Preferred Site Design” practices) are increasingly recognized as a useful tool in site design because they result in the generation of less stormwater runoff from a development site than what would be generated in a more conventional site design. As compared to conventional site designs, a Preferred Site Design approach attempts to adapt a development design to the existing site conditions, and therefore preserve the topography, vegetative cover and hydrologic and environmental features of a site to the maximum extent practicable. This results in less clearing and grading, less use of impervious areas, and therefore less stormwater runoff and dependency on stormwater infrastructure. Relevant to the stormwater management requirements contained in local stormwater management regulations and in this Manual, the use of Preferred Site Design practices in a site design can have the effect of reducing the runoff volumes and peak flows, and therefore the size of the stormwater management facilities and conveyance appurtenances that are needed to control stormwater on the site. Preferred Site Design practices are discussed in detail in Chapter 2 of Volume 2.

Uses of Preferred Site Design practices are included in the Stormwater Manual as an option, not as a requirement. As an incentive, a set of WQ_v “reductions” has been developed to quantitatively recognize the benefits of certain practices to further reduce the volume of stormwater that must be treated for pollutants, and therefore reduce the size of the structural stormwater facility needed for water quality treatment.

General policies pertaining to WQ_v reductions are as follows:

- The amount of WQ_v reduction obtained for a site will be determined in accordance with the reduction guidance presented in Volume 2 of this Manual.
- WQ_v reductions can only be claimed if the area or practices for which the reduction is requested conforms to all of the required minimum design criteria and conditions stated in Volume 2 of this Manual. Full or partial reductions will not be given to areas or practices that do not conform to all of the criteria and conditions. The intent of this policy is to avoid situations that could lead to a reduction being granted without the corresponding decrease in pollution attributable to an effective Preferred Site Design practice.

- WQ_v reductions cannot be claimed twice for an identical area of the site (e.g., a reduction for stream buffers cannot be claimed if that area has already received a reduction for disconnecting impervious areas).
- General Preferred Site Design practices and techniques performed without regard to the criteria and conditions stated in this Manual will not be awarded WQ_v reductions. However, these practices reduce the overall impervious and disturbed area of a development. This land use change reduces the total amount of stormwater runoff generated by a site, and thus the required WQ_v, because the calculation of WQ_v is dependant upon site imperviousness. That is, the higher a site's impervious area, the higher the WQ_v, and vice versa

3.4 Ground Water Protection

It is the intent of the City of Valley Center to minimize the risk of contaminating groundwater by stormwater runoff discharged from new developments and redevelopments. The design guidance in Volume 2 of this manual requires minimum separation between the bottom of certain stormwater management facilities (wet ponds, infiltration trenches, soakage trenches, sand filters, organic filters, bioretention areas and wetlands) and the historical high groundwater table. These measures are intended to minimize the risk of contaminating groundwater with stormwater runoff. However, in all cases, more restrictive regulations invoked by local, State or Federal authorities, or adopted local, State or regional groundwater programs shall apply.

For areas where the historically high groundwater table is within 5 feet of the bottom of the stormwater facility, stormwater runoff from a new development or redevelopment may be discharged into one of the facilities identified in the paragraph above only after the runoff has met the Water Quality Treatment Standard, as defined in the local stormwater management regulations and in this Manual. This separation distance may be reduced to 2 feet if additional measures such as lining or underdrains are installed per the guidance found in Volume 2 of this manual. The local jurisdiction may waive this requirement if engineering studies determine that installing the required water quality treatment practices are unnecessary to protect groundwater quality, human health and the environment.

Any discharge of stormwater runoff directly to groundwater must meet all applicable local, State and Federal requirements, permits, plans and programs. The person(s) responsible for the new development or redevelopment are also responsible for all local, State and Federal permits that may be applicable to the site.

3.5 Downstream Stabilization Standard

3.5.1 Standards and Criteria

The following policies comprise the downstream stabilization standard for the City of Valley Center. Implementation of this standard is intended to minimize the effects of

development on long-term downstream channel erosion and the delivery of sediment to local waterbodies.

The downstream stabilization shall be provided for developments that:

- will create or add five (5) acres or greater of impervious cover, including projects that have less than five acres of impervious cover but are part of a larger common plan of development or sale that will result in five acres or greater of impervious cover; and,
- are located in watersheds or on streams that are designated by the City and/or the County as a Downstream Stabilization Protection Volume Watershed or Stream.

When required, downstream stabilization shall be provided in one of the following ways:

1. the runoff volume from the new development that results from the 1-year frequency, 24-hour storm event shall be detained for not less than 24 hours; or
2. the volume difference between the pre-development and post-development runoff from the development that results from the 1-year frequency, 24-hour storm event must be infiltrated, reused or evaporated.

Calculation methods that must be used to meet the downstream stabilization standard are presented in Volume 2 of the Manual. There are no additional policies associated with downstream channel erosion protection in this volume.

3.5.2 Obtaining a Waiver

The requirement for downstream stabilization may be waived by the local jurisdiction if engineering studies show that the stormwater conveyance channels located downstream of the new development or redevelopment are capable for resisting long-term erosion. Engineering studies must be reviewed and approved by the local jurisdiction in order to obtain the waiver.

3.6 Stormwater Quantity Management (Peak Discharge Analysis and Control)

Local stormwater management regulations require that stormwater runoff peak discharge analysis and control be implemented in accordance with the stormwater quantity standards and criteria provided in the Stormwater Manual. Policies associated with the peak discharge control standard are listed below.

3.6.1 Peak Discharge Control Design Standard

Applicable new developments and redevelopments (as defined by the local regulation) shall adhere to the following peak discharge control standard:

- The calculated peak discharge of stormwater runoff at each site stormwater outfall resulting from the 2-year, 5-year, 10-year, 25-year and 100-year return frequency, 24-hour duration storm events shall be no greater after development or redevelopment of the site than that which would result from the same 2-year, 5-year, 10-year, 25-year and 100-year return frequency, 24-hour duration storm events on the same site prior to development or redevelopment.
- For redevelopment sites, peak discharge controls shall be sized using the existing developed land use as the baseline condition, not the land use that existed prior to the original development of the site.
- Peak discharge analyses should be performed after any Preferred Site Design practices have been included in the design. The use of Preferred Site Design practices will inherently reduce runoff volumes and potentially reduce post-development peak discharges, both on-site and downstream of the site.

3.6.2 Downstream Hydrologic Analysis (The 10% Rule)

Downstream hydrologic analysis shall be performed for all applicable new developments and redevelopments (as defined by the local regulation) in accordance with the following policies:

- Sites with Off-Line Stormwater Management Facilities. A downstream hydrologic analysis to determine if the new development or redevelopment causes an increase in peak discharges and velocities compared to pre-development peak discharges and velocities for the same site shall be performed for the 2-year, 5-year, 10-year, 25-year and 100-year return frequency, 24-hour duration storm events. Peak discharges and velocities shall be evaluated at the location(s) of the stormwater outfall(s) from the new development or redevelopment and at each downstream tributary junction, bridge, culvert, weir or dam to the next junction, bridge, culvert, weir or dam (whichever is encountered first) beyond the ten-percent (10%) point(s). If increases in the peak discharge or velocity are identified at any point in the analysis area as defined in this paragraph, the stormwater management facilities at the new development or redevelopment shall be re-designed to eliminate such peak discharge and velocity increases.
- Sites with On-Line Stormwater Management Facilities. A downstream hydrologic analysis to determine if the new development or redevelopment causes an increase in peak discharges and velocities as compared to pre-development peak discharges and velocities for the same site shall be performed for the 2-year, 5-year, 10-year, 25-year and 100-year return frequency, 24-hour duration storm events. Peak discharges and velocities shall be evaluated at the location(s) of the stormwater outfall(s) from the new development or redevelopment and at each downstream tributary junction, bridge, culvert, weir or dam to the ten-percent (10%) point(s), or to the point(s) where the peak discharge and velocity

are no longer increased, whichever is further downstream. If increases in the peak discharge or velocity are identified at any point in the analysis area as defined in this paragraph, the stormwater management facilities at the new development or redevelopment shall be re-designed to eliminate such peak discharge and velocity increases. Peak discharge control evaluations showing full routing calculations and supporting documentation shall be submitted with the drainage plan, in the manner described in Volume 2 of this Manual.

3.6.3 Obtaining a Waiver

The requirement for peak discharge control may be waived if it is demonstrated by an engineering study that:

1. the new development or redevelopment does not cause an increase in peak discharges from pre-developed conditions for the required storm events; or,
2. increased peak discharges are adequately handled by the existing downstream channel without adverse impacts as defined in the Manual.

Engineering studies must be reviewed and approved by the local jurisdiction in order to obtain the waiver.

3.6.4 Stormwater Conveyance Design

It is the intent of the local jurisdiction to ensure that stormwater control infrastructure is capable of safely and efficiently conveying the applicable design flows; that the infrastructure is durable and maintainable; and that structures are protected against flood damage even when the infrastructure experiences runoff events greater than the design flows, up to the 100-year flood occurrence. The specific requirements are detailed in local floodplain regulations, and the design procedures for achieving those requirements are provided in Volume 2 of the Manual. There are no additional policies associated with downstream channel erosion protection in this volume.

3.7 Floodplain Management

The local jurisdiction's primary floodplain management requirements are contained in their floodplain management and/or flood damage prevention regulations. However, these regulations address only those requirements for areas that are designated by the Federal Emergency Management Agency (FEMA) as special flood hazard areas and are included on the Valley Center or Sedgwick County Flood Insurance Rate Maps (FIRMs). Additional floodplain management requirements are contained in local stormwater management regulations, which address both special flood hazard areas and floodplains and flood-prone areas that are not included on FIRMs.

Specific policies to support local jurisdiction floodplain management requirements are as follows:

- Watershed analysis and planning efforts have indicated that the flood potential in specific drainage basins within each jurisdiction is especially sensitive to changes in floodplain storage volumes. In short, a loss of floodplain storage volume in such basins may significantly raise the flood potential for habitable structures in the basin. In an effort to eliminate the loss of floodplain storage in volume sensitive basins, the local jurisdictions have included a requirement in their stormwater management regulations and/or floodplain management regulations to provide compensatory storage when development or other encroachments occur in the floodplains of volume sensitive basins. Policies associated with this requirement are as follows.

Volume sensitive basins shall be defined by the local jurisdiction. The location and magnitude of compensatory excavations shall be provided with the stormwater design information that is incorporated into the construction plan, and must be approved by the local jurisdiction prior to excavation activities.

- The property owner performing compensatory excavations is responsible for obtaining all applicable local, State and Federal permits.

STORMWATER

PREVENTION & REDUCTION OF STORMWATER
POLLUTION



Understanding & Resolving Stormwater Pollution Issues

- ▶ What is Stormwater Management and why is it important?
- ▶ Where does our Stormwater go and how do pollutants find their way into storm drains, ditches, floodways, and river?
- ▶ What can we do to prevent stormwater pollution?
- ▶ Best Management Practices (BMP's)
- ▶ Overview

What is Stormwater Management and why is it important?



- Stormwater Management is the effort to reduce runoff of rainwater or melted snow into streets, lawns and other sites and the improvement of water quality, according to the United States Environmental Protection Agency (EPA).
- When Stormwater is absorbed into the soil, it is filtered and ultimately replenishes aquifers or flows into streams and rivers. However, when heavy rainwater hits, ground saturated by water creates excess moisture that runs across the surface and into storm sewers and road ditches. This water often carries debris, chemicals, bacteria, eroded soil, and other pollutants, and carries them into streams, rivers, lakes, or wetlands.

Where does our Stormwater go and How do Pollutants find their way into storm drains, ditches, floodways, and river?



- Surface water runoff passes through both man-made and natural landscapes (storm drains, streets, and drainage ditches) eventually discharging into the rivers and floodways.



Two primary ways in which pollutants enter our city's waterways:

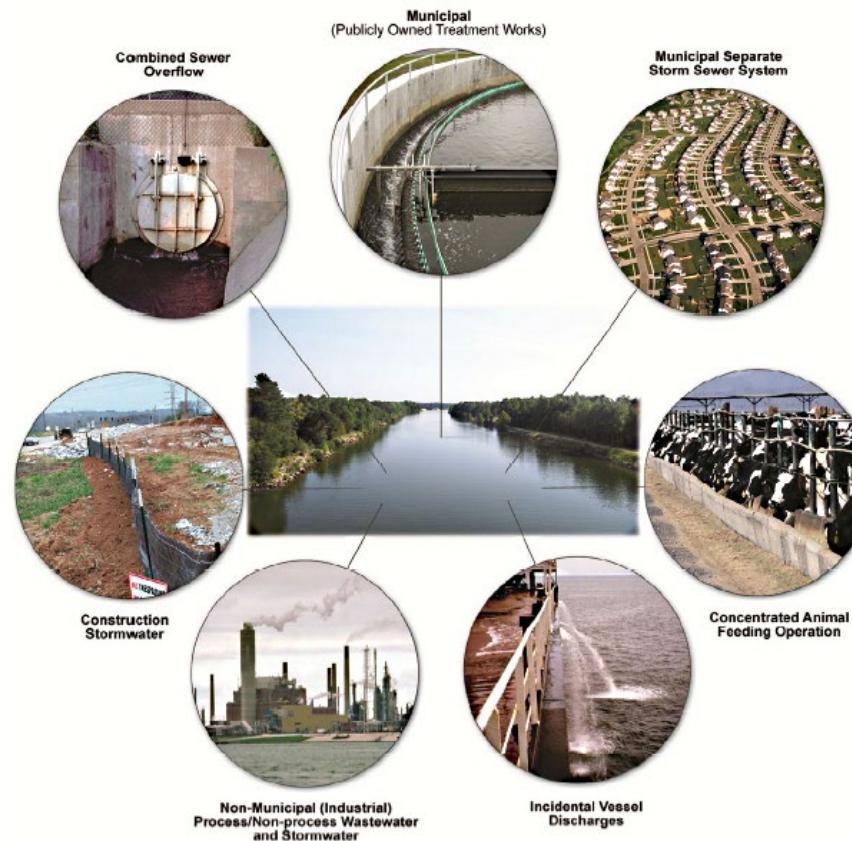
- Stormwater
- Improper Dumping



- Stormwater is the runoff created by rain and snowmelt which is no longer able to be saturated in the ground. This includes all of the water that flows from our driveways, yards, roofs, roads, construction sites and parking lots. As it flows, gathering speed and volume, stormwater collects debris, soil, garbage, pet waste, and hazardous wastes and is eventually channeled into the storm drain.

Where does our Stormwater go and How do Pollutants find their way into storm drains, ditches, floodways, and river?

- Improper disposal of yard debris, motor oil, antifreeze, fuel, pet wastes, and litter into our storm drains is a major source of pollution.



- Stormwater pollution is caused by the daily activities of people everywhere. Whenever it rains, runoff from roofs, yards, driveways and parking lots flow into the streets down the storm drains eventually reaching the river or local waterbodies.

Are you contributing to Stormwater Pollution?

- Do you keep lawn waste, including leaves and grass clippings, out of the street?
- Do you pick up and properly dispose of pet waste by placing it in the trash or flushing it down the toilet?
- Do you properly apply lawn chemicals, including fertilizer, by following the instructions on the label?
- Do you rake your leaves into the street?
- Do you wash your car on a grassy area or at a commercial car wash?
- Do you recycle used oil from cars, trucks, and lawn equipment?



If you answered NO to any of the above, you could be polluting our stormwater and consequently polluting our streams and rivers.



STORMWATER POLLUTION

WHAT CAN WE DO TO PREVENT IT?

REMEMBER: ONLY RAIN DOWN THE DRAIN



How does *Stormwater Management* help?

- In urban and developed areas, impervious surfaces such as pavement and roofs prevent precipitation from naturally soaking into the ground. Instead, water runs rapidly into storm drains, sewer systems and drainage ditches and can cause flooding, erosion, turbidity (or muddiness), storm and sanitary sewer system overflow, and infrastructure damage. However, stormwater design and “green infrastructure” capture and reuse stormwater to maintain or restore natural hydrology's.

- Detaining stormwater and removing pollutants is the primary purpose of stormwater management. Pervious Surfaces that are porous and allow rainfall and snowmelt to soak into the soil, gray infrastructure, such as culverts, gutters, storm sewers, conventional piped drainage, and Blue/Green infrastructure that protect, restore, or mimic the natural water cycle, all play a part in stormwater management.



CLEAN WATER BEGINS AT HOME

- 💧 Use pesticides and fertilizers sparingly.
- 💧 Repair auto leaks.
- 💧 Dispose of household hazardous waste, used auto fluids (antifreeze, oil, etc.), and batteries at designated collection or recycling locations.
- 💧 Clean up after your pet.
- 💧 Use a commercial car wash or wash your car on a lawn or other unpaved surface.
- 💧 Sweep up yard debris rather than hosing down areas. Compost or recycle yard waste when possible.
- 💧 Clean paint brushes in a sink, not outdoors. Properly dispose of excess paints through a household hazardous waste collection program.
- 💧 Sweep up and properly dispose of construction debris like concrete and mortar.



BEST MANAGEMENT PRACTICES (BMPs)

What is a Best Management Practice (BMPs)?

- BMPs are policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. In addition, BMPs are methods of preventing polluted stormwater from contaminating local streams and rivers.

There are two type of BMPs:

- A. Structural
 - Constructed devices that detain, retain, filter or infiltrate runoff.
- B. Non-Structural
 - Strategies and methods of planning and site design to minimize the impacts of stormwater runoff.
 - Concepts are integrated into land use regulations and zoning ordinances.



Best Management Practices

NON-STRUCTURAL BMPs

Street Sweeping
Educational or Informative Articles
Tree Plantings
Snow and Snowmelt Management
Pollution Prevention/Source Control
Low impact development and land use planning
Stormwater collection system cleaning and maintenance

STRUCTURAL BMPs

Wet Ponds
Stormwater Wetlands
Bio-retention Area/Rain Gardens
Riparian Buffers
Permeable Pavement
Water Management and Conservation



Overview

- STORMWATER MANAGEMENT IS THE EFFORT TO REDUCE RUNOFF OF RAINWATER OR MELTED SNOW INTO STREETS, LAWNS AND OTHER SITES AND THE IMPROVEMENT OF WATER QUALITY.
- THERE ARE TWO PRIMARY WAYS IN WHICH POLLUTANTS ENTER OUR CITY'S WATERWAYS. THIS IS BY STORMWATER AND IMPROPER DUMPING.
- STORMWATER POLLUTION IS CAUSED BY THE DAILY ACTIVITIES OF PEOPLE EVERYWHERE.
- CLEAN WATER BEGINS AT HOME.
- BMPs ARE METHODS OF PREVENTING POLLUTED STORMWATER FROM CONTAMINATING LOCAL STREAMS AND RIVERS.

For more information or to report a violation:

City of Valley Center
Stormwater Division

<https://valleycenterks.org/144/Stormwater-Management>

316-755-7320



The City of Valley Center is responsible for what flows from City streets into the Little Arkansas River during rain events. Please do your part to help keep our city and bodies of water clean and flowing freely.



Leaves and grass clippings clog storm drains, grates and pipes, contributing to back-ups and flooding. Accumulation can even create ponding which gives mosquitoes an area for breeding.

Properly dispose of yard waste at the City of Valley Center Brush & Compost Site



531 W. Industrial
Monday – Saturday
8:00 a.m. – 7:00 p.m.

IT IS A VIOLATION OF VALLEY CENTER MUNICIPAL CODE TO MOW OR BLOW LEAVES OR OTHER YARD WASTE INTO CITY STREETS. VIOLATORS MAY BE CITED FOR THIS OFFENSE AND BE REQUIRED TO APPEAR IN MUNICIPAL COURT JUST AS IF YOU HAD BEEN ISSUED A TRAFFIC CITATION. VIOLATIONS MAY RESULT IN PERSONS PAYING COURT COSTS AND FINES.

For more information or to report a violation:
City of Valley Center Stormwater Division

316-755-7320 or visit <https://valleycenterks.org/144/Stormwater-Management>