



## **PLANNING AND ZONING BOARD MEETING AGENDA**

**Tuesday, July 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**

___ Gary Janzen	___ Rick Shellenbarger	___ Dalton Wilson
___ Paul Spranger	___ Scot Phillips	
___ Brian Shelton	___ Steve Conway	

### **D. SET/AMEND AGENDA**

Motion made by (\_\_\_\_\_). Seconded by (\_\_\_\_\_). For\_\_\_ Against\_\_\_

### **E. APPROVAL OF DRAFT MINUTES**

June 27, 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-2023-03, application of Village VC LLC, pursuant to City Code 16.09.01, who is petitioning for a lot split involving the splitting of property the petitioner owns, which is currently addressed as 335 S. Meridian Ave., 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-2023-03. 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"/> Rick Shellenbarger	<input type="checkbox"/> Dalton Wilson
<input type="checkbox"/> Paul Spranger	<input type="checkbox"/> Scot Phillips	
<input type="checkbox"/> Brian Shelton	<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](mailto:communitydevelopment@valleycenterks.org) or by phone at (316)755-7320. For additional information on any item on the agenda, please visit [www.valleycenterks.org](http://www.valleycenterks.org) or call (316) 755-7320.*

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

Tuesday, June 27, 2023, 7:00 P.M.

**CALL TO ORDER:** Vice Chairperson Spranger called the meeting to order at 7:06 P.M. with the following members present: Brian Shelton, Scot Phillips, Steve Conway, and Dalton Wilson.

**Members Absent:** Gary Janzen and Rick Shellenbarger

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

**Audience:** Bill Arick and Kurt Huiras

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

**APPROVAL OF DRAFT MINUTES:** Vice Chairperson Spranger made a motion to approve the May 23, 2023, meeting minutes. The motion was seconded by Board Member Phillips. Motion passed unanimously.

**COMMUNICATIONS:** None

**PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD:**

1. Review of SP-2023-01, application of William Arick, pursuant to City Code 17.12, who is petitioning to build a 3,360 sq. ft. commercial building on property currently addressed as 201 S. Meridian Ave., Valley Center, KS 67147.

R. Shrack gave a summary of his staff report. The plans have been reviewed and approved by the city staff review team and it is being recommended for approval. Public notices were sent out and there were no objections or questions from the public. Being as the building will be on a major thoroughfare it is being asked that a minimum of 25% of the façade be of a stone or masonry covering. There will be one ADA stall and two standard parking stalls.

Vice Chairperson Spranger opened the hearing for comments from the public: 7:13 PM

Vice Chairperson Spranger closed the hearing for comments from the public: 7:14 PM

No comments received from the public. Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Vice Chairperson Spranger made a motion to approve SP-2023-01. Motion was seconded by Board Member Wilson. The vote was unanimous.

**OLD OR UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

1. Review of proposed revision to City's zoning code.

R. Shrack gave a summary of his staff report. The City currently has adopted fence regulations; however, we do not have specific fence design regulations, specifically on which side of a wooden fence the associated posts, rails, and bracings should be located. Commonly referred to as a “Good Neighbor Fence,” this type of fence is designed so that the finished side of the fence faces outwards and the posts/bracings/rails are on the inside of the fence. Shrack also went over the approved designs of the “Good Neighbor Fence” and the permitting process. City staff is recommending approval of the new ordinance. Board Member Shelton inquired about the enforcement of the new ordinance, replacement of current fences, and the price of the permit. Discussion was had and clarification was given on all inquiries.

Vice Chairperson Spranger made a motion to recommend approval of the proposed ordinance. Motion was seconded by Board Member Wilson. The motion passed with 4 votes in favor and 1 opposed (Board Member Shelton). This item will now go before City Council for final approval. The first reading will be July 11, 2023 and the second reading on July 18, 2023.

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

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

Gary Janzen-absent

Paul Spranger-none

Brian Shelton- Inquired about lit crosswalks being installed on Meridian Ave. when the new Pool and Rec. Center are built. B. Clark responded that those conversations have not yet been had.

Rick Shellenbarger- absent

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 Vice Chairperson Spranger to adjourn and seconded by Board Member Conway. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

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/s/ Ryan Shrack, Secretary

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Gary Janzen, Chairperson



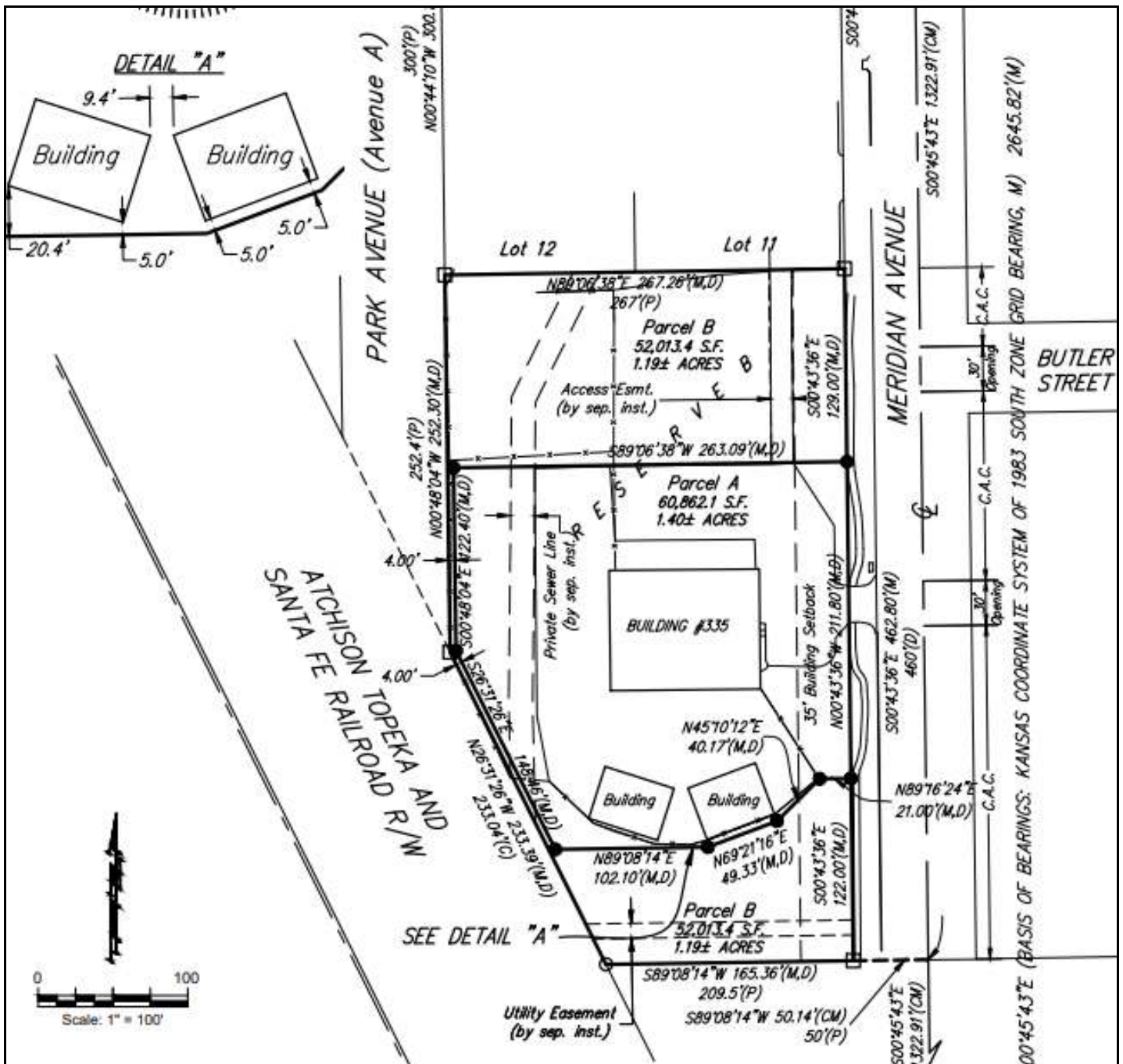
**Date:** July 19, 2023

**To:** City of Valley Center Planning and Zoning Board

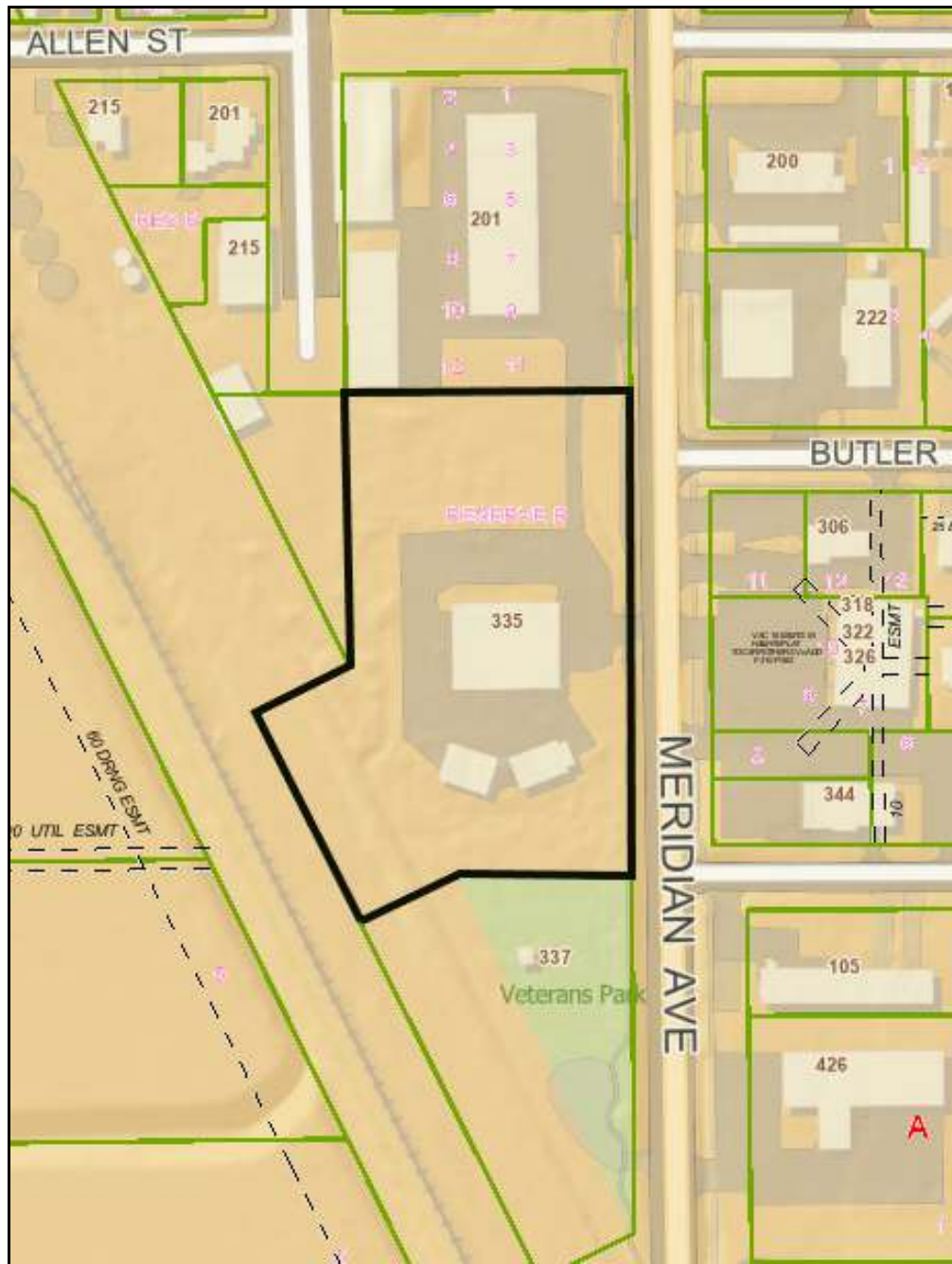
**From:** Ryan W. Shrack, *Community Development Director*

**RE:** Lot Split Application (LS-2023-03)

**Petition:** Village VC LLC, is petitioning for a lot split to divide the parcel of land located at 335 S. Meridian Ave., 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 commercially zoned property. All existing buildings will remain on the same lot (designated on the lot split as Parcel A). The land is zoned C-2 (General Business District). The applicant's request letter and completed lot split survey documents are attached to the end of this staff report. Parcel A will be owned by Village VC LLC and Parcel B will be owned by Bill Arick, who sold the original lot to Village VC LLC. As noted in the attached lot split documents, separate utility easements will be created to serve the existing utility infrastructure that will now cross property lines between the two proposed parcels.

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 July 25, 2023 meeting.

**City staff recommends approval of this lot split application.**

Applicant's Letter



July 18, 2023

City of Valley Center  
545 W. Clay Street  
Valley Center, KS 67147

To Whom It May Concern:

I am writing this letter regarding the lot split that has been requested for the property located at 535 S. Meridian in Valley Center. I am the owner of Village VC, LLC, as well as Village Coachworks. We purchased the above-mentioned property from Bill Arick with the intention of splitting off the vacant area located to the north of the building as well as the excess land to the south of the smaller buildings where the park is located. It was always Mr. Arick's desire to maintain ownership of that property, and we understand that we must also allow him an easement to connect the two parcels along the west fence line behind the buildings.

Should you have any questions or concerns, don't hesitate to contact me.

Sincerely:

A handwritten signature in blue ink, appearing to read 'Jeff Arensdorf', with a long horizontal flourish extending to the right.

Jeff Arensdorf



# LOT SPLIT

State of Kansas )  
City of Valley Center )

May 16, 2023

We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that, under the supervision of the undersigned, we did on this 16th day of May, 2023, perform a survey of the following:

## Parcel A:

A tract of land lying within Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas as prepared by Baughman Company, P.A., CLS 58, State of Kansas, County of Sedgwick, more particularly described as commencing at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S00°43'36"E (Assumed) coincident with the east line of said Reserve B, 129.00 feet to the point of beginning; thence S89°06'38"W parallel with the south line of Lots 11 and 12 in said Westfall's Subdivision, 263.09 feet; thence S00°48'04"E, parallel with the west line of said Reserve B, 122.40 feet; thence S26°31'26"E parallel with the southwest line of said Reserve B, 148.46 feet; thence N89°08'14"E, parallel with the south line of said Reserve B, 102.10 feet; thence N69°21'16"E, 49.33 feet; thence N45°10'12"E, 40.17 feet; thence N89°16'24"E perpendicular to the east line of said Reserve B, 21.00 feet to a point 122.00 feet north of the southeast corner of said Reserve B; thence N00°43'36"W coincident with the east line of said Reserve B, 211.80 feet more or less to the point of beginning.

## Parcel B:

A tract of land lying within Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas as prepared by Baughman Company, P.A., CLS 58, State of Kansas, County of Sedgwick, more particularly described as beginning at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S00°43'36"E (Assumed) coincident with the east line of said Reserve B, 129.00 feet; thence S89°06'38"W parallel with the south line of Lots 11 and 12 in said Westfall's Subdivision, 263.09 feet; thence S00°48'04"E, parallel with the west line of said Reserve B, 122.40 feet; thence S26°31'26"E parallel with the southwest line of said Reserve B, 148.46 feet; thence N89°08'14"E, parallel with the south line of said Reserve B, 102.10 feet; thence N69°21'16"E, 49.33 feet; thence N45°10'12"E, 40.17 feet; thence N89°16'24"E perpendicular to the east line of said Reserve B, 21.00 feet to a point 122.00 feet north of the southeast corner of said Reserve B; thence S00°43'36"E coincident with the east line of said Reserve B, 122.00 feet to the southeast corner of said Reserve B; thence S89°08'14"W coincident with the south line of said Reserve B, 165.36 feet to the southern most southwest corner of said Reserve B; thence N26°31'26"W coincident with the southwest line of said Reserve B, 233.39 feet to the southerly extension of the west line of Lot 12 in said Westfall's Subdivision; thence N00°48'04"W coincident with the southerly extension of the west line of Lot 12 in said Westfall's Subdivision, 252.30 feet to the southwest corner of Lot 12 in said Westfall's Subdivision; thence N89°06'38"E coincident with the south line of Lots 12 and 11 in said Westfall's Subdivision, 267.26 feet to the point of beginning.

I hereby certify that this lot split of Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas; EXCEPT that part lying west of a line extended south from the southwest corner of Lot 12, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas to the northeasterly line of the SL & SF Railroad right-of-way; AND EXCEPT that part platted as said Westfall's Subdivision of part of Reserve B, has been examined by The City of Valley Center and found to comply with the Subdivision Regulations of The City of Valley Center, as amended by Ordinance 1246-12 on September 4, 2012 and published on September 6, 2012 and is hereby approved for recording.

Date Signed \_\_\_\_\_, 20\_\_\_\_

Ryan W. Shrack,  
Community Development Director, City of Valley Center

State of Kansas )  
Sedgwick County ) SS

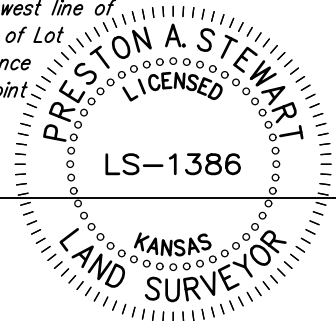
This instrument was acknowledged before me on \_\_\_\_\_ (date) by  
Ryan W. Shrack as Community Development Director of The City of Valley Center.

Notary Public

Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Preston A. Stewart #1386



Reviewed in accordance with K.S.A. 58-2005 on this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

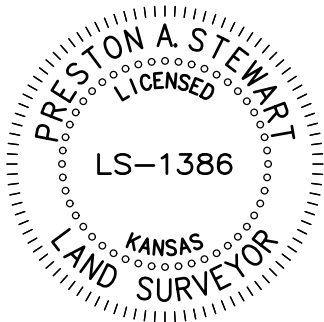
Tricia L. Robello, P.S. #1246  
Deputy County Surveyor  
Sedgwick County, Kansas



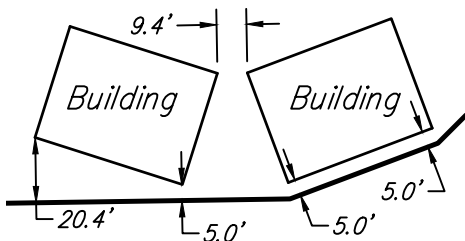
**BAUGHMAN COMPANY**  
315 Ellis St. Wichita, KS 67211 316-262-7271  
BaughmanCo.com



# LOT SPLIT

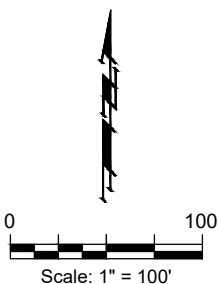
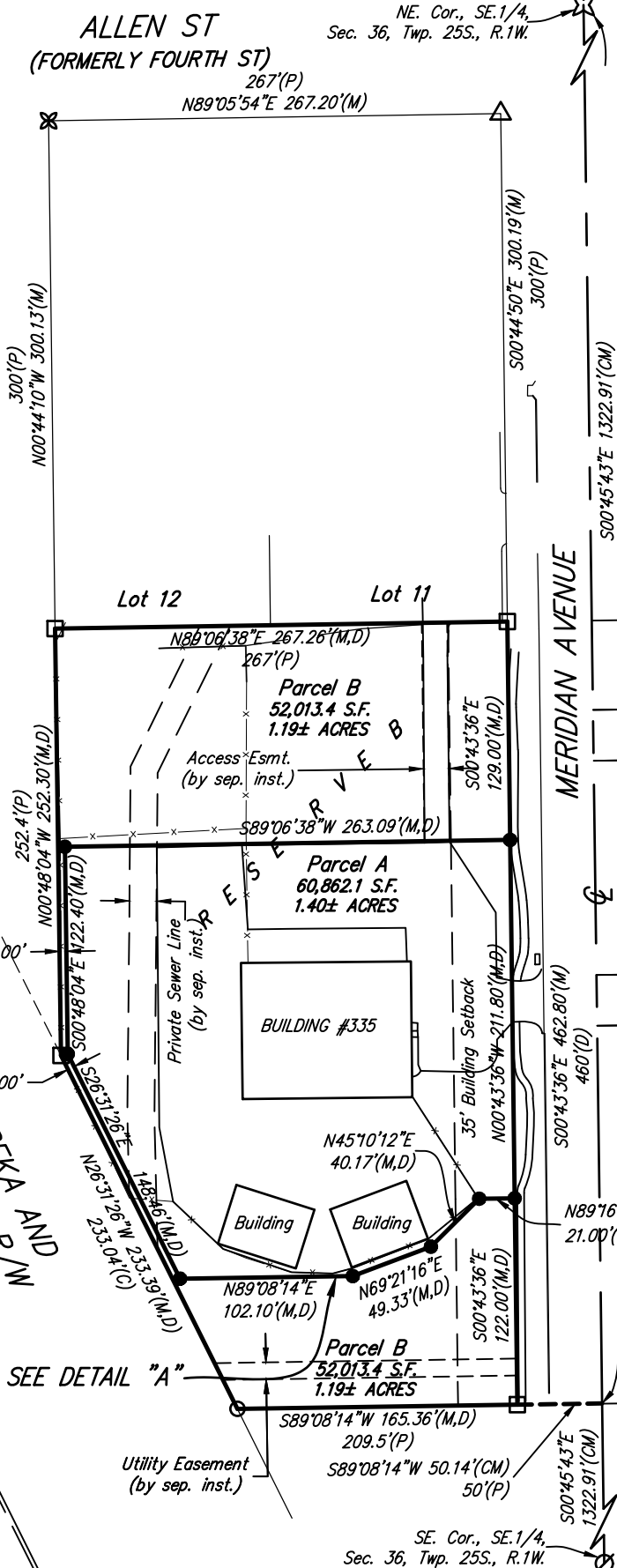


DETAIL "A"



PARK AVENUE (Avenue A)

SANTA FE RAILROAD R/W AND  
ATCHAFALAY RAILROAD R/W



- = #4 Rebar Set (Baughman)
- = #4 Rebar Found (Baughman)
- ✕ = #4 Rebar Found (Origin Unknown)
- = 1/2" Iron Pipe Found (Origin Unknown)
- △ = 3/4" Iron Pipe Found (Origin Unknown)
- = 3/8" Iron Pipe Found (Origin Unknown)
- ✕ = Chiseled "X" Found (Origin Unknown)

- (C) = Calculated
- (D) = Described
- (M) = Measured
- (P) = Platted

SE. Cor., SE.1/4,  
Sec. 36, Twp. 25S., R.1W.



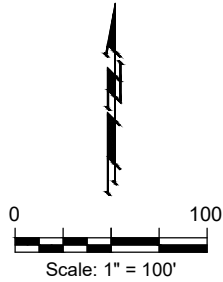
**BAUGHMAN COMPANY**  
315 Ellis St. Wichita, KS 67211 316-262-7271  
BaughmanCo.com

# SEWER & WATER EXHIBIT

ALLEN ST

(FORMERLY FOURTH ST)

NE. Cor., SE. 1/4,  
Sec. 36, Twp. 25S., R. 1W.



WTR

WTR

WTR

WV

PARK AVENUE (Avenue A)

(Private Water Line)

MERIDIAN AVENUE

BUTLER STREET

SANTA FE RAILROAD AND  
ATCHISON TO PEKA AND  
R/W

Lot 12

Lot 11

Parcel B  
52,013.4 S.F.  
1.19± ACRES

Parcel A  
60,862.1 S.F.  
1.40± ACRES

BUILDING #335

Building

Building

Parcel B  
52,013.4 S.F.  
1.19± ACRES

Utility Easement  
(by sep. inst.)

CO ○ = Cleanout

FH ⊗ = Fire Hydrant

SSMH ● = Sanitary Sewer Manhole

WM ● = Water Meter

WV ⊕ = Water Valve

— EXSS — EXSS — Sanitary Sewer Line

— WTR — WTR — Water Line



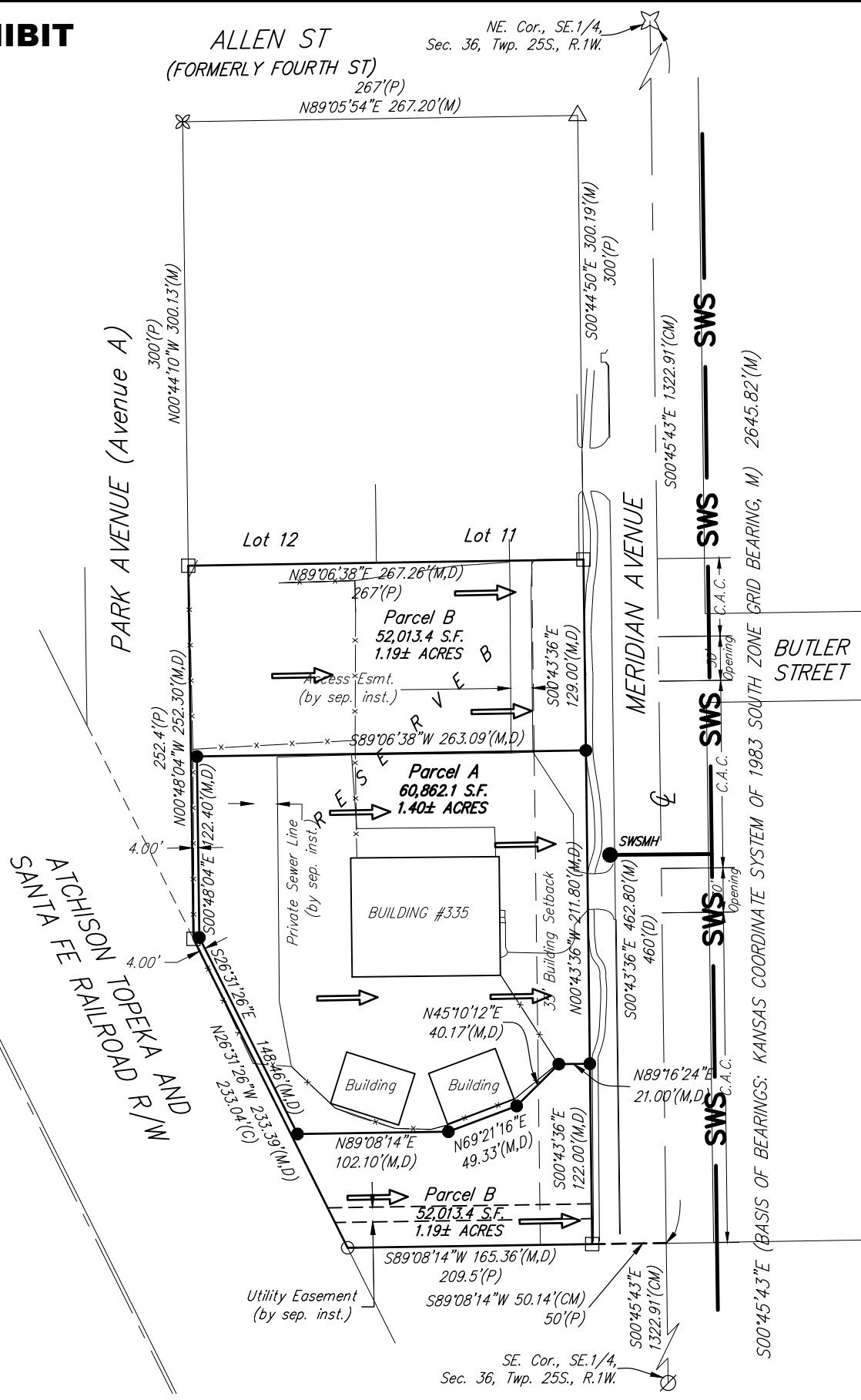
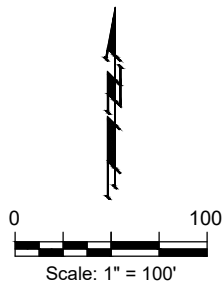
**BAUGHMAN COMPANY**

315 Ellis St. Wichita, KS 67211 316-262-7271

BaughmanCo.com

JUN 26, 2023

DRAINAGE EXHIBIT



— SWS — SWS — Drainage Direction  
— SWS — Stormwater Sewer Line



**BAUGHMAN COMPANY**  
315 Ellis St. Wichita, KS 67211 316-262-7271  
BaughmanCo.com

F:\survey\Lot Split\Valley Center-OT\_Res B-23-01-P849\Drawing\23-01-P849\_C.dwg

**UTILITY EASEMENT**

THIS EASEMENT made \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between Village VC, LLC, a Kansas limited liability company, of the first part and the City of Valley Center, Kansas, of the second part.

WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the said second party a perpetual right-of-way and easement for the purpose of constructing, operating, maintaining, and repairing sewer and all other public utilities over, along, and under the following-described real estate situated in Sedgwick County, Kansas; to wit:

A 20 foot utility easement centered 10.00 feet on each side of the following described centerline: Commencing at the southeast corner of Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas; thence on an Assumed Bearing of N00°43'36"W, coincident with the east line of said Reserve B, 22.26 feet to the point of beginning; thence S89°08'14"W, 176.11 feet to the southwest line of said Reserve B, said line also being the northeast line of SL & SF Railroad Right-of-Way, for a point of termination.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such sewer and all other public utilities.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first above written.

VILLAGE VC, LLC

By: \_\_\_\_\_  
Jeffrey T. Arensdorf, Member

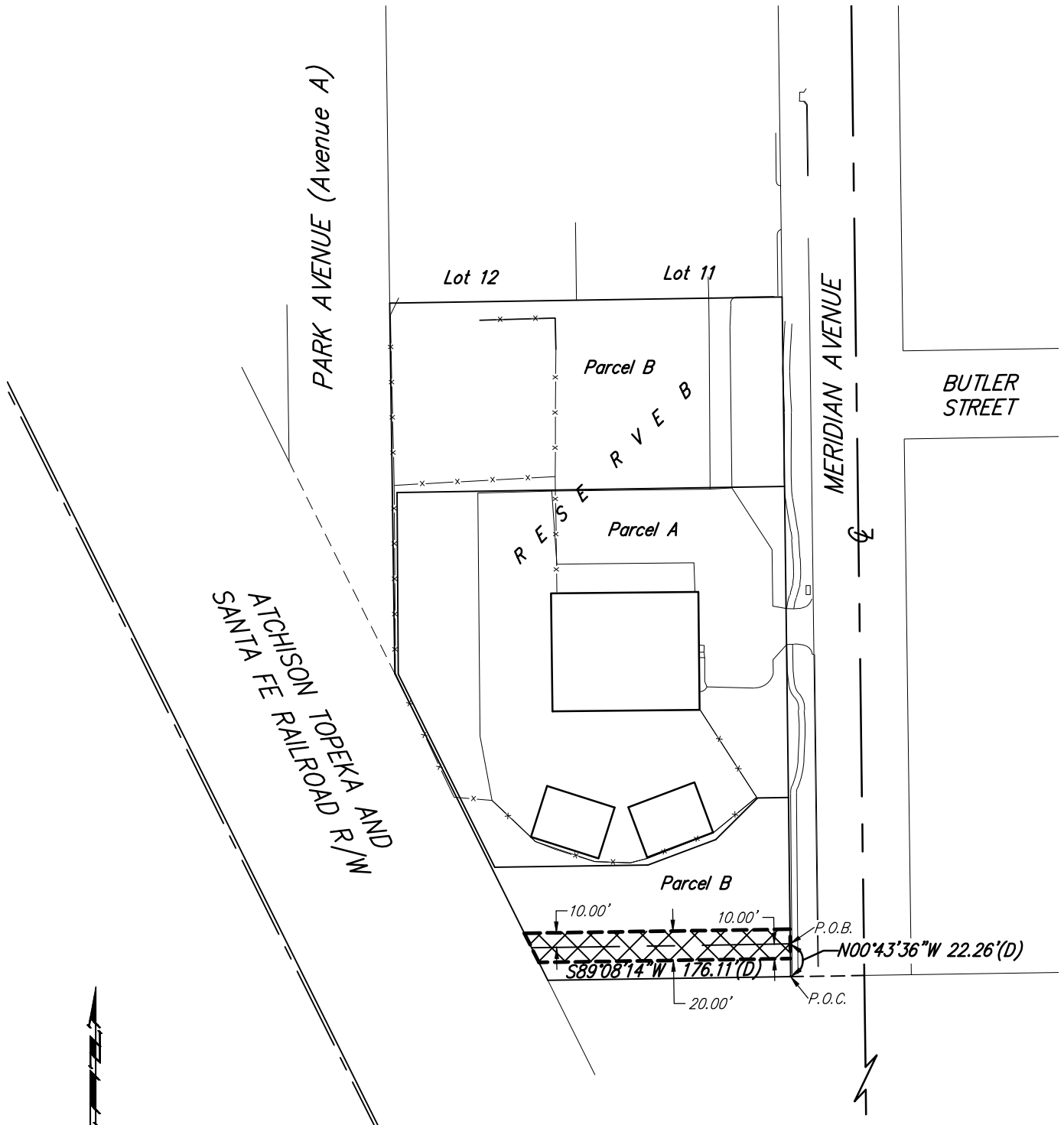
STATE OF KANSAS                    )  
COUNTY OF SEDGWICK            )       SS:

      This instrument was acknowledged before me on \_\_\_\_\_, 2023,  
by Jeffrey T. Arensdorf as Member of Village VC, LLC, a Kansas limited liability company.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

EXHIBIT  
**Reserve B**  
**Original Townsite**  
**Valley Center, Sedgwick County, Kansas**



0 100  
 Scale: 1" = 100'

(D) = Described



INDICATES EASEMENT  
 LOCATION



**BAUGHMAN COMPANY**  
 315 Ellis St. Wichita, KS 67211 316-262-7271  
 BaughmanCo.com

JUL 13, 2023

**PRIVATE SANITARY SEWER SERVICE LINE EASEMENT**

THIS EASEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by Village VC, LLC, a Kansas limited liability company, (hereinafter called "Village"), and Arick Investments, LLC, a Kansas limited liability company, (hereinafter called "Arick").

WITNESSETH

WHEREAS, Village is the owner of the following described property:

**PARCEL 'A'**

A tract of land lying within Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas as prepared by Baughman Company, P.A., CLS 58, State of Kansas, County of Sedgwick, more particularly described as commencing at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S00°43'36"E (Assumed) coincident with the east line of said Reserve B, 129.00 feet to the point of beginning; thence S89°06'38"W parallel with the south line of Lots 11 and 12 in said Westfall's Subdivision, 263.09 feet; thence S00°48'04"E, parallel with the west line of said Reserve B, 122.40 feet; thence S26°31'26"E parallel with the southwest line of said Reserve B, 148.46 feet; thence N89°08'14"E, parallel with the south line of said Reserve B, 102.10 feet; thence N69°21'16"E, 49.33 feet; thence N45°10'12"E, 40.17 feet; thence N89°16'24"E perpendicular to the east line of said Reserve B, 21.00 feet to a point 122.00 feet north of the southeast corner of said Reserve B; thence N00°43'36"W coincident with the east line of said Reserve B, 211.80 feet more or less to the point of beginning.

and,

**PARCEL 'B'**

A tract of land lying within Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas as prepared by Baughman Company, P.A., CLS 58, State of Kansas, County of Sedgwick, more particularly described as beginning at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S00°43'36"E (Assumed) coincident with the east line of said Reserve B, 129.00 feet; thence S89°06'38"W parallel with the south line of Lots 11 and 12 in said Westfall's Subdivision, 263.09 feet; thence S00°48'04"E, parallel with the



west line of said Reserve B, 122.40 feet; thence S26°31'26"E parallel with the southwest line of said Reserve B, 148.46 feet; thence N89°08'14"E, parallel with the south line of said Reserve B, 102.10 feet; thence N69°21'16"E, 49.33 feet; thence N45°10'12"E, 40.17 feet; thence N89°16'24"E perpendicular to the east line of said Reserve B, 21.00 feet to a point 122.00 feet north of the southeast corner of said Reserve B; thence S00°43'36"E coincident with the east line of said Reserve B, 122.00 feet to the southeast corner of said Reserve B; thence S89°08'14"W coincident with the south line of said Reserve B, 165.36 feet to the southernmost southwest corner of said Reserve B; thence N26°31'26"W coincident with the southwest line of said Reserve B, 233.39 feet to the southerly extension of the west line of Lot 12 in said Westfall's Subdivision; thence N00°48'04"W coincident with the southerly extension of the west line of Lot 12 in said Westfall's Subdivision, 252.30 feet to the southwest corner of Lot 12 in said Westfall's Subdivision; thence N89°06'38"E coincident with the south line of Lots 12 and 11 in said Westfall's Subdivision, 267.26 feet to the point of beginning.

and,

WHEREAS, Arick is the owner of the following described property:

**PARCEL 'C'**

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, in Westfall's Subdivision of a part of Reserve B in the Original Town Site of Valley Center, Sedgwick County, Kansas;

WHEREAS, there is an existing private sanitary sewer service line that extends through a portion of Parcel 'A' and Parcel 'B', that serves Parcel 'A', Parcel 'B', and Parcel 'C';

and,

WHEREAS, Village desires to establish a private sanitary sewer service line easement across Parcel 'A' to serve Parcel 'B'; and Village and Arick desire to establish a private sanitary sewer service easement across Parcel 'A' and Parcel 'B' to serve Parcel 'C'

and,

WHEREAS, Village is in the process of completing a lot split on the above-referenced Parcels 'A' and 'B' through the City of Valley Center Department of Community Development, and as a condition of approval, this private sanitary sewer service easement shall be granted.

NOW THEREFORE, Village and Arick hereby declare and covenant the following:

1. That a private sanitary sewer easement is hereby granted over the centerline of the sanitary sewer line as laid in the field, generally described as follows:

A 16 foot private sanitary sewer easement centered 8.00 feet on each side of the following described centerline: Commencing at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence on an Assumed Bearing of S89°06'38"W, coincident with the south line of Lots 11 and 12 is said Westfall's Subdivision, 172.78 feet; thence S26°15'34"W, 94.66 feet; thence S00°28'29"W, 102.03 feet; thence S00°35'48"W, 102.12 feet; thence S01°21'09"E, 62.15 feet to a segment of the west line of said Reserve B and for a point of termination.

2. That Parcel 'B' shall have a private sanitary sewer service line easement over and across Parcel 'A', and that Parcel 'A' shall grant to Parcel 'B' the right to maintain, repair and/or replace the existing sanitary sewer service line across Parcel 'A', unless otherwise mutually agreed upon by the owners of Parcel 'A' and Parcel 'B'.
3. That Parcel 'C' shall have a private sanitary sewer service line easement over and across Parcel 'B' and Parcel 'A', and that Parcel 'B' and Parcel 'A' shall grant to Parcel 'C' the right to maintain, repair and/or replace the existing sanitary sewer service line across Parcel 'B' and Parcel 'A', unless otherwise mutually agreed upon by the owners of Parcel 'A', Parcel 'B', and Parcel 'C'.

This private sanitary sewer line easement shall be binding on Village and Arick, their heirs, successors or assigns, and is a covenant running with the land and is binding on all successors in title to Parcel 'A', Parcel 'B', and Parcel 'C', lying within said Reserve B, original townsite, Valley Center, Sedgwick County, Kansas.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

EXECUTED the day and year first written above.

VILLAGE VC, LLC

By: \_\_\_\_\_  
Jeffrey T. Arensdorf, Member

STATE OF KANSAS            )  
COUNTY OF SEDGWICK    )       SS:

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Jeffrey T. Arensdorf, as Member of Village VC, LLC, a Kansas limited liability company, who is personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same, for and on behalf and as the act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

My Appointment Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

ARICK INVESTMENTS, LLC

By: \_\_\_\_\_  
William Arick, Member

By: \_\_\_\_\_  
Vicki Arick, Member

STATE OF KANSAS            )  
COUNTY OF SEDGWICK    )       SS:

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came William Arick and Vicki Arick, Member and Member of Arick Investments, LLC, a Kansas limited liability company, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same on behalf, and as the act and deed of said company.

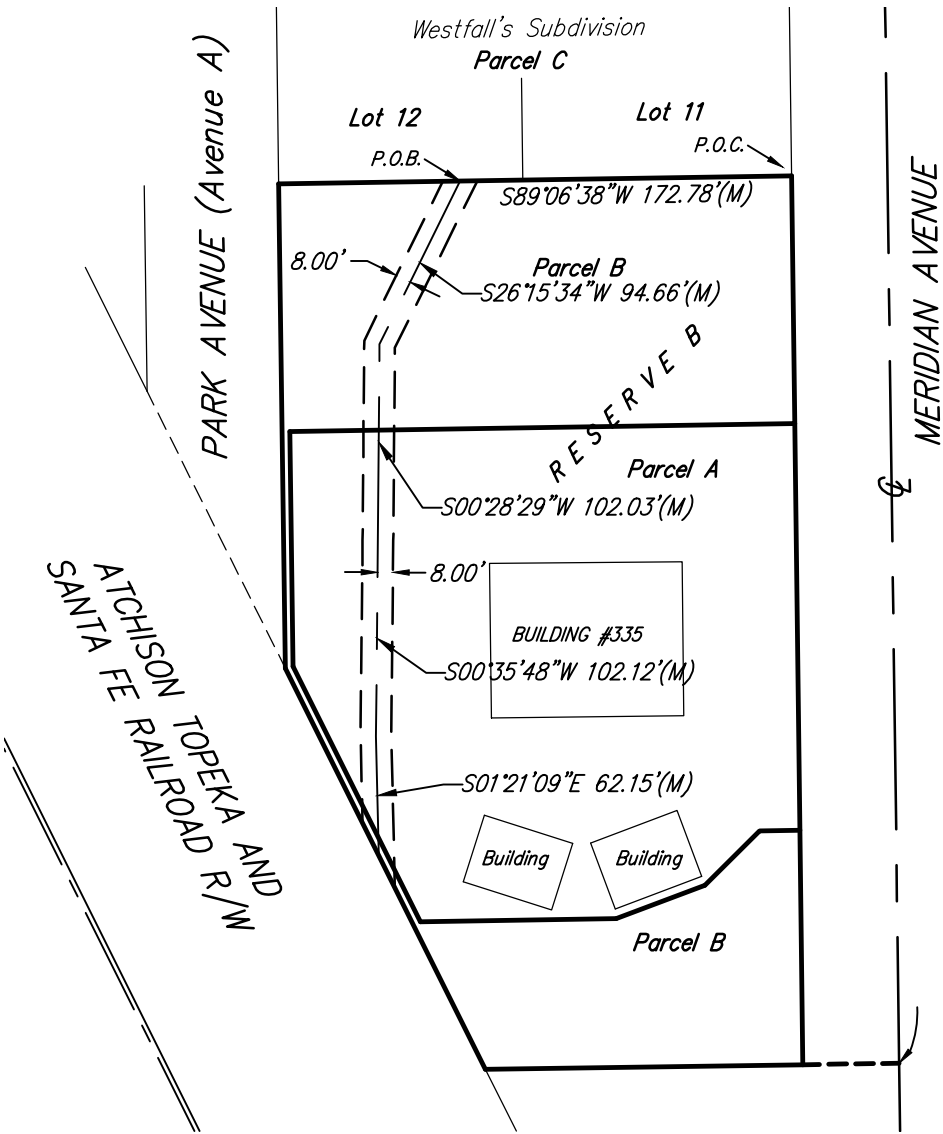
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

\_\_\_\_\_  
Notary Public

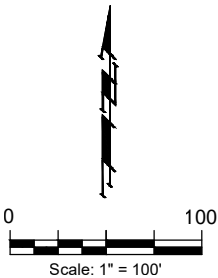
(My Appointment Expires: \_\_\_\_\_)

EXHIBIT

# Sanitary Sewer Easement Reserve B, Original Townsite, Valley Center, Sedgwick County, Kansas



INDICATES AREA OF  
LEGAL DESCRIPTION



**BAUGHMAN COMPANY**  
315 Ellis St. Wichita, KS 67211 316-262-7271  
BaughmanCo.com

JUN 12, 2023

**PARTIAL DEDICATION OF ABUTTER'S ACCESS RIGHTS**

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned Village VC, LLC, a Kansas limited liability company, being the owner(s) of the following described real estate in Sedgwick County, Kansas, to wit:

**PARCEL 'A'**

A tract of land lying within Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas as prepared by Baughman Company, P.A., CLS 58, State of Kansas, County of Sedgwick, more particularly described as commencing at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S00°43'36"E (Assumed) coincident with the east line of said Reserve B, 129.00 feet to the point of beginning; thence S89°06'38"W parallel with the south line of Lots 11 and 12 in said Westfall's Subdivision, 263.09 feet; thence S00°48'04"E, parallel with the west line of said Reserve B, 122.40 feet; thence S26°31'26"E parallel with the southwest line of said Reserve B, 148.46 feet; thence N89°08'14"E, parallel with the south line of said Reserve B, 102.10 feet; thence N69°21'16"E, 49.33 feet; thence N45°10'12"E, 40.17 feet; thence N89°16'24"E perpendicular to the east line of said Reserve B, 21.00 feet to a point 122.00 feet north of the southeast corner of said Reserve B; thence N00°43'36"W coincident with the east line of said Reserve B, 211.80 feet more or less to the point of beginning.

and,

**PARCEL 'B'**

A tract of land lying within Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas as prepared by Baughman Company, P.A., CLS 58, State of Kansas, County of Sedgwick, more particularly described as beginning at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S00°43'36"E (Assumed) coincident with the east line of said Reserve B, 129.00 feet; thence S89°06'38"W parallel with the south line of Lots 11 and 12 in said Westfall's Subdivision, 263.09 feet; thence S00°48'04"E, parallel with the west line of said Reserve B, 122.40 feet; thence S26°31'26"E parallel with the southwest line of said Reserve B, 148.46 feet; thence N89°08'14"E,

parallel with the south line of said Reserve B, 102.10 feet; thence N69°21'16"E, 49.33 feet; thence N45°10'12"E, 40.17 feet; thence N89°16'24"E perpendicular to the east line of said Reserve B, 21.00 feet to a point 122.00 feet north of the southeast corner of said Reserve B; thence S00°43'36"E coincident with the east line of said Reserve B, 122.00 feet to the southeast corner of said Reserve B; thence S89°08'14"W coincident with the south line of said Reserve B, 165.36 feet to the southern most southwest corner of said Reserve B; thence N26°31'26"W coincident with the southwest line of said Reserve B, 233.39 feet to the southerly extension of the west line of Lot 12 in said Westfall's Subdivision; thence N00°48'04"W coincident with the southerly extension of the west line of Lot 12 in said Westfall's Subdivision, 252.30 feet to the southwest corner of Lot 12 in said Westfall's Subdivision; thence N89°06'38"E coincident with the south line of Lots 12 and 11 in said Westfall's Subdivision, 267.26 feet to the point of beginning.

do hereby transfer and convey to the appropriate governing body, all abutter's rights of access, ingress and egress to said property to or from Meridian Avenue over and across the east line of the above-described property; to have and to hold the same forever; provided however, that said property shall be allowed two openings to said Meridian Avenue, over the following described property:

The East line of Reserve B, Original Townsite, Valley Center, Kansas, Sedgwick County, Kansas, described as extending from the southeast corner of said Reserve B, north for 460 feet more or less to the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; Except the north 30.00 feet of the south 253.50 feet of the east line of said Reserve B; AND EXCEPT the north 30.00 feet of the south 410 feet of the east line of said Reserve B.

It being understood that this conveyance is a covenant running with the land and prohibits all subsequent owners thereof and all members of the public from entering upon said property from Meridian Avenue, EXCEPT at the two permitted and above-described openings.



Executed this \_\_\_\_ day of \_\_\_\_\_, 2023.

VILLAGE VC, LLC

By \_\_\_\_\_  
Jeffrey T. Arensdorf, Member

STATE OF KANSAS            )  
COUNTY OF SEDGWICK    )       SS:

BE IT REMEMBERED, that on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
before me, the undersigned, a Notary Public, in and for the County and State  
aforesaid, came Jeffrey T. Arensdorf, as Member of Village VC, LLC, a Kansas limited  
liability company, personally known to me to be the same person who executed the  
within instrument of writing and such person duly acknowledged the execution of the  
same, for and on behalf of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official  
seal the day and year above written.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

## **ACCESS EASEMENT**

THIS ACCESS EASEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 2023, made by and between Village VC, LLC, a Kansas limited liability company (hereinafter "Village"), and Arick Investments, LLC, a Kansas limited liability company (hereinafter "Arick").

WITNESSETH:

WHEREAS, Village VC, LLC, is the owner of the following described property:

### **PARCEL 'A'**

A tract of land lying within Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas as prepared by Baughman Company, P.A., CLS 58, State of Kansas, County of Sedgwick, more particularly described as commencing at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S00°43'36"E (Assumed) coincident with the east line of said Reserve B, 129.00 feet to the point of beginning; thence S89°06'38"W parallel with the south line of Lots 11 and 12 in said Westfall's Subdivision, 263.09 feet; thence S00°48'04"E, parallel with the west line of said Reserve B, 122.40 feet; thence S26°31'26"E parallel with the southwest line of said Reserve B, 148.46 feet; thence N89°08'14"E, parallel with the south line of said Reserve B, 102.10 feet; thence N69°21'16"E, 49.33 feet; thence N45°10'12"E, 40.17 feet; thence N89°16'24"E perpendicular to the east line of said Reserve B, 21.00 feet to a point 122.00 feet north of the southeast corner of said Reserve B; thence N00°43'36"W coincident with the east line of said Reserve B, 211.80 feet more or less to the point of beginning.

and

### **PARCEL 'B'**

A tract of land lying within Reserve B, original townsite, Valley Center, Kansas, Sedgwick County, Kansas as prepared by Baughman Company, P.A., CLS 58, State of Kansas, County of Sedgwick, more particularly described as beginning at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S00°43'36"E (Assumed) coincident with the east line of said Reserve B, 129.00 feet; thence S89°06'38"W parallel with the south line of Lots 11 and 12 in said Westfall's Subdivision, 263.09 feet; thence S00°48'04"E, parallel with the west line of said Reserve B, 122.40 feet; thence S26°31'26"E parallel with

the southwest line of said Reserve B, 148.46 feet; thence N89°08'14"E, parallel with the south line of said Reserve B, 102.10 feet; thence N69°21'16"E, 49.33 feet; thence N45°10'12"E, 40.17 feet; thence N89°16'24"E perpendicular to the east line of said Reserve B, 21.00 feet to a point 122.00 feet north of the southeast corner of said Reserve B; thence S00°43'36"E coincident with the east line of said Reserve B, 122.00 feet to the southeast corner of said Reserve B; thence S89°08'14"W coincident with the south line of said Reserve B, 165.36 feet to the southern most southwest corner of said Reserve B; thence N26°31'26"W coincident with the southwest line of said Reserve B, 233.39 feet to the southerly extension of the west line of Lot 12 in said Westfall's Subdivision; thence N00°48'04"W coincident with the southerly extension of the west line of Lot 12 in said Westfall's Subdivision, 252.30 feet to the southwest corner of Lot 12 in said Westfall's Subdivision; thence N89°06'38"E coincident with the south line of Lots 12 and 11 in said Westfall's Subdivision, 267.26 feet to the point of beginning.

and

WHEREAS, Arick is the owner of the following described property:

**PARCEL 'C'**

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, in Westfall's Subdivision of a part of Reserve B in the Original Town Site of Valley Center, Sedgwick County, Kansas;

and

WHEREAS, said Parcel 'A', Parcel 'B', and Parcel 'C' are contiguous to and are lying directly adjacent to each other; and

WHEREAS, said Parcel 'C' desires to provide cross lot access and easements for vehicular traffic over and across said Parcel 'C', for the benefit of Parcel 'A' and Parcel 'B', to allow vehicular access to and from Meridian Avenue; and

WHEREAS, Parcel 'B', desires to provide a perpetual access easement for the benefit of Parcel 'A' over, across, and through a portion of said Parcel 'B' (later described as Parcel 'D'), to allow vehicular access to Parcel 'C' and Meridian Avenue, and to provide a perpetual access easement for Parcel 'C' over, across, and through a portion of Parcel 'B'.

**PARCEL 'D'**

Commencing at the southeast corner of Lot 11, Westfall's Subdivision of part of Reserve B, in the original townsite of Valley Center, Kansas, Sedgwick County, Kansas; thence S89°06'38"W (Assumed), coincident with the south line of said Lot 11, 35.60 feet to the point of beginning; thence S00°43'36"E, parallel with the east line of Reserve B, 129.00 feet; thence S89°06'38"W, parallel with the south line of said Lot 11, 15.00 feet; thence N00°43'36"W, parallel with the east line of said Reserve B,

129.00 feet to the south line of said Lot 11; thence N89°06'38"E, coincident with the south line of said Lot 11, 15.00 feet to the point of beginning.

NOW THEREFORE, the owners of Parcel 'A', Parcel 'B' and Parcel 'C' hereby agree to the following:

1. The owners of Parcel 'B' hereby grant to the owners of Parcel 'A' and 'C', the right to use for ingress and egress purposes the access easement as described in Parcel 'D' above.
2. The owners of Parcel 'C' hereby grant to the owners of Parcel 'A' and Parcel 'B', cross lot access and easements for vehicular traffic over and across said Parcel 'C', for the benefit of each of their respective Parcels, for the convenience of the owners and employees, customers, and invitees of the owners thereof, mutual non-exclusive easements and rights-of-way for the purpose of ingress and egress of vehicular traffic along and across those portions of Parcel 'C' to be established as driveways from time to time.

It is agreed by and between the parties hereto that such access easement shall be a perpetual easement until and unless amended, revoked, or released by all of the parties in interest or their successors or assigns and that the same shall be a covenant running with the land and shall be binding upon the grantors herein, their grantees, their heirs, assigns, licensees, successors, and assignees in interest.

It is further contracted and covenanted that such easement shall be for driveway, ingress, and egress purposes, and such easement shall not be used for parking purposes, or utilized in any manner so as to impede or inconvenience the use of such easements for the purposes herein set forth. Maintenance of said easements shall be in the mutual interests and responsibilities to all parties' interest and their successors, heirs, and/or assigns.

In testimony whereof the undersigned has set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

VILLAGE VC, LLC

By: \_\_\_\_\_  
Jeffrey T. Arensdorf, Member

STATE OF KANSAS            )  
COUNTY OF SEDGWICK    )       SS:

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Jeffrey T. Arensdorf, as Member of Village VC, LLC, a Kansas limited liability company, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same on behalf, and as the act and deed of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

\_\_\_\_\_  
Notary Public

(My Appointment Expires: \_\_\_\_\_)

ARICK INVESTMENTS, LLC

By: \_\_\_\_\_  
William Arick, Member

By: \_\_\_\_\_  
Vicki Arick, Member

STATE OF KANSAS            )  
COUNTY OF SEDGWICK    )       SS:

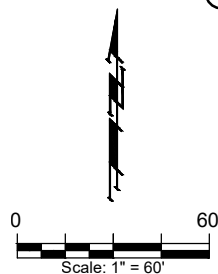
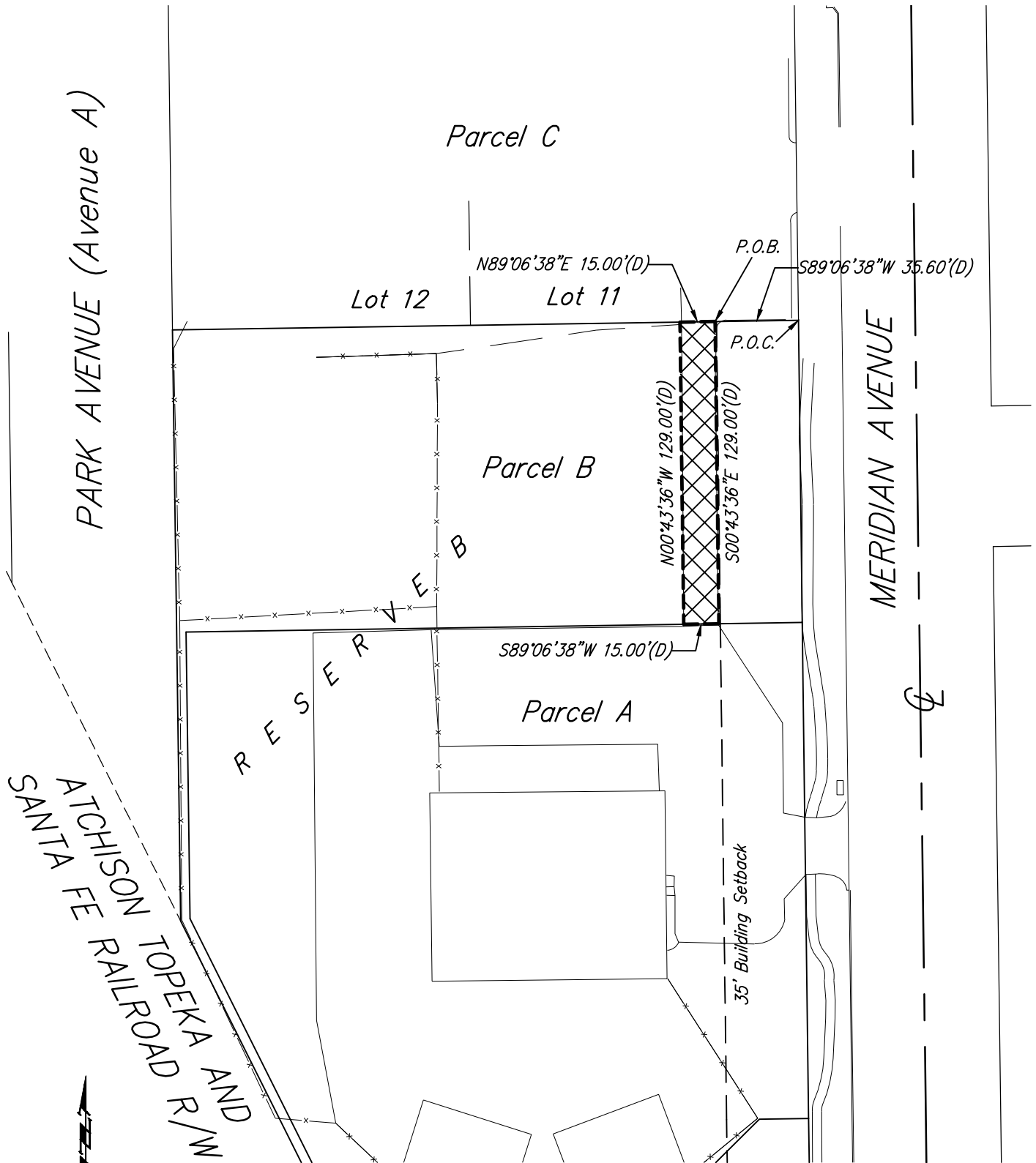
BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came William Arick and Vicki Arick, Member and Member of Arick Investments, LLC, a Kansas limited liability company, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same on behalf, and as the act and deed of said company.

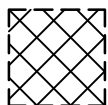
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

\_\_\_\_\_  
Notary Public

(My Appointment Expires: \_\_\_\_\_)

EXHIBIT  
**Reserve B**  
**Original Townsite**  
**Valley Center, Sedgwick County, Kansas**



 INDICATES  
 EASEMENT AREA



# 2035 Urban Growth Areas Map

(This map does reflect the Urban Areas of Influence in Sedgwick County)

The *2035 Urban Growth Areas Map* visually portrays the anticipated growth patterns for the cities of Sedgwick County. Municipal growth patterns that do not exactly match this guide but reflect marketplace demands should be given reasonable consideration, if they do not present extraordinary new public service burdens on the community. It is also important to note that the 2035 urban growth areas depicted are not prescriptive or binding in nature. They serve only as a reasonable indication as to where the future efficient extension of public municipa services and corporate limits could occur by the year 2035.

**Small City Urban Growth Areas:** Generally located adjacent to existing municipal boundaries, these areas indicate the likely direction and magnitude of growth these communities can expect to experience out to the year 2035. Growth direction and amount is based upon municipal political considerations, anticipated population growth, efficient patterns of growth, current infrastructure limitations, cost effective delivery of future municipal services and environmental factors. These areas coincide with the Urban Areas of Influence.

**Wichita Urban Growth Area:** Wichita’s urban fringe areas that are primarily undeveloped but have the potential to be developed by the year 2035, based upon Wichita population growth projections and current market trends. This is the area in which city limits expansion and extension of municipal services and infrastructure should be focused. Determination of growth direction and amount is based upon municipal political considerations, anticipated municipal population growth, efficient patterns of municipal growth, current infrastructure limitations, cost effective delivery of future municipal services and environmental factors.

**Established Central Area:** Comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius, the Established Central Area is the focus area for the Wichita: Places for People Plan.

**K-96 Special Uses Corridor:** Encompasses areas identified in the *K-96 Corridor Economic Development Plan* that require special land use controls in order to ensure appropriate patterns of commercial redevelopment within the K-96 corridor. *The K-96 Corridor Economic Development Plan* should be consulted for more specific future land use direction.

**Industrial, Improvement, Sedgwick County Park and McConnell Air Force Base Districts:** Encompasses areas within the Wichita Urban Growth Area where various legal agreements have been established to restrict Wichita city limits expansion and provide for shared delivery of municipal services by the City of Wichita, Sedgwick County, and townships.

**Rural:** This category encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses, and larger lot residential exurban subdivisions likely will be developed in this area. Such development should occur in accordance with the *Urban Fringe Development Policy*.

Adopted by Sedgwick County Commission on 12/16/2020 (Resolution 177-2020) and Adopted by Wichita City Council on 4/13/2021 (Ordinance 51-430)

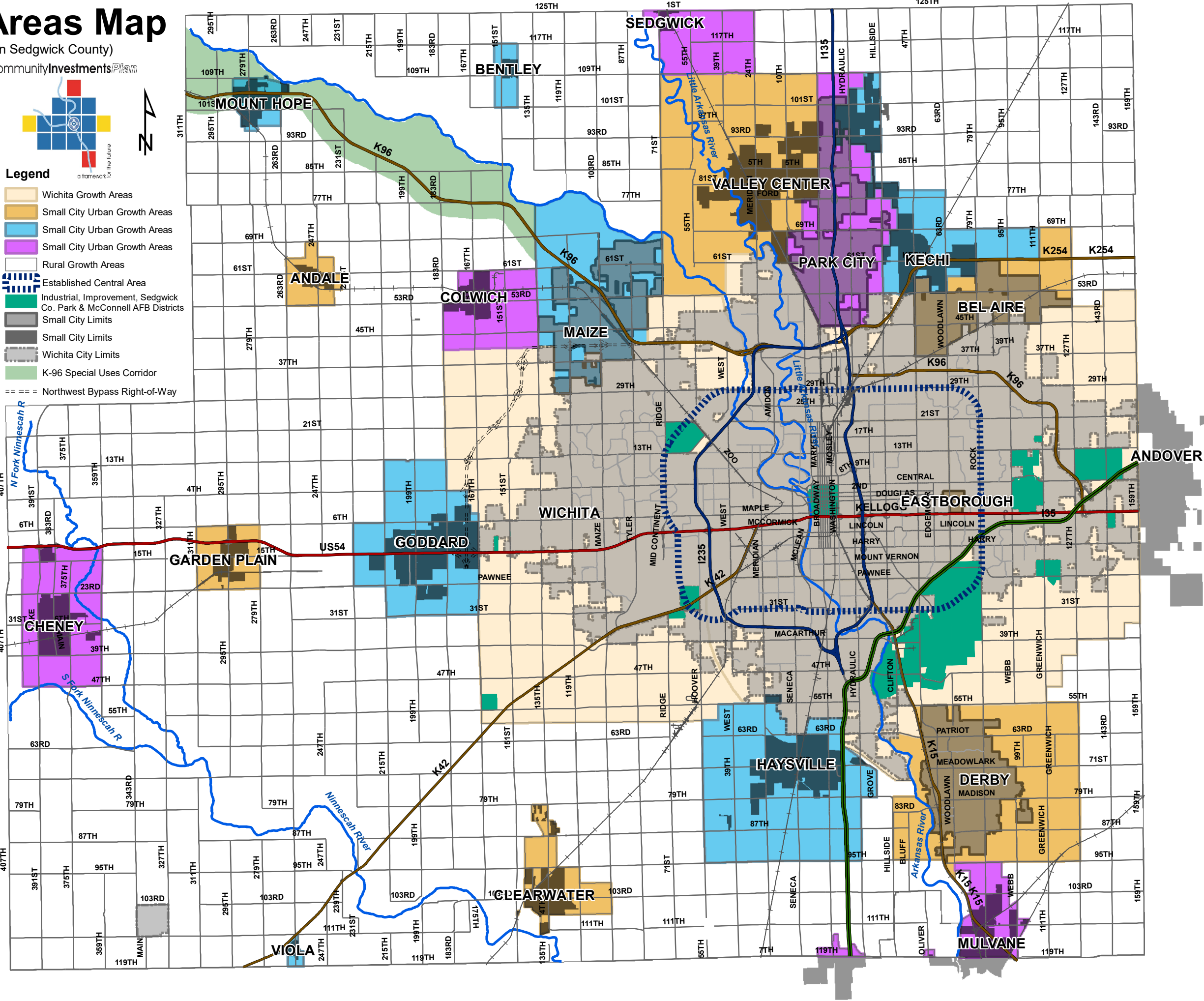
CommunityInvestmentsPlan



## Legend

- Wichita Growth Areas
- Small City Urban Growth Areas
- Small City Urban Growth Areas
- Small City Urban Growth Areas
- Rural Growth Areas
- Established Central Area
- Industrial, Improvement, Sedgwick Co. Park & McConnell AFB Districts
- Small City Limits
- Small City Limits
- Wichita City Limits
- K-96 Special Uses Corridor

== == == Northwest Bypass Right-of-Way







# 2035 Wichita Future Growth Concept Map

## Legend

- Established Central Area
- Northwest Bypass Right-of-Way
- Residential and Employment Mix
- New Employment
- New Residential
- Small City Limits
- Small City Limits
- Wichita City Limits
- Statistical Development Areas**
  - Small City Urban Growth Areas
  - Small City Urban Growth Areas
  - Rural Areas
- LAND USE**
  - Residential
  - Commercial
  - Industrial
  - Major Air Transportation & Military
  - Parks and Open Space
  - Agricultural or Vacant
  - Major Institutional
  - Neighborhood/Area Plans

