



PLANNING AND ZONING BOARD MEETING AGENDA

**Tuesday, May 28, 2024
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

April 23, 2024 DRAFT meeting minutes

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

F. COMMUNICATIONS

G. PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD

1. Review of SD-2024-01, application of the Douglas E. Kirkland Revocable Trust, pursuant to City Code 16.04, who is petitioning for approval of a final plat for land located southeast of the intersection of 77th Street and West St. (currently addressed as 7710 N. West 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**) SD-2024-01. Seconded by _____ For ____ Against ____

2. Review of SD-2024-02, application of KWH Investments, LLC, pursuant to City Code 16.04, who is petitioning for approval of a preliminary plat for land located east of the intersection of Ford St. and Seneca St. (currently addressed as 825 W. 77th Street 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**) SD-2024-02. Seconded by _____ For _____ Against _____

H. OLD/UNFINISHED BUSINESS

I. NEW BUSINESS

1. 2025-2035 Comprehensive Plan Discussion with Foster Design Associates

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.

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

Tuesday, April 23, 2024 7:00 P.M.

CALL TO ORDER: Chairperson Janzen called the meeting to order at 7:00 P.M. with the following board members present: Paul Spranger, Steve Conway, Scot Phillips, Rick Shellenbarger and Dalton Wilson

Members Absent: Brian Shelton

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

Audience: Dixie Mayhew, Mark Koehn, Will Clevenger, Ryan Nett, Gaylan Nett, Randy Jackson, Tammy Miller, Michael Miller, and Brad Isham

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

APPROVAL OF DRAFT MINUTES: Chairperson Janzen made a motion to approve the March 26, 2024, meeting minutes. The motion was seconded by Board Member Wilson. Motion passed unanimously.

COMMUNICATIONS:

1. Election of Board Officers for 2024: Chairperson, Vice Chairperson, and Secretary

A motion was made by Vice Chairperson Spranger and seconded by Board Member Wilson for Gary Janzen to continue to serve as Chairperson for another year. The motion passed unanimously. Motion was made by Chairperson Janzen and seconded by Board Member Wilson for Paul Spranger to continue to serve as the Vice Chairperson. Motion passed unanimously. Motion was made by Board Member Shellenbarger and seconded by Chairperson Janzen for Ryan Shrack to continue to serve as the Secretary. Motion passed unanimously.

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

1. Review of CU-2024-01, application of Michael and Tammy Miller, pursuant to City Code 17.10.09., who are petitioning for a conditional use approval to allow for a single-family residence to be used as a bed and breakfast, which is currently addressed as 125 N. Ash Ave., Valley Center, KS 67147.

Chairperson Janzen opened the hearing for comments from the public: 7:04 PM

R. Shrack gave a summary of his staff report noting that per the City's zoning code, single-family residential buildings on R-1B zoned property may be used for this purpose, with the approval of a conditional use application. Public notices were sent to surrounding property owners as well as published in the *Ark Valley News*. We did receive one inquiry, not in opposition, just looking for more information. City staff is recommending approval of this application. Both Michael and Tammy Miller addressed the board giving details on this operation. This will be used as a short-term rental such as Air BNB and VRBO.

Chairperson Janzen closed the hearing for comments from the public: 7:09 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Chairperson Janzen made a motion to approve CU-2024-01. Motion was seconded by Board Member Shellenbarger. The vote was unanimous.

2. Review of SP-2024-01, application of Builders FirstSource, pursuant to City Code 17.12, who is petitioning to build a 46,200 sq. ft. industrial building on property currently addressed as 801 S. Meridian Ave., Valley Center, KS 67147.

Chairperson Janzen opened the hearing for comments from the public: 7:10 PM

R. Shrack gave a summary of his staff report. He expressed a few of the ways BFS has, and continues to have, a positive impact on our community. The proposed building will be a millworks facility. Public notices were sent to surrounding property owners as well as published in the *Ark Valley News*. We did receive one inquiry, not in opposition, pertaining to this application. City staff is recommending approval of this application. A brief discussion was had about where exactly the building would be constructed. No comments were made by the public.

Chairperson Janzen closed the hearing for comments from the public: 7:15 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SP-2024-01. Motion was seconded by Board Member Conway. The vote was unanimous.

3. Review of SD-2024-01, application of the Douglas E. Kirkland Revocable Trust, pursuant to City Code 16.04, who is petitioning for approval of a preliminary plat for land located southeast of the intersection of 77th Street and West St. (currently addressed as 7710 N. West St.), Valley Center, KS 67147.

Chairperson Janzen opened the hearing for comments from the public: 7:16 PM

R. Shrack gave a summary of his staff report including the recent annexation of the subject property. This plat will create a total of 35 new lots, along with 2 designated reserve areas. There will be no rezoning required, a preliminary and final plat only. Will Clevenger, agent for the applicant, addressed the board and answered a few questions. This new development will consist of all single-family homes and the current proposed name will be Rio Bella. Brad Isham, resident, inquired about city utilities being brought into this area. Clarification was given regarding wells and septic systems. Mark Koehn, resident, addressed the board with questions about minimum square footage, duplex allowances, HOA, wear and tear on nearby roads and a common area. All answers were provided by Ryan Shrack, Gaylan and Ryan Nett (developers), Will Garver, and City Administrator Brent Clark.

Chairperson Janzen closed the hearing for comments from the public: 7:35 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SD-2024-01. Motion was seconded by Vice Chairperson Spranger. The vote was unanimous.

OLD/UNFINISHED BUSINESS: None

NEW BUSINESS: None

STAFF REPORTS: R. Shrack informed the board of the approval of Foster Design Associates to be the contractor for the new 10-year comprehensive plan for the City. He also reminded the board of the next meeting that will be held on May 28, 2024.

ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:

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

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BOARD OF ZONING

APPEALS MEETING: At 7:43 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Board Member Shellenbarger. The vote was unanimous and the meeting was adjourned.

Respectfully submitted,

/s/ Ryan Shrack, Secretary

Gary Janzen, Chairperson



Date: May 21, 2024

To: City of Valley Center Planning and Zoning Board

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

Final Plat Approval for Rio Bella Subdivision Plat (SD-2024-01)

The Douglas E. Kirkland Revocable Trust, 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 addressed as 7710 N. West St., Valley Center, KS 67147.



Applicant's Reasons for Platting:

The property owner is working with a developer to transform this existing agricultural area into a suburban-style neighborhood with new large single-family lots. The City recently annexed the subject property into the incorporated boundary of Valley Center. This change is not reflected in the map above, but annexation was approved via City Ordinance #1404-24.

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. As part of the platting process, a drainage plan was required by the City and is in the final stages of approval at the publication of this staff report. The final plat meets all the requirements listed in the required contents section (16.05.01) 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 in early June. This property is currently zoned RR-1 (Suburban Residential District), which will not need to be changed as this zoning classification fits with the intended end use of low-density single-family housing. As currently shown, this plat will create a total of 35 new parcels, along with two 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 preliminary 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 preliminary plat. As of the date of this report, there have been no inquiries regarding this application and no one has submitted any protest against this proposed final plat.

Staff Recommendation:

City staff recommends approval of this final plat application contingent on approval of the plat's drainage plan by the City Staff Review Team.

RIO BELLA ADDITION

Valley Center, Sedgwick County, Kansas
Part of the NW1/4 of Sec. 1, T26S, R1W

State of Kansas)

Sedgwick County)

We, Garver, LLC, Land Surveyors in aforesaid county and state, do hereby certify that, under the supervision of the undersigned, we have surveyed and platted "RIO BELLA ADDITION", Valley Center, Sedgwick County, Kansas, and that the accompanying plat is a true and correct exhibit of the property surveyed, described as follows:

Parcel 1:
Government Lot 4, Section 1, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas.

Parcel 2:
Government Lot 3 in the N1/2 of the NW1/4 of Section 1, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas.

All public easements and dedications are hereby vacated by virtue of K.S.A. 12-512b, as amended.

Garver, LLC

Land Surveyor

William K. Clevenger, PS #1437

Know all men by these presents that we, the undersigned, have caused the land described in the surveyor's certificate to be platted into Lots, Blocks, Reserves and Streets, to be known as "RIO BELLA ADDITION", Valley Center, Sedgwick County, Kansas. The utility easements are hereby granted as indicated for the construction and maintenance of all public utilities. The drainage easements are hereby granted to the public as indicated for drainage purposes. The drainage & utility easements are hereby granted as indicated for drainage purposes and for the construction and maintenance of all public utilities. The maintenance of all drainageways and drainage facilities in backyard easements and reserves shall be the responsibility of the property owner, and shall be enforced by the City of Valley Center. Access Controls as indicated are hereby granted to the appropriate governing body. The streets are hereby dedicated to and for the use of the public. Reserve "A" is hereby reserved for a driveway, ingress & egress, utilities and residential improvements. Reserve "A" shall be owned and maintained by the owner of 7555 N Sheridan Ave, Valley Center, KS 67147. Reserve "B" is hereby reserved for entry features, signs, landscaping, lighting and utilities. Reserve "B" shall be owned and maintained by the Home Owners Association for the addition, their successors and/or assigns. Maintenance of storm water drainage and drainage structures shall be the responsibility of the Home Owners Association for the addition, their successors and/or assigns. Minimum Pad Elevations for lowest openings are shown on the accompanying table. A master drainage plan has been developed for this plat. All drainage easements, rights of way and reserves shall remain at established grades (unless modified with the approval of the City Engineer) and shall be unobstructed to allow for the conveyance of stormwater.

Dated this ____ day of _____, 2024.

Douglas E. Kirkland Revocable Trust

Douglas E. Kirkland, Trustee

State of Kansas)

Sedgwick County)

The foregoing instrument acknowledged before me, this ____ day of _____, 2024, by Douglas E. Kirkland, Trustee of the Douglas E. Kirkland Revocable Trust.

Notary Public
Marsha R. Bishop

My appointment expires _____.

This plat of "RIO BELLA ADDITION", Valley Center, Sedgwick County, Kansas, has been submitted to and approved by the Valley Center Planning and Zoning Board.

Dated this ____ day of _____, 2024.

Planning Commission

Chair
Gary Janzen

Interim Secretary
Brent Clark

This plat approved and all dedications shown hereon accepted by the City Council of the City of Valley Center, Kansas, this ____ day of _____, 2024.

At the Direction of the City Council

Mayor
Jet Truman

City Clerk
Kristi Carrithers

STATE OF KANSAS

CITY OF VALLEY CENTER)

This Plat of "RIO BELLA ADDITION", Valley Center, Sedgwick County, Kansas, is approved pursuant to the provisions of K.S.A. 12-401.

Date Signed: _____, 2024.

By: _____
Barry Arbuckle, City Attorney

State of Kansas)

Sedgwick County)

Reviewed in accordance with K.S.A. 58-2005 on this ____ day of _____, 2024.

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

Entered on transfer record this ____ day of _____, 2024.

County Clerk
Kelly B. Arnold

State of Kansas)

Sedgwick County)

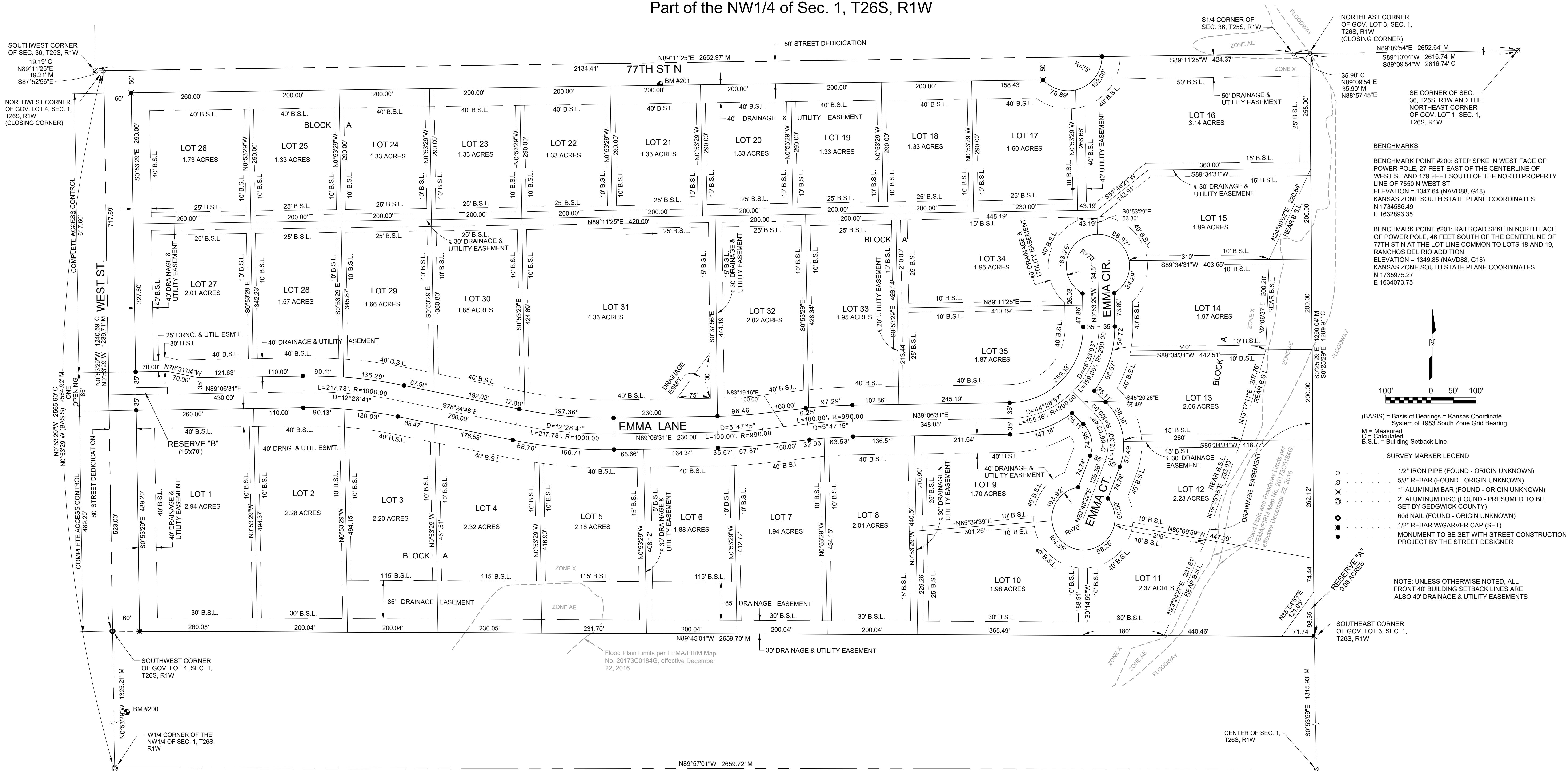
This is to certify that this plat has been filed for record in the office of the Register of Deeds, this ____ day of _____, 2024, at ____ o'clock __ M, and is duly recorded.

Register of Deeds
Tonya Buckingham

Deputy
Kenly Zehring

RIO BELLA ADDITION

Valley Center, Sedgwick County, Kansas
Part of the NW1/4 of Sec. 1, T26S, R1W



MINIMUM BUILDING PAD ELEVATION FOR LOWEST OPENING INTO STRUCTURES		
BLOCK	LOT NO.	ELEVATION (NAVD88)
A	3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17	1339.0



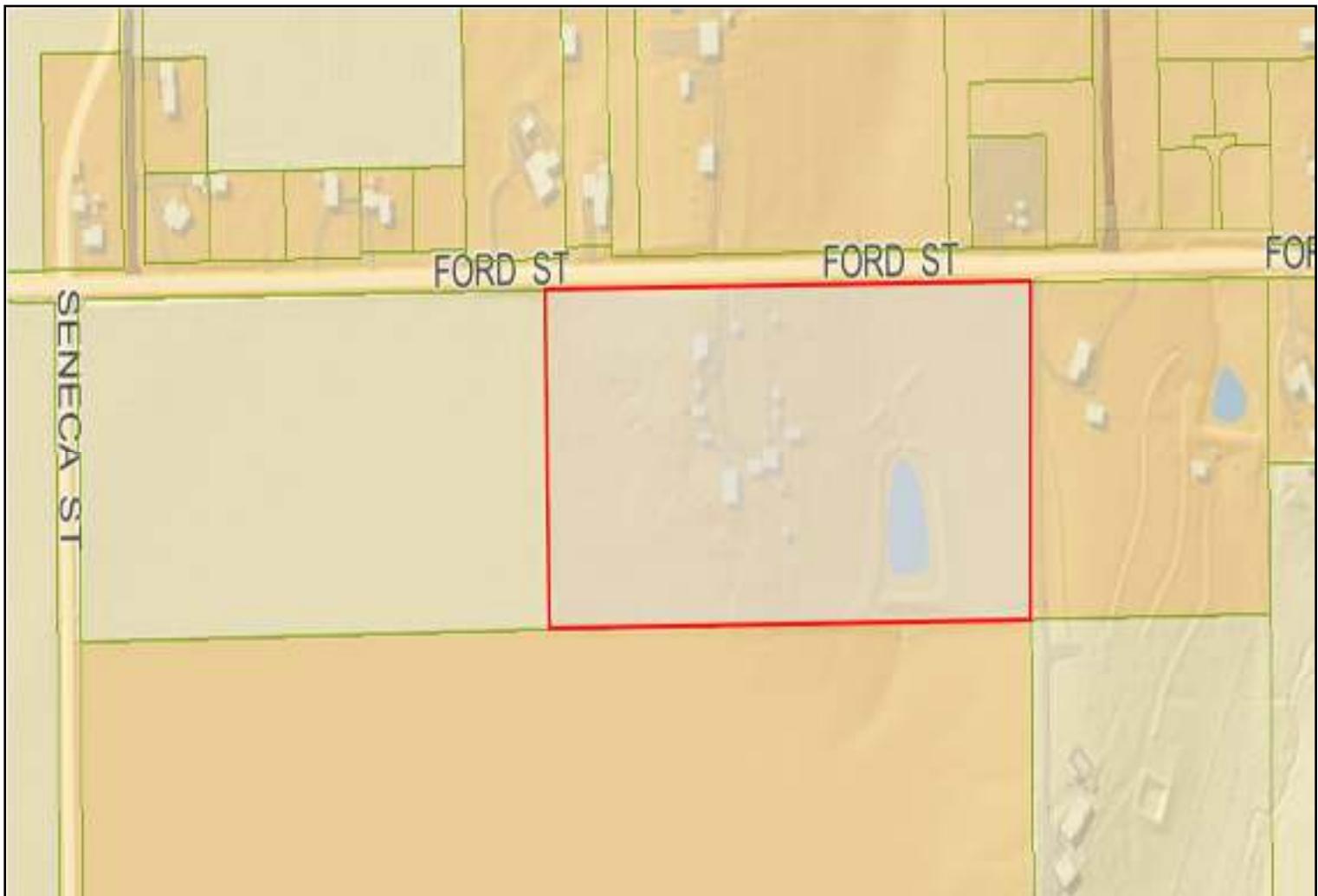
Date: May 21, 2024

To: City of Valley Center Planning and Zoning Board

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

Preliminary Plat Approval for SM Estates Subdivision Plat (SD-2024-02)

The KWH Investments, LLC, pursuant to Section 16.04., is petitioning the City of Valley Center Planning and Zoning Board to approve a preliminary plat for the land (outlined in red below) currently addressed as 825 W. 77th Street N., Valley Center, KS 67147.



Applicant's Reasons for Platting:

The property owner is working to transform this existing agricultural property into a suburban-style neighborhood with new large single-family lots. At this time, the existing single-family residence, along with the existing outbuildings will remain on one of the new parcels to be created through the platting process.

Staff Comments:

The preliminary plat has been reviewed by the City Staff Review Team, which has provided multiple comments/revisions that have been incorporated into the preliminary plat documents, which are included as a separate attachment with this staff report. The preliminary plat meets all the requirements listed in the required contents section (16.05.01) for preliminary plats submitted to the City of Valley Center for approval. A drainage plan was not required by the City for this platted area. Once the preliminary plat is approved by the Planning and Zoning Board, the final plat will be reviewed by City staff and the Planning and Zoning Board for approval (scheduled for the June 25, 2024 board meeting). Once the final plat is approved by this board, it will go to City Council for final approval in July. This property is currently zoned A-1 (Agricultural District), so a rezoning application will be submitted with the final plat application to rezone this property from A-1 to RR-1 (Suburban Residential District). Both the final plat and the rezoning applications will be reviewed during the June 25, 2024 Planning and Zoning Board meeting. As currently shown, this plat will create a total of five new parcels.

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 preliminary 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 preliminary plat. As of the date of this report, there have been no inquiries regarding this application and no one has submitted any protest against this proposed preliminary plat.

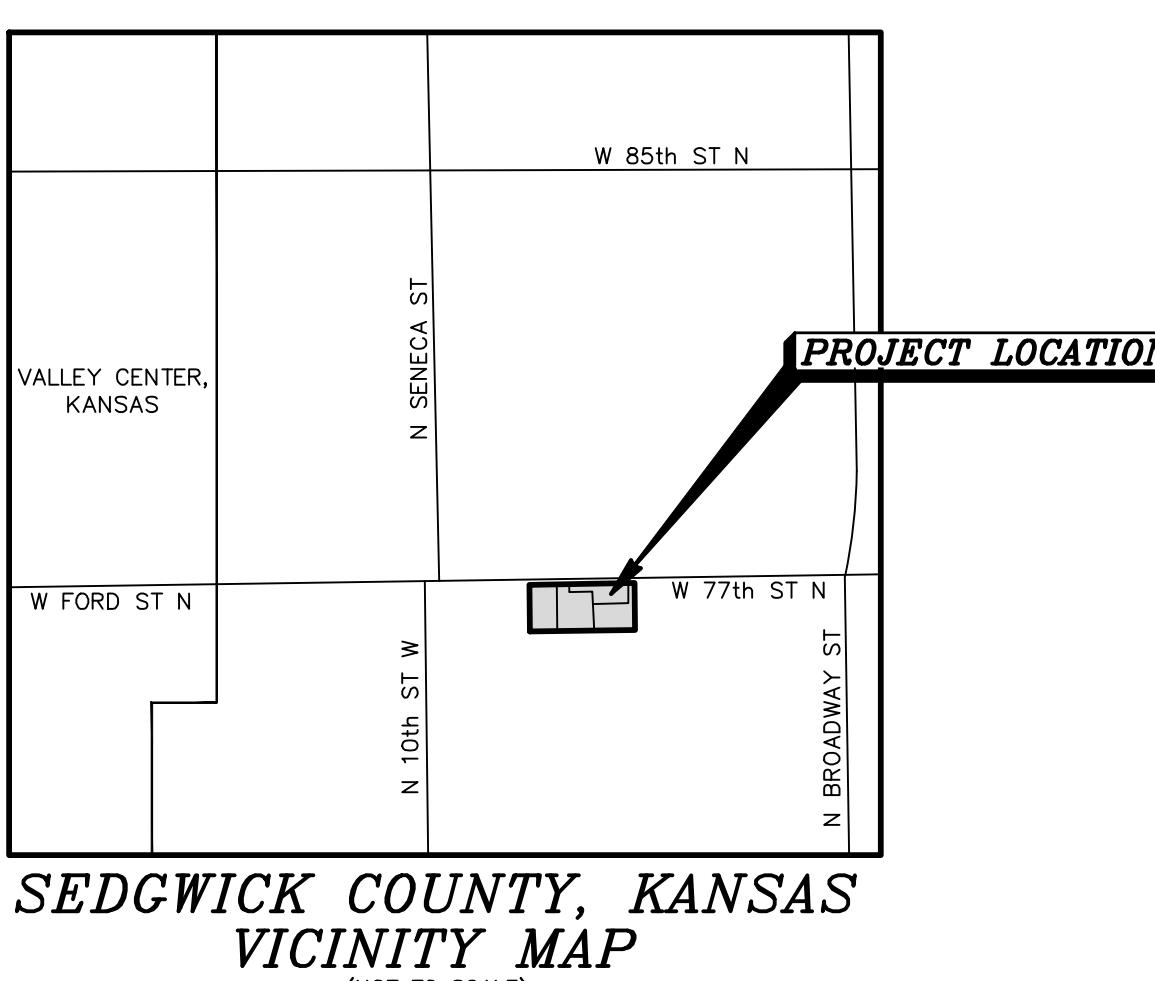
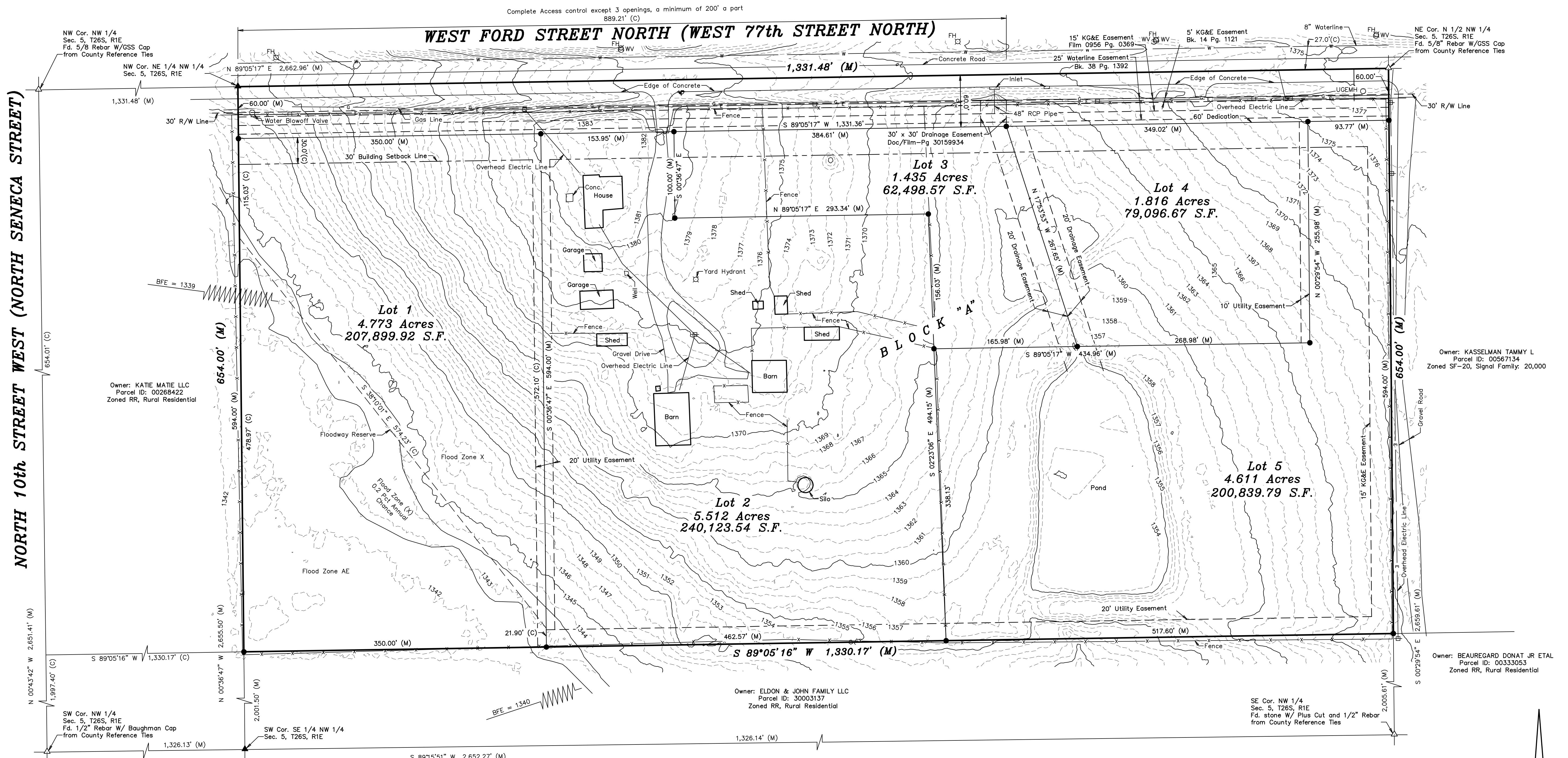
Staff Recommendation:

City staff recommends approval of this preliminary plat application.

PRELIMINARY PLAT

SM ESTATES

A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 26 SOUTH,
RANGE 1 EAST OF THE 6TH PRINCIPAL MERIDIAN, VALLEY CENTER, SEDGWICK COUNTY, KANSAS

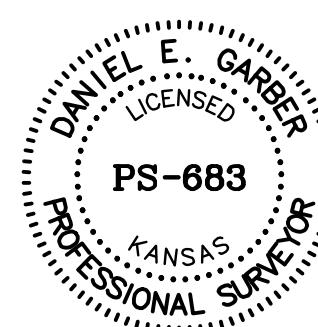


OWNER/SUBDIVIDER:
KALEB HOWELL, MEMBER
KWH INVESTMENTS, LLC.
4208 S. 359th ST. W.
CHENEY, KANSAS 67025
(316) 249-3771

SURVEYOR:
DANIEL E. GARBER
GARBER SURVEYING SERVICE, P.A.
2908 N. PLUM ST.
HUTCHINSON, KANSAS 67502
(620) 665-7032

The North 654 feet of the East Half of the Northwest Quarter of Section 5, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

Daniel E. Garber, P.S. #683



PRELIMINARY PLAT SM ESTATES

Prepared By: Garber Surveying Service, P.A.
GSS HUTCHINSON BRANCH OFFICES: MANHATTAN Ph. 785-320-4810
2908 North Plum St. 67502 MCPHERSON Ph. 620-241-4441 NEWTON Ph. 316-283-5053
Ph. 620-665-7032 SALINA Ph. 785-404-6302 WICHITA Ph. 316-260-9933
(Main Office)

Drawn By: MGO Scale: 1"=60' Date of Field Work: March 18, 2024 Job No:
Checked By: DEG Date: 05/20/2024 Sheet 1 of 1 Sheet(s) G2024-134

FLOOD NOTE:
According to Flood Insurance Rate Map No. 20173C0460G (dated December 22, 2016) published by the Federal Emergency Management Agency, the property described above lies within **ZONE VARIES**, which is defined as "0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. Area with Reduced Flood Risk due to Levee."

MINIMUM PAD ELEVATION FOR LOT 1, BLOCK A = 1340.7 FT. (NAVD88)

FLOODWAY RESERVE NOTE:

The floodway reserve is hereby reserved for floodway reserve purposes and shall be the responsibility of the adjacent lot owners until such time as the appropriate governing body elects to assume the responsibility for maintenance and improvements to the drainage. No buildings shall be constructed or placed on or within said floodway reserve, nor shall any fill, change of grade, creation of channel or any other work be carried on without the permission of the Engineer for said governing body. FEMA floodplain and regulatory floodway boundaries are subject to periodic change and such change may affect the intended land use within the subdivision.

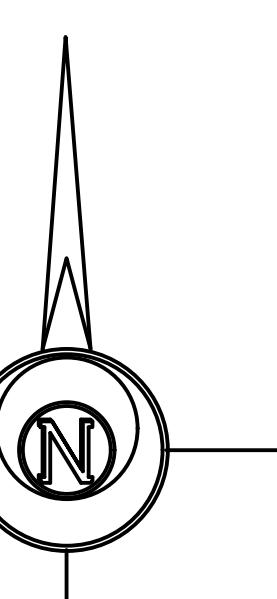
LAND SURVEYOR'S CERTIFICATE AND DESCRIPTION

LEGEND

- △ - Sectional Monument Found
- ▲ - Section Monument Set (5/8" x 24" Iron Rebar w/G.S.S. Cap)
- - 5/8" x 24" Iron Rebar Set w/G.S.S. Cap
- ✖ - Fence
- ☒ - Fire Hydrant
- - Power Pole
- WV - Water Valve
- (C) - Calculated
- (M) - Measured
- ♦ - Benchmark

-60 0 60 120 180

BASIS OF BEARING = NAD 83 KANSAS SOUTH ZONE



-60 0 60 120 180

BASIS OF BEARING = NAD 83 KANSAS SOUTH ZONE