

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

Tuesday, August 26, 2025 7:00 P.M.

CALL TO ORDER: Vice-Chair, Paul Spranger, called the meeting to order at 7:04 P.M. with the following board members present: Scot Phillips, Dalton Wilson, Amy Bradley.

Members Absent: Rick Shellenbarger, Steve Conway, Gary Janzen

City Staff Present: Kyle Fiedler, Brent Clark, Nick Banning

Audience: Larry Hall, Heather Hall, John McDonald, Becky Black, Jeff Black, Briana Bogden, Genni Trilli, Ryan Trilli, Stan Bogden, Jonathan Suda, Jake Vasa, Jeremy Spexarth, Terry Sowers, Howard Hancock, Darrell Jarman, Barb Jarman, Jet Truman, Dough Ganoung, Brad Isham, James Craven and Nancy Craven.

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

APPROVAL OF DRAFT MINUTES: Spranger made a motion to approve July 29, 2025, meeting minutes. The motion was seconded by Wilson. Motion passed unanimously.

COMMUNICATIONS: none

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

1. Review of V-2025-05, application of Larry Hall, Big Larry's Burgers, pursuant to City Code 17.10.08, who is petitioning for a variance to exceed the square footage allowance for signage on property addressed as 328 S. Meridian Ave. Valley Center, Ks. 67147.

Fiedler reviewed his staff report, sharing that City Sign Regulation allow for 2 square feet of signage for every 1 foot of road frontage for the lot. This lot is 127 feet wide, which would allow for 254 square feet of signage. This property is unique and has 5 businesses that occupy the building. Prior to the 2 new signs, the property was already almost double the signage allowance, this approval would allow the 2 new signs to stay, making the property almost 600 square foot over the allowed limit. Public notice was published in the Ark Valley News and mailed to property owners within 200 feet.

Spranger opened the hearing for comments from the public: 7:12 PM

Wilson stated that he did not feel that the signage overall was distracting and due to the nature of the number of businesses understood allowing them to go over.

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

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Spranger made a motion to approve the variance for V-2025-05. Motion was seconded by Wilton. The vote was unanimous. Motion passed.

2. Review of RZ-2025-06, application of Spike Anderson, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned C-2, which is the City's designation for a General Business District, to R-1B, which is the City's designation for a Single-Family Residential District. The property is addressed as 525 S. Abilene, Valley Center, KS 67147.

Fiedler reviewed his staff report, sharing that this lot does not meet the minimum width at the setback line, however the applicant has also requested a variance for this. This lot is between residential development and commercial development. Public notice was published in the Ark Valley News and mailed to property owners within 200 feet. There was one contact from the public about this re-zone, just inquiring about the intention of the applicant. Staff are recommending approval.

Spranger opened the hearing for comments from the public: 7:18 PM

Wilson commented that he did not feel the frontage of the lot would be conducive to commercial as it is currently zoned and felt that residential was a better fit for this lot.

Spranger closed the hearing for comments from the public: 7:19 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Spranger made a motion to approve RZ-2025-06. Motion was seconded by Bradley. The vote was unanimous. Motion passed.

3. Review of V-2025-06, application of Spike Anderson, pursuant to City Code 17.10.18. who is petitioning for a variance to have a lot width narrower than required on property addressed as 525 S. Abilene Ave. Valley Center, Ks. 67147.

Fiedler reviewed his staff report, sharing the requested variance is to have a lot about 1 foot narrower than allowed by zoning regulations. Public notice was published in the Ark Valley News and mailed to property owners within 200 feet. There was one contact from the public about this re-zone, just inquiring about the intention of the applicant. Staff are recommending approval.

Spranger opened the hearing for comments from the public: 7:20 PM

No one spoke.

Spranger closed the hearing for comments from the public: 7:21 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Spranger made a motion to approve V-2025-06. Motion was seconded by Bradley. The vote was unanimous. Motion passed.

4. Review of SD-2025-03, application of 4Front LLC, pursuant to City Code 16.04, who is petitioning for approval of a preliminary plat for land located on the east side of Interurban Dr. between Meadow Rd and 93rd St N (not currently addressed), Valley Center, Ks. 67147.

Fiedler reviewed his staff report, sharing the preliminary plat was for 181 single-family lots with a proposed R-1B zoning. Staff reviewed the plat and provided comments to the engineer who made changes. The development would be served by paved street via the existing Goff Rd and Quail Drive. Public notice was published in the Ark Valley News and mailed to property owners within 200 feet. There were a few contacts from the public about this plat regarding drainage concerns, the preservation of the existing trees, and if this would mean infrastructure being in place to serve Bobwhite Addition. Staff are recommending approval.

Spranger opened the hearing for comments from the public: 7:25 PM

Jake Vasa, engineer for the development shared that Goff Rd will be wider than the rest of the development, there will be a retention basin in the middle of the development and a detention basin towards the south end of the development to detain water before it enters Valley Meadows drainage swale. Vasa also shared that the drainage was designed to meet 100-year flood requirements.

Spranger asked about the type of homes that will be in the development.

Jeremy Spexarth shared that they plan to have both 1-story and 2-story homes averaging 1,200 to 1,400 square feet, with 3 bedrooms.

Doug Ganoung inquired about the price point of the homes.

Spexarth shared their intended price range is \$260,000-\$275,000.

James Craven inquired about the road pavement on 93rd and Interurban.

Fiedler shared that 93rd is in the County and would not be subject to pavement. Interurban would be a discussion the City would have to have, as the subdivision meets City requirements being served by paved roads, Goff Rd and Quail Dr.

Spranger closed the hearing for comments from the public: 7:35 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Spranger made a motion to approve SD-2025-03. Motion was seconded by Wilson. The vote was unanimous. Motion passed.

5. Review of SU-2025-01, application of Howard Hancock and Terry Sowers, pursuant to City Code 17.11, who are petitioning for a special use application for a pallet recycling facility on property addressed as 201 S. Cedar Ave. Valley Center, Ks. 67147.

Fiedler reviewed his staff report, sharing the requested special use permit is a result of their use not being in the approved portion of the zoning code. Fiedler shared that this business moved into the facility and is currently operating, however the City has met with them to discuss the building, fire and zoning regulations they need to come into compliance with. Public notice was published in the Ark Valley News and mailed to property owners within 200 feet. There were several contacts from the public about this special use, including questions about the EPA/ KDHE restrictions on the property after the fire, concerns about the condition of the property currently and dust created from the property. Specifically, several complaints were in regard to dust around the beginning of week of August. Staff recently found out that the dust collection system on the property across the street had failed, which was the cause of the excessive dust in question. To staff's knowledge the dust collection system has since been repaired. Staff are recommending approval of the special use application contingent upon the facility coming into compliance with building, fire and zoning regulations/ codes with the following conditions: the facility remains in compliance with building, fire and zoning regulations/ codes. To ensure compliance, the Valley Center Fire Department will perform quarterly safety/ compliance inspections, the City's Zoning Administrator should also be notified of all ownership changes of the building and Dependable Pallets.

Spranger opened the hearing for comments from the public: 7:42 PM

Terry Sowers address the hours of operation, which will typically be Monday to Friday 8 am to 5 pm, on occasion they might operate on a Saturday if there is an order they need to get out.

Wilson asked how long they have been in operation in Valley Center.

Fiedler shared they have been operating since May.

Wilson also asked about the difference between this facility and the pallet facility in Park City that has caught on fire a few times.

Howard Hancock addressed that the facility in Park City stores mulch on site, where this operation mulches and hauls it away. Hancock also addressed they are working with Fire Protection Services on expanding the sprinkler system to cover the entire building and loading dock, they have fire extinguishers located appropriately and they have engaged an engineer to draw up plans for electrical service to the building.

Spranger shared he was concerned about the decibel level beyond the property line.

Brad Isham had concerns about fire and dust coming from the pallet recycling operation.

Becky Black confirmed that the mulch would not be stored on site, she did state that she can hear the grinder at her house but it wasn't terrible. She is concerned about the tree growth on the railroad property. She would like to know if the dust is safe and had concerns about fire spreading from this property.

Darrell Jarman has concerns about all of the lumber on the property and the current condition of the property, not being in a kept fashion.

Jeff Black provided some history of the site and other contamination issues. He doesn't want this to be the 3rd business that causes harm to this site and other sites around it.

Hancock shared that when he purchased the site, he received verification from KDHE that the site is considered clean, however there are still monitoring wells.

Spranger confirmed that there would be fire breaks in the pallets and that vegetation would be kept short to help with concerns of fire spreading.

Wilson wanted to hear from Fire Captain Banning.

Fire Captain Nick Banning reviewed some of the requirements that Dependable Pallet will have to follow to comply with fire code. He said not storing mulch on site is a good start to reducing the fire danger, as it is known to combust.

Spranger closed the hearing for comments from the public: 8:13 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning & Zoning Board, Bradley made a motion to approve SU-2025-01 contingent upon the facility coming into compliance with building, fire and zoning regulations/ codes with the following conditions: the facility remains in compliance with building, fire and zoning regulations/ codes. To ensure compliance, the Valley Center Fire Department will perform quarterly safety/ compliance inspections, the City's Zoning Administrator should also be notified of all ownership changes of the building and Dependable Pallets. Motion was seconded by Wilson. The vote was unanimous. Motion passed.

OLD/UNFINISHED BUSINESS:

1. V-2025-03 has been withdrawn by the applicant.

NEW BUSINESS:

1. Due to a large event happening in downtown Valley Center, Fiedler is requesting the October Planning and Zoning meeting be rescheduled. After discussion, the board consensus was to move the meeting to October 23rd, 2025.

STAFF REPORTS:

Fiedler reported that at the next meeting there should be a new staff member in the Community Development Department who will assist in these meetings.

The Farmer's Market has one more event scheduled for September 4th.

ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:

Gary Janzen - absent

Paul Spranger - none

Rick Shellenbarger - absent

Scot Phillips - none

Steve Conway - absent

Dalton Wilson – Asked about the Railroad concerns brought up during the meeting. City Administrator Brent Clark addressed how we try to work with the railroad to clean up their property.

Amy Bradley – absent

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING: At 8:29 P.M., a motion was made by Spranger to adjourn and seconded by Wilson. The vote was unanimous, and the meeting was adjourned.

Respectfully submitted,

/s/ Kyle Fiedler, Secretary

Gary Janzen, Chairperson