

**PLANNING COMMISSION/ZONING BOARD OF APPEALS**  
CITY OF VALLEY CENTER

Tuesday, June 28, 2016, 7:00 P.M.  
CITY HALL, 121 S. MERIDIAN

**CALL TO ORDER:** Commissioner Park called the meeting to order at 7:00 p.m. with the following members present: Ronald Colbert, Gary Janzen, Matt Stamm, Danny Park, Del James, Ben Neaderhiser, Don Bosken and Terry Nantkes

**Members absent:** Scot Phillips

Staff Present: Ryan Shrack and Fernetta Phillips

Others in attendance: Calvin Startzman, Homeowner 241 Ness VC Lot Split. Sam Holmes, Ed Holmes, Ed Holmes Trucking Center. Josh Fidler, Magellan

Meeting started with the Pledge of Allegiance to the American Flag.

**AGENDA:** A Motion was made by Commissioner Bosken and seconded by Commissioner Colbert to set the agenda. Motion passed unanimously.

**APPROVAL OF DRAFT MINUTES:**

A motion was made by Commissioner Stamm, to approve the March 22, 2016 minutes. The motion was seconded by Commissioner Colbert. Motion passed unanimously.

**COMMUNICATIONS:** Commissioner Stamm stated he might need to leave early due to family commitment.

**PUBLIC HEARING BEFORE PLANNING COMMISSION**

Review of SP-2016-02, construction of a 7,225 sq. ft. truck service center to be built on the lot located on the west side of Broadway Ave. (between 7945 N. Broadway and 8003 N. Broadway, address to be assigned), Valley Center, KS.

Ryan stated the address of the new site would be 7985 N Broadway and presented the following:

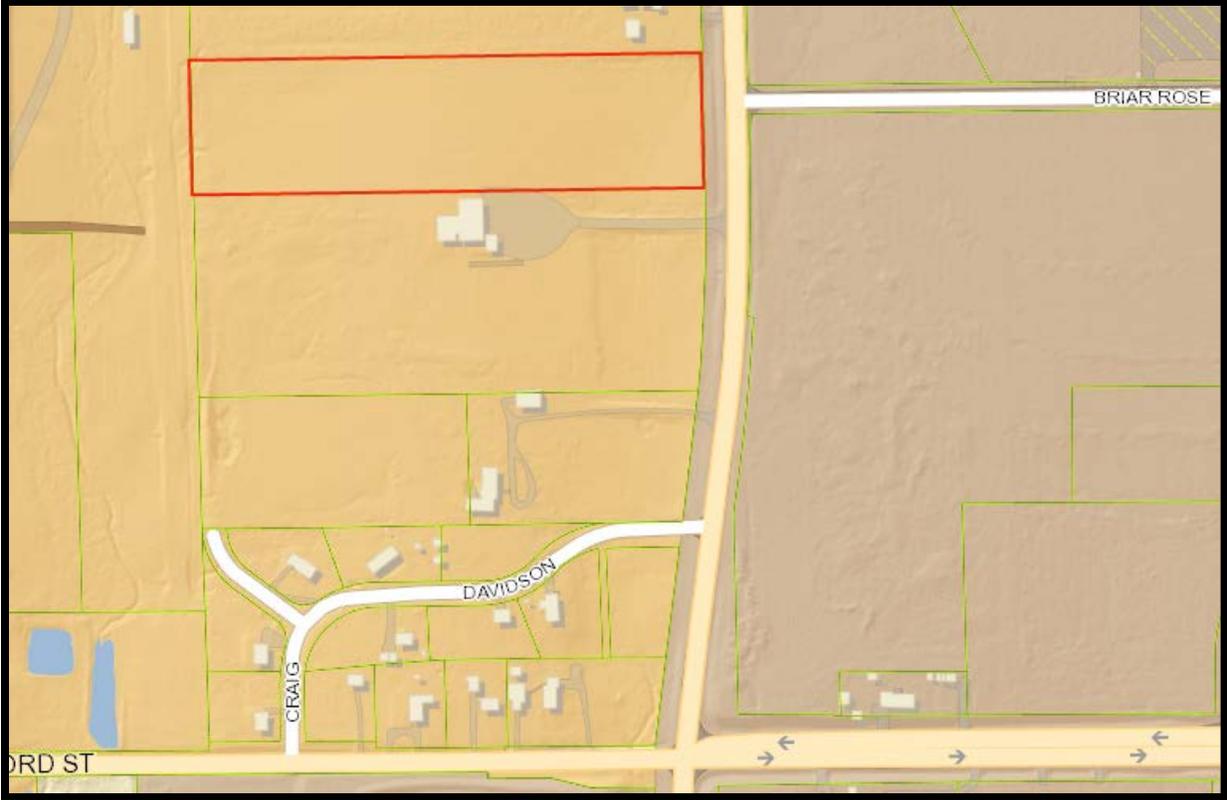
**Date:** June 28, 2016

**To:** Planning Commission

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

**Applicant:** Ed Holmes

**Location of Site Plan:** This lot is located on the west side of Broadway, in between 7945 N. Broadway and 8003 N. Broadway (address to be assigned at a future date). The lot contains no buildings at this time. It is located across the street from Briar Rose Lane. The following image shows the lot in relation to the surrounding neighborhood:



**Existing Zoning:** I-Industrial District

**Size of Parcel:** 9.57 acres (416,696 sq. ft.). It has 329 feet of frontage along Broadway Ave. on the east side of the property. The lot has a depth of 1,256 feet. The I-Industrial District requires a minimum of 10,000 sq. ft. Site plan meets all bulk regulations required of the zoning district.

**Purpose of Site Plan Application:**

**17.12.05 Site Plan Requirements:**

*Projects which are subject to review by the Site Plan Committee generally are required to meet the following standards:*

- A. *Show the location and dimensions of all right-of-way, easements and setback lines either required by these regulations or by platting or separate instruments.*
  - The proposed building is on one plat and does show the location of all right-of-

way, easements and setback lines.

B. *The site plan map generally should be oriented to the north with north arrow and scale plus dimensions and property boundary lines for the zoning lot.*

- Dimensions are on the Site Plan and the site plan is generally oriented to the north and a scale is present.

C. *Topography by contour lines may be required if slopes exceed 5%, buffer berms are used, or a drainage plan is required.*

- Drainage is indicated on the site plan and has been reviewed by the City Engineer and Public Works Director. Drainage indicators are considered okay by city staff.

D. *Show existing and proposed structures by bulk dimensions plus number of stories, gross floor area and entrances.*

- The developer is showing a building footprint. The structure is single story (with two mezzanine levels located on the north and south sides of the structure) and will have 7,225 square feet. The building will be used as a trucking service center.

E. *Existing and proposed curb cuts, aisles, off-street parking, loading spaces and walkways, including type of surfacing and number of parking spaces. Delineate the traffic flow with directional arrows and indicate the location of direction signs and other motorist's aids (if any).*

- The site plan shows the proposed parking lot to be located west of the proposed building.

F. *Location, direction and intensity of proposed lighting. All exterior lighting must be "full-cut-off" light fixtures when located near adjacent residential properties (no light should spill over on adjacent residential parcels)*

- Exterior light fixtures are shown on the site plan. The nearest residential properties are located over 500 feet to the south of this lot and will not be negatively affected by the proposed exterior lighting planned for this site.

G. *Location and height of all existing (to remain) and proposed signs on the site, the setback dimensions from any sign to property lines, location and routing of electrical supply, surface area of the sign in square feet, size of letters and graphics, description of sign, frame materials and colors.*

- Signs indicated on the site plan are in conformity with city standards.

H. *If disposal containers will be on the site, indicate how such areas will be fully screened from public view by means of a structure (including swinging doors) constructed with either solid treated lumber walls, cement block (with or without brick), or other materials deemed acceptable. The enclosure must also have the capability of latching the doors in a closed position, or when trash is being picked up, in an open position. Outdoor storage areas may also need to be screened if required by these zoning regulations.*

- The site plan does not show disposal containers as planned. Any disposal containers that are located on site will be placed again the west façade and not be visible to the public view.

I. *Vehicular ingress and egress to and from the site and circulation within the site to provide safe, efficient and convenient movement of traffic, not only within the site but on adjacent roadways.*

- Vehicular ingress and egress to and from the site and circulation with the site will be safe, efficient, and convenient.

J. *Site plan provides for the safe movement of pedestrians within the site.*

- Proposed building provides for the safe movement of pedestrians around the site.

Ryan stated the plans had been reviewed by the City Engineer, Public Works and approved by the Site Plan Committee.

**STAFF RECOMMENDATION:** Approve site plan application and send to Planning Commission for final approval.

Chairperson Parks asked the other commissioners if they had any questions for Ryan. There were none.

At 7:03 Chairperson Parks opened hearing for comments from the public. There were none. At 7:04 Chairperson Parks closed public hearing.

Chairperson Parks asked the commissioners if they had any comments or

Commissioner Colbert asked if this was a small truck operation. Ed Holmes stated it was 18 wheeler truck operations.

Based on the City Staff recommendations, public comments and discussion by the Planning Commission, Commissioner Park made a motion to approve SP-2016-03. Commissioner Neaderhiser seconded the motion. Vote was 7 for and 1 against.

## **PUBLIC HEARING BEFORE PLANNING COMMISSION**

Review of SP-2016-03, construction of a 684 sq. ft. control building to be built on the lot located at 1120 S. Meridian Avenue, Valley Center, KS.

Ryan stated Josh Fiddler from Magellan was present. Ryan stated this case is unique due to the fact that the Planning Commission only needed to review the control room, which was a small part of the larger expansion of the complex. Ryan stated his predecessor Warren had meet with Magellan and indicated to them that this building did not need to go the Site Plan or Planning Commission review. Ryan stated he was not sure why Magellan was told this, but every other part of this expansion has been approved by the EPA. Ryan stated since this was commercial building it would need to go through review. Ryan stated there was an issue with the Sedgwick County permit system that indicated Magellan had a permit for the building. There is a shell of the building and currently a stop work order placed on the job until approval is received. The plans have been reviewed by the City Engineer, Public works and City staff.

**Date:** June 28, 2016

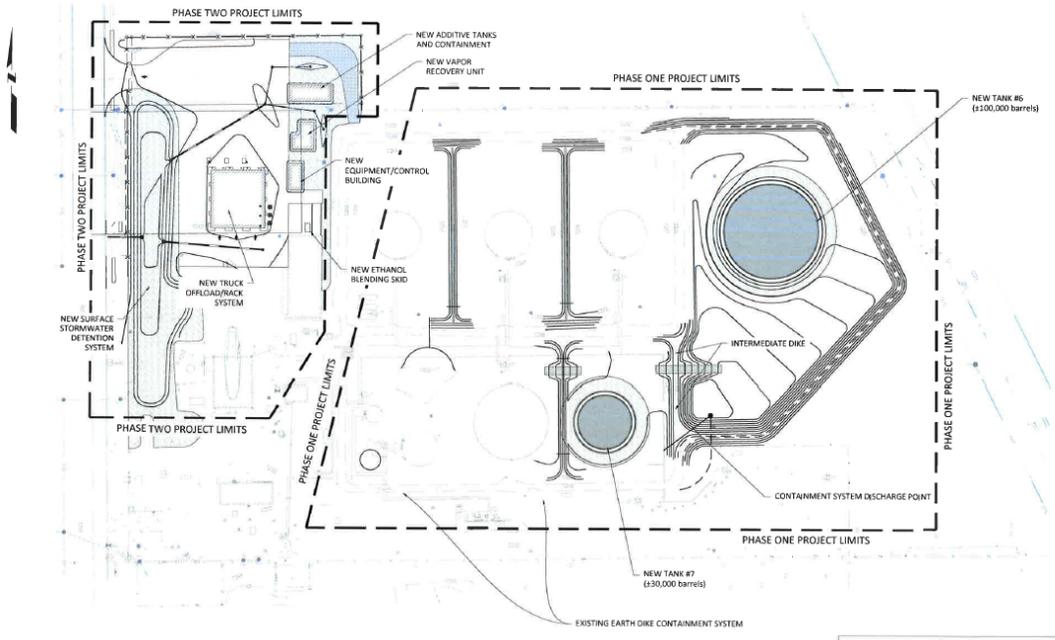
**To:** Planning Commission

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

**Applicant:** Magellan Midstream Partners

**Location of Site Plan:** This lot is located at 1120 S. Meridian Ave, Valley Center, KS. The lot contains the Magellan Midstream Partners Valley Center Terminal at this time, with a proposal to build a 684 square foot structure to serve as a control building for the terminal. Work is already underway on other improvements to the site that have gone through both state and federal review and are compliant with all current design and environmental standards. The following images show the overall construction site and the location of the proposed control building on the site:

0 V1001-0614



ISSUED FOR  
 SEPTEMBER 22, 2015  
 BID PURPOSES ONLY



**ESDC INC.**  
 Consulting Engineering  
 2001 W. 10th Street, Suite 1000, Lawrence, KS 66044  
 Phone: (781) 648-3870 Fax: (781) 648-8172

MAGELLAN MIDSTREAM PARTNERS, L.P.	
CIVIL OVERALL LAYOUT WICHITA EXPANSION	
SEDGWICK COUNTY	KANSAS
DATE: 08/20/15	SCALE: AS SHOWN
313-D-1001A	



**Existing Zoning:** I Industrial District

**Size of Parcel:** 18.1 acres (789,568 sq. ft.). It has 480 feet of frontage along Meridian Ave. on the west side of the property and approximately 740 feet of frontage along the BNSF railroad line on the east side of the lot. The lot has a depth of 1,423 feet on the south and 1,105 feet on the north side. The I Industrial District requires a minimum of 10,000 sq. ft. Site plan meets all bulk regulations required of the zoning district.

**Purpose of Site Plan Application:**

**17.12.05 Site Plan Requirements:**

*Projects which are subject to review by the Site Plan Committee generally are required to meet the following standards:*

- I. *Show the location and dimensions of all right-of-way, easements and setback lines either required by these regulations or by platting or separate instruments.*
  - The proposed building is on one plat and does show the location of all right-of-way, easements and setback lines.
- J. *The site plan map generally should be oriented to the north with north arrow and scale plus dimensions and property boundary lines for the zoning lot.*
  - Dimensions are on the Site Plan and the site plan is generally oriented to the north and a scale is present.
- K. *Topography by contour lines may be required if slopes exceed 5%, buffer berms are used, or a drainage plan is required.*
  - Drainage is indicated on the site plan and has been reviewed by the City Engineer and Public Works Director. Drainage indicators are considered okay by city staff.
- L. *Show existing and proposed structures by bulk dimensions plus number of stories, gross floor area and entrances.*
  - The developer is showing a building footprint. The structure is single story and will have 684 square feet. The building will contain
- M. *Existing and proposed curb cuts, aisles, off-street parking, loading spaces and walkways, including type of surfacing and number of parking spaces. Delineate the traffic flow with directional arrows and indicate the location of direction signs and other motorist's aids (if any).*
  - The site plan shows existing parking lot east of the proposed building. The construction of this proposed building will add new pavement to the existing

parking lot, but not add any new parking spaces.

N. *Location, direction and intensity of proposed lighting. All exterior lighting must be "full-cut-off" light fixtures when located near adjacent residential properties (no light should spill over on adjacent residential parcels)*

- No exterior light fixtures are shown on the site plan.

O. *Location and height of all existing (to remain) and proposed signs on the site, the setback dimensions from any sign to property lines, location and routing of electrical supply, surface area of the sign in square feet, size of letters and graphics, description of sign, frame materials and colors.*

- No proposed signs are indicated on site plan.

P. *If disposal containers will be on the site, indicate how such areas will be fully screened from public view by means of a structure (including swinging doors) constructed with either solid treated lumber walls, cement block (with or without brick), or other materials deemed acceptable. The enclosure must also have the capability of latching the doors in a closed position, or when trash is being picked up, in an open position. Outdoor storage areas may also need to be screened if required by these zoning regulations.*

- The site plan does not show disposal containers as planned.

K. *Vehicular ingress and egress to and from the site and circulation within the site to provide safe, efficient and convenient movement of traffic, not only within the site but on adjacent roadways.*

- Vehicular ingress and egress to and from the site and circulation with the site would not be altered by construction of the proposed building.

L. *Site plan provides for the safe movement of pedestrians within the site.*

- Proposed building provides for the safe movement of pedestrians around the site along existing sidewalks. The general public does not have access to this site as it is a controlled fuel terminal and not open to the general public.

**STAFF RECOMMENDATION:** Approve site plan application

At 7:08 pm Chairperson Park opened hearing for comments from the public. There were none. At 7:09 pm Chairperson Park closed public hearing. Chairperson Park opened for discussion for the commissioners, no comments were made.

Based on the City Staff recommendations, public comments and discussion by the Planning Commission, Commissioner Stamm made a motion to approve SP-2016-03. Commissioner Colbert seconded the motion. Vote was unanimous.

## **PUBLIC HEARING BEFORE ZONING BOARD OF APPEALS**

Review of LS-2016-02, Lot split requested by Calvin and Theresa Startzman to grant a lot split involving the splitting of the owner's lot into two parcels, the west parcel containing a residential building with the 241 W. Ness St. address and the east parcel containing an accessory building with an address to be determined at a future date.

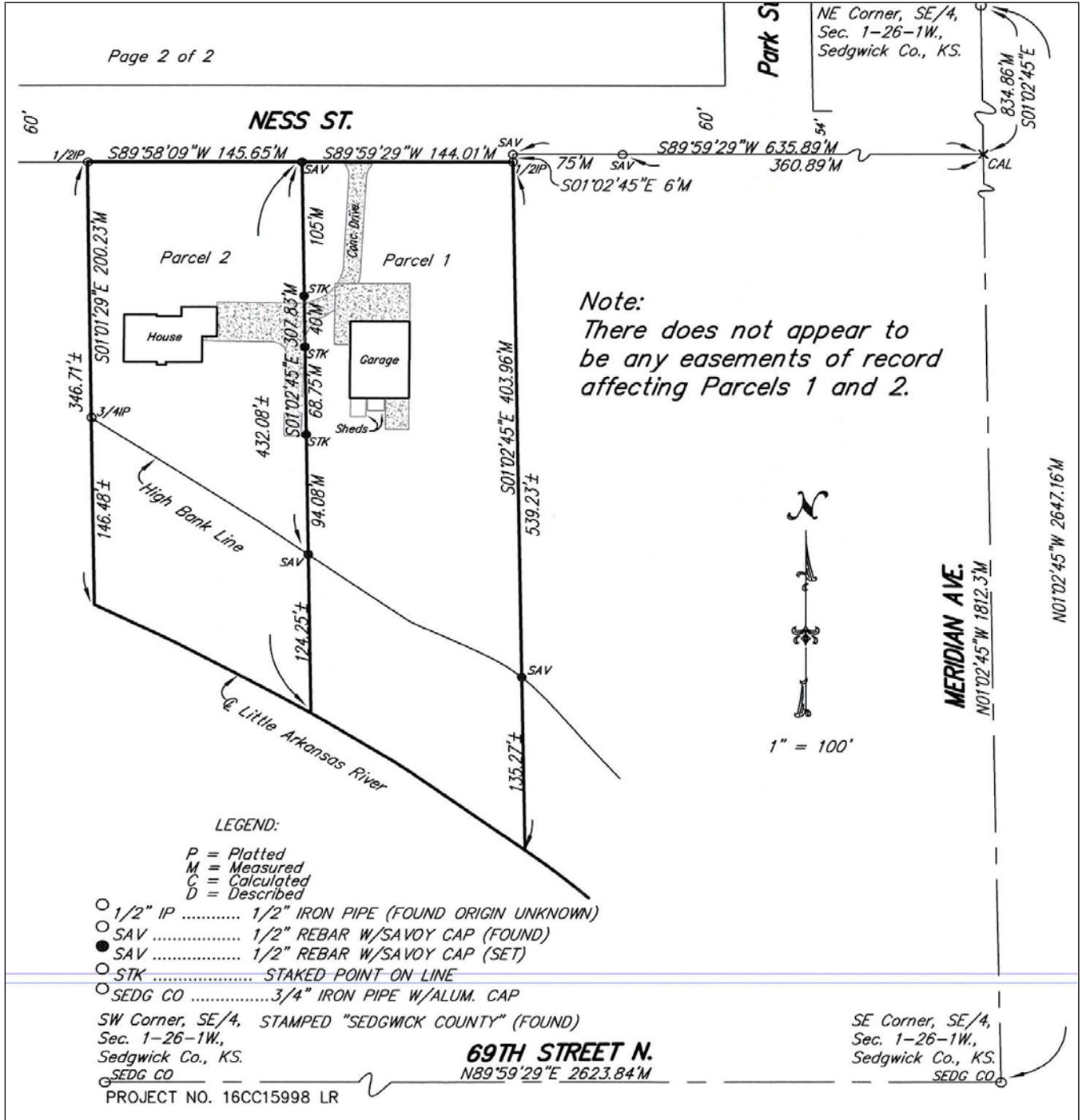
**Date:** June 28, 2016

**To:** City Planning Commission

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

**RE:** Lot Split LS 2016-02

**Petition:** Lot split requested by Calvin and Theresa Startzman to grant a lot split involving the splitting of the owners' lot into two parcels, the west parcel containing a residential building with the 241 W. Ness St. address and the east parcel containing an accessory building with an address to be determined at a future date. Map of proposed lot split shown below:



Due to the petitioner's desire to split the lot into two separate parcels; this lot split must be reviewed by the Planning Commission, per the City of Valley Center's Subdivision Ordinance:

"The dividing of a lot in a recorded plat or replat of a subdivision into not more than two parcels which creates an additional lot and meets the criteria established within these regulations."

The west parcel will contain approximately 1.25 acres with 150 feet of frontage on Ness Street and the east parcel will contain approximately 1.2 acres with 135 feet of frontage on Ness Street.

A public notice was sent out to adjacent property owners. One response was received via telephone, but no concerns were declared.

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

At 7:10 pm Chairperson Park opened hearing for comments from the public. There were no comments. At 7:11 pm Chairperson Park closed the public hearing.

Chairperson Park opened for discussion for the commissioners. There were no comments.

Based on the City Staff recommendations, public comments and discussion by the Planning Commission, Commissioner Nantkes made a motion to approve LS-2016-02. Commissioner Stamm seconded the motion. Vote was unanimous.

**NEW BUSINESS-None**

**OLD OR UNFINISHED BUSINESS-None**

**COMMITTEE AND STAFF REPORTS** Ryan stated there will not be meetings in July, but will have a meeting on August 23, 2016. In this meeting there will be discussion regarding the new Floodplain map from FEMA. Ryan questioned if the commissioners were still ok with electronic communications. The commissioners stated they were ok with electronic communications. Chairperson Park stated he would like to have a paper copy of the agenda available at the meetings. Ryan stated all communications will be electronic, but will have a paper copy at the meeting.

**ITEMS BY PLANNING COMMISSION/ZONING BOARD OF APPEALS MEMBERS:**

Ron Colbert- Stated since it had been March since Planning Commission had a meeting. He stated he had a previous commissioner ask him when the duties for Planning Commissioners changed and why there is not public notice about the meetings. Chairperson Park stated that all meetings/minutes are published in the newspaper and on the website. Ryan confirmed this statement and stated it is published under the public notice section in the Ark Valley News. Ron stated he wanted to bring up the subject of the lack of budget for Planning Commission. Chairperson Park stated if that if there were any expenses incurred due to training that the city would make the funds available. Commission Colbert stated that when the months the Planning Commission do not have any agenda items, these times could be used for training sessions. Commission Colbert stated he had brought items to Ryan's attention and wondered why they were not on the agenda. Commissioner Colbert asked Ryan if he felt the items were not important enough to put on the agenda. Ryan stated when Commissioner Colbert receives his agenda if he could look it over and notify him if there

were any changes. Ryan stated if Commissioner Colbert would like to put the items on the agenda, it would be great if he could notify him in writing and he would be glad to put them on the agenda. Commissioner Colbert shared information regarding drones and the regulations FAA has in place. Commissioner Colbert wanted to know if the City would be putting any regulations in place. Ryan stated since Valley Center is a small community with limited resources it would be better to follow FAA regulations and focus on other projects. Chairperson Park agreed that the city should follow FAA regulations. Commissioner Janzen stated the City of Wichita was also following the FAA regulations. Commissioner Stamm stated the City of Derby was taking the same stance on the drones.

Gary Janzen – Stated if Ryan, could in future give quick explanation of the items on the agenda and maybe display the information on the screens.

Matt Stamm-nothing

Danny Park-nothing

Del James-nothing

Don Bosken- nothing

Terry Nantkes- nothing

Scot Phillips-absent

Ben Neaderhiser –nothing

#### **ADJOURNMENT OF THE PLANNING COMMISSION/ZONING BOARD OF APPEALS**

At 7:37 pm a motion was made by Commissioner Stamm to adjourn and seconded by Commissioner Neaderhiser. Vote was unanimous.

Time of adjournment was 7:37 pm

Respectfully submitted,

Ryan Shrack  
Community Development Director  
fp

Minutes to be reviewed and approved by the Valley Center Planning Commission at the next meeting.

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Danny Park, Chairperson