

PLANNING AND ZONING BOARD
CITY OF VALLEY CENTER

Tuesday, July 25, 2017, 7:00 P.M.
CITY HALL, 121 S. MERIDIAN

CALL TO ORDER: Chairperson Gary Janzen called the meeting to order at 7:02 P.M. with the following members present: Don Keenan, Gary Janzen, Matt Stamm, Rick Shellenbarger, Delmer James, Katie Patry and Ben Neaderhiser.

Members absent: None

Staff Present: Ryan Shrack and Katrina Rubenich

Audience: Howard Botts, President of Center Aviation, Cory Gibson, Superintendent of USD 262, James Nightingale, Alloy Architecture and Byron Adrian, Mennonite Housing.

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

AGENDA:

A motion was made by Chairperson Janzen and seconded by Commissioner Shellenbarger to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES:

A motion was made by Chairperson Janzen to approve the July 25, 2017 minutes. The motion was seconded by Commissioner Neaderhiser. Motion passed unanimously.

COMMUNICATIONS:

Ryan suggested that the officer elections be put off until next October since the Board was just formed.

A motion was made by Vice Chairperson Stamm to defer Officer Elections for the Planning and Zoning Board until October 2018. The motion was seconded by Commissioner Shellenbarger. Motion passed unanimously.

PUBLIC HEARING BEFORE PLANNING AND ZONING BOARD:

- A. Review of LS-2017-02, application of Garret Martin/Mennonite Housing, pursuant to Section 16.09.01, who is petitioning for a lot split involving the splitting of the owner's land designated as parts of Blocks 13 and 14, Interurban Addition to Valley Center, Sedgwick County, Kansas.

Ryan presented the following:

Date: September 18, 2017

To: City of Valley Center Planning and Zoning Board

the south of the Mennonite Housing property and that he spoke with the FAA and they do not regulate privately owned airstrips, so this should be fine but that he is going to recommend a fence or screening to protect the residents. Commissioner Neaderhiser asked if the FAA were to be involved, would there be any issues with this plan. Ryan replied that the FAA recommends there be 20 feet between the airstrip and any buildings, which will not be a problem.

At 7:09 P.M., Chairperson Janzen opened hearing for comments from the public. Howard Botts, President of Center Aviation which owns Hidden Valley Airport, relayed that the airport's main concern is safety and they don't see a problem with these one story buildings. Mr. Botts also stated that he believes there will be no doors from the new residences leading out the airstrip and a fence would be nice. Byron Adrian, Mennonite Housing, relayed that their main concern is also to maintain the safety of the residents and they will work with the city to accomplish this. Chairperson Janzen asked for any other comments. At 7:13 P.M., Chairperson Janzen closed public hearing and asked for any comments from the Board.

Based on the City Staff recommendations, public comments and discussion by the Planning and Zoning Board, Vice Chairperson Stamm made a motion to approve LS-2017-02. Commissioner Shellenbarger seconded the motion. Vote was unanimous to approve the plan.

- B. Review of RZ-2017-01, application of Garret Martin/Mennonite Housing, pursuant to Section 17.11, who is petitioning for a rezoning of land that is currently zoned R-1B, which is the City's designation for a single-family residential district, to R-3, which is the City's designation for a multi-family district. The land in question is located east of the Sunflower Gardens Senior Residence building located at 460 N. Emporia Ave., Valley Center, KS.

Ryan presented the following:

Date: September 18, 2017

Present Zoning: R-1B (Single-Family Residential District)

Proposed Zoning: R-3 (Multi-Family Residential District)

Rezoning Number: RZ-2017-01

Applicant: Garret Martin/Mennonite Housing

Property Address: None. A vacant parcel located east of 460 N. Emporia Ave., Valley Center, KS 67147

Applicant's reasons for Rezoning: The current land owner, Garret Martin, is going to sell this land to Mennonite Housing in the near future. Mennonite Housing will utilize this land as part of the Phase III development of its Sunflower Gardens Senior Residences facility. Phase III will

include the construction of multiple residential buildings, including three buildings to be constructed on the land in question.

Review Criteria for a Zoning Amendment per 17.11.01.H *(criteria in italics)*

1. *What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?*

This vacant lot is located in a residential section of the community, which contains a mixture of multi-family senior living facilities interspersed in the predominantly single-family area to the north. It is on the northern part of the City and is located immediately to the west of the Sedgwick County flood control ditch.

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

- a. The current zoning is R-1B (Single-Family Residential). The surrounding zoning and land uses are as follows:

- North: R-1B Single-Family Residential
- South: R-3 Multi-Family Residential
- East: Sedgwick County Flood Control Ditch (Area Not Zoned)
- West: R-3 Multi-Family Residential

3. *Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?*

No

4. *Would the request correct an error in the application of these regulations?*

No

5. *Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?*

Yes, Phase III of Sunflower Gardens will be built on site in the coming months after site plan approval.

6. *Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?*

Yes, all utilities and street access will be extended to serve this land once site plan approval is granted for the Phase III project of Sunflower Gardens.

7. *Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, and access control or building setback lines?*

No

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

Not Applicable

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

Not Applicable

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

The construction of Sunflower Gardens Phase III will provide new opportunities in the community for needed senior living facilities.

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

A single-family home could be built on the property, but the intent of Mennonite Housing is to construct multi-family units, which at present cannot be constructed under current zoning designation.

12. *To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?*

Given the surrounding land development to the west and south (Sunflower Gardens Phase I and II), the construction of additional multi-family residential units will not have an overarching detrimental effect on the surrounding properties. Some of the single-family homes located to the north of the Phase III project will experience a change in the aesthetic view in the rear sides of their properties (open field to single-story dwellings), but it is anticipated that the surrounding neighborhood will not experience a significant change in property values, etc.

13. *Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?*

Yes

14. *Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?*

The Comprehensive Plan shows this property as low density residential, but if this proposal had been made to convert this vacant lot to multi-family zoning, given the surrounding land uses, the recommendation would have been to show this property as multi-family residential on the Comprehensive Plan.

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

- The city staff supports this rezoning. Notices were sent out to surrounding property owners, but no one has contacted the City questioning the change.
- Other public comments in support or opposition will not be known until the public hearing.

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

No

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

Yes, this is a good location for a multi-family residential project and will create additional senior housing, which is needed in the community, on this presently vacant land.

City staff recommends the approval of this rezoning request.

Commissioner Keenan asked if Mennonite Housing owns the property to the south of this lot. Ryan confirmed. Vice Chairperson Stamm asked if the nearby residents have been notified by mail. Ryan replied that one resident called regarding the airstrip and he informed them that it is okay to be developed. Commissioner James asked about the drainage ditch to the south of the existing buildings. Ryan replied that he believes that is correct but they will cover that more thoroughly during the Site Plan review.

At 7:18 P.M., Chairperson Janzen opened hearing for comments from the public. Byron Adrian, Mennonite Housing, mentioned that he also sent out information to all the nearby residents and held a neighborhood meeting in January. He did receive one response and he spoke with them and will work with them as much as possible. Commissioner Keenan asked if these buildings will be similar to existing buildings. Mr. Adrian confirmed that they will look similar, although these are four-plexes, not six-plexes. At 7:20 P.M., Chairperson Janzen closed public hearing and asked for any comments from the Board.

Based on the City Staff recommendations, public comments and discussion by the Planning and Zoning Board, Commissioner Shellenbarger made a motion to approve RZ-2017-01. Commissioner Keenan seconded the motion. Vote was unanimous to approve the plan.

- C. Review of SP-2017-03, application of Valley Center Unified School District 262, pursuant to Section 17.12.02.A., who is petitioning to build a 6,720 square foot building, to be located at 765 N. Meridian Ave., Valley Center, KS 67147.

Ryan presented the following:

Date: September 18, 2017

To: City of Valley Center Planning and Zoning Board

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

Applicant: Valley Center USD 262 (**SP-2017-03**)

Location of Site Plan: The proposed building will be constructed on the northern side of the lot that currently serves as the location for the Valley Center Intermediate School. Along with the Intermediate School, this lot also contains sports fields and multiple parking areas. The school district is proposing the construction of a new district maintenance building that will have a building footprint of 6,720 square feet. This new maintenance building will be constructed northwest of the existing school building (*red rectangle shows approximate project area for the maintenance building*). The following image shows the lot in relation to the surrounding area:



Existing Zoning: R-1B (*Single-Family Residential District*)

Size of Parcel: 29.13 acres (1,269,078.75 sq. ft.). The new maintenance building will have the following mailing address: 765 N. Meridian Avenue, Valley Center, KS. The R-1B Zoning District requires a minimum of 6,500 sq. ft. to construct a building. The submitted 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 lot 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. Revisions have been made to the proposed plan and have been finalized and approved.

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

- The applicant/architect is showing the building footprint. The building addition is single story and will have a peak height of 22 feet. This building will comprise 6,720 square feet and have one main entrance.

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 that will be constructed along with the new maintenance building. The proposed parking lot will have 4 total parking stalls, 1 of which is designated handicapped parking only. Walkways conform to given standards and traffic flow has been indicated throughout the site plan and curb cuts are noted. No directional signage will be posted.

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 lighting will meet all city standards and ensure that no spill over occurs onto adjacent residential parcels.

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.*

- No exterior signs are proposed for this project.

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 a disposal container to be placed on site.

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 within 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.

STAFF RECOMMENDATION: Approve site plan application per the recommendation of city staff.

At 7:23 P.M., Chairperson Janzen opened hearing for comments from the public. James Nightingale, Alloy Architecture, explained how the water lines would be connected. At 7:26 P.M., Chairperson Janzen closed public hearing and asked for any comments from the Board.

Based on the City Staff recommendations, public comments and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SP-2017-03. Vice Chairperson Stamm seconded the motion. Vote was unanimous to approve the plan.

NEW BUSINESS-None

OLD OR UNFINISHED BUSINESS-None

COMMITTEE AND STAFF REPORTS-None

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

Don Keenan-Nothing

Gary Janzen-Nothing

Matt Stamm-Nothing

Rick Shellenbarger-Mentioned the lack of entry signs into the city at 85th/77th and Broadway intersections

Delmer James-Nothing

Katie Patry-Asked if there is a sidewalk being put in along 85th St. Ryan encouraged her to call Public Works for answers regarding the 85th St repaving project.

Ben Neaderhiser-Nothing

ADJOURNMENT OF THE PLANNING AND ZONING BOARD MEETING:

At 7:31 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Vice Chairperson Stamm. Vote was unanimous.

Respectfully submitted,

Ryan Shrack/KSR
Community Development Director

Gary Janzen, Chairperson