

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

Tuesday, March 22, 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, Scot Phillips, Don Bosken and Terry Nantkes

**Members absent:** Del James and Ben Neaderhiser

Staff Present: Ryan Shrack and Fernetta Phillips

Others in attendance: William Arick

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

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

**APPROVAL OF DRAFT MINUTES:**

A motion was made by Commissioner Stamm, to approve the February 23, 2016 minutes. The motion was seconded by Commissioner Colbert. Motion passed unanimously.

**COMMUNICATIONS:** None

Commissioner Parks stated it would be best to hear the Variance request first and then the Site Plans. All commissioners agreed.

**PUBLIC HEARING BEFORE ZONING BOARD OF APPEALS**

Ryan read the following Variance request and indicated the Site Plan Committee and Staff approved the Variance request.

Review of V-2016-01, Variance requested by William Arick to grant rear-yard setback variance for 201 S. Meridian Ave.

**Date: March 22, 2016**

**Present Zoning: C-2 General Business District**

**Variance Request: Petitioner is requesting a variance of 5 feet on minimum rear-yard setback.**

**Applicant: William Arick**

**Property Address: 201 S. Meridian Ave., Valley Center, KS**

**Applicant's reasons for Special Use Request:**

Rear-yard setback in the C-2 General Business District is 10 ft. The submitted addition plans for review shows the front-yard setback is 5 feet short of the minimum

requirement. Petitioner's proposed footprint for the new building meets all front and side-yard setbacks. The reason for this petition is to provide the needed building depth to accommodate for the storage of large recreational vehicles.

**Review Standards for a Variance per 17.10.08.D. (*standards in italics*)**

- a. *That granting of the variance will not adversely affect the rights of adjacent property owners or residents.*

The right-of-way affecting rear-yard setback is Park Avenue. Altering the setback will not affect the rights of adjacent property owners or residents. The current long-term street plan is to make Park Ave. narrower, which will create a wider greenspace between the new building and the street.

- b. *That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant.*

The variance requested is unique to the property in question and is not ordinarily found in the same zoning district, but is created by action of the applicant.

- c. *That strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application.*

The request for variance satisfies regulatory requirements.

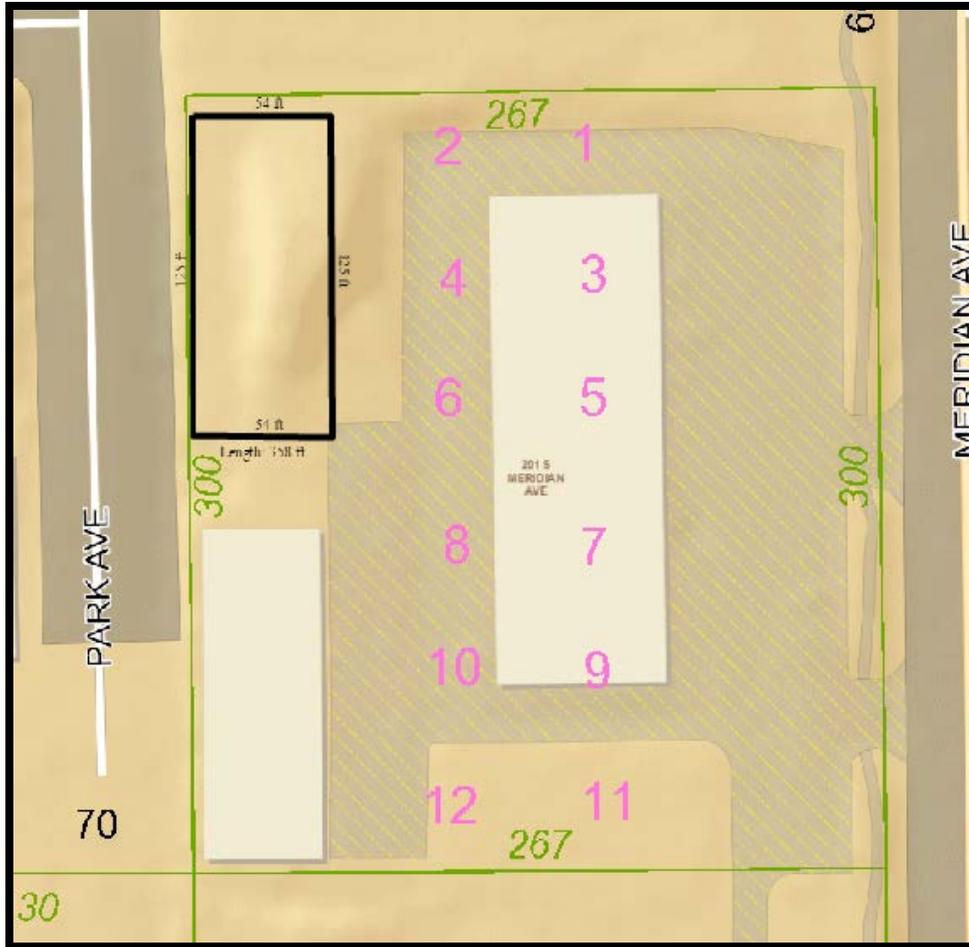
- d. *That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

The variance will only impact the lot that the proposed addition will rest on and no adjacent lots will be affected.

- e. *That granting the variance desired will not be opposed to the general spirit and intent of these regulations.*

Setbacks are designed to grant sufficient open space around each building. Setbacks in this situation are not significant and will continue to meet the intent of the law.

*Map showing approximate planned footprint of building:*



Staff recommends approval.

At 7:09 pm Chairperson Danny Park opened the hearing for comments from the public: There were no public comments. At 7:10 Chairperson Danny Parks closed the public hearing.

Ryan showed the commissioners the site plans for the variance.

Chairperson Park asked if the commissioners had any questions regarding the variance. Commissioner Colbert questioned item A on the review regarding the long term street plan for Park Ave he understood there is no long term plan. Ryan stated this comment was from Brent Holper, Public Works Director; regarding Park Ave. Commissioner Colbert questioned where the property lines were. Ryan showed the commissioners where the property line was on the plans. Commissioner Colbert wanted to know what is happening with the gas line. Ryan stated it will be within the 5ft of the building and would not be going over the gas line. William Arick stated the gas company had put a high tension device on the line to see if how much pressure there was and the supervisor stated it would be fine. Commissioner Colbert questioned who

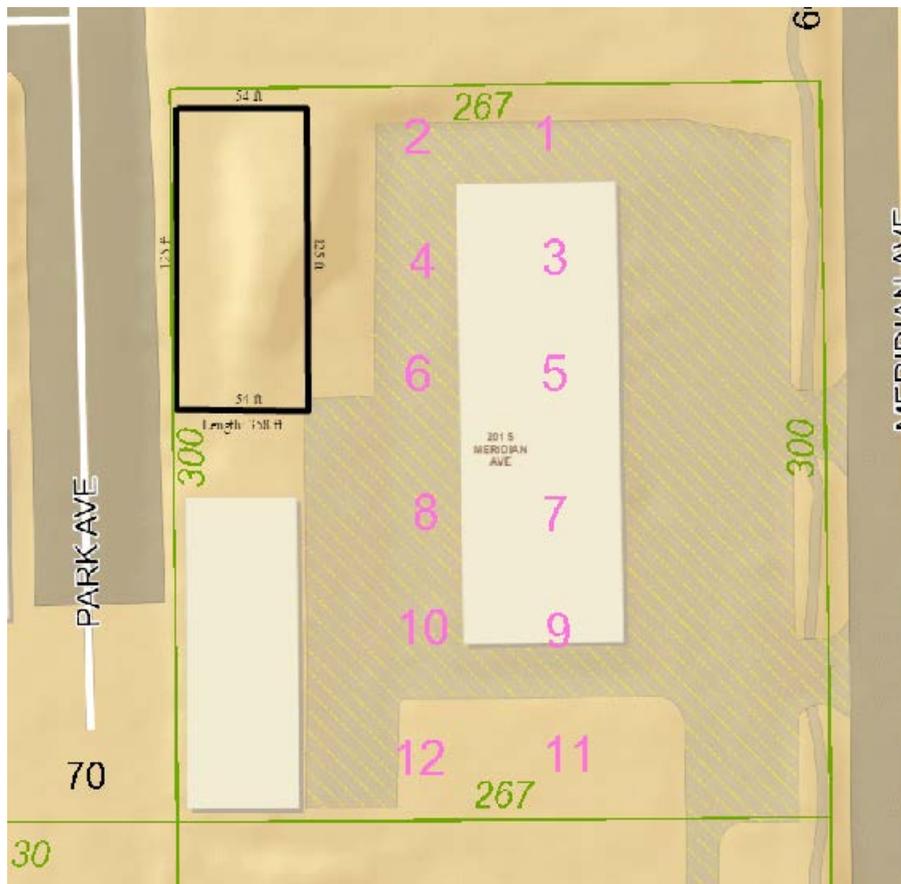
owned the telephone pole the communications line was attached to. William Arick stated the line was buried and not above ground.

Chairperson Park made a motion based on the City Staff recommendations, public comments and discussion by the Planning Commission and was seconded by Commissioner Janzen to approve LS-2016-01. Vote was unanimous.

**PUBLIC HEARING BEFORE PLANNING COMMISSION**

Ryan showed the plans of the 7290 sq. ft. recreational vehicle storage facility located on the northwest section of the lot at 201 S. Meridian Avenue, Valley Center, KS.

**Location of Site Plan:** This lot is located at 201 S. Meridian Ave. and is between Park Avenue and Meridian Avenue. The lot contains two commercial buildings at this time, with a proposal to build a third structure to serve as a recreational vehical storage facility. The following image shows the site in relation to the surrounding neighborhood (proposed building in black outline):



**Existing Zoning:** C-2 General Business District

**Size of Parcel:** 1.8 acres (80,100 sq. ft.). It has 300 feet of frontage along Meridian Ave. on the east side of the property and approximately 215 feet of frontage along Park Ave. The lot has a depth of 267 feet. The C-2 General Business District requires a minimum of 5,000 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. The applicant is applying for a five foot setback variance on the west side of the lot through the Planning Commission. The normal setback for the rear of the lot is ten feet. The Public Works Director does not have any issues with this as the long-term street plan is to make Park Ave. narrower. The only utility line potentially affected is a non-active AT&T phone line.
- 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 and will have 7,290 square feet. The building will contain 7 bays located on the east side of the building.
- 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 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.
- 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)*
- No exterior light fixtures are shown on the site plan.
- 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 proposed signs are indicated on site plan.
- 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.
- 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 would not be altered by construction of the proposed building.
- 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 on along existing sidewalks.

At 7:16 pm Chairperson Parks opened the hearing for comments from the public. There were no public comments. At 7:17 pm Chairperson Parks closed the public the hearings.

Chairperson Parks asked if there were any comments or questions from the commissioners.

Commissioner Colbert questioned what kind of lighting for the building. William Arick stated it would be the same lighting as the other buildings except it the lights would be shining down per the request of the surrounding neighbors.

Commissioner Colbert wanted to know if there would ever be an entrance in the back off of Park Ave. William Arick stated there would not be an entrance and was putting a fence up at the back of the property so no there would be no entrance from Park Ave.

Commissioner Parks questioned if there were any more questions or comments, none stated, Commissioner Parks asked for a motion.

Commissioner Colbert made a motion based on the City Staff recommendations, public comments and discussion by the Planning Commission, to approve and seconded by Commissioner Stamm of SP-2016-01, construction of a 7,290 sq. ft. recreational vehicle storage facility located on the northwest section of the lot at 201 S. Meridian Avenue, Valley Center, KS. Vote was unanimous.

#### **NEW BUSINESS-None**

#### **OLD OR UNFINISHED BUSINESS-None**

#### **COMMITTEE AND STAFF REPORTS-None**

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

Ron Colbert- stated he would like to petition the City Council regarding funds for the Planning Commissioners to use to further their education by attending seminars. Chairperson Parks stated in the past there were funds set aside for these events, but a few years ago the funds were stopped being allocated. Ryan stated he would inquire about getting the funds allocated again. Ron stated it would be nice to have name tags when attending events such as Wichita Planning Commission meetings and public events. Ryan stated he would inquire about obtaining name tags for the commissioners.

Gary Janzen- nothing

Matt Stamm-nothing

Danny Park-nothing

Del James-absent

Don Bosken- nothing

Terry Nantkes- nothing

Scot Phillips-nothing

Ben Neaderhiser –absent

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

At 7:26 pm a motion was made by Commissioner Janzen to adjourn and seconded by Commissioner Bosken. Vote was unanimous.