

2. Review of V-2021-05, application of Charisse Bansemer, pursuant to City Code 17.10.08., who is petitioning for a variance to allow for a portion of a commercial building located at 121 S. Park Ave., Valley Center, KS 67147 to be used as a temporary residential living space.

- 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 Board of Zoning Appeals, I _____ make a motion to (approve, deny, or table) V-2021-05. Seconded by _____. For ___ Against ___

H. NEW BUSINESS

I. OLD OR UNFINISHED BUSINESS

J. STAFF REPORTS

K. ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

___ Gary Janzen ___ Rick Shellenbarger ___ Toby Meadows
___ Paul Spranger ___ Mike Boyd
___ Brian Shelton ___ Steve Conway

L. ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BZA

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 MEETING MINUTES
CITY OF VALLEY CENTER, KANSAS

THURSDAY, DECEMBER 16, 2021, 7:00 P.M.

CALL TO ORDER: Chairperson Gary Janzen called the meeting to order at 7:00 P.M. with the following members present: Brian Shelton, Toby Meadows, Mike Boyd, and Steve Conway.

Members Absent: Paul Spranger, Rick Shellenbarger

City Staff Present: Kristi Carrithers

Audience: Dana Lechner, Zoe Navarrete, Jason Conrady, Ron Colbert, and Jeff Pritchard

AGENDA: A Motion was made by Chairperson Janzen and seconded by Board Member Boyd to approve the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Chairperson Janzen made a motion to approve the November 23, 2021 meeting minutes. The motion was seconded by Board Member Conway. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD:

1. Review of LS-2021-04, application of Jeff Pritchard, pursuant to Section 16.09., who is petitioning for approval of a lot split of the property the applicant owns currently addressed as 596 W. 1st St., Valley Center, KS 67147.

Chairperson Janzen briefly discussed the application and opened the hearing for comments from the public: 7:05 PM

Dana Lechner addressed the board and reiterated her opposition to this application and the associated rezoning application. She had previously submitted a letter to City staff that was shared with the members of the board. Chairperson Janzen addressed Ms. Lechner's questions/concerns and said that the future duplex to be built on this new lot will meet all City building and zoning codes.

Chairperson Janzen closed the public hearing: 7:10 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve LS-2021-04. Motion was seconded by Board Member Shelton. The vote was unanimous.

2. Review of RZ-2021-08, application of Jeff Pritchard, 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-2, which is the City's designations for a two-family residential district. The lot is currently unaddressed, but located immediately north of 596 W. 1st St., Valley Center, KS 67147.

Chairperson Janzen shared a brief summary of this rezoning application and opened hearing for comments from the public: 7:11 PM

The board members briefly discussed this application and spoke with the applicant on potential landscaping between the future duplex and the property to the north of this one.

Chairperson Janzen closed the public hearing: 7:12 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve RZ-2021-08 for rezoning of land that is currently zoned R-1B, which is the City's designation for a single-family residential district, to R-2, which is the City's designations for a two-family residential district. Motion was seconded by Board Member Boyd. The vote was unanimous.

3. Review of VAC-2021-01, application of Tobias Conrady, pursuant to Section 16.10., who is petitioning for a vacation of a portion of dedicated alley right-of-way located immediately east of 225 W. 3rd St., Valley Center, KS 67147.

Chairperson Janzen provided a brief explanation of the application and opened hearing for comments from the public: 7:14 PM

Jason Conrady addressed the board and stated he was representing the applicant and appreciated the board's consideration of the application. No other public comments received.

Chairperson Janzen closed the public hearing: 7:16 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve VAC-2021-01. Motion was seconded by Board Member Conway. The vote was unanimous.

OLD BUSINESS: None

STAFF REPORTS: None

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

Gary Janzen-none
Paul Spranger-absent
Brian Shelton-none
Rick Shellenbarger-absent
Mike Boyd-none
Steve Conway-none
Toby Meadows-none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD MEETING: At 7:18 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Board Member Shelton. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

Ryan Shrack, Community Development Director

Gary Janzen, Chairperson



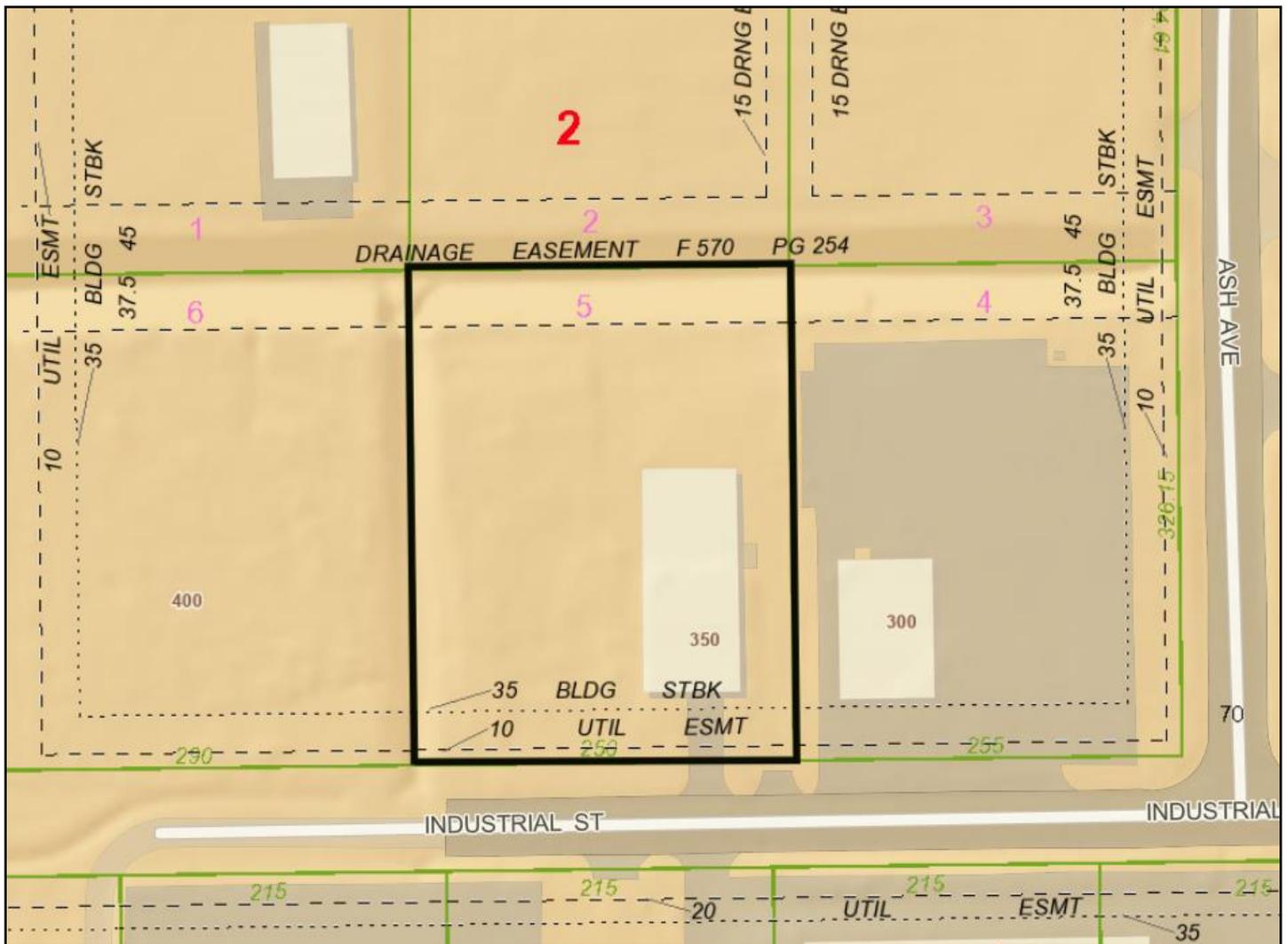
Date: January 21, 2022

To: City of Valley Center Planning and Zoning Board

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

Applicant: Barry Gaskill (SP-2022-01)

Location of Site Plan: The proposed 3,840 building addition will be constructed on the property addressed as 350 W. Industrial St., Valley Center, KS 67147. The existing building houses Gaskill Custom Cabinetry and the proposed addition will support the business' operations (see the applicant's request letter attached to the end of this staff report). The map below shows the lot on which the proposed building addition will be constructed (outlined in black).



Existing Zoning: I (Industrial District)

Size of Parcel: The property on which the proposed building addition will be constructed is 1.87 acres in size. 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 Planning and Zoning Board 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 addition will be constructed within the site development area noted on the associated site plans.
- 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 shown on the site plan and the site plan is generally oriented to the north and a scale is present. Property boundary lines are also shown on the site plan map.
- C. *Topography by contour lines may be required if slopes exceed 5%, buffer berms are used, or a drainage plan is required.*
 - Topography by contour lines is shown on the site plan. Per the City Engineer, a drainage plan/report was not required for this project.
- D. *Show existing and proposed structures by bulk dimensions plus number of stories, gross floor area and entrances.*
 - The site plan shows the dimensions for the proposed building addition as well as the existing building. The proposed addition will create an additional 3,840 sq. ft. of building space and be one story in height. One overhead door and one regular door will be located on the east side of the proposed addition, as well as one door on the north side of the addition. Façade renderings can also be found at the end of this staff report. The existing building is 8,700 sq. ft. in size.
- 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).*
 - This expansion project will not add any new driveways connecting to public streets. The two existing driveways connecting the property to Industrial St. will be utilized by the business once the expansion project is completed.
- 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 lighting is proposed with this project.

- 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.*
- There are no existing or proposed signs associated with this construction 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 any new/additional disposal containers to be located on site in conjunction with this project. There is an existing disposal container already located adjacent to the building on this property.
- 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 will be safe, efficient, and convenient. As noted on the site plan, the business will utilize the existing driveways along Industrial Street.
- J. *Site plan provides for the safe movement of pedestrians within the site.*
- The proposed development does provide for the safe movement of pedestrians within the site. The general public will not have access to the area where the new building addition will be constructed. Currently, there is a 6' chain link fence on the property that keeps people from entering the building.

STAFF RECOMMENDATION: City staff recommends approval of this site plan application.

Applicant's Request Letter



350 West Industrial
Valley Center, KS 67147
In Regards To: Building Addition

City Of Valley Center
545 West Clay
Valley Center, KS 67147

To Whom It May Concern,

My name is Barry Gaskill and I own Gaskill Custom Cabinetry located at 350 West Industrial in Valley Center. I am proposing putting on an addition to my building headed off the North Side of my current building that will be 60' Wide by 64" Long. In this new space I plan on using it for cabinet construction and material storage. Thank you very much for your consideration.

Barry Gaskill, Gaskill Custom Cabinetry

316-200-2135 (Cell)

www.gaskillcustomcabinetry.com

Proposed Building Façade Renderings

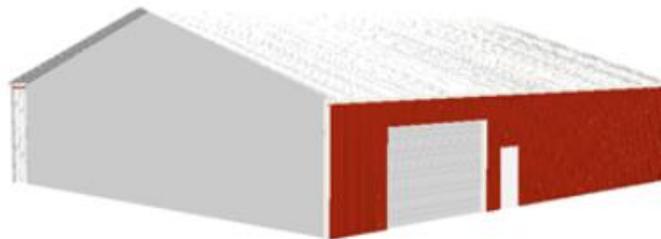
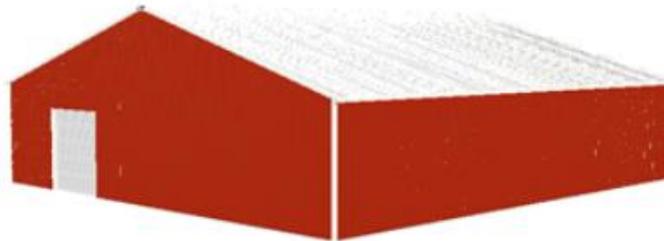


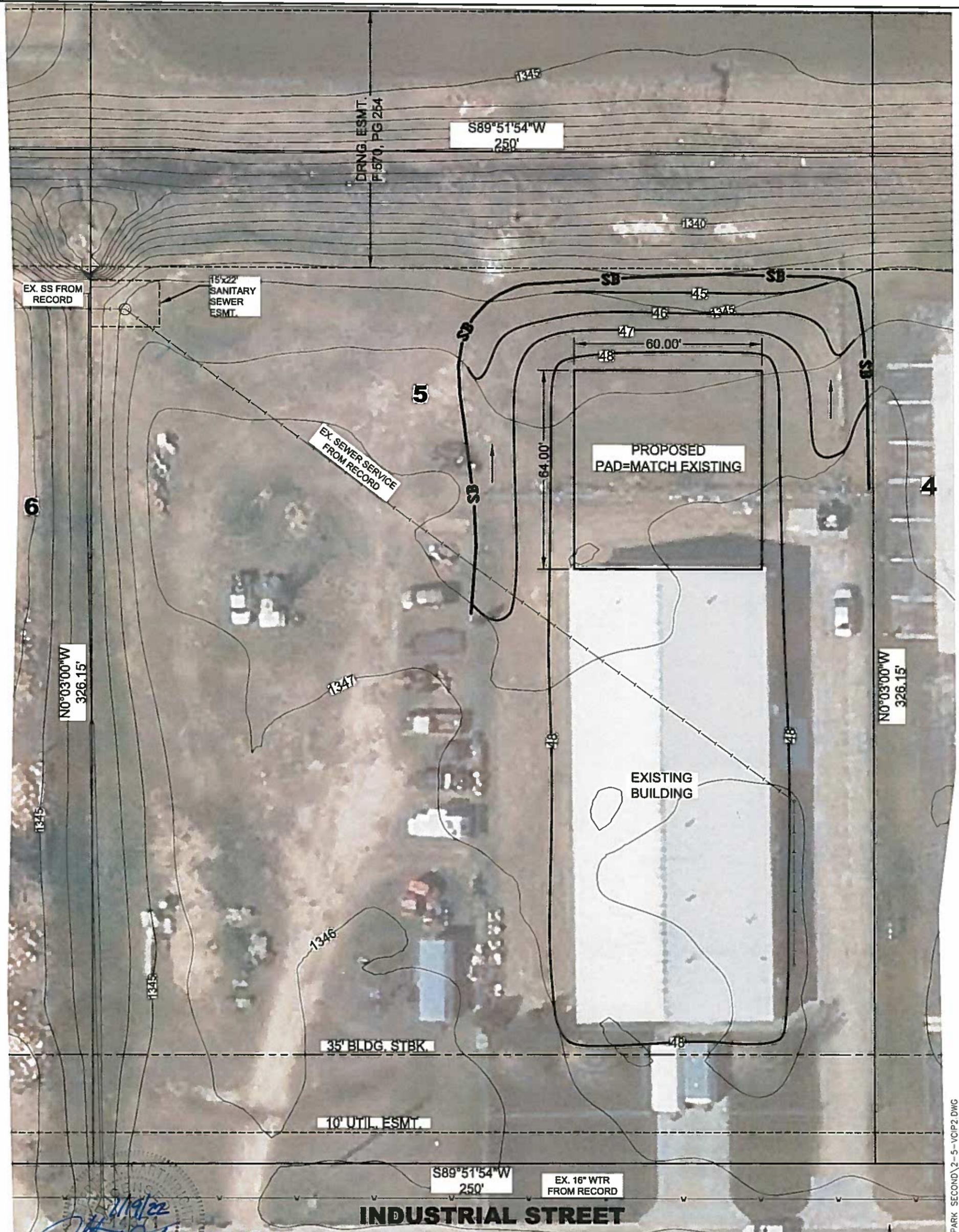
Ronald (Keith) Summer
Phone Number: (620) 326-2626
Email: rsummers@clearybuilding.com

10/5/2021
GASKILL, BARRY
Doc ID: 7989420211005073319

Cleary Buildings Project Estimate Client Proposal - Erected

Project Name: GASKILL, BARRY
Site Address: 350 W INDUSTRIAL VALLEY CENTER, KANSAS 67147
Email: rsummers@clearybuilding.com
Home Phone: (316) 200-2135



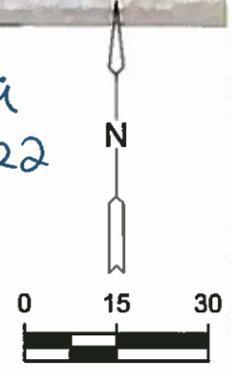


1/19/22
 KZa
 1/19/22

BENCHMARK:	DISTANCE FROM APPROXIMATE STRUCTURE TO PROPERTY LINE	
* SURVEY NOT YET PROVIDED	FRONT	44'
	REAR	74'
	LEFT	154'
	RIGHT	36'

LEGEND

- SILT BARRIER
- SANITARY SEWER
- WATER LINE



REVISION	DATE

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 Wichita, KS • 316.684.9600

VALLEY CENTER INDUSTRIAL PARK SECOND LOT 5, BLOCK 2

OWNER: GASGILL CUSTOM CABINETRY 350 W. INDUSTRIAL ST.

PAD	•	MINIMUM PAD	•	DRAWN BY:	DM	DATE:	JANUARY 2022
SSWR FL	•	BFE	•	DESIGNED BY:	JTC	SHEET NO.	2-5-VCIP2
PAD - SSWR	•	DATUM	•	APPROVED BY:	KLA		21444-73

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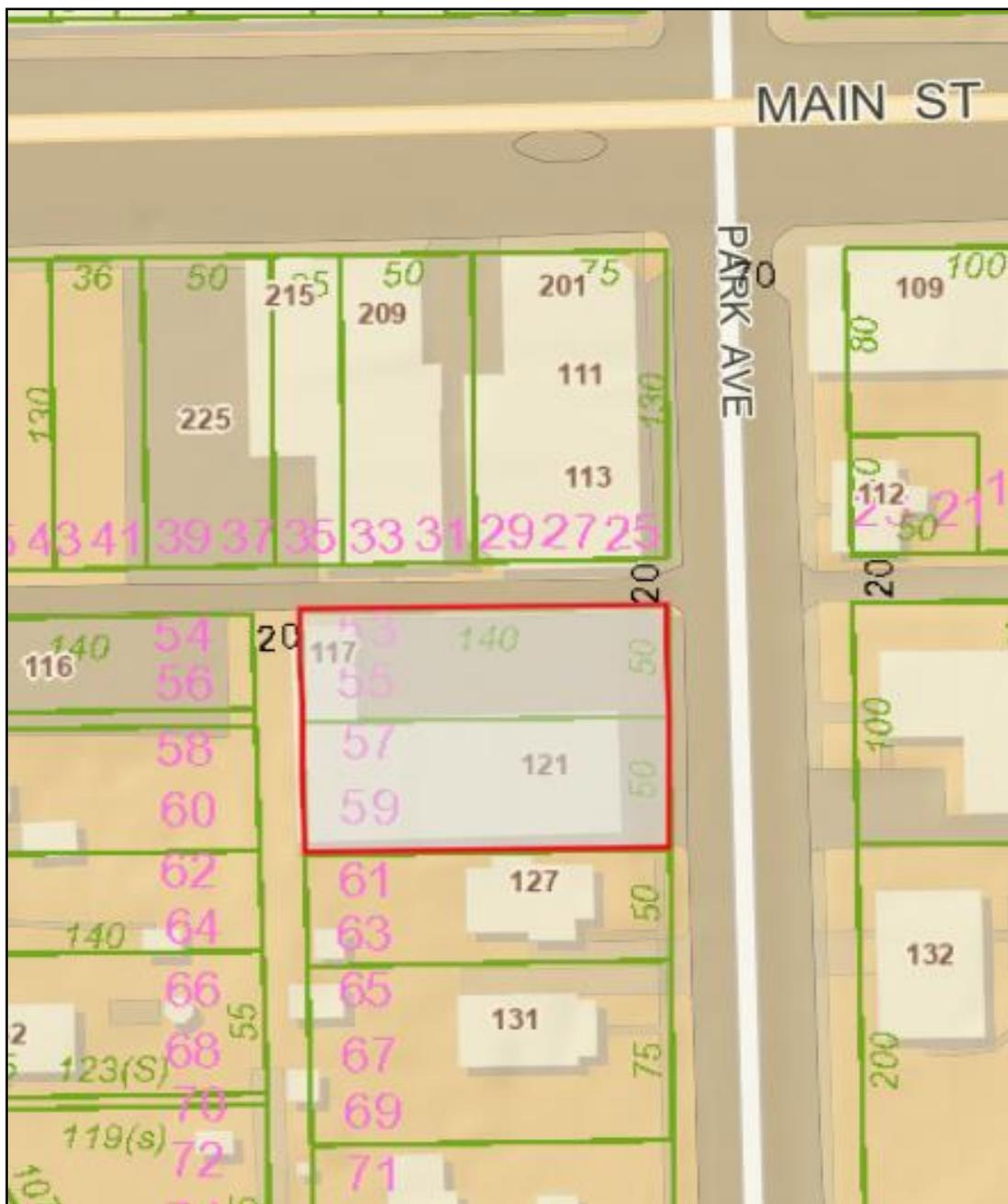
Date: January 21, 2022

Present Zoning: C-2 (General Business District)

Variance Request: The applicant, Charisse Bansemer, is requesting a variance to allow for a portion of a commercial building located at 121 S. Park Ave. to be used as a temporary residential living space.

Applicant: Charisse Bansemer

Property Address: 121 S. Park Ave., Valley Center, KS 67147 (outlined in red below)



Applicant's Reasons for Variance Request:

Per the City of Valley Center’s Zoning Code (17.04.10.F.), on C-2 zoned property, buildings are not to be used for residential purposes. The applicant is requesting permission to allow a portion of the building located on this property to be used as a residential living space for six (6) months. This application was originally on the November 23, 2021 board meeting agenda, but has been moved to the January 25, 2022 board meeting.

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

1. *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.*

This variance request is unique to this property. The applicant has converted a portion of the building to residential living space, which is why she is requesting this variance. This converted space was recently inspected by representatives from both the City of Valley Center and the Sedgwick County Metropolitan Area Building and Construction Department (MABCD) in order to ascertain if this space met the adopted building codes of both Valley Center and Sedgwick County. An inspection report, written by Bill Andrews (City of Valley Center Residential Building Inspector/Code Enforcement Officer), is located at the end of this staff report. It is the understanding of City staff that the applicant has purchased smoke alarms and will have them installed as requested in the report. Mr. Andrews will follow up with the applicant to ensure that this was completed.

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

The granting of this variance will not adversely affect the rights of adjacent property owners/residents. A second public notice was published in *The Ark Valley News* and additional notice letters were mailed to all property owners within 200 feet of the applicant’s property boundaries. To date, two responses have been received by City staff and these individuals were not opposed to the requested variance. Any further responses received after the creation of this staff report will be shared with the Board of Zoning Appeals during the January 25, 2022 meeting.

3. *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 applicant will have significant hardship in the fact that she has shared with the City that this is where her family is residing at this time and they would have to find another place to live if they cannot stay in this building.

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

The variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare of the surrounding neighbors or the community in general.

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

The granting of this variance will not be opposed to the general spirit and intent of the referenced regulations.

Staff Recommendation: Staff recommends that the Board of Zoning Appeals grants the variance allowing the applicant to use a portion of the building located at 121 S. Park Ave. as residential living space for a period of time not to exceed six (6) months from the date of the board meeting and with the following conditions:

- If the applicant wishes to utilize the converted living space beyond July 25, 2022, she will be required to install an egress door or window, as well as electrical outlets, to conform with the adopted building code as noted in the attached inspection report. The appropriate permits for this must be obtained prior to the work being done, which must be finished and pass inspection by July 25, 2022.
- Any additional changes the applicant wishes to be made to the building will require permits for demolition, building, electrical, plumbing, HVAC, etc., to be obtained prior to the work being done.

Building Inspection Report

10-19-21

Inspection of 121 S. Park Ave.

Present were: Charisse Bansemer – Tenant

Jerod Truman – MABCD, Commercial Building Inspector

Bill Andrews – City of Valley Center, Residential Building Inspector

An inspection of the property showed there had been some sheet rocking done, but the new areas did not contain electrical, plumbing or HVAC components, neither did they restrict egress.

On walk through with Ms. Bansemer, the area considered for residential occupancy was the center large space referred to as space “A” which is located on the south side of the structure. Entrance is the first door west of the entrance known as 117 S Park. This room had been used previously as a tanning salon.

Ms. Bansemer stated she only wants to use the space for occupancy for no longer than 6 months from present date.

Mr. Truman inspected the space, available egress, and bathroom access and concluded that other than the installation of smoke alarms, the space could be used as temporary occupiable space.

It is the conclusion from an inspection standpoint that temporary occupancy of this space for no longer than 180 days would be allowable. Such occupancy would need to be inspected to make sure smoke alarms have been added and that there are no additional occupied spaces as well as at the conclusion of the 180 days, the building would be inspected to assure that there were no residential occupied spaces.

The smoke alarms recommended are at the minimum, interconnected wireless smoke alarms that will be present in the adjacent hallways and in the sleeping area.

Should permanent occupancy become requested there would need to be an egress door or window installed for this room as well as electrical outlets added to conform to Code. Any additional changes to the building, for occupancy or not, (remodeling, Etc.) would require permits for demolition, building, electrical, plumbing, or HVAC as needed.

Bill Andrews

Code Enforcement Officer/Residential Building Inspector
City of Valley Center, Kansas
545 W. Clay Street
Valley Center, KS 67147
Phone: 316-755-7310, Ext. 110