

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

TUESDAY, NOVEMBER 23, 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: Paul Spranger, Brian Shelton, Rick Shellenbarger, Mike Boyd, and Steve Conway.

Members Absent: Toby Meadows

City Staff Present: Brent Clark, Barry Smith

Audience: Mayor Cicirello, Jake Vasa, Iron Horse Development team, Garrett Witthar, Josh Molello, Tim Austin, Michael George

AGENDA: A Motion was made by Chairperson Gary Janzen and seconded by Board Member Boyd to approve the amended agenda, removing Item 4 due to non-payment. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Chairperson Gary Janzen made a motion to approve the October 26, 2021 meeting minutes. The motion was seconded by Vice Chairperson Paul Spranger. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD/BZA:

1. Review of SD-2021-03, application of Iron Horse Development, LLC, pursuant to Section 16.04., who is petitioning for approval of a final plat for the land located southwest of the intersection of 5th Street and Seneca Street (currently not addressed), Valley Center, KS 67147.

City Administrator Brent Clark advised this is a final plat for single family residential, a commercial zone and area to the south deeded over to the city for a park, roughly 62 acres, that would take care of the drainage way that is currently owned by Sedgwick County.

Chairperson Gary Janzen opened the hearing for comments from the public: 7:06 PM

Jake Vasa with SCH spoke on traffic and drainage questions from the previous meeting. The traffic impact study was completed with the concern of access to and from 5th street into the development. The traffic study indicated a middle-left hand turn lane would be required. The best option would be to widen 5th street from Seneca to the bridge. Chairperson Janzen inquired as to if it guaranteed with the plat. City Administrator Brent Clark spoke up and said that would be handled at a separate time under the developer's agreement. Board member Shellenbarger asked how much of the new improvements that were already completed will be removed from that south side. City Administrator Brent Clark deferred to the City Engineers; he did not believe any would be removed.

Jake Vasa explained that the drainage study regarding the 100-year flood and the base flood elevation (BFE) set by FEMA, the BFE is dropping by roughly 2ft sitting at a rate that it is at right now, and maybe more since it does take in more of the drainage from Prairie Lakes. They are making sure the lots are above the base flood elevation. Chairperson Janzen asked if the plan will be to make the area not so intensive for the city to maintain since there have been more 100-year floods recently. Jake Vasa is working through programming on what can or cannot be in that park area. City Administrator Brent Clark explained that will be a topic on the Outdoor Spaces Board meeting to discuss our vision for this park.

No comments from the public.

Chairperson Gary Janzen closed the public hearing: 7:14 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Gary Janzen made a motion to approve SD-2021-03 for final plat for the land located southwest of the intersection of 5th Street and Seneca Street (currently not addressed), Valley Center, KS 67147. Motion was seconded by Board Member Rick Shellenbarger. The vote was unanimous.

2. Review of RZ-2021-06, application of Iron Horse Development, LLC, pursuant to Section 17.11, who is petitioning for a rezoning of land that is currently zoned A-1, which is the City's designation for an agricultural district, to R-1B and C-2, which is the City's designations for single-family residential district and general business district respectively. The land is located southwest of the intersection of 5th Street and Seneca Street (currently not addressed), Valley Center, KS 67147.

City Administrator Brent Clark explained the zoning request and that it is part of the TIF district and that the developer's agreement will get more detailed as for what is allowed or not. Chairperson Gary Janzen asked if any comments were received from the public notices that went out. City Administrator Brent Clark advised there were none received. Chairperson Janzen was curious as to what might go in on the General Commercial property if approved. City Administrator Brent Clark referred to the code for permitted uses.

Chairperson Gary Janzen opened hearing for comments from the public: 7:20 PM

Levi Bond with Iron Horse development stood up and offered to take questions.

Garrett Witthar stood up and inquired that since 85th street is seeing improvements, will there be any improvements done to Seneca street. City Administrator Brent Clark explained that the city applied for a grant through KDOT and was not successful but will continue to apply for grants. Part of the TIF project covers the Seneca street bridge.

Chairperson Gary Janzen closed the public hearing: 7:25 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Gary Janzen made a motion to approve RZ-2021-06 for rezoning of land that is currently zoned A-1, which is the City's designation for an agricultural district, to R-1B and C-2, which is the City's designations for single-family residential district and general business district respectively. The land is located southwest of the intersection of 5th Street and Seneca Street (currently not addressed), Valley Center, KS 67147 Motion was seconded by Board Member Brian Shelton. The vote was unanimous.

3. Review of RZ-2021-07, application of Joshua and Cindy Molello, pursuant to Section 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 A-1, which is the City's designation for an agricultural district. The land is currently unaddressed, but is located immediately east of 3059 E. 5th Street, Valley Center, KS 67147.

City Administrator Brent Clark the previous owner wanted to create a coffee shop and it was rezoned to C-2, the coffee shop project never came to fruition and the property and lot was later sold to the Molellos. The current owner does not need it zoned as C-2.

Chairperson Gary Janzen opened hearing for comments from the public: 7:29 PM

Josh Molello explained that they purchased the property with the understanding that it was zoned agriculture. They don't have a need for commercial zoning.

No other public comments.

Chairperson Gary Janzen closed the public hearing: 7:31 PM

Based on the City Staff recommendations and discussion by the Board of Zoning Appeals, Chairperson Gary Janzen made a motion to approve RZ-2021-07 for a rezoning of land that is currently zoned C-2, which is the City's designation for a general business district, to A-1, which is the City's designation for an agricultural district. The land is currently unaddressed, but is located immediately east of 3059 E. 5th Street, Valley Center, KS 67147. Motion was seconded by Board Member Rick Shellenbarger. The vote was unanimous.

NEW BUSINESS: City Administrator Brent Clark explained that the Planning and Zoning Board get an opportunity to look at the TIF District project plan and is looking for their formal approval. Chairperson Gary Janzen asked City Administrator Brent Clark to explain the how a TIF District works. City Administrator Brent Clark explained that it is a tax increment financing district and further explained how it works. These improvements benefit the public as the property is improved and developed. The Developer's Agreement details everything regarding the project.

Based on the City Staff recommendations and discussion by the Board of Zoning Appeals, Chairperson Gary Janzen made a motion to approve 01-21 (as presented) A RESOLUTION OF THE CITY OF VALLEY CENTER, KANSAS PLANNING COMMISSION FINDING THAT THE REDEVELOPMENT PROJECT PLAN FOR THE PRAIRIE LAKES REDEVELOPEMNT DISTRICT IS CONSISTENT WITH THE COMPREHENSIVE GENERAL PLAN FOR THE DEVELOPMENT OF THE CITY OF VALLEY CENTER, KANSAS. Motion was seconded by Board Member Steve Conway. The vote was unanimous.

OLD BUSINESS: None

STAFF REPORTS: City Administrator Brent Clark informed the Board that the next meeting will take place on Thursday, Dec. 16, 2021.

Before closing, citizen Michael George posed a question on TIF bonds to the Board. He stated that there are 300 or more houses in the TIF district, and all the money for taxes goes to pay TIF bonds off. He estimated two children per household that will add 600 children to USD 262, and with this increase of students, improvements will need to be made to accommodate. He stated that others will have to pay for the school district improvements, and he questioned for how many years? 20 years? City Administrator Brent Clark explained that there is a Strategic Planning Committee for USD 262 that has met twice looking at this and there is a survey out there available for community input and how to handle growth. Board Member Spranger gave an opinion regarding starting higher priced homes first to cover the TIF district and to consider that when creating the Developer Agreement.

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

Gary Janzen-none
Paul Spranger-none
Brian Shelton-none
Rick Shellenbarger-none
Mike Boyd-none

Steve Conway-none
Toby Meadows-absent

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BZA MEETING: At 7:53 P.M., a motion was made by Chairperson Gary Janzen to adjourn and seconded by Board Member Shellenbarger. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

Ryan Shrack, Community Development Director

Gary Janzen, Chairperson