



MINUTES
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
July 14, 2022 6:30 PM



I. Call to Order: Chairman Schmidt called the meeting to order at 6:30PM

II. Roll Call

Present were James Schmidt, John Charleston, David Floyd, Phillip Jordan, and Dee Roths. Heath Travnichek and Paul Matzek were absent.

Also present were City Engineer Anne Stephens, Director of Planning and Community Development, Jay Cook, City Attorney, Jaqueline Kelly, and Code Enforcement Officer Garrett Wichman.

III. Pledge of Allegiance to the Flag – Chairman Schmidt led the Pledge of Allegiance.

IV. Consent Agenda

A. Approval of Minutes from Previous Meeting

MOTION: Chairman Schmidt moved to approve the minutes of July 14th, 2022. Commissioner Jordan seconded the motion. ***Motion carried 4-0.***

V. Old Business/New Business

A. PUD-22-01. Proposed changing the current PUD to allow R-6 multi-family zoning and amended parking requirements. (Arthur Heights PUD)

Chairman Schmidt opened the public hearing. Commissioner Roths joined the meeting. Will Clevenger and Ken Lee with Garver and Russ Relph, property owner, presented the application and stood for questions from the Commission. Chairman Schmidt closed the public hearing to enter into an executive session.

MOTION: Chairman Schmidt made a motion to have an executive session to end at 7:05PM. Commissioner Jordan seconded the motion. ***Motion carried 5-0.***

Upon return, Chairman Schmidt stated that no action was taken during the executive session. Chairman Schmidt then reopened the public hearing at 7:06PM.

Concerns from the Commission about drainage and parking. Mr. Clevenger and Mr. Relph stated their plans for drainage and that they would review their original plans and come back with a layout that consisted of at least two parking stalls per dwelling unit.

Gary Jantz, 6200 E 45th St N Lot 8, spoke regarding his concerns about the drainage, curb appeal, and potential law enforcement concerns. He recommends that this be relocated to a larger industrial area.

Carol Russel, 6218 E 45th St N, spoke regarding concerns about drainage and also about the potential issues with law enforcement. She is worried about the security of her property.

Dennis McCallum, 4650 N Hillcrest, spoke about his concerns the water that floods that area and proper drainage. If the proposed units of Arthur Heights are to be built he believes that it will diminish his property value and would rather see a business in place there rather than a home development.

Randy Kreutzer, 5284 Toben, spoke in support of the application. He stated that he is a property manager for 110 units/properties in Bel Aire. The owner of Arthur Heights is also the owner of the 110 units/properties that Mr. Kreutzer manages. He stated that everyone that lives within these properties go through background checks and are accredited citizens.

No other citizens requested to speak. Chairman Schmidt closed the public hearing.

After the public hearing, the Planning Commission discussed the application in relation to the City Zoning Code. The Commission expressed concern that the parking may not be adequate. The Developer will revise the layout to ensure a minimum of two parking spaces per unit, which will likely include the removal of a building or two. They will also work with Sedgwick County Fire to see if the width of the access road can be reduced by several feet to help maintain more separation between the roadway and the homes.

MOTION: Chairman Schmidt made a motion to table changing the PUD to allow R-6 multi-family zoning with consideration of parking and a privacy fence around entire property. Commissioner Jordan seconded the motion. *Motion carried 5-0.*

- B. **ZON-22-02 Preliminary Plat.** Approximately 3.35 acres zoned C-1, to a R-5b Zero Lot line for single-family houses at Elk Creek 3rd. The current use farm ground.

Chairman Schmidt opened the public hearing. Kirk Miller spoke to the Commission on behalf of the applicant and stood for questions.

The Commission discussed questions regarding the pond from another development that encroached on the area of the application and who is responsible for said encroachment. Discussion was also made as to whether the applicant could fill in the area that encroached.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Chairman Schmidt motioned to accept the preliminary plat for Elk Creek 3rd without condition. Commissioner Phillip Jordan seconded the motion. *Motion carried 5-0.*

- C. **ZON-22-02 Final Plat.** Approximately 3.35 acres zoned C-1, to a R-5b Zero Lot line for single-family houses at Elk Creek 3rd. The current use farm ground.

Chairman Schmidt opened the public hearing. Kirk Miller represented the applicant and stood for questions. There was discussion on repairing the encroaching pond by filling in the

corner with dirt. Mr. Miller stated that he would be unable to do anything without a building permit which would require approval of plat.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Chairman Schmidt motioned to accept without conditions. Commissioner Jordan seconded the motion. *Motion carried 5-0.*

- D. **PUD-22-02 Winkley Addition Commercial.** Proposed changing the current PUD to reduce building setbacks, remove certain screening requirements and add a fuel tank storage area.

Phil Meyer with Baughman Company spoke with Matt Hermes, owner of the property, to the Commission regarding the application. There was discussion and concern regarding 2 fuel storage tanks. The applicant and revised PUD stated that all Federal, state, and local regulations would be followed.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Commissioner Floyd motioned to recommend amending the PUD for Winkley Addition Commercial to reduce building setbacks, remove certain screening requirements and add a fuel tank storage area without changes. Commissioner Roths seconded the motion. *Motion carried 5-0.*

- E. **CASE No. ZON-21-07.** Proposed platting of approximately 14.62 acres of R-4 (Chapel Landing 6th).

Chairman Schmidt opened the hearing for the proposed platting of approximately 14.62 acres of R-4 (Chapel Landing 6th). Phil Meyer with Baughman Company spoke on behalf of the applicant.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Chairman Schmidt made a motion to recommend the final plat of Chapel Landing 6th without conditions. Commissioner Jordan seconded the motion. *Motion Carried 5-0.*

- F. **ZON-22-04 Rezoning:** Approximately 73 acres zoned AG to M-1 Industrial. Currently used as farmland. Was recently annexed into city. (located directly east of Webb Road, south of Sunflower Commerce Park)

Chairman Schmidt opened the hearing for the rezoning of the approximate 73 acres zoned AG to M-1 Industrial. Applicant Steve Barret spoke to the commission regarding the application and plans for the property. Staff reviewed the application location in relation to the Golden Factor Standards for zoning.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Chairman Schmidt made a motion to recommend the request to re-zone certain recently annexed property along Webb Road, south of Sunflower Commerce Park containing approximately 73 acres from AG to M-1 Industrial use without changes. Commissioner Roths seconded the motion. *Motion Carried 5-0.*

Chairman Schmidt discussed the idea of amending the zoning code for future developments. After discussion, the commission decided to look into the process and possibly have a workshop to further discuss the option.

MOTION: Commissioner Charleston made a motion to review the steps required for a revision to zoning regulations and discuss at a later meeting. Commissioner Floyd seconded the motion.

Motion Carried 4-1.

VI. Next Meeting: Thursday August 23, 2022, at 6:30 p.m.

The commission board a new time to accommodate everyone's schedule. They concluded that August 23rd would be the next meeting.

MOTION: Commissioner Charleston motioned to approve the next meeting date to August 23rd, 2022, at 6:30 p.m. Commissioner Jordan seconded the motion. ***Motion Carried 5-0.***

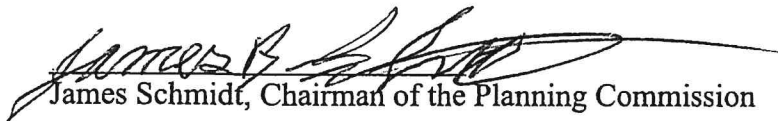
VII. Current Events

No events were discussed.

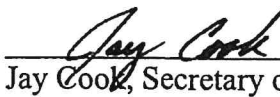
VIII. Adjournment

MOTION: Chairman Schmidt made a motioned to adjourn the meeting. Commissioner Charleston seconded the motion. ***Motion Carried 5-0.***

Approved by the Planning Commission this 23 day of AUGUST, 2022.


James Schmidt, Chairman of the Planning Commission

ATTEST:


Jay Cook, Secretary of the Planning Commission