



AGENDA
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
October 13, 2022 6:30 PM



I. Call to Order

II. Roll Call

James Schmidt ____ John Charleston ____ David Floyd ____
Phillip Jordan ____ Dee Roths ____ Heath Travnichek ____ Paul Matzek ____

III. Pledge of Allegiance to the Flag

IV. Consent Agenda

A. **Approval of Minutes from Previous Meeting**

Action: Motion to approve the minutes of August 23, 2022.

Motion ____ Second ____ Vote ____

B. **Approval of the 2023 Meeting Dates and Time**

Action: Motion to approve the Meeting Dates and Time for 2023.

Motion ____ Second ____ Vote ____

V. Old Business/New Business

VI. Staff Reports

1.) Engineer Report

2.) Director Report

Discussion of Comprehensive Development Plan

A. Staff Report 10/13/2022

VII. Next Meeting: Thursday, November 10th at 6:30 PM

Action: Motion to (approve / deny / table) next meeting date: November 10, 2022 at 6:30 p.m.

Motion ____ Second ____ Vote ____

VIII. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____



MINUTES
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
August 23, 2022 6:30 PM



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

II. Roll Call

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

Also present were City Engineer Anne Stephens; Planning Commission Secretary 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 Roths seconded the motion. *Motion carried 5-0*

V. Old Business/New Business

A. PUD-22-01. Proposed changing partial zoning within the current PUD to allow R-6 multifamily housing (Arthur Heights PUD)

Chairman Schmidt opened the public hearing. Planning Commission reviewed the applicants request to change the current PUD to allow R-6 multi-family zoning for Arthur Heights. This property is located immediately west of the northwest corner of 45th and Woodlawn. This matter was tabled at the previous Planning Commission meeting. Ken Lee of Garver, LLC was present to represent the property owner, Russ Relph.. Mr. Lee spoke to some of the requests that were previously made by the Planning Commission regarding the application.

Following this discussion, Chairman Schmidt opened the floor to residents and allotted each resident with three (3) minutes to express grievances, concerns, or support. The Planning Commission also allowed Mr. Lee to address these concerns after all residents spoke.

The first to speak was Dennis McCallum, 4650 N Hillcrest. Mr. McCallum spoke about sharing 150 feet of his property line with the PUD. He stated he was worried about his property value dropping and the possibility of more calls to the Bel Aire Police Department. Another concern was the drainage issue on his property and the concern that adding this development may increase said water issues. Mr. McCallum showed photographs which he said demonstrate current water/drainage issues on his property.

The next to speak was Carol Russell, 6218 E 45th St. Her concern was with the trees that would abut her property line as screening and the possibility of children running in and out of the tree line. She was also concerned with individuals hiding in said trees to attack her on her way home.

The last citizen to voice concern was Gary Jantz, 6200 E 45th St N. Mr. Jantz had concerns about the density of the PUD and the possible fire event that could take place. He was also concerned with the setbacks from the property lines proposed. Concern also arose regarding the gas pipeline on the southern portion of the property. He stated feeling violated by loss of privacy and stolen property due to lowering property values.

No other citizens requested to speak. Mr. Ken Lee then spoke to the concerns of the neighbors. Chairman James Schmidt closed the public hearing.

Following the public hearing, Planning Commission considered the evidence and discussed the following factors based on the Criteria for Review established in section 5.02 (D) of the Zoning Regulation. A significant amount of discussion circled around factors commonly known as the Golden Factors. Commissioners discussed the character of the neighborhood, zoning uses of nearby property, suitability of the property for the uses to which it is restricted, the extent to which removal of the restrictions will detrimentally affect nearby property and the length of time the subject property has remained vacant as zoned.

MOTION: Commissioner David Floyd made a motion to recommend changing the partial zoning within the current PUD to allow R-6 multi-family housing with the condition of default eight (8) foot fence or appropriate screening as otherwise mutually agreed upon with neighboring properties. Phillip Jordan seconded the motion. *Motion carried 5-0.*

- B. ZON-22-05 Rezoning:** Approximately 71 acres zoned AG to M-1 Industrial. Currently used as farmland. Was recently annexed into city. (Located at the southwest corner of HWY 254 and Webb Rd.)

Chairman Schmidt opened the public hearing to the residents and allotted each with three (3) minutes to express grievances, concerns, or support.

Franklin Vespa, owner of the property directly east of the application, spoke with concerns for the rezoning. He stated that he would not have purchased his property if he had known an industrial zone would be allowed next to his property. He has concerns for

lowering property values, increase in crime, excessive noise and lighting, and environmental issues.

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

After hearing concerns, the Planning Commission discussed the applicants intended uses for the property, possible effects of the zoning change on the residential properties to the south and zoning considerations regarding the airspace near Jabara airport. It was also stated that M-1 Industrial zoning would require a PUD and that the residential area to the south should be taken into consideration when that arises.

MOTION: Chairman Schmidt recommended the request to rezone certain recently annexed property at the southwest corner of Hwy 254 and Webb Rd. containing approximately 71 acres from AG to M-1 Industrial use without changes or conditions. David Floyd seconded the motion. ***Motion carried 5-0.***

VI. Staff Reports

Director Report

Director Jay Cook recommended for the commission to utilize the planning and zoning department.

VII. Next Meeting: Thursday, September 8th at 6:30 PM

After brief discussion the Planning Commission agreed upon September 8, 2022, at 6:30 p.m.

MOTION: Chairman Schmidt approved the next meeting date to September 8, 2022, at 6:30 p.m. Commissioner David Floyd seconded the motion. ***Motion carried 5-0.***

VIII. ADJOURNMENT

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

Approved by the Bel Aire Area Planning Commission this _____ day of _____, 2022.

James Schmidt, Chairman

ATTEST:

Jay Cook, Secretary



2023 PLANNING COMMISSION DATES

	Application Date	Packet Deadline	Meeting Date
January	12/16/2022	01/04/2023	01/12/2023
February	01/13/2023	02/01/2023	02/09/2023
March	02/10/2023	03/01/2023	03/09/2023
April	03/07/2023	04/05/2023	04/13/2023
May	04/14/2023	05/03/2023	05/11/2023
June	05/12/2023	05/31/2023	06/08/2023
July	06/16/2023	07/05/2023	07/13/2023
August	07/14/2023	08/02/2023	08/10/2023
September	08/18/2023	09/06/2023	09/14/2023
October	09/15/2023	10/04/2023	10/12/2023
November	10/13/2023	11/01/2023	11/09/2023
December	11/17/2023	12/06/2023	12/14/2023
January	12/15/2023	01/03/2024	01/11/2024

All new agenda items must go through a pre-application process before an application will be processed. All agenda items that require notification to be published must be complete and submitted by the above listed application date by 8 A.M. (Ark Valley News deadline could change requirement). Information to be placed in planning packets must be received by the packet deadline date shown above.

Planning Commission Secretary	Jay Cook 316-744-2451 ext. 222	jcook@belaireks.gov
Building and Zoning Dept.	Keith Price 316-744-2451 ext. 120	bldginsp@belaireks.gov
City Engineer	Anne Stephens 316-744-2451 ext. 133	astephens@belaireks.gov
City Manager	Mr. Ty Lasher 316-744-2451 ext. 217	tlasher@belaireks.gov
City Clerk	Melissa Krehbiel 316-744-2451 ext. 200	cityclerk@belaireks.gov

All site plans must be reviewed by the City engineer and Zoning Administrator, 2 sets of the required plans must be delivered directly to city hall. (public hearing submittal quantities based on city code requirements) Cost associated with engineering will be passed on to the applicant.

<https://www.betterontheedge.org/>



FOR MEETING OF	10/13/22
CITY COUNCIL	
INFORMATION ONLY	

City of Bel Aire

STAFF REPORT

DATE: 10/06/2022

TO: Bel Aire Planning Commission

FROM: Keith Price

RE: Agenda

SUMMARY:

Meeting dates for the 2023 year are in the packet. Staff prefers to have an approved list of specific dates to conduct business routinely; meeting dates can be adjusted

ZC 3.03 D. Meetings. The members of the Planning Commission shall meet as determined necessary to perform its duties. Meetings may be called at any time by the chairperson or the Zoning Administrator, with twenty-four (24) hours written notice to the membership, and notification provided to the public in conformance with the Kansas Open Meetings Act. A majority of the Commission shall constitute a quorum for the transaction of business. City staff shall keep minutes of the Commission's proceedings and official actions, including its examinations and findings. Following approval and adoption by the Planning Commission, such minutes shall be filed with the City Clerk.

Notice highlights from Kansas web site-

When does a public body or agency have to provide notice? Notice is required only when someone requests to receive notice of meetings. There is nothing in the KOMA that requires general notice, such as publishing the agenda in the newspaper or posting it on the agency website.

What kind of notice should I expect? The KOMA does not specify the method of notice; it could be verbal or written. The notice must provide you with the time, place, and date of the proposed meeting. You may receive a single notice for all regular meetings of the public agency or body. You should still receive notice for any special meetings or changes in the time, place, or date of regular meetings.

https://ag.ks.gov/docs/default-source/publications/a-citizens-guide-to-koma-kora.pdf?sfvrsn=f054e281_16

Discussion by staff related to annual review of the comprehensive plan and other zoning related topics.

<https://www.betterontheedge.org/>

