



MINUTES
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
May 11, 2023 6:30 PM



I. Call to Order

II. Roll Call

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

Also present were, Planning Commission Secretary, Jay Cook, 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: Commissioner Roths made a motion to approve the minutes from April 13, 2023. Commission Jordan seconded the motion. *Motion Carried 5-0*

V. Old Business/New Business

A. ZON-23-01 - Rezoning approximately 64 acres from AG to M-1 Industrial at Southeast of K-254 and Rock Rd.

Chairman Schmidt opened the public hearing.

Representing the applicant was Phil Meyer with Baughman Company. The applicant is requesting to change the zoning of the parcel located at the southeast corner of Rock Rd and Hwy 254 in the city limits of Bel Aire from AG to M-1 Industrial. Phil explained that this is the last piece of land south of Hwy 254 to be zoned M-1. Phil stated there is no exact use for the location right now, but it is a site that Integra has looked at to expand their chip manufacturing business.

Chairman Schmidt closed the public hearing.

Several residents from the Heritage Hills subdivision in Kechi, KS spoke regarding the zoning change and concerns with traffic, lights, air quality, home values and possible environmental impacts of an industrial area. One of the main issues was the amount of additional traffic that would be present if a large industry moved into the area and the existing accidents and

possible future accidents in the area. One resident stated that it would make more sense to move the desired company to the east towards Webb Rd instead of Rock Rd. A resident wanted to ensure that the neighborhood would be in the process of all decisions made about Integra and requested that the Kechi residents in the Heritage Hills Subdivision be treated better than Bel Aire residents. One resident asked that a decision not be made during the meeting but wait until more information was available.

The Planning Commission allowed Phil Meyer from Baughman Company to speak to the concerns of the residents. He discussed the plating process and that most concerns would be taken care of during that time.

Chairman Schmidt Reopened the hearing and allowed members of the audience to ask questions. The commission fielded the questions and Chairman Schmidt stated that all the Planning Commission could do was make a recommendation to approve or deny to the Governing Body and that the Council made the final decision.

Chairman Schmidt closed the hearing again. Following the public hearing, the Planning Commission considered the evidence and discussed the following factors based on the Criteria for Review established in Section 5.2 (E) of the Zoning Regulations. A discussion was had on the factors commonly known as the Golden Factors. There were mixed reviews on the Golden Factors, some in favor of the zoning change and some opposed. Overall, the factors seemed to be divided evenly between recommendation and denial. Commissioner Jordan gave his reasonings on each of the Golden Factors with most being in favor of denial but a few being in favor of approval. Other commissioners stated that they believed the weight of some Golden Factors made them believe the change meets the criteria.

Motion: Commissioner Roths made a motion to recommend the request to re-zone property at the southeast corner of Hwy 254 and Rock Rd. containing approximately 64 acres from AG to M-1 Industrial use without changes or conditions. Chairman Schmidt seconded the motion.
Motion carried 3-2.

B. PUD-23-03 - Preliminary PUD for Dayton Freight Lines, INC in Sunflower Commerce Park Addition

Chairman Schmidt opened the public hearing.

Representing the applicant was Russ Henestofel of EMH&T. The applicant is requesting a Dayton Freight be allowed in Sunflower Commerce Park. Dayton Freight is looking to expand and the property in Lot 7 Block C of Sunflower Commerce Park addition was the proper size to have warehouse capabilities and also a space for self storage. The self-storage will be fully automated with a kiosk that allows for access. Russ stated that the square footage of the full build will be 30,000 that is expandable to 41,000 sq ft with 48 docks for freight. The operations will be a truck transfer that will have roughly 75 trucks per day when fully completed. Russ stated that it is not a 24-hour location and that most trucks will be in and out before night. One concern from Commissioner Roths was the lighting of the operation. Russ stated there will be lights along the wall to each dock but will have shields and should shine directly down to reduce light pollution.

Chairman Schmidt closed the public hearing.

The Planning Commission felt that the presentation provided, and the documents presented, were sufficient and did not have excessive amounts of discussion. There was some discussion of lights and the plans to keep the lights on site.

Motion: Commissioner Paul Matzek made a motion to accept the Preliminary PUD for Dayton Freight Lines, INC in Sunflower Commerce Park Addition as presented without changes or conditions. *Motion carried 5-0.*

C. PUD-23-02 - Amending Zoning Districts in Tierra Verde South Addition PUD to include R-5 and R-6 Zoning

Chairman Schmidt opened the public hearing.

Representing the applicant was Phil Meyer with Baughman Company. The applicant is requesting allowing R-5 and R-6 residential in the existing Tierra Verde South Addition PUD that is currently a C-2 PUD. The request is to provide more options for development. Phil stated that the development has sat relatively vacant for a long time and the ability to do a some mixed used will benefit with the ability for variety. There is not a specific user for the properties.

The Commission allowed for citizen concern. Chuck Robinson spoke on his concern of R-6 being close to the Sawmill Creek Development that is west of Tierra Verde. He also stated that he was concerned with the possibility of a through road from Skragg St to access the property. His desire was for the Commission to consider the impact on Sawmill Creek. The next individual to speak was Keith Fort, the vice president of the HOA in Sawmill Creek. His concern was also the possibility of apartments or multi-family housing close to Sawmill Creek and the additional crime that could come with multi-family housing. He was also concerned about the increased traffic if Blade and Skragg Streets became through streets.

Chairman Schmidt closed the public hearing.

The Commission discussed the request and the possibility of selecting which lots would allow R-6 and which could be R-5 and make sure that the berm and trees remain to separate the two developments. Lot 3, the lot that is closest to Sawmill Creek, is the lot that would need special attention. Commissioner Floyd offered allowing R-4 in Lot 3 to make single family homes but taking the more intensive residential uses allowed. They discussed the the possibility of making a motion to allow the change but to keep one lot coherent to the existing PUD.

Motion: Commissioner Jordan made a motion to recommend changing the Tierra Verde South Addition PUD to include R-5 and R-6 multi-family zoning with the condition that R-6 not be allowed in Lot 3. Commissioner Floyd seconded the motion. *Motion Carried 5-0.*

VI. Next Meeting: Thursday, June 8 at 6:30 PM

Motion: Chairman Schmidt made a motion to approve the next meeting date of Thursday, June 8, 2023 at 6:30 p.m. Commissioner Jordan seconded the motion. *Motion Carried 5-0*

VIII. ADJOURNMENT

Motion: Chairman Schmidt made a motion to adjourn. Commissioner Roths seconded the motion. *Motion Carried 5-0*