



**MINUTES**  
**PLANNING COMMISSION**  
7651 E. Central Park Ave, Bel Aire, KS  
April 13, 2023 6:30 PM



**I. Call to Order**

**II. Roll Call**

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

Also present were Planning Commission Secretary, Jay Cook, and Code Enforcement Officer, Garrett Wichman.

**III. Pledge of Allegiance**

Chairman Schmidt led the Pledge of Allegiance.

**IV. Consent Agenda**

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

**Motion:** Commissioner Floyd made a motion to approve the minutes of March 9, 2023. Commissioner Roths seconded the motion. ***Motion carried 4-0***

**V. Old Business/New Business**

A. **PUD-23-01.** Final plat for approximately 2.4 acres for the Arthur Heights PUD.

Chairman Schmidt opened the public hearing for citizen concerns. Gary Jantz, 6200 E 45<sup>th</sup> St N. voiced concern with the drainage detention pond that will be installed. His concerns include mosquitos, other health hazards, and that it could dry up and not be esthetically pleasing. Carol Russell, 6218 E 45<sup>th</sup> St N. voiced concern about the drainage problem and would like to know how esthetically pleasing the storage units would be along with what the housing units would look like.

Ken Lee with Garver spoke about the drainage plan. The detention pond is designed to hold approximately seven (7) feet of water. The seven-foot depth helps with mosquito control and to keep the water healthy from algae blooms. The building style of the housing units will correlate with the storage units and in accordance with the verbiage of the original PUD.

Chairman Schmidt closed the public hearing and the commissioners discussed the PUD, what was allowed by right and that the plat being considered to split the lots for the use of a city dedicated street access. After discussion, Commissioners agreed that this was a reasonable request and met the guidelines for recommendation of the final plat to the Governing Body.

**Motion:** Chairman Schmidt made a motion to recommend the final plat for Arthur Heights as presented without changes or conditions. Commissioner Jordan seconded the motion. *Motion carried 4-0*

**B. SD-23-03. Bel Aire Lakes Addition Final Plat - Request to plat approximately 78.80 acres of the single-family residential use as R-5 zoning district.**

Chairman Schmidt opened the hearing to discuss SD-23-03 Bel Aire Lakes Addition Final Plat. Logan Mills with Certified Engineering Design represented the applicant and stood for questions and comments. He began by recommending having the flood plains to be removed from the final plat. Commissioners had questions regarding lots within the plat that appeared to be in the floodplain. Mr. Mills discussed the process of getting certain lots out of the floodplain through permits with the state and the intent to do so on any lot that requires this step before construction. Commissioner Roths asked Logan exactly where all the water is flowing from and Logan stated that the majority of the water flows from the Northwest corner of the plat. There was continuing conversation about how water runs through the lot and where water will move. The drainage plat, which has been approved by staff was discussed to show how water will run and the plan for detention or passage under any roads. Mr. Mills discussed the requirements of analyzing existing run off on a site and then calculating “post development runoff” and how that affects reserve ponds and other drainage detention requirements and how the rate of runoff is then calculated.

Chairman Schmidt closed the hearing. Commissioners discussed the floodplain and how there will have to be steps taken when building in lots effected by the floodplain. It was also mentioned that there was agreement that having the floodplain on the plat was a reasonable concern due to the changing nature of the floodplain. Director of Planning and Community Development, Jay Cook, stated that the floodplain is required to be on the plat in accordance with Chapter 19—Subdivision Regulations. Article 19.5.5. Contents of the final plat state “When part of a subdivision lies within or abuts a Floodplain area as shown on the Federal Insurance Administrations “Flood Hazard Boundary Map” for Bel Aire, Kansas. The Floodplain shall be shown within a contour line and clearly labeled on the plat with the words “Floodplain Area”.” Do to this statutory requirement, the Commission agreed that the floodplain area should stay on the plat.

**Motion:** Commissioner Jordan made the motion to recommend Bel Aire Lakes Final Plat as presented without changes or conditions. Commissioner Floyd seconded the motion. ***Motion carried 4-0***

C. **SD-23-02 Preliminary Plat.** Approximately 13.6 acres zoned R-4 (Chapel Landing 7th).

Chairman Schmidt opened the hearing. The representative of the applicant to speak on SD-23-02 was Kris Rose with Baughman Company for plat presented. Concerns from the Commission and City Staff were the entrances and streets within the preliminary plat presented. Changing the dead end to a circle drive or a hammerhead for trash trucks and mail delivery drivers was recommended by the Commission to Mr. Rose.

Chairman Schmidt closed the hearing for discussion. The staff report that was provided to the commission outlined issues from engineering and the building department. The commission took the advice from staff and requested that the applicant complete the checklist of items presented before considering approval.

**Motion:** Commission Jordan made a motion to table the preliminary plat for Chapel Landing 7<sup>th</sup> addition as presented with changes and conditions as presented by the Commission and Staff. Chairman Schmidt seconded the motion. ***Motion carried 4-0***

D. **CON-23-03 Property owner has requested to add an LED sign at Resurrection Catholic School in R-6 zoned area.**

Chairman Schmidt opened the hearing. The representative of the applicant to speak on CON-23-03 to add an LED sign at Resurrection Catholic School was Mike Decker. The new sign would be positioned east to west and will be able to be seen from both north and south bound traffic for news for the school as well as church services.

Chairman Schmidt stated that there is a certain amount of illumination that and LED sign can produce within our code. Secretary Cook stated that the city standard is 3,000 NITS and asked to the representative if the sign can be dimmable if the sign is too bright. The representative stated that there is a way to dim the brightness.

Chairman Schmidt closed the hearing for discussion. Commissioners were concerned with the brightness of the sign at night and wanted to verify that no citizen would have any issues with visibility while driving. They concurred with staff that a 6 month probationary period to determine if any problems would result in the placement of the sign would be necessary.

**Motion:** Commissioner Roths made a motion to recommend to approve the sign proposed at the Catholic Care Center in R-6 zoning as presented with the condition for a six (6) month probation upon concerns from the general public. Chairman Schmidt seconded the motion. ***Motion carried 4-0***

E. **VAC-23-02 Vacating 10' back building setback to 4' at the Villas at Prestwick.**

Chairman Schmidt opened the hearing. The representative of the applicant to speak on VAC-23-02, vacating 10' back building setback to 4' at the Villas at Prestwick, was Joey Deneke from MKEC. The request is necessary as the developers need more space in the front of the units to lessen the grade of the driveways to avoid future falling hazard to the applicants.

Chairman Schmidt closed the hearing. After a brief discussion the Commission had no concerns.

**Motion:** Commissioner Jordan made a motion to recommend the request to vacate the back building setback from 10' to 4' at Villas at Prestwick as presented without changes or conditions. Commissioner Roths seconded the motion. ***Motion carried 4-0***

**VI. Next Meeting: Thursday, May 11 at 6:30 PM**

**Motion:** Chairman Schmidt made a motion to approve the next meeting date of May 11, 2023 at 6:30 p.m. Commission Jordan seconded the motion. ***Motion carried 4-0***

**VII. ADJOURNMENT**

**Motion:** Commission Roths made a motion to adjourn. Commissioner Jordan seconded the motion. ***Motion carried 4-0***