



MINUTES
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
December 16, 2021 6:30 PM



I. Call to Order – Chairman Schmidt called the meeting to order.

II. Roll Call

Present were James Schmidt, John Charleston, David Floyd, Dee Roths, and Heath Travnichuk. Phillip Jordan was absent.

Also present was City Engineer Anne Stephens.

III. Pledge of Allegiance to the American Flag – Chairman Schmidt led the pledge of allegiance. He then welcomed Commissioner Heath Travnichuk, who was recently appointed.

IV. Consent Agenda

A. Approval of Minutes from Previous Meeting

MOTION: Commissioner Floyd moved to approve the minutes of November 8, 2021. Commissioner Roths seconded the motion. *Motion carried 5-0.*

V. Old Business/New Business

A. SD-21-03. Proposed changes to the previous approved Preliminary, (Rock Spring 5th).

Chairman Schmidt opened the public hearing. Chris Bohm, Garver, represented the applicant. Mr. Bohm reviewed the changes that were made to the previously approved preliminary plat due to a change in ownership of the parcel directly north of the property covered by this plat. No parties requested to speak, so Chairman Schmidt closed the public hearing.

Following the public hearing, the Commission studied the material provided by the applicant. Planning Commission considered the evidence, reviewed the report provided by permanent staff and found that the plat complied with all provisions and applicable regulations and laws.

MOTION: Chairman Schmidt moved to recommend the changes to the preliminary plat, Rock Spring 5th without changes or conditions. Commissioner Charleston seconded the motion. *Motion carried 5-0.*

B. SD-21-03. Final Plat, (Rock Spring 5th).

Chairman Schmidt opened the public hearing. Chris Bohm, Garver, represented the applicant. Mr. Bohm reviewed the final plat and stood for questions from the Commission. Mr. Bohm mentioned that the Applicant desires to change the name of the subdivision to something that is not associated with Rock Spring, but they do not have a name at this time. Mr. Bohm requested that the Commission approve the plat with the understanding that name will be changed prior to filing. No parties requested to speak, so Chairman Schmidt closed the public hearing.

Following the public hearing, the Commission studied the material provided by the applicant, including the proposed plat and other evidence presented by the representative for the applicant. Planning Commission considered the evidence, reviewed the report provided by permanent staff and found that the plat complied with all provisions and applicable regulations and laws.

MOTION: Commissioner Floyd moved to recommend the Final Plat currently known as Rock Spring 5th; currently located in the South Half of the Southeast Quarter of Section 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; without changes. Commissioner Charleston seconded the motion. ***Motion carried 5-0.***

C. SD-21-06 Preliminary Plat - Skyview at Block 49 2nd

Planning Commission reviewed Skyview at Block 49, LLC's request to replat approximately 22.76 acres of R-5 Residential in accordance with Article 4 of the City of Bel Aire's Subdivision Regulations.

Chairman Schmidt opened the public hearing. There were no parties wishing to speak, so Chairman Schmidt closed the public hearing.

Following the hearing, the Planning Commission studied the material provided by the applicant, including the proposed plat. The Commissioners considered the evidence and found that the plat complied with all provisions and applicable regulations and laws.

MOTION: Chairman Schmidt moved to recommend the preliminary plat for Skyview at Block 49 2nd without changes or conditions. Commissioner Floyd seconded the motion. ***Motion carried 5-0.***

D. Case No SD-21-04 Rezoning (Skyview at Block 49, 3rd Addition). Rezoning approximately 12.44 acres of the AG Zoning District to be zoned C-1 and C-2 Commercial Uses.

Planning Commission reviewed Skyview at Block 49, LLC's request to rezone property generally located northwest of 49th and Webb Road in accordance with Article 5 of the City of Bel Aire's Zoning Regulations.

Chairman Schmidt opened the public hearing. Ken Lee, Garver, spoke on behalf of the applicant and answered questions for the commission. As there were no other parties wishing to speak regarding the rezoning, Chairman Schmidt then closed the public hearing.

Following the public hearing Planning Commission studied the material provided by the applicant. 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, below are notes of *some* of the Golden Factors discussion:

1. Zoning uses of nearby property:
The requested zoning fits between the R-5 to the west and the current C-2 Commercial zoning of Tierra Verde to the South. The north is as of yet undeveloped and remains zoned AG Agricultural. The Developer plans to install a concrete screening wall with landscaping between the proposed development and the adjacent uses.
2. Suitability of the property for the uses to which it is restricted:
The property is currently zoned C-1. The change to C-2 Commercial with PUD Overlay will be in line with the current zoning of the property to the South.
3. Extent to which the change will detrimentally affect nearby property:
The Applicant is also the Owner and Developer of the property to the West. They will provide adequate screening between the C-2 Commercial and the surrounding properties. The C-2 Commercial property to the south is as of yet undeveloped.

Having thoroughly reviewed the issue Planning Commission recommended rezoning the property as requested by the applicant.

MOTION: Commissioner Floyd moved to recommend the Rezoning from C-1 to C-2 with a PUD overlay without changes or conditions. Commissioner Charleston seconded the motion. ***Motion carried 5-0.***

E. Case No SD-21-04 - Preliminary Plat (Skyview at Block 49, 3rd Addition). Platting approximately 12.44 acres.

Planning Commission reviewed the Skyview at Block 49, LLC's request to replat approximately 12.44 acres of C-2 Commercial with PUD Overlay in accordance with Article 4 of the City of Bel Aire's Subdivision Regulations.

Chairman Schmidt opened the public hearing. Ken Lee, Garver, spoke on behalf of the applicant and answered questions for the commission. As there were no other parties wishing to speak regarding the plat, Chairman Schmidt then closed the public hearing.

Following the hearing, the Commissioners studied the material provided by the applicant, including the proposed plat. The Planning Commission considered the evidence and found that the plat complied with all provisions and applicable regulations and laws.

MOTION: Chairman Schmidt moved to recommend the Preliminary Plat as presented. Commissioner Floyd seconded the motion. ***Motion carried 5-0.***

F. Case No SD-21-04 Preliminary PUD (Skyview at Block 49, 3rd Addition). Rezoning approximately 12.44 acres of the AG Zoning District to be zoned C-1 and C-2 Commercial Uses.

Chairman Schmidt opened the public hearing. Ken Lee, Garver, spoke on behalf of the applicant and answered questions for the commission. As there were no parties wishing to speak regarding this matter, Chairman Schmidt then closed the public hearing.

MOTION: Chairman Schmidt moved to recommend the Rezoning from C-1 to C-2 with a PUD overlay without changes or conditions. Commissioner Charleston seconded the motion. ***Motion carried 5-0.***

G. Continuation of Comprehensive Plan Review Hearing and annual discussion (for information only).

Staff requested that the Planning Commission table the Comprehensive Plan Review hearing until a later date to allow staff to incorporate new Census numbers that would be available in the late spring of 2022.

MOTION: Chairman Schmidt moved to table the Comprehensive Plan Review hearing. Commissioner Roths seconded the motion. ***Motion carried 5-0.***

VI. Next Meeting: January 13, 2022 at 6:30 p.m.

A. Approval of the date of the next Planning Commission meeting: January 13, 2022

The Commission briefly discussed upcoming meetings. There was consensus to hold the next regular meeting on January 13th and to hold a workshop on February 17th at 6:30 p.m.

MOTION: Chairman Schmidt moved to approve the date of the next Planning Commission meeting: January 13, 2022 at 6:30 p.m. Commissioner Travnichek seconded the motion. ***Motion carried 5-0.***

VII. Current Events

A. City Hall will be closed for these upcoming holidays:

- Christmas, December 23rd and 24th
- New Year's, December 31st

The Commission briefly discussed upcoming holidays.

VIII. Adjournment

MOTION: Commissioner Floyd moved to adjourn. Commissioner Roths seconded the motion. ***Motion carried 5-0.***

The meeting adjourned at 8:05 p.m.