

To: Bel Aire Planning Commission
From: Kyle Hart – 5990 Forbes Ct, Bel Aire, KS 67220
For: December 16, 2021 Planning Commission Meeting
Re: Case No. ZON-21-04

In advance of the next Bel Aire Planning Commission meeting on December 16, 2021, I wanted to provide some of my thoughts, comments, and documentation for why I think allowing the developer for Chapel Landing 5th (Iron Gate) to rezone and replat as requested is a terrible idea for Bel Aire and the existing homeowners.

I would appreciate it if you could read and familiarize yourselves with this beforehand as we are only given a few minutes to speak our opposition while the developers are given as much time as they would like. Three minutes just isn't enough time to be able to adequately refute everything.

In the October 14th planning meeting, the developer submitted a request to rezone and replat the area in question from R-4 to R-5. The replatting and rezoning submitted was unanimously rejected.

Subsequently, Mr Harder (one of the developers) submitted a letter stating that the representative at the October 14th meeting presented information that did not adequately represent what they wanted to do with the area and requested only the rezoning to be reconsidered.

One of the reasons Mr Harder states for requesting the rezoning is to allow for smaller lots. I calculated the square footage of 64 of the 153 lots submitted on his proposed replat and noted only 3 (there could be a couple others) that fall below the 8,400 square foot threshold for R-4 zoning. Two of these lots are 8,300 square feet and one is 8,000 square feet. It would be much easier for him to increase the size of these few lots versus rezoning the entire area.

A concern he purports to have heard from potential residents is high costs of watering lawns for larger size lots. In my calculation of the various lot sizes, I show that the average lot size on his proposed replatting is 10,586 square feet and the median is 9,600 square feet. I also compiled lot sizes of varying lots as the area is currently platted from the GIS website and show the average lot size is 14,258 square feet and the median is 13,129 square feet. The median is more representative and will be used here.

I went through one years worth of my own personal water bills and calculated that my water bill increases by about \$130/month during the watering season. I can safely say that I also water my lot much more than the average person so these figures will all be on the high end. I calculated the cost to water per square foot of my property then applied that cost per square foot to the other properties. To summarize (spreadsheet with detail is attached), the cost savings by reducing the lot sizes is about \$42/month during the water season or about \$200/year. In my opinion, this cost is just not

something that someone buying a \$300,000+ home is going to be concerned about. It never once entered my mind when I was house shopping.

Mr Harder's letter states that he has no immediate plans to build duplexes, states that the current R-4 zoning already allows for duplexes (true), and wants to allow for the ability to build duplexes in the future if the market dictates. The representative at the original meeting was adamant that their plan was to build duplexes, however, at the last meeting the new representative said that was not the plan. I find it hard to believe there was that serious of a miscommunication initially and that the initial representative came up with the idea for duplexes on his own. It was clearly a discussion item. Lastly, even though Mr Harder's letter states that he has no immediate plans to build duplexes but wants to allow for the possibility in the future, just two sentences later he goes on to state that the proposed lot sizes on his replatting are not suitable for duplex development. Well, which is it? There is a lot of doublespeak and ambiguity going on here.

Mr Harder himself signed the application for the zoning change which states the area is to be developed for "multi-family uses". The Staff Report indicates they reached out to the developer (presumably Mr Harder) and received feedback that the type of housing to be built is expected to be similar to the patio homes at Chapel Landing 2nd. These are \$400,000 - \$500,000 patio homes on lots generally larger than 0.30 acres. Again, I ask, what exactly is going on here?

Now that his supposed concerns have been dispelled, we see what this rezoning and replatting request really comes down to. They want to cram more lots in the same size area (41 more lots to be exact, a 37% increase). Who knows how much extra money he will make by being able to sell these additional lots? The facts show that this is the only logical reason he could have for making these changes at the detriment of the existing Iron Gate community.

Mr Harder may try to say that they are having trouble developing the neighborhood as it is currently zoned and platted however, there are a few other neighborhoods in NE Wichita that are doing amazingly well. I used to live in the Firethorne neighborhood which is right next to the new Firefly development, and which are both just south of the new Brookfield development. These are all Ritchie Development neighborhoods. I moved into Firethorne in 2010 (in the midst of the housing bust) and moved to Iron Gate in 2019. During that time, they managed to build and sell nearly 175 homes. All one needs to do is drive by both Firefly and Brookfield to see how many homes they have built and sold within the last 3-4 years since they began each of those. Are we to believe that costs to water lawns is the reason for people choosing those developments over Iron Gate? Mr Harder may try to state that he wants to reduce lot sizes because that is what the community desires, but again, why are these neighborhoods doing just fine with lot sizes similar in size to the current plat map? Additionally, one only needs to look at another proposal submitted and approved at the last planning meeting on November 8, 2021, for the new Prairie Preserve immediately to the west of the area in question here. I believe the developers of this new area bought the land from Mr Harder and the other developers of Iron Gate. They are proposing building houses on lots

ranging in size from 1.73 to 2.50 acres. Only time will tell if this development will be successful but what is being planned in that community directly contradicts the concerns Mr Harder has for his proposed changes in Iron Gate.

To further illustrate how there should be no reason for reducing lot sizes to help properties in Iron Gate sell, I compared the lot sizes between the current occupied Iron Gate area, Firefly, Brookfield, Firethorne, currently platted Chapel Landing 5th and the proposed replatted Chapel Landing 5th. I have attached all my work if you care to look it over.

To summarize, Mr Harder is proposing to reduce the property sizes by a median of 3,529 square feet or 27% vs how the area is currently platted. I compared the current plat map to the other neighborhoods mentioned and found that the currently platted lots are virtually the same size as the currently occupied Iron Gate area, 557 square feet or 4% larger than Firefly, 555 square feet or 4% larger than Brookfield, and 798 square feet or 6% larger than Firethorne. Basically, as the area is currently zoned and platted is within 5% of the size of the lot sizes of all these other similar neighborhoods that are having absolutely no issues selling homes. How are these neighborhoods all doing so well with these huge yards that he claims people don't want?

I feel like as a neighborhood develops over several years, the newer homes should generally be nicer and more expensive than the initial homes. Not only because of general inflation but because as the neighborhood and community develops, it becomes more desirable to live in. This is exactly what I experienced living in Firethorne. We were one of the first 20 homes there when we bought our first home in 2010 for \$185,000 and put about \$30,000 into finishing it over the years. We sold it in 2019 for \$250,000. In the 9 years since we bought, the neighborhood was nearing completion and the newer homes were selling for \$350,000 - \$400,000+.

The majority of the Iron Gate residents that I have spoken to about this feel like Mr Harder and the developers are pulling a bait and switch here. They sold us \$400,000 - \$500,000 homes and are now proposing to devalue the entire neighborhood. I'm sure he will say that he will build the same houses in the new area, just on smaller lots, but everyone knows the lot sizes are directly correlated to the value of the property as a whole. Additionally, we shouldn't be relying on the word of developers to do this or that. From just the few planning meetings I have been to I have heard how Bel Aire has been lied to by developers promising greenspace, parks, landscaping, etc before. Once they get their approvals, they can and will do whatever they want with no recourse from the city.

Additionally, the city code states that "setbacks associated with any R-5 district shall be established as part of the platting process, as this district is not intended to be applied to a single structure." Due to this, I do not think it permissible that a rezoning to R-5 be considered without also having in hand the plat map proposed for the area. Again, the plat they wanted to use was unanimously rejected at the October planning meeting. To my knowledge, the only consideration at this meeting is whether the zoning change will be allowed. There is no consideration to be given to a new plat map. The only reason for changing to R-5 is to cram 41 more lots in this area because each lot, house, family,

etc will be closer together. This is 37% more lots and 37% increased density. With increased density comes more problems, whether domestic or neighborly, increased traffic, crime, etc. There are other residents in the neighborhood that vouched for this at the October meeting having worked with the Wichita police force for 20+ years.

Lastly, if you go through each of your golden rules per Section 5.02D, you will find this request either violates the rule or is not necessary as follows:

#1 - The request does not fit with the current established neighborhood.

#2 - The rest of the neighborhood is zoned R-4 with the exception of very nice patio homes zoned R-5, but which have lot sizes in line with or larger than the remainder of the currently established neighborhood.

#3 - The zoning already allows for duplexes if they want to try that and there are only a few lots proposed under the 8,400 square foot minimum lot size for R-4.

#4 - This will very clearly detrimentally affect the property values of the currently established neighborhood.

#5 - I believe the current zoning and plat was established many years ago but it was not developed nor marketed for sale until much more recently.

#6 - I don't think this is applicable here.

#7 - It appears there was not a lot of effort put into critiquing the request per comments from the October 14th Planning Meeting Staff Report

I would urge you to please reject the rezoning and replatting, if resubmitted, for the above multitude of reasons. This will set a terrible precedent for residential development in Bel Aire if you allow developers to bait and switch your citizens like this. There are plenty of other developments going in with smaller lots and cheaper homes. There is no reason for this rezoning and replatting to be requested other than the developer trying to squeeze some extra money out of the property. They have already sold much of the surrounding property that was presumably supposed to be part of Iron Gate someday.

Thank you,



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