



STAFF REPORT

DATE: November 29, 2021

TO: Governing Body, City Manager

FROM: Planning Commission

RE: November Planning Commission Meeting Report

SD-21-02 Prairie Preserve Final Plat

Planning Commission reviewed the Developer's request to replat approximately 50.2 acres of R-1 Estate Residential in accordance with Article 4 of the City of Bel Aire Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed plat and other evidence presented by the representative for the applicant. The Commission conducted a public hearing on November 8, 2021 in relation to the application where interested parties and citizens were given the opportunity to be heard. There were no parties wishing to speak at the public hearing regarding this plat. Following the public hearing, the Planning Commission considered the evidence and discussed substantial conformance with the preliminary plat and reviewed the report provided by permanent staff and found that the plat complied with all provisions and applicable regulations and laws.

Having thoroughly reviewed the issue, Planning Commission voted (by passing a 4-0 motion) to approve the final plat without changes and **recommends that the governing body accept the Developer's commitment to dedicate certain land within the plat for public purposes.**

ZON-21-03 (Rock Spring 5th) – Proposed re-zoning of approximately 81.01 acres zoned AG to R-5 and C-1 Neighborhood Commercial Development.

Planning Commission reviewed Northeast Developers, LLC's request to rezone property located in the northwest corner of 53rd and Webb Road in accordance with Article 5 of the City of Bel Aire's Zoning Regulations. Planning Commission studied the material provided by the applicant. The Commission conducted a public hearing in relation to the application where interested parties and citizens were given the opportunity to be heard. No interested parties, other than the agent for the applicant showed up to speak either for or against the proposed rezoning.

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, below are notes of *some* of the Golden Factors discussion:

The character of the neighborhood

- The requested zoning change fits in with other recent developments south of 53rd Street.

Suitability of the property for the uses to which it is restricted

- The property is currently zoned AG. The change to R-5 Residential and C-1 Commercial will be in line with other properties in the area.

Gain to the Public Health, Safety and Welfare

- A Commissioner expressed a concern about the number of people potentially living in the Development with only two entrances. The Agent for the Applicant stated that the Sedgwick County Fire Department allows an unlimited number of homes with two separate entrance points. They are more concerned with the circulation throughout the neighborhood. Another Commissioner remarked on the good circulation provided with the proposed layout.

Having thoroughly reviewed the issue Planning Commission voted (by passing a 4-0 motion) to **recommend rezoning of the property from AG Agricultural to R-5 and C-1 Neighborhood Commercial.**

ZON-21-03 Proposed preliminary plat for approximately 81.01 acres.

Planning Commission reviewed the Developer's request to replat approximately 81.01 acres of R-5 Residential and C-1 Neighborhood Commercial in accordance with Article 4 of the City of Bel Aire's Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed plat. The Commission conducted a public hearing on November 8, 2021 in relation to the application where interested parties and citizens were given the opportunity to be heard. There were no parties wishing to speak at the public hearing regarding this plat. Following the hearing, the Planning Commission considered the evidence and found that the plat complied with all provisions and applicable regulations and laws.

Having thoroughly reviewed the issue, Planning Commission voted (by passing a 4-0 motion) to approve the final plat without changes and **recommends that the governing body accept the Developer's commitment to dedicate certain land within the plat for public purposes.**

Having thoroughly reviewed the issue Planning Commission voted (by passing a 4-0 motion) to **approve the preliminary plat without changes.**

ZON-21-04 – Proposed re-zoning of approximately 53.99 acres zoned R-4 to R-5.

Following the October 14, 2021 Planning Commission denial of the zone change request, the Applicant met with City Staff and submitted a letter to Planning Commission requesting a reconsideration of their decision based on new information that was not present at the initial hearing. Planning Commission heard from the Agent for the Applicant regarding this request. No public comment was taken at this meeting regarding the request since it was not an official hearing on the case.

Having thoroughly considered the request, Planning Commission voted (by passing a 4-0) motion to place case ZON-21-04 on the agenda for the December 16, 2021. City Staff will ensure that notifications are sent out to those within the radius of influence in order to notify citizens of a rehearing.