



MINUTES PLANNING COMMISSION/BOARD OF ZONING APPEALS

7651 E. Central Park Ave, Bel Aire, KS

October 9, 2025, 6:30 PM



I. **Call to Order** Chairman Phillip Jordan called the meeting to order at 6:30 p.m.

II. **Roll Call**

Chairman Phillip Jordan, Vice-Chairman Deryk Faber and Commissioners Brian Mackey, Brian Stuart, and Dee Roths were present in person. Commissioner Paul Matzek was absent. Quorum was present.

Also present in person was Paula Downs, Secretary. Maria Schrock, City Attorney was present by phone.

III. **Pledge of Allegiance to the American Flag**

Chairman Phillip Jordan led the pledge of allegiance.

IV. **Consent Agenda**

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

Motion: Vice-Chairman Faber moved to approve the minutes of the September 11, 2025, meeting. Commissioner Mackey seconded the motion. *Motion carried 5-0.*

V. **Announcements:**

Paula Downs, Secretary provided key agenda documents from the September 11, 2025, meeting for Chairman Jordan and Commissioner Stuart who were absent from the meeting. The secretary also provided an updated Planning Commission contact list to the Commission. Commissioner Roths stated she had an updated phone number which the Secretary will add to the list and provide an updated list at the November 13, 2025, meeting.

At the September 11, 2025, meeting the Commission asked if the Board of Zoning Appeals meetings would be required to be videotaped since decisions being made by the Board are final and cases are not approved by the City Council. Secretary confirmed that we are not required to videotape meetings, but we are developing "almost" verbatim meeting minutes as the official record. Meeting agenda packets have a complete case record provided to the Commission and City Council, so we have a complete legal record for each meeting.

At the September 11, 2025, meeting the Commission asked if the City Code would need to be updated since it currently reflects that the Board of Zoning Appeals is a 3-member board. Secretary stated that the approved ordinance would be provided to Municode, the entity that updates our City Code, who will make the update to accurately reflect that the Planning Commission has been appointed as the Board of Zoning Appeals.

VI. Old Business/New Business

A. SD-24-02 Proposed Final Plat R-5 Garden and Patio Homes, Townhouse and Condominium Uses (Chapel Landing 8th).

Case involves Chapel Landing 8th, which is a development that has had several phases over several years. This case has a recent zoning case presented at the November 2023 Planning Commission to change zoning from R-4 to R-5 to develop smaller lots at a 60' width. The developer met with the Homeowners Association and a summary of that discussion was included in the zoning case meeting minutes and is in the staff report. There were several considerations discussed including front loading utilities, fencing materials, and installing a playground in the development. City Council approved the zoning case which indicated that single family homes would be built.

Preliminary plat case appeared at the Planning Commission in August 2024. Development was designed as 87 lots for single family homes. The setbacks are included in the face of the plat. There was some discussion at the meeting about green space and access points. The plat reflects an access point aligned with the access point of the school directly across the street.

The final plat is being presented tonight. The final plat conforms with the preliminary plat elements. It was distributed to all City staff and Utilities, and all comments were updated and the final plat revised accordingly. Staff is recommending approval of the plat pending the outcome of Planning Commission review and the public hearing.

Commissioners commented that they like the vicinity map section to know where the development is. Secretary shared that this is a required element for every plat. Development is at 53rd and Woodlawn. Chapel Landing 8th development will be built on undeveloped land. There are a lot of trees on this property and there is an effort to maintain trees if possible, however, depending on how the development lays out, many of them will be removed to allow for infrastructure and homes to be built. Goal is to keep trees, however, not required if they are in the way. Trees are often used as a screening mechanism if it fits the development. The trees will remain on the South and West side of the development.

Kris Rose, Baughman Company, applicant's agent, stated that they are keeping trees on the south and west which is why the utilities will be installed from the front. They will try to keep others if it makes sense from grading, etc.

Commission asked if R-5 zoning allows for multi-family development. Secretary read the language of the R-5 District from the Code which states: *Garden and patio homes, townhouses and condominiums. The zoning of property as R-5, Multi-Family district is intended to provide for the development of well-designed Garden homes, Townhouses, and condos with emphasis on open space and access to light and air. The R-5 District allows for development of up to six (6) dwelling units per acre.* Development follows this and has been stated to be single-family homes.

Kris Rose stated that on the face of the plat there is a zoning note that says the development will be single-family lots. Commission was concerned that often the zoning district allows for single family and multi-family development and often they are told it will be single-family and then something else is built. Kris Rose confirmed that single-family development was a requirement of the City Council. Secretary stated that typically when hearing a zoning case there is not an indication of the type of development that will be built, in this instance it is clearly stated it will be single-family development.

Commission asked when they would break ground on the development. Kris Rose stated that they would like to get started immediately. They are having some trouble with Chapel Landing 7th prices being too high. They are thinking about bidding both phases at the same time. Applicant wants to move forward as soon as possible but it may be 3- 6 months down the road.

Commission noticed that there is a 20' utility easement on the front of the south and west because of existing the trees and transformers in the back. Kris Rose confirmed it was also because sewer and Evergy are moving utility easements to the front. Utilities have difficulty in accessing transformers in the rear, so they are asking for easements in the front. The rear calls out for a 15' easement which is smaller because there is no sewer in the rear easement.

North of this development is a pipeline and Chapel Landing 7th. Chapel Landing phases have been developed West to East, and Chapel Landing 7th is to the North of Chapel Landing 8- a triangle piece of land. Chapel Landing 7th has a final plat approved but hasn't been built because they are trying to lower the construction bid costs.

Commission commented on the name of the road in the development is Woodrow and it's close to Woodlawn. Kris Rose stated that the name of the street is a continuation of a street to the south that aligns with the development street.

Commission asked how many of the lots will be patio homes. Kris Rose stated that these will be "Liberty Homes" that will be built in the development. Those homes have been built in Bel Aire, and these will be updated a little. Owner of Liberty Homes has been around for a long time.

Chairman Jordan opened the public hearing, and nobody was in attendance or requested to speak. Chairman Jordan closed the public hearing.

Commission stated they liked the idea of patio homes for retirees and appears to be a nice addition to the City. Commission inquired about the “Villas” near city hall which are tri-plex units and may be “slab homes” and are maintenance free- HOA typically takes care of irrigation and mowing. Commission thanked Kris Rose for implementing comments from the Commission and HOA into the development.

Commission asked why they didn’t have to recite the “Golden Factors” for this case, and it was explained that this is a final plat approval, and “Golden Factors” are used for zoning cases.

Motion: Vice-Chairman Faber moved to recommend approval of the final plat of SD-24-02 as presented. Commissioner Stuart seconded the motion. *Motion carried 5-0.*

B. Review Board of Zoning Appeals Draft Bylaws Resolution

The Board of Zoning Appeals (BZA) draft bylaws are presented for Commission review. Staff used the planning commission bylaws format and scaled it back to the appropriate language and sections for the BZA bylaws. There will be different language that relates to the BZA including types of cases. Staff also removed language from the BZA bylaws that is already established for the planning commission. For example, staff did not include information related to the number of planning commission members, or how they get appointed, because the planning commission serves as the BZA. The Bylaws are limited to what cases the BZA hears, and the bylaws does include some of the items as the planning commission bylaws. There are no surprises in the draft document, however, the commission should review the bylaws to ensure accuracy. The commission can also add language to the draft bylaws if needed.

Commission will review and provide any updates. Staff will make the updates and then send to the Mayor to review and provide feedback. Staff will update to a final draft in the correct format and bring to the commission to approve at the November meeting. Then the approved document will go before Council for final approval. Staff requested commission provide all updates 10 days prior to the November meeting so a final resolution document can be drafted and approved at the November meeting. Commissioners can send comments via email to the Secretary.

Commission asked if they were allowed to all meet for coffee as long as they don’t discuss anything related to a zoning case. Staff shared that if commissioners were going to meet or be at an event together, they would need to notify the Secretary ahead of time so staff could be prepared to state that we were aware of it and confirm that no city business was discussed. If the commission knows ahead of time that they are all going to be at an event or a gathering together we can state they will be at an event, and no city business was discussed. For example, when the commission joined the city council workshop we stated that the planning commission was invited to join the workshop to discuss the Comprehensive Plan.

Action: No action required; for discussion and review only.

VII. Board of Zoning Appeals Business: None at this time.

VIII. Approval of the Next Meeting Date.

Secretary corrected the error on the agenda and stated that the next meeting is scheduled for November 13.

Motion: Chairman Jordan moved to approve the date of the next meeting: November 13, 2025, at 6:30 p.m. Commissioner Mackey seconded the motion. ***Motion carried 5-0.***

IX. Current Events

A. Upcoming Agenda Items:

1. Approval of Board of Zoning Appeals Bylaws
2. Approval of Bel Aire 2035 Comprehensive Plan

Secretary stated that in addition to upcoming agenda items listed on the agenda the commission's November meeting will include: the approval of the 2026 Planning Commission/BZA meeting schedule; elections of the chair and vice-chair of the planning commission; and approval of the zoning map. Secretary shared that officers are elected for one-year terms every year. Secretary further shared that staff hope to have a 7th commission member appointed by the Mayor in the near future. Secretary will continue to follow-up on the appointment. Chairman Jordan stated that he met with an individual that might be a good candidate to serve on the Commission.

B. Upcoming Events:

1. October 18– Fall Festival at Bel Aire Recreation 10:00 – 2:00
2. October 13 Columbus Day- City Office Closed to the Public
3. November 11- Veterans Day- City Offices Closed

X. Adjournment

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

Approved by the Bel Aire Planning Commission this _____ day of _____, 2025.

Phillip Jordan, Chairman

ATTEST:

Paula L. Downs, Secretary

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