



**MINUTES**  
**PLANNING COMMISSION**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**January 11, 2024 6:30 PM**



**I. Call to Order**

**II. Roll Call**

James Schmidt, John Charleston, Deryk Faber, Edgar Salazar, Paul Matzek, and Phillip Jordan were present. Dee Roths was absent.

Also present were, Planning Commission Secretary and City Engineer, Anne Stephens, City Attorney, Maria Schrock, City Inspector, Keith Price, and Code Enforcement Officer, Garrett Wichman.

**III. Pledge of Allegiance**

Chairman Schmidt led the Pledge of Allegiance.

**IV. Public Comments**

Chairman Schmidt opened the public hearing.

Chairman Schmidt allowed the public to make comments or concerns before further discussion of the agenda. First to speak from the public was Tim Sterba and Deanna Sterba, 4642 N Farmstead Ct, shared concerns about the “316 PDR” paintless dent repair business located at 4648 Farmstead Ct. Tim shared his concerns about the noise that comes from the paintless dent repair business that is a constant pounding sound. Deanna shared that she went around the neighborhood with a petition that was created due to the concern that the environment produced is not compatible with the residential neighborhood. Deanna provided the petition to our City Attorney, Maria Schrock, and the petition was signed by sixteen residents in the neighborhood. Deanna did mention that the changes to the business license and code has been much better. They shared that the noise can be heard inside their home if the garage door is closed or not at the address of 4648 Farmstead Ct. Commission had discussion about a decibel reading with in our city code, City Attorney Maria shared that we do have decibel reading within our city code. With that, law enforcement can enforce this by recording on body camera and assign a citation if reasonable. Deanna and Tim have collected videos that will be provided to Maria for review as well. There was no one else from the public to make comments at this time that are not a part of tonight’s agenda.

Chairman Schmidt closed the public hearing.

**V. Consent Agenda**

A. Approval of Minutes from Previous Meeting, December 14, 2023.

**Motion:** Commissioner Deryk Faber made a motion to approve the minutes from December

14, 2023. Commissioner Phillip Jordan seconded the motion. ***Motion Carried 6-0***

## **VI. Old Business/New Business**

### **A. PUD-23-02 - Amending Zoning Districts in Tierra Verde South Addition PUD to include R-5 and R-6 Zoning.**

Chairman Schmidt opened the hearing.

City Attorney, Maria Schrock shared that this has already been approved by the Planning Commission, nothing about the design, site plan or anything regarding those facts have changed. The only thing that has changed that the original application only had one signature, now today there are two signatures. The reason there are now two signatures is because there are two owners involved. The last time this was seen by the Planning Commission, it had a legal description specific lot in it, which had a different owner and their signature was missing. Today the application has a signature from all lot owners.

Representing agent for Baughman Company, Phil Meyer was present to discuss the amending zoning districts in Tierra Verde South Addition PUD to include R-5 and R-6 Zoning. Phil is agreeance with Maria on her findings.

Also present was Basem Krichati, owner and broker with Superior Reality who owns the parcel development to the north, Basem shared that he is opposed to have apartments next to his lots.

Chairman Schmidt recommended to Phil Myer and Basem Krichati to step aside to have further discussion for clarification on location and we will come back to this after the next item on the agenda.

Chairman Schmidt Closed the hearing at this time.

**Action:** Commissioner Jordan made a motion to table until we review item B first and come back to item A. Commissioner Charleston seconded the motion. ***Motion Carried 6-0***

### **B. Review proposed update to the 2023 Bel Aire Zoning Map**

Chairman Schmidt opened the hearing.

First to speak from the public was Gary Jantz, 6200 E 45<sup>th</sup> St N, asking if the public announcements will be in the Bel Aire Breeze or on our website. Secretary, Anne Stephens responded stating that it will be posted to the city's website and Ark Valley News as the Bel Aire Breeze is not our official newspaper. Gary also asked if the zoning will change from rural residential to R-1 residential. Anne stated that to her knowledge, it has never been rural residential and she asked Keith Price our City Inspector to provide additional input. Keith responded to Gary stating that it has always been indicated as R-1. Carol Russell, 6218 E 45<sup>th</sup> St N, was also present to share her questions with the Planning Commission. Carol wanted to know the value of having C-2 near residential and

Commissioner Jordan stated that it would bring business. There was no one else present to speak from the public.

Chairman Schmidt Closed the hearing.

**Action:** Commissioner Matzek made a motion to recommend the proposed zoning map changes as presented by this Planning Commission. Commissioner Jordan seconded the motion. ***Motion Carried 6-0***

C. **Re-Open Hearing - PUD-23-02 - Amending Zoning Districts in Tierra Verde South Addition PUD to include R-5 and R-6 Zoning.**

Chairman Schmidt re-opened the hearing for PUD-23-02 from “Old Business/New Business A.”.

Representing agent for Baughman Company, Phil Meyer, still present. Phil Meyer has agreed to not place apartments on Reserve A.

Chairman Schmidt closed the hearing.

Commissioner Salazar mentioned that he appreciated the developer taking onto account the opinions of the neighbors. Commissioner Charleston stated that he agreed with Commissioner Salazar regarding the opinion of the neighbors. Commissioner Faber stated that he agrees that they had communication with the surrounding neighbors and it seems to fit with nearby zoning uses, especially with the step down zoning. Commissioner Matzek stated that they met the recommendations from staff. Commissioner Jordan stated that it seems suitable for the property and Chairman Schmidt agreed with Jordan.

**Action:** Chairman Schmidt made a motion to recommend changing the Tierra Verde South Addition PUD to include R-5 and R-6 multi-family zoning with changes with the amendments that Reserve A, Block 2 is excluded from R-6 uses. Commissioner Jordan seconded. ***Motion Carried 6-0***

**VII. Next Meeting: February 8, 2024 at 6:30 PM**

**Action:** Commissioner Salazar made a motion to accept the next meeting date of February 8, 2024 at 6:30 PM. Commissioner Faber seconded the motion. ***Motion Carried 6-0***

**VIII. Current Events**

Secretary Anne Stephens mentioned to the Planning Commission that on Monday, January 15, 2024, City of Bel Aire will be closed for Martin Luther King Jr.(MLK) Day.

## **IX. Adjournment**

**Action:** Commissioner Charleston made a motion to adjourn. Commissioner Salazar seconded the motion. *Motion Carried 6-0*