

**MINUTES
PLANNING COMMISSION
City Hall – Bel Aire, Kansas
December 13, 2018
6:00 P.M.**

On December 13, 2018, the Bel Aire Planning Commission met in the council chambers at City Hall, 7651 E. Central Park Avenue, Bel Aire, Kansas. At 6:00 p.m. a quorum was present and Chairman Schmidt called the meeting to order.

I. Roll Call

Members Present: John Charleston, David Floyd, Phillip Jordan, and James Schmidt

Members Absent: Luke Lear and Dee Roth.

Staff Present: Zoning Administrator Keith Price; City Attorney Jacqueline Kelly; and City Engineer / Director of Public Works Ann Stephens

II. Pledge of Allegiance

Chairman Schmidt led the pledge of allegiance.

III. Approval of Minutes from Previous Meeting.

MOTION: Commissioner Floyd moved to approve the minutes of the November 15, 2018 meeting as presented. Commissioner Jordan seconded the motion. *Motion carried 4-0.*

IV. OLD/NEW BUSINESS

MOTION: Chairman Schmidt moved to go into executive session for no more than 30 minutes for the purpose of discussing matters under attorney client privilege, to include the City Attorney, City Engineer, and the Zoning Administrator.

MOTION: Chairman Schmidt amended his motion to go into executive session for the purpose of discussing matters under attorney-client privilege related to items on the agenda, specifically related to the Woodlawn item, for 30 minutes and the meeting will reconvene in the Council Chambers in less than 30 minutes. Commissioner Jordan seconded the motion. *Motion carried 4-0.*

The Commission adjourned to executive session at 6:03 p.m. and reconvened in open session at 6:28 p.m. Chairman Schmidt announced that no binding action had been taken.

- A. **PUD-18-01** Proposed a zoning revision overlay, approximately 5.26 acres on the C-2 zoned district, with an existing PUD development.

The property is located at 4649 and 4651 N Woodlawn Blvd, on the NW corner of 45th and Woodlawn. The property is legally described as Lots 4, 5, 6 and a portion of lot 7, Block 1, Arthur Heights Addition, Bel Aire, Sedgwick County, Kansas.

Tim Austin, Kaw Valley Engineering, spoke representing the applicant, the Williams and Virginia Brookhouser Revocable Trust. He said a few years ago the property was zoned PUD with allowed uses of C-1 and self-storage. After the rezoning, a new storage facility opened on another property nearby. The contract buyer for this property then decided not to build a storage facility on this property, and the land has set vacant since then. The current contract buyer proposes to use the property for a security business and related office space and self-storage/warehousing. He would utilize the existing buildings, maintaining the current residential character of the property. The current contract buyer is proposing to buy only one lot.

Tom Lindeman, Absolute Protection, said he is the owner of the security business. He plans to utilize many of the existing features of the property. He has 8 employees. He anticipates low traffic on the site, mainly from his employees, as most of the business interactions are done at the customer's residence or business.

Dennis McCallum, 4650 N Hillcrest, said his property backs up to the property in question. He would like to know what type of fencing will be used. Mr. Austin said they are planning to have a six-foot fence with cut-outs for drainage.

Commissioners asked questions of the applicant and staff regarding traffic, drainage, intended uses, and current and previous zoning of the property. Commissioners expressed concerns about the visibility of the property and asked for more time to consider the information.

MOTION: Commissioner Floyd moved to table consideration of the PUD application until the next regular meeting. Commissioner Jordan seconded the motion. *Motion carried 4-0.*

B. Discuss the 2014-2034 Comprehensive plan

Zoning Administrator Price said this is an introduction to the annual review of the comprehensive plan. At some point in the coming year, staff will bring reasons about why the comprehensive plan needs to be reviewed. At that point the public hearing will be advertised and comments from the public will be heard.

Sylvia Forte, 4072 N. Harding St, said she is concerned about safety. Bel Aire is declining in its safety ratings. She is concerned with more transient developments, multi-family developments. It's hard to assure that only seniors will live in proposed housing

developments. The comprehensive plan should protect the family character of the area and Bel Aire's reputation for advanced lifestyles.

Commissioners discussed the difficulty of regulating future development, incorporation of bicycle and pedestrian needs, and the 37th Street improvements. No action was taken.

C. Directive from City Council to review the city home-based business licensing process.

City Attorney Kelly outlined the home-based business licensing process. The City Council directed the Planning Commission to look at the licensing process and simplify it. The Planning Commission decided to exclude many businesses that don't have a perceivable effect on neighboring properties, and then use a 2-tier system for licensing. The current draft provides definitions for hobbies, for home occupations including a minimum profit, and temporary special events. Tier 1 includes businesses having a minimal impact on the neighborhood, which could be approved by the City Zoning Administrator. Tier 2 includes businesses that may have more intensive uses and would require approval of a conditional use by the Planning Commission, just as they do now.

Commissioners discussed traffic levels associated with various types of businesses, schools and hobbies, and profit thresholds for hobbies.

MOTION: Commissioner Jordan moved to table consideration of the home-based business ordinance until the next regular meeting. Commissioner Floyd seconded the motion. *Motion carried 4-0.*

D. Current events

E. Next meeting January 10, 2019

MOTION: Commissioner Jordan moved to set the date of the next planning commission meeting as January 10, 2019. Seconded by Commissioner Floyd. *Motion carried 4-0.*

V. Adjournment

MOTION: Chairman Floyd moved to adjourn the meeting. Seconded by Commissioner Charleston. *Motion carried 4-0.*

The meeting adjourned at 8:45 p.m.