



AGENDA
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
August 23, 2022 6:30 PM



I. Call to Order

II. Roll Call

James Schmidt ____ John Charleston ____ David Floyd ____

Phillip Jordan ____ Dee Roths ____ Heath Travnichek ____ Paul Matzek ____

III. Pledge of Allegiance to the Flag

IV. Consent Agenda

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

Action: Motion to approve the minutes of July 14th, 2022.

Motion ____ Second ____ Vote ____

V. Old Business/New Business

A. **PUD-22-01.** Proposed changing partial zoning within the current PUD to allow R-6 multi-family housing (Arthur Heights PUD)

Open hearing

Close hearing

Action: Motion to (recommend / deny / table) the partial zoning change within the current PUD to allow R-6 multi-family housing (with/ without changes / conditions).

Motion ____ Second ____ Vote ____

B. **ZON-22-05 Rezoning:** Approximately 71 acres zoned AG to M-1 Industrial. Currently used as farmland. Was recently annexed into city. (located at the southwest corner of HWY 254 and Webb Rd.)

Open hearing

Close hearing

Action: Motion to (recommend / deny / table) the request to re-zone certain recently annexed property at the southwest corner of Hwy 254 and Webb Rd. containing approximately 71 acres from AG to M-1 Industrial use (with / without changes / conditions).

Motion_____ Second_____ Vote_____

VI. Staff Reports

1.) Engineer Report

2.) Director Report

[A.](#) Planning and Zoning Staff report - 8-23-2022

VII. Next Meeting: Thursday, September 8th at 6:30 PM

Action: Motion to (approve / deny / table) next meeting date: September 8th, 2022 at 6:30 p.m.

Motion _____ Second _____ Vote _____

VIII. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____



AGENDA

PLANNING COMMISSION

7651 E. Central Park Ave, Bel Aire, KS
July 14, 2022 6:30 PM



I. Call to Order: Chairman Schmidt called the meeting to order at 6:30PM

II. Roll Call

Present were James Schmidt, John Charleston, David Floyd, Phillip Jordan, and Dee Roths. Heath Travnichek and Paul Matzek were absent.

Also present were City Engineer Anne Stephens, Director of Planning and Community Development, Jay Cook, City Attorney, Jaqueline Kelly, and Code Enforcement Officer Garrett Wichman.

III. Pledge of Allegiance to the Flag – Chairman Schmidt led the Pledge of Allegiance.

IV. Consent Agenda

A. Approval of Minutes from Previous Meeting

MOTION: Chairman Schmidt moved to approve the minutes of July 14th, 2022. Commissioner Jordan seconded the motion. ***Motion carried 4-0.***

V. Old Business/New Business

A. PUD-22-01. Proposed changing the current PUD to allow R-6 multi-family zoning and amended parking requirements. (Arthur Heights PUD)

Chairman Schmidt opened the public hearing. Commissioner Roths joined the meeting. Will Clevenger and Ken Lee with Garver and Russ Relph, property owner, presented the application and stood for questions from the Commission. Chairman Schmidt closed the public hearing to enter into an executive session.

MOTION: Chairman Schmidt made a motion to have an executive session to end at 7:05PM. Commissioner Jordan seconded the motion. ***Motion carried 5-0.***

Upon return, Chairman Schmidt stated that no action was taken during the executive session. Chairman Schmidt then reopened the public hearing at 7:06PM.

Concerns from the Commission about drainage and parking. Mr. Clevenger and Mr. Relph stated their plans for drainage and that they would review their original plans and come back with a layout that consisted of at least two parking stalls per dwelling unit.

Gary Jantz, 6200 E 45th St N Lot 8, spoke regarding his concerns about the drainage, curb appeal, and potential law enforcement concerns. He recommends that this be relocated to a larger industrial area.

Carol Russel, 6218 E 45th St N, spoke regarding concerns about drainage and also about the potential issues with law enforcement. She is worried about the security of her property.

Dennis McCallum, 4650 N Hillcrest, spoke about his concerns the water that floods that area and proper drainage. If the proposed units of Arthur Heights are to be built he believes that it will diminish his property value and would rather see a business in place there rather than a home development.

Randy Kreutzer, 5284 Toben, spoke in support of the application. He stated that he is a property manager for 110 units/properties in Bel Aire. The owner of Arthur Heights is also the owner of the 110 units/properties that Mr. Kreutzer manages. He stated that everyone that lives within these properties go through background checks and are accredited citizens.

No other citizens requested to speak. Chairman Schmidt closed the public hearing.

After the public hearing, the Planning Commission discussed the application in relation to the City Zoning Code. The Commission expressed concern that the parking may not be adequate. The Developer will revise the layout to ensure a minimum of two parking spaces per unit, which will likely include the removal of a building or two. They will also work with Sedgwick County Fire to see if the width of the access road can be reduced by several feet to help maintain more separation between the roadway and the homes.

MOTION: Chairman Schmidt made a motion to table changing the PUD to allow R-6 multi-family zoning with consideration of parking and a privacy fence around entire property. Commissioner Jordan seconded the motion. ***Motion carried 5-0.***

- B. **ZON-22-02 Preliminary Plat.** Approximately 3.35 acres zoned C-1, to a R-5b Zero Lot line for single-family houses at Elk Creek 3rd. The current use farm ground.

Chairman Schmidt opened the public hearing. Kirk Miller spoke to the Commission on behalf of the applicant and stood for questions.

The Commission discussed questions regarding the pond from another development that encroached on the area of the application and who is responsible for said encroachment. Discussion was also made as to whether the applicant could fill in the area that encroached.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Chairman Schmidt motioned to accept the preliminary plat for Elk Creek 3rd without condition. Commissioner Phillip Jordan seconded the motion. ***Motion carried 5-0.***

- C. **ZON-22-02 Final Plat.** Approximately 3.35 acres zoned C-1, to a R-5b Zero Lot line for single-family houses at Elk Creek 3rd. The current use farm ground.

Chairman Schmidt opened the public hearing. Kirk Miller represented the applicant and stood for questions. There was discussion on repairing the encroaching pond by filling in the

corner with dirt. Mr. Miller stated that he would be unable to do anything without a building permit which would require approval of plat.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Chairman Schmidt motioned to accept without conditions. Commissioner Jordan seconded the motion. ***Motion carried 5-0.***

- D. **PUD-22-02 Winkley Addition Commercial.** Proposed changing the current PUD to reduce building setbacks, remove certain screening requirements and add a fuel tank storage area.

Phil Meyer with Baughman Company spoke with Matt Hermes, owner of the property, to the Commission regarding the application. There was discussion and concern regarding 2 fuel storage tanks. The applicant and revised PUD stated that all Federal, state, and local regulations would be followed.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Commissioner Floyd motioned to recommend amending the PUD for Winkley Addition Commercial to reduce building setbacks, remove certain screening requirements and add a fuel tank storage area without changes. Commissioner Roths seconded the motion. ***Motion carried 5-0.***

- E. **CASE No. ZON-21-07.** Proposed platting of approximately 14.62 acres of R-4 (Chapel Landing 6th).

Chairman Schmidt opened the hearing for the proposed platting of approximately 14.62 acres of R-4 (Chapel Landing 6th). Phil Meyer with Baughman Company spoke on behalf of the applicant.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Chairman Schmidt made a motion to recommend the final plat of Chapel Landing 6th without conditions. Commissioner Jordan seconded the motion. ***Motion Carried 5-0.***

- F. **ZON-22-04 Rezoning:** Approximately 73 acres zoned AG to M-1 Industrial. Currently used as farmland. Was recently annexed into city. (located directly east of Webb Road, south of Sunflower Commerce Park)

Chairman Schmidt opened the hearing for the rezoning of the approximate 73 acres zoned AG to M-1 Industrial. Applicant Steve Barret spoke to the commission regarding the application and plans for the property. Staff reviewed the application location in relation to the Golden Factor Standards for zoning.

No others requested to speak. Chairman Schmidt closed the public hearing.

MOTION: Chairman Schmidt made a motion to recommend the request to re-zone certain recently annexed property along Webb Road, south of Sunflower Commerce Park containing approximately 73 acres from AG to M-1 Industrial use without changes. Commissioner Roths seconded the motion. ***Motion Carried 5-0.***

Chairman Schmidt discussed the idea of amending the zoning code for future developments. After discussion, the commission decided to look into the process and possibly have a workshop to further discuss the option.

MOTION: Commissioner Charleston made a motion to review the steps required for a revision to zoning regulations and discuss at a later meeting. Commissioner Floyd seconded the motion.
Motion Carried 4-1.

VI. Next Meeting: Thursday August 23, 2022, at 6:30 p.m.

The commission board a new time to accommodate everyone's schedule. They concluded that August 23rd would be the next meeting.

MOTION: Commissioner Charleston motioned to approve the next meeting date to August 23rd, 2022, at 6:30 p.m. Commissioner Jordan seconded the motion. ***Motion Carried 5-0.***

VII. Current Events

No events were discussed.

VIII. Adjournment

MOTION: Chairman Schmidt made a motioned to adjourn the meeting. Commissioner Charleston seconded the motion. ***Motion Carried 5-0.***

Approved by the Planning Commission this ____ day of _____, 2022.

James Schmidt, Chairman of the Planning Commission

ATTEST:

Jay Cook, Secretary of the Planning Commission

\$210.00
4-15-22

PUD-22-01

PUD Ap

Section V, Item A.

Page 9 of 9

16. Chapter 5 of the Zoning Code has a more detail regarding Applications and procedures. A final PUD must contain:

- a. Deeds of Dedication
- b. Copy of all covenants part of the preliminary PUD
- c. Evidence of ownership, financial and administrative ability as required by the terms of the preliminary PUD
- d. Evidence of satisfaction of any stipulation of the preliminary PUD
- e. Evidence of platting consistence with the Zoning Ordinance 418 and the PUD

APPLICATION

This form MUST be completed and filed at City Hall, Bel Aire, Kansas, 6751 E Central Park, Bel Aire, Kansas 67226. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED. Check the appropriate box below for type of application being submitted. A separate application and filing fee is required for each application. A preapplication conference with City Staff is recommended before filing this application.

-
-
- ☐ Change Zoning Districts: From: _____ to _____
- ☒ Amendments to Change Zoning Districts ARTHUR HEIGHTS ADDITION PUD
- ☐ Preliminary PUD _____ ☐ Preliminary PUD with plat/ zoning
- ☐ Final PUD ☐ Final PUD with plat/ zoning

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Comments to City Council

City of Bel Aire Council

☐ Approved ☐ Rejected

Name of owner RKR, LLC (ATTENTION RUSS RELPH)

Address 8550 NW PARALLEL ST. KS Telephone 316-993-4663

Agent representing the owner GARVER, LLC (ATTENTION WILL CLEVELANDER)
1995 MIDFIELD RD.

Address WICHITA, KS 67309 Telephone (316) 221-3027

1. The application area is legally described as Lot(s) _____; Block(s) _____,
SEE ATTACHED Addition, Bel Aire, Kansas. If appropriate, a metes and
bounds description may be attached.

2. The application area contains 2.34 acres.

3. This property is located at (address) N/A which is generally
located at (relation to nearest streets) NORTHWEST OF 45TH ST. N. & WOODLAWN.

4. County control
number: 00271636

5. NAMES OF OWNERS - For land inside the city limits, an ownership list of the
names, addresses and zip codes of the owners of record of real property located within

200 feet of the exterior boundary of the area described in the application both within the city limits and extending outside the city limits when necessary.

If such area is located adjacent to but within the city limits, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area.

The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or other directly associated with the property may also be listed if they desire to be advised of the proceedings.

1. Applicant RKR, LLC (ATTN: RUSS RELPH) ^{MEMBER} Phone 316-993-4663
Address 8550 NW PARALLEL ST, TOWANDA, KS Zip Code 67042

Agent GARVER, LLC (ATTN: WILL CLEVINGER) Phone 316-221-3027
Address 1995 MIDFIELD RD, WICHITA, KS Zip Code 67209

2. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

The applicant certifies that the foregoing information is true and correct to the best of their knowledge and acknowledges that the Governing Body shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.


Applicant's Signature

BY

Authorized Agent (If Any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.

PUD Amendment Description

Lot 6, Arthur Heights, Sedgwick County, Kansas, EXCEPT that part described as beginning at the Southeast Corner of said Lot 6; thence West along the South line of said Lot 6, 165.92 feet to the Southwest corner of said Lot 6; thence North along the West line of said Lot 6, 10.00 feet; thence East parallel with said South line, 14.90 feet; thence Northeast, 100.00 feet to a point 35.00 feet North of said South line; thence East parallel with said South line, 54.15 feet to the East line of said Lot 6; thence South along said East line, 35.00 feet to the point of beginning; TOGETHER WITH Lot 7, Arthur Heights, Sedgwick County, Kansas, EXCEPT that part of Lot 7 described as follows: Beginning at the Southwest corner of said Lot 7; thence northerly, on the West line of said Lot 7 a distance of 181.61 feet; thence easterly to a point on the East line of said Lot 7, said point being 179.83 feet north of the Southeast corner of said Lot 7; thence southerly, on said East line, a distance of 179.83 feet to said Southeast corner; thence westerly on the South line of said Lot 7, a distance of 204.08 feet to the point of beginning.

OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

Lot 6, EXC that part begin at SE corner of Lot 6, th. W 165.92' to SW corner thereof; th. N 10'; th. E 14.9'; th. NEly 100' to point 35' N of said S line; th. E 54.15' to E line of said Lot 6; th. S along E line 35' to begin; & Lot 7, EXC begin at SW corner of Lot 7, th. N 181.61'; th. E to E line; th. S 179.83'; th. W 204.08' to begin Subject Property	Arthur Heights Addition	RKR, LLC 8550 NW Parallel St. Towanda, KS 67144
Lot 3	"	Annetta L. Ziller & Wayne R. Ziller 160 E. Rancho Vista Way Cottonwood, AZ 86326
Lot 4	"	Truly Blessed, LLC 1542 Graystone Wichita, KS 67230
Lot 5	"	Higher Grounds, LLC 1606 Grandview Dr. Garden City, KS 67846
Begin at the SE corner of Lot 6, th. W 165.92' to SW corner thereof; th. N 10'; th. E 14.9'; th. NEly 100' to point 35' N of said S line; th. E 54.15' to E line of said Lot 6; th. S along E line 35' to begin	"	City of Bel Aire 7651 E. Central Park Ave. Bel Aire, KS 67226
That part of Lot 7 begin at SW corner, th. N 181.61'; th. E to E line; th. S 179.83'; th. W 204.08' to begin	"	Carol L. Russell 6218 E. 45 th St. Bel Aire, KS 67220
Lot 8	"	Gary A. Jantz 6200 E. 45 th St. Bel Aire, KS 67220

Lot 9	"	Twila A. Bleam & Carrie A. Unruh & Daniel E. Bleam & Jill A. Bleam 4630 N. Hillcrest Bel Aire, KS 67220
Lot 10	"	Dennis D. & Cheryl R. McCallum Revocable Living Trust 4650 N. Hillcrest Wichita, KS 67220
Lot 11	"	Maxine Diane Martin 4700 N. Hillcrest Bel Aire, KS 67220
Lot 2, Blk 3	North Woodlawn Addition	James Williamson 6210 E. Woodlow Dr. Bel Aire, KS 67220
Lot 3, Blk 3	"	Melissa A. Dillon 6220 E. Woodlow Dr. Bel Aire, KS 67220
Lot 4, Blk 3	"	Connie A. Row 6230 E. Woodlow Dr. Bel Aire, KS 67220
Lot 1, Blk 1	North Woodlawn Second Addition	Kevin D. & Barbara J. Lorance Revocable Trust 6240 E. Woodlow Dr. Bel Aire, KS 67220
Lot 2, Blk 1	"	Burris Valley Ranch, Inc. 7300 N. Comanche Ave. Oklahoma City, OK 73132

We hereby certify the foregoing to be a true and correct list of the property owners of the herein before described lots within a 200 foot radius of:

Lot 6, Arthur Heights Addition, Sedgwick County, Kansas, EXCEPT that part described as beginning at the Southeast corner of said Lot 6; thence West along the South line of said Lot 6, 165.92 feet to the Southwest corner of said Lot 6; thence North along the West line of said Lot 6, 10.00 feet; thence East parallel with said South line, 14.90 feet; thence Northeast, 100.00 feet to a point 35.00 feet North of said South line; thence East parallel with said South line, 54.15 feet to the East line of said Lot 6; thence South along said East line, 35.00 feet to the point of beginning; TOGETHER WITH Lot 7, Arthur Heights Addition, Sedgwick County, Kansas, EXCEPT that part of Lot 7 described as follows: Beginning at the Southwest corner of said Lot 7; thence northerly, on the West line of said Lot 7 a distance of 181.61 feet; thence easterly to a point on the East line of said Lot 7, said point being 179.83 feet north of the Southeast corner of said Lot 7; thence southerly, on said East line, a distance of 179.83 feet to said Southeast corner; thence westerly on the South line of said Lot 7, a distance of 204.08 feet to the point of beginning.

as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 8th day of March, 2022, at 7:00 A.M.

Security 1st Title LLC

By: JoAnn Childers
Licensed Abstracter

Order: 2508842
KJK

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 21st day of April, 2022, with subsequent publications being made on the following dates:

_____, 2022 _____, 2022
_____, 2022 _____, 2022
_____, 2022 _____, 2022

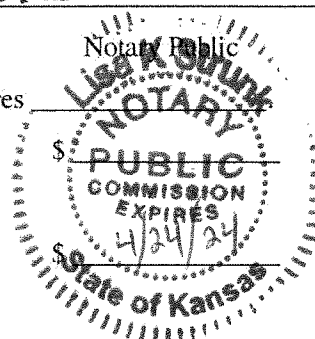
Subscribed and sworn to before me this 21st day of April, 2022.

[Signature]

My commission expires _____

Additional copies \$ _____

Printer's fee \$ _____



Public notice

(Published in the Ark Valley News on April 21, 2022.)

OFFICIAL NOTICE OF ZONING HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on May 12, 2022 the City of Bel Aire Planning Commission will consider the following re-zoning/PUD hearing in the order placed on the agenda after 6:30 p.m. in the City Council Chamber at City Hall in Bel Aire, Kansas:

PUD-22-01. Proposed changing partial zoning within the current PUD to allow R-6 multi-family housing. Arthur Heights PUD

Legal Description: (A complete legal description is available for public inspection which is on file with the Zoning Administrator at City Hall.)

General Location: E 45th and N Woodlawn Blvd.

You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body, which, if approved under the City Zoning and Sub-Division regulations, would be effectuated by city code. The public hearing may be recessed and continued from time to time without notice.

DATED this 18 day of April, 2022.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

(Published once in Ark Valley News on May 19, 2022.)

OFFICIAL NOTICE OF ZONING HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on June 16, 2022 the City of Bel Aire Planning Commission will consider the following re-zoning and re-platting hearing in the order placed on the agenda after 6:30 p.m. in the City Council Chamber at City Hall in Bel Aire, Kansas:

ZON-22-03. Proposed re-zoning from AG to an R-5 for single-family zoning Use. Sham Way Estates development. The current use farm ground.

Legal Description: (A complete legal description is available for public inspection which is on file with the Zoning Administrator at City Hall.)

General Location: 1/4 mile N of E 53rd St N and West of Webb Road

You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body, which, if approved under the City Zoning and Sub- Division regulations, would be effectuated by city code. The public hearing may be recessed and continued from time to time without notice.

DATED this 16 day of May, 2022.

/s/ Anne Stephens

Bel Aire Planning Commission Secretary

(OWNER OF LOT 5, ARTHUR HEIGHTS)

Section V, Item A.

Clevenger, William K.

From: Donny Huber <highergroundsgc@gmail.com>
Sent: Tuesday, April 12, 2022 2:58 PM
To: Clevenger, William K.; Brew Crew
Subject: Re: PUD Amendment at 45th Street North and Woodlawn
Attachments: image001.png

I am agreement to the amendment as long as this item is satisfied:

Construct and maintain an eight foot privacy fence on their property.

Let me know if you have any questions.

On Thu, Apr 7, 2022 at 11:48 AM Clevenger, William K. <WKClevenger@garverusa.com> wrote:

Hello Donny,

Thank you for taking my call this morning. Attached is the preliminary drawing we have created for the amendment of the Planned Unit Development. Please let me know if you have any questions or concerns. If you like our concept, would you respond to this email describing your support for the project?

Thank you,



William Clevenger, PS

Project Surveyor
Survey Team

📞 316-221-3016
📠 316-833-8426



Donny & Lindsay Huber
Higher Grounds LLC dba Scooter's Coffee

SITE PLAN FOR PART OF LOTS 6 AND 7,
ARTHUR HEIGHTS ADDITION
BEL AIRE, SEDGWICK COUNTY, KANSAS
AMENDMENT TO ORDINANCE 642
PLANNED UNIT DEVELOPMENT

- CONDITIONS:
1. The site shall be developed in General Conformance with the Developer's Agreement.
 2. All site lighting shall be directed downward and shielded from adjacent residential areas.
 3. A Drainage Plan shall be required and approved by the City Engineer as a condition of the Building Permit.
 4. All Allowed Conditional Uses shall be subject to the submission of a site plan for approval in accordance with Article 5.03E of the Zoning Code.

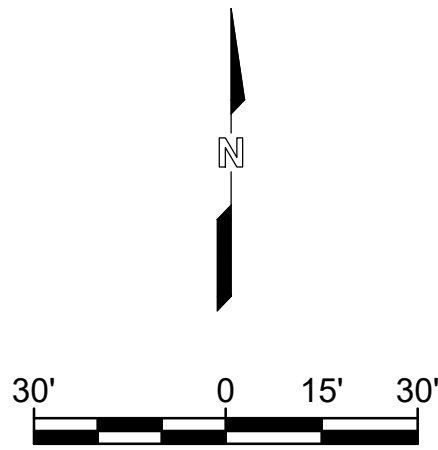
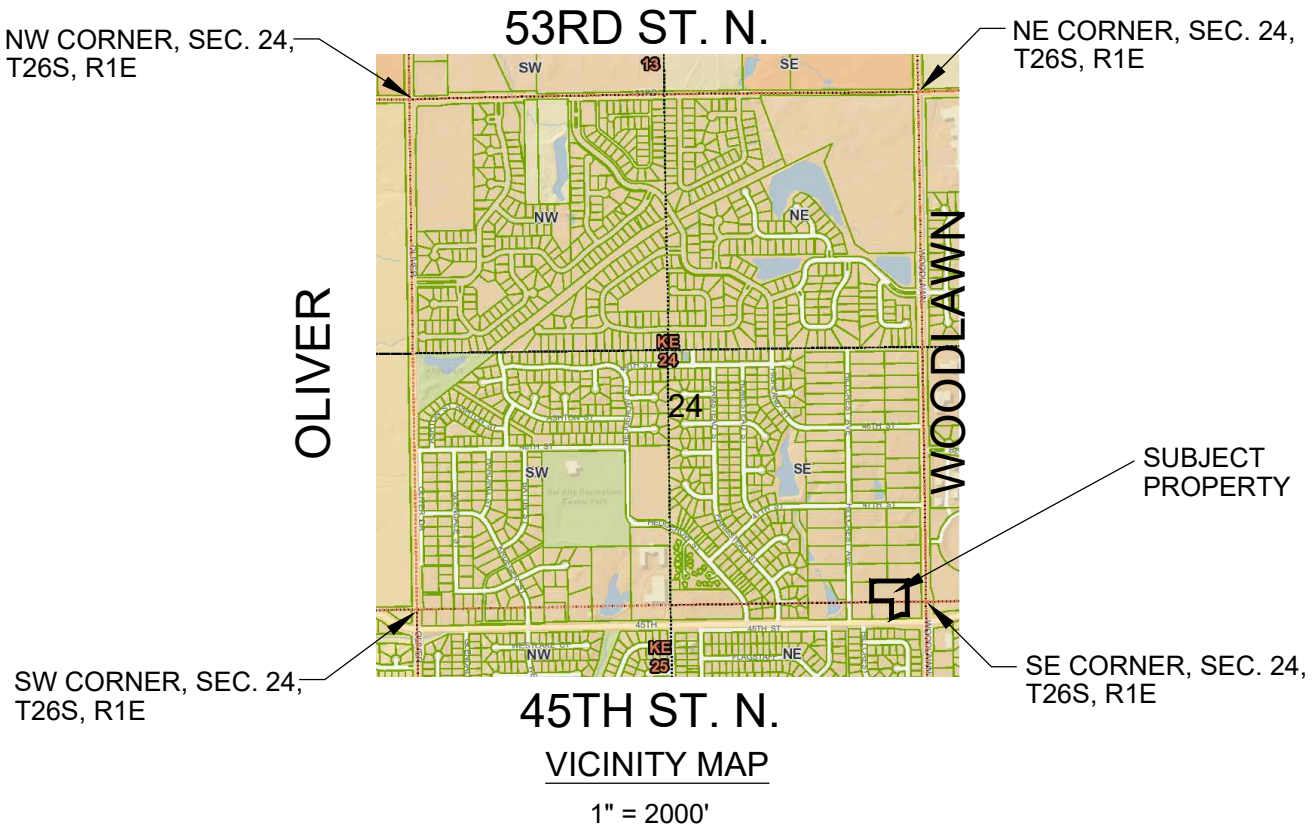
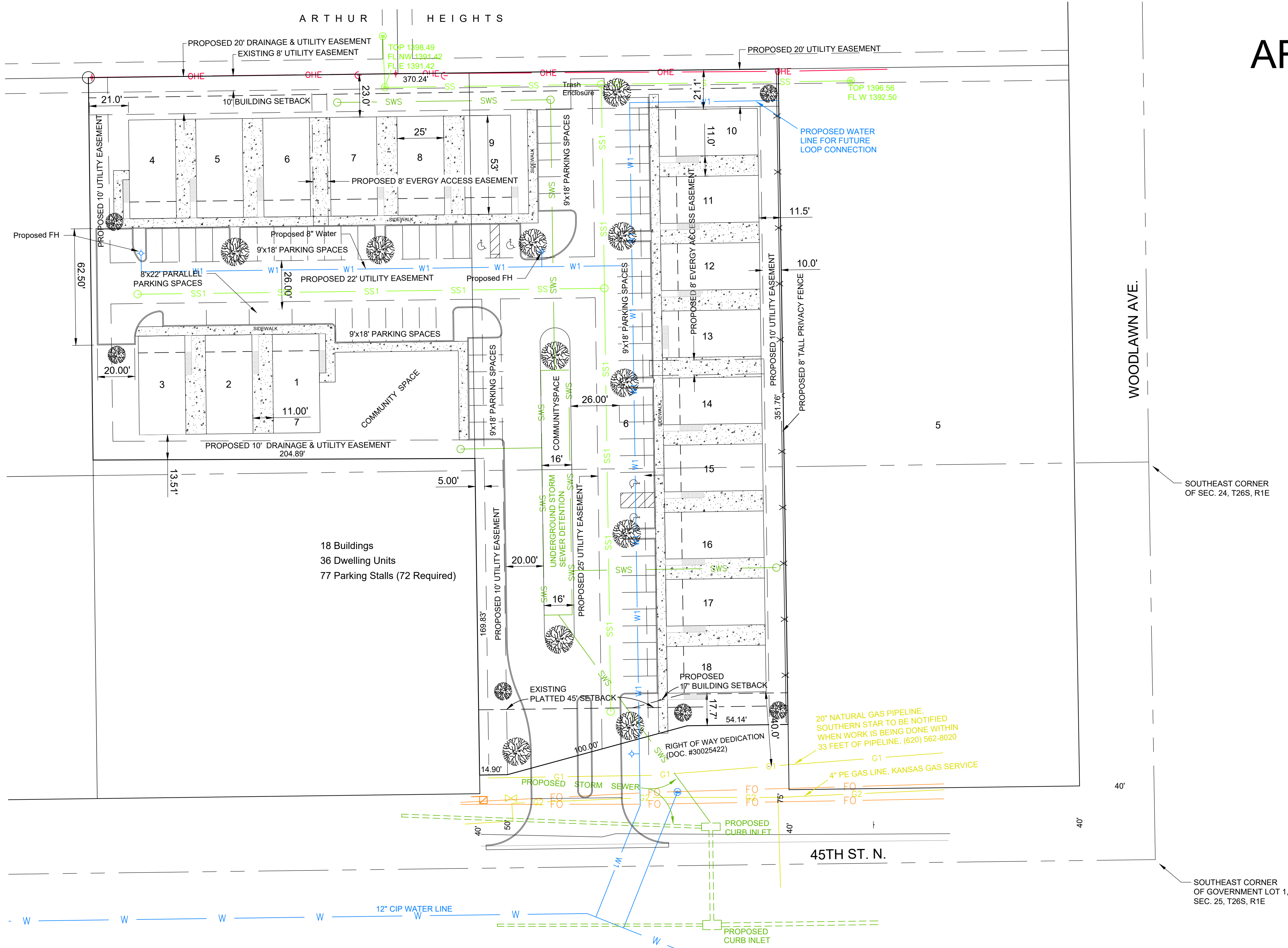
Lot 6, Arthur Heights, Sedgwick County, Kansas, EXCEPT that part described as beginning at the Southeast Corner of said Lot 6; thence West along the South line of said Lot 6, 165.92 feet to the Southwest corner of said Lot 6; thence North along the West line of said Lot 6, 10.00 feet; thence East parallel with said South line, 14.90 feet; thence Northeast, 100.00 feet to a point 35.00 feet North of said South line; thence East parallel with said South line, 54.15 feet to the East line of said Lot 6; thence South along said East line, 35.00 feet to the point of beginning; TOGETHER WITH Lot 7, Arthur Heights, Sedgwick County, Kansas, EXCEPT that part of Lot 7 described as follows: Beginning at the Southwest corner of said Lot 7; thence northerly, on the West line of said Lot 7 a distance of 181.61 feet; thence easterly to a point on the East line of said Lot 7, said point being 179.83 feet north of the Southeast corner of said Lot 7; thence southerly, on said East line, a distance of 179.83 feet to said Southeast corner; thence westerly on the South line of said Lot 7, a distance of 204.08 feet to the point of beginning.

Proposed Zoning - R-6
Proposed Uses - Those uses permitted by right in the R-6 Zoning District.

Owner:
RKR, LLC
Attn: Russ Relph
8550 SW Parallel St.
Towanda, KS 67144

Area: 2.34 Acres
101,997.8 Sq. Ft.

LEGEND	
	PROPOSED 8' PRIVACY FENCE
	SANITARY SEWER (BEL AIRE)
	GAS LINE (SOUTHERN STAR CENTRAL)
	GAS LINE (KANSAS GAS SERVICE)
	WATER MAIN (CITY OF BEL AIRE)
	OVERHEAD ELECTRIC (EVERGY)
	UNDERGROUND FIBER OPTIC (AT&T)
	POWER POLE (EVERGY)
	SANITARY SEWER MANHOLE
	GAS VALVE
	TELEPHONE PEDESTAL
LEGEND (PROPOSED UTILITIES)	
	PROPOSED FIRE HYDRANT
	PROPOSED PRIVATE SANITARY SEWER
	PROPOSED WATER



BENCHMARK:
CHISELED SQUARE WITH DIVOT ON THE CONCRETE TRANSFORMER PAD IN LOT 2, BLOCK 1, NORTH WOODLAWN SECOND ADDITION, SEDGWICK COUNTY, KANSAS, 91' W. AND 72' S. OF THE CENTER OF INTERSECTION OF 45TH ST. N. AND WOODLAWN ELEVATION = 1393.91 (NAVD88, G18)

DWG FILE: 22S04005 SURVEY BASE
PROJECT NO. 22S04005
AUGUST 2, 2022



GARVER
1995 MIDFIELD RD.
Wichita, KS 67209
(316) 264-8008
www.GarverUSA.com

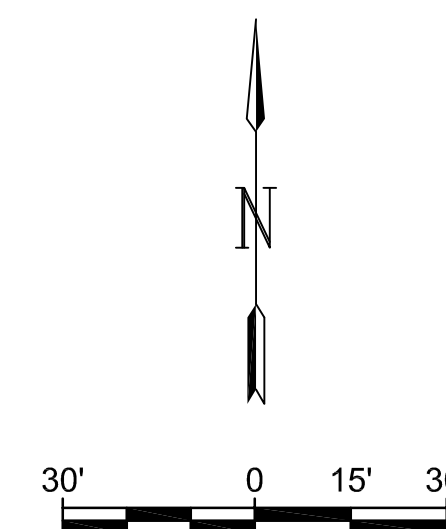
© 2018 GARVER, LLC
THIS DOCUMENT, ALONG WITH THE IDEAS AND DESIGNS CONVEYED HEREIN, SHALL BE CONSIDERED INSTRUMENTS OF PROFESSIONAL SERVICE AND ARE PROPERTY OF GARVER, LLC. ANY USE, REPRODUCTION, OR DISTRIBUTION OF THIS DOCUMENT, ALONG WITH THE IDEAS AND DESIGN CONTAINED HEREIN, IS PROHIBITED UNLESS AUTHORIZED IN WRITING BY GARVER, LLC OR EXPLICITLY ALLOWED IN THE GOVERNING PROFESSIONAL SERVICES AGREEMENT FOR THIS WORK.

8535 E. 21st Street North
Suite 130
Wichita, Kansas 67206

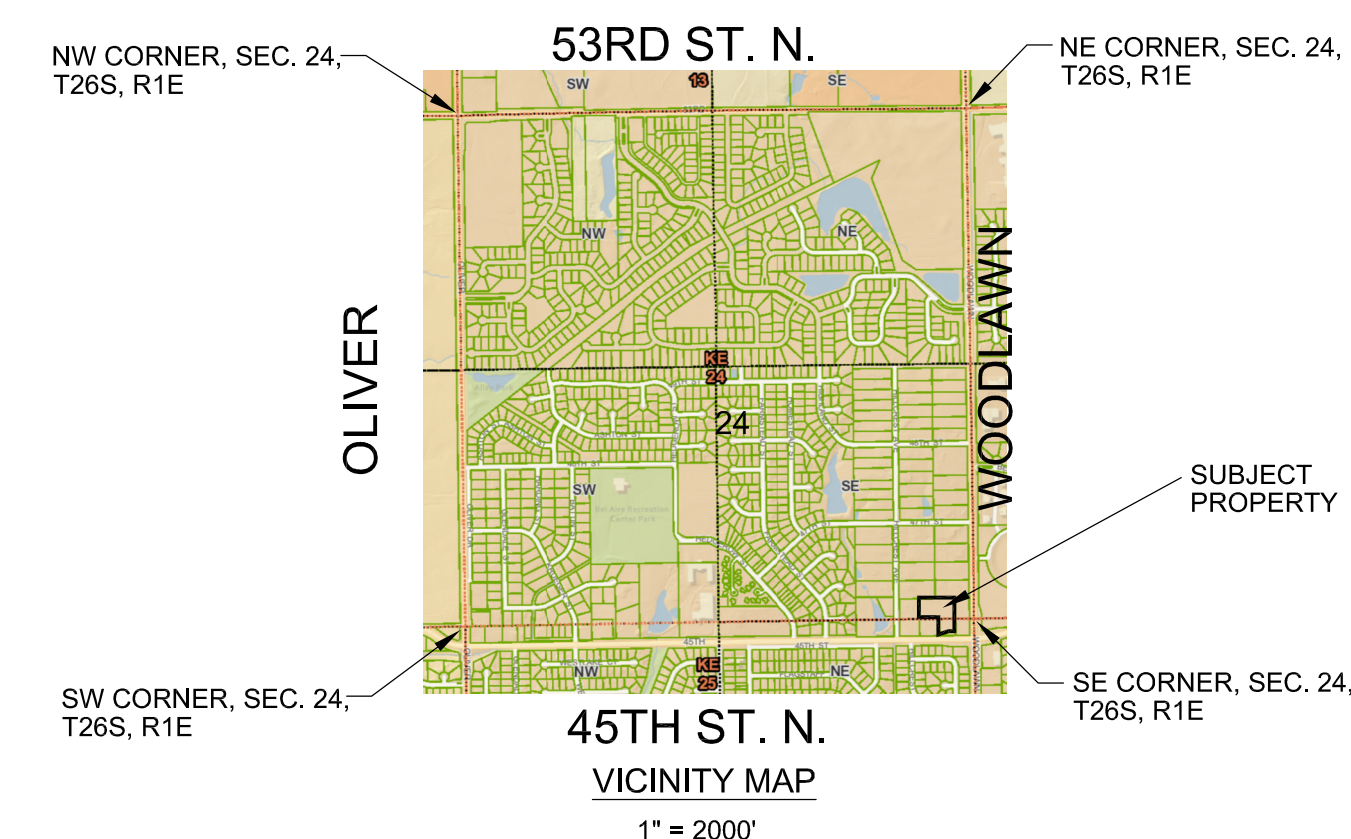
10

 Δ 

1. Final storm sewer, hydraulic and hydrologic data and other information will be provided prior to final plat approval.
2. The on-site soils are Rosehill Silty Clay (Hydrologic Soil Group D).
3. Underground Detention will be provided under the proposed grassed median. The Final Drainage Plan will identify the proposed type of detention (storm chambers, boxes or pipes, gravel beds with perforated pipes or storm vaults).
4. Hydroexcavation in coordination with Southern Star will be performed to determine best means for SWS crossings.
5. Flumes to be added under sidewalks as necessary to carry drainage from between buildings out to pavement.



BENCHMARK:
CHISELED SQUARE WITH DIVOT ON THE CONCRETE
TRANSFORMER PAD IN LOT 2, BLOCK 1, NORTH
WOODLAWN SECOND ADDITION, SEDGWICK COUNTY
KANSAS, 91' W. AND 72' S. OF THE CENTER OF
INTERSECTION OF 45TH ST. N. AND WOODLAWN
ELEVATION = 1393.91 (NAV88, G18)


[illegible]

City of
Bel Aire

CITY OF BEL AIR
KANSAS

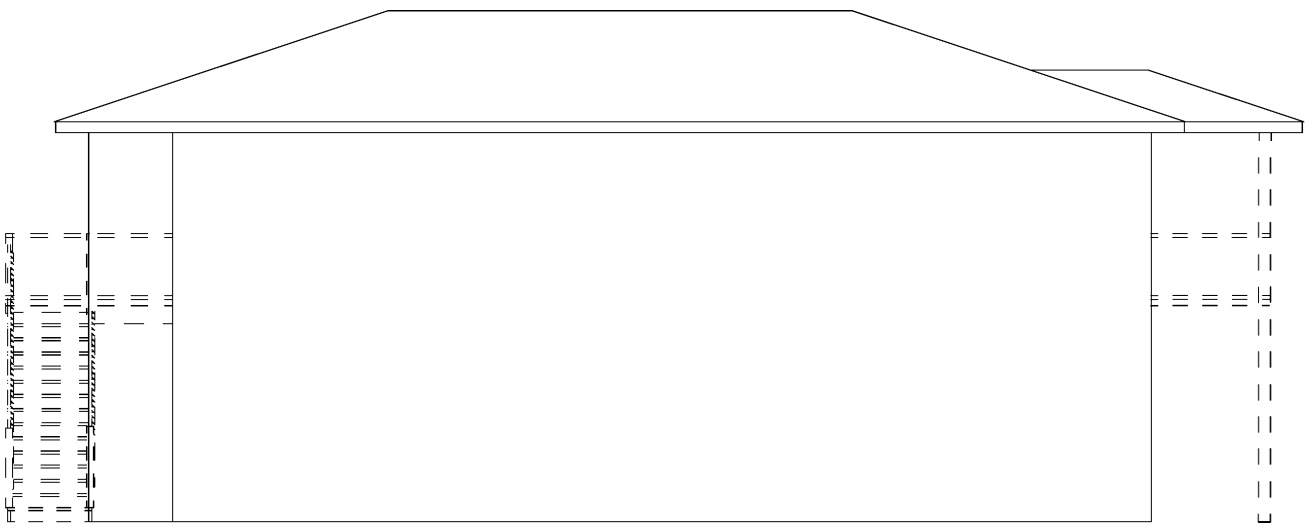
JOB NO.:
DATE:
DESIGNED BY:
DRAWN BY:

BAR IS ONE INCH ON
ORIGINAL DRAWING

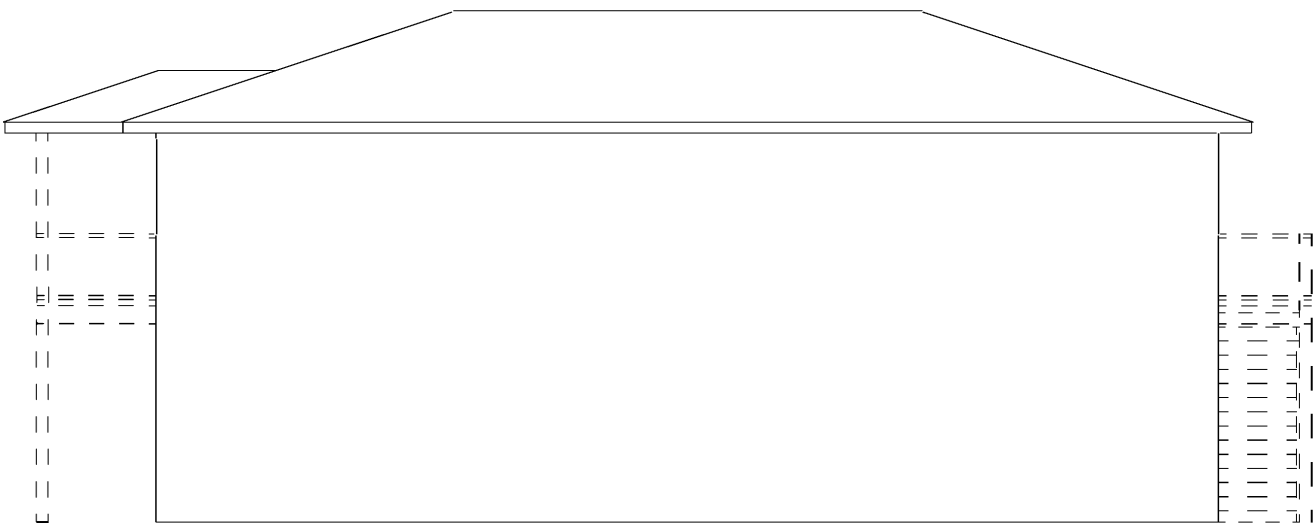
0  1"

DRAWING NUMBER

SHEET
NUMBER



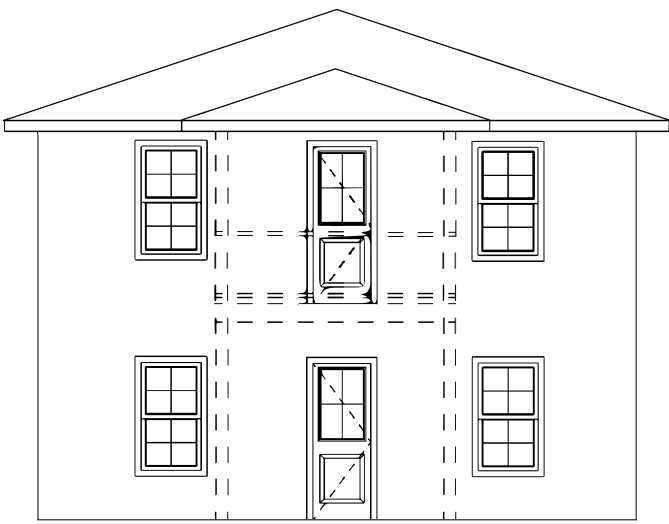
RIGHT ELEVATION



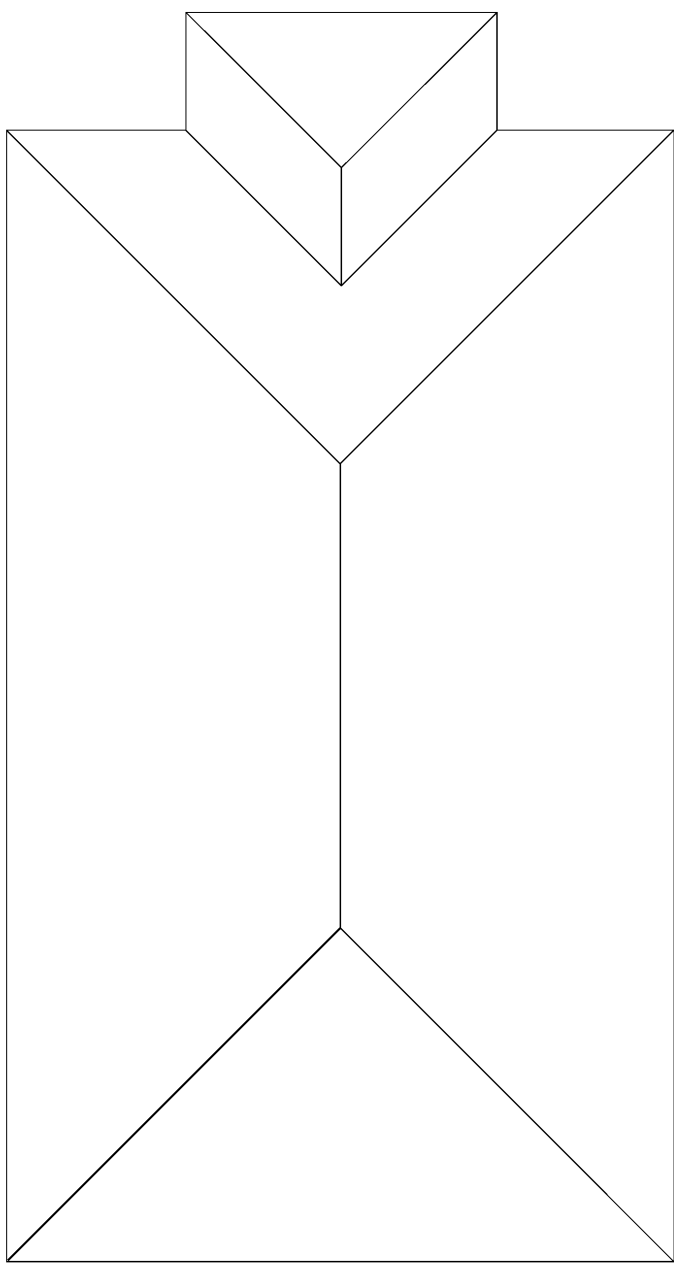
LEFT ELEVATION



FRONT ELEVATION



REAR ELEVATION



ROOF PLAN

4/12 PITCH

Relph Construction		
Elevation	Conceptual Only	Scale: 1/4" = 1'
Plan: RC-Duplex 3		
Plan Date: 07/28/2022	Sheet No: 3 of 3	



City of Bel Aire, Kansas
7651 E. Central Park Ave
Bel Aire, Kansas 67226



ORDINANCE 642 PUD REVISION SUBMITTAL REVIEW

Address of proposed project: LOTS 4, 5, 6, AND A PORTION OF LOT 7, BLOCK 1, ARTHUR HEIGHTS ADDITION.

This report is to document that on 8.15.22 the Zoning Administrator from the City of Bel Aire evaluated the above property plan for compliance of zoning and building requirements:

- | | |
|--|---|
| <input type="checkbox"/> SETBACKS | <input type="checkbox"/> ELEVATIONS |
| <input type="checkbox"/> EFFECTIVE CODE COMPLIANCE | <input type="checkbox"/> REQUIRED PLAN SUBMITTALS |
| <input type="checkbox"/> EROSION CONTROL | <input checked="" type="checkbox"/> EASEMENTS |
| <input type="checkbox"/> LANDSCAPE | <input type="checkbox"/> SCREENING |
| <input type="checkbox"/> STORM DRAINAGE | <input checked="" type="checkbox"/> NEIGHBORHOOD IMPACT |
| <input type="checkbox"/> ADA ACCESSIBLE | <input type="checkbox"/> UTILITIES TO BUILDING |

The review of the above property plan has been:

- ☒ APPROVED, as noted
- ☐ DELAYED, as noted-if a new site plan to reflect SCFD's requirements can be met by May 4th
- ☐ DENIED, as noted

DATE 8.15.22

Keith Price
REVIEWED BY

Comments:

Bel Aire received the application 4.15.22 with the remittance and site plans. This is an update to the last submittal dated August 2, 2022. I have left the notes that still pertain to the general rules verses the proposed PUD. The top bullets below are the items in the staff report to the planning commission members for August 23, 2022 hearing.

Ordinance 642 is posted on the city web site www.belaireks.gov. This process will alter the PUD if changes are approved. A new ordinance document would then be created to reflect the changes to Ordinance 642. Housing that meets R-5 zoning can be built by right at 6 units per acre that meets Bel Aire city code.

This site plan is submitted to alter portions of lots 6 and 7; although the PUD includes part of lot 5 and lot 4. Any general rule in the zoning code related to R-6 can be altered by the city council.

For staff recommendation:

- Fire department fire lanes marked “no parking tow zone”. Tenant spaces also marked, including guest parking spaces. The newest site plan removed two buildings and increased the number of parking spaces greater than the 72 required by code to 77 spaces.
 - Drainage and yard maintenance needs to be addressed. A drainage plan has been required and will be reviewed by the City Engineer for approval as required by the city code before any improvement can be made. The landscape depicted should be a good representation of deciduous trees on the site. Additional ground cover and plants would need to be added.
 - Trash management, trash truck access. The trash enclosure location can allow centralized collection but is on a platted easement; Verify there will be good utility access. Consider making it removable by unbolting from the ground.
 - Items listed in the revised review to the developer are addressed.
 - Architectural control by the PUD to a standard equal to the surrounding neighborhoods will ensure the value for all stakeholders for the other lot owners in the PUD development.
- R-5 and R-6 are lower on the scale of types of developments verses C-1 and C-2 uses.

General Bel Aire code-

- Parking lot lighting is required for parking lots over 20 spaces in multi-family developments per the code. A plan must be submitted to include a point by point photometric.
 - A landscape plan is required.
 - The other question is related to screening between the single-family residential uses- site plan doesn't show any screening, the landscape layout general rule is 1 tree per building, plus street trees and screening landscape. The utility easement does hinder the ability to build or plant. This will be another area to discuss as exception to the rule. The Comp plan indicates this is commercial-screening is required; R-6 is a residential use.
 - The proposed 8' fence is located in the depicted easement and would require another exception to the general rule as this meets the definition of a structure in the Zoning code.
 - To build across lot lines the lots would require the lots to be merged at the county level or as another exception to allow building across property lines.
 - The document to amend Ordinance 642 would need to alter the portion covered by the site plan and leave intact the remainder as part of the new ordinance.
 - Agreement final review subject to City Attorney review.
- http://www.egovlink.com/public_documents300/belaire/published_documents/Bel%20Aire%20City%20Code/CHAPT18-CODE%20Zoning%20Part-A%202015.pdf contains the Zoning Code. The landscape requirements, lot size, etc.
 - <http://www.egovlink.com/belaire/docs/menu/home.asp> contains the Public Works tab to find the city standards information.

APPLICATION

This form MUST be completed and filed at City Hall, Bel Aire, Kansas, 7651 E Central Park, Bel Aire, Kansas 67226. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED. Check the appropriate box below for type of application being submitted. A separate application and filing fee is required for each application. A preapplication conference with City Staff is recommended before filing this application.

- ☒ Change Zoning Districts: From: AG to M1
- ☐ Amendments to Change Zoning Districts _____

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Name of owner WEBB254, LLC % STEVE BARRETT

Address 1720 N. WEBB ROAD Telephone (316) 641 3268

Agent representing the owner STEVE BARRETT

Address 1720 N. WEBB ROAD Telephone (316) 641 3268

1. The application area is legally described as Lot(s) _____; Block(s) _____, _____ Addition, Bel Aire, Kansas. If appropriate, a metes and bounds description may be attached. SEE ATTACHMENT

2. The application area contains ≈ 71.4 acres.

3. This property is located at (address) Webb Road & H 254 which is generally located at (relation to nearest streets) Webb Road & Highway 254.

4. The particular reason for seeking reclassification:

Convert Industrial zoning from AG to meet neighboring parcel.

5. County control number: _____

6. NAMES OF OWNERS - For land inside the city limits, an ownership list of the names, addresses and zip codes of the owners of record of real property located within 200 feet of the exterior boundary of the area described in the application both within the city limits and extending outside the city limits when necessary.

If such area is located adjacent to but within the city limits, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area.

If such area is located outside the city limits, the ownership list shall extend for 1,000 feet in the unincorporated area and, if the latter extends into the city limits, then such owners for 200 feet inside the city must also be included on the list.

The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or other directly associated with the property may also be listed if they desire to be advised of the proceedings.

1. Applicant Webb 254, LLC Attn: STEVE BARRETT Phone (316) 641 3268
Address 1720 N Webb Road #110 Zip Code 67206

Agent STEVE BARRETT Phone (316) 641-3268
Address 1720 N. Webb Road #110 Zip Code 67206

2. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

3. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

The applicant certifies that the foregoing information is true and correct to the best of their knowledge and acknowledges that the Governing Body shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.


Applicant's Signature

BY

Authorized Agent (If Any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 21st day of July, 2022, with subsequent publications being made on the following dates:

_____, 2022 _____, 2022
_____, 2022 _____, 2022
_____, 2022 _____, 2022

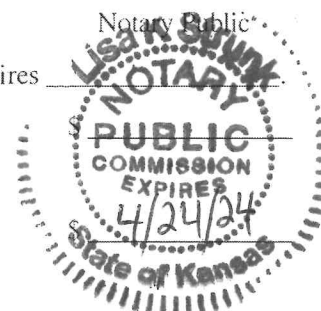
Subscribed and sworn to before me this 21st day of July, 2022.

Notary Public

My commission expires _____

Additional copies _____

Printer's fee _____



Public notice

(Published in the Ark Valley News on July 21, 2022.)

OFFICIAL NOTICE OF ZONING HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on August 23, 2022 the City of Bel Aire Planning Commission will consider the following re-zoning hearing in the order placed on the agenda after 6:30 p.m. in the City Council Chamber at City Hall in Bel Aire, Kansas:

ZON-22-05. Proposed re-zoning from AG to an M-1 Industrial The current use farm ground.

Legal Description: (A complete legal description is available for public inspection which is on file with the Zoning Administrator at City Hall.)

General Location: N Webb Road and 254 Hwy

You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body, which, if approved under the City Zoning and Sub- Division regulations, would be effectuated by city code. The public hearing may be recessed and continued from time to time without notice.

DATED this 19 day of July, 2022.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

The E/2 of the NE/4, EXC that part deeded to State for Hwy, 17-26-2E Subject Property		Webb254, LLC (Prior--Marine Kohl, Sr. Living Trust) 833 S. East Ave. Columbus, KS 66725
The W/2 of the NE/4, 17-26-2E		City of Bel Aire, Kansas Land Bank 7651 E. Central Park Ave. Bel Aire, KS 67226
The SE/4, EXC the S/2 thereof; & EXC the E 70' for road, 17-26-2E		Sham Way, LLC 1109 S. Rock Rd. Wichita, KS 67207
The W/2 of the SW/4, EXC comm at the SW corner of the SW/4, th. E 70'; th. N 30' for p.o.b.; th. N 55'; th. SE 14.11'; th. E 1,247'; th. Sly 45'; th. W 1,247' m-l to begin; & EXC the W 70' for road, 16-26-2E		Willowrock Properties, LLC 8112 E. Deer Run St. Wichita, KS 67226
The N/2 of the S/2 of the NW/4, EXC the W 70' for road, 16-26-2E AND The S/2 of the S/2 of the NW/4, EXC the W 70' for road, 16-26-2E		Eazy Eighty, LLC PO Box 780188 Wichita, KS 67278
Begin 1,657.64' S of NW corner of SW/4, th. E 1,327.56'; th. S 331.03'; th. W 1,327.73'; th. N 331.53' to begin, EXC the W 50' for road, 9-26-2E		Ray & Tammy Matticks 6320 N. Webb Rd. Wichita, KS 67226
The SE/4, EXC part deeded to State, 8-26-2E		Barakehs, LLC 13218 E. Bridlewood St. Wichita, KS 67230
Lot 1, Blk A	Goshen Christian Center Addition	PC Ventures, LLC 9222 E. 69 th St. Valley Center, KS 67147

Lot 1, Blk 1, EXC part deeded to State for Hwy; & EXC additional 0.063 Acres on the W for road	Prairie Lakes Addition	Encore Properties Georgia, LLC 1794 Covington Ridge, Unit 803 Auburn, AL 36830
Lot 2, Blk 1, EXC part taken for road; & EXC 0.02 Acres m-l deeded to State for Hwy	“	Joell M. Dunham 9900 E. Willie Mae Lane Wichita, KS 67226
Lot 5, Blk 1, EXC the W 10' for road	“	Donald F. & Barbara J. Vespa PO Box 780511 Wichita, KS 67278
Lot 6, Blk 1, EXC the W 10' for road	“	Margareth Elizabeth Mar 6000 N. Webb Rd. Wichita, KS 67226

We hereby certify the foregoing to be a true and correct list of the property owners of the herein before described tracts and lots as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 3rd day of June, 2022, at 7:00 A.M.

Security 1st Title LLC

By: 
Licensed Abstracter

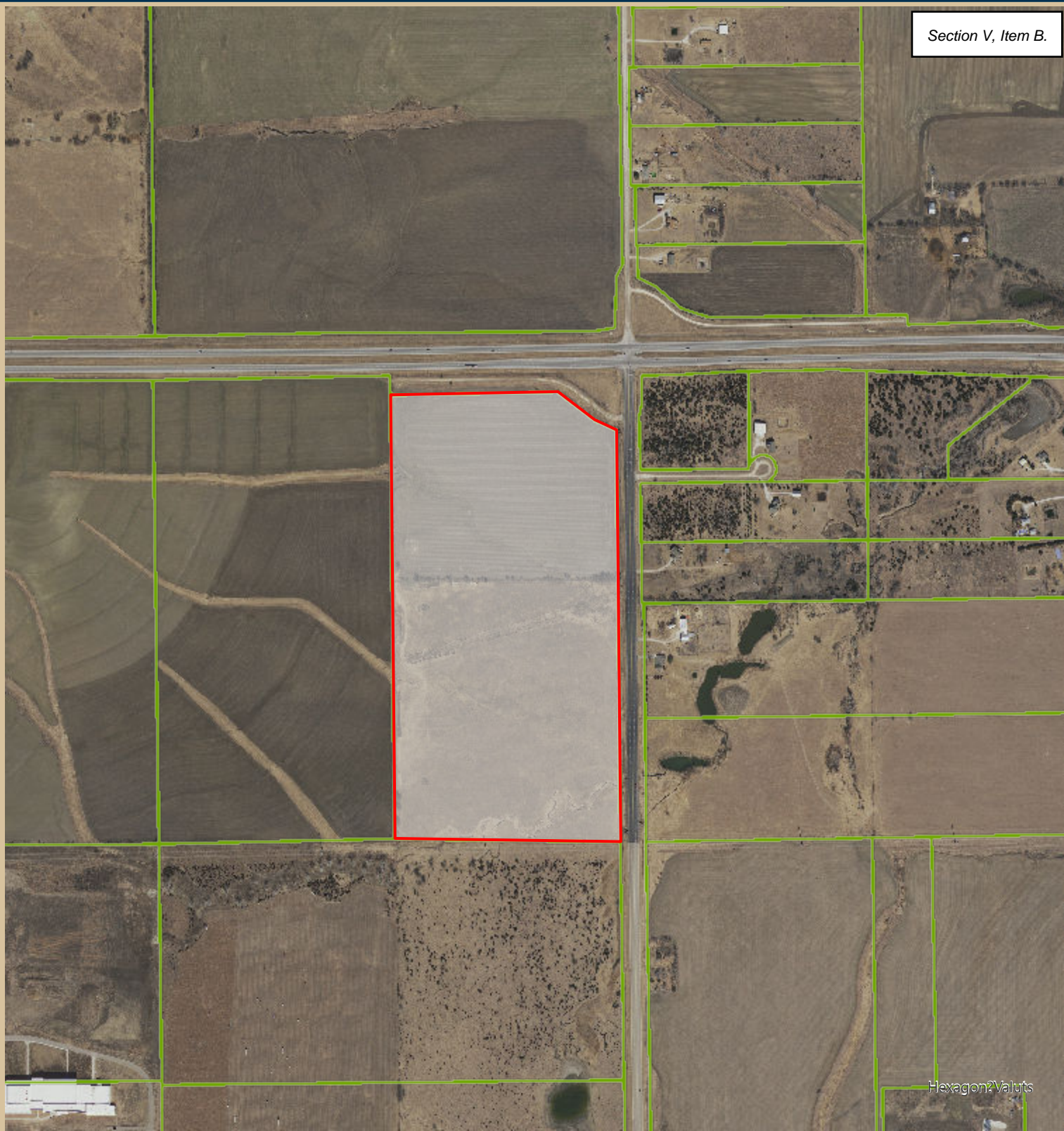
Note:

The Above list shows property owners within either a 200 foot radius or a 1,000 foot radius of the below described lots. No certification is made as to the relation of any of the tracts and lots described herein within the city limits of Bel Aire.

RE:

The East Half of the Northeast Quarter of Section 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT A tract of land in the Northeast quarter of Section 17, Township 26 South, Range 2 East, 6th P.M., described as follows: Beginning at the Northeast corner of said Northeast Quarter; FIRST COURSE, thence on an assumed bearing of South 00 degrees 38 minutes 35 seconds East along the East line of said Northeast Quarter, a distance of 364.28 feet; SECOND COURSE, thence South 89 degrees 21 minutes 25 seconds West, a distance of 50.00 feet; THIRD COURSE, thence North 65 degrees 12 minutes 30 seconds West, a distance of 158.80 feet; FOURTH COURSE, thence North 52 degrees 30 minutes 41 seconds West, a distance of 256.12 feet; FIFTH COURSE, thence South 89 degrees 46 minutes 49 seconds West, a distance of 929.30 feet to the West line of the East Half of said Northeast Quarter; SIXTH COURSE, thence North 00 degrees 40 minutes 15 seconds West along said West line, a distance of 120.43 feet to the Northwest corner of said East Half; SEVENTH COURSE, thence North 88 degrees 53 minutes 49 seconds East along the North line of said Northeast Quarter, a distance of 1,324.26 feet to the point of beginning.

Order: 2527848
KJK



Hexagon?Valuts



Geographic Information Services
Sedgwick County...
working for you

Date: 6/13/2022

It is understood that the Sedgwick County GIS, Division of Information and Operations, has no indication or reason to believe that there are inaccuracies in information incorporated in the base map.

The GIS personnel make no warranty or representation, either expressed or implied, with respect to the information or the data displayed.

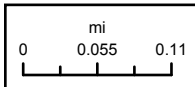
© 2022 Sedgwick County Kansas Government.
All rights reserved.

Webb and 254Hwy, Kohl

Sedgwick County, Kansas



1:9,028



FOR MEETING OF	8/23/22
CITY COUNCIL	
INFORMATION ONLY	

City of Bel Aire

STAFF REPORT

DATE: 08/15/2022

TO: Bel Aire Planning Commission

FROM: Keith Price

RE: Agenda

SUMMARY:(New information added, project was tabled for the May date, no quorum June date, July 7th hearing update)

- ❖ **PUD-22-01.** Proposed changing partial zoning within the current PUD to allow R-6 multi-family housing. Arthur Heights PUD

The city advertised the hearing in the Ark Valley newspaper and sent notices to the property owners within the required distance of 200 ft. The first submittal there has been several calls and two visitors to discuss the project in May, none have contacted my department with the second or third notification. The zoning category will be changed inside the PUD if approved. The owner of lot 5 has provided an email stating he would want an 8' fence separation but is also reaching out to the applicant to discuss a second entry along the north of the property of lot 5. This project was reviewed based on all of the access drives as private and not city streets.

SCFD has approved the revised site plan that is in in your packet if the parking lot drive lanes is marked with "Fire Lane, NO Parking" .

Reminder-This PUD effects all of the lot owners listed in the ordinance; none have opposed this development on record to date.

1. The character of the neighborhood;

The subject property is platted and zoned C-2 for a few years; The PUD has mix uses approved by right, but only has the old business buildings in use as a C-2. 45th and Woodlawn is one of the city's busiest intersections, traffic noise is already there during the business day into the early evening. There are houses west and south of the portion requesting change. The east lot 5 of the existing PUD has R-6 Catholic Care facility.

2. The zoning and uses of properties nearby

R-1, R-4, C-1, C-2, and R-6

The suitability of the subject property for the uses to which it has been restricted;

City staff has compared this request to the approved Master growth Plan. The developer indicated they will mark the fire lanes and assign the parking spaces to the living units.

3. The extent to which removal of the restrictions will detrimentally affect nearby property;

City staff no adverse effect is expected if drainage, and parking is addressed.

4. The length of time the subject property has remained vacant as zoned;

The City hasn't rezoned this property since the PUD was created a few years ago.

5. The relative gain to the public health, safety and welfare by the destruction of the value of petitioner's property as compared to the hardship imposed upon the individual landowners;

No hardship is expected to be caused by the development if the concerns are addressed and sized to meet the conditions and confinements.

6. Recommendations of permanent staff;

Yes conditionally, because 2018 Master Growth plan was approved by City Council. R-5 and R-6 are lower on the scale of types of developments verses C-1 and C-2 uses

7. Conformance of the requested change to the adopted or recognized master plan being utilized by the city.

Yes the 2018 Master Growth plan

The opinions of other property owners may be considered as one element of a decision in regard to the amendment associated with a single property, however, a decision either in support of or against any such rezoning may not be based upon a plebiscite of the neighbors

For staff recommendation:

- Fire department fire lanes marked "no parking tow zone". Tenant spaces also marked, including guest parking spaces. The newest site plan removed two buildings and increased the number of parking spaces greater than the 72 required by code to 77 spaces.
- Drainage and yard maintenance needs to be addressed. A drainage plan has been required and will be reviewed by the City Engineer for approval as required by the city code before any improvement can be made. The landscape depicted should be a good representation of deciduous trees on the site. Additional ground cover and plants would need to be added.
- Trash management, trash truck access. The trash enclosure location can allow centralized collection but is on a platted easement; Verify there will be good utility access. Consider making it removable by unbolting from the ground.
- Items listed in the revised review to the developer are addressed.
- Architectural control by the PUD to a standard equal to the surrounding neighborhoods will ensure the value for all stakeholders for the other lot owners in the PUD development. R-5 and R-6 are lower on the scale of types of developments verses C-1 and C-2 uses.

❖ **ZON-22-05.** Proposed re-zoning from AG to an M-1 Industrial The current use farm ground.

The city advertised the hearing in the Ark Valley newspaper and sent notices to the property owners within the required distance of 200 ft. and 1,000 ft. Staff did receive one call based on discussions, with no concern voiced. The city zoning within the area is M-1 and has street access; AG is also the city holding pattern for future zoning districts based on long term goals.

8. The character of the neighborhood;

The subject property was recently annexed by the city

The zoning and uses of properties nearby

M-1, C-2, AG and Sedgwick County RR.

The suitability of the subject property for the uses to which it has been restricted;

City staff has compared this request to the approved Master growth Plan. This will require a PUD to develop, so any concern for actual use can be tailored to address those issues in the future.

The extent to which removal of the restrictions will detrimentally affect nearby property;

City staff no adverse effect is expected if: Airport airspace, if Rock Road or Webb Road access is provided to all land along 254 highway between Rock Road and Webb Road.

9. The length of time the subject property has remained vacant as zoned;

The City hasn't rezoned this property since it was annexed.

10. The relative gain to the public health, safety and welfare by the destruction of the value of petitioner's property as compared to the hardship imposed upon the individual landowners;

No hardship is expected to be caused by the development if the concerns are addressed
Recommendations of permanent staff;

Yes conditionally, (PUD required), because 2018 Master Growth plan was approved by City Council.

11. Conformance of the requested change to the adopted or recognized master plan being utilized by the city.

Yes the 2018 Master Growth plan

The opinions of other property owners may be considered as one element of a decision in regard to the amendment associated with a single property, however, a decision either in support of or against any such rezoning may not be based upon a plebiscite of the neighbors

<https://www.betterontheedge.org/>

