



AGENDA
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
June 16, 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 American Flag

IV. Consent Agenda

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

Action: Motion to approve the minutes of May 12, 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)

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-22-02 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.

Action: Motion to (accept / deny / table) the preliminary plat (with/ without conditions).

Motion ____ Second ____ Vote ____

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. Two votes-preliminary and final plats

Action: Motion to (accept / deny / table) the final plat (with/ without conditions).

Motion ____ Second ____ Vote ____

- D. **V-22-02.** Vacation of a portion of platted building setback line, to allow a 15' setback line, in Replat of Lawn Terrace Addition.

Action: Motion to (recommend / deny / table) vacation of a portion of platted building setback line, to allow a 15' setback line, in Replat of Lawn Terrace Addition (with / without changes/conditions).

Motion _____ Second _____ Vote _____

- E. **ZON-22-03 Zoning.** Proposed rezoning from AG to an R-5 for single-family zoning use (Bel Aire Lakes - formerly Sham Way Estates). The current use is farm ground.

Action: Motion to (recommend / deny / table) the request to re-zone certain property (Bel Aire Lakes) from AG to an R-5 for single-family zoning use (with/ without changes / conditions).

Motion _____ Second _____ Vote _____

- F. Election of Planning Commission Chair, July 2022 to June 2023**

Action: Motion to appoint _____ as Vice- Chair of the Planning Commission, term ending June 2023

Motion _____ Second _____ Vote _____

- G. Election of Planning Commission Vice-Chair, July 2022 to June 2023**

Action: Motion to appoint _____ as Vice-Chair of the Planning Commission, term ending June 2023

Motion _____ Second _____ Vote _____

VI. Next Meeting: July 14, 2022 at 6:30 p.m.

Action: Motion to (approve/ deny / table) the date of the next meeting: July 14, 2022 at 6:30 p.m.

Motion _____ Second _____ Vote _____

VII. Current Events

- A. Upcoming Events June 2022

VIII. Adjournment

Action: Motion to Adjourn.

Motion _____ Second _____ Vote _____ Time _____

Additional Attachments:

- A. Planning Commission Staff Report - June 16, 2022



MINUTES
PLANNING COMMISSION
 7651 E. Central Park Ave, Bel Aire, KS
 May 12, 2022 6:30 PM



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

II. Roll Call

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

Also present were City Attorney Jacqueline Kelly and Zoning Administrator Keith Price.

III. Pledge of Allegiance to the American Flag: Chairman Schmidt led the pledge of allegiance.

IV. Consent Agenda

A. Approval of Minutes from Previous Meeting

MOTION: Commissioner Roths moved to approve the minutes of April 14, 2022. Commissioner Jordan seconded the motion. *Motion carried 7-0.*

V. Old Business/New Business

A. SD-22-02. Sham Way Estate Addition Preliminary Plat - Request to plat approximately 78.80 acres of the single-family residential use as R-5 zoning district (rezoning process at a later date).

Mark Savoy, Savoy Company, P.A., presented the preliminary plat on behalf of the applicant and stood for questions from the Commission.

Commissioners discussed the plat in relation to the preliminary plat requirements listed in the City's zoning code. The Commissioners requested that Savoy Company, provide City staff with more detailed information before the final plat is submitted.

MOTION: Commissioner Roths moved to approve Sham Way Estate Addition Preliminary Plat with the conditions that the City Engineer should review and approve the drainage concept, storm water, and details of proposed zoning setbacks to comply with staff recommendations and R-5 district zoning standards. Commissioner Jordan seconded the motion. *Motion carried 7-0.*

VI. Next Meeting Date: June 9, 2022

Several Commissioners stated they would not be able to attend on June 9th.

MOTION: Chairman Schmidt moved to approve the date of the next meeting: June 16, 2022 at 6:30 p.m. Commissioner Floyd seconded the motion. ***Motion carried 7-0.***

VII. Current Events

Upcoming Events:

May 12-14th – City Wide Garage Sale (no permit required)

May 21 — Spring Curbside Clean-Up

June 1 – Deadline to file Backflow tests for sprinkler systems

The commission briefly discussed upcoming events.

VIII. Adjournment

MOTION: Chairman Schmidt moved to adjourn. Commissioner Floyd seconded the motion. ***Motion carried 7-0.***

The meeting adjourned at 7:46 p.m.



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 5.31.22 the Zoning Administrator from the City of Bel Aire evaluated the above property plan for compliance of zoning and building requirements:

- | | |
|---|--|
| <input checked="" type="checkbox"/> SETBACKS | <input type="checkbox"/> ELEVATIONS |
| <input checked="" type="checkbox"/> EFFECTIVE CODE COMPLIANCE | <input checked="" 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 5/31/22

Keith Price
REVIEWED BY

Comments:

Bel Aire received the application 4.1.5.22 with the remittance and site plans.

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.

The city staff has met with two different neighbors within the 200' area of notification. The new notification has gone out to announce June 16, 2022 as the date for the public hearing. The emailed listed and comments and questions have been added with answers from the first message in red.

Revised PUD-(preliminary or final)

- The parking less than the city general code. *We would like to ask the Planning Commission to approve 1.5 parking spaces per dwelling unit as shown on the most recent site plan.*
- The fire chief did want the fire lanes marked as “no parking”, this would go a long way to help with approval. *Yes, we would agree to the no parking markings in the fire lanes.*
- How will vehicles be handled based on per unit? *We propose that parking stalls be marked for the corresponding units and visitor stalls be marked.*
- City engineer drainage review; okay? *The drainage concept has been sent to the City of Bel Aire and we are awaiting comment.*
- Did you resend a copy to Evergy? *Evergy has approved the revised site plan.*
- 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. During the initial meeting we expected green space or community space.
- 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.

\$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 CLEVENGER)
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 (MEMBER ATTN: RUSS RELPH) 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.

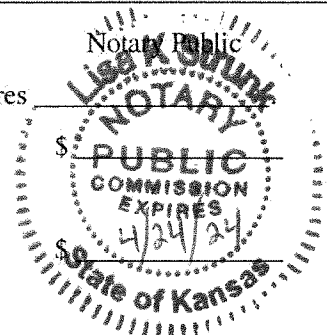




My commission expires _____

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

(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.

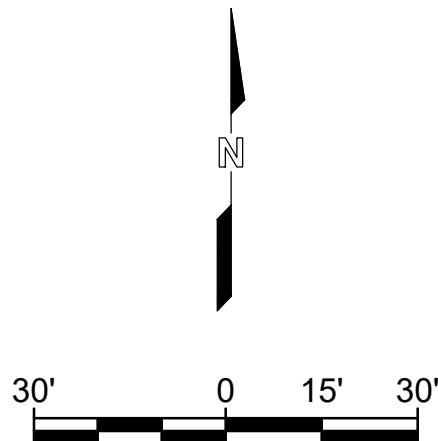
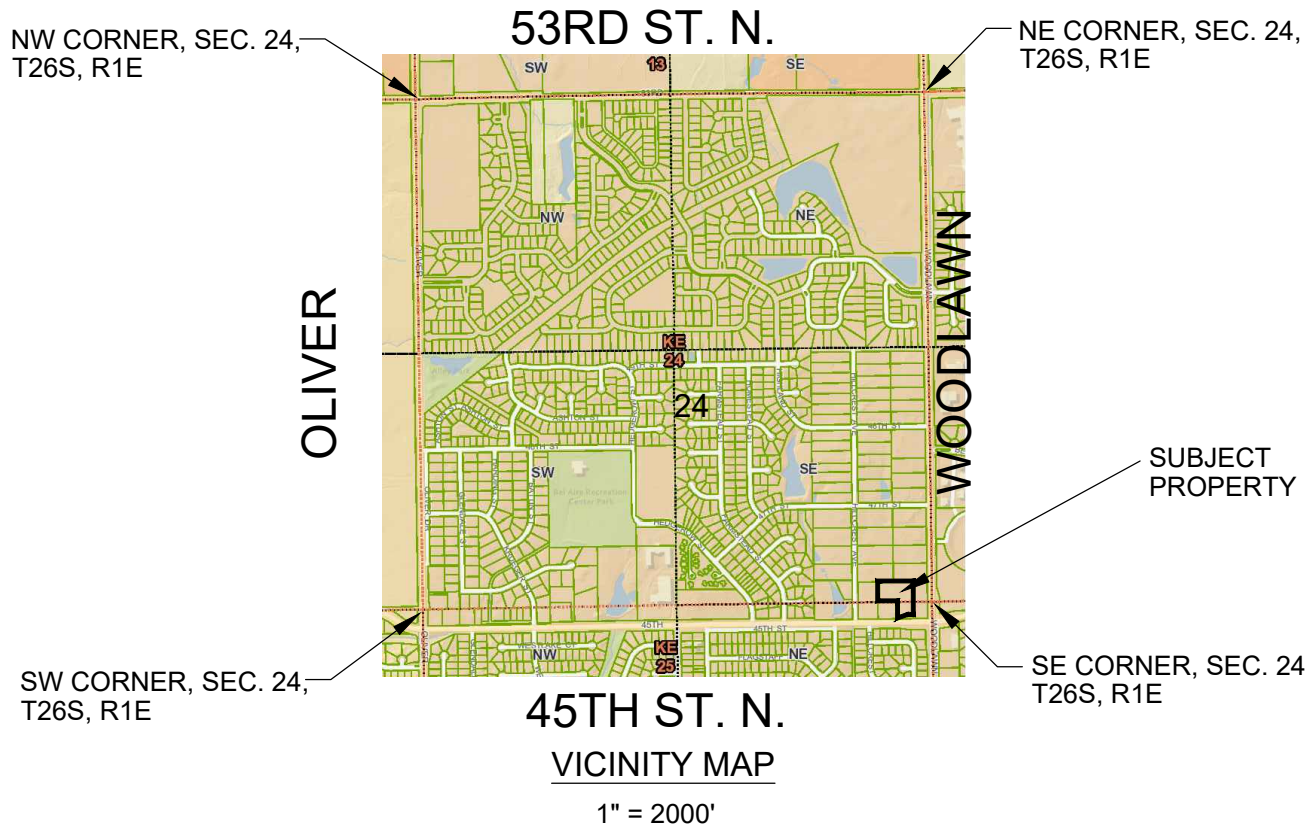
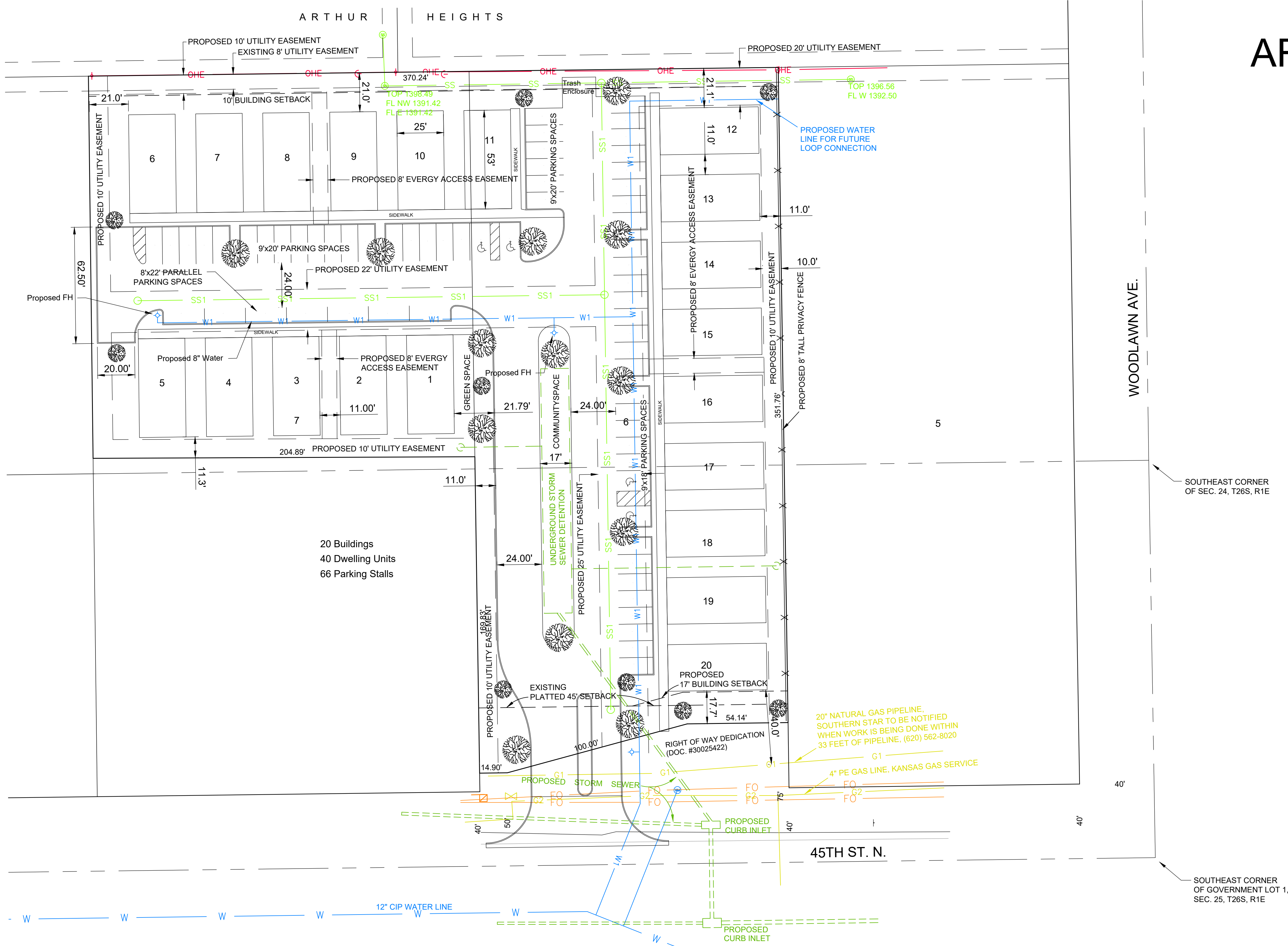
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Proposed Zoning - R-6
Proposed Uses - Those uses permitted by right in the R-6 Zoning District.

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

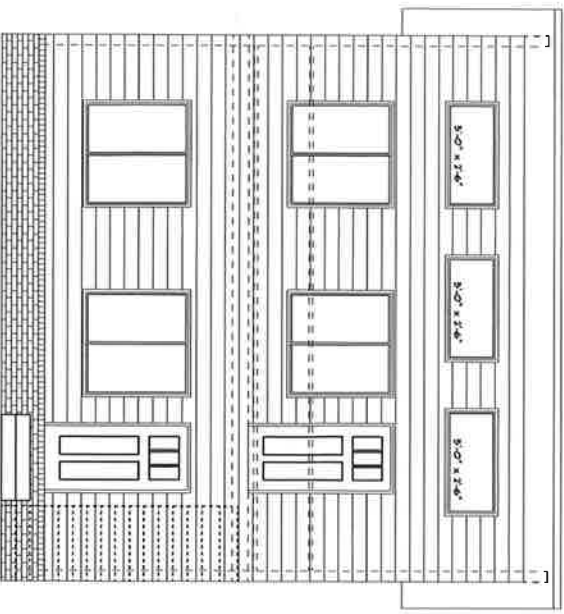
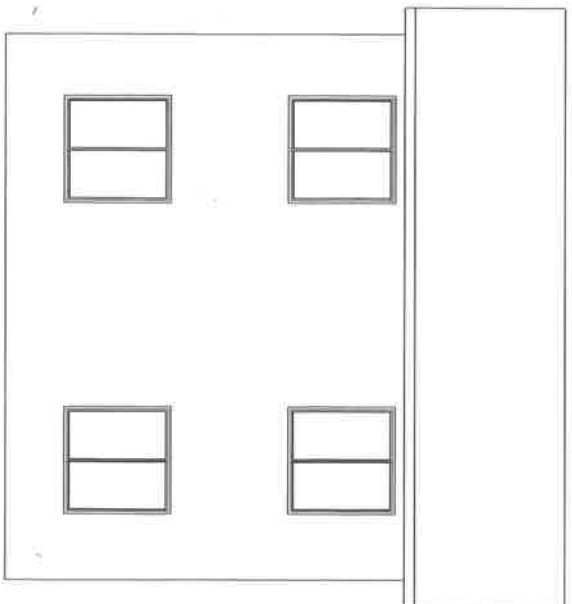
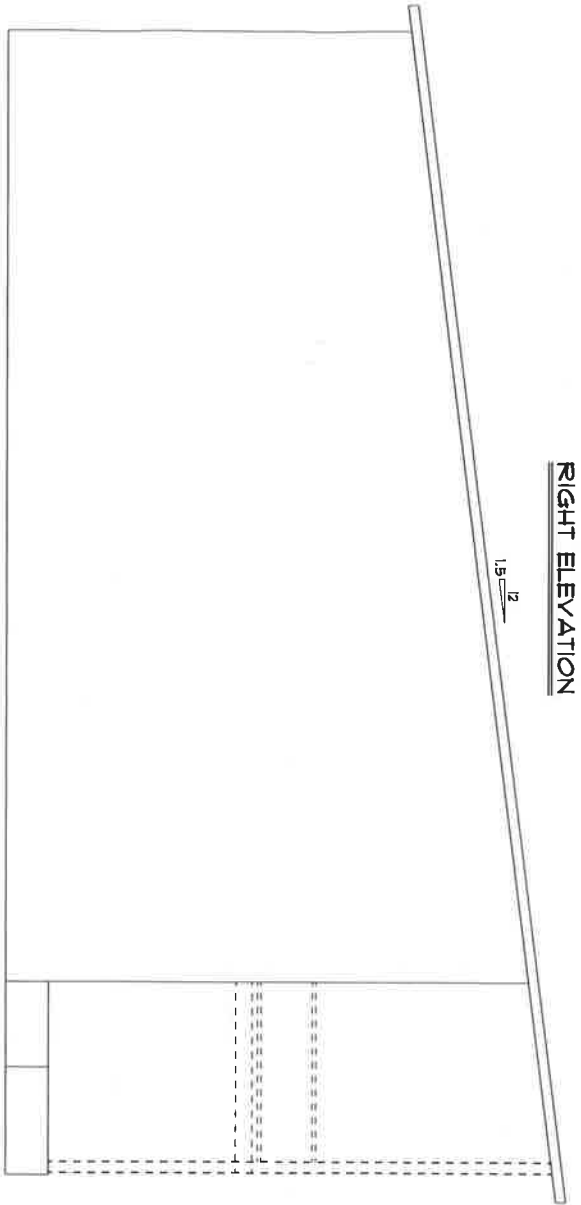
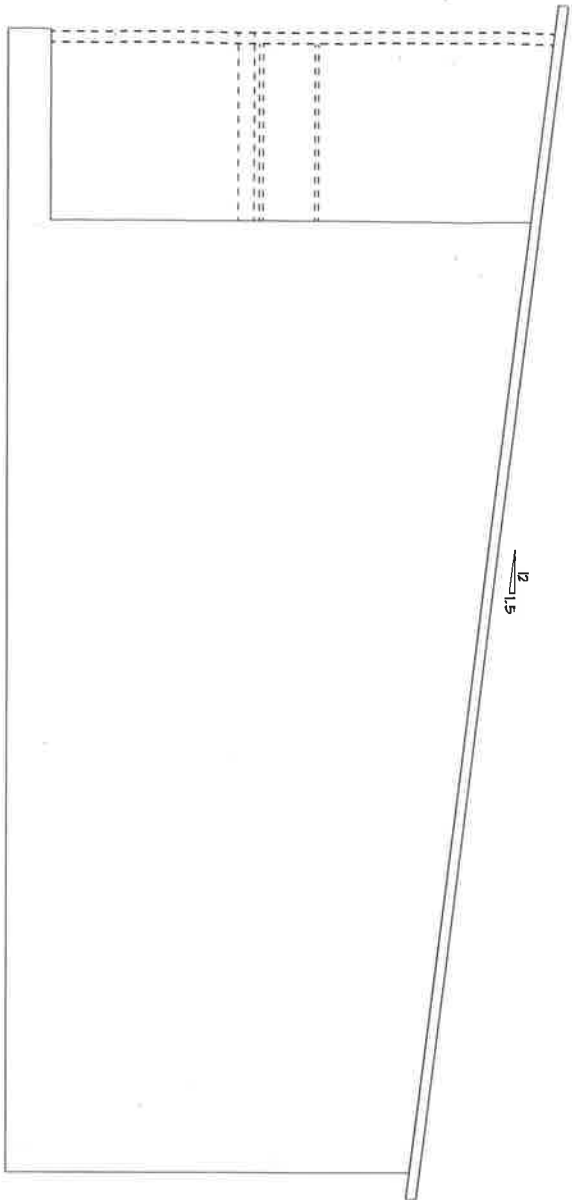


BENCHMARK:
CHISELED SQUARE WITH DIVOT ON THE CONCRETE
TRANSFORMER PAD IN LOT 2, BLOCK 1, NORTH
WOODLAWN SECOND ADDITION, SEDGWICK COUNTY,
KANSAS, 91' W. AND 72' S. OF THE CENTER OF
INTERSECTION OF 45TH ST. N. AND WOODLAWN
ELEVATION = 1393.91 (NAVD88, G18)

DWG FILE: 22S04005 SURVEY BASE
PROJECT NO. 22S04005
MAY 16, 2022

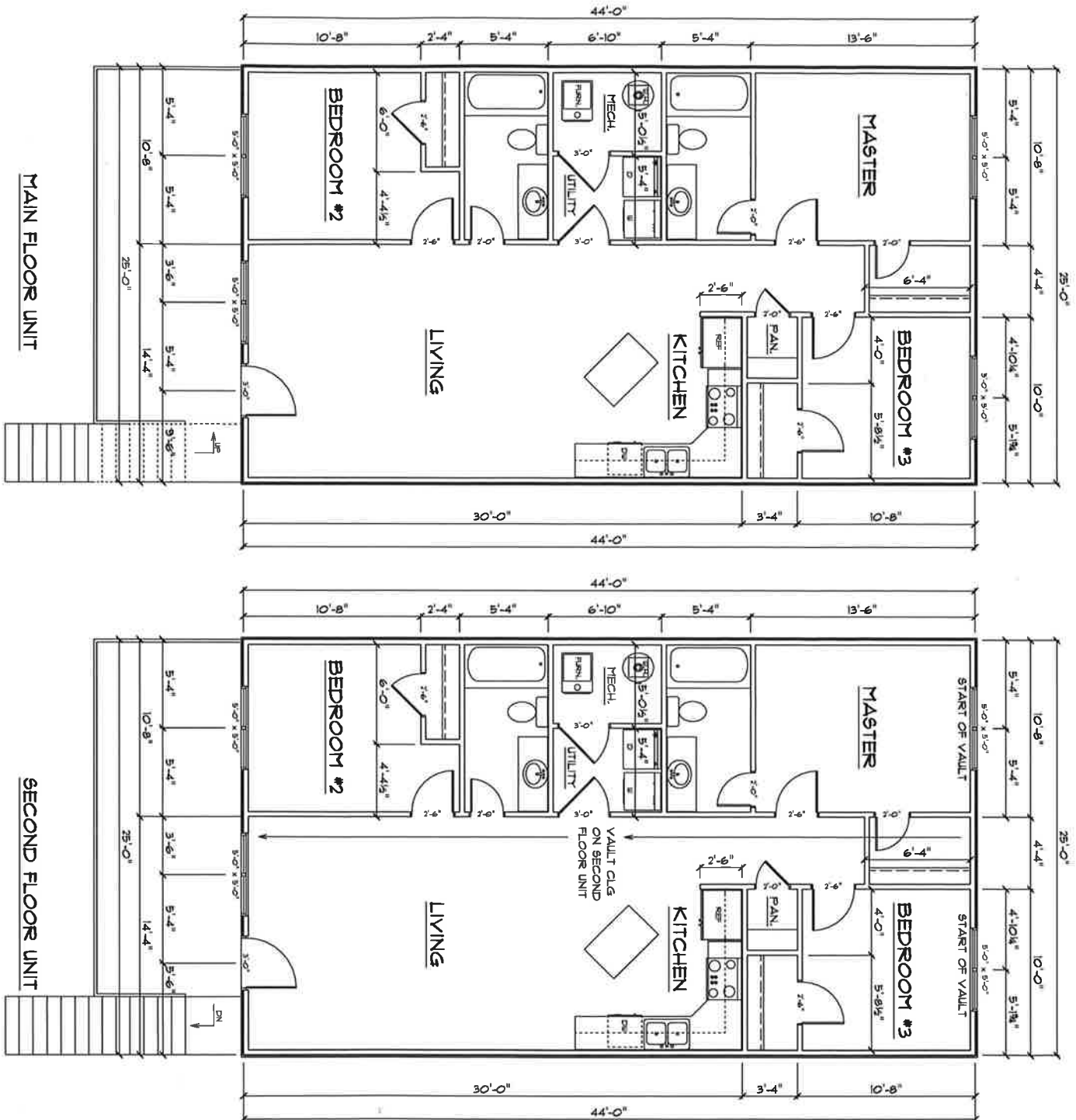


GARVER
1995 MIDFIELD RD.
Wichita, KS 67209
(316) 264-8008
www.GarverUSA.com

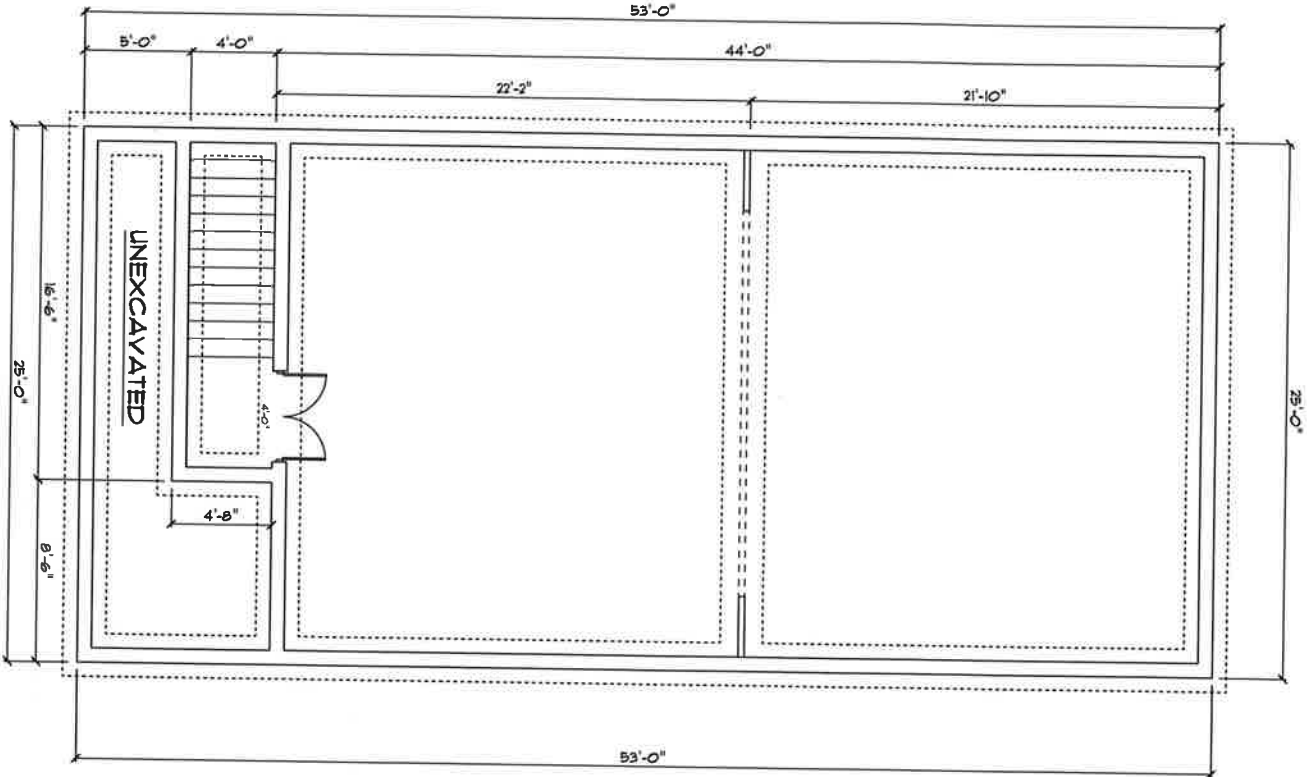


also
10610-12 Kinkard
Cedar Creek

RJ Castle Custom Homes		
Elevation	Conceptual Only	Scale: 1/4" = 1'
Plan: RJ20201023		
Plan Date: 10/23/2020 Sheet No: 3 of 3		






RJ Castle Custom Homes		
Floor Plan	Ceilings: 8' except where noted	Scale: 1/4" = 1'
Plan: RJ20201023	Plan Date: 10/23/2020	
Sq Ft: 1117 Per Unit	Sheet No: 2 of 3	
Sq Ft: 2234 Total		



RJ Castle Custom Homes		
Basement	Walls: 8'	Scale: 1/4" = 1'
Plan: RJ20201023		
Plan Date: 10/23/2020	Sheet No: 1 of 3	

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

<u>GROUND COVERS</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SPACING</u>
	34,243 sf	Seeded Turf	Kansas Premium Fescue Seed	N/A
	6,115 sf	Turf	Buffalo Sod	N/A
	389	Vinca minor	Common Periwinkle	24" o.c.

Property Location:	45th and Woodlawn	
Current Zoning:	R-6 Multi-Family District	
Parcel Size:	102,104 S.F. (2.34 ACRES)	
<u>ITEM</u>	<u>REQUIRED</u>	<u>PROVIDED</u>
Street Trees:	1 Tree	3 Trees
Parking Lot Landscape Island:	1 Tree/Island (8)	10 Trees
Interior Rear/Side Yard Buffers:	Not Required	1 Tree / 30 L.F.
North Property Line (371' / 30= 12.3)	13 Trees	11 Trees
South Property Line (205' / 30= 6.8)	7 Trees	7 Trees
East Property Line (352' / 30= 11.7)	12 Trees	8' Privacy Fence
N West Property Line (206' / 30= 6.8)	7 Trees	11 Trees
S West Property Line (178' / 30= 5.6)	6 Trees	4 Trees
Interior Trees:	1 Tree per Dwelling Unit (40)	52 Trees (not including parking lot trees)



ARTHUR HEIGHTS PUD
AMENDMENT
DRAINAGE CONCEPT

BAR IS ONE INCH ON
ORIGINAL DRAWING

0 1"

IF NOT ONE INCH ON THIS SHEET,
ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER

L-101

SHEET
NUMBER



(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



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IDEAS AND DESIGNS CONVEYED
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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

REV.	DATE	DESCRIPTION	BY



CITY OF BEL AIRE
KANSAS

ARTHUR HEIGHTS PUD
AMENDMENT
DRAINAGE CONCEPT

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

BAR IS ONE INCH ON
ORIGINAL DRAWING
0 1"
IF NOT ONE INCH ON THIS SHEET,
ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER

SHEET
NUMBER

DRAINAGE CONCEPT FOR PART OF LOTS 6 AND 7, ARTHUR HEIGHTS ADDITION

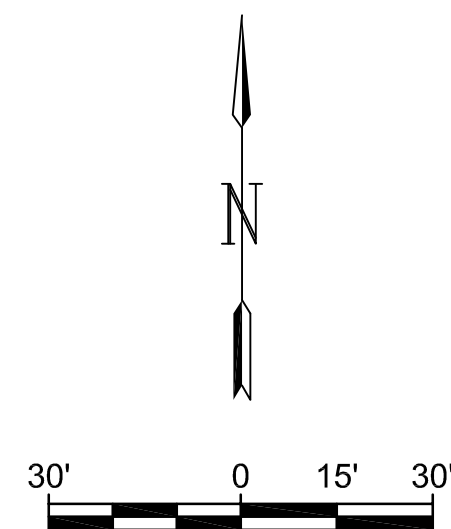
BEL AIRE, SEDGWICK COUNTY, KANSAS

AMENDMENT TO ORDINANCE 642

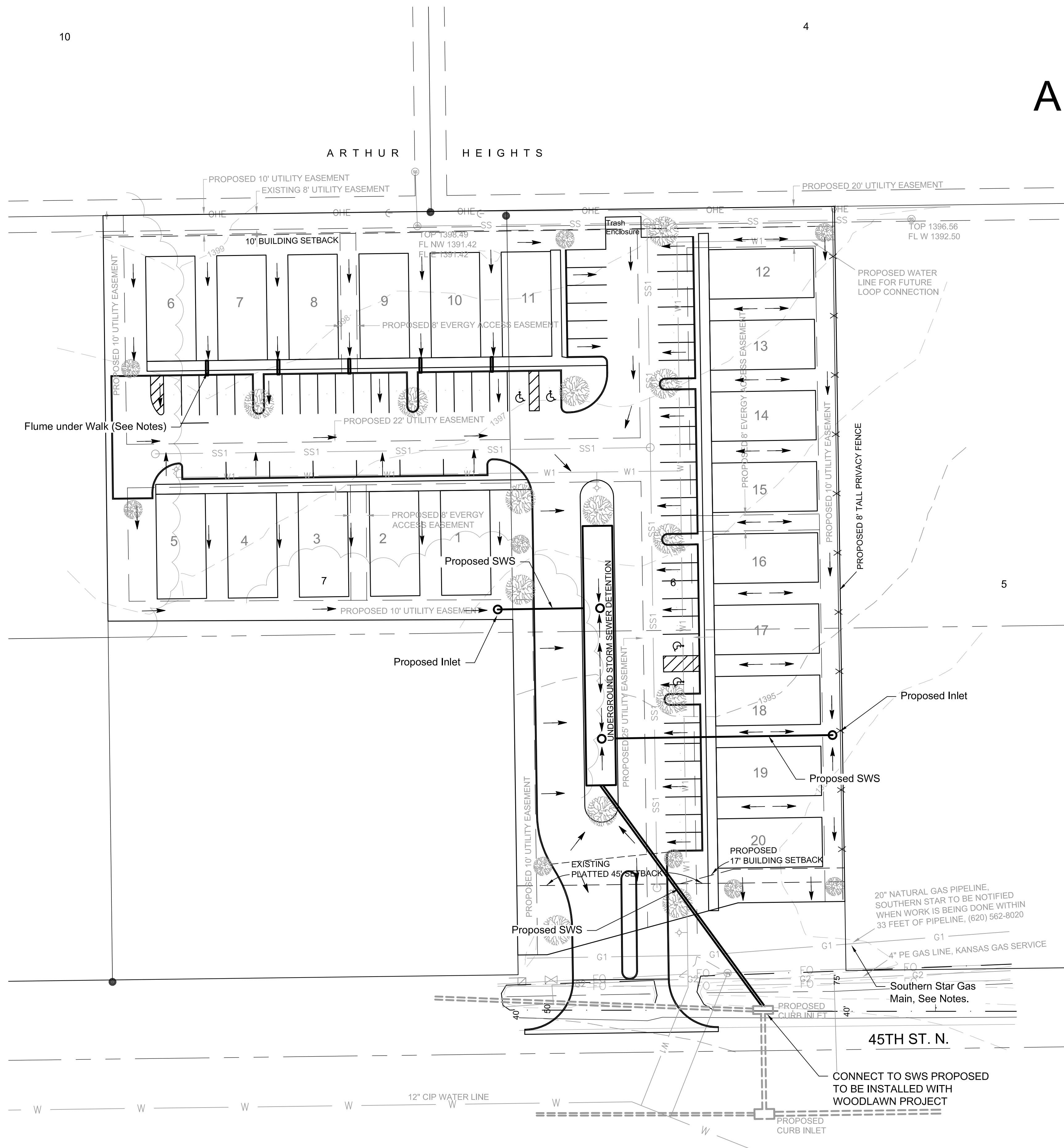
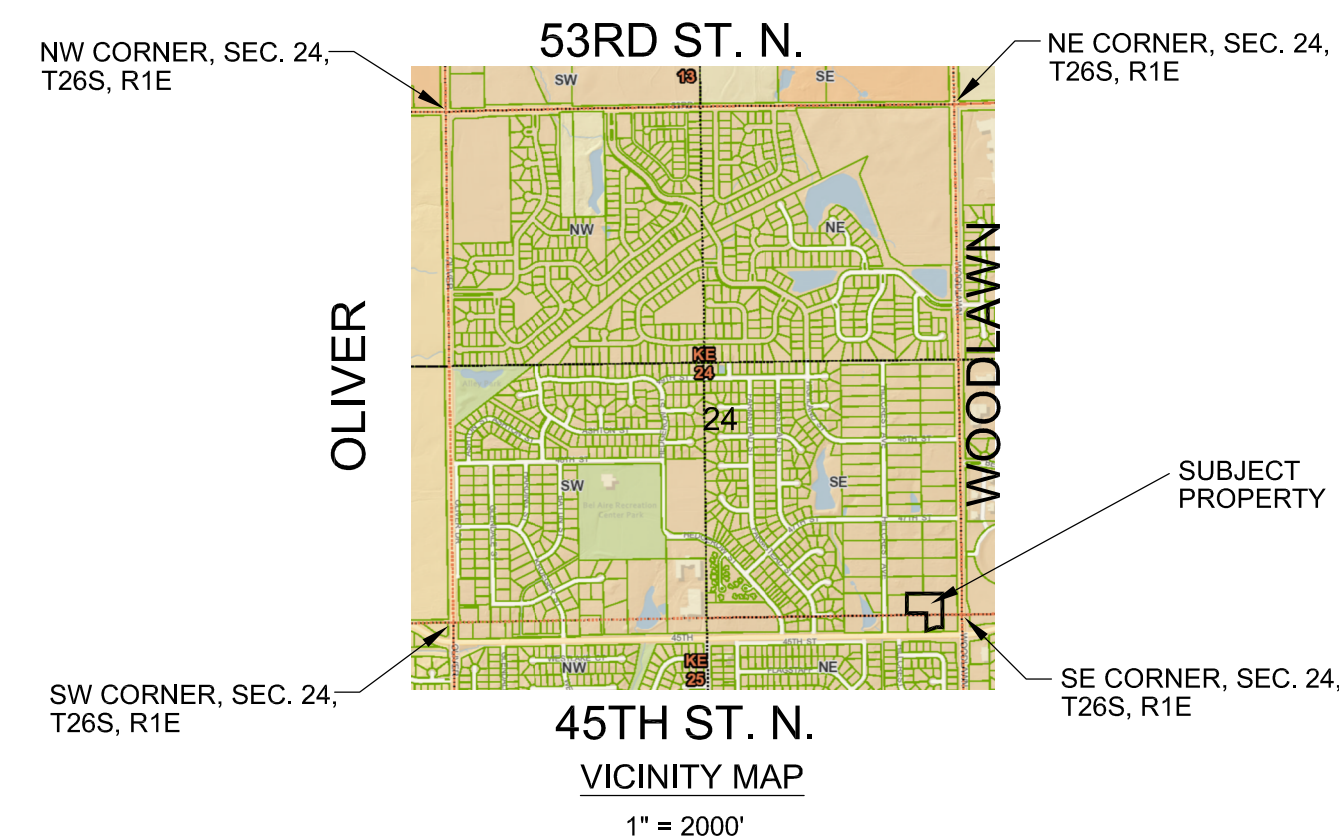
PLANNED UNIT DEVELOPMENT

NOTES

- Final storm sewer, hydraulic and hydrologic data and other information will be provided prior to final plat approval.
- The on-site soils are Rosehill Silty Clay (Hydrologic Soil Group D).
- 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).
- Hydroexcavation in coordination with Southern Star will be performed to determine best means for SWS crossings.
- 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 (NAVD88, G18)





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



PLAT REVIEW

Address of proposed project: Elk Creek 3rd preliminary and final plat revisions

This report is to document that on 5.24.22 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 checked="" type="checkbox"/> REQUIRED PLAN SUBMITTALS |
| <input type="checkbox"/> EROSION CONTROL | <input 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
- ☐ DENIED, as noted

DATE 5/23/22

 Keith Price
REVIEWED BY

Comments: The rezoning was approved by city council by ordinance 687. The case number will stay the same for the revisions. City engineer's review will be separate, reach out to Anne Stephens. The planning commission meeting was moved to June 16, 2022 for this part of the process at the normal meeting time and place. The cut off for new revisions is June 8, 2022 in the morning.

Preliminary plat-

- Everyg has reviewed the revision and made correction.
- SCFD has approved the revised plat based on an email, dated 5/10/22, from the fire Chief Robert Timmons, and will need the proposed fire hydrant locations submitted when that information is available for their approval.
- The north edge of the development appears to be over the edge of the pond, part of the courtyards at elk creek. The Elk Creek development of the original plat with the developer's agreement and the release of declaration for a portion of the Elk Creek may have created issue after the bankruptcy of the developer. The city staff has been directed to reach out to the HOA's for comments. Have you reached out to the HOA's of record for the abutting developments?

Final plat-

- Covenants should be provided to city council for approval. Developer's agreement should be approved with the final plat. Lot closures statement. Petitions are to be filed with the final plat.
- The plat should indicate the rear yard setback and side yard setback information. The president set is to allow one side yard to be 6' at the foundation and the opposing side to be a zero-lot line. The rear yard to be 25' building setback, (easements will take care of most of that issue). All city approved accessory structures will be at 6' setback. Lot coverage should be listed by percentage based on the drainage plan. City general code is 30% lot coverage. 30% coverage with the 7,000 square foot lot would include the driveway, patio, sidewalk, house, and garage on a typical home. This would place the property at 1,200+ square feet house with 400+ square foot garage.
- The final plat does require a revised copy because of the missing setback information and any items listed by the city engineer.
- The city 2018 Master growth plan figure 3.4 preferred Balanced Growth Residential suburban density.
- <http://www.belaires.gov/DocumentCenter/View/3245/Chapter-18A-Zoning-Regulations-Adopted-2016> 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.

CITY OF BEL AIRE, KANSAS

File No. S/D _____

APPLICATION FOR PRELIMINARY PLAT APPROVAL

This is an application for processing a preliminary plat in accordance with the City Subdivision Regulations. The application must be completed, accompanied by the fee and filed with the Subdivision Administrator at least 20 days prior to a regular meeting date of the Planning Commission.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision Elk Creek 3rd Addition
 General Location _____

_____ Inside City X To be Annexed _____

Name of Landowner Barakeh Property LLC

Address 1200 E. MacArthur Wichita, KS, 67216 Phone 316-519-3353

Name of Subdivider/Agent K.E. Miller Engineering P.A.

Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242

Name of (Engineer) (Land Planner) Kirk E. Miller, P.E.

Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242

Name of Registered Land Surveyor Keith A. Severns, L.S.

Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242

Subdivision Information

1. Gross acreage of plat 3.351 Acres

2. Total number of lots 10

3. Proposed land use:

a. Residential-Single-Family X Duplex _____ Multiple-Family _____

Manufactured/Mobile Home _____

b. Commercial _____

c. Industrial _____

d. Other _____

4. Predominant minimum lot width 50 Feet

5. Predominant minimum lot area 5644.5 Square Feet

6. Existing zoning C-1 District

7. Proposed zoning R-5b District

8. Source of water supply City of Bel Aire

9. Method of sewage disposal City of Bel Aire

10. Total lineal feet of new street 722.08 Feet

	Street Name	R/W Width	Lineal Feet
a.	<u>Old Mill</u>	<u>25</u> Ft.	<u>86.78</u> Ft.
b.	<u>Prestwick Ave</u>	<u>25</u> Ft.	<u>405.3</u> Ft.
c.	<u>Prestwick Court</u>	<u>25</u> Ft.	<u>230.00</u> Ft.
d.	_____	_____ Ft.	_____ Ft.
e.	_____	_____ Ft.	_____ Ft.

11. Proposed type of street surfacing Asphalt

12. Curb and gutter proposed: Yes X No _____

13. Sidewalks proposed: Yes _____ No X If yes, where? _____

14. Is any portion of the proposed subdivision located in an identified flood plain area? Yes _____ No X

The landowner herein agrees to comply with the City Subdivision Regulations and all other related ordinances, policies and standards of the City and statutes of the State of Kansas. The undersigned further states that he/she is the owner of the land proposed for platting and, when requested, will permit officials of the City to inspect the land as may be necessary for proper plat review.

Landowner

Date

[Signature]
Agent (If any)

3/10/22
Date

OFFICE USE ONLY

Prints of the Preliminary Plat received _____ (Number)

Vicinity map of existing and proposed street system received _____

Statement of financing and guaranteeing proposed improvements received _____

Preliminary drainage plan, if deemed necessary, received _____

This application was received by the Subdivision Administrator on 3-11-22, 19____. It has been checked and found to be accompanied by the required information and the fee of \$_____ paid to the City Clerk.

total amount \$1,000

[Signature]
Subdivision Administrator

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Public notice

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

OFFICIAL NOTICE OF ZONING HEARINGS

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTEREST- ED:

Notice is Hereby Given that on June 16, 2022 the City of Bel Aire Planning Commission will consider the following zoning processes in the order placed on the agenda after 6:30 p.m. that were part of the deferred hearings and other items on the agenda in the City Council Chamber at City Hall in Bel Aire, Kansas:

ZON-22-02. Proposed One-step platting approximately 3.35 acres, now Zoned R-5b Zero Lot line for single-family houses at Elk Creek 3rd. This is a continuation process. The current use farm ground.

General Location: Elk Creek Dr. and E.45th St. N.

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

General Location: E 45th and N Woodlawn Blvd.

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

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

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 19th day of May, 2022, with subsequent publications being made on the following dates:

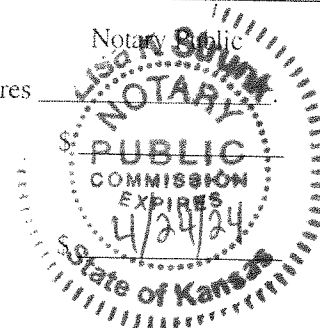
_____, 2022 _____, 2022
_____, 2022 _____, 2022
_____, 2022 _____, 2022

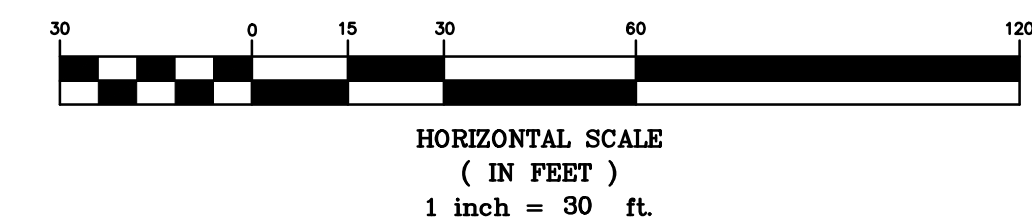
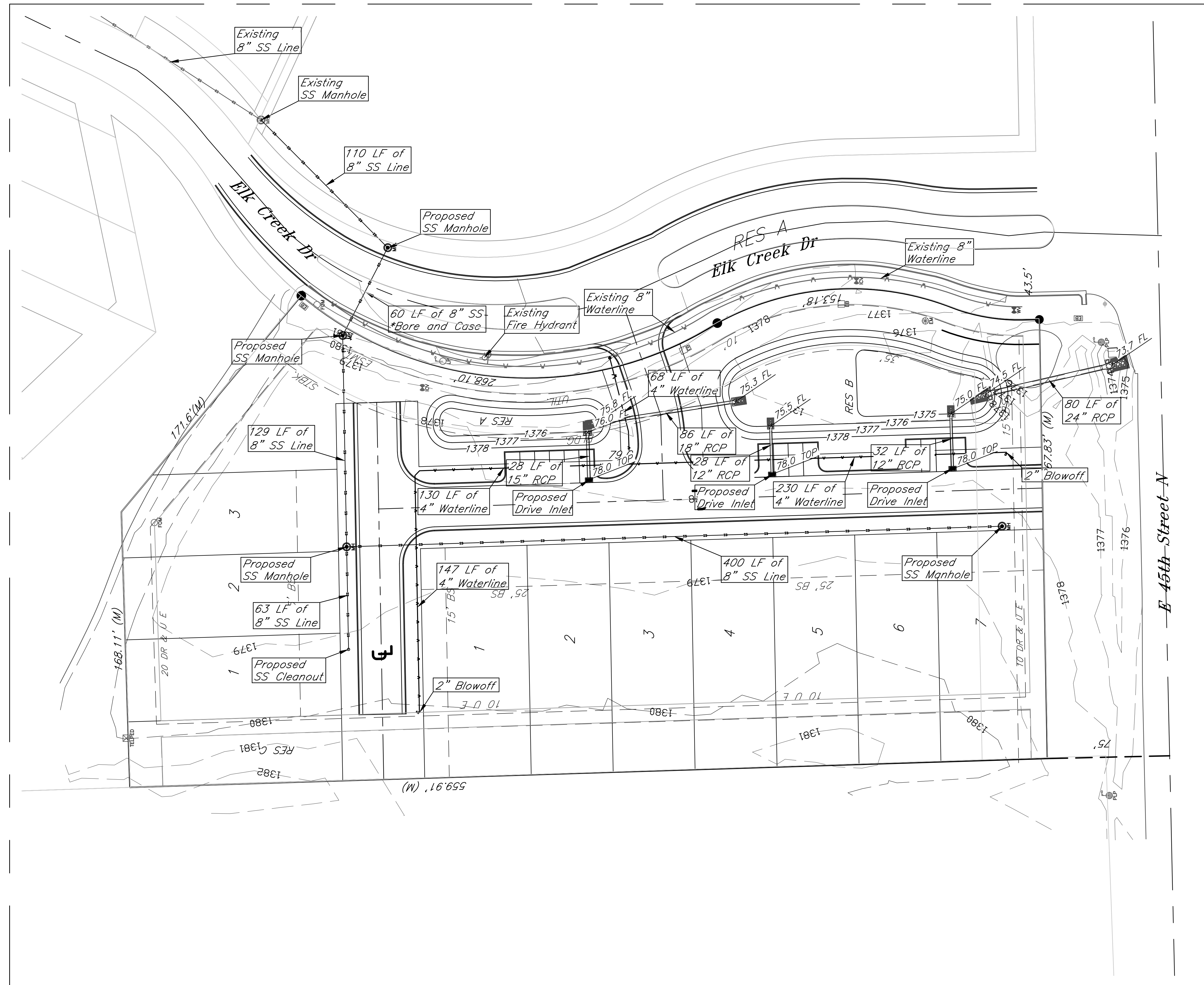
Subscribed and sworn to before me this 19th day of May, 2022.

My commission expires _____

Additional copies _____

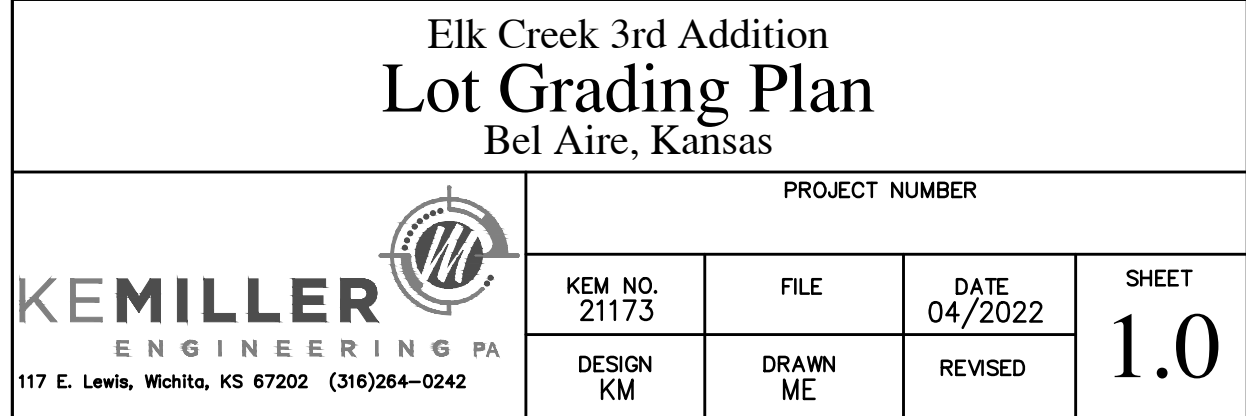
Printer's fee _____

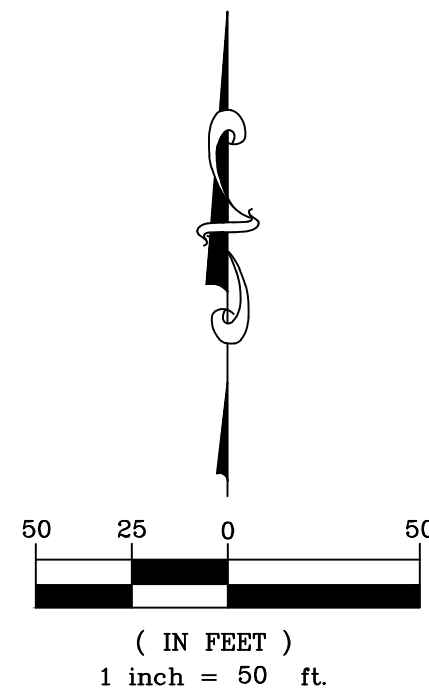




Elk Creek 3rd Addition
Utility Plan
Bel Aire, Kansas

PROJECT NUMBER			
KEMILLER ENGINEERING PA 117 E. Lewis, Wichita, KS 67202 (316)264-0242	KEM NO. 21173	FILE	DATE 04/2022
	DESIGN KM	DRAWN ME	REVISED
			SHEET 2.0





Courtyards At Elk Creek Addition
Reserve C
Zoned: R-5h

Elk Creek Addition
Reserve D
Zoned: R-3

I, Keith A. Severns, a licensed land surveyor of the State of Kansas, do hereby certify that the following described tract of land was surveyed on this day the 17th of November, 2021 and the accompanying one-step final plat prepared and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief:

Part of the SE $\frac{1}{4}$, Section 19, Township 26 South, Range 2 East

The tract of land in Southeast Quarter of Section 19, Township 26 South, Range 2 East of the 6th P.M. Bel Aire, Sedgwick County, Kansas described as:

Lot 1, Block 11 of Elk Creek Addition.

All easements and rights-of-way within said tract are hereby vacated by virtue of KSA 12-512b as amended.

State of Kansas)
County of Sedgwick) ss)

Know all men by these presents, that we, the undersigned, have caused the land described in the surveyor's certificate to be platted into Lots, Blocks, Reserves and Streets, to be known as Elk Creek 3rd, Bel Aire, Sedgwick County, Kansas. Any street dedications shown are dedicated to and for the use of the public. The utility easements are hereby granted to the public for the construction and maintenance of all public utilities. The drainage easements are hereby granted to the public as indicated for drainage purposes. No signs, light poles, private drainage systems, masonry trash enclosures or other structures shall be located within public utility easements unless permitted by the Public Works Department of the appropriate governing body. The access controls are hereby granted to the appropriate governing body as shown hereon. Reserve "A" and "B" is hereby platted for landscaping, entry monuments, drainage, parking, and utilities confined to easements. Reserve "C" is hereby platted for landscaping, recreational uses, drainage, and utilities confined to easements. Reserve "A", "B", and "C" shall be owned and maintained by the Elk Creek 3rd Home Owners Association. And further that the land contained herein is held and shall be conveyed subject to any applicable restrictions, reservations and covenants now on file or hereafter filed in the Office of the Register of Deeds of Sedgwick County, Kansas.

*This plat approved and all dedications shown hereon
accepted by the City Council of the City of Bel Aire,
Sedgwick County, Kansas, this _____ day
of _____, 2022.*

At the Direction of the Bel Aire City Council.

Jim Benage, Mayor

Melissa Krehbiel, City Clerk

Entered on transfer record this ____ day of _____, 2022.

Kelly B. Arnold, County Clerk

State of Kansas)
County of Sedgwick) ss

*This is to certify that this plat has been filed for record
in the Office of the Register of Deeds this _____ day
of _____, 2022, at _____ o'clock __M;
and is duly recorded.*

Tonya Buckingham, Register of Deeds

Kenly Zehring, Chief Deputy

COUNTY SURVEYOR'S CERTIFICATE

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2022.

Tricia L. Robello, P.S. #1246
Deputy County Surveyor
Sedawick County, Kansas

State of Kansas)
County of Sedgwick) ss

This instrument was acknowledged before me on this _____ day of _____, 2022, by Barakeh Property LLC.

Notary Public

My Commission Expires: _____

State of Kansas)
County of Sedgwick) ss

This plat of the Elk Creek 3rd, Bel Aire, Sedgwick County, Kansas, has been submitted to and approved by the Bel Aire Planning Commission, Bel Aire, Sedgwick County, Kansas. Dated this _____ day of _____, 2022.

At the Direction of the Bel Aire Planning Commission.

Keith Price, Chair

Anne Stephens, Secretary

Property
Owner/Developer: Barakeh Property LLC, 1200 E.
MacArthur Road Wichita, KS, 67216-1839
Zoned: C-1 to R-5b
Ex. Use: Vacant

John Charles Peter
7667 E. 45th Street N. Bel Aire, KS 67226-8834
Single Family Residency
Zoned: C-1

Benchmarks.

Square cut on the Southwest Corner of the North hubguard of a box under 45th Street N., 800' West of the Southeast Corner of Sec 19, T26S, R2E.

Elevation= 1376.52 (NVGD 29,

This plat is 3.35± acres.



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



PLAT REVIEW

Address of proposed project: Elk Creek 3rd preliminary and final plat revisions

This report is to document that on 5.24.22 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 checked="" type="checkbox"/> REQUIRED PLAN SUBMITTALS |
| <input type="checkbox"/> EROSION CONTROL | <input 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
- ☐ DENIED, as noted

DATE 5/23/22

Keith Price
REVIEWED BY

Comments: The rezoning was approved by city council by ordinance 687. The case number will stay the same for the revisions. City engineer's review will be separate, reach out to Anne Stephens. The planning commission meeting was moved to June 16, 2022 for this part of the process at the normal meeting time and place. The cut off for new revisions is June 8, 2022 in the morning.

Preliminary plat-

- Everyg has reviewed the revision and made correction.
- SCFD has approved the revised plat based on an email, dated 5/10/22, from the fire Chief Robert Timmons, and will need the proposed fire hydrant locations submitted when that information is available for their approval.
- The north edge of the development appears to be over the edge of the pond, part of the courtyards at elk creek. The Elk Creek development of the original plat with the developer's agreement and the release of declaration for a portion of the Elk Creek may have created issue after the bankruptcy of the developer. The city staff has been directed to reach out to the HOA's for comments. Have you reached out to the HOA's of record for the abutting developments?

Final plat-

- Covenants should be provided to city council for approval. Developer's agreement should be approved with the final plat. Lot closures statement. Petitions are to be filed with the final plat.
- The plat should indicate the rear yard setback and side yard setback information. The president set is to allow one side yard to be 6' at the foundation and the opposing side to be a zero-lot line. The rear yard to be 25' building setback, (easements will take care of most of that issue). All city approved accessory structures will be at 6' setback. Lot coverage should be listed by percentage based on the drainage plan. City general code is 30% lot coverage. 30% coverage with the 7,000 square foot lot would include the driveway, patio, sidewalk, house, and garage on a typical home. This would place the property at 1,200+ square feet house with 400+ square foot garage.
- The final plat does require a revised copy because of the missing setback information and any items listed by the city engineer.
- The city 2018 Master growth plan figure 3.4 preferred Balanced Growth Residential suburban density.
- <http://www.belaires.gov/DocumentCenter/View/3245/Chapter-18A-Zoning-Regulations-Adopted-2016> 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.

CITY OF BEL AIRE, KANSAS

File No. S/D _____

APPLICATION FOR FINAL PLAT APPROVAL

This is an application for processing a final plat in accordance with the City Subdivision Regulations. The application must be completed and filed with the Subdivision Administrator at least 15 days prior to a regular meeting date of the Planning Commission.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision Elk Creek 3rd Addition
 General Location _____
 _____ Inside City _____ To Be Annexed _____
 Name of Landowner Barakeh Property LLC
 Address 1200 E. MacArthur Wichita, KS, 67216 Phone 316-519-3353
 Name of Subdivider/Agent K.E. Miller Engineering P.A.
 Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242
 Name of (Engineer) (Land Planner) Kirk E. Miller, P.E.
 Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242
 Name of Registered Land Surveyor Keith A. Seyerns, L.S.
 Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242

Subdivision Information

1. (Select one) Final Plat of entire preliminary plat area X
 Final Plat of unit number _____ of _____ unit developments
 Final Plat for small tract _____
 Final Replat of original platted area _____
2. Gross acreage of plat 3.351 Acres
3. Total number of lots 10
4. Proposed land use:
 - a. Residential-Single-Family X Duplex _____ Multiple-Family _____
 Manufactured/Mobile Home _____
 - b. Commercial _____
 - c. Industrial _____
 - d. Other _____

5. Predominant minimum lot width 50 Feet
6. Predominant minimum lot area 5644.5 Square Feet
7. Existing zoning C-1 District
8. Proposed zoning R-5b District
9. Source of water supply City of Bel Aire
10. Method of sewage disposal City of Bel Aire
11. Total lineal feet of new street 722.08 Feet

	Street Name	R/W Width	Lineal Feet
a.	<u>Old Mill</u>	<u>25</u> Ft.	<u>86.78</u> Ft.
b.	<u>Prestwick Ave</u>	<u>25</u> Ft.	<u>406.30</u> Ft.
c.	<u>Prestwick Court</u>	<u>25</u> Ft.	<u>230.00</u> Ft.
d.		Ft.	Ft.
e.		Ft.	Ft.

12. Proposed type of street surfacing Asphalt
13. Curb and gutter proposed: Yes X No
14. Sidewalks proposed: Yes No X If yes, where?
15. Is any portion of the proposed subdivision located in an identified flood plain area? Yes No X

The landowner herein agrees to comply with the City Subdivision Regulations and all other related ordinances, policies and standards of the City and statutes of the State of Kansas. It is further agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds shall be paid by the owner. The undersigned further states that he/she is the owner of the land proposed for platting and, when requested, will permit officials of the City to inspect the land as may be necessary for proper plat review.

Landowner

Date

[Signature]
Agent (If any)

3/10/12
Date

OFFICE USE ONLY

Prints of the Final Plat received _____ (Number)

Final drainage plan, if required, received _____

Copy of a title report for the land received _____

Copy of proposed restrictive covenants, if any, received _____

Methods for financing and guaranteeing improvements _____

For plats for small tract:


a. Vicinity map received _____

b. Topographic drawing, if required, received _____

Original drawing or photographic equivalent of Final Plat received _____

This application was received by the Subdivision Administrator on 3.11.22,
19____. It has been checked and found to be accompanied by the required
information and the fee, if any, of \$_____ paid to the City Clerk.

total \$1,000



Subdivision Administrator

Elk Creek 3rd
Bel Aire, Sedgwick County, Kansas
Part of the SE ¼, Section 19, Township 26 South, Range 2 East

State of Kansas)
County of Sedgwick) SS

I, Keith A. Severns, a licensed land surveyor of the State of Kansas, do hereby certify that the following described tract of land was surveyed on this day the 17th of November, 2021 and the accompanying one-step final plat prepared and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief:

LEGAL DESCRIPTION

The tract of land in Southeast Quarter of Section 19, Township 26 South, Range 2 East of the 6th P.M. Bel Aire, Sedgwick County, Kansas described as:

Lot 1, Block 11 of Elk Creek Addition.

All easements and rights-of-way within said tract are hereby vacated by virtue of KSA 12-512b as amended.

Keith A. Severns, PS #1355

State of Kansas)
County of Sedgwick) SS

Know all men by these presents, that we, the undersigned, have caused the land described in the surveyor's certificate to be platted into Lots, Blocks, Reserves and Streets, to be known as Elk Creek 3rd, Bel Aire, Sedgwick County, Kansas. Any street dedications shown are dedicated to and for the use of the public. The utility easements are hereby granted to the public for the construction and maintenance of all public utilities. The drainage easements are hereby granted to the public as indicated for drainage purposes. No signs, light poles, private drainage systems, masonry trash enclosures or other structures shall be located within public utility easements unless permitted by the Public Works Department of the appropriate governing body. The access controls are hereby granted to the appropriate governing body as shown hereon. Reserve "A" and "B" is hereby platted for landscaping, entry monuments, drainage, parking, and utilities confined to easements. Reserve "C" is hereby platted for landscaping, recreational uses, drainage and utilities confined to easements. Reserve "A", "B", and "C" shall be owned and maintained by the Elk Creek 3rd Home Owner's Association. And further that the land contained herein is held and shall be conveyed subject to any applicable restrictions, reservations and covenants now on file or hereafter filed in the Office of the Register of Deeds of Sedgwick County, Kansas.

By: Barakeh Property LLC Date

State of Kansas)
County of Sedgwick) SS

This instrument was acknowledged before me on this day of , 2022, by Barakeh Property LLC.

Notary Public

My Commission Expires:

State of Kansas)
County of Sedgwick)

The title evidence of the land included in this plat has been reviewed by me and this plat is approved pursuant to the provisions of K.S.A. 12-401.

Jacqueline Kelly, City Attorney Date

State of Kansas)
County of Sedgwick) SS

This plat of the Elk Creek 3rd, Bel Aire, Sedgwick County, Kansas, has been submitted to and approved by the Bel Aire Planning Commission, Bel Aire, Kansas, and is hereby transmitted to the City Council of the City of Bel Aire, Kansas, with the recommendation that such plat be approved as proposed.

Dated this day of , 2022.
At the Direction of the Bel Aire Planning Commission:

James Schmidt, Chair

Anne Stephens, Secretary

State of Kansas)
County of Segwick) SS

The dedications shown on this plat are hereby accepted by the Governing Body of the City of Bel, Aire, Kansas on day of , 2022.

At the Direction of the Bel Aire City Council.

Jim Benage, Mayor

Melissa Krehbiel, City Clerk

Entered on transfer record this day of , 2022.

Kelly B. Arnold, County Clerk

State of Kansas)
County of Sedgwick) SS

This is to certify that this plat has been filed for record in the Office of the Register of Deeds this day of , 2022, at o'clock M; and is duly recorded.

Tonya Buckingham, Register of Deeds

Kenly Zehring, Chief Deputy

COUNTY SURVEYOR'S CERTIFICATE

Reviewed in accordance with K.S.A. 58-2005 on this day of , 2022.

Tricia L. Robello, P.S. #1246
Deputy County Surveyor
Sedgwick County, Kansas



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



VACATION SUBMITTAL REVIEW

Address of proposed project: 5125 E 46th St N, Bel Aire Ks

This report is to document that on 5/25/22 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 checked="" type="checkbox"/> EFFECTIVE CODE COMPLIANCE | <input checked="" 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
- ☐ DENIED, as noted

DATE 5/26/22

Keith Price
REVIEWED BY

Comments: City received the application and remittance with site plan.

- Site is on the edge of an undeveloped platted street and on the other side of the house is built on the 15' setback line. The building setback of the undeveloped lots on the same side of the street have a setback of 25 feet, but the street alignment is about a 26 degree angle to the south for lot 6, Block A, Sunset 2nd Addition deducing the site line of the setback looking east down 46th St from the corner of Krueger.
- Staff would support the front building setback line moving to 15' to allow the extension of the garage to be built behind that line on property as an extension of the home.
- KGS didn't request anything.
- Everydy didn't have any requirements or requests.
- Notification was completed, no concerns were voiced, or petitions received at this time.

- http://www.egovlink.com/public_documents300/belaire/published_documents/Bel%20Aire%20City%20Code/CHAPT18-CODE%20Zoning%20Part-A%202015.pdf contains the Zoning Code.
- <http://www.egovlink.com/belaire/docs/menu/home.asp> contains the Public Works tab to find the city standards information.

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 19th day of May, 2022, with subsequent publications being made on the following dates:

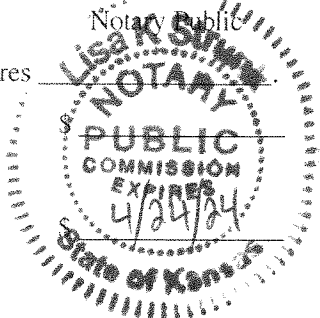
_____, 2022 _____, 2022
_____, 2022 _____, 2022
_____, 2022 _____, 2022



Subscribed and sworn to before me this 19th day of May, 2022.



My commission expires _____
Additional copies _____
Printer's fee _____



Public notice

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

OFFICIAL NOTICE OF VACATION 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 "vacating a portion of a platted building setback" change as scheduled on the agenda starting at 6:30 p.m. in the council chamber at City Hall in Bel Aire, Kansas:

V-22-02, vacation of a portion of platted building setback line, to allow a 15' setback line, in Replat of Lawn Terrace Addition.

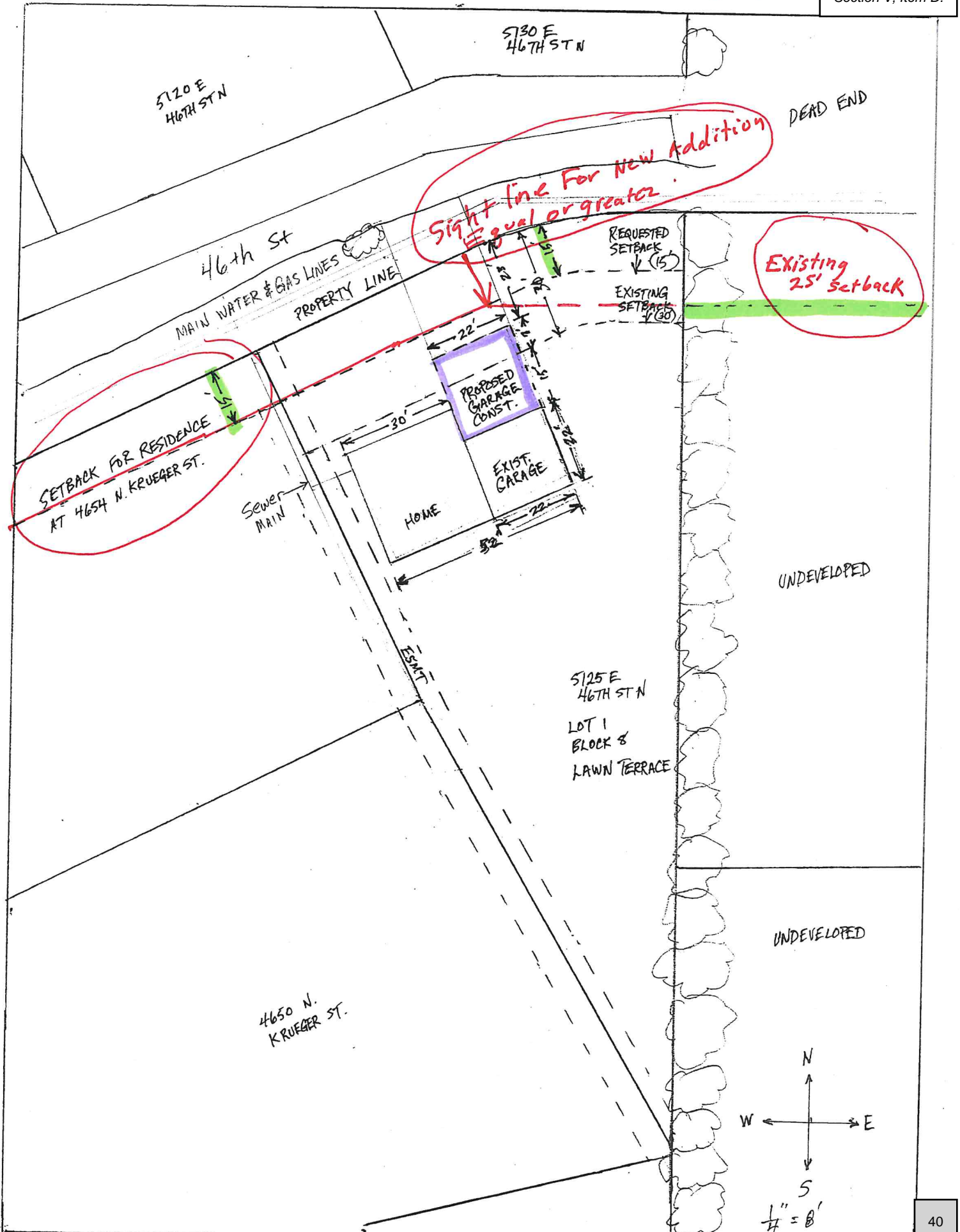
Legal Description: (A complete legal description is available for public inspection which is on file with the Zoning Administrator at City Hall).

General Location: Krueger St. and E. 46th St. N.

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 Governing Body may close the hearing, if approved under the City sub-division regulations, would be effectuated by ordinance or vacation order. The public hearing may be recessed and continued from time to time without notice.

DATED this 13th day of May, 2022.

/s/ Anne Stephens
Planning Commission Secretary



APPLICATION

This form MUST be completed and filed at City Hall, Bel Aire, Kansas, 7651 E. Central Park Ave., 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.

-
-
- ☒ Vacate building set back From: 30' to 15'
- ☐ Vacate street or alley: _____
- ☐ Vacate utility easement _____
- ☐ Vacate other _____
- ☐ Apply for Vacation in conjunction With a Conditional Use or Variance application.

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Name of owner THOMAS L. GOODSON

Address 5125 E. 46th ST. N. Telephone 316-712-9535

Agent representing the owner N/A

Address _____ Telephone _____

1. The application area is legally described as Lot(s) 1; Block(s) 8,
LAWN TERRACE Addition, Bel Aire, Kansas. If appropriate, a metes and
bounds description may be attached.

2. The application area contains .31 acres.

3. This property is located at (address) 5125 E 46th ST N which is generally
located at (relation to nearest streets) KRUEGER & 46th ST.

4. The particular hardship which is the result of this request as applied to the subject property:

(SEE ATTACHED)

5. County control number: _____

6. NAMES OF OWNERS - An ownership list of the names, addresses and zip codes of the owners of record of real property abutting a street, alley, or easement including any segment remaining open, and owners on the opposite side of the street from the vacations of set back and access control, as well as all utility providers that are affected shall be provided.

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 _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

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 Planning Commission and/or Governing Body shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

Thomas L. Cookson 5/12/22
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.

received \$150 5.13.22

Application for vacation of residential setback requirement for 5125 E 46th St N

HARDSHIP CONSIDERATIONS: My wife, Nancy and I are the original owners of the residence at 5125 E. 46th St. North since 1995. We have raised our 3 children at this location and now that they are grown, they still enjoy coming back to the house they were raised in. My wife and I are retired and want to continue living in our current home as long as possible. However, all the bedrooms in our home are on the 2nd floor level and there is only a half bath on the main level. As we age, it is becoming more of an effort to go up and down the stairwell to the 2nd floor to access our bedroom and main bath. This has prompted our desire to remodel our existing garage into a ground floor bedroom and bath area and construct a new garage of the same dimensions in front of the existing garage.

In order to do this, we have been advised that we would need to get approval from the City of Bel Aire to vacate our existing property setback requirement from 30 feet to 15 feet. If this vacate request were approved, we could build the new garage within the revised setback requirement.

Our neighbor who resides on the SE corner of Krueger and 46th street currently has a setback requirement of 15 feet on the north side of their property facing 46th while ours has been set at 30 feet. Our request is that our setback on the north side of our property be revised to the same requirement as that of our neighbor. If this request is granted, we will be able to pursue our desire to build a new garage and renovate the existing garage into a practical ground floor living area for our use as we age.

We do not anticipate that there will be any adverse impact on the neighbors or neighborhood by the granting of this setback waiver. My neighbor to the east supports our request and our properties are separated by a hedge row. He does not anticipate developing any additional property between us.

City services (water, gas) are already installed in the easement areas in front of my property and the main sewer line is located in the easement to the west of my residence.

All in all, my location is somewhat secluded and the setback waiver to allow the addition of a garage would not present any aesthetic and or environmental issues to my neighbors or the neighborhood. Your consideration of this request is greatly appreciated.



Imagery ©2022 Maxar Technologies, U.S. Geological Survey, Map data ©2022 50 ft

Aerial View
Lot 1 Block 8
Lawn Terrace Add.

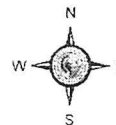
working for you

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.

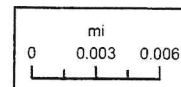
The GIS personnel make no warranty or representation, either expressed or implied, with respect to the information or the data displayed.

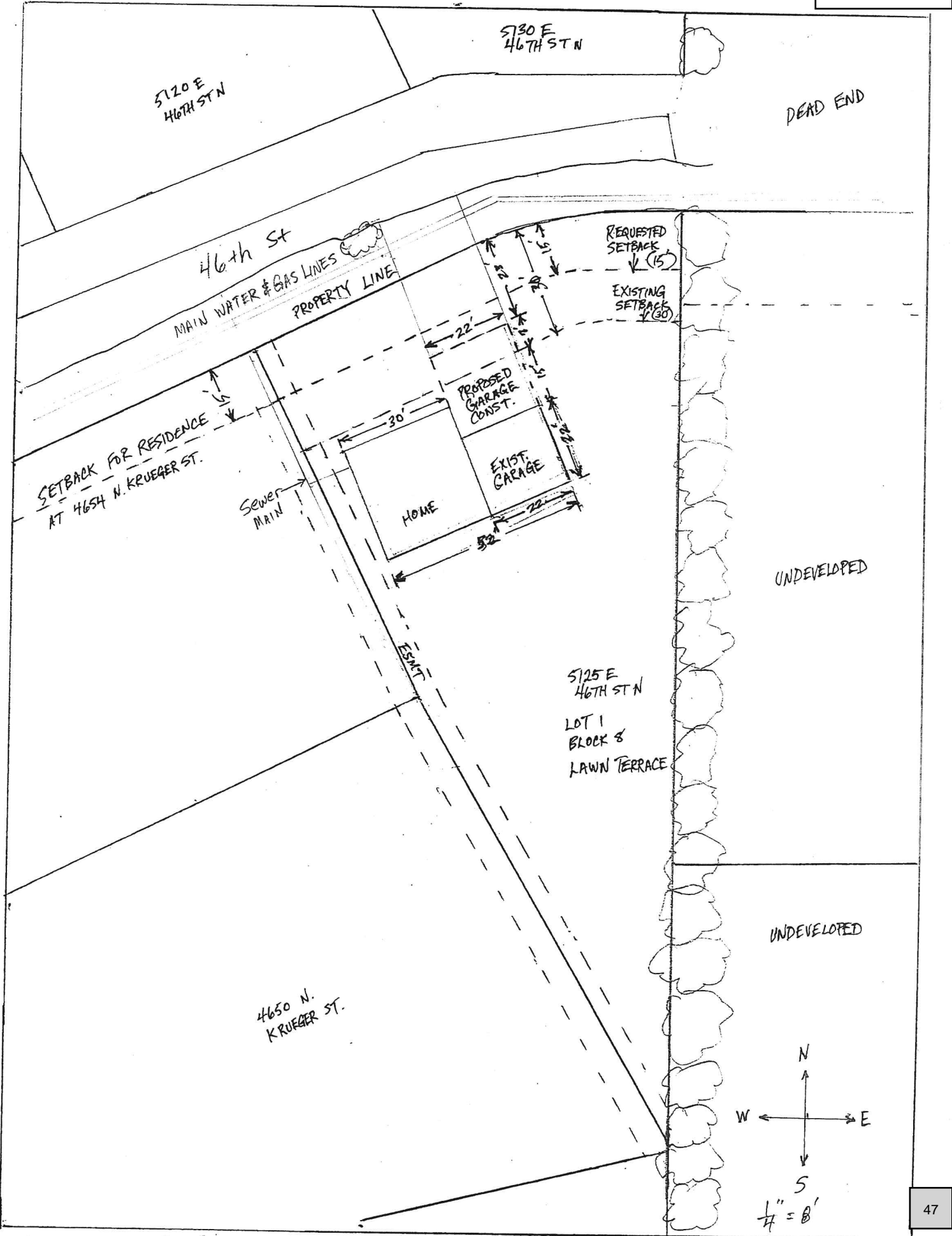
© 2022 Sedgwick County Kansas Government.
All rights reserved.

Sedgwick County, Kansas



1:564







Google Maps 5125 E 46th St N

← 5125 E 46th St N

All Street View & 360°

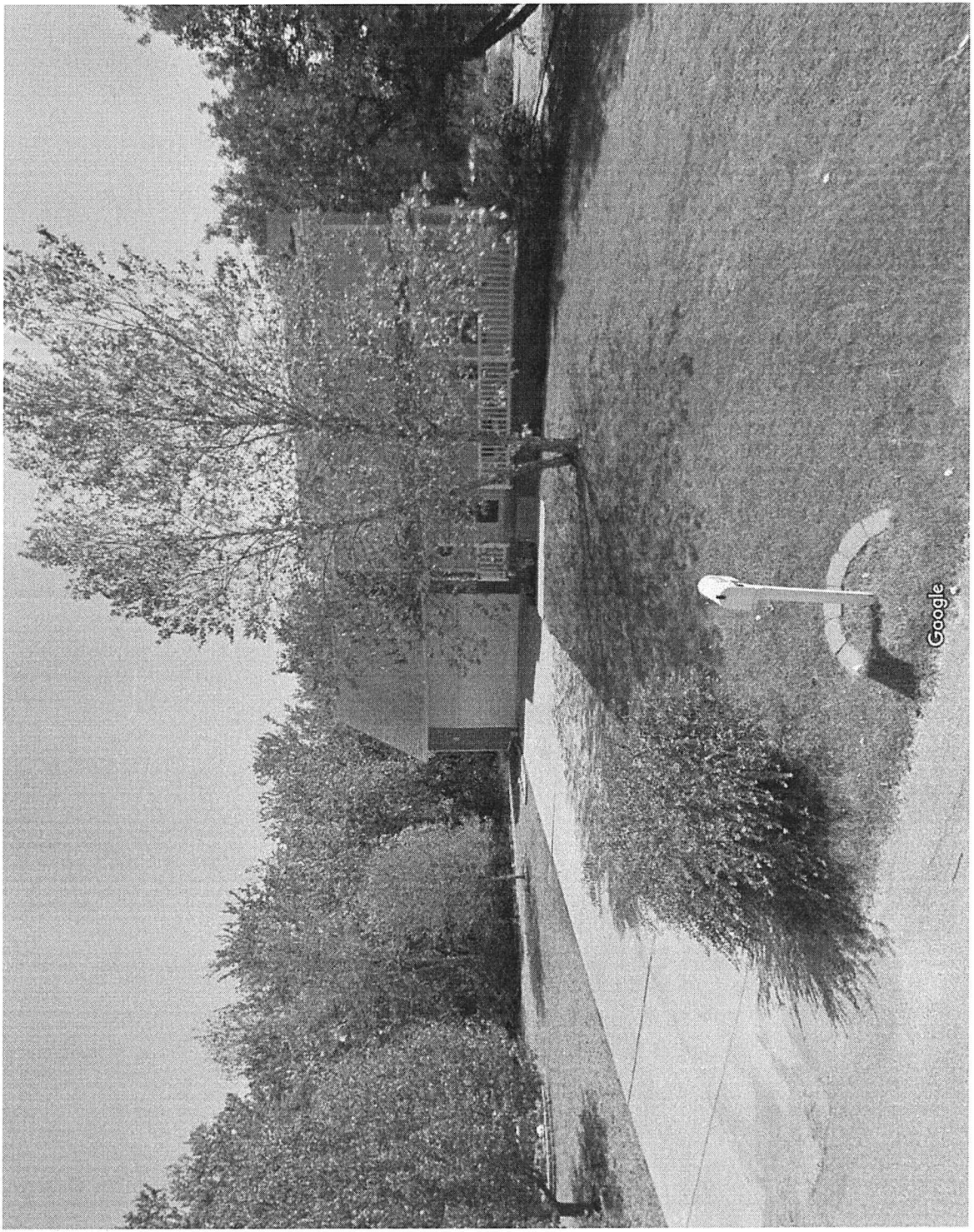


Image capture: Aug 2011 © 2022 Google

Bel Aire, Kansas
Google
Street View - Aug 2011

Section V, Item D.

Google Maps 5120 E 46th St N

← 5125 E 46th St N

All Street View & 360°



Image capture: Aug 2011 © 2022 Google

Bel Aire, Kansas
Google
Street View - Aug 2011

Section V, Item D.

Google Maps 5125 E 46th St N

← 5125 E 46th St N

All Street View & 360°



Image capture: Aug 2011 © 2022 Google

Bel Aire, Kansas

Google

Street View - Aug 2011

Section V, Item D.



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



ZONING REVIEW

Address of proposed project: Shamway Estates conditionally approved preliminary plat area
This report is to document that on 6.7.22 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 checked="" type="checkbox"/> REQUIRED PLAN SUBMITTALS |
| <input type="checkbox"/> EROSION CONTROL | <input 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
- ☐ DENIED, as noted

DATE 6/7/22

Keith Price
REVIEWED BY

Comments: The planning commission conditionally approved the preliminary plat based on the drainage plan working for the lot size shown. The predominate zoning district used in the area is R-5 with a developer's overlay restricting the housing type. The commissioners approved the plat based on single-family use.

The commission may review this plat for R-5b zoning district as well. The reason to maintain the R-5 district is for the minimum square footage of 1,200 s.f. living space.

- A preliminary 11x17 was provided of the map that requires changes based on the preliminary plat hearing and the drainage study on going. Please update
- The city engineer will contact Savoy Company P.A. direct with any item not covered with this review.
- The city 2018 Master growth plan figure 3.4 preferred Balanced Growth Residential suburban density.
- <http://www.belaireks.gov/DocumentCenter/View/3245/Chapter-18A-Zoning-Regulations-Adopted-2016> 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 Agricultural to R5 Residential 5
- ☐ Amendments to Change Zoning Districts _____

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Name of owner SHAM WAY LLC

Address 1109 S. Rock Rd, Wich, KS 67207 Telephone 316-440-6000

Agent representing the owner Mark Sevon

Address 433 S. Hydraulic, Wich KS 67211 Telephone 316-265-0005

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.

2. The application area contains 78.80 acres.

3. This property is located at (address) (No Address) N. Webb Rd. which is generally located at (relation to nearest streets) West side of Webb Rd from 1/4 mile to 1/2 mile North of 53rd St. N.

4. The particular reason for seeking reclassification:

Platting a new residential subdivision
"SHAM WAY ESTATES" Bel Aire, Sedgewick County, Kansas

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.

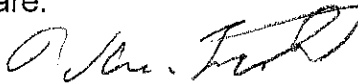
If such area is located adjacent to but within the city limits, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area.

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 SHAM WAY LLC by Resem Kricheti Phone 316-440-6020
 Address 1109 S. Rock Rd, Wichita, KS Zip Code 67207
 Agent MANK Severy / Severy Company, P.A. Phone 316-265-0005
 Address 433 S. Hydraulic, Wichita, KS Zip Code 67211
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.

PRELIMINARY PLAT SHAM WAY ESTATE

BEL-AIRE, SEDGWICK COUNTY, KANSAS

The North Half of the Southeast Quarter of Section 17, Township 26 South,
Range 2 East of the 6th P.M., Sedgwick County, Kansas.

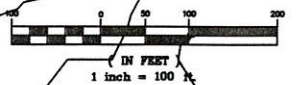
UNPLATTED
BEL AIRE CITY OF KANSAS LAND BANK

UNPLATTED
MARINE KOHL SR LIVING TRUST

UNPLATTED
EASY EIGHTY LLC

FEMA FLOOD ZONE

GRAPHIC SCALE



Bench Mark:
Square Cut at the S.E. Corner of the
Double 7'x4' RCBC located 202.7' S
& 81.3' W of the N.E. Cor of the
SE 1/4 of Sec. 17-26S-2E.
Elevation = 387.16 NAVD88 Datum

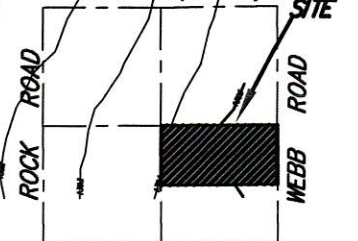
SHAM WAY, LLC
ATTN: BADEM KRICHATI
1109 S ROCK RD
WICHITA, KS 67207
PH: 316-440-8000
EMAIL: kansasbomes@gmail.com

PROPOSED ZONING
R 5 RESIDENTIAL 5

GROSS AREA
3525620.87 Sq. Ft.
80.94 Acres
NET AREA
3432626.32 Sq. Ft.
78.80 Acres
MIN LOT SIZE
7560.00 Sq. Ft.
0.17 Acres

WATER BRIDGING PAD ELEVATION FOR EXISTING AND PROPOSED STRUCTURES		
BLOCK	LOT NO.	ELEVATION (Feet)
100	100	100
100	100	100
100	100	100

61ST ST N (K-254)



53RD ST N
VICINITY MAP

Savoy Company, P.A.
Land Surveyors

PH (316) 265-0008
FAX (316) 265-0275

433 S. Hydraulic, Wichita, KS 67211-1911

www.savoyco.com

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 19th day of May, 2022, with subsequent publications being made on the following dates:

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

Subscribed and sworn to before me this 19th day of May, 2022.

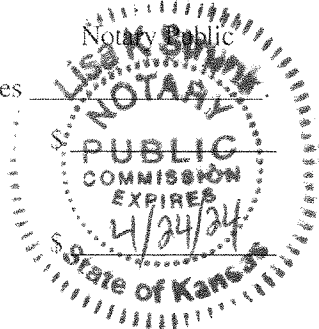




My commission expires _____

Additional copies _____

Printer's fee _____



Public notice

(Published in the 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

OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

The SE/4, EXC the S/2 thereof; & EXC the E 70' for road, 17-26-2E Subject Property		Sham Way, LLC 1109 S. Rock Rd. Wichita, KS 67207
The S/2 of the SE/4, 17-26-2E		Northeast Developers, LLC 9415 E. Harry, Ste. 406 Wichita, KS 67207
The E/2 of the NE/4, EXC part deeded to State for Hwy, 17-26-2E		Marine Kohl, Sr. Living Trust 2225 Drake Ave., Ste. 7 Huntsville, AL 35805
The W/2 of the NE/4, 17-26-2E AND The E/2 of the NW/4, EXC for road on the N, 17-26-2E		City of Bel Aire, Kansas Land Bank 7651 E. Central Park Ave. Bel Aire, 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
The W/2 of the SW/4, EXC comm at SW corner of 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 1,320' of the E 1,320' of Lot 1, Blk A AND Lot 1, Blk A, EXC the N 1,320' of the E 1,320' thereof	USD 259 3 rd Addition	Unified School District No. 259 903 S. Edgemoor St. Wichita, KS 67218

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 8th day of April, 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 North Half of the Southeast Quarter of Section 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.

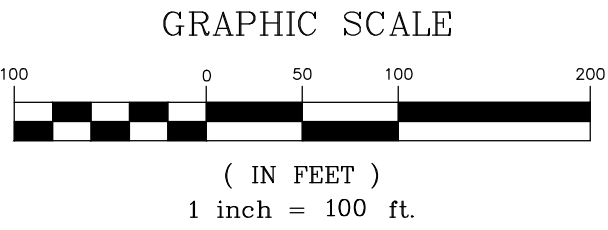
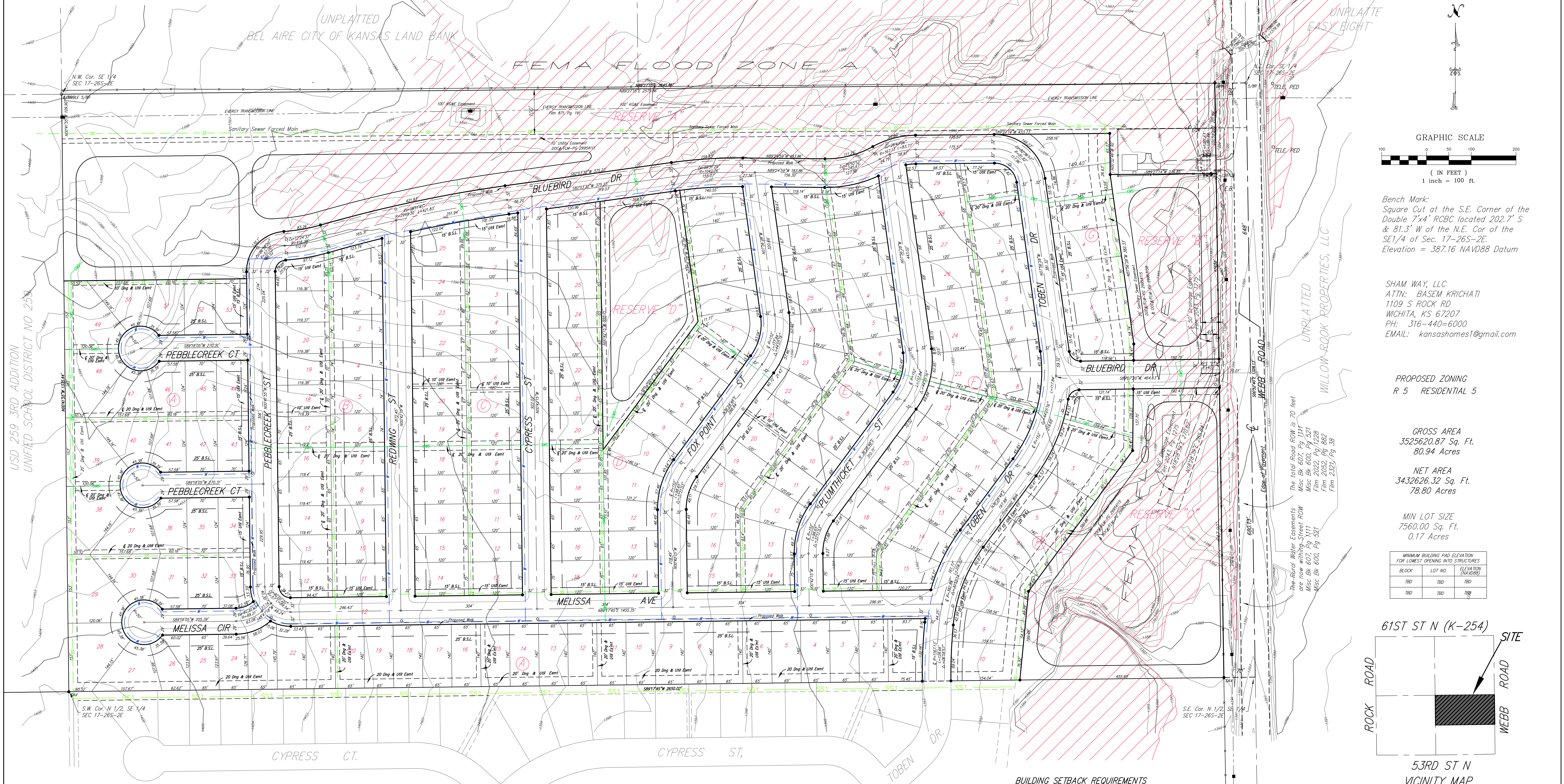
Order: 2517478

KJK

PRELIMINARY PLAT BEL AIRE LAKES

BEL-AIRE, SEDGWICK COUNTY, KANSAS

The North Half of the Southeast Quarter of Section 17, Township 26 South,
Range 2 East of the 6th P.M., Sedgwick County, Kansas.



Bench Mark:
Square Cut at the S.E. Corner of the
Double 7'x4' RCBC located 202.7' S
& 81.3' W of the N.E. Cor of the
SE1/4 of Sec. 17-26S-2E.
Elevation = 387.16 NAVD88 Datum

SHAM WAY, LLC
ATTN: BASEM KRICHATI
1109 S ROCK RD
WICHITA, KS 67207
PH: 316-440-6000
EMAIL: kansashomes1@gmail.com

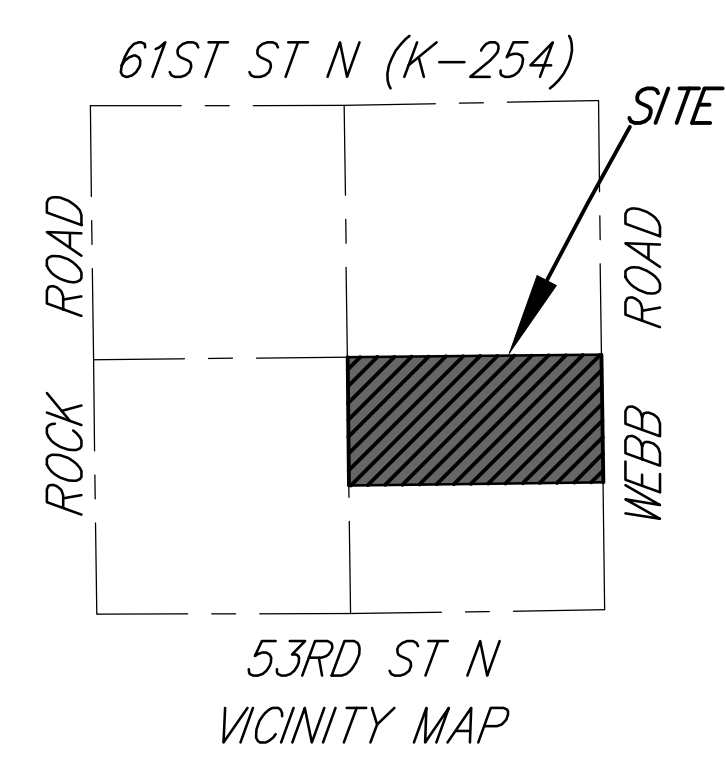
PROPOSED ZONING
R 5 RESIDENTIAL 5

GROSS AREA
3525620.87 Sq. Ft.
80.94 Acres

NET AREA
3432628.32 Sq. Ft.
78.80 Acres

MIN LOT SIZE
7560.00 Sq. Ft.
0.17 Acres

MINIMUM BUILDING PAD ELEVATION FOR LOWEST OPENING INTO STRUCTURES		
BLOCK	LOT NO.	ELEVATION (1944BBS)
TBD	TBD	TBD
TBD	TBD	TBD



BUILDING SETBACK REQUIREMENTS
FRONT YARD -- 25 FEET
SIDE STREET -- 15 FEET
SIDE YARD -- 6 FEET
REAR YARD -- 20 FEET



Savoy Company, P.A.
Land Surveyors

PH (316) 265-0005
FAX (316) 265-0275

433 S. Hydraulic, Wichita, KS 67211-1911

REV. 8 JUNE 2022
REV. 26 MAY 2022
18 FEBRUARY 2022

JUNE 2022



June 18th – Coffee with the Mayor

June 21st – City Council Meeting, 7pm

June 27th – Tree Board Meeting, 6pm

July 4th – City Offices Closed for Independence Day

For the latest information about events and meetings, see www.belaireks.gov

LIFE'S
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ON THE EDGE!

FOR MEETING OF	6/16/22
CITY COUNCIL	
INFORMATION ONLY	

City of Bel Aire

STAFF REPORT

DATE: 06/09/2022

TO: Bel Aire Planning Commission

FROM: Keith Price

RE: Agenda

SUMMARY:

(New information added, project was tabled for the May date)

- ❖ **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 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"

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. Parking spaces will need to be discussed as the amount is under the general code. 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".
- Drainage and yard maintenance needs to be addressed.
- Trash management, trash truck access.
- Items listed in the revised review to the developer are addressed.
- Architectural control by the HOA 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-22-02.** Proposed One-step platting 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.

The city advertised the hearing in the Ark Valley newspaper again. Previously, staff sent notices to the property owners within the required distance of 200 ft. to include the platting portion of the process. We did receive calls regarding this proposal. The main concern is the pond shore. The plats have been tweaked to match what the city, SCFD, and utility companies needed

The preliminary, final, and a larger print of the plat be provided in the packet. This will require 2 votes - preliminary and final plats.

Preliminary Plat. A map or drawing on which the subdivider's plan of the subdivision is presented and which he submits for approval and intends in final form to record. A preliminary plat for a proposed subdivision of land shows streets, lots and other characters as well as features of the proposed development.

Final Plat. A formal document prepared by a registered land surveyor to describe the precise location and dimension of lots, established easements, dedicated street rights-of ways and otherwise described property to be subdivided which are approved by the Bel Aire Planning Commission.

DUTIES OF THE PLANNING COMMISSION

Review and approve, approve conditionally, or disapprove final plats and transmit the same to the Governing Body for their acceptance of dedications of streets, alleys and other public ways and sites.

❖ **V-22-02, vacation of a portion of platted building setback line, to allow a 15' setback line, in Replat of Lawn Terrace Addition.**

The city advertised the hearing in the Ark Valley newspaper and property owner notification. No citizens have contacted the city to date regarding the request. Staff review is in the packet. Primary utility providers had no requests.

Normally a request for a building setback alteration wouldn't be considered for in the middle of a block. The factors at play: 1) The quantity lots on the block is two in the neighborhood and a few more in the undeveloped platted sunset addition. 2) the corner lot has the building set back at 15'. 3) The vision triangle wouldn't be impacted if the Sunset addition was built out as platted. 4) The value of the garage addition and house remodel will increase the house value.

- due and legal notice has been given;
- no private rights will be injured or endangered; the public will suffer no loss or inconvenience;
- and in justice to the petitioner(s) the vacation should be granted;

then the Planning Commission shall recommend that such vacation be approved and such decision shall be entered in the minutes, including an explanation of such decision, and a recommendation of approval shall be submitted to the Governing Body.

❖ **ZON-22-03 BEL AIRE LAKES – rezone to-single family residential use as R-5 zoning district (Preliminary plat update in packet) (Formally Sham Way Estates)**

The city advertised the hearing in the Ark Valley newspaper and property owner notification. To date there hasn't been any calls from citizens. A staff report is in the packet lining out a few items sent to the developer.

Staff received the updated preliminary Plat as part of the boundary to show the zoning area.

8. The character of the neighborhood;

The subject property is zoned AG since annexed in the city in the 2000's; Cedar Pass (previously Rock Spring 5th) is south, west is unplatted AG, North is land the city rezoned to M-1 this year, east is AG zoned property. No improvements have been made to the surrounding properties yet.

9. The zoning and uses of properties nearby

AG, R-5, C-1, and M-1

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

City staff no adverse effect is expected if drainage, and access into the development can work with the known flood plain.

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

Since annexed into the city in the 2000's.

11. 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.

12. Recommendations of permanent staff;

Yes conditionally, because 2018 Master Growth plan was approved by City Council. R-5 and R-5b can allow single-family housing and the current comprehensive plan vision map indicates residential housing. The vision map does show the possibility of a park in the floodplain areas. Housing size of 1,200 s.f. living space is small and is the minimum for R-5; R-5b is 1,170 s.f. and would be a mental sigma to be concerned with the future house to your normal 1,400-2,000 s.f. house could have as little as 1,170 s.f.

13. 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.

❖ Vote for Chairman and Vice Chair

You know what to do.

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

