



AGENDA
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
May 11, 2023 6:30 PM



I. Call to Order

II. Roll Call

James Schmidt ____ John Charleston ____ David Floyd ____
Phillip Jordan ____ Dee Roths ____ Heath Travnichuk ____ 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 April 13, 2023.

Motion ____ Second ____ Vote ____

V. Old Business/New Business

A. ZON-23-01 - Rezoning approximately 64 from AG to M-1 Industrial at Southeast of K-254 and Rock Rd.

Open hearing

Close hearing

Action: Motion to (recommend / deny / table) the request to re-zone property at the southeast corner of Hwy 254 and Rock Rd. containing approximately 64 acres from AG to M-1 Industrial use (with / without changes / conditions).

Motion ____ Second ____ Vote ____

B. PUD-23-03 - Preliminary PUD for Dayton Freight Lines, INC in Sunflower Commerce Park Addition

Open hearing

Close hearing

Action: Motion to (accept / deny / table) Preliminary PUD for Dayton Freight Lines, INC in Sunflower Commerce Park Addition (as presented / with changes or conditions / without changes or conditions).

Motion _____ Second _____ Vote _____

- [C.](#) PUD-23-02 - Amending Zoning Districts in Tierra Verde South Addition PUD to include R-5 and R-6 Zoning

Open hearing

Close hearing

Action: Motion to (recommend / deny / table) changing the Tierra Verde South Addition PUD to include R-5 and R-6 multi-family zoning (as presented / with changes or conditions / without changes or conditions).

Motion _____ Second _____ Vote _____

VI. Next Meeting: Thursday, June 8 at 6:30 PM

Action: Motion to (approve / deny / table) next meeting date: June 8, 2023 at 6:30 p.m.

Motion _____ Second _____ Vote _____

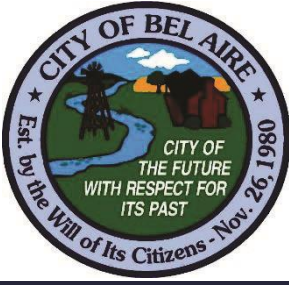
VII. Current Events

- [A.](#) Staff Report for items on May 11 agenda

VIII. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____



MINUTES
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
April 13, 2023 6:30 PM



I. Call to Order

II. Roll Call

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

Also present were Planning Commission Secretary, Jay Cook, and Code Enforcement Officer, Garrett Wichman.

III. Pledge of Allegiance

Chairman Schmidt led the Pledge of Allegiance.

IV. Consent Agenda

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

Motion: Commissioner Floyd made a motion to approve the minutes of March 9, 2023. Commissioner Roths seconded the motion. ***Motion carried 4-0***

V. Old Business/New Business

A. **PUD-23-01.** Final plat for approximately 2.4 acres for the Arthur Heights PUD.

Chairman Schmidt opened the public hearing for citizen concerns. Gary Jantz, 6200 E 45th St N. voiced concern with the drainage detention pond that will be installed. His concerns include mosquitos, other health hazards, and that it could dry up and not be esthetically pleasing. Carol Russell, 6218 E 45th St N. voiced concern about the drainage problem and would like to know how esthetically pleasing the storage units would be along with what the housing units would look like.

Ken Lee with Garver spoke about the drainage plan. The detention pond is designed to hold approximately seven (7) feet of water. The seven-foot depth helps with mosquito control and to keep the water healthy from algae blooms. The building style of the housing units will correlate with the storage units and in accordance with the verbiage of the original PUD.

Chairman Schmidt closed the public hearing and the commissioners discussed the PUD, what was allowed by right and that the plat being considered to split the lots for the use of a city dedicated street access. After discussion, Commissioners agreed that this was a reasonable request and met the guidelines for recommendation of the final plat to the Governing Body.

Motion: Chairman Schmidt made a motion to recommend the final plat for Arthur Heights as presented without changes or conditions. Commissioner Jordan seconded the motion. *Motion carried 4-0*

B. SD-23-03. Bel Aire Lakes Addition Final Plat - Request to plat approximately 78.80 acres of the single-family residential use as R-5 zoning district.

Chairman Schmidt opened the hearing to discuss SD-23-03 Bel Aire Lakes Addition Final Plat. Logan Mills with Certified Engineering Design represented the applicant and stood for questions and comments. He began by recommending having the flood plains to be removed from the final plat. Commissioners had questions regarding lots within the plat that appeared to be in the floodplain. Mr. Mills discussed the process of getting certain lots out of the floodplain through permits with the state and the intent to do so on any lot that requires this step before construction. Commissioner Roths asked Logan exactly where all the water is flowing from and Logan stated that the majority of the water flows from the Northwest corner of the plat. There was continuing conversation about how water runs through the lot and where water will move. The drainage plat, which has been approved by staff was discussed to show how water will run and the plan for detention or passage under any roads. Mr. Mills discussed the requirements of analyzing existing run off on a site and then calculating “post development runoff” and how that affects reserve ponds and other drainage detention requirements and how the rate of runoff is then calculated.

Chairman Schmidt closed the hearing. Commissioners discussed the floodplain and how there will have to be steps taken when building in lots effected by the floodplain. It was also mentioned that there was agreement that having the floodplain on the plat was a reasonable concern due to the changing nature of the floodplain. Director of Planning and Community Development, Jay Cook, stated that the floodplain is required to be on the plat in accordance with Chapter 19—Subdivision Regulations. Article 19.5.5. Contents of the final plat state “When part of a subdivision lies within or abuts a Floodplain area as shown on the Federal Insurance Administrations “Flood Hazard Boundary Map” for Bel Aire, Kansas. The Floodplain shall be shown within a contour line and clearly labeled on the plat with the words “Floodplain Area”.” Do to this statutory requirement, the Commission agreed that the floodplain area should stay on the plat.

Motion: Commissioner Jordan made the motion to recommend Bel Aire Lakes Final Plat as presented without changes or conditions. Commissioner Floyd seconded the motion. ***Motion carried 4-0***

C. **SD-23-02 Preliminary Plat.** Approximately 13.6 acres zoned R-4 (Chapel Landing 7th).

Chairman Schmidt opened the hearing. The representative of the applicant to speak on SD-23-02 was Kris Rose with Baughman Company for plat presented. Concerns from the Commission and City Staff were the entrances and streets within the preliminary plat presented. Changing the dead end to a circle drive or a hammerhead for trash trucks and mail delivery drivers was recommended by the Commission to Mr. Rose.

Chairman Schmidt closed the hearing for discussion. The staff report that was provided to the commission outlined issues from engineering and the building department. The commission took the advice from staff and requested that the applicant complete the checklist of items presented before considering approval.

Motion: Commission Jordan made a motion to table the preliminary plat for Chapel Landing 7th addition as presented with changes and conditions as presented by the Commission and Staff. Chairman Schmidt seconded the motion. ***Motion carried 4-0***

D. **CON-23-03 Property owner has requested to add an LED sign at Resurrection Catholic School in R-6 zoned area.**

Chairman Schmidt opened the hearing. The representative of the applicant to speak on CON-23-03 to add an LED sign at Resurrection Catholic School was Mike Decker. The new sign would be positioned east to west and will be able to be seen from both north and south bound traffic for news for the school as well as church services.

Chairman Schmidt stated that there is a certain amount of illumination that and LED sign can produce within our code. Secretary Cook stated that the city standard is 3,000 NITS and asked to the representative if the sign can be dimmable if the sign is too bright. The representative stated that there is a way to dim the brightness.

Chairman Schmidt closed the hearing for discussion. Commissioners were concerned with the brightness of the sign at night and wanted to verify that no citizen would have any issues with visibility while driving. They concurred with staff that a 6 month probationary period to determine if any problems would result in the placement of the sign would be necessary.

Motion: Commissioner Roths made a motion to recommend to approve the sign proposed at the Catholic Care Center in R-6 zoning as presented with the condition for a six (6) month probation upon concerns from the general public. Chairman Schmidt seconded the motion. ***Motion carried 4-0***

E. **VAC-23-02 Vacating 10' back building setback to 4' at the Villas at Prestwick.**

Chairman Schmidt opened the hearing. The representative of the applicant to speak on VAC-23-02, vacating 10' back building setback to 4' at the Villas at Prestwick, was Joey Deneke from MKEC. The request is necessary as the developers need more space in the front of the units to lessen the grade of the driveways to avoid future falling hazard to the applicants.

Chairman Schmidt closed the hearing. After a brief discussion the Commission had no concerns.

Motion: Commissioner Jordan made a motion to recommend the request to vacate the back building setback from 10' to 4' at Villas at Prestwick as presented without changes or conditions. Commissioner Roths seconded the motion. ***Motion carried 4-0***

VI. Next Meeting: Thursday, May 11 at 6:30 PM

Motion: Chairman Schmidt made a motion to approve the next meeting date of May 11, 2023 at 6:30 p.m. Commission Jordan seconded the motion. ***Motion carried 4-0***

VII. ADJOURNMENT

Motion: Commission Roths made a motion to adjourn. Commissioner Jordan seconded the motion. ***Motion carried 4-0***

ZONING CHANGE APPLICATION CITY OF BEL AIRE, KANSAS

An application to change a land use of a property falls under the City of Bel Aire zoning regulations titled "Zoning District Change". A site plan is required as part of every zoning change application submitted to the City. This document will be used for meetings and public hearings regarding your request and should be neat, legible, well labeled, and drawn to scale. Submit the site plan to:

City Hall
7651 E Central Park Ave
Bel Aire, Kansas 67226
Attention: City Administrator

The site plan must contain the following elements:

1. **Sheet Size:** The site plan should be no larger than 11" x 17" and no smaller than 8 ½" x 11". Site plans for larger projects (greater than 6 acres), may be larger, with the approval of City Staff.
2. **Title:** A brief description of the zoning change.
3. **Applicant Name:** Name of the applicant and the agent who prepared the drawing, if applicable.
4. **North Arrow:** Indicate the north direction with respect to the project, Lot, or structure.
5. **Scale:** The scale should be adequate to portray the project, Lot, or structure on the sheet size required. For example, a Lot that is 70 feet by 100 feet can adequately be portrayed at a scale of 1" = 20' (in inch equals 20 feet) on an 11" x 17" sheet of paper. The scale should not be smaller than 1" = 20' and 1" = 50' for larger properties.
6. **Dimensions:** In addition to adequate scale representation, all key features (lot, buildings, driveways, etc.) on the site plan shall have dimensions in feet noted for all sides.
7. **Legal Description:** Legal description of Lot(s) or parcels requiring a zoning change. This description can be in the form of Lots and Blocks.
8. **Existing Conditions:** Indicate all structures and features as they exist on the property. These should be drawn to scale, as described above, and shall include, but not be limited to:
 - All structures and buildings
 - Parking Spaces
 - Fences
 - Significant trees or stands of trees
 - Other landscaping

- Floodplains
- Water area or features
- Significant topographical features
- Utilities, above and below ground
- Drainage patterns

9. All required zoning setbacks and easements: Using a dashed line, indicate all required zoning setbacks and utility, drainage, or other easements relative to the project, Lot(s), or structure.

10. All roads/streets adjacent to the property and access points off of those roads: Indicate all roads/streets, including the rights-of-way that surround or intersect the property, including alleys. Indicate all points of access (driveways) from the streets to the project, Lot (s), or structure. Indicate how each road/street is developed, e.g. paved, dirt, undeveloped.

11. Surrounding structures and uses if appropriate: Indicate surrounding uses and zoning as they apply to the request.

12. Modifications by the zoning change: Indicate any modifications to the existing structures or features that will result if the zoning change request is approved. If these modifications or additions are extensive, a second site drawing might be necessary to clarify the changes. These modifications or new features may include, but are not limited to:

- Buildings
- Structures
- Parking areas
- Vehicular drives
- Pedestrian walks
- Location and height of light fixtures
- Location of trash receptacles and loading areas
- Landscaped areas

13. An application shall be accompanied by a current abstractor's certificate containing a legal description of the area in the application as well as the name and address of the owner, and shall include the names and mailing addresses (with zip codes) of all property owners within the prescribed distance measured from the perimeter of the application area.

14. An application for zoning change shall be accompanied by the appropriate filing fee, (\$500.00 plus publication) and is payable to the City of Bel Aire.

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 M-1

☐ Amendments to Change Zoning Districts _____

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Name of owner Webb 254, LLC

Address 1720 N Webb Rd, Suite 110, Wichita, KS Telephone 316-641-3268

Agent representing the owner Steve Barrett

Address 1720 N Webb Rd, Suite 110, Wichita, KS 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.

2. The application area contains 63.52 acres.

3. This property is located at (address) 8325 E 61st St N which is generally located at (relation to nearest streets) Southwest of K-254 & Rock Rd.

4. The particular reason for seeking reclassification:

For commercial development

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 Steve Barrett Phone 316-641-3268
Address 1720 N Webb Rd, Suite 110, Wichita, KS Zip Code 67206

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 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.

Description of application area

Section V, Item A.

Parcel 1

That part of the West Half (W/2) of the Northwest Quarter (NW/4) of Sec. 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT that part described as beginning at the Northwest Quarter, 731.00 feet; thence East parallel with the North line of said Northwest Quarter, 120.00 feet; thence Northeasterly to a point on the East line of said West Half, said point being 175.00 feet South of the Northeast Corner of said West Half ; thence North along said East line, 175.00 feet to said Northeast Corner; thence West along said North line to the place of beginning, and EXCEPT the West 50.00 feet; AND EXCEPT That portion of said West Half Commencing at the Southwest corner of said Northwest Quarter; THENCE N89°27'14"E, coincident with the south line of said Northwest Quarter, a distance of 60 feet for a Point of Beginning; THENCE N00°43'51"W, coincident with the East Right-of-Way of Rock Road as described in document titled "Easement for Right-of-Way" recorded in the office of the Sedgwick County Register of Deeds as DOC.#/FLM-PG: 29201718, a distance of 1035.76 feet; THENCE N89°27'14"E, parallel with the south line of said Northwest Quarter, a distance of 1261.88 feet, to the east line of said West Half; THENCE S00°43'13"E, coincident with the east line of said West Half, a distance of 1035.75 feet, to the south line of said Northwest Quarter; THENCE S89°27'14"W, coincident with the south line of said Northwest Quarter, a distance of 1261.69 feet, to the point of beginning. Subject to any road rights of way of record.

Parcel 2

That portion of the West Half of the Northwest Quarter of Section 17, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas; more particularly described as Commencing at the Southwest corner of said Northwest Quarter; THENCE N89°27'14"E, coincident with the south line of said Northwest Quarter, a distance of 60 feet for a Point of Beginning; THENCE N00°43'51"W, coincident with the East Right-of-Way of Rock Road as described in document titled "Easement for Right-of-Way" recorded in the office of the Sedgwick County Register of Deeds as DOC.#/FLM-PG: 29201718, a distance of 1035.76 feet; THENCE N89°27'14"E, parallel with the south line of said Northwest Quarter, a distance of 1261.88 feet, to the east line of said West Half; THENCE S00°43'13"E, coincident with the east line of said West Half, a distance of 1035.75 feet, to the south line of said Northwest Quarter; THENCE S89°27'14"W, coincident with the south line of said Northwest Quarter, a distance of 1261.69 feet, to the point of beginning. Subject to any road rights of way of record.



OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

<p>The W/2 of the NW/4, EXC part deeded to State for Hwy; & EXC that part of W/2 of NW/4 begin 60' E of SW corner of NW/4; th. N 1,035.76'; th. E 1,261.88' to E line of W/2; th. S 1,035.75'; th. W 1,261.69' to begin; & EXC that part of W/2 of NW/4 begin at NW corner thereof; th. S 731'; th. E 120'; th. NEly to point on E line of W/2, being 175' S of NE corner of W/2; th. N 175'; th. W to p.o.b.; & EXC for road on the W, 17-26-2E</p> <p>AND</p> <p>That part of W/2 of NW/4 begin 60' E of SW corner of NW/4; th. N 1,035.76'; th. E 1,261.88' to E line of W/2; th. S 1,035.75'; th. W 1,261.69' to begin, 17-26-2E</p> <p>Subject Property</p>		<p>DEV Properties, LLC 1931 N. Timberwood St. Wichita, KS 67206</p>
<p>The N 175' of the E/2 of the NW/4, EXC for road on the N, 17-26-2E</p> <p>AND</p> <p>That part of W/2 of NW/4 begin at NW corner thereof; th. S 731'; th. E 120'; th. NEly to point on E line of W/2, being 175' S of NE corner of W/2; th. N 175'; th. W to p.o.b., 17-26-2E</p>		<p>City of Bel Aire, Kansas, Land Bank 7651 E. Central Park Ave. Bel Aire, KS 67226</p>
<p>The E/2 of the NW/4, EXC the N 175' thereof; & EXC for road on the N, 17-26-2E</p>		<p>Webb254, LLC 833 S. East Ave. Columbus, KS 66725</p>

Lot 1, Blk A, EXC the N 1,320' of the E 1,320' thereof AND The N 1,320' of the E 1,320' of Lot 1, Blk A	USD 259 3 rd Addition	Unified School District No. 259 903 S. Edgemoor St. Wichita, KS 67218
Lot 2	Broadstone Villas	City of Bel Aire 7651 E. Central Park Ave. Bel Aire, KS 67226
Lots 2, 3, & 4, Blk B	Lycee Addition	Gregory Hiser 9860 E. 21 st St. Wichita, KS 67206
The E/2 of the SW/4, EXC part deeded to State for Hwy, 8-26-2E AND The W/2 of the SW/4, EXC part deeded to State for Hwy, 8-26-2E		Scott R. & Kathleen M. Bergkamp Revocable Trust 5500 N. Woodlawn Kechi, KS 67067
The N 34 Acres of the E/2 of the SE/4, EXC for road; & The E 660' of the N 1,400' of the W/2 of the SE/4, 18-26-2E		Stanley E. Bergkamp 5601 N. Rock Rd. Kechi, KS 67067
Lot 1, Blk 1, EXC that part begin at NE corner of said Lot, being on the Sly r.o.w. line of existing Hwy; th. W 75.75'; th. SWly 293.51'; th. NEly 291.09'; th. Ely 75.17' to E line of Lot 1; th. N 24.11' to begin; & EXC part taken in Cond Case #95C-1132	Heritage Hill Estates	Larry W. & Melinda J. Weis 7900 E. Mill Stream Rd. Kechi, KS 67067
That part of Lot 1, Blk 1, begin at NE corner of said Lot, being on the Sly r.o.w. line of existing Hwy; th. W 75.75'; th. SWly 293.51'; th. NEly 291.09'; th. Ely 75.17' to E line of Lot 1; th. N 24.11' to begin	"	Secretary of Transportation of the State of Kansas 700 SW Harrison St., Fl. 14 Topeka, KS 66603
Lot 2, Blk 1, EXC part taken in Cond Case #95C-1132	"	Suzanne R. Hawley & Gary C. Hawley 7730 E. Mill Stream Rd. Kechi, KS 67067
Lot 3, Blk 1, EXC part deeded to State for Hwy	"	Ha Dinh Nguyen & Chuc Thi Hoang 7620 E. Mill Stream Rd. Kechi, KS 67067

Lot 1, Blk 2	“	Steven R. & Michelle McCray 7901 E. Mill Stream Rd. Kechi, KS 67067
Lot 2, Blk 2	“	Cara Sherlock 7735 E. Mill Stream Rd. Kechi, KS 67067
Lot 3, Blk 2	“	Brent & Catherine Frack 7625 E. Mill Stream Rd. Kechi, KS 67067
Lot 10, Blk 2	“	L. Ryan Hendricks & Amy M. Hendricks 7620 E. Oak Tree Lane Kechi, KS 67067
Lot 11, Blk 2	“	Merlin F. & Delores L. Marshall 7730 E. Oak Tree Lane Kechi, KS 67067
Lot 12, Blk 2	“	Jessica Conkling & Richard Conkling 7900 E. Oak Tree Lane Kechi, KS 67067
Lot 1, Blk 3	“	Jerry L. & Donnis L. McPhaul 7901 E. Oak Tree Lane Kechi, KS 67067
Lot 2, Blk 3	“	Dean A. & Anne M. Kuckelman 7735 E. Oak Tree Lane Kechi, KS 67067
Lot 3, Blk 3	“	John M. Dunham 7625 E. Oak Tree Lane Kechi, KS 67067

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 5th day of April, 2023, at 7:00 A.M.

Security 1st Title, LLC

By: Jo Ann Childers
Licensed Abstracter

The Above list shows property owners within either a 250 foot radius or a 1,000 foot radius of the below described tracts. No certification is made as to the relation of any of the tracts and lots described herein within the city limits of Bel Aire.

The West Half of the Northwest Quarter of Section 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT that part described as: Beginning at the Northwest corner of said Northwest Quarter; thence South along the West line of said Northwest Quarter, 731.00 feet; thence East, parallel with the North line of said Northwest Quarter, 120.00 feet; thence Northeasterly to a point on the East line of said West Half, said point being 175.00 feet South of the Northeast corner of said West Half; thence North along said East line, 175.00 feet to said Northeast corner; thence West along said North line to the place of beginning; AND EXCEPT the West 50.00 feet; AND EXCEPT that portion of said West Half commencing at the Southwest corner of said Northwest Quarter; thence East coincident with the South line of said Northwest Quarter, a distance of 60 feet for a Point of Beginning; thence North coincident with the East right-of-way of Rock Road, a distance of 1,035.76 feet; thence East parallel with the South line of said Northwest Quarter, a distance of 1,261.88 feet, to the East line of said West Half; thence South coincident with the East line of said West Half, a distance of 1,035.75 feet, to the South line of said Northwest Quarter; thence West coincident with the South line of said Northwest Quarter, a distance of 1,261.69 feet, to the point of beginning.

AND

That portion of the West Half of the Northwest Quarter of Section 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as: Commencing at the Southwest corner of said Northwest Quarter; thence East coincident with the South line of said Northwest Quarter, a distance of 60 feet for a Point of Beginning; thence North coincident with the East right-of-way of Rock Road, a distance of 1,035.76 feet; thence East parallel with the South line of said Northwest Quarter, a distance of 1,261.88 feet, to the East line of said West Half; thence South coincident with the East line of said West Half, a distance of 1,035.75 feet, to the South line of said Northwest Quarter; thence West coincident with the South line of said Northwest Quarter, a distance of 1,261.69 feet, to the point of beginning.

Order: OE002787

KJK

PUD-2305

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 _____
- ☒ Preliminary PUD M-1 ☐ 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 Stream's Edge Properties, LLC - Anthony Rocco, Authorized Member

Address 6450 Poe Ave., Suite 311, Dayton, OH 45414 Telephone 937-264-4060

Agent representing the owner EMH&T - Russell Henestofel

Address 5500 New Albany Rd., New Albany, OH 43054 Telephone 614-775-4360

1. The application area is legally described as Lot(s) 7; Block(s) C,
Sunflower Commerce Park Addition, Bel Aire, Kansas. If appropriate, a metes and
bounds description may be attached.

2. The application area contains 16.06 acres.

3. This property is located at (address) 53rd Street N. which is generally
located at (relation to nearest streets) East of Industry Drive.

4. County control
number: 30002031

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

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.

Agent _____	Phone _____
Address _____	Zip Code _____

Applicant's Signature Anthony Rocco 4-18-23 BY _____

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.

PLANNED UNIT DEVELOPMENT AGREEMENT
CONCERNING LOT 7, SUNFLOWER COMMERCE PARK ADDITION
TO THE CITY OF BEL AIRE, KANSAS

This agreement is made and entered into by and between STREAM'S EDGE PROPERTIES, LLC, hereinafter referred to as the "DEVELOPER" and the CITY OF BEL AIRE, KANSAS, hereinafter referred to as the "CITY."

WHEREAS, the Developer desires a lot split of Lot 7, SUNFLOWER COMMERCE PARK Addition to the City of Bel Aire, Kansas ("SUNFLOWER COMMERCE PARK Addition") into Tract 1 and Tract 2 as delineated in the Development Plan (the "Development Plan") attached hereto; and

WHEREAS, the City desires that development of Tract 1 and Tract 2 (which Developer intends to operate under the trade name "STREAM'S EDGE PROPERTIES (SEP) ") proceed in accordance with a planned unit development as provided herein; and

WHEREAS, the City is willing to approve the lot split subject to the terms and conditions contained herein;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the Developer and the City agree as follows:

PURPOSE. This Agreement establishes the terms and conditions for a Planned Unit Development zoning district covering all of SEP Addition. The requirements contained in this PUD Agreement are in lieu of any requirements contained in the zoning and subdivision regulations of the City and compliance with the terms and conditions of this PUD Agreement shall be deemed in compliance with the zoning and subdivision regulations of the City.

INFRASTRUCTURE INSTALLATION. Installation of all improvements shall be in compliance with the requirements of all applicable federal, state and local legislation, including the Americans with Disabilities Act. All infrastructure improvements shall be detailed on a Planned Unit Development Site Plan, which delineates building locations. Said Planned Unit Development Site Plan (herein the "PUD Site Plan") shall be approved by Developer and by the City Engineer, attached hereto and made a part hereof.

All electric power, parking lot lights, cable, streetlights and telephone service shall be installed underground. The City shall approve the engineering design, and inspect all of the improvements necessary for the development of SEP Addition. All public improvements shall be dedicated to and owned and maintained by the City, and shall be installed on city owned property or within public right-of-ways or easements. The Developer shall reimburse the City for the actual costs of engineering design review and the inspection of all improvements necessary for the development of SEP Addition.

The Developer shall install, or cause to be installed all improvements delineated on the PUD Site Plan. Said improvements include, but are not limited to sidewalks, water

distribution system, sanitary sewer service lines, driveways, landscaping, lighting and utilities. The Developer shall indemnify and hold harmless the City from any liability from damages that may occur during construction by or on behalf of Developer. The Developer shall pay one hundred percent (100%) of the cost of the improvements delineated on the PUD Site Plan.

Whenever existing sanitary or storm water sewers, water lines, drainage channels, culverts, underground and overhead electric, communications, gas lines, pipe lines or transmission lines are required to be installed, lowered, encased, or relocated due to the lot split or construction improvements required, and in the event it was not known at time of the lot split approval, the Developer shall pay one hundred percent (100%) of the cost of the improvements. The Developer shall indemnify and hold harmless the City from any liability from damages that may occur during construction.

All easements recorded on the face of the final plat of SUNFLOWER COMMERCE PARK Addition to Bel Aire, Kansas shall remain in effect pursuant to this Planned Unit Development Agreement. The surface of such easements may be used by the owner of Tract 1 and Tract 2 for driveways, parking and landscaping, as delineated on the PUD Site Plan.

LANDSCAPE AND DRAINAGE. The Developer shall prepare a Landscape and Storm Drainage Plan, which shall address the effect of changes to the natural environment and increased drainage, which Landscape and Storm Drainage Plan shall be approved by the City Engineer attached hereto and made a part hereof. After approval by the Developer and the City Engineer of said Landscape and Storm Drainage Plan, the Developer shall install, or cause to be installed, the improvements pursuant to the said Plan.

SIGNAGE AND OUTSIDE STORAGE. The Developer shall prepare a Signage Plan that shall include all free standing and building signage, which shall be approved by the City Administrator, attached hereto and made a part hereof. The Developer shall enclose or cause to be enclosed, all trash and recycling containers and similar equipment as set forth in the PUD Site Plan as approved by the City Engineer. No outside storage of any product or material shall be permitted on said property unless specifically approved by the City Administrator and placed within an approved enclosure.

ROADWAYS. Roadway access to the parcel of land herein referred to as Tract 1 shall be limited to entry from 53rd Street North with a maximum of one access drive; and to the parcel of land herein referred to as Tract 2 shall be limited to entry from 53rd Street North with a maximum of one access drive as dimensioned on the PUD Site Plan and approved by the City Engineer and by the Sedgwick County Fire Department for fire protection purposes.

SANITARY SEWER. Tract 1 shall be permitted one (1) sanitary connection and Tract 2 one (1) sanitary connection to the existing sanitary sewer main. Each of the two (2) approved connections to the twelve (12) inch sanitary sewer main shall be charged \$950.00 or a total of \$1,900.00 paid to the City at the time the permit is approved.

WATER. Developer shall construct water service lines to serve Tract 1 and Tract

2. Subject to existing regulations of the City regarding connections to such line, the water service lines shall be connected by meter to the existing sixteen (16) inch water main owned by the City and located in the 53rd Street North right-of-way. The location of such tap shall be as shown on the PUD Site Plan as approved by the City Engineer. Fees for water service include the water connection fee, meter and installation cost and a water system tap-on fee as stated in the table below.

<u>Size</u>	<u>Water Connection Fee</u>	<u>Meter & Installation</u>	<u>Water System Tap-On Fee</u>
1.5" tap	\$2,400	\$2,500	\$2,650
2" tap	\$3,600	\$2,500	\$2,650
3" tap	\$5,400	\$3,600	\$2,650
4" tap	\$8,100	\$3,600	\$2,650
6" tap	\$18,225	\$TBD	\$2,650

PERMITS. No demolition, site clearance or construction shall commence on any portion of the tract of land herein referred to as Tracts 1 and 2 without the Developer, or its designated builder, having first obtained the proper permits from the City. No occupancy will be allowed of any building on said property without a valid Occupancy Permit from the City of Bel Aire.

PARKING. Parking as designated on the PUD Site Plan is deemed sufficient for all industrial and commercial uses of the development.

LOT SPLIT. The lot split shown on the PUD Site Plan is hereby approved. A copy of the Lot Split Survey shall be executed on behalf of the City and forwarded to the office of the Register of Deeds for recording.

PURPOSE. A specific purpose of this agreement is to assure that necessary improvements are in place to support development of the parcel of land herein referred to as Tracts 1 and 2. Therefore, the Developer's compliance with the terms and conditions of this Agreement shall be a condition precedent to the granting of building and/or occupancy permits for development on said property.

RECORDING. The Developer shall file with the Sedgwick County Register of Deeds an executed copy of this Agreement including the attachments of the PUD Suite Plan, the Landscape and Drainage Plan and the Signage Plan all as approved by the City Engineer.

BINDING. Upon full execution hereof and upon attachment of the PUD Site Plan, the Landscape and Drainage Plan and the Signage Plan, all approved as provided herein, the terms and conditions of this Agreement, as set forth herein, shall be binding upon the City and the Developer, their successors, representatives, trustees, and assigns.

THIS AGREEMENT is hereby executed on this _____ day of _____, 2023.

DEVELOPER

THIS AGREEMENT was approved by vote the City Council of the City of Bel Aire, Kansas on the ____ day of _____, 2023 and is hereby executed on this ____ day of _____, 2023.

MAYOR, JOHN DOE

SEAL

ATTEST:

CITY CLERK, MELISSA KREHBIEL

ACKNOWLEDGEMENTS

BE IT KNOWN BY ALL PERSONS that on this _____ day of _____,
2023, before me, a Notary Public, came, who is known to me and who personally
acknowledged execution of the forging Planned Unit Development Agreement Concerning
Lot 7, SUNFLOWER COMMERCE PARK Addition.

NOTARY PUBLIC

My Appointment Expires: _____

BE IT KNOWN BY ALL PERSONS that on this _____ day of _____,
2023, before me, a Notary Public, came JOHN DOE, who is known to me to be the Mayor
of Bel Aire, Kansas and who personally acknowledged execution of the forging Planned
Unit Development Agreement Concerning Lot 7, SUNFLOWER COMMERCE PARK
Addition and MELISSA KREHBIEL, who is known to me to be the City Clerk of Bel Aire,
Kansas and who personally acknowledged attesting the signature of said MAYOR.

NOTARY PUBLIC

My Appointment Expires: _____



OWNERSHIP LIST

PROPERTY DESCRIPTION		PROPERTY OWNER
Lot 7, Blk C Subject Property	Sunflower Commerce Park Addition	Bayside Development, LLC 3819 N. Toben St. Wichita, KS 67226
Lots 4, 5, & 6, Blk C	"	JDO, LLC PO Box 138 Salina, KS 67401
Lot 8, Blk C	"	Big13, LLC 536 S. Commerce St. Wichita, KS 67202
Reserve C	"	City of Bel Aire, Kansas, Public Building Commission 7651 E. Central Park Bel Aire, KS 67226
Lot 2, Blk A	Sunflower Commerce Park 2nd Addition	Bayside Development, LLC 3819 N. Toben St. Wichita, KS 67226
Reserve A	"	BA Industrial, LLC 900 E. Hamilton Ave., Ste. 100 Campbell, CA 95008
The NE/4, EXC the r.o.w.; & EXC that part platted as Sunflower Commerce Park Add, 21-26-2E AND The NW/4, EXC the W 935' of the N 1,050' thereof; & EXC the W 70' for road; & EXC that part platted as Sunflower Commerce Park Add, 21-26-2E		Greenwich Group, LLC 15550 E. Kellogg Wichita, KS 67230



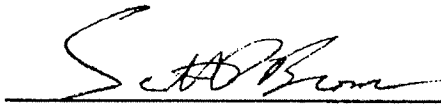
Security 1st Title

We hereby certify the foregoing to be true and correct list of the property owners of the herein before described tracts and lots within a 250 foot radius of:

Lot 7, Block C, Sunflower Commerce Park, an Addition to Bel Aire, Sedgwick County, Kansas.

as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 7th day of April, 2023, at 7:00 A.M.

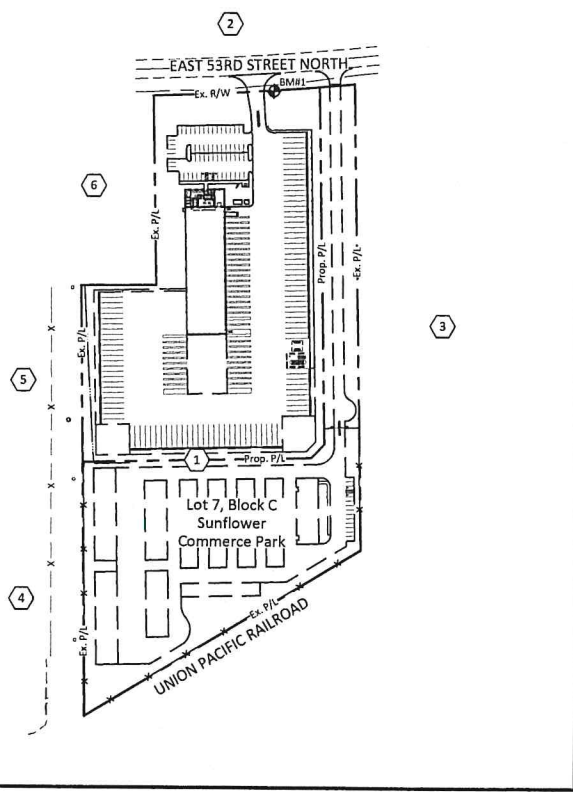
SECURITY 1ST TITLE

By: 
LICENSED ABTRACTER

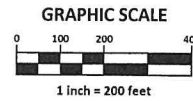
Order: OE002956
KJK

**CITY OF BEL AIRE, SEDGWICK COUNTY, KANSAS
PRELIMINARY PLANNED UNIT DEVELOPMENT
FOR**

SHEET INDEX	
Sheet No.	Sheet Title
C1.00	Title Sheet
C1.01	Conceptual Site Plan - Opening Day
C1.02	Conceptual Site Plan - Full Build
C1.10	Self Storage Floor Plan Layout
C1.11	Self Storage Floor Plan Layout
C1.20	Existing Conditions & Demolition Plan
C1.30	Site Plan
C1.40	Utility Plan
C1.60	Grading & Drainage Plan
C1.90	Landscape Plan



INDEX MAP
Scale: 1" = 200'



PROPERTY OWNERS				
#	Owner	Parcel Number	Zoning	Existing Land Use
1	Bayside Development LLC	30002031	M-1 Manufacturing	16.124± Acres Farming/Ranch Land (No Improvements)
2	Bayside Development LLC	30009745	M-1 Manufacturing	95.702± Acres Farming/Ranch Land (No Improvements)
3	Big13 LLC	30000232	M-1 Manufacturing	12.925± Acres Farming/Ranch Land (No Improvements)
4	JDO LLC	30000228	M-1 Manufacturing	12.337± Acres Warehouse-Office Combination
5	JDO LLC	30000229	M-1 Manufacturing	7.974± Acres Warehouse-Office Combination
6	City of Bel Air Public Bld Comm	30002036	M-1 Manufacturing	3.849± Acres Farming/Ranch Land (No Improvements)

DEVELOPER/OWNER

Streams Edge Properties, LLC
c/o Dayton Freight Lines, Inc.
6450 Poe Avenue, Suite 311
Dayton, OH 45414
Contact: Anthony Rocco
(937) 415-1748
arocco@daytonfreight.com

ENGINEER

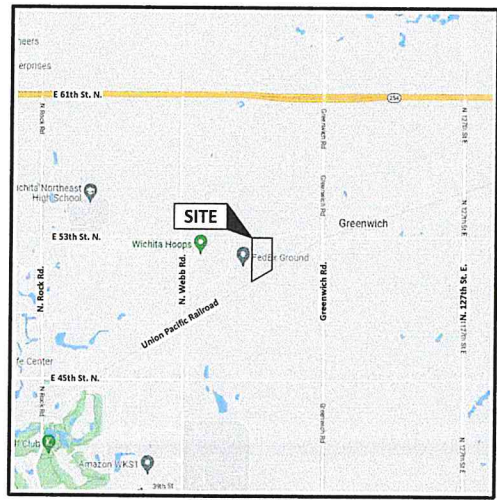


Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3644
emht.com

Contact: Russell Henestof
(614) 775-4500
rhenestofel@emht.com

ARCHITECT

Robert Johnson Architects
1808 West Morehead Street
Charlotte, NC 28208
Contact: Travis Holmes
(704) 342-1058
travis@robertjohnsonarchitects.com



LOCATION MAP
Not to Scale

Horizontal Datur

Sedgwick County network datum which is Kansas state plane south grid coordinates. Then project rotated to the survey basis of bearing - the East line SCP Blk C Lot 7.

Vertical Datum

Datum benchmark: From Sunflower Commerce Park Plat;
C.O.W. Benchmark, brass disc on the east hubguard of RCBC at
E/4c of section 16, 1/2 mile North of 53rd Street on Greenwich
Road. 1381.82 (NAVD88). BM matches Sedgwick County
network datum.

Benchmark: Railroad spike in the East face of the first power pole located West of the Northeast property corner.
Elevation: 1416.90 (NAVD88)

Section V, Item B.

DAYTON FREIGHT LINES, INC.
450 Poe Avenue, Suite 311, Dayton, Ohio 45414



Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

058 | WIC
DAYTON FREIGHT
PRELIMINARY PLANNED UNIT DEVELOPMENT
EAST 53RD STREET NORTH | BEL AIRE | KANSAS | 67226

[illegible]

DRAWING SET

- ☐ _____ PRELIMINARY
☐ _____ CHECK
☐ _____ BID
☒ 04 | 14 | 2023 PERMIT
☐ _____ CONSTRUCTION

SEAL

PRELIMINARY
.....
NOT TO BE USED FOR
CONSTRUCTION

PLAN SET DATE
APRIL 14, 2023

PROJECT NUMBER 2023-0097

HEET TITLE

TITLE SHEET

SCALE _____ AS NOTED

SHEET NUMBER

058 | WIC
DAYTON FREIGHT
PRELIMINARY PLANNED UNIT DEVELOPMENT
EAST 53RD STREET NORTH | BEL AIRE | KANSAS | 67226

[illegible]

DRAWING SET

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<input type="checkbox"/>	_____	CONSTRUCTION

SEAL

PRELIMINARY
 NOT TO BE USED FOR
 CONSTRUCTION

PLAN SET DATE
APRIL 14, 2023

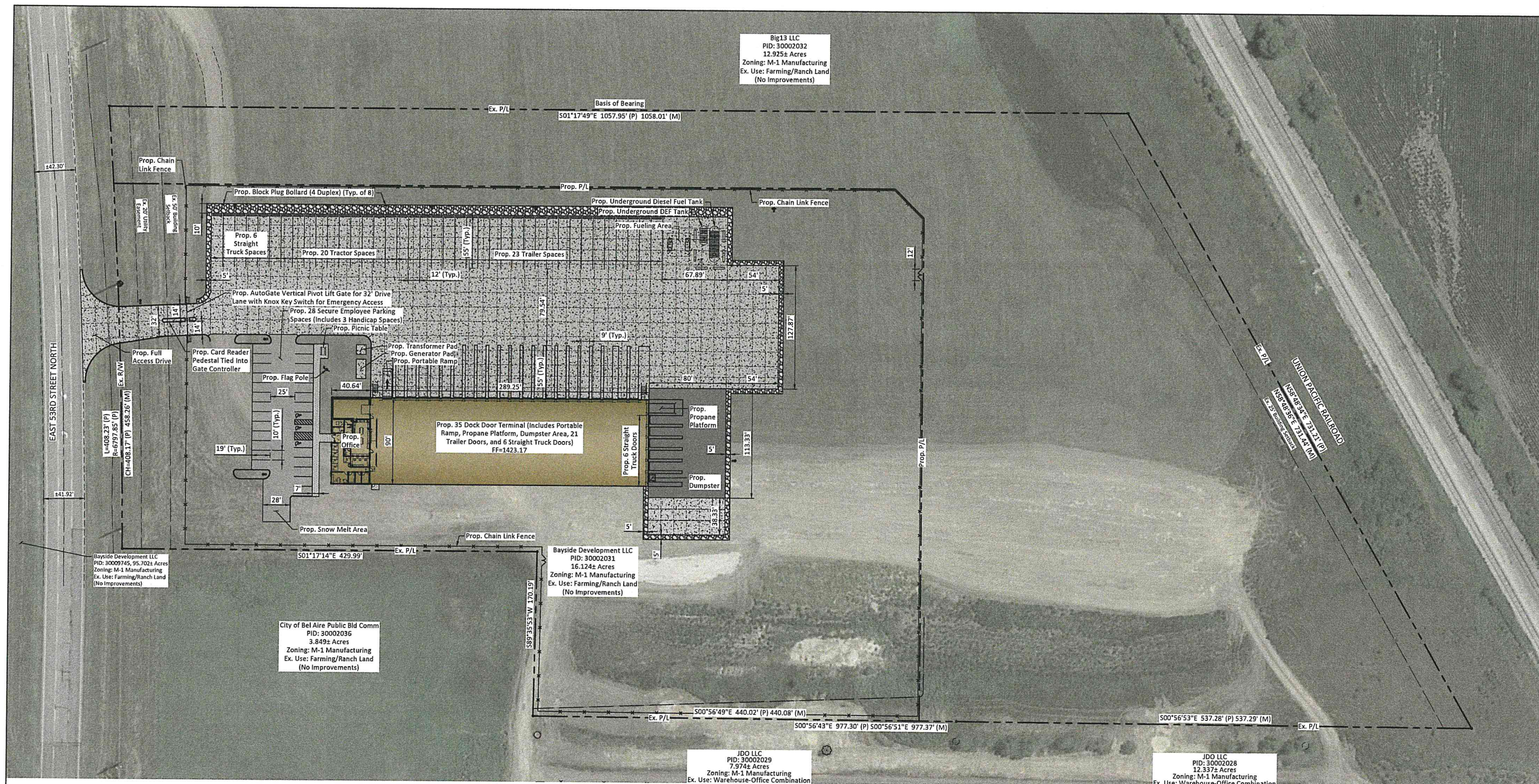
PROJECT NUMBER 2023-0097

SHEET TITLE
**CONCEPTUAL SITE PLAN -
OPENING DAY**

























SHEET NUMBER

28

C1.01

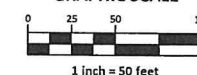


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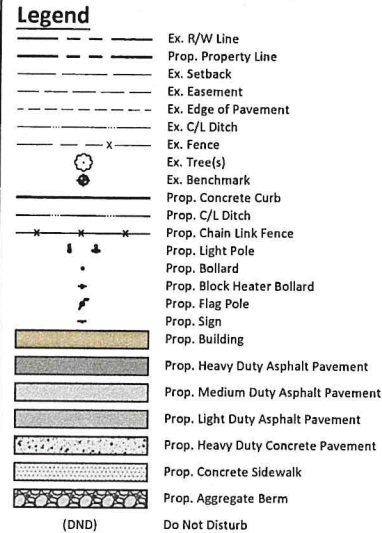
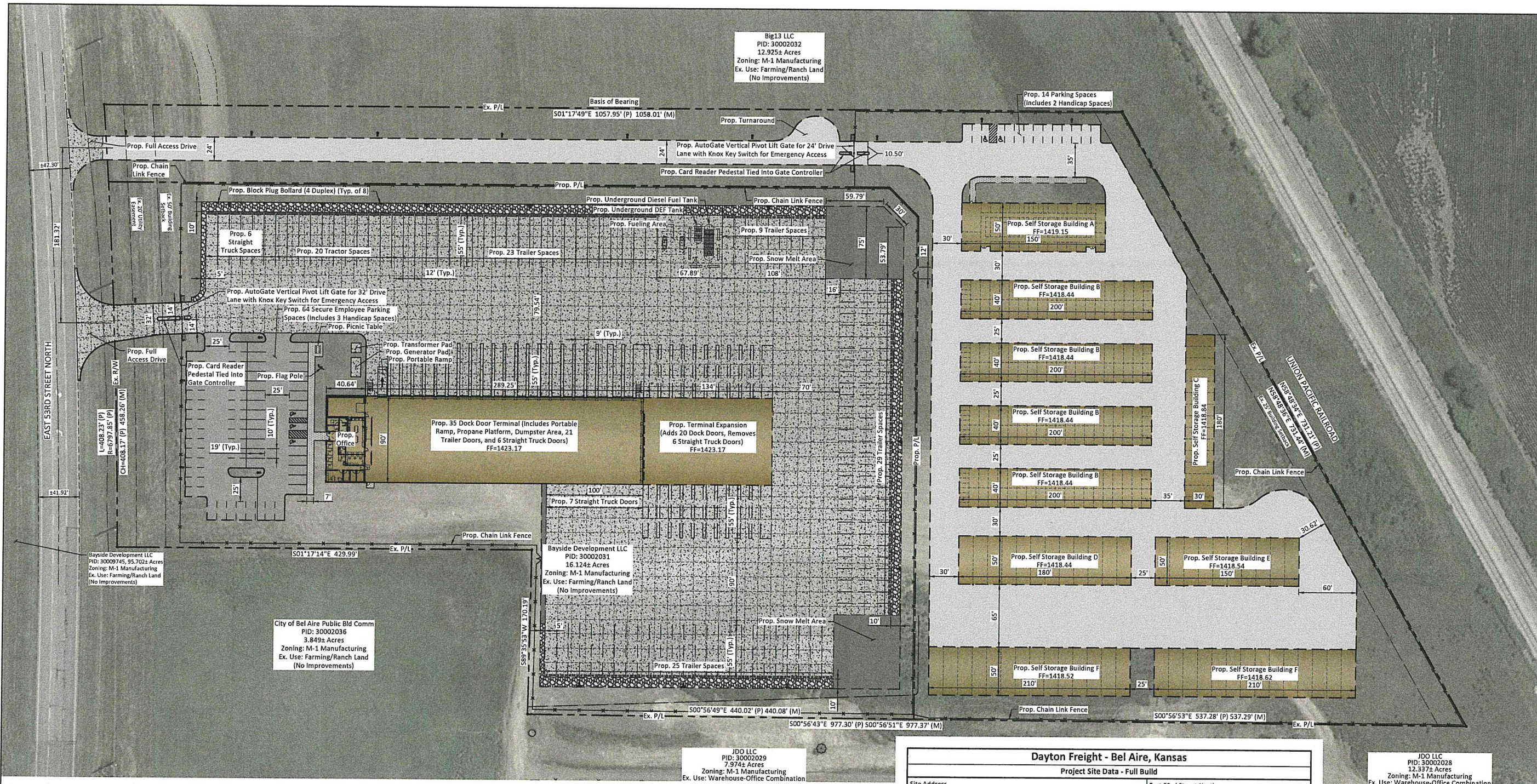
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|  | Ex. C/L Ditch |
|  | Ex. Fence |
|  | Ex. Tree(s) |
|  | Ex. Benchmark |
|  | Prop. Concrete Curb |
|  | Prop. C/L Ditch |
|  | Prop. Chain Link Fence |
|  | Prop. Light Pole |
|  | Prop. Bollard |
|  | Prop. Block Heater Bollard |
|  | Prop. Flag Pole |
|  | Prop. Sign |
|  | Prop. Building |
|  | Prop. Heavy Duty Asphalt Pavement |
|  | Prop. Light Duty Asphalt Pavement |
|  | Prop. Heavy Duty Concrete Pavement |
|  | Prop. Concrete Sidewalk |
|  | Prop. Aggregate Berm |
|  | Do Not Disturb |
- (DND)

Dayton Freight - Bel Aire, Kansas	
Project Site Data - Opening Day	
Site Address	East 53rd Street North
Zoning Districts	M-1 Manufacturing
Flood Insurance Rate Map (FIRM) Number	20179C0240G
Most Recent Effective Date of FIRM	December 22, 2016
Flood Zone for Development Area	Zone X
Site Data - Truck Terminal	
Prop. Site Area	8.79 Acres
Prop. Land Intensity	See Full Build Site Data Chart, Sheet C1.02
Prop. Dwelling Units	0
Prop. Terminal Building (Excluding Office Area)	26,033 S.F.
Prop. Office Area	3,658 S.F.
Prop. Dock Doors (Includes Ramp, Trash Compactor, and Propane Platform)	33 Doors (21 Trailer Doors, 6 Straight Truck Doors)
Prop. Tractor Spaces	20 Spaces
Prop. Straight Truck Spaces	6 Spaces
Prop. Trailer Spaces	23 Spaces (1.10 per Trailer Door)
Prop. Secured Employee Parking	28 Spaces (Includes 3 Handicap Spaces)

GRAPHIC SCALE

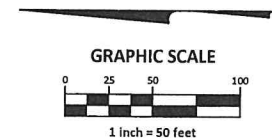


J:\20230097\DWG\04SHEETS\PRELIMINARY PLANNED UNIT DEVELOPMENT\CLD CONCEPTUAL SITE PLAN - FULL BUILD.DWG



Dayton Freight - Bel Aire, Kansas	
Project Site Data - Full Build	
Site Address	East 53rd Street North
Zoning Districts	M-1 Manufacturing
Flood Insurance Rate Map (FIRM) Number	20173C0240G
Most Recent Effective Date of FIRM	December 22, 2016
Flood Zone for Development Area	Zone X
Site Data - Truck Terminal	
Prop. Site Area	8.79 Acres
Prop. Dwelling Units	0
Prop. Terminal Building (Excluding Office Area)	38,093 S.F.
Prop. Office Area	3,658 S.F.
Prop. Dock Doors (Includes Ramp, Trash Compactor, and Propane Platform)	49 Doors (41 Trailer Doors, 7 Straight Truck Doors)
Prop. Tractor Spaces	20 Spaces
Prop. Straight Truck Spaces	6 Spaces
Prop. Trailer Spaces	86 Spaces (2.10 per Trailer Door)
Prop. Secured Employee Parking	64 Spaces (Includes 3 Handicap Spaces)
Site Data - Warehouse Site	
Prop. Site Area	7.27 Acres
Prop. Dwelling Units	0
Prop. Self Storage Building A	7,500 S.F. (One at 7,500 S.F. Each)
Prop. Self Storage Building B	32,000 S.F. (Four at 8,000 S.F. Each)
Prop. Self Storage Building C	5,400 S.F. (One at 5,400 S.F. Each)
Prop. Self Storage Building D	9,000 S.F. (One at 9,000 S.F. Each)
Prop. Self Storage Building E	7,500 S.F. (One at 7,500 S.F. Each)
Prop. Self Storage Building F	21,000 S.F. (Two at 10,500 S.F. Each)
Total Self Storage Building Space	82,400 S.F. Total
Prop. Parking	14 Spaces (Included 2 Handicap Spaces)
Prop. Land Intensity for Entire Site	71.62%

JDO LLC
PID: 30002028
12.337± Acres
Zoning: M-1 Manufacturing
Ex. Use: Warehouse-Office Combination



058 I WIC
DAYTON FREIGHT
PRELIMINARY PLANNED UNIT DEVELOPMENT
EAST 53RD STREET NORTH | BELAIRE | KANSAS | 67226

REVISIONS	
MARK	DESCRIPTION

DRAWING SET	
<input type="checkbox"/>	PRELIMINARY
<input type="checkbox"/>	CHECK
<input type="checkbox"/>	BID
<input checked="" type="checkbox"/>	PERMIT
<input type="checkbox"/>	CONSTRUCTION

SEAL

PRELIMINARY
NOT TO BE USED FOR
CONSTRUCTION

PLAN SET DATE
APRIL 14, 2023

PROJECT NUMBER
2023-0097

SHEET TITLE
CONCEPTUAL SITE PLAN -
FULL BUILD

SCALE
1" = 50'

SHEET NUMBER
29

EAST 53RD STREET NORTH | BEL AIRE | KANSAS | 67226

[illegible]

DRAWING SET

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<input type="checkbox"/>	_____	CONSTRUCTION

SEAL

PRELIMINARY
.....
NOT TO BE USED FOR
CONSTRUCTION

PLAN SET DATE
APRIL 14, 2023

PROJECT NUMBER 2023-0097

SHEET TITLE
SELF STORAGE FLOOR PLAN

SCALE _____ LAYOUT _____
AS NOTED

SHEET NUMBER

30

C1.10



058 | WIC
DAYTON FREIGHT
PRELIMINARY PLANNED UNIT DEVELOPMENT
EAST 53RD STREET NORTH | BELAIRE | KANSAS | 67226

[illegible]

DRAWING SET

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<input checked="" type="checkbox"/>	04 14 2023	PERMIT
<input type="checkbox"/>	_____	CONSTRUCTION

SEAL

PRELIMINARY
.....
**NOT TO BE USED FOR
CONSTRUCTION**

PLAN SET DATE
APRIL 14, 2023

PROJECT NUMBER 2023-0097

SHEET TITLE
EXISTING CONDITIONS &

SCALE **DEMOLITION PLAN**
1" = 50'

SHEET NUMBER

32

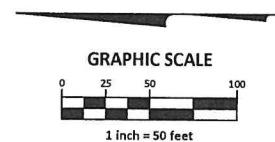
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\\20230097\DWG\04SHEETS\PRELIMINARY PLANNED UNIT DEVELOPMENT\CL 20 EXISTING CONDITIONS AND DEMO DIAN DWG

Legend

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| _____ | Ex. R/W Line |
| _____ | Prop. Property Line |
| _____ | Ex. Setback |
| _____ | Ex. Easement |
| _____ | Ex. Edge of Pavement |
| _____ | Ex. C/L Ditch |
| _____ X _____ | Ex. Fence |
| _____ | Ex. Overhead Electric Line |
| _____ | Ex. Underground Comm. Line |
| _____ | Ex. Water Main |
| _____ | Ex. Sanitary Sewer |
| _____ | Ex. Storm Sewer |
| _____ | Ex. Major Contour |
| _____ | Ex. Minor Contour |
| _____ | Ex. Spot Elevation |
| _____ | Ex. Tree(s) |
| _____ | Ex. Utility Pole |
| _____ | Ex. Benchmark |
| _____ | Do Not Disturb |
| _____ | To Be Removed |
-
- | | | |
|-------|-------------|---------|
| _____ | CH-E | Federal |
| _____ | C-B | Hydrant |
| _____ | WM-W | |
| _____ | SAN | |
| _____ | ST-W | |
| _____ | 1420 | |
| _____ | 1419 | |
| _____ | X ± 1419.25 | |
| _____ | 1418 | |
| _____ | (DND) | |
| _____ | (TBR) | |



058 | WIC
DAYTON FREIGHT
PRELIMINARY PLANNED UNIT DEVELOPMENT
EAST 53RD STREET NORTH | BELAIRE | KANSAS | 67226

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DRAWING SET

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<input checked="" type="checkbox"/>	04 14 2023	PERMIT
<input type="checkbox"/>	_____	CONSTRUCTION

SEAL

PRELIMINARY
.....
NOT TO BE USED FOR
CONSTRUCTION

PLAN SET DATE
APRIL 14, 2023

PROJECT NUMBER 2023-0097

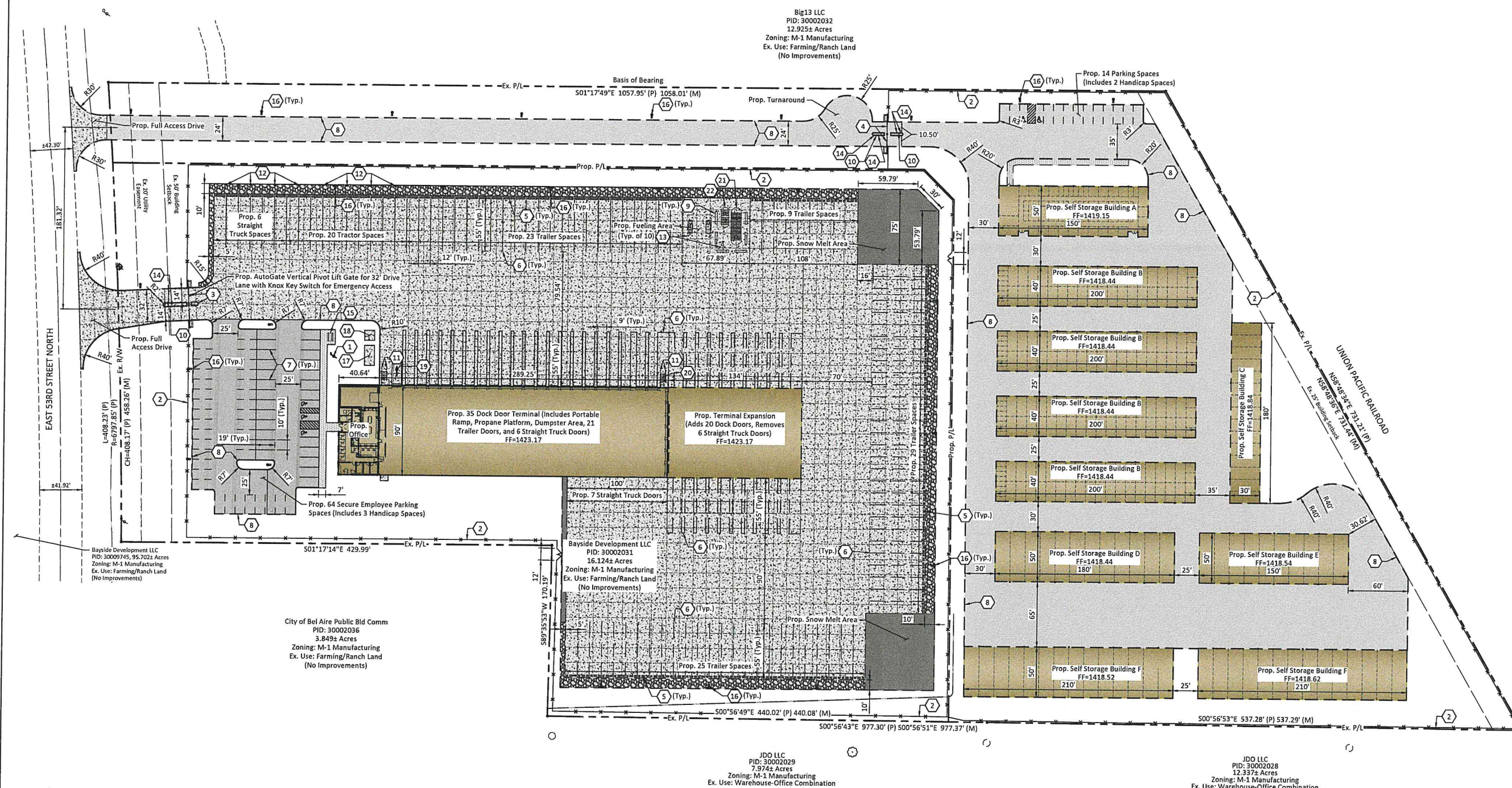
SHEET TITLE SITE PLAN

SCALE $1'' = 50'$

SHEET NUMBER

C1 30

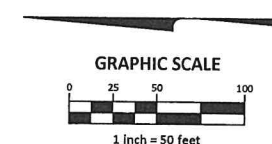
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- ## Legend
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| | Prop. Property Line |
| | Ex. Setback |
| | Ex. Easement |
| | Ex. Edge of Pavement |
| | Ex. C/L Ditch |
| | Ex. Fence |
| | Ex. Tree(s) |
| | Ex. Utility Pole |
| | Ex. Benchmark |
| | Prop. Concrete Curb |
| | Prop. C/L Ditch |
| | Prop. Chain Link Fence |
| | Prop. Light Pole |
| | Prop. Bollard |
| | Prop. Block Heater Bollard |
| | Prop. Flag Pole |
| | Prop. Sign |
| | Prop. Control/Contraction Joint |
| | Prop. Control/Contraction Joint, Joint To Be Sealed Using DOWSIL SL-890 Sealant |
| | Prop. Building |
| | Prop. Heavy Duty Asphalt Pavement |
| | Prop. Light Duty Asphalt Pavement |
| | Prop. Heavy Duty Concrete Pavement |
| | Prop. Concrete Sidewalk |
| | Prop. Aggregate Berm |
| | Prop. Perimeter Riprap |
| | Do Not Disturb (DND) |
- ## Coded Notes
- | | |
|----|--|
| 1 | Prop. Flag Pole |
| 2 | Prop. Chain Link Fence |
| 3 | Prop. AutoGate Vertical Pivot Lift Gate for 32' Drive Lane with Knox Key Switch for Emergency Access |
| 4 | Prop. AutoGate Vertical Pivot Lift Gate for 24' Drive Lane with Knox Key Switch for Emergency Access |
| 5 | Prop. Heavy Duty Parking Block |
| 6 | Prop. Truck Parking Striping, 4" Wide Yellow |
| 7 | Prop. Car Parking Striping, 4" Wide White |
| 8 | Prop. Curb |
| 9 | Prop. Portable Jersey Barrier |
| 10 | Prop. Card Reader Pedestal Tied Into Gate Controller |
| 11 | Prop. Bollard at Stairs |
| 12 | Prop. Block Heater Bollard (4 Duplex) |
| 13 | Prop. Concrete Filled Pipe Bollard |
| 14 | Prop. Concrete Filled Pipe Bollard per Protective Bollard at Card Reader Pedestal |
| 15 | Prop. Picnic Table |
| 16 | Prop. Light Pole |
| 17 | Prop. Generator Pad |
| 18 | Prop. Transformer Pad |
| 19 | Prop. Portable Ramp |
| 20 | Prop. Stairs |
| 21 | Prop. Underground Diesel Tank |
| 22 | Prop. Underground DEF Tank |

Notes

1. All all dimensions in curbed areas shall be front to front of building. All dimensions in areas without curb shall be to edge of pavement. All dimensions from building shall be from face of building.
2. All dimensions are parallel and perpendicular to base lines, property lines, or building lines unless otherwise noted.
3. All radii in paved areas and on curbs shall be 3' unless otherwise noted.
4. All radii indicated shall be formed as circular arcs.
5. The contractor shall verify all dimensions in field before starting construction. The contractor shall be responsible for all field dimensions. If any discrepancies are found in these plans from actual field condition, the contact the engineer immediately.
6. Provide smooth transition from new areas to existing features as necessary.
7. All areas where the existing pavement or pavements are damaged during construction from traffic by the general contractor, subcontractors, or suppliers shall be resurfaced or reconstructed at least to their original condition after construction work is completed.
8. Painted stripes are to be 4" wide with white paint in car parking, unless otherwise noted. High quality yellow paint is to be used for all markings related to handicap parking and truck parking areas.
9. The contractor shall be responsible to provide at his expense all automobile and pedestrian traffic control devices required by federal, state, county, city, or local agency. The amount, location, and size shall be per direction of agency.
10. Contractor shall utilize caution working around existing utilities.



058 | WIC
DAYTON FREIGHT
PRELIMINARY PLANNED UNIT DEVELOPMENT
EAST 53RD STREET NORTH | BEL AIRE | KANSAS | 67226

[illegible]

DRAWING SET

<input type="checkbox"/>	_____	PRELIMINARY
<input type="checkbox"/>	_____	CHECK
<input type="checkbox"/>	_____	BID
<input checked="" type="checkbox"/>	<u>04 14 2023</u>	PERMIT
<input type="checkbox"/>	_____	CONSTRUCTION

SEA

PRELIMINARY
.....
NOT TO BE USED FOR
CONSTRUCTION

PLAN SET DATE
APRIL 14, 2023

PROJECT NUMBER 2023-0097

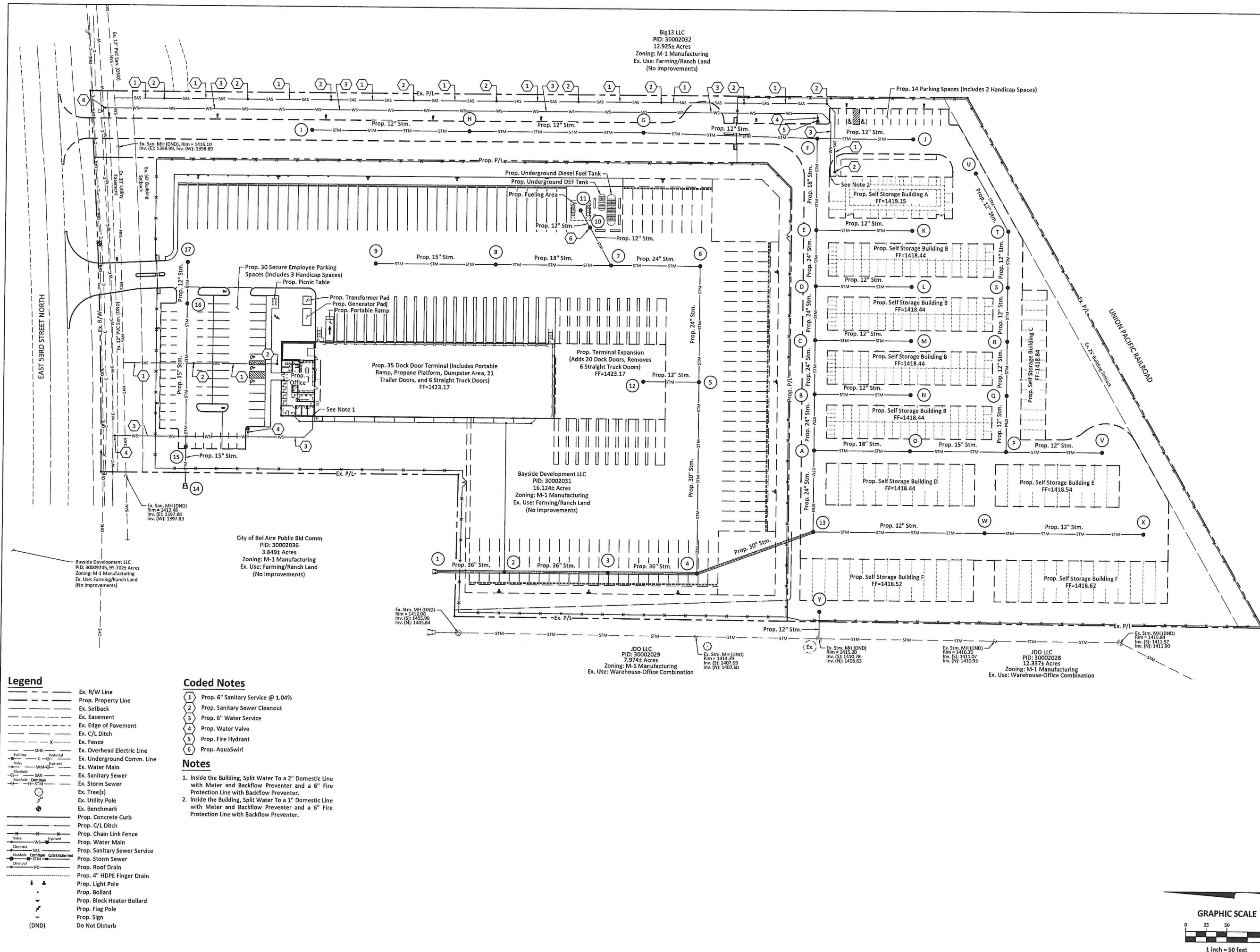
SHEET TITLE **UTILITY PLAN**

SCALE _____
1" = 50'

SHEET NUMBER

34

C1.40



058 | WIC
DAYTON FREIGHT
PRELIMINARY PLANNED UNIT DEVELOPMENT
EAST 53RD STREET NORTH | BEL AIRE | KANSAS | 67226

[illegible]

DRAWING SET

<input type="checkbox"/>	_____	PRELIMINARY
<input type="checkbox"/>	_____	CHECK
<input type="checkbox"/>	_____	BID
<input checked="" type="checkbox"/>	04 14 2023	PERMIT
<input type="checkbox"/>	_____	CONSTRUCTION

SEAL

PRELIMINARY
.....
**NOT TO BE USED FOR
CONSTRUCTION**

PLAN SET DATE
APRIL 14, 2023

PROJECT NUMBER 2023-0097

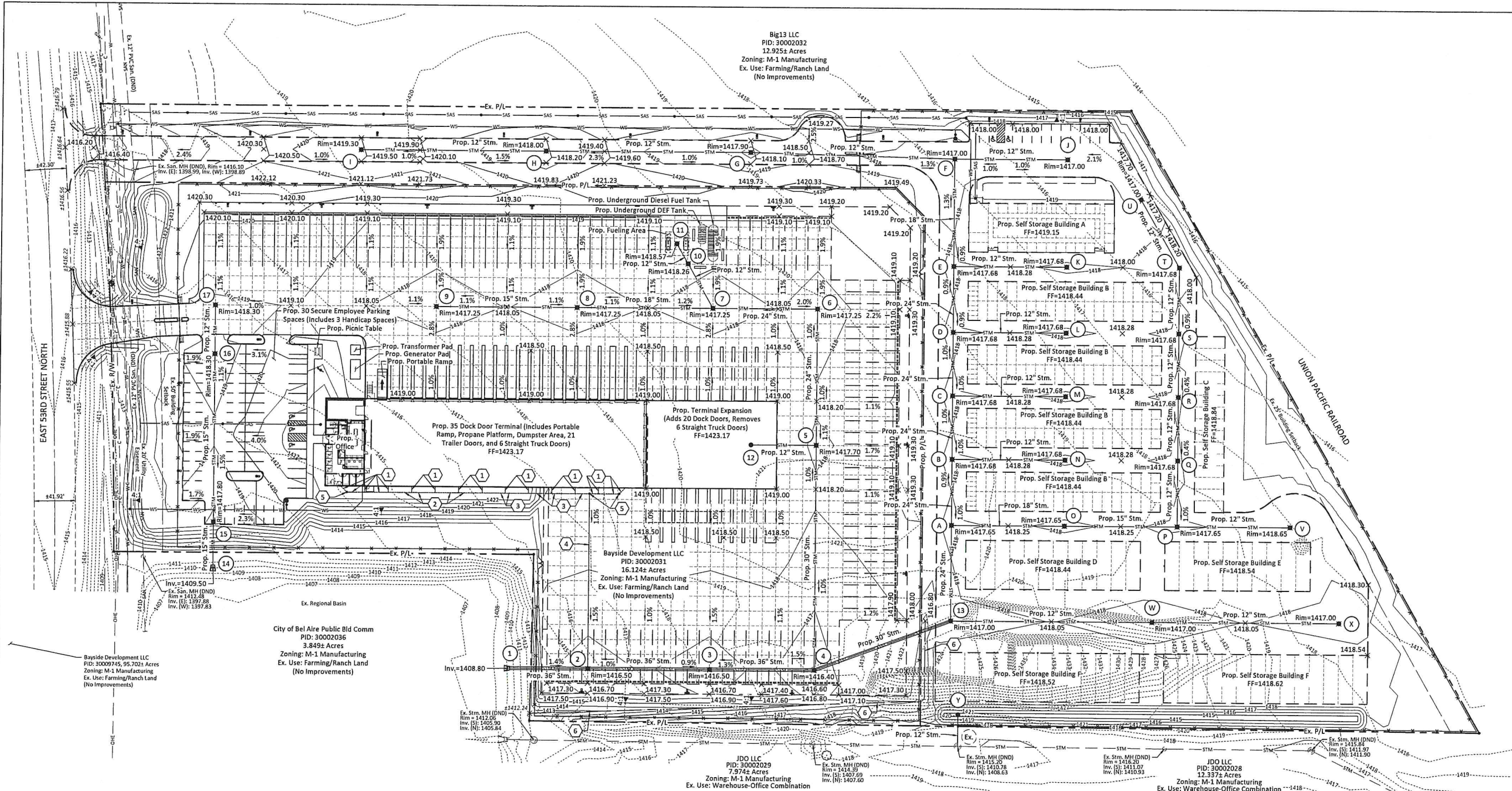
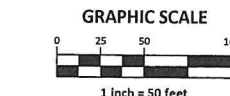
SHEET TITLE
GRADING & DRAINAGE PLAN

SCALE _____ 1" = 50'

SHEET NUMBER

35

C1.60

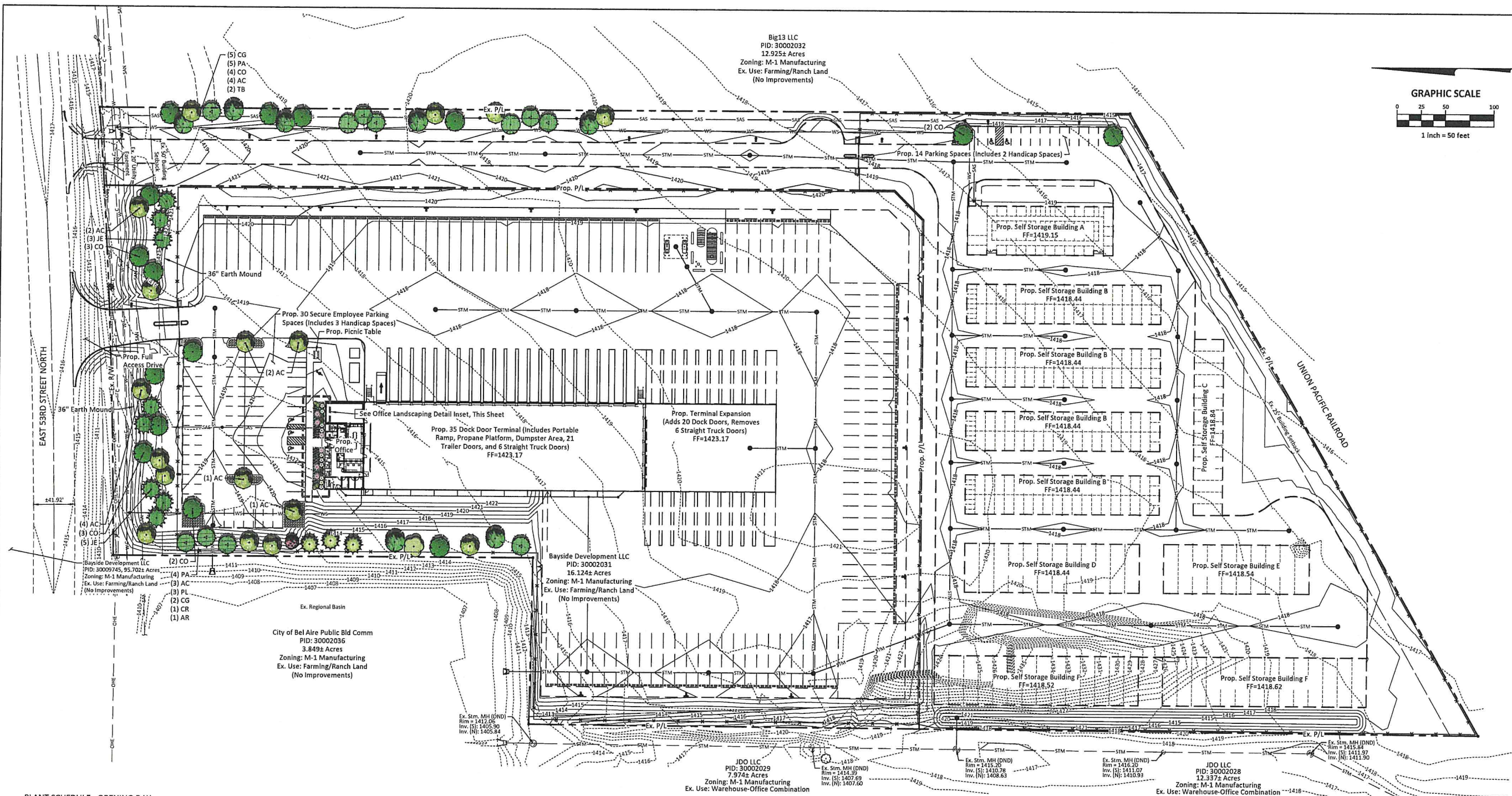


Legend










	Ex. R/W Line		Prop. Concrete Curb
	Prop. Property Line		Prop. C/L Ditch
	Ex. Setback		Prop. Chain Link Fence
	Ex. Easement		Prop. Water Main
	Ex. Edge of Pavement		Prop. Sanitary Sewer Service
	Ex. C/L Ditch		Prop. Storm Sewer
	Ex. Fence		Prop. Roof Drain
	Ex. Overhead Electric Line		Prop. 4" HDPE Finger Drain
	Ex. Underground Comm. Line		Prop. Major Contour
	Ex. Water Main		Prop. Minor Contour
	Ex. Sanitary Sewer		Prop. Spot Elevation
	Ex. Storm Sewer		Prop. Light Pole
	Ex. Major Contour		Prop. Bolland
	Ex. Minor Contour		Prop. Block Heater Bolland
	Ex. Spot Elevation		Prop. Flag Pole
	Ex. Tree(s)		Prop. Sign
	Ex. Utility Pole		Prop. Control/Contraction Joint
	Ex. Benchmark		Prop. Control/Contraction Joint, Joint To Be Sealed Using DOWSIL SI-890 Sealant
	Do Not Disturb		

Coded Notes


- 1 Prop. 6" Roof Drain @ 1.00% Slope
- 2 Prop. 8" Roof Drain @ 1.00% Slope
- 3 Prop. 10" Roof Drain @ 1.00% Slope
- 4 Prop. 12" Roof Drain @ 1.00% Slope
- 5 Prop. Roof Drain Cleanout
- 6 Prop. Rock Lined Ditch at 0.94% Slope

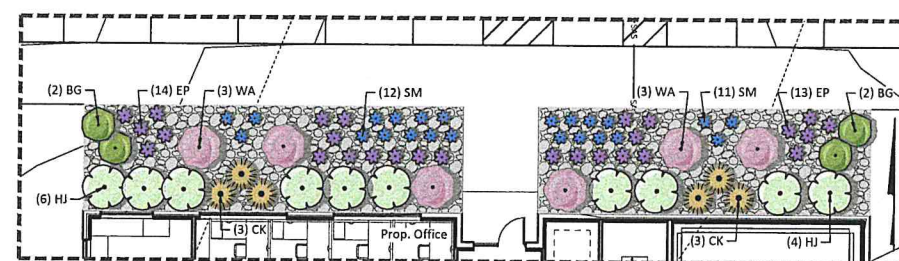


PLANT SCHEDULE - OPENING DAY

<u>TREES</u>	<u>CODE</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	<u>CONDITION</u>
	AC	17	Acer barbatum 'Caddo'	Caddo Southern Sugar Maple	3" Cal.	B&B
	AR	1	Acer rubrum	Red Maple	3" Cal.	B&B
	CO	11	Celtis occidentalis	Common Hackberry	3" Cal.	B&B
	CR	1	Cercis canadensis texensis 'Oklahoma'	Oklahoma Texas Redbud	2" Cal.	B&B
	CG	7	Crataegus viridis	Green Hawthorn	2" Cal.	B&B
	JE	8	Juniperus virginiana	Eastern Redcedar	8' Ht.	B&B
	PA	9	Picea abies	Norway Spruce	8' Ht.	B&B
	PL	3	Pinus strobus 'Louie'	Louie Eastern White Pine	6' Ht.	B&B
	TB	2	Tilia americana 'Boulevard'	Boulevard American Linden	3" Cal.	B&B

PLANT SCHEDULE - FULL BUILD

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION
	CO	4	Celtis occidentalis	Common Hackberry	3" Cal.	B&B



OFFICE LANDSCAPING DETAIL

Scale: 1" = 10'

[illegible]

DRAWING SET

- ☐ _____ PRELIMINARY
☐ _____ CHECK
☐ _____ BID
☒ 04 | 14 | 2023 PERMIT
☐ _____ CONSTRUCTION

SEAL

PRELIMINARY
NOT TO BE USED FOR
CONSTRUCTION

PLAN SET DATE	APRIL 14, 2023
---------------	----------------

PROJECT NUMBER

2023-0097

SHEET TITLE

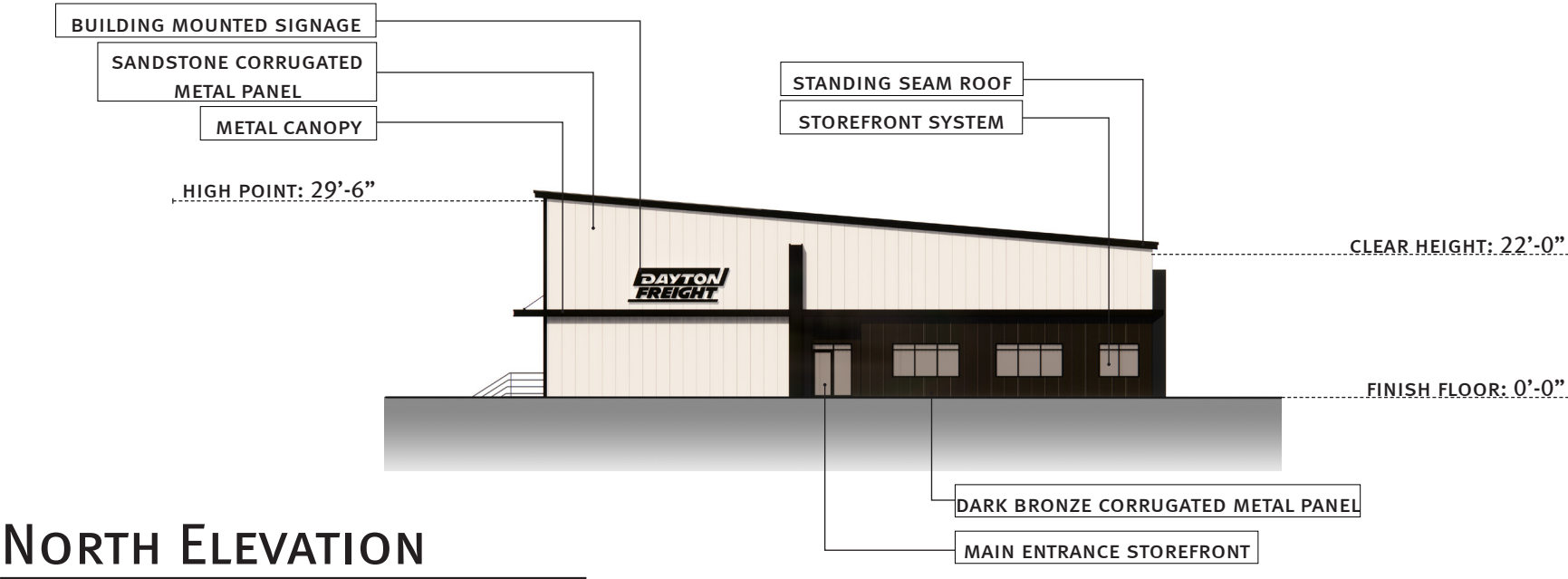
LANDSCAPE PLAN

SCALE

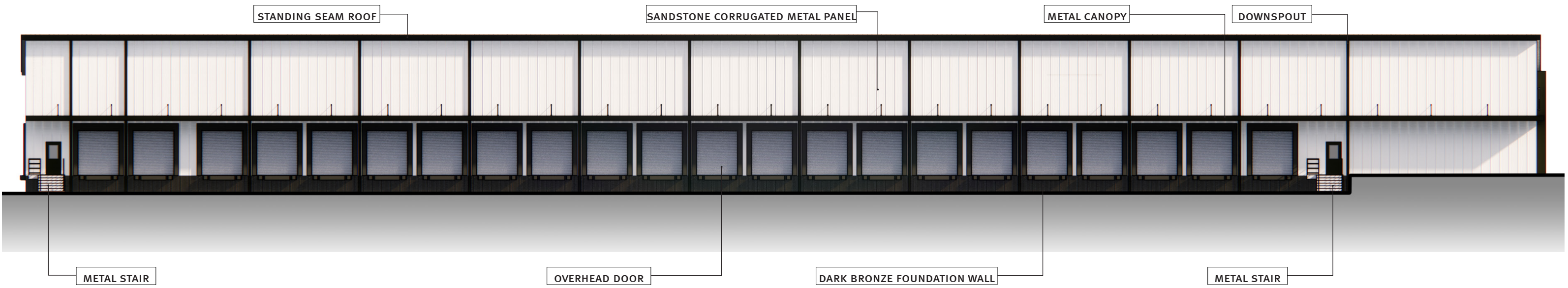
1" = 50'

SHEET NUMBER

26

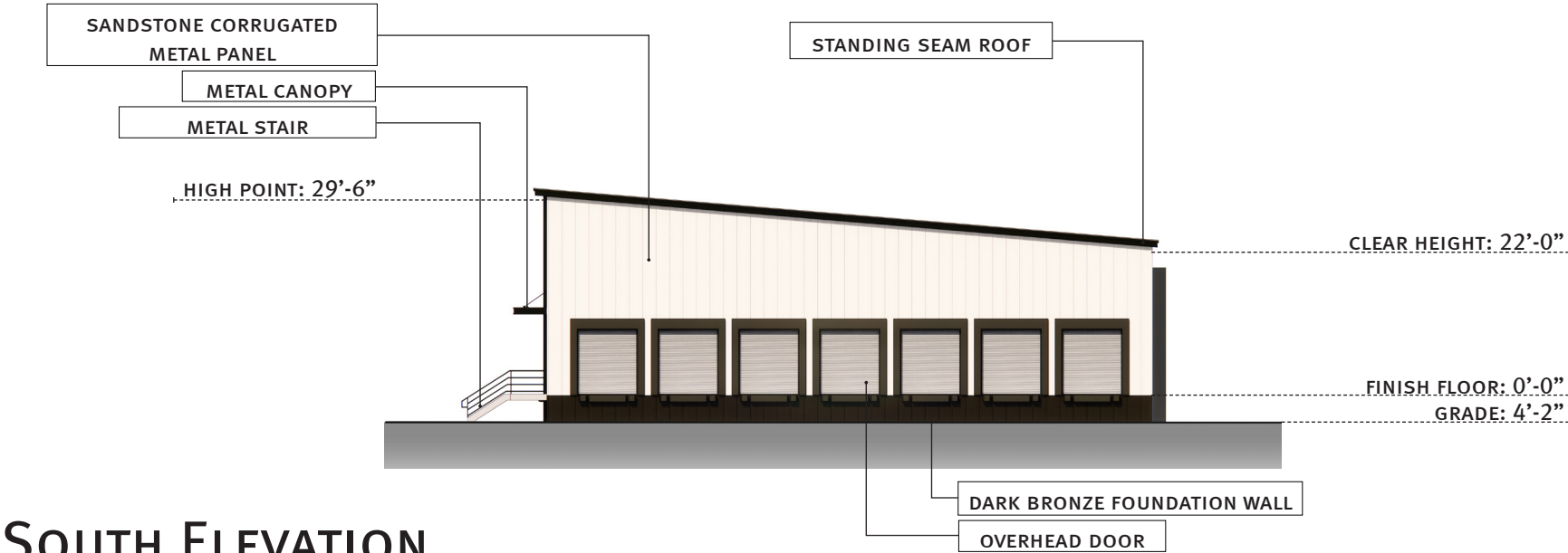


NORTH ELEVATION

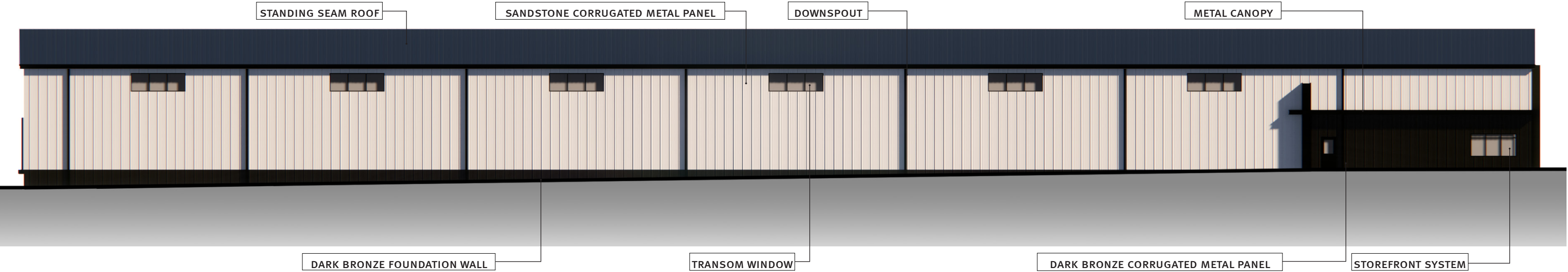


EAST ELEVATION

DAYTON FREIGHT



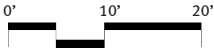
SOUTH ELEVATION



WEST ELEVATION

DAYTON FREIGHT

PROPOSED ELEVATIONS - 04/12/2023





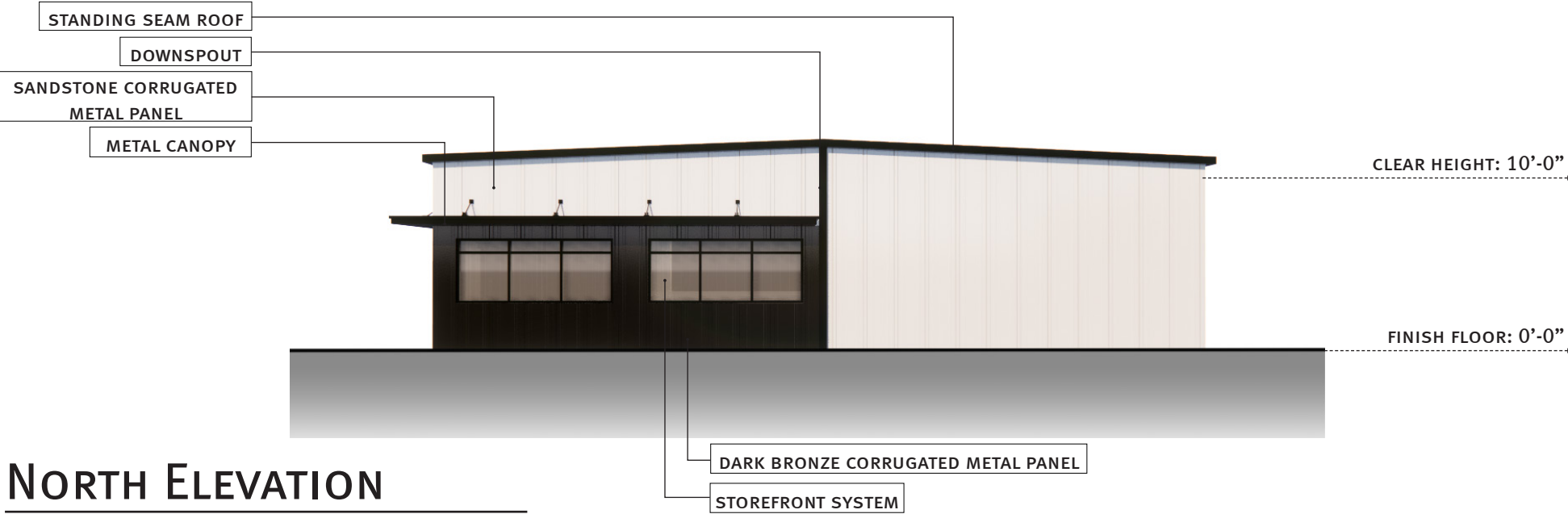
DAYTON FREIGHT

PROPOSED ELEVATIONS - 04/12/2023

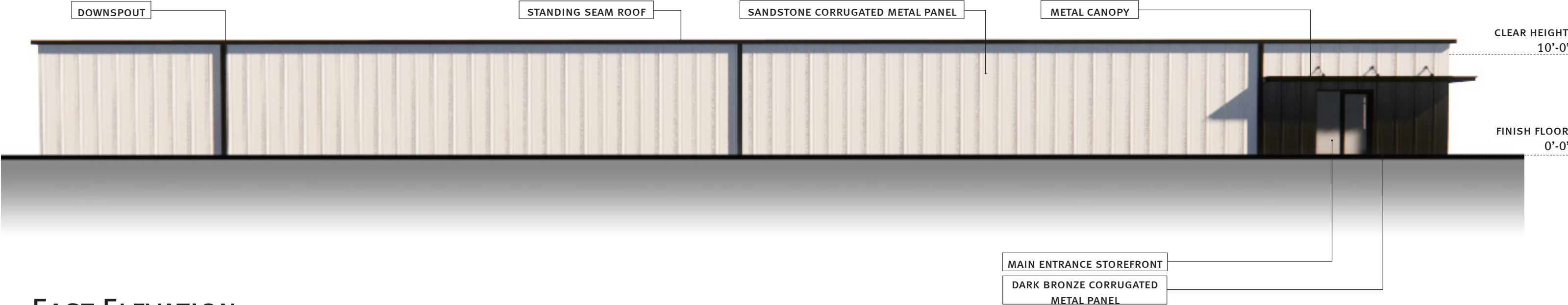


DAYTON FREIGHT

PROPOSED ELEVATIONS - 04/12/2023



NORTH ELEVATION



EAST ELEVATION

DAYTON FREIGHT



DAYTON FREIGHT

PROPOSED ELEVATIONS - 04/12/2023



DAYTON FREIGHT

PROPOSED ELEVATIONS - 04/12/2023

procedures. A final PUD must contain:

PUD 22

Section V, Item C.

- 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 Add R-5 & R-6
- ☒ Amendments to Change Zoning Districts a portion of Tierra Verde South Addition PUD to include R-6
- ☐ Preliminary PUD _____ ☐ Preliminary PUD with plat/ zoning
- ☐ Final PUD _____ ☐ Final PUD with plat/ zoning

H:\zoning forms\PUDAPPLICATION.doc1/9/06

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Comments to City Council

City of Bel Aire Council

☐ Approved ☐ Rejected

Name of owner ME Enterprises IV, LLC (Masoud Etezazi)

Address 2101 E. 21st St N, Wichita, KS 67214 Telephone

Agent representing the owner Baughman Company, P.A. (Philip J. Meyer, L.A.)

Address 315 Ellis St, Wichita, KS 67211 Telephone 316-262-7271

1. The application area is legally described as Lot(s) *; Block(s) *,
Tierra Verde South Addition, Bel Aire, Kansas. If appropriate, a metes and
 bounds description may be attached. *See attached for legal description.

2. The application area contains 57.38 +/- acres.

3. This property is located at (address) n/a which is generally
 located at (relation to nearest streets) 1/2 mile north of 45th St on west side of Webb Rd

4. County control
 number: PIN Nos. 598549, 598551-598557, 598559-598561, 598562

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

H:\zoning forms\PUDAPPLICATION.doc 1/9/06

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 ME Enterprises IV, LLC (Masoud Etezazi) Phone _____
 Address 2101 E 21st St. N, Wichita, KS Zip Code 67214

Agent Baughman Company, PA (Philip Meyer, LA) Phone 316-262-7271
 Address 315 Ellis St, Wichita, KS Zip Code 67211

2. Applicant City of Bel Aire (Land Bank) Phone _____
 Address 7651 E. Central Park Ave, Bel Aire, KS Zip Code 67226-7600

Agent Baughman Company, PA 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.

x  BY 
 Applicant's Signature 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.



TIERRA VERDE SOUTH ADDITION
PLANNED UNIT DEVELOPMENT

Amendment Application to allow R-6 Uses to the following:

Lots 1, 3, 4, 5, 6, 7, 8, Block 1, and Lots 1, 2, 3, 4, Block 2, and Reserve A, Block 2, Tierra Verde South Addition, Bel Aire, Sedgwick County, Kansas.



OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

Lot 1, Blk 1 AND Lots 3 thru 8 inclusive, Blk 1 AND Lots 2, 3, & 4, Blk 2 AND Reserve A Part of Subject Property	Tierra Verde South Addition	ME Enterprises IV, LLC 2101 E. 21 st St. Wichita, KS 67214
Lot 2, Blk 1, EXC begin 458.66' SEly of NE corner of Lot 2; th. SEly 56.29'; th. SEly along curve 135.13'; th. SWly 10.06'; th. SWly along curve 37.02'; th. SWly 411.58'; th. NWly 198.77'; th. NEly 432.41' to begin; & EXC that part of Lot 2 comm at N-most NE corner thereof, th. SEly 321.95' to p.o.b.; th. SEly 136.71'; th. SWly 432.41'; th. SEly 198.76' to Sly line of Lot 2; th. SWly along Sly line 5.34' to curve; th. SWly & Wly along curve 139.47'; th. Wly 61.03' to SW corner of Lot 2; th. Nly 179.18'; th. NEly 352.45'; th. NWly 110'; th. NEly 180' to begin AND Lot 1, Blk 2 AND Reserve B Part of Subject Property	“	North Webb, LLC PO Box 377 Attica, KS 67009
Begin 458.66' SEly of NE corner of Lot 2, Blk 1; th. SEly 56.29'; th. SEly along curve 135.13'; th. SWly 10.06'; th. SWly along curve 37.02'; th. SWly 411.58'; th. NWly 198.77'; th. NEly 432.41' to begin Part of Subject Property	“	City of Bel Aire, Kansas 7651 E. Central Park Ave. Bel Aire, KS 67226

That part of Lot 2, Blk 1, comm at N-most NE corner thereof, th. SEly 321.95' to p.o.b.; th. SEly 136.71'; th. SWly 432.41'; th. SEly 198.76' to Sly line of Lot 2; th. SWly along Sly line 5.34' to curve; th. SWly & Wly along curve 139.47'; th. Wly 61.03' to SW corner of Lot 2; th. Nly 179.18'; th. NEly 352.45'; th. NWly 110'; th. NEly 180' to begin Part of Subject Property	“	Tierra Webb Properties, LLC PO Box 377 Attica, KS 67009
Reserves C, D, E, F, G, H, I, & J Part of Subject Property	“	City of Bel Aire, Kansas, Land Bank 7651 E. Central Park Ave. Bel Aire, KS 67226
Lot 1, Blk C	Sunflower Commerce Park Addition	Webb Industrial, LLC PO Box 45 Columbus, KS 66725
Lot 1, Blk 1	Eighty-Four Lumber Addition	WAM Investments, LLC 1223 N. Rock Rd., Ste. E200 Wichita, KS 67206
The N/2 of the SW/4, EXC that part lying N & W of MOPAC Railroad r.o.w., 21-26-2E		Webb254, LLC 833 S. East Ave. Columbus, KS 66725
The N 150' of the W 340' of the N/2 of the SW/4, EXC the W 60' for road, 21-26-2E AND Begin at the NW corner of the SW/4, th. E to MOPAC r.o.w.; th. SWly along r.o.w. to W line of SW/4; th. N to begin, EXC the W 340' of the N 150' thereof, 21-26-2E		R. Kevin Bryant & Sherlyn K. Bryant 4956 N. Webb Rd. Wichita, KS 67226
Lot 2, Blk 2 AND Lot 4, Blk 2, EXC begin at SE corner, th. SW 42.42' to W line of SE/4 of SE/4 of Sect 20-26-2E; th. N 133.99' to point on Ely line of Lot 4; th. SE 127.10' to begin AND Reserve A	Bel Aire Industrial Park Addition	WAM Investments, LLC 1223 N. Rock Rd., Ste. E200 Wichita, KS 67206

Reserve B	“	Security Bank of Kansas City 7651 E. Central Park Ave. Bel Aire, KS 67226
Lot 1, Blk 1, EXC begin at SW corner, th. NW 127.10' to W line of E/2 of SE/4 of Sect 20-26-2E; th. N 461.87' to Sly r.o.w. line of Union Pacific Railroad; th. NE 5.97'; th. E 355.68'; th. S 500.04'; th. W 19.41'; th. along curve 114.06'; th. SW 195.98' to begin AND That part of Lot 1, Blk 1, begin at SW corner, th. NW 127.10' to W line of E/2 of SE/4 of Sect 20; th. N 461.87' to Sly r.o.w. line of Union Pacific Railroad; th. NE 5.97'; th. E 355.68'; th. S 500.04'; th. W 19.41'; th. along curve 114.06'; th. SW 195.98' to begin	Bel Aire Industrial Park 2nd Addition	WAM Capital Corporation 1223 N. Rock Rd., Ste. E200 Wichita, KS 67206
Lots 10 thru 14 inclus, Blk 2 AND Lots 22 thru 26 inclus, Blk 2 AND Reserve E	Sawmill Creek Addition	Sawmill Properties, LLC 9235 E. Harry, Ste. 100 Wichita, KS 67207
Lot 46, Blk 2	“	Steven L. & Amy K. Renn 8714 E. Scragg St. Wichita, KS 67226
Lot 47, Blk 2	“	David L. & Tamara S. Doan 8718 E. Scragg St. Wichita, KS 67226
Lot 1, Blk 3	“	Curtis A. & Cindy R. Nickel 8734 E. Blade St. Wichita, KS 67226
Lot 2, Blk 3	“	Larry R. & Debra J. Stene 8730 E. Blade St. Wichita, KS 67226
Lot 3, Blk 3	“	William F. Hensley, Jr. & Mary E. Hensley 8726 E. Blade St. Wichita, KS 67226

Lot 4, Blk 3	“	Vision Homes Investments, Inc. 8722 E. Blade Ct. Wichita, KS 67226
Lot 5, Blk 3	“	Scott G. & Laura N. Mossman 8718 E. Blade Ct. Wichita, KS 67226
Lot 6, Blk 3	“	Anil Amritial Bhula & Kirti Anil Bhula 8714 E. Blade Ct. Wichita, KS 67226
Lot 14, Blk 3	“	Hassan Abed Moubarak 8709 E. Scragg St. Wichita, KS 67226
Lot 15, Blk 3	“	Ahmad Moubarak 8713 E. Scragg St. Wichita, KS 67226
Lot 20, Blk 4	“	Christy J. Vasconcellos 8709 E. Millrun St. Wichita, KS 67226
Lot 21, Blk 4	“	Ricky J. & Terry L. Brittain 8713 E. Millrun St. Wichita, KS 67226
Lot 22, Blk 4	“	Asa M. & Vanessa G. Latour 8717 E. Millrun St. Wichita, KS 67226
Lot 23, Blk 4	“	Mitsunori & Hiroka Fujinuma 8721 E. Millrun St. Wichita, KS 67226
Lot 6, Blk 1	Pines at Sawmill Creek Addition	New Era III, LLC PO Box 487 Wichita, KS 67201
Lots 28 & 29, Blk A	Deer Run Addition to Bel Aire	2BD, LLC 2418 S. Hoover Wichita, KS 67215
Lot 24, Blk 1	Skyview at Block 49 Addition	JKC, LLC PO Box 10 McPherson, KS 67460
Lot 25, Blk 1	“	Artistic Builders, LLC 11000 Fremont Circle Mulvane, KS 67110

Lots 26, 27, & 28, Blk 1 AND Lot 1, Blk 5	“	C & J Investment Group, LLC 2222 SW 96 th St. Sedgwick, KS 67135
Reserve C	“	Skyview at Block 49, LLC 5219 N. Hampton St. Bel Aire, KS 67226
Lots 14 thru 25 inclus, Blk D	Skyview at Block 49 2 nd Addition	Skyview at Block 49, LLC 5219 N. Hampton St. Bel Aire, KS 67226
Lot 1, Blk 1 AND Reserve A	Skyview at Block 49 3 rd Addition	Block 49, LLC 5219 N. Hampton St. Bel Aire, 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 within a 200 foot radius of:

All of Lots 1, 2, 3, 4, 5, 6, 7, and 8, Block 1, Tierra Verde South Addition, to the City of Bel Aire, Sedgwick County, Kansas, TOGETHER with all of Lots 1, 2, 3, and 4, Block 2, Tierra Verde South Addition, to the City of Bel Aire, Sedgwick County, Kansas, TOGETHER with all of Reserves A, B, C, D, E, F, G, H, I, and J, Tierra Verde South Addition, to the City of Bel Aire, Sedgwick County, Kansas.

as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 31st day of March, 2023, at 7:00 A.M.

Security 1st Title, LLC

By: JoAnn Childers
Licensed Abstracter

Order: OE002489
KJK

**AMENDED PLANNED UNIT DEVELOPMENT AGREEMENT
CONCERNING THE DEVELOPMENT
OF TIERRA VERDE SOUTH ADDITION
TO THE CITY OF BEL AIRE, KANSAS**

THIS AGREEMENT is made and entered into by and between ME ENTERPRISES IV, LLC, a Kansas Limited Liability Company, hereinafter referred to as the "DEVELOPER" and the CITY OF BEL AIRE, KANSAS, hereinafter referred to as the "CITY."

WHEREAS, the Developer desires zoning by a PUD from the City on a portion of land more fully described below and herein referred to as TIERRA VERDE SOUTH ADDITION to the City of Bel Aire, Kansas; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the Developer and the City agree as follows:

PURPOSE. This agreement is necessary to address certain financial, infrastructure and drainage conditions arising from the platting process which must be dealt with prior to final plat approval and as such, is a condition precedent to final consideration by the City of the Developer's request for approval of the final plat on a tract of land more fully described below and herein referred to as the TIERRA VERDE SOUTH ADDITION PUD project to the City of Bel Aire, Kansas.

TIERRA VERDE SOUTH ADDITION PUD PROJECT LEGAL DESCRIPTION. A portion of TIERRA VERDE SOUTH ADDITION PUD, City of Bel Aire, Kansas more particularly described as, to-wit:

Lots 1, 3, 4, 5, 6, 7, 8, Block 1, and Lots 1, 2, 3, 4, Block 2, and Reserve A, Block 2, Tierra Verde South Addition, Bel Aire, Sedgwick County, Kansas.

PERMITTED USE.

The Tierra Verde South Addition to the City of Bel Aire, Kansas shall have the uses permitted in the "R-4" Single Family District, "R-5" Garden and Patio Homes, Townhouse and Condominiums District, "R-6" Multi-Family District, "C-1" Neighborhood Commercial Office & Retail District and "C-2" Planned Commercial District, as defined in the 2020 revised Bel Aire codified city code, including the following uses:

"R-6" Multi-Family:

- Single- Family
- Duplex
- Garden & Patio Homes
- Townhomes
- Condominiums
- Multi-Family

- Churches
- Day-care
- Schools
- Leasing office
- Playgrounds or community spaces.
- Accessory structures as approved by the city manager.

"C-1 and C-2":

- Accessory structure as approved by the City Manager.
- Special Events permits approved by the City Manager
- C-1 permitted uses as define in Chapter 7 zoning code – section 7.11 Neighborhood Commercial, Office Retail

The building setback shall be per the recorded plat of Tierra Verde South Addition. No building shall be constructed within a public utility easement.

GENERAL PROVISIONS. This agreement shall be subject to all General Provisions as outlined in the Final Plat of Tierra Verde South Addition, A Planned Unit Development in the City of Bel Aire, Sedgwick County, Kansas as recorded at the Register of Deeds on the 21st day of September, 2009. (Recording Info. - DOC #/FLM-PG: 29092138)

PURPOSE. A specific purpose of this agreement is to assure that necessary improvements are in place to support development of the tract of land herein referred to as the Tierra Verde South Addition to the City of Bel Aire, Kansas. Therefore, the Developer's compliance with the terms and conditions of this Agreement shall be a condition precedent to the granting of building and/or occupancy permits for development on said property. The City reserves the right to clarify any conflicts between this document and plat.

RECORDING. The Developer shall file an executed copy of this Agreement with the Sedgwick County Register of Deeds within 30 days of final approval and within 45 days provide City will proof of filing. A copy of this Agreement showing said recording along with a copy of the recorded plat shall be furnished by the Developer to the general contractor before building permits are issued.

BINDING. The terms and conditions of this Agreement, as set forth herein, shall be binding upon the City and the Developer, their successors, representatives, trustees, and assigns.

THIS AGREEMENT is hereby executed on this _____ day of _____, 2023.

ME ENTERPRISES IV, LLC, DEVELOPER

MASOUD ETEAZI, MEMBER

THIS AGREEMENT was approved by vote the City Council of the City of Bel Aire, Kansas on the _____ day of _____, 2023 and is hereby executed on this _____ day of _____, 2023.

MAYOR, JIM BENAGE

SEAL

ATTEST:

CITY CLERK, MELISSA KREHBIEL

ACKNOWLEDGEMENTS

STATE OF KANSAS)
COUNTY OF SEDGWICK) ss:

BE IT KNOWN BY ALL PERSONS that on this _____ day of _____, 2023, before me, a Notary Public, came Masoud Etezazi, Member of ME Enterprises IV, LLC, a Kansas limited liability company, who is known to me and who personally acknowledged execution of the foregoing Agreement concerning the TIERRA VERDE SOUTH ADDITION PUD to the City of Bel Aire, Kansas, for said limited liability company.

NOTARY PUBLIC

My Appointment Expires: _____

STATE OF KANSAS)
COUNTY OF SEDGWICK) ss:

BE IT KNOWN BY ALL PERSONS that on this _____ day of _____, 2023, before me, a Notary Public, came Jim Benage, who is known to me to be the Mayor of Bel Aire, Kansas and who personally acknowledged execution of the forging Agreement Concerning the Development of TIERRA VERDE SOUTH ADDITION to the City of Bel Aire, Kansas, and Melissa Krehbiel, who is known to me to be the City Clerk of Bel Aire, Kansas and who personally acknowledged attesting the signature of said Jim Benage.

NOTARY PUBLIC

My Appointment Expires: _____

City of Bel Aire

STAFF REPORT

DATE: 05/05/2023

TO: Bel Aire Planning Commission
FROM: Keith Price
RE: Agenda

STAFF COMMUNICATION	
FOR MEETING OF	5/11/23
CITY COUNCIL	
INFORMATION ONLY	

SUMMARY:

ZON-23-01. Proposed re-zoning approximately 63+ acres zoned AG, to a M-1 Industrial Manufacturing. 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.

History: The land was annexed into the city during the 2002-2005 timeframe as Bel Aire was in the growth mode to prevent being landlocked.

Discussion:

All M-1 zoning requires a PUD for development. AG zoning has been a holding district for future Use. The 2018 Master growth plan and the antiquated comprehensive indicates this would be a commercial use district. M-1 is two steps from table 1.2 contained within the 2018 Master Growth Plan; commercial use category and meets the initial requirement.

Conclusion:

Staff recommends approving based on other recent zoning changes nearby for the same purpose-for the best and highest use.

PUD-23-02. Proposed document changes within the current PUD to allow single family, duplex, and multi-family. R-5 and R-6 zoning districts Tierra Verde South Addition PUD; doesn't have re-platting changes at this time. 57.38+/- acres.

The city advertised the hearing in the Ark Valley newspaper and notified property owners as required within the required distance of 200 ft.

History:

Tierra Verde started as a concept plan dividing the commercial uses from the residential use with the north addition for housing and the south addition for commercial uses in 2009 master

plan concept. The commercial uses would attempt to meet the LEED standard silver as a concept. Bio-swailes were incorporated in the drainage system. Groundbreaking for the Concierge Surgical Recovery Suites & Wellness Center--Phase I of The Healing Center at Tierra Verde was Friday, May 31, 2013.

During the first building project, the project was in foreclosure, due in part by the untimely death of Dr. George Watson.

The current business in the completed building was established in 2018 with the city on the portion of lot 4, in block 1. The building does have components to help with the LEED points total.

The majority of ground hasn't been developed in the south addition; the current plat was filed 9/21/09; that is almost 14 years without using the infrastructure installed within the development.

Discussion:

New housing is needed within Sedgwick County, there are studies to indicate that is true. Bel Aire's Master Growth Plan that was adopted indicates that is a prime objective for land once owned by the city. Table 1.2 indicates that two steps from local commercial/mixed use would be multi-family uses and allowable. Figure 3.3 describing multi-family acres in 2018 as just under 12 is antiquated with the recent platting and building. The master growth plan indicated 917 acres would be for housing of the 2,267 acres. That is 40% of the total acres available from that point in time. Many of the commercial areas already designated wouldn't be suitable for housing at this moment. Based on the land approved to date for housing since 2018 would be +/-50% of that total.

To follow the LEED design and air space concerns related to green building construction methods and quality of housing to reduce noises would be good to consider.

A good street appeal variation from recent duplex areas would help build a neighbor branding or identifier.

Conclusion:

Recommends approval of the project with the conditions once understanding of the scope of the project is determined.

PUD-23-03. Proposed PUD to allow open self-storage, warehousing, office, partial gravel parking, with basic items not pre-approved with the over-all existing PUD documents. 16+/- acres.

The city advertised the hearing in the Ark Valley newspaper and notified property owners as required within the required distance of 200 ft.

History:

SCP was platted 7/24/12 with a master plan provided with concepts. Prohibited uses:

- Food/Meat Processing
- Fuel Storage/Refinement
- Asphalt/Concrete Plants

- Correctional Facilities
- Group Homes
- Hazardous Operations
- Landfill
- Mining or Quarrying
- Oil and Gas Drilling
- Rock Crushing
- Solid Waste Incinerator
- Transfer Station
- Wrecking/Salvage Yard
- Agricultural Uses: Elevators, grain storage yard, feed lots, etc.

Discussion:

Self-storage units weren't a use listed specifically in any of the master plans for SCP. The history of Bel Aire zoning code self-storage units has required conditional use, special use, or PUD.

The landscape plan provided can be approved as a concept to follow that would need to meet the city code or be approved as proposed. The signage should be discussed and approved as proposed to ensure that it is part of the PUD; industrial uses wall signs are limited to 200s.f.and limited to 3 walls total.

Phasing of the project should be understood to know how the project will look and what to expect with landscaping and construction.

Conclusion:

Recommends approval of the project with any conditions once understanding of the scope of the project is determined.