



AGENDA
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
March 10, 2022 6:30 PM



I. Call to Order

II. Roll Call

A. James Schmidt ____ John Charleston ____ David Floyd ____
Phillip Jordan ____ Dee Roths ____ Heath Travnichuk ____ 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 February 10, 2022.

Motion ____ Second ____ Vote ____

V. Old Business/New Business

A. **SD-22-01 Chapel Landing 5th - Proposed platting of approximately 53.99 acres R-4 Residential.**

Open Hearing

Close Hearing

Action: Motion to (recommend approval / table / deny) the final plat (Chapel Landing 5th) (with / without changes or conditions).

Motion ____ Second ____ Vote ____

B. **Sketch Plan Elk Creek 3rd- Proposed platting approximately 3.35 acres of the C-1 Commercial to a residential use.**

Action: No action.

C. Discuss rescheduling Planning Commission workshop.

VI. Next Meeting: April 14, 2022

Action: Motion to approve the next meeting date: April 11, 2022 at 6:30 p.m.

Motion _____ Second _____ Vote _____

VII. Current Events

[A.](#) April 9 — Spring Festival

May 21 — Spring Curbside Clean-Up

June 1 – Deadline to file Backflow tests for sprinkler systems

VIII. Adjournment

Action: Motion to Adjourn.

Motion _____ Second _____ Vote _____ Time _____

Additional Attachments:

[A.](#) Planning Commission staff report 3-10-2022



MINUTES PLANNING COMMISSION 7651 E. Central Park Ave, Bel Aire, KS February 10, 2022 6:30 PM



I. Call to Order: Chairman Schmidt called the meeting to order.

II. Roll Call

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

Also present were Planning Commission Secretary Anne Stephens and City Attorney Jacqueline Kelly.

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: Chairman Schmidt moved to approve the minutes of December 16, 2021. Commissioner Roths seconded the motion. ***Motion carried 6-0.***

MOTION: Chairman Schmidt moved to go into Executive Session for Attorney-Client privilege for 15 minutes. Commissioner Floyd seconded the motion. ***Motion carried 6-0.***

The Commission then adjourned to Executive Session. At 6:32 p.m. the Commission returned to the Council Chambers and Chairman Schmidt called the meeting back to order in open session.

V. Old Business/New Business

A. CASE No. ZON-21-04 Revised. Proposed re-zoning of approximately 54.99 acres of R-4 Residential to R-5 Residential. (Chapel Landing 5th).

Planning Commission reviewed Woodlawn 53, LLC's request to rezone property generally located one half mile south of 53rd Street N and one quarter-mile west of Woodlawn Boulevard in accordance with Article 5 of the City of Bel Aire's Zoning Regulations.

Ken Lee, Garver, presented the request on behalf of the applicant and stood for questions from the Commission.

Chairman Schmidt then opened the public hearing.

Marc Howell, 4849 N Glendale, spoke about his concerns regarding allowing more multi-family housing. There needs to be a good balance.

Kalen Hoffman, 5978 Forbes Ct, spoke about his concerns regarding the effect of changing zoning on the selling price of homes in the area.

David Moses, 5975 Forbes, asked that the rezoning request be denied. He stated that multi-family housing should not be allowed unless the request goes back before the Planning Commission.

Terri Moses, 5975 Forbes, spoke to the Commission. She is concerned about safety, quality of life, and a possible higher crime rate with denser housing.

Charles Kent, 6010 Forbes St, stated that he moved to Bel Aire from Myrtle Beach. When lots of smaller houses were built in Myrtle Beach, everything went down with denser properties.

Lynn Parker, 5934 Forbes Ct, spoke to the Commission. She stated she objects to the proposed rezoning. She is disappointed with the way that Bel Aire is going with all the duplexes. Iron Gate was presented as an upscale neighborhood, but the developer has lost interest in upscale neighborhoods. He has built starter homes on prominent lots in the subdivision. She is also concerned that the pool will get overcrowded, and the cost of water is high.

Curtis Mader, 5048 E 49th St N, spoke about his concerns regarding the size and number of lots and the tone of the Commission's discussion.

Kyle Hart, 5990 Forbes CT, stated that he is opposed to the rezoning, primarily due to the lot size reductions.

Terry Cassady, 5957 Forbes, asked that the zone change and plat be denied, as well as the rest of the requests on the agenda tonight. Rezoning affects everyone's property values. She stated that there is no unmet need for duplexes in Bel Aire and A-list developers won't want to develop in Bel Aire due to the downhill nature of current development.

Lee Ann Gravenstein, 5978 Forbes Ct, spoke about her concerns regarding the value of her home and those of her neighbors. She stated that many people moved to Iron Gate because they liked the amenities. She would appreciate the Commission's support by protecting their investments.

Following the public hearing Planning Commission considered the evidence and discussed the following factors based on the Criteria for Review established in section 5.02 (D) of the Zoning Regulation. A significant amount of discussion circled around factors commonly known as the Golden Factors, below are notes of *some* of the Golden Factors discussion:

Zoning uses of nearby property:

- With the exception of the Prairie Preserve, all of the surrounding ground is currently zoned R-4. The current owners of the Prairie Preserve have sold this property with full understanding of its intended use.

Suitability of the property for the uses to which it is restricted:

- With the design of the Prairie Preserve, this parcel was not necessary and was sold to become part of Chapel Landing 6th. It is totally unsuitable to restrict the uses of this parcel to R-1 as it does not fit in with the current plan of development for Chapel Landing 6th.

MOTION: Chairman Schmidt moved to go into Executive Session for Attorney-Client privilege for 15 minutes to return at 8:37 p.m. Commissioner Floyd seconded the motion. ***Motion carried 6-0.***

At 8:22 p.m. the Commission adjourned for Executive Session. The Commission returned to the Council Chambers at 8:42 p.m. Chairman Schmidt called the meeting back to order in open session and continued discussion of the rezoning request.

MOTION: Commissioner Jordan moved to deny the rezoning request. Chairman Schmidt seconded the motion. ***Motion carried 5-1*** with Chairman Schmidt voting against the motion.

CASE No. ZON-21-04 Revised. Proposed platting of approximately 54.99 acres of R-5 Residential (Chapel Landing 5th).

Ken Lee, Garver, presented the plat and briefly reviewed the changes that had been made from the plat that was presented to the Planning Commission at a previous meeting.

Chairman Schmidt opened the public hearing at 9:07 p.m.

Curtis Mader, 5048 E 49th St N, spoke regarding his concerns about the density of development.

David Moses, 5975 Forbes, spoke about his concerns regarding traffic in the area.

No others requested to speak. Chairman Schmidt closed the public hearing at 9:11 p.m., and commissioners continued with discussion of the plat.

MOTION: Commissioner Floyd moved to recommend the Preliminary Plat of Chapel Landing 5th (with the condition that all lots be brought into conformance with R-4 Residential Zoning District requirements. Commissioner Roths seconded the motion. ***Motion carried 7-0.***

B. CASE No. SD-21-07. PUD and proposed final platting and of approximately 4.4 acres (Lycee).

Chairman Schmidt opened the public hearing. Phil Meyer, Baughman Company, presented the final plat on behalf of the applicant and stood for questions from the Commission.

No others requested to speak. Chairman Schmidt closed the public hearing at 9:30 p.m. and commissioners continued with discussion of the plat and PUD.

MOTION: Commissioner Jordan moved to recommend the Final Plat of Lycee without changes or conditions. Commissioner Roths seconded the motion. ***Motion carried 6-0.***

MOTION: Commissioner Floyd moved to recommend the PUD of Lycee without changes, or conditions. Commissioner Jordan seconded the motion. ***Motion carried 6-0.***

C. CASE No. ZON-21-07. Proposed re-zoning of approximately 3.3 acres of R-1- to R-4. (Chapel Landing 6th).

Planning Commission reviewed TW Renovations, LLC's request to rezone property generally located about ¼ mile east of Oliver and ¼ mile south of 53rd in accordance with Article 5 of the City of Bel Aire's Zoning Regulations.

Chairman Schmidt opened the public hearing. Phil Meyer, Baughman Company, presented the rezoning request on behalf of the applicant and stood for questions from the Commission.

No others requested to speak. Chairman Schmidt closed the public hearing at 9:35 p.m.

Following the public hearing Planning Commission considered the evidence and discussed the following factors based on the Criteria for Review established in section 5.02 (D) of the Zoning Regulation. A significant amount of discussion circled around factors commonly known as the Golden Factors, below are notes of *some* of the Golden Factors discussion:

Zoning uses of nearby property:

- With the exception of the Prairie Preserve, all of the surrounding ground is currently zoned R-4. The current owners of the Prairie Preserve have sold this property with full understanding of its intended use.

Suitability of the property for the uses to which it is restricted:

- With the design of the Prairie Preserve, this parcel was not necessary and was sold to become part of Chapel Landing 6th. It is totally unsuitable to restrict the uses of this parcel to R-1 as it does not fit in with the current plan of development for Chapel Landing 6th.

MOTION: Commissioner Roths moved to recommend the request for rezoning from R-1- to R-4 without changes or conditions. Commissioner Jordan seconded the motion. ***Motion carried 6-0.***

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

Chairman Schmidt opened the public hearing. Phil Meyer, Baughman Company, presented the preliminary plat on behalf of the applicant and stood for questions from the Commission.

No others requested to speak. Chairman Schmidt closed the public hearing at 9:45 p.m. and commissioners continued with discussion of the preliminary plat

MOTION: Commissioner Roths moved to recommend the Preliminary Plat of Chapel Landing 6th as presented. Commissioner Jordan seconded the motion. ***Motion carried 6-0.***

D. CASE No. SD-21-06. Proposed platting of approximately 22.76 acres. (Skyview 2nd).

Chairman Schmidt opened the public hearing. Will Clevenger, Garver, presented the preliminary plat on behalf of the applicant and stood for questions from the Commission.

No others requested to speak. Chairman Schmidt closed the public hearing at 9:55 p.m. and commissioners continued with discussion of the preliminary plat.

MOTION: Chairman Schmidt moved to recommend Final Plat of Skyview 2nd without changes. Commissioner Floyd seconded the motion. ***Motion carried 6-0.***

E. CASE No. SD-21-04. PUD and proposed platting and of approximately 12.44 acres (Skyview at Block 49 3rd).

Chairman Schmidt opened the public hearing. Will Clevenger, Garver, presented the final plat and PUD on behalf of the applicant and stood for questions from the Commission.

No others requested to speak. Chairman Schmidt closed the public hearing at 9:58 p.m. and commissioners continued with discussion.

MOTION: Commissioner Jordan moved to recommend the Final Plat of Skyview at Block 49 3rd without changes or conditions. Commissioner Matzek seconded the motion. ***Motion carried 6-0.***

MOTION: Commissioner Jordan moved to recommend the PUD of Skyview at Block 49 3rd without changes or conditions. Commissioner Travnichek seconded the motion. ***Motion carried 6-0.***

F. CASE No. CON-21-03. Property owner has requested to add an LED message board to an existing sign pole base in a utility easement in a C-1 commercial district.

Chairman Schmidt opened the public hearing. Shane Hutchinson and Brent Grisemore, Nu Line Signs, presented the application on behalf of the applicant and stood for questions from the Commission.

No others requested to speak. Chairman Schmidt closed the public hearing at 10:10 p.m. and commissioners continued with discussion.

MOTION: Commissioner Jordan moved to recommend the Governing Body approve passing a conditional use ordinance for a sign contingent upon a 60-day Planning Commission review on certain property zoned C-1 located within the corporate city limits of the City of Bel Aire, Kansas. Commissioner Matzek seconded the motion. ***Motion carried 6-0.***

G. CASE No. CON-22-01. Property owner has requested to allow a private swimming pool in an R-5 Residential zoning district.

Chairman Schmidt opened the public hearing. No one requested to speak. Chairman Schmidt closed the public hearing and commissioners continued with discussion.

MOTION: Commissioner Schmidt moved to recommend the Governing Body approve passing a conditional use ordinance for a private swimming pool not contingent upon a 60-day Planning Commission review on certain property zoned R-5 Residential located within the corporate city limits of the City of Bel Aire, Kansas. Commissioner Jordan seconded the motion. ***Motion carried 6-0.***

- H. CASE No. CON-21-01.** Swimming pool in an R-5 Zoning District. The case has been withdrawn by the property owner. No action is required.

VI. Next Meeting: March 10, 2022

MOTION: Commissioner Floyd moved to approve the date of the next meeting: March 10, 2022 at 6:30 p.m. Chairman Schmidt seconded the motion. ***Motion carried 6-0.***

VII. Current Events

The Commission briefly discussed current events, including the Planning Commission training session planned for February 17th in the Community Room at City Hall.

VIII. Adjournment.

MOTION: Commissioner Floyd moved to adjourn. Commissioner Jordan seconded the motion. ***Motion carried 6-0.***

The meeting adjourned at 10:16 p.m.

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.

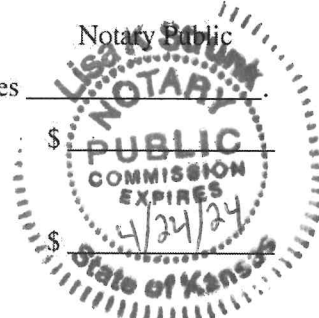
Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County 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 17th day of February, 2022, with subsequent publications being made on the following dates:

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

Subscribed and sworn to before me this 17th day of February, 2022.

[Signature]



My commission expires _____

Additional copies \$ _____

Printer's fee \$ _____

Public notice

(Published in the Ark Valley News on Feb. 17, 2022.)

OFFICIAL NOTICE OF ZONING HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on March 10, 2022 the City of Bel Aire Planning Commission will consider the following Platting process in the order placed on the agenda after 6:30 p.m. in the City Council Chamber at City Hall in Bel Aire, Kansas:

SD-22-01. Chapel landing, 5th Addition, final plat approximately 54.99 acres of the residential use zoning district.

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

General Location: ½ mile s of E 53rd St N and ¼ mile of 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 15 day of February 2022.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary



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



FINAL PLAT REVIEW

Address of proposed project: Chapel Landing 5th final plat

This report is to document that on 3.1.22 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 3/1/22

Keith Price
REVIEWED BY

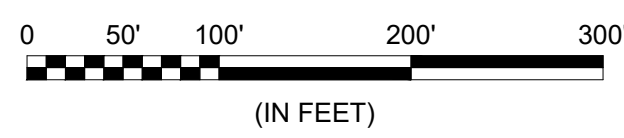
Comments: The rezoning request for this plat area was withdrawn before going to city council. The preliminary plat was approved by the planning commission based on feedback received.

- Everyg has been contacted, Onegas has been contacted. Onegas had no requests.
- Lots were adjusted to meet the 8,400 s.f. requirement (lots 29-32, Block A and lots 36-41, Block F); not all lots meet the 70'x120' zoning rule including one that was adjusted. This appears to be way to provide different sized lots and appease all involved without changing the zoning. Add to the notes on the final plat -minimum lot size:8,400 s.f; minimum lot width:65' minimum, measured at right angles on the horizontal plain at the midpoint for non-rectangle lots; lot depth:120'
- The city engineer will contact Garver LLC 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.

CHAPEL LANDING 5TH

Re-plat of Part of Chapel Landing
Bel Aire, Sedgwick County, Kansas
Part of the NE1/4 of Sec. 24, T26S, R1E



(A) = Assumed Kansas Zone South Grid Bearing
P = Platted
M = Measured
C = Calculated
CP = Calculated from Platted

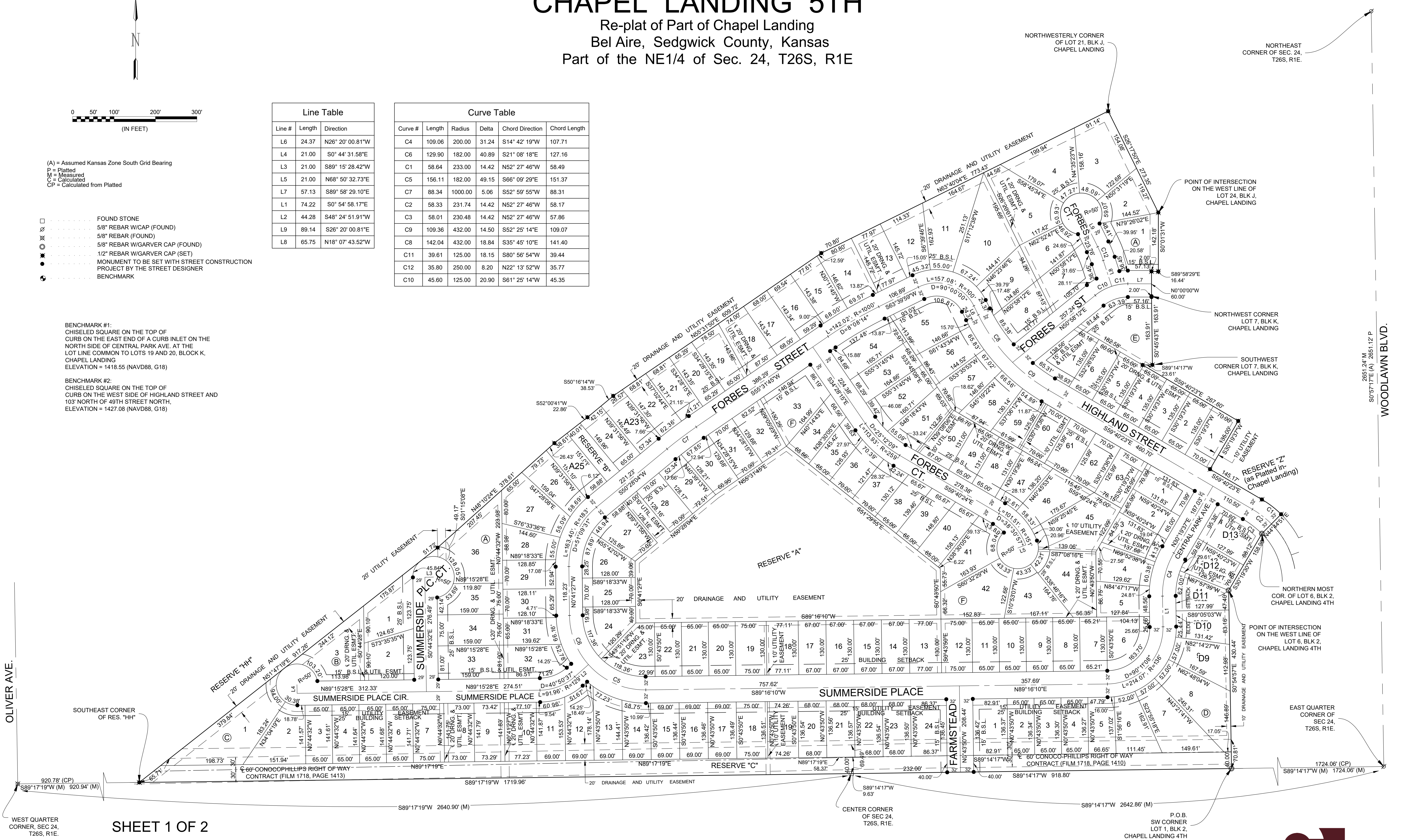
- FOUND STONE
- 5/8" REBAR W/CAP (FOUND)
- ⊗ 5/8" REBAR (FOUND)
- ⊗ 5/8" REBAR W/GARVER CAP (FOUND)
- ⊗ 1/2" REBAR W/GARVER CAP (SET)
- MONUMENT TO BE SET WITH STREET CONSTRUCTION PROJECT BY THE STREET DESIGNER
- ⊙ BENCHMARK

Line Table		
Line #	Length	Direction
L6	24.37	N26° 20' 00.81"W
L4	21.00	S0° 44' 31.58"E
L3	21.00	S89° 15' 28.42"W
L5	21.00	N68° 50' 32.73"E
L7	57.13	S89° 58' 29.10"E
L1	74.22	S0° 54' 58.17"E
L2	44.28	S48° 24' 51.91"W
L9	89.14	S26° 20' 00.81"E
L8	65.75	N18° 07' 43.52"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C4	109.06	200.00	31.24	S14° 42' 19"W	107.71
C6	129.90	182.00	40.89	S21° 08' 18"E	127.16
C1	58.64	233.00	14.42	N52° 27' 46"W	58.49
C5	156.11	182.00	49.15	S66° 09' 29"E	151.37
C7	88.34	1000.00	5.06	S52° 59' 55"W	88.31
C2	58.33	231.74	14.42	N52° 27' 46"W	58.17
C3	58.01	230.48	14.42	N52° 27' 46"W	57.86
C9	109.36	432.00	14.50	S52° 25' 14"E	109.07
C8	142.04	432.00	18.84	S35° 45' 10"E	141.40
C11	39.61	125.00	18.15	S80° 56' 54"W	39.44
C12	35.80	250.00	8.20	N22° 13' 52"W	35.77
C10	45.60	125.00	20.90	S61° 25' 14"W	45.35

BENCHMARK #1:
CHISELED SQUARE ON THE TOP OF CURB ON THE EAST END OF A CURB INLET ON THE NORTH SIDE OF CENTRAL PARK AVE. AT THE LOT LINE COMMON TO LOTS 19 AND 20, BLOCK K, CHAPEL LANDING
ELEVATION = 1418.55 (NAVD88, G18)

BENCHMARK #2:
CHISELED SQUARE ON THE TOP OF CURB ON THE WEST SIDE OF HIGHLAND STREET AND 103' NORTH OF 49TH STREET NORTH,
ELEVATION = 1427.08 (NAVD88, G18)



SHEET 1 OF 2

DWG FILE: 21S04022 PLATTING BASE
PROJECT NO. 21S04022
MARCH 2, 2022



GARVER
8535 E. 21st Street N.
Suite 130
Wichita, KS 67206
(316) 264-8008
www.GarverUSA.com

CHAPEL LANDING 5TH

Re-plat of Part of Chapel Landing
Bel Aire, Sedgwick County, Kansas
Part of the NE1/4 of Sec. 24, T26S, R1E

State of Kansas)
SS
Sedgwick County)

I, the undersigned, licensed land surveyor of the State of Kansas, do hereby certify that the following described tract of land was surveyed on September 03, 2021 and the accompanying 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:
That part of Chapel Landing, Bel Aire, Sedgwick County, Kansas, described as:

Beginning at the Southwest Corner of Lot 1, Block 2, in Chapel Landing 4th, Bel Aire, Sedgwick County, Kansas; thence West along the South Line of the Northeast Quarter of Section Twenty-Four, Township Twenty-Six South, Range One East of the Sixth Principal Meridian, said Line also being the Original Common Line Between Chapel Landing and Kappelman's Bel Aire Heights Second Addition, a distance of 918.80 feet to the Southeast Corner of the Northwest Quarter of said Section Twenty-Four; thence continuing West along said Quarter Section Line with a deflection to the right of 0°03'02" a distance of 1719.96 feet to the intersection of said Quarter Section Line and Reserve "HH" line as Platted in said Chapel Landing, also being the Southeasterly line of the Conoco-Phillips Pipeline Easement; thence Northeasterly along said Reserve Line with a deflection to the right of 142°30'00" a distance of 917.26 feet; thence with a deflection to the left of 3°36'59" and a distance of 378.61 feet; thence continuing along said Reserve Line with a deflection to the right of 3°50'17" and a distance of 101.48 feet; thence continuing along said Reserve Line with a deflection to the left of 1°44'27" and a distance of 80.68 feet; thence continuing along said Reserve Line with a deflection to the right of 5°15'36" and a distance of 609.72 feet; thence continuing along said Reserve Line with a deflection to the right of 8°08'14" and a distance of 773.43 feet to the Northwesterly Corner of Lot 21, Block J in said Chapel Landing; thence Southeasterly with a deflection to the right of 90°02'06" along the Westerly Lot Lines of Lots 21, 22, 23 and 24 for a distance of 273.35 feet to a point of intersection on the West Line of said Lot 24; thence South with a deflection to the right of 26°19'21" along the West Lot Lines of Lots 24 and 25 a distance of 142.18 feet to the North right of way of Forbes Street; thence West along said right of way a distance of 16.44 feet; thence South at right angles to the South right of way of said Forbes Street a distance of 60.00 feet to the Northwest Corner of Lot 7, Block K in said Chapel Landing; thence South with a deflection to the left of 0°47'14" along said Lot 7 a distance of 165.91 feet to the North Line of Reserve "Z" in said Chapel Landing; thence West at right angles along said North Line a distance of 23.61 feet; thence Southeasterly with a deflection to the left of 148°54'40" along said Reserve "Z" a distance of 267.60 feet; thence Southwesterly at right angles and continuing along said Reserve Line a distance of 135.00 feet to the Northeasterly right of way of Highland Street as Platted in said Chapel Landing; thence Southeasterly at right angles along said right of way of said Highland Street a distance of 145.17 feet; thence Southeasterly along said right of way of said Highland Street on a curve to the right with a radius of 233.00 feet and an arc length of 58.64 feet and a delta of 14°25'14"; thence at right angles to said right of way a distance of 66.00 feet to the Southwesterly line of said Highland Street and the Northern Most Corner of Lot 6, Block 2 in said Chapel Landing 4th; thence Southwesterly along said Lot 6 a distance of 158.96 feet to a point of intersection on the West Line of said Lot 6; thence South with a deflection of 31°14'34" to the left along the West Line of said Lot 6 and Lots 5, 4, 3, 2 and 1 Block 2, in said Chapel Landing 4th a distance of 430.44 feet to the Point of Beginning.

All public easements and dedications are hereby vacated by virtue of K.S.A. 12-512b, as amended.

Garver, LLC

_____, Land Surveyor
William K. Clevenger, PS #1437

State of Kansas)
SS
Sedgwick County)

This is to certify that the undersigned owner(s) of the land described in the Land Surveyor's Certificate have caused the same to be surveyed and subdivided on the accompanying plat into lots, blocks, reserves and streets under the name of "CHAPEL LANDING 5TH", Bel Aire, Sedgwick County, Kansas; that all highways, streets, alleys, easements and public sites as denoted on the plat are hereby dedicated to and for the use of the public for the purpose of constructing, operating, maintaining and repairing public improvements; 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. Reserves "A", "B" and "C" are hereby reserved for irrigation, walls, lighting, landscaping, berms, walks, drainage, drainage structures, and utilities confined to easements. Reserve "C" is hereby reserved for park improvements, lighting, landscaping, drainage, drainage structures, and utilities confined to easements. Reserve "C" is to be owned by the City of Bel Aire and maintained as specified in the Developer's Agreement. Reserves "A" & "B", are to be owned and maintained by the Home Owners Association for the addition, their successors and/or assigns.

Woodlawn 53, LLC, a
Kansas limited liability company

_____, Authorized Signatory
Randel M. Harder

State of Kansas)
SS
Sedgwick County)

The foregoing instrument acknowledged before me, this _____ day of _____, 2022, by Randel M. Harder, Authorized Signatory, on behalf of Woodlawn 53, LLC, a Kansas limited liability company.

_____, Notary Public

My appointment expires _____.

We, Emprise Bank, Wichita, Kansas, holder of a Mortgage on the above described property, do hereby consent to the platting of the Chapel Landing 5th, Bel Aire, Kansas.

State of Kansas)
SS
Sedgwick County)

The foregoing instrument acknowledged before me, this _____ day of _____, 2022, by _____, Authorized Signatory, on behalf of Emprise Bank a Kansas limited liability company.

_____, Notary Public

My appointment expires _____.

State of Kansas)
SS
County of Sedgwick)

This plat of "CHAPEL LANDING 5TH", Bel Aire, Sedgwick County, Kansas, has been submitted to and approved by the Bel Aire City 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.

_____, Chairperson
James Schmidt

Attest:

_____, Secretary
Anne Stephens

State of Kansas)
SS
County of Sedgwick)

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

_____, Mayor
Jim Benage

Attest:

_____, City Clerk
Melissa Krehbiel

State of Kansas)
SS
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.

Date Signed: _____, 2022.

By: _____
Jacqueline Kelly, City Attorney

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

_____, Deputy County Surveyor
Sedgwick County Kansas
Tricia L. Robello, PS #1246

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

_____, County Clerk
Kelly B. Arnold

State of Kansas)
SS
Sedgwick County)

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.

_____, Register of Deeds
Tonya Buckingham

_____, Deputy
Kenly Zehring

Any land dedicated to or owned by a municipal authority shall be exempt from any and all assessments including those assessed by Homeowners Association Covenants. Land within this plat owned by such a municipal organization, exempt from taxation by the laws of the State of Kansas, shall not be subject to any non-taxing authority assessments throughout the duration of such ownership.

No fences will be allowed within pipeline easements.

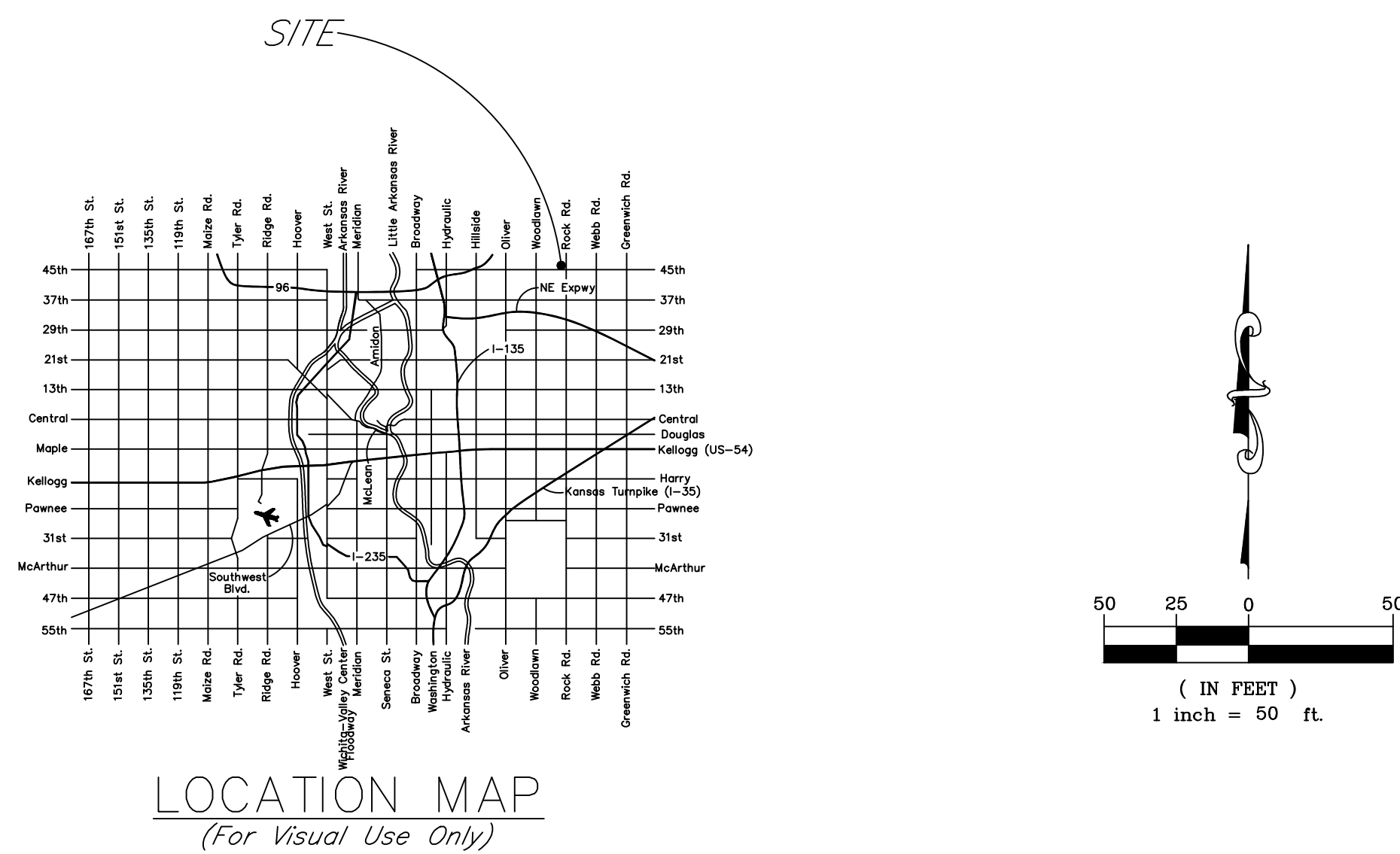
Unless otherwise shown, the Building Setbacks shall be as follows:

Front building setback shall be 25 feet.
Street side building setback shall be 15 feet.
Rear yard building setback shall be 20 feet.
Side yard building setback shall be 6 feet.

Minimum lot size: 8,400 square feet
Minimum lot width: 65 feet, measured along the front building setback line
Minimum lot depth: 120 feet, measured at right angles on the horizontal plain at the midpoint for non-rectangle lots

Accessory buildings
Accessory buildings are allowed on all lots, subject to the following:
1. All construction, including additions, alterations, modifications, and/or use of any detached shed, shall be subject to all applicable governmental laws, codes, regulations, licensure, permitting and inspection associated with construction and property maintenance within the City of Bel Aire, Kansas.
2. Sheds may be permitted within a rear set back line but no closer than 10' to a rear property line.
3. The side yard shall be maintained at 6 feet, and no sheds may be located within a side yard setback.
4. All properties shall comply with the required 35-45% land coverage codes, as well as conform to the type and height structure restrictions.





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 _____, 2022 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:

Preliminary Plat
Elk Creek 3rd Addition
Bel Aire, Sedgwick County, Kansas

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

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.

State of Kansas)
County of Sedgwick)SS

State of Kansas)
City of Bel Aire) 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, Block, Reserves and Streets, to be known as Elk Creek 3rd Addition, to Bel Aire, Sedgwick County, Kansas. Any street dedications shown are dedicated to and for the use of the public. The utility easement is 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. The access controls are hereby granted to the appropriate governing body as shown hereon. 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,
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

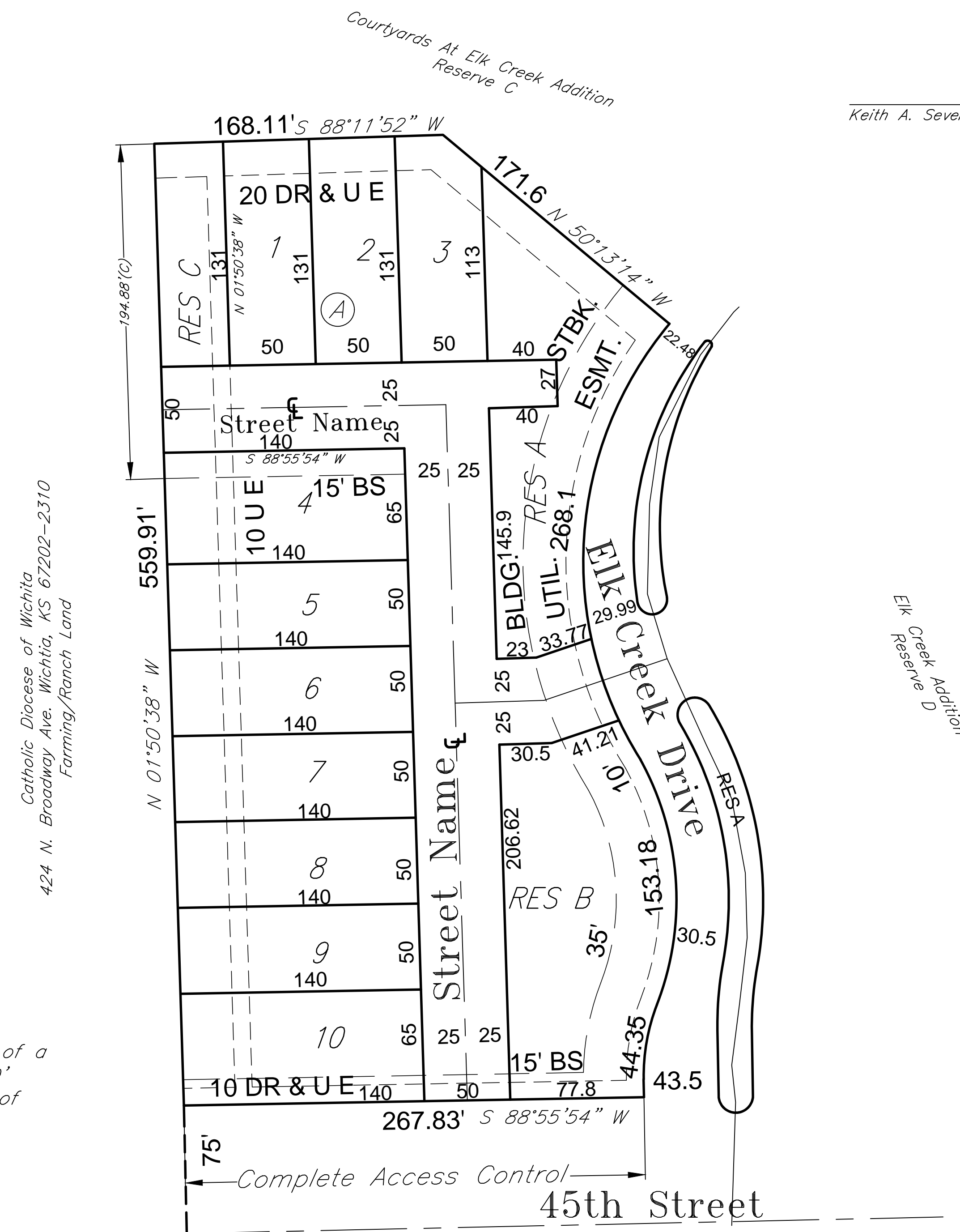
Kenly Zehring, Chief Deputy

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
Sedgwick County, Kansas

Keith A. Severns, PS #1355



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= XXXXXX (NAVD 88)

By: _____ Date _____
Barakeh Property LLC

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)
City of Bel Aire)SS

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

At the Direction of the Bel Aire Planning Commission:

Keith Price, Chair

Anne Stephans, Secretary

Property

Owner/Developer: Barakeh Property LLC, 1200 E.
MacArthur Road Wichita, KS, 67216-1839

Zoned: C-1 to R-5b
Ex. Use: Residential Highest and Best Use

Upcoming Events – Planning Commission 3-10-2022

April 9 — Spring Festival

May 21 — Spring Curbside Clean-Up

June 1 – Deadline to file Backflow tests for sprinkler systems

Notice for Residents with a Lawn Irrigation System
Annual backflow test reports are due by June 1, 2022

Every citizen who has an irrigation/sprinkler system connected to the City’s water system is required to have a working backflow device, which must be tested as outlined below.

Please note that City of Bel Aire testing requirements have been revised.

- Backflow devices must be completed every two years, on even number years.
- This year, 2022, backflow tests are required.
- Backflow tests must be completed by a certified tester/repair technician that is currently licensed with the City of Bel Aire.
- City of Bel Aire testing forms must be used. Forms are accessible on the City’s website and at City Hall.
- Testing forms and a \$5 fee must be filed with the City by June 1, 2022 to avoid non-compliance.
- Backflow devices must be rebuilt upon failure. (Previously required a re-build every five-years)
- Irrigation systems that are no longer in use may be removed from the water system, per City specifications. Detailed information on this process may be found on the City’s website.

The City of Bel Aire wants to ensure that all citizens have access to safe, clean drinking water. An important step toward achieving this goal is to confirm water being used for irrigation systems does not mix with contaminants such as pesticides and fertilizers that could “flow back” into the City’s water distribution system. Your help in achieving this goal is appreciated.

More details, including test forms and list of certified testers, may be found at:
www.belaireks.gov/BackflowDevices

FOR MEETING OF	3/10/22
CITY COUNCIL	
INFORMATION ONLY	

City of Bel Aire

STAFF REPORT

DATE: 03/04/2022

TO: Bel Aire Planning Commission

FROM: Keith Price

RE: Agenda

SUMMARY:

- (A) **SD-22-01.** Chapel landing, 5th Addition, final plat approximately 54.99 acres of the residential use zoning district.
The final plat notice was in the Ark Valley Newspaper, February 17, 20 days prior to the March 10th date. This project started in October and is a continuation of that platting process. The goal was to provide more than required notification and clean up the case numbers assigned.

The review to the developer was to add plotter's text regarding the lot size differences in the spirit of the preliminary plat approval.

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.

3.04 DUTIES OF THE PLANNING COMMISSION. The Planning Commission shall:

- A. Review the sketch plans, when submitted, and forward comments to the potential subdivider whenever this responsibility is not otherwise performed by a Subdivision Committee.
- B. Review and approve, approve conditionally or disapprove preliminary plats and lot splits.
- C. **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.**
- D. Make recommendations to the Governing Body on vacations of recorded plats, rights-of way, easements and other public reservations.
- E. Make such other determinations and decisions as may be required of the Commission from time to time by these regulations or applicable sections of the Kansas Statutes Annotated.

- (B) **Sketch Plan: Elk Creek 3rd.** This project will require down-zoning from C-1 to R-5 by public hearing. The goal is to provided feed back to the developer regarding the project. No action is taken.

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

