



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



I. Call to Order

II. Roll Call

James Schmidt ____ John Charleston ____ David Floyd ____

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

III. Pledge of Allegiance to the American Flag

IV. Consent Agenda

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

Action: Motion to approve the minutes of December 16, 2021

Motion ____ Second ____ Vote ____

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).

Open Hearing

Close Hearing

Action: To (recommend / table / deny) the rezoning request from R-4 Residential to R-5 Residential (with / without) changes, (and / or) conditions.

Motion ____ Second ____ Vote ____

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

Open Hearing

Close Hearing

Action: To (recommend / table / deny) the Preliminary Plat of Chapel Landing 5th (with / without) changes, (and / or) conditions.

Motion _____ Second _____ Vote _____

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

Open Hearing

Close Hearing

Action: To (recommend / table / deny) the Final Plat of Lycee (with / without) changes, (and / or) conditions.

Motion _____ Second _____ Vote _____

Action: To (recommend / table / deny) the PUD of Lycee (with / without) changes, (and / or) conditions.

Motion _____ Second _____ Vote _____

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

Open Hearing

Close Hearing

Action: To (recommend / table / deny) the request for rezoning from R-1- to R-4 (with / without) changes, (and / or) conditions.

Motion _____ Second _____ Vote _____

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

Open Hearing

Close Hearing

Action: To (recommend / table / deny) the Preliminary Plat of Chapel Landing 6th (with / without) changes, (and / or) conditions.

Motion _____ Second _____ Vote _____

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

Open Hearing

Close Hearing

Action: To (recommend / table / deny) the Final Plat of Skyview 2nd (with / without) changes, (and / or) conditions.

Motion _____ Second _____ Vote _____

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

Open Hearing

Close Hearing

Action: To (recommend / table / deny) the Final Plat of Skyview at Block 49 3rd (with / without) changes, (and / or) conditions.

Motion _____ Second _____ Vote _____

Action: To (recommend / table / deny) the PUD of Skyview at Block 49 3rd (with / without) changes, (and / or) conditions.

Motion _____ Second _____ Vote _____

- 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.

Open Hearing

Close Hearing

Action: Motion to recommend the Governing Body (approve / deny / table) passing conditional use ordinance for a sign (not contingent/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.

Motion _____ Second _____ Vote _____

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

Open Hearing

Close Hearing

Action: Motion to recommend the Governing Body (approve / deny / table) passing conditional use ordinance for a private swimming pool (not contingent/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.

Motion _____ Second _____ Vote _____

- 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

Action: Motion to approve the date of the next meeting: March 10, 2022 at 6:30 p.m.

Motion _____ Second _____ Vote _____

VII. Current Events

VIII. Adjournment.

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____ Time adjourned _____

Additional Attachments:

[A.](#) Planning Commission Staff Report 02-10-2022



MINUTES
PLANNING COMMISSION
 7651 E. Central Park Ave, Bel Aire, KS
 December 16, 2021 6:30 PM



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

II. Roll Call

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

Also present was City Engineer Anne Stephens.

III. Pledge of Allegiance to the American Flag – Chairman Schmidt led the pledge of allegiance. He then welcomed Commissioner Heath Travnichuk, who was recently appointed.

IV. Consent Agenda

A. Approval of Minutes from Previous Meeting

MOTION: Commissioner Floyd moved to approve the minutes of November 8, 2021. Commissioner Roths seconded the motion. *Motion carried 5-0.*

V. Old Business/New Business

A. SD-21-03. Proposed changes to the previous approved Preliminary, (Rock Spring 5th).

Chairman Schmidt opened the public hearing. Chris Bohm, Garver, represented the applicant. Mr. Bohm reviewed the changes that were made to the previously approved preliminary plat due to a change in ownership of the parcel directly north of the property covered by this plat. No parties requested to speak, so Chairman Schmidt closed the public hearing.

Following the public hearing, the Commission studied the material provided by the applicant. Planning Commission considered the evidence, reviewed the report provided by permanent staff and found that the plat complied with all provisions and applicable regulations and laws.

MOTION: Chairman Schmidt moved to recommend the changes to the preliminary plat, Rock Spring 5th without changes or conditions. Commissioner Charleston seconded the motion. *Motion carried 5-0.*

B. SD-21-03. Final Plat, (Rock Spring 5th).

Chairman Schmidt opened the public hearing. Chris Bohm, Garver, represented the applicant. Mr. Bohm reviewed the final plat and stood for questions from the Commission. Mr. Bohm mentioned that the Applicant desires to change the name of the subdivision to something that is not associated with Rock Spring, but they do not have a name at this time. Mr. Bohm requested that the Commission approve the plat with the understanding that name will be changed prior to filing. No parties requested to speak, so Chairman Schmidt closed the public hearing.

Following the public hearing, the Commission studied the material provided by the applicant, including the proposed plat and other evidence presented by the representative for the applicant. Planning Commission considered the evidence, reviewed the report provided by permanent staff and found that the plat complied with all provisions and applicable regulations and laws.

MOTION: Commissioner Floyd moved to recommend the Final Plat currently known as Rock Spring 5th; currently located in the South Half of the Southeast Quarter of Section 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; without changes. Commissioner Charleston seconded the motion. ***Motion carried 5-0.***

C. SD-21-06 Preliminary Plat - Skyview at Block 49 2nd

Planning Commission reviewed Skyview at Block 49, LLC's request to replat approximately 22.76 acres of R-5 Residential in accordance with Article 4 of the City of Bel Aire's Subdivision Regulations.

Chairman Schmidt opened the public hearing. There were no parties wishing to speak, so Chairman Schmidt closed the public hearing.

Following the hearing, the Planning Commission studied the material provided by the applicant, including the proposed plat. The Commissioners considered the evidence and found that the plat complied with all provisions and applicable regulations and laws.

MOTION: Chairman Schmidt moved to recommend the preliminary plat for Skyview at Block 49 2nd without changes or conditions. Commissioner Floyd seconded the motion. ***Motion carried 5-0.***

D. Case No SD-21-04 Rezoning (Skyview at Block 49, 3rd Addition). Rezoning approximately 12.44 acres of the AG Zoning District to be zoned C-1 and C-2 Commercial Uses.

Planning Commission reviewed Skyview at Block 49, LLC's request to rezone property generally located northwest of 49th and Webb Road in accordance with Article 5 of the City of Bel Aire's Zoning Regulations.

Chairman Schmidt opened the public hearing. Ken Lee, Garver, spoke on behalf of the applicant and answered questions for the commission. As there were no other parties wishing to speak regarding the rezoning, Chairman Schmidt then closed the public hearing.

Following the public hearing Planning Commission studied the material provided by the applicant. 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:

1. Zoning uses of nearby property:
The requested zoning fits between the R-5 to the west and the current C-2 Commercial zoning of Tierra Verde to the South. The north is as of yet undeveloped and remains zoned AG Agricultural. The Developer plans to install a concrete screening wall with landscaping between the proposed development and the adjacent uses.
2. Suitability of the property for the uses to which it is restricted:
The property is currently zoned C-1. The change to C-2 Commercial with PUD Overlay will be in line with the current zoning of the property to the South.
3. Extent to which the change will detrimentally affect nearby property:
The Applicant is also the Owner and Developer of the property to the West. They will provide adequate screening between the C-2 Commercial and the surrounding properties. The C-2 Commercial property to the south is as of yet undeveloped.

Having thoroughly reviewed the issue Planning Commission recommended rezoning the property as requested by the applicant.

MOTION: Commissioner Floyd moved to recommend the Rezoning from C-1 to C-2 with a PUD overlay without changes or conditions. Commissioner Charleston seconded the motion. *Motion carried 5-0.*

E. Case No SD-21-04 - Preliminary Plat (Skyview at Block 49, 3rd Addition). Platting approximately 12.44 acres.

Planning Commission reviewed the Skyview at Block 49, LLC's request to replat approximately 12.44 acres of C-2 Commercial with PUD Overlay in accordance with Article 4 of the City of Bel Aire's Subdivision Regulations.

Chairman Schmidt opened the public hearing. Ken Lee, Garver, spoke on behalf of the applicant and answered questions for the commission. As there were no other parties wishing to speak regarding the plat, Chairman Schmidt then closed the public hearing.

Following the hearing, the Commissioners studied the material provided by the applicant, including the proposed plat. The Planning Commission considered the evidence and found that the plat complied with all provisions and applicable regulations and laws.

MOTION: Chairman Schmidt moved to recommend the Preliminary Plat as presented. Commissioner Floyd seconded the motion. *Motion carried 5-0.*

F. Case No SD-21-04 Preliminary PUD (Skyview at Block 49, 3rd Addition). Rezoning approximately 12.44 acres of the AG Zoning District to be zoned C-1 and C-2 Commercial Uses.

Chairman Schmidt opened the public hearing. Ken Lee, Garver, spoke on behalf of the applicant and answered questions for the commission. As there were no parties wishing to speak regarding this matter, Chairman Schmidt then closed the public hearing.

MOTION: Chairman Schmidt moved to recommend the Rezoning from C-1 to C-2 with a PUD overlay without changes or conditions. Commissioner Charleston seconded the motion. *Motion carried 5-0.*

G. Continuation of Comprehensive Plan Review Hearing and annual discussion (for information only).

Staff requested that the Planning Commission table the Comprehensive Plan Review hearing until a later date to allow staff to incorporate new Census numbers that would be available in the late spring of 2022.

MOTION: Chairman Schmidt moved to table the Comprehensive Plan Review hearing. Commissioner Roths seconded the motion. *Motion carried 5-0.*

VI. Next Meeting: January 13, 2022 at 6:30 p.m.

A. Approval of the date of the next Planning Commission meeting: January 13, 2022

The Commission briefly discussed upcoming meetings. There was consensus to hold the next regular meeting on January 13th and to hold a workshop on February 17th at 6:30 p.m.

MOTION: Chairman Schmidt moved to approve the date of the next Planning Commission meeting: January 13, 2022 at 6:30 p.m. Commissioner Travnichek seconded the motion. *Motion carried 5-0.*

VII. Current Events

A. City Hall will be closed for these upcoming holidays:

- Christmas, December 23rd and 24th
- New Year's, December 31st

The Commission briefly discussed upcoming holidays.

VIII. Adjournment

MOTION: Commissioner Floyd moved to adjourn. Commissioner Roths seconded the motion. *Motion carried 5-0.*

The meeting adjourned at 8:05 p.m.

CITY OF BEL AIRE, KANSAS

File No. S/D

ZOH - 21-04
revised

APPLICATION FOR PRELIMINARY PLAT APPROVAL

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

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision CHAPEL LANDING 5TH
General Location HALE MILE S. OF 53RD ST.N., AND ONE QUARTER MILE
WEST OF WOODLAWN BLVD. Inside City X To be Annexed _____
Name of Landowner WOODLAWN 53, LLC (ATTN: RANDY HARDER)
Address 3530 N. BEACH CLUB CIR., WICHITA, KS 67205 Phone (316) 461-4765
Name of Subdivider/Agent HHomebuilder@hotmail.com
Address _____ Phone _____
Name of (Engineer) (Land Planner) GARVER (KEN LEE) KWLee@GarverUSA.com
Address 8535 E. 21ST ST.N., STE 130, WICHITA, KS 67206 Phone (316) 221-3029
Name of Registered Land Surveyor GARVER (WILL CLEVENGER) WKClevenger@GarverUSA.com
Address 8535 E. 21ST ST.N., STE 130, WICHITA, KS 67206 Phone (316) 221-3027

Subdivision Information

1. Gross acreage of plat 54.99 Acres
2. Total number of lots ~~153~~ 147
3. Proposed land use:
a. Residential-Single-Family X Duplex _____ Multiple-Family ~~X~~
Manufactured/Mobile Home _____
b. Commercial _____
c. Industrial _____
d. Other _____
4. Predominant minimum lot width 65 Feet
5. Predominant minimum lot area 8,325 Square Feet
6. Existing zoning R-4 District
7. Proposed zoning R-5 District
8. Source of water supply PUBLIC
9. Method of sewage disposal PUBLIC

10. Total lineal feet of new street SEE ATTACHED Feet

	Street Name	R/W Width	Lineal Feet
a.		Ft.	Ft.
b.		Ft.	Ft.
c.		Ft.	Ft.
d.		Ft.	Ft.
e.		Ft.	Ft.

11. Proposed type of street surfacing CONCRETE

12. Curb and gutter proposed: Yes X No

13. Sidewalks proposed: Yes X No If yes, where? ON ONE SIDE OF NON-CUL-DE-SAC STREETS

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

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

Randall K. Hander
Landowner

9-20-21
Date

Agent (If any)

Date

OFFICE USE ONLY

Prints of the Preliminary Plat received 15 revised (Number)

Vicinity map of existing and proposed street system received X

Statement of financing and guaranteeing proposed improvements received

Preliminary drainage plan, if deemed necessary, received

This application was received by the Subdivision Administrator on 11-22-21,
 . It has been checked and found to be accompanied by the required
information and the fee of \$ 0 paid to the City Clerk.

[Signature]
Subdivision Administrator

New Street Total

<u>Street Name</u>	<u>R/W Width in feet</u>	<u>Lineal Feet</u>
Forbes St	64	2,080
Forbes Cir.	58	739
Forbes Cir.	58	191
Highland Street	64	739
Summer Side Place	64	1,378
Summer Side Place	58	411
Summer Side Place Ct.	58	297
Summer Side Place Cir.	58	333
Central Park	64	477

Total lineal feet of new street = 6,650 feet



ZONE CHANGE APPLICATION

Legal Description

A portion of the Southwest Quarter of Section 17, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as beginning at the Northwest corner of the Southwest Quarter of said Section 17; thence N89°32'56"E coincident with the north line of the Southwest Quarter of said Section 17, 355.32 feet to the northwest corner of Lot 2, Broadstone Villas, Bel Aire, Sedgwick County, Kansas; thence S00°39'06"E coincident with the west line of Lot 2 in said Broadstone Villas, 632.42 feet to the southwest corner of Lot 2 in said Broadstone Villas and to a point in the north line of an Easement for Right of Way recorded in the Sedgwick County Register of Deeds Office at DOC.#/FLM-PG:29195542; thence N89°59'54"W coincident with the north line of said Easement for Right of Way, 22.22 feet to a deflection point in the north line of said Easement for Right of Way; thence N82°36'36"W coincident with the north line of said Easement for Right of Way, 147.75 to a deflection point in the north line of said Easement for Right of Way; thence N89°59'54"W coincident with the north line of said Easement for Right of Way, 186.89 feet to a point in the west line of the Southwest Quarter of said Section 17; said point being 2039.45 feet north of the southwest corner of the Southwest Quarter of said Section 17; thence N00°37'38"W coincident with the west line of the Southwest Quarter of said Section 17, 610.59 feet to the point of beginning. Subject to road rights of way of record.



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: R-4 to R-5
- ☐ Amendments to Change Zoning Districts _____

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Name of owner WOODLAWN 53, LLC (ATTN: RANDY HARDER)

Address 3530 N. BEACHCLUB CIR Telephone (316) 461-4765

Agent representing the owner RANDY HARDER

Address _____ Telephone _____

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

2. The application area contains 54.99 acres.

3. This property is located at (address) N/A which is generally located at (relation to nearest streets) SOUTHWEST OF 53RD ST N. AND WOODLAWN BLVD

4. The particular reason for seeking reclassification:

~~TO DEVELOP THE SITE FOR MULTI-FAMILY USES.~~

Updated

with plat application D-21-05

5. County control number: 00588439-00588490

00588728-00588742

00588769-00588773

00588789-00588807

00588809-00588829

00588857

May 28th 2004

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 RANDY HARDER Phone (316) 461-4765
Address 3530 N. BEACH CLUB CIR, WICHITA, KS Zip Code 67205

Agent GARVER, LLC (WILL CLEVENGER) Phone _____
Address 8535 E. 21ST ST N, STE 130, WICHITA, KS 67220 Zip Code 67220
W.Clevenger@GarverUSA.com

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.

Randy Harder
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.

May 28th 2004

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 Kappelmans 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 $0^{\circ}03'02''$ 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 $142^{\circ}30'00''$ a distance of 917.26 feet; thence with a deflection to the left of $3^{\circ}36'59''$ and a distance of 378.61 feet; thence continuing along said Reserve Line with a deflection to the right of $3^{\circ}50'17''$ and a distance of 101.48 feet; thence continuing along said Reserve Line with a deflection to the left of $1^{\circ}44'27''$ and a distance of 80.68 feet; thence continuing along said Reserve Line with a deflection to the right of $5^{\circ}15'36''$ and a distance of 609.72 feet; thence continuing along said Reserve Line with a deflection to the right of $8^{\circ}08'14''$ 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 $90^{\circ}02'06''$ 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 $26^{\circ}19'21''$ 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 $0^{\circ}47'14''$ 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 $148^{\circ}54'40''$ 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 $14^{\circ}25'14''$; 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 $31^{\circ}14'34''$ 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.

Preliminary Plat
CHAPEL LANDING 5TH
Replat of Part of Chapel Landing
Bel Aire, Sedgwick County, Kansas

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 Northeastly 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 Northwest 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 Northeastly 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 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.

OWNER:
WOODLAWN 53, LLC
Attn: Randy Harder
3530 N Beachclub Cir.
Wichita, KS 67205

Ph. (316) 461-2533
HHHomebuilder@hotmail.com

SURVEYOR & ENGINEER:
Garver, LLC
Surveyor: Will Clevenger
WKClevenger@GarverUSA.com
Engineer: Ken Lee
KWLee@GarverUSA.com

EXISTING ZONING:
Single Family Residential R-4
Existing use is agricultural

PROPOSED ZONING:
R5

FLOOD ZONE:
According to the FEMA/FIRM Map
No. 20173C0219G, effective
December 22, 2016; the property
shown hereon is located in Zone X

GROSS AREA:
2,395,370.5 Sq. Ft.±
54.99 Acres±

DATE OF TOPOGRAPHY:
AUGUST, 2021

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

DWG FILE: 21S04022 PLATTING BASE
PROJECT NO. 21S04022
NOVEMBER 23, 2021

NOTE:
THE MINIMUM INTERIOR SIDE YARD SETBACK IN CHAPEL LANDING SHALL BE 6 FEET FOR THE PRIMARY STRUCTURE ONLY AND NO GROUND LEVEL OR NEAR GROUND LEVEL ENCROACHMENTS SHALL BE ALLOWED IN THIS SETBACK, INCLUDING, BUT NOT LIMITED TO WINDOW WELLS, THE PLACEMENT OF HEATING, (INCLUDING A CHIMNEY), OR AIR CONDITIONING EQUIPMENT, OR ANY OTHER GROUND LEVEL TYPE ENCROACHMENTS THAT WOULD RESTRICT CIRCULATION AROUND THE PRIMARY STRUCTURE. OVERHEAD ENCROACHMENTS, INCLUDING, BUT NOT LIMITED TO OVERHANGING EAVES AND GUTTERS SHALL BE PERMITTED IN THIS SETBACK ONLY AS ALLOWED BY THE ZONING ORDINANCE.

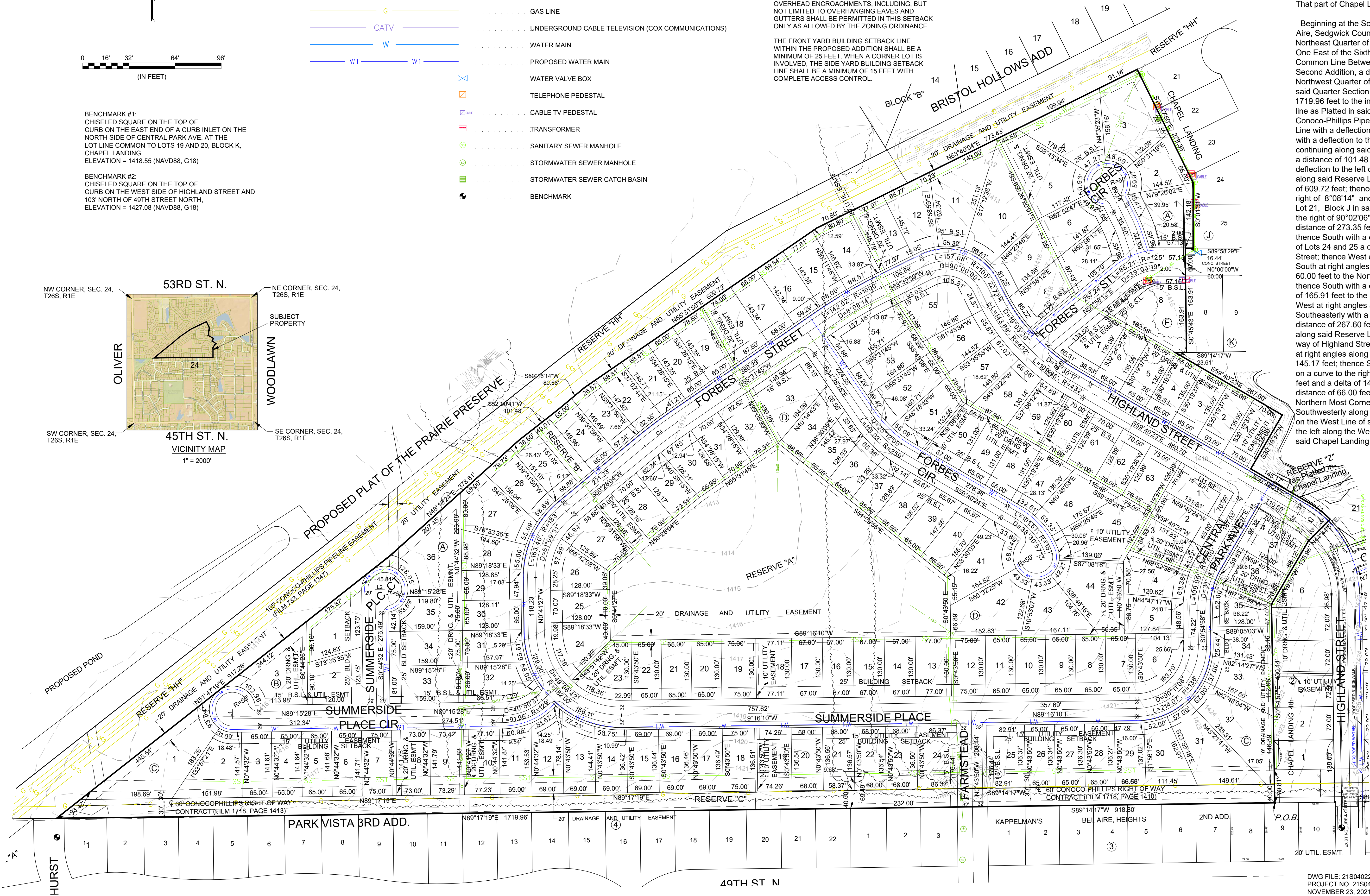
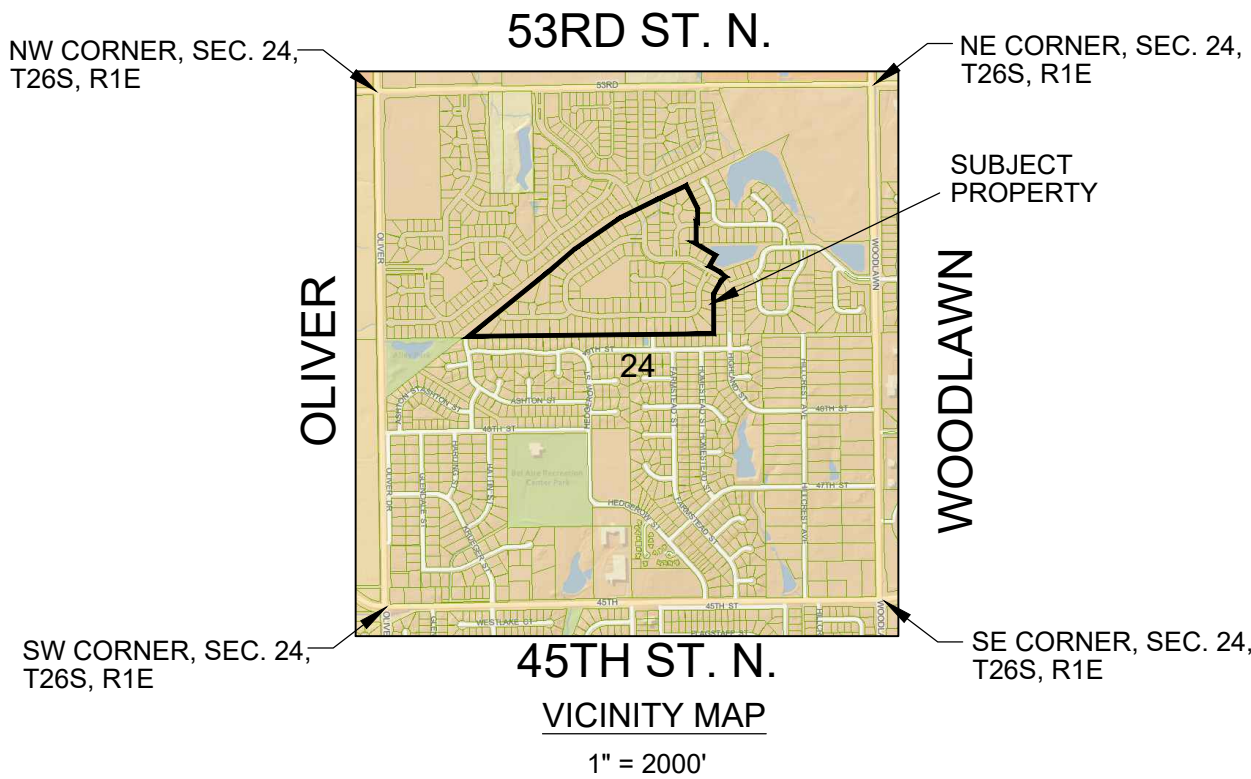
THE FRONT YARD BUILDING SETBACK LINE WITHIN THE PROPOSED ADDITION SHALL BE A MINIMUM OF 25 FEET. WHEN A CORNER LOT IS INVOLVED, THE SIDE YARD BUILDING SETBACK LINE SHALL BE A MINIMUM OF 15 FEET WITH COMPLETE ACCESS CONTROL.

LEGEND

B.S.L.	.....	BUILDING SETBACK LINE
SS	.....	SANITARY SEWER
SS1	.....	PROPOSED SANITARY SEWER
SWS1	.....	PROPOSED STORMWATER DRAIN
G	.....	GAS LINE
CATV	.....	UNDERGROUND CABLE TELEVISION (COX COMMUNICATIONS)
W	.....	WATER MAIN
W1	.....	PROPOSED WATER MAIN
.....	.....	WATER VALVE BOX
.....	.....	TELEPHONE PEDESTAL
.....	.....	CABLE TV PEDESTAL
.....	.....	TRANSFORMER
.....	.....	SANITARY SEWER MANHOLE
.....	.....	STORMWATER SEWER MANHOLE
.....	.....	STORMWATER SEWER CATCH BASIN
.....	.....	BENCHMARK

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)



December 5, 2021

TO: Bel Aire Planning Commission

**FROM: Terry Cassady and John Smith
5957 Forbes
Bel Aire, KS 67220**

**RE: Old Business Item D – Zoning 21-04
December 16, 2021 Meeting**

We are requesting the Planning Commission recommend denial to the City Council of the requested R-5 zone change and subsequent replats for the following reasons:

- The plat submitted by Randy Harder was tabled by the Planning Commission at the October 14 meeting. The plat needs to accompany the zone change due to the concerns expressed by the Commissioners and the citizens. Those include access, drainage, greenspace/amenity development, increased traffic, police/fire/ambulance emergency access, public safety and increased crime statistically proven in multi-family areas.
- R-5 zoning districts are prolific in new Bel Aire subdivisions. Basically, Oliver to Webb along 53rd Street is multi-family housing. Those units are rentals – apartments and multi-plexes - consuming hundreds of lots. Mr. Harder's letter indicates this and uses it as rationale why he, too, should be able to build duplexes in Iron Gate.
- Mr. Harder says he plans to build single family houses on smaller R-5 lots; however R-5 specifically indicates it's not intended for single family structures. He says he'll build duplexes if the economy won't support single family. There's no unmet need for more duplexes/multi-family in Bel Aire. As admitted by a commissioner, in the past, some multi-family developers haven't adhered to agreements made with the City of Bel Aire which resulted in poor developments. Enforceable guarantees need to be required to prevent further malfeasance.
- Ken Lee, Mr. Harder's representative with Garver, told Iron Gate residents at the November Planning Commission meeting that Mr. Harder has had multiple offers from other developers to buy the 55+ acre parcel and develop with multi-family uses. It's logical to conclude that Mr. Harder wants to get the rezoning and platting in place to facilitate the sale of the property to a multi-family developer.
- According to Sedgwick County GIS, there are 53 houses/patio homes in Iron Gate. Fifteen percent of those are rentals in which Mr. Harder or his developer associates

have a controlling interest. The rentals are homes priced in \$400-450s, some with multi-year long term leases. They will in all likelihood be rentals forever. Iron Gate owners have been told the homes are rented because they wouldn't sell. This is unbelievable as the homes are attractive properties and were priced competitively. Marketing of Iron Gate is abysmal.

- If a modicum of effort and marketing had been made to sell lots in Iron Gate there would be many more single family homes built and sold during the last 18 months and the peak of real estate sales. Only five homes have been started in the past couple of months. Other single family subdivisions in northeast Wichita begun after Iron Gate are booming. The market is robust and interest rates cheap.
- In order for Bel Aire to become a more desirable community, more homeownership is necessary. We have all been renters at some point in our lives; however, only homeowners have "skin in the game" and a vested interest in the betterment of the community.
- For Iron Gate owners and the City of Bel Aire, the worst case scenario is 153 lots of duplexes or other multi-family units owned by Mr. Harder or other developers. Typically a developer turns over the HOA to the resident property owners when 80% of the properties are sold. The Iron Gate resident owners will never be able to manage their own neighborhood and ensure enforcement of the HOA covenants if this rezoning is approved as it'll be impossible for 80% to be resident owned and occupied.
- As early buyers in Iron Gate, we trusted that the single family portion of the development would continue to be built out similarly to the original homes on Forbes and Forbes Court. Over the past two to three years we've seen houses built in Iron Gate not adhering to the standard or quality of the original homes. Recent builds have minimal brick/stone facades, less roof pitch and cheaper interior finishes. One owner referred to this as "bait and switch." There is poor covenant enforcement of maintenance, including the first home on Central Park and Wildfire, at the entrance to the single family portion of Iron Gate, being allowed to put pea gravel or other non-turf material on the majority of the backyard. That along with poor exterior maintenance by the owner presents a negative first impression to prospective buyers of the subdivision and negatively impacts the salability of earlier-built, higher priced homes.
- We're appealing to the Planning Commissioners and City Council members to protect our property values from being eroded by multi-family zoning and construction.

For these reasons, as well as those raised by Iron Gate owner Kyle Hart and others, if the City of Bel Aire wants high quality subdivisions the R-5 rezoning and platting proposals submitted by Randy Harder for Iron Gate must be denied by the Planning Commission and the City Council.

To: Bel Aire Planning Commission
From: Kyle Hart – 5990 Forbes Ct, Bel Aire, KS 67220
For: December 16, 2021 Planning Commission Meeting
Re: Case No. ZON-21-04

In advance of the next Bel Aire Planning Commission meeting on December 16, 2021, I wanted to provide some of my thoughts, comments, and documentation for why I think allowing the developer for Chapel Landing 5th (Iron Gate) to rezone and replat as requested is a terrible idea for Bel Aire and the existing homeowners.

I would appreciate it if you could read and familiarize yourselves with this beforehand as we are only given a few minutes to speak our opposition while the developers are given as much time as they would like. Three minutes just isn't enough time to be able to adequately refute everything.

In the October 14th planning meeting, the developer submitted a request to rezone and replat the area in question from R-4 to R-5. The replatting and rezoning submitted was unanimously rejected.

Subsequently, Mr Harder (one of the developers) submitted a letter stating that the representative at the October 14th meeting presented information that did not adequately represent what they wanted to do with the area and requested only the rezoning to be reconsidered.

One of the reasons Mr Harder states for requesting the rezoning is to allow for smaller lots. I calculated the square footage of 64 of the 153 lots submitted on his proposed replat and noted only 3 (there could be a couple others) that fall below the 8,400 square foot threshold for R-4 zoning. Two of these lots are 8,300 square feet and one is 8,000 square feet. It would be much easier for him to increase the size of these few lots versus rezoning the entire area.

A concern he purports to have heard from potential residents is high costs of watering lawns for larger size lots. In my calculation of the various lot sizes, I show that the average lot size on his proposed replatting is 10,586 square feet and the median is 9,600 square feet. I also compiled lot sizes of varying lots as the area is currently platted from the GIS website and show the average lot size is 14,258 square feet and the median is 13,129 square feet. The median is more representative and will be used here.

I went through one years worth of my own personal water bills and calculated that my water bill increases by about \$130/month during the watering season. I can safely say that I also water my lot much more than the average person so these figures will all be on the high end. I calculated the cost to water per square foot of my property then applied that cost per square foot to the other properties. To summarize (spreadsheet with detail is attached), the cost savings by reducing the lot sizes is about \$42/month during the water season or about \$200/year. In my opinion, this cost is just not

something that someone buying a \$300,000+ home is going to be concerned about. It never once entered my mind when I was house shopping.

Mr Harder's letter states that he has no immediate plans to build duplexes, states that the current R-4 zoning already allows for duplexes (true), and wants to allow for the ability to build duplexes in the future if the market dictates. The representative at the original meeting was adamant that their plan was to build duplexes, however, at the last meeting the new representative said that was not the plan. I find it hard to believe there was that serious of a miscommunication initially and that the initial representative came up with the idea for duplexes on his own. It was clearly a discussion item. Lastly, even though Mr Harder's letter states that he has no immediate plans to build duplexes but wants to allow for the possibility in the future, just two sentences later he goes on to state that the proposed lot sizes on his replatting are not suitable for duplex development. Well, which is it? There is a lot of doublespeak and ambiguity going on here.

Mr Harder himself signed the application for the zoning change which states the area is to be developed for "multi-family uses". The Staff Report indicates they reached out to the developer (presumably Mr Harder) and received feedback that the type of housing to be built is expected to be similar to the patio homes at Chapel Landing 2nd. These are \$400,000 - \$500,000 patio homes on lots generally larger than 0.30 acres. Again, I ask, what exactly is going on here?

Now that his supposed concerns have been dispelled, we see what this rezoning and replatting request really comes down to. They want to cram more lots in the same size area (41 more lots to be exact, a 37% increase). Who knows how much extra money he will make by being able to sell these additional lots? The facts show that this is the only logical reason he could have for making these changes at the detriment of the existing Iron Gate community.

Mr Harder may try to say that they are having trouble developing the neighborhood as it is currently zoned and platted however, there are a few other neighborhoods in NE Wichita that are doing amazingly well. I used to live in the Firethorne neighborhood which is right next to the new Firefly development, and which are both just south of the new Brookfield development. These are all Ritchie Development neighborhoods. I moved into Firethorne in 2010 (in the midst of the housing bust) and moved to Iron Gate in 2019. During that time, they managed to build and sell nearly 175 homes. All one needs to do is drive by both Firefly and Brookfield to see how many homes they have built and sold within the last 3-4 years since they began each of those. Are we to believe that costs to water lawns is the reason for people choosing those developments over Iron Gate? Mr Harder may try to state that he wants to reduce lot sizes because that is what the community desires, but again, why are these neighborhoods doing just fine with lot sizes similar in size to the current plat map? Additionally, one only needs to look at another proposal submitted and approved at the last planning meeting on November 8, 2021, for the new Prairie Preserve immediately to the west of the area in question here. I believe the developers of this new area bought the land from Mr Harder and the other developers of Iron Gate. They are proposing building houses on lots

ranging in size from 1.73 to 2.50 acres. Only time will tell if this development will be successful but what is being planned in that community directly contradicts the concerns Mr Harder has for his proposed changes in Iron Gate.

To further illustrate how there should be no reason for reducing lot sizes to help properties in Iron Gate sell, I compared the lot sizes between the current occupied Iron Gate area, Firefly, Brookfield, Firethorne, currently platted Chapel Landing 5th and the proposed replatted Chapel Landing 5th. I have attached all my work if you care to look it over.

To summarize, Mr Harder is proposing to reduce the property sizes by a median of 3,529 square feet or 27% vs how the area is currently platted. I compared the current plat map to the other neighborhoods mentioned and found that the currently platted lots are virtually the same size as the currently occupied Iron Gate area, 557 square feet or 4% larger than Firefly, 555 square feet or 4% larger than Brookfield, and 798 square feet or 6% larger than Firethorne. Basically, as the area is currently zoned and platted is within 5% of the size of the lot sizes of all these other similar neighborhoods that are having absolutely no issues selling homes. How are these neighborhoods all doing so well with these huge yards that he claims people don't want?

I feel like as a neighborhood develops over several years, the newer homes should generally be nicer and more expensive than the initial homes. Not only because of general inflation but because as the neighborhood and community develops, it becomes more desirable to live in. This is exactly what I experienced living in Firethorne. We were one of the first 20 homes there when we bought our first home in 2010 for \$185,000 and put about \$30,000 into finishing it over the years. We sold it in 2019 for \$250,000. In the 9 years since we bought, the neighborhood was nearing completion and the newer homes were selling for \$350,000 - \$400,000+.

The majority of the Iron Gate residents that I have spoken to about this feel like Mr Harder and the developers are pulling a bait and switch here. They sold us \$400,000 - \$500,000 homes and are now proposing to devalue the entire neighborhood. I'm sure he will say that he will build the same houses in the new area, just on smaller lots, but everyone knows the lot sizes are directly correlated to the value of the property as a whole. Additionally, we shouldn't be relying on the word of developers to do this or that. From just the few planning meetings I have been to I have heard how Bel Aire has been lied to by developers promising greenspace, parks, landscaping, etc before. Once they get their approvals, they can and will do whatever they want with no recourse from the city.

Additionally, the city code states that "setbacks associated with any R-5 district shall be established as part of the platting process, as this district is not intended to be applied to a single structure." Due to this, I do not think it permissible that a rezoning to R-5 be considered without also having in hand the plat map proposed for the area. Again, the plat they wanted to use was unanimously rejected at the October planning meeting. To my knowledge, the only consideration at this meeting is whether the zoning change will be allowed. There is no consideration to be given to a new plat map. The only reason for changing to R-5 is to cram 41 more lots in this area because each lot, house, family,

etc will be closer together. This is 37% more lots and 37% increased density. With increased density comes more problems, whether domestic or neighborly, increased traffic, crime, etc. There are other residents in the neighborhood that vouched for this at the October meeting having worked with the Wichita police force for 20+ years.

Lastly, if you go through each of your golden rules per Section 5.02D, you will find this request either violates the rule or is not necessary as follows:

#1 - The request does not fit with the current established neighborhood.

#2 - The rest of the neighborhood is zoned R-4 with the exception of very nice patio homes zoned R-5, but which have lot sizes in line with or larger than the remainder of the currently established neighborhood.

#3 - The zoning already allows for duplexes if they want to try that and there are only a few lots proposed under the 8,400 square foot minimum lot size for R-4.

#4 - This will very clearly detrimentally affect the property values of the currently established neighborhood.

#5 - I believe the current zoning and plat was established many years ago but it was not developed nor marketed for sale until much more recently.

#6 - I don't think this is applicable here.

#7 - It appears there was not a lot of effort put into critiquing the request per comments from the October 14th Planning Meeting Staff Report

I would urge you to please reject the rezoning and replatting, if resubmitted, for the above multitude of reasons. This will set a terrible precedent for residential development in Bel Aire if you allow developers to bait and switch your citizens like this. There are plenty of other developments going in with smaller lots and cheaper homes. There is no reason for this rezoning and replatting to be requested other than the developer trying to squeeze some extra money out of the property. They have already sold much of the surrounding property that was presumably supposed to be part of Iron Gate someday.

Thank you,



Kyle Hart
5990 Forbes Ct
620-481-1984

CITY OF BEL AIRE, KANSAS

File No. S/D 21 - 07**APPLICATION FOR FINAL PLAT APPROVAL**

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

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision Lycee

General Location on the East side of Rock Road and approximately 1/4 mile north of 53rd St N

☒ Inside City ☐ To be Annexed ☐ Outside City

Name of Landowner Gregory Hiser (additional Owner information attached)

Address 9860 E 21st St N, Wichita, KS 67206-3589 Phone 316-841-2920

Name of Subdivider/Agent Baughman Company, P.A. Attn: Philip J. Meyer, L.A.

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

Name of (Engineer) (Land Planner) Same as Agent

Address 315 Ellis Wichita, KS 67211 Phone 262-7271

Name of Registered Land Surveyor Same as Agent

Address _____ Phone _____

Subdivision Information

1. (Select One) ☒ Final Plat of entire preliminary plat area
☐ Final Plat of unit number _____ of _____ unit developments
☐ Final Plat for small tract
☐ Final Replat of original platted area
2. Gross acreage of plat 13.15 +/- Acres
3. Total number of lots 6
4. Proposed land use for an ☒ Urban-Type ☐ Rural Type Subdivision:
 a. Residential-Single-Family ☐ Duplex ☒ Multiple Family ☐ Manufactured/Mobile Home
 b. Commercial X
 c. Industrial _____
 d. Other _____

5. Predominant minimum lot width 90.2 Feet
6. Predominant minimum lot area 33,593 Square Feet
7. Existing zoning C-1 District
8. Proposed zoning C-1 and R-6 with a PUD District
9. Source of water supply City
10. Method of sewage disposal City
11. Total lineal feet of new street 0 Feet

	Street Name	R/W Width	Lineal Feet
a.		Ft.	Ft.
b.		Ft.	Ft.
c.		Ft.	Ft.
d.		Ft.	Ft.
e.		Ft.	Ft.
f.		Ft.	Ft.
g.		Ft.	Ft.
h.		Ft.	Ft.
i.		Ft.	Ft.
j.		Ft.	Ft.

12. Proposed type of street surfacing n/a
13. Curb and gutter proposed: ☐ Yes ☒ No
14. Sidewalks proposed: ☐ Yes ☒ No If yes, where? _____

15. Is any portion of the proposed subdivision located in an identified flood plain area?
☒ Yes ☐ No

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

Gregory Hisei _____ David J. Meyer 12/17/21
 Landowner Date Agent (If any) Date

OFFICE USE ONLY

Prints of the Final Plat received 15 (Number)

Final drainage plan, if required, received _____

Copy of a title report for the land received _____

Copy of proposed restrictive covenants, if any, received _____

Methods for financing and guaranteeing improvements Petition

For plats for small tract:

a. Vicinity map received _____

b. Topographic drawing, if required, received _____

Original drawing or photographic equivalent of Final Plat received _____

This application was received by the Subdivision Administrator on 12.17.
2021. It has been checked and found to be accompanied by the required
information and the fee, if any, of \$ 230 paid to the City Clerk.



Subdivision Administrator

cc: Applicant

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: C-1 to C-1 and R-6 with a PUD
☐ Amendments to Change Zoning Districts _____

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Name of owner Gregory Hiser

Address 9860 E. 21st St N, Wichita, KS 67206 Telephone (316) 841-2920

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

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

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

2. The application area contains 4.40 +/- acres.

3. This property is located at (address) n/a which is generally
located at (relation to nearest streets) East of Rock Road approx. 1/4 mile north of 53rd St N

4. The particular reason for seeking reclassification:

to allow development of duplexes on Lots 1, 2, and 3; and allow development of a
restaurant with alcohol sales on Lot 4

5. County control number: 30015088

May 28th 2004

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 Gregory Hiser Phone 316-841-2920
Address 9860 E 21st St N, Wichita, KS Zip Code 67206

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

2. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

3. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

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

Gregory Hiser
Applicant's Signature GREGORY HISER

BY

Philip J Meyer
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.

May 28th 2004

PLANNED UNIT DEVELOPMENT AGREEMENT
CONCERNING THE DEVELOPMENT
OF LYCEE ADDITION
TO THE CITY OF BEL AIRE, KANSAS

THIS AGREEMENT is made and entered into by and between GREGORY HISER, hereinafter referred to as the "DEVELOPER" and the CITY OF BEL AIRE, KANSAS, hereinafter referred to as the "CITY."

WHEREAS, the Developer desires platting by the City of a tract of land more fully described below and herein referred to as LYCEE ADDITION to the City of Bel Aire, Kansas; and

WHEREAS, the City is willing to consider platting of said LYCEE ADDITION PUD Project;

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 LYCEE ADDITION PUD project to the City of Bel Aire, Kansas.

LYCEE ADDITION PUD PROJECT LEGAL DESCRIPTION. The tract of land herein referred to as LYCEE ADDITION PUD project to the City of Bel Aire, Kansas has the following pre-platting legal description, to-wit:

A portion of the Southwest Quarter of Section 17, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as beginning at the Northwest corner of the Southwest Quarter of said Section 17; thence N89°32'56"E coincident with the north line of the Southwest Quarter of said Section 17, 355.32 feet to the northwest corner of Lot 2, Broadstone Villas, Bel Aire, Sedgwick County, Kansas; thence S00°39'06"E coincident with the west line of Lot 2 in said Broadstone Villas, 632.42 feet to the southwest corner of Lot 2 in said Broadstone Villas and to a point in the north line of an Easement for Right of Way recorded in the Sedgwick County Register of Deeds Office at DOC.#/FLM-PG:29195542; thence N89°59'54"W coincident with the north line of said Easement for Right of Way, 22.22 feet to a deflection point in the north line of said Easement for Right of Way; thence N82°36'36"W coincident with the north line of said Easement for Right of Way, 147.75 to a deflection point in the north line of said Easement for Right of Way; thence N89°59'54"W coincident with the north line of said Easement for Right of Way, 186.89 feet to a point in the west line of the Southwest Quarter of said Section 17; said point being 2039.45 feet north of the southwest corner of the Southwest Quarter of said Section 17; thence N00°37'38"W coincident with the west line of the Southwest Quarter of said Section 17, 610.59 feet to the point of beginning. Subject to road rights of way of record.

New legal description:

Lots 1, 2, 3, and 4, Block B, Lycee Addition, Bel Aire, Sedgwick County, Kansas.

PERMITTED USE.

The Lycee Addition to the City of Bel Aire, Kansas shall have the uses permitted in the "C-1" Neighborhood Commercial Office & Retail, "C-2" Planned Commercial and "R-6" Multi-Family District, as defined in the 2020 revised Bel Aire codified city code, including the following uses:

"C-1 and C-2" (Lot 4, Block B):

- Small scale retail businesses
- Retail activities conducted wholly indoors
- Office
- C-2 Uses- Restaurant with alcohol sales; food venues to include patio dining and temporary structures as approved by the City Manager.
- 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 minimum building setback shall be forty feet (40') from adjacent public right-of-way property lines. There shall be a minimum building setback of ten feet (10') along adjoining lots, if such adjoining lots are not maintained in common ownership. No building shall be constructed within a public utility easement.

SITE: The proposed construction project for Lot 4, Block B, consists of one building with a total 3,200 sq. ft. with paved parking, with no current plans of future growth or additions. The PUD and the Zoning code will govern any future growth. Lot 4 shall honor all existing easements on the Lot including the rural water easement, pipeline easement and KG&E easement. Prior to any development, all lots shall be maintained in accordance with the municipal code of the City of Bel Aire. Approval of a site circulation and pedestrian plan by the Zoning Administrator is required for each phase of construction prior to the issuance of a building permit.

"R-6" (Lots 1, 2, and 3, Block B):

- Duplex
- Multi-Family
- Adult Day-care
- Leasing office
- Playgrounds or community spaces.
- Accessory structures as approved by the city manager.

The minimum building setback shall be thirty feet (30') from adjacent public right-of-way property lines. There shall be a minimum building setback of ten feet (10') along adjoining lots,

if such adjoining lots are not maintained in common ownership. No building shall be constructed within a public utility easement.

SITE: The proposed construction project for Lots 1, 2, and 3, Block B, consists of a maximum of thirteen (13) buildings with each living unit having 1,000 to 1,500 sq. ft. of livable space on the ground floor with a maximum total 37,500 sq. ft. allowed on the ground floor of the parcel with paved parking for each unit. Each living unit shall have a maximum height of three stories. There is no current plans of future growth or additions. The PUD and the Zoning code will govern any future growth. Lots 1, 2, and 3, shall honor all existing easements on the Lots including the rural water easement, and pipeline easement. Prior to any development, all lots shall be maintained in accordance with the municipal code of the City of Bel Aire. Approval of a site circulation and pedestrian plan by the Zoning Administrator is required for each phase of construction prior to the issuance of a building permit.

INFRASTRUCTURE INSTALLATION. Installation of all improvements shall be in compliance with requirements of all applicable federal, state and local legislation, including the Americans with Disabilities Act. All electric power, streetlights, cable and telephone service shall be installed underground. The Developer shall be responsible for the costs of engineering design, construction and inspection of all private utility improvements (electricity, communications, telecommunications and gas) necessary for the platting and development of the tract of land herein referred to as the Lycee Addition in accordance with the utility extension requirements of each private utility company. Utility improvements shall be installed on city owned property or within public right of ways or easements. The expense of all such utility and sewer service within the property shall be borne by the Developer.

The Developer shall dedicate necessary public easements for all private and public utility improvements necessary for the platting and development of the tract of land herein referred to as the Lycee Addition to the City of Bel Aire, Kansas. Said improvements include storm water system, water distribution system, sanitary sewer lines, driveways and utilities.

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.

DRAINAGE. The ultimate effect of increased drainage from platted property on surrounding property must be addressed as part of the platting process. The Developer shall prepare a storm drainage plan that shall address the effect of increased drainage, meet City specifications and be approved by the City Engineer. As part of the drainage plan, a final grading plan showing all drainage inlets and a storm sewer plan including placement of inlets, pipes and manholes, shall be submitted and approved by the City prior to any issuance of permits. Street, curb, lot corner and pad elevations shall be submitted for review and approval by the City prior to any demolition, site development, construction or permits obtained. All Storm water outfall lines shall be placed within utility easements dedicated to the City. After approval by the City Engineer of said storm drainage plan, with any necessary modifications, the Developer shall install, or cause to be installed, the improvements pursuant to the drainage plan.

LIGHTING. A Security and/or parking lighting plan shall be submitted to the City for approval and comply with the City zoning ordinance. Outdoor lighting sources shall employ cutoff luminaires to minimize light trespass and glare. Electric lines shall be installed underground. Wood poles will not be allowed.

SANITARY SEWER. The City will provide access to the property line for public sanitary sewer in the utility easements provided with the plat per the approved City Engineer's drawings on file for Lycee Addition. Each unit or tenant space must have separate sanitary sewer hookups installed to City standards. The Developer shall pay all Sanitary Sewer User Fees and Hook Up Fees.

WATER. The City will provide access to the property line for public water in the utility easement located along Rock Road and along south property line per the approved City Engineer's drawings on file for Lycee Addition. Each unit or tenant space must have separate metered water supply installed to City standards. The Developer shall pay all Water User Fees and Hook Up Fees.

All fire hydrant locations must be identified on a plan & approved by the Sedgwick County Fire Department according to its standards. Developer is responsible to meet all Sedgwick County Fire Codes & Standards and installation by the Developer shall be to City standards.

LANDSCAPING & SCREENING. The Developer shall submit and have approved by the City Manager, a "Landscape Plan" that is representative of the attached landscape concept plan. Landscaping to be provided as each phase of the Lycee Addition is developed. The "Landscaping Plan" shall show contours, utilities, size, and spread at planting, any type of ground cover, shrubs, and coordinate with the Drainage Plan and Site Plan for the project.

Planting of interior trees shall meet the City's ordinance. Any areas outside of the general boundaries of each development phase shall be planted to appropriate turf or ground cover adequate to prevent undue soil erosion and shall be maintained in accordance with applicable City ordinances. Any future Phases to be constructed shall have prior approval of building permits for that Phase, the Developer shall also submit and have approved by the City, detailed landscape plans for that Phase. Within all detailed landscape plans, ground mounted mechanical equipment and trash receptacles shall be screened from ground level view.

FENCING & SCREENING. All outside storage of trash and recycling storage containers shall be appropriately fenced and screened with fencing and screening methods and materials to blend in with the architectural design of the building and to reasonably hide the materials, trash and recycling storage containers from ground view and approved by the City. Wood privacy fence materials may be allowed if such materials blend in with the architectural design elements of the building and adjacent sites and shall be of the same height of any existing but a minimum of six (6') feet in height. If screening exists on either side of a developing property line that meets or exceeds the standards of the zoning code, additional

screening shall not be required. However, if at any time the existing screening fails to meet the requirements of the zoning code, compliance shall be attained by the property owners of the lot, or lots, in the PUD which fails to meet these requirements. Any plans for outside storage facilities shall comply with the applicable ordinances and zoning regulations of the City and be submitted in writing to the City for prior approval.

BUILDING CONSTRUCTION MATERIALS & TYPE. All building in the R-6 zoning district shall share uniform architectural character, color, texture, and the intent of the attached floor plan and building elevation. Building walls and roofs shall have a residential character and have predominately earth tone colors with brick or stone allowed as an accent material. Any variation of attached building elevations shall require the approval of the City Manager. All office/retail construction shall be designed utilizing materials that incorporate appropriate architectural and aesthetic elements as represented in the general guideline manual for the neighborhood commercial district and approved by the City.

SIGNAGE. All signage shall comply with the applicable ordinances and zoning regulations of the City and be submitted in writing to the City for approval. Each site shall be allowed one six-foot wide monument type entry sign, not exceeding 6 feet in height. Any future signage must be approved by the City Manager.

PARKING. A detailed parking plan shall be submitted to the City for approval. All handicap stalls shall be shown on the parking plan along with curbing in all parking areas and must meet with the City's Zoning Ordinance. Parking stalls shall be a minimum of nine feet (9') wide by eighteen (18') deep, with a two-foot (2') overhang if the front of the vehicle hangs into a six foot wide green space or six foot wide strip between parking stalls unless otherwise approved by the City.

ACCESS ROADWAY. All driveways shall be per city ordinance. One access entrance shall be allowed off Rock Road as per plat map for Lot 1; one joint access entrance shall be allowed off of Lycee St as per plat map for Lots 2 and 3; one access entrance shall be allowed off Rock Road as per plat map for Lot 4. Other access entrances off Rock Road may be approved by the City at the time of development of other lots. Lots 1, 2, and 3 shall have a cross lot agreement between lot owners for access. The width of all approaches shall be no less than twenty-four feet (24') and a maximum of thirty-five feet (35') unless otherwise approved by the City.

SIDEWALKS. Construction of a City sidewalk on the property line, or an approved alternative location, along Lycee St, to the east right-of-way line of Rock Road shall be required. The sidewalk must meet City and ADAAG standards. The property owner(s) as required by City Ordinance shall provide for the sidewalk maintenance and care.

PERMITS. No construction shall commence on any portion of the tract of land herein referred to Lycee Addition PUD project to the City of Bel Aire, Kansas without the Developer, or its designated builder, having first obtained the proper building and zoning permits from the City.

The development of Lycee Addition project to the City of Bel Aire, Kansas shall proceed in accordance with this Agreement and subsequent platting. Any deviation, as determined by

the City, shall constitute a violation of the building permit authorizing construction of the proposed development. The final site dimensions, grading plan, drainage, landscape plan, street plan, parking plan and utility plans will be submitted and approved in phases based on the conceptual plans. Any deviations from the conceptual drawing shall be submitted for review and approval by the City.

Any and all costs including permit fees, review fees, and building and zoning permit and review fees incurred or required by city staff and review and/or through building and zoning review shall be paid by the Developer.

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 Lycee 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 _____, 202__.

GREGORY HISER, DEVELOPER

THIS AGREEMENT was approved by vote the City Council of the City of Bel Aire, Kansas on the _____ day of _____, 202__ and is hereby executed on this _____ day of _____, 202__.

MAYOR, JIM BENAGE

SEAL

ATTEST:

CITY CLERK, MELISSA KREHBIEL

ACKNOWLEDGEMENTS

BE IT KNOWN BY ALL PERSONS that on this ____ day of _____, 202__, before me, a Notary Public, came Gregory Hiser, who is known to me and who personally acknowledged execution of the foregoing Agreement concerning the LYCEE ADDITION PUD to the City of Bel Aire, Kansas.

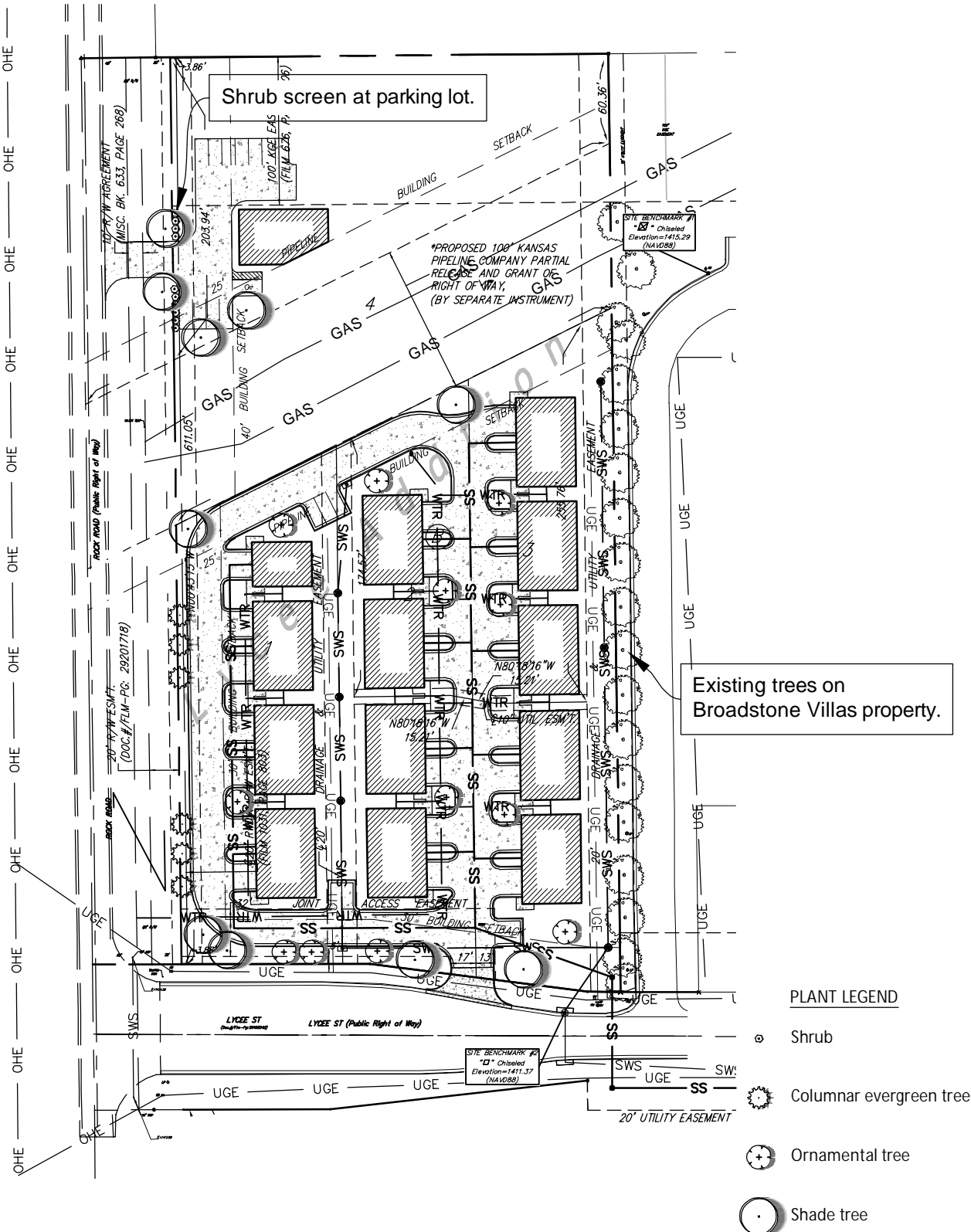
NOTARY PUBLIC

My Appointment Expires: _____

BE IT KNOWN BY ALL PERSONS that on this ____ day of _____, 202__, 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 LYCEE 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: _____



PLANT LEGEND

- Shrub
- Columnar evergreen tree
- Ornamental tree
- Shade tree

CONCEPTUAL SITE LANDSCAPE PLAN



FEB. 02, 2022



BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7277
BaughmanCo.com

Lycee Addition

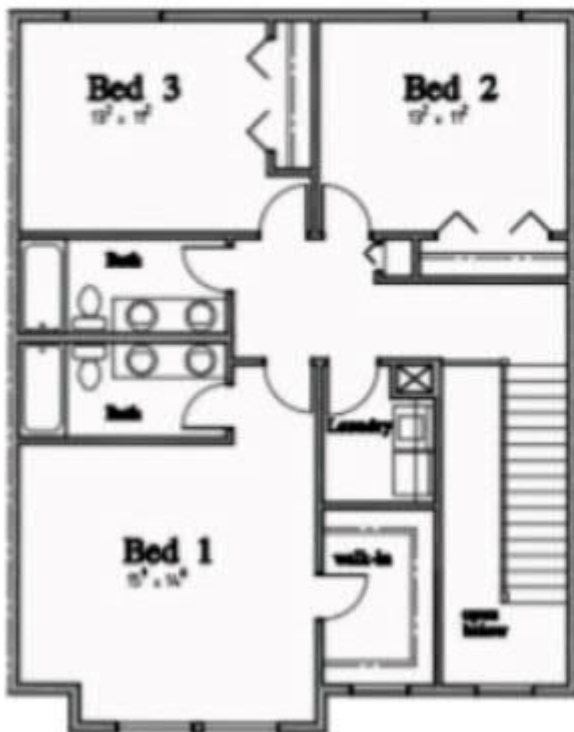
Conceptual Elevation & Floorplan

Section V, Item B.

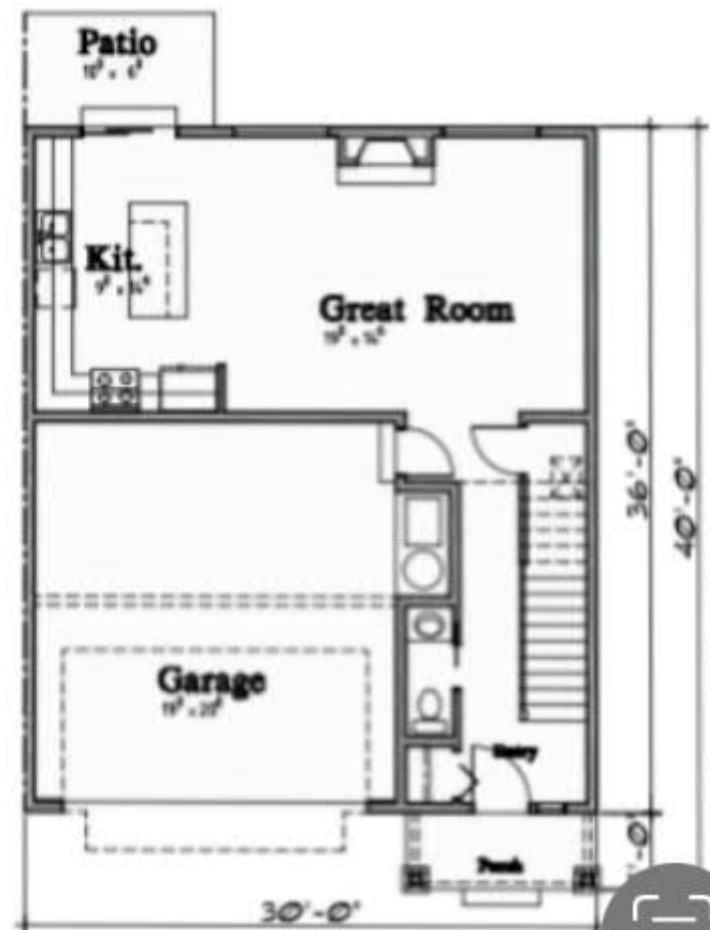


PLAN #D-638

MAIN FLR. 680 SQ. FT.
UPPER FLR. 983 SQ. FT.
TOTAL 1663 SQ. FT.
GARAGE 400 SQ. FT.



Upper Floor



Main Floor

Lycee Addition
Conceptual Elevation





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



LYCEE ADDITION PUD SUBMITTAL REVIEW

Address of proposed project: Lycee Final plat, and PUD

This report is to document that on 2/2/22 the Zoning Administrator from the City of Bel Aire evaluated the above property plan for compliance of zoning and building requirements:

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

The review of the above property plan has been:

- ☒ APPROVED, as noted
- ☐ DELAYED, as noted
- ☐ DENIED, as noted

DATE 2/2/22


Keith Price
REVIEWED BY

Comments: City staff conducted a meeting to discuss the plat and PUD. Provide the most updated version of the final plat in PDF form and paper form. The general information below still applied as of 2.2.22

- No additional easements were requested by Evergy or Onegas.
- The landscape plan is conceptual in nature, locations of trees would need to fit the final drainage plan and layout of the buildings.
- The architecture submittal is conceptual in nature, however the aesthetics and types of materials are near to what will be expected during construction based on the PUD agreement and site plan.
- The Plat isn't covered by the PUD completely so specific PUD plat language isn't required.
- The city engineer will contact you directly with any concerns related to the submittals.
- http://www.egovlink.com/public_documents300/belaire/published_documents/Bel%20Aire%20City%20Code/CHAPT18-CODE%20Zoning%20Part-A%202015.pdf contains the Zoning Code. The landscape requirements in general, we have a master concept plan for the development.

- <http://www.egovlink.com/belaire/docs/menu/home.asp> contains the Public Works tab to find the city standards information.

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

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

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

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 23rd day of December, 2021, with subsequent publications being made on the following dates:

_____, 2021 _____, 2021
_____, 2021 _____, 2021
_____, 2021 _____, 2021

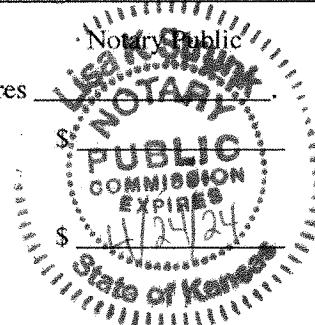
Subscribed and sworn to before me this 23rd day of December, 2021.

LKS

My commission expires

Additional copies \$

Printer's fee \$



Public notice

(Published in The Ark Valley News on Dec. 23, 2021.)

OFFICIAL NOTICE OF ZONING HEARING

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

Notice is Hereby Given that on January 13, 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:

ZON-21-06. Lycee Addition PUD, final plat, preliminary/final PUD and rezoning approximately 4.40 acres of the C-1 to C-1, C-2, R-6 zoning districts.

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

General Location: East of Rock Road approx. ¼ mile north of E. 53rd St.N.

You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the 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 17 day of December, 2021.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

LYCEE

BEL AIRE, SEDGWICK COUNTY, KANSAS

State of Kansas) SS We, Baughman Company, P.A., Surveyors in Sedgwick County) aforesaid county and state do hereby certify that we have surveyed and platted "LYCEE", Bel Aire, Sedgwick County, Kansas and that the accompanying plat is a true and correct exhibit of the property surveyed, described as a portion of the Southwest Quarter of Section 17, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as beginning at the northwest corner of the Southwest Quarter of said Section 17; thence N89°32'56"E coincident with the north line of the Southwest Quarter of said Section 17, 355.32 feet to the northwest corner of Lot 2, Broadstone Villas, Bel Aire, Sedgwick County, Kansas; thence S00°39'06"E coincident with the west line of Lot 2 in said Broadstone Villas, 632.42 feet to the southwest corner of Lot 2 in said Broadstone Villas and to a point in the north line of an Easement for Right of Way recorded in the Sedgwick County Register of Deeds Office at DOC.#/FLM-PG-29195542; thence N89°59'54"W coincident with the north line of said Easement for Right of Way, 22.22 feet to a deflection point in the north line of said Easement for Right of Way; thence N82°36'36"W coincident with the north line of said Easement for Right of Way, 147.75 feet to a deflection point in the north line of said Easement for Right of Way; thence N89°59'54"W coincident with the north line of said Easement for Right of Way, 186.89 feet to a point in the west line of the Southwest Quarter of said Section 17, said point being 2039.45 feet north of the southwest corner of the Southwest Quarter of said Section 17; thence N00°37'38"W coincident with the west line of the Southwest Quarter of said Section 17, 610.59 feet to the point of beginning, subject to road rights of way of record, TOGETHER with a tract of land in the Southwest Quarter of Section 17, Township 26 South, Range 2 East of the Sixth Principal Meridian described as follows: Commencing at the Southwest Corner of the Southwest Quarter of Section 17, Township 26 South, Range 2 East of the Sixth Principal Meridian Sedgwick County, Kansas; thence on an assumed bearing of N00°43'15"W, coincident with the west line of said Southwest Quarter, 1941.01 feet; thence N89°16'45"E, perpendicular to the west line of said Southwest Quarter, 40.00 feet for a point of beginning; thence N89°54'29"E, coincident with the south right-of-way line of Lycee Street described on Film 2919, Page 5542 at the Sedgwick County Register of Deeds, 119.02 feet; thence N83°39'05"E, coincident with said south right-of-way line, 174.34 feet; thence N89°54'29"E, coincident with said south right-of-way line, 229.92 feet to the point of curvature of a tangent curve to the right; thence southeasterly coincident with a curve in said south right-of-way line, through a central angle of 3°38'16" and having a radius of 370.00 feet, an arc distance of 23.49 feet, (having a chord length of 23.49 feet bearing S88°16'24"E) to the north most corner of the west line of Block 1, Lycee Heights, Bel Aire, Sedgwick County, Kansas; thence S00°53'25"W, coincident with a segment of the west line of said Block 1, Lycee Heights, 13.00 feet to a deflection corner in the west line of said Block 1, Lycee Heights; thence S22°55'17"W, coincident with a segment of the west line of said Block 1, Lycee Heights, 282.63 feet to a deflection corner in the west line of said Block 1, Lycee Heights; thence S15°36'26"E, coincident with a segment of the west line of said Block 1, Lycee Heights, 320.51 feet to a deflection corner in the west line of said Block 1, Lycee Heights; thence S67°22'24"E, coincident with a segment of the west line of said Block 1, Lycee Heights, 80.97 feet to a deflection corner in the west line of said Block 1, Lycee Heights; thence S02°53'47"E, coincident with a segment of the west line of said Block 1, Lycee Heights, 72.16 feet to the southwest corner of said Block 1, Lycee Heights, said corner also being the northwest corner of Block 1, Lycee Heights 2nd, Bel Aire, Sedgwick County, Kansas; thence S33°21'46"E, coincident with the west line of said Block 1, Lycee Heights 2nd, 132.16 feet to a deflection corner in the west line of said Block 1, Lycee Heights 2nd, said deflection corner also being the northeast corner of a tract of land described at Doc.#/Film-Pg-29195583; thence S89°54'25"W, coincident with the north line of said tract of land (29195583), 662.70 feet; thence N00°43'15"W, parallel with the west line of said Southwest Quarter, 777.62 feet to the point of beginning.

Existing public easements, building setbacks, access controls, and dedications, if any, being vacated by virtue of K.S.A. 12-512b, as amended.

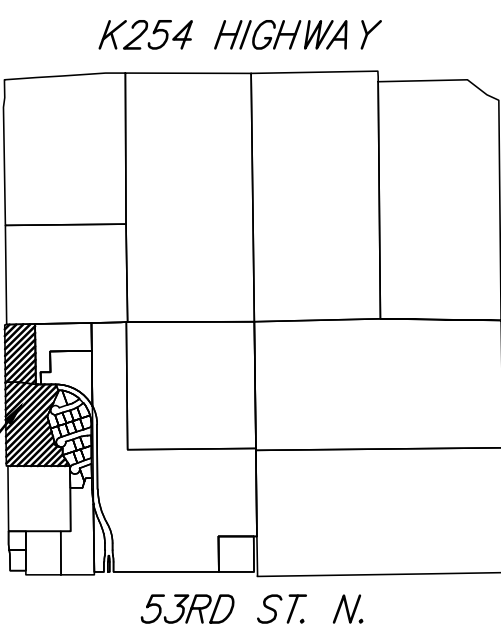
All being situated in the Southwest Quarter of Section 17, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas.

Baughman Company, P.A.

_____, Surveyor

Preston A. Stewart, PS#1386

LOT	BLOCK	ELEVATION
1	A	1411.4
2	A	1411.4



VICINITY MAP
SEC. 17, T26S, R2E

Know all men by these presents that we, the undersigned owners, have caused the land in the surveyors certificate to be platted into Lots, Blocks, Streets, and a Reserve, to be known as "LYCEE", Bel Aire, Sedgwick County, Kansas. The joint access easement is hereby granted to the public as depicted on the face of the plat for permanent perpetual access to Lycee Street. The joint access easement shall not be used for driveway, ingress, and egress purposes and such easement shall not be used for parking purposes or utilized in any manner so as to impede or inconvenience the use of such easement for the purposes herein set forth. The utility easements are hereby granted to the public as indicated for the construction and maintenance of all public utilities. The drainage and utility easements are hereby granted to the public as indicated for drainage purposes and for the construction and maintenance of all public utilities. The streets are hereby dedicated to and for the use of the public. Reserve "A" is hereby reserved for open space, landscaping, drainage purposes, lakes, berms, sidewalks, recreational uses, utilities as confined to easements, and water lines and related appurtenances as confined to easement. Reserve "A" shall be owned and maintained by the City of Bel Aire. The Lots in Lycee, Bel Aire, Sedgwick County, Kansas may be subject to special assessments for any public improvements completed with Reserve "A". The Minimum Building Pad Elevations for the lowest opening to the structures shall be as indicated on the face of the plat. Access controls shall be as depicted on the face of the plat and are hereby granted to the City of Bel Aire, Kansas.

Greg Hiser
a/k/a Gregory K. Hiser

Rebecca Hiser

City of Bel Aire, Kansas, a municipal corporation

Mayor

Jim Benage

ATTEST: _____, City Clerk

Melissa Krehbiel

State of Kansas) SS The foregoing instrument acknowledged before me, Sedgwick County) this _____ day of _____, 2022, by Greg Hiser a/k/a Gregory K. Hiser and Rebecca Hiser, husband and wife.

_____, Notary Public

My App't. Exp. _____

State of Kansas) SS The foregoing instrument acknowledged before me, Sedgwick County) this _____ day of _____, 2022, by Jim Benage, Mayor of the City of Bel Aire, Kansas, a municipal corporation, on behalf of the corporation.

_____, Notary Public

My App't. Exp. _____

State of Kansas) SS This plat of "LYCEE", Bel Aire, Sedgwick County, Sedgwick County) Kansas has been submitted to and approved by the Bel Aire Planning Commission, Bel Aire, Kansas.

Dated this _____ day of _____, 2022.
Bel Aire Planning Commission

James Schmidt

Anne Stephens

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

Jim Benage

Melissa Krehbiel

State of Kansas) SS The title evidence of the land included in this Sedgwick County) plat has been review by me and this plat is approved pursuant to the provisions of K.S.A. 12-401.

Jacqueline Kelly

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

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

Kelly B. Arnold

State of Kansas) SS This is to certify that this plat has been Sedgwick County) 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

Kenly Zehring

LYCEE

February 2, 2022



BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

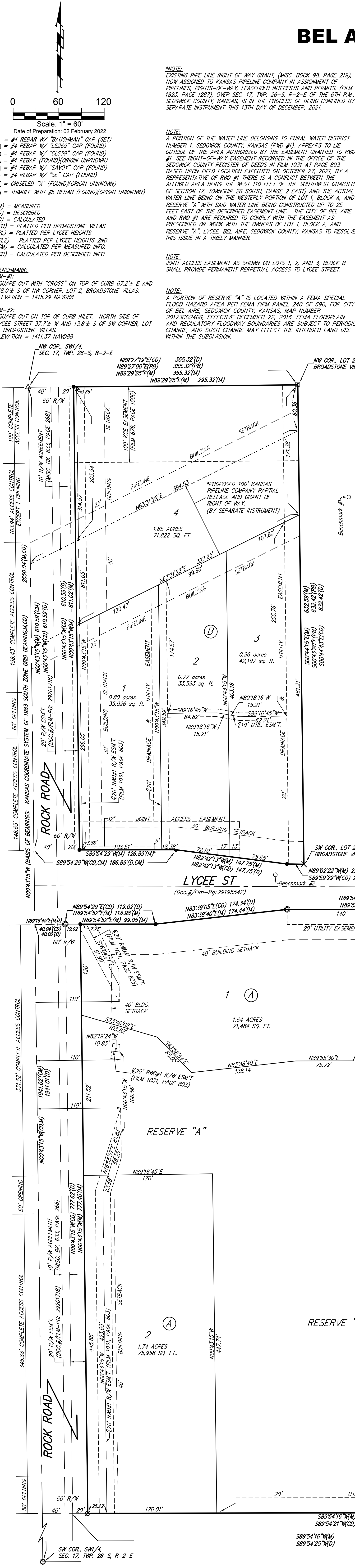
NOTE: A DRAINAGE PLAN HAS BEEN DEVELOPED FOR THIS SUBDIVISION AND IS ON FILE WITH THE CITY OF BEL AIRE, KANSAS. ALL DRAINAGE EASEMENTS, RIGHT-OF-WAYS, OR RESERVES SHALL REMAIN AT ESTABLISHED GRADES OR AS MODIFIED WITH THE APPROVAL OF THE CITY ENGINEER OF THE CITY OF BEL AIRE, KANSAS. NO OBSTRUCTIONS WHICH IMPEDE THE FLOW OF THIS DRAINAGE SYSTEM BE ALLOWED.

NOTE: EXISTING PIPE LINE RIGHT OF WAY GRANT, (MISC. BOOK 98, PAGE 219), NOW ASSIGNED TO KANSAS PIPELINE COMPANY IN ASSIGNMENT OF PIPELINES, RIGHTS-OF-WAY, LEASEHOLD INTERESTS AND PERMITS, (FILM 1823, PAGE 1287) OVER SEC. 17, TWP. 26-S, R-2-E OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS, IS IN THE PROCESS OF BEING CONFINED BY SEPARATE INSTRUMENT THIS 13TH DAY OF DECEMBER, 2021.

NOTE: A PORTION OF THE WATER LINE BELONGING TO RURAL WATER DISTRICT NUMBER 1, SEDGWICK COUNTY, KANSAS (RWD #1), APPEARS TO LIE OUTSIDE OF THE AREA AUTHORIZED BY THE EASEMENT GRANTED TO RWD #1. SEE RIGHT-OF-WAY EASEMENT RECORDED IN THE OFFICE OF THE SEDGWICK COUNTY REGISTER OF DEEDS IN FILM 1031 AT PAGE 803. BASED UPON FIELD LOCATION EXECUTED ON OCTOBER 27, 2021, BY A REPRESENTATIVE OF RWD #1 THERE IS A CONFLICT BETWEEN THE ALLOWED AREA BEING THE WEST 110 FEET OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 26 SOUTH, RANGE 2 EAST) AND THE ACTUAL WATER LINE BEING ON THE WESTERLY PORTION OF LOT 1, BLOCK A, AND RESERVE "A" WITH SAID WATER LINE BEING CONSTRUCTED UP TO 25 FEET EAST OF THE DESCRIBED EASEMENT LINE. THE CITY OF BEL AIRE AND RWD #1 ARE REQUIRED TO COMPLY WITH THE EASEMENT AS PRESCRIBED OR WORK WITH THE OWNERS OF LOT 1, BLOCK A, AND RESERVE "A", LYCEE, BEL AIRE, SEDGWICK COUNTY, KANSAS TO RESOLVE THIS ISSUE IN A TIMELY MANNER.

NOTE: JOINT ACCESS EASEMENT AS SHOWN ON LOTS 1, 2, AND 3, BLOCK B SHALL PROVIDE PERMANENT PERPETUAL ACCESS TO LYCEE STREET.

NOTE: A PORTION OF RESERVE "A" IS LOCATED WITHIN A FEMA SPECIAL FLOOD HAZARD AREA PER FEMA FIRM PANEL 240 OF 690, FOR CITY OF BEL AIRE, SEDGWICK COUNTY, KANSAS, MAP NUMBER 2017302040C, EFFECTIVE DECEMBER 22, 2016. FEMA FLOODPLAIN AND REGULATORY FLOODWAY BOUNDARIES ARE SUBJECT TO PERIODIC CHANGE, AND SUCH CHANGE MAY EFFECT THE INTENDED LAND USE WITHIN THE SUBDIVISION.



CITY OF BEL AIRE, KANSAS

Zone-21-07
File No. S/D _____ - _____

APPLICATION FOR PRELIMINARY PLAT APPROVAL

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

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision Chapel Landing 6th

General Location 1/2 mile west of Woodlawn on the southside of 53rd St. N

☒ Inside City ☐ To be Annexed ☐ Outside City

Name of Landowner TW Renovations, LLC Attn. Travis Whisler

Address 1815 Southwest Blvd. Wichita, KS 67213 Phone 316-371-4499

Name of Subdivider/Agent _____

Address _____ Phone _____

Name of (Engineer) (Land Planner) Baughman Company, P.A. Attn. Kris Rose

Address 315 Ellis Wichita, KS 67211 Phone 262-7271

Name of Licensed Land Surveyor same as above

Address _____ Phone _____

Subdivision Information

1. Gross acreage of plat 14.62 Acres
2. Total number of lots 34
3. Proposed land use for an ☒ Urban-Type ☐ Rural Type Subdivision:
 - a. ☒ Residential-Single-Family ☒ Duplex ☐ Multiple Family ☐ Manufactured/Mobile Home
 - b. Commercial _____
 - c. Industrial _____
 - d. Other _____
4. Predominant minimum lot width 70' Feet
5. Predominant minimum lot area 9,100 Square Feet
6. Existing zoning "R-4" District
7. Proposed zoning n/a District
8. Source of water supply City of Bel Aire
9. Method of sewage disposal City of Bel Aire

(Page 1 of 2)

10. Total lineal feet of new street 2,055 Feet

Street Name	R/W Width	Lineal Feet
a. <u>Highlander Cir</u>	<u>60</u> Ft.	<u>1655</u> Ft.
b. <u>Highlander Ct</u>	<u>60</u> Ft.	<u>514</u> Ft.
c. _____	_____ Ft.	_____ Ft.
d. _____	_____ Ft.	_____ Ft.
e. _____	_____ Ft.	_____ Ft.
f. _____	_____ Ft.	_____ Ft.
g. _____	_____ Ft.	_____ Ft.
h. _____	_____ Ft.	_____ Ft.

11. Proposed type of street surfacing asphalt mat

12. Curb and gutter proposed: ☒ Yes ☐ No

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

Per city of Bel Aire sidewalk policy

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

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

_____	_____	<u>Kross R.</u>	<u>12-16-21</u>
Landowner	Date	Agent (If any)	Date

OFFICE USE ONLY

Prints of the Preliminary Plat received 15 (Number)

Vicinity map of existing and proposed street system received _____

Statement of financing and guaranteeing proposed improvements received yes

Preliminary drainage plan, if deemed necessary, received yes

This application was received by the Subdivision Administrator on 12-17-21,
 2021. It has been checked and found to be accompanied by the required
 information and the fee of \$ 370 paid to the City Clerk.

[Signature]
 Subdivision Administrator

(Page 2 of 2)

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: R-1 to R-4

☐ Amendments to Change Zoning Districts _____

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Name of owner TW Renovations LLC (Attn: Travis Whisler)

Address 1815 Southwest Blvd, Wichita, KS 67213 Telephone (316) 371-4499

Agent representing the owner Baughman Company, P.A. (Kris Rose)

Address 315 Ellis Street, Wichita, KS 67211 Telephone (316) 262-7271

1. The application area is legally described as Lot(s) see attached, Block(s) _____, Chapel Landing Addition, Bel Aire, Kansas. If appropriate, a metes and bounds description may be attached. *See attached legal description

2. The application area contains 3.3 +/- acres.

3. This property is located at (address) n/a which is generally located at (relation to nearest streets) about 1/4 mile east of Oliver and 1/4 mile south of 53rd

4. The particular reason for seeking reclassification:

to allow development of two-family residences

5. County control number: 588491-588493; 588650-588652; 588836; 30005545;
30017413-30017414

May 28th 2004

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 TW Renovations LLC (Travis Whisler) Phone 316-371-4499
Address 1815 Southwest Blvd., Wichita, KS Zip Code 67213

Agent Baughman Company, P.A. (Kris Rose) Phone 316-262-7271
Address 315 Ellis St, Wichita, KS Zip Code 67211

2. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

3. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

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

BAUGHMAN COMPANY, P.A.


Applicant's Signature Travis Whisler

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.

May 28th 2004

CHAPEL LANDING 6TH
ZONE CHANGE LEGAL DESCRIPTION

All of Lots 58, 59, and 60, Block C, TOGETHER with all of Lots 68 and 69, Block F, TOGETHER with all of Reserve "G", all as platted in Chapel Landing, Bel Aire, Sedgwick County, Kansas, TOGETHER with that part of Lot 61 in said Block C described as follows: Beginning at the most northerly corner common to said Lots 60 and 61; thence S36°59'18"E coincident with the lot line common to said Lots 60 and 61, 154.65 feet to the most easterly corner common to said Lots 60 and 61; thence S64°07'45"W coincident with the southeast line of said Lot 61, 72.04 feet; thence N25°52'15"W, 132.02 feet; thence N71°44'35"W, 19.61 feet to the intersection with the northwest line of said Lot 61; thence northeasterly coincident with said northwest line, being a curve to the right, through a central angle of 03°20'42" and having a radius of 970.00 feet, an arc distance of 56.63 feet, (having a chord length of 56.62 feet bearing N57°58'17"E) to the point of beginning, TOGETHER with that part of Lot 66 in said Block F described as follows: Commencing at the most southerly corner common to Lots 66 and 67 in said Block F; thence N36°59'18"W coincident with the lot line common to said Lots 66 and 67, 26.37 feet for a point of beginning; thence N71°44'35"W, 39.24 feet; thence N66°33'24"W, 82.09 feet to the intersection with the northwest line of said Lot 66; thence N53°00'42"E coincident with the northwest line of said Lot 66, 62.88 feet to the most northerly corner common to said Lots 66 and 67; thence S36°59'18"E coincident with the lot line common to said Lots 66 and 67, 103.64 feet to the point of beginning, TOGETHER with Lot 67 in said Block F, EXCEPT that part of said Lot 67 described as follows: Beginning at the most southerly corner common to Lots 66 and 67 in said Block F; thence N36°59'18"W coincident with the lot line common to said Lots 66 and 67, 26.37 feet; thence S71°44'35"E, 32.18 feet to the intersection with the southeast line of said Lot 67; thence southwesterly coincident with said southeast line, being a curve to the left, through a central angle of 01°01'14" and having a radius of 1030.00 feet, an arc distance of 18.35 feet, (having a chord length of 18.35 feet bearing S53°13'16"W), to the point of beginning, and TOGETHER with that part of Reserve "S" as platted in said Chapel Landing lying generally east of and abutting the following described line: Beginning at the northwest corner of Lot 69 in said Block F, said northwest corner also being a point on the line common to said Lot 69 and said Reserve "S"; thence N31°30'57"E coincident with the northeasterly prolongation of the northwest line of said Lot 69, 15.88 feet to the intersection with the northeast line of said Reserve "S", and for a point of termination.



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



RE-ZONING AND PLAT REVIEW

Address of proposed project: Rezoning and preliminary plat, Part of Chapel Landing, Chapel Landing 6th
This report is to document that on 2.3.22 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 2/3/22

Keith Price
REVIEWED BY

Comments: The rezoning application and the preliminary plat application are under the same case numbers and will be voted on separately by the planning commission. The planning commission reviewed a sketch plan. The only land part of the rezoning is the portion that was the Prairie Preserve addition depicted on the plat, 3.3 acres; replat area 14.62. Receipt # 610527 (\$370), and 610528 (\$500). This is the review of the revision documents provided January 7th, 2022.

- Provide paper plat maps by the morning of February 7th.
- Added platlor's text allowing reduced side yard setback follows the original plat, the planning commission has allowed in other R-4 zoning districts.
- Everygy has been contacted, Onegas has been contacted. Everygy had provided a review prior to the January 7th submittal, request an easement and light locations. Onegas had no requests at this time.
- The city engineer will contact Baughman Company 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.belaires.gov/DocumentCenter/View/3245/Chapter-18A-Zoning-Regulations-Adopted-2016> contains the Zoning Code. The landscape requirements, lot size, etc.
- <http://www.egovlink.com/belaire/docs/menu/home.asp> contains the Public Works tab to find the city standards information.

Public notice

(Published In The Ark Valley News on Dec. 23, 2021.)

OFFICIAL NOTICE OF ZONING HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on January 13, 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:

Case No. ZON-21-07. Chapel Landing 6th, Rezoning approximately 3.3 acres of the R-1 zoned district and platting approximately 14.62 acres of the R-1 and R-4 use zoning district to allow two-family duplex use.

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

General Location: ¼ mile east of N. Oliver on the south side of 53rd st.

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 17 day of December, 2021.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

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 23rd day of December, 2021, with subsequent publications being made on the following dates:

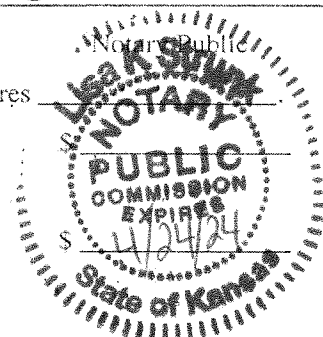
_____, 2021 _____, 2021
_____, 2021 _____, 2021
_____, 2021 _____, 2021

Subscribed and sworn to before me this 23rd day of December, 2021.

My commission expires _____

Additional copies _____

Printer's fee _____





February 3, 2022

Keith Price
Building and Zoning Director
City of Bel Aire
7651 E. Central Park Ave.
Bel Aire, KS 67226

RE: Preliminary Plat Application – Chapel Landing 6th

Dear Mr. Price:

It has been brought to our attention that the street names did not match when we submitted the Preliminary Plat Application along with the Preliminary Plat for Chapel Landing 6th. We inadvertently stated on the Preliminary Plat Application that the street names were “Highlander Cir” and “Highlander Ct”.

This letter is to clarify that the names of the streets should be “Highland Cir” and “Highland Ct” as correctly labeled on the Preliminary Plat.

We apologize for any confusion.

Sincerely,
Baughman Company, P.A.

Philip J. Meyer, L.A.
Vice-President



CITY OF BEL AIRE, KANSAS

File No. S/D 21-06**APPLICATION FOR FINAL PLAT APPROVAL**

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

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision Sky View at Block 49 2nd Addition
 General Location 1/4 mile S of 53rd St. N.E. 1/4 mile
West of Webb Rd. Inside City ☒ To Be Annexed ☐

Name of Landowner Block 49, LLC (ATTN: Andrew Reese)
 Address 5219 N. Hampton St. Phone (620) 755-1619

Name of Subdivider/Agent Bel. Aire, KS 67226
 Address _____ Phone _____

Name of (Engineer) (Land Planner) GARVER, LLC (ATTN: Ken Lee)
 Address 1995 Midfield Rd, Wichita Phone (316) 221-3029

Name of Registered Land Surveyor GARVER, LLC (ATTN: W. L. C.)
 Address 1995 Midfield Rd Wichita KS Phone (316) 221-3027

67209 KWLee@GarverUSA.com
WKclevenger@GarverUSA.com

Subdivision Information

1. (Select one) Final Plat of entire preliminary plat area ☒
 Final Plat of unit number ____ of ____ unit developments
 Final Plat for small tract ____
 Final Replat of original platted area ____

2. Gross acreage of plat 22.76 Acres

3. Total number of lots 90

4. Proposed land use:

a. Residential-Single-Family ☒ Duplex ____ Multiple-Family ____
 Manufactured/Mobile Home ____

b. Commercial _____

c. Industrial _____

d. Other _____

5. Predominant minimum lot width 55.00' Feet
 6. Predominant minimum lot area 6765 Square Feet ±
 7. Existing zoning R-5 District
 8. Proposed zoning SAME District
 9. Source of water supply City of Bel Aire, KS
 10. Method of sewage disposal City of Bel Aire, KS
 11. Total lineal feet of new street 13480 Feet

	Street Name	R/W Width	Lineal Feet
a.	<u>Joshua St</u>	<u>64'</u> Ft.	<u>550'</u> Ft.
b.	<u>Toben Dr</u>	<u>64'</u> Ft.	<u>1163'</u> Ft.
c.	<u>Sumerside Plc</u>	<u>64'</u> Ft.	<u>1054'</u> Ft.
d.	<u>Toben Ct. N.</u>	<u>58'</u> Ft.	<u>556'</u> Ft.
e.	<u>Toben Ct. S.</u>	<u>58'</u> Ft.	<u>557'</u> Ft.

12. Proposed type of street surfacing Concrete
 13. Curb and gutter proposed: Yes X No
 14. Sidewalks proposed: Yes X No If yes, where? All through
Non-Cul-de-Sac Streets
 15. Is any portion of the proposed subdivision located in an identified flood plain area? Yes No X

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

HLR 12/17/21 _____
 Landowner Date Agent (If any) Date

OFFICE USE ONLY

Prints of the Final Plat received 4 (Number) Will be used for packet
 Final drainage plan, if required, received _____
 Copy of a title report for the land received _____

Copy of proposed restrictive covenants, if any, received _____

Methods for financing and guaranteeing improvements _____

For plats for small tract:

a. Vicinity map received 4

b. Topographic drawing, if required, received _____

Original drawing or photographic equivalent of Final Plat received _____

This application was received by the Subdivision Administrator on 12-17-21,
_____. It has been checked and found to be accompanied by the required
information and the fee, if any, of \$_____ paid to the City Clerk.

*Combin
\$650* *OK [Signature]*

[Signature]
Subdivision Administrator



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



PLAT SUBMITTAL REVIEW

Address of proposed project: Final plat, portion of the NE Quarter of Section 20, township 26S, Range 2, east of the 6th pm. Skyview at Block 49 2nd addition

This report is to document that on 2.2.22 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 2/2/22

Keith Price
REVIEWED BY

Comments: City received partial quantity of Plat maps for initial review by staff. Revisions and paper copies due by Monday the 7th of February.

- Everygy has been contacted and comments have been provided, Onegas has been contacted no request at this time.
- The city engineer will contact Garver LLC direct with any item not covered with this review.
- <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.

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 25th day of November, 2021, with subsequent publications being made on the following dates:

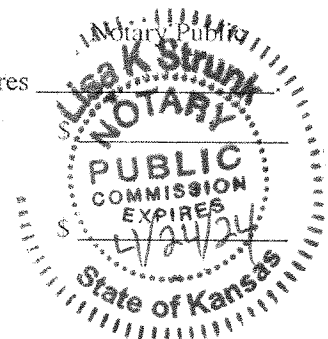
_____, 2021 _____, 2021
_____, 2021 _____, 2021
_____, 2021 _____, 2021

Subscribed and sworn to before me this 25th day of November, 2021.

My commission expires _____

Additional copies _____

Printer's fee _____



Public notice

(Published in The Ark Valley News on Nov. 25, 2021.)

OFFICIAL NOTICE OF ZONING HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on December 16, 2021 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:

Case No. SD-21-06. Skyview at Block 49, 2nd Addition, platting and rezoning approximately 22.76 acres of the C-1 to R-5 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.

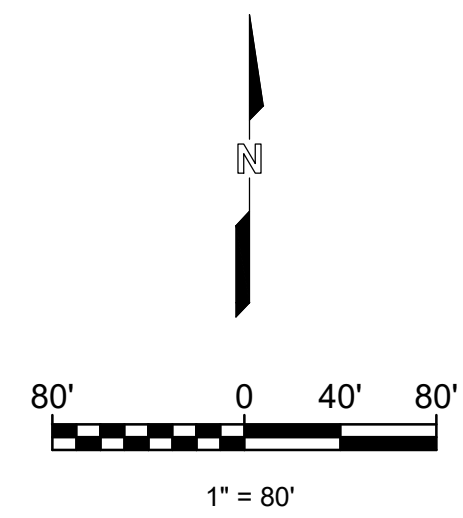
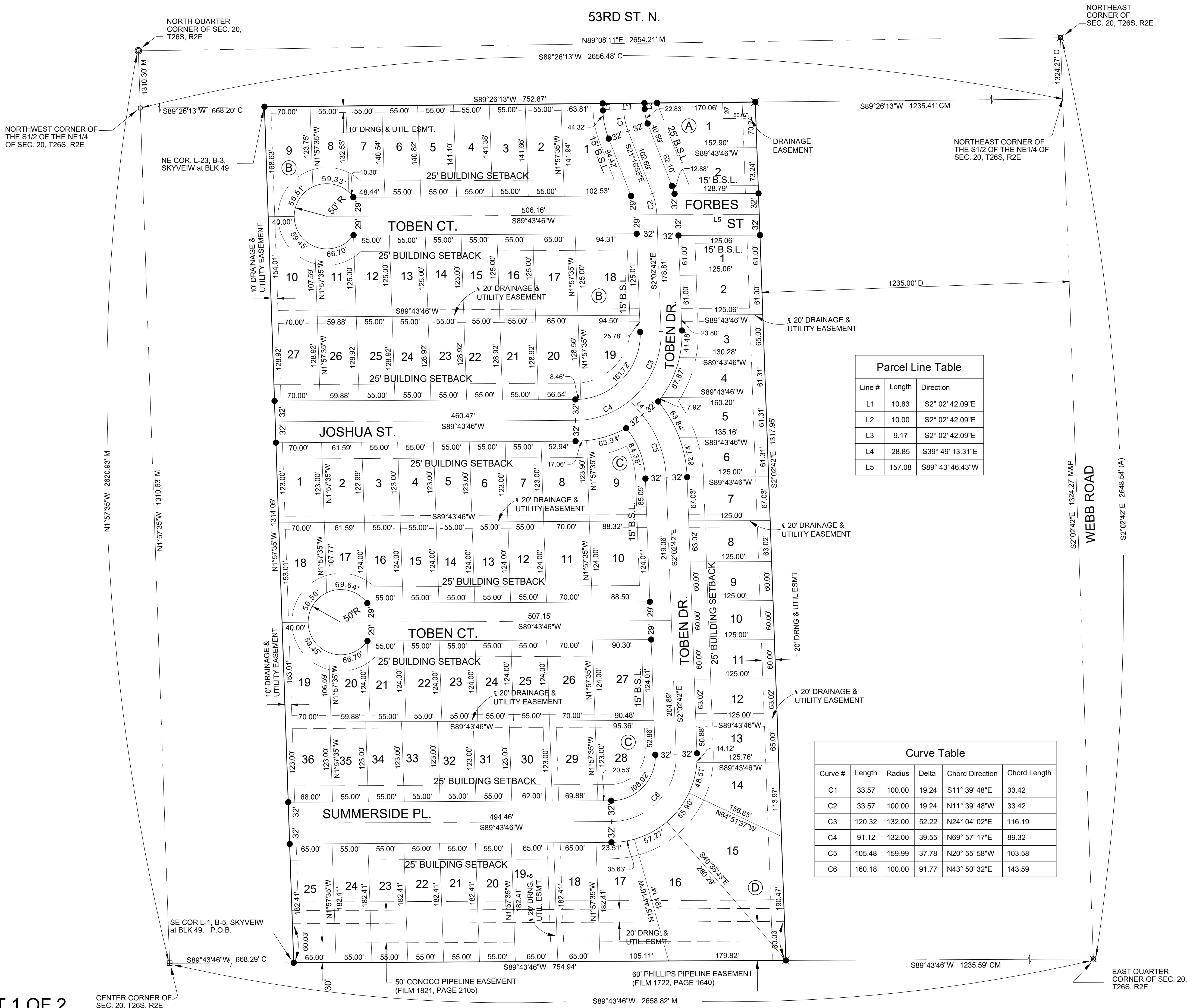
You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body, which, if 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 22 day of November, 2021.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

SKYVIEW AT BLOCK 49 2ND ADDITION

Part of the NE1/4 of Sec. 20, T26S, R2E
Bel Aire, Sedgwick County, Kansas



- (A) = Assumed Kansas Zone South Grid Bearing
P = Platted (Rock Spring 2nd Addition)
M = Measured
C = Calculated
D = Described
B.S.L. = Building Setback Line
- SURVEY MARKER LEGEND**
- STONE (GOVERNMENT CORNER)
 - 1/2" IRON PIPE (FOUND - ORIGIN UNKNOWN)
 - 5/8" REBAR W/CAP (FOUND - ORIGIN UNKNOWN)
 - 5/8" REBAR W/GARVER CAP (SET AT THE PREVIOUS LOCATION OF A 1" IRON PIPE)
 - 5/8" REBAR W/GARVER CAP (SET)
 - MONUMENT TO BE SET WITH STREET CONSTRUCTION PROJECT BY THE STREET DESIGNER

Parcel Line Table		
Line #	Length	Direction
L1	10.83	S2° 02' 42.09"E
L2	10.00	S2° 02' 42.09"E
L3	9.17	S2° 02' 42.09"E
L4	28.85	S39° 49' 13.31"E
L5	157.08	S89° 43' 46.43"W

Curve Table				
Curve #	Length	Radius	Delta	Chord Length
C1	33.57	100.00	19.24	S11° 39' 48"E
C2	33.57	100.00	19.24	N11° 39' 48"W
C3	120.32	132.00	52.22	N24° 04' 02"E
C4	91.12	132.00	39.55	N69° 57' 17"E
C5	105.48	159.99	37.78	N20° 55' 58"W
C6	160.18	100.00	91.77	N43° 50' 32"E

SKYVIEW AT BLOCK 49 2ND ADDITION

Bel Aire, Sedgwick County, Kansas
Part of the NE1/4 of Sec. 20, T26S, R2E

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 November 15, 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:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 26 SOUTH, RANGE 2 EAST OF THE 6th PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, BEING A RE-PLAT OF PART OF SKYVIEW AT BLOCK 49, BEL AIRE, SEDGWICK COUNTY, KANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 5, SKY VIEW AT BLOCK 49, BEL AIRE, SEDGWICK COUNTY, KANSAS; THENCE N 01°57'35" W ALONG THE EAST LOT LINE OF SAID LOT 1 AND EAST LOT LINES OF LOTS 28-34, BLOCK 4 AND EAST LINE OF RESERVE "D" AND LOTS 20-23, BLOCK 3, IN SAID ADDITION, A DISTANCE OF 1314.05 FEET TO THE NORTH LINE OF SAID SKY VIEW SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 23 BLOCK 3; THENCE N 89°26'13" E, A DISTANCE OF 752.87 FEET TO THE SOUTHWEST CORNER OF RESERVE "E" IN ROCK SPRING 4th, BEL AIRE, SEDGWICK COUNTY, KANSAS; THENCE S 02°02'42" E, A DISTANCE OF 1317.95 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE S 89°43'46" W ALONG SAID SOUTH LINE A DISTANCE OF 754.94 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 "SKYVIEW AT BLOCK 49 2nd ADDITION", 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.

Skyview at Block 49, LLC, a
Kansas limited liability company

Managing Member
Andrew Reese

State of Kansas)
SS
Sedgwick County)

The foregoing instrument acknowledged before me, this ____ day of _____, 2022, by Andrew Reese, Managing Member, on behalf of Skyview at Block 49, LLC, a Kansas limited liability company.

Notary Public

My appointment expires ____.

We the undersigned, holders of a mortgage on a portion of the above described property, do hereby consent to this plat of "SKYVIEW AT BLOCK 49 2ND ADDITION" Bel Aire, Sedgwick County, Kansas.

Legacy Bank, N.A.

Assistant Vice President
Brice T. Malloy

State of Kansas)
SS
Sedgwick County)

The foregoing instrument acknowledged before me this ____ day of _____, 2022, by Brice T. Malloy, Assistant Vice President of Legacy Bank, N.A., on behalf of the Bank.

Notary Public

My appointment expires ____.

State of Kansas)
SS
County of Sedgwick)

This plat of "SKYVIEW AT BLOCK 49 2ND ADDITION", Bel Aire, Sedgwick County, Kansas, has been submitted to and approved by the Bel Aire Planning Commission, Bel Aire, Kansas, and is hereby transmitted to the City Council of the City of Bel Aire, Kansas, with the recommendation that such plat be approved as proposed.

Dated this ____ day of _____, 2022.

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.

The Building Setbacks not shown shall be as follows:
Rear yard building setback shall be 20 feet.
Side yard building setback shall be 6 feet.
Reserve D setbacks - City of Bel Aire to determine based on structure

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.



CITY OF BEL AIRE, KANSAS

File No. S/D 21-04APPLICATION FOR FINAL PLAT APPROVAL

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

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision SKYVIEW AT BLOCK 49 3RD ADDITIONGeneral Location NORTHWEST CORNER OF WEBB ROAD AND 49TH ST. N.Inside City X To Be Annexed Name of Landowner BLOCK 49, LLC (ATTN: ANDREW REESE)Address 5219 N. HAMPTON ST., BELAIRE, KS 67226 Phone (620) 755-1619Name of Subdivider/Agent Andrew@Banisterrealestate.comAddress Phone Name of (Engineer) (Land Planner) GARVER, LLC (ATTN: KEN LEE)Address 1995 MIDFIELD RD, WICHITA, KS 67209 Phone (316) 221-3029KWLee@GarverUSA.comName of Registered Land Surveyor GARVER, LLC (ATTN: WILL CLEVINGER)Address WKclevenger@Garver-USA.com Phone (316) 221-3027Subdivision Information

1. (Select one) Final Plat of entire preliminary plat area X
 Final Plat of unit number of unit developments
 Final Plat for small tract
 Final Replat of original platted area

2. Gross acreage of plat 12.44 Acres3. Total number of lots 1

4. Proposed land use:

a. Residential-Single-Family Duplex Multiple-Family
 Manufactured/Mobile Home

b. Commercial 1c. Industrial d. Other

5. Predominant minimum lot width 442 Feet
6. Predominant minimum lot area 489,537 Square Feet
7. Existing zoning AG District
8. Proposed zoning C-2 / PUD District
9. Source of water supply PUBLIC
10. Method of sewage disposal PUBLIC
11. Total lineal feet of new street N/A Feet

	Street Name	R/W Width	Linear Feet
a.			
b.			
c.			
d.			
e.			

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

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

Landowner

12/17/21

Date

Agent (If any)

Date

OFFICE USE ONLY

Prints of the Final Plat received 4 (Number)

Final drainage plan, if required, received _____

Copy of a title report for the land received _____

Copy of proposed restrictive covenants, if any, received _____

Methods for financing and guaranteeing improvements _____

For plats for small tract:

a. Vicinity map received 4


b. Topographic drawing, if required, received _____

Original drawing or photographic equivalent of Final Plat received _____

This application was received by the Subdivision Administrator on 12-17-21,
_____. It has been checked and found to be accompanied by the required
information and the fee, if any, of \$84.10 paid to the City Clerk.

PVD
P/VK

\$4.10


Subdivision Administrator

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 _____ ☐ Preliminary PUD with plat/ zoning
- ☒ Final PUD ☐ Final PUD with plat/ zoning

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 BLOCK 49, LLC (ATTN: ANDREW REESE) Phone (620) 755-1619
Address 5219 N. HAMPTON ST., BEL AIRE, KS Zip Code 67226
Andrew@Baristerrealestate.com
Agent EMGilbert13@gmail.com Phone _____
Address BBeran@Beranconcrete.com Zip Code _____
2. Applicant _____ Phone _____
Address _____ Zip Code _____
Agent _____ Phone _____
Address _____ Zip Code _____

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

Andrew Reese
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.

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Comments to City Council

City of Bel Aire Council

☐ Approved ☐ Rejected

Name of owner BLOCK 49, LLC (ATTN: ANDREW REESE)
Andrew@Banisterrealestate.com
Address 5219 N. HAMPTON ST, BELAIRE, KS 67226 Telephone (620) 755-1619
Agent representing the owner GARVER, LLC (ATTN: WILL CLEVINGER)
WKClevenger@GarverUSA.com
Address 1995 MIDFIELD RD, WICHITA, KS 67209 Telephone (316) 221-3027

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

2. The application area contains 12.44 acres.

3. This property is located at (address) N/A which is generally
located at (relation to nearest streets) NORTHWEST OF WEBB & 49TH ST N.

4. County control
number: 30015273

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



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1995 Midfield Road
Wichita, KS 67209
(316) 264-8008

REV.	DATE	DESCRIPTION	BY

CITY OF BEL AIRE
BEL AIRE, KANSAS

SKYVIEW AT BLOCK 49

SITE LAYOUT

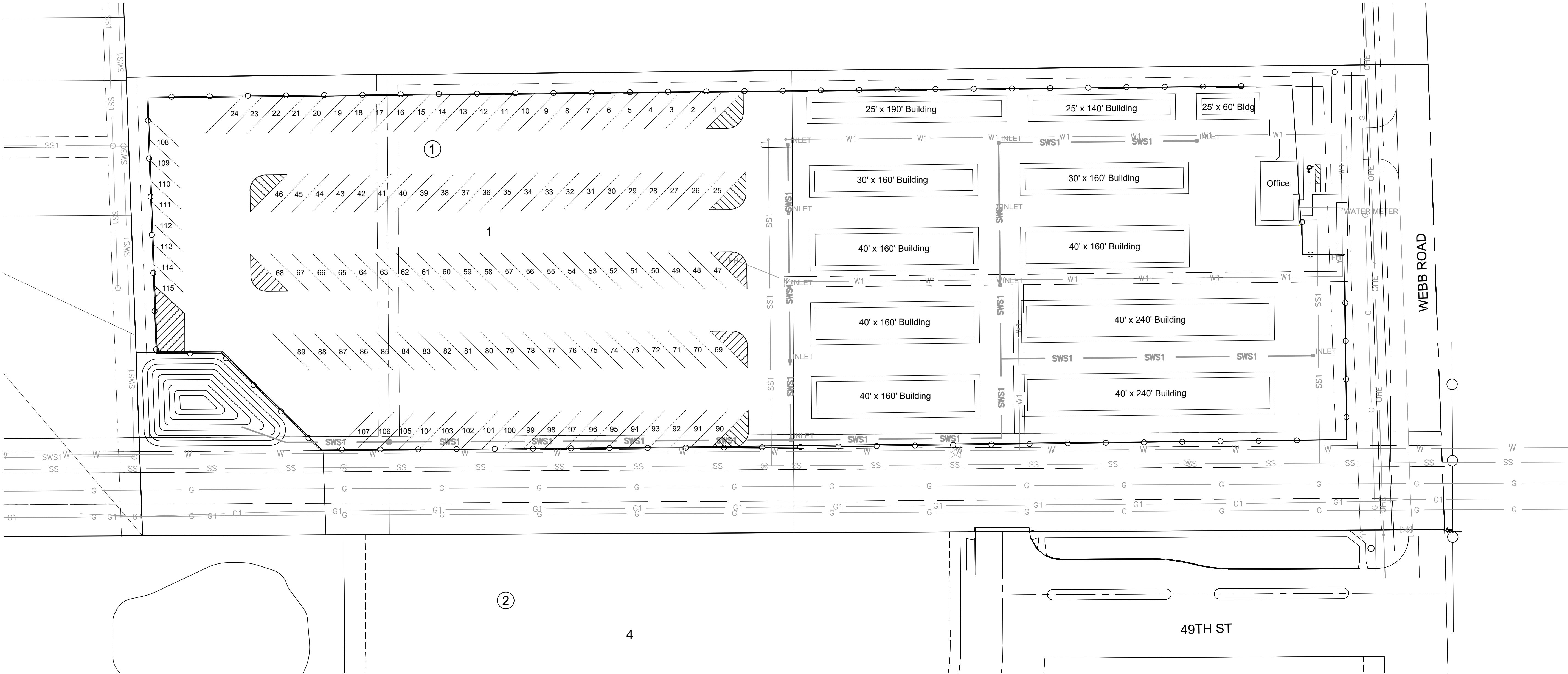
JOB NO.: 21S04030
DATE: JAN. 2022
DESIGNED BY: .
DRAWN BY: .

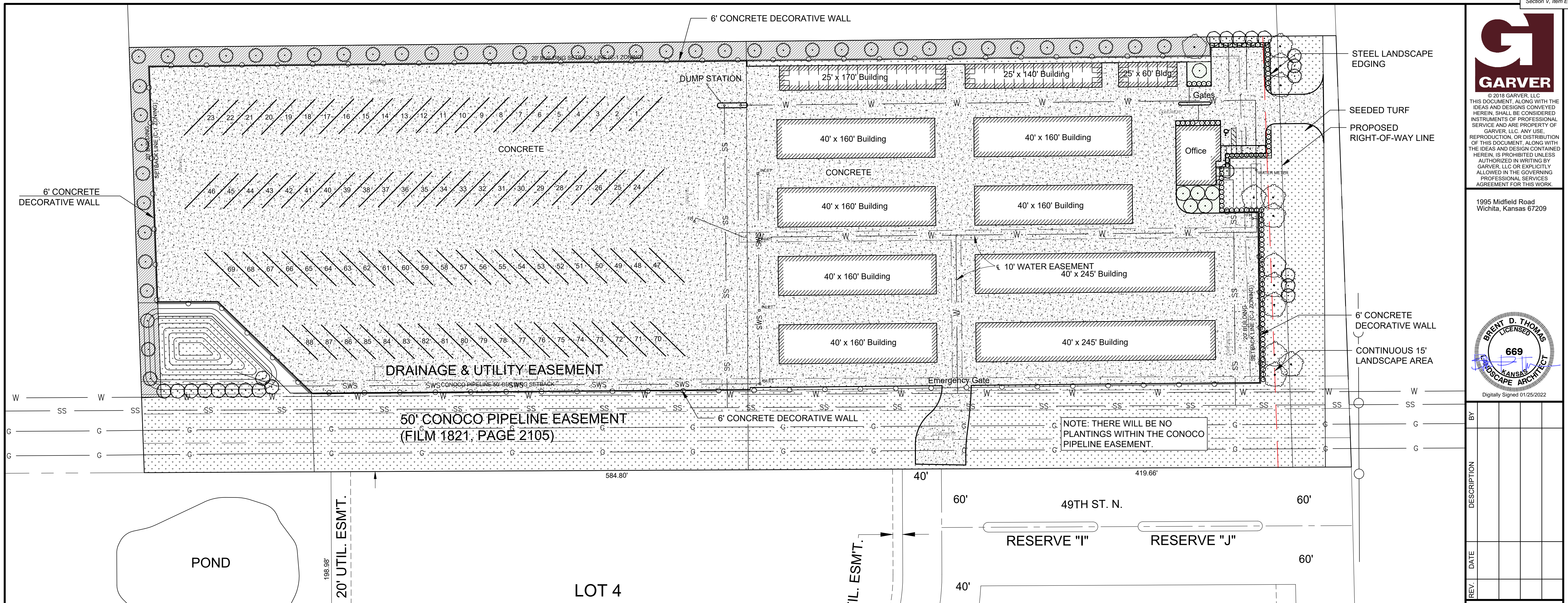
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DRAWING NUMBER

SHEET
NUMBER 1 OF 1

SITE LAYOUT
SKYVIEW AT BLOCK 49 3RD ADDITION
Bel Aire, Sedgwick County, Kansas





1

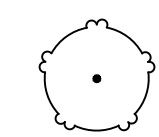

WEBB STREET LANDSCAPE PLAN

SCALE: 1" = 50'

CITY OF BELAIRE
LANDSCAPE REQUIREMENTS

Property Location:	Webb Road	
Current Zoning:	LC- Limited Commercial	
Parcel Size:	541,938 S.F. (12.44 ACRES)	
Street Frontage:	442 L.F. (Webb Road) 400 L.F. (49th Street)	
ITEM	REQUIRED	PROVIDED
Continuous Landscape Screening	15' Buffer	15' Buffer
Trees required for street frontage (1 tree per 50L.F.):	9 Trees (Webb) 8 Trees (49th)	24 Trees 0 (Easement)
Parking Lot Screen:	(100% of parking)	Shrub Screen (103 Shrubs)
Rear/Interior Side Yard Buffer: (Between Residential and Non-Residential)	8' Fence/Berm	6' Concrete Decorative Wall
North Property Line (1087' / 30= 36.2) West Property Line (337' / 30= 11.2) (1 Tree per 30 L.F.)	37 Trees 12 Trees	37 Trees 12 Trees

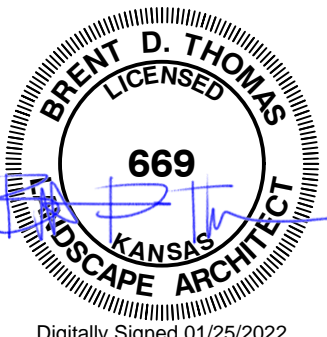
CONCEPT PLANT SCHEDULE

	2-1/2" DECIDUOUS TREES 13 URBANITE ASH CADD O MAPLE SWAMP WHITE OAK BALD CYPRESS
	1-1/2" ORNAMENTAL TREES 22 AMERICAN SMOKE TREE FOREST PANSY REDBUD
	6' - 8' EVERGREEN TREES 53 SPARTAN JUNIPER LOBLOLLY PINE BLACK HILLS SPRUCE
	SHRUBS (3 GAL.) 103 COMPACT BURNING BUSH KALLAY'S COMPACT PFITZER JUNIPER PINK KNOCKOUT ROSE KARL FOERSTER'S FEATHER REED GRASS
	SEEDED TURF KANSAS PREMIUM FESCUE SEED



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1995 Midfield Road
Wichita, Kansas 67209



Digitally Signed 01/25/2022

BY				
DESCRIPTION				
DATE				
REV.				

CITY OF BELAIRE
KANSAS

SKY VIEW AT BLOCK 49
3RD ADDITION
DRAINAGE PLAN

LANDSCAPE
REQUIREMENTS AND
PLANT SCHEDULE

JOB NO.: 21S04030
DATE: NOV 2021
DESIGNED BY: BIG
DRAWN BY: BIG

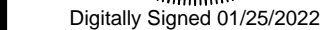
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DRAWING NUMBER

L-101

SHEET
NUMBER

1995 Midfield Road
Wichita, Kansas 67209



CITY OF BEL AIR
KANSAS

SHEET
NUMBER



GENERAL PLANTING NOTES

1. PRIOR TO BEGINNING ANY WORK ON THE SITE, THE CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT TO ADDRESS ANY QUESTIONS.
2. LANDSCAPE CONTRACTOR SHALL PROVIDE LABOR, MATERIALS AND SERVICE NECESSARY TO FURNISH AND INSTALL MATERIALS AS SPECIFIED HEREIN AND SHOWN ON THE PLANS.
3. ALL PLANT MATERIAL SELECTIONS WILL BE REVIEWED AND APPROVED BY OWNERS' REPRESENTATIVES PRIOR TO PURCHASE AND INSTALLATION.
4. NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT LANDSCAPE ARCHITECT'S WRITTEN APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REVISE THE PLANT LIST AS DEEMED NECESSARY.
5. QUANTITIES OF PLANT MATERIALS SHOWN ON THE PLAN TAKE PRECEDENCE OVER THE QUANTITIES SHOWN ON THE PLANT SCHEDULE. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON THE PLANTING PLAN.
6. REPORT DISCREPANCIES IN THE PLANTING PLAN TO THE LANDSCAPE ARCHITECT PRIOR TO PURCHASING MATERIALS OR COMMENCING CONSTRUCTION.
7. REVIEW THE LANDSCAPE SPECIFICATION SECTION LOCATED IN THE PROJECT MANUAL FOR ADDITIONAL PROJECT RESPONSIBILITIES AND INSTRUCTIONS.

SITE PREPARATION AND EARTHWORK

8. TOPSOIL HAULED TO THE SITE SHALL BE FERTILE, FRIABLE, NATURAL LOAM SOIL OF UNIFORM QUALITY CHARACTERISTIC OF REPRESENTATIVE LOCAL SOILS WHICH PRODUCE HEAVY GROWTH OF CROP GRASSES, OR OTHER VEGETATION. SOIL SHALL BE FREE OF SUBSOIL, CLAY LUMPS, BRUSH WEEDS ROOTS, STONES, TRASH, OR ANY OTHER DELETERIOUS MATERIALS.
9. TOPSOIL SHALL BE DELIVERED IN AN UNFROZEN AND NON-MUDDY CONDITION AND SHALL BE SUBJECT TO APPROVAL OF THE LANDSCAPE ARCHITECT. SOLUBLE SALTS SHALL NOT EXCEED 500 ppm AND ORGANIC MATTER SHALL BE NO LESS THAN 1.5% BY WEIGHT. pH SHALL RANGE BETWEEN 6.0 AND 7.5.
10. LANDSCAPE CONTRACTOR SHALL HAVE TOPSOIL TESTED BY A CERTIFIED TESTING LABORATORY AND OBTAIN RECOMMENDATIONS FOR SOIL AMENDMENT TYPE(S) AND QUANTITIES. SUBMIT A COPY OF THIS REPORT TO THE LANDSCAPE ARCHITECT FOR THEIR RECORDS. RECOMMENDATIONS SHALL BE SPECIFIC TO THE TOPSOIL USED AND THE PLANT MATERIALS SPECIFIED IN THE PLANS. A SAMPLE OF THE TOPSOIL TO BE USED SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.

PLANTING PREPARATION

12. BACKFILL: FOR PLANT EXCAVATIONS, BACKFILL SHALL BE CLEAN, NATURAL TOPSOIL, MIXED WITH AMENDMENTS AT THE RATIOS SPECIFIED BY A CERTIFIED TOPSOIL ANALYSIS.

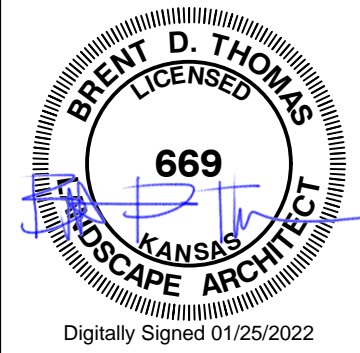
PLANTING MATERIALS

13. PLANT MATERIALS SHALL BE WELL FORMED AND DEVELOPED IN GOOD CONDITIONS, HEALTHY AND DISEASE-FREE, AND BE TYPICAL OF THE SPECIES. PLANTS SHALL COMPLY IN ALL APPLICABLE RESPECTS WITH ACCEPTABLE STANDARDS AS SET FORTH IN THE AMERICAN ASSOCIATION OF NURSERYMAN'S "AMERICAN STANDARD OF NURSERY STOCK". HEIGHT OF PLANT MATERIALS SHALL BE MEASURED FROM EXISTING SOIL LINE AT TOP OF ROOTBALL TO TOP OF CROWN.
14. PLANT MATERIALS SHALL BE PROTECTED BY THE DRYING ACTION OF THE SUN AND WIND AFTER BEING DUG, WHILE BEING TRANSPORTED, AND WHILE AWAITING PLANTING. BALLS OF PLANTS WHICH CANNOT BE PLANTED

- IMMEDIATELY SHALL BE PROTECTED FROM DRYING ACTION BY COVERING THEM WITH MOIST MULCH. PERIODICALLY, APPLY WATER TO MULCH-COVERED ROOT BALLS TO KEEP MOIST. IF PLANTING SHOULD OCCUR DURING GROWING SEASON, APPLY ANTI-DESSICANT BEFORE TRANSPORT TO REDUCE THE LIKELIHOOD OF WIND BURN. REAPPLY ANTI-DESSICANT AFTER PLANTING TO REDUCE TRANSPIRATION.
15. PLANTS DESIGNATED "CONTAINER GROWN" SHALL HAVE BEEN GROWN IN POTS, CANS OR BOXES FOR A MINIMUM OF SIX MONTHS AND A MAXIMUM OF TWO YEARS. THESE PLANTS SHALL BE REMOVED FROM CONTAINERS BEFORE PLANTING. PLANTS THAT APPEAR ROOT-BOUND SHALL BE REJECTED.
 16. PLANT LOCATIONS ARE APPROXIMATE. ADJUST AS NECESSARY TO AVOID CONFLICTS.
 17. PLANT SUBSTITUTIONS WILL ONLY BE ALLOWED UNDER THE FOLLOWING CIRCUMSTANCES: LANDSCAPE CONTRACTOR SHALL SUBMIT A WRITTEN SUBSTITUTION REQUEST TO THE LANDSCAPE ARCHITECT STATING WHAT PLANTS TO BE SUBSTITUTED AND THE REQUESTED SUBSTITUTION PLANT ALONG WITH EXPLANATION OF SUBSTITUTION REQUEST. NO SUBSTITUTION SHALL CONSTITUTE AN INCREASE IN THE COST FROM THE ORIGINAL CONTRACT AMOUNT. ANY PLANT SUBSTITUTIONS MADE WITHOUT APPROVAL SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR AT THE TIME OF INSPECTION AT NO COST TO THE PROJECT.
 18. PLANTING BEDS RECEIVING MULCH SHALL BE FREE OF WEEDS, GRASS AND DEBRIS. TREAT BEDS WITH A PRE-EMERGENT WITH TREFLAN, SUCH AS PREEN, PRIOR TO PLANTING AND MULCH PLACEMENT. A SECOND APPLICATION SHOULD BE APPLIED IF WEEDS EMERGE PRIOR TO COMPLETION OF WORK. APPLY IN ACCORDANCE WITH STANDARD TRADE PRACTICE AND MANUFACTURER'S PRODUCT LABELING.

MAINTENANCE AND CLEAN-UP

19. PROVIDE TEMPORARY WATER FOR PLANT MATERIALS DURING THE ESTABLISHMENT PERIOD.
20. REMOVE ALL RUBBISH, EQUIPMENT, AND MATERIAL AND LEAVE THE AREA IN A NEAT, CLEAN CONDITION EACH DAY. MAINTAIN PAVED AREAS UTILIZED FOR HAULING EQUIPMENT AND MATERIALS BY OTHER TRADES IN A CLEAN AND UNOBSTRUCTED CONDITION AT ALL TIMES.
21. REMOVE SOIL OR DIRT THAT HAS ACCUMULATED ON PAVED SURFACES DURING OR AS A RESULT OF PLANTING OPERATIONS EACH DAY.
22. FERTILIZE ALL PLANTS WITH A 10-20-10 COMMERCIAL, SLOW-RELEASE FERTILIZER AS DIRECTED BY INSTRUCTIONS ON PRODUCT LABEL.
23. LIMIT AMOUNT OF PRUNING TO A MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES. PRUNE IN SUCH A MANNER AS NOT TO CHANGE NATURAL HABIT OR SHAPE OF PLANT. MAKE CUTS FLUSH, LEAVING NO STUBS. CENTRAL LEADERS SHALL NOT BE REMOVED.
24. LANDSCAPE CONTRACTOR TO REMOVE ALL DEAD WOOD ON TREES AND SHRUBS ONE YEAR AFTER PROVISIONAL ACCEPTANCE.
25. CONTRACTOR IS RESPONSIBLE TO MOW ALL SEEDED AND SODDED AREAS A MINIMUM OF TWO (2) TIMES AT A HEIGHT OF NO MORE THAN 1-1/2" PRIOR TO TURNING OVER TO THE CITY.



REV.	DATE	DESCRIPTION	BY

CITY OF BEL AIRE
KANSAS

SKY VIEW AT BLOCK 49
3RD ADDITION
DRAINAGE PLAN

LANDSCAPE NOTES

JOB NO.: 21S04030
DATE: NOV 2021
DESIGNED BY: BIG
DRAWN BY: BIG

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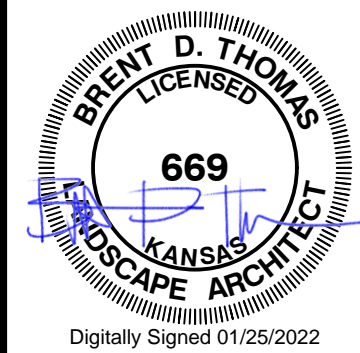
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L-103

SHEET
NUMBER

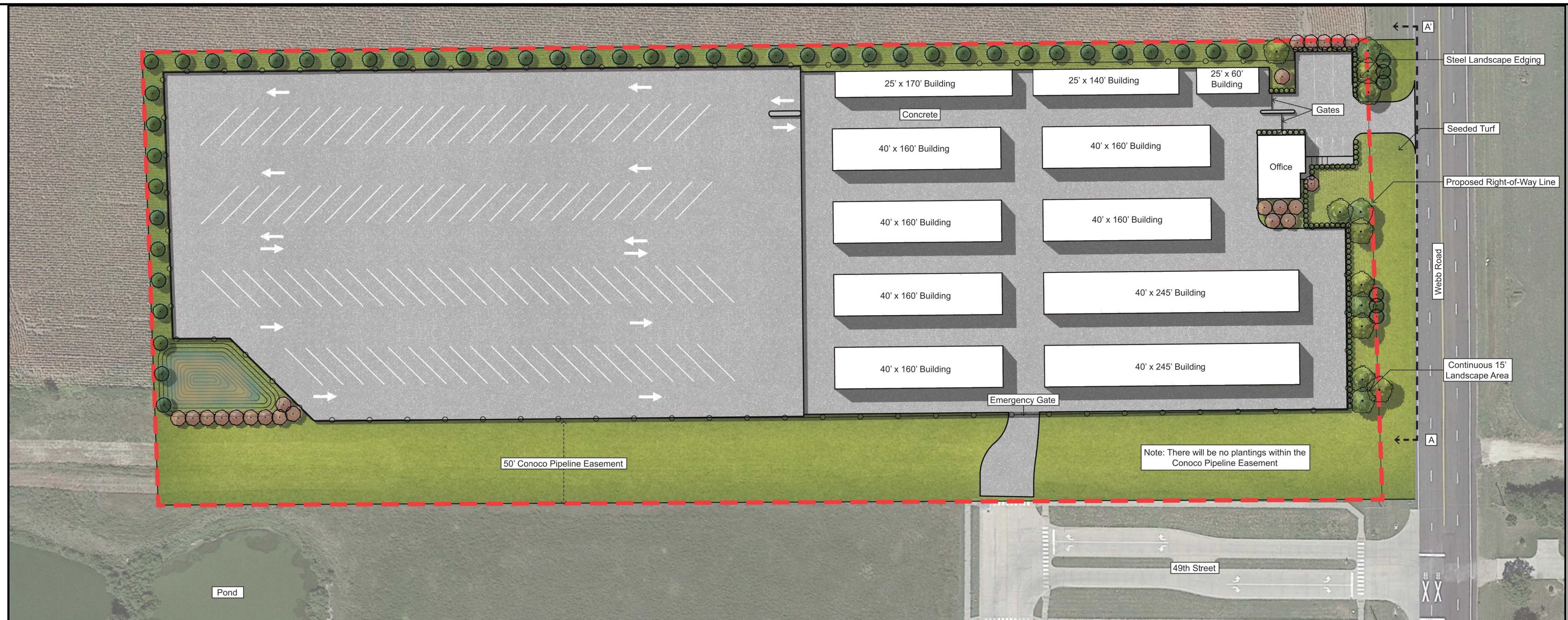


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Wichita, Kansas 67209



REV.	DATE	DESCRIPTION	BY



1

WEBB STREET LANDSCAPE PLAN

SCALE: 1" = 50'

CITY OF BELAIRE LANDSCAPE REQUIREMENTS

Property Location:	Webb Road
Current Zoning:	LC- Limited Commercial
Parcel Size:	541,938 S.F. (12.44 ACRES)
Street Frontage:	442 L.F. (Webb Road) 400 L.F. (49th Street)

ITEM	REQUIRED	PROVIDED
Continuous Landscape Screening	15' Buffer	15' Buffer
Trees required for street frontage (1 tree per 50L.F.):	9 Trees (Webb) 8 Trees (49th)	24 Trees 0 (Easement)
Parking Lot Screen:	(100% of parking)	Shrub Screen (103 Shrubs)
Rear/Interior Side Yard Buffer: (Between Residential and Non-Residential)	8' Fence/Berm	6' Concrete Decorative Wall
North Property Line (1087' / 30= 36.2) West Property Line (337' / 30= 11.2) (1 Tree per 30 L.F.)	37 Trees 12 Trees	37 Trees 12 Trees

CONCEPT PLANT SCHEDULE

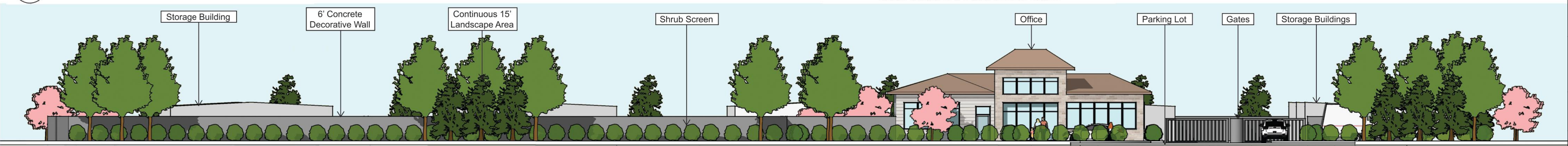
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	SHRUBS (3 GAL.) 103 COMPACT BURNING BUSH KALLAY'S COMPACT PFITZER JUNIPER PINK KNOCKOUT ROSE KARL FOERSTER'S FEATHER REED GRASS



2

WEBB STREET SECTION AA'

SCALE: 1" = 15'



CITY OF BELAIRE
KANSAS

SKY VIEW AT BLOCK 49
3RD ADDITION
DRAINAGE PLAN

LANDSCAPE MASTER
PLAN AND SECTION

JOB NO.: 21S04030
DATE: NOV 2021
DESIGNED BY: BIG
DRAWN BY: BIG

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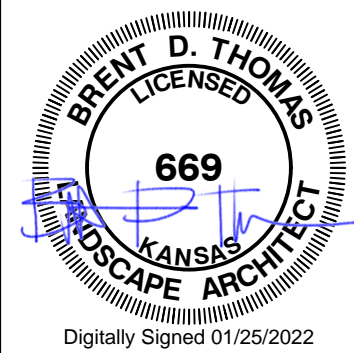
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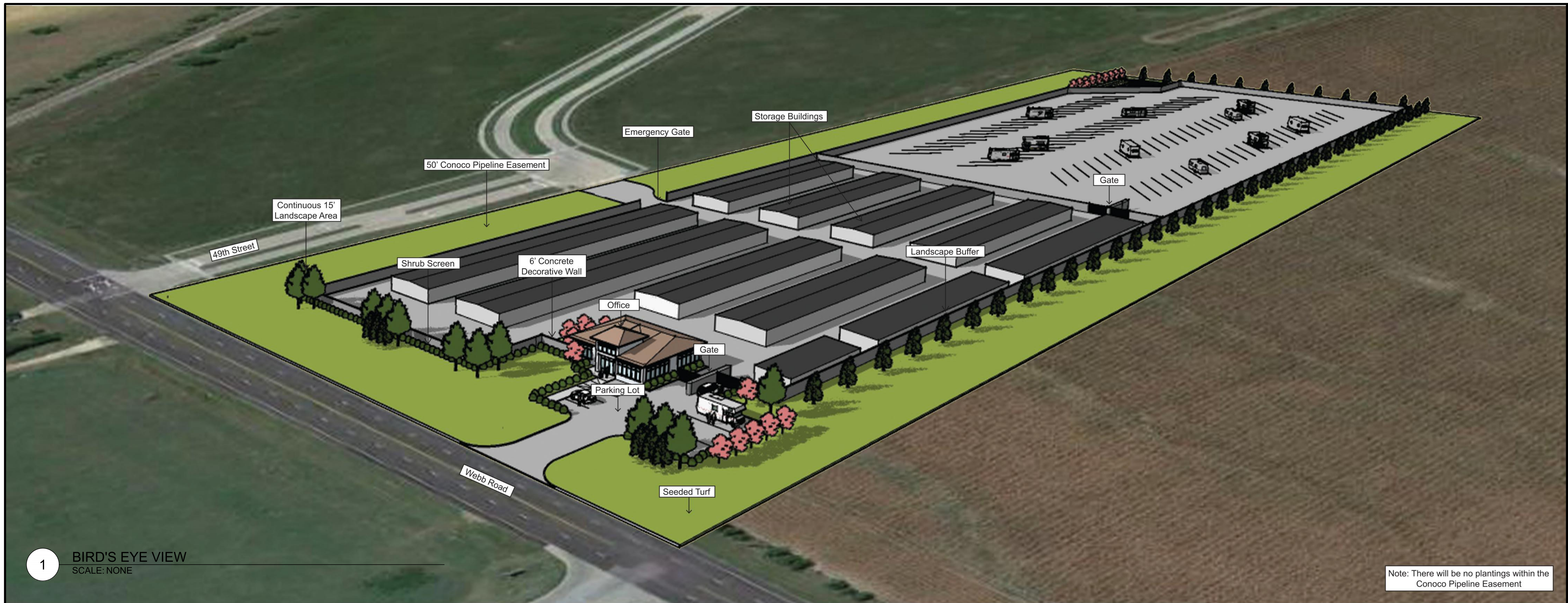


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1995 Midfield Road
Wichita, Kansas 67209



REV.	DATE	DESCRIPTION	BY



Note: There will be no plantings within the
Conoco Pipeline Easement

1 BIRD'S EYE VIEW
SCALE: NONE



2 OFFICE PERSPECTIVE
SCALE: NONE

3 ENTRANCE PERSPECTIVE
SCALE: NONE

CITY OF BEL AIRE
KANSAS
SKY VIEW AT BLOCK 49
3RD ADDITION
DRAINAGE PLAN

LANDSCAPE
GRAPHICS

JOB NO.: 21S04030
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DESIGNED BY: BIG
DRAWN BY: BIG

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DRAWING NUMBER
L-105

SHEET
NUMBER



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

City of
Bel Aire

REZONE/PLAT SUBMITTAL REVIEW

Address of proposed project: Skyview at Block 49 3rd, final plat and final PUD

This report is to document that on 2.2.22 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 2/2/22

Keith Price
REVIEWED BY

Comments: 3 copies of the PUD/Plat were provided for a pre-review by staff; the final revision PDF needs to be provided by February 4th and the paper copies by February 7th for the packet. Changes have been updates to include a site plan, landscape and building type concept plan.

- Everygy has been contacted and comments have been provided, Onegas has been contacted no request at this time.
- 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
- <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/belair/docs/menu/home.asp> contains the Public Works tab to find the city standards information.

CONDITIONAL USE APPLICATION CITY OF BEL AIRE, KANSAS

An application to vary the provisions of the zoning regulations is a “Conditional Use”. A site plan is required as part of every variance application submitted to City Hall, 7651 E. Central Park Ave, Bel Aire Kansas 67226. Attention: City Administrator. This document will be used for meetings and public hearings regarding your request and should be neat, legible, well labeled, and drawn to scale. 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 Conditional Use.
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 Conditional Use. 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 Conditional Use: Indicate any modifications to the existing structures or features that will result if the Conditional Use request is approved. If these modifications or additions are extensive, a second site drawing might be necessary so as not be confused with the existing conditions. 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 Conditional Use shall be accompanied by the appropriate filing fee, (\$175.00) 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.

BOARD OF ZONING APPEALS

☒ To vary applicable requirements in Sections 10-107c1 through 5 in conjunction with a Conditional Use Application.

☐ Conditions placed on permitted Conditional Use _____

☐ Security bond is required

☐ Approved

☐ Rejected

Name of owner UFCW Lodge 2

Address 3951 N Woodlawn Telephone 316-941-4053

Agent representing the owner Nuline Signs / Shane Hutchinson

Address 3310 W. Central, Wichita, KS 67203 Telephone 316-943-0001

1. The application area is legally described as Lot(s) 10; Block(s) 1,
Bel Aire Plaza II Addition, Bel Aire, Kansas. If appropriate, a metes and
bounds description may be attached.

2. The application area contains .320 acres.

3. This property is located at (address) 3951 N Woodlawn Ct
Bel Aire KS 67220 which is generally
located at (relation to nearest streets) Woodlawn and Woolawn Ct. - SW Corner.

4. State why the proposed conditional Use will not cause substantial injury to the value of other property in the neighborhood, how it is to be designed within district regulations:

Installing this sign will not cause substantial injury to the value of other property, the structure is existing, we are just asking to upgrade the sign cabinet to allow LED changeable messages. The sign is not larger than the city will allow and is consistent with other signs in the area.
The union represents 17,000 residents between KS, OK & MO and is growing every day. This sign will enable us to communicate messages with the public in the area and increase awareness of the union and what they represent.

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 UFCW LOCAL 2 BUILDING CORPORATION- Martin Rosas, President Phone _____
Address 3951 N Woodlawn, Bel Aire, KS Zip Code 67220

Agent Nuline Signs - Shane Hutchinson Phone 316-943-0001
Address 3310 W. Central, Wichita, KS Zip Code 67203

2. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

3. Applicant _____ Phone _____

Address _____	Zip Code _____
Agent _____	Phone _____
Address _____	Zip Code _____
4. Applicant _____ Phone _____	
Address _____	Zip Code _____
Agent _____	Phone _____
Address _____	Zip Code _____
5. Applicant _____ Phone _____	
Address _____	Zip Code _____
Agent _____	Phone _____
Address _____	Zip Code _____
6. Applicant _____ Phone _____	
Agent _____	Phone _____
Address _____	Zip Code _____
7. Applicant _____ Phone _____	
Agent _____	Phone _____
Address _____	Zip Code _____

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

Applicant's Signature	BY	Authorized Agent (If Any)
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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.

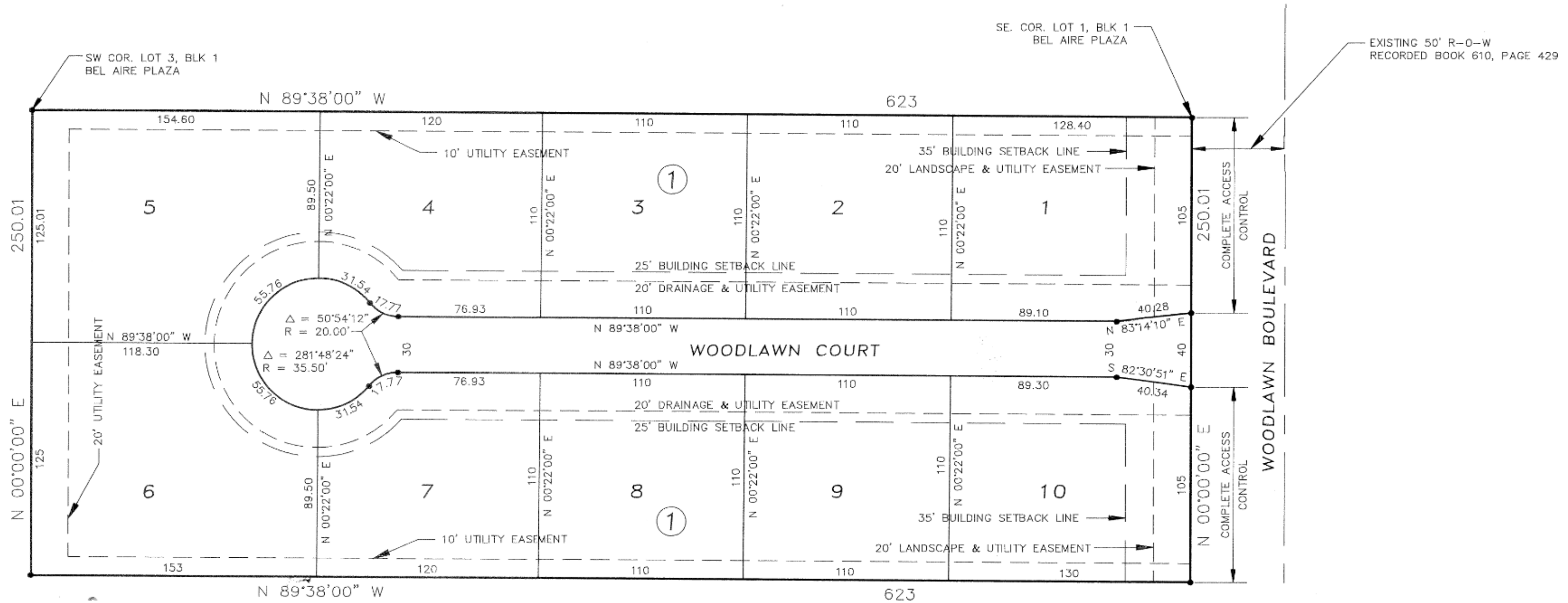


SCOPE OF WORK:
Remove existing cabinet sign
Install (2) new EMC (variable message)
units "Cirrus Blade M / 9mm Full Color Display
back to back on existing pipe. Install vented black
cladding between sign cabinets

*see spec sheet for further specifications

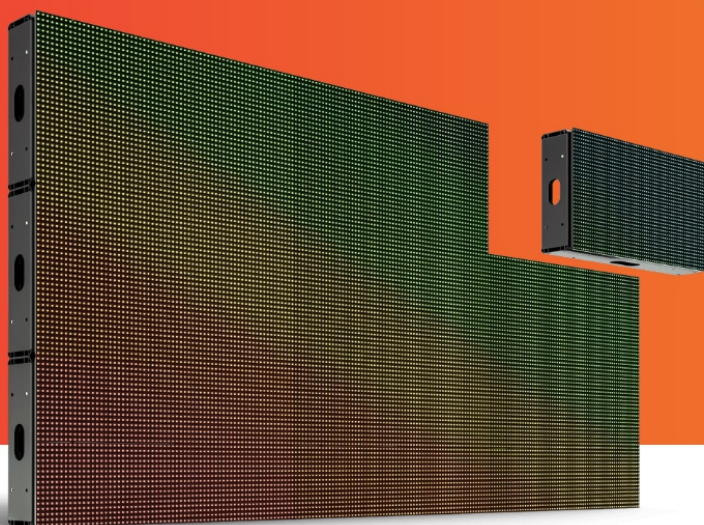


Site plan 2 - Easements and setbacks



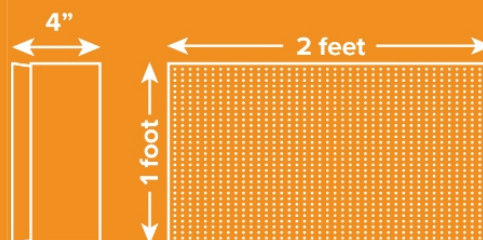


Cirrus Complete. Ultimate peace of mind.



BladeM 9mm, full color configurable outdoor LED display

- 5 x 8 Double-Sided display
- Consists of 40 LED panels and 40 1x2' aluminum frames
- 1 M1 Pro Controller with auto-mapping
- 1 ScreenHub cloud software with lifetime training & support
- 5 Year PREMIUM LTE Cellular and Hardwire Internet connectivity
- 1-year free premium connectivity and performance hardware monitoring
- 2 Service Module
- 40,960 pixels (vs 12,960 for 16mm display) / Price per pixel = \$ 0.36



Single LED panel with aluminum frame

Display specs & electrical info

Module	BladeM (SMD)	Operating temp	158°F to -40°F
LED color	Full Color RGB	Max continuous power	4,300.00 watts
Pixel pitch	9mm	Max current @ 240V	17.92 amps
Configuration	Double-Sided	Input voltage	208V-240V
Square feet	40 (per face)	Additional power inputs	1 Power Boosters
Display dimensions	5 feet tall x 8 feet wide	Dimming	Scheduled or manual
Viewing angle	160° Horizontal / 90° Vertical	Estimated LED lifetime	100,000 hours
Frames per second	60 fps	Servicing	Front and rear serviceable
Viewing area	5 feet tall x 8 feet wide	Software	Free updates / Lifetime training & support
Display matrix	160x256	Warranty	5 Years hardware
Total weight	400.0 lbs	Cirrus Complete	Service, Connectivity and Monitoring for \$ 2,250.00 (see page 2).

Required power setup based on display size and voltage:

208V: 2 Lines of Power at 20 Amps - One line of power into the controller and 1 into the boosters
240V: 2 Lines of Power at 20 Amps - One line of power into the controller and 1 into the boosters

CITY OF BEL AIRE
7651 E. CENTRAL PARK AVE., BEL AIRE KS, 67226
SIGN PERMIT FORM

CALL 744-2451 EXT 120 FOR INSPECTION, 24 HOUR NOTICE REQUIRED
CALL 744-2451 EXT. 120 FOR PERMITS, FAX 744-3739

Date 12-9-21 PERMIT NUMBER _____

NEW REPLACEMENT, TEMPORARY (CIRCLE ONE) RECEIPT NUMBER _____

ADDRESS OF PROJECT 3951 N Woodlawn Ct. Bel Aire KS 67220

BEL AIRE PLAZA II ADD

B. LEGAL DESCRIPTION: Lot 10 Block 1 Addition Qtr SE Sec S25 Twp T26S Range R1E

ZONING C1 - commercial SQUARE FOOTAGE OF SIGN 40 per side

SKETCH OF PROPOSAL – SHOW IN SPACE BELOW

SKETCH CAN BE ADDED TO SIGNAGE DESIGN PLAN THAT MUST BE INCLUDED IN THE APPLICATION

|| LOT DIMENSIONS 130' x 110' || OTHER STRUCTURES, CONCRETE DRIVES, TREES, OTHER SIGNS, ETC.



NO. SIGNS 1 @ \$25.00 \$ _____
ELECTRICAL _____ @ \$25.00 \$ _____
BUILDING PERMIT _____ @ BASED ON VALUE \$ _____

VALUE OF PROJECT \$ \$55,000

APPROVED BY _____ TOTAL FEE \$ _____

CONTRACTOR Nu-Line Signs LLC BEL AIRE LICENSE # J003

Phone Number 316-943-0001 FAX 316-942-0110

Mailing Address 3310 W. Central, Wichita, KS 67203

Signature Karie Kerr

Address 3951 N Woodlawn Ct. Bel Aire KS 67220
Name UFCW Local 2

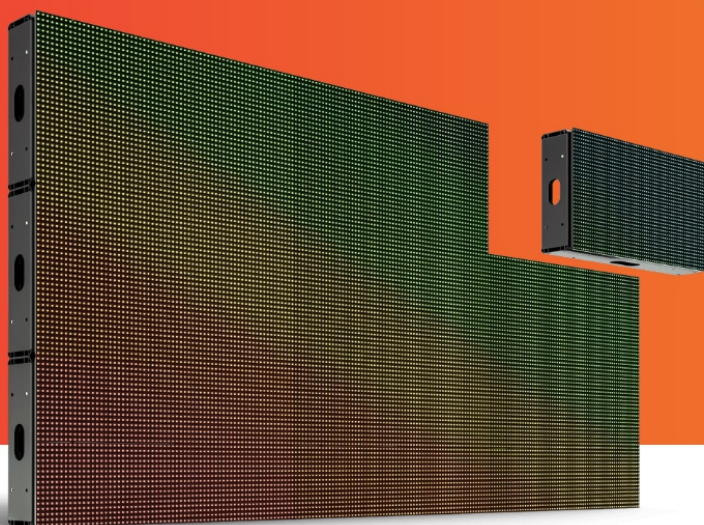


SCOPE OF WORK:
Remove existing cabinet sign
Install (2) new EMC (variable message)
units "Cirrus Blade M / 9mm Full Color Display
back to back on existing pipe. Install vented black
cladding between sign cabinets

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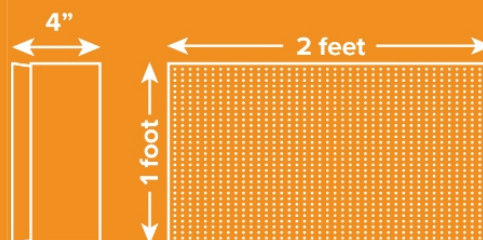


Cirrus Complete. Ultimate peace of mind.



BladeM 9mm, full color configurable outdoor LED display

- 5 x 8 Double-Sided display
- Consists of 40 LED panels and 40 1x2' aluminum frames
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- 1 ScreenHub cloud software with lifetime training & support
- 5 Year PREMIUM LTE Cellular and Hardwire Internet connectivity
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- 2 Service Module
- 40,960 pixels (vs 12,960 for 16mm display) / Price per pixel = \$ 0.36



Single LED panel with aluminum frame

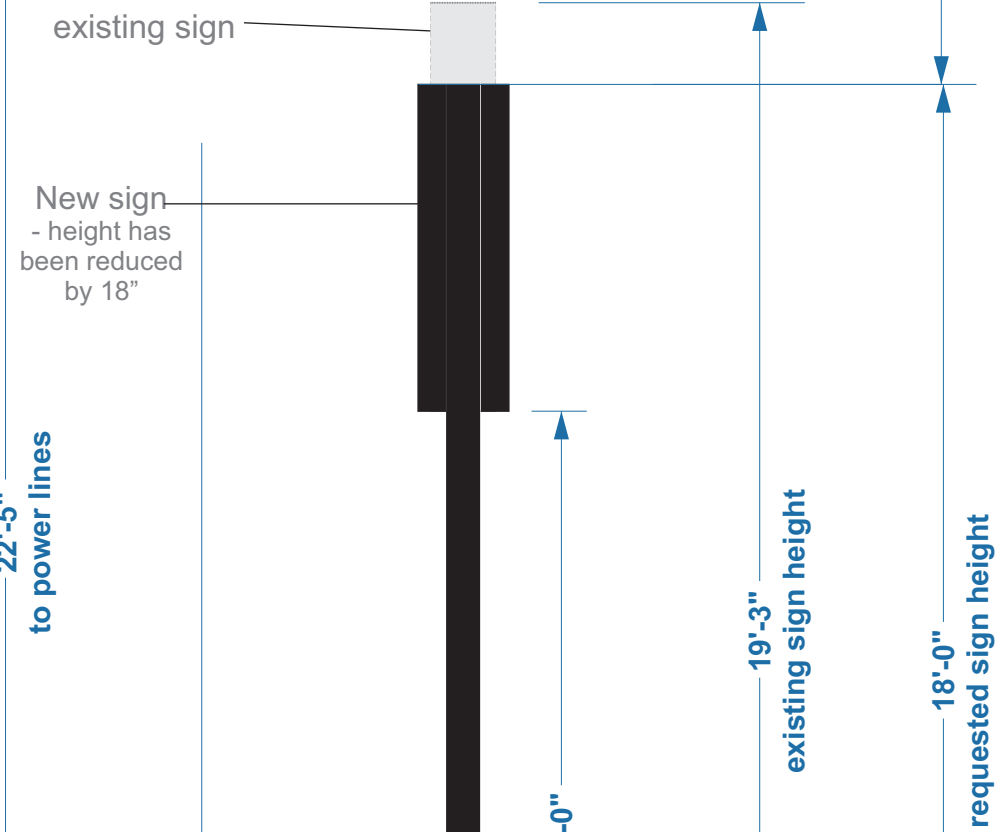
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Total weight	400.0 lbs	Cirrus Complete	Service, Connectivity and Monitoring for \$ 2,250.00 (see page 2).

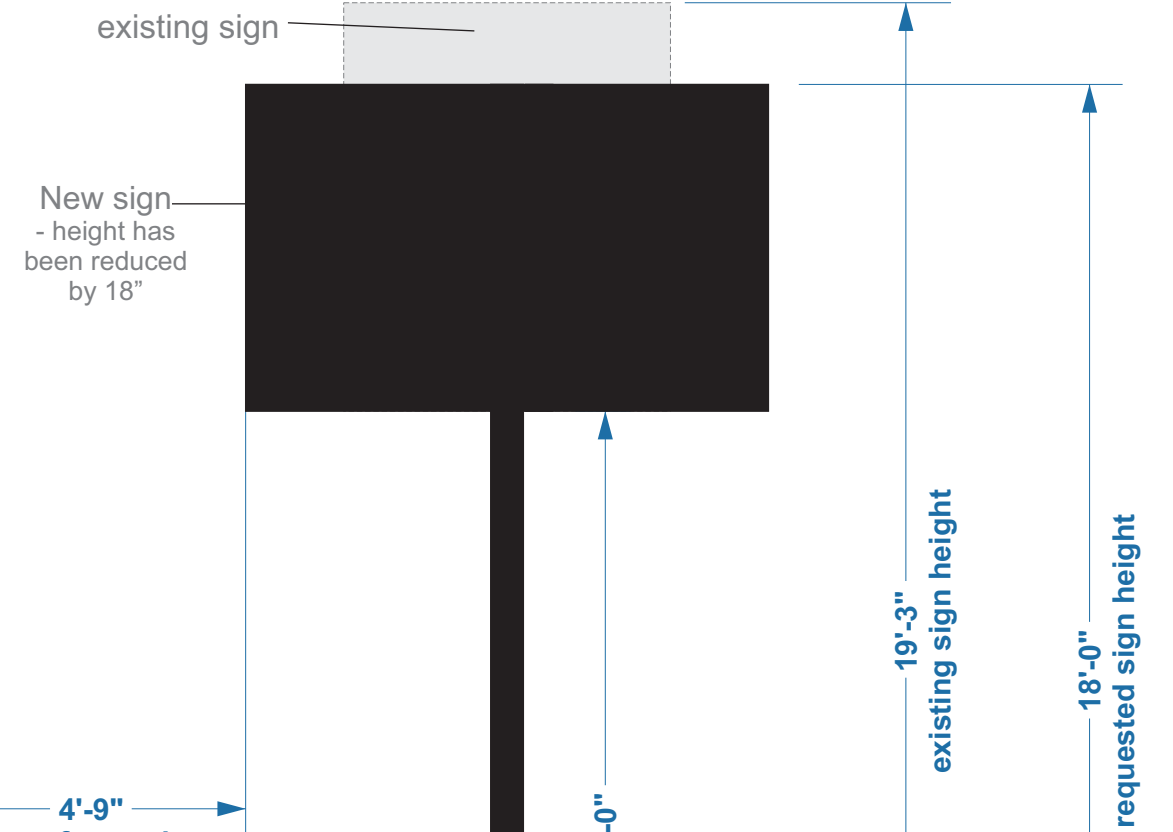
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East elevation Side View



North elevation



9'-6" to property line



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



CONDITIONAL SUBMITTAL REVIEW

Address of proposed project: To allow an LED message board pole sign in a C-1 zoning district.
This report is to document that on 1.4.22 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 1/4/22

 Keith Price
REVIEWED BY

Comments: CON-21-03-There was no pre-meeting prior to the submittals received, but emails and phone conversations to date, allowed the application to be completed. The zoning district is neighborhood commercial. The sign is in the utility easement as a non-conforming location based on 17.9.4(B) in part, General standard-no private sign shall be placed on a public easement or public right-of-way. 17.9.4.(C) in part-sources of direct illumination that would be exposed to the human shall not be permitted. 17.9.12 Prohibited sign section of the code listed the same two items-easements and direct illuminated signs. The building was started in 1998. The city did prohibit the placement of the sign in the easement based on the 1996 code, section 102(K).

- Everyg, Onegas, Bel Aire Public Works has been contacted by this department because of the existing sign location within the utility easement. Everyg has asked questions, unsure at this time if there will be any requests.
- The LED sign controller will need to set to keep the nit level below 3,000 or less during evening hours has been the city requirement for other signs that have been approved by Bel Aire.
- Would the owner be willing to relocate the sign if necessary?

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 23rd day of December, 2021, with subsequent publications being made on the following dates:

_____, 2021 _____, 2021
_____, 2021 _____, 2021
_____, 2021 _____, 2021

[Signature]

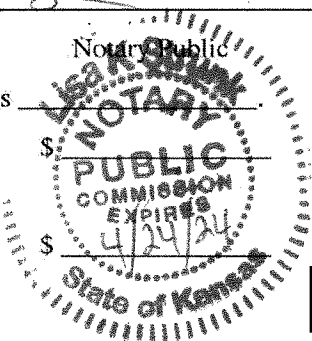
Subscribed and sworn to before me this 23rd day of December, 2021.

[Signature]

My commission expires _____

Additional copies \$ _____

Printer's fee \$ _____



Public notice

(Published in The Ark Valley News on Dec. 23, 2021.)

OFFICIAL NOTICE OF A CONDITIONAL USE PERMIT HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on January 13, 2022; the City of Bel Aire Planning Commission will review a Conditional Use Permit in the order of the agenda starting shortly after 6:30 p.m. in the Council Chamber at City Hall in Bel Aire, Kansas:

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

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

General Location: North Woodlawn Blvd and Woodlawn Ct.

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 regulations, would be effectuated by ordinance. The public hearing may be recessed and continued from time to time without notice.

DATED this 17 day of December, 2021.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

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.

BOARD OF ZONING APPEALS

☐ To vary applicable requirements in Sections 10-107c1 through 5 in conjunction with a Conditional Use Application.

☒ Conditions placed on permitted Conditional Use _____

Adding swimming pool to back yard 16x36

☐ Security bond is required

☐ Approved

☐ Rejected

Name of owner Edgle + Kendra Waldon

Address 8667 E. Chris, Bel Aire, KS 67226 Telephone (316) 249-2459

Agent representing the owner _____

Address _____ Telephone _____

1. The application area is legally described as Lot(s) 1; Block(s) 3, Rockspring Addition, Bel Aire, Kansas. If appropriate, a metes and bounds description may be attached.

2. The application area contains 8,841 S.F. acres.

3. This property is located at (address) 8661 N. Chris, Bel Aire, Ks 67226 which is generally located at (relation to nearest streets) 53rd + Rock.

4. State why the proposed conditional Use will not cause substantial injury to the value of other property in the neighborhood, how it is to be designed within district regulations:

Shouldn't effect anyone's property value, but ours

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 Ralph Construction Phone (316) 239-7465
Address 8550 SW Parallel St. Zip Code _____
Towanda, Ks. 67144
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 _____

4. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

5. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

6. Applicant _____ Phone _____

Agent _____ Phone _____
Address _____ Zip Code _____

7. Applicant _____ Phone _____

Agent _____ Phone _____
Address _____ Zip Code _____

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



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.



A Division of Mike Caro Construction, Inc. (316) 688-5284

THIS AGREEMENT made this 4 day of JAN 2022 between _____

KRISTEN M. FARRA (WIFE), hereinafter called the "OWNERS", and _____

Mike Caro Construction, hereinafter called the "CONTRACTOR".

WITNESSETH:

WHEREAS, the owners are the owners of real property located 8667 N. CHRIS
RED AVE. KS 67226 and _____

WHEREAS, the owners are desirous of having the contractor install a SWIMMING POOL on said real property owned by the owners.

NOW, THEREFORE, in consideration of the premises and the mutual covenants hereinafter contained, the parties hereto agree as follows:

The owners herein agree to purchase and the contractor herein agrees to sell and install a SWIMMING POOL in an excavation on the owner's property suitable to contain a 5' x 16' pool approximately 16 ft. wide at deep end, 16 ft. wide at shallow end and 36 ft. long for the principal sum of 61,000 DOLLARS, to be paid as follows:

- | | |
|------------------------|--|
| 1. (\$ <u>10,000</u>) | concurrent with the signing of this agreement |
| (\$ <u>20,000</u>) | upon completion of the excavation. |
| (\$ <u>25,000</u>) | upon delivery of pool kit to job site. |
| (\$ <u>15,000</u>) | immediately upon the connection of the filter. |
| (\$ <u>1,000</u>) | immediately upon completion of project |

2. Contractor agrees to do necessary excavation suitable to contain aforesaid pool, supply the material and labor necessary for pool, together with one diving board, 8' x 4' diving board underwater light, 4' x 8' walk around pool. (Cross out items not applicable) 16 steps w/ submersible

Top Track AutoCover, WHITE Alum. coping, 2' x 10' ladder Riser,
Salt System, 1hp Pump, SAND FILTER, 1 SKIMMER,
2 TOTS, 2 DRAINS, MAINT EQUIP.

3. The owners agree to provide reasonable access to the pool site for all personnel and equipment as well as for the storage of any materials or supplies necessary to construct and complete the pool. The owners and contractor agree that the contractor will backfill and return yard to rough grade, but that the contractor shall not be liable or responsible for damage to the cable, phone, sprinklers, grass, lawns, shrubbery, trees, walks and driveways or patios, etc.

4. The parties hereto further agree that the contract does not include electrical wiring, or gas lines of any kind.

5. The contractor agrees that all materials used on completing the pool installation shall be of good quality and that all work will be done in a good workmanlike manner, and that it will remedy any defect in the workmanship of which it receives written notice within one year after connection of the filter, without additional cost to the owners. The owners agree, however, that with respect to all assemblies or units purchased by the contractor for installation in the pool (such as filters, motors, heaters, standard fittings, accessories and other purchased items), that they shall look solely to the manufacturer's guaranty and not to the contractor.

6. The parties hereto further agree that the contractor's Warranty shall not be available to the owners unless the entire amount of the contract, together with any extras, shall have been paid by the owner in full.

7. The parties hereto further agree that there are no warranties or representations made by or on behalf of the contractor other than those specifically set forth herein.

8. The parties hereto further agree that the contractor shall not be liable for any damages which may be caused by surface drainage around the pool, floods, or acts of God.

9. Owners guarantee that immediately on the completion of the pool that he or she will become responsible for the prevention of any damage to the pool by flood, surface drainage, underground springs, etc. that might flood the pool while it is full, or empty by taking pressure relief plug out of the main drain and by filling the pool with water.

10. The owners agree to indicate by stake the exact site of the pool and represent and warrant the area within which the pool and any other construction pursuant to this agreement is to be placed, is within the property lines of the owners, and that same is clear of set back lines or any other restrictions, whether by zoning or by deed. In this connection, the owners agree to hold the contractor harmless for any claims or damages against the contractor by reason of any mistake on the part of the owners in the location of the site of the pool or by reason of the violation of any zoning or deed restriction.

11. The owners agree with contractor that they will pay the contractor the contractor's actual cost plus 15% for the removal of any underground obstacles, removing, refilling and compacting filled ground, control of water seepage, or any conditions, changes or modifications to the pool structure because of unusual ground conditions or otherwise, and said owners will pay in the same manner for the clearance and preparation of the site for the pool, including the removal and protection of trees and other vegetation, pipes or pipe lines, or other obstructions to the construction, said payments to be made within ten days after the owners shall receive an invoice from the contractor with respect thereto.

12. Contractor hereby assigns to owner all of contractor's right, title and interest in all manufacturers' guarantees and warranties covering any appliances, parts and personality supplied to or installed for owner by contractor; that owner agrees that contractor is acting as an independent contractor, is not the agent or servant of any principal and is solely responsible for the installation of all appliances, parts, and personality and the quality of the work and services furnished. Also, due to the characteristics of concrete we cannot place a warranty on the material. No other party has any responsibility or liability therefor.

13. All Federal and State Laws pertaining to Truth in Lending are in effect herein.

IN WITNESS WHEREOF, the parties hereto have this day set their hands and seals the day and year above written,

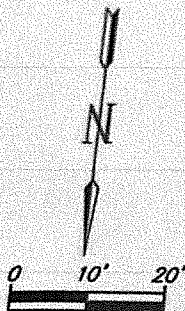
M. O. Car Res
Contractor

[Signature]
Owner
[Signature]
Owner

AP -3 388

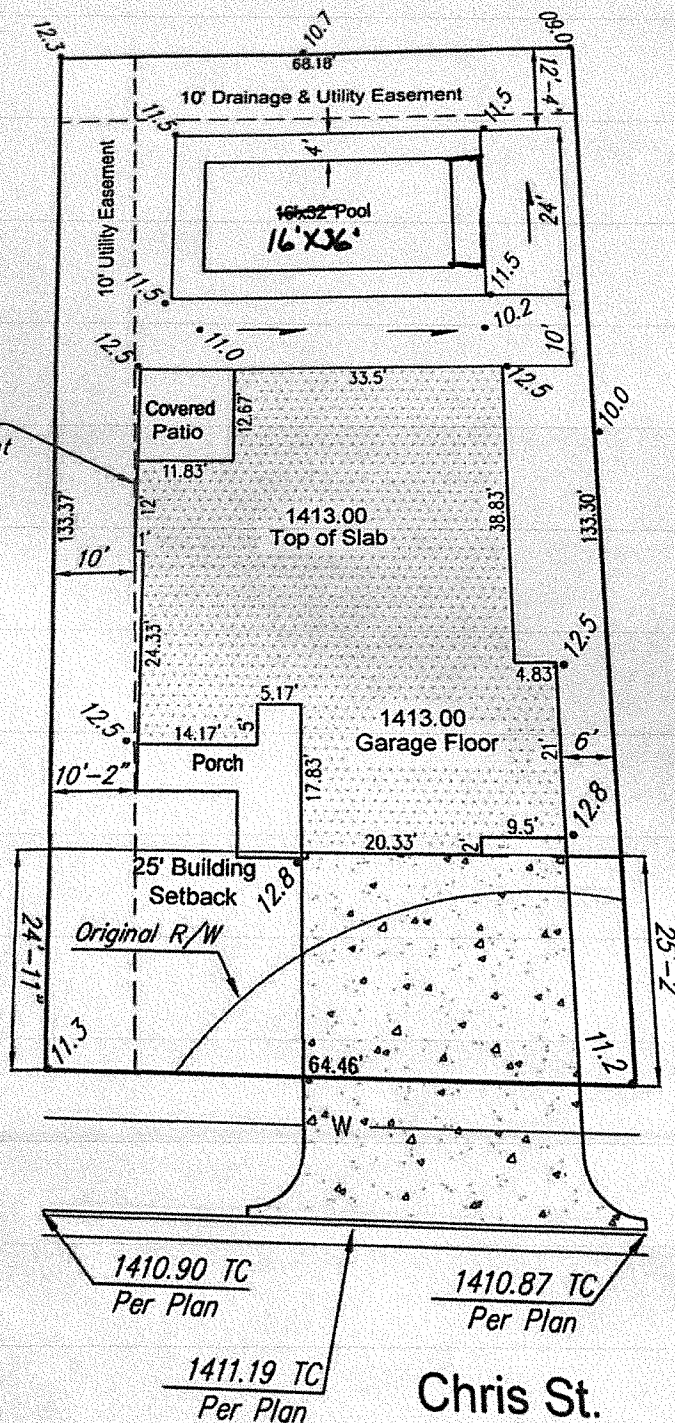
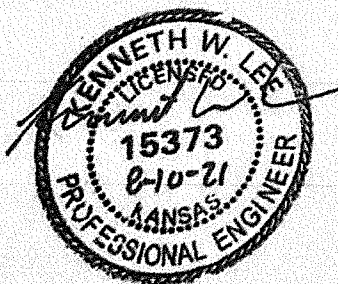
Lot 1, Block 3
Rock Spring Addition
Bel Aire, Kansas

21T41999-086
Aug. 10, 2021



Construct Eaves
Clear of Easement

Lot Information
Lot Area = 8,841 sf
Impervious = 4,506 sf
% Impervious = 51%



dd 1400 to Spot
Elevations Shown for
VD88 G12B Datum.

2021 GARVER, LLC - THIS DOCUMENT, ALONG WITH THE IDEAS AND DESIGNS CONVEYED HEREIN, SHALL BE CONSIDERED INSTRUMENTS OF PROFESSIONAL SERVICE AND ARE PROPERTY OF GARVER, LLC. ANY USE, REPRODUCTION, OR DISTRIBUTION OF THIS DOCUMENT, ALONG WITH THE IDEAS AND DESIGN CONTAINED HEREIN, IS PROHIBITED UNLESS AUTHORIZED IN WRITING BY GARVER, LLC OR EXPLICITLY ALLOWED IN THE GOVERNING PROFESSIONAL SERVICES AGREEMENT FOR THIS WORK.

6535 E. 21st St N, Suite 130
Wichita, KS 67206
(316) 264-8008

Rolph Construction
8550 NW Parallel Street
Towanda, Kansas 67144

Lot 1, Block 3
Rock Spring Addition
Bel Aire, Kansas

FIGURE NO.

SHEET
NUMBER 1



1995 Midfield Road
Wichita, KS 67209

TEL 316.264.8008

www.GarverUSA.com

January 6, 2022

Keith Price
City of Bel Aire
7561 E. Central Park Avenue
Bel Aire, KS 67226

Re: Swimming Pool at 8667 E. Chris

Dear Mr. Price

Garver designed the lot grading plan for the property referenced above. Given that the swimming pool is in the first lot east of the existing tree row that runs along the west side of the addition, there are no homes upstream of this proposed pool that will be directing drainage towards the pool or impacted by the pool.

The pool deck level is set approximately 2' higher than the property line of the home to the west with approximately 11' of distance between the deck and the property line. This will provide a maintainable 5.5:1 slope between the pool and the property line and will not require any encroachment onto the adjacent property. We understand that this pool will require a variance due to impervious area requirements but there is adequate grade and room to allow the pool to be installed without negatively impacting this or adjacent properties.

Please call me if you have any questions.

Sincerely,

GARVER

Kenneth W. Lee, P.E.
Senior Project Manager

Attachments: None

OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

Lot 1, Blk 3 Subject Property	Rock Spring Addition	Relph Construction, Inc. 8550 NW Parallel St. Towanda, KS 67144
Lots 2, 3, & 4, Blk 3 AND Lots 11, 12, 13, 14, & 15, Blk 3	“	Developers, Inc. PO Box 781974 Wichita, KS 67278
Lot 8, Blk 1	“	David L. & Anita C. Norris 5342 N. Pebblecreek St. Wichita, KS 67226
Lot 9, Blk 1	“	Cherrywood Construction, Inc. PO Box 781974 Wichita, KS 67278
Lots 16, 17, & 18, Blk 1	“	Stronggate, LLC 7540 N. Northwind, Ste. 300 Wichita, KS 67205
Lot 19, Blk 1	“	Billy D. Cox & Peggy S. Cox Revocable Trust Agreement 8668 E. Chris St. Bel Aire, KS 67226
Lot 1, Blk 1	Rock Spring 2nd Addition	Gilles Mouzon 8701 E. Chris Ct. Bel Aire, KS 67226
Lot 2, Blk 1	“	Bryan Justin Hull 11908 E. Douglas Wichita, KS 67206
Lot 3, Blk 1	“	Sue Charles Johnson PO Box 42 Kechi, KS 67067
Lot 4, Blk 1	“	Faruk Ahammed & Arfoza Ahammed 2132 Kingsbury Circle Santa Clara, CA 95054
Lots 10, 11, & 12, Blk 1	“	RKR, LLC 8550 NW Parallel St. Towanda, KS 67144

Reserve A	“	Rock Spring Homeowners Association PO Box 780224 Wichita, KS 67278
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We hereby certify the foregoing to be a true and correct list of the property owners of the herein before described lots within a 200 foot radius of:

Lot 1, Block 3, Rock Spring, 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 28th day of December, 2021, at 7:00 A.M.

Security 1st Title LLC

By: JoAnn Childers
Licensed Abstracter

Order: 2497617
KJK

Public notice

(Published in The Ark Valley News on Jan. 20, 2022.)

OFFICIAL NOTICE OF A CONDITIONAL USE PERMIT HEARING

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

Notice is Hereby Given that on February 10, 2022; the City of Bel Aire Planning Commission will review a Conditional Use Permit in the order of the agenda starting shortly after 6:30 p.m. in the Council Chamber at City Hall in Bel Aire, Kansas:

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

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

General Location: Chris St. and Pebblecreek St.

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 regulations, would be effectuated by ordinance. The public hearing may be recessed and continued from time to time without notice.

DATED this 18 day of January, 2022.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

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 20th day of January, 2022, with subsequent publications being made on the following dates:

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

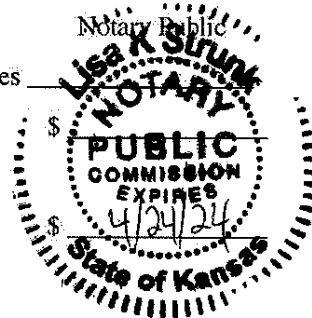
Subscribed and sworn to before me this 20th day of January, 2022.

LKS

My commission expires _____

Additional copies _____

Printer's fee _____



FOR MEETING OF	2/10/22
CITY COUNCIL	
INFORMATION ONLY	

City of Bel Aire

STAFF REPORT

DATE: 02/04/2022

TO: Bel Aire Planning Commission

FROM: Keith Price

RE: Agenda

SUMMARY:**(A) ZON-21-04, Chapel Landing 5th, Rezoning and replat
SD-21-05:**

The city sent out notices again to property owners and placed an ad in the Ark Valley Newspaper announcing the February Planning Commission meeting to ensure that folks realized the zoning case date of the hearing specifically had moved.

Additional correspondence from a few neighbors to this project was received and is in your packet. The activity to date is summarized below, as this has been going on for many months.

The Applicant and Applicant's Agent met with City staff following the Planning Commission's delayed re-zoning request and asked that the zone change request be reconsidered by Planning Commission. The Applicant stated that the intended use of the project and the reasons for the requested change were miss-represented at an earlier meeting, and they would like the chance to fully explain their thoughts and reasons for the re-zoning request to an R-5.

The preliminary plat was revised with an added street access at Farmstead St and some other minor changes that reduced the number of lots and calm traffic. Many lots meet the standard of the R-4 lot size. The city has received some comments; two letters are in the packet. One person that dropped by wanted to have the land developed to reduce the number of people letting their dogs run free on the land behind her house that end up on her property to use it as dumping stop. She didn't want duplexes but was okay with housing. So directly to the Zoning Administrator's office only four different property owners have made contact in three months.

The following criteria shall be the basis for evaluation of the rezoning request in relation to the specific case being considered:

1. The character of the neighborhood;

The subject property is platted and zoned R-4 with plattor's text for reduced side yard setbacks to 6', with restrictions.

2. The zoning and uses of properties nearby

R-4, R-5, and R-1

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

City staff has compared this request to the approved Master growth Plan and agricultural project rezoning request meets the preferred use.

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

City staff no adverse effect is expected.

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

The City hasn't rezoned this property since it was platted in 2008

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

No hardship is expected to be caused by the development.

6. Recommendations of permanent staff;

Yes because 2018 Master Growth plan was approved by City Council.

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

Yes the 2018 Master Growth plan

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

Planners ask questions related to type of housing, (this may have been answered by the developer during the previous meetings). Staff recommends the rezoning and preliminary plat. The city should have a developer's agreement provided and require covenants at the time of the final platting is ready for final approval by city council but is not required at this time.

(B) ZON-21-06 Lycee Addition PUD, final plat, preliminary/final PUD and rezoning approximately 4.40 acres of the C-1 to C-1, C-2, R-6 zoning districts:

The planning commission had approved the preliminary plat and sketch plan. City staff placed an ad in the ark valley newspaper and contacted property owners within the notification area. An updated ad was placed in the Ark Valley Newspaper to announce the new hearing date February 10th. Staff has discussed this project with Linda Snook, and Donnis McPhaul, both on the notification list. Nothing negative has been stated; contact has been made to Donnis McPhaul as promised as the new revisions have been received, she indicated she would be in to view the changes.

The packet contains the PUD document, the final plat, concept drawings of the site and buildings. Based on the PUD process listed below, staff can conditionally recommend approval.

Process. No property which has a zoning district classification which requires approval of a PUD may be developed or redeveloped without a preliminary PUD first having been submitted to and approved by the Planning Commission. The Planning Commission shall review the preliminary PUD to determine:

(C) ZON-21-07 Chapel Landing 6th, Rezoning approximately 3.3 acres of the R-1 zoned district and platting approximately 14.62 acres of the R-1 and R-4 use zoning district to allow two-family duplex use:

The planning commission had viewed a sketch plan last year regarding this area. City staff had placed an ad in the Ark Valley newspaper and contacted property owners within the notification area. An updated ad was placed in the Ark Valley Newspaper to announce the new hearing date February 10th. The most recent plat revision is in the packet, easements have been added. (see Chapel Landing 5th zoning 7 bullets for approval)
The city staff can conditionally recommend this based on the submittals.

(D) SD-21-06. Skyview at Block 49, 2nd Addition:

Platting and rezoning approximately 22.76 acres of the C-1 to R-5 residential use zoning district-Final plat. The case was readvertised for the February 10th meeting in the Ark Valley Newspaper, No one has inquired about the development to date. Every indicated easements requested for the preliminary hasn't been added; if not added on the final Everygy would need those to install their infrastructure. The most recent map submitted to the city will be included in the packet. The city staff can conditionally recommend this based on the submittals.

(E) SD-21-04. Skyview at Block 49, 3rd Addition:

Platting and rezoning approximately 12.44 acres of the AG Zoning District to be zoned to C-1 and C-2 Commercial uses. Final plat and PUD. The case was readvertised for the February 10th meeting, only that screening should be provided for the parking lot have been received to date.

The newest revisions are in your packet for the plat and site plan. The site plan does depict a concrete screening wall. Staff had asked to have the development connected to the city sidewalk system provided in the Tierra Verde South development; the developer has indicated that will be part of the improvements for the project. Staff can conditionally recommend the Final plat and PUD based on the process requirements below.

Process. No property which has a zoning district classification which requires approval of a PUD may be developed or redeveloped without a preliminary PUD first having been submitted to and approved by the Planning Commission. The Planning Commission shall review the preliminary PUD to determine:

- a. satisfactory quality of design in the individual buildings;
- b. satisfactory quality of design for the site;
- c. appropriateness of the building or buildings to the intended use;
- d. aesthetic appropriateness of the development to its surroundings.

(F) CON-21-03 Property owner has requested to add an LED message board to an existing sign pole base in an utility easement in a C-1 commercial district:

An ad was placed in the Ark Valley News as required and the property owners with 200 f.t. of the lot were mailed a certified letter with the hearing information. Only one caller within the notification area contacted the city, prior to the final packet completion. Below is the criteria to review the proposal. The city review is in the packet to the sign company. An updated ad was placed in the paper to announce the hearing date revision to February 10th.

The standard the city has used in the past has been 3000 nits or less during the evening (A measurement of the brightness of light. One nit is equal to one candela (one candlepower) per square meter (1cd/m²). The sun at noon is rated at 1.6 billion nits.)

- One condition that should be placed on the sign pole located in the easement-area. Utility providers related to removing the sign or any part of the sign to include the power supply in the event of needing access to the easement based on receiving prior approval from the City and or an unperceived emergency requiring immediate access. (To be refined by the city legal department).
- If the building or sign use changes, the latest adopted zoning and building codes would apply, or the conditions within the agreement if addressed specifically.
- If the Evergy or Bel Aire public works department doesn't have any concerns, then staff would be in favor of conditionally approving using the sign pole for the new LED sign.

CONDITIONAL USE. A use which may be appropriate within a specific zoning district, but due to the nature of such use and the nature of the effected zoning district, must be approved by recommendation of the Planning Commission and action of the Governing Body. A conditional use runs with the land until the use of the land changes, as set forth within this Code.

General Standards for Consideration of Request. The objective of permitting specific conditional uses within a district is to provide adequate consideration of the conditions in terms of these Regulations to assure:

1. That proposed uses will not be contrary to the public interest.
2. That the spirit of the Code is observed.
3. That public safety and welfare is secured.
4. That substantially equal treatment under the law is preserved.

E. Criteria for Review. The following criteria arising out of the above listed standards, and any others applicable to any specific situation, shall be evaluated in terms of how such criteria relate to any specific case being considered and any stipulation as deemed appropriate by the Commission shall be incorporated into approval of a conditional use in association with the following concerns:

1. Access and traffic load and/or flow.
2. Noise, light and odor.
3. Screening.
4. Parking, refer to parking section.
5. Services (public utilities).
6. Public health and safety.
7. Adequacy of facility and lot size.
8. Signs.
9. Review by fire marshal for designation.
10. Other considerations as appropriate.

- a. satisfactory quality of design in the individual buildings;
- b. satisfactory quality of design for the site;
- c. appropriateness of the building or buildings to the intended use;
- d. aesthetic appropriateness of the development to its surroundings.

(G) CON-22-01 Private swimming pool in an R-5 zoning district:

The hearing was published in the Ark Valley Newspaper and property owners were notified per the city regulations. Only one caller had contacted the city inquiring why the city had sent the notice; no concern was voiced.

History:

The city approved a conditional use for all of Rock Spring addition to allow a small she to meet city code by Ordinance 576. There has been two private swimming pool in Rock Spring addition approved by conditional use process as well.

The city staff can conditionally recommend this based on the submittals in your packets.

(H)

CON-21-01 Swimming pool in an R-5 zoning district:

The case has been withdrawn. The new property owner will resubmit the application; once complete a different case number will start the new process. This just needs to be closed as an agenda item.

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



Public notice

Section VIII, Item A.

(Published In The Ark Valley News on Jan. 20, 2022.)

OFFICIAL NOTICE OF ZONING HEARINGS

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is hereby given that on February 10, 2022 the City of Bel Aire Planning Commission will consider the following zoning processes in the order placed on the agenda after 6:30 p.m. that were part of the deferred hearings and other items on the agenda in the City Council Chamber at City Hall in Bel Aire, Kansas:

ZON-21-05. Proposed re-zoning and platting approximately 54.99 acres zoned R-4 District, to a R-5 Zoning District, as Chapel Landing 5th. General Location: Southwest of E 53rd St N and Woodlawn

ZON-21-07. Chapel Landing 6th, Rezoning approximately 3.3 acres of the R-1 zoned district and platting approximately 14.62 acres of the R-1 and R-4 use zoning district to allow two-family duplex use. General Location: 1/4 mile east of N. Oliver on the south side of 53rd St.

ZON-21-03 Property owner has requested to add an LED message board to an existing sign pole base in an utility easement in a C-1 commercial district. General Location: North Woodlawn Blvd and Woodlawn Ct.

ZON-21-06. Lycee Addition PUD, final plat, preliminary/final PUD and rezoning approximately 4.40 acres of the C-1 to C-1, C-2, R-6 zoning districts. General Location: East of Rock Road approx. 1/4 mile north of E. 53rd St N.

SD-21-04. Skyview at Block 49, 3rd Addition, platting and rezoning approximately 12.44 acres of the AG Zoning District to be zoned to C-1 and C-2 Commercial uses. Final plat and PUD General Location: NW corner of 49th St. and Webb Rd.

Case No. SD-21-06. Skyview at Block 49, 2nd Addition, platting and rezoning approximately 22.76 acres of the C-1 to R-5 residential use zoning district. Final plat General Location: 1/2 mile s of E 53rd St N and 1/4 mile of Woodlawn Blvd..

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

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

DATED this 18 day of January, 2022.

/s/ Anne Stephens
Bel Aire Planning Commission Secretary

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 20th day of January, 2022.

with subsequent publications being made on the following dates:

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

Subscribed and sworn to before me this 20th day of January, 2022.

My commission expires _____

Additional copies _____

Printer's fee _____

