



**AGENDA**  
**CITY COUNCIL MEETING**  
7651 E. Central Park Ave, Bel Aire, KS  
March 01, 2022 7:00 PM



**I. CALL TO ORDER:** Mayor Jim Benage

**II. ROLL CALL**

Greg Davied \_\_\_\_ Dr. Joel Schroeder \_\_\_\_ Justin Smith \_\_\_\_  
John Welch \_\_\_\_ Diane Wynn \_\_\_\_

**III. OPENING PRAYER:** Gary Green

**IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

**V. PROCLAMATION:**

**A.** American Red Cross Month, March 2022

**B.** Severe Weather Awareness Week, March 7th—11th, 2022

**VI. DETERMINE AGENDA ADDITIONS**

**VII. CONSENT AGENDA**

**A.** Minutes of the February 15, 2022 City Council meeting.

**B.** Approve Bellino Fireworks Kansas, Inc to be located at 4552 N Woodlawn Blvd as qualifying for Fireworks Sales Permit pending Sedgwick County Fire Marshall inspection.

**C.** Approve Shocker Fireworks to be located at 4501 N Oliver as qualifying for Fireworks Sales Permit pending Sedgwick County Fire Marshall inspection.

**D.** Approve Waz Up Fireworks, LLC to be located at 9745 E 50<sup>th</sup> St N (Clinic In A Can) as qualifying for Fireworks Sales Permit pending Sedgwick County Fire Marshall inspection.

**E.** Approve Wholesale Fireworks Enterprises, LLC to be located at 6334 E Crestmark as qualifying for Fireworks Sales Permit pending Sedgwick County Fire Marshall inspection.

**Action:** Motion to (approve / table / deny) the Consent Agenda as (listed / amended) and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

## VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

### A. **Consideration of Appropriations Ordinance 22-04 in the amount of \$1,185,517.15.**

**Action:** Motion to (approve / deny / table) Appropriations Ordinance 22-04.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

## IX. CITY REQUESTED APPEARANCES

### A. **Slade Engstrom and Brett Letkowski, Transystems - KDOT TEAP Intersection Analysis, 53rd and Woodlawn, 53rd and Rock**

### **B. Ken Lee, Garver - Gravel Road Paving Analysis and Potential Petition Amounts**

### **C. Dakota Zimmerman and Eric Strecker, Garver - Woodlawn Reconstruction Progress Update**

## X. **CITIZEN CONCERNS:** *If you wish to speak, please fill out a "Request to Speak" card at the podium and give it to the City Clerk before the meeting begins. When you are called on by the Mayor, please go to the podium, speak into the microphone, and state your name and address before giving your comments. Please limit your comments to 3 minutes in the interest of time.*

## XI. REPORTS

### **A. Council Member Reports**

### **B. Mayor's Report**

### **C. City Attorney Report**

### **D. City Manager Report**

## XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

### A. **Consideration of An Ordinance Changing the Zoning Classification from R-1 Estate Residential to R-4 Residential On Certain Property Located Within The Corporate City Limits of the City of Bel Aire, Kansas (Chapel Landing 6th).**

**Action:** Motion to (accept / deny / table) An Ordinance Changing the Zoning Classification from R-1 Estate Residential to R-4 Residential On Certain Property Located Within The Corporate City Limits of the City of Bel Aire, Kansas (Chapel Landing 6th) and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Jim Benage \_\_\_\_\_ Greg Davied \_\_\_\_\_ Dr. Joel Schroeder \_\_\_\_\_

Justin Smith \_\_\_\_\_ Diane Wynn \_\_\_\_\_ John Welch \_\_\_\_\_



**B. Consideration of accepting the recommendation of the Bel Aire Planning Commission and approving An Ordinance approving a conditional use (CON-21-03) on certain property in a C-1 Commercial zoning district. If approved, the applicant will be allowed to add an LED message board to an existing sign pole base located in a utility easement, contingent on a 60-day Planning Commission review. (LED Sign Woodlawn)**

**Action:** Motion to (accept / deny / table) approve An Ordinance Allowing A Conditional Use (CON-21-03) On Certain Property Zoned C-1 Located Within The Corporate City Limits Of The City Of Bel Aire, Kansas.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Jim Benage \_\_\_\_\_ Greg Davied \_\_\_\_\_ Dr. Joel Schroeder \_\_\_\_\_

Justin Smith \_\_\_\_\_ Diane Wynn \_\_\_\_\_ John Welch \_\_\_\_\_

**C. Consideration of An Ordinance Approving A Conditional Use On Certain Property Zoned R-5 Located Within The Corporate City Limits of the City Of Bel Aire, Kansas (CON-22-01 - Private Pool on Chris St.).**

**Action:** Motion to (approve / deny / table) An Ordinance Approving A Conditional Use (CON-22-01) On Certain Property Zoned R-5 Located Within The Corporate City Limits of the City of Bel Aire, Kansas and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Jim Benage \_\_\_\_\_ Greg Davied \_\_\_\_\_ Dr. Joel Schroeder \_\_\_\_\_

Justin Smith \_\_\_\_\_ Diane Wynn \_\_\_\_\_ John Welch \_\_\_\_\_

**D. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Skyview at Block 49 2nd.**

**Action:** Motion to (accept / deny / table) the dedications within the Final Plat for Skyview at Block 49 2nd and authorize all required signatures.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Jim Benage \_\_\_\_\_ Greg Davied \_\_\_\_\_ Dr. Joel Schroeder \_\_\_\_\_

Justin Smith \_\_\_\_\_ Diane Wynn \_\_\_\_\_ John Welch \_\_\_\_\_

**E. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Skyview at Block 49 3rd with PUD overlay.**

**Action:** Motion to (accept / deny / table) the dedications within the Final Plat for Skyview at Block 49 3rd with PUD overlay and authorize all required signatures.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Jim Benage \_\_\_\_\_ Greg Davied \_\_\_\_\_ Dr. Joel Schroeder \_\_\_\_\_

Justin Smith \_\_\_\_\_ Diane Wynn \_\_\_\_\_ John Welch \_\_\_\_\_

**F. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Lycee.**

**Action:** Motion to (accept / deny / table) the dedications within the Final Plat for Lycee and authorize all required signatures.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Jim Benage \_\_\_\_\_ Greg Davied \_\_\_\_\_ Dr. Joel Schroeder \_\_\_\_\_

Justin Smith \_\_\_\_\_ Diane Wynn \_\_\_\_\_ John Welch \_\_\_\_\_

**G. Consideration of an Agreement for Professional Services with Garver for 47th Street Reconstruction in the amount of \$19,537.50.**

**Action:** Motion to (approve / deny / table) an Agreement for Professional Services with Garver for the 47th Street Reconstruction in the amount of \$19,537.50 and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**H. Consideration of An Agreement with Skyview at Block 49, LLC Concerning The Development Of Skyview At Block 49 2nd Addition, Bel Aire, Sedgwick County, Kansas.**

**Action:** Motion to (approve/ deny / table) An Agreement Concerning The Development Of Skyview At Block 49 2nd Addition, Bel Aire, Sedgwick County, Kansas, and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

### **XIII. EXECUTIVE SESSION**

**Action:** Motion to go into executive session for the sole purpose of discussion the subject of: (\_\_\_\_\_), pursuant to the KSA 75-4319 exception for: (\_\_\_\_\_\_). Invite the City Manager and the City Attorney. The meeting will be for a period of (\_\_) minutes, and the open meeting will resume in City Council Chambers at (\_\_\_\_\_) PM.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

### **XIV. DISCUSSION AND FUTURE ISSUES**

### **XV. ADJOURNMENT**

**Action:** Motion to adjourn.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

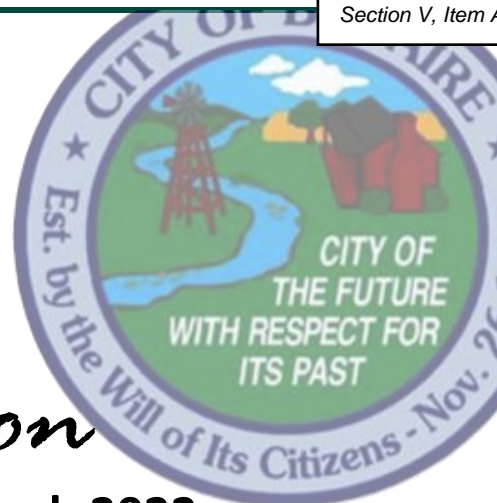
*Additional Attachments:*

A. February 10th Planning Commission Meeting Report

B. Manager's Report - March 1, 2022

### **Notice**

*It is possible that sometime between 6:30 and 7:00 PM immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the Council Chambers or the lobby of City Hall. No one is excluded from these areas during these times. Cox Cable Channel 7 rebroadcasts of this meeting are scheduled daily or can be streamed on YouTube and at [www.belaireks.gov](http://www.belaireks.gov). Please make sure all cell phones and other electronics are turned off and put away.*



# *Proclamation*

## **American Red Cross Month, March 2022**

**TO THE CITIZENS OF BEL AIRE, KANSAS, GREETINGS:**

**WHEREAS**, March is American Red Cross Month - a special time to recognize and thank our heroes—those who volunteer, take life-saving courses or provide financial donations to support an organization whose mission is to help those in need; and

**WHEREAS**, we would like to remember those who help all of us here in Bel Aire, KS by giving their time to help their neighbor and thank our heroes, our volunteers, class takers and financial supporters who help us assist those in need; and

**WHEREAS**, in the City of Bel Aire, the American Red Cross works tirelessly through its employees and thousands of volunteers to help when disaster strikes, when someone needs life-saving blood or the comfort of a helping hand; and

**WHEREAS**, across the country, the American Red Cross responds to nearly 70,000 disasters a year, and provides some 400,000 services to military members, veterans and civilians, collects and distributes about 40 percent of the nation's blood supply and trains more than seven million people in first aid, water safety and other lifesaving skills every year; and

**WHEREAS**, our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission. The American Red Cross continues to offer help and comfort to those in need.

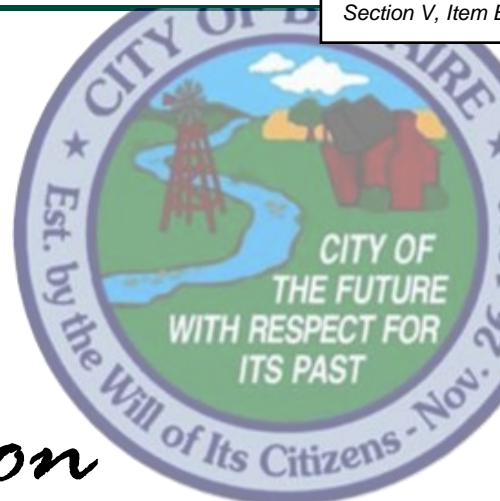
**NOW, THEREFORE**, I, Jim Benage, Mayor of the City of Bel Aire, on behalf of the entire City Council, do hereby proclaim March 2022 as American Red Cross Month in Bel Aire.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the official seal of Bel Aire, Kansas this 1st day of March, 2022.

---

Jim Benage, Mayor





# *Proclamation*

## **Severe Weather Awareness Week 2022**

**TO THE CITIZENS OF BEL AIRE, KANSAS, GREETINGS:**

**WHEREAS**, Severe Weather Awareness Week is March 7th—11th, 2022, and

**WHEREAS**, Kansas has experienced more federally declared disasters in recent years than any other state in the nation, and

**WHEREAS**, each year brings the potential for violent weather to Kansas, and

**WHEREAS**, large portions of our state including the City of Bel Aire, can be devastated by flooding, tornadoes, hail, windstorms and other potentially dangerous events, and

**WHEREAS**, the Governor's Division of Emergency Management, the National Weather Service and the Federal Emergency Management Agency (FEMA) have joined together urging all citizens to prepare for severe weather and to educate themselves on safety strategies, and

**WHEREAS**, Governor Laura Kelly has declared the week of March 7th—11th, 2022, as Severe Weather Awareness Week in Kansas.

**THEREFORE**, in official recognition of this statewide event, I, Jim Benage, Mayor for the City of Bel Aire do hereby proclaim March 7th—11th, 2022 Severe Weather Awareness Week in Bel Aire.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the official seal of Bel Aire, Kansas this 1st day of March, 2022.

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Jim Benage, Mayor





**MINUTES**  
**CITY COUNCIL MEETING**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**February 15, 2022 7:00 PM**



**I. CALL TO ORDER:** Mayor Jim Benage called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

Present were Greg Davied, Justin Smith, and John Welch. Dr. Joel Schroeder and Diane Wynn were absent.

Also present were City Manager Ty Lasher, City Attorney Jacqueline Kelly, City Clerk Melissa Krehbiel, and Bond Counsel Kevin Cowan of Gilmore and Bell, PC.

**III. OPENING PRAYER:** Mark Posson provided the opening prayer.

**IV. PRESENTATION OF COLORS:** Boy Scout Pack # 585 presented the colors.

**V. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:**

Boy Scout Pack #585 led the pledge.

**VI. DETERMINE AGENDA ADDITIONS:** There were no additions.

**VII. CONSENT AGENDA**

**A. Minutes of the February 1, 2022 City Council meeting.**

**B. Minutes of the February 8, 2022 City Council Special Meeting**

**C. Acceptance of Petitions for Paving, Sanitary Sewer, Sidewalk, Storm Water Drain, and Water Distribution System Improvements to serve Skyview at Block 49 Phase 2.**

**D. Approval of Amending Resolutions Authorizing Paving, Sanitary Sewer, Sidewalk, Storm Water Drain, and Water Distribution System Improvements to serve Skyview at Block 49 Phase 2.**

**MOTION:** Councilmember Smith moved to approve the Consent Agenda.  
Councilmember Welch seconded the motion. *Motion carried 3-0.*

VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance 22-03 in the amount of \$587,478.46.

**MOTION:** Councilmember Davied moved to approve Appropriations Ordinance 22-03. Councilmember Smith seconded the motion. *Motion carried 3-0.*

IX. CITY REQUESTED APPEARANCES

A. KDOT TEAP Intersection Analysis, 53rd and Woodlawn, 53rd and Rock:

The representatives could not attend, so this presentation will be rescheduled.

X. CITIZEN CONCERNS: No one spoke.

XI. REPORTS

A. Council Member Reports: No reports were given.

B. Mayor's Report

- Mayor Benage encouraged residents to give blood. There is currently a nationwide blood shortage. Residents can sign up by visiting the Red Cross website.
- Mayor Benage also briefly reported on the recent meetings of the K-254 Corridor Development Association and the Transportation Policy Body (TPB) of the Wichita Area Metropolitan Planning Organization (WAMPO).

C. City Attorney Report

- City Attorney Kelly reported on bills currently in the state legislature.
- If the Animal Code Ordinance is adopted by City Council today, the County will then officially take over all animal control enforcement and pet licensing, with the exception of regulating livestock and dog kennels within Bel Aire. Current pet owners will be notified and will need to register their pets with Sedgwick County.

D. City Manager Report

- City Manager Lasher reported that City Hall will be open on President’s Day.
- Woodlawn will soon be going to one-lane as construction continues.
- Waste Connections will be changing pick up days for about 1400 residents in March. Details are not known at the moment. The City and Waste Connections will work together to notify residents. Residents may also download the Waste Connections app to stay informed of changes to trash service.

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS



- A. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Prairie Preserve.**

**MOTION:** Councilmember Smith moved to accept the dedications within the Final Plat for Prairie Preserve and authorize all required signatures. Mayor Benage seconded the motion.

Jim Benage- Aye      Greg Davied- Aye      Justin Smith- Aye      John Welch – Aye  
Dr. Joel Schroeder – [Absent]      Diane Wynn – [Absent]  
*Motion carried 4-0.*

- B. Consideration of an Agreement for Professional Services with Garver for Skyview at Block 49 2nd in the amount of \$191,000.**

**MOTION:** Councilmember Davied moved to approve an Agreement for Professional Services with Garver for the Skyview at Block 49 in the amount of \$191,000 and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 3-0.*

- B. Consideration of An Ordinance Concerning the Amendment Of Chapter 7, Of The City Code Of Bel Aire, Kansas, In Connection With Animals, Animal Control Services And Enforcement, All Within The City Of Bel Aire, Sedgwick County, Kansas.**

City Attorney Kelly stood for questions from Council.

**MOTION:** Councilmember Smith moved to approve An Ordinance Concerning the Amendment Of Chapter 7, Of The City Code Of Bel Aire, Kansas, In Connection With Animals, Animal Control Services And Enforcement, All Within The City Of Bel Aire, Sedgwick County, Kansas as presented and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 3-0.*

- D. Consideration of the revised City of Bel Aire 2022 Pay Scale Adding One Position.**

**MOTION:** Councilmember Welch moved to approve the revised City of Bel Aire – 2022 Pay Scale. Councilmember Smith seconded the motion. *Motion carried 3-0.*

- E. Consideration of a Letter of Intent to Issue Industrial Revenue Bonds and Provide other Incentives to Homestead Affordable Housing, Inc for the construction of a 36-unit affordable senior apartments.**

City Manager Lasher stood for questions from Council.

**MOTION:** Councilmember Smith moved to approve the LOI to issue an IRB for Homestead Affordable Housing, Inc as presented and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 3-0.*

**MOTION FOR RECESS:** Councilmember Smith moved to recess the City Council meeting until 8:00 p.m. Councilmember Welch seconded the motion. *Motion carried 3-0.*

At 7:33 p.m. the meeting was recessed. At 8:00 p.m. Mayor Benage called the meeting back to order in open session.

**XIII. EXECUTIVE SESSION**

**MOTION:** Councilmember Smith moved to go into executive session for the sole purpose of discussion the subject of: Attorney-Client Consultation regarding contractual obligations, pursuant to the KSA 75-4319 exception for: attorney-client privilege. Invite the City Manager, City Attorney and Jennifer Hill. The meeting will be for a period of 30 minutes, and the open meeting will resume in City Council Chambers at 8:31 PM. Councilmember Welch seconded the motion. *Motion carried 3-0.*

At 8:01 p.m. the Council adjourned to executive session. At 8:31 p.m. the Council returned to the Council Chambers. Mayor Benage stated no binding action had been taken and called the meeting back to order in open session.

**XIV. DISCUSSION AND FUTURE ISSUES –** There was no further discussion.

**XV. ADJOURNMENT**

**MOTION:** Councilmember Smith moved to adjourn. Councilmember Davied seconded the motion. *Motion carried 3-0.*

The meeting adjourned at 8:33 p.m.



# CITY OF BEL AIRE



## APPLICATION FOR RETAIL SALES OF FIREWORKS

Date of Application: 02/15/2022

Square footage of Structure: 2,400 sq ft

**Dates of Operation:** June 27 through July 4 of the same year as date of application

Fireworks may be sold from **8:00 a.m. – 10:00 p.m. only**

Permit fees are \$2,500 for structures of 2,500 square feet & under  
Structures in excess of 2,500 square feet shall be \$1.00 per square foot.

**OFFICE USE ONLY**

**APPLICATION REVIEWED AND:**

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_

Permit Fee: \$2,500 Receipt # 65904

County Application ✓

Permit # \_\_\_\_\_

Acceptance/Denial Letter Date: \_\_\_\_\_

All Applications must be accompanied with:

- ✓1) **permit fee**
- ✓2) **a copy of Sedgwick Co. Fire Dept. tent application (if applicable)**
- ✓3) **Site diagram (including all signage)**
- ✓4) **Insurance certificate(s) including:**
  - General comprehensive liability insurance**, minimum coverage of \$500,000 per occurrence, with the City of Bel Aire, Kansas, named as an additional insured; AND
  - Product liability insurance**, minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor

LOCATION REQUESTED: 4552 N Woodlawn Blvd

APPLICANT NAME: Bel Aire Lions Club


ORGANIZATION/BUSINESS Bellino Fireworks Kansas, Inc.

ADDRESS: 501 Olson Dr. Ste. 210 Papillion, Ne 68046

NAME & PHONE NUMBER OF RESPONSIBLE PARTY Leland Burns (620) 636-1573

KS STATE SALES TAX # 004-834670866F-01

EMAIL ADDRESS kaela@bellinoenterprises.com

  
SIGNATURE OF RESPONSIBLE PARTY

02/15/2022  
DATE

APPROVED BY THE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

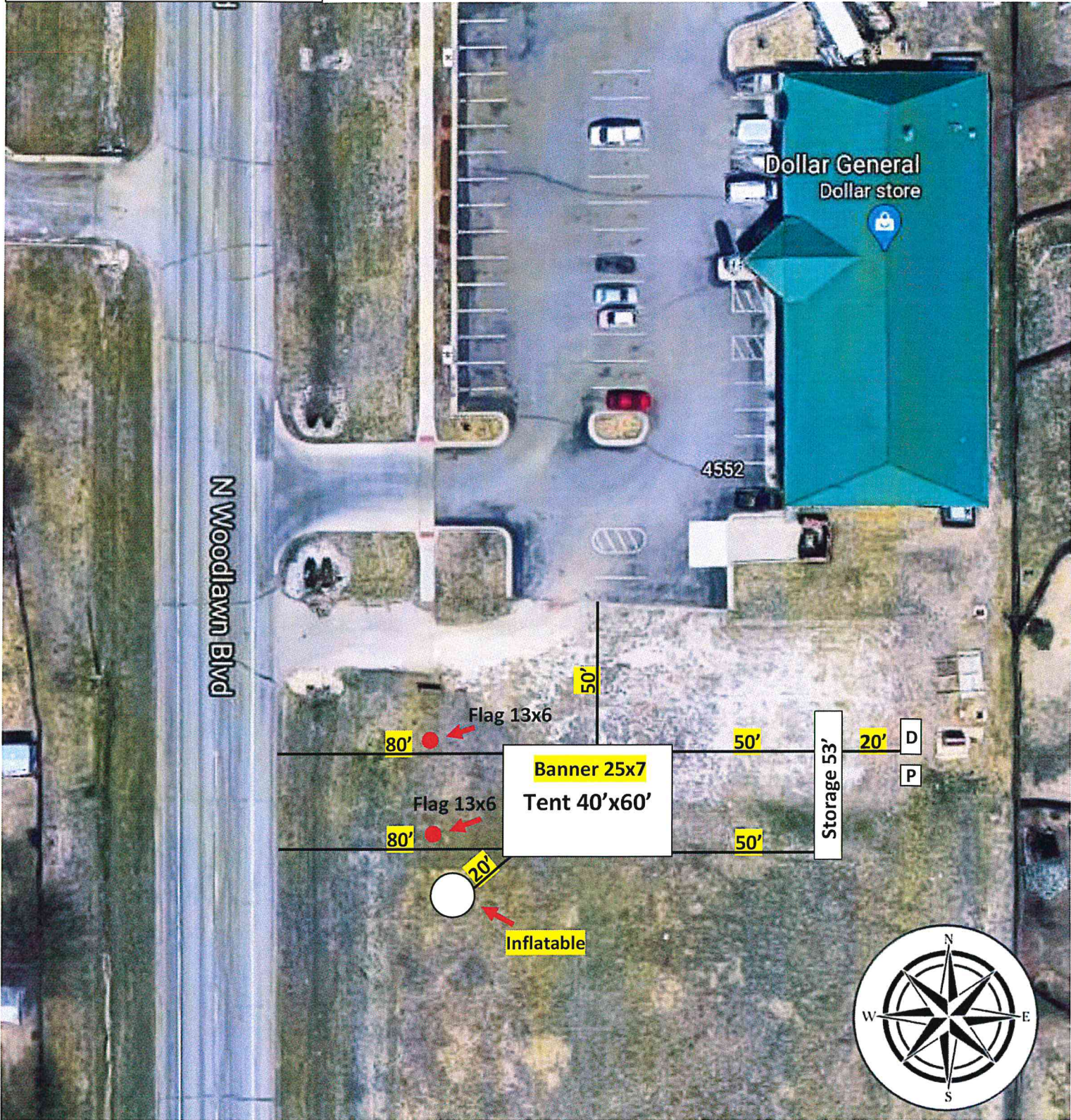
\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
CODE ENFORCEMENT OFFICER

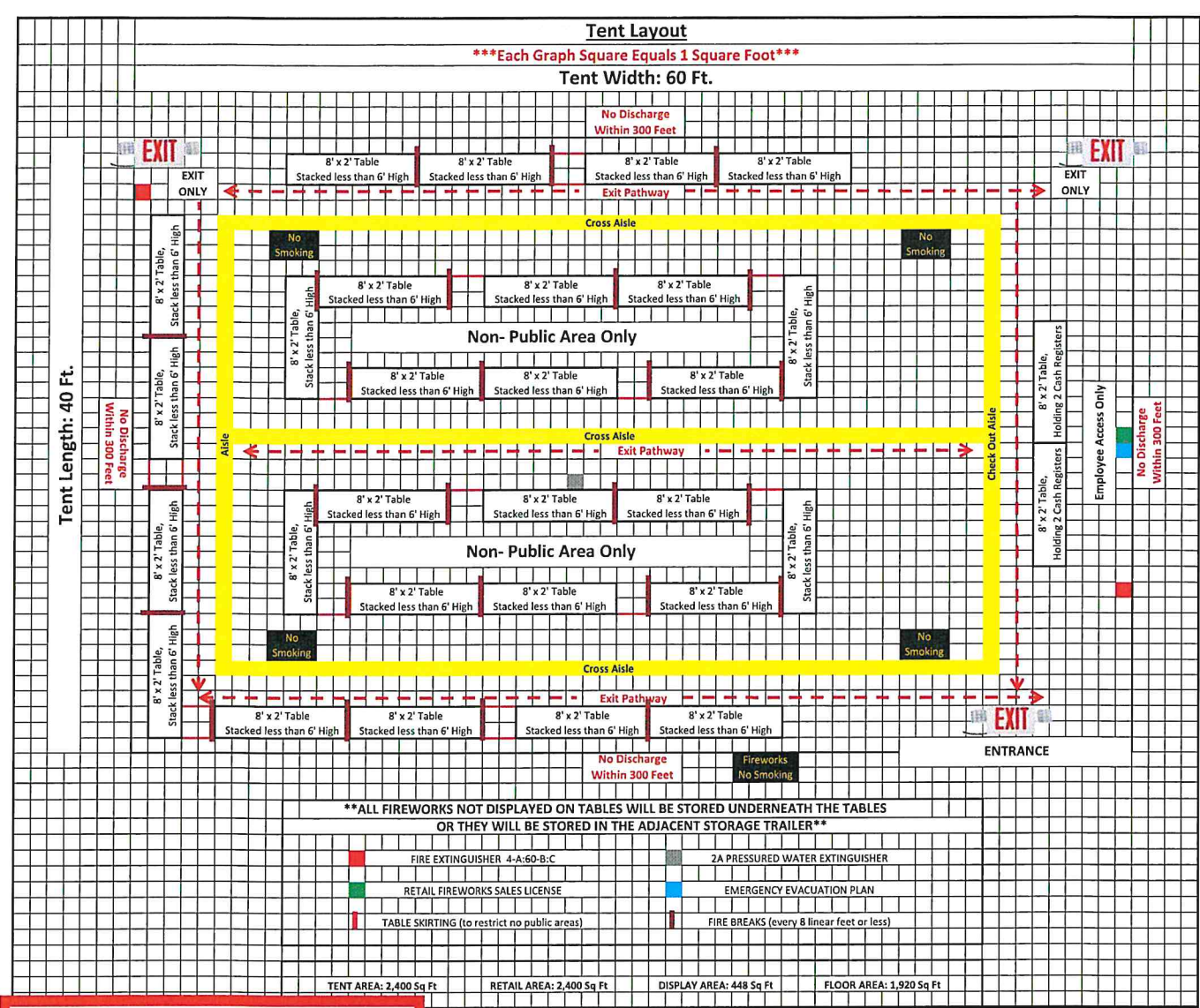




4552 N Woodlawn Blvd  
Bel Aire, KS 67220







**Reviewed for compliance  
with 2006 NFPA 1124 by:**

**Michael  
Loew**

Digitally signed by  
Michael Loew  
Date: 2022.02.07  
10:00:19 -06'00'

**Iowa Dept. of Public Safety  
State Fire Marshal Division**



## CITY OF BEL AIRE



## APPLICATION FOR RETAIL SALES OF FIREWORKS

Date of Application:

2/14/22

Square footage of Structure:

1800 SQ FT

**Dates of Operation:** June 27 through July 4 of the same year as date of application

Fireworks may be sold from **8:00 a.m. – 10:00 p.m. only**

Permit fees are \$2,500 for structures of 2,500 square feet & under. Structures in excess of 2,500 square feet shall be \$1.00 per square foot.

## OFFICE USE ONLY

APPLICATION REVIEWED AND:

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_

Permit Fee: \$2,500 Receipt # 615511County Application ✓

Permit # \_\_\_\_\_

Acceptance/Denial Letter Date: \_\_\_\_\_

All Applications must be accompanied with:

- ✓ 1) permit fee \$2500.00
- ✓ 2) a copy of Sedgwick Co. Fire Dept. tent application (if applicable)
- ✓ 3) Site diagram (including all signage)
- ✓ 4) Insurance certificate(s) including:

-General comprehensive liability insurance, minimum coverage of \$500,000 per occurrence, with the City of Bel Aire, Kansas, named as an additional insured; AND

-Product liability insurance, minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor

LOCATION REQUESTED:

4501 N. OLIVER

APPLICANT NAME:

SHOCKER FIREWORKS LLC

ORGANIZATION/BUSINESS

HEIGHTS DANCE TEAM (WAS BELAIRE 4H)

ADDRESS:

4401 WESTLAKE CT. BEL AIRE KS 67220

NAME &amp; PHONE NUMBER OF RESPONSIBLE PARTY

304-6540

KS STATE SALES TAX #

004-010927972 F-02

EMAIL ADDRESS

dfrasco2624@gmail.com

SIGNATURE OF RESPONSIBLE PARTY

Dennis Frasco

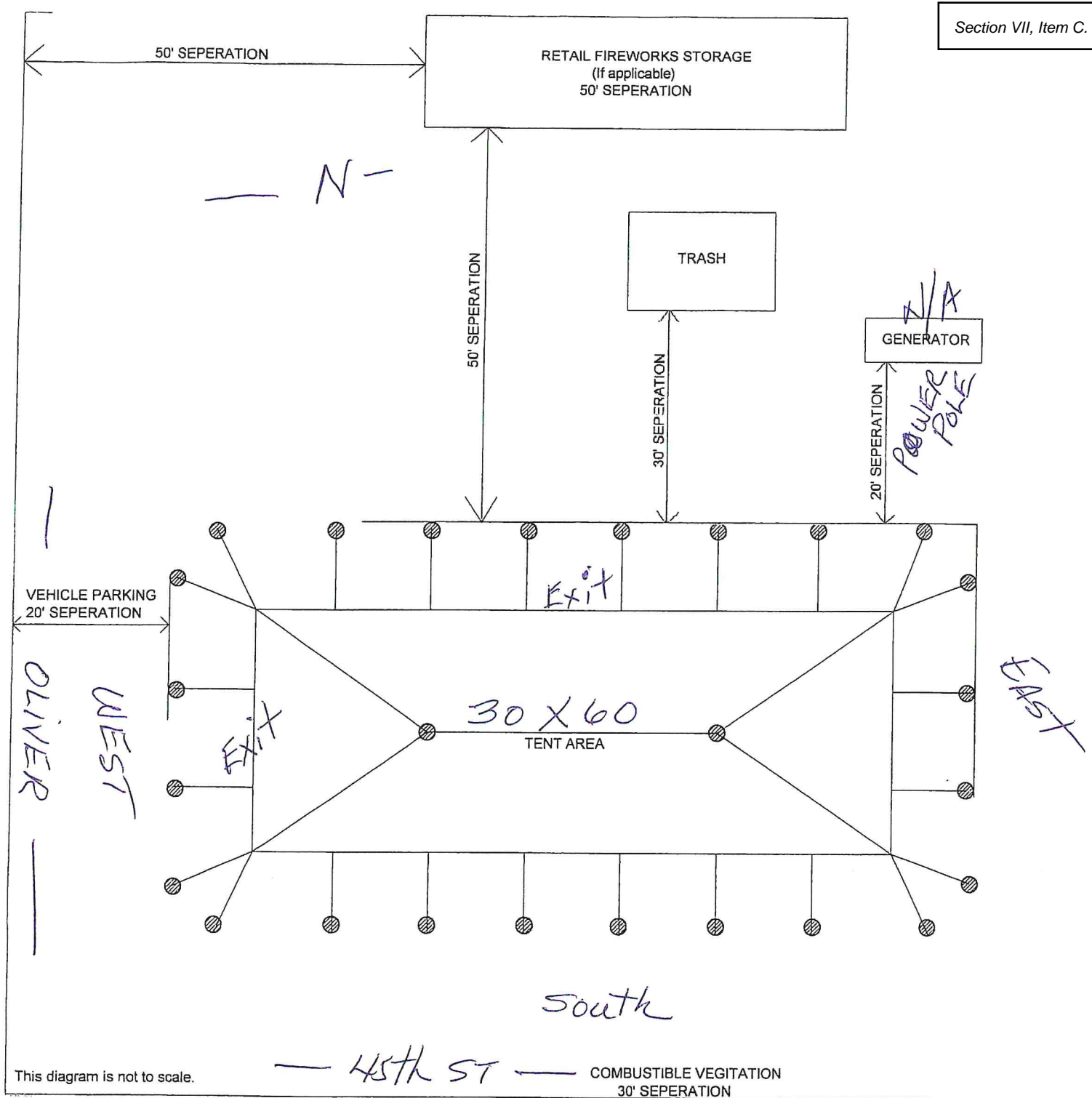
DATE

2/14/22

APPROVED BY THE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CITY CLERK

CODE ENFORCEMENT OFFICER



NO SIGNAGE - Except Tent + Logo  
THIS IS AN EXAMPLE OF A SITE PLAN & THE REQUIRED DISTANCES FOR TENTS.  
SUPPORT ROPES & GUY WIRES ARE CONSIDERED TO BE PART OF THE TENT.  
- BLACK CAT -

A complete list of the code requirements can be found in the  
2018 International Fire Code, Chapter 31





# CITY OF BEL AIRE



## APPLICATION FOR RETAIL SALES OF FIREWORKS

Date of Application: 1/26/22

Square footage of Structure: 2500

**Dates of Operation:** June 27 through July 4 of the same year as date of application

Fireworks may be sold from **8:00 a.m. – 10:00 p.m. only**

Permit fees are \$2,500 for structures of 2,500 square feet & under. Structures in excess of 2,500 square feet shall be \$1.00 per square foot.

**OFFICE USE ONLY**

**APPLICATION REVIEWED AND:**

**APPROVED** \_\_\_\_\_ **DENIED** \_\_\_\_\_

Permit Fee: \$2500 Receipt # 615514

County Application ✓

Permit # \_\_\_\_\_

Acceptance/Denial Letter Date: \_\_\_\_\_

All Applications must be accompanied with:

- ✓ 1) permit fee
- ✓ 2) a copy of Sedgwick Co. Fire Dept. tent application
- ✓ 3) Insurance certificate(s) including:
  - ✓ -General comprehensive liability insurance, minimum coverage of \$500,000 per occurrence, with the City of Bel Aire, Kansas, named as an additional insured; AND
  - Product liability insurance, minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor
- ✓ site diagram

APPLICATION IS MADE BY: ☐ Individual ☐ Partnership ☒ Corporation ☐ Non-profit

LOCATION REQUESTED: 9745 East 50th Street North Bel Aire, Kansas 67226

LOCAL SPONSOR: \_\_\_\_\_

ORGANIZATION/BUSINESS Waz Up Fireworks, LLC

ADDRESS: 9745 East 50th Street North Bel Aire, Kansas 67226

NAME & PHONE NUMBER OF RESPONSIBLE PARTY Michael Wawrzewski 316 204 4677

KS STATE SALES TAX # 004-861844892-F01

EMAIL ADDRESS mike@clinicinacan.org

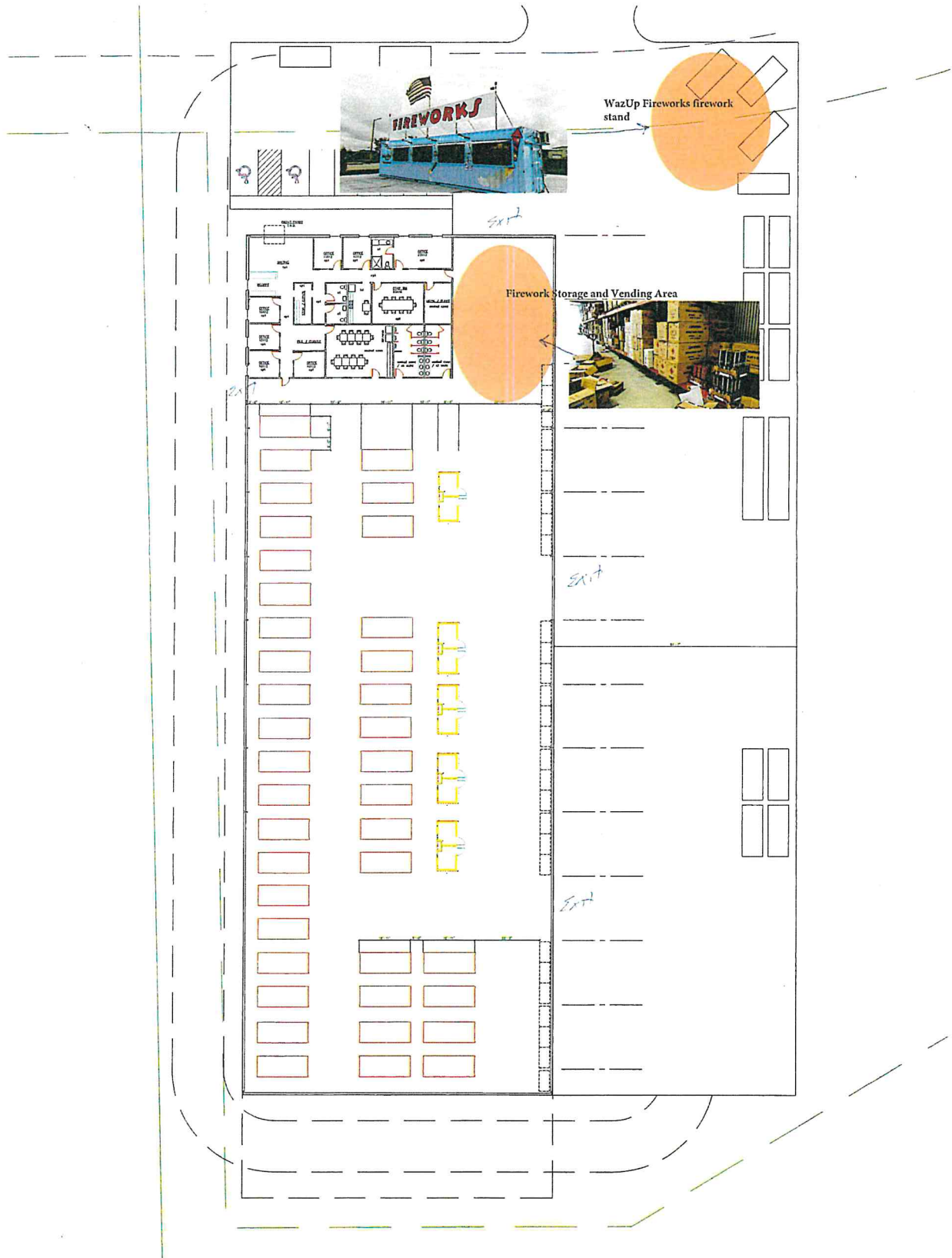
SIGNATURE OF RESPONSIBLE PARTY [Signature] DATE 1/26/22

APPROVED BY THE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

[Signature] CITY CLERK [Signature] CODE ENFORCEMENT OFFICER

*need such detail for approval w permit*

Waz Up Fireworks  
9754 East 50th Street North  
Bel Air KS 67226



**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 2/3/22

PERMIT NUMBER \_\_\_\_\_

NEW, REPLACEMENT, TEMPORARY (CIRCLE ONE)

RECEIPT NUMBER \_\_\_\_\_

ADDRESS OF PROJECT corner of 50th street and web road just west of our new facility which is 9745 East 50th Street North Bel Aire, Kansas 67226.

B. LEGAL DESCRIPTION: Lot	Block	Addition	Qtr	Sec	Twp	Range
ZONING _____ SQUARE FOOTAGE OF SIGN 8 X 10ft = 80 sq feet						

SKETCH OF PROPOSAL - SHOW IN SPACE BELOW

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

☐ LOT DIMENSIONS

☐ OTHER STRUCTURES, CONCRETE DRIVES, TREES, OTHER SIGNS, ETC.



NO. SIGNS	<u>1 sign</u>	@ \$50.00	\$ _____
ELECTRICAL	_____	@ \$50.00	\$ _____
BUILDING PERMIT	_____	@ BASED ON VALUE	\$ _____

VALUE OF PROJECT \$ \_\_\_\_\_

APPROVED BY \_\_\_\_\_ TOTAL FEE \$ \_\_\_\_\_

CONTRACTOR	<u>Clinic In A Can, LLC</u>	BEL AIRE LICENSE # _____
Phone Number	<u>316 204 4677</u>	FAX _____
Mailing Address	<u>9745 East 50th Street North Bel Aire, Kansas 67226</u>	
Signature	<u>Michael Joseph Wawrzewski III</u>	<u>2/3/22</u>

12/02/2009

Address 9745 East 50th Street N. Name Waz up Fireworks, LLC



# CITY OF BEL AIRE



## APPLICATION FOR RETAIL SALES OF FIREWORKS

Date of Application: 2-9-22

Square footage of Structure: 6500

**OFFICE USE ONLY**

**APPLICATION REVIEWED AND:**

**APPROVED** \_\_\_\_\_ **DENIED** \_\_\_\_\_

Permit Fee: \$2,500 Receipt # 615511

County Application ✓

Permit # \_\_\_\_\_

Acceptance/Denial Letter Date: \_\_\_\_\_

**Dates of Operation:** June 27 through July 4 of the same year as date of application

Fireworks may be sold from **8:00 a.m. – 10:00 p.m. only**

Permit fees are \$2,500 for structures of 2,500 square feet & under. Structures in excess of 2,500 square feet shall be \$1.00 per square foot.

All Applications must be accompanied with:

- ✓ 1) permit fee
- N/A ✓ 2) a copy of Sedgwick Co. Fire Dept. tent application (if applicable)
- ✓ 3) Site diagram (including all signage)
- ✓ 4) Insurance certificate(s) including:
  - General comprehensive liability insurance, minimum coverage of \$500,000 per occurrence, with the City of Bel Aire, Kansas, named as an additional insured; AND
  - Product liability insurance, minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor

LOCATION REQUESTED: 6334 E Crestmark Bel Aire Kansas

APPLICANT NAME: Jacob Marietta

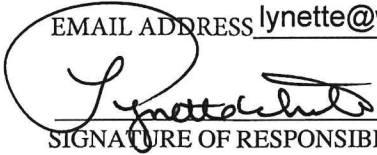
ORGANIZATION/BUSINESS Wholesale Fireworks Enterprises, LLC

ADDRESS: PO Box 780604 Wichita, KS 67278

NAME & PHONE NUMBER OF RESPONSIBLE PARTY Jacob Marietta 316-305-8107 Lynette White 316-200-8350

KS STATE SALES TAX # 004-204183606F-01

EMAIL ADDRESS lynette@wholesalefireworks.com

  
SIGNATURE OF RESPONSIBLE PARTY

2-9-22  
DATE

APPROVED BY THE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

need sign detail to be approved w permit

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
CODE ENFORCEMENT OFFICER





Bob Inflatable Man - 1



Feathered Flags – 10



Staked Ground Signs - 15

Portable LED Sign -1



# CLAIMS REPORT

Vendor Checks: 2/09/2022- 2/21/2022

Payroll Checks: 2/09/2022- 2/21/2022

Section VIII, Item A.

AP ORD 22-04

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK#	CHECK DATE
GENERAL					
STRUNK PUBLISHING, LLC	BREEZE AD;LEGAL PUBLICATIONS		736.16	67549	2/15/22
BEL AIRE CHAMBER OF COMMERCE	2022 FUNDING CONTRIBUTION		20,000.00	67547	2/11/22
CINTAS CORPORATION	PD MAT RENTAL	98.29		1279743	2/09/22
CINTAS CORPORATION	PD MAT RENTAL	98.29		1279744	2/09/22
CINTAS CORPORATION	MAINT SHOP TOWELS	41.93		1279745	2/09/22
CINTAS CORPORATION	PD MAT RENTAL	98.29		1279746	2/09/22
CINTAS CORPORATION	PD MAT RENTAL	98.29		1279747	2/09/22
CINTAS CORPORATION	PD MAT RENTAL	98.29	533.38	1279748	2/09/22
CINTAS CORPORATION NO. 2	PD:RESTOCK FIRST AID	228.86		1279741	2/09/22
CINTAS CORPORATION NO. 2	PW:RESTOCK FIRST AID	50.51	279.37	1279742	2/09/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		815.99	1279780	2/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		79.15	1279782	2/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		194.64	1279781	2/16/22
DELL MARKETING L.P.	PZ PRINTERS x2		704.68	67554	2/15/22
EMPOWER RETIREMENT 457	EMP VLNTRY 457		250.00	1279773	2/16/22
FICA/FEDERAL W/H	FED/FICA TAX		15,256.61	1279769	2/16/22
HIGH TOUCH HOLDINGS INC	2022 HR WEBSITE SVC		1,200.00	67556	2/15/22
HOLLOW METAL DOOR COMPANY	REPLACE DOOR LOCK		209.00	67557	2/15/22
IDEATEK TELECOM	02/22 HOSTED PHONE SERV	570.93		1279784	2/10/22
IDEATEK TELECOM	01/22 HOSTED PHONE SERV	570.93	1,141.86	1279785	2/10/22
THE IMA FINANCIAL GROUP, INC	HEALTH BENEFITS ADMIN 2021 INV	833.00		1279786	2/15/22
THE IMA FINANCIAL GROUP, INC	HEALTH BENEFITS ADMIN MAR #6	833.00	1,666.00	1279787	2/18/22
KANSAS DEPT OF REVENUE	STATE TAX		2,539.76	1279772	2/16/22
K P E R S	KPERS 2		9,789.38	1279771	2/16/22
MOORE WATER TREATMENT	01/22 WATER SERVICE		51.30	67563	2/15/22
SPORTS ENGINE	BACKGROUND CHECKS		17.50	67564	2/15/22
ONE SOURCE PRODUCTS	REC DOOR REPAIRS		260.50	67548	2/11/22
ONESOURCE TECHNOLOGY, INC	COMPUTER PZ	1,205.00		67565	2/15/22
ONESOURCE TECHNOLOGY, INC	PC: CONFERENCE RM	912.88	2,117.88	1279793	2/21/22
O'REILLY AUTOMOTIVE, INC	AUTO REPAIRS/SUPPLIES	34.13		1279757	2/09/22
O'REILLY AUTOMOTIVE, INC	AUTO REPAIRS/SUPPLIES	29.35		1279758	2/09/22
O'REILLY AUTOMOTIVE, INC	AUTO REPAIRS/SUPPLIES	146.99		1279759	2/09/22
O'REILLY AUTOMOTIVE, INC	AUTO REPAIRS/SUPPLIES	103.04	313.51	1279761	2/09/22
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	530.52		1279795	2/11/22
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	306.94	837.46	1279796	2/18/22
SEDGWICK CO DEPT OF FINANCE	01/22 PRISONER HOUSING FEES		644.28	67566	2/15/22
RASHELL D LASHBROOK	03/22 JANITORIAL SVC:CH		2,618.19	67567	2/15/22
SUMNER GROUP INC	KS2502 COPIER PURCHASE		1,194.48	67568	2/15/22
TSYS MERCHANT SOLUTIONS	CREDIT CARD PROCESSING FEES		4,965.87	1279765	2/09/22
UNDERGROUND VAULTS & STORAGE	DOCUMENT SHREDDING		120.00	67570	2/15/22
ICMA RETIREMENT 304804	CITY MGR 457		986.53	1279770	2/16/22
WASTE CONNECTIONS OF KANSAS	TRASH DISPOSAL SVC:MAINT SHOP		41.38	1279799	2/10/22
WEX BANK	FUEL		2,393.78	1279801	2/18/22
			-----		
	01 GENERAL TOTAL		71,958.64		
WATER UTILITY					
BANK OF NEW YORK MELLON TRUST	02/22 WATER DEBT SVC	48,152.53		1279775	2/15/22
BANK OF NEW YORK MELLON TRUST	541071:02/22 O&M WATER	37,421.69	85,574.22	1279777	2/15/22
CHISHOLM CREEK UTILITY AUTH.	02/22 CUA CONTINGENCY		3,000.00	67551	2/15/22
CINTAS CORPORATION	MAINT SHOP TOWELS		41.92	1279745	2/09/22
CINTAS CORPORATION NO. 2	PW:RESTOCK FIRST AID		50.51	1279742	2/09/22

# CLAIMS REPORT

Vendor Checks: 2/09/2022- 2/21/2022

Payroll Checks: 2/09/2022- 2/21/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
CITY OF BEL AIRE	CRYER/BELAIRE STORAGE BUS LIC		50.00	67546	2/09/22
CORE & MAIN LP	WATER METER SUPPLIES	1,110.00		1279749	2/09/22
CORE & MAIN LP	WATER METER SUPPLIES	1,165.80		1279750	2/09/22
CORE & MAIN LP	WATER METERS SUPPLIES	1,710.00		1279751	2/09/22
CORE & MAIN LP	WATER METER SUPPLIES	2,174.47	6,160.27	1279752	2/09/22
COX COMMUNICATIONS, INC	I.T.BACKUP:WATER TOWER		77.48	1279779	2/14/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		55.64	1279780	2/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		94.98	1279782	2/16/22
FICA/FEDERAL W/H	FED/FICA TAX		2,451.85	1279769	2/16/22
FOULSTON CONSTRUCTION LLC	REIMBURSE UTILITY SOLUTIONS EX		555.00	67555	2/15/22
IDEATEK TELECOM	02/22 HOSTED PHONE SERV	21.55		1279784	2/10/22
IDEATEK TELECOM	01/22 HOSTED PHONE SERV	21.55	43.10	1279785	2/10/22
KANSAS ONE-CALL SYSTEM, INC.	LOCATE FEES:449 FOR 01/22		269.40	67558	2/15/22
KANSAS DEPT OF REVENUE	STATE TAX		432.33	1279772	2/16/22
K P E R S	KPERS TIER 3		1,443.18	1279771	2/16/22
LINSTAR INC	ID CARDS:PW		12.80	67561	2/15/22
ONESOURCE TECHNOLOGY, INC	PC: UB SPECIALIST		656.93	1279793	2/21/22
O'REILLY AUTOMOTIVE, INC	AUTO REPAIRS/SUPPLIES		68.59	1279762	2/09/22
POSTMASTER	02/22 POSTAGE:UTILITY BILLS		418.10	67571	2/16/22
PUBLIC WORKS & UTILITIES	5,449,500 GAL:12/23-01/26/22		24,781.33	1279797	2/14/22
RASHELL D LASHBROOK	03/22 JANITORIAL SVC:PW		103.22	67567	2/15/22
WASTE CONNECTIONS OF KANSAS	TRASH DISPOSAL SVC:MAINT SHOP		42.64	1279799	2/10/22
WEX BANK	FUEL		77.13	1279801	2/18/22
02 WATER UTILITY TOTAL			126,460.62		
SEWER UTILITY					
BANK OF NEW YORK MELLON TRUST	02/22 WASTEWATER DEBT SVC	60,746.55		1279776	2/15/22
BANK OF NEW YORK MELLON TRUST	541071:02/22 O&M WASTEWATER	22,104.59	82,851.14	1279778	2/15/22
CHISHOLM CREEK UTILITY AUTH.	02/22 CUA CONTINGENCY		2,820.00	67551	2/15/22
CINTAS CORPORATION	MAINT SHOP TOWELS		41.92	1279745	2/09/22
CINTAS CORPORATION NO. 2	PW:RESTOCK FIRST AID		50.51	1279742	2/09/22
CITY PRINT INC	SEWER CLEANING DOOR HANGERS		62.50	67552	2/15/22
CORE & MAIN LP	WATER METER SUPPLIES	1,110.00		1279749	2/09/22
CORE & MAIN LP	WATER METER SUPPLIES	1,165.80		1279750	2/09/22
CORE & MAIN LP	WATER METER SUPPLIES	1,792.98		1279751	2/09/22
CORE & MAIN LP	WATER METER SUPPLIES	2,174.46	6,243.24	1279752	2/09/22
COX COMMUNICATIONS, INC	I.T.BACKUP:WATER TOWER		77.47	1279779	2/14/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		55.64	1279780	2/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		94.98	1279782	2/16/22
EMPOWER RETIREMENT 457	EMP VLNTRY 457		200.00	1279773	2/16/22
FICA/FEDERAL W/H	FED/FICA TAX		2,271.23	1279769	2/16/22
IDEATEK TELECOM	02/22 HOSTED PHONE SERV	21.72		1279784	2/10/22
IDEATEK TELECOM	01/22 HOSTED PHONE SERV	21.72	43.44	1279785	2/10/22
KANSAS ONE-CALL SYSTEM, INC.	LOCATE FEES:449 FOR 01/22		269.40	67558	2/15/22
KS DEPT HEALTH / ENVIRONMENT	C20 1959-01:SEWER LOAN DEBT SV		15,844.72	67560	2/15/22
KANSAS DEPT OF REVENUE	STATE TAX		372.94	1279772	2/16/22
K P E R S	KPERS TIER 3		1,474.31	1279771	2/16/22
ONESOURCE TECHNOLOGY, INC	PC: UB SPECIALIST		656.94	1279793	2/21/22
O'REILLY AUTOMOTIVE, INC	AUTO REPAIRS/SUPPLIES		43.11	1279760	2/09/22
POSTMASTER	02/22 POSTAGE:UTILITY BILLS		418.10	67571	2/16/22
RASHELL D LASHBROOK	03/22 JANITORIAL SVC:PW		103.19	67567	2/15/22
WASTE CONNECTIONS OF KANSAS	TRASH DISPOSAL SVC:MAINT SHOP		41.38	1279799	2/10/22



# CLAIMS REPORT

Vendor Checks: 2/09/2022- 2/21/2022

Payroll Checks: 2/09/2022- 2/21/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	03 SEWER UTILITY TOTAL		114,036.16		
SPECIAL STREET & HIWAY					
CINTAS CORPORATION	MAINT SHOP TOWELS	41.92	1279745	2/09/22	
CINTAS CORPORATION NO. 2	PW:RESTOCK FIRST AID	50.49	1279742	2/09/22	
CORNEJO & SONS, LLC	104.28TN SALT/SAND	17,898.20	67553	2/15/22	
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC	47.48	1279782	2/16/22	
EVERGY KANSAS CENTRAL INC	ELEC SVC:STREET LIGHTING	7,460.92	1279783	2/16/22	
FICA/FEDERAL W/H	FED/FICA TAX	464.89	1279769	2/16/22	
KANSAS DEPT OF REVENUE	STATE TAX	65.41	1279772	2/16/22	
K P E R S	KPERS	335.10	1279771	2/16/22	
WEX BANK	FUEL	873.82	1279801	2/18/22	
	04 SPECIAL STREET & HIWAY TOTAL		27,238.23		
EQUIPMENT RESERVE					
CDW LLC	PD LAPTOP MEMORY/VGA x8	3,552.80	67550	2/15/22	
TRAFFIC CONTROL SERVICES, INC.	PD VEHICLE EQUIPMENT #37	14,537.09	67569	2/15/22	
	06 EQUIPMENT RESERVE TOTAL		18,089.89		
LAND BANK FUND					
STRUNK PUBLISHING, LLC	BREEZE AD;LEGAL PUBLICATIONS	64.48	67549	2/15/22	
	10 LAND BANK FUND TOTAL		64.48		
SOLID WASTE UTILITY					
WASTE CONNECTIONS OF KANSAS	01/22 RECYCLE OR TRASH SVC	36,621.65	1279800	2/10/22	
	12 SOLID WASTE UTILITY TOTAL		36,621.65		
CAPITAL PROJECTS #2 FUND					
CONSPEC INC	ROCK SPR 3RD:PH2 SWD	352,368.81	67559	2/15/22	
MCCULLOUGH EXCAVATION, INC.	ROCK SPR 4TH:AD SWD/WDS/SS	309,773.39	67562	2/15/22	
UNION PACIFIC RAILROAD COMPANY	WOODLAWN R/R PRJT:0772984	65,000.00	1279798	2/09/22	
	33 CAPITAL PROJECTS #2 FUND TOTAL		727,142.20		
	Accounts Payable Total		1,121,611.87		
Payroll Checks					
	01 GENERAL	48,855.61			
	02 WATER UTILITY	6,600.08			
	03 SEWER UTILITY	6,918.09			
	04 SPECIAL STREET & HIWAY	1,531.50			
	Total Paid On: 2/16/22		63,905.28		

**CLAIMS REPORT**  
Vendor Checks: 2/09/2022- 2/21/2022

Payroll Checks: 2/09/2022- 2/21/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK#	CHECK DATE
	Total Payroll Paid		63,905.28		
	Report Total		1,185,517.15		

*[Handwritten Signature]*  
2/21/22

# KANSAS TRAFFIC ENGINEERING ASSISTANCE PROGRAM

## INTERSECTION ANALYSES

Woodlawn Boulevard and 53rd Street North  
Rock Road and 53rd Street North

Prepared for  
CITY OF BEL AIRE

By



August 2021



2400 Pershing Road  
Suite 400  
Kansas City, MO 64108  
Tel 816 329 8600  
Fax 816 329 8601  
[www.transystems.com](http://www.transystems.com)

August 31, 2021

Ms. Anne Stephens, PE  
Public Works Director/City Engineer  
7651 E. Central Park Avenue  
Bel Aire, KS 67226

**Re: Intersection Analyses  
Woodlawn Boulevard and 53rd Street North  
Rock Road and 53rd Street North**

Dear Ms. Stephens:


In accordance with your request, TranSystems has prepared the following analyses for the above noted intersections in Bel Aire, Kansas. In general, the focus of the analyses was to review the existing conditions at these locations and evaluate the need for intersection control modifications to enhance safety. Our data collection efforts, results, and recommendations are summarized in the attached report.

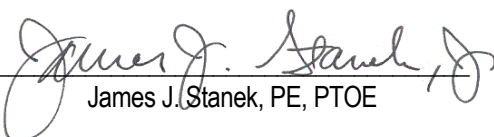
We trust that this study has adequately addressed the concerns of the city. The Kansas Department of Transportation is interested in learning whether this study proves to be useful to you and whether the recommendations will be or have been implemented. A questionnaire for the county's use has been included in the Appendix (Page A-24). Please send any comments to the Bureau of Local Projects by using the postage-paid, return envelope included with this report; or, you can e-mail it to them at [KDOT.LPePlans@ks.gov](mailto:KDOT.LPePlans@ks.gov)

We have appreciated this opportunity to be of service to the Kansas Department of Transportation and the City of Bel Aire. We will be available to review this study with you at your convenience.

Sincerely,

**TranSystems**

By:   
Chris Roberts, PE

By:   
James J. Stanek, PE, PTOE

JJS:CSR:P101210079

## Introduction

TranSystems Corporation has prepared the following intersection analyses for two (2) intersections in Bel Aire, Kansas: Woodlawn Boulevard and 53rd Street North; and, Rock Road and 53rd Street North. In general, the focus of the analyses was to review the existing conditions at these locations and evaluate the need for intersection control modifications to enhance safety. A map showing the location of the study intersections and the surrounding area is shown on Figure 1. The study was requested by Ms. Anne Stephens, PE, Bel Aire Public Works Director/City Engineer, under the Traffic Engineering Assistance Program (TEAP), administered by the Kansas Department of Transportation (KDOT).

## Study Purpose

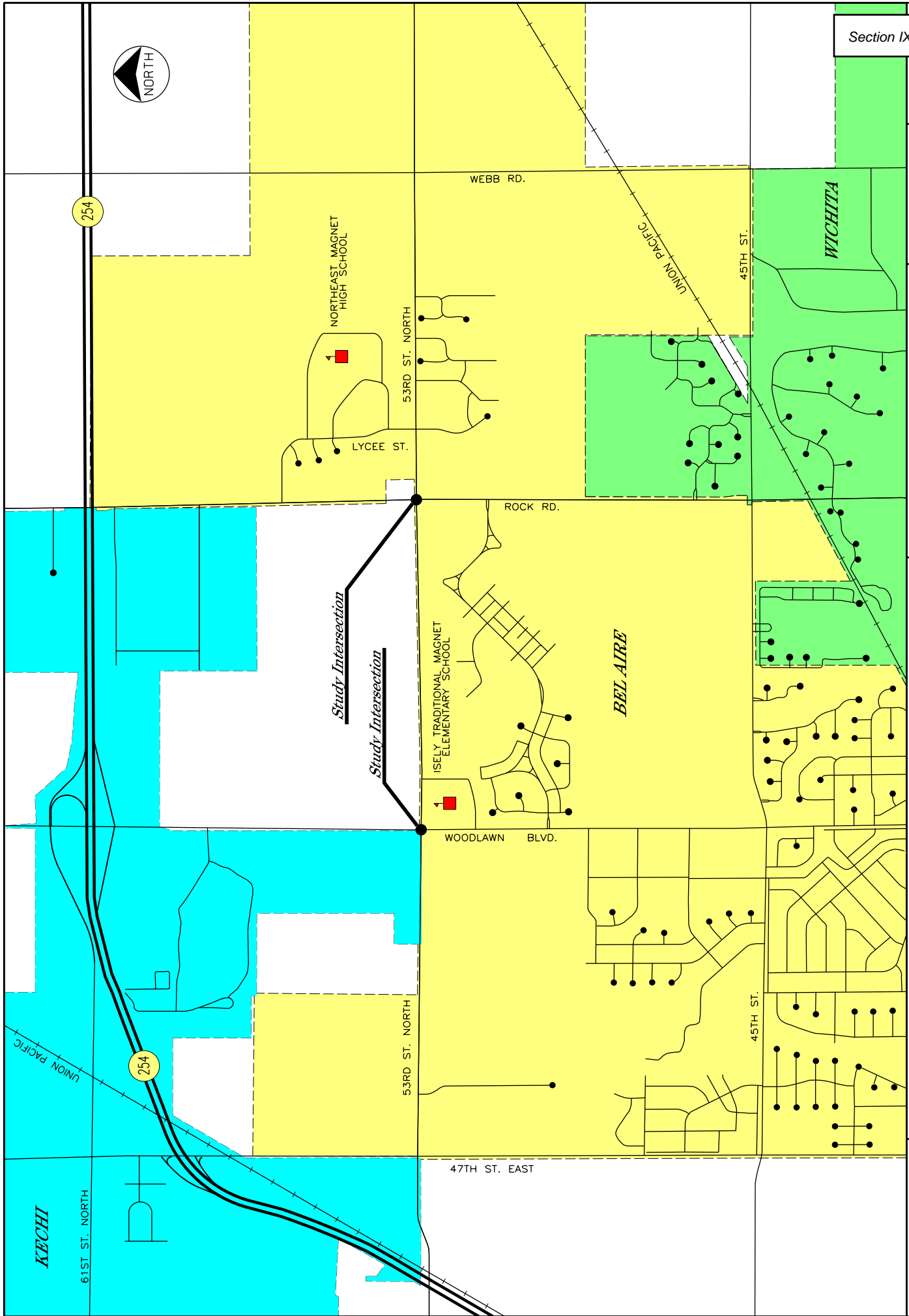
Woodlawn Boulevard, Rock Road and 53rd Street North are section line arterial roadways that form part of the major road system in Bel Aire and the surrounding area. Woodlawn Boulevard and Rock Road are north/south routes while 53rd Street North follows an east/west alignment. Each road has a two-lane rural type cross section (no curb & gutter), and left-turn lanes are provided on the east legs of the study intersections (north/south traffic is uninterrupted). Both of the intersections operate under two-way stop control, with drivers on 53rd Street North required to stop. The intersections are located in a somewhat rural setting on the north side of Bel Aire. While there are some neighborhoods in the vicinity, the land near the intersections is mostly undeveloped. Both intersections are located near schools and experience school related traffic patterns. Isely Traditional Magnet Elementary School is located in the southeast quadrant of the Woodlawn Boulevard and 53rd Street North intersection, with driveways located on both roads. Northeast Magnet High School is located northeast of the Rock Road and 53rd Street North intersection and is accessed via Lycee Street.

Due to an increase in crashes in recent years, the city has expressed safety concerns given the higher speed traffic on the uncontrolled approaches of the intersections and their proximity to the nearby schools. The city has suggested that crashes occur for a variety of reasons, such as drivers violating the stop sign control, offset through lane approaches, or sight distance limitations. The city has requested a review of the existing traffic patterns and intersection conditions to determine whether geometric modifications or other improvements should be considered to enhance safety and operations. They have also asked whether the speed limit on Rock Road between 53rd Street North and Lycee Street should be reduced from 55 m.p.h. to 45 m.p.h. Recommendations could include changes to the existing intersection control, geometric improvements, or modifications to the existing signing and pavement markings.

## Scope of Study

The following program was developed to complete the analyses:

1. Obtain 24-hour traffic volume counts on the study intersection approaches over a typical weekday using machine traffic volume counters.
2. Conduct manual traffic volume counts at the study intersections during typical weekday morning and afternoon peak periods.
3. Conduct spot speed studies on each of the study intersection approaches.
4. Review intersection sight distances at both intersections based on criteria identified in *A Policy on Geometric Design of Highways and Streets* (2018 Edition, also referred to as the AASHTO Green Book) published by the American Association of State Highway and Transportation Officials (AASHTO).
5. Review recent crash experience for the study intersections.
6. Analyze the data that were collected to address specific concerns expressed by the city at each intersection. Assess whether other measures, such as geometric modifications, sight line improvements or changes to the existing traffic control devices may be appropriate to address identified or observed deficiencies.
7. Prepare a report documenting our data collection, analyses and recommendations.



Section IX, Item A.

Figure

August 2021

No Scale

Intersection Analyses

Bel Aire, Kansas

LOCATION MAP

an Systems

## Data Collection

Data collection for this study and the methods used in its collection conform to current *Manual on Uniform Traffic Control Devices* (MUTCD) guidelines and recognized traffic engineering data collection procedures of the Institute of Transportation Engineers (ITE). The MUTCD is the Federal Highway Administration (FHWA) reference adopted as the standard governing the use of traffic control devices in the State of Kansas.

### Intersection Characteristics

An aerial image of the study area has been included in the Appendix (Figure A-1). Some pertinent characteristics of the intersections recorded at the time of the site investigation are listed below.

#### Woodlawn Boulevard and 53rd Street North

- Woodlawn Boulevard has 12-foot lanes and approximately five (5) feet of paved shoulder in both directions, while 53rd Street North has 10-foot lanes and approximately one (1) foot of paved shoulder in both directions. In advance of the intersection, the east leg of 53rd Street North is widened to add a left-turn lane. Since there is no left-turn lane on the west leg, the through lanes for eastbound drivers are offset by approximately ten (10) feet.
- The horizontal and vertical alignments of both roads can generally be characterized as straight and level. The intersection area is relatively flat and free of fixed objects. Foreslopes along the intersection approaches are fairly mild, though steeper slopes exist along the west leg of the intersection.

USE RESTRICTED 23 USC 409

- Both roadways are marked with center lines and edge lines. A stop line is in place on the east leg, but not the west leg. At the time of data collection (March of 2021), the stop line and left-turn lane markings on the east leg were mostly faded. The Stop (MUTCD No. R1-1) signs currently in use on 53rd Street North have a 30" x 30" size for single-lane conventional roads. A Stop Ahead (MUTCD No. W3-1, 30" x 30" size) sign is posted for both stopped approaches. The posted speed limit on Woodlawn Boulevard is 55 m.p.h. north of the intersection, and 40 m.p.h. south of the intersection. The posted speed limit on both 53rd Street North intersection approaches is 40 m.p.h. Neither road has a reduced school speed limit zone. All signs were found to be in good condition.

- There are two (2) driveways for the elementary school near the intersection; one is located 500 feet south of the intersection on Woodlawn Boulevard, and the other is located 750 feet to the east on 53rd Street North. Based on the school layout, it appeared that the main access to the school is via Woodlawn Boulevard.
- Continuous lighting is provided on the south and east intersection approaches, and a single luminaire is located on the northeast corner of the intersection.

#### Rock Road and 53rd Street North

- The characteristics of the Rock Road and 53rd Street North intersection are generally similar to those of the Woodlawn Boulevard and 53rd Street North intersection. Rock Road has 12-foot lanes and approximately three (3) feet of mild turf shoulder in both directions, while 53rd Street North has 10-foot lanes and approximately one (1) foot of paved shoulder in both directions. In advance of the intersection, the east leg of 53rd Street North is widened to add a left-turn lane. Since there is no left-turn lane on the west leg, the through lanes for eastbound drivers are offset by approximately ten (10) feet.
- The horizontal and vertical alignments of both roads can generally be characterized as straight and level. The intersection area is relatively flat and free of fixed objects. There are a few utility poles near the intersection, but they are located approximately 30 feet from the Rock Road edge of travel. Foreslopes at the intersection are fairly mild.

USE RESTRICTED 23 USC 409

- Both roadways are marked with center lines and edge lines. A stop line is in place on the east leg, but not the west leg. At the time of data collection (March of 2021), the center line markings on the west leg were mostly faded. The Stop (MUTCD No. R1-1) signs currently in use on 53rd Street North have a 30" x 30" size for single lane conventional roads. A "Cross Traffic Does Not Stop" (MUTCD No. W4-4P, 24" x 12" size) sign is posted below each stop sign, and a Stop Ahead (MUTCD No. W3-1, 30" x 30" size) sign is posted for both stopped approaches as well. The posted speed on Rock Road is 55 m.p.h north of the intersection, and 45 m.p.h. south of the intersection. The posted speed limit on both 53rd Street North intersection approaches is 40 m.p.h. All signs were found to be in good condition.



- There are three (3) driveways in the vicinity, located approximately 200, 300 and 450 feet east of the intersection. The nearest driveway is for a medical office, while the other two form a loop driveway for a residence.
- Continuous street lighting is provided along all intersection approaches, and a luminaire is located on the northeast and southwest corners of the intersection.

### Machine Traffic Volume Counts

TranSystems placed machine traffic volume counters on each approach to the study intersections to determine 24-hour two-way traffic flow characteristics over a typical weekday. The counters were in place between Tuesday, March 30, 2021, and Thursday, April 1, 2021. The counts were tabulated in 15-minute intervals by direction of travel and are included in the Appendix (Pages A-2 to A-9). The 24-hour traffic volumes recorded at each of the counter locations are summarized below in Table 1.

**Table 1**  
**24-Hour Approach Volumes**

Location	Intersection Approach Volume				Total Volume
	NB	SB	EB	WB	
Woodlawn Boulevard and 53rd Street North	1,908	1,353	747	929	<b>4,937</b>
Rock Road and 53rd Street North	2,060	1,456	671	1,363	<b>5,550</b>

The 24-hour counts shown in Table 1 indicate moderate traffic volumes at the study intersections, with heavier volumes on the north/south routes. At Woodlawn Boulevard and 53rd Street North, north/south traffic accounts for 66 percent of the overall intersection volume, while at Rock Road and 53rd Street North, the north/south traffic accounts for 63 percent of the overall intersection volume. These findings support the current prioritization of north/south traffic at these two-way stop controlled intersections.

### Manual Traffic Volume Counts

TranSystems conducted manual traffic volume counts at the study intersections during typical weekday morning and afternoon peak periods. These data were collected on Wednesday, March 31, 2021. At Woodlawn Boulevard and 53rd Street North, count times were 7:00 A.M. to 9:00 A.M. and 3:00 P.M. to 6:00 P.M. At Rock Road and 53rd Street North, count times were 7:00 A.M. to 9:00 A.M. and 2:00 P.M. to 6:00 P.M. A longer afternoon count time at this intersection was used in order to capture traffic associated with high school dismissal which occurs at 2:10 P.M. The peak hours occurred between 7:15 A.M. and 8:15 A.M. for the morning peak at both intersections, but varied for the afternoon peak (3:45 P.M. to 4:45 P.M. at Woodlawn Boulevard and 53rd Street North, 4:30 P.M. to 5:30 P.M. at Rock Road and 53rd Street North). The turning movement volumes recorded during each of the intersection peak hours are shown in the Appendix (Figure A-10). Pertinent observations recorded at the time of our counts are summarized below:

#### Woodlawn Boulevard and 53rd Street North

- As shown on Figure A-10, traffic volumes during the morning peak hour were heavier on Woodlawn Boulevard, particularly for through traffic. North/south traffic accounted for roughly 65% of all entering vehicles during the peak hour. On the 53rd Street North approaches, about half of the traffic turned onto Woodlawn Boulevard, most of which traveled south towards the more developed areas of Bel Aire and the Wichita metro area. Fairly low volumes of traffic on Woodlawn Boulevard turned onto 53rd Street North during the morning peak time.
- Traffic patterns during the afternoon peak hour were generally similar to those in the morning peak hour, and north/south traffic on Woodlawn Boulevard accounted for roughly 70% of all entering vehicles during the peak hour. Through traffic on Woodlawn Boulevard accounted for the highest individual volumes, though there were over twice as many vehicles on Woodlawn Boulevard that turned onto 53rd Street North during the afternoon peak hour. One noticeable increase was for northbound drivers on Woodlawn Boulevard turning right onto eastbound 53rd Street North, an increase from 10 vehicles in the morning to 76 in the afternoon. The combined traffic volumes on the 53rd Street North approaches during the peak hours were nearly identical, 158 vehicles in the morning versus 162 in the afternoon.

- Minimal delay and vehicle queuing was observed on the 53rd Street North approaches during the count periods (no more than 2-3 vehicles typically), as drivers were able to find frequent gaps in traffic on Woodlawn Boulevard to depart the intersection. A few incomplete/rolling stops were observed at random times, but all drivers on 53rd Street North were observed to recognize and react to the stop control at the intersection.
- Some longer vehicle queues were observed on 53rd Street North between Woodlawn Boulevard and the elementary school entrance (~750' east of the intersection) both before and after school as parents arrived for student drop-off and pick-up. School traffic primarily circulates in a clockwise pattern, with drivers entering via 53rd Street North and exiting via Woodlawn Boulevard. Vehicles in the queue would sometimes come to a stop as traffic at the school entrance became congested, but overall these would form and dissipate over the course of about ten (10) minutes, and they did not impact operations at the intersection with Woodlawn Boulevard. Eastbound through traffic on 53rd Street North was generally minimal during this period, but a few drivers were observed driving in the left-turn lane for westbound traffic to bypass the slow/stopped vehicles. Conditions on the school site were not documented but may be contributing to these delays. Given the relatively short duration of this congestion, on site improvements should be considered initially before more extensive geometric improvements on 53rd Street North, such as construction of a right-turn auxiliary lane for the school drive.
- Minimal pedestrian/bicyclist activity was observed at the intersection. One (1) pedestrian was observed walking along Woodlawn Boulevard during the morning count period, and one (1) bicyclist was observed on Woodlawn Boulevard during the afternoon count period.

#### Rock Road and 53rd Street North

- As shown on Figure A-10, traffic volumes were fairly balanced between the two roads during the morning peak hour. Combined approach volumes on Rock Road totaled 210 vehicles (about 55% of all entering vehicles), compared to 175 vehicles on the 53rd Street North approaches. Through movements were the primary traffic pattern on most intersection approaches, but turning traffic accounted for a meaningful portion of the total volume, particularly on the east/west approaches. Traffic volumes on 53rd Street North between the Rock Road and Woodlawn Boulevard intersections were similar.
- During the afternoon peak hour, traffic traveling northbound on Rock Road approximately doubled compared to the morning peak hour (102 vehicles in the morning versus 206 in the afternoon), and north/south traffic on Rock Road accounted for roughly 60% of all entering vehicles during the peak hour. Increased volumes were also recorded on the southbound and westbound approaches, although they weren't as considerable. Since the afternoon peak hour at the intersection occurred over two (2) hours after dismissal at the nearby high school, the increase in total volume is likely due to commuter traffic.
- During the morning and afternoon peak hours, little delay and vehicle queuing was observed on the 53rd Street North approaches, with only 2 – 4 vehicles typically stopped at one time. Queuing increased immediately following dismissal at the high school, partially due to the presence of school buses in the queue which required longer gaps in traffic along Rock Road in order to cross or enter the traffic stream. Even so, the traffic queues dissipated relatively quickly and drivers did not experience excessive delay.
- During the manual traffic counts, it was observed that all drivers on 53rd Street North recognized and reacted to the stop at Rock Road, but many drivers on the east leg (westbound traffic) would stop beyond the stop line or come to an incomplete/rolling stop before proceeding through the intersection.
- There was no pedestrian activity observed during the count periods, but 3 – 5 bicyclists were observed on random approaches during both the morning and afternoon counts.

### **Spot Speed Studies**

A spot speed study is a typical method used to determine vehicle speed characteristics along a particular roadway segment. One of the more important statistics obtained from a spot speed study is the 85th percentile speed. This statistic represents the speed at which 85 percent of the observed vehicles are traveling at or below and it is generally regarded as the speed considered reasonable and appropriate by most drivers. A spot speed study was conducted to determine vehicle speeds on each of the intersection approaches using the speed recording function of the machine traffic counters. The results of the study for data collected on Wednesday, March 31, 2021, are summarized on the following page in Table 2. Relative frequency distributions for these data have also been prepared and are included in the Appendix (Pages A-11 to A-18).

**Table 2**  
**Spot Speed Study Results**

Location		Posted Speed, m.p.h.	85th Percentile Speed, m.p.h.
53rd Street North	500' East of Woodlawn Blvd.	40	45.9
53rd Street North	800' West of Woodlawn Blvd.	40	48.7
Woodlawn Blvd.	700' North of 53rd Street North	55	54.8
Woodlawn Blvd.	200' South of 53rd Street North	40	45.4
53rd Street North	500' East of Rock Road	40	40.5
53rd Street North	600' West of Rock Road	40	49.8
Rock Road	600' North of 53rd Street North	55	55.3
Rock Road	300' South of 53rd Street North	45	48.5

The 85th percentile speeds shown in Table 2 indicate varying levels of motorist compliance with the posted speed limits. Driver speeds on the uncontrolled approaches of Woodlawn Boulevard and Rock Road were within five (5) m.p.h. of the posted speed, and in one location the 85th percentile speed was just below the posted speed. This suggests that the speed limits on Woodlawn Boulevard and Rock Road are appropriate for current conditions. For Rock Road, this finding is notable as the city had a question about reducing the speed limit on Rock Road between 53rd Street North and Lycee Street from 55 m.p.h. to 45 m.p.h. The above findings indicate that the current 55 m.p.h. speed limit should remain in place.

Motorist compliance with the speed limits on 53rd Street North show a larger variation. At most locations, 85th percentile speeds exceed the 40 m.p.h. posted speed by approximately 5 – 10 m.p.h. In only one location, east of Rock Road, were driver speeds consistent with the posted speed. This suggests that an increase to the posted speed on segments of 53rd Street North could be supported by the observed 85th percentile speeds. Drivers may consider the slightly higher speeds reasonable due to the rural setting, low access density and generally clear roadside along sections of 53rd Street North.

### Intersection Sight Distance

Intersection sight distance is provided at intersections to allow the drivers of stopped vehicles to depart from their approach and enter or cross the major road. Intersection sight distances along Woodlawn Boulevard and Rock Road for the 53rd Street North approaches were measured in accordance with AASHTO Green Book criteria. The intersection sight distances measured for each of the approaches are shown below in Table 3.

**Table 3**  
**Intersection Sight Distances**

53rd Street North Approach	Direction Looking Along Woodlawn Boulevard	Approximate Sight Distance (feet)	
		Measured	Recommended *
Eastbound	North	>1,000	530 - 610
	South	>1,000	480 - 555
Westbound	North	>1,000	530 - 610
	South	>1,000	480 - 555
53rd Street North Approach	Direction Looking Along Rock Road	Approximate Sight Distance (feet)	
		Measured	Recommended *
Eastbound	North	>1,000	530 - 610
	South	>1,000	480 - 555
Westbound	North	>1,000	530 - 610
	South	>1,000	480 - 555

\* Sight distance based on AASHTO criteria for the approach speed along the uncontrolled cross street. When looking north, values are shown for a 55 m.p.h. approach speed. When looking south, values are shown for a 50 m.p.h. approach speed. The lower value in the range is the sight distance for a right-turn or crossing maneuver, while the upper value is the sight distance for a left-turn maneuver.

Of note in Table 3 is that recommended sight distances are given for two approach speeds; 55 m.p.h. when looking north, and 50 m.p.h. when looking south. These speeds are used to account for the 85th percentile speed of vehicles on the north and south approaches of the intersections. While a 45 m.p.h. speed could potentially be used for the south approach at Woodlawn Boulevard and 53rd Street North based on the 85th percentile speed, 50 m.p.h. was chosen to provide a more conservative value for the recommended sight distances.

The data in Table 3 indicate that the measured intersection sight distances are well above the recommended AASHTO values (reference: Chapter 9 of the AASHTO Green Book) for all maneuvers at the study intersections. In fact, in some directions drivers on the 53rd Street north approaches can see more than twice the recommended AASHTO value for some maneuvers.

### Crash Experience

Crash records for the study intersections were requested from the city of Bel Aire for the time period between January 1, 2018 and March 1, 2021. Over this 38-month time period, there were three (3) crashes at the intersection of Woodlawn Boulevard and 53rd Street North and 13 crashes at the intersection of Rock Road and 53rd Street North. An additional two (2) crash reports were provided, but they involved single vehicle lane departure crashes on Rock Road near 53rd Street North and information in the reports indicated these were not intersection related.

#### Woodlawn Boulevard and 53rd Street North

Three (3) crashes over the 38-month analysis period corresponds to a crash frequency of 0.95 crashes per year and a crash rate of 3.3 crashes/tmev using current traffic volume information. For reference, a typical crash rate along the Kansas state highway system is 5.0 crashes/tmev for rural intersections and 10.0 crashes/tmev for urban intersections. A summary of each of the three (3) crashes is included below:

- On August 16, 2018, at 8:35 A.M., a rear-end crash occurred on northbound Woodlawn Boulevard as a driver was waiting for southbound vehicles to pass before turning left onto 53rd Street North. The stopped driver was struck from behind by another northbound vehicle. Inattentive driving was cited as the cause of the crash. No injuries were reported.
- On February 17, 2020, at 1:32 P.M., a crash occurred when a vehicle traveling westbound on 53rd Street North turned left onto southbound Woodlawn Boulevard and collided with a northbound vehicle. Although the crash report did not identify the apparent causes for the crash, the westbound driver was issued a citation for running the stop sign. Minor injuries were reported as a result of the crash.
- On November 11, 2020, at 5:42 P.M., a crash occurred when a vehicle turning left from northbound Woodlawn Boulevard to westbound 53rd Street North collided with a motorcycle stopped on the eastbound approach. The driver stated that they did not see the motorcyclist and “cut the corner” of the eastbound lane, resulting in the crash. The motorcyclist reported minor injuries from the event.

The above findings indicate no readily apparent crash patterns at the Woodlawn Boulevard and 53rd Street North intersection. It is also encouraging that the intersection has a low crash frequency and a crash rate that is well below the typical crash rate for rural and urban intersections along the Kansas state highway system.

#### Rock Road and 53rd Street North

Thirteen (13) crashes over the 38-month analysis period corresponds to a crash frequency of 4.11 crashes per year and using current traffic volume information, a crash rate of 12.8 crashes/tmev. As previously noted, a typical crash rate along the Kansas state highway system is 5.0 crashes/tmev for rural intersections and 10.0 crashes/tmev for urban intersections. Using information from the crash reports that were provided, a collision diagram was prepared for the 13 intersection crashes and is included in the Appendix (Figure A-19). Some general statistics and/or patterns identified from the diagram or crash reports are summarized below:

- There were six (6) injury crashes during the analysis period and zero (0) fatalities.

- Eleven (11) of the 13 total crashes were angle collisions. Seven (7) involved a westbound driver on 53rd Street North that either failed to stop entirely (3 occurrences) or failed to yield to oncoming traffic after stopping (4 occurrences). Four (4) involved an eastbound driver on 53rd Street North, and in three (3) of these, the eastbound driver failed to stop entirely. The other two (2) crashes were left-turn collisions involving drivers on northbound Rock Road who failed to yield to southbound traffic.
- In three (3) of the angle collisions, the reports cited that drivers on 53rd Street North thought that the intersection was a multiway stop, which is why they proceeded into oncoming traffic. It is unusual to see this statement made in multiple reports, as there are signs on the 53rd Street North approaches stating “Cross Traffic Does Not Stop” posted below the stop sign. While it’s not clear how long these signs have been in place, it may suggest that some drivers are confusing the intersection with others in the region with multiway stop control.
- While a few crash reports stated that drivers “did not see” oncoming vehicles on Rock Road, the reports did not indicate any physical sight line limitations, such as vegetation or vertical curvature, which could contribute to a driver’s inability to identify oncoming traffic.
- Despite the intersection’s proximity to a high school, there were only two (2) crashes that occurred during times around school start and dismissal. Neither of these involved high school students.
- Nearly all crashes occurred during daylight hours, with only one (1) crash occurring at nighttime. Sun glare was not reported as a factor in any of the crashes, and none occurred in hours where sun glare would have been a significant factor for the motorists involved.
- There were three (3) crashes in which the pavement was wet, though wet/icy pavement was thought to be a contributing factor in only one (1) of the crashes.

The above information indicates that the intersection of Rock Road and 53rd Street North has a moderate frequency of crashes and a crash rate that is above average when compared to the average rural or urban intersection along the state highway system in Kansas. Of primary concern is that angle collisions are the predominant type of crash at this intersection, and several have resulted in injuries. The reports for these offer limited information that might explain their occurrence; however, about half involved drivers on 53rd Street North who failed to stop entirely. It is also concerning that a few drivers confused the two-way stop sign control for multiway stop control, despite signage indicating that traffic on Rock Road is uncontrolled. These findings suggest that some other form of intersection control may be appropriate to mitigate these crashes.

## Analysis

Based on the data that were collected, the intersection of Woodlawn Boulevard and 53rd Street North appears to be operating in a relatively efficient and safe manner. Minimal delay and vehicle queuing was observed on the 53rd Street North approaches, sight lines are adequate, and the crash rate is well below statewide averages. Conditions are generally similar at the intersection of Rock Road and 53rd Street North, with the exception that the intersection crash rate exceeds statewide averages and there is a frequent occurrence of angle collisions at the intersection. Angle collisions are of concern since these tend to be more severe than other crash types. At the request of the city of Bel Aire, modifications to the intersection control at both study intersections have been evaluated.

## Multiway Stop Control

Multiway stop control can be useful as a safety measure at intersections where certain conditions exist, particularly where the volume of traffic on the intersecting roads is approximately equal. However, a multiway stop is the most restrictive form of intersection control since all vehicles at the intersection are required to stop, regardless of the situation, which has an adverse impact on efficiency and fuel consumption. This would be a significant change from the current conditions on Woodlawn Boulevard and Rock Road at their intersections with 53rd Street North, which have likely been uninterrupted roadways for many years, and a change to multiway stop control may be viewed by drivers as unreasonable, particularly during off-peak time periods. Unnecessary traffic control devices can lead to driver frustration, an attitude of disrespect in motorists, and may lead to violations.



When evaluating the use of multiway stop control, the MUTCD states that the following criteria should be considered in the engineering study for a multiway stop sign installation:

- A. Where traffic control signals are justified, the multiway stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
- B. Five (5) or more reported crashes in a 12-month period that are susceptible to correction by a multiway stop installation. Such crashes include right- and left-turn collisions as well as right-angle collisions.
- C. Minimum volumes:
  1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any eight (8) hours of an average day; and
  2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same eight (8) hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but
  3. If the 85th-percentile approach speed of the major-street traffic exceeds 40 miles per hour, the minimum vehicular volume warrants are 70 percent of the above values.
- D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criteria C.3 is excluded from the condition.

#### Woodlawn Boulevard and 53rd Street North

Based on the data collection for the Woodlawn Boulevard and 53rd Street North intersection, none of the multiway stop control criteria are fully satisfied at this time. Traffic volumes on Woodlawn Boulevard for the highest eight (8) hours average 265 vehicles per hour, with 139 vehicles per hour on 53rd Street North during the same hours. While these volumes approximately equal or exceed the thresholds established by Criteria C.3 (210 vehicles per hour on the major street, and 140 vehicles per hour on the minor street), cursory observations of delay at the intersection did not indicate an average delay exceeding 30 seconds per vehicle. Lastly, only one (1) of the three (3) crashes at the intersection would be susceptible to correction by installing a multiway stop.

While the traffic volumes at the intersection approximately satisfy the thresholds for multiway stop control, the intersection appears to operating in a satisfactory manner with the current two-way stop control at this time and there are no compelling reasons to convert it to a multiway stop. Another consideration is that the traffic flows are generally imbalanced with 66 percent of the traffic on Woodlawn Boulevard in comparison to 34 percent on 53rd Street North. Multiway stop control is typically most effective at locations where traffic volumes are relatively balanced on all approaches. If traffic volumes on 53rd Street North increase due to continued development in the vicinity, or if a correctable crash pattern forms, multiway stop control should be re-evaluated as a potential future modification to the intersection control.

#### Rock Road and 53rd Street North

Based on the data collected for the Rock Road and 53rd Street North intersection, Criteria B and the volume component of Criteria C.3 are satisfied. The intersection has experienced multiple 12-month periods with five (5) or more crashes susceptible to correction by the installation of multiway stop control. The intersection has an average of 245 vehicles per hour on Rock Road during the highest eight (8) hours of traffic, with 162 vehicles per hour on 53rd Street North during the same hours. While driver delay was not formally measured, cursory observations of delay at the intersection did not indicate an average delay exceeding 30 seconds per vehicle.

Multiway stop control would likely be effective in reducing the number of angle collisions occurring at the intersection of Rock Road and 53rd Street North, as studies have shown up to a 48-percent reduction in crashes when converting two-way stop control to multiway stop control. Traffic volumes are also somewhat balanced during the heaviest hours of traffic at the intersection (roughly 60 percent on Rock Road and 40 percent on 53rd Street North), and multiway stop control should enhance operations on 53rd Street North after dismissal at the nearby high school. For these reasons, multiway stop control could be used at the intersection of Rock Road and 53rd Street North. While a multiway stop would be less convenient for drivers on Rock Road, drivers are already required to stop at the adjacent section line road intersections located one (1) mile to the north and south (Kansas Highway 254 and 45th Street North, respectively).

### Traffic Signal Control

The use of traffic signal control can be an effective means of assigning right-of-way to various movements at an intersection, thereby providing for the orderly movement of traffic. These devices can increase the traffic-handling capacity of an intersection while also reducing the frequency and severity of certain types of crashes, especially angle collisions. However, installing a traffic signal without proper justification can result in disadvantages as well, such as higher overall intersection delay, higher vehicle emissions, noncompliance of control, increased use of other routes to avoid the signal, and an increase in the frequency of other types of crashes, particularly rear-end collisions.

The most current version of the MUTCD outlines nine warrants that justify the need for a traffic signal. It also states that the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal. The nine warrants are listed below.

- Warrant 1: Eight-Hour Vehicular Volume
  - Warrant 2: Four-Hour Vehicular Volume
  - Warrant 3: Peak Hour
  - Warrant 4: Pedestrian Volume
  - Warrant 5: School Crossing
- Warrant 6: Coordinated Signal System
  - Warrant 7: Crash Experience
  - Warrant 8: Roadway Network
  - Warrant 9: Intersection Near an At-Grade Rail Crossing

#### Woodlawn Boulevard and 53rd Street North

In evaluating each of these MUTCD warrants for the Woodlawn Boulevard and 53rd Street North intersection, we found that the intersection does not fully satisfy the requirements of any warrant at this time. Completed worksheets for the traffic signal volume warrants (Warrants 1, 2 and 3) have been included in the Appendix (Pages A-20 and A-21). Only one (1) of the eight (8) hours with the highest traffic volume totals meet the traffic volume thresholds of Warrant 1, Condition A, and no hours meet the thresholds for Warrant 1, Condition B. There are no hours that satisfy the requirements of Warrants 2 or 3. Warrants 5, 6, 8 and 9 do not apply at this location, and the intersection has not experienced the number of crashes required to satisfy Warrant 7 as identified in the MUTCD (five or more reported crashes in a 12-month period that are susceptible to correction by a traffic control signal). Based on these findings, traffic signal control is not recommended at the intersection of Woodlawn Boulevard and 53rd Street North at this time.

#### Rock Road and 53rd Street North

When evaluating the MUTCD warrants for traffic signal control at the Rock Road and 53rd Street North intersection, we found that the intersection does not fully satisfy the requirements of any warrant at this time. Completed worksheets for the traffic signal volume warrants (Warrants 1, 2 and 3) have been included in the Appendix (Pages A-22 and A-23). None of the eight (8) hours with the highest traffic volume totals meet the traffic volume thresholds of Warrant 1, Condition A or Condition B. Only one (1) of the required four (4) hours with the highest traffic volume totals satisfy the requirements of Warrant 2, and no hours satisfy the requirements of Warrant 3. Warrants 5, 6, 8 and 9 do not apply at this location. Warrant 7 applies, and while there is a frequency of correctible crashes that satisfies the crash experience component of the warrant, there is insufficient traffic volume to meet the Warrant 7 requirements. Based on these findings, traffic signal control is not recommended at the intersection of Rock Road and 53rd Street North at this time.

### Roundabout Control

Another potential form of control for these intersections that could be implemented is roundabout control. Over the last two decades, roundabout use has grown significantly throughout the United States, especially throughout the state of Kansas, and has proven to be effective in improving both intersection safety and efficiency. Roundabouts operate by gap acceptance, in that drivers approaching the roundabout must yield to traffic already circulating within the roundabout. Yield control is much less restrictive when compared to stop control, thereby reducing delays and improving overall operations. Another design feature of roundabouts is that they slow and deflect approaching traffic. The slow speeds combined with one-way circular flow have been proven to reduce the frequency and severity of crashes at roundabout intersections, especially angle collisions. Another feature of a roundabout is the flared entry, a widening of the approach at the entry. This allows vehicles to enter the roundabout easily and it can be used to provide one or two additional roundabout entry lanes, thus increasing its capacity and improving overall performance.

Guidance for the use and design of roundabouts has been published by the state of Kansas in the document, the *Kansas Roundabout Guide*, which is intended to be a companion document to NCHRP Report 672, *Roundabouts: An Informational Guide*. These documents outline various characteristics of roundabouts and provide direction regarding the planning, design, construction, maintenance, and operation of roundabouts.

#### Woodlawn Boulevard and 53rd Street North

While the construction of a roundabout at the intersection of Woodlawn Boulevard and 53rd Street North could be expected to provide positive safety and operational benefits, the intersection already appears to be operating in a relatively efficient and safe manner at this time. As a result, roundabout control would be an appropriate future alternative for this intersection as the surrounding area begins to develop and traffic volumes increase. According to the city's 2014 Comprehensive Plan Update, Woodlawn Boulevard and 53rd Street North are planned as four-lane roadways in the future. While these planned improvements would suggest the future need for a multilane roundabout at the intersection due to the four-lane configuration, it is likely that a single lane roundabout would operate efficiently at the intersection for several years. Studies have shown that single-lane roundabouts provide sufficient capacity for typical daily volumes as high as 20,000 vehicles per day. With a current intersection volume of approximately 5,000 vehicles per day, traffic at this location would have to increase significantly before reaching the capacity of a single lane roundabout. To account for the potential need for multilane approaches in the future, the roundabout could be designed to allow for internal widening.

#### Rock Road and 53rd Street North

Based on the frequency and types of crashes at the intersection of Rock Road and 53rd Street North, we would consider this location to be a good candidate for roundabout control. All of the 13 crashes that have occurred at this intersection in recent years have been angle or left-turn collisions, crash types that are greatly reduced or eliminated by roundabout control. In addition, a roundabout at this location would likely enhance operations both before and after school, when larger amounts of traffic are present at the intersection over a short period, including younger drivers. A roundabout at this location may also assist in reinforcing the speed change on Rock Road from 55 m.p.h. to 45 m.p.h. as drivers experience a transition from a rural setting to a more urban environment entering the city limits. Similar to a potential roundabout at Woodlawn Boulevard and Rock Road, a roundabout at this intersection could be constructed with single-lane entries that could be widened for increased capacity if necessary in the future.

A conceptual layout for a single-lane roundabout at the intersection of Rock Road and 53rd Street North has been prepared and is shown on Figure 2. The roundabout should be designed with an outside diameter of approximately 160 feet, or 180 – 190 feet if accommodations will be made for a future multilane configuration. Drainage modifications and utility relocations would be required as part of the roundabout construction, and right-of-way acquisition may also be required based on the diameter of the roundabout. Access management is an important consideration in the design of a roundabout. As shown on Figure 2, there are two (2) options illustrated for the existing driveway on 53rd Street North. The first option shows the splitter island on the east leg of the roundabout passing through the medical building driveway, allowing only right-turns in and out of the driveway. To maintain full access to the property, a second “right-in-right-out” driveway is shown on Rock Road. This allows for traffic to enter and exit the driveways in all directions when paired with the roundabout. This option is the preferred design alternative. Longer splitter islands are important on higher speed roundabout approaches in order to reduce driver speeds prior to entering the roundabout. If full access must be maintained at the existing driveway on 53rd Street North, the splitter island could be shortened and a short left-turn lane into the driveway could be provided, as shown in a second option on Figure 2 in the lower right inset.

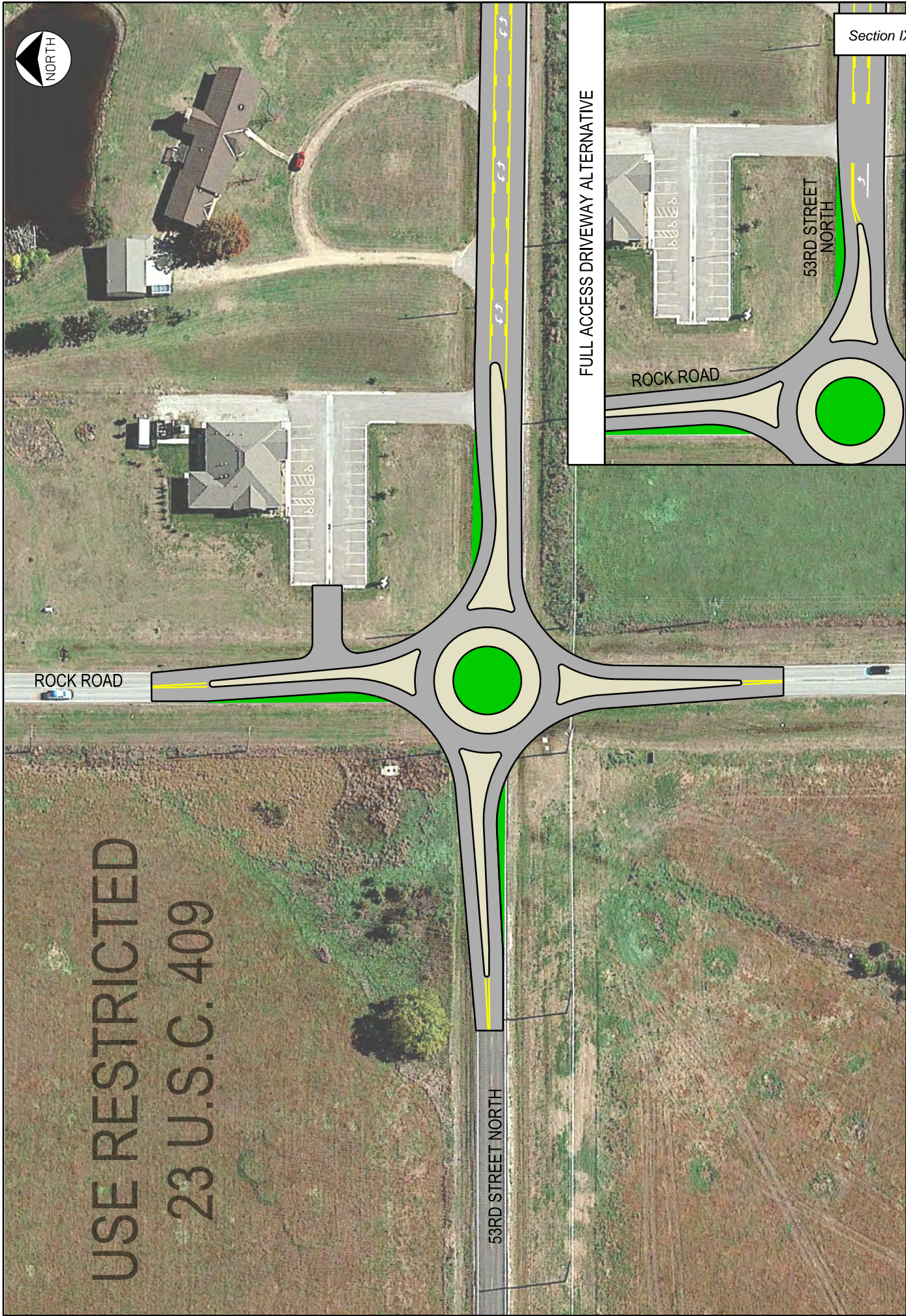
### **Intersection Control Recommendations**

#### Woodlawn Boulevard and 53rd Street North

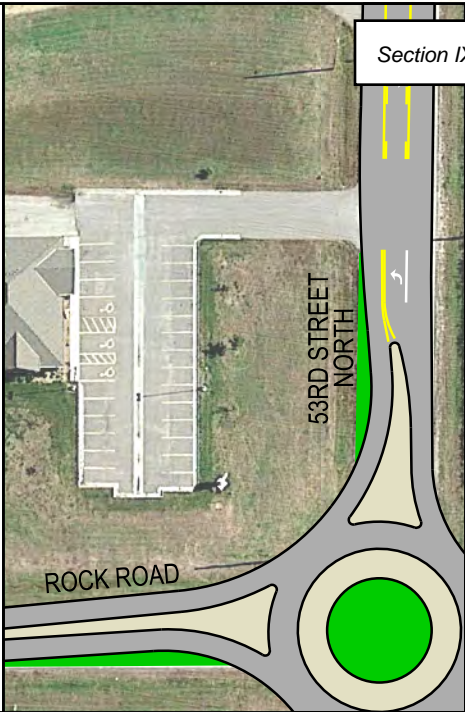
The above analysis has indicated that the existing two-way stop control at the intersection of Woodlawn Boulevard and 53rd Street North should remain in place with no modifications to the existing intersection traffic control devices. If traffic volumes on 53rd Street North increase due to continued development in the vicinity, or if a correctable crash pattern forms, the existing conditions should be reevaluated to determine the need for an intersection control modification. Roundabout control would be preferred over multiway stop or traffic signal control for this location given the proven safety and operational performance of roundabouts throughout the state of Kansas. To support this future alternative, it may be beneficial for the city to reserve right-of way in the intersection quadrants prior to additional development of the adjacent land.



# USE RESTRICTED 23 U.S.C. 409



FULL ACCESS DRIVEWAY ALTERNATIVE



Section IX, Item A.

 39	ROUNDABOUT IMPROVEMENT CONCEPT ROCK ROAD AND 53RD STREET NORTH	Intersection Analyses  Bel Aire, Kansas	August 2021	Figure
			No Scale	
X, Item A.				



## Rock Road and 53rd Street North

Analysis of the data collected at the intersection of Rock Road and 53rd Street North has identified that either multiway stop control or roundabout control could be implemented to address the crash patterns at the intersection. In considering the best alternative for the intersection, an important consideration for the city is the cost associated with the alternatives. Multiway stop control is a low cost alternative that could be implemented rather quickly. The costs involved would generally be associated with additional signage and would likely be no more than \$5,000 – \$10,000. In contrast, costs associated with roundabout installation would be much higher since this will require the complete reconstruction of the intersection, property acquisition, and utility relocation. A typical construction cost for a roundabout of this size would range between approximately \$2,000,000 and \$2,500,000 based on costs for roundabouts in other similar locations throughout Kansas.

Based on all factors, we would initially recommend that the city install multiway stop control at this intersection, but at the same time, plan for installation of a roundabout as the safest and most efficient long-term form of control to implement when funding becomes available. Interim use of multiway stop control offers a potential solution to address the crash history at the intersection, and it can be implemented rather quickly and at a relatively low cost. However, roundabout control is the preferred long-term modification for this location since this form of control should provide much more efficient operations than multiway stop control while also eliminating the angle and left-turn collisions that have been occurring at this location. In conjunction with this, we would recommend that the city reserve right-of way in the intersection quadrants prior to any additional development of the adjacent land.

While there may be some concerns about drivers on Rock Road who might not obey the new stop sign control, measures can and should be taken to educate drivers about the proposed change. The city should utilize various media outlets (newspaper, internet, etc.) to publicize the new type of control. With this advance notification and most importantly, proper device placement, drivers on Rock Road should not have difficulty recognizing and complying with the stop signs. The following traffic control device improvements are also recommended as part of implementing the change to multiway stop control:

- Install a Stop (MUTCD No. R1-1, 36" x 36" size) sign with ALL WAY (MUTCD No. R1-3P, 18" x 6" size) plaque for each approach. A slightly larger size is recommended for all of the Stop signs at this intersection since just over half of the angle collisions have involved drivers on 53rd Street North who failed to stop entirely. The existing Cross Traffic Does Not Stop plaques will need to be removed. To enhance motorist recognition of the Stop signs, retroreflective strips are recommended as an additional traffic control device for the Stop sign posts (an example is shown in the image at right). The red retroreflective strips should be at least two inches in width and placed the full length of the support from the sign to within two feet above the edge of the roadway.
- Given the change in intersection control, a Stop Ahead (MUTCD No. W3-1, 30" x 30" size) sign should be installed on each Rock Road approach along with two (2) orange or fluorescent red-orange flags (16" x 16" minimum size) above each new Stop and Stop Ahead sign as a temporary supplement to further emphasize the change in control. The flags should remain in place for an adequate time period (roughly 3 – 6 months) so that familiar drivers can become accustomed to the new intersection control. The city should ensure that the flags do not block any of the sign faces.
- Install a 24" solid white stop line for each intersection approach. A stop line is already in place on the east leg, but it would be appropriate to provide these pavement markings for all intersection approaches. A long-life pavement marking material, such as thermoplastic, is recommended to enhance durability and longevity of the markings.



Following the change to multiway stop control, the city should closely monitor operational conditions, driver behavior, and crash experience at this location to determine whether additional treatments should be considered. Options could include installing secondary left-side stop sign assemblies, increasing the size of the stop signs, or the installation of flashing beacons.

## Conclusion

The above study has focused on the need for intersection control modifications to enhance safety at Woodlawn Boulevard and 53rd Street North; and, Rock Road and 53rd Street North in the city of Bel Aire, Kansas. The general procedures and analysis for this study were based on criteria set forth in the current edition of the *Manual on Uniform Traffic Control Devices* (MUTCD), the Federal Highway Administration (FHWA) reference adopted as the standard governing the use of traffic control devices in the State of Kansas.

Based on the data that were collected, the intersection of Woodlawn Boulevard and 53rd Street North appears to be operating in a relatively efficient and safe manner. Minimal delay and vehicle queuing was observed on the 53rd Street North approaches, sight lines are adequate, and the crash rate is well below statewide averages. Conditions are generally similar at the intersection of Rock Road and 53rd Street North, with the exception that the intersection crash rate exceeds statewide averages and there is a frequent occurrence of angle collisions at the intersection. Angle collisions are of concern since these tend to be more severe than other crash types.

Additional analyses of various intersection control types has indicated that the existing two-way stop control at Woodlawn Boulevard and 53rd Street North should remain in place with no modifications to the existing intersection traffic control devices. If traffic volumes on 53rd Street North increase due to continued development in the vicinity, or if a correctable crash pattern forms, the existing conditions should be reevaluated to determine the need for an intersection control modification. Roundabout control would be preferred over multiway stop or traffic signal control for this location given the proven safety and operational performance of roundabouts throughout the state of Kansas. To support this future alternative, it may be beneficial for the city to reserve right-of way in the intersection quadrants prior to additional development of the adjacent land.

Analysis of the data collected at the intersection of Rock Road and 53rd Street North has identified that either multiway stop control or roundabout control could be implemented to address the crash patterns at the intersection. In considering all factors, we have initially recommended that the city install multiway stop control at the intersection, while at the same time planning for long-term installation of a roundabout as the safest and most efficient long-term form of control to implement when funding becomes available. Interim use of multiway stop control offers a potential solution to address the crash history at the intersection, and it can be implemented rather quickly and at a relatively low cost. However, roundabout control is the preferred long-term modification for this location since this form of control should provide much more efficient operations than multiway stop control while also eliminating the angle and left-turn collisions that have been occurring at this location. In conjunction with this, we would recommend that the city reserve right-of way in the intersection quadrants prior to any additional development of the adjacent land.

Appendix

Study Area .....Figure A-1

Machine Traffic Volume Counts..... A-2 to A-9

Turning Movement Counts .....Figure A-10

Spot Speed Study Results ..... A-11 to A-18

Collision Diagram (Rock Road and 53rd Street North)..... A-19

Traffic Signal Warrant Analysis – Volume Warrants..... A-20 to A-23

Questionnaire ..... A-24







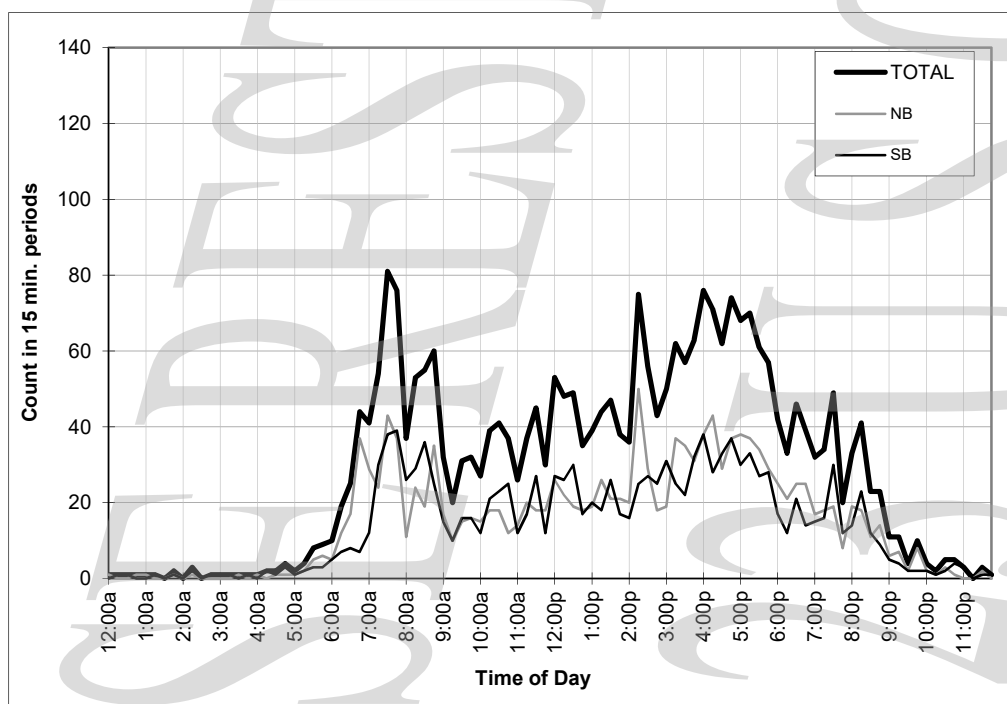
# Daily Traffic Count

## Kansas Traffic Engineering Assistance Program

### Bel Aire, Kansas

Location: **Woodlawn Blvd. 700' North of 53rd St. North**

Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL
12:00a	1	0	1	6:00a	5	5	10	12:00p	26	27	53	6:00p	25	17	42
12:15a	0	1	1	6:15a	12	7	19	12:15p	22	26	48	6:15p	21	12	33
12:30a	0	1	1	6:30a	17	8	25	12:30p	19	30	49	6:30p	25	21	46
12:45a	1	0	1	6:45a	37	7	44	12:45p	18	17	35	6:45p	25	14	39
1:00a	1	0	1	7:00a	29	12	41	1:00p	19	20	39	7:00p	17	15	32
1:15a	0	1	1	7:15a	24	30	54	1:15p	26	18	44	7:15p	18	16	34
1:30a	0	0	0	7:30a	43	38	81	1:30p	21	26	47	7:30p	19	30	49
1:45a	1	1	2	7:45a	37	39	76	1:45p	21	17	38	7:45p	8	12	20
2:00a	0	0	0	8:00a	11	26	37	2:00p	20	16	36	8:00p	19	14	33
2:15a	1	2	3	8:15a	24	29	53	2:15p	50	25	75	8:15p	18	23	41
2:30a	0	0	0	8:30a	19	36	55	2:30p	29	27	56	8:30p	11	12	23
2:45a	0	1	1	8:45a	35	25	60	2:45p	18	25	43	8:45p	14	9	23
3:00a	0	1	1	9:00a	17	15	32	3:00p	19	31	50	9:00p	6	5	11
3:15a	0	1	1	9:15a	10	10	20	3:15p	37	25	62	9:15p	7	4	11
3:30a	1	0	1	9:30a	15	16	31	3:30p	35	22	57	9:30p	2	2	4
3:45a	0	1	1	9:45a	16	16	32	3:45p	31	32	63	9:45p	8	2	10
4:00a	1	0	1	10:00a	15	12	27	4:00p	38	38	76	10:00p	2	2	4
4:15a	0	2	2	10:15a	18	21	39	4:15p	43	28	71	10:15p	1	1	2
4:30a	1	1	2	10:30a	18	23	41	4:30p	29	33	62	10:30p	3	2	5
4:45a	1	3	4	10:45a	12	25	37	4:45p	37	37	74	10:45p	1	4	5
5:00a	1	1	2	11:00a	14	12	26	5:00p	38	30	68	11:00p	0	3	3
5:15a	2	2	4	11:15a	20	17	37	5:15p	37	33	70	11:15p	0	0	0
5:30a	5	3	8	11:30a	18	27	45	5:30p	34	27	61	11:30p	2	1	3
5:45a	6	3	9	11:45a	18	12	30	5:45p	29	28	57	11:45p	0	1	1



HOURLY TOTALS

Period Start	NB	SB	TOTAL
12:00a	2	2	4
1:00a	2	2	4
2:00a	1	3	4
3:00a	1	3	4
4:00a	3	6	9
5:00a	14	9	23
6:00a	71	27	98
7:00a	133	119	252
8:00a	89	116	205
9:00a	58	57	115
10:00a	63	81	144
11:00a	70	68	138
12:00p	85	100	185
1:00p	87	81	168
2:00p	117	93	210
3:00p	122	110	232
4:00p	147	136	283
5:00p	138	118	256
6:00p	96	64	160
7:00p	62	73	135
8:00p	62	58	120
9:00p	23	13	36
10:00p	7	9	16
11:00p	2	5	7

Approach	Count Date	AM Peak 7:00a - 8:00a	Noon Peak 1:45p - 2:45p	PM Peak 4:00p - 5:00p	Totals
Northbound	3/31/21 Wed	133	120	147	1,455
Southbound	3/31/21 Wed	119	85	136	1,353
TOTAL	3/31/21 Wed	252	205	283	2,808

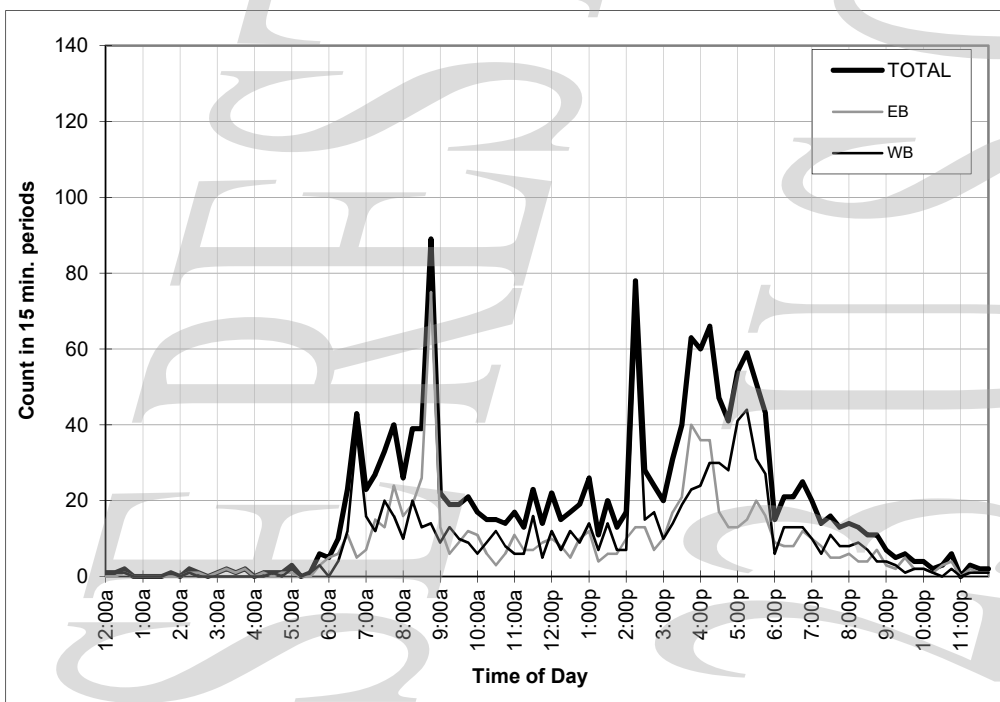
# Daily Traffic Count

## Kansas Traffic Engineering Assistance Program

### Bel Aire, Kansas

Location: **53rd St. North 500' East of Woodlawn Blvd.**

Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL
12:00a	0	1	1	6:00a	5	0	5	12:00p	10	12	22	6:00p	9	6	15
12:15a	0	1	1	6:15a	6	4	10	12:15p	8	7	15	6:15p	8	13	21
12:30a	1	1	2	6:30a	11	12	23	12:30p	5	12	17	6:30p	8	13	21
12:45a	0	0	0	6:45a	5	38	43	12:45p	10	9	19	6:45p	12	13	25
1:00a	0	0	0	7:00a	7	16	23	1:00p	12	14	26	7:00p	10	10	20
1:15a	0	0	0	7:15a	15	12	27	1:15p	4	7	11	7:15p	8	6	14
1:30a	0	0	0	7:30a	13	20	33	1:30p	6	14	20	7:30p	5	11	16
1:45a	0	1	1	7:45a	24	16	40	1:45p	6	7	13	7:45p	5	8	13
2:00a	0	0	0	8:00a	16	10	26	2:00p	10	7	17	8:00p	6	8	14
2:15a	1	1	2	8:15a	19	20	39	2:15p	13	65	78	8:15p	4	9	13
2:30a	1	0	1	8:30a	26	13	39	2:30p	13	15	28	8:30p	4	7	11
2:45a	0	0	0	8:45a	75	14	89	2:45p	7	17	24	8:45p	7	4	11
3:00a	1	0	1	9:00a	13	9	22	3:00p	10	10	20	9:00p	3	4	7
3:15a	2	0	2	9:15a	6	13	19	3:15p	17	14	31	9:15p	2	3	5
3:30a	1	0	1	9:30a	9	10	19	3:30p	21	19	40	9:30p	5	1	6
3:45a	2	0	2	9:45a	12	9	21	3:45p	40	23	63	9:45p	2	2	4
4:00a	0	0	0	10:00a	11	6	17	4:00p	36	24	60	10:00p	2	2	4
4:15a	1	0	1	10:15a	6	9	15	4:15p	36	30	66	10:15p	1	1	2
4:30a	0	1	1	10:30a	3	12	15	4:30p	17	30	47	10:30p	3	0	3
4:45a	1	0	1	10:45a	6	8	14	4:45p	13	28	41	10:45p	4	2	6
5:00a	1	2	3	11:00a	11	6	17	5:00p	13	41	54	11:00p	0	0	0
5:15a	0	0	0	11:15a	7	6	13	5:15p	15	44	59	11:15p	2	1	3
5:30a	0	1	1	11:30a	7	16	23	5:30p	20	31	51	11:30p	1	1	2
5:45a	3	3	6	11:45a	9	5	14	5:45p	16	27	43	11:45p	1	1	2



HOURLY TOTALS

Period Start	EB	WB	TOTAL
12:00a	1	3	4
1:00a	0	1	1
2:00a	2	1	3
3:00a	6	0	6
4:00a	2	1	3
5:00a	4	6	10
6:00a	27	54	81
7:00a	59	64	123
8:00a	136	57	193
9:00a	40	41	81
10:00a	26	35	61
11:00a	34	33	67
12:00p	33	40	73
1:00p	28	42	70
2:00p	43	104	147
3:00p	88	66	154
4:00p	102	112	214
5:00p	64	143	207
6:00p	37	45	82
7:00p	28	35	63
8:00p	21	28	49
9:00p	12	10	22
10:00p	10	5	15
11:00p	4	3	7

Approach	Count Date	AM Peak 8:00a - 9:00a	Noon Peak 1:45p - 2:45p	PM Peak 3:45p - 4:45p	Totals
Eastbound	3/31/21 Wed	136	42	129	807
Westbound	3/31/21 Wed	57	94	107	929
TOTAL	3/31/21 Wed	193	136	236	1,736

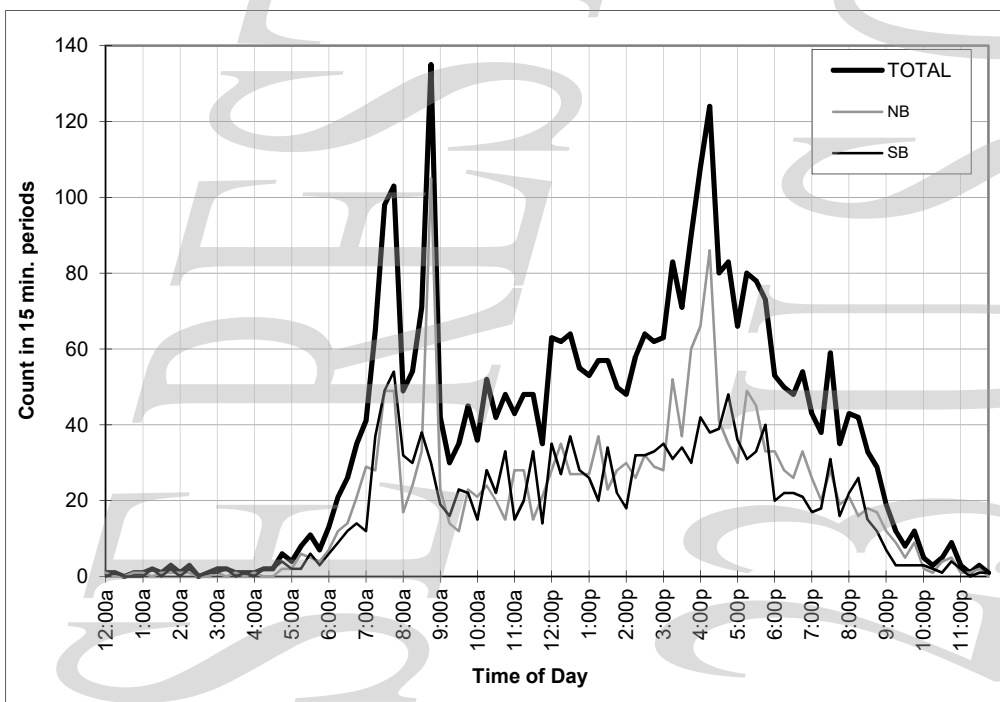
# Daily Traffic Count

## Kansas Traffic Engineering Assistance Program

### Bel Aire, Kansas

Location: **Woodlawn Blvd. 200' South of 53rd St. North**

Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL
12:00a	1	0	1	6:00a	7	6	13	12:00p	28	35	63	6:00p	33	20	53
12:15a	0	1	1	6:15a	12	9	21	12:15p	35	27	62	6:15p	28	22	50
12:30a	0	0	0	6:30a	14	12	26	12:30p	27	37	64	6:30p	26	22	48
12:45a	1	0	1	6:45a	21	14	35	12:45p	27	28	55	6:45p	33	21	54
1:00a	1	0	1	7:00a	29	12	41	1:00p	27	26	53	7:00p	26	17	43
1:15a	0	2	2	7:15a	28	37	65	1:15p	37	20	57	7:15p	20	18	38
1:30a	1	0	1	7:30a	49	49	98	1:30p	23	34	57	7:30p	28	31	59
1:45a	1	2	3	7:45a	49	54	103	1:45p	28	22	50	7:45p	19	16	35
2:00a	1	0	1	8:00a	17	32	49	2:00p	30	18	48	8:00p	21	22	43
2:15a	1	2	3	8:15a	24	30	54	2:15p	26	32	58	8:15p	16	26	42
2:30a	0	0	0	8:30a	33	38	71	2:30p	32	32	64	8:30p	18	15	33
2:45a	0	1	1	8:45a	105	30	135	2:45p	29	33	62	8:45p	17	12	29
3:00a	1	1	2	9:00a	23	19	42	3:00p	28	35	63	9:00p	12	7	19
3:15a	0	2	2	9:15a	14	16	30	3:15p	52	31	83	9:15p	9	3	12
3:30a	1	0	1	9:30a	12	23	35	3:30p	37	34	71	9:30p	5	3	8
3:45a	0	1	1	9:45a	23	22	45	3:45p	60	30	90	9:45p	9	3	12
4:00a	1	0	1	10:00a	21	15	36	4:00p	66	42	108	10:00p	2	3	5
4:15a	0	2	2	10:15a	24	28	52	4:15p	86	38	124	10:15p	1	2	3
4:30a	0	2	2	10:30a	20	22	42	4:30p	41	39	80	10:30p	4	1	5
4:45a	2	4	6	10:45a	15	33	48	4:45p	35	48	83	10:45p	5	4	9
5:00a	2	2	4	11:00a	28	15	43	5:00p	30	36	66	11:00p	1	2	3
5:15a	6	2	8	11:15a	28	20	48	5:15p	49	31	80	11:15p	1	0	1
5:30a	5	6	11	11:30a	15	33	48	5:30p	45	33	78	11:30p	2	1	3
5:45a	4	3	7	11:45a	21	14	35	5:45p	33	40	73	11:45p	0	1	1



HOURLY TOTALS

Period Start	NB	SB	TOTAL
12:00a	2	1	3
1:00a	3	4	7
2:00a	2	3	5
3:00a	2	4	6
4:00a	3	8	11
5:00a	17	13	30
6:00a	54	41	95
7:00a	155	152	307
8:00a	179	130	309
9:00a	72	80	152
10:00a	80	98	178
11:00a	92	82	174
12:00p	117	127	244
1:00p	115	102	217
2:00p	117	115	232
3:00p	177	130	307
4:00p	228	167	395
5:00p	157	140	297
6:00p	120	85	205
7:00p	93	82	175
8:00p	72	75	147
9:00p	35	16	51
10:00p	12	10	22
11:00p	4	4	8

Approach	Count Date	AM Peak 7:15a - 8:15a	Noon Peak 12:00p - 1:00p	PM Peak 3:45p - 4:45p	Totals
Northbound	3/31/21 Wed	143	117	253	1,908
Southbound	3/31/21 Wed	172	127	149	1,669
<b>TOTAL</b>	<b>3/31/21 Wed</b>	<b>315</b>	<b>244</b>	<b>402</b>	<b>3,577</b>



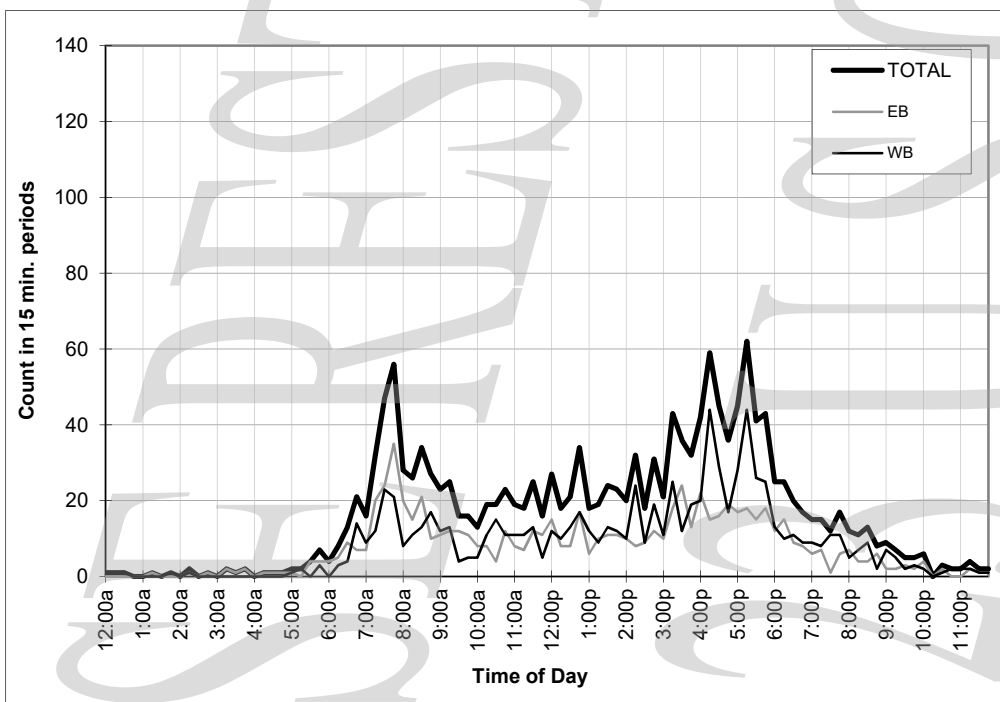
# Daily Traffic Count

## Kansas Traffic Engineering Assistance Program

### Bel Aire, Kansas

Location: **53rd St. North 800' West of Woodlawn Blvd.**

Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL
12:00a	0	1	1	6:00a	4	0	4	12:00p	15	12	27	6:00p	12	13	25
12:15a	0	1	1	6:15a	5	3	8	12:15p	8	10	18	6:15p	15	10	25
12:30a	0	1	1	6:30a	9	4	13	12:30p	8	13	21	6:30p	9	11	20
12:45a	0	0	0	6:45a	7	14	21	12:45p	17	17	34	6:45p	8	9	17
1:00a	0	0	0	7:00a	7	9	16	1:00p	6	12	18	7:00p	6	9	15
1:15a	1	0	1	7:15a	20	12	32	1:15p	10	9	19	7:15p	7	8	15
1:30a	0	0	0	7:30a	24	23	47	1:30p	11	13	24	7:30p	1	11	12
1:45a	0	1	1	7:45a	35	21	56	1:45p	11	12	23	7:45p	6	11	17
2:00a	0	0	0	8:00a	20	8	28	2:00p	10	10	20	8:00p	7	5	12
2:15a	1	1	2	8:15a	15	11	26	2:15p	8	24	32	8:15p	4	7	11
2:30a	0	0	0	8:30a	21	13	34	2:30p	9	9	18	8:30p	4	9	13
2:45a	1	0	1	8:45a	10	17	27	2:45p	12	19	31	8:45p	6	2	8
3:00a	0	0	0	9:00a	11	12	23	3:00p	10	11	21	9:00p	2	7	9
3:15a	2	0	2	9:15a	12	13	25	3:15p	18	25	43	9:15p	2	5	7
3:30a	1	0	1	9:30a	12	4	16	3:30p	24	12	36	9:30p	3	2	5
3:45a	2	0	2	9:45a	11	5	16	3:45p	13	19	32	9:45p	2	3	5
4:00a	0	0	0	10:00a	8	5	13	4:00p	22	20	42	10:00p	4	2	6
4:15a	1	0	1	10:15a	8	11	19	4:15p	15	44	59	10:15p	0	0	0
4:30a	1	0	1	10:30a	4	15	19	4:30p	16	29	45	10:30p	2	1	3
4:45a	1	0	1	10:45a	12	11	23	4:45p	19	17	36	10:45p	0	2	2
5:00a	1	1	2	11:00a	8	11	19	5:00p	17	28	45	11:00p	0	2	2
5:15a	0	2	2	11:15a	7	11	18	5:15p	18	44	62	11:15p	2	2	4
5:30a	4	0	4	11:30a	12	13	25	5:30p	15	26	41	11:30p	1	1	2
5:45a	4	3	7	11:45a	11	5	16	5:45p	18	25	43	11:45p	1	1	2



HOURLY TOTALS

Period Start	EB	WB	TOTAL
12:00a	0	3	3
1:00a	1	1	2
2:00a	2	1	3
3:00a	5	0	5
4:00a	3	0	3
5:00a	9	6	15
6:00a	25	21	46
7:00a	86	65	151
8:00a	66	49	115
9:00a	46	34	80
10:00a	32	42	74
11:00a	38	40	78
12:00p	48	52	100
1:00p	38	46	84
2:00p	39	62	101
3:00p	65	67	132
4:00p	72	110	182
5:00p	68	123	191
6:00p	44	43	87
7:00p	20	39	59
8:00p	21	23	44
9:00p	9	17	26
10:00p	6	5	11
11:00p	4	6	10

Approach	Count Date	AM Peak 7:15a - 8:15a	Noon Peak 12:00p - 1:00p	PM Peak 5:00p - 6:00p	Totals
Eastbound	3/31/21 Wed	99	48	68	747
Westbound	3/31/21 Wed	64	52	123	855
TOTAL	3/31/21 Wed	163	100	191	1,602

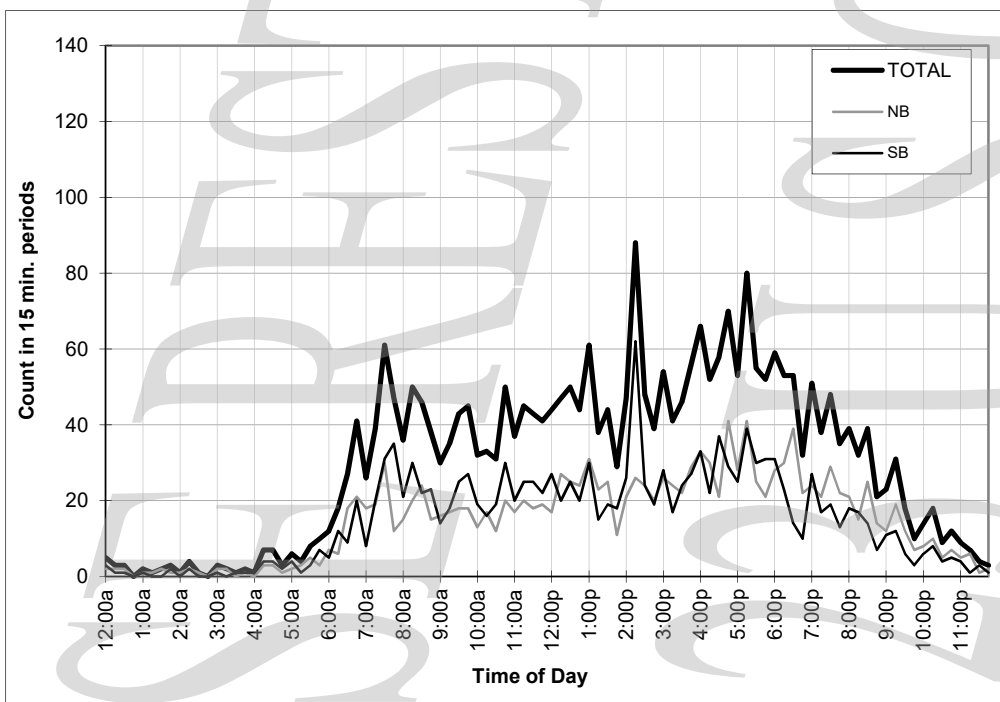
# Daily Traffic Count

## Kansas Traffic Engineering Assistance Program

### Bel Aire, Kansas

Location: **Rock Rd. 600' North of 53rd St. North**

Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL
12:00a	2	3	5	6:00a	7	5	12	12:00p	17	27	44	6:00p	28	31	59
12:15a	2	1	3	6:15a	6	12	18	12:15p	27	20	47	6:15p	30	23	53
12:30a	2	1	3	6:30a	18	9	27	12:30p	25	25	50	6:30p	39	14	53
12:45a	0	0	0	6:45a	21	20	41	12:45p	24	20	44	6:45p	22	10	32
1:00a	1	1	2	7:00a	18	8	26	1:00p	31	30	61	7:00p	24	27	51
1:15a	1	0	1	7:15a	19	20	39	1:15p	23	15	38	7:15p	21	17	38
1:30a	2	0	2	7:30a	30	31	61	1:30p	25	19	44	7:30p	29	19	48
1:45a	1	2	3	7:45a	12	35	47	1:45p	11	18	29	7:45p	22	13	35
2:00a	1	0	1	8:00a	15	21	36	2:00p	21	26	47	8:00p	21	18	39
2:15a	2	2	4	8:15a	20	30	50	2:15p	26	62	88	8:15p	15	17	32
2:30a	1	0	1	8:30a	24	22	46	2:30p	24	24	48	8:30p	25	14	39
2:45a	0	0	0	8:45a	15	23	38	2:45p	20	19	39	8:45p	14	7	21
3:00a	2	1	3	9:00a	16	14	30	3:00p	26	28	54	9:00p	12	11	23
3:15a	2	0	2	9:15a	17	18	35	3:15p	24	17	41	9:15p	19	12	31
3:30a	0	1	1	9:30a	18	25	43	3:30p	22	24	46	9:30p	12	6	18
3:45a	1	1	2	9:45a	18	27	45	3:45p	29	27	56	9:45p	7	3	10
4:00a	0	1	1	10:00a	13	19	32	4:00p	33	33	66	10:00p	8	6	14
4:15a	3	4	7	10:15a	17	16	33	4:15p	30	22	52	10:15p	10	8	18
4:30a	3	4	7	10:30a	12	19	31	4:30p	21	37	58	10:30p	5	4	9
4:45a	1	2	3	10:45a	20	30	50	4:45p	41	29	70	10:45p	7	5	12
5:00a	2	4	6	11:00a	17	20	37	5:00p	28	25	53	11:00p	5	4	9
5:15a	3	1	4	11:15a	20	25	45	5:15p	41	39	80	11:15p	6	1	7
5:30a	5	3	8	11:30a	18	25	43	5:30p	25	30	55	11:30p	1	3	4
5:45a	3	7	10	11:45a	19	22	41	5:45p	21	31	52	11:45p	2	1	3



HOURLY TOTALS

Period Start	NB	SB	TOTAL
12:00a	6	5	11
1:00a	5	3	8
2:00a	4	2	6
3:00a	5	3	8
4:00a	7	11	18
5:00a	13	15	28
6:00a	52	46	98
7:00a	79	94	173
8:00a	74	96	170
9:00a	69	84	153
10:00a	62	84	146
11:00a	74	92	166
12:00p	93	92	185
1:00p	90	82	172
2:00p	91	131	222
3:00p	101	96	197
4:00p	125	121	246
5:00p	115	125	240
6:00p	119	78	197
7:00p	96	76	172
8:00p	75	56	131
9:00p	50	32	82
10:00p	30	23	53
11:00p	14	9	23

Approach	Count Date	AM Peak 7:30a - 8:30a	Noon Peak 1:45p - 2:45p	PM Peak 4:30p - 5:30p	Totals
Northbound	3/31/21 Wed	77	82	131	1,449
Southbound	3/31/21 Wed	117	130	130	1,456
TOTAL	3/31/21 Wed	194	212	261	2,905

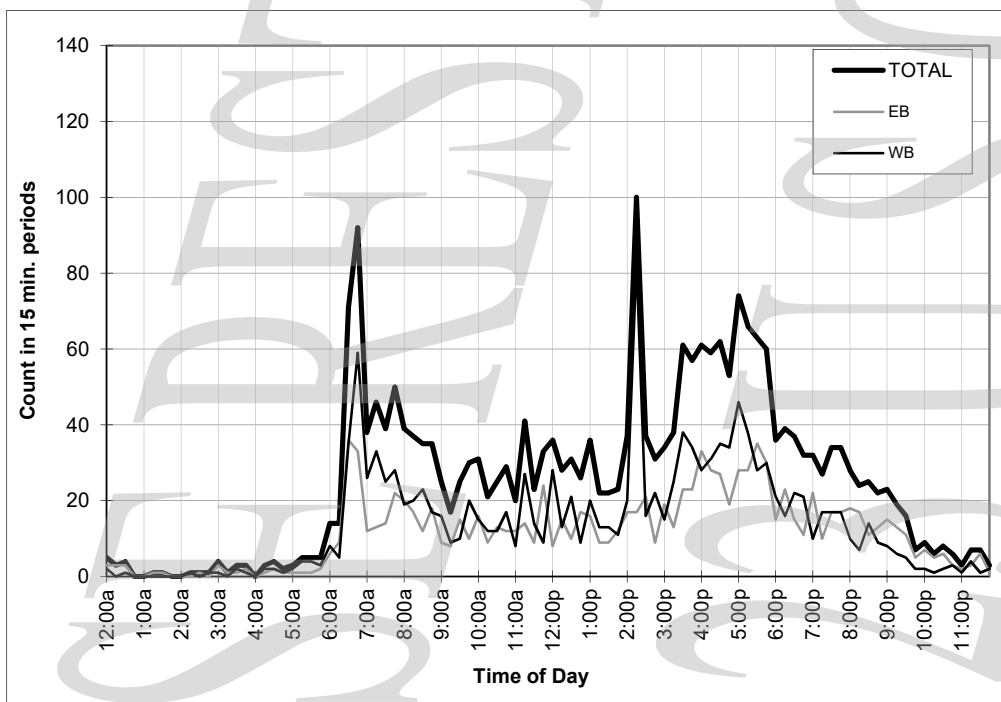
# Daily Traffic Count

## Kansas Traffic Engineering Assistance Program

### Bel Aire, Kansas

Location: **53rd St. North 500' East of Rock Rd.**

Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL
12:00a	3	2	5	6:00a	6	8	14	12:00p	8	28	36	6:00p	15	21	36
12:15a	3	0	3	6:15a	9	5	14	12:15p	15	13	28	6:15p	23	16	39
12:30a	3	1	4	6:30a	36	35	71	12:30p	10	21	31	6:30p	15	22	37
12:45a	0	0	0	6:45a	33	59	92	12:45p	17	9	26	6:45p	11	21	32
1:00a	0	0	0	7:00a	12	26	38	1:00p	16	20	36	7:00p	22	10	32
1:15a	1	0	1	7:15a	13	33	46	1:15p	9	13	22	7:15p	10	17	27
1:30a	1	0	1	7:30a	14	25	39	1:30p	9	13	22	7:30p	17	17	34
1:45a	0	0	0	7:45a	22	28	50	1:45p	12	11	23	7:45p	17	17	34
2:00a	0	0	0	8:00a	20	19	39	2:00p	17	20	37	8:00p	18	10	28
2:15a	0	1	1	8:15a	17	20	37	2:15p	17	83	100	8:15p	17	7	24
2:30a	1	0	1	8:30a	12	23	35	2:30p	21	16	37	8:30p	11	14	25
2:45a	0	1	1	8:45a	18	17	35	2:45p	9	22	31	8:45p	13	9	22
3:00a	3	1	4	9:00a	9	16	25	3:00p	19	15	34	9:00p	15	8	23
3:15a	1	0	1	9:15a	8	9	17	3:15p	13	25	38	9:15p	13	6	19
3:30a	1	2	3	9:30a	15	10	25	3:30p	23	38	61	9:30p	11	5	16
3:45a	2	1	3	9:45a	10	20	30	3:45p	23	34	57	9:45p	5	2	7
4:00a	0	0	0	10:00a	16	15	31	4:00p	33	28	61	10:00p	7	2	9
4:15a	1	2	3	10:15a	9	12	21	4:15p	28	31	59	10:15p	5	1	6
4:30a	2	2	4	10:30a	13	12	25	4:30p	27	35	62	10:30p	6	2	8
4:45a	1	1	2	10:45a	12	17	29	4:45p	19	34	53	10:45p	3	3	6
5:00a	1	2	3	11:00a	12	8	20	5:00p	28	46	74	11:00p	2	1	3
5:15a	1	4	5	11:15a	14	27	41	5:15p	28	38	66	11:15p	3	4	7
5:30a	1	4	5	11:30a	9	14	23	5:30p	35	28	63	11:30p	6	1	7
5:45a	2	3	5	11:45a	24	9	33	5:45p	30	30	60	11:45p	1	2	3



#### HOURLY TOTALS

Period Start	EB	WB	TOTAL
12:00a	9	3	12
1:00a	2	0	2
2:00a	1	2	3
3:00a	7	4	11
4:00a	4	5	9
5:00a	5	13	18
6:00a	84	107	191
7:00a	61	112	173
8:00a	67	79	146
9:00a	42	55	97
10:00a	50	56	106
11:00a	59	58	117
12:00p	50	71	121
1:00p	46	57	103
2:00p	64	141	205
3:00p	78	112	190
4:00p	107	128	235
5:00p	121	142	263
6:00p	64	80	144
7:00p	66	61	127
8:00p	59	40	99
9:00p	44	21	65
10:00p	21	8	29
11:00p	12	8	20

Approach	Count Date	AM Peak 6:30a - 7:30a	Noon Peak 1:45p - 2:45p	PM Peak 5:00p - 6:00p	Totals
Eastbound	3/31/21 Wed	94	67	121	1,123
Westbound	3/31/21 Wed	153	130	142	1,363
TOTAL	3/31/21 Wed	247	197	263	2,486

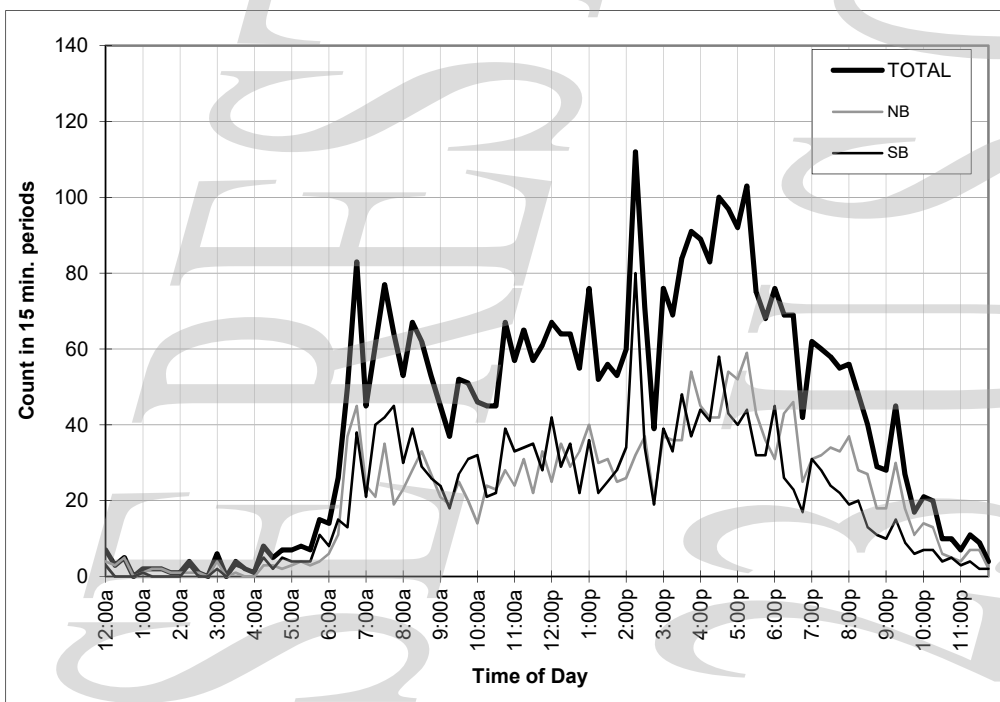
# Daily Traffic Count

## Kansas Traffic Engineering Assistance Program

### Bel Aire, Kansas

Location: **Rock Rd. 300' South of 53rd St. North**

Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL	Period Start	NB	SB	TOTAL
12:00a	4	3	7	6:00a	6	8	14	12:00p	25	42	67	6:00p	31	45	76
12:15a	3	0	3	6:15a	11	15	26	12:15p	35	29	64	6:15p	43	26	69
12:30a	5	0	5	6:30a	37	13	50	12:30p	29	35	64	6:30p	46	23	69
12:45a	0	0	0	6:45a	45	38	83	12:45p	33	22	55	6:45p	25	17	42
1:00a	1	1	2	7:00a	24	21	45	1:00p	40	36	76	7:00p	31	31	62
1:15a	2	0	2	7:15a	21	40	61	1:15p	30	22	52	7:15p	32	28	60
1:30a	2	0	2	7:30a	35	42	77	1:30p	31	25	56	7:30p	34	24	58
1:45a	1	0	1	7:45a	19	45	64	1:45p	25	28	53	7:45p	33	22	55
2:00a	1	0	1	8:00a	23	30	53	2:00p	26	34	60	8:00p	37	19	56
2:15a	1	3	4	8:15a	28	39	67	2:15p	32	80	112	8:15p	28	20	48
2:30a	1	0	1	8:30a	33	29	62	2:30p	37	34	71	8:30p	27	13	40
2:45a	0	0	0	8:45a	27	26	53	2:45p	20	19	39	8:45p	18	11	29
3:00a	4	2	6	9:00a	21	24	45	3:00p	37	39	76	9:00p	18	10	28
3:15a	0	0	0	9:15a	19	18	37	3:15p	36	33	69	9:15p	30	15	45
3:30a	1	3	4	9:30a	25	27	52	3:30p	36	48	84	9:30p	18	9	27
3:45a	0	2	2	9:45a	20	31	51	3:45p	54	37	91	9:45p	11	6	17
4:00a	0	1	1	10:00a	14	32	46	4:00p	45	44	89	10:00p	14	7	21
4:15a	3	5	8	10:15a	24	21	45	4:15p	42	41	83	10:15p	13	7	20
4:30a	3	2	5	10:30a	23	22	45	4:30p	42	58	100	10:30p	6	4	10
4:45a	2	5	7	10:45a	28	39	67	4:45p	54	43	97	10:45p	5	5	10
5:00a	3	4	7	11:00a	24	33	57	5:00p	52	40	92	11:00p	4	3	7
5:15a	4	4	8	11:15a	31	34	65	5:15p	59	44	103	11:15p	7	4	11
5:30a	3	4	7	11:30a	22	35	57	5:30p	43	32	75	11:30p	7	2	9
5:45a	4	11	15	11:45a	33	28	61	5:45p	36	32	68	11:45p	2	2	4



#### HOURLY TOTALS

Period Start	NB	SB	TOTAL
12:00a	12	3	15
1:00a	6	1	7
2:00a	3	3	6
3:00a	5	7	12
4:00a	8	13	21
5:00a	14	23	37
6:00a	99	74	173
7:00a	99	148	247
8:00a	111	124	235
9:00a	85	100	185
10:00a	89	114	203
11:00a	110	130	240
12:00p	122	128	250
1:00p	126	111	237
2:00p	115	167	282
3:00p	163	157	320
4:00p	183	186	369
5:00p	190	148	338
6:00p	145	111	256
7:00p	130	105	235
8:00p	110	63	173
9:00p	77	40	117
10:00p	38	23	61
11:00p	20	11	31

Approach	Count Date	AM Peak 6:45a - 7:45a	Noon Peak 1:45p - 2:45p	PM Peak 4:30p - 5:30p	Totals
Northbound	3/31/21 Wed	125	120	207	2,060
Southbound	3/31/21 Wed	141	176	185	1,990
TOTAL	3/31/21 Wed	266	296	392	4,050

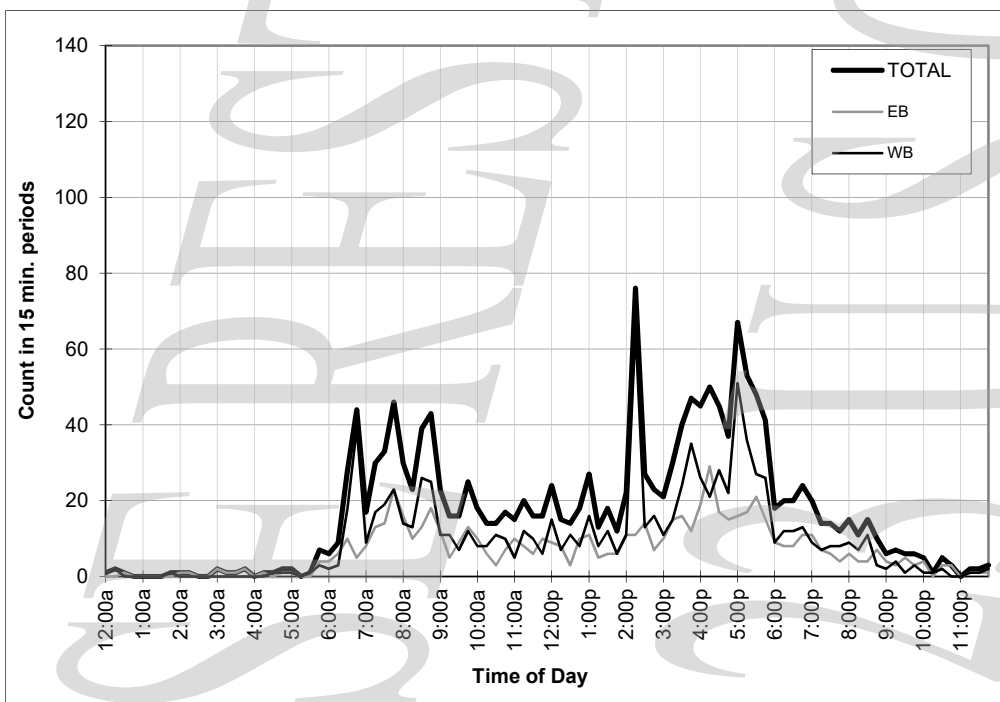
# Daily Traffic Count

## Kansas Traffic Engineering Assistance Program

### Bel Aire, Kansas

Location: **53rd St. North 600' West of Rock Rd.**

Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL	Period Start	EB	WB	TOTAL
12:00a	0	1	1	6:00a	4	2	6	12:00p	9	15	24	6:00p	9	9	18
12:15a	0	2	2	6:15a	6	3	9	12:15p	8	7	15	6:15p	8	12	20
12:30a	1	0	1	6:30a	10	18	28	12:30p	3	11	14	6:30p	8	12	20
12:45a	0	0	0	6:45a	5	39	44	12:45p	10	8	18	6:45p	11	13	24
1:00a	0	0	0	7:00a	8	9	17	1:00p	11	16	27	7:00p	11	9	20
1:15a	0	0	0	7:15a	13	17	30	1:15p	5	8	13	7:15p	7	7	14
1:30a	0	0	0	7:30a	14	19	33	1:30p	6	12	18	7:30p	6	8	14
1:45a	0	1	1	7:45a	23	23	46	1:45p	6	6	12	7:45p	4	8	12
2:00a	1	0	1	8:00a	16	14	30	2:00p	11	11	22	8:00p	6	9	15
2:15a	1	0	1	8:15a	10	13	23	2:15p	11	65	76	8:15p	4	7	11
2:30a	0	0	0	8:30a	13	26	39	2:30p	14	13	27	8:30p	4	11	15
2:45a	0	0	0	8:45a	18	25	43	2:45p	7	16	23	8:45p	7	3	10
3:00a	2	0	2	9:00a	12	11	23	3:00p	10	11	21	9:00p	4	2	6
3:15a	1	0	1	9:15a	5	11	16	3:15p	15	15	30	9:15p	3	4	7
3:30a	1	0	1	9:30a	9	7	16	3:30p	16	24	40	9:30p	5	1	6
3:45a	2	0	2	9:45a	13	12	25	3:45p	12	35	47	9:45p	3	3	6
4:00a	0	0	0	10:00a	10	8	18	4:00p	19	26	45	10:00p	4	1	5
4:15a	1	0	1	10:15a	6	8	14	4:15p	29	21	50	10:15p	0	1	1
4:30a	0	1	1	10:30a	3	11	14	4:30p	17	28	45	10:30p	3	2	5
4:45a	1	1	2	10:45a	7	10	17	4:45p	15	22	37	10:45p	3	0	3
5:00a	1	1	2	11:00a	10	5	15	5:00p	16	51	67	11:00p	0	0	0
5:15a	0	0	0	11:15a	8	12	20	5:15p	17	36	53	11:15p	1	1	2
5:30a	0	1	1	11:30a	6	10	16	5:30p	21	27	48	11:30p	1	1	2
5:45a	4	3	7	11:45a	10	6	16	5:45p	15	26	41	11:45p	1	2	3

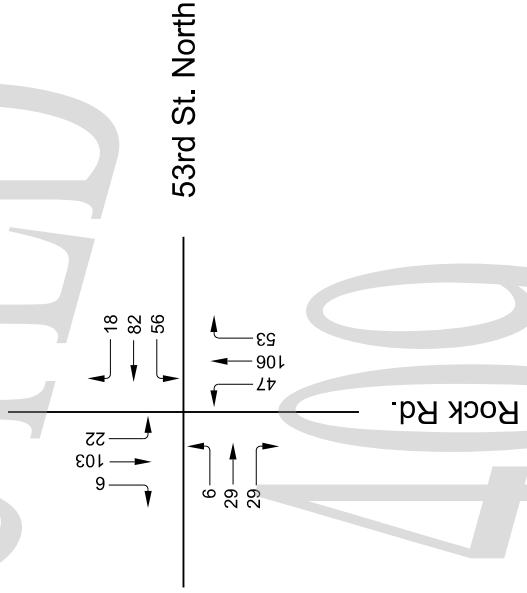
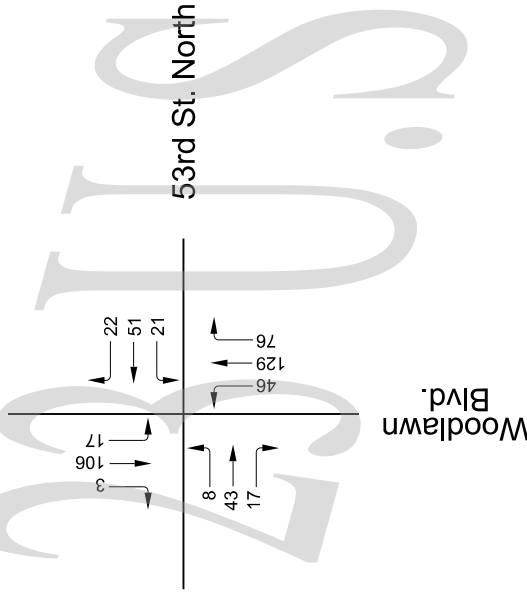
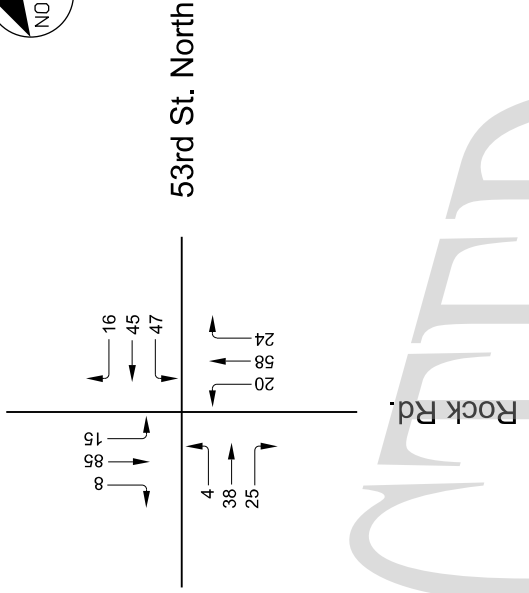
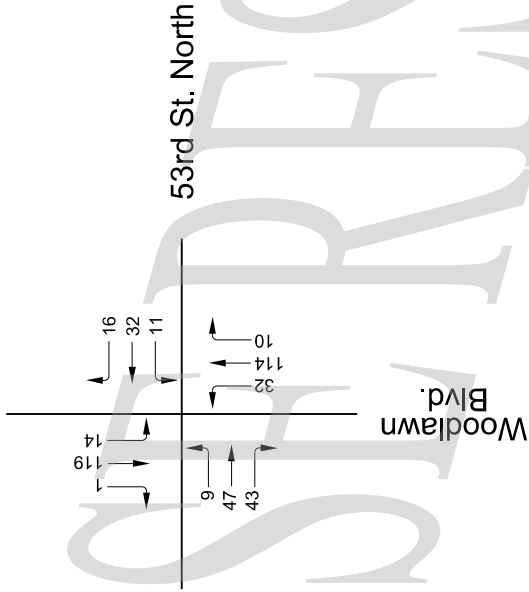


HOURLY TOTALS

Period Start	EB	WB	TOTAL
12:00a	1	3	4
1:00a	0	1	1
2:00a	2	0	2
3:00a	6	0	6
4:00a	2	2	4
5:00a	5	5	10
6:00a	25	62	87
7:00a	58	68	126
8:00a	57	78	135
9:00a	39	41	80
10:00a	26	37	63
11:00a	34	33	67
12:00p	30	41	71
1:00p	28	42	70
2:00p	43	105	148
3:00p	53	85	138
4:00p	80	97	177
5:00p	69	140	209
6:00p	36	46	82
7:00p	28	32	60
8:00p	21	30	51
9:00p	15	10	25
10:00p	10	4	14
11:00p	3	4	7

Approach	Count Date	AM Peak 7:15a - 8:15a	Noon Peak 1:45p - 2:45p	PM Peak 5:00p - 6:00p	Totals
Eastbound	3/31/21 Wed	66	42	69	671
Westbound	3/31/21 Wed	73	95	140	966
TOTAL	3/31/21 Wed	139	137	209	1,637





Section IX, Item A.

Intersection Analyses	Figure	
	August 2021	No Scale

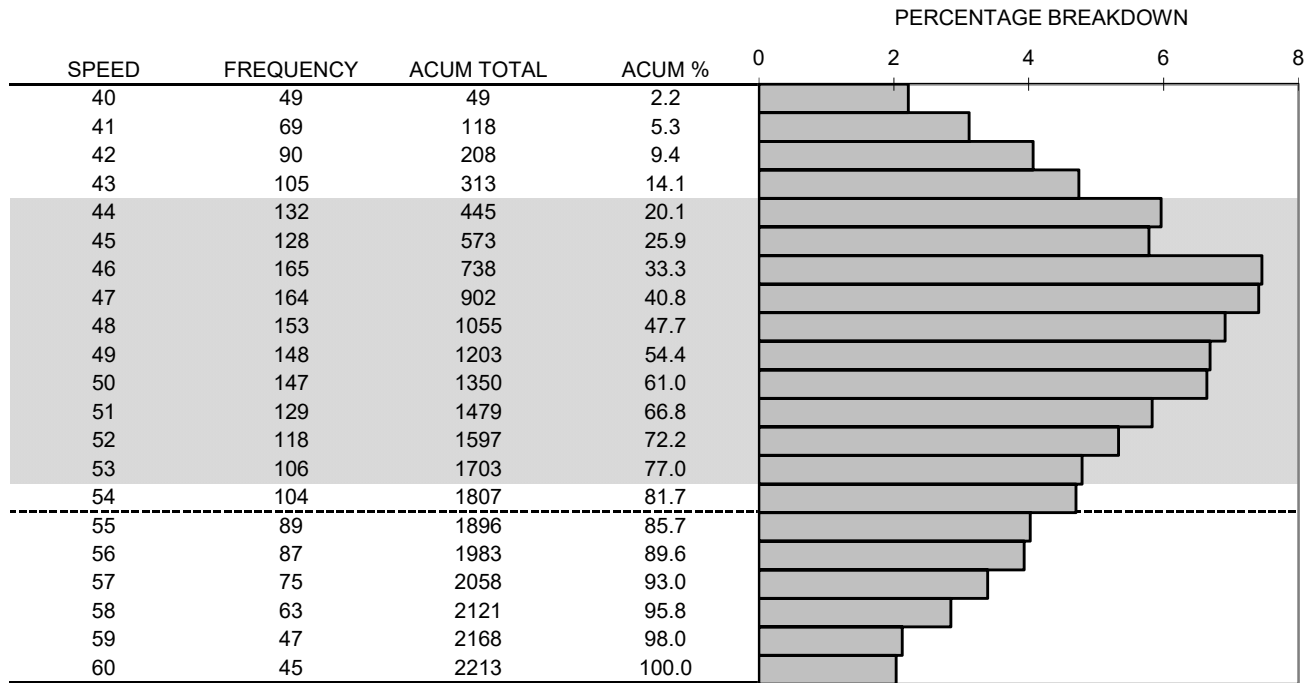
EXISTING PEAK HOUR TRAFFIC VOLUMES

# **SPOT SPEED STUDY RESULTS** **RELATIVE FREQUENCY DISTRIBUTION**

CITY: Bel Aire  
 OBSERVER: Machine  
 DATE: 3/31/2021

COUNTY: Sedgwick  
 SPEED LIMIT: 55  
 DIRECTION: NB and SB

LOCATION: Woodlawn Blvd. 700' North of 53rd St. North  
 TIME START: 12:00 AM  
 TIME END: 11:59 PM



AVERAGE SPEED = 49.3  
 50th PERCENTILE = 48.3  
 85th PERCENTILE = 54.8  
 90th PERCENTILE = 56.1  
 95th PERCENTILE = 57.7

PACE = 44 - 53  
 VEHICLES IN PACE = 1390  
 % IN PACE = 62.8  
 % BELOW PACE = 14.1  
 % ABOVE PACE = 23.

SAMPLE VARIANCE = 26.0409392  
 STANDARD DEVIATION = 5.1030324  
 RANGE 1\*S = 67.51017  
 RANGE 2\*S = 97.96656  
 RANGE 3\*S = 100.

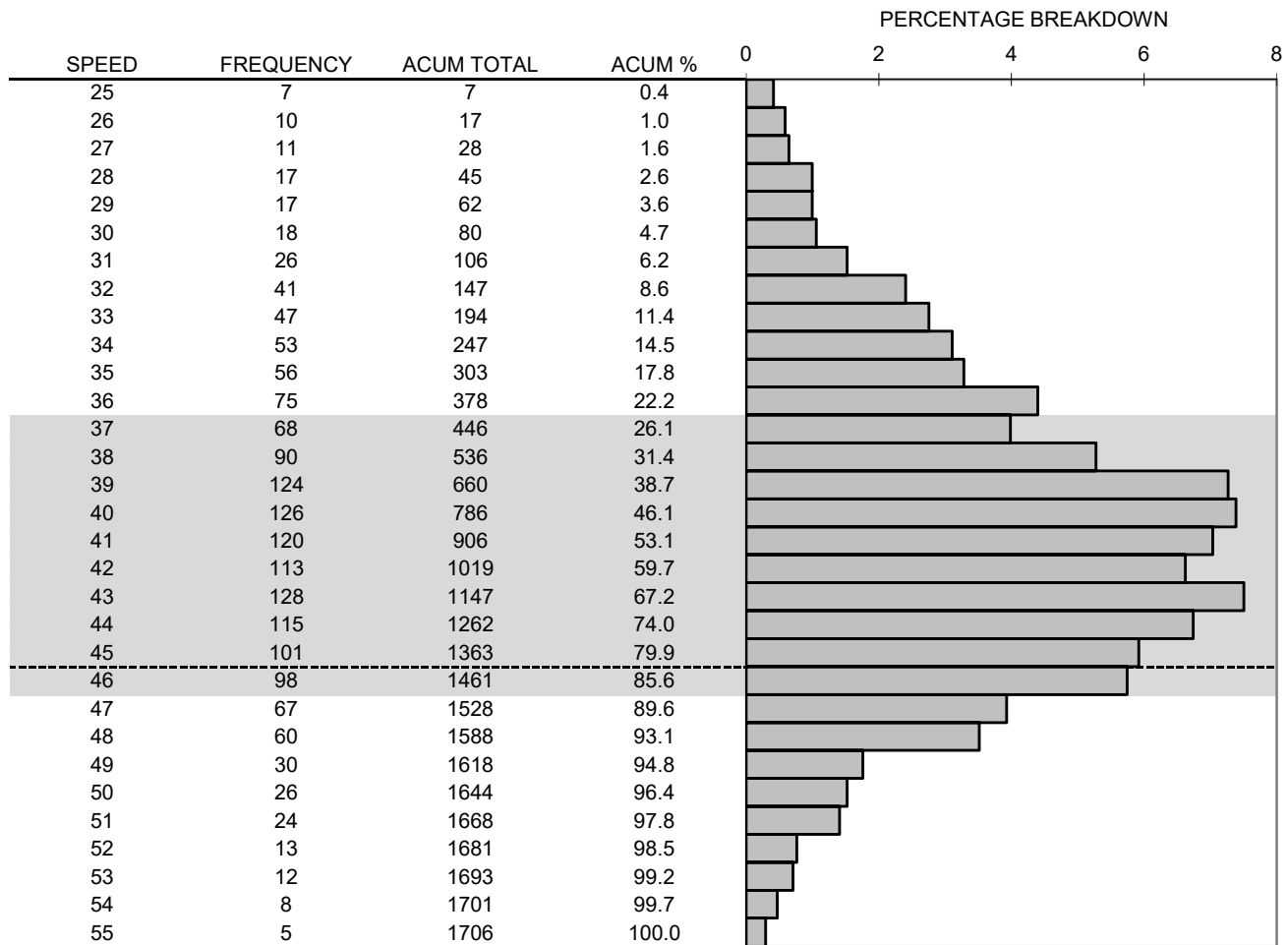
USE RESTRICTED  
 23 USC 409

# **SPOT SPEED STUDY RESULTS** **RELATIVE FREQUENCY DISTRIBUTION**

CITY: Bel Aire  
 OBSERVER: Machine  
 DATE: 3/31/2021

COUNTY: Sedgwick  
 SPEED LIMIT: 40  
 DIRECTION: EB and WB

LOCATION: 53rd St. North 500' East of Woodlawn Blvd.  
 TIME START: 12:00 AM  
 TIME END: 11:59 PM



AVERAGE SPEED = 40.7  
 50th PERCENTILE = 40.6  
 85th PERCENTILE = 45.9  
 90th PERCENTILE = 47.1  
 95th PERCENTILE = 49.1

PACE = 37 - 46  
 VEHICLES IN PACE = 1083  
 % IN PACE = 63.5  
 % BELOW PACE = 22.2  
 % ABOVE PACE = 14.4

SAMPLE VARIANCE = 32.0580999  
 STANDARD DEVIATION = 5.6619873  
 RANGE 1\*S = 71.16061  
 RANGE 2\*S = 95.89684  
 RANGE 3\*S = 100.

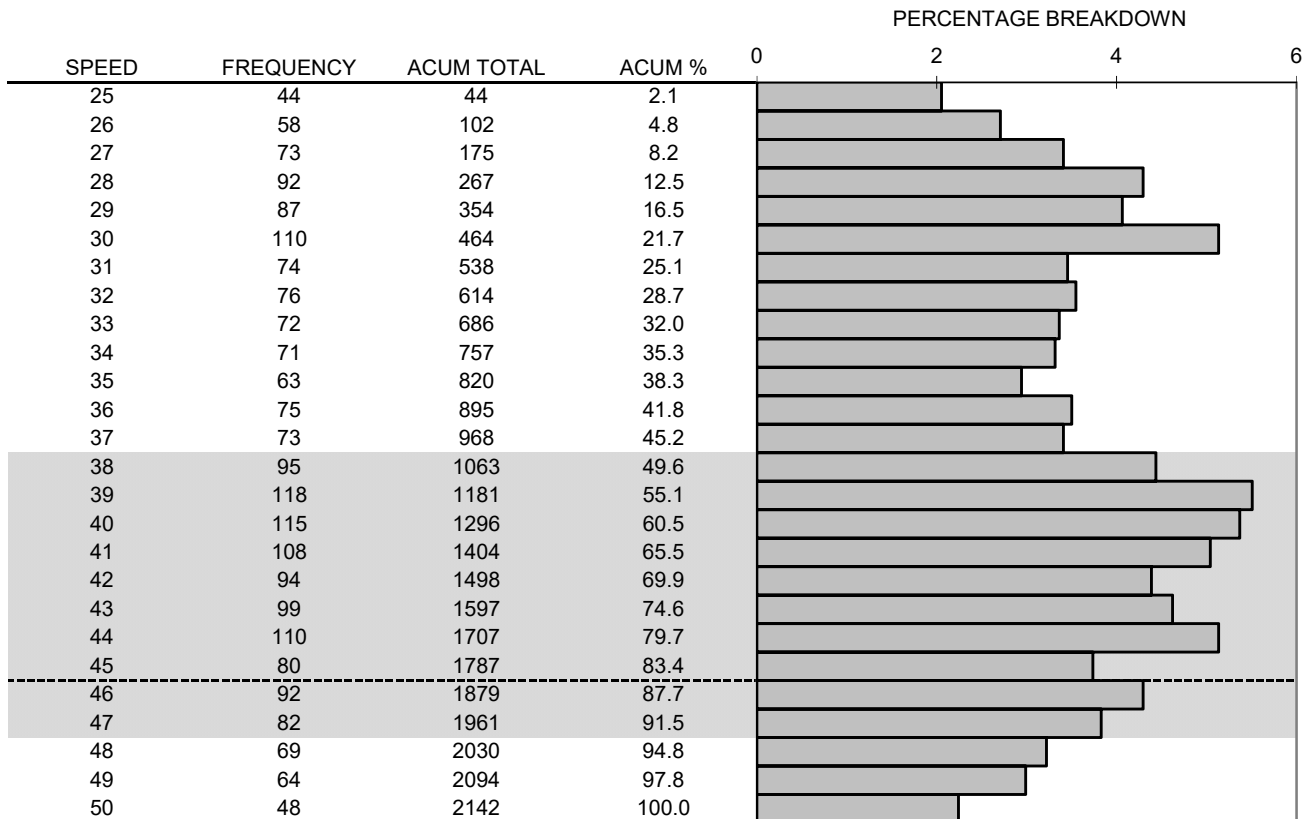
USE RESTRICTED  
 23 USC 409

### SPOT SPEED STUDY RESULTS RELATIVE FREQUENCY DISTRIBUTION

CITY: Bel Aire  
OBSERVER: Machine  
DATE: 3/31/2021

COUNTY: Sedgwick  
SPEED LIMIT: 40  
DIRECTION: NB and SB

LOCATION: Woodlawn Blvd. 200' South of 53rd St. North  
TIME START: 12:00 AM  
TIME END: 11:59 PM



AVERAGE SPEED = 37.8  
50th PERCENTILE = 38.1  
85th PERCENTILE = 45.4  
90th PERCENTILE = 46.6  
95th PERCENTILE = 48.1

PACE = 38 - 47  
VEHICLES IN PACE = 993  
% IN PACE = 46.4  
% BELOW PACE = 45.2  
% ABOVE PACE = 8.5

SAMPLE VARIANCE = 49.2922827  
STANDARD DEVIATION = 7.0208463  
RANGE 1\*S = 58.02988  
RANGE 2\*S = 100.  
RANGE 3\*S = 100.

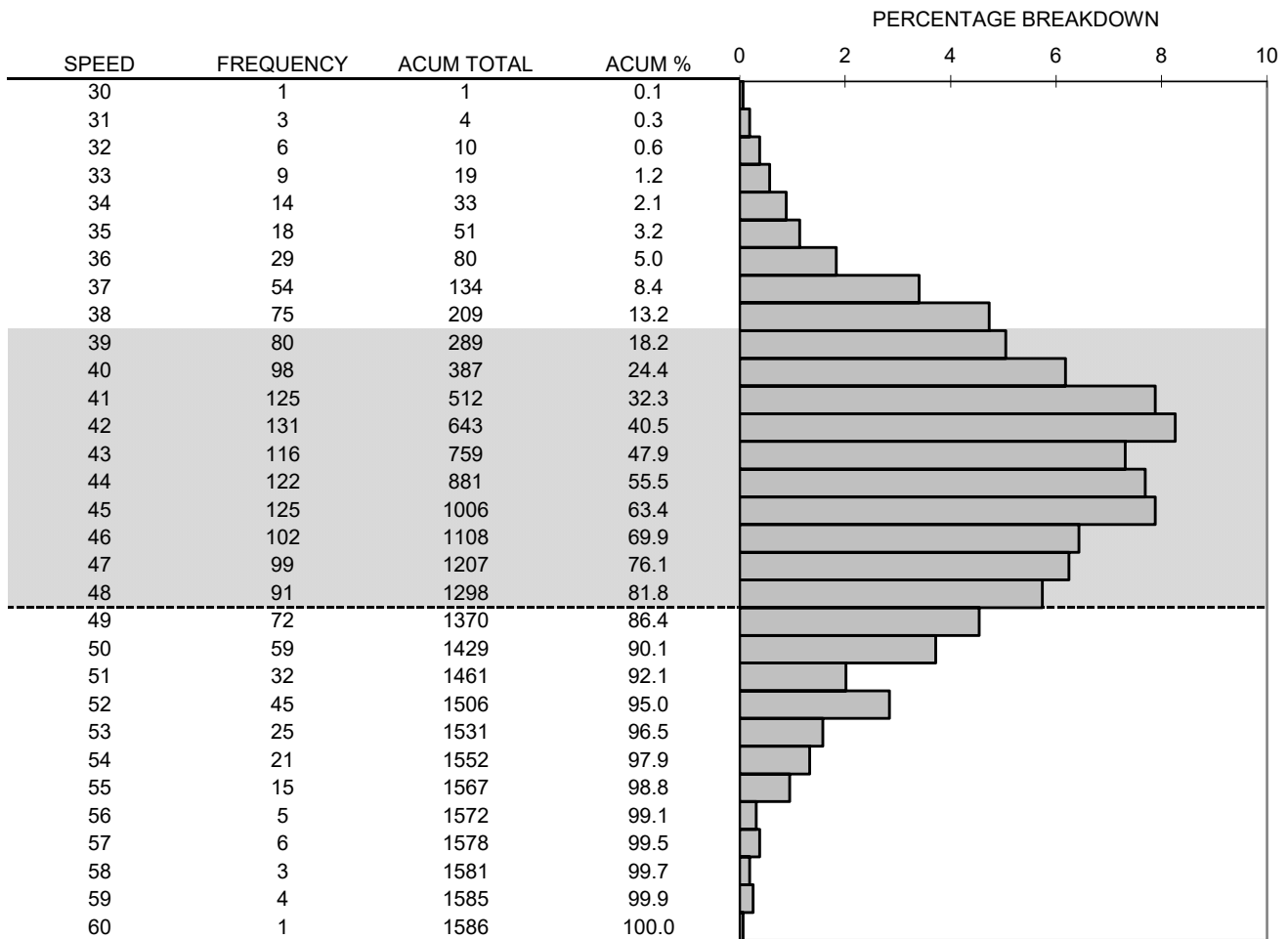
USE RESTRICTED  
23 USC 409

### SPOT SPEED STUDY RESULTS RELATIVE FREQUENCY DISTRIBUTION

CITY: Bel Aire  
OBSERVER: Machine  
DATE: 3/31/2021

COUNTY: Sedgwick  
SPEED LIMIT: 40  
DIRECTION: EB and WB

LOCATION: 53rd St. North 800' West of Woodlawn Blvd.  
TIME START: 12:00 AM  
TIME END: 11:59 PM



AVERAGE SPEED = 44.  
50th PERCENTILE = 43.3  
85th PERCENTILE = 48.7  
90th PERCENTILE = 50.  
95th PERCENTILE = 52.

PACE = 39 - 48  
VEHICLES IN PACE = 1089  
% IN PACE = 68.7  
% BELOW PACE = 13.2  
% ABOVE PACE = 18.2

SAMPLE VARIANCE = 24.4283239  
STANDARD DEVIATION = 4.9425018  
RANGE 1\*S = 68.66331  
RANGE 2\*S = 95.33418  
RANGE 3\*S = 99.68474

USE RESTRICTED  
23 USC 409

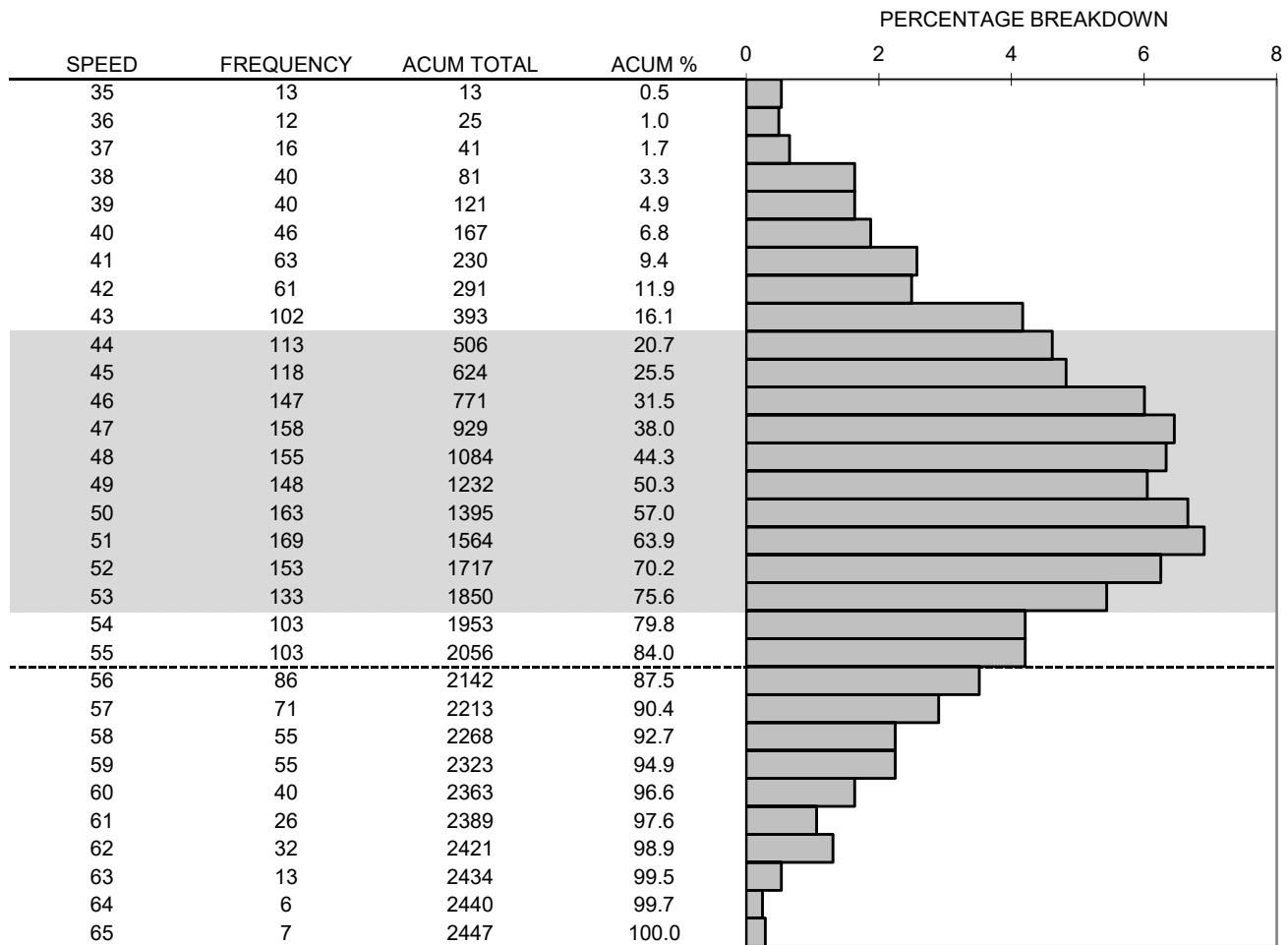


# **SPOT SPEED STUDY RESULTS** **RELATIVE FREQUENCY DISTRIBUTION**

CITY: Bel Aire  
 OBSERVER: Machine  
 DATE: 3/31/2021

COUNTY: Sedgwick  
 SPEED LIMIT: 55  
 DIRECTION: NB and SB

LOCATION: Rock Road 600' North of 53rd St. North  
 TIME START: 12:00 AM  
 TIME END: 11:59 PM



AVERAGE SPEED = 49.5  
 50th PERCENTILE = 48.9  
 85th PERCENTILE = 55.3  
 90th PERCENTILE = 56.8  
 95th PERCENTILE = 59.

PACE = 44 - 53  
 VEHICLES IN PACE = 1457  
 % IN PACE = 59.5  
 % BELOW PACE = 16.1  
 % ABOVE PACE = 24.4

SAMPLE VARIANCE = 34.944819  
 STANDARD DEVIATION = 5.9114143  
 RANGE 1\*S = 67.96077  
 RANGE 2\*S = 95.95422  
 RANGE 3\*S = 100.

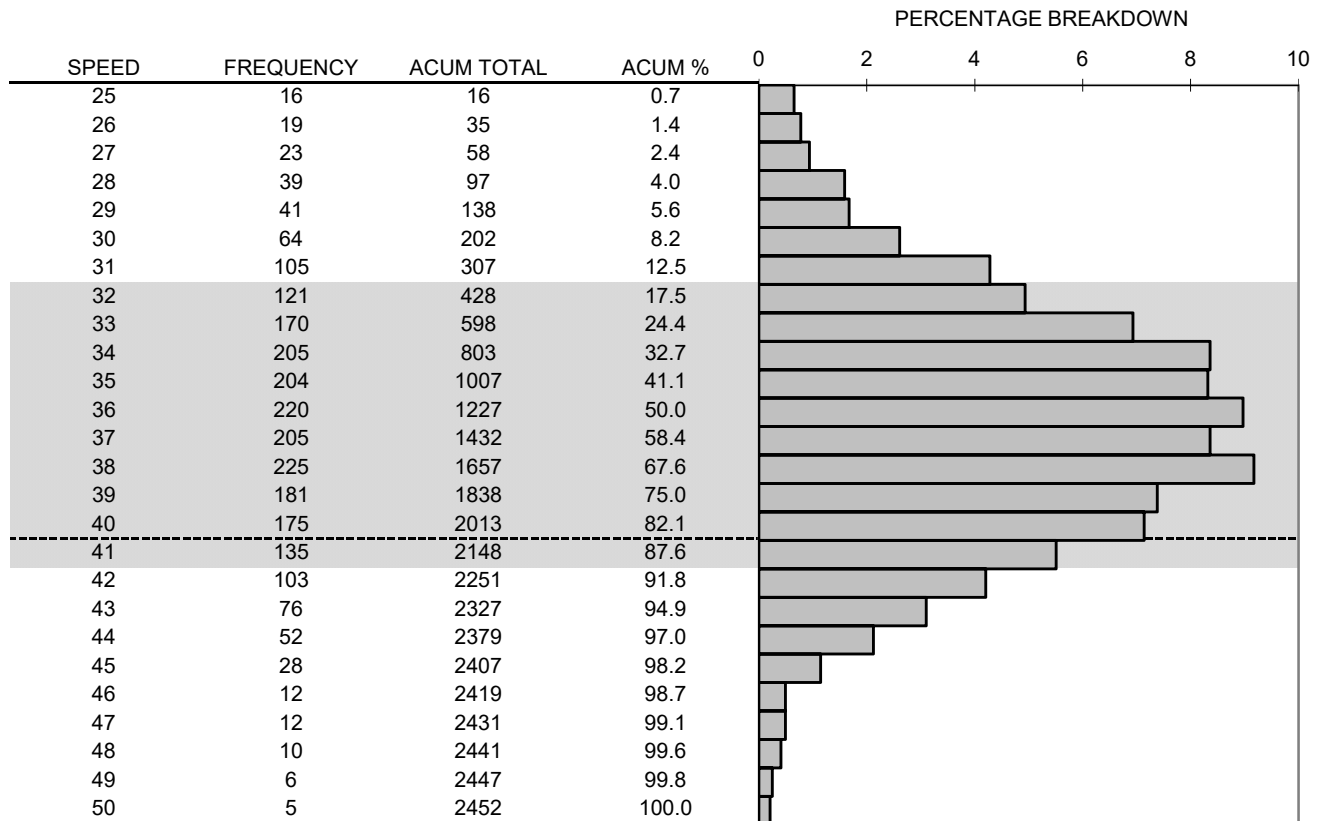
USE RESTRICTED  
 23 USC 409

### SPOT SPEED STUDY RESULTS RELATIVE FREQUENCY DISTRIBUTION

CITY: Bel Aire  
OBSERVER: Machine  
DATE: 3/31/2021

COUNTY: Sedgwick  
SPEED LIMIT: 40  
DIRECTION: EB and WB

LOCATION: 53rd St. North 500' East of Rock Rd.  
TIME START: 12:00 AM  
TIME END: 11:59 PM



AVERAGE SPEED = 36.5  
50th PERCENTILE = 36.  
85th PERCENTILE = 40.5  
90th PERCENTILE = 41.6  
95th PERCENTILE = 43.

PACE = 32 - 41  
VEHICLES IN PACE = 1841  
% IN PACE = 75.1  
% BELOW PACE = 12.5  
% ABOVE PACE = 12.4

SAMPLE VARIANCE = 19.1909398  
STANDARD DEVIATION = 4.3807465  
RANGE 1\*S = 69.57586  
RANGE 2\*S = 95.79935  
RANGE 3\*S = 99.79609

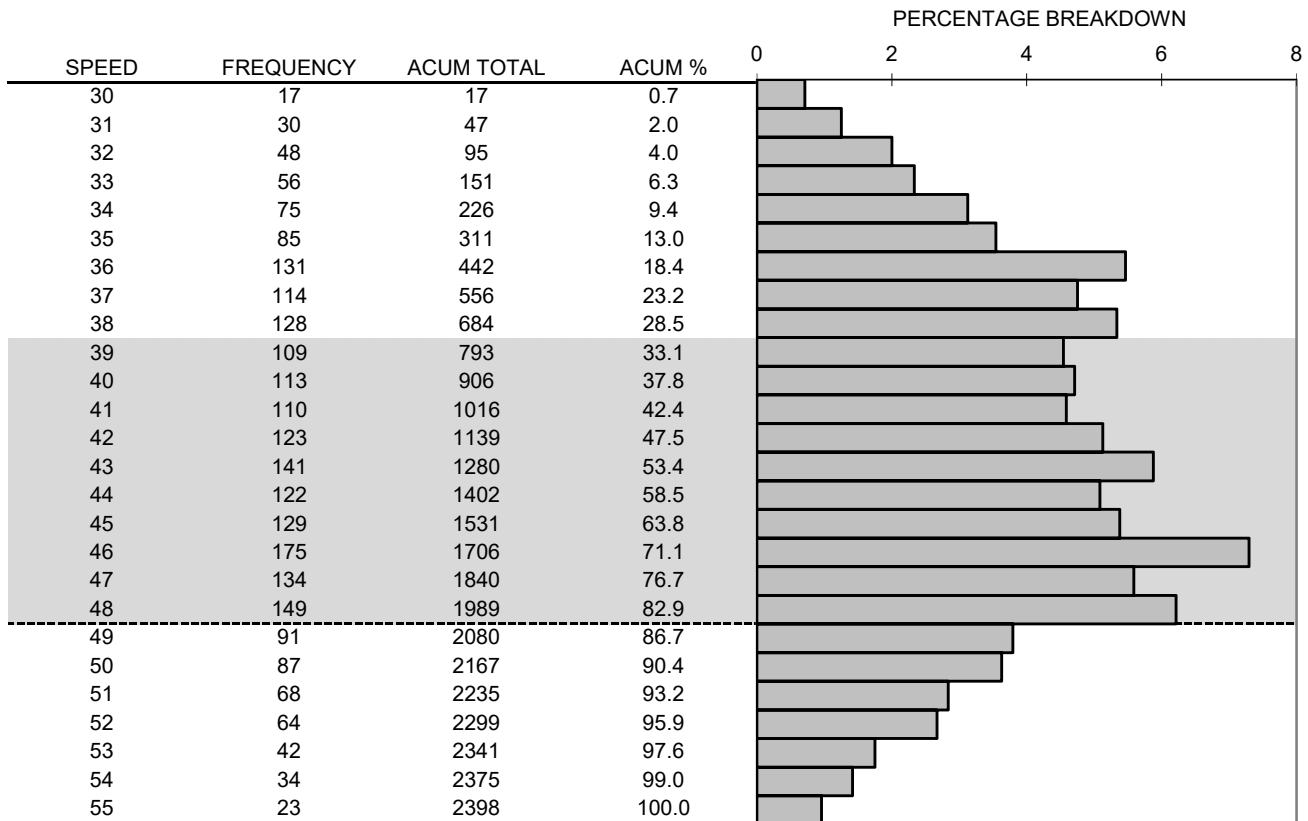
USE RESTRICTED  
23 USC 409

### SPOT SPEED STUDY RESULTS RELATIVE FREQUENCY DISTRIBUTION

CITY: Bel Aire  
OBSERVER: Machine  
DATE: 3/31/2021

COUNTY: Sedgwick  
SPEED LIMIT: 45  
DIRECTION: NB and SB

LOCATION: Rock Road 300' South of 53rd St. North  
TIME START: 12:00 AM  
TIME END: 11:59 PM



AVERAGE SPEED = 42.6  
50th PERCENTILE = 42.4  
85th PERCENTILE = 48.5  
90th PERCENTILE = 49.9  
95th PERCENTILE = 51.7

PACE = 39 - 48  
VEHICLES IN PACE = 1305  
% IN PACE = 54.4  
% BELOW PACE = 28.5  
% ABOVE PACE = 17.1

SAMPLE VARIANCE = 34.8949886  
STANDARD DEVIATION = 5.907198  
RANGE 1\*S = 64.51209  
RANGE 2\*S = 98.33195  
RANGE 3\*S = 100.

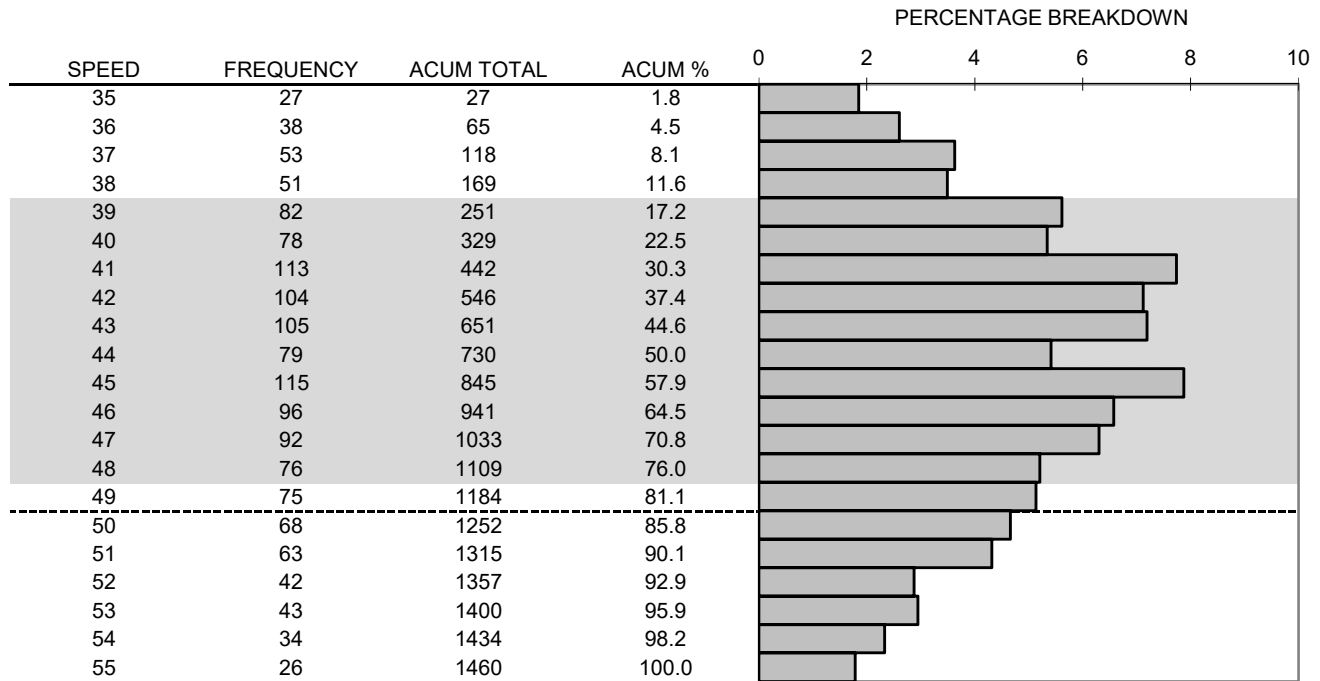
USE RESTRICTED  
23 USC 409

### SPOT SPEED STUDY RESULTS RELATIVE FREQUENCY DISTRIBUTION

CITY: Bel Aire  
OBSERVER: Machine  
DATE: 3/31/2021

COUNTY: Sedgwick  
SPEED LIMIT: 40  
DIRECTION: EB and WB

LOCATION: 53rd St. North 600' West of Rock Rd.  
TIME START: 12:00 AM  
TIME END: 11:59 PM



AVERAGE SPEED = 44.6  
50th PERCENTILE = 44.  
85th PERCENTILE = 49.8  
90th PERCENTILE = 51.  
95th PERCENTILE = 52.7

PACE = 39 - 48  
VEHICLES IN PACE = 940  
% IN PACE = 64.4  
% BELOW PACE = 11.6  
% ABOVE PACE = 24.

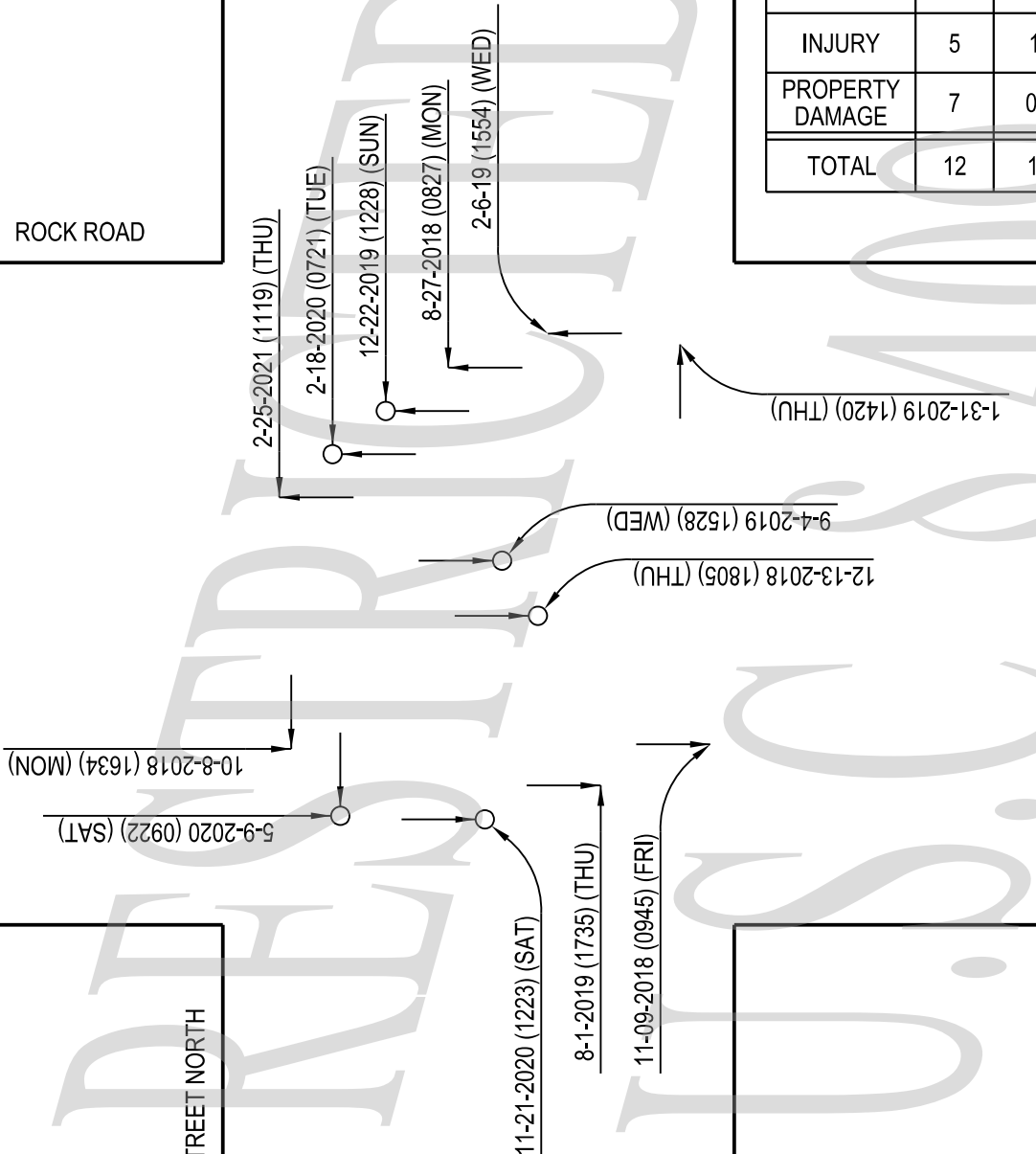
SAMPLE VARIANCE = 24.7080643  
STANDARD DEVIATION = 4.9707207  
RANGE 1\*S = 63.90411  
RANGE 2\*S = 98.21918  
RANGE 3\*S = 100.

USE RESTRICTED  
23 USC 409



ROCK ROAD

53RD STREET NORTH



### LEGEND

- FATALITY
- PERSONAL INJURY
- REAR END COLLISION
- SIDE SWIPE COLLISION
- OUT OF CONTROL
- MOTOR VEHICLE BACKING
- UNINVOLVED VEHICLE
- PEDESTRIAN
- BICYCLE
- FIXED OBJECT

### CRASH TOTALS BY SEVERITY

SEVERITY	DAY	NIGHT	TOTAL
FATAL	0	0	0
INJURY	5	1	6
PROPERTY DAMAGE	7	0	7
TOTAL	12	1	13

Intersection:  
Rock Rd & 53rd St. North

City / State:  
Bel Aire, Kansas

Time Period:  
From: 1-1-2018  
To: 3-1-2021

Section IX, Item A.

Figure

August 2021

No Scale

Intersection Analyses

Bel Aire, Kansas

COLLISION DIAGRAM  
ROCK ROAD AND 53RD STREET NORTH



## Bel Aire, Kansas

62

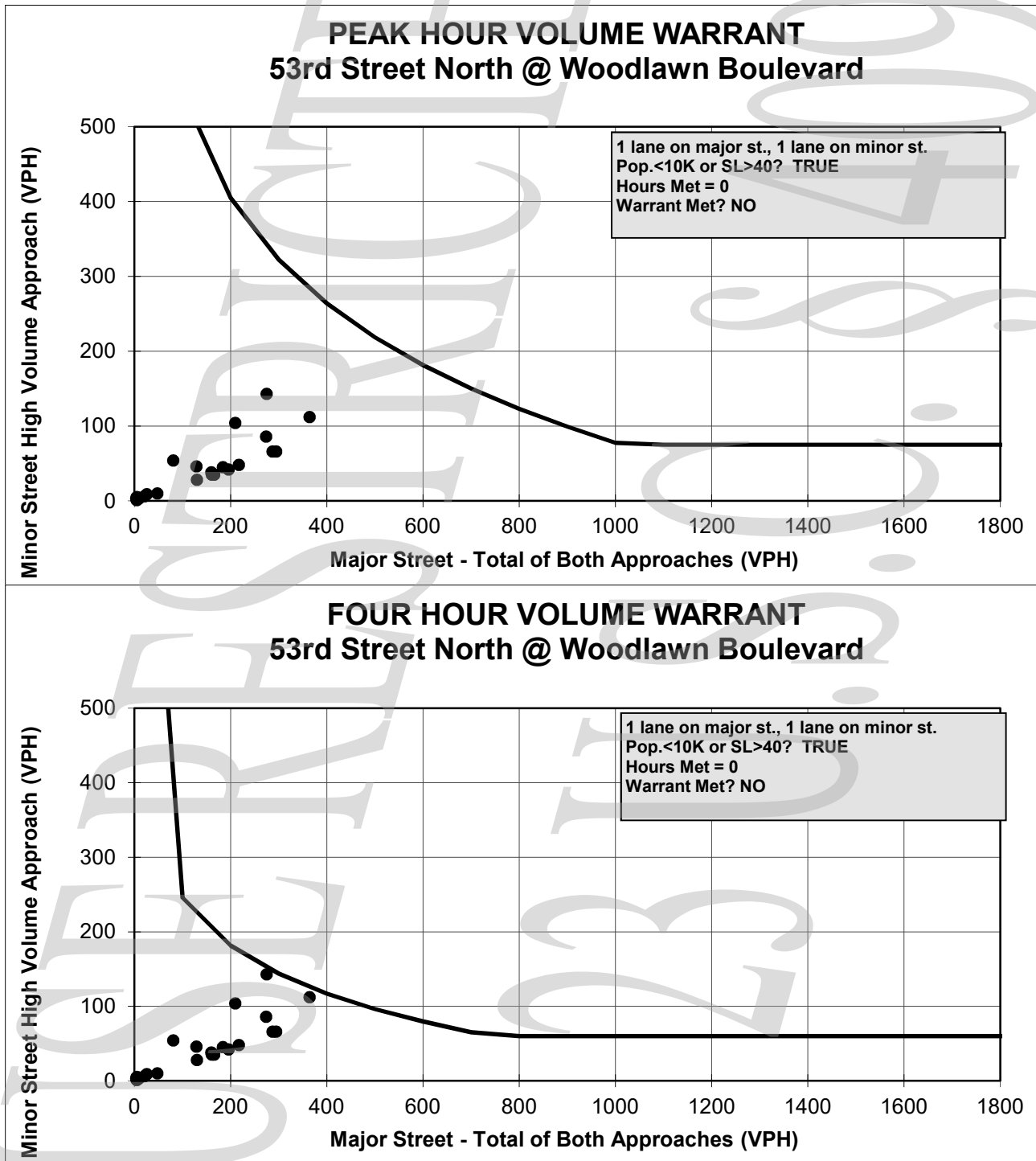
# Traffic Signal Warrant Analysis

Section IX, Item A.

Bel Aire TEAP

Bel Aire, Kansas

Location: **Woodlawn Boulevard & 53rd Street North**



## Bel Aire, Kansas

64

# Traffic Signal Warrant Analysis

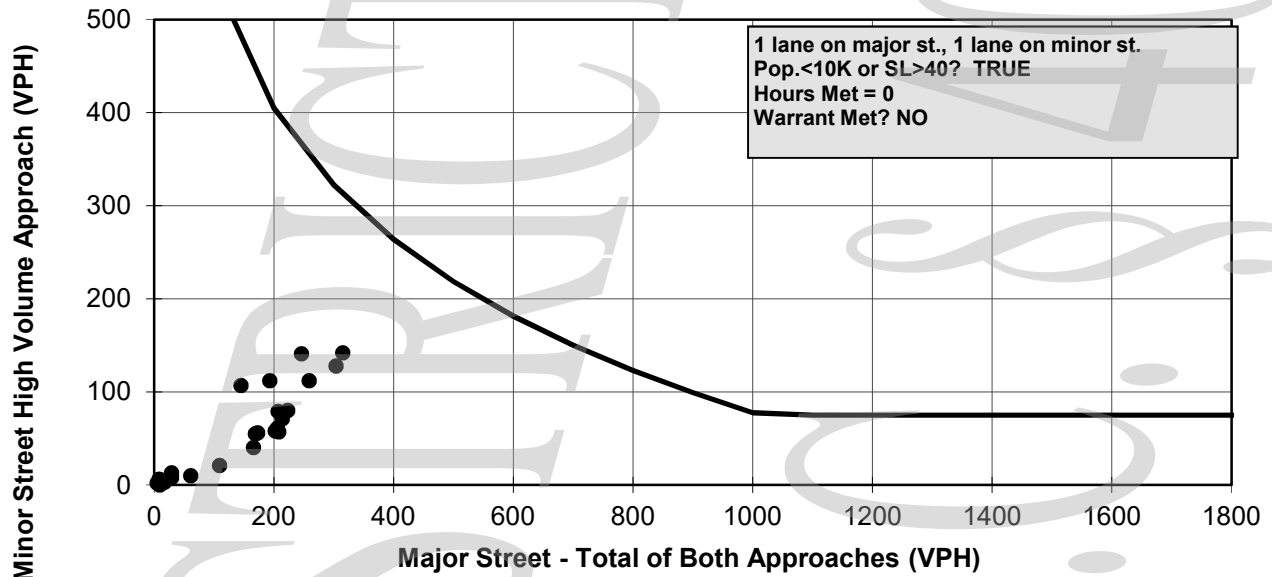
Section IX, Item A.

Bel Aire TEAP

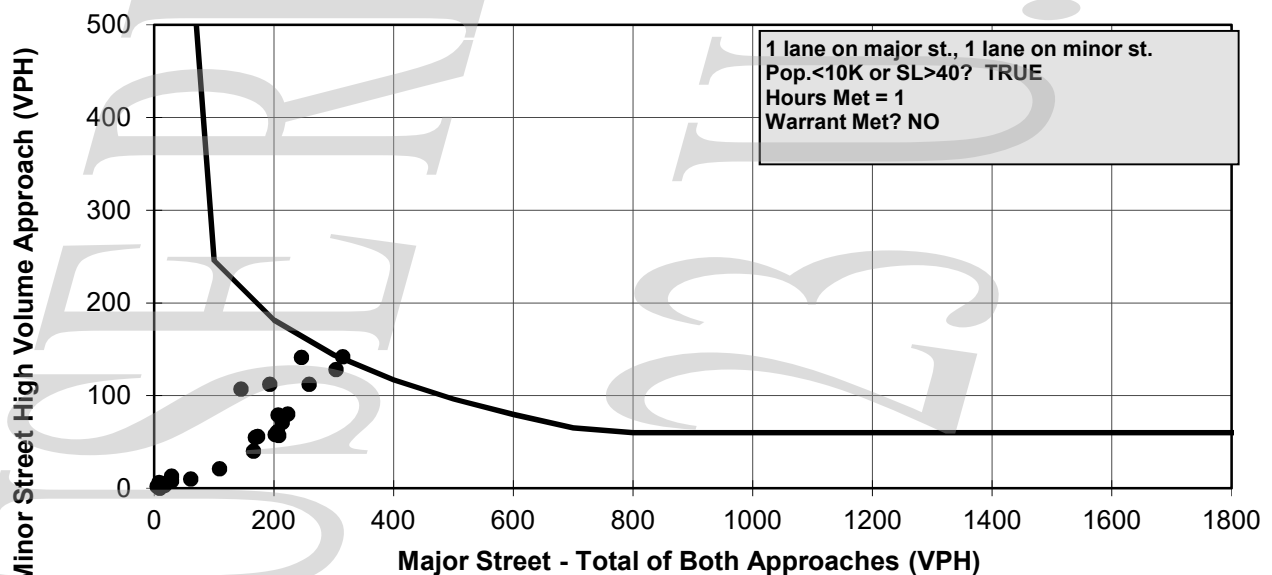
Bel Aire, Kansas

Location: **Rock Road & 53rd Street North**

## PEAK HOUR VOLUME WARRANT 53rd Street North @ Rock Road



## FOUR HOUR VOLUME WARRANT 53rd Street North @ Rock Road



TEAP STUDY QUESTIONNAIRE

County: \_\_\_\_\_ City: \_\_\_\_\_

Location: \_\_\_\_\_

Submitted by: \_\_\_\_\_

The Kansas Department of Transportation would appreciate your comments concerning the Traffic Engineering Assistance Program (TEAP). Your comments will be useful in evaluating the effectiveness of the program. A questionnaire is provided below and can be returned by email or mailing to the address below.

1. Did the study address the issues identified in your TEAP application? Yes No
2. Which of the Recommendations have been or will be implemented?

Low-cost Medium-Cost Project Behavioral

Specifically what was implemented: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If none, why not? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Would you use the TEAP program again? Yes No

Why or why not? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please add any additional comments you may have. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Return to: Bureau of Local Projects  
Kansas Department of Transportation  
Eisenhower State Office Building  
700 SW Harrison, 7th Floor  
Topeka, KS 66603-3745  
Phone: (785) 296-3861  
E-mail address: [KDOT.LPePlans@ks.gov](mailto:KDOT.LPePlans@ks.gov)



(First Published in the Ark Valley News on March \_\_\_\_, 2022.)

THE CITY OF BEL AIRE, KANSAS

ORDINANCE NO. \_\_\_\_

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FROM **R-1 RESIDENTIAL TO R-4 RESIDENTIAL** ON CERTAIN PROPERTY LOCATED WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF BEL AIRE, KANSAS.

WHEREAS, the legal description of the tract of land is as follows:

**Legal Description**

**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.

WHEREAS, A public hearing was convened on the matter of rezoning the afore described tract on February 10, 2022, by the Planning Commission for the City of Bel Aire, Kansas in

conformance with the requirements set forth in Article Five of the Zoning Regulations of the City of Bel Aire, Kansas;

WHEREAS, Following the public hearing, the Planning Commission found that the evidence does support this requested zone change based upon the guidelines set forth in Article 5.02 of the Zoning Regulations of the City of Bel Aire, Kansas;

WHEREAS, The Planning Commission for the City of Bel Aire, Kansas recommends approval of the application by the property owner to change the tract of land, as described above, from **R-1 RESIDENTIAL TO R-4 RESIDENTIAL**;

WHEREAS, the Governing Body has considered the factors set forth in Article 5.01 and Article 5.02 of the Zoning Regulations of the City of Bel Aire, Kansas in relation to this tract;

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

SECTION 1. The Governing Body supports the recommendation of the Bel Aire Planning Commission, and approves the rezoning of the tract of land from **R-1 RESIDENTIAL TO R-4 RESIDENTIAL**;

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the City Council this 1<sup>st</sup> day of March, 2022.

Approved by the Mayor this 1<sup>st</sup> day of March, 2022.

[SEAL]

\_\_\_\_\_  
MAYOR JIM BENAGE

ATTEST:

\_\_\_\_\_  
CITY CLERK MELISSA KREHBIEL

## 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 28<sup>th</sup> 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 28<sup>th</sup> 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 7<sup>th</sup>, 2022.

- Provide paper plat maps by the morning of February 7<sup>th</sup>.
- 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 7<sup>th</sup> 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.

Affidavit of Publication

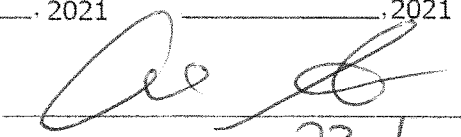
STATE OF KANSAS,  
SEDGWICK COUNTY, ss.

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:

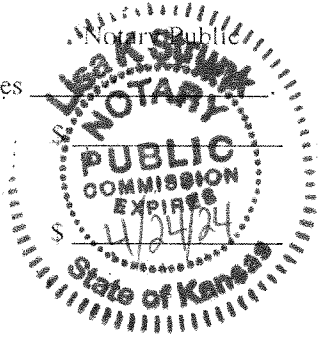
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021  
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021  
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021



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



My commission expires \_\_\_\_\_  
Additional copies \_\_\_\_\_  
Printer's fee \_\_\_\_\_



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

Summary of Ordinance No. \_\_\_\_  
City of Bel Aire, Kansas

On March 1, 2022, the City of Bel Aire, Kansas, adopted Ordinance No. \_\_\_\_, regarding approval of a Conditional Use allowing for the installation of an LED sign located in a C-1 district, all within the City of Bel Aire, Kansas. A complete copy of this ordinance is available online at <http://www.belaireks.org> under documents or during normal business hours at City Hall, located at 7651 East Central Park Ave., Bel Aire, KS 67226. The ordinance is not subject to a protest petition. Questions pertaining to this ordinance may be directed to Mr. Ty Lasher, City Manager, at (316) 744-2451. This summary has been reviewed and certified by Jacqueline Kelly, City Attorney.

(First Published in the Ark Valley News  
on the \_\_ day of \_\_\_\_\_, 2022.)

**THE CITY OF BEL AIRE, KANSAS**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE APPROVING A CONDITIONAL USE ON  
CERTAIN PROPERTY ZONED C-1 LOCATED WITHIN THE  
CORPORATE CITY LIMITS OF THE CITY OF BEL AIRE,  
KANSAS.**

**WHEREAS**, Notice of a public hearing to consider a special use request was published in the Ark Valley News on January 20, 2022, in conformance with Article Five of the Zoning Regulations of the City of Bel Aire, Kansas.

**WHEREAS**, A public hearing was convened on February 10, 2022 by the Planning Commission for the City of Bel Aire, Kansas, to consider the matter of permitting a conditional use upon a tract of land within the City of Bel Aire, Kansas, located at 3951 N Woodlawn, in conformance with the requirements set forth in Article Five, Section Three (5.03), of the Zoning Regulations of the City of Bel Aire, Kansas;

**WHEREAS**, Following the public hearing, the Planning Commission found that the evidence supported recommending approval of this requested conditional use request based upon the guidelines set forth in Article Five, Section Three (5.03) of the Zoning Regulations of the City of Bel Aire, Kansas, in association with the owner’s request to install an LED sign which will not be contrary to the public interest or detract from the residential nature of the neighborhood;

**WHEREAS**, The Planning Commission for the City of Bel Aire, Kansas, recommends approval of the application by the owner, UFCW Local 2 Building Corporation, to allow for the conditional use upon the tract of land. Such special use shall allow the property owner to install and maintain an LED sign according to applicant’s site plan specifications at 3951 N Woodlawn, Bel Aire, Kansas.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:**

**SECTION 1.** The Governing Body adopts the recommendation of the Bel Aire Planning Commission to permit by conditional use the installation of an LED sign at 3951 N Woodlawn, Bel Aire, Kansas conditioned upon the completion of a (6) months review for brightness by the City Zoning Administrator, owner is required to make adjustments requested by City Zoning

Administrator regarding the brightness of the sign.

**SECTION 2.** In conformance with Section 5.03 (D) and (E) of the Zoning Regulations, the Governing Body finds that the request for an LED sign be constructed in a manner that does not detract from the residential nature of the neighborhood.

**SECTION 3.** All ordinances, parts of ordinances, or other regulations or policies in conflict herewith are hereby repealed.

**SECTION 4.** This Ordinance shall not take effect until filed with the Register of Deeds.

**SECTION 5.** This Ordinance shall take effect and be in force from and after appropriate filing and the publication of its summary in the official city newspaper.

Passed by the City Council this 1<sup>st</sup> day of March, 2022.

Approved by the Mayor this 1<sup>st</sup> day of March, 2022.

\_\_\_\_\_  
Jim Benage, MAYOR

ATTEST:

\_\_\_\_\_  
Melissa Krehbiel, CITY CLERK

SEAL



**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.

3951 N Woodlawn Ct  
3. This property is located at (address) 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)

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.





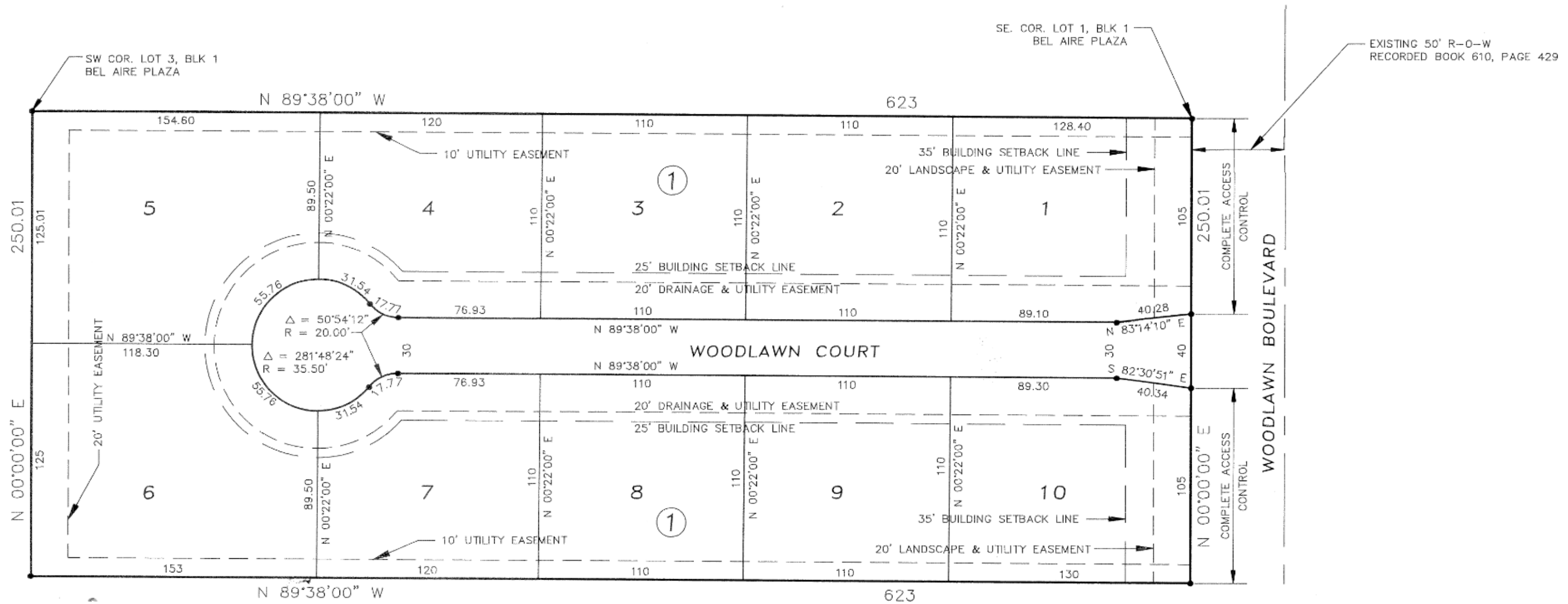
**SCOPE OF WORK:**  
Remove existing cabinet sign  
Install (2) new EMC (variable message)  
units "Cirrus Blade M / 9mm Full Color Display  
back to back on existing pipe. Install vented black  
cladding between sign cabinets

\*see spec sheet for further specifications



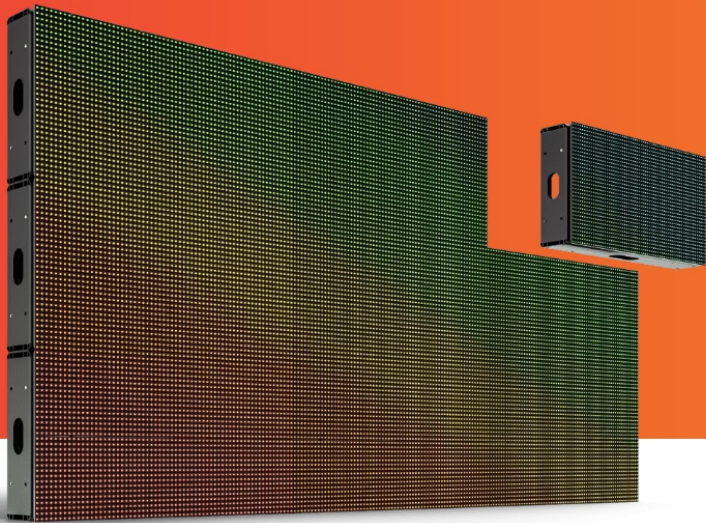


## Site plan 2 - Easements and setbacks



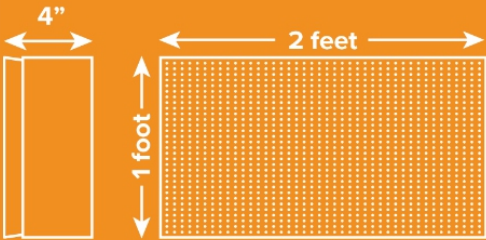


Cirrus Complete.  
Ultimate peace of mind.



BladeM 9mm, full color configurable outdoor LED display

- 5 x 8 Double-Sided display
- Consists of 40 L ED 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 25 Twp 26S 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





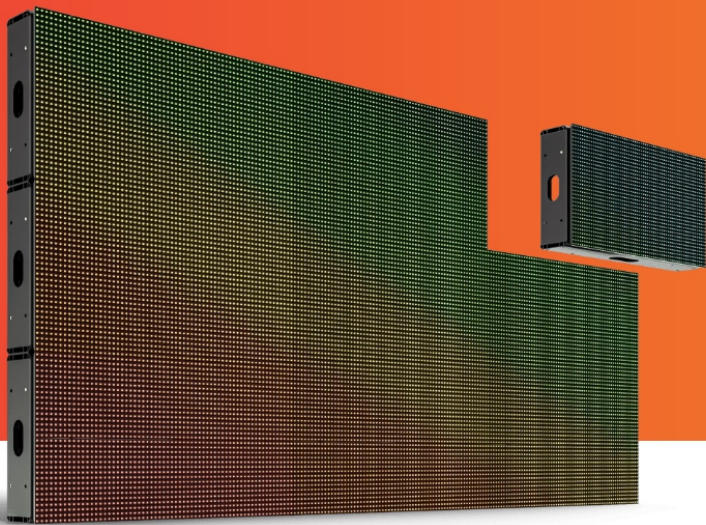
**SCOPE OF WORK:**  
Remove existing cabinet sign  
Install (2) new EMC (variable message)  
units "Cirrus Blade M / 9mm Full Color Display  
back to back on existing pipe. Install vented black  
cladding between sign cabinets

\*see spec sheet for further specifications



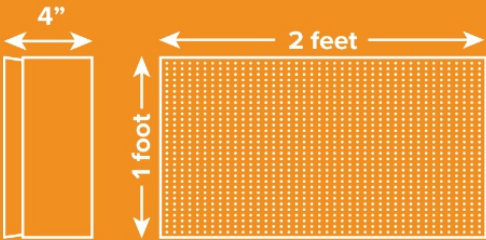


Cirrus Complete.  
Ultimate peace of mind.



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- 5 x 8 Double-Sided display
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- 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



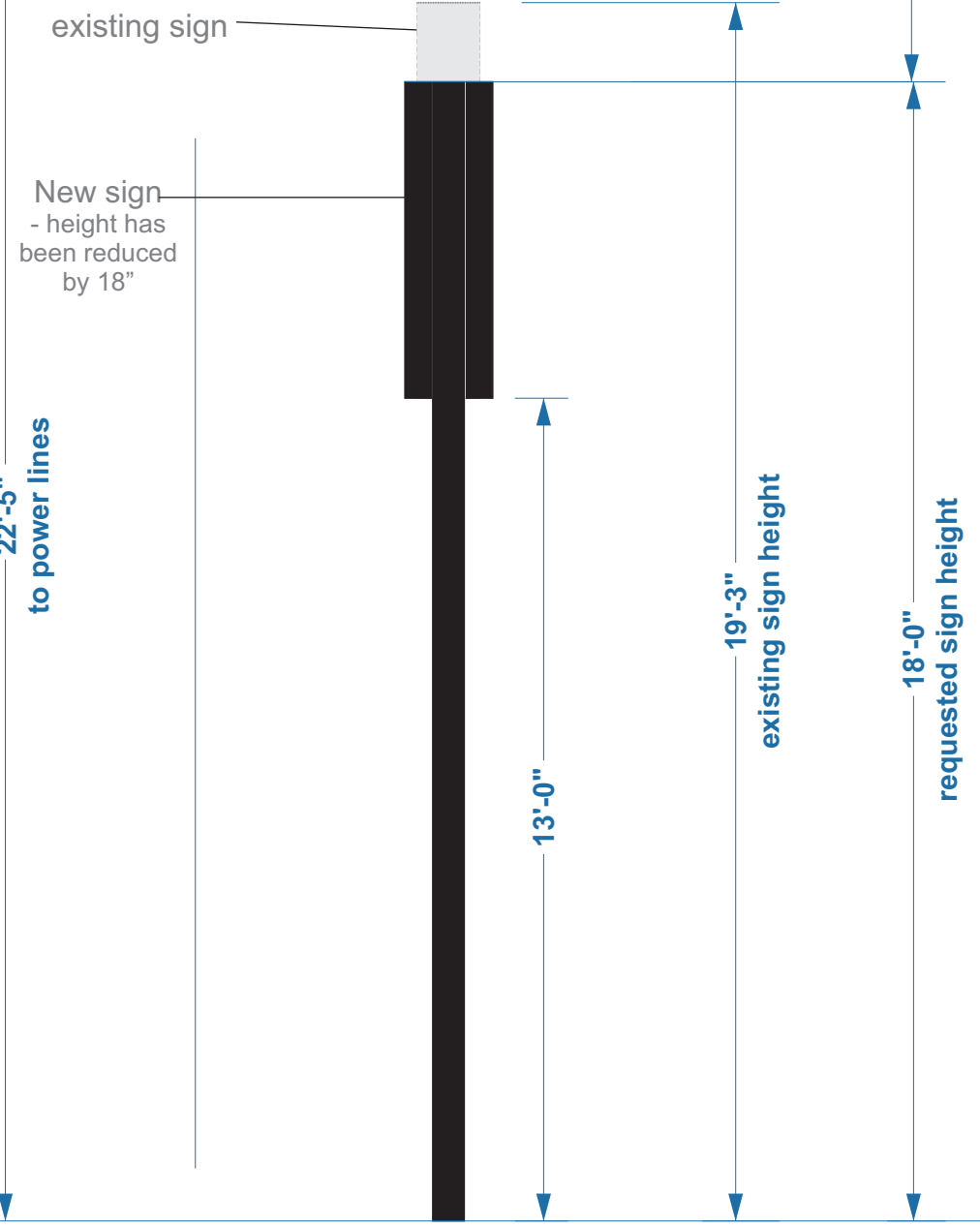
Single LED panel with aluminum frame

Display specs & electrical info

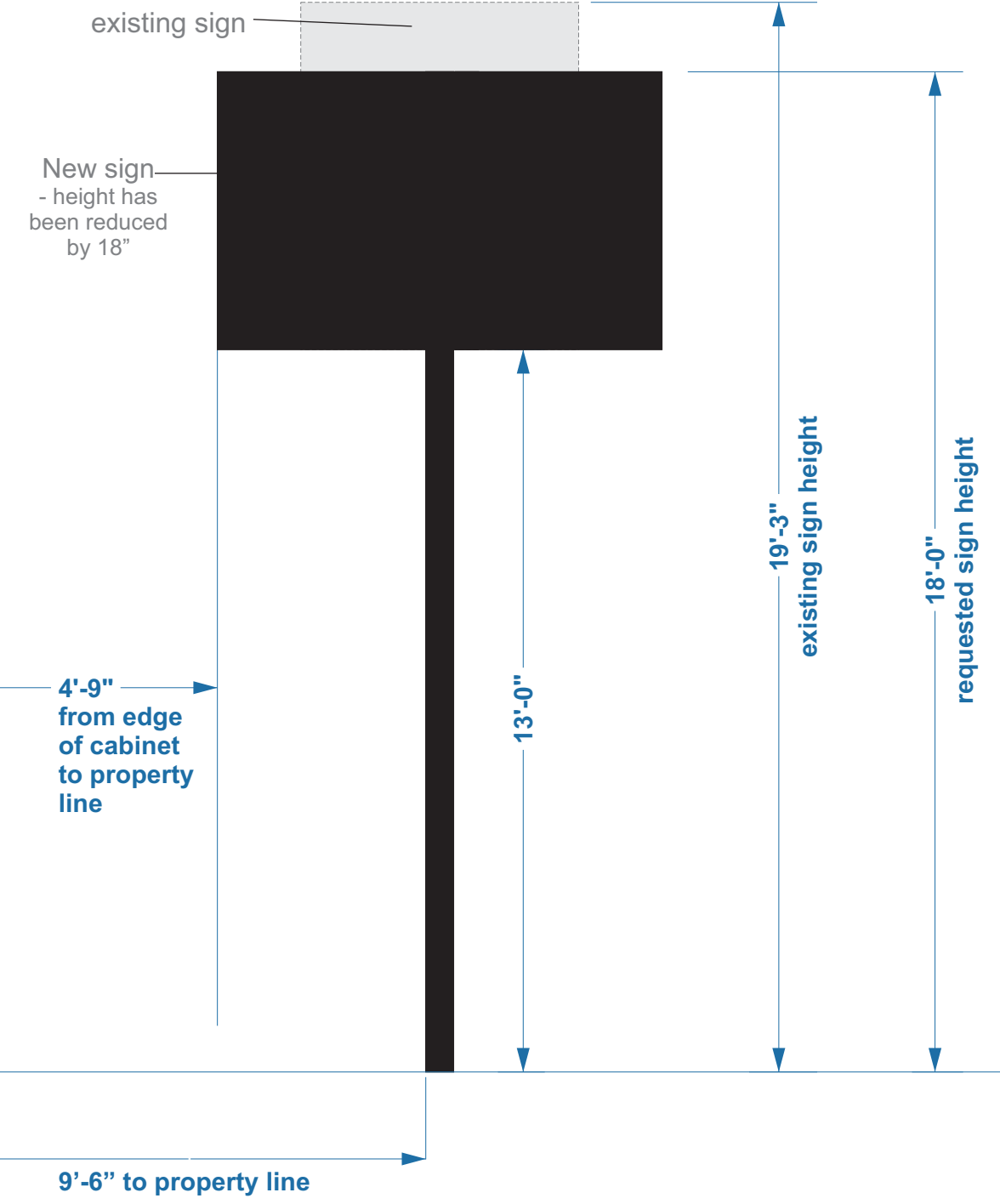
Module	BladeM (SMD)	Operating temp	158°F to -40°F
LED color	Full Color RGB	Max continuous power	4,300.00 watts
Pixel pitch	9mm	Max current @ 240V	17.92 amps
Configuration	Double-Sided	Input voltage	208V-240V
Square feet	40 (per face)	Additional power inputs	1 Power Boosters
Display dimensions	5 feet 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
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240V: 2 Lines of Power at 20 Amps - One line of power into the controller and 1 into the boosters

East elevation Side View



North elevation





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:

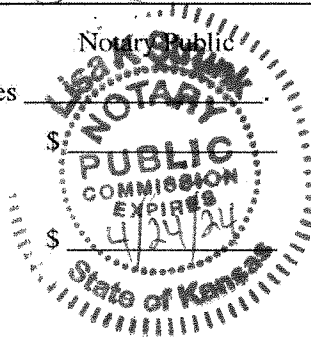
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021  
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021  
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021

[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



Summary of Ordinance No. \_\_\_\_  
City of Bel Aire, Kansas

On March 1, 2022, the City of Bel Aire, Kansas, adopted Ordinance No. \_\_\_\_, regarding approval of a Conditional Use allowing for a private swimming pool to be located in the Rock Springs Addition, all within the City of Bel Aire, Kansas. A complete copy of this ordinance is available online at <http://www.belaireks.org> under documents or during normal business hours at City Hall, located at 7651 East Central Park Ave., Bel Aire, KS 67226. The ordinance is not subject to a protest petition. Questions pertaining to this ordinance may be directed to Mr. Ty Lasher, City Manager, at (316) 744-2451. This summary has been reviewed and certified by Jacqueline Kelly, City Attorney.

(First Published in the Ark Valley News  
on the \_\_th day of \_\_\_\_\_, 2022.)

**THE CITY OF BEL AIRE, KANSAS**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE APPROVING A CONDITIONAL USE ON  
CERTAIN PROPERTY ZONED R-5 LOCATED WITHIN THE  
CORPORATE CITY LIMITS OF THE CITY OF BEL AIRE,  
KANSAS.**

**WHEREAS**, Notice of a public hearing to consider a special use request was published in the Ark Valley News on January 20, 2022, in conformance with Article Five of the Zoning Regulations of the City of Bel Aire, Kansas.

**WHEREAS**, A public hearing was convened on February 10, 2022 by the Planning Commission for the City of Bel Aire, Kansas, to consider the matter of permitting a conditional use upon a tract of land within the City of Bel Aire, Kansas, located at 8667 E. Chris Street, in conformance with the requirements set forth in Article Five, Section Three (5.03), of the Zoning Regulations of the City of Bel Aire, Kansas;

**WHEREAS**, Following the public hearing, the Planning Commission found that the evidence supported recommending approval of this requested conditional use request based upon the guidelines set forth in Article Five, Section Three (5.03) of the Zoning Regulations of the City of Bel Aire, Kansas, in association with the owner’s request to install a swimming pool and deck which will not be contrary to the public interest or detract from the residential nature of the neighborhood;

**WHEREAS**, The Planning Commission for the City of Bel Aire, Kansas, recommends approval of the application by the owner’s engineer Relph Construction, to allow for the conditional use upon the tract of land. Such special use shall allow the property owner to install and maintain a pool and deck according to applicant’s site plan specifications at 8667 E. Chris Street.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:**

**SECTION 1.** The Governing Body adopts the recommendation of the Bel Aire Planning Commission to permit by conditional use the installation of a pool and deck on a tract of land located within the corporate city limits of Bel Aire, Kansas, at 8667 E. Chris Street.

**SECTION 2.** In conformance with Section 5.03 (D) and (E) of the Zoning Regulations, the Governing Body finds that the request for a pool and deck be constructed in a manner that does not detract from the residential nature of the neighborhood.

**SECTION 3.** All ordinances, parts of ordinances, or other regulations or policies in conflict herewith are hereby repealed.

**SECTION 4.** This Ordinance shall not take effect until filed with the Register of Deeds.

**SECTION 5.** This Ordinance shall take effect and be in force from and after appropriate filing and the publication of its summary in the official city newspaper.

Passed by the City Council this 1<sup>st</sup> day of March, 2022.

Approved by the Mayor this 1<sup>st</sup> day of March, 2022.

\_\_\_\_\_  
Jim Benage, MAYOR

ATTEST:

\_\_\_\_\_  
Melissa Krehbiel, CITY CLERK

SEAL

**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.

 \_\_\_\_\_ BY \_\_\_\_\_  
Applicant's Signature Authorized Agent (If Any)

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



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

THIS AGREEMENT made this 4 day of JAN 2022 between KURT & LINDA WILSON, 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 AVE. MS 67326 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:

- PAID
- |                        |  |
|------------------------|--|
| 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.

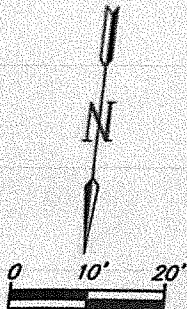
MO Can Res  
Contractor

Owner

AP -3 386

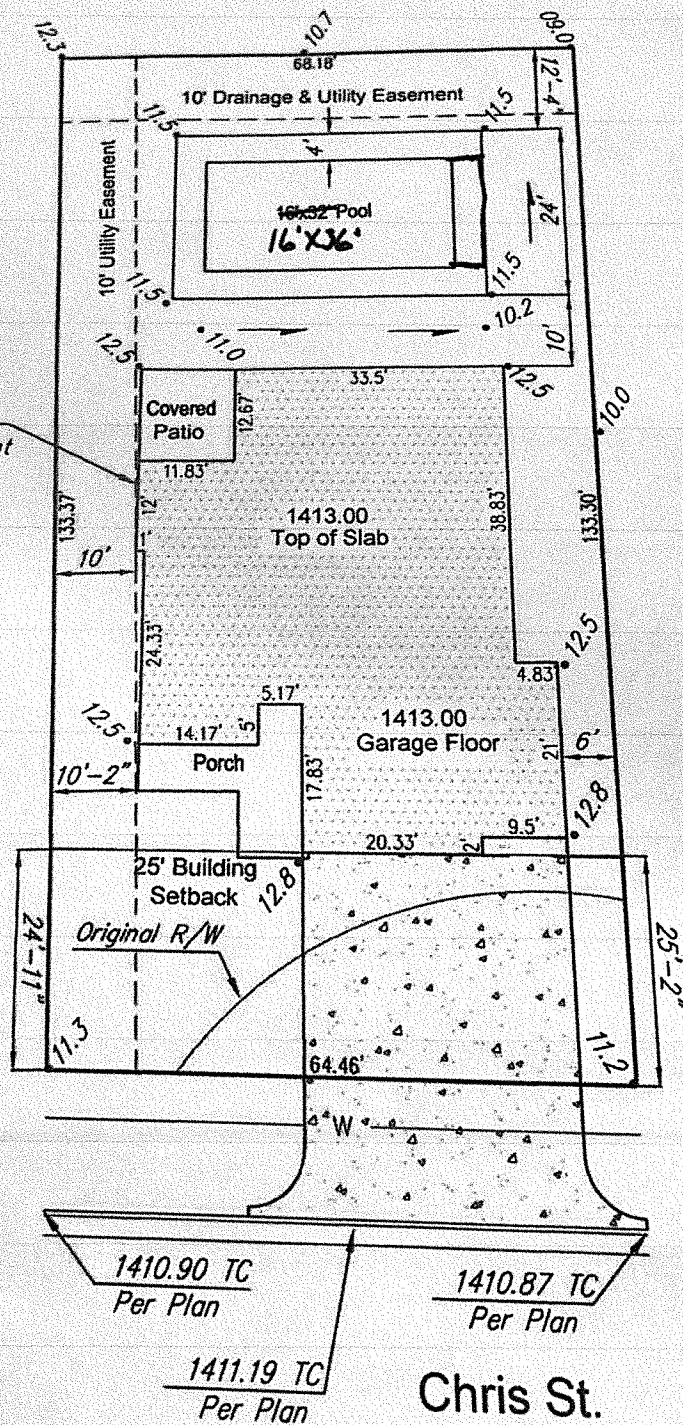
Lot 1, Block 3  
Rock Spring Addition  
Bel Aire, Kansas

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](http://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



# 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

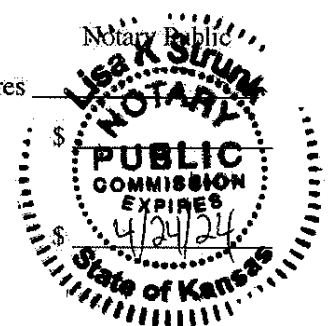
Subscribed and sworn to before me this 20th day of January, 2022.

LKS

My commission expires \_\_\_\_\_

Additional copies \_\_\_\_\_

Printer's fee \_\_\_\_\_



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 X 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 67209 Phone (316) 221-3027  
KwLee@GarverUSA.com  
WKClevenger@GarverUSA.com

**Subdivision Information**

1. (Select one) Final Plat of entire preliminary plat area X  
Final Plat of unit number \_\_\_\_\_ of \_\_\_\_\_ unit developments  
Final Plat for small tract \_\_\_\_\_  
Final Replat of original platted area \_\_\_\_\_
2. Gross acreage of plat 22.76 Acres
3. Total number of lots 90
4. Proposed land use:
  - a. Residential-Single-Family X Duplex \_\_\_\_\_ Multiple-Family \_\_\_\_\_  
Manufactured/Mobile Home \_\_\_\_\_
  - b. Commercial \_\_\_\_\_
  - c. Industrial \_\_\_\_\_
  - d. Other \_\_\_\_\_

5. Predominant minimum lot width 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 6<sup>th</sup> pm. Skyview at Block 49 2<sup>nd</sup> 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 7<sup>th</sup> 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

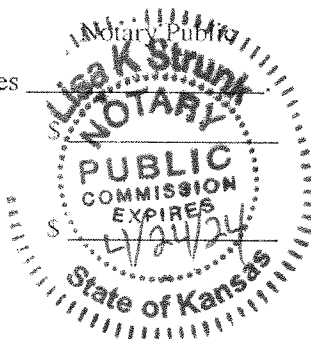
[Signature]  
Subscribed and sworn to before me this 25th day of November, 2021.

[Signature]

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 INTEREST-ED:**

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.

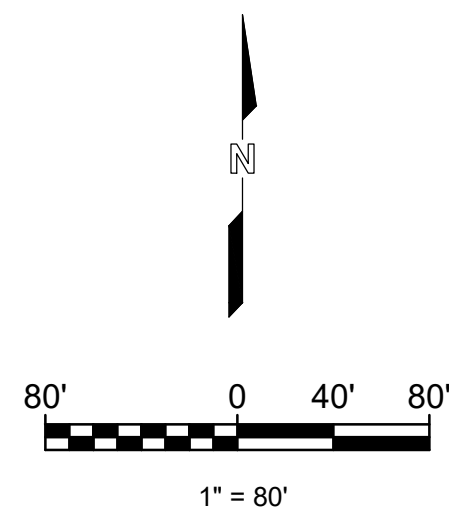
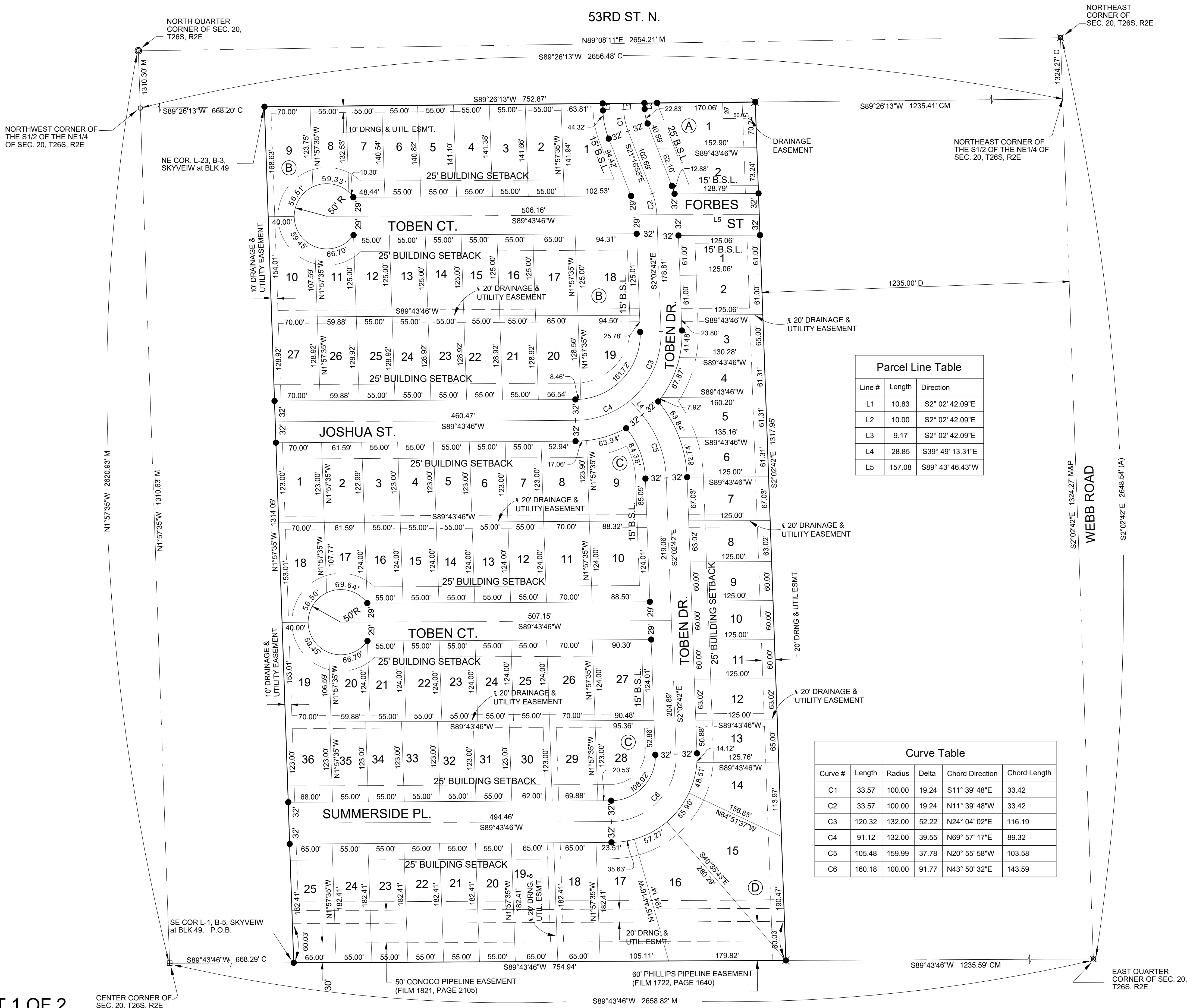
You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body, which, if 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 21-04

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 SKYVIEW AT BLOCK 49 3<sup>RD</sup> ADDITION  
General Location NORTHWEST CORNER OF WEBB ROAD AND 49<sup>TH</sup> 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) 755-1619

Name of Subdivider/Agent Andrew@Banisterrealestate.com

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of (Engineer) (Land Planner) GARVER, LLC (ATTN: KEN LEE)

Address 1995 MIDFIELD RD, WICHITA, KS 67209 Phone (316) 221-3029  
KWLee@GarverUSA.com

Name of Registered Land Surveyor GARVER, LLC (ATTN: WILL CLEVINGER)

Address WKClevenger@Garver-USA.com Phone (316) 221-3027

Subdivision Information

1. (Select one) Final Plat of entire preliminary plat area X  
Final Plat of unit number \_\_\_\_\_ of \_\_\_\_\_ unit developments  
Final Plat for small tract \_\_\_\_\_  
Final Replat of original platted area \_\_\_\_\_
2. Gross acreage of plat 12.44 Acres
3. Total number of lots 1
4. Proposed land use:
  - a. Residential-Single-Family \_\_\_\_\_ Duplex \_\_\_\_\_ Multiple-Family \_\_\_\_\_  
Manufactured/Mobile Home \_\_\_\_\_
  - b. Commercial 1
  - c. Industrial \_\_\_\_\_
  - d. Other \_\_\_\_\_

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

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

Prints of the Final Plat received 7 (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:

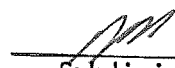
a. Vicinity map received 4

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 \$ \_\_\_\_\_ paid to the City Clerk.

*pro  
plat \$410*

  
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

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## City of Bel Aire Council

☐ Approved ☐ Rejected

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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 & 49<sup>TH</sup> 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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AGREEMENT FOR THIS WORK.

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

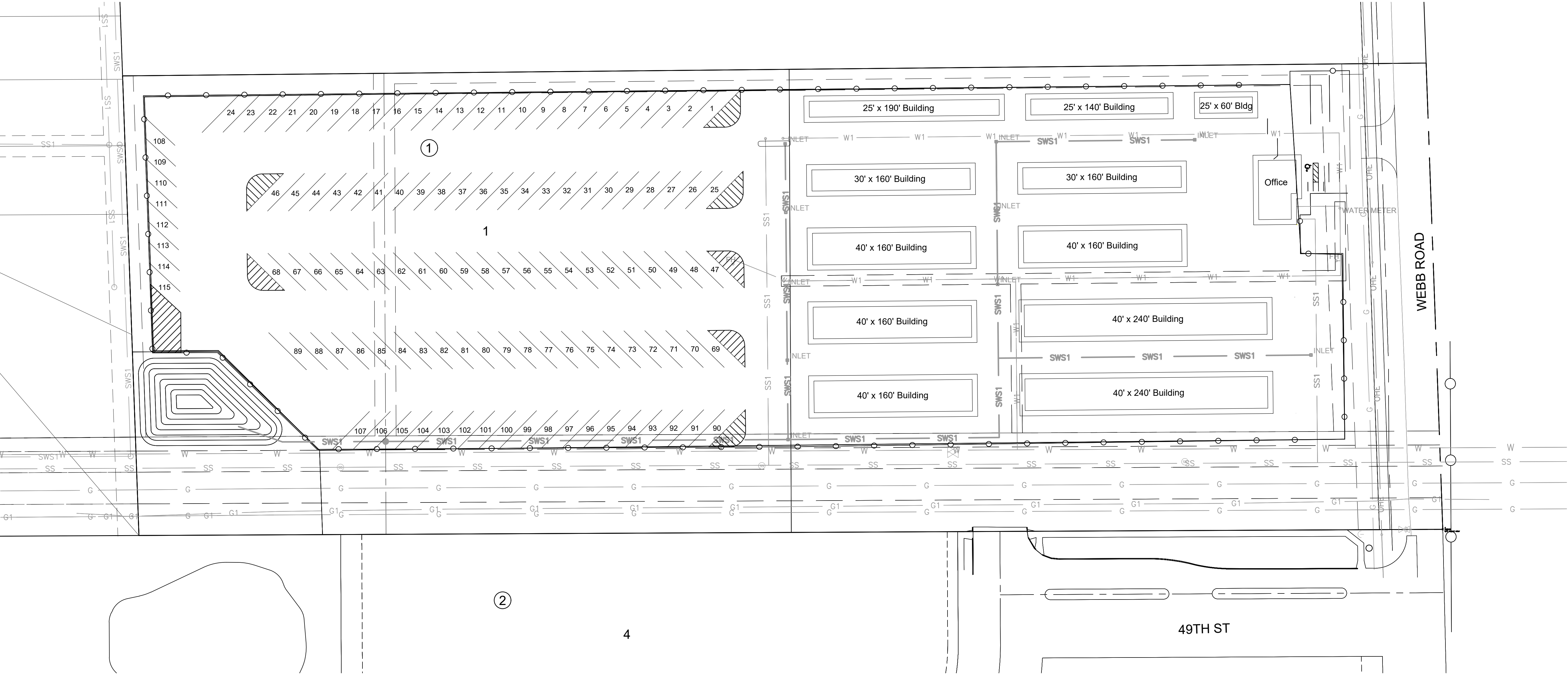
JOB NO.: 21S04030  
DATE: JAN. 2022  
DESIGNED BY: .  
DRAWN BY: .

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

DRAWING NUMBER

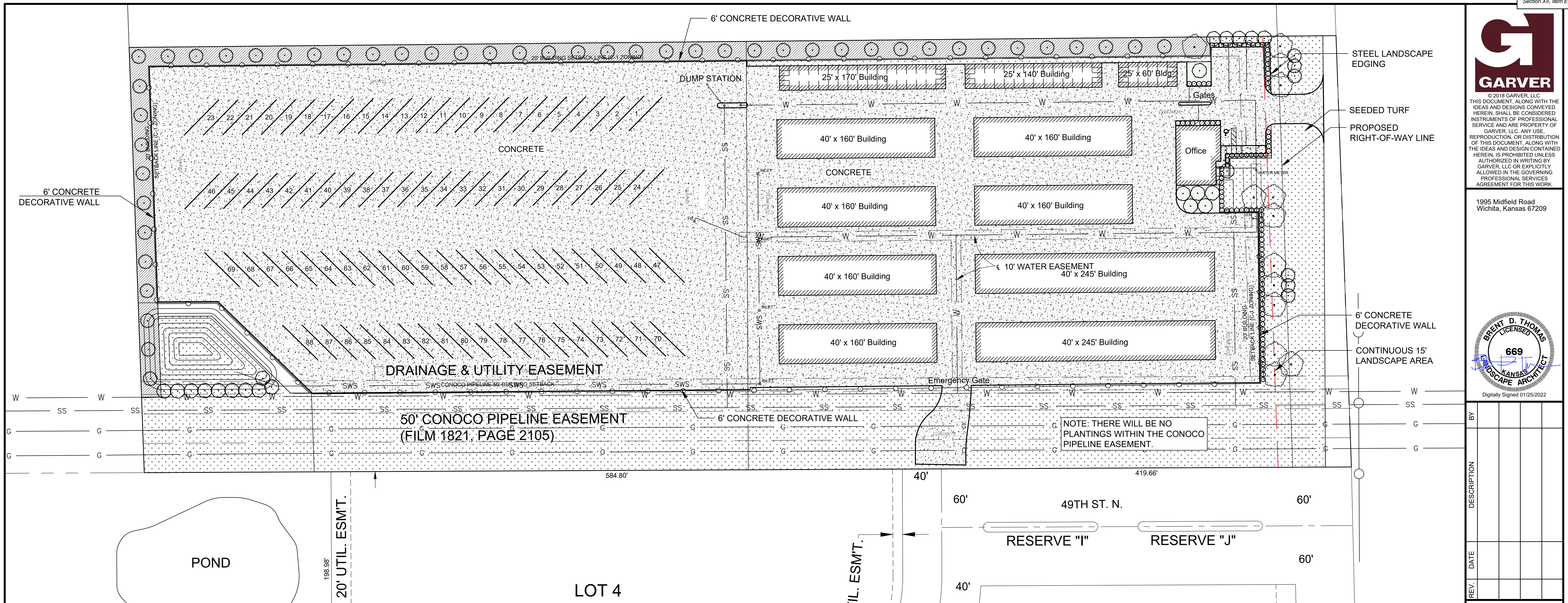
SHEET  
NUMBER 1 OF 1

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



File: L:\2021\21S04030 - Skyview at Block 49 Storage\Survey\CAD\SITE LAYOUT.dwg Last Save: 1/25/2022 8:24 AM Last saved by: MCarraaPiedra  
Last plotted by: Carerra-Piedra, Mariela Plot Date: 1/25/2022 8:27 AM Plotter used: None



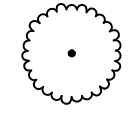


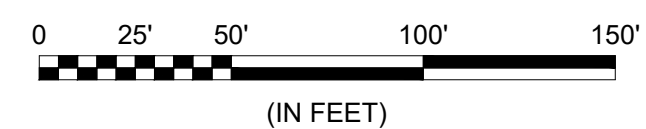
# 1 WEBB STREET LANDSCAPE PLAN SCALE: 1" = 50'

## 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

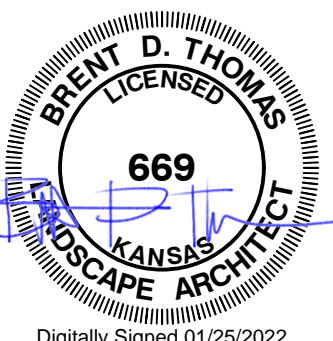
## CONCEPT PLANT SCHEDULE

	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
	SEEDDED 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 BEL AIRE  
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

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

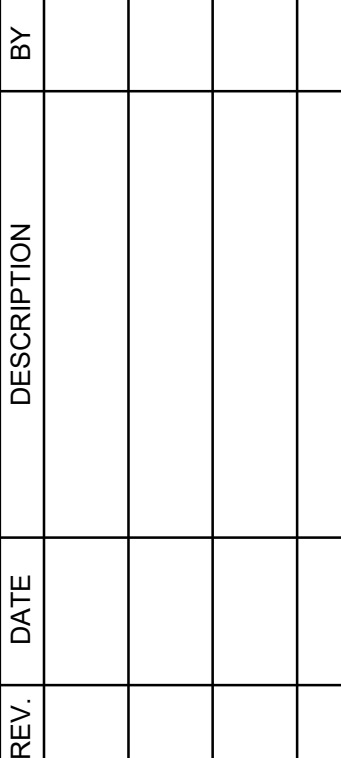
DRAWING NUMBER

**L-101**

SHEET  
NUMBER



1995 Midfield Road  
Wichita, Kansas 67209



CITY OF BEL AIRE  
KANSAS

LANDSCAPE DETAILS

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

BAR IS ONE INCH ON  
ORIGINAL DRAWING

0 1"

DRAWING NUMBER

**L-102**

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.

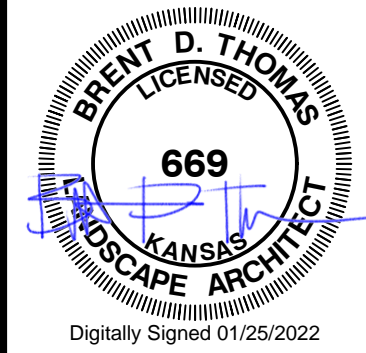
PLANTING MATERIALS

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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0 1"  
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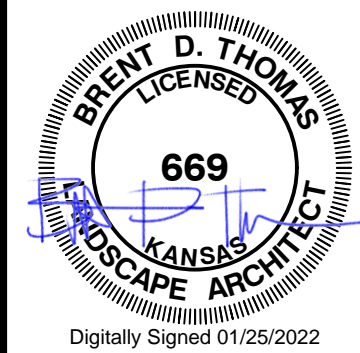
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AGREEMENT FOR THIS WORK.

1995 Midfield Road  
Wichita, Kansas 67209



REV.	DATE	DESCRIPTION	BY

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

LANDSCAPE MASTER  
PLAN AND SECTION

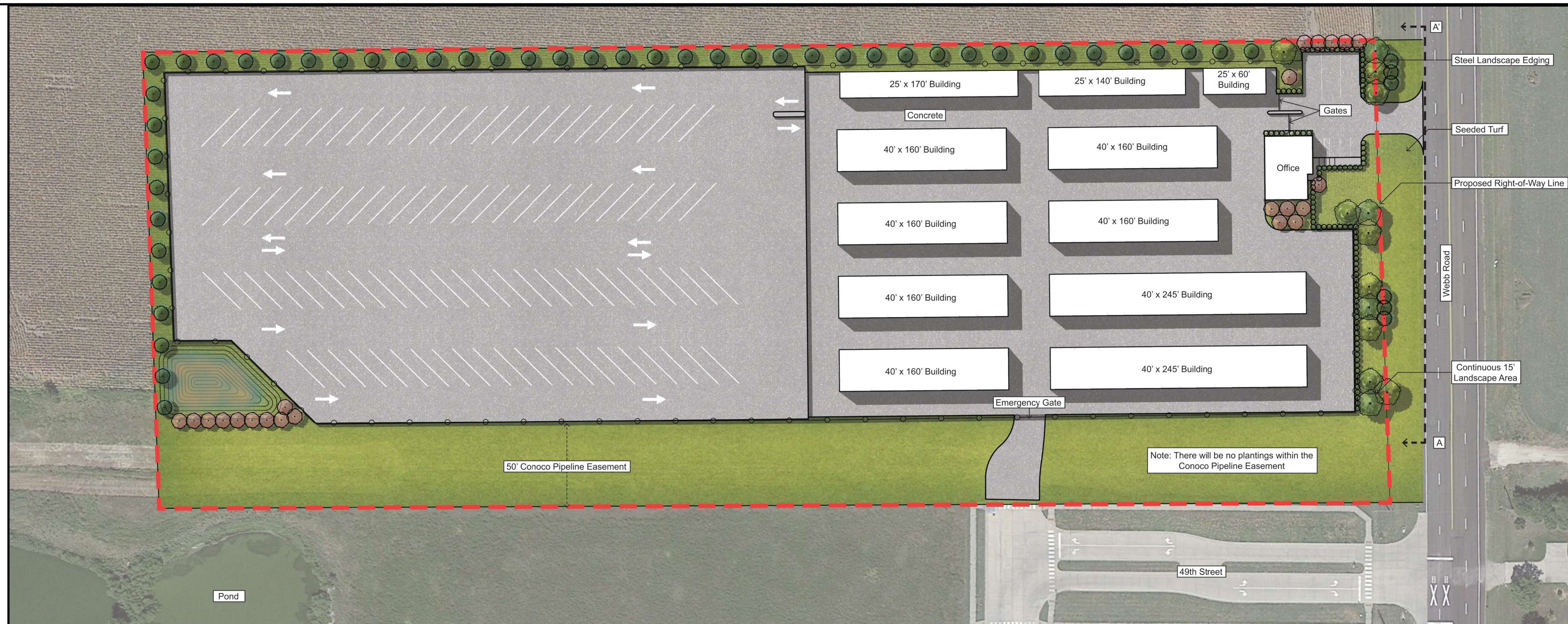
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DATE: NOV 2021  
DESIGNED BY: BIG  
DRAWN BY: BIG

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ORIGINAL DRAWING  
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ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER

**L-104**

SHEET  
NUMBER



1

## WEBB STREET LANDSCAPE PLAN

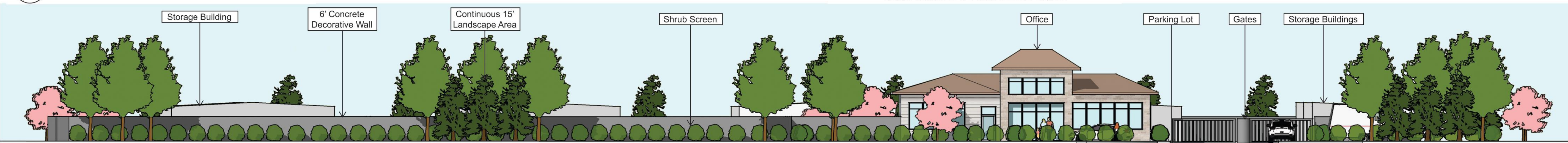
SCALE: 1" = 50'

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)

2

## WEBB STREET SECTION AA'

SCALE: 1" = 15'



## CONCEPT PLANT SCHEDULE

2-1/2" DECIDUOUS TREES 13  
URBANITE ASH  
CADDY 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

0 25' 50' 100' 150'  
(IN FEET)



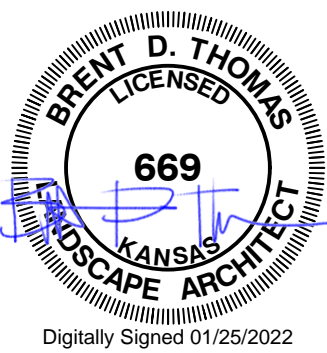
0 15' 30' 45'  
(IN FEET)



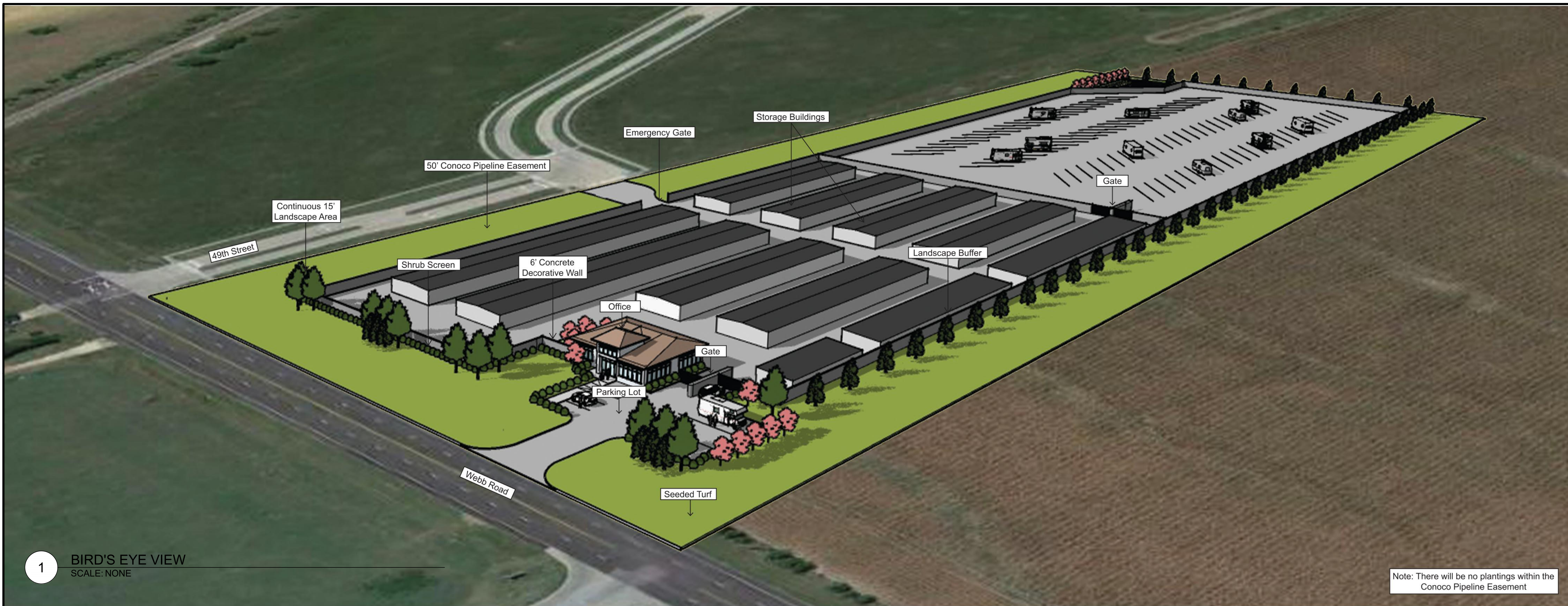


© 2018 GARVER, LLC  
THIS DOCUMENT, ALONG WITH THE  
IDEAS AND DESIGNS CONVEYED  
HEREIN, SHALL BE CONSIDERED  
INSTRUMENTS OF PROFESSIONAL  
SERVICE AND ARE PROPERTY OF  
GARVER, LLC. ANY USE,  
REPRODUCTION, OR DISTRIBUTION  
OF THIS DOCUMENT, ALONG WITH  
THE IDEAS AND DESIGN CONTAINED  
HEREIN, IS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

1995 Midfield Road  
Wichita, Kansas 67209



BY				
DESCRIPTION				
DATE				
REV.				



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  
DATE: NOV 2021  
DESIGNED BY: BIG  
DRAWN BY: BIG

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

DRAWING NUMBER  
**L-105**

SHEET  
NUMBER





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



REZONE/PLAT SUBMITTAL REVIEW

Address of proposed project: Skyview at Block 49 3<sup>rd</sup>, 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

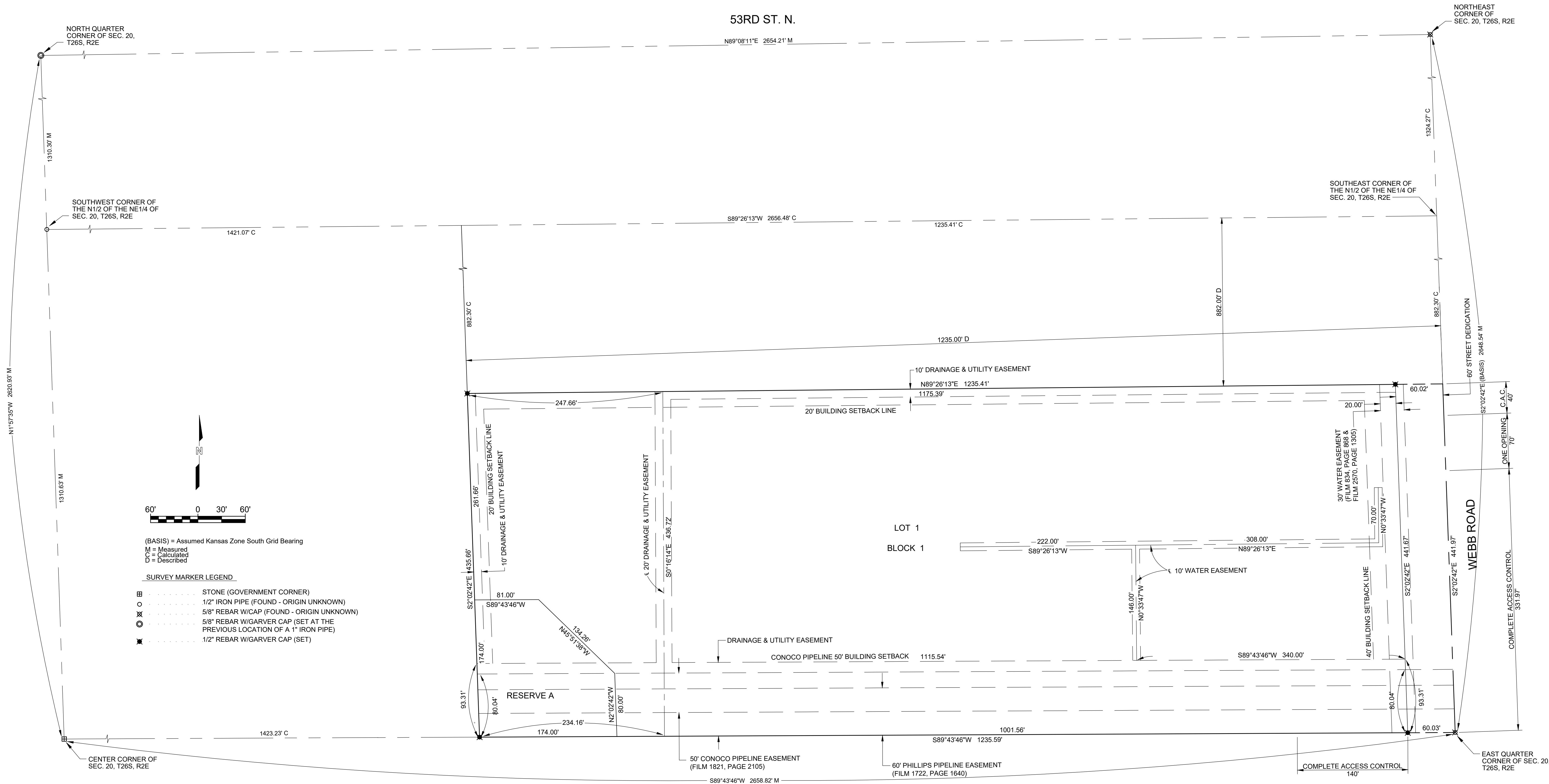
Keith Price  
REVIEWED BY

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 4<sup>th</sup> and the paper copies by February 7<sup>th</sup> 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/belaire/docs/menu/home.asp> contains the Public Works tab to find the city standards information.

# SKYVIEW AT BLOCK 49 3RD ADDITION

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





SKYVIEW AT BLOCK 49 3RD ADDITION  
PLANNED UNIT DEVELOPMENT  
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 October 1, 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:

The East 1,235.00 feet of the South Half of the Northeast Quarter of Section 20, Township 26 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas, EXCEPT the North 882.00 feet thereof.

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 3RD 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. Reserve "A" is hereby reserved for irrigation, walls, lighting, landscaping, a pond, drainage, drainage structures, and utilities confined to easements. Reserve "A" is to be owned and maintained by the owner of Lot 1, Block 1, Skyview at Block 49 3rd Addition, Bel Aire, Sedgwick County, Kansas.

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 \_\_\_\_\_, 202\_\_, by Andrew Reese, Managing Member, on behalf of 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 3RD 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 \_\_\_\_\_, 202\_\_, 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 3RD 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 \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
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 \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
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: \_\_\_\_\_, 202\_\_.

By: \_\_\_\_\_  
Jacqueline Kelly, City Attorney

Reviewed in accordance with K.S.A. 58-2005 on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

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

Entered on transfer record this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

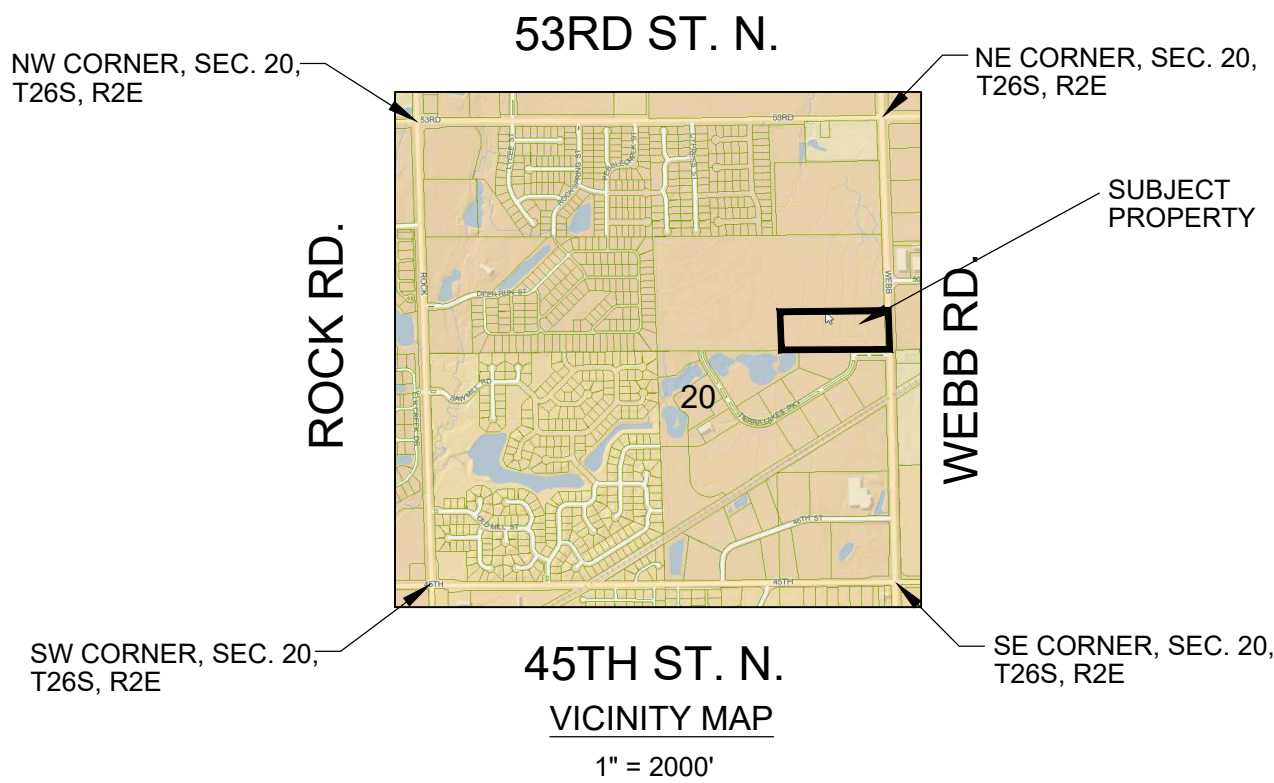
\_\_\_\_\_  
County Clerk  
Kelly B. Arnold

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 \_\_\_\_\_, 202\_\_, at \_\_\_\_\_ o'clock \_\_ M, and is duly recorded.

\_\_\_\_\_  
Register of Deeds  
Tonya Buckingham  
\_\_\_\_\_  
Deputy  
Kenly Zehring



GENERAL PROVISIONS

- This Agreement establishes the terms and conditions for a Planned Unit Development zoning district. The requirements contain in this PUD are in lieu of any requirements contained in the zoning and subdivision regulations of the City and compliance with the terms and conditions of this PUD Agreement shall be deemed in compliance with the zoning and subdivision regulations of the City
- Installation of all improvements shall be in compliance with the requirements of all applicable federal, state and local registration, including the Americans with Disabilities Act. All infrastructure improvements shall be as detailed on this Planned Unit Development Site Plan, which delineates building locations, at the time of development. Said Planned Unit Development Site Plan (herein the "PUD Site Plan") shall be approved by Developer and by the City Engineer, attached hereto and made a part hereof, at the time of development.
- All utilities shall be installed underground.
- Access Control - Complete access control will be maintained along 49th Street North as shown on the attached exhibit and along the east property line to or from Webb Road except as follows:  
- One opening to Webb Road
- Drainage - An overall grading and drainage plan shall accompany this P.U.D as a separate instrument based on a hydrology study. This plan shall be general in character but establish the overall grading and drainage requirements. Specific grading and drainage plans shall be provided at the time of submittal of the Final P.U.D. Plans for each phase of development.
- All signage shall comply with the applicable ordinances and zoning regulations of the City and be submitted in writing to the City for approval. Along 49th Street North a six-foot wide monument type sign, not exceeding 6 feet in height shall be permitted. Along Webb Road a 2-sided pole sign will be permitted which shall not exceed 30 feet in height and have a maximum of 50 square feet per side.
- Reserve A shall be improved to include a pond, drainage improvements, landscaping and shall allow lighting, irrigation and utilities.
- Screening shall be provided in Parcel 1 along all side and rear lot lines. Screening may be provided by decorative fencing and vegetation not less than 6 feet in height. Screening shall be reviewed and approved by the Site Plan Review Committee.
- All easements recorded on the face of the final plat Skyview at Block 49 3rd Addition, Bel Aire, Sedwick County, Kansas shall remain in effect pursuant to this Planned Unit Development Agreement. The surface of such easements may be used by the owner(s) for driveways, parking and landscaping, as delineated on the PUD Site Plan.
- Outdoor light sources shall employ cutoff luminaries to minimize light trespass and glare, and shall be mounted at a height not exceeding 20 feet.
- This PUD is subject to a Landscaping Plan to be approved by the Planning Commission.





# 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-29198583; thence S89°54'25"W, coincident with the north line of said tract of land (29198583), 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

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.

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

\_\_\_\_\_, City of Bel Aire

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

\_\_\_\_\_, Chairman

James Schmidt

\_\_\_\_\_, Secretary

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.

\_\_\_\_\_, Mayor

Jim Benage

\_\_\_\_\_, City Clerk

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.

\_\_\_\_\_, City Attorney

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.

\_\_\_\_\_, County Clerk

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.

\_\_\_\_\_, Register of Deeds

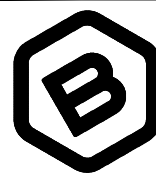
Tonya Buckingham

\_\_\_\_\_, Deputy

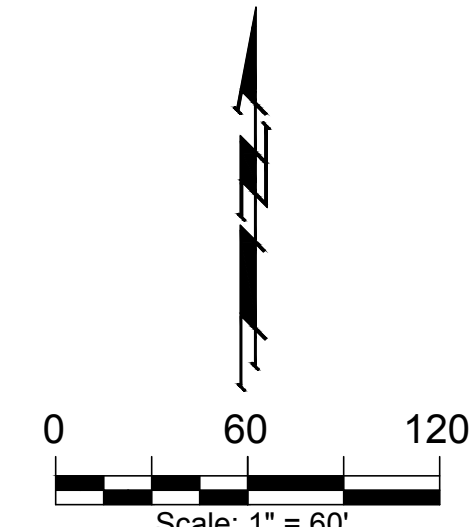
Kenly Zehring

LYCEE

February 2, 2022



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



Scale: 1" = 60'

Date of Preparation: 02 February 2022

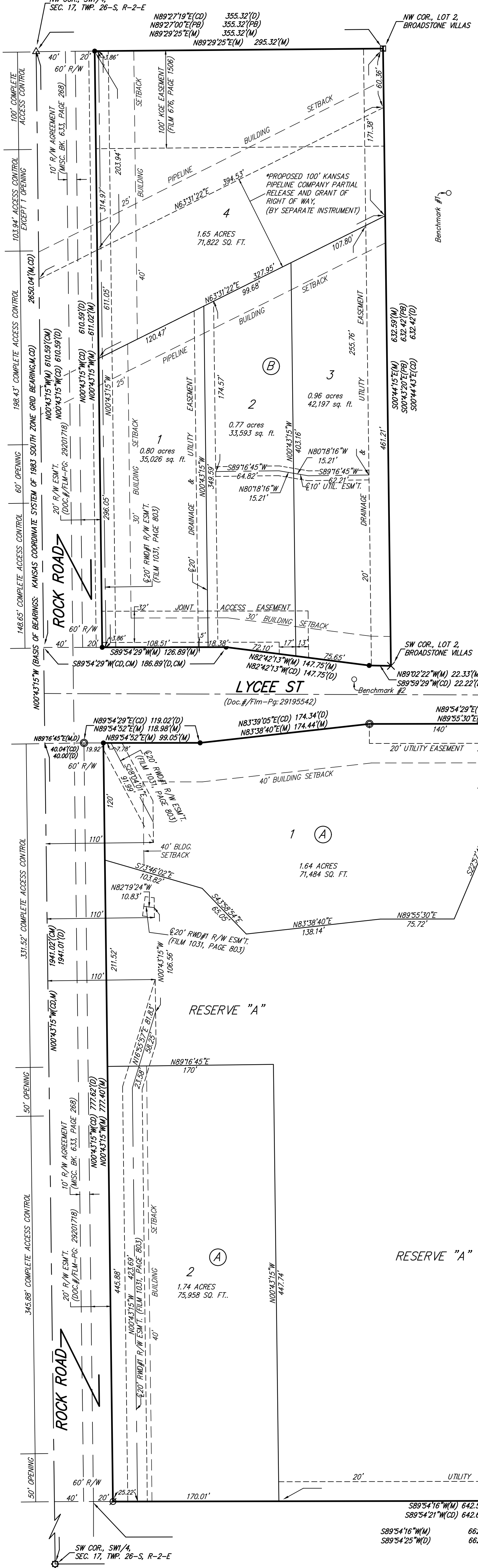
- = #4 REBAR W/ "BAUGHMAN" CAP (SET)
- = #4 REBAR W/ "L5559" CAP (FOUND)
- = #4 REBAR W/ "L5559" CAP (FOUND)
- = #4 REBAR (FOUND)(ORIGIN UNKNOWN)
- = #4 REBAR W/ "SAVOY" CAP (FOUND)
- = #4 REBAR W/ "SE" CAP (FOUND)
- = CHISELED "X" (FOUND)(ORIGIN UNKNOWN)
- = THIMBLE WITH #5 REBAR (FOUND)(ORIGIN UNKNOWN)

- (M) = MEASURED
- (D) = DESCRIBED
- (C) = CALCULATED
- (PB) = PLATTED PER BROADSTONE VILLAS
- (PL) = PLATTED PER LYCEE HEIGHTS
- (PL2) = PLATTED PER LYCEE HEIGHTS 2ND
- (CM) = CALCULATED PER MEASURED INFO
- (CD) = CALCULATED PER DESCRIBED INFO

BENCHMARK:

BM-#1:  
SQUARE CUT WITH "CROSS" ON TOP OF CURB 67.2'± E AND 148.0'± S OF NW CORNER, LOT 2, BROADSTONE VILLAS.  
ELEVATION = 1415.29 NAVD88

BM-#2:  
SQUARE CUT ON TOP OF CURB INLET, NORTH SIDE OF LYCEE STREET 37.7'± W AND 13.8'± S OF SW CORNER, LOT 2, BROADSTONE VILLAS.  
ELEVATION = 1411.37 NAVD88



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

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 28<sup>th</sup> 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.



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.

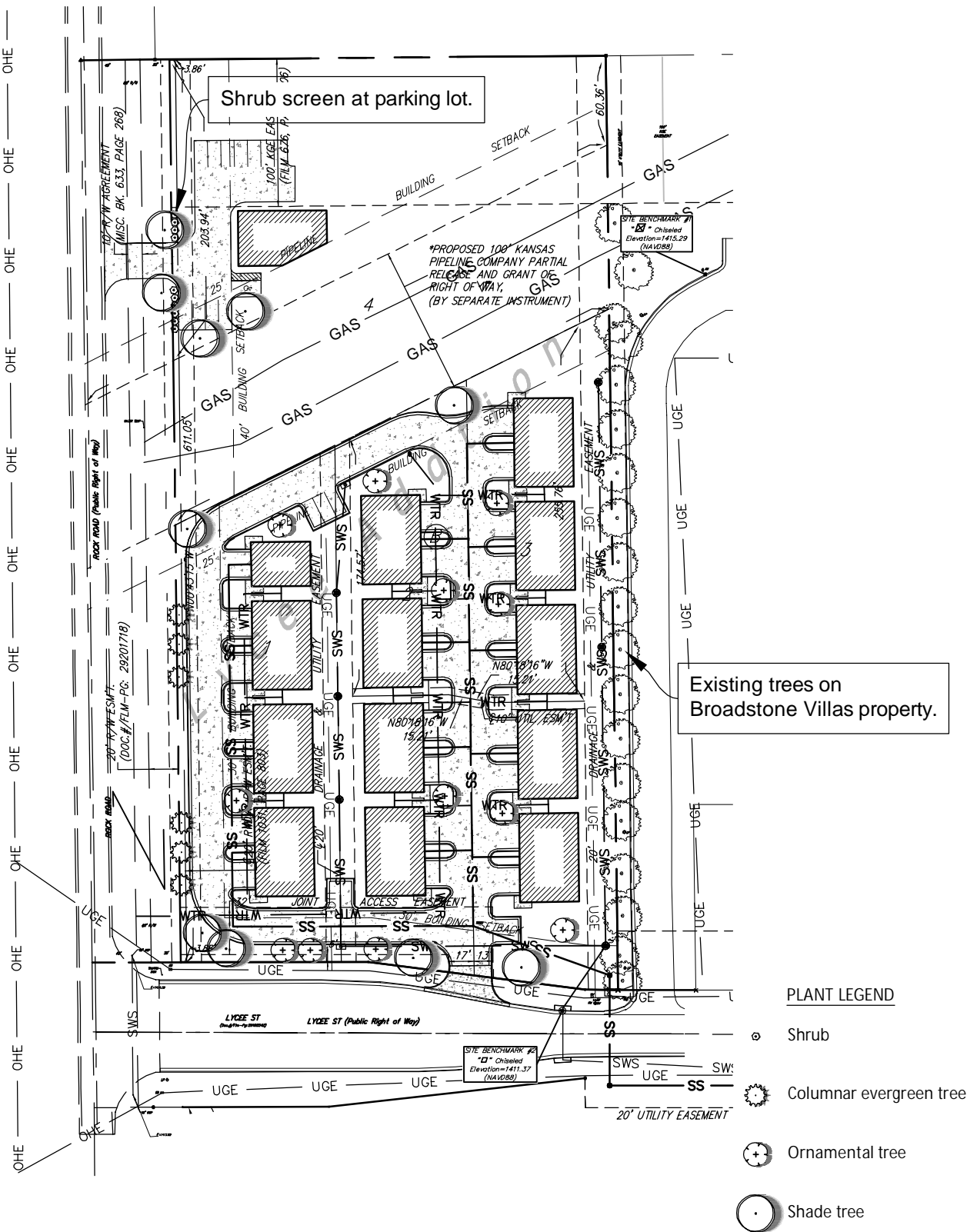
\_\_\_\_\_  
NOTARY PUBLIC

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: \_\_\_\_\_



# Lycee Addition

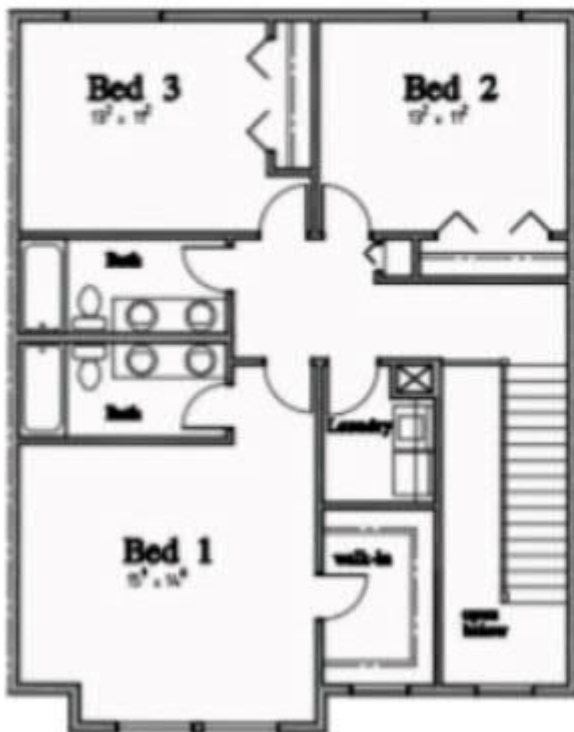
## Conceptual Elevation & Floorplan

Section XII, Item F.

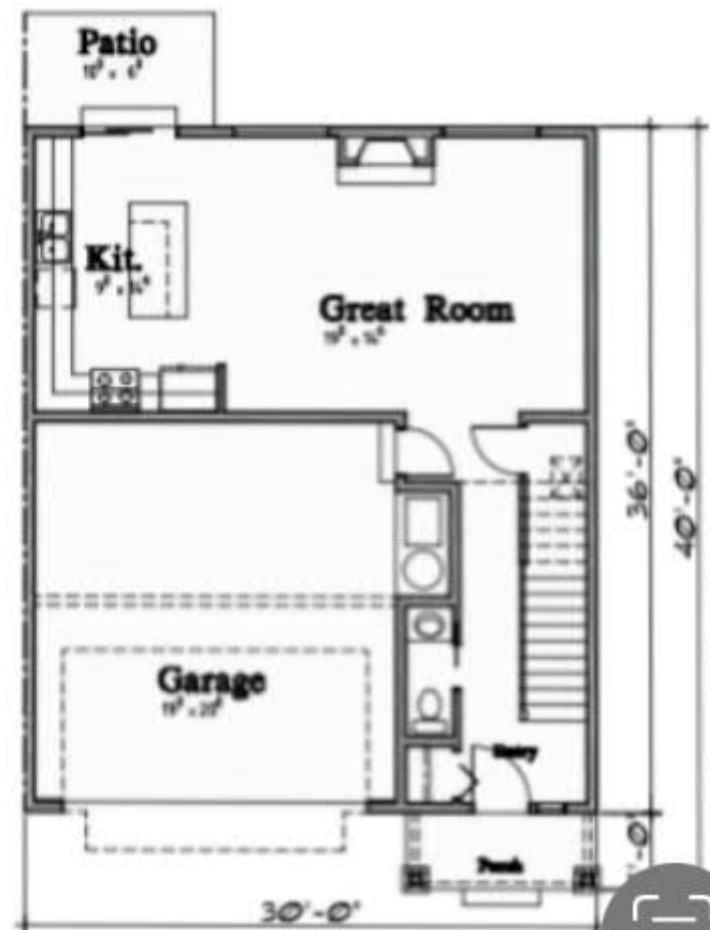


### PLAN #D-638

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](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:

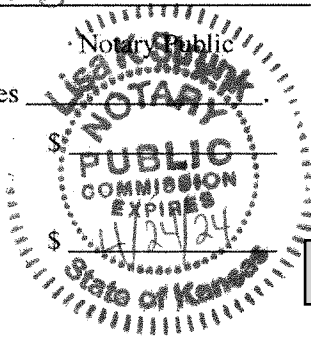
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021  
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021  
\_\_\_\_\_, 2021      \_\_\_\_\_, 2021

*Chris Strunk*

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

City of Bel Aire, Kansas



## STAFF REPORT

DATE: February 22, 2022  
TO: Ty Lasher, City Manager  
FROM: Anne Stephens, Public Works Director/City Engineer  
RE: 47th Street Reconstruction – Construction Observation Services

### **Proposal Focus:**

#### Our Mission

- Attractive growth and safe living – Encourage attractive neighborhoods and new developments.

#### Our Values

- Working Together – Departments working together as one team. Staff working with residents, HOA's and neighborhoods. Citizens working with each other.

### **Current Situation:**

Council accepted the bid from Kansas Paving to reconstruct 47<sup>th</sup> Street at their February 1<sup>st</sup> City Council meeting. Construction observation services are recommended to provide oversight during construction to ensure that the construction occurs in accordance with Bel Aire specifications and construction standards. City staff typically provides construction observation services on projects that are funded through the Capital Improvement Reserve Fund. However, staff is currently consumed with a myriad of other projects and does not have adequate time to devote to properly observing this project. Staff recommends hiring a consultant to perform the construction observation on the 47th Street Reconstruction project.

### **Goals:**

- To grow the City in an attractive, safe manner that is consistent with City standards.

### **Discussion:**

The City is currently working with Garver on multiple construction observation projects. Their communication with both the Contractor, the City and interested citizens sets them apart from other firms. Staff reached out to Garver and requested a bid for construction observation services to assist in overseeing this project and ensuring that it gets constructed in accordance with City standards.

### **Financials:**

The cost of the construction observation services will be paid for from the Capital Improvement Reserve Fund.

### **Recommendation:**

Staff recommends that the City Council accept contract for the Construction Observation Services from **Garver** for construction observation in the amount of \$19,537.50, hourly, not-to exceed for the 47th Street Reconstruction.



1995 Midfield Road  
Wichita, KS 67209

TEL 316.264.8008

[www.GarverUSA.com](http://www.GarverUSA.com)

February 18, 2022

Anne Stephens, PE  
City Engineer/Public Works Director  
City of Bel Aire  
7651 E. Central Park Avenue  
Bel Aire, KS 67226

Re: Construction Observation RFP – 47<sup>th</sup> Street Reconstruction – Farmstead to 47<sup>th</sup> Gravel

Ms. Stephens:

Thank you for the opportunity to submit our proposal to perform Construction Observation on 47<sup>th</sup> Street. Garver would be honored to represent the City on a project that means so much to its Citizens.

The following proposal outlines our Contract as well as the Hourly - Not-to-Exceed budget that we put together. We contacted Terry Hacker, Kansas Paving, to get a feel for his plan of attack to complete this project. With that information we put together a competitive fee that we believe represents the work that will be performed to complete this project. Since we have Observers working in the area currently, we can adapt to the flexibility of this project and be present when needed. Our cloud-based documentation fits projects of all sizes making our time on site more valuable than our competition.

Garver appreciates every opportunity to work in Bel Aire and to continue growing the relationship we have built over the years.

Please call me if you have any questions.

Sincerely,

GARVER

Dakota Zimmerman, P.E.  
Project Manager





## PROFESSIONAL SERVICES AGREEMENT

### Project No. 22C07002 – 47<sup>th</sup> Street Replacement – Farmstead to 47<sup>th</sup> Gravel

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ (“Effective Date”) by and between the **City of Bel Aire, Kansas** (hereinafter referred to as “Owner”), and **Garver, LLC** (hereinafter referred to as “Garver”). Owner and Garver may individually be referred to herein after as a “Party” and/or “Parties” respectively.

#### 1. SCOPE OF SERVICES

- 1.1. Services. Owner hereby engages Garver to perform the following scope of service described in Exhibit A attached hereto (“**Services**”). Execution of this Agreement by Owner constitutes Owner’s written authorization to proceed with the Services.

#### 2. PAYMENT

- 2.1. Fee. For the Services described under Section 1.1, Owner will pay Garver on a monthly basis in accordance with this Section and Exhibit B. Owner shall pay Garver all undisputed amounts within thirty (30) days of receipt of an invoice. If any undisputed payment due Garver under this Agreement is not received within forty-five (45) days from the date of an invoice, Garver may elect to suspend Services under this Agreement without penalty.

#### 3. AMENDMENTS

- 3.1. Amendments. Garver shall be entitled to an equitable adjustment in the cost and/or schedule for circumstances outside the reasonable control of Garver, including modifications in the scope of Services, applicable law, codes, or standards after the Effective Date (“**Amendment**”). All Amendments shall be effective only after being signed by the designated representatives of both Parties. Garver shall have no obligation to perform any additional services created by such Amendment until a mutually agreeable Amendment is executed by both Parties.

#### 4. OWNER'S RESPONSIBILITIES

- 4.1. Owner shall be responsible for all requirements and instructions that it furnishes to Garver pursuant to this Agreement, and for the accuracy and completeness of all programs, reports, data, and other information furnished by Owner to Garver pursuant to this Agreement. Garver may use and rely upon such requirements, programs, instructions, reports, data, and information in performing or furnishing services under this Agreement, subject to any express limitations or reservations applicable to the furnished items as further set forth in Exhibit A.

#### 5. GENERAL

- 5.1. Standards of Performance. Garver shall perform any and all Services required herein in accordance with generally accepted practices and standards employed by the applicable United States professional services industries as of the Effective Date practicing under similar conditions and locale. Garver shall not be responsible for the acts or omissions of any contractor for whom it does not have a direct contract. Garver neither guarantees the performance of any contractor nor assumes responsibility for any contractor’s failure to furnish



and perform its work in accordance with the documents applicable to the contractor's work even when Garver is performing construction phase services.

5.2. Instruments of Service. All reports, specifications, record drawings, models, data, and all other information provided by Garver or its subconsultants, which is required to be delivered to Owner under Exhibit A (the "**Deliverables**"), shall become the property of Owner subject to the terms and conditions stated herein. All property rights of a Party, including copyright, patent, and reuse ("**Intellectual Property**"), shall remain the Intellectual Property of that Party. Any Intellectual Property of Garver, or any third party embedded in the Deliverables, shall remain so imbedded and may not be separated therefrom. Upon Owner fulfilling its payment obligations under this Agreement, Garver hereby grants Owner a license to use the Intellectual Property but only in the operation and maintenance of the Project for which it was provided. Use of such Intellectual Property for modification, extension, or expansion of this Project or on any other project, unless under the direction of Garver, shall be without liability to Garver and Garver's subconsultants.

5.3. Confidentiality. Owner and Garver shall consider: (i) all information provided by the other Party that is marked as "Confidential Information" or "Proprietary Information" or identified as confidential pursuant to this Section in writing promptly after being disclosed verbally; and (ii) all documents resulting from Garver's performance of Services, to be Confidential Information. Except as legally required, Confidential Information shall not be discussed with or transmitted to any third parties, except on a "need to know basis" with equal or greater confidentiality protection or written consent of the disclosing Party. Confidential Information shall not include and nothing herein shall limit either Party's right to disclose any information provided hereunder which: (i) was or becomes generally available to the public, other than as a result of a disclosure by the receiving Party or its personnel; (ii) was or becomes available to the receiving Party or its representatives on a non-confidential basis, provided that the source of the information is not bound by a confidentiality agreement or otherwise prohibited from transmitting such information by a contractual, legal, or fiduciary duty; (iii) was independently developed by the receiving Party without the use of any Confidential Information of the disclosing Party; or (iv) is required to be disclosed by applicable law or a court order. All confidentiality obligations hereunder shall expire three (3) years after completion of the Services.

## 6. INSURANCE

6.1. Insurance. Garver shall procure and maintain insurance as set forth in Exhibit C until completion of the Service. Garver shall name Owner as an additional insured on Garver's General Liability policy to the extent of its indemnity obligations provided in this Agreement. Upon request, Garver shall furnish Owner a certificate of insurance evidencing the insurance coverages required in Exhibit C.

## 7. INDEMNIFICATION / WAIVERS

7.1. Indemnification. Subject to the limitations of liability set forth in Section 7.2, Garver agrees to indemnify and hold Owner and its personnel harmless from tort damages due to bodily injury (including death) or third-party tangible property damage to the extent such damages are caused by the negligent acts, errors, or omissions of Garver or any other party for whom Garver is legally liable, in the performance of the Services under this Agreement.

7.2. Waivers. Notwithstanding any other provision to the contrary, the Parties agree as follows:



7.2.1. Mutual Waiver. To the fullest extent permitted by law, neither Owner, Garver, nor their respective personnel shall be liable for any consequential, special, incidental, indirect, punitive or exemplary damages, or damages arising from or in connection with loss of use, loss of revenue or profit (actual or anticipated), loss by reason of shutdown or non-operation, increased cost of construction, cost of capital, cost of replacement power or customer claims, and Owner hereby releases Garver, and Garver releases Owner, from any such liability.

7.2.2. Limitation. In recognition of the relative risks and benefits of the Project to both the Owner and Garver, Owner hereby agrees that Garver's and its personnel's total liability under the Agreement shall be limited to one hundred percent (100%) of Garver's fee set forth in Exhibit B.

7.2.3. No Other Warranties. No other warranties or causes of action of any kind, whether statutory, express or implied (including all warranties of merchantability and fitness for a particular purpose and all warranties arising from course of dealing or usage of trade), shall apply. Owner's exclusive remedies and Garver's only obligations arising out of or in connection with defective Services (patent, latent, or otherwise), whether based in contract, in tort (including negligence and strict liability), or otherwise, shall be those stated in the Agreement.

7.3. The limitations set forth in Section 7.2 apply regardless of whether the claim is based in contract, tort, or negligence, including gross negligence, strict liability, warranty, indemnity, error and omission, or any other cause whatsoever.

## 8. DISPUTE RESOLUTION

8.1. EACH PARTY IRREVOCABLY WAIVES, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAWS, ANY AND ALL RIGHT TO TRIAL BY JURY.

## 9. TERMINATION

9.1. Termination. This Agreement may be terminated seven (7) days after written notice and a reasonable opportunity to cure by either Party in the event of failure by the other Party to perform any material obligation in accordance with the terms hereof.

## 10. MISCELLANEOUS

10.1. Governing Law. This Agreement is governed by the laws of the State of Kansas, without regard to its choice of law provisions.

10.2. No Third-Party Beneficiaries. Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than Owner and Garver. This Agreement does not contemplate any third-party beneficiaries.

10.3. Entire Agreement. This Agreement constitutes the entire agreement between Owner and Garver and supersedes all prior written or oral understandings and shall be interpreted as having been drafted by both Parties. This Agreement may be amended, supplemented, or modified only in writing by and executed by both Parties.

## 11. EXHIBITS



11.1. The following Exhibits are attached to and made a part of this Agreement:

- Exhibit A – Services
- Exhibit B – Compensation Schedule
- Exhibit C – Insurance

If there is an express conflict between the provisions of this Agreement and any Exhibit hereto, the terms of this Agreement shall take precedence over the conflicting provisions of the Exhibit.

Owner and Garver, by signing this Agreement, acknowledge that they have independently assured themselves and confirms that they individually have examined all Exhibits, and agrees that all of the aforesaid Exhibits shall be considered a part of this Agreement and agrees to be bound to the terms, provisions, and other requirements thereof, unless specifically excluded.

Acceptance of this proposed Agreement is indicated by an authorized agent of the Owner signing in the space provided below. Please return one signed original of this Agreement to Garver for our records.

*Signature Page to Follow*





**IN WITNESS WHEREOF**, Owner and Garver have executed this Agreement effective as of the date last written below.

City of Bel Aire, Kansas

Garver, LLC

By: \_\_\_\_\_  
*Signature*

By: Christopher Bohm  
*Signature*

Name: \_\_\_\_\_  
*Printed Name*

Name: Christopher Bohm  
*Printed Name*

Title: \_\_\_\_\_

Title: Project Manager

Date: \_\_\_\_\_

Date: 02/18/2022



## **EXHIBIT A (SERVICES)**

Garver shall provide the following Services:

### Construction Observation Services:

- Part-Time Construction Observation Services for the removal of existing paving & crushed rock base installation.
- Full-Time Construction Observation Services for the subgrade preparation, installation of the mainline paving, & other concrete work.
- Services shall include SWPPP inspections, weekly reports, daily construction diaries, construction quantity verification, pay application generation & review, and change order log.
- Garver representation for the Public Notification Meeting held at the beginning of the project as well as an initial site walk thru with the selected Contractor & City.

For clarification, the proposed scope of services does not include:

- Design Engineering
- Preparation of a Stormwater Pollution Prevention Plan
- Answering RFI's, submitting plan changes or reviewing shop drawings.
- No as-built survey will be required.
- Construction staking is the responsibility of the Contractor.



**EXHIBIT B  
(COMPENSATION SCHEDULE)**

The table below presents a summary of the fee amounts and fee types for this Agreement.

WORK DESCRIPTION	FEE AMOUNT	FEE TYPE
Construction Phase Services	\$19,537.50	RATE SCHEDULE
<b>TOTAL FEE</b>	<b>\$ 19,537.50</b>	

The hourly-not to exceed amount to be paid under this Agreement is \$19,537.50. For informational purposes, a breakdown of Garver's estimated costs is included in this Exhibit B with approximate current hourly rates for each employee classification.

Any unused portion of the fee, due to delays beyond Garver's control, will be increased six percent (4%) annually with the first increase effective on or about July 1<sup>st</sup>, 2023.

Expenses other than salary costs that are directly attributable to performance of our Services will be billed as follows:

1. Direct cost for travel, long distance and wireless communications, outside reproduction and presentation material preparation, and mail/courier expenses.
2. Direct cost-plus for subcontract/subconsultant fees.
3. Charges similar to commercial rates for reports, plan sheets, presentation materials, etc.
4. The amount allowed by the federal government for mileage.
5. \$20.00 per hour for GPS survey equipment use.

Additional Services (Extra Work). For services not described or included in Section 2, but requested by the Owner in writing or otherwise permitted under Section 4, the Owner will pay Garver as expressly set forth in the applicable Amendment, or in the event the Amendment is silent, for the additional time spent on the Project, at the agreed upon rates for each classification of Garver's personnel (may include contract staff classified at Garver's discretion) plus reimbursable expenses including but not limited to printing, courier service, reproduction, and travel. The rates shown below in this Exhibit will be increased annually with the first increase effective on or about July 1<sup>st</sup>, 2022.



**EXHIBIT B  
(COMPENSATION SCHEDULE)**

**City of Bel Aire, KS  
47th Street Reconstruction CE&I**

**CONSTRUCTION PHASE SERVICES**

WORK TASK DESCRIPTION	E-2	C-1	- Select Category -	- Select Category -	- Select Category -	- Select Category -	- Select Category -
	\$130.00	\$100.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	hr	hr	hr	hr	hr	hr	hr
<b>Construction Phase Services (PT = 5 hrs/day 1. FT = 10 hrs/day)</b>							
Project Setup/Public Notification Meeting/Initial Site walk thru	6	10					
Part Time Observation - Pavement & C&G Removal & Rock Base Placement (15 Working Days)		75					
Full Time Observation - Concrete Pour Days (5 Working Days)		50					
Monthly Pay Requests		2					
SWPPP/Neighborhood Coordination	4	30					
Prepare Change Orders	2						
Final Project Inspection and Punchlist	2	5					
<b>Subtotal - Construction Phase Services (PT = 5 hrs/day FT = 10 hrs/day)</b>	<b>14</b>	<b>172</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Hours</b>	<b>14</b>	<b>172</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Salary Costs</b>	<b>\$1,820.00</b>	<b>\$17,200.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>SUBTOTAL - SALARIES:</b>		<b>\$19,020.00</b>					
<b><u>DIRECT NON-LABOR EXPENSES</u></b>							
Survey Supplies	\$0.00						
Aerial Photography	\$0.00						
GPS Equipment	\$0.00						
Travel Costs @ \$0.58/mile	\$517.50						
<b>SUBTOTAL - DIRECT NON-LABOR EXPENSES:</b>		<b>\$517.50</b>					
<b>SUBTOTAL:</b>		<b>\$19,537.50</b>					
<b>SUBCONSULTANTS FEE:</b>		<b>\$0.00</b>					
<b>TOTAL FEE:</b>		<b>\$19,537.50</b>					





**EXHIBIT B  
(COMPENSATION SCHEDULE)**

**Garver Hourly Rate Schedule July 2021 – June 2022**

<b>Engineers / Architects</b>	
E-1.....	\$ 115.00
E-2.....	\$ 130.00
E-3.....	\$ 161.00
E-4.....	\$ 188.00
E-5.....	\$ 229.00
E-6.....	\$ 282.00
E-7.....	\$ 336.00
<b>Planners / Environmental Specialist</b>	
P-1.....	\$ 138.00
P-2.....	\$ 173.00
P-3.....	\$ 206.00
P-4.....	\$ 241.00
P-5.....	\$ 278.00
P-6.....	\$ 318.00
P-7.....	\$ 370.00
<b>Designers</b>	
D-1.....	\$ 107.00
D-2.....	\$ 126.00
D-3.....	\$ 150.00
D-4.....	\$ 174.00
<b>Technicians</b>	
T-1.....	\$ 98.00
T-2.....	\$ 127.00
T-3.....	\$ 140.00
<b>Surveyors</b>	
S-1.....	\$ 63.00
S-2.....	\$ 75.00
S-3.....	\$ 114.00
S-4.....	\$ 129.00
S-5.....	\$ 170.00
S-6.....	\$ 193.00
2-Man Crew (Survey).....	\$ 234.00
3-Man Crew (Survey).....	\$ 280.00
2-Man Crew (GPS Survey).....	\$ 256.00
3-Man Crew (GPS Survey).....	\$ 302.00
<b>Construction Observation</b>	
C-1.....	\$ 100.00
C-2.....	\$ 128.00
C-3.....	\$ 159.00
C-4.....	\$ 192.00
<b>Management/Administration</b>	
M-1.....	\$ 370.00
X-1.....	\$ 64.00
X-2.....	\$ 86.00
X-3.....	\$ 125.00
X-4.....	\$ 156.00
X-5.....	\$ 195.00
X-6.....	\$ 240.00
X-7.....	\$ 290.00



**EXHIBIT C  
(INSURANCE)**

Pursuant to Section 7.1 of the Agreement, Garver shall maintain the following schedule of insurance until completion of the Services:

Worker's Compensation	Statutory Limit
Automobile Liability	
Combined Single Limit (Bodily Injury and Property Damage)	\$500,000
General Liability	
Per Occurrence	\$1,000,000
Aggregate	\$2,000,000
Professional Liability	
Per Claim	\$1,000,000
Annual Aggregate	\$2,000,000

**AGREEMENT  
CONCERNING THE DEVELOPMENT  
OF SKYVIEW AT BLOCK 49 2<sup>ND</sup> ADDITION,  
BEL AIRE, SEDGWICK COUNTY, KANSAS**

This agreement is made and entered into by and between Skyview at Block 49, LLC, a Kansas limited liability company, hereinafter referred to as the "DEVELOPER" and the CITY OF BEL AIRE, KANSAS, hereinafter referred to as the "CITY."

**WHEREAS**, the DEVELOPER desires replatting by the CITY of a tract of land more fully described below and herein referred to as SKYVIEW AT BLOCK 49 2<sup>ND</sup> ADDITION, Bel Aire, Sedgwick County, Kansas (hereinafter, SKYVIEW AT BLOCK 49 2<sup>ND</sup>); and

**WHEREAS**, the CITY is willing to replat said SKYVIEW AT BLOCK 49 2<sup>ND</sup> under certain applicable conditions stated herein;

**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 public interest, infrastructure, financial, and drainage conditions arising from the platting process. As such, approval of this Agreement is a condition precedent to the filing of the final plat and conveyance of the tract of land more fully described below and herein referred to as SKYVIEW AT BLOCK 49 2<sup>ND</sup>.

Specifically, this agreement is to assure that necessary improvements are in place to support development of SKYVIEW AT BLOCK 49 2<sup>ND</sup>. 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 DEVELOPER shall strictly observe and comply with the terms of this Agreement, all regulations, resolutions, policies, and ordinances of the CITY and Sedgwick County, and all statutes and laws of the State of Kansas and of the United States.

The development of SKYVIEW AT BLOCK 49 2<sup>ND</sup> shall proceed in accordance with this Agreement and all other platting requirements. Any deviation, may result in suspension or termination of such building permit. It is understood by the parties that the final site dimensions, grading plan, drainage, landscape plan, street plan, parking plan and utility plans will be submitted by the DEVELOPER and approved by the CITY 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 incurred by DEVELOPER to comply with the requirements of this agreement including permit fees, review fees, and building and zoning permit and review fees, shall be paid by the DEVELOPER.

**SKYVIEW AT BLOCK 49 2<sup>ND</sup> LEGAL DESCRIPTION:** The tract of land herein referred to

as SKYVIEW AT BLOCK 49 2<sup>ND</sup> ADDITION, Bel Aire, Sedgwick County, Kansas, has the following pre-replatting legal description, to-wit:

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 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 a point on the North line of said addition, said point being the Northeast Corner of said Lot 23 Block 3; thence N 89°26'13" E along the north line of said addition, a distance of 752.87 feet to the northeast corner of said addition; thence S 02°02'42" E along the east line of said addition, a distance of 1317.95 feet to the southeast corner of said addition; thence S 89°43'46" W along the south line of said addition, a distance of 754.94 feet to the Point of Beginning.

**PERMITTED USE:** All lots will be zoned to R-5 and remain controlled by a for-profit development, as a single controlling entity or owner for the approved development as presented, and construction upon such lots shall adhere to the following conditions:

- A.
  - 1. Single-family dwelling units as shown on the approved site plan.
  - 2. Accessory structures to contain trash or mowing equipment as approved.
  
- B. Height and Area Regulations for R-5 Developments.

The maximum height of buildings and structures, the minimum dimensions of lots, setbacks for parking/paving and yards, and the minimum site area per dwelling unit permitted on any lot shall be as follows, except as otherwise provided in these Regulations relating to Height and Area Regulations, Exceptions, and requirements set forth within the Subdivision Code:

- 1. Maximum density per acre – 6 dwelling units
- 2. Maximum height:
  - Residences – two (2) stories, not exceeding thirty-five (35) feet from
  - From finished grade
- 3. Minimum dwelling unit – 1,000 square feet

**CONSTRUCTION PERIOD REQUIREMENTS.** In addition to other requirements set forth within this agreement regarding property maintenance, the following requirements shall be



met specifically during the period of time during which construction of SKYVIEW AT BLOCK 49 2<sup>ND</sup> is being developed:

All lots covered by this Agreement shall be subject to the CITY'S storm water regulations. The Contractor shall install and the DEVELOPER maintains the storm water protection devices established by the CITY and shown in the construction plans for master drainage / grading plan until such time the devices are no longer needed due to the adequate establishment of ground cover. All lots covered by this agreement shall be kept clean, shall not pond water, shall be mowed to a height not exceeding twelve (12) inches, and shall comply with all applicable laws and regulations pertaining to erosion control.

All temporary construction units must be removed when building in the immediate vicinity is completed. Temporary construction units will be relocated to areas actively being constructed.

All temporary utility connections made to expedite the development must be removed immediately as utility services are provided; i.e. temporary above ground power supply.

Traffic in SKYVIEW AT BLOCK 49 2<sup>ND</sup> shall be limited to vehicles under 20 tons. Construction traffic shall enter from WEBB ROAD along TIERRA LAKES PKY. DEVELOPER shall be responsible for installation and removal of any temporary roads during construction. Such temporary roads shall be approved by the CITY. All roadways must be kept free of construction debris and mud. Dust created during construction must be controlled avoiding a nuisance for motorists and neighbors. Any damage made by construction equipment to SKYVIEW AT BLOCK 49 2<sup>ND</sup> on TIERRA LAKES PKY shall be repaired by the DEVELOPER and/or contractor at no cost to the CITY. The repairs shall be made to the satisfaction of the CITY.

**DETENTION PONDS.** The ponds will act as temporary sedimentation basins during construction but are limited to the amount of sediment allowed and DEVELOPER responsible for any dredging required.

**DRAINAGE.** Protecting surrounding platted property from the impacts of changes in drainage across such property resulting from the development of SKYVIEW AT BLOCK 49 2<sup>ND</sup> must be addressed as part of the platting process. The DEVELOPER shall prepare a storm drainage plan which shall address the various impacts of increased/modified drainage, meet CITY drainage specifications, and be approved by the City Engineer. Prior to approval of said proposed storm drainage plan, the City Engineer may impose modifications upon such proposed plan as Engineer deems necessary to insure the effectiveness of such plan. After approval by the City Engineer of said storm drainage plan, including any necessary modifications, the DEVELOPER shall install, or cause to be installed, the improvements pursuant to the drainage plan.

The DEVELOPER shall maintain a master drainage plan throughout the development stage for each parcel. That master drainage plan shall be a four corner grading plan with

proposed grades for homes and the DEVELOPER shall require all homes to be built on the property to comply with the approved drainage plan. Variations from the plan shall only be allowed with the approval of the DEVELOPER and the CITY.

**ELECTRIC:** All electric lines shall be installed underground and paid for by the DEVELOPER.

**EROSION, STORMWATER, AND SEDIMENT CONTROL.** The DEVELOPER must follow all National Pollution Discharge Elimination System (NPDES), Kansas Department of Health & Environment (KDHE) and City of Bel Aire Standards for erosion, stormwater, and sediment control on site.

**FENCING & SCREENING:** Fencing and screening methods and materials shall blend in with the architectural design of the buildings and to reasonably hide the materials, trash and recycling containers from ground view, and all fencing and screening methods and materials must be pre-approved in writing by the CITY. Black ornamental iron and other similar fencing material may be allowed if such materials blend in with the architectural design elements of the building and adjacent sites. 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. No barbed wire is allowed. If any fencing or screening is installed by the DEVELOPER during Development, all future maintenance and upkeep shall be performed by the Developer or HOA.

**FIRE HYDRANTS:** All fire hydrants shall be of a type and quality specified by CITY Specification Standards, but not less than the minimum standards of the National Board of Fire Underwriters, and shall be provided and connected to the CITY'S municipal water supply system. Such hydrants shall be subject to the inspection and approval of the applicable Fire Chief.

**FOUNDATION CERTIFICATIONS.** Foundation Certifications will be required on each foundation after construction. Minimum low opening certifications will be required on all lots with minimum pad elevations indicated on the face of the plat.

**HOMEOWNERS' ASSOCIATION.** DEVELOPER and/or Homeowners Association will be required to provide continuous maintenance for all identified reserves, common areas, ponds, drainage paths, detention ponds and construction areas associated with SKYVIEW AT BLOCK 49 2<sup>ND</sup>. 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.

**INFRASTRUCTURE PETITION AND INSTALLATION:** The development of SKYVIEW AT BLOCK 49 2<sup>ND</sup> is being accomplished by virtue of a multiple-phase process.

Representatives of the parties shall formally meet and review the existing and proposed phases of development as well as the requirements of this agreement, prior to the submission of petitions for infrastructure improvements for each phase of development.

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, street lights and telephone service shall be installed underground. The CITY shall perform the engineering design, construction and inspection of water mains, sanitary sewer mains, storm water systems and paving necessary for the platting and development of the tract of land herein referred to as the SKYVIEW AT BLOCK 49 2<sup>ND</sup>, Bel Aire, Sedgwick County, Kansas. With the exception of storm sewer systems, all other improvements shall be dedicated to and owned and maintained by the CITY. Said improvements shall be installed on CITY owned property or within public right of ways or easements. The DEVELOPER shall reimburse the CITY for the actual costs of the engineering design, construction, and inspection of all improvements necessary for the platting and development of the tract of land herein referred to as the SKYVIEW AT BLOCK 49 2<sup>ND</sup> unless otherwise petitioned and approved by the Governing Body of the City of Bel Aire, Kansas.

The DEVELOPER shall dedicate necessary public right-of-ways and easements and install, or cause to be installed, all improvements necessary for the platting and development of the tract of land herein referred to as the SKYVIEW AT BLOCK 49 2<sup>ND</sup>. Said improvements include, but are not limited to streets, curb, gutter, street signs, storm water system, sidewalks, water distribution system, sanitary sewer lines, corner pins, and utilities. The DEVELOPER shall indemnify and hold harmless the CITY from any liability from damages that may occur during construction. The DEVELOPER shall pay one hundred percent (100%) of the cost of the improvements unless otherwise petitioned and approved by the Governing Body of the City of Bel Aire.

Whenever existing sanitary sewer, storm water, water lines, drainage channels, culverts, underground and overhead electric, communications, gas lines, pipe lines or transmission lines are required to be installed, lowered, encased, modified or relocated due to the subdivision or construction improvements required, and in the event it was not known at time of platting approval, the DEVELOPER shall pay one hundred percent (100%) of the cost of the improvements unless otherwise petitioned and approved by the Governing Body of the City of Bel Aire, Kansas. The DEVELOPER shall indemnify and hold harmless the CITY from any liability from damages that may occur during said construction.

**LANDSCAPING & SCREENING:** The DEVELOPER shall submit and have approved by the CITY, a "Landscape Plan" that is representative of the landscaping to be provided as each phase of SKYVIEW AT BLOCK 49 2<sup>ND</sup> 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 street tree requirements. 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 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.

**LIGHTING:** A Street and 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. Wood poles shall not be used.

**MAINTENANCE:** DEVELOPER and/or Homeowners Association will be required to provide continuous maintenance for Reserves "A", "B" and "C", and all identified common areas, ponds, irrigation systems within said reserves in SKYVIEW AT BLOCK 49 2<sup>ND</sup>, Bel Aire, Sedgwick County, Kansas. Improvements within Reserve "D" shall be installed by the DEVELOPER. The improvements within Reserve "D" shall be owned and maintained by the City of Bel Aire.

**PERMITS.** No construction shall commence on any portion of the tract of land herein referred to as SKYVIEW AT BLOCK 49 2<sup>ND</sup> without the DEVELOPER having first obtained the proper building and zoning permits from the CITY.

**ROADWAYS, PARKING, DRIVES, and ACCESS:** The DEVELOPER shall cause to be installed, according to the design standards of the CITY, minimum twenty nine (29) foot back to back paved street with curb and gutter on all streets in SKYVIEW AT BLOCK 49 2<sup>ND</sup>. If asphalt paving is used, the section shall consist of a minimum of 7" of asphalt with either a 5" reinforced rock base or a 5" concrete stabilized subgrade. If concrete paving is used, the pavement section shall be a minimum of 6" with 5" reinforced rock base. The CITY will determine which material shall be used after reviewing cost, safety, feasibility, and feedback from the DEVELOPER.

All driveways shall be constructed in compliance with CITY ordinance.

**SANITARY SEWER:** The DEVELOPER shall petition the CITY to perform the engineering design review, construction and inspection of collection lines, not less than (8) inches in diameter, to transport sewage and discharge into existing downstream sanitary sewer mains. Said sewer main shall be dedicated to and owned and maintained by the CITY. Said sewer main shall be installed within dedicated easements. If not shown on the final plat, necessary easements shall be granted by the DEVELOPER or acquired as part of the construction project and dedicated by separate instrument. Each living unit is required to have a separate sewer tap and sewer service line. All Sanitary Sewer User Fees and Hookup Fees are subject to City Ordinances.



**SIDEWALKS:** Sidewalks shall be installed on one side of streets as delineated in the sidewalk plan submitted with the preliminary plat. Sidewalks shall comply with the ADA Accessibility Guidelines (ADAAG). Sidewalks shall be handicap accessible and be required to extend or complete connecting links in the sidewalk system.

In general, sidewalks shall be constructed with the outside edge of the sidewalk as close as practical to the property line, subject to the discretion of the engineer designated by the CITY. The Sidewalk along shall be 5 feet wide (4" thick). Sidewalks shall be installed per the sidewalk plan approved by the CITY with curb ramps for road crossings. Sidewalks shall be installed on individual lots at the time of home construction. After 24 months has passed following the completion of the street construction, any missing adjoining sidewalk sections will be installed by the CITY unless an alternate approved plan is accepted by the city Engineer and DEVELOPER.

A sidewalk petition shall be executed to cover the cost of installing said sidewalk.

**SIGNAGE.** Signs, other than street or traffic / regulatory, of such location, type and size as shall be approved as part of the building permit process or by the Governing Body, giving due regard to the prevailing type, size and pattern of location utilized throughout the area. All signage shall comply with the applicable ordinances and zoning regulations of the City and be submitted in writing to the CITY for written approval.

Signs are to be maintained by the DEVELOPER indefinitely unless transferred to a home owner's association any alternative plan must be approved by the CITY. Failure of the DEVELOPER to maintain such areas and property shall be grounds for the CITY to enforce this provision as a nuisance abatement action, at the cost and expense of the DEVELOPER and/or HOA.

**WATER:** The DEVELOPER shall petition the CITY to perform the engineering design, construction and inspection of transmission water lines minimum (8) inches in diameter, to the municipal water supply system of the City of Bel Aire, Kansas. Said water transmission lines shall be dedicated to and owned and maintained by the CITY. Lines shall be designed to loop. Said water transmission lines shall be installed within dedicated easements. If not shown on the final plat, necessary easements shall be granted to the CITY by the DEVELOPER or acquired as part of the construction project and dedicated by separate instrument. Each living unit is required to have a separate water tap and water line. All water taps and service lines up to the meter shall be installed at the time of the water line construction. All Water User Fees and Hookup Fees are subject to City Ordinances.

**BONDING CAPACITY.** Assurances are to be provided whenever the CITY has been furnished a financial guarantee (irrevocable letter of credit, corporate completion bond, cashier's check, escrow account or cash) on 35% of the estimated principal cost of the project (engineering design, construction, inspections, temp note interest and

administration). The Letter of Credit (LOC) or bond will be in the form approved by the CITY and name the City of Bel Aire as beneficiary. The assurances will serve to protect the general taxpayers of Bel Aire from subsidizing the special assessment debt. The assurance shall be filed prior to any debt being issued by the CITY for any of the expenses mentioned above and be in the amount equal to 35% of these same costs. It is understood that this letter of credit shall be automatically renewed for additional 2-year periods unless the DEVELOPER notifies the CITY in writing at least sixty (60) days prior to the then relevant expiration date that it will not be renewed at which time the DEVELOPER may draw up to the full amount of the credit available at that time. Provided there are no delinquent taxes or special assessments owed by the DEVELOPER, the financial guarantee will be released upon request of the DEVELOPER when development (issuance of satisfactory framing by the City of Bel Aire) of 35% of the properties covered by the LOC, the CITY will, by written instruction, authorize the release of this letter of credit, provided, however, that before this letter of credit is released the CITY shall be entitled to a partial drawing against the credit in the amount of any delinquent special assessments.

#### **MISCELLANEOUS:**

The DEVELOPER must make mail delivery provisions for each household with the U.S. Postal Services.

**MODIFICATION OF PLAT THROUGH REPLATTING PROCESS.** While it is intended by the parties that the development will precede in compliance with this Agreement and the existing plat of SKYVIEW AT BLOCK 49 2<sup>ND</sup> nothing herein shall be construed to prohibit modifications to the SKYVIEW AT BLOCK 49 2<sup>ND</sup> development as a result of the formal replatting process.

**RESPECTIVE RESPONSIBILITIES OF CITY AND DEVELOPER:** Notwithstanding anything to the contrary contained herein, the CITY shall be responsible for the construction of streets, sewer, and water facilities for SKYVIEW AT BLOCK 49 2<sup>ND</sup> or other projects or additions, including excavation, storm sewers and detention ponds, the costs for which shall be spread as special assessments against the addition on a square footage basis, but not for three (3) years, or until the year 2025.

The DEVELOPER agrees to assume responsibility to see that all original purchasers of lots in the Addition receive a copy of the Developer's Agreement and the Restrictive Covenants at the time of purchase.

The DEVELOPER agrees to provide the CITY with a copy of the Restrictive Covenants once adopted.

Each DEVELOPER, individual, or entity who is presently an owner of a lot or lots in SKYVIEW AT BLOCK 49 2<sup>ND</sup> or any individual or entity who later becomes a DEVELOPER by acquiring ownership of a lot or lots in said projects, shall do so subject to the terms of this Development Agreement, and shall be liable for the payment of other costs and

expenses payable by DEVELOPER hereunder which are incurred for improvements or facilities located on the lots or which are used or are available for the benefit of the lot or lots owned by the DEVELOPER.

Likewise, each DEVELOPER shall be responsible for the performance or compliance with other obligations or requirements contained herein which may be performed on the lot or lots owned by the DEVELOPER or which the DEVELOPER otherwise has the legal power and authority to perform. In the event any improvements or facilities are constructed on the lots or lot of a DEVELOPER not to serve the needs of that lot or lots, but rather to serve the needs of a lot or lots not owned by the DEVELOPER, the DEVELOPER shall have no liability or responsibility for the costs and expenses incurred in the construction or maintenance of those improvements or facilities.

Finally, in the event improvements or facilities are constructed and maintained to serve lots owned by more than one DEVELOPER or for the use of all DEVELOPERS, the costs and expenses for such construction and maintenance shall be paid by all DEVELOPERS whose lots are served by such improvements and facilities which costs and expenses shall be allocated to those DEVELOPERS whose lots are being served in the proportion that the number of square feet in the lots being served and respectively owned by them bears to the total square feet of all lots being served.

**RECORDING:** The DEVELOPER shall file an executed copy of this Agreement with the Sedgwick County Register of Deeds. 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 \_\_\_\_\_, 2022.

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

\_\_\_\_\_,  
Andrew Reese, Managing Member  
Skyview at Block 49, Bel Aire, Sedgwick  
County, Kansas

THIS AGREEMENT was approved by vote the City Council of the City of Bel Aire,

Kansas on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 and is hereby executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR, JIM BENAGE

SEAL

ATTEST:

\_\_\_\_\_  
CITY CLERK, MELISSA KREHIBEL

ACKNOWLEDGEMENTS

BE IT KNOWN BY ALL PERSONS that on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, a Notary Public, came Andrew Reese, who is known to me and who personally acknowledged execution of the forging Agreement as the Developer of SKYVIEW AT BLOCK 49 2<sup>ND</sup>, Bel Aire, Sedgwick County, Kansas.

\_\_\_\_\_  
NOTARY PUBLIC

My Appointment Expires:\_\_\_\_\_

BE IT KNOWN BY ALL PERSONS that on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, a Notary Public, came Mr. Jim Benage, who is known to me to be the Mayor of Bel Aire, Kansas and who personally acknowledged execution of the forgoing Agreement Concerning the Development of the SKYVIEW AT BLOCK 49 2<sup>ND</sup>, Bel Aire, Sedgwick County, Kansas, and Stacey Cook, who is known to me to be the City Clerk of Bel Aire, Kansas and who personally acknowledged attesting the signature of said Mr. David Austin.

\_\_\_\_\_  
NOTARY PUBLIC

My Appointment Expires:\_\_\_\_\_



City of Bel Aire, Kansas

## STAFF REPORT

DATE: February 21, 2022

TO: Governing Body, City Manager

FROM: Planning Commission

RE: February Planning Commission Meeting Report



### **ZON-21-04 Revised – Proposed re-zoning of approximately 54.99 acres of R-4 Residential to R-5 Residential (Chapel Landing 5<sup>th</sup>)**

Planning Commission reviewed Woodlawn 53, LLC's request to rezone property generally located one half mile south of 53<sup>rd</sup> Street N and one quarter-mile west of Woodlawn Boulevard in accordance with Article 5 of the City of Bel Aire's Zoning Regulations. Planning Commission studied the material provided by the applicant. The Commission conducted a public hearing in relation to the application where interested parties and citizens were given the opportunity to be heard. Ten area residents spoke against the re-zone request. The majority of the comments centered around the loss of property values if the developer were allowed to rezone the area for a multi-family development. The residents were also concerned about the increased traffic volumes and the safety of the area – indicating that denser housing tends to bring higher crime rates. The residents were unhappy with what they felt was a "bait and switch" on the part of the developer – they bought into the area believing that the entire area would be an upscale community and now are very concerned that it is being downgraded and re-zoned for duplexes.

Following the comments from the residents, the agent for the applicant was given an opportunity to speak and provide commentary regarding the voiced concerns. The agent indicated that the developer was not planning on building duplexes on these lots, but was wanting to re-zone and re-plat for smaller lots. The agent also mentioned that in all of the covenants that were signed at lot closing by the current owners, there was a paragraph included that mentioned that duplexes were allowed in this development and no future notice to the current property owners needed to be given.

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

#### **Character of the neighborhood:**

- The Planning Commission has tried to keep the more intense usage closer to the arterials. This request is contrary and not consistent with past decisions by potentially allowing a more intense usage further away from the arterial.

#### **Zoning uses of nearby property:**

- The requested zoning is more intense than the surrounding zoning. With the exception of the Prairie Preserve to the west, all of the surrounding zoning is at R-4.

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

- The requested use of the property is allowed within the current R-4 zoning. Commissioners were concerned about alternate uses that would be allowed under the R-5 zoning, but not allowed under the current R-4 zoning.

Having thoroughly reviewed the issue Planning Commission voted (by passing a 7-0 motion) to **recommend denial of the request to rezoning the property from R-4 Residential to R-5 Residential.**

**\*\*\*\*\* Following the Planning Commission meeting, the Developer contacted the Planning Commission Secretary to withdraw their request for a zone change to this parcel. Subsequently, the request will not be forwarded to Council for their consideration. \*\*\*\*\***

**ZON-21-04 Proposed preliminary plat for approximately 54.99 acres (Chapel Landing 5th).**

Planning Commission reviewed Woodlawn 53, LLC's request to replat approximately 54.99 acres of R-4 Residential in accordance with Article 4 of the City of Bel Aire's Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed plat. The Commission conducted a public hearing on February 10, 2022 in relation to the application where interested parties and citizens were given the opportunity to be heard. Two citizens spoke at the public hearing. One was still concerned about the density of the proposed development and the other expressed his appreciation to the agent for listening to their concerns. Following the hearing, the Planning Commission considered the evidence and found that the plat complied with all provisions and applicable regulations and laws.

Having thoroughly reviewed the issue Planning Commission voted (by passing a 7-0 motion) to **approve the preliminary plat without changes.**

**SD-21-07 Proposed Final Plat for approximately 13.15 acres (Lycee)**

Planning Commission reviewed the City of Bel Aire and Greg Heiser's request to replat approximately 13.15 acres of R-6 Residential and C-1 Commercial in accordance with Article 4 of the City of Bel Aire Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed plat and other evidence presented by the representative for the applicant. The Commission conducted a public hearing on February 10, 2022 in relation to the application where interested parties and citizens were given the opportunity to be heard. There were no parties wishing to speak at the public hearing regarding this plat. Following the public hearing, the 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.

Having thoroughly reviewed the issue, Planning Commission voted (by passing a 7-0 motion) to approve the final plat without changes and **recommends that the governing body accept the Developer's commitment to dedicate certain land within the plat for public purposes.**

**SD-21-07 Proposed PUD for Lycee**

Planning Commission reviewed Greg Heiser's request to apply a PUD Overlay to the property north of 53<sup>rd</sup> Street as contained in the plat for Lycee in accordance with Article 5 of the City of Bel Aire Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed PUD language. The Commission conducted a public hearing on February 10, 2022 in relation to the application where interested parties and citizens were given the opportunity to be heard. There were no parties wishing to speak at the public hearing regarding this plat. Following the hearing, the Planning Commission considered the evidence and found that the PUD complied with all provisions and applicable regulations and laws.

Having thoroughly reviewed the issue Planning Commission voted (by passing a 7-0 motion) to **approve the PUD without changes.**

**ZON-21-07 – Proposed re-zoning of approximately 3.3 acres zoned R-1 Estate Residential to R-4 Residential.**

Planning Commission reviewed TW Renovations, LLC's request to rezone property generally located about ¼ mile east of Oliver and ¼ mile south of 53<sup>rd</sup> in accordance with Article 5 of the City of Bel Aire's Zoning Regulations. Planning Commission studied the material provided by the applicant. The Commission conducted a public hearing on February 10, 2022 in relation to the application where interested parties and citizens were given the opportunity to be heard. No interested parties, other than the agent for the applicant showed up to speak either for or against the proposed rezoning.

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

**Zoning uses of nearby property:**

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

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

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

Having thoroughly reviewed the issue Planning Commission voted (by passing a 7-0 motion) to **recommend rezoning of the property from R-1 Estate Residential to R-4 Residential.**

**ZON-21-07 Proposed preliminary plat for approximately 14.62 acres (Chapel Landing 6th).**

Planning Commission reviewed TW Renovation, LLC's request to replat approximately 14.62 acres of R-4 Residential in accordance with Article 4 of the City of Bel Aire's Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed plat. The

Commission conducted a public hearing on February 10, 2022 in relation to the application where interested parties and citizens were given the opportunity to be heard. No interested parties, other than the agent for the applicant showed up to speak either for or against the proposed preliminary plat. Following the hearing, the Planning Commission considered the evidence and found that the plat complied with all provisions and applicable regulations and laws.

Having thoroughly reviewed the issue Planning Commission voted (by passing a 7-0 motion) to **approve the preliminary plat without changes.**

**SD-21-06 Proposed Final Plat for approximately 22.76 acres (Skyview at Block 49 2<sup>nd</sup>)**

Planning Commission reviewed 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 Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed plat and other evidence presented by the representative for the applicant. The Commission conducted a public hearing on February 10, 2022 in relation to the application where interested parties and citizens were given the opportunity to be heard. There were no parties wishing to speak at the public hearing regarding this plat. Following the public hearing, the 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.

Having thoroughly reviewed the issue, Planning Commission voted (by passing a 7-0 motion) to approve the final plat without changes and **recommends that the governing body accept the Developer's commitment to dedicate certain land within the plat for public purposes.**

**SD-21-04 Proposed Final Plat for approximately 12.44 acres (Skyview at Block 49 3<sup>rd</sup>)**

Planning Commission reviewed Block 49, LLC's request to replat approximately 12.44 acres of C-2 Commercial with PUD in accordance with Article 4 of the City of Bel Aire Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed plat and other evidence presented by the representative for the applicant. The Commission conducted a public hearing on February 10, 2022 in relation to the application where interested parties and citizens were given the opportunity to be heard. There were no parties wishing to speak at the public hearing regarding this plat. Following the public hearing, the 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.

Having thoroughly reviewed the issue, Planning Commission voted (by passing a 7-0 motion) to approve the final plat without changes and **recommends that the governing body accept the Developer's commitment to dedicate certain land within the plat for public purposes.**

**SD-21-04 Proposed PUD for Skyview at Block 49 3<sup>rd</sup>**

Planning Commission reviewed Block 49, LLC's request to apply a PUD Overlay to the property contained in the Skyview at Block 49 3<sup>rd</sup> plat in accordance with Article 5 of the City of Bel Aire Subdivision Regulations. The Commissioners studied the material provided by the applicant, including the proposed PUD language. The Commission conducted a public hearing on February 10, 2022 in relation to the application where interested parties and citizens were given the opportunity to



be heard. There were no parties wishing to speak at the public hearing regarding this plat. Following the hearing, the Planning Commission considered the evidence and found that the PUD complied with all provisions and applicable regulations and laws.

Having thoroughly reviewed the issue Planning Commission voted (by passing a 7-0 motion) to **approve the PUD without changes.**

**CON-21-03 Conditional Use Permit request to add a LED Message Board to an existing sign pole base located in a utility easement in C-1 Commercial Zoning District.**

Planning Commission reviewed a request to add a LED message board sign to an existing sign pole base, located in a utility easement, in C-1 Commercial Zoning District. The applicant was present and stood for questions from the Commissioners. The Commissioners found that there would be limited impact and appreciated the updating and upgrading to the new sign.

Having thoroughly reviewed the issue, Planning Commission voted (by passing a 7-0 motion) to **recommend that Council approve the LED Message Board in an C-1 Commercial zoning district contingent upon a 60 day review by Planning Commission.**

**CON-22-01 Conditional Use Permit request for a proposed private swimming pool in R-5 Residential Zoning District.**

Planning Commission reviewed a request for a private swimming pool in an R-5 Residential Zoning District. The Commissioners found that there would be limited impacts to the neighborhood.

Having thoroughly reviewed the issue, Planning Commission voted (by passing a 7-0 motion) to **recommend that Council approve the private swimming pool in an R-5 district as presented.**



## MANAGERS REPORT

**DATE:** February 24, 2022  
**TO:** Mayor Benage and City Council  
**FROM:** Ty Lasher, City Manager  
**RE:** March 1, 2022 Agenda

### **Proclamations (Item V)**

March is American Red Cross Month. The Red Cross uses this month to honor and celebrate all the volunteers who support the mission of their organization. Local civic groups often host blood drives in Bel Aire. This proclamation supports the Red Cross in the great work they do.

Severe Weather Awareness Week is an initiative of the National Weather Service, Kansas Emergency Management and Sedgwick County Emergency Management to educate our citizens of the dangers associated with severe weather. This is an opportunity for Bel Aire to take part in the awareness of severe weather and encourage our citizens to be prepared as spring is quickly approaching.

### **Consent Agenda (Item VII)**

Contains the minutes of the February 15<sup>th</sup> City Council meeting. In addition, four applications for permits to sell fireworks have been received and are on the agenda. Bel Aire codes allow four retail fireworks permits to be issued annually. All of the applicants are requesting permits to operate in the same locations as last year, and all of them have submitted the required paperwork.

### **Appropriations Ordinance (Item VIII)**

This period includes \$727,142.20 in bonded capital projects; listed on page 4. PD Car #37 has been up-fitted for \$14,537.09 (page 4). Parts for PD's new laptops have arrived and have been paid; the laptops are still on order.

### **City Requested Appearances (Item IX)**

*TranSystems* - The city received a TEAP grant from KDOT in 2021 to complete a safety study on the intersections of 53<sup>rd</sup> & Woodlawn as well as 53<sup>rd</sup> & Rock. The study is complete and TranSystems will be at the meeting to present their findings as well as share their recommendations. Any recommended improvements will be included in your March workshop covering street upgrades. Therefore, Council can ask questions of

TranSystems representatives today and be ready to discuss funding of any specific changes to these intersections at the March workshop.

Garver, Gravel Roads Study- Ken Lee will be here to present cost estimates for the gravel roads and an approximation of the special assessments.

Garver, Woodlawn Update – Dakota will be here to give his regular update on Woodlawn construction progress.

### **Rezoning Ordinance, Chapel Landing 6<sup>th</sup> (Item A)**

At their February 10<sup>th</sup> meeting, Planning Commission reviewed TW Renovations, LLC's request to rezone property located about a quarter mile east of Oliver and a quarter mile south of 53<sup>rd</sup> Street. At the same meeting, Planning Commission held a public hearing where interested parties and citizens were given the opportunity to be heard. No interested parties, other than the agent for the applicant showed up to speak either for or against the rezoning. Following the public hearing Planning Commission studied the material provided by the applicant, considered the evidence and discussed the rezoning request in relation to the City's Zoning Regulations and the 'Golden Factors' of zoning. Having thoroughly reviewed the issue Planning Commission voted (by passing a 7-0 motion) to recommend rezoning of the property from R-1 Estate Residential to R-4 Residential. The zoning Ordinance now comes before Council for approval.

### **Conditional Use Ordinance for an LED sign (Item B)**

On February 10<sup>th</sup>, Planning Commission reviewed a request to add an LED message board sign to an existing sign pole base, located in a utility easement, in C-1 Commercial Zoning District. The applicant was present and stood for questions from the Commissioners. The Commissioners found that there would be limited impact and appreciated the upgrade to the new sign. Planning Commission voted (by passing a 7-0 motion) to recommend that Council approve the LED Message Board contingent upon a 60-day review by Planning Commission. The Ordinance to approve the Conditional Use now comes before Council for approval.

### **Conditional Use Ordinance for a private pool (Item C)**

Also on February 10<sup>th</sup>, Planning Commission reviewed a request for a private swimming pool in an R-5 Residential Zoning District. As part of the conditional use process, a notification of the hearing was published in the newspaper and notification letters were mailed to the surrounding property owners. The Commissioners found that there would be limited impacts to the neighborhood. Having thoroughly reviewed the issue, Planning Commission voted (by passing a 7-0 motion) to recommend that Council approve the private swimming pool as presented. The Ordinance to approve the Conditional Use now comes before Council for approval.

### **Dedications of Land for Public Purposes (Items D-F)**

At their February 10<sup>th</sup> meeting, Planning Commission reviewed and approved three Final Plats: Lycee Addition, Skyview at Block 49 2<sup>nd</sup>, and Skyview at Block 49 3<sup>rd</sup>. A separate public hearing was conducted for each plat. Within each Final Plat, certain areas are designated for public purposes, such as easements, rights-of-way, and land for public use. These dedications by the Developer now come before Council for acceptance. In each case, Planning Commission recommends that Council accept the Developer's commitment to dedicate certain land within the plat for public purposes.

*Skyview at Block 49 2<sup>nd</sup> (Item D)*- Planning Commission reviewed Block 49, LLC's request to replat approximately 22.76 acres of R-5 Residential. There were no parties wishing to speak at the public hearing regarding this plat. Following the public hearing, the Planning Commission considered the evidence and reviewed the report provided by staff. Planning Commission voted (by passing a 7-0 motion) to approve the final plat without changes.

*Skyview at Block 49 3<sup>rd</sup> (Item E)* - Planning Commission reviewed Block 49, LLC's request to replat approximately 12.44 acres of C-2 Commercial with PUD. There were no parties wishing to speak at the public hearing regarding this plat. Following the public hearing, the Planning Commission considered the evidence and reviewed the report provided by staff. Planning Commission voted (by passing a 7-0 motion) to approve the final plat without changes.

*Lycee Addition (Item F)* - Planning Commission reviewed the City of Bel Aire and the Developer's request to replat approximately 13.15 acres of R-6 Residential and C-1 Commercial. No one spoke at the public hearing. Following the public hearing, the Planning Commission considered the evidence and reviewed the report provided by staff. Planning Commission voted (by passing a 7-0 motion) to approve the final plat without changes.

### **Agreement with Garver, 47<sup>th</sup> Street Reconstruction (Item G)**

At the February 1<sup>st</sup> meeting, Council accepted the bid from Kansas Paving to reconstruct 47<sup>th</sup> Street. City staff typically provides construction observation services on projects that are funded through the Capital Improvement Reserve Fund. Construction observation is important to ensuring that the project gets constructed according to City standards. However, staff is currently working on several other projects and does not have enough time to properly observe the construction on this project. Staff recommends hiring a consultant to observe the construction. The City is currently working with Garver for construction observation on multiple projects. Their communication with both the Contractor, the City and interested citizens sets them apart from other firms. Staff reached out to Garver and requested a bid. The cost of the services will be paid for from the



Capital Improvement Reserve Fund. Staff recommends that Council accept the contract for Construction Observation Services from Garver in the amount not-to-exceed \$19,537.50 for the 47th Street Reconstruction Project.

**Development Agreement for Skyview 2<sup>nd</sup> at Block 49 (Item H)**

For every new development without a PUD, the City requires a Development Agreement be negotiated and approved. This agreement spells out in writing the responsibilities of each party during construction and thereafter. The agreement is filed with the plat for future reference. Staff and the developer have agreed upon the language contained in this agreement and it is now ready for final approval by the City Council.

**Executive Session (Item XIII)**

Staff has no need for an Executive Session.

**Discussion and Future Issues - March Workshop (Item XIV)**

This month the workshop is planned for March 8<sup>th</sup> at 6:30 p.m.