

(Published at www.belaireks.gov on January, _____, 2025.)

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE BEL AIRE PLANNING COMMISSION RECOMMENDING CHANGING THE ZONING DISTRICT OF CERTAIN LANDS LOCATED IN THE CITY OF BEL AIRE, KANSAS, UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY.

WHEREAS, the Governing Body of the City of Bel Aire, Kansas (the "City") has received a recommendation from the Bel Aire Planning Commission for Case No. PUD-24-02; and

WHEREAS, the Governing Body finds proper notice was given and a public hearing was held for Case No. PUD-24-02 on November 14, 2024, all as provided by law and under the authority and subject to the provisions of the Zoning Regulations of the City.

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 and approves the zone change request in the City, from the R-4 Single-Family Residential District to the R-5 Garden and Patio Homes, Townhouses and Condominiums District and R-6 Multi-Family District, under The Spring Pines Planned Unit Development (formerly called "Homestead at Spring PUD".) The Spring Pines Planned Unit Development (formerly called "Homestead at Spring PUD") is created as depicted in Exhibit A incorporated herein.

- a. Parcel A shall remain zoned as C-1 Neighborhood Commercial, Office and Retail District;
- b. Parcel B shall remain zoned as R-4 Single-Family Residential District, with the condition that no manufactured homes are allowed;
- c. Parcel C shall change zoning from R-4 Single-Family Residential District to R-5 Garden and Patio Homes, Townhouses and Condominiums District;

d. Parcel D shall change zoning from R-4 Single-Family Residential District to R-6 Multi-Family District, with the condition that requires the applicant to submit a detailed site plan for Parcel D to the Planning Commission prior to the issuance of building permits.

i. The Spring Pines PUD is subject to the above restrictions, conditions or limitations, and such restrictions, conditions or limitations shall supersede any portion of the application in conflict therewith.

Legal Description

General Description

North and east of East 53rd Street North and North Oliver, Bel Aire, Sedgwick County, Kansas

SECTION 2. This Ordinance shall take effect and be in force from and after its adoption by the Governing Body of the City, approval by the Mayor, and publication once in the official city newspaper.

SECTION 3. The City Clerk will file this Ordinance with the Sedgwick County Register of Deeds.

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Passed by the Governing Body of the City of Bel Aire, Kansas, on the 7th day of January, 2025.

81 Approved by the Mayor on the _____ day of January, 2025.

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84 CITY OF BELAIRE, KANSAS
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89 Jim Benage, Mayor
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92 ATTEST:
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96 Melissa Krehbiel, City Clerk
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99 APPROVED AS TO FORM:
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103 Maria A. Schrock, City Attorney