

FOR MEETING OF	4/14/22
CITY COUNCIL	
INFORMATION ONLY	

City of Bel Aire

STAFF REPORT

DATE: 04/08/2022

TO: Bel Aire Planning Commission

FROM: Keith Price

RE: Agenda

SUMMARY:

ZON-22-02. Proposed re-zoning and One-step platting approximately 3.35 acres zoned C-1, to a R-5b Zero Lot line for single-family houses at Elk Creek 3rd. The current use farm ground.

The city advertised the hearing in the Ark Valley newspaper and sent notices to the property owners within the required distance of 200 ft. To date there is has been no one called regarding the rezoning or development.

The city review of the first draft of the plats and most current plats will be provided in the packet. This will require 3 votes -Rezoning, preliminary and final plats.

1. The character of the neighborhood;

The subject property is platted and zoned C-1 since 2009; 2006 this lot was R-5 zoned, this would be a down-zoning process.

2. The zoning and uses of properties nearby

R-3, R-5b, and R-6

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

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

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

City staff no adverse effect is expected.

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

The City hasn't rezoned this property since it was re-platted in 2008 as Elk Creek Addition

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

No hardship is expected to be caused by the development.

6. Recommendations of permanent staff;

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

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

Yes the 2018 Master Growth plan

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

- A zero-lot line development requires a good developer's agreement and covenants to control issues that arise with having maintenance completed on a home that only has access from neighbors' property.
- Drainage and yard maintenance needs to be addressed.
- Trash management, trash truck access. Maybe a centrally located collection point would work.
- Architectural control by the HOA to a standard equal to the surrounding neighborhoods will ensure the value for all stake holders
- Staff can agree this is a good fit for approval based on all of the comments as conditions for change or refinement provided to the developer and stakeholders.

Preliminary Plat. A map or drawing on which the subdivider's plan of the subdivision is presented and which he submits for approval and intends in final form to record. A preliminary plat for a proposed subdivision of land shows streets, lots and other characters as well as features of the proposed development.

Final Plat. A formal document prepared by a registered land surveyor to describe the precise location and dimension of lots, established easements, dedicated street rights-of ways and otherwise described property to be subdivided which are approved by the Bel Aire Planning Commission.

DUTIES OF THE PLANNING COMMISSION

Review and approve, approve conditionally, or disapprove final plats and transmit the same to the Governing Body for their acceptance of dedications of streets, alleys and other public ways and sites.

ZON-22-01. Proposed re-zoning approximately 150+ acres zoned AG, to a M-1 Industrial Manufacturing. The current use farm ground.

The city advertised the hearing in the Ark Valley newspaper and sent notices to the property owners within the required distance of 200 ft. and 1,000 ft. in the unincorporated areas. To date there is has been no one called regarding the rezoning.

V-22-01, platted Right of Way and abutting relevant easements, E. 54th St. N.

The city advertised the hearing in the Ark Valley newspaper and sent notices to the property owners within the required distance of 200 ft. and 1,000 ft. in the unincorporated areas. To date there is has been one person called regarding the vacation, he didn't appear to have any concern once the process was explained.

This vacation is to allow the new landowner the ability to redesign the layout of the land. The

1. due and legal notice has been given;
2. no private rights will be injured or endangered;
3. the public will suffer no loss or inconvenience; and
4. in justice to the petitioner(s) the vacation should be granted;

then the Planning Commission shall recommend that such vacation be approved and such decision shall be entered in the minutes, including an explanation of such decision, and a recommendation of approval shall be submitted to the Governing Body.

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