

STAFF REPORT

DATE: July 12, 2022

TO: Governing Body, City Manager

FROM: Planning Commission

RE: July 7th Planning Commission Meeting Report



ZON-22-03—Proposed rezoning from AG to an R-5 for single-family zoning use (Bel Aire Lakes-formerly Sham Way Estates)

Planning Commission reviewed the applicants request to rezone property generally located at the Northwest corner of 53rd St and Webb Rd in accordance with Article 5 of the City of Bel Aire's Zoning Regulations. With diligence, the Planning Commission discussed and studied the material provided by the applicant, as well as the staff report on the various aspects of the zoning change and how it relates to the City's Master Growth Plan. The Commission conducted a public hearing on July 7th, 2022, regarding the application and allowed interested parties and citizens the opportunity to be heard. There were no public inquiries or response to the proposed zoning change.

A representative of Savoy Company, P.A. was present to receive questions and provide information to the Commission regarding the rezone and to answer questions relating to the preliminary plat of the proposed subdivision.

After the public hearing was closed, the 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. Commissioners discussed the Golden Factors, below are notes of *some* of these factors:

Character of the Neighborhood

- The Commission discussed the proposed uses and how this coincides with the Master Growth Plan with the staff's report on the matter.

Zoning and Uses of Nearby Properties

- The surrounding properties are zoned AG, R-5, C-1, and M-1. Southwest of the property is Northeast High School. The property directly west of the applicant's property is unplatted AG, the property to the North was annexed by the City and is currently zoned M-1, and the property to the East is zone AG. There have been no improvements to the surrounding properties at this time.

The Suitability of the Subject Property for the Proposed Uses

- The Planning Commission found that there would be no detrimental affect to nearby properties and the zoning would be consistent with the City's Master Growth Plan.

Having reviewed all of the above-mentioned aspects of the rezoning, the Planning Commission voted (by passing a 5-0 motion) to **recommend approval of the request to rezone the property from AG to R-5 (Bel Aire Lakes) residential.**

V-22-02 Vacation of a portion of platted building setback line, to allow a 15' setback line, in Replat of Lawn Terrace Addition

Planning Commission reviewed a proposal from a resident to have the front setback of their property be amended from 30' to 15'. This was requested to build a garage addition to the front of his house for more first-floor living space in order to remain in their home as they age. There were no other citizens to protest the vacation and the Commission discussed the uses of nearby properties and the reasonableness of the request. According to the application completed by the homeowner, while a 15' setback was requested, the addition would keep the front of the house 25' from the road. The staff report stated that there would be no adverse effect on the vision triangle with the vacation.

Having reviewed the information provided to the Planning Commission and thorough discussion on the proposal, the Planning Commission voted (by passing a 5-0 motion) to **recommend vacation of a portion of the platted building setback line, to allow a 15' setback line, in Replat of Lawn Terrace Addition without changes.**

Election of Planning Commission Chair and Vice-Chair

The Planning Commission was required to elect the annual Chair and Vice Chair positions. James Schmidt was nominated for the position of Chair with a term ending in June 2023 and the Planning Commission voted (by passing a 5-0 motion) to appoint James Schmidt as Chair of the Planning Commission.

Phillip Jordan was nominated for the position of Vice-Chair with a term ending in June 2023 and the Planning Commission voted (by passing a 5-0 motion) to appoint Phillip Jordan as Vice-Chair of the Planning Commission.