

STAFF REPORT

DATE: 11/07/2024

TO: Bel Aire Planning Commission
FROM: Paula Downs
RE: Agenda

STAFF COMMUNICATION	
FOR MEETING OF	11/14/24
CITY COUNCIL	
INFORMATION ONLY	

SUMMARY:

PUD-24-04 Proposed a Final PUD containing approved duplexes to be converted townhouses with zero interior lot lines on a reduced lot size in an R-4 zoning district as built in a portion of Chapel Landing Phase II.

The city placed an ad in the Ark Valley Newspaper as required by the city code. The affidavit of publication is in the packet. The PUD process required notification of surrounding property owners.

The city review of the plat is in your packet. Documents are included as presented at the September 12, 2024, Planning Commission Meeting.

History

The property has been zoned R-4 since 2008 and replatted in 2020. The R-4 zoning district has a 10’ side yard setback requirement. The old Chapel Land plat would have allowed a 6’ side yard with conditions.

The discovery of lot splits outside of the city process changed how a single structure defined in the city building code could be divided into two single structures. The agreements and understand of use were changed. The zoning code and building code issues created within the Bel Aire is not a new problem in the region for other jurisdictions.

Item appeared on the September 12, 2024, Planning Commission agenda, however, applicant requested that the item be tabled. After the September 12, 2024, meeting, the applicant submitted complete information related to ownership signatures that confirmed the applicant as an agent of the property owners for purposes of the PUD application.

Discussion

The city will be working on lot split code changes and updating building codes; that doesn't imply this type of method could be used city wide by dividing lots and selling each as a separate building as viewed currently with a lesser construction method. The intent is to provide a sustainable neighborhood with conditions in place to maintain property values.

1. Character of the neighborhood

The Kechi and county are rural residential, Bel Aire has housing that is built and utilized for the current zoning R-4 residential duplex design. The senior housing south is a low impact residential multi-family use.

2. Zoning and uses of nearby properties

North- R-4
East-R-4, Agriculture, R-5.
South-R-4 single family with reduced side yard setbacks,
R-1 West-R-4, R-6 senior housing

3. Suitability of the subject property for the uses to which it has been restricted

The city 2018 Master Growth Plan is in line with the existing and proposed uses.

4. Extent to which removal of the restrictions will detrimentally affect nearby property

No adverse changes based on the approved 2018 Master Growth Plan.

5. Length of time the property has been vacant as zoned

2008 to 2024, 16 years.

6. Relative gain to the public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant

Affordable single-family housing with each family responsible as owners is the gain. Housing is Bel Aire's crop that increases land value for every viable sustainable property.

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

The city 2018 Master Growth Plan is in line with the existing and proposed uses.

8. Impact of the proposed development on community facilities

Switching from a duplex development to single family homes does not create any additional burden on the community facilities. The water and sanitary sewer systems were already separate for each unit and there is no additional traffic anticipated on roadways.

9. Opposition or support of neighborhood residents (one factor to be considered and by itself is not sufficient reason to approve or deny a request)

The City had inquiries from notified residents who requested additional information on the notice. Once they understood the situation, they had not feedback positive or negative. Residents from another development spoke at the September Planning Commission meeting, however, their feedback was not directly related to this agenda item.

10. Recommendations of permanent staff

The proposed PUD agreement should be modified as follows:

- Item 5 of the proposed PUD agreement related to submittal information should be changed to state "...accordance with said Planned Unit Development to a duplex building standard as an exception to all applicable building standards adopted by the city of Bel Aire."
- The landscape requirement should be divided equally between the two new lots.

If the Planning Commission fails to approve or disapprove the preliminary plat within 60 days after the date such plat is filed or from the date the subdivider has filed the last item of required data, whichever date is later, then such preliminary plat shall be deemed to have been approved, unless the subdivider shall have consented in writing to extend or waive such time limitation.

