

MANAGER'S REPORT

DATE: April 29, 2026
TO: Mayor Benage and City Council
FROM: Ted Henry, City Manager
RE: May 5, 2026 Agenda



Consent Agenda

In addition to the minutes of the April 17th City Council meeting, this agenda also contains development petitions and resolutions for Spring Pines development. The petitions set the upper limit for the costs of the improvements and the Resolutions authorize the improvements. These costs will ultimately be bonded and special assessed to the benefiting lots.

Appropriations Ordinance

This appropriation ordinance encompasses 04/15/2026 through 04/28/2026 expenses and one payroll cycle. Expenditures amounted to \$885,962.56. No infrastructure costs for new developments were paid during this period.

City Requested Appearances: None.

SP-26-01- Indoor Retail Store Use

This special use case was heard at the Planning Commission meeting on April 9th. The applicant is requesting a permit for a retail store use in a commercial building where the zoning district doesn't set out retail use. The location is within an existing vacant commercial building at 6315 E. Crestmark Street. The proposed use requires the special use permit approval as required by zoning regulations (Section 18.5.4).

At the April 9, 2026 Planning Commission meeting, the applicant's agent stated that they were in the process of purchasing the building and are seeking approval for the federal firearms licensing process which requires city approval of zoning use. There will be no changes to parking, landscaping, or the building, except for change in building signage. Applicant's agent confirmed that all storage and security updates will be made interior with no change to the exterior of the building. The agent stated that the special use approval was required prior to moving forward with the ATF licensing process. There were no written comments received prior to the hearing and no public appeared at the public hearing. The Planning Commission discussed and asked questions about the requirements of the ATF approval and the LLC process that will occur for the business. The Planning Commission reviewed the general standards for consideration and the criteria for review as set forth for a Conditional Use Permit (Special Use Permit follows this process per code) as set out in 18.5.3 of the Bel Aire City Code. The Planning Commission considered the findings of facts provided in the April 9, 2026, staff report and approved the Special Use Permit 6-0. Professional Planning Staff recommends approval of the application pending the outcome of City Council review and public hearing.

PUD-26-01 Preliminary PUD Plat

Warehouse building 1 is currently on Lot 1 Block 1. A permit was submitted to construct warehouse building 2 on Lot 1, Block 2. During the building permit review, City staff requested site and landscaping plans for review. During evaluation of the documents and research of the case history, staff discovered that the previous PUD Agreement and Final Plat case documents did not approve the requested relief contained in documents presented during the preliminary plat stage. Staff suggested that the applicant file a PUD Preliminary Plat for the entire PUD area and provide a detailed relief request for approval.

At the April 9, 2026 Planning Commission meeting, the relief request was discussed. The staff report for that meeting set out the zoning code requirements and relief items being requested by the applicant (that information is included in this packet). The current relief requests were presented in the previous case through preliminary plat documents and the applicant constructed Building 1 following the presented documents per the relief items set out. The applicant is intending to build a total of five (5) warehouse buildings in the PUD to mimic Building 1. Applicant is currently constructing Building 2 under a conditional building permit pending the resolution of this case. At the April 9, 2026, Planning Commission meeting, the Commission discussed concerns about wall pack lighting on the building and the caliper of trees to be planted. The applicant agreed to make suggested updates, and they are reflected in the updated PUD Preliminary Plat documents presented in the agenda packet. Professional Planning Staff recommend APPROVAL of the application pending the outcome of City Council review and the public hearing.

PUD-26-02 Preliminary PUD plat

The lot is currently zoned C-1- Neighborhood Commercial Office and Retail and C-2 Planned Unit Commercial Office and Retail District. Lot 5 is located on Woodlawn and 45th which is in line with commercial development zoning for the intersection and suitable for the property. The property was platted in 1953 and has remained vacant since that time. The applicant has requested relief from certain setbacks, landscaping and screening requirements. The Planning Commission held a public hearing regarding this request on April 9, 2026. Paula Downs, Community Development Director, has provided a detailed report in the agenda packet. The landscape and screening relief being requested meets the spirit of the code to provide required screening on the perimeter of the property on the north side. Setback relief will provide appropriate traffic flow on the site and access to the property from Woodlawn and 45th. Professional Planning Staff recommend approval of the application pending the outcome of City Council review and public hearing with the condition that the final drainage plan for the site be approved by the City Engineer.

Airport Hazard Zoning Ordinance

The Planning Commission has considered these regulations, and they now come before City Council for final approval. Maria has provided a detailed report in your packet and will be available for any questions.

Nowak Change Order #1, Hydro-Excavation

Garver is currently working on the design of the roadway and storm sewer system for 45th Street between Woodlawn and Oliver. When laying out the storm sewer, there are multiple locations where the storm sewer crosses or runs adjacent to existing utilities. The hydro-excavation work will uncover those existing utilities to allow a hard elevation of the top of pipe to be captured and compared to the storm sewer plans. During the hydro-excavation work, Nowak performed an additional pothole to locate a waterline that runs east/west on the west side of Oliver. This additional pothole was brought to the City Engineer's attention by Garver and approved prior to the additional work being performed. The financing for this project will come from the 45th Street project fund. It is the recommendation of staff to approve the change order for the additional pothole of the water line in the amount of \$1,550.00.

AGH Engagement Letter for 2025 Annual Audit Services

On March 23, 2026, the City received its engagement letter from our independent auditors, AGH, for FY2025. The engagement letter outlines the scope of the annual audit, the responsibilities of the auditors, the responsibility of management, and all services included in the annual audit. The engagement letter is signed annually by the Mayor and officially starts the annual auditing process.

The fees for the 2025 Annual Audit are as follows:

Audit and Financial Statements:	\$38,325
Single Audit – “normal” programs:	\$8,500 (BASE Grant)
Total Cost:	\$46,825

The 2026 budget includes \$52,000 for total auditing costs. Staff recommend that the Council approve the engagement letter from AGH for auditing services as of and for the year ending December 31, 2025, and authorize the Mayor to sign.

Executive Session

There are two Executive Sessions on the agenda.

Discussion And Future Issues

The next scheduled City Council Workshop is May 12th at 7:00 p.m.