

STAFF REPORT

DATE: 03/03/2023

TO: Bel Aire Planning Commission

FROM: Keith Price

RE: Agenda

STAFF COMMUNICATION

FOR MEETING OF	3/9/23
CITY COUNCIL	
INFORMATION ONLY	

SUMMARY:

PUD-23-01. Proposed partial replating and document changes within the current PUD to allow single family, duplex, and commercial storage. Arthur Heights PUD; plat- Arthur Heights Estates, 2.34 acres.

The city advertised the hearing in the Ark Valley newspaper and sent notices to the property owners within the required distance of 200 ft.

History:

Ordinance 642 allows the current uses intended without further action as presented.

Discussion:

The purpose of notification of the surrounding property owners of the process beyond the requirement of an ad in the legal newspaper of Bel Aire was to change the legal description of the lots and names given if the preliminary plat is approved.

Utility providers were contacted, no additional easements were requested at this time. A drainage and landscape plan was submitted to the city engineer for review.

Conclusion:

Staff recommends approving the concept plan and preliminary plat with any changes needed for drainage and for basic construction constrains based on the final submittals. (Partial rules below for a preliminary plat)

- A. After the Public Hearing is closed, the Planning Commission shall determine on the basis of all evidence before it, whether the preliminary plat generally meets the design standards and requirements of these regulations, the development plan of the City and the zoning regulations of the City, other applicable provisions of the ordinances of the City, or the applicable zoning regulations of the unincorporated area.

B. If the foregoing considerations are satisfied, the Planning Commission shall approve the preliminary plat.

C. If the Planning Commission determines that the preliminary plat does not satisfy the requirements of these and other applicable Regulations it may suggest modifications so as to satisfy such violations, and if suggested modifications are made;

1. The subdivider may amend the preliminary plat so as to incorporate such modifications and re-submit the preliminary plat to the Planning Commission, which shall then grant its approval if such amendments satisfactorily incorporate the suggested modifications; or

2. The subdivider may reject the suggested modification or within the time allowed by the Planning Commission for such action, may refrain from taking any action thereon. In either event the preliminary plat shall be deemed to have been disapproved and the Planning Commission shall thereupon furnish the subdivider a written statement setting forth the reasons for disapproval of the preliminary plat.

D. If the Planning Commission determines that the preliminary plat does not satisfy the foregoing conditions, it shall disapprove the preliminary plat and immediately notify the subdivider of its action by furnishing the subdivider a written statement setting forth the reasons for disapproval of the preliminary plat.

E. The foregoing provisions to the contrary notwithstanding, the Planning Commission shall approve or disapprove the preliminary plat within 60 days from the date of filing of the preliminary plat or from the date the subdivider has submitted the last item of the required data, whichever date is later, unless such time is extended by mutual consent. If the preliminary plat is disapproved within 60 days thereafter, the Planning Commission shall furnish the subdivider a statement in writing setting forth the reasons for disapproval and specifying with particularity the aspects in which the proposed preliminary plat fails to conform to the requirements of these regulations.

F. The subdivider may appeal the disapproval of his preliminary plat to the Board of Zoning Appeals. Such appeal shall be made in writing and filed with the City Clerk within 60 days after the date the Planning Commission issues its statement setting forth its reasons for disapproval of the preliminary plat.

G. 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.

SD-23-01. Skyview at block 49,4th addition, preliminary and final plat approximately .64 acres of the R-5 residential use zoning district

The city advertised the hearing in the Ark Valley newspaper as required for replat process. City staff has met with the developer to discuss moving the park with amenities to a new location and replatting the old reserve.

Utility companies have been contacted; no additional easements are required at this time.

Conclusion:

Staff recommends approving the request to approve both the preliminary and final plats.

CON-23-02 Property owner has requested to add an automotive repair and maintenance shop in a P.U.D., M-1 industrial zoned district.

The city advertised the hearing in the Ark Valley newspaper and sent notices to the property owners within the required distance of 200 ft.

History:

The Sunflower Commerce Park was platted in 2012 as a PUD plat with contents of the basic overlay. The supplemental documents related to covenants, developer's agreements, and Bel Aire code round out the uses allowable.

City code/other highlights:

PUD

Intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments, Satisfactory design quality and harmony will involve among other things

Covenant

compliance with the planned unit development and zoning regulations applicable to such Lots and shall further be limited to the following types of uses and activities: manufacturing, processing, storage, wholesale, office, laboratory, professional, research, development, retail, restaurant, warehouse and/or distribution facility.

Development Restrictions

The Sunflower Commerce Park is zoned under a Planned Unit Development and a copy of the PUD should be reviewed for specific requirements and restrictions related to land use. The following provisions are a guideline and the City of Bel Aire and Sunflower Commerce Park Owner's Association may, at their discretion allow the following uses through a formal variance procedure or conditional use permit but are generally discouraged.

- Food/Meat Processing
- Fuel Storage/Refinement
- Asphalt/Concrete Plants
- Correctional Facilities
- Group Homes
- Hazardous Operations
- Landfill
- Mining or Quarrying
- Oil and Gas Drilling
- Rock Crushing

- Solid Waste Incinerator
- Transfer Station
- Wrecking/Salvage Yard
- Agricultural Uses: Elevators, grain storage yard, feed lots, etc.

Conclusion:

Staff recommends approving a general list to include other uses that may be in the gray area of the other documents, rather than best and highest use as listed on the application.

Rock Road Sketch Plan

The city staff has minimal review of a sketch plan and it doesn't get published or special announcement.

The plan was submitted to discuss the possibility of allowing a down zone to build a larger home as depicted. Staff has reviewed the possibility of allowing the drive access from Rock Road; preliminary approval was determined.

There is no action in the form of a vote by the commission given. Feedback to the representing party is given in verbal or written form by the commission direct during the meeting.

(The look of the new formatted code on the Bel Aire web site below)

19.5.1. Form of plans and plats.

Plats shall be prepared with the following accuracy:

Sketch plans shall be to scale. They may be submitted in free hand form.

Preliminary plats shall be drawn to scale with such accuracy as to determine the location of a lot, block, property and boundary lines, utility and other facilities, to the nearest foot.

Final plats shall be prepared with the accuracy required for traverse data. The following sheets or drawings shall be submitted with the final plat:

Traverse data, for the plat, including the coordinates of the boundary of the subdivision with the error of closure. The error of closure for a perimeter distances less than ten thousand (10,000) feet in length, the error of closure shall be less than one (1) in ten thousand (10,000).

The computation of all distances, angles and courses that are shown on the final plat.

All stakes, monuments or other evidence found on the ground in use to determine the boundaries of the plan.