

City of Bel Aire

STAFF REPORT

DATE: 10/03/2024
TO: Bel Aire Planning Commission
FROM: Paula Downs/Keith Price
RE: Agenda

STAFF COMMUNICATION	
FOR MEETING OF	10/10/24
CITY COUNCIL	
INFORMATION ONLY	

SUMMARY:

PUD-24-02 & SD-24-03 Proposed a Platting and rezoning PUD from R-4, to R-5 and R-6 single and multi-family uses and to include C-1 commercial as zoned (Homestead at Spring).

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. Housing elevations and floor plans documents are included as presented at the September 12, 2024, Planning Commission Meeting. The following documents have been updated to incorporate the preliminary drainage concept requiring a reduction in the number of lots:

- Preliminary drainage concept (updated)
- Preliminary Sidewalk plan (new document-not previously provided)
- Utilities plan (new document- not previously provided)
- Homestead at Spring PUD documents (sheets 1-3)
- Preliminary plat documents (sheets 1–3)
- Site phase plan (new document- not previously provided)

History

The property has been zoned R-4 and C-1 by 2008 with different processes. The property west, Englert Addition Plat and special use permit was filed in 2016, Ordinance 590 allows animals on lot one, block A as a non-business use. The property south, Ordinance 654 changed the property from C-1 to R-6 in 2019 and was replatted in 2020 as Homestead Senior Landing. The city of Kechi is west of the property, that land is unplatted, however, 00520984, the north parcel, has a farm between Oliver the MOPAC railroad. There is also a property, 00520982, surrounded by this proposal that has been used for many types of rural residential uses, but now is used as single-family household.

Discussion

The 2018 Master Growth Plan the land is shown as Residential Medium Density Figure 3:4 preferred growth with a park service area. Figure 3.5 indicates that the residential use preferred would be a level 2 intensity; this request is a level 3. Based on this table the use is within the adjacent acceptable use category.

PUD includes the following parcel descriptions:

- Parcel A- will remain zoned as C-1 Commercial;
- Parcel B- will remain zoned R-4 Residential- Single Family with 66 dwelling units, with the condition that no manufactured homes are allowed;
- Parcel C- shall change zoning from R-4 to R-5- Two-Family with 104 dwelling units;
- Parcel D- shall change zoning from R-4 to R-6: with the condition that requires the applicant to submit a detailed site plan for Parcel D to the Planning Commission prior to issuing building permits. Parcel is anticipating 272 dwelling units.

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. The senior housing south is a low impact residential multi-family use.

2. Zoning and uses of nearby properties

- North- Rural residential, Agriculture;
- East-R-4 with a Special Use permit approved;
- South-R-6 single family, Senior housing; southwest (Wichita) Commercial, SF-5; and
- West-R-4 Ranch, Farm, Agriculture.

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

2006 to 2024, 18 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

The land contained in the application has been included in future modeling, design and construction for water and sewer design sizing to provide city services to the area. Water and sewer services are readily available to develop the area.

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

City has installed a new lift station and water, and sewer has been modeled for that area. City has purchased water rights from the rural water district. City planned for the development of this area.

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)

City staff met with an adjacent property owner explaining the zone change for the PUD. Property owners had not objection.

During September 12, 2024, Planning Commission meeting, Jeff Englert, spoke to the Planning Commission. Mr. Englert's concerns are reflected in the meeting minutes provided.

10. Recommendations of permanent staff

The proposed preliminary plat and preliminary PUD are recommended, with the expectation that the minimum living space for each parcel area is determined. Landscape concepts are shown with the house elevations, expectations are the landscaping would meet the zoning code requirements of each zoning district within the PUD. Sidewalk routes are acceptable as presented. On street parking and onsite parking, be reviewed for the final PUD. The drainage design is acceptable for the density of the developed areas.

Applicant will submit site plans for Planning Commission approval for Parcel D prior to building permits being issued.

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.

Sketch Plan- Tierra Verde South, Lot 1, Block 2

The Sketch plan does not require the city to place a notification ad in the Ark Valley Newspaper.

History

The sketch plan was accepted based on the history of the PUD plan for Tierra Verde. PUD-23-04, Ordinance 716 provided locations where housing is allowed within the PUD without plat adjustments. Unit developments are part of the platting process. Any appeals, waivers, modifications would go to the city manager, Board of Zoning Appeals, and city council.

Discussion

Discussion of this item does not require consideration of the golden factors.

Packet includes:

- Sketch plan- 10-unit layout
- Sketch plan- 12-unit layout
- Utility Plan (as required)
- Plat sheet (showing location of lot within Tierra Verde South Addition)

General zoning was not discussed during the recent PUD-23-04 case.

Sketch plan legend includes information related to the Bel Aire Zoning Code. Review of the sketch plan legend against the layout of the lot should be discussed. The setback information contained in the zoning code is provided as follows:

- Minimum front yard setback– thirty (30) feet from street right-a-way.
- Minimum side yard setback:
 - Fifteen (15) from property lines;

- Seventy-five (75) feet from property lines adjoining land zoned C-2 through M-2 inclusive;
 - Corner lot – thirty (30) feet from street right-of-way
- Minimum rear yard:
 - Thirty-five (35) feet from property line;
 - Seventy-five (75) feet from property lines adjoining land zoned C-2 through M-3, inclusive.
- Minimum distance between building – forty-five (45) feet

Recommendations of permanent staff

The Sketch plan does not require recommendations by staff or a motion from the Planning Commission.