DEVELOPMENT HEARING OFFICER

Planning - Case Comments

***HEARING DATE**: 11/8/23 -- **AGENDA ITEM**: # 4 & 5*

***Project Number**: PR-2019-001996*

***Application Number**: SD-2023-00185 & SD-2023-00205*

***Project Name**: Weminuche Rd NW Between Strater St NW and Valle Jardin Ln NW*

Request:
Extension of Preliminary Plat (SD-2023-00185) & Extension of Vacation (SD-2023-00205)

**These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals.*

COMMENTS:

BACKGROUND

- The Applicant is requesting to extend a Preliminary Plat that was approved by the DRB on November 2, 2022 per PR-2019-001996 / SD-2022-00145 to create twenty-two (22) new lots from two (2) existing tracts by subdivision of Tract G, Durango Unit 1 and Tract D, Durango Unit 3, grant easements as depicted and noted on the Plat, and create a roadway connecting the existing portions of Weminuche Road NW. The property is located along Weminuche Road NW just north of Tierra Antigua Elementary School, and is currently zoned as MX-M and MX-T (Tract D is zoned MX-T).

- The Applicant is also requesting to extend Vacations of easement that were approved under SD-2022-00176 thru -00178 on November 16, 2022 by the DRB.

---

1. <u>Items Needing to be Completed or Corrected</u>

- None.

**(See additional comments on next page(s)*

2. <u>Standard Comments and Items in *Compliance*</u>

- Per Table 6-4-3 of the IDO, a Final Plat submittal must be received within 1-year after the approval of the Preliminary Plat should the Preliminary Plat be approved by the DHO. The applicant has submitted their request for an extension timely (before the original approval of the Preliminary plat expires).

- Per 6-4(X)(2) Expiration or Repeal of Approvals:

  Unless specified otherwise in this IDO, the DPM, an IIA, a Development Agreement approved by the City, or the terms attached to a permit or approval, each permit or approval shall be valid for the period of time shown in Table 6-4-3 and shall be of no force or effect after that time has passed, unless any of the following applies.

  6-4(X)(2)(a) The period of validity is extended pursuant to Subsection 14-16-6- 4(X)(4) (Extensions of Period of Validity) or another provision of this IDO or the DPM.

  Per 14-16-6- 4(X)(4):

  6-4(X)(4)(a) General Provisions
  1. For each permit or approval for which Table 6-4-3 shows an expiration period, except an impact fee assessment or a Site Plan, the original decision-making body may approve 1 extension of validity for good cause shown for a time not to exceed the original period of validity for that permit or approval, provided that both of the following requirements are met.

  a. *The applicant has submitted a written request for the time extension before the expiration of the original permit or approval with the Planning Director.*
  b. *The extension is considered and a decision is being made by the same decision-making body as the initial approval, except that no public hearing shall be required, if one would have been required under the IDO for the initial approval.*

  Since all required criteria are being met by the applicant, Planning approves to extend the Period of Validity for this Preliminary Plat and the Vacations of Easement. Therefore, this Preliminary Plat and Vacations of Easement are valid until November 24, 2024.

---

3. Future Guidance

- For the Final Plat application, all signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, and AMAFCA are all required prior to the acceptance of the application file and the placement on a DHO agenda. After acceptance of the Plat application, DXF approval from AGIS must be obtained and the project and application numbers must be added to the Plat.

- For the Final Plat submittal, the applicant will need to work with Transportation, Hydrology, and Water Authority members on submitting the required items per checklist form PLT. Obtain all required signatures as a part of the application submittal process.

Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Hannah Aulick/ Jolene Wolfley/ Jay Rodenbeck DATE: 11/6/23
Planning Department