

Legislation Text

File #: 2016-0469, **Version:** 1

Request Seeking an Appeal to File a Development Application Pursuant to Resolution 16-05 in the Administrative Delay Area in proximity to South M-291 and 50 Highway

Issue/Request:

Resolution 16-05 was adopted to suspend and delay the acceptance and processing of development applications and permits while the city prepares a revised Land Use and Master Development Plan for the properties located within the administrative delay area. An appeal process is established within the Resolution for an applicant to seek the processing of an affected permit.

The City has prepared a Conceptual Master Development Plan which was presented to CEDC on August 10, 2016. The CEDC authorized staff to proceed on to Planning Commission for public hearing on the Conceptual Master Development Plan and the city initiated rezoning of the properties located within the "Delay Area". In order to proceed with that direction, City staff is requesting authorization to file a development application pursuant to the Appeal section of Resolution 16-05.

Westcott Investment Group has been working toward filing a development application on or before September 1, 2016 for their 85 acres in order to satisfy their agreement with the City. Westcott is also seeking an appeal to file their development application pursuant to Resolution 16-05 while the Administrative Delay is in effect.

Both letters of request and Resolution 16-05 are attached for reference.

Key Issues:

Westcott's contractual agreement is time sensitive and therefore both development applications by Westcott and the City are affected.

Proposed City Council Motion:

I move to authorize the filing of both development applications by Westcott Investment Group and the City pursuant to the Appeal process in Resolution 16-05 and find that such filing will not undermine the spirit and intent of the pending land use and Master Development Plan.

Presenter: Robert McKay, AICP, Director of Planning and Codes Administration

Recommendation: Authorize the filing of the requested development applications