

AGENDA ITEM #: \_\_\_\_\_

DATE: January 4, 2021

CAR #: 2021-7149



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Extension of the Abel Ranch Preliminary Plat Approval

**STAFF PRESENTER(S):** Katie Wilken, Planning Manager

**APPLICANT:** Nguyen Lam with HilgartWilson, Abel Ranch

**Summary:** A one-year extension of the preliminary plat approval for Abel Ranch, which consists of approximately 217 acres into 451 lots and 35 tracts at the intersection of W Camelback Road and N Citrus Road.

**Recommendation:**

Approve a one-year extension of the Preliminary Plat of Abel Ranch attached hereto.

**Fiscal Impact:**

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

### Background and Previous Actions

The preliminary plat for Abel Ranch was approved by the City Council on October 28, 2019. Staff received the request to extend the preliminary plat on October 30, 2020. The applicant received staff guidance to submit prior to the Approval Letter one-year mark on November 1, 2020, thus the extension request was submitted two days after the October 28<sup>th</sup> expiration.

## **Staff Analysis**

In accordance with Section 15-2-3 (G) (3) of the City Code, City Council may grant a 12-month extension to the preliminary plat prior to the expiration of the preliminary plat upon a demonstration of certain conditions. Although the preliminary plat has already expired, the applicant contacted staff prior to the expiration about extending the approval and complied with the directions received by staff. The delay in processing the request was the result of staff workloads and staff mistakenly applying the requirements for an extension of a final plat approval with the requirements for an extension of a preliminary plat approval. Under the subdivision regulations, as long as an application for an extension of a final plat is submitted prior to the expiration of the final plat approval, the approval continues in effect until council acts on the application. To avoid this confusion in the future, staff anticipates seeking an amendment to the subdivision regulations to make the requirements for extensions of preliminary and final plat approvals consistent.

For Council to grant a 12-month extension of preliminary plat approval, the subdivider must demonstrate:

- That there has been no significant substantive change in the Engineering Standards;
  - The Engineering Department has reviewed the extension request and has confirmed that there has been no significant substantive change to the Engineering Standards.
- The approved preliminary plat, including the supporting documents, continue to comply with all applicable requirements;
  - Staff has reviewed the extension request and has confirmed that the preliminary plat and all supporting documents continues to comply with all applicable requirements.
- That the subdivider has expended substantial effort to create a final plat and engineering plans.
  - Since the request for the extension was submitted, the final plat and civil engineering plans have been submitted to the city and are in review.

All of the conditions required for the extension of a preliminary plat approval have been satisfied and the delays in obtaining the approval were caused by staff. Accordingly, staff recommends that the 12-month extension be granted from the date of original approval, which means the new expiration date will be October 28, 2021.

## **Attachments**

1. Aerial Photo
2. Preliminary Plat, approved on October 28, 2019
3. Preliminary Plat Council Action Report, October 28, 2019