



**AGENDA MEMORANDUM**

Public Hearing for the Planning Commission Meeting of May 3, 2023

**DATE:** April 26, 2023  
**TO:** Nina Nixon-Mendez, Asst. Director of Development Services  
**FROM:** Mark Orozco, Planner III, Development Services  
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**6<sup>th</sup> Plat Time Extension  
as a Result of Insufficient Progress on Construction of Improvements  
Westwood Heights Unit 4-Final Plat (19PL1096)**

**REQUEST:**

The applicant is requesting a plat extension for Westwood Heights Unit 4-Final Plat (19PL1096). The latest approved Extension has provided until May 4, 2023, to have the plat recorded. If the Planning Commission approves the Plat extension this will extend the plat to May 4, 2024 This represents a 12-month extension.

**BACKGROUND:**

An extension was granted by the Planning Commission on May 4, 2022 extending the plat to May 4, 2023. Public Improvement plans for the plat were approved on December 15, 2020. The past two plat extension requests for year 2021 and 2022 stated that there was a substantial price inflation for construction as well as scarce availability of Contractors.

A Reimbursement Agreement application was submitted in late 2021. The Reimbursement Agreement application lacked the submittal and approval of a Cost Estimate for the construction items. The construction items listed on the Cost Estimate are plat requirements for the continuation of the street with extension of the utilities to the adjacent cross street.

Construction has not commenced as UDC Section 8.5, states that the reimbursement agreement must be approved by the City Council before the developer starts construction.

**ZONING:** The plat is zoned RS-6 Single Family 6 for 40 Residential Units along Sunny Drive.

The applicant asserts the following for extending the plat expiration date:

- Substantial progress is being made on the approval of the Reimbursement Agreement.
- With the plat expiration of May 4, 2023, applicant is requesting a (1) year plat extension

for getting Reimbursement Agreement approved by City Council and commencing Construction of the platting requirements.

**STAFF RECOMMENDATION:**

Staff recommends approval of the Plat Extension. The applicant had delayed his application for trust fund reimbursement because he indicated he was getting updated cost estimates for public improvements. Cost estimates were received on January 29, 2023. Staff has requested that the application be updated.

**LIST OF SUPPORTING DOCUMENTS:**

- Applicant's (6) Plat Extension Request Letters.
- Approval Letter from Staff to Applicant, Dated 5/5/2022