



Legislation Text

File #: Res 2015-112, **Version:** 1

RESOLUTION APPROVING SUBDIVISION PLAT IN CASE #S-428-04-15

Summary and Background Information:

The applicant submitted this application in order to plat Villages @ Buffalo Run East #6. This Filing includes 138 lots for single-family detached uses, eight tracts for landscaping and/or drainage, and the dedication of right-of-way. This property is generally located south of 120th Ave., south of the golf course & north of Columbine Ranches. The property is currently zoned as part of the Villages @ Buffalo Run East PUD. The general purpose of the proposed plat is to create additional lots for residential development.

At the end of the notification period for this request, staff had received several letters objecting to the proposed plat. Most of the objections received were related to zoning and issues unrelated to subdivision approval criteria. However, one objection letter expressed specific concern related to the adequate and sufficient availability of schools. Based on this specific concern, the determination was made by staff and the City Attorney's office that Section 21-3241(4) of the Land Development Code had been enacted and the proposed subdivision plat would need to proceed thru the public hearing approval process. Detailed analysis regarding the request's compliance with the Final Plat approval criteria can be found in the attached staff report.

The request being considered at this hearing is for subdivision plat approval. The Land Development Code (LDC) sets out the specific criteria upon which a plat application can be approved or denied. Therefore, the analysis and evaluation must be limited to those criteria; no other considerations may be considered in the decision making process. Of note, the future development within this subdivision plat such as perimeter fencing, lot sizes and the potential for property value impacts may not be included in the review criteria associated with the division of land and as such, may not be considered in the city's review process. Furthermore, no application has been submitted for any proposed homes on these lots. So there is no information known about house size, architectural detail, or price point. However, the PUD does require a minimum of two-story, 2,500 sq.ft. homes adjacent to Columbine Ranches.

The proposed subdivisions will meet all lot requirements for the Villages @ Buffalo Run East PUD Zone Document and the LDC, including lot size. Approval of these subdivision plats will allow for the continued development of this planned community.

Staff Responsible (Department Head): Chris Cramer, Community Development Director

Staff Member Presenting: Robin Kerns, Planner

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation:

On November 4, 2015, the Planning Commission held a public hearing, took testimony, and voted (5 - 0) to forward the final subdivision plat requests to City Council with a recommendation for approval, subject to the findings of fact.

Alternative:

One option would be for City Council to approve the requests as submitted by the applicant; a second option would be to approve the request subject to conditions; a third option would be for City Council to deny the request.