



CENTERLINE

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MEMORANDUM

TO: Growth Management
FROM: Lawrence M. Kostaneski, PE
DATE: May 2, 2005

RE: 05PL063: Lazy P-6 Land Co., Inc
CC: Lazy P-6

Message:

The following is in response to the staff report for this item:

- 1) Why this stipulation? The plans were approved by the city on March 31, 2005. (DEV05-752)

- 3) Staff continues to create considerable confusion on this issue. A Variance and WORP for Elm Street were granted for this strategy. The referenced tract was not omitted to “avoid” anything: it is designated for a future phase that will begin with the Elm Street construction. Hence, the Variance and WORP approval that recognized the impossibility of constructing Elm at this time.
 - Nothing has changed since late 2003 regarding Elm Street and the adjacent property owner’s readiness to build this isolated segment of Elm . Staff is well aware of this situation. Lazy P-6 has done everything it can to secure the city’s future position on Elm Street.
 - Requiring a “Master Plan” prior to Planning Commission approval is not possible at this late date (Staff report received 5/2/05). See 4/8/05 Centerline memo.
 - Lazy P-6 strongly objects to this stipulation in its entirety. Ref. City Attorney Jason Green’s comments regarding this current submittal strategy.

- 6) See 4/8/05 Centerline memo. *“Intersecting streets needed for corner lots will be built or a surety bond provided.”* No variance is required. Applicant will post surety for the short segments needed at this time.

- 8) Reserve comment until Final Plat preparation.

General Comments:

Staff fails to identify the evolution of Kensington Heights, the subdivision immediately north of Lazy P-6, that recently received a Variance and WORP for Elm. There is no indication that they received a variance, *“ to allow the property to be subdivided in a manner which omits part of the original tract to avoid street, drainage or other required infrastructure improvements”* Kensington Heights has the same problem as P-6, with the same adjacent property owner’s readiness to build Elm at this time.

For the record, Lazy P-6 requests the Planning Commission approve 05PL063 – Preliminary Plat without stipulation # 3 and with # 6 as amended.

END