

Development Review Team Memo

FROM: Kelly Douglas AICP, Senior Planner

DATE: 10/30/2024

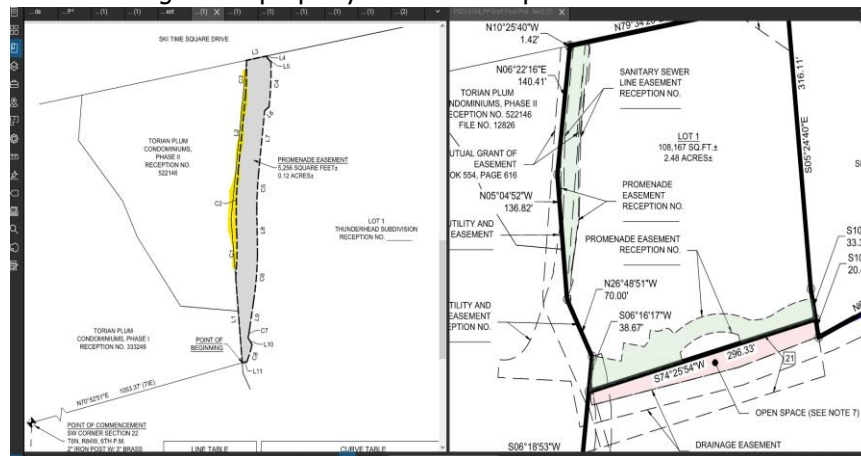
RE: PL20240103 1965 Ski Time Square Drive Preliminary Plat & Major Variance Submittal #3

602.F Circulation

414 Multi-Mode Facilities / Complete Streets

602.I Easements and Dedications

1. Regarding draft promenade easement language provided:
 - a. Public access language being included is confirmed, thank you.
 - b. Planning staff has the following feedback on easement language and exhibits:
 - Easements are proposed offsite with different owners. Appropriate property owner signatures are required for each easement area.
 - Please provide exhibits A, B and C.
 - How will the property description exhibit documents be incorporated and referenced?
 - The exhibit and plat are slightly different. The promenade easement is shown extending to the property line. Please update.



2. *Outstanding/Updated:* Please remove the gap around the beach in the south promenade easement area. As proposed, it appears to create an unnecessary trespass issue and is inconsistent with promenade improvements proposed there.

602.O Critical Improvements

3. Conditions of approval will be updated to reference the site plan provided. Please refer to portal.

General

4. *Outstanding/Updated:* Three Major Variances have been requested and are outlined below. \$275 per Major Variance x 3 = \$825. The fee has been adjusted. Please pay in portal.

- Variance Request #1: 602.C.5 Side lot lines shall be within 15 degrees of perpendicular to the front lot line. *This variance request is missing from the narrative.*
- Variance Request #2: 602.D.3 The following areas of lots shall be designated as unbuildable on the subdivision plat unless the Director grants an exemption per Section 602.D.4:
 - a. Areas where the existing slope exceeds 30 percent; or
 - b. Areas with unstable slopes; or
 - c. Wetlands.

Request: NOT designate areas where the existing slope exceeds 30% as unbuildable

- Variance Request #3: 604.D All commercial lots shall abut a public street or private street.

Request: Proposed Lot 2 does not abut a public or private street.

5. A Promenade, Utility and Drainage Easement is proposed on Torian Plum Condominiums, Phase II Reception No. 522146. Permission has not been demonstrated to encumber the area or develop improvements there. A complete signature requirement form or recorded easement with the property owner is needed in order to demonstrate the required qualifications of the applicant per 702.B (below for reference) are met.
6. A Promenade, Utility and Drainage Easement is proposed on Torian Plum Condominiums, Phase I Reception No. 333249. Permission has not been demonstrated to encumber the area or develop improvements there. A complete signature requirement form or recorded easement with the property owner is needed in order to demonstrate the required qualifications of the applicant per 702.B (below for reference) are met.

702.B Qualifications of Applicant

An applicant for a development approval must either be the owner or have the right to possess the land for which the development approval is sought, or submit documents to the Planning Department that provide evidence that the applicant will become the owner of the land subsequent to the approval of a development or have the right to possession of the land. No development approval shall be issued to any applicant who does not possess the land or have a right to possession of the land. If the holder of an easement on the land for which the development approval is sought objects to such development, that person must seek relief in a court of competent jurisdiction.