



Legislation Details (With Text)

**File #:** 17-552      **Version:** 1

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 7/6/2017      **In control:** City Council

**On agenda:** 7/18/2017      **Final action:**

**Title:** Pass the Ordinance approving the Final Plat of Subdivision, Owner’s Acknowledgement and Acceptance, and a deviation to Section 7-3-5 (Dedication of Park Lands and School Sites) for Burlington Woods Estates located at 613 and 725 Spring Avenue, PZC 16-1-163.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Subdivision, Deviation & OAA, 2. Exhibit A - Legal Description, 3. Exhibit B - Final Plat of Subdivision, 4. Exhibit C - Standards, 5. Exhibit D - OAA

Date	Ver.	Action By	Action	Result
7/18/2017	1	City Council	passed	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the Ordinance approving the Final Plat of Subdivision, Owner’s Acknowledgement and Acceptance, and a deviation to Section 7-3-5 (Dedication of Park Lands and School Sites) for Burlington Woods Estates located at 613 and 725 Spring Avenue, PZC 16-1-163.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Kasey Evans, AICP

**BOARD/COMMISSION REVIEW:**

N/A

**BACKGROUND:**

The Subject Property is located at the north end of Laird Street and the west end of Spring Avenue, and is approximately 3.6 acres. On February 21, 2017, City Council approved a request by 725 Spring LLC for a Preliminary Plat of Subdivision for Burlington Woods Estates, in order to develop the property with 10 single family homes.

**DISCUSSION:**

Ordinance 17-024 approved a Preliminary Plat of Subdivision for Burlington Woods Estates. The petitioner, 725 Spring LLC, is now seeking approval of the Final Plat of Subdivision for Burlington Woods Estates, which subdivides the property into 10 buildable lots, in order to develop the property with 10 single-family homes. The proposed Final Subdivision Plat substantially conforms to the Preliminary Plat of Subdivision for Burlington Woods Estates.

The petitioner is also seeking approval of a deviation from Municipal Code Section 7-3-5 to delay

payment of required school and park donations for Burlington Woods Estates until prior to issuance of each building permit, rather than a lump sum payment which would be due to the City prior to recording of the subdivision plat for the development (as currently required by code). The petitioner's deviation request is consistent with the City's pending text amendment and is therefore supported by staff.

An Owner's Acknowledgement & Acceptance Agreement (OAA) has been referenced within the ordinance approving the Final Plat of Subdivision, and prepared in a manner consistent with the requested deviation regarding payment of the school and park donations. Should City Council not approve the requested school and park deviation, staff should be directed to amend the proposed ordinance and OAA in accordance with City Council direction prior to recording of each.

**FISCAL IMPACT:**

N/A