



Legislation Details (With Text)

File #: 21-0364 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/9/2021 **In control:** City Council

On agenda: 3/16/2021 **Final action:** 3/16/2021

Title: Pass the ordinance amending ordinance 21-016 and approving the first amendment to Owner’s Acknowledgement and Acceptance Agreement for the C. Cobb Subdivision (424 East Chicago Avenue) - PZC 20-1-093

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Preliminary-Final Subdivision Plat, 4. Exhibit C - First Amendment to OAA

Date	Ver.	Action By	Action	Result
3/16/2021	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance amending ordinance 21-016 and approving the first amendment to Owner’s Acknowledgement and Acceptance Agreement for the C. Cobb Subdivision (424 East Chicago Avenue) - PZC 20-1-093

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Ying Liu, Project Manager

BOARD/COMMISSION REVIEW:

N/A

BACKGROUND:

The subject property is zoned R2 (Single-Family and Low Density Multiple-Family Residence District) and is located at the southwest corner of the intersection of Sleight Street and Chicago Avenue. On February 16, 2021, the City Council passed ordinance 21-016 approving a Preliminary/Final Plat of Subdivision and an Owner’s Acknowledgement and Acceptance Agreement (OAA) for the C. Cobb Subdivision in order to allow the subject property to be divided into two single-family lots. In addition, the City Council passed ordinance 20-017 granting a temporary use to permit existing improvements to remain on the proposed Lot 2 of the C. Cobb Subdivision and ordinance 21-018 authorizing execution of an Encroachment License Agreement to allow a section of an existing iron fence along with two stone pillars to encroach into the Sleight Street right-of-way adjacent to the subject property.

DISCUSSION:

Ordinance 21-016 and the OAA provided that the owner and petitioner, Christopher Cobb, shall complete a list of work on and adjacent to the subject property prior to recordation of the

Preliminary/Final Plat of Subdivision, including but not limited to removal of a section of a brick patio, removal of an orphan apron driveway and associated depressed curb, replacement with full curb and gutter, and removal of a service walk.

Under New Business on March 2, 2021, the City Council moved to reconsider ordinance 21-016 in order to allow the Preliminary/Final Subdivision Plat for the C. Cobb Subdivision to be recorded prior to completion of the required work specified in the OAA subject to provision of surety.

An ordinance amending ordinance 21-016 and approving the First Amendment to the OAA is included here for Council's consideration.

The proposed amendments would allow the owner and petitioner to subdivide the subject property and sell one of the lots before the required work can be performed under suitable weather conditions in the spring. Ordinances 21-017 and 21-018 will remain unchanged.

Key Takeaways

- The amended ordinance and OAA would allow the owner and petitioner to record the Preliminary/Final Plat of Subdivision for the C. Cobb Subdivision prior to completion of the required work subject to provision of surety.

FISCAL IMPACT:

N/A