



## Legislation Details (With Text)

**File #:** 21-1287      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 9/28/2021      **In control:** City Council

**On agenda:** 10/19/2021      **Final action:** 10/19/2021

**Title:** Pass the ordinance approving the preliminary/final plat of subdivision and the Owner's Acknowledgement and Acceptance (OAA) for Jelinek Subdivision located at 1107 N. Eagle Street - PZC 21-1-074

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Subdivision & OAA Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Prelim/Final Subdivision Plat, 4. Exhibit C - OAA

Date	Ver.	Action By	Action	Result
10/19/2021	1	City Council	passed	Pass

### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Pass the ordinance approving the preliminary/final plat of subdivision and the Owner's Acknowledgement and Acceptance (OAA) for Jelinek Subdivision located at 1107 N. Eagle Street - PZC 21-1-074

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Ashley Green, Community Planner

#### **BOARD/COMMISSION REVIEW:**

N/A

#### **BACKGROUND:**

The Subject Property, 1107 N. Eagle Street, is located north of W. Ogden Avenue between N. Mill Street and N. Washington Street. It is zoned R1B (Medium Density Single-Family Residence District). The Subject Property is 29,366 square feet and is currently improved with a single-family residence, associated driveway, and a shed.

#### **DISCUSSION:**

The Petitioner, Lisle Ventures LLC, is seeking approval of a Preliminary/Final Plat of Subdivision in order to subdivide the property into two lots. The subdivision will allow for preservation of the existing single-family residence on Lot 1 and allow for construction of a new single-family residence on Lot 2 (note: development plans have not yet been submitted for Lot 2, but will be reviewed by staff for technical compliance with code requirements once submitted).

#### ***Preliminary/Final Subdivision Plat***

The proposed subdivision consists of two lots. Lot 1 will total 15,376 square feet and Lot 2 will total 13,990 square feet. The proposed lots are in compliance with the R1B requirements for single-family detached dwellings including a minimum lot size of 8,000 square feet and a minimum lot width of 50 feet. Additionally, the proposed lot sizes are in compliance with the 90% rule requirement (9,446 square feet per lot) which specifies that the minimum lot sizes of the newly created lots in a residential subdivision shall be equal or greater than 90% of the mean of the lot sizes within 300' of the subject property. Staff finds that the proposed Preliminary/Final Plat of Subdivision for Jelinek Subdivision meets all technical requirements for approval.

#### ***Owner's Acknowledgement and Acceptance Agreement***

An Owner's Acknowledgement and Acceptance (OAA) agreement is included as a part of the Ordinance Approving the Preliminary/Final Plat of Subdivision for the Jelinek Subdivision. The OAA includes provisions stipulating payment of the required park and school donation fees for the newly created Lot 2. The OAA also contains provisions regarding the removal of the existing driveway for the home on Lot 1, which will encroach on Lot 2. The Petitioner is required to remove the portion of the driveway that encroaches on Lot 2 and create a new driveway on Lot 1 prior to the recordation of the preliminary/final subdivision plat.

#### ***Key Takeaways***

- The Petitioner requests approval of a Preliminary/Final Plat of Subdivision for Jelinek Subdivision to subdivide one lot into two to create a new buildable lot for the development of a new single-family residence.

#### **FISCAL IMPACT:**

N/A