
FINAL PLAT

ITEM NO. 7

STAFF REPORT

ITEM: Consideration of a Final Plat for FOUNTAIN VIEW ADDITION, SECTION 2 (REAPPROVAL).

LOCATION: Generally located on the east side of 48th Avenue NW and approximately 2,000 feet south of West Tecumseh Road.

INFORMATION:

1. Owner. Southwest Capitol Group, LLC.
2. Developer. Southwest Capitol Group, LLC.
3. Engineer. SMC Consulting Engineers P.C.

HISTORY:

1. June 12, 1962. City Council adopted Ordinance No. 1320 annexing and placing this property in A-2 zoning classification.
2. December 4, 2003. The Norman Board of Parks Commissioners recommended fee in lieu of park land requirements.
3. December 11, 2003. Planning Commission, on a vote of 5-2, recommended to City Council that a portion of this property be placed in R-1 and removed from A-2 zoning classification.
4. December 11, 2003. Planning Commission, on a vote of 5-2, recommended approval of the preliminary plat for Windstone Farms Addition. The preliminary plat consisted of the northern portion of the property.
5. January 22, 2004. City Council postponed Ordinance No. O-0304-34 indefinitely.

HISTORY (cont'):

6. May 5, 2004. Flood Plain Permit Committee approved Flood Plain Permit No. 366 relating to the 1979 flood map for this area as adopted by City Council. The 1997 FEMA maps do not impose flood plain on this property. Therefore, the flood plain permit relates to the City's authorization. With the adoption of the September 26, 2008, DFIRM, this property does not contain flood plain.
7. May 6, 2004. The Norman Board of Parks Commissioners, on a vote of 7-0, recommended fee in lieu of park land for the enlarged preliminary plat for Windstone Farms Addition.
8. May 13, 2004. A rezoning request and preliminary plat were postponed at the request of the applicant.
9. June 10, 2004. A rezoning request and preliminary plat were postponed at the request of the applicant.
10. July 8, 2004. Planning Commission, on a vote of 8-0, recommended to City Council that a portion of this property be placed in R-1 and removed from A-2 zoning classification.
11. July 8, 2004. Planning Commission, on a vote of 8-0, recommended to City Council that the revised preliminary plat for Windstone Farms Addition be approved.
12. July 20, 2004. Flood Plain Permit Committee approved the amended Flood Plain Permit No. 366.
13. August 5, 2004. The Norman Board of Parks Commissioners, on a vote of 7-0, recommended fee in lieu of park land for the revised preliminary plat for Windstone Farms Addition that now includes two (2) additional parcels.
14. August 12, 2004. Planning Commission, on a vote of 6-2, recommended to City Council that a portion of this property be placed in R-1 and removed from RE and A-2 zoning classification.
15. August 12, 2004. Planning Commission, on a vote of 6-2, recommended to City Council that the preliminary plat for Windstone Farms Addition be approved.
16. September 28, 2004. City Council adopted Ordinance No. O-0304-34 placing a portion of this property in R-1 and removing it from RE and A-2 zoning classifications.

HISTORY (cont'):

17. September 28, 2004. City Council adopted Ordinance No. O-0304-74 placing a portion of this property in R-1 and removing it from A-2 zoning classification.
18. September 28, 2004. City Council adopted Ordinance No. O-0405-7 placing a portion of this property in R-1 and removing it from RE and A-2 zoning classifications.
19. September 28, 2004. City Council approved the preliminary plat for Windstone Farms Addition.
20. October 14, 2004. Planning Commission, on a vote of 7-0, postponed the final plats for Fountain View Addition, Sections 1 and 2, for one (1) month.
21. November 10, 2004. Planning Commission, on a vote of 8-0, postponed the final plats for Fountain View Addition, Sections 1 and 2, indefinitely at the request of staff.
22. November 20, 2006. Referendum Petition was finally resolved in the courts. The rezoning and preliminary plat were upheld upon this date.
23. November 20, 2009. The approval of the preliminary plat became null and void.
24. April 8, 2010. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for Fountain View Addition (a/k/a Windstone Farms Addition) be approved.
25. May 11, 2010. City Council approved the preliminary plat for Fountain View Addition subject to the requirement of detention facilities.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.
2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.
3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards. An off plat sanitary sewer main will be installed to the south.
4. Sidewalks. Sidewalks will be constructed on each lot prior to occupancy. Staff recommends deferral of sidewalks adjacent to 48th Avenue NW.

IMPROVEMENT PROGRAM (con't):

5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with plans and City drainage standards. Privately-owned detention facilities will be installed parallel to 48th Avenue NW within the development. The proposal will be the use of retention to use as an amenity for the development. A major drainage structure under 48th Avenue NW is the requirement of Fountain View Addition, Section 1 and Fountain View Addition, Section 2.
6. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards. An off-plat twelve-inch (12") water main will need to be extended and connected to an existing twelve-inch (12") main parallel to West Tecumseh Road.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.
2. Rights-of-Way. Street rights-of-way are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, final plat and memorandum recommending deferral of street and sidewalk improvements are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: This property consists of 74 single family residential lots and several open space lots. The open space lots, including the detention/retention ponds and 48th Avenue NW right-of-way, will be maintained by a mandatory Property Owners Association. There was an existing oil well on this property. It has been properly plugged and the final plat provides a 45-foot radius for the plugged well. As with previous final plats within the urban area, staff is recommending that approvals of the final plats for Fountain View Addition, Section 1 and Fountain View Addition, Section 2, be conditioned that the plats must be filed of record with the Cleveland County Clerk at the same time. However, if either owner/developer obtains an easement from the other owner/developer for a public access and constructs a secondary access, this will eliminate a single access development with too many lots located within the development and allow the development to proceed. Staff recommends approval of deferred construction for paving and sidewalks for 48th Avenue NW and approval of the final plat for Fountain View Addition, Section 2.

ACTION NEEDED: Recommend approval or disapproval of deferral of sidewalks and paving in connection with 48th Avenue NW and approve or disapprove the final plat for Fountain View Addition, Section 2 .

ACTION TAKEN: _____