



## Legislation Text

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**File #:** FP-1617-12, **Version:** 1

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CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR FOUNTAIN VIEW IV ADDITION, A PLANNED UNIT DEVELOPMENT, DEFERRAL OF PAVING IMPROVEMENTS FOR 48TH AVENUE N.W., AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF WEST TECUMSEH ROAD AND 48<sup>TH</sup> AVENUE N.W.)

**BACKGROUND:** This item is a final plat for Fountain View IV Addition, a Planned Unit Development and is located at the southeast corner of the intersection of Tecumseh Road and 48<sup>th</sup> Avenue N.W.

City Council on May 28, 2013, adopted Ordinance No. O-1213-35 amending Ordinance O-1112-23, The Fountain View North Planned Unit Development and removing a portion of this property from A-2, Rural Agricultural to PUD, Planned Unit Development.

City Council, on May 28, 2013, approved the revised preliminary plat for Fountain View North Addition, a Planned Unit Development. This property was included in the revised preliminary plat. City Council, on May 24, 2016, adopted Ordinance No. O-1516-31 amending the site plan and PUD narrative adopted with Ordinance O-1213-35. The City Development Committee, at its meeting of January 26, 2017 reviewed the program of improvements, the final plat for Fountain View IV Addition, a Planned Unit Development and recommended that the final site development plan and final plat be submitted for City Council consideration. The Development Committee recommended deferral of paving improvements for 48<sup>th</sup> Avenue N.W.

**DISCUSSION:** The applicant has negotiated with Parks and Recreation staff regarding Fountain View IV Addition, a Planned Unit Development. The developer has paid \$573.75 in lieu of park land.

Construction plans have been reviewed by staff for the required public improvements for this tract. A sanitary sewer will be installed to serve the lots. Approximately 486 feet of 48<sup>th</sup> Avenue N.W. will be required to be constructed to City standards as a half width collector (minor arterial) street. Section 19-602 B 1.2. (a)(b)(c) and (d) of the City Code establishes a method of deferring public street improvements under the following situations: (a) where incompatible grades exist; (b) where there are inadequate or a lack of connecting facilities; (c) where construction of the improvement would not immediately function for its intended use; or (d) where such improvement would be replaced by a planned future project. The developer is required to post a certificate of deposit with the City in a special account to be used with a future paving project or at such time as development occurs adjacent to the property.

Staff has observed over the years that gap paving or "piecemeal" paving has been a detriment to arterial streets. There have been times over the years paving improvements have been constructed and then replaced because they did not fit in the overall design of the arterial street. Because this final plat includes a short length of pavement on 48<sup>th</sup> Avenue N.W., staff is recommending deferral until future development occurs or until the City initiates the full improvement of 48<sup>th</sup> Avenue N.W.

**RECOMMENDATION:** The final plat is consistent with the revised preliminary plat with the exception of reducing the lot count from seven to four and eliminating a private street. Based upon the above information, staff recommends approval of the final plat and the filing of the plat subject to the Development Committee's acceptance of public improvements and receipt of \$175 for traffic impact fee, \$69,532.70 for the deferral of street paving improvements for 48<sup>th</sup> Avenue N.W., and authorize the Mayor to sign the final plat and bonds.