



REQUEST FOR BOARD ACTION

BOARD MEETING DATE: Tuesday, June 14, 2022

REVIEWALS:

Planning & Zoning Staff: Completed

Planning & Zoning Commission: Completed

City Administrator: Completed

SUBJECT: Petition for Variances, associated with P-06-22, Improvement Plans for a proposed single family residential subdivision at 12300, 12322 & 12330 Robyn Road.

LIST OF ATTACHED REFERENCE DOCUMENTS:

Application

Staff report

Improvement Plans

Variance requests

Public hearing notice

FISCAL IMPACT: N/A

BACKGROUND/DISCUSSION:

These variances are associated with Improvement Plans for a proposed single family residential subdivision at 12300, 12322 & 23330 Robyn Road. Four variances are being requested:

1. To vary the distance between Lincoln Drive and Sunset Reserve Drive from three hundred feet (300') to two hundred fifty feet (250') (per App A Sec 2.1g);
2. To vary the right of way width from fifty feet (50') to forty feet (40') (per App A Sec 2.2a3a);
3. To vary the street grade from seven percent (7%) to ten percent (10%);
4. To vary the cul-de-sac diameter from one hundred six feet (106') to eighty-four feet (84') (per App A Sec 2.2c2).

Improvement Plans require approval from the Planning & Zoning Commission. Any variances associated with Improvement Plans require approval from the Board of Aldermen.

STAFF RECOMMENDATION:

Staff recommends approval of this petition.

MEETING HISTORY:

Planning & Zoning Commission: April 6, 2022 – The Commission approved the Improvement Plans with following conditions:

1. The Board of Aldermen must approve variances listed above.
2. Per Appendix A, Section 2.1m: “When streets are proposed as private, the developer shall be required to have either a trust indenture or statement on the record plat establishing the method for providing continuous maintenance of streets, as well as storm sewers.”
 - This must be added prior to recording of the Record Plat.

3. Per Appendix A, Section 3.3j: “A subdivision restriction agreement authorizing assessment of the property owners in the subdivision for the supervision, maintenance, construction and reconstruction of street paving, storm drainage facilities, sanitary facilitation, streetlights, sidewalks, common ground and recreational equipment. If the proposed subdivision is small and does not reasonably require such an agreement, the commission, upon advice of the city attorney or special counsel, may waive the necessity of such an agreement provided that the subdivision does not contain any streets or sidewalks.”
 - This must be added prior to recording of the Record Plat.
4. Per Appendix A, Section 3.5b: “Post a land subdivision bond or enter into an escrow agreement in accordance with the provisions hereafter set forth. The land subdivision bond or escrow agreement shall be prepared and executed on forms satisfactory to the commission and shall be submitted to the commission for approval. Said forms shall be approved by the city attorney or special counsel prior to being sent to the commission.”
 - This has not yet been established.

Board of Aldermen – April 26, 2022 – first reading. The Board voted to allow the developer to pay the City the cost of sidewalk construction in lieu of installing sidewalks as is permitted in Chapter 24, Section 108.

MEETING HISTORY:

Planning & Zoning Commission: April 6, 2022 – recommended approval with the following conditions:

1. The Board of Aldermen must approve variances listed above.
2. Per Appendix A, Section 2.1m: “When streets are proposed as private, the developer shall be required to have either a trust indenture or statement on the record plat establishing the method for providing continuous maintenance of streets, as well as storm sewers.”
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Board of Aldermen: April 26, 2022 – first reading.