



DATE: July 31, 2012
TO: Planning & Zoning Commission
FROM: Jeremy Frazzell, Senior Planner
RE: Highland Park Phase B, Section 4 and Phase D, Section 3 Variance Requests

BACKGROUND

According to Subchapter 15(O)(2) of the Unified Development Code, the subdivider is required to construct all required public improvements before submitting a final plat for the subject area or provide fiscal security in an amount equal to 110% of the cost of the public improvements. The process currently does not address the potential for a concurrent final plat review or posting of partial fiscal when public improvements are currently being constructed. The intent of the fiscal requirement is to provide assurance that in the event the public improvements are not constructed, the City has the ability to complete the project in order to serve the affected lots.

REQUEST

The developer of the Highland Park subdivision is currently constructing Phase B, Section 4 and Phase D, Section 3. In order for the final plat applications to be submitted at this time, the developer would be required to post fiscal security for 110% of the cost of the total public improvements. As stated above, there is not a provision to allow posting fiscal security for the remaining improvements to be constructed.

The developer has proposed to submit their final plat applications and post partial fiscal for the remaining public improvements as determined prior to the deadline for the next appropriate Planning and Zoning Commission meeting. If the proposed subdivision variance is granted, the intent is to have the final plat recorded and addressed around the same time that all public improvements are accepted by the City, allowing residential lots to be developed in a shorter time frame than the current process might otherwise permit.

STAFF RECOMMENDATION

Allowing a concurrent review and posting partial fiscal for the remaining public improvements for the two Highland Park phases is acceptable to the Engineering and Planning departments. In granting the variance, the City will retain assurance that the remaining public infrastructure can be installed. Staff recommends approval of the proposed Subdivision Variance.

ATTACHMENTS

- Highland Park Phase B, Section 4 and Phase D, Section 3 Variance Requests