



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 4, 2019

Re: Bristol Ridge Subdivision – Development Agreement (Case #18-30)

Executive Summary

Approval of this request will authorize the City Manager to execute a development agreement between the City and Fred Overton Development, Inc. establishing public infrastructure obligations related to the development of the “Bristol Ridge” subdivision which is located on the east side of Bearfield Road, approximately 1,400 feet north of Gans Road.

Discussion

City Council recently approved the preliminary plat of *Bristol Ridge* on November 5, 2018 (Ord. #23677). This approval included a condition that prior to issuance of a land disturbance permit for the development the owner was required to execute a development agreement with the City in substantial conformance with Attachment A of the ordinance. Attachment A was an unexecuted draft development agreement negotiated between the developer, as contract purchaser, and the City as part of the preliminary platting process.

At this time, the contract purchaser Fred Overton Development, Inc., has submitted a development agreement that he desires to have approved as required by the provisions of Ord. #23677 so he may begin land disturbance on the development acreage. The agreement is in substantial compliance with Attachment A of Ord #23677.

It should be noted that, as of this writing, Fred Overton Development, Inc has not obtained full ownership of the development acreage to which the attached agreement applies. Specifically, it owns 11.22 acres, while the Alan E. Easley Trust and Virginia Easley DeMarce Declaration of Trust and Bristol Lake Home Owners Association Number 1, Inc. own the remaining 18.88 acres and 0.79 acres, respectively.

If City Council chooses to authorize the City Manager to execute the attached development agreement as request, such action will need to be subject to Fred Overton Development, Inc. completing the purchase of the non-acquired acreage. Once acquisition is complete, the agreement may be officially executed by the City Manager and recorded. Following such execution a land disturbance permit for the development may be issued.

The preliminary plat included the creation of 59 single-family lots and 8 common lots, with the majority of the common lots used for stormwater purposes, tree preservation and for sensitive areas. A final plat for the subject site is currently under review by staff as well.

A copy of Ordinance #23677 and the final development agreement are attached.



Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, water, and electric, as well as public safety and solid waste service provision. Future roadway improvements to Bearfield Road may be at the expense of the City if maintenance is transferred from the County in the future. Future impacts may or may not be offset by increased user fees and/or property tax collections.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Infrastructure, Tertiary Impact: Livable & Sustainable Communities

Legislative History

Date	Action
11/5/2018	Approved the preliminary plat of <i>Bristol Ridge</i> (Ord. #23677).
11/5/2018	Approved the annexation and permanent zoning (Ord. #23875)

Suggested Council Action

Authorize the City Manager to execute the development agreement subject to Fred Overton Development, Inc. having acquired ownership of all acreage to which the agreement is subject.