



MEMORANDUM

REGULAR CITY COUNCIL MEETING

July 15, 2024 at 7:00 PM

TO: City Council

FROM: Planning & Zoning Administrator

SUBJECT: Westshore Recording of the Easement Agreements Extension

At the May 20, 2024, City Council meeting, City Council adopted resolution 11-2024 approving the request to extend the extended compliance date to July 31, 2024. This gave the developer time to make changes and return to the Planning Commission for a recommendation for approval. At the time of the meeting, it was believed that the developer was assigning public and private trails. It was not until after the meeting that the public and private trail were already assigned.

Upon this discovery, the developer clarified the issue, withdrew the request to designate public/private, sought for the approval of the location of the trails to Council, and at the July 1st, 2024, City Council meeting, City Council approved the trail locations with additional conditions (Motion & Conditions Provided Below).

I move that we deny the applicant's request to Amend Ordinance Number 03-2012, to modify the public & private designation of the internal non-motorized pathways and that we approve their request to amend and finalize the location of internal non-motorized public-private pathway designations as presented, with the following conditions.

- 1. That they adhere to the standards set forth in **Article 27. Section 27.04 Project Design Standards, number (19), Buffer Zone Along Property Lines**. Natural vegetation, planted or landscaped buffer areas of twenty-five (25) feet in width, are required along all exterior boundaries of the property to be developed as a PUD. Specifically, the northern boundary that abuts the rear yards of the properties that are located along Golfview Drive, need to be addressed and revised to meet this requirement as determined by the Planning and Zoning Administrator.*
- 2. Upon City Council approval, the applicant shall record the easement agreements for said non-motorized public-private pathways no later by the end of the year.*
- 3. The applicant shall remove all golf course amenities as required by Ordinance 03-2012 prior to or concurrently with the construction of the internal pathways, subject to the agreed upon inventory of items to be removed as determined by the Planning & Zoning Administrator.*
- 4. The applicant shall provide a performance bond in the form of an escrow deposit in the amount determined by the City Engineer equal to the cost to construct the internal pathways, prior to commencing construction of the internal pathways. The City may work with the applicant to move any remaining escrow monies for the external pathways into a new escrow account for the internal pathways, if reimbursable funds remain.*
- 5. Upon City Council approval of the non-motorized public-private pathway plans, the applicant shall submit construction drawings to the City Engineer for review and approval prior to commencing construction on the internal pathways. Any further changes to the non-motorized pathways shall require the same procedures for approval as an amendment to the Westshore PUD.*
- 6. The applicant shall amend the master deed to include the "must be built" finalized locations of the public and private internal pathways, and provide the City with a recorded copy of the master deed amendment, prior to any final inspections of the internal non-motorized public-private pathways.*

7. *That the non-motorized public-private pathway will not interfere with the future construction of the street that enters from Center street to connects to the final phase three, referred to as the final west phase.*

On the July 15th, 2024 meeting, City Council will be adopting a resolution for the extension of the recording of the easement agreements for the non-motorized public/private pathways along with the additional conditions that were a part of the approval at the July 1st Meeting.

I recommend City Council adopt resolution 17-2024 a resolution to approve the extension of the deadline to record easement agreements for Westshore PUD internal trailways.