

Montgomery City Council
AGENDA REPORT

Meeting Date: October 10, 2023	Available Funds: N/A
Department: Admin	Prepared By: Dave McCorquodale

Subject

Consideration and possible action on the Final Plat for Montgomery Bend Section One.

Recommendation

Staff recommends approval of the Final Plat contingent on receipt of a performance bond for 100% of the remaining construction contract amount for public infrastructure improvements within Section One.

Discussion

Issue:

Montgomery Bend Section One Final Plat has been submitted to the city for approval. The city engineers have reviewed the plat and worked with the developer to ensure the plat document conforms to city requirements. The Planning & Zoning Commission approved the plat on October 3, 2023.

Rules:

As pointed out in the city engineer's memo, review criteria for the plats is based on Chapter 78 Section 60 of the City Code of Ordinances along with certain exceptions to lot size and building setbacks as prescribed by the Development Agreement. The points of note from the Development Agreement are allowing 45-foot wide lots and 5-ft side yard setbacks conditioned on no appurtenances being located in the side yard.

Section 78-61(j) Approval. *The city Planning and Zoning Commission shall approve or conditionally approve, defer or disapprove, within 60 days, any final plat submittal. The City Council shall approve or disapprove any final plat submitted within 30 days after the date the plat is approved by the planning and zoning commission. Final approval will expire one year after the city council action granting approval of any final plat unless the final plat has been filed for record, except that, if the subdivider shall apply in writing prior to the end of such one-year period stating reasons for needing extension, this period may, at the discretion of the City Council, be extended for another year, but not beyond that period.*

Analysis & Conclusion:

The city's development process allows for the Final Plat to be approved before all public infrastructure is complete if accompanied by a performance bond to cover the costs needed to complete any remaining public infrastructure. The performance bond ensures that the developer has provided a guarantee of funds to complete all remaining work. Staff and the city engineers recommend approval of the Final Plat contingent of receipt of the performance bond.

Approved By

Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 10/05/2023
City Administrator	Gary Palmer	Date: 10/05/2023