



### CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council

**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator

**Date:** December 15, 2008

**Subject:** **RESOLUTION** extending the authorization for the infrastructure improvements for Savannah Hills Park Final Plat

---

**List of committees that have reviewed:** At its meeting on December 11, 2008 the Community Development Committee recommended extending the authorization for Jeff Holland to install the infrastructure for the park and public infrastructure for Savannah Hills Park final plat to 12 months from the date of the approval.

**Project Update:**

The developer, Jeff Holland and H and L Builders, is requesting the City accept his dedication of the Savannah Hills parkland containing approximately 9.7 acres prior to the end of the 2008 calendar year. In the annexation agreement we have with Mr. Holland, the City agreed to take the property for a park, however, it needed to meet certain standards in order for us to accept it.

The Final Plat for the park and boulevard extension was approved by the City Council on May 21, 2007. As part of this final plat, he was to make certain infrastructure improvements to the park and was to construct a portion of Savannah Hills Boulevard. During the ensuing period, he has installed many of the improvements, however, much of the finish work had not been accomplished as of the end of November. He is in the process of completing this work prior to the end of the year.

Mr. Holland was unable to get all of the public improvements installed within the park and on the Savannah Hills Boulevard within the required 12 month timeframe, and is subsequently requesting a 12 month extension to the city's subdivision code requirements, Section 3.5, which states that *"if such (infrastructure) improvements are not completed within the 12-month period required herein, or unless such time is extended by the Council, the Final Plat approval shall be null and void and shall provide no authorization of any kind."*

In order for him to be able to dedicate the land prior to the end of the year, he needs to be in full compliance with the Final Plat requirements, which is why he is asking for this extension.

It should be noted that the Final Plat shows dedication of Savannah Hills Boulevard and the 9.7 acre parkland. It also shows an outlet where the pool and clubhouse are located. This outlet and the pool/clubhouse will NOT be dedicated to the City but will be owned by the HOA. The developer has agreed to allow the public using the city park to use the parking lot at the pool.

It should also be noted that the developer is obligated by the annexation agreement to maintain the parkland for 10 years from when the park is dedicated.

Following are the steps that Mr. Holland will need to be taken for us to ultimately accept dedication of the parkland prior to the end of the year.

1. City Council to approve waiving the 12 month improvement requirement and extend another 12 months at the Dec 15, 2008 meeting.
2. Complete final construction punchlist for the park.
3. Post new LOC under the 100% provision, to cover future completion of Savannah Hills Boulevard to Milburn School, along with associated waterline and storm sewer improvements, as well as completion of parkland improvements, finish grading, tree removal, etc, along with 2 year warranty of work already done.
4. Developer to provide Warranty Deed now referencing Plat to be sent to City
5. Title insurance to be provided at no cost to City per actual value; City to review exceptions for final closing
6. Pins and other improvements to be completed prior to donation; certification as to detention operation per plan, or sealed as equally functional and appropriate as built. City engineering will need to review and agree to accept this.
7. 8283, deed transfer and closing before Dec. 31 if recording and other items above can be accomplished. 8283 and deed acceptance can be by Mayor and Engineer order if otherwise in compliance.

**Legal Considerations, if any:** Deed transfer and closing to be coordinated between the developer's attorney and city attorney. Dan Vogel has reviewed the plat and deed requirements for the infrastructure extension approval and for the transfer of the land.

**Budget Impact:** None

**Staff Recommendation:** Staff recommends approval of the extension of the infrastructure approvals for the Savannah Hills Park Final Plat for 12 months from the date of approval of the resolution.