

COUNCIL ACTION FORM

**SUBJECT: RINGGENBERG PARK SUBDIVISION DEVELOPMENT
AGREEMENT REVISION TO CHANGE DRIVEWAY ACCESS**

BACKGROUND:

On December 20, 2005, land lying generally to the southwest of Cedar Lane and Oakwood Road was platted as Ringgenberg Park Subdivision. There was a Development agreement done at that time in conjunction with the platting of the area. The Development agreement contained provisions addressing a number of details of the project, including restrictions on which street would be designated for driveway access for a number of the corner lots in the subdivision.

Earlier this year, as Lot 10 in that subdivision was being prepared for sale and construction of a single family home, the City was approached about changing the Development agreement's driveway access restriction as it related to Lot 10. Lot 10 is a corner lot sitting at the southeast corner of Cottontail Lane and Cottonwood Road, and currently its driveway may only have street access to Cottontail Lane. The orientation of the longest dimension of that lot would make it very difficult to build with its driveway on Cottontail Lane, so the request is to remove the restriction to allow this lot to have driveway access on Cottonwood Road.

Public Works and Planning staff members reviewed the situation and are of the opinion that the driveway access for this lot can be changed without any adverse effects on traffic flows or traffic safety. A curb cut application, reviewed by Public Works, will provide further assurance that the final location chosen will be safe.

The Developer was asked to contact the nearest affected lot owners to advise them of what is being requested and to make sure the change would not impact the placement of their own driveways. Those owners have signed acknowledgments that they were advised of this requested change and consent to it. A supplemental development agreement has been prepared to specifically change the driveway access restriction for Lot 10 to allow it to have driveway access onto Cottonwood Road.

ALTERNATIVES:

1. The City Council can approve the revision of the Development Agreement to allow the change in the driveway access for Lot 10.
2. The City Council can deny the revision of the Development Agreement to allow the change in the driveway access for this lot.
3. The City Council can refer the issue back to staff for further analysis.

MANAGER’S RECOMMENDED ACTION:

The developer’s request to change the driveway access from Cottontail Lane to Cottonwood Road for this single lot appears to be a reasonable one and has minimal impact on the overall development of this subdivision. It will have no negative public impacts, and the nearest owners who might be affected have been made aware of and consented to this change.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative 1, revising the Ringgenberg Park Development Agreement to change the driveway access for Lot 10 from Cottontail Lane to Cottonwood Road.