



Legislation Details (With Text)

**File #:** Res. 2020-099      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 9/28/2020      **In control:** City Council

**On agenda:** 10/6/2020      **Final action:** 10/6/2020

**Title:** Consider Resolution Releasing Outstanding Park Land Dedication Fees for Outlot F Southbridge 1st Addition.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1 - Resolution authorizing release park fees outlot f Southbridge 1st v.3 092920

Date	Ver.	Action By	Action	Result
10/6/2020	1	City Council	approve	Fail
10/6/2020	1	City Council	approve	Pass

**City Council Meeting Date:** October 6, 2020

**To:** Mayor and City Council  
City Administrator

**From:** David E. Bennett, Public Work Director/City Engineer

Consider Resolution Releasing Outstanding Park Land Dedication Fees for Outlot F Southbridge 1st Addition.

**Action Requested:**

The Northfield City Council approves the attached Resolution releasing outstanding park land dedication fees for Outlot F Southbridge 1st Addition.

**Summary Report:**

On October 6, 2003, the City entered into a development agreement contract with Arcon Development Inc. for the development of Southbridge 1<sup>st</sup> addition. This was the first addition of a multiple phase project that would develop the 69.9 acre Southbridge preliminary plat in the SE corner of the City.

As part of the development agreement contract with Arcon Development Inc., the Developer was required to dedicate parkland in the amount of 6.05 acres for the entire 69.9 acre preliminary plat and the developer dedicated 9.98 acres to the City as summarized below.

Parcels Dedicated to City (Acres)

Southbridge 1st Outlot B	6.25
Southbridge 1st Outlot C	0.72
Southbridge 1st Outlot D	2.21
Southbridge 1st Outlot E	0.75

Spring Creek Townhome (Outlot C) 0.05  
Total Land Dedicated (Acres) 9.98

In addition, the development agreement contract with the developer was required to pay a park dedication fee in the amount of \$80,918.75 for the entire 316-unit 69.9 acre preliminary plat and the developer was required to pay \$26,750.00 park dedication fee for Southbridge 1<sup>st</sup> addition and the remaining \$54,168.75 with future final plats or all paid within five years.

As a result of the housing market crash in 2007 and corresponding recession in 2007 and 2008, the developer went out of business and no longer owns the land. The City has received \$28,292.78 of the park dedication fees along with the full land dedication. In 2010, the park development fee was removed from the Land Development Code and since 2010 there have been other developments in Southbridge that haven't paid the outstanding park development fees, therefore, staff is recommending releasing Outlot F Southbridge 1<sup>st</sup> Addition, Southbridge 2<sup>nd</sup> Addition, Spring Creek Townhomes, and the Southbridge 1<sup>st</sup> Addition platted lots and blocks from collection of this fee.

Park dedication for future plats will be reviewed based on current City Code; however, for future plats the City will recognize the 9.98 acres of land dedicated for park land will only require land dedication should subsequent plats parkland dedication cumulatively exceed 9.98 acres.

**Alternative Options:**

The City could elect not to waive the outstanding park fees and collect them from future developers.

**Financial Impacts:**

The outstanding park fee is \$52,625.97

**Tentative Timelines:**

This action will let staff know if a portion of the outstanding park fees should be included in future development contracts. Currently, staff has one development agreement/final plat in process for Spring Creek Townhomes II.