Agenda Item: Close Request for a Public Improvement Variance – Magnolia Ranch Subdivision, 10328 Idlewild Rd

DATE: August 8, 2017
FROM: Mary Jo Gollnitz, Planner

Background/Issue:
- This is scheduled to return to Town Board for decision on August 14. At the July 10, 2017 Town Board meeting, the Board deferred a decision to allow time for staff to verify information in order for the Council to make an informed decision.
- Future widening of Idlewild Road would call for a cross section design that includes curb and gutter. The developer submitted a Public Improvement Variance to waive the installation of curb and gutter along Idlewild Rd.
- After further review, staff realized this request was unnecessary, because the Town cannot require road widening improvements from a developer along a street classified as a major arterial (Class III).
- Streets designated as Classes 1 through IV (Expressways/Freeways and Arterials) are to be built by “the public”.
- Streets designated as Classes V and VI (Collectors and Local streets) are to be installed by the developer, and these streets are where the great majority of residential subdivisions are built.
- Matthews UDO Section 155.707.A.4.a. and b. call for: a) the developer to dedicate the necessary additional right-of-way, up to 100’ (fifty feet each side of the centerline); and b) the public to install road improvements according to a schedule for such street extensions, widenings, relocations, etc.
- Matthews UDO also states that if the proposed new development would create a demand for specific roadway improvements, then the developer would be responsible for those elements, such as a turn lane.

Proposal/Solution:
- Magnolia Ranch is a 13 lot subdivision being developed by right under R-15 zoning.
- The developer will be dedicating 20’ of right-of-way along the entire road frontage for future road widening, in accordance with the UDO.
- A private common driveway will be 10’ behind the sidewalk on private property.
- The developer will work with the Town to continue the sidewalk to Idlewild Road Regional Park.
- There are no specific road improvements that need to be made in order to meet traffic demands for this subdivision.

Financial Impact:
None

Related Town Goal(s) and/or Strategies:
Quality of Life
Economic Development/Land Use Planning

Recommended Motion/Action:
Acknowledge and close the request for a Public Improvement Variance because it is not a code requirement.