



## EXHIBIT 40

### Memorandum – Community Development Engineering

TO: Lauren Hollenbeck  
FROM: Anita Ashton  
DATE: August 6, 2019  
SUBJECT: 'West Public Street' and South Public Avenue Revised Condition of Approval  
SUB18-04 Green Mountain PRD Pod B1 South

#### **Discussion:**

It was brought to Staff's attention that the both 'West Public Street' and 'South Public Avenue' have portions of the proposed roadway that are shown to be constructed on the neighboring parcel to the south. The design intent for 'West Public Street' and 'South Public Avenue', is to be a fully improved road in the future. As portions of the proposed road alignment encroaches on the property to the south (T.L. 18 SN#172559-000 and T.L. 18A SN# 986037-656), staff recommends that prior to final engineering plan approval that the applicant work with the neighboring property owner to dedicate the additional right-of-way in order to construct the proposed 'West Public Street' and 'South Public Avenue' roadways.

#### **Current Staff Report Language:**

[Public Roads] Page 9, Paragraph 2:

*"There are three (3) public roads, 'West Public Street', 'N Dogwood Street', and 'N 90<sup>th</sup> Avenue', that are proposed to consist of a 52-foot right-of-way, 28-feet paved surface, curb & gutter, detached 5-foot sidewalks and planter strips on both sides, with parking permitted on one-side only. There is an additional public road, 'South Public Avenue', that is to be constructed with a 36-foot half-width right-of-way, 24-foot paved surface, curb & gutter, 5-foot detached sidewalk and planter strip on one side, with parking permitted on one-side only. This will be a fully improved roadway in the future. The public roads, as proposed, are consistent with and will meet the standards set forth in the City's Design Standards Manual. At completion of the on-site public road improvements, the applicant will be required to dedicate all public right-of-way to the City."*

#### **New Condition of Approval:**

Prior to final engineering plan approval, the applicant shall work with the neighboring property owner to dedicate the additional right-of-way required in order to construct the proposed 'West Public Street' and 'South Public Avenue' roadways.