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**DEPARTMENT OF PUBLIC WORKS - Engineering Division**

**MEMO**

**TO:** Finance Committee  
**FROM:** Ross Buetow, Deputy Director of Public Works  
**SUBJECT:** Amendment No.2 to Apple Ridge Subdivision Development Agreement  
**DATE:** May 28, 2020

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In December of 2019, the Common Council approved an amendment to the Apple Ridge Subdivision Development Agreement whereby the requirement to install a 10-foot wide sidepath running through the development was deferred until the time of concrete street paving. The amendment was necessary because in the short-term, while the streets are in a temporary asphalt condition, the grass terraces and temporary driveway aprons adjacent to the sidepaths would be excessively steep.

As construction has progressed throughout the balance of the subdivision, it has become apparent that this same condition will also occur adjacent to all of the standard 5-foot wide sidewalks. Many of the terrace areas in Apple Ridge were designed narrower than our typical standard in an effort to avoid numerous environmentally sensitive areas.

Based on these conditions, we are requesting Amendment No.2 to the Apple Ridge Subdivision Development Agreement to defer the requirement to install all standard 5-foot wide sidewalks until the time of concrete street paving.

To accomplish this, we request the following revisions to Section 10.3 of the Development Agreement:

**Existing Language:**

**Section 10 – Streets**

10.3 In areas with 5-foot sidewalk, property owners shall install sidewalk within six months of issuance of certificate of use and occupancy permit. In areas with 10-foot sidepath, the City shall install the sidepath at the time of concrete street paving. Property owners will be assessed at that time, the equivalent cost of a 5-foot sidewalk in accordance with the City's Policy for Special Assessments.

**Proposed Language:**

**Section 10 – Streets**

10.3 The City defers the requirement for installation of all sidewalks and sidepaths within the Apple Ridge Subdivision until the time of concrete paving for each respective street. The City shall install the sidewalks and sidepaths in conjunction with street paving and assess all abutting property owners the equivalent cost of a 5-foot wide sidewalk in accordance with the City's Policy for Special Assessments.

Thank you for your consideration of this amendment.