

# TOWN OF EATONVILLE

## Agenda Staff Report

|                  |                                      |                   |                          |
|------------------|--------------------------------------|-------------------|--------------------------|
| Agenda Item No.: | _____                                | Meeting Date:     | <u>February 24, 2014</u> |
| Subject:         | <u>Aviator Heights</u>               | Prepared by:      | <u>Greg Jacoby</u>       |
|                  | <u>Request for Plat Modification</u> |                   | <u>Town Attorney</u>     |
|                  | _____                                | Atty Routing No:  | <u>019-13</u>            |
|                  | _____                                | Atty Review Date: | <u>February 19, 2014</u> |

**Summary:** The owner of the Aviator Heights development has submitted a request to modify certain conditions of the preliminary plat approval that the Council issued in 2007. Earlier this evening the Council held a public hearing as required by EMC 17.22.100. The municipal code also directs that the Council make findings of fact, including: 1) why the modification is necessary; 2) whether the plat as modified would make appropriate provision: for public health, safety and general welfare; open spaces; drainageways; streets or roads; potable water supplies; sanitary wastes; parks and recreation; playgrounds; and schools, including sidewalks to assure safe walking conditions for students; and 3) whether the modifications promote the public use and interest. The Council's approval or disapproval of the plat modification shall take the form of a resolution.

It is recommended that the Council's deliberations concerning whether to approve or disapprove the request for plat modification occur in open public session. However, if a majority of the Council prefers, the Open Public Meetings Act does allow the Council to meet and deliberate in executive session – although the Council's final decision must occur in open session.

Staff recommends that following the Council's discussion, the town attorney be directed to draft findings of fact and a resolution for Council's review and approval at either your first or second meeting in March.

**Recommendation:** Staff recommends that the Council deliberate as to whether to approve or disapprove the request for plat modification.

**Motion for consideration:** N/A

**Fiscal Impact:** None.

**Attachments:**

Aviator Heights Preliminary Plat Modification Submittal (AHBL; February 19, 2014)