



## Legislation Details (With Text)

**File #:** 150258. **Version:** 2 **Name:**  
**Type:** Resolution **Status:** Adopted  
**File created:** 8/17/2015 **In control:** City Attorney  
**On agenda:** 9/3/2015 **Final action:** 9/3/2015  
**Title:** FINAL PLAT - WESCHESTER CLUSTER SUBDIVISION PHASE IV (B)

Resolution No. 150258

A Resolution of the City of Gainesville, Florida, approving the final plat of "Weschester Cluster Subdivision Phase IV", located generally on the north side of NW 82nd Boulevard between NW 54th Terrace on the west and the west boundary of Phase I closest to NW 51st Drive on the east; accepting the dedication of the public rights-of-way, easements and other dedicated portions as shown on the plat; authorizing the City Manager to execute Security Agreements to secure the construction of improvements; providing directions to the Clerk of the Commission; and providing an immediate effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 150258A\_Weschester Final plat\_20150903.pdf, 2. 150258B\_Security Agreement Phase IV-A\_20150903.pdf, 3. 150258C\_Security Agreement Phase IV-B\_20150903\_001.pdf, 4. 150258\_draft Resolution\_20150903.pdf, 5. 150258\_Resolution\_20150903.pdf

Date	Ver.	Action By	Action	Result
9/3/2015	2	City Commission	Adopted (Resolution)	Pass

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The City Commission adopt the proposed Resolution.

On January 15, 2009, the City Commission adopted Resolution No. 080678 and approved the conditional final plat for Weschester Cluster Subdivision Phase IV, which includes 139 residential lots together with associated public rights-of-way and easements. As a conditional final plat, Resolution No. 080678 required that all subdivision improvements required per the ordinances of the City of Gainesville shall be completed within two years of the effective date of the Resolution, or by January 15, 2011. In addition, the conditional final plat may not be recorded in the Public Records of Alachua County, and no building permits may be issued on the property, until the subdivision improvements have been completed and approved by the City and the

conditional final plat has been converted to a final plat by the City Commission. Subsequent to adoption of said conditional final plat, the owner of Weschester Cluster Subdivision Phase IV experienced unforeseen delays in the completion of the subdivision improvements and the conditional final plat has not been converted to a final plat.

Resolution No. 080678 and Section 30-186 of the Land Development Code allow the owner of Weschester Cluster Subdivision Phase IV, upon the posting of a bond or other such security for the cost of the uncompleted improvements, to have the conditional final plat converted to final plat, provided that all requirements and conditions of the Land Development Code applicable to final plat acceptance have been met. Conversion from conditional final plat to final plat by the City Commission allows the plat to be recorded in the Public Records of Alachua County and building permits to be issued, and the security provided by the owner with such conversion secures the construction and completion of the subdivision improvements within 12 months from the date of final plat approval.

The City was recently informed that the owner of Weschester Cluster Subdivision Phase IV has changed and the new owners would like to convert the conditional final plat to final plat, and on July 6, 2015, staff received an application for such conversion. In this application, the owner of Weschester Cluster Subdivision Phase IV has provided Surety Bond Security Agreements to secure the completion of the subdivision improvements.

All other phases of the Weschester Cluster Subdivision have been finalized and recorded, and a Certificate of Final Concurrency has been issued for all phases in accordance with a development agreement for concurrency between the Subdivider and the City.