

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: September 20, 2021

Agenda Item: 7K	Prepared by: Chris Noury, City Attorney
Agenda Section: New Business: Public Hearing	Date: August 23, 2021
Subject: Second Public Hearing regarding the amendment to the Development Agreement for Barefoot Resort & Golf PDD (Dye Estates MF-4) for the Villas Townhomes at the Dye Estates	Division: Legal

**Background:**

The following summarizes the major aspects of the Amendment to the Barefoot Resort & Golf PDD Development Agreement (MF-4) regarding the Villas Townhomes as follows:

**Term:** The initial term of the Development Agreement shall be for a period of five (5) years. The term will automatically renew at the end of five years for two (2) more terms of five (5) years each if the developer is not in default and the project has not been completed.

**Density:** The project shall consist of not less than 35 residential units and not more than 37 residential units as approved under the PDD and Master Site Plan.

**Prohibition Against Conservation Easement:** The developer agrees not to subject any portion of the property to a conservation easement or other restrictive covenant regarding any of the property shown as single family homes or amenities on the master site plan.

**Beach Access Fee:** The developer shall pay to the City a beach access fee of \$1,100 per residential unit. This fee shall be due at the time of issuance of the building permit. At a minimum, the City shall receive \$38,500 (35 units x \$1,100) which amount could increase *if* the site plan is amended to allow additional units up to the cap of 92 units.

**Park Enhancement Fee:** The developer shall pay a Park Enhancement fee of \$200 for each separate residential unit at the time of issuance of a building permit for a residential unit. The City will receive at least \$7,000 (35 x \$200) which amount could increase *if* the site plan is amended to allow additional units up to the cap of 37.

**Other Fees:** The developer shall pay a Police /Fire Substation Fee in the amount of \$450 per residential unit, a water extension fee in the amount of \$500 per unit and a sewer extension fee in the amount of \$175 per residential unit.

**Recommended Action:**

Allow comment from the public

Reviewed by City Manager		Reviewed by City Attorney
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Council Action:

Motion By \_\_\_\_\_ 2<sup>nd</sup> By \_\_\_\_\_ To \_\_\_\_\_