



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: November 13, 2018
SUBJECT: Shook Subdivision Filing No. 2 Pre-Plat Subdivision Improvements Agreement
FROM: Kristin Sullivan, Director, Community and Economic Development Department
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: Not heard
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves a resolution to adopt the Subdivision Improvements Agreement for public and private improvements to be constructed as part of development of Filing No. 2 of the Shook Subdivision.

BACKGROUND:

On February 13, 2018, the Board of County Commissioners approved the first amendment to the Subdivision Improvements Agreement (SIA) for the Shook subdivision. The Shook subdivision consists of 32 single family lots. The amendment to the SIA allowed the development to be constructed in two (2) phases. Phase I consists of 12 lots. Phase II consists of 20 lots. The developer is requesting amendments to the approved SIA to allow two (2) items of infrastructure to be moved from the Phase I required improvements to the Phase 2 required improvements, and a pre-plat SIA to allow construction of planned improvements for phase II of the subdivision. The required public improvements are a left turn lane on Elmira Street, the entrance to the subdivision from State Highway 7 (E 160th Ave.) and, an emergency turn around on Geneva Ct. This left turn lane is not needed for development of phase 1 of the subdivision. Specifically, the traffic generated by the 12 homes in phase I of the subdivision does not warrant the need for a left turn lane on Elmira Street. The left turn lane will be required for development of phase II of the subdivision. The Colorado Department of Transportation (CDOT) originally required the emergency turnaround but, CDOT has recently removed this requirement. County staff, however, see a potential need for the emergency turnaround and, also see it as beneficial to the residence. The developer has no objection for this requirement.

Since approval of the SIA, the developer has also acquired additional land and has currently submitted an application to replat sections of phase II of the subdivision to include the new land area to the subdivision. Staff is currently in the final review stage of the replat. However, required public improvements, in what will be Filing 1, are nearing construction completion and to reduce lost time of construction, the developer is requesting a pre-plat SIA for the plat

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currently under staff review to begin construction of required public improvements to minimize delay of the development.

The subject request is consistent with the requirement for approval for SIAs. In addition, staff reviewed the SIA and determined the documents conforms to the requirement outlined in Section 5-02-04 of the County's Development Standard and Regulations

Acceptance of this agreement by the Adams County Board of County Commissioners is to allow for construction of the improvements described and detailed in Exhibit "B" only. Developer acknowledges that execution of this agreement does not include, imply, or guarantee entitlement of the subject parcel, approval of a final plat and/or creation of lots or a subdivision, the issuance of building permits, or the final acceptance of the improvements constructed under this agreement. In the event that the final plat is not approved and/or the improvements or any portion of the improvements described in Exhibit "B" are not accepted, the Developer agrees to rehabilitate the site or areas of the site that are not approved or accepted, including but not limited to removing, at its own expense, the improvements or any portion of the improvements not approved.

As a requirement of the Subdivision Improvements Agreement, the Developer will furnish the County a performance bond, releasable only by the County, to guarantee compliance with this Agreement. Said collateral will be in the amount of \$421,955.67

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community and Economic Development, Public Works, County Attorney.

ATTACHED DOCUMENTS:

Resolution approving a Second Amendment to the Subdivision Improvements Agreement for the Shook Subdivision.

SIA Agreement

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:**Cost Center:**

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

Additional Note: