



## PUBLIC HEARING AGENDA ITEM

<b>DATE OF PUBLIC HEARING:</b> July 14, 2020
<b>SUBJECT:</b> Development Agreement with BZ Properties, LLC
<b>FROM:</b> Jill Jennings Golich, Director, Community and Economic Development Department
<b>AGENCY/DEPARTMENT:</b> Community and Economic Development and Public Works Department
<b>HEARD AT STUDY SESSION ON:</b> N/A
<b>AUTHORIZATION TO MOVE FORWARD:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>RECOMMENDED ACTION:</b> That the Board of County Commissioners approves the Development Agreement with BZ Properties, LLC for the public improvements of a new access driveway, sidewalk, and a drainage facility to support the development of a commercial warehouse at 6180 Broadway St.

### **BACKGROUND:**

The applicant, BZ Properties, LLC, is requesting to enter into a Development Agreement with the County for the public improvements of a new access driveway on E 62<sup>nd</sup> Ave, sidewalk along Broadway Street, and onsite improvements to support the construction of a commercial warehouse building, parking area, and drainage facility. Cash-in-lieu will be supplied for public improvements to the E 62<sup>nd</sup> Ave right-of way. The development is located at 6180 Broadway Street. The subject Development Agreement is required to ensure that public improvements associated with the development are designed and constructed in conformance with County Development Standards and Regulations, and that cash-in-lieu is collected for proposed improvements to 62<sup>nd</sup> Ave. Exhibit "B" of the Development Agreement describes all of the required public improvements to support this development. Exhibit "C" of the Development Agreement describes public improvements for which cash-in-lieu is being paid.

The subject request is consistent with the requirement for approval of the Development Agreement. In addition, staff reviewed the Development Agreement and determined that the proposed improvements conform to the requirements outlined in Section 4-20-06-04 of the County's Development Standard and Regulations. These Standards require a property owner of land abutting a constructed public right-of-way is responsible for the construction and maintenance of curb, gutter, and sidewalk along the right-of-way that is adjacent to the property under development. Maintenance of public right-of-way includes snow removal for pedestrian access.

The Department of Community and Economic Development also reviewed construction documents associated with the development. Final acceptance of the project is contingent upon approval of the Development Agreement.

As a requirement of the Development Agreement, the Developer will furnish to the County a performance bond, releasable only by the County, to guarantee compliance with this Agreement. Said collateral will be in the amount of \$185,341.31.

**AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:**

Community and Economic Development and Public Works Departments.

**ATTACHED DOCUMENTS:**

Development Agreement for BZ Properties, LLC

**FISCAL IMPACT:**

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

<b>Fund:</b>
<b>Cost Center:</b>

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
<b>Total Revenues:</b>			

	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:			
<b>Total Expenditures:</b>			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

**Additional Note:**