



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: 9/15/2020
SUBJECT: Amendment No. 1 to the Subdivision Improvements Agreement for Pomponio Terrace Filing No. 3
FROM: Jill Jennings Golich, Director, Community and Economic Development Department
AGENCY/DEPARTMENT: Community and Economic Development
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves the Amendment No. 1 of the Subdivision Improvements Agreement with Cardel Westminster Townhomes, LLC which places responsibility for certain public improvements to be constructed by the Developer as described in Exhibit "C". These public improvements consist of new sidewalk and drainage improvements as shown in Exhibit "C".

BACKGROUND:

The Developer is the owner of the property located south and east of the intersections of W 70th Ave and Eliot St in Adams County. The developer shall be responsible for the design and installation of entrance aprons, sidewalk, ADA curb ramps, and roadway improvements adjacent to the site.

A Subdivision Improvements Agreement (SIA) was previously approved for this development on May 7, 2019. The original SIA was approved at hearing with the final Plat for the Pomponio Filing No. 3 Subdivision (Case # PRC2018-00002). The original expiration date of the SIA was to be October 31, 2019. The commencement of construction activities was delayed due to un-for-seen circumstances with utilities that are to serve the site. The developer requested and was granted a 180 day, administratively approved, extension to the original SIA completion date; the extended completion date was to be April 29, 2020. However, the Developer was not able to resolve the issue with utilities until recently and has not begun construction of the development. The original Developer, Pomponio Terrace Holdings, LLC has since sold the project to Cardel Westminster Townhomes, LLC. Now that the utility issue is resolved, the new Developer would like to begin construction and is requesting an amended SIA to allow for the construction of public improvements and the issuance of building permits.

The subject request is consistent with the requirement for approval of a Subdivision Improvements Agreement for new development within Adams County. In addition, staff reviewed the Amendment No. 1 to the Subdivision Improvements Agreement and determined

that the proposed improvements conform to the requirements outlined in the County's Development Standard and Regulations.

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 Amendment No. 1 of the Subdivision Improvements Agreement.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community and Economic Development Department.

ATTACHED DOCUMENTS:

Resolution

Amendment No. 1 of the Subdivision Improvements Agreement with Cardel Westminster Townhomes, LLC.

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: