



ITEM REPORT CITY COUNCIL

Agenda Date: 7/16/2024
Agenda Section: Consent Agenda

Department Origination: Public Works

Agenda Item: Approve the Development Agreement for Project Timber Wolf

Approval Required: Simple Majority Vote

BACKGROUND

Project Timber Wolf includes the construction of a new facility in the industrial park on Timberwood Drive. A full submittal package including the preliminary and final plat, CUP application, Civil drawings, and Architectural drawings.

The project includes the road and stormwater extension of Timberwood Drive, along with roadway/sanitary sewer/water main/storm sewer extension of a new east/west road (Janesville Road). Additionally, the project will have site improvements including water main for fire protection, sanitary sewer extension to their facility, and a joint stormwater pond.

The development agreement includes two civil plan sets, one for the roadway improvements and a second set for the private site improvements. The civil plans for the Municipal Installed Improvements the City will take ownership over after the project is completed was by Kimley-Horn and is called "Off-site Improvement Plans for Project Timber Wolf". The second civil plan set includes the Privately Installed Improvements which was drafted by Ryan Companies, this project is called "Project Timber Wolf".

The privately installed improvements proposed with Project Timber Wolf will be maintained by the City of Baxter with the rest of the City of Baxter's water distribution system and sanitary sewer collection system. The City Attorney has drafted a "Construction Repair and Maintenance Agreement for stormwater utilities, sanitary sewer, and water main for Project Timber Wolf" to allow the City of Baxter maintenance staff to maintain the infrastructure. It is important the private hydrants are flushed and the sanitary collection system is maintained to allow the City's system to properly operate. Additionally, to grant the City access to maintain the infrastructure a Permanent Hydrant Access Easement is required.

Due to workload and being such a large project, City staff has reached out to Widseth to assist in the inspection services. This is how the Lofts @ Novotny Project was completed, all costs associated with the inspection services will be included in the Development Agreement and will be a pass-through cost.

The Agreement was initially submitted to the developer at the end of May, attached is the agreement with the Developer's comments staff received after hours on July 11, 2024. City staff is working with the City Attorney to finalize the agreements. The motion includes the contingency of City Engineering and City Attorney's approval.

FINANCIAL IMPLICATIONS

The development agreement includes the costs associated with the development that will be passed along to the developer, this includes the legal fees for drafting the agreement.

STAFF RECOMMENDATIONS

Staff recommend approving the development agreement for Project Timber Wolf.

COUNCIL ACTION REQUESTED

MOTION to approve the Development Agreement for Project Timber Wolf contingent on City Engineering and City Attorney approval.