

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Dana Hornkohl, Capital Projects Manager

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## SUBJECT

**Items Relating to Development Contributions to Construction from The Landing at Lemay Development.**

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## EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 034, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Cordova Road Corridor Project and Related Art in Public Places.

B. Second Reading of Ordinance No. 035, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Vine and Lemay BNSF Overpass Project and Related Art in Public Places.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, appropriate development contributions from The Landing at Lemay development project to the Cordova Road Corridor (Cordova) and Vine and Lemay BNSF Overpass (Vine/Lemay) capital projects. If approved, this item will: 1) appropriate \$226,564 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Cordova project; 2) appropriate \$2,266 (1%) of the development contribution to construction to the Art in Public Places (APP) program; 3) appropriate \$290,163 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Vine/Lemay project; and 4) appropriate \$2,902 (1%) of the development contribution to construction to the Art in Public Places (APP) program. This item also apprises Council of the transfer of \$7,941 (3% of \$264,708) to the Transportation Capital Expansion Fee (TCEF) reserves fund for administering a Landing at Lemay payment to Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

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## FIRST READING BACKGROUND / DISCUSSION

In 2024, TTRES CO Fort Collins Vine, LLC (“Developer”) entered into a Development Agreement (DA) with the City. (Attachment 3) The DA laid out the requirements and conditions for the development of The Landing at Lemay property bounded by North Lemay Avenue (west), Duff Drive (South), and the future extension of Cordova Road (east). The DA contemplated the Developer would make payments for the

improvements listed below that had been constructed and are to be constructed. These payments total \$781,435; the City collected these development contributions to construction in 2025:

1. Future Onsite Cordova Road (DA Section II.D.1): 233.5-feet at \$311 per foot, \$72,619
2. Future Offsite Cordova Road (DA Section II.D.2.a): 495.0-feet at \$311 per foot, \$153,945
3. North Lemay Avenue (DA Section II.D.4): 933.0-feet x \$311 per foot, \$290,163
4. Duff Drive (DA Section II.D.5): \$264,708

The Landing at Lemay's development contributions for Cordova Road (No. 1 and 2) are proposed to be appropriated to the Cordova capital project to aid in the design, acquisition, and construction of Cordova Road between Duff Drive and North Link Lane. Cordova Road is classified as a two-lane arterial roadway on the Master Street Plan adopted by Council on December 5, 2023. The establishment of the alignment and classification of Cordova Road originated with the East Mulberry Corridor Plan adopted by Council on September 17, 2002.

The Landing at Lemay's development contribution for North Lemay Avenue is for the reimbursement to the City for the local access portion of construction of the Vine/Lemay project along the development's frontage. Since the substantial completion of the Vine/Lemay project in December 2021 there have been changes to the Public Right-of-Way Accessibility Guidelines (PROWAG) and the Colorado Department of Public Health and Environment (CDPHE) groundwater discharge permit requirements. The changes impacted the Vine/Lemay project during the warranty period and led to significant additional costs. First, the traffic signal at Buckingham Street/Duff Drive and North Lemay Avenue was not finalized until recently because the intersection has just met warrants for traffic volumes. With the changes to PROWAG, there was a need to rework the accessible ramps and pedestrian push buttons to meet the updated standards. Second, changes to CDPHE groundwater discharge permitting rules led to significant groundwater monitoring costs. It was not contemplated during design and construction that groundwater discharge from the constructed pedestrian underpass would need to be monitored for contaminants. The CDPHE rule changes now require this monitoring. The development contribution to the Vine/Lemay project will help to offset these unforeseen costs.

The Landing at Lemay's development contribution for Duff Drive is a reimbursement of the local access portion of the development's frontage to the prior development to the south that constructed this roadway, Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC. This payment was calculated to be \$264,708. The City is entitled to 3% (\$7,491) as a fee to administer this reimbursement. This administration fee will be transferred to the TCEF reserves fund.

## **CITY FINANCIAL IMPACTS**

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The Landing at Lemay's development contribution to construction payments are allocated to two capital projects in this agenda item, the Cordova Road Corridor project and the Vine and Lemay BNSF Overpass project. The summaries of those project appropriations showing these funds from The Landing at Lemay are below.

The following is a summary of the funding anticipated for the design, acquisition, and construction for the Cordova Road Corridor project.

<b>Prior Appropriated Funds</b>	
Development Contributions to Construction	\$ 500,000
<b>TOTAL PRIOR APPROPRIATION</b>	<b>\$ 500,000</b>

<b>Funds to be Appropriated per this Action</b>	
Development Contributions to Construction	\$ 226,564
<b>Total Funds to be Appropriated per this Action</b>	<b>\$ 226,564</b>

<b>Proposed Transfer to Art in Public Places</b>	<b>\$ 2,266</b>
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<b>Total Proposed Project Funds</b>	<b>\$ 726,564</b>
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The total fund amount for the Cordova project is \$726,564 composed of prior appropriated funds and funds appropriated with this action.

The following is a summary of the funding anticipated for the design, acquisition, and construction for the Vine and Lemay BNSF Overpass project.

<b>Prior Appropriated Funds</b>	
General Fund	\$ 1,477,500
Transportation Capital Expansion Fee (TCEF) Funds	\$ 12,357,869
Transportation Services Fund Reserves	\$ 20,020
Special Revenue and Debt Services Funds	\$ 12,000,000
Conservation Trust Fund	\$ 1,242,000
Keep Fort Collins Great Fund	\$ 1,373,240
Utilities Water Reserves	\$ 850,000
Community Capital Improvement Program (CCIP) Grade Separated Crossing	\$ 500,000
Community Capital Improvement Program (CCIP) Reserves	\$ 283,000
<b>TOTAL PRIOR APPROPRIATION</b>	<b>\$30,103,629</b>

<b>Funds to be Appropriated per this Action</b>	
Development Contributions to Construction	\$ 290,163
<b>Total Funds to be Appropriated per this Action</b>	<b>\$ 290,163</b>

<b>Proposed Transfer to Art in Public Places</b>	<b>\$ 2,902</b>
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<b>Total Proposed Project Funds</b>	<b>\$30,393,792</b>
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The total fund amount for the Vine/Lemay project is \$30,393,792 composed of prior appropriated funds and funds appropriated with this action.

### **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

The Cordova capital project is identified as part of the Master Street Plan adopted by Council on December 5, 2023. The project has not been presented to any board, commission, or committee at this time. It is anticipated that as the project moves forward, it will likely be brought before the Transportation Board and/or Council.

The Vine/Lemay project is substantially complete. Prior to construction, the project was presented to several boards and commissions including Council, Council Finance Committee, Downtown Development Authority Board of Directors, and Transportation Board.

## **PUBLIC OUTREACH**

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Staff will work with the Communications and Public Involvement Office to develop and implement a comprehensive public engagement plan for the Cordova capital project.

Prior to and during construction the Vine/Lemay capital project was presented at numerous public outreach events including open house events held in 2016, 2017, and 2019.

## **ATTACHMENTS**

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First Reading attachments not included.

1. Ordinance A for Consideration
2. Ordinance B for Consideration