



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: Fruita City Council and Mayor

FROM: Planning & Development Department

DATE: May 3, 2022

AGENDA TEXT: RESOLUTION 2022-11, A Resolution accepting the public improvements related to Filing 1 of the Iron Wheel Subdivision.

BACKGROUND

In August 2019, the Fruita City Council approved both the Subdivision Improvements Agreement (SIA for all on-site improvements to the subdivision) and the Development Improvements Agreement (DIA for all off-site related improvements to 19 Road). Prior to these approvals, the City Council approved the Preliminary Plan for Iron Wheel at their August 7, 2018, public meeting, in which the City Council reviewed the entire subdivision. Approval of this Resolution accepts the public improvements for the 19 Road improvements and the public improvements interior to the subdivision (streets, alley, street signs, sewer mains, and sidewalks). Accepting these improvements will begin the standard two-year warranty period required for all public improvements installed by developers. Additionally, the developer has provided the City with a Letter of Credit in the amount of 10% of the overall total costs of construction for both on-site and off-site improvements, this amount will be held for the two-year warranty period as well. The public improvements have been inspected by the City Engineering Department and the Planning and Development Department and have been found to be acceptable to the City to start the two-year warranty period. Additionally, other public improvements such as fire hydrants and water lines have been inspected and approved by their respective entities (Lower Valley Fire and Ute Water). It should also be noted that during the warranty period, any defects in materials or workmanship identified by the City Engineer or Planning & Development Director are to be corrected by the developer.

With that said, Staff is recommending approval of the Resolution accepting the public improvements related to Filing 1 of the Iron Wheel Subdivision.

FISCAL IMPACT

Accepting the public improvements for this portion of the subdivision has a fiscal impact on the City because the City becomes responsible for maintenance of these improvements following the two-year warranty period. Ten percent of the costs of all improvements in the subdivision is held by the City for two years to ensure defects in materials and workmanship for the improvements will be corrected. Within the two-year warranty period, the City will inspect the improvements and if found to be free from defects in materials and workmanship, a final release of the funding guarantee can be requested.

Additionally, Impact fees are collected at the time of planning clearance to help offset the costs of development.

It should also be mentioned that following approval of the Preliminary Plan in 2018, the City of Fruita underwent construction of a major sewer line along the Highway 6 & 50 frontage which is intended to serve development along 19 Road. There is a recapture agreement (reception #2898098) in place to recoup the cost of this sewer line extension for properties that develop along 19 Road that utilize this line.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The process of approving subdivisions, improvements agreements and accepting the public improvements ensures that the City's goal of requiring development to pay its own way is met and that residents and taxpayers of the City are not subsidizing growth.

OPTIONS AVAILABLE TO THE COUNCIL

1. Approve Resolution 2022-11, A Resolution accepting the public improvements for Filing 1 of the Iron Wheel Subdivision.
2. Denial of Resolution 2022-11.
3. Direct staff to research any area of the improvements on which Council has concerns or questions.

RECOMMENDATION

It is the recommendation of Staff that the Council by motion:

APPROVE RESOLUTION 2022-11, A RESOLUTION ACCEPTING THE PUBLIC IMPROVEMENTS FOR FILING 1 OF THE IRON WHEEL SUBDIVISION.