



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE: October 16, 2023

SUBJECT: TRR Community Center & Construction Time Extension Request

ACTION PROPOSED: Consider Time Extension Request

ATTACHMENTS: 1. Letters (2) from Oakwood Homes Development

PRESENTED BY: Matt LeCerf, Town Manager

AGENDA ITEM DESCRIPTION:

The Town entered into a Subdivision Development Agreement (DA) with Clayton Properties Group II, LLC (Oakwood Homes) for Filing No. 12 in September 2021 and Filing No. 15 in April 18, 2022. The DA's included obligations for completion the Community Center on the east side of the subdivision and various road construction projects as detailed below.

Community Center Construction

The Community Center construction is to be completed not later than the issuance of 500 certificates of occupancy by the Town beyond those certificates of occupancy issued for Thompson River Ranch Filing Nos. 1, 3 and 4, or by June 30, 2023, whichever is earlier. Extensions related to this facility have been provided by the Town Council up to September 30, 2023. Currently the facility is near completion. In order to complete the construction of the pool and clubhouse, they are awaiting reinforcement of the gas line to the facility by Xcel Energy. The agreement does not stipulate any consequences for not completing the project by the aforementioned deadline. The applicant has requested approval of an extension to December 31, 2023 to complete the construction project in total. Staff is supportive of this request since the elements preventing completion are outside of the control of the applicant and are related to the efforts of a utility provider.

Paving of High Plains Boulevard (HPB)

Oakwood is also requesting an extension associated with the paving of High Plains Boulevard from the Big Thompson River to 20C as per the Development Agreement for Filing 15. The current expectation for completion was July 31, 2023. The extension request is due to other

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construction work underway on LCR 18 and where the Frontage Road and Ronald Reagan Boulevard intersect. These two construction projects make it difficult already to navigate the general area and the Town has prohibited the construction of the Oakwood project to proceed based on the compounding issue this will have on residents and visitors. Oakwood is requesting an extension to pave this road section until August 31, 2024. Staff is supportive of this extension. I have additionally communicated to Staff that no other construction projects are to be authorized that will prevent this project from being the singular priority in the area and no other roadwork or utility work that would prevent this project from being completed is permitted without my authorization.

Freedom Parkway & High Plains Blvd. Intersection Interim Improvements

Oakwood is also requesting an extension to the intersection improvements at Freedom Parkway (LCR 18) and High Plains Blvd. included in the B-3 of Filing 15 and due for completion by December 31, 2023. These improvements are tied to the development of Filing 15 which the site of this property has not started construction. The request is to provide an extension until September 30, 2024. Given that these improvements are tied to Filing 15 and no certificates of occupancy are expected until 2025, Staff recommends extending the deadline to December 31, 2024.

LEGAL ADVICE:

Not Applicable

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Authorize the extension of time as described below:

- *Community Center Construction* – December 31, 2023
- *Paving of High Plains Boulevard (HPB)* – August 31, 2024
- *Freedom Parkway & High Plains Blvd. Intersection Interim Improvements* – December 31, 2024

Reviewed and Approved for Presentation,



Town Manager

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