



# Town of Johnstown

## TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

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**AGENDA DATE:** February 22, 2023

**SUBJECT:** Water & Sewer Service Agreement – Ledge Rock Center–  
Multifamily North, Phases I & II, with Ledge Rock Center, LLC

**ATTACHMENTS:** 1. Water & Sewer Service Agreement

**PRESENTED BY:** Kim Meyer, Planning and Development Director

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### ITEM DESCRIPTION:

The Developer, Ledge Rock Center, LLC, has received approval for the Ledge Rock Center - Multifamily North development, which is comprised of two phases. For consideration is a Water and Sewer Service Agreement between the Town and the Developer for Phases I & II of the project, which will collectively include six (6) multi-family buildings, containing a total of 504 residential units, a clubhouse, and xeric and irrigated landscape areas. Each phase will include the construction of three of the multifamily buildings.

The WSSA has been drafted to allow for the developer to dedicate the required water prior to commencing each phase:

- Phase I projects a total water demand of 78.13 AF
- Phase II projects a total water demand of 78.33 AF

The developer has previously dedicated 219 AF of water shares to the Town, held in the “Ledge Rock Center Water Bank.” A portion of this water bank has been allocated previously, to the East Ledge Rock Filing No. 3 “Single Family” subdivision recently approved. An additional remaining portion therefrom would be allocated to provide for the raw water credit needed for Phase I of this development as part of the WSSA.

The water for Phase II will be dedicated at a later date, subject to the terms of the WSSA, and shall be accepted by the Town Manager, as evidenced by an executed Phase II Raw Water Authorization form, included as Exhibit B of the WSSA.

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Water Court Transfer Fees for Phase I will be collected, following execution of the agreement and such Fee for Phase II will be collected upon the future execution of the Raw Water Authorization.

In the absence of a development agreement for this project, which typically accompanies larger subdivision projects, this agreement also accounts for the total proportional share of the development, relative to the West Johnstown Water Tank project by requiring a cash-in-lieu fee for the 313 Single Family Equivalents (SFEs), which comprise the overall Multifamily North development.

**LEGAL ADVICE:**

The agreement was prepared by the Town Attorney.

**FINANCIAL ADVICE :**

N/A

**RECOMMENDED ACTION:**

Approve the Water & Sewer Service Agreement for Ledge Rock Center Multifamily North Phases I & II, with Ledge Rock Center, LLC

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*Reviewed and Approved for Presentation,*



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Town Manager

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