



# Town of Johnstown

## TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

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**AGENDA DATE:** August 7, 2023

**SUBJECT:** Water & Sewer Service Agreement – Ledge Rock Center Commercial Building 8 E, 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 multiple land use approvals and permits for the Ledge Rock Center PUD Development, which include approximately 850,000 SF of commercial uses at build out. The presented Water and Sewer Service Agreement provides for the estimated water demand of 9.77 AF for an 85,280 square foot retail building (“Building 8 E”) with a small adjacent irrigated landscape area (0.18 ac), located on the east side of High Plains Boulevard. Irrigation demand of the overall commercial site will be addressed in a separate agreement with the metropolitan district.

This proposed Agreement contemplates the use of water dedicated by the Developer for the first several commercial buildings in Ledge Rock Center. The Developer applied credit from a prior dedication of 219 acre-feet of water. This table summarizes the use and on-going balance of that water, to date:

	<b>Demand (AF)</b>	<b>Dedication:</b>	<b>219.00 AF</b>
Single Family (Filing 3)	106.19	<b>Balance:</b>	112.81
Multi Family North Ph 1	34.68		78.13
Commercial Bldg 8 A/B (Murdoch’s)	9.52		25.16
Commercial Bldg 9	2.24		22.92
Commercial Bldg 10	2.24		20.68
Commercial Bldg 8 E (Woods)	9.77		<b>10.19</b>

A separate water and sewer service agreement was entered into between the Developer and the Town in October 2022 that permits the purchase of water for commercial portions of Phase 1 of Ledge Rock Center through a water bank set aside for this economic development purpose – the

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“Ledge Rock Center Water Bank.” That bank will terminate on December 31, 2025, unless extended prior to that date, and any water remaining will be available for Town use. Town Staff anticipates that water bank will be used to satisfy demands for future buildings and user once the developer-dedicated water credit is exhausted.

**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 Commercial Building 8 E, with Ledge Rock Center, LLC.

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*Reviewed and Approved for Presentation,*



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Town Manager

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