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TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE: January 22, 2025

SUBJECT: Third Amendment To Subdivision Development And Improvement Agreement For East Ledge Rock Center, Filing No. 3

ATTACHMENTS: 1. Third Amendment To Subdivision Development And Improvement Agreement For East Ledge Rock Center, Filing No. 3

PRESENTED BY: Jeremy Gleim, AICP, Planning & Development Director

AGENDA ITEM DESCRIPTION:

In January of 2023, the Town entered into a Subdivision Development and Improvement Agreement (Agreement) with Ledge Rock Center, LLC for Filing No. 3 of East Ledge Rock Center subdivision. That agreement contained standard conditions and requirements for development, along with special conditions unique to the project. Special conditions were included in an exhibit to said Agreement, labeled as Exhibit B-3.

In October of 2023, a First Amendment to the Agreement (First Amendment) was approved by the Town Council. The First Amendment included specific revisions to Exhibit B-3. In June of 2024, a Second Amendment was approved by the Town Council. The purpose of the Second Amendment was to make additional revisions to some of the special conditions listed in Exhibit B-3, specifically to remove the reference to the requirement that the Developer pay a fee associated with construction of the West Johnstown Water Tank, because such fee had been incorporated into the Johnstown Municipal Code and is required prior to issuance of building permits. In addition, a phasing plan was introduced to support the orderly and continued development of the project.

Similar to the previous amendments, the purpose of the proposed Third Amendment is to revise certain special conditions in Exhibit B-3. Some of the conditions have already been satisfied and are being removed. Staff is also proposing to remove certain limitations that were imposed on the project, which is currently preventing development of the north subdivision. This Third Amendment will help keep the project moving forward.

STRATEGIC PLAN ALIGNMENT:

- Quality Infrastructure & Facilities
 - *Establish and maintain levels of service*
 - *Ensure future viability of infrastructure and facilities*

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LEGAL ADVICE:

The Town Attorney prepared the Amendment.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve this Third Amendment to the Subdivision Development and Improvement Agreement for East Ledge Rock Center, Filing No. 3.

Reviewed and Approved for Presentation,

A handwritten signature in blue ink, appearing to be 'WJL', is written over a horizontal line.

Town Manager

The Community That Cares

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