



City Council Communication

AGENDA DATE: March 17, 2025 **LEGISTAR ITEM #:** Reso 2025-041

SUBMITTED BY: Monroe Trotman III **DEPARTMENT:** Community Development

<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Presentation
<input type="checkbox"/> Admin Business	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Other

REQUEST

Resolution 2025-041, if approved, authorizes the City Manager to negotiate a reimbursement agreement with Greystar Development Central, LLC (Greystar) up to \$500,000.00 for the cost of construction for regional drainage improvements to alleviate flooding along Peoria Parkway. The improvements will be constructed as Aberdeen Subdivision Filing No. 3 project located north of E 104th Ave and Peoria Pkwy.

BACKGROUND

Greystar Development Central, LLC, is developing a 336-unit multi-family development on 20.69 acres north of E. 104th Ave and Peoria Parkway. As part of that development, the city is requesting improvements to the Ragweed 2 Drainageway by constructing a large 8' by 3' box culvert underneath the O'Brian Canal. The overall development project is close to final approvals. The Final Plat notice of pending approval was sent to City Council on December 31, 2024 with a deadline for comment by January 14, 2025. The Final Plat is pending recordation.

The City's Henderson Creek Major Drainageway Plan identified several improvements to the Ragweed 2 Drainageway. One of those improvements calls for crossing the O'Brian Canal to a regional stormwater pond owned and maintained by the City. (See attached vicinity map)

The culvert under the O'Brian Canal is required as part of the development. It will help the City implement a significant improvement

CITY COUNCIL COMMUNICATION CONTINUED

identified in the plan that would otherwise be the responsibility of the City through its capital improvements program. This improvement will benefit the city by reestablishing natural regional drainage patterns currently impeded by the Canal. Requiring the developer to construct the improvements in conjunction with their development will likely result in cost savings if the city were to make this improvement independently due to the efficiency of utilizing the developer's already mobilized contractors.

Because of the regional nature of the improvement, the developer is eligible for credit of the City's Drainage Impact Fee up to the amount of impact fees the development would otherwise pay the city due to the proposed development. The city's drainage impact fees are collected with new development to create funding to construct regional stormwater improvements that can't be attributed to any one development or to fund general infrastructure improvements that benefit the city as a whole. The credit of these drainage fees is established through a "reimbursement agreement." The reimbursement agreement will allow credit of drainage fees the development would otherwise pay, but not to exceed \$500,000. Because this is a credit to impact fees due, no budgeted expenditure or revenue is required to fund this request.

Resolution 2025-041 authorizes the City Manager to negotiate an agreement authorizing up to \$500,000 in credits from drainage impact fees generated by the Aberdeen Subdivision Filing 3 project.

FINANCIAL IMPACT

Contractor	Greystar Development Central, LLC
Amount of Request/Contract	\$500,000
Amount Not To Exceed	\$500,000
Amount Budgeted	\$n/a
Budget Year	FYn/a

CITY COUNCIL COMMUNICATION CONTINUED

Funding Source	The future reimbursement agreement mentioned as part of this resolution will provide the developer Drainage Impact Fees credits up to \$500,000. No actual funds from existing drainage impact fees accounts or the city's general fund will be provided to the developer.
Additional Funds Needed	\$n/a
Funding Source (if funds needed)	n/a

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
Spring 2025	24 months after commencement of work
Years and Months of Contract	Number of Times Renewable
24 months	n/a

JUSTIFICATION

<input type="checkbox"/> Council Goal	<input type="checkbox"/> Strategic Plan	<input checked="" type="checkbox"/> Work Plan	<input type="checkbox"/> Legal
Citation	<p>The Henderson Creek Major Drainageway Plan sponsored by Commerce City identified several improvements to the to the Ragweed 2 Drainageway. Improvements associated with this resolution include: Construction of two 8'x3' box culverts crossing the O'Brian Canal. Contractor is responsible for construction of 72" RCP within site and crossing Peoria Pkwy to the south.</p> <p>Prior to this resolution request, the city identified regional drainage improvements required and discussed a partnership with the developer(s) of the Aberdeen site to construct a drainageway crossing under the O'Brian Canal. Our current efforts, align</p>		

CITY COUNCIL COMMUNICATION CONTINUED

	with those previous goals to bring the crossing to fruition.
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BOARDS & COMMISSIONS ASSIGNED

Board or Commission	n/a
Recommendation	n/a
Date of Recommendation	n/a

PUBLIC OUTREACH

n/a

AVAILABLE ACTIONS

<ul style="list-style-type: none">• Available Action #1: Approve Resolution 2025-041 authorizing the reimbursement agreement.• Available Action #2: Deny Resolution 2025-041, but it will likely result in the improvement not being constructed until a later date.

STAFF RECOMMENDATION

Staff recommends approval of Resolution 2025-041
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