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A RESOLUTION APPROVING DRAINAGE EASEMENTS ON CITY PROPERTY LOCATED NEAR THE BISON RIDGE RECREATION CENTER TO CATELLUS CC NOTE, LLC TO ACCOMMODATE STORM DRAINAGE FROM THE TURNBERRY 7 SUBDIVISION

The purpose of this resolution is to authorize the Mayor to execute two drainage easements on City property near the Bison Ridge Recreation Center for the operation and maintenance of a shared pond and pond discharge outfall.

Summary & Background

There is an existing retention pond located on the Bison Ridge Recreation Center property (see Project Map). The pond collects the stormwater drainage from a portion of the recreation center site. The pond's ability to properly drain in compliance with the City's stormwater permit from the Colorado Department of Public Health and Environment (CDPHE) is questionable and reconstruction of the pond is necessary. Further, there is no outlet from the pond causing the pond to retain drainage from the Bison Ridge Recreation Center property.

Turnberry Filing 7 is going through the plan development process. The plat was posted for approval. A detention pond is needed to serve the northern portion of the Turnberry Filing 7 development. During the initial planning process, the City approached the developer to determine if they were interested in partnering to convert the existing retention pond on the Bison Ridge Recreation Center into a shared detention pond. The shared detention pond would be enlarged to accommodate the drainage from the northern portion of the development, and an outfall would be constructed to allow the pond to drain within 72 hours after a rain event. Enlarging the pond will not conflict with future expansions of the recreation center. An outfall is planned to be installed under the O'Brian Canal in order to allow the pond to drain.

A contingent agreement with Catellus CC Note, LLC (developer of Turnberry 7), for the reconstruction of the City owned pond to accommodate storm drainage from Turnberry 7 was approved by the City Council on June 12, 2023. As part of the agreement, the developer agrees to fund and construct the improvements to the pond, acquire the easement from the Farmers Reservoir and Irrigation Company (FRICO) to construct the outfall under the O'Brian Canal, acquire the easement from the property owner located east of the canal to discharge the pond drainage to the Second Creek floodplain, and

provide a means to maintain the pond after the construction is complete.

A temporary construction license will need to be approved by the City Manager prior to construction of the pond improvements. The approval of these two drainage easements will allow maintenance of the pond and discharge outfall by the developer/HOA following the construction of the shared pond. One drainage easement surrounds the limits of the shared pond and the other drainage easement is located on City owned property near the pond discharge outfall (see Project Map). The easements will not be filed until the Turnberry 7 plat is approved and filed.

Staff Responsible (Department Head): Shawn Poe, PE, CFM, Interim Director of Public Works/City Engineer

Staff Presenting: Shawn Poe, PE, CFM, Interim Director of Public Works/City Engineer

Financial Impact: N/A. The developer will pay the cost for the pond improvements and easement documents.

Funding Source: N/A. The developer will pay the cost for the pond improvements and easement documents.

Staff Recommendation: Approve A Resolution Approving Drainage Easements on City Property Located near the Bison Ridge Recreation Center to Catellus CC Note, LLC to Accommodate Storm Drainage from the Turnberry 7 Subdivision.

Suggested Motion: Motion to Resolution Approving Drainage Easements on City Property Located near the Bison Ridge Recreation Center to Catellus CC Note, LLC to Accommodate Storm Drainage from the Turnberry 7 Subdivision.