

Legislation Text

File #: 21-984, **Version:** 1

PRESENTER:

Garry L. Ford, Assistant Public Works Director/City Engineer

SUBJECT:

Approval of the Development Agreement for Roadway Impact Fee Offsets between City and SA Kosta Brown, Ltd., developer of Creekside Farms Subdivision, authorizing payment of excess costs for construction of a section of Orion Drive and additional right of way, and to authorize the City Manager to execute the Development Agreement.

DEPARTMENT: Public Works

COUNCIL DISTRICTS IMPACTED: 4

BACKGROUND INFORMATION:

The City of New Braunfels and SA Kosta Brown, Ltd., developer of Creekside Farms Subdivision, have negotiated a Development Agreement under the City's Roadway Impact Fee Ordinance in Chapter 100 of the Code of Ordinances to pay the excess costs of constructing to minor collector specifications a section of Orion Drive that is abutting or interior to this subdivision and to pay for the additionally required right of way. The developer has constructed the section of Orion Drive which has been accepted and has dedicated the additional required right of way.

The developer is petitioning to be reimbursed for construction costs in the amount of \$456,558.20 and for the dedication of the additional right of way in the amount of \$138,663.00 for a total of \$595,221.20.

Sufficient roadway impact fees have been collected from building permits issued to the Creekside Farms Subdivision, so funds are available to pay the developer. This section of Orion Drive is identified as a minor collector on the City's Thoroughfare Plan and Project 3-AC in the City's Roadway Impact Fee Capital Improvements Plan.

ISSUE:

N/A

FISCAL IMPACT:

Developer will receive \$595,221.20 for the construction of a section of Orion Drive abutting or interior to Creekside Farms Subdivision. The impact will be a reduction in the roadway impact fees collected by the City of New Braunfels in Service Area 3 designated for projects in the Roadway Impact Fee Capital Improvements Plan. The roadway impacts fees paying the developer have been collected from building permits in the

Creekside Farms Subdivision.

RECOMMENDATION:

Staff recommends approval of authorizing the payment of \$595,221.20 to the developer of Creekside Farms Subdivision from the roadway impacts fees collected from this subdivision and authorizing the City Manager to execute the Development Agreement.