

## AGENDA MEMORANDUM

**To:** Honorable Mayor and Members of Town Council

**Through:** David L. Corliss, Town Manager

**From:** Sandy Vossler, Senior Planner, Development Services Department

**Title:** **Resolution Approving the StorQuest – Liggett Road Development Agreement [5.3 acres, located south of the State Highway 85 and Liggett Road intersection]**

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### Executive Summary

KGCB Industries, owner, and The William Warren Group, buyer, have submitted a petition for annexation to the Town, along with an application to be zoned General Industrial (I-2).

Pursuant to Municipal Code Section 17.32.110, at the time of annexation, the applicant shall enter into a development agreement (DA) with the Town to address the required infrastructure improvements, development phasing, open space conveyances, water rights conveyances, Town service obligations and other relevant items.

The key components of the StorQuest – Liggett Road (StorQuest) DA include water dedication, public improvements, and cash-in-lieu obligations.



Figure 1. Vicinity Map

If the StorQuest annexation and zoning request is approved by Town Council, staff recommends approval of the StorQuest Annexation and Development Agreement, as presented (Attachment B).

### Background

The property considered for annexation and zoning consists of four parcels, totaling 5.34 acres, located on Liggett Road south of the State Highway 85 and Liggett Road intersection (Figure 1 and Attachment A). The William Warren Group is under contract to purchase the property with the intent to redevelop the site and construct a StorQuest self-storage facility with outdoor recreational vehicle (RV) storage. KGCB Industries currently owns and operates Castle RV & Mini-Storage on the site.

Planning Commission considered the annexation and zoning proposals in a public hearing held on August 26, 2021 and voted 6 to 0 to recommend approval to Town Council. No members of the public attended the hybrid public hearing.

A development agreement is a legally binding contract between the property owner and the Town. The municipal code requires a public hearing before, and final action by, Town Council only. The owner obligations were, however, summarized in the Planning Commission staff report.

## **Discussion**

The StorQuest DA sets forth standard obligations of the Town and Owner related to the provision of municipal services and the permitted development of the site. The essential elements of the StorQuest DA relative to the proposed annexation, zoning and site development include the following. The DA section has been noted following each description.

Disconnection from the Fire District – The property has been served by the Castle Rock Fire Protection District (Fire District) since 1986. Properties annexed to the Town are required to disconnect from the Fire District, as fire protection for incorporated properties is provided by Castle Rock Fire. (Section 3.03)

Conveyance of Water Rights – The Owner shall convey to the Town, by special warranty deed, any interest they hold in water rights underlying the property being annexed. (Section 4.02)

Water Credit – A credit of 2.67 single family equivalents (SFE) will be established in the StorQuest Water Bank. An SFE is the measure of average annual wholesale water production that must be developed to meet the imputed demand from a single-family residence under the Town regulations. (Section 4.03)

Adjudication – The Owner is not being required to adjudicate the Water Rights prior to conveyance to the Town. The Town may at its sole discretion undertake adjudication and in consideration of the costs of adjudication, the Owner shall pay \$1,130 to the Town. (Section 4.04)

Right of Way Conveyance – The Owner shall convey to the Town real property as right-of-way for the future widening of Liggett Road. (Section 6.01)

Frontage Road Improvements – The Owner shall construct Liggett Road frontage improvements to include sidewalk, curb and gutter, travel lanes, turn lanes, curb ramps, street

lights, lane striping, storm sewer and pavement transitions as necessary to transition into existing lanes north and south of the property. (Section 6.02)

Liggett Road Resurfacing – The Owner shall be required to mill and overlay the westerly half of Liggett Road on the property’s frontage after the installation of necessary utilities. (Section 6.03)

Access to Private Driveway – The Owner shall grant public access easements across the Owner’s property, as necessary, to the private driveway to properties located adjacent to the western and southern property boundaries of the site. (Section 6.04)

North Access to the Property – The proposed north access to the site may allow left turning movements on Liggett Road, until traffic volumes and/or street construction projects require limiting access, at which time access may be restricted to a right-in/right-out movement. (Section 6.05)

Liggett Road Intersection Control – The Owner shall pay to the Town \$6,135, plus interest, it’s pro-rata share, as determined by the traffic analysis provided for the anticipated development of the property, for future construction of a new intersection control that may occur at Liggett Road, Castleton Court, and State Highway 85. (Section 6.06)

Public Land Dedication – The Owner shall pay to the Town \$3,920 as cash-in-lieu of public land dedication required for the property. (Section 7.01)

## **Analysis**

A DA is a legal contract between the Town and property owner. The DA obligations included in the StorQuest DA represent the determinations of Town Departments after review of the proposed annexation, zoning, and associated analyses found in the Traffic Impact Analysis, the Conceptual Utility Report and the Phase 1 Drainage Report. Staff has determined that the proposed agreement satisfies the various community needs to support this annexation and zoning. The William Warren Group has reviewed and accepted the DA as contained in Attachment B.

## **Budget Impact**

The owner obligations established in the StorQuest DA represent the reasonable dedications, public improvements and conditions necessary to address the impacts generated by the proposed development. Additionally, development of the property within the Town will generate development review fees, use tax and impact fees.

## **Findings**

Town staff finds that the proposed obligations outlined in the StorQuest – Liggett Road Annexation and Development Agreement are reasonable and adequate to support the annexation and zoning of the property as proposed.

**Recommendation**

Staff recommends approval of the StorQuest – Liggett Road Annexation and Development Agreement, as proposed.

**Proposed Motion**

*“I move to approve the Resolution, as introduced by title.”*

**Attachments**

- Attachment A: Vicinity Map
- Attachment B: Resolution
- Exhibit 1: Development Agreement