

COMMUNITY DEVELOPMENT
Planning Division

Brighton

**Brighton Charter High School Subdivision
Development Agreement Amendment**

City Council – October 18, 2022

Applicant: Eric Nakos, JVA, Inc.

Property Owner(s): Brighton Charter High School Building Corporation

City Staff Representative: Nick Di Mario, Senior Planner


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Strategic Focus Area

- Recognizable and Well-Planned Community



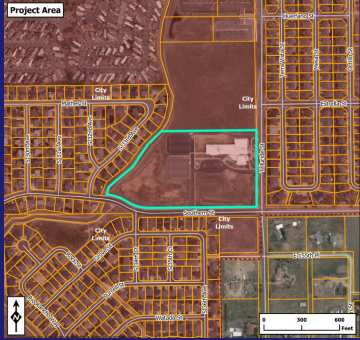
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Subject Property Location

- The property is generally at the northwest corner of the intersection of Telluride St and Southern St.





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Background

- 13.429 acres in size
- Zoned Public Land
- Designated Public Land

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Development Agreement

- Passed via Resolution 07-51 on June 5, 2007
- Exhibit G *Special Provisions* 3.a.
 - Developer shall provide permanent easements, on the Final Plat, for both the westernmost and the easternmost drainage ponds and necessary access thereto.
- Exhibit G *Special Provision* 3.c.
 - Developer/Owner of Brighton Charter High School shall have no responsibility to construct easternmost detention pond.
 - Developer/Owner shall allow unimpeded access to the easternmost detention pond and provide reasonable accommodation to the party that constructs the pond.
- City is responsible for construction and maintenance and a reasonable attempt to construct pond outside of normal school schedule.



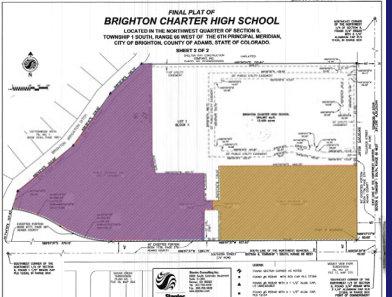
Development Agreement

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Final Plat



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Development Agreement Amendment

- Exhibit G *Special Provisions* 3.a.
 - Developer shall maintain the permanent easement for the westernmost detention pond and necessary access thereto.
 - Developer shall modify, by separate document, the easement for the easternmost detention pond, and said easement will only be for the proposed public storm drainage pipes.
- Exhibit G *Special Provisions* 3.c.
 - The City of Brighton has retained an engineer consultant to analyze existing and future drainage patterns.
 - Analysis has demonstrated that the easternmost detention pond is no longer needed.
 - Developer/Owner is responsible for design, construction and all costs associated with the new storm drainage pipes.

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Easement Modification

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Options for City Council

- ☐ Approve the Development Agreement Amendment via Resolution as drafted;
- ☐ Approve a Development Agreement Amendment via Resolution;
- ☐ Deny the Development Agreement Amendment via Resolution with specific findings to justify the denial; or
- ☐ Continue the Development Agreement Amendment to be heard at a later, specified date if the City Council feels it needs more information make a determination regarding the agreement.

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