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Planning Division

Brighton

Brighton Ridge Metropolitan District No. 1 Boundary Adjustment / Property Exclusion & Amended IGA

CITY COUNCIL MEETING – May 2, 2022

Applicant: Brighton Ridge Metropolitan District No. 1
City Staff Representative: Mike Tylka, *AICP, Assistant Director*
City's Special District Counsel: Butler Snow LLP

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Purpose

- Section IV.A.12 of the Brighton Ridge Metropolitan District No. 1 Service Plan, adopted by City Council on September 7, 2021, states that "the District shall not exclude any properties from its boundaries without the prior consent of the City Council, which consent shall be evidence by resolution."

STRATEGIC FOCUS AREAS

Recognizable and Well-Planned Community

Strong Regional Relationships and Partnerships

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Background

- A Study Session discussion was held on April 12th.
- The requested exclusion area is 17.782 acre subject Property.
- 83.145 acres are in the current District boundaries.

Aerial Map
(Adams County GIS Base Map)

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Staff Analysis / Summary of Findings

- Developer desires that a tax-exempt entity develop the Property.
- Pedcor is said entity and requires exclusion from the District.
- The Property is not contributing to the District's mill levy in the original Service Plan.
- The District will have to show adequate debt capacity and cash flow in relation to assessed value for bond issuance.
- All in-process development applications remain independent.

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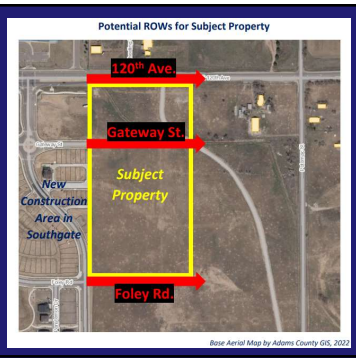
Staff Analysis / Summary of Findings

- There are 3 ROWs for the Property.
- There are specific terms in the proposed Amended IGA.
- Rejoining the District is not automatic and there is a possible additional ROW assurance.



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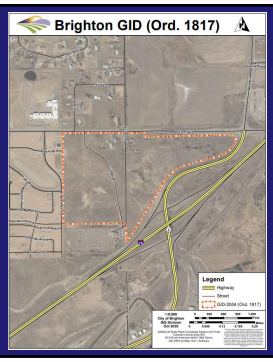
Study Session Follow Up

- The Property is within the South Brighton GID.



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Criteria by Which Council Must Consider the Item

- Per the District's adopted Service Plan, the City Council needs to grant, via Resolution, its consent to any exclusion of land from current district boundaries.

Public Notice and Inquiry

- No public notice is required for action taken on this request by the City Council, but the District will be required to hold a public hearing before the exclusion is finalized.

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Staff Recommendation

- Staff finds that the exclusion request, if approved, does not impede the ability to have the Public Improvements associated with the Property constructed, as long as, the provided amended IGA is approved.
- Staff has scheduled the resolution to amend the IGA before the resolution for exclusion. This is due to the fact that if the amended IGA is not approved, staff recommends that the exclusion not proceed.

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Options for City Council Consideration

The City Council has the following four (4) options before it for consideration for both the amended IGA and exclusion, to:

- Approve the request as submitted via resolution;
- Approve an amended request via resolution;
- Deny the request; or
- Continue the item should more information be desired.

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