



Magpie Property Annexation Agreement

City Council – October 4, 2022

Applicant:

Madison Jones, *Lovett Industrial*

Property Owner(s):

Magpie Run Properties LLC, Connie Surabian, Lazarus Surabian, Ryan Steel, Stacey Wenzel Steel, Betty Mathis

City Staff Representative:

Nick Di Mario, *Associate Planner*



Strategic Focus Area

- Recognizable and Well-Planned Community





Subject Property Location

- The property is generally located to the north of E. 152nd Ave. (E. Bromley Ln.) and east of the Burlington Northern Santa Fe Railroad.





Purpose

- Annexation is regulated by the Colorado Revised Statutes (C.R.S) and is a four step process with the steps as follows.
 1. Petition Accepted by City Council via a Substantial Compliance Resolution #2022-78 (*Completed on July 5, 2022*).
 2. Annexation Eligibility Resolution #2022-93 (*Completed on August 16, 2022*).
 3. 1st Reading of an Annexation Ordinance with a Public Hearing (*Completed on August 16, 2022*).
 4. 2nd Reading of an Annexation Ordinance
 - An Annexation Agreement may be approved via a Resolution at this time.





Background

- 95.105 acres in size;
- Unplatted;
- Zoned A-3 under Adams County



Zoning Map

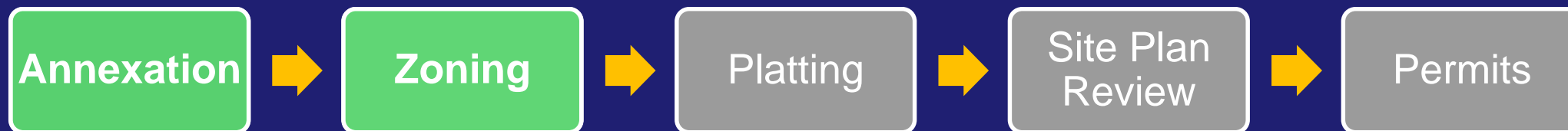
- Within City's growth boundary;
- Designated Agriculture and Natural Resource Conservation.



Future Land Use Map



Process



Annexation:

- Resolution #2022-78 approved on July 5, 2022 (Substantial Compliance).
- Resolution #2022-92 approved on August 16, 2022 (Annexation Eligibility).
- Approved at 1st reading via Ordinance on August 16, 2022.

Zoning:

- Approved at 1st reading via Ordinance on August 16, 2022.

- The purpose of an Annexation Agreement is to generally identify the terms and adopted City Codes, Ordinances, and Master Plans that will apply to the development of the Property.
- Applicable Focus Areas:
 - Transportation
 - Utility Service and Stormwater
 - Zoning





Staff Analysis

Annexation Agreement: Exhibit D Special Provisions

- The Annexor/Developer shall:
 - Dedicate right of way, construct access points, and carry out related right of way and multimodal improvements for developments portion of East Bromley Lane.
- East Bromley Lane: Major Arterial
 - 6 lanes at build-out
 - Center median
 - 8' sidewalk





Staff Analysis (cont'd)

Annexation Agreement: Exhibit D Special Provisions

- The Annexor/Developer shall:
 - Financially contribute to their pro-rata share of the design and construction of the expansion of the bridge structure (flyover) over Interstate 76.





Staff Analysis (cont'd)

Annexation Agreement: Exhibit D Special Provisions

- The Annexor/Developer shall:
 - Design and construct signalized intersections to their interim conditions at the intersection of East Bromley Lane and Frontage Road east I-76, and the northbound and southbound ramps of I-76.





Staff Analysis (cont'd)

Annexation Agreement: Exhibit D *Special Provisions*

- The Annexor/Developer shall:
 - Underground overhead utility lines;
 - Install street lighting along road adjacent to property and any roads constructed at the time of development;
 - Design and construct and/or upgrade if need be, additional water, sanitary and stormwater facilities to serve the property;
 - Satisfy water dedication requirement by dedicating a sufficient number of acre feet to the City;
 - Complete a subdivision plan before platting can take place;
 - Participate in a development agreement at the time of platting;
 - Coordinate reviews, design and construction of property and infrastructure with any and all applicable external agencies; and
 - Maintain existing access for surrounding property owners.



BrightonSM

Staff Recommendation

- City staff finds that the Annexation Agreement is in line with City codes, plans and policies and therefore recommends approval via Resolution.
- The Development Review Committee, Owners and Applicant agree with this recommendation.



Options for City Council

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