

COMMUNITY DEVELOPMENT
Planning Division

Brighton

Swink Property Annexation Agreement

City Council – January 3, 2023

Applicant: Anna Sparks of Innovative Land Consultants, Inc.
 Property Owners: Swink Family Farms LLLP and Alvin W. Swink
 City Staff Representative: Emma Lane, Senior Planner – Historic Preservation

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Strategic Focus Areas

- Recognizable and Well-Planned Community
- Supportive, Sustainable Infrastructure




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Subject Property Location

- The approximately 150.586 acre Property is generally located to the north of East Bromley Lane, to the south of Southern Street, west of South 50th Avenue, and east of the South 45th Avenue alignment.



Aerial Map

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Purpose

- Annexation is regulated by the Colorado Revised Statutes (C.R.S.) and is a four step process with the steps as follows.
 - Petition Accepted by City Council via a Substantial Compliance Resolution #2022-89 (Completed on August 2, 2022).
 - Annexation Eligibility Resolution #2022-108 (Completed on September 20, 2022).
 - First Reading of an Annexation Ordinance with a Public Hearing (Completed on September 20, 2022).
 - Second Reading of an Annexation Ordinance
 - An Annexation Agreement may be approved via a Resolution at this time.



Aerial Map

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Background

The Property:

- Is currently in the process of Annexation into the City.
- Is currently unplatted.
- Is currently zoned Adams County A-3 (Agriculture-3).
- Is within the City's Growth Boundary.
- Is designated Mixed Use Residential and Parks & Open Space within the City's Comprehensive Plan.



Zoning Map

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Process



Annexation:

- Resolution #2022-89 approved on August 2, 2022 (Substantial Compliance)
- Resolution #2022-108 approved on September 20, 2022 (Annexation Eligibility)
- Approved at first reading via Ordinance on September 20, 2022

Zoning:

- Approved at first reading via Ordinance on September 20, 2022


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Review Criteria

- 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 Infrastructure Focus Areas:
 - Transportation
 - Utility Service and Stormwater
 - Zoning
 - Water Dedication



Annexation Map

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Staff Analysis

Exhibit D: Special Provisions

The Developer shall dedicate to the City and fully construct:

- South 45th Avenue as a Collector street section
- South 50th Avenue as a Minor Arterial street section
- Southern Street as a Collector street section
- Frontage Road as a Collector street section
- East Bromley Lane as a Major Arterial street section



Project Area

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Staff Analysis

Exhibit D: Special Provisions

The Developer will design and construct the following intersections:

- Southern Street and South 50th Avenue

The Developer will contribute a pro-rata share of the construction cost of a traffic signal at the following intersections:

- South 45th Avenue and East Bromley Lane
- Private Road and East Bromley Lane
- South 50th Avenue and Frontage Road
- Southern Street and South 40th Avenue

The Developer will contribute to the improvements to the roundabout along East Bromley Lane and Frontage Road.



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Staff Analysis

Exhibit D: Special Provisions

The Developer shall:

- Underground overhead utility lines other than the existing transmission lines;
- Install street lighting along roads 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;
- Install a pedestrian connection running through the existing transmission line easement within the Property, running from the north end to the south end of the Property;
- Complete a subdivision plan before platting can take place;
- Participate in a development agreement at time of platting;
- Make any successors and/or assigns aware of the Community Benefit Incentives as expressed in the Land Use & Development Code Section 5.08; and
- Enter into a Participant Agreement with the School District to benefit the School District 27J Capital Facility Fee Foundation.

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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.

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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.

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