



Legislation Text

File #: ID-394-18, Version: 1

Department of Community Development

Reference: Brighton Crossing Filing No. 2 - School Land Transfer

To: Mayor Kenneth J. Kreutzer and Members of City Council

Through: Holly Prather, AICP - Community Development Director

Marv Falconburg, AICP - Assistant City Manager

Philip A. Rodriguez - City Manager

Prepared By: Joshua M. Tetzlaff, AICP - Associate City Planner

Date Prepared: October 15, 2018

PURPOSE

School District 27J ("District") is requesting that the City convey land to the District that was intended for a school but previously conveyed to the City by plat. Pursuant to Section 17.3 of the Charter, the Council may only convey real property by ordinance or by majority vote of the electors at the option of the Council.

STRATEGIC FOCUS AREA

Strong Regional Relationships and Partnerships

BACKGROUND

The Brighton Crossing Filing No. 2 subdivision is generally located immediately east of N. 50th Avenue, north of Bridge Street and south of Baseline Road. When it was originally platted in December of 2002, there was a parcel contemplated to be conveyed to the District for their use. While normally parcels for this purpose are conveyed directly to the District, this plat conveyed the land to the City to hold until the District needed the land. Recently, the District has expressed interest in developing an elementary school at this location and is ready to take ownership and possession of the parcel.

Currently, the land is annexed into the City and zoned as part of the Bromley Park PUD. The property has also been platted and is current Tract WWW of Brighton Crossing Filing No. 2. Once conveyed, the District will be able to submit plans to the City for review. The review process for all remaining applications will be handled administratively.

CRITERIA BY WHICH COUNCIL MUST CONSIDER THE ITEM

Within the Code, the City does not currently have criteria by which to consider a land transfer under these circumstances. In this case, staff would defer to the original intent of the plat in 2002, which was to place a school on this land for the neighborhood. The District has spoken with staff and is currently drawing up plans for an elementary school at this location.

PUBLIC NOTICE

Specific public notice is not required in this case as this is strictly a legislative act by the City Council.

STAFF RECOMMENDATION

Due to the original intention of the land being used for a school, and with the District ready to develop site plans and construction plans, staff recommends approval of the transfer of this land by special warranty deed to the District. Based on staff's recommendation, a draft ordinance approving this transfer has been provided.

OPTIONS FOR COUNCIL CONSIDERATION

The Council has three (3) choices it can make after reviewing this application. The Council may: (1) approve the transfer of land, (2) deny the transfer of land, or (3) continue the transfer of land to a specific date in the future.

ATTACHMENTS

- Aerial of Land to be Transferred
- Land Transfer Ordinance
- Template Special Warranty Deed
- Draft Presentation