



# Otten Annexation Agreement

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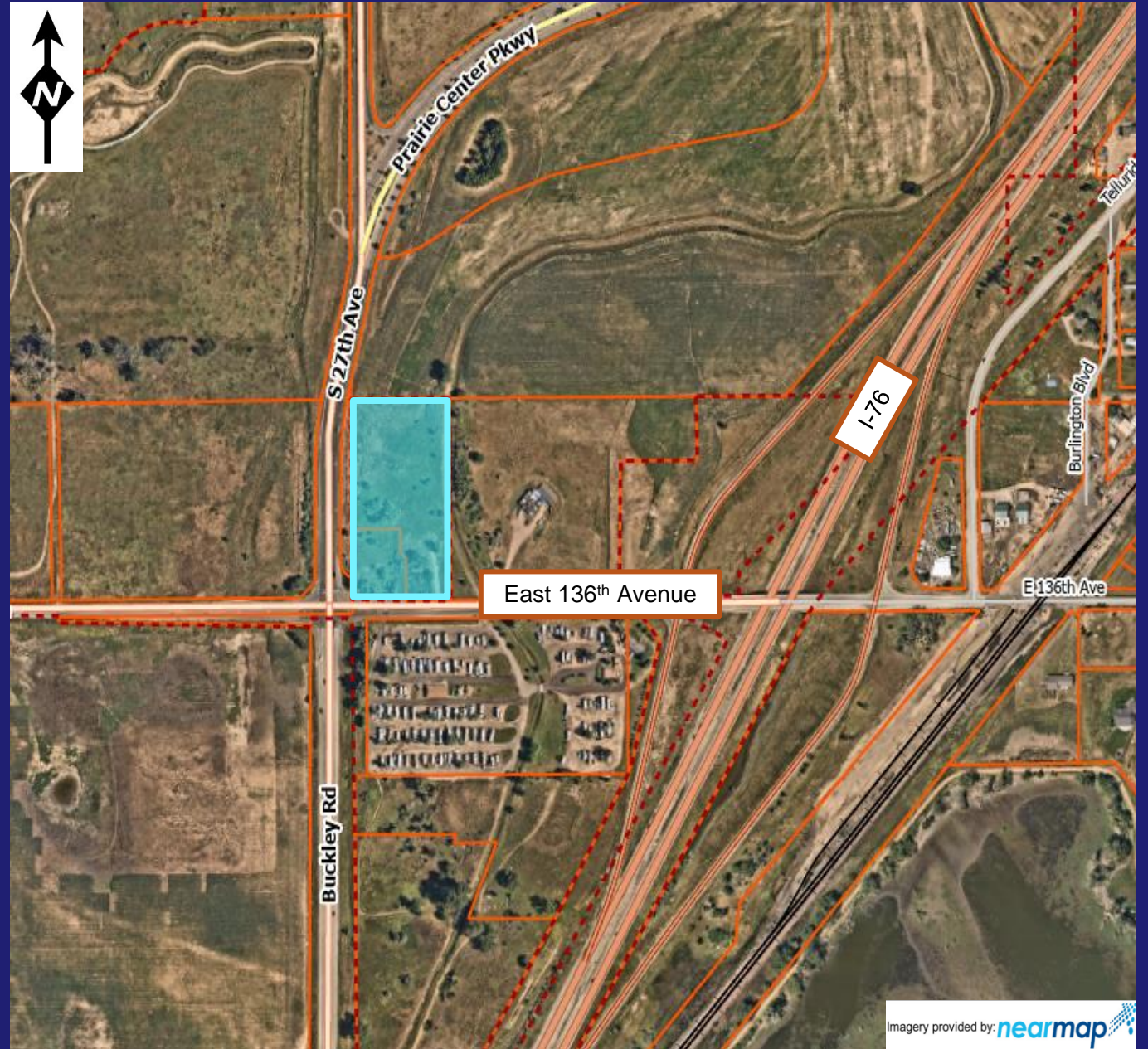
City Council – July 2, 2024

Applicant:	Donald M. Otten Revocable Trust
Property Owner:	Donald M. Otten Revocable Trust
Project Contact:	Thomas Otten
City Staff Representative:	Summer McCann, Senior Planner



# Subject Property Location

- Generally located to the north of East 136<sup>th</sup> Avenue, south of Prairie Center Parkway, east of South 27<sup>th</sup> Avenue, and west of I-76.



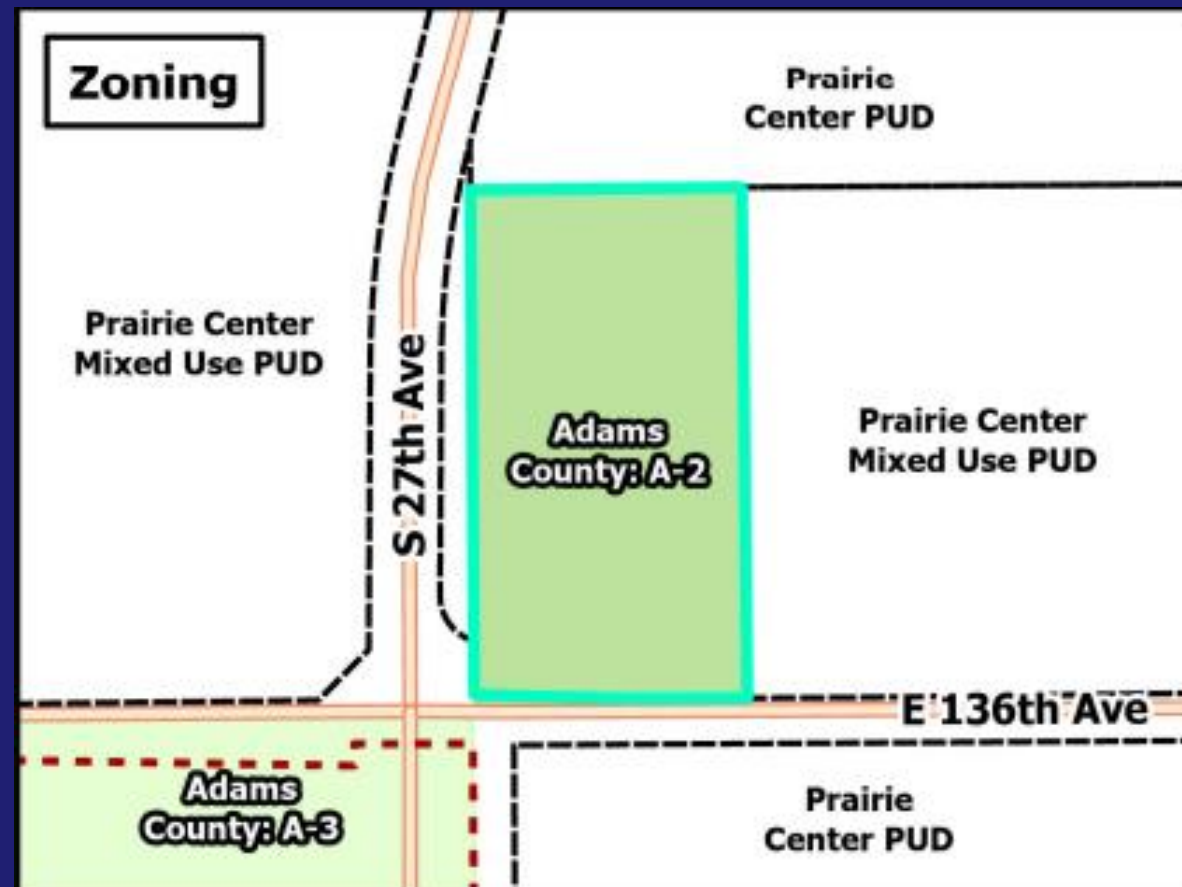
Aerial Map



# Background

The Property is currently:

- Zoned Adams County A-2 (Agriculture-2).
- Unplatted.
- In the process of Annexation into the City.



Zoning Map



# 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 *(Completed on April 2, 2024).*
  2. Annexation Eligibility Resolution *(Completed on May 21, 2024).*
  3. First Reading of an Annexation Ordinance with a Public Hearing *(Completed on May 21, 2024).*
  4. Second Reading of an Annexation Ordinance
    - An Annexation Agreement may be approved via a Resolution at this time.

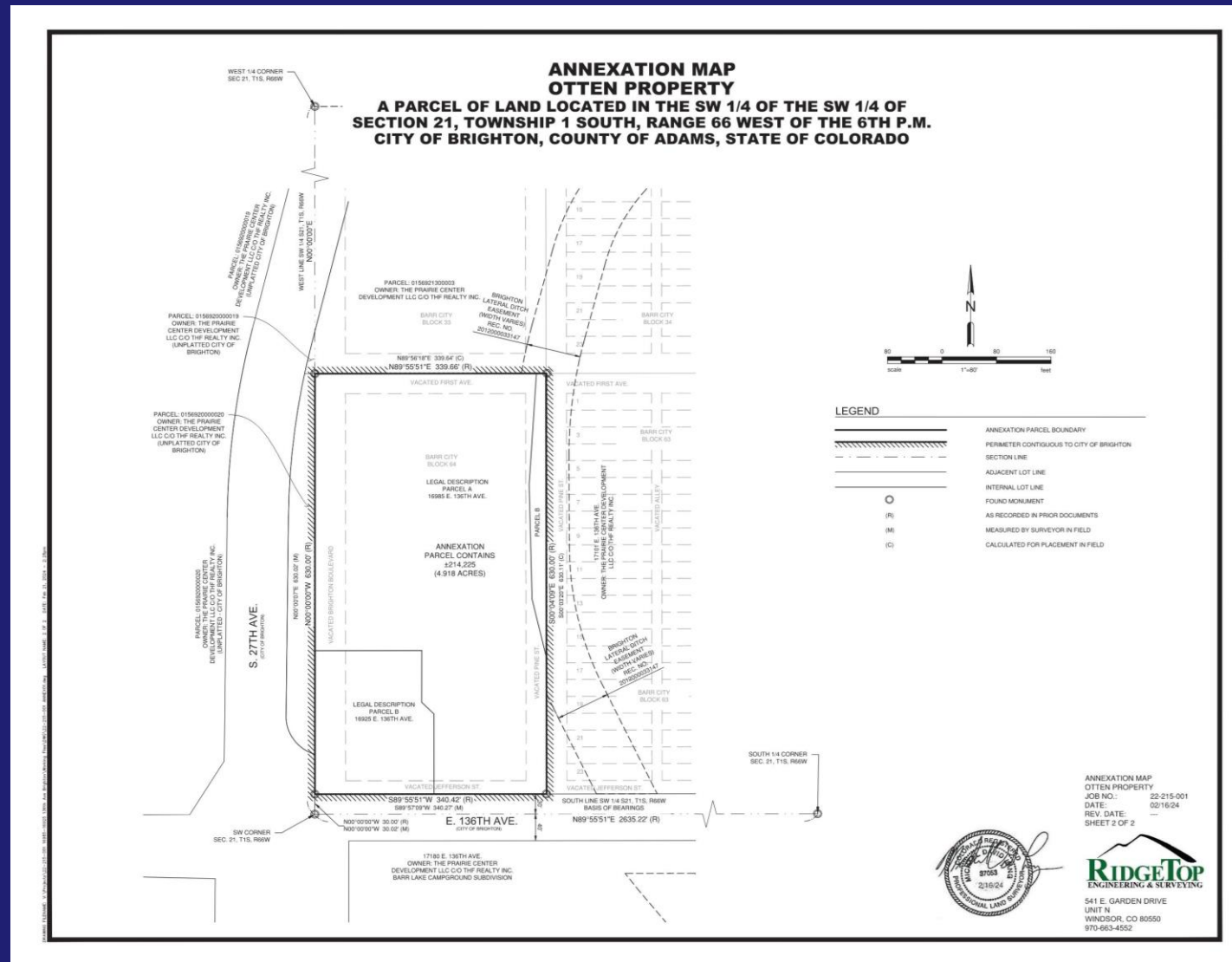


Aerial Map



# 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



Brighton<sup>SM</sup>

# Staff Analysis

## Exhibit D: Special Provisions

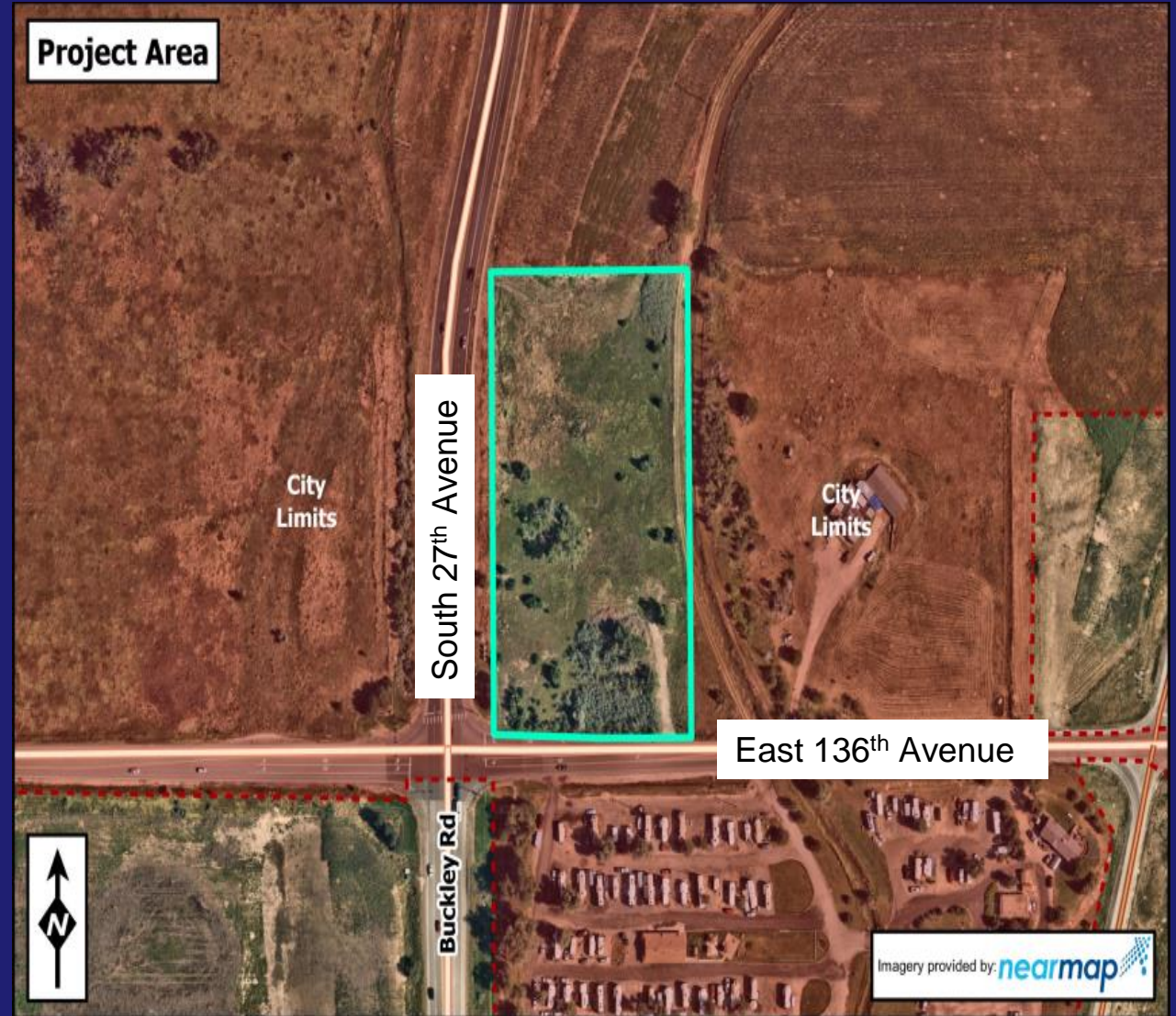
- The Annexor/Developer:

### East 136th Avenue -

- Shall dedicate necessary right-of-way as a Major Arterial street section; and
- Shall construct the extension as a Major Arterial street section along the full frontage of the Property.

### If land is acquired adjacent to South 27th Avenue -

- Shall dedicate necessary right-of-way as a Major Arterial street section; and
- Shall construct the extension as a Major Arterial street section along the full frontage of the Property.

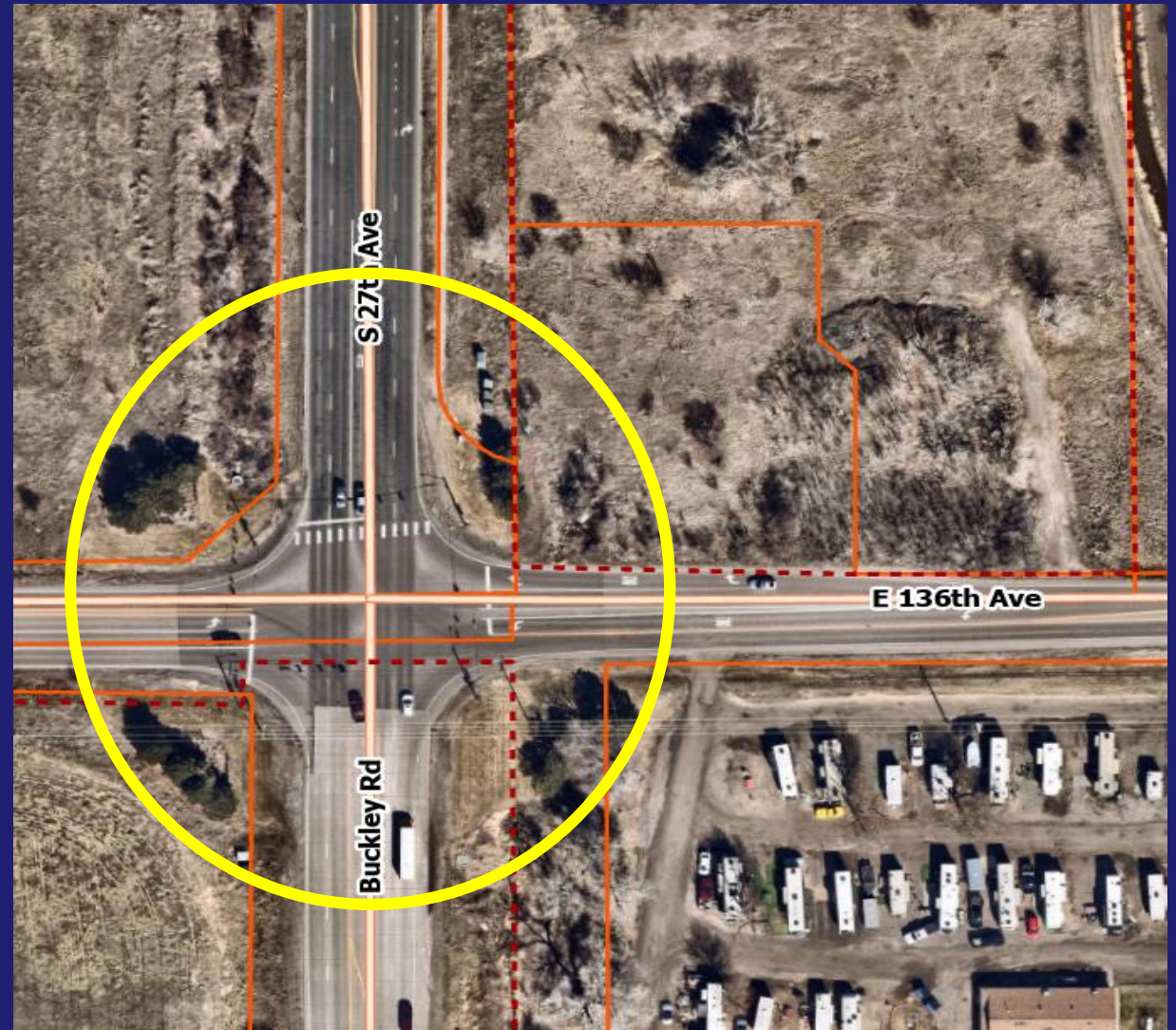


Aerial Map

## Exhibit D: Special Provisions

### Intersection of East 136th Avenue and South 27th Avenue

- Shall complete all required adjacent improvements and/or any other improvements which may be triggered at the time of development.
- Shall either construct or reimburse a pro-rata share of the cost of improving the existing traffic signal.



Aerial Map (NearMap Imagery)



## Exhibit D: Special Provisions

The Developer shall:

- Construct necessary access point(s) to the Property;
- Adhere to the Prairie Center Comprehensive Funding Agreement and either pay the pro-rata share of costs for public improvements or enter into a reimbursement agreement with the applicable Prairie Center entities prior to approval of the Subdivision Plan or Final Plat;
- Underground adjacent overhead utility lines at the time of development;
- Install adjacent street lighting at the time of development;
- Design and construct and/or upgrade if need be, additional water, sanitary and stormwater facilities to serve the property;
- Adhere to Resolution 2016-42 and will pay all applicable fees at the time specified in said Resolution;
- Provide appropriate dedication, or fee-in-lieu of dedication, of parks and open space;
- Satisfy water dedication requirement by dedicating a sufficient number of acre feet to the City;
- Complete a subdivision plan before platting can take place; and
- Participate in a development agreement at time of platting.





## Staff Recommendation

- City staff finds that the Annexation Agreement is in line with City codes, plans and policies and therefore recommends approval via Resolution.



# 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.