



## Legislation Details (With Text)

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<b>Type:</b>	Resolution	<b>Status:</b>		<b>Mayor's Office</b>	
<b>File created:</b>	2/11/2021	<b>In control:</b>		<b>City Council</b>	
<b>On agenda:</b>	3/23/2021	<b>Final action:</b>		<b>3/23/2021</b>	
<b>Title:</b>	A resolution approving a service plan allowing for the creation of the North Meadow Metropolitan District Nos. 1-5.  (Legislative)  Presenter: Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department Peter Wysocki, Director of Planning and Community Development				
<b>Sponsors:</b>					
<b>Indexes:</b>	Metropolitan District, Service Plan				
<b>Code sections:</b>					
<b>Attachments:</b>	1. Resolution, 2. Exhibit 1- 2021 02 19 - Service Plan - North Meadow MD Nos. 1-5, 3. 2- 2021 02 17 - Cover Letter - North Meadow MD Nos. 1-5, 4. 3- 2021 02 19 - Supplemental Letter - North Meadow MD Nos. 1-5, 5. 4- 2021 02 19 - Redline Comparison Service Plan - North Meadow MD Nos. 1-5, 6. North Meadow Metropolitan District Summary R6 2.25.21[2], 7. NMMD CC Worksession Applicant Presentation 030821, 8. Signed Resolution 44-21				

Date	Ver.	Action By	Action	Result
3/23/2021	1	City Council	adopted	Pass
3/8/2021	1	Council Work Session	referred	

A resolution approving a service plan allowing for the creation of the North Meadow Metropolitan District Nos. 1-5.

(Legislative)

### Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department  
Peter Wysocki, Director of Planning and Community Development

### Summary:

This service plan would allow the formation of the North Metropolitan District Nos. 1-5 ("Districts") to finance public improvements cost and provide services for the proposed "BLR North" development located north and south of Woodmen Road immediately north of the Banning Lewis Ranch Master Plan area. District No. 1 is anticipated to function as the operating district, with District Nos. 2-4 anticipated to be residential districts, and District No 5 functioning as a commercial district. No deviations from the Special District Policy model service plan are being requested.

This item was discussed by the City Council Budget Committee on February 23, 2021, and introduced at a Council Work Session on March 8, 2021. There were no Council requests for changes or follow-up based on the Work Session.

**Background:**

These proposed metropolitan districts would provide property tax-based public improvements financing and services for the proposed BLR North project in the west-central part of Banning Lewis Ranch. The overall proposed district area encompasses about 807 acres with designated parcels to be included initially, and other identified as future inclusion areas.

This would be a consolidated service plan with five (5) districts created, one to serve as the operating district, three for residential purposes and one with non-residential uses.

For the residential districts, the service plan allows a service mill levy cap of up to 30.0 mills Gallagher-adjusted back to 2006. District No. 5 would have a Gallagher-adjusted cap of 50.0 mills, provided that it does not contain residential uses. The maximum Gallagher-adjusted operations and maintenance mill levies will be 10.0 mill for all the districts.

Pursuant to the Special District Policy, all future district inclusions must be identified and presented with the initial petition and illustrated on Exhibit C-2 to the service plan. This service plan incorporates part of the full BLR North property in its initial boundaries, but with two larger easterly parcels reserved for future inclusion.

The combined maximum debt authorization for these Districts is proposed to be \$145,000,000, based on about \$141,000,000 in estimated public improvements costs. Based on a request by the Budget Committee, District-specific maximum debt authorization have now also been included in the service plan.

The petitioner has also provided a summary of anticipated costs broken down by category of infrastructure and by district, with assumption also made for the future inclusion areas.

Exhibit D of the service plan authorizes the Districts to perform ongoing operations and maintenance functions including covenant enforcement, parks, streetscapes, monumentation, public art and storm water facility ownership and maintenance, either on property owned by the Districts or on other public properties.

Included as attachments are a clean copy of the most recent version of the service plan including exhibits, along with a “redline” showing insertions into the Model Service Plan.

Included in the Model Service Plan are findings from Section 32-1-203(2), Colorado Revised Statutes that need to be made in conjunction with approval of the Service Plan. In the case of this petition, a specific case could be made by the petitioners that, in the absence of these districts, the ongoing operations and maintenance of the project would be more challenging, and all of the contemplated public improvement amenities and services would not be provided or available.

Colorado Revised Statutes include four criteria for which and affirmative finding must be made in order to approve this service plan, along with five other criteria which may be considered. These are all included within the body of the City’s Model Service Plans and this particular service plan. The four required criteria are as follows:

- There is sufficient existing and projected need for organized service in the area to be serviced by the Districts;
- The existing service in the area to be served by the Districts is inadequate for present and projected needs;
- The Districts are capable of providing economical and sufficient service to the area within its proposed boundaries; and
- The area to be included in the Districts does have, and will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

The petitioner's attached supplemental correspondence dated February 19, 2021 addresses these required criteria and findings.

This property is expected to be included in the Woodmen Road Metropolitan District as a condition of the annexation. During the period that metropolitan district exists (anticipated to be through about 2024) there will an additional overlapping mill levy of about 11.7 mills.

This item was discussed by the Budget Committee at their February 23, 2021 meeting. The Committee requested a categorical accounting of estimated public improvements costs. This is now attached. There was also discussion of the Woodmen Road Metropolitan District, and about the boundary geography including implications for avoiding future complications with overlapping debt and conversion from residential to commercial uses, of vice versa.

**Previous Council Action:**

These would be a new metropolitans districts for this area and property. City Council has previously approved the annexation of these properties along with a master plan and PUD zoning.

This item is currently expected to be heard by Council at their March 23, 2021 meeting.

**Financial Implications:**

There are no direct implications to general City taxpayers and ratepayers outside of the boundaries of these Districts.

**Board/Commission Recommendation:**

**Stakeholder Process:**

The staff-level Special District Committee has been provided with the materials associated with this request. Comments or concerns from the Committee have been addressed in these documents.

**Alternatives:**

- Approve the resolution as presented
- Deny the resolution
- Approve the resolution with changes to the service plan

**Proposed Motion:**

Move to approve a resolution of the City of Colorado Springs approving a service plan allowing for the creation of the North Meadow Metropolitan District Nos. 1-5

N/A