



## Legislation Text

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**File #:** 18-0095, **Version:** 1

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A Resolution approving a service plan allowing for the creation of the Patriot Park Nos. 1 and 2 Metropolitan Districts

(Legislative)

**Presenter:**

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**Summary:**

This service plan would allow formation of the Patriot Park Nos. 1 and 2 Metropolitan Districts.

**Previous Council Action:**

On January 9<sup>th</sup>, 2018, City Council denied an appeal and upheld the City Planning Commission's decision to recommend approval of a re-zoning to allow mixed land uses for the properties in what would be District No. 1 (Ordinance 17-120, File No. CPC ZC 17-00096). Per the approved accompanying Concept Plan, the project will allow approximately 14.4 acres of single-family detached housing at up to 11.99 dwelling units /acre, approximately 8.8 acres of multi-family housing at 25+ dwelling units/acre, and approximately 19.8 acres of private open space, referred to in this memo as the large park (File No. CPC PUP 08-00157-A1MJ17).

This item was introduced at the March 12, 2018 City Council Work Session and was presented to the City Council Budget Committee on March 13, 2018.

**Background:**

The proposed Patriot Park Nos. 1 and 2 Metropolitan Districts, (the "Districts"), are planned to have mixed land uses, including single-family, multi-family residential uses and commercial development. District No. 1 is anticipated to be the commercial district and District No. 2 is anticipated to be the residential district. However, it is possible that both Districts could end up as residential depending on the details of the development plans.

The area of the Initial District Boundaries is vacant at this time and includes approximately 21 acres of commercial property in District No. 1, approximately 45.8 acres of residential property in District No. 2, and a total of 26.3 additional acres is proposed to be included in the Inclusion Area Boundaries found in Exhibit C-2. The Inclusion Area properties are currently developed and their owners may petition for inclusion in the future. The entire Service Area consists of approximately 90.4 acres. The population of the Districts at build-out is projected to be approximately 963 people.

The Service Plan deviates from the Model Service Plan in that the Petitioners are asking for a 15 mill

levy cap for operations and maintenance. The higher operations mill levy is justified by the fact that there are plans for a large park within the boundaries of the Districts that will require additional funds to operate and maintain. At this point the expectation is that this park will be the responsibility of the District or developer for ownership and maintenance.

The combined aggregate amount of debt authorized to be issued by the Districts shall not exceed \$8,000,000, provided that the foregoing shall not include the principal amount of Debt issued for the purpose of refunding or refinancing lawfully issued Debt. The maximum debt service mill levy for a residential district shall be 30 mills (District No. 1) and for a commercial district shall be 50 mills (District No. 2). The proposed service plan contemplates the District providing some ongoing operations and maintenance functions including maintaining landscaping and common areas. These limited operational activities are described in Exhibit D to the service plan.

The petitioners have provided an estimate of eligible public improvements costs for Districts No. 1 and No. 2:

**Patriot Park Metropolitan District No. 1 - Commercial District**  
Summary of Estimated Improvement Costs

Entitlements/platting/engineering	\$ 141,000.00
Platting fees	\$ 436,000.00
Storm water systems	\$ 393,000.00
Site excavation and grading	\$ 177,000.00
Wet utilities	\$ 333,000.00
Concrete curb & gutter/sidewalks	\$ 161,000.00
Asphalt paving	\$ 239,000.00
Erosion control	\$ 90,000.00
Landscaping	\$ 573,000.00
Warranty/misc. expense	\$ 153,000.00
Supervision	\$ 113,000.00
Contingency - 10%	\$ 293,000.00
<b>TOTAL ESTIMATED IMPROVEMENT COSTS</b>	<b>\$3,102,000.00</b>

**Patriot Park Metropolitan District No. 2 - Residential District**  
Summary of Estimated Improvement Costs

Planning & Engineering	\$ 120,400.00
Fees & Permits	\$ 77,475.00
Earthwork	\$ 515,909.40
Sanitary Sewer	\$ 356,095.00
Water	\$ 303,150.00
Storm Sewer	\$ 117,550.00
Curb & Gutter	\$ 128,255.00
Streets	\$ 358,750.00
Landscaping	\$ 402,500.00
Construction Soft Costs	\$ 215,714.75

Amenities	\$ 15,000.00
Contingency	\$ 281,204.79
<b>TOTAL ESTIMATED IMPROVEMENT COSTS</b>	<b>\$2,892,003.94</b>

As part of the March 12, 2018 Work Session introduction and/or the March 13, 2018 City Council Budget Committee meeting, a request was made by at least one Council member to separate out the maximum \$8,000,000 debt authorization between the two Districts. This has been addressed in a revision of page 7 V.A.10 of the proposed service plan, with up to \$4,000,000 now being allowed for each district, and with the combined cap remaining at \$8,000,000.

Questions were asked about the already developed inclusion area shown in Exhibit C-2, and whether the owners were in concurrence with having their properties identified for possible future inclusion, particularly in light of comments made in conjunction with recent Council actions on land use applications associated with these properties. It was reiterated by the petitioner that these inclusions would be voluntary, and the petitions agree to affirmatively contact the potentially effected owners regarding their willingness to be included. Attached is a copy of e-mail documenting this contact has been made and that these owners do not object to having their properties depicted in an inclusion area (although they defer on any actual consent/intent to include).

Council also asked about the area of parks and open space in the District and areas to be maintained and improved. The following information was provided by the petitioner's/developer's planner:

“Total open space areas - 24.75 acres

Included within this total open space area for maintenance:

- 4.2 acres of irrigated areas (formal park, greenbelts, streetscapes)
- 3,600 lf of trails (not including the Sand Creek Regional Trail)
- Full playground & related equipment
- Approximately 5,500 lf of sidewalk along Space Center Drive

Three full spectrum detention ponds on about 5.23 acres”

Also discussed was nexus between the higher operations and maintenance mill levy (at 15.0 mills) and the relatively “affordable” nature of the proposed residential units. The developer’s representatives have noted that, for the residential part of this project, there is an “equivalence” between property taxes generated by a \$225,000 home compared with a \$350,000 home such that a higher tax rate is needed on the lower-valued home assuming the demand for facilities and their maintenance is the same. In other words 10 mills would be sufficient if the homes were of higher value.

A draft City Council resolution is attached along with a copy of the proposed service plan to be approved with exhibits. Also attached is a “redline” service plan showing text insertions and deletions compared with the City’s Model Service Plan, as of February 8, 2018. This redline does not include the most recent change made to the debt authorization language.

**Financial Implications:**

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

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

The staff-level Special District Committee has been provided with the materials associated with this request. As of the date of this staff report, there have been no comments or concerns provided.

**Alternatives:**

City Council has the options of approving or denying the proposed service plan. Council could also approve the service plan with changes.

**Proposed Motion:**

Move to approve a resolution of the City of Colorado Springs approving a service plan for the Patriot Park Nos. 1 and 2 Metropolitan Districts.

A resolution of the City of Colorado Springs approving a service plan for the Patriot Park Nos. 1 and 2 Metropolitan Districts.