



## Legislation Details (With Text)

**File #:** 22-107      **Version:** 1      **Name:** Peak Nos. 1-3 MDs  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 1/31/2022      **In control:** City Council  
**On agenda:** 3/22/2022      **Final action:** 3/22/2022  
**Title:** Resolution approving the Second Amendment to the Service Plan for Peak Metropolitan District Nos. 1-3 to modify the Inclusion Area Boundaries and to allow for Limited Security Services as an Operations and Maintenance Function  
**Presenter:**  
Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department  
Peter Wysocki, Planning and Community Development Director

**Sponsors:**

**Indexes:** Metropolitan District, Service Plan

**Code sections:**

**Attachments:** 1. Resolution, 2. PowerPoint\_PeakMD\_2022\_SP\_Amendment, 3. 2019 Service Plan Amendment-Resolution 22-19, 4. Original Service Plan - Resolution 95-18, 5. Exhibit 1 - 2022 Service Plan Amendment, 6. Signed Resolution 28-22

Date	Ver.	Action By	Action	Result
3/22/2022	1	City Council	adopted	Pass
3/7/2022	1	Council Work Session	referred	

Resolution approving the Second Amendment to the Service Plan for Peak Metropolitan District Nos. 1-3 to modify the Inclusion Area Boundaries and to allow for Limited Security Services as an Operations and Maintenance Function

**Presenter:**

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department  
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**Summary:**

This service plan amendment would allow the Peak Metropolitan Districts Nos. 1-3 (Districts) to include one additional parcel into the boundaries of one of the Districts, and to allow limited security services as an operations and maintenance function. The amendment would also address limits related to the permitting of concealed carry weapons.

These districts were recently created to support development within the Airport Business Park (Peak Innovation Park). Through its Model Service Plan approach, the City requires metropolitan districts to identify areas for initial or future property inclusion, and to affirmatively identify those non-administrative operations and maintenance functions that the district(s) are authorized to perform. These Districts are now requesting a limited service plan amendment to allow inclusion of one additional property being incorporated into the business park, to authorize limited security functions, and incorporate the latest concealed carry language requested by Council. No other changes would be made to the authorities and limitations of the existing service plan, as previously amended.

This property is located in City Council District No. 4.

This item was presented to the City Council Budget Committee on February 22, 2022. There were questions but no requests for changes or additional information.

Note: Later this year a more comprehensive proposal which would allow the creation of additional metropolitan districts within the Peak Innovation Park, is anticipated to be submitted.

**Background:**

The 2006 City Special District Policy and the accompanying Model Service Plans require that service plans identify all non-administrative operations and maintenance functions in Exhibit D of their service plans. These Districts and the Airport are requesting this amendment to accommodate the inclusion of an approximately 10-acre parcel now owned by Colorado Department of Transportation (CDOT). This parcel would be incorporated within the business park. CDOT concurs with the request, The service plan amendment would also authorize the Districts to perform limited supplemental security functions (e.g. operate security cameras and enforce parking requirements). Colorado Revised Statutes allows metropolitan districts to perform these functions, but they do not allow full policing powers.

In this multiple district structure, Districts Nos. 1, 2 and 3 (the “Districts”), are planned to have a variety of non-residential uses associated with the Airport Business Park. District No. 1 is the operating district, with Districts No. 2 and No. 3 to be used as two different commercial districts for phasing reasons (but otherwise being similar with respect to purposes and limitations). The Board of Directors for these metropolitan districts is somewhat unique, structured to be composed of members of the development team, but with the Airport Director of Aviation or their designee formally included as an *ex officio* member.

Procedurally, this amendment would be processed in the form of a limited amendment document to be adopted by resolution. The resolution refers to the original 2018 service plan which will remain in force and effect except as specifically amended by the new document along with the limited 2019 First Amendment.

At the February 22, 2022, Budget Committee meeting, District representatives and the Airport Director responded to questions and clarified that this inclusion would not occur until and unless the property was acquired. It was also clarified that the intended use of this particular parcel would maintain consistency with zoning and related land use requirements associated with protection of Airport operations and addressing impacts.

Note: a complete legal description for the parcel proposed to be included is pending and will need to be attach with the final service plan amendment.

**Financial Implications:**

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

**Board/Commission Recommendations:**

N/A

**Stakeholder Process:**

The staff-level Special District Committee has been provided with the materials associated with this request (although in an expedited fashion). No comments or concerns have been received as of the date this cover memo was last updated.

**Previous Council Action:**

In August of 2018, City Council approved a consolidated service plan ("Original Service Plan") for the Districts (Resolution 95-18). The first amendment to this service plan was approved on February 12, 2019 (Resolution 22-19).

Council has taken various other land use and related actions pertinent to the property including approval of the overall Airport Master Plan in 2011 as well as master plans and concept plan pertaining to the Airport Business Park.

**Alternatives:**

City Council has the options of approving or denying this service plan amendment. Council could also continue the item with specific direction provided to staff and the petitioners.

**Proposed Motion:**

Adopte a Resolution approving the Second Amendment to the Service Plan for Peak Metropolitan District Nos. 1-3 to modify the Inclusion Area Boundaries and to allow for Limited Security Services as an Operations and Maintenance Function