



## Legislation Details (With Text)

**File #:** 22-077      **Version:** 1      **Name:** Tuscan Foothills Village MD  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 1/13/2022      **In control:** City Council  
**On agenda:** 4/26/2022      **Final action:** 4/26/2022

**Title:** A resolution approving the inclusion of property into the Tuscan Foothills Village Metropolitan District that is outside the established boundaries for the district located west of Centennial Boulevard and south of Chuckwagon Road

(Legislative)

**Presenter:**  
Hannah Van Nimwegen, Senior Planner, Planning and Community Development  
Peter Wysocki, Director of the Planning and Community Development Department

**Sponsors:**

**Indexes:** Metropolitan District

**Code sections:**

**Attachments:** 1. Resolution, 2. Exhibit 1- Letter Requesting Inclusion, 3. Staff Presentation, 4. 2016 Service Plan, 5. Signed Resolution No. 51-22

Date	Ver.	Action By	Action	Result
4/26/2022	1	City Council	adopted	Pass
4/11/2022	1	Council Work Session	referred	

A resolution approving the inclusion of property into the Tuscan Foothills Village Metropolitan District that is outside the established boundaries for the district located west of Centennial Boulevard and south of Chuckwagon Road

(Legislative)

**Presenter:**

Hannah Van Nimwegen, Senior Planner, Planning and Community Development  
Peter Wysocki, Director of the Planning and Community Development Department

**Summary:**

This inclusion of property into the Tuscan Foothills Village Metropolitan District ("District") that is outside of the existing boundaries.

The Tuscan Foothills Village Metropolitan District is located within City Council District 1.

This agenda item was introduced at the March 22, 2022, Budget Committee. At that meeting, no major concerns were mentioned. There were a couple of quick clarifying questions asked that are described further in this report. This item was then introduced at a Council Work Session on April 11, 2022, where there were no further questions or comments.

**Background:**

The Tuscan Foothills Village Metropolitan District was created in 2016 to finance street improvements, sidewalks, utility lines, and landscaping within the district boundaries. The initial district boundaries consisted of 17 acres as illustrated in Exhibit C of the 2016 Service Plan, but in 2017 eight (8) additional acres were added to the district. The subject proposal to amend the boundaries of the district adds two parcels to the initial district boundary-one being 3.115 acres and the other 1.011 acres.

The Tuscan Foothills Village development contains a mixture of triplex, duplex, and apartment units and is about half built-out with the requested included parcels being currently undeveloped. Development plans are currently in review for additional townhomes on the subject parcels.

The current service plan allows for a maximum debt service mill levy of 30.0 mills and a maximum Operational mill levy of 5.0 mills (both Gallagher adjusted) until the district's board is made up of residents who can then vote to increase the Operational mil levy up to 10 mills. The service plan outlines a maximum authorized debt of \$1,100,000. These limits would all remain in place if this application is approved. In 2019, the District was approved to issue debt up to their outline maximum of \$1,100,000.

Inclusion of property outside of the inclusion area identified in the service plan requires prior written consent of City Council. Colorado Revised Statutes otherwise allow metropolitan districts to include or exclude any property at the discretion of the districts as long there is a nexus to the purpose of the districts and their financial obligations.

All provisions of the original 2016 service plan for the District continue to be applicable. The proposal does not increase the total debt issuance limitation, the Gallagher-adjusted mill levy caps, or the length of time in which residents are taxed.

District representatives held a neighborhood meeting in early 2022, and the subject inclusion was discussed among other topics. The representatives report that after explanation, none of the residents in attendance were opposed to the inclusion.

This agenda item was introduced at the March 22, 2022, Budget Committee. There were no major concerns, but clarifying questions were asked. It was asked how many residents were in attendance at the neighborhood meeting, and the district representatives said there were about 25. Another Councilor asked on the board's makeup, and the representatives reported that two seats are available and there are two uncontested resident volunteers willing to sit on the Board. The representatives are expecting those individuals to be appointed to the Board in May. District representatives also suggested there is a nexus between the properties to be included and the currently financed improvements. They specifically noted that the one northwesterly inclusion is only separated from the balance of this project by open space dedicated to the City by this developer.

### **Previous Council Action:**

In 2016, City Council approved the service plan for the Tuscan Foothills Village Metropolitan District (Resolution 97-16). In 2017, the City Council approved an inclusion of eight additional acres into the district (Resolution 2-18). In 2019, the City Council authorized the issuance of debt in the form of Limited Tax General Obligation Bonds in the estimated aggregate principal amount of \$1,100,000.

### **Financial Implications:**

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

**City Council Appointed Board/Commission/Committee Recommendation:**

N/A

**Stakeholder Process:**

The staff-level Special District Committee has been provided with the materials associated with this request. The petitioner has addressed the comments that were provided.

**Alternatives:**

City Council has the option to approve or deny this service plan amendment.

**Proposed Motion:**

Adopt a resolution approving the inclusion of property into the Tuscan Foothills Village Metropolitan District that is outside the established boundaries for a district located west of Centennial Boulevard and south of Chuckwagon Road

N/A