



Legislation Details (With Text)

File #: 22-424 **Version:** 1 **Name:** Peak No. 3 MD
Type: Resolution **Status:** Mayor's Office
File created: 6/15/2022 **In control:** City Council
On agenda: 7/26/2022 **Final action:** 7/26/2022

Title: A Resolution approving additional property into the Inclusion Area Boundaries of Peak Metropolitan District Nos. 1-3 for a property in the Airport Business Park.

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

Sponsors:

Indexes: Metropolitan District

Code sections:

Attachments: 1. Resolution, 2. Exhibit 1- Map and Legal for District No. 3 Inclusion, 3. District 3 Inclusion Map, 4. Signed Resolution No. 95-22

Date	Ver.	Action By	Action	Result
7/26/2022	1	City Council	adopted	Pass
7/11/2022	1	Council Work Session	referred	

A Resolution approving additional property into the Inclusion Area Boundaries of Peak Metropolitan District Nos. 1-3 for a property in the Airport Business Park.

Presenter:

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

This resolution would allow the Peak Metropolitan District Nos. 1-3 (Districts) to include one additional parcel into their boundaries. This property is integral to the existing or approved boundaries of the Districts, and its lack of inclusion within the approved Inclusion Area Map was due to an oversight.

A metropolitan district cannot include property outside of its approved inclusion area boundary without City Council approval. Due to the limited nature of this inclusion, and the circumstances surrounding it, a simple resolution is being proposed in lieu of a full service plan amendment.

This item was discussed by the City Council Budget Committee on June 28, 2022, and introduced at a Council Work Session on July 11, 2022.

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

Note: this request is summarized in a combined PowerPoint presentation attached with a prior

associated agenda item.

Background:

When the consolidated service plan for Peak Metropolitan District Nos. 1-3 was approved in 2018, this approximately 6.02 acre parcel was inadvertently omitted from the legal description for areas to be included in one of these three districts in the future. Therefore, specific Council approval is required. This resolution rectifies that error and allows the property to be included in District Nos. 2 and 3. District No. 3 is in the process of issuing debt for its share of public improvement expenses.

In this multiple district structure, District Nos. 1, 2 and 3 (the “Districts”), are planned to have a variety of non-residential uses associated with the Airport Business Park (Peak Innovation Park). District No. 1 is the first phase financing district, with District No. 3 encompassing the second phase of development and financing. Four other metropolitan districts (proposed Peak Metropolitan District Nos. 4-7) are currently being proposed for future development phases. Existing District No. 2 performs operational functions and is expected to overlap the entire project area. The Board of Directors structure for all of 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 permission to include property is being processed as a simple resolution, rather than as a limited service plan amendment. This is because the purpose is to correct an oversight in the legal descriptions submitted at the time of approval of the service plan.

This item was presented at the June 28, 2022 City Council Budget Committee meeting. There were no questions or concerns pertaining to this particular item.

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) along with a second amendment on March 22, 2022 (Resolution 22-88). Council is concurrently considering an agenda item relating to authorization of debt for this District No. 3.

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, last approved in 2006.

Alternatives:

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

Proposed Motion:

Resolution Approving Additional Property into the Inclusion Area Boundaries of Peak Metropolitan District Nos. 1-3 for a property in the Airport Business Park