



# Commerce City

7887 E. 60th Ave.  
Commerce City, CO 80022  
c3gov.com

## Council Communication

File Number: Res 2021-50

**Agenda Date:** 6/21/2021

**Version:** 1

**Status:** ATS Review

**In Control:** City Council

**File Type:** Resolution

### RESOLUTION APPROVING REQUEST BY 27J SCHOOL DISTRICT FOR TRANSFER OF SCHOOL SITE AND DISBURSEMENT OF SCHOOL FEES FOR AN ELEMENTARY SCHOOL AT SOUTHLAWN IN COMMERCE CITY

The proposed resolution authorizes the disbursement of \$2,300,000 in school fees and the transfer of land to 27J School District ("27J Schools") for the purpose of constructing an elementary school in Southlawn. The 27J Elementary School #14 property, at the northwest corner of Walden Street and E. 100th Avenue, was created as part of the Reunion Filing #17 subdivision (recorded June 2004) (Tract E). Tract E was then conveyed to the City in 2004 by Shea Homes to hold until the 27J Schools was ready to develop the property. The City also holds approximately \$2,423,000 in school fees (or cash in lieu of land dedication), a development impact fee, within the area served by 27 Schools.

Section 21-9200 of the City's Land Development Code imposes a school impact fee or land dedication requirement on new residential development and maintains such funds and land for the purposes of building new school facilities to serve the community, and school districts are eligible to receive such funds or land collected within their district. Pursuant to Section 21-9200(5), the City must determine whether the need for the school site is established to the City's satisfaction and may consider:

- (a) whether the school district has formally adopted a plan that designates a location for the site of a future school;
- (b) whether the proposed location is in conformance with the city's comprehensive plan;
- (c) if money is requested, whether the school district has a contract for the purchase of the school site; and
- (d) whether the school district has a site plan with a fully executed development agreement, which includes acreage, fees, and water resources related to the site in addition to other items typically addressed by way of a development agreement;

With the passage of 27J Schools bond program in 2015, the district is ready to move forward with construction of the school. By resolution approved on May 26, 2021, 27J Schools established the need for an elementary school site in the City (Southlawn) and has requested the disbursement of \$2,300,000 collected pursuant to Section 21-9200. By resolution approved on February 23, 2021, 27J Schools has also requested the transfer of Tract E for the location of the school.

Staff believes that transfer of the school fees and Tract E, as requested by 27J Schools, is appropriate under the Land Development Code. Staff is currently negotiating the a quitclaim deed to accomplish the property transfer upon Council's authorization.

**Staff Responsible (Department Head):** Jason Rogers, Deputy City Manager

**Staff Member Presenting:** Steve Timms, Planning Manager

**Financial Impact:** \$2,300,000

**Funding Source:** 27J School Fees

**Staff Recommendation:** Approval.

**Suggested Motion:** I move to approve Resolution 2021-50.