



# Villages East School Site Reversion

City Council Study Session September 2019

# Presentation Outline

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1. Purpose and Background
2. Current Conditions
3. City Council Feedback/Next Steps





# Purpose and Background

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# Purpose

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- To update City Council and obtain direction on the background and history of this school/park site and to alert them of the legal requirements contained within City documents that require reversion of school site to developer unless purchased.

# Background

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- Villages at Buffalo Run East PUD Zone Document approved by City Council in 2000.
- A part of this PUD Zone Document called out a future 14-acre tract of land to be a future elementary school and park.
- In 2001, property was dedicated to city as school and park via Villages East Filing #1 (parcel is currently under city ownership).



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# Background

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- In 2015, the City platted this tract into one lot for the preparation of the neighborhood park construction. (Villages East Filing #8). At this time the City and School District 27J worked together to plan this site to allow for space for both a school and a park to help maximize space (including ball field location).

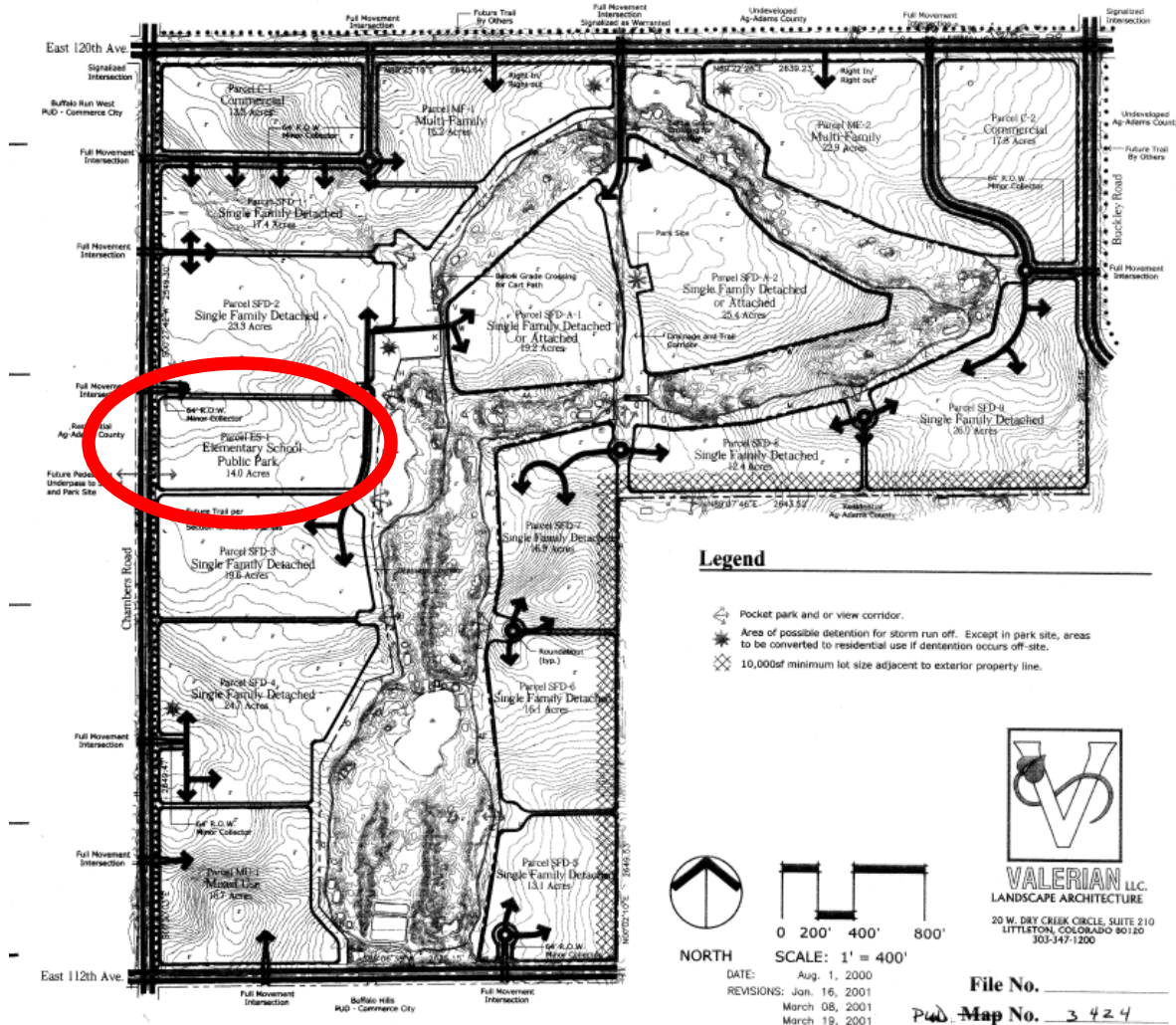


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# Background





# Background



# Background

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- Within the PUD Zone Document and related Development Agreement is a “sunset provision” on this site, which contains the following...

9. The ES-1 parcel is zoned for a combined elementary school and public park site with the following conditions (which are outlined in the Development Agreement - Commerce City dated July 17, 2000, as recorded Book 6220 at Page 0267-0281 of the Adams County, Colorado records): Although the ES-1 parcel will be dedicated at signing of the final plat, if a permanent elementary school facility has not been constructed or is not then being constructed on the ES-1 parcel by the later of (i) ten (10) years from July 17, 2000, or (ii) a date that 80% or more of the aggregate single family residential structures approved in final plats for the Villages at Buffalo Run East and West have been sold to third party purchasers, then five (5) acres of the ES-1 parcel will revert to the Owner but the remaining nine (9) acres shall continue to be owned, maintained and operated as a park by the City. If such reconveyance is required, Owner shall have the right to rezone the five (5) acre parcel that is reconveyed into SF residential lots pursuant to zoning outlined in SFD 1-2 of this PUD Zone Document.

# Background

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- It is not clear how or why this original language was negotiated, as there is not paperwork dealing directly with the topic from 20 years ago.
- Over the past month, developer has notified city that they believe they have met this threshold. City believes that the threshold is close, but has not quite met it yet. Hence, purpose of tonight's presentation.





# Current Conditions

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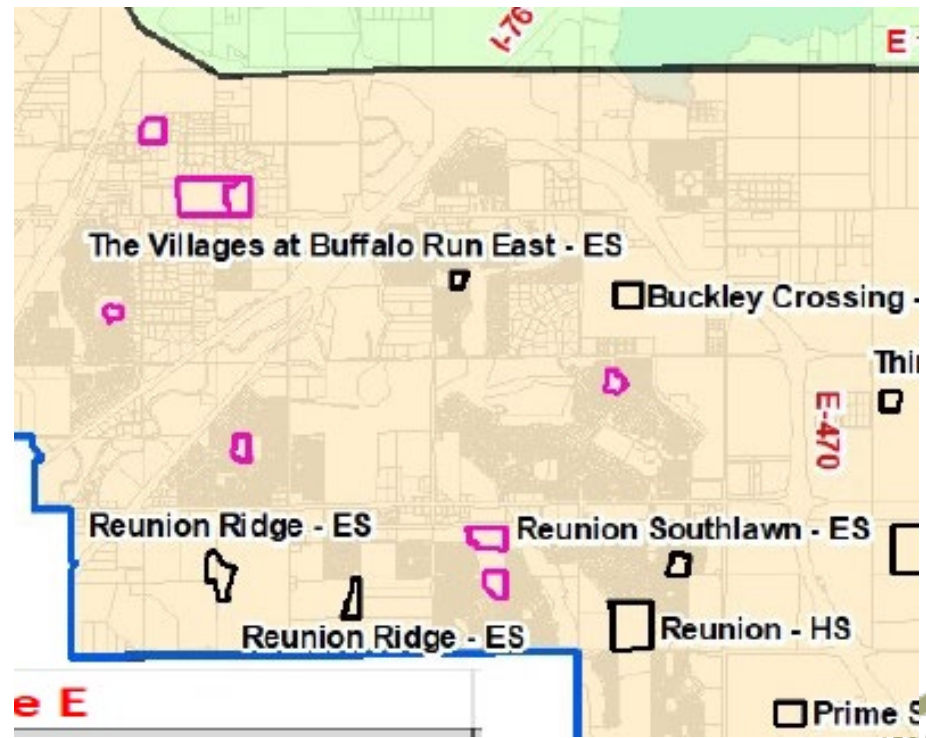
# Current Conditions

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- This site is identified in the City's Comprehensive Plan as a school and park site.
- Park is constructed and in full use.
- School portion is vacant. 27J has identified this site as a future elementary school location through multiple long range studies to serve students in the area, but does not have any funds to construct it. While it is smaller than traditional elementary school sites, 27J does have a concept plan to fit on the property.

# Current Conditions

## Future Land Use Map and 27J Long Range Map





# Feedback and Discussion from Council and Next Steps

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# Feedback- Potential Options

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Staff recommends giving the property back to the developer under option #1 below. 27J wants the site but does not want to pay for it and is ok if it reverts back to the developer.

Staff would like to get direction from Council on the following options:

- 1) Give 5 acres back to developer, as outlined in the Development Agreement, to construct single-family homes and 27J can locate, buy, and entitle future land for Elementary School site in the area.
- 2) Purchase the site with funds TBD. School district has stated they do not want to buy land. They have also stated that elementary school sites are typically 10 acres in size, so while possible, the site would be tight. Other potential educational options needing less acreage include future preschool or special needs school. Parks division has stated they do not want to buy or need additional land for neighborhood park.





# Questions and Discussion

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