



Legislation Text

File #: 22-673, **Version:** 1

To: Board of County Commissioners

Through: Bryan Weimer, Director, Public Works and Development

Prepared By:

Emily Gonzalez, Engineer II, Public Works and Development

Subject:

Copperleaf Filing No. 30 Warranty Deed - Roadway (Case No. PF21-007)

Purpose and Request:

The Board of County Commissioners is requested to adopt a resolution accepting the Warranty Deed for roadway improvements associated with the Copperleaf Filing 30 development.

Background and Discussion: A Final Development Plan and Subdivision Plat are currently in process for a multi-family development located on the south west corner of Copperleaf Boulevard and East Quincy Avenue. In conjunction with the project, the developer is required to construct a right turn deceleration lane into the site, off of Copperleaf Boulevard, as part of their frontage improvements. In order to meet requirements for turn lane storage and taper length, additional right-of-way is required from the parcel adjacent to the development to the north (Copperleaf Filing 19, Tract A). The developer has prepared a warranty deed signed by the adjacent property owner, in order to deed the land to the County for the purpose of roadway improvements.

The Copperleaf Development has a recorded Declaration of Covenants that imposes on all tax exempt properties within the bounds of the Copperleaf Metropolitan Districts an obligation to make payment in lieu of taxes (PILOT) payments to the applicable Copperleaf Metropolitan District. The payments are for purposes of funding the cost of the public improvements that have been required to support the Copperleaf development. Since the property conveyed by this deed is for a public road that will be maintained by the County, staff did not think it appropriate that the County would have to pay the PILOT based on its ownership of a county road. Accordingly, as part of the conveyance here, Engineering Staff has required and obtained from the Copperleaf Metropolitan District No. 1 a waiver of the PILOT obligation, which will be recorded with the Warranty Deed.

Alternatives: The Board could choose not to accept the warranty deed. The storage length of the turn lane would need to be reduced, or the taper made more abrupt in order to fit the full right turn deceleration lane into the Right-of-Way being dedicated by the Copperleaf Filing 30 developer.

Fiscal Impact: The County would be responsible for ownership and maintenance of the public improvements included in the subject property.

Alignment with Strategic Plan:

- ☐ Be fiscally sustainable
- ☒ Provide essential and mandated service
- ☒ Be community focused

Concurrence: This request was reviewed and is supported by the Public Works and Development Department and County Attorney's Office.

Resolution: Draft resolution attached.