

ORDINANCE NO. 018, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE SALE OF THE REAL PROPERTY LOCATED
AT 906 EAST STUART STREET TO PLANET SCALE LIMITED

WHEREAS, the City has owned the real property located at 906 East Stuart Street (the "Property") since 1985; and

WHEREAS, the Property was purchased with Community Development Block Grant (CDBG) funding for the purpose of providing childcare for low-income families; and

WHEREAS, since acquiring the Property the City has leased it to private entities to conduct childcare, preschool or early education activities; and

WHEREAS, the Property has remained vacant since 2016 when the last tenant terminated its lease to move to a new location; and

WHEREAS, the CDBG requirements for use of the Property have expired; and

WHEREAS, the City has no current or future identified use for the Property, and attempts to lease the Property have been unsuccessful; and

WHEREAS, because the City continues to incur maintenance costs and for the Property, has some liability exposure in keeping the Property, and there is no foreseeable City use of the Property, staff is recommending the Property be sold and the proceeds be placed in the General Fund for use as Council sees fit; and

WHEREAS, City staff has marketed the Property in the open market, and has identified the highest bid of \$291,000, which is consistent with fair market value, submitted by Planet Scale Limited; and

WHEREAS, Planet Scale Limited intends to redevelop the Property into a four-unit housing project and has agreed to execute a 20-year restrictive covenant on the Property that will require a minimum of one affordable housing unit in conformance with the City's Land Use Code; and

WHEREAS, Section 23-111(a) of the City Code authorizes the City Council to sell, convey or otherwise dispose of any interests in real property owned by the City, provided the City Council first finds, by ordinance, that such sale or other disposition is in the best interests of the City; and

WHEREAS, under Section 23-114 of the City Code, any sale or lease of City property interests must be for an amount equal to or greater than the fair market value of such interests unless the City Council determines that such sale or lease serves a bona fide public purpose based on the five factors listed in Section 23-114; and

WHEREAS, the City Council finds that the sale is in the best interests of the City and its citizens in that it will eliminate the City's ongoing maintenance expenses and liability risk, generate fair market sale proceeds that can be used to advance City Council priorities, and allow the property to be utilized in its highest and best use as determined by the marketplace.

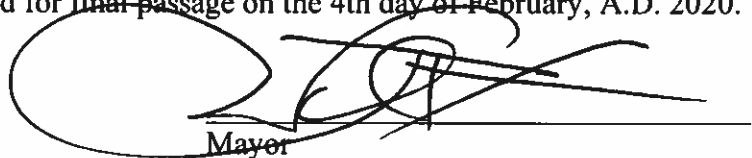
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby finds that the sale of 906 East Stuart Street to Planet Scale Limited as provided herein is in the best interests of the City.

Section 3. That the Mayor is hereby authorized to execute a deed and such other documents as are necessary to convey the Property to Planet Scale Limited on terms and conditions consistent with this Ordinance, together with such other additional terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary and appropriate to protect the interests of the City or effectuate the purposes of this Ordinance, including but not limited to any necessary changes to the legal description of the Property, as long as such changes do not materially increase the size of the parcel to be conveyed.

Introduced, considered favorably on first reading, and ordered published this 21st day of January, A.D. 2020, and to be presented for final passage on the 4th day of February, A.D. 2020.


Mayor

ATTEST:


City Clerk



Passed and adopted on final reading on the 4th day of February, A.D. 2020.


Mayor

ATTEST:


City Clerk

