

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 11

DATE: February 5, 2008

STAFF: Helen Matson

SUBJECT

Second Reading of Ordinance No. 005, 2008, Authorizing Conveyance of an Easement for Two Pedestrian Bridges to Poudre Valley Health Care, Inc., d/b/a Poudre Valley Health Systems ("PVH").

RECOMMENDATION

Staff recommends adoption of this Ordinance on Second Reading.

EXECUTIVE SUMMARY

PVH has a project development plan known as "Poudre Valley Hospital Parking Structure and Medical Office Building" ("the Project"), approved by the Planning and Zoning Board on September 20, 2007. This plan includes the construction of a new employee parking structure and a new medical office building. Also as part of the plan, PVH desires to construct two pedestrian bridges. One of the proposed bridges will span Garfield Street and the proposed second bridge will span Lemay Avenue. This Ordinance, unanimously adopted on First Reading on January 15, 2008, authorizes the conveyance of the easement area needed to construct the pedestrian bridges.

ATTACHMENTS

1. Copy of First Reading Agenda Item Summary - January 15, 2008.

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 15

DATE: January 15, 2008

STAFF: Helen Matson

COPY

SUBJECT

First Reading of Ordinance No. 005, 2008, Authorizing Conveyance of an Easement for Two Pedestrian Bridges to Poudre Valley Health Care, Inc., d/b/a Poudre Valley Health Systems ("PVH").

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

FINANCIAL IMPACT

Compensation due for this easement is \$1,500 and is based on estimated market value of property in the area and has been adjusted to reflect the estimated impact to the dedicated right-of-way for Lemay Avenue and Garfield Street. All costs for construction, reconstruction, repair and maintenance will be the responsibility of PVH.

EXECUTIVE SUMMARY

PVH has a project development plan known as "Poudre Valley Hospital Parking Structure and Medical Office Building" ("the Project"). The plan was approved by the Planning and Zoning Board on September 20, 2007. This plan includes the construction of a new employee parking structure and a new medical office building. Also as part of the plan, PVH desires to construct two pedestrian bridges. One of the proposed bridges will span Garfield Street and the proposed second bridge will span Lemay Avenue. PVH is still working getting the final plans approved.

BACKGROUND

The project will include the construction of a new four-level employee parking structure to be located at the northwest corner of Lemay Avenue and Garfield Street and the construction of a new four-story medical office building at the southwest corner of Lemay Avenue and Garfield Street. To provide safe access from the parking structure and the medical office building, PVH is requesting an easement from the City for the construction of two pedestrian bridges spanning Lemay Avenue and Garfield Street.

COPY

The proposed bridges will be constructed at the third level of the parking structure and the medical office building and will connect the medical office building to both the parking structure and the hospital. These bridges are not public bridges; they are being constructed for medical personnel and employees of PVH. The only time PVH foresees that the public would use the bridge across Lemay would be if a patient is seen in the medical office building and it is determined that they need to be admitted to the hospital. In that situation, the patient would be taken by PVH employees over the Lemay bridge.

The requested easement area for the proposed bridge over Garfield Street is 720 square feet and the requested easement area for the proposed bridge over Lemay Avenue is 1,081 square feet. The design of these bridges calls for a clearance of 17 1/2 feet from the surface of Lemay and Garfield. With this clearance, all normal use of the road will remain the same, with the exception of over-sized loads. In the future all over-sized loads would need to be re-routed from this section of Lemay Avenue. Currently, very few over-sized trucks use this area of Lemay Avenue and staff does not anticipate that the use of this area by over-sized trucks will increase.

Staff has worked with PVH to negotiate the terms of the easement. The easement for the bridges will continue until the bridge structures are removed or until the City Engineer determines the structures are failing. If failure is determined, PVH would be given a time period of 18 months to repair or replace the structures.

All costs for the construction, reconstruction, repair and maintenance will be paid by PVH. During the term of the easement, PVH will be required to carry general liability insurance and during construction or reconstruction, commercial vehicle liability insurance is required. All policies shall name the City as additional insured.

The Ordinance authorizes the easement under the terms and conditions as discussed above.

ATTACHMENTS

1. Location map.

COPY

ORDINANCE NO. 005, 2008
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING CONVEYANCE OF AN EASEMENT
FOR TWO PEDESTRIAN BRIDGES TO POUFRE VALLEY
HEALTH CARE, INC. d/b/a POUFRE VALLEY HEALTH SYSTEMS

WHEREAS, Lemay Avenue and Garfield Street are dedicated street rights-of-way of the City; and

WHEREAS, Poudre Valley Health Care, Inc., d/b/a Poudre Valley Health Systems ("PVH") has obtained approval from the City of a project development plan for the project known as "Poudre Valley Hospital Parking Structure and Medical Office Building" ("the Project"); and

WHEREAS, as a component of the Project, PVH has requested that the City grant an easement to PVH for two proposed pedestrian bridges ("the Easement"), which will be for the use of medical personnel and employees of PVH, within those areas more particularly described on Exhibits "A" and "B", attached hereto and incorporated herein by this reference (the "Easement Areas"); and

WHEREAS, under the terms negotiated by City staff the Easement would to continue until the bridge structures are removed, or until the City Engineer determines the structures are failing; and

WHEREAS, the required compensation for the Easement, based on fair market value and estimated impact to the road right-of-way, is \$1,500 and PVH will be responsible for any costs associated with construction, reconstruction, repair and maintenance of its improvements within the Easement Areas; and

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

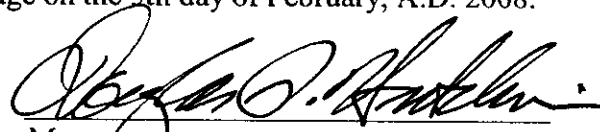
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the Council hereby finds that the conveyance of the Easement consistent with the terms of this Ordinance is in the best interests of the City of Fort Collins.

Section 2. That the Mayor is hereby authorized to execute the Easement Agreement and such other documents of conveyance as are necessary for the City to convey the Easement to PVH consistent with the terms of this Ordinance, along with such modifications, amendments, or additions thereto as the City Manager, in consultation with the City Attorney, determines to be necessary or appropriate to protect the interests of the City, including any necessary corrections

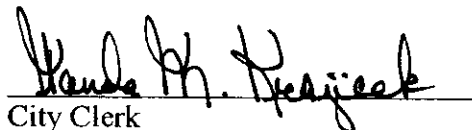
to the legal descriptions of the Easement Areas that do not materially increase the size or change the character of the property interests to be conveyed.

Introduced, considered favorably on first reading, and ordered published this 15th day of January, A.D. 2008, and to be presented for final passage on the 5th day of February, A.D. 2008.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading on the 5th day of February, A.D. 2008.

Mayor

ATTEST:

City Clerk