

**DATE:** March 15, 2011  
**STAFF:** Helen Matson  
Kayla Ballard

**AGENDA ITEM SUMMARY**  
FORT COLLINS CITY COUNCIL

**12**

**SUBJECT**

Second Reading of Ordinance No. 027, 2011, Authorizing the Lease of City-Owned Property Located at 2313 Kechter Road for Up to Five Years.

**EXECUTIVE SUMMARY**

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The City acquired the property located at 2313 Kechter Road as part of the Affordable Housing Land Bank Program in January 2006. Located on the 15.9 acre property is a single family house and three outbuildings. Ordinance No. 027, 2011, unanimously adopted on First Reading on March 1, 2011, authorizes the lease of this property.

**STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on Second Reading.

**ATTACHMENTS**

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1. Copy of First Reading Agenda Item Summary - March 1, 2011  
(w/o attachments)

**DATE:** March 1, 2011  
**STAFF:** Helen Matson  
 Kayla Ballard

**AGENDA ITEM SUMMARY**  
 FORT COLLINS CITY COUNCIL

18

**SUBJECT**

First Reading of Ordinance No. 027, 2011, Authorizing the Lease of City-Owned Property Located at 2313 Kechter Road for Up to Five Years.

**EXECUTIVE SUMMARY**

The City acquired the property located at 2313 Kechter Road as part of the Affordable Housing Land Bank Program in January 2006. Located on the 15.9 acre property is a single family house and three outbuildings. This property has been leased since 2006.

**BACKGROUND / DISCUSSION**

The City acquired this property as part of the Affordable Housing Land Bank Program (the "Land Bank Program"). The property is composed of 15.959 acres of development land. The property is improved with a 2,967 square foot single family house and three outbuildings and can be used as a horse facility by the tenant. The tenant will be allowed to board up to four horses owned by the tenant.

One of the original goals of the Land Bank Program was to hold land for a minimum of five years before possibly developing the land. However, due to the economic downturn, the City will continue holding and leasing the property until the market becomes stable. Leasing the property during this time period generates revenue for the program, eliminates ground maintenance and discourages vandalism in empty structures. During the interim, the City will lease the residence as a horse property with acreage.

The City has leased this property since it was purchased in 2006 and desires to continue leasing the property.

**FINANCIAL / ECONOMIC IMPACTS**

Rent collected from this lease will result in at least \$19,200 in unanticipated revenue to the Advance Planning Affordable Housing Program. The tenant will pay all utilities and provide ground maintenance.

**STAFF RECOMMENDATION**

Staff recommends adoption of the Ordinance on First Reading.

**ATTACHMENTS**

1. Location map

ORDINANCE NO. 027, 2011  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE LEASE OF CITY-OWNED PROPERTY AT  
2313 KECHTER ROAD FOR UP TO FIVE YEARS

WHEREAS, on April 17, 2001, the City Council adopted Ordinance No. 048, 2001, amending Chapter 23 of the City Code by the addition of a new Article XI entitled "Land Banking"; and

WHEREAS, in Ordinance No. 048, 2001 the City Council determined that the acquisition of real property in order to ensure the property will be available for future development to provide housing for extremely low and very low income families would be in the best interests of the citizens of the City; and

WHEREAS, Ordinance No. 048, 2001 further states that banking real property for the purpose of assisting housing providers in providing housing for extremely low and very low income families would not negatively impact the local real estate market, due to the anticipated volume of property purchases the program would entail; and

WHEREAS, in January, 2006 the City acquired the property at 2313 Kechter Road in Fort Collins (the "Property"), as part of the land banking program established pursuant to Ordinance No. 048, 2001; and

WHEREAS, in April 2006, the City Council adopted Ordinance No. 049, 2006, authorizing the lease of the Property for a period of up to five years; and

WHEREAS, the City desires to continue leasing the Property for a period of up to five years at an annual rate of at least \$19,200; and

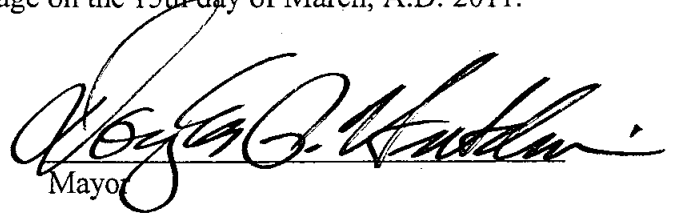
WHEREAS, under Section 23-111(a) of the City Code, the City Council is authorized to sell, convey or otherwise dispose of any and all interests in real property owned in the name of the City, provided that the City Council first finds, by ordinance, that such sale or other disposition is in the best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

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

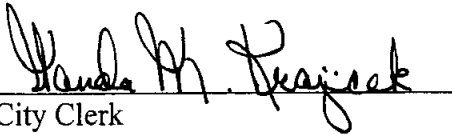
Section 1. That the City Council hereby finds that the lease of the Property as provided herein is in the best interests of the City.

Section 2. That the City Manager is hereby authorized to execute a lease agreement for the Property consistent with the terms of this Ordinance, together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be appropriate to protect the interests of the City or effectuate the purposes of this Ordinance, including any necessary changes to the legal description of the Property, as long as such changes do not materially increase the size or change the character of the property to be leased.

Introduced, considered favorably on first reading, and ordered published this 1st day of March, A.D. 2011, and to be presented for final passage on the 15th day of March, A.D. 2011.

  
Mayor

ATTEST:

  
City Clerk

Passed and adopted on final reading on the 15th day of March, A.D. 2011.

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Mayor

ATTEST:

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City Clerk