



## **WORK SESSION**

### **AGENDA ITEM SUMMARY**

City Council

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#### **STAFF**

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Matt Fater, Director, Civil Engineering

#### **SUBJECT FOR DISCUSSION**

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**Potential Stormwater Property Partnership on North Mason.**

#### **EXECUTIVE SUMMARY**

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The purpose of this item is to seek Council feedback related to a potential land partnership between the stormwater utility and Bohemian Foundation.

The stormwater utility and Bohemian Foundation own adjacent parcels of land along North Mason Street. The stormwater utility intends to construct a stormwater detention pond on its parcel, while Bohemian Foundation intends to partner with Fort Collins Rescue Mission for a 24/7 shelter for people experiencing homelessness. The site evaluation process for the 24/7 shelter identified potential opportunities to partner with the stormwater property such that the two properties are optimized for a greater community benefit.

#### **GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED**

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1. Does Council support a possible land partnership between the stormwater utility and Bohemian Foundation for the construction of the Hickory stormwater detention pond?
2. If so, does Council support staff's recommendation to achieve this partnership through a land exchange?

#### **BACKGROUND / DISCUSSION**

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##### **North Mason Stormwater Project**

The North Mason area west of North College Avenue was not originally developed with adequate stormwater infrastructure because it was developed prior to stormwater criteria. As a result, stormwater does not have dedicated conveyance to the Poudre River, causing flood hazards and drainage nuisances. In addition to existing stormwater issues, the area lacks sufficient stormwater service to support new and redevelopment in the area.

The stormwater utility identified the North Mason Stormwater Project to improve stormwater conveyance and treatment for both existing and future development. The project, as proposed, consists of a water

quality treatment pond near the outlet to the Poudre River, 2,350 feet of new storm sewer along the future North Mason right of way, and the Hickory Stormwater Detention Pond (Hickory Pond). Figure 1 shows the extent of the project. The North College Urban Renewal Authority (URA) identified the project as a top priority for investment in the area. The costs of the project are planned to be shared between the URA, the stormwater capital fund and future development. The project is at a preliminary design level and is pending right of way acquisition and coordination near the Poudre River.

Hickory Pond is the northern-most component of the project. Stormwater draining from existing properties to the north and west will be stored in the detention pond and released to the proposed storm sewer in future North Mason Street. The stormwater utility purchased the 7.5-acre parcel shown in Figure 2 in 2010 for this future capital project. As with many detention pond projects, the site will be designed to create an amenity for the neighborhood to achieve benefits beyond stormwater functions such as: trails, wildlife habitat and non-programmed recreation. The surrounding neighborhoods would be engaged during the design process to achieve a project that is beneficial to and compatible with the area. This multi-beneficial approach would be a project goal regardless of a land partnership.

### **Bohemian Foundation Adjacent Property**

The Fort Collins Rescue Mission selected a location owned by Bohemian Foundation to build a new 24/7 shelter for people experiencing homelessness. This property is adjacent to the stormwater-owned property. The parcel is shown on Figure 2.

Site analysis confirmed that the shelter can be built on Bohemian Foundation property without a City partnership. Figure 3 shows the orientation of the proposed development and the Hickory Pond under this scenario. However, a land partnership would benefit both projects, as well as additional potential commercial and housing uses by optimizing the configuration of both parcels for their proposed uses. The Fort Collins Rescue Mission plans to begin the design of the 24/7 shelter in September. A general indication from Council on support for a land partnership is important so the 24/7 shelter project can proceed with design.

### **Potential Land Partnership**

During the site evaluation for the 24/7 shelter, City staff recognized the potential for a land partnership between the stormwater utility and Bohemian Foundation. An initial evaluation of the two properties indicates aligning the 24/7 shelter to the east and Hickory Pond to the west, would create potential for a greater community benefit. Figure 4 identifies the general orientation of the two projects if a land partnership proceeded.

#### **Hickory Pond Opportunities**

- More efficient capture of stormwater draining from the north
- Potential to integrate existing tree grove into detention pond

#### **24/7 Shelter Opportunities**

- More frontage along North Mason
- Buffer provided between the property and existing neighborhood to the west
- Protection of the existing tree grove
- Fewer access roads needed
- Improved fire access
- Area for up to an additional 10,000 sq. ft. of building space

## Approach to Partnership

The reconfiguration of the proposed uses on the two properties could be achieved through a variety of approaches. Staff's key goals for the partnership include:

- Equitable for both parties
- Meets existing and future needs
- Provides long-term use
- Mutual benefits

The land partnership could be achieved either by exchanging some combination of interests in property (fee title, easements, or leasing) or creating a development partnership.

If Council supports a land partnership with Bohemian Foundation, then staff's recommendation is to work with Bohemian Foundation on a land exchange where the City would exchange a portion of the stormwater parcel for a portion of Bohemian property. This approach allows for the boundaries of the two parcels to be redefined so that each property can function independently of the other into the future and defines a way to determine an equitable transaction. Staff believes this approach is the most straightforward way to achieve a greater community benefit on both properties.

## NEXT STEPS

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If Council supports moving forward with a land exchange, then staff will begin negotiating an agreement with Bohemian Foundation. An estimated timeline is show below:

Milestones	Completed by
Site Investigations	October 1, 2022
Legal Descriptions	November 1, 2022
Negotiate Purchase and Sale Agreements	November 1, 2022
Council Action on Agreements	January 1, 2023
Closing	February 1, 2023

Bohemian Foundation and the Fort Collins Rescue Mission plan to begin the site design process in September with a goal of submitting to the City's development review process by second quarter of 2023. The 24/7 shelter project could begin the development review process prior to the finalizing the agreement for the land exchange. However, the closing of the land exchange would need to be finalized before recording of the plat for the proposed development.

In addition, whether to construct Hickory Pond and the 24/7 shelter jointly will need to be decided in the future. While there could be some advantages to a construction partnership, the land exchange and the construction of both projects could move forward independently.

## ATTACHMENTS

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Figure 1 – North Mason Stormwater Project

Figure 2 – Parcel Map

Figure 3 – Hickory Pond without Partnership

Figure 4 – Hickory Pond with Partnership