



## AGENDA ITEM SUMMARY

City Council

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### STAFF

John Gerwel, Civil Engineer I  
Brad Yatabe, Legal

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### SUBJECT

**Second Reading of Ordinance No. 072, 2023, Authorizing the Disposition of a Portion of a Shared Parking Easement and the Execution of an Amendment to the Shared Parking and Access Easement Deed and Agreement.**

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### EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on May 16, 2023, approves the reduction of a shared parking and access easement previously dedicated to the City and to authorize the execution of an amendment to the agreement that granted such easement. City Code Section 23-111 requires Council authorization to sell, convey, exchange, or otherwise dispose of any and all interests in real property, including easements, owned in the name of the City. The original agreement was to allow for shared parking and access on the property located at the northwest corner of Drake Road and College Avenue for users of the MAX bus line. The goal for amending the shared parking space is to add an additional area for shared parking and additional parking spaces and to revise the original boundary so that it better conforms with proposed development's parking lot layout.

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### STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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### BACKGROUND / DISCUSSION

In 2014, at the request of the City of Fort Collins, Dillon Companies, Inc. (d/b/a Dillon Companies, LLC, the "Developer") allocated 37,525 square feet containing 60 parking spaces as shared parking for their customers and commuters of the MAX bus line at the northwest corner of College Avenue and Drake Road (See Figure 1). The Developer has since submitted plans to redevelop the same overall parcel into a King Soopers grocery store. City staff and the Developer have agreed to modify the boundary of the existing shared parking area and add an additional space for shared parking that will increase the amount of shared parking spaces to 94. The boundary of the original parking area requires amending in order to accommodate for modified drive aisles within the Development's proposed parking lot layout, and to better capture the parking spaces in the new layout. Even though the new shared parking area will result in a net gain of shared parking spaces for the City, the original area will slightly decrease size. Per City Code 23-111, the loss of easement space in the original boundary necessitates approval from City Council. The conditions of the original agreement will remain, and the City will not assume any additional burdens of maintenance. Approval of this Ordinance will allow for the original boundary to be amended and reduced, and the new dedicated space to be incorporated into the original agreement. See Figure 2 for the comparison for the original shared area compared to the proposed amended parking area.

Figure 1. Area Map

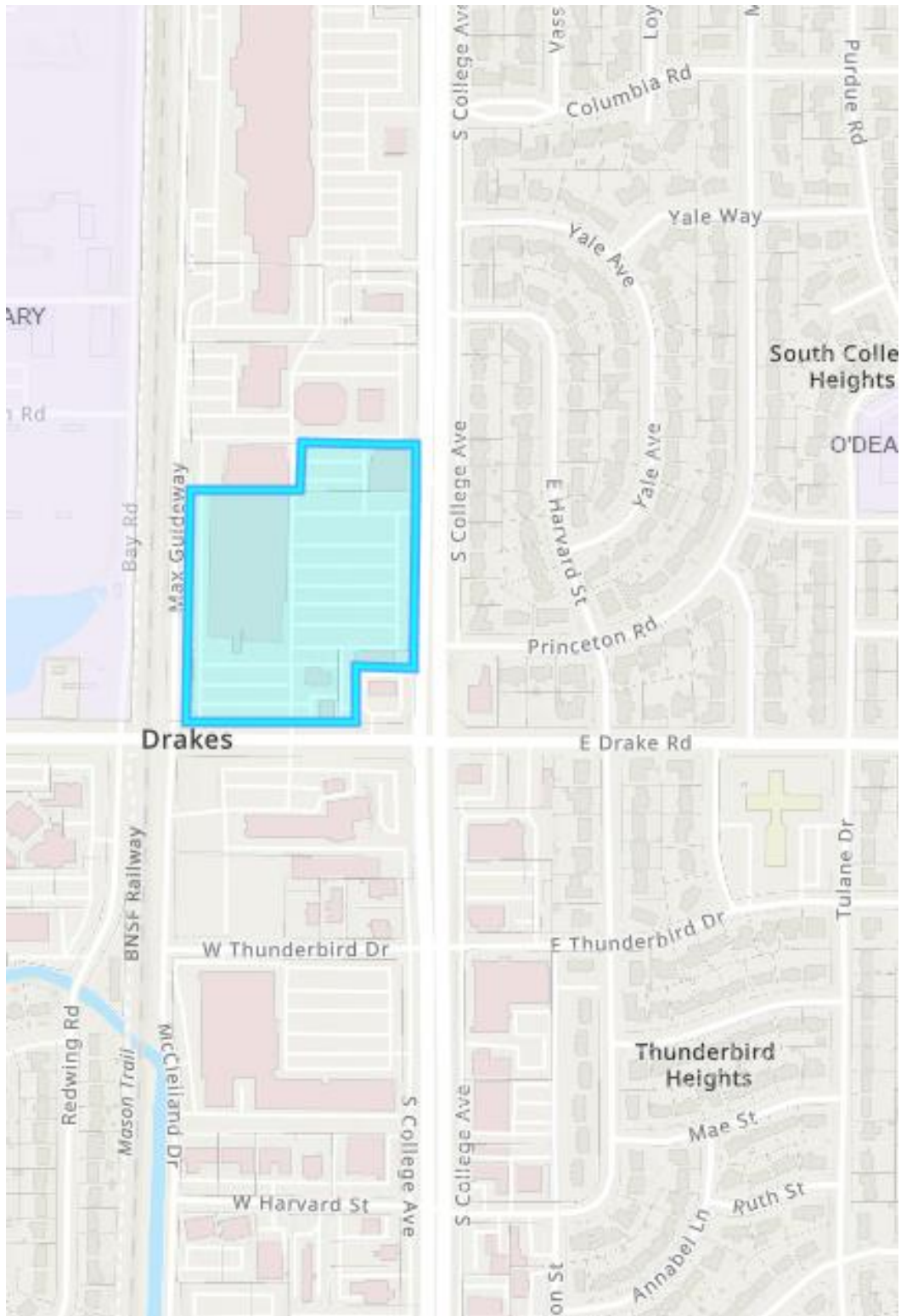
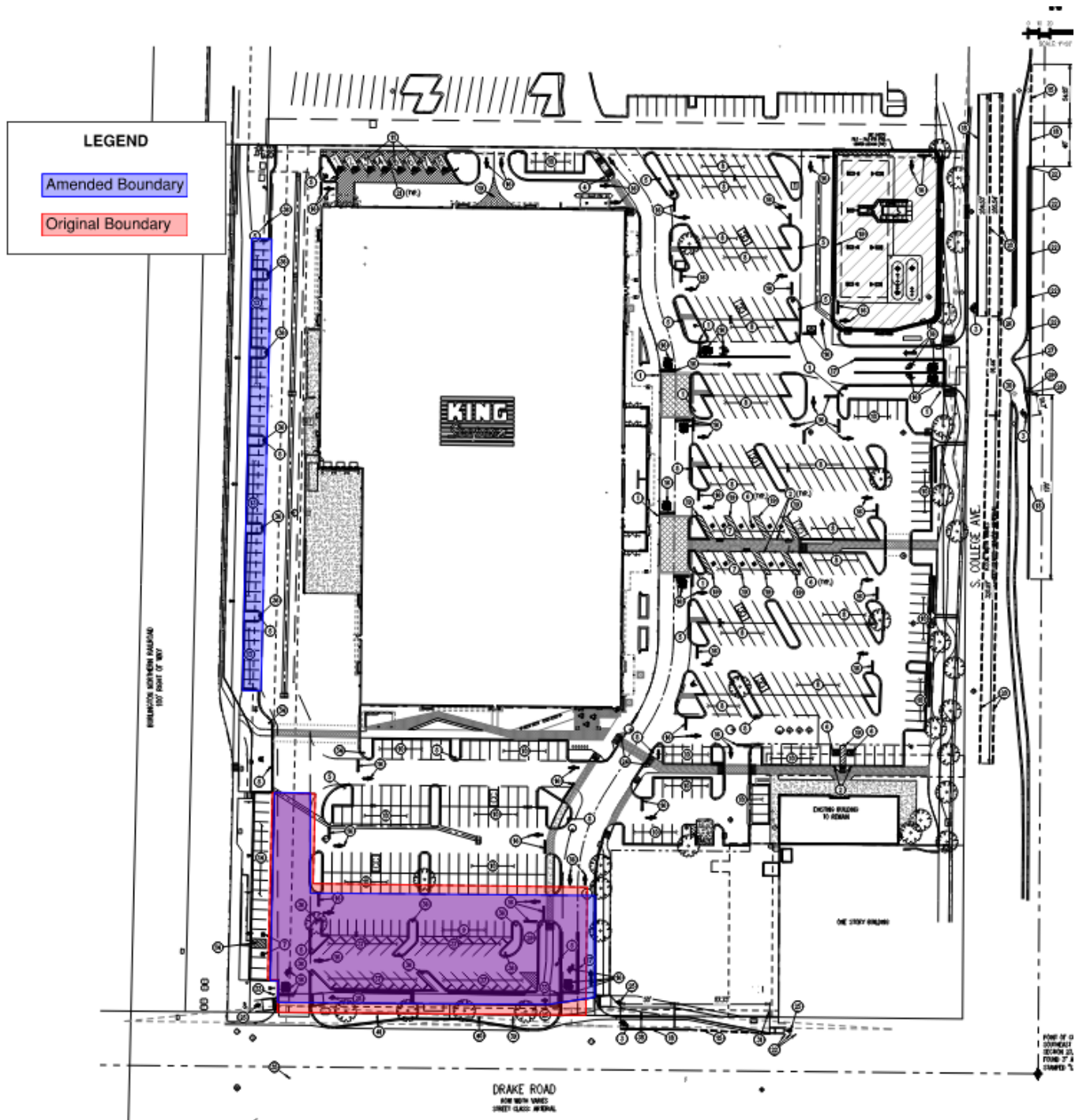


Figure 2. Proposed Shared Parking Area Versus Original Shared Parking Area



### **CITY FINANCIAL IMPACTS**

The expansion of this easement will not result in any financial impacts to the City.

### **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

Not applicable.

## **PUBLIC OUTREACH**

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No public outreach was conducted related to the changes to the shared parking easement. It should be noted that during the neighborhood meeting for the redevelopment of this site community members expressed concerns over the lack of parking supply for MAX riders in this location. The additional shared parking was negotiated as part of the development review process and is intended to help serve future riders.

## **ATTACHMENTS**

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1. Ordinance for Consideration
2. Ordinance Exhibit A