



Legislation Details (With Text)

File #: 16-460 **Version:** 1 **Name:**

Type: Resolution **Status:** Mayor's Office

File created: 6/27/2016 **In control:** City Council

On agenda: 8/9/2016 **Final action:** 8/9/2016

Title: A resolution authorizing the disposal of surplus city-property to WH Capital, LLC as the one logical, potential purchaser

Presenter:
Mike Chaves, P.E., Engineering Manager
Aaron Egbert, P.E., Senior Civil Engineer

Sponsors:

Indexes:

Code sections:

Attachments: 1. PW-DisposalSurplusPropertyRES-2016-07-15, 2. Exhibit A, 3. Exhibit B, 4. WH Capital LLC Presentation, 5. Signed Resolution 79-16.pdf

Date	Ver.	Action By	Action	Result
8/9/2016	1	City Council	adopted	Pass
7/25/2016	1	City Council Work Session	referred	

A resolution authorizing the disposal of surplus City-property to WH Capital, LLC as the one logical, potential purchaser

Presenter:

Mike Chaves, P.E., Engineering Manager
Aaron Egbert, P.E., Senior Civil Engineer

Summary:

The City Public Works Department requests a resolution authorizing the disposal of approximately 16,039 square feet of surplus property located along Chestnut Street and Fillmore, Colorado Springs, Colorado ("Property") to WH Capital, LLC ("Waffle House") as the one logical, potential purchaser.

Previous Council Action:

N/A

Background:

The Property, currently controlled by the City's Public Works Department, was part of a larger purchase of several properties as part of the Fillmore Corridor Improvements Project funded by the Pikes Peak Rural Transportation Authority and completed in 2013. Since construction has ended, the Public Works Department believes the Property is no longer needed for the proper conduct of City affairs and has no future plans to use the Property. Therefore, the Public Works Department believes this is surplus property that may be disposed to the private sector.

The Waffle House owns the parcels on the north side of the Property and has expressed a desire to purchase the Property from the City. The Waffle House has agreed to pay the City \$60,000.00 based on the buyer's appraisal for the Property. The Property has little to no development value for the City because the Property is not platted and is a remnant of four separate parcels.

In accord with City Code Section 7.7.1804 and Section 5.4 of the City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests (the "Manual"), and based upon the configuration of the Property, and its adjacency to WH Capital's existing Waffle House Restaurant, the Public Works Department believes that WH Capital, LLC is the one logical, potential purchaser. Section 5.4 of the Manual states:

5.4 One Logical, Potential Purchaser. If there is only one logical, potential purchaser of the property, the Controlling Department may seek City Council authorization to sell the property to the identified purchaser subject to appropriate terms and conditions and the provisions of this Manual.

This disposal of the Property supports the City's strategic goals of promoting job creation and collaborative relationships by placing this property back into private ownership, which has development potential.

Financial Implications:

The City of Colorado Springs will dispose of the Property at the Fair Market Value of land of \$60,000.00 and reimburse the funds to PPRTA for future projects.

Board/Commission Recommendation:

N/A

Stakeholder Process:

N/A

Alternatives:

Do not approve the disposal of the City-owned 16,039 square feet Property to WH Capital, LLC. The City will retain the Property, but will also need to maintain the access road and the Property.

Proposed Motion:

Motion to approve the Resolution authorizing the disposal of 16,039 square feet of City-owned property to WH Capital, LLC as the one logical, potential purchaser.

N/A