



## Legislation Text

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**File #:** 18-0569, **Version:** 1

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A resolution authorizing the disposal of surplus City-property to J. Sean O’Hearn (Purchaser), as the one logical, potential purchaser.

**Presenter:**

Greg Phillips  
Director of Aviation  
Colorado Springs Airport

**Summary:**

This matter requests City Council authorize the disposal of surplus City-property to Purchaser, as the one logical, potential purchaser in accordance with City Code § 7.7.1804(B) and the City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interest (“Real Estate Manual”).

**Previous Council Action:**

City Council approved the Peak Metropolitan District Nos. 1, 2, and 3 by Resolution 98-18.

**Background:**

City Council signed Resolution 98-18 which approved Peak Metropolitan District Nos. 1, 2, and 3 for the purpose of managing, financing, and maintaining the construction of Peak Innovation Park improvements. The intent of the approved service plan is to organize two special financial districts and one management district to serve the Peak Innovation Park development project and to include the Jungle and Rodeo projects into one of the financial districts.

The development of a business park for the benefit of the Airport is unprecedented and necessarily requires the creation of metropolitan districts for the primary purpose of financing the construction and maintenance of the public improvements, which catalyzes the economic engine of the business park; ensures high level, attractive architectural design standards; and provides for high level maintenance of the infrastructure throughout the life of the business park.

Selling the property, which is 1/10 of one acre and situated in a drainage basin, to purchaser is anticipated to significantly benefit the Airport because there are no other governmental entities, including the City, which have deemed it desirable, feasible, or practical to undertake the planning, designing, construction, installation, relocations, redevelopment and financing of the public improvements which are necessary for the development and completion of the Peak Innovation Park projects. Additionally this property is neither feasible nor economical to develop and therefore appropriate to sell the proposed metropolitan Board of Director member for the purpose of creating the necessary statutory voting rights of the Metropolitan District.

The City purchased the subject property on November 6, 1970 with Federal Aviation Administration (“FAA”) grant funds for the purpose of noise abatement and runway protection. The Airport discussed the potential sale of the property with the FAA and the FAA agreed the intended purpose is a compatible land use with the Airport. Accordingly, the FAA currently supports the sale of the land to this Purchaser.

The Airport will comply with the Real Estate Manual including selling the land for fair market value. There are minimal utilities and other infrastructure located within the property site area. Creating a metropolitan district reduces the economic burden on the Airport by cost shifting the construction of necessary infrastructure improvements among several developments and ensuring continued, long-term maintenance of the improvements.

The creation of a metropolitan district is anticipated to increase the marketability of Peak Innovation Park for commercial developers because cost sharing of necessary infrastructure improvements reduces the costs associated with developing adjacent parcels and provides the opportunity for the Airport to develop “pad-ready” sites. For the foregoing reasons, selling the property to purchaser for the creation of a metropolitan district provides a high probability of increasing the land values within Purchaser’s particular Peak Innovation Park financial district.

**Financial Implications:**

As this property was acquired with FAA funds, the proceeds from the sale of this transaction will go to the Airport Enterprise and will be used for eligible projects/purposes per FAA guidelines.

**Board/Commission Recommendation:**

The Airport Advisory Commission has provided a letter of support, attached hereto.

**Stakeholder Process:**

N/A

**Alternatives:**

N/A

**Proposed Motion:**

Motion to approve the resolution authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of 1/10 of one acre, more or less, of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the property to the Purchaser as the one logical, potential purchaser and authorize the Mayor to sign all necessary petitions and other documents for the inclusion of certain real property into the boundaries of the Peak Metropolitan Districts.

This matter does not require an associated ordinance. Reference the resolution (as part of the packet).