

Agenda Item Details

Meeting	Jan 10, 2023 - Bryan City Council Second Regular Meeting
Category	6. Statutory (Automatic Approval) Agenda - This agenda consists of items previously approved by Council action such as adoption of items that are part of an approved budget or capital improvement projects, first and only readings of ordinances, interlocal agreements, or action that is required by law or delegated to the City Manager. Items may be removed from the statutory agenda for separate consideration at the request of two Councilmembers.
Subject	A. Authorize the Mayor to execute any and all documents necessary to facilitate the sale of 2501 Maloney to the neighboring property owner for \$40,000, including a Chapter 380 Economic Development Agreement offering a \$15,000 incentive to complete the construction of a new facility within two years
Type	Action (Statutory)
Preferred Date	Jan 10, 2023
Absolute Date	Jan 10, 2023
Fiscal Impact	Yes
Dollar Amount	40,000.00
Budgeted	No
Budget Source	Net proceeds of \$25,000 less closing costs will go into Fiscal Year 2023 General Fund
Goals	Economic Development

Summary:

In 2014, the City acquired several properties for the construction of Fire Station #2. The property at 2501 Maloney was one of those properties, but it was not needed for the final design of the station, and is now considered surplus city property. The property is a portion of Lots 3 and 4, Block 11 Mitchell Lawrence Cavitt Addition to the City of Bryan. The tract is an 8,000 square foot lot and zoned C-3, which requires a minimum lot size of 20,000 square feet. When combined with remaining parts of lots 3 and 4, already owned by Tommy and Katy Nguyen, the combined total of the resulting C-3 lot will be 20,000 square feet. The sale is authorized pursuant to State law because the property is not developable on its own under zoning restrictions. As such, the property can be sold to the adjoining property owner without the requirement of public notice or bidding. The property is being purchased for \$40,000, which is a 33 percent increase over the taxable value as assessed by the Brazos Central Appraisal District (BCAD).

One of the conditions of the sale is approval of a Chapter 380 Economic Development Agreement. In this Agreement, the City agrees to pay \$15,000, provided the owner commences construction on a new building and parking lot, and completes demolition of the old building within three years. The attached site plan shows the planned location of the new building and parking. The purpose of this Agreement is to facilitate the redevelopment of a property with visible frontage on Texas Avenue, improving the aesthetics of the corridor. It also will benefit public safety by providing improvements to the parking lot and an additional point of ingress and egress from this business.

Staff Analysis and Recommendation:

Staff recommends approving the sale and the 380 Agreement. The City is in the process of working with the Texas Department of Transportation (TXDOT) on a major project improving the Texas Avenue corridor. This project will help with that process by eliminating an older, dilapidated structure and replacing it with a newer one, while at the same time retaining an active business currently in the City. The sale of surplus property will resolve a zoning issue and an illegal subdivision of property, combining the properties to restore the originally platted lots.

Options:

1. Approve proposed sales contract and Chapter 380 Agreement
2. Modify terms in proposed sales contract and/or Chapter 380 Agreement and advise staff to negotiate with Buyer
3. Deny proposed sales contract and Chapter 380 Agreement

Attachments:

1. Site Plan SP22-01
2. Sales Contract and Chapter 380 Agreement are available for viewing in the City Secretary's Office

SP22-01, Mitchell-Lawrence-Cavitt, 01-25-22.pdf (2,315 KB)