



N CPRD Concord School and Oak Lodge Library Co-location Discussion February 9, 2023

Issue

The new Oak Lodge Library will be sited on the Concord School property, owned by N CPRD. The Board of County Commissioners has just recently voted to fund the balance of costs necessary to construct the library. The issue for discussion is the best way to address ownership of the land needed for the library.

Background

The Concord Task Force – created by the Board – selected the Concord property for the new library. The library site on the property was initially part of the original master plan and was attached to the school. Based on financial concerns, the design was changed to a detached library on the same site.

Options for Consideration (not in any order)

Ground Lease: N CPRD and the County could enter into a long term ground lease for the land necessary to construct the library.

The basic terms of such a lease must cover rent and the eventual disposition of the building. Should the lease include minimal rent payment to N CPRD, then this loss of use of the library parcel by N CPRD could be offset by an earlier transfer of ownership to N CPRD.

In any event County ownership of the library building would need to be for a term of at least 25 years as required in the grant documents; however, a longer term of at least 50 years could be done depending upon an equitable balance between rent payments and the property value itself.

Any ground lease would be drafted to remain in effect in the event N CPRD were to become an independent parks and recreation district. Likewise, the agreement could be drafted to allow for a successor lessee to continue to operate the library during the term of the lease should a new city incorporate and desire to provide library services in the Oak Lodge Library Service Area. The agreement would place restrictions on the use of the library building so that the uses are compatible with the N CPRD uses on the property.

Land Acquisition: The County could purchase a portion of the property large enough to accommodate the library building.

Similar to a ground lease, restrictions could be placed on the use of the property so that future uses of the library building do not conflict with N CPRD uses of the property. The uses on the property of a library, administrative offices, and community center are all regulated under the County ZDO. If the parcel were to go through a lot line adjustment process each lot will have set back requirements that may require more land for the library than necessary for operations. This larger land requirements of a purchase may impact other

planned uses at the property by NCPRD. The cost for acquisition of the land was not included in estimates relied upon by the Board of County Commissioners when they voted to fund the balance of funds necessary to construct the library.

Advantages/Disadvantages

Both options have advantages and disadvantages as summarized below:

	Lease	Land Sale
Advantages	<p>A ground lease allows for the County and NCPRD to define the minimal amount of land necessary to construct and operate the library. This may be advantageous to allow for more uses on this parcel.</p> <p>In the near term, a lease requires less cost and land to construct the Library</p>	<p>Avoid a potential unplanned sale of the building should the ground lease be terminated.</p> <p>If the Concord property were partitioned and a parcel sold for the Library, it may cost more and take more time, but would allow each party more independence in their future needs for the property.</p>
Disadvantages	<p>A potential drawback to a ground lease is in the event NCPRD needs to sell the Concord property, the library may lose the benefit of the shared spaces, or the lease could be terminated and NCPRD or the new owner would purchase the library building.</p>	<p>Process will take longer to implement and may also require greater setbacks impacting the uses of the property.</p> <p>The County has not budgeted to purchase a parcel for the Oak Lodge Library and this will impact the costs to construct the library.</p>

General

With either a lease or a land sale there are uncertainties about what will happen should NCPRD become independent, need to sell the property, or a new city incorporates. These situations as discussed above can be accommodated in any agreement to reach an equitable solution. In short, although the benefits and costs of either choice in the agreement can be balanced, the differences between the choices require a decision: Is it more important to have the library constructed as soon as possible at an attainable cost? Or, do the parties require long term independence to allow greater flexibility in the future?

Finally, both options will require a conditional use permit through our County Planning Department. The details of what may be required in this permit will vary depending upon the final design, size, location on the property, parking and other requirements and impacts associated with the library. In all scenarios the County would be responsible for all costs to construct and operate the library, and for shared uses of the NCPRD portions of the Concord property itself.