

AGENDA ITEM SUMMARY

November 20, 2018

City Council

STAFF

Kai Kleer, Associate Planner
Ted Shepard, Chief Planner
Brad Yatabe, Legal

SUBJECT

Resolution 2018-108 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Enclave Annexation Proceedings for Such Property to be Known as the Trilby Substation Enclave Annexation.

EXECUTIVE SUMMARY

This is a City-initiated request to annex a 1.797-acre enclave consisting of a single-parcel into the City of Fort Collins. The parcel became an enclave with the annexation of the Timan First Annexation on June 7, 1988. As of June 7, 1991, the City was authorized to annex the enclave by ordinance in accordance with Colorado Revised Statutes § 31-12-106. The Trilby Substation Enclave Annexation is located in southwest Fort Collins, abuts West Trilby Road to the north, and is situated between Hazaleus Natural Area and Colina Mariposa Natural Area. The single parcel contains an electric substation that is owned and operated by the Poudre Valley Rural Electric Association. The proposed zoning for this annexation is the Public Open Lands (P-O-L) zone district, which complies with the City of Fort Collins Structure Plan. The surrounding properties are existing Natural Areas owned and administered by the City of Fort Collins.

The proposed Resolution makes a finding that the property has been completely contained within the boundaries of the City for not less than three years, initiates annexation proceedings, sets a hearing date for the annexation ordinance and directs the City Clerk to publish notice. The hearing will be held at the time of first reading of the annexation and zoning ordinances; not less than thirty days of prior notice is required by state law.

This annexation request is in conformance with the State of Colorado Revised Statutes as they relate to annexations, the City of Fort Collins Comprehensive Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement Regarding Growth Management.
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STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

This is an involuntary enclave annexation of a single-parcel located within the Growth Management Area (GMA). According to policies and agreements contained in the Larimer County and City of Fort Collins Intergovernmental Agreement (IGA) regarding Growth Management dated June 24, 2008, as amended (IGA), the City of Fort Collins agrees to consider annexation of property in the GMA when the property becomes eligible for annexation under the Colorado Revised Statutes.

In addition to the policies contained within the IGA, the City of Fort Collins has a long-standing history of annexing property that becomes eligible within the GMA in order to maintain the community's vision as outlined in the City's Comprehensive Plan.

The Trilby Substation Enclave Annexation is a single-parcel enclave that was surrounded by the City of Fort Collins upon the annexation of the Timan First Annexation on June 7, 1988. The enclave annexation is located in southwest Fort Collins, abuts West Trilby Road to the north, and is situated between Hazaleus Natural Area and Colina Mariposa Natural Area. The single parcel contains an electric substation that is owned and operated by the Poudre Valley Rural Electric Association (PVREA).

Below is a list of the single-parcel contained within the enclave area:

#	Property Address	Parcel Number	Acres
1	N/A	9614000814	1.79

CITY FINANCIAL IMPACTS

There are no financial impacts associated with the Initiating Resolution for the annexation and zoning of the Trilby Substation Enclave Annexation.

BOARD / COMMISSION RECOMMENDATION

The Planning and Zoning Board will conduct a public hearing for the annexation and zoning request on December 20, 2018. The Board’s recommendation will be forwarded to City Council as part of the First Reading of the annexation and zoning ordinances on January 15, 2019.

PUBLIC OUTREACH

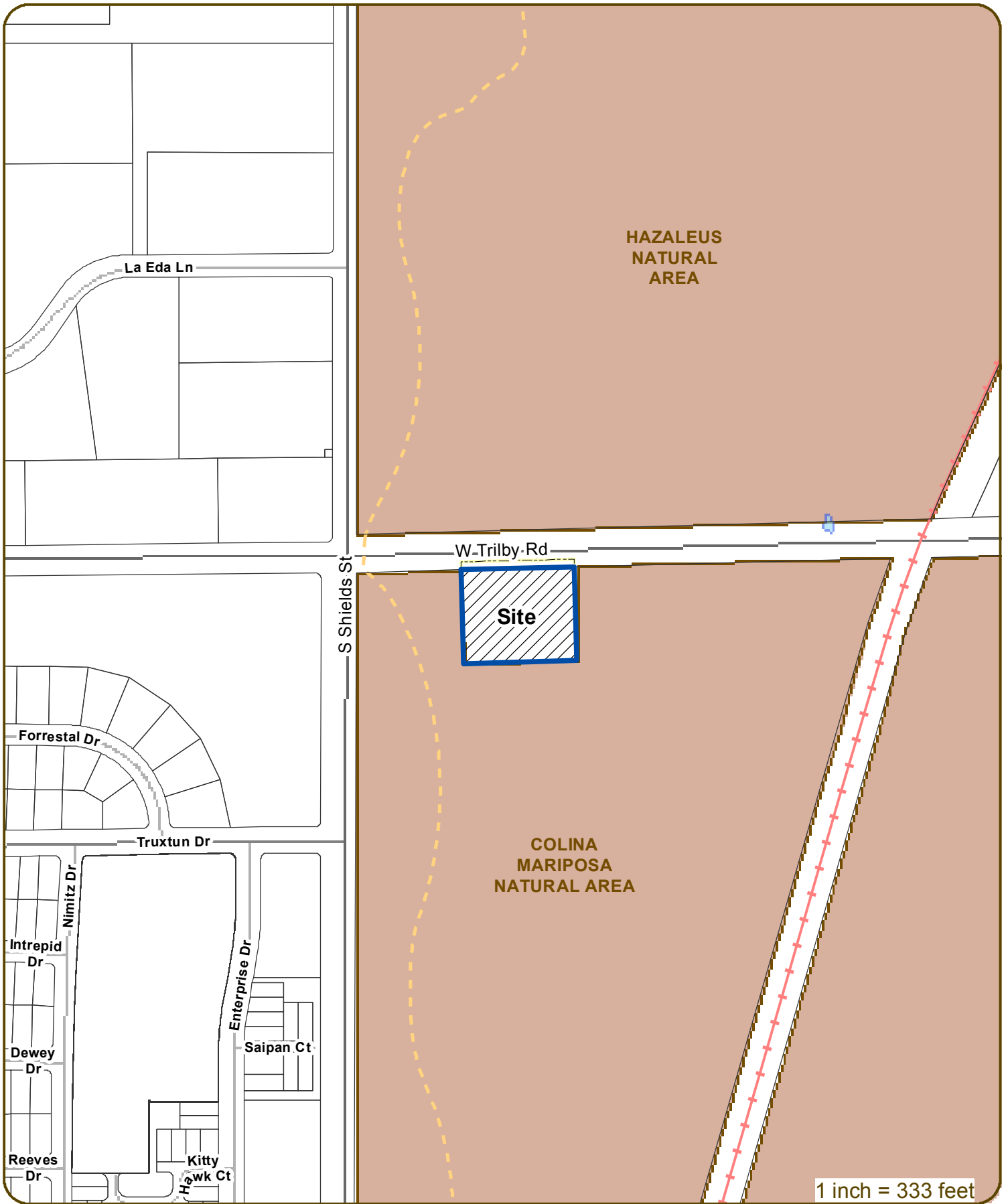
An outreach process is not required by Colorado Revised Statutes or the City of Fort Collins Land Use Code. However, on September 26, 2018, City staff held a stakeholder meeting to answer questions and inform PVREA and residents of the Trilby Station enclave annexations of any changes that may result from annexing into the City. Representatives from Planning Services, Light and Power, Neighborhood Services and Utilities were present to explain any potential difference in electrical rates, services, zoning and infrastructure.

Additionally, Planning and Neighborhood Services use two strategies to reach the greater community and encourage participation, they are:

1. Posting ‘Development Proposal Under Review’ sign(s) that provides a contact phone number and project number to connect any interested party directly to staff. Staff is then available to answer any questions they may have.
2. An email newsletter called “This Week in Development Review” is sent to nearly 1,000 people weekly summarizing project submittals (such as the enclave annexation), hearings and other development review related events that happen throughout the City of Fort Collins.

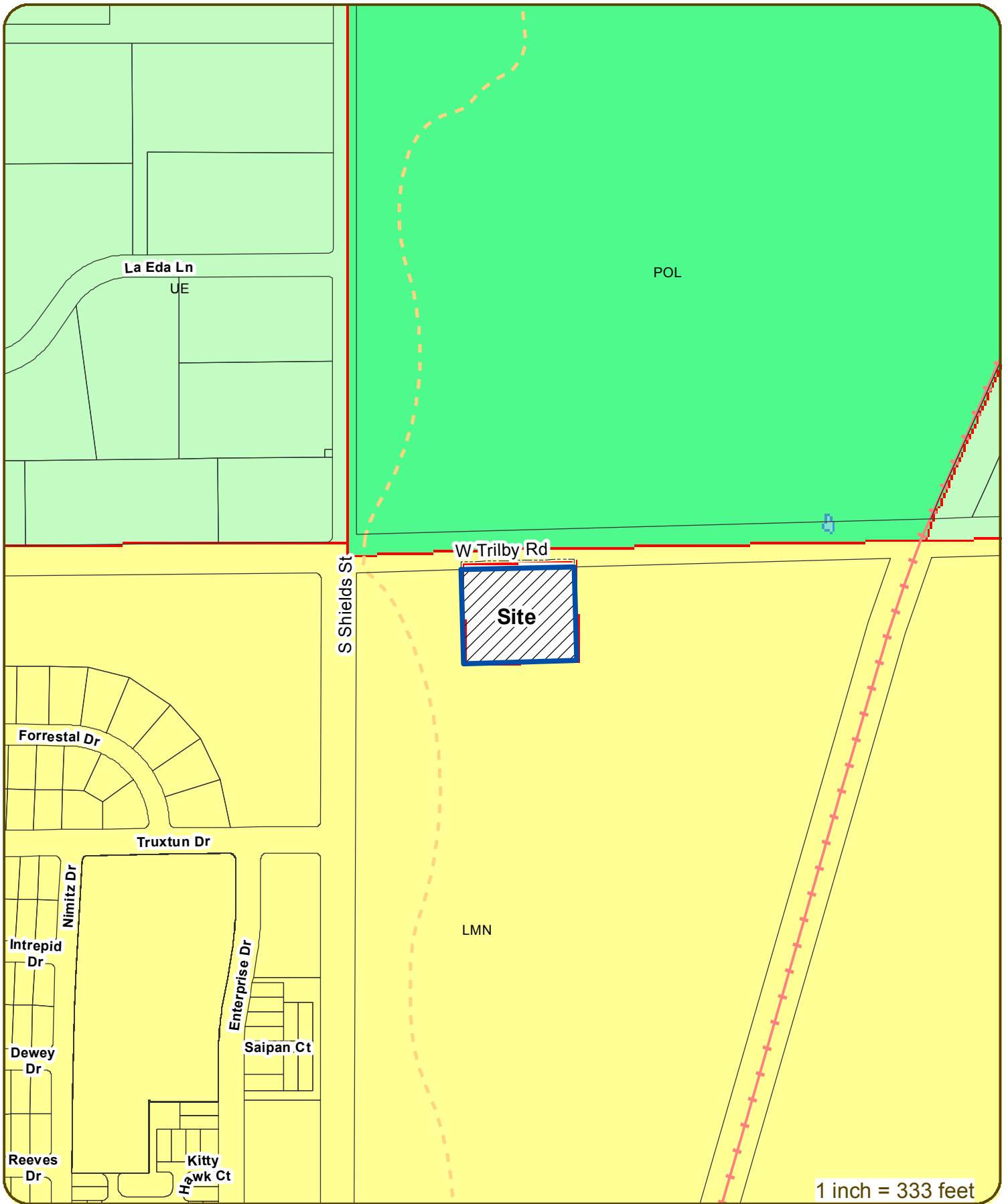
ATTACHMENTS

1. Vicinity Map(PDF)
2. Zoning Map (PDF)
3. Structure Plan Map (PDF)



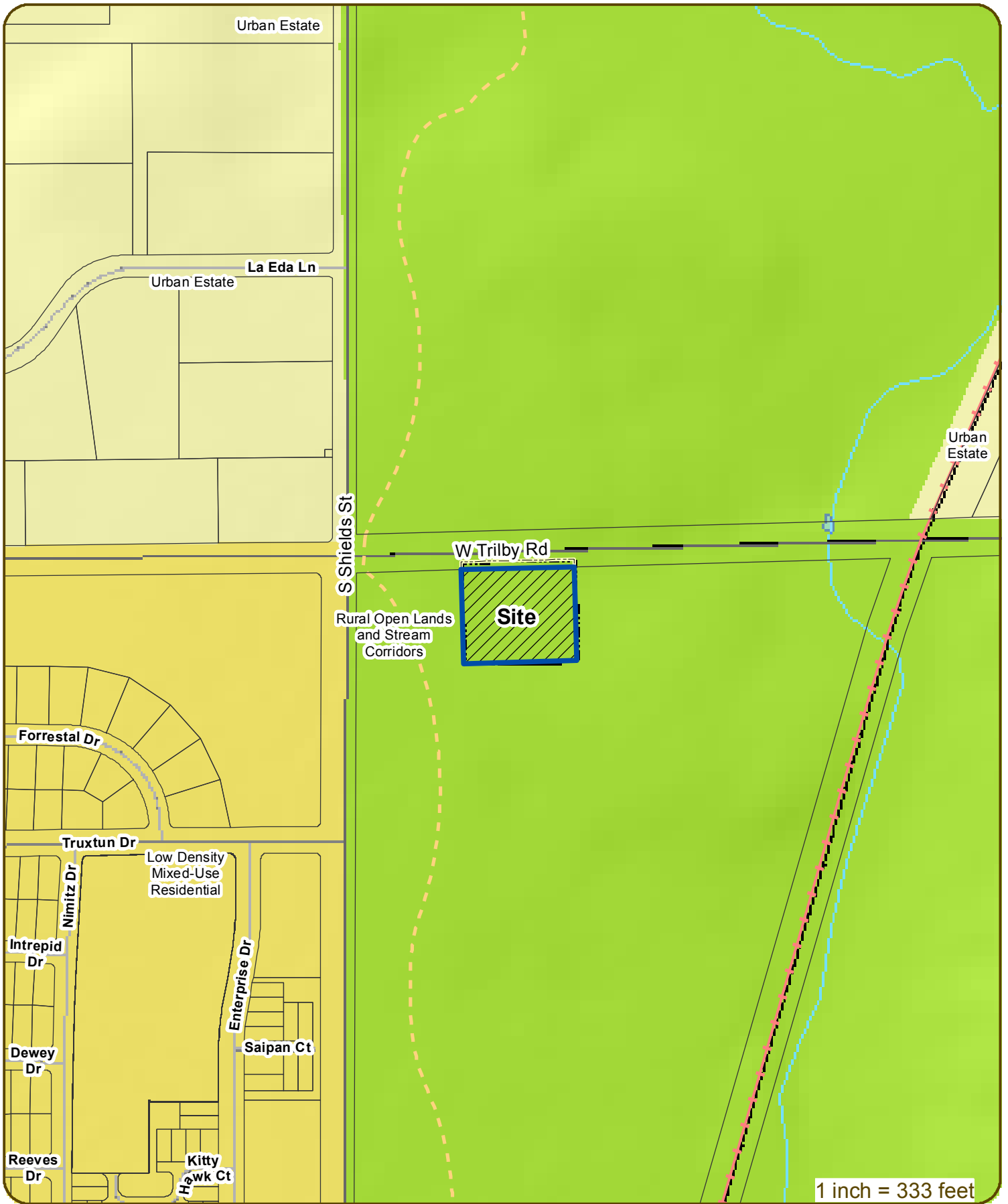
Trilby Substation Enclave Annexation Vicinity Map





Trilby Substation Enclave Annexation Vicinity Map





Trilby Substation Enclave Annexation Structure Plan Map



RESOLUTION 2018-108
OF THE COUNCIL OF THE CITY OF FORT COLLINS
STATING THE INTENT OF THE CITY OF FORT COLLINS
TO ANNEX CERTAIN PROPERTY AND INITIATING ENCLAVE
ANNEXATION PROCEEDINGS FOR SUCH PROPERTY TO BE
KNOWN AS THE TRILBY SUBSTATION ENCLAVE ANNEXATION

WHEREAS, the property hereinafter described has, for a period of not less than three years prior to this date, been completely contained within the boundaries of the City of Fort Collins; and

WHEREAS, the City Council desires to initiate annexation proceedings in accordance with applicable law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That, the City Council intends to annex the following described property, to be known as the Trilby Substation Enclave Annexation, situate in the County of Larimer, State of Colorado, to wit:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 14, AND CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14 TO BEAR N88°46'29"E, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14, N88°46'29"E, A DISTANCE OF 300.00 FEET;
THENCE S01°13'31"E, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**;

THENCE ALONG THE SOUTH BOUNDARY OF THE TIMAN ANNEXATION TO THE CITY OF FORT COLLINS, N88°46'29"E, A DISTANCE OF 295.16 FEET;
THENCE ALONG THE BOUNDARY OF THE AMENDED PLAT OF TRILBY HEIGHTS THIRD ANNEXATION TO THE CITY OF FORT COLLINS THE FOLLOWING THREE (3) COURSES:

1. S01°13'31"E, A DISTANCE OF 265.16 FEET;
2. S88°46'29"W, A DISTANCE OF 295.16 FEET;
3. N01°13'31"W, A DISTANCE OF 265.16 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 78,265 SQUARE FEET (1.797 ACRES), MORE OR LESS

Section 3. That the City Council hereby initiates enclave annexation proceedings for the above-described property.

Section 4. That the Notice attached hereto is adopted as a part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of an annexation ordinance pertaining to the above described property. The City Clerk is directed to publish a copy of this Resolution and said Notice as provided in Section 31-12-108(2), C.R.S.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 20th day of November, A.D. 2018.

Mayor

ATTEST:

City Clerk

NOTICE**TO ALL PERSONS INTERESTED:**

PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted Resolution 2018-108 initiating annexation proceedings for the Trilby Substation Enclave Annexation, consisting of approximately 1.79 acres and generally located in southwest Fort Collins between Hazaleus Natural Area and Colina Mariposa Natural Area, abutting West Trilby Road to the north, said Annexation being more particularly described in Resolution 2018-108.

That, on January 15, 2019, at the hour of 6:00 p.m., or as soon thereafter as the matter may come on for hearing in the Council Chambers in the City Hall, 300 LaPorte Avenue, Fort Collins, Colorado, the Fort Collins City Council will hold a public hearing upon the annexation petition and zoning request for the purpose of finding and determining whether the property proposed to be annexed meets the applicable requirements of Colorado law and is considered eligible for annexation and for the purpose of determining the appropriate zoning for the property included in the Annexation. At such hearing, any persons may appear and present such evidence as they may desire.

The Petitioner has requested that the Property included in the Annexation be placed in the Public Open Lands (“P-O-L”) Zone District.

The City of Fort Collins will make reasonable accommodations for access to City services, programs and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (V/TDD: Dial 711 for Relay Colorado) for assistance.

Dated this ____ day of _____, A.D. 2018.

City Clerk