

AGENDA ITEM SUMMARY

February 5, 2019

City Council

STAFF

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

SUBJECT

Second Reading of Ordinance No. 007, 2019, Annexing the Property Known as the Kechter Enclave
Annexation to the City of Fort Collins, Colorado.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 15, 2019, annexes an enclave of approximately 8.4 acres of land in southeast Fort Collins. The property abuts Ziegler Road to the east and is situated between Trilby Road and the Fossil Creek Reservoir. The parcel contains a single-family residence with several agricultural related outbuildings.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, January 15, 2019 (PDF)
2. Ordinance No. 007, 2019 (PDF)

AGENDA ITEM SUMMARY

City Council

January 15, 2019

STAFF

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

SUBJECT

Public Hearing and First Reading of Ordinance No. 007, 2019, Annexing the Property Known as the Kechter Enclave Annexation to the City of Fort Collins, Colorado.

EXECUTIVE SUMMARY

The purpose of this item is to annex an enclave of approximately 8.4 acres of land in southeast Fort Collins. The Initiating Resolution 2018-109 was adopted on consent, November 20, 2018. The property abuts Ziegler Road to the east and is situated between Trilby Road and the Fossil Creek Reservoir. The parcel contains a single-family residence with several agricultural related outbuildings.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

This is an 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, 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 on page 50 of the City's Comprehensive Plan.

The Kechter Enclave Annexation is a single parcel enclave that was surrounded by the City of Fort Collins upon the annexation of the Kechter Farm Annexation on May 6, 2014. The Kechter Enclave Annexation is located in southeast Fort Collins, abuts Ziegler Road to the east and is situated between Trilby Road and the Fossil Creek Reservoir. The single parcel contains a single family residence with several agricultural related outbuildings.

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

#	Property Address	Parcel Number	Acres
1	6131 Ziegler Road	8608405703	8.4

CITY FINANCIAL IMPACTS

There are no financial impacts as a result of the proposed annexation.

BOARD / COMMISSION RECOMMENDATION

The Planning and Zoning Board voted 7-0 to recommend approval of the annexation and associated zoning, December 20, 2018. This unanimous action was taken as part of the Board's Consent Calendar.

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 Poudre Valley Rural Electric Association (PVREA) and residents of the Kechter and Strauss Cabin 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. **Attachment 4** is a FAQ sheet provided to residents who attended the meeting.

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. Annexation Plat (PDF)
3. Strauss Cabin and Kechter Enclave FAQ (PDF)
4. Neighborhood Meeting Sign-in Sheet (PDF)

ORDINANCE NO. 007, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING PROPERTY KNOWN AS THE
KECHTER ENCLAVE ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2018-109 stating the intent of the City to annex and initiating annexation proceedings for the Kechter Enclave Annexation, as defined therein and described below, has heretofore been adopted by the City Council; and

WHEREAS, the City Council hereby finds that the area proposed to be annexed has been entirely contained within the boundaries of the City for a period of not less than three years prior to this date and complies with all requirements for enclave annexation set forth in Colorado Revised Statutes Section 31-12-106; and

WHEREAS, the City Council hereby finds and determines that it is in the best interests of the City to annex said area to the City.

NOW, THEREFORE, BE IT ORDAINED 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 following described property, to wit:

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 8, AND CONSIDERING THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8 TO BEAR S00°24'33"W, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG SAID EAST LINE, S00°24'33"W, A DISTANCE OF 827.41 FEET;
THENCE N89°35'27"W, A DISTANCE OF 30.00 FEET TO THE POINT OF INTERSECTION OF THE WEST LINE OF FOSSIL LAKE ANNEXATION NO. 3 AND THE EASTERLY LINE OF THE KECHTER FARM ANNEXATION, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE ALONG THE BOUNDARY OF SAID KECHTER FARM ANNEXATION THE FOLLOWING FIFTEEN (15) COURSES:

1. N89°35'27"W, A DISTANCE OF 23.94 FEET;
2. N89°35'22"W, A DISTANCE OF 50.00 FEET;
3. N86°30'46"W, A DISTANCE OF 42.27 FEET;
4. N77°25'50"W, A DISTANCE OF 39.96 FEET;
5. N68°25'31"W, A DISTANCE OF 39.96 FEET;
6. N59°25'12"W, A DISTANCE OF 39.96 FEET;
7. N50°24'53"W, A DISTANCE OF 39.96 FEET;

8. N41°24'35"W, A DISTANCE OF 39.96 FEET;
9. N32°24'04"W, A DISTANCE OF 42.66 FEET;
10. N29°48'44"W, A DISTANCE OF 251.66 FEET;
11. N33°51'05"W, A DISTANCE OF 53.54 FEET;
12. N37°58'01"W, A DISTANCE OF 53.54 FEET;
13. N51°11'37"E, A DISTANCE OF 185.49 FEET;
14. N00°16'33"E, A DISTANCE OF 457.21 FEET;
15. S89°43'18"E, A DISTANCE OF 354.73 FEET TO A POINT ON THE WEST LINE OF SAID ANNEXATION NO. 3;

THENCE ALONG SAID WEST LINE, S00°16'33"W, A DISTANCE OF 187.68 FEET;
 THENCE CONTINUING ALONG SAID WEST LINE, S00°24'33"W, A DISTANCE OF 827.37 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 365,884 SQUARE FEET (8.400 ACRES), MORE OR LESS

is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the Kechter Enclave Annexation.

Section 3. That, in annexing said property to the City, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property hereby annexed except as may be provided by the ordinances of the City.

Section 4. That the City hereby consents, pursuant to Section 37-45-136(3.6), C.R.S., to the inclusion of said property into the Municipal Subdistrict, Northern Colorado Water Conservancy District.

Introduced, considered favorably on first reading, and ordered published this 15th day of January, A.D. 2019, and to be presented for final passage on the 5th day of February, A.D. 2019.

 Mayor

ATTEST:

 City Clerk

Passed and adopted on final reading on the 5th day of February, A.D. 2019.

 Mayor

ATTEST:

 City Clerk