

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. 011, 2019, Annexing the Property Known as the Trilby Substation 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 1.8 acres of land in southwest Fort Collins.

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. 011, 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. 011, 2019, Annexing the Property Known as the Trilby Substation Enclave Annexation to the City of Fort Collins, Colorado.

EXECUTIVE SUMMARY

The purpose of this item is to annex an enclave of approximately 1.8 acres of land in southwest Fort Collins. The Initiating Resolution 2018-108 was adopted on consent, November 20, 2018. The property is situated 300 feet southeast of the South Shields Street and West Trilby Road intersection. The single-parcel enclave consists of a Poudre Valley Rural Electric Association electric substation and is surrounded by City of Fort Collins Hazaleus and Colina Mariposa Natural Areas.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The Trilby Substation enclave is a single-parcel annexation that consists of approximately 1.8 acres of privately owned property. The annexation is located entirely within the Fort Collins Growth Management Area (GMA). According to Larimer County and City of Fort Collins Intergovernmental Agreements, the City will agree to consider annexation of property in the GMA when the property is eligible for annexation according to State law.

The proposed ordinance complies with State Statute 31-12-106 which states that municipalities may, by ordinance, involuntarily annex unincorporated areas that are contained entirely within the boundary of the municipality, if said area has been so surrounded for no less than three years. As of June 17, 1991, the City of Fort Collins was authorized to annex the parcel contained within the Trilby Substation Enclave.

The subject property is fully contained within municipal boundaries due to the following two annexations:

- North: Timan First Annexation, 1988
- East/South/West: Trilby Heights Third Annexation, 1981

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 proposed annexation and associated zoning, December 20, 2018. This unanimous action was taken as part of the Board's consent agenda; therefore, no minutes of the meeting are provided.

PUBLIC OUTREACH

An outreach process is not required by Colorado Revised Statutes or the City of Fort Collins Land Use Code. City staff held a stakeholder meeting, September 26, 2018, to answer questions and inform Poudre Valley Rural Electric Association (PVREA) and others affected by the Kechter Farm Enclave and Strauss Cabin Enclave, of any changes that may result from being annexed into the City. Though a representative was not present at the meeting staff followed up with PVREA over the phone to outline the process and answer any questions. PVREA did not express any objections or concerns over the annexation.

In addition to the neighborhood meeting, 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)

ORDINANCE NO. 011, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING PROPERTY KNOWN AS THE
TRILBY SUBSTATION ENCLAVE ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2018-108 stating the intent of the City to annex and initiating annexation proceedings for the Trilby Substation 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 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

is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the Trilby Substation 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