



## AGENDA ITEM SUMMARY

City Council

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### STAFF

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Keith Hanson, Real Estate Manager  
Ingrid Decker, Senior Assistant City Attorney

### SUBJECT

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**Second Reading of Ordinance No. 090, 2022, Authorizing the Conveyance of an Emergency Access Easement to Poudre Fire Authority on City-owned Real Property Located at 430 N. College Avenue.**

### EXECUTIVE SUMMARY

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This Ordinance, unanimously adopted on First Reading on August 16, 2022, authorizes the conveyance of an Emergency Access Easement (EAE) to Poudre Fire Authority (PFA) on City-owned real property located at 430 N. College Avenue. The City leases this property, which is the location of the Powerhouse Energy Campus, to the Colorado State University Research Foundation (CSURF). CSURF has submitted plans to the City to make improvements to the property to support a hydrogen fueling station and turbine generator. As a condition of approval, the City, as property owner, is required to convey an EAE to PFA to support fire truck and emergency equipment access, which is a common requirement for new development and improvements on certain properties. Conveyance of the EAE is the final action needed for the City's Planning, Development, and Transportation Department to approve the project and issue construction permits as CSURF has met all other lease and development review requirements.

### STAFF RECOMMENDATION

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Staff recommends adoption of the Ordinance on Second Reading.

### BACKGROUND / DISCUSSION

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CSURF has leased the property from the City since 1994 for its Engines and Energy Conversion Laboratory, and for instructional and research purposes focused on developing innovative and alternative energy solutions. The current lease, executed in 2012, is for a term of 40 years with a 20-year option. Since the 2012 lease was executed, CSURF has improved the property with the construction of a new facility, which will revert to City ownership upon the expiration of the lease. CSURF is responsible for all operations, maintenance, and repair at the property throughout the term of the lease in exchange for rent of \$25 per year.

CSURF has submitted construction plans to the City for improvements to support a hydrogen fueling station and turbine generator at the property. As part of the City's development review process, PFA is one of the agencies that must review the plans for regulatory compliance. Fire truck access is required to be within 150 feet of all exterior portions of the structures. Since the location of the new structures is more than 150 feet from any current access point, an EAE for a fire lane will be necessary. Any fire lane greater than 150 feet requires a turn-around area (hammerhead).

An existing driveway on the property was selected for the emergency access path. The driveway meets PFA's requirements for a minimum of 20 feet of unobstructed width; a flat, hard, all-weather driving surface capable of supporting 40 tons; and an approved fire truck hammerhead. CSURF provided a geotechnical report demonstrating the ability of the driveway to support 40 tons, as well as a fire truck turning analysis for a hammerhead at the end of the driveway.

### **CITY FINANCIAL IMPACTS**

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There is no cost to the City associated with the EAE or construction improvements.

### **ATTACHMENTS**

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First Reading attachments not included.

1. Ordinance for Consideration
2. Exhibit A