



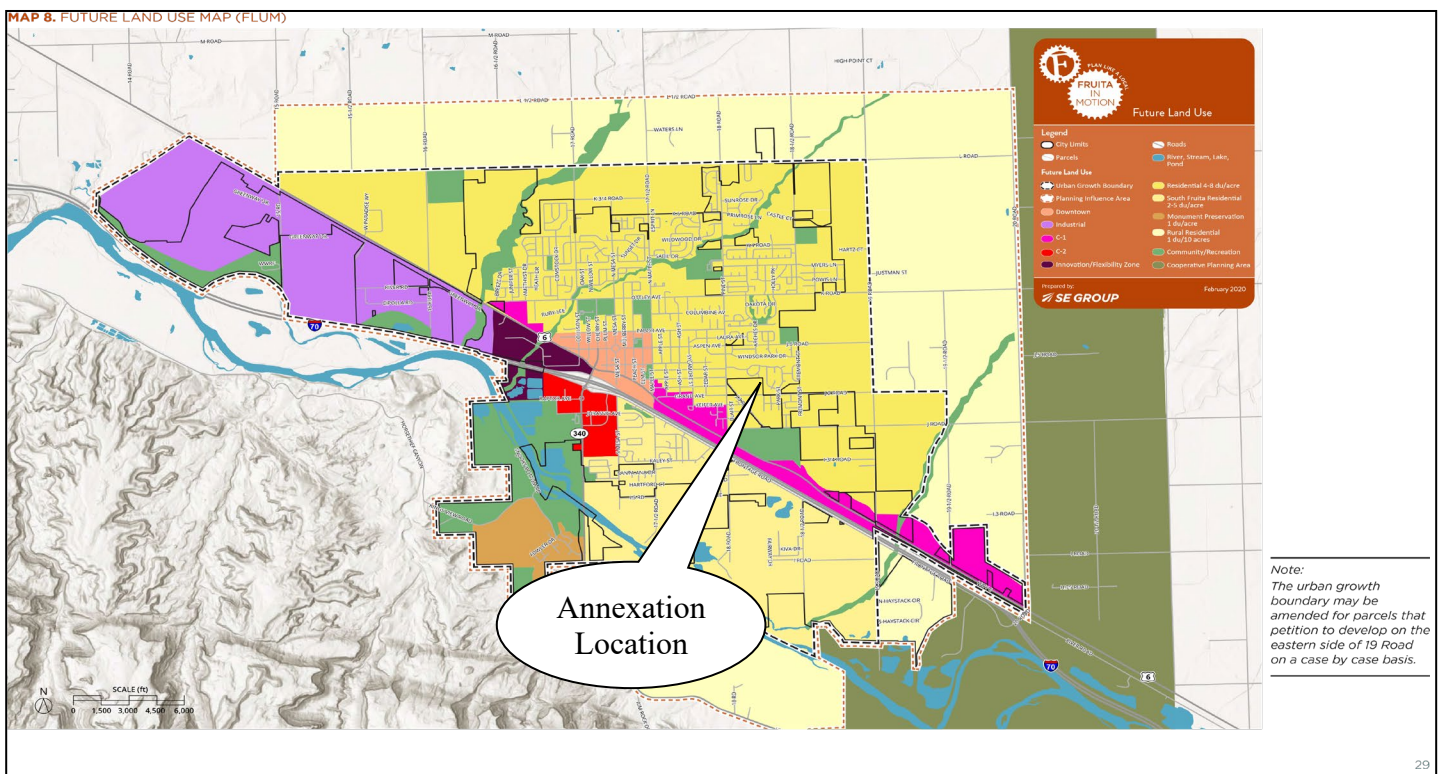
**PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT
MAY 9, 2023**

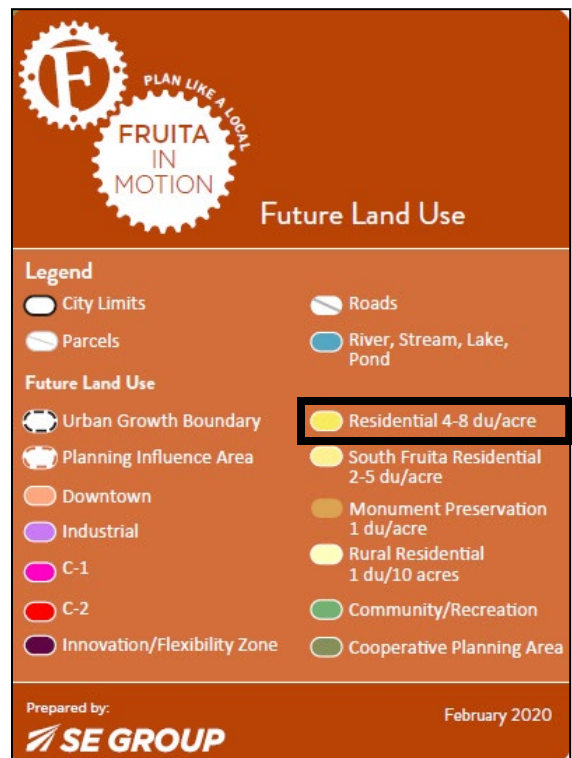
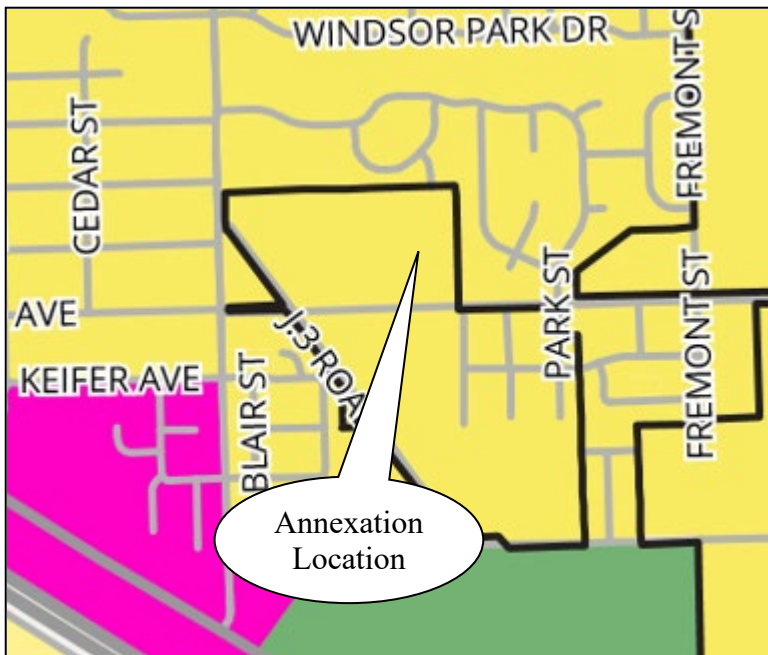
Application #: 2023-14
Project Name: 1824 J 2/10 Road
Application: Annexation
Property Owner: Pete Hitchcock and Anthony Stolarczyk
Location: 1824 J 2/10 Road
Zone: Currently zoned Agricultural, Forestry and Transitional (AFT-County zoning)
Request: This is a request for approval of the annexation of approximately 6.6 acres into the Fruita City Limits.

PROJECT DESCRIPTION:

The property owners of 1824 J 2/10 Road have applied to annex the property. The subject property is approximately 6.6 acres and is located on the north side of J 2/10 Road, adjacent to the Cottonwoods Subdivision. The property currently contains a single-family dwelling unit on the southwest corner.

FUTURE LAND USE MAP (FLUM)

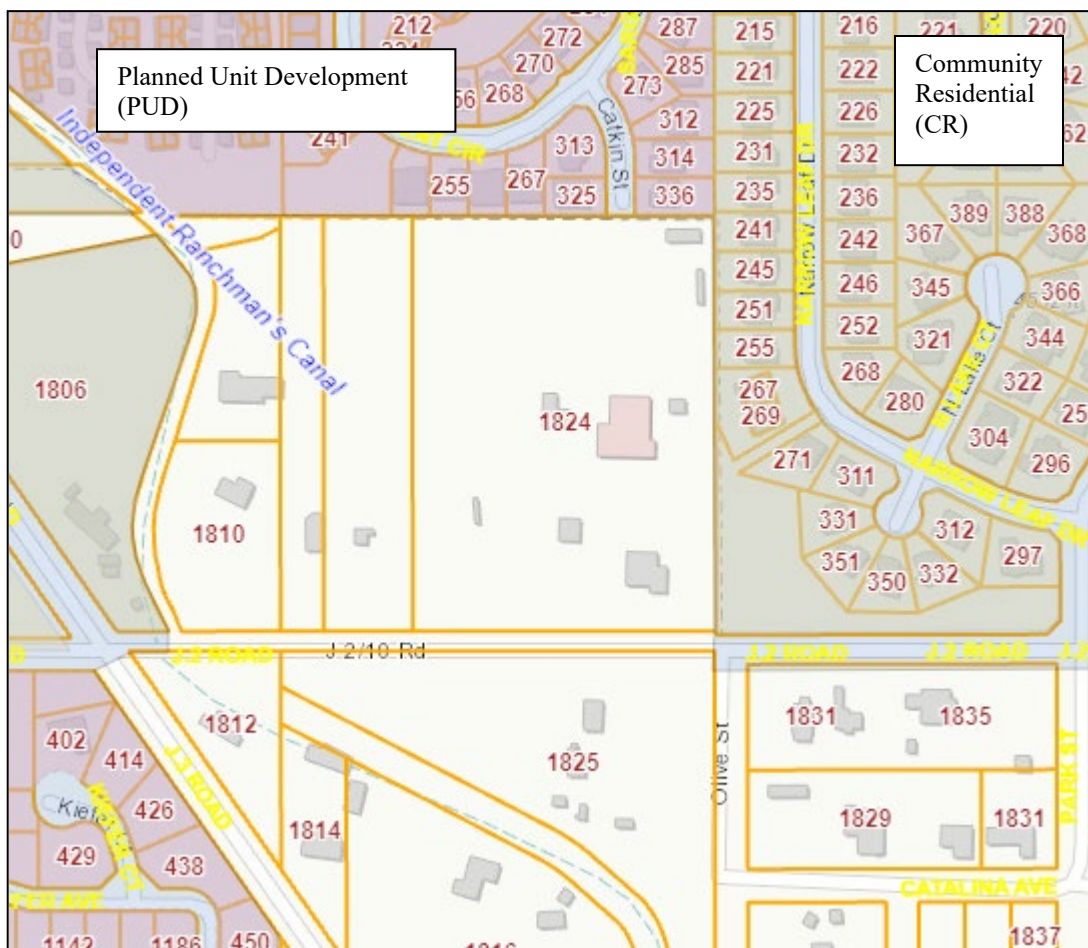




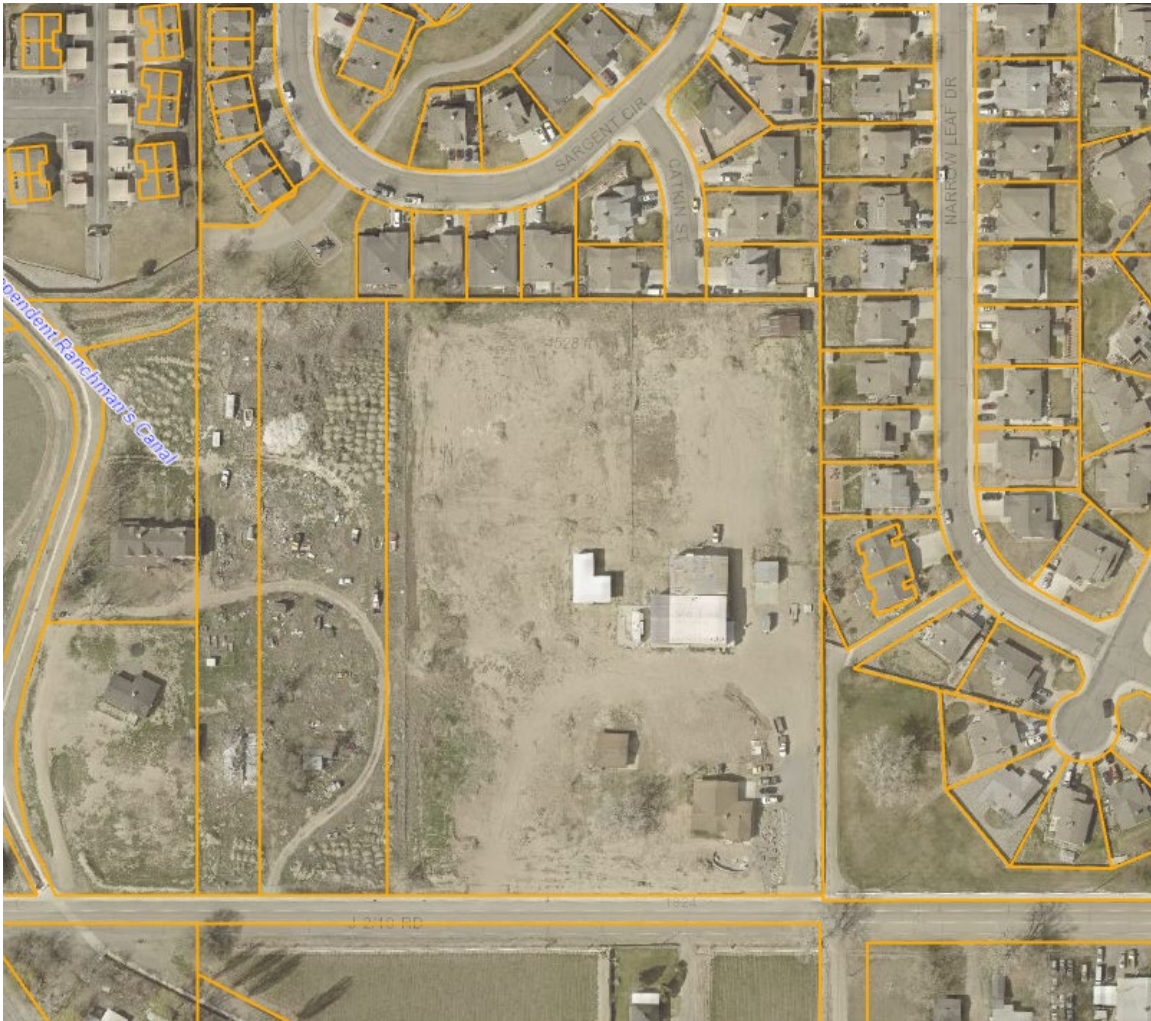
SURROUNDING LAND USES AND ZONING:

Surrounding land uses are primarily single family detached residential. The majority of the surrounding properties are within the city limits. There are a few properties to the east that are still in Unincorporated Mesa County. The map below identifies the various zones in this area.

LOCATION AND ZONING MAP



2022 AERIAL PHOTOGRAPH



REVIEW OF APPLICABLE LAND USE CODE REQUIREMENTS:

ANNEXATION

Section 17.17.050 (A) - If the subject property is located within the city's Urban Growth Boundary (UGB) as defined by the Fruita Community Plan, annexation may be approved only after considering the following criteria:

- 1. The annexation meets the requirements of the applicable State Statutes;**

This annexation request meets the requirements of state laws. The property has the required 1/6th contiguity with existing city limits which is required per Section 31-12-104 of the Colorado Revised Statutes (CRS).

Additionally, the Fruita Comprehensive Plan supports this area to be incorporated within the city limits as referenced in the above map. This criterion has been met.

2. The area is or can be efficiently served by city utilities and capital investments, including water, sewer, parks, drainage systems and streets;

Annexation of the subject property will not trigger an extension of city utility services. Sewer, water, and drainage systems are all directly nearby to serve the subject property. If the subject property were to develop, there would be review of existing utilities and added infrastructure associated with residential development.

This criterion can be met as the city has planned for the subject property to be incorporated into the city limits within the Comprehensive Plan.

3. The area is contiguous with existing urban development;

The subject property is contiguous with existing urban development, with the Cottonwoods Subdivision to the north and east. The remaining properties nearby that are undeveloped and/or remain in Unincorporated Mesa County are supported for residential development within the City of Fruita.

This criterion has been met.

4. The area is or can be efficiently served by police and other municipal services;

The subject property is within the service area for the Fruita Police Department, the Lower Valley Fire District. Since the subject property is already being served by these services, this criterion has been met.

5. The development is consistent with community goals, principles, and policies as expressed in the Fruita Comprehensive Plan;

Annexation within the Comprehensive Plan states that the city should, “Approve annexation of parcels within the UGB (Urban Growth Boundary) at the desired densities as described in the FLUM (Future Land Use Map). Annexation should help ensure that new development at the edge of the city is consistent with the goals and policies of this plan.”

Additionally, the city should “Ensure that new development pays its own way and does not burden the existing community with additional capital or operating costs. Ensure that new annexations at the city’s edge share appropriately in the costs of connecting all utility, park, drainage, pedestrian, and road systems.”

Furthermore, the city should “Avoid ‘leapfrog’ developments that leave discontinuous street and utility systems. Consider annexation proposals on the basis of the logical and cost-effective extension of utilities, pedestrian connections, parks, drainage, and road systems. Also consider the fiscal burden of the annexation in terms of major capital investments that would be needed by the City (wastewater, roads).”

Annexation of the subject property has been considered as meeting the intents and purposes of the basis of logical and cost-effective extensions of utilities and road systems.

Annexation of the property is consistent with the Fruita Comprehensive Plan. These approval criteria are intended to implement the goals and policies of the Fruita Comprehensive Plan regarding annexations. It appears that the approval criteria either have been met or can be met, therefore, this annexation is consistent with the Fruita Comprehensive Plan.

6. The annexation is supported by local residents and landowners;

The Fruita Comprehensive Plan (Fruita In Motion: Plan Like A Local) was adopted by the Fruita City Council on February 4, 2020 (Resolution 2020-09). Fruita in Motion: Plan like a Local speaks to the community’s significant role in the planning process. Residents helped shape every element of the plan, from sharing what they valued about Fruita and identifying issues for the plan to address, to reviewing drafts, and providing feedback on goals and policies. The process reached a large swath of the community, through traditional outreach (open houses, an advisory committee) and meeting people where they are, with booths at farmers markets, the art stroll, and other city events and the draft plan tour, where City staff met with HOAs and other local groups to share the plan and hear input from the community.

With regards to the subject property, 89 landowners were noticed of this annexation application. The number of property owners noticed of this application is set forth with the legal notice requirements contained in the Land Use Code. Staff has not received written public comments regarding this application.

The annexation is supported by the landowner and the landowner has signed the annexation petition. This is in accordance with C.R.S 31-12-107.

This criterion has been met.

7. Water and ditch rights can be provided, as applicable, in accordance with city policies;

The city standard is 1 – 1.5 irrigation shares per irrigated acre.

This application was sent to Grand Valley Irrigation Company (GVIC) for review and no review comments have been received at this time.

Additionally, this application was sent to Ute Water and review comments indicate no objections.

This criterion can be met.

8. The area will have a logical social and economic association with the city, and;

Annexation of the subject property will not provide much with respect to an economic association with the city at this time. Once the subject property is developed, the additional dwelling units should provide for a logical social impact to the city. This criterion can be met.

9. The area meets or can meet the existing infrastructure standards set forth by the city.

The subject property meets or can meet all the existing infrastructure standards set forth by the city. At the time of development, the city will review the subdivision development application in accordance with city standards related to addition infrastructure.

This criterion can be met.

Based on this information, the annexation of the subject property meets or can meet the approval criteria that must be considered for annexations.

REVIEW COMMENTS:

No reviewer expressed any issues with the proposed annexation.

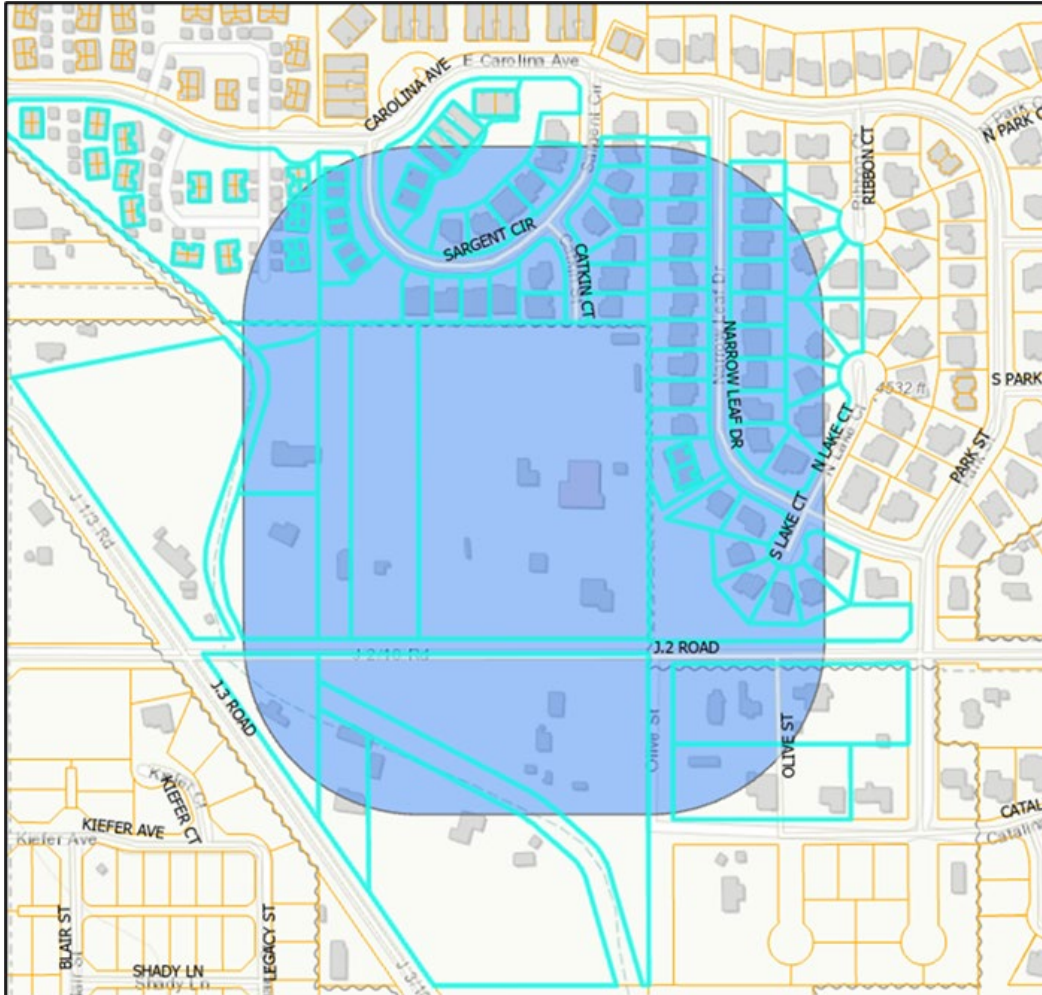
PUBLIC COMMENTS:

No written public comments have been received by Staff at this time.

LEGAL NOTICE

Legal Notice (minimum of 15 days prior to Planning Commission)	
April 19, 2023	Post Cards
April 12, 2023	Sign Posting
April 19, 2023	Legal Ad





STAFF RECOMMENDATION:

Staff recommends **approval** of the annexation with no additional conditions.

SUGGESTED PLANNING COMMISSION MOTION:

Mr. Chair, I move that we recommend **approval** to City Council, of application #2023-14, the annexation of 1824 J 2/10 Road.

ANNEXATION SCHEDULE:

1824 J 2/10 ROAD ANNEXATION SCHEDULE	
Date	Action
4/18/2023	<ul style="list-style-type: none">• 1st Resolution to set a hearing date to determine eligibility.• 1st Ordinance reading – Annexation & Zoning
	Published in Daily Sentinel (4 consecutive weeks) <ul style="list-style-type: none">• April 21,2023• April 28, 2023• May 5, 2023• May 12,2023
5/9/2023	Planning Commission considers Annexation & Zone
6/6/2023	2 nd Resolution- finding property eligible 2 nd Reading of an Ordinance to Annex 2 nd Reading of an Ordinance to Rezone
Legal Notice (minimum of 15 days prior to Planning Commission)	
4/19/2023	Post Cards
4/12/2023	Sign Posting
4/19/2023	Legal Ad in the paper

ANNEXATION IMPACT REPORT

CITY OF FRUITA

APRIL 14, 2023

Application #: 2023-14
Project Name: 1824 J 2/10 Road
Application: Annexation
Property Owner: Pete Hitchcock and Anthony Stolarczyk
Location: 1824 J 2/10 Road
Zone: Currently zoned Agricultural, Forestry and Transitional (AFT-County zoning)
Request: This is a request for approval of the annexation of approximately 6.6 acres into the Fruita City Limits.

Section 17.17.040 of the Fruita Land Use Code states that any annexation not requiring an election shall be accompanied by an annexation impact report which contains the following elements.

A. Plans of the municipality for extending to or otherwise providing for municipal services;

The Future Land Use Map (FLUM) within The Fruita In Motion: Plan Like A Local Comprehensive Plan shows the subject property within the City's Urban Growth Boundary. The Urban Growth Boundary was developed with the anticipation of providing the necessary municipal services. With that said, the city does have plans to provide municipal services to this area.

Historically, the City of Fruita has not forced the extension of municipal services. The city has been proactive in planning for future extensions of the city limits with regards to providing municipal services to the areas designated in the Urban Growth Boundary. This includes the municipal services provided by the City of Fruita (sanitary sewer and police).

B. The City of Fruita's anticipated financing of the extension of services;

The City of Fruita will not be financing the extension of services (water, sewer, gas, etc.) to the subject property at this time.

C. The special districts included in the territory to be annexed;

No special districts are included within the territory to be annexed. Below are the agencies or entities that have taxing authority over the territory to be annexed. These agencies will be notified of the annexation application.

1. Lower Valley Fire Protection District.
2. Mesa County School District 51.
3. Grand Valley Irrigation Company.
4. Grand Valley Mosquito Control District.
5. Mesa County Public Library District.
6. Grand Valley Drainage District.
7. Colorado River Water District.
8. Library District.
9. Mesa County Social Services.

D. The effect of annexation on the public school district system including the estimated number of students generated and capital construction required to educate each student;

The school district boundaries for the recently constructed Monument Ridge Elementary School, Fruita Middle School, Fruita 8/9, and Fruita Monument High School already include the subject property. This implies that no new impacts on the school system would be generated from this annexation application. The impacts to the school district system will be evaluated by the Mesa County Valley School District when this property develops. The School District has been made aware of this annexation.

E. Traffic/pedestrian/bicycle impacts;

Traffic, pedestrian and bicycle impacts should not change with the annexation of the subject property. Traffic, pedestrian and bicycle impacts will remain the same.

F. Wastewater, water, drainage, and irrigation impacts, and;

Impacts on these facilities shouldn't change with the annexation itself. When the property develops, necessary regulations from review agencies will be reviewed with a land development application.

G. Other relevant information as required by the Community Development Department.

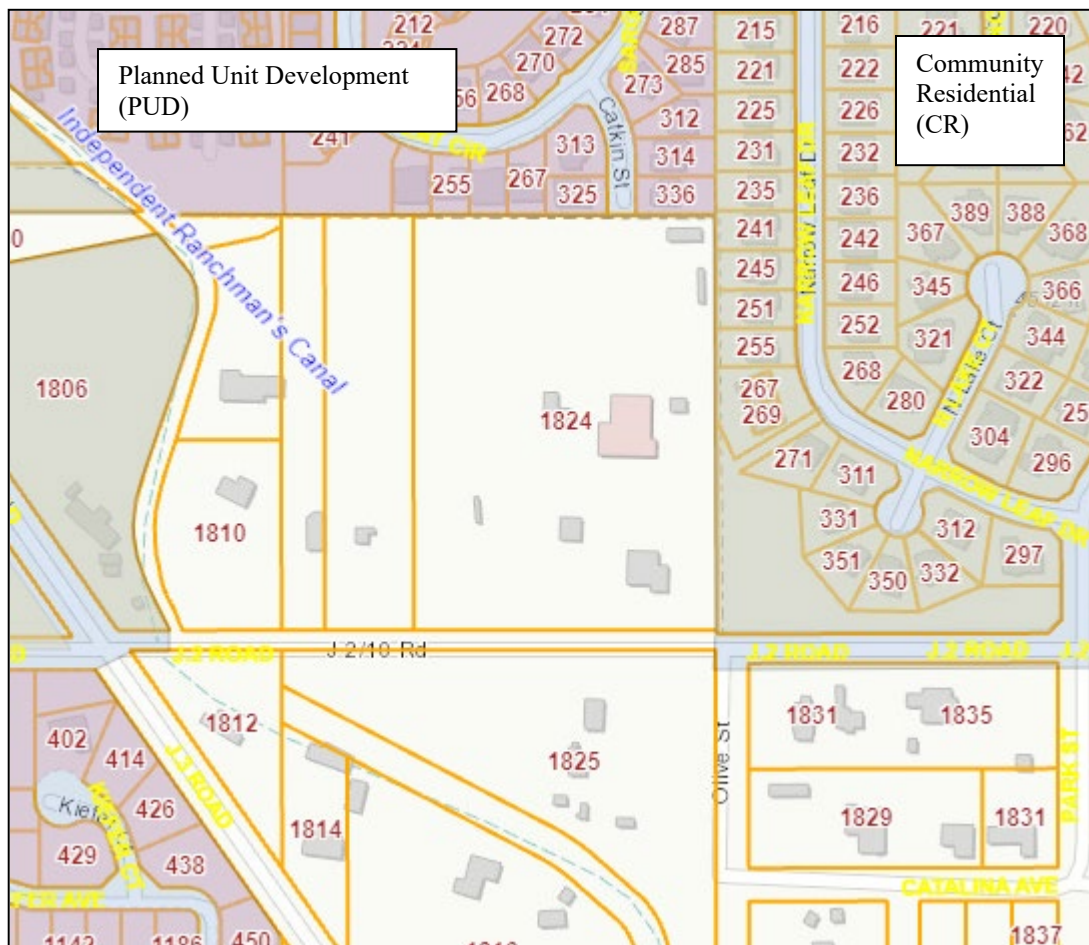
Review Agencies:

1. Xcel Energy
2. Grand Valley Power Company
3. Charter Communications

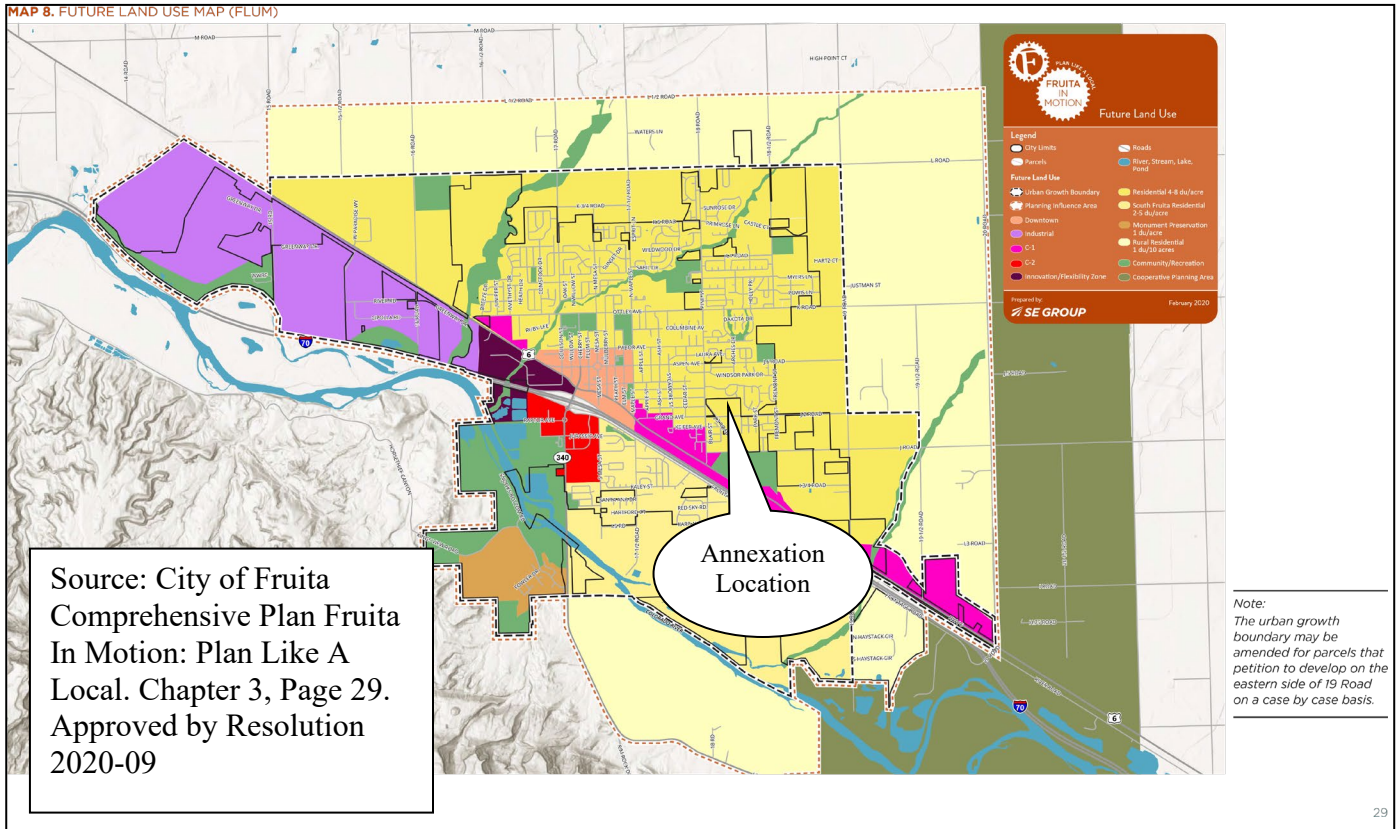
4. Century Link
5. Ute Water
6. Grand Valley Drainage District
7. Grand Valley Irrigation Company
8. Mesa County Community Development Department
9. Mesa County Building Department
10. Mesa County Surveyor
11. Mesa County Valley School District (School District 51)
12. 5-2-1 Drainage Authority
13. Lower Valley Fire Protection District
14. Grand River Mosquito District

Map Exhibits:

Present City boundary



Proposed City Boundary set forth in the Future Land Use Map (FLUM)



Project Report - Annexation and Rezone

Hitchcock and Stolarczyk Estate
1824 J 2/10 Road
Fruita, CO 81521

Date: 1/30/2023

Prepared by: Pete Hitchcock, Owner

Submitted to:

City of Fruita, City Planning and Development
325 E Aspen Ave
Fruita, CO 81521

Attn: Kelli McLeand and Henry Hemphill

Project: Annexation and Rezone

Property Address: 1824 J 2/10 Road, Fruita, CO 81521

Tax Schedule Number: 2697-163-00-038



Date of Aerial Photo: 2022

Project Applicants and Owners: Pete Hitchcock and Anthony Stolarczyk

Hitchcock and Stolarczyk Project Overview:

This annexation and rezone request is submitted by the owners, Pete Hitchcock and Anthony Stolarczyk. The subject property contains 6.68 acres +/- and is located on J 2/10 Road Fruita, CO 81521. The address is 1824 J 2/10 Road, the parcel number is 2697-163-00-038 and the zoning is AFT.

Petitioner's Intent:

The Petitioner's Intent is to Rezone and Annex the property into the city limits of Fruita.

Current Land Use:

4.1.2 | AFT Agricultural, Forestry, Transitional District The AFT, Agricultural, Forestry, Transitional District is primarily intended to accommodate agricultural operations and very low-density single-family residential development within the Rural Planning Area.

Future Land Use:

Community Residential (CR). The purpose of the CR zone is to allow for moderate density detached single-family residential neighborhoods with the inclusion of other housing types such as attached dwelling units (e.g. apartments and townhouses). Innovative neighborhood design is encouraged in this zone district to provide opportunities for housing diversity. This area is served by public utility infrastructure and is appropriate for density of 4-8 du per acre.

Project Narrative: Annexation

This property is within the City's Urban Growth Area and the annexation meets the requirements of State law (Title 31, Article 12). The area to be annexed can be efficiently served by urban services and facilities including police and fire protection, sanitary sewer service, potable water, irrigation water, drainage structures, streets and trails, etc..

New impacts to urban services and facilities will not be created as the existing lot is currently serviced by city water, Grand Valley Power, Xcel Energy, and has a private septic system. The private septic system will be addressed as part of the future subdivision process.

The area to be annexed is contiguous with the existing urban development boundary and is consistent with the City's Master Plan. The annexation is supported by local residents and landowners. We mailed out 89 invites for a neighborhood meeting on 2/23/23. We had 2 people come to the meeting, one commented that family homes would be a good fit for the land and the other had no concerns with our annexation, but wanted it to be known that he didn't want his property to be forced to annex. The annexation will have a logical social and economic association with the City of Fruita.

Question and Comment Form for the
Rezoning and Annexation of 1824 J 2/10 Road

Name Kitty Tattersall Phone # 970-433-4155
Address 251 Narrow Leaf Dr Date Feb 23, 2023

Question and/or Comments:

I think family housing would be a good use for
the land so close to schools. Best wishes!

Question and Comment Form for the
Rezoning and Annexation of 1824 J 2/10 Road

Name PAUL FIORE Phone # 970-379-6377
Address 1835 J 2/10 Date 2-23-23

Question and/or Comments:

ONLY CONCERNS: FORCE ANNEXATION TO MY PROPERTY.

