



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: SEPTEMBER 21, 2021

**RE: ORDINANCE 2021-17, SECOND READING - AN ORDINANCE
ANNEXING APPROXIMATELY 16.21 ACRES OF PROPERTY
LOCATED AT 1930 HIGHWAY 6 & 50 INTO THE CITY OF FRUITA.**

BACKGROUND

The property owners of 1930 Highway 6 & 50 have submitted an annexation application to the City of Fruita. Staff has reviewed this annexation request and finds that the property meets the city and state laws that must be met to find a property eligible for annexation.

Staff has reviewed this annexation request and finds that the property meets current State Statutes for annexation including the required 1/6th contiguity with existing City limits and it is within the City's Urban Growth Boundary. The City Council approved Resolution 2021-16 on July 6, 2021 which set the hearing date to determine the eligibility for this application. This Resolution is required by section 31-12-107 of the Colorado Revised Statutes. All required legal notice has been accomplished in accordance with State Statute and the Land Use Code.

At their July 13, 2021 public meeting, the Planning Commission recommended approval of the annexation petition by a vote of 5-0 to the Fruita City Council.

FISCAL IMPACT

Annexation of property requires that the city provide it with city services (such as police protection and sanitary sewer service). The cost of providing services varies with each annexation.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The city's primary goal is to protect the health, safety and welfare of the city's residents. Annexation ensures that the city has some control over development which might otherwise occur outside the city limits and drain city resources and infrastructure.

It appears that this annexation meets both state requirements and local requirements as identified in the Land Use Code. The Land Use Code (along with other regulatory documents) implement the City's goals and policies as outlined in the city's Master Plan including the Fruita Community Plan.

OPTIONS AVAILABLE TO COUNCIL

1. Adopt Ordinance 2021-17, An Ordinance annexing approximately 16.21 acres of property located at 1930 Highway 6 & 50 into the City of Fruita.
2. Deny Ordinance 2021-17.

RECOMMENDATION

It is the recommendation of staff that the Council by motion:

**ADOPT ORDINANCE 2021-17 ANNEXING APPROXIMATELY 16.21
ACRES OF PROPERTY LOCATED AT 1930 HIGHWAY 6 & 50 INTO
THE CITY OF FRUITA.**

ORDINANCE 2021-17

**AN ORDINANCE ANNEXING APPROXIMATELY 16.21 ACRES OF PROPERTY LOCATED
AT 1930 HIGHWAY 6 & 50 INTO THE CITY OF FRUITA**

WHEREAS, the Fruita City Council finds that it is necessary to annex certain real property contiguous to the City of Fruita in order to:

1. Promote the public health, safety, and welfare of the community;
2. Insure efficient provision of municipal services and fair and equitable distribution of cost amongst those who use services provided by the community; and,
3. Provide for orderly growth of the community; and,

WHEREAS, the City Council adopted a Resolution finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 and 105, stating their intent to annex same and initiating the annexation procedures.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

Section 1: The Fruita City Council, having reviewed a properly constituted petition of all the owners of real property in the area proposed for annexation, hereby annexes the property as described and shown in Exhibit A, and the Fruita City limits are hereby modified to reflect said annexation.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
21ST DAY OF SEPTEMBER 2021.**

ATTEST:

City of Fruita:

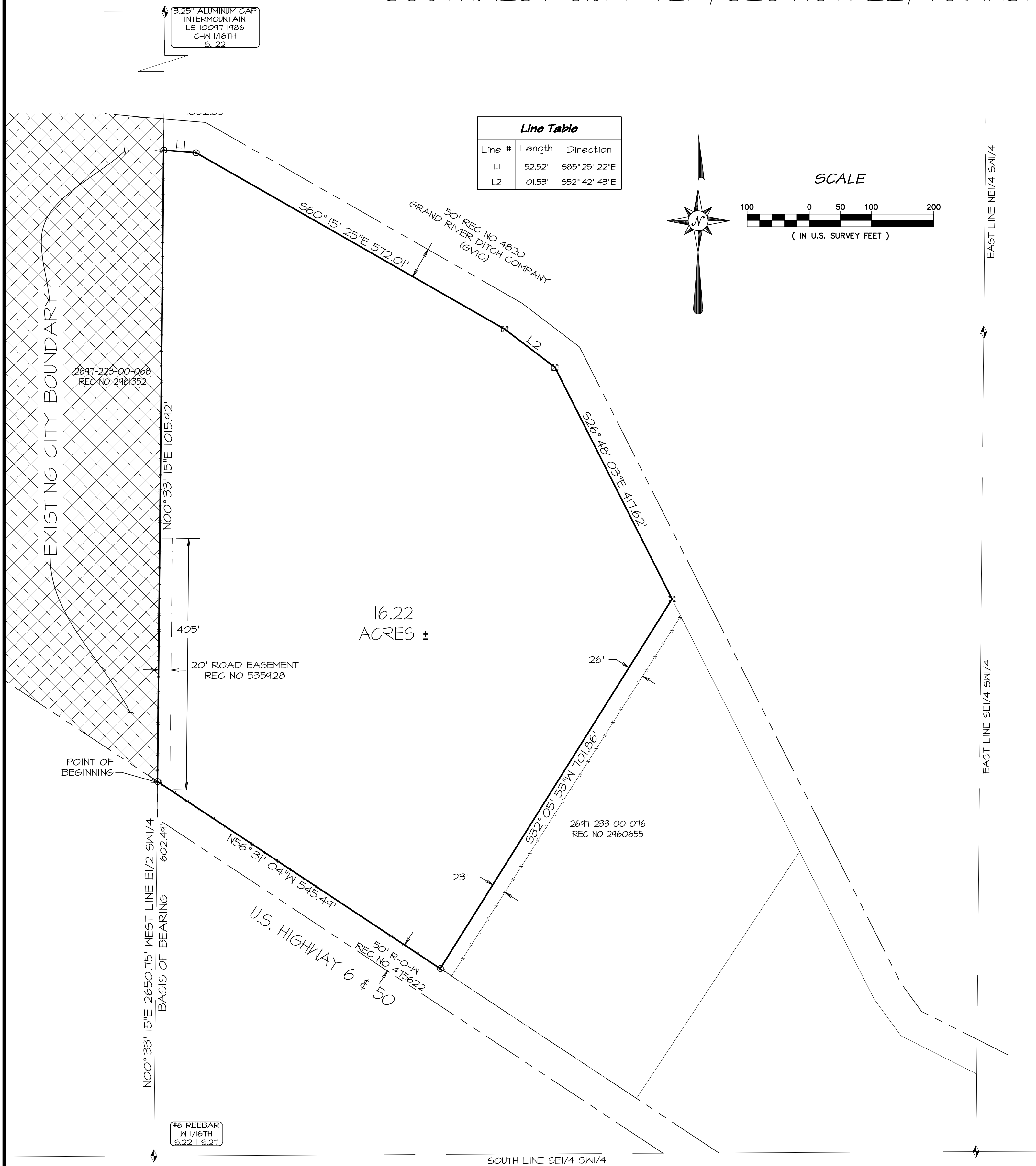
Margaret Sell, City Clerk

Joel Kincaid, Mayor

EXHIBIT A

1930 Highway 6 & 50 ANNEXATION

SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERIDIAN



TITLE CERTIFICATE

_____, does hereby certify that it has examined the title to all lands shown on this Plat and that title to such lands is vested in _____ free and clear of all liens, taxes, and encumbrances, except as follows:

NA

EXECUTED this _____ day of _____, 20_____.

Title Examiner

LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP

We, DONNA JEAN MEEK and GARY DALE CASTOR, the owners of 100 percent of the following described property, excluding any public streets and alleys, to wit:

PROPERTY DESCRIPTION:

A parcel of land situated within the East one-half of the Southwest Quarter of Section 22, Township 1 North, Range 2 West of the Ute Meridian being more particularly described as follows: Commencing at the west one-sixteenth of said Section 22 and Section 27, whence the center-west sixteenth of said Section 22 bears North 00°33'15" East with all bearing herein relative thereto; thence North 00°33'15" East, a distance of 602.49 feet to a 1.25" plastic cap marked PLS 12291 and the Point of Beginning; thence North 00°33'15" East, a distance of 1015.92 feet to a 1.25" plastic cap marked PLS 12291; thence South 85°25'22" East, a distance of 52.52 feet to a 1.25" plastic cap marked PLS 12291; thence South 60°15'25" East, a distance of 572.01 feet to a number 5 rebar; thence South 52°42'43" East, a distance of 101.53 feet to a number 5 rebar; thence South 26°48'03" East, a distance of 417.62 feet to a number 5 rebar; thence South 32°05'53" West, a distance of 101.86 feet to a 1.25" plastic cap marked PLS 12291; thence North 56°31'04" West along the northeasterly right-of-way line as recorded at Reception Number 475622, a distance of 545.49 feet to the Point of Beginning.

said parcel containing 16.22 acres more or less.

have by these presents laid out and platted the same as shown hereon and designate the same as 1930 HIGHWAY 6 & 50 ANNEXATION to the City of Fruita, County of Mesa, State of Colorado.

EXECUTED this _____ day of _____, 20_____.

DONNA JEAN MEEK

GARY DALE CASTOR

STATE OF COLORADO)
) ss

COUNTY OF MESA)

This plat was acknowledged before me by _____

on this _____ day of _____, _____.

Witness my hand and seal _____, _____.

My commission expires _____, _____.

SURVEYOR'S CERTIFICATE

I, _____, a registered land surveyor licensed under the laws of the State of Colorado, do hereby certify that this survey was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief, and that no less than one-sixth (1/6) of the perimeter of the area as shown hereon is contiguous with the existing boundaries of the City of Fruita, Colorado. I further certify that the external boundaries of the property shown on this Plat have been monumented from the ground.

EXECUTED this _____ day of _____, 20_____.

PLANNING COMMISSION CERTIFICATION

This plat approved by the City of Fruita Planning Commission the _____ day of _____, 20_____.

Chairman

CITY COUNCIL CERTIFICATE
The City Council of the City of Fruita, Colorado, by Resolution Number _____, duly adopted on the ____ day of _____.

2020, found and determined that annexation of the property designated herein complies with the requirements contained in Article 12, Title 31, C.R.S., as amended, and that said property is eligible for annexation to the City of Fruita. The City Council of the City of Fruita, Colorado, by Ordinance Number _____, duly adopted on the ____ day of _____, 2020, did annex the property herein described to the City of Fruita, Colorado. ATTEST:

Mayor

City Clerk

LEGEND

○

FOUND 1.25" PLASTIC CAP
PLS 12291

⬆

ALIQUOT POSITION AS NOTED,
OBTAINED FROM MESA COUNTY
PUBLISHED DATA

⊠

FOUND REBAR

----- EASEMENT LINE

----- PARCEL LINE

----- ROW LINE

----- ALIQUOT LINE



215 Pitkin Avenue, Unit 101
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rcwest.com



VICINITY MAP 1:1500

CLERK AND RECORDER'S CERTIFICATE

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado, at ____ o'clock ____ M., on this _____ day of _____.

and was recorded at Reception No. _____, Fees _____.

By: _____
Clerk and Recorder Deputy

1930 Highway 6 & 50 ANNEXATION

SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 1 NORTH,
RANGE 2 WEST, UTE MERIDIAN
CITY OF FRUITA, COUNTY OF MESA, STATE OF
COLORADO

Sheet 1 of 1 Date: 4/24/21 Job No. 2003-001

Surveyed: CVW Drawn: AKT Checked: TPJ

Drawing name: S:\PROJECTS\2003 Dave Kiehn\001 1930 Hwy 6 & 50\Survey\DWG\2003-001 ANNEX.dwg

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



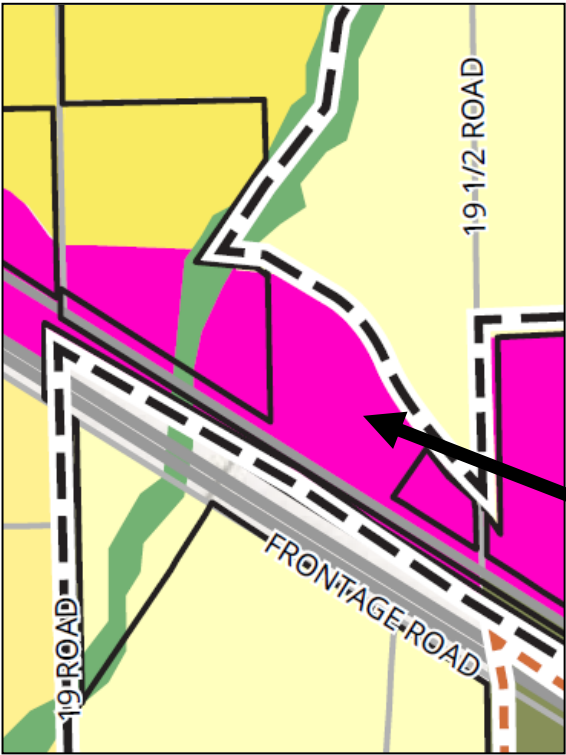
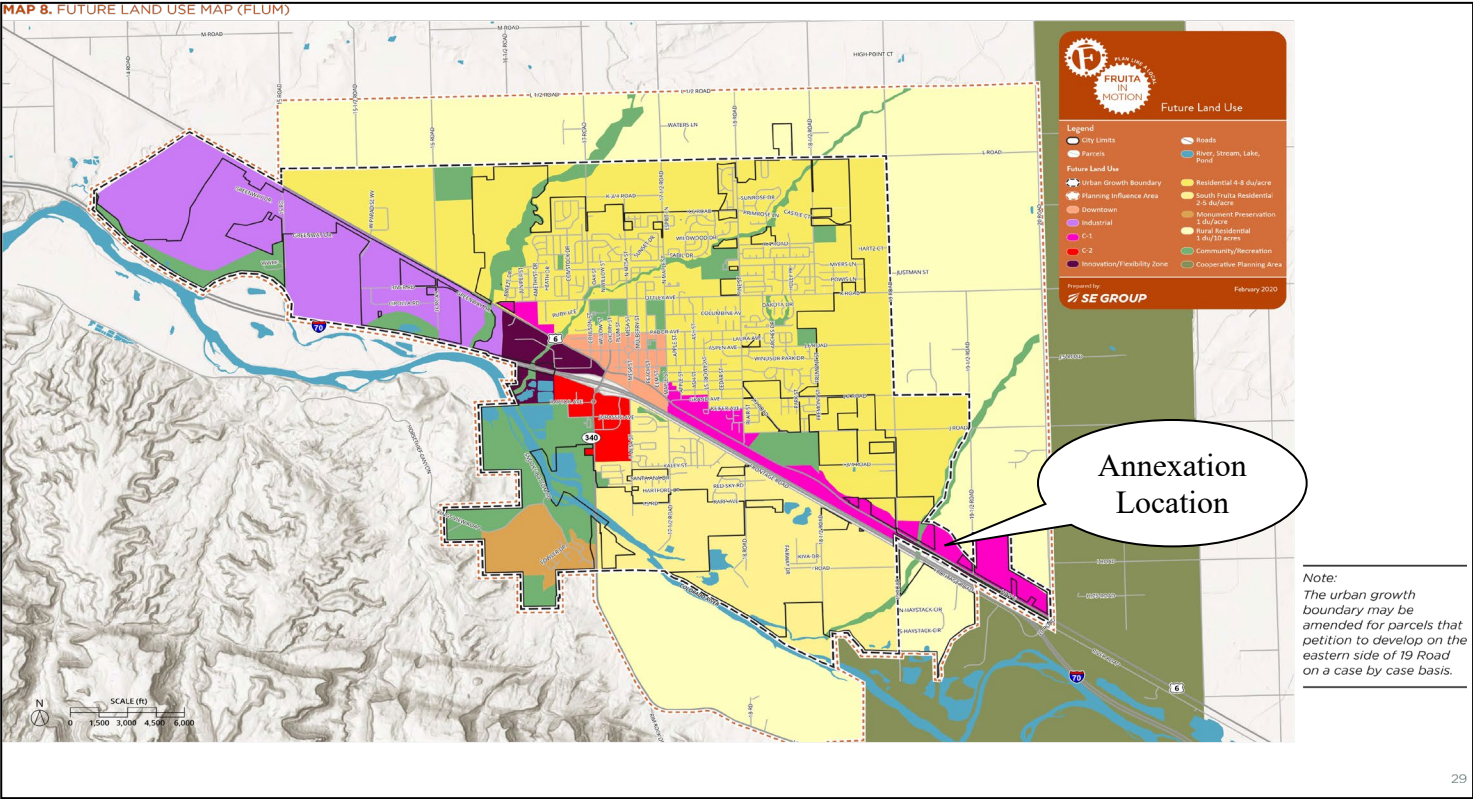
**PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT
JULY 13, 2021**

Application #: 2021-21
Project Name: 1930 Highway 6 & 50
Application: Annexation
Property Owner: Donna Meek and Gary Castor
Representative: River City Consultants, Inc
Location: 1930 Highway 6 & 50
Zone: Currently zoned Agricultural Forestry Transitional (AFT -
County zoning)
Request: This is a request for approval of the annexation of approximately
16.82 acres into the Fruita City Limits.

PROJECT DESCRIPTION:

The property owners of 1930 Highway 6 & 50 have applied to annex the property. The subject property is approximately 16.82 acres and is located on the north side of Highway 6 & 50 between 19 and 19 ½ Road. Currently, there is a single-family dwelling unit on the property and has had a history of agricultural uses.

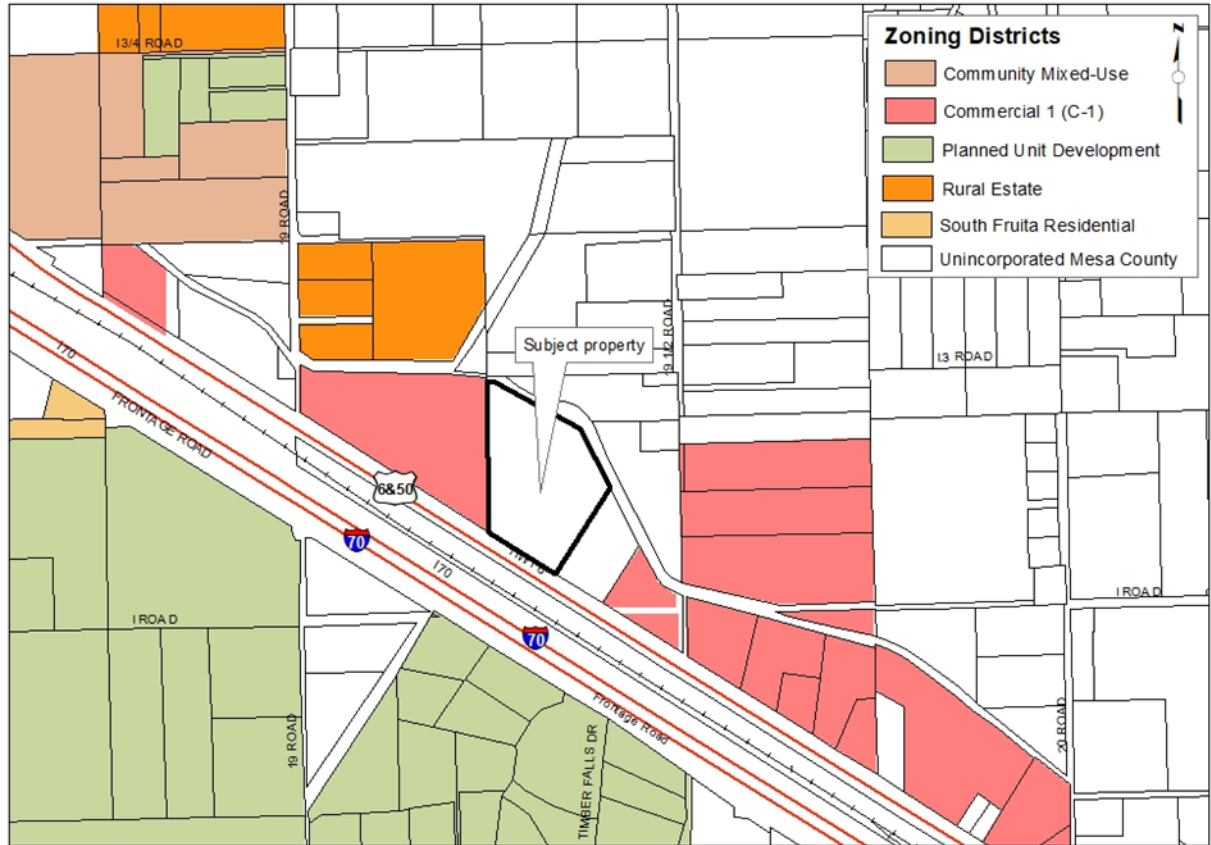
FUTURE LAND USE MAP (FLUM)



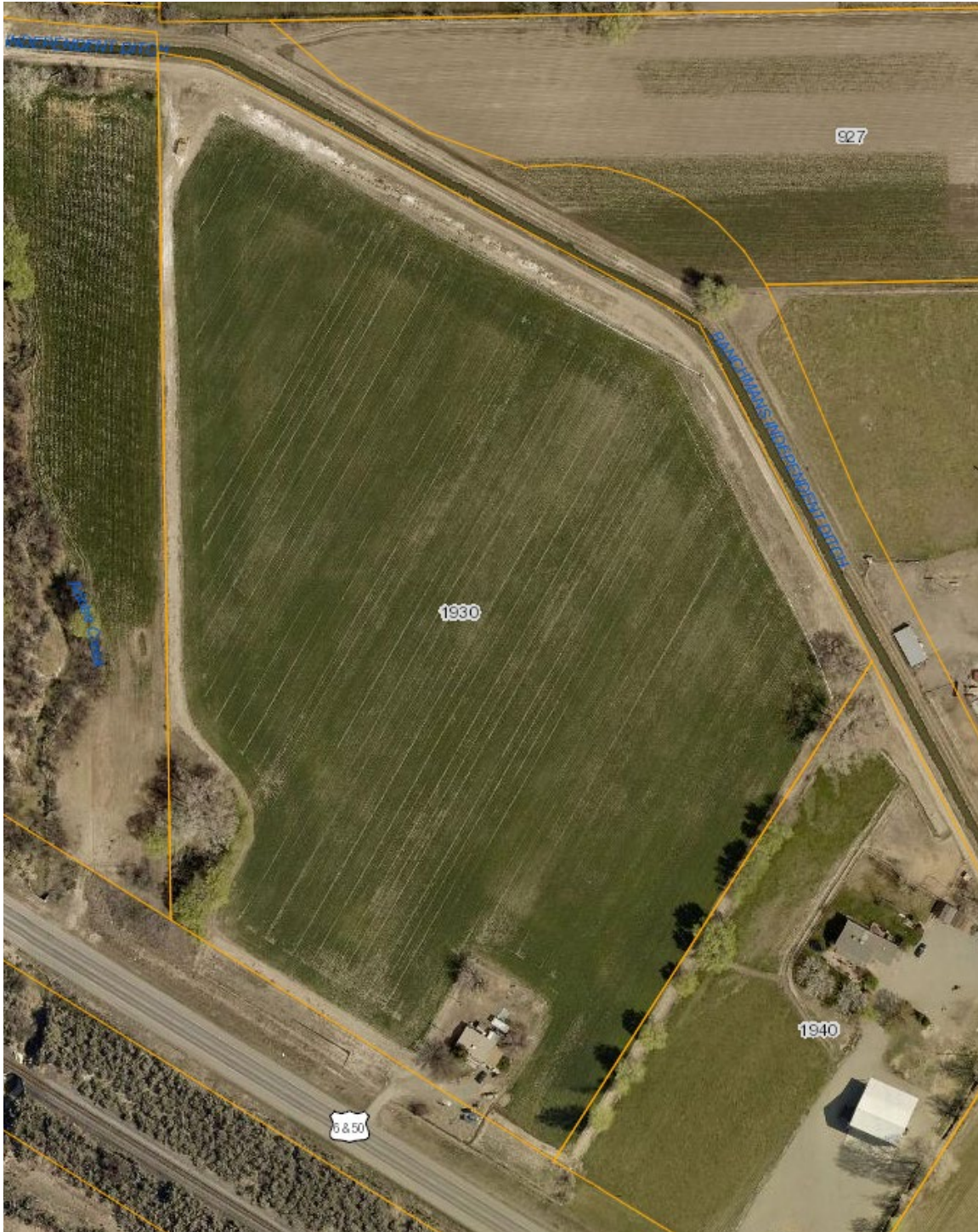
SURROUNDING LAND USES AND ZONING:

Surrounding land uses are primarily single family detached residential with some small-scale farming scattered nearby. The Ranchman's Independent Ditch is located to the north and the Adobe Creek Wash is to the west. The map below identifies the various zones in this area.

LOCATION AND ZONING MAP



2020 AERIAL PHOTOGRAPH



REVIEW OF APPLICABLE LAND USE CODE REQUIREMENTS:

ANNEXATION

Section 17.06.040 (A) (1) of the Code states that if the property is located within the City's Urban Growth Area as identified by the Fruita Community Plan, annexation may be approved only after considering the following criteria:

a. The annexation meets the requirements of the 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).

The city limits border this property on the west side by 1015.92 feet according to the annexation map submitted with the application. This meets the 1/6th contiguity requirement, and the annexation petition has been signed by all property owners of record.

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

b. 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 utilities. Review of adequate and appropriate city utilities and other necessary elements (streets, water, drainage systems, etc.) will be evaluated at the time this property develops into something other than the existing single-family dwelling, and as the project narrative suggests, could be relatively soon. This criterion can be met.

c. The area is contiguous with existing urban development;

The subject property is contiguous to the city limits. The Fruita Comprehensive Plan supports commercial development along Highway 6 & 50, as Fruita grows, this area will be contiguous with urban types of development. This criterion can be met.

d. 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 and the Lower Valley Fire District. Since the subject property is already being served by these services, this criterion has been met.

e. The development is consistent with community goals, principles, and policies as expressed in the Fruita Community 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).” The city limits continue to the east along Highway 6 & 50 all the way to 20 Road. This annexation is not considered as a leapfrog type of annexation or development.

The annexation of the property appears to be 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.

It should also be noted that the subject property was in the City’s Urban Growth Boundary (UGB) contained in the 2008 Community Plan prior to the adoption of the 2020 Comprehensive Plan. No modifications to this boundary were made in this area.

f. 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, 25 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 property owners, Donna Meek and Gary Castor, and they have signed the annexation petition. This is in accordance with C.R.S 31-12-107.

This criterion has been met.

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

At this point, annexation of the subject property only serves as incorporation into the city limits with no modifications to utilities such as sanitary water and irrigation water. The property is currently being served with sanitary water services provided by Ute Water.

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

When the property develops, a more technical review of these elements will take place. However, it does appear that irrigation water can be provided to the subject property. This criterion can be met.

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

Annexation of the subject property and the single-family dwelling unit will not provide much with respect to an economic association with the city. However, commercial growth and development can provide a logical social and economic benefit. This criterion can be met.

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

The area meets or can meet the existing infrastructure standards set forth by the city at this time. This criterion has been met.

Based on this information, the annexation of the subject property meets or can meet the approval criteria that must be considered for annexations. It should be noted that the existing dwelling unit, a mobile home, will be considered as legal non-conforming. If the property is zoned according to the Comprehensive Plan, the mobile home is not allowed in that zone district.

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)	
June 23, 2021 (20 days prior)	Post Cards
June 24, 2021 (19 days prior)	Sign Posting
June 23, 2021 (20 days prior)	Legal Ad

NOTICE OF PUBLIC HEARING

The Fruita Planning Commission will hold a public hearing **Tuesday, July 13, 2021 at 6:00 p.m.** This meeting may be held in person subject to public health orders or by City Council direction. Details on how to access this meeting will be found at www.fruita.org. If the meeting is held in person, the virtual link will remain open for public participation. The following item will be presented at the public hearings. The Planning Commission will formulate a Recommendation, which will be forwarded to the Fruita City Council. If the item listed below is acted on by the Planning Commission, the Fruita City Council will hold a public hearing on this same item on **Tuesday, September 21, 2021 at 7:00 p.m.** Please check www.fruita.org for more details. If you have an interest on the item please call 858-0786 or come to the Planning & Development Department office located at 325 E. Aspen Avenue to review the information in the file. Your appearance at both hearings is encouraged to ensure your concerns are accurately represented or you can write a letter outlining your concerns and submit it to the Planning & Development Department.

Application # 2021-21
Application Name 1930 Highway 6 & 50
Application Type Annexation
Location 1930 Highway 6 & 50
Current Zone: Mesa County Zoning AFT
Description This is a request to annex approximately 16.82 acres into the city limits.

Physically disadvantaged persons who wish to obtain information or need assistance in attending the Public Hearing, may call (970) 858-0786, the hearing impaired may call Relay Colorado at 1-800-659-2656, or visit our website: www.fruita.org

STAFF RECOMMENDATION:

Staff recommends **approval** of the annexation petition.

SUGGESTED PLANNING COMMISSION MOTION:

Mr. Chair, I move that we recommend **approval** of application #2021-21, the 1930 Highway 6 & 50 Annexation, to City Council.

ANNEXATION SCHEDULE:

<i>1930 Highway 6 & 50 Annexation Schedule</i>	
Date	Action
July 6, 2021	Resolution to set a hearing date to determine eligibility
	Published in Daily Sentinel (Once a week for 4 consecutive weeks) * July 14, 2021 * July 21, 2021 * July 28, 2021 * August 4, 2021
July 13, 2021	Planning Commission considers Annexation & Zone
August 17, 2021	Resolution to find the property eligible for Annexation
August 17, 2021	1st Reading of an Ordinance to Annex 1st Reading of an Ordinance to Zone
September 21, 2021	2nd Reading of an Ordinance to Annex 2nd Reading of an Ordinance to Zone
Legal Notice (minimum of 15 days prior to Planning Commission)	
June 23, 2021	Post Cards
June 24, 2021	Sign Posting
June 23, 2021	Legal Ad

ANNEXATION IMPACT REPORT

CITY OF FRUITA

JUNE 17, 2021

Application #: 2021-21
Project Name: 1930 Highway 6 & 50 Annexation
Application: Annexation
Property Owner: Donna Meek and Gary Castor
Representative: River City Consultants, Inc
Location: 1930 Highway 6 & 50
Zone: Currently zoned Agricultural Forestry Transitional (AFT - County zoning)
Request: This is a request for approval of the annexation of approximately 16.82 acres into the Fruita City Limits.

Section 17.06.040 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. These services will be based on the property's land use and evaluated in accordance with city standards at that time.

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 or have been 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.

E. Traffic/pedestrian/bicycle impacts;

Traffic, pedestrian and bicycle impacts should not change with the annexation of the subject property. The subject property contains one (1) single family detached dwelling unit. Traffic, pedestrian and bicycle impacts will remain the same at the time of annexation.

Development of the subject property will have those impacts, however, the impacts are anticipated to be small based on the future zoning that is set forth within the recently adopted Fruita In Motion: Plan Like A Local Comprehensive Plan.

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.

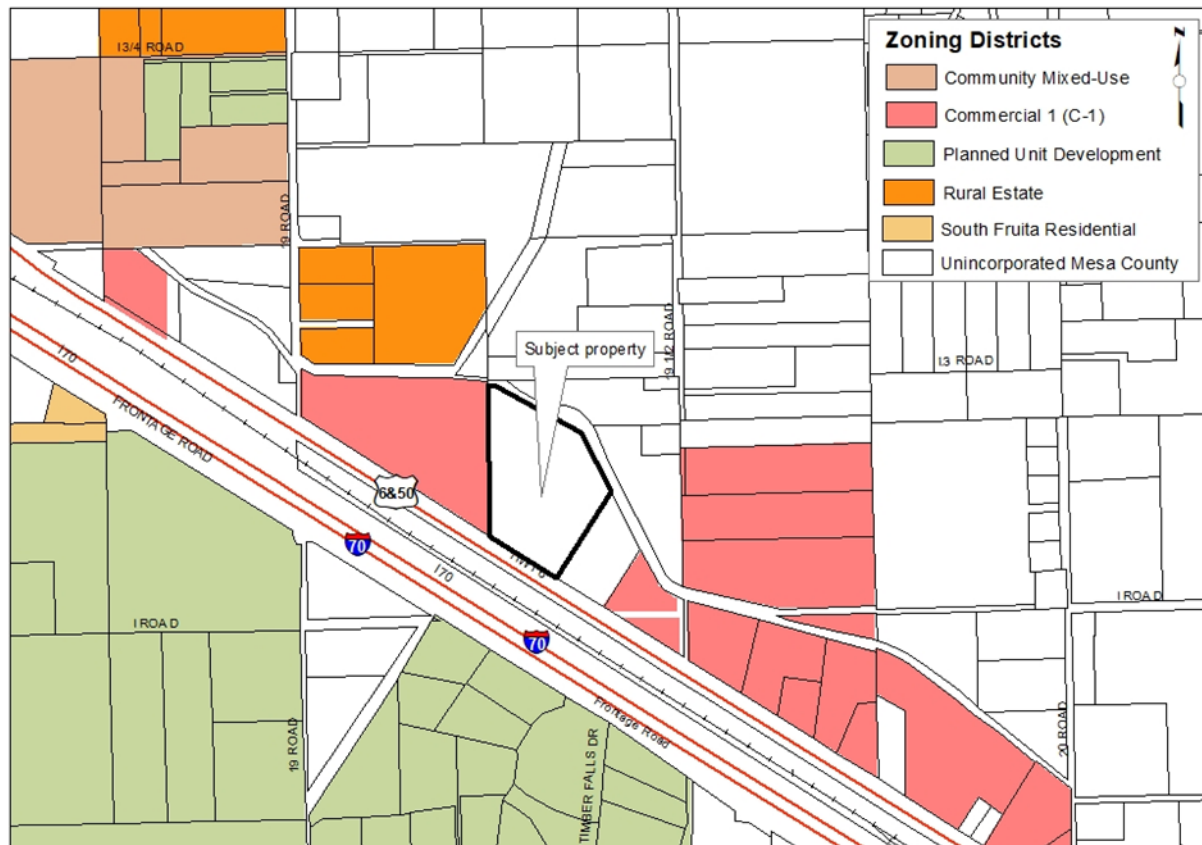
G. Other relevant information as required by the Community Development Department.

Review Agencies:

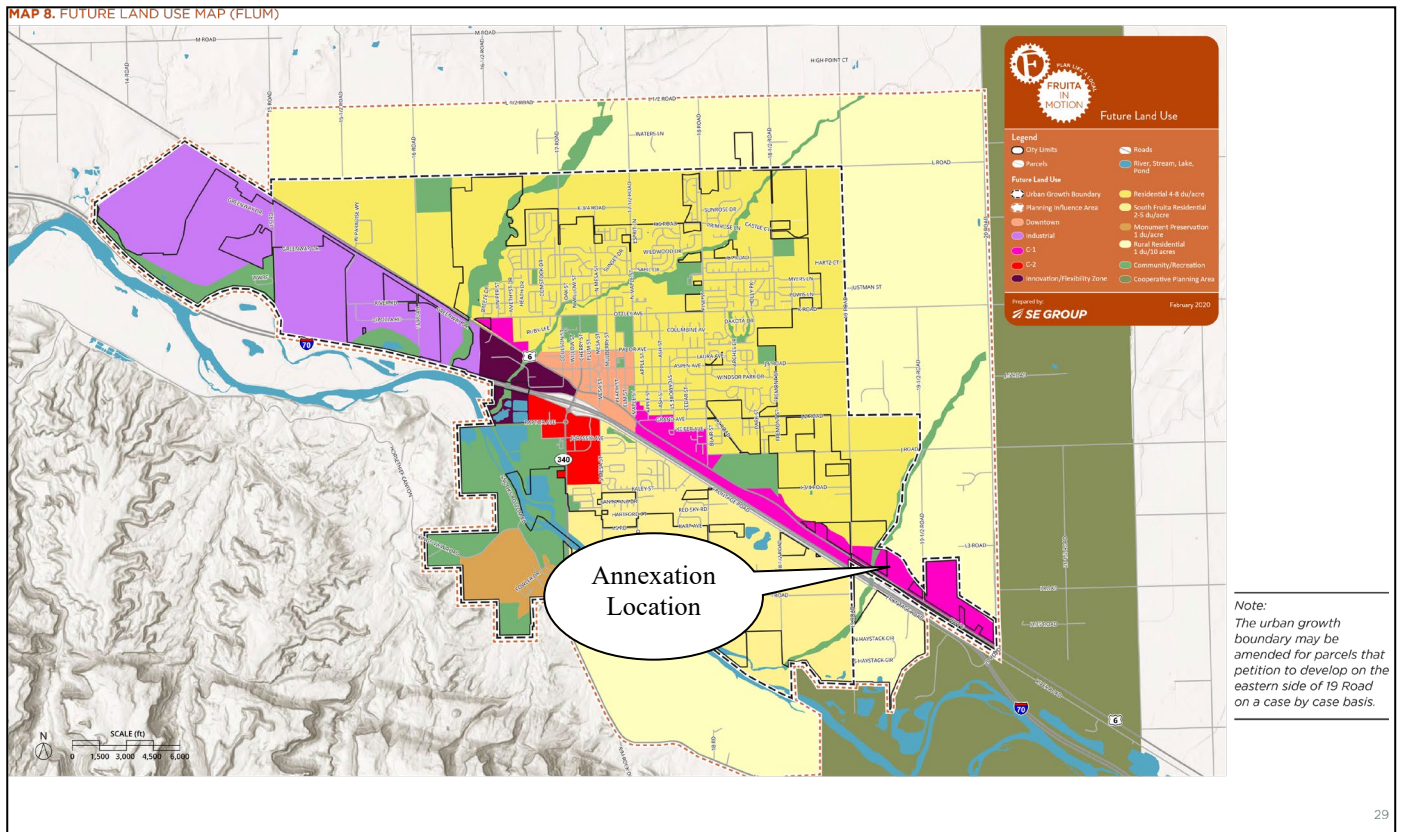
1. Xcel Energy
2. Grand Valley Power Company
3. Charter Communications
4. Century Link
5. Ute Water
6. Grand Valley Drainage District
7. Grand Valley Irrigation Company
8. Mesa County Community Development Department
9. Mesa County Building Department
10. Mesa County Surveyor
11. Mesa County Valley School 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 as set forth in the Future Land Use Map (FLUM)



Source: City of Fruita Comprehensive Plan Fruita In Motion: Plan Like A Local. Chapter 3, Page 29. Approved by Resolution 2020-09

2021-21 1930 Highway 6 & 50 Annexation Consolidated Review Comments

CDOT

CDOT has no comment on the rezoning. We have been coordinating with the developers engineer and they are preparing a traffic study and plan on obtaining a CDOT access permit. Both are required for this development.

Mesa County Building Department

MCBD has no objections.

Ute Water

No objection to annexation and zoning.

- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.

Xcel Energy

Xcel has no objections; however the Developer needs to be aware that at the time of submitting an application with Xcel the following will be required and could happen:

1. Accurate BTU loads for the new homes will be required.
2. If determined by area engineer that reinforcement is needed to Xcel's gas main to support added loads from subdivision, said reinforcement will be at Developers expense.
3. Reinforcement costs are required to be paid prior to installation.
4. Tariff changes have taken effect as of 10/1/2019 affecting the cost of subdivision lots averaging less than 60'. They will have a standard cost per lot.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. **A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction.** Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement.



FRUITA
COLORADO

LAND DEVELOPMENT APPLICATION

Project Name: 1930 Highway 6 & 50 Annexation/Rezone
 Project Location: 1930 Highway 6 & 50, Fruita, CO 81521
 Current Zoning District: AFT (Mesa County) Requested Zone: C-1 (Fruita)
 Tax Parcel Number(s): 2697-223-00-073 Number of Acres: 16.218
 Project Type: Annexation

Property Owner: Donna Jean Meek Developer: _____
 Property Owner: Gary Dale Castor Contact: Dave Kimbrough
 Address: 1813 J 1/3 Road Address: _____
 City/State/Zip: Fruita, CO 81521 City/State/Zip: _____
 Phone: _____ Fax: _____ Phone: _____ Fax: _____
 E-mail: _____ E-mail: dave@thekimbroughtteam.com

Please designate a representative as the coordinator for this application. The representative should attend all conferences/hearings, will receive all correspondence, and communicate all information to the property owners.

Owner Rep: River City Consultants, Inc. Engineer: River City Consultants, Inc.
 Contact: Tracy States Contact: Ivan Geer
 Address: 215 Pitkin Avenue, Unit 201 Address: 215 Pitkin Avenue, Unit 201
 City/State/Zip: Grand Junction, CO 81501 City/State/Zip: Grand Junction, CO 81501
 Phone: 970-241-4722 Fax: _____ Phone: 970-241-4722 Fax: _____
 E-mail: tstates@rccwest.com E-mail: igeer@rccwest.com

This Notarized application authorizes the owner's representative, if designated, to act on behalf of the property owners regarding this application.

The above information is correct and accurate to the best of my knowledge.

Donna Jean Meek 5-7-21
 Name of Legal Owner Signature Date

 Name of Legal Owner Signature Date

 Name of Legal Owner Signature Date

STATE OF COLORADO)
) ss.
 COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 7 day of May, 2021

My Commission expires: Oct 16, 2023

* Donna Jean Meek only.

Jennifer M. Miles
 Notary Public

JENNIFER M MILES
 NOTARY PUBLIC - STATE OF COLORADO
 NOTARY ID 20154040882
 MY COMMISSION EXPIRES OCT 16, 2023



FRUITA
COLORADO

LAND DEVELOPMENT APPLICATION

1930 Highway 6 & 50 Annexation/Rezone

Project Name: _____

Project Location: _____ 1930 Highway 6 & 50, Fruita, CO 81521

Current Zoning District: _____ AFT (Mesa County) C-1 (Fruita)

Requested Zone: _____
2697-223-00-073 16.218

Tax Parcel Number(s): _____ Number of Acres: _____

Annexation

Project Type: _____

Property Owner: Gary Dale Castor Developer: _____

Donna Jean Meek

Gary Dale Castor

Dave Kimbrough

Property Owner: _____ Contact: _____

1813 J 1/3 Road

Address: _____ Address: _____

Fruita, CO 81521

City/State/Zip: _____ City/State/Zip: _____

Phone: _____ Fax: _____ Phone: _____ Fax: _____

dave@thekimbroughteam.com

E-mail: _____ E-mail: _____

Please designate a representative as the coordinator for this application. The representative should attend all conferences/hearings, will receive all correspondence, and communicate all information to the property owners.

River City Consultants, Inc. River City Consultants, Inc.

Owner Rep: _____ Engineer: _____

Tracy States Ivan Geer

Contact: _____ Contact: _____

215 Pitkin Avenue, Unit 201 215 Pitkin Avenue, Unit 201

Address: _____ Address: _____

Grand Junction, CO 81501 Grand Junction, CO 81501

City/State/Zip: _____ City/State/Zip: _____

970-241-4722 970-241-4722

Phone: _____ Fax: _____ Phone: _____ Fax: _____

tstates@rccwest.com igeer@rccwest.com

E-mail: _____ E-mail: _____

This Notarized application authorizes the owner's representative, if designated, to act on behalf of the property owners regarding this application.

The above information is correct and accurate to the best of my knowledge.

X Gary Dale Boston

Name of Legal Owner Signature Date

Name of Legal Owner Signature Date

Name of Legal Owner Signature Date

STATE OF NEVADA)

) ss.

COUNTY OF ELKO)

The foregoing instrument was acknowledged before me this 6th day of May, 2021

My Commission expires: 12-02-2021

Heather Trujillo
Notary Public



Project Narrative
Name: 1930 Highway 6 & 50 Annexation
Application: Annexation/Zoning
May 19, 2021

Project Information

Applicant:	Dave Kimbrough
Owner:	Donna Jean Meek and Gary Dale Castor
Representative:	Ivan Geer, P.E. – River City Consultants, Inc.
Location:	1930 Highway 6 and 50
Parcel No:	2697-223-00-073
Application:	Annexation/Zoning
Zoning:	Current Mesa County AFT Proposed General Commercial (GC) within the City limits of Fruita

Project Description:

The project is located on the northside of Highway 6 & 50, west of 19 ½ Road and south of the Independent Ranchman's Canal. The project is proposing Annexation and Zoning of GC, which is identified as the Future Land Use per the Fruita Master Plan. The total acreage is approximately 16.22 acres. All setback requirements for the GC zone district will be met when the parcel develops.

The parcel currently has a 1982 double wide mobile home located on the property and associated outbuildings, with direct access off of Highway 6 & 50. Highway 6 & 50 is classified as an arterial roadway.

The project is adequately served by all utilities with the exception of sewer. Irrigation water is available to the project. The site has been agriculturally active. Minor Subdivision and Site Design Review applications will be submitted at a later date and are expected to have minimal impact on urban services, i.e. police and fire protection.

This application includes documents as required by the submittal checklists provided by the City of Fruita.

Annexation and Zoning – Within the City’s Urban Growth Area

Does the annexation meet the requirements of State law (Title 31, Article 12)?

The annexation of the subject property does meet the requirements of Colorado State Law (Title 31, Article 12). Petitions for Annexation and Annexation Maps have been included with this submittal and the subject property has the 1/6 contiguity with the City limits required for annexation. The legal description of the annexation can be found on the Annexation Map. The parcel is adjacent to GC zoned property to the west.

Can the area to be annexed be efficiently served by urban services and facilities (police and fire protection, sanitary sewer service, potable and irrigation water, drainage structures, streets and trails, etc.) and what will the impact be to these urban services and facilities?

The project is adequately served by utilities with the exception of sewer. There is an existing septic system that serves the existing mobile home. Irrigation water is available to the project. It is proposed to subdivide the parcel into two parcels and submit a Site Plan for 400 storage units and approximately four acres of RV storage (all on one lot). The remainder lot will be held for future development. Minor Subdivision and Site Design Review applications will be submitted at a later date and are expected to have minimal impact on urban services, i.e. police and fire protection.

Is the area to be annexed contiguous with existing urban development?

As explained above, the property has the 1/6 contiguity required for annexation and is contiguous with GC zoned property to the west.

Is the annexation consistent with the City’s Master Plan?

The annexation and proposed zoning are consistent with the City’s Master Plan including the Fruita Community Plan. The project provides commercially zoned land along a major arterial within the City’s Urban Growth Area and as identified per the City’s Master Plan and future land use.

Is the annexation supported by local residents and landowners?

The project has not been presented to the public.

Will the annexed land have a logical social and economic association with the City?

The annexation and future development of the parcel will provide the City with increased tax revenues and needed commercially zoned land.

Zoning Map Amendment (Rezone)

- 1. The proposed amendment is compatible with surrounding land uses, pursuant to Section 17.07.080, and is consistent with the city's goals, policies and Master Plan; and***

The request to rezone to GC is compatible with adjacent zoned property to the west and GC zoned land/uses further to the east. Surrounding lands uses include agricultural and commercial uses. The project provides commercially zoned land along a major arterial within the City's Urban Growth Area and as identified per the City's Master Plan and future land use, making this project consistent with the City's goals, policies and Master Plan.

- 2. The land to be rezoned was previously zoned in error or the existing zoning is inconsistent with the city's goals, policies and Master Plan; or***

The land to be rezoned is currently outside of the City of Fruita city limits. This criterion is not applicable.

- 3. The area for which the amendment is requested has changed substantially such that the proposed zoning better meets the needs of the community; or***

This area is just inside the Urban Growth Boundary. In order to develop this property, the parcel must annex and be zoned within the city limits. The proposed GC zoning is an appropriate zoning for the project.

- 4. The amendment is incidental to a comprehensive revision of the city's Official Zoning Map which recognizes a change in conditions and is consistent with the city's goals, policies and Master Plan; or***

A new Comprehensive Plan was adopted in February 2020. The project is currently outside of the City of Fruita limits and must be zoned upon annexation. The GC zoning is an appropriate zone district based on the adopted Comprehensive Plan.

- 5. The zoning amendment is incidental to the annexation of the subject property and the proposed zoning is consistent with the city's goals, policies, and Master Plan.***

The project is requesting annexation into the limits of the City of Fruita. The requested zoning to the GC zone district is consistent with the City's goals and policies as expressed in the Master Plan.

PETITION FOR ANNEXATION

WE, THE UNDERSIGNED, in accordance with the Municipal Annexation Act of 1965, Part 1, Article 12, Title 31, Colorado Revised Statutes, as amended, hereby petition the City Council of the City of Fruita, Colorado, for the annexation of the unincorporated area located in the County of Mesa, State of Colorado, as described on attached Exhibit A.

In support of this Petition, the Petitioners state:

1. It is desirable and necessary that the above-described area be annexed to the City of Fruita, Colorado.
2. The requirements of Section 31-12-104, C.R.S., as amended, exist or have been met, to wit:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fruita;
 - b. A community interest exists between the area proposed to be annexed and the City of Fruita;
 - c. The area proposed to be annexed is urban or will be urbanized in the near future; and
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fruita.
3. The requirements of Section 31-12-105 C.R.S., as amended, exist or have been met, to wit:
 - a. In establishing the boundaries of the territory to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowners thereof unless such tracts or parcels are separated by a dedicated street, road, or other public way;
 - b. In establishing the boundaries of the area proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty acres or more (which, together, with the buildings and improvements situated thereon) has a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year

next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners;

- c. No annexation proceedings have been commenced for the annexation of part or all of the subject property to another municipality;
 - d. The annexation of the area proposed to be annexed will not result in the detachment of the area from any school district and the attachment of same to another school district;
 - e. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the City of Fruita more than three miles in any direction from any point of the City's boundary in any one year;
 - f. If any portion of the platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed; and
 - g. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises, adjoining any platted street or alley to be annexed that will not be bordered on both sides by the City of Fruita.
4. The Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. This Petition for Annexation satisfies the requirements of Article II, Section 30, of the Colorado Constitution in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the City of Fruita.
6. Attached hereto and incorporated by reference is an Annexation Map showing:
- a. The boundary of the area proposed to be annexed including a legal description of the area to be annexed;
 - b. The location of each ownership tract in unplatted land and the boundaries and the plat numbers of plots or of lots and blocks; and
 - c. The contiguous boundary of the City of Fruita abutting the area proposed to be annexed.
- G:\planning\FormsExamples\Templates\Handouts\Henry\Annexation\Petition for Annexation.doc 2
7. All of the petitioners signed this Petition for Annexation no more than 180 days prior to the date of the filing of this Petition for Annexation.

WHEREFORE, the Petitioners request that the Fruita City Council approve the annexation of the area proposed to be annexed.

Dated this 5/0 day of May, 2021.

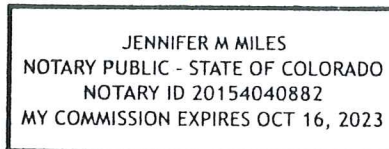
X Gary Dale Castor
Property Owner By Donna Jean Meek attorney in fact
Mesa
County of Elko)
Colorado) ss.
State of Nevada)

Subscribed and sworn to before me this 10 day of May, 2021 by
Donna Jean Meek - Attorney in fact for Gary Dale Castor

Witness my hand and official seal.

Jennifer M Miles
Notary Public

My commission expires: Oct 16, 2023



Mailing address of each property owner:

Donna Jean Meek and Gary Dale Castor, c/o Donna Jean Meek

1813 J 1/3 Road, Fruita, CO 81521

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, being first duly sworn upon oath, deposes and says:

That he/she was the circulator of the foregoing Petition for Annexation consisting
4
of _____ pages, including this page and that each signature thereon was witnessed by
your affidavit and is the true signature of the person whose name it purports to be.



Circulator

State of ~~Nevada~~ Colorado
County of ~~Elko~~ Mesa) ss.

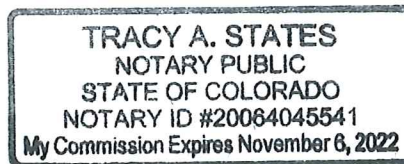
The foregoing Affidavit of Circulator was subscribed and sworn to before me this
10th day of May, 2021, by Ivan Geer.

Witness my hand and official seal.



Notary Public

My commission expires: 11/20/2022



PETITION FOR ANNEXATION

WE, THE UNDERSIGNED, in accordance with the Municipal Annexation Act of 1965, Part 1, Article 12, Title 31, Colorado Revised Statutes, as amended, hereby petition the City Council of the City of Fruita, Colorado, for the annexation of the unincorporated area located in the County of Mesa, State of Colorado, as described on attached Exhibit A.

In support of this Petition, the Petitioners state:

1. It is desirable and necessary that the above-described area be annexed to the City of Fruita, Colorado.
2. The requirements of Section 31-12-104, C.R.S., as amended, exist or have been met, to wit:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fruita;
 - b. A community interest exists between the area proposed to be annexed and the City of Fruita;
 - c. The area proposed to be annexed is urban or will be urbanized in the near future; and
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fruita.
3. The requirements of Section 31-12-105 C.R.S., as amended, exist or have been met, to wit:
 - a. In establishing the boundaries of the territory to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowners thereof unless such tracts or parcels are separated by a dedicated street, road, or other public way;
 - b. In establishing the boundaries of the area proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty acres or more (which, together, with the buildings and improvements situated thereon) has a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year

next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners;

- c. No annexation proceedings have been commenced for the annexation of part or all of the subject property to another municipality;
 - d. The annexation of the area proposed to be annexed will not result in the detachment of the area from any school district and the attachment of same to another school district;
 - e. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the City of Fruita more than three miles in any direction from any point of the City's boundary in any one year;
 - f. If any portion of the platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed; and
 - g. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises, adjoining any platted street or alley to be annexed that will not be bordered on both sides by the City of Fruita.
4. The Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. This Petition for Annexation satisfies the requirements of Article II, Section 30, of the Colorado Constitution in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the City of Fruita.
6. Attached hereto and incorporated by reference is an Annexation Map showing:
- a. The boundary of the area proposed to be annexed including a legal description of the area to be annexed;
 - b. The location of each ownership tract in unplatted land and the boundaries and the plat numbers of plots or of lots and blocks; and
 - c. The contiguous boundary of the City of Fruita abutting the area proposed to be annexed.

7. All of the petitioners signed this Petition for Annexation no more than 180 days prior to the date of the filing of this Petition for Annexation.

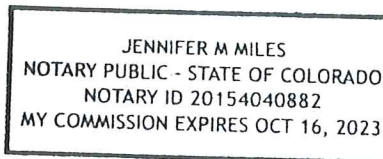
WHEREFORE, the Petitioners request that the Fruita City Council approve the annexation of the area proposed to be annexed.

Dated this 7 day of May, 2021.

X Donna Jean Meek
Property Owner

Property Owner

County of Mesa)
) ss.
State of Colorado)



Subscribed and sworn to before me this 7 day of May, 2021 by
Donna Jean Meek only.

Witness my hand and official seal.

Jennifer M Miles
Notary Public

My commission expires: Oct 16, 2023

Mailing address of each property owner:

Donna Jean Meek and Gary Dale Castor, c/o Donna Jean Meek

1813 J 1/3 Road, Fruita, CO 81521

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, being first duly sworn upon oath, deposes and says:

That he/she was the circulator of the foregoing Petition for Annexation consisting of 4 pages, including this page and that each signature thereon was witnessed by your affidavit and is the true signature of the person whose name it purports to be.



Circulator

State of Colorado)
) ss.
County of Mesa)

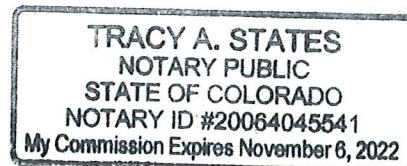
The foregoing Affidavit of Circulator was subscribed and sworn to before me this 7th day of May, 2021, by Ivan D. Greer.

Witness my hand and official seal.



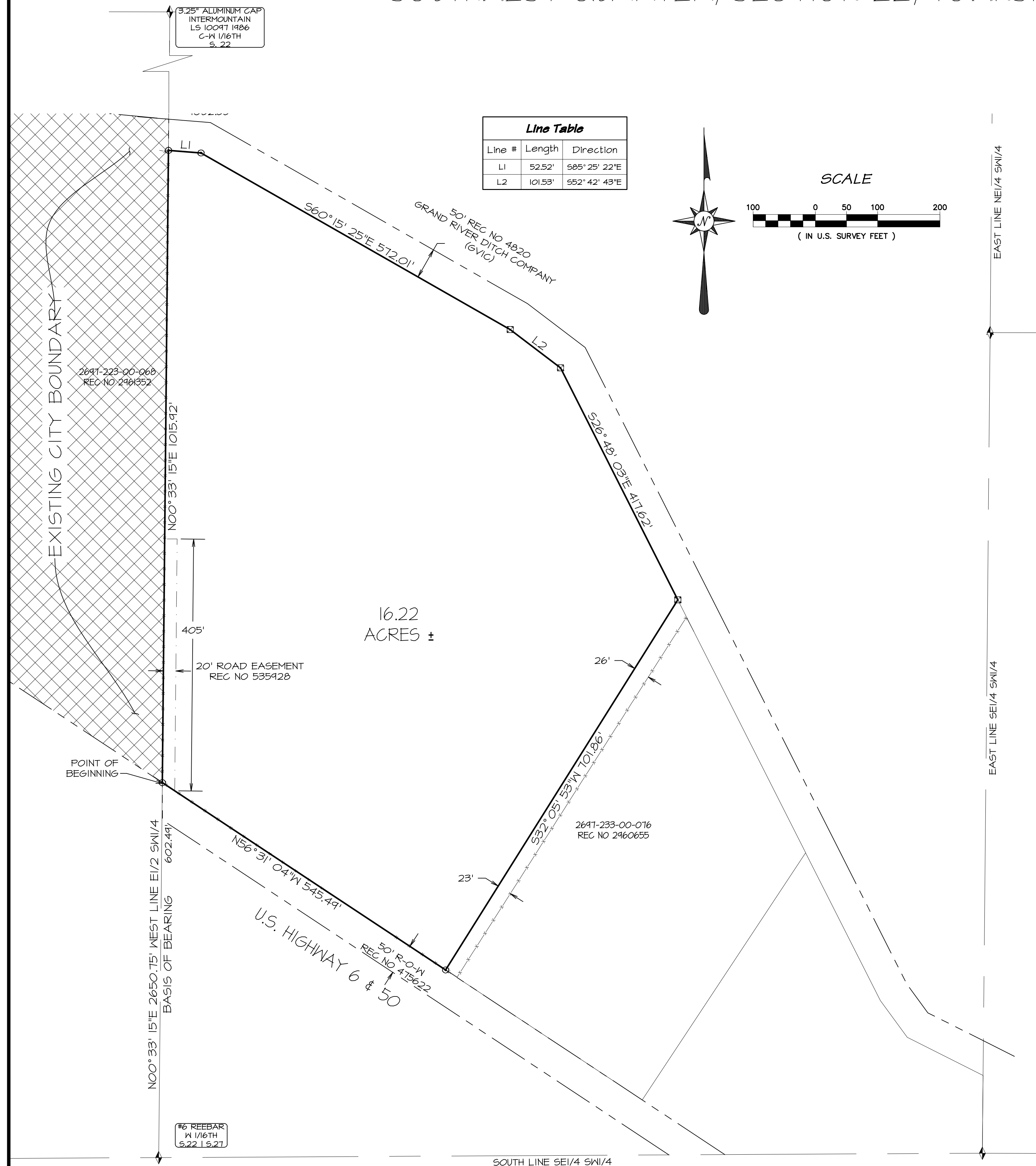
Notary Public

My commission expires: 11/06/2022



1930 Highway 6 & 50
ANNEXATION

SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERIDIAN



TITLE CERTIFICATE

_____, does hereby certify that it has examined the title to all lands shown on this Plat and that title to such lands is vested in _____ free and clear of all liens, taxes, and encumbrances, except as follows:

NA

EXECUTED this _____ day of _____, 20_____.

Title Examiner

LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP

We, DONNA JEAN MEEK and GARY DALE CASTOR, the owners of 100 percent of the following described property, excluding any public streets and alleys, to wit:

PROPERTY DESCRIPTION:

A parcel of land situated within the East one-half of the Southwest Quarter of Section 22, Township 1 North, Range 2 West of the Ute Meridian being more particularly described as follows:
Commencing at the west one-sixteenth of said Section 22 and Section 27, whence the center-west sixteenth of said Section 22 bears North 00°33'15" East with all bearing herein relative thereto; thence North 00°33'15" East, a distance of 602.49 feet to a 1.25" plastic cap marked PLS 12291 and the Point of Beginning;
thence North 00°33'15" East, a distance of 1015.92 feet to a 1.25" plastic cap marked PLS 12291;
thence South 85°25'22" East, a distance of 52.52 feet to a 1.25" plastic cap marked PLS 12291;
thence South 60°15'25" East, a distance of 572.01 feet to a number 5 rebar;
thence South 52°42'43" East, a distance of 101.53 feet to a number 5 rebar;
thence South 26°48'03" East, a distance of 417.62 feet to a number 5 rebar;
thence South 32°05'53" West, a distance of 101.86 feet to a 1.25" plastic cap marked PLS 12291;
thence North 56°31'04" West along the northeasterly right-of-way line as recorded at Reception Number 475622, a distance of 545.49 feet to the Point of Beginning.

said parcel containing 16.22 acres more or less.

have by these presents laid out and platted the same as shown hereon and designate the same as 1930 HIGHWAY 6 & 50 ANNEXATION to the City of Fruita, County of Mesa, State of Colorado.

EXECUTED this _____ day of _____, 20_____.

DONNA JEAN MEEK

GARY DALE CASTOR

STATE OF COLORADO)
) ss
COUNTY OF MESA)

This plat was acknowledged before me by _____

on this _____ day of _____, _____.

Witness my hand and seal _____, _____.

My commission expires _____
Notary Public

SURVEYOR'S CERTIFICATE

I, _____, a registered land surveyor licensed under the laws of the State of Colorado, do hereby certify that this survey was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief, and that no less than one-sixth (1/6) of the perimeter of the area as shown hereon is contiguous with the existing boundaries of the City of Fruita, Colorado. I further certify that the external boundaries of the property shown on this Plat have been monumented from the ground.

EXECUTED this _____ day of _____, 20_____.

PLANNING COMMISSION CERTIFICATION

This plat approved by the City of Fruita Planning Commission the _____ day of _____, 20_____.

Chairman

CITY COUNCIL CERTIFICATE
The City Council of the City of Fruita, Colorado, by Resolution Number _____, duly adopted on the ____ day of _____.

2020, found and determined that annexation of the property designated herein complies with the requirements contained in Article 12, Title 31, C.R.S., as amended, and that said property is eligible for annexation to the City of Fruita. The City Council of the City of Fruita, Colorado, by Ordinance Number _____, duly adopted on the ____ day of _____, 2020, did annex the property herein described to the City of Fruita, Colorado. ATTEST:

Mayor

City Clerk

LEGEND

- FOUND 1.25" PLASTIC CAP
PLS 12291
- ⬆ ALIQUOT POSITION AS NOTED,
OBTAINED FROM MESA COUNTY
PUBLISHED DATA
- ⊠ FOUND REBAR
- EASEMENT LINE
- PARCEL LINE
- - - ROW LINE
- ALIQUOT LINE



215 Pitkin Avenue, Unit 101
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rcwest.com



VICINITY MAP 1:1500

CLERK AND RECORDER'S CERTIFICATE

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado, at ____ o'clock ____ M., on this _____ day of _____.

and was recorded at Reception No. _____, Fees _____.

By: _____
Clerk and Recorder Deputy

1930 Highway 6 & 50
ANNEXATION
SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 1 NORTH,
RANGE 2 WEST, UTE MERIDIAN
CITY OF FRUITA, COUNTY OF MESA, STATE OF
COLORADO

Sheet 1 of 1 Date: 4/24/21 Job No. 2003-001
Surveyed: CVW Drawn: AKT Checked: TPJ
Drawing name: S:\PROJECTS\2003 Dave Kiehn\001 1930 Hwy 6 & 50\Survey\2003-001 ANNEX.dwg

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

COMMISSIONER FABULA MOVED TO APPROVE THE RED CLIFFS III APPLICATION # 2021-19 WITH ALL STAFF COMMENTS.

COMMISSIONER MULDER SECONDED THE MOTION.

MOTION PASSED 5-0

Application #:	2021-21
Project Name:	1930 Highway 6 & 50
Application:	Annexation
Property Owner:	Donna Meek and Gary Castor
Representative:	River City Consultants, Inc
Location:	1930 Highway 6 & 50
Zone:	Currently zoned Agricultural Forestry Transitional (AFT – County zoning)
Request:	This is a request for approval of the annexation of approximately 16.82 acres into the Fruita City Limits.

Commissioner Gollob introduced Application # 2021-21 1930 Highway 6 & 50 Annexation.

Mr. Henry Hemphill, City of Fruita Planner gave the Staff presentation.

Slide 1 – Introduction

Slide 2 – Application Description

Slide 3 - Legal Notice / Annexation Schedule

1930 Highway 6 & 50 Annexation Schedule	
Date	Action
July 6, 2021	Resolution to set a hearing date to determine eligibility
	Published in Daily Sentinel (Once a week for 4 consecutive weeks) * July 14, 2021 * July 21, 2021 * July 28, 2021 * August 4, 2021
July 13, 2021	Planning Commission considers Annexation & Zone
August 17, 2021	Resolution to find the property eligible for Annexation
August 17, 2021	1st Reading of an Ordinance to Annex 1st Reading of an Ordinance to Zone
September 21, 2021	2nd Reading of an Ordinance to Annex 2nd Reading of an Ordinance to Zone
Legal Notice (minimum of 15 days prior to Planning Commission)	
June 23, 2021 (20 days prior)	Post Cards
June 24, 2021 (19 days prior)	Sign Posting
June 23, 2021 (20 days prior)	Legal Ad

Slide 4 – Legal Notice Posting and Buffer Zone

Slide 5 – Zoning Map and Aerial View

Slide 6 – Future Land Use Map

Slide 7 – Approval Criteria

- Section 17.06.040 (A) (1) of the Code states that if the property is located within the City's Urban Growth Area as identified by the Fruita Community Plan, annexation may be approved only after considering the following criteria:
 1. The annexation meets the requirements of the State Statutes;
 2. The area is or can be efficiently served by city utilities and capital investments, including water, sewer, parks, drainage systems and streets;
 3. The area is contiguous with existing urban development;
 4. The area is or can be efficiently served by police and other municipal services;
 5. The development is consistent with community goals, principles, and policies as expressed in the Fruita Community Plan;
 6. The annexation is supported by local residents and landowners;
 7. Water and ditch rights can be provided, as applicable, in accordance with city policies;
 8. The area will have a logical social and economic association with the city, and
 9. The area meets or can meet the existing infrastructure standards set forth by the city.

Slide 8 – Public Comments, Review Comments and Staff Recommendation

- Public Comments:
 - No written public comments have been received to date.
- Review Comments:
 - No reviewer expressed concerns with this annexation.
- Staff Recommendation:
 - Staff recommends approval of the annexation petition.

Mr. Hemphill concluded his presentation.

Commissioner Gollob invited the applicant or applicant's representative to speak.

Ms. Tracy States, Project Coordinator for River City Consultants went up to speak. Their address is at 215 Pitkin Avenue, Grand Junction, 81501 and was there to represent the applicant. She said that they did not prepare a presentation, they were in concurrence with Staff's report. She was there to answer any questions they had.

Commissioner Gollob thanked her. He asked if there was anyone there from the public that wanted to comment on the application which included anyone online.

There were none.

Commissioner Gollob closed public comments and opened the meeting to Planning Commission discussion.

Commissioner Mulder said that he thought this was the second time this property has come to them in the last five years. He said that he wished them the best and asked if there was anything that they could tell them about the future commercial development there?

Ms. States said that there really hadn't been anything designed on it at this point but that they were thinking about a storage use, some units, RV storage on just a portion of it. She said that the intent was to subdivide the property and save a portion for future development and put the storage component on one lot.

Commissioner Mulder thanked her.

Commissioner Nisley asked where they were at with the utility extensions along the highway.

Mr. Hemphill said that with regards to City sewer services is what he believed he was asking about. He answered that the Highway 6 Interceptor Project was recently completed a little over a year ago. He showed them where it was on his map. He said that there hadn't been any plans for extension of City sewer service down Highway 6 & 50 past where the Highway 6 Interceptor Project was completed here (he showed the area on the map). He said that if they did want to extend it they would have to extend it from the point he showed.

Commissioner Nisley asked if neighboring property owners would have recapture agreements?

Mr. Hemphill stated that it could be part of the discussion through the development application.

Commissioner Fabula asked for more information.

Commissioner Nisley said that if they extended the sewer line past the other property that is at the corner of 19 and 6 & 50, if they went to develop that site and tap into sewer they would pay a recapture agreement.

Mr. Hemphill added that there was typically a time frame in which those recaptures apply. He thought it was about 10 years.

Commissioner O'Brien wanted to know more.

Commissioner Nisley said that they pay money back for the construction of it.

Commissioner O'Brien thanked him.

Commissioner Fabula said that they would see the rezone directly after this annexation. He asked in the past had they zoned something and given it a zoning criteria at the same time?

Mr. Hemphill said that he was remembering this correctly however they needed to remember that the annexation criteria is separate from the zoning criteria. He said that to make a decision on annexation based on the zone is separate which is why they see two separate applications.

Commissioner O'Brien stated that part of their goal is to develop that corridor into Fruita along 6 & 50. She was excited to see this.

Commissioner Gollob asked for more comments. He felt that it was a clean application and reminded them that this was specifically for the annexation.

COMMISSIONER O'BRIEN MOVED TO RECOMMEND APPROVAL OF APPLICATION 2021-21 1930 HIGHWAY 6 & 50 ANNEXATION TO THE FRUITA CITY COUNCIL.

COMMISSIONER NISLEY SECONDED THE MOTION.

MOTION PASSED 5-0

Application #: 2021-22
 Project Name: 1930 Highway 6 & 50
 Application: Rezone
 Property Owner: Donna Meek and Gary Castor
 Representative: River City Consultants, Inc
 Location: 1930 Highway 6 & 50
 Zone: Currently zoned Agricultural Forestry Transitional (AFT - County zoning)
 Request: This is a request for approval to zone approximately 16.82 acres to a Commercial-1 (C-1) zone.

Commissioner Gollob introduced Application # 2021-22 1930 Highway 6 & 50 Rezone.

Mr. Henry Hemphill, City of Fruita Planner, gave the Staff presentation.

Slide 1 – Introduction

Slide 2 – Application Description

Slide 3 – Legal Notice 17.01.130

Legal Notice (minimum of 15 days prior to Planning Commission)	
June 23, 2021 (20 days prior)	Post Cards
June 24, 2021 (19 days prior)	Sign Posting
June 23, 2021 (20 days prior)	Legal Ad

Site Posting and Buffer Zone.

Slide 4 – Zoning Map and Aerial View

Slide 5 – Future Land Use Map

Slide 6 – Review Criteria