



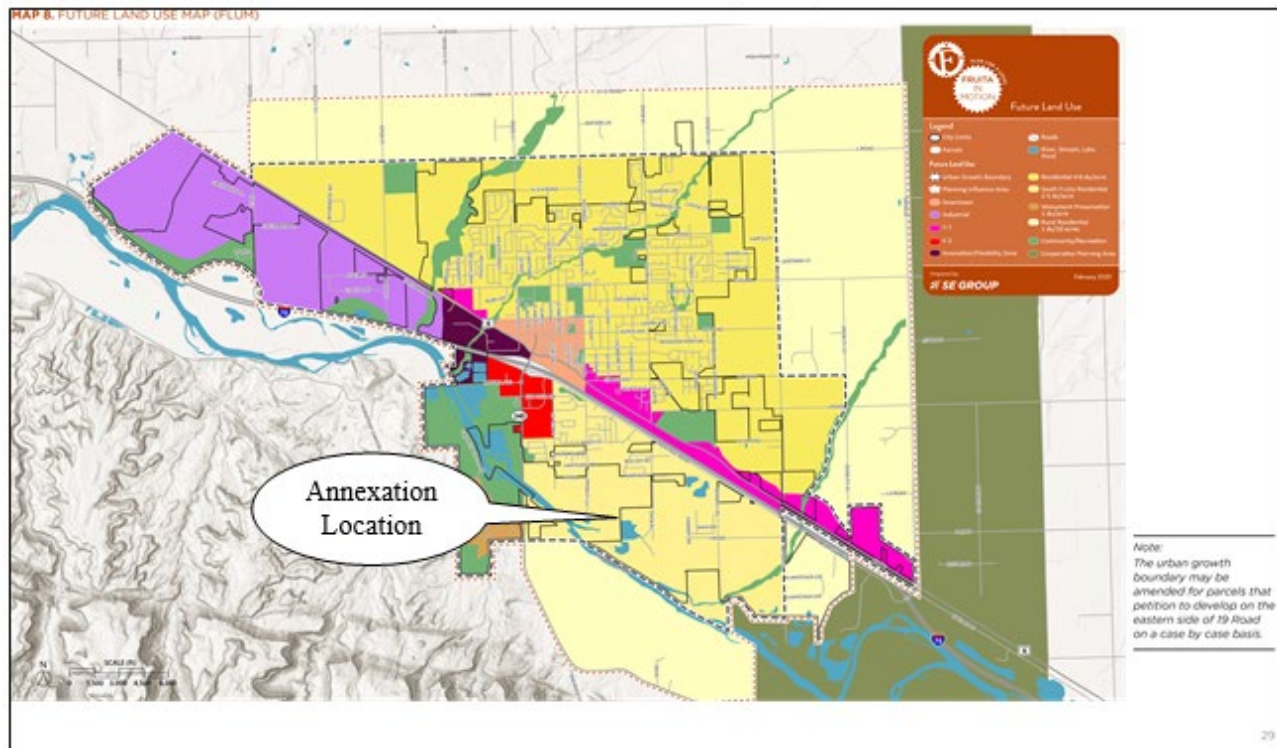
**PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT
AUGUST 13, 2024**

Application #: 2024-04
Application Name: Karp Annexation
Application Type: Annexation
Applicant: Thomas, Robin and William Karp
Location: 958 17 ½ Road
Zone: Currently zoned Agricultural Forestry Transitional (AFT –County zoning)
Description: This is a request to annex approximately 53.59 into the Fruita city limits.

PROJECT DESCRIPTION:

The property owners of 958 17 1/2 Road have applied to annex the property. The subject property is approximately 53.59 acres. It is located on the south side of Fruita and is Lot 2 of the Karp Rural Land Division platted in 2019. Much of the property is currently undeveloped.

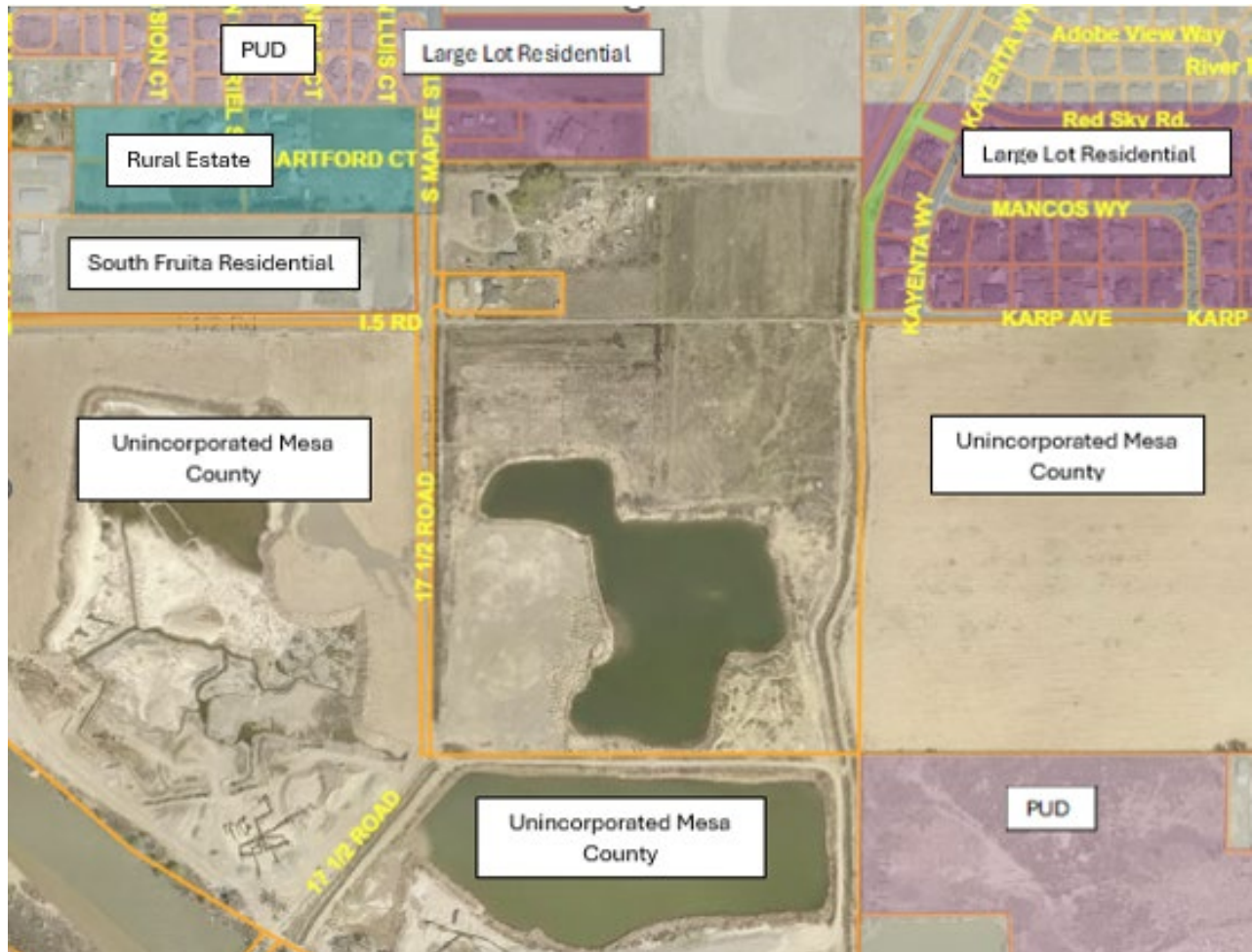
FUTURE LAND USE MAP (FLUM)



SURROUNDING LAND USES AND ZONING:

Surrounding land uses are primarily single family detached residential and Mesa County agricultural properties. Zone types nearby include a mix of Large Lot Residential, Planned Unit Development (PUD), South Fruita Residential and Unincorporated Mesa County. Approximately a third of the surrounding properties are within the city limits. The map below identifies the various zones in this area. Nearby subdivisions include Tuxedo Park and the Santa Ana subdivisions to the northwest and Garden Estates and Adobe View North to the northeast. The Adobe Creek golf course sits on the southeast corner of the subject property.

LOCATION AND ZONING MAP



2024 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).

The subject property borders the city on the north side by 1314.58 feet, the east by 494.89 feet, and the west side by 343.84 feet for a total of 2241.42 feet of contiguity with the city limits.

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. The subject property is currently being served with sanitary sewer and Ute Water. If the subject property were to develop, there would be adequate review of additional utilities and 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.

Sewer Lines and Points



3. The area is contiguous with existing urban development;

The subject property is somewhat contiguous with existing urban development, with the Adobe View Subdivision to the northeast, the Santa Ana and Tuxedo Park subdivisions to the northwest, and the River Rock Subdivision to the north. 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, 49 landowners were noticed of this annexation application. The number of property owners that received notice of this application is set forth with the legal notice requirements contained in the Land Use Code. Additionally, the applicant held a neighborhood meeting on June 20, 2024. 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. Based on the submittal documents, it appears that the property has 56 shares of irrigation water from GVIC.

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 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.

This area is planned for future development at some point and can meet the existing infrastructure standards set forth by the city. When the property develops, improvements to 17 ½ Road and I Road will be required, in addition to other infrastructure standards typically reviewed with a development application.

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.

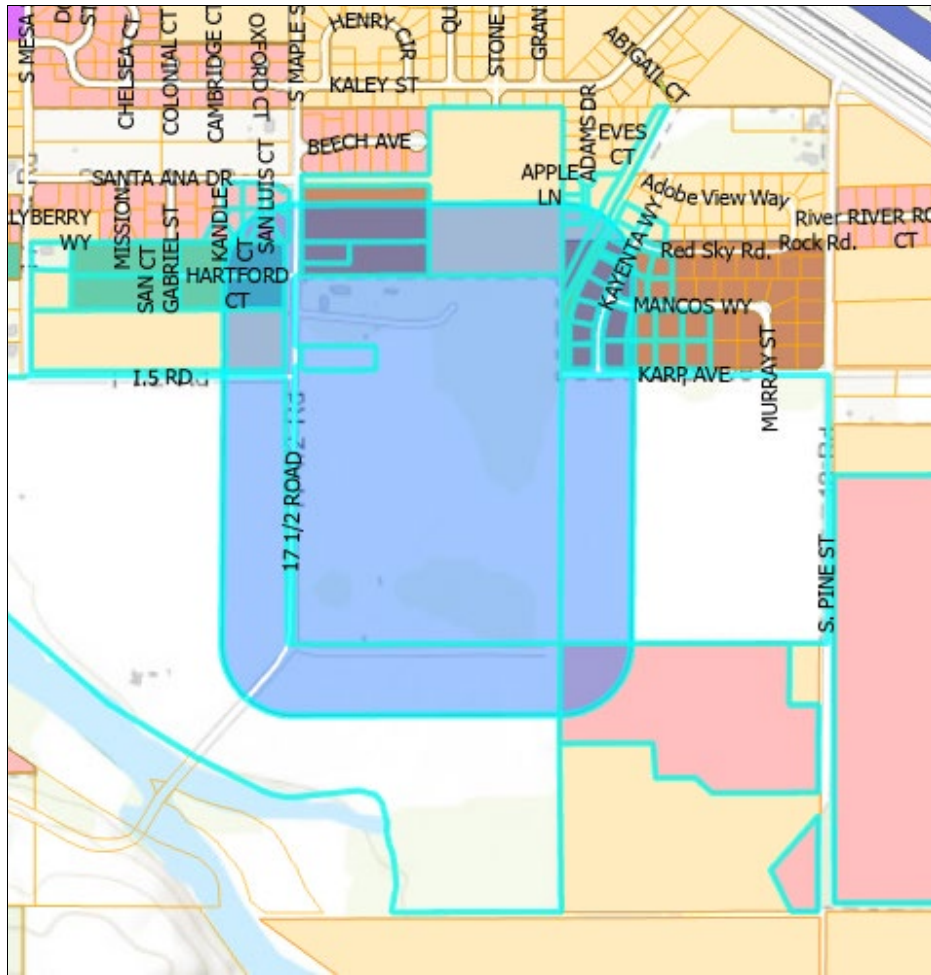
PUBLIC COMMENTS:

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

LEGAL NOTICE

Legal Notice (minimum of 15 days prior to Planning Commission)	
July 19, 2024 (25 days prior)	Post Cards
July 22, 2024 (22 days prior)	Sign Posting
July 24, 2024 (20 days prior)	Legal Ad





NOTICE OF PUBLIC HEARING

The Fruita Planning Commission will hold a public hearing **Tuesday, August 13, 2024 at 6:00 p.m.** at the Fruita Civic Center, 2nd Floor Council Chambers, 325 E. Aspen Avenue. 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 17, 2024 at 7:00 p.m.** at the Fruita Civic Center, 2nd Floor Council Chambers. If you have an interest in an item on the agenda, 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 #	2024-04
Application Name	Karp
Application Type	Annexation
Applicant	Thomas, Robin and William Karp
Location	958 17 1/2 Road
Zone	Currently zoned Agricultural Forestry Transitional (AFT – County zoning)

Description This is a request to annex approximately 53.59 into the Fruita city limits.

Physically disadvantaged persons who wish to obtain may call (970) 858-0786, the hearing impaired may call Relay Colorado at 1-800-859-2856, or visit our website: www.fruita.org

STAFF RECOMMENDATION:

Because the annexation application meets the requirements of Section 17.17.050 (A) of the Fruita Land Use Code and applicable State Statutes, Staff recommends **approval** of the annexation.

SUGGESTED PLANNING COMMISSION MOTION:

Mr. Chair, because the annexation application meets the requirements of Section 17.17.050 (A) of the Fruita Land Use Code and applicable State Statutes I move that we recommend **approval** to City Council, of application #2024-04, the Karp Annexation with the condition that all review comments and issues identified in the Staff Report be adequately addressed or included with the Annexation Ordinance.

ANNEXATION SCHEDULE:

<i>Karp Annexation Schedule</i>	
Date	Action
August 6, 2024	<ul style="list-style-type: none">1st Resolution / 1st Ordinance Annex/ 1st Ordinance Rezone
August 14, 2024 August 21, 2024 August 28, 2024 September 4, 2024	<ul style="list-style-type: none">Published in Daily Sentinel (Once a week for 4 consecutive weeks)
August 13, 2024	Planning Commission considers Annexation & Zone
September 17, 2024	<ul style="list-style-type: none">Resolution to find the property eligible for Annexation2nd Reading of an Ordinance to Annex2nd Reading of an Ordinance to Zone
Legal Notice (minimum of 15 days prior to Planning Commission)	
July 19, 2024 (25 days prior)	Post Cards
July 22, 2024 (22 days prior)	Sign Posting
July 24, 2024 (20 days prior)	Legal Ad