

**Project Report
for
Skalla Annexation, Zoning and
Minor Subdivision**

Date: August 31, 2020

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Submitted to: City of Fruita
325 E. Aspen Avenue
Fruita, CO 81521

Type of Design: Annexation, Zoning and Subdivision

Property Owner: Fiddlers Grove
1023 24 Road
Grand Junction, CO 81505

Property Address: 1892 K Road
Fruita, CO 81521

Tax Parcel No: 2697-094-12-003

1. Project Intent

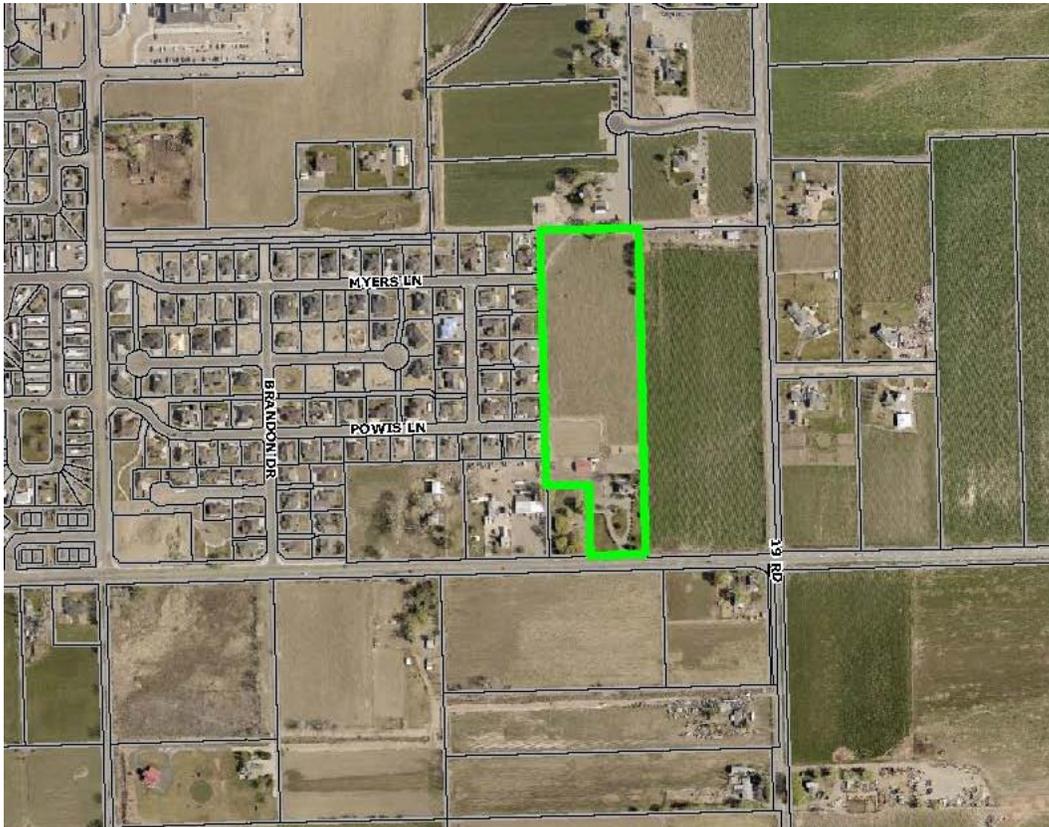
This application is made to request annexation, zoning and a minor subdivision of property located east of the Fruita City limits. The applicant's intent is to prepare the property for future residential development in a manner that is consistent with the goals and policies of the recently adopted Fruita Comprehensive Plan.

2. Project Description

The subject property is located at 1892 K Road and is approximately 10.35 acres. The property is currently zoned AFT and will need to have a City zone district assigned that supports the new Comprehensive Plan's Future Land Use Map as part of the annexation process.

The applicant would like to annex the property, which is located within the Urban Growth Boundary, in anticipation of future residential development. In order to prepare the property for future development, the applicant is requesting approval of the Skalla Minor Subdivision which will create one new lot at the southern end of the property. There is one house and three outbuildings that will be retained as part of the new lot that is being created with the subdivision.

Because only one new lot is being created with the Skalla Minor Subdivision, there are no CC&Rs included with this application.



Legal Description

The legal description of **2697-094-12-003** is:

LOT 1 PAULS MINOR SUBDIVISION EXC S 3FT & ALSO EXC E 10FT THEREOF SEC 9 1N
2W - 10.35 AC

3. Public Notice

Public notice for this application will be provided in accordance with the Fruita Land Use Code, including posting the subject property on public rights-of-way.

4. Comprehensive Plan

The recently adopted Fruita Comprehensive Plan contains several goals, policies and key themes to achieve the vision of the Plan. The Comprehensive Plan is the City's guiding document towards land use and other community development decisions. The goals, policies, and actions of the plan are intended to support and preserve the community values. Based on these values, the following key themes emerged:

Efficient Development-

The City of Fruita encourages infill over sprawl and development within the existing city limits and Urban Growth Boundary (UGB). Efficient development reduces the demand for infrastructure and city services, supports community connectivity, and encourages a thriving downtown core.

Response: The property to be annexed is within the Urban Growth Boundary and contiguous with existing City limits. Annexation and eventual development of this property is consistent with this goal as it will allow development that is more efficient than sprawling development farther away from existing City infrastructure. The resulting development will be more compact, urban development as anticipated by the City's new Comprehensive Plan.

A key finding of Chapter Two, Community Snapshot, of the Comprehensive Plan stated that housing growth in Mesa County is accelerating, but Fruita's housing stock is growing relatively slowly. Grand Junction issued an average of 280 new construction building permits annually from 2010 to 2018. In 2018, there were nearly 500 new housing starts there. In Unincorporated Mesa County, there were nearly 200 new housing starts annually during this time period and nearly 300 in 2018. In contrast, Fruita has issued an average of 62 new construction building permits per year, with 95 in 2018.

Future development of this property will support efficient, compact development in the City and provide needed housing for City residents.

Community First, Tourism Second-

The City of Fruita prioritizes its residents and provides them a high quality of life. Tourists are attracted to Fruita for this and the opportunity to “play like a local.”

Response: Annexation of the subject property is the first step in positioning the property for future residential development within the City limits. The City’s Comprehensive Plan has identified a need to increase Fruita’s housing stock. The future development of the subject property would support the community by providing needed housing for City residents to live and work in Fruita which supports this goal of the Comprehensive Plan.

A Thriving Downtown-

The City of Fruita supports a thriving downtown with strong local businesses, an inviting streetscape, and events and places that encourage the community to gather. Flexible design standards support creative uses of downtown spaces, and higher-than-existing surrounding residential densities creates a variety of housing units and types for residents to frequent businesses.

Response: The applicant’s intent is to develop a residential subdivision that meets the density anticipated by the Comprehensive Plan’s new land use classification of Residential 4-8 dwelling units per acre which supports this goal of the Comprehensive Plan.

The Comprehensive Plan’s Future Land Use Map shows the subject property as Residential 4-8 dwelling units per acre. Based on the City’s intent to encourage infill and discourage sprawl, the applicant has requested annexation with the intent to provide future development at a density that is consistent with the future land use classification. New development will likely occur at higher-than-existing residential densities. Providing needed housing will allow City residents to live and work in Fruita as well as supporting existing businesses in the downtown area.

Connectivity-

It is easy for vehicles, cyclists, and pedestrians to get around Fruita and to visit local destinations. The City of Fruita offers a safe, intuitive, and well connected on- and off-street trail network for pedestrians and cyclists.

Response: Future development will include sidewalks and pedestrian trails (where applicable) to extend the City’s existing transportation network. Extending pedestrian and bicycle facilities will enhance the City’s multi-modal network and help the City achieve this goal.

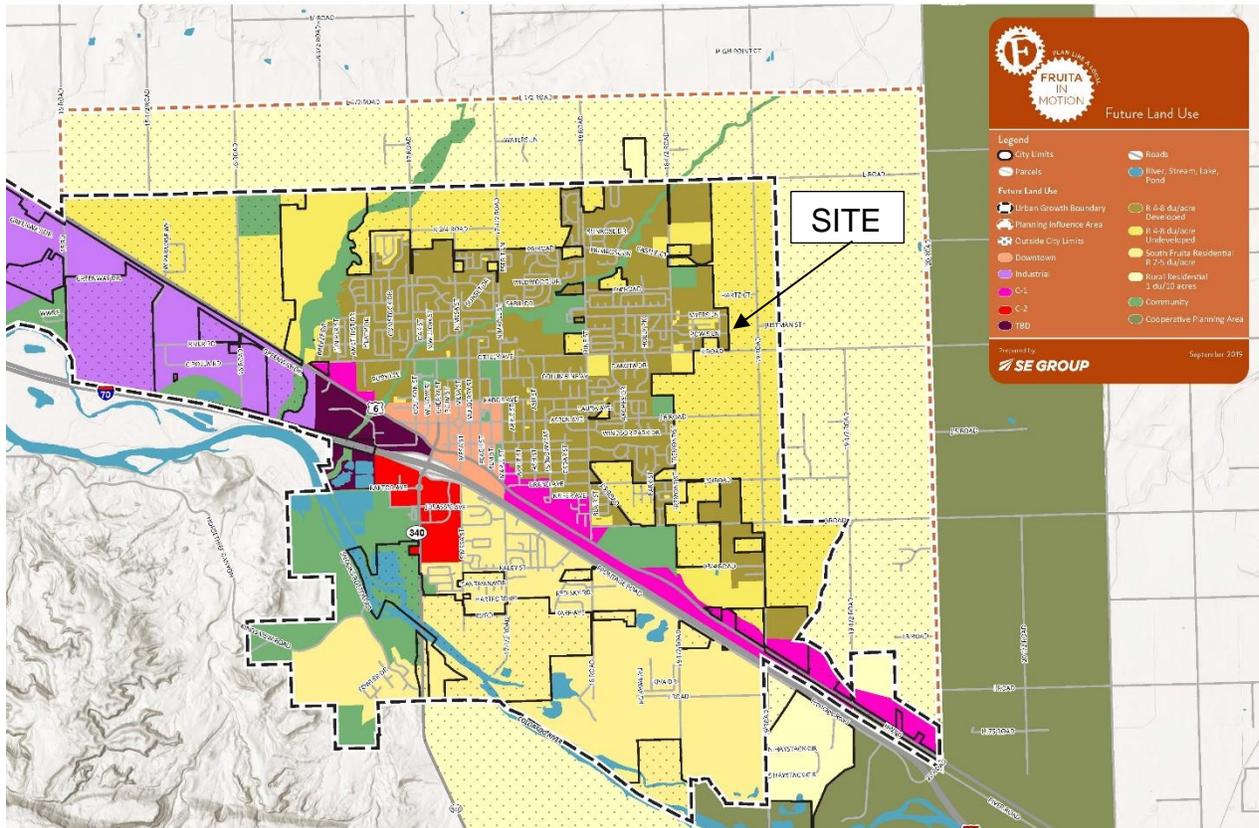
Strategic Economic Development-

Fruita’s approach to economic development focuses on expanding existing businesses while also making Fruita an attractive place to live and do business. Rather than compete with Grand Junction, Fruita is strategic in recruiting businesses that are well-suited for the Fruita community.

Response: Future development of the subject property will provide more opportunity for housing that supports local businesses and their employees to be able to live within the City limits.

Creating additional housing units will enable Fruita to provide a community where residents can live and work and lessen the impact of being a “bedroom community” for neighboring communities where Fruita residents travel to work.

Annexation, with an appropriate zone district designed to implement the new land use classification of Residential 4-8 dwelling units per acre, and the future development of the subject property will help achieve the goals and vision of the recently adopted Comprehensive Plan.



The subject property is shown within the Urban Growth Boundary and within the Residential 4-8 dwelling units per acre land use classification.

5. Zoning and Surrounding Areas

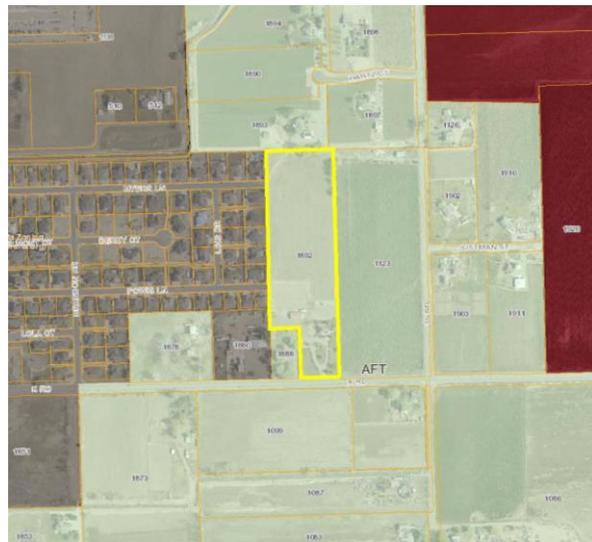
The applicant is requesting a rezone from the current Mesa County AFT zone district to the proposed R5 zone district. The R5 zone district is expected to be adopted by City Council by the time the annexation of the subject property has been completed. If the zone district has not yet been adopted with the annexation of the subject property, the Fruita Land Use Code has 90 days to assign a new zone district to annexed property in accordance with Section 17.06.050.

The City of Fruita has proposed the new zone district to implement the new Comprehensive Plan Future Land Use Map designation of Residential 4-8 dwelling units per acre. The rezone request is consistent with and supports the Comprehensive Plan’s Future Land Use Map classification of Residential 4-8 dwelling units per acre and will help the City achieve its goal for infill and higher urban density within the City.

Surrounding area zoning and land uses include:

- North – Mesa County AFT with single family residential and agricultural land uses
- South – Mesa County AFT with agricultural land use
- West – City of Fruita Planned Development (PD) with single family residential land uses and Mesa County AFT with single family residential land use
- East – Mesa County AFT with agricultural land use

Mesa County Zoning Map



City of Fruita Zoning Map



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Zoning Districts	RE	Address Labels	2020 Photography
CSR	LLR	Schools	Red: Band_1
CR	Area Streams and Canals	Fruita Area Roads	Green: Band_2
PUD	Fruita City Limits	PARCEL	Blue: Band_3

6. Utility Providers

All required and necessary utilities shall be provided concurrent with development of the subject property. Utility providers for the development have the capacity and willingness to serve the development. Public facilities such as medical, schools, parks and public safety are available to serve development on this site within 1-2 miles.

Utility providers for the site are as follows:

Sewer: City of Fruita

Water: Ute Water Conservation District

Drainage: Grand Valley Drainage District

Electric: Xcel Energy

Irrigation: Grand Valley Irrigation Company

There is an existing home located at 1892 K Road that will tie into the City of Fruita sewer service upon annexation because the new lot will not be at least 3.0 acres in size (as is required for continued use of a septic system within the City limits of Fruita). All future development will be served by the City of Fruita sewer service.

7. Drainage, Stormwater Management and Irrigation Water

The topography of the site is generally flat with a high point of 4566' at the north end of the property and a low point of 4560 at the southern end. There will be no impact to the drainage of the property until the property develops in the future.

Because the construction disturbance area is less than one acre (to install a 4' irrigation line on the eastern property line), a stormwater management plan is not required. All drainage and stormwater issues will be addressed with a separate land use application for a major subdivision at the time of actual development of the northern portion of the property.

The property has approximately 10 shares of irrigation water. There is a 10" PVC main on the northern property line that runs from the west side of the property to the east side. As part of the subdivision process, a 4" irrigation line will be installed along the eastern property line from the 10" line down to the new lot at the southern end in order to provide irrigation water to the existing house (1892 K Road). Approximately 2 irrigation water shares will be conveyed to the new lot with the existing house at the time of the minor subdivision.

8. Wetlands and Floodplain

There are no known wetlands or floodplains associated with the subject property. The property is located on FEMA Panel 0437F.



9. Approval Criteria

17.06.040.A, Criteria and Decision for Annexations Not Requiring an Election states that if the subject property is located within the city's Urban Growth Area (UGA) as defined 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;

Response: The annexation is compliant with all requirements of Section 31-12-104, C.R.S as amended and Section 31-12-105 C.R.S., as amended, as attested by the executed Annexation Petition that has been included with this narrative and application. 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;

Response: Utility providers have the capacity and willingness to serve the subject property upon annexation, including future residential development. Water, sewer, parks, drainage systems and streets are either currently available to serve the site or will be extended/provided with future development.

This criterion has been **met**.

c. The area is contiguous with existing urban development;

Response: The subject property is contiguous on the western property line with the City limits of Fruita. See Annexation Map.

This criterion has been **met**.

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

Response: The area can be efficiently served by police, fire and other municipal services. This criterion has been **met**.

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

Response: See response under Comprehensive Plan in this narrative. The proposed annexation meets a number of the goals of the recently adopted Comprehensive Plan. This criterion has been **met**.

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

Response: There are no known objections to the proposed annexation request at this time. Residents will have an opportunity to participate in the public hearing process and may express their comments and concerns at that time, or may submit comments and concerns to the City planning staff. This criterion can be **met**.

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

Response: There are approximately 10 shares of irrigation water that will be used for the existing house and future development. Approximately 2 shares will be conveyed to the existing house and new lot at the southern end of the property. An irrigation plan will be submitted with the application at the time of development for the balance of the property. This criterion has been **met**.

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

Response: The subject property is adjacent to the City limits via the Brandon Estates PUD. All future residents will have social and economic association with the City through students attending schools, residents shopping for goods and services and by paying taxes to the community. This criterion has been **met**.

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

Response: Future development of the property will meet the infrastructure standards of the City of Fruita. This criterion can be **met**.

Section 17.06.050, Zoning of Annexed Properties of the Fruita Land Use Code states that land annexed to the city shall be zoned in accordance with the City of Fruita's zoning regulations within ninety (90) days following annexation of the land. The city's acceptance of a land use application or issuance of building permit may be contingent upon approval of city zoning

Response: The applicant has requested assignment of the R5 zone district which has not yet been adopted by City Council, but is expected to be adopted by the completion of the annexation of the property. The R5 zone will provide density as anticipated by the Comprehensive Plan.

Section 17.13.060, Amendment to Official Zoning Map (Rezone), states that the City Council may amend the number, shape, or boundaries of any zone, removing any property from one zone and adding it to another zone, only after recommendation of the Planning Commission. An amendment to the Official Zoning Map may be initiated by the owner of any property for which a rezone is sought or upon application of City Council.

Section 17.13.060.B, Approval Criteria, states that the Official Zoning Map may be amended when the following findings are made:

1. The proposed rezone 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

Response: See response to Section 17.07.080 below and response to how this application meets the goals and vision of the Comprehensive Plan discussed earlier in this report.

This criterion has been **met**.

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

Response: The land is currently zoned AFT in the unincorporated area of Mesa County and was not zoned in error, it simply has been under the legal jurisdiction of another legal entity. The current zoning is appropriate for unincorporated Mesa County; however, it will be necessary to rezone the property upon annexation into the City limits of Fruita. The proposed new zone district (upon final adoption by the City Council) will be consistent with the goals, policies and vision of the recently adopted Comprehensive Plan.

This criterion has been **met**.

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

Response: The subject property is within the Urban Growth Boundary (UGB) and is anticipated to develop at urban densities with urban services. The primary change in the area is the annexation of the property from the unincorporated area of the County that is adjacent to the City limits and within the UGB. The future development of the property will meet the needs of the City with needed housing (as identified by the Comprehensive Plan).

This criterion has been **met**.

4. The rezone is incidental to a comprehensive revision of the city's Official Zoning Map which recognizes a change in conditions; or

Response: The rezone request is based on the current land use classification of Residential 4-8 dwelling units per acre. The City is in the process of proposing and adopting new zone districts that will implement the new land use classification. The rezone is incidental to a comprehensive revision of the official zoning map (which is not anticipated).

This criterion has been **met**.

5. The rezone is incidental to the annexation of the subject property.

Response: The rezone is a necessary part of the annexation process and is incidental to the annexation of the property.

This criterion has been **met**.

Section 17.15.040, Classification of Subdivisions and General Procedures, states that Minor Subdivisions are required to be completed in one phase and no density bonus is permitted through the Minor Subdivision review process.

1. The following subdivisions are classified as Minor subdivisions:

a. Subdivisions creating ten (10) or fewer additional building lots.

Response: The applicant is requesting approval of the Skalla Minor Subdivision to create one new lot from the existing 10.35 acres. The creation of one new lot qualifies the subdivision to be reviewed as a minor subdivision through the Fruita Land Use Code. The minor subdivision will be completed in one phase with no request for a density bonus.

This criterion has been **met**.

2. Minor Subdivisions shall be processed as follows:

a. A pre-application meeting with the Community Development Department is required pursuant to Section 17.15.050, below;

b. The application must be submitted in the form and quantities required by the Community Development Director. The application shall be reviewed for compliance with the requirements of this Title including, but not limited to, the standards of the applicable zone and the compatibility criteria of Section 17.07.080;

c. The Community Development Department shall review the application with appropriate staff and other agencies, as applicable; and

d. After comments from city staff and other reviewers are considered, the Community Development Director shall make a decision to approve, deny, or approve the application with conditions based on the applicable requirements of this Title. 15-4

e. Any person aggrieved by a decision of the Community Development Director, or his or her designee, under the procedures set forth above, may appeal such decision to the City Council pursuant to Section 17.05.060;

f. Upon expiration of the appeal period in Section 17.05.060 the Minor Subdivision approval shall become final and the owner shall have one hundred eighty (180) days from the date of the approval to comply with any required conditions of approval and record the plat. Time extensions may be granted pursuant to section 17.15.130.

Response: The proposed Skalla Minor Subdivision is compliant with the process described above.

Section 17.17.080, Land Use Compatibility Criteria, states that the purpose of this Section is to provide a fair and consistent manner in which to consider compatibility within the overall context of the Fruita Master Plan, existing adjacent land uses, applicable zoning district requirements, and other city codes and regulations. Nothing in this Section shall prevent the City of Fruita from denying a land use application based on relevant Code requirements or taking enforcement action against a property owner where a nuisance or other Code violation occurs.

For all land uses, “compatibility” is provided when a proposed land use can coexist with other existing uses in the vicinity without one use having a disproportionate or severe impact on the other use(s). The city decision-making body may consider other uses existing and approved, and may consider all potential impacts relative to what customarily occurs in the applicable zone and those which are foreseeable, given the range of land uses allowed in the zone. The review authority may require conditions of approval to promote compatibility between uses.

Response: The question of compatibility will be best addressed at the time of development for the northern portion of the property since only one new lot is being proposed with the Skalla Minor Subdivision. The applicant has requested the R5 zone district as part of the annexation and zoning process in order to meet the anticipated density requirements of the Residential 4-8 dwelling units per acre land use classification for the subject property.

The City recently assigned the Residential 4-8 dwelling units per acre land use classification with adoption of the Comprehensive Plan’s Future Land Use Map with the intention of encouraging infill, more urban density and as a way to discourage sprawl. The applicant’s intent is to prepare the subject property for future residential development in a manner that is consistent with the goals and policies of the recently adopted Fruita Comprehensive Plan.

In assigning the Residential 4-8 dwelling units per acre land use classification, the City has demonstrated that residential development within this range will be considered compatible with existing residential development that has the same land use classification. This land use classification is being used to implement the City’s goal of achieving more urban density and infill development within the City limits.

10. Conclusion

After demonstrating how the proposed annexation, zoning and minor subdivision of the Skalla property meets the goals and policies of the Fruita Comprehensive Plan and Land Use Code, the applicant respectfully requests annexation into the City of Fruita with a Fruita zone district of R5 and approval of the Skalla Minor Subdivision.

11. Limitations/Restrictions

This report is a site-specific report and is applicable only for the client for whom our work was performed. The review and use of this report by City of Fruita, affiliates, and review agencies is

fully permitted and requires no other form of authorization. Use of this report under other circumstances is not an appropriate application of this document. This report is a product of Vortex Engineering, Inc. and is to be taken in its entirety. Excerpts from this report when taken out of context may not convey the true intent of the report. It is the owner's and owner's agent's responsibility to read this report and become familiar with recommendations and findings contained herein. Should any discrepancies be found, they must be reported to the preparing engineer within 5 days.

The recommendations and findings outlined in this report are based on: 1) The site visit and discussion with the owner, 2) the site conditions disclosed at the specific time of the site investigation of reference, 3) various conversations with planners and utility companies, and 4) a general review of the zoning and transportation manuals. Vortex Engineering, Inc. assumes no liability for the accuracy or completeness of information furnished by the client or municipality/agency personnel. Site conditions are subject to external environmental effects and may change over time. Use of this report under different site conditions is inappropriate. If it becomes apparent that current site conditions vary from those reported, the design engineering should be contacted to develop any required report modifications. Vortex Engineering, Inc. is not responsible and accepts no liability for any variation of assumed information.

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