

ORDINANCE 2012-03

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA TO REZONE APPROXIMATELY 1.04 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF PINE STREET (18 ROAD) AND GRAND AVENUE (J.2 ROAD) FROM A PLANNED UNIT DEVELOPMENT ZONE OF ONE TYPE TO A PLANNED UNIT DEVELOPMENT ZONE OF ANOTHER TYPE (Application #2011-12, Dollar General)

WHEREAS, the property to be rezoned is shown in attached Exhibit A and is described as the northernmost 180 feet of Outlot A, Legacy PUD Subdivision, County of Mesa, State of Colorado, and

WHEREAS, the City received an application from Vicky Sanger, owner of the subject property, to amend the zoning requirements of the existing Planned Unit Development (PUD) zone (basically a rezone), and

WHEREAS, the land uses, design standards, and other information pertinent to this PUD zone is attached as Exhibit B (PUD Guide), and

WHEREAS, at their November 8, 2011, public hearing, the Fruita Planning Commission recommended approval of the proposed amendments to the existing PUD zone, and

WHEREAS, a public hearing before the Fruita City Council was held on December 6, 2011, and

WHEREAS, the requested PUD rezone meets all approval criteria that must be considered for PUD zones pursuant to Section 17.17.030 of the Fruita Land Use Code (2009, as amended) including general compliance with the City's Master Plan.

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

That the Official Zoning Map adopted pursuant to Section 17.07.020 of the Fruita Land Use Code (2009, as amended) is hereby amended and that the property shown and described on the attached Exhibit A, containing approximately 1.04 acres, is hereby rezoned to Planned Unit Development (PUD) as shown and described in attached Exhibit B (PUD Guide).

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
3RD DAY OF JANUARY, 2012.**

ATTEST:

City of Fruita

City Clerk

H. Kenneth Henry, Mayor

EXHIBIT A – Ordinance 2012-03

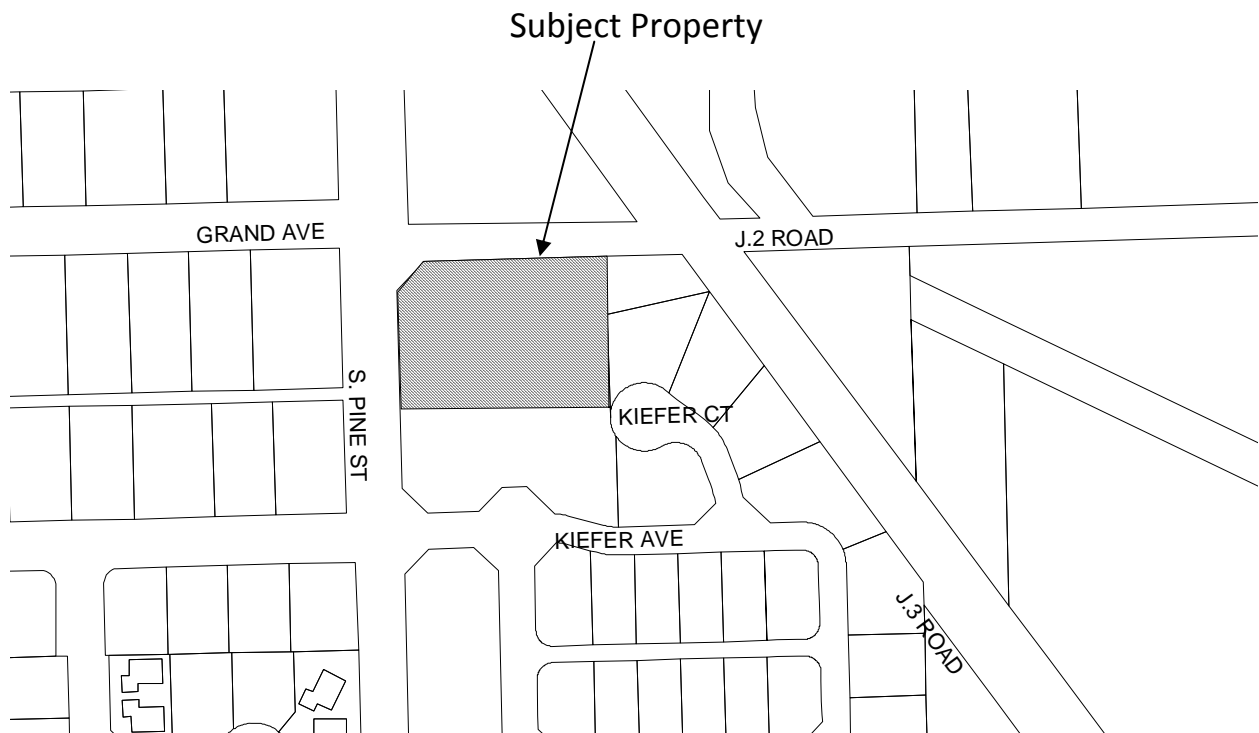


EXHIBIT B - Ordinance 2012-03
(seven pages)

**P.U.D. GUIDE AMENDMENT
FOR**

LEGACY SUBDIVISION

COMMERCIAL FILING 3

Fruita, CO

December 22, 2011



**G R E S H A M
S M I T H A N D
P A R T N E R S**

**511 UNION STREET
NASHVILLE, TN 37219
PHONE: 615-770-8100**

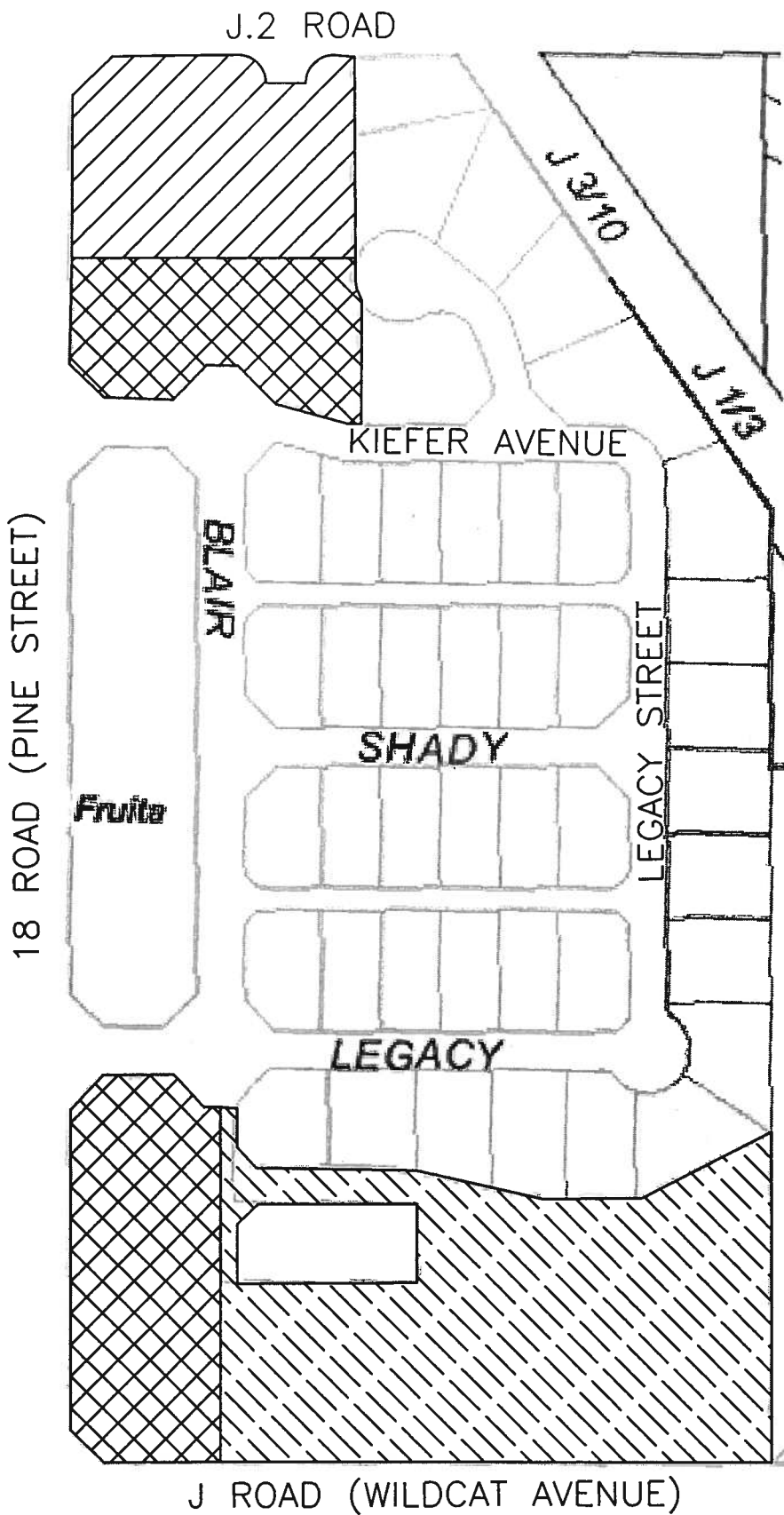
**CONTACT:
SARAH HOLLEY
PHONE: 615-770-8568
FAX: 866-712-3370
EMAIL: sarah_holley@gspnet.com**



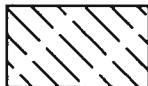
P.U.D. GUIDE AMENDMENT APPROVED BY:

VICKI SANGER, PROPERTY OWNER

DATE

LEGACY PUD FILING 3
*APPROX. 5.84 ACRES



-  COMMERCIAL FILING 3-A
-  COMMERCIAL FILING 3-B
-  COMMERCIAL/RESIDENTIAL FILING 3-C

COMMERCIAL FILING
REVISED 12/22/11.
SEE PAGE 2 FOR
RESIDENTIAL AREAS.

**COMMERCIAL DEVELOPMENT – FILING 3-A
LEGACY PUD COMMERCIAL SITE: 1.04 ACRES**

All requirements of the City of Fruita's current General Commercial zone and as amended in the future will apply with the following exceptions and/or additional requirement:

This PUD must conform to the following (from Section 17.17.130 of the 2004 Fruita Land Use Code):

1. Individual businesses should not exceed 10,000 square feet in size and shall not include drive-through services.
2. Pedestrian Circulation. Convenient pedestrian circulation systems that minimize pedestrian/motor vehicle conflicts shall be provided continuously throughout the development.
3. Bicycle Circulation. Bicycle circulation shall be accommodated on streets and/or on dedicated bicycle paths.

*Certain commercial land uses located adjacent to residential land uses may require additional landscaping and screening to mitigate noise and visual impacts.

*Group living facilities may exceed the 10,000 square ft. limit on individual businesses as required.

*Outdoor operations and storage is prohibited for all commercial land uses with the exception of miniature golf and outdoor restaurant.

Note: Assisted living/daycare center uses may utilize L/S buffer as playground and recreation area.

FILING 3-A Allowed Uses:

Small Group Living Facility/State Licensed Residential
Receiving Homes
Nursing Home/Assisted Living for the aged
Large Group Living Facility (will require approval of a CUP)

Institutional & Civic uses:

- *Colleges and Vocational Schools
 - Colleges and Universities
 - Vocational, Technical & Trade
- *Community Service
 - Public Buildings
- *Cultural
 - Museum, Art Galleries, Opera Houses
- *Daycare
 - Home-Based Daycare, Family Foster Home
 - Childcare Facility, Nursery School
- *Hospital/Clinic
 - Medical and Dental Clinics
 - Counseling Centers (nonresidential)
 - Hospital
 - Physical and Mental Rehabilitation (resident)
- *Parks and Open Space
 - Parks, Lakes, Reservoirs, Greenways
- *Religious Assembly / Church
 - All
- *Schools
 - Boarding Schools
 - Elementary Schools
 - Secondary Schools
- *Utility, Basic
 - Utility Service Facilities, (Underground)

Industrial uses:

- *Aviation or Surface Passenger
 - Bus / Commuter Stops

Commercial uses:

- *Entertainment Event, Major
 - Indoor Facilities
- *Lodging
 - Hotels and Motels, Lodges, Transient Housing
 - Bed and Breakfast (1-5 guest rooms)
- *Office
 - General Offices
 - Offices with Drive-In Facilities
- *Recreation and Entertainment, Outdoor
 - Miniature Golf
- *Recreation and Entertainment, Indoor
 - Movie Theatre
 - Skating Rink
 - Arcade
- *Retail Sales and Service
 - Animal Clinic/Hospital/Boarding/Sales, Indoor
 - Food Service, Catering
 - Food Service, Restaurant (Including alcohol)
 - Farm Implement / Equipment Sales / Service
 - Feed Store
 - Fuel Sales, Automotive / Appliance
 - General Retail Sales, Indoor Operations, Display and Storage
 - Nursery / Greenhouse
 - Manufactured Building Sales and Service
 - Rental, Home Oriented, Indoor Display / Storage
 - Repair, Small Appliance
 - Repair, Large Appliance
 - Personal Services
 - All Other Retail Sales and Service
- *Self Service Storage
 - Mini Warehouse / Self Service Storage Facility
- *Vehicle Repair
 - Auto and Light Truck Mechanical Repair Shop
 - Body Shop
- *Vehicle Service Limited
 - Car Wash
 - Quick Lube

**COMMERCIAL DEVELOPMENT – FILING 3-B & C
LEGACY PUD COMMERCIAL SITE: 4.80 ACRES**

Maximum Building Height: 35'

	Building Setback	Landscape Buffer
J.2 Road / Grand Avenue	20'	14'
18 Road / Pine Street	20'	14'
J Road / Wildcat Avenue	20'	14'
South	10'	10'
East	10'	10'
Southern extension of Heritage Street	0'	0'
Legacy Way	10'	10'

This P.U.D. must conform to sect. 17.17.130 of the 2004 Fruita Land Use Code w/ exceptions of sections:

17.17.130.D.2.e, 17.17.130.E.3, 17.17.130.F.4.d, and 17.17.130.F.5.b

*Certain commercial land uses such as drive-through uses located adjacent to residential land uses may require additional landscaping and screening to mitigate noise and visual impacts.

*Group living facilities may exceed the 10,000 square ft. limit on individual businesses as required.

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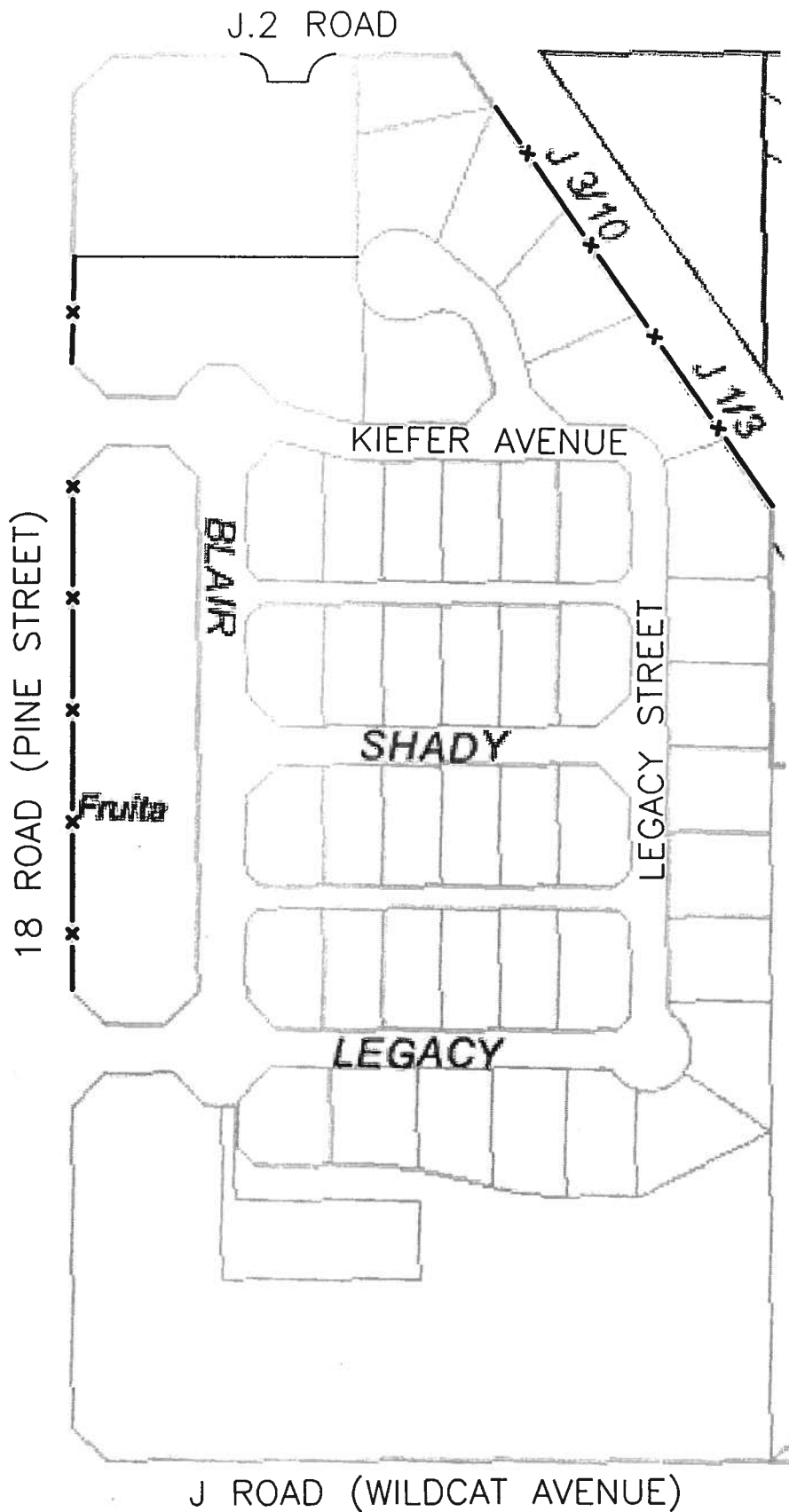
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 - Body Shop
- *Vehicle Service Limited
 - Car Wash
 - Gasoline Service Station
 - Quick Lube

OVERALL MASTER
FENCE PLAN

—x— PERIMETER
FENCE
(DEVELOPER
INSTALLED)

*ALL OTHER FENCING
SHALL CONFORM TO
CITY OF FRUITA
FENCE REQUIREMENTS
AS PER THE CURRENT
LAND USE CODE.



NORTHWEST CORNER
LOT FENCING
REVISED 12/22/11.