

**A. CALL TO ORDER**

Four Planning Commissioners were in attendance. (Jessica Hearn (virtually), Derek Biddle, Josh McGuire, and Michael Handley were present.)

**B. PLEDGE OF ALLEGIANCE**

Commissioner Biddle led the Pledge of Allegiance.

**C. AMENDMENTS TO THE AGENDA**

None

**D. APPROVAL OF THE AGENDA**

COMMISSIONER HANDLEY MOVED TO APPROVE THE AGENDA

COMMISSIONER MCGUIRE SECONDED THE MOTION

MOTION PASSED 4-0

**E. WITHDRAWN ITEMS**

None

**F. CONTINUED ITEMS**

None

**G. CONSENT ITEMS**

APPROVAL OF MINUTES

December 12, 2023, Planning Commission meeting

COMMISSIONER MCGUIRE MOVED TO APPROVE THE MINUTES

COMMISSIONER HANDLEY SECONDED THE MOTION

MOTION PASSED 4-0

**H. HEARING ITEMS**

Application #: 2023-37  
Project Name: Geode Flats  
Application: Preliminary PUD Plan  
Representative: McCool Development Solutions, LLC  
Location: 614 Raptor Road  
Description: This is a request for approval of a Preliminary PUD Plan to establish zoning standards for a multi-family residential development plan over approximately 5 acres.

Mr. Henry Hemphill stated that they had a request on application # 2023-37 from the applicant for a continuation of this public hearing from tonight to January 30<sup>th</sup> if that was possible. He wanted to ask the Planning Commission if they would be available on Tuesday, January 30 for a meeting to hear this item at that meeting.

Commissioner McGuire stated that he was available.

Commissioner Handley and Commissioner Biddle were also available.

Commissioner Hearn stated that she could be available via Zoom.

Mr. Hemphill added that they reached out to the Planning Commission to make sure that they would have a quorum that night and they will. They will need a motion from the Planning Commission to continue this public hearing item #2023-37 to January 30 at a special meeting for the Planning Commission. They will need a motion, a second and a vote. As far as time he stated 6:00 pm as the normal scheduled time at the Civic Center, second floor, in the Council Chambers.

Commissioner McGuire asked if this would be part of the motion?

Mr. Hemphill confirmed that it would.

COMMISSIONER MCGUIRE MOVED THAT THEY CONTINUE THIS ITEM TO A SPECIAL MEETING ON JANUARY 30, 2024, AT 6:00 PM ON THE SECOND FLOOR IN THE CITY COUNCIL BUILDING AT THE APPLICANTS REQUEST IN ORDER TO ALLOW APPLICANT TIME TO RESPOND COMMENTS RECEIVED FROM STAFF AND OTHER AGENCIES THROUGH THE REFERRAL PROCESS.

COMMISSIONER HANDLEY SECONDED THE MOTION

MOTION PASSED 4-0

Commissioner Biddle asked about public noticing.

Mr. Hemphill stated that tonight was the public notice opportunity for a continuation. He added that they did invite the public and spoke to the one person that was there and he was made aware of the change and was the only participant at the neighborhood meeting. He continued that the other public hearing dates should continue to be the same. They wanted to keep that on track. Having the Planning Commissions recommendation prior to starting a City Council public hearing process was important to them. He felt that they would be able to stay on schedule with the January 30 meeting.

Commissioner Handley asked outside of public comment did they anticipate any updates to the application or any other information that they would have to review?

Mr. Hemphill said that there could be. He added that they would resend the Planning Commission packet and if there was anything new or additional, they would make them aware of it and communicate that to them. He mentioned that on the legal notice postcard and what was required in the Code is to invite the public to, in this case a Planning Commission public hearing date, and the second reading of an ordinance given the fact that this was a zoning ordinance, that would be the public hearing date of February 20. As he stated before, meeting on the 30<sup>th</sup> should allow them to get a first reading and a public hearing date scheduled for that February 20 date. They should still be on track for that. The legal notice postcard, paper and site posting is to invite the public to the public hearing dates and those were set and continuing should allow them to keep on track for the second date that was noticed. Anybody interested in this item would have been there tonight to hear the continuation and it would be reflected in the minutes and they will put that on the website.

**I. OTHER BUSINESS**

1. Community Development Updates  
None
2. Visitors and Guests  
None
3. Other Business

**Adjournment 6:07 pm**

Respectfully submitted,

Kelli McLean

Planning Technician, City of Fruita