



## **FRUITA PLANNING COMMISSION**

**December 12, 2023**

**6:00 P.M.**

The following item(s) will be presented at this public hearing of the Fruita Planning Commission for their consideration. The Planning Commission will formulate a recommendation that will be forwarded to the Fruita City Council. Physically disadvantaged people who wish to obtain information may call (970) 858-0786. The hearing impaired may call Relay Colorado at 1-800-659-2656 or visit our website: [www.fruita.org](http://www.fruita.org).

### **General Rules**

Land use public hearings are similar to a court proceeding. Proper procedures will ensure a fair hearing for all and allow the land use items to be acted on in a timely manner. In the interests of time and to assure a fair hearing for everyone, the following rules will be followed:

1. There will generally be a 15-minute presentation (maximum) by the applicant.
2. Individual speakers will normally be limited to 3 minutes each.  
(Additional comments may be submitted in writing.)
3. The applicant will then have a rebuttal time of approximately 5 minutes.

The purpose of a land use hearing is to have the facts of a case presented in a manner that will assist the decision-makers in making a fair, legal, and complete decision. The hearing is a fact-finding forum by unbiased decision-makers. Unruly behavior, such as booing, hissing, cheering, applause, verbal outbursts, or other inappropriate behavior, detract from the hearing and will not be permitted.

#### **A. CALL TO ORDER**

#### **B. PLEDGE OF ALLEGIANCE**

#### **C. AMENDMENTS TO THE AGENDA**

None.

#### **D. APPROVAL OF THE AGENDA**

#### **E. WITHDRAWN ITEMS**

None.

#### **F. CONTINUED ITEMS**

None

#### **G. CONSENT ITEMS**

##### **1. APPROVAL OF MINUTES:**

October 10, 2023, Planning Commission meeting

## H. HEARING ITEMS:

1. Application #: 2023-33  
Application Name: 1873 K Road  
Application Type: Annexation  
Applicant: Hays Development LLC  
Location: 1873 K Road  
Current Zone: Mesa County Zoning AFT  
Description: This is a request to annex approximately 14.5 acres into the city limits.
  
2. Application #: 2023-34  
Application Name: 1873 K Road  
Application Type: Rezone  
Location: 1873 K Road  
Applicant: Hays Development LLC  
Current Zone: Mesa County Zoning AFT  
Description: This is a request to rezone approximately 14.5 acres from Mesa County Zoning AFT to Community Residential (CR).
  
3. Application #: 2023-31  
Project Name: Wildcat Residences  
Application: Site Design Review  
Representative: Wildcat Acquisition LLC  
Zone: PUD – Commercial/Residential  
Location: 1807 Wildcat Avenue  
Description: This is a request for approval of a Site Design Review of two (2) twenty (20) unit apartment buildings and five (5) 5-unit row home apartment buildings for a total of 65 units on approximately 3.7 acres.
  
4. Application #: 2023-35  
Application Name: City Market Fueling Station  
Application Type: Conditional Use Permit  
Applicant: Nathan Abbott and Galloway  
Location: 437 W. Aspen Avenue  
Description: This is a request for approval of a Conditional Use Permit for a drive-thru facility for a retail fueling station on approximately .52 acres.

## OTHER BUSINESS

1. Community Development Updates.
2. Visitors and Guests.
3. Other Business.

## ADJOURNMENT

### RULES OF PROCEDURE

#### **1. THE HEARING IS OPENED BY THE CHAIR OF THE PLANNING COMMISSION**

**The Chair reads the item on the agenda.**

#### **2. THE STAFF PRESENTS THE STAFF REPORT**

**The Fruita City staff present their reports.**

#### **3. THE PETITIONER SUMMARIZES THE PROJECT**

**The petitioner or his/her representative is asked to present the proposal. Presentations should be brief and to the point but covering all of the main aspects of the project.**

#### **4. PUBLIC COMMENTS**

**People speaking should step up to the microphone and speak clearly, stating their name and address. They should be brief and to the point and try not to repeat what others have said. The Chair asks for those in favor of the item to speak and then those opposed to the item to speak. Any others who wish to speak are then asked to come up to the microphone.**

#### **5. REBUTTAL**

**The Chair asks for the petitioner's rebuttal. During this brief time, the petitioner should address the major questions raised by the public and the Commission.**

#### **6. THE HEARING IS CLOSED TO PUBLIC COMMENTS AND THE ITEM IS DISCUSSED**

**The Chair closes the public hearing to public comments. No further comments from the public are allowed at this time. The Commission discusses the item and may ask the petitioner, staff, or members of the public to come back to the microphone to answer questions.**

#### **7. VOTE**

**The Chair asks the Commission for a motion on an item. After the motion is seconded, the Chair asks for a discussion on the motion. The motion may be amended and if it is amended, the Commission votes on whether to accept the amendment. After discussion and consideration of any amendments, the Commission votes on the motion. If the motion fails, or if there is a tie vote, another motion may be made and voted on using the same procedure. In addition to recommending an item be approved, approved with conditions or denied, the Commission may also table an item or continue an item to a later date.**

#### **8. FOLLOW UP**

**The Planning Commission's decision is forwarded to the Fruita City Council. Once a project is approved by the City Council it must be revised to reflect all the conditions placed on it by the City Council before documents are recorded and/or building permits are issued. If the project fails to meet the Fruita Land Use Code time limits for final documents, the project approval of the project lapses and the project must be resubmitted.**

**9. The Planning Commission may also continue a project or deny a project. At the request of the Planning Commission, the City Council may continue a scheduled public hearing to allow the Planning Commission more time to consider or reconsider the application.**

**A. CALL TO ORDER**

Seven Planning Commissioners were in attendance. (Jessica Hearn, Michael Handley, Mel Mulder, Derek Biddle, Amy Miller, Josh McGuire and Patrick Hummel 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 MULDER MOVED TO APPROVE THE AGENDA

COMMISSIONER HEARNS SECONDED THE MOTION

MOTION PASSED 7-0

**E. WITHDRAWN ITEMS**

None

**F. CONTINUED ITEMS**

None

**G. CONSENT ITEMS**

APPROVAL OF MINUTES

June 13, 2023, Planning Commission meeting

September 12, 2023, Planning Commission workshop.

COMMISSIONER HEARNS MOVED TO APPROVE THE MINUTES

COMMISSIONER HANDLEY SECONDED THE MOTION

MOTION PASSED 7-0

**H. HEARING ITEMS**

Application #: 2023-27  
Project Name: Sunset Pointe  
Application: Preliminary PUD Plan  
Representative: Sunshine of Delta, Inc.  
Location: Parcel #2697-193-00-037  
Description: This is a request for approval of a Preliminary PUD Plan of a 122-lot subdivision on approximately 54 acres.

Commissioner Biddle introduced the application. He welcomed everyone to the meeting and went over the order of operations.

Mr. Henry Hemphill went up to the podium and gave the staff presentation.

Slide 1- Introduction

Slide 2- PUD Process

Concept Plan (Optional Step) – 17.19.030 (A)

- This step is optional.
- The Planning Commission and City Council both review the application in a workshop setting.
- Decisions and discussions are non-binding.

Preliminary PUD Plan – 17.19.030 (B)

- This step is required.
- The Planning Commission will make its recommendation to the City Council.
- As part of the Preliminary PUD Plan, the City Council shall enact an ordinance zoning the property to PUD.

Final PUD Plan – 17.19.030 (C)

- This step is required after the Preliminary PUD Plan.
- This application is reviewed administratively in accordance with review agencies and City Councils’ decision on the Preliminary PUD Plan.

Slide 3 – Planned Unit Developments

- “The purpose of this Chapter is to encourage flexibility and innovation in developments in exchange for a community benefit that could not otherwise be realized through the strict adherence to the Code.”
  - Section 17.19.010

Slide 4 – Application

- Application#: #2023-27
- Representative: Rolland Consulting Engineers
- Property Owner: Sunshine of Delta
- Location: Multiple parcels near Snooks Bottom & the Kings View Estates Subdivision

Slide 5 – Aerial View

Slide 6 – Application Description / History

- Preliminary Development Plan for Kings View Estates in the late 1970’s.
- Fruita annexed all the property in the 1990’s.
  - Failing wastewater treatment facility.
- Property already zoned for development at 1 dwelling unit per acre.
  - Zoning Ordinance is meant to refine land use elements.

Slide 7 – Development Plan

- 122 total acres.
  - Residential development clustered over 54 acres. (41% of site)
  - 64 acres preserved as open space. (48.8% of site)
- Primary access from Kings View Road
- Secondary emergency access provided to Highway 340.
  - Utilities, Pedestrian, Emergency access.

Slide 8 – PUD Deviations

- Proposes a six-foot detached sidewalk only along the major roads (Golondrina Way and Lucia Circle). Other roads will only have curbs and gutters.
  - The city requires sidewalks on both sides of the street for all rights-of-ways.
  - These roadways should include sidewalks on both sides of the street.
- 5’ rear yard setbacks on lots that back up to Open Space and a 15’ rear yard setback for all other lots.
  - MP Zone has a 20’ rear yard setback requirement.
- 8’ side yard setback.
  - MP Zone has a 50’ side yard setback requirement.
- The application proposes 1 dwelling unit per acre.
  - The MP Zone requires 1 dwelling unit per 2 acres.

Slide 9 – Code Requirements

Planned Unit Developments

- Section 17.19.030 (A)(1) (a-d)
- Comprehensive Plan
- Open Space preservation
- Flexibility
- Surrounding character

Subdivisions

- Section 17.21.040 (A) (1-5)
- Comprehensive Plan
- Compatibility
- Preservation of natural features
- Ability to resolve recommendations from reviewers.

Slide 10 – Code Requirements

- Review agency comments can be adequately resolved.
- No major concerns from:
  - Ute Water
  - Lower Valley Fire Department
  - CDOT
  - Xcel Energy

Slide 11 – Review Comments & Public Comments

- **REVIEW COMMENTS:**

- All review comments received are included with this Staff Report. All review comments must be adequately resolved with the Final Plat application.
- **PUBLIC COMMENTS:**
- Public Comments have been received.
- All comments received have been entered into the record.

Slide 12 – Staff Recommendation

- Because the application meets the requirements of Section 17.19.030 (A)(1) (a-d) and Section 17.21.040 (A) (1-5) of the Fruita Land Use Code, Staff **recommends approval** of the proposed Sunset Pointe Preliminary PUD Plan with the condition that the application adequately resolve outstanding review agency concerns with the Final PUD application.

Slide 13 – Suggested Motion

- Mr. Chair, because the application meets or can meet all applicable approval criteria for a Preliminary PUD Plan in accordance with the Fruita Land Use Code, I move to **recommend approval** of the Sunset Pointe Preliminary PUD Plan application to the Fruita City Council with the condition that all review comments are adequately resolved with the Final PUD Plan application in addition to the following conditions.
  - New Traffic Study recommendations be met.
  - Access Road to be built out of the floodplain area.
  - Sidewalk from Highway 340 to Snooks Bottom intersection
  - Allow the Kings View Estates HOA access to the emergency access area.

Slide 14 – Next Steps

Following Planning Commission

- City Council 1<sup>st</sup> Reading of the Zoning Ordinance – October 3, 2023
- City Council 2<sup>nd</sup> Reading of the Zoning Ordinance – November 7, 2023 (public hearing) – adoption of the PUD Guide.

If approved by City Council.

- Applicant has 180 days to submit the Final PUD Plan.
- Final PUD Plan sent out for review to ensure compliance with review comments.
- Decision is made administratively.

Mr. Hemphill concluded his presentation.

Commissioner Biddle thanked him and asked the applicant to speak.

Mr. John Moir, the applicant, introduced himself. He resides at 278 N. Mesa Street. He stated that he has owned the property since 2004 and saw potential with the PUD. He attempted his first application in 2006/2007 but withdrew it in 2008 due to the economy. He spoke about the importance of maximizing the utility and lay of the land, the need for sewer and an extension to the lift station, the idea of a second emergency access to the proposed subdivision, and the trail system. He stated that safety was his primary concern for the public. He added that working with the BLM was difficult. He spoke about the access from Highway 340 and the improvements, that there was a significant dip that they would be lifting and curvature that they

would be straightening. He added that this would most likely mean less speed control with a better alignment and that this would happen with filing 4. He then asked if Eric Slivon would speak about the engineering aspects of the proposal.

Mr. Eric Slivon from Rolland Engineering whose business address is 405 Ridges Boulevard went up to speak. He stated that he has been involved with the project since 2018. He stated that there were two lots off Squire Court and six lots off Fowler Drive. There would be one tap with Ute Water. He said that they were proposing a second water line. He spoke about the storm drainage and that they were planning on having water quality ponds close to the river. He added that the improvements at the entrance on Kingsview Drive would happen at the fourth filing.

Commissioner Biddle thanked him. He opened the meeting to public comment.

Mr. John Popham Jr., who lives at 913 Squire Court went up to speak. He stated that he had lived in Kingsview since 1995. He said that he bought a view and threw a house in and added that he could see the Monument on one end and Snooks bottom on the other. He was concerned about losing his view, the added noise and traffic movement. He spoke about the fire near Kingsview and that they had to be evacuated. With the addition of 122 new homes and one access point he wanted to know how they would be able to get out. He spoke about the Fourth of July fireworks and the PD setting up roadblocks. He wondered how they would all get out.

Mr. Andy Wheeler, who lives at 928 Laura Court went up to speak. He reiterated the concern about traffic and the emergency access. He stated that he sees horse trailers, bikers and a lot of traffic on Kingsview Road. He said that this area is a gateway to the Monument and recreation which adds to the traffic. He spoke about Fruita being a biking capital and felt it was encroaching on Kingsview Estates. He mentioned cutting the development in half.

Ms. Kathleen Morrison who lives at 909 Prince Court went up to speak. She stated that the map of Sunset Pointe gave her chills. She spoke about Paradise California where 80 people died from a fire because there was only one way out. She said that this frightened her. She said that she thought that first responders would have to unlock the secondary emergency access which could slow them down. She said that the traffic study was done years ago. She thought that the proposed subdivision had too many homes. She thanked the Commission.

Ms. Vicki Filz, who lives at 1666 Fowler Drive went up to speak. She stated that she had been a resident of Kingsview Estates for 22 years and loved it. She said that she cherished the environment and noted that Fruita was a smart growth community. She brought up the traffic study and said that she has seen traffic grow. She added that their area was a gateway to McGinnis Canyon and Snooks Bottom. She felt that traffic needed another access point. She also brought up rock blasting and was worried that this could affect their foundations.

Mr. Dave Karisny, who lives at 917 Squire Court went up to speak. He said that he lived in Kingsview Estates since 1990. He spoke about the history of Kingsview Estates and in 1996 the required road improvements scheduled for filing 3. He added that some of those improvements had been made and others had not. He spoke about the residents of Kingsview adding to the escrow account for improvements. He spoke about CDOT and their plan and about site distance



issues and drainage issues. He stated that the road improvements were only going up to Diane Court and should go to Fowler Drive and include detached sidewalk improvements. He had concerns about fires. He stated that they had to be evacuated due to a fire last June. He spoke about their 2018 petition to ban smoking at the disc golf course and Snooks Bottom because of the fire conditions. With the infrastructure he wondered if they would be able to get out. He spoke about the emergency access being in a flood plain and stated that it floods every year and said their ability to use it was questionable and asked for a second entrance. He mentioned the proposal of Accessory Dwelling Units for Sunset Pointe and wondered how many there would be, would there be restrictions, and how this affected the traffic study.

Ms. Judy Chmielewski, who lives at 919 Patricia Court went up to speak. She had concerns about the traffic study that was done in 2005 and felt that it was not fair to look at this. That this didn't affect just their neighborhood.

Ms. Connie Hale, who lives at 921 Prince Way went up to speak. She said that she felt they needed a new traffic study. She stated that she raised her family in their house and had 3 teens. She wondered how many more drivers there would be to add to the traffic.

Mr. Bruce Ricks, who lives at 1675 Fowler Drive went up to speak. He stated that he lived in his house for 19 years. He spoke about trailheads, parks, and wildlife. He said that Kingsview had 83 homes and that the applicant was proposing an additional 122 homes which he felt would have a significant impact on Kingsview. He understood that the owner wanted to make money and that the City of Fruita wanted the tax dollars but felt this subdivision was unwise and dangerous. He pointed out the entrance to Kingsview as a problem. He talked about traffic and the special events that took place at Snooks Bottom like a cross country race. He said it added school buses and additional cars onto the road. He said that Highway 340 was dangerous and talked about merging onto 340 from Kingsview and going from 0-60 mph would result in accidents. He spoke about the winter ice on Kingsview and the slope and felt it would lead to accidents. He thought that 40 homes would work better.

Mr. Jeffrey T. Miller, who lives at 918 Crown Court, went up to speak. He wondered if there had been any geology studies. He spoke about the rocks, additional dust and potential radioactivity in the soil. He also spoke about the bridges that were under repair and Redlands Parkway.

Ms. Mary Clawson, who lives at 926 Laura Court, went up to speak. She stated that Kingsview had a lot of traffic with Snooks Bottom and the trails. She said that there were a lot of recreational activity during the summer. She said that she was terrified of a potential fire and that more accidents would happen. She spoke about the Fourth of July fireworks and that it took hours for people to get out of the area through Kingsview. She stated that the fireworks display ended at 9:30 pm and that it took until 11:00 pm for people to get out.

Ms. Sarah Ogden, who lives at 921 Squire Court went up to speak. She brought a letter for the Planning Commission. She brought up the traffic study and felt that further impact studies were necessary. She wasn't sure where the emergency access was. She suggested that the subdivision lights have motion sensors to help with light pollution. She wanted trail access to allow current

neighbors access to open space. She asked about bicycle paths on Kingsview and mentioned that she would not allow her kids to walk along this road. She asked about the phasing of Sunset Pointe. She wondered if it was going to be one phase at a time or multiple phases going at the same time and talked about the construction, noise and dust. She wanted the Commission to consider a new traffic study and walkways.

Mr. Anthony Molina, who lives at 921 Squire Court, went up to speak. He spoke about the phases of the subdivision and connected it to the need for funds to pay for the project. He said that he looked at Google Earth and talked about the cliffs. He spoke about the wildlife with beavers a stones throw from the lots. He strongly opposed the subdivision. He wanted sewer and an access road. He spoke about the area flooding with the monsoon season. He also talked about the fires close by and was worried that they could be stuck. He said that the access road was in the flood plain and that this was not a good thing when the area was flooding. There were several filings he was against and suggested that they donate filing 1B to the City. He questioned the road improvements in filing 4 and stated that this needed to be done for everyone. He brought up that this subdivision would have a different HOA and that they could have a conflict.

Mr. Joe Chmielewski, who lives at 919 Patricia Court went up to speak. He talked about not having power with the state for a second access. He spoke about the covert dip at the bottom of Kingsview and added that it gets flooded. He added that the City of Fruita came out and had to clean there after a flash flood came through. If the covert was doubled it could further flood the road. He talked about tract E and F and wanted to know if this was going to be open land forever? Would this be documented? Would this be open to more homes in the future? He spoke about more traffic and thought this the subdivision would add another 300 more vehicles. He added that they love where they live. He had concerns about safety.

Mr. Patrick O'Connor, who lives at 901 Crown Court went up to speak. He reiterated the same concerns as the other residents in Kingsview. He mentioned specifically traffic impacts and sewage. He felt that the traffic study was old, and it did not reflect Snooks Bottom or the events there. He also said that the traffic study didn't talk about McGinnis Canyon or the trail heads in the paleo area. He mentioned an increase in recreational activity in these areas since COVID and with it an exponential increase in traffic. He said that the parking lots are always full, and the traffic study was not adequate. He also mentioned the emergency access being in a flood plain. He challenged the idea that the sewage lift station was running at 10% capacity and said that he had designed them but never at this capacity. He said that an additional 122 homes would increase the capacity by 3 times.

Ms. Rebecca Hobart, who lives at 920 Prince Way went up to speak. She said that she had lived in Kingsview for 16 years. She said that recreation was very important and that Kingsview was a entryway to it. She was proud that there is free access to the wilderness and that they had an obligation to protect that access and area. She asked them to be mindful. She felt that too many homes would detract from the quality of living in Fruita.

Mr. Eric Brown, who lives at 910 Crown Court went up to speak. He said that he has been living in Kingsview for almost 3 years. He spoke about the emergency access and wondered if there

was a parking lot for a staging area. He had concerns about families and how kids would get to school or the bike park safely. He added that Kingsview was still far from town, and he was concerned about the safety aspects of moving around, traffic and access to safety.

Commissioner Biddle asked if there were any other members of the public that wanted to speak? There were none. He closed the public comment portion of the meeting and asked the applicant to give rebuttal.

Mr. John Moir went up for rebuttal. He stated that he knew that traffic was a concern and that although the traffic study was 15 years old, he did not feel it was out of date. He spoke about ADUs and said that his vision was for the allowance of mother-in-law suites not as rentals. He also didn't feel ADUs would generate a lot of traffic and that their purpose would be to care of parents. He talked about the second emergency access being in the flood plain and that its purpose was to add an alternative to a second access. He addressed sidewalks and proposed pedestrian traffic potential go through the frisbee golf course alignment. As far as an alternative permanent access point, he said that no one has come up with any possibilities, that there were no feasible alternatives. He called up Eric Slivon to respond to the engineering questions.

Mr. Eric Slivon went up to speak. He spoke about the traffic study and that the study was conducted in 2007 and updated in 2008. He added that traffic studies do future projections with growth rates. He talked about how traffic studies are conducted, that they start with traffic counts and would include predictions. He said that they were willing to do a traffic study. He spoke about the emergency access and said that they could put in bollards or a gate that would have a lock, that the HOA could have a key. He stated that there would be very limited on the lights with a total of five being proposed at the intersections.

Commissioner Biddle thanked him.

Mr. Caris passed out some late public comments.

Commissioner Hearn requested a five-minute recess to look over the comments. The Commission recessed.

The Commission reconvened at 7:37 pm.

Commissioner Miller asked if the fire department reviewed the application?

Mr. Caris said that they did and did not have concerns.

Commissioner Miller brought up the locking emergency access.

Mr. Caris stated that Sunshine would retain ownership up to 50% and then the HOA would take it over. He suggested that something be put in the CC&R's,

Commissioner Miller asked Mr. Moir if he would be the exclusive builder and if it was a build to suit the situation.

Mr. Moir responded that he would not be the exclusive builder.

Commissioner Miller asked if it would be done one filing at a time or open?

Mr. Moir said that he would not wait until a filing was complete before selling or building on lots.

Commissioner Miller said that this was standard practice.

Commissioner Biddle wanted to know if it would be open to multiple builders and asked about an Architectural Control Committee (ACC).

Mr. Moir stated yes to both.

Commissioner Mulder asked about a max building height and asked if it was 25'.

Mr. Moir said it was. He said that they were going to primarily build southwestern type homes which are 20' tall or less.

Commissioner Mulder talked about the proposed emergency exit. He mentioned that at times about 2/3 of the golf course was under water. He talked about the trail being cut off on Squire Court.

Mr. Moir stated that they were going for connectivity with the pedestrian trail.

Commissioner Mulder asked about this being above the flood plain?

Mr. Moir said that it would not be totally out of the flood plain.

Commissioner Mulder asked about a parking lot.

Mr. Moir stated that for the trail from Kingsview to the south to access trailheads. They were proposing a parking lot to BLM property.

Commissioner Mulder wanted clarification if this was by Dolan's property.

Mr. Moir said no, he then showed the Commission where it was on the overhead map.

Commissioner Mulder stated that he had seen all of Mr. Moir's proposals and that he didn't see that he was taking responsibility for Kingsview Road. He asked if he was going to straighten out Kingsview by the bus stop?

Mr. Moir said that he was, all the way through the vertical curvature and horizontal.

Commissioner Mulder wondered why there wasn't a Concept plan. He stated that this had been a mess a long time and he was not going to make it work. He reiterated the emergency exit in

the flood plain. He said that he had seen it flood in the spring. He added that flashfloods fill up the road. He added that 122 homes would not help us get a City Market upgrade. He brought up the price of the homes at \$600,000 - \$700,000 and that those people would send their kids to charter schools. He wanted the project to be cut in half with more expensive homes. He spoke about needing an upgrade to the lift station. He said that he thought the plans for Kingsview Road were inadequate.

Commissioner Handley said that in 2008 they he felt that they did not anticipate this area as a destination for recreation to the degree in which it has become. He said that the parking lots have been filling up and that the traffic on the main road was not adequate for the traffic load. He thanked the public for coming out to speak at the meeting. He recommended a new traffic study be done which took into account the recreation and a need for a second access road.

Mr. Moir agreed to do a new traffic study with additional counts.

Commissioner Hearn spoke about a three-stage process and asked if the traffic study was part of this?

Mr. Sam Atkins, City of Fruita Engineering Department Director, responded. He said that they typically require a traffic study and that CDOT would need one for a new permit. He stated that it would establish new improvements that need to be made. He spoke about the sewer lift station and that Public Works said it was running at 10% capacity. The lift station was built with growth in mind. He talked about erosion and added that this would take place at the bridge area. He said that CDOT would not allow a connection off Highway 340. Only an emergency exit would be allowed.

Commissioner Handley wondered if there was any opportunity along 340 to provide access, maybe widen Kingsview Road.

Mr. Atkins said that there was no opportunity for this, only emergency access. He reiterated that the new traffic study would establish capacity and project a 20-year design with a growth rate.

Commissioner Handley asked if the traffic study showed that Kingsview Road needed to be widened if they had the right of way to do it?

Sam said that they did have the room.

Commissioner Hearn said it was not required to have a traffic study at the Preliminary Plan stage.

Mr. Atkins stated that some of this comes in at the Final Plan stage where they hold the applicant accountable for their design.

Commissioner Hearn asked if they needed to table for the study.

Mr. Atkins said that they could make a motion to approve with conditions.

Commissioner Hummel asked what a new road section would look like?

Mr. Atkins said that PUDs are negotiable. Kingsview would be 36 'with curb, gutter, and sidewalk.

Commissioner Hearn asked the City if 48% open space was an amenity and pointed out the topography. She wanted to know if the open space was developable.

Mr. Moir said that it was developable.

Commissioner Hearn asked if the City agreed?

Mr. Caris said he did think it was developable.

Commissioner Biddle asked about the traffic study and if they would be locked in?

Mr. Atkins gave details about density and traffic. He thought the traffic study would generate improvements to the intersection. He said that would not know until the study is performed.

Commissioner Hearn spoke about the underlying zoning district of Monument Preservation and felt that a PUD was already an improvement. She wanted clarity about what the MP zone meant.

Mr. Hemphill addressed the MP zone and gave details about it being the underlying zone district in the Land Use Code. He spoke about the history of the property. That it was originally a Mesa County project with 260 acres total. He added that there was a density of one dwelling unit per acre. He wanted the PUD to be clear with building heights and setbacks. The MP zone gave them a basis for analyzing the application.

Mr. Caris said that the City was opposed to using another entity's zoning and the shift was to what is currently in the Code.

Commissioner Hearn spoke about the original annexation of the property and said that they agreed that development would occur here.

Mr. Caris agreed with that. He then spoke about the filing plan stating that filings 1, 2 and 3 were lower in density and then with filing 4 they would be doing the improvements on 340 and Kingsview.

Commissioner Miller stated that if it were straight zoned it would be not nearly appealing and asked what that would look like?

Mr. Caris responded that it would have a prescriptive design.

Commissioner Miller asked if it would be sprawled out?

Mr. Caris said it would.

Commissioner Hummel asked about a height limit.

Mr. Caris said it was 35' max height.

Commissioner Miller asked if the open space was going to be HOA or City?

Mr. Hemphill stated that tracts E and F would be City.

Mr. Caris stated that the threat of redevelopment in those areas was not there.

Commissioner Hearn asked about the calculations and added that almost all the lots could have ADUs.

Mr. Caris said that ADUs were not part of the calculation.

Mr. Hemphill gave them the density calculations.

Commissioner Handley brought up the geology comment and asked if a study was done.

Mr. Moir stated that a soils study had been done.

Commissioner Handley asked if there was any radiation issue?

Mr. Moir stated that there was no pinpoint to radiation.

Mr. Caris said that they will have to supply a Gamma Radiation study.

Commissioner Handley brought up blasting.

Mr. Moir was unsure if they would have to blast and if they did it would be controlled. He brought up the example of Redlands Mesa and said that there were alternatives to blasting.

Commissioner Hummel thought that this was a well thought out development. He said he would like to see a new traffic study and that it would be nice to have sidewalks for connectivity to Snooks Bottom. He said he approved contingent to comments.

Commissioner Handley brought up the idea of raising the emergency road above the flood plain.

Commissioner Hearn talked about removing some lots to get closer to the one dwelling unit per acre.

Mr. Hemphill explained gross density versus net density. He added that the lots were clustered for a purpose. He brought up the filing plan and the purpose of making improvements at filing 4.

Commissioner Hearn thanked him for the explanation. She spoke more about the history of the project.

Mr. Moir explained that in 2018 burying the transmission lines was going to cost 2 million and since Excel was rerouting the transmission lines it made the project feasible.

Commissioner Hearn understood that the City approved it but the cost would have been untenable.

Mr. Moir said that it was approved in 2007 also.

Commissioner Hearn did not think that it was a good idea to build up the emergency access.

Mr. Atkins spoke about the idea of building up the emergency access.

Commissioner Mulder talked about CDOT and asked what a 20% increase would mean to the traffic study?

Mr. Atkins gave the example of the CO-OP and said a 21% increase would trigger turn lane improvements.

Commissioner Mulder thought that filings 1,2, and 3 would put it right at 20%.

Mr. Atkins said that a 20% increase wouldn't automatically generate improvements. It would require a traffic study.

Commissioner Mulder brought up construction traffic and that construction equipment would be going along Kingsview Road.

Commissioner Hearn broke the application down. She brought up 122 dwelling units and 48% open space. She talked about Fruita in Motion and the goals in the Comprehensive Plan. She stated that this development would be supported by goal #2.

Mr. Hemphill brought up that it was important to note that the Comp Plan identified this area as Monument Preservation zone. He then read the description of what the MP zone was.

Commissioner Hummel thought that bringing the 35' max height down to 25' would be beneficial.

Commissioner Miller thought that this would help the affordability and attainability of the properties.

Commissioner Hearn agreed. She thanked Mr. Hemphill for reading the description of the MP zone. She stated that she would be using the guide to help her with her decision. She added that she felt that the developer went through great lengths and that it was well suited to the area.

Commissioner Biddle stated that traffic was an issue and would be considered. He liked the overall design.



Commissioner Mulder brought up the need for a traffic study and improvements on Kingsview Road.

Commissioner Biddle added that sidewalks were critical.

Mr. Moir thought there was little value in sidewalks from Highway 340, he felt the value was in sidewalks from Squire Court and Fowler Drive to Snooks Bottom.

Commissioner Hummel stated that there was a bus stop and that a sidewalk should be extended there.

Commissioner Biddle thought the additional traffic would warrant sidewalks.

Mr. Moir stated that he heard them loud and clear and that it can be worked out.

Commissioner Biddle wanted to have restrictions and guidance.

Mr. Moir said that he understood.

Commissioner Miller asked if they had easements?

Mr. Caris said they did.

Commissioner Hummel thought that sidewalks on one side were fine for connectivity.

Commissioner Biddle stated that his concern was for the children.

Commissioner Hearn said that she liked the idea of southwestern style homes.

Mr. Caris asked her if it was the style or the height.

She said it was the idea of a lower profile home and asked if this was in the design standards?

Mr. Caris explained that they would regulate dimensional standards and density.

Commissioner Handley asked about the HOA.

Mr. Moir said that they would have design and architectural guidelines and it would be reviewed by a committee. They would establish design guidelines, review sets of plans, and give approvals. He added that they were leaning toward southwestern and California design with stone.

Commissioner Handley thought it would fit in.

Commissioner Hearn asked Staff if tax revenue was the City's desire with the project.

Mr. Caris said no.

Commissioner McGuire wanted to know if the traffic study came back with conditions for the intersection and roads and to whom is that addressed to?

Mr. Atkins said that the study could recommend intersection improvements because that is where the capacity hits.

Commissioner McGuire brought up Kingsview Drive funneling 220 homes, he wanted to know if there was potential for a turn lane to Fowler Drive?

Mr. Atkins Spoke about right of ways, collector roads, and gave examples of Pine and Ottley and their capacity for turn lanes.

Commissioner McGuire thanked him.

Mr. Atkins said that a traffic study for CDOT was for CDOT itself and not internal to the subdivision. He said that they could make a motion and approve with conditions.

Commissioner Biddle thanked the crowd for coming. He said that they would take their rights into account.

Commissioner Handley asked the Staff for help in formulating a motion.

Mr. Hemphill put the suggested motion on the screen.

Commissioner Hearn brought up the raising of the emergency address road for flood buffering.

Commissioner Mulder talked about developer responsibility versus City responsibility.

Mr. Caris said that he would not parse out responsibilities, that this would take place for the filings and that they will need to see those designs.

Commissioner Mulder asked what the developer's responsibilities were.

Mr. Caris talked about the Transportation Impact fees. He brought up CDOT recommendations and filing 4 in relation to the improvements.

Commissioner Mulder asked if improvements to Kingsview Road were part of the development?

Mr. Caris said it was.

Commissioner Hearn addressed the meeting attendees. She said that she was leaning on the Community Plan and Code for the decision and that she had to trust the experts. She stated that the development far exceeded the Monument Preservation standards with goals in mind. She let

them know that she had heard them, that she has been to their area and that they gave her a lot of good information.

Commissioner Biddle said that he spent an hour up in their area.

COMMISSIONER HEARNS MOVED TO RECOMMEND APPROVAL OF THE SUNSET POINTE PRELIMINARY PUD PLAN APPLICATION:

MR. CHAIR, BECAUSE THE APPLICATION MEETS OR CAN MEET ALL APPLICABLE APPROVAL CRITERIA FOR A PRELIMINARY PUD PLAN IN ACCORDANCE WITH THE FRUITA LAND USE CODE, I MOVE TO RECOMMEND APPROVAL OF THE SUNSET POINTE PRELIMINARY PUD PLAN APPLICATION TO THE FRUITA CITY COUNCIL WITH THE CONDITION THAT ALL REVIEW COMMENTS ARE ADEQUATELY RESOLVED WITH THE FINAL PUD PLAN APPLICATION IN ADDITION TO THE FOLLOWING CONDITIONS

- NEW TRAFFIC STUDY RECOMMENDATIONS BE MET
- ACCESS ROAD TO BE BUILT OUT OF THE FLOODPLAIN AREA
- SIDEWALK FROM HIGHWAY 340 TO SNOOKS BOTTOM INTERSECTION
- ALLOW KINGS VIEW ESTATES HOA ACCESS TO THE EMERGENCY ACCESS
- AREA

COMMISSIONER HUMMEL SECONDED THE MOTION

MOTION PASSED 6-1

## **I. OTHER BUSINESS**

### **1. Community Development Updates**

Mr. Caris invited the Planning Commissioners on a tour to the Beach property next week on October 17, 2023. He also let them know about a joint workshop with City Council next month on November 14.

### **2. Visitors and Guests** None

### **3. Other Business**

**Adjournment 9:18 pm**

Respectfully submitted,

Kelli McLean

Planning Technician, City of Fruita

DRAFT



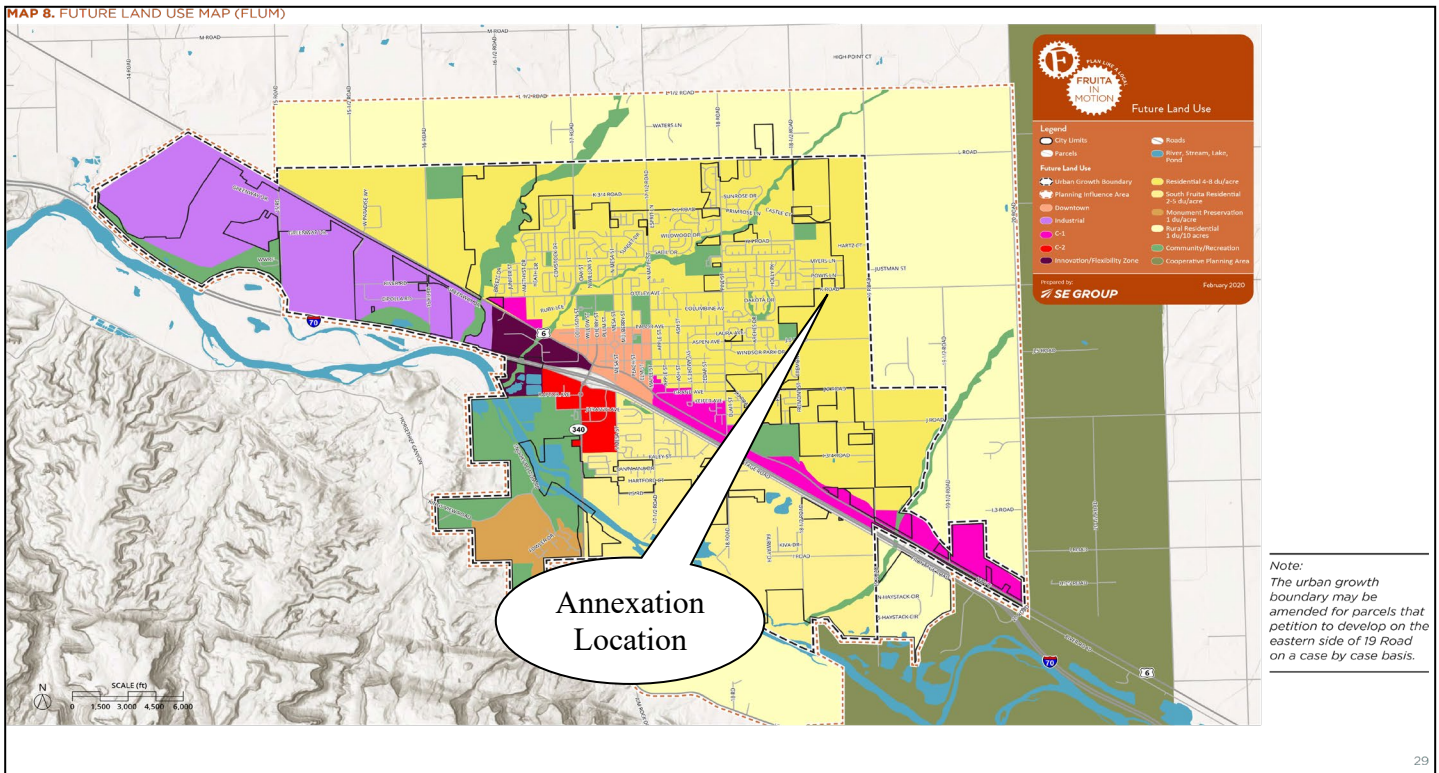
PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT  
DECEMBER 12, 2023

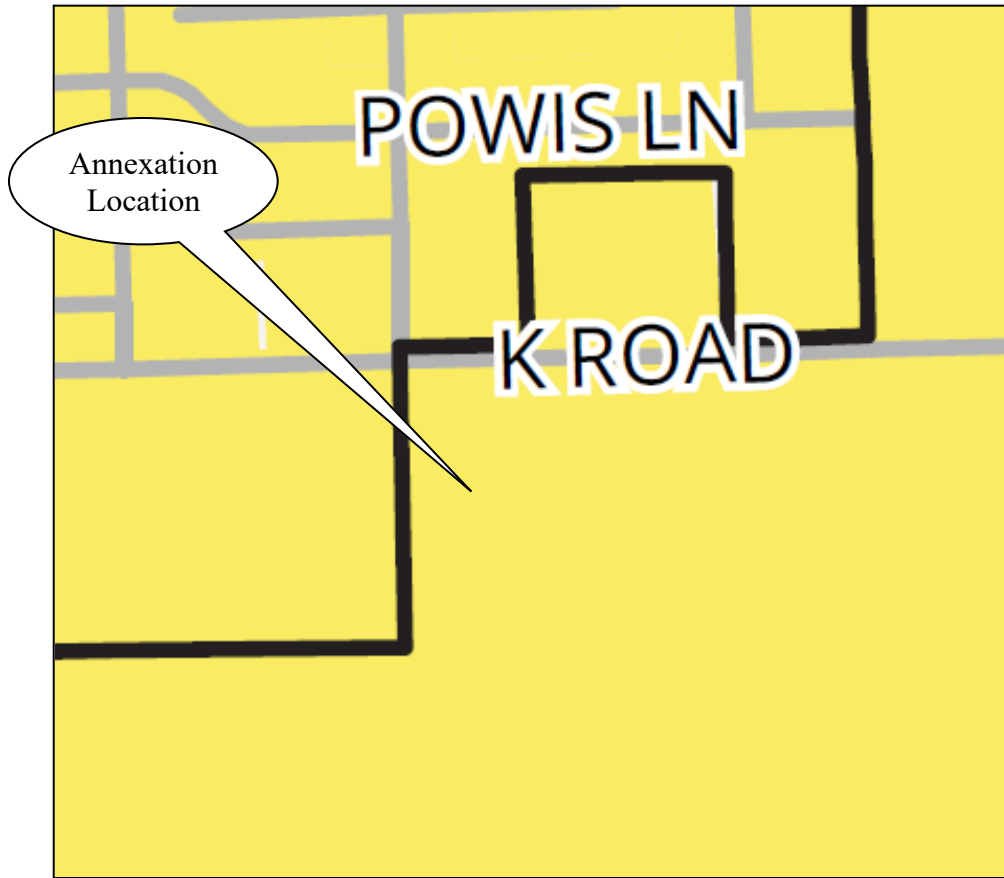
**Application #:** 2023-33  
**Project Name:** 1873 K Road Annexation  
**Application:** Annexation  
**Property Owner:** Hays Development LLC  
**Representative:** Griffin Design and Construction, LLC  
**Location:** 1873 K Road  
**Zone:** Currently zoned Agricultural, Forestry and Transitional (AFT-County zoning)  
**Request:** This is a request for approval of the annexation of approximately 14.52 acres into the Fruita City Limits.

**PROJECT DESCRIPTION:**

The property owner of 1873 K Road has applied for an application to annex approximately 14.52 acres of property located on the south side of K Road and south of the Brandon Estates Subdivision. The subject property currently contains a single-family dwelling unit along with some other agricultural outbuildings.

**FUTURE LAND USE MAP (FLUM)**





**FRUITA IN MOTION**  
PLAN LIKE A LOCAL

### Future Land Use

City Limits	Roads
Parcels	River, Stream, Lake, Pond

**Future Land Use**

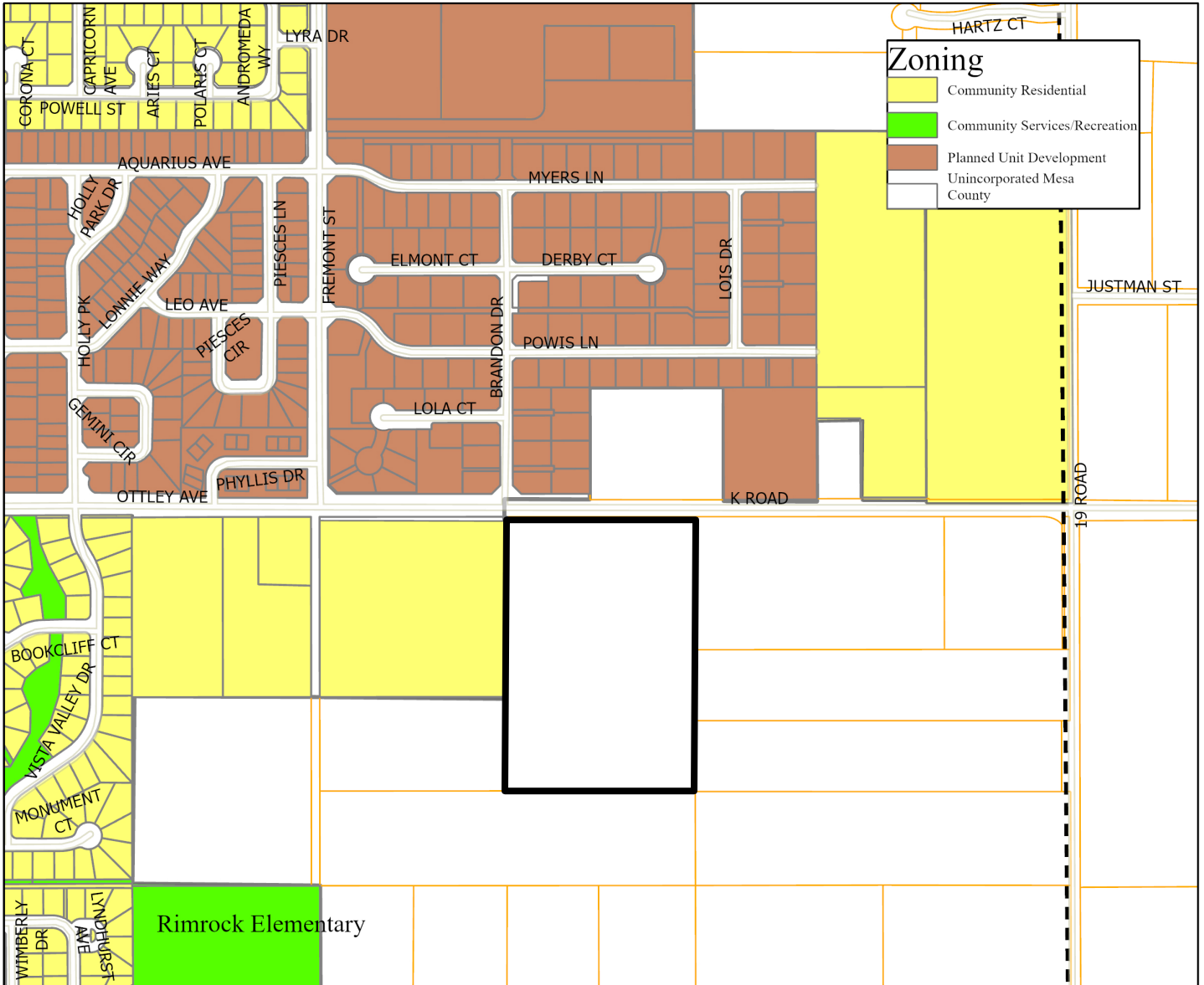
Urban Growth Boundary	Residential 4-8 du/acre
Planning Influence Area	South Fruita Residential 2-5 du/acre
Downtown	Monument Preservation 1 du/acre
Industrial	Rural Residential 1 du/10 acres
C-1	Community/Recreation
C-2	Cooperative Planning Area
Innovation/Flexibility Zone	

Prepared by: **SE GROUP** February 2020

**SURROUNDING LAND USES AND ZONING:**

Surrounding land uses are primarily single family detached residential. The Brandon Estates Subdivision is located to the north, Vista Valley Subdivision to the west, and Rimrock Elementary to the south.

**LOCATION AND ZONING MAP**



2022 AERIAL PHOTOGRAPH





## 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 1/6<sup>th</sup> contiguity with existing city limits which is required per Section 31-12-104 of the Colorado Revised Statutes (CRS).

The total perimeter measures 3,237.81 feet. The city limits border this property on the west side by approximately 630.22 feet, meeting the requirement for a 1/6<sup>th</sup> contiguity.

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 by Ute Water, Excel Energy services, and has direct access from K Road. The subject property currently has a septic system to treat wastewater and will need to connect to the City's sewer system if/when developed. If the subject property were to develop, there would be adequate review of additional utilities and infrastructure associated with residential development.

In addition to this annexation, the city will be annexing the adjacent K Road right-of-way as a condition of approval.

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.

**3. The area is contiguous with existing urban development;**

The subject property is contiguous with urban development on the north side, with Brandon Estates. 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. The City of Fruita's wastewater services are located in K Road and have the capacity to serve the subject property when needed or when the property develops in the future. Since the subject property is already being served by these services, this criterion has been met and can be met with regard to wastewater services.

**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 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 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.

This application was sent to Grand Valley Irrigation Company (GVIC) for review and they had no comments regarding this application.

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 for 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.**

Staff recommends approval of the annexation petition with the condition that there will be dedication of additional multi-purpose easements as follows:

1. Dedication of a 14-foot multipurpose easement adjacent to the right of way adjoining the subject property.
2. Dedication of an additional 5 feet of right-of-way along Ottley Avenue (K Road).
3. Legal Description of Ottley Avenue adjacent to the subject property.

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.

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**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)	
November 22, 2023	Post Cards
November 22, 2023	Sign Posting
November 24, 2023	Legal Ad



**STAFF RECOMMENDATION:**

Staff recommends **approval** of the annexation petition with the condition that there will be dedication of a 14-ft multipurpose easement adjacent to the right of way, additional right-of-way dedication along Ottley Avenue, and a prepared legal description of Ottley Avenue adjacent to the subject property.

**SUGGESTED PLANNING COMMISSION MOTION:**

Mr. Chair, I move that we recommend **approval** to City Council, of application #2023-33, the 1873 K Road 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:**

<b><i>1873 K Road Annexation Schedule</i></b>	
<b>Date</b>	<b>Action</b>
November 21, 2023	<ul style="list-style-type: none"><li>• Resolution to set a hearing date to determine eligibility.</li></ul>
	Published in Daily Sentinel (Once a week for 4 consecutive weeks) <ul style="list-style-type: none"><li>• December 1, 2023</li><li>• December 8, 2023</li><li>• December 15, 2023</li><li>• December 22, 2023</li></ul>
December 12, 2023	Planning Commission considers Annexation & Zone
December 19, 2023	<ul style="list-style-type: none"><li>• 1st Reading of an Ordinance to Zone</li><li>• 1<sup>st</sup> Reading of an Ordinance to Annex</li></ul>
January 16, 2024	<ul style="list-style-type: none"><li>• Resolution to find the property eligible for Annexation</li><li>• 2nd Reading of an Ordinance to Annex</li><li>• 2nd Reading of an Ordinance to Zone</li></ul>
Legal Notice (minimum of 15 days prior to Planning Commission)	
November 22, 2023	Post Cards
November 22, 2023	Sign Posting
November 24, 2023	Legal Ad

**ANNEXATION IMPACT REPORT**  
**CITY OF FRUITA**  
**November 14, 2023**

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**Application #:** 2023-33  
**Project Name:** 1873 K Road Annexation  
Application: Annexation  
Property Owner: Hays Development LLC  
Representative: Griffin Design and Construction, LLC  
Location: 1873 K Road  
Zone: Currently zoned Agricultural, Forestry and Transitional (AFT-County zoning)  
Request: This is a request for approval of the annexation of approximately 14.52 acres into the Fruita City Limits.

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Section 17.17.040 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.

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 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 Rimrock 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. The School District has been made aware of this annexation.

**E. Traffic/pedestrian/bicycle impacts;**

Traffic, pedestrian and bicycle impacts should not change with the annexation of the subject property. Traffic, pedestrian and bicycle impacts will remain the same.

**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:**

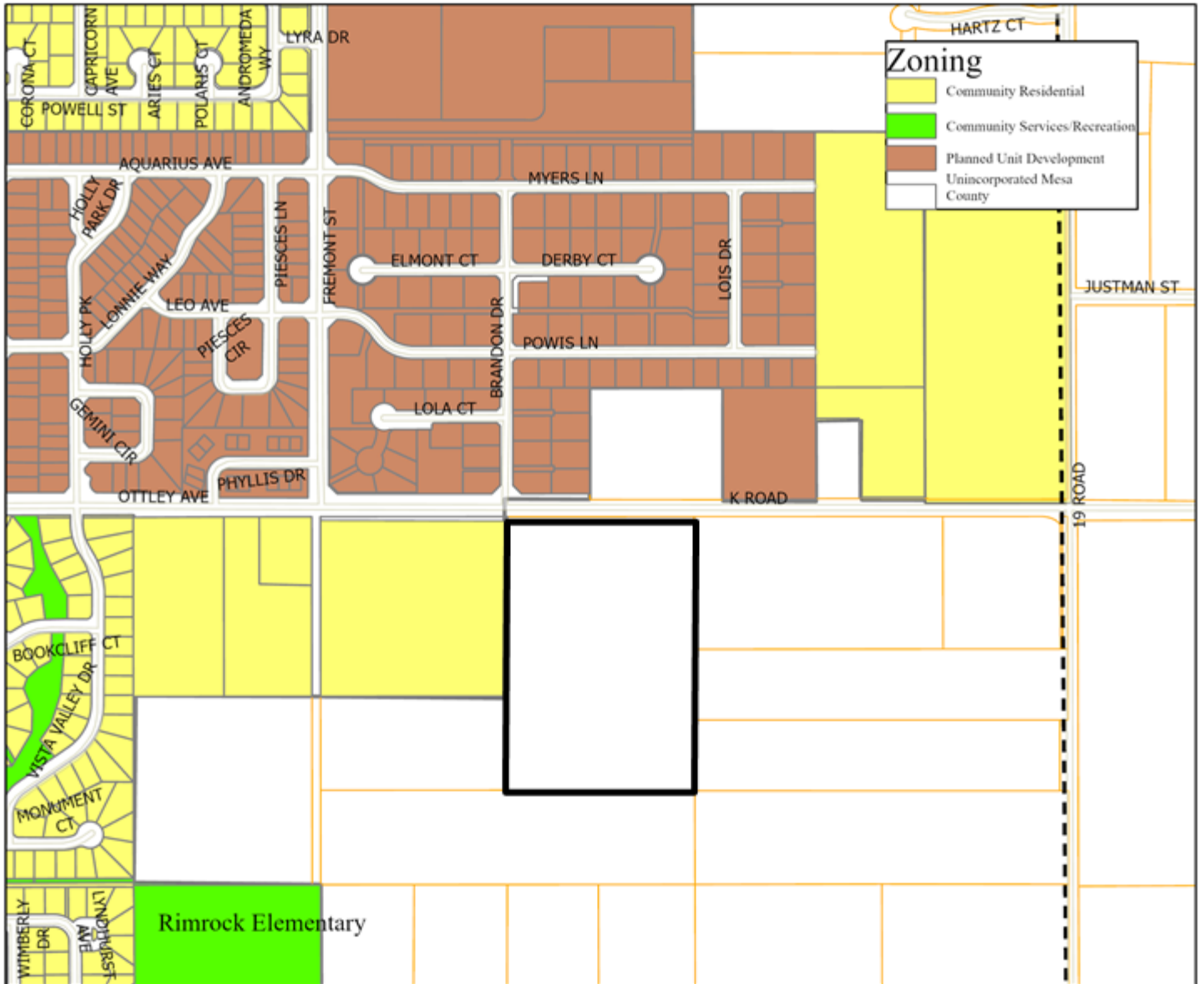
1. Xcel Energy
2. Grand Valley Power Company
3. Charter Communications



4. Century Link
5. Ute Water
6. Grand Valley Drainage District
7. Grand Valley Irrigation Company
8. Mesa County Community Development Department
9. Fruita 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

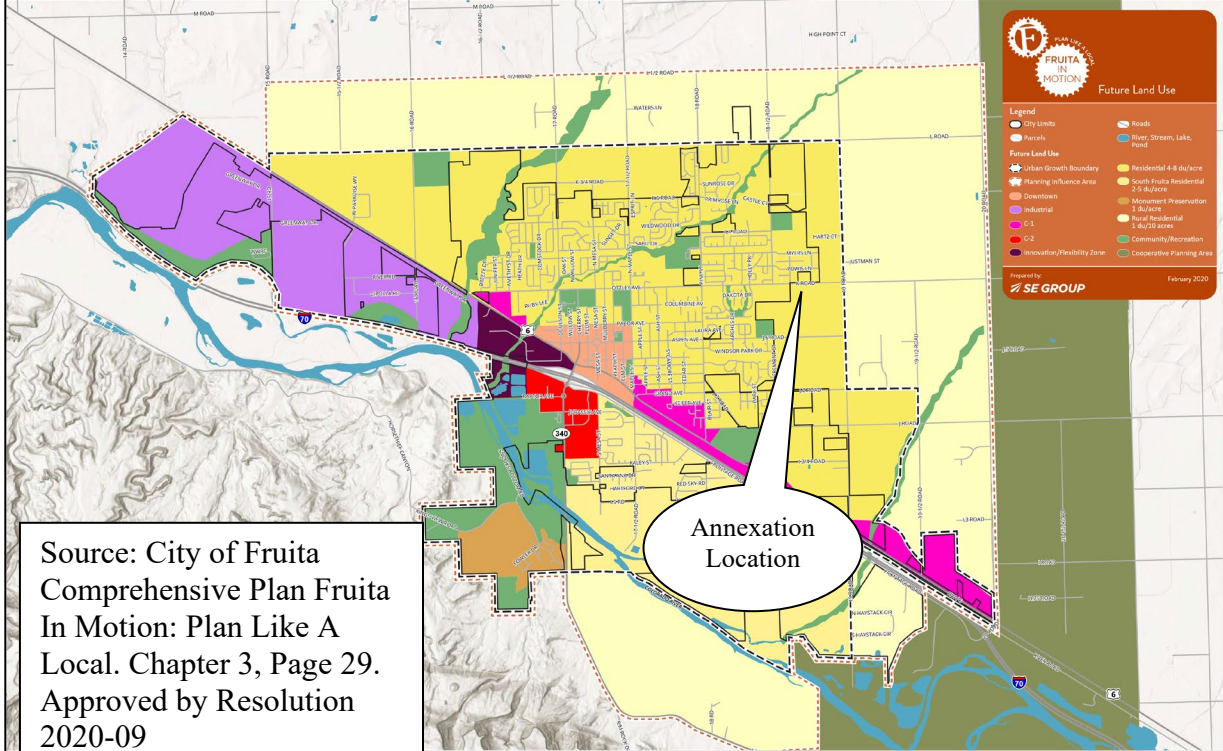
# Map Exhibits:

## Present City boundary



## Proposed City Boundary set forth in the Future Land Use Map (FLUM)

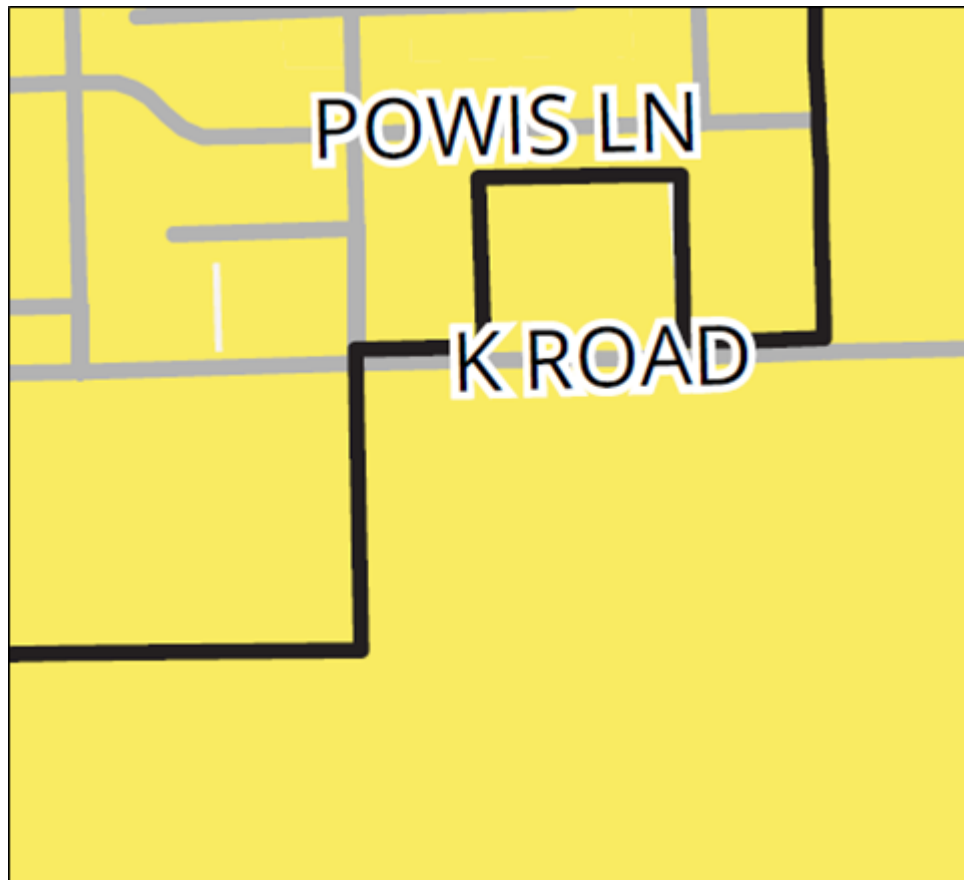
MAP 8. FUTURE LAND USE MAP (FLUM)



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

Annexation  
 Location

*Note:*  
 The urban growth  
 boundary may be  
 amended for parcels that  
 petition to develop on the  
 eastern side of 19 Road  
 on a case by case basis.





## Future Land Use

<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> City Limits</li> <li> Parcels</li> </ul> <p><b>Future Land Use</b></p> <ul style="list-style-type: none"> <li> Urban Growth Boundary</li> <li> Planning Influence Area</li> <li> Downtown</li> <li> Industrial</li> <li> C-1</li> <li> C-2</li> <li> Innovation/Flexibility Zone</li> </ul>	<ul style="list-style-type: none"> <li> Roads</li> <li> River, Stream, Lake, Pond</li> <li> Residential 4-8 du/acre</li> <li> South Fruita Residential 2-5 du/acre</li> <li> Monument Preservation 1 du/acre</li> <li> Rural Residential 1 du/10 acres</li> <li> Community/Recreation</li> <li> Cooperative Planning Area</li> </ul>
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Prepared by:



February 2020

**1873 K Road – Annexation**  
**Consolidated Review Agency Comments**

Lower Valley Fire has no issues the annexation of 1873 K Road into the City of Fruita. All future development will be required to follow IFC 2018 Codes.

Ute Water - No objection to the annexation.

Grand Valley Drainage District (GVDD) - has no objection to the annexation.

Grand Valley Power (GVP) - Thanks for the opportunity to review this project. It is not in the GVP Service Area.

Mesa County Stormwater Division - has no comments nor objections regarding the annexation of this parcel.

# 1873 K Road – ANNEXATION NARRATIVE

1873 K Road – Fruita, CO 81521

Location: 1873 K Road  
Fruita, CO 81521

Tax ID: 2697-161-00-008

Property Owner: Hays Development, LLC

Date: October 30, 2023

Purpose:

The purpose of this application is to propose the Annexation of a 14.52 acre parcel located at 1873 K Road into the City of Fruita. This application has been prepared on behalf of LC Fruita, LLC and the property is currently owned by Hays Development, LLC.

State Law:

This annexation meets the requirements of State Law Title 31, Article 12.

Site Utilities and Services:

1. Utilities:
  - a. Ute Water Conservancy District – Currently serves this property
  - b. Grand Valley Irrigation Company – Currently serves this property
  - c. Fruita Sewer District – Sewer is available at K Road along the Norther border of this property. This property currently utilizes an ISDS
  - d. Xcel Energy Natural Gas / Electric – Currently serves this property

Impact:

1. Public Safety – No impact to public safety is anticipated
2. Streets – No impact to traffic volume is anticipated
3. Irrigation – No change to the irrigation system

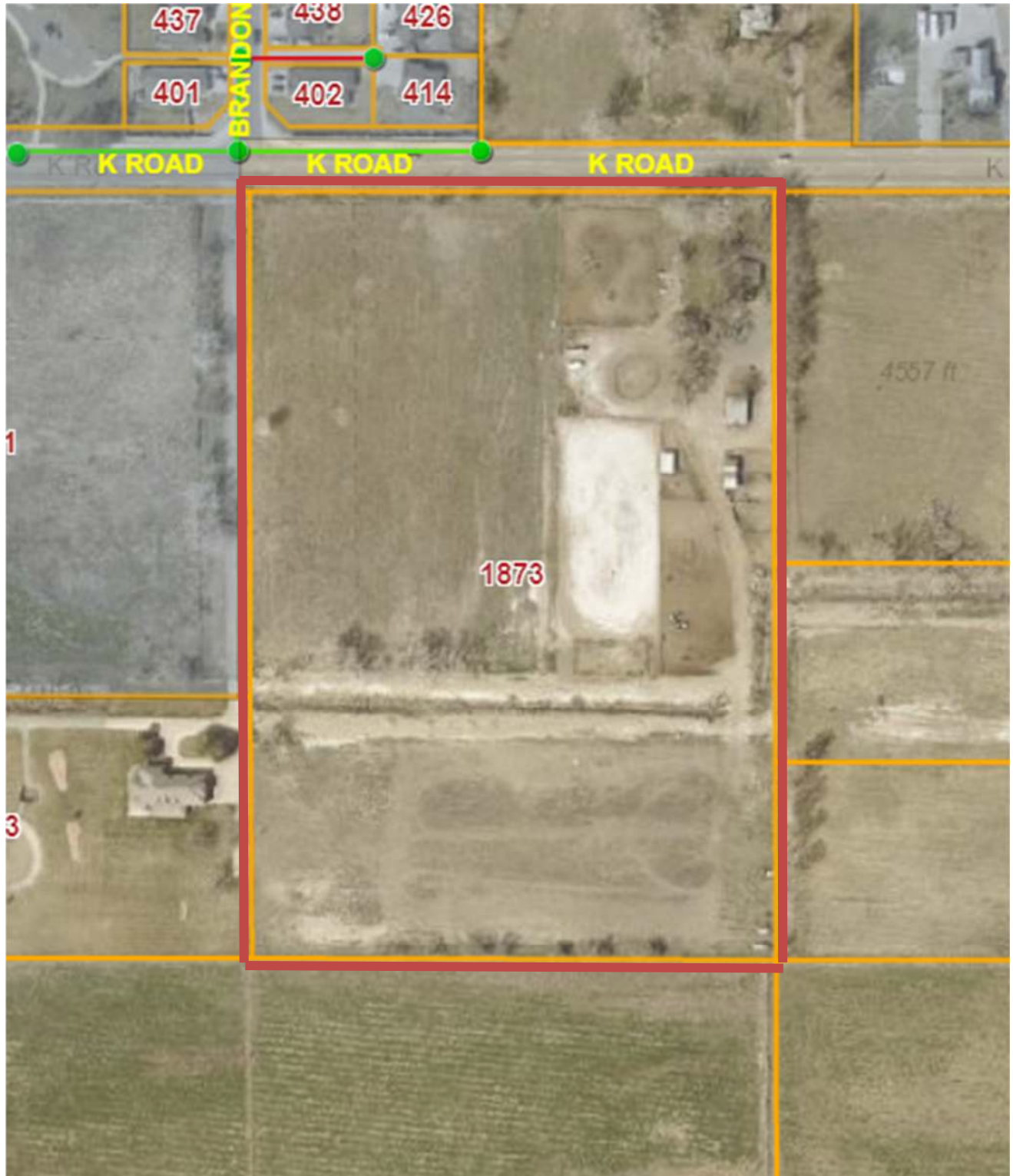
Surrounding Area & City Master Plan:

The property to be annexed is contiguous with the existing urban development boundary and coincides with the City's 2020 Master Plan. The Future Land Use Map identifies this property as Residential 4-8 units/acre and there are existing development applications for nearby properties consistent with the expansion of the Fruita City Limits.

Local Support:

No neighborhood meeting was required/held for this application

Aerial View:





## 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.



**AFFIDAVIT OF CIRCULATOR**

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

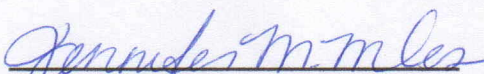
That he/she was the circulator of the foregoing Petition for Annexation consisting of 4 pages, including this page and that each signature thereon was witnessed by your affidavit and is the true signature of the person whose name it purports to be.

  
\_\_\_\_\_  
Circulator  
DANE GRIFFIN

State of Colorado    )  
                                  ) ss.  
County of Mesa        )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 7 day of November, 2023, by Dane Griffin.

Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My commission expires: 16 October 2027

JENNIFER M MILES  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20154040882  
MY COMMISSION EXPIRES 10/16/2027





**PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT  
DECEMBER 12, 2023**

**Application #:** 2023-34  
**Project Name:** 1873 K Road Rezone  
Application: Rezone  
Property Owner: Hays Development LLC  
Representative: Griffin Design and Construction, LLC  
Location: 1873 K Road  
Zone: Currently zoned Agricultural, Forestry and Transitional (AFT-County zoning)  
Request: This is a request for approval to zone of approximately 14.52 acres to Community Residential (CR).

**PROJECT DESCRIPTION:**

This is a request for approval to zone approximately 14.52 acres of property to Community Residential (CR). The subject property is currently zoned Agricultural, Forestry and Transitional (AFT), which is a Mesa County zoning designation.

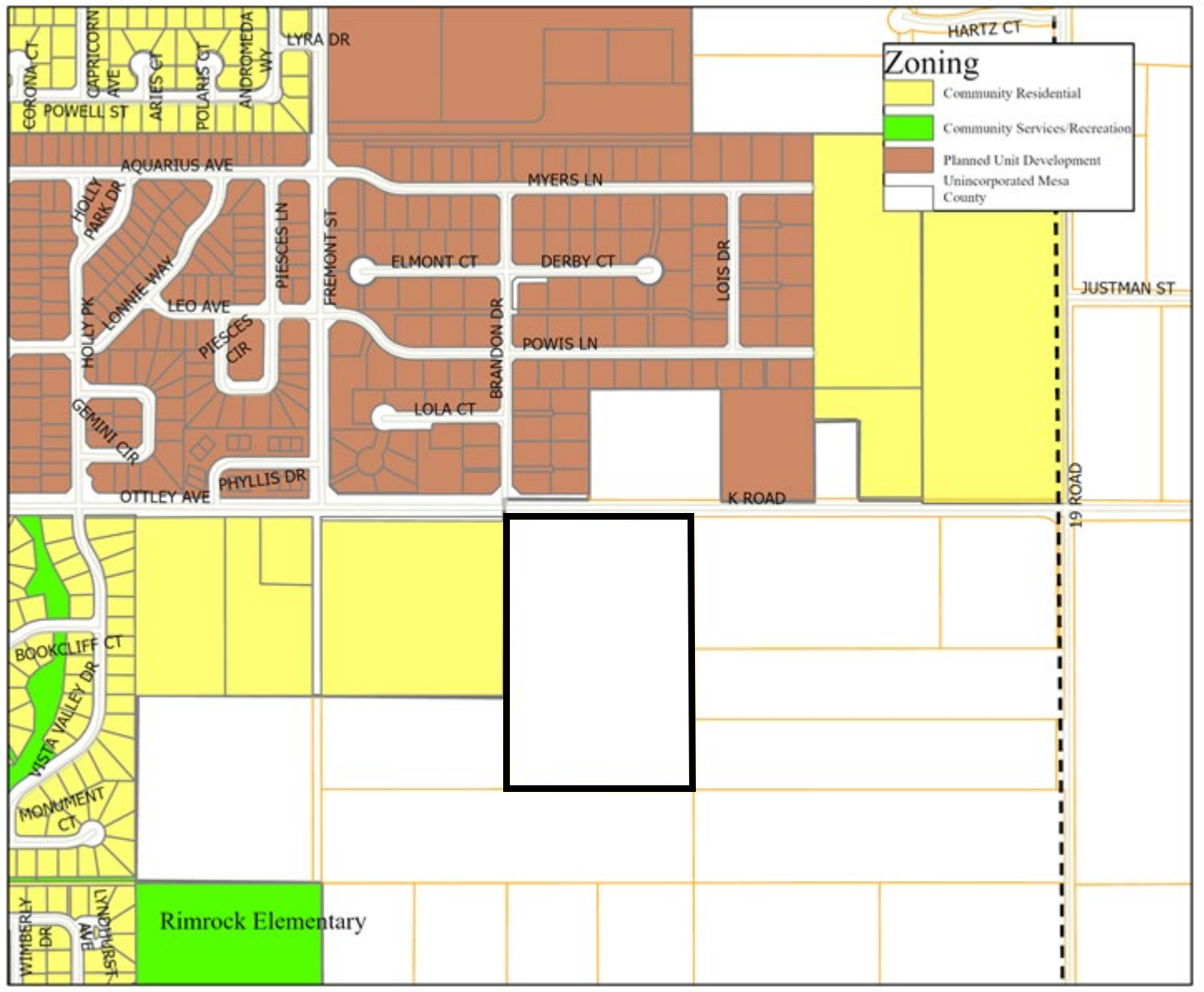
In addition to this rezoning application, the property owner has also submitted an annexation application. Typically, annexation applications are accompanied by a rezone application and can run concurrently through the public hearing process.

The applicant is requesting a Community Residential (CR) zone. The first step in the process to zone a property outside the city limits, is annexation. Once the subject property has been annexed into the City Limits, zoning the property must take place within 90 days in accordance with Section 17.17.080 of the Land Use Code and Colorado Revised Statutes (CRS) Section 31-12-115 (2).

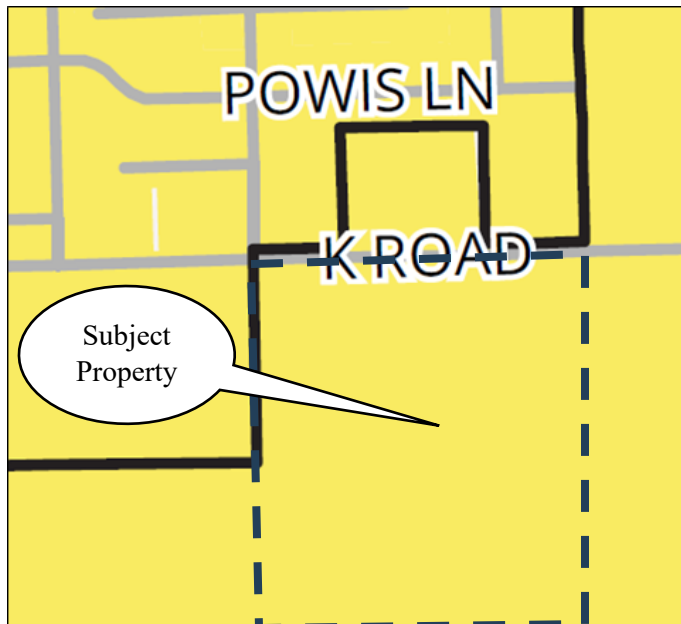
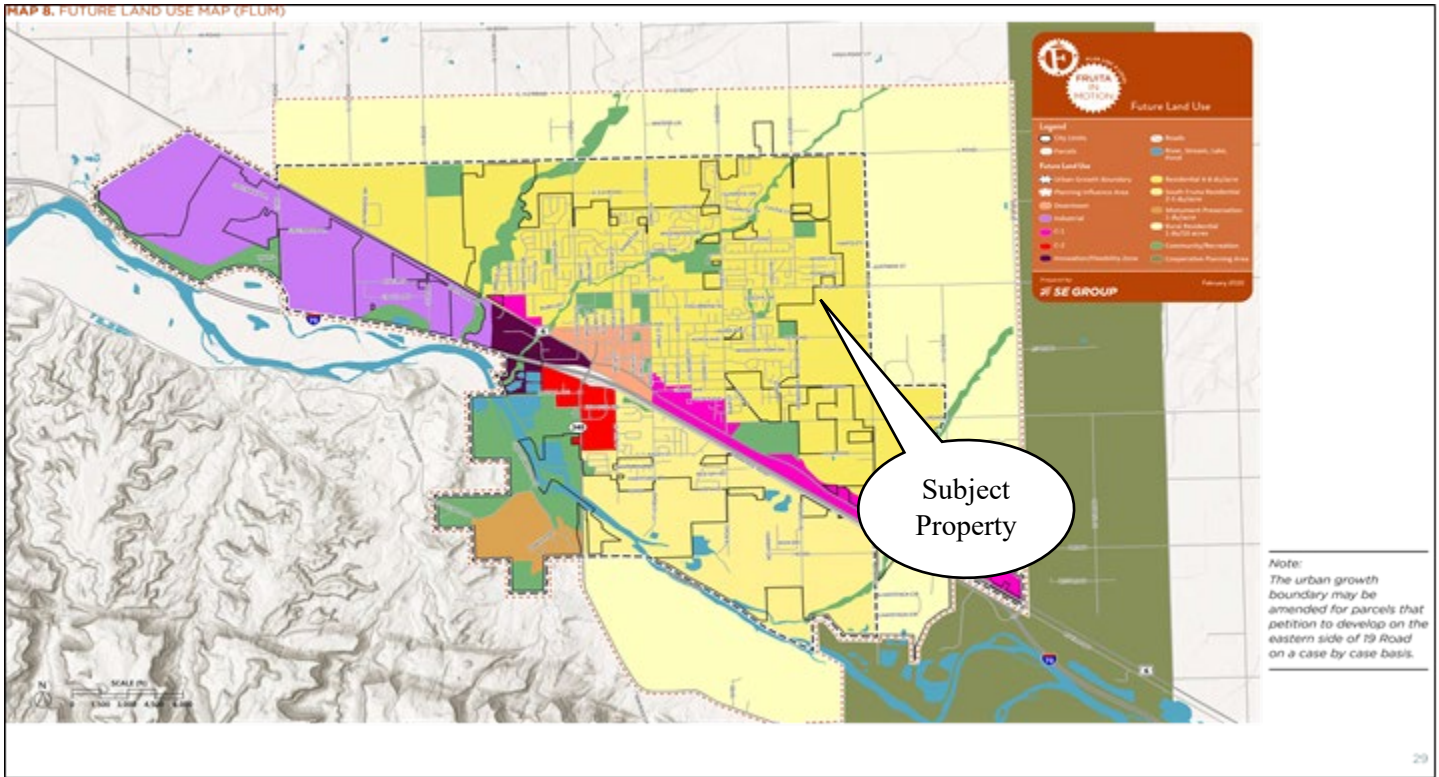
The area in which the subject property is located is supported to have a Community Residential zoning classification as shown on the Future Land Use Map within the City's Fruita In Motion: Plan Like a Local Comprehensive Plan (Master Plan). The Land Use Code states that the "*The purpose of the CR zone is to allow for moderate density detached single-family residential neighborhoods with the inclusion of other housing types such as attached dwelling units (e.g., apartments and townhouses). Innovative neighborhood design is encouraged in this zone district to provide opportunities for housing diversity. This area is served by public utility infrastructure and is appropriate for density of 4-8 du per acre.*"

**SURROUNDING LAND USES AND ZONING:**

Surrounding land uses are primarily single family detached residential. The Brandon Estates Subdivision is located to the north, Vista Valley Subdivision to the west, and Rimrock Elementary to the south.



# FUTURE LAND USE MAP (FLUM)





2022 AERIAL PHOTOGRAPH



## **REVIEW OF APPLICABLE LAND USE CODE REQUIREMENTS:**

### **SECTION 17.09.070 AMENDMENT TO OFFICIAL ZONING MAP (REZONING)**

- A. **Applicability and Procedures.** 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 rezoning is sought, or upon application of City Council.
- B. **Approval Criteria.** The Official Zoning Map may be amended when the following findings are made:
1. **The proposed amendment is compatible with surrounding land uses, pursuant to Section 17.05.080 (C), and is consistent with the city's goals, policies and Master Plan; and**

*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.*

With regards to compatibility, the zoning of the subject property and anticipated development from a land use perspective should be compatible with foreseeable allowed land uses in the area. This takes into consideration that if surrounding properties were to be incorporated into the city limits, the allowed uses for those parcels would be compatible with the residential land uses.

The Community Residential (CR) zone allows for a density range between 4 and 8 dwelling units per gross acre. The CR zone is also the city's primary residential

zoning district. Below is a table of Land Uses contained in Section 17.05.090 and shows uses that are allowed (A), conditionally allowed (C), and not allowed (\*).

<b>Table 17.05.090 - LAND USE TABLE</b>	
	<b>CR</b>
<b>RESIDENTIAL</b>	
<b>Household Living</b>	
Business Residence	C
Dwelling, Single-Family Attached	A
Dwelling, Single-Family Detached	A
Duplex	A
Dwelling, Multi-Family	A
Manufactured Housing Park (See Chapter 31)	C
Mobile Home Park (See Chapter 31)	C
Manufactured Home (See Chapter 31)	C
Mobile Home (See Chapter 31)	C

The Fruita Comprehensive Plan (a major portion of the city's Master Plan) recommends Community Residential (CR) type zoning for this area. The CR zone is primarily a single-family residential zone. The density (4-8 dwelling units per acre) associated with this zone district should be compatible with future residential development as supported by the Future Land Use Map and supporting documents within the Comprehensive Plan. The Community Residential zone allows 4-6 dwelling units per acre by right. Density Bonuses may be used to increase the density up to 8 dwelling units per acre. Additional features throughout the subdivision (open space, trails, alley access, mix of housing types) would be required through Density Bonuses in order for the density to be increased. The public should expect the density to be somewhere between 58 and 87 (at between 4-6 dwelling units per acre), with a maximum of 116 dwelling units per acre through density bonuses.

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**

This criterion is not applicable because it has not been given a city zoning designation prior to this request.

- 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**

Although there have been changes in the area, this criterion is not applicable because the land is not yet in the Fruita city limits.

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

The Future Land Use Map and associated Comprehensive Plan was recently amended in early 2020. Although this amendment includes this area, the area had been included in past Master Plans and future land use maps. The city has planned for this area to be included in the city limits. This criterion is not applicable because there is no comprehensive revision of the Official Zoning Map for this area.

**5. The zoning amendment is incidental to the annexation of the subject property.**

The requested zoning amendment is incidental to the annexation and, as explained above, the requested CR zone is consistent with the city's goals and policies as expressed in the Master Plan.

Based on this information, the requested CR zone meets the approval criteria that must be considered for a rezone (Official Zoning Map amendment).

**REVIEW COMMENTS:**

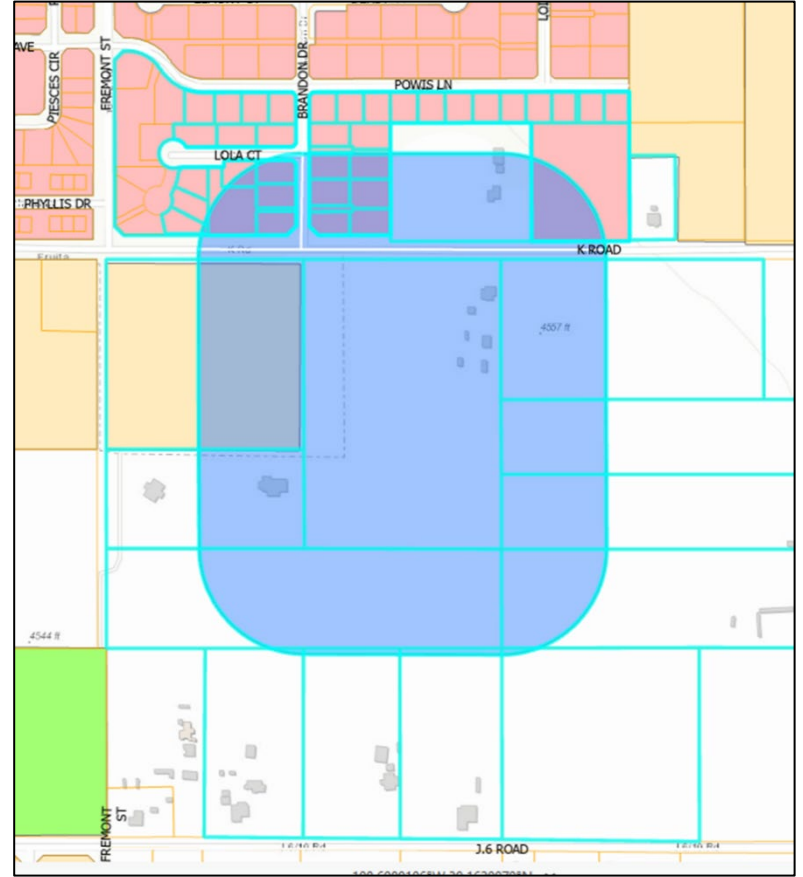
No reviewer expressed any issues with the proposed zoning request.

**PUBLIC COMMENTS:**

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

**LEGAL NOTICE (17.07.040 (E)):**

Legal Notice (minimum of 15 days prior to Planning Commission)	
November 22, 2023	Post Cards
November 22, 2023	Sign Posting
November 24, 2023	Legal Ad



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**STAFF RECOMMENDATION:**

Staff recommends that the subject property be zoned Community Residential.

**SUGGESTED MOTION (PLANNING COMMISSION):**

Mr. Chair, I move to recommend **approval** of the zone request to Community Residential with no conditions to the Fruita City Council.

**FRUITA PLANNING COMMISSION:** December 12, 2023  
**FRUITA CITY COUNCIL:** January 16, 2024

# 1873 K Road – REZONING NARRATIVE

1873 K Road – Fruita, CO 81521

Location: 1873 K Road  
Fruita, CO 81521

Tax ID: 2697-161-00-008

Property Owner: Hays Development, LLC

Date: November 6, 2023

Purpose:

The purpose of this application is to propose the rezoning of a 14.52 acre parcel located at 1873 K Road into the City of Fruita from AFT to CR 4-8. This application has been prepared on behalf of LC Fruita, LLC and the property is currently owned by Hays Development, LLC.

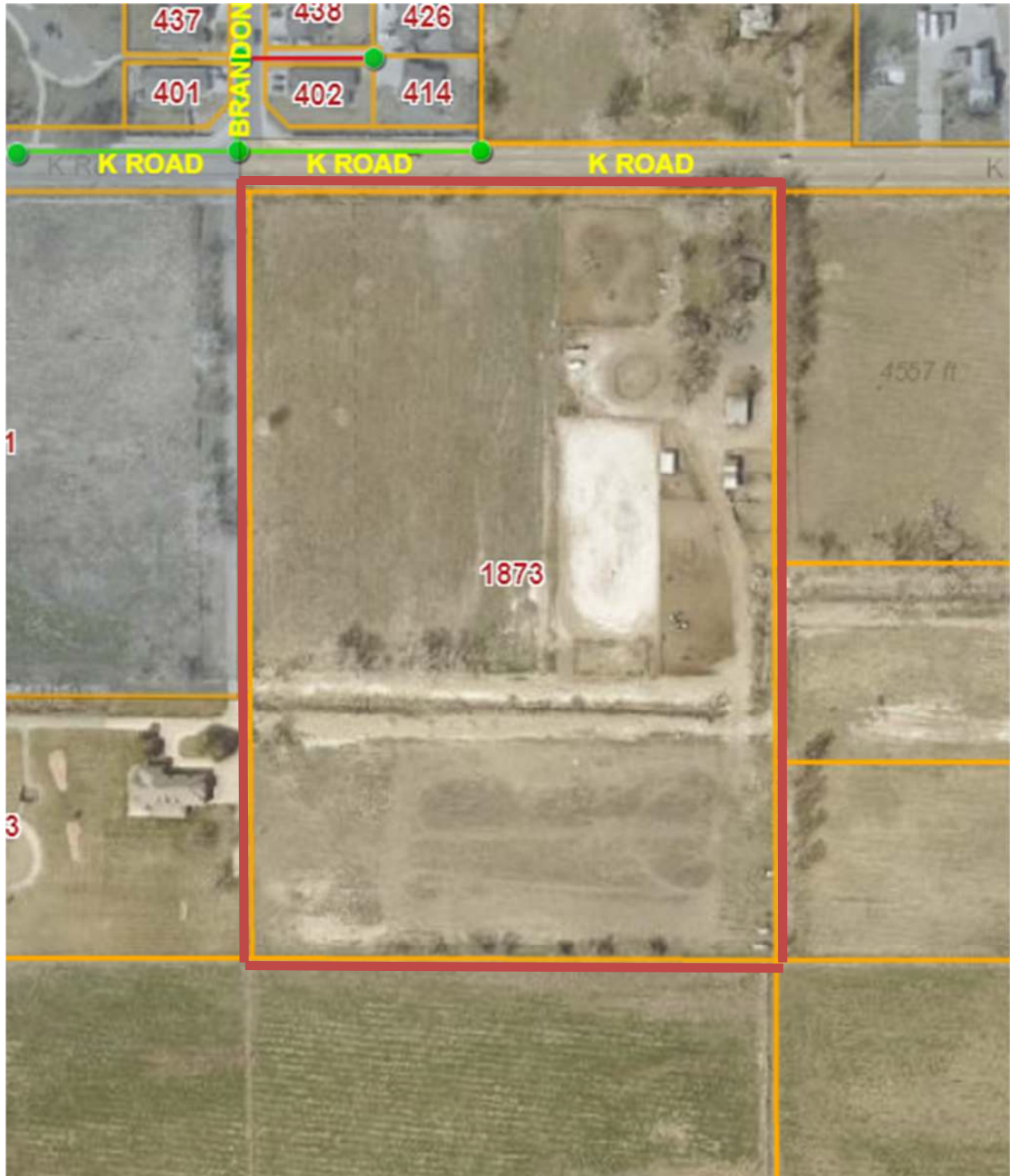
Project Compliance / Surrounding Area / City Master Plan:

This rezoning application is supplementary to the annexation application for said property

The property to be rezoned is contiguous with the existing urban development boundary and coincides with the City's 2020 Master Plan. The Future Land Use Map identifies this property as Community Residential 4-8 units/acre and there are existing development applications for nearby properties consistent with the requested rezoning.



Aerial View:





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**PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT  
DECEMBER 12, 2023**

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**Application #:** 2023-31  
**Project Name:** Wildcat Residences  
**Application:** Site Design Review  
**Representative:** Austin Civil Group  
**Location:** 1807 Wildcat Avenue  
**Zone:** Planned Unit Development (PUD) – Commercial/Residential  
**Request:** This is a request for approval of a Site Design Review of two (2) twenty (20) unit apartment buildings and five (5) 5-unit row home apartment buildings for a total of 65 units on approximately 3.7 acres.

**Description:**

This is a request for approval of a Site Design Review application for the development of Outlot C from the Legacy PUD Subdivision Plat. The Plat was originally recorded in 2007 and this is the last remaining lot. The entire Legacy PUD Subdivision is zoned Planned Unit Development (PUD) which is a customized zoning district used to encourage flexibility and innovation in developments in exchange for a community benefit that could not otherwise be realized through the strict adherence to the Code. At the time the PUD Guide and subdivision were originally approved, the idea was to have mixed-use development (multi-family and commercial) on the north and south sides of the residential uses in the middle. The area saw initial commercial development when the Dollar General was constructed a few years after the subdivision was approved but the other commercial/residential lots remained vacant for many years. Although there have been slight changes to the overall subdivision plan over the last 16 years, this lot has remained unchanged.

It's important to note, the subject property is already zoned to allow for residential and/or commercial types of uses. This application does not include zoning the subject property.

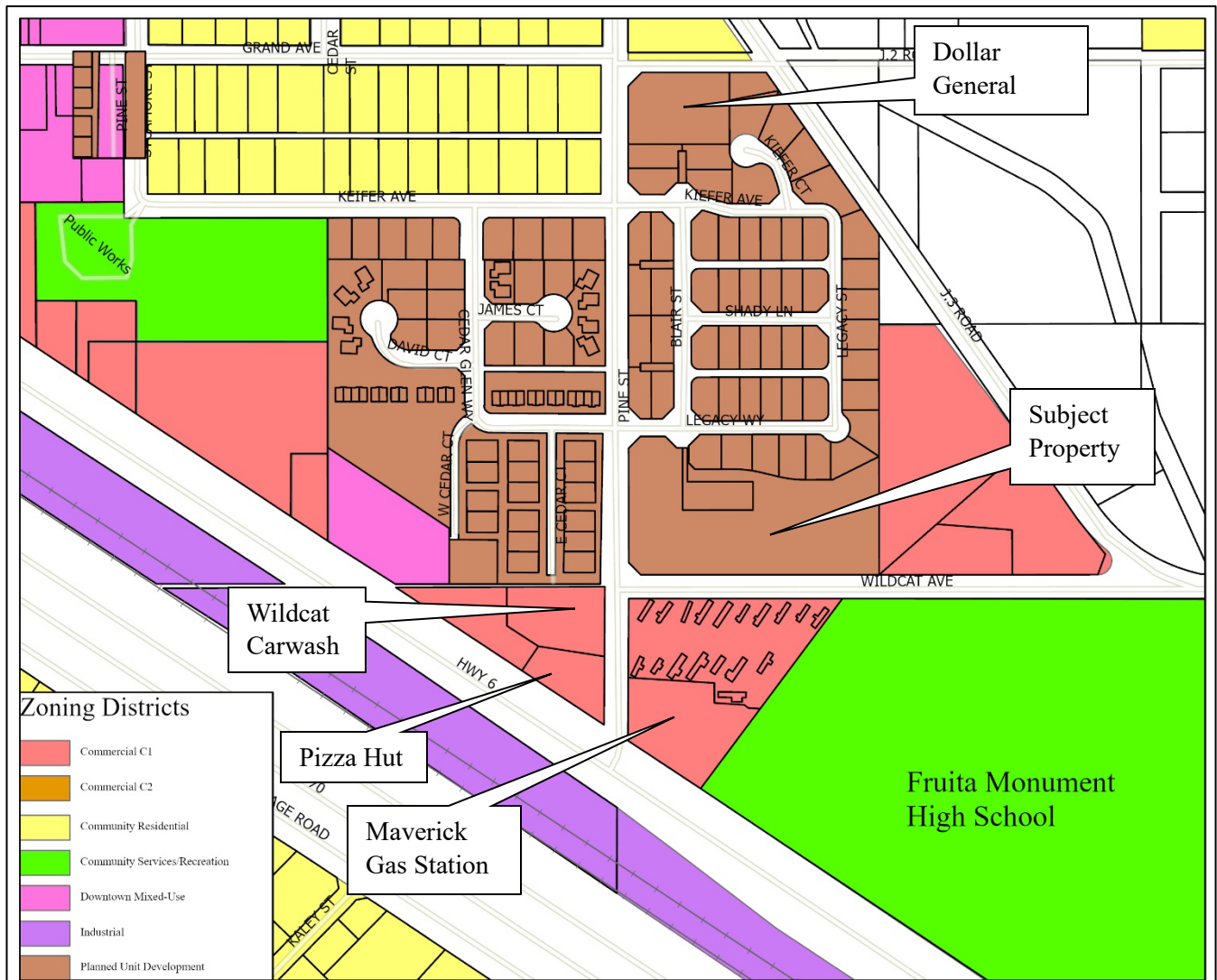
For the subject property, the PUD Guide supports a number of commercial land uses as well as all residential land uses. The commercial land uses supported consist of retail sales and services, food services (including drive-through), fuel sales, manufactured building sales and service, mini warehouse/self-storage facilities, car wash, and vehicle repair just to name a few. In

In addition to allowed land uses, the PUD Guide and the Land Use Code quoted in the approvals supports up to 15 dwelling units per gross acre with multi-family allowing a 10% increase for a total of 16.5 dwelling units per gross acre.

The proposed development plan is located at the corner of Pine Street and Wildcat Avenue and consists of two (2) twenty (20) unit apartment buildings and five (5) 5-unit row home apartment buildings for a total of 65 units on approximately 3.7 acres with two (2) access points. The street stub exists to the subject property on Blair Street with the other access point located on Wildcat Avenue. The subject property also has adequate access to wastewater services, trash services, police and fire protection, drainage facilities, and potable water from Ute Water.

### ZONING MAP

The surrounding character of the area, which includes multi-family and a carwash to the west, the Dollar General to the north, single-family attached and detached to the north, Fruita Monument High School, a mobile home park, and the Maverick gas station to the south, the Church of Jesus Christ Latter-Day Saints seminary building and an auto mechanic shop to the east.





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**APPROVAL CRITERIA:**

**PLANNED UNIT DEVELOPMENTS (PUD'S)**

Section 17.19.010 explains the purpose of a Planned Unit Development and states, "The purpose of this Chapter is to encourage flexibility and innovation in developments in exchange for a

community benefit that could not otherwise be realized through the strict adherence to the Code.”

**17.19.030 (A)(1) (a-d)**

***a) Conformance to the City of Fruita’s Comprehensive Plan, Land Use Code, Design Criteria and Construction Specifications Manual and other city policies and regulations;***

The Legacy PUD Subdivision was reviewed and approved back in 2006-2007 as a Planned Unit Development. Within the approvals was reference to a new urbanism type of development related to neighborhood commercial centers along with a mix of housing types. Like many other PUD subdivisions approved and developed around the same time, the commercial centers were never developed completely, and were later modified to allow for residential uses. The same can be said for the Legacy PUD Subdivision, and although the Dollar General was constructed, the remaining commercial uses never occurred and single-family dwellings were constructed instead. For the subject property, the development plan at the time was envisioned to be a mix of commercial and residential land uses. As explained in the Staff Report, there are many supported land uses for this area including all residential types. Over the past 15 years since the Legacy PUD Subdivision was approved, commercial land uses just didn’t have the development pressures like the residential pressures the city has seen the past few years. Although its great to have additional commercial development in Fruita, residential development of this kind has been something the City has a need for.

With regards to the Master Plan (Comprehensive Plan), Fruita is an exceptional community. Throughout the comprehensive plan process, residents brought up how much they love living in Fruita, its small-town character, and their desire to preserve the community’s most desirable qualities into the future. The plan starts by declaring what makes Fruita special. In turn, these community values are the foundation of the plan—shaping the plan vision, goals, policies, and actions. Three community values represented include:

- *Fruita is a place where you run into neighbors, friends, and acquaintances at local stores and restaurants, parks, and the community center. (Community Values, Page 2, Comprehensive Plan)*
- *Fruita is a community where people are invested and constantly work to make the community better. (Community Values, Page 2, Comprehensive Plan)*
- *Fruita is committed to a land use pattern and supporting policies that promote access to housing across the income spectrum of its residents. (Community Values, Page 2, Comprehensive Plan)*

Influenced by the community values expressed on page 2 of the Comprehensive Plan, the Plan Vision states, “*The City of Fruita values quality of place. It’s an inclusive city, with a small-town feel and vibrant downtown, surrounded by public lands. People love to live, work, and play in Fruita because the City facilitates community, safe neighborhoods, family-friendly events, and walking and biking. The City governs in a way that’s responsive to its citizens and prioritizes*

*high-impact services and projects. Fruita fosters a fun and funky ambiance around the arts, agriculture, and recreation.”*

The Community Snapshot section within the Comprehensive Plan also identified affordability as a growing concern within Fruita. *“Affordability issues are greatest among renters in Fruita, with about half of all renters paying more than 30% of their income towards housing costs. This is defined as being cost burdened, wherein a household is paying too much towards housing. The rental supply in Fruita is extremely limited with essentially zero vacancy, allowing landlords to charge higher rents. The percentage of renters in Fruita has increased, even though most housing being built is in the form of single-family homes. Some people may be renting single-family homes by choice; for others it may be the only option and they would prefer a lower cost option such as an apartment or duplex. Housing affordability issues affect the ability of local businesses to attract and retain employees. This is a threat to economic sustainability if left unchecked.”* (Community Snapshot, Page 12, Comprehensive Plan).

The findings from the Community Snapshot point to key areas for the City to address through the Comprehensive Plan. The Plan seeks to address managing growth at the edges and encouraging development within the city, supporting affordable housing to retain the local workforce.

*The current build-out of residential dwellings is well below the densities allowed for and intended by each zoning category. This contributes to an inefficient development pattern. City service provision (sewer, roads, etc.) is more fiscally prudent at higher density levels. Especially in the DMU area, more dwelling units/acre would create more housing that is within walking distance of shops, restaurants, parks, and civic spaces.* (Chapter 3 Land Use and Growth, Page 24, Comprehensive Plan).

The City’s Master Plan strongly supports infill residential development. Goal #2 on page 37 of the Master Plan states, *“Prioritize infill development over development at the edge of the city limits.”* Although there are always growth pressures on the city’s edge, the subject property offers a unique opportunity to contribute to multi-family infill development. The Master Plan also states, *“Residential development within the city will be able to take advantage of existing nearby roads, parks, trails, and community resources. Infill development will create more customers for the existing downtown and commercial centers, rather than customers for sprawling, highway commercial developments.”* Further support for infill residential development contained in the Master Plan states, *“Higher density infill development that helps achieve the allowed densities will contribute to an even more vibrant downtown, with more nearby, walking-distance residents that can support more small businesses.”*

The City’s Master Plan supports a diversity of housing types and on page 39 of the Master Plan Goal #4 states, *“Allow and encourage a diversity of housing types to fit the needs of the Fruita community and provide the diverse “funky” character that is treasured by residents.”* With support, *“Fruita’s housing stock is getting more homogenous and more expensive. As a community that prides itself on being inclusive, this ethos should extend to providing types of housing for people of different ages, income ranges, family structures, and aesthetic preference. Allowing and encouraging more apartments and/or townhomes in appropriate locations could*

contribute to more affordable housing options. (Chapter 3 Land Use & Growth, Page 39, Comprehensive Plan).

**PARKING**

The proposed application is required to have 92 total parking spaces per Section 17.37.030. The project is proposing a total of 143 total parking spaces. The total parking requirement breakdown is shown below.

Building #	1 Bedroom/Studio (1 space per)	2 Bedroom (1.5 spaces per)	3+ Bedroom (2 spaces per)
1	18	2	0
2	18	2	0
3	0	0	5
4	0	0	5
5	0	0	5
6	0	0	5
7	0	0	5
<b>Minimum Spaces Required</b>	<b>36</b>	<b>4</b>	<b>50</b>
<b>TOTAL SPACES</b>	<b>92</b>		

***b) Consistency with one or more of the following general goals for a PUD justifying a deviation from the requirements of the Code, including but not limited to:***

This is not a zoning application, which means that most of these criteria won't apply.

- i. More convenient location of residences, places of employment, and services in order to minimize the strain on transportation systems, to ease burdens of traffic on streets and highways, and to promote more efficient placement and utilization of utilities and public services; or***

Because the nature of this application pertains to site layout and design, this criteria can be considered. The proposed site layout and design appears to be laid out to make more efficient use of the entire property. The utilities needed for this development do contribute to the overall site layout. The utilities will all be placed in a manner that allow the site to be developed, this includes site access, drainage, power/electricity/gas, sanitary sewer, and potable water.

As for the transportation system, Pine Street and Wildcat Avenue will handle the added traffic capacity. The application materials included a traffic study and the study made no indications that additional off-site improvements to Pine Street or Wildcat Avenue were warranted.

- ii. To promote greater variety and innovation in residential design, resulting in adequate housing opportunities for individuals of varying income levels and greater variety and innovation in commercial and industrial design; or***

Because the nature of this application includes residential development and design, this criteria can also be considered. The proposed residential buildings include design elements that meet the City's design standards regarding architectural elements. The building materials, colors, and building orientation have all been taken into consideration and meet the City's design standards. It is not clear whether these housing units will be considered affordable housing options, however, it's safe to assume that at this time they will be market rate rentals. Over the past 10+ years, very few new housing rentals have been constructed, this project should help further the city's goal of supporting flexibility in zoning and the development of diverse housing types as part of an economic sustainability strategy as expressed in the city's Master Plan.

- iii. To relate development of particular sites to the physiographic features of that site in order to encourage the preservation of its natural wildlife, vegetation, drainage, and scenic characteristics; or***
- iv. To conserve and make available open space; or***
- v. To provide greater flexibility for the achievement of these purposes than would otherwise be available under conventional zoning restrictions; or***
- vi. To encourage a more efficient use of land and of public services, or private services in lieu thereof, and to reflect changes in the technology of land development so that resulting economies may inure to the benefit of those who need homes; or***
- vii. To conserve the value of land and to provide a procedure which relates the type, design, and layout of residential, commercial and industrial development to the particular site proposed to be developed, thereby encouraging the preservation of the site's natural characteristics.***

- c) Conformance to the approval criteria for Subdivisions (Chapter 17.21) and/or Site Design Review (Chapter 17.09), as applicable; except where Adjustments to the standards of this Title are allowed, and;***

The application is being reviewed in accordance with Section 17.09.020 Site Design Reviews. With these types of applications, there are no direct approval criteria, however, Staff and other review agencies are reviewing the application for health, safety, and welfare. In addition, the application is being reviewed in accordance with zoning policies that govern the subject property which have been explained within the Staff Report. As for the Site Design Review, the application meets the intents and purposes of the current Code, the PUD Guide, and past Code Sections referenced in the PUD Guide related to density.



***d) Conformance with applicable Design Standards and Guidelines as outlined in Chapter 17.13, unless approved as an Adjustment pursuant to the Adjustment criteria set forth in Section 17.13.020(B).***

Typically, the design standards apply for commercial and multi-family residential projects in the City's Downtown Mixed-Use (DMU) Zone or Commercial 1 & Commercial 2 zones. There are design standards that apply to the residential zone districts; however, these standards mostly consist of subdivision layout and not the design of the residential buildings.

The application meets all the design standards that pertain to multi-family residential buildings if constructed in the City's DMU zone. The following is a brief analysis of the standards being considered.

***SITE DESIGN***

*Primary Entrances – Section 17.13.060 (A)(1)*

The site design includes pedestrian connections to the sidewalks located on Pine and Wildcat were possible, including a few other pedestrian connections. In addition, these standards require primary building entrances to be within 20 feet of the public street, which has been proposed.

*Blank Wall Prevention – Section 17.13.060 (A)(2)*

This criterion means that the architectural features should be incorporated onto all sides of the buildings.

***BUILDING DESIGN***

*Overall Design – Section 17.13.060 (B)(1)*

Again, this criterion requires that all major architectural features wrap around all sides of the building. This is being met.

*Building Mass – Section 17.13.060 (B)(5)*

This section states that, *“Building elevations shall incorporate offsets or divisions to reduce the apparent building scale and to improve aesthetics. Elevations of a structure shall be divided into smaller areas or planes to minimize the appearance of bulk as viewed from any street, civic space or adjacent property.”* The proposed building elevations show that this criteria is being met by providing building transitions every 22-27 feet, cantilevered decks, parapet divisions, different material types and colors, and floor separations.

The building placement also takes into consideration the existing residential dwellings to the north. The two (2) apartment buildings (Building 1 and 2) measure at 25' 2" in height and are setback a minimum of 27 feet from the north property line while the other buildings measure at a height of about 33' (Buildings 3-7).

*Materials and Colors – Section 17.13.060 (B)(6)*

This section states that, “Exterior materials shall consist of brick, stone, adobe, wood shingle or imitation wood shingle walls, slump block, adobe brick or suitable split block or brick.” The proposed building materials include stucco and

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PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN

**17.19.030 (B)(1) (a-e)**

***a) Adequate resolution of all review comments; and***

Review comments have been received by Ute Water, GVDD, Mesa County Regional Transportation Planning Office (RPTO), Lower Valley Fire, GVP, and the City Engineer. All review comments received by the City are included with the Staff Report.

After reviewing the review comments submitted, there does not appear to be a need for a significant redesign of the proposed application. The review comments received are reasonable in nature and should not keep the application from moving forward.

***b) Proposed zoning and adjustments are generally consistent with the character in the immediate area, or are necessary to address an important community purpose, as determined by City Council.***

The proposed application does not request any zoning modifications or changes currently. The application is generally consistent with the surrounding character of the area, which includes multi-family and a carwash to the west, the Dollar General to the north, single-family attached and detached to the north, Fruita Monument High School, a mobile home park, and the Maverick gas station to the south.

***c) Conformance to the approval criteria for Subdivisions (Chapter 17.21) and/or Site Design Review (Chapter 17.09), as applicable; except where Adjustments to the standards of this Title are allowed, and;***

The application is being reviewed in accordance with Section 17.09.020 Site Design Reviews. With these types of applications, there are no direct approval criteria, however, Staff and other review agencies are reviewing the application for health, safety, and welfare. In addition, the application is being reviewed in accordance with zoning policies that govern the subject property which have been explained within the Staff Report. As for the Site Design Review, the application meets the intents and purposes of the current Code and the PUD Guide.

***d) Conformance with applicable Design Standards and Guidelines as outlined in Chapter 17.13, unless approved as an Adjustment pursuant to the Adjustment criteria set forth in Section 17.13.020(B).***

This criteria is explained previously in the Staff Report.

*e) Compliance with conditions of approval on the Concept Plan, if any.*

This criterion is not applicable with this application.

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**Review Comments:**

All review comments received by Staff are included with the Staff Report and review materials for the Planning Commission and City Council. There does not appear to be any major concerns from our review agency partners.

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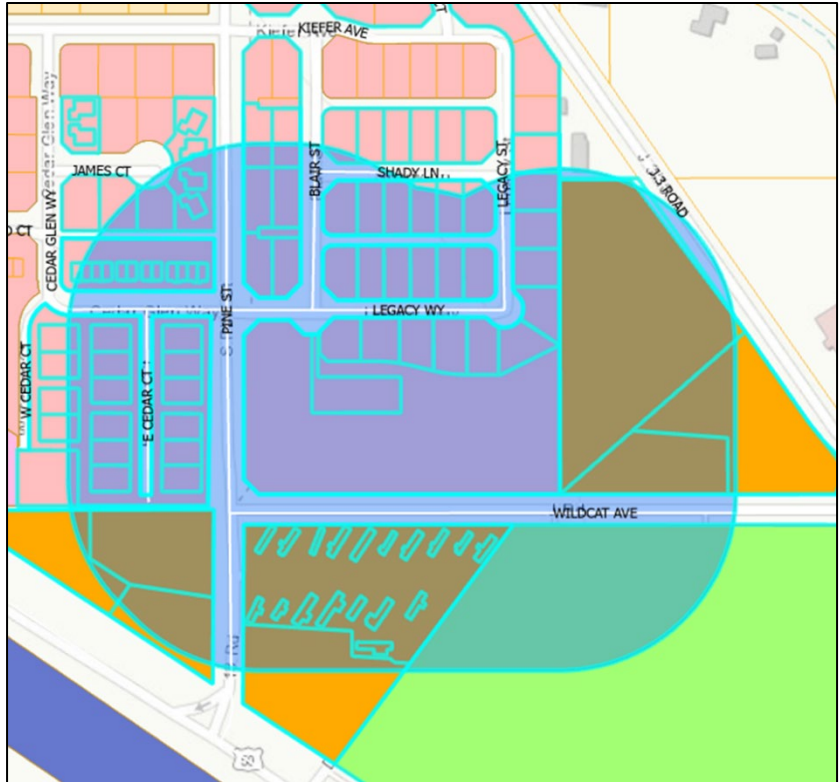
**Public Comments:**

No written public comments have been received by Staff. Any comments received after the completion of this Staff Report will be provided to the Planning Commission and City Council.

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**Legal Notice:**

Legal Notice (minimum of 15 days prior to Planning Commission)	
November 22, 2023 (20 days prior)	Post Cards [17.07.040 (E)(1)(d)]
November 22, 2023 (20 days prior)	Sign Posting [17.07.040 (E)(1)(c)]
November 22, 2023 (20 days prior)	Legal Ad [17.07.040 (E)(1)(a)]



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**Public Hearing Dates:**

Planning Commission – December 12, 2023

City Council – January 16, 2024

**Staff Recommendation:**

Because the application meets the requirements of a Planned Unit Development Site Design Review, **Staff recommends approval** of the proposed Wildcat Residences Site Design Review with the condition that the application adequately resolve outstanding review agency concerns with the Final PUD application and/or approval of a Building Permit.

**Planning Commission - Suggested Motion:**

Mr. Chair, because the application meets or can meet all applicable approval criteria for a Site Design Review, I move to recommend **approval** to the Fruita City Council with the condition that the application adequately resolve outstanding review agency concerns with the Final PUD application and/or approval of a Building Permit.

## **PLANNING & DEVELOPMENT REVIEW COMMENTS:**

### **General**

1. Section 17.11.020 (E) Site Design Review. In the event a proposed Planned Unit Development does not require a subdivision, Planned Unit Development will follow the Site Design Review application procedures of Chapter 17.09, except the Site Design Review for the Planned Unit Development shall be reviewed through the public hearing process in accordance with Section 17.07.040 (Common Development Review Procedures). Approval criteria for Planned Unit Developments must be considered in addition to the approval criteria required to be considered for Site Design Review, pursuant to Chapter 17.09.
2. If approved, a great communication tool Staff recommends is to place a poster on the site showing what was approved and when the public can expect to see it under construction. This could also be a great tool to get members of the public interested in the project as a potential housing option for them.
3. Are the apartment units going to be subdivided as a condo plat(s)? Example, are the buildings going to have separate lots then the parking lot and the open space?
4. The CCR's speak to residential purposes being allowed under Article III. Does this include short-term rentals or allowed home occupations under the City of Fruita's Land Use Code located in Section 17.05.100 (B)?

### **Landscaping Plan - 17.11.050**

1. The project may reduce the number of water dependent trees in return for more drought tolerant landscaping.
2. The Pinyon Pine tree at the corner of Wildcat and Pine should be moved somewhere else.
3. It's suggested that you could move the taller trees to the east side of the property to help shield them from adjacent uses.
4. Please verify irrigation water.

### **Lighting Plan – 17.11.120**

1. Make sure that lights attached to the exterior of the building do not exceed 20 feet in height, maximum height of pole lights can't exceed 35 feet in height, and that lighting shall be downcast and shielded to prevent light being cast beyond property lines.

**Parking Analysis – 17.37**

Building #	1 Bedroom/Studio (1 space per)	2 Bedroom (1.5 spaces per)	3+ Bedroom (2 spaces per)
1	18	2	0
2	18	2	0
3	0	0	5
4	0	0	5
5	0	0	5
6	0	0	5
7	0	0	5
	36	4	25
<b>Minimum Spaces Required Per section 17.37.030 (A)</b>	<b>36</b>	<b>6</b>	<b>50</b>

<b>TOTAL SPACES REQUIRED</b>	<b>92</b>
------------------------------	-----------

Total spaces provided – 143.

- 71 surface parking spaces
- 50 garage spaces (buildings 3, 4, 5, 6, 7)
- 20 exterior garage spaces (buildings 4 & 5)

# CITY OF FRUITA

## CITY ENGINEER & PUBLIC WORKS REVIEW SHEET

PROJECT: Wildcat Residences Site Plan

Petitioner: Aspen Starwood (MacKenzie Thorn) 646-4123-2854  
Austin Civil Group (Mark Austin) 242-7540

Reviewer: Sam Atkins

Date: November 21, 2023

REVIEW TYPE:         Minor Subdivision         Major Subdivision (Preliminary Plan)  
(Check One)         Lot Line Adjustment         Final Plat  
                          Site Design Review         Conditional Use Permit  
                          Other: Sketch Plan

---

### REVIEW COMMENTS

1. **General:** This application is for a Site Plan at the corner of Pine St. and Wildcat Ave. on 3.7 acres. The project proposes 40 traditional apartment units, 25 units in row-home apartments with 10 ADUs.
  
2. **Demolition Plan:**
  - a. There are a number of cuts through the sidewalk and gutter along Pine Street and Wildcat Ave. The minimum repair should be at least 5-ft in length and any remainder should be at least 5-ft in length or the repair should be made to the next joint.
  
3. **Utilities:**
  - a. There are 2 water services to some of the buildings. A 2-inch and a ¾ inch. I assume that this means the building would not be able to be served by the 2inch alone?
  - b. Are the buildings being sprinkled? I do not see a fire line except for possibly the 8-inch line that goes to Buildings 1 and 2.
  - c. In general, the description for the units is that they are all apartments. Are some of these intended to be sold in the future? The question is asked because of the individual services to the row apartments.
  
4. **Storm Drain Profiles:**
  - a. In general, there is a common theme of vertical clearances to crossings of other utilities where there is less than minimum separation distances.
  - b. Sheet C9
    - i. Less than 12-inches of cover around station 1+09. There should be some protection for that line. Is that cover to the inside of the pipe so that wall thickness may make it worse?
    - ii. At around 4+60 there are 2 waterline crossings that have less than 3 inches of separation from the drain line.
  - c. Sheet C10
    - i. Building 3 & 4 Storm line – the callout says 0.14’ separation to the 12” storm drain



# CITY OF FRUITA

## CITY ENGINEER & PUBLIC WORKS REVIEW SHEET

line but it is clearly greater in the profile. Please clarify.

- ii. The 8” sanitary crossing on the same profile indicates there is a 0.09’ clearance, It might get a little better if you flattened that leg and possibly the first run as well depending on the resolution to the previous comment.
  - d. Sheet C11
    - i. At around Sta. 0+20 the clearance to the 8-inch sanitary sewer is only 0.14’.
  - e. Sheet C12
    - i. At around Sta. 1+55, there is a 0.11’ clearance to an 8-inch storm drain.
  - f. Sheet C13
    - i. At around Sta. 0+33, there is a 0.16’ clearance to a 10-inch storm drain.
    - ii. At around Sta. 1+22, there is a 0.09’ clearance to a 12-inch storm drain.
  - g. Sheet C14
    - i. For Building 1 profile, there is a crossing 8-inch storm drain that has no clearance called out but appears extremely close to the proposed sanitary sewer.
    - ii. In both profiles, there are areas that are around 1-ft of cover on the pipe.
5. **Grading and Drainage:**
- a. Sheet C20
    - a. There is a curb ramp in the island to the Norwest of Building 4 that enters the parking drive isle. The cross slope of that ramp is called out to be 5.13% which does not meet ADA regulations.
    - b. There are catch basins along the south side of Building 1 that have grades adjacent to them of anywhere from about 19-33% slopes toward the parking area. Will these catch basins catch any runoff or what is their purpose?
    - c. The v-pan in front of Building 2 has a slope of 0.3%? Are you comfortable with this slope? Because this is within the site, it is the maintenance of the owner so the City is not going to hold to a min. 0.5%. This same comment applies to Sheet C21.

### **RECOMMENDATION:**

The Engineering Department recommends approval of the Site Plan submittal with satisfactory addressing the above review comments.

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## 2023-31 Wildcat Residences Consolidated Review Comments

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### **GVDD**

There are no GVDD facilities or easements on the site and evidently the only operational change will be the transition from detained and undetained sheet flow into the Pine Street Storm Drain to detained MS4 water of the same quantity but different quality into the Pine Street Storm Drain.

### **Ute Water**

#### **Stakeholder comments**

- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- Domestic water shall not be used for irrigation.
- Developer must secure irrigation rights/water for irrigation purposes, water taps/meters will not be sold for irrigation of landscaping.
- Please include the District's Standard Detail Sheets into the plan set (<https://www.utewater.org/specifications>).
- Please include Waterline Construction Notes into the plan set (<https://www.utewater.org/specifications>).
- Domestic water shall not cross parcel boundaries.
- Please submit a fire flow request form to: [hydrant@utewater.org](mailto:hydrant@utewater.org)
- See attachment regarding existing District infrastructure.
- Initial estimated tap fees: \$195,200 for apartments + \$248,000 for 5 row homes w/ ADU's = \$443,200 in tap fees for the entire project (not including wet taps, double check, etc.).
- Backflow requirements
- A cross connection survey must be submitted and reviewed prior to acceptance, survey may be found at the following link (<http://www.utewater.org/backflow>) once completed submit it and mechanical drawings (plumbing both domestic and fire suppression only) to the District (Joseph Lambert) for further review and approvals.
- Installation of all backflow equipment shall be per Ute Water approval. Developer will be required to engineer, purchase, install and maintain all necessary equipment.
- An initial test on only the domestic BFPD will be made by the District at no cost for the developer; arrangements for this first test should be made with District personnel for final approval.
- Submit mechanical drawing and a completed survey to:
  - Joseph Lambert  
Cross Connection Program Administrator  
Ute Water Conservancy District  
Main Office: 242.7491  
Direct Line: 256.2883
- If you have any questions concerning any of this, please feel free to contact Ute Water.

\*See Utility Composite

### **Mesa County Transportation**

RTPO is please to see a transit supportive development in this location. GVT Route 8 currently runs on Pine St, which circulates around the City of Fruita and connects with 3 other routes at the West Transfer Facility near Mesa Mall. This location is currently served by an inbound stop (toward Grand Junction) at the Wildcat Car Wash, but the site would be an excellent location for a paired outbound stop (into Fruita) stop. This is a unique opportunity as this stretch of Pine St is the only section in Fruita with the potential to be served by inbound and outbound transit service. Most of the City of Fruita is served with a one-way loop.

The path connection Pine street between building 6 and 7 would be an optimal location for a transit stop with a bench. GVT requests an additional concrete pad north of the path to accommodate the bench, approximately 5'x10' (the pad could be a variety of dimensions depending on how the bench is oriented) which would remain within the MPE.

Review should have been categorized as "Complete." RTPO IS supportive of the project.

\*See GVT Bus Stop Request

### **GVP**

1. The project is in the Grand Valley Power (GVP) service area.
2. This review does not start the design process with GVP. Please make an application for service by calling 242-0040 to start the design process, a cost estimate will be prepared. An engineering deposit may be required.
3. 3-phase power is available for this project, along Wildcat Road and South Pine Street.
4. For new projects, some electrical equipment (transformers, metering, etc.) may have an ordering lead time exceeding twelve months. Please plan accordingly.
5. Need 14' Multi-Purpose Easement along all Roads and streets.
6. Additional easements may be required after the application for service request with electrical load requirements is provided for service to buildings 1 and 2.
7. No trees are to be planted over the utility portion of the Multi-Purpose Easement.
8. Any Utility / Multi-Purpose Easement that is also used for landscaping will need to have underground power lines buried in a duct system.
9. Irrigation and drainage lines should not be in the utility portion of the Multi-Purpose Easement.
10. Any relocation of existing overhead power lines, poles, guy/anchors, underground lines, transformers, or any other Grand Valley Power equipment is at the developer's expense.

## **LVFD**

The Fire Department Connection shall follow IFC 2018 Section 912. 912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be approved by the fire code official. 912.2.1 Visible location. Fire department connections shall be located on the street side of buildings or facing approved fire apparatus access roads, fully visible and recognizable from the street. Lower Valley Fire would like the FDC be marked with a sign that has letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches. 912.4.1 Locking fire department connection caps. Lower Valley will require that the caps be locking caps to the FDC from Knox. Hydrants will follow IFC 2018 Section 503 along with Appendix C. Hydrants will be 22 " at the 2 1/2 " connection Nut. Spacing between hydrants will not exceed 500 feet.

## **MC Stormwater**

Project will require a Mesa County MS4 Construction Stormwater Permit. Application can be completed online at: <https://h9.maintstar.co/MesaCounty/portal/#/>

Permit Fees will be assessed once application is received. Please note that "Review Fee" must be paid before Stormwater Management Plan and Site Map(s) can be reviewed.

Stormwater Management Plan and Site Map(s) in initial submittal is acknowledged; will be reviewed once permit application is received and review fee is paid.

This project meets the criteria of "New Development or Redevelopment", therefore Water Quality is required. Please complete a "Post-Construction Stormwater Control Measure Operations and Maintenance" Agreement.

O&M Agreement located at:

<https://stormwater.mesacounty.us/globalassets/stormwater/forms/documents/post-construction-om-agreement-form.pdf>

Project will need to provide a copy of its State Discharge Permit (CDPHE) to Mesa County Stormwater Division.

**ORDINANCE 2006-19**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA AND REZONING PROPERTY TO A PLANNED UNIT DEVELOPMENT IN THE CITY OF FRUITA  
LEGACY SUBDIVISION PUD**

**WHEREAS**, the property to be zoned has been recently annexed to the City of Fruita by Ordinance 2006-18, and

**WHEREAS**, newly annexed property must be zoned, and

**WHEREAS**, Vicki & Rick Sanger signed a petition for annexation on September 26, 2005. The City of Fruita has the contiguity to annex this property. The property is presently zoned AFT in Mesa County and the Community Plan 2020 plan shows this properties projected zoning to be Community Residential zone, and

**WHEREAS**, the property owner has submitted a request to zone the property described in the attached Exhibit A to a **Planned Unit Development (PUD)** zoning designation, and

**WHEREAS**, the Fruita Planning Commission has recommended to the City Council approval of the property being zoned as a PUD, and

**WHEREAS**, the proposal is in conformity with the Community Plan 2020 of the City of Fruita, and

**WHEREAS**, by placing the development in a PUD zone each use can be evaluated on an individual basis and impacts on surrounding land uses can be mitigated, and

**WHEREAS**, a Preliminary/Final Plan has been prepared entitled, "LEGACY SUBDIVISION PUD" which identifies the lot sizes, building setbacks, streets and other aspects of the overall plan which is part of this Legacy Subdivision PUD, and

**WHEREAS**, a PUD Guide entitled, "LEGACY PUD GUIDE" which contains a table with lot by lot setbacks and other design standards has been submitted, and

**WHEREAS**, based on the evidence, testimony, exhibits, study of the City of Fruita Community Plan, comments of Community Development Department, Review Agencies, and Planning Commission hearing minutes, the recommendation of the Planning Commission, and comments from all interested parties, the City Council finds as follows:

Proper publication and public notice was provided as required by law for the hearing before the Planning Commission and the City Council.

Pursuant to section 17.17 of the Fruita Land Use Code, the City Council makes the following findings in its review of the PUD Application.:

- a) The Application is in general conformance with the city of Fruita Land Use Code.
- b) The proposed plan conforms to all applicable regulations policies and guidelines.
- c) The Applicant has responded to the required Statement of Justification and proposed uses.

3. Pursuant to Section 17.17 of the Fruita Land Use Code, the City Council finds as follows:

a) The PUD is consistent with the intent and objectives of the Community Plan and the policies therein. Specifically with regard to the Land Use Code the City Council finds the development of this project as a PUD as proposed:

- i) To have a full range of public services available.
- ii) To have minimized any negative effects on social and natural environment.
- iii) To be capable of being phased in order to address current and anticipated market and neighborhood conditions.

b) The PUD guide, attached hereto as Exhibit B, pertaining to setbacks, lot sizes, land uses, parks and open space and private water facilities, residential uses, recreational facilities, construction stages, public and private roads, parking, utilities, irrigation and landscape is found to be consistent with the intent of the PUD for the following reasons:

- i) The design and construction of the PUD includes adequate, safe, and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space.
- ii) The design of the PUD provides adequate access and fire protection, adequate setbacks to insure proper ventilation, light, air and snow melt between buildings, and insures that the PUD is compatible with other development in the area.
- iii) Open space and pedestrian/bicycle pathway have been planned to produce maximum usefulness to the residents of the development for purposes of recreation and scenery, and to produce a feeling of openness. Areas designated as common or public open space pursuant to the requirements of this section are accessible by proper physical and legal access ways.
- iv) The developer has provided central water and sewer facilities as required by the Land Use Code, and Colorado Department of Health.
- v) The PUD has been designed to provide recreational amenities to its residents to alleviate the necessity of increased traffic and traffic congestion.
- vi) The PUD meets the minimum area requirement for a PUD.
- vii) The landowner has provided for the ownership and maintenance of common open space, drives, parking, and landscaping.

**THE CITY OF FRUITA HEREBY ORDAINS:**

**Section 1:** That the Zoning Map adopted pursuant to Section 17.13.060 of the Fruita Municipal Code is hereby amended and that the property described and shown on the attached Exhibit A, containing 18.47 acres, more or less, is hereby designated as a Planned Unit Development Zone (PUD);

**Section 2:** That the PUD guide entitled, "LEGACY PUD GUIDE" attached hereto as Exhibit B establishes the setbacks, square footage and individual lot requirements for each lot within Legacy Subdivision PUD Subdivision;

**Section 3:** Special Conditions: That the project will be required to adhere to the conditions outlined in the Planned Unit Development Guide for Legacy Subdivision PUD attached hereto as Exhibit B.

**Section 4.** It shall be a Class B municipal offense, as defined in the Fruita Municipal Code, for any person to knowingly erects, constructs, reconstructs, uses, or alters any building or structure or knowingly uses any land in violation of the PUD Guidelines herein adopted.



**Section 5.** The City Clerk is directed to:

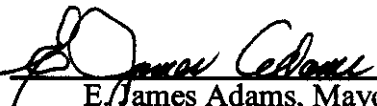
1. File the original of this Ordinance and attached exhibit in the office of the City Clerk of Fruita, Colorado;
2. File one copy of this Ordinance and attached exhibit in the office of the Mesa County, Colorado, Assessor; and
- (3) File for record one certified copy of this ordinance and attached exhibits with the Clerk and Recorder of Mesa County, Colorado.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
THIS 5<sup>TH</sup> DAY OF JULY, 2006**

ATTEST:

City of Fruita

  
City Clerk  


  
E. James Adams, Mayor

**ORDINANCE 2006-19  
EXHIBIT A  
LEGAL DESCRIPTION**

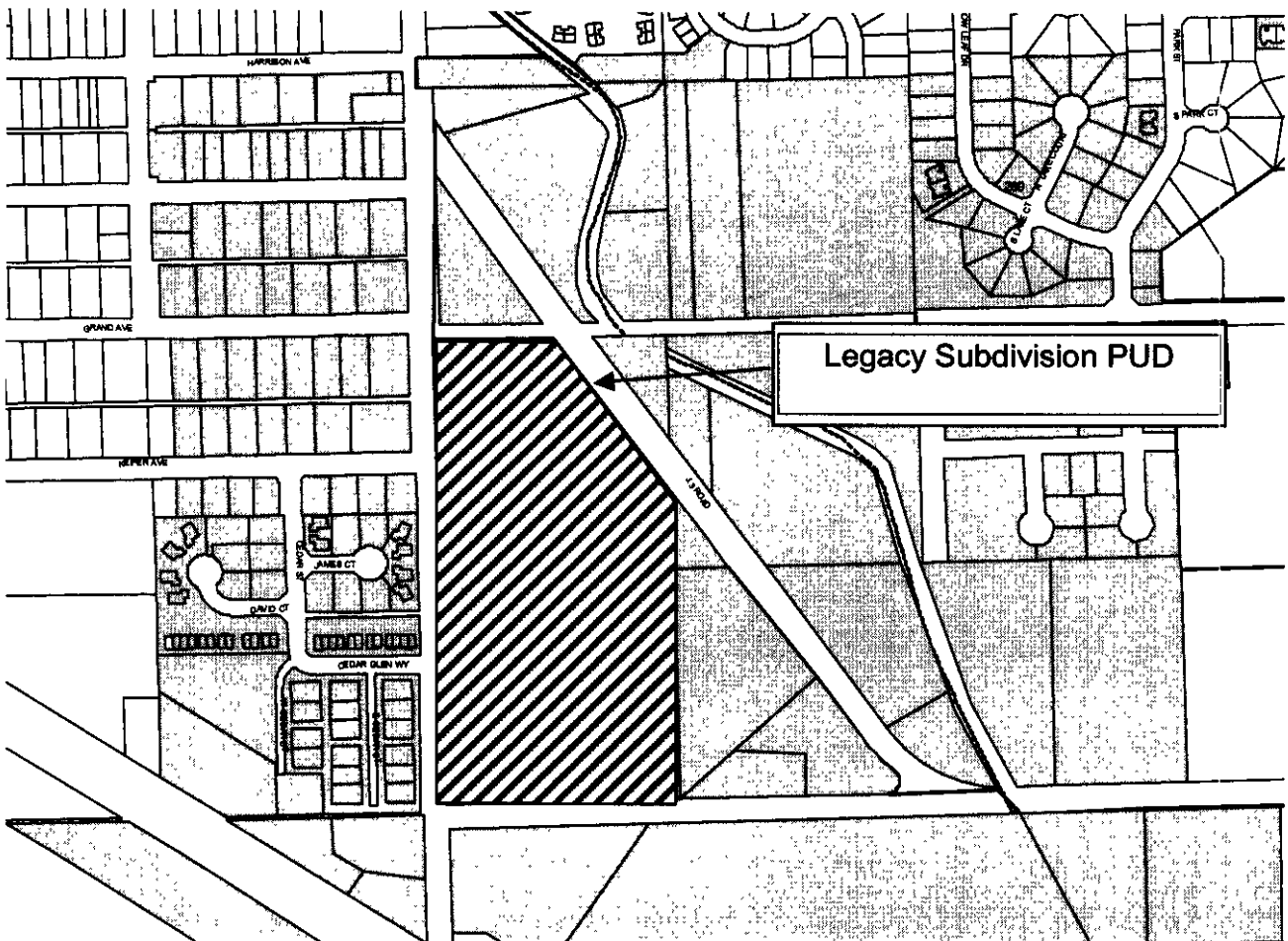
**LEGACY PLANNED UNIT DEVELOPMENT ZONING**

**Tax parcel number 2697-163-00-055**

The W ½ SW ¼ SW ¼ of Section 16, Township 1 North, Range 2 West of the Ute Meridian lying South of the State Highway, Mesa County, Colorado. Also known as 1002 18 Road, Fruita, CO 81521.

Total Perimeter feet 3572.4, required contiguity 595.4 feet.

Contiguity from Cedar Park and Fruita Monument High School = 2863.54



RECORDER NOTE: POOR QUALITY DOCUMENT  
PROVIDED FOR REPRODUCTION



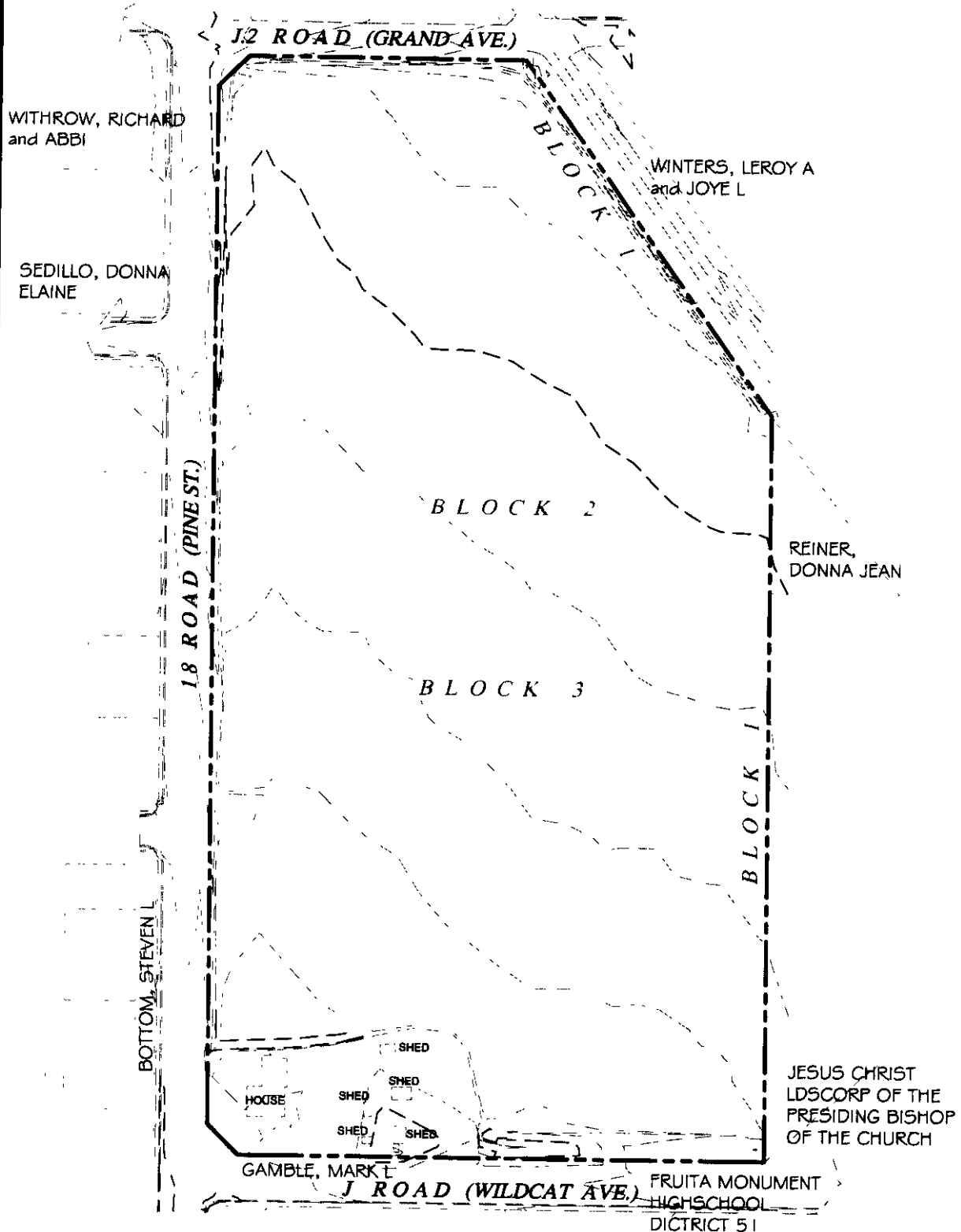


~P.U.D. GUIDE~

*Legacy PUD is a neighborhood for the future,  
built with a sense of the past - and a clear  
understanding of what makes people feel at home.*

VOR INC.  
PROJECT ENGINEERS  
CONSULTANTS






# LEGACY PUD SUBDIVISION

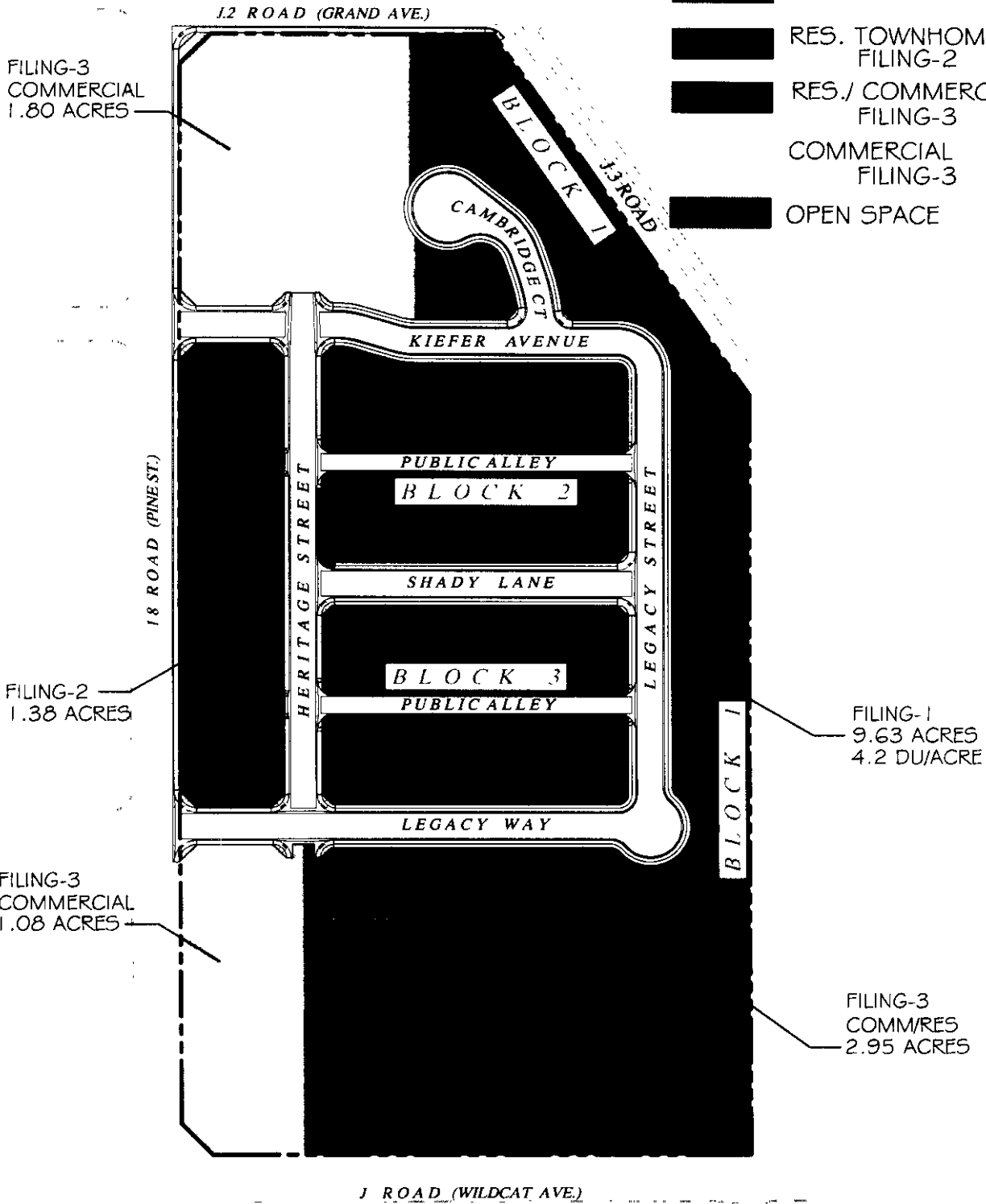


LEGACY PUD

V  
PROJ  
INC.  
ERS

CONTEXT PLAN

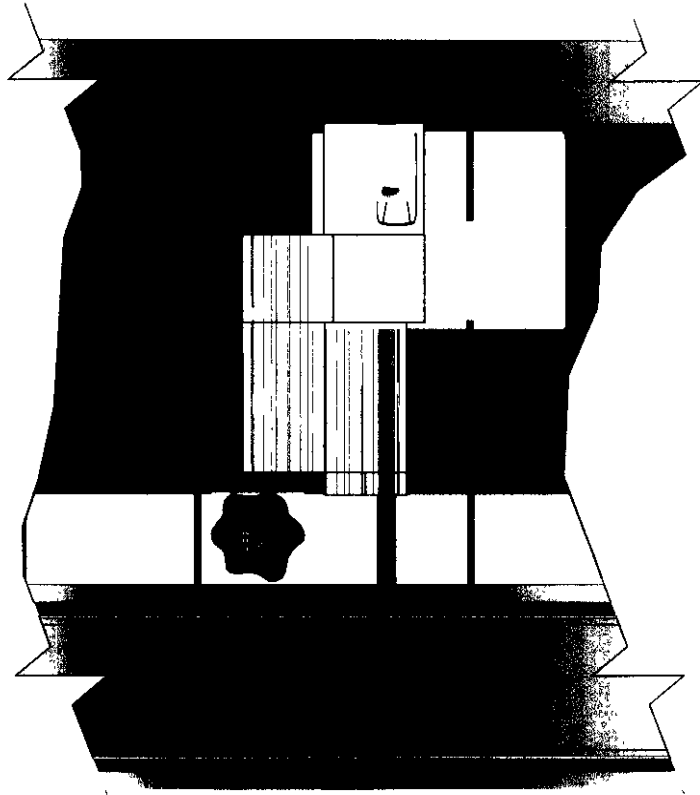
-  RES. LOTS-FILING-1
-  RES. TOWNHOMES FILING-2
-  RES./ COMMERCIAL FILING-3
-  COMMERCIAL FILING-3
-  OPEN SPACE



LEGACY PUD

Vo... INC.  
 PROJECT... ENGINEERS  
 CO... S

TYPICAL LOT  
PLAN FOR NEW  
URBANISM

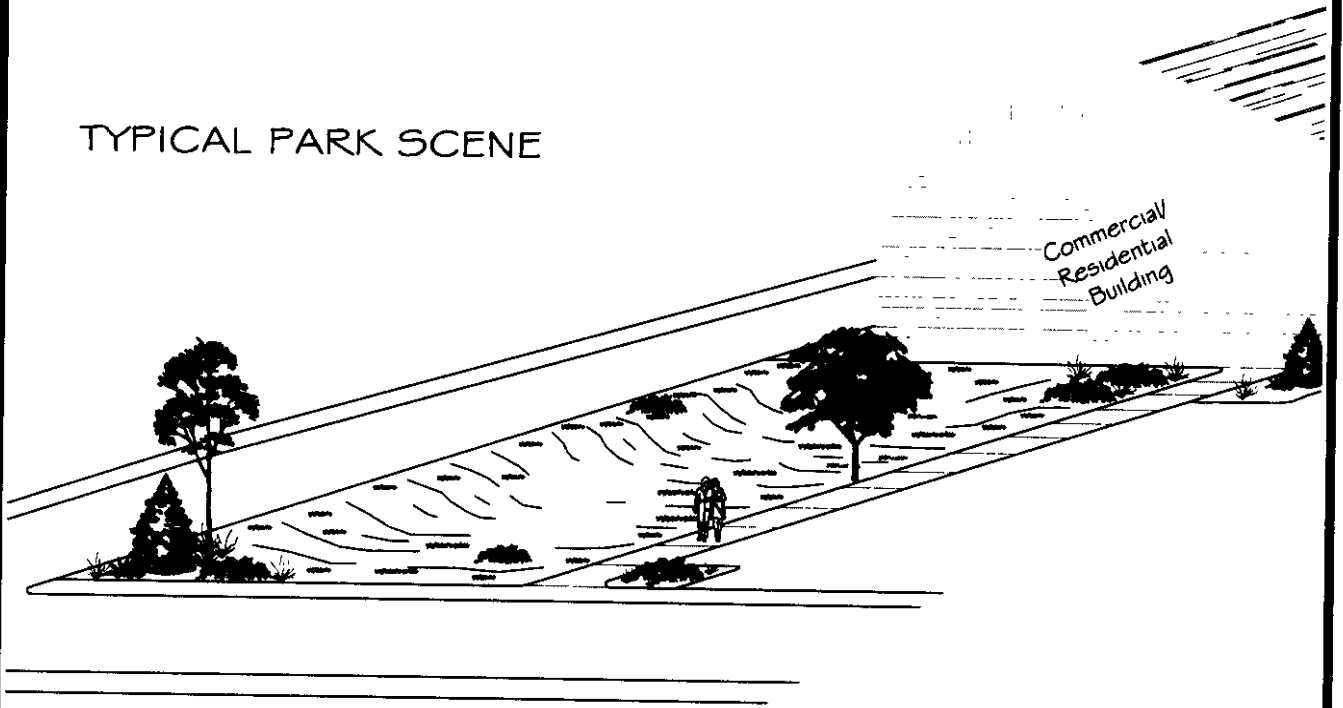


TYPICAL  
ELEVATION

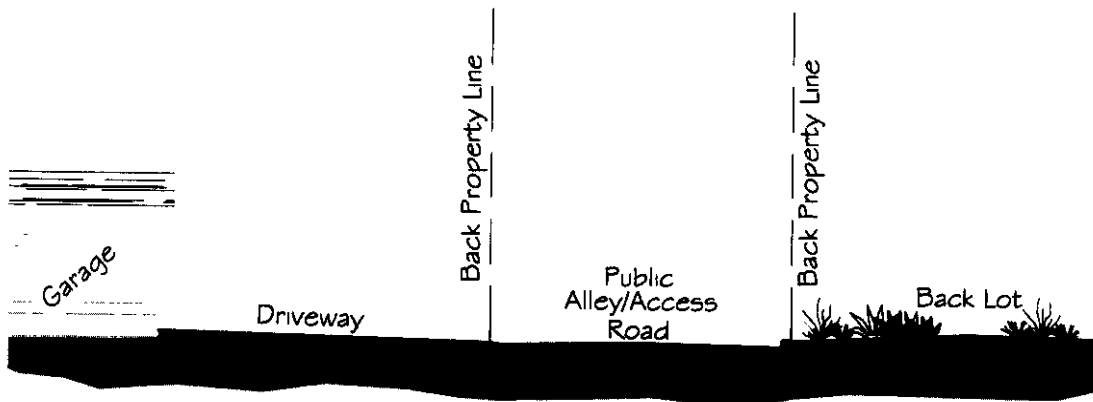
LEGACY PUD

VOR... INC  
PROJECT M...  
CONSTR...  
ENGINEERS  
PLANNERS

TYPICAL PARK SCENE



DRAINAGE ALLEY SECTION



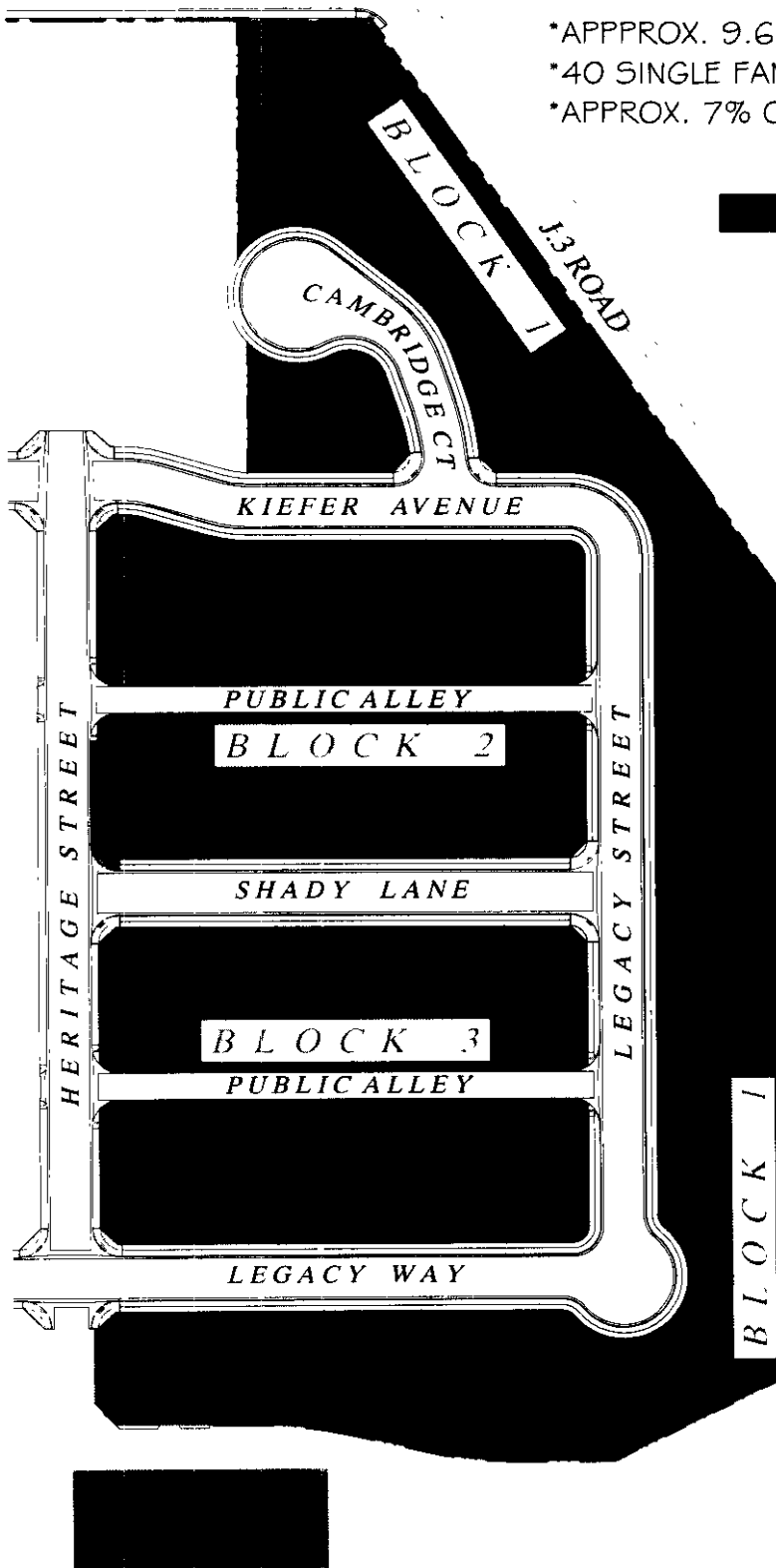
LEGACY PUD

V  
PRO  
INC.  
ERS

FILING 1

LEGACY PUD FILING 1

- \*APPROX. 9.63 ACRES
- \*40 SINGLE FAMILY RESIDENTIAL LOTS
- \*APPROX. 7% OPEN SPACE (0.70 ACRES)



RES. LOTS-FILING-1  
OPEN SPACE

LEGACY PUD

VOR INC.  
PROJECT ENGINEERS  
CON OWNERS

**BLOCK 1, Lots 1-17, SINGLE FAMILY LOTS**

**Notes:**

1. / Indicates setbacks or height limitations for accessory buildings which must be located on the rear half of the lot.
2. This P.U.D. must conform to sect. 17.17.130 with 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.
3. For all lots, no structures, including sheds, slabs, and raised landscaping are allowed in identified drainage easements. See plat and composite site plan for easement locations.

Front Setback	Side Yard Setback	Rear Yard Setback	Max. Bldg Height	Max. Lot Coverage
25' (From R.O.W.)	8'/3' setback	15'/3'	35' / 16'	40% / 3%
<b>INDIVIDUAL LOT GUIDELINES/REQUIREMENTS:</b>				
Landscaping & accessory structure restrictions apply within all drainage easements. See covenants and Composite Site Plan for additional restrictions and location.				
14' Multipurpose easement along R.O.W. lines				
8'-10' drainage/irrigation easements. See covenants and Composite Site Plan for additional restrictions and location.				
Architectural review of property landscaping is required prior to homeowner placement.				

BK 4225 PG 867

**BLOCKS 2-3, ALL Lots, SINGLE FAMILY NEW URBANISM LOTS**

**Notes:**

1. / Indicates setbacks or height limitations for accessory buildings which must be located on the rear half of the lot.
2. This P.U.D. must conform to sect. 17.17.130 with 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.
3. For all lots, no structures, including sheds, slabs, and raised landscaping are allowed in identified drainage easements. See plat and composite site plan for easement locations.

Front Setback	Side Yard Setback	Rear Yard Setback	Max. Bldg Height	Max. Lot Coverage
15' (From R.O.W.)	10' on one side, 5' on other/3'	15'3'	35' / 16"	42% / 3%
<b>INDIVIDUAL LOT GUIDELINES/REQUIREMENTS:</b>				
Landscaping & accessory structure restrictions apply within all drainage easements. See covenants and Composite Site Plan for additional restrictions and location.				
14' Multipurpose easement along R.O.W. lines				
8'-10' drainage/irrigation easements. See covenants and Composite Site Plan for additional restrictions and location.				
Architectural review of property landscaping is required prior to homeowner placement.				
<b>NEW URBANISM:</b> Dwellings built under this standard must have a front porch which is at least ten feet (10') long by eight (8)' wide and must have a garage, a carport, or parking area located in the rear half of the lot. Driveway access from alley.				

BK 4225 PG 868



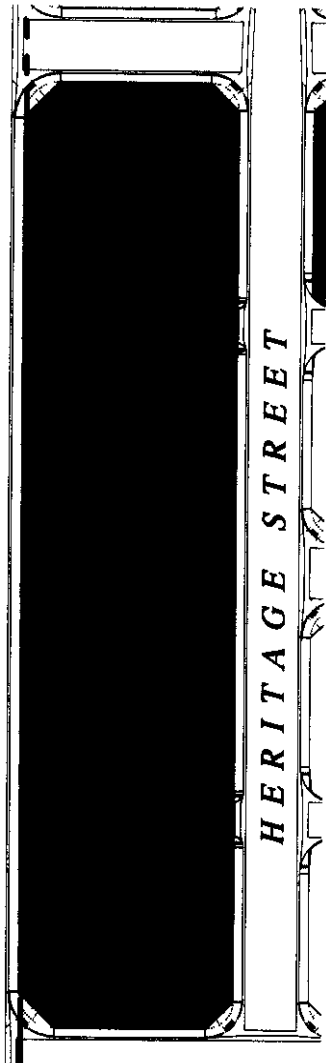
FILING 2

LEGACY PUD FILING 2

\*APPROX. 1.38 ACRES

\*23 TOWN HOMES

  
RESIDENTIAL  
TOWN HOMES  
FILING-2



MINIMUM LOT AREA	MINIMUM FRONT YARD	MINIMUM SIDE YARD	MINIMUM REAR YARD	MAXIMUM BUILDING HEIGHT
N/A	15'	0'	10'	35'

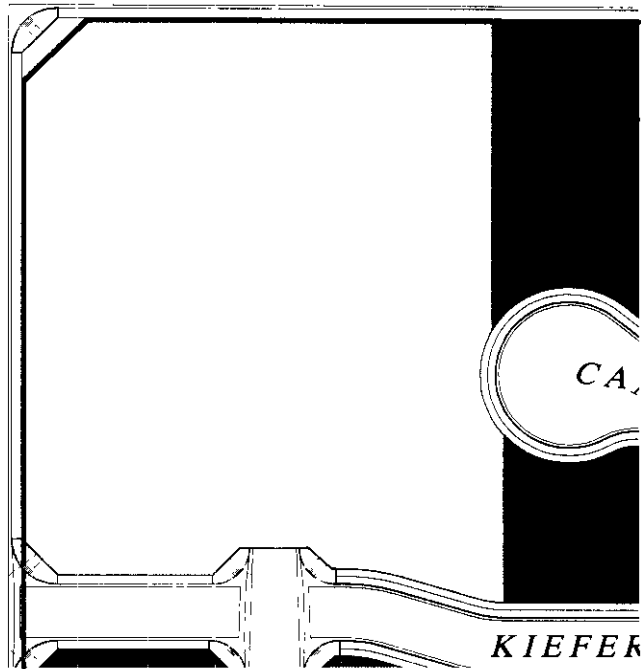
- \* 1 TREE & 2 SHRUBS SHALL BE PLANTED IN THE FRONT YARD OF EVERY UNIT.
- \* MIN. 3 PARKING SPACES PER UNIT
- \* NO ACCESSORY STRUCTURES ALLOWED
- \* 10' BUILDING SETBACK FROM LEGACY WAY & KIEFER AVE.

FILING 3

LEGACY PUD FILING 3

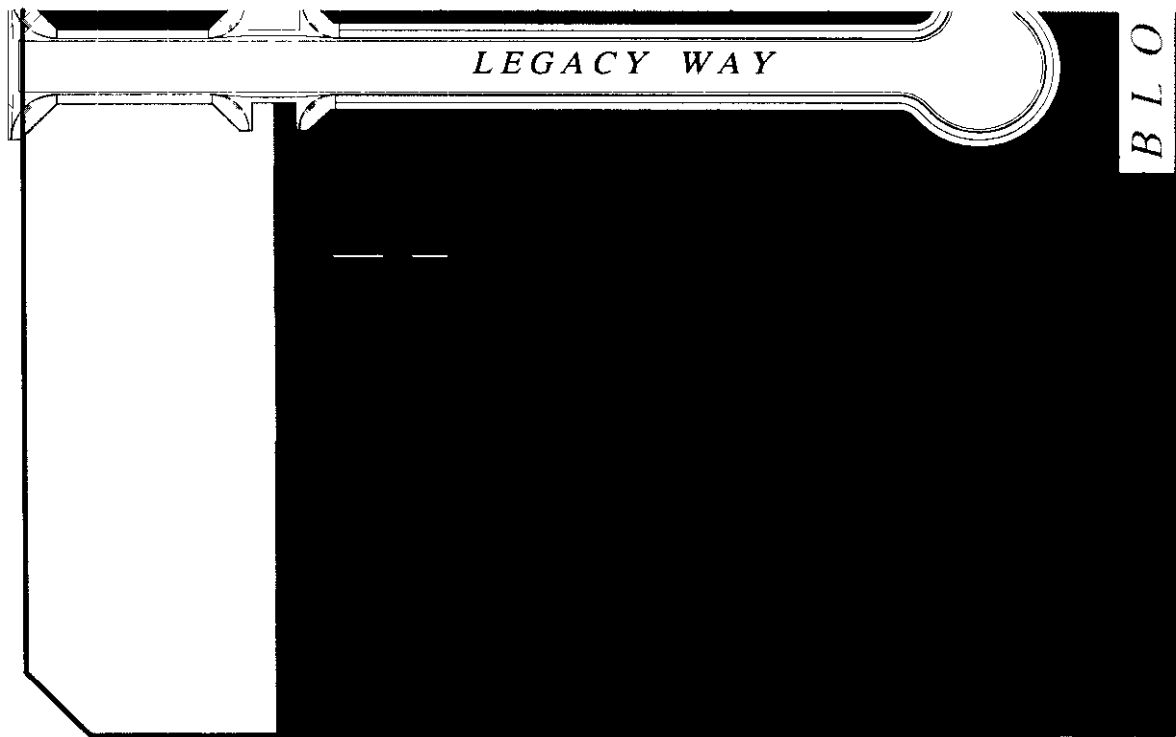
\*APPROX. 5.84 ACRES

J.2 ROAD (GRAND AVE.)



COMMERCIAL - FILING 3

 COMMERCIAL / RESIDENTIAL  
 FILING 3



LEGACY PUD

VOR INC  
 PROJECT ENGINEERS  
 CONSULTANTS

COMMERCIAL DEVELOPMENT - FILING 3

LEGACY PUD COMMERCIAL SITE: 2.89 ACRES

MAXIMUM BUILDING HEIGHT: 35'

BUILDING SETBACK	LANDSCAPE BUFFER
20' (J.2 Rd / Grand Ave)	14' (J.2 Rd / Grand Ave)
20' (18 Rd / Pine St)	14' (18 Rd / Pine St)
20' (J Rd / Wildcat Ave.)	14' (J Rd / Wildcat Ave.)
10' (South)	10' (South / Kiefer Ave.)
10' (East)	10' (East)
0' (Southern extension of Heritage St.)	0' (Southern extension of Heritage St.)
10' (From Legacy Way)	10' (Legacy Way)

This P.U.D. must conform to sect. 17.17.130 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 SQ. FT. LIMIT ON INDIVIDUAL BUSINESSES AS REQUIRED BY SECTION 17.17.130.C.2.  
 \*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 1/5 buffer as playground and recreation area.

See Below For Allowed Uses

Small Group Living Facility/ State Licenced 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
  - Alli
  - \*Schools
  - Boarding Schools
  - Elementary Schools
  - Secondary Schools
  - \*Utility, Basic
  - Utility Service Facilities, (Underground)
  - 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 Theater
- Skating Rink
- Arcade
- \*Retail Sales and Service
- Animal Clinic/ Hospital/ Boarding/ Sales, Indoor
- Drive-In Facilities (Restaurants Retail)
- 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
- Gasoline Service Station
- Quick Lube
- Industrial uses:
  - \*Aviation or Surface Passenger
  - Bus/ Commuter Stops

LEGACY PUD



COMMERCIAL/RESIDENTIAL DEVELOPMENT - FILING 3

LEGACY PUD COMMERCIAL/RESIDENTIAL SITE: 2.95 ACRES

MAXIMUM BUILDING HEIGHT: 35'

BUILDING SETBACK

LANDSCAPE BUFFER

0' (Southern extension of Heritage St.)

25' (J Rd / Wildcat Ave)

25' (East)

25' (North)

14' (J Rd / Wildcat Ave)

8' (East)

8' (North)

This P.U.D. must conform to sect. 17.17.130 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

See Below For Allowed Uses

For the commercial/residential development, all residential uses are allowed

- \*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 SQ. FT. LIMIT ON INDIVIDUAL BUSINESSES AS REQUIRED BY SECTION 17.17.130.C.2.
- \*OUTDOOR OPERATIONS AND STORAGE IS PROHIBITED FOR ALL COMMERCIAL LAND USES WITH THE EXCEPTION OF MINIATURE GOLF AND OUTDOOR RESTAURANT.

See Below For Allowed Uses

Residential uses:

- \*Household living
- Business Residence
- Dwelling, Caretaker
- Home Occupation
- \*Group living

Small Group Living Facility/ State Licenced 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)

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 Theater
- Skating Rink
- Arcade
- \*Retail Sales and Service
- Animal Clinic/ Hospital/ Boarding/ Sales, Indoor
- Drive-In Facilities (Restaurants Retail)
- 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
- Gasoline Service Station
- Quick Lube
- Industrial use:
- Bus/ Commuter Stops

LEGACY PUD

V... INC.  
PRO... ERS

# OPEN SPACE PLAN

J.2 ROAD (GRAND AVE.)

## OPEN SPACE SUMMARY

LEGACY PUD  
FILING 1: 0.64 ACRES

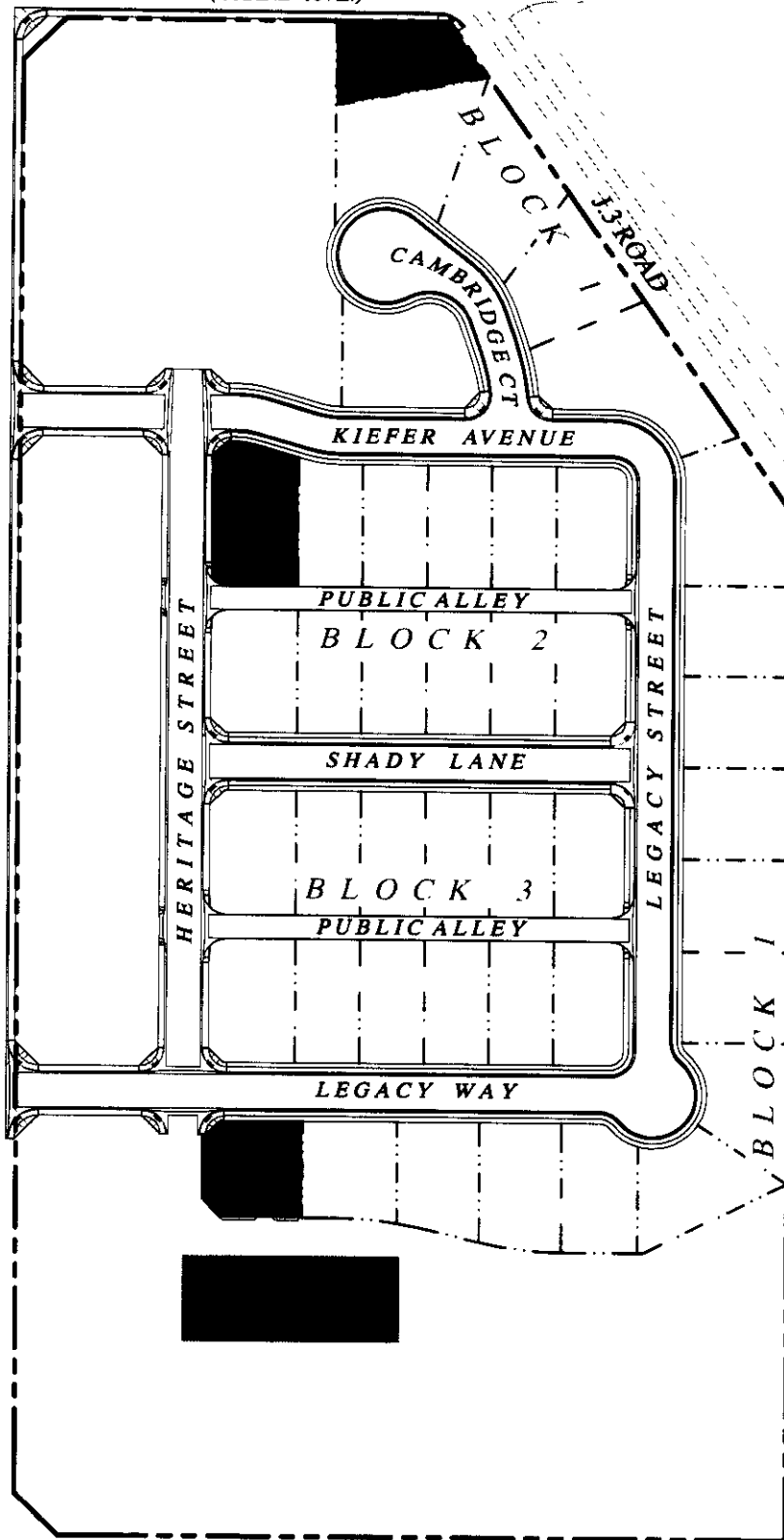
LEGACY PUD  
FILING 2: N/A

LEGACY PUD  
FILING 3: N/A

TOTAL: 0.64 ACRES

  
OPEN SPACE

18 ROAD (PINE ST.)



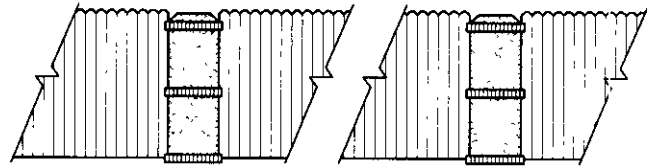
LEGACY PUD

VO... INC.  
PRO... ZERS

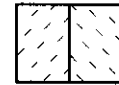
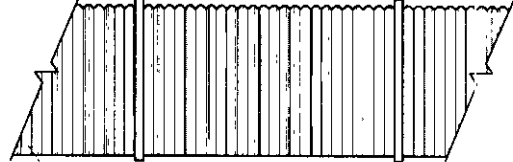
OVERALL MASTER FENCE PLAN

FENCE LEGEND

Perimeter Fence



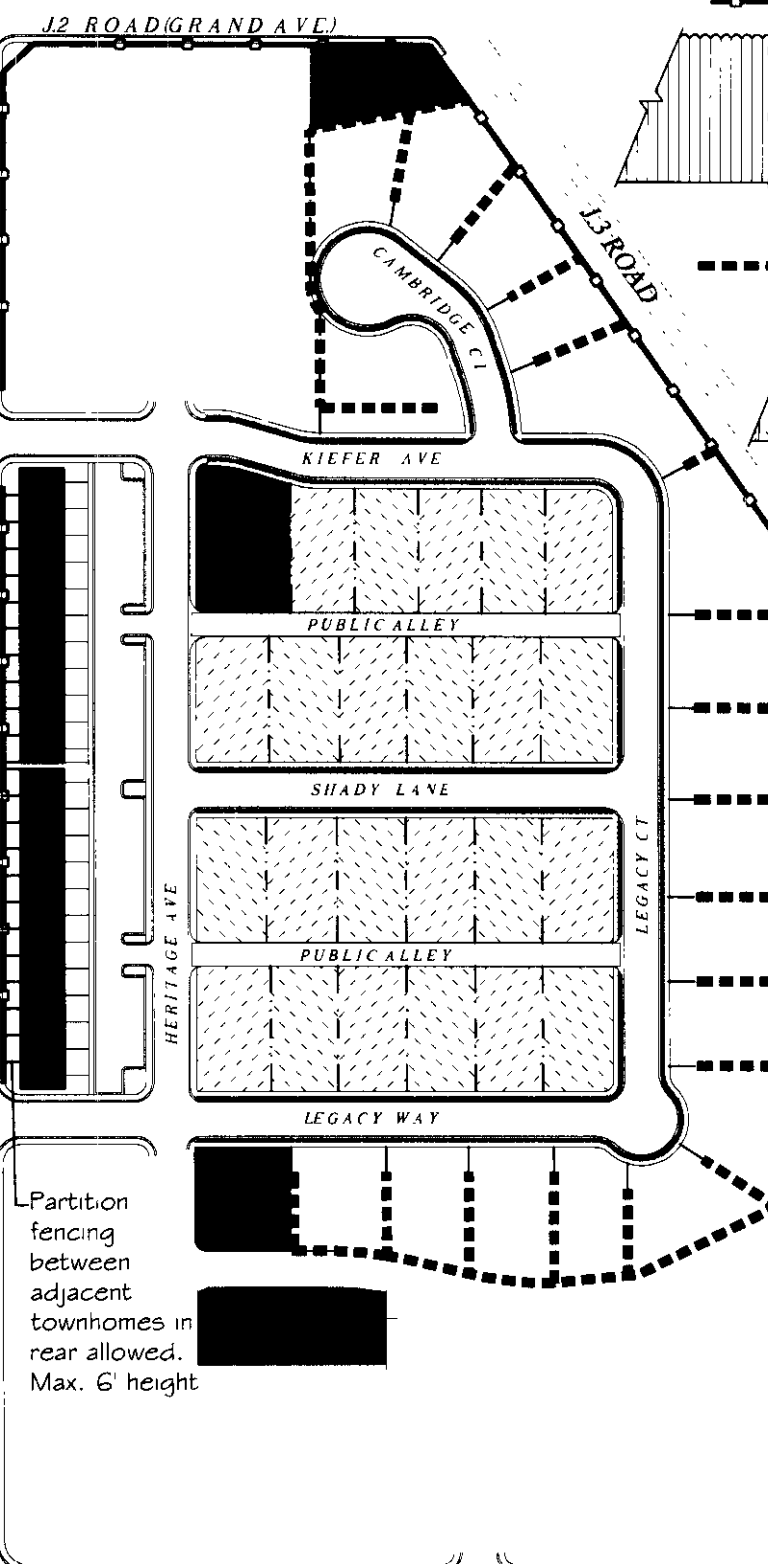
6' Board on Board Fence



Areas that may be enclosed with 30" white picket fencing. No 6' privacy fence or 48" open picket

\*All other fencing shall conform to City of Fruita fence code, including site distance, sight triangle, and setback requirements.

\*Fences shown in red will be developer installed.



LEGACY PUD

J1 ROAD (WILDCAT AVE.)

Vor... INC.  
PROJECT... ENGINEERS  
CO... 25

# General Project Report For Wildcat Residences

## **Project Description (location, Acreage, Proposed Use):**

The purpose of this application is to obtain approval from the City of Fruita to construct two, 20-unit apartment buildings and five, 5-unit “row home” apartment buildings at 1807 Wildcat Avenue in Fruita, Colorado. The project location area is depicted below:



**1807 Wildcat Avenue Project Location**

The 3.7-acre size is Filing 3 area of the Legacy PUD Subdivision Planned Unit Development which was approved by the City of Fruita in 2006. The Legacy PUD development anticipated higher density apartment type development and commercial type uses on this portion of the PD.

The Wildcat Residence project is proposing to construct two, two story 20-unit apartment buildings. Each building will include 18 one-bedroom units and 2 two-bedroom units.

The project is also proposing five “row home” apartment buildings. Each one of these buildings includes 5 four-bedroom apartments with a two-car garage. The two end units will also include an Alternate Dwelling Unit, for a total of 2 ADU’s per building.

Two storage unit buildings are proposed to be provided at the west side of the site. The northern most building anticipates 22 storage units and the southern building anticipates 13 units.

## General Project Report For Wildcat Residences

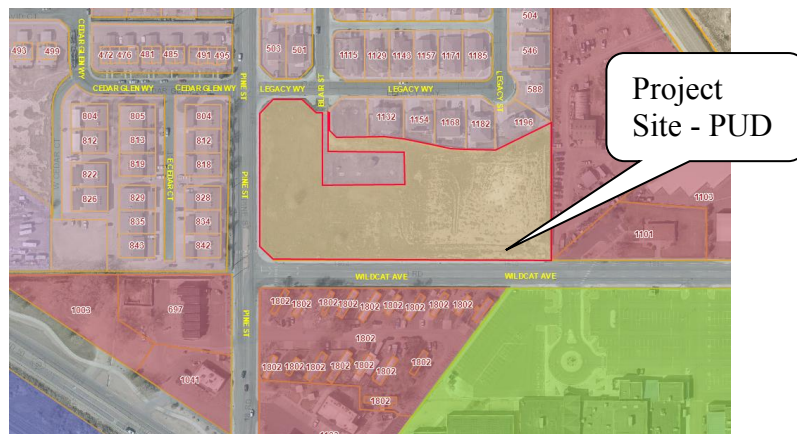
The project is required to provide 113 parking spaces, which is broken down as follows:

20 Plex Building @ 21 Spaces Per Building		
18 ea 1 Bedroom Apartments @ 1 Space/Apt.		18 spaces
2 ea 2 Bedroom Apartments @ 1.5 Space/Apt.		3 spaces
Row Home Building @ 12 Spaces Per Building		
5 ea 4 Bedroom Apartments @ 2 Spaces/Apt		10 Spaces
2 ea ADU Units @ 1 Space/ADU		2 Spaces
1 Addition Parking Space per 6 Apts = 65 Units / 6 =		11 Spaces

The project provides 143 parking spaces, which consists of 73 surface parking spaces, 50 interior garage parking spaces, 20 exterior parking spaces in front of garages (Building 4 & 5).

### **Surrounding Land Uses and Zoning:**

The site is currently zoned PUD. C1 commercial zoning is located to the east and south of the site and the areas to the north and west are zoned PUD. Listed below is the City of Fruita zoning map;



**Current City Zoning**

### **Utilities**

All utilities required to service the property are located on or near the project site.

A new 8-inch sanitary sewer is proposed to be extended from Wildcat Avenue north into the project site which will service all new units within the complex.



## **General Project Report For Wildcat Residences**

Domestic and Fire water are provided by Ute Water. Ute Water has existing water mains in Wildcat Avenue and Pine Street. Each unit in the five plex buildings will have their own water meter. The two apartment buildings (Building 1 and Building 2), will be serviced from a 4-inch meter off the Wildcat Avenue driveway entry and will also construct and above ground double check enclosure for a 8-inch private fire line lateral and hydrant that will be located interior to the site to service Building 1 and 2.

### **Stormwater Drainage**

The project was originally part of The Legacy PUD which has already constructed drainage facilities designed to address development on the 1807 Wildcat Avenue site. Therefore, no detention or water quality facilities are proposed.

The existing detention facilities currently were not designed to provide water quality treatment. Because the Wildcat Residence project will disturb more than one acre, water quality treatment of stormwater runoff from this site is required. Therefore, the project will modify the southernmost detention facilities outlet control structure to provide a "water quality capture volume" using an extended basin design standards. The modifications will occur in front of the existing outlet control structure and will slowly release the water quality capture volume over a 40-hour time period.

The project will install onsite infrastructure to convey stormwater runoff to the existing detention facility north of the project site.

### **Project Phasing:**

The applicant anticipates constructing the project in six phases.

Phase I anticipates constructing both 20-plex unit buildings and the surface parking lot to the southeast of this building, as well as both site access locations off of Wildcat Avenue and Blair Street.

Phase II anticipates construction of Row Home building 5.

Phase III anticipates construction of Row Home building 4.

Phase IV anticipates construction of Row Home building 3.

**General Project Report  
For  
Wildcat Residences**

Phase V anticipates construction of Row Home building 6 and the 13-unit storage building.

Phase VI anticipates construction of Row Home building 7 and the 22-unit storage building.

**Schedule:**

The applicant anticipates starting construction in spring of 2024.

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# *Traffic Impact Study*

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Prepared For:

## **Legacy Filing 3** Residential Development

**Northeast Corner of Pine St. & Wildcat Way**  
Fruita, CO



October 16, 2023

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# 1 Introduction & Executive Summary

This report documents the traffic impact study for buildout of the Legacy Filing 3 residential development (Project) in Fruita, Colorado. The Project would be located on the northeast corner of Pine St. & Wildcat Way. Figures 1 and 2 show the Project location. The traffic study methodology was reviewed and accepted by the CDOT Region 3 Traffic Section and the City of Fruita.

## 1.1 Study Area

The Study Area included these intersections, as shown on Figure 2:

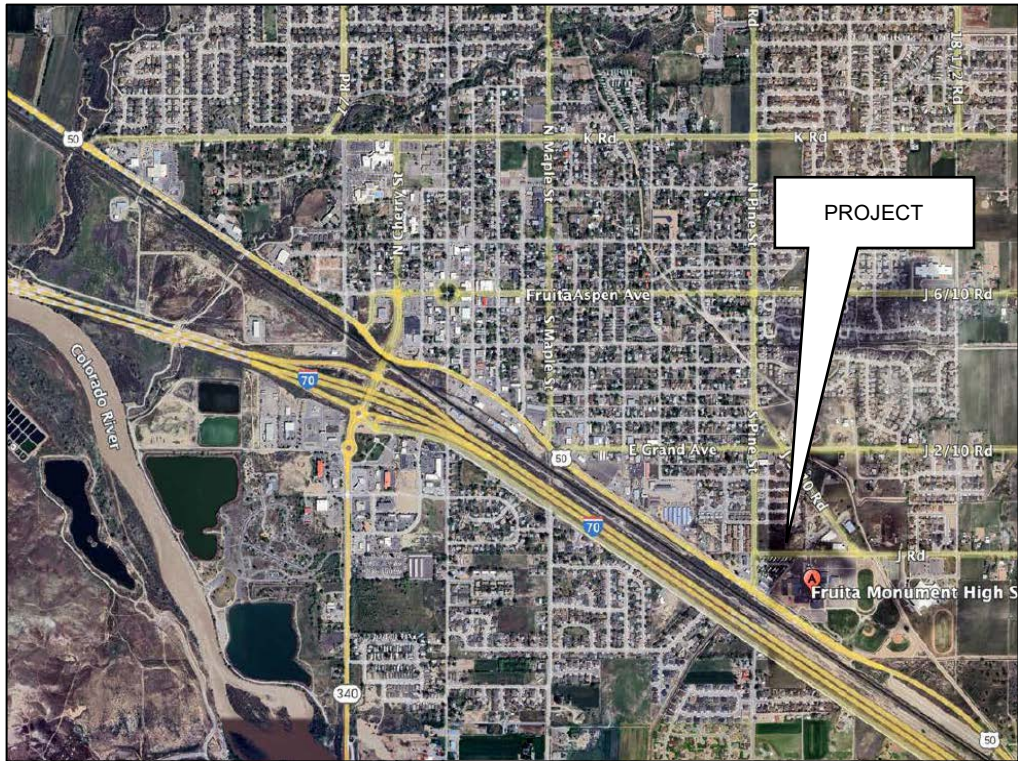
- Int. #1: Wildcat Way & South Access,
- Int. #2: S. Pine St. & Legacy Way,
- Int. #3: S. Pine St. & Wildcat Way,
- Int. #4: S. Pine St. & US-6&50

## 1.2 Project Development Plan

Figure 3 shows the Project site plan concept. It would include 50 multi-family residential units (apartment and ADU), 25 single-family attached residential units (townhome). The Project would have two site access points, a North Access to Legacy Way and a South Access to Wildcat Way. This Study assumed completion of the entire Project (buildout) by year 2025. 2045 was evaluated for the 20-yr condition.

The Project is part of the Legacy PUD Subdivision that started development in 2006. This included a Transportation Overview report by Vortex Engineering dated 2/25/06. That report was based on a much more intensive set of land use assumptions than is currently envisioned with the Project. That report is 17 years old and other traffic information is dated. It was not used in this Study.

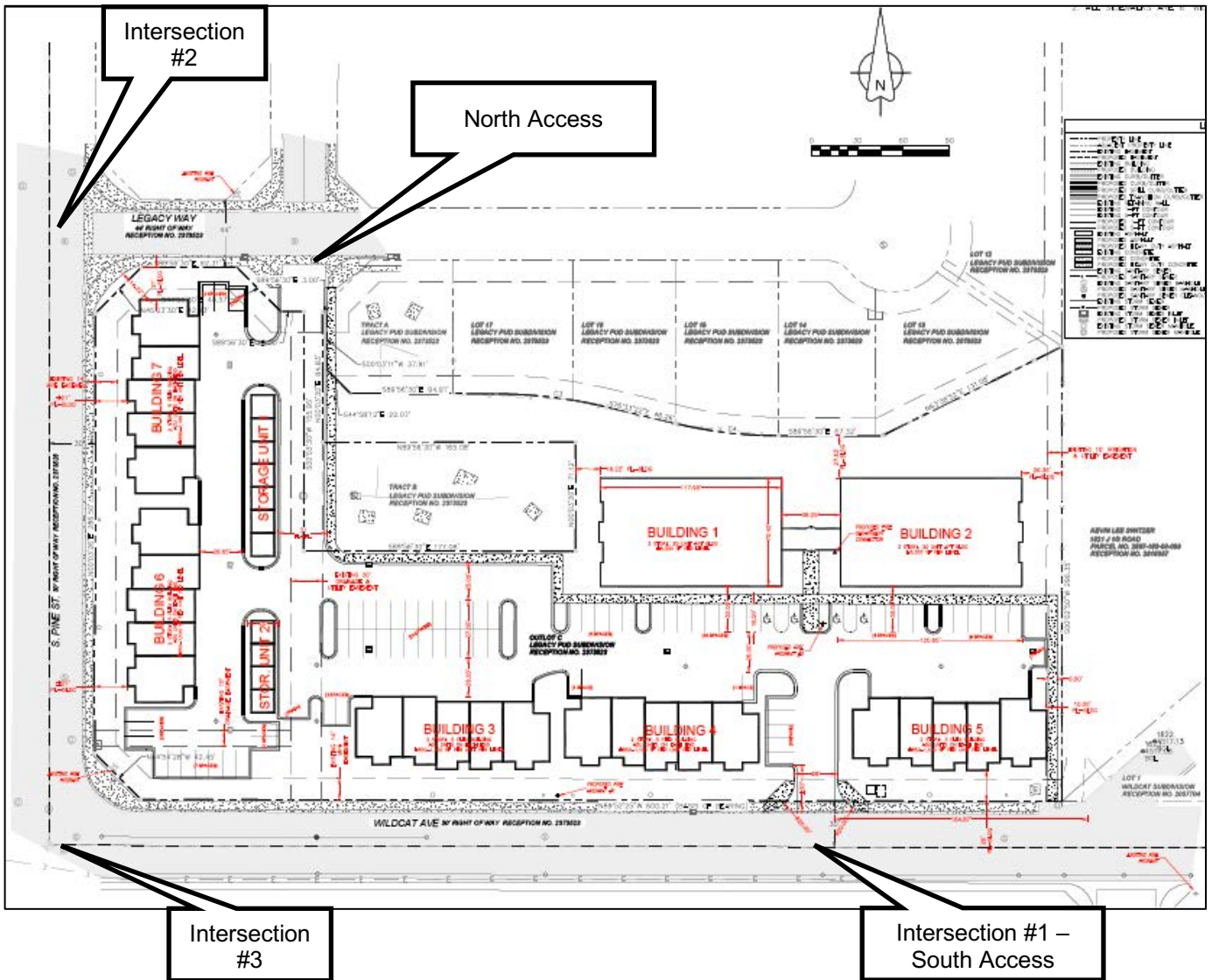
**Figure 1 – Project Vicinity Map in Fruita**



**Figure 2 – Study Area Map**



**Figure 3 - Project Site Plan Concept**



**1.3 Conclusions & Considerations**

The three existing intersections in the Study Area could accommodate the total future traffic in their current configuration without any changes or improvements. The North Access and South Access should have one inbound lane and one outbound lane. Auxiliary turn lanes would not be warranted on Wildcat Way at the South Access. A CDOT access permit on US-6&50 at Pine St. would not be required in 2025, but it would be required sometime before 2045 as background traffic grows.



## 2 Project Trips

This section includes Project trip generation, distribution, and assignment to the roadway network. The number of Project trips at each intersection were identified by calculating the number of trips and then calculating how they would be distributed by direction and assigned to the site access points and the roadway network.

### 2.1 Project Trip Generation

The trip generation was calculated for the proposed land uses. Given the residential nature of the Project, there were not any trip reduction factors for pass-by capture or internal capture. The following tables show the number of trips based on ITE Trip Generation Manual (11<sup>th</sup> Edition). The Appendix includes the detailed calculation worksheets. The Project would include 25 single family attached residential units and 50 multi-family residential units.

**Table 1 – Single Family Attached Residential Trips (ITE LUC 215)**

Period	Project Trip Ends (25 units)		
	In	Out	Total
Weekday	90	90	180
AM Peak Hour	3	9	12
PM Peak Hour	8	6	14

**Table 2 – Multi-Family Residential Trips (ITE LUC 220)**

Period	Project Trip Ends (50 Units)		
	In	Out	Total
Weekday	198	198	396
AM Peak Hour	9	29	38
PM Peak Hour	26	26	42

**Table 3 – Total Project Trips**

Period	Project Trip Ends		
	In	Out	Total
Weekday	288	288	576
AM Peak Hour	12	38	50
PM Peak Hour	34	32	56

## 2.2 Project Trip Distribution

The following steps were necessary to identify the trip distribution assumptions. The amount of traffic on Pine St. and on Wildcat Way are about the same so that was not a factor in these calculations. The Appendix includes the detailed calculations.

1. *Determine the general split of Project trips to each of the two site access points.* This initial calculation does not consider the effects of the southbound left turn restriction at the intersection of Pine St. & Wildcat Way, which will be done in the next steps. It was assumed that 14 units (19%) would use the North Access and 61 units (81%) would use the South Access.
2. *For the North Access, determine Project trip distribution to each of the intersections in the Study Area.* Due to restrictions on inbound traffic at Pine St. & Wildcat Way, the distribution calculations were based on outbound traffic. Inbound traffic was adjusted to account for southbound left turn restriction at the intersection of Pine St. & Wildcat Way.
  - a. *Distribution at the intersection of Pine St. & Legacy Way.* This calculation was based on the existing traffic patterns shown in the traffic counts, as follows:
    - To the north on Pine St. = 11% (AM) & 16%(PM)
    - To the south on Pine St. = 89% (AM) & 84% (PM)
  - b. *Distribution at the intersection of Pine St. & Wildcat Way* Only southbound through movements are allowed.
    - To the south on Pine St. = 100% (AM & PM)
  - c. *Distribution at the intersection of Pine St. & US-6&50.* This calculation was based on the existing traffic patterns shown in the traffic counts, as follows:
    - To the west on US-6&50 = 53% (AM) & 47%(PM)
    - To the east on US-6&50 = 47% (AM) & 53% (PM)

3. *For the South Access, determine Project trip distribution to each of the intersections in the Study Area.* Due to restrictions on inbound traffic at Pine St. & Wildcat Way, the distribution calculations were based on outbound traffic. Inbound traffic was adjusted to account for southbound left turn restriction at the intersection of Pine St. & Wildcat Way.
  - a. *Distribution at the intersection of Wildcat Way & South Access.* This calculation was not based on the existing two-way traffic patterns on Wildcat Way shown in the traffic counts. CDOT thought the existing patterns were overly influenced by High School traffic and shouldn't be used. CDOT provided the following assumption.
    - To the west on Wildcat Way = 80% (AM & PM)
    - To the east on Wildcat Way = 20% (AM & PM)
  - b. *Distribution at the intersection of Pine St. & Wildcat Way.* This calculation was based on the existing traffic patterns shown in the traffic counts, as follows:
    - To the north on Pine St. = 8% (AM) & 31%(PM)
    - To the south on Pine St = 92% (AM) & 69% (PM)
  - c. *Distribution at the intersection of Pine St. & SH-6.* This calculation was based on the existing traffic patterns shown in the traffic counts, as follows:
    - To the west on US-6&50 = 53% (AM) & 47%(PM)
    - To the east on US-6&50 = 47% (AM) & 53% (PM)
  - d. *Distribution at the intersection of Pine St. & Legacy Way.* Only northbound (outbound) through movements would occur at this location.
    - To the north on Pine St. = 100% (AM & PM)

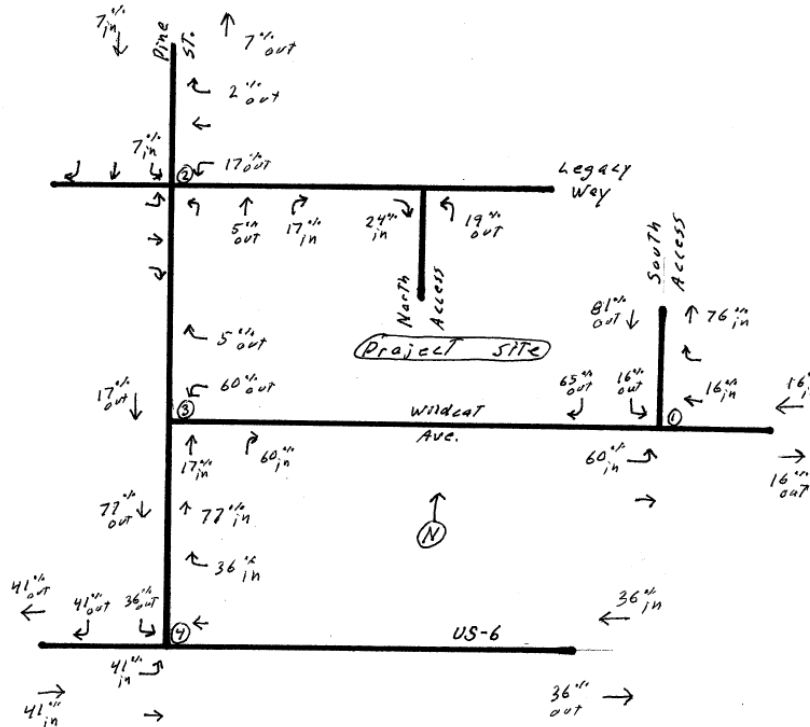
The following table summarizes the general trip distribution patterns in and out of the Study Area for both analysis periods.

**Table 4 – General Trip Distribution Summary**

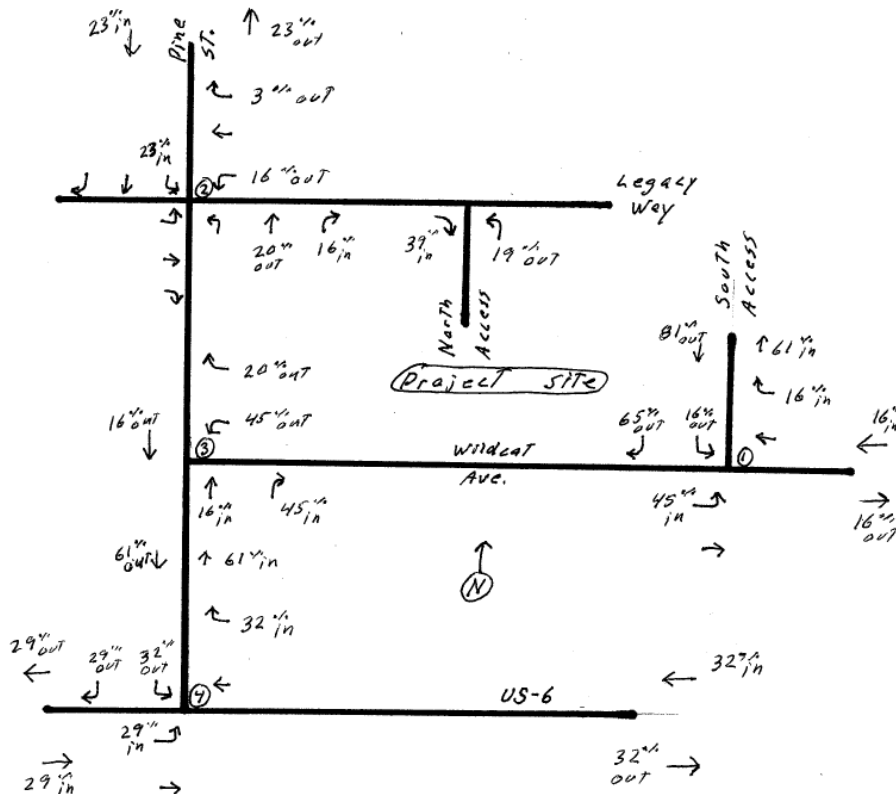
Road Segment	To/From Reference	AM Peak	PM Peak
Pine St.	To/from north of Legacy Way	7%	23%
Wildcat Way	To/from east of South Access	16%	16%
US-6&50	To/from east of Pine St.	36%	32%
US-6&50	To/from west of Pine St..	41%	29%

The following figures show the detailed results of these calculations.

**Figure 4 - Project Trip Distribution Assumptions – AM Peak**



**Figure 5 - Project Trip Distribution Assumptions – PM Peak**



### 2.3 Project Trip Assignment by Intersection and Movement

The following set of tables show the inbound and outbound project trip distribution percentages and project trip assignment for each intersection & movement.

**Table 5 – Project Trip Distributions & Assignments to Movements**

**INT 1 Wildcat Way & South Access**

Description	Weekday AM Condition											
	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Trip Distribution % Inbound Period 1 & 2	60%	0%	0%	0%	0%	16%	0%	0%	0%	0%	0%	0%
Trip Distribution % Outbound Period 1 & 2	0%	0%	0%	0%	0%	0%	0%	0%	0%	16%	0%	65%
Driveway Enter *1* Yes, or *0* No Period 1 & 2	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Inbound - Period 1	7	0	0	0	0	2	0	0	0	0	0	0
Project Trip Volume Outbound - Period 1	0	0	0	0	0	0	0	0	0	6	0	25
Project Trip Volume Total - Period 1	7	0	0	0	0	2	0	0	0	6	0	25
Project Trip Volume Inbound - Period 2	7	0	0	0	0	2	0	0	0	0	0	0
Project Trip Volume Outbound - Period 2	0	0	0	0	0	0	0	0	0	6	0	25
Project Trip Volume Total - Period 2	7	0	0	0	0	2	0	0	0	6	0	25

Description	Weekday PM Condition											
	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Trip Distribution % Inbound Period 1 & 2	45%	0%	0%	0%	0%	16%	0%	0%	0%	0%	0%	0%
Trip Distribution % Outbound Period 1 & 2	0%	0%	0%	0%	0%	0%	0%	0%	0%	16%	0%	65%
Project Trip Volume Inbound - Period 1	15	0	0	0	0	5	0	0	0	0	0	0
Project Trip Volume Outbound - Period 1	0	0	0	0	0	0	0	0	0	5	0	21
Project Trip Volume Total - Period 1	15	0	0	0	0	5	0	0	0	5	0	21
Project Trip Volume Inbound - Period 2	15	0	0	0	0	5	0	0	0	0	0	0
Project Trip Volume Outbound - Period 2	0	0	0	0	0	0	0	0	0	5	0	21
Project Trip Volume Total - Period 2	15	0	0	0	0	5	0	0	0	5	0	21

**INT 2 Pine St. & Legacy Way**

Description	Weekday AM Condition											
	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Trip Distribution % Inbound Period 1 & 2	0%	0%	0%	0%	0%	0%	0%	0%	17%	7%	0%	0%
Trip Distribution % Outbound Period 1 & 2	0%	0%	0%	17%	0%	2%	0%	5%	0%	0%	0%	0%
Driveway Enter *1* Yes, or *0* No Period 1 & 2	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Inbound - Period 1	0	0	0	0	0	0	0	0	2	1	0	0
Project Trip Volume Outbound - Period 1	0	0	0	6	0	1	0	2	0	0	0	0
Project Trip Volume Total - Period 1	0	0	0	6	0	1	0	2	2	1	0	0
Project Trip Volume Inbound - Period 2	0	0	0	0	0	0	0	0	2	1	0	0
Project Trip Volume Outbound - Period 2	0	0	0	6	0	1	0	2	0	0	0	0
Project Trip Volume Total - Period 2	0	0	0	6	0	1	0	2	2	1	0	0

Description	Weekday PM Condition											
	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Trip Distribution % Inbound Period 1 & 2	0%	0%	0%	0%	0%	0%	0%	0%	16%	23%	0%	0%
Trip Distribution % Outbound Period 1 & 2	0%	0%	0%	16%	0%	3%	0%	20%	0%	0%	0%	0%
Project Trip Volume Inbound - Period 1	0	0	0	0	0	0	0	0	5	8	0	0
Project Trip Volume Outbound - Period 1	0	0	0	5	0	1	0	6	0	0	0	0
Project Trip Volume Total - Period 1	0	0	0	5	0	1	0	6	5	8	0	0
Project Trip Volume Inbound - Period 2	0	0	0	0	0	0	0	0	5	8	0	0
Project Trip Volume Outbound - Period 2	0	0	0	5	0	1	0	6	0	0	0	0
Project Trip Volume Total - Period 2	0	0	0	5	0	1	0	6	5	8	0	0

**INT 3 Pine St & Wildcat Way**

Description	Weekday AM Condition											
	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Trip Distribution % Inbound Period 1 & 2	0%	0%	0%	0%	0%	0%	0%	17%	60%	0%	0%	0%
Trip Distribution % Outbound Period 1 & 2	0%	0%	0%	60%	0%	5%	0%	0%	0%	0%	17%	0%
Driveway Enter "1" Yes, or "0" No Period 1 & 2	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Inbound - Period 1	0	0	0	0	0	0	0	2	7	0	0	0
Project Trip Volume Outbound - Period 1	0	0	0	23	0	2	0	0	0	0	6	0
Project Trip Volume Total - Period 1	0	0	0	23	0	2	0	2	7	0	6	0
Project Trip Volume Inbound - Period 2	0	0	0	0	0	0	0	2	7	0	0	0
Project Trip Volume Outbound - Period 2	0	0	0	23	0	2	0	0	0	0	6	0
Project Trip Volume Total - Period 2	0	0	0	23	0	2	0	2	7	0	6	0

Description	Weekday PM Condition											
	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Trip Distribution % Inbound Period 1 & 2	0%	0%	0%	0%	0%	0%	0%	16%	45%	0%	0%	0%
Trip Distribution % Outbound Period 1 & 2	0%	0%	0%	45%	0%	20%	0%	0%	0%	0%	16%	0%
Project Trip Volume Inbound - Period 1	0	0	0	0	0	0	0	5	15	0	0	0
Project Trip Volume Outbound - Period 1	0	0	0	14	0	6	0	0	0	0	5	0
Project Trip Volume Total - Period 1	0	0	0	14	0	6	0	5	15	0	5	0
Project Trip Volume Inbound - Period 2	0	0	0	0	0	0	0	5	15	0	0	0
Project Trip Volume Outbound - Period 2	0	0	0	14	0	6	0	0	0	0	5	0
Project Trip Volume Total - Period 2	0	0	0	14	0	6	0	5	15	0	5	0

**INT 4 Pine St. & US-6&50**

Description	Weekday AM Condition											
	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Trip Distribution % Inbound Period 1 & 2	41%	0%	0%	0%	0%	36%	0%	0%	0%	0%	0%	0%
Trip Distribution % Outbound Period 1 & 2	0%	0%	0%	0%	0%	0%	0%	0%	0%	36%	0%	41%
Driveway Enter "1" Yes, or "0" No Period 1 & 2	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Inbound - Period 1	5	0	0	0	0	4	0	0	0	0	0	0
Project Trip Volume Outbound - Period 1	0	0	0	0	0	0	0	0	0	14	0	16
Project Trip Volume Total - Period 1	5	0	0	0	0	4	0	0	0	14	0	16
Project Trip Volume Inbound - Period 2	5	0	0	0	0	4	0	0	0	0	0	0
Project Trip Volume Outbound - Period 2	0	0	0	0	0	0	0	0	0	14	0	16
Project Trip Volume Total - Period 2	5	0	0	0	0	4	0	0	0	14	0	16

Description	Weekday PM Condition											
	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Trip Distribution % Inbound Period 1 & 2	29%	0%	0%	0%	0%	32%	0%	0%	0%	0%	0%	0%
Trip Distribution % Outbound Period 1 & 2	0%	0%	0%	0%	0%	0%	0%	0%	0%	32%	0%	29%
Project Trip Volume Inbound - Period 1	10	0	0	0	0	11	0	0	0	0	0	0
Project Trip Volume Outbound - Period 1	0	0	0	0	0	0	0	0	0	10	0	9
Project Trip Volume Total - Period 1	10	0	0	0	0	11	0	0	0	10	0	9
Project Trip Volume Inbound - Period 2	10	0	0	0	0	11	0	0	0	0	0	0
Project Trip Volume Outbound - Period 2	0	0	0	0	0	0	0	0	0	10	0	9
Project Trip Volume Total - Period 2	10	0	0	0	0	11	0	0	0	10	0	9

### 3 Existing Roadway Conditions

This section describes the existing roadways and intersections.

#### 3.1 Existing Road & Intersection Information

The functional classification of the roads in the Study Area are shown in the following Figure.

**Figure 6 – Roadway Functional Classification**

Red – Arterial  
Gold – Major Collector  
Blue – Minor Collector



#### Pine St.

This is a 3-lane, urban, major collector road that has a speed limit of 35 mph.

#### Wildcat Way

This is a 3-lane, urban, major collector road. There isn't a posted speed limit within the Study Area but there are school zone speeds of 20 mph.

#### US-6&50 Information

CDOT's OTIS system provided the following information about US-6&50 in the Study Area.

**Table 6 – US-6&50 Information Summary**

Characteristic	US-6&50 West of Pine St.	US-6&50 East of Pine St.
Access Category	NR-B	R-A
Functional Class	Principal Arterial	Principal Arterial
NHS	Yes	Yes
Speed Limit	45 Mph	45 Mph
AADT (2022)	7,900 vpd	8,700 vpd
Peak-to-daily Factor (DHV)	10.5	11
Peak Truck Percentage	5%	5%
20-year growth factor:	1.28	1.25

The Study Area included the following existing intersections, as shown on the following figures.

- Int. #2: S. Pine St. & Legacy Way,
- Int. #3: S. Pine St. & Wildcat Way,
- Int. #4: S. Pine St. & US-6&50

**Figure 7 - Existing Intersection Geometry Images**



**Int. #3 – Pine St. & Legacy Way**





***Int. #3 – Pine St. & Wildcat Way***  
***Int #4 – Pine St & US-6&50***

### **3.2 Peak Hour Intersection Traffic Counts & Adjustment Factors**

TurnKey Consulting obtained traffic counts on 8/16/23 and 8/23/23 when the adjacent schools were in session (see Appendix). CDOT data for US-6&50 is also provided in the Appendix. Late August is peak travel season, so it was not necessary to apply a peak season adjustment factor to the counts.

## **4 Future Roadway & Traffic Conditions**

This section addresses the planned roadway system changes, growth of background traffic, and the total future traffic volumes. There are not any publicly funded roadway projects in the Study Area.

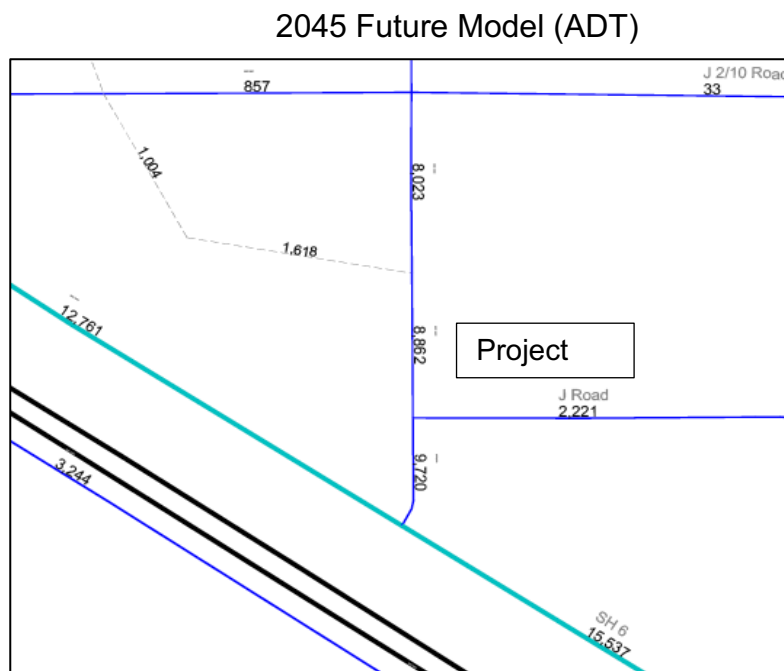
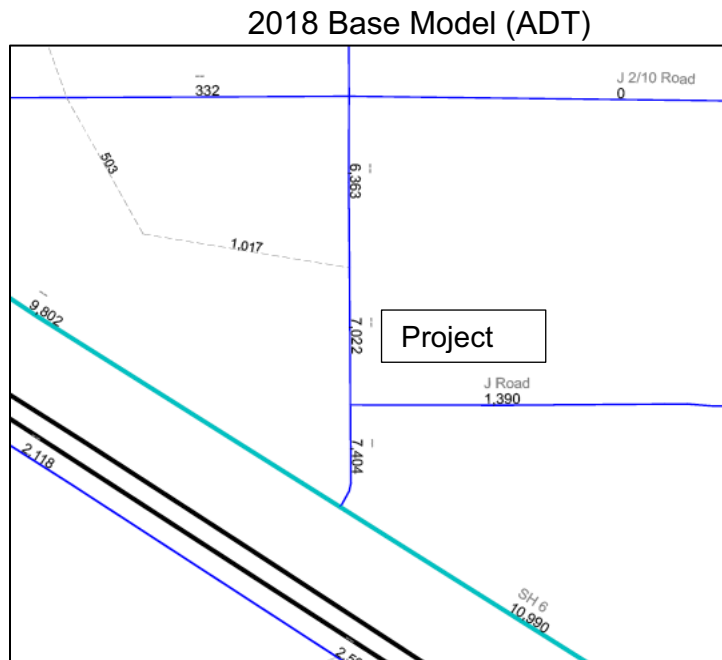
### **4.1 Future Background Traffic Volumes**

The future background traffic volumes would be a function of existing traffic and traffic growth rates.

Traffic Growth Rates

The study years will be 2025 for project build out and 2045 for the 20-yr condition. The traffic counts were taken in 2023. The Regional Travel Model is used by planners to identify future traffic volumes on road segments. The following figure shows the regional model exhibits of daily traffic volumes for years 2018 and 2045. .

**Figure 8 – Regional Travel Model – Daily Traffic Volumes**



There were five road segments that had data for both model years, and the following table shows the calculation of segment traffic growth factors. These growth factors will be applied to the existing traffic counts to obtain future background traffic volumes.

**Table 7 – Traffic Growth Factor Calculation Summary**

Road	Segment	RTM Daily Volumes (vpd)		Model Period Growth Factor	Ave Annual Growth Rate (%)	2 year growth factor (2023-2025)	22 year Growth factor (2023-2045)
		2018	2045				
SH-6	West of Pine St.	9,802	12,761	1.30	0.98	1.020	1.239
SH-6	East of Pine St.	10,990	15,537	1.41	1.29	1.026	1.326
Pine St.	Between SH-6 & J Rd.	7,404	9,720	1.31	1.01	1.020	1.247
Pine St.	North of J Rd.	7,022	8,862	1.26	0.87	1.017	1.210
J Rd. Wildcat Way	East of Pine St.	1,390	2,221	1.60	1.75	1.035	1.465
Model Period (years) = 27		Ave of 5 =		1.38	1.18	1.024	1.297
Inverse period = 0.037037037							

The growth factor will be 1.0 for all movements associated with travel to/from Legacy Way, which is built out.

Consideration of Other Future Adjacent Land Development Projects

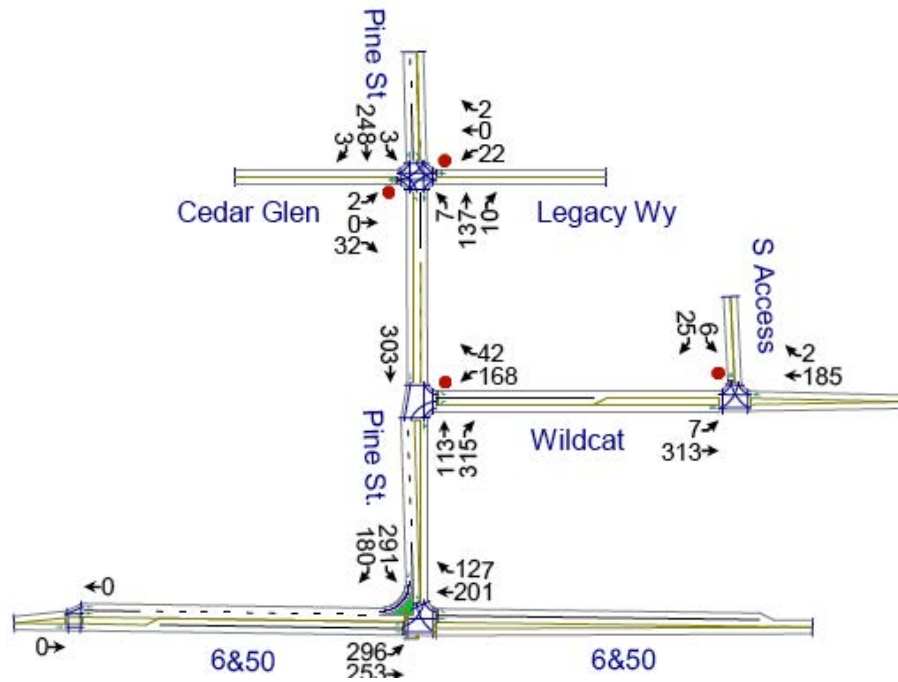
There were not any future land development projects in the Study Area to consider.

**4.2 Total Future Traffic Volumes (Background + Project)**

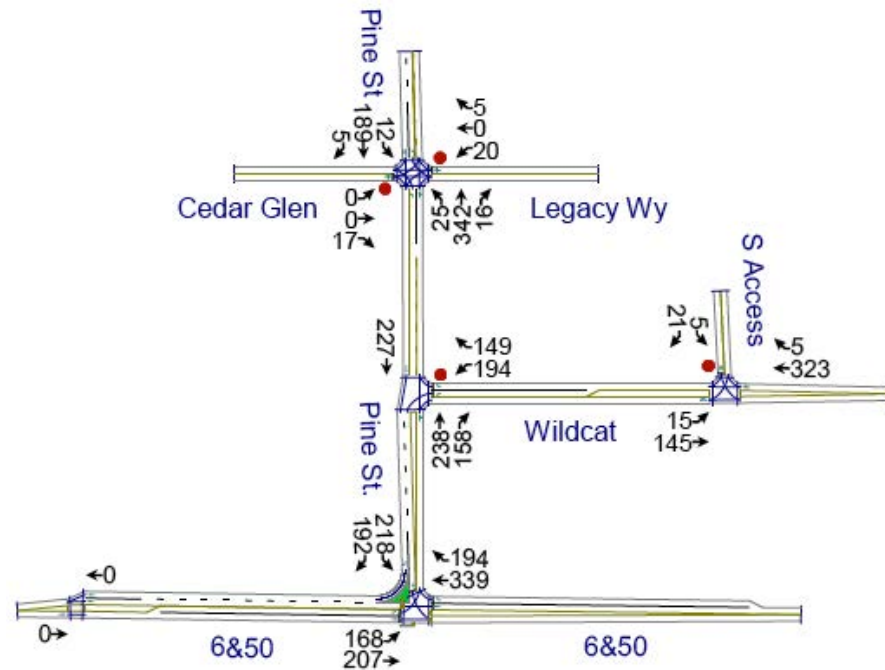
Future total traffic is the sum of Project trips and background traffic. The following Figures show the future total future traffic volumes at each intersection for years 2025 and 2045.

The Total Future Background Traffic volumes are shown in the appendices for Traffic Volume Calculations.

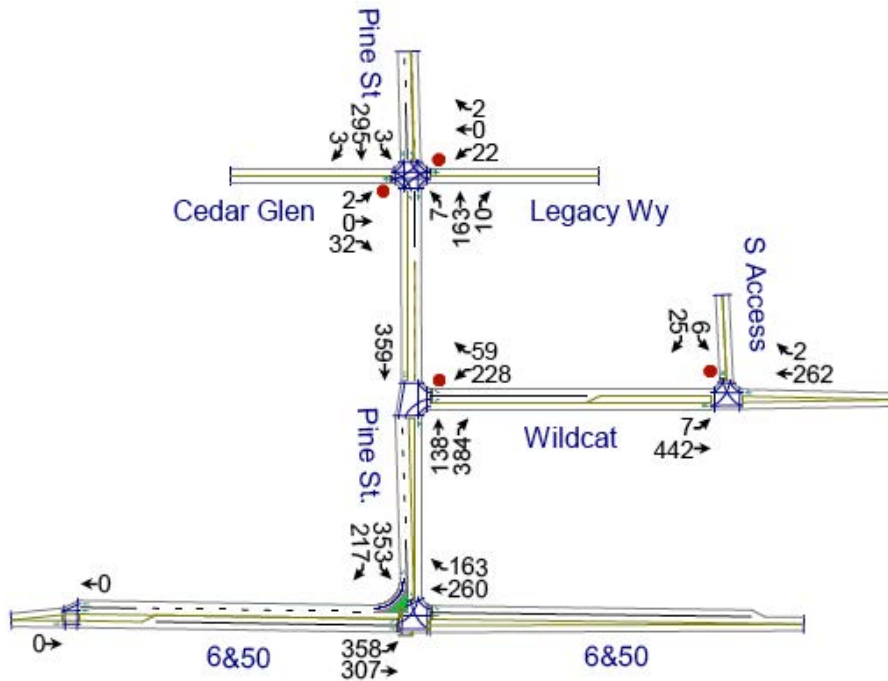
**Figure 9 - Total Future Traffic Volumes – 2025 AM**



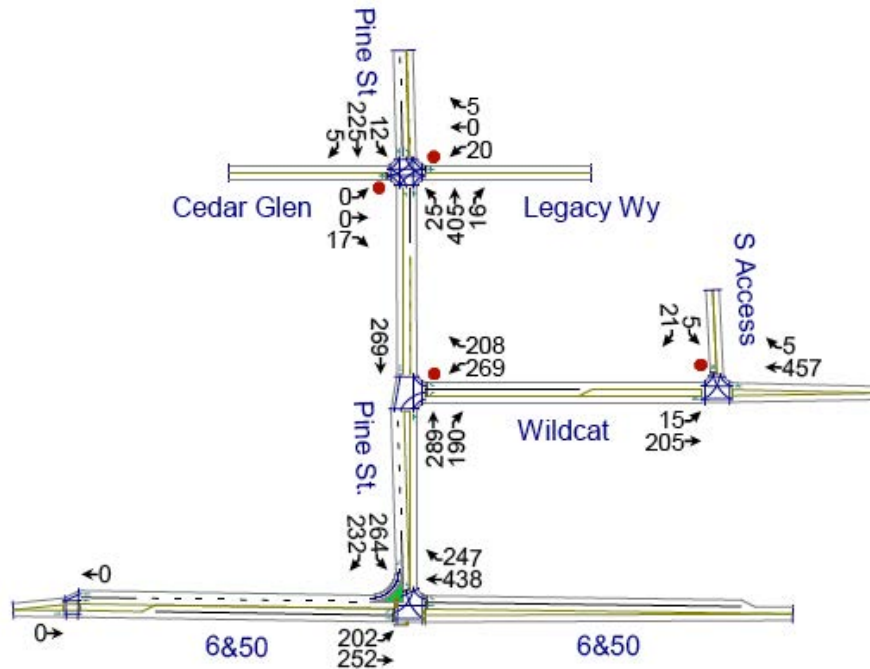
**Figure 10 - Total Future Traffic Volumes – 2025 PM**



**Figure 11 - Total Future Traffic Volumes – 2045 AM**



**Figure 12 - Total Future Traffic Volumes – 2045 PM**



## 5 Peak Hour Safety & Traffic Operations Analysis

This analysis included turn lane warrant evaluations and traffic operations calculations.

### 5.1 Turn Lane Warrant Evaluation

The intersections were evaluated to determine if turn lanes would be warranted to reduce vehicle conflicts points and crash potential. This included evaluation of turn lane lengths. The City of Fruita does not have specific requirements for exclusive turn lanes, but they refer to Mesa County Standards.

#### **CDOT Turn Lane Warrants and Requirements**

This criterion includes turn lane warrants, turn lane waiver volumes, and lengths for acceleration and deceleration lanes. The criteria are different for various roadway access classifications and various speed limits. The roads in the Study area would have the access classification of R-A (rural level A) or NR-B (non-rural level B). The following table shows the CDOT turn lane warrant criteria, per State Highway Access Code

**Table 8 – CDOT Turn Lane Warrant Criteria – RA Highways**  
On SH-6&50, east of Pine St.

Auxiliary Lane	CDOT Warrant Requirements (RA)
Left Turn Deceleration Lane	More than 10 vph
Right Turn Deceleration Lane	More than 25 vph
Left Turn Acceleration Lane	May be req'd if benefit to safety and operations. Generally, not required if speed less than 45 mph
Right Turn Acceleration Lane	More than 50 vph

Turn lane length for R-A Roads should be:

- Left turn deceleration = Decel length + storage
- Right turn deceleration = Decel length
- Acceleration = acceleration distance

**Table 9 – CDOT Turn Lane Warrant Criteria – NR-B Highways**  
On SH-6&50, west of Pine St.

Auxiliary Lane	CDOT Warrant Requirements (NR-B)
Left Turn Deceleration Lane	More than 25 vph (speed <40 mph) or more than 10 vph (speed >40 mph)
Right Turn Deceleration Lane	More than 50 vph (speed <40 mph) or more than 25 vph (speed >40 mph)
Left Turn Acceleration Lane	May be req'd if benefit to safety and operations. Generally, not required if speed less than 40 mph
Right Turn Acceleration Lane	May be req'd if benefit to safety and operations. Generally, not required if speed less than 40 mph

Turn lane length for NR-B Roads should be:

- Left turn deceleration = taper + storage
- Right turn deceleration = taper + storage
- Acceleration = acceleration distance

**Fruita Turn Lane Warrants and Requirements**

The City of Fruita uses turn lane evaluation criteria identified in the Mesa County Design Standards document, as follows. These warrants would apply to intersections on Pine St. and Wildcat Way

**C. Left Turn Lane Warrants**

Exhibit 6.15 Left Turn Lane Warrants					
Posted speed of road in MPH					
	25	30 to 40	45 to 50	55	For a
Where DHV of road exceeds	500	400	200	150	2 lane road
	1000	900	500	400	4 or more lanes
DHV/ADT DHV/ADT DHV/ADT DHV/ADT					
and the left turning DHV or ADT into the access approach will exceed	30/250	20/175	15/125	12/100	2 lane road
	45/375	30/250	20/175	12/100	4 or more lanes

**D. Left Turn Acceleration Lanes**

Acceleration lanes for left turns are not required:

- When the posted speed is below 40 MPH
- When the intersection is signalized
- Where the acceleration lane would interfere with turn ingress movements to other driveways

**E. Right Turn Lane Warrants**

Exhibit 6.16 Right Turn Lane Warrants					
Posted speed of road in MPH					
	25	30 to 40	45 to 50	55	For a
Where DHV of road exceeds	500	400	200	150	2 lane road
	1400	1200	800	600	4 or more lanes
DHV/ADT DHV/ADT DHV/ADT DHV/ADT					
and the DHV or ADT of the access approach will exceed	50/450	40/350	20/175	15/150	2 lane road
	70/625	60/550	40/350	25/225	4 or more lanes

**F. Right Turn Acceleration Lanes**

A right turn acceleration lane is typically not required when:

- The posted speed is 40 mph or less
- There is a signalized intersection

## **Turn Lane Evaluation Results**

The following information summarizes the results of the turn lane evaluation.

### **1. Int. #1: South Access & Wildcat Way**

The assumed speed limit on Wildcat Way was 35 mph (not posted). The two-way DHV on Wildcat Way would be at least 468 vph for all analysis conditions, which would be above the mainline warrant volume of 400 vph.

- The maximum westbound right turn volume would be 5 vph, which would be below the warrant volume of 40 vph. Therefore, *a westbound right turn deceleration lane would not be warranted.*
- The maximum eastbound left turn volume would be 15 vph, which would be below the warrant volume of 20 vph. Therefore, *an eastbound left turn deceleration lane would not be warranted.*
- *Acceleration lanes are generally not warranted with a 35 mph speed limit.*

### **2. Int. #2: Pine St. & Legacy Way**

This intersection connects two local roads. The speed limit was 35 mph (posted) on Pine St. The two-way DHV on Pine St. would be at least 531 vph in the 2025 condition, which would be above the mainline warrant volume of 400 vph.

- With Project traffic included, the maximum northbound right turn volume would be 16 vph, which would be below the warrant volume of 40 vph. Therefore, *a westbound right turn deceleration lane would not be warranted.*
- With Project traffic included, the maximum southbound left turn volume would be 12 vph, which would be below the warrant volume of 20 vph. Therefore, *an eastbound left turn deceleration lane would not be warranted. However, there is an existing two-way-left turn lane on Pine St. that would accommodate this movement.*
- *Acceleration lanes are generally not warranted with a 35 mph speed limit.*

### **3. Int. #3: Pine St. & Wildcat Way**

This intersection connects two local roads. The speed limit was 35 mph (posted) on Pine St. The two-way DHV on Pine St. would be at least 416 vph in all conditions, which would be above the mainline warrant volume of 400 vph.

- With Project traffic included, the maximum northbound right turn volume would be a minimum of 158 vph (2025, PM condition) which would be above the warrant volume of 40 vph. Therefore, *a northbound right turn deceleration lane would be warranted.* The maximum amount of Project traffic would be 15 vph, which would be less than 10% of total traffic volumes in the 2025 PM condition. In the 2025 AM condition, Project traffic would be 7 vph, which would be less than just over 2% of total traffic volumes. In summary, this lane is warranted now without any Project traffic, but right of way acquisition would be necessary to construct the lane.
- Southbound left turns are not allowed at this intersection. Therefore, *a southbound left turn deceleration lane would not be required.*
- *Acceleration lanes are generally not warranted with a 35 mph speed limit. . However, there is a short existing westbound to southbound left turn*



acceleration lane on Pine St. that would accommodate this movement. This lane turns into the southbound left turn lane at Intersection #4.

#### **4. Int. #4: Pine St. & US-6&50**

The posted speed limit on US-6&50 was 45 mph. The eastbound and westbound through movements are currently above 150 vph at this signalized intersection, which is the CDOT turn lane waiver volume. Project traffic would have minor impacts on four movements at this intersection, which are evaluated as follows.

- Eastbound Left Turn Deceleration Lane (NR-B access category). This lane is warranted now with 155 vph turning in the PM Peak, and a 530-ft long lane is currently in place. The required lane length is 237-ft long (162-ft taper + 75-ft storage). *The existing lane is adequate.*
- Westbound Right Turn Deceleration Lane (R-A access category). This lane is warranted now with 120 vph turning. The required lane length is 435-ft long. A 570-ft long lane is currently in place as a combined accel/decel lane between Pine St. and the high school access. *The existing lane is adequate.*
- Southbound to Westbound Right Turn Acceleration Lane (NR-B access category). This movement has 161 vph now and the acceleration lane is warranted. The required lane length is 550-ft, and a 570-ft long lane is currently in place. *The existing lane is adequate.*
- Southbound to Eastbound Left Turn Acceleration Lane (R-A access category). This type of acceleration lane is generally not required with traditional traffic signal operations because all conflicting traffic would be stopped at the signal.

## **5.2 Unsignalized Intersection Sight Distance**

Another important element of unsignalized intersection safety is sight distance for mainline traffic and turning traffic. Both Pine Street (Intersections #2 and #3) are flat and straight so sight distance is unlimited by physical features. The same is true for Wildcat Way at Intersection #1 (South Access).

## **5.3 Traffic Operations Analysis**

The analysis used the latest version of Synchro Software to evaluate the existing and future traffic operations at the intersections and driveways within the study area. The concept of Level of Service (LOS) is used as a basis for computing combinations of roadway operating conditions and delay, which accommodate various level of traffic activity. By definition, six different LOS are used - A, B, C, D, E, and F. LOS "A" represents free-flow conditions with little to no delay. LOS "E" represents the maximum capacity of an intersection or roadway, where delay and/or congestion are severe.

**Table 10 – Intersection Delay & LOS Thresholds**

<b>Level of Service (LOS)</b>	<b>Signalized Intersections (seconds/vehicle)</b>	<b>Unsignalized Intersection (seconds/vehicle)</b>
A	0.0 – 10.0	0.0 – 10.0
B	10.1 – 20.0	10.1 – 15.0
C	20.1 – 35.0	15.1 – 25.0
D	35.1 – 55.0	25.1 – 35.0
E	55.1 – 80.0	35.1 – 50.0
F	Greater than 80.0	Greater than 50.0

Source: Transportation Research Board, *Highway Capacity Manual*, 2010 Edition

CDOT does not have any specific LOS standards, but they generally reference the AASHTO “Green Book” as a guideline when absent CDOT standards. The Green Book indicates that LOS C is desirable in rural conditions and LOS D is desirable in urban conditions. However, CDOT recognizes that funding limitations are a constraint that results in many existing intersections experiencing poor LOS.

The operational analysis included the following assumptions:

- The peak hour factor was 0.92.
- This area is flat, so grade adjustments were not necessary.
- Per CDOT data, truck percentages are 5% on US-6&50. The truck factor for all other local road movements was 2%.
- Each intersection would include 30 pedestrian groups per hour.

The following table shows the operation analysis results for the proposed conditions at each intersection and analysis period. This includes evaluation of alternatives when necessary.

**Table 11 – Intersection LOS Summary for Peak Hour Conditions**

Location - Period - Movement	Traffic Control	New Lane Geometry	Year 2025		Year 2045	
			Background	Total	Background	Total
<b>Int #1 South Access &amp; Wildcat Way - AM</b>	<u>1-way Stop</u>					
Eastbound				A		A
Westbound				A		A
Southbound	Stop	Construct North Leg		B		B
Critical Movement Delay (ave. sec/veh)				SBL (11)		SBL (12)
<b>Int #1 South Access &amp; Wildcat Way - PM</b>	<u>1-way Stop</u>					
Eastbound				A		A
Northbound				A		A
Southbound	Stop	Construct North Leg		B		B
Critical Movement Delay (ave. sec/veh)				SBL (12)		SBL (14)
<b>Int #2 Pine St. &amp; Legacy Way - AM</b>	<u>2-way Stop</u>					
Eastbound	Stop		B	B	B	B
Westbound	Stop		B	B	C	C
Northbound			A	A	A	A
Southbound			A	A	A	A
Critical Movement Delay (ave. sec/veh)			WB (14)	WB (14)	WB (15)	WB (15)
<b>Int #2 Pine St. &amp; Legacy Way - PM</b>	<u>2-way Stop</u>					
Eastbound	Stop		B	B	B	B
Westbound	Stop		C	C	C	C
Northbound			A	A	A	A
Southbound			A	A	A	A
Critical Movement Delay (ave. sec/veh)			WB (16)	WB (17)	WB (18)	WB (19)
<b>Int #3 Pine St. &amp; Wildcat Way - AM</b>	<u>1-way Stop</u>					
Westbound	Stop		B	C	C	C
Northbound			A	A	A	A
Southbound			A	A	A	A
Critical Movement Delay (ave. sec/veh)			WBL (15)	WBL (16)	WBL (20)	WBL (23)
<b>Int #3 S. Coulson St./Greenway Dr. &amp; US-6&amp;50 - PM</b>	<u>1-way Stop</u>					
Westbound	Stop		B	C	C	C
Northbound			A	A	A	A
Southbound			A	A	A	A
Critical Movement Delay (ave. sec/veh)			WBL (16)	WBL (17)	WBL (23)	WBL (25)

Location - Period - Movement	Traffic Control	New Lane Geometry	Year 2025		Year 2045	
			Background	Total	Background	Total
<b>Int #4 US-6&amp;50 &amp; Pine St. - AM</b>						
	<u>Signalized</u>					
Eastbound			A	A	A	A
Westbound			B	B	B	B
Southbound			B	B	C	C
Overall Intersection LOS & Delay (ave sec/veh)			B (11)	B (11)	B (13)	B (14)
Critical Movement Delay (ave. sec/veh)			SBL (17)	SBL (17)	SBL (20)	SBL (21)
<b>Int #4 US-6&amp;50 &amp; Pine St. - PM</b>						
	<u>Signalized</u>					
Eastbound			A	A	A	A
Westbound			B	B	B	B
Southbound			B	B	B	B
Overall Intersection LOS & Delay (ave sec/veh)			A (10)	B (11)	B (11)	B (12)
Critical Movement Delay (ave. sec/veh)			SBL (17)	SBL (17)	SBL (19)	SBL (19)

## 6 CDOT Access Permitting on US-6&50

The State Highway Access Code requires CDOT access permitting for new access connections and when approach traffic volumes increase by more than 20% at existing intersections, or when intersection improvements are to be constructed. In this case, the north leg of Intersection #4 was evaluated. Project traffic would access US-6&50 on the north leg (Pine St.)

- In the year 2025, the change of two-way traffic volume on the north leg would be no more than 8%, and a permit wouldn't be necessary to accommodate Project traffic unless CDOT decides to issue a permit to establish a traffic volume only. The 2025 permit volume would be 894 vph (AM condition).
- In the year 2045, the change of two-way traffic volume on the north leg would be 32%, and a permit would be necessary to accommodate future background and Project traffic. The Permittee would be the City of Fruita unless they delegate this responsibility to a third party. The 2045 permit volume would be 1,091 vph (AM condition).

## 7 Conclusions & Considerations

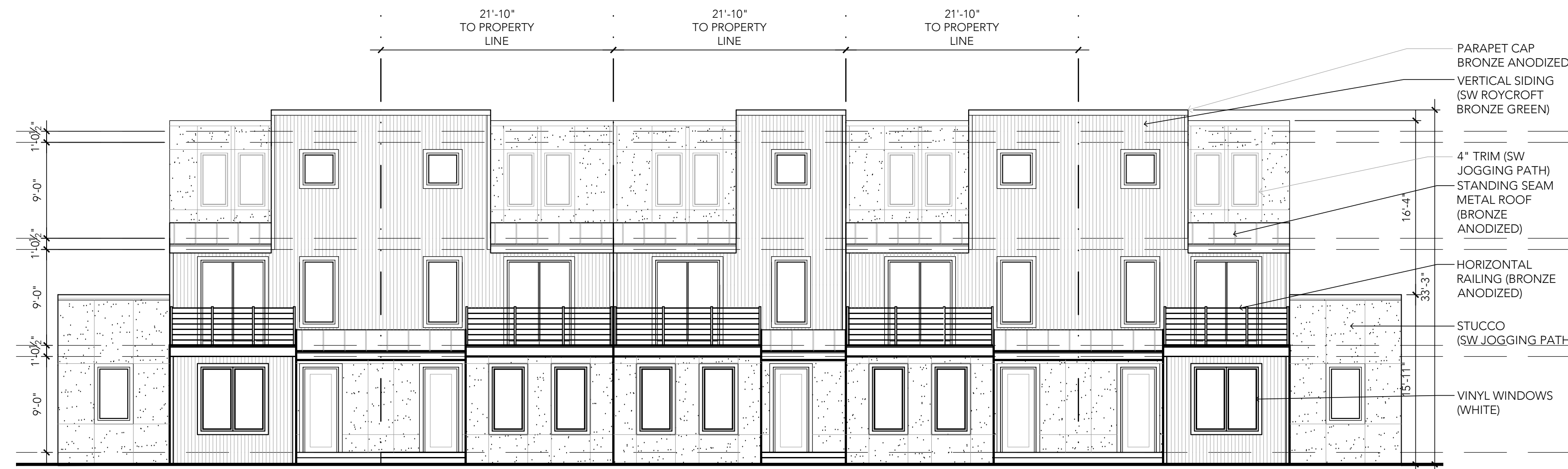
The three existing intersections in the Study Area could accommodate the total future traffic in their current configuration without any changes or improvements. The North Access and South Access should have one inbound lane and one outbound lane. Auxiliary turn lanes would not be warranted on Wildcat Way at the South Access. A CDOT access permit on US-6&50 at Pine St. would not be required in 2025, but it would be required sometime before 2045 as background traffic grows.



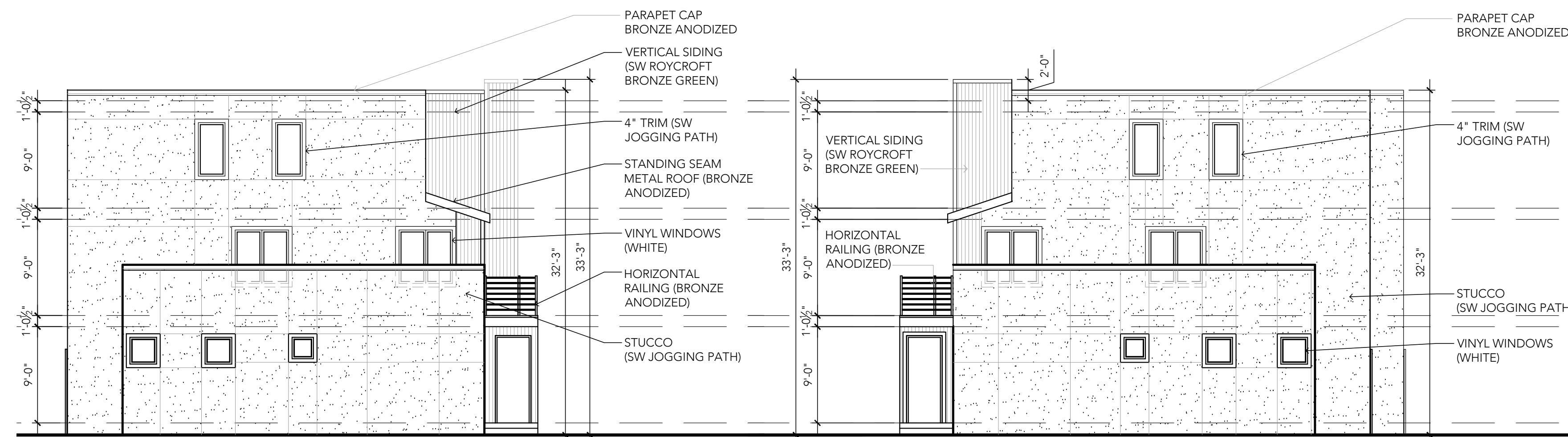




1807 WILDCAT AVE.  
SITE PLAN  
City of Fruita, State of Colorado

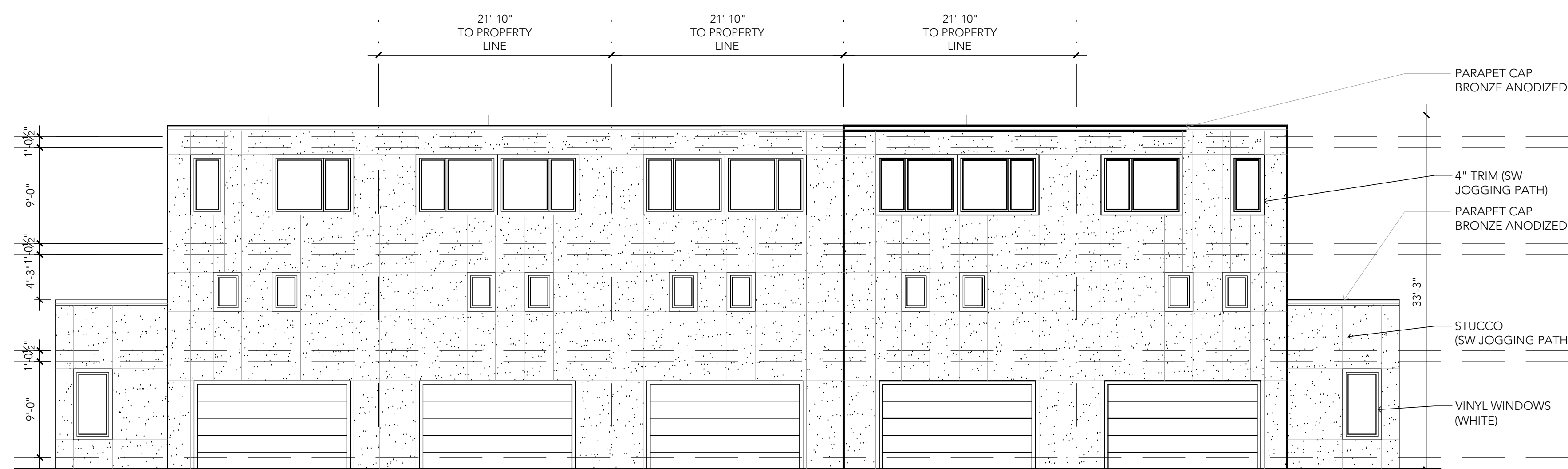


1 BUILDING 4 - SOUTH ELEVATION  
1/8"=1'-0"

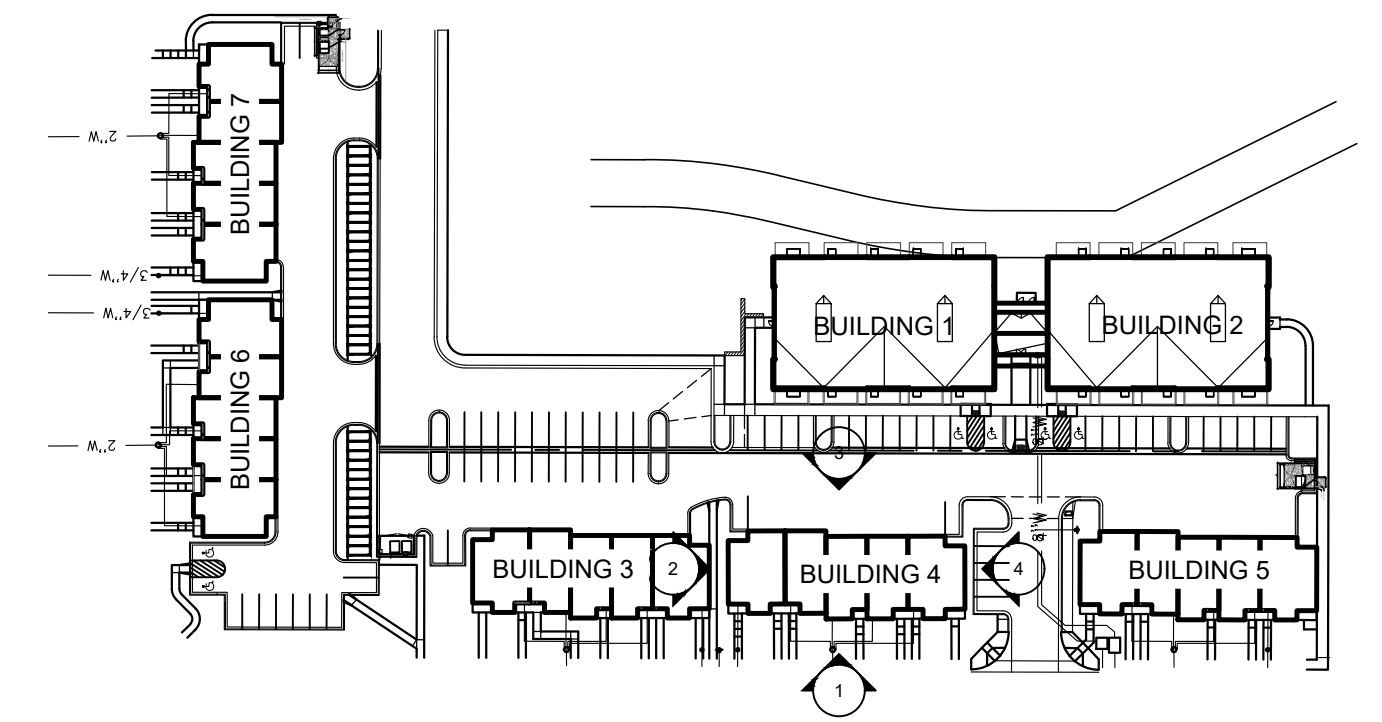


2 BUILDING 4 - WEST ELEVATION  
1/8"=1'-0"

4 BUILDING 4 - EAST ELEVATION  
1/8"=1'-0"



3 BUILDING 4 - NORTH ELEVATION  
1/8"=1'-0"



N  
KEY PLAN  
NOT TO SCALE



**ACCEPTANCE BLOCK**

THE CITY OF FRUITA REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE CITY'S DEVELOPMENT STANDARDS, SUBJECT TO THESE PLANS BEING SEALED, SIGNED, AND DATED BY THE PROFESSIONAL OF RECORD. REVIEW BY THE CITY DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE PROFESSIONAL OF RECORD.

CONSTRUCTION MUST COMMENCE WITHIN ONE YEAR FROM THE DATE OF PLAN SIGNATURE.

CITY DEVELOPMENT ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

CITY PLANNER \_\_\_\_\_ DATE \_\_\_\_\_

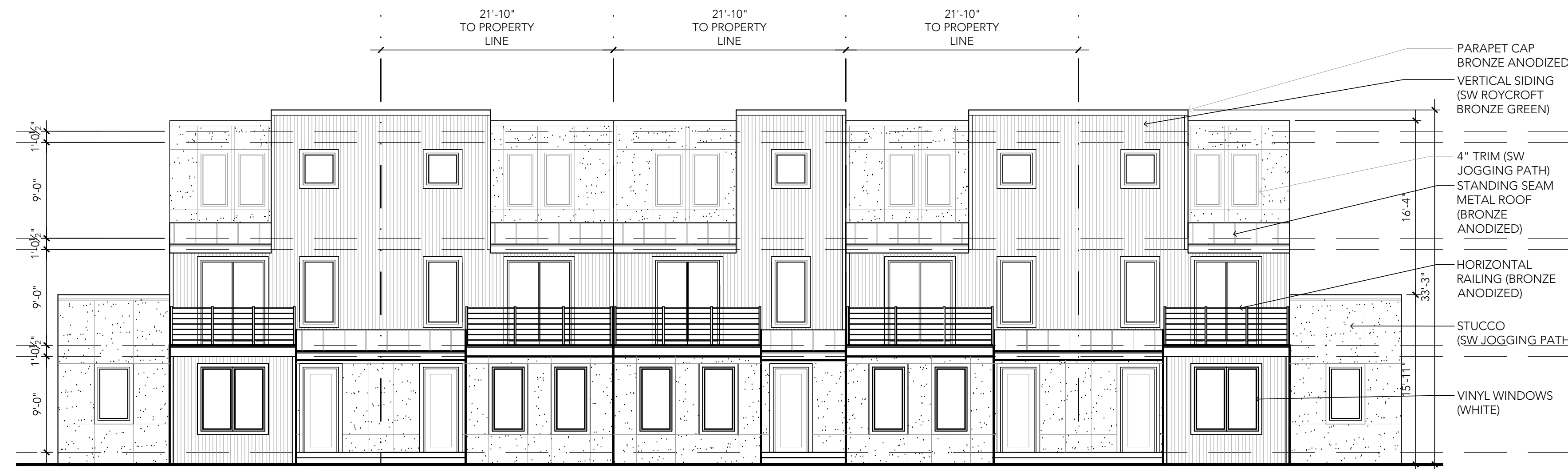


ISSUE-REVISION	DATE
SITE PLAN SUBMITTAL	00/00/0000
SITE PLAN COMMENT SUBMITTAL	00/00/0000

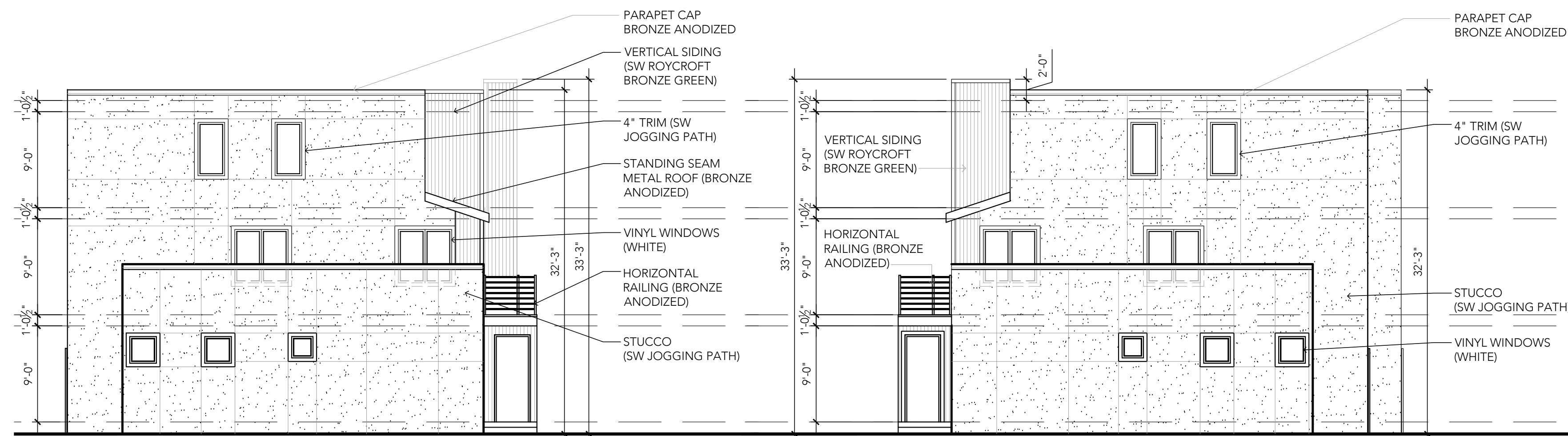
SITE PLAN - CASE #  
1807 WILDCAT AVE  
**BUILDING ELEVATIONS**  
SHEET A4



1807 WILDCAT AVE.  
SITE PLAN  
City of Fruita, State of Colorado

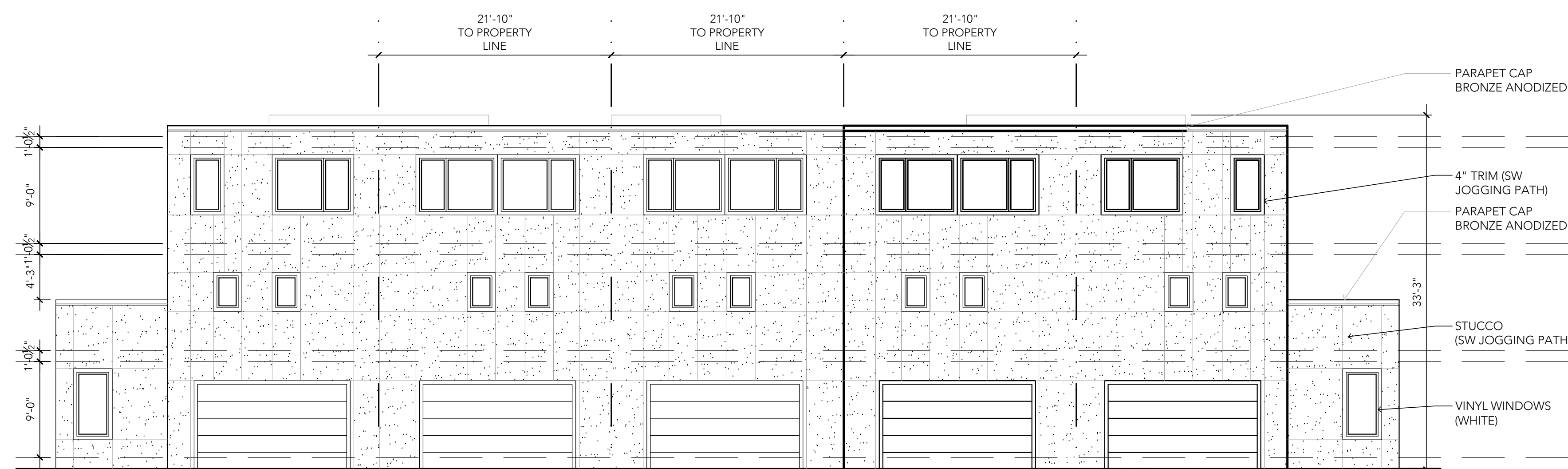


1 BUILDING 5 - SOUTH ELEVATION  
1/8"=1'-0"

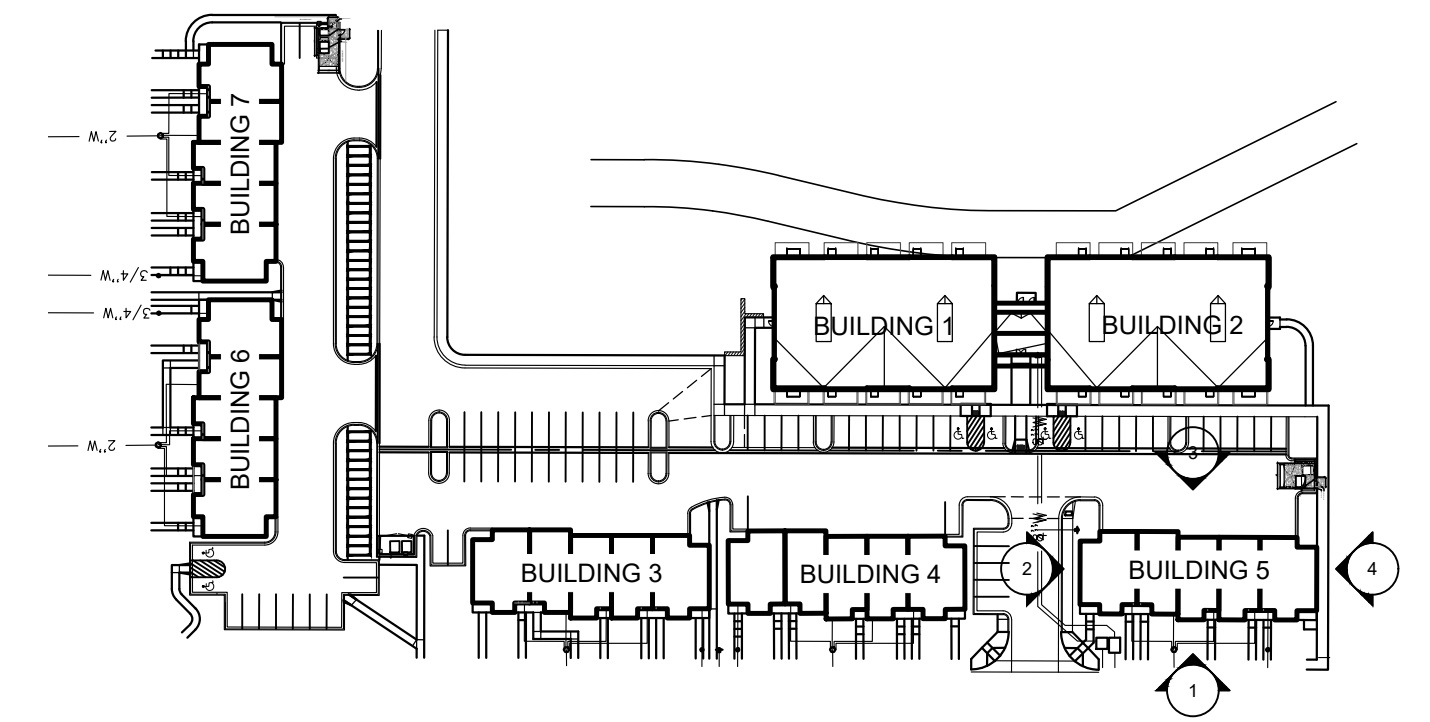


2 BUILDING 5 - WEST ELEVATION  
1/8"=1'-0"

4 BUILDING 5 - EAST ELEVATION  
1/8"=1'-0"



3 BUILDING 5 - NORTH ELEVATION  
1/8"=1'-0"



N  
KEY PLAN  
NOT TO SCALE



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CITY DEVELOPMENT ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

CITY PLANNER \_\_\_\_\_ DATE \_\_\_\_\_

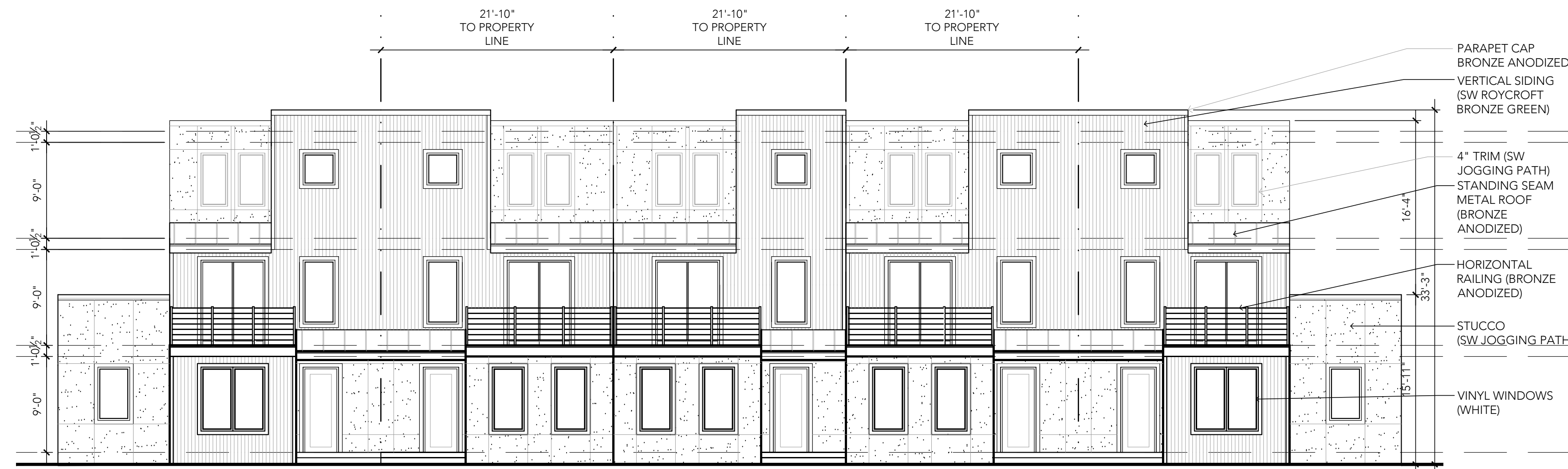


ISSUE-REVISION	DATE
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SITE PLAN COMMENT SUBMITTAL	00/00/0000

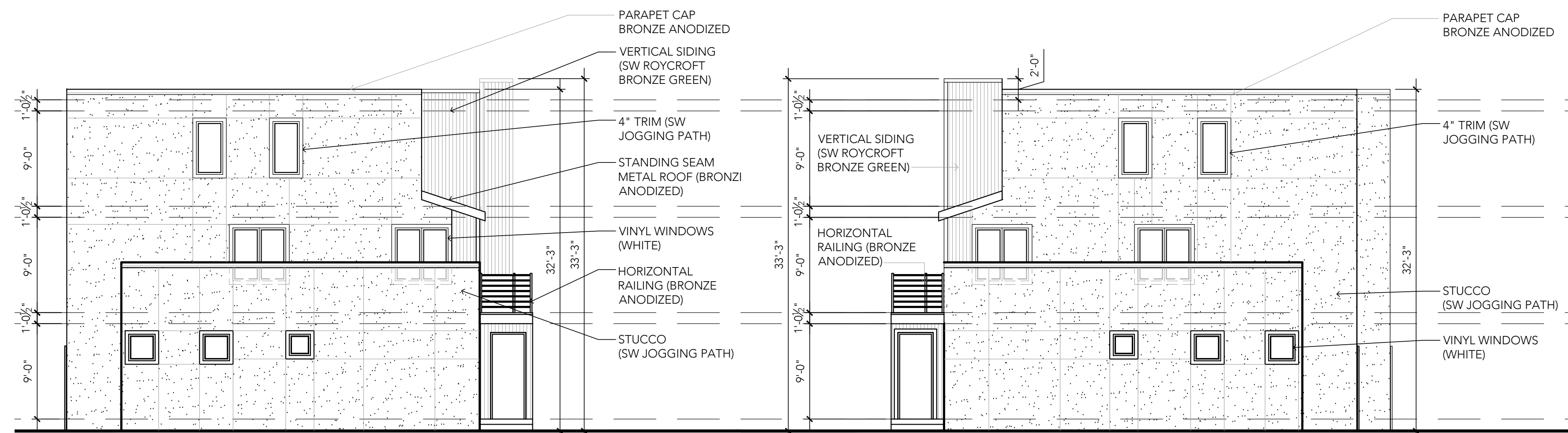
SITE PLAN - CASE #  
1807 WILDCAT AVE  
**BUILDING ELEVATIONS**



1807 WILDCAT AVE.  
SITE PLAN  
City of Fruita, State of Colorado

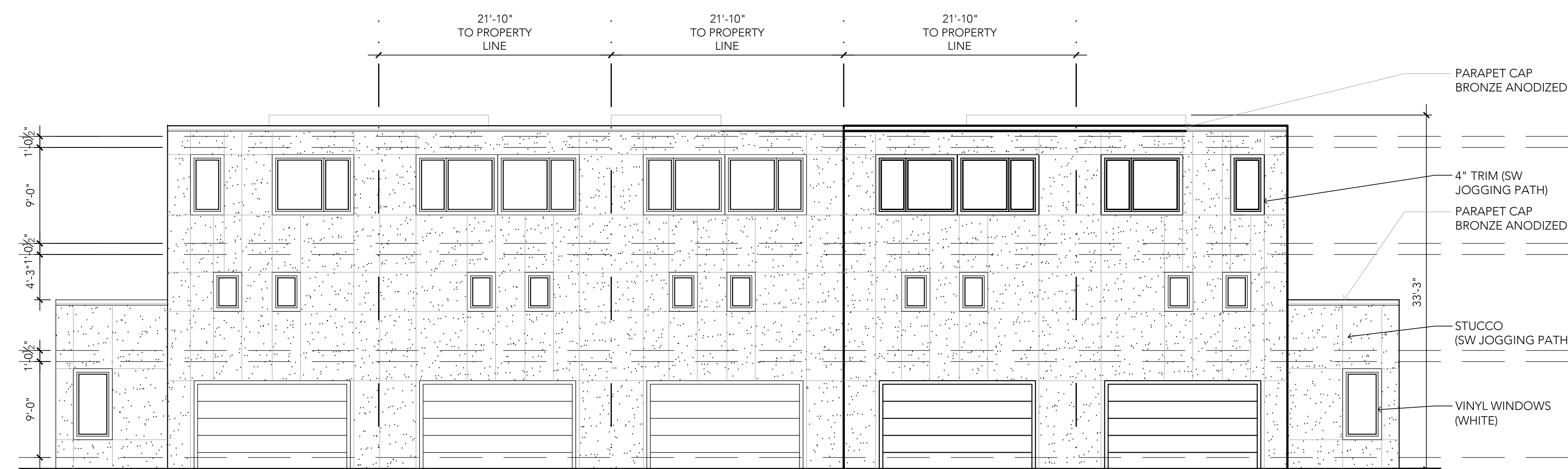


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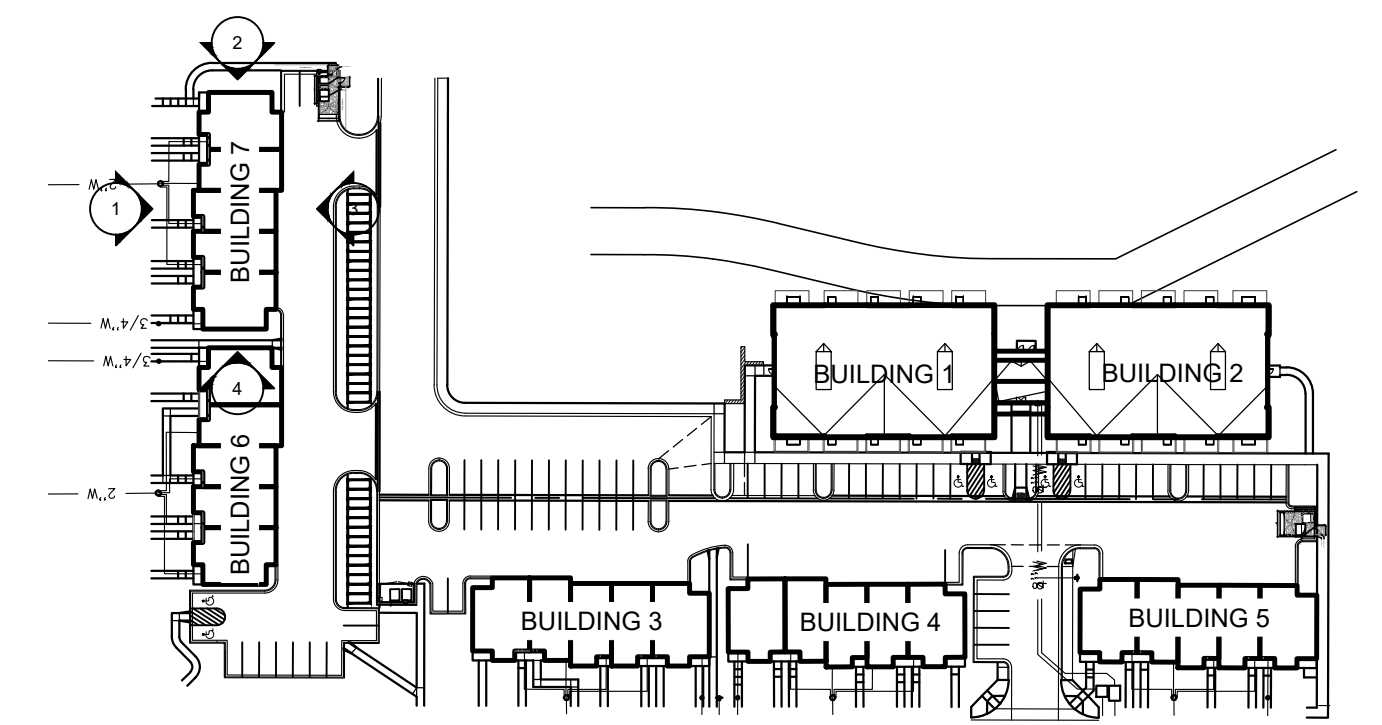


2 BUILDING 7 - NORTH ELEVATION  
1/8"=1'-0"

4 BUILDING 7 - SOUTH ELEVATION  
1/8"=1'-0"



3 BUILDING 7 - EAST ELEVATION  
1/8"=1'-0"



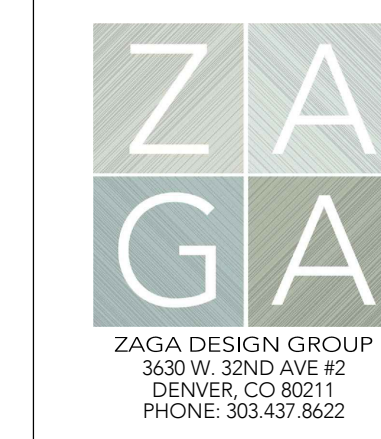
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CITY PLANNER \_\_\_\_\_ DATE \_\_\_\_\_



ISSUE-REVISION	DATE
SITE PLAN SUBMITTAL	00/00/0000
SITE PLAN COMMENT SUBMITTAL	00/00/0000

SITE PLAN - CASE #  
1807 WILDCAT AVE  
**BUILDING ELEVATIONS**

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 CHECKED BY: M.G.  
 DATE: 8/2/2023  
 SCALE: 1"=30'-0"  
 JOB#: 2023-28  
 ACAD FILE#: 2023-28.dwg

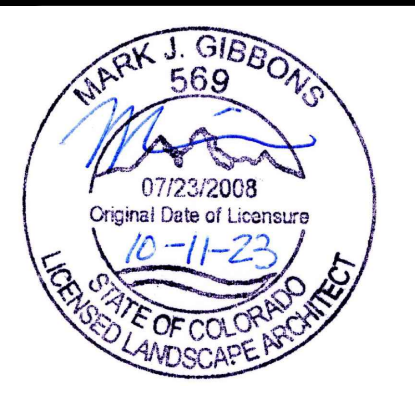
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# WILDCAT RESIDENCES

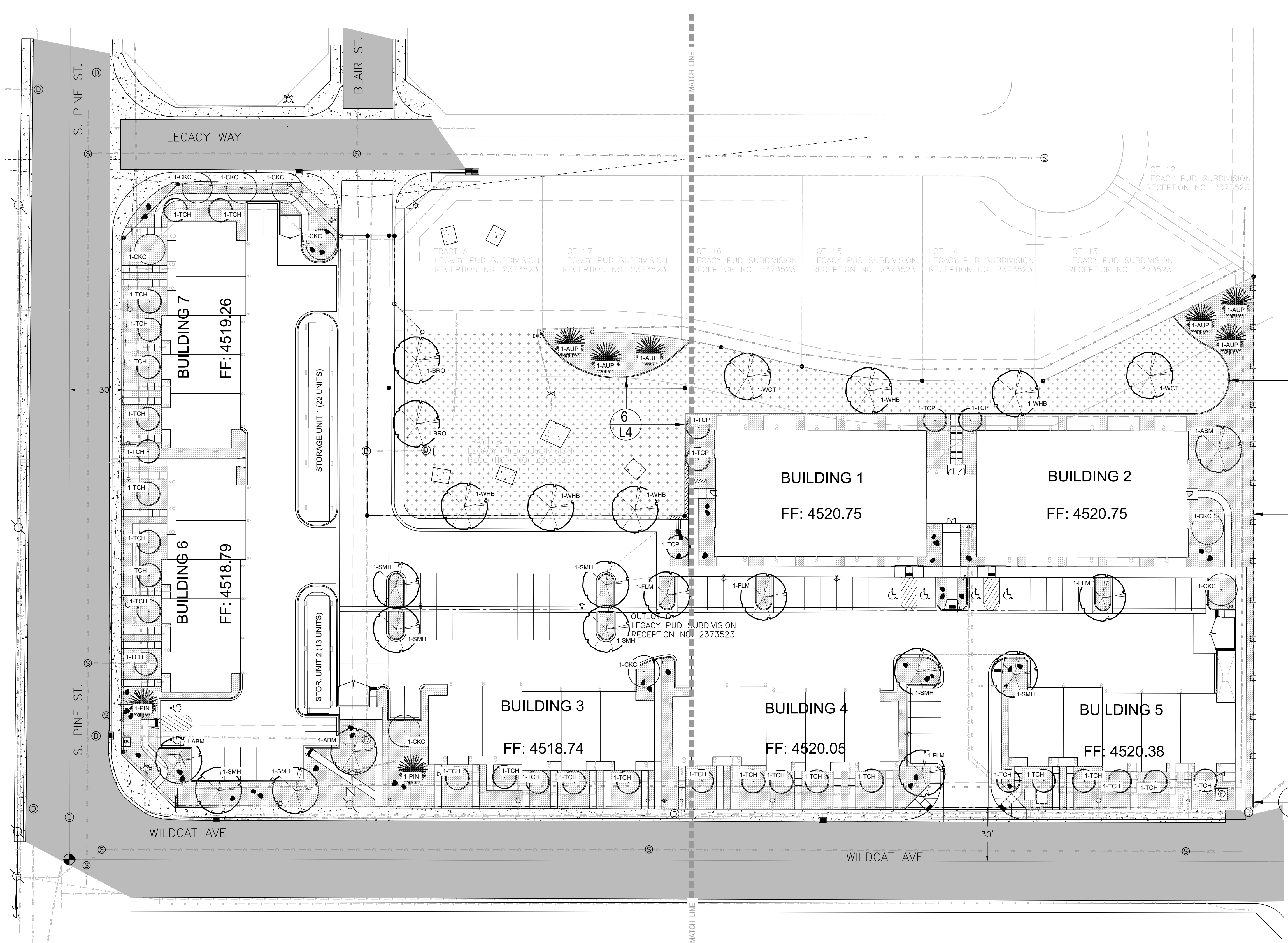
1807 WILDCAT AVENUE  
 FRUITA, COLORADO

**MG**  
 Designs, LLC  
 MARK GIBBONS, PLA  
 2049 Barbary Avenue  
 Grand Junction, CO 81506  
 c.970.260.7386  
 gibbreen2@gmail.com

Tree Overstory & Fence Plan



**SHEET**  
 L1  
 1 OF 4 SHEETS

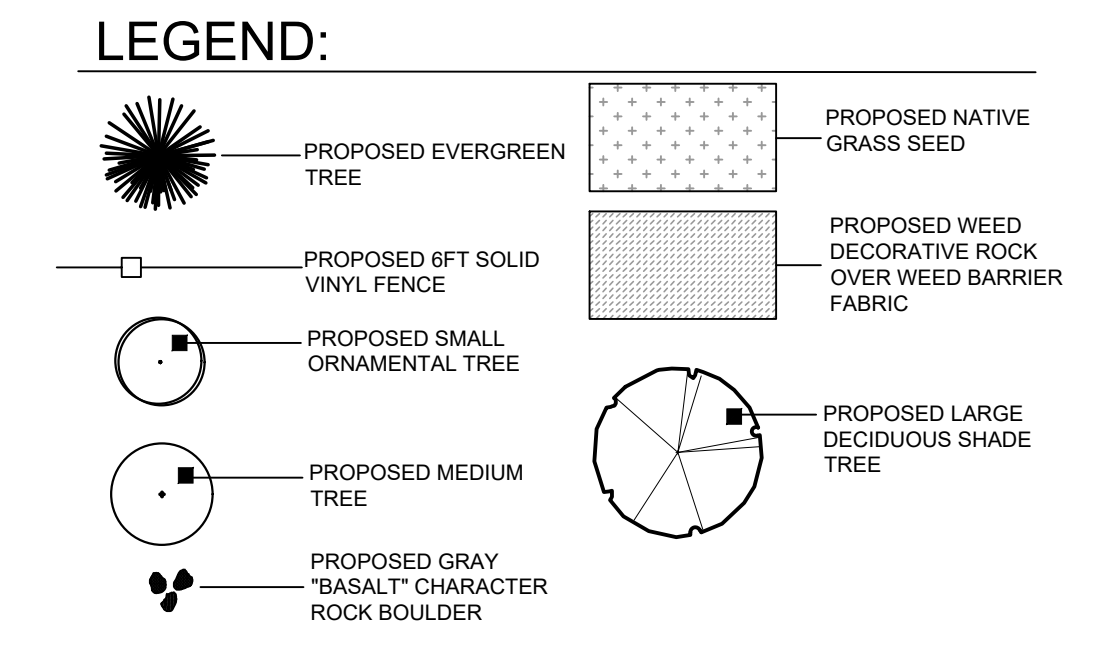


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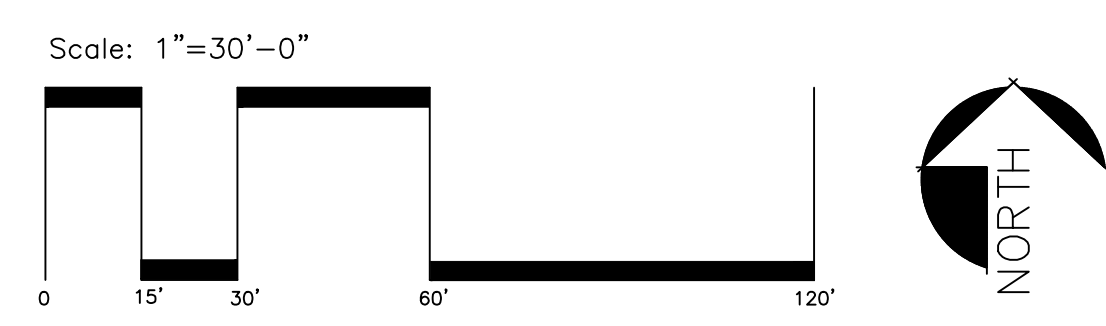
**Deciduous & Evergreen Trees:**

Key:	Common Name:	Botanical Name:	No. Size:	Height:	L,M,S	Xeric:
ASMI	Autumn Blaze Maple	Acer x freemanii 'Jeffersred'	3 2' cal.	10-50' ht.	L	
AUP	Austrian Pine	Pinus nigra	6 6-8' ht.	30-40' ht.	M	
BRO	Burr Oak	Quercus macrocarpa	2 1-1/2' cal.	50' ht.	L	X
CKC	Schubert Chokecherry	Prunus virginiana 'Schubert'	9 1-1/2' cal.	30-30' ht.	M	
FLM	Stirling Fruitless Mulberry	Morus alba 'Stirling'	4 1-1/2' cal.	35-50' ht.	L	
PIN	Pinon Pine	Pinus edulis	2 6' ht.	20-30' ht.	M	X
SMH	Shademaster Honeylocust	Gleditsia triacanthos 'Shademaster'	8 2' cal.	40-50' ht.	L	X
TCH	Thornless Cockspar Hawthorn	Crataegus crus-galli inermis	28 1" cal.	20' ht.	S	
TCP	Thundercloud Plum	Prunus nigra 'Thundercloud'	5 1-1/2' cal.	20-25' ht.	S	
WHB	Western Hackberry	Celtis occidentalis	5 1-1/2' cal.	50' ht.	L	X
WCT	Western Catalpa	Catalpa speciosa	2 1-1/2' cal.	50' ht.	L	X

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**A** OVERALL SITE



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 SCALE: 1"=20'-0"  
 JOB#: 2023-28  
 ACAD FILE#: 2023-28.dwg

REVISIONS:

DATE:	BY:

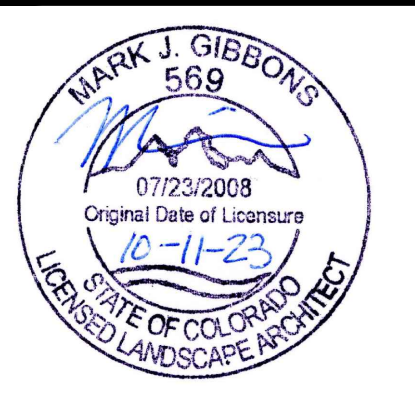
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 SUBMITTAL SET FOR REVIEW  
 BID SET  
 FOR CONSTRUCTION  
 AS BUILT

**WILDCAT RESIDENCES**  
 1807 WILDCAT AVENUE  
 FRUITA, COLORADO

**MG**  
 Designs, LLC

MARK GIBBONS, PLA  
 2049 Barbary Avenue  
 Grand Junction, CO 81506  
 c.970.260.7386  
 gibbgreen2@gmail.com

Landscape Plan



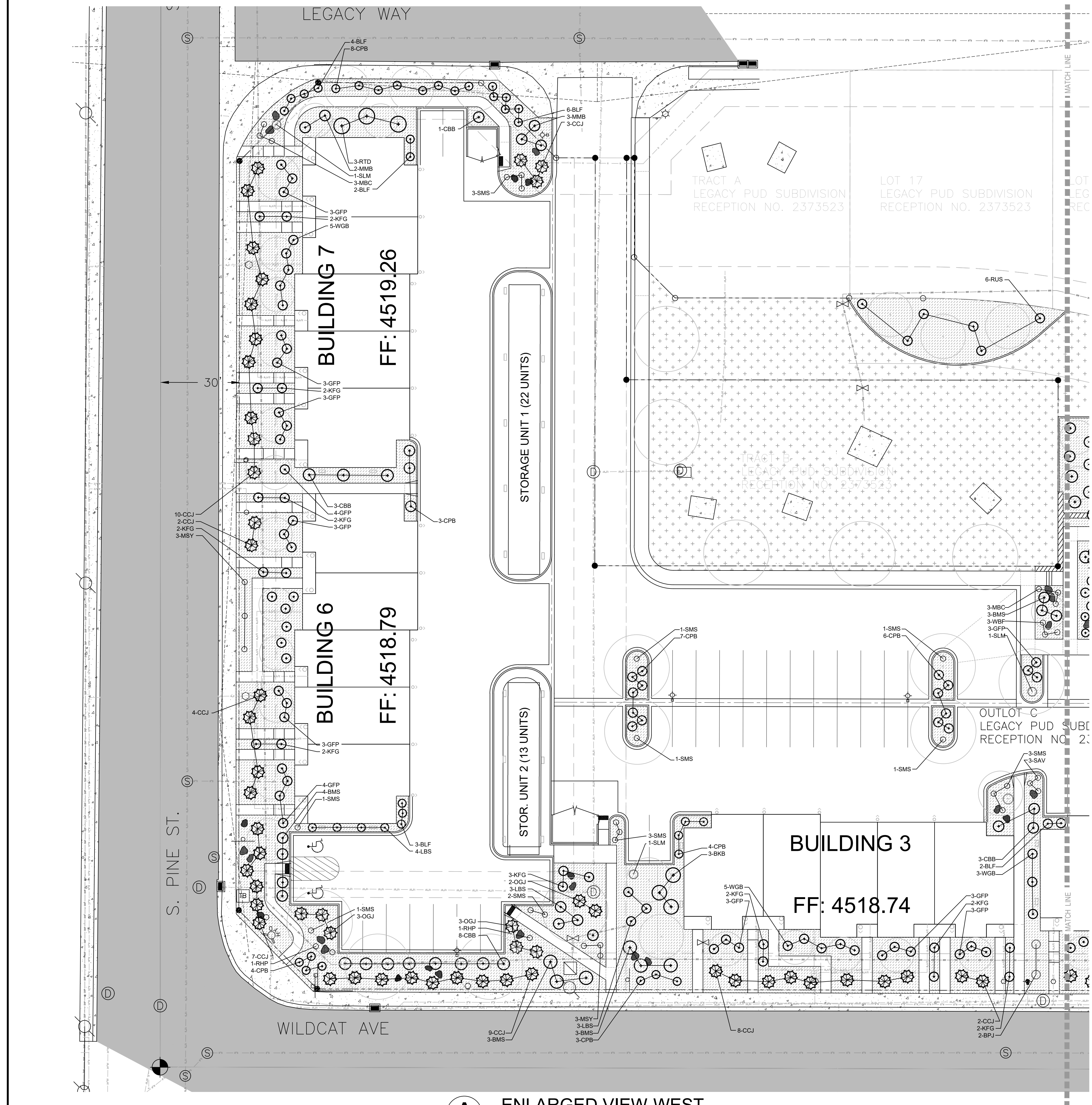
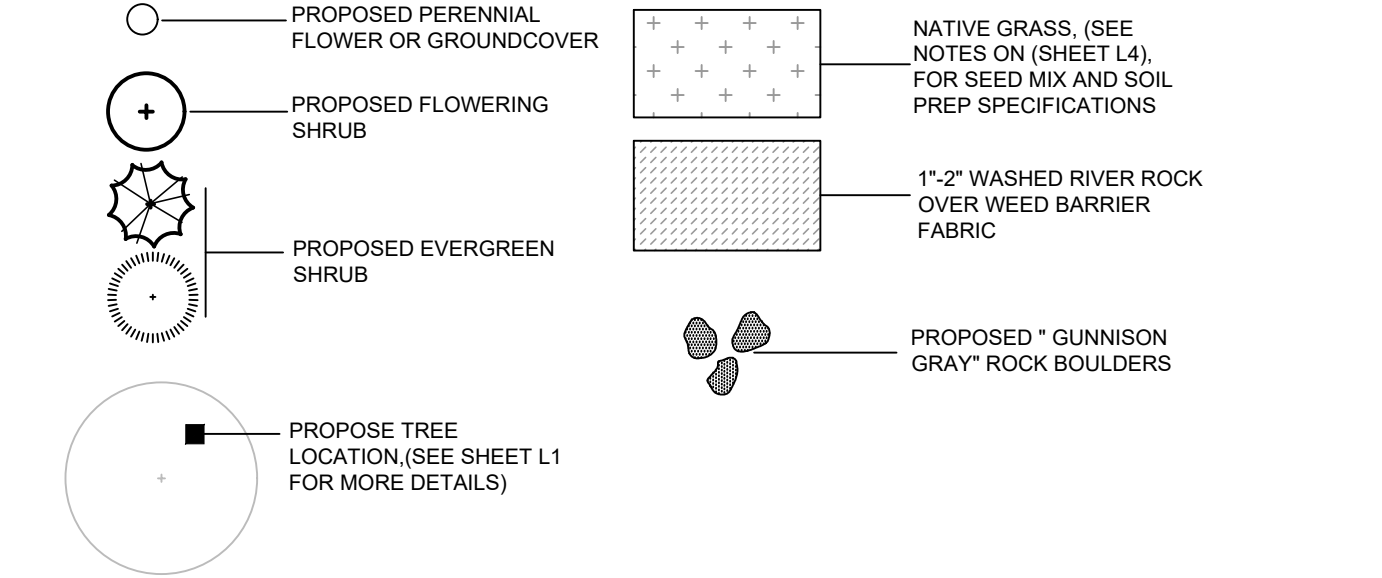
**SHEET**  
**L2**  
 2 OF 4 SHEETS

**PLANT LIST: (REFER TO SHEET "L4" FOR PLANT QUANTITIES)**

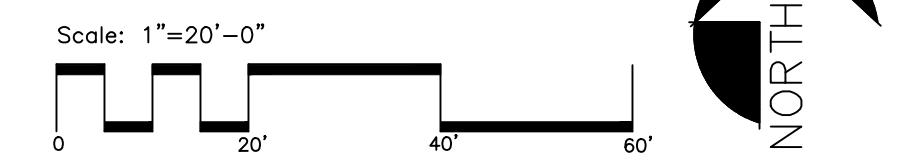
Key:	Common Name:	Botanical Name:	No. Size:	Height:	L,M,S	Xeric:
BKB	Black Knight Buddleia	Buddleia davidii 'Black Knight'	6 5 gal.	4-8 ft.	L	
BMS	Blue Mist Spirea (Dark Knight)	Caryopteris x clandestina	14 5 gal.	3-5 ft.	S	
CBB	Compact Winged Euonymus	Euonymus alata 'Compacta'	28 5 gal.	5 ft.	M	
CPB	Crimson Pygmy Barberry	Berberis thunbergii 'Atropurpurea Nana'	43 5 gal.	2-2.5 ft.	S	X
GFP	Goldfinger Potentilla	Potentilla fruticosa 'Goldfinger'	59 5 gal.	3-4 ft.	S	X
KDW	Kelsey's Dwarf Dogwood	Cornus sericea 'Kelsey'	8 5 gal.	2-3 ft.	S	
MMB	Miss Molly Butterfly Bush	Buddleia davidii 'Miss Molly'	7 5 gal.	4-5 ft.	S	
PKC	Peking Cotoneaster	Cotoneaster acutifolia	5 5 gal.	8-10 ft.	L	X
RTD	Red Twig Dogwood	Cornus sericea 'Bailey'	8 5 gal.	6-10 ft.	L	X
TLS	Threeleaf Sumac	Rhus trilobata	4 5 gal.	3-6 ft.	M	X
WGB	Winter Gem Boxwood	Buxus microphylla	27 5 gal.	to 4 ft.	S	
<b>Evergreens Shrubs:</b>						
BPJ	Blue Point Juniper	Juniperus chinensis 'Blue Point'	15 5 gal.	15-18 ft.	M	
CCJ	Calgary Carpet	Juniperus sabina 'Calgary Carpet'	63 1 gal.	18 ft.	M	X
GGJ	Grey Gleam Juniper	Juniperus scopulorum 'Grey Gleam'	6 5 gal.	3-4 ft.	L	X
OGJ	Old Gold Juniper	Juniperus chinensis	13 5 gal.	3-4 ft.	M	X
SLM	Stowmound Mugo Pine	Pinus mugo 'Stowmound'	7 5 gal.	3 ft.		
<b>Perennials:</b>						
BEF	Bellflower Peachleaf	Campanula persicifolia	4 1 gal.	20" ht.	S	
BES	Black Eyed Susan	Rudbeckia fulgida	6 1 gal.	18-24" ht.	S	X
HCL	Hidcote Lavender	Lavandula angustifolia 'Hidcote'	6 1 gal.	12-18" ht.	S	X
MBC	Moonbeam Coreopsis	Coreopsis verticillata 'Moonbeam'	6 1 gal.	18" ht.	S	X
MSY	Moonshine Yarrow	Achillea millefolium	9 1 gal.	18-24" ht.	S	X
RHP	Red Hot Poker	Kniphofia uvaria 'Royalcastle Hybrids'	4 1 gal.	30-36" ht.	M	X
SAV	Salvia 'May Night'	Salvia nemorosa	7 1 gal.	18-30" ht.	S	X
SMS	Silvemound	Artemisia schmidtiana	28 5 gal.	1-3 ft.	S	X
WBF	Whirling Butterflies Gaura	Gaura linheimeri 'Whirling Butterflies'	6 1 gal.	30" ht.	M	
<b>Ornamental Grasses:</b>						
BLF	Blue Fescue	Festuca ovina glauca	24 1 gal.	12-15" ht.	S	X
KFG	Feather Reed Grass, 'Karl Forester'	Calamagrostis x acutiflora 'Karl Forester'	53 1 gal.	3-4 ft.	M	
LBS	Little Bluestem	Schizachyrium scoparium 'Prairie Blues'	18 1 gal.	24"-36" ht.	M	X

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**LEGEND:**



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**PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT  
DECEMBER 12, 2023**

**Application #:** 2023-35  
**Application Name:** City Market Fueling Station  
**Application Type:** Conditional Use Permit  
**Representative:** Galloway  
**Location:** 437 W. Aspen Avenue  
**Zone:** Downtown-Mixed Use (DMU)  
**Description:** This is a request for approval of a Conditional Use Permit for a drive-through facility for a retail fueling station on approximately .52 acres.

**Project Description:**

This is a Conditional Use Permit (CUP) application to allow for a drive-through type use in the Downtown Mixed-Use (DMU) zone. Section 17.05.090 the Land Use Code states that drive-up/drive-through Facilities require approval of a CUP. The overall use of the property is proposed to be a City Market Fueling Station. Fuel Sales are an allowed land use in the DMU zone and the primary purpose of this CUP application is to review the approval criteria for Conditional Uses in accordance with Section 17.09.030. As for process, Conditional Use Permits are reviewed by Staff and the decision-making body is the Planning Commission.

Currently, there are two (2) buildings and a parking lot on the property. On the southwest corner of the property is a 1,700 square foot building that has been used for different types of business uses over the past 10 years. The other building on the property is a 5-unit residential building.

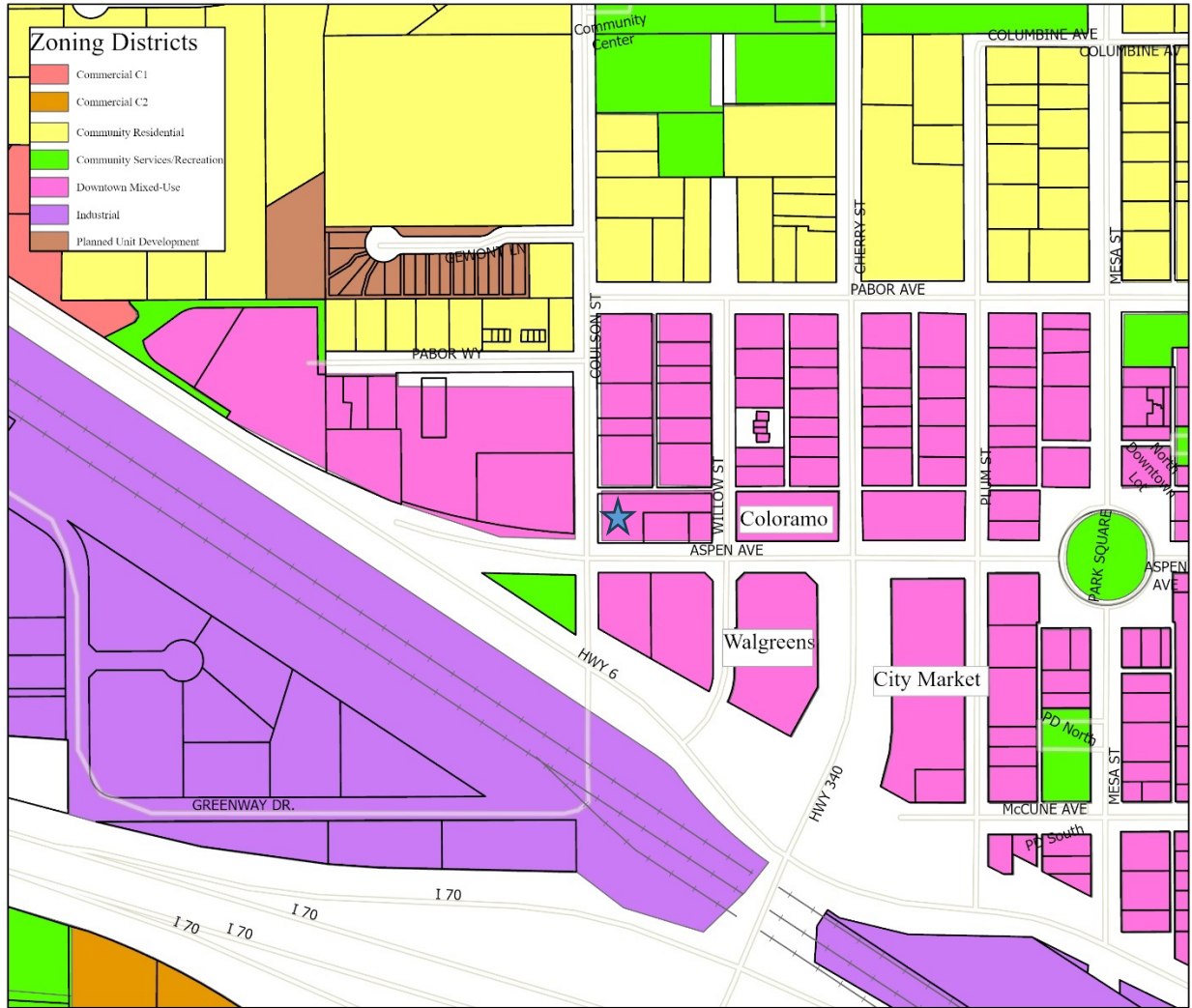
In order to make an informed decision on the Conditional Use Permit application, Staff has requested that the applicant provide a Site Plan (included with the Staff Report). The purpose of the site plan is to ensure that if the CUP is granted, that the site circulation and layout can work. If the CUP is approved, the applicant will then go through a Site Design Review Application process which can be approved administratively. With that said, the approval criteria and Staff's review of this application only pertains to the drive-through portion of the business.

**Surrounding Land Uses and Zoning:**

Land Uses surrounding the subject property consist of a mix of residential and commercial. The Fruita Recreation Center and Family Health West Hospital are to the north along with residential land uses. The Walgreens, Balanced Rock Motel, and City Market are to the south and southeast.

The Burger King and Coloramo Federal Credit Union are located to the east. Zoning surrounding the subject property consists of Downtown Mixed-Use (DMU) and the Comprehensive Plan identifies this area as the City's Core.

### Zoning Map



## 2022 Location Map



### CONDITIONAL USE PERMIT APPROVAL CRITERIA

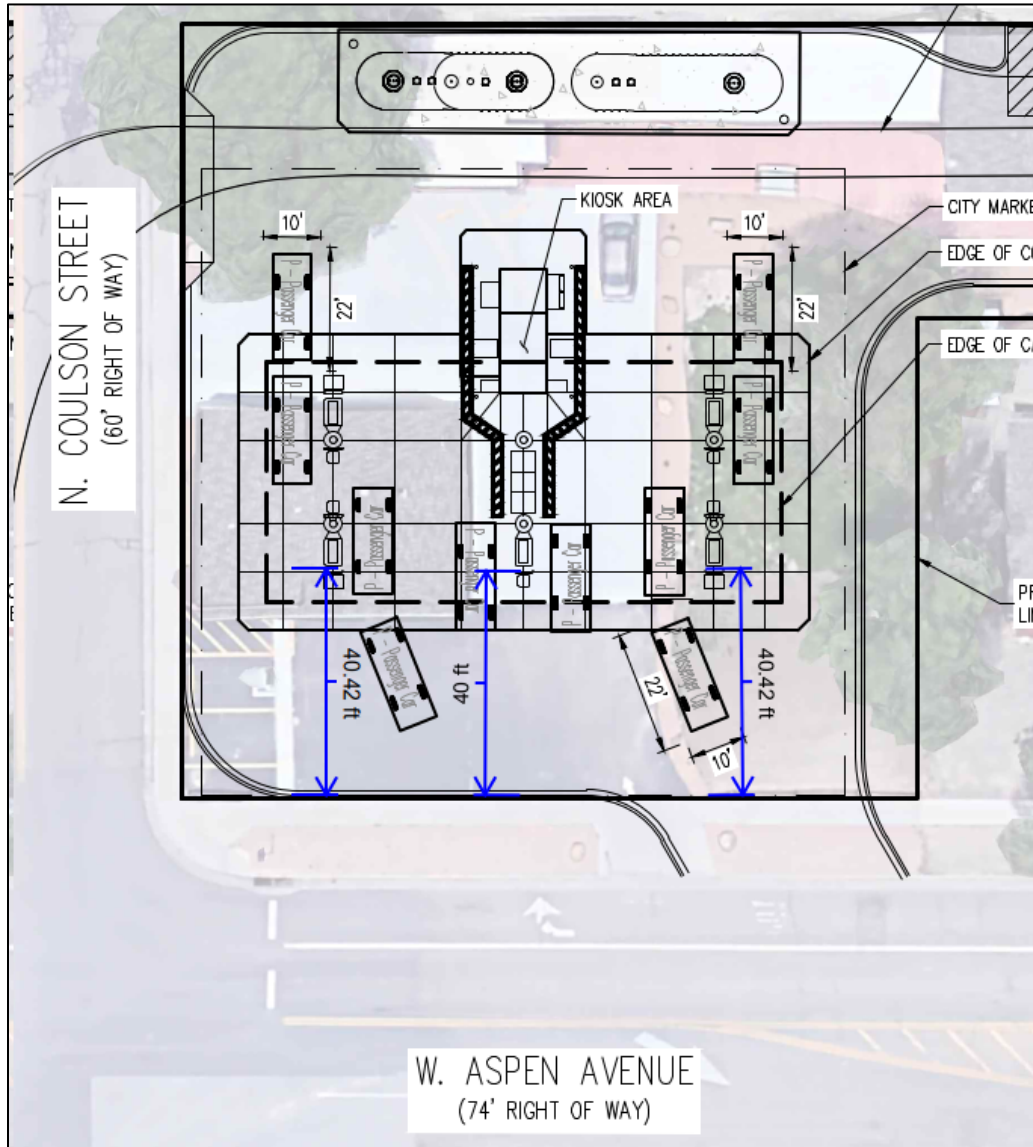
A conditional use is defined as a use which, because of its unique or varying characteristics, cannot be properly classified as an allowed use in a particular zone district.

**Section 17.09.030, Conditional Uses, of the Land Development Code requires that a conditional use be approved after considering the following:**

- 1. The proposed use is consistent with the provisions and purposes of this Title, with the purposes of the zone in which it is located, and with the city's Master Plan;**

Based on this review, the proposed conditional use as it relates to the proposed fueling station can be consistent with the provisions and purposes of this Title (the Land Use Code), which is to promote the health, safety and welfare of the present and future inhabitants of the community.

The Land Use Code identifies the subject property as being in the Downtown Mixed-Use Core area. Section 17.13.050 (A)(2)(c) of the Land Use Code states that new drive-up/drive-through facilities (e.g., windows, ATM's, Etc.) are not permitted in the Downtown Core within forty (40) feet of Aspen Avenue. The plans submitted show a setback of approximately 40 feet. This portion of the code has been met.



Section 17.37.070 (B) states that, “For service uses (such as gas stations, quick lube and car washes), two stacking spaces shall be provided for each bay on the entrance side and one such space on the exit side. Stacking spaces shall not interfere with other required parking areas. Stacking spaces must measure at least twenty-two (22) feet long by ten (10) feet wide.” The Site Plan provided shows two (2) stacking spaces per fueling station/bay will work and they meet the measurement requirements. It’s unclear from the submittal that the additional stacking space for the exit side will work. It is Staff’s

interpretation that the Code requires 3 stacking spaces per bay. If the applicant can show the additional exit side space or a total of 3 stacking spaces per bay, then this part of the Land Use Code can be met.

As for vehicular circulation, the proposed plan shows access from Willow Street, Aspen Avenue, and Coulson Street. The access from Aspen Avenue will need to be reviewed and approved by CDOT and as its proposed right now, the Aspen Avenue access is only a right in turn, similar to the Coloramo access from Aspen Avenue.

The purpose of the Downtown Mixed-Use zone is to maintain and enhance downtown as a vibrant, pedestrian-oriented commercial and residential area. The Master Plan supports development and redevelopment in the downtown area with an emphasis toward promoting businesses that support existing and future associations that advocate for the downtown area. The Fruita City Market has been a key focal point in the City's downtown area for many years. Additionally, the Master Plan supports and encourages revitalization of existing areas in the Downtown with a focus on areas where the community can see the benefits of redevelopment. The Land Use Code is one of the main documents used to implement the goals and policies of the City's Master Plan. This criteria has been met.

**2. The proposed use is compatible with existing and allowed uses surrounding or affected by the proposed use, pursuant to the criteria in Section 17.05.080 (C); and**

Section 17.05.080 (C) requires that a proposed development be compatible with adjacent properties, considering both existing and potential land uses on adjacent properties. 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 a proposed use and existing uses in the vicinity to ensure compatibility.

It appears that this proposed drive-through facility will be compatible with surrounding land uses. This area is considered the Core area, which supports a number of allowed land uses that can be considered as compatible with a drive-through fueling station like the one proposed. It is important to consider that the property directly to the west has been approved for an 88-unit multi-family complex which consists of 3 apartment buildings and 16 townhome style residential units. The 1<sup>st</sup> of the 3 apartment buildings is currently under construction. In addition to multi-family, land uses supported in the Core area are restaurants, personal services, retail, hotels/motels, medical and dental clinics, and childcare.

There are many other businesses along Aspen Avenue in this area that have a drive-through component to them. The most recent is the Coloramo Federal Credit Union, and

others are the Walgreens pharmacy, the City Market pharmacy, the Sinclair gas station, and the Burger King.

This criterion can be met.

**3. The proposed use will not materially endanger the public health or safety; and**

If the drive-through facility is placed in a manner to provide for adequate vehicle stacking on the subject property, then the proposed use doesn't appear that it will endanger the public health or safety. The project, if approved, will need to address concerns from CDOT. Some uses in the Downtown Mixed-Use zone generate more traffic than other uses. If the principle use were to change, a traffic study may be required in order to justify whether the use, in conjunction with a drive-through, can be safe. This criterion can be met.

**4. Public services and facilities including, but not limited to, transportation systems, wastewater disposal and treatment, domestic water, fire protection, police protection, and storm drainage facilities are adequate to serve the proposed use.**

Public services and facilities have been available to this property and will continue to be available to this property. The drive-through facility is expected to put more pressure on the adjacent transportation system, most likely Willow Street and Coulson Street, however these roadways are designed and constructed to handle a large amount of daily traffic. Other public services and facilities are not expected to have a substantial increase. This criterion has been met.

---

**Legal Notice:**

Legal Notice (minimum of 15 days prior to Planning Commission)	
November 22, 2023	Post Cards
November 22, 2023	Sign Posting
November 22, 2023	Legal Ad

**Review Comments:**

CDOT has provided written comments that require a Traffic Study and an access permit for the connection to Aspen Avenue, this comment will need to be addressed with the Site Plan application if the CUP is approved.

**Public Comments:**

No written public comments have been received regarding this application.

**Staff Recommendation:**

Because all approval criteria either have been met or can be met, Staff recommends approval of application 2023-35 with the condition that all review comments and issues identified in the Staff Report be met.

**Suggested Motion:**

Mr. Chair, I move to approve application 2023-35, the City Market Fuel Station Conditional Use Permit, with the condition that all review comments be adequately addressed with the Site Plan application.

## Review Comments

### City Market Fuel Station Drive-Through Conditional Use Permit

**Colorado Department of Transportation (CDOT)** - City Market will need to submit a traffic study and access permit application for the connection to Hwy 340 to the CDOT Access Unit. A queue analysis must be completed with the traffic study. CDOT may or may not allow direct access to Hwy 340, depending on traffic operations and queuing.



### Project Narrative – Conditional Use Permit for a Drive-Thru Facility City Market Retail Fueling Station

#### Project Description:

On behalf of our client, Heslin Holdings, Galloway is requesting approval of a Conditional Use Permit (CUP) application that would allow a drive-thru facility with a permitted use. The permitted use will be a City Market branded retail fuel facility to support the adjacent City Market grocery store. The new facility will include a small pay-only kiosk, fueling canopy with five (5) multi-product fueling dispensers, trash enclosure and associated site improvements.

The proposed fueling facility will be located at 437 W Aspen Avenue on one parcel (PIN: 2697-172-17-024) and will include a Site Design Review Application at a later date.

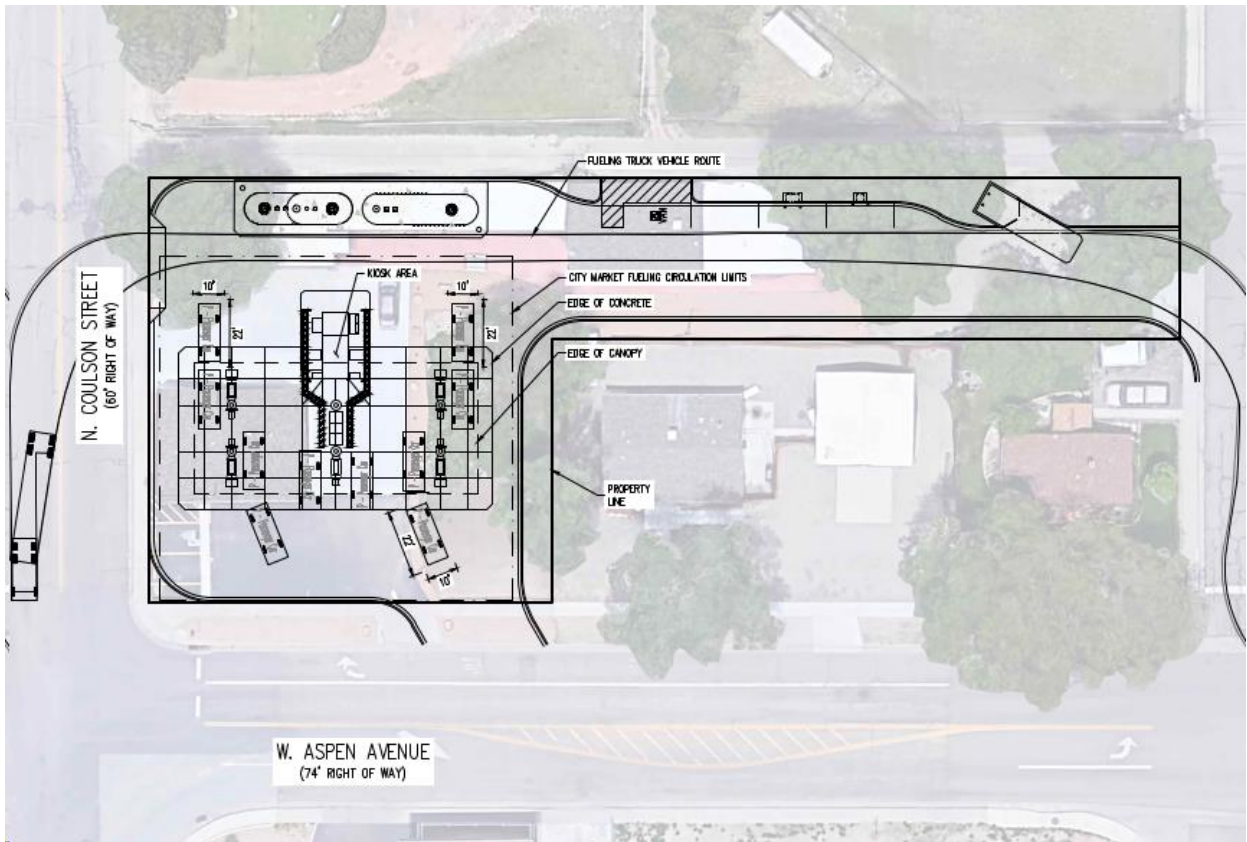


**SITE LOCATION MAP**

The site is currently developed as a commercial retail use on approximately 0.52 acres of land.

Kroger (City Market) would like to construct an approximately 200 square foot pay-only kiosk, fueling canopy and five (5) multi-product dispensers. The proposed layout shows the facility setback from W. Aspen Avenue to allow for adequate stacking. The three existing access points are proposed to remain in the same general location in order to allow for adequate circulation throughout the subject property. The proposed layout is shown below:





**CONCEPT PLAN WITH CIRCULATION**

Access to the site will be provided from existing access points off of N. Coulson Street to the west, N. Willow Street to the east and W. Aspen Avenue to the south. Access points off or N. Coulson Street and N. Willow Street are proposed to be full-movement, whereas access off of W. Aspen Avenue is proposed as right-in, only.

**Surrounding Land Uses and Zoning:**

The subject site is currently zoned as Downtown Mixed Use (DMU) under the City of Fruita Land Use Code. The adjacent land uses are a mix of commercial and residential and are also zoned DMU as shown in the zoning map below. The Colorado Federal Credit Union with drive-thru teller lanes is located to the east along W. Aspen Avenue. The Balanced Rock Inn and Walgreens + drive-thru pharmacy are located to the south along W. Aspen Avenue. A future multifamily project is being proposed to the west, across N. Coulson Street.



**SURROUNDING ZONING**

**Access and Circulation:**

There are three existing access points that service the site and will continue to be utilized in order to provide safe and efficient circulation throughout the site. CDOT’s State Highway 340 Access Control Plan identifies a Right-In / Right-Out only access along Aspen Avenue which may be proposed with the Site Design Application. However, for the purpose of this submittal we are currently showing a Right-In only off of W. Aspen Avenue. Full movement access is being proposed along both N. Coulson Street and N. Willow Street. Fuel tanker truck access is being proposed off of N. Willow Street through the northern portion of the site in order to minimize conflicts with retail traffic flow.

Access ID	Approx. Milepost	Side of street	Address	Name	Land Use Served	Access Type
<b>Aspen Avenue, US 6 to Cherry Street</b>						
1		North	West of 631 Aspen		Vacant lot	Full movement, unsignalized
2		North	631 W. Aspen		Residence	Full movement, unsignalized
3		North		Mobile home park	Residences	Full movement, unsignalized
4		North	535 W. Aspen	Car Barn	Business	Full movement, unsignalized
6		-		Coulson Street		Full movement, unsignalized
7		South	126 S. Coulson	Balanced Rock Motel	Business	Right-in/Right-out, unsignalized (see note 1)
8		South	126 S. Coulson	Balanced Rock Motel	Business	Closed (see note 1)
9		North	437 W. Aspen	Magic Mirror Hairstyling	Business	Right-in/Right-out, unsignalized (see note 1)
10		North	421 W. Aspen	High Desert Mountain Sports	Business	Right-in/Right-out, unsignalized (see note 1)
11		South	404 W. Aspen		Residence	Full movement, unsignalized (future extension of Willow Street)
12		South			Vacant (gas station)	Right-in/Right-out, unsignalized (see note 2)
14		North	319 W. Aspen	Munchies Pizza & Deli	Business	Right-in only, unsignalized (see note 1)
A		North	319 W. Aspen	Munchies Pizza & Deli	Business	Right-out only, unsignalized
15		-		Cherry Street		Full movement, future roundabout or signalized

**FIGURE A FROM CDOT ACCESS CONTROL PLAN**

**Utilities:**

All utilities required to service the property as located in on or adjacent to the subject property.

**Approval Criteria (17.13.040 CONDITIONAL USES)**

A Conditional Use Permit may be granted for a conditional use in a particular zone provided the City Council finds as follows:

1. The proposed use is consistent with the provisions and purposes of this Title, with the purposes of the zone in which it is located, and with the city's Comprehensive Plan;  
*This project is consistent with Chapter 17 of the Land Use Code. Fuel Sales (not including Drive-Up/Drive-Thru uses) are a permitted use within the DMU zone district. Drive-Up/Drive-Through Facilities (with permitted use) are allowed by Conditional Use Permit only according to the Land Use/Zoning Table in Section 17.070.060 (F). Vehicle stacking requirements per Section 17.39.070 of the Land Use Code have been met, as shown on the attached concept plan.*
2. The proposed use is compatible with existing and allowed uses surrounding or affected by the proposed use, pursuant to the criteria in Section 17.05.080.C;  
*The surrounding uses are a combination of residential and commercial uses. There are some limited residential uses along W. Aspen Avenue. However, the majority of land uses along W. Aspen Avenue are commercial uses such as Walgreens and Coloramo Federal Credit Union, both of which have a Drive-Thru component.*
3. The proposed use will not materially endanger the public health or safety; and  
*Retail fueling establishments are commonplace in areas of both residential and commercial land uses and are subject to strict State regulations to ensure safe operations. Due to the fact that there is no convenience store associated with this proposed fueling station, there will be limited opportunities for pedestrian-vehicle conflicts. Adequate vehicle stacking coupled with multiple points of ingress/egress allows for safe circulation throughout the site.*
4. Public services and facilities including, but not limited to, transportation systems, wastewater disposal and treatment, domestic water, fire protection, police protection, and storm drainage facilities are adequate to serve the proposed use.  
*Public services and facilities have been available to this property and will continue to be available to this property. The fueling facility is not expected to put more pressure on existing public services.*

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**LOCATION MAP**



**PROJECT INFORMATION**

**SITE**  
FUEL PAD: 11,790 SF | +/-0.24 AC

FUEL CANOPY WITH KIOSK - 5-MPD

ZONING - DOWNTOWN MIXED USE

\*GASOLINE STATION IS A CONDITIONAL USE

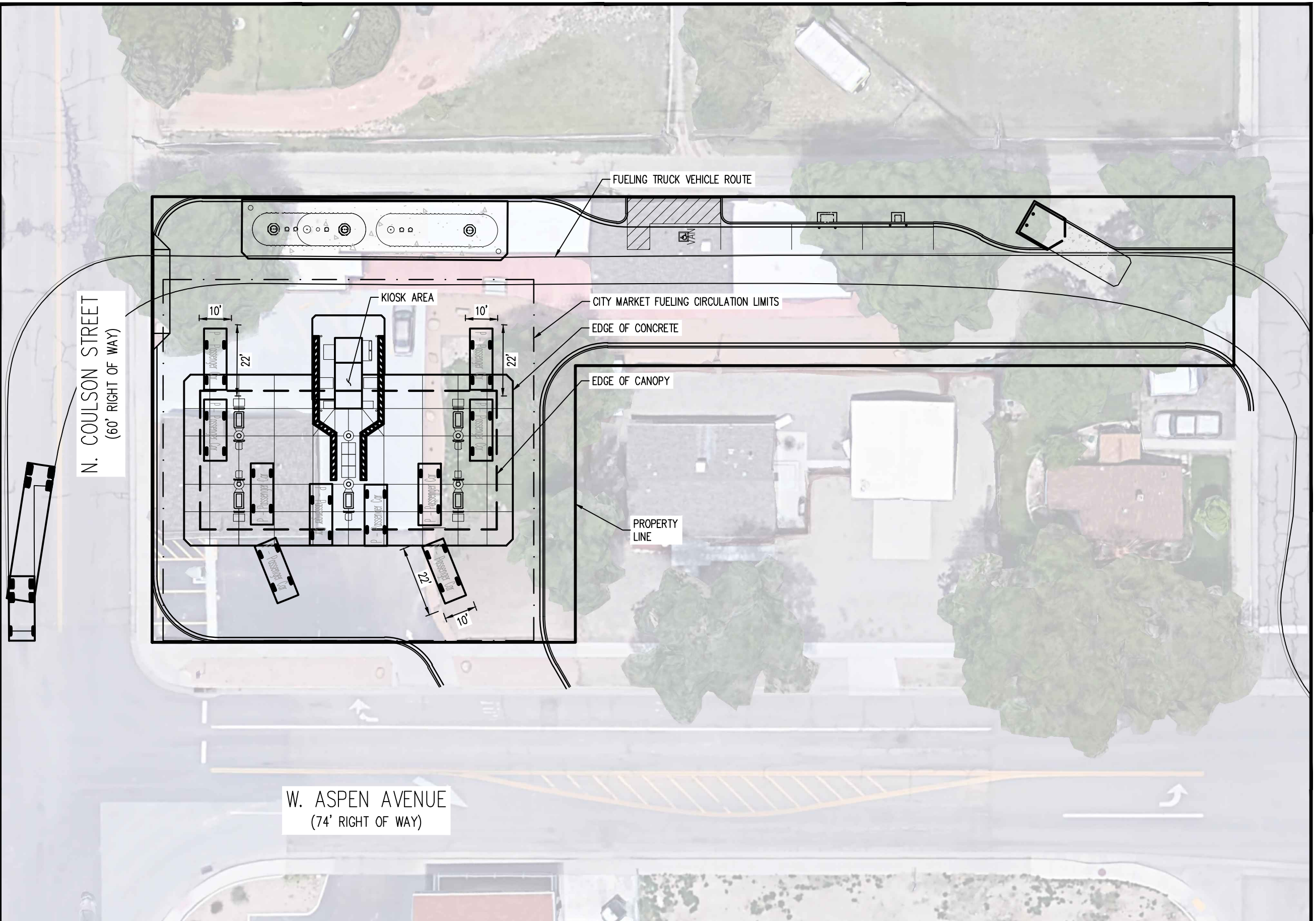
SIGNAGE - TBD

- NOTES -**
- ALL AREAS PROVIDED AND PROPERTIES DELINEATED ARE APPROXIMATE AND WILL NEED TO BE VERIFIED.
  - PLAN FOR ILLUSTRATIVE PURPOSES ONLY.

Project No: HSN11.20  
Drawn By: JDM  
Checked By: TKK  
11/09/2023

**King Soopers Fuel**  
FRUITA, CO  
437 W. ASPEN AVENUE

**Concept B2** | 1 of 1



**KING SOOPERS FUEL - W. ASPEN AVE & N COULSON ST., FRUITA, CO**

