



FRUITA PLANNING COMMISSION

January 9, 2024

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.

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E. WITHDRAWN ITEMS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:

December 12, 2023, Planning Commission meeting

H. HEARING ITEMS:

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

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, Jesse Fabula, Mel Mulder, Derek Biddle, Josh McGuire, Patrick Hummel, and Michael Handley were present.)

B. PLEDGE OF ALLEGIANCE

Commissioner Biddle led the Pledge of Allegiance.

C. AMENDMENTS TO THE AGENDA

None

D. APPROVAL OF THE AGENDA

COMMISSIONER FABULA MOVED TO APPROVE THE AGENDA

COMMISSIONER MULDER SECONDED THE MOTION

MOTION PASSED 7-0

E. WITHDRAWN ITEMS

None

F. CONTINUED ITEMS

None

G. CONSENT ITEMS

APPROVAL OF MINUTES

October 10, 2023, Planning Commission meeting

COMMISSIONER HANDLEY MOVED TO APPROVE THE MINUTES

COMMISSIONER HUMMEL SECONDED THE MOTION

MOTION PASSED 6-0 (COMMISSIONER FABULA ABSTAINED FROM THE VOTE AS HE WAS NOT PRESENT AT THE LAST MEETING)

H. HEARING ITEMS

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.

Mr. Henry Hemphill, City Planner, gave the Staff presentation. He explained that the 1873 K Road annexation and rezone would be presented together but each application would need to be discussed and voted on separately.

Slide 1 – Introduction – 1873 K Road Annexation

Slide 2 – Application Details

Slide 3 – Legal Notice

Images of the postcards and 350' buffer zone

Slide 4 – Legal Notice

Dates and photo of Site Posting

- Post Cards:
 - November 22, 2023
- Sign Posting:
 - November 22, 2023
- Newspaper:
 - November 24, 2023

Slide 5 – Zoning Map and Aerial View

Slide 6 – Future Land Use Map

Slide 7 – Review Criteria

- Section 17.17.050 (A)
- 9 criteria to consider.
 - Must meet the requirements of State Statutes -1/6th contiguity.
 - Must be within the UGB.
 - Can be served with police and other municipal services.
 - The area meets or can meet the existing infrastructure standards set forth by the City.

Slide 8 – Review Comments & Public Comments

- **REVIEW COMMENTS:**
- No reviewer expressed concerns with this annexation.
- **PUBLIC COMMENTS:**
- No written public comments have been received by Staff at this time.

Slide 9 – Suggested Motion – Pg. 29

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

Slide 10 – Next Steps

- City Council on January 16, 2024
 - If approved the annexation will be effective 30 days after the Ordinance is adopted

Slide 11 – Introduction – 1873 K Road Rezone

Slide 12 – Legal Notice

Images of the Post Cards and 350' Buffer Zone

Slide 13 – Legal Notice

Dates and Site Posting

- Post Cards:
 - November 22, 2023
- Sign Posting:
 - November 22, 2023
- Newspaper:
 - November 24, 2023

Slide 14 – Zoning Map and Aerial View

Slide 15 – Future Land Use Map

Slide 16 – Review Criteria

- Section 17.09.070
- 5 Criteria in total to consider
 - Zoning Compatibility with surrounding land uses.
 - Consistent with the Master Plan.
 - Is incidental to an annexation application.

Slide 17 – Review Comments & Public Comments

- **REVIEW COMMENTS:**
 - No reviewer expressed concerns with the zone request.
- **PUBLIC COMMENTS:**
 - No written public comments have been received by Staff at this time.

Slide 18 – Suggested Motion – Pg. 53

- Mr. Chair, I move we recommend **approval** of Application 2023-34, 1873 K Road Rezone, zoning the property to Community Residential to the Fruita City Council.

Mr. Hemphill concluded his presentation.

Mr. Dane Griffin, Griffin Design and Construction, spoke on behalf of the current and future owner of 1873 K Road. He stated that it meets or can meet the criteria for annexation and rezone. He said that he appreciated their consideration.

Commissioner Biddle opened the meeting to public comment. There were none. He closed public comment and opened the meeting to Commissioner discussion.

Commissioner Hummel said that the annexation seemed to be a good fit as per the Land Use Code. He talked about the 1/6th contiguity and that the property could be serviced by utilities, police department, and fire department. He thanked Staff for the report. It made it clear to him that it was a simple application.

Commissioner Hearn asked if there was a change to the code? Are annexations and rezones required to have a public meeting?

Mr. Hemphill responded that annexations and zoning were required to have a public hearing. If a subdivision were to happen once the annexation has been finished that is an administrative process currently with a call-up option to the council.

Commissioner Hearn asked if there was a public meeting?

Mr. Hemphill asked if she meant a neighborhood meeting.

Commissioner Hearn said yes.

Mr. Hemphill stated that it was an optional choice. He said that the contiguity was so close with the urbanized development to the north it made sense to have the neighborhood meeting as a public hearing.

Commissioner Hearn thanked him.

Commissioner Biddle said it was a clean application and presentation.

COMMISSIONER HEARN MOVED THAT THEY RECOMMEND APPROVAL TO THE CITY COUNCIL THE APPLICATION 2023-33 1873 K ROAD ANNEXATION WITH THE CONDITION THAT ALL REVIEW COMMENTS AND ISSUES IDENTIFIED IN THE STAFF REPORT ADEQUATELY ADDRESS OR INCLUDED WITH THE ANNEXATION ORDINANCE

COMMISSIONER HUMMEL SECONDED THE MOTION

MOTION PASSED 7-0

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).

Mr. Henry Hemphill gave the Staff presentation with the previous application.

Commissioner Biddle opened the meeting to public comment for application 2023-34 1873 K Road Rezone. There were no public comments. He closed public comment and opened to Commissioner discussion.

Commissioner Biddle stated that it was a very clean application.

COMMISSIONER FABULA MOVED TO APPROVE THE REZONE REQUEST FOR COMMUNITY RESIDENTIAL WITH NO CONDITIONS TO THE FRUITA CITY COUNCIL

COMMISSIONER MULDER SECONDED THE MOTION

MOTION PASSED 7-0

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.

Mr. Henry Hemphill 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.
- *No zoning ordinance needed; property already zoned.
- **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 Information

Slide 5 – Aerial View

Slide 6 – Zoning and Businesses nearby

Slide 7 – History

- Preliminary Development Plan approved in 2007 with the Legacy PUD Subdivision.
 - Included zoning.
 - Vacant since.
- Commercial & Residential uses allowed.
- Focus on neighborhood commercial areas.

Slide 8 – Development Plan

- 2, 20-unit buildings.
- 5, 5-unit row home buildings.
- Access from Blair Street (stub) and Wildcat Avenue.

Slide 9 – Renderings

Slide 10 – Code Requirements

Planned Unit Developments

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

*Property already zoned

Site Design Review

- Section 17.09
- Comprehensive Plan

- Design Standards – Section 17.13
- Compatibility
- Ability to resolve recommendations from reviewers.

Slide 11 – 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.

Slide 12 – Code Requirements

- Review agency comments can be adequately resolved.
- No major concerns from:
 - Ute Water
 - Lower Valley Fire Department
 - Grand Valley Power (GVP)
 - City Engineer

Slide 13 – 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 received on 12/12/23. Provided to the Planning Commission and applicant.

Slide 14 – 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.

Slide 15 – Suggested Motion – Pg. 69

- 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 applicant adequately resolve outstanding review agency concerns with the Final PUD application and/or approval of a Building Permit.

Mr. Hemphill concluded his presentation.

Commissioner Biddle thanked him and invited the applicant to speak.

Mr. Mark Austin, Austin Civil Group, went up to speak. He stated that they were there tonight to request their approval to proceed with the Wildcat Residence project located at the northeast

corner of Wildcat Avenue and South Pine Street. He complimented Mr. Hemphill on his presentation. He presented a PowerPoint. He introduced his design team, the owners Mackenzie Flanders, their architects from Zaga Architect, and Sandy and Becky with Zaga and their traffic engineering consultant Skip Hudson with Turnkey Consultants.

He showed the site plan that demonstrated how they were proposing to develop the project site. He stated that they had 65 units on the site, 2 apartment buildings with 20 units and the outside edge of the project were lined with row homes. He said it was a townhome looking product, they have garages on the back side and up along the street frontage which is one of the new urbanism principles that this PUD is encouraging. There are some small storage units that they are looking to provide for the residents. They will completely relandscape all the detention and open space areas that abut the residential properties. He added that they were providing 143 parking spaces throughout the project site. This consists of 73 surface parking places, 50 parking spaces within garages, and 20 parking spaces out front. He thought that they had done a good job of making sure all the parking can happen within the project and it doesn't spill out into the adjacent neighborhoods. They are proposing their access location off Wildcat Avenue on the eastern portion of the project site where traffic can come in and circulate and park. They also have access of off Legacy Way that aligns with Blair. There is two access points which helps meet their requirements for the Fire Department as well. All utilities needed to serve this project are on or adjacent to the project site. He mentioned the detention facility that was constructed as part of the original Legacy subdivision PUD. He said that this assumed the full development on this parcel. He said that they don't have to expand the detention facility for this project, but there are newer State requirements for water quality treatment that has kicked in and will require them to modify the detention facility to provide water quality treatment and as part of this they will be relandscaping and providing a new irrigation system. He said that the detention area is roughly around .3 acres in size. He spoke about traffic and said that they knew it would be of concern. They hired Turnkey Consultants to look at this area of concern. They prepared a traffic study that has been submitted and reviewed by both the City and CDOT. The analysis indicated that all of their intersections perform as designed, there are no modifications to adjacent streets or lights or any intersection improvements that are required. He felt that they did a good job of addressing both the circulation and keeping their access locations away from existing intersections to reduce congestion. He called Becky and Sandy up to discuss the colored renderings.

Sandy Thompson with Zaga Design went up to speak. She stated that the goal architecturally of the project was to develop something that integrated but also promoted some of the new urbanism principles. They have a mix of two- and three-story buildings and tried to create individuality within each unit by creating planes that pushed and pulled and using a palette similar to the materials in the neighborhoods that surround the project. She showed what the row homes looked like. They were trying to create housing for the missing middle which is something that is needed. To be able to provide two different types of products on this property with the row home mix that has an attached garage and apartment complexes that are two stories and are flats providing a mix of which a majority are bedrooms but a couple of two-bedroom options as well. She showed another look at the apartments. Basically, two buildings with a connector piece creating a lot of outdoor spaces and an option for different income levels.

Mr. Austin wrapped it up stating that they were there to answer any questions.

Commissioner Biddle opened the meeting to public comment.

Mr. Don Ami, who lives at 1183 Shady Lane in the Legacy Subdivision went up to speak. He said that this project was going to directly impact his quality of life. He thought that as it is proposed it is a disaster. He said it was high density housing in an area that should never have high density housing. He added that this was one of the primary reasons they chose Fruita in the first place. He said that they have been here a year and a half, moved from a Chicago suburb which was all high density, they liked the open spaces, they liked the fact that there were many multi-unit apartment buildings in the area. When they bought the house the sign on the land said that it was zoned for commercial, they thought at some point that they would either put a strip mall or a restaurant there. They never dreamed that would be putting high density multi apartment buildings there. He added that the Legacy Subdivision as it currently stands is single family homes, they have one of those, and a couple of townhouses that are right on the border with Pine Street. He felt that this is all that should be in this one. Single family homes, townhouses so that it integrated seamlessly with its immediate neighbor. He said that if they were going to put that many people in this subdivision, he would at least ask that the entrance off Blair have an electrically operated gate with a code for first responders. They are going to make that entrance to their subdivision unusable. There are going to be too many people there. He said if it was just the row houses, he wouldn't have an objection to it but those apartment buildings pour a lot of people in there that shouldn't be.

Commissioner Biddle thanked him.

Mrs. Kris Sudrovech Ami, who lives at 1183 Shady Lane went up to speak. Her biggest concern was traffic. She said that the subdivision is right across the street from the high school. She said that she didn't know if any of them had been around the high school at their starting or ending times but there is a ton of traffic going in and off 18 Road. She said that she could see how the entrance onto 18 Road right now off Legacy is already busy at those times. She is really concerned. She knew that the gentleman said that there was a traffic report about this, she wanted to see a little bit more information about that. She added that 18 Road itself as they have been living there has gotten busier great north/south access in the village but there aren't too many other ones like that. She wanted them to consider the traffic considerations of adding 143 parking spaces in a small area. She echoed what Don said and that it is not consistent with the neighborhood as far as looks. Their neighborhood is single-family homes, this is not single-family homes. She wanted them to consider this before approving something like this.

Commissioner Biddle thanked her.

Ms. Lori Strate, who lives at 1154 Legacy Way went up to speak. She said that she agreed with Kris and Don that the traffic is a huge concern. There are a lot of students driving in there that pull out right in front of you and adding more cars was a real concern to her. She thought the design of it is attractive and it goes with the neighborhood, she is concerned about the density and population there.

Commissioner Biddle thanked her. He closed the meeting to public comment as there was no one else. He opened the meeting to Commissioner discussion.

Commissioner Handley stated that he was sympathetic to the residents that made comment. He said that he has lived the situation where they moved from. He bought a house in a single family detached neighborhood and then projects and zoning were changed to the point that multiple large apartment complexes moved in. It does have an impact on property values in the neighborhood. He thought that this was one consideration is this was going to impact property values of the existing properties and having lived this experience himself he was also concerned about the traffic load at Pine and Wildcat. They have all the traffic from the middle school moving now to what is now the 8/9 school. They have substantial development along J Road and if you think about the overall traffic flow that they are looking at in the next few years on J and at that intersection at rush hour and school start hours the concern is the traffic load. He asked if the existing intersection is configured to handle that overall load increase in the coming years as this development is completed, all the other developments are completed along J Road.

Commissioner Hearn said that she didn't quite understand the garages. She said it states it is on the first floor of the three-story row houses, but on Wildcat or do they enter all the way through the house?

Mr. Austin responded that the row homes are configured along Wildcat and South Pine Street and the garages are on the opposite side of those, so they don't face the street frontage, they are on the back side.

Commissioner Hearn clarified that she would drive into the parking lot where her storage units are and then get into my garage through the street they are creating.

Mr. Austin said that they were coming in off the access off Wildcat and would then turn left or right and then he showed her on the screen where it was on the site plan.

Commissioner Hearn thanked him.

Commissioner Hummel wanted clarification from the traffic engineer. He asked if he saw any concern with traffic loads? He asked if he could summarize.

Mr. Skip Hudson answered. He stated that he understood that traffic could be confusing. He appreciated everyone's comments related to concerns about traffic safety, especially around a high school. He had a couple of points that he wanted to make. He said that this would be considered a low traffic generating project. It is lower than what was originally proposed as part of Legacy PUD. He said he had the list, and it was a lot of residential and commercial restaurant much like the citizen said. Commercial would have generated a lot more traffic. He commented that it was the first time he had been at a hearing where someone was unobjecting to a commercial but not residential. What he means by low traffic generating project, the number of parking spaces does not equal the amount of traffic. Those are different calculations. The project trip generation would be around 50 vehicles an hour and that is in the morning and afternoon. It is about one vehicle per minute over the peak hour. They did the counts when

school was in session and the afternoon peak hour was when school was letting out. His analysis was done on that peak period when school was in. The other thing that he is required to do by CDOT, and the City is look at the 20-year condition. In terms of how is going to work in the future with the growth that was mentioned, that is all included in his report. Relatively low volume, he looked at two things, two technical aspects of the intersections and there were three intersections that he looked at. Pine Street, Highway 6 & 50, Wildcat, and Legacy. He then looked at the access, the south access on Legacy. He had a minor clarification on an earlier statement, there was one improvement that was recommended and that is a turn lane north on Pine Street turning onto Wildcat. This was based on traffic volumes, the amount of through traffic and the amount of right turning traffic. That lane is warranted now, but to build it you would need right of way from the trailer park. With traffic growth and project traffic it would add a little more. That would be an improvement that the city could consider in the future. He looked at turn lanes and didn't see a need for any other than the one he mentioned. The other thing he said he looked at was the traffic operations analysis which is level of service. He continued, that this measured vehicle delay, and it grades a test score, A is free flowing or not much delay, F is a lot of delay and a lot of conflicts. At the back of his report, he tried to simplify it a little bit so that they can see all this information in a snapshot. He added that table 11 of the report provides these results of this intersection operational analysis. Intersections in all periods, not just the intersections but the individual movements, left turns through a right turn all operate a level service C or better. For all the analysis conditions, morning, afternoon, opening near the project and a year or so and the 20-year condition. He said that he couldn't identify any operational problems that would require anything like traffic signals or things like that. He continued that there are some turn restrictions in this study area, as you all know that southbound left turn from Pine onto Wildcat is restricted. He stated that this would be a compelling reason to have access to the north side. People coming from the north, if they couldn't turn left on Legacy and get into the project, they couldn't turn left at Wildcat, where would they go? How would they get back to where they live? He felt that this would be problematic. He said that traffic is busy for some periods during the day, but he could safely say that for 23 hours a day the traffic works fine out there and even during the peak periods when he analyzed it, it showed that it worked okay.

Commissioner Hummel thanked him and said that this was helpful.

Commissioner Handley had a follow up question. He stated that District 51 has made it clear that they will close the current middle school and move all the middle school students to the current 8/9 building which is right next door to the high school. All the drop off and pick up traffic is now centered around the current middle school is moving to that new location. He asked in his traffic study if he anticipated that additional load in traffic during at least two periods of the day.

Mr. Hudson responded that nobody saw that coming. He certainly didn't when he did this study 3-4 months ago. It wasn't on the radar as something that was going to happen. He said that his report didn't look at possible changes in traffic and it would be tough to predict what those changes would be. He added that there would be a lot of assumptions and guest work in that, but in these cases the better situation is to look at it after it happens. The city can do some traffic counts after it happens and see if it has created some problems. It was not in his study.

Commissioner Hummel asked where is that intersection on your radar in terms of redevelopment and the Wildcat / Pine intersection? How high is that on the priority level for the city currently?

Mr. Sam Atkins, City Engineer, stated that it was not very high. He stated that the intersections that would be or the construction that would occur well before that would be Fremont and the intersection of Fremont and Wildcat. He said that should relieve some of that pressure. He added that the other thing to keep in mind is what wasn't mentioned is that except for Kingsview, all the Redlands and all of Appleton are going to be shipped to Grand Junction High School. The school district wasn't going to send all the kids that are currently at Fruita to the 8/9 and High School or that school would be over capacity. This is going to change some of the dynamics with the traffic.

Commissioner Biddle asked what trending have we done or noticed in the past in the traffic that those students driving from Redlands to high school, what path might they have typically taken?

Mr. Atkins responded that it depends. He said that they have already shipped Broadway and Scenic to Grand Junction. Formally if you lived on the east end of the Redlands, you would probably take the parkway and come in on the highway. If you were far enough west within the Redlands, you are going to take 340 into town, get out on the highway and then take a left onto Pine Street and a right onto Wildcat. He added that those are the students that are driving. He thought that most of traffic that is going to the 8/9 is probably coming from J and coming down J.3. He said that they can't make the left onto Wildcat coming southbound.

Commissioner Mulder stated that he became a Planning Commissioner because he thought that he could see problems in advance. He remembered 20 years ago when they put the light at the highway and 18 Road. He said that it surprised a lot of people, but it was a good light, and it was necessary. He added that they have had a lot of discussions about Wildcat and Pine Street since and the school traffic that was going on. Rimrock and the 8/9 got built. The traffic multiplied. Along with the fact that he lived north of the highway with many citizens going to work in the morning and coming home in the evening. He continued that when they thought about the load going to the schools in the morning, the loads coming out of the schools in the afternoon and people going to work in the morning, the people coming home in the evening, Pine Street has a load. He said that he has been involved in a double light change more than once waiting to get from Pine Street to the highway. Along with the fact that Maverick gas station has a substantial amount of traffic that comes out onto 18 Road, some of it turns a short turn to make a double left, some of it turns a long turn left to make a right. The car wash empties in the back of Pizza Hut and comes out on the highway. He continued that some of the car wash people come back out to the front and empty out in front of the car wash. He said that he had hopes that this property would be open space or at least minimum development. He said that this was a bit much. As a Commissioner for Planning and as a citizen of Fruita who uses that area frequently, it is not right. He stated that there will be a lot of people living there that will be trying to get out on the road, they will work in Grand Junction so they will come out onto Pine Street, go down to the light, take a left onto the highway and go into town. How many light changes will they have to wait on Pine Street and the highway, he couldn't say. What he felt that he could tell them was that when the high school kids are driving in and driving out, that is one mess. He hoped that there would be a reduction in the density of this project or at the very least two lights, one at

Wildcat and one at Legacy Way. He added that the traffic from Kiefer down Pine to the light at the highway gets substantial.

Mr. Dan Caris, Planning Director, stated that he wanted to make sure that the Planning Commission and members of the audience are aware that two things were discussed. What are the basic entitlements that already exist that this project is attempting to exercise and the site related plan as it specifically trying to meet the site design review criteria. He stated that when they mesh those two things together, they lose some consistency with what they are trying to render a decision or recommendation on. Do they disagree that this project has entitlements because it is their view and in the Staff recommendation this project already has entitlements, it is already zoned. This then becomes a conversation about the site plan and what is being proposed. There is a set of approval criteria specifically that the Code contemplates. He also mentioned that there is a conversation around the surrounding transportation network and how this project doesn't do anything to solve those problems. They would argue that they have taken a lot of steps that would fly in the face of that analysis, they collect capacity related transportation impact fees that go towards enhancing and increasing the capacity in the network that is surrounding this project for all projects. They do the traffic studies to find out not just if there are recommendations but there are requirements for improvements, and they collect money at building permit or CO and they go towards the improvements that they are going to see next year which is the 19 Road project and some others. These contribute to the overall transportation network as it relates to their impacts.

Commissioner Mulder stated that the word entitlement sets him on edge. Somewhere along the line a developer is going to do the right thing. He added that this project was not the right thing for that location.

Commissioner Biddle stated that there was no rezoning here, so by right they can build what they are looking to build. It was not up to them to decide if they could build it or not. They are there to recommend or not recommend the site plan and what it looked like.

Mr. Caris added that also whether they agreed that they have achieved the approval criteria that is in the Code.

Commissioner Biddle added that part of it, by right, is the density as it stood.

Mr. Caris said he was correct. He added that this was their view and analysis of the PUD guide and the densities that were afforded to the project at the time of zoning.

Commissioner Biddle said that looking at this, he could appreciate that they have gone over on the parking spaces. He said that this was a positive. He saw a concern with traffic flowing into it and not having that left hand turn on Wildcat. That means that they are either taking the long way around or cutting through Legacy. He didn't know what to do about that. He didn't know if there was an answer right of way.

Mr. Skip Hudson said that the city didn't have much say, nor does CDOT when a traffic signal goes in. The requirements for a traffic signal are relatively high and they needed to have more

than 15-20 minutes of traffic, they needed to have 4 – 8 hours of a certain volume of threshold where they meet the federal guidelines and requirements for when a traffic signal goes in. He added that there are a lot of CDOT studies that show when a signal goes in, crash rates go up. In the peak hours when you must wait for a cycle, you can get through the intersection safely and not compete with the side traffic. He stated that he was asked to talk about more details related to what quantifies the traffic, the volumes, and the percentage of what goes where. He spoke specifically about Legacy and Pine, they had 7% of project traffic making a southbound left to go onto Legacy and they had 17% going in from the south going northbound making a right onto Legacy. The same 17 % comes out and makes a left. Overall, no more than 17% are project traffic would be on Legacy Way. He asked what that meant in terms of actual volumes? This would be project trips, he showed the morning condition, this would be five vehicles making a left turn out of Legacy and heading south on Pine, there would be one vehicle making a right and heading north, there would be some through traffic on the main line that doesn't turn, two vehicles heading through, two vehicles turning right and the volume on the southbound left was one. The combination of the low trip generation, about 50 trips in an hour in the peak hour that is a combination of inbound and outbound, combined with the low distribution at that means it is less than five vehicles an hour making some of these movements at that intersection.

Commissioner Hearn asked staff why a traffic study is required. She said that she was failing to see where it fitted in the four criteria that she must make the decision on the PUD.

Mr. Atkins said that a traffic study was required once they met a certain threshold of units. What the studies produce are the required improvements based on national standards to the road network if a left turn is warranted, or a free right into the site. Those kinds of things are generated from traffic studies. It gives them a feel for if it is or isn't going to work and it is based on professional traffic engineers that put it together.

Mr. Hudson added that the other part is that the purpose of the traffic study is to give CDOT what they are looking for as well. In this case, if this project would have generated increased traffic by more than 20% where Pine connects into Highway 6 & 50 then a CDOT access permit would've been required that the city would have applied for. He said that they have involved CDOT all the way through this. He did a methodology document that told everyone what his assumptions would be, CDOT and the City approved that and then his final traffic study. In addition to the stuff Sam was talking about identifying improvements on a local road network, that applies to CDOT and state highways as well.

Commissioner Hearn talked about the criteria in the Land Use Code section 17.19.030, Staff outlined the criteria in the Staff report. The more she read them, she didn't interpret that her job tonight is to decide on these four criteria with a traffic study. She felt strongly that the traffic study is part of the other technical admin things that the city does, and she was looking to see if her interpretation is correct. She asked if the traffic study is necessary for the four criteria or for some other criteria.

Mr. Atkins said it was part of the overall site plan and not necessarily part of their criteria. It is part of the Staff's criteria to evaluate the project from a traffic standpoint.

Commissioner Handley complimented the design team. He thought this was a very attractive development. He stated that over the past 2-3 years they have had a lot of discussion about the need for attainable housing. He said that he has advocated for projects like this as part of the solution to our attainable housing problem. He didn't have a problem with this project, and he thought they were being unfairly taken to task on the traffic issue, but it is an issue. He has heard comments from residents that use 18 Road to go to work and come home, regular complaints about the back-up and delays on 18 Road. Part of their job is to look at the historic and current traffic conditions but to also anticipate the future traffic conditions that this project in addition to all the other developments going on will bring. He agreed with Commissioner Mulder that he had a concern about adding not much more traffic load but another piece of the traffic load in addition to everything else they know is coming. He was not sure where they would find the answer to this, the traffic problem isn't theirs to solve, it is the City's problem. How does the current City circulation plan fit into developments like this? He is in favor of this type of development to address attainable housing.

Mr. Hudson responded to traffic growth and how he factored in future development. He said that there is a travel model for the urban areas within Mesa County. He stated that it was administered by the County's Regional Transportation Planning office. That model is updated every five years, he has been on some of the teams that do the updates in the past. If you look at a map of the city, it is broken up by streets into different zones. The model identifies the land use, employment, and population in each of the zones called Traffic Analysis zones. He said that this comes from the local governments, the model goes from Fruita to Palisade and south and includes the major roadways in those communities. The local governments sign off on the land use assumptions that go with the model the existing roadwork is known and then it is asked to run, and the model runs, and it identifies congestion hot spots and the project to address those. He added that this regional model doesn't exist in any other community in Western Colorado, and it is a privilege to have something that looks into the future where the land use from the local governments is an input, and the partners are involved and producing these projections for the future traffic. In his study he looks at the base year model which is 2018 and they count traffic and make sure it matches and then they do the future model which is 2045. He has an estimate of what the future volumes are going to be on Highway 6 & 50 and Pine Street and Wildcat in the 2045 condition which includes the growth that they are talking about.

Commissioner Handley said he thought it was a difficult question. He is a computer scientist and understood flow and event modeling and how the process worked. He spoke about the people of Fruita who use the road today and will use 18 Road increasingly in the future.

Commissioner Hummel said that what he took from Mr. Atkins' response to Commissioner Hearn's question was that the traffic study was not really part of their criteria. To him it seemed like a technicality that they leave to the professionals. He was left with what does this project do for the community and does it or not comply with their Comp Plan goals? It is an infill property, it provides a good mix of housing types that hits the missing middle, it gives them a good number of units in a relatively short time frame, it has amazing proximity to GVT with a stop outside and good for commuters who don't have a car and from a design perspective the buildings have good engagement with the pedestrian traffic which he appreciated. In his mind, it checks all the boxes that they have been looking for in terms of growth and development within

a community. He said that they should leave the traffic engineering to the professionals and decide based on the design criteria.

Commissioner Fabula added that if the project didn't go forward with residential and instead goes to commercial, they would see a greater traffic impact. He felt that they needed to recognize that they could have something going to this property that would create a greater traffic impact.

Commissioner Hummel stated that this was the nature of growth. People move here because they are an inclusive community, people like the outdoors, and many people have moved here recently, and it seemed counter to him to say that they can't have this kind of development because they are concerned about traffic or property values. This is something that the community needs, and he is in full support of that.

Commissioner Fabula asked if the property would allow short term rentals?

Mr. Caris responded that it would. He added that it is outside the triangle. He mentioned that it was covenant controlled and that they could disallow those like any other covenant-controlled communities.

Commissioner Fabula thanked the developer for doing the row homes facing Wildcat and Pine. He appreciated the garage access on the back. He understood that the original PUD was in 2007 and he knew a lot happened in 2008. He thought it was a great-looking project. He asked them to describe to him what the detention area will look like. He asked if there was going to be a fence around it prohibiting people from walking through it or will they be able to walk through it? What would the residents on the adjoining property see when they looked out their back window towards the new development?

Mr. Austin pulled up the site plan. He stated that the original 2007 plans for the Legacy PUD, there was a concrete pad down in the bottom of the detention pond that had a picnic table, and they were trying to use the detention facility as an open space recreational amenity. The modifications that they must make to provide water quality treatment won't change the configuration of that detention facility. It changes the outlet control structure. He added that if they went out there now the irrigation system that used to be provided around the detention facility is in shambles and the lines are broken. He added that it is a weed patch right now. He said that the detention facility is in the center core of their development. Their project is going to redo the landscape area in that entire detention facility. It will still be a detention pond, but will be landscaped, better maintained, and irrigated. The original PUD commercial development had a road that ran along the backside of the residential development with all the commercial property out front. They tried to keep the vehicle traffic impacts away from the existing neighborhood area and their apartment project abuts to the back side of the residential units, but they did have a landscape strip that runs along the back side. All that area will be landscaped out. He showed an overall view of the landscape plan for the project.

Commissioner Fabula asked what the distance between building 1 and 2 and the property line to the north?

Mr. Austin showed that it was 27 ½ feet.

Commissioner Fabula asked if people would be able to walk their dogs in that 27 ½ feet?

Mr. Austin confirmed that they would and added that it was meant to be open space. The detention facility is open space right now.

Commissioner Fabula asked what the height of building 1 and 2?

Mr. Austin responded that they were two stories.

Commissioner Fabula asked Zaga Design if they have ever designed a project in Fruita?

Mr. Austin said that their project team has worked on the project on West Aspen that is under construction now. He added that Zaga has worked on other projects here as well.

Commissioner Fabula thanked them again for the row homes on the front, the garages in the back, and he appreciated the parking allotment. He talked about standards nationwide and talked about his personal experience with driving. He stated that it was nice to know that there are 50 garage units and that there are 97 parking spots. He said that he appreciated that they noticed it and that it has been a concern for other developments. He spoke regarding the people's comments on the density, he said that density is always a concern for him, and he appreciated them coming to the meeting and making comments and thanked them.

Commissioner Hearn asked if the City of Fruita had suggestions or requirements for which types of trees or landscape plantings they would like?

Mr. Hemphill responded that there is an appendix at the back of the Code that calls out certain landscape materials that are supported in this region based on the growth, soils, moisture, and seasonality. Those are in the Land Use Code. The landscape plan is required by state statute to be stamped and sealed by a landscape architect that is registered with the state. There are multiple vetting opportunities for landscaping plans to have the right materials in the right location. He added that they review the landscape plan in accordance with the utility plan to make sure that there are no conflicts with overhead power or growth underneath the ground with water lines and power and gas and clear site at the intersections.

Commissioner Hearn stated that she had not read that list of trees. She asked if Fruita allowed for a community amenity like fruit trees or blackberry bushes?

Mr. Hemphill said that they could consult the appendix and the applicant and with the architect they could figure out if that is something they want to do. He added that there were multiple pages of landscape materials allowed in the Code in the appendix that was drafted by the CSU extension. If it is stamped and sealed by the landscape architect, they are looking at heights and any conflicts that the landscape plan has or any opportunities to conserve irrigation water and place some drought tolerant landscaping.

Commissioner Hearn said that what she reviews is what she would like for the community and how she interpreted the community plan. She loved that they were speaking to open space for Commissioner Fabula's questions. She asked if they were interested in a different planting schedule that could be more of a community amenity.

Mr. Austin stated that they were open and if the city wanted us to look at different plant materials, they could do that.

Commissioner Biddle asked what the build out would look like? Would it be a quick process or in phased?

Mr. Austin said that they included a phasing plan with their application. He stated that it would depend on the market conditions. Their initial approach would be to build out the apartment units first and then move into the row homes. It will be market driven and they are hoping to get started next fall with construction.

Commissioner Hearn asked about the storage units. She wanted to know how many and how large they would be.

Mr. Austin responded that they were smaller units. Their client has them on other projects that they have done in Grand Junction. It is mainly to have room to store bikes and gear.

Commissioner Hearn liked the idea. She couldn't find the number of units.

Mr. Austin said that there were 35 total.

Commissioner Hearn felt strongly that this plan was thoughtfully designed and meets the four criteria that are required for a PUD Site Plan development.

COMMISSIONER HEARN MOVED THAT BECAUSE THE APPLICATION MEETS OR CAN MEET ALL THE APPLICABLE APPROVED CRITERIA FOR A SITE DESIGN REVIEW, SHE MOVED TO RECOMMEND TO THE CITY COUNCIL WITH FRUITA THE CONDITION THAT THE APPLICATION ADEQUATELY RESOLVE THE OUTSTANDING REVIEW AGENCY CONCERNS WITH THE FINAL PUD APPLICATION AND/OR APPROVAL OF A BUILDING PERMIT.

COMMISSIONER MCGUIRE SECONDED THE MOTION

MOTION PASSED 6-1

There was a short recess.

Mr. Henry Hemphill gave the Staff presentation.

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.
Mr. Henry Hemphill gave the Staff presentation.

Slide 1 – Introduction

Slide 2 – Application Details

Slide 3 – Legal Notice
Image of post card and 350' buffer zone.

- Slide 4 – Legal Notice
- Post Cards:
 - November 22, 2023
 - Sign Posting:
 - November 22, 2023
 - Newspaper:
 - November 22, 2023

Slide 5 – Zoning Map and Aerial View

- Slide 6 – Review Criteria
- Section 17.09.030
 - 4 criteria to consider.
 - Consistency with the Land Use Code, the purposes of the DMU zone and the Comprehensive Plan.
 - Compatibility with surrounding area.
 - Existing uses and allowed uses.
 - The drive-through should not endanger the public health or safety.
 - All public services are available to the subject property.

Slide 7 – Vehicle Stacking
Image of proposed stacking and description.

- “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.”

Slide 8 – Aspen Avenue
Section 17.13.050 (A)(2)(c)

- 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.

Slide 9 – Review Comments & Public Comments

- **REVIEW COMMENTS:**
- CDOT provided comments regarding access from Aspen Avenue.
 - Traffic Study & Access Permit
- **PUBLIC COMMENTS:**
- Written comments received on 12/11/23. Entered into the public record.

Slide 10 – Suggested Motion – Pg. 143

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.

Mr. Hemphill concluded his presentation.

Commissioner Biddle thanked him.

Mr. Nate Abbott with Galloway, representative of City Market and Heslin Holdings, joined the meeting via Zoom. He introduced his team and gave the presentation. He showed the location of the project and the proximity to the existing City Market to give an understanding of where it is located. He stated it was at the northeast corner of Coulson and Aspen and two blocks west of the existing City Market as shown on the map. He zoomed in to show the lot configuration and he explained that it was one existing parcel, about a half-acre in size. What they were proposing here is a Conditional Use Permit for a City Market fuel station to support the existing City Market with 5 multiproduct dispensers and a small kiosk. He added that City Market felt that the fuel station would enhance their long-term financial health, viability, and commitment to the community as it would be a significant investment to benefit the community and the grocery store. He brought up the site plan for viewing. He continued that it was not something that they were looking at gaining approval on today. It would be a separate application, but it gave them a sense of the general layout of the small kiosk which was called out on the map, the edge of canopy and the property line. He showed three points of access, all three are existing, one-off West Aspen Avenue and two additional access points off North Coulson and one off of North Willow Street. He spoke more about the access off West Aspen is currently a right in only. They had not met with CDOT yet, but it is something that they would be doing if they get approval of the CUP. He noted that CDOT calls out for that access point to be right in / right out not just right in only. He felt that the layout could work with the existing access point off Aspen Avenue and two additional access points off Coulson and Willow. He showed a dash line on the map, he stated that they were calling it out as the fueling circulation limits. He talked about stacking for vehicles looking to fill up with fuel. He added that they wanted to make sure that there was adequate and safe circulation throughout the site to provide the highest level of customer service and client experience. He showed two fuel dispensers on the right, two on the left and one in the middle and a small kiosk area that one can walk up and pay as well. On the back he showed a tanker truck, this was a fuel delivery truck that is proposed to come off Willow through the back of the site to dispense fuel into the underground storage tanks, which are the oval shapes on the northwest corner and then exit back onto Coulson Street and then back on

Aspen and onto I-70. He mentioned Mr. Hemphill's presentation and that fueling is a permitted use within this area. He added that it was the drive-up component of this permitted use that they were seeking a Conditional Use Permit for. Mr. Abbott talked about the approval criteria. He showed the four Conditional Use criteria. The first one is the proposed use is consistent with the provisions and purposes of this title with the purposes of the zone to which it is located with the City's Master plan. He added that there were two sections that Mr. Hemphill alluded to that they had to meet. The first is the 40' setback of any drive through uses from Aspen which they felt was consistent based on the layout of their plan. The second was the stacking spaces as well. He stated that they were showing two stacking spaces at each one of the outer pumps and they do not interfere with the other required parking areas which was one of the criteria here. He showed the stacking along each one of the outer fueling pumps with enough access to be maintained along the northern portion of the site for truck access and circulation. He showed the setback off West Aspen at just over 41 1/2' or so. He stated that he felt the proposed use is compatible with existing and allowed uses surrounding the property. He stated that West Aspen Avenue was highly commercialized and commercial developments along with residential development continues to go to the west. He added that they were surrounded by other drive through uses, Walgreens, Colorado Federal Credit Union, Burger King, all have a drive through component as does the existing Sinclair adjacent to the existing City Market. He stated that they did not feel the proposed use would materially endanger the public, health, or safety as it relates to the drive through components. He thought it was important to note that there is no convenience store associated with this fuel facility and this limits the opportunity for pedestrian / vehicle conflicts within the site. They felt that they had adequate vehicle stacking and multiple points of ingress / egress to allow for safe circulation throughout the site. He continued that public service and facilities, transportation systems, wastewater disposal treatment, domestic water, fire protection, police, storm, and drainage facilities are adequate to serve the proposed use. He said that this is an existing developed property with all services servicing the site. They would be going through a full construction drawing submittal process should the Conditional Use Permit be approved in conjunction with their site plan approval. He stated that they would be digging into those details and how it lays out with the site plan approval process. He concluded his presentation and asked for questions or comments.

Commissioner Biddle opened the meeting to public comment. There were none. He closed this portion of the meeting and opened it to Commissioner discussion.

Commissioner Hearn commented about the zoning and how it allowed fueling stations, but the Conditional Use Permit was for the drive through. She was trying to envision how they would have a fuel station without a drive-through.

Mr. Hemphill stated that it did beg that question. The reason for the Conditional Use Permit is not every type of Conditional Use, like not every fueling station with a drive through makes sense on every property that is zoned Downtown Mixed Use. This is why the Conditional Use Permit needed to be considered site specific. He added that it was too unique of a use to allow it by right all the time. He added that if this were somewhere else along the highway, they probably wouldn't be having a Conditional Use Permit, it would work. The Conditional Use Permit is needed because it is more unique in characteristics than just the fuel sales.

Commissioner Handley commented that the drive through basically allows the tanker truck to go into the site and leave the site.

Commissioner Hearn asked what the definition of a drive through was?

Mr. Hemphill responded that they would be driving up to a fuel station, being provided with a service from the business, and you drive away and not stay for too long. He gave the example of a restaurant as the opposite, you would park, go in and be served and be there for a while and then leave. That is why he thought a Conditional Use Permit is required for drive-through facilities for fuel stations because site circulation does matter and being able to get in and out efficiently makes sense for them to consider and for them to decide on.

Commissioner Hearn asked if it was possible to have a fueling station that is not a drive through?

Mr. Hemphill responded that it was probably not but because it is such a unique site characteristic, if they turned it or had a long narrow strip, it may make different sense. It may not work. The way that they have it configured is standard. He added that this was his opinion why a Conditional Use Permit is needed for drive-throughs or drive ups is because of their unique characteristics and it does not work for every property.

Commissioner Hearn asked if the Conditional Use Permit was approved to have a drive through, is that approval for any drive through or this specific one? Could they build some totally different structure that has a drive through? She asked what the technicality was?

Mr. Hemphill stated that a drive-through would be allowed.

Commissioner Hearn asked if the Conditional Use Permit ran with the land or the use?

Mr. Hemphill stated that it ran with the land. He did add that there were expirations on Conditional Use Permits if they are not used in a full calendar year.

Commissioner Fabula commented that consistency with the Code and compatibility in the Downtown Mixed-Use area is the things he struggled with the most. He added that the Downtown Mixed-Use area is the way it is today which means it has a lot of residential in it. Here they are trying to craft community growth in this part of town, and they get challenged with the idea of consistency and compatibility. He knew that with the existing uses of the land and the future allowed uses. This is the piece that gave him heartburn with this type of development. He said that he did not envision a gas station there. He felt that there were going to be a lot of changes to this part of town, he knew that if they went through this part of town and assigned the date that every structure was built, this isn't the oldest, but it is the residential section that is old and there is a good chance that it won't be there in 10-20 years because of its age. Here they have this first application coming forward for something that truly does fall into this Downtown Mixed-Use category, something that he felt would generate tax revenue. They have talked about commercial for other projects and they bemoan the fact that don't have enough commercial. He rarely fuels up in Grand Junction and all his fuel ups would be in Fruita if this were to take place.

He added that there were some strong benefits for the community, but he has heartburn on the idea how they would juggle this consistency and compatibility when they are trying to grow the downtown area. Those were his comments and he thanked Mr. Abbott for his presentation. He did understand that there were three accesses to the property, and he assumed that all three accesses would be ins and outs. He asked if this was correct?

Mr. Abbott thanked him for the question. He said that the two existing access points to the east and west onto Coulson and Willow will be both for ingress and egress. Currently as shown they have an ingress or right in only to the site as it is laid out from Aspen. They will be seeking what is called a right in and right out so they can turn as they are going west bound on Aspen, they can turn right into the site, and it would also allow for a right out of the site as well to continue to go westbound on Aspen. He continued, currently as it is laid out it is a right in only off of Aspen, but the other two access points would be full movements into and out of the site.

Commissioner Fabula stated that most traffic would enter from West Aspen, take the right in, they would fuel and then exit either to the east or to the west.

Mr. Abbott confirmed this or come off Willow. He admitted that they had not done a traffic study yet, but it was their assumption that a lot of traffic would be coming from the store to the east westbound along Aspen and then pulling in off Willow or Aspen.

Commissioner Fabula thanked him. He asked if this was currently an alley in the back right now?

Mr. Hemphill said it was. He said it was unimproved, just road base or gravel.

Commissioner Fabula stated that he knew that they had their standard requirements for improved alley access. He asked if there would be any type of visual element that is going to shield the properties to the north or to the south from this new traffic?

Mr. Hemphill stated that they would expect them to submit a landscape plan that would help deflect some of the visual aspects associated with being close to a fuel station like this. They haven't gotten down to that site specific detail. He felt it was important to consider. He stated that it was in the Code to require certain visual aspects to be taken into consideration when they are adjacent to a residential property. It would be on their minds as the application moves forward.

Commissioner Fabula said that he didn't want to sound negative about his comments about consistency and compatibility because he thought the reality is that most of the properties in the Downtown Mixed-Use area are going to change over the next 50 years. What they need to remember is how do they manage that change and how do they help it blend in? He didn't like light pollution. He spoke about his own experiences with light pollution in the Downtown area. He admitted that he would never go to a poorly lit gas station. He added that as a community we will go through growing pains of growing into the Downtown Mixed-Use area. Noise, smells, light, and traffic are those are things that they must become accustomed to. He asked Mr. Abbott to keep this in mind and those things reach further than the property line.

Commissioner Handley commented on the properties directly to the north have a large lawn area. He felt that there was a good deal of separation from the alley to the structures. He spoke about the character of that section of town that is already chartered to change. He talked about the auto barn property, the old trailer court that was there and this was going to be a new multi-unit development. He agreed that the character of this part of town has already been approved for substantial change and he would expect many of those properties in that area will be of another use within 10-15 years.

Commissioner McGuire asked if they per Commissioner Hearn's comments on the last item, are they looking at traffic in this instance or is it something for the city?

Mr. Atkins responded that they would not be looking at it. He added that the review comments that came from CDOT, Aspen west of 340 to Coulson is part of the 340 system. This is how you get off 340 and make it to Highway 6. That is controlled by CDOT, and they want to see a traffic study and they want to see a queuing study. He added that they did not want traffic to be blocked out onto Aspen which creates a safety issue. Those two things must occur as part of their application as it moves forward.

Commissioner McGuire asked when they did the study if they would be asked if they would be looking at the development of the property where the auto barn was as well and how both of those new development potential properties would impact together?

Mr. Atkins stated that they should because they know it is coming. He said it was an approved project.

Commissioner Handley commented that it was encouraging for City Market to financially justify an additional investment in the community. He said it was a positive step for a grocery store expansion sometime in the not so distance future.

Commissioner Hummel said that he struggled with this one. He couldn't figure out how a fuel station could happen without a drive through. Also, the compatibility question. He understood that this area was slated for redevelopment over the next 10-15 years, but he couldn't help but think of those 3-4 residences right there and what their impact would be over those next 10-15 years. Going back to why it is split out as a Conditional Use for a drive through, the idea that not all uses are appropriate within the zoning parcels. He thought it was interesting that they have this opportunity to compare the land use for this compatibility as it is outlined in 3 in Chapter 17.05. 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 others. He continued, traffic aside he thought the light levels of any kind of drive through would adversely affect those residences for the next 10-15 years until they got purchased by someone and turned into a commercial or multifamily development. He went back to the Comp Plan and read the downtown future land use description. He continued that the intent is for the area is to be vibrant, pedestrian oriented commercial and residential area and act as the civic heart of the community. It should have inviting streetscapes and multimodal corridors as a priority to encourage walking and biking to and from downtown destinations. He wondered if drive throughs per this land use are compatible with these ideals. A drive through inherently

crosses a pedestrian path and it is going to create conflict. If they don't have an onsite sales store, they are not creating onsite issues between traffic and pedestrians. He struggled with this and felt that there is a certain amount of conflict between the drive-through and the core values of what they wanted this downtown area to be.

Commissioner Hearn said that she struggled with this as well. She said she looked up the purpose of Title 17 because it was part of criteria 1. The purpose is to lessen congestion, avoid effects of public nuisances and negative impacts. Another purpose was to enhance the tax base. She said that she walked regularly from Circle Park to Walgreens and once she crossed the intersection at the light, she doesn't feel safe as a pedestrian. When she thought about the Future Land Use Map, she didn't feel encouraged to keep walking to the park or keep riding her bike to the trail and she felt strongly that a drive through is not appropriate if that is her highest goal for pedestrian oriented things. They also have a specific goal for City Market to be here and reduce people's trips to Grand Junction. She mentioned that she had expired City Market fuel points all of the time because she wouldn't drive to Grand Junction to use them. She felt other families would use them. She wondered if that goal in enhancing their tax base was more important than her walking all the way to the CO-OP. She wanted them to discuss this.

Commissioner Handley talked about the new development in the old auto barn area one of the justifications for that is that it is within walking distance of the downtown area. They would have a lot of people living in that area that want to walk directly across the egress area for the gas station.

Commissioner Hearn said that she read the Staff report and listen to the presentation that says it is compatible because we have four others drive throughs, but she felt strongly that this spoke to the disproportionate number of drive throughs and adding another doesn't necessarily make it compatible it makes it disproportionate.

Commissioner Hummel agreed with her. He also said that it is a past use where it was developed under previous land use goals that had those drive throughs in the area. He asked if they wanted to go back to the current core values or do they want to keep increasing these previous things that they have been building 20-30 years prior to their new stated goals? Do they want to adhere to what they had defined as the new land use and growth, or do they want to keep doing the same thing they have been doing?

Commissioner Handley stated that one could envision in the near future when the multiunit development is complete and there are several people living in that area if this wasn't a gas station, what other use might it be? Would that potential development be more compatible with the vision they have for the downtown area?

Mr. Caris said that he appreciated the incongruent nature of the conditionally allowed drive up or drive-through and a by right use for a fuel station. He provided context, his suspicion was that they were okay with the inconsistencies there to not create legal and conforming uses that had already been built. If they were to redevelop, they would not be allowed to redevelop in their current form which was a discussion point not necessarily specific to this situation, but it was talked about when they updated the Code not when they updated the Comp Plan. He thought for

all the reasons they are having a thoughtful discussion about the aspirational goals of that, he wanted to provide some context to a spec that since they have some adjacency and some compatibility that was part of the conversation. And to provide a degree of flexibility for an individual user, that as Commissioner Hearn suggested is a purpose statement that is in the Comp Plan.

Commissioner Fabula said that he knew that the traffic study had to take place and he understood that CDOT had to review and approve that traffic study and the traffic study would come back with findings. They assume that those findings will be fulfilled, and the applicant would have their drive through Conditional Use Permit in hand, they will have the property in hand and will move onto the next step. They won't see that traffic study here before the Commission.

Mr. Caris said that this was correct.

Commissioner Fabula assumed that they don't fail traffic studies, they just recommend something, and they say it isn't financially feasible or it doesn't fit for they won't move forward.

Mr. Caris stated that CDOT has denied access in the past. He added that Coloramo access was not a foregone conclusion. He thought that the traffic studies are not the same thing.

Mr. Atkins said that the Coloramo access off Aspen almost didn't happen. He questioned whether it was usable. It is 180 grade turn because they felt they needed access off Aspen. He thought this application could end up where they physically must access from the alley and exit onto Aspen to keep the queuing from being an issue. He brought up Coloramo, he stated that they ended up needing to put in a median to prevent people from trying to left turn out. He also talked about the existing City Market and Burger King. He said that these are two examples of a failure in the fact that the pork chops do not function. He added that there were plenty of people that will turn into City Market from a westbound left. The pork chops are not big enough to prevent that movement from happening. He added that the same thing is happening for the left out that occurs at City Market and Burger King has the same problem. He continued, CDOT would most likely force this application to put that left turn median in to prevent that from happening and it is a safety thing.

Commissioner Hearn asked the other Commissioners what they thought was more important, pedestrian oriented downtown or economic vitality? She reminded them that the Conditional Use Permit ran with the land.

Commissioner Mulder felt that Fruita needed the fueling station. He added that it is what City Market has needed to put in the City of Fruita and he thought this is exactly what they need for Fruita.

Commissioner Biddle stated that they should look for the balance. He felt that there was a middle ground in there somewhere. He asked if they were in the middle ground or were they too far one side or the other? He felt that they were in the middle ground for both.

Commissioner Handley said that he was thinking about the entire community of Fruita. He asked if they were to deny City Market the ability to build a gas station there, would it discourage them from any other future development like expanding the grocery store? Do they want a walkable city or more financial vitality? He was with Commissioner Mulder; this is a project that Fruita needed for the consideration of future market development.

Commissioner Hummel countered that idea stating that for something to be feasible for City Market they are going to do it whether they approve it. (inaudible). He talked about the prioritizing of car traffic and travel for the last 70 years in this country. He felt that they needed to help pedestrian design along. He asked if this was the place to do it. He answered, probably not because there are several other drive throughs. He questioned the location. He agreed in terms of balance.

Commissioner Biddle stated that Staff has heard our conversation about pedestrians and will keep that in mind for projects moving forward.

Commissioner Fabula said that for him it wasn't about the pedestrian and the non-pedestrian. It was the fact that they have been trying to make updates to promote the development of their Downtown Mixed-Use zone. He thought that it was ambiguous what they looked like. He thought that none of them pictured going downtown and getting a snicker and gas for the car. He questioned whether it was their job to dictate what businesses come forward and try to start a venture. He added that if this was a drive through with some amazing burgers, they might have a totally different concept or feedback on this drive through application. He said that he was hung up on the fact that it is a gas station. He knew that this was not why he was there. He is not there to dictate what people choose or to say what the right business venture is to bring to Fruita. He was disappointed and was hopeful that it was going to be something different than a gas station. Will he use the gas station? Probably. They are running out of frontage on Aspen to be developed and this is going to lock up this lot for 20 years. There are two houses to the left, he was surprised they weren't there, and he felt that this was not what they would want as their next-door neighbor. They are going to take an alley and turn it into something that runs 24 hours a day. He did not feel this was compatible for residential. He asked if it was compatible for Downtown Mixed Use and the future development of Downtown Mixed Use? He said it was. This is why he felt that there would be growing pains. All in all, it was the first application to come forward and he thought they would be able to make the traffic aspect work.

Commissioner Handley said that he was thinking about the last project they approved and talking about traffic, he felt that it did need to be one of their considerations. He concluded that this was a problem better addressed through their overall circulation plan. If these are important issues and critical to the City, rather than them addressing it project by project, they need to be working with the City staff and updating the circulation plan and making it more amenable to their pedestrian traffic and better road infrastructure for the traffic they do have.

COMMISSIONER MULDER MOVED 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

COMMISSIONER HANDLEY SECONDED THE MOTION

MOTION IS DENIED 3-4

I. OTHER BUSINESS

1. Community Development Updates

None

2. Visitors and Guests

None

3. Other Business

Commissioner Mulder brought up School District 51 and what they intended for the schools in Fruita with a discussion that followed. Commissioner Fabula was thanked for his time on the Planning Commission.

Adjournment 8:34 pm

Respectfully submitted,

Kelli McLean

Planning Technician, City of Fruita



**PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT
JANUARY 9, 2024**

Application #: 2023-37
Project Name: Geode Flats
Application: Preliminary PUD Plan
Representative: McCool Development Solutions, LLC
Property Owner: TWG Raptor LP
Location: 614 Raptor Road
Current Zone: Commercial 2 (C-2)
Request: This is a request for a Preliminary Planned Unit Development (PUD) Plan to establish zoning standards for a multi-family development on approximately 5.07 acres.

PROJECT DESCRIPTION:

This is an application for a Preliminary PUD Plan to establish zoning standards for a multi-family development on approximately 5.07 acres of property located at 614 Raptor Road. This application began back on January 24, 2023, when the Planning Commission and City Council held a joint workshop on the Concept Plan for this project previously named the Residences at Fruita. Concept Plans are designed for PUDs as an optional 1st step in the review process where the Planning Commission and City Council can provide non-binding feedback in a workshop/work session and are intended to provide overall direction to the applicant.

The property is approximately 5.07 acres located directly west of the La Quinta Inn and northeast of James M. Robb State Park. The property is also bordered by Raptor Road on the north and Jurassic Court on the south. Based on the project narrative, “The proposed Preliminary PUD Plan takes a form-based approach to multifamily development to provide new housing that matches the look and feel of the surrounding area and promotes more affordable housing while providing a demonstrated public benefit that would not be available under conventional zoning restrictions in terms of density, building heights, parking, and public benefit.”

The plan includes four (4) multi-family residential buildings and a clubhouse with proposed access coming from Jurassic Court on the south and another access coming from the west side. The plan identifies two (2) separate planning areas, Planning Area A and B, with a total of five (5) buildings and four (4) of which are designed for multi-family. Submitted with the application is a PUD Guide, which will serve as the primary zoning standards for the property with the

primary goal of this project is to create affordable housing. The PUD Guide details out zoning standards for the property including land uses, density, setbacks, building heights, design standards, parking standards, landscaping standards, site lighting standards, and signage. Much like other PUD Guides, anything not mentioned in the PUD Guide will revert to the City's Land Use Code.

SURROUNDING LAND USES AND ZONING:

Surrounding land uses are primarily commercial. There is a Mack Truck Sale and repair shop directly to the north. East of that is also a large semi-truck repair shop. South and West are the State Park and the City of Fruita old sewer lagoon site. The map below identifies the various zones in this area.



AERIAL PHOTO



REVIEW OF APPLICABLE LAND USE CODE REQUIREMENTS:

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.*”

The Planned Unit Development request must be reviewed in accordance with Section 17.19.030 of the Land Use Code which are addressed within this Staff Report.

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 applicant has submitted enough information to consider the zoning application as it’s proposed. More information will be required to be provided with a subsequent application to determine compliance with the City’s Engineering Standards (Design Criteria and Construction Specifications Manual).

As mentioned with the Concept Plan, The City of Fruita’s transportation plan requires right-of-way construction connecting Raptor Road and Jurassic Court.

The primary purpose of this PUD request is to allow for more density, parking reductions, and greater building height than what is allowed under the conventional Commercial-2 (C-2) zone district.

The C-2 zone allows for 12 dwelling units per acre, giving the total allowed residential count of 60 dwelling units (12 du * 5 acres).

The C-2 zone allows for a maximum building height of 35 feet. At the January 24, 2023 workshop, there was no concern about building heights overall.

The PUD Guide states that all uses permitted by right and conditional uses in the C-2 zone district be allowed, including Multifamily Residential and a Clubhouse. It is the recommendation of Staff that the only allowed uses be Multifamily Residential and a Clubhouse as an accessory use and that all other allowed uses and conditionally allowed uses be removed. The purpose of the PUD is to provide either affordable housing or market rate rental housing in Fruita, not commercial uses. To name a few allowed uses supported in the C-2 zone are: Alcohol sales, Bar/Nightclub, Short-Term Rentals, General Retail Sales (indoor and outdoor), Small Engine/appliance repair shops, Outdoor Storage, Self-storage/Mini warehouse.

PARKING:

Section 17.37.030 contains parking requirements for Multi-Family developments. The requirements are as follows:

Use Categories (Examples of Uses are in Chapter 17.03)	Minimum Motorized Vehicle Parking Per Land Use (fractions rounded down to the closest whole number)	Minimum Bicycle Parking Per Land Use (fractions rounded down to the closest whole number)	Minimum Motorized Vehicle Parking Per Land Use (DMU Zone District)
Residential Categories			
Multi-family	1 space per studio or 1-bedroom unit 1.5 spaces per 2-bedroom unit 2 spaces/unit per 3-bedroom or larger unit	1 space per unit	0.95 spaces per studio or 1-bedroom unit 1.25 spaces per 2-bedroom unit 2 spaces per 3-bedroom or larger unit

The application is proposing two (2) separate parking rate ratios which are contained on page 12 of the PUD Guide submitted. The ratios breakdown either Market Rate Rentals or Affordable Rentals.

	Market Rate Rental	Affordable Rental
Parking Rate (per dwelling unit)	1.32	0.75
180 Units	238 Spaces	135 Spaces

These proposed ratios are accompanied by a Parking Analysis Study provided by transportation engineering firm McDowell Engineering, LLC. At the January 24, 2023, workshop, the Planning Commission and City Council requested that this be completed with the Preliminary PUD Plan application. The Concept Plan proposed a parking ratio of 0.5 spaces per unit.

CHILDCARE:

The Concept Plan proposed a childcare center in the form of land dedication or a cash payment in lieu of dedicating land. It appears that the developer is open to creative solutions with regards to the Childcare proposal as a community benefit. The Planning Commission and City Council were supportive of this idea. This application proposes a cash payment of \$100,000 due upon issuance of building permits. Staff is supportive of the amount proposed, however, Staff recommends the timing of payment be tied to the zoning ordinance and not the timing of the building permits.

Fruita In Motion: Plan Like a Local Comprehensive Plan (Master Plan):

With regards to the Master 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. Two 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 Future Land Use Map prioritizes infill over sprawling residential development at the edge of the city limits. The policies in this plan aim to spur residential development within the existing city limits and UGB. It aims to transform the State Highway 6&50 corridor by allowing and encouraging multifamily housing on parcels and blocks adjacent to this corridor. (Chapter 3 Land Use & Growth, Page 26, Comprehensive Plan).

Goal #4. *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. 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).

Goal #9. *Support flexibility in zoning and the development of diverse housing types as part of an economic sustainability strategy.*

The availability of workforce housing is now an economic development issue in Fruita. Additionally, businesses are looking for the right fit in terms of buildings, land, and space to move, expand, or start businesses. Fruita can look to the experience of high-cost mountain resort towns to observe the risks of waiting too long to act. Local businesses are experiencing workforce shortages. The Land Use & Growth chapter of this plan (Chapter 3) contains strategies and policies on increasing the diversity and supply of housing in Fruita. For workforce housing, emphasis is on market rate and affordable (income restricted) rental housing and attainably priced ownership housing. For commercial spaces, Land Use Code changes can lay the groundwork for being an attractive place for a new or existing business. Flexibility in the design and types of buildings that can be built would be a business-friendly approach. (Chapter 4 Economic Development, Page 58, Comprehensive Plan).

The City’s Master Plan also states that the City of Fruita, “*Support the Mesa County Public Health Department and its Childcare 8,000 initiative in seeking to increase the number of available spaces for childcare in the county*” (Goal #2, Policy 2.E, on Page 66). This has been a continued goal of the City of Fruita for many years. Additionally, Page 96 of the Master Plan states that the City of Fruita, “*support ample, affordable early learning and childcare centers for city residents.*”

Because this application is seeking to meet many community goals contained in the Master Plan, this application should be able to meet all applicable construction standards, and can be consistent with the Land Use Code, this criterion can be met.

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:

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

This application appears to be taking many housing goals into consideration based on the proposed PUD Guide. The location of the property and the emphasis on housing are

conveniently located near places of employment, public transportation networks/locations, and is close to the highway networks. If developed for multifamily, the location of the property should allow residents to easily commute to other areas or even locally without too much driving. Furthermore, there are trails nearby that will allow for multimodal transportation opportunities.

- 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*

The proposed application for a PUD zoning classification meets this general goal for justifying a PUD application. The project is designed so that a large multifamily project could be constructed at either a market rate rental or as an affordable housing project. If constructed, the project would provide greater variety and innovation to the City of Fruita's housing market. Staff is hopeful that if constructed, this project would be able to bring additional housing opportunities for individuals of varying income levels and greater opportunities for housing options in Fruita.

- 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*

The proposed application is requesting deviations from the C-2 zone district that would only allow for 50 dwelling units to be constructed at a density of 12 dwelling units per acre. Under this conventional zoning standard, the project would be difficult to develop. Over the past few years, the property has seen other development proposals such as self-storage units. Although allowed in the C-2 zone district, Staff feels that this proposal for multifamily residential is something supported in the City's Master Plan. The major deviation from the C-2 zone district is the residential density component, which Staff is supportive of. Additionally, Staff believes that this application is making an efficient use of the land.

- 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.

Based on the application submittal and the project narrative, the overall goal of this project is to implement many of the housing related goals contained in the City of Fruita's Comprehensive Plan. The proposed PUD plan should allow for efficient development and layout of the residential buildings.

- 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 will be reviewed in accordance with Section 17.09 for a Site Design Review application if this PUD is approved. As it stands now, there has been much consideration as to how the applicant wants the project to be built out and most of that has been shown in the PUD Guide related to the Design Standards. These Design Standards will be used to review the application in its future steps. Most all deviations have been reviewed by Staff and are supported as they are minor. There are no direct review criteria for Site Design Reviews, however, Staff and other review agencies will have an opportunity to review the site design and building elevations when a future application is submitted. Staff will also use the PUD Guide to review a Site Design Review application.

This criterion can be met.

- 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).***

The application proposes deviations from the Design Standards contained in Chapter 17.13 of the Land Use Code. These deviations are outlined in the proposed PUD Guide and are overall supported by Staff as they do meet the intents and purpose of the Business Design Standards related to residential types of developments.

The one deviation that Staff recommends follow the Business Design Standards is related to Building Design and the overall architecture to address all sides of the buildings visual from the street. This section in particular is contained in Section 17.13.060 (B)(1) and reads, "Architectural designs shall address all facades of a building visible from the street with materials, detailing, and color. Architectural elements should wrap around building corners," and the PUD deviation proposes that only the architectural designs address the street-facing facades of a building.

If the architectural features wrap around all sides of each building, then this criterion can be met.

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

a) Adequate resolution of all review comments; and

Because this is a zoning application, no review agencies were needed to provide input. Review Agencies will be communicated with if a Site Design Review Application is submitted. Review Agencies like CDOT, Ute Water, School District 51, Mesa County Transportation Planning Office, Xcel Energy, GVP, and others will be provided with time to comment.

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 PUD Guide, which contains the zoning related elements of the development, are consistent with the character in the immediate area and are written to ensure that the development can be completed in accordance with the City's Design Standards and other applicable requirements. The modifications proposed in the PUD Guide provided also appear to be justified where necessary. The character of the adjacent area is unique, but the application, if developed, should provide for a consistent transition of what is already built.

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;

This is strictly just a zoning application. In accordance with the submitted documents and if approved, Staff expects that the next step would be the submittal of a Site Design Review application.

If a Site Design Review application were to be submitted in the future, Staff would recommend that the application be reviewed and approved administratively.

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 criterion is also considered above in the Staff Report. The application proposes deviations from the Design Standards contained in Chapter 17.13 of the Land Use Code. These deviations are outlined in the proposed PUD Guide and are overall supported by Staff as they do meet the intents and purpose of the Business Design Standards related to residential types of developments.

The one deviation that Staff recommends follow the Business Design Standards and not be deviated from are related to Building Design and the overall architecture to address all sides of the buildings visual from the street. This section in particular is contained in Section 17.13.060

(B)(1) and reads, “*Architectural designs shall address all facades of a building visible from the street with materials, detailing, and color. Architectural elements should wrap around building corners.*” And the PUD deviation proposes that only the architectural designs address the street-facing facades of a building.

If the architectural features wrap around all sides of each building, then this criterion can be met.

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

Based on the feedback provided by the Planning Commission and City Council at their January 24, 2023, workshop, it appears that the application has taken the necessary steps to address concerns discussed at this meeting. The application provides an approach to Childcare as a community benefit, has provided a Parking Demand analysis, and proposes building design standards that should allow for consistent and transitional standards to blend with existing buildings.

This criterion appears to have been met.

LEGAL NOTICE:

Legal Notice (minimum of 15 days prior to Planning Commission)	
December 14, 2023 (26 days prior)	Post Cards [17.07.040 (E)(1)(d)]
December 14, 2023 (26 days prior)	Sign Posting [17.07.040 (E)(1)(c)]
December 15, 2023 (25 days prior)	Legal Ad [17.07.040 (E)(1)(a)]

*Supplemental legal notice information attached with the Staff Report

REVIEW COMMENTS:

All review comments received are included with this Staff Report.

PUBLIC COMMENTS:

No written public comments have been received at this time.

PUBLIC HEARING SCHEDULE:

Planning Commission – January 9, 2024

City Council 1st Reading of zoning Ordinance – January 16, 2024 (*tentative*)

City Council 2nd Reading of zoning Ordinance – February 20, 2024 (*tentative*)

STAFF RECOMMENDATION:

Because the application meets or can meet the requirements of Section 17.19.030 (A)(1) (a-d) and Section 17.19.030 (B)(1) (a-e) of the Fruita Land Use Code, **Staff recommends approval** of the proposed Geode Flats Preliminary PUD Plan with the condition that the application adequately resolve all review comments and conditions in the Staff Report with either the zoning ordinance or the Final PUD application.

Recommendations/Conditions by Staff:

1. Remove all commercial land uses from the PUD Guide.
2. \$100k childcare cash in lieu fee be collected with the zoning ordinance approval by City Council.
3. Design Standards contained in Section 17.13.060 (B)(1) be met as written in the Land Use Code.
4. If this PUD Guide is approved with these conditions by Staff and fully met, then a future Site Design Review application be reviewed administratively unless there is a major modification or change in the application deemed by the Community Development Director.

SUGGESTED MOTION:

Mr. Chair, because the application meets or can meet all applicable approval criteria for a Preliminary PUD Plan including Section 17.19.030 (A)(1) (a-d) and Section 17.19.030 (B)(1) (a-c) of the Fruita Land Use Code, I move to recommend **approval** to the Fruita City Council with the conditional that all review comments and conditions in the Staff Report be adequately resolved with either the zoning ordinance or the Final PUD Plan application.

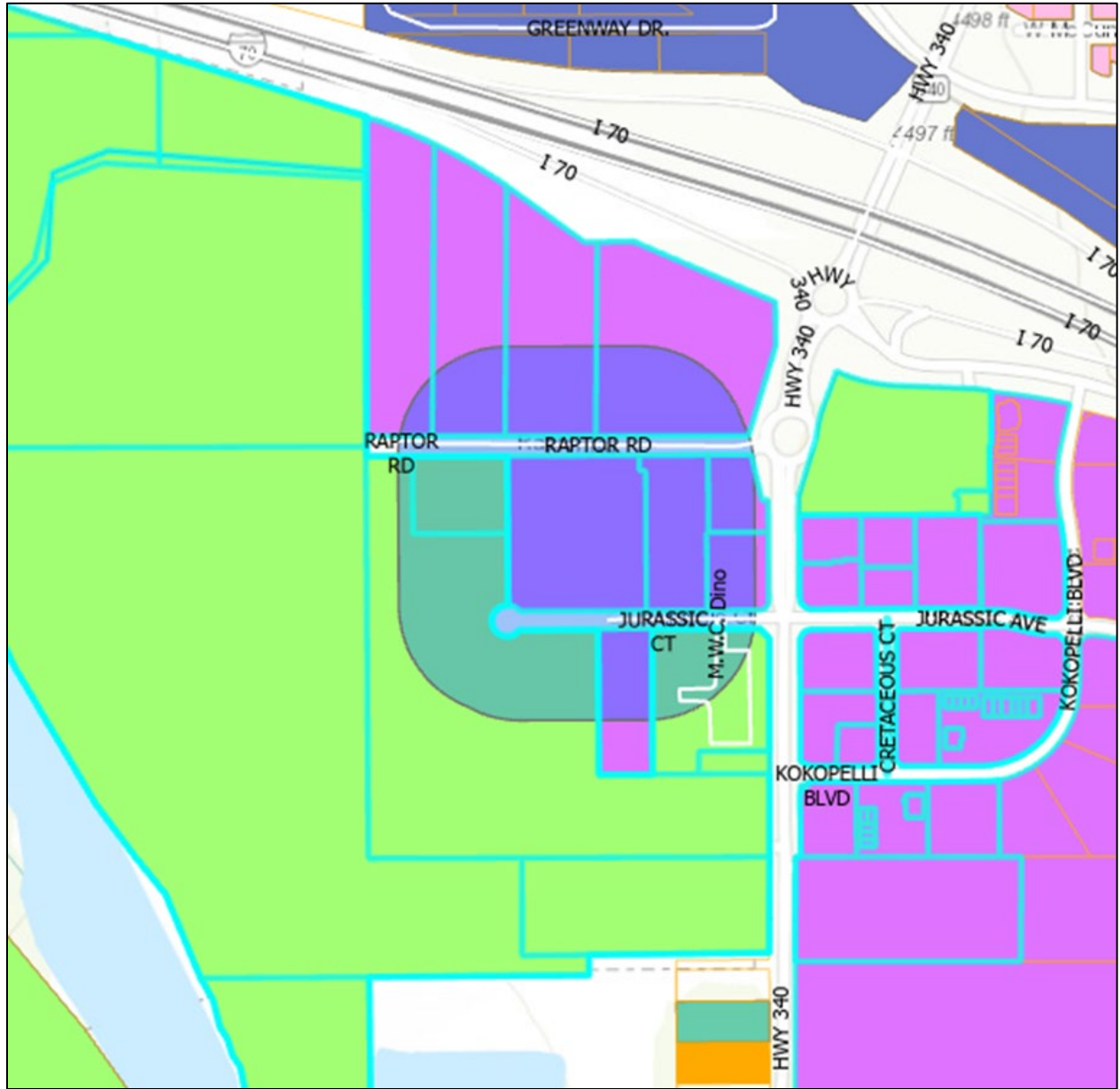
Geode Flats – Preliminary PUD Plan (zoning)

Supplemental Legal Notice

Legal Notice (minimum of 15 days prior to Planning Commission)	
December 14, 2023 (26 days prior)	Post Cards [17.07.040 (E)(1)(d)]
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December 15, 2023 (25 days prior)	Legal Ad [17.07.040 (E)(1)(a)]









GEODE FLATS PRELIMINARY PUD PLAN (REZONING) PROJECT NARRATIVE

Project Description

The subject property is an infill site located at 614 Raptor Road, is approximately 5.07 acres and is currently zoned Commercial-Two (C-2). The intent of the Planned Unit Development (PUD) is to allow flexibility and innovation in the development of rental market rate or affordable multifamily housing in exchange for a community benefit that could not otherwise be realized through the strict adherence to the Fruita Land Use Code. The proposed uses include all uses permitted by right and conditional use in the C-2 zone district, including but not limited to multifamily residential and clubhouse. The proposed Preliminary PUD Plan takes a form-based approach to multifamily development to provide new housing that matches the look and feel of the surrounding area and promotes more affordable housing while providing a demonstrated public benefit that would not be available under conventional zoning restrictions in terms of density, building heights, parking, and public benefit.

TWG's primary goal of the rezone request is to work closely with the City to create this PUD to allow construction of affordable housing in Fruita who earn at and below 140% of the area median income (AMI) to fulfill the need for affordable housing and thus improve the quality of life for Fruita residents. The project would include the build-out of Jurassic Court, Raptor Road, and the construction of a north/south minor collector to provide connectivity between Raptor Road and Jurassic Court as illustrated on the Road Classification Map in the Comprehensive Plan. Additionally, this connection will promote circulation with convenient connections via streets and pedestrian ways to parks, and adjacent neighborhood-oriented services and amenities in conformance with the Fruita Design Principals as outlined in Chapter 17.13 of the Fruita Land Use Code. The community component of the project includes a payment of \$100,000 to the city in lieu of performance to assist in providing additional childcare facilities in the area.

The Preliminary PUD Plan is divided into two (2) planning areas (A and B) to allow the construction of four (4) multifamily residential buildings, a clubhouse, and a minimum of two on site amenity elements that could include playground equipment, common outdoor gathering spaces, pocket park, raised garden beds, trails, furnished exercise room, community room or computer room. The proposed overall site dimensional standards include a minimum lot size of 4.5 acres with a maximum of five (5) buildings with no specific density standard and a parking rate of 0.75 spaces per dwelling unit for affordable rental and 1.31 spaces per dwelling unit for market rate rental. Planning Area A would allow two (2) multifamily buildings and the clubhouse building. A maximum structure height of four (4) stories is proposed for consistency with the building mass of the La Quinta hotel located along the eastern boundary of the site. Planning Area B would allow two 3-story multifamily buildings to provide an appropriate transition to the James M. Robb – Colorado River State Park to the west.

Neighborhood Meeting

The TWG Team hosted a neighborhood meeting on Wednesday, September 6, 2023, from 5:30 – 6:30 P.M., at the Fruita Community Center. One person attended the meeting (see attached sign-in sheet). The meeting participant did not have any concerns with the proposal but noted there were multifamily projects in Fruita that were approved with a parking reduction and he felt they had problems.

Justification of Modifications of Zoning and Design Standards

The submittal includes a Preliminary PUD Plan and PUD Guide. Below is an overview of the proposed deviations from the underlying zone district density and design standards, as well applicable narrative on how the Preliminary PUD complies with the conditions of approval on the Concept Plan:

- **Allowed uses.** In addition to all uses permitted by right and conditional use in the C-2 zone district, multi-family residential and clubhouse are also included in the allowed land uses to provide greater flexibility for the achievement of the purpose of PUDs and provide a 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.
- **On site amenities.** Based on input from the Fruita Planning Commission and City Council, the Preliminary PUD includes a list of amenities wherein a minimum of two elements must be included in the Site Design plan set. This allows for flexibility in selecting the most appropriate amenities to serve the needs of future residents.
- **Public Benefit.** In addition to providing a much-needed diversity in Fruita's housing stock, the Preliminary PUD Plan proposes a childcare center as the community component of the project. A payment of \$100,000 is due upon issuance of building permits in lieu of dedicated land for a childcare center to be provided off site pursuant to Council's directive at Concept Plan approval. The cash-in-lieu contribution will provide the city with the resources needed to select a childcare provider partner and the best location for a new childcare center to meet community needs.
- **Density and Building Heights.** Instead of setting forth a maximum density limitation, the Geode Flats PUD focus is placed on the size and mass of the multifamily buildings per planning area. You'll see that the two planning areas propose height limitations in terms of the number of stories versus the 35-foot height limitation of the C-2 zone district. Planning Area A would include two 4-story buildings to complement the building form of the La Quinta hotel, with Planning Area B transitioning down to 3-story buildings along the southwestern portion of the site. The Preliminary PUD Guide includes a diagram to illustrate how to measure building heights (see Figures 1.1 A and 1.1 B) with a slight deviation to allow elevator overrun and mechanical to extend beyond the 4-story height in Planning Area A. This approach would allow for unique architecture with appropriate building mass and scale that is consistent with the building form in the area.
- **Minimum Lot Area.** Instead of setting forth 5,000 square feet per dwelling unit, the minimum lot area is proposed to match the developable size of the lot.
- **Minimum Front/Street Yard, Side, and Rear Yard Standards for multi-family.** The deviations from the setback requirements outlined below are due to the property's unique configuration, as the lot has three street frontages and an interior side yard (no rear yard). The proposed yard standards will achieve several goals, including preserving scenic

characteristics, creating visually appealing street frontages, and promoting compatibility with the surrounding land uses.

- The minimum front yard has been increased from zero to 14 feet to allow for landscape buffers along all street frontages.
- Minimum side yard has been revised to clarify that it is a minimum interior side yard with no deviation proposed to the standard.
- Minimum rear yard standards are not applicable as there is only one interior side yard that forms the eastern boundary of the site.
- **Maximum Lot Coverage.** Reduction in the maximum lot coverage from 80% to approximately 60% with 35.3% for Planning Area A and 24.4 percent for Planning Area B. The reduction would allow for more land to be allocated to common areas and recreational amenities, which will enhance the overall quality of life for residents. The Preliminary PUD Guide includes graphics to illustrate maximum lot coverage (see Figure 1.1).
- **Design Standards.** The Preliminary PUD Guide includes the Business Design Standards from Section 17.13.060 of the Land Use Code with slight deviations to primary entrances, preventing blank walls, architectural features, window transparency, building mass, materials, and color choices to account for the specific lot configuration, which includes three street frontages. Proposed deviations demonstrate conformance to approval criteria for subdivision (Chapter 17.21) and/or site design (Chapter 17.09) and will promote greater variety and innovation in multi-family residential design resulting in housing opportunities for individuals of varying income levels.
- **Parking Standards.** The Preliminary PUD Plan submittal includes a Parking Study as required by Council at the time of Concept Plan approval. Based on the findings of the Study and connectivity from Geode Flats to the greater multimodal network, surface parking will be provided at 1.32 spaces per dwelling unit for market rate rental and .075 spaces per affordable dwelling unit. The PUD Guide includes parking management provisions to be included in the individual apartment leases, specifying the parking requirements and enforcement policies. Additionally, garages and other parking areas are required to be oriented away from neighborhood streets or provide a 6-foot landscape buffer between the street and parking areas to implement the residential and subdivision principles. If the property developed non-residential, off-street parking is required to be provided in accordance with Chapter 17.37 Parking Standards for commercial development.
- **Landscape Standards.** A minimum of 10 percent (10%) of the land area will be desert design-inspired xeriscape landscaping. The PUD Guide requires drought-tolerant plant species provided in conformance with Section 17.11.050 Landscape Standards of the Land Use Code.

Project compliance with, compatibility with and impacts on:

Fruita in Motion: Plan like a Local 2020 Comprehensive Plan: Adding diversity in Fruita's housing stock is a pervasive theme throughout the 2020 Fruita in Motion that is grounded in the City's community values with the commitment to a land use pattern and supporting policies that promote access to housing across the income spectrum of its residents. The following is an overview of the concepts for which the Residences at Fruita PUD further the goals of the Comprehensive Plan:

- Chapter 3 Land Use + Growth, Goal #2. The proposal represents an infill development opportunity that takes advantage of existing nearby roads and James M. Robb Colorado River State Park.

- Chapter 3 Land Use + Growth Goal #4. The proposed multifamily residential development provides a diversity of housing types to fit the needs of the Fruita community and will provide the diverse “funky” character that is treasured by residents.
- Chapter 4 Economic Development, Economic Vitality. The addition of either market rate and affordable rental housing apartments to the City’s housing stock increases Fruita residents’ housing choices close to jobs to support the City’s labor force.
- Chapter 4 Economic Development, Workforce. The project increases the availability and cost of suitable rental housing that would help alleviate local businesses’ challenges related to the shortage of workers and residents’ experiences at local businesses.
- Chapter 4 Economic Development Goal 9. Approval and implementation of a Planned Unit Development would support flexibility in zoning and development of diverse housing types as part of an economic sustainability strategy.
- Education, Arts, and Historic Preservation Goal #4, Policy 4.D. The Preliminary PUD Plan includes a Childcare Center as the community component to provide educationally enriching opportunities by supporting affordable childcare centers for city residents.

Land use in surrounding area including parks and open space. Goede Flats is located directly west of the La Quinta Inn within an existing commercial area with access to trails and transportation resources. It is in close proximity to the city owned Fruita Lagoon redevelopment site that will include a combination of open space and recreation opportunities. Surrounding land uses include the Dinosaur Journey Museum and the Colorado State Patrol office to the south, and truck dealerships and a gas station to the north. James M. Robb State Park is located to the east and offers future residents access to camping and outdoor recreation. All of the surrounding land uses and nearby amenities provide excellent recreation and employment opportunities for future Geode Flats residents.

Site access and traffic patterns. All project traffic would access the site via SH 340 by Raptor Road or Jurassic Court. Both streets will be completed to City standards as they are partially built out at this time. Additionally, the project will include the build-out of a collector street along the western property boundary to connect Raptor Road and Jurassic Court, aligning with the City's long-range transportation goals.

Availability of utilities. All utilities are readily available. Water service is provided by the Ute Water Conservancy District. The City of Fruita provides sewer and stormwater. Power and gas are provided by Xcel Energy. No special or unusual demand on utilities is anticipated. The landscape standards include desert-inspired landscaping that would reduce water demand.

Effects on public facilities and services. The subject property can be adequately served by City water, sanitation, storm drainage facilities, and police protection. The property is located with the Lower Valley Fire District and the Mesa County School District No. 51. At time of Site Design Review, it is anticipated that payment of the school land dedication in an amount per unit, based upon the increased number of dwelling units. Depending on the on-site amenities proposed at time of Site Design review, a waiver from the Parks, Health, Recreation, Open Space and Trails impact fee or partial payment toward the impact fee could be requested for City Council’s consideration.

Site soils and geology. The project site is vegetated with sparse grass and underlain by low strength, compressible sands and clays. The site slopes down from the east towards the west/southwest approximately four (4) feet. A Geotechnical Report will be submitted at the time of Site Design Review.

Development Schedule and Phase/Filing Plan

TWG intends to submit the Final PUD application and Major Site Design review upon Preliminary PUD approval. Development of the property is proposed in a single phase.

Credits Against Impact Fees

Raptor Road and Jurassic Court will be completed to City standards as they are partially built out at this time. Fruita in Motion delineates a collector road between Raptor Road and Jurassic Court. As such, the project will include the build-out of a collector street between Raptor Road and Jurassic Court per the city's street standards. As such, TWG respectfully requests 100 percent of the construction costs of the collector street connection be credited against the Transportation Impact fee.

Consistency with Concept Plan

The Fruita Planning Commission and City Council conducted a joint workshop on January 24, 2023. Below is an overview how the Preliminary PUD complies with all conditions of the approval on the Concept Plan:

- The proposed Preliminary PUD includes Council's preferred public benefit of providing for childcare versus parks and trails since parks and trails already have several revenue sources. A cash in lieu of a childcare land dedication is proposed to benefit the community as a whole.
- A Parking Demand Study is included in the Preliminary PUD submittal to support the parking rates proposed for market and affordable housing.
- The building design standards set forth requirements for architecture that have been adapted to fit Fruita's unique location/historical context (Colorado National Monument/Grand Valley and the desert environment. Additionally, proposed building materials will complement the beauty of the State Patrol building with the allowance of exterior materials such as brick, stone, adobe, wood shingle or imitation wood singles wall, slump block or fiber cement panel, lap siding, vinyl siding, adobe brick, or suitable split block or brick.
- The intent of the PUD is to allow flexibility and innovation in the development of rental market rate or affordable multifamily housing; however, TWG's primary goal is to construction of affordable housing in Fruita who earn at and below 140% of the area median income (AMI) to fulfill the need for affordable housing in Fruita.
- Since City Council was not concerned about density due to Fruita's housing crisis, the PUD does not include a limitation on density.

Enclosed: Neighborhood meeting sign in sheet

GEODE FLATS

City of Fruita, Colorado

PRELIMINARY PUD GUIDE

November 29, 2023

WRITTEN RESTRICTIONS

Intent

The purpose of this Planned Unit Development is to allow flexibility and innovation in the development of market rate or workforce/affordable multifamily housing in exchange for a community benefit that could not otherwise be realized through the strict adherence to the Fruita Land Use Code. This PUD Guide will serve as the zone district regulations for the PUD. This PUD Guide is a site-specific development plan and creates vested rights pursuant to Article 68 of Title 24, Colorado Revised Statutes, as amended.

Underlying Zoning

Commercial Two (C-2)

Allowed Land Uses

All uses permitted by right and conditional use in the C-2 zone district, including but not limited to:

- Multifamily Residential
- Clubhouse

On Site Amenities

On site amenities shall include at least two of the following elements:

- Playground equipment
- Common outdoor gathering spaces
- Pocket Park
- Raised garden beds
- Trails
- Furnished exercise room
- Community room
- Computer room

Community Component

A payment of \$100,000 is due upon issuance of building permits in lieu of dedicated land for a Childcare Center to be provided off-site.

Workforce/Affordable Housing

Multifamily development may be either market rate or affordable housing.

Overall Site Dimensional Standards

Density: No specific standard
 Maximum Number of Buildings: 5
 Minimum Landscape Area: 10%

Planning Area A

Maximum number of Buildings: 3

Planning Area B

Maximum number of Buildings: 2

Density and Dimensional Standards Table

Use	Max Density	Min Lot Area	Min Front/Street Yard	Min Interior Side Yard	Min Rear Yard	Max Structure Height	Max Lot Coverage
Multi-family	12 DU/acre Minimum Deviation: No Specific Standard Minimum Unit Size: 500 sf	5,000 sq ft per dwelling unit Deviation: 4.5 Acres	0 feet Deviation: PA A: 14' PA B 14'	10 feet for primary structures 5 feet for accessory structures except 0 feet where common wall or zero-lot line dev. Allowed Deviation: 14 feet for primary structures	20 for primary and accessory structures except 0 feet where common wall or zero-lot line dev. Allowed Deviation: Not Applicable	35 feet for primary structures 25 feet for accessory structures Deviation: PA A: 4 Stories PA B: 3Stories Elevator overrun and mechanical equipment exempt from maximum building height See Figure 1.1 B for building height measurement	80% Deviation: PA A: 35.3% PA B: 24.4% See Figure 1.1 for lot coverage diagram.

Use	Max Density	Min Lot Area	Min Front/Street Yard	Min Interior Side Yard	Min Rear Yard	Max Structure Height	Max Lot Coverage
Non-Residential Development	Not Applicable	5,000 sq ft	0 Feet	10 feet for primary structures 5 feet for accessory structures except 0 feet where common wall or zero-lot line dev. allowed	20 feet for primary structures 5 feet for accessory structures except 0 feet where common wall or zero-lot line dev. Allowed	35 feet for primary structures 25 feet for accessory structures	80%

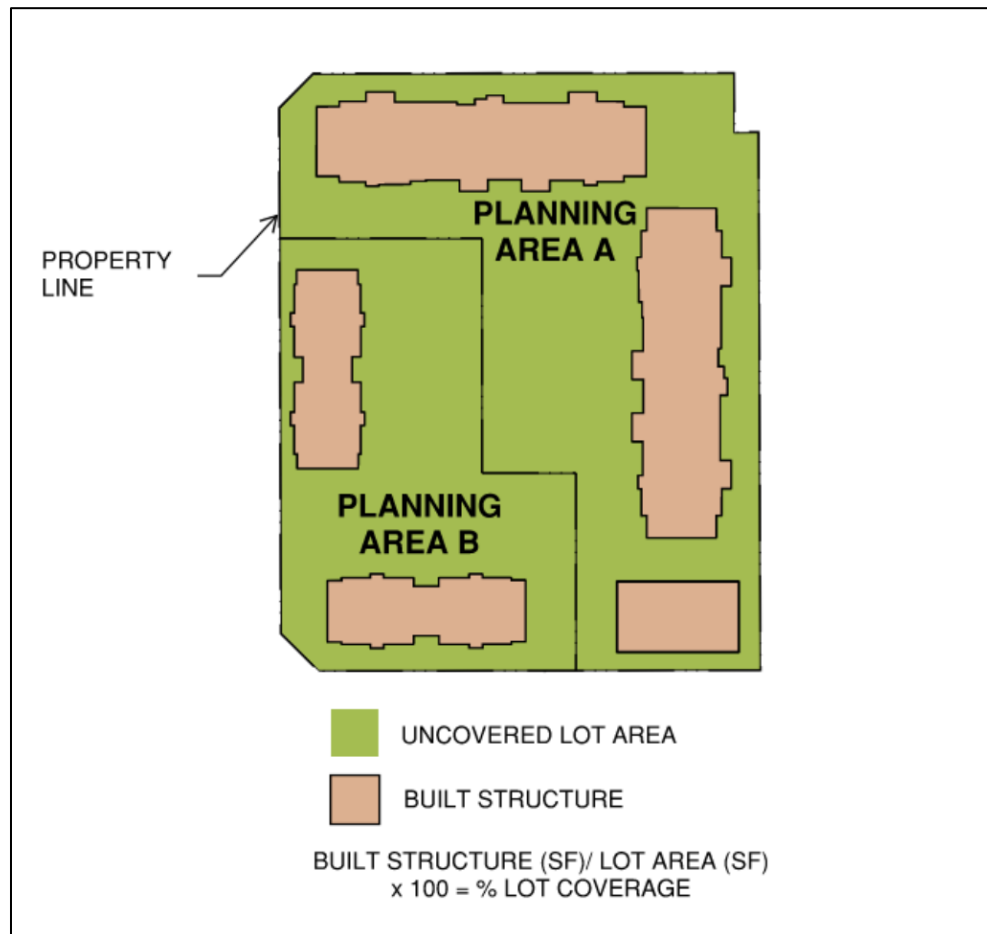


Figure 1.1: Lot Coverage Diagram

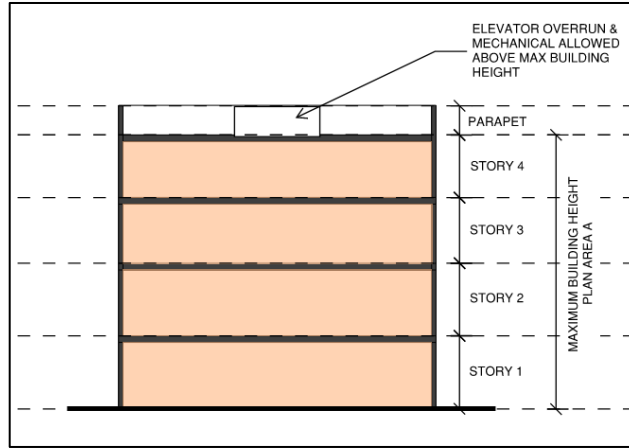


Figure 1.1 A: Plan Area A Height

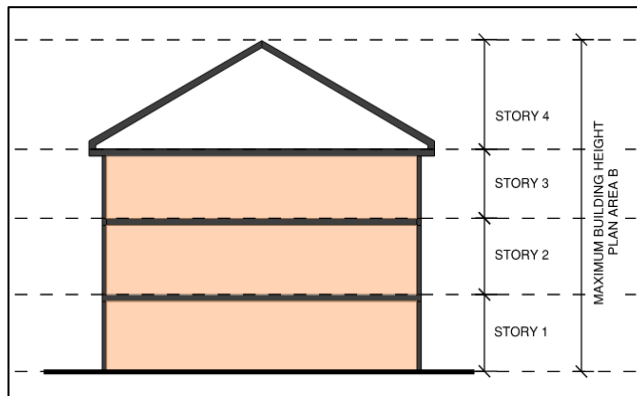


Figure 1.1 B: Plan Area B Height

SITE DESIGN

Primary Entrances

- a. Primary building entrances shall be oriented to the public street right-of-way and/or public sidewalk and shall be connected to the public street right-of-way and/or public sidewalk by a concrete walkway not less than six (6) feet in width. Primary building entrances shall be within twenty (20) feet of the public street right-of-way and/or public sidewalk.

Proposed Deviation: When a building has street frontage the building should incorporate one primary entrance that faces the street and/or public sidewalk and shall be connected to the public street right-of-way and/or public sidewalk by a concrete walkway not less than six (6) feet in width. See Figure 1.2 below.

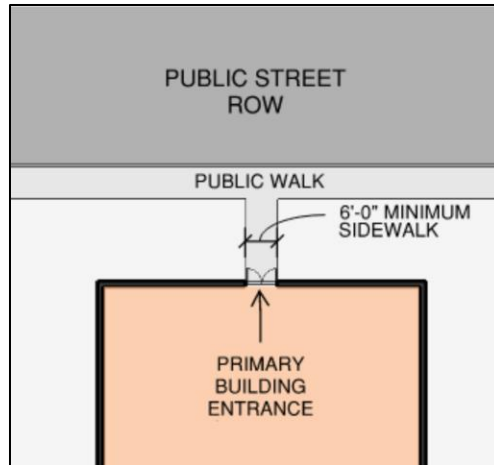


Figure 1.2: Concrete Walkway Requirement

- b. Where it is not practical to locate primary building entrances within twenty (20) feet of the public street right-of-way or public sidewalk, the concrete walkway connecting primary building entrances to the public sidewalk or public street right-of-way shall be no less than ten (10) feet in width. This concrete walkway must have three-foot wide planter strips on each side.

Proposed Deviation: Where it is not practical to locate primary building entrances within twenty (20) feet of the public street right-of-way or public sidewalk, the concrete walkway connecting primary building entrances to the public sidewalk or public street right-of-way shall be no less than six (6) feet in width. This concrete walkway must have three-foot wide planter strips on each side.

- ~~c. Primary building entrances located more than forty (40) feet from the public street right-of-way or public sidewalk will require a pedestrian plaza outdoor seating area, courtyard, or other civic amenity is provided between the building and street.~~

Proposed Deviation: Strike completely as the lot is bounded by three street frontages.

- d. Where a primary building entrance is located more than twenty (20) feet from a public street right-of-way and/or public sidewalk, or where parking and/or driving aisles are provided between the primary building entrance and public street right-of-way and/or public sidewalk, a fifteen (15) foot wide minimum landscape screen shall separate all off-street parking areas from adjacent public street rights-of-way or public sidewalks.

Proposed Deviation: Where no building entrance is located within a (20) feet of a public street right-of-way and/or public sidewalk, a ten (10) foot wide minimum landscape screen shall separate all off-street parking areas from adjacent public street rights-of-way or public sidewalks. See Figures 1.3a, 1.3b, 1.3c below.

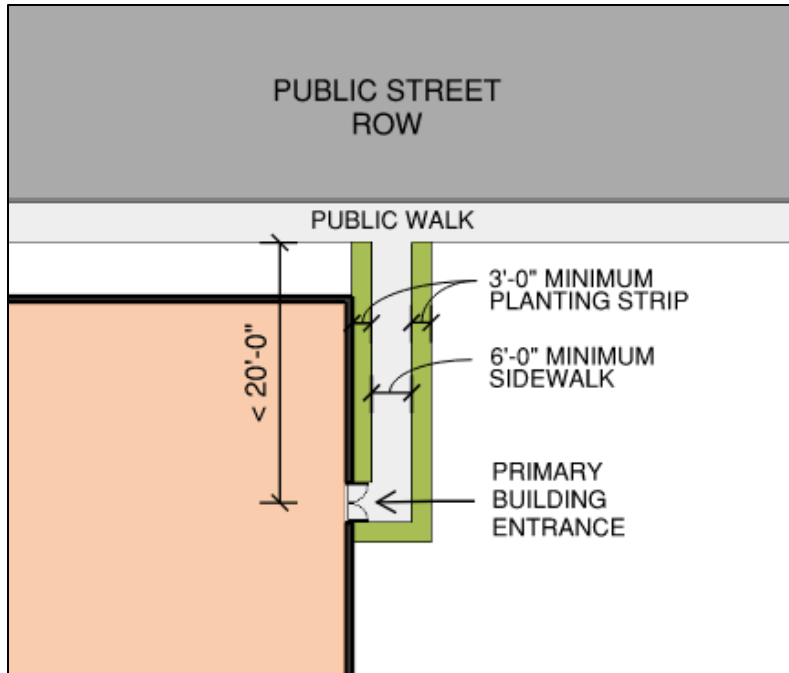


Figure 1.3a: Landscape Screen Requirement

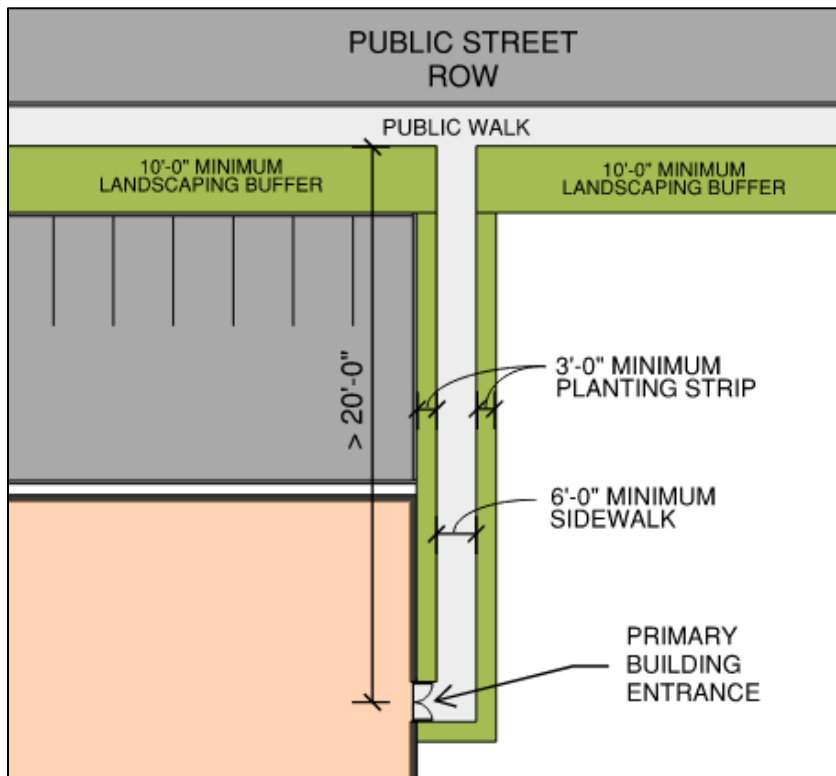


Figure 1.3b: Landscape Screen Requirement

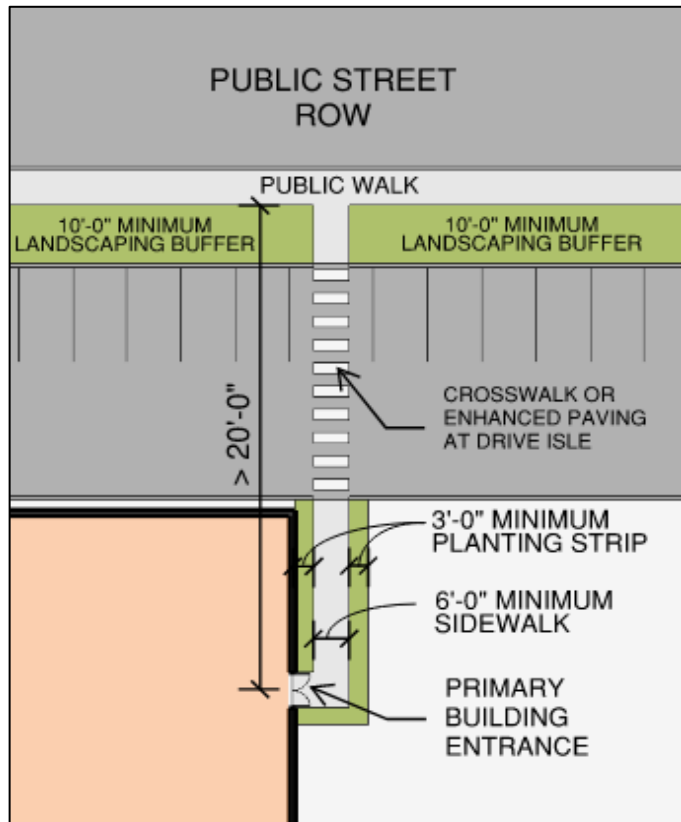


Figure 1.3c: Landscape Screen Requirement

- e. Buildings shall have clearly defined primary entrances that provide a weather-protection shelter for a depth of not less than five (5) feet (e.g., either by recess, overhang, canopy, portico and/or awning) extending from the building entry.

Proposed Deviation: None

Blank Wall Prevention

- a. Buildings shall meet transparency and weather protection standards (Subsection B, Building Design below) along all street-facing elevations and any elevations containing a primary building entrance. A landscape screen at least five (5) feet wide shall cover any blank building walls (i.e., lacking windows and weather protection) and contain materials of sufficient size/species to screen the blank wall.

Proposed Deviation: Buildings elevations that are public street-facing shall meet transparency and weather protection standards (Subsection B, Building Design below) along all street-facing elevations. A landscape screen at least five (5) feet wide shall cover any blank building walls over 10'-0" in length (i.e., lacking windows and weather protection) and contain materials of sufficient size/species to screen the blank wall. See Figure 1.4 below.

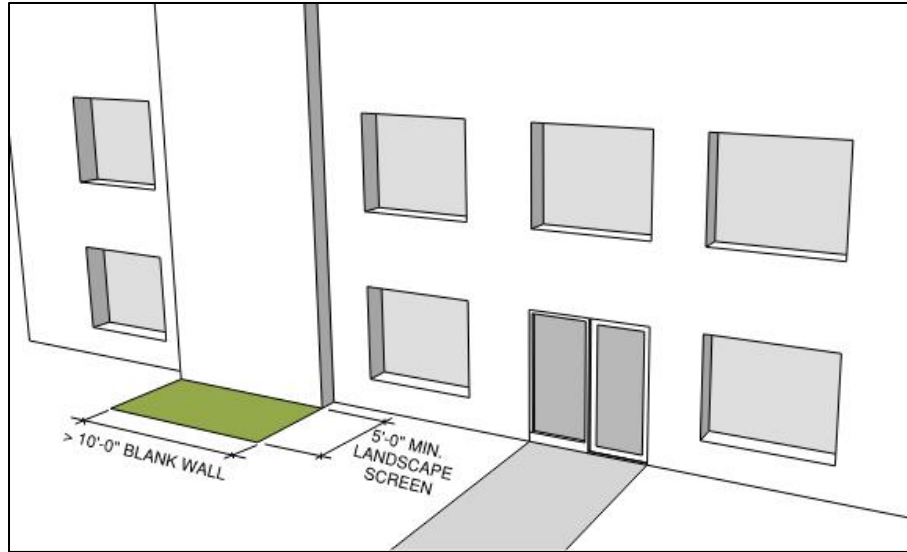


Figure 1.4: Blank Wall Landscape Screen Requirement

- b. Public art and murals may be used to minimize the visual impacts of a blank façade.

Proposed Deviation: None.

Building Design

Overall Design.

- a. Architectural designs shall address all facades of a building visible from the street with materials, detailing, and color. Architectural elements should wrap around building corners. Where a proposed design is based on the applicant’s corporate style guide, as in formula retail stores, restaurants, discount outlets, or similar proposals where a similar building design has been used previously, the applicant must demonstrate that the design has been adapted to fit Fruita’s unique location/historical context (Colorado National Monument/Grand Valley) and desert environment.

Proposed Deviation: Architectural designs shall address all street-facing facades of a building with materials, detailing, and color. Architectural elements should wrap around building corners. Where a proposed design is based on the applicant’s corporate style guide, as in formula retail stores, restaurants, discount outlets, or similar proposals where a similar building design has been used previously, the applicant must demonstrate that the design has been adapted to fit Fruita’s unique location/historical context (Colorado National Monument/Grand Valley) and desert environment.

Stepped Rooflines.

- a. Height should vary from building to building to avoid a homogenous appearance. This standard is met by using stepped parapets, gables, or slightly dissimilar height from building-to-building.

Proposed Deviation: Rooflines should vary to avoid a homogenous appearance. This standard is met by using stepped parapets, gables, changes in roof slope, or slightly dissimilar heights.

Window Transparency.

- a. Building elevations that face a street, parking area, civic space, or open space shall comprise at least forty (40) percent transparent windows, measured as a section extending the width of the street-facing elevation between the building base (or thirty (30) inches above the sidewalk grade, whichever is less) and a plane eighty (80) inches above the sidewalk grade. Upper floors may have less window area but should follow the vertical lines of the lower level piers and the horizontal definition of spandrels and any cornices.

Proposed Deviation: Building elevations that face a street or civic space, shall comprise at least thirty (30) percent transparent windows, measured as a section extending the width of the street-facing elevation between the building base (or thirty (30) inches above the sidewalk grade, whichever is less) and a plane eighty (80) inches above the sidewalk grade. Upper floors may have less window area but should follow the vertical lines of the lower-level piers and the horizontal definition of spandrels and any cornices. See Figure 1.5 below.

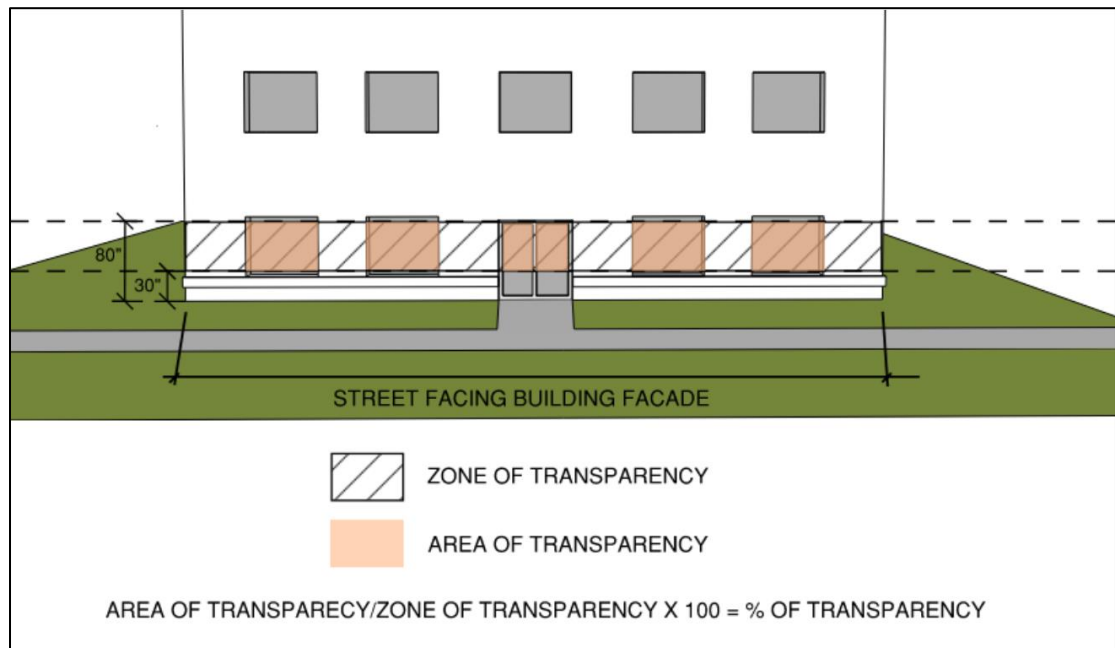


Figure 1.5: Transparency Requirement

- b. Where the Community Development Director determines, based on physical site constraints or the functional requirements of a non-residential building, that providing window transparency is not practical or does not further intent of these standards as stated above, other alternative means of breaking up large elevations (e.g., columns, belt course, and upper story panels/transom, with landscaping) shall be employed.

Proposed Deviation: None.

Building Mass.

- a. 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.

Proposed Deviation: None.

- b. When an elevation of a primary structure is more than eight hundred (800) square feet in area, the elevation must be divided into distinct planes of not more than eight hundred (800) square feet. For the purpose of this standard, areas of wall planes that are entirely separated from other wall planes are those that result in a change in plane such as a recessed or projecting section of the structure that projects or recedes at least one (1) foot from the adjacent plane, for a length of at least six (6) feet.

Proposed Deviation: When an elevation of a primary structure is more than ~~eight hundred (800) square~~ twenty-five hundred (2,500) square feet in area, the elevation must be divided into distinct planes of not more than (1,600) square feet. For the purpose of this standard, areas of wall planes that are entirely separated from other wall planes are those that result in a change in plane such as a recessed or projecting section of the structure that projects or recedes at least one (1) foot from the adjacent plane, for a length of at least six (6) feet. See Figure 1.6 below.

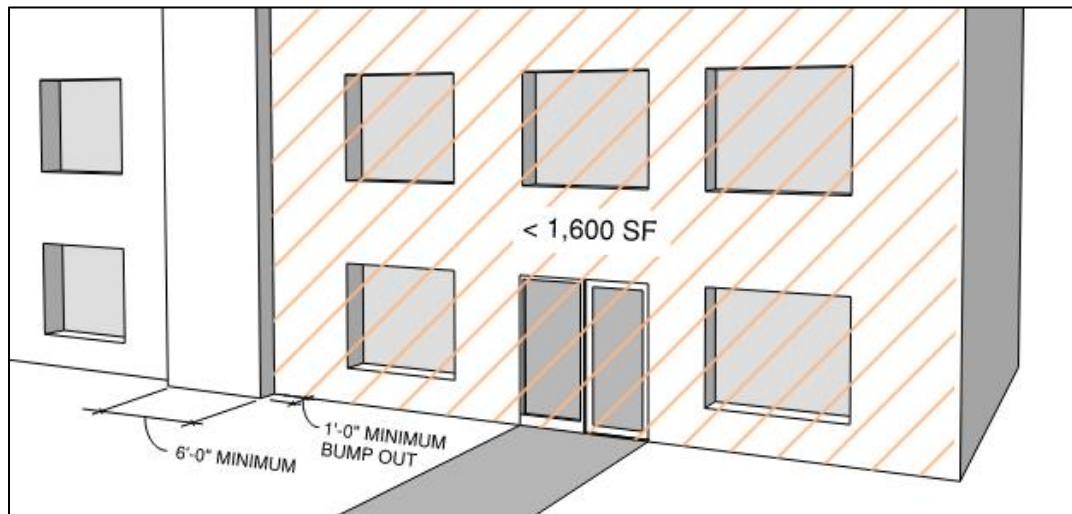


Figure 1.6: Blank Wall Landscape Screen Requirement

- c. Changes in plane may include but are not limited to recessed entries, bays, stepped parapets, secondary roof forms (e.g., gables, lower roof sheds, dormers and towers), building bases, canopies, awnings, projections, recesses, alcoves, pergolas, porticos, roof overhangs, columns, or other features that are consistent with the overall composition of the building.

Proposed Deviation: None.

- d. The distinction between street level and upper floors shall be established, for example, through the use of awnings, canopies, belt course, or similar detailing, materials and/or fenestration.

Proposed Deviation: None.

Materials and Colors.

- a. 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.

Proposed Deviation: Exterior materials shall consist of brick, stone, adobe, wood shingle or imitation wood shingle walls, slump block or fiber cement panel, lap siding, vinyl siding, adobe brick, or suitable split block or brick.

- b. Wood timbers and metal (brushed steel, iron, copper, or similar architectural-grade metals) may be used on canopies, arbors, trellises, pergolas, porticos, brackets, fasteners, lighting, signage, and other detailing, as appropriate, to provide visual interest and contrast. In general, color selection should complement, not compete with, the surrounding desert landscape. Warm earth tone colors (e.g., sandstone reds, desert greens and browns) are generally preferred over cool colors, such as blue and white/off-white. Substitute materials that are equal in appearance and durability may be approved.

Proposed Deviation: None.

ATMs and Service Windows.

- a. Where walkup ATMs or service windows are proposed on any street-facing elevation, they shall be visible from the street for security and have a canopy, awning, or other weather protection shelter. Where drive-up windows or similar facilities are provided the drive-up window and associated vehicle queuing area shall be set back at least twenty (20) feet from all adjacent rights-of-way. The applicant may be required to install textured pavement (e.g., pavers or stamped concrete) for pedestrian crossings of any drive aisle.

Proposed Deviation: None.

PARKING STANDARDS

Off street parking to be provided in accordance with Chapter 17.37 Parking Standards for commercial development.

The following parking rates shall apply to multifamily development.

	Per Dwelling Unit	
	Market Rate Rental	Affordable Rental
Parking Rate	1.32	0.75
180 Units	238 Spaces	135 spaces

- a. Garages and other parking areas are setback and oriented away from neighborhood streets or a 6-foot landscape buffer shall be provided between the street and parking areas.
- b. Parking management included in the individual apartment leases, specifying the parking requirements and enforcement policies.
- c. Bicycle parking provided in accordance with Chapter 17.37 Parking Standards of the Land Use Code.

LANDSCAPE STANDARDS

Site development to employ desert design-inspired xeriscape landscaping. A minimum of 10 percent (10%) of the land area shall be landscaped with drought-tolerant plant species provided in conformance with Section 17.11.050 Landscape Standards of the Land Use Code.

SIGNAGE

All signs shall comply with the City’s Sign Code, unless the developer chooses to submit a master sign program application for consideration by the City.

LIGHTING

All exterior lighting shall be in conformance with the lighting standards of the Land Use Code.

CONFLICTS

In the event a standard in this PUD Guide is in conflict, the standard in this PUD Guide shall govern.

City of Fruita Planning Department
325 E. Aspen Avenue
Fruita, CO 81521

November 29, 2023

Re: **Geode Flats**
Parking Analysis Study
Fruita, Colorado

Purpose:

This memorandum was developed to give a parking rate recommendation for the proposed Geode Flats apartment project. The Geode Flats is located at 614 Raptor Road in Fruita, Colorado. This is a 5-acre proposed workforce/affordable housing project. The specifics of the workforce/affordable housing component are still being detailed. Therefore, the parking analysis includes alternative scenarios for a workforce housing project and an affordable housing project.

The proposed project is currently proposed to include 180 dwelling units in a mix of three and four-story residential apartment buildings.

Residential Parking Analysis:

The parking required to accommodate the proposed Geode Flats residents and guests was taken from national rates in general urban/suburban multifamily complexes throughout the United States. Alternatives for both market rate apartments and affordable apartments are included in this analysis.

Market Rate Analysis:

The Institute of Transportation Engineers' *Parking Generation Manual, 5th Edition*¹ provides parking generation rates based upon numerous parking studies accumulated across the United States. The data provided is based upon observations for apartment complexes in a general urban/suburban setting that is not located within ½ mile of rail transit.

The Institute of Transportation Engineers' *Parking Generation Manual*¹ states that the average peak period parking demand for a suburban mid-rise (3+ floor/story) apartment (Land Use #221) is 1.32 parking spaces per occupied dwelling unit. The Geode Flats development is anticipated to be 100% occupied.

¹ *Parking Generation Manual, 5th Edition*, Institute of Transportation Engineers, 2019

The statistic is given based upon the 95th Percent Confidence Interval for a nationwide study of 48 apartment complexes. The 95th Percent Confidence Interval indicates that there is a 95% likelihood that the parking demand will fall within 1.25 to 1.39 parking spaces per occupied dwelling unit.

Affordable Housing Analysis:

The Institute of Transportation Engineers' *Parking Generation Manual*¹ gives national parking demand data for affordable multifamily housing. This includes housing complexes where 75% or more of the units are designated as affordable and rented at below market rate. The *Parking Generation Manual*¹ states that the average peak period parking demand for per affordable dwelling unit (Land Use #223) is 0.78 parking spaces per occupied dwelling unit. The statistic is given based upon the 95th Percent Confidence Interval for a nationwide study of 6 apartment complexes. The Geode Flats development is anticipated to be 100% occupied.

However, the *Parking Generation Manual*¹ also states that the manual 'should be considered only the beginning point of information to be used in estimating parking demand. Local conditions and area type can influence parking demand... Therefore, a survey of a site in a comparable local condition should always be considered as one potential means to estimate parking demand.'¹

Therefore, local data sources were reviewed. A Colorado-specific document, *Parking & Affordable Housing 2020/2021 Report*², provided a detailed analysis of 19 affordable housing developments and determined that across the board the affordable housing facilities are overparked and requirements can be up to five times the need. A parking rate range from 0.36 to 1.10 parking spaces per unit is recommended. The average of this study is a rate of 0.73 parking spaces per affordable housing unit.

Averaging the two rates, results in a recommended parking rate of 0.75 parking spaces per occupied affordable dwelling unit.

Table 1 summarizes the parking rate analysis per dwelling unit.

Table 1: Parking Rate Summary

	Per Occupied Dwelling Unit	
	Market Rate Rental ¹	Affordable Rental ^{1,2}
Number of Occupied Dwelling Units	180	180
Parking Rate	1.32	0.75
Required Parking Spaces	238	135

City of Fruita’s Market Rate Analysis per Bedroom:

The City requested additional parking analysis utilizing the parking rates per number of bedrooms as defined by the City of Fruita’s updated *Chapter 17.37 Parking Standards* of the *Land Use Code*³. The exact number of bedroom units is unknown at this time. Therefore, this analysis is a hypothetical look at an assumed unit mix. This calculation was performed for both market rate and affordable housing alternatives.

Table 2 summarizes the parking rate analysis using an assumed unit mix of bedrooms.

Table 2: Parking Rate Summary per Bedroom (Hypothetical Unit Mix)*

	Per Bedroom (Hypothetical)							
	Market Rate Rental ³				Affordable Rental ³			
	1- Bed Unit	2- Bed Unit	3- Bed Unit	Add'l Parking Spaces	1- Bed Unit	2- Bed Unit	3- Bed Unit	Add'l Parking Spaces
Hypothetical Number of Bedrooms	54	134	40		54	134	40	
Parking Rate	1.00	1.5	2	1 space/ 6 du	0.50	0.75	1.25	N/A
Required Parking Spaces	54	201	80	30	27	101	50	-
Total Parking Spaces Required	365				178			

*Uses an assumed unit mix of bedrooms.

Multimodal Infrastructure:

Connectivity from Geode Flats to the greater multimodal network will support the parking ratios in **Table 1**. Transit access, sidewalk connectivity, bicycle facilities, and adjacent transit access provide the ability for residents to have multiple options for safe and efficient travel in the Grand Valley.

Bicycle parking will be provided in accordance with *Chapter 17.37 Parking Standards* of the *Land Use Code*³.

Parking Rate Summary:

Geode Flats' anticipated unit mix has not yet been determined. Therefore, it is necessary to apply the per unit parking rates. If the project is developed for market rate residents, the site should include 238 parking spaces. If the project is an affordable housing project, the site should include 135 parking spaces.

Additionally, parking management should be included in the individual apartment leases, specifying the parking requirements and enforcement policies.

Please call if you would like any additional information or have any questions regarding this parking analysis.

Sincerely,
McDowell Engineering, LLC



Kari J. McDowell Schroeder, PE, PTOE
Senior Traffic Engineer

Enclosed: Excerpts from *Parking & Affordable Housing 2020/2021 Report*²



Parking & Affordable Housing

2020/2021 Report

50% of parking
in affordable
housing
projects go
unused.

Estimating Parking Demand

In summer/fall 2020, Fox Tuttle and Shopworks Architecture partnered to perform an audit of parking usage in affordable housing along the Front Range, with a specific focus on supportive housing to determine whether the current requirements are in line with the demand. [We found that across the board the affordable housing facilities are overparked and requirements can be up to 5 times the need, especially in lower Area Median Income \(AMI\) levels.](#) For example, for supportive housing (0-30% AMI) within the Denver metro area, the average vehicle ownership was ¹8.8% which equates to 1 vehicle per 12 units.

It is generally agreed that affordable housing communities, especially those serving individuals who have experienced, or are at risk of homelessness, generate significantly less parking demand than other residential uses.

Unfortunately, there is no industry standard for how to reduce typical residential parking rates for lower-income residential properties. The reduction of parking demand for affordable housing communities is due to a number of factors:

1. Their typical location is in more urban conditions with better access to transit use, and
2. The lack of funds lower-income residents have to cover the cost of vehicle ownership and insurance/maintenance.

The following pages demonstrate what we learned, and our understanding of the current demand for parking for affordable housing across the Front Range.

¹ In our study 32 individuals in PSH had cars out of a total of 365 units.

Impact of Proximity to Multi-Modal Facilities

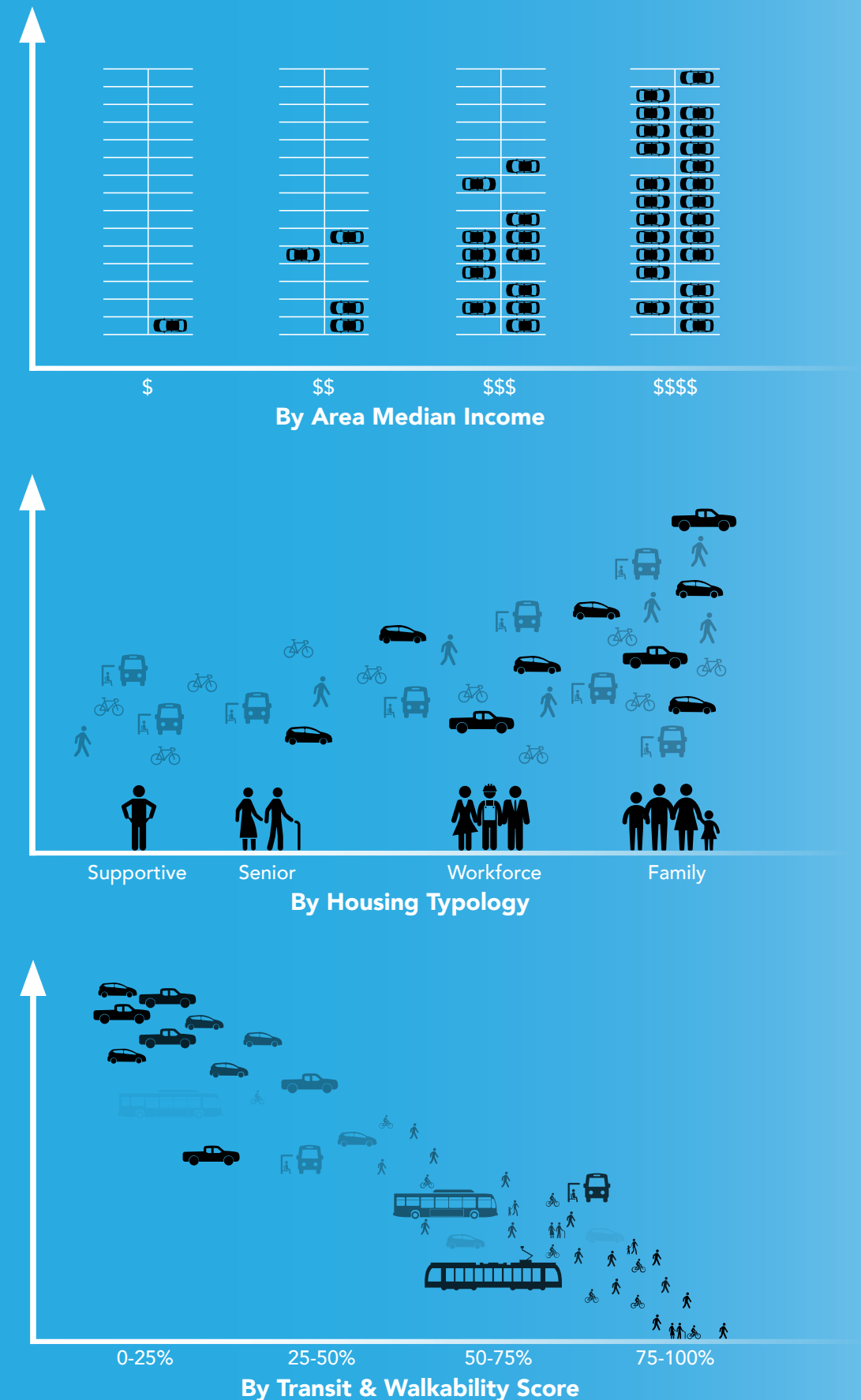
The walk, bike, and transit scores were added together to get the total non-auto score for each property. The data indicates that the property's proximity to quality walking and biking facilities and transit services deeply impacts vehicle ownership.

The need to own a vehicle is reduced when the surrounding neighborhood is walkable, bikeable, and has reliable transit that can get the residents to work, school, shopping, appointments, etc.

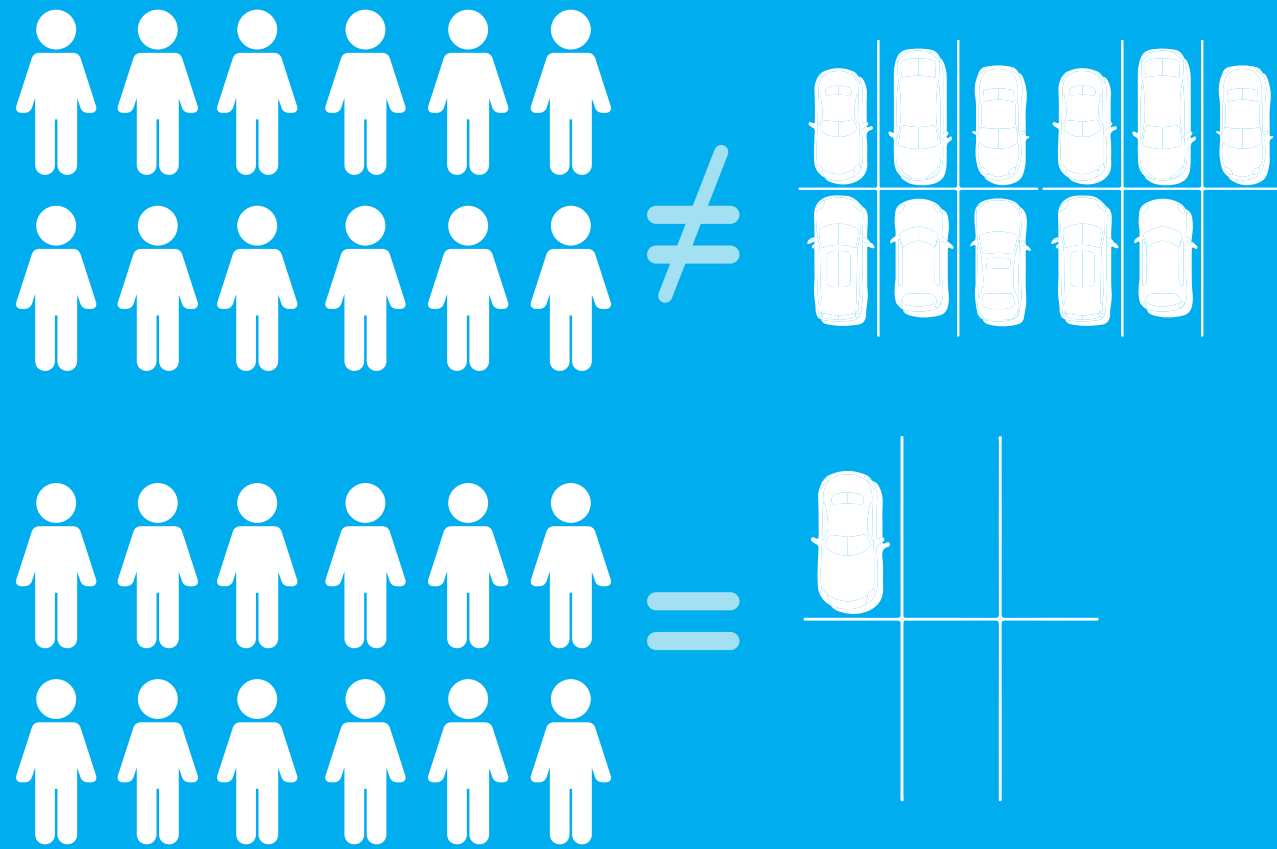
The majority of the surveyed properties were purposefully located within communities and neighborhoods that are walkable, bikeable, and near transit.

This is to serve people that do not typically own a vehicle due to the affordability, credit, maintenance, and insurance, as well as to meet the rental cost of their unit.

Parking Needs



Parking Supply



vs. Demand

Parking Supply Verses Parking Demand

Combining the parking supply of all the surveyed properties, there are 883 parking spaces for 1,353 affordable housing units with an approximate demand of 461 spaces. To understand the impact of over parking for affordable housing projects, the unused parking spaces were valued at \$22,000 per space. This equates to an estimated cost of \$9,460,000 on parking that is in excess of the demand. If parking requirements for affordable projects were lowered closer to the parking demand, then the funds could be reallocated for support services or providing transportation options. The physical space could be repurposed for additional affordable housing units or amenity space for residents.

883 parking spaces

1,353 units

461 spaces

422 unused

\$22,000 cost per space

\$9,284,000* funds spent on unnecessary parking

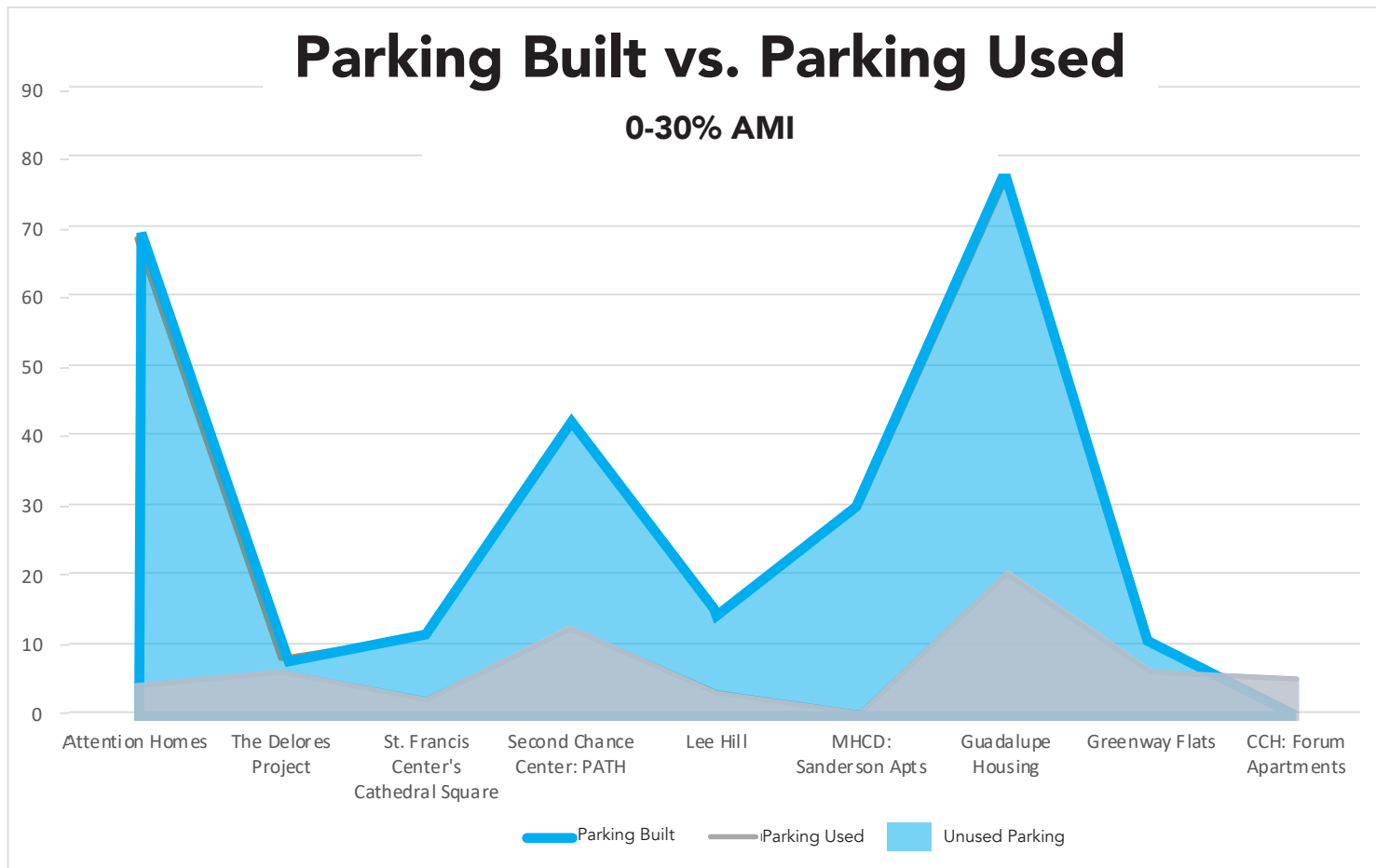
*Figure is over 6 years and 19 projects



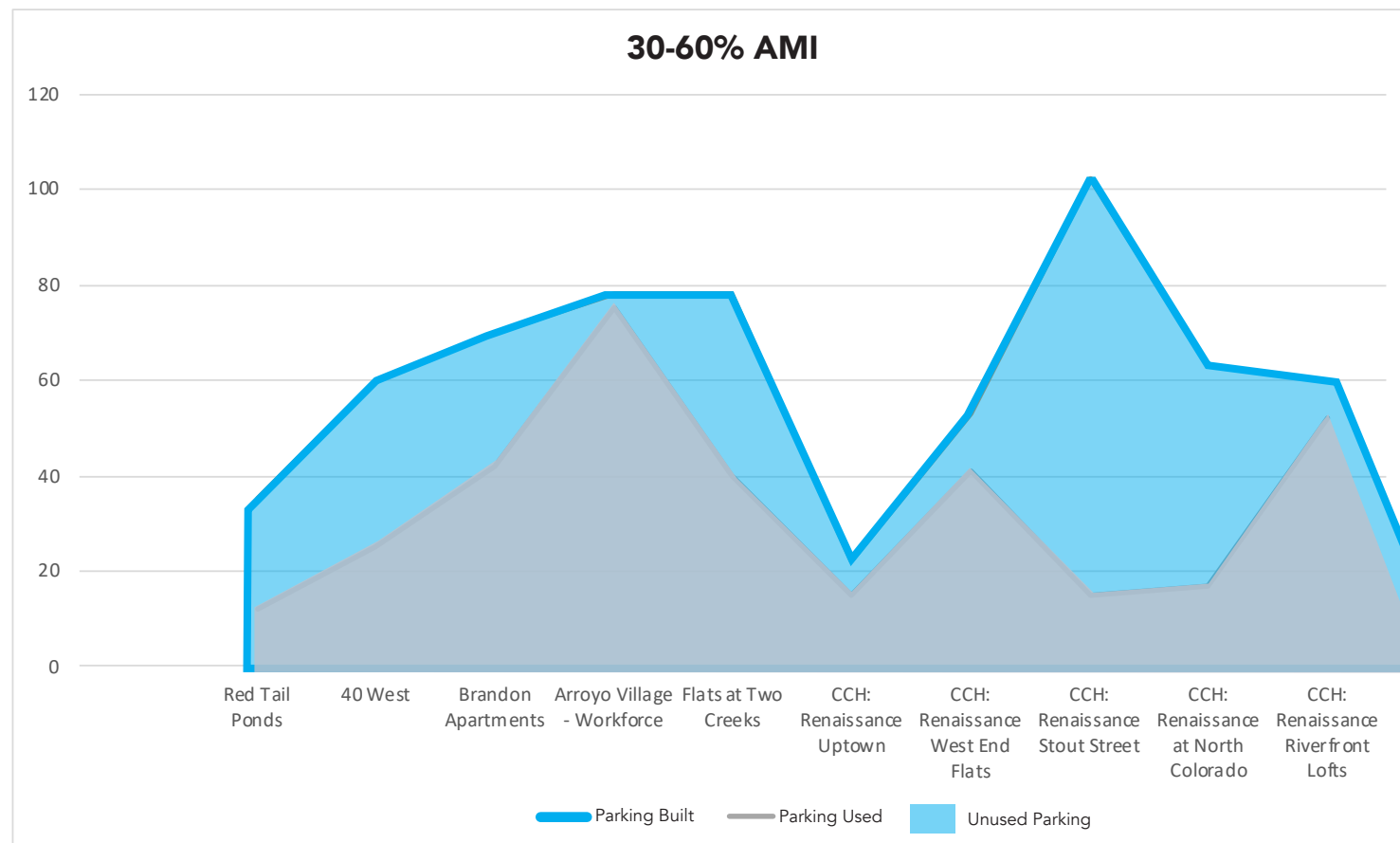
***Equates to one 40 unit affordable housing building.**

Parking Built vs. Parking Used

0-30% AMI



30-60% AMI



Vehicle Ownership

The Area Median Income (AMI) was compared to resident's vehicle ownership and it can be seen that residents with lower income levels own fewer vehicles and as the income increases the vehicle ownership increases.

The survey data provided by the twenty properties indicated the following trends:

- 29.0% of current residents own a vehicle (equates to 1 vehicle per 4 units) across all affordable housing studied.
- 8.8% of Permanent Supportive Housing Residents own a vehicle (equates to 1 vehicle per 12 units)
- On average 0.9 parking spaces per unit are provided to meet the municipal requirements.

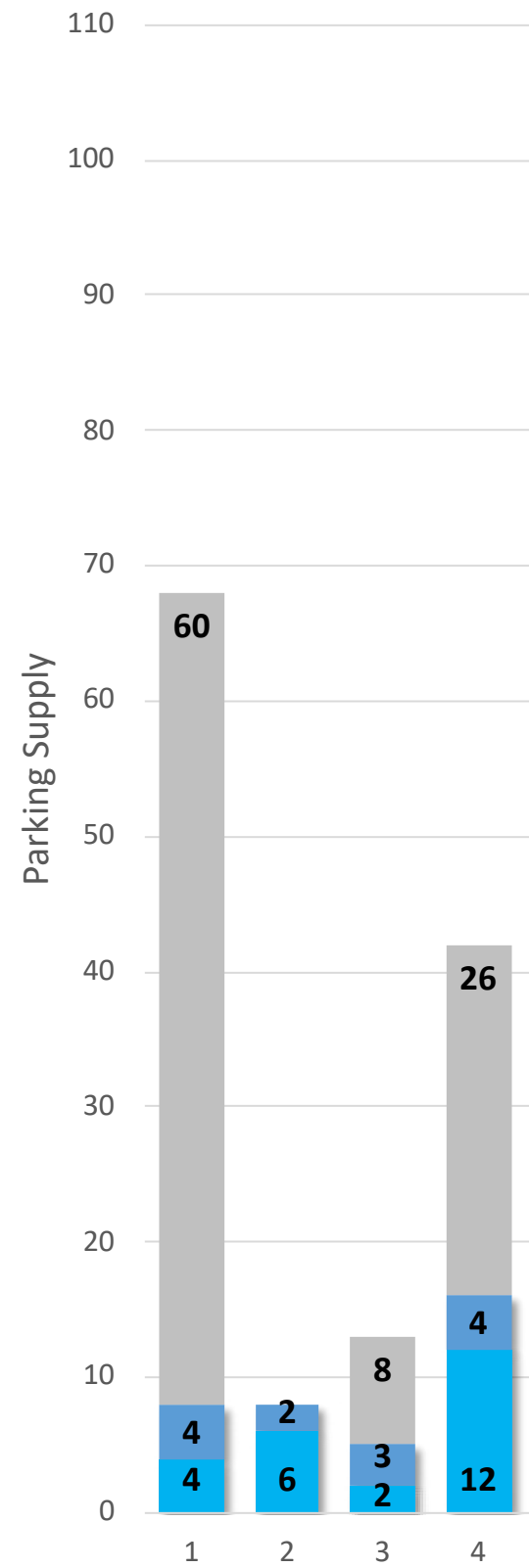
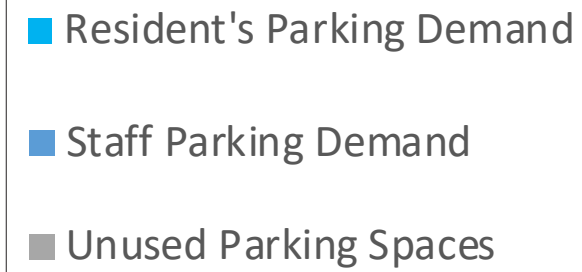
The vehicle ownership equates to the parking demand needed at each property to serve the residents and should help inform the parking supply needed.

Comparing the vehicle ownership to the parking spaces supplied indicated that affordable housing projects are overparked.

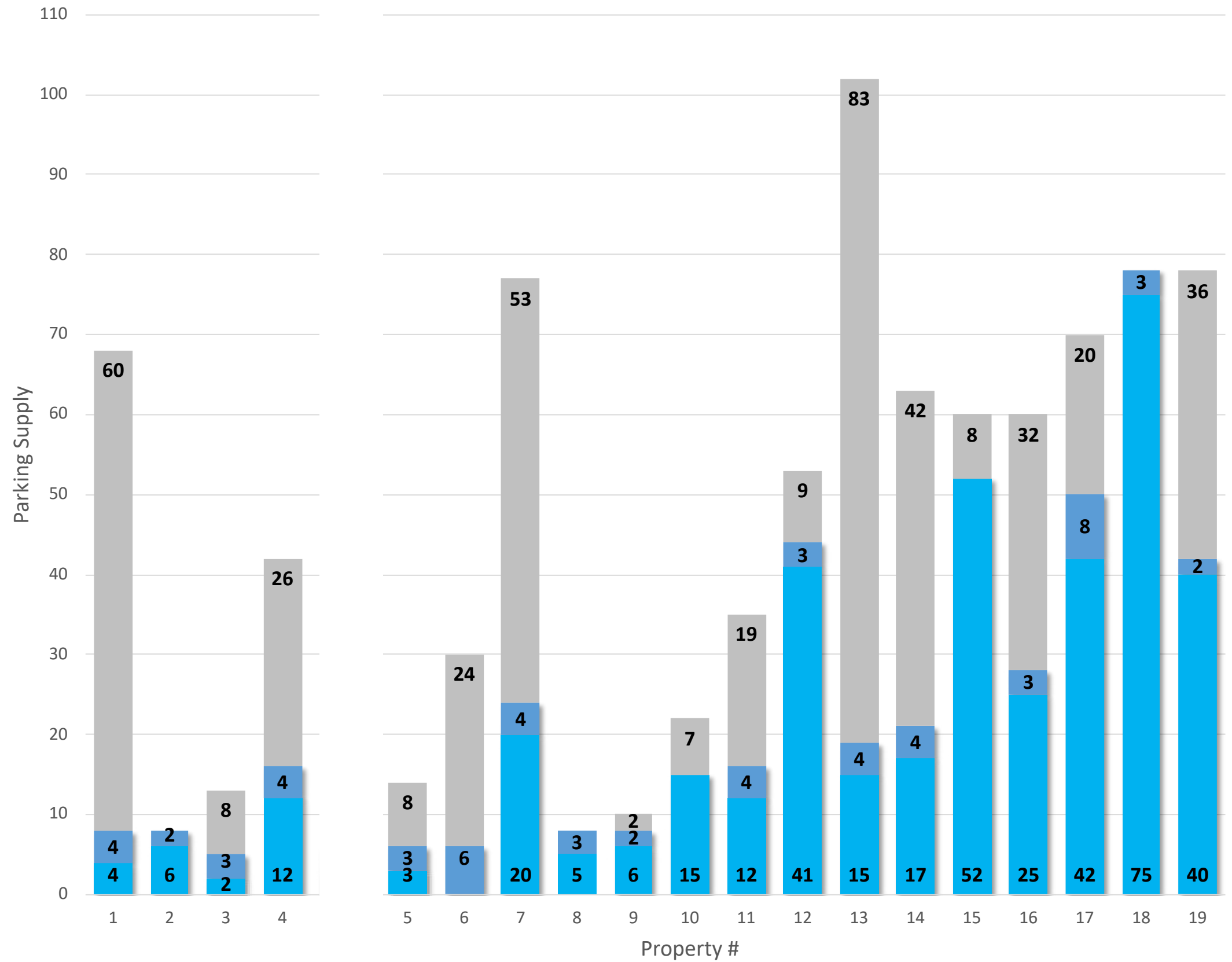
Parking Utilization

Property Key

#	Property	City	Denver Metro PSH	Outside Denver Metro PSH
1	Attention Homes	Boulder	X	
2	The Delores Apartments at Arroyo Village	Denver	X	
3	St. Francis Center's Cathedral Square	Denver	X	
4	Second Chance Center: PATH	Aurora	X	
5	Lee Hill	Boulder	X	
6	Mental Health Center of Denver: Sanderson Apts	Denver	X	
7	Guadalupe Apartments	Greeley		X
8	CCH: Forum Apartments	Denver	X	
9	Greenway Flats	Colo. Springs		X
10	CCH: Renaissance Uptown Lofts	Denver		
11	Red Tail Ponds	Fort Collins		
12	CCH: Renaissance West End Flats	Denver		
13	CCH: Renaissance Stout Street Lofts	Denver		
14	CCH: Renaissance at North Colorado Station	Denver		
15	CCH: Renaissance Riverfront Lofts	Denver		
16	40 West	Lakewood		
17	Brandon Apartments	Denver		
18	Arroyo Village - Workforce	Denver		
19	Flats at Two Creeks	Lakewood		



Overall Parking Demand





RTD's 2020 Transit-Oriented Development Parking Study

In late 2019 and early 2020, Regional Transportation District (RTD) performed a parking survey of 86 properties located within a 10-minute walk to a train or bus rapid transit station. The survey included discussions with property managers, counting parking supply and utilization, and analyzing the data. Results were based on resident income; policy for including a parking space in a tenant's lease; neighborhood transit quality; property age; policy for including a transit pass in a tenant's lease; distance between the property and the station; location in the City and County of Denver or other municipality; and location in related to TOD typology.

The RTD study stated **"the most significant finding from the combined survey-count analysis ties a strong correlation between the over-supply of expensive parking and the under-utilization of parking at income-restricted properties.** Metro Denver TODs analyzed here provide approximately 40 percent more parking than residents use at peak demand." RTD intends to use their research to initiate and guide discussions amongst Metro Denver professionals and development partners about more appropriate parking provision appropriate for properties in transit-rich neighborhoods.

"Excess parking is particularly inappropriate in transit-rich neighborhoods. Not only does it effectively prohibit affordable housing, but it unnecessarily increases development costs, reduces project savings, and obstructs access to transit, and by extension, to economic opportunity for a growing number of low-income households."



RTD's 2020 Transit-Oriented Development Parking Study

RTD Parking Study Findings

Resident Income	# Of Properties	# Of Units	# Of Parking Spaces	Spaces Available Per Unit	Spaces Utilized Per Unit	Parking Utilization
All Properties	86	22,422	26,442	1.18	0.70	59%
Market-Rate	65	19,850	24,462	1.23	0.74	60%
Mixed-Income	5	985	845	0.86	0.49	57%
Income-Restricted	16	1,587	1,135	0.72	0.36	50%

The table above summarizes the data gathered and evaluated as part of the RTD study. It can be seen that the income restricted properties are over-parked, which supports the findings in the Shopworks and Fox Tuttle study.

You can find RTD's full report [here](https://www.rtd-denver.com/sites/default/files/files/2020-12/RTD-Residential-TOD-Parking-Study_Final-R_0.pdf): https://www.rtd-denver.com/sites/default/files/files/2020-12/RTD-Residential-TOD-Parking-Study_Final-R_0.pdf

RTD Report: Summary

1.



The most significant finding from the combined survey and analysis was the strong correlation between the oversupply of expensive parking and the significantly low utilization of parking at income-restricted properties.

2.



Market-rate properties provide approximately 40% more parking than residents use, and income-restricted properties provide approximately 50% more parking than residents use.

3.



Income-restricted properties (0-99% AMI) provide 0.72 parking spaces per unit, but residents use only 0.36 parking spaces per unit.

4.



Of the properties located less than 0.3 miles from a station, residents utilized 0.10 per unit compared to those properties located between 0.3 to 0.5 miles from a station. In other words, for every 30 units, a property within a five-minute walk of a station provides five fewer parking spaces and its residents use three fewer parking spaces than a comparable station-area property farther away.

Parking Needs For Staff

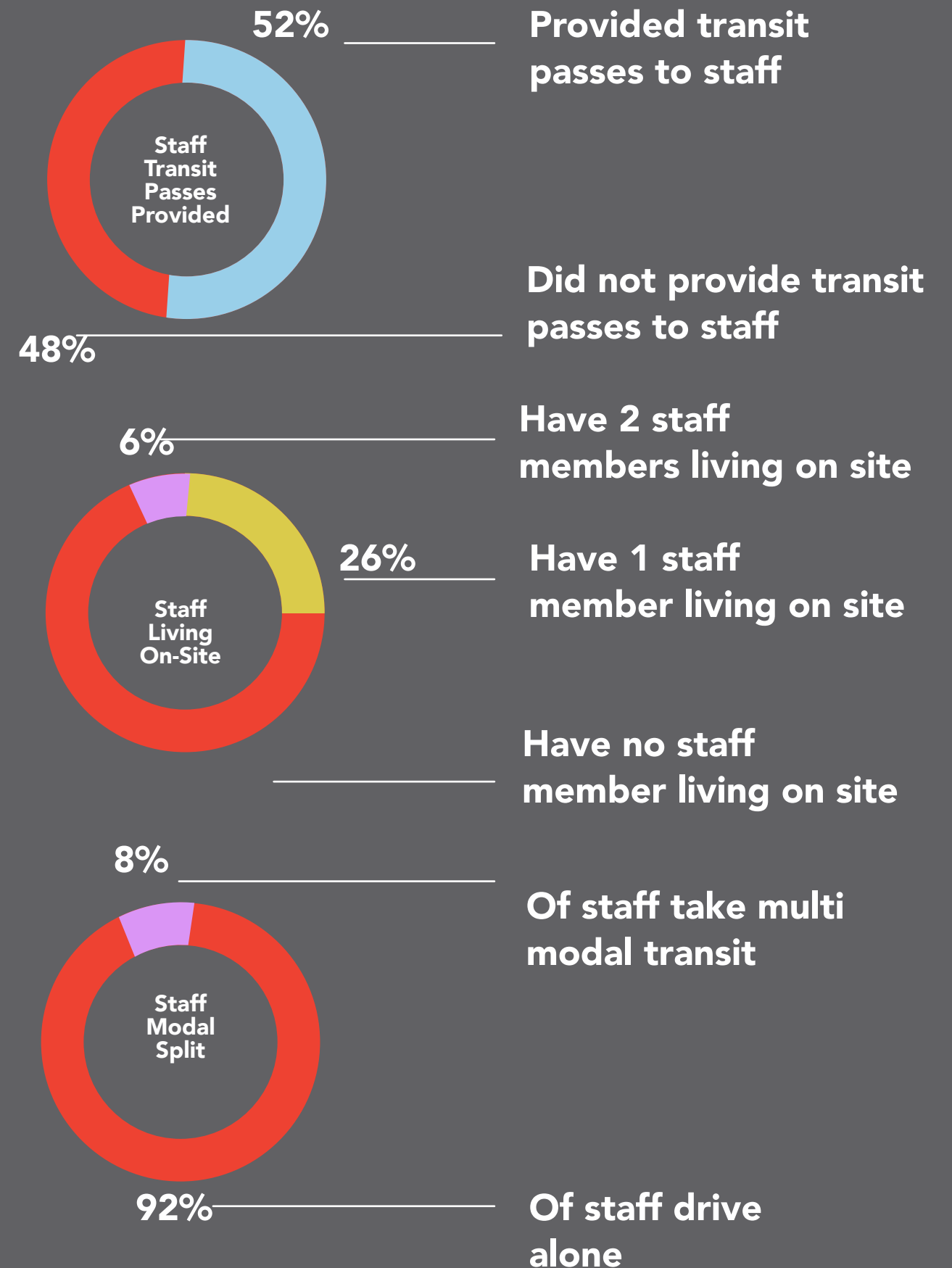
The same affordable housing properties that were surveyed by Fox Tuttle/Shopworks for resident vehicle ownership were asked about staffing to understand the parking demand needed by staff. On average, the majority of the affordable home properties have 5 full time staff members (1 per 17 units) and 4 part-time staff members (1 per 45 units).

There are a few exceptions to this data - The Attention Homes, Delores Project/Arroyo Village, and CCH: Renaissance at Civic Center Apartments. These buildings are staffed significantly more than the rest of the properties and reported having between 14 and 22 full-time staff members. However, upon further research it was determined that these organizations host all of their administrative staff for the entire organization in these buildings.

Half of the properties are staffed 24 hours a day, 7 days a week; while the other half have staff on-site only during typical daytime work hours. On average, there are 4 staff members on-site during any given shift. Typically, the evening and weekend shifts have a maximum of 1-2 staff members (front desk staff/security). The majority of the supportive housing properties have 3 staff shifts during weekdays and some have staff shifts on weekends. Approximately 1/3 of the properties have up to 2 staff members that live on-site.

Based on the provided data, 92% of staff members drive to work and need a parking space on or near the property.

The staff parking demand is additional to the residents' parking demand. However, the shift work that is typical of these types of properties, especially permanent supportive housing, lowers the need for parking since the entire staff are not on-site at the same time.



Takes the bus

Owens a car

One unit out of every 12 utilize parking.

Takes the bus

Walks

Rides bike

Rides bike

Takes the bus

Takes the bus

Walks

Light Rail

Takes the bus

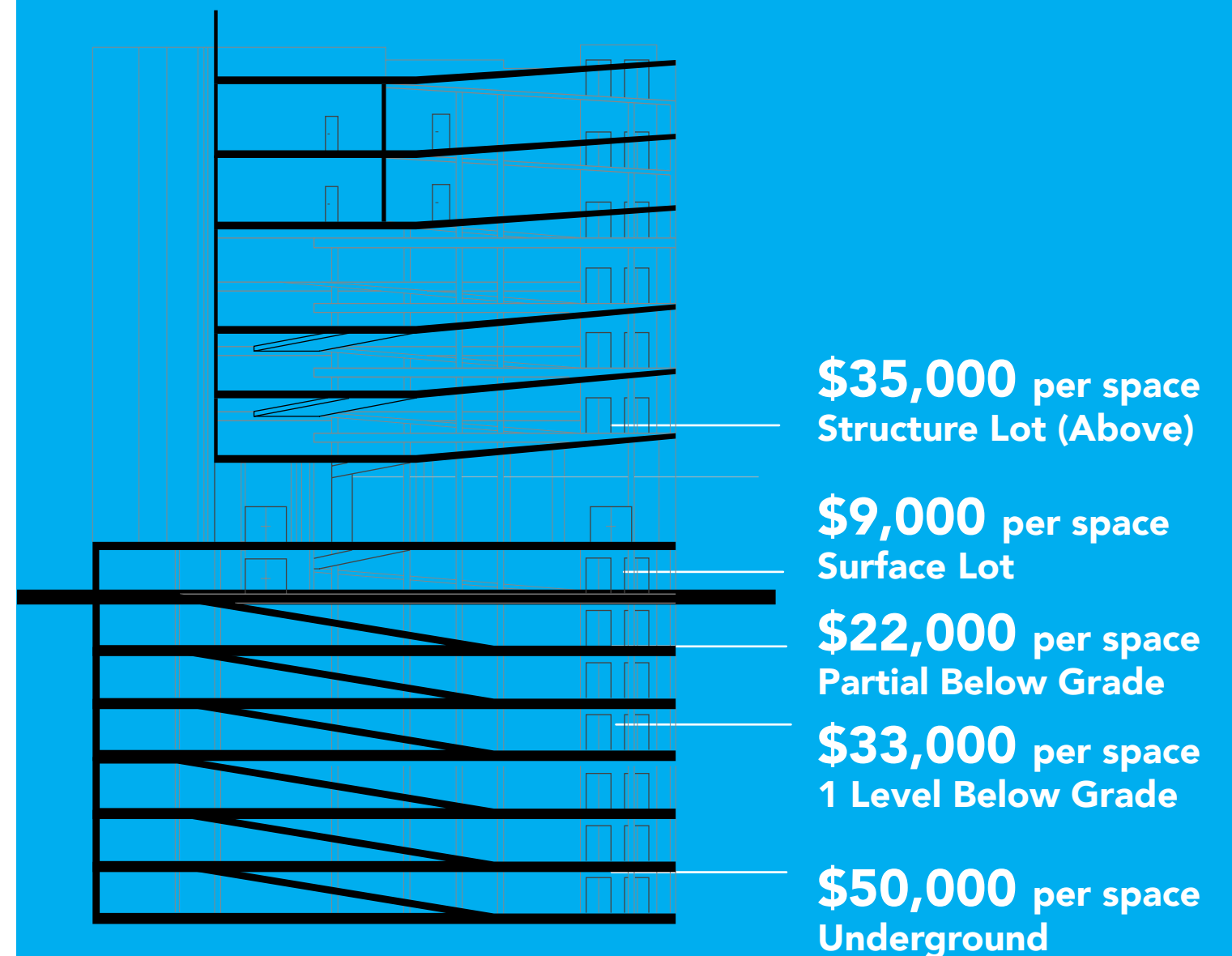
Rides bike

Parking facilities are costly to build.

Cost of Parking

Regardless of housing type, parking spaces are expensive to construct and maintain. The cost of parking impacts affordable housing projects more significantly than market-rate apartments since they cannot typically recoup the cost within rental fees. Parking also takes up valuable space that could be utilized for additional housing units or amenities for the people living on the property. As the data in this study indicates, parking demand is significantly less than the actual parking supply.

Existing and future sites would greatly benefit from reduced parking requirements to be able to repurpose the cost of parking and gain development area. Listed to the right are typical construction costs of one parking space in different parking facility types within the Front Range. This does not include the cost of the land or maintenance.





Across affordable housing, there are 0.29 vehicles per unit, equating to less than one vehicle per 6 units.



In Denver PSH there are .088 vehicles owned per unit, equating to less than one vehicle per 12 units.



Current Denver zoning requires on average 0.48 per unit across housing buildings. Thus the zoning requires 5.5 times more than the parking demand.

In Conclusion

We are building parking when we could be building more housing. The Department of Housing Stability in Denver, HOST, estimates that after LIHTC financing there is a funding gap equal to \$37,000 per unit in the City of Denver; a gap that City and State funds have to cover to ensure these apartments get built. We are taking tax payer dollars and spending it on unnecessary parking, when we could be creating more units or beautiful parks that help people heal. Our report shows that we spent \$9.3 million over the last 6 years on parking that is not used in affordable housing. With those funds we could have built an entire new PSH project with 40 units. We built parking when we could have housed people.

Thank You

We would like to extend our deepest appreciation for all the participants in this research who answered question after question as we refined our study. This report would not have been possible without each and every one of you, and we are so grateful for your assistance!

Appendix A.

	Overview of Building				Parking Requirement	
	How many units and unit type	How many residents: adults, kids	AMI for building	Median AMI	Zoning Required Parking Ratio (per DU)	Reductions (if available)
Attention Homes, Boulder	40 units: 23 studios, 16 1-bed, 1 2-bed	41	All 0-30%	30%	1.00	0.25
Arroyo Village - Delores PSH	35 units: all 1-bed	40	All 0-30%	30%	1.00	0.40
Arroyo Village - Workforce	95 units: 25 1-bed, 58 2-bed, 12 3-bed	267	All 0-50%	50%	1.00	0.32
St. Francis Center's Cathedral Square	50 units, all 1-bed	55	All 0-30%	30%	0.25	0.00
Second Chance Center: PATH	50 units, 40 1-bed, 10 2-bed	49	All 0-30%	30%	1.50-2.00	0.54
Lee Hill	31 units, all 1-bed	31	All 0-30%	30%	1.00	0.25
Red Tail Ponds	60 units, 54 one-bedroom and 6 two-bedrooms	60	40@0-30%, 20 @0-60%	40%	0.75-1.00	0.50
Mental Health Center of Denver: Sanderson Apts	60 units	60	All 0-30%	30%	1.25	0.60
40 West	60 units: 54 1-bed, 6 2-bed	67	9@0-30%, 10@0-40%, 34@0-50%, 6@0-60%	46%	0.75	0.00
Flats at Two Creeks	78 units: 70 1-bed, 8 2-bed	106	16@0-30%, 21@0-50%, 40@0-60%	43%	0.75	0.00
Greenway Flats	65 one-bedroom units	68	62@0-30% 3@0-40%	30%	1.50	0.00
Guadalupe Apartments Archdiocesan Housing	47 units: 18 studios, 19 one-bed, 10 two-bed	68	All 0-30%	30%	1.25-1.75	0.00
Brandon Apartments	103 – 47 one-bedroom, 45 two-bedroom, 11 three-bedroom	86	20@0-30%, 39@0-40%, 44@0-60, 1 staff unit	47%	1.00	0.25
CCH: Renaissance West End Flats	101 units, 75 one-bedroom, 26 two-bedroom	115	35@0-30%, 31@0-40%, 26@0-50%, 8@0-60%	40%	0.75	0.25

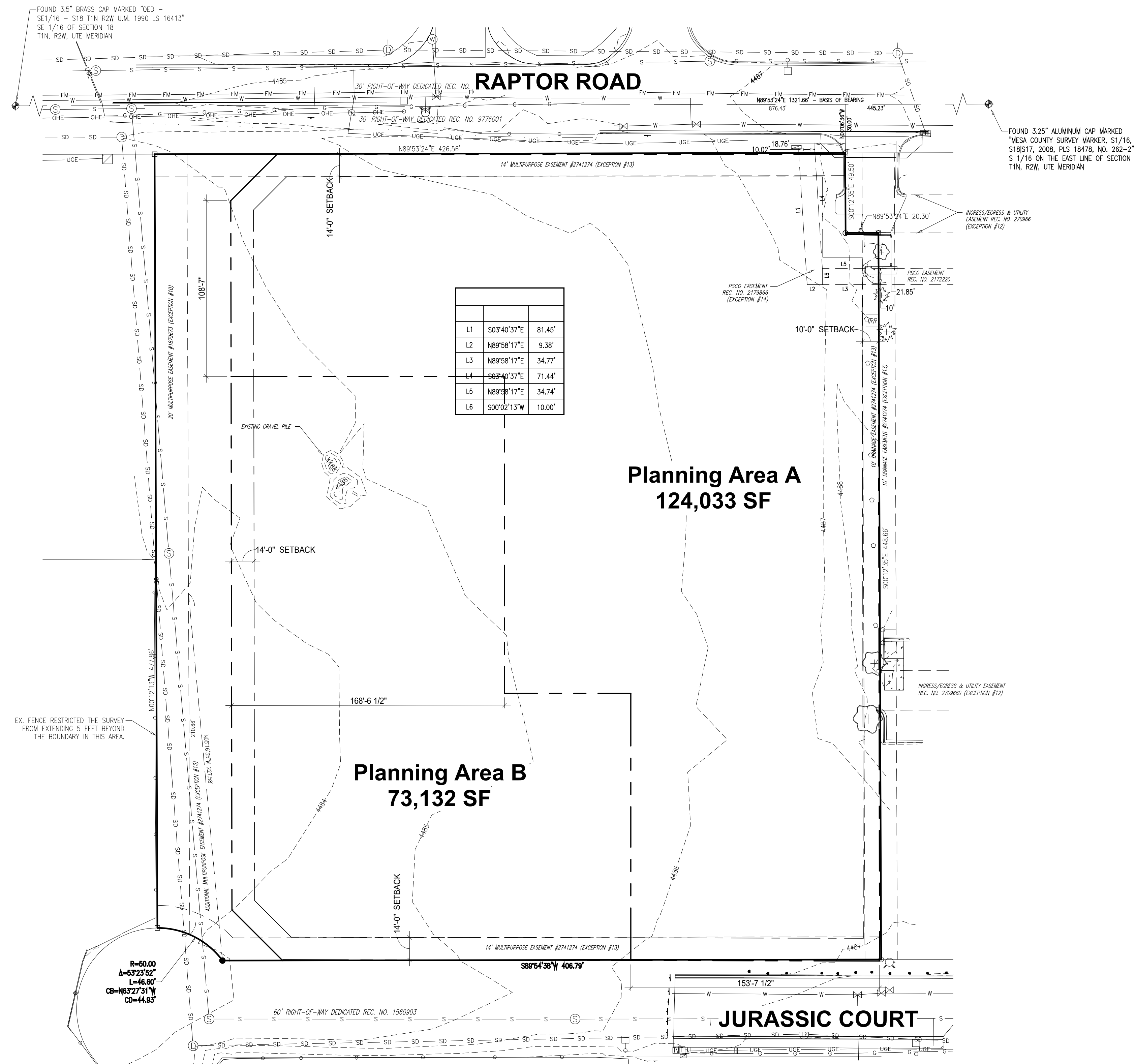
Parking Requirement		Parking Analysis			Alternative Modes			
Minimum Required Parking	Parking Provided	Parking Ratio (Provided per DU)	Residents With Cars	Parking Lot Utilization	Walk/Transit/ Bike Score	Number of bike parking spaces	Do you provide transit passes or bus tickets to residents	Shared Bikes / Cars?
30.00	68	1.70	4	5.88%	95/62/95	40	Yes	No
21.00	8	0.23	6	75.00%	73/63/65	100	Yes	Yes
64.60	78	0.82	75	96.15%	73/63/65	100	No	Yes
12.50	13	0.26	2	15.38%	94/82/91	30+	Yes	No (but have access to shared van)
92.00	42	0.84	12	28.57%	59/58/70	50	Yes	Yes
23.25	14	0.45	3	21.43%	56/40/88	20	Yes	No
23.25	35	0.58	12	34.29%	38/36/66	66	Yes	Yes
75.00	30	0.50	0	0.00%	79/48/68	15	No	No
45.00	60	1.00	25	41.67%	67/55/73	15	No	No
58.50	78	1.00	40	51.28%	61/55/69	At least 20	No	No
8.00	10	0.15	6	60.00%	48/33/71	6 rentals, 48 bike parking spots	Yes	Yes
76.00	77	1.64	20	25.97%	1/0/27	20 spaces	No	No
66.00	70	0.68	42	60.00%	74/54/94	92	Yes	No
49.00	53	0.52	41	77.36%	77/55/90	N/A	No	

Appendix A.

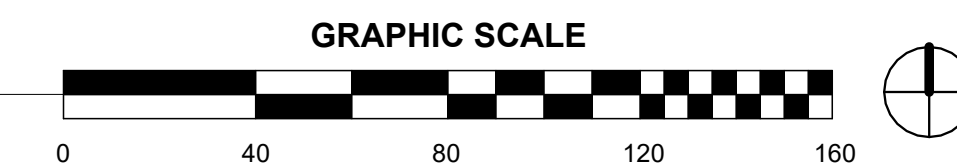
	Overview of Building				Parking Requirement	
	How many units and unit type	How many residents: adults, kids	AMI for building	Median AMI	Zoning Required Parking Ratio (per DU)	Reductions (if available)
CCH: Renaissance at North Colorado Station	103 Units: 19 studio, 54 one-, 24 two-, and 6 three-bedroom apartments	112	38@0-30%, 19@0-40%, 27@0-50%, 18@0-60%	42%	0.75	0.20
CCH: Forum Apartments	100 studio apartments	98	All 0-30%	30%	0.75	0.00
CCH: Renaissance at Civic Center Apartments	216 units: 200 studio, 16 one-bed	188	68@0-30%, 26@0-40%, 46@0-50%, 76@0-60%	46%	0.00	0.00
CCH: Renaissance Riverfront Lofts	100 Units: 88 one-bedroom apartments, 12 two-bedroom apartments	Did not receive	30@0-30%, 22@0-40%, 24@0-50%, 23@0-60%	44%	1.00-1.50	0.25+0.25
CCH: Renaissance Uptown Lofts	98 Units: 4 studios, 90 one-bedroom apartments, 4 two-bedroom apartments	Did not receive	41@0-30%, 31@0-40%, 17@0-50%, 8@0-60%	39%	0.75	0.25
CCH: Renaissance Stout Street Lofts	78 Units: 59 one-bedroom apartments, 19 two-bedroom apartments	63	26@0-30%, 23@0-40%, 22@0-50%, 6@0-60%	41%	0.75	0.20

Parking Requirement		Parking Analysis			Alternative Modes			
Minimum Required Parking	Parking Provided	Parking Ratio (Provided per DU)	Residents With Cars	Parking Lot Utilization	Walk/Transit/ Bike Score	Number of bike parking spaces	Do you provide transit passes or bus tickets to residents	Shared Bikes / Cars?
54.00	63	0.61	17	26.98%	61/53/66	None	No	
75.00	0	0.00	5	N/A	96/89/95	3	Yes	
0.00	0	0.00	Unknown	N/A	99/91/88	0	Yes	
60.00	60	0.60	52	86.67%	62/66/84	0	No	
25.00	22	0.22	15	68.18%	94/86/98	2	Yes	
59.00	102	1.31	15	14.71%	93/90/99	0	Yes	

LOT 1, HORSETHIEF COMMERCIAL SUBDIVISION (REC. NO. 2741274)
SITUATED IN THE SE 1/4 SE 1/4 OF SECTION 18
TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERIDIAN
CITY OF FRUITA, MESA COUNTY, COLORADO



1 | PRELIMINARY PUD PLAN
1" = 40'-0"



STUDIO ARCHITECTURE
3575 RINGSBY CT, SUITE 300A
DENVER CO, 80216
theSTUDIOarchitecture.com
866.529.9130



GEODE FLATS

614 RAPTOR ROAD, FRUITA CO

THIS GRAPHIC EQUALS 0'-1"
DO NOT SCALE DRAWINGS

STUDIO Project No: Project #
Sheet Issue & Revision Log

No	Date	Description
	10/12/23	PRELIMINARY PUD PLAN

It is the client's responsibility prior to or during construction to notify the architect in writing of any perceived errors or omissions in the plans and specifications of which a contractor thoroughly knowledgeable with the building codes and methods of construction should reasonably be aware. Written instructions addressing such perceived errors or omissions shall be received from the architect prior to the client or client's subcontractors proceeding with the work. The client shall be responsible for any defects in construction if these procedures are not followed.

PRELIMINARY PUD
PLAN

A1.0

**FRUITA CITY COUNCIL
WORKSHOP
JANUARY 24, 2023
6:30 P.M.**

CALL TO ORDER AND ROLL CALL

The workshop of the Fruita City Council was called to order at 6:30 p.m. by Mayor Kincaid. City Council members present were Mayor Pro Tem Matthew Breman, and City Councilors Jeannine Purser, James Williams, Ken Kreie and Aaron Hancey (Councilor Hancey arrived at 7:20 p.m.). Councilor Amy Miller was excused absent.

City Staff present were City Manager Mike Bennett, Assistant City Manager Shannon Vassen, Deputy City Clerk/Finance Director Margaret Sell, Deputy City Clerk Deb Woods, Parks and Recreation Director Marc Mancuso, City Planner Henry Hemphill and Planning and Development Director Dan Caris.

Also in attendance were members of the Fruita Planning Commission and Carrie McCool with McCool Development Solutions, LLC.

AGENDA ITEMS

1. DISCUSSION ON POST IMPACT FEE IMPLEMENTATION

City Clerk/Finance Director Margaret Sell reviewed staff's recommendation for implementation of an increase in the Parks, Open Space and Trails (POST) development impact fee for new construction based on a POST Impact Fee Study conducted by TischlerBise, Inc.

The study provides the necessary analysis and documentation to support an increase in the POST impact fee up to a maximum of the following amounts:

Current POST Impact Fee: \$1,860 per dwelling unit (in effect for over 10 years)

Proposed Maximum Supportable Fee:

Single-family Residential	\$3,179 per dwelling unit
Multi-family Residential*	\$2,154 per dwelling unit

**The difference in the proposed fee is based on the assumption that single-family residential has 2.42 persons per housing unit and multi-family residential has 1.64 persons per housing unit.*

Staff is proposing that the fee be implemented in two stages for single-family residences and one stage for multi-family residences.

City Manager Mike Bennett reviewed the history of the Council's previous discussions and a presentation from the City's hired consultant TischlerBise, Inc. Mrs. Sell requested feedback from the Council, noting that they could make any adjustments to the proposed fee increases that they preferred.

The Council noted that although the increases were high, they were something that haven't been updated in a considerable number of years. They reached a consensus to move forward with the fee increases as proposed by staff.

2. RESIDENCES AT FRUITA – CONCEPT PLAN

STAFF PRESENTATION:

City Planner Henry Hemphill provided a PowerPoint presentation of the Concept Plan for Residences at Fruita, a Planned Unit Development (PUD) proposal for a multi-family development on approximately 5.07 acres located directly west of the La Quinta Inn and northeast of the James M. Robb – Colorado River State Park. A Concept Plan for a PUD is optional in Fruita, but was submitted by the applicant's representative, McCool Development Solutions, in order to obtain general, non-binding feedback from the City Council, Planning Commission and City staff.

Mayor Kincaid explained that this was a new process that resulted from recent amendments to the Fruita Land Use Code whereby the process for reviewing a Concept Plan is done in a workshop setting instead of a public hearing at regular meeting of the Planning Commission and City Council.

Mr. Hemphill's presentation included a zoning map, aerial photo and several street-level photos of the property, an outline of the Concept Plan process for a PUD, list of Land Use Code requirements and a listing of the next steps that will include:

- Preliminary PUD Plan submission within 180 days
- Pre-Application meeting
- Outside agency review and legal notice
- Planning Commission public hearing (recommending body to the City Council)
- City Council public hearing (decision of approval or denial on the application)
- Zoning Ordinance

APPLICANT PRESENTATION:

Carrie McCool with McCool Development Solutions, LLC (the applicant's representative) also provided a PowerPoint presentation that included:

- An overview of their client, developer TWG Development, LLC
- A Concept Plan illustration showing two planning areas
- PUD parameters concerning density and building heights, parking, and public benefit,
- Examples of how the project aligns with the City's Comprehensive Plan
- Photos of other completed projects as examples of architecture that may be used for the Residences at Fruita

Ms. McCool noted that the developer was also proposing a childcare center as a public benefit in the form of land dedication or a cash payment in lieu of dedicating land. She requested feedback from the City Council.

Councilor Aaron Hancey arrived at 7:20 p.m.

STAFF, APPLICANT, PLANNING COMMISSOIN AND CITY COUNTY DISCUSSION:

Discussions were held concerning the following:

- Council's preference of the public benefit being childcare versus parks and trails since parks and trails already have several revenue sources
- Staff will research childcare land dedication versus cash in lieu to determine which is a better benefit to the community
- Parking was a concern to the Council: applicant will submit a Parking Study
- Keeping the architecture in line with geologic features such as the Bookcliffs, Colorado National Monument and the desert
- The beauty of the State Patrol building
- The pricing of the multi-family housing is proposed at market rate
- Applicant will work with staff on further details and specific pricing for dwelling units
- There did not appear to be a concern about density as Fruita is in a housing crisis

3. OTHER**PROCLAMATION REQUEST: COUNTERING ANTISEMITISM**

Councilor Breman provided hate crime statistics. The Council was in support of issuing a Proclamation titled, "Affirming a Commitment to Countering Antisemitism" at the next regular meeting of the City Council (February 7, 2023) and Councilor Breman said he could find some people who would attend and accept the Proclamation.

He noted that the League of Women Voters was taking the lead on an article that will be published in the Daily Sentinel on February 5th concerning antisemitism and asked for the Council's permission to include their names and titles in the piece, which he received.

CITY MANAGER UPDATES:

- Reminder of the Municipalities (Multi-Jurisdictional) Dinner next Tuesday. Councilor Kreie will be unable to attend.
- The Church of Jesus Christ of Latter-Day Saints submitted plans the previous Friday and they are out to the review agencies. The new church will be at the same location as the old one that burned down.
- Staff will be sending out a Press Release about the City's new Building Department, which will "go live" beginning on February 20, 2023.
- The Fruita Mews and Car Barn projects pulled their building permits from Mesa County to submit them to the City's new Building Division.
- Staff has been getting good feedback on the new Building Department.
- Vectra Bank will host a mixer in the second or third week of February for the Homebuilders Association and industry members. Fruita City Council will be invited to attend.

CITY COUNCIL DISCUSSION:

- Councilor Purser asked about when it is appropriate for Council members to respond to emails sent to them by the public. There was discussion about the importance of making clear any

personal opinions versus opinions of the entire Council and to not “reply all,” which constitutes a meeting of the City Council that must be noticed to the public 24 hours prior. Mr. Bennett stated that it was best for City Council members to respond to those emails that they would be discussing with the rest of the Council at a later date. He also recommended that the Council refer matters to staff if the Council does not have enough information to respond.

- Councilor Purser also mentioned that enrollment in public schools is declining across the state, including in School District #51, who has decided to adopt school consolidation as a strategy for relieving staffing and safety issues. District 51’s contracted demographer will present recommendations for school consolidations at the Board of Education meeting scheduled for Tuesday, February 21. Mike noted that he would be meeting with Brian Hill with the District and ask if they want to give the Council an update. Matthew stated that he is in support of School District #51.

4. ADJOURN

With no further business before the Council, Mayor Kincaid adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Deb Woods
Deputy City Clerk