



TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: DECEMBER 6, 2022

AGENDA TEXT: RAPTOR CROSSING PLANNED UNIT DEVELOPMENT (PUD):

1. ORDINANCE 2022-29 – 2nd Reading – An Ordinance amending the Official Zoning Map of the City of Fruita by zoning approximately 4.9 acres of property located at 853 Raptor Road to a Planned Unit Development (PUD) Zone - *City Planner Henry Hemphill*
2. RAPTOR CROSSING PLANNED UNIT DEVELOPMENT – Preliminary PUD Plan - *City Planner Henry Hemphill*

BACKGROUND

This is a 2nd Reading of Ordinance 2022-29 for approval to zone approximately 4.9 acres of property to a Planned Unit Development Zone and is a request for approval of a Preliminary PUD Plan. Section 17.11.030 (B)(2) of the Land Use Code requires that as part of the Preliminary Planned Unit Development Plan/Plat, the City Council shall enact an Ordinance zoning the subject property as a Planned Unit Development.

The application proposes 39 subdivided lots along with a Planned Unit Development Guide to serve as the zoning documentation for the overall development. The project is also proposing a central common area, trails, open space and fencing. Ingress/Egress to the site will come from Raptor Road onto a private street to be owned and maintained by the HOA. This type of use is new to Fruita, the use itself as described in the project narrative is that the development is a high-end luxury RV park and that each lot will be individually owned and have no limit on occupancy.

Earlier this year the Planning Commission and City Council had the opportunity to review this project as a Concept Plan. Feedback was received at both the Planning Commission and City Council meetings with concerns related to utilities, emergency access, traffic, short-term and long-term renting, permanent and temporary living, and lot upkeep and maintenance.

The Planning Commission recommended approval of this application to the City Council by a vote of 5-0 at their October 11, 2022, public hearing with the condition that the applicant provide more detail on lot swaps and timesharing (short- and long-term renting of the lots). The applicant has proposed a revised PUD Guide which addresses the Planning Commissions concerns. The PUD Guide now states, *“Renting, whether short-term or long-term, of any Motorhome or Lot is strictly prohibited in Raptor Crossing. Lot owners do have the ability to swap their lot with a lot owner in another Class A Motorhome Development. That process is subject to HOA review and approval, as defined in the CCRs*

for the development.”

The meeting minutes from the Planning Commission are attached with the application materials. No written public comments have been received nor were there any comments received at the Planning Commission meeting.

There are still review comments and issues raised by Staff and other agencies that have not been fully addressed by the applicant, however, most of these comments are more technical in nature (engineering, drainage, stormwater, etc.). Following the Preliminary PUD Plan, the application can move to a Final PUD Plan application, which is then reviewed and approved administratively per Section 17.19.030 (C) of the Land Use Code. The Final PUD Plan shall conform to the previously approved Preliminary PUD Plan, including all conditions of approval, the requirements of the Land Use Code, and other applicable regulations.

Attachments

1. Ordinance 2022-29
 - a. Exhibit A – Legal Description/Plat
 - b. Exhibit B – Raptor Crossing PUD Guide
2. Staff Report
3. Review Comments
4. Application Materials from Applicant
 - a. Land Development Application
 - b. Project Narrative
 - c. CCR's
 - d. Transportation Impact Study
 - e. Site Plan
 - f. Landscaping Plan
 - g. Plat
5. Meeting Minutes – Planning Commission – October 11, 2022

PUD PROCESS

1. Concept Plan (optional step) - 17.19.030 (A)

Concept Plan. An applicant may choose to complete a Concept Plan review with the City to receive initial feedback on the proposed Subdivision. An application for Concept Plan is optional and approval shall be reviewed for compliance with this Title, other requirements of the city, and requirements of other agencies, as applicable. Applications for Concept Plan approval shall be reviewed in a work session process (not a public hearing) with the Planning Commission and City Council. All comments and feedback in the work session are non-binding and are intended to provide overall direction to an applicant. The Planning Commission is a recommending body to City Council for all Concept Plan applications.

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

- Decisions and discussions are non-binding.

2. Preliminary PUD Plan - 17.19.030 (B)

Preliminary Planned Unit Development Plan. An application for Preliminary Planned Unit Development approval is subject to all requirements of this Title, and other applicable regulations. A Preliminary PUD is reviewed by the Planning Commission, who shall make a recommendation to City Council. City Council is the final review authority for all Preliminary PUDs.

- 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.

3. Final PUD Plan – 17.19.030 (C)

Final Planned Unit Development Plan. An application for Final Planned Unit Development shall conform to the previously approved Preliminary Planned Unit Development Plan, including all conditions of approval, the requirements of this Title, and any other applicable regulations. Final PUD applications are administratively reviewed and approved by the Community Development Director and may be combined with the related Development Agreement. Final PUD applications shall be submitted to the Community Development Department within one hundred eighty (180) days following approval or conditional approval of the Preliminary Planned Unit Development Plan by the City Council, unless such time is extended by the City Council.

- 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.

FISCAL IMPACT

Because the nature of this Ordinance is residential, there are no fiscal impacts associated with adoption. If the subject property is to develop, a fiscal impact will be associated with the public improvements.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The proposed Planned Unit Development zoning is in general conformance with the City of Fruita's Land Use Code and Comprehensive Plan. The Comprehensive Plan, adopted in February 2020, provides guidance and support for efficient development, connectivity, infill development, open space, and diversity of housing types. Influenced heavily by community values, the vision statement was created and 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.” (Page 3, Fruita In Motion: Plan Like A Local Comprehensive Plan)

LAGOON CONCEPT PLAN

The City of Fruita owns the property directly to the west which consists of 25 acres fully owned by the City and 15 acres jointly owned by the City of Fruita, Mesa County, and the Colorado Riverfront Foundation. This property, known as the Lagoon property, was the location of the City’s wastewater treatment area prior to the construction of the new facility located on 15 Road. Since it was decommissioned in 2011, the site has been planned for a mix of residential, commercial, and recreational spaces throughout. Additionally, the city also has a connection to its trail system that runs along the Little Salt Wash towards the Colorado River and into the State Park directly to the south. With this development application, Staff sees this as a good transition between the more recreation centric uses and the more commercial business centric uses as they get closer to the Interstate and Highway 340.

INNOVATION/FLEXIBILITY ZONE NEARBY

In addition to the Lagoon site as mentioned before, the Future Land Use Map in the Comprehensive Plan recommends the properties nearby as being a hybrid mix of residential, commercial, and recreational. This development should help with the transition of commercial uses currently operating on or near the Raptor Road area.

OPTIONS AVAILABLE TO THE COUNCIL

ORDINANCE 2022-29:

1. Adopt Ordinance 2022-29, An Ordinance amending the Official Zoning Map of the City of Fruita by zoning approximately 4.9 acres of property located at 853 Raptor Road to a Planned Unit Development Zone as proposed.
2. Adopt Ordinance 2022-29, An Ordinance amending the Official Zoning Map of the City of Fruita by zoning approximately 4.9 acres of property located at 853 Raptor Road to a Planned Unit Development Zone with conditions.
3. Deny Ordinance 2022-29.
4. Continue Ordinance 2022-29, to a date specific to allow the applicant to provide more information related to specific concerns the City Council has with the zoning application.

RAPTOR CROSSING PRELIMINARY PUD PLAN:

1. Approve the Raptor Crossing Preliminary PUD Plan as proposed.
2. Approve the Raptor Crossing Preliminary PUD Plan with the condition that all review comments and issues identified in the Staff Report be adequately resolved with the Final PUD Plan application.

3. Continue the Preliminary PUD Plan application to coincide with the zoning application to allow the applicant to provide more information related to specific concerns the City Council has with zoning application.

RECOMMENDATION FOR ORDINANCE 2022-29:

Staff recommends that the Council move to:

ADOPT ORDINANCE 2022-29, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 4.9 ACRES OF PROPERTY LOCATED AT 853 RAPTOR ROAD TO A PLANNED UNIT DEVELOPMENT ZONE AS PROPOSED.

RECOMMENDATION FOR THE RAPTOR CROSSING PRELIMINARY PUD PLAN:

Staff recommends that the Council move to:

APPROVE THE RAPTOR CROSSING PRELIMINARY PUD PLAN WITH THE CONDITION THAT ALL REVIEW COMMENTS AND ISSUES IDENTIFIED IN THE STAFF REPORT BE ADEQUATELY RESOLVED WITH THE FINAL PUD PLAN APPLICATION.
