



Application Type: Final PUD Plan and Rezone from CR to PUD

Application Name: Dwell PUD

Application Number: 2021-41

Location: 1136 17 ½ Road

Current Zone: CR

- Pre-Application meeting: 7/7/2021
- Application submitted: 9/10/2021
- Letter of acceptance: 9/21/2021
- Application sent out for review: 9/24/2021
- Legal Notice –
 - Paper – 10/22/2021
 - Postcards – 10/22/2021
 - Sign – 10/22/2021
- Planning Commission: 11/9/2021
- City Council: 1/18/2022

Description:

This is a request for approval a Final PUD Plan and to rezone the subject property from Community Residential to Planned Unit Development (PUD).

General:

No responses (redlines) to comments from the Preliminary PUD review were submitted.

1. The Project Narrative is requesting a credit against the Parks, Open Space, and Trails Impact fee for the construction of Tract D along North Maple Street. The following is justification to the request:
 - a. 17.29.030 (A) (13) states that Tract D can be eligible for credits against the otherwise parks, open space and trails impact fee. Both the land area and the improvements to the land are eligible for credit. The minimum required width is 5 feet and the minimum required landscaping must consist of 1 large tree for every 40 linear feet along the public right-of-way and appropriate groundcover and irrigation. This Outlot must be owned and maintained by a Homeowners Association and contain a public access easement in order to receive credit.
 - i. Tract D is approximately 330 linear feet which would require, at a minimum, 8 trees in order to be considered for POST credits. The

proposed landscaping within Tract D contains 8 trees and appears to have appropriate groundcover. Credit is supported with what is proposed.

- ii. Based on the project narrative, Tract D is approximately 14 feet in width. Credit is supported with this proposal as well.
- iii. In order to calculate the Credits, a cost estimate of the improvements and installation of said improvements for Tract D must be submitted.
 1. This needs to be completed by an Exhibit to the Improvements Agreement and the credit will be shared appropriately throughout all 37 lots.
2. Because Wildwood Drive continues from the subdivision to the east and is called out at North Maple Street, all streets should be renamed to Wildwood Drive on the plans. This will make it easier for emergency responders.
3. Much of the discussion suggested that the applicants include more information on the dimensional standards such as additional streetscape and front elevations, aerial photos or more information about how the houses will relate to the surrounding neighborhoods so that the project can achieve the greatest compatibility that the Council desires when the Final Plan goes before Council.
 - a. The motion from the City Council at the May 4, 2021, public hearing is as follows:
 - i. COUNCILOR BREMAN MOVED TO APPROVE THE DWELL PRELIMINARY PLAN WITH THE CONDITION THAT THE APPLICANT RETURN WITH LIMITED ELEVATIONS AND OTHER AGENCY COMMENTS PROVIDED. COUNCILOR KREIE SECONDED THE MOTION.
4. The project narrative suggests that Short-Term Rentals are allowed in accordance with the Land Use Code in effect on January 1, 2020. However, this is not reflective in the PUD Guide.
5. For safety purposes, Staff recommends a sign with all the address numbers for Lots 27-31 be placed at the entrance of the ally.
6. The landscaping between the sidewalk and street must be maintained by the HOA.
7. The plans submitted don't give good indication of the Filing Plan.
 - a. The PUD Guide shows this, but the construction drawings don't.
8. The developer installed fencing along the perimeter should be coordinated with adjacent property owners. This is to ensure clear communication between property owners.
9. In order to avoid cars using the fire truck turn around easement, collapsible bollards should be placed north of Lot 22.
10. What is the plan to reduce the risk of people trespassing or walking onto the irrigation vault?
11. Maintenance of the landscape strip between the street and sidewalk will be the responsibility of either the HOA or the adjacent property owner.
12. Page 23 of the project narrative is asking for approval of the Preliminary PUD Plan.
13. With regards to the allowed uses, the project narrative and the PUD Guide are a bit different. The project narrative states that the uses allowed are subject to the standards and

regulations in effect as of January 1, 2020, but the PUD Guide makes no mention of the January 1 date. The allowed uses proposed are already addressed within the Land Use Code.

PUD GUIDE:

1. The underlying zone for the PUD Guide is Community Residential.
2. In order to provide more clarity in Planning Clearance review. Please break down the dimensional standards per lot.
3. The side setbacks on Page 11 for single-family attached buildings indicate a 0' setback. This doesn't appear to include both sides and would indicate 0' on both sides. A 5' setback would be acceptable and will be similar to the community residential zone.
4. The PUD Guide gets recorded with the Ordinance. The PUD Guide will not record in color.
5. Parking standards were not included. This would indicate that the Community Residential parking requirements apply. However, from the Preliminary PUD Plan review, parking is not going to be allowed on the street.
6. The PUD calls out duplex units. However, based on the dwelling units proposed it would appear that these are actually townhomes.
 - a. The duplex is single ownership of 2 units on 1 lot, whereas, a townhome is 2 units with property line separating ownership. In order to avoid confusion in the future, please clarify.
 - i. DUPLEX. A building containing two (2) dwelling units totally separated from each other by an unpierced wall extending from ground to roof located on a single lot and all under the same ownership.
 - ii. DWELLING, MULTI-FAMILY. A building containing three or more dwelling units arranged, designed for, and intended for occupancy of three (3) or more family units independent of each other, having independent cooking and bathing facilities located on a single lot and all under the same ownership.
 - iii. DWELLING, SINGLE-FAMILY, ATTACHED. One of two (2) or more single family dwelling units having a common or party wall separating dwelling units with each dwelling unit located on a separate lot.
7. The Fence details don't cover any scenario for homeowner installed fencing.
 - a. If any existing fencing is removed and or replaced, what would the materials be to replace it?
 - b. Just to provide clarity for when fence permits are requested and according to the PUD Guide submitted, are homeowners only allowed to build the 5-foot vinyl horizontal slat fence?
 - i. Under the current Land Use Code fencing regulations contained in Section 17.07.022 (H) allows a mix of height and materials both along property

lines and in the front yards. If you have specific fencing standards, Staff suggests making the PUD Guide clear.

8. Lot Coverage should be better defined. Is it impervious surface? Is it just roofed/covered structures?
9. The PUD Guide contains architectural design standards on page 13. This would imply that these elements must be reviewed by Staff at the time of Planning Clearance. Is this the intent?
10. Page 12 of the PUD Guide calls out allowed uses, however, footnotes refer to the Land Use Code. The underlying zone of Community Residential already covers these uses. Since the allowed uses need to meet the Land Use Code, there is no need to call this out in the PUD Guide.

PLAT:

1. Dedication language for the park shall include a non-exclusive perpetual easement for the public.
 - a. “Tract B is hereby dedicated to the City of Fruita as a perpetual, non-exclusive blanket easement for the use by the general public for park, recreation and pedestrian path purposes. Under the terms of such easement, members of the general public shall be entitled to use such property, and any improvements constructed thereon, on an equal basis with residents of the subdivision, subject to non-discriminatory rules and regulations promulgated by the Dwell Homeowners Association”
2. Are the irrigation lines going to be placed in an any easements?
3. There should also be some language about maintenance of all the Tracts. The Tracts will not be maintained by the City of Fruita.
4. What does the 14’ represent?
5. What does the 33’ represent? This is on the south side of Tract B.
6. There is a 14’ multipurpose easement called out on page C1.0 within Tract B but is not represented clearly on the Plat.
7. A 14’ multipurpose easement is required along all street frontages. This would include Tracts D, E, and F.
8. The dedication of all HOA Tracts will need to be completed at the time of recording of the Plat. That way the Plat can contain recording language that shows the dedication.

City Council Motion from May 19, 2020:

COUNCILOR BUCK MOVED TO APPROVE THE PROPOSED DWELL PLANNED UNIT DEVELOPMENT CONCEPT PLAN WITH THE CONDITION THAT ALL REVIEW COMMENTS AND ISSUES IDENTIFIED IN THE STAFF REPORT BE ADEQUATELY RESOLVED WITH THE PRELIMINARY PLAN APPLICATION WHICH WILL INCORPORATE PERIMETER HOMES THAT ARE MORE COMPATIBLE WITH

EXISTING ADJACENT RANCH HOMES (IN HEIGHT) AND INTERIOR HOMES HAVING THE 40 FEET (IN HEIGHT) EXEMPTION.

Clarification on the motion - Councilor Breman asked for clarification on the motion that the perimeter homes either be less than 35 feet or max out at the current zone requirement of 35 feet. Councilor Buck responded that because the density would be doubled, she was asking for less than 35 feet in height.

Vote – 6 yes vote, 0 no votes.

City Council Motion from May 4, 2021:

COUNCILOR BREMAN MOVED TO APPROVE THE DWELL PRELIMINARY PLAN WITH THE CONDITION THAT THE APPLICANT RETURN WITH LIMITED ELEVATIONS AND OTHER AGENCY COMMENTS PROVIDED. COUNCILOR KREIE SECONDED THE MOTION.

Discussion on Motion - There was more discussion about short-term rentals. Councilor Breman stated that it was not part of his motion. Councilor Buck stated that she was suggesting that the City make it mandatory (not allowing short-term rentals) in order to keep housing that locals can buy and so that the housing is not bought by investors to use as rentals. Councilor Leonhart asked if the Council will be allowed to include the restriction on short-term rentals at the time of Final Plan/Plat approval. City Attorney Paul Wisor answered that the Council could make it part of the PUD Guide at that time.

Vote – 4 yes votes, 2 no votes.

CITY OF FRUITA

CITY ENGINEER & PUBLIC WORKS REVIEW SHEET

PROJECT: Dwell PUD

Petitioner: Michael D. Maves, 234-0659
Vortex Engineering, Inc. Robert W. Jones, II 245-9051

Reviewer: Sam Atkins

Date: November 1, 2021

REVIEW TYPE: ☐ Minor Subdivision ☐ Rezone & Sketch Plan
(Check One) ☐ Lot Line Adjustment ☒ Final Plan
☐ Site Design Review ☐ Conditional Use Permit
☐ Other:

REVIEW COMMENTS

1. **General:** This application is for a new Planned Unit Development located at 1136 17 1/2 Road combining single-family residential subdivision of 37 Lots on approximately 1.854 acres.
 - a. The final construction drawings when submitted need to be sealed and signed by the engineer of record.
2. **Irrigation:**
 - a. What is the source of irrigation water and how does it get to the vault? You show a line that just ends but is not shown to connect to anything.
 - b. There are no elevations for the irrigation vault.
 - c. There is shown an overflow line in the vault, but no overflow line on the plans.
 - d. Your irrigation design report is only using 1.92 inches of water per week. The City of Fruita standards say you are to use 3-inches per week.
 - e. Where is the documentation for the number of irrigation shares being provided to this subdivision?
 - f. The storage vault for irrigation needs to be grated for safety. A 4-foot fence is likely a liability for the HOA.
 - g. You have a City of Grand Junction Acceptance block on the Irrigation Vault and Details sheet.
3. **Composite Utilities:**
 - a. It is a requirement of the city to locate sewer services for new 811 laws. Extend the sewer mains so that the last sewer service is perpendicular to the main rather than at an angle. This will help with future locating services. This applies to Lot 32.
4. **Site Plan:**
 - a. Separation of edge of driveway to nearest flowline of a local street has a 50-ft distance requirement. You will need to show how this works for corner lots.

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CITY ENGINEER & PUBLIC WORKS REVIEW SHEET

- b. With this being vertical curb in some areas, are you planning to remove sections of curb at the point you construct the units, or are you planning driveway locations now and will place them on the plans.

5. Grading Plan Storm Drains:

- a. It appears that the area along Maple St. is to be landscaped. However, you are showing a 2-3 ft drop from the back of walk at a 3:1 slope. If this is to have the appearance of a landscape buffer, it should be flatter.
- b. SWMM calls out for a minimum pipe size of 18-inches.
- c. The contours would suggest there is a swale running at the fence location along Maple. There are 2 sets of arrows indicating there may be 2 swales.
- d. The channelized flow crossing the path north of the detention pond should have a culvert that the crossing.
- e. Mail cluster and lighting.

6. Paving Plan and Profiles:

- a. There should be profiles for the centerline and the flowlines.
- b. Identify where you are deviating from the typical 2% cross slope.
- c. You have a low point on Wildwood Drive along the north side gutter flowline at station 1+39.51 with no inlet. It would appear that you could continue the profile of Yeti without the PI at 0+74.86. Thus, capturing the runoff from Yeti instead of direct discharging to Maple.
- d. Show the grades north of Yeti for the next property to the north.
- e. Identify the cross slopes for the curb ramps.
- f. The radius for the south end of Yeti St. should be large enough for the street sweeper to navigate. It is not called out. Identify the radius for each curb return or call out a typical.
- g. Show where the high point is on the bulb where Pivot and Singletrack St. intersect.
- h. The grading of Pivot St sends runoff from the street to the adjacent property. Regrade so that the runoff runs to the south continuously.
- i. Why is there a PT at 7+23.43 with callouts of 1% on either side of it.
- j. Vertical changes in grade in excess of 1% should be constructed with a vertical curve.

7. Sewer Plan and Profiles:

- a. There should be all-weather access to all manholes including SSMH-7. This access should be capable of withstanding a Vactor truck.
- b. There should be a stub to the north end of Yeti St. as well as Pivot St.
- c. The sewer in Singletrack and Pivot are shallow. Per section 3 of the City of Fruita design standards, all sewer mains and service lines within the street ROW shall be designed so that a minimum of four (4) feet of cover exists over the pipe after final grade has been established, unless specifically approved by the City Engineer. Sewer mains and service lines within the street ROW which have less than four (4) feet of cover or more than twenty (20) feet of cover shall be installed using PVC pressure pipe, as specified in subsection 3.3 (C). Under no circumstances shall a sewer have less than three (3) feet of coverage, unless specifically approved by the City Engineer in writing.

8. Detention:

- a. What are the side slopes on the pond?

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- b. What is the slope in the bottom of the pond?
- c. The 100-year water surface is 4519.85. You are to have 1-ft of freeboard, but your contours suggest the top of pond is 4520.00. provide the 1-ft of freeboard.
- d. The SWMM calls out the top width of 3-ft or depth of pond (whichever is greater). Label the top width.

RECOMMENDATION:

The Engineering and Public Works Departments recommends approval of this Subdivision Final Plan upon the satisfactory resolution of the items cited above.

#2021-41 Dwell Final PUD Plan Consolidated Review

Grand Valley Drainage District

GVDD has no objection to the final plans. The developer will be required to obtain a Discharge License with the District for the detention pond.

Grand Valley Irrigation Company

GVIC does not have any comments for this project.

Grand Valley Power

This project is not in the GVP Service area.

Lower Valley Fire District

Review comments:2021-41 Dwell PUD Final Plan

1. Install signage as needed to identify Emergency Access/No Parking or Fire Lane/ No Parking. At end of ally and where the trail access joins Wildwood.
2. Have Wildwood be the street name for the entire PUD instead of four different names in the small PUD.

Mesa County Building Department

MCBD has no objections to this project. The following must be provided to our office in paper form. The city approved Soil report, Drainage plan & TOF tabulation sheet.

Mesa County Planning Department

Mesa County has no comments.

Ute Water

- All lots fronting ROW shall be individually metered and not use a gang meter pit as shown, private service line is not to be run parallel to the MPE and in it.
- Move FH at lot 27 to the west 5-feet way from the storm inlet.
- If the stubs to the north are not a minimum of 43-feet past the V restrain the joints and the valve cluster.
- Show the V at the wet tap in Maple.
- Show the line size in Maple.
- Please move callouts and labels that cover water main and appurtenance.

- Can the 12-inch RCP between IN-102 and SDMH 200, and SMH-1, be raised or lowered as to not be at the same elevation as the water main and or FH?
- Move the FH at lot 22 to the northeast corner of the intersection.
- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.