

**CITY CLERK'S CERTIFICATION OF SUFFICIENCY
WITH RESPECT TO THE PROTEST
REGARDING THE REZONING OF PROPERTY LOCATED AT 1136 17 ½ ROAD
(AKA DWELL PLANNED UNIT DEVELOPMENT PROPOSAL)
Submitted pursuant to 17.13.060 (c) of the Fruita Municipal Code**

I, Margaret Sell, City Clerk of the City of Fruita, Colorado do hereby find:

1. A protest petition was submitted to the City of Fruita on May 3, 2021 to "Stop Dwell Preliminary PUD Plan" (the "Original Petition")
2. On May 21, 2021 the City issued a Certificate of Insufficiency with respect to the Original Petition.
3. On June 9, 2021, a petition supplementing the Original Petition was submitted to the City (the "Amended Petition").
4. That pursuant to Section 17.13.060 (c) of the Fruita Municipal Code regarding amendments to the Official Zoning Map and protests thereof, a protest must be signed by owners of at least fifty percent (50%) or more of either (i) the area included in the proposed rezoning or (ii) the land extending a radius of two hundred and fifty feet (250') from the land included in the proposed rezoning.
5. There is one parcel of land in the area included in the proposed rezoning (1136 17 ½ Road) which is the subject of the Amended Petition.
6. The petition contains zero (0) signatures from owners in the area to be included in the proposed rezoning.
7. The land area of properties located within a 250' radius of the property to be rezoned (1136 17 1/2 Road) encompasses a total land area of 16.7 acres pursuant to the acreage listed for each property on the Mesa County Assessor's website.
8. The minimum required owner's signatures of land area is 8.35 acres (50% of 16.7 acres) within a 250' radius of the land included in the proposed rezoning.
9. The protest petition filed with the City of Fruita, as amended with the supplemental signatures submitted on June 9, 2021, includes at least one owner's signature of property located within the 250' radius which comprises a total land area of 8.62 acres or 52% of the land located within a 250' radius of the land included in the proposed rezoning.



FRUITA
COLORADO

City Clerk's Office
325 E Aspen
Fruita, CO 81521
970.858.3663

10. The petition submitted does not state that it is a protest of the rezone of the Dwell Preliminary PUD Plan but does reference several zoning issues including density, height restrictions, and setbacks which are typically established through zoning of property.

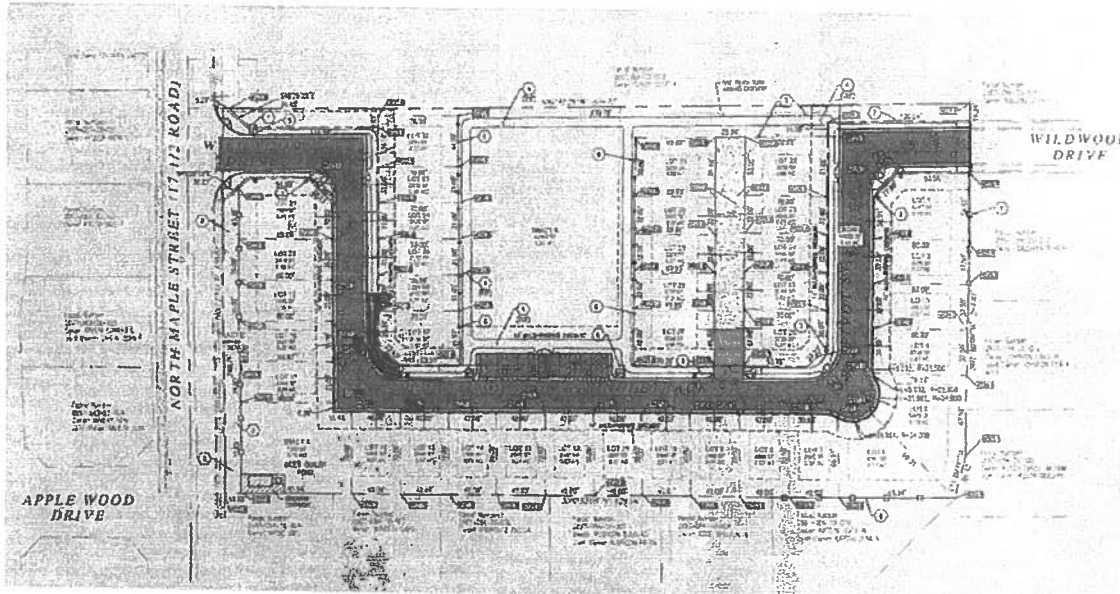
I certify that the protest petition submitted to the City of Fruita regarding the rezoning of property located at 1136 17 ½ Road, as amended by the Supplemental Petition, is Sufficient with an adequate number of signatures of owners of land within a 250' radius of the property being rezoned.

Margaret Sell, City Clerk

Date

Stop "Dwell Preliminary PUD Plan"



"Dwell" PUD Plan is an extremely **high-density** infill development plan that is **out of character** with all surrounding neighborhoods.

- **37** dwellings on less than 5 acres vs. 20 dwellings on the same approximate acreage immediately south
- **Multi-story buildings 35-40' high** vs. 1-story ranch homes
- 2+ houses across from each existing backyard, just 15' away
- No walkway **buffer**, unlike existing neighborhoods
- No architectural specs, including 3 planned five-plexes !!

Vehicle-centric, not pedestrian-friendly; sidewalk on 1 side of street

- **Traffic** spews onto Wildwood Drive (not a collector street)
- **Parking** not adequate
- No public transit access; no jobs or retail in walking distance

Not "smart" growth; no mix or balance of diverse uses

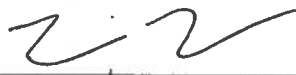

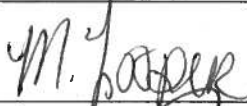

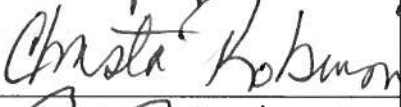

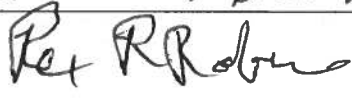

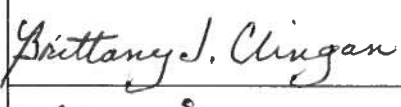



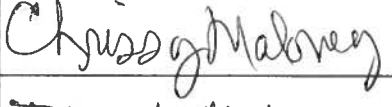

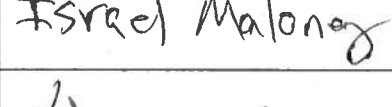

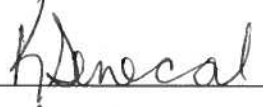

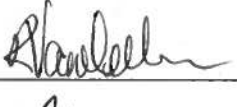

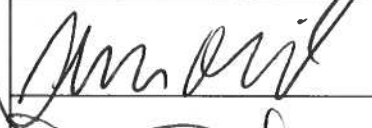

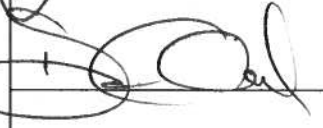
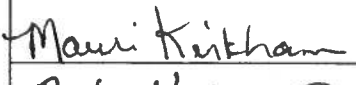

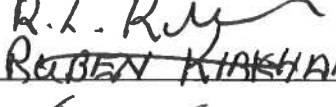

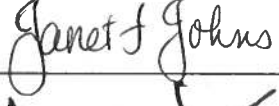



- All multi-story dwellings -- no accommodation of disability
- No guarantee of affordable price points

Sheldon Cole 6-8-2021
SHELDON COLE DATE
970-640-2081
PH #

Sheldon N. Cole
OWNER 514 HAZEL CIRCLE
FRUITA, CO

Signature	Printed Name	Address	Phone
<i>Lisa Wolf Johnson</i>	LISA WOLF JOHNSON	725 HALL ST.	[REDACTED]
<i>Patricia A. Peters</i>	Patricia A. Peters	869 Sabil Dr	[REDACTED]
<i>Michael F. Peters</i>	Michael F. Peters	869 Sabil Dr	[REDACTED]
<i>Mariann Nix</i>	Mariann Nix	943 Dee Ann St	[REDACTED]
<i>Michael C. Nix</i>	Michael C. Nix	943 Dee Ann St	[REDACTED]
<i>Tina Ross</i>	Tina Ross	781 Dee Ann St.	[REDACTED]
<i>Chuck Ross</i>	Chuck Ross	781 Dee Ann St Fruita CO	[REDACTED]
<i>Victor C. Martiny</i>	Victor C Martiny	1754 1/2 Rd	[REDACTED]
<i>Cindy Pfauth</i>	Cindy Pfauth	188 Pinyon DR	[REDACTED]
<i>Sharon Parker</i>	Sharon Parker	828 Larry Jo	[REDACTED]
<i>David Burgess</i>	DAVID BURGESS	508 HAZEL CIR	[REDACTED]
<i>Richard Gregg</i>	Richard Gregg	506 Sabil	[REDACTED]
<i>Jeff Lytle</i>	JEFF LYTLE	763 HALL ST	[REDACTED]
<i>Janice Lytle</i>	Janice Lytle	763 Hall St	[REDACTED]
<i>Kristy Swartwood</i>	Kristy Swartwood	989 Sabil Dr.	[REDACTED]
<i>Lorene Przytycki</i>	Lorene Przytycki	653 Hall St	[REDACTED]

Signature	Printed Name	Address	Phone
Sue A. Phillips	Sue A. Phillips	788 Dee Ann St.	[REDACTED]
Chris Phillips	Chris Phillips	788 Dee Ann	[REDACTED]
Karen Martiny	Karen Martiny	1754 L/2 Rd.	[REDACTED]
Scott Swartwood	Scott Swartwood	989 Sabi Dr	[REDACTED]
Jeff Nielson	Jeffrey Nielson	751 Hall Street	[REDACTED]
Nicole Walters	Nicole Walters	885 Wildwood Dr	[REDACTED]
Jeff Walters	Jeff Walters	885 Wildwood	[REDACTED]
Becky Shanick	BECKY SHANICK	741 SILVER PLUME	[REDACTED]
Lorrie Earley	Lorrie Earley	741 Silver Plume	[REDACTED]
Debbie Casper	Debbie Casper	683 Pinyon Dr	[REDACTED]
Jerry Casper	Jerry Casper	683 Pinyon Dr	[REDACTED]
Michael D. Heeney	Michael D. Heeney	859 Wildwood Dr	[REDACTED]
Christy Parry	Christy Parry	713 Delean Way	[REDACTED]
Bill Schultz	Bill Schultz	713 Delean Way	[REDACTED]
Mary Turner	Mary Turner	993 Dee Ann	[REDACTED]

Signature	Printed Name	Address	Phone
	Nick Turner	993 Deeran	
	Maryann Cooper	957 Dee Ann	
	Christa Robinson	909 Wildwood	
	Rex R. Roberts	987 Wildwood Dr.	
	Brittany J. Clingan	903 Wildwood Drive	
	Mary Moses	892 Darcy Jo Ln	
	Chrissy Maloney	892 Darcy Jo Ln	
	Israel Maloney	892 Darcy Jo Ln	
	Kim Senecal	730 Stonemtn Drive Fruita	
	Richard Vandewen	1103 E CAROLINE #4 Fruita Co	
	Sharon Enzil	856 Darcy Jo	
	Dennis Dziel	" "	" "
	Mauri Kirkham	406 W. Sunset Dr	
	RUBEN KIRKHAM	406 W SUNSET DR	
	Janet Johns	901 Dee Ann St	
	James Johns	901 Dee Ann St	

SIGNATURE	PRINT NAME	ADDRESS	PHONE #
Joanna Jan	Joanna Farr	169 Pinyon Dr Fruita CO	[REDACTED]
Eric Jansen	ERIC JANSEN	929 DEE ANN ST FRUITA, CO	[REDACTED]
Penny Jansen	Penny Jansen	929 Dee Ann St. Fruita, CO 81521	[REDACTED]
Beverly Aden	Beverly Aden	835 DEE ANN FRUITA CO 81521	[REDACTED]
Aruta Pfeifer	ARITA PFEIFER	740 PONDEROSA FRUITA, CO 81521	[REDACTED]
Alan Taylor	Alan TAYLOR	803 DARCY JOLANE FRUITA	[REDACTED]
K Ward	Kevin Ward	1280 Marigold Ave Fruita	[REDACTED]
Mahya Ansari	Mahya Ansari	960 Dee Ann street	[REDACTED]
Sheila Deininger	Sheila Deininger	198 Applewood FRUITA	[REDACTED]
Theresa Pytell	Theresa Pytell	772 Crystal Way	[REDACTED]
Steven Sparks	Steven Sparks	789 Darcy Jolane	[REDACTED]
Amanda Sparks	Amanda Sparks	789 Darcy Jolane	[REDACTED]
Craig M Johnson	CRAIG M JOHNSON	725 HALL ST	[REDACTED]

Signature

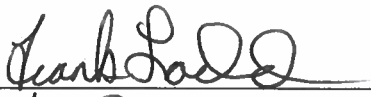



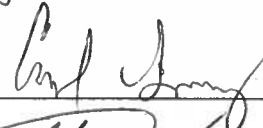

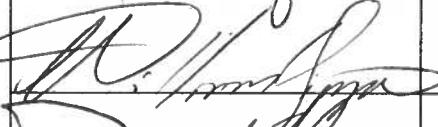


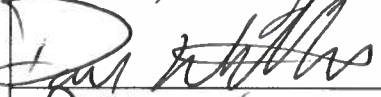

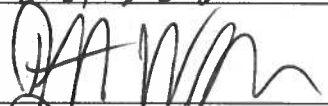

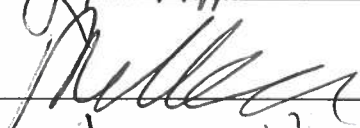





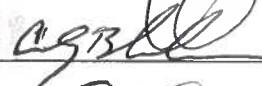



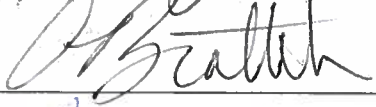

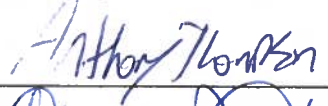

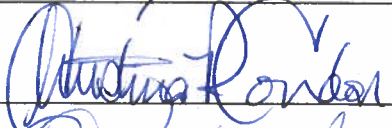

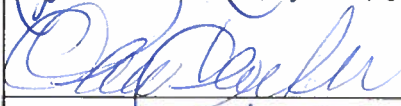

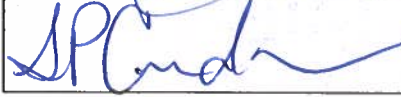

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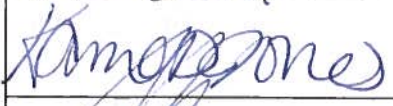

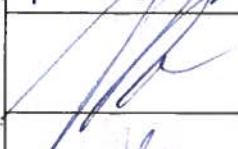

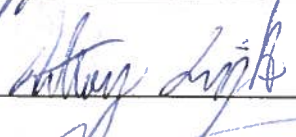



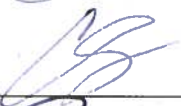



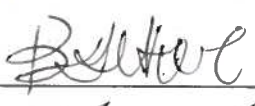



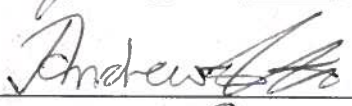

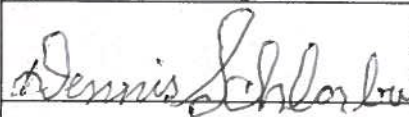







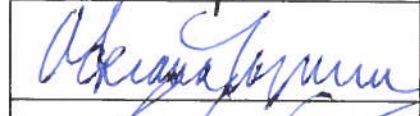

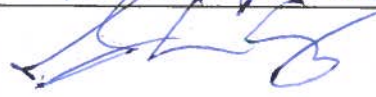

Address

Phone



















Bob Gattiker	Bob Gattiker	737 Hill St.	[REDACTED]
Lois Johnson	Lois Johnson	187 Del Mar St	[REDACTED]
Jane Hugg	Jane Hugg	244 Corn Maiden Dr	[REDACTED]
Joshua Zortman	JOSHUA ZORTMAN	928 DEE ANN ST	[REDACTED]
Cyrine L Zortman	AYME ZORTMAN	928 DEE ANN ST	[REDACTED]
Alicia Nix	Alicia Nix	315 Oakwood	[REDACTED]
Bill Lind	Bill Lind	315 Oakwood Ave.	[REDACTED]
Ken Nelson	Ken Nelson	915 Dee Ann St	[REDACTED]
Bonnie F. Nelson	BONNIE F. NELSON	915 Dee Ann St	[REDACTED]
Lise Hammond	Lise Hammond	139 Pinyon Dr	[REDACTED]
Bob Hammond	Bob Hammond	139 Pinyon Dr	[REDACTED]
GARY S. BARNHART, PLA LANDSCAPE ARCHITECT	GARY S. BARNHART, PLA LANDSCAPE ARCHITECT	320 KALEP ST. FRUITA 81521	

Signature	Printed Name	Address	Phone
Gl RL	CHRIS RUSCH	711 HALL ST. FRUITA	[REDACTED]
Markeny Rusch	Markeny Rusch	711 Hall St Frutta	[REDACTED]
RW. Liming	Robert Liming	549 Hall St.	[REDACTED]
Kathy Vandover	Kathy Vandover	513 Sabal Dr	[REDACTED]
Chris Vandover	CHRIS VANDOVER	513 SABAL DR	[REDACTED]
Logan McDonald	Sam [unclear]	522 Hazel Cr.	[REDACTED]
Laura Cantrell	Laura Cantrell	520 Hazel	[REDACTED]
Jesse [unclear]	JESSE JUVU	514 HAZEL CR	[REDACTED]
Helen Robinson	HELEN ROBINSON	512 HAZEL CIR	[REDACTED]
Doug [unclear]	Doug Robinson	512 HAZEL CIR	[REDACTED]
Brittany Osborn	Brittany Osborn	509 Hazel Circle	[REDACTED]
Steve Sestle	Steve Sestle	502 Hazel Circle	[REDACTED]
Linda Young	YOUNG LINDA L.	508 SABAL DR	[REDACTED]
Rachelle Schanberg	Rachelle Schanberg	507 Sabal Dr	[REDACTED]
James Hicks	James Hicks	793 Joann Ct	[REDACTED]
Frances Hicks	Frances Hicks	"	[REDACTED]










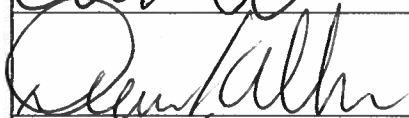

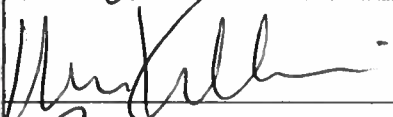

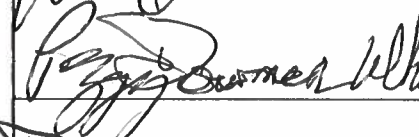



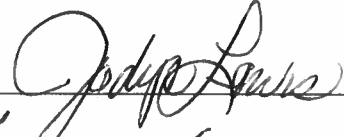

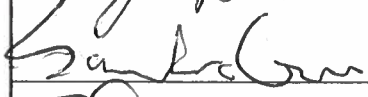



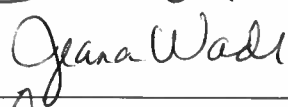

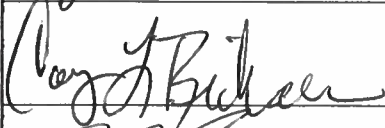





Signature	Printed Name	Address	Phone
	Frank Ladd	605 Sabil Dr Fruita CO	
	Joe Carmosino	606 Sabil Dr Fruita, CO	
	Carl Gray	608 Sabil	
	Will Simpson	717 Sabil Dr. 	
	Dan Williams	718 Sabil Dr.	
	Justin Weaver	762 Sabil Dr	
	Melaine Montano	798 Sabil Dr Driver	
	Steven Skalla	804 Sabil Drive	
	Debra Collins	858 Fouts Ct	
	Cody Blackman	8651 SABIL DR	
	John Bratteli	550 Lois Dr	
	Amy Bratteli	550 Lois Dr.	
	Anthony Thomson	710 Delean Way	
	Christine Condon	775 Delean Way	
	Owen Condon	775 Delean Way	
	Steven Condon	775 Delean Way	

Signature	Printed Name	Address	Phone
	Robert Darnell	792 Delean Way	
	Kambri Jones	806 Delean Way	
	Nick Cordery	848 Delean Way	
	Anthony Trujillo	811 Wildwood Dr.	
	Greg Stewart	810 Wildwood Dr	
	Crystal Stewart	810 Wildwood Dr	
	Dwayne Bergstrom	805 Sabal Pr	
	Brandy Fletcher	774 Delean	
	Matthew D. Fether	774 Delean Way	
	Andrew Stone	807 Delean Way	
	DENNIS SCHLARBAUM	746 Wildwood Dr	
	Bret Holmes	775 Hall St	
	Justin Wise	794 Dee Ann Dr	
	Ryan Schoepflester	663 Darcy Jo Ln. Fruta CO 81521	
	Adriana Morgan	205 Sunset Ct Fruta 81521	
	Shawn Cooney	210 Sunset Ct.	

Signature	Printed Name	Address	Phone
Megan E. Hajduk	Megan E. Hajduk	820 Sunset Ct. Fruita, CO 81521	[REDACTED]
Kayla Zwinck	Kayla Zwinck	1150 Sunset Ct Fruita CO 81521	[REDACTED]
Mike Rodmans	Mike Rodmans	651 Darcy Dr W Fruita, CO 81521	[REDACTED]
Jeff Johnson	Jeff Johnson	650 - Darcy Dr Fruita, CO 81521	[REDACTED]
Stephanie Walker	Stephanie Walker	662 Darcy Dr Fruita, CO 81521	[REDACTED]
Sally Thornhill	Sally Thornhill	511 Hazel Ct. Fruita, CO 81521	[REDACTED]
Angela Rodriguez	Angela Rodriguez	510 Hazel Cir Fruita, CO 81521	[REDACTED]
Liliana Rodriguez	Liliana Rodriguez	510 Hazel Cir Fruita, CO 81521	[REDACTED]
Donavan Watson	Donavan Watson	516 Hazel Cir Fruita, CO 81521	[REDACTED]
Tracey O. Klunker	Tracey O. Klunker	522 Corn Maiden Dr Fruita, CO 81521	[REDACTED]
Terry L. Klunker	Terry L. Klunker	522 Corn Maiden Dr Fruita, CO 81521	[REDACTED]
cadawn Kertley	cadawn Kertley	598 Corn Maiden Dr Fruita, CO 81521	[REDACTED]
Paula S. Dutton	Paula S. Dutton	1076 Wingate Dr Fruita, CO.	[REDACTED]
Douglas C Dutton	Douglas C Dutton	1076 Wingate Dr Fruita, CO	[REDACTED]

Signature	Printed Name	Address	Phone
	Sherry White	231 Ponderosa Dr	
Robert Terry White	Robert Terry White	188 Ponderosa Dr.	
Mary H Knight	George H Knight	731 Ponderosa Dr	
Mary Jayne Knight	Mary Jayne Knight	731 Ponderosa Dr	
Virgil Hands Jr	Virgil Hands Jr	221 Ponderosa Dr	
Sandra Hands	Sandra Hands	221 Ponderosa Dr.	
Ken Mabery	Ken Mabery	207 Applewood Dr	
Jean Mabery	Jean Mabery	207 Applewood Dr	
Judy Schuler	Judy Schuler	741 Ponderosa Dr	
Dean Pichler	DEAN PICHLER	741 Ponderosa Dr	
Joan Dahlin	JOAN DAHLIN	120 Ponderosa Dr	
Ed Dahlin	Ed DAHLIN	120 Ponderosa Dr	
Larry Lindsay	Larry Lindsay	178 Ponderosa Dr	
Kathie Lindsay	Kathie Lindsay	178 Ponderosa Dr.	
Michelle Kohout	Michelle Kohout	150 Applewood Dr	
	Jacob Cimolino	750 Ponderosa Dr Kirtland CO 81521	

Signature	Printed Name	Address	Phone
Cassidy Crippen	Cassidy Crippen	750 Ponderosa Dr. Fruita, CO 81521	[REDACTED]
JAN McCoy	JAN McCoy	477 N. CHERRY FRUITA	[REDACTED]
Cassidy Crippen	Cassidy Crippen	750 Ponderosa Dr	[REDACTED]
George Tattershall	George Tattershall	205 Ponderosa Dr	[REDACTED]
Camille Stitt	Camille Stitt	205 Ponderosa Dr	[REDACTED]
Randy Smith	Randy Smith	1106 Primrose Ln	[REDACTED]
Lynne M. Reed	LYNNE M. Reed	1108 Primrose Ln	[REDACTED]
Dale Kruse	DALE KRUSE	730 PONDEROSA DR	[REDACTED]
Sarah Miner	Sarah miner	1104 Primrose Ln	[REDACTED]
E. Earl Miner	E. Earl Miner	1104 PRIMROSE Lane	[REDACTED]
Rosanna Lewis	Rosanna Lewis	158 Pinyon Dr	[REDACTED]
Jami Lewis	Jami Lewis	696 Pinyon Dr	[REDACTED]
Vera Mulder	Vera Mulder	983 E. Peabody Ave	[REDACTED]
Debbie Montgomery	Debbie Montgomery	194 Applewood Dr	[REDACTED]
Gary Jackson	Gary Jackson	190 Sunset Drive	[REDACTED]
Lynda Jackson	Lynda Jackson	190 Sunset Drive, Fruita	[REDACTED]

Signature	Printed Name	Address	Phone
	Lileann Bentler	190 Sunset Dr	
Lavonne Holmes	Lavonne Holmes	195 Applewood	
	Lindsay A Holmes	195 Applewood	
	Jessica Kremer	185 Sunset	
	Chris Montjoy	180 Applewood	
	Dianne Killen	170 "	
	Michael Killen	170 "	
	Peggy Downer-White	180 Sunset	
	Brian Gries	175 Sunset	
	JODY LEWIS	175 SUNSET	
	Sandra Gries	125 Applewood	
	Shawn Wade	698 Pear Dr.	
	Jeanne Wade	698 Pear dr	
	Carolyn Richardson	170 Sunset Dr.	
	Mark Richards	170 Sunset Dr.	
	ALEX Zwiuck	195 Sunset CT	

Signature	Printed Name	Address	Phone
Linda J Roush	Linda J Roush	1102 Pimrose Lane Fruita, Co 81521	[REDACTED]
Leroy Harris	Leroy Harris	165 Sun set Dr.	[REDACTED]
M. Margaret Levy	Mary Margaret Levy	155 Sunset Dr	[REDACTED]
Suenell Kruse	Suenell Kruse	730 Ponderosa DR	[REDACTED]
Amanda Conrads	Amanda Conrads	185 Ponderosa Dr	[REDACTED]
Micael Conrads	Micael Conrads	185 Ponderosa Drive	[REDACTED]
Quincy Clarke	Quincy Clarke	165 Ponderosa Dr	[REDACTED]
Lula Trujillo Lula Jesus	Lula Trujillo	204 Applewood Dr 970-8559773	[REDACTED]
Jesus Madarieta	Jesus Madarieta	204 Applewood Dr	[REDACTED]
Elizabeth Blewins	Elizabeth Blewins	680 Pinyon Dr Fruita, CO 81521	[REDACTED]
John Blewins	John Blewins	680 Pinyon Dr Fruita, CO 81521	[REDACTED]
Sarah Young	Sarah Young	248 Pinyon Dr Fruita, CO 81521	[REDACTED]
Sammi Jo Gardner	Sammi Jo Gardner	600 Hazel Circle Fruita, CO 81521	[REDACTED]
Kaylee Pixler	Kaylee Pixler	1034 Wildwood Dr Fruita, CO 81521	[REDACTED]
MATTHEW PIXLER	MATTHEW PIXLER	1034 Wildwood Dr Fruita, CO 81521	[REDACTED]
Evelyn Slade	Evelyn Slade	504 Sabil Dr Fruita, CO 81521	[REDACTED]

Signature	Printed Name	Address	Phone
Emma-Leigh P. Larsen	Emma-Leigh P. Larsen	423 Oakwood Ave. Fruita, CO	[REDACTED]
Rebecca Bradshaw	Rebecca Bradshaw	1101 River Rock Ct. Fruita, CO	[REDACTED]
Debra J. Currier	Debra J. Currier	844 E. Cleveland Ave. Fruita, CO	[REDACTED]
Pam Currie	Pam Currie	185 Searbury Fruita, CO	[REDACTED]
Wendy Lewis	Wendy Lewis	1797 K 6/10rd Fruita, CO	[REDACTED]
Cori Rasmussen	Cori Rasmussen	268 Sargent Cir Fruita, CO 81521	[REDACTED]
Beth Butterfield	Beth Butterfield	406 W. Applewood Fruita, CO 81521	[REDACTED]
Brittney Bristol	Brittney Bristol	686 Andromeda Way Fruita, CO 81521	[REDACTED]
Denise Robbins	Denise Robbins	1312 Powell St. Fruita CO 81521	[REDACTED]
Paul Hughes	Paul Hughes	719 Limber Pine St.	[REDACTED]
Andrea Darr	Andrea Darr	424 Hawthorne St Fruita CO 81521	[REDACTED]
Megan Schultz	Megan Schultz	1375 Monument Ct Fruita CO, 81521	[REDACTED]
Mark D. Larsen	Mark D. Larsen	423 Oakwood Avenue Fruita, CO 81521	[REDACTED]
HAROLD PIERCE	HAROLD PIERCE	423 Oakwood Ave. Fruita, CO 81521	[REDACTED]
Gary Lewis	Gary Lewis	158 Pinyon Dr. Fruita, CO 81521	[REDACTED]
David Wilson	David Wilson	218 Poplar St. Fruita, CO	[REDACTED]

Signature	Printed Name	Address	Phone
	DANIELA JUAREZ	205 SUNSET CT FRUITA CO 81521	
	Cesar Juarez	205 Sunset Ct FRUITA CO 81521	
	CATALINA J.	205 SUNSET CT. FRUITA CO	
	SCOTT STOLTZ	205 APPLEWOOD DR FRUITA, CO	
	DEBORAH ANDERSON	185 APPLEWOOD DR FRUITA, CO 81521	
	RICHARD D. Bonnell	211 W. SUNSET DR.	
	Debbie VanValk	760 Ponderosa Dr.	
	Vicki L Skiff	685 Pinyon Dr Fruita, CO 81521	
	Deane S Skiff	685 Pinyon Dr Fruita, CO 81521	
	BEN SLACK	721 PONDEROSA DR. FRUITA, CO	
	Danni Slack	721 Ponderosa Dr. Fruita, CO	

Stop "Dwell Preliminary PUD Plan"

Petition to Fruita City Council & Planning Department

Each of the undersigned Fruita residents attests and affirms that

1. I circulated this petition in neighborhoods surrounding the proposed Dwell PUD development, and I asked Fruita residents to sign it.
2. I personally witnessed each signature collected on the petition that I circulated.


Lisa K Wolf Johnson

Date: May 3, 2021


Chriss W Rusch

Date: May 3, 2021

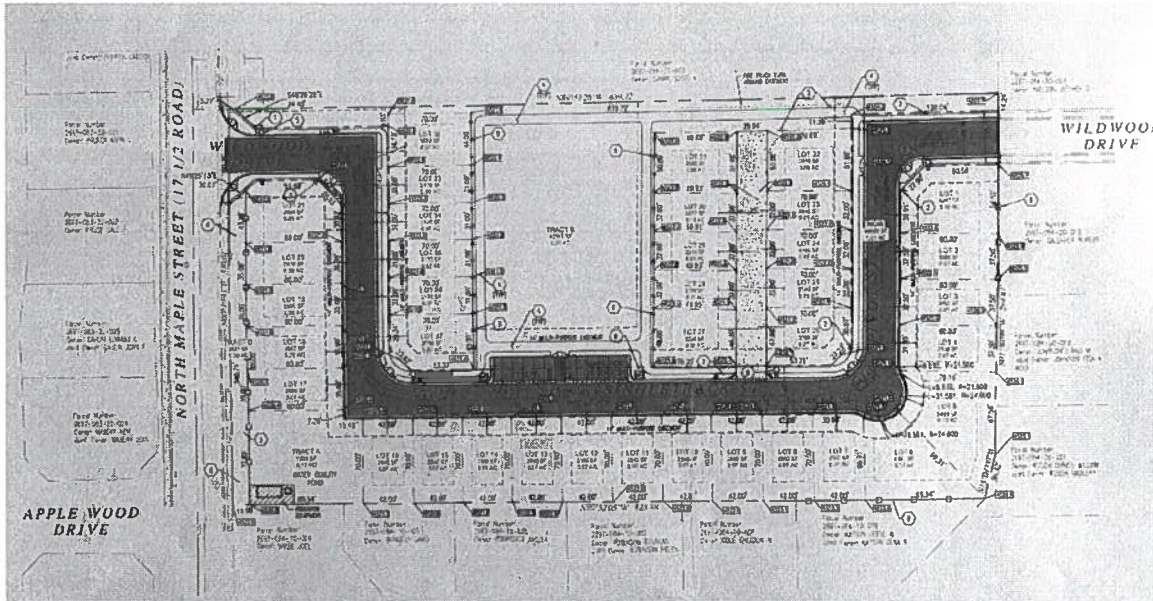

Sherry White

Date: May 3, 2021

Supplemental Petition Received 6/9/21
Signatures *[Signature]*

Petition to Fruita City Council & Planning Department

Stop "Dwell Preliminary PUD Plan"



"Dwell" PUD Plan is an extremely **high-density** infill development plan that is **out of character** with all surrounding neighborhoods.


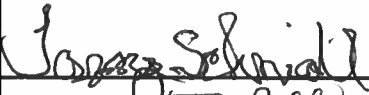
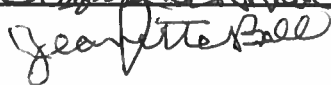

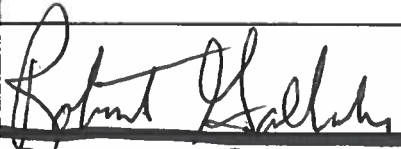
- **37 dwellings** on less than 5 acres vs. 20 dwellings on the same approximate acreage immediately south
- **Multi-story buildings 35-40' high** vs. 1-story ranch homes
- 2+ houses across from each existing backyard, just 15' away
- No walkway **buffer**, unlike existing neighborhoods
- No architectural specs, including 3 planned five-plexes !!





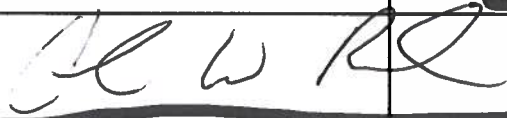
Vehicle-centric, not pedestrian-friendly; sidewalk on 1 side of street

- **Traffic** spews onto Wildwood Drive (not a collector street)
- **Parking** not adequate
- No public transit access; no jobs or retail in walking distance

Not "smart" growth; no mix or balance of diverse uses

- All multi-story dwellings -- no accommodation of disability
- No guarantee of affordable price points

Signature	Printed Name	Address	Phone
	Mark Schmidt	287 Wildwood Fruita, CO 81521	
	Tammy Schmidt	287 Wildwood Fruita, CO 81521	
	Jeanette Bell	691 Pinon Greeley, CO 81531	
The undersigned attests and affirms that I			
witnessed each signature on this page.			
		June 7, 2021	
Lisa K. Wolf Johnson		Date	
		June 7, 2021	
Robert Gallaher		Date	

Signature	Printed Name	Address	Phone
	Jenny J Jac Hinkle	515 Hazel Circle	
A Glick	Anna GLICK	506 Sabal Dr	
Pamela Alexander	Pamela Alexander	522 Hazel Circle Fruit	
The undersigned attests and affirms that			
I witnessed each signature on this page.			
		6.8.2021	
Chriss W. Rusch		Date	

year unless the applicant clearly demonstrates that circumstances affecting the subject property have substantially changed, or new information is available that could not with reasonable diligence have been presented at the previous hearing.

(Ord. 2009-02, Ord. 2009-10)

17.13.060 AMENDMENT TO OFFICIAL ZONING MAP (REZONE).

- A. Applicability and Procedures. The City Council may amend the number, shape, or boundaries of any zone, removing any property from one zone and adding it to another zone, only after recommendation of the Planning Commission. An amendment to the Official Zoning Map may be initiated by the owner of any property for which a rezone is sought or upon application of City Council.
- B. Approval Criteria. The Official Zoning Map may be amended when the following findings are made:
1. That the proposed amendment is compatible with surrounding land uses, pursuant to Section 17.07.080, and is consistent with the city's goals, policies and Master Plan; and
 2. That the land to be rezoned was previously zoned in error or the existing zoning is inconsistent with the city's goals, policies and Master Plan; or
 3. That the area for which the amendment is requested has changed substantially such that the proposed zoning better meets the needs of the community; or
 4. That the amendment is incidental to a comprehensive revision of the city's Official Zoning Map which recognizes a change in conditions and is consistent with the city's goals, policies and Master Plan; or
 5. That the zoning amendment is incidental to the annexation of the subject property and the proposed zoning is consistent with the city's goals, policies, and Master Plan.
- C. Protests. In case of a protest against an amendment to the Official Zoning Map which is submitted to the City Clerk at least twenty-four (24) hours prior to the City Council's vote on a proposed amendment to the Official Zoning Map, and which is signed by the owners of fifty (50) percent or more of either the area included in the proposed rezoning or of the land extending a radius of two hundred and fifty (250) feet from the land included in the proposed rezoning, then such rezoning shall not become effective except upon a favorable vote of three fourths (3/4) of the entire membership of the City Council, whether present or not.
- D. Additional Requirements. In addition to the procedures for public hearings under Section 17.05.070, if the zoning amendment is approved by the City Council, it shall

enact an ordinance to such effect and the amendment to the Official Zoning Map shall become effective thirty (30) days after publication of said ordinance.

(Ord. 2009-02)

17.13.070 AMENDMENT TO THE LAND USE CODE.

- A. Applicability and Procedures. City Council may, after the recommendation of the Planning Commission, amend language in this Title, which amendment may be initiated by any citizen or group of citizens, firm or corporation residing or owning property within the city, or by the Planning Commission, or by the City Council.
- B. Approval Criteria. Amendment to the language in this Title may be made upon a finding that the amendment is consistent with the city's goals, policies and Master Plan.

(Ord. 2009-02)

17.13.080 VACATION OF PUBLIC RIGHT-OF-WAY.

- A. The City Council may approve the vacation of a public right-of-way, after recommendation by the Planning Commission, upon finding that the vacation will not:
 - 1. Create any landlocked parcels;
 - 2. Negatively impact adjacent properties;
 - 3. Reduce the quality of public services to any parcel of land; and
 - 4. Be inconsistent with any transportation plan adopted by the city.
- B. A right-of-way vacation may be approved through the Major Subdivision platting process as long as the above criteria are met in addition to the following:
 - 1. The right-of-way to be vacated was previously dedicated to the public;
 - 2. The right-of-way to be vacated is entirely within the plat being created; and
 - 3. Existing and proposed utilities are accommodated with sufficient easements.

(Ord. 2009-02)

17.13.090 VACATION OF PUBLIC EASEMENT. The City Council may approve the vacation of a public easement, after recommendation from the Planning Commission, upon finding that there is no longer a public interest in retaining said easement and no utility provider objects to the easement vacation. (Ord. 2009-02)