

A. CALL TO ORDER

Seven Planning Commissioners were in attendance. (Jessica Hearn, Michael Handley, Mel Mulder, Derek Biddle, Amy Miller, Josh McGuire and Patrick Hummel were present.)

B. PLEDGE OF ALLEGIANCE

Commissioner Biddle led the Pledge of Allegiance.

C. AMENDMENTS TO THE AGENDA

None

D. APPROVAL OF THE AGENDA

COMMISSIONER MULDER MOVED TO APPROVE THE AGENDA

COMMISSIONER HEARN SECONDED THE MOTION

MOTION PASSED 7-0

E. WITHDRAWN ITEMS

None

F. CONTINUED ITEMS

None

G. CONSENT ITEMS

APPROVAL OF MINUTES

June 13, 2023, Planning Commission meeting

September 12, 2023, Planning Commission workshop.

COMMISSIONER HEARN MOVED TO APPROVE THE MINUTES

COMMISSIONER HANDLEY SECONDED THE MOTION

MOTION PASSED 7-0

H. HEARING ITEMS

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

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

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

Slide 1- Introduction

Slide 2- PUD Process

Concept Plan (Optional Step) – 17.19.030 (A)

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

Preliminary PUD Plan – 17.19.030 (B)

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

Final PUD Plan – 17.19.030 (C)

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

Slide 3 – Planned Unit Developments

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

Slide 4 – Application

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

Slide 5 – Aerial View

Slide 6 – Application Description / History

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

Slide 7 – Development Plan

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

Slide 8 – PUD Deviations

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

Slide 9 – Code Requirements

Planned Unit Developments

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

Subdivisions

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

Slide 10 – Code Requirements

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

Slide 11 – Review Comments & Public Comments

- **REVIEW COMMENTS:**

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

Slide 12 – Staff Recommendation

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

Slide 13 – Suggested Motion

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

Slide 14 – Next Steps

Following Planning Commission

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

If approved by City Council.

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

Mr. Hemphill concluded his presentation.

Commissioner Biddle thanked him and asked the applicant to speak.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Biddle thanked him.

Mr. Caris passed out some late public comments.

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

The Commission reconvened at 7:37 pm.

Commissioner Miller asked if the fire department reviewed the application?

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

Commissioner Miller brought up the locking emergency access.

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

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

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

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

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

Commissioner Miller said that this was standard practice.

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

Mr. Moir stated yes to both.

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

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

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

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

Commissioner Mulder asked about this being above the flood plain?

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

Commissioner Mulder asked about a parking lot.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sam said that they did have the room.

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

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

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

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

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

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

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

Mr. Moir said that it was developable.

Commissioner Hearn asked if the City agreed?

Mr. Caris said he did think it was developable.

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

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

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

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

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

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

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

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

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

Commissioner Miller asked if it would be sprawled out?

Mr. Caris said it would.

Commissioner Hummel asked about a height limit.

Mr. Caris said it was 35' max height.

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

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

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

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

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

Mr. Hemphill gave them the density calculations.

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

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

Commissioner Handley asked if there was any radiation issue?

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

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

Commissioner Handley brought up blasting.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Biddle added that sidewalks were critical.

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

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

Commissioner Biddle thought the additional traffic would warrant sidewalks.

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

Commissioner Biddle wanted to have restrictions and guidance.

Mr. Moir said that he understood.

Commissioner Miller asked if they had easements?

Mr. Caris said they did.

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

Commissioner Biddle stated that his concern was for the children.

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

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

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

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

Commissioner Handley asked about the HOA.

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

Commissioner Handley thought it would fit in.

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

Mr. Caris said no.

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

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

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

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

Commissioner McGuire thanked him.

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

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

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

Mr. Hemphill put the suggested motion on the screen.

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

Commissioner Mulder talked about developer responsibility versus City responsibility.

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

Commissioner Mulder asked what the developer's responsibilities were.

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

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

Mr. Caris said it was.

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

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

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

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

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

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

COMMISSIONER HUMMEL SECONDED THE MOTION

MOTION PASSED 6-1

I. OTHER BUSINESS

1. Community Development Updates

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

2. Visitors and Guests

None

3. Other Business

Adjournment 9:18 pm

Respectfully submitted,

Kelli McLean

Planning Technician, City of Fruita

DRAFT