



TO: Fruita City Council and Mayor

FROM: Planning & Development Department

DATE: March 5, 2024

AGENDA TEXT: ORDINANCE 2024-07, SECOND READING, An Ordinance amending the official zoning map of the City of Fruita by zoning approximately 5.07 acres of property located at 614 Raptor Road to a Planned Unit Development zone.

(Geode Flats PUD)

BACKGROUND

This is an Ordinance for the adoption of zoning standards for the Geode Flats PUD for the development of either affordable or market rate rental housing over approximately 5.07 acres.

This application was continued from the January 9, 2024, Planning Commission meeting to a special Planning Commission meeting for January 30, 2024. The Planning Commission made a motion to accept the continuance request and a motion to hold a Special Planning Commission meeting on January 30, 2024.

Following the Planning Commission meeting, the 1st Reading of this Ordinance was on the City Council's agenda on February 6, 2024, which is required to determine a future public hearing date for the 2nd Reading. The 1st Reading contained an error in the date scheduled for the 2nd Reading and a statement was made in the public hearing to inform the public that the 2nd Reading was going to be on March 5, 2024, instead of February 20, 2024. To add a layer of public notice and communication, Staff sent out a supplemental legal notice postcard and modified the legal notice sign on the property to inform neighboring property owners of the March 5, 2024, public hearing date.

This application began back on January 24, 2023, when the Planning Commission and City Council held a joint workshop on the Concept Plan for this project previously named the Residences at Fruita. Concept Plans are designed for PUDs as an optional 1st step in the review process where the Planning Commission and City Council can provide non-binding feedback in a workshop/work session and are intended to provide overall direction to the applicant.

The property is approximately 5.07 acres located directly west of the La Quinta Inn and northeast of James M. Robb State Park. The property is also bordered by Raptor Road on the north and Jurassic Court on the south. Based on the project narrative, "The proposed Preliminary PUD Plan takes a form-based approach to multifamily development to provide new housing that matches the look and feel of

the surrounding area and promotes more affordable housing while providing a demonstrated public benefit that would not be available under conventional zoning restrictions in terms of density, building heights, parking, and public benefit.”

The plan includes four (4) multi-family residential buildings and a clubhouse with proposed access coming from Jurassic Court on the south and another access coming from the west side. The plan identifies two (2) separate planning areas, Planning Area A and B, with a total of five (5) buildings and four (4) of which are designed for multi-family. Submitted with the application is a PUD Guide, which will serve as the primary zoning standards for the property with the primary goal of this project is to create affordable housing. The PUD Guide details out zoning standards for the property including land uses, density, setbacks, building heights, design standards, parking standards, landscaping standards, site lighting standards, and signage. Much like other PUD Guides, anything not mentioned in the PUD Guide will revert to the City’s Land Use Code.

The Planning Commission heard this application at a Special Meeting on January 30, 2024, and recommended approval by a vote of 5-0 to the Fruita City Council with the conditions listed below. No written public comments have been received, nor were any verbal comments made by the public at the January 30, 2024, Planning Commission meeting.

Recommendations/Conditions by Staff:

1. Remove all commercial land uses from the PUD Guide.
 - a. A reverter clause be used to revert back to the C-2 zone if affordable housing or market rate rental housing is not constructed.
2. \$100k childcare cash in lieu fee be paid upon Site Plan approval.
3. Design Standards contained in Section 17.13.060 (B)(1) be met as written in the Land Use Code.
4. If this PUD Guide is approved with these conditions by Staff and fully met, then a future Site Design Review application be reviewed administratively unless there is a major modification or change in the application deemed by the Community Development Director.

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)

The Land Use & Growth chapter of this plan (Chapter 3) contains strategies and policies on increasing the diversity and supply of housing in Fruita. For workforce housing, emphasis is on market rate and affordable (income restricted) rental housing and attainably priced ownership housing.

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

Goal #4. *Allow and encourage a diversity of housing types to fit the needs of the Fruita community and provide the diverse “funky” character that is treasured by residents.*

Fruita’s housing stock is getting more homogenous and more expensive. As a community that prides itself on being inclusive, this ethos should extend to providing types of housing for people of different ages, income ranges, family structures, and aesthetic preference. Allowing and encouraging more apartments and/or townhomes in appropriate locations could contribute to more affordable housing options. (Chapter 3 Land Use & Growth, Page 39, Comprehensive Plan).

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

OPTIONS AVAILABLE TO THE COUNCIL

1. Adopt Ordinance 2024-07, an Ordinance amending the official zoning map of the City of Fruita by zoning approximately 5.07 acres of property located at 614 Raptor Road to a Planned Unit Development zone.
2. Adopt Ordinance 2024-07, an Ordinance amending the official zoning map of the City of Fruita by zoning approximately 5.07 acres of property located at 614 Raptor Road to a Planned Unit Development zone with the following conditions:
 - a. Remove all commercial land uses from the PUD Guide.
 - i. A reverter clause be used to revert back to the C-2 zone if affordable housing or market rate rental housing is not constructed.
 - b. \$100k childcare cash in lieu fee be paid upon Site Plan approval.
 - c. Design Standards contained in Section 17.13.060 (B)(1) be met as written in the Land Use Code.
 - d. If this PUD Guide is approved with these conditions by Staff and fully met, then a future Site Design Review application be reviewed administratively unless there is a major modification or change in the application deemed by the Community Development Director.
3. Deny Ordinance 2024-07.

RECOMMENDATION/ SUGGESTED MOTION:

Staff recommends that the Council move to:

BECAUSE THE APPLICATION MEETS OR CAN MEET THE PLANNED UNIT DEVELOPMENT APPROVAL CRITERIA IN SECTION 17.19 OF THE FRUITA LAND USE CODE, I MOVE TO APPROVE ORDINANCE 2024-07, 2ND READING, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 5.07 ACRES OF PROPERTY LOCATED AT 614 RAPTOR ROAD TO A PLANNED UNIT DEVELOPMENT ZONE WITH THE FOLLOWING CONDITIONS:

- a. REMOVE ALL COMMERCIAL LAND USES FROM THE PUD GUIDE.
 - i. A REVERTER CLAUSE BE USED TO REVERT BACK TO THE C-2 ZONE IF AFFORDABLE HOUSING OR MARKET RATE RENTAL HOUSING IS NOT CONSTRUCTED.****
- b. \$100K CHILDCARE CASH IN LIEU FEE BE PAID UPON SITE PLAN APPROVAL.**
- c. DESIGN STANDARDS CONTAINED IN SECTION 17.13.060 (B)(1) BE MET AS WRITTEN IN THE LAND USE CODE.**
- d. IF THIS PUD GUIDE IS APPROVED WITH THESE CONDITIONS AND FULLY MET, THEN A FUTURE SITE DESIGN REVIEW APPLICATION BE REVIEWED ADMINISTRATIVELY UNLESS THERE IS A MAJOR MODIFICATION OR CHANGE IN THE APPLICATION DEEMED BY THE COMMUNITY DEVELOPMENT DIRECTOR.**