
Re: Do not approve rezoning 1130 &1138 18 1/2 Rd.

From Henry Hemphill <hhemphill@fruita.org>
Date Thu 3/6/2025 10:07 AM
To eve717zx@gmail.com <eve717zx@gmail.com>

Hey,

Thank you for providing me with your comments on this application. I will be sure to include your comments with the Planning Commission and City Council. You are also welcome to come to the Planning Commission meeting on March 11th at 6pm and/or the City Council meeting scheduled for April 15th at 7pm. Both of these meetings are held at the Fruita Civic Center.

Thanks again.

Henry Hemphill
City Planner
970-858-0786



From: admin@example.com <noreply@civicplus.com>
Sent: Thursday, March 6, 2025 10:03 AM
To: Henry Hemphill <hhemphill@fruita.org>
Subject: Do not approve rezoning 1130 &1138 18 1/2 Rd.

Name: Tom and Eva Maxwell
Email: eve717zx@gmail.com

Message: As property owners in Brandon Estates, we ask that you do not approve the rezoning of the acreage at 1130 & 1138 18 1/2 Rd. from PUD to CR. You have already rezoned property north of us to a high density, low income apartment complex, and we've already noticed increased traffic from that. You also rezoned the large acreage adjacent to Brandon Estates to the east which will be high density and add even more traffic when the planned duplexes are built. We do not oppose low income housing, but we do oppose it all being built surrounding our subdivision. Those of us who own property in Brandon Estates, assumed that since the acreage around us was zoned PUD, there would be single family homes built around us. To add yet another high density development here, will certainly cause increased traffic, water problems, crime rates, and other issues that will definitely erode our quality of life here. Please give a voice to current residents concerning how Fruita will continue to grow. Sincerely, Tom and Eva Maxwell 1653 Myers Ln., Fruita, CO

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

STATEMENT OF OPPOSITION

To: Fruita Planning Commission

From: Clay and Kellie Knowles
 1420 Castle Court

Subject: Rezone Application #2025-03
 1130 & 1138 18½ Road
 IndiBuild - Fruita Commons

Date: March 10, 2025

We regret the untimeliness of this statement opposing Rezone Application #2025-03. Our home is about ¼ mile from the property; beyond the aerial limits of parcels that were notified of the January 16 Neighborhood Meeting. The application and general project description were not brought to our attention until just recently, leaving limited time to prepare for tomorrow's Planning Commission meeting. The 1130 and 1138 18½ Road Rezone Application represents approximately 14 acres from Planned Unit Development zoning to Community Residential.

The land proposed for rezone is remotely located along the City's eastern boundary in the northeastern sector of Fruita. It is south of Monument Ridge Elementary School and the Fruita Mews, about 1½ miles from our downtown services. A historic drain ditch runs between the proposed rezone and Brandon Estates to the south and Hartz Subdivision in Mesa County to the east.

The proposed density is the most intense of all existing developments along North Fremont Street north of Ottley on either side of the street. The Fruita Commons proposes 96 housing units, consisting of 56 mixed income for-sale units plus 40 workforce rental units. The 40 workforce rental units are envisioned to be situated within the eastern portion of the property in vicinity of the office, clubhouse and playground of the Fruita Mews development along the City/County boundary. This concept is an extension of the existing Fruita Mews; with twice as many dwelling units. The Fruita Commons proposal is not compatible with other surrounding developments.

Residents of Brandon Estates would be disproportionately impacted should the Fruita Commons extend Brandon Drive across the drainage into the Fruita Commons. Street extension would transform an existing "no through-fare" street to full access for traffic generated at random by the existing 50 workforce rental units of the Fruita Mews plus the 96 proposed units of the Fruita Commons.

Approval of the Fruita Commons rezone will substantially change the character along North Fremont Street from that of a single home with several accessory buildings and vegetation, to nearly 100 dwelling units within the same footprint. This visual impact is further heightened if the relatively open space of the elementary school viewed by the traveling public entering the City from the north is considered.

Finally, the resulting increase in traffic of additional housing units will likely coincide with routine ingress and egress of the school plus routine historic traffic volumes into and out of the City. At this time, there is no street layout and nor traffic impact analysis on which to judge whether traffic generated by the proposal can coexist with existing use of the street system without the one having a negative impact on existing.

The Project Narrative references for-sale units, which implies these may not necessarily need to be owner occupied homes. It also states that the Fruita Commons is a hybrid form of project, leading us to believe it has not yet been proven in other communities. These aspects of the proposal make our household most uncomfortable, mainly because we have not yet researched the issue. Requirements or restrictions on the for-sale units, such as whether there is a compliance time period, property tax exemption, future re-sale guidelines, whether the homes can be rented, what happens if/when a home owner improves their financial status and fails to meet income requirements, are unknown. For reasons of not knowing what should be known in order to make a judgement, we have no favorable support for the proposed rezone and request the Planning Commissions recommend denial of the proposal..

Henry Hemphill
City of Fruita
325 East Aspen Avenue
Fruita, CO 81521

From: Brandon Estates HOA Board
Ray McLennan (President)
1580 Powis Lane
Fruita, CO 81521

March 6, 2025

Dear Henry,

As members of the Brandon Estates HOA Board, we respectfully submit this letter regarding Application # 2025-03. Considering residents of Brandon Estates received notice of a public hearing, we feel it is appropriate to submit this letter as public input. Specifically, we ask that the Planning Commission consider the impact increased traffic could have on our HOA. We further ask that any traffic impacts be kept to a reasonable minimum. While it seems clear that the parcels at 1130 & 1138 18 ½ Road will be developed, we would appreciate that our HOA's interests be kept in mind throughout the process.

While this is a rezoning application, and no plans — that we are aware of — have been submitted, we would like to note our concerns early so they are part of any future discussions. We anticipate providing additional input as plans take shape, especially traffic concerns on Brandon Drive.

Thanks for the work you and the City of Fruita do on our behalf.

Best,



Ray McLennan
President of Brand Estates HOA



Josh Cook
Vice President Brandon Estates HOA



Ryan Crabtree
Secretary of Brand Estates HOA



Tom Ferrans
Treasurer of Brand Estates HOA

Chris Rickman
Member at Large of Brand Estates HOA

To: Fruita City Council

From: Clay and Kellie Knowles
1420 Castle Court

Subject: Rezone Application #2025-03
1130 & 1138 18½ Road
IndiBuild - Fruita Commons

Date: April 28, 2025

Introduction

A Rezone Application for 1130 and 1138 18½ Road has advanced through the Community Development Department review process and the Planning Commission Public Hearing. We were unable to attend the Public Hearing either in person or virtually, but are informed the Planning Commission voted unanimously to recommend approval to City Council. The rezone application proposes a change from PUD to CR 6-8.

1130 18½ Road is the Burenheidi home and accessory buildings on about 4 acres, also known as Lot 4 Burenheidi Estates Filing 1, platted 2002. Driveway access is off 18½ Road. Mature trees along the northern property line provide an excellent view of the Colorado National Monument skyline for south-bound traffic while blocking sight of the Burenheidi home and roof tops of homes in Brandon Estates Subdivision.

1138 18½ Road is approximately 10 acres of Burenheidi's remaining agricultural land, also known as Lot 2 of IndiBuild Minor Subdivision, platted 2022. 1138 18½ Road has access to 18½ Road and K⁴/₁₀ Road.

We understand the applicant envisions a total of 96 income-based housing units (96 DU) on the overall 14 acre site (7 DU/gross acre) being a mix of multi-family rental units and single- and multi-family for-sale units. The applicant apparently intends to achieve this intense level of density by rezoning the parcels to Community Residential (CR) that has a base density of 6 DU/acre, plus 1 DU/acre density bonus allowed in CR zone. Our review of the Conceptual Site Plan found in the agenda packet of Council's meeting last September concludes that at least 3 of the 4 density bonus criteria could easily be met.

Considerations for City Council to Deny Rezone Application

Nonrepresentative Subdivision Density Comparison. Subdivision Density Comparisons developed by the Community Development Department are used to assess compatibility of rezone applications with surrounding land uses. For land use purposes, zoning and density bonuses are based on gross (total) acres of land.

Monument Glen, single family units including Filings I, II, III, IV and V (153 DU/38.78 gross acre); density 3.9 DU/acre

Holly Park, single-and multi-family units of Holly Park Mobile Home Subdivision plus replat of Lot 34 Holly Park Mobile Home Subdivision via Holly Park Townshomes, and Holly Park West (231 DU/46.6 gross acre); density 5.0 DU/acre

Conformance with Existing Neighborhoods. It is uncommon to locate the most densely populated subdivisions in a community at the furthest distance from the downtown area. Rezoning 1130 and 1138 18½ Road and effectively expanding concentrated housing units similar to the Fruita Mews would do just that. If approved, the rezone would be the most intense of all subdivisions along 18½ Road north of Ottley Avenue. It is a significant change from existing residential density of Brandon Estates (2.5 DU/acre) south of the rezone application, and has no similarities to the existing open space of the elementary school yard or to the existing character of larger residential properties further north.

Benefit to Community. We see no discernable benefits the rezone application has to offer City residents, local employers, or income-eligible applicants who are locally employed. Tenant and home ownership selection criteria for affordable housing does not consider geographical location of employment. It is strictly based on the chronological order that applications are received from income-eligible applicants. Furthermore, there is no priority ranking for veterans or elderly who work to supplement VA or social security benefits, or for individuals or households experiencing homelessness or at risk of experiencing homelessness such as a young adult about to age out of the foster care program.

Our opinion regarding benefit to community would be different if housing units in the rezone could be prioritized for individuals working in the urban and rural area around Fruita. People who work near home are more likely to spend time in and around the City. We believe they are also more likely to be engaged in the community and it's issues than a commuter.

Advantages of PUD Zoning. We have not researched whether the 40 acre Burenheidi Estates Planned Unit Development Guide and City Ordinance 2002-17 are still in effect, but presume that these could be replaced, amended, or otherwise dealt with in lieu of rezoning.

Our primary opposition to the rezone application is that the base density of CR zoning, not including density bonuses, exceeds the density of all residential developments along 18½ Road that were constructed prior to the Fruita Mews (5 DU/acre at Holly Park). Our household has no issues with affordable rental and for-sale units, but feels the developed density of the Fruita Commons should not exceed any pre-Mews residential density in the vicinity.

If the applicant's target is truly a higher percentage of 3-bedroom townhomes and a higher AMI than the Fruita Mews, then a development plan that is less dense and more visually attractive than

the Fruita Mews is justifiable. PUD zoning provides the flexibility to modify normal use or density that could not be realized through the strict adherence to standard zoning restrictions.

Conclusion. We hope City Council recognizes that analysis and decisions made by others are based, in part, on unrepresentative density comparisons. At this point of rezone application consideration, it is up to City Council to make a fair and just decision. We strongly urge the City Council to deny the rezone application and focus on affordable housing at this site that is less intensely populated.

The City can work with the applicant to create an innovative PUD guide that includes fewer multi-family rental units set back from 18½ Road near the Fruita Mews and fewer for-sale single- and multi-family units along 18½ Road. This could include incorporating some community benefit in the site plan, such as landscaped visual buffers along K⁴/₁₀ and 18½ Roads, or other amenities for the residents and tenants in addition to those already provided at the Fruita Mews.

Issues Unrelated to Zoning

Land Acquisition Costs. According to Mesa County Assessor data, the Burenheidi home was built in 1920. The original construction was completed prior to current building materials regulations, specifically asbestos handling and disposal. Regardless of zoning, prior to negotiating a purchase price for 1130 18½ Road, the home should be inspected for suspect materials. Plaster walls and insulation of radiant electric heat are common examples of asbestos containing materials. These should be sampled for laboratory testing. Test results can be used in negotiating the purchase of the land, and/or in budgeting demolition and disposal costs of construction.

Traffic Impact Analysis. ADT data along 18½ Road provided on the City's transportation map appears to be somewhat outdated, or affected by COVID shut-downs. We feel current traffic counts should be taken while school is still in session. Updating the City's data base may prove invaluable to any future Traffic Impact Analysis of development plan(s) along 18½ Road.

ATTACHMENT

Density in Community Residential:

Community Residential

Dwelling Units/Acre	Acres	Dwelling Units
4	14	56
5	14	70
6	14	84
7*	14	98
8*	14	112

*requires approval of Density Bonuses per Section 17.09.050

Subdivision Density Comparisons:

- The Oak Creek Subdivision has a density of approximately 4.6 dwelling units per acre. (5.8 acres/27 dwelling units) *
- The Fruita Mew's affordable housing development has a density of approximately 7 dwelling units per acre. (7 acres / 50 dwelling units) *
- The Brandon Estates Subdivision has a density of approximately 3.5 dwelling units per acre. (31 acres/115 dwelling units) *
- Monument Glen has a density of approximately 5.5 dwelling units per acre. (28 acres /155 dwelling units) *
- Holly Park Mobile Home Park has a density of approximately 6.9 dwelling units per acre. (29 acres/202 dwelling units) *

*This acreage is calculated based on number of Platted lots and total lot size (excludes parks, HOA tracts, and streets)

Below is a table showing Residential Land Uses in the CR zone. This is a consolidated table of Land Uses contained in Section 17.05.090 and shows uses that are allowed (A), conditionally allowed (C), and not allowed (*).