



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: FEBRUARY 1, 2022

AGENDA TEXT: ORDINANCE 2022-07, 2nd Reading – An Ordinance granting a Major Amendment to the Burenheide Planned Unit Development (PUD) Guide to increase residential density and allowed residential land uses in a portion thereof.

BACKGROUND

This is a request for a Major PUD Guide Amendment to the existing Burenheide PUD Guide to accommodate a new attached single-family affordable housing community. The Fruita Mews PUD Guide proposes to amend the existing Burneheide PUD Guide to accommodate an “affordable housing development consisting of 50 rental townhomes for families” on 7+ acres of Lot 2 of that PUD. The application contains information on a possible layout of the project along with building elevations and description of building materials. The proposal shows a clubhouse, community garden, playground area, greenspace, and trails throughout.

In addition to the above, the application is requesting modifications to the density and dimensional standards originally set forth in the Burenheide PUD Guide. Section 17.19.060 (B) contains guidance on major or minor amendments for Planned Unit Development Guides. Pursuant to the Code, this application request is a major amendment. Because this application is considered a major amendment, the application must be reviewed through the public hearing process by both the Planning Commission and City Council. Section 17.19.060 (D) states, “Major Planned Unit Development amendments shall be reviewed and may be approved in the manner set forth for original Planned Unit Development applications as contained in this Chapter.”

It should be noted that the final PUD Guide, if approved, may be modified based on any additional conditions of approval from Council before it is recorded. Because this property is zoned PUD, the Code requires a subdivision/site plan to be reviewed through the public hearing process. In this instance, the application is requesting that the submittals of both the subdivision and site plan applications be review and approved administratively by Staff. Staff is supportive of this request if the City Council is completely satisfied with this PUD Guide amendment request. Note, however, that the 50 townhomes will not be subdivided into separate legal units as the proposal is for this to be a rental community with one owner. The only subdivision is to subdivide these 7 acres off Lot 2 and to create the public right-of-way as shown in the plans.

Furthermore, the PUD Guide that went before the Planning Commission included a chart of requested administrative adjustments. This included a percentage of allowable administrative adjustments to site standards, lot dimensional standards, building standards and development standards. Since the Planning

Commission meeting, the applicants have removed this request from the proposed amendment and have cited the Land Use Code section that addresses administrative adjustments. The administrative adjustments in the Land Use Code were written for the purposes of energy efficiency and building code compliance.

Code Modifications requested by Applicant:

- Process modifications – Site Plan and Subdivision Plat to be reviewed and approved administratively as opposed to public hearing process.
- Access Circulation modifications – Any development exceeding two hundred fifty (250) average daily trips (ADT), or twenty-five (25) units shall have a minimum of two (2) fully platted ingress/egress points (dedicated rights-of-way), or one (1) fully platted ingress/egress point plus a secondary access point for emergency vehicles.
- Since Applicant has described this as an affordable housing project, the Code allows a reduction in required parking spaces. Typically, for 50 townhomes, 150 spaces would be required. With the affordable housing reduction, 41 are required. Applicant proposes to provide 75 spaces.

The Planning Commission recommended approval of this application to the City Council by a vote of 4-1 at their December 14, 2021, public hearing. The no vote was due to traffic concerns among other statements represented in the meeting minutes.

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

Throughout the comprehensive plan process, residents of Fruita brought up how much they love living in Fruita, its small-town character, and their desire to preserve the community's most desirable qualities into the future. The plan starts by declaring what makes Fruita special. In turn, these community values are the foundation of the plan—shaping the plan vision, goals, policies, and actions. Community values called out in the plan include:

- Fruita is a place where you run into neighbors, friends, and acquaintances at local stores and restaurants, parks, and the community center. (Community Values, Page 2, Comprehensive Plan)
- Fruita is a community where people are invested and constantly work to make the community better. (Community Values, Page 2, Comprehensive Plan)
- Fruita is committed to a land use pattern and supporting policies that promote access to housing across the income spectrum of its residents. (Community Values, Page 2, Comprehensive Plan)

Influenced by the community values expressed on page 2 of the Comprehensive Plan, the Plan Vision 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."

OPTIONS AVAILABLE TO THE COUNCIL

1. Adopt Ordinance 2022-07, an Ordinance granting a major amendment to the Burenheide Planned Unit Development (PUD) Guide to increase residential density and allowed residential land uses in a portion thereof with the condition that the subdivision/site plan and zoning be specific to the application proposed and furnished with a subdivision Plat.
2. Adopt Ordinance 2022-07, an Ordinance granting a major amendment to the Burenheide Planned Unit Development (PUD) Guide to increase residential density and allowed residential land uses in a portion thereof with the condition that the subdivision/site plan and zoning be specific to the application proposed and furnished with a subdivision Plat and allow the subdivision and site plan to be reviewed and approved administratively.
3. Adopt Ordinance 2022-07, an Ordinance granting a major amendment to the Burenheide Planned Unit Development (PUD) Guide to increase residential density and allowed residential land uses in a portion thereof with the condition that the subdivision/site plan is subject to the public hearing process with an effective date of the Ordinance being July 1, 2022.
4. Continue the hearing to a later date with specific information to be provided by Applicant in response to questions from Council.
5. Deny Ordinance 2022-07 with specific findings that it does not comply with the goals and objectives of the City and/or does not comply with the Code.

RECOMMENDATION

Staff recommends that the Council move to:

ADOPT ORDINANCE 2022-07, 2ND READING –AN ODRINANCE GRANTING A MAJOR AMENDMENT TO THE BURENHEIDE PLANNED UNIT DEVELOPMENT (PUD) GUIDE TO INCREASE RESIDENTIAL DENSITY AND ALLOWED RESIDENTIAL LAND USES IN A PORTION THEREOF WITH THE CONDITION THAT THE SUBDIVISION/SITE PLAN AND ZONING BE SPECIFIC TO THE APPLICATION PROPOSED AND FURNISHED WITH A SUBDIVISION PLAT AND TO ALLOW THE SUBDIVISION AND SITE PLAN TO BE REVIEWED AND APPROVED ADMINISTRATIVELY.