



**Community Development Department
Staff Report
June 8, 2016**

Application #: 2016-07
Project Name: Sacred Heart Church
Application: Rezone
Property Owner: Bishop of Pueblo
Representative: Lance Stewart
Location: 503 East Aspen Avenue & 433 East Aspen Avenue
Existing Zone: Community Residential
Request: This is a request to rezone the subject properties from Community Residential (CR) to a Planned Unit Development (PUD) zone to include commercial as well as residential land uses.

Project Description:

The subject properties are located at the northeast and northwest corners of the intersection of Aspen Avenue and Maple Street. The property on the east side contains the Sacred Heart church which is approximately 2,713 square feet in size on the main floor and there is also a basement. The church was built in 1921. The house on the property to the east of the church was built in 1911 and is approximately 1,658 square feet in size. It appears that the house and the church sit on two separate lots. The lot containing the church appears to be approximately 60 feet wide and 125 feet deep (7,500 square feet). The lot containing the house is approximately 50 feet wide and 125 feet deep (6,250 square feet). The parish hall for the church sits on the property to the west. The building is approximately 15,660 square feet in size and was built in 1941. The building occupies two equal size lots encompassing a total of approximately 14,500 square feet. This information is from the Mesa County website.

The applicants request a rezone from CR to PUD to allow commercial as well as the residential and other land uses permitted in the CR zone. A PUD zone is defined as a zone which allows for modification of the normal use, density, size or other zoning restrictions for a development for the purposes identified in Section 17.17.010 of the Land Use Code. A PUD Guide is required to be provided for all PUD zones to clearly identify the requested modifications to otherwise applicable zoning requirements.

Because buildings currently exist on the subject properties and no new construction is planned at this time, the PUD Guide for this proposed PUD zone consists of an aerial photograph of the properties and a list of permitted land uses. The PUD Guide includes the requirement that the listed uses follow the Land Use Code requirements (building setbacks, building heights, signs, fences, parking, lighting, etc.) for development in the CR or Downtown Mixed Use (DMU) zones including the need for a Conditional Use Permit (CUP) for some uses. The following uses are listed in the PUD Guide:

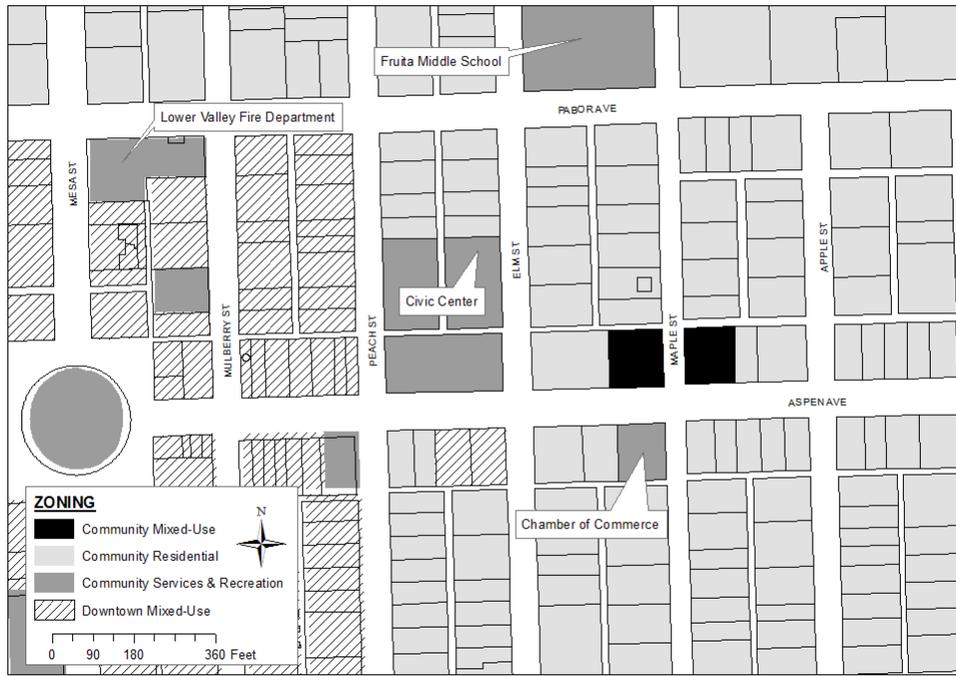
- all uses permitted in the CR zone [attached is a list of these uses]
- community services and government offices
- daycare/childcare/senior care
- indoor recreation and entertainment, exhibition & meeting areas less than 10,000 square feet in size
- commercial parking
- general offices, including drive through uses
- educational institutions
- medical/dental/vision/massage/chiropractic/hearing clinics
- funeral homes/mortuaries
- food service, restaurant, catering
- general retail sales, indoor operations

As per the project narrative, the reason the rezone is requested is because the church is moving to a property on north 17.5 Road and believes that the zone change to allow for commercial uses "is paramount to the successful completion of the new Sacred Heart church."

Surrounding Land Uses and Zoning:

The subject property is surrounded on all sides by Community Residential (CR) zoning with the exception of the Chamber of Commerce property diagonally across the street to the south which is zoned Community Services & Recreation (CSR) and is owned by the City of Fruita. Land uses surrounding the subject property are all detached single family residential dwellings with the exception of the Chamber of Commerce and the Fruita United Methodist Church directly to the west of the parish hall property.

LOCATION AND ZONING MAP



2015 AERIAL PHOTOGRAPH



Review of Applicable Land Use Code Requirements:

Section 17.13.060, Amendment to the Official Zoning Map (Rezone), of the Land Use Code (2009, as amended) states that the Official Zoning Map may be amended when the following findings are made:

- 1. 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**

Many of the land uses proposed are or could be incompatible with the surrounding historic single family residential neighborhood. All surrounding property is zoned CR and there are no commercial land uses in the area other than the Chamber of Commerce located to the south which is in a Community Services & Recreational (CSR) zone. Single family houses on small lots are directly adjacent to the subject properties with no ability for the residential properties to buffer noise, light, traffic, and other impacts typically created by commercial land uses.

Additionally, the existing buildings on the subject property cover most of the land so there is no ability to provide a buffer towards residential land uses and almost no off-street parking is available except the gravel areas at the rear of the properties. Although the existing church and related uses cause a lot of motorized traffic impacts to the neighborhood on a regular basis, the characteristics of the traffic generated by a church is significantly different from traffic generated by many of the uses proposed for this PUD zone, including pedestrian traffic.

Churches and other religious institutions are permitted in all zones, including all residential zones because by their nature, they are oriented toward families and individuals and serve the neighborhood they are part of. They provide part of the societal/cultural anchor that helps define a neighborhood and, therefore, are considered mostly compatible with residential land uses.

Commercial uses typically create more continuous traffic than a church use. The behavior of pedestrians coming out of a church is typically different from pedestrians coming out of a commercial use such as an events center, especially with alcohol service. These negative impacts reduce the value of the surrounding residential property. Contrary to the project narrative, extending commercial uses into the residential area east of downtown does not create a buffer between residential and commercial land uses.

It should be noted that with this PUD as proposed, if the buildings are demolished, the property could be redeveloped with the uses listed in the

PUD Guide which could be even more problematic than commercial uses in the existing buildings.

Based on this information, the PUD zone as proposed is not compatible with the surrounding single family residential neighborhood.

The requested PUD zone is not consistent with the city's Master Plan. With the update to the Fruita Community Plan (a major component of the city's Master Plan) in 2008, this area was not identified as a future extension of the downtown commercial area. The Fruita Community Plan (FCP) recommends that the downtown district be expanded to the north, south and west (policy ES 1.5 from the FCP). The subject properties are to the east of downtown. In December of 2014, the Fruita City Council adopted a more detailed downtown plan with the Civic Center Memorial Park and Downtown Streetscape Improvements Master Plan. This plan also did not identify a community need or desire to extend the downtown commercial area to the east.

There currently is an overabundance of zoning for commercial uses (the DMU zone) in the downtown area which covers large areas of historic single family residential neighborhoods. This large area of zoning for commercial land uses jeopardizes the residential and historical character of the area by creating a disinvestment incentive for existing single family residential land uses and buildings. Extending more commercial zoning to the east could increase disinvestment in Fruita's historic residential neighborhoods and buildings. As pointed out in the last paragraph of the project narrative, this zone change has the potential to fundamentally change the character of the surrounding neighborhood.

The proposed rezone would have the effect of stretching downtown commercial area to the east into a single family residential neighborhood. Creating additional commercially zoned land in a residential area does not contribute to the success of downtown, but could hinder its success. Stretching commercial uses into a wider area dilutes the power of downtown as a destination while potentially reducing the value of the adjacent residential.

As identified above, commercial uses in close proximity to single family residential land uses creates problems of compatibility. Policy NH 3.2, Compatibility, states that in determining changes to parcels of land adjacent to existing residential developments, the character of existing neighborhoods will be considered. Policy NH 3.3, Infill, states that the city will follow specific design standards for infill development and redevelopment, with an emphasis on protection of existing residential neighborhood character. Policy NH 3.4, Preservation, states that the city encourages the preservation of our existing residential neighborhoods.

Attention should focus on older and historic structures, through renovation and repairs, to maintain these housing options and preserve community character. Where possible, infill and redevelopment projects should minimize effects to these neighborhoods. Additionally, Policy ES 1.16 - Revitalization, recommends targeted redevelopment and revitalization of *existing* areas in downtown (emphasis added).

As indicated by the project narrative, the applicants believe that commercial uses should be permitted to ensure that the existing buildings will not eventually blight the area, but there is nothing to prevent the buildings from being demolished to allow for new commercial construction. There is no evidence that commercial uses will prevent the building from being unused and falling into disrepair. There is no guarantee that commercial uses will be successful in these buildings and with higher property taxes for commercial land uses coupled with potential problems with meeting building codes for commercial uses, the zone change as proposed could accelerate the buildings falling into disrepair. As indicated by the project narrative, the property is being marketed for commercial purposes.

Although most everyone would like to see the church buildings remain and be used in a way that would not adversely affect the adjacent residential neighborhood, this is a difficult situation. Staff supports some sort of expansion of uses for the unique church building and parish hall, but the house on the east side, which sits on a lot separate from the church, should keep the existing CR zone the same as adjacent single family houses.

Regarding land uses, staff recommends, based on the above analysis, that the following uses be permitted in the PUD zone for the church and parish hall:

- all uses permitted in the CR zone with only the following uses requiring approval of a CUP:
 - public safety and emergency response services
 - other community services
 - basic utilities other than underground facilities
 - telecommunications facilities, towers and support structures
- medical, vision, massage, hearing and dental clinics
- indoor recreation and entertainment (including an events center)
- general offices
- food service, restaurant, catering

No drive-through land uses should be permitted. The PUD Guide should identify that no additional parking will be required for changes of use in the existing buildings. A condition of the PUD zone should require that the

buildings remain in substantially the same form (not demolished but certainly able to be maintained and remodeled to meet building codes), or else the uses permitted on the property revert to the uses then permitted in the CR zone. The PUD Guide should clarify that commercial development will follow the design standards for development in the DMU zone's downtown core, and residential development or other uses permitted in the CR zone will follow the development standards for CR zoning, including density of residential development.

To ensure no confusion with the PUD zone, the aerial photograph should be amended to exclude the house on the east side, and pictures of the church and parish hall should be included as part of the PUD Guide.

With these recommended changes/conditions on the PUD zone, staff believes that the approval criteria for a zone change can be met.

- 2. 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**

There does not appear to be an error in zoning the property Community Residential. The first Fruita Land Use Code or Zoning Code that staff has been able to locate is from the 1960s. The subject properties have had a residential zone since that time. The existing CR zone is consistent with the Fruita Master Plan. This approval criterion is not applicable.

- 3. The area for which the amendment is requested has changed substantially such that the proposed zoning better meets the needs of the community; or**

It could be argued that there have been substantial changes to this area since the original establishment of the residential zone in the 1960s. This criterion has been met.

- 4. 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**

There is no comprehensive revision of the Official Zoning Map. This criterion is not applicable.

- 5. 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.**

This criterion is not applicable because the properties are already in the city limits.

Based on the review of the approval criteria, it appears that the proposed zone change can meet the applicable approval criteria if the issues identified above are adequately resolved.

Section 17.17.030 of the Land Use Code requires that the recommendations of the Planning Commission to the City Council and decisions by the City Council concerning a proposed Planned Unit Development be based on the following criteria:

1. Conformance to the Fruita Master Plan.

As explained above under the criteria for a rezone, the PUD rezone as proposed does not conform to the Fruita Master Plan. With changes as recommended, a PUD zone could be considered to be in general conformance to the Fruita Master Plan.

2. Consistency with the purposes as set out in Section 17.17.010.

Section 17.17.010 of the Land Use Code sets out eight general purposes of PUD zoning. In a nutshell, the purpose of PUD zoning is to allow modifications to zoning requirements in order to allow development that is better than what would result from the application of a non-PUD zone. This proposed PUD zone would allow more land uses than would otherwise be permitted in the current CR zone, but not the wide variety of uses permitted in the zones that allow commercial development. With modifications to the proposed PUD Guide as identified above, a PUD zone could be consistent with the purposes of PUD zoning.

3. Conformance to the approval criteria for Subdivisions:

This approval criterion is not applicable because there is no subdivision proposed. The existing lots are too small for further subdivision under the current Land Use Code requirements.

4. Where the applicant proposes one or more Adjustments to the standards of this Title, consistency with the Adjustment criteria set forth in Section 17.11.020.B is required.

An Adjustment is an exception to the Chapter 11 Design Standards of the Land Use Code. The design standards pertain to development in the zones that allow areas of commercial development which are the General Commercial (GC) zone, the DMU zone, and the Community Mixed Use (CMU) zone. Although somewhat unclear, it appears that the PUD Guide

intends for commercial development to follow the Chapter 11 design standards. No new development is proposed at this time, so no Adjustments to design standards are necessary.

With changes to the PUD Guide as identified above, the approval criteria for PUD zones can be met.

Review Comments:

All review comments received are included with this Staff Report. No reviewer had a significant concern regarding the proposed zone change.

Public Comments:

The only written public comment received at this time is from the City's Historic Preservation Board which is included with this staff report.

The applicants held a neighborhood meeting on February 9, 2016. According to the applicants, an invitation to a neighborhood meeting was sent to everyone in the public notification area (all property owners within 350 feet of the subject properties). The invitation letter and the minutes for this meeting are attached.

Staff Recommendation:

Staff recommends approval of the proposed PUD rezone with the condition that all review comments and issues identified in the staff report are adequately resolved before the second reading of the ordinance required for a zone change.

Fruita Planning Commission: (May 10, 2016)

Fruita City Council: (June 7, 2016)

Uses permitted in the Community Residential (CR) zone:

Residential

Dwelling, single family attached and detached
Dwelling, multi-family (limited)
Manufactured and Mobile homes and parks (with approval of a CUP)
Accessory dwelling units,
Home occupations
Childcare home/daycare home
Small group home
Large group home (with approval of a CUP)

Community Services and Government Offices

Public building uses (with approval of a CUP)
Museums, art galleries, opera houses (with approval of a CUP)
Public safety and emergency response services (with approval of a CUP)
Other community services (with approval of a CUP)
Childcare/daycare center (with approval of a CUP)

Institutional and Civic Uses

Cemetery
Golf or driving range (with approval of a CUP)
Parks, lakes, greenways, trails
Other parks and open space areas (with approval of a CUP)
Religious institutions
Boarding schools (with approval of a CUP)
Elementary schools
Secondary schools
Underground utility service facilities
All other basic utilities (with approval of a CUP)
Utility corridors (with approval of a CUP)

Commercial Uses

College, trade or vocational schools (with approval of a CUP)
Community swimming pool (with approval of a CUP)
Riding, roping, equestrian area (with approval of a CUP)
Health club (with approval of a CUP)
Bed & Breakfast (limited to 4 guest rooms and requires approval of a CUP)

Industrial

Commuter bus stops
Telecommunications facilities, towers and support structures (with approval of a CUP)



LAND DEVELOPMENT APPLICATION

Project Name: Sacred Heart Church
 Project Location: 503 E Aspen Ave: 433 E Aspen Ave.
 Current Zoning District: CR - Community Residential Requested Zone: PUD
 Tax Parcel Number(s): 2697 171 05 951; Number of Acres: .32 + .35
 Project Type: Reuse 2697-172-10-952

Property Owner: Bishop of Pueblo Developer: _____
 Property Owner: _____ Contact: _____
 Address: 101 N Greenwood St. Address: _____
 City/State/Zip: Pueblo, CO 81003 City/State/Zip: _____
 Phone: 719 544 9861, 22 Fax: 719 225 8750 Phone: _____ Fax: _____
 E-mail: office@bishopdioceseofpueblo.org E-mail: _____

Please designate a representative as the coordinator for this application. The representative should attend all conferences/hearings, will receive all correspondence, and communicate all information to the property owners.

Owner Rep: Lance Stewart Engineer: _____
 Contact: Lance Stewart Contact: _____
 Address: 1312 L 7th Rd Address: _____
 City/State/Zip: Loma CO 81524 City/State/Zip: _____
 Phone: 970 623 0126 Fax: _____ Phone: _____ Fax: _____
 E-mail: lstewart3153@outlook.com E-mail: _____

This Notarized application authorizes the owner's representative, if designated, to act on behalf of the property owners regarding this application.
 The above information is correct and accurate to the best of my knowledge.

Bishop of Pueblo J. H. M. R. 12/23/15
 Name of Legal Owner Signature Date

 Name of Legal Owner Signature Date

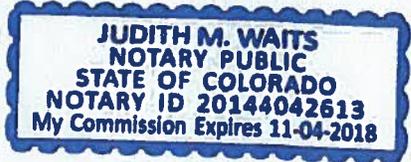
 Name of Legal Owner Signature Date

STATE OF COLORADO)
) ss.
 COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 22nd day of December, 2015

My Commission expires: November 4, 2018

Judith Waits
 Notary Public



Sacred Heart Catholic Church

PUD Zone Change Application Project Narrative

- **Project description: Zone change from CR to PUD**
- **Location: 433 and 503 E. Aspen Avenue**
- **Acreage: .67 acres**
- **Proposed permitted uses:**
 - All uses as permitted in the Community Residential zone
 - Community Services & Government Offices
 - Daycare/Childcare/Senior care
 - Indoor Recreation & Entertainment, exhibition & meeting areas less than 10,000 square feet in size
 - Commercial parking
 - General Offices, including drive through
 - Educational Institutions
 - Medical/Dental/Vision/Massage/chiropractic/ Hearing Clinics
 - Funeral Homes/Mortuaries
 - Food Service, Restaurant, Catering
 - General Retail Sales, Indoor Operations

These permitted uses include the conditional uses permitted with approval of a Conditional Use Permit and the supplemental zoning regulations and standards. Also, any other permitted use deemed appropriate by the Community Development Department but not specifically listed in the Zoning Table.

- No phasing is intended since the properties are built out currently. To accommodate potential future changes in use, density and dimensional standards, signage, design, landscaping, parking and lighting standards for the CR or DMU zones would be applied, depending on the requested use.
- Recapture is not intended for this application. However, depending on a particular permit application, a determination may need to be considered for future changes in use.
- Density bonuses could be considered by the Community Development Department in the future as changing conditions may provide.
- No credit against impact fees is requested for this application. Future changes in use would possibly be subject to impact fees required in the Land Use Code.

History: The Sacred heart Church has been a landmark in Fruita since its construction in 1921. The church and the catholic congregation have been integral to the development of Fruita for over a century. For the first forty five years the 150 seat facility, with its full basement, served the needs of the community well. In the 1960s it became apparent that the growing membership required additional space for meeting, educational and administrative purposes. In 1966 the Church purchased the facility at 433 E Aspen to serve as a parish hall and office.

Today, once again, the congregation has out grown the facilities and is in the process of building a new church on 17.5 road, which will enhance the entire Fruita area.

Need: Any successful building project relies on a well structured funding plan. As is the case with the new Sacred Heart Church, a significant element of the funding plan includes the sale of the church and parish hall on Aspen Avenue. While it is hoped that another faith community can acquire the facility, nearly two years of searching has yet to yield a viable purchaser.

In November, 2015, a party approached the realtor for the church with a secure offer. The party intended to use the facility as a small events center for primarily weddings and family gatherings. A use, which at first glance would seem to fit in well with the neighborhood, would not create additional adverse impacts and would preserve the stately building. Upon checking with the Community Development Department the party was informed that the use was not specifically listed in the table of uses, and they should submit an application for a PUD zone change, which if approved may allow for the use. Upon further investigation by the Realtor of possible allowed uses, it is evident that a zone change is paramount to the successful completion of the new Sacred Heart church. A zone change is also needed to accomplish the goals of the Fruita Master Plan through a logical transition of properties from CR to Downtown while preserving the character of the neighborhood east of Maple Street.

Compatibility with current standards and planning: A zone change to PUD from CR supports and satisfies the intents of the purposes of the PUD zone and the Fruita Master Plan. While the general purpose of the PUD Zone is to provide opportunity for development that benefits the community, the more specific purposes are primarily centered on residential mixed use developments. The purpose of this application is not to provide more residences, but to provide for uses for an historic and stately landmark in Fruita in a manner that ensures its structural and aesthetic character and integrity, does not adversely affect or significantly impact the surrounding neighborhood and provides for a logical integration or nexus between the Downtown Zone and the residential neighborhood on Aspen Avenue. Arguably, the character of this neighborhood is slowly changing from strictly residential with the addition of new and planned businesses at the corner of Aspen Avenue and Elm Street, and the long time location of the Fruita Chamber of Commerce. A PUD Zone would serve as a buffer of sorts to residents east of the Church while allowing for transitional development, which over time would benefit Fruita.

The only zoning standard that would be possibly modified with the zone change would be that of off street parking. The code calls for off street parking for most uses other than residential. Currently the neighborhood has existed with on street parking for between 50-80 vehicles for many years. It is envisioned that this situation would not necessarily change, but could be

enhanced with a use utilizing less parking than a church. For any activity requiring additional short term parking there are public lots within one block of the existing property. Zone change conforms to adopted plans and policies.

- Any commercial or business type use would not adversely affect open space or parks as evidenced by the proximity of the community center park to the Downtown.
- Zone change would help to lessen the impact on existing residences for downtown type growth. There wouldn't any anticipated adverse impacts on public spaces or services.
- Access and traffic patterns in the area would not appreciably change.
- No changes, special needs or impacts on utilities are envisioned.
- No adverse impacts are anticipated on public facilities or services.
- No impacts to soils or geology are envisioned.
- No changes or impacts to natural areas or storm water management are anticipated.
- No credits, recapture, or bonuses are requested, but could need to be considered depending on future changes in use.

Conformance with the Fruita Master Plan: The stated vision in the plan is to “ **Improve and enhance the small town atmosphere of the Fruita community, while providing high quality services for a growing population and striving for economic development and prosperity**”.

The Plan embodies principles of sustainability and quality of growth attainable by enacting policies to achieve several core concepts by focusing on economic, social and environmental values which are the basis for Fruita's policies. The following is a number of quotes from the Master Plan which speak to this rezone project, which will positively address and implement the goals of the Plan:

“Redevelopment projects in Fruita are also outstanding opportunities to promote the city's character. These projects must capture the original styles that reflect Fruita's most signature buildings. The area best suited for this opportunity is Downtown, where some new development is beginning to take place, yet is maintaining its historic foundation through old buildings, street and lot layout, and amenities.” East Aspen Avenue to Maple Street is a logical extension of the core business community over time. The size of the church could help buffer residents from redevelopment to the west.

“Preserve and enhance Fruita's small town atmosphere through downtown revitalization, walkable, vibrant neighborhoods, and mixed use commercial centers.” Providing for uses in addition to those allowed in the CR zone enhances the neighborhood and fortifies the downtown neighborhood. A deteriorating boarded facility would severely detract from the atmosphere and the neighborhood.

“Encourage economic development that strengthens Fruita's identity and provides diverse employment opportunities.” The church properties best and highest use is not residential, but rather an exciting possibility of business and community services that compliments the identity of the Community.

“Protect Fruita’s historic resources, including buildings, agricultural relics, and historically meaningful land.” Goes without saying; the Church has, and could remain a prominent landmark in the community. Many communities provide special use exceptions and exemptions to regulations in order to facility viable cultural buildings and spaces. While it is preferred that the church remain a viable structure, change is inevitable and may actually require the property to be redeveloped to accommodate a future vision for the neighborhood.

“Community Residential. To allow for moderate density single family neighborhoods with the inclusion of other housing types such as attached units (e.g. apartments or townhomes). Building concepts that are found in Fruita’s original neighborhoods such as narrow lots, smaller front yards and garages placed in the back.” This zone change could affect the characteristic of the neighborhood east of Maple Street, in that newer developments over time could promote the consolidation of lots to provide for different housing types or mixed use development.

“CD 1.3 - Historic Character. The historic character of downtown Fruita should be kept authentic and must be reinforced, embodying its identity, values, and energy. The Downtown should take advantage of the historic aspect of town.” Allowing for more varied uses in the PUD zone will help to preserve the existing historic character while providing for a timed logical transition of the subject properties.

“CD 1.9 - Parking. Public parking is vital to the Downtown, and should be achieved using street rights-of-way, reduced parking requirements and surface lots. As the Downtown grows, parking structures should be considered to preserve land for retail space.” Many possibilities exist for use of the subject properties that will not adversely affect the off street parking situation and still support this objective. The parish hall property could actually become a viable location for additional off street parking to support the growing downtown center.

“ES 1.1 - Aspen Avenue. The City of Fruita supports and encourages the revitalization of the historic Aspen Avenue downtown business area and adjacent areas.” Again, the rezoning of the area on East Aspen Avenue will contribute to the success of the downtown over time by providing for additional uses more commercial in nature than presently allowed, while providing the Town with the opportunity to encourage the reuse of a historic building which might otherwise set vacant.

“ES 1.3 - Redevelopment Areas. Identify and prioritize targeted redevelopment areas that would positively contribute to the ambiance and character of downtown; properties may include historic buildings that could be used as entertainment venues, hotels, and retail operations.” While not at this time a targeted redevelopment area, without this zone change the potential is very high that the area will fall into a blight category. Now is the time to provide for additional uses that will hopefully circumvent that eventuality.

“ES 1.5 - Expansion. The downtown district should be expanded to the north, south, and west of the existing boundaries to ensure its sustainability. At a minimum, this would ultimately incorporate Ottley Avenue at the north, Little Salt Walsh on the west, Maple Street on the east, and extend to the

railroad Tracks.” While the church property is situated adjacent to the easterly boundary, it also meets a host of additional criteria that makes it reasonable to include it into the expansion area. The area is irrefutably expanding quicker than any other direction.

“CR 1.3- Prioritization. Prioritize historic buildings in need of restoration that positively contribute to Fruita’s character. This could include projects that meet multiple objectives, such as the Grain Elevator, Circle Park, and the desire to provide other amenities Downtown and other areas.”

Arguably, while the Church is not yet in need of restoration, without this zone change and reasonable allowed uses, it soon will be. Why not now be proactive to ensure that in the future, public dollars like in the case of the Community center will not be required to preserve a part of Fruita’s historic character?

“CR 1.4 - Incentives. Provide Implement new zoning types that support quality growth principles, including the new Community Mixed-Use district. Refine as necessary during upcoming years to ensure an efficient, predictable, and flexible process. Create an incentive program for developers to follow the LEED- Neighborhood Development principles.” The PUD zone at this time is the best tool we have to ensure that East Aspen Avenue transitions in a logical manner.

Nowhere within the Master Plan is a policy stated that the residential neighborhood in the vicinity of the Church is sacrosanct from redevelopment and must remain forever in its current state. The PUD zone will also provide other adjacent properties an opportunity and alternative to realize a highest and best use by expanding the boundaries of the zone. The requested zone change from CR to PUD will definitely satisfy a number of goals of the Master Plan and Section 17.17.010 of the Land Use Code regarding PUDs.

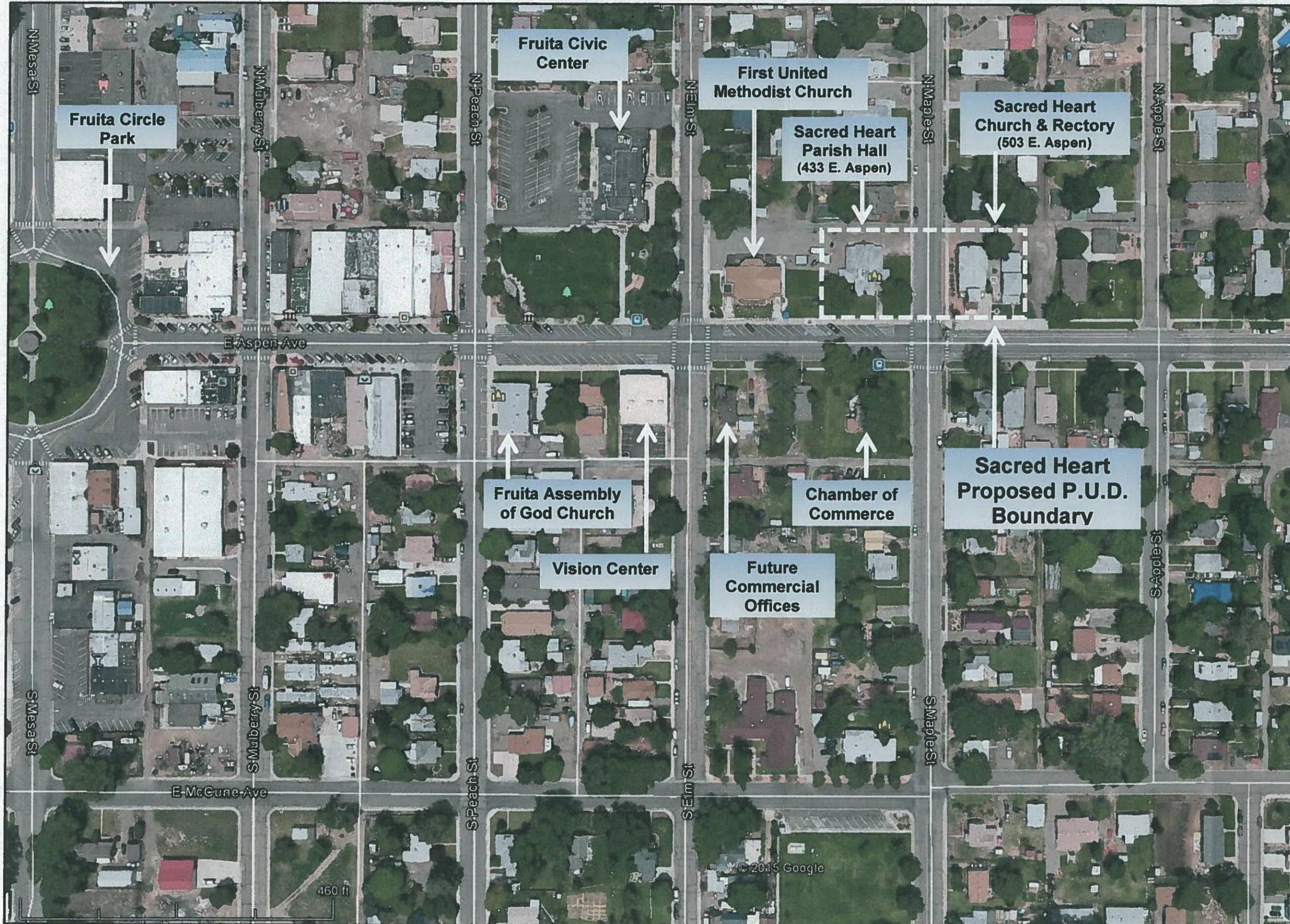
PUD Guide

433 and 503 East Aspen Avenue

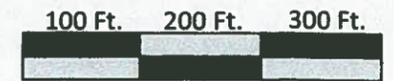
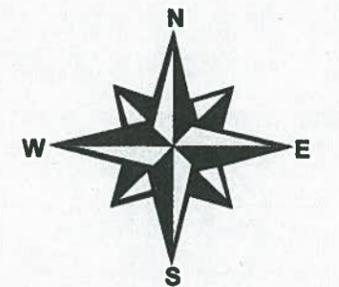
Permitted Uses

- All uses as permitted in the Community Residential Zone
- Community Services & Government Offices
- Daycare/Childcare
- Medical/Dental/Vision/Massage/Chiropractic/Hearing Clinics
- Educational Institutions
- Indoor Recreation & Entertainment, Exhibition & Meeting Areas Less Than 10,000 Square Feet
- Commercial Parking
- General Offices, Including Drive Through
- Funeral Homes/Mortuaries
- Food Service, Restaurant, Catering
- General Retail Sales, Indoor Operations

These permitted uses include the conditional uses permitted with approval of a Conditional Use Permit and the supplemental zoning regulations and standards. Density and dimensional standards, signage, design, landscaping, parking and lighting standards for the CR or DMU zones will be applicable depending on type of use.



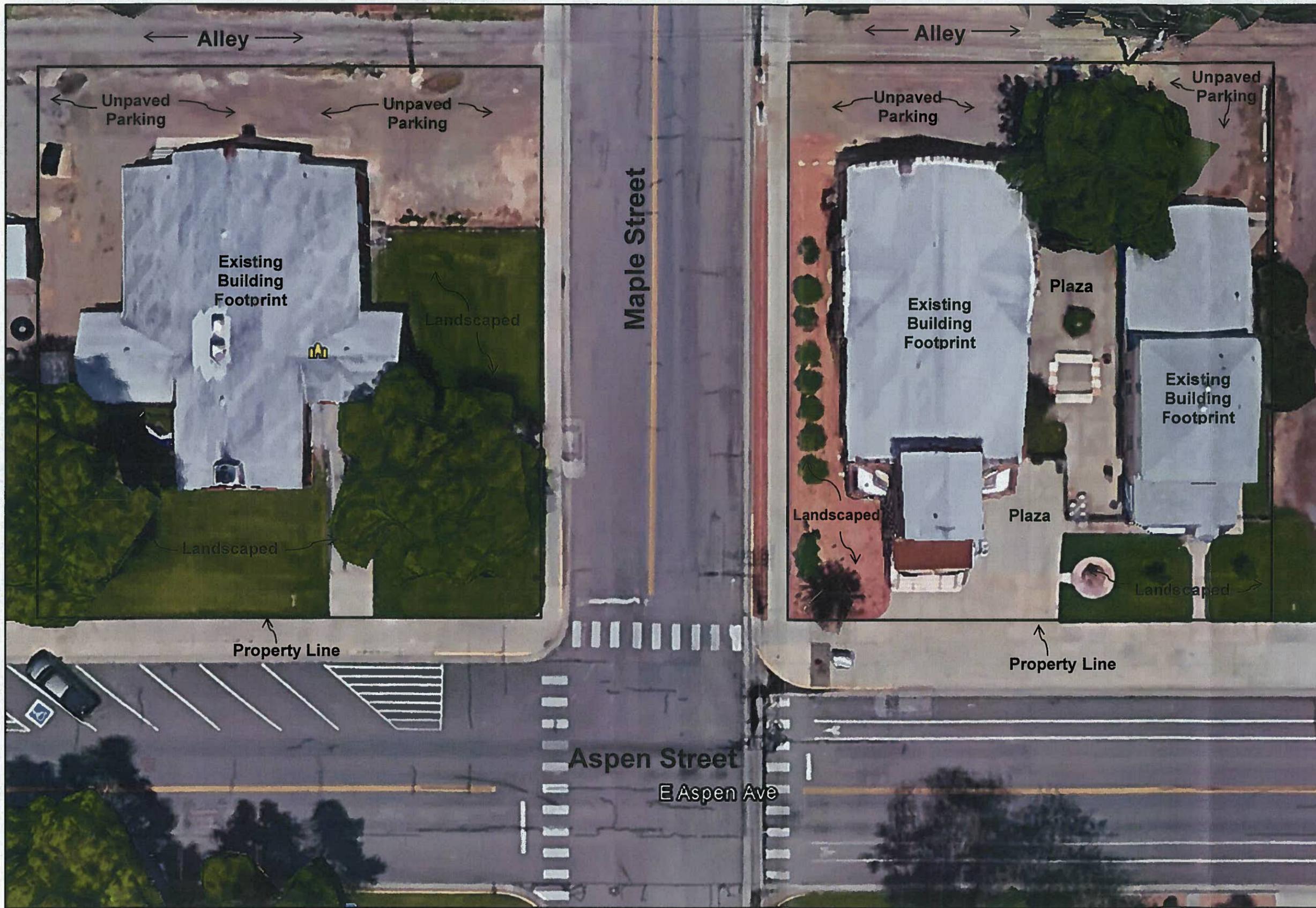
Vicinity Map



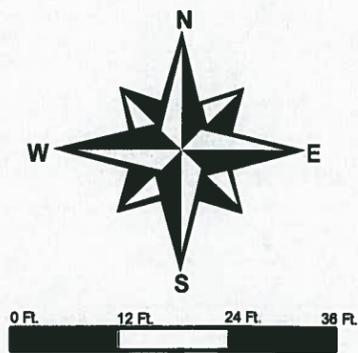
Sacred Heart Catholic Church

503 East Aspen Street
Fruita, CO 81521
Phone: (970) 858-9605
Fax (970) 639-9343

Version 1: 01-10-2016



PUD Site Map



**Sacred Heart
Catholic Church**
 503 East Aspen Street
 Fruita, CO 81521
 Phone: (970) 858-9605
 Fax (970) 639-9343

Version 1: 02-28-2016
 By: djf

Minutes from neighborhood meeting conducted on February 9, 2016, at 6:30 p.m. fifty-eight invitations were sent out six days in advance to property owners within 350 feet of the subject properties.

The meeting was called to order at 6:50 p.m. to allow ample time for prospective attendees to gather. Mike Yocom, residing at 142 N. Maple Street was the only property owner that attended the meeting. Six members of the Sacred Heart building committee were in attendance to answer questions. Lance Stewart, presented information pertaining to the proposed zone change from CR to PUD. After the presentation the committee members engaged Mr. Yocom in a discussion about the pros and cons of the proposed zone change. Mr. Yocom indicated that he figured that the neighboring properties would begin to be rezoned to allow for other uses, and was surprised that an application had not been submitted to the Town sooner. He is in favor of the zone change and approved of the proposed uses listed in the PUD Guide.

The committee members discussed the outcome of the meeting and concluded that the neighborhood all had more important matters than to attend the meeting, or supported the zone change. The meeting adjourned at 8:15 p.m.

You're Invited

Dear Neighbor;

You're invited to a gathering at the Sacred Heart Catholic Church parish hall on Aspen Avenue on Tuesday, February 9th at 6:30 p.m.

The purpose of this meeting is to provide you the opportunity to respond to an initiative to change the zoning of the church properties to Planned Unit Development (PUD) from residential. This change would allow the buildings to be used for any use listed in the residential zone category plus a few additional uses more commercial in nature. These additional uses could include, but not necessarily limited to, educational facilities, medical and financial offices and small gatherings and events. The change would not provide for uses like liquor stores, gas stations, service garages, hotels or fast food restaurants.

As you may know, the catholic congregation has out grown the facilities on Aspen Avenue and is building a new church on the north edge of Fruita. In order to fund this new facility it is extremely important that the existing properties can be sold. Unfortunately, there is not much demand for a facility ideally suited for worship, or a church that someone would like to make their home. Thus, the need and reasons to change the zoning. The change would provide for more uses that may be suited to the church facilities, are compatible with the unique residential neighborhood and provide a logical transition of the neighborhood to eventually blend into the downtown of Fruita, and provide a buffer for the community to the east of the Church.

Please plan on attending our meeting to learn more about how the PUD could possibly affect you and your property.

Thank you,

Lance Stewart
Sacred Heart Church Building Committee

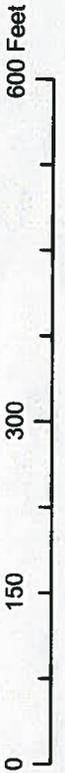
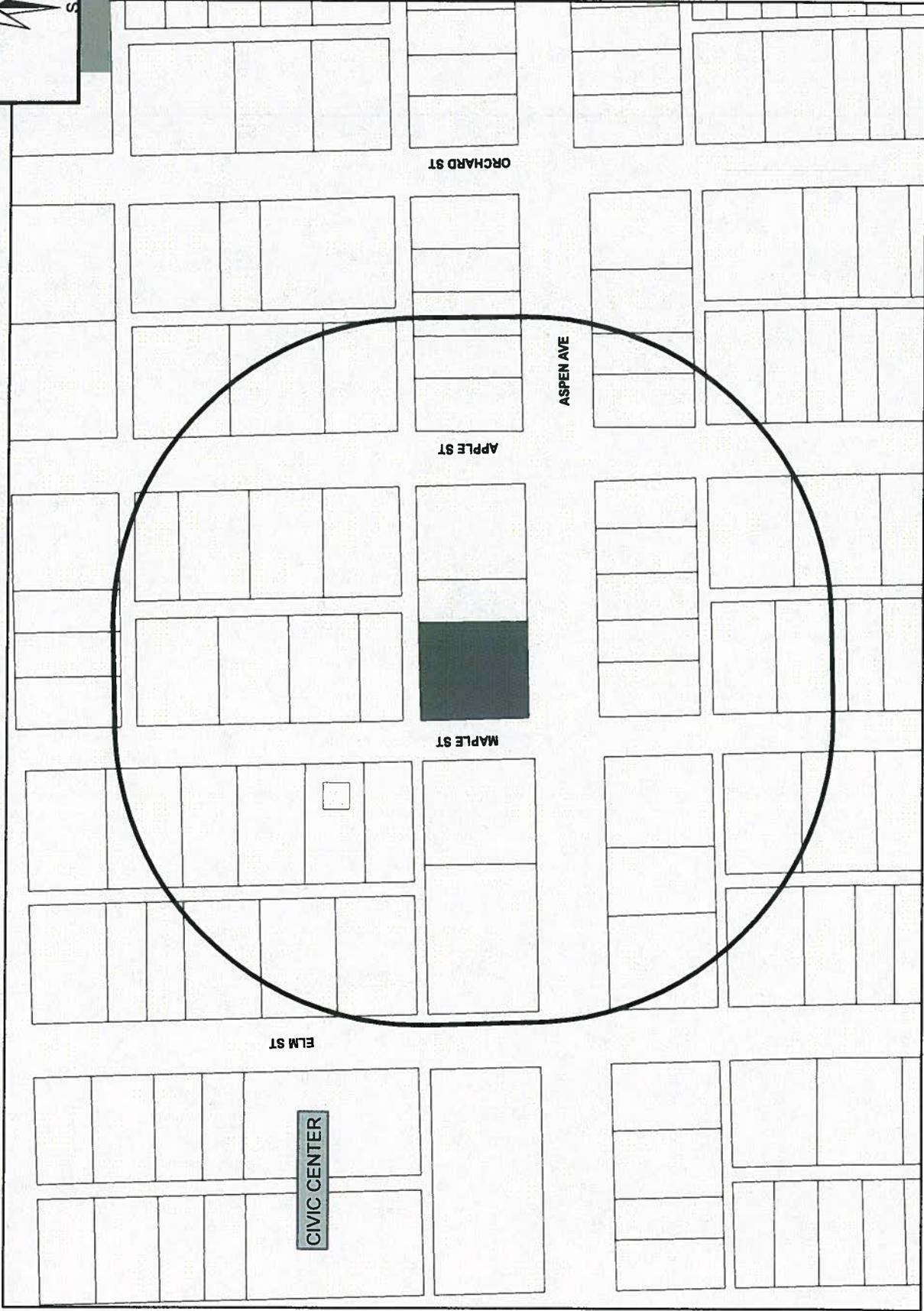
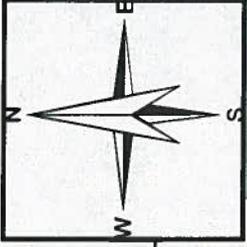
PLEASE
SIGN IN

Name	Address
MIKE Yocom	142 N. MAPLE
Chrysogonus Nwele	503 E Aspen
Dr. Jean Redwick	1140 Marigold Ct.

6 members of the building committee



350 foot buffer around 503 E. Aspen Ave.



** All parcels within the buffer circle would receive a notice by MAIL of a zone change.

OWNER	LOCATION	MAILING	CITY	ST	ZIP
BARNES BETTY R	177 N APPLE ST	177 N APPLE ST	FRUITA	CO	81521-2349
BULEN KELLY L	508 E PABOR AVE	508 E PABOR AVE	FRUITA	CO	81521-2327
GRIFFITH THOMAS R	506 E PABOR AVE	506 E PABOR AVE	FRUITA	CO	81521
WATSON BERNADETTE I	504 E PABOR AVE	504 E PABOR AVE	FRUITA	CO	81521-2327
TRIPP NEIL	159 N APPLE ST	159 N APPLE ST	FRUITA	CO	815212349
WILKINSON MARY L	152 N MAPLE ST	152 N MAPLE ST	FRUITA	CO	81521-2317
GONZALEZ RICHARD K		PO BOX 201	FRUITA	CO	81521-0201
YOCOM MICHAEL JAY	142 N MAPLE ST	142 N MAPLE ST	FRUITA	CO	81521-2317
GONZALES DEATRA E	141 N APPLE ST	141 N APPLE ST	FRUITA	CO	81521
HANSON KATHY L	136 N MAPLE ST	136 N MAPLE	FRUITA	CO	81521
GONZALEZ RICHARD	125 N APPLE ST	141 N APPLE ST	FRUITA	CO	81521
SHARP ROBIN LYNN	124 N MAPLE ST	124 N MAPLE ST	FRUITA	CO	81521-2317
KIRBY J D	525 E ASPEN AVE	525 E ASPEN AVE	FRUITA	CO	81521-2307
SACRED HEART CHURCH	503 E ASPEN AVE	433 E ASPEN AVE	FRUITA	CO	81521
GRENZ KATHERINE A	605 E ASPEN AVE	605 E ASPEN AVE	FRUITA	CO	81521-2305
LIZER WAYNE H	611 E ASPEN AVE	611 E ASPEN AVE	FRUITA	CO	81521-2305
KIMBLE CLAY H	617 E ASPEN AVE	617 E ASPEN AVE	FRUITA	CO	81521-2305
EVANS JOSHUA C	625 E ASPEN AVE	625 E ASPEN AVE	FRUITA	CO	81521-2305
MALAN LANA R	130 N APPLE ST	1531 LOWELL LN	GRAND JUNCTION	CO	81506-4003
MORRIS LOYD	152 N APPLE ST	2730 AMBER POND CT	GRANITE FALLS	NC	286308223
HAWTHORNE JERRY JAMES	534 E ASPEN AVE	534 E ASPEN AVE	FRUITA	CO	81521-2308
PETERSON YVONNE M	526 E ASPEN AVE	PO BOX 684	FRUITA	CO	81521-0684
LANSING JOSEPH G	506 E ASPEN AVE	506 E ASPEN AVE	FRUITA	CO	81521-2308
MUDD LOUIS V	126 S MAPLE ST	126 S MAPLE ST	FRUITA	CO	81521-2723
SWIHART BRENDAN	136 S MAPLE ST	136 S MAPLE SR	FRUITA	CO	815212723
BERG RUTH G	141 S APPLE ST	141 S APPLE ST	FRUITA	CO	81521-2702
ANDERSON CHRIS	146 S MAPLE ST	146 S MAPLE ST	FRUITA	CO	815212723
HENDRICKS GUSTAVE O	520 E ASPEN AVE	514 E ASPEN AVE	FRUITA	CO	81521-2308
HENDRICKS GUSTAVE O	514 E ASPEN AVE	514 E ASPEN AVE	FRUITA	CO	81521-2308
MEASE RICKIE W	127 S APPLE ST	127 S APPLE ST	FRUITA	CO	81521-2702
HUMMEL PATRICK	612 E ASPEN AVE	612 E ASPEN AVE	FRUITA	CO	81521
COLLINS ALLEN R	604 E ASPEN AVE	604 E ASPEN AVE	FRUITA	CO	81521
FIORE SHAY LYNN	126 S APPLE ST	126 S APPLE ST	FRUITA	CO	81521-2701

BERRY JOHN P	134 S APPLE ST	134 S APPLE ST	FRUITA	CO 81521-2701
READER SHIRLEY J	142 S APPLE ST	377 N PINE ST	FRUITA	CO 81521-2451
COWAN EVAN G	618 E ASPEN AVE	618 E ASPEN AVE	FRUITA	CO 81521
WAREHAM STEVE L	152 N ELM ST	152 N ELM ST	FRUITA	CO 81521-2207
LAFOND IRENE A	167 N MAPLE ST	167 N MAPLE ST	FRUITA	CO 815212318
BROUGHAM WILLIAM P	146 N ELM ST	146 N ELM ST	FRUITA	CO 81521
SCHMIDT CHRIS	132 N ELM ST	132 N ELM ST	FRUITA	CO 81521
GARDNER CHRISTOPHER L	151 N MAPLE ST	151 N MAPLE ST	FRUITA	CO 81521
BUCKLER BRIAN D	162 N ELM ST	1995 CUNNINGHAM CT	GRAND JUNCTION	CO 81507
BLACKWELDER TYLER	123 N MAPLE ST	123 N MAPLE ST	FRUITA	CO 81521
SHAW ROBYN A	133 N MAPLE ST	202 NORTH AVE UNIT 202	GRAND JUNCTION	CO 81501
CHARLES KENT & SANDRA KAY PACHECO LIV TRUST	141 N MAPLE ST	141 N MAPLE ST	FRUITA	CO 81521-2318
FRUITA UNITED METHODIST CHURCH INC	403 E ASPEN AVE	405 E ASPEN AVE	FRUITA	CO 81521-2201
SACRED HEART CATHOLIC CHURCH	433 E ASPEN AVE	433 E ASPEN AVE	FRUITA	CO 81521
DESIMONE PATRICIA A CUSTODIAN	418 E ASPEN AVE	21505 H RD	DELTA	CO 81416
HOLSTEIN BILL F	404 E ASPEN AVE	1390 MONUMENT CT	FRUITA	CO 81521-3053
HARVEY VERONICA DAEHN	124 S ELM ST	124 S ELM ST	FRUITA	CO 81521
SANDER RICHARD L	129 S MAPLE ST	129 S MAPLE ST	FRUITA	CO 81521-2724
PETERS LAURA	139 S MAPLE ST	139 S MAPLE ST	FRUITA	CO 81521
DAVIS TERESA	136 S ELM ST	136 S ELM ST	FRUITA	CO 81521-2601
CITY OF FRUITA	432 E ASPEN AVE	325 E ASPEN AVE	FRUITA	CO 81521
WOLFE HERMAN E	140 N APPLE ST	140 N APPLE ST	FRUITA	CO 81521-2348
BLUE HEAVEN LP		340 HIGHWAY 6 AND 50	FRUITA	CO 81521

Fruita Historic Preservation Board
325 E. Aspen Ave.
Fruita, CO 81521

Fruita Planning Commission
325 E. Aspen Ave.
Fruita, CO 81521

Dear fellow Fruitans:

It has come to our attention that the existing Sacred Heart Catholic Church buildings — the church, the adjacent historic two-story house, and the Parish Hall — and the lots they sit on are being put up for sale to raise funds to complete the church's new building. This comes as no surprise as it has been a part of the church's plan for many years, and it is clearly a necessary step in raising the funds needed.

It is our understanding, though, that the agenda for the next Fruita Planning Commission meeting on May 10th includes a request to consider re-zoning the properties, and then forwarding that recommendation to the Fruita City Council. There are several reasons we oppose re-zoning the properties:

1. The existing Sacred Heart Catholic Church building is a Fruita and Grand Valley landmark. It is the only building of its type that we know of in Mesa County. It is a beautiful and iconic example of its kind, and its very presence enriches Fruita.
2. It is the fourth oldest church building in Fruita. It was constructed of hand-hewn native sandstone in 1921 and 1922 to replace the existing St. Malachy Catholic Church, built in 1890 in Cleveland.
3. Likewise, although nowhere near as old, the Parish Hall is a very attractive and iconic structure that enhances Fruita through its existence.
4. There are no other commercial properties on that block or on any adjacent blocks. The area is zoned residential, and rezoning these lots as anything other than residential could result in reduced property values for adjacent homes and properties unless they, too, are re-zoned. This could further result in a slow flight away from the rezoned parcels(s) and a hollowing-out of residential downtown Fruita.
5. The buildings are ill-suited for many if not most commercial ventures, and before any new businesses go into them, they must be certified as conforming to current building and fire codes. This could require cost-prohibitive remodeling that, coupled with other structural oddities that their original designs and purposes necessitated, could simply make it more cost-effective for a developer to raze the buildings and replace them with others that are purpose-built. This threat to the continued existence of the buildings is multiplied by the presumably greater taxes on them after re-zoning.
6. Re-zoning might usher in the beginning of a long-term decline in the maintenance of the buildings even if they are not razed, due to the realization on the part of future buyers of the costs of maintenance, taxes, and re-modeling needed to meet building and fire codes.

It would be our preference that the lots not be re-zoned; however, should that be the Fruita Planning Commission's recommendation to the Fruita City Council, we encourage that a restriction be placed on the re-zoning resolution, namely that the buildings themselves must remain intact because of their architectural and historical significance and their importance to Fruita's character.

Thank you for your consideration of this matter.

Fruita Historic Preservation Board
May 2, 2016

LOWER VALLEY FIRE PROTECTION DISTRICT

168 N. Mesa

Fruita, CO. 81521

Phone: (970) 858-3133 Fax: (970) 858-7189

April 6, 2016

City of Fruita
Community Development Department
325 East Aspen
Fruita, CO 81521

2016-07 Sacred Heart Church
Application: Zone Change
Applicant: Lance Stewart
Location: 503 East Aspen
Zone: Community Residential

Review Comments are for zone change only:

No objection to changing zone to a PUD.

Richard Pippenger
Fire Marshal

Ute Water Conservancy District

Date: 20 April 2016

Review Number	2016-07
Review Name	Zone Change for 503 E. Aspen

- **No objection.**
- **ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.**

If you have any questions concerning any of this, please feel free to contact Ute Water.

David Priske P. E.

Engineering Department, Ute Water

Jim Daugherty

New Services Coordinator, Ute Water

PHONE OFFICE 242-7491

FAX 242-9189

EMAIL jdaugherty@utewater.org

Henry Hemphill

From: Hendricks, Scott [scott.hendricks@xcelenergy.com]
Sent: Wednesday, April 06, 2016 7:10 AM
To: Henry Hemphill
Subject: RE: Projects for your review

Henry,

Application #: 2016-07
Application Name: Sacred Heart Church
Applicant: Lance Stewart
Application Type: Zone Change
Zone: Community Residential
Location: 503 E. Aspen Avenue

I have reviewed this project and have no objections at this time

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. Any and all existing & future Xcel Energy facilities must be granted easement.

Thanks, Scott H.

Scott Hendricks

Xcel Energy | Responsible By Nature
Planner / Design Department
2538 Blichman Avenue, Grand Junction, CO 81505
P: 970.244.2727 F: 970.244.2606
E: scott.hendricks@xcelenergy.com

From: Henry Hemphill [mailto:hhemphill@fruita.org]
Sent: Tuesday, April 05, 2016 12:31 PM
To: Hendricks, Scott; jdaugherty@utewater.org; daniel.roussin@state.co.us; arthur.valdez@charter.com; Dick Pippenger; Mark Angelo; ed@sandslawoffice.com; darrell.bay@mesacounty.us
Cc: Dahna Raugh
Subject: Projects for your review

XCEL ENERGY SECURITY NOTICE: This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please visit the Phishing page on XpressNET.

A re-submittal of a Site Design Review for Fruita Liquor Mart.

- <http://www.fruita.org/cd/page/2015-10-fruita-liquor-mart>

A request for a zone change at 503 E. Aspen Avenue.

- <http://www.fruita.org/cd/page/2016-07-zone-change-503-e-aspen>

Attached are formal review sheets with due dates on them as well.

Please email comments to hhemphill@fruita.org

Thank you for your time!

Henry Hemphill
City of Fruita
Planning Tech.
970-858-0786
[**hhemphill@fruita.org**](mailto:hhemphill@fruita.org)
[**www.fruita.org/cd**](http://www.fruita.org/cd)