



450 S. Parish Avenue
Johnstown, CO 80534
970.587.4664
JohnstownCO.gov

PLANNING & ZONING COMMISSION REGULAR MEETING

450 S. Parish, Johnstown, CO
Wednesday, September 25, 2024 at 6:00 PM

MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Planning & Zoning Commission Minutes-August 14, 2024

PUBLIC COMMENTS - Regarding items and issues not included as a Public Hearing on this Agenda (limited to 3 minutes each)

NEW BUSINESS

2. Public Hearing – Removal of Certain Property from Maxfield ODP and Zone Change from PUD-MU to I-1
3. Public Hearing – Zoning Case No. ANX23-0001 for the Blue Spruce Ridge Annexation
4. Public Hearing – Subdivision Case No. SUB23-0021 which includes a Preliminary Plat and Change of Zone for Waggoner Farm

DEPARTMENTAL REPORT

COMMISSIONER REPORTS AND COMMENTS

ADJOURN

AMERICANS WITH DISABILITIES ACT NOTICE

In accordance with the Americans with Disabilities Act and other applicable laws, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at 970-587-4664 no later than 48 hours before the meeting in order to request such assistance.

De conformidad con la Ley de Discapacitados Estadounidenses y otras leyes vigentes, los individuos que necesitan adaptaciones funcionales para asistir o participar en esta reunión deberán comunicarse con la Municipalidad marcando el 970 587- 4664 a lo más tardar 48 horas antes de dicha reunión para solicitarla.



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Item 1.

PLANNING & ZONING COMMISSION REGULAR MEETING

450 S. Parish, Johnstown, CO
Wednesday, August 14, 2024 at 6:00 PM

MINUTES

CALL TO ORDER

Chair Grentz called the meeting to order at 6:00 pm

ROLL CALL

Commissioners Abel, Bailey, Flores, Jeanneret, Urban, and Chair Grentz were all present.

Commissioner Campbell was absent and excused.

APPROVAL OF AGENDA

A motion was made to approve the Agenda by Commissioner Flores & Seconded by Commissioner Urban. The motion passed 6/0.

APPROVAL OF MINUTES

A motion to approve the July 10, 2024 Meeting was made by Commissioner Jeanneret and seconded by Commissioner Urban. The motion passed 4/0/2 with Commissioners Flores & Bailey abstaining.

PUBLIC COMMENTS - *Regarding items and issues not included as a Public Hearing on this Agenda (limited to 3 minutes each)*

NEW BUSINESS

1. Public Hearing: Annexation and Zoning Case No. ANX24-0001 for the Archdiocese Annexation 4 & 5

James Shrout, Planner I from staff presented the project and highlighted the standard of Annexation. No applicant was present to make comments

Motion to recommend approval by Commissioner Flores and seconded by Commissioner Jeanneret

Motion passed 6/0

2. Public Hearing: Subdivision Case No. SUB22-0008 for Filing No. 1 of Podtburg Golf Course and Final Development Plan

Jeremey Gleim, Planning Director, presented the project and highlighted the history and current status of the project. No questions were asked of Staff.

The applicant was present to go over a high-level overview of the project timeline and purpose. The Commission asked questions related to traffic along with some concerns of future improvements that occur over time. The applicant's traffic engineer addressed concerns related to future improvements. No further questions were asked of the applicant.

The public hearing was opened by Chair Grentz. Residents within the Northmoor Acres Community brought up concerns regarding the timeline on the project along with concerns related to access and improvements in the future.

The public hearing was closed.

Motion to recommend approval by Commissioner Flores and seconded by Commissioner Abel

Motion passed 6/0

DEPARTMENTAL REPORT

COMMISSIONER REPORTS AND COMMENTS

ADJOURN



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Item 2.

Planning and Zoning Commission Agenda Memorandum

AGENDA DATE: September 25, 2024

SUBJECT: Removal of Certain Property from Maxfield ODP and Zone Change from PUD-MU to I-1

ACTION PROPOSED: Public Hearing to Consider the following:
A. Recommendation for removing property from the Maxfield ODP Zoned as PUD-MU and Rezone to I-1.

LOCATION: A Parcel of Land Located in that part of the Northwest Quarter of the Southwest Quarter of Section 13, Township 5 North, Range 68 West of the 6th P.M., Larimer County, Colorado.
652 N County Rd. 3, Johnstown, CO 80534

APPLICANT: Titan Development (Titan Property Management, LLC)

ATTACHMENTS:

1. Justification Letter
2. Owner Support Letter
3. Traffic Analysis
4. Vicinity Map
5. Maxfield ODP
6. Staff Presentation

James Shrout, Planner I

PRESENTED BY:

BACKGROUND & SUMMARY

The applicant, Titan Property Management, LLC is seeking to remove a parcel of land from the approved Maxfield ODP, zoned as PUD-MU, and rezone the property to I-1, Industrial Light. The property subject to this rezone is approximately 13.7 acres and is south of the Great Western Railway on the east side of North County Rd. 3 (CR 3) and north of East County Rd. 20C.

The subject property was annexed into the Town of Johnstown under Ordinance 2007-787 and zoned by way of Ordinance 2007-788. Prior to the annexation and zoning of the Maxfield Property, the subject property had been zoned by Larimer County as Agriculture 1. Approval of the Maxfield

Annexation and ODP indicates that the area is designated as PUD-MU to allow for a mixture of office, retail/commercial, and residential uses.

The Maxfield ODP comprised lands on both sides of CR 3. The lands subject to the Maxfield ODP which are located on the west side of CR 3 were developed in 2015 as Thompson Crossing 2. Lands on the east of CR 3 which are subject to the Maxfield ODP have not been developed.

SURROUNDING ZONING & LAND USE

North: PUD-MU (Mixed Use) - Johnstown – Iron Horse (Ordinance 2006-772)
 South: Agricultural – Unincorporated Larimer County
 East: PUD-MU (Mixed Use) - Maxfield (Ordinance 2007-788)
 West: PUD-R (Residential) – Johnstown - Thompson Crossing II (Resolution 2014-05)

PUBLIC NOTICE & AGENCY REFERRALS

Notices were mailed to all property owners within 800 feet of the property subject to this public hearing on September 5, 2024. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notice for the Planning & Zoning Commission hearing was published in the local newspaper of widest circulation, the Johnstown Breeze, on Thursday, September 12, 2024. On September 13, 2024, a notice of public hearing sign was placed on the subject property by the applicant to provide notice to passing motorists of the public hearing.

PROJECT DESCRIPTION & ANALYSIS

Prior to the current zoning of the land, the subject property was zoned agricultural in Larimer County and included upwards of 160 acres. The subject property contains a few improvements including residential and accessory structures to support the prior agricultural needs of the land.

Titan Property Management, LLC, has identified a potential use of the land as a warehouse facility. Under the current zoning, a warehouse/storage facility is not a permitted allowable use, thus necessitating this rezone request. Except for the residential subdivision on the west side of County Rd. 3, much of the surrounding area is zoned light industrial or agricultural. The architectural design of the warehouse facility would be similar to what currently exists within a one-mile radius of the subject property. Under a rezone, the development of the parcel would need to meet all the zoning standards of the Johnstown Land Use and Development Code.

After due consideration of the approved traffic study from the Maxfield ODP zoning, the subject property would have significantly less traffic as indicated in the updated traffic analysis as a warehouse facility. Under the current PUD-MU zoning, the traffic study indicated that residential uses would have an average traffic count of 2,267 daily trips, while the proposed Industrial Light zoning would yield an average traffic count of 770 daily trips. An automated railroad crossing guard may be required as part of the public roadway improvements to further protect public safety, as there are no current safety measures in place. Consideration and determination on railroad safety features would be analyzed subsequent to the rezone as part of a future Site Plan Development application.

NEIGHBORHOOD MEETING

On August 7, 2024, a neighborhood meeting was held at the Loveland Fire Rescue Authority Station Number 10. Notices advertising this meeting were mailed to all property owners within 800 feet of the subject property. Three (3) members of the community attended this neighborhood meeting to ask questions and raise concerns about the proposed change in zoning. During the neighborhood meeting, the applicant team indicated that the plans for land use include manufacturing, general warehousing, and experimental testing and research laboratories. Further conversations included the use of the structure as a life science, research laboratory, and distribution (Class A Industrial), which was described to those in concern as a very clean type of manufacturing facility. Titan Property Management indicated that the ideal tenant for the buildings would include the likes of those nearby including building supplies, food and beverage (Swire Coca-Cola, Molson-Coors, King Soopers Distribution), and general distribution, such as Amazon or the FedEx Ground building to the north. Titan Property Management indicated to the concerned residents they are not interested in heavy industrial users that would pour malodorous plumes into the air, as that would not be supported by the Town of Johnstown.

ZONING & DEVELOPMENT STANDARDS

Titan Property Management indicated during the neighborhood meeting that they are underwriting for four (4) buildings, but that there could be as many as six (6) buildings in total or as few as one (1) to support the proposed activity. Site development plans have not been received by the Town of Johnstown for review. Titan Development provided examples of the proposed building types during the neighborhood meeting and also pointed to the various buildings in the surrounding area of the Loveland Fire Rescue Authority Station Number 10 as the architectural types desired for future development.

The Town of Johnstown Land Use and Development Code identifies the following criteria for review of a rezone proposal decision:

1. The rezone furthers one or more of the purposes of these regulations in Section 17-1-3, and on balance any purposes that may be undermined are outweighed by the benefits of the purposes it furthers.
2. The proposal is consistent with the goals and objectives of the Comprehensive Plan and any other plan, policy, or guidance adopted pursuant to that plan.
3. The change is consistent with the intent of the proposed zoning district, specifically considering:
 - a. The design of streets, civic spaces, and other open space;
 - b. The pattern, scale, and format of buildings and sites; and
 - c. The compatibility and transition with other complementary uses and development in the vicinity.
4. The change is necessary for at least one of the following reasons:
 - a. There has been a material change in the character of the area or in the Town generally, such that the proposed rezone is in the public interest.
 - b. The change will serve a community need or provide an amenity or benefit to the surrounding area that was not anticipated at the time of the initial zoning.
5. The town or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.

6. Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design, and engineering practices or are outweighed by broader public benefits to the surrounding community.
7. If owner initiated, at least two-thirds of the subject property owners within the change zone boundary have signed the application.
8. If owner initiated, the subject property has not been included in a rezone action in the prior 12 months, with the exception of property in the H-A zoning district which was established concurrently with annexation.
9. The recommendations of any professional staff and advisory review bodies have been considered.

COMPREHENSIVE PLAN ALIGNMENT

The current zoning for the property is defined as PUD-MU, to allow for mixed-use of office, retail, commercial and residential uses. The Johnstown Future Land Use map identifies this area as Medium Density/Intensity (MDI). The MDI may serve as a transition layer between the High Density/Intensity area to the north and the lower density (agricultural) to the south, which also serves as a buffer to the greenway and 100-year floodplain area.

The Town of Johnstown Comprehensive Plan defines compatible land use as a land use which may by virtue of the characteristics of its discernible outward effects, exist in harmony with an adjoining land use of differing character. Effects often measured to determine compatibility include, but are not limited to noise, odor, light, and the presence of physical hazards such as combustible or explosive materials.

STRATEGIC PLAN ALIGNMENT

- Natural & Built Environment
 - *Guide growth in the community through appropriate annexation, zoning, planning, and land use development.*

Staff finds that the proposed rezone is consistent with the goal and strategy referenced above, pursuant to the adopted Johnstown Strategic Plan.

LEGAL ADVICE:

The Town Attorney provided the Ordinance for the proposed rezone.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION:

Staff recommends approval of this change of zone request pursuant to findings of fact listed below:

1. ***The rezone furthers one or more of the purposes of these regulations in Section 17-1-3, and on balance any purposes that may be undermined are outweighed by the benefits of the purposes it furthers, because:***

This rezone will ensure the long-term value and the physical, social, and economic well-being of the residents and businesses through coordinated public and private investment. This rezone will promote planning and urban design that emphasizes distinct places and unique elements of community character throughout Johnstown. The rezone will assist in the division of the town into zones and districts that promote the character, intensity, and development patterns of distinct places identified in the Comprehensive Plan. This rezone will create compatibility within the area and will be transitional between complimentary districts, uses, and buildings.

2. ***The proposal is consistent with the goals and objectives of the Comprehensive Plan and any other plan, policy, or guidance adopted pursuant to that plan, because:***

This proposal is consistent with Goal W1 of the Comprehensive Plan by strengthening employment centers to diversify the Town's economic base and provide more jobs within the corporate boundaries of the Town.

3. ***The change is consistent with the intent of the proposed zoning district, specifically considering, because:***

- a. *In the design of streets, civic spaces, and other open spaces;* High Plains Boulevard is anticipated to receive significant improvements over time that will include coordination with CDOT (Colorado Department of Transportation).
- b. *The pattern, scale, and format of buildings and sites;* With approximately 13.7 acres to be rezoned as I-1, the pattern, scale, and format of the buildings can be easily negotiated to lessen the impact on the residential area, as governed by the Land Use and Development Code.
- c. *The compatibility and transition with other complementary uses and development in the vicinity.* By virtue of the characteristics of its discernible outward effects, the property would exist in harmony with an adjoining land use of differing character. Effects often measured to determine compatibility include, but are not limited to noise, odor, light, and the presence of physical hazards such as combustible or explosive materials.

4. ***The change is necessary for at least one of the following reasons, because:***

- a. *There has been a material change in the character of the area or in the Town generally, such that the proposed rezone is in the public interest.* There are numerous light industrial service types within a one-mile radius of the proposed rezone. This rezone would not significantly alter the character of the area due to the manufacturing and warehouse facilities in the vicinity of the proposed rezone.
- b. *The change will serve a community need or provide an amenity or benefit to the surrounding area that was not anticipated at the time of the initial zoning.* The change will serve a community need and benefit to the surrounding area by

diversifying employment options within the northeastern corporate boundaries of the Town.

5. ***The town or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district, because:***

The Town and other responsible agencies have services in the vicinity of the project site and have the ability to provide said services necessary for the anticipated use in the proposed district.

6. ***Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design, and engineering practices or are outweighed by broader public benefits to the surrounding community, because:***

The subject property will be governed by the adopted Land Use and Development Code to lessen the impact on adjacent property owners. Similar zoning designations exist to the immediate north of the subject property, so the current request constitutes a reasonable extension of existing land use patterns. The impacts on neighboring zoning districts will be mitigated by sound planning and design to reduce visual, auditory, and olfactory impacts.

7. ***If owner initiated, at least two-thirds of the subject property owners within the change zone boundary have signed the application, because:***

One property is subject to this proposed change in zoning and is owner-initiated.

8. ***If owner initiated, the subject property has not been included in a rezone action in the prior 12 months, with the exception of property in the H-A zoning district which was established concurrent with annexation, because:***

The subject property has not been included in a rezone action in the previous 12 months.

SUGGESTED MOTIONS:

ORDINANCE 2024-258

For Approval: I move that the Planning & Zoning Commission recommends that the Town Council **APPROVE** Ordinance No. 2024-258; removing approximately 13.7 acres of land from the Maxfield ODP and establish I-1, Industrial Light zoning in its place.

For Denial: I move that the Planning & Zoning Commission recommends that the Town Council **DENY** Ordinance No. 2024-258



June 10, 2024

Jeremy Gleim
Planning Director
Town of Johnstown
jgleim@johnstownco.gov

Re: Request for Zone Change from PUD-MU to I-1 and Removal from the Maxfield Annexation ODP for the Zeiler Property

Titan Development, as the contract purchaser of the Property located at 652 N County Road 3 in Johnstown, CO, and with support and approval from the current Property Owner, requests approval from the City of Johnstown for a zoning change from PUD-MU to I-1 and removal from the Maxfield Outline Development Plan (“ODP”). The current zoning allows for a wide variety of uses, including light industrial, office, commercial, and residential, and is no longer the appropriate designation for the subject Property.

The proposed I-1 zone will allow for light industrial uses similar to the tenant mix seen at both Trade @ 2534 and Ironhorse, both of which are adjacent to the subject Property. The I-1 zone will allow for most commercial and manufacturing/industrial uses outlined in the Town’s Land Use and Development Code, but does not allow for heavier industrial uses such as Industrial Service, Heavy, or Manufacturing, Heavy, while some uses, such as Outdoor Storage, is allowed subject to a Special Review by the Town. The I-1 zone allows for users that will attract and retain strong economic base jobs for Johnstown residents.

The 2534 trade area has experienced significant change and growth over recent history, lending itself to a mixed-use environment with various types of retail, higher density housing, and light industrial uses bringing economic base jobs to the area. Growing around the intersection of the State’s largest interstate, and a major highway connecting Greeley to I-25, the trade area has become an important hub for the Town of Johnstown. Furthermore, the Town’s 2021 Future Land Use Plan considered the current and future growth of the area surrounding 2534 by identifying the subject Property as Medium Intensity and directly adjacent to High Intensity. Given the adjacent light industrial uses to the north, and the railroad bordering the northern boundary of the Property, the Medium Intensity and High Intensity designations are more than appropriate as a future land use designation considering the current path of growth.

Infrastructure growth of the area remains an important piece to the development of the 2534 area. The applicant has and will continue to interface with the appropriate authorities regarding the expansion of LCR 3 / High Plains Blvd, which will ultimately be designated as a Major Arterial, taking additional right-of-way from the Property, and will be appropriate for the non-residential uses allowed within the I-1 zone.

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The analysis below outlines how the proposed zone change request meets and furthers the criteria for approval outlined in Section 17-2-3 of the Town's Land Use and Development Code.

CRITERIA 1: The rezone furthers one or more of the purposes of these regulations in Section 17-1-3, and on balance any purposes that may be undermined are outweighed by the benefits of those purposes it furthers.

Applicant Response: As it relates to the regulations outlined in Section 17-1-3, the proposed request furthers the majority of these provisions and promotes the public safety, health, and general welfare of the community. The proposed request furthers the goals, strategies, and opportunities outlined in the Town's Comprehensive Plan, as further described below, and enhances the economic well-being of the community by allowing for long-term economic-base jobs created by future buildings and tenants. Future building design, although not a part of this request, will naturally front office and vehicle parking towards the LCR 3 / High Plains Blvd, thus promoting proper, safe, and organized site design.

The proposed zoning request will allow for light industrial uses, which are adjacent to other light industrial uses, and ultimately consistent with the Town's Future Land Use Plan that is intended to guide growth in Johnstown throughout the future. The I-1 zone is appropriately located due to proximity to both State Highway 34 and Interstate 25 allowing for quick access to regional thoroughfares. Lastly, the proposed zone change and future development on the Property will have adequate water shares, utility capacity, and roadways for the intended future use of light industrial.

CRITERIA 2: The proposal is consistent with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.

Applicant Response: The applicant has reviewed the approved 2021 Johnstown Area Comprehensive Plan and the proposed request furthers many of the goals, strategies, and opportunities guiding the area's future, as outlined below:

Goal W1 | Strengthen employment centers to diversify the town's economic base and provide jobs.

Jobs created as a result of the proposed zone change will directly strengthen the 2534 employment center and diversify the Town's economic base. The proposed zoning will allow for the creation of important economic base jobs, including job sectors such as light manufacturing, warehousing and distribution, high-tech, pharmaceuticals, and life sciences. The job sectors will utilize a diverse labor skill set to provide jobs at both ends of the economic spectrum. The proposed request will also further an Opportunity identified in the Comprehensive Plan stating: "Assess the desire and potential location for different industrial types (i.e. manufacturing end user goods) that may help promote local employment." The I-1 zoning will allow for several different industrial types, as

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outlined above, and will strongly utilize a local job base due to the proximity to a strong labor force within Johnstown.

Goal W2 | Balance more intense commercial uses along major highway corridors while having neighborhood-scale commercial in the downtown and throughout the community to ensure convenient access to jobs, goods, and services for all residents.

The proposed zone change request directly furthers Goal W2 as outlined in the Comprehensive Plan. The subject Property is located less than 2 miles from Interstate 25 and less than a half mile from a major highway. The Property is also located along a future Major Arterial, as designated by the Town's Master Transportation Plan, which will further enhance access to Highway 34 and ultimately Interstate 25 for more intense commercial uses as allowed in the I-1 zone. The location on the periphery of Town is well suited for I-1 zoning and further confirmed by an Opportunity outlined in the Comprehensive Plan: "Seek to balance larger, more intense commercial uses along the periphery of town and major corridors, while encouraging smaller, more local, "boutique" commercial uses in Downtown." This use is not only appropriately located on the periphery of town with strong access to major thoroughfares, but is also adjacent to other similar uses strengthening the area as a heavier commercial corridor bringing economic base jobs to the community.

Goal M2 | Align transportation and economic efforts to support and promote the local economy.

Approving the proposed zone change at the subject Property will directly align transportation and economic efforts thus enhancing the local economy. I-1 uses are meant to be located near and adjacent to major thoroughfares. As previously mentioned, the Property is located adjacent to a future Major Arterial, is within .5 miles of State Highway 34, and within 2 miles of Interstate 25. Locating I-1 uses adjacent to these thoroughfares will serve as an attraction and retention strategy for companies looking to locate within Johnstown; ultimately bringing economic base jobs to the community.

Goal S1 | Direct community growth in a manner that will provide for the efficient and effective extension of public services and facilities.

Although the subject Property is located within an existing commercial corridor, both wet/dry utilities and road infrastructure will need to be partially extended to the Property to serve future development. The applicant will be working with Town staff on the exact scope of the infrastructure, and ultimately allowing for an efficient extension of public services and infrastructure that will facilitate the connection of Highway 34 to County Road 18 and other keys areas of the Town.

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CRITERIA 3: The change is consistent with the intent of the proposed zoning district, specifically considering:

- a. the design of streets, civic spaces and other open space;
- b. the pattern, scale, and format of buildings and sites; and
- c. the compatibility and transition with other complementary uses and development in the vicinity.

Applicant Response: The proposed zone change will further the area's growth as the Town's largest commercial trade area by allowing for certain light industrial uses consistent with the surrounding properties. The proposed zone change is complimentary and compatible to the adjacent Trade @ 2534 and Ironhorse projects, both of which are occupied by light industrial uses. Additionally, the Property's location adjacent to existing railroad further emphasizes the need for light industrial uses that often times will utilize a railroad to transport goods, and is not dissuaded from the noise generated by a railroad. Although a Site Development Plan has not been included with this request, the planned building design will locate both office uses and vehicle parking closer to LCR 3 / High Plains Blvd, thus keeping more light industrial type of uses to the rear of the buildings and away from both LCR 3 / High Plains Blvd and the adjacent neighborhood.

CRITERIA 4: The change is necessary for at least one of the following reasons:

- a. There has been a material change in the character of the area or in the Town generally, such that the proposed rezone is in the public interest.

Applicant Response: The 2534 trade area has changed materially over the past 17 years and the proposed rezone is in the best interest of the public interest. The Maxfield Annexation ODP was approved in 2007 prior to the expansion of the 2534 trade area and overall growth of northern Colorado. Even since 2010, Larimer County has grown over 24% in population, while the adjacent Weld County has grown by almost 42% in population. This growth represents a total influx of approximately 180,000 new residents. When the existing zoning was approved in 2007, this expansive growth was not contemplated and considered at that time. The zone change request furthers the public interest and the health, safety, and general welfare of the community by allowing for the creation of strong and diverse economic base jobs for local residents and ultimately expanding the economic productivity of the region for future generations. The 2534 trade area has become a strong economic and commercial hub for the region due to the natural location adjacent to major thoroughfares. With that said, the proposed zone change will allow for uses consistent with the immediately surrounding area and for this reason is in the best interest of the public, as compared to an area closer to downtown Johnstown.

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CRITERIA 5: The Town or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.

Applicant Response: The applicant has worked with the applicable authorities to confirm that road, water, sewer, electricity, gas, and telecommunications/fiber are adjacent to the Property and/or future connection is possible in capacities suitable for uses in the I-1 zoning district.

CRITERIA 6: Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.

Applicant Response: Although the Site Development Plan has not been submitted to the Town of Johnstown staff for review and approval, the intent of the I-1 zone is for light industrial uses. The uses allowed in the I-1 zone are consistent with those uses currently existing both to the north (Ironhorse) and northwest (Trade @ 2534). As outlined throughout the letter, the I-1 uses are suitable for Property, which is located near a major interstate and highway, and adjacent to active railroad tracks, both of which are existing conditions on the subject Property. Furthermore, the likely building design of future development on the Property will be tilt-up construction featuring vehicle parking and office uses in the front and dock doors in the rear. Although not finalized at this time, the natural configuration of the future N County Road 3 buildings would put the vehicle parking and office uses facing west towards the existing neighborhood and the dock doors facing towards the east. Facing the front of the building towards the neighborhood is intentional to provide greater public benefit to the nearby community.

CRITERIA 7: If owner-initiated, at least two-thirds of the subject property owners within the change of zone boundary have signed the application.

Applicant Response: The proposed request is not owner initiated.

CRITERIA 8: If owner-initiated, the subject property has not been included in a rezone action in the prior 12 months, with the exception of property in the H-A zoning district which was established concurrent with annexation.

Applicant Response: The proposed request is not owner initiated and has not been included in a rezone action in the prior 12 months.

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CRITERIA 9: The recommendations of any professional staff and advisory review bodies have been considered.

Applicant Response: No response required.

Thank you for considering our request and we look forward to working with the Town of Johnstown on this important project. I can be reached at (505) 261-1176 or sperdomo@titan-development.com to discuss this application or answer any questions.

Thank you,

A handwritten signature in blue ink, appearing to read 'Sal Perdomo'.

Sal Perdomo
Director of Acquisitions and Development
Titan Development

CC: Sarah Crosthwaite, Town of Johnstown
Joe Iannacone, Titan Development
Bryan Baynton, Titan Development
Bryan Byrd, Titan Development
Ryan Schaefer, NAI Affinity
Marc Robson, NAI Affinity

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June 3, 2024

Mr. Jeremy Gleim
Planning & Development Director
Town of Johnstown
450 S. Parish Ave
Johnstown, CO 80534

RE: Property Owner Support and Authorization for Zone Change Request at 652 N County Road 3

Dear Mr. Gleim,

As owner of the Property located at 652 N County Road 3, I am writing to express our support and authorization for Titan Development, operating as Titan Property Management, LLC, to submit a request for a zone change for the Property. The proposed request aims to rezone the Property from PUD-MU to I-1.

Thank you for your attention to this matter.

Sincerely,

Carol J. Maxfield
Manager,
Zield Enterprises LLC



DB Enterprise, LLC
4771 So. Danube Circle
Aurora, Colorado 80015

Phone: (720) 231-1947
E-Mail: druble.jr@comcast.net

Item 2.

May 24, 2024

Mr. Sal Perdomo
Director of Acquisition and Development
Titan Development
6300 Riverside Plaza, Suite 200
Albuquerque, New Mexico 87120

Re: Titan-Zeiler Warehouse Project
Johnstown, Colorado

Dear Mr. Perdomo:

I have completed my traffic analysis of the rezoning for the proposed Titan-Zeiler Warehouse Project. The attached Figure 1 depicts the location of the proposed warehouse project with respect to the surrounding area. The site is bounded by Highplains Boulevard on the west, the Great Western Rail Line on the north, agricultural land on the east, and East County Road 20C on the south. The proposed warehouse project is located on 39.16 acres of land.

The current zoning is PUD-MU, Planned Unit Development-Mixed-Use District. The purpose of this zoning is created to "allow the integration of residential, commercial, and industrial development within an area so as to facilitate the formation of a self-sustaining project." The proposed Titan-Zeiler Warehouse Project will be zoned I-1

For the purposes of this analysis, it has been assumed that the site will contain 120 single-family detached housing and 250 apartments. This density is similar to the existing residential development located on the west side of Highplains Boulevard. The proposed zoning for the site is I-1. The size of the proposed Titan-Zeiler Warehouse Project will be 550,000 square feet. The land use category that is being used for this analysis is Land Use Category 154 – High-Cube Transload and Short-Term Storage Warehouse. This land use category is defined as a "building that typically has at least 200,000 gross square feet of floor area." The primary use is "for the storage and/or consolidation of manufactured goods (and to a lesser extent, raw material) prior to their distribution to retail locations or other warehouses."

With the site being located directly south of the Great Western Rail Line, a development like the Titan-Zeiler Warehouse Project is a logical use of the land. There may be an opportunity for building a rail spur into the site which would be used to deliver finished products to the site rather than trucking the finished products into the site.

Trip Generation Comparison

The existing zoning could contain 120 single-family detached housing units and 250 apartments. The proposed Titan-Zeiler Warehouse Project will contain 550,000 square feet of warehouse space. The amount of traffic that will be generated by the proposed warehouse project has been estimated based upon trip generation rates published by the Institute of T

Transportation Engineers (ITE) in the 11th Edition, 2021, of *Trip Generation*. The results are shown in Table 1, giving the average number

Item 2.

Table 1
Estimated Vehicle Trip Generation
Weekday Daily

ITE Category		Quantity		Average Weekday (1)	
				Trip Rate	Vehicle Trips
Current Zoning					
210	Single-Family Detached Housing	120	DU (2)	9.43	1,132
220	Multi-Family (Low Rise)	250	DU (2)	4.54	1,135
				Total	2,267
Proposed New Zoning					
154	High-Cube Transload and Short-Term Storage Warehouse	550	KSF (3)	1.40	770
				Difference	(1,497)

AM Peak-Hour

ITE Category		Quantity		AM Peak-Hour			
				Trip Rate		Vehicle Trips	
				In	Out	In	Out
Current Zoning							
210	Single-Family Detached Housing	120	DU (32)	0.18	0.52	22	62
220	Multi-Family (Low Rise)	250	DU (2)	0.09	0.28	23	70
					Total	45	132
Proposed Zoning							
154	High-Cube Transload and Short-Term Storage Warehouse	550	KSF (3)	0.06	0.02	33	11
				Difference		(12)	(121)
						(133)	

ITE Category		Quantity		PM Peak-Hour			
				Trip Rate		Vehicle Trips	
				In	Out	In	Out
Current Zoning							
210	Single-Family Detached Housing	120	DU (2)	0.59	0.35	71	42
220	Multi-Family (Low Rise)	250	DU (2)	0.24	0.15	60	38
						131	80
Proposed Zoning							
154	High-Cube Transload and Short-Term Storage Warehouse	550	KSF (3)	0.03	0.07	16	39
				Difference		(115)	(41)
						(156)	

- (1) Source: "Trip Generation," Institute of Transportation Engineers, 11th Edition, 2021
- (2) DU = Dwelling Unit
- (3) KSF = 1,000 Square Feet

of weekday daily, morning and evening peak-hour trips expected to be generated by the proposed warehouse project.

As illustrated in Table 1, on an average weekday the proposed residential development at full build out will generate approximately 2,267 daily vehicle-trips with 1,134 vehicles entering and 1,133 vehicles leaving the site on a typical weekday. Of these, approximately 177 vehicle-trips will occur during the AM peak-hour, with 45 vehicles entering and 132 vehicles exiting the site and approximately 211 vehicle-trips will occur during the PM peak-hour, with 131 vehicles entering and 80 vehicles exiting the site.

For the proposed Titan-Zeiler Warehouse Project at full build out will generate approximately 770 daily vehicle-trips with 385 vehicles entering and 385 vehicles leaving the site on a typical weekday. Of these, approximately 44 vehicle-trips will occur during the AM peak-hour, with 33 vehicles entering and 11 vehicles exiting the site and approximately 55 vehicle-trips will occur during the PM peak-hour, with 16 vehicles entering and 39 vehicles exiting the site.

The proposed Titan-Zeiler Warehouse Project will generate 1,497 fewer daily vehicle-trips, 133 fewer vehicle-trips in the AM peak-hour, and 156 fewer vehicle-trips in the PM peak-hour.

If the site was to contain a large community center with about 150,000 square feet of floor space, the estimated daily trip generation is about 5,550 vehicle-trips. This level of development would place a heavy burden on Highplains Boulevard. It is highly unlikely that a commercial development of this size would be built on this site due to the presence of the commercial activity between I-25 and Highplains Boulevard and the south side of US 34.

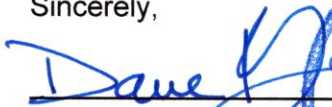
Conclusions

The proposed Titan-Zeiler Warehouse Project will have the least of the traffic impacts when compared to the types of activities that are permitted under PUD-MU zoning. The proposed warehouse project is consistent with the land use activity north of the Great Western Rail Line.

* * *

This completes my traffic analysis of the proposed rezoning of the 39.16 acre site from PUD-MU to I-1. Please feel free to contact me if you need anything else for this project.

Sincerely,


Dave L. Ruble, Jr., P.E.



dlr/bar

Enclosure:

Figure 1 – Vicinity Map

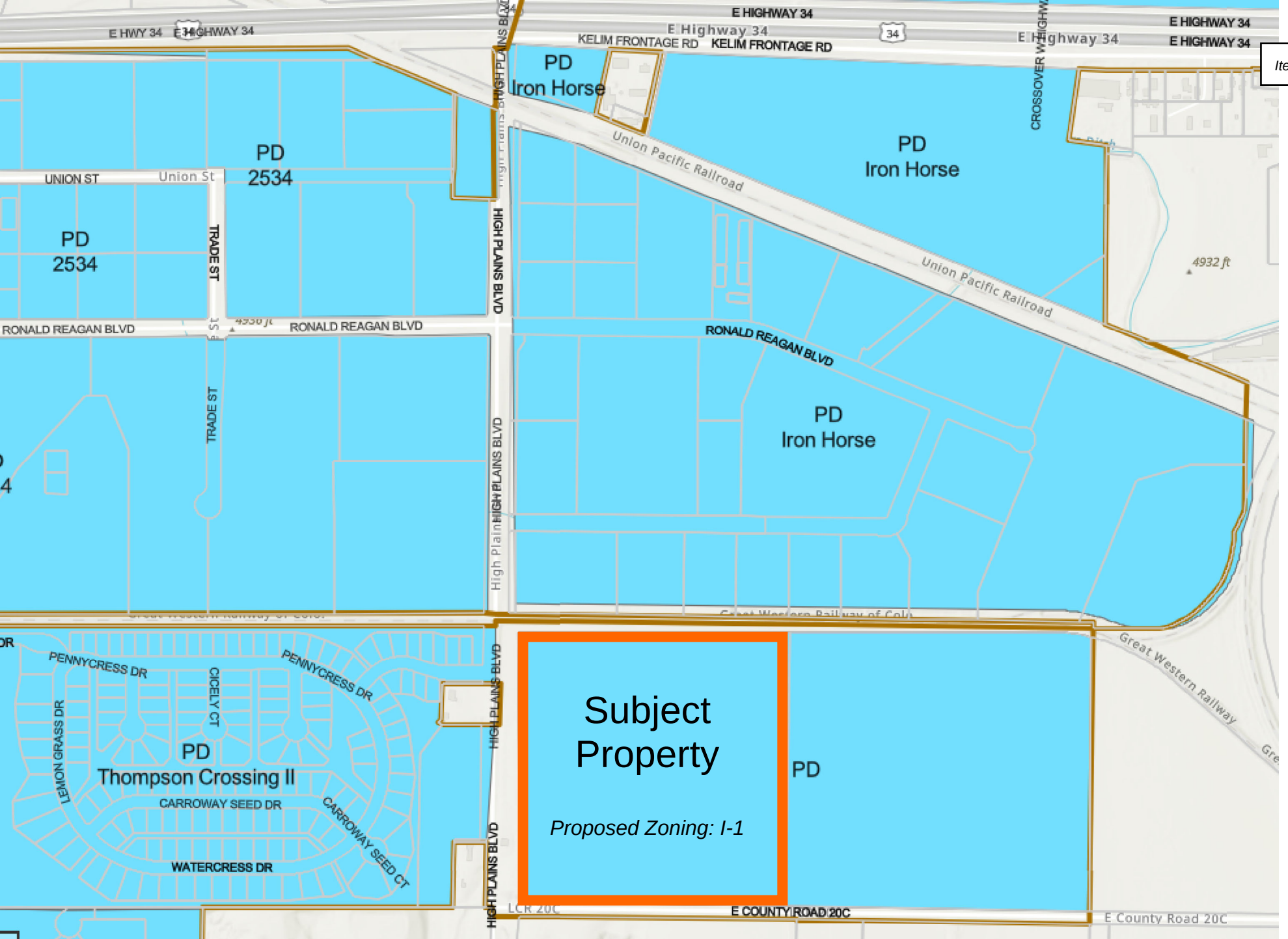
C:\>Desktop>ruble>DB Enterprise>2024>240070>F-Titan-Zeiler Warehouse Project.docx



Approximate Scale
Scale: 1" = 765 feet

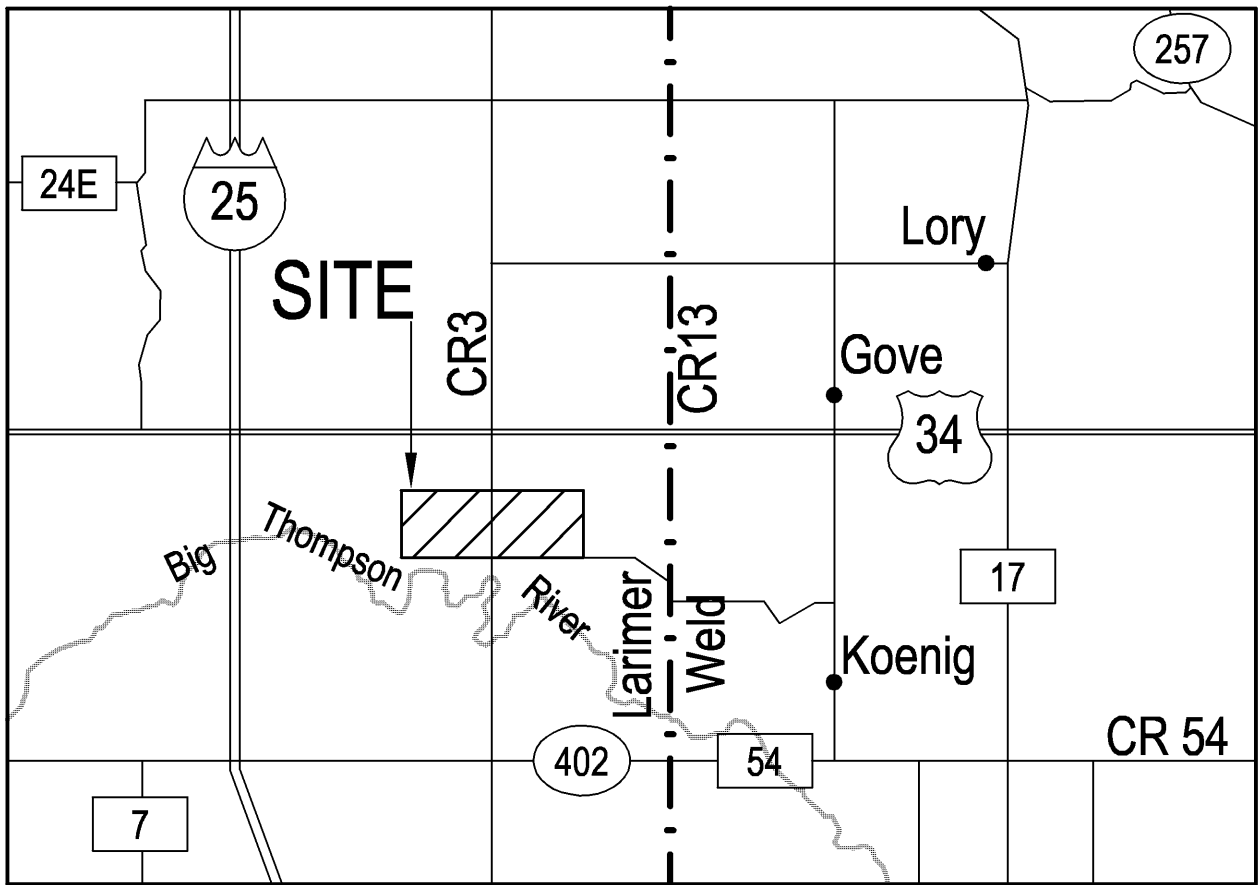


Figure 1
Vicinity Map



MAXFIELD ANNEXATION

VICINITY MAP



NOTES:

1. THIS SITE IS CURRENTLY ZONED LARIMER COUNTY - AGRICULTURE 1: PROPOSED ZONING IS TOWN OF JOHNSTOWN PUD-MU

2. VISION STATEMENT: IN ACCORDANCE WITH THE JOHNSTOWN DESIGN GUIDELINES, THE MAXFIELD ANNEXATION IS INTENDED TO BE A HIGH QUALITY, MIXED-USE ADDITION TO THE TOWN OF JOHNSTOWN. IT WILL BRING A COMBINATION OF SINGLE FAMILY HOUSING & COMMERCIAL USES TO THE COMMUNITY. THE COMMERCIAL COMPONENT WILL BE STRATEGICALLY PLANNED ALONG THE PROJECT'S EASTERN PERIMETER, ASSURING A POSITIVE FISCAL RETURN TO THE TOWN. HOUSING WILL BE LOCATED WEST OF LARIMER CR 3 TO CONNECT WITH EXISTING DEVELOPMENTS. THE BUILDOUT OF MAXFIELD WILL BE DONE IN CONFORMANCE WITH THE TOWN'S GUIDE TO DEVELOPMENT, THE JOHNSTOWN AREA COMPREHENSIVE PLAN.
3. PARK LOCATIONS ARE CONCEPTUAL AND SUBJECT TO CHANGE AT PRELIMINARY DEVELOPMENT PLAN. ALL TOWN OF JOHNSTOWN PARK AND OPEN SPACE REQUIREMENTS WILL BE MET.

4. LAND DEDICATED TO THOMPSON VALLEY SCHOOL DISTRICT OR CASH IN LIEU OF LAND WILL BE DETERMINED AS PART OF THE PRELIMINARY PLAT PROCESS. SCHOOL LOCATIONS (IF ANY) WILL BE SHOWN ON THE PRELIMINARY DEVELOPMENT PLAN.

5. THE AREA DESIGNATED AS PUD-MU ALLOWS FOR A MIXTURE OF OFFICE, RETAIL/COMMERCIAL AND RESIDENTIAL USES. ACREAGES WITHIN INDIVIDUAL PLANNING AREAS MAY CHANGE UP TO 25% WITHOUT BEING CONSIDERED AN AMENDMENT TO THE ODP

LAND USE CHART

LAND USE	ACRES	FAR	DENSITY	UNITS	S.F.
PUD-MU					
D. PUD-MU	13.7				
E. PUD-MU	65.5				
PUD-MU Sub Total	79.2				
Residential					
B. PUD-R	58.3		3.0 du/ac	174	
Residential Sub Total	58.3		3.0 du/ac	174	
Miscellaneous					
A. Open Space	11.8				
C. Open Space	5.8				
RR Buffers	1.9				
R.O.W Dedication	4.9				
Miscellaneous Sub Total	24.4				
TOTAL	161.9		3.0 du/ac avg	174	

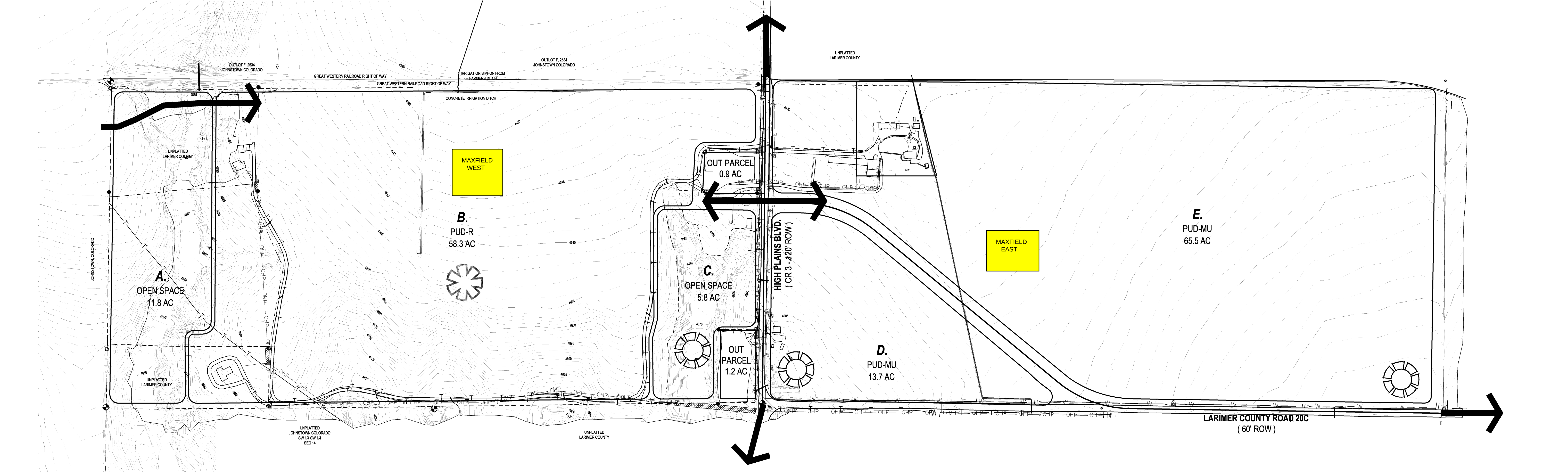
LEGEND

POTENTIAL PARK LOCATIONS

EXISTING / PROPOSED ACCESS

PROPOSED DETENTION

NORTH
0 100' 200' 400'
1" = 200'



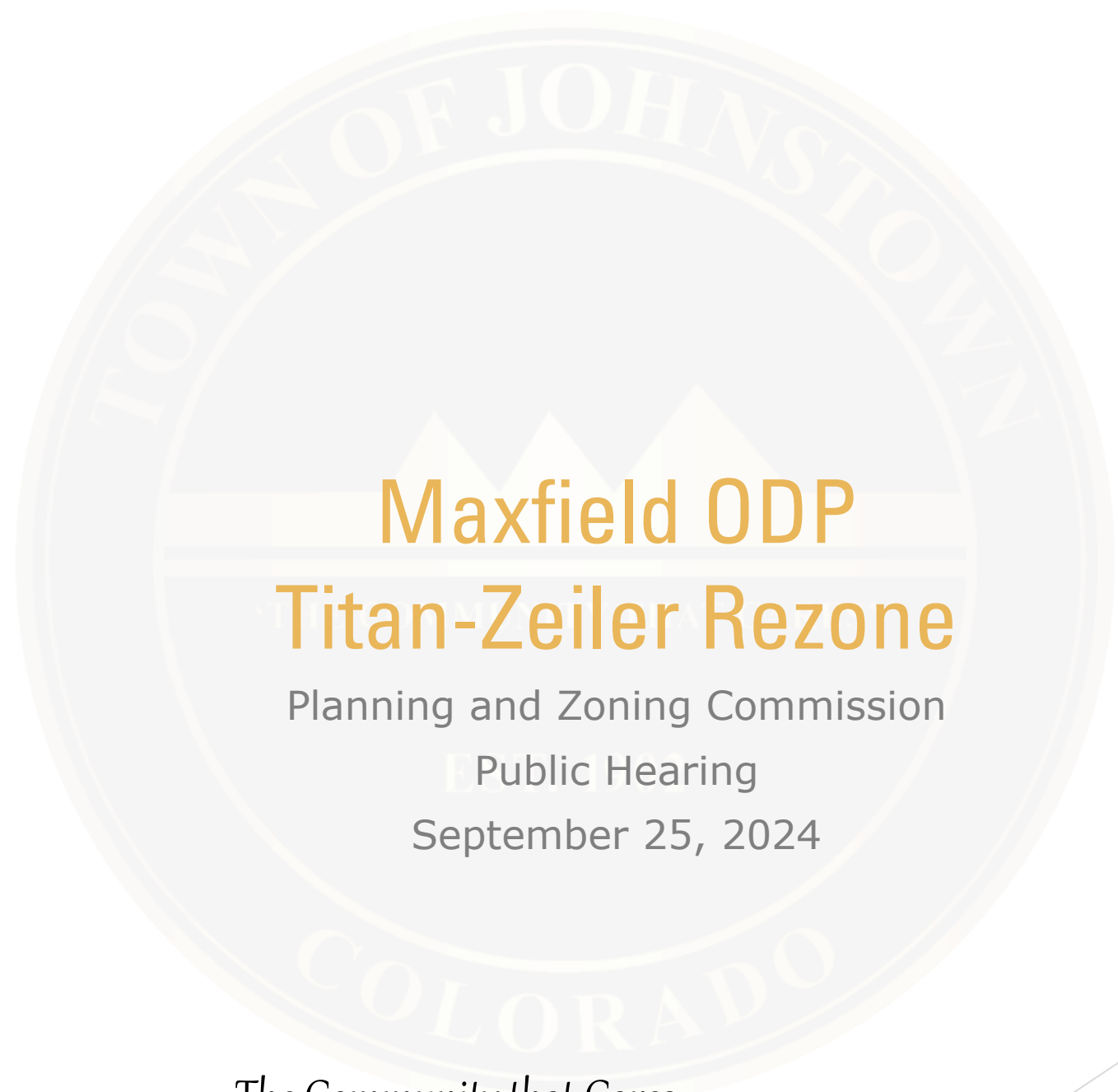
OUTLINE DEVELOPMENT PLAN

DATE: 8-28-06

HARTFORD
LAND
LLC

NORRIS DESIGN
Planning | Landscape Architecture

1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
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Maxfield ODP Titan-Zeiler Rezone

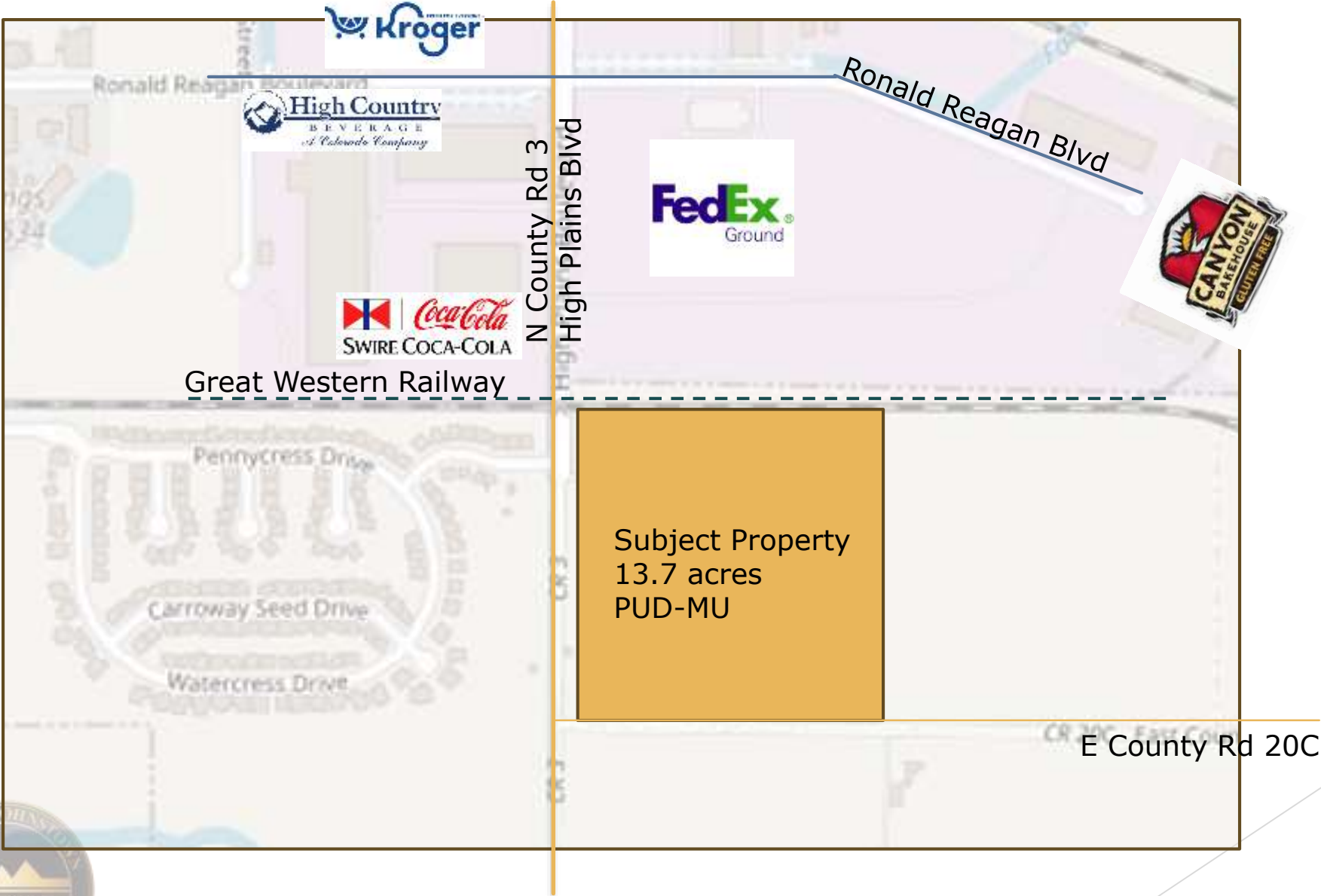
Planning and Zoning Commission

Public Hearing

September 25, 2024

The Community that Cares

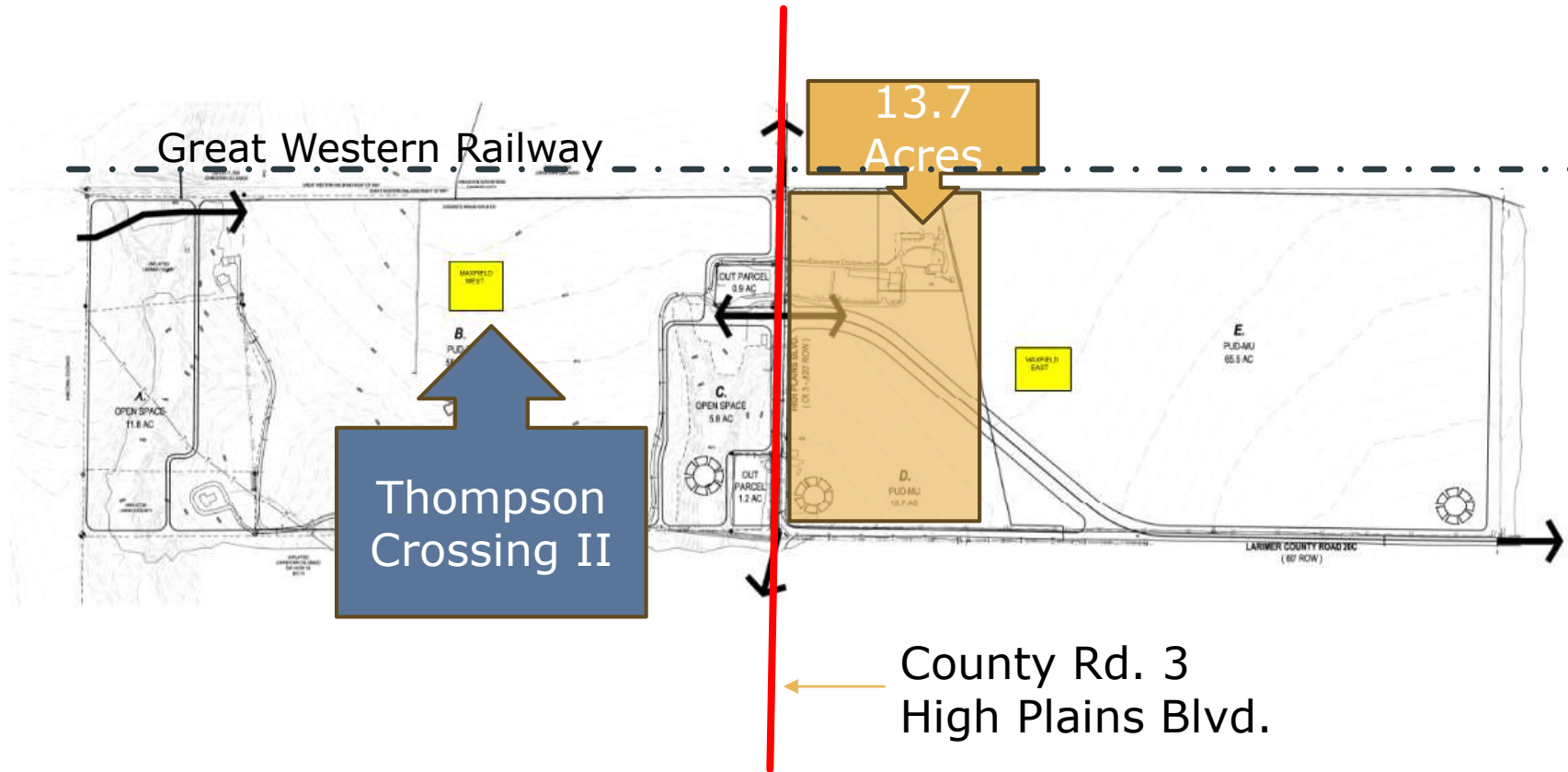
VICINITY MAP



The Community that Cares

Maxfield ODP – Approved 2007

Item 2.



The Community that Cares

Surrounding Area Zoning

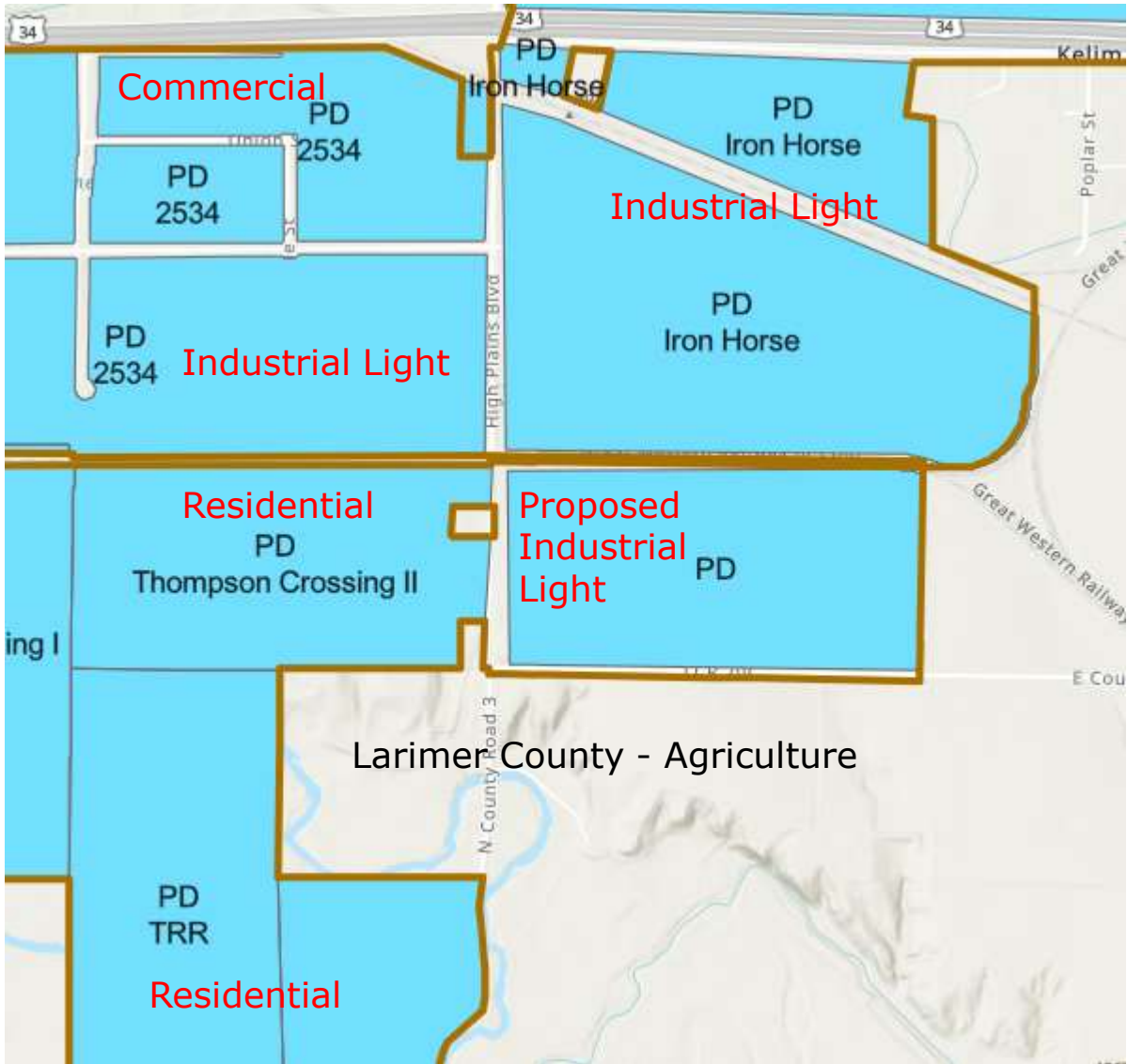
Subject Property is zoned PUD-MU, Maxfield ODP
Approved for residential and commercial uses.

- North of the property is zoned Iron Horse PUD-MU
 - FedEx Ground, Canyon Bakehouse, Carrier West, etc.
 - Northeast of the property is 2534
 - Swire Coca-Cola, Kroger, PODS, High County Beverage
- South of the property is zoned Agriculture by Larimer County
- East of the property is zone PUD-MU, Maxfield ODP
- West of the property is zoned PUD-MU, Maxfield ODP
 - Thompson Crossing II Subdivision

**If I-1 Zoning is approved, this property will be subject to the 2023 Land Use and Development Code.*



Neighboring Zoning



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Proposed Building Types

No development plans have been received. These renderings were provided by the applicant as an example of proposed building types.



Nearby Building Types

Item 2.



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RECOMMENDATIONS

Item 2.

ORDINANCE 2024-258

Staff recommend a positive recommendation to remove the parcel from the Maxfield ODP, zoned as PUD-MU, and establish the new zoning as I-1, Industrial-Light

ORDINANCE 2024-258

On September 25, 2024, the Town of Johnstown Planning and Zoning Commission recommended a _____ recommendation to remove the parcel from the Maxfield ODP, zoned as PUD-MU, and establish the new zoning as I-1, Industrial- Light.



The Community that Cares



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

HEARING DATE: September 25, 2024

SUBJECT: Public Hearing – Zoning Case No. ANX23-0001 for the Blue Spruce Ridge Annexation

ACTION PROPOSED: Make a recommendation to the Town Council regarding the zoning for Annexation Case No. ANX23-0001

LOCATION: East of Larimer County Road 3E and just south of The Ridge at Johnstown Subdivision

APPLICANT: Blue Spruce Ridge ManageCo, LLC

ATTACHMENTS:

1. Vicinity Map
2. Zoning Map
3. Concept Plan
4. Letters of Support
5. Staff Presentation
6. Applicant Presentation

PRESENTED BY: Jeremy Gleim, AICP, Planning & Development Director

BACKGROUND & SUMMARY

In November of 2023, Blue Spruce Ridge ManageCo, LLC (“Applicant”), submitted a Petition for Annexation along with concurrent R-2 zoning, for approximately 41.114 acres of land in Larimer County. The subject property is located in the Southeast 1/4 of Section 26, Township 5 North, Range 68 West of the 6th P.M., More specifically, it is located east of Larimer County Road 3E and immediately south of The Ridge at Johnstown subdivision.

Ordinance 2024-246 for the annexation of this land was approved by the Town Council on the first and second reading at their meetings of April 1, 2024, and April 15, 2024, respectively. The annexation plat was recorded by Larimer County on August 27, 2024 (Reception No. 20240035785). Pursuant to C.R.S. § 31-12-115(2), zoning of the annexed land must occur within 90 days of the property becoming part of the municipality.

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P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

Town Council Actions

A request for R-2 zoning was submitted in conjunction with the annexation application. At the regular Town Council meeting on April 1, 2024, a public hearing was opened and this item was introduced for consideration. Based on the staff report, presentation, public testimony, and discussion among council members, the project was approved.

At the regular Town Council meeting on April 15, 2023, Ordinance 2024-247 was pulled from the consent agenda, on second reading, for further discussion. Councilmembers discussed the project, which resulted in a motion to re-open the public hearing and continue the item to the May 6, 2024 regular meeting.

At the regular Town Council meeting on May 6, 2024, Ordinance 2024-247 was re-introduced for consideration. Based upon the staff report, presentation, public testimony, and discussion amongst council members, Ordinance 2024-247 was denied on a 4-3 vote.

Pursuant to Section 17-2-1(L) of the Land Use and Development Code (LUDC), when the review body takes final action to deny an application, the same or a similar application shall not be refiled for one year from the date of denial. However, there shall be no time limitation on an application that the Director determines is substantially different from a previously denied application, when considering the proposed use, scale or intensity of development, and potential impacts on adjacent property.

Based upon the foregoing, despite requesting R-2 zoning again, staff has determined that substantial changes have been made to help define future development on the subject property. New information, that was not presented, discussed, or considered with the previous request, has been submitted in conjunction with the current zoning request. An overview of the updates, changes, and considerations that have taken place since the May 6, 2024, Town Council meeting is described below, along with a summary discussion on how zoning corresponds to the Town's other adopted plans.

ZONING

The purpose of zoning, or zoning districts, is to establish the character of specific areas, development patterns and context, and the type or intensity of uses and buildings. Zoning is established in conjunction with the Land Use Map in the Town's Comprehensive Plan.

Pursuant to Section 17-2-12(D)(3)(b), the Town shall consider zoning such newly annexed areas under the appropriate zoning category as follows: Requests for zoning districts other than the H-A (Holding Agriculture) District may be considered by the Town Council in conjunction with the annexation and based on the submittal of all applicable requirements for a rezoning application.

The Town Council shall place the newly annexed property into the most appropriate zoning district, considering the goals and objectives of the Town's Comprehensive Plan and the applicant's future development plans.

How the Comprehensive Plan Relates to Zoning Districts

The Comprehensive Plan (Comp Plan) provides high-level direction for the future of the Town's 48-square mile Growth Management Area. This Plan is designed for Town leaders to guide, and for community members to understand, the future development and redevelopment considerations for the Johnstown area from now into the next 20 years. The Comp Plan is comprised of overarching policies, goals, and implementation strategies, which are the foundational policies that help guide decision-making. In addition, the Comp Plan includes a Land Use Map, which helps direct desired growth patterns by identifying the characteristics of land use categories and where those categories are distributed across the Town's 48-square mile growth management area. As described in the Comp Plan, When the Planning and Zoning Commission and Town Council are presented with land use decisions for residential and commercial development, subdivision of land, or zoning changes, the following land use categories should be discussed and applied.

- High Density/Intensity
- Medium Density/Intensity
- Low Density/Intensity
- Very Low Density/Intensity

Each of the land use categories listed above is fully described in the Comp Plan, along with other overlays such as Greenways, Activity Centers, Agricultural Preservation, and Gateways. There are four major land use categories; however, there are ten (10) zoning districts listed in the LUDC.

H-A	Holding / Agriculture	RESIDENTIAL
R-E	Rural Estate	
R-1	Single-Family Neighborhood	
R-2	Mixed-Density Neighborhood	
R-3	High Density Neighborhood	
MU-NC	Neighborhood Commercial	COMMERCIAL
MU-DT	Downtown	
MU-RC	Regional Commercial	
I-1	Industrial Light	INDUSTRIAL
I-2	Industrial Heavy	

Acknowledging the fact that there are ten zoning districts, but only four land use categories, it stands to reason that multiple zoning districts must fit into each land use category. The way to determine the appropriateness of a specific zoning district relative to the overarching land use category is to start with the intent of said land use category, as defined in the Comp Plan.

Regarding the Blue Spruce Ridge Annexation, the land use category is shown as Low Density/Intensity (LDI). As written in the Comp Plan (pg. 50):

A Low Density/Intensity area (LDI) will be generally characterized by a higher percentage of residential, predominantly lots for single-family detached homes, with some lower density townhomes or duplex/patio homes. Commercial will be less prominent and focused on neighborhood-level services such as a convenience store, gas station, dance/karate studio, auto shop, salon, or restaurant, and civic uses (parks, library, schools).

Low Density/Intensity areas will occur along collector and local street corridors, and are likely to be adjacent to MDI and HDI areas, which serve to buffer LDIs from major street corridors and busier commercial areas. LDI's will strive to offer complete neighborhoods with easy access to neighborhood services, parks, schools, and be connected to adjacent neighborhoods and multi-modal corridors with trails and walks.

Residential neighborhoods will provide multiple housing and lifestyle options within a more suburban setting. An LDI neighborhood may utilize winding internal streets and cul-de-sac configurations; perimeter fencing and landscaping for buffers, pocket parks and playgrounds within neighborhoods, connected to a trail system. These provide another great solution for integrating a range of lifestyles, incomes, and ages into a neighborhood.

The above information provides the fundamental core for identifying a zoning district that will support the vision. The next step in the process is to review the intentions of the zoning districts, identify the street networks that serve the property, and analyze adjacent zoning designation, developments, and land uses.

BLUE SPRUCE RIDGE – ZONING ANALYSIS

Based upon the above information regarding the Comp Plan, and the ten zoning districts listed in the LUDC, the following analysis applies specifically to the subject property.

Zoning Analysis

This property is located in the Low Density/Intensity (LDI) land use category, as depicted on the Town's Land Use Map. The intent of the LDI land use category has been fully described at the top of this page.

Street Network

The subject property is primarily served by Larimer County Road 3e (LCR 3e), which is positioned along its western property line. The eastern corner of the property also lies adjacent to Larimer County Road 3 (High Plains Boulevard). Pursuant to the Town's adopted Transportation Master Plan, LCR 3e is listed as a Minor Arterial roadway, and High Plains Blvd. is listed as a Regionally

Significant Corridor and Major Arterial. Pursuant to the intent of the LDI land use category, LDI areas “will occur along collector and local street corridors, and are likely to be adjacent to MDI and HDI areas, which serve to buffer LDIs from major street corridors and busier commercial areas.”

Adjacent Zoning

Zoning designations for the properties immediately adjacent to the subject property are listed in the table below:

North	PUD – Residential Town of Johnstown – Ridge at Johnstown Subdivision
East	RR-2 – Unincorporated Larimer County – Rural Residential
South	RR-2 – Unincorporated Larimer County – Rural Residential
West	PUD – Residential Town of Johnstown – South Ridge Subdivision

The property to the north of the subject property is zoned PUD (Planned Unit Development) and was regulated by The Villages at Johnstown Performance Standards when it was approved for development. Pursuant to the Performance Standards, the property immediately north of the subject property was zoned for single-family residential development.

The property to the west of the subject property is zoned PUD. An Outline Development Plan (ODP) was approved in 2022 upon annexation of that land into the Town. The ODP specifies single-family residential development for that property.

Adjacent Land Use

Single-family residential development exists on the land to the immediate north. West of the project site is a residential subdivision called Southridge, which was approved by the Town Council earlier this year. That project is currently under construction. Unincorporated lands to the south and east have been used historically for farming purposes. There is also an oil and gas facility on the property to the immediate east.

Articles 3 and 5 of the LUDC create the framework and guidelines for residential subdivision development and provide extremely detailed requirements for street layouts, block and lot sizes, open space, residential building types, and neighborhood design. It is important to note, that while the base zone provides for the types of housing and other uses that would be permitted on an individual lot, there are extensive guidelines that dictate neighborhood design. The following section provides a summary of the intent of residential development, pursuant to the LUDC.

Section 17-5-1(A) provides that residential development standards have the following intent:

1. Provide housing variety within neighborhoods and among different neighborhoods and ensure compatible transitions between different residential building types.
2. Improve the appearance and livability of neighborhoods with good civic design.

3. Design and locate parks, trails, and other open spaces as focal points that shape neighborhood character.
4. Design neighborhoods with slow-speed streetscapes, well-connected sidewalks and trails, and shade, and enclosure provided by street trees.
5. Reinforce the distinct character of different neighborhoods based on their context:
 - a. Prioritize housing and walkable neighborhoods with convenient access to services, amenities, and destinations.
 - b. Promote lower-density rural neighborhoods with access to large, contiguous open spaces and natural areas.
6. Orient all buildings and lots to the public street or to common open spaces, and locate active social spaces along the streetscape.
7. Design buildings with human-scale details such as entry features, windows and doors, massing elements, and ornamental features, particularly where these features create compatibility among a mix of building types.
8. Promote lasting and sustained investment in neighborhoods with quality design.

Any future subdivision on the subject property would have to comply with the above intentions. Moreover, any future subdivision would be reviewed pursuant to the strict guidelines listed in Articles 3 and 5 of the LUDC, along with all other applicable regulations. When a subdivision is proposed, it will flow back through the review process, which will require a neighborhood meeting, a Planning & Zoning Commission hearing, and ultimately, a public hearing before the Town Council.

Zoning Conclusion

1. Pursuant to the Land Use Map, this property is in an LDI area.
2. Pursuant to the Transportation Master Plan, this property is positioned between two arterial roadways, suggesting that higher volumes of traffic are meant to flow past the property.
3. Pursuant to the Comp Plan, LDI areas will be generally characterized by a higher percentage of residential, predominantly lots for single-family detached homes, with some lower-density townhomes or duplex/patio homes.
4. Pursuant to Table 4-2 in Section 17-4-2 of the LUDC, the R-1 zone prohibits attached one-unit and multi-unit dwellings.
5. Pursuant to Table 4-2 in Section 17-4-2 of the LUDC, The R-2 zone provides the opportunity for one-unit detached, one-unit attached, and limited multi-unit dwellings.
6. Pursuant to Section 17-5-1(A)(1), residential developments should provide housing variety within neighborhoods and among different neighborhoods and ensure compatible transitions between different residential building types.

NEIGHBORHOOD MEETINGS

Subsequent to the May 6, 2024, Town Council meeting, two neighborhood meetings were conducted regarding this zoning proposal. The purpose of the neighborhood meetings is to present

new information to interested parties, to solicit feedback from the community in a less formal setting than that of a public hearing, and to encourage open discussion. Both meetings were held at the YMCA. The first meeting was held on July 16, 2024, and the second meeting was held on August 6, 2024; both meetings were on a Tuesday, and both started at 6pm. Notices were mailed to all property owners within 800 feet of the project site for both meetings.

Neighborhood Meeting #1 – July 16, 2024

Participation at the first neighborhood meeting was good, with 40-50 members of the community in attendance. The applicant presented a concept plan to the attendees and discussed some of the strategies that could be implemented to help alleviate concerns that were discussed at the Town Council meeting. Upon reviewing the concept plan, the primary concerns cited by the participants included:

- Lack of park space
- Concern about R-2 zoning, specifically regarding some of the land uses and residential typologies that are allowed
- Protection of existing houses and properties adjacent to the project site
- Unhappiness with The Ridge at Johnstown's lack of amenities
- Lack of confidence in the developer
- View protection
- Traffic problems resulting from the project
- Safety concerns regarding the ditch

The applicant received all comments and stated that a follow-up meeting would occur, wherein an updated plan would be presented.

Neighborhood Meeting #2 – August 6, 2024

Participation at the second meeting was also good, with a similar turnout to the first meeting. The applicant presented the updated concept plan and opened the discussion to the public. In general, the updated concept plan was better received than the first iteration. There were still comments made regarding the concerns listed in the summary of the first meeting; however, there was also more collaboration in trying to figure out what would be best for the existing residents/community members. Much of the discussion was focused on the north edge of the project where it abuts The Ridge at Johnstown subdivision. The community asked for a one-story limitation on housing development along that edge, to which the applicant agreed. The community also asked for park facilities that could be enjoyed by residents of existing neighborhoods, along with the future residents of the proposed project...to which the applicant also agreed.

At the conclusion of the meeting, the applicant stated that they would make final revisions to the concept plan to capture the discussion that took place. The applicant collected email addresses from participants who volunteered their information and sent additional communications to that

group. The concept plan that is attached to this staff report (Attachment 3) represents the final iteration based on the comments and feedback from the neighborhood meetings.

CONCEPT PLAN

Pursuant to Section 17-2-5(C)(2) of the LUDC, the applicant may present a preliminary sketch or Concept Plan for review by staff or the Planning and Zoning Commission and Town Council. This may be used to confirm interpretations, test basic concepts and standards, or review options for a proposed project. Review of the concept plan does not result in any inherent approvals but it provides an opportunity to receive feedback from staff, the Planning Commission, and elected officials.

The concept plan is being used as a supplemental tool to memorialize certain development restrictions that will be imposed upon the project. In this case, the base zone would be R-2; however, it would be R-2 with conditions and/or restrictions. The proposed restrictions are listed below:

1. All lots along the shared property line with The Ridge at Johnstown (north property line as denoted by stars on the concept plan) shall be limited to single-story detached development.
2. At minimum, an open space area shall be located along a portion of the shared property line with The Ridge at Johnstown (north property line), which would connect to a more centralized open space area within the project.
3. Density across the entire project is limited to five (5) dwelling units per acre.
4. A minimum of 30% open space with a central open space/amenity area shall be included in the plan.
5. The largest lots (6,000 square foot minimum) shall be located along the north and south property boundaries.
6. No apartments shall be constructed on this project site.
7. All townhomes shall be a maximum of two (2) stories in height.

It should be reiterated, that this concept plan does not approve the creation of any legal lots or plats, and does not require that this exact design be developed. This plan is simply an illustrative example of a subdivision that could be developed in conjunction with the above restrictions. Staff has not reviewed this concept plan for compliance with the LUDC and has not made formal comments on the design. Prior to any development occurring on the property, subsequent applications will have to be submitted, which will require additional review and public hearings.

CONCLUSION

The Comp Plan provides guidance for the development of the Town, including visioning for land use decisions. LDI areas are intended to provide multiple housing options in low-density formats, including townhouses and duplex/patio houses. The R-2 zone provides the baseline for this type of development, creating opportunities for housing diversity while maintaining a low-density look

and feel to the neighborhood. Any future subdivision projects will be reviewed for compliance with the intent of the LDI land use category, the strict application of the LUDC (specifically, Articles 3 and 5), and the context of neighboring developments.

Based upon the feedback received from the two neighborhood meetings, the applicant created a concept plan that uses the R-2 zone as a base zoning designation; however, they have also agreed to impose several development restrictions that would limit how the project site develops in the future. The proposed concept plan meets the intent of the LDI land use category and satisfies the requirements of the R-2 zone.

Staff has received four letters of support for this project (Attachment 4). All four letters are from residents of The Ridge at Johnstown subdivision who live near the project site. Based upon the content in the staff report, staff is recommending that the Planning & Zoning Commission recommend approval of R-2 zoning, with conditions, for the property known as the Blue Spruce Ridge Annexation.

COMPREHENSIVE PLAN ALIGNMENT:

GOAL L1 | Ensure neighborhood character and amenities contribute to the health and well-being of diverse residents.

Establishing zoning that would support the development of various housing types is one way to help achieve this goal. Staff finds that the R-2 zone would best support the goals and objectives of the Town's Comprehensive Plan and the applicant's future development plans.

STRATEGIC PLAN ALIGNMENT:

- Natural & Built Environment
 - *Guide growth in the community through appropriate annexation, zoning, planning, and land use development.*

FINDINGS OF FACT

Pursuant to Section 17-2-3(B) of the LUDC, the review, recommendations, and decisions for a proposed rezone shall be based on the following criteria.

1. The rezone furthers one or more of the purposes of these regulations in Section 17-1-3, and on balance any purposes that may be undermined are outweighed by the benefits of those purposes it furthers, because, the proposed rezone would implement the Goals and Strategies in the Comprehensive Plan.

2. The proposal is consistent with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan, because, any development on the property would be subject to, and regulated by, the adopted Land Use and Development Code

(LUDC). The LUDC was drafted and adopted subsequent to the update of the Town's Comprehensive Plan (Comp Plan) as a tool to implement said Comp Plan.

3. The change is consistent with the intent of the proposed zoning district, specifically considering:

a. the design of streets, civic spaces and other open space, because, the applicant shall be required to dedicate and construct right-of-way improvements that will benefit the public street network.

b. the pattern, scale, and format of buildings and sites, because, the R-2 zoning designation provides limitations on development, which would be consistent with existing development and the Town's adopted plans and policies.

c. the compatibility and transition with other complementary uses and development in the vicinity, because, the R-2 zone provides flexibility in housing types and neighborhood design and the conditions imposed upon this project site will further restrict development for compatibility with surround uses.

4. The change is necessary for at least one of the following reasons:

a. There has been a material change in the character of the area or in the Town generally, such that the proposed rezone is in the public interest, because, the Johnstown Area Comprehensive Plan and the Land Use and Development Code have been updated and development of the property will be subject to those adopted plans.

b. The change will serve a community need or provide an amenity or benefit to the surrounding area that was not anticipated at the time of the initial zoning, because, the restrictions imposed upon the project site will add open space and park amenities that can be used by existing residents.

5. The Town or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district, because, the project was referred to responsible agencies and no comments were received stating that services could not be provided. The applicant and/or developer shall be required to dedicate the applicable water shares necessary to support future development of the property.

6. Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design, and engineering practices or are outweighed by broader public benefits to the surrounding community, because, the proposed rezone will help promote and implement the goals and strategies in the Johnstown Area Comprehensive Plan.

7. If owner-initiated, at least two-thirds of the subject property owners within the change of zone boundary have signed the application. This Zoning application meets the eligibility criteria for review.

8. If owner-initiated, the subject property has not been included in a rezone action in the prior 12 months, with the exception of property in the H-A zoning district which was established

concurrent with annexation. This property has not been included in a rezone action in the prior 12 months.

9. The recommendations of any professional staff and advisory review bodies have been considered. This application has been reviewed by professional staff and advisory review bodies.

RECOMMENDED ACTION: Recommend that the Town Council **APPROVE** R-2 zoning, with conditions, for the Blue Spruce Ridge Annexation.

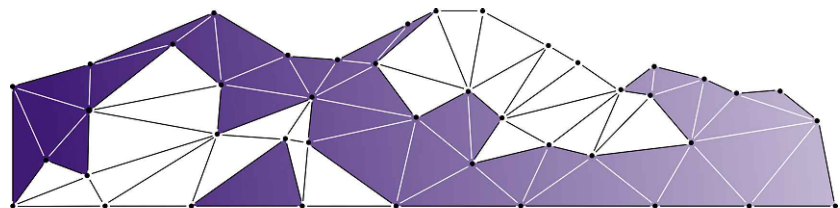
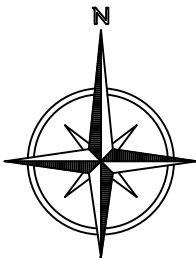
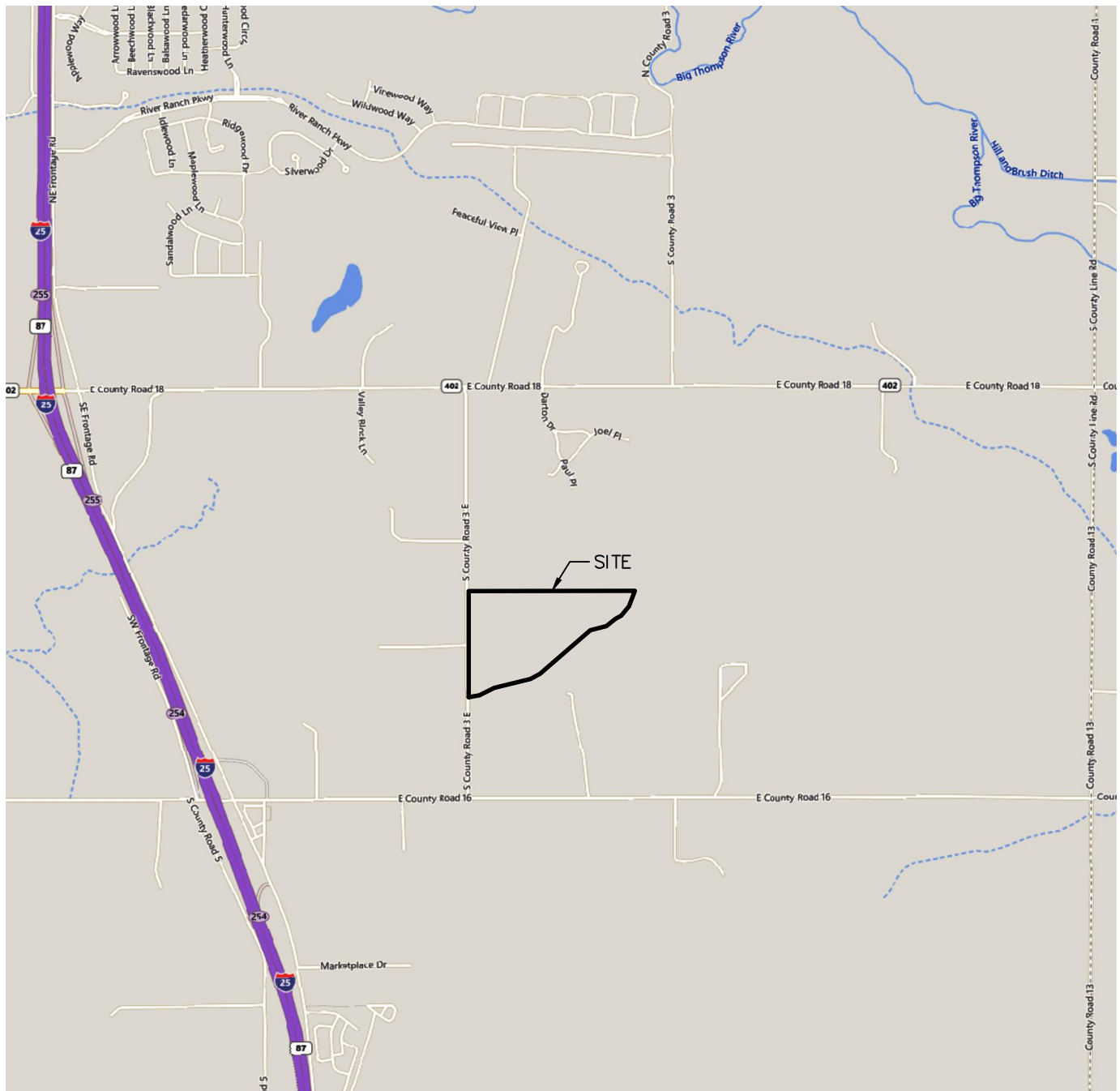
SUGGESTED MOTIONS:

For Approval: I move to approve R-2 zoning, with conditions, for the Blue Spruce Ridge Annexation

For Denial: I move to deny R-2 zoning for the Blue Spruce Ridge Annexation

VICINITY MAP

Item 3.



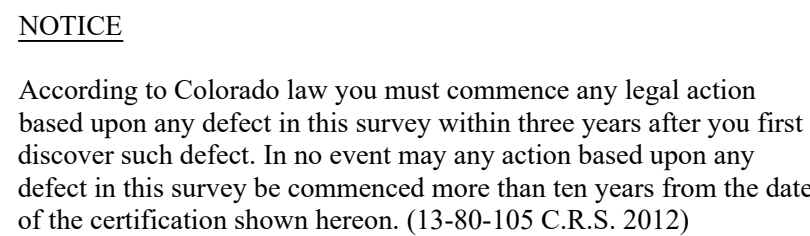
MAJESTIC SURVEYING

Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (CRS 13-80-105)

PROJECT NO: 2022266-A
DATE: 8-28-2023

CLIENT: CALIBER
SCALE: 1"=2000'

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M.
COUNTY OF LARIMER, STATE OF COLORADO



For all information regarding easements, rights-of-way and title of records, Majestic Surveying, LLC relied upon Title Commitment Number 459-HS0823182-414, dated August 28, 2023, as prepared by Heritage Title Company to delineate the aforesaid information. This survey does not constitute a title search by Majestic Surveying, LLC to determine ownership or easements of record.

Steven Parks - On Behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38348
stevenp@majesticsurveying.com

This Map to be known as BLUE SPRUCE RIDGE ZONING MAP was recommended to the Town Council for approval by action of the Planning and Zoning Commission of the Town of Johnstown, Colorado at the regular meeting held on the _____ day of _____, _____.

Planning Commission Chairperson

PROJ. NO: 2022266-A	PROJECT NAME: BLUE SPRUCE	REVISIONS:	DATE:
DATE: 2-8-2024	CLIENT: H & G	REDLINES	1-4-24
		REVISIONS	9-19-24
DRAWN BY: MAK	FILE NAME: 2022266-A_ZONE		
CHECKED BY: SIP	SCALE: 1" = 100'		



LOT A (6K SF MINIMUM SIZE):
- 60'(W) x 100'(L) LOT TYP.

44 LOTS

LOT B (4K SF MINIMUM SIZE):
- 50'(W) x 80'(L) LOTS =
- 40'(W) x 100'(L) LOTS =

60 LOTS

34 LOTS

26 LOTS

ROW HOMES:

96 UNITS

- 1.5K SF MINIMUM UNIT SIZE
- 18' MINIMUM UNIT WIDTH
- PLAN UNIT SIZE = 18'(W) x 45'(L), 2-STORY

TOTAL: 200 UNITS

* SINGLE STORY HOME RESTRICTION (~14 OF 44)

**SITE PLAN ASSUMES R2 ZONING

*** DENSITY = 5DU/AC

**** OPEN SPACE MIN. - 30%



From: [Raymond Romero](#)
To: [Kyle Barichello](#)
Subject: Blue Spruce Ridge
Date: Tuesday, September 3, 2024 2:34:02 PM



Attention: this message was sent from someone outside of Caliber.

Always use caution when clicking links or attachments from unknown or unexpected senders.

Hi Kyle,

We just got off of our call with you where you showed us the new development plan for Blue Spruce Ridge and we just wanted to provide our support for the newest plan. We were pleasantly surprised to see a decrease in the total number of units in the community to allocate additional land to green space and a park. We think the flow of the park on each side of the walking path is a wonderful idea, and the single story restriction will preserve the existing views for the current residents on Scenic Lane. We also wanted to thank you for taking the time to listen to, gather, and incorporate feedback from the community. We felt heard and it showed our opinions mattered with each iteration of the plan.

Raymond and Jackie
4380 Scenic Ln

From: [Richard Ray](#)
To: [Kyle Barichello](#)
Subject: Blue Spruce Project.
Date: Wednesday, September 4, 2024 2:51:23 PM

[X] Attention: this message was sent from someone outside of Caliber.
Always use caution when clicking links or attachments from unknown or unexpected senders.

Thank you for sharing you current development plan with my Wife and I today. As you know, we have had many concerns with the development plans for the Blue Spruce project. The plan you previewed today should eliminate many of our concerns and would support the project with the current plan
Thank you for your willingness to work with the homeowner along Scenic Lane.

Richard and Peggy Ray.

From: [Dylan Singer](#)
To: [Kyle Barichello](#)
Subject: Meeting Recap
Date: Monday, September 9, 2024 8:05:42 AM

[X] Attention: this message was sent from someone outside of Caliber.
Always use caution when clicking links or attachments from unknown or unexpected senders.

Hey Kyle -

Thank you again for your time last week reviewing the proposed changes to the blue spruce development. Myself and many of the neighbors appreciate the extra effort you've put in to hear and address our concerns.

After reviewing the new proposed plans, specifically including the designated linear park open space behind Scenic Ln, I am confident you will have much more support around the development, and you certainly have mine as well. Any effort to provide usable green space as opposed to natural grass or xeriscaping is certainly appreciated.

If you need any additional information, please let me know.

Dylan

From: [Avery Grimes](#)
To: [Kyle Barichello](#)
Subject: Re: Blue Spruce Comments
Date: Monday, September 9, 2024 1:54:10 PM
Attachments: [image001.png](#)



Attention: [this message was sent from someone outside of Caliber.](#)

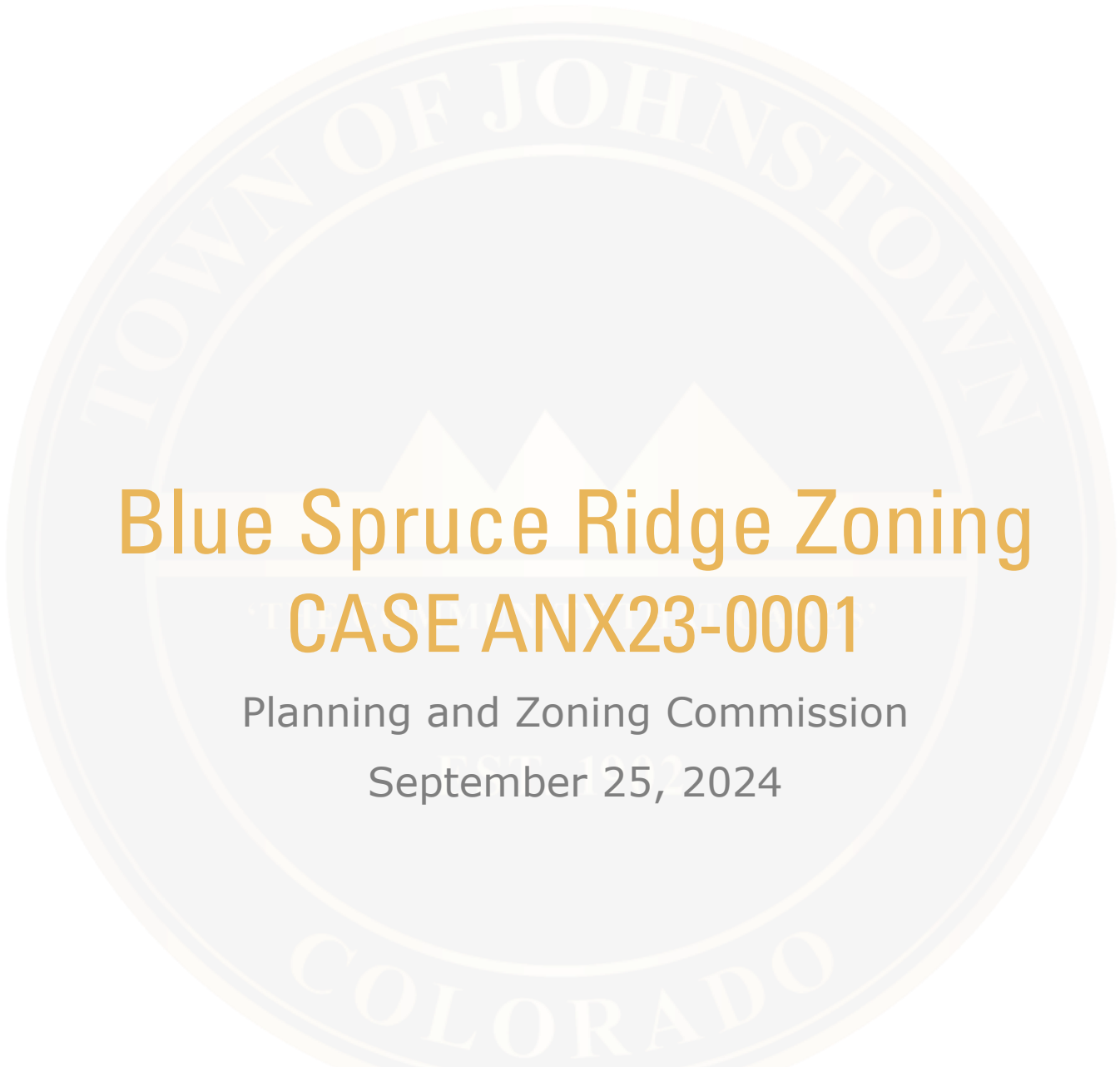
Always use caution when clicking links or attachments from unknown or unexpected senders.

Kyle,

Apologies on the delay of my email! I hope this finds you well.

After our conversation on Thursday I am feeling the best I've felt about the Blue Spruce project so far by a long shot! Although I would prefer all R1 zoning behind our home I appreciate the efforts you have made to ensure happiness on both sides! I love the idea of having an open space right behind scenic lane, creating more space between the new layer of homes. I also like that it will not be a "park" since I am worried about the safety and any complications that come with many children being back there. I love that you have included a park / amenity area. I am hoping this will include a park structure, a shaded area and maybe even a pool (wishful thinking of course). I also really appreciate that you made all of the homes to the north and the few corner homes on the west mandatory to be 1 story, I believe this will preserve our view as much as possible. I feel like you and Caliber have taken as many comments from the Ridge community members while still being able to come to a conclusion that will work for your company as possible, so thank you!

Avery Smith, Scenic Lane resident

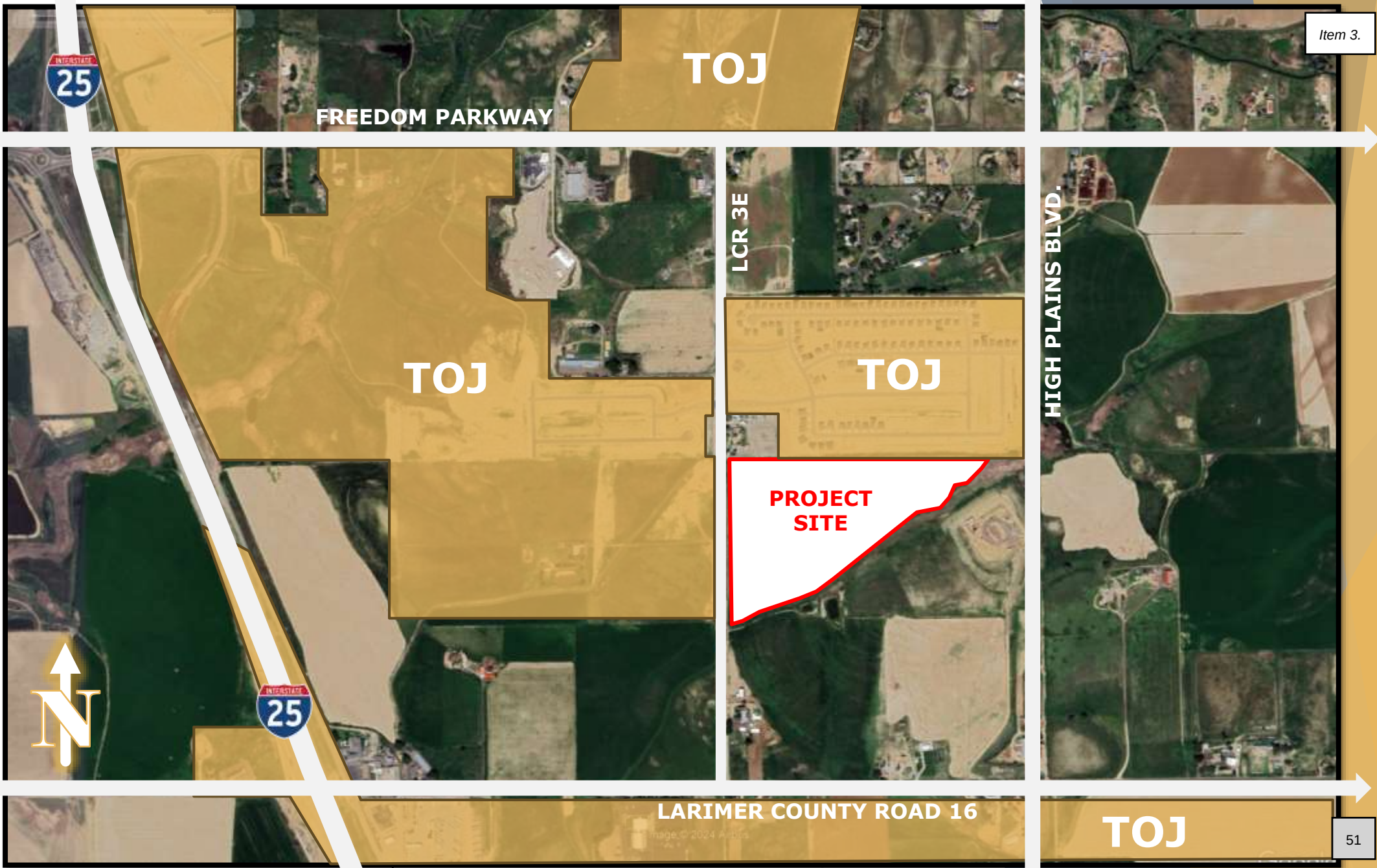


Blue Spruce Ridge Zoning

CASE ANX23-0001

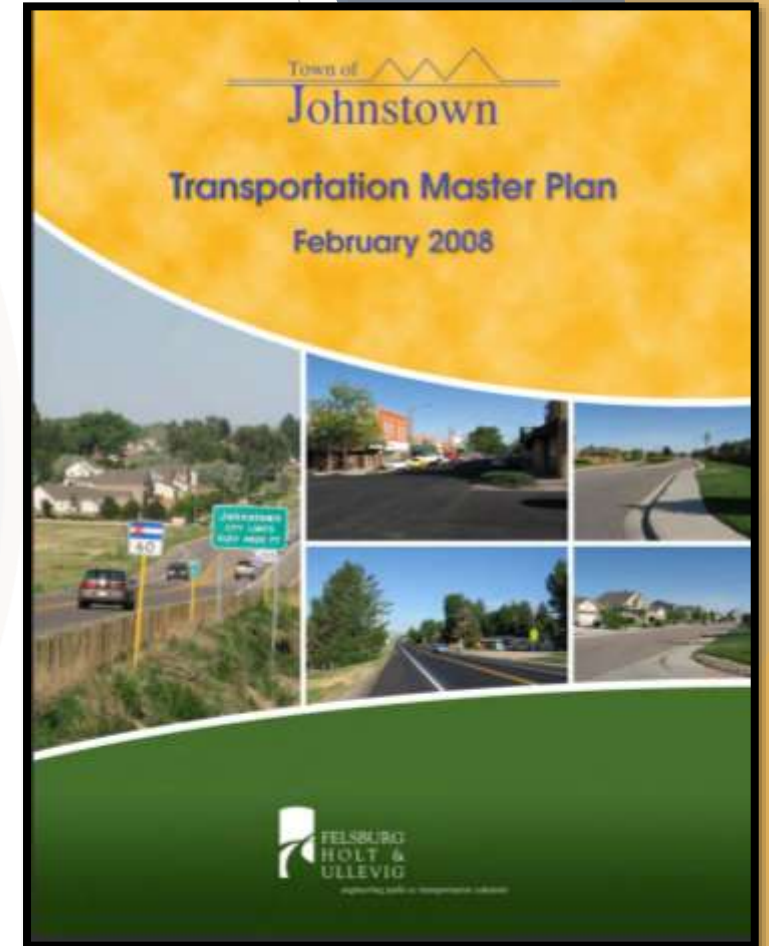
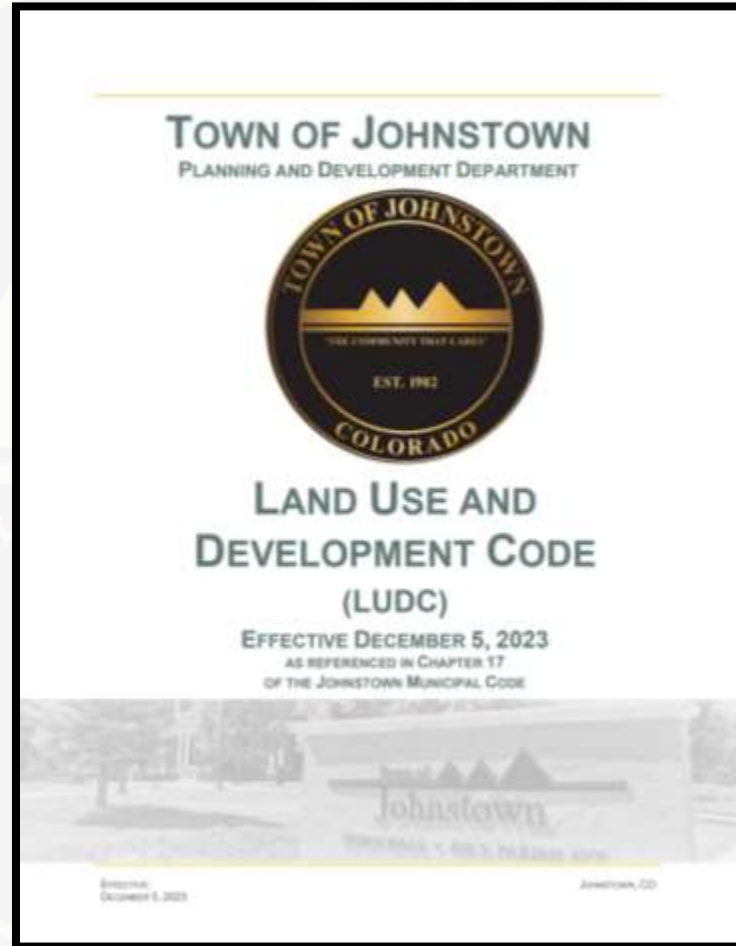
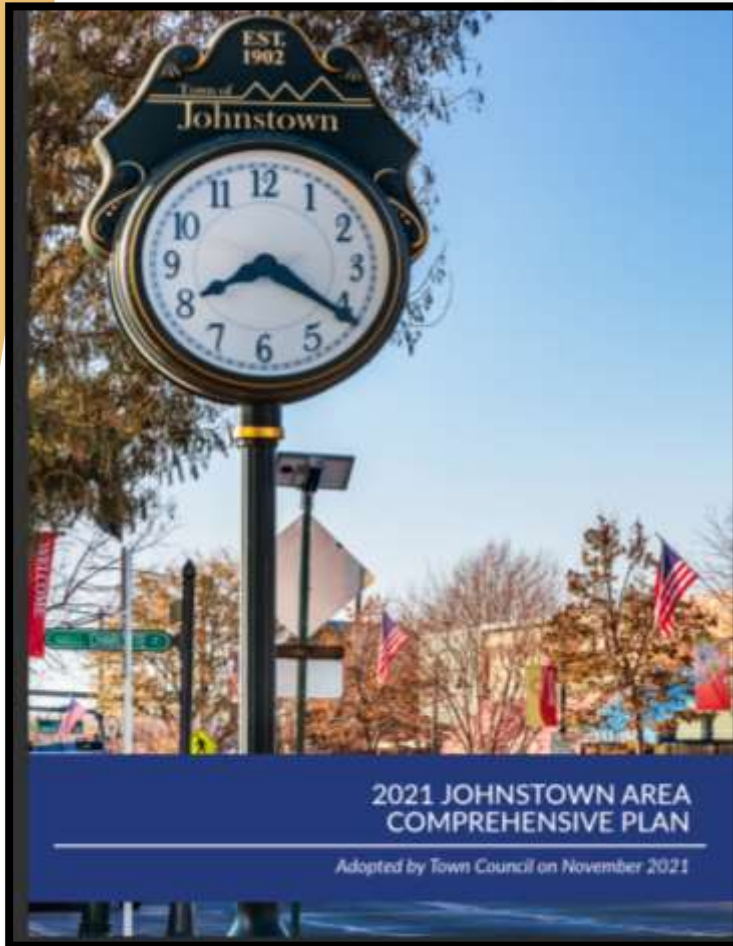
Planning and Zoning Commission
September 25, 2024

VICINITY
MAP

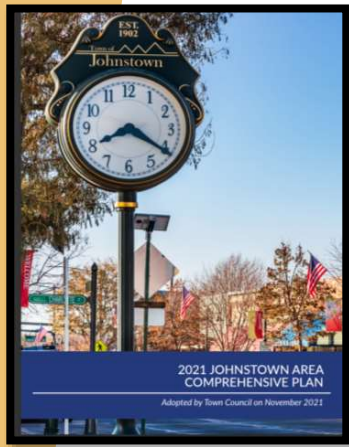


ZONING ANALYSIS

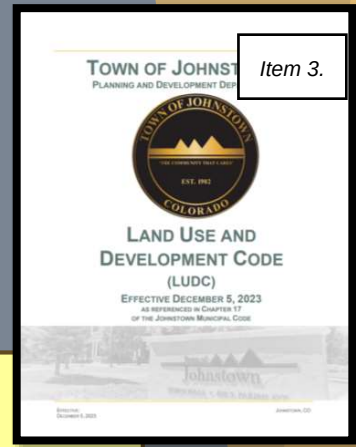
Item 3.



The Community that Cares



LAND USE v ZONING



LAND USE CATEGORIES (COMP PLAN)

HIGH DENSITY/INTENSITY

MEDIUM DENSITY/INTENSITY

LOW DENSITY/INTENSITY

VERY LOW DENSITY/INTENSITY

ZONING CATEGORIES (LUDC)

H-A (HOLDING/AGRICULTURE)

R-E (RURAL ESTATE)

R-1 (SINGLE-FAMILY NEIGHBORHOOD)

R-2 (MIXED-DENSITY NEIGHBORHOOD)

R-3 (HIGH-DENSITY NEIGHBORHOOD)

MU-NC (NEIGHBORHOOD COMMERCIAL)

MU-DT (DOWNTOWN)

MU-RC (REGIONAL COMMERCIAL)

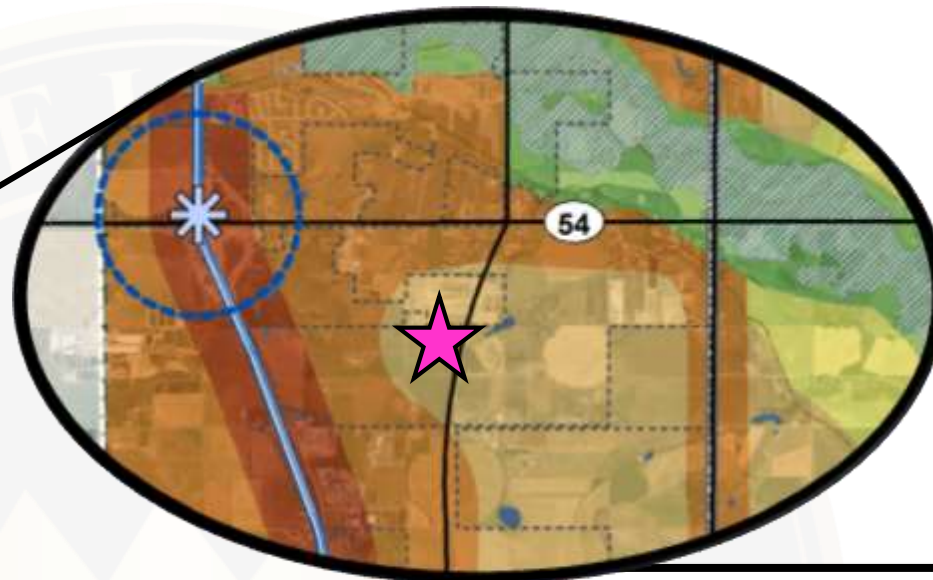
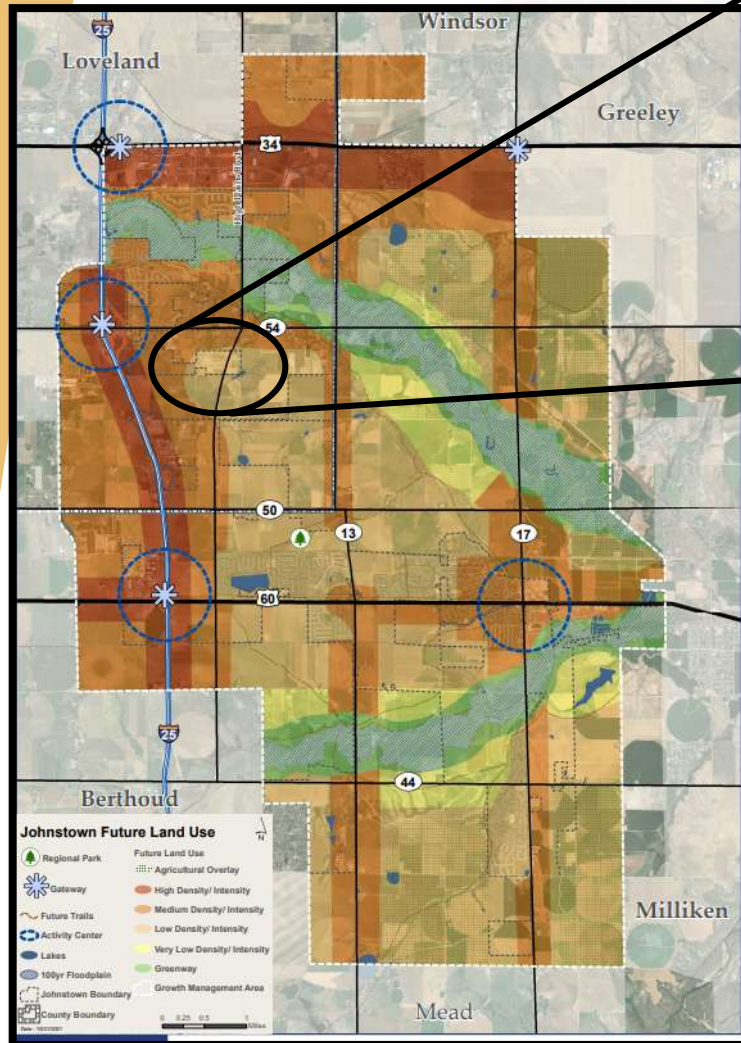
I-1 (INDUSTRIAL LIGHT)

I-2 (INDUSTRIAL HEAVY)

Land Use: Characteristic of the typical development or activity that occurs on the land.

Land Use Regulation (and **Zoning**): the municipal or local laws or regulations that indicate the permitted use of the property in accordance with the Town's regulations and guidelines.

ZONING COMPREHENSIVE PLAN



LOW DENSITY/INTENSITY (LDI)

INTENT & DESIRED CHARACTER

A Low Density/Intensity area LDI will be generally characterized by a higher percentage of residential, predominantly town for single-family detached homes, with some lower-density townhouses or duplexes. Commercial will be less prominent and focused on neighborhood-level services such as a convenience store, gas station, library, fitness studio, auto shop, salon, or restaurant, and their own parking, library, school.

Low Density/Intensity areas will occur along collector and local street corridors, and are likely to be adjacent to NEI and MCI areas, which serve to buffer LDI from major street corridors and local commercial areas. LDI will serve to offer complete neighborhoods with many points to neighborhood services, parks, schools, and be connected to adjacent neighborhoods and multi-modal corridors with trails and walks.

Commercial areas in LDI will feature smaller building footprints (5,000-30,000 SF), and be focused on providing smaller-scale retailers and services aimed at serving the immediate neighborhood and community, with more walkability and attractive landscaping that helps slow traffic and break-up parking areas, and provides outdoor spaces to gather. Sidewalk cafes and places offer patrons impromptu places to meet and eat, gather and chat with neighbors. The commercial uses may occur in small commercial centers with multiple businesses, with residential commercial areas of around 100,000 SF.

Residential neighborhoods will provide multiple housing and lifestyle options within a more suburban setting. An LDI neighborhood may utilize winding internal streets and cul-de-sac configurations, perimeter fencing and landscaping, fire buffers, pocket parks and playgrounds within neighborhoods, connected by a trail system. These provide another great solution for integrating a range of lifestyles, incomes, and age into a neighborhood.

50 • 2021 JOHNSTOWN AREA COMPREHENSIVE PLAN

RECOMMENDATIONS

Uses

Streets and spaces support lower volumes of vehicles and people, with more human-scale dimensions accounting from local streets.

Attractive landscaping is provided along major corridors, with a more suburban-style development dominated by residential, but still allowing commercial uses and centers.

The small-scale uses that directly serve nearby neighborhoods and local residents.

Signage is pedestrian-scale along walking ways. Along streets, signs are more human-scale or smaller, placed for commercial centers, and/or with adjacent neighborhoods, for commercial and residential.

Density Range

6-10 DUs/Acre

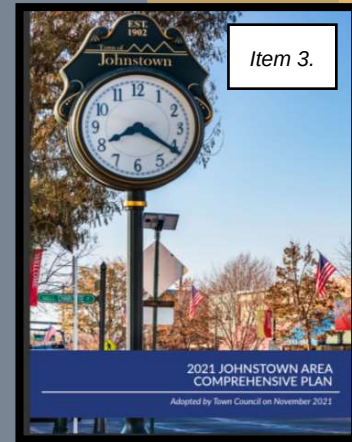
Density

Minimum of 5 stories, 70% lot coverage, 20-foot setbacks from roadways with on-street parking areas.

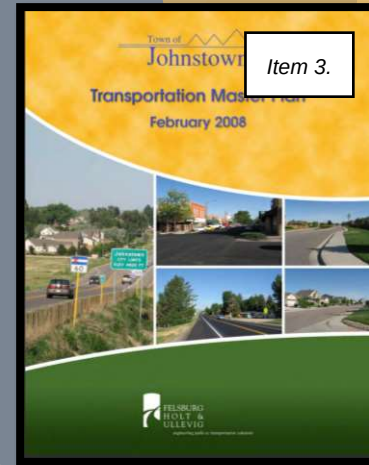
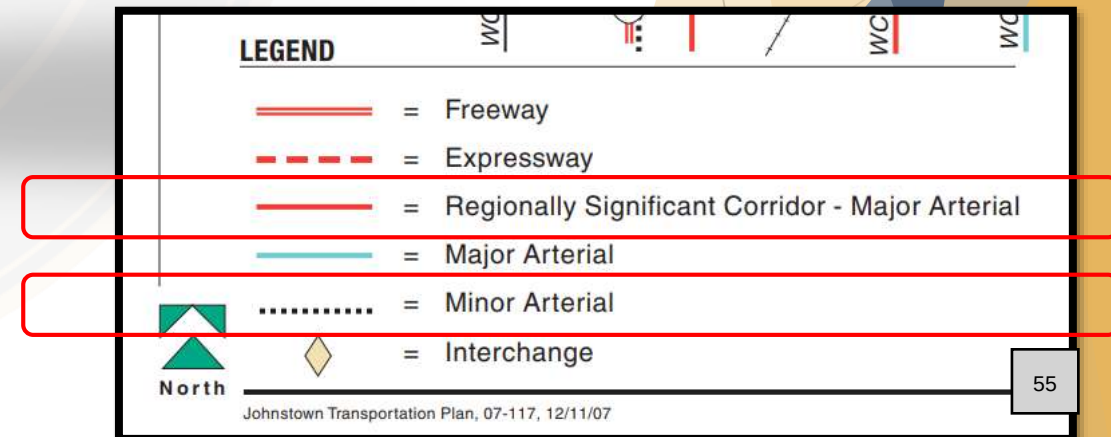
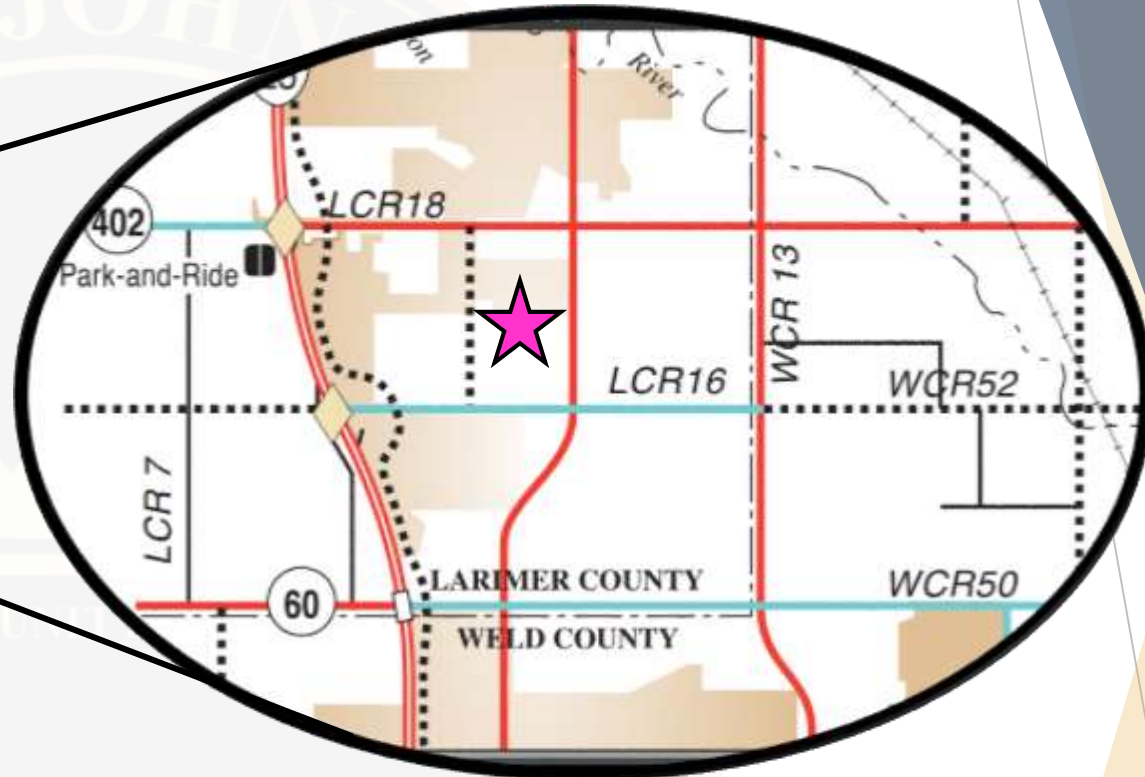
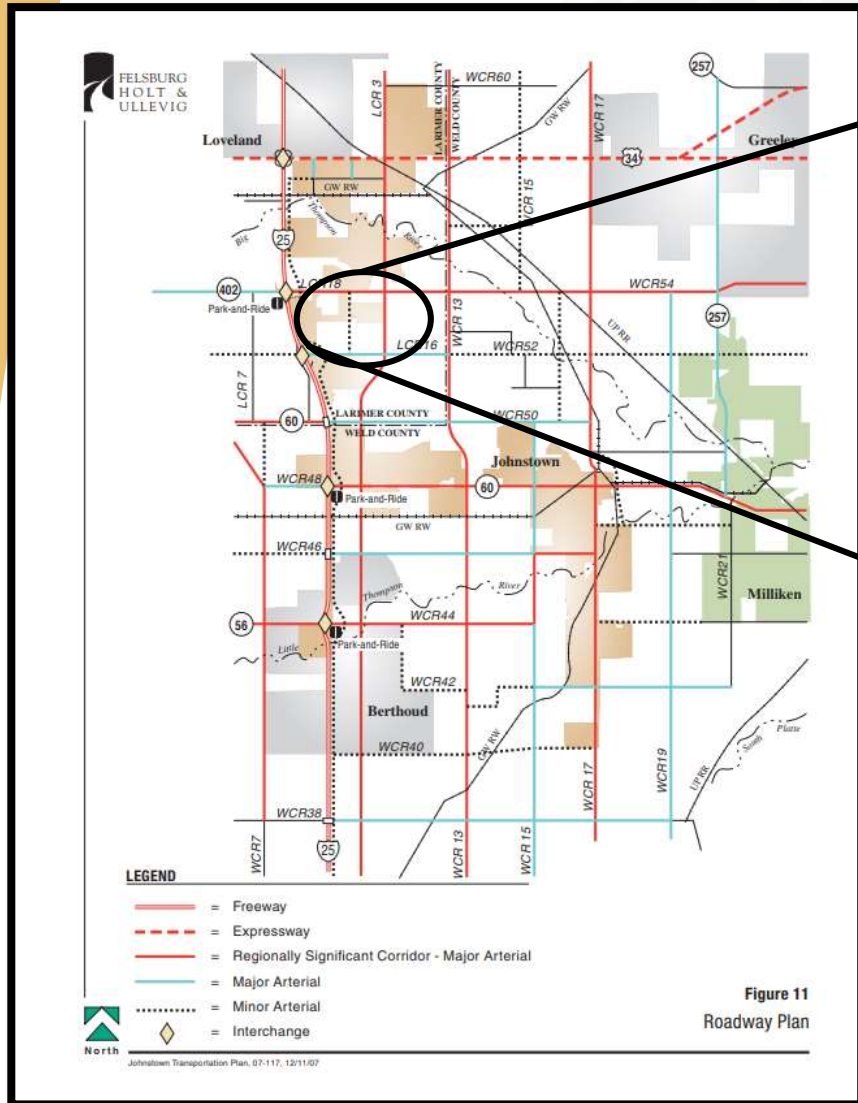
Approximate Land Use Balance

10-20% non-residential to 80-90% residential uses.

CHAPTER 5 FUTURE LAND USE • 55



ZONING – TRANSPORTATION MASTER PLAN



ZONING - LUDC

TOWN OF JOHNSTOWN
PLANNING AND DEVELOPMENT

Item 3.



LAND USE AND DEVELOPMENT CODE (LUDC)

EFFECTIVE DECEMBER 5, 2023
AS REFERENCED IN CHAPTER 17
OF THE JOHNSTOWN MUNICIPAL CODE

intent given for the character of specific areas, the development patterns and context, and the types or intensity of uses and buildings.

Table 4-1: Zoning Districts & Intent

District & Intent	Relationship to Comprehensive Plan
H-A – Holding / Agriculture. The H-A district is intended for agriculture and associated uses, and may include rural residential living with detached houses on acreages or very large “pre-development” lots. Due to the development patterns and inefficiency of providing municipal services, this area receives only limited infrastructure investment. It is used as a “pre-development” district to preserve open and rural lands, or to hold areas until more coordinated, compact, and efficient growth and development can occur.	Limited application as a pre-development area or to preserve agriculture lands in the very low intensity areas. Alternatively, the conservation pattern can be used to cluster development areas served by infrastructure in exchange for preserving large, in fact areas of open space, natural areas, or agriculture lands.
R-E – Rural Estate. The R-E district is intended for very low density residential living (detached houses) on larger lots. These districts permit limited farming, agriculture and similar, less intense rural uses that are compatible with low density living. Due to the dispersed development intensity, this area receives lower levels of infrastructure investment and public service, unless used in association with planned conservation or agricultural preservation strategies, or in very limited application of estates as part of a border, mixed-density neighborhood pattern.	Limited application on the edges of neighborhoods abutting rural and natural areas, or for rural housing on the very low intensity areas. In these cases, the conservation pattern is recommended to cluster development in areas served by infrastructure in exchange for preserving large, in fact areas of open space, natural areas, or agriculture lands.
R-1 – Single-Family Neighborhood. The R-1 district provides residential living (detached houses) in lower density suburban or walkable neighborhood settings with access to supporting uses such as schools, churches, parks, and other public facilities.	General application in low and moderate intensity areas, to provide a compatible range of lots in suburban or walkable neighborhoods.
R-2 – Mixed-Density Neighborhood. The R-2 district provides residential living (range of small-scale residential building types) in	Limited applicability in greenbelt areas, where existing site factors, hazards, or natural features may be properly mitigated and integrated into low density development patterns or coordinated with the conservation pattern.
	General application in moderate and high-intensity areas, as a complementary component.

Effective:
December 5, 2023

Chapter 17
Johnstown Land Use & Development Code

6-1



ARTICLE 4 – DISTRICTS & USES 17-4-1 ESTABLISHMENT OF ZONING DISTRICTS

Table 4-1: Zoning Districts & Intent

District & Intent	Relationship to Comprehensive Plan
R-3 – High Density Neighborhood. The R-3 district provides residential living (small- or large-scale residential building types) in a moderate-to-high density pattern in suburban areas or walkable neighborhoods. This district should be located as a transition between lower density neighborhoods or more intense non-residential uses, and where a high level of accessibility, public amenity and support services are immediately available.	General application in high-intensity areas, or limited applicability at strategic points and transitions to and within Activity Centers.
MU-DT – Downtown. The MU-DT district provides an integrated mix of retail, service, entertainment, and civic uses, and supporting office and residential uses, in a compact and walkable format. This district preserves the historic “main street” scale and small-town character of Johnstown. It is the vibrant heart of the community with a high level of civic design, walkable urban culture, and a concentration of diverse, small-scale	General application for Downtown Activity Center.



ARTICLE 4 – DISTRICTS & USES

17-4-2 PERMITTED USES

Table 4-2: Permitted Principal Land Uses

	H-A	R-E	R-1	R-2	R-3	MU-NC	MU-DT	MU-RC	I-1	I-2	Specific Conditions
P = Permitted, subject to general district standards S = Permitted, by Use by Special Review, a discretionary process = Blank means the use is not permitted											
Residential Uses											
One-unit Dwellings	P	P	P	P	P						Table 5-1
Attached One-Unit / Multi-unit Dwellings				P	P	P	P	P			Table 5-1
Household Living											
Dwellings – Mixed-use					S	P	P	P			17-4-3.B
PD: Mfgd / Small Format Home Community				S	S	S	S				17-5-6
Established Residential (all building types)						P	P	P	P	P	
Group Living											
Group Home – Small	P	P	P	P	P	P	S	S			17-4-3.C
Residential Care – Limited	S	S	S	S	S	P	S	P			17-4-3.D
Residential Care – General					S		S	P			17-4-3.D
Residential Care – Institutional								S	S		

ZONING – LUDC – ARTICLES 3 & 5

[illegible]

ARTICLE 9 – SUBDIVISION, DEVELOPMENT, AND COMMUNITY DESIGN

10 of 12 Sections

Figure 9-1: **Minimum Street Crossings.** When street-front property is developed, street-level sidewalks and street-front pedestrian crossings shall be provided in accordance with Section 9-2-3-3(d).

3. **Midblock and Driveway Crossings.** In any case where exceptions for larger blocks apply, or any other case where pedestrian and bicycle crossings are important, such as adjacent to schools, shops, transit systems or community centers, the Year may require pedestrian crossings in specific areas through signals or at the end of any street and block. Crosswalks shall meet the open space design standards in Section 9-2-3-2.

Figure 9-2: **Midblock and Driveway Crossings.** When a block is developed in major streets, the primary intersection for pedestrian use may be required through signals or at the end of a block in accordance with 9-2-3-2.

4. **Boundary Corridors.** Streets that are planned to provide pedestrian or adjacent active and passive recreation shall include bicycle facilities. See the standards in Table 9-2, created pursuant by an ordinance in 1-2-3-1(b).

a. The Year may require dedication of right-of-way and construction of active pedestrian facilities for the boundary line of the property to be subdivided or approved

Official Code
December 3, 2020

Chapter 9
subdivision, development and community design

9-1

[illegible][illegible]

ARTICLE 8 – TECHNICAL DEVELOPMENT & DESIGN
INTEGRATED DOCUMENT, AUGUST 2016

11-01-0

Intelligent Irrigation

4. **Intelligence Irrigation.** The degree of intelligence required for the maintenance of Irrigation systems is the threshold. Irrigation design involves determining the amount of water, where and when to deliver water, and why to deliver. *Intelligence* is design according to the situation and design-operation of the system may be used to modify the system maintenance in Table 2-1.

1. **Design-Intelligence.** Irrigation design and its impact on water for Irrigation design includes:
 - a. Irrigation design of landscape by considering of landscape environment with priority to Irrigation treatment.
 - b. Design-Intelligence is the solution of the landscape design, and water.
 - c. Design-Intelligence is the solution of the landscape design, and water.
 - d. Design-Intelligence is the solution of the landscape design, and water.
 - e. Design-Intelligence is the solution of the landscape design, and water.
 - f. Design-Intelligence is the solution of the landscape design, and water.
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 - m. Design-Intelligence is the solution of the landscape design, and water.
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 - v. Design-Intelligence is the solution of the landscape design, and water.
 - w. Design-Intelligence is the solution of the landscape design, and water.
 - x. Design-Intelligence is the solution of the landscape design, and water.
 - y. Design-Intelligence is the solution of the landscape design, and water.
 - z. Design-Intelligence is the solution of the landscape design, and water.
2. **Design-Intelligence.** Irrigation design and its impact on water for Irrigation design includes:
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 - x. Design-Intelligence is the solution of the landscape design, and water.
 - y. Design-Intelligence is the solution of the landscape design, and water.
 - z. Design-Intelligence is the solution of the landscape design, and water.

(This is a placeholder for a diagram)

Figure 11-01-01: Intelligent Irrigation. The diagram illustrates the concept of intelligent irrigation, showing a landscape with various zones and a central control unit. The zones are labeled with letters A through Z, and the control unit is labeled with the number 1. The diagram is a schematic representation of the irrigation system, showing the layout of the landscape and the placement of the control unit.

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Version:
December 1, 2016

Document: 11-01-0

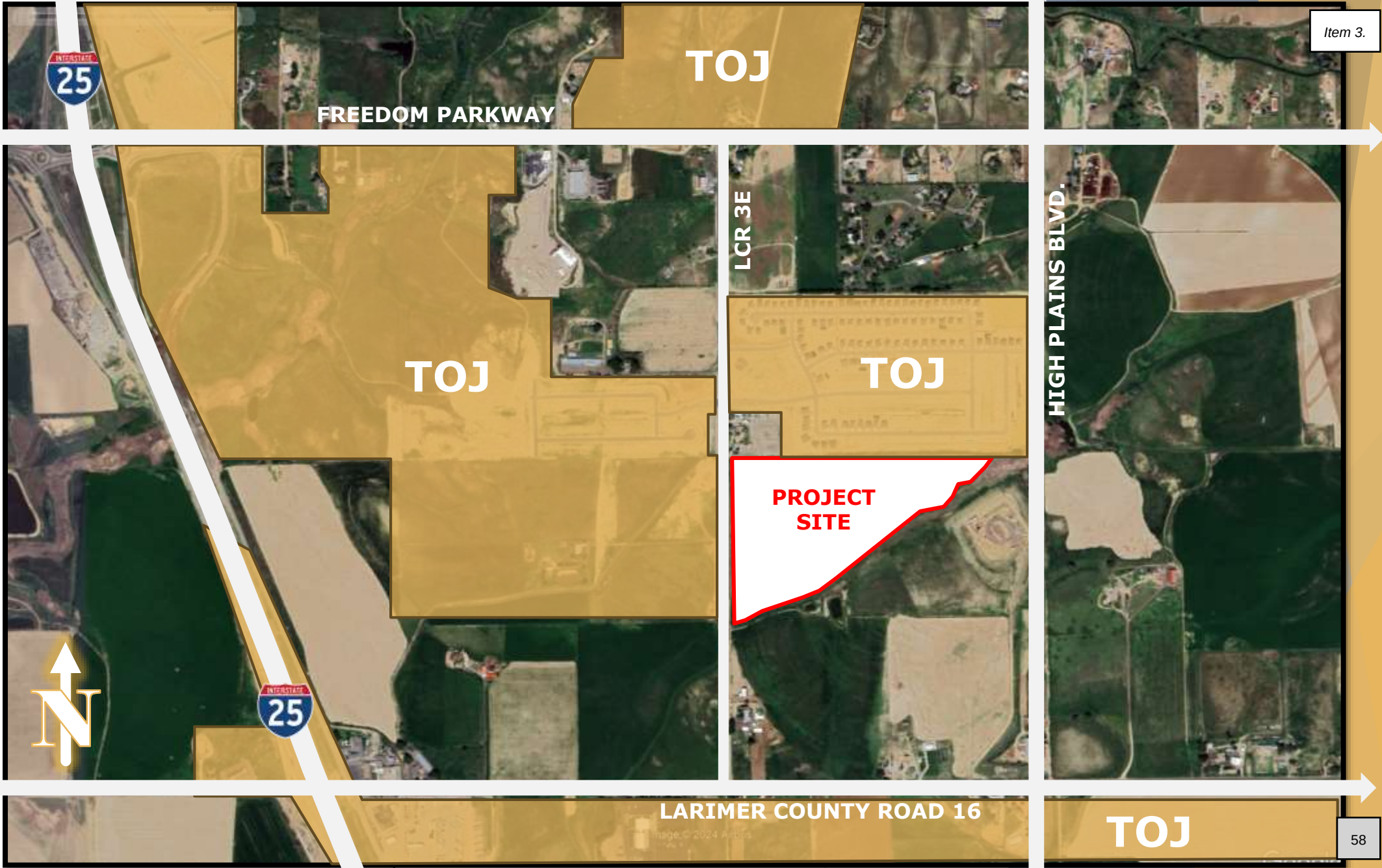
International Association of Agricultural Engineers (IAAE)

11-01-0

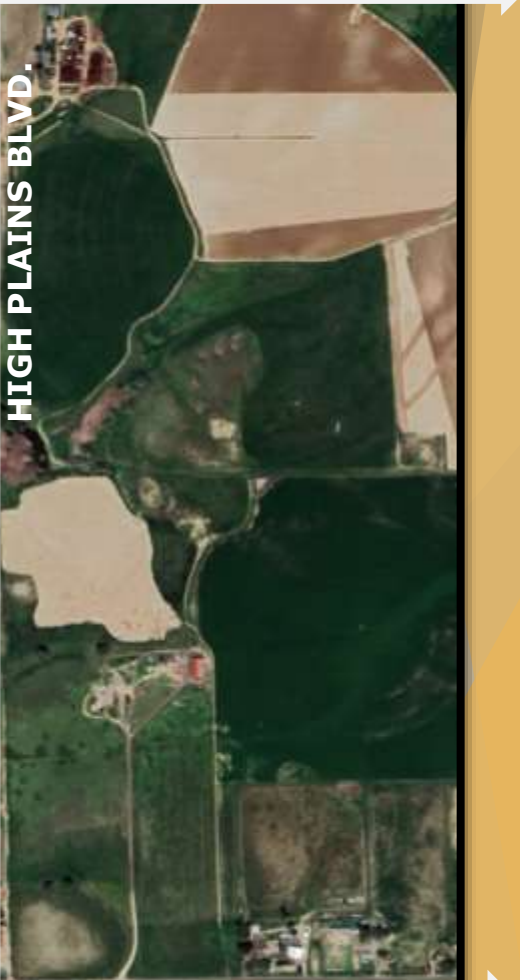
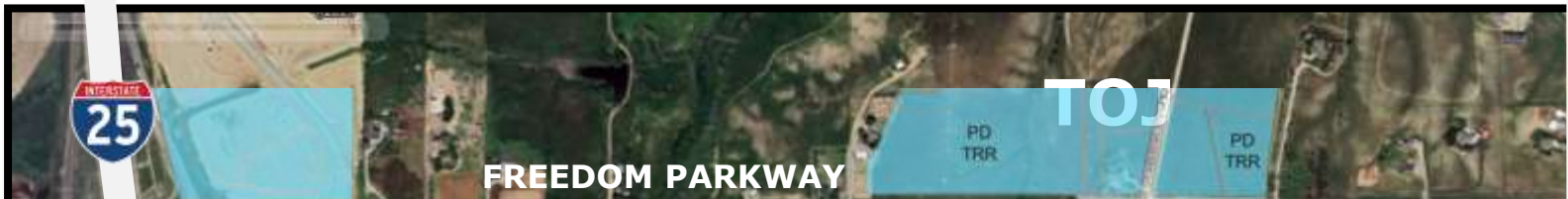
Table 2-5. Residential Photovoltaic Types and Storage Alternatives					
Storage Option	Spaced Storage	Aggregated Storage	Cluster Storage	Battery Storage	
Residential Concept					
Appliances	• Dish	• Dish • Dish • Dish	• Dish	• Dishwasher non-renewable technology • Renewable dishwash	
Cost (kWh/kW)	• \$0.2	• \$0.2	• \$0.2	• \$0.2	Limited to Appliances – Local Constraints • \$0.08, \$0.09, \$0.10
Cost (kWh/kW) (2015)	\$0.10 – \$0.20	\$0.10 – \$0.20	\$0.10 – \$0.20	\$0.10 – \$0.20	
Residential Potential	Residential Only (10-15)	Residential Only (10-15)	Residential Only (10-15)	Multiple	
Storage Benefit	10% of storage up to 100 hours	50% of storage up to 100 hours	50% of storage up to 100 hours	50% of storage up to 100 hours	
Storage Constraints	• 10% of storage is behind the meter • Heat or water loss • up to 10% of 100 hours (100)	• 50% of storage is behind the meter • Heat or water loss • up to 50% of 100 hours (50)	• 50% of storage is behind the meter • up to 50% of 100 hours (50)	• 50% of storage is behind the meter • up to 50% of 100 hours (50)	
Storage & Fuel Use Constraints	• 50% of storage is behind the meter • 50% of storage is behind the meter	• 50% of storage is behind the meter • 50% of storage is behind the meter	• 50% of storage is behind the meter • 50% of storage is behind the meter	• 50% of storage is behind the meter • 50% of storage is behind the meter	

[illegible][illegible]

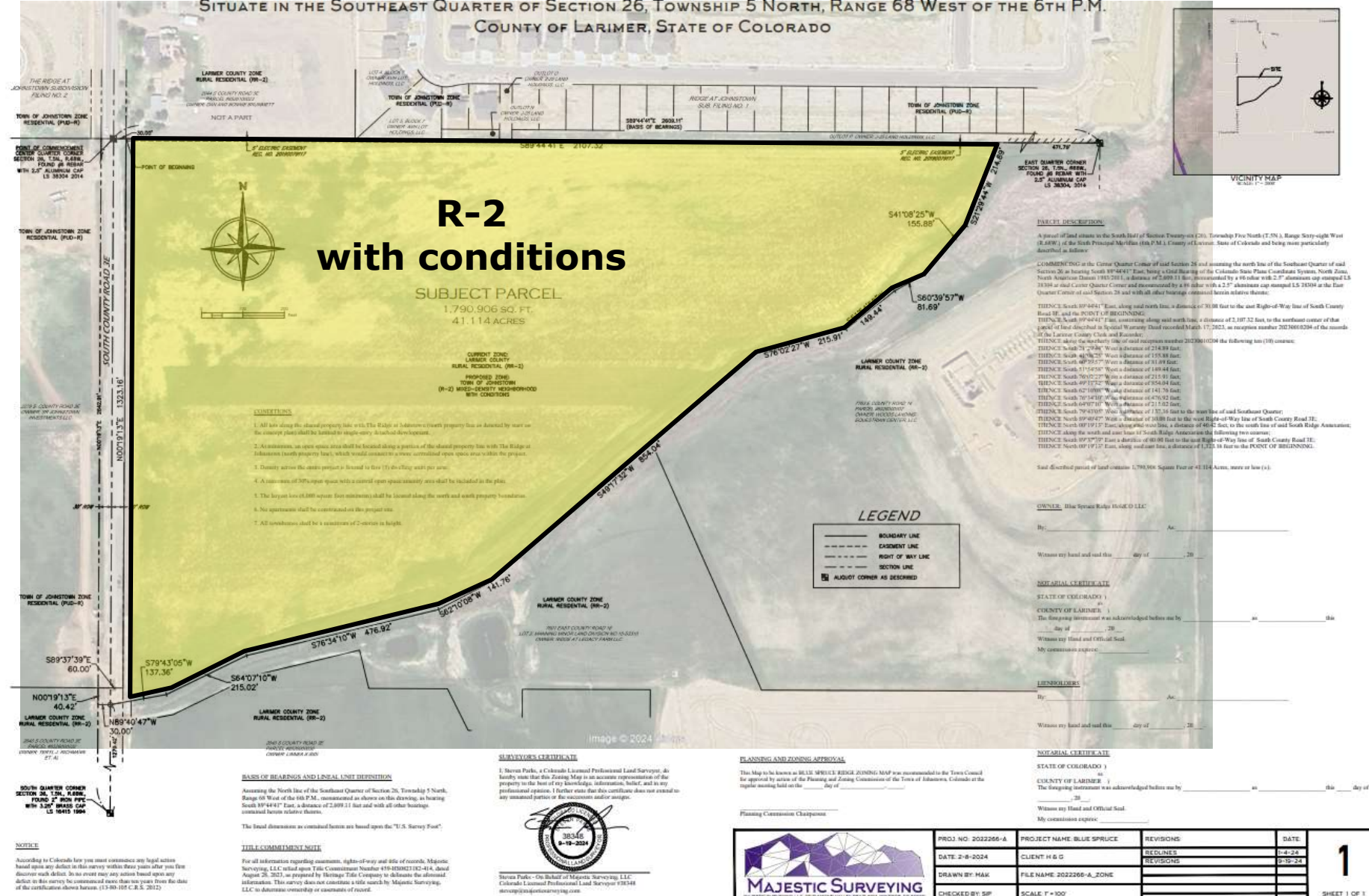
VICINITY
MAP



ADJACENT
ZONING



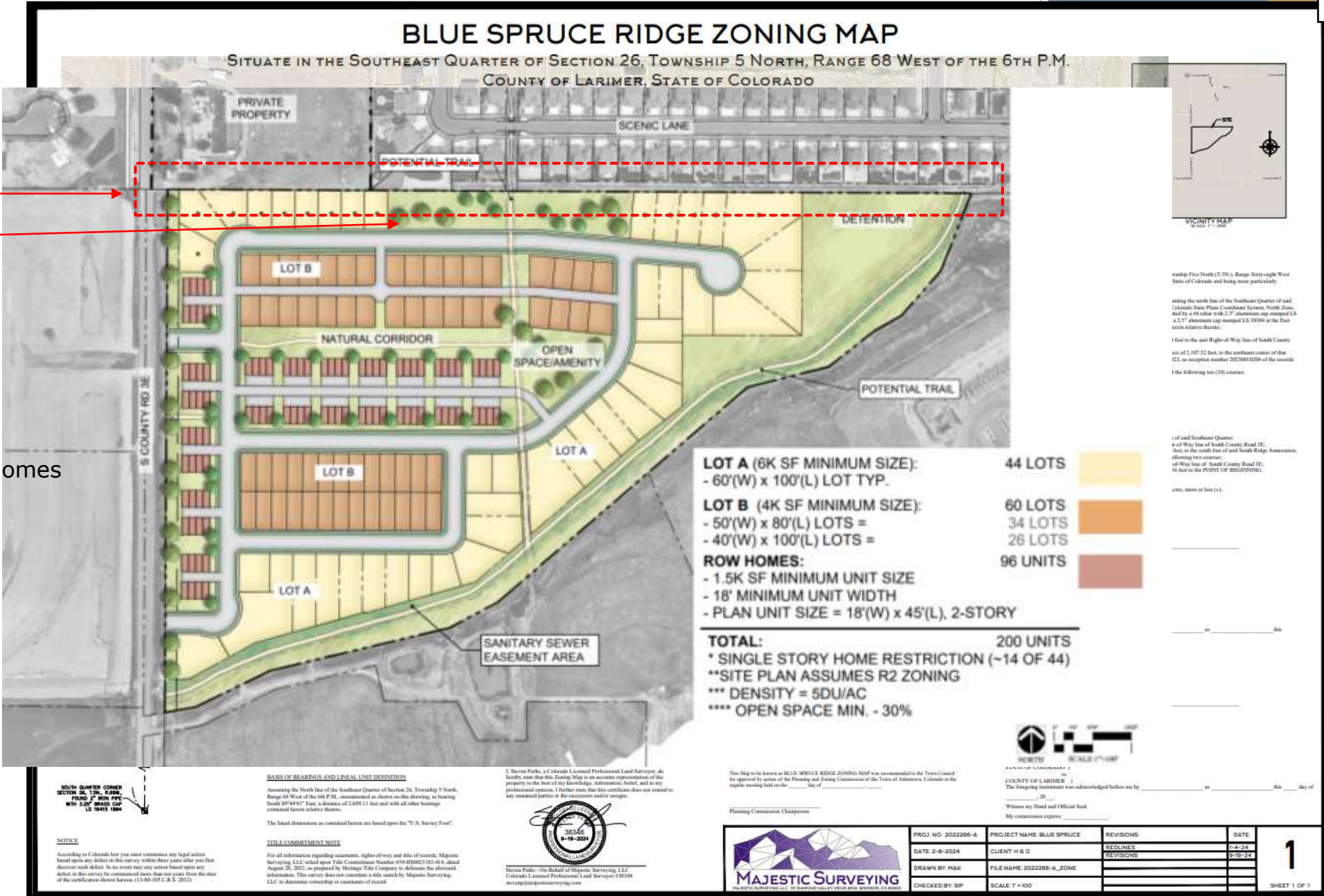
SITUATE IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M.
COUNTY OF LARIMER, STATE OF COLORADO



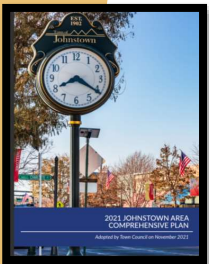
CONCEPT PLAN

Item 3.

- One-story restriction
- Open-space requirement
- Density limit (5du/ac)
- Min. 30% open-space
- Large lots on north/south property lines
- No apartments
- Max. 2-story limit for townhomes

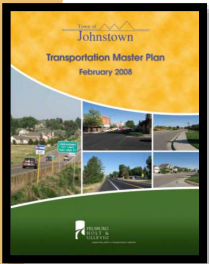


ZONING - CONCLUSIONS



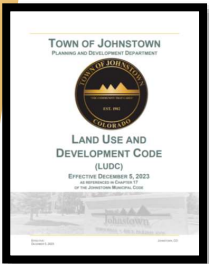
COMPREHENSIVE PLAN

- The property is located in an LDI land use area.
- LDI areas are intended to provide multiple housing options in low-density formats, including townhomes and duplex/patio houses.
- LDI areas are intended to be served by collector and local streets.



TRANSPORTATION MASTER PLAN

- The primary street serving the property is a minor arterial.
- A regionally significant major arterial is located immediately east of the property.



LAND USE & DEVELOPMENT CODE

- The only two zoning designations that allow both single-family detached and single-family attached/multi-unit dwellings is the R-2 and R-3 zones.
- The R-3 zone allows residential uses that are not consistent with LDI areas; therefore, it is not recommended for this property.

Based upon the information presented, R-2 zoning is recommended for this property because it represents the zoning classification best suited to support the goals and objectives of the Town’s Comprehensive Plan.



CALIBER

THE WEALTH DEVELOPMENT
COMPANY

Blue Spruce Ridge

Planning Commission Hearing

September 25, 2024

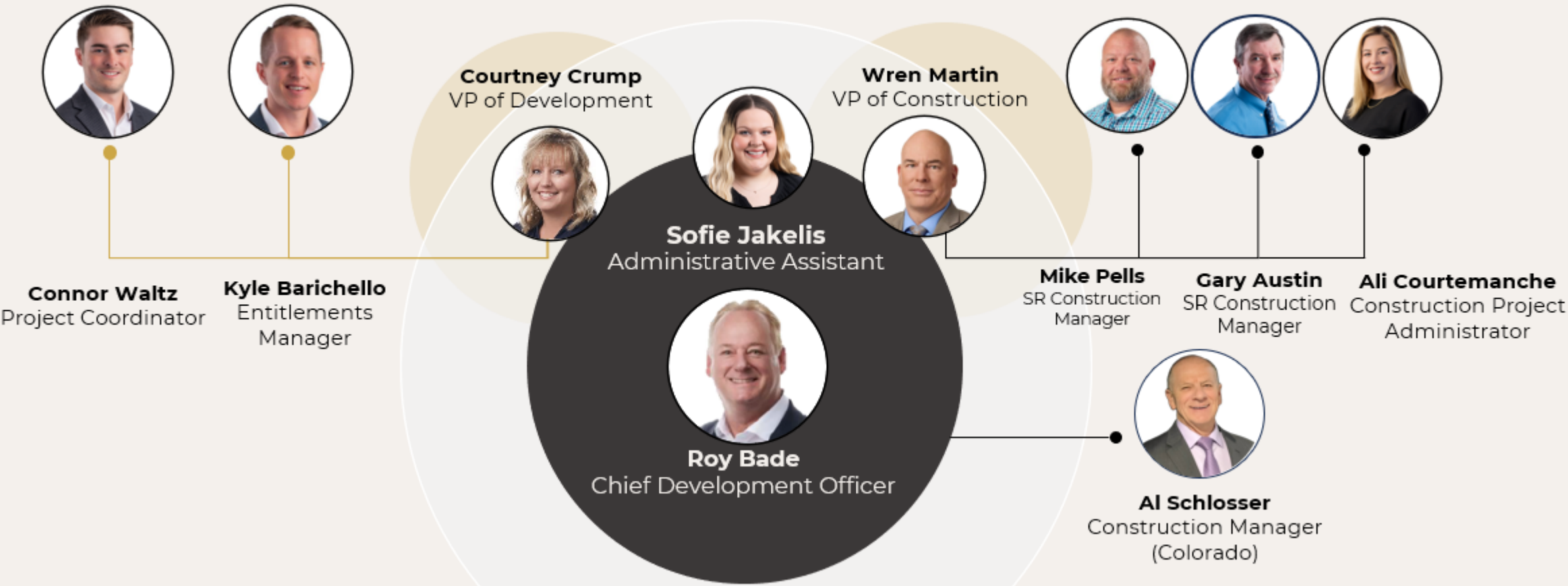
Who is Caliber?

- Caliber is a leading development, construction, and asset management firm primarily in Arizona, Colorado, and Texas
- Caliber has a 15-year track record of successful developments in all asset classes.
- Completed our Initial Public Offering (IPO) in May of 2023 and listed our stock on Nasdaq: CWD.
- Been active in Johnstown since 2017

THE CALIBER TEAM

DEVELOPMENT

CONSTRUCTION



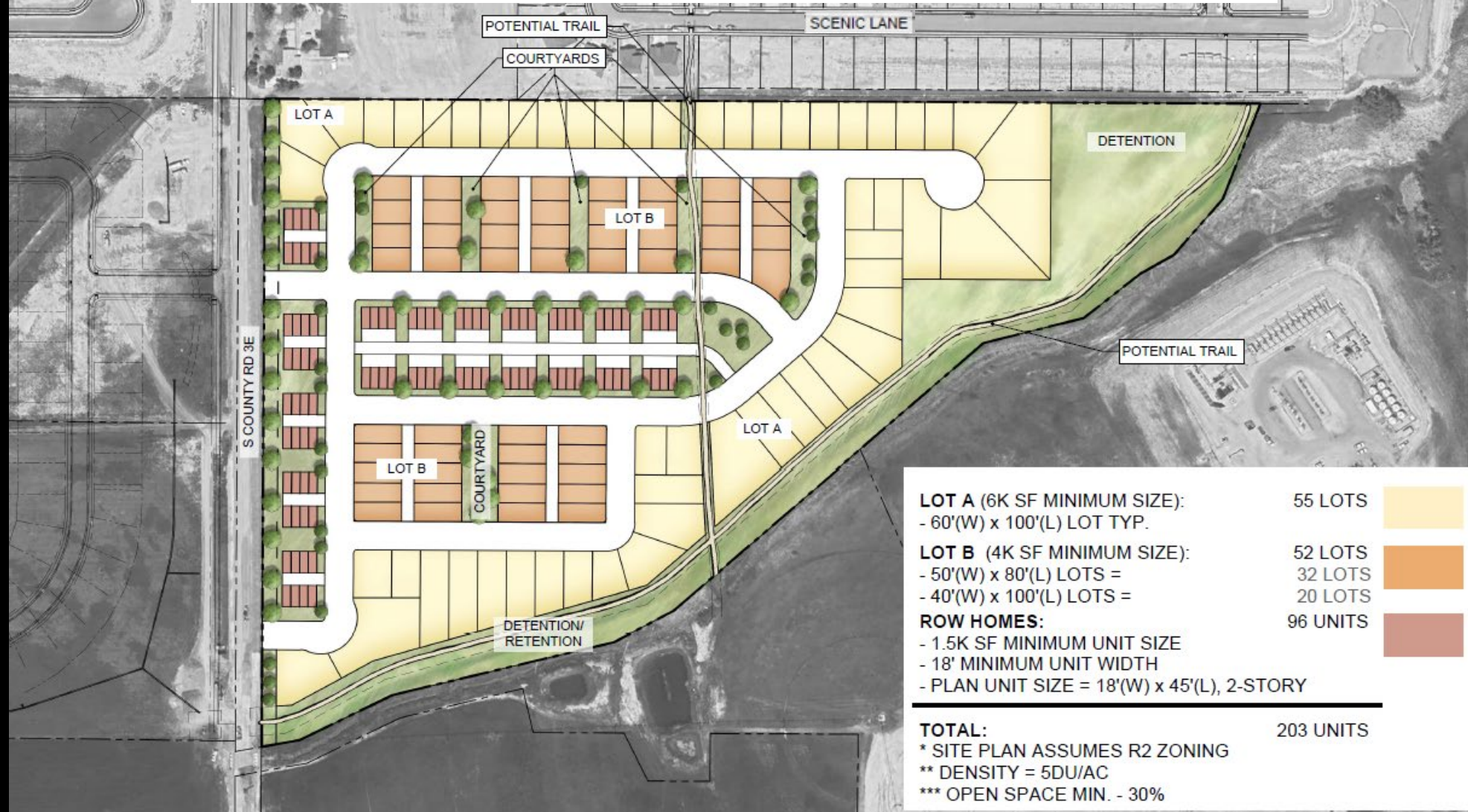
Blue Spruce Summary

- **March 13th** – P&Z recommended unanimous approval for R1 zoning
 - Note: This recommendation was against Caliber's request for R-2 zoning. After consideration, Caliber decided to proceed with R2 zoning at Council
 - **April 1st** – First reading of annexation and zoning – 4-1 to approve annexation and R2 zoning
 - **April 15th** – Second Reading of Zoning and Annexation – Motion to continue zoning to May 6th agenda
 - Annexation Ordinance passed
 - **May 6th** – Second Reading of Zoning – 4-3 vote in denial (New Councilmembers/Mayor)
-
- **July 16th** – **Neighborhood Meeting #1**
 - **August 6th** – **Neighborhood Meeting #2**
 - **September 3rd** – **R2 Zoning Resubmittal with conditions**

Proposed Zoning Proposal – R2 with conditions

- R-2 Zoning with conditions.
 - Must be consistent with the provided conceptual site plan
 - Maximum unit count of 200 units or 4.83 du/ac
 - Min. 6,000 sq. ft. lots around the perimeter, single story restrictions along perimeter
 - Linear open space along perimeter
 - Central amenity and natural open space corridor
 - Min. 30% open space
 - Limit to 2 stories on proposed townhomes, centrally located
 - Only townhome, SF courtyard/alley loaded, and SF detached product allowed
 - No traditional multi-story multi-family buildings permitted

Prior Version presented at Neighborhood Meeting #1

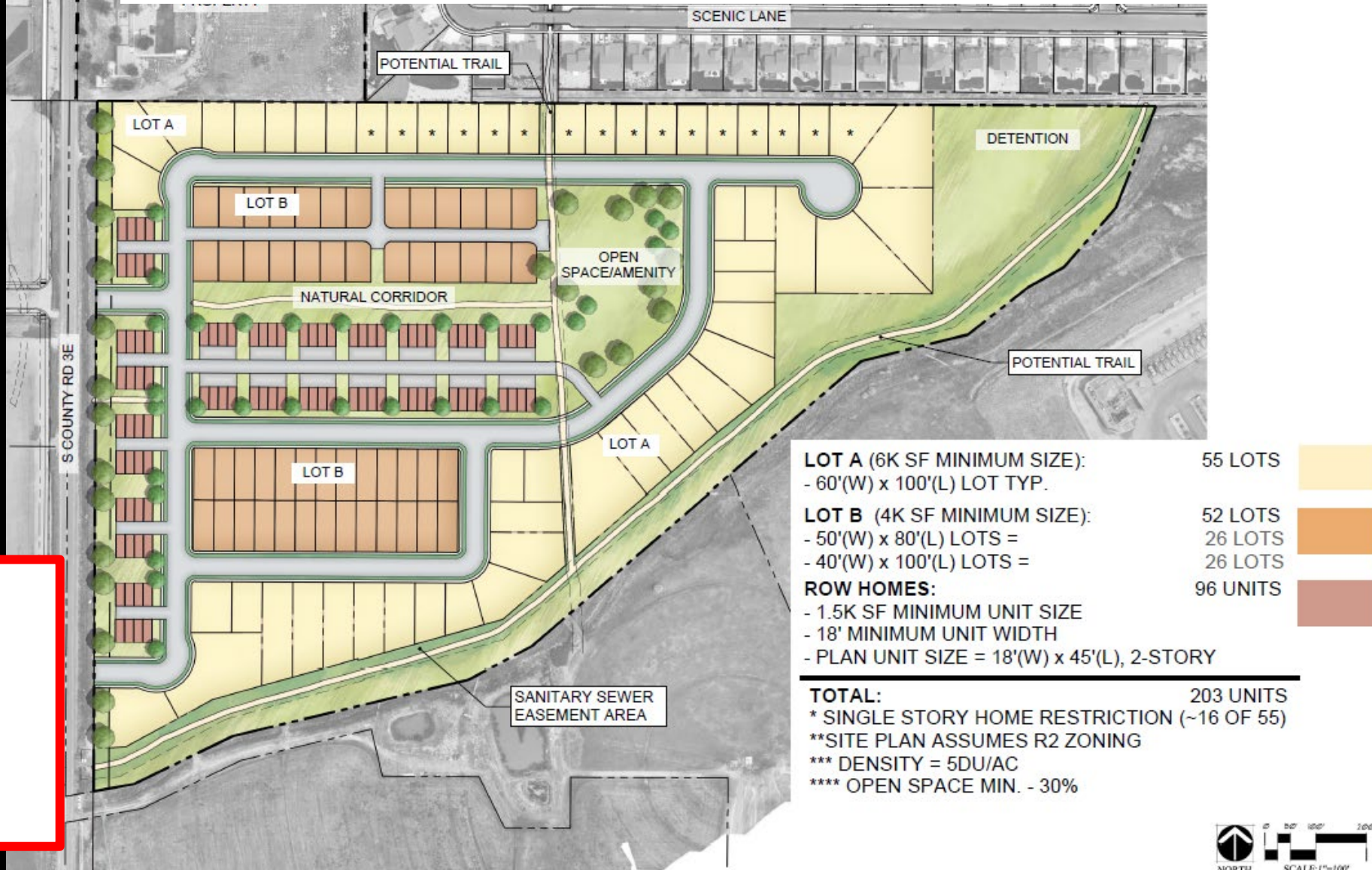


Neighborhood Meeting 1 Recap

- Many homeowners were told this site would be vacant forever
- Drainage concerns along perimeter of existing development and this site
- Additional trail system needed through the proposed community
- Provide an exhibit that shows setbacks from existing Ridge Filing 1
- Concern with to 2-story homes blocking views
- Concern with proposed R-2 zoning
- Desire for Single Family homes, concerns about the Townhomes
- Desire for more park space and open space
- Lack of park space in the entire Ridge area
- Suggestion to look at the Revere community for park and design inspiration
- Traffic concerns
- Fire access questions
- The Ridge ongoing maintenance issues / Metro District questions
- Perimeter easement around the property/irrigation ditch

Please note this is a non-exhaustive list of the discussion items

Prior Version presented at Neighborhood Meeting #2



Notable Changes:

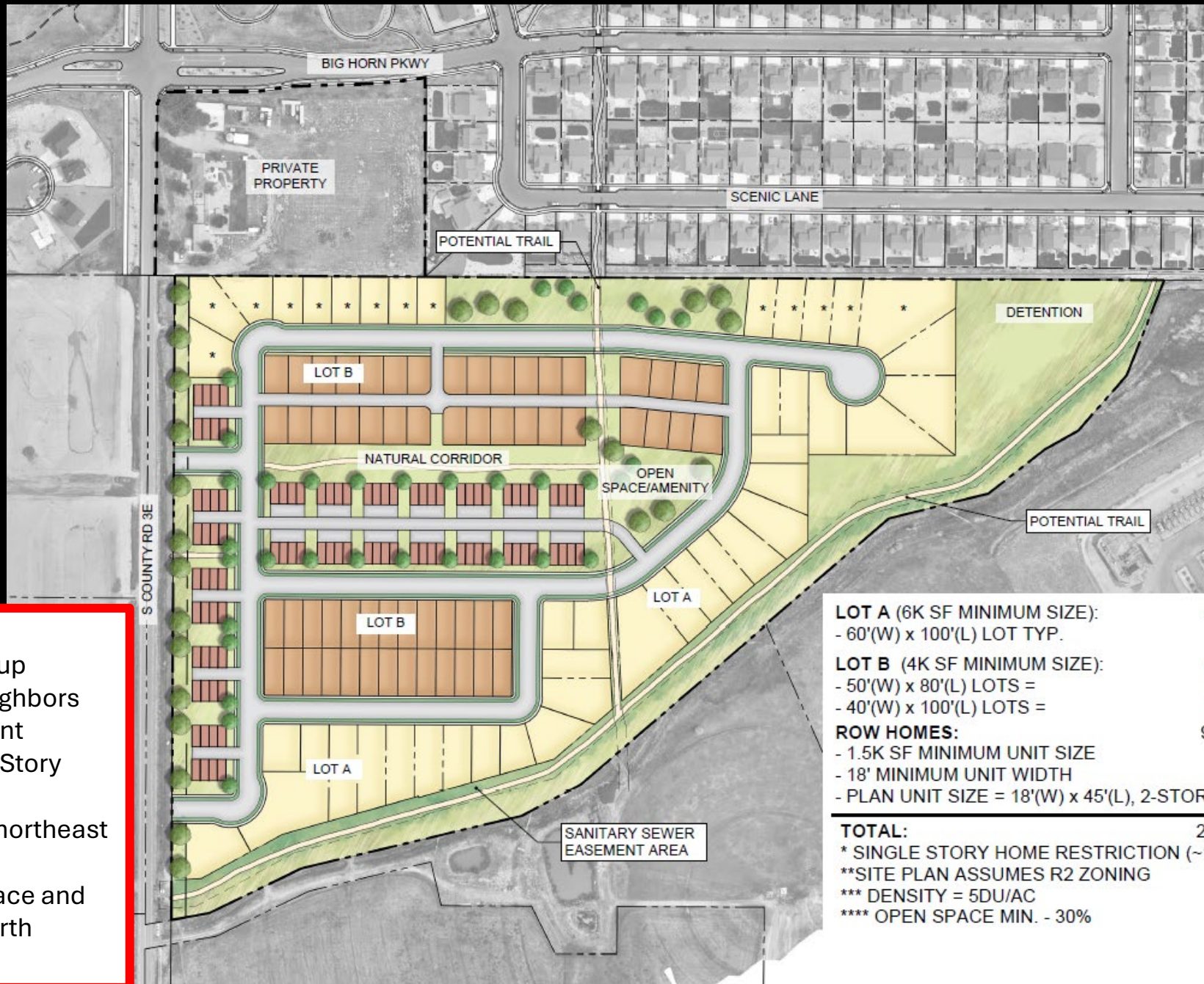
- Single Story restriction
- Large amenity space
- Improved trail connectivity



Neighborhood Meeting 2 Recap

- Additional trail system needed through the proposed community
- Desire for linear park adjacent to existing neighborhood to north
- Additional single-story restrictions along County Road 3E
- Concern with 2-story homes blocking views
- Desire for more park space and buffering
- R1 vs. R2 comparison
- Concerns with density and proposed R2
- Concerns about height

Please note this is a non-exhaustive list of the discussion items



Notable Changes:

- Additional follow up meetings with neighbors
- Reduced unit count
- Additional Single-Story restrictions
- Larger lots at the northeast corner of site
- Large amenity space and linear buffer at north boundary

LOT A (6K SF MINIMUM SIZE):	44 LOTS
- 60'(W) x 100'(L) LOT TYP.	
LOT B (4K SF MINIMUM SIZE):	60 LOTS
- 50'(W) x 80'(L) LOTS =	34 LOTS
- 40'(W) x 100'(L) LOTS =	26 LOTS
ROW HOMES:	96 UNITS
- 1.5K SF MINIMUM UNIT SIZE	
- 18' MINIMUM UNIT WIDTH	
- PLAN UNIT SIZE = 18'(W) x 45'(L), 2-STORY	
TOTAL:	200 UNITS
* SINGLE STORY HOME RESTRICTION (~14 OF 44)	
**SITE PLAN ASSUMES R2 ZONING	
*** DENSITY = 5DU/AC	
**** OPEN SPACE MIN. - 30%	



R1 Zoning vs. R2 Zoning

- “Straight” R1 Zoning
 - No concept plan is provided with zoning and site will comply with Zoning Ordinance
 - Detached SF homes only
 - Allows 4K size SF lots in courtyard pattern
 - 35’ max height / 2.5 stories
 - Minimum 30% Open Space
 - No large park/amenity requirement (optional to meet zoning ordinance)
 - No single-story restrictions along perimeter
- R2 Zoning as proposed by Caliber
 - SF detached homes with single story restriction along perimeter
 - Large amenity/park space with connectivity to existing community
 - Linear open space buffer
 - Improved trail connectivity
 - Concept plan with commitments
 - Max 2-story height on townhomes
 - Will comply with all other zoning ordinance requirements

Summary

- Incorporated neighborhood feedback heard through public outreach meetings
- Proposed R2 zoning is consistent with General Plan and Zoning Ordinance housing diversity standards
- Received 4 letters of support for the proposed R2 zoning and concept plan
- Residents most impacted prefer R2 plan with conditions vs. R1 straight zoning
- The concept plan meets the zoning ordinance requirements and provides elevated design commitments
- We have Staff's recommendation of approval and would respectfully request approval of R2 zoning with conditions.



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

HEARING DATE: September 25, 2024

SUBJECT: Public Hearing – Subdivision Case No. SUB23-0021 which includes a Preliminary Plat and Change of Zone for Waggoner Farm

ACTION PROPOSED: Make a recommendation to the Town Council regarding Subdivision Case No. SUB23-0021

LOCATION: Northwest corner of Highway 60 and Weld County Road 13 (Colorado Boulevard). Parcel No. R4651286, 1061-01-0-00-009

APPLICANT: MIC TDC Hwy 60 Johnstown, LLC

ATTACHMENTS:

1. Vicinity Map
2. Preliminary Plat
3. Zoning Map
4. Preliminary Landscape Plan
5. Concept Plan
6. Staff Presentation

PRESENTED BY: Jeremy Gleim, AICP, Planning & Development Director

BACKGROUND & SUMMARY

The applicant, MIC TDC Hwy 60 Johnstown, LLC, submitted a Land Use application for a Change of Zone, Preliminary Plat, and Preliminary Development Plan in December of 2023. These applications were submitted for the property commonly referred to as Waggoner Farm, which is located at the northwest corner of Highway 60 and Weld County Road 13 (Colorado Boulevard). The legal description reads as follows: All that part of the Southeast $\frac{1}{4}$ of Section 1, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado, lying and being southeast of the lower or south and east bank of the canal of the Consolidated Home Supply Ditch and Reservoir Company in said Quarter Section, and south of the lateral ditch in said quarter section known as The Eberhart Lateral. The property measures approximately 17.44 acres.

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It should be noted that the application for Preliminary Development Plan, which was submitted with the application packet, is not relevant to this request and is not being considered with the application. Preliminary Development Plans (PDPs) are associated with Planned Development applications (PUD/PD). The applicant is requesting a Change of Zone from PUD-B to MU-NC (Mixed-Use Neighborhood Commercial). If approved, the subject property will be bound by the requirements set forth in the Town of Johnstown Land Use and Development Code (LUDC); therefore, a Preliminary Development Plan is not necessary or applicable to the current request.

Pursuant to Section 17-2-5(C)(2) of the LUDC, the applicant may present a preliminary sketch or Concept Plan for review by staff or the Planning and Zoning Commission and Town Council. This may be used to confirm interpretations, test basic concepts and standards, or review options for a proposed project. Review of the concept plan does not result in any inherent approvals but it provides an opportunity to receive feedback from staff, the Planning Commission, and elected officials. A concept plan has been developed and is included in the hearing packet as Attachment No. 5.

CHANGE OF ZONE

The subject property was annexed into the Town of Johnstown via Ordinance No. 2003-702, which was originally recorded by Weld County on December 15, 2003 (Reception No. 3135239), and re-recorded with corrections on October 18, 2006 (Reception No. 3428360). In conjunction with the adopted ordinance for annexation, Ordinance No. 2003-703 was also adopted for the purpose of establishing zoning for the subject property. The subject property was zoned PUD-B (Business) pursuant to the aforementioned ordinance, which was recorded by Weld County on December 15, 2003 (Reception No. 3135240).

SURROUNDING ZONING & LAND USE

North	R-1 (Residential)	• Corbett Glen Neighborhood • Johnstown Elwell Cemetery
East	PUD-R (Residential)	• Graded Subdivision (Purvis) • Existing Single-Family Homes
South	PUD-R	• Vacant Land • Clearview Neighborhood
West	PUD-R (Residential) R-1 (Residential)	• Corbett Glen • Existing Single-Family Home

Pursuant to the Future Land Use map in the Town of Johnstown Comprehensive Plan (Comp Plan), this land is located in a Medium Density/Intensity land use area. As described in the Comp Plan, MDI areas will generally be characterized by a more balanced, and wider-ranging mix of land uses

– incorporating walk-up apartment buildings, townhomes, small lot attached and detached single-family housing, in close proximity to neighborhood-scale shopping, personal services, restaurants, small medical facilities, and facilities such as libraries and recreational centers. Commercial uses may be developed as stand-alone sites or be grouped in small 10 to 20-acre centers or campuses. MDI areas should have attractive streetscape along major corridors and walkable, pedestrian scale commercial areas that connect to adjacent neighborhoods. The density range for MDI areas is 5 – 16 dwelling units per acre.

LAND USE HISTORY

Historically, this land has been used for agriculture and there are a number of structures in the northeast corner of the property.

REQUEST

The applicant is requesting to change the current zoning on the property to a new zoning designation of MU-NC (Mixed-Use Neighborhood Commercial). In 2023, the Town adopted an updated Land Use & Development Code (LUDC), which included significant updates to neighborhood, residential, and non-residential design standards. Changing the zone to MU-NC will provide the opportunity to use the updated LUDC as the regulatory development code.

MU-NC Zoning Designation

Pursuant to Section 17-4-1 of the LUDC, the MU-NC District provides for small-scale and low-intensity uses that complement, support, and are integrated into surrounding neighborhoods and other higher-intensity commercial areas. It may exist in compact, walkable formats in close proximity to neighborhoods, or alternatively, if automobile oriented, the impacts of access and operations on adjacent areas are limited and mitigated by the small-scale format and lower intensity of the uses. The general application of this zoning designation is within Activity Centers or commercial areas in the Moderate Intensity Area.

The MU-NC zone allows for a wide range of uses, including residential, retail, office, lodging, food & beverage, and civic uses, amongst many others. The full list of permitted and conditionally permitted uses is provided in Table 4-2 of the LUDC. Given the underlying land use designation of Medium Density/Intensity, the MU-NC zoning designation is appropriate for this location.

PRELIMINARY PLAT

A preliminary plat was submitted as part of the application packet. Pursuant to Section 17-2-2(D) of the LUDC, any subdivision not eligible as a minor plat is a major subdivision that shall require approval of a preliminary plat and a final plat. In accordance with Section 17-2-2(D)(4), the Town Council's ultimate approval of the preliminary plat does not constitute an acceptance of the subdivision but authorizes preparation of the final plat. An approved preliminary plat shall be effective for two years. If a final plat is not submitted in that timeframe, the preliminary plat shall expire.

The preliminary plat proposes to subdivide the property into eight (8) lots, two (2) tracts, and right-of-way. Lot 1 is the largest of the proposed lots at 290,407 square feet (6.6 acres). This lot comprises most of the north half of the property and is planned for residential multi-family development. This could be a viable location for an affordable housing project. Lots 2 – 8 are slated for commercial development and range in size from 27,085 square feet to 62,124 square feet (0.6 acres to 1.4 acres). The two tracts are being created for open space, drainage, utility, access, and irrigation easements. Right-of-way for the project measures 58,415 square feet (1.3 acres).

The lots slated for commercial development (Lots 2 – 8) are oriented on the south and east portions of the lot, which are positioned along Highway 60 and Colorado Boulevard, respectively. There are two access point which will serve the project site, one on Highway 60 and one on Colorado Boulevard; neither access point will be signalized.

Access and Circulation

The access point along Highway 60 will be a 3/4 movement, meaning that vehicular traffic will be able to make right turns into the project, right turns out of the project back onto the highway, and left turns into the project while traveling east on the highway. This access point is located approximately 1,100 feet west of the Highway 60/Colorado Boulevard intersection.

The access point along Colorado Boulevard is not restricted to a 3/4 movement, meaning drivers will be able to turn left and right, into and out of the project site. This may be revised in the future if traffic patterns and/or volumes constitute the need to restrict movements for safety purposes. This access point is located approximately 575 feet north of the Highway 60/Colorado Boulevard intersection.

Internal circulation is proposed as a private driveway that traverses the site, generally speaking, on an east-west alignment. This private drive connects to both access points described above. The internal circulation is housed in an access easement that will be maintained by the HOA in perpetuity. The private drives provide access to each of the proposed lots.

Lot Design and Layout

The preliminary plat proposes the creation of eight (8) developable lots. The table below provides information regarding the size and intention of each lot:

	Size (Square Feet)	Size (Acres)	Intended Use
Lot 1	290,407	6.7	Multi-Family Residential
Lot 2	60,510	1.4	Commercial
Lot 3	27,085	0.6	Commercial
Lot 4	37,186	0.9	Commercial
Lot 5	42,284	1.0	Commercial

Lot 6	47,617	1.1	Commercial
Lot 7	51,791	1.2	Commercial
Lot 8	62,124	1.4	Commercial
LOT TOTALS	619,004	14.2	

Table 6-1 of the LUDC prescribes non-residential lot and building standards for the MU-NC zone (image below). As shown, lot sizes are prescribed between 2,000 and 40,000 square feet with 80% maximum lot coverage. These standards assume a development pattern wherein lots are arranged around a shared or common parking area. These standards do not lend so well to projects that are developed on a lot-by-lot basis wherein parking is included within the bounds of individual lots.

Table 6-1: Non-residential Lot & Building Standards							
Zoning District	Minimum Lot Standards		Minimum Setbacks [5]				Building Height (max)
	Area	Lot Coverage (max.)	Front [1]	Interior Side [2]	Corner Side	Rear [3]	
MU-NC	2K – 40K s.f.	80%	10' – 25'	5'	20'	10'	40' / 3 stories

Although some of the proposed commercial lots exceed the 40,000 square foot maximum size, it should be noted that when landscape buffers, utility and access easements, and setbacks are considered, none of the lots exceed the 40,000 square foot threshold. This is an important distinction, because the threshold exists to promote pedestrian-scale development that serves neighborhood functions. This is not intended to be a destination/regional commercial center; rather, it is intended to provide everyday services that will support nearby residents and community members.

Pursuant to Table 5-1 in the LUDC, residential lots for large lot/large complex apartments require a minimum lot size of 30,000 square feet, with no upper limit. Therefore, Lot 1 complies with this standard, provided it remains as a lot for large complex apartment development. If this lot becomes the subject for commercial development, rather than residential development, it shall be re-platted to conform with the standards listed above.

Landscaping Buffers

Landscape buffers are proposed along the public streets. In partnership with the Colorado Department of Transportation (CDOT), in February of 2023 the Colorado Highway 60 System Feasibility Study (Study) was published to investigate Highway 60 between Interstate 25 and Weld County Road 19. Although this section of roadway is in the Town of Johnstown, CDOT has jurisdiction over its development. Street sections for Highway 60 were included in the Study and are being used to evaluate new proposals.

The updated street section for the westbound half-width of Highway 60, between High Plains Blvd. and Telep Ave. depicts two through lanes, a five (5) foot wide bike lane, and a 12-foot right turn/acceleration lane. A 10-foot landscape area is positioned between the pavement and a 10-foot-wide sidewalk. Since the Study was focused on roadway functionality, and not aesthetics, a review of the Town's adopted Transportation Master Plan (TMP) is required to understand any landscape buffers associated with this segment of roadway. Pursuant to the exhibit on page 33 of said TMP, labeled *Four-Lane Divided: I-25 to Telep Ave*, the landscape buffer is not specified numerically and simply indicates that it will vary. The typical major arterial street section in the TMP specifies a 30-foot landscape buffer beyond the right-of-way.

Regarding the typical street section for this segment of roadway, as shown in the Study, it was determined that it would be safer to remove the on-street bike lane in favor of an off-street facility that could accommodate all forms of pedestrian movement. Therefore, with the removal of the five (5) foot wide on-street bike lane, an additional four feet is being added to the required 10-foot-wide sidewalk, resulting in a 14-foot-wide concrete path for pedestrian travel.

The applicant is proposing landscape buffers along Highway 60 that vary from 20 – 30 feet in width. At the western extent of the project along Highway 60, where the 20-foot buffer is proposed, there would still be approximately 45 feet of landscaping between the edge of street pavement and any lot development. This complies with the standards set forth in the Study, the TMP, and the LUDC.

Pursuant to the TMP, Colorado Blvd. is listed as a Regionally Significant Major Arterial; however, due to existing constraints north of the subject property, alternative street design standards were created specifically for the segment of roadway adjacent to the subject property. Pursuant to the revised standards, a 30-foot landscape buffer is required along this length of roadway. The preliminary plat depicts a varying buffer of 20 – 30 feet. In order to comply with adopted standards, a 30-foot landscape buffer shall be required across this entire frontage.

NEIGHBORHOOD MEETING

A neighborhood meeting regarding this project was held on August 13, 2024, at the Senior Center in downtown Johnstown. Notices advertising this meeting were mailed to all property owners within 800 feet of the project site. The meeting was well attended, with 30 – 40 attendees. The applicant provided an overview of the project and then opened for discussion. A number of questions were asked, and a couple issues of concern were raised; they are summarized as follows:

Questions:

1. *Widening of Colorado Boulevard*
2. *The type of housing product being considered*
3. *Pedestrian crossing across Highway 60*
4. *Internal access connecting to property immediately west of the project site*

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5. *HOA maintenance of common areas*
6. *Right-of-way dedications*
7. *Design guidelines*
8. *Re-routing of the ditch*
9. *Water use/dedication*
10. *Car washes and water waste*
11. *Timing of the project*
12. *Size of the buildings that would be developed*

Concerns:

1. *Vacancy/occupancy concerns given existing available commercial space*
2. *Visibility when exiting the project onto Colorado Boulevard*

The applicant responded to all questions and concerns and spoke with interested parties after the conclusion of the meeting. Staff has received one inquiry about the project since the neighborhood meeting. The inquiry came from the property owners to the immediate west of the subject property regarding shared access/circulation. Staff provided contact information to all parties so that they could schedule time to discuss options. It should be noted, staff is not opposed to a shared access point between the two properties, specifically to reduce access points along Highway 60; however, it is not required that the two property owners coordinate a shared access point.

PUBLIC NOTICE & AGENCY REFERRALS

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, September 12, 2024. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notices were mailed to all property owners within 800 feet of the property. This notice included a map of the proposed project.

COMPREHENSIVE PLAN ALIGNMENT:

- Goal L1 – Ensure neighborhood character and amenities contribute to the health and wellbeing of diverse residents.
- Goal W2 – Balance more intense commercial uses along major highway corridors while having neighborhood-scale commercial in the downtown and throughout the community to ensure convenient access to jobs, goods, and services for all residents.

STRATEGIC PLAN ALIGNMENT:

- Natural & Built Environment
 - *Guide growth in the community through appropriate annexation, zoning, planning, and land use development.*

FINDINGS OF FACT

Findings of fact for the Change of Zone and Preliminary Plat are listed separately below.

Change of Zone

Pursuant to Section 17-2-3(B) of the LUDC, the review, recommendations, and decisions for a proposed rezone shall be based on the following criteria.

1. The rezone furthers one or more of the purposes of these regulations in Section 17-1-3, and on balance any purposes that may be undermined are outweighed by the benefits of those purposes it furthers, because; the proposed rezone would eliminate the current PUD zoning on the property in favor of MU-NC zoning, which is fully regulated and governed by the adopted Land Use and Development Code. Additionally, this Change of Zone would better integrate with the Town's Comprehensive Plan and provide the regulatory framework to help execute the visions set forth therein.

2. The proposal is consistent with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan, because; any development on the property would be subject to, and regulated by, the adopted Land Use and Development Code (LUDC). The LUDC was drafted and adopted subsequent to the update of the Town's Comprehensive Plan (Comp Plan) as a tool to implement said Comp Plan.

3. The change is consistent with the intent of the proposed zoning district, specifically considering:

a. the design of streets, civic spaces and other open space, because; the applicant shall be required to dedicate and construct right-of-way improvements that will benefit the public street network.

b. the pattern, scale, and format of buildings and sites, because; the plat has been designed to accommodate neighborhood businesses and not destination retail/commercial users.

c. the compatibility and transition with other complementary uses and development in the vicinity, because; MU-NC zoning is intended to serve neighborhood functions in a pedestrian-scale format. As proposed, this project is designed for neighborhood scale users which would provide services to the immediate and surrounding neighborhoods. MU-NC uses are intentionally limited to integrate with neighborhood development.

4. The change is necessary for at least one of the following reasons:

a. There has been a material change in the character of the area or in the Town generally, such that the proposed rezone is in the public interest, because; the Johnstown Area Comprehensive Plan and the Land Use and Development Code have been updated since this property was initially zoned, and the change to MU-NC zoning will help implement the goals and strategies set forth within said documents.

b. The change will serve a community need or provide an amenity or benefit to the surrounding area that was not anticipated at the time of the initial zoning, because; the current Johnstown

Area Comprehensive Plan was not adopted at the time of initial zoning, nor was the current Land Use and Development Code. These two documents provide visioning and implementation regulations which are much more developed than the current zoning of the property.

5. The Town or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district, because; the project was referred to responsible agencies and no comments were received stating that services could not be provided. The applicant and/or developer shall be required to dedicate the applicable water shares necessary to support development.

6. Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design, and engineering practices or are outweighed by broader public benefits to the surrounding community, because; the proposed rezone will help promote and implement the goals and strategies in the Johnstown Area Comprehensive Plan.

7. If owner-initiated, at least two-thirds of the subject property owners within the change of zone boundary have signed the application. This Change of Zone application meets the eligibility criteria for review.

8. If owner-initiated, the subject property has not been included in a rezone action in the prior 12 months, with the exception of property in the H-A zoning district which was established concurrent with annexation. This property has not been included in a rezone action in the prior 12 months.

9. The recommendations of any professional staff and advisory review bodies have been considered. This application has been reviewed by professional staff and advisory review bodies.

Preliminary Plat

Pursuant to Section 17-2-2(D)(2), A preliminary plat shall be reviewed according to the following criteria.

a. The application is in accordance with the Comprehensive Plan, and in particular, the physical development patterns and concepts of the plan, because; it has been reviewed pursuant to adopted plans and policies and has been found to meet the requirements of the Johnstown Area Comprehensive Plan and the adopted Land Use and Development Code.

b. The development and infrastructure are arranged in a manner to minimize impacts on geologic hazards, environmentally sensitive areas, wildlife habitat, or other natural features of the land. There are no known geologic hazards, environmentally sensitive areas, wildlife habitat, or other natural features of the land that will be negatively affected by the preliminary plat.

c. The arrangement and proposed design of streets, open spaces, and blocks meet the development and design standards of this code and are coordinated with existing or potential development on adjacent property, because; the project has been reviewed for consistency with the Town's adopted plans and policies. Additionally, the applicant is proposing an internal drive stub to the property immediately west of the project site, which could aid in circulation for that property when it develops.

d. The proposed blocks and lots are capable of meeting all development and site design standards of the applicable zoning district, because; the preliminary plat application was submitted with a concurrent change of zone application, and the proposed preliminary plat was designed for adherence with the MU-NC zoning designation.

e. The application demonstrates preliminary feasibility of being able to meet the design, construction, performance, and maintenance requirements for all required improvements, because; the applicant has submitted public and private construction drawings which demonstrate the feasibility of being able to meet the improvement requirements.

f. Phasing is clearly indicated and demonstrates a logical and coordinated approach to development, and the timing, location, and construction of amenities is consistent throughout phases. No phasing is proposed with this preliminary plat application.

g. Any impacts identified by specific studies or technical reports, including a review of stormwater, are mitigated with generally accepted and sound planning, engineering, and urban design solutions that reflect long-term solutions and sound fiscal investments, because; the project has been review and commented on by professional staff engineers and planners, as well as the Town's consulting engineers.

h. The design does not impede the construction of anticipated or planned future public infrastructure or other development within the area, because; the applicant is coordinating with the Town on public infrastructure improvements as part of this application.

i. The plat has addressed issues of professional staff, or any other public entity or review agencies asked to officially review the preliminary plat and received positive recommendations. The applicant has responded to all comments in a manner that results in a positive recommendation for this preliminary plat.

RECOMMENDED ACTION: Pursuant to the content in the staff report, including the Findings of Fact presented above, staff is recommending **APPROVAL** of the request for Change of Zone and Preliminary Platting associated with Subdivision Case No. SUB23-0021. There are two actions associated with this project and each one must be voted on separately. The first is the consideration of the Change of Zone, and the second is the consideration of the Preliminary Plat.

SUGGESTED MOTIONS:**CHANGE OF ZONE**

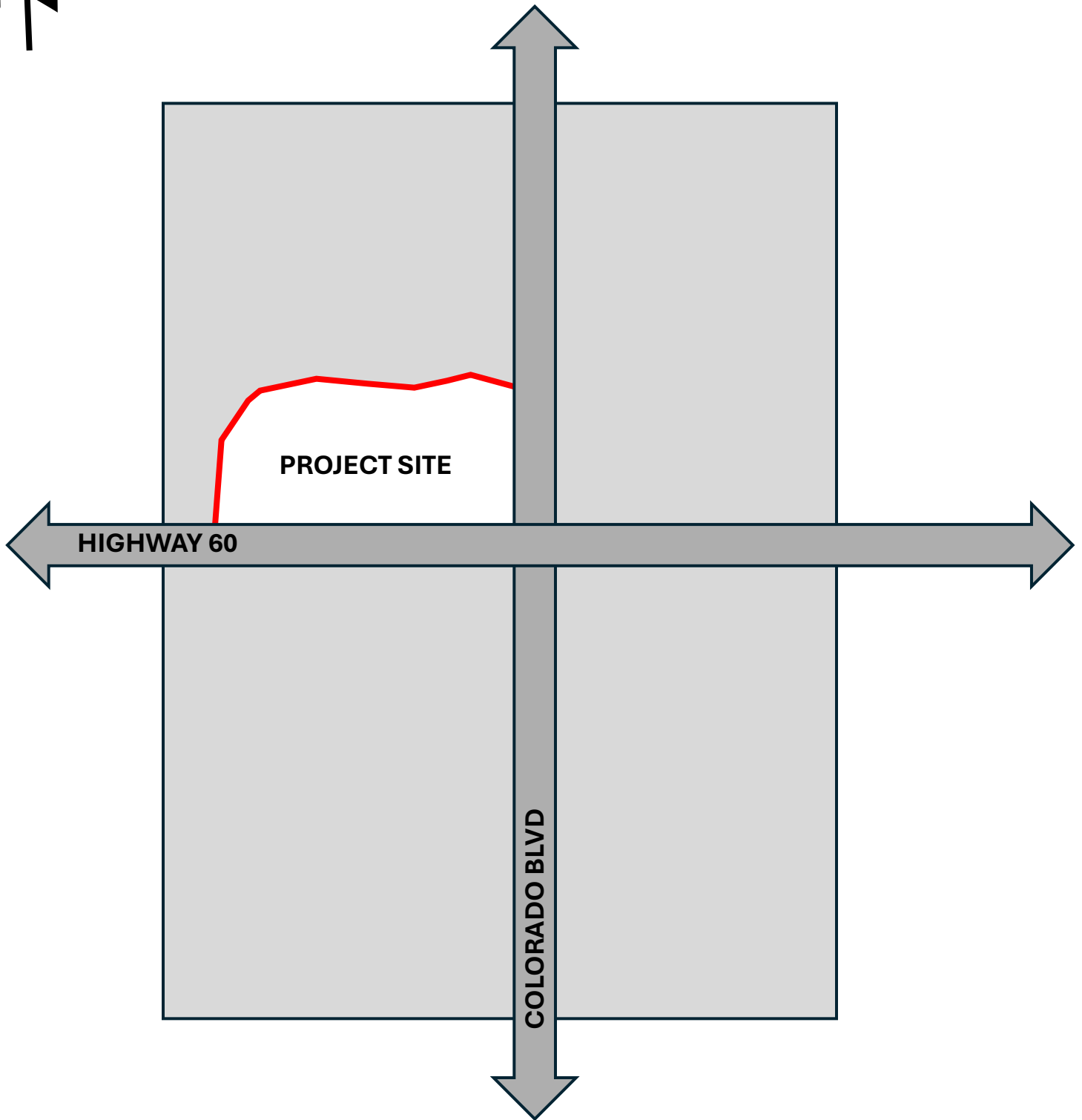
For Approval: I move that the Planning and Zoning Commission recommend that the Town Council **APPROVE** of a change of zone for the subject property from PUD-B to Mixed-Use Neighborhood Commercial - MU-NC

For Denial: I move that the Planning and Zoning Commission recommend that the Town Council deny the change of zone pursuant to the following finding(s)...

PRELIMINARY PLAT

For Approval: I move that the Planning and Zoning Commission recommend that the Town Council **APPROVE** the preliminary plat for Subdivision Case No. SUB23-0021

For Denial: I move that the Planning and Zoning Commission recommend that the Town Council deny the preliminary plat for Subdivision Case No. SUB23-0021 pursuant to the following finding(s)...



VICINITY MAP

WAGGONER FARM

BEING A SUBDIVISION OF A PARCEL OF LAND

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M.,

TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned being all the owners and lienholders of the following described property:

All that part of the Southeast 1/4 of Section 1, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado, lying and being southeast of the lower or south and east bank of the canal of the Consolidated Home Supply Ditch and Reservoir Company in said Quarter Section, and south of the lateral ditch in said quarter section known as The Eberhart Lateral.

EXCEPTING therefrom that parcel as conveyed in Warranty Deed recorded January 5, 1911 in Book 337 at Page 409, as Reception Number 162565 of the records of the Weld County Clerk and Recorder.

ALSO EXCEPTING therefrom, a parcel as conveyed in Deed recorded May 3, 1957 in Book 1477 at Page 16, as Reception Number 1253788 of the records of the Weld County Clerk and Recorder.

ALSO EXCEPTING therefrom, a parcel as conveyed in Deed recorded May 3, 1957 in Book 1477 at Page 18, as Reception Number 1253789 of the records of the Weld County Clerk and Recorder.

ALSO EXCEPTING therefrom, a parcel as conveyed in Deed recorded May 3, 1957 in Book 1477 at Page 20, as Reception Number 1253790 of the records of the Weld County Clerk and Recorder.

TOGETHER WITH:

That parcel described in Bargain and Sale Deed recorded _____, 2024 as Reception Number _____ of the records of the Weld County Clerk and Recorder, Town of Johnstown, County of Weld, State of Colorado.

TOGETHER WITH:

That parcel described in Bargain and Sale Deed recorded _____, 2024 as Reception Number _____ of the records of the Weld County Clerk and Recorder, Town of Johnstown, County of Weld, State of Colorado.

and being more particularly described as follows, to wit:

COMMENCING at the Southeast Corner of said Section 1, and assuming the south line of said Southeast Quarter as bearing South 89°22'43" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2,652.47 feet monumented by a #6 rebar with a 2" aluminum cap stamped LS 23500 at the Southeast Corner of Section 1 and monumented by a #6 rebar with a 2.5" aluminum cap stamped LS 12374 at the South Quarter Corner of Section 1, and with all other bearings contained herein relative thereto;

THENCE North 05°50'52" West, along the east line of said Southeast Quarter, a distance of 23.80 feet to the northeast corner of that parcel described in Right-of-Way Deed recorded May 3, 1957, in Book 1477 at Page 20, as reception No. 1253790 of the records of the Weld County Clerk and Recorder, and the POINT OF BEGINNING;
THENCE along the north lines of Right-of-Way parcels, Reception No. 1253788, Reception No. 1253789 and Reception No. 1253790 the following two courses;
THENCE South 89°43'16" West, a distance of 165.09 feet;
THENCE South 89°42'13" West a distance of 1,152.60 feet to a 1/2" rebar with a 2" aluminum cap;
THENCE North 03°45'01" East, along an existing fence line, a distance of 387.19 feet to the centerline of the concrete irrigation canal of the Home Supply Ditch;
THENCE along the centerline of said Home Supply Ditch the following 13 courses;
THENCE North 27°55'00" East a distance of 98.10 feet;
THENCE North 33°55'52" East a distance of 73.03 feet;
THENCE North 46°52'30" East a distance of 47.66 feet;
THENCE North 60°59'36" East a distance of 22.85 feet;
THENCE North 77°48'56" East a distance of 156.81 feet;
THENCE North 79°39'59" East a distance of 84.00 feet;
THENCE North 87°54'42" East a distance of 44.57 feet;
THENCE South 86°04'26" East a distance of 306.85 feet;
THENCE North 88°52'57" East a distance of 52.70 feet;
THENCE North 82°06'53" East a distance of 50.11 feet;
THENCE North 80°27'37" East a distance of 40.02 feet;
THENCE North 73°56'16" East a distance of 42.04 feet;
THENCE North 64°47'00" East a distance of 62.02 feet;
THENCE North 72°42'18" East, departing said centerline, a distance of 187.87 feet to a #3 rebar;
THENCE South 67°15'47" East a distance of 96.96 feet to the east line of said Southeast Quarter;
THENCE South 05°50'52" East, along said east line, a distance of 561.52 feet to the north line of Reception No. 1253790, and the POINT OF BEGINNING.

Said described parcel of land contains 759,848 Square Feet or 17.444 Acres, more or less (±).

do hereby cause said land to be laid out and platted under the name of WAGGONER FARM, and do hereby dedicate to the public forever all public rights of way, easements and other places designated or described for public uses. All conditions, terms and specifications designated or described herein shall be binding on the owners, their heirs, successors and assigns.

Owners: MIC TDC Hwy 60 Johnstown, LLC, a Colorado Limited Liability Company.

Member - MIC TDC Hwy 60 Johnstown, LLC

Witness my hand and seal this _____ day of _____, 20____.

NOTARIAL CERTIFICATE

STATE OF COLORADO)

COUNTY OF WELD)

The foregoing instrument was acknowledged before me by _____ as

_____ this _____ day of _____, 20____.

Witness my Hand and Official Seal.

My commission expires: _____.

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the South line of the Southeast Quarter of Section 1, Township 4 North, Range 68 West of the 6th P.M., monumented as shown on this plat, as bearing South 89°22'43" West, a distance of 2,652.47 feet and with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot".

LIENHOLDERS - EQUITY BANK

By: _____ As: _____

Witness my hand and seal this _____ day of _____, 20____.

NOTARIAL CERTIFICATE

STATE OF COLORADO)

COUNTY OF WELD)

The foregoing instrument was acknowledged before me by _____ as

_____ this _____ day of _____, 20____.

Witness my Hand and Official Seal.

My commission expires: _____.

TOWN COUNCIL

This plat, to be known as WAGGONER FARM, is approved and accepted by the Town of Johnstown, by Resolution Number _____, passed and adopted on final reading at a regular meeting of the Town Council of the Town of Johnstown, Colorado held on the _____ day of _____, 20____.

Mayor

Attest:
Town Clerk

MAINTENANCE NOTE

Maintenance access shall be provided to all storm drainage facilities to assure continuous operational capability of the system. The property Owner shall be responsible for the maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, and detention basins located on their land unless modified by the development agreement. Should the Owner fail to adequately maintain said facilities, the Town of Johnstown shall have the right to enter said land for the purposes of operations and maintenance. All such maintenance costs incurred by the Town will be assessed to the property Owner.

GENERAL OVERLOT DRAINAGE NOTE

Lots and Tracts as platted may be required to convey surface drainage from other lots and tracts in this filing, in accordance with Town of Johnstown requirements and the approved drainage plan for this filing. No alterations to the grading of the lots and tracts may be made that would disrupt the approved drainage plan, without prior approval from the Town of Johnstown. All natural and improved drainage ways or drainage systems in said lots and tracts shall be maintained by the lot or tract owner. Should the owner fail to adequately maintain said facilities, the Town of Johnstown shall have the right to enter said land for the purposes of operations and maintenance of the drainage ways or drainage systems. All such maintenance costs incurred by the Town will be assessed to the property owner.

DEVELOPMENT AGREEMENT NOTE

A Development Agreement has been filed in conjunction with this plat. That agreement should be viewed for additional stipulations or requirements that may encumber the property.

FLOOD PLAIN NOTE

The subject property is in flood zone 'X', "areas determined to be outside the 0.2% annual chance of floodplain" per FEMA flood map 08069C1405G revised January 15, 2021.

SURVEYOR'S NOTES

- The description of the parcel conveyed January 5, 1911 in Book 337 at Page 409 does not close or fit the geometry of the existing bounds. The description recorded May 26, 2021 as Reception Number 4719099 more accurately describes the existing parcel bounds and was used to establish and confirm the westerly boundary of the subject parcel.
- The 25.00' easement for the Home Supply Ditch, dedicated with this plat, is measured from the centerline of the concrete canal, which is coincident with the subdivision boundary. The south edge of this 25.00' easement is approximately 20.00 feet from the south edge of concrete for the canal.

TITLE COMMITMENT NOTE

For all information regarding easements, rights-of-way and title of records, Majestic Surveying, LLC relied upon Title Commitment Number 459-HS0819500-414, Amendment No. 6, dated August 5, 2024, as prepared by Heritage Title Company to delineate the aforesaid information.
This survey does not constitute a title search by Majestic Surveying, LLC to determine ownership or easements of record.

NOTICE

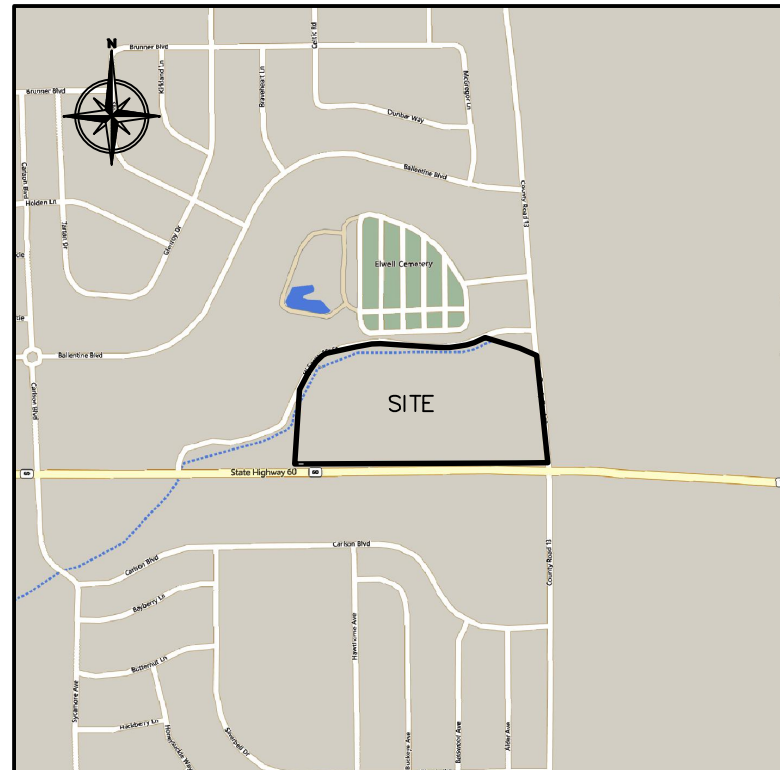
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

Owner: TR Berthoud Car Wash, LLC.
2649 Hudson Street, Denver, CO

Planner: Planscapes Design Group
Robert Molly
www.planscapesdesigngroup.com
970-988-5301

Engineer: i2 Consultants, Inc.
Troy W. Campbell, PE
16911 Potts Place, Mead, CO
970-217-9148

Surveyor: Majestic Surveying, LLC
C/O Matt Kramer, PLS
1111 Diamond Valley Drive, Suite 104
Windsor, CO 80550
970-833-5698



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	38.48'	24.50'	89°59'25"	34.65'	N44°55'48"W
C2	38.48'	24.50'	89°59'54"	34.65'	S45°03'58"W
C3	80.11'	51.00'	90°00'00"	72.12'	S45°03'55"W
C4	41.63'	26.50'	90°00'00"	37.48'	S45°03'55"W
C5	41.63'	26.50'	90°00'00"	37.48'	N45°03'55"E
C6	21.30'	46.50'	26°14'54"	21.12'	S13°03'26"E
C7	19.40'	39.50'	28°08'11"	19.20'	N14°08'00"E
C8	31.41'	20.00'	89°59'24"	28.28'	N44°55'48"W
C9	75.32'	50.00'	86°18'54"	68.40'	S46°54'28"W
C10	80.11'	51.00'	89°59'38"	72.12'	S45°03'55"W

LEGEND

—————	BOUNDARY LINE	■	ALIQUOT CORNER AS DESCRIBED
-----	EASEMENT LINE	□	FOUND MONUMENT AS DESCRIBED
-----	RIGHT OF WAY LINE	○	CALCULATED POSITION
-----	SECTION LINE	□	FOUND #4 REBAR WITH PINK PLASTIC CAP LS 38844
-----	CENTERLINE	●	SET 24" OF #4 REBAR WITH PINK PLASTIC CAP LS 38844
-----	LANDSCAPE BUFFER	◆	FOUND #4 REBAR WITH YELLOW PLASTIC CAP LS 7242
-----	VACATED EASEMENT 2486994		

LINE TABLE		
LINE	BEARING	LENGTH
L1	N05°50'52"W	23.80'
L2	N03°45'01"E	31.32'
L3	N27°55'00"E	98.10'
L4	N33°55'52"E	73.03'
L5	N46°52'30"E	47.66'
L6	N60°59'36"E	22.85'
L7	N79°39'59"E	84.00'
L8	N87°54'42"E	44.57'
L9	N88°52'57"E	52.70'
L10	N82°05'53"E	50.11'
L11	N80°27'37"E	40.02'
L12	N73°56'16"E	42.04'
L13	N64°47'00"E	62.02'
L14	N84°31'53"E	9.79'
L15	N01°02'06"E	4.52'
L16	N60°59'36"E	22.85'
L17	N46°52'30"E	47.66'
L18	N33°55'52"E	73.03'
L19	N27°55'17"E	97.98'
L20	N05°29'27"W	27.54'
L21	S89°38'13"W	33.30'
L22	S00°46'08"E	76.22'

LINE TABLE		
LINE	BEARING	LENGTH
L23	N05°50'52"W	63.78'
L24	N89°04'59"E	18.29'
L25	N89°04'59"E	18.17'
L26	N00°03'47"E	27.00'
L27	S89°54'51"E	28.42'
L28	S89°57'56"E	18.91'
L29	N00°00'25"E	13.50'
L30	N89°59'35"W	13.93'
L31	S24°06'52"W	66.65'
L32	S27°55'17"W	95.84'
L33	S33°55'52"W	60.69'
L34	N58°38'42"W	42.31'
L35	N00°41'07"W	26.69'
L36	N89°56°05"W	31.27'
L37	S00°03'55"W	10.78'
L38	S89°56°05"E	45.37'
L39	S89°56°05"E	40.37'
L40	S89°56°05"E	5.00'
L41	S00°03'47"W	5.00'
L42	N89°55'30"W	86.46'
L43	N00°03'44"E	18.00'
L44	S89°56°05"E	20.00'

LINE TABLE		
LINE	BEARING	LENGTH
L45	S00°03'55"W	18.00'
L46	N00°03'55"E	27.52'
L47	N89°45'09"W	14.48'
L48	N00°14'51"E	20.00'
L49	S89°45'09"E	10.00'
L50	N00°14'51"E	19.24'
L51	S89°45'09"E	20.00'
L52	S00°14'51"W	15.71'
L53	S89°56°05"E	35.41'
L54	S89°56°05"E	20.40'
L55	N00°00°00"E	19.68'
L56	N90°00°00"E	20.00'
L57	N00°00°00"E	19.70'
L58	N44°39'21"E	59.62'
L59	S44°39'21"W	50.91'
L60	S67°09'21"W	64.78'
L61	N67°09'21"E	55.39'
L62	N00°21'32"W	3.09'
L63	N89°38'28"E	20.00'
L64	S00°21'32"E	16.46'

WAGGONER FARM Land Use Table					
Name	Description/Land Use	Area		Intended Fee Ownership	Maintenance Upon Completion & Acceptance
Lot 1	Multi-Family Residential	290,407 sq. ft.	6.667 acres	TR Berthoud Car Wash, LLC	Owner
Lot 2	Commercial Development	60,510 sq. ft.	1.389 acres	TR Berthoud Car Wash, LLC	Owner
Lot 3	Commercial Development	27,085 sq. ft.	0.622 acres	TR Berthoud Car Wash, LLC	Owner
Lot 4	Commercial Development	37,186 sq. ft.	0.854 acres	TR Berthoud Car Wash, LLC	Owner
Lot 5	Commercial Development	42,284 sq. ft.	0.971 acres	TR Berthoud Car Wash, LLC	Owner
Lot 6	Commercial Development	47,617 sq. ft.	1.093 acres	TR Berthoud Car Wash, LLC	Owner
Lot 7	Commercial Development	51,791 sq. ft.	1.189 acres	TR Berthoud Car Wash, LLC	Owner
Lot 8	Commercial Development	62,124 sq. ft.	1.426 acres	TR Berthoud Car Wash, LLC	Owner
Tract A	Open Space Drainage & Utility Easement	53,680 sq. ft.	1.232 acres	HOA	HOA
Tract B	Access & Irrigation Easement	28,750 sq. ft.	0.660 acres	HOA	HOA
ROW	Right-Of-Way	58,415 sq. ft.	1.341 acres	Town of Johnstown	Town of Johnstown
TOTAL		759,849 sq. ft.	17.444 acres		

SURVEYOR'S CERTIFICATE

I, Matthew A. Kramer, certify that this plat accurately represents the results of a survey made by me or under my responsible charge.

PRELIMINARY

Matthew A. Kramer - On Behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38844



PROJECT NO: 2023313	PROJECT NAME: WAGGONER	REVISIONS:	DATE:
DATE: 8-8-2024	CLIENT: TDC DEVELOPMENT		
DRAWN BY: MAK	FILE NAME: 2023313SUB		
CHECKED BY: SIP	SCALE: N/A		

1

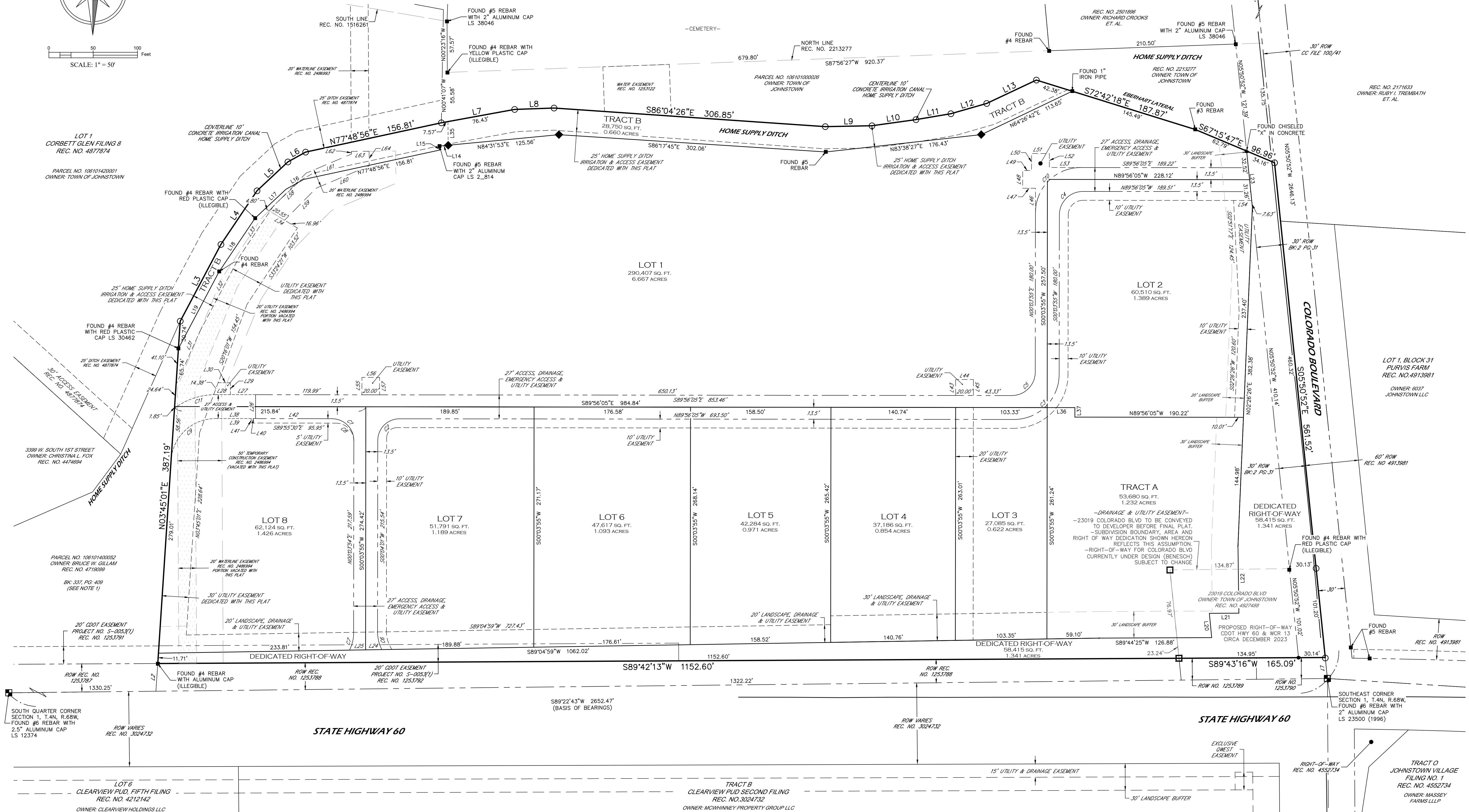
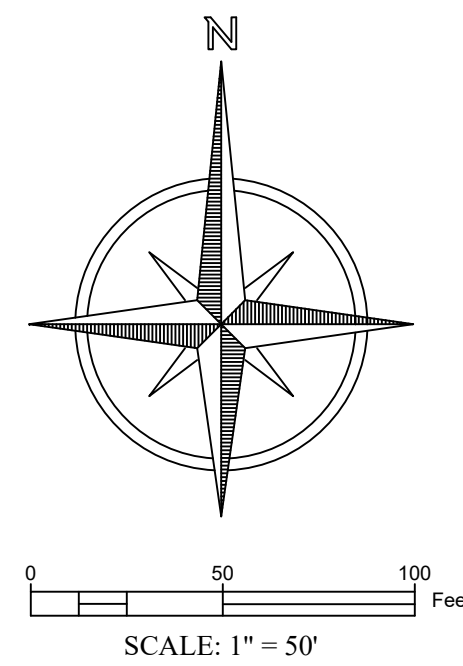
SHEET 1 OF 2

WAGGONER FARM

BEING A SUBDIVISION OF A PARCEL OF LAND

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M.,

TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO



PRELIMINARY

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

Matthew A. Kramer - On Behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38844



PROJECT NO: 2023313	PROJECT NAME: WAGGONER	REVISIONS:	DATE:
DATE: 8-8-2024	CLIENT: TDC DEVELOPMENT		
DRAWN BY: MAK	FILE NAME: 2023313SUB		
CHECKED BY: SIP	SCALE: 1" = 50'		

2

WAGGONER FARM ZONING MAP

TOWN OF JOHNSTOWN, COLORADO

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M.,

TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO

17.444 Acres

PARCEL DESCRIPTION

All that part of the Southeast 1/4 of Section 1, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado, lying and being southeast of the lower or south and east bank of the canal of the Consolidated Home Supply Ditch and Reservoir Company in said Quarter Section, and south of the lateral ditch in said quarter section known as The Eberhart Lateral.

EXCEPTING therefrom that parcel as conveyed in Warranty Deed recorded January 5, 1911 in Book 337 at Page 409, as Reception Number 162565 of the records of the Weld County Clerk and Recorder.

ALSO EXCEPTING therefrom, a parcel as conveyed in Deed recorded May 3, 1957 in Book 1477 at Page 16, as Reception Number 1253788 of the records of the Weld County Clerk and Recorder.

ALSO EXCEPTING therefrom, a parcel as conveyed in Deed recorded May 3, 1957 in Book 1477 at Page 18, as Reception Number 1253789 of the records of the Weld County Clerk and Recorder.

ALSO EXCEPTING therefrom, a parcel as conveyed in Deed recorded May 3, 1957 in Book 1477 at Page 20, as Reception Number 1253790 of the records of the Weld County Clerk and Recorder.

TOGETHER WITH:

That parcel described in Bargain and Sale Deed recorded _____, 2024 as Reception Number _____ of the records of the Weld County Clerk and Recorder, Town of Johnstown, County of Weld, State of Colorado.

TOGETHER WITH:

That parcel described in Bargain and Sale Deed recorded _____, 2024 as Reception Number _____ of the records of the Weld County Clerk and Recorder, Town of Johnstown, County of Weld, State of Colorado.

and being more particularly described as follows, to wit:

COMMENCING at the Southeast Corner of said Section 1, and assuming the south line of said Southeast Quarter as bearing South 89°22'43" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2,652.47 feet monumented by a #6 rebar with a 2" aluminum cap stamped LS 23500 at the Southeast Corner of Section 1 and monumented by a #6 rebar with a 2.5" aluminum cap stamped LS 12374 at the South Quarter Corner of Section 1, and with all other bearings contained herein relative thereto;

THENCE North 05°50'52" West, along the east line of said Southeast Quarter, a distance of 23.80 feet to the northeast corner of that parcel described in Right-of-Way Deed recorded May 3, 1957, in Book 1477 at Page 20, as reception No. 1253790 of the records of the Weld County Clerk and Recorder, and the POINT OF BEGINNING;
THENCE along the north lines of Right-of-Way parcels, Reception No. 1253788, Reception No. 1253789 and Reception No. 1253790 the following two courses;
THENCE South 89°43'16" West, a distance of 165.09 feet;
THENCE South 89°42'13" West a distance of 1,152.60 feet to a 1/2 " rebar with a 2" aluminum cap;
THENCE North 03°45'01" East, along an existing fence line, a distance of 387.19 feet to the centerline of the concrete irrigation canal of the Home Supply Ditch;
THENCE along the centerline of said Home Supply Ditch the following 13 courses;
THENCE North 27°55'00" East a distance of 98.10 feet;
THENCE North 33°55'52" East a distance of 73.03 feet;
THENCE North 46°52'30" East a distance of 47.66 feet;
THENCE North 60°59'36" East a distance of 22.85 feet;
THENCE North 77°48'56" East a distance of 156.81 feet;
THENCE North 79°39'59" East a distance of 84.00 feet;
THENCE North 87°54'42" East a distance of 44.57 feet;
THENCE South 86°04'26" East a distance of 306.85 feet;
THENCE North 88°52'57" East a distance of 52.70 feet;
THENCE North 82°05'53" East a distance of 50.11 feet;
THENCE North 80°27'37" East a distance of 40.02 feet;
THENCE North 73°56'16" East a distance of 42.04 feet;
THENCE North 64°47'00" East a distance of 62.02 feet;
THENCE South 72°42'18" East, departing said centerline, a distance of 187.87 feet to a #3 rebar;
THENCE South 67°1547" East a distance of 96.96 feet to the east line of said Southeast Quarter;
THENCE South 05°50'52" East, along said east line, a distance of 561.52 feet to the north line of Reception No. 1253790, and the POINT OF BEGINNING.

Said described parcel of land contains 759,848 Square Feet or 17.444 Acres, more or less (±).

OWNERS: MIC TDC Hwy 60 Johnstown, LLC, a Colorado Limited Liability Company.

By: _____ As: _____

Witness my hand and seal this _____ day of _____, 20 ____.

NOTARIAL CERTIFICATE

STATE OF COLORADO)

COUNTY OF WELD)

The foregoing instrument was acknowledged before me by _____ as _____ this _____ day of _____, 20 ____.

Witness my Hand and Official Seal.

My commission expires: _____.

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

LIENHOLDERS - EQUITY BANK

By: _____ As: _____

Witness my hand and seal this _____ day of _____, 20 ____.

NOTARIAL CERTIFICATE

STATE OF COLORADO)

COUNTY OF WELD)

The foregoing instrument was acknowledged before me by _____ as _____ this _____ day of _____, 20 ____.

Witness my Hand and Official Seal.

My commission expires: _____.

TOWN COUNCIL APPROVAL

This Map to be known as WAGGONER FARM ZONING MAP is approved and accepted to the Town of Johnstown, Colorado by Ordinance Number _____, passed and adopted on final reading at a regular meeting of the Town Council of the Town of Johnstown, Colorado held on the _____ day of _____, 20 ____.

Mayor
Attest: _____
Town Clerk

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the South line of the Southeast Quarter of Section 1, Township 4 North, Range 68 West of the 6th P.M., monumented as shown on this plat, as bearing South 89°22'43" West, a distance of 2,652.47 feet and with all other bearings contained herein relative thereto.

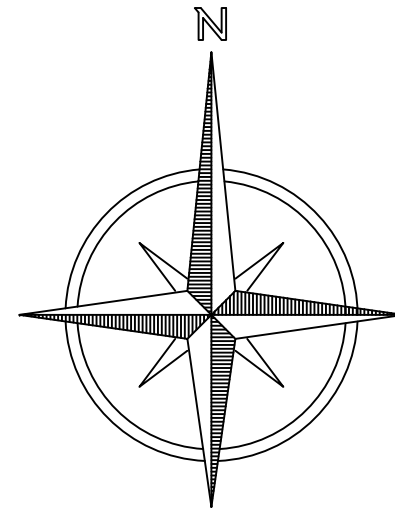
The lineal dimensions as contained herein are based upon the "U.S. Survey Foot".

TITLE COMMITMENT NOTE

For all information regarding easements, rights-of-way and title of records, Majestic Surveying, LLC relied upon Title Commitment Number 459-HS0819500-414, Amendment No. 6, dated August 5, 2024, as prepared by Heritage Title Company to delineate the aforesaid information. This survey does not constitute a title search by Majestic Surveying, LLC to determine ownership or easements of record.

SURVEYOR'S CERTIFICATE

I, Matthew A. Kramer, a Colorado Licensed Professional Land Surveyor, do hereby state that this Zoning Map is an accurate representation of the property to the best of my knowledge, information, belief, and in my professional opinion. I further state that this certificate does not extend to any unnamed parties or the successors and/or assigns.



VICINITY MAP
SCALE: 1" = 1000'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N05°50'52"W	23.80'
L2	N03°45'01"E	31.32'
L3	N27°55'00"E	98.10'
L4	N33°55'52"E	73.03'
L5	N46°52'30"E	47.66'
L6	N60°59'36"E	22.85'
L7	N79°39'59"E	84.00'
L8	N87°54'42"E	44.57'
L9	N88°52'57"E	52.70'
L10	N82°05'53"E	50.11'
L11	N80°27'37"E	40.02'
L12	N73°56'16"E	42.04'
L13	N64°47'00"E	62.02'
L14	N84°31'53"E	9.79'
L15	N01°02'06"E	4.52'
L16	N60°59'36"E	22.85'
L17	N46°52'30"E	47.66'
L18	N33°55'52"E	73.03'
L19	N27°55'17"E	97.98'
L20	N05°29'27"W	27.54'
L21	S89°38'13"W	33.30'
L22	S00°46'08"E	76.22'

LINE TABLE		
LINE	BEARING	LENGTH
L23	N05°50'52"W	63.78'
L24	N89°04'59"E	18.29'
L25	N89°04'59"E	18.17'
L26	N00°03'47"E	27.00'
L27	S89°54'51"E	28.42'
L28	S89°57'56"E	18.91'
L29	N00°00'25"E	13.50'
L30	N89°59'35"W	13.93'
L31	S24°06'52"W	66.65'
L32	S27°55'17"W	95.84'
L33	S33°55'52"W	60.69'
L34	N58°38'42"W	42.31'
L35	N00°41'07"W	26.69'
L36	N89°56'05"W	31.27'
L37	S00°03'55"W	10.78'
L38	S89°56'05"E	45.37'
L39	S89°56'05"E	40.37'
L40	S89°56'05"E	5.00'
L41	S00°03'47"W	5.00'
L42	N89°55'30"W	86.46'
L43	N00°03'44"E	18.00'
L44	S89°56'05"E	20.00'

LINE TABLE		
LINE	BEARING	LENGTH
L45	S00°03'55"W	18.00'
L46	N00°03'55"E	27.52'
L47	N89°45'09"W	14.48'
L48	N00°14'51"E	20.00'
L49	S89°45'09"E	10.00'
L50	N00°14'51"E	19.24'
L51	S89°45'09"E	20.00'
L52	S00°14'51"W	15.71'
L53	S89°56'05"E	35.41'
L54	S89°56'05"E	20.40'
L55	N00°00'00"E	19.68'
L56	N90°00'00"E	20.00'
L57	N00°00'00"E	19.70'
L58	N44°39'21"E	59.62'
L59	S44°39'21"W	50.91'
L60	S67°09'21"W	64.78'
L61	N67°09'21"E	55.39'
L62	N00°21'32"W	3.09'
L63	N89°38'28"E	20.00'
L64	S00°21'32"E	16.46'

LEGEND

————	BOUNDARY LINE	■ ALIQUOT CORNER AS DESCRIBED
- - - - -	RIGHT OF WAY LINE	■ FOUND MONUMENT AS DESCRIBED
- - - - -	SECTION LINE	○ CALCULATED POSITION
————	CENTERLINE	● SET 24" OF #4 REBAR WITH PINK PLASTIC CAP LS 38844
- - - - -	LANDSCAPE BUFFER	◆ FOUND #4 REBAR WITH YELLOW PLASTIC CAP LS 7242

PRELIMINARY

Matthew A. Kramer - On Behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38844

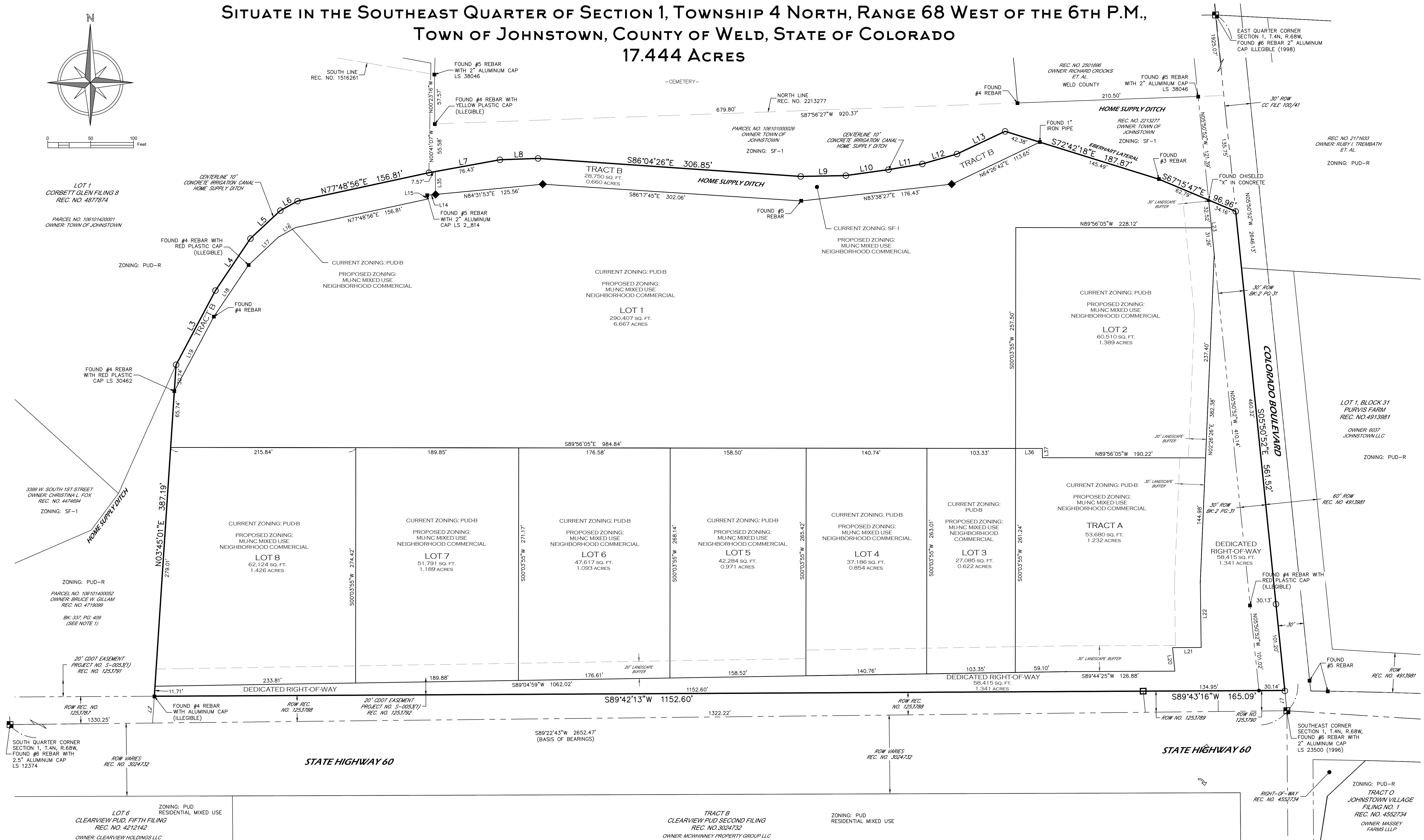
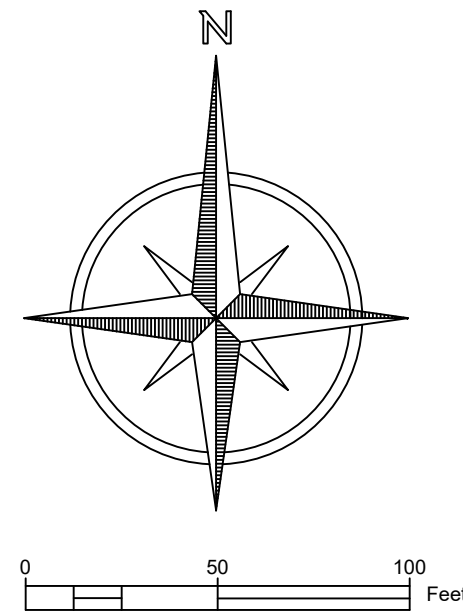


PROJECT NO: 2023313	PROJECT NAME: WAGGONER	REVISIONS:	DATE:
DATE: 8-21-2024	CLIENT: TDC DEVELOPMENT		
DRAWN BY: MAK	FILE NAME: 2023313ZONE		
CHECKED BY: SIP	SCALE: = N/A		

1

TOWN OF JOHNSTOWN, COLORADO

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO
17.444 ACRES



NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

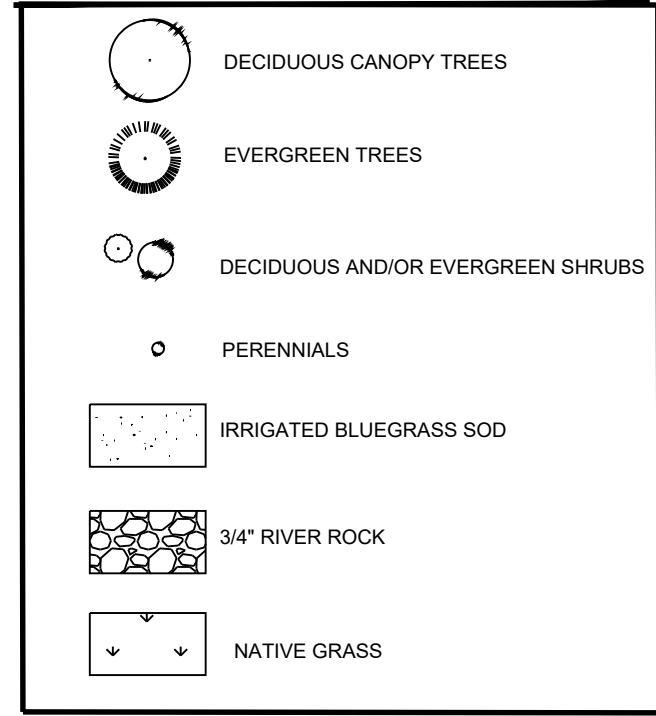
PRELIMINARY

Matthew A. Kramer - On Behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38844



PROJECT NO: 2023313	PROJECT NAME: WAGGONER	REVISIONS:	DATE:	2 SHEET 2 OF 2
DATE: 8-21-2024	CLIENT: TDC DEVELOPMENT			
DRAWN BY: MAK	FILE NAME: 2023313ZONE			
CHECKED BY: SIP	SCALE: 1" = 50'			

PLANT LEGEND



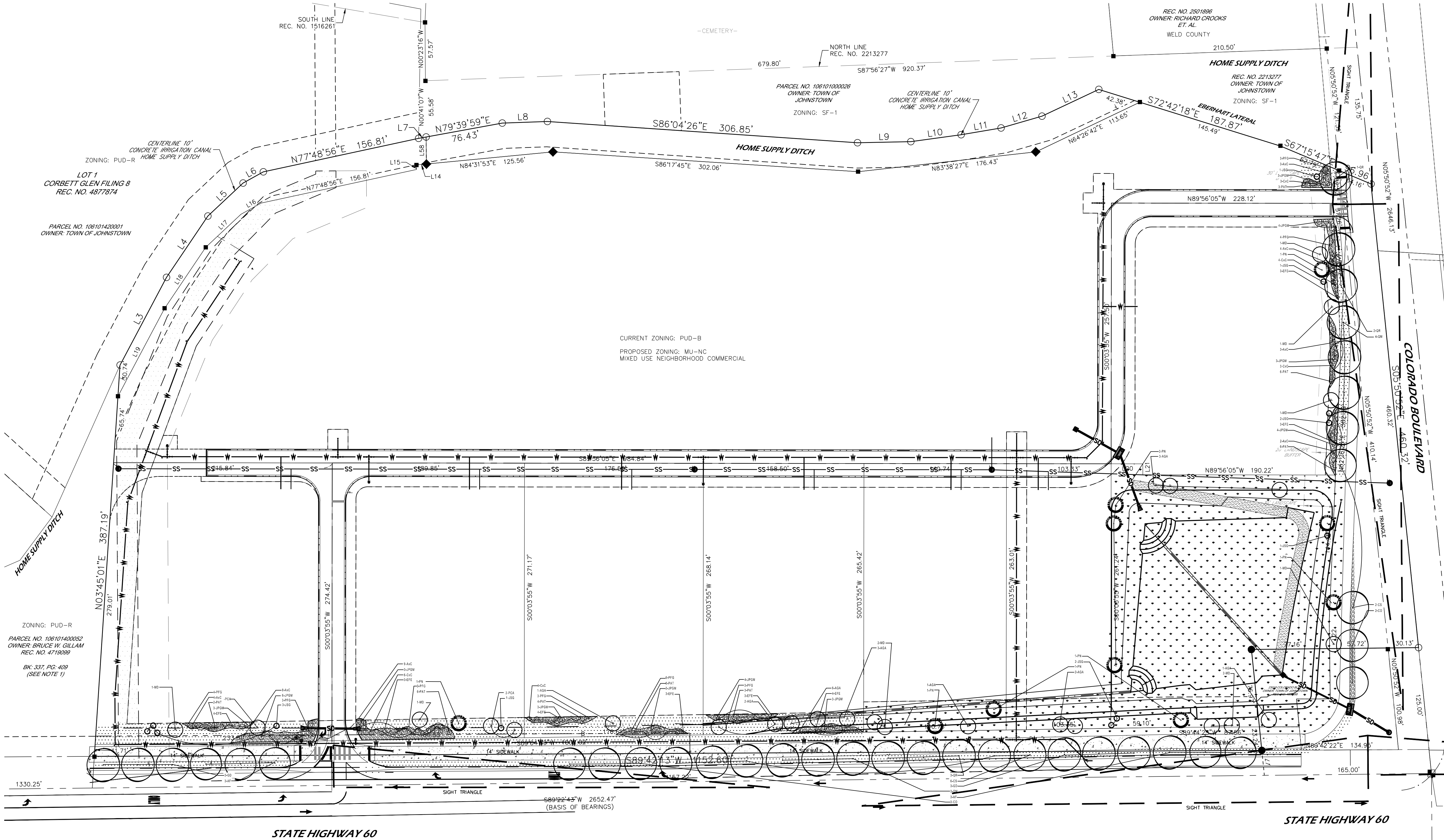
WAGGONER FARM

BEING A SUBDIVISION OF A PARCEL OF LAND
SITUATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO

16.547 ACRES

PRELIMINARY LANDSCAPE PLAN

NOTE: INSTALLATION OF BUFFER-YARD LANDSCAPING WITHIN INDIVIDUAL LOTS ARE THE RESPONSIBILITY OF LOT OWNER.
LANDSCAPE DESIGN WITHIN THE INDIVIDUAL LOTS MAY CHANGE AT TIME OF INDIVIDUAL SITE PLAN REVIEW.



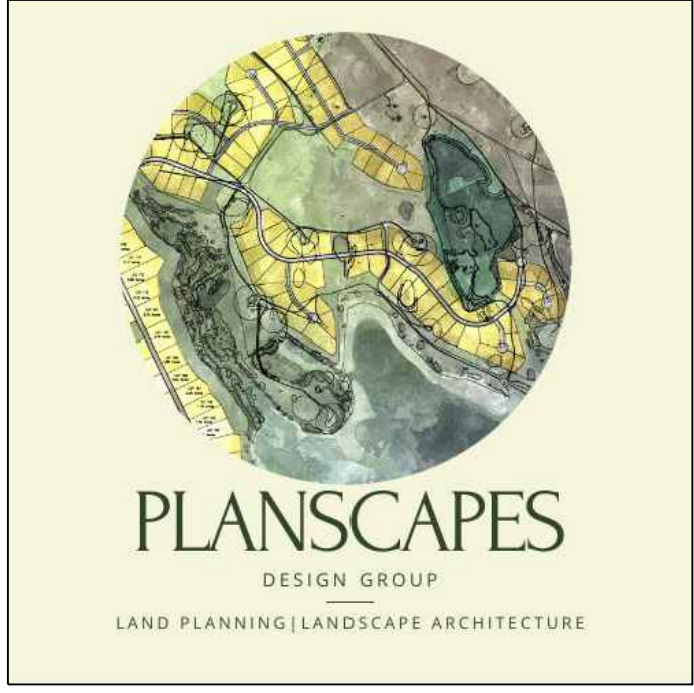
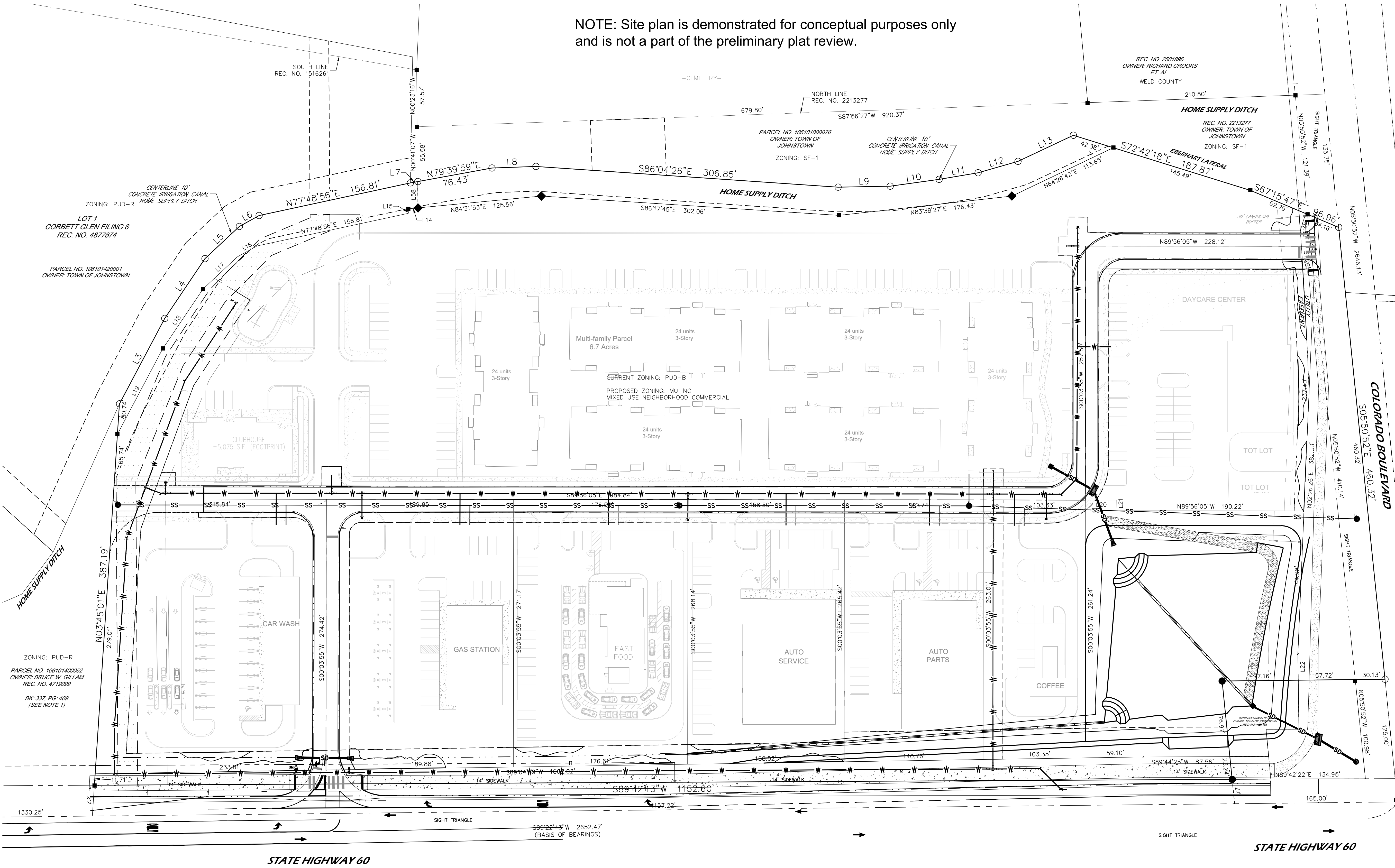
WAGGONER FARM

BEING A SUBDIVISION OF A PARCEL OF LAND
SITUATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO

16.547 ACRES

CONCEPT PLAN

NOTE: Site plan is demonstrated for conceptual purposes only
and is not a part of the preliminary plat review.



PLANSCAPES DESIGN GROUP
980 Norway Maple Drive
Loveland, CO 80538
970-988-5301



PROJECT NAME:
WAGGONER FARM

DRAWING TITLE:
CONCEPT PLAN

DRAWN BY:
ET

CHECKED BY:
RM

APPROVED BY:
-

DATE:
6/3/2024

SITE
Waggoner Farm
NW corner of WCR 13 & Hwy 60

CLIENT
MIC TDC Highway 60 Johnstown, LLC
401 Linden Street, Unit 1-401
Fort Collins, CO 80524

REV	DESCRIPTION	DATE
Submittal 1		12/13/23
Submittal 2		6/3/24
Submittal 3		8/9/24

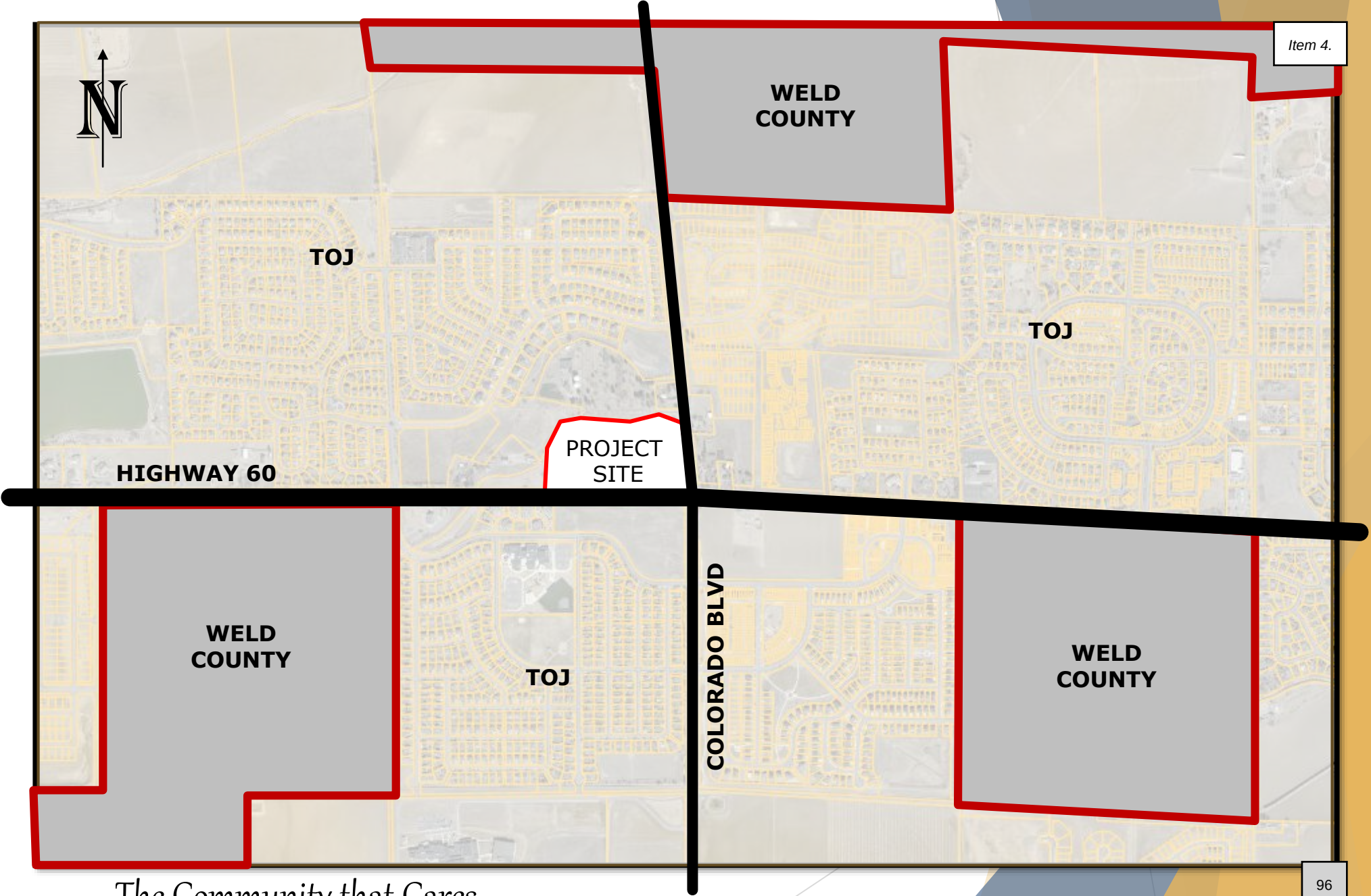
SHEET NO:
26 of 28

LOT 6 CLEARVIEW PUD, FIFTH FILING ZONING: PUD RESIDENTIAL MIXED USE REC. NO. 4212142
TRACT B CLEARVIEW PUD SECOND FILING ZONING: PUD RESIDENTIAL MIXED USE REC. NO. 3024732

Waggoner Farms Preliminary Plat and Change of Zone

SUB23-0021

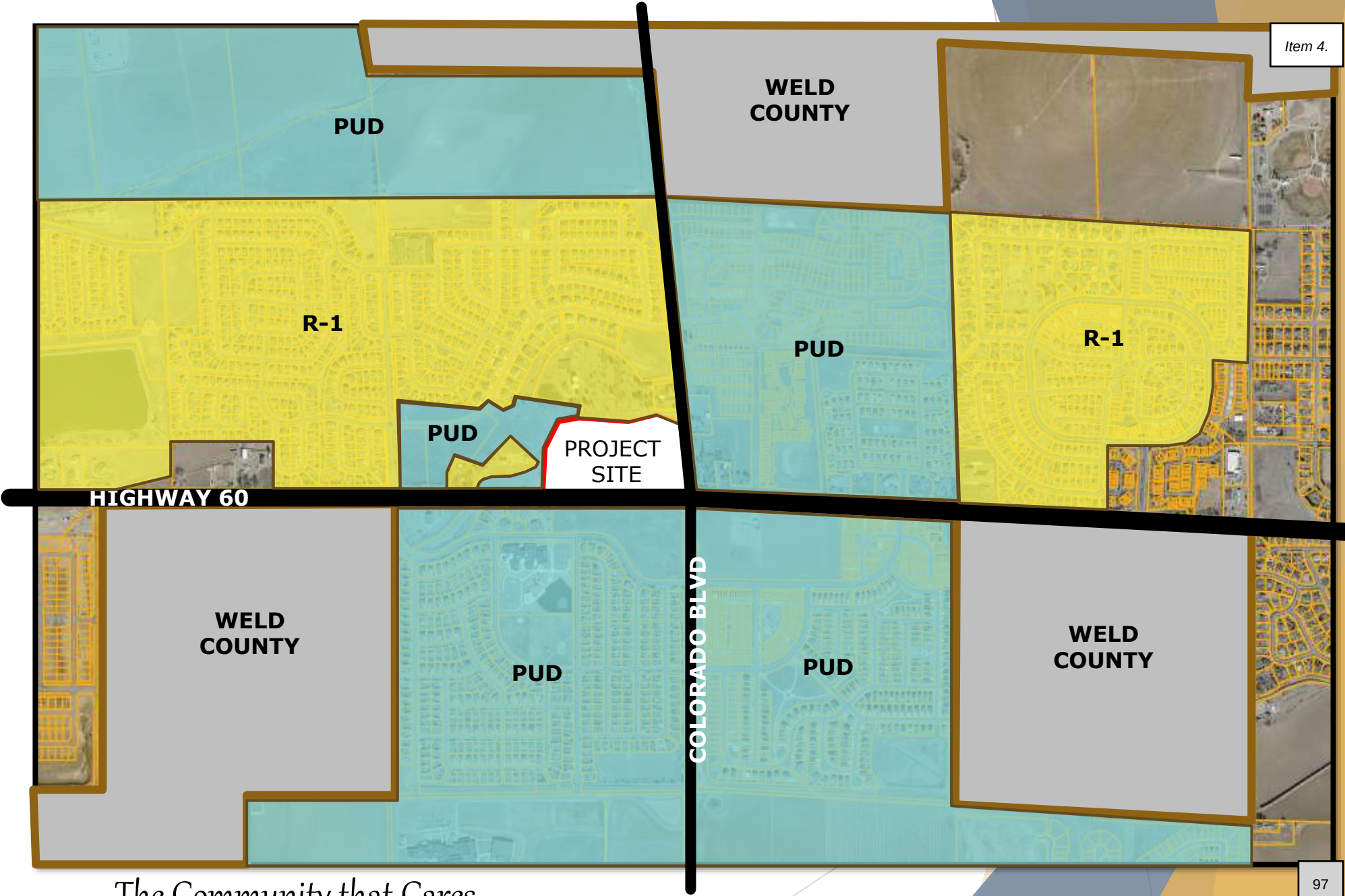
Planning and Zoning Commission Meeting
September 25, 2024



ZONING

Existing: PUD-B

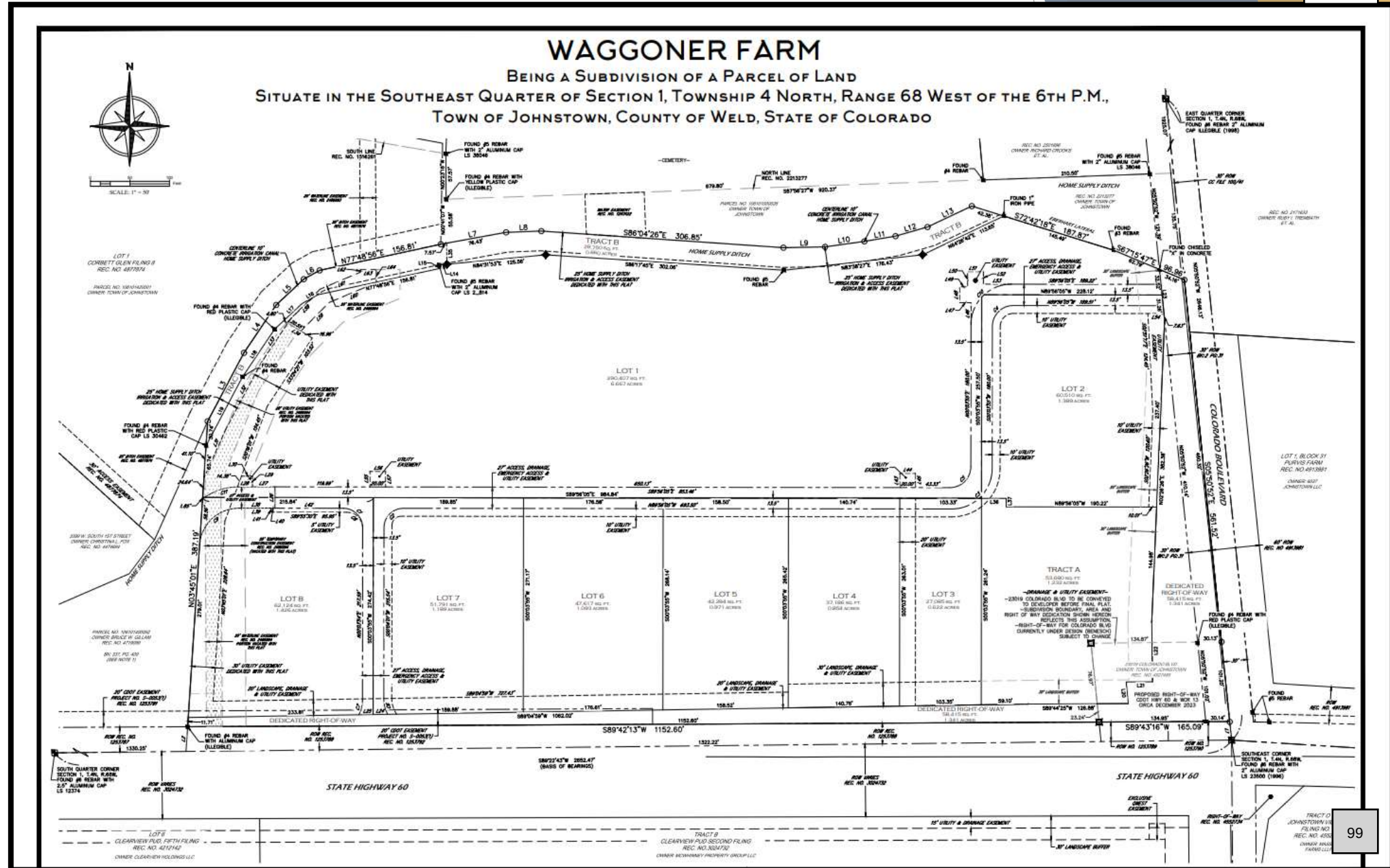
Proposed: MU-NC



The Community that Cares

Preliminary Plat

Item 4.



Preliminary
Plat

Item 4.

