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TOWN COUNCIL AGENDA COMMUNICATIONS

- AGENDA DATE:** November 4, 2024
- SUBJECT:** Public Hearing – Subdivision Case No. SUB23-0021 which includes a Preliminary Plat and Change of Zone for Waggoner Farm
- ACTION PROPOSED:**
1. Consideration of Ordinance 2024-262 Approving MU-NC Zoning for Waggoner Farms; and,
 2. Consideration Of Resolution 2024-48 Approving a Preliminary Plat for The Waggoner Farms Subdivision
- ATTACHMENTS:**
1. Planning & Zoning Commission Staff Report
 2. Ordinance 2024-262 (Change of Zone)
 3. Resolution 2024-48 (Preliminary Plat)
 4. Vicinity Map
 5. Zoning Map
 6. Preliminary Plat
 7. Concept Plan
 8. Staff Presentation
- PRESENTED BY:** Jeremy Gleim, AICP, Planning and Development Director
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AGENDA DESCRIPTION

Staff requests that this item be tabled to the Town Council meeting on December 2, 2024 to provide additional time for negotiations and review.

The applicant, MIC TDC Hwy 60 Johnstown, LLC, has submitted an application for a Change of Zone and Preliminary Plat for the property known as Waggoner Farm. A full analysis of the request, with conclusions and recommendations, is included in the Planning & Zoning Commission staff report dated September 25, 2024 (Attachment #1).

PLANNING & ZONING COMMISSION SUMMARY

On September 25, 2024, the Planning & Zoning Commission (Commission) convened a regular meeting and held a public hearing for this project. Staff presented the project to the Commission, which

The Community that Cares

was followed by comments from the Applicant. The Commission Chair opened the public hearing and invited comments from the public. No members of the public spoke for or against the project.

After due consideration of the staff report, presentations, and discussion, a motion was made to recommend that the Town Council approve Subdivision Case No. SUB23-0021 for MU-NC zoning and a preliminary plat. The motion was approved unanimously on a 7/0 vote.

PUBLIC NOTICE

Notice for the Town Council public hearing was published in the Johnstown Breeze, on Thursday, October 24, 2024. Notices were mailed to all property owners within 800 feet of the subject property. This notice included a vicinity map and the proposed subdivision map.

STRATEGIC PLAN ALIGNMENT

- Natural & Built Environments
 - *Expect and encourage community-centered design.*

LEGAL ADVICE:

The Town Attorney prepared Ordinance 2024-262 and Resolution 2024-48 for this request.

FINANCIAL ADVICE:

NA

CONDITIONS OF APPROVAL:

The following Conditions of Approval are project specific, for the most part, and shall be implemented in the preparation of final platting and future development. The conditions that are not project specific are simply included as informational items due to timing limitations and/or clarification.

1. The applicant shall dedicate a quantity of water, as deemed necessary by the Town and/or Town's consultants, to satisfy irrigation demands for parkway and common area landscaping. These demands shall be memorialized in a Water and Sewer Service Agreement, which shall be approved by the Town Council in conjunction with the Final Plat.
2. Pursuant to Section 17-2-2(4)(b), an approved preliminary plat shall be effective for two (2) years. If a final plat is not submitted in that timeframe, the preliminary plat shall expire.
3. Lot 1 of the Preliminary Plat shall be reserved for residential development under its proposed design and layout. If commercial development is desired for Lot 1 in the future, the applicant/property owner shall re-plat said lot to conform with the lot size requirements for non-residential lots in the MU-NC zone (17-6-2(A)).
4. A 30-foot landscape buffer/setback shall be required along Colorado Boulevard, pursuant to the Town's adopted Transportation Plan and other technical studies for Colorado Boulevard.
5. No development shall occur on the property prior to approval of a Final Plat.
6. The concept plan which has been included in the submittal packet does not approve any specific land uses, site development plans, or anything else. The concept plan is for illustrative purposes only.

7. The existing 16-inch water transmission line that bisects the property shall be rerouted pursuant to the details shown on the preliminary plat or placed within a 30-foot easement if it is to remain in its current location. Cost sharing and/or oversizing reimbursement terms, if at all, to be memorialized in the Development Agreement at the time of Final Plat or in a subsequently executed Reimbursement Agreement.

RECOMMENDED ACTION: The Planning & Zoning Commission recommends that the Town Council **APPROVE:** 1) Ordinance 2024-262, to establish MU-NC zoning; and, 2) Resolution 2024-48 for a Preliminary Subdivision Plat for Subdivision Case No. SUB23-0021 (Waggoner Farm). The ordinance and resolution must be voted on separately.

SUGGESTED MOTIONS:

ORDINANCE 2024-262

For Approval: I move to approve Ordinance No. 2024-262, approving MU-NC zoning for Subdivision Case No. SUB23-0021.

For Denial: I move to deny Ordinance No. 2024-262

RESOLUTION 2024-48

For Approval: I move to approve Resolution No. 2024-48, approving the preliminary plat for Subdivision Case No. SUB23-0021.

For Denial: I move to deny Resolution No. 2024-48

Reviewed and Approved for Presentation,



Town Manager