



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

HEARING DATE:	April 10, 2024
SUBJECT:	Annexation and Zoning Request – Yellow Roof Annexation
ACTION PROPOSED:	Public Hearing to Consider the following: <ul style="list-style-type: none">A. Consideration of Resolution 2024-18 accepting the Findings of Fact and Conclusions for the Yellow Roof Annexation;B. Consideration of Ordinance 2024-250, to annex certain unincorporated lands located in Larimer County known as the Yellow Roof Annexation; and,C. Consideration of Ordinance 2024-251, to establish I-1 (Industrial, Light) zoning on the property known as the Yellow Roof Annexation
LOCATION:	All that part of the southeast quarter of Section 27, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado.
APPLICANT:	Yellow Roof Development, LLC.
ATTACHMENTS:	<ol style="list-style-type: none">1. Resolution 2023-061-Setting Fourth Annexation Proceedings2. Resolution 2024-18 Findings of Fact and Conclusions for the Yellow Roof Annexation3. Ordinance 2024-250 Approving the Yellow Roof Annexation4. Ordinance 2024-251 Approving I-1 Zoning for the Yellow Roof Annexation5. Annexation Petition6. Vicinity Map7. Annexation Map8. Zoning Map
PRESENTED BY:	Jeremy Gleim, AICP, Planning Director

The Community That Cares

www.TownofJohnstown.com

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

BACKGROUND & SUMMARY

The applicant, Yellow Roof Development, LLC., requests annexation and I-1(Industrial, Light) zoning for approximately 5.7 acres of land in Larimer County. The property is located on the north side of Larimer County Road 16 (LCR 16), just west of Interstate 25 (I-25).

The subject property is presently zoned CN (Commercial Neighborhood) in unincorporated Larimer County. There is an existing office building on the property, which was constructed in 1968 and which measures 4,536 square feet. The project is partially bordered by incorporated areas of Johnstown to the east and south. The land to the north, west, and partially to the south is in unincorporated Larimer County.

SURROUNDING ZONING & LAND USE

North: RR2 (Rural Residential) – Larimer County – Agricultural Uses
South: RR2 (Rural Residential) and CN (Commercial Neighborhood) – Larimer County – Agricultural Uses; and,
Town of Johnstown – Johnstown Corner Annexation No. 2
East: I-25 and PUD Zoning – Town of Johnstown – Industrial Uses
West: RR2 (Rural Residential) – Larimer County – Agricultural Uses

PUBLIC NOTICE & AGENCY REFERRALS

Notice for the Planning & Zoning Commission hearing was republished in the local paper of widest circulation, the Johnstown Breeze, on Thursday, March 28, 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 in question.

PROJECT DESCRIPTION & ANALYSIS

Annexation: This annexation is being considered by the Town for the following reasons:

1. At least 1/6 of the area to be annexed for each individual annexation is contiguous to the Town of Johnstown boundary.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town can provide water, sewer, and police services to the property.
4. The Town is authorized to annex the area without an election under Section 30(b) of Article II of the Colorado Constitution.

A resolution finding Substantial Conformance with C.R.S. requirements was passed by the Town Council on March 4, 2024, and set a public hearing for the annexation to be heard in front of the Town Council on April 15, 2024. The annexation map includes this parcel as well as the adjacent right-of-way for Larimer County Road 16.

Zoning & Development Standards

The Community That Cares

www.TownofJohnstown.com

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

The current zoning for the property is CN – Commercial Neighborhood in Unincorporated Larimer County. There are no known conditional uses or uses by special review for the property.

The applicant requests I-1 (Industrial, Light) zoning upon annexation, in order to support the future development of a gas station/convenience mart on the property. As described in the Town’s adopted Land Use & Development Code (LUDC), the I-1 district provides primarily service, employment, manufacturing, and distribution uses at a scale, intensity and format that will not have significant impact on adjacent uses, and which can mix with supporting and compatible service and retail uses characteristic of mixed and flex business areas.

Table 4-2: Permitted Principal Land Uses, in the LUDC, identifies gas stations as permitted uses in the I-1 zone. This application does not include the consideration or development of a gas station/convenience mart; however, since it was mentioned as a potential future land use on the subject property, it is worth mentioning that the I-1 zone would support that.

The Future Land Use Map in the 2021 Johnstown Area Comprehensive Plan (Comp Plan) identifies the subject property as being within the High Density/Intensity land use area. As described in the Comp Plan, High Density/Intensity areas (HDI) will be generally characterized by a high percentage of nonresidential uses, with some residential possibly integrated into larger development areas. These HDI corridors and nodes will accommodate and experience larger volumes of traffic and be located along busy arterial and highway corridors, and especially at interchanges and intersections. These areas are intended to provide high-quality, high-visibility locations for retail, office, and employment activities, with some light industrial uses that can appropriately mitigate impacts and contribute to the employment base.

COMPREHENSIVE PLAN ALLIGNMENT

The Johnstown Comprehensive Plan (Comp Plan) creates a long-term vision for the development of the town. The Comp Plan identifies the Town’s Growth Management Area (GMA), which includes incorporated lands within the current town limits, as well as certain unincorporated lands within Larimer and Weld counties. The GMA can be likened to a growth boundary, which represents the logical expansion of the town over time. The property which is the subject of this annexation is contiguous to lands within the corporate boundary of Johnstown and exists within the GMA. The Future Land Use Map identifies this area as a High Density/Intensity area, which is consistent with the proposed I-1 (Industrial, Light) zoning. Staff finds that the proposed annexation represents a logical expansion of Johnstown’s corporate boundary, in alignment with the goals and strategies of the Johnstown Comp Plan.

STRATEGIC PLAN ALLIGNMENT

- Natural & Built Environment

The Community That Cares

www.TownofJohnstown.com

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

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

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

LEGAL ADVICE:

The Town Attorney received this request as well as the Town Manager

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: There are three actions associated with this project and each one must be voted on separately. The resolution establishes the findings of fact and conclusions for the proposed annexation; therefore, it should be voted upon prior to a vote on the ordinances to recommend approval of the annexation and zoning. If the resolution fails, the findings to support the ordinances would dissolve, and the ordinances would automatically fail.

1. Resolution 2024-18 – Findings of Fact and Conclusions: Recommend that the Town Council **APPROVE** Resolution 2024-18, accepting the Findings of Fact and Conclusions for the Yellow Roof Annexation.

2. Ordinance 2024-250 – Approving Yellow Roof Annexation: Recommend that the Town Council **APPROVE** Ordinance 2024-250 to approve the annexation of approximately 5.7 acres, known as the Yellow Roof Annexation.

3. Ordinance 2024-251 – Approving I-1 (Industrial, Light) Zoning: Recommend that the Town Council **APPROVE** Ordinance 2024-251 approving I-1 zoning for the property known as the Yellow Roof Annexation

SUGGESTED MOTIONS:

RESOLUTION 2024-18

For Approval: The Planning & Zoning Commission recommends that the Town Council **APPROVE** Resolution No. 2024-18, accepting the Findings of Fact and Conclusions for the Yellow Roof Annexation.

The Community That Cares

www.TownofJohnstown.com

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

For Denial: The Planning & Zoning Commission recommends that the Town Council deny Resolution No. 2024-18.

ORDINANCE 2024-250

For Approval: The Planning & Zoning Commission recommends that the Town Council **APPROVE** Ordinance No. 2024-250 approving annexation of approximately 5.7 acres, known as the Yellow Roof Annexation.

For Denial: The Planning & Zoning Commission recommends that the Town Council deny Ordinance No. 2024-250.

ORDINANCE 2024-251

For Approval: The Planning & Zoning Commission recommends that the Town Council **APPROVE** Ordinance No. 2024-251 approving I-1 zoning for the property known as the Yellow Roof Annexation.

For Denial: The Planning & Zoning Commission recommends that the Town Council deny Ordinance No. 2024-251.

The Community That Cares

www.TownofJohnstown.com

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