



Town of Johnstown

DEVELOPMENT REVIEW COMMENT LETTER

TO: Morgan Kidder – Journey Homes
morgan@crow-creek.com

Robbie Lauer – Northern Engineering
robbie@northernengineering.com

FROM: **Kim Meyer, Director**
kmeyer@johnstownco.gov

DATE: May 2, 2023

RE: **Larson Property Annexation + ODP – 3rd Submittal**

Sent via email only.

In accordance with the Johnstown Comprehensive Plan and the municipal code, the Johnstown Review Committee (JRC) has reviewed the recent submittal received by the Town. Additional comments and revisions to be made can be found in the attached redlines and comments from the Town and ancillary review agencies. Below are enumerated comments from the Town.

1. This project will require public hearing before the Planning & Zoning Commission and Town Council, as well as a Neighborhood Meeting. Please work with Town Staff to schedule a neighborhood meeting.
2. Resubmittal is required. Please address all redlines in plans, and provide compelling rationale in writing for any comments or redlined revisions that are not made within the plans. Any resubmittals found to be substantially incomplete during review, in terms of addressing comments or providing needed information or otherwise, will be returned for resubmittal with complete materials.
3. Please review comments and redlines and reach out with any questions, concerns, or for clarification. Our reviewing agencies are generally available Tuesday afternoons 1-4 PM – please email planning@johnstownco.gov to schedule an upcoming Tuesday discussion with your design team.
4. A draft of the Annexation Agreement has been requested from the Town Attorney. As soon as that is available, Staff will forward that to your Team for review.

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- a. For that document, Staff will require a list of any existing raw water shares that are appurtenant to the property – certificate, company and share numbers are sufficient to identify those. Once annexed, that water must remain within Town Limits, though may be transferable to other properties.
 - b. The utilities department has identified a possible water line extension that may be needed extending to the east, to ensure adequate pressures to future development on this property. This possible improvement will be noted within the agreement.
 - c. Deed of dedication for the additional 30' ROW to be dedicated to the Town should be prepared as an attachment to the agreement. If this project moves directly to subdivision, we can finalize that dedication with that plat, but otherwise the Town requires a mechanism to secure that ROW even if that does not occur immediately following annexation. Can you please have your surveyor provide a legal description that can be attached to a Deed of Dedication for this purpose?
 - d. A final agreement and execution by the Petitioner is required prior to final adoption of an annexation ordinance.
5. Annexation Map
- a. See redlines for revisions. Planning added our comments to the IMEG redlines to simplify – shown in the lighter yellow boxes.
 - b. No Right to Farm statement is needed – that is Weld's. No harm, but not a Town requirement.
 - c. Need a legal description for the ROW.
 - d. Oil & gas setbacks are odd and don't really meet any prior or current Town requirements, nor the County. We have followed Weld County with the 50' P&A, 250' gas facilities setbacks. May not need to show setbacks on this document – but just the OG/well locations themselves.
 - e. Update the Mayor's name.
6. Zoning Map
- a. All that detail isn't really needed. This can be a super simple graphic with boundary dimensions and a legal – but not “wrong” either.
 - b. Please do delete the Right to Farm statements from this sheet.
 - c. Update to PUD – no more specific designations on zoning as the Town is working to move away from PUDs to straight zoning with the new Land Use & Development Code. Staff would welcome an opportunity to discuss and see if there are benefits for this project, at this point. An R-1 may work well here – and avoids the need for the ODP rigmarole.
 - d. Update the Mayor's name.
7. Conceptual Utilities Map
- a. See comments related to

- b. Add note: “This sheet presents a conceptual configuration of streets, lots and open spaces, as well as utility layout and is subject to meeting the Town’s standards and codes with future approvals for development.”
- 8. The “Road, Trail, Fence Plan” continues to feel premature in level of detail, though Staff appreciates that the Developer is thinking ahead. There have been considerable concerns expressed by engineering, traffic, and planning about the current conceptual design and street layout and we feel it is necessary to have further discussions with that before we attempt to nail down something as detailed as fence.
 - a. Main concerns seem to be long block lengths which encouraging speeding, driveways onto roads the Town would consider “collectors”. Some of this will be discussed at the Subdivision review level, in coordination with a TIS, but Staff doesn’t want this moving forward with a design we can’t support.
 - b. Given these concerns, I think it would be worthwhile to meet once these comments have been reviewed to discuss the Town’s concerns, and see if we can find resolution prior to delving deeper into the design of a future subdivision/development plan submittal.
- 9. General:
 - a. Prior to Subdivision, Mineral Estate Owner Certification is required and due to the Town a minimum of 30 days prior to public hearing, per state statute.
 - b. Additional processing of subdivision and development plans, development and utility service agreements, payment of fees, and building permits are required to include landscaping, public improvements and engineering reports, architectural reviews and similar requirements and reviews. Off site improvements or participation may be required to ensure adequate facilities are available for this development.

Ancillary Reviewers:

- a. IMEG
- b. JUB
- c. LFRA
- d. Weld County
- e. FHU – *pending – were inadvertently left of a prior referral email. Will send additional comments asap.*

Please address these comments/redlines and those of our ancillary reviewers, and resubmit for review with a response letter indicating how each comment was addressed in the plans. Staff is available to answer any questions or concerns about these comments.

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