



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

DESCRIPTION:	SunCatcher Annexation & Establishment of Zoning (PUD-MU)
PROJECT NO:	ANX21-0005
LOCATION:	Southwest corner of Telep Ave (CR 15) and CR 46, approx. 127 acres
APPLICANT:	Sauer South, LLC
STAFF:	Kim Meyer, Planning & Development Director
HEARING DATE:	July 13, 2022

ATTACHMENTS

- 1- Vicinity Map
- 2- Annexation Map
- 3- Zoning Map

BACKGROUND & SUMMARY

The applicant, Sauer South, LLC, requests Annexation and Establishment of PUD-MU Zoning for approximately 127 acres of land in Weld County. The property is located on the southwest corner of Telep Ave and Weld County Road 46, south of The Granary subdivision.

The subject property is presently zoned Agricultural in unincorporated Weld County and is currently being used as farm land. It is partially bordered by incorporated areas of Johnstown to the north, adjacent to The Granary subdivision; and to the east, adjacent to the Frank Wind Farm with the remainder of the perimeter adjacent to unincorporated Weld County. The surrounding zoning is Weld County Agricultural and Town of Johnstown PUD-R. The property does encompass a portion of the Little Thompson River, along the southern boundary, and those associated floodplain areas.

The proposed annexation is intended to allow for mixed-use development, with proposed PUD-MU (Mixed-Use) zoning. An accompanying Outline Development Plan (ODP), submitted as part of an overall development package, shows the intent to develop a mix of commercial and higher-density residential uses along WCR 46 approximately 600-feet south where the site will consist of lower density residential. The mixed-use areas will allow commercial, retail, office, and higher density residential uses. An interim use for a solar facility is proposed to be located on the southwest 44 acres of the site with farming operations continuing on the remaining portions until future development occurs.

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SURROUNDING ZONING & LAND USE

North: PUD-R – The Granary Subdivision – single family residential under development
South: A – Agricultural Weld County – existing ag lands
East: PUD-R– Residential Town of Johnstown – existing ag lands
West: A – Agricultural Weld County – existing ag lands

LAND USE HISTORY

Historically, this property has been used for farming and continues as that use today.

OIL & GAS

There are three existing plugged and abandoned wells on-site, per COGCC website. They are shown on the Site Plan (Attachment 3 – Sheet C.100); none interfere with this proposed facility.

IRRIGATION DITCHES

The Hillsborough ditch runs through the northern portion of this site. The proposed facility will not impact that current ditch alignment.

FLOODPLAIN

The Little Thompson River runs through this parcel, and has significant floodplain areas. Approximately 15.5 acres of the site sits within the floodway and 1% (100-yr) regulatory floodplain.

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, June 23, 2022. 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 500 feet of the property in question. This notice included a map of the proposed annexation and zoning. Full state-required annexation packets have been mailed to the county and all taxing districts in advance of the scheduled Council hearing on August 1, 2022.

NEIGHBORHOOD MEETING

No neighborhood meeting was held for this annexation and zoning.

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 is capable of providing water, sewer, and police service 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 Town Council on June 20, 2022.

Zoning & Development Standards

The current zoning for the property is Agricultural in Unincorporated Weld County. There are no known existing conditional uses or uses by special review that apply to the property.

The applicant requests PUD-MU – Mixed Use zoning upon annexation, which permits the applicant to develop mixed uses in accordance with the submitted Outline Development Plan (ODP). This proposed zoning is in alignment with the Johnstown Area Comprehensive Plan goals and the Future Land Use Map, showing this area for Low Density/Intensity and Greenway development.

Future development will be required to create subdivision plats and development plans, to be reviewed and approved by the Town through public hearing processes. Detailed engineering and construction plans are part of that future technical review.

Staff has no outstanding concerns related to this Annexation and Establishment of Zoning.

Associated projects that include an Outline Development Plan (ODP), Preliminary/Final Subdivision, and Use by Special Review for a solar facility are also being proposed and reviewed concurrently.

RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS

Staff recommends that the Planning and Zoning Commission send a recommendation for Approval to Town Council for the Annexation and Establishment of PUD-MU Zoning based upon the following findings:

1. The area is contiguous to the Town of Johnstown along at least 1/6 of its boundaries.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town can adequately and efficiently provide utility and police services.
4. The property is eligible for annexation without election pursuant to the Colorado Constitution Article II, Section 30(b).
5. The annexation of this property and the proposed PUD-MU zoning are in alignment with the Johnstown Area Comprehensive Plan.
6. Planned Unit Development – Mixed Use (PUD-MU) zoning for the Suncatcher property is in substantial alignment with comprehensive plan and is most likely to result in harmonious development with adjacent neighborhoods and future development in the area.

Recommended Motion: Motion to Approve, as presented

Based on the application materials received, analysis and presentations at this hearing, and findings noted in this staff memorandum, I move that the Planning & Zoning Commission recommend Approval to the Town Council for the SunCatcher Annexation and Establishment of PUD-MU Zoning.

Motion to Recommend Denial

I move that the Commission recommend to the Town Council Denial of the Suncatcher Annexation and Establishment of Zoning.