



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

- AGENDA DATE:** January 4, 2023
- SUBJECT:** Ordinance 2023-238 Approving the North Ridge P.U.D. Outline Development Plan Amendment No. 1
- ACTION PROPOSED:** Hold Public Hearing and Consider Ordinance 2023-238 Approving the North Ridge P.U.D. Outline Development Plan Amendment No. 1
- ATTACHMENTS:**
1. Ordinance 2023-238
 2. Vicinity Map
 3. Approved North Ridge Outline Development Plan (ODP)
 4. Proposed North Ridge Outline Development Plan Amendment No 1
 5. PZC Agenda Memorandum, August 10, 2022
 6. JMC Chapter 16 relevant sections
 7. Johnstown Area Comprehensive Plan excerpt – Future Land Use Map and High Density/Intensity Category description
 8. Staff Presentation
 9. Applicant's Letter to the Town (July 7, 2022)
 10. Applicant's North Ridge Economic Analysis (Dec 12, 2022)
 11. Applicant's Presentation
- PRESENTED BY:** Kim Meyer, Planning & Development Director
-

AGENDA ITEM DESCRIPTION:

The Town has received an application from Ridge II HoldCo, LLC, for consideration of an Amendment No. 1 to the North Ridge Outline Development Plan (ODP) encompassing approximately 60 acres of land known as the North Ridge development (Attachment 4). The property is located on the north side of the CR 18/CO 402 and the I-25 East Frontage Road, along both sides of the Frontage Road (Attachment 2).

The ODP for North Ridge, (Attachment 3) approved in 2021, covers a 60-acre area, and includes a range of uses permitted within the PUD-MU (Planned Unit Development – Mixed Use) zone district, including medium-density (10.0 DU/Ac) residential on approximately 23.4 acres (40%); with the remainder of the area (36.5 Ac / 60%) permitting commercial, office, and light industrial

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

uses, noting, “The Design Intent for the Planning Areas A, B, C, and D, is to allow for a wide range of commercial development uses, which could include various office, retail, private garage condominiums, hotel development or similar uses.”

The proposed amendment would modify the uses for two of the Planning Areas (A & D), with a combined 26.2 acres, which had been intended for commercial/retail development, to permit multifamily development, as well. The resulting land use ratio would permit up to 80% of the land in North Ridge PUD to be used for residential (if the full acreage were so developed), and the potential for only 20% commercial area. The PZC Staff Memo describing the proposed amendment in additional detail, and Staff’s analysis for the Planning & Zoning Commission (PZC) is Attachment 5.

The Planning & Zoning Commission (PZC) held a public hearing on August 10, 2022, to consider the North Ridge ODP (Case ZON22-0003). Two members of the public spoke concerned with height of buildings, traffic, and preference for commercial rather than multifamily development in the area. Based on the materials submitted, analysis, and a finding that the proposed amendment was not in alignment with, and incompatible with, the 2021 Johnstown Area Comprehensive Plan, the PZC approved a motion (5-0) to recommend to Town Council denial of this ODP amendment request.



To review and evaluate the proposed ODP amendment, Staff referenced the requirements and review criteria within Section 16 of the Johnstown Municipal Code related to PUDs (Attachment 6):

Section 16-302(d)(1)c discusses the intent of the PUD-MU zone and notes that “The number of residential units that may be built is flexible, but said number must achieve an acceptable proportion with commercial development to allow the development to be self-supporting. A fiscal impact study may be required to determine if the plan is self-supporting.” As every development that occurs is quite unlikely to be “self-supporting” on that smaller scale, Staff tends to interpret

that statement on a community-wide scale, keeping in mind the Comprehensive Plan theme of being Resilient and encouraging a sustainable balance of land uses.

Section 16-303 provides the review criteria for PUDs with the following Declaration of Policy, “The Town Administration, Planning and Zoning Commission and the Town Council shall evaluate all Planned Unit Development plans pursuant to the following criteria, which may be applicable to the particular circumstances, balancing and evaluating the implementation of such criteria to maximize, to the great practical extent, the community interest and welfare.” Subsection 1 discusses review criteria on the basis of Comprehensive Plan and Code requirements, and poses the questions:

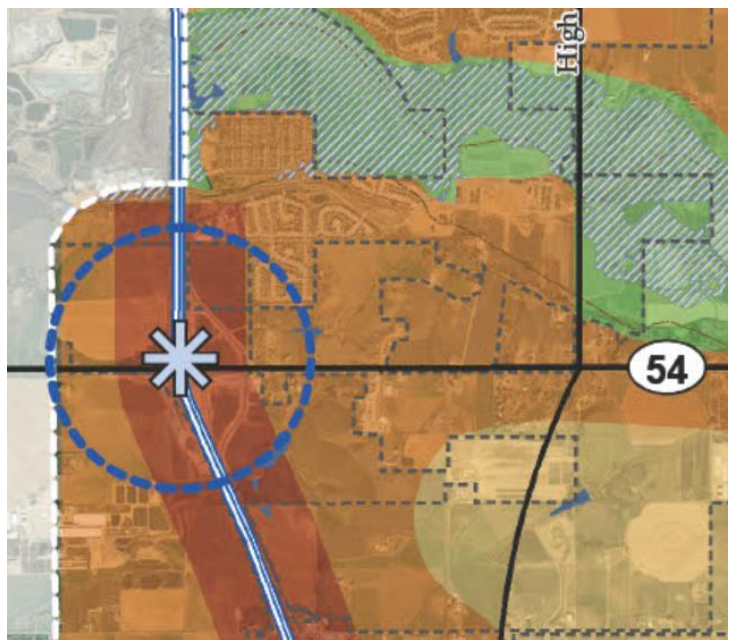
(1)a. “Is the proposed development in accordance with all elements of the Comprehensive Plan including, but not restricted to, park and school sites, street location and classification?”

(5)a. “Is the land use mix appropriate given land use designations of the Comprehensive Plan, support facilities in the area, project design and PUD district intent?”

In addition, Section 16-304(2) of the Code contemplates that an outline development plan should comply with the Comprehensive Plan.

Staff’s analysis of these sections, in relation to the proposed ODP amendment, concluded that the current Johnstown Area Comprehensive Plan Future Land Use Map designates this area along the I-25 corridor as an area best suited to High Density / Intensity (HDI) uses and design (Attachment 7).

These HDI areas would be generally characterized by a high percentage of non-residential uses, with some residential possibly integrated into larger development areas. The corridors and nodes identified as HDI in the Map are expected to experience and accommodate larger volume of traffic and be located along busy arterial and highway corridors, and notably at interchanges and intersections. The plan indicates that in these HDI areas, the “approximate land use balance” should be 80+% non-residential to a maximum of 20% residential.



Future Land Use Map & HDI Description Attachment 5

Per code review requirements, Town Planning Staff relied heavily on this land use category intent and description in reviewing this proposed North Ridge ODP amendment. The Future Land Use Map approved as part of the Comprehensive Plan reflects the will of the Council, PZC, and the Community; which in recent years have made numerous comments and land use decisions with an eye towards ensuring a long-term land use balance that provides the Johnstown community with diverse housing opportunities, as well as the commercial areas and nodes that provide goods, services, and employment opportunities.

The Map clearly indicates the remaining areas along I-25 and US 34 corridors as prime areas for this higher-density/intensity type of development, which would support the Town's overall 48-square mile Growth Management Area in the long term. There are many areas along these corridors where there is a pattern of existing industrial, commercial, and residential development, as well as floodplains and oil & gas facilities, that will restrict development. Johnstown's high value "hard corners" exist along these corridors at the few limited-access full-movement interchanges that exist at CO Highway 60B, CO Highway 402, and along US 34.

Staff's analysis of the project was additionally informed by a thorough review of relevant sections and goals noted within the text of [2021 Johnstown Area Comprehensive Plan](#). The Comprehensive Plan was adopted by the Town Council in November of 2021, after over a year of discussions, work sessions, and meetings throughout and with the community, the Planning & Zoning Commission, and Town Council. Excerpts of the plan are provided; for more complete context and text, please reference the Comprehensive Plan at the pages noted. Staff's analysis is included in *italics* for clarity.

1. **Chapter 1 Introduction** (pg. 1)

A. **Why the Plan Update?** "The development and adoption of a Comprehensive Plan is mandated through Colorado Revised Statutes to be used as a long-range guiding document that provides the policy framework for implementing regulatory tools like zoning, subdivision regulations, annexation, and updates to Town codes and standards"

B. **Who is this Comprehensive Plan for?** "This Plan is designed for Town leaders to guide and for community members to understand future development and redevelopment considerations for the Johnstown Area from now into the next 20 years. The Plan is designed for:

- Planning & Zoning Commission, Town Council, and Town staff to make decisions regarding:
 - Development applications
 - Provision and extension of community services and infrastructure
 - Regional Coordination efforts with other jurisdictions and agencies.

The Community That Cares

Johnstown.Colorado.gov

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

Staff's analysis and understanding of this purpose and applicability statement of the comprehensive plan is to provide guidance for decision-making when needed for the review and evaluation of a proposed project for zoning, land use, and development pursuant to requirements set forth in the Code. Given that, Staff reviewed the Future Land Use Map and corresponding descriptions provided to assist with review of this proposed amendment. Such entities as the counties, school and special districts, and the North Front Range MPO also utilize and depend on the direction found within the adopted Johnstown Area Comprehensive Plan as they evaluate their own projects, and growth and development expectations.

2. **Chapter 3 Johnstown Today**

A. Where We Live – Opportunities Moving Forward (pg. 14) “Balance residential with commercial land uses to promote local job opportunities as the Town grows and develops.”

B. Where We Work & Shop

Community Patterns of Primary Workers (pg. 16) “Of the 6,323 Johnstown residents in the workforce (based on individuals holding a primary job – the highest paying job for a worker), only 420 work in Johnstown and the rest leave the town for work.”

Opportunities Moving Forward (pg. 18) “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.”

C. Commercial Land Uses (pg. 17) “Areas that provide opportunity for additional commercial and employment uses include existing and rapidly-developing properties along the I-25 and US 34 corridors.”

This Chapter provided Staff with a snapshot of “Johnstown Today,” indicating the need to provide a more resilient balance of land uses, employment opportunities, as well as leverage our highway frontage to locate higher intensity commercial and employment in those areas.

3. **Chapter 4 Johnstown Tomorrow (Policies and Goals)**

Goal L1 (pg. 34) Ensure neighborhood character and amenities contribute to the health and wellbeing of diverse residents.

L1.1 – Update land use regulations to address balance of residential and non-residential development consistent with the Future Land Use Plan; to create complete neighborhoods within and surrounding activity centers; to include design guidelines and wireless design standards for high quality developments; and to promote creative and diverse housing types and neighborhoods.

The Future Land Use Plan/Map indicates that the area along the I-25 corridor (and US 34) is the best-suited land in Johnstown for those areas of higher intensity commercial, and higher-density residential uses, with a balance of 80% “commercial” to 20% residential to achieve diverse activity centers that provide employment and services at an appropriate ratio to the community and surrounding neighborhoods.

Goal W2 (pg. 37) 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.

W2.3 Promote appropriate, mixed-density residential development in and adjacent to employment and commercial centers to enliven these areas, and provide options to live, play and work in close proximity.

Staff reviewed the proposed amendment to the North Ridge ODP as a stand-alone project, as well as taking into account the adjacent and proposed residential development in the area. The Ridge and Thompson River Ranch provide considerable acreage for residential, in close proximity – as well as the 196 units of higher-density single family neighborhood incorporated into one of the Planning Areas within the North Ridge ODP, which has been approved as the North Ridge at TRR Subdivision. Staff believes that this larger-scale balance of land uses, versus looking on a project-by-project or parcel-by-parcel basis, meets the spirit and intent of the community and the Comprehensive Plan.

Upon the thorough analysis of the Comprehensive Plan, as directed by the Johnstown Municipal Code, Staff determined that the proposed amendment to the North Ridge P.U.D. Outline Development Plan would not meet the criteria of being “in accordance with all elements of the Comprehensive Plan” [JMC §16-303(1)], nor provide “the land use mix appropriate given land use designations of the Comprehensive Plan.” [JMC §16-303(5)(a)]. Staff believes that the current, approved ODP will better serve the community’s interests, and should remain in place as the document governing land use and density for this PUD, per the approved 2021 ordinance that adopted the North Ridge P.U.D. Outline Development Plan.

The Planning and Zoning Commission’s review concurred with Staff’s analysis and the Commission therefore recommended Denial of this project.

LEGAL ADVICE:

The Town Attorney has drafted the Ordinance.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: PZC recommends and Staff supports Denial of Ordinance 2023-238, an Ordinance approving the North Ridge P.U.D. Outline Development Plan Amendment No. 1, on first reading.

SUGGESTED MOTIONS:

For Approval

I move to approve Ordinance 2023-238, an Ordinance approving the North Ridge P.U.D. Outline Development Plan Amendment No. 1, located in the Southeast Quarter of Section 22, Township 5 North, Range 68 West, County of Larimer, State of Colorado, consisting of approximately 60 acres.

For Denial

I move to deny approval of Ordinance 2023-238 on the basis that the proposed North Ridge P.U.D. Outline Development Plan Amendment No. 1 does not satisfy Section 16-303(1) of the Johnstown Municipal Code because it is not in accordance with all elements of the 2021 Johnstown Area Comprehensive Plan nor does it satisfy Section 16-303(5)(a) of the Johnstown Municipal Code because the land use mix is not appropriate given the land use designations set forth in the 2021 Johnstown Area Comprehensive Plan.

Reviewed and Approved for Presentation,



Town Manager