



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: July 19, 2021

SUBJECT: Ordinance 2021-204 Annexing property known as the North Ridge Annexation

ACTION PROPOSED: Hold Public Hearing and Consider Ordinance 2021-204 on First Reading -Annexing certain unincorporated lands located in Larimer County, known as the North Ridge Annexation, containing approximately 35.32 acres

ATTACHMENTS:

1. Ordinance 2021-204
2. Petition
3. Vicinity Map
4. Annexation Map
5. PZC Agenda Memorandum for Annexation & Zoning

PRESENTED BY: Kim Meyer, Planning & Development Director

AGENDA ITEM DESCRIPTION:

The Town has received a petition for annexation from RidgeCo II, LLC, et al, for the North Ridge Annexation (Attachment 2). This proposed parcel to be annexed meets the eligibility and contiguity requirements of CRS 31-104 and 105, and is surrounded by Johnstown on all sides. (See Attachment 4). A Resolution to this effect was approved by Council on June 7, 2021. The property encompasses approximately 35.32 acres, located east of the I-25 frontage road, adjacent to the Thompson River Ranch subdivision, and south of the Abundant Life Tabernacle Church. (See Attachment 3).

The Planning & Zoning Commission (PZC) held a public hearing on June 9, 2021, to consider the North Ridge Annexation (Case ANX20-0004). Public comment was given by two neighbors in the area, with concerns for how the existing ditch will be addressed in development, and requesting a privacy fence along property lines, adjoining the proposed development area. A Thompson River Ranch neighbor is concerned for his mountain views, density, impact on his very low water pressure, and his property value. Concern was also expressed regarding the increase in traffic on CR 18. Staff indicated that the development-level details are noted and will be further addressed at subdivision and development planning. The Applicant spoke of the intent to “culvert” the ditch and that there are existing agreements with the Gard Lateral Ditch Co.; also

The Community That Cares

www.TownofJohnstown.com

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

indicated that likely both parties would likely want perimeter fencing for screening and buffering between these uses.

The Planning & Zoning Commission Agenda Memorandum attached (See Attachment 5) provides background and historical use of the property. The property has been undeveloped agricultural land until recently. The memo also describes notification and a remote Neighborhood Meeting held on April 27, 2021, which no neighbors attended.

The Johnstown Review Committee reviewed this project and provided redlines and comments, which have been addressed by the Applicant. Referrals of this Annexation were sent to Loveland and Larimer County. Loveland indicated their preference that development adjacent to this interchange reflect the guiding principles of their 402 Corridor Plan, and to receive copies of Traffic studies for this area, which Staff has provided. Larimer County noted a small triangular parcel that is not included in the annexation – that is a separate parcel of land deeded by Warranty Deed (Rec #20180039394) to CDOT, so therefore not right-of-way, which would be simple to include in an annexation, but a fee simple parcel that would require difficult-to-coordinate CDOT approvals and signatures. Full referral packets, required per C.R.S., were sent via registered mail to the Larimer County Board of County Commissioners, the County Attorney, and all Special Districts.

Based upon the materials submitted, analysis, and findings, the PZC approved a motion (4-0) to recommend to Town Council approval of this annexation request.

This petition and application for annexation is accompanied by companion requests, on this Council agenda, for Establishment of Zoning to PUD-MU (Planned Unit Development – Mixed Use), an Annexation Agreement, and a PUD Outline Development Plan (ODP) for a larger area that encompasses this annexation area.

Note: There was a discrepancy found in the legal description as additional work was done by the Applicant on this property. The current annexation plat and PZC staff report show a 36.971 AC property; with the revised legal the Town was recently provided, the property encompasses 35.32 AC. Staff has requested updated plat that fully reflect this corrected legal in the notations and legal descriptions on that plat; this revision will be included with Council packets for the 2nd reading, to ensure a corrected plat for Council approval, signature, and recordation.

LEGAL ADVICE:

Ordinance was prepared by the Town Attorney.

FINANCIAL ADVICE:

The Community That Cares

www.TownofJohnstown.com

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

NA

RECOMMENDED ACTION:

Approve Ordinance 2021-204 Annexing the 35.32-acre North Ridge Annexation on First Reading.

SUGGESTED MOTIONS:

For Approval

I move to approve Ordinance 2021-204 Annexing 35.32-acres known as the North Ridge Annexation on First Reading.

For Denial

I move to deny Ordinance 2021-204 with the following findings...

Reviewed and Approved for Presentation,



Town Manager

The Community That Cares

www.TownofJohnstown.com

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