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TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: February 19, 2025

SUBJECT: Zoning Case No. ZON24-0006 – Concept Plan Review

ACTION PROPOSED: **No Action – Public Review and Feedback Only**

ATTACHMENTS:

1. Planning & Zoning Commission Staff Report
2. Minutes from January 8, 2025, PZC Meeting
3. Application
4. Project Narrative
5. Concept #1
6. Concept #2
7. Concept #3
8. Staff Presentation
9. Applicant Presentation

PRESENTED BY: Jeremy Gleim, AICP, Planning & Development Director

BACKGROUND AND HISTORY:

On January 22, 2022, Johnstown North Investments, LLC (“Applicant”), submitted a Land Use Application & Cost Reimbursement Agreement to request annexation and zoning designation for approximately 94 acres of land in Weld County. The subject property is located in the northeast quarter of section 6 and the northwest quarter of section 5, township 4 north, range 67 west of the P.M. More specifically, it is located west of Telep Avenue (Weld County Road 15), west of the existing Thompson Parks Baseball Fields and immediately north of the Rolling Hills Ranch subdivision. Additional historical and background information regarding the application is provided in the Planning & Zoning Commission staff report dated January 8, 2025 (Attachment #1).

The Community that Cares

PLANNING & ZONING COMMISSION REVIEW

On January 8, 2025, the Planning & Zoning Commission (Commission) convened a regular meeting and held a public review for this project. Staff introduced the project to the Commission, and the Applicant provided information regarding the concept plans. The Commission asked multiple questions of the applicant and then the Chair invited members of the public to provide input and make comments.

To summarize, the Applicant provided three different concept plans for discussion:

- Concept #1: Mixed residential neighborhood with single-family detached lots and multi-family product (apartments). This plan is based on PUD zoning.
- Concept #2: Single-family detached neighborhood with two different lot sizes. It is staff's understanding that this concept would be based on a blend of the current and previous land use codes.
- Concept #3: Single-family detached neighborhood with one lot size throughout. This plan was based on the SF-1 zoning designation from the previous land use code.

During the meeting, the Applicant communicated to the Commission that they would not pursue the development of Concept #3 and stated that their preference was to move forward with Concept #1.

As reflected in the minutes for the meeting (Attachment #2), both the Commission and members of the public were most vocal about the following topics:

1. Opposition to the multi-family (apartment) product;
2. A strong desire to have an open-space buffer between the subject property and the Rolling Hills Ranch subdivision that would include pedestrian infrastructure; and,
3. Lot sizes that are complementary to those in the Rolling Hills Ranch subdivision, especially along the shared boundary.

CONCEPT #1 – CURSORY ANALYSIS

This is the Applicant's preferred plan and is comprised of a mixed residential neighborhood design. Under this concept, there are two detached options (5,300 and 6,300 square foot lots) and multi-family apartments. Since the original application for this project was submitted prior to the adoption of the current Land Use & Development Code (LUDC), it is being evaluated under the previous code. Under the prior LUDC there are three residential zoning designations:

- Single-Family Residential (SF-1): Single-family detached dwellings;
- Single-Family Attached Residential (SF-2): Single-family attached dwellings (duplex and townhouse) or two (2) or more units, but not more than six (6); and,

- Multifamily Residential (MF-1): Multifamily dwellings of two or more units.

The above zoning designations can support all types of residential development and are appropriate for the vast majority of project types. For projects that are so unique, provide substantial community benefit, and do not fit into one of the aforementioned zoning designations, the LUDC offers a zoning designation called Planned Unit Development (PUD) zoning.

EXISTING LAND USE

The subject property is located in a Low Density/Intensity (LDI) land use area. Pursuant to the Town's 2021 Comprehensive Plan, "Low Density/Intensity areas will be generally characterized by a higher percentage of residential, predominantly lots for single-family detached homes, with some lower-density townhomes or duplex/patio homes."

Comparatively, the Medium Density/Intensity (MDI) land use area "will generally be characterized by a more balanced, and wider-ranging mix of land uses – incorporating walk-up apartment buildings, townhomes, small lot (3,500 – 5,000 SF) attached and detached single-family housing, in close proximity to neighborhood-scale shopping, personal services, restaurants, small medical facilities, and facilities such as libraries and recreational centers." The purpose of comparing the Low and Medium Density/Intensity land use areas is to demonstrate how the character of development intensifies between land use designations. For example, walk-up apartments are envisioned and expected in the MDI area, but not in the LDI area.

ZONING

R-1 zoning, which is the current equivalent of SF-1 zoning from the prior LUDC, exists to the immediate south and east of the project site. Properties to the immediate north and west are still in unincorporated Weld County and are zoned for agricultural uses.

The vast majority of Rolling Hills Ranch (immediately south) is made up of single-family detached lots; however, there is attached product in the southeast corner of the neighborhood. It is important to note, the attached housing product in Rolling Hills Ranch was developed under PUD zoning, not the SF-1 zoning that covers the balance of the neighborhood. Consistent with the subject property, Rolling Hills Ranch is also located in an LDI land use area and has been developed pursuant to the LDI vision listed above.

Apartment development under the prior code was relegated to the MF-1 zoning district, with the intent "to provide for residential development of multifamily dwellings in areas where such development would be compatible with surrounding uses and when such intensive use would not create service problems."

For comparison, the SF-2 zoning district in the prior code "is intended to provide for residential development of single-family attached dwellings of the "duplex" or "townhouse" type, where all

dwelling units have ground level occupancy and private entrances, at relatively low density, and where such development would be compatible with surrounding residential uses.”

CONCLUSIONS

The information provided above is meant to demonstrate that mixed residential projects like the one presented in Concept #1 can be developed under traditional zoning designations, provided they meet the intent of the underlying land use area and are compatible with surrounding uses. Lastly, it is not uncommon for a larger property to have multiple zoning designations. For example, the subject property is 94 acres. It would not be out of the ordinary to assign some portion of the land SF-1 and the remainder SF-2. Again, this is predicated on the fact that the proposal meets the intent of the land use area and is compatible with surrounding uses.

PUD ZONING

Pursuant to Section 16-301(a) of the prior LUDC, the purpose of the PUD District is to facilitate greater flexibility resulting in higher quality development through more creative and imaginative design of the commercial, industrial and residential areas than is typically possible under conventional, restricted zoning regulations. In addition, pursuant to Section 16-302(a)(1), the intent of the PUD-R District is to support private residential development by providing incentives encouraging the use of innovative design techniques in order to achieve high quality residential development.

The Applicant’s preferred concept plan is based on PUD zoning. For consideration of PUD zoning, the applicant will have to provide evidence and craft findings demonstrating eligibility under the aforementioned sections of the prior LUDC. In addition, they will have to demonstrate how they are meeting the vision and intent of the LDI land use area. Lastly, the Applicant will be required to identify each standard from the LUDC that they are not able to meet and provide explanations as to why they cannot meet said requirements.

PROCESS:

No formal action shall be taken by the Town Council for this review; however, Councilmembers are encouraged to provide comments as they see fit. Notices were mailed to all property owners within 800 feet of the subject property advertising the public review of this project at this meeting.

The next step in this process will require a formal request from the Applicant for zoning. Staff will analyze the request and make a recommendation to the Planning & Zoning Commission (Commission) for consideration at a public hearing. Upon review by the Commission, they will make a recommendation to the Town Council, which will also require a public hearing. Notices for both public hearings will be published in the Johnstown Breeze when meeting dates are determined. Everyone within 800 feet of the subject property will receive two mailed notices, one for each public hearing.

PUBLIC NOTICE

Notice for the Town Council meeting was published in the Johnstown Breeze, on Thursday, February 6, 2025. Notices were mailed to all property owners within 800 feet of the subject property.

RECOMMENDED ACTION: N/A

Reviewed and Approved for Presentation,

A handwritten signature in blue ink, appearing to be 'W. J. C.', is written over a horizontal line.

Town Manager