

TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2023-52

APPROVING THE PRELIMINARY PLAT AND PRELIMINARY DEVELOPMENT PLAN FOR BLUE SKY PRAIRIE, A SUBDIVISION LOCATED AT LOT B, RECORDED EXEMPTION NO. 1061-2-1-RE 1488, RECORDED JUNE 2, 1993, AT RECEPTION NO. 2335286, BEING A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M., AND THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M., LESS THAT PORTION CONTAINED IN THAT DEED RECORDED AUGUST 11, 2003, AT RECEPTION NO. 3094025, AND EXCEPT THAT PORTION CONVEYED TO THE TOWN OF JOHNSTOWN IN DEED RECORDED JULY 22, 2021, UNDER RECEPTION NO. 4738022, TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 121.160 ACRES.

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, COLA, LLC, a Colorado limited liability company (“Developer”), on behalf of the property owner, High Plains Estates JV, LLC, a Delaware limited liability company, submitted an application to the Town for approval of a Preliminary Plat and Preliminary Development Plan for Blue Sky Prairie, a subdivision located at Lot B, Recorded Exemption No. 1061-2-1-RE 1488, Recorded June 2, 1993, at Reception No. 2335286, being a part of the East Half of the Northeast Quarter of Section 2, Township 4 North, Range 68 West of the 6th P.M., and the West Half of the Northeast Quarter of Section 2, Township 4 North, Range 68 West of the 6th P.M., less that portion contained in that Deed Recorded August 11, 2003, at Reception No. 3094025, and except that portion conveyed to the Town of Johnstown in Deed Recorded July 22, 2021, under Reception No. 4738022, Town of Johnstown, County of Weld, State of Colorado, consisting of approximately 121.16 acres; and

WHEREAS, on November 1, 2023, the Planning and Zoning Commission held a public hearing, reviewed the request, considered evidence presented at the hearing and recommended that the Town Council deny the Preliminary Plat and Preliminary Development Plan for the Blue Sky Prairie subdivision; and

WHEREAS, on November 20, 2023, the Town Council held a public hearing concerning the Preliminary Plat and Preliminary Development Plan for the Blue Sky Prairie subdivision and, after considering the Planning and Zoning Commission’s recommendation, reviewing the file and conducting such hearing, found that the Preliminary Plat and Preliminary Development Plan for the Blue Sky Prairie subdivision is consistent with the Town’s Comprehensive Plan and the Outline Development Plan approved for the subject property and

meets the requirements contained in the Johnstown Municipal Code and the Town’s regulations;
and

WHEREAS, based on the foregoing, the Town Council desires to approve the Preliminary Plat and Preliminary Development Plan for the Blue Sky Prairie subdivision, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO,

Section 1. Preliminary Plat Approval: The Preliminary Plat for the Blue Sky Prairie, a subdivision located at Lot B, Recorded Exemption No. 1061-2-1-RE 1488, Recorded June 2, 1993, at Reception No. 2335286, being a part of the East Half of the Northeast Quarter of Section 2, Township 4 North, Range 68 West of the 6th P.M., and the West Half of the Northeast Quarter of Section 2, Township 4 North, Range 68 West of the 6th P.M., less that portion contained in that Deed Recorded August 11, 2003, at Reception No. 3094025, and except that portion conveyed to the Town of Johnstown in Deed Recorded July 22, 2021, under Reception No. 4738022, Town of Johnstown, County of Weld, State of Colorado, consisting of approximately 121.16 acres, attached hereto and incorporated herein by reference at Exhibit A, is hereby approved, subject to the following conditions:

- A. At least thirty (30) days prior to the public hearing for the first final plat for the Blue Sky Prairie subdivision, Developer shall submit an updated traffic study to the Town for the Town Council’s consideration at such public hearing;
- B. At least thirty (30) days prior to the public hearing for the first final plat for the Blue Sky Prairie subdivision, Developer shall submit a traffic mitigation plan concerning the traffic generated during construction of the development for the Town Council’s consideration at such public hearing. The agreed-upon traffic mitigation plan shall be included in the Subdivision Development and Improvement Agreement(s) for the Blue Sky Prairie subdivision; and
- C. Developer shall provide appropriate dust and weed mitigation measures during construction and obligations related thereto shall be included in the Subdivision Development and Improvement Agreement(s) for the Blue Sky Prairie subdivision.

Section 2. Preliminary Development Plan Approval: The Preliminary Development Plan for the Blue Sky Prairie subdivision, attached hereto and incorporated herein by reference at Exhibit B, is hereby approved.

Section 2. Recording: The Town Clerk is hereby directed to obtain the appropriate signatures for the Preliminary Plat for the Blue Sky Prairie subdivision and have it properly recorded at the Office of the Weld County Clerk and Recorder.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS ___ day of _____, 2023.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Hannah Hill, Town Clerk

By: _____
Troy D. Mellon, Mayor