



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

ITEM:	Public Hearing and Consideration of Final Subdivision Plat of Uncle Benny's Marketplace Re-subdivision.
DESCRIPTION:	Proposed re-subdivision to establish a four (4) lot plat on 18.450 acres which will allow for the uses as per the Johnson's Corner PUD Land Use document.
LOCATION:	North side of Marketplace Dr., east of the Frontage Road
APPLICANT:	Johnson-Taylor Family c/o Chauncey Taylor (owner)
STAFF:	Kristin Cote, Planner I
HEARING DATE:	September 29, 2021

ATTACHMENTS

- 1- Application
- 2- Vicinity Map
- 3- Final Plat
- 4- Johnson's Corner PUD Document

BACKGROUND & SUMMARY

The applicant, Johnson-Taylor Family c/o Chauncey Taylor, is requesting consideration of a four (4) lot re-subdivision of 18.450 acres of land within the Great Colorado Marketplace Subdivision. This subdivision would allow the uses as per the Johnson's Corner PUD document. Proposed lot two (2) does not abut a public street and requires that an easement be established to provide appropriate access to this lot. All other lots in this subdivision will directly abut a public street, and adequate right-of-way will be dedicated with this plat for expansion of the street network in this area of Johnstown.

The subject property is bordered on all sides by land within the Town of Johnstown. All the contiguous land within Town limits is zoned PUD-JC (Johnson's Corner) with the exception of the land to the east which is zoned PUD-Mixed Use (MU).

The surrounding land uses are primarily commercial in nature. The exception to this is the land to the east which is currently undeveloped.

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HISTORY

This property was annexed as part of the 237.58-acre Johnson's Corner annexation in 1999 by Ordinance number 99-600, and subdivided into lots as The Great Colorado Marketplace in 2001. Replats of the Great Colorado Marketplace subdivision were completed in 2004 (Instrument #20040055467), 2005 (Instrument #20050108096), 2007 (Instrument #20070055087), 2009 (Instrument #20090049304) and 2012 (Instrument #20140056818).

NOTICE

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, September 9, 2021. 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 vicinity map and the proposed subdivision map. No neighborhood meeting was required.

ANALYSIS

GOAL CF 1. New development achieves the community's goals and is consistent with the Town's vision.

- Staff believes this subdivision will accomplish this goal because it allows for the contiguous, compact pattern of growth that was established in this general vicinity with the approval of the PUD-JC zoning and the Great Colorado Marketplace subdivision.

GOAL MC 2. An adequate, efficient, safe and comprehensive transportation system integrating all modes of transportation

- Staff believes that this subdivision will assist in efficient transportation planning due to the fact that additional right of way will be dedicated with the plat on the easterly property line to allow the Town the ability to rebuild and extend CR 3E as per Town transportation plans.

Zoning

The current zoning for the property is PUD-JC as was established in 1999. The applicant requests that zoning designation be continued going forward.

APPLICANT REQUEST & RESPONSE: The applicant has not submitted the necessary construction documents to allow for the lots to be given full approval for construction, Staff feels confident the property will be able to be developed in a suitable and proper fashion. Staff has required a note on the plat which states "Please note no construction drawings have been reviewed or approved by the Town in regards to this subdivision. These lots will be considered un-buildable until such a time as construction drawings have been reviewed and approved by the Town for any lot proposing development. Said plans and development shall meet the Town requirements in place at such time as said development is proposed." The owner is amenable to this note and aware that future development will require the submittal of all reports and documents to ensure adequate access to transportation, water, sewer, and meet all other development requirements.

A Variance (VAR21-0001) was also requested as part of this subdivision application, and was considered by the Board of Adjustment. This subdivision, as presented, is contingent upon approval of that Variance.

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Staff Concerns

Staff has no outstanding concerns.

RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS

It is recommended that Planning and Zoning Commission send a recommendation for Approval with Conditions to Town Council that the requested subdivision of Uncle Benny's Marketplace Re-subdivision be approved based upon the following findings:

1. The proposed subdivision is consistent with the Town of Johnstown Comprehensive Plan.
2. The proposed subdivision will allow the developer to pursue purchase and subsequent development of this property, with all necessary plans and reports to complete the Town's process and meet the subdivision requirements of the municipal code prior to construction.

Recommended Motion

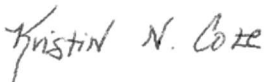
Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that the request for the Uncle Benny's Marketplace Re-subdivision final plat furthers the *Johnstown Area Comprehensive Plan* goals, and is compatible with all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council Approval with Conditions of the Uncle Benny's Marketplace Re-subdivision based upon the findings as stated in the staff report, and the following conditions:

1. Prior to construction of any public or private development improvements, Town-approval of all required plans, reports, and permits shall be obtained.
2. A development agreement shall be entered into with the Town that states and clarifies basic developer obligations, and may be amended with more complete development details and special provisions as those become known through subsequent development review. This agreement will be recorded with the plat.

Alternate Motions

- A. Motion to Approve with no Conditions: "I move that the Commission recommend to Town Council approval of Uncle Benny's Marketplace Re-subdivision final plat , as presented."
- B. Motion to Deny: "I move that the Commission recommend to the Town Council denial of the Uncle Benny's Marketplace Re-subdivision final plat based upon the following..."

Planner:


Kristin Cote, Planner

Reviewed by:


Kim Meyer, Planning & Development Director

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