



# Town of Johnstown

## PLANNING & ZONING COMMISSION STAFF ANALYSIS REPORT

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<b>ITEM:</b>	<b>Preliminary/Final Subdivision Plat of West Ledge Rock Center Subdivision Filing No. 1</b>
<b>DESCRIPTION:</b>	Proposed 25-acre subdivision to create one tract, and several commercial building footprints for future commercial development
<b>LOCATION:</b>	Southeast corner of Hwy 60 and I-25
<b>APPLICANT:</b>	Ledge Rock Center, LLC (Owner: Town of Johnstown)
<b>STAFF:</b>	Kim Meyer, Planning & Development Director
<b>HEARING DATE:</b>	April 27, 2022

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### ATTACHMENTS

1. Vicinity Map
2. Proposed Plat

### PROJECT SUMMARY

The Applicant is requesting consideration of a combined Preliminary/Final Subdivision Plat encompassing approximately 25 acres. The existing use of this parcel is agricultural. This plat further subdivides Lot 2, of the Oxy Land Subdivision (SUB21-0021) and begins to create a metro-district owned tract for common elements and building lots for the development of a future commercial center. The eastern boundary of this project will develop as an extension to High Plains Boulevard.

**Zoning:** PUD-MU (Mixed Use)

### ADJACENT ZONING & LAND USE

<b>North</b>	PUD-MU – “Vista Commons”
<b>East</b>	PUD-MU – Proposed “East Ledge Rock Subdivision”
<b>South</b>	PUD-MU – Oil & Gas wells; and Weld Co. ‘A’ – Existing ag properties
<b>West</b>	I-25 and PUD-MU – “Welty Ridge”

### PROPERTY LAND USE HISTORY

This property has historically been agricultural use. This property was annexed into the Town of Johnstown in 2008 as “Johnstown Commercial Annexation” and zoned PUD-MU at that time. A 2021 subdivision – Oxy Land – created the current lot. No development has occurred on-site.

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The Ledge Rock Center PUD Outline Development Plan (ODP) was approved by the Town in early 2022, with high level “bubble” areas of land uses, which provides for a mixed use commercial center in this area.

## **PUBLIC NOTICE**

Notice for the Planning & Zoning Commission hearing was published in the Johnstown Breeze, on Thursday, April 7, 2022, per municipal code. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a brief description of the project. Notices were mailed to all property owners within 500 feet of the property in question. This notice included a location map and concept plan for the proposed subdivision. No neighborhood meeting was held for this project or required at this time. No public comments have been received by Staff as of the date of publication of this report.

## **STAFF ANALYSIS**

This property is encompassed in the Ledge Rock Center ODP and intended for a commercial/retail center. All needed right of way for this property was previously dedicated to the Town. This subdivision is being proposed to create a new Lot 1; Tract A, which will be owned by the metro district and ultimately be used for common elements such as drives, parking, and landscaping; and “building footprint” lots, created to coincide with future commercial development. Additional planning and engineering review processes and approvals, as well as final agreements with the town, must be completed prior to construction.

The proposed Preliminary/Final Subdivision Plat substantially complies with town code and regulations; aligns with the Johnstown Area Comprehensive Plan as an area of Medium and High Density/Intensity; and meets the development standards of the Ledge Rock Center PUD Outline Development Plan.

This subdivision is being processed without submittal of full construction drawings, with the understanding that future development plans, subdivisions, and any construction or development will require additional town review and approval of all development and engineering reports, plans, construction drawings, and other plans for public and private improvements prior to construction of improvements or structures. Notes to this effect has been added to the plat, and also provide for minor amendments that would allow the footprints to move, as needed, to better match final approved development plans. These footprint lots are typically finalized based upon field surveys of the final foundation footprint once structures are constructed.

As noted on prior projects of this nature, while this type of subdivision is not in strict conformance with code requirements that require submittal of engineering reports and development plans with plats, the ability to proceed to platting without full plans and “CD’s” in place is accommodated elsewhere, in Staff’s interpretation, by [JMC §17-111](#) requiring that an agreement be in place that requires all necessary improvements, in conformance with Town design standards and other applicable codes and regulations, and which plans/reports have been reviewed and approved by the Town. The Town has existing agreements in place to that effect, with this Applicant, and more specifically, with the metropolitan district that is the “developer” of the proposed commercial center.

Staff recognizes that, on large properties with potentially long-term development plans that may not yet be known, this type of platting can be utilized as a reasonable and flexible approach to how the market functions. Utilizing this option allows known uses/users to move forward, creates larger tracts for sale to other specialty developers (i.e., shopping center, multi-family, single family), while securing right-of-way, utility easements, and other up-front needs of the Town and community to ensure logical and efficient build-out as the area develops. Staff believes that this approach fulfills the spirit and intent of the Code.

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Staff has no outstanding concerns and believes this development will ultimately promote the Town's goals of providing employment and activity centers, diverse housing types, walkable neighborhoods, and efficient development patterns and extension of infrastructure.

## **RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS**

### **Recommended Findings**

It is recommended that Planning and Zoning Commission send a recommendation for Approval with Conditions to Town Council that the requested subdivision of West Ledge Rock Center Subdivision Filing No. 1 be approved based upon the following findings:

1. The proposed development is consistent with the Johnstown Area Comprehensive Plan, and the approved Ledge Rock Center Outline Development Plan.
2. The proposed subdivision is in substantial compliance with the Town's codes, regulations, and requirements.
3. The proposed subdivision will allow a more flexible approach to development of the large acreage, while meeting the needs of the community as it develops.

### **Recommended Motion**

Based on the application received, associated materials presented, and the preceding analysis, I move that the Planning & Zoning Commission recommend Approval of the West Ledge Rock Center Subdivision Filing No. 1 Preliminary/Final Plat to the Town Council based upon the findings as stated above, and with 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. The Applicant shall enter into all appropriate agreements related to development and construction activities and water and sewer service prior to construction of public and private improvements and issuance of any building permits.

### **Alternate Motion**

Motion to Deny: "I move that the Planning & Zoning Commission recommend to the Town Council Denial of the West Ledge Rock Center Subdivision Filing No. 1 Preliminary/Final Plat based upon the following findings..."