



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

ITEM:	1
DESCRIPTION:	Public Hearing for The Granary (PUD) Preliminary Subdivision Plat and Preliminary Development Plan for approximately 294 acres, for a single-family neighborhood
LOCATION:	South 1/2 of Section 7, Township 4 North, Range 68 West – North of CR 46, between Colorado Blvd and Telep Ave.
APPLICANT:	Hartford Acquisitions (DBA Keto Development, LLC)
STAFF:	Darryll Wolnik, Planner II
HEARING DATE:	April 14, 2021

BACKGROUND & SUMMARY

The applicant, Hartford Acquisitions / Keto Development, LLC, is requesting approval of The Granary Preliminary Subdivision Plat and Preliminary Development Plan (PDP) for the south 1/2 of Section 7, Township 4 North, Range 68 West. The property is bounded by Weld County Road 46 to the south, Telep Ave. to the east, Colorado Blvd. to the west, and Great Western Railway Right-of-Way to the north. The preliminary plat will set forth the overall general design for the project, with filings of phased final subdivision plats to follow with final details and design. The preliminary plat shall dictate the manner of development, with slight variations allowed, but does not dictate the order of development. Subsequent filings will determine final lots and street layouts and provide full engineering and construction documents for all public and private improvements within the development, with the exception of individual lots and homes. This preliminary plat shall follow those zoning regulations for the property that were set forth in the previously-approved Granary Outline Development Plan (ODP).

Surrounding land uses are primarily agricultural and rural residences. Properties to the north and northwest are developed, or developing, as primarily single family neighborhoods. The built-out Clearview residential subdivision is to the northwest of the subject property, across Colorado Blvd., while the currently under-construction Mallard Ridge (approved as Johnstown Village) residential subdivision is north-adjacent to the subject property.

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DEVELOPMENT HISTORY

The Granary Preliminary Plat and Preliminary Development Plan (Herein referred to as “The Granary”) was annexed as two separate annexations and original ODPs, those being Keto and Maplewood Acres.

The Maplewood property on the west, also known as Maplewood Acres, has historically contained agricultural uses, and continues to contain those uses. It was annexed on March 2, 2009, by way of Ordinance 2009-100. It was also assigned PUD-R zoning at that time via ODP, by way of Ordinance 2009-101

The eastern Keto property has historically contained agricultural uses, and continues to contain those uses. It was annexed into Johnstown on September 18, 2006, by way of Ordinance 2006-776. It was also assigned PUD-R zoning at that time via ODP, by way of Ordinance 2006-777. On February 17, 2021, The Granary ODP was approved through Ordinance 2021-193. That ODP is the current zoning for this property.

ATTACHMENTS

- 1 - Vicinity Map
- 2 - Application
- 3 – Preliminary Plat
- 4 – PDP Preliminary Development Plan
- 3 – ODP Outline Development Plan

PUBLIC NOTICE

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, March 25, 2021. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Courtesy notices were mailed to all property owners within 500 feet of the property in question. This notice included a map of the proposed annexation and zoning.

A neighborhood meeting was held on Thursday, March 18, 2021, and noticed to property owners of records within 500 feet of the property. The meeting was attended by roughly a dozen residents (exact numbers and sign in was not possible, due to the remote-only nature of the meeting) Staff heard from two residents during the meeting. Jerry Jennison asked questions about oil and gas development in the area. Specifically, he was concerned that all existing and abandoned wells were not shown on the plat. Staff and applicant were able to confirm all wells appear to be shown, and Mr. Jennison agreed.

Staff also heard from Laurie Stolley, who lives at the property on the east side of Colorado Blvd., just south of the proposed east-west collector. She was concerned about her access, which currently enters from the south and across the Granary property. Mrs. Stolley was worried about the proximity of her access to the turn lanes and likely signal associated with that east-west collector. Applicant offered to allow her to retain the current access via permanent recorded easement. Another issue brought up by

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Mrs. Stolley was the road cross-section in front of her home, on Colorado Blvd. While the exact layout is unclear because of the fluid nature of the area, staff directed applicant to provide Mrs. Stolley with a potential road cross-section. Staff and the Applicant have also corresponded and met separately with the Stolleys previously to discuss the location and scope of this collector road, timing of development that might impact that, and continued access to their property.

ANALYSIS

Johnstown Comprehensive Plan Alignment

P.2-5: The area in question is marked as “Low Density Residential, Average 3 DU/AC”. The Preliminary Plat and Development Plan proposes 3.45 DU/AC, roughly in line with this requirement.

Goal CF-1: New development achieves the community’s goals and is consistent with the Town’s vision – building blocks.

This Preliminary Plat and Development Plan will provide the groundwork for a future development that incorporates new trails, adds green space, and creates neighborhood parks within new neighborhoods.

Goal CF-3: An enhanced character of developments and overall image – Pedestrian-friendly environments.

The proposed Preliminary Plat and Development Plan calls for an expansive trail network, affording residents the opportunity to use multiple modes of transportation, or simply enjoy open spaces. The modified collector cross-section will allow for a detached 9’ sidewalk, providing ample space for use while being separated from the flowline of the road.

Goal NH-1: A diversity of housing types to support the housing needs of a diverse population – location and proximity.

The proposed Preliminary Plat and Development Plan is located centrally between I-25, downtown, and new development to the north and south. In addition, the properties in question are located adjacent to Colorado Blvd., a major north-south arterial that connects south to Denver and north to the 2534 district of Johnstown and beyond.

Zoning

The zoning for the property is PUD-R, and the current approved ODP allows for single-family detached residential throughout the property, along with open space.

The Granary Preliminary Plat and Development Plan proposes 29 outlots, covering 94.392 acres (32.02% of the site). Those outlots would be considered open space areas, and their exact uses will be more precisely determined at final subdivision; however, the amount and percentage will not significantly change. Of note are the three developed park areas; those shall not change in size or location from what is shown on this Preliminary Plat and Development Plan.

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Seventy-one acres are proposed as public right-of-way, 24.36% of the site. Single family detached residential lots will comprise roughly 128.575 acres, or 43.62% of the project area, these 925 lots will be an average of 6,054 square feet in size.

Development Standards

The ODP set forth some basic development standards regarding setbacks, building heights, and lot sizes. More detailed design guidelines will be completed with the final subdivision and development plan review process. Development standards for residential uses will allow for smaller front-yard setbacks, thereby conserving water and creating more compact development, while still maintaining a detached single-family neighborhood. Front yard setbacks will be set at 15' to the habitable living area, meaning any portion of the dwelling that is enclosed.

Garages will be set a minimum of 20' back, allowing not only ample space to park a vehicle as required by JMC 16-143(5), but also to prevent a streetscape of garage doors, thereby placing the homes front and center, rather than the garages. Porches may encroach 3' into the 15' habitable living area setback. Those porches are required, and must be a minimum of 48 S/F. Having mandatory porches will have the effect of creating an aesthetically-pleasing streetscape of elevations. There will be a 15' rear yard setback, and 5' side yard setback, with 15' required on side corner lots adjacent to ROW. Buildings may be up to 35' in height, measured to the midpoint of the highest ridge and eave, as defined by building code. Lots will generally be either 45'x110' or 55'x110 in size and dimension.

The ODP set minimum design guidelines for structures, which shall be expanded upon by way of design guidelines during final platting and final development plan. Individual lot landscape standards will be further detailed during the final platting and final development plan. The Town shall require sample lot layouts, conceptual elevations, plant lists, and percentages and treatment of groundcover at that time

Infrastructure/Transportation

Currently Little Thompson Water District serves the few residences in the area. Town water lines run north of the property and east along Telep Ave. A smaller 8" line is located along Colorado Blvd. on the west side of the property. There are no lines along County Road 46. Water lines will need to be extended to the property at the appropriate size, as determined by Public Works and the Town Engineer, during the engineering design process. For the purpose of this Preliminary Plat and Development Plan, water service is in close proximity, has been deemed adequate, and it is therefore possible to serve this property.

As part of the annexation agreement for both Keto and Maplewood, the developer is required to construct at least 12" water mains along Colorado Blvd, Telep Ave., and Weld County Road 46. The developer is also required to loop any water mains built on the property.

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Sanitary sewer service will be provided by the Town of Johnstown, via the new central sewer interceptor. Improvements are already underway, and that interceptor will be completed in the next few years, as part of the Town's overall sewer infrastructure improvements. The Central Wastewater Treatment Plant will also be expanded in the next couple of years. Both of these projects will ensure adequate capacity to handle the proposed development.

Regarding transportation networks in the area there are multiple major arterials that border this proposed project. Colorado Blvd., a regionally-significant major arterial that stretches from Thornton to Windsor, bounds this project to the west. Colorado Blvd. intersects with Weld County Road 46, an unimproved roadway. The traffic impact study (TIS) calls for numerous ultimate improvements relating to turn lanes and acceleration/deceleration lanes. There is a proposed east-west collector road that has been approved in a modified cross-section. This collector will have a 9' "multi-modal" sidewalk separated from the ROW by a 6 ½' landscape area (known colloquially as a tree lawn or park strip), rather than the standard 5' sidewalk.

It should be noted that the auxiliary lane requirements are in addition to the standard street cross-sections as outlined in the 2008 Johnstown Master Transportation Plan. The developer will be required to install appropriate roadways, to include possible half-widths, at platting. Roadway improvements and infrastructure will be installed prior to any homes being constructed, and after the final plat has been approved. These improvements, along with other public improvements, are likely to be built incrementally, as the property is built out.

The annexation agreement for the Keto Annexation lays out required dedications for County Road 46 and Telep Ave. Per the agreement, 30' of additional ROW dedication is due when the property develops, which should be taken to mean at final plat, as this is when ROW dedication takes place. Additionally, Weld County Recorded Exemption 1059-7-3 RE-3403 shows 40' of ROW reservation on the east side of the existing 60' ROW on Colorado Blvd.

Of note is the new Weld RE-5J high school being constructed across Colorado Blvd. from this proposed project. Some lane configurations and roadway/infrastructure improvements may take place in conjunction between these two projects.

The Granary Preliminary Plat and Development Plan shows a robust trail system throughout. Applicant is proposing 5' wide trails utilizing crusher fines, a compacted soft surface that meets ADA standards. These trails will connect areas of the development that sidewalks do not. Notably, the trails utilize a number of mid-block cut throughs to increase walkability. The trails connect all areas of the project to the three parks, creating safe pathways around the development, while also connecting to the interior sidewalks and allowing for access to other future trails outside of the development by tying into the perimeter sidewalks.

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Phasing

Applicant has proposed a phasing plan with this development. Said phasing plan is not final, but does outline a rough schedule of final filings. A loose agenda for construction is also presented as part of this application. Development will move east to west; to be dictated by infrastructure availability, as the applicant can tie into existing wet utilities in the northeast corner of the site. Filing 1 is expected to include areas from Telep Ave. west to the first proposed north-south entry road into the development. Filing 2 will likely include areas between the two north-south entry roads, and the final filing will include the remainder of the project. Exact phasing may be dictated by availability of infrastructure and as approved by the Town and Front Range Fire Rescue.

Easements / Oil & Gas

There are four oil and gas facility sites on or around the property which encumber the property in some manner. Three of these facilities are located on the subject property, while one is located just north of the property, across the railroad ROW. The Johnstown Municipal Code (JMC) does not address reciprocal setbacks from general oil and gas facilities, nor do any of the Colorado Oil and Gas Conservation Commission (COGCC) rules. Town Design Guidelines do call for a 150' minimum setback from existing wellheads for new development. However, the applicant has opted to utilize a 350' setback from all existing oil and gas facilities. Area within these setbacks is utilized as either passive open space, drainage, or trails. There are no inhabitable structures or designated play areas within these setbacks. Town Design Guidelines and JMC call for screening of oil and gas facilities. Oil and gas facilities are proposed to be screened by black wrought-iron-style fencing, specifically Ameristar Impasse II. This decorative open fencing type is widely used on oil and gas sites and is 6' in height.

It should be noted there are plugged oil & gas facilities within this project. Applicant has proposed a reciprocal setback of 150', which is adequate for Fire and Engineering, as both COGCC rules and Town Code are silent on the topic. There are two capped sites within this development, contained within Outlots Q and U.

Three pipeline easements run through the property. A 25' gas pipeline easement, held by Western Slope Gas Company, runs north-south through roughly the center of the property, and cannot be built upon other than to cross with a roadway. In addition to that, a 30' regional stormwater easement that also serves Mallard Ridge to the north runs from the north and turns east around the center of the property, before leaving the site to the east. Finally, the Thornton Water Project pipeline runs north-south along the eastern edge of the property, utilizing a 50' no-build easement.

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In addition to the above easements, the Hillsborough Ditch runs across the eastern edge of this property. This Preliminary Plat and Development Plan now shows no major realignments to the ditch. Hillsborough Ditch is shown to have a 100' easement along its alignment through this project. Developers will continue to work with the ditch company on improvements and alignment issues, and Hillsborough Ditch shall sign the final plat showing acceptance of the easement and alignment.

Staff Concerns

Staff is somewhat concerned about the location of the proposed west park. Currently the park is located wholly within the 150' setback for existing plugged and abandoned wells. There is no local or state code or regulation precluding the applicant from proposing and constructing this park. Further, planning does not propose to relocate the park, especially as Front Range Fire Rescue and the Town Engineer approve the use. Staff just wanted it brought to the Commission's attention.

There are a three county parcels, with homes, adjacent to and interwoven along the edges of this property. While these parcels are on the outside edge of the subject property, they could present future issues for the Town in terms of future annexation and redevelopment (if that were to occur), individual driveway accesses along major arterials, and the lack of service by utilities and other infrastructure. The Town cannot and would not force these properties to annex, develop, or otherwise be included in the Preliminary Plat and Development Plan, and their exclusion does not endanger or dilute the current project proposal in any meaningful way. However, it is anticipated that these properties will redevelop at some point in the future, and such redevelopment may be challenged because of their exclusion today; this alone merits their mention in this report. No specific remedies are suggested or needed at this time.

RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS

Findings:

1. The proposed Preliminary Plat and Preliminary Development Plan is in agreement with the Johnstown Area Comprehensive Plan and its Future Land Use Map.
2. The proposed Preliminary Plat and Preliminary Development Plan can to be adequately served by Town services and utilities and other community infrastructure.
3. The proposed Preliminary Plat and Preliminary Development Plan is in substantial compliance with all Town codes, regulations, and standards and specifications.

Conditions

1. The applicant address all outstanding comments and redlines from the Town Engineer and Public Works on construction drawings and public improvements, prior to submittal for Final Subdivision Plat and Final Development Plans for each phase or filing.

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2. The applicant work with Town Staff and the three (3) owners of the excluded properties to ensure preservation of their accesses and coordinate public improvements along their frontages. This should be incorporated into development agreements that accompanies each applicable final plat.

Recommended Motion

Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that The Granary Preliminary Plat and Preliminary Development Plan 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 of The Granary Preliminary Plat and Preliminary Development Plan based upon the findings and conditions, as stated within this staff memorandum.

Alternate Motions

Motion to Deny: "I move that the Planning & Zoning Commission recommend to the Town Council denial of The Granary Preliminary Plat and Preliminary Development Plan based upon the following findings..."

Planner:



Darryll Wolnik

Planner II

Reviewed by:



Kim Meyer

Planning & Development Director

File Name: S:\PLANNING\2002 Land Use Projects\PUD20-001 Keto-Maplewood PUD\Staff Report.docx

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