

**TOWN OF JOHNSTOWN, COLORADO  
RESOLUTION NO. 2021 -11**

**APPROVING THE PRELIMINARY AND FINAL SUBDIVISION PLAT AND THE FINAL DEVELOPMENT PLAN FOR REVERE AT JOHNSTOWN, FILING NO. 1, LOCATED IN THE NORTH HALF OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 73.514 ACRES.**

**WHEREAS**, Forestar (USA) Real Estate Group, Inc., a Delaware corporation, (“Applicant”), submitted an application to the Town of Johnstown (“Town”) for approval of a Preliminary and Final Subdivision Plat and the Final Development Plan for Revere at Johnstown, Filing No. 1, located in the North Half of Section 2, Township 4 North, Range 68 West of the 6<sup>th</sup> Principal Meridian, Town of Johnstown, County of Weld, State of Colorado, consisting of approximately 73.514 acres (“Property”); and

**WHEREAS**, the Applicant is under contract to purchase the Property, and intends to consummate the purchase and take fee ownership of the Property by December 31, 2021; and

**WHEREAS**, on March 10, 2021, the Planning and Zoning Commission held a public hearing and recommended approval of the Preliminary and Final Subdivision Plat and the Final Development Plan for Revere at Johnstown, Filing No. 1, with conditions; and

**WHEREAS**, on April 19, 2021, the Town Council held a public hearing concerning approval of the Preliminary and Final Subdivision Plat and the Final Development Plan for Revere at Johnstown, Filing No. 1, and, after considering the Planning and Zoning Commission’s recommendation, reviewing the file and conducting such hearing, found that the Preliminary and Final Subdivision Plat and the Final Development Plan for Revere at Johnstown, Filing No. 1, satisfy the data requirements, design standards and required improvements contained in the Johnstown Municipal Code, including the regulations contained in Chapters 16 and 17.

**WHEREAS**, based on the foregoing, Town Council desires to approve the Preliminary and Final Subdivision Plat and the Final Development Plan for Revere at Johnstown, Filing No. 1, with conditions.

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

**Section 1. Final Subdivision Plat Approval:** The Preliminary and Final Subdivision Plat for Revere at Johnstown, Filing No. 1, located in the North Half of Section 2, Township 4 North, Range 68 West of the 6<sup>th</sup> Principal Meridian, Town of Johnstown, County of Weld, State of Colorado, consisting of approximately 73.514 acres, attached hereto as Exhibit A, is hereby approved, subject to the conditions set forth in Section 3.

**Section 2. Final Development Plan Approval:** The Final Development Plan for Revere at Johnstown, Filing No. 1, attached hereto as Exhibit B, is hereby approved, subject to the conditions set forth in Section 3.

**Section 3. Conditions of Approval:** The Preliminary and Final Subdivision Plat and the Final Development Plan for Revere at Johnstown, Filing No. 1, are approved subject to the following conditions, which conditions shall bind the Applicant and any subsequent owner or developer of the Property:

1. The Applicant shall resolve all outstanding comments from Town Staff, the Town Engineer and the Front Range Fire Rescue Fire Protection District prior to construction of any improvements;
2. The Applicant shall address trailer, recreational vehicle and boat parking and the location of third garages in the text of the Final Development Plan, to the satisfaction of Town Staff;
3. The Town and the Applicant shall execute a Subdivision Development and Improvement Agreement prior to recordation of the Final Subdivision Plat;
4. The Town and the Applicant shall execute a Water and Sewer Service Agreement prior to recordation of the Final Subdivision Plat;
5. The Applicant shall certify to the Town that notice has been provided to mineral estate owners pursuant to § 24-65.5-103, C.R.S., and that, with respect to the mineral estate owner who entered an appearance and filed an objection, DJ Homestead, LLC, a Delaware limited liability company, the Applicant and DJ Homestead, LLC, have executed a surface use agreement related to the Property, the provisions of which have been: (i) incorporated into the application for development; (ii) are evidenced by a written memorandum; or (iii) are recorded in the records of the Weld County Clerk and Recorder;
6. The Applicant shall pay the use tax provided in Article V of Chapter 4 of the Johnstown Municipal Code prior to the commencement of construction;
7. The Applicant shall pay the stormwater system development fee to the Town pursuant to Section 13-136(1) of the Johnstown Municipal Code prior to recordation of the Final Plat; and

**Section 4. Recording:** The Town Clerk is hereby directed to obtain the appropriate signatures for the Final Subdivision Plat for Revere at Johnstown, Filing No. 1, and, once all conditions of approval are met, record the Final Subdivision Plat as provided herein at the Office of the Weld County Clerk and Recorder.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS \_\_\_\_\_ day of April, 2021.

**ATTEST:**

**TOWN OF JOHNSTOWN, COLORADO**

By: \_\_\_\_\_  
Diana Seele, Town Clerk

By: \_\_\_\_\_  
Gary Lebsack, Mayor