



# Town of Johnstown

## PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

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| <b>ITEM:</b>         | <b>Item #1: Public Hearing for Revere at Johnstown Filing 1</b>  |
| <b>DESCRIPTION:</b>  | Combined Preliminary & Final Subdivision and Development Plan for 320 single-family lots across 73.514 acres |
| <b>LOCATION:</b>     | East ½ of Section 2, Township 4 North, Range 68 West   |
| <b>APPLICANT:</b>    | Forestar Real Estate Group, Inc.   |
| <b>STAFF:</b>        | Darryll Wolnik, Planner II   |
| <b>HEARING DATE:</b> | March 10, 2021   |

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### BACKGROUND & SUMMARY

The Applicant, Forestar Real Estate Group, is requesting approval a combined Preliminary & Final Plat and Development Plan of Revere at Johnstown Filing 1. The project, located N/W of Rocksbury Ridge subdivision and bounded to the north by Weld County Road 50 / Larimer County Road 14, is zoned PUD-MU (Planned Unit Development – Mixed Use) as part of the Great Plains Village ODP (Outline Development Plan).

Surrounding land uses are primarily agricultural. Properties north across Weld County Road 50 / Larimer County Road 14 are used for farming / agriculture. This is the same for those properties directly south, east, west of this property. There is one residential subdivision to the southeast of this project, Rocksbury Ridge. Those properties north and west are part of the Great Plains Village ODP. Property to the south is zoned PUD-MU as part of the Vista Commons ODP. Southeast is the aforementioned Rocksbury Ridge development, which is zoned SF-1. Finally, property across future High Plains Blvd. to the east is zoned PUD-R and is also included in the Great Plains Village ODP.

In the interest of time, and at risk to the Applicant, the Applicant requested a combined review of their proposed subdivision and development plans. The Town determined this combined review and hearing process for the preliminary and final subdivision and plans meets the intent and requirements of the Johnstown Municipal Code, while providing a potentially more streamlined hearing process for the Applicant. Town Staff reviewed a preliminary set of plans and plats initially, and at a point in the review process provided feedback such that the Applicant was able to move forward with the more detailed engineering and design work to produce final plans, plat, and engineering reports and plans.

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## **HISTORY**

This property was annexed on September 16, 2002, as part of the Hamilton Annexation. It was annexed via Ordinance 2002-695. It was assigned PUD-MU zoning through an ODP approved on that same date via Ordinance 2002-696. After this initial annexation and zoning, the property was not developed. The Hamilton ODP was superceded by the Great Plains Village ODP, which was approved on January 22, 2020 through Ordinance 2020-168.

## **ATTACHMENTS**

- 1-Vicinity Map
- 2- Application
- 3-ODP
- 4-Neighborhood Meeting Materials
- 5-Comment Letters

## **NOTICE**

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, February 25, 2020. 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 map of the proposed annexation and zoning.

As of the date of this staff report, staff has received two comment letters. Those letters express concerns related to water availability and traffic on High Plains Blvd., and are attached to this report. A neighborhood meeting was held on October 22, 2020. There were roughly a dozen residents logged into the meeting at any given time. No major issues were brought up. Information regarding that meeting is attached to this report.

## **ANALYSIS**

*Johnstown Comprehensive Plan Alignment*

*Goal CF-1: New development achieves the community's goals and is consistent with the Town's vision – Contiguous, compact pattern.*

Revere Filing 1 features smaller lot sizes (minimum 3,200 square feet) for detached single family homes. Additionally, this filing will include 150 attached single-family homes, allowing a more compact form and more efficient use of land. This first filing will also extend an existing road – High Plains Boulevard – to the north to intersect with WCR 50, with extensions of services, providing a more complete pattern of development and beginning to fill in gaps between existing development areas of Johnstown.

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*Goal CF-4: Encourage sustainable environment through techniques such as water-wise landscaping and water efficient irrigation – Water-wise landscaping.*

Landscaping for Revere Filing 1 will be tailored to Colorado's arid climate. Lots are limited in how much irrigated grasses they can have, with only 30% of total landscape area for detached single-family homes is allotted for irrigated sod. Attached single-family homes will have no irrigated sod, instead utilizing more xeric, drip-irrigated and mulched beds to provide an attractive and more waterwise development.

*Goal NH-1: A diversity of housing types to support the housing needs of a diverse population – Housing diversity distribution.*

Both detached and attached single-family homes are proposed for Revere Filing 1, providing a better housing mix than standard detached single-family homes on large lots. The minimum lot size as proposed is significantly smaller than lots in existing developments, where minimums are typically 6,000 square feet; however this trend is being seen in many new, developing areas with smaller lots sizes that help contribute to more affordable housing that can serve a wider range of lifestyles and needs.

### **Zoning**

The zoning for the property is PUD-MU, which was assigned to the property at ODP.; more precisely, the Great Plains Village ODP separated the project area into planning areas with more specific zoning designations and specified uses. This development has two zoning designations. The north portion is zoned MU-2, which is a mixed-use zoning designation. MU-2 is a less-intense mixed-use zone that allows for single-family attached units as well as single-family detached units, provided those units are 300' from an arterial road. In this instance, High Plains Blvd. and County Road 50 / County Rd 14 are arterials roads.

The south portion of the property is designated as R-M, as residential-only zoning classification within the ODP. R-M allows for both single-family attached and detached homes, with no requirements for setbacks from arterial road.

Density within the two planning areas in question, PA-14 and PA-15, has both a required minimum and maximum density. Both areas must contain at least three dwelling units per acre (DU/AC). PA-14, on the north half and zoned MU-2, has a maximum allowable density of 15 DU/AC, while PA-15, zoned R-M, has a maximum density of only 8 DU/AC. Both development areas, as proposed, comply with these densities; PA-14 will have 5.2 DU/AC while PA-15 will have a density of 4.9 DU/AC.

### **Development Standards and Design Guidelines**

The FDP sets some additional development standards and design guidelines, above and beyond those addressed in the ODP. The majority of these standards are run-of-the-mill and are typically seen in other developments in Town. Basic development standards will remain unchanged from the ODP. Building height will remain at 35' maximum, and setbacks will remain the same.

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A significant portion of the design guidelines speak to commonplace design elements such as house color. Within these design guidelines are requirements for façade and window coverage, porches, and similar architectural features intended to provide a pleasing streetscape. These elements are useful to the Planning & Development Department and Building Department in reviewing proposed home elevations, to ensure each proposed elevation and all of its possible variants meet these guidelines. The guidelines provided in terms of design and building are acceptable to staff, and are similar to those seen in Johnstown's other developments.

There are some notable items missing that Staff requests be made a condition of approval. The FDP and ODP are silent on third and additional garages. These garages can significantly impact not only the lot upon which they are constructed, but also adjacent lots as it relates to drainage and massing. Staff requests a stipulation be included in the FDP that 3<sup>rd</sup> garages be setback a minimum of five feet from the front face of the home to offset the visual impact of the additional mass and length of the structure. Staff also requests a condition of approval such that there may be no more than three single garage spaces upon a single property.

Another item absent from these guidelines is trailer, RV, and boat-type parking. Staff requests a condition of approval such that storage of RV's, boats, trailers, campers, and similar items be stored in a fully-enclosed space only, or behind the front of the home with appropriate fencing or screening.

### **Infrastructure**

Addition of significant amounts of new public roadways are proposed as part of Revere Filing 1. In all, the project proposes 20.724 acres (902,758 square feet) of total right-of-way area, comprising 28.19% of the total land area. This right-of-way includes the street and the landscaped areas within the right-of-way, not just impervious driving surface.

Revere Filing 1 would extend High Plains Blvd. from its current terminus just south of this proposed development and extends it north to County Road 50 / County Road 14. High Plains Blvd is forecast as a 4-lane major arterial, and is designated as CDOT's I-25 parallel arterial. This is a regionally significant road that has been planned since the early 2000's, and will eventually run from southern Weld County to US-34 and beyond. The Applicant in this case will be constructing interim arterial improvements; the other portions will most likely be built by the developers of the property east-adjacent, across High Plains Blvd., when it develops, or as may be required by nearby development as it occurs

In addition to High Plains Blvd. improvements and dedications, 30' of additional ROW will be dedicated along the project's frontage on County Road 50 / 14, which is also forecast as a 4-lane major arterial. This will allow County Road 50 / 14 to be widened to its ultimate half-width along this stretch of roadway, and will also accommodate turn lanes and accel/decel lanes.

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Aside from these major roadway dedications and improvements, the property will be served by two, 2-lane collector streets with continuous center turn lanes; Adderly Ave., which runs east-west and will connect High Plains Blvd. to the other collector. The other collector is Armstrong Ave., which runs north-south from County Road 50/14 and stubs at the south property line, intersection with Adderly Ave. along the way. Armstrong Ave. will only be a half-width/interim improvement south of Adderly Ave., with this phase of the development.

The rest of the streets within Revere Filing 1 will be either local residential streets, or private roads. Private drives will be separately maintained by an entity other than the Town, either by a homeowner's association or a metropolitan service district ("metro district"). Most private drives will have 20' of drive surface bounded by a 5' utilities easement on either side. The exception is Monheit Ct., located on the southeast corner of the proposed development. This drive will have 30' of drivable surface, bounded by 5' utilities easements on either side due to its dual use as emergency access for the south portion of the single-family detached development.

### **Parks/Open Space/Trails**

Revere Filing 1 will include approximately three acres of active parkland. This will be divided into two separate parks; a one-acre park on the southwest portion, and a 2-acre park in the center-west portion of the development, at the northeast corner of Adderly and Armstrong Avenues. The northern park will contain those park amenities commonly found in playground-type areas. In addition, Applicant proposes picnic tables, BBQs, a shaded structure, and a large irrigated sod field. The south park will contain only a picnic table, bench, and irrigated sod. Applicant is proposing 19.4 acres of open space area. Said area includes drainage areas that are both usable and not usable for active recreation. All open space will be dedicated to the High Plains Metro District for operation and maintenance, and be available for public use of the spaces and trails.

A meandering 8'-10' sidewalk is proposed along High Plains Blvd., Armstrong Ave., and County Road 50 / 14. This walk will have connections to the internal development via trails extending from the perimeter, providing connectivity and the opportunity for not just recreation, but also multi-modal transportation via bicycle.

### **Density Transfer**

The Great Plains Village ODP gives the Planning & Development Director the authority to grant planning area acreage changes of up to 30% at the administrative level. Applicant is proposing changes to three planning areas by way of this proposed PDP/FDP.

The most significant change is subtraction of 8.2 acres of anticipated ROW from the involved planning areas. This causes a net loss across all areas. PA-13 is an employment area located on the southwest portion of the property. That planning area is being reduced by 17% (6.3 acres). PA-14, a mixed use area

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anticipated to be more commercial in nature, covers roughly the northern half of the subject site, will be reduced by a net 16.5% (6.8 acres). PA-15, intended for residential, covering most of the south portion of the proposed development, will then gain 4.9 acres (20.1%). ROW will comprise 8.2 acres of these areas.

| PLANNING AREA DATA |              |              |          |
|--------------------|--------------|--------------|----------|
| PLANNING AREA      | ODP ACREAGE  | FDP ACREAGE  | % CHANGE |
| PA-13              | 37.0         | 30.7         | -17.0%   |
| PA-14              | 41.1         | 34.3         | -16.5%   |
| PA-15              | 24.4         | 29.3         | 20.1%    |
| R.O.W.             |              | 8.2          |          |
| <b>TOTAL</b>       | <b>102.5</b> | <b>102.5</b> |          |

**Easements / Oil & Gas**

This property is encumbered by a few oil & gas easements. A 30’ wide gas pipeline easement runs north-south down the eastern extremity of this site. The pipeline follows along High Plains Blvd and does not encroach upon any buildable lots. The closest residential lot to this pipeline abuts the easement. The Town does not have required setbacks in the municipal code. There is another pipeline easement that runs north-south on the west side of the property. This easement is older and does not specify a width. The Applicant intends to survey and set the width at 50’ via a separate document. Staff requests this be a condition of approval.

Additionally, there is a surface use agreement surrounding some plugged and abandoned wells. Staff requests a condition of approval requiring this agreement be recorded by way of a separate document as indicated on the proposed plat. There are currently five plugged and abandoned PDC energy wells on site, and said easement will provide operator access to those wells. These wells are buried. No lots are proposed over these wells, they exist under proposed common open spaces, with the closest residential lot proposed 30 feet from the well site.

Outside of these oil & gas easements, there are a number of easements granted to various entities that run across or otherwise encumber the property. A 20’ wide ATT easement runs north-south along the east portion of the property. The easement runs near buildable lots, but is kept separate, running through various outlots.

A 12' irrigation ditch ROW easement runs through the north half of the property in an east-west manner. This easement is to be vacated via this plat. Another easement, for a 12" irrigation line, is to be vacated and relocated to another part of the property. The new easement will enter the property at the same point. The ditch company shall sign the final plat, certifying their acceptance of the revised easement.

### **Staff Concerns**

Before addressing concerns, it should be noted that items listed in this section do not necessarily preclude this project from staff approval. Some concerns are brought up for informational purposes, so that Planning & Zoning Commission can make their decision while utilizing the most complete picture of the property and potential issues. Those genuine concerns will be called out as such, and Staff may request conditions of approval to address or mitigate them.

Staff's primary concern is centered on the plugged and abandoned wells. There are currently five plugged and abandoned wells located. One of these wells is located just 30' from the property line of a single-family residence. While neither the Town nor the Colorado Oil & Gas Conservation Commission (COGCC) have jurisdiction over development near oil & gas facilities, to include plugged and abandoned wells at such a minimal distance warrants mention in this report. Per the Applicant, these wells are buried underground and are not accessible without appropriate equipment. No conditions are requested by Staff.

Additionally, Staff has concerns about active parkland and phasing. The Applicant is proposing to split the project into two phases, separated by Adderly Ave. The south portion will be constructed first, meaning the south park will be constructed before the north park. Should the project stall out prior to phase two, the residents of the first phase would be left without a park that contains any amenities outside of a picnic table and a bench. The Applicant is insistent on not including the main, northern park with phase one. Therefore, staff requests a condition of approval such that either additional amenities are provided at the southern park, or the northern park be constructed with phase one.

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

#### **Recommended Findings:**

1. The proposed development is in agreement with the Johnstown Area Comprehensive Plan and its Future Land Use Map.
2. The proposed development is serviceable by Town services and utilities.
3. The proposed development is in substantial compliance with all Town codes, regulations, and standards and specifications.

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4. The proposed density and planning area transfers meet the allowances within the Great Plains Village ODP are approvable by the Planning & Development Director.

**Recommended Conditions:**

1. The Applicant continue to work with the Town and its reviewers to address all final comment and redlines and receive approved plans, documents, and reports prior to any construction.
2. The Applicant address trailer/RV/boat parking and 3<sup>rd</sup> garages in the FDP design guidelines.
3. The Applicant work with staff to either provide additional recreational amenities for the south park, or include the north park in phase one.
4. Applicant record, via a separate document, a 50' easement for the oil and gas pipeline described in this report.

**Recommended Motion**

Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that Revere at Johnstown Filing 1 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 Revere at Johnstown Filing 1 Preliminary and Final Subdivision and Preliminary and Final Development Plans based upon the analysis, findings and conditions as stated in this staff report

**Alternate Motions**

- A. Motion to Approve with Conditions: "I move that the Commission recommend to Town Council approval of Revere at Johnstown Filing 1 with the following conditions..."
- B. Motion to Deny: "I move that the Commission recommend to the Town Council denial of Revere at Johnstown Filing 1 based upon the following..."

Planner:

Reviewed by:



Darryll Wolnik

Kim Meyer

Planner II

Planning & Development Director

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