



# Town of Johnstown

## PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

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**HEARING DATE:** February 26, 2025

**SUBJECT:** Public Hearing – Subdivision Case No. SUB24-0003 approval of a Preliminary Development Plan

**ACTION PROPOSED:** Make a recommendation to the Town Council regarding Subdivision Case No. SUB24-0003

**LOCATION:** Northwest corner of Highway 60 and Weld County Road 13 (Colorado Boulevard). Parcel No. R4651286, 1061-01-0-00-009

**APPLICANT:** J&J Holdings, LLC

**ATTACHMENTS:**

1. Vicinity Map
2. Preliminary Development Plan and Plat Narrative
3. Preliminary Construction Set for PDP
4. Filing 2 Plat
5. Phasing Plan
6. Residential Design Guidelines
7. Master Traffic Study
8. Staff Presentation

**PRESENTED BY:** Jeremy Gleim, AICP, Planning & Development Director

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### BACKGROUND & SUMMARY

The applicant, J&J Holdings, LLC, submitted an application for a Preliminary Plat, and Preliminary Development Plan in March 2024. The application submitted for Preliminary Subdivision Plat for Estates at Encore, consisting of 347 lots, 12 outlots, 1 tract, and Right of Ways on approximately  $\pm 114$  acres. The subject tract is located north of Highway 34, a divided 4-lane state highway, and east of future High Plains Blvd also known as County Road 13.

The subject property is currently identified as Encore Estates PUD and was annexed into the Town of Johnstown in 2006 under Ordinance 2006-761. The Encore Estates ODP and Design Guidelines establish design standards and processing requirements for projects in the Encore development area. For the purpose of approval of the Preliminary Development Plan, staff will reference Section

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17-2-5(E) of the Land Use and Development Code (LUDC) which provides guidance for the Concept Plan, Framework Plan, and Regulating Plan, which is most closely related to a Preliminary Development Plan for Planned Developments.

## **SURROUNDING ZONING & LAND USE**

North: Rural Residential – Unincorporated Larimer County  
South: PUD-MU (Mixed Use) – Loveland  
East: I-25 & PUD-MU (Mixed Use) - Johnstown  
West: Rural Residential – Unincorporated Larimer County

## **CONCEPT PLAN**

Approval of the Concept Plan reflects the approved land uses and density/intensity, and a commitment to planned amenities and design strategies. Independent of any corresponding approval of a Framework Plan or Regulating Plan, it serves as a more specific application of the Comprehensive Plan and Future Land Use Map policies and principles to the specific area, and reflects consensus that future development plans in accordance with the concepts should be approved.

A Concept Plan is a plan that presents the overall vision for the project, and development strategies for applying the Comprehensive Plan and Future Land Use Map policies and principles to a specific area. A concept Plan shall demonstrate:

- a. Statements on the intent and objectives for the project, and how they meet the review criteria for PD rezones;
- b. Maps designating general land use categories and distinct areas of the plan;
- c. Diagrams and maps identifying a general arrangement and character of streets and open spaces;
- d. Graphics illustrating anticipated scale, intensity and character of development;
- e. A comparative description of how the plan and proposed standards differ from implementation of strict standards of the development code.
- f. A list of commitments to planned amenities or design strategies that will deliver public or community benefits beyond what the base zoning district requires.

## **FRAMEWORK PLAN**

Approval of a Framework Plan indicates that the basic development patterns and infrastructure concepts are agreed to in principle as conforming to the intent of the Comprehensive Plan and any other plans or policies created under the guidance of that plan. Approval of a Framework Plan may have the same effect as approval of a preliminary plat as specified in Section 17-2-2(D), provided it includes or is accompanied by information required for preliminary plats.

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A Framework Plan is a design plan for the development pattern, streets, and civic spaces that serve as organizing elements of the area and development projects. A Framework Plan shall demonstrate the following, and may serve as a preliminary plat to the extent it includes all elements in Section 17-2-2(D):

- a. Outline any proposed streets, internal streetscapes, and access, and how they coordinate with the adjacent development patterns, street networks, and blocks.
- b. Specify dimensions and design cross sections for streets and internal circulation, or identify types and classifications for all routes.
- c. Indicate the location, function, size, type, and other design characteristics of open and civic spaces – whether public, common, or private.
- d. Propose any phasing or implementation strategy for projects that will be designed or permitted in stages, including the estimated timing and any other details of implementing the project through future final plats and site development plans.

## **REGULATING PLAN**

Approval of a Regulating Plan shall have the same effect as a rezoning specified in Section 17-2-3(D). Sites governed by an approved Regulating Plan shall be designated on the Official Zoning Map with the letters of the proposed based zoning district plus “PD” (planned development). (For example, where a portion of the development plan uses the R-1, R-3 and the MU-NC base zoning districts, the zoning of each area of an approved regulating plan shall be R-1-PD, R-3-PD, and MU-NC-PD respectively.

A regulating plan becomes the zoning map for the specific project. It shall be based on the most comparable base zoning district(s), but specifically identify where development standards or uses may differ from those that would otherwise be applicable through the zoning district(s) and general development requirements of this code. It indicates the following:

- a. The block and lot patterns, and where transitions in use or development intensity occur.
- b. Specific land uses and their density/intensity. Including additions, subtractions, or other limitations from uses otherwise permitted in the base district.
- c. The building and site design standards applicable for each distinct area.
- d. Detailed plans, prototypes, renderings, elevations or other urban design and architectural specifications that can help expedite future development proposals through the site development plan process.

## **RESIDENTIAL DESIGN GUIDELINES – ENCORE**

Attachment #6 includes a comprehensive set of residential design guidelines for the project site. This includes architectural design, site planning, landscape design, and accessory uses. The intent of the guidelines is to promote high quality construction and a cohesive neighborhood design. In addition to the design guidelines, Attachment #3 (Final Development Plan & Construction Plans)

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provides detailed information on the entire subdivision from a more technical standpoint. Although not fully approved at this point, the FDP Construction Plans provide a point in time reference for how the project is anticipated to develop. Once completed and fully approved, they will move back through the process for final approval and adoption.

## **PUBLIC NOTICE & AGENCY REFERRALS**

Notices were mailed to all property owners within 800 feet of the property subject to this public hearing on February 12, 2025, for the Preliminary Development Plan. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notice for the Planning & Zoning Commission hearing was published in the local newspaper of widest circulation, the Johnstown Breeze, on Wednesday, January 23, 2025. These notices were sent to the Breeze on January 13, 2024.

On February 12, 2025, a copy of the most recent submittal of the project was sent to the City of Loveland for their review, and also sent to the Town of Windsor as a courtesy, although not required.

## **COMPREHENSIVE PLAN ALIGNMENT:**

- Goal L1 – Ensure neighborhood character and amenities contribute to the health, safety and welfare for residents and guests.

## **STRATEGIC PLAN ALIGNMENT:**

- Natural & Built Environment
  - *Guide growth in the community through appropriate annexation, zoning, planning, and land use development.*

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## **FINDINGS OF FACT**

Staff find that the Preliminary Development Plan meets the intent of the Encore ODP and Design Guidelines in the following ways: North of the canal, the development will be predominantly residential. The vision for Encore is that of a high-quality regional commerce center and mixed-use community that responds to the needs of the area and market forces, integrates with the natural environment, and provides vibrant places for people to shop, work, live, and socialize. Encore will perform as a live, work, commerce concept that allows land uses such as residential, office, retail, and schools to relate to one another in an attempt to promote a mixed-use community. Encore will be a pedestrian-friendly development through the design of a connected pedestrian circulation system, streetscapes with an enhanced pedestrian environment, and treatments at intersections that allow for safe pedestrian crossings.

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**RECOMMENDED ACTION:** Pursuant to the content in the staff report, including the Findings of Fact presented above, staff recommends that the Planning and Zoning Commission recommend that the Town Council **APPROVE** the Preliminary Development Plan associated with Subdivision Case No. SUB24-0003 also known as Encore Estates.

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**SUGGESTED MOTIONS:**

**PRELIMINARY PLAT**

**For Approval:** I move that the Planning and Zoning Commission recommend that the Town Council **APPROVE** the Preliminary Development Plan for Subdivision Case No. SUB24-0003.

**For Denial:** I move that the Planning and Zoning Commission recommend that the Town Council **DENY** the Preliminary Development Plan for Subdivision Case No. SUB24-0003 pursuant to the following finding(s)...

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