



# Town of Johnstown

## PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

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**DESCRIPTION:** Whitehall Annexation and Establishment of Zoning (240.9 acres)  
**LOCATION:** East half of Southwest  $\frac{1}{4}$  and Southeast  $\frac{1}{4}$ , Section 12, Township 4 North, Range 68 West. West of Colorado Blvd., north of CR 46.  
**APPLICANT:** Sauer Whitehall, LLC, and Sauer Phantom 5, LLC  
**STAFF:** Kim Meyer, Planning and Development Director *Km*  
**HEARING DATE:** August 11, 2021

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### ATTACHMENTS

- 1-Vicinity Map
- 2- Application & Petition
- 3-Annexation Map
- 4-Zoning Map

### BACKGROUND & PROJECT SUMMARY

The Applicant is requesting annexation of 240.9 acres of land into the Town. The property is located in the east half of Southwest  $\frac{1}{4}$  and Southeast  $\frac{1}{4}$  of Section 12, Township 4 North, Range 68 West. More specifically, it is located on the northwest corner of County Road 46 and Colorado Blvd. Petitioner is proposing zoning of PUD-MU (Planned Unit Development – Mixed Use). This is the site chosen for the new Roosevelt High School.

The subject property is presently zoned A – Agriculture in unincorporated Weld County. It is bordered on the north and east sides by incorporated areas of Johnstown and by unincorporated Weld County on the west and south.

### SURROUNDING LAND USE

North: GWRR, Clearview Subdivision (single family)  
South: Existing residential and Ag in Weld County  
East: Proposed Granary Subdivision  
West: Existing Ag in Weld County

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## **LAND USE HISTORY**

Historically, this property has been used for farming and continues as that use today.

## **OIL & GAS ACTIVITY**

COGCC (Oil & Gas) online maps shows one Plugged and Abandoned well in the SE quadrant of the site, and one producing well (Held 12-1418) on the far west of the SW quadrant – both operated by Kerr McGee; as well as multiple planned horizontal wellbores under the entire property, originating from the approved S&B drill site south of Hwy 60, in Johnstown.

## **PUBLIC NOTICE & AGENCY REFERRALS**

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, July 22, 2021. 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.

Agency Referrals were sent to Weld County Planning. Full state-required annexation packets will be mailed to the county and all taxing districts prior to Council hearings.

## **NEIGHBORHOOD MEETING**

No neighborhood meeting was held for this annexation and initial zoning request due to the fact that the current use of the land isn't going to change, and the proposal is currently a simple annexation where no new land uses are yet being proposed. When the owner/applicant moves forward with a proposed PUD Outline Development Plan indicating land uses and development standards, the Town will hold neighborhood meetings for the surrounding residents.

## **ANALYSIS**

**Annexation:** This annexation is being considered by the Town for the following reasons:

1. At least 1/6 of the area to be annexed for each individual annexation is contiguous to the Town of Johnstown boundary.
2. The property is planned to be zoned and developed as urban-level development.
3. The property is located within the Town of Johnstown Growth Management Area.
4. The Town is capable of providing water, sewer, and police service to the property.
5. The Town is authorized to annex the area without an election under Section 30(b) of Article II of the Colorado Constitution.

Town Council did pass a resolution of findings for Substantial Conformance with Colorado Revised Statutes on August 2, 2021, in an effort by the Town to assist the Weld RE5-J School

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District in their pursuit of development plans, subdivision for their parcel and adjacent roadways, and construction permitting to move the high school forward for the district's planned 2023 opening.

**Zoning & Development Standards:** The current zoning for the property is A – Agriculture in Unincorporated Weld County. There are no conditional uses or uses by special review on the property.

The applicant requests zoning PUD-MU upon annexation. The owner/applicant is currently working on an ODP that will create basic zoning and land use standards. The annexation was proposed without an accompanying ODP to help facilitate the approval and construction of the new high school proposed for a portion of this site.

**Infrastructure:** There is currently no Town water service to the property. Any existing service would be provided by Little Thompson Water District. There are currently water lines located to the east, south, and west of the property that development may access. Sanitary sewer for the site will be handled, in the future, by the planned sanitary sewer interceptor project that is planned to run along County Road 46, along the southern border of the property.

Major transportation infrastructure is already in place for this annexation. Colorado Boulevard is slated as a regionally significant corridor and as a major arterial, in the Johnstown Master Transportation Plan while Weld County Road 46 is also planned as a major arterial. The Town will expect appropriate roadway and intersection improvements be completed at time of development.

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

Note: This is presented as two sets of findings and motions as the annexation and the zoning are separate land use actions.

### **Annexation: Whitehall Annexation**

It is recommended that Planning and Zoning Commission send a positive recommendation to Town Council that the Whitehall Annexation be approved based upon the following findings:

1. The area is contiguous to the Town of Johnstown along at least 1/6 of its boundaries.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town can adequately and efficiently provide utility and police services.
4. The proposed zoning is consistent with the Town of Johnstown Comprehensive Plan.
5. The property is eligible for annexation without election pursuant to the Colorado Constitution Article II, Section 30(b).

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## **Recommended Motion**

Based on the application materials received and analysis and presentations at this hearing, the Planning & Zoning Commission finds that the request for the Whitehall Annexation 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 Whitehall Annexation based upon the findings as stated above.

## **Alternate Motion**

Motion to Deny: “I move that the Commission recommend to the Town Council denial of the Whitehall Annexation based upon the following findings...”

## **Zoning: Whitehall Annexation- Establishment of Zoning**

It is recommended that Planning and Zoning Commission send a positive recommendation to Town Council that the requested zoning of PUD-MU for the Whitehall Annexation be approved based upon the following findings:

1. The proposed zoning is consistent with the Town of Johnstown Comprehensive Plan, and will help this area develop in the future as a complete neighborhood.
2. The proposed zoning is compatible with surrounding zoning and land uses, and appropriate for this major transportation corridor.

## **Motion**

Based on the application materials received and analysis and presentations at the hearing, the Planning & Zoning Commission finds that the request for PUD-MU zoning for the Whitehall Annexation furthers the *Johnstown Area Comprehensive Plan* goals, and is compatible with surrounding neighborhoods, and therefore moves to recommend to the Town Council approval of the request for PUD-MU zoning for the Whitehall Annexation based upon the finding as stated in the staff report.

## **Alternate Motion**

Motion to Deny: “I move that the Commission recommend to the Town Council denial of the request for PUD-MU zoning for the Whitehall Annexation based upon the following...”

File Name: S:\PLANNING\2020 Land Use Projects\ANX20-004 Whitehall Annexation\Hearings – PZC Whitehall ANNX PUD Staff Report 06 09 21.docx

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