



Town of Johnstown

Joint Board of Adjustment and Planning & Zoning Commission

7:00 PM, Wednesday, August 26, 2020

Council Chambers, Town Hall

Agenda

- I. Call to Order for Board of Adjustment and Planning & Zoning Commission**
- II. Consideration of Minutes – Board of Adjustment**
 - a. Minutes for May 22, 2019
- III. Consideration of Minutes – Planning & Zoning Commission**
 - a. Minutes for February 26, 2020
 - b. Minutes for May 13, 2020
- IV. New Business**
 - a. **Public Hearings – USR19-0005 Parish & 60 Gas Station**, a two-island gas station and convenience store
 - i. Variances for Parking and Landscaping Standards, heard and decided by Board of Adjustment
 - ii. Conditional Use Grant, for Gas Station use, heard and recommendation to Town Council by Planning & Zoning Commission
 - b. **Public Hearing – SUB19-0006 The Ridge at Johnstown Subdivision, Filing No. 2 Final Development Plan and Final Subdivision**, a subdivision of 23.277 acres, creating 80 single-family lots. Hearing and recommendation to Town Council by Planning & Zoning Commission
- V. Departmental Report**
- VI. Commissioner Reports and Comments**
- VII. Adjourn both bodies**

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Town of Johnstown

SUMMARY MINUTES BOARD OF ADJUSTMENT

Wednesday, May 22, 2019, Council Chambers, Town Hall

450 S. Parish Ave., Johnstown

- I. **Call to Order:** Chair Montez opened the meeting at 7:00pm.
- II. **Roll Call:** Present were Commissioners Eady, Grentz, Kingsolver, Storms, Weber and Chairwoman Montez
- III. **Public Comments regards items not on the Agenda:** None
- IV. **Public Hearings:**
 - a. **Variance Request for 3137 Dunbar Way – Request related to street side setback**

Kim Meyer, staff, provided brief overview and presentation, as well as a staff report entered into the record recommending approval. Ms. Meyer answered Commissioner questions related to process and the project. The applicant was present to speak at this hearing and answered questions posed by the Board. No one from the public provided comments. The item was closed to public comment.

Item was approved 6-0.
 - b. **Variance Request for 3030 Dunbar Way – Request related to street side setback**

Kim Meyer, staff, provided brief overview and presentation, as well as a staff report entered into the record recommending approval. Ms. Meyer answered Commissioner questions related to the project. The applicant was present to speak at this hearing and answered questions posed by the Board. No one from the public provided comments. The item was closed to public comment.

Item was approved 6-0.
- V. **Adjourn:** Chair Montez adjourned the meeting at approximately 8:37 p.m.

Respectfully Submitted:

Kim Meyer

Approved & Accepted:

Lila Montez, Chair

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Town of Johnstown

SUMMARY MINUTES PLANNING & ZONING COMMISSION

Wednesday, February 26, 2020, Council Chambers

450 S. Parish Ave., Johnstown

- I. **Call to Order:** Chair Montez opened the meeting at 7:00pm.
- II. **Roll Call:** Present were Commissioners Grentz, Weber, Montez, Kiovsky, Kingsolver, and Storms.
- III. **Public Comments regards items not on the Agenda:** none

IV. Public Hearings:

a. ANX19-0001 Ridge at Johnstown Annexation #1

Darryll Wolnik, staff, provided brief overview and presentation, as well as a staff report entered into the record. No applicant representative was present to speak for this hearing.

No questions were heard from the Commissioners.

Item was opened to public comment.

No one from the public had comments.

The item was closed to public comment.

Commissioner Storms made Motion to Approve as written. Commissioner Kingsolver seconded the motion.

Motion passed 6-0

b. ANX19-0001 Ridge at Johnstown Annexation #1 – Establishment of Zoning

Darryll Wolnik, staff, provided brief overview and presentation, as well as a staff report entered into the record. No applicant representative was present to speak for this hearing.

No questions were heard from the Commissioners.

Item was opened to public comment.

No one from the public had comments.

The item was closed to public comment.

Commissioner Kiofsky made Motion to Approve as written. Commissioner Weber seconded the motion.

Motion passed 6-0

V. New Business – None

VI. Department Report Delivered by Kim Meyer

Planning & Development Director Kim Meyer provided an update on the state of the department. She informed Commissioners that Town Council had a meeting with Logan Simpson, the planning firm selected for the Johnstown Comprehensive Plan update.

Planning & Zoning Commission will be meeting with Logan Simpson in March. Planning & Zoning Commission will be part of the Steering Committee, along with Amy Tallent from Town Council and local farmer Alex Sauer. Also provided update on applications and interviews for new Planner I position. Updated Commissioners on GIS system as well.

Director provided update on relocation of department to 2nd floor, and hiring of new Town employees.

Discussed upcoming projects, including Ridge Filing 1. Commissioners had a discussion with staff regarding the overall Ridge at Johnstown development. There was also discussion on Johnstown Village. Commissioners had questions about Johnstown Farms Filing 3.

VII. **Adjourn:** Chair Montez adjourned the meeting at approximately 7:54 p.m.

Respectfully Submitted:



Darryll Wolnik, Secretary

Approved & Accepted:

Lila Montez, Chair



Town of Johnstown

SUMMARY MINUTES PLANNING & ZONING COMMISSION

Wednesday, May 13, 2020, Council Chambers

450 S. Parish Ave., Johnstown

- I. **Call to Order:** Chair Montez opened the meeting at 7:00pm.
- II. **Roll Call:** Present were Commissioners Grentz, Weber, Montez, Kiovsky, Kingsolver, and Storms.
- III. **Public Comments regards items not on the Agenda:** none

IV. Public Hearings:

a. I-25 Gateway PUD Amendment #3

Kim Meyer, staff, provided brief overview and presentation, as well as a staff report entered into the record. Applicant Representative: Jeffery Vogel, Vogel & Associates, 475 West 12th Ave., Ste. E, Denver, CO 80204. Mr. Vogel provided additional details on the proposal and answered questions from the Commission.

Commissioner Storms asked questions about permitted uses in Area "C", conditional use permits, and the PUD in general.

Chairwoman Montez was having internet issues and was in and out of the meeting during this time.

Item was opened to public comment.

No one from the public had comments.

The item was closed to public comment.

Commissioner Kiovsky made Motion to Approve as written. Commissioner Storms seconded the motion.

Motion passed 6-0

b. Ridge at Johnstown Filing 1 Final Plat and Final Development Plan

Darryll Wolnik, staff, provided brief overview and presentation, as well as a staff report entered into the record.

Applicant: Roy Bade, Caliber Development, 8901 E. Mountain View Rd., Ste. 150, Scottsdale, AZ 85258. Mr. Bade provided additional details on the proposal and answered questions from the Commission. Mr. Bade clarified that the developer would handle fencing.

Commissioner Storms asked questions and had a general discussion about the orientation and history of the Ridge development.

Item was opened to public comment.

No one from the public had comments.

The item was closed to public comment.

Commissioner Weber made a Motion to Approve as written. Commissioner Kingsolver seconded the motion.

Motion passed 6-0.

c. USR – FTC Fall River

Kim Meyer, staff, provided brief overview and presentation, as well as a staff report entered into the record. Applicant Representative: Jennifer Daniels, Powder River Development, 408 S. Eagle Rd., Eagle, ID 83616. Ms. Daniels provided additional details on the proposal and answered questions from the Commission.

Ms. Daniels stated the tower was needed in the area to compensate for poor service. The tower would be capable of hosting two (2) providers. She spoke about the decision to go with a monopine design over mounting the equipment on the existing hotel building directly adjacent.

Commissioner Kiovsky commented on the 65' as being normal.

Commissioner Storms expressed confusion as to why a pine tree structure was chosen over something more commercial such as a clocktower.

Commissioner Weber stated he was in favor of the tower as it would provide better cell coverage in the area. He also pointed to a nearby grain silo as having antennas on it.

Commissioner Storms asked the applicant if other areas of Town have been considered, and if other options, such as a clock tower, had been considered. The applicant explained the need for better service in the area and pointed to topography as the reason for the location. She further explained the DRC preferred the monopine design.

Commissioner Storms and the applicant had a discussion about the technology used on the tower.

Commissioner Storms commented that he did not believe the photo simulation of the

tower and the existing hotel accurately depicted the size of the tower.

Commissioner Kiovsky proposed a condition of approval such that the applicant must provide engineered plans.

Item was opened to public comment.

No one from the public had comments.

The item was closed to public comment.

Commissioner Storms made a Motion to Deny based upon the fact the tower is incompatible with the surrounding neighborhood, that alternative options had not been explored, that photo simulation may not accurately depict height and appearance, and that it was not adequately demonstrated the tower will accommodate co-location and co-siting. Commissioner Grentz seconded the motion.

Motion to deny, based on preceding findings, passed 4-2 as follows.

Commissioners Kingsolver, Grentz, Weber, Storms: Yes

Commissioner Kiovsky and Chairwoman Montez: No

V. New Business – None

VI. Department Report Delivered by Kim Meyer

Staff continues to move forward with Comprehensive Plan despite COVID-19. Outreach is being done through social media polls and posts. The next steering committee meeting will be scheduled soon.

VII. **Adjourn:** Chair Montez adjourned the meeting at approximately 8:47 p.m.

Respectfully Submitted:



Darryll Wolnik, Secretary

Approved & Accepted:



Lila Montez, Chair

DRAFT



Town of Johnstown

BOARD OF ADJUSTMENT -AND- PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

ITEM:	USR19-0005 Parish & 60 Gas Station Board of Adjustment - Variances Planning & Zoning Commission - Conditional Use Grant
DESCRIPTION:	Conditional Use Grant and Variances for two-island gas station and small convenience store
LOCATION:	106 E. South 1 st . St. (Parcel #105909203014)
APPLICANT:	Manjeet Singh, Pindgilzian, LLC
STAFF:	Darryll Wolnik, Planner II
HEARING DATE:	August 26, 2020

PROCESS

This project will utilize two processes due to the requests of the applicant and the requirements of Town Code. The Board of Adjustment are responsible for the granting of variances in instances related to zoning and site development standards in Chapter 16 "Zoning". First the Board of Adjustment will first the request for variances and make a determination. Once that determination is made, Planning & Zoning Commission will then make their determination on the Conditional Use Grant. It should be noted that Johnstown Municipal Code identifies Planning & Zoning Commission to act as the Board of Adjustment, with a different purpose and set of powers.

PROPERTY INFORMATION

The applicant, Manjeet Singh, is requesting a Conditional Use Grant to allow for a gas station and convenience store on the property located at 106 E. South 1st St. (*See exhibit A - Application Materials*). The property is 0.373 acres (16,250 square feet), and is located in the CB - Central Business zone. The surrounding properties are zoned CB and SF-1 (single-family).

The property is surrounded by a variety of uses. The property east-adjacent is zoned CB, and is used as a real estate office. While the stretch of E. South 1st St. (also known as Highway 60) to the east is zoned CB, a number of the properties on the South side of the roadway are still used as single-family

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residences. The properties to the South and Southeast are zoned SF-1, which is a low-density residential zone intended for detached single-family homes. The properties across both E. South 1st St. and Parish Ave. are zoned CB. Properties across Parish Ave. to the West are used as a fast food restaurant and a strip mall, as are properties cater-corner across E. South 1st St.. Those properties directly across E. South 1st St. are used a more traditional “main-street”-style commercial featuring street-level interaction with pedestrians and entrances directly onto a wide public sidewalk.

HISTORY

The Property in question is currently a vacant lot. This lot has been vacant since at least 2007, according to Weld County GIS aerials and Google Street View. Prior to this and according to Town records, the business operated as a gas station and convenience store. A small home and hair salon were also on site. The property caught fire, was closed, and subsequently torn down sometime between 2005 and 2007, according to aerials and street view. It was at this time that the State of Colorado may have removed the storage tanks, according to the Town Clerk, though there is no record of this at Town Hall. Nothing has been built on the property since.

NOTICE

For the Planning & Zoning Commission hearing regarding the Conditional Use Grant, notice was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, August 6, 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 project and surrounding area.

For the Board of Adjustment hearing regarding the request for variances, notice was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, August 20, 2020. This notice provided the date, time, and location of the Board of Adjustment 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 project and surrounding area.

A community meeting was noticed via the same methods as above and held on Thursday, July 16, 2020 in the Council Chambers at Town Hall. This meeting was attended by three members of the public, as well as Town Staff and representatives for the applicant.

During the community meeting, numerous concerns were raised by members of the public. Many of these questions and concerns were centered around site access, traffic, and parking. Noise was also a concern of surrounding property owners. A complete summary of that meeting is attached to this report (*See exhibit B – Community Meeting Summary*).

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PROJECT OVERVIEW

The applicant is proposing a gas station and small convenience store on this site. The gas station would consist of two (2) pump islands, each containing two (2) pumps, for a total of four (4) pumps. The site layout allows space for all four pumps to be utilized at one time. These pumps will be located on the N/W portion of the site, directly across the drive aisle from the convenience store. Vehicles will be able to pass through the parking lot area without interfering with the gas pumps.

The convenience store building, located on the S/E corner of the site, would be 2,221 square feet in size. The applicant states the store will sell food, drinks, and coffee. It will be accessible by foot from Parish Ave. via a 6' concrete sidewalk. While there will be an 8' sidewalk along the E. South 1st St. frontage, there will be no direct and delineated pedestrian access across the site to the convenience store from E. South 1st St.

The applicant will be required to build public improvements as part of this project. An 8' concrete sidewalk will be required to be constructed on the street frontages of the property, as there currently is no sidewalk. This sidewalk will include the appropriate ADA crosswalk ramps among other ADA requirements. Curb and gutter will be built adjacent to the sidewalk. There is no curb or gutter on either street frontage of the site at this time. In addition, two raised "pork-chop" style traffic islands will be required, one for each access onto the site. These are a requirement of the Town and CDOT to keep motorists from turning left into or out of the site.

STAFF ANALYSIS

The CB zone allows gasoline service stations as a conditional use, and retail stores as a permitted use. It should be noted that "food store; convenience with vehicles fuel sales" is a permitted use, however "gas service station" is a Conditional Use in that zone. Staff felt most comfortable at such a prominent downtown location to move forward conservatively with a Conditional Use Grant, along with neighborhood and public meetings for this relatively intense land use.

JMC does not require open space dedication for uses within the CB zone. Additionally, there are no minimum or maximum setbacks for buildings within the zone. Code stipulates that the floor/area ratio shall not exceed 3:1. This proposed development meets that code requirement.

JMC Parking Code requires 15 parking spaces, including handicap spaces, for a building of this size. The calculation is one spot for every 150 square feet of gross leasable area. This proposed development proposes 7 spaces, which will be deficient by 8 spaces, and as discussed earlier, the applicant is seeking a variance to that code requirement. So long as the conditions stated in this staff report are implemented in any approval, staff supports the parking numbers as-is.

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Access to this site will be via two access points; one on Parish Ave. and one on E. South 1st St.. Both points of entry will be right in / right out (RIRO) only; left turns will not be permitted to or from this site. To help deter drivers from making left turns into and out of the property, raised pork-chop islands will be installed to discourage left turns. "Right Turn Only" signs will be erected on the egress side of both exits, per CDOT requirements. These signs will allow for police enforcement. Delineators will be placed on the islands to keep snowplows from damaging them.

The convenience store building is proposed at 2,221 square feet and would occupy a roughly 65-foot by 41-foot footprint. Most of the building will be 14 feet tall, with parapets at the front measuring 15-feet 8-inches. Mechanical units will be screened from public view behind this parapet wall. The building would be finished primarily with masonry, with EIFS as an accent. Building colors are proposed to match those buildings already in the area, such as the newly-build YMCA. Entry to the building will face northwest, facing the intersection of E. South 1st St. and Parish Ave. and will be accented by decorative overhangs.

Signage and canopy are not being approved as part of this Conditional Use Grant, and no variances are being requested for the building, canopy, signage, or use.

BOARD OF ADJUSTMENT

VARIANCES

TOWN CODE

Town of Johnstown Municipal Code bestows certain powers and duties upon the Planning & Zoning Commission. Once such duty is that of the Board of Adjustment. Per Johnstown Municipal Code (JMC) 16-81, *"All powers, duties and authority of the Board of Adjustment, as expressed under state law and under the provisions of this Article are hereby vested in the Planning and Zoning Commission as established under Article X of Chapter 2 of this Code."*

Per (JMC), Section 16-31, The chairperson may administer oaths and compel witnesses to attend the hearing, which will be open to the public.

Per JMC, Section 16-83, the Board of Adjustment shall have the following powers and duties, more specifically relating to this case;

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(3) Variances. To authorize upon appeal in specific cases such variances from the regulations or provisions of this Chapter as will not be contrary to the public interest, where due to special conditions a literal enforcement of the provisions of this Chapter would result in unnecessary hardship; so that the spirit of this Chapter shall be observed, public safety and welfare secured, and substantial justice done.

It is also important to note that, per JMC, Section 16-84, variances can be granted with conditions and requirements. Per JMC, if conditions are violated, the Board of Adjustment may take action as outline in that section.

Parking Variance

In this case, the applicant is requesting a variance relating to JMC, Section 16-143, *Off-Street Parking Requirements*, which states that retail stores must provide one (1) parking space for every 150 square feet of gross leasable area. With a 2,221 square foot convenience store, the site would require 15 parking spaces, to include one van-accessible handicap space. The applicant is proposing six (6) standard parking spaces and one (1) van-accessible handicap parking space. This is well below the required parking for such a use.

The applicant explains that, due to the quick service nature of a small convenience store, they believe there will rarely be enough customers to require fifteen (15) parking spaces. Additionally, the applicant, who is also a business tenant at Johnstown Center across Parish Ave., will seek a parking agreement with the owner of Johnstown Center to allow employees of the gas station (of which there will be 1-2 per shift) to park on that property. Such an agreement would keep employees from occupying valuable spaces.

Landscape Variance

Per Town of Johnstown Landscape Standards (adopted 2004), Section E2(i):

"In addition to the above requirements, where nonresidential, multifamily, or group living uses are adjacent to existing or projected residential or duplex uses, one of the following shall be provided:

- *(a) A 15-foot-wide on-site landscape area with berming and one (1) tree and five (5) shrubs per 600 square feet or portion thereof; or*
- *(b) A 10-foot-wide on-site landscape area with one (1) tree and five (5) shrubs per 400 square feet or portion thereof with intermittent 6-foot private fencing; or*
- *(c) A 5-foot-wide on-site landscape area one (1) tree and five (5) shrubs per 250 square feet or portion thereof with a continuous 6-foot privacy fence.*

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The site abuts a residential use and district directly to the South. There is ten (10) feet between the building as proposed and the lot line, while the adjacent single-family residence sits less than a five (5) feet from the property line. According to the applicant's landscape architect, there is insufficient space between the proposed building and the lot line to provide landscaping, as anything in that area would likely not survive due to lack of sunlight, and it would be hard to maintain plants in what is essentially a dead space. The applicant proposes to place no landscaping in that roughly ten (10) foot buffer area, instead proposing only a six (6) foot solid wood picket fence and rock mulch bed to separate the single-family and commercial uses.

Per Town of Johnstown Landscape Standards (adopted 2004), Section E2:
A minimum of twenty (20) percent of the lot/parcel will be landscaped area.

Current landscape plans show 14.55% (2,376 square feet) of the site to be landscaped. This results in a 5.45% (890 square foot) deficit in required landscape area. Additionally, 75% of the landscape area is required to be live, irrigated vegetation. There is no irrigated sod on this site, though there are 84 shrubs and 12 trees.

The entry on Parish Ave. is approximately 50' North of the nearest adjacent driveway. This drive is for a single-family residence, and does not figure to cause any issues. This entry is controlled by the Town of Johnstown and has been approved by all pertinent departments, including the Town's Traffic Engineer, FHU. The access onto E. South 1st St. has been approved by both Charles Buck and CDOT.

Staff supports the requests for variances described above, so long as the necessary conditions described below are met, namely that a parking agreement with a nearby business be enter into by the applicant to account for employee parking.

RECOMMENDED FINDINGS AND MOTIONS

Based on the application received and the preceding analysis for the requested Variances for Parish & 60 Gas Station, located at 106 E. South 1st St., the Board of Adjustment finds:

1. A hardship exists that is caused by unique physical features and constraints of the property and was not caused by the applicant or landowner;
2. The requested variances are necessary for the reasonable use of the property;
3. The requested variances will not alter the character of the area, impair development of adjacent land, or be detrimental to the public's welfare and;

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4. The requested variances afford the least intrusive solution.

and therefore, moves to approve the requested variances for the property located at 106 E. South 1st St, with the following conditions:

1. Applicant enter into a parking agreement with the owner of Johnstown Center, or other nearby property that staff can support, for the purposes of employee parking;
2. That granting of these variances be reviewed upon legitimate complaint, as determined by the Director of Planning & Development.

Alternate Motions

- A. Motion to Approve with No Conditions: "I move that the approve requested variances for the property located at 106 E. South 1st St, as presented. "
- B. Motion to Deny: "I move that the Board deny the requested variances for the property located at 106 E. South 1st St based upon the following..."

PLANNING & ZONING COMMISSION

CONDITIONAL USE GRANT

Comprehensive Plan Goals

Goal DT 1 – Reinforce and expand the Downtown as a commercial core with civic and cultural uses and complementary neighborhoods: Downtown Components

The proposed development provides a new use not presently available in the Downtown area and works to complement the area by providing a much-needed amenity to local residents and businesses.

Goal DT 2 – Expand, diversify, and reinforce the Downtown Center: Infill

The proposed development is considered infill development, as it has previously-constructed infrastructure improvements, and was previously developed. This development will eliminate an undeveloped parcel within the Downtown area.

Goal DT 5 – Enhance existing and create new pedestrian connections to Downtown: Sidewalks

The proposed development will improve the sidewalks on the west side of the property, and construct new sidewalks on the North side of the property, thus creating a much more attractive and complete connection to the eastern portion of Downtown.

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Staff Concerns

Staff has concerns about parking and traffic flow in the area should this project be approved and built. Primarily, parking is a potential problem for not only this site, but the surrounding area and businesses. At present there are a mixture of businesses and single-family residences East along E. South 1st St. Some of those businesses and homes utilize existing parking along E. South 1st St., and it is delineated as such. There is a concern that customers of the proposed project may park in spaces typically used for those businesses along E. South 1st St. that have little or no on-site parking, and thus rely on those on-street spaces for primary customer parking. There is additional concern that customers of the proposed project may attempt to park on adjacent properties belonging to businesses. The above is not an uncommon problem in downtown business districts, and while there is little the Town can do to alleviate the problem, it must be noted as a potential negative impact.

On-site parking is another area of staff concern. Specifically, the amount of parking available. The proposed site plan shows seven (7) spaces, which includes one (1) van-accessible handicap space. This is far below the 15 required spaces for a use of this size and intensity. To help alleviate this, the applicant has proposed entering into a parking agreement with the owner of Johnstown Center, located across Parish Ave., where the applicant owns a business. The agreement would allow employees of the gas station to park at Johnstown Center, rather than take up valuable spaces on the proposed site. Staff proposes that agreement as a condition of approval, either with Johnstown Plaza, or another similarly-sited commercial business with sufficient parking.

Regarding screening and landscaping, staff is concerned about appropriate screening for this site, especially as it relates to the south-adjacent single-family residential use. The applicant is proposing a 6' solid wood fence and no landscaping. This single-family residence, which is located in the SF-1 zone, is less than 5' from the property line, according to Weld County aerial imagery. Due to the close proximity of the single-family residence located in the SF-1 zone, Staff believes additional screening measures are needed to fully address the impacts of a gas station and convenience store.

There is precedent in Town for requiring a 6' masonry wall when a gas station and convenience store abuts a residential use. The 7-11 convenience store and gas station, located at the Northwest corner of Telep Ave. and E. South 1st St., utilize such screening despite the screen wall being no closer than 160' from a residential property line at its closest point. Therefore, Staff recommends a condition of approval be the construction of a 6' masonry wall to screen the use from adjacent single-family residences immediately South. Such a wall will adequately reduce the auditory and visual impacts of the proposed development.

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Related directly to the screening wall is site lighting. The most recently-submitted photometric plan shows a total of 15 lighting fixtures on the site. Eight under-canopy lights are included in this plan, providing lighting for the fueling islands; no canopy design or signage is being approved as part of this Conditional Use Grant. In addition, two (2) downward facing “cobra head” LED lights are proposed with one on each side with street-frontage. These lights will be at the edge of the paved parking/fueling area and be facing towards the site. With these proposed lights, lighting levels off-property on the north and west sides will exceed the 0.2 candle-foot limit set by JMC, Section 16-145. However, the adjacent properties in this case are major roads in Parish Ave. and E. South 1st St. Therefore, the light intrusion can be overlooked.

However, the lighting on the south side of the property will cause intrusion of up to 0.6 candle-feet onto the adjacent residential property, three times the amount allowed under code. Staff believes this light is necessary for safety, as there is a building-mounted light in the area that illuminates the walkway from the proposed building to Parish Ave., especially given how early the sun sets in the shoulder seasons and winter months. The masonry wall described above will help provide additional protection against light intrusion onto the adjacent residential property. Staff recommends the condition that a 6’ masonry wall be required along the south property line.

Staff has concerns about the maintenance of the raised pork-chop islands located at each entrance. Those islands are located within the right-of-way, which is owned and maintained by Johnstown (Parish Ave.) and CDOT (E. South 1st St.). There is concern that, due to snowplow activities in the winter, and due to deliveries to the site via tractor-trailer trucks, these raised islands would be damaged over time. Maintenance of these islands can be costly, and the Town does not believe it should be responsible for maintenance of such improvements. Staff suggests that approval be conditioned upon execution of a maintenance agreement for the raised pork-chop islands and accompanying delineators, with the Town.

Additional Staff concerns are related to public access along the right-of-way at E. South 1st St. As proposed, the sidewalk along E. South 1st St., and a small portion of the curb and gutter at the intersection of Parish Ave. and E. South 1st St., are within the bounds of the site. These areas would typically be public right-of-way and open to public movement at all times. To ensure public access to these walks, staff requests that approval be conditioned upon granting of a public access easement, spanning from the back of the sidewalk along E. South 1st St. north to the property line. Staff would strongly recommend the land be dedicated to the Town and CDOT to minimize future tax burdens and liability issues but cannot compel the applicant to do so. Therefore, an easement may be the best course of action.

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Finally, staff has concerns about fuel delivery times, and delivery times for store stock in general. Current site improvements were designed with fuel tankers in mind. However, such tankers can not actively fill the fuel storage tanks and allow use of the site at the same time. Staff and the applicant have discussed after-hours fuel deliveries as the only viable option for this site. With operating hours of approximately 7am to 10pm, these deliveries would need to occur after 10pm but prior to 5am, when traffic begins to pick up for the morning. Staff requests a condition of approval such that fuel deliveries, or any deliveries requiring use of a vehicle any larger than what is considered a personal vehicle, be confined to the hours between 10pm and 5am.

RECOMMENDED FINDINGS AND MOTIONS

Based on the application received and the preceding analysis for the proposed Conditional Use Grant for Parish & 60 Gas Station, located at 106 E. South 1st St., the Planning & Zoning Commission finds:

1. The site of the proposed Conditional Use Grant can be served by Town utilities, and the surrounding transportation network is adequate to support this level of development.
2. The proposed Conditional Use Grant will advance the goals set forth in the Johnstown Area Comprehensive Plan.
3. The proposed Conditional Use Grant is in substantial conformance with all applicable Johnstown regulations, standards, and codes.

and therefore, moves to recommend to the Town Council approval of Parish & 60 Gas Station Conditional Use Grant located at 106 E. South 1st St, with the following conditions:

1. Applicant work with staff to resolve any outstanding final redlines or comments, until all plans, reports, and drawings are approved by Town Staff and the Town Engineer;
2. Applicant provide final written approval from CDOT for the access onto E. South 1st St.;
3. Applicant construct a 6' masonry wall along the South property line in place of the current fence, to be coordinated with the adjacent property owner and Town staff;
4. Applicant grant a public access easement for the area between the North property line and the back of the landscape buffer along E. South 1st St.;
5. Applicant make arrangements to have all fuel deliveries, and those deliveries utilizing any vehicle larger than a non-commercial truck, completed between 10pm and 5am;
6. That this Conditional Use Grant be reviewed upon legitimate complaint, at the sole discretion of the Town.

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Alternate Motions

- C. Motion to Approve with No Conditions: "I move that the Commission recommend to Town Council approval of the Parish & 60 Gas Station Conditional Use Grant, located at 106 E. South 1st St., as presented. "
- D. Motion to Deny: "I move that the Commission recommend to the Town Council denial of Parish & 60 Gas Station Conditional Use Grant, located at 106 E. South 1st St based upon the following..."

Respectfully Submitted,

Planner:



Darryll Wolnik
Planner II

Reviewed by:



Kim Meyer
Planning & Development Director

File Name: S:\PLANNING\2019 Land Use Projects\USR19-0005 Parish & 60 Gas Station\Staff Report.docx

ATTACHMENTS

- A Application Materials and Variance Letter
- B Neighborhood Meeting Materials
- C Vicinity Map
- D Site Development Plan

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Exhibit A

JOHNSTOWN GAS STATION

106 E. SOUTH 1ST STREET - JOHNSTOWN, CO. 80534

PARKING COUNT VARIANCE REQUEST DECEMBER 20th, 2019

Hauser Architects, P.C. is requesting the following variance of standards in support of an SDP (Site Development Plan) application currently under consideration.

The applicant is requesting a variance to reduce the required amount of parking spaces at the proposed Johnstown gas station project.

Discussion:

The proposed 2,221 SF, 1-Story building project is located at the corner of South Parish Ave. & South 1st St.

The town of Johnstown code requires (1) parking spot to be provided for every 150 square feet of gross leasable area. This would require our project to provide (15) parking spaces. Due to our lot size and constraints we are limited to providing a total of (7) parking spaces which includes (1) accessible space. The design team has worked diligently with the town of Johnstown planning staff to provide this positive amenity to the community. In addition, the design team believes this layout is providing the most amount of spaces possible for this site, and that the amount of spaces provided to be suitable for the proposed use.

Justification:

We request that our modification of standards be approved as our request will adequately provide parking for the proposed project and its customers.

Additionally, the owner of the property intends for all employees to park across the street at the liquor store that he owns and will allocate (3) spaces to the gas station employee's. This will help to maintain the availability of as many parking spaces for customers as possible. It is our opinion that the parking we are providing will accommodate customer parking requirements, and will not negatively impact adjacent businesses or add to any on-street parking.

I have included examples of similar projects that have comparable layouts, building sizes, and parking spaces for your review.

Respectfully,

Kahlil Deerman, Project Manager
Hauser Architects, PC
Project Representative for:
Manjeet Singh
Pindgilzian LLC

Diamond Shamrock

Corner of W. 37th and Hwy 287 – Loveland CO

(4) Parking spaces provided



Western Convenience Store
Corner of Taft and Hwy 34 – Loveland CO

(3) Parking spaces provided

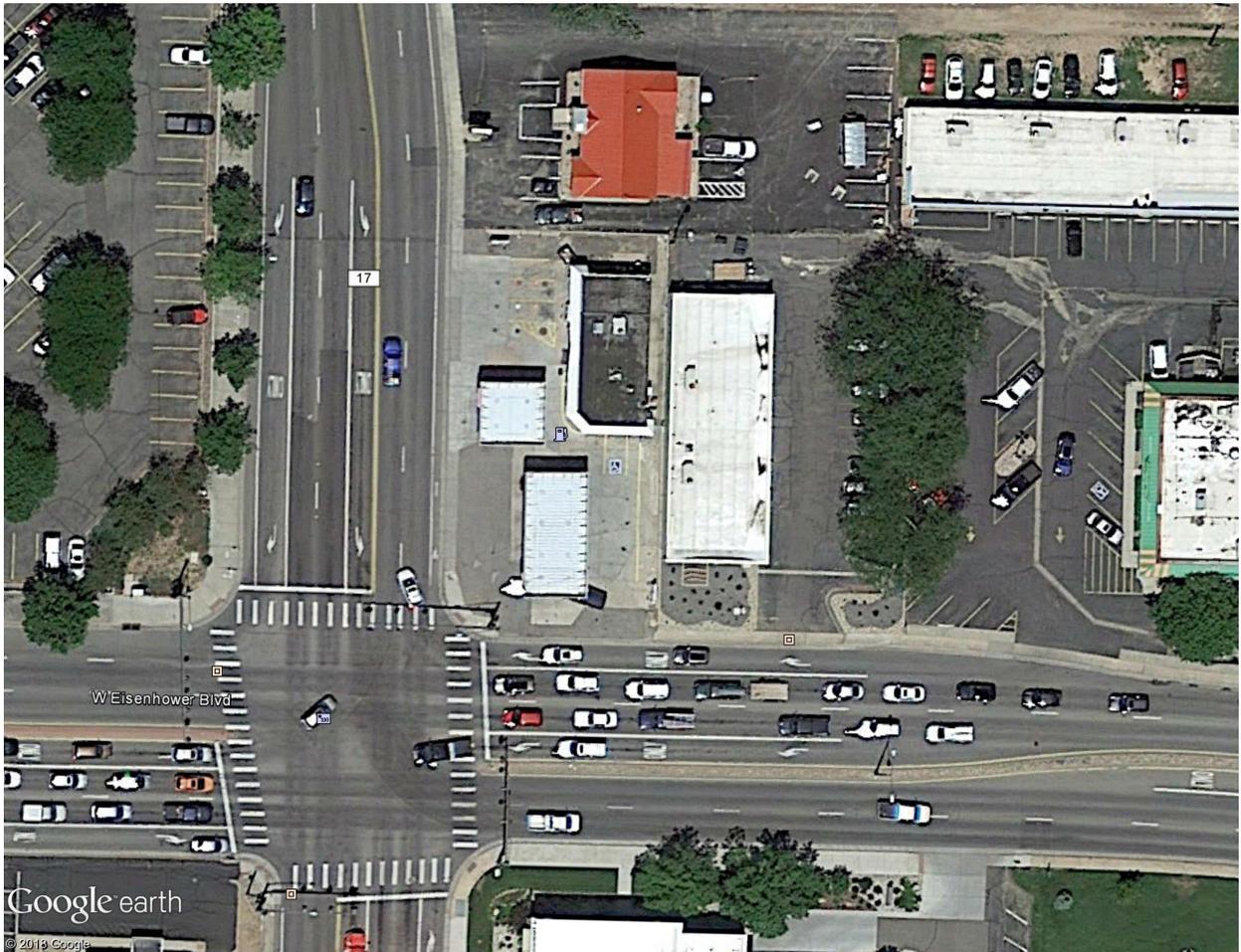


Exhibit B



Town of Johnstown

MEETING SUMMARY

Type of Meeting: Neighborhood meeting for 60 and Parish Gas Station

Date: July 16, 2020

Time: 7:00 p.m.

Facilitator: Darryll Wolnik, Planner II

Note Taker: Kristin Cote, Planner I

Attendees: Kurt Rowen
 Anna Fluckey
 Kahil Deelman
 Holly Engels
 Javier Acxendo
 Patricia Rafferty
 Suzanne Hansen

Summary:

A neighborhood meeting was held on Thursday, July 16, 2020 at 7:00 p.m. to present the proposal for the construction of a gas station to be located at the southeast corner of Highway 60 and South Parish Avenue in the Town of Johnstown. The proposal is for Sinclair to construct an approximately 2200 square gas station with four (4) fueling stations on a .37-acre site with proposed hours operation of 7 a.m. to 9 p.m. or 7 a.m. to 10 p.m. with one (1) employee on site for each shift. The proposal is for no left turns out of property. Tanker trucks would be bringing fuel to this property in the evenings to avoid heavy traffic times. The proposer has been working with CDOT regarding access issues onto in regards to Highway 60.

Concerns and Responses:

1. Appearance

The appearance is proposed to be very similar to the property directly north and across Highway 60.

2. Parking and blocking the ally

There is no way to go behind the building to access the ally from the proposed gas station area.

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3. Setbacks and variances

There is a five (5') foot easement around the entire property. There is no need for any variances to be considered based on the preliminary plan town staff has been presented.

4. Turn radius into said site for truck traffic;

The applicant has been working with CDOT and had a traffic study completed which shows truck turn radius and, as per CDOT, appears to be appropriate.

5. Traffic concerns due to the railroad tracks

The railroad traffic had not been considered in regards to site access. The train traffic will remain the same regardless of any development on this site.

6. Property values

No information has been provided discussing property values. Standardly an improved site is more beneficial to property values on adjacent properties.

7. Sale of coffee and other convenience items effecting traffic and parking on site

This would be a standard convenience store in regards to the items sold, one of which being premade coffee. There is no proposal to have a specialty coffee shop, or anything of that nature, within this business. The Town PD would monitor and handle any traffic back up problems that could potentially arise from an excess of business at this site.

8. Noise

No noise barriers are proposed to be constructed on this site currently. Noise in excess would not standardly be anticipated based on this use.

9. Parking

Parking is a concern for Town staff also. The proposal is to have seven (7) parking spots, one of which will be ADA compliant.

10. Driving safety entering and leaving the site from Highway 60 (right turns onto the proposed site)

The proposer has completed a traffic analysis study and been working with CDOT to ensure that the development of this site will not create a dangerous traffic issue.

11. Surface Water Run off

The property owner will install curb and gutter extending to their property line. This should not increase the surface water run-off issues in this vicinity and it may well improve existing run off issues.

12. Weeds and lot maintenance

The Town will talk with the owner regarding current site conditions. The development of the property would improve the appearance and overall condition of the property.

Meeting completed at 7:56 p.m.

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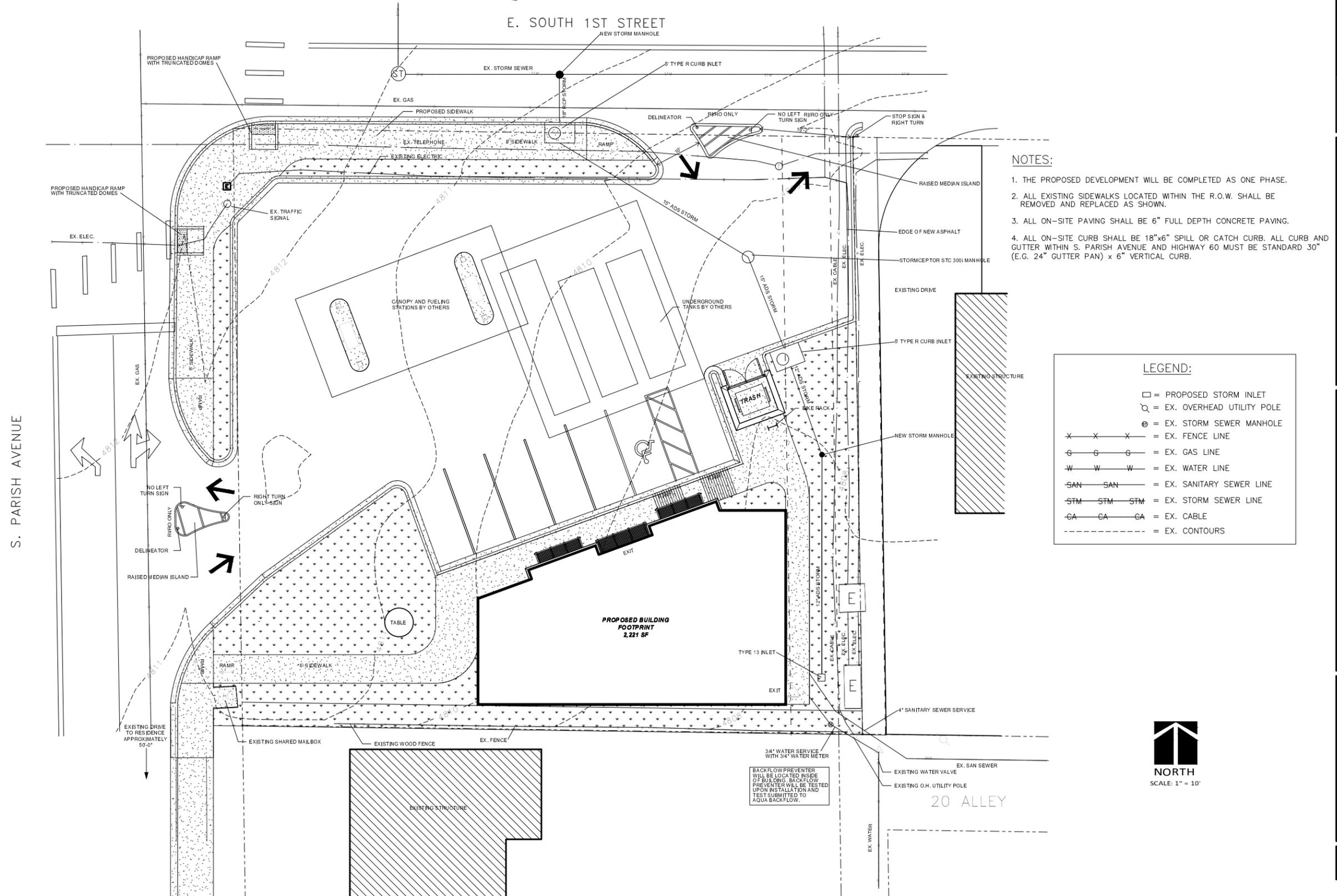
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Exhibit C

Exhibit D

JOHNSTOWN GAS STATION

Lot 1 and 2, Block 6 Purvis Addition, recorded in Weld County dated July 21, 1932 (Reception #650762). A tract of land located in the N1/2 of the NW1/4 of Section 9, Township 4 North, Range 67 West of the 6th Principal Meridian, Town of Johnstown, Colorado, containing 0.373 acres, more or less.



- NOTES:**
1. THE PROPOSED DEVELOPMENT WILL BE COMPLETED AS ONE PHASE.
 2. ALL EXISTING SIDEWALKS LOCATED WITHIN THE R.O.W. SHALL BE REMOVED AND REPLACED AS SHOWN.
 3. ALL ON-SITE PAVING SHALL BE 6" FULL DEPTH CONCRETE PAVING.
 4. ALL ON-SITE CURB SHALL BE 18"x6" SPILL OR CATCH CURB. ALL CURB AND GUTTER WITHIN S. PARISH AVENUE AND HIGHWAY 60 MUST BE STANDARD 30" (E.G. 24" GUTTER PAN) x 6" VERTICAL CURB.

LEGEND:

- = PROPOSED STORM INLET
- ⊕ = EX. OVERHEAD UTILITY POLE
- ⊙ = EX. STORM SEWER MANHOLE
- X - X - X = EX. FENCE LINE
- G - G - G = EX. GAS LINE
- W - W - W = EX. WATER LINE
- SAN - SAN = EX. SANITARY SEWER LINE
- STM - STM - STM = EX. STORM SEWER LINE
- CA - CA - CA = EX. CABLE
- - - - - = EX. CONTOURS



BACKFLOW PREVENTER WILL BE LOCATED INSIDE OF BUILDING. BACKFLOW PREVENTER WILL BE TESTED UPON INSTALLATION AND TEST SUBMITTED TO AQUA BACKFLOW.

McCauley
CONSTRUCTORS

CES CONSULTANTS, LLC

721 4TH STREET, SUITE 1
FT. Lupton, CO 80621
PH. (970) 373-4480

JOHNSTOWN GAS STATION

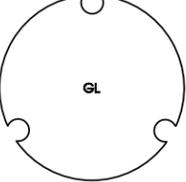
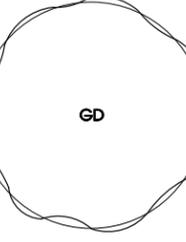
106 E. SOUTH FIRST STREET

CIVIL SITE & UTILITY PLAN

REVISIONS	DATE	BY	APP'D

SHEET **C-1**

PLANT SCHEDULE

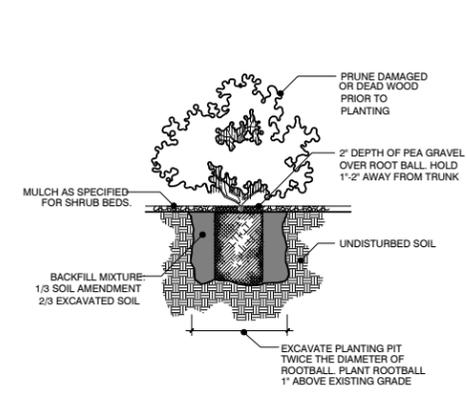
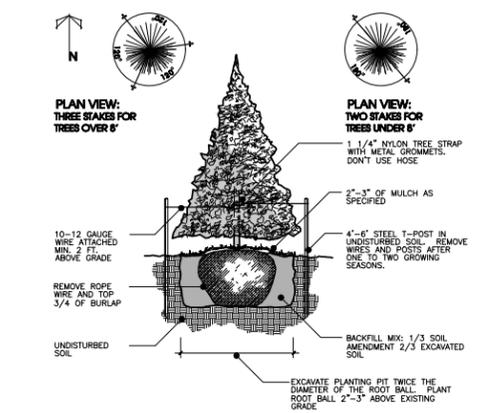
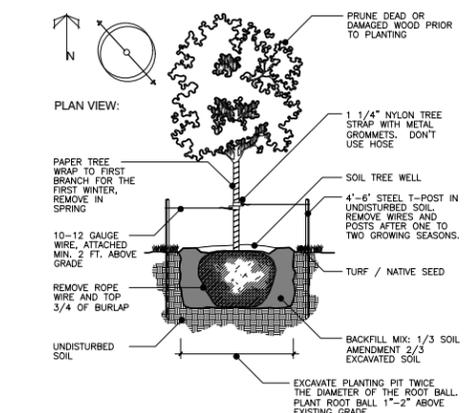
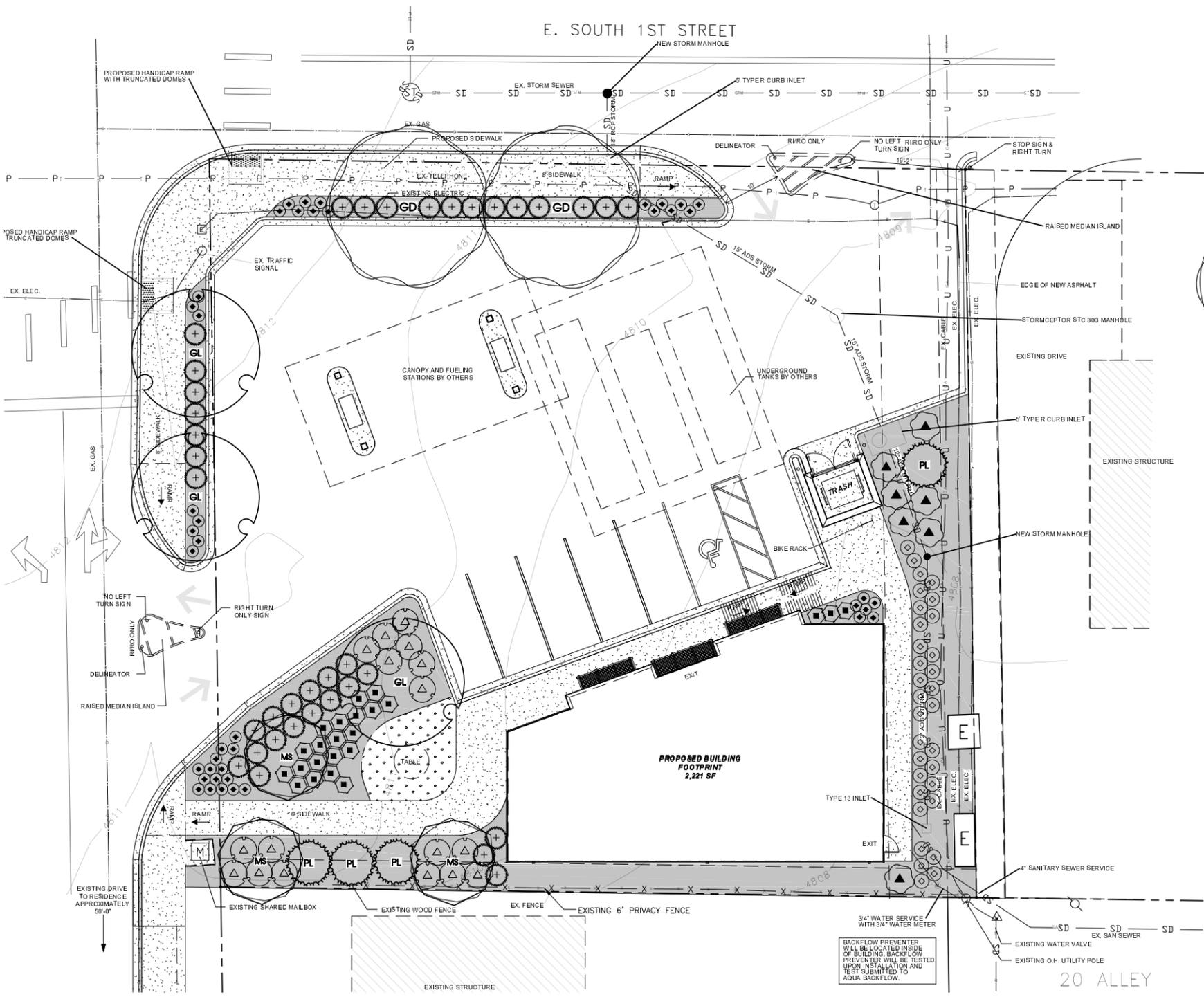
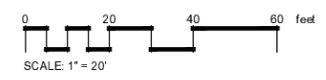
TREES	QTY	BOTANICAL / COMMON NAME	SIZE
	3	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden	2" B#B
DECIDUOUS TREES			
	2	Gymnocladus dioica 'Espresso' / Kentucky Coffeetree	2" B#B
EVERGREEN TREES			
	4	Pinus leucodermis / Bosnian Pine	6" B#B
ORNAMENTAL TREES			
	3	Malus x 'Spring Snow' / Spring Snow Crab Apple	1-3/4" B#B
DECIDUOUS SHRUBS			
	7	Physocarpus opulifolius 'Coppertina' / Coppertina Ninebark	#5 CNT.
	17	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	#5 CNT.
	23	Symphoricarpos x doorenbosii 'Magic Berry' / Snowberry	#5 CNT.
EVERGREEN SHRUBS			
	37	Juniperus chinensis 'Armstrongii' / Armstrong Juniper	#5 CNT.
GRASSES			
	43	Bouteloua gracilis 'Blonde Ambition' / Blue Grama	#1 CNT.
	32	Calamagrostis acutifolia 'Karl Foerster' / Foerster's Reed Grass	#1 CNT.

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
	Pro-Steel edging to be placed between shrub bed / rock areas and turf or dryland grass.
SYMBOL	DESCRIPTION
	3" depth of 1-1/2" mountain granite, over weed barrier fabric.
	4" depth of stabilized gray breeze over weed barrier fabric.

GENERAL LANDSCAPE NOTES:

- THE INTENT OF THE LANDSCAPE DESIGN IS TO ENHANCE THE STREETSCAPE AND PROVIDE BUFFERING AND SCREENING OF SERVICE AREAS. LOW WATER PLANTS WILL BE USED IN THE PLANTING DESIGN.
- PLANT QUALITY: ALL PLANT MATERIAL SHALL BE A-GRADE OR NO. 1 GRADE - FREE OF ANY DEFECTS, OF NORMAL HEALTH, HEIGHT, LEAF DENSITY AND SPREAD APPROPRIATE TO THE SPECIES AS DEFINED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN) STANDARDS. ALL TREES SHALL BE BALL AND BURLAP OR EQUIVALENT.
- IRRIGATION: ALL LANDSCAPE AREAS WITHIN THE SITE SHALL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION. THE IRRIGATION PLAN WILL BE IN ACCORDANCE WITH THE MOST CURRENT LANDSCAPE STANDARDS AND SPECIFICATIONS IN EFFECT AT THE TIME OF CONSTRUCTION. ALL AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC DRIP IRRIGATION SYSTEM. THE IRRIGATION SYSTEM SHALL BE ADJUSTED TO MEET THE WATER REQUIREMENTS OF THE INDIVIDUAL PLANT MATERIAL.
- SOIL AMENDMENTS: SOIL AMENDMENTS SHALL BE PROVIDED IN ALL LANDSCAPE AREAS, INCLUDING PARKWAYS AND MEDIANS, SHALL BE THOROUGHLY LOOSENED TO A DEPTH OF NOT LESS THAN EIGHT(8) INCHES AND SOIL AMENDMENT SHALL BE THOROUGHLY INCORPORATED INTO THE SOIL OF ALL LANDSCAPE AREAS TO A DEPTH OF AT LEAST SIX(6) INCHES BY TILLING, DISKING OR OTHER SUITABLE METHOD, AT A RATE OF AT LEAST THREE (3) CUBIC YARDS OF SOIL AMENDMENT PER ONE THOUSAND (1,000) SQUARE FEET OF LANDSCAPE AREA.
- INSTALLATION AND GUARANTEE: ALL LANDSCAPING SHALL BE INSTALLED ACCORDING TO SOUND HORTICULTURAL PRACTICES IN A MANNER DESIGNED TO ENCOURAGE QUICK ESTABLISHMENT AND HEALTHY GROWTH. THE DEVELOPER SHALL INSTALL LANDSCAPING AND IRRIGATION ACCORDING TO THE MOST CURRENT LANDSCAPE STANDARDS AND SPECIFICATIONS IN EFFECT AT THE TIME OF CONSTRUCTION.
- MAINTENANCE: TREES AND VEGETATION, IRRIGATION SYSTEMS, FENCES, WALLS AND OTHER LANDSCAPE ELEMENTS WITH THESE FINAL PLANS SHALL BE CONSIDERED AS ELEMENTS OF THE PROJECT IN THE SAME MANNER AS PARKING, BUILDING MATERIALS AND OTHER SITE DETAILS. THE APPLICANT, LANDOWNER OR SUCCESSORS IN INTEREST SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE REGULAR MAINTENANCE OF ALL LANDSCAPING ELEMENTS IN GOOD CONDITION. ALL LANDSCAPING SHALL BE MAINTAINED FREE FROM DISEASE, PESTS, WEEDS AND LITTER, AND ALL LANDSCAPE STRUCTURES SUCH AS FENCES AND WALLS SHALL BE REPAIRED AND REPLACED PERIODICALLY TO MAINTAIN A STRUCTURALLY SOUND CONDITION.
- MINOR CHANGES IN SPECIES AND PLANT LOCATIONS MAY BE MADE DURING CONSTRUCTION -- AS REQUIRED BY SITE CONDITIONS OR PLANT AVAILABILITY. OVERALL QUANTITY, QUALITY, AND DESIGN CONCEPT MUST BE CONSISTENT WITH THE APPROVED PLANS. IN THE EVENT OF CONFLICT WITH THE QUANTITIES INCLUDED IN THE PLANT LIST, SPECIES AND QUANTITIES ILLUSTRATED SHALL BE PROVIDED. ALL CHANGES OF PLANT SPECIES AND LOCATION MUST HAVE WRITTEN APPROVAL BY THE CITY PRIOR TO INSTALLATION.
- ALL PLANTING BEDS SHALL BE MULCHED TO A MINIMUM DEPTH OF THREE INCHES.



Centennial Design, LLC
 irrigation • landscape
 601 S. 9th St., Berthoud, Colorado 80513
 970.217.4955
 centennialdesign@protonmail.com

JOHNSTOWN GAS STATION
 E. SOUTH 1ST STREET AND PARRISH AVE.
 Unnamed

REVISIONS	DATE	DESCRIPTION
SDP Submittal #1	10.24.2019	
SDP Submittal #2	11.17.2020	
SDP Submittal #3	4.17.2020	
SDP Submittal #4	6.27.2020	



Town of Johnstown

PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

ITEM:	SUB19-0006 The Ridge at Johnstown Filing No. 2 – Final Development Plan and Final Subdivision
DESCRIPTION:	Final Subdivision and Final Development Plan for The Ridge at Johnstown Filing No. 2, encompassing 23.277 acres and creating 80 single-family lots.
LOCATION:	Approximately 2001 Larimer County Road 3E (Parcel #8526200003)
APPLICANT:	J-25 Land Holdings, LLC (owner)
STAFF:	Darryll Wolnik, Planner II
HEARING DATE:	August 26, 2020

PROPERTY INFORMATION

The applicant, J-25 Land Holdings LLC, is requesting final subdivision of and development plans for 23.277 acres of land located at approximately 2001 Larimer County Rd. 3E (Larimer County Parcel #8526200003) – halfway between Larimer County Road (LCR) 16 and LCR 18. The proposed subdivision is currently a single undeveloped parcel, historically used for agricultural purposes, which is wholly-owned by the Applicant. *(See Attachment A.)*

The subject property is bordered by both unincorporated Larimer County and the Town of Johnstown. These abutting unincorporated lands are zoned in Larimer County as FA-Farming. This subject property, as well as the adjoining town property to the east and west is zoned PUD-MU in Johnstown, with approvals as “The Villages at Johnstown.” This adjacent land to the east is also owned by the applicant and is part of a prior phase and filing of this development.

The uses that surround this proposed subdivision are primarily agricultural in nature. Lands to the north and south are farming / agricultural uses. Property across LCR 3E is split; northeast is Ridge Filing 1, while southeast is an outdoor storage yard. J-25 Land Holdings owns vacant and annexed land to the west and northwest as future filings of the overall Ridge at Johnstown development.

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HISTORY

The subject property was annexed into the Town as part of the R&D #'s 2 & 3 Annexation. It was annexed into town by way of Ordinance #2001-648, effective January 1, 2002. Ordinance #2001-651 subsequently zoned the subject property PUD-R (Residential). This is reflected in the ODP filed with the town in 2000. On March 1, 2002, the Town entered into an annexation agreement with the original annexation petitioner.

In 2006, a preliminary plat and performance standards were approved through Resolution #2005-43. In 2018, the performance standards were updated, and a new preliminary plat was approved. *(See Attachment D)* This Final Subdivision and Final Development Plan were submitted for review in 2019.

NOTICE

Notice was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, August 6, 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 project and surrounding area. A community meeting was not held. No comments or concerns from adjacent property owners was received as of the date of publication of this memorandum.

PROJECT OVERVIEW

This proposed subdivision would create 80 single-family lots. *(See Attachment B)* These lots comprise 12.451 acres (53.5%) of the property, and range from 5,730 SF and 12,203 SF, with an average lot size of 6,780 s/f. Eleven common outlots would be created as part of this plat, constituting 4.976 acres (21.4%) of open space and stormwater detention areas. No parks will be created as part of this project, though there will be a 109.5'-wide trail that stretches north-south through roughly the middle of the property. Of note is the proposed landscape standards revolving around water use. The applicant has proposed water-conservation focused landscaping requirements on private lots. These requirements will limit water use across the proposed subdivision, thereby decreasing the irrigation demand and water usage. A non-potable irrigation system, or connection to that managed by Thompson Crossing Metro District (Thompson River Ranch) was investigated for the overall development, but was deemed infeasible.

The proposed subdivision has one ultimate access point to County Road 3E on the east, with one street connecting to that road. County Road 3E is currently an unimproved gravel road, that will be upgraded with Ridge Filing 1 from CR 18 to CR 16 with paving of the existing roadway, and half-width buildout along the frontage of this property. The other access point would be on the west side, to future filings and will connect through once a roadway is built. The proposed subdivision has a

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north/south street connection to adjacent parcels on the west end of the property. The road on the western border of the property will be stubbed out to the north and south for future connections. The Transportation Master Plan indicates that CR 3E is expected to be a Minor Arterial. The appropriate half-width rights-of-way for these ultimate roadways will be dedicated with this subdivision.

Part of the proposed subdivision is a trail network. The trail network utilizes common spaces between and behind homes to allow residents to walk in areas away from traffic, while connecting the proposed subdivision through a mid-block trail. The trails also connect to the main entry road, which allows access to the neighborhood park directly across LCR 3E as part of Filing 1. Johnstown Municipal Code Sec 17-51 requires dedication of a minimum of 10% of the gross land area to the Town for public park land; a minimum of 2.33 acres for this development. In this case, where a residential Metro District (a quasi-governmental special district) is anticipated to own and maintain these open spaces, per Section V.A.2 of the approved Service Plan, and therefore ensure adjacent residents and future developments can interconnect and enjoy the trail network and open spaces, the Town waives the requirement of specific dedication.

The development proposes a 25' landscape buffer along LCR 3E, along with a 10' sidewalk within the ROW. Residences that back to LCR 3E will also have a +20' landscape area to buffer them from the public ROW area. To the north, Outlots A and F provide a 10' buffer from rear lot lines of single-family lots to the edge of the development. There is no such buffer along the south property line, as single-family lots abut directly to the adjacent property, which is an open field used for agricultural purposes. To the northeast along CR 3E, Outlot F provides the larger open space/park area/drainage area that acts as a buffer between single-family lots and LCR 3E. Staff is working with the Applicant to ensure that along the arterial-facing perimeters of the development, there is a consistent fencing scheme with solid privacy fencing, masonry columns every 100' in appropriate locations; and a consistent open fence design for the areas where rear yards back to the smaller landscape/trail areas to avoid a tight corridor feel.

A sanitary sewer main will connect through Filing 1 to the new off-site main along the High Plains Boulevard ultimate alignment connecting north into the Low Point Wastewater Treatment Plant. The plant has sufficient capacity for this subdivision. These improvements are required to be installed and accepted by the Town prior to the first Certificate of Occupancy (CO) being issued. These improvements will also serve the future filings to the west, and be oversized to allow future development to connect in as well.

Stormwater will be managed and detained on-site in a detention pond at the northeast corner as part of Outlot F, to be manage and maintained by the metro district.

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The proposed subdivision is part of the larger 245-acre “The Ridge at Johnstown” development area, previously approved as “The Villages at Johnstown.” Filing 1, which was recently approved by the Town, is located east of CR 3E, opposite this project. That proposed development also consists of single-family detached housing, in a similar configuration to this project. Future filings of The Ridge are located further west and north of this project, adjacent to I-25 and CR 18. Those future filings are proposed, per the approved preliminary plat and performance standards, to be more mixed-use, with higher density residential and employment/commercial, though specific development plans have not yet been submitted to the Town. “The Ridge” is governed by a set of performance standards, approved in 2018. These performance standards act as additional zoning regulations for the area and control for things such as architecture, uses, setbacks, and landscaping. In addition, the applicant has proposed stringent landscape standards relating to water conservation. Under the proposed standards, each lot would be allotted a maximum allowable square-footage of irrigated landscaping. Performance standards will be enforced by a combination of an HOA, metro district, and the Town as appropriate.

COMPREHENSIVE PLAN GOALS

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

The proposed subdivision will limit the use of water-intensive landscaping on private lots via a maximum square-footage rule for such landscaping.

Goal CC 1 – Walkable, mixed-use economic centers

The proposed subdivision is part of the larger Ridge at Johnstown development, which will feature higher-density residential and commercial and employment areas within the overall development.

Goal PG 2 – Provide a variety of recreational opportunities for all ages and abilities that will draw the community together.

The proposed development will have a trail network, connecting the neighborhood to the park and to each other.

Staff Analysis

Overall, the Subdivision and Development Plans are in keeping with the performance standards of The Ridge, as well as public improvements standards and specs, and the municipal code. The plans have gone through rigorous review by Staff and our ancillary reviewers.

The attempts to create a more water-conscious neighborhood are greatly appreciated by Staff, and we believe this will be an ongoing trend both to address the increasing cost of raw water and its impact on housing affordability, as well as Western conservation efforts. We are hopeful the

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landscaping proposed creates a unique neighborhood look and experience that homeowners and the community can appreciate.

The off-site improvements required with previous Filing 1 were substantial, and served to create a solid foundation for service for the adjoining properties and future development to the west, this property included. Staff appreciates the willingness and readiness of the developers and their design team to work through the details of those construction plans to arrive at improvements that will facilitate this development, as well as future development in the area. The paving of CR 3E as well as the ultimate build-out along the frontages of this project, will help to mitigate the strain of additional traffic on this current gravel county road.

STAFF CONCERNS

Staff has concerns about the fire accesses onto the property. The proposed development features a single access point onto LCR 3E, with no other permanent or temporary accesses proposed. As a result, Front Range Fire Rescue (FRFR) Fire Marshal Tyler Drage has conditioned his approval to be applicable to only the eastern half of the filing, at which point they will no longer permit any homes until a second point of access is provided in conformance with fire code. While Outlot H is labelled a 20' emergency access, utility, and pedestrian easement, the FDP shows it to be only gravel. It is also in close proximity to the main access into the subdivision at 181.57'. Staff will request approval of this subdivision be conditioned upon completion of a FRFR-approved secondary point of access prior to any building permits being issued east of the 50' gas pipeline easement.

RECOMMENDED FINDINGS AND MOTIONS

Based on the application materials received and the preceding analysis for the proposed Final Subdivision and Final Development Plan for The Ridge at Johnstown Subdivision Filing No. 2, the Planning & Zoning Commission finds:

1. The proposed subdivision and development plans can be served by Town utilities, and the surrounding transportation network is adequate to support this level of development.
2. The proposed subdivision and development plans will advance the goals set forth in the Johnstown Area Comprehensive Plan.
3. The proposed subdivision and development plans are in substantial conformance with all applicable Johnstown regulations, standards, and codes.

and therefore, moves to recommend to the Town Council approval of The Ridge at Johnstown Subdivision Filing No. 2 Final Subdivision and Final Development Plan, with the following conditions:

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1. Applicant work with staff to resolve any outstanding final redlines or comments, until all plans, reports, and drawings are approved by Town Staff and the Town Engineer;
2. Applicant create a second egress point to meet Front Range Fire Rescue requirements prior to any building permits being issued for lots west of the 50' gas pipeline easement;
3. Applicant work with staff on the landscape guide to reduce water usage within the proposed project. This landscape guide will be integrated into an amendment to be completed in 2020, to the development's Performance Standards document, and therefore readily available to all builders and homeowners.
4. The Applicant seek approval of configuration and construction drawings for Larimer County Road 3E in accordance with Town Staff, Town Engineer, and Larimer County Engineering, just as in Filing No. 1.
5. The Applicant execute an approved Subdivision Development and Improvement Agreement and Water and Sewer Service Agreement with the Town Council, with all obligations, special provisions, and required fees therein.

Alternate Motions

- A. Motion to Approve with No Conditions: "I move that the Commission recommend to Town Council approval of the Ridge at Johnstown Subdivision Filing No. 2 – Final Subdivision and Final Development Plan as presented. "
- B. Motion to Deny: "I move that the Commission recommend to the Town Council denial of the Ridge at Johnstown Subdivision Filing No. 2 – Final Subdivision and Final Development Plan based upon the following..."

Respectfully Submitted,

Planner:



Darryll Wolnik
Planner II

Reviewed by:



Kim Meyer
Planning & Development Director

File Name: S:\PLANNING\2019 Land Use Projects\SUB19-0006 The Ridge Filing 2 (Center Village)\Staff Report.docx

The Community That Cares

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ATTACHMENTS

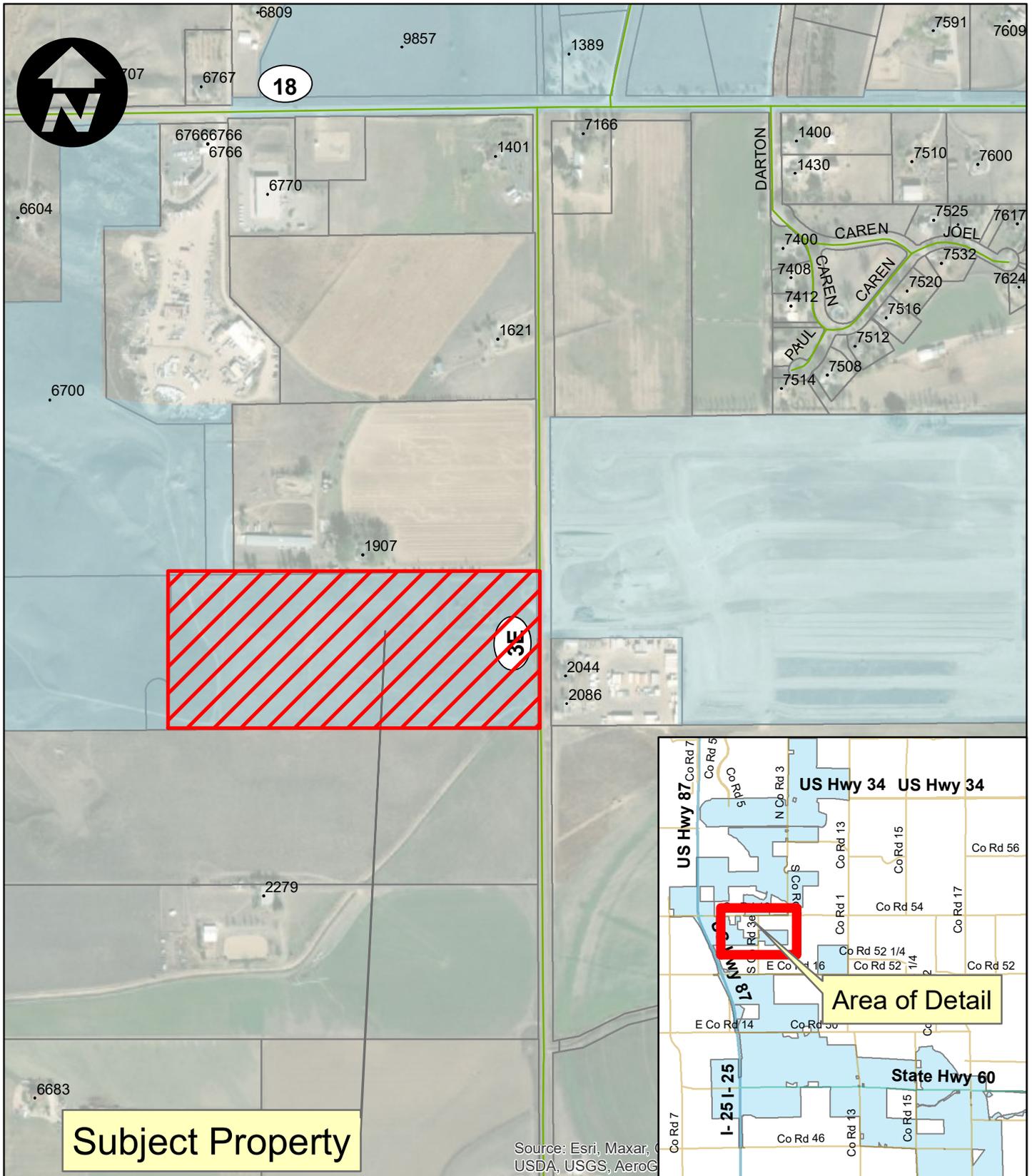
- A Vicinity Map
- B Application Materials, Final Plat, and Final Development Plans
- C Approved Preliminary Plat of Villages of Johnstown

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Exhibit A



SUB19-0006
Ridge at Johnstown Filing 2
Approx. 2000 LCR 3e



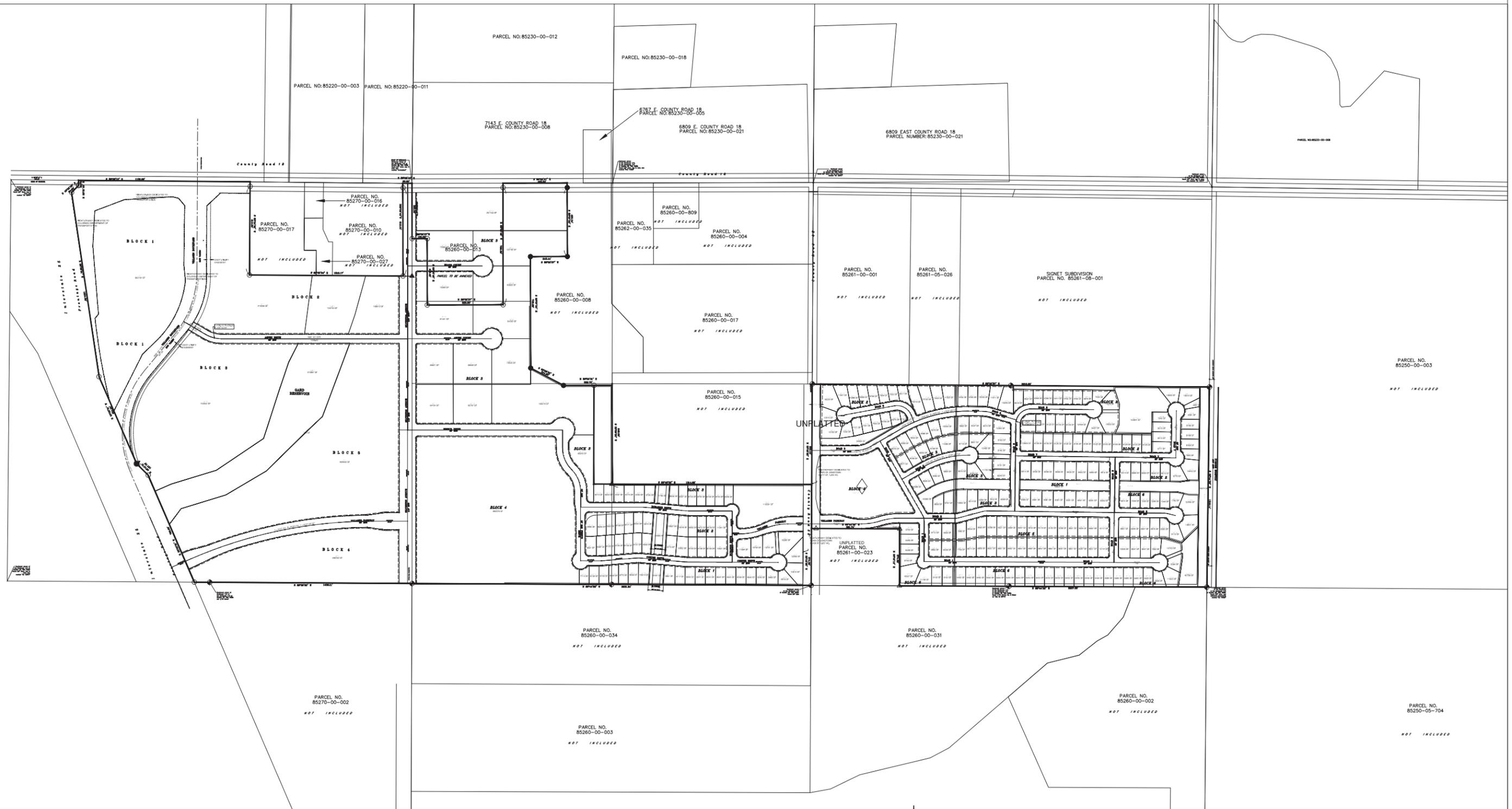
Exhibit B

Exhibit C

THE VILLAGES AT JOHNSTOWN

PRELIMINARY PLAT AMENDMENT NO. 1

A PORTION OF THE NORTHEAST 1/4 OF SECTION 27 AND A PORTION OF THE NORTH 1/2 OF SECTION 26, TOWNSHIP 05 NORTH, RANGE 68 WEST 6th PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO.



SCALE: 1" = 150'

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JOB NO. 229PLAT2

DATE: 7/05/18

SHEET 1 OF 1