



# Town of Johnstown

## **Planning & Zoning Commission Meeting**

7:00 PM, Wednesday, October 14, 2020

Council Chambers, Town Hall

### **Agenda**

- I. Call to Order for Planning & Zoning Commission**
- II. Roll Call**
- III. Approval of Agenda**
- IV. Public Comments Regarding Items Not on the Agenda (limited to three minutes each)**
- V. New Business**
  - a. Public Hearings – USR20-0003 Warren Residence**, a residential use in the CB-Central Business zone
    - i. Property located at 305 W. South 1<sup>st</sup> St.
    - ii. A Conditional-Use Grant is required for a residential use in this zone if the residential use is not a legal non-conforming use.
  - b. Public Hearings – ANX20-0002/ZON20-0004 Graybill Annexation & Zoning**
    - i. Annexation of property located on SE Frontage Rd. between LCR 16 & LCR 18.
    - ii. Establishment of HA-Holding Agriculture zoning
  - c. Public Hearings – SUB20-0005 Thompson River Ranch Filing 8 Final Subdivision and Final Development Plan**
    - i. Located at north of River Ranch Pkwy. and east of Filing 7
  - d. Public Hearings – ANX20-0001/ZON20-0002 Podtburg Annexation & ODP**
    - i. Annexation of Weld County Road 13 and Podtburg Dairy property
    - ii. Establishment of PUD-MU zoning

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**VI. Departmental Report**

**VII. Commissioner Reports and Comments**

**VIII. Adjournment**



# Town of Johnstown

## ZONING COMMISSION AGENDA MEMORANDUM

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<b>ITEM:</b>	<b>USR20-0003: Warren Residence</b>
<b>DESCRIPTION:</b>	Conditional Use Grant for use of a property in the CB (Central Business) zone as a single-family residence
<b>LOCATION:</b>	305 W. South 1 <sup>st</sup> St. (Parcel #105905423007)
<b>APPLICANT:</b>	Lora Warren, owner
<b>STAFF:</b>	Darryll Wolnik, Planner II
<b>HEARING DATE:</b>	October 14, 2020

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### PROPERTY INFORMATION

The applicant, Lora Warren, is requesting a Conditional Use Grant to allow for a single-family residential use on the property located at 305 W. South 1<sup>st</sup> St. (*See exhibit A – Application Materials*), at the northwest corner of W South 1<sup>st</sup> St. (CO-60) and Raymond Ave. The property is .118 acres (5,140 square feet) and is located in the CB – Central Business zone. The surrounding properties are zoned CB as well.

The property is surrounded by a variety of uses. The property to the west is a detached single-family residence, a legal non-conforming use in the CB zone. North-adjacent (rear) is an old grain silo and accompanying buildings. Currently, it is being converted into a residence by the owner. To the south and across W. South 1<sup>st</sup> St. is Johnstown Center, a commercial development which includes a grocery store, fast food restaurant, and strip mall on one side of Johnstown Center Dr, while a bank sits on the other side. Property directly west is the subject of USR20-0002, which is seeking to change front a commercial office to a detached single-family residential use.

An active spur line of the Great Western Railway runs behind this property, adjacent to the Hillsboro ditch, separating the CB zone from the SF-1 single-family detached zone.

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## **HISTORY**

The property in question was subdivided in 1902 as part of the original plat of Johnstown, and was annexed with that original plat. The property contains a single-family detached home that was built in 1905. There was no zoning until June, 1953, when the property was zoned "B" Residence, which allowed for the single-family residence built upon it. Zoning code was further updated in September, 1972. It was at this time the property received its current zoning designation of CB- Central Business. The property was replatted in 1999, condensing the original five (5) lots on the block into three (3).

The residence on the property was traditionally used as a single-family residence, though it has been used as a commercial office for a number of years. Its use as a commercial offices predates the applicants' purchase and use of the property as such.

## **NOTICE**

Notice was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, October 8, 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. Note that a community meeting was not held for this project at the request of the Planning & Development Director.

## **PROJECT OVERVIEW AND ANALYSIS**

The applicant is proposing to revert the use of the property back to single-family residential from commercial office. The structure is a 1,125 square-foot detached single-family residence, featuring one above-grade floor. There is a parking pad for at least two vehicles at the rear of the property, though according to GIS it does not appear to be located on the property. Access to this pad crosses Great Western Railroad ROW from S. Raymond Ave. However, it appears the railroad company has at least acknowledged this access across their property, as they signed the replat of the lots in 1999. That replat called out the outbuildings to the rear of the property, and historic aerial imagery from 1998 and later shows vehicles parked in the railroad ROW. Such use would constitute at the least a prescriptive easement, as the use has been historical in nature and, though without the owner's permission, has continued uninterrupted in the open for a significant period of time; in this case at least 20 years.

The exterior of the structure retains its detached single-family appearance. There is a monument sign in the front yard, and one ground-mounted banner on the east side in addition to numerous other small commercial signs. Staff will recommend removal of these signs as a condition of approval.

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The rear yard is fenced in, though some structures appear to cross property lines. This is not an uncommon occurrence in areas that were platted and built at the turn of the 20<sup>th</sup> century. It should be noted that the CB zone stipulates no minimum setbacks, building sizes, or lot sizes. In this way, the zone accounts for the unique nature of century-old development. Within this rear yard is a secondary dwelling, or what one might consider a guest house. Per Weld County records, this structure, built in 1930, is 464 square-feet and contains one (1) bedroom and one (1) bathroom. Staff will request a condition of approval such that this guest house cannot be separately rented as another dwelling unit, as detached single-family residential uses, defined in the SF-1 zone, do not permit such uses.

The main residence seems to have retained its residential facilities. The kitchen, bedrooms, and bathroom facilities still remain from the historic residential use. Per the applicant, the only thing required to utilize the property as a residence, other than this permit, is furniture. It should be noted, however, that the Weld County Assessor's Office classifies this property as commercial, rather than residential. This classification changed prior to 2014 valuation, as shown in Weld County records. The exact date is unknown, as Weld County only provides notices of valuation back to 2014. Per the applicant, the classification of the property as commercial was the impetus for the conditional use grant. Applicant stated she cannot afford the taxes on a commercial property, and intends to live on the property, using it as a detached single-family residence.

The property has one parking area, containing two (2) spaces for vehicles, at the rear of the property, accessible from Raymond Ave by way of the aforementioned railroad ROW. There is additional space for on-street parking, if needed. There is one entrance, accessible by paved walkway from the public sidewalk along W. South 1<sup>st</sup> St.

### **Comprehensive Plan Goals**

*Goal CC 1 – Walkable, mixed-use economic centers: Residential activity in centers*

Use of this property as a residence would provide additional housing within a walkable distance to Johnstown's historic downtown area.

*Goal DT 4 – Introduce complementary residential areas into the downtown area: Housing types and character*

Allowing this property to be used as a single-family residence will add to the housing mix in Johnstown's downtown area. This property has a smaller-sized residence on a small lot, creating an affordable and unique housing opportunity.

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### **Staff Concerns**

Staff is concerned with the monument signage in front of the house, located in the front yard. This sign is commercial in nature and will need to be removed prior to staff support of this project. Any other signage located on site will also need to be removed. Staff would require removal of any commercial signage as a condition of approval.

Staff is also concerned about the access to the property. Though it appears as though Great Western Railroad acknowledged the historic access by signing the 1999 replat, this cannot be known for sure. And while it appears property owners have a prescriptive easement through railroad property to access parking for their property, planning staff are not attorneys, and therefore cannot make such presumptions regarding land use law. At the very least, this is something the applicant needs to be aware of regarding their property.

Finally, staff is concerned with the guest house at the rear of the property. Because it is outfitted with a bedroom and bathroom, there is the potential for the applicant or future property owners to use it as an income property. Such use would add a second dwelling unit to the property, and the SF-1 zone, which governs detached single-family residential uses such as this one, does not permit multiple dwelling units on the same property. As a condition of approval, staff will request the additional structure not be rented out as a separate dwelling unit.

### **RECOMMENDED FINDINGS AND MOTIONS**

Based on the application received and the preceding analysis for the Smith Residence Conditional Use Grant, located at 305 W. South 1<sup>st</sup> St., the Planning & Zoning Commission finds:

1. The property in question was historically used as a single-family residence.
2. Use of the property as a single-family residence will not negatively impact the surrounding area.
3. The proposed Conditional Use Grant will advance the goals set forth in the Johnstown Area Comprehensive Plan.
4. 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 the Smith Residence Conditional Use Grant, located at 305 W. South 1<sup>st</sup> St, with the following conditions:

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1. Applicant have all commercial signage removed from the property within one (1) year of the final approval of this Conditional Use Grant
2. Applicant work with the Weld County Assessor's Office to change the use classification back to residential within a reasonable timeframe.
3. The property be used as a single-family detached residence, and that only the primary structure be used as the dwelling unit, and the secondary structure not be used as a separate dwelling unit..
4. Upon change in zoning code, and so long as this conditional use grant is valid, the single-family use shall be governed by the most appropriate zoning for detached single-family residential.
5. That this Conditional Use Grant be reviewed upon legitimate complaint, at the sole discretion of the Town.

#### **Alternate Motions**

- A. Motion to Approve with No Conditions: "I move that the Commission recommend to Town Council approval of the Smith Residence Conditional Use Grant, located at 305 W. South 1<sup>st</sup> St., as presented. "
- B. Motion to Deny: "I move that the Commission recommend to the Town Council denial of the Smith Residence Conditional Use Grant, located at 305 W. South 1<sup>st</sup> St., based upon the following..."

Respectfully Submitted,

Planner:



Darryll Wolnik

Planner II

Reviewed by:



Kim Meyer

Planning & Development Director

*File Name: S:\PLANNING\2020 Land Use Projects\USR20-0002 CUG 301 S 1<sup>st</sup> Street Residential Use\Staff Report.docx*

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## **ATTACHMENTS**

- A        Application Materials and Conditional Use Grant Letter
- B        Vicinity Map

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# Town of Johnstown

## LAND USE APPLICATION

Project Name: 7 Parcels - Convert Commercial to Residential

Description: Turn Original House (turned Commercial) back to house.

Land Use:  Site Development Plan  Use by Special Review  Conditional Use Grant  Annexation

Subdivision:  Replat/Minor  Preliminary  Final  Combined Prelim/Final

PUD:  Outline/ODP  Prelim/PDP  Final/FDP

Zoning:  Establish Zoning  Rezone

Wireless:  Small Cell  EFR  Alt. Tower  Base Station  Tower/Other

Other:  Downtown Façade Grant

Site Address or Parcel #: 305 W. South 1<sup>st</sup> Street Johnstown

Applicant/Project Owner: 7 Parcel LLC Lora Warren

Applicant Address: 2125 Bluebell Ave Greeley 80631

Email: lora@mayfields.com Telephone: 970 690 2423  
or 7cycleresearch@gmail.com

Consultant /Representative: N/A

Consultant Address: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

### Landowner Authorization to Proceed with Land Use Action: (Required)

The undersigned (1) affirms ownership or authorized representation thereof of the subject property, and (2) hereby authorizes the individuals or entities listed herein as "applicant" and/or "authorized representative" to represent me/us in all aspects of the land use process for the project being submitted with this application.  Please keep me informed of the status and progress of this project via email at the address below.  I do NOT want to be updated on this project. (To modify this request, contact [Planning@TownofJohnstown.com](mailto:Planning@TownofJohnstown.com))

Landowner(s): Bora Warren Lora Warren

Email: same as above Telephone: \_\_\_\_\_

Bora Warren

Signature of Landowner

Signature of Landowner

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## Town of Johnstown

1 message

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**Lora Mayfield-Warren** <7cycleresearch@gmail.com> Mon, Sep 21, 2020 at 4:11 PM  
To: Me Email <lora@mayfields.com>

We purchased the building at 305 West South 1st Street in January of 2019. We were told/sold this building (by the realtor) that it was the perfect opportunity to grow a business.

I had a successful Christian weight loss business that I ran in downtown Windsor. Unfortunately, the building I was in -sold and I was forced to relocate.

We really believed this Johnstown office was a prime location -as it was right on a very busy 'main' street, much like my office was, in Windsor. In over a year and a half, I have gotten zero business from anybody from Johnstown.

Almost a year ago -the next door neighbor (an insurance company) came over and told me she's gotten no business in her location and she wasn't making it. Naturally, this scared me!

Over the course of the last year and a half, I've learned from many, that our location is actually quite difficult to network and bring in business. I've had an opportunity to talk with several business owners that have been in my building and they've all told me that it was not good for their business to be there. Heart of the Rockies counseling confided in me that they were not successful in having their counseling service in my building. Even the previous owners left their office space as soon as their lease was up.

In March... when the virus hit... it put an end to my non-essential company and I was forced to get a job. I'm now working full time and don't plan on leaving my position.

Originally, when we purchased this, the realtor told us that the owners were not good managers and that was why they weren't doing well there. He told us we could get a whole lot more for each room than they were asking but they were just too 'soft-hearted' and had a habit of renting to their friends at a reduced rates... what we've learned overall; it's been very difficult to rent any of our rooms.

Ultimately, all of this has been very stressful on my marriage. It is now necessary to convert this office into 'my home' as my husband and I have decided to divorce.

In the 12 months I have spent \$43,000 in mortgage payments, taxes and insurance and my recent appraisal came in \$30,000 less than the original appraisal a year and a half ago.

I need to turn this building into a home that I can now live in.

I do believe Johnstown is a great place to live and my hope is that by having this as my home, in the long run, it will also be a wiser investment.

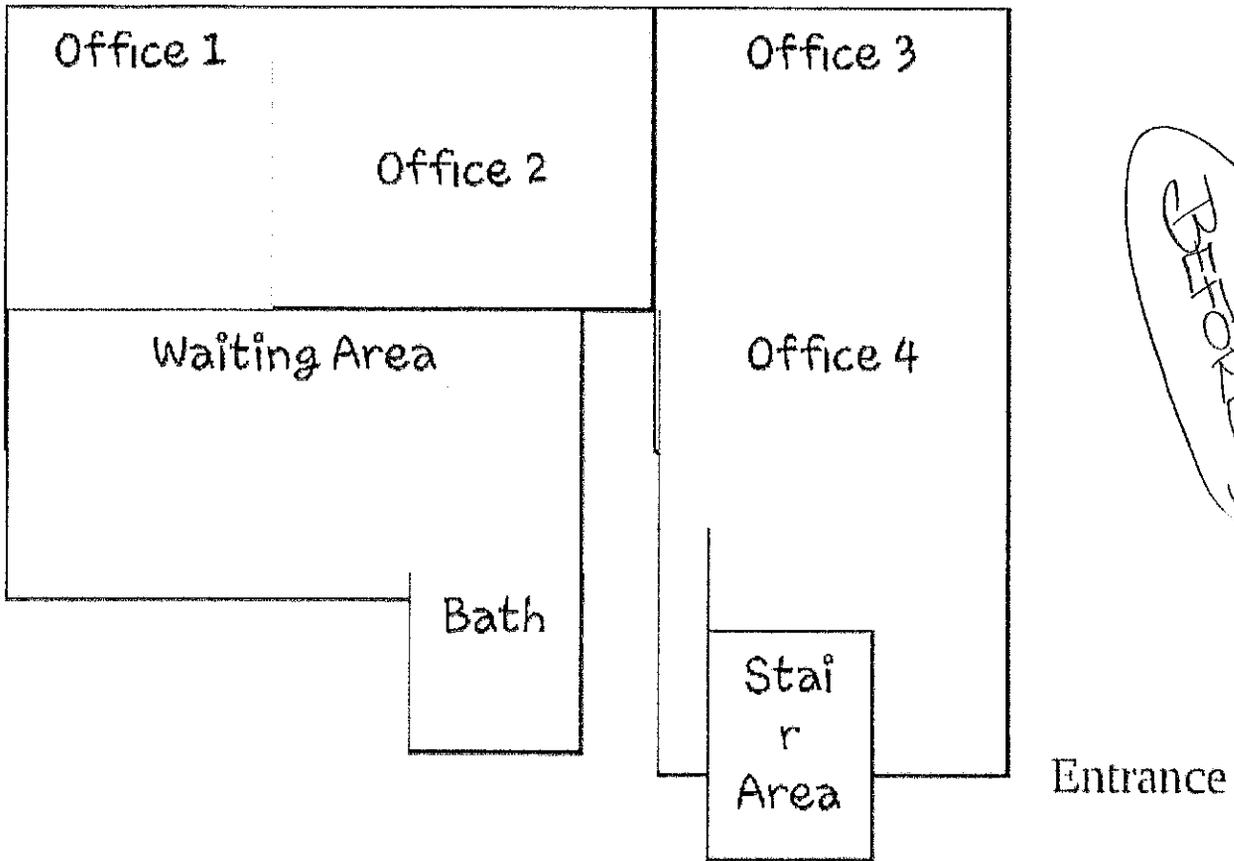
Thank you so much for considering this.

Sincerely,

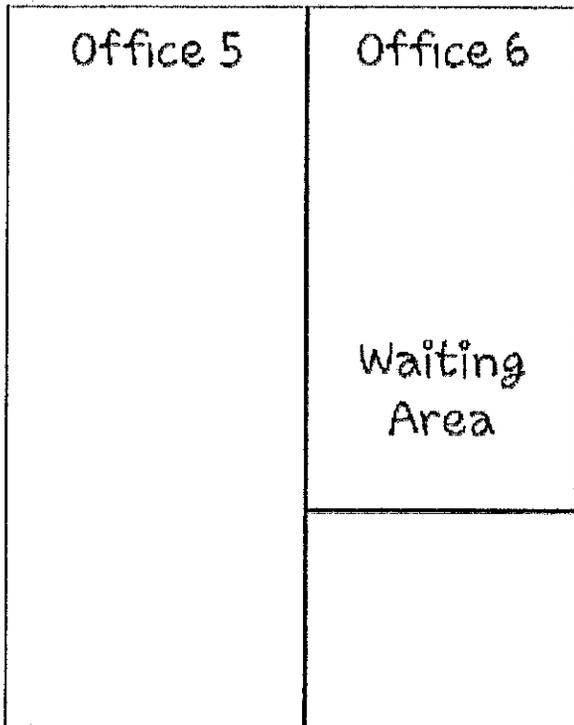


Lora Warren

Main Level



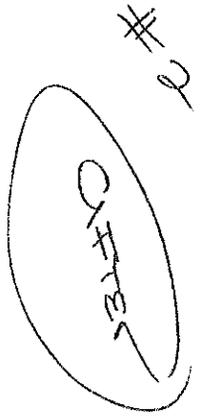
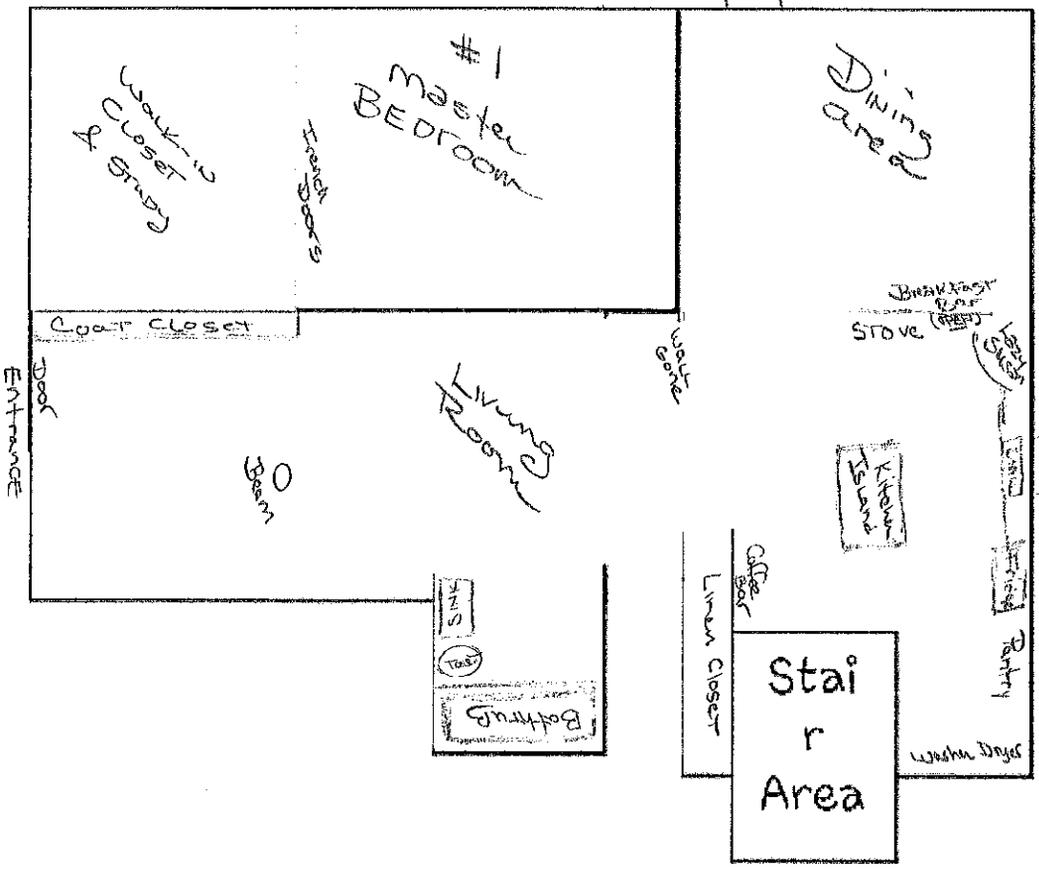
Lower Level



→ Road →

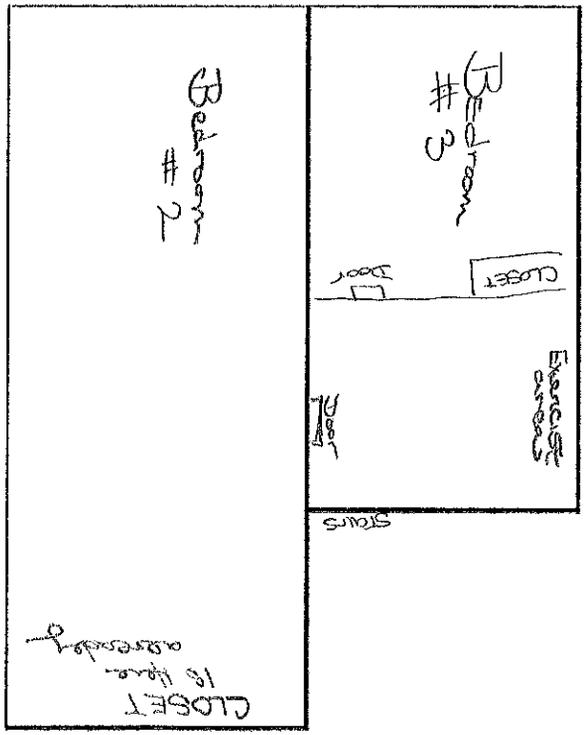


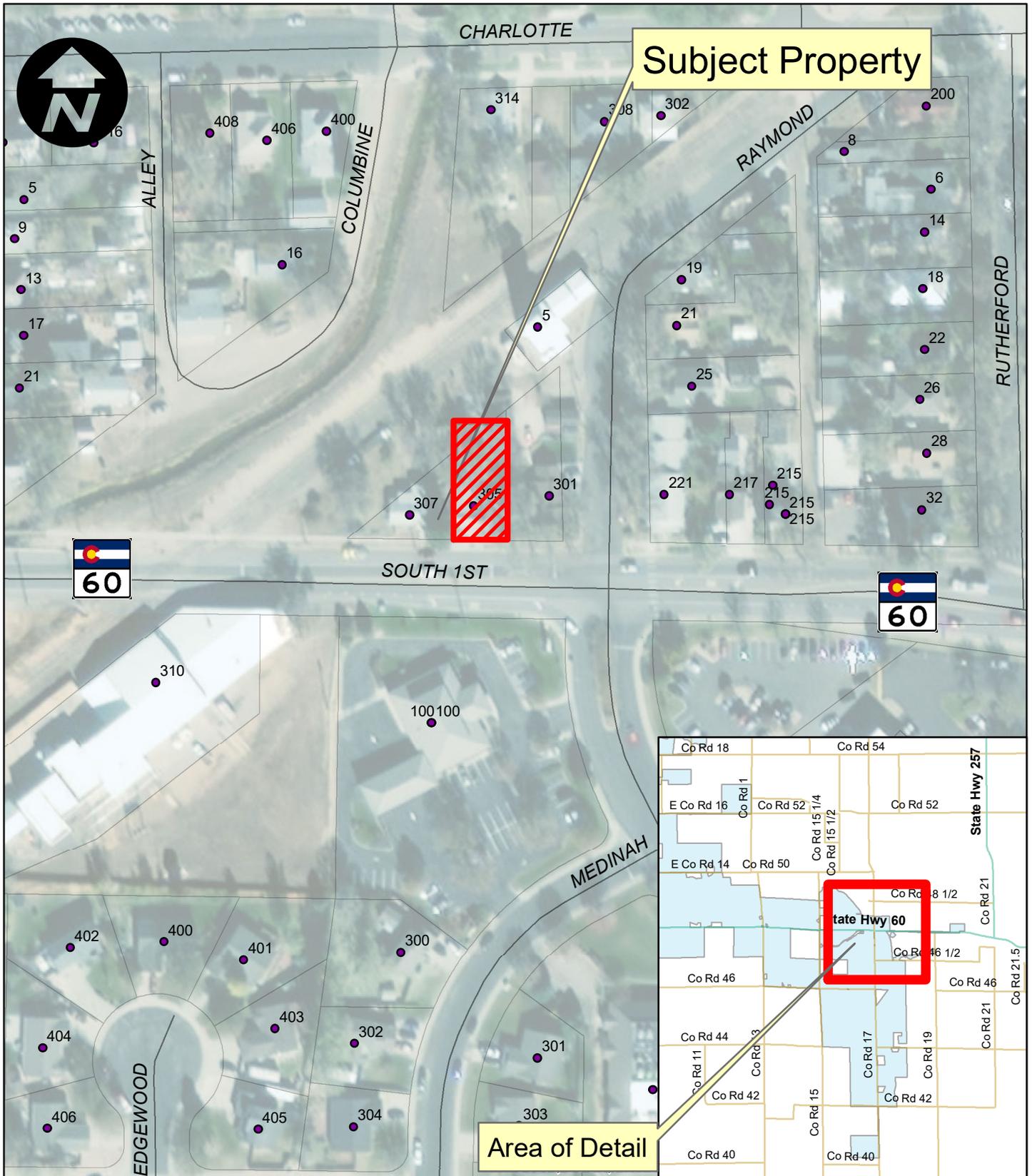
### Main Level



Entrance

### Lower Level









# Town of Johnstown

## PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

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<b>ITEM:</b>	<b>SUB20-0005 Thompson River Ranch Filing 8- Final Subdivision</b>
<b>DESCRIPTION:</b>	Subdivision of 140.945 acres, to include 47 detached single-family lots.
<b>LOCATION:</b>	North on River Ranch Pkwy., West of High Plains Blvd.
<b>APPLICANT:</b>	Clayton Properties Group II, Inc – Todd Bloom
<b>STAFF:</b>	Darryll Wolnik, Planner II
<b>HEARING DATE:</b>	October 14, 2020

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### PROPERTY INFORMATION

The applicant, Clayton Properties Group, Inc. is requesting final subdivision of 140.945 acres of land located on the east side of Thompson River Ranch, south of the Big Thompson River, and west of High Plains Blvd. The proposed subdivision is currently two undeveloped parcels, historically used for agricultural purposes, which is wholly-owned by the Applicant. *(See Attachment A.)*

This subject property is currently zoned PUD-MU. Surrounding properties to the west and southwest, as well as directly across High Plains Blvd., are zoned PUD-MU. Those lands zoned PUD-MU are part of the overall Thompson River Ranch development, and are either open spaces, or future filings. Property across the river to the north is zoned PUD-R and PUD-MU. Lands to the northeast are zoned in Larimer County as FA – Farming, as are lands to the south.

Surrounding land uses to the west are detached single-family and are part of the overall Thompson River Ranch development, more precisely Filings 5, 6, 7, 10, and 11. Filing 11, immediately west of this proposed filing, includes the future site of the Thompson School District Pre-K – 8<sup>th</sup> grade school which is currently under construction. North and across the Big Thompson River is Thompson Crossing II, consisting of additional detached single-family housing. To the northwest is natural lands that have been dedicated into a perpetual conservation easement. Across High Plains Blvd. to the east is future filing 13, and south of that is the Town's Low Point Waste Water Treatment Plant. To the south is the Hillsborough Ditch, and across that is rural residential and agricultural uses. (not needed)

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## **HISTORY**

The subject property was annexed into Town as part of the WRFG annexation in 2000 by ordinance #2000-639. PUD-MU zoning was granted on December 18, 2000, by ordinance #2000-646. A Preliminary Plat and Development Plan, along with design guidelines, were approved on March 7, 2005, by , resolution #2005-08. Filings 1-7 and 9-11 have already been approved at various times since approval of the preliminary plat, and are at various stages of development.

## **NOTICE**

Notice was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, September 24, 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 property owners in the 500-ft vicinity. No community meeting was held, as Thompson River Ranch has been an ongoing development for over a decade, with well-established development plans.

## **PROJECT OVERVIEW**

This proposed subdivision would create 47 single-family lots. *(See Attachment B)* These lots comprise 7.195 acres (5.11%) of the property, and range from 6,050 SF to 10,883 SF with an average area of 6,669 s/f. A single tract, Tract A, is being platted with this filing for future filings of Thompson River Ranch. Tract A will be utilized as Filings 12 (already under review) and 15. Six common outlots would be created as part of this plat, constituting 68.265 acres (48.43%) of open space and stormwater detention areas. Outlot C is being platted for the regional river trail, which is a 10' wide concrete pedestrian trail that will eventually link Johnstown to its neighbors. The lots contained within this filing will count towards the 500-unit threshold at which point Oakwood Homes must have completed the community center building and park.

Filing 8 creates 372,998 square feet of landscape area, or 8.56 acres. Of that landscape area, approximately 277,289 square feet (74%) is native seed. The remaining area is made up of 77,842 square feet (21%) of irrigated turf and 17,867 square feet (5%) of planting beds.

Multiple new roads will be created as part of this subdivision, totaling 2.192 acres (1.56%) of the overall land for this subdivision. These roads will be dedicated to the Town as public rights-of-way. Dedicated rights of way will be 60' wide, measuring 36' TBC (top back of curb) to TBC, and 6' paved sidewalk and 6' park strip on either side. A 10' public utilities easement has been dedicated along all rights-of-way, along with a 5' public utilities easement along rear lot lines. Additionally, applicant is dedicating 8.367 acres (5.94%) to the widening of High Plains Blvd. Said dedication will create the ultimate 120' ROW in those areas north of River Ranch Parkway, and ROW of varying widths to the south.

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Filing 8 has multiple points of access from existing filings of Thompson River Ranch. Candlewood Ln. will run north-south from Filing 5 and turn east-west, becoming Satinwood Dr. Satinwood Dr. will then connect to Filing 7, which was recently approved and is currently under construction. Lacewood Ln. would also run east-west and would connect this proposed filing to Filing 7.

Along those areas of the subdivision where single-family lots will abut outlots or open space, split rail fencing is to be built per the FDP. Said fence will feature masonry pilasters every 100' maximum. In areas where lots abut other lots or other filings, no fencing will be built as part of the FDP. Fencing in these situations may be built by individual lot owners in accordance with Town standards and Thompson River Ranch design guidelines.

This filing does not create any new parks. However, this filing does create a new network of trails. The 10' river trail, stretching from High Plains Blvd. and along the river to the western bounds of this filing, is being constructed as part of this filing. Additional 8' trails are being built to connect the 10' trail to the rest of the trail system within Thompson River Ranch. These trails lead to other trails which in turn lead to developed areas, sidewalks, and the community park being constructed with Thompson River Ranch. Johnstown Municipal Code Sec 17-51 requires dedication of a minimum of 10% of the gross land area to the Town as park land, 2.46 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.

Development plans for Thompson River Ranch are approved at the administrative level. (See Attachment C, for reference only.)

### **Comprehensive Plan Goals**

*Goal CF 1 – New development achieves the community's goals and is consistent with the Town's vision.*

**Fair share of the cost of growth:** The proposed subdivision contributes housing units towards benchmarks for determining when the developer will make improvements to Larimer County Rd. 3/High Plains Blvd.

*Goal CF 3 – An enhanced character of developments and overall image.*

**Pedestrian-friendly environments:** The proposed subdivision contributes well beyond the minimum number of trees and plants while expanding the overall trails plan of Thompson River Ranch, providing walkable areas and access to natural spaces.

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

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**Location and proximity:** The proposed subdivision is within walking/biking distance, or a short drive, to the village center and gateway area 2534 and the employment center at Iron Horse.

*Goal PG 1 – Maintain and implement a parks, recreation, open space, and trails plan.*

**Trail system:** The proposed subdivision implements trails that connect to the greater trail system within Thompson River Ranch, including the Big Thompson River Trail.

### **Staff Analysis**

Overall, the Subdivision and Development Plans are in keeping with the preliminary plat and performance standards of Thompson River Ranch, 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.

This proposed filing plats a large area of previously-unplatted land. Rather than continue to cut pieces from the lot(s) of record, staff thought it best to plat the entire property to “clean up” the linework and plat. This proposed filing will officially designate those areas to the north of this filing as open space and not buildable. It will also set aside Tract “A” as a future fling.

Additional right-of-way is being dedicated along this filing’s frontage with High Plains Blvd.

Construction of the 10’ trail along the Big Thompson River satisfies the requirements of the Johnstown-Milliken Parks, Trails, and Open Space plan. While it stubs into private unincorporated land at the western edge of this proposed filing, this trail is a portion of the overall trail that will connect Johnstown’s trail system to that of Loveland.

All newly platted lots are outside of the current 1% chance 100-year floodplain, as outlined by Letter of Map Revision (LOMR) 16-08-1159P, dated November 16, 2017. Oakwood Homes has another LOMR in process, which cannot be completed until after the subdivision is graded to approved plans. This revision will move the flood plain further back from platted lots within this filing.

As previous-stated, these units will count towards the final counts for at least two improvement projects. Most importantly, these homes will count towards the 120-building permit threshold for the paving of Larimer County Road 3, which will be known as High Plains Blvd. The full, 14-mile, High Plains Blvd. is a regionally-significant north-south arterial and has been designated by CDOT as the I-25 Parallel Arterial project (IPA). The IPA will eventually connect State Highway 66 with U.S. Highway 34, and beyond. Construction of this roadway, in the immediate future, will help facilitate north-south traffic through Johnstown, connecting the southern portion of the Town with Thompson

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River Ranch and 2534 to the north. This project is not funded by CDOT, Larimer/Weld County, or the Town; it is only possible through development along the corridor.

Additionally, units in this proposed subdivision will count towards the 500-certificate of occupancy mark for construction of the Thompson River Ranch community center and park. Construction of this amenity will greatly benefit the Thompson River Ranch community.

### **Staff Concerns**

Staff have no concerns with this proposed subdivision. The applicant has worked with Town staff and ancillary reviewing agencies to ensure concerns are dealt with.

### **RECOMMENDED FINDINGS AND MOTIONS**

Based on the application received and the preceding analysis for the proposed Final Subdivision for Thompson River Ranch Filing 8, the Planning & Zoning Commission finds:

1. The proposed subdivision substantially comply with the Johnstown Area Comprehensive Plan and all codes, standards, and regulations.
2. The proposed subdivision can be served by Town utilities, and the surrounding transportation network is adequate to support this level of development.
3. The proposed subdivision will advance the goals set forth in the Johnstown Area Comprehensive Plan.
4. The proposed subdivision are in substantial compliance with the Thompson River Ranch preliminary plat dated March 7, 2005.

and therefore, moves to recommend to the Town Council approval Thompson River Ranch Filing 8 Final Subdivision, 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. The Applicant will continue to work on configuration and construction drawings for Larimer County Road 3E in accordance with Town Staff, Town Engineer, and Larimer County Engineering.
3. 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.

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[www.TownofJohnstown.com](http://www.TownofJohnstown.com)

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

**Alternate Motions**

- A. Motion to Approve with No Conditions: “I move that the Commission recommend to Town Council approval of the Thompson River Ranch Filing 8 – Final Subdivision as presented. “
  
- B. Motion to Deny: “I move that the Commission recommend to the Town Council denial of the Thompson River Ranch Filing 8 – Final Subdivision based upon the following...”

Respectfully Submitted,

Planner:



Darryll Wolnik  
Planner II

Reviewed by:



Kim Meyer  
Planning & Development Director

*File Name: S:\PLANNING\2020 Land Use Projects\ SUB20-009 TRR 8\Staff Report.docx*

## **ATTACHMENTS**

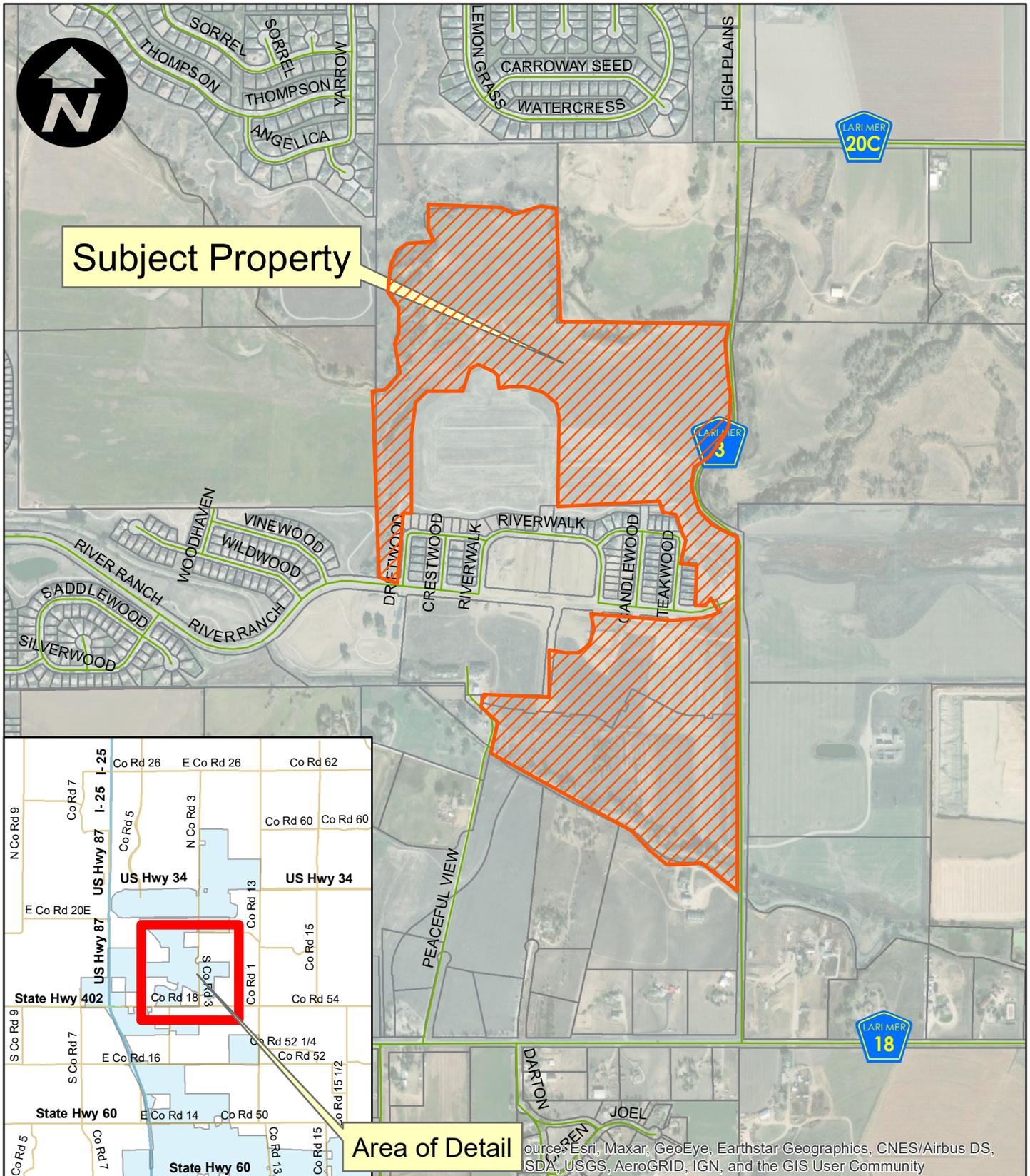
- A Vicinity Map
- B Application Materials, Final Plat
- C Approved Preliminary Plat of Thompson River Ranch

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**SUB20-0005**  
**Thompson River Ranch Filing 8**  
**Approx. LCR 3 & River Ranch Pkwy.**



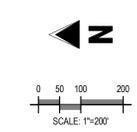
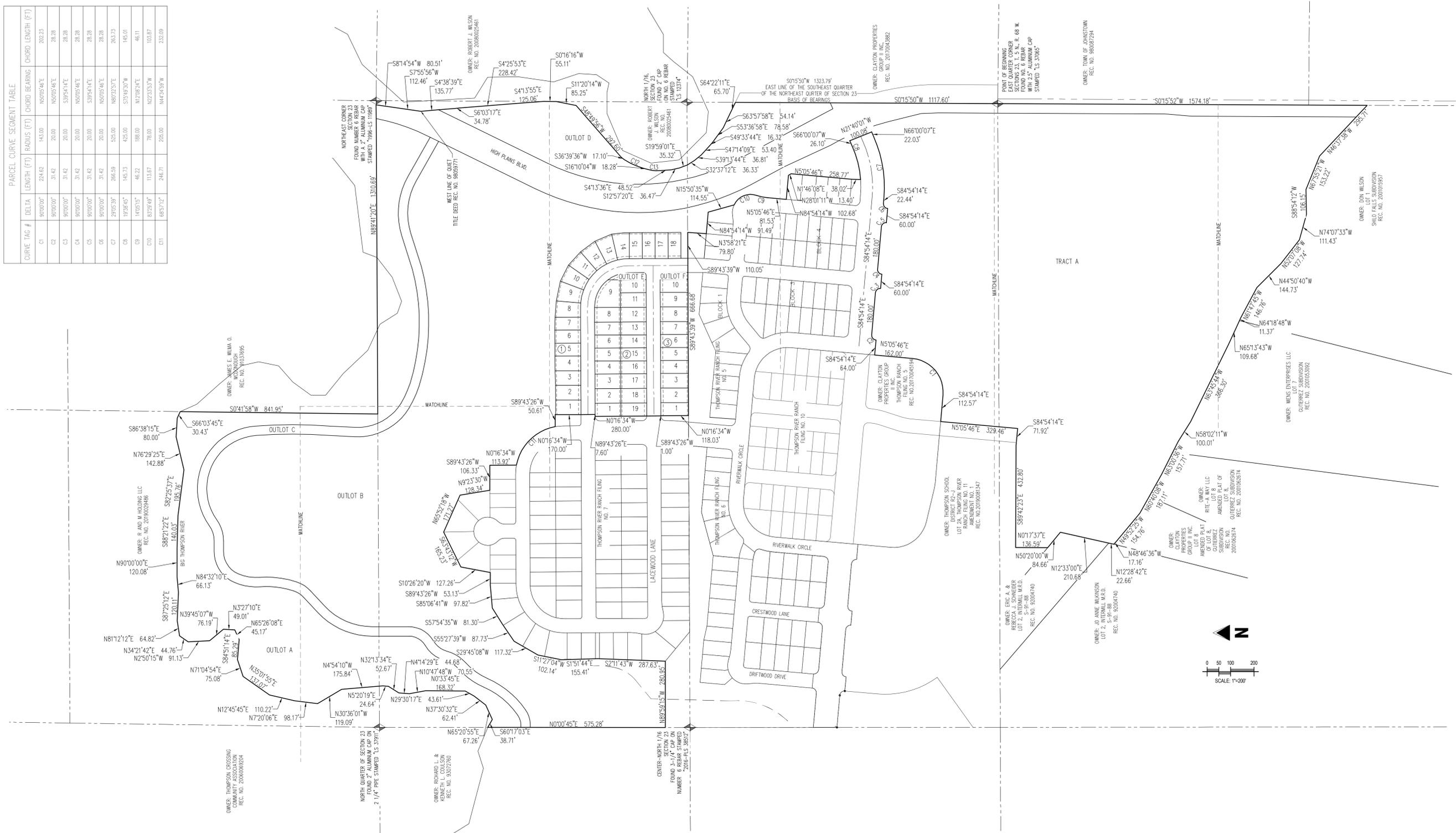




# THOMPSON RIVER RANCH SUBDIVISION FILING NO. 8

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 AND  
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ALL IN T. 5 N., R. 68 W. OF THE 6TH P.M., JOHNSTOWN, LARIMER COUNTY, COLORADO

PARCEL CURVE SEGMENT TABLE			
CURVE TAG #	DELTA	LENGTH (FT)	CHORD BEARING
C1	90°00'00"	224.62	N50°05'46"E
C2	90°00'00"	31.42	N50°05'46"E
C3	90°00'00"	31.42	S39°54'14"E
C4	90°00'00"	31.42	N50°05'46"E
C5	90°00'00"	31.42	S39°54'14"E
C6	90°00'00"	31.42	N50°05'46"E
C7	193°38'45"	266.59	N60°02'57"E
C8	140°51'15"	46.22	N12°09'24"E
C9	83°29'49"	113.67	N22°33'53"W
C10	165°57'12"	246.71	N45°54'59"W



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**CLAYTON PROPERTIES GROUP II, INC.**  
5000 CLAYTON ROAD  
MARYVILLE, TN 37804

**THOMPSON RIVER RANCH SUBDIVISION  
FILING NO. 8  
FINAL PLAT**

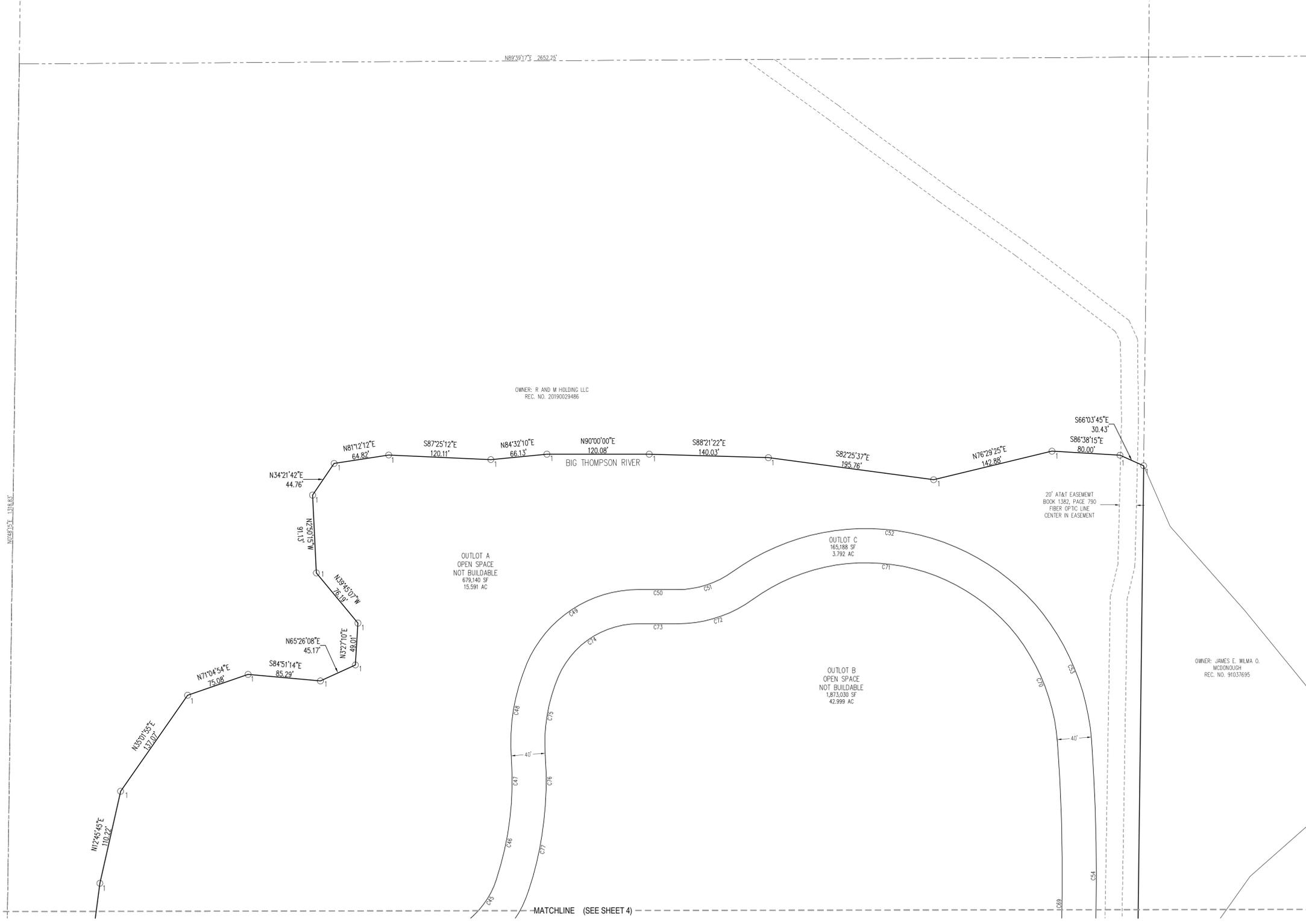
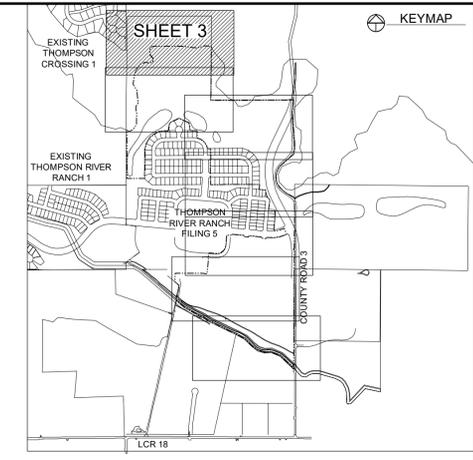
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CHECKED BY:	FAK
DATE:	6/24/2020

SHEET  
**2 OF 9**

# THOMPSON RIVER RANCH SUBDIVISION FILING NO. 8

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**LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- - - PLSS ALIQUOT LINE
- - - EXISTING EASEMENT
- - - LOWR 1% CHANCE (100 YEAR) FLOODPLAIN  
LOWR# 76-08-1156P, NOVEMBER 16, 2017
- ▲ ALIQUOT CORNER (AS DESCRIBED)
- FOUND 24" # 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED PLS 37067 UNLESS OTHERWISE NOTED
- SET 24" # 5 REBAR WITH 1-1/4" PURPLE PLASTIC CAP, STAMPED PLS 37067 UNLESS OTHERWISE NOTED
- FOUND NO. 5 REBAR WITH 1-1/4" RED PLASTIC CAP, STAMPED "PLS 38038"
- FOUND NO. 4 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED "PLS 32444"
- FOUND NO. 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED "PLS 38638"
- FOUND NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP, STAMPED "PLS 37065"
- SET 24" # 5 REBAR WITH 1-1/4" ALUMINUM CAP, STAMPED PLS 37067, WITNESS CORNER AND DISTANCE
- REC. NO. RECEPTION NUMBER
- ▨ HIGH PLAINS BLVD. DEDICATED RIGHT OF WAY

**N**

SCALE: 1"=60'

OWNER: THOMPSON CROSSING  
COMMUNITY ASSOCIATION  
REC. NO. 2005049204

OWNER: R AND M HOLDING LLC  
REC. NO. 20190029486

OWNER: JAMES E. WILMA O.  
MCDONOUGH  
REC. NO. 91037695

OUTLOT A  
OPEN SPACE  
NOT BUILDABLE  
679140 SF  
15.591 AC

OUTLOT B  
OPEN SPACE  
NOT BUILDABLE  
1,873,030 SF  
42.999 AC

OUTLOT C  
165,188 SF  
3.792 AC

MATCHLINE (SEE SHEET 4)

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**THOMPSON RIVER RANCH SUBDIVISION  
FILING NO. 8  
FINAL PLAT**

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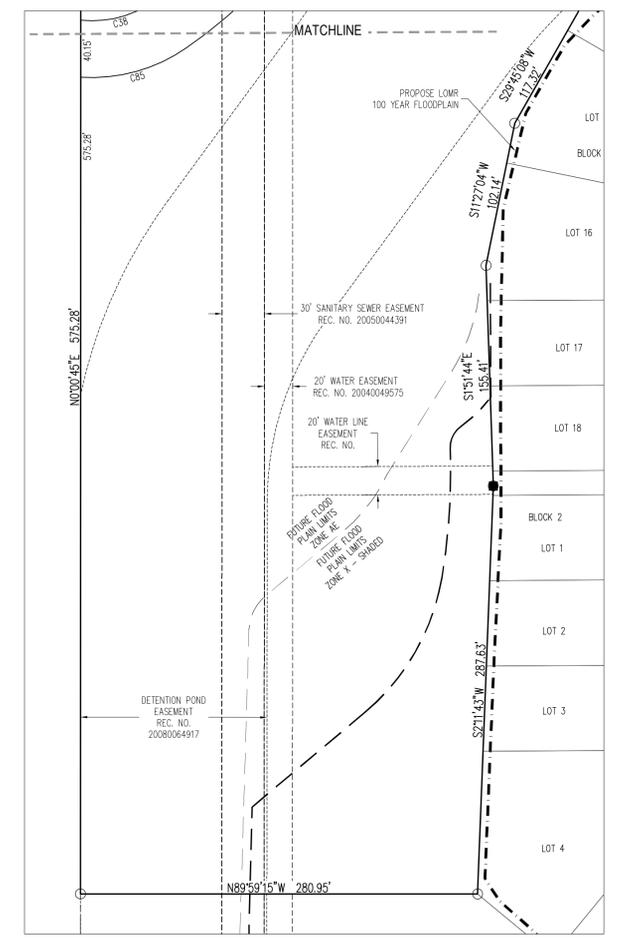
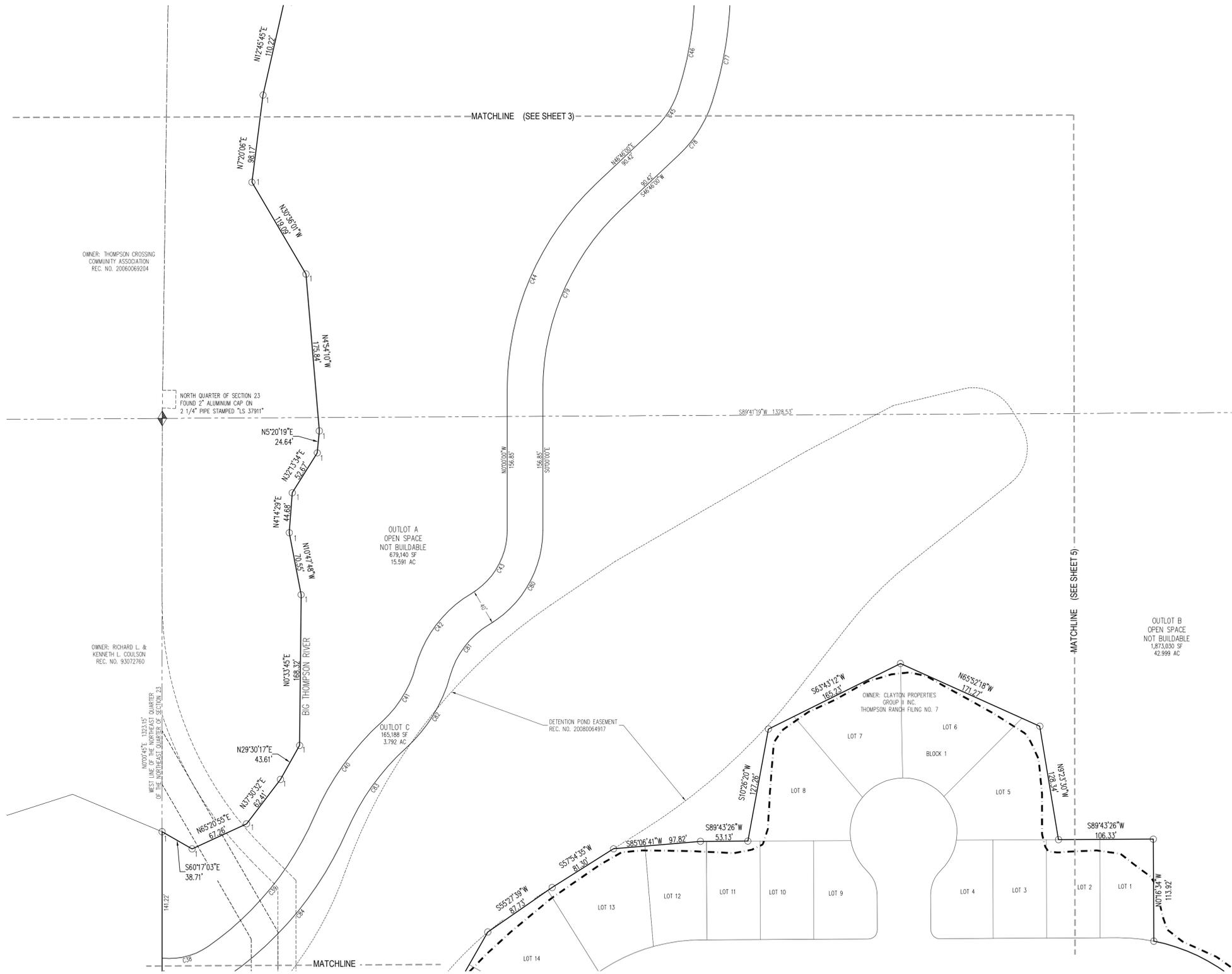
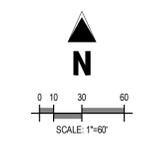
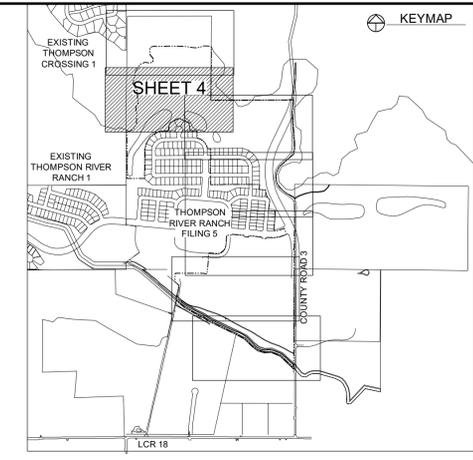
SHEET  
**3 OF 9**

# THOMPSON RIVER RANCH SUBDIVISION FILING NO. 8

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**LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- - - PLS ALIQUOT LINE
- - - EXISTING EASEMENT
- - - LOMR 1% CHANCE (100 YEAR) FLOODPLAIN  
LOMR# 16-08-1159P, NOVEMBER 16, 2017
- ◆ ALIQUOT CORNER (AS DESCRIBED)
- FOUND 24" # 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED PLS 37067 UNLESS OTHERWISE NOTED
- SET 24" # 5 REBAR WITH 1-1/4" PURPLE PLASTIC CAP, STAMPED PLS 37067 UNLESS OTHERWISE NOTED
- FOUND NO. 5 REBAR WITH 1-1/4" RED PLASTIC CAP, STAMPED "PLS 38038"
- FOUND NO. 4 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED "PLS 32444"
- FOUND NO. 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED "PLS 38038"
- FOUND NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP, STAMPED "PLS 37065"
- SET 24" # 5 REBAR WITH 1-1/4" ALUMINUM CAP, STAMPED PLS 37067, WITNESS CORNER AND DISTANCE"
- REC. NO. RECEPTION NUMBER
- ▨ HIGH PLAINS BLVD. DEDICATED RIGHT OF WAY



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FILING NO. 8  
FINAL PLAT**

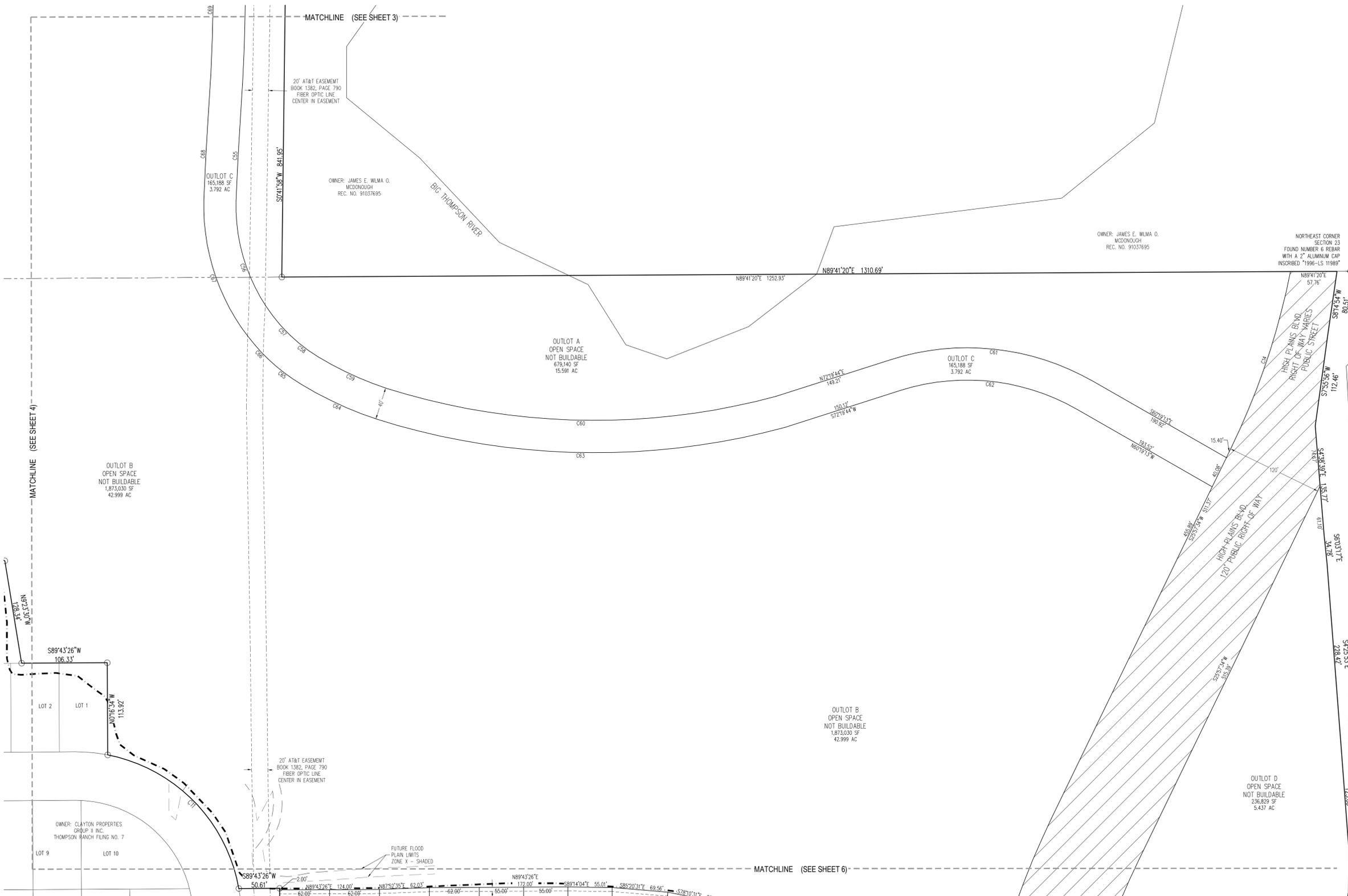
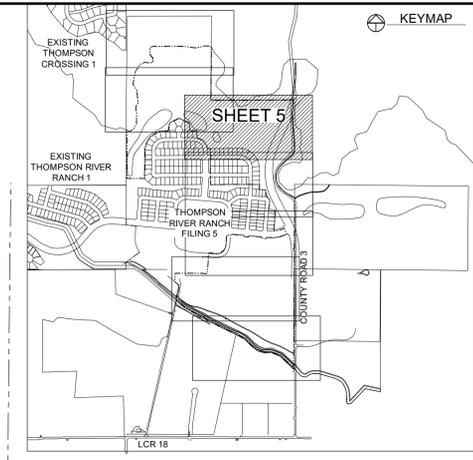
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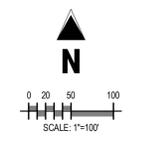
SHEET  
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# THOMPSON RIVER RANCH SUBDIVISION FILING NO. 8

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- LEGEND**
- PROPERTY LINE
  - ADJACENT PROPERTY LINE
  - P.L.S.S. ALIQUOT LINE
  - EXISTING EASEMENT
  - 100-YR 1% CHANCE (100 YEAR) FLOODPLAIN LOM# 16-08-1159P, NOVEMBER 16, 2017
  - ALIQUOT CORNER (AS DESCRIBED)
  - FOUND 24" # 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED PLS 37067 UNLESS OTHERWISE NOTED
  - SET 24" # 5 REBAR WITH 1-1/4" PURPLE PLASTIC CAP, STAMPED PLS 37067 UNLESS OTHERWISE NOTED
  - FOUND NO. 5 REBAR WITH 1-1/4" RED PLASTIC CAP, STAMPED PLS 38038
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  - FOUND NO. 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED PLS 38638
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  - REC. NO.
  - RECEPTION NUMBER
  - HIGH PLAINS BLVD. DEDICATED RIGHT OF WAY



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5000 CLAYTON ROAD  
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**THOMPSON RIVER RANCH SUBDIVISION  
FILING NO. 8**

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**FINAL PLAT**

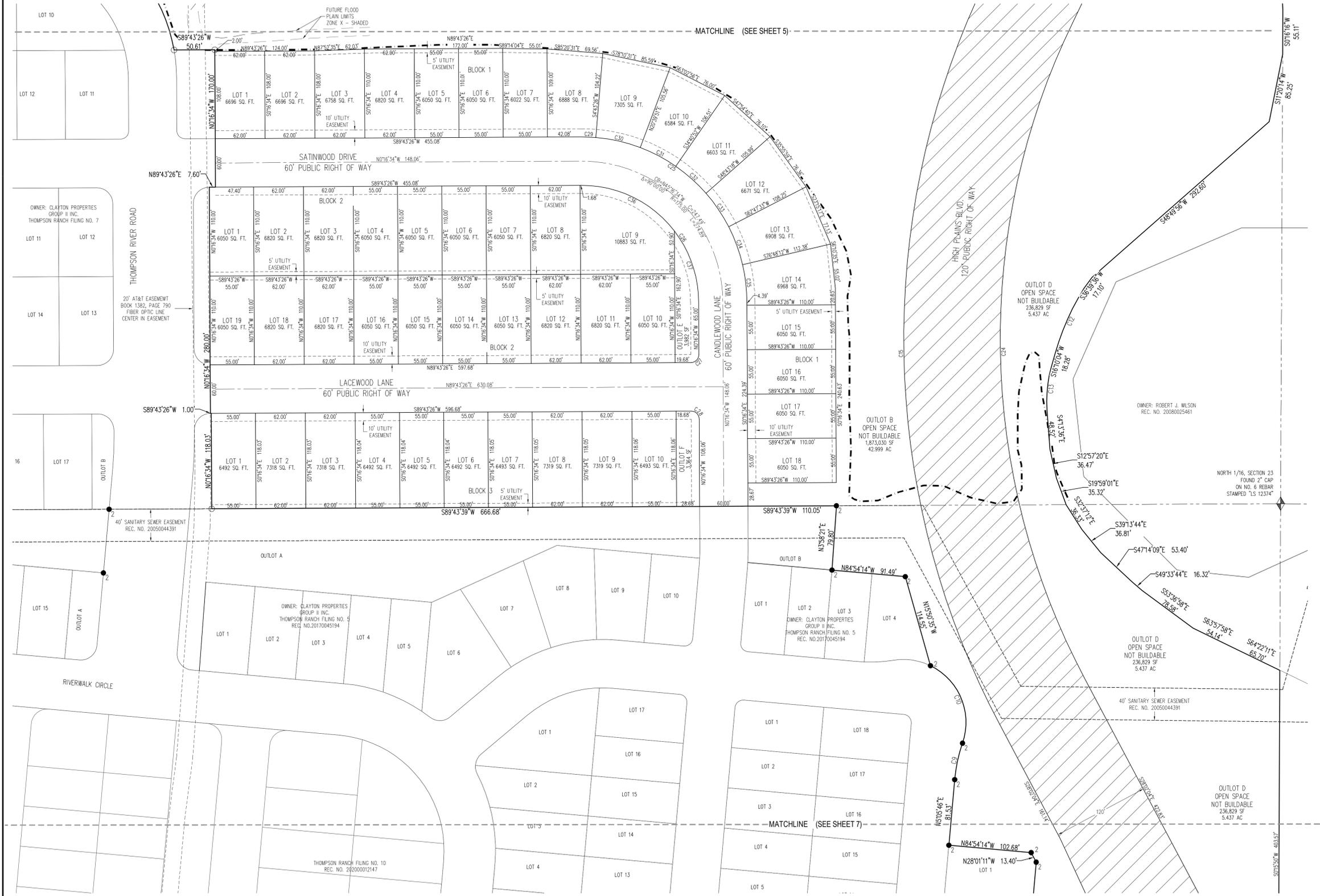
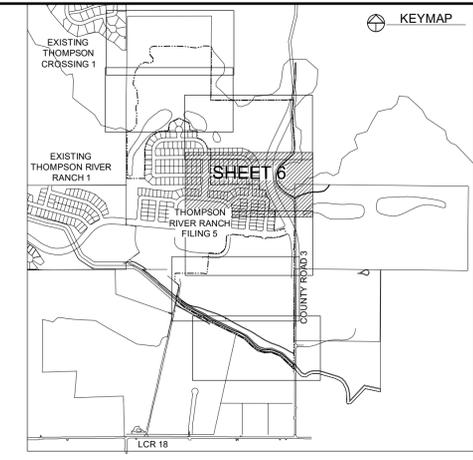
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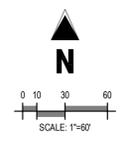
SHEET  
**5 OF 9**

# THOMPSON RIVER RANCH SUBDIVISION FILING NO. 8

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- LEGEND**
- PROPERTY LINE
  - - - ADJACENT PROPERTY LINE
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  - - - EXISTING EASEMENT
  - - - LOWR 1% CHANCE (100 YEAR) FLOODPLAIN LOMR# 16-08-1159P, NOVEMBER 16, 2017
  - ◆ ALIQUOT CORNER (AS DESCRIBED)
  - FOUND 2" # 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED PLS 37067 UNLESS OTHERWISE NOTED
  - SET 2" # 5 REBAR WITH 1-1/4" PURPLE PLASTIC CAP, STAMPED PLS 37067 UNLESS OTHERWISE NOTED
  - FOUND NO. 5 REBAR WITH 1-1/4" RED PLASTIC CAP, STAMPED "PLS 38038"
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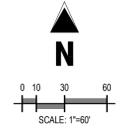
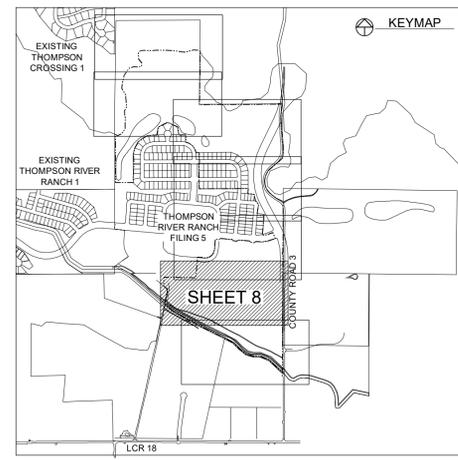
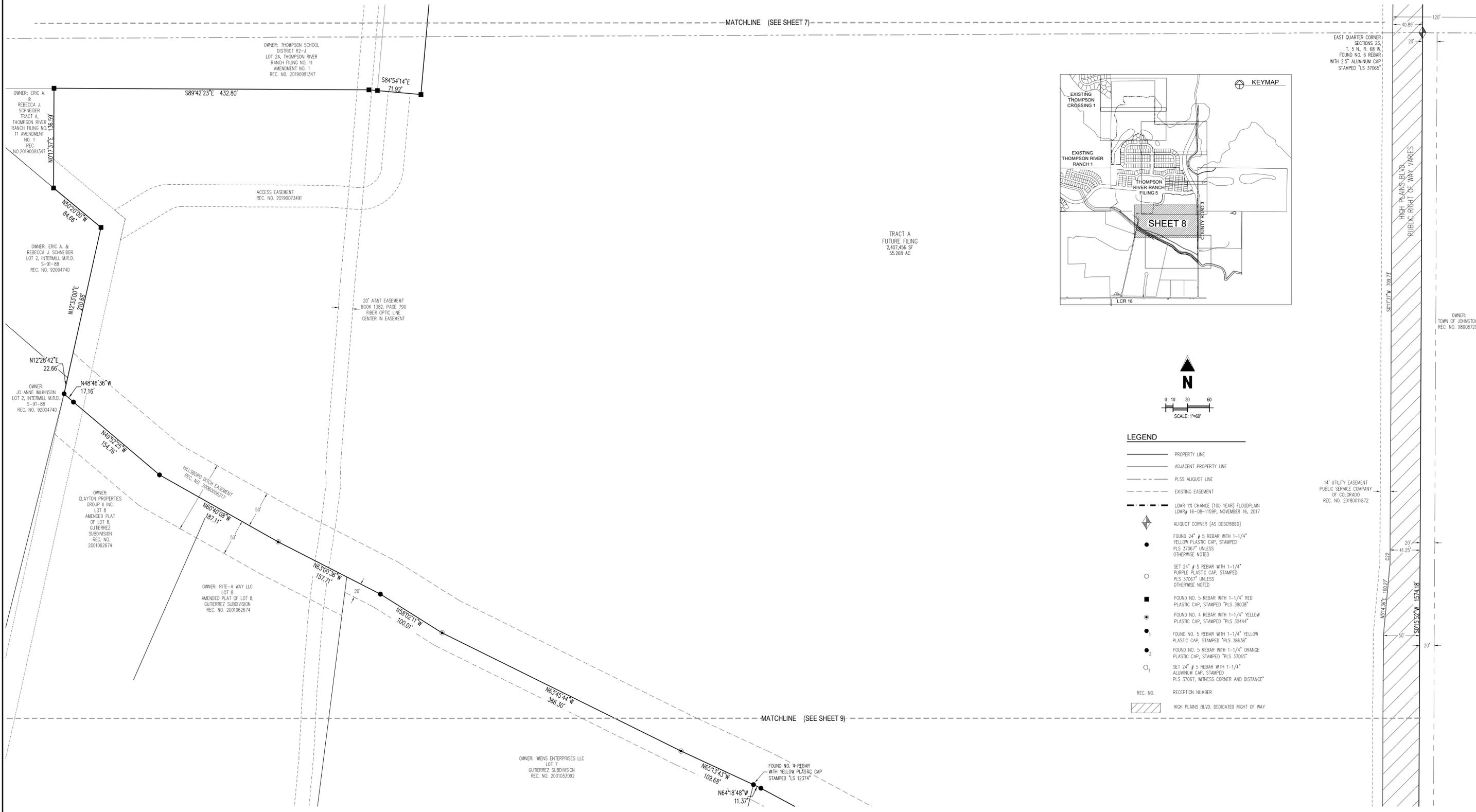
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SHEET  
**6 OF 9**



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  - - - PLS ALIQUOT LINE
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  - - - LOWR 1% CHANGE (100 YEAR) FLOODPLAIN LOWR# 16-08-1159P, NOVEMBER 16, 2017
  - ◆ ALIQUOT CORNER (AS DESCRIBED)
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**THOMPSON RIVER RANCH SUBDIVISION  
FILING NO. 8**

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**FINAL PLAT**

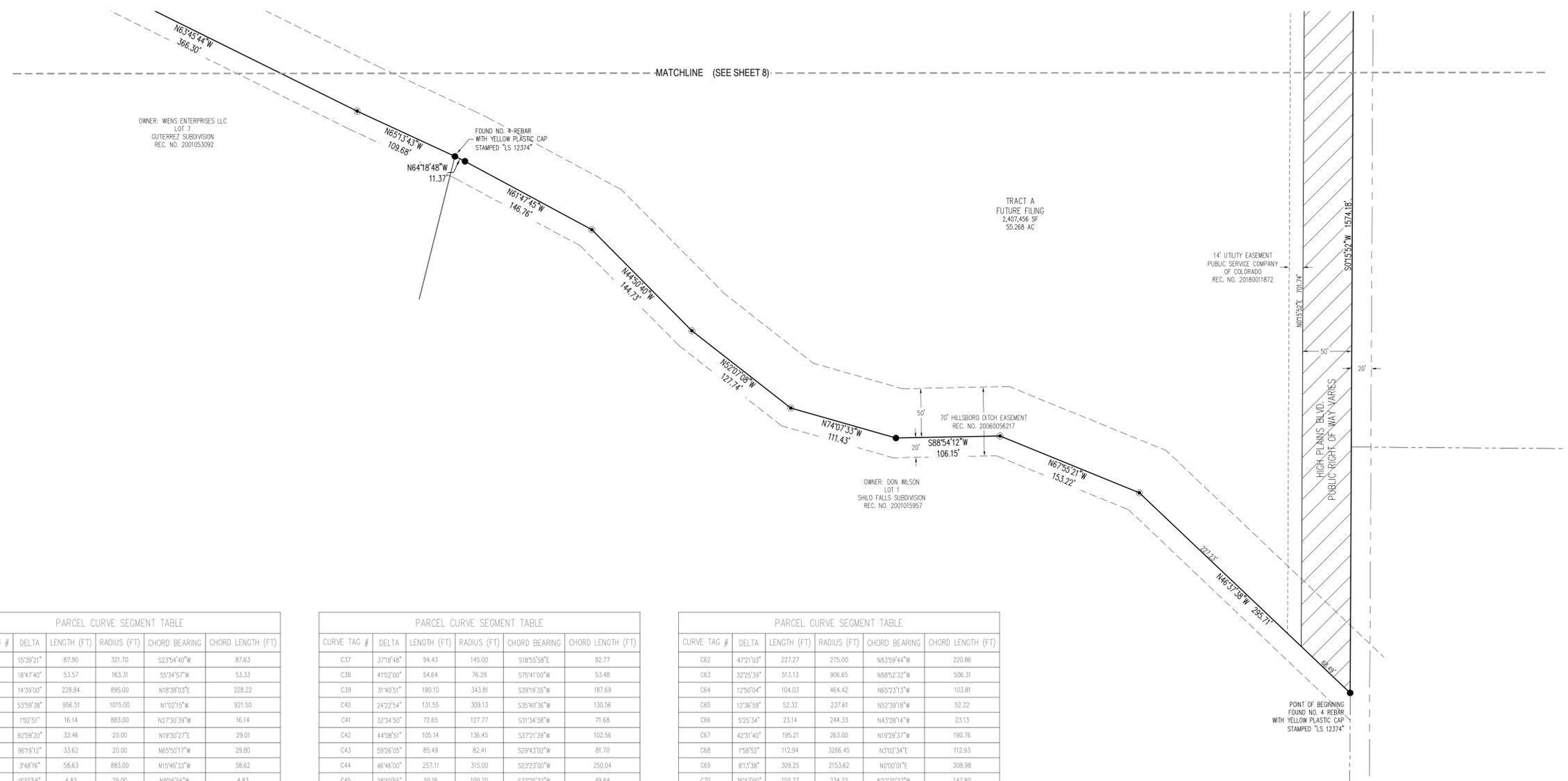
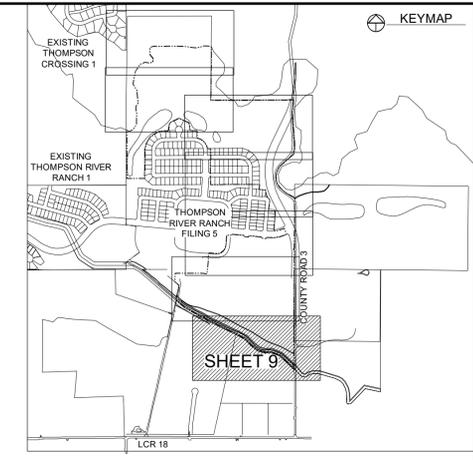
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SHEET  
**8 OF 9**

# THOMPSON RIVER RANCH SUBDIVISION FILING NO. 8

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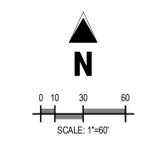


- LEGEND**
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  - ADJACENT PROPERTY LINE
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  - - - EXISTING EASEMENT
  - - - LOWR 1% CHANCE (100 YEAR) FLOODPLAIN LOM# 16-08-1159P, NOVEMBER 16, 2017
  - ◆ ALIQUOT CORNER (AS DESCRIBED)
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  - SET 24" # 5 REBAR WITH 1-1/4" PURPLE PLASTIC CAP, STAMPED PLS 37067" UNLESS OTHERWISE NOTED
  - FOUND NO. 5 REBAR WITH 1-1/4" RED PLASTIC CAP, STAMPED "PLS 38038"
  - FOUND NO. 4 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED "PLS 32444"
  - <sub>1</sub> FOUND NO. 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP, STAMPED "PLS 38638"
  - <sub>2</sub> FOUND NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP, STAMPED "PLS 37065"
  - <sub>1</sub> SET 24" # 5 REBAR WITH 1-1/4" ALUMINUM CAP, STAMPED PLS 37067, WITNESS CORNER AND DISTANCE"
  - REC. NO. RECEPTION NUMBER
  - ▨ HIGH PLAINS BLVD. DEDICATED RIGHT OF WAY

PARCEL CURVE SEGMENT TABLE					
CURVE TAG #	DELTA	LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD LENGTH (FT)
C12	15°39'21"	87.90	321.70	S23°54'40"W	87.63
C13	18°47'40"	53.57	163.31	S5°34'57"W	53.33
C14	14°39'00"	228.84	895.00	N18°38'03"E	228.22
C15	53°59'38"	956.51	1015.00	N1°02'15"W	921.50
C16	1°02'51"	16.14	883.00	N27°30'39"W	16.14
C17	92°58'20"	32.46	20.00	N19°30'27"E	29.01
C18	96°19'12"	33.62	20.00	N65°50'17"W	29.80
C19	3°48'16"	58.63	883.00	N15°46'33"W	58.62
C20	9°32'58"	4.83	29.00	N9°05'56"W	4.83
C21	4°37'04"	72.14	895.00	N2°00'55"W	72.12
C22	0°18'38"	15.93	2940.00	N0°26'56"E	15.93
C23	2°00'14"	35.50	1015.00	S27°01'57"E	35.50
C24	53°59'38"	843.42	895.00	S1°02'15"E	812.56
C25	90°00'00"	322.01	205.00	S45°16'34"E	289.91
C26	90°00'00"	227.77	145.00	N45°16'34"W	205.06
C27	90°00'01"	15.71	10.00	N44°43'26"E	14.14
C28	90°00'00"	15.71	10.00	N45°16'34"W	14.14
C29	57°44'00"	18.17	205.00	N87°44'14"W	18.16
C30	15°50'19"	56.67	205.00	N77°16'44"W	56.49
C31	14°02'27"	50.24	205.00	N62°20'22"W	50.11
C32	14°02'27"	50.24	205.00	N48°17'55"W	50.11
C33	14°02'27"	50.24	205.00	N34°15'28"W	50.11
C34	14°02'27"	50.24	205.00	N20°13'02"W	50.11
C35	12°55'14"	46.23	205.00	N6°44'11"W	46.13
C36	52°41'12"	133.34	145.00	S63°55'58"E	128.69

PARCEL CURVE SEGMENT TABLE					
CURVE TAG #	DELTA	LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD LENGTH (FT)
C37	37°18'48"	94.43	145.00	S18°56'58"E	92.77
C38	41°02'00"	54.64	76.29	S75°41'00"W	53.48
C39	31°40'51"	190.10	343.81	S39°19'35"W	187.69
C40	24°22'54"	131.55	309.13	S35°40'36"W	130.56
C41	32°34'50"	72.65	127.77	S31°34'38"W	71.68
C42	44°08'51"	105.14	136.45	S37°21'39"W	102.56
C43	59°26'05"	85.49	82.41	S29°43'02"W	81.70
C44	46°46'00"	257.11	315.00	S23°23'00"W	250.04
C45	28°40'55"	50.16	100.20	S32°25'32"W	49.64
C46	13°47'16"	90.46	375.92	S11°11'26"W	90.24
C47	8°35'36"	53.43	356.22	S0°00'00"E	53.38
C48	27°23'19"	113.20	236.82	S9°23'49"W	112.13
C49	67°00'53"	166.26	142.15	S56°35'53"W	156.95
C50	0°12'39"	46.00	12504.95	S90°00'00"W	46.00
C51	35°39'48"	69.18	111.14	S72°03'46"W	68.07
C52	83°42'18"	390.54	267.32	N83°54'59"W	356.72
C53	36°52'30"	176.49	274.23	N23°33'12"W	173.46
C54	87°13'36"	314.96	2193.62	N0°00'01"W	314.69
C55	1°58'43"	111.42	3226.45	N3°02'37"E	111.42
C56	42°30'13"	165.43	223.00	N19°30'20"W	161.66
C57	57°24'37"	19.29	204.33	N43°27'45"W	19.29
C58	12°32'00"	43.45	197.59	N52°39'46"W	43.36
C59	12°47'40"	94.77	424.42	N65°21'01"W	94.58
C60	32°20'55"	489.30	866.65	N88°51'22"W	482.83
C61	47°21'03"	260.33	315.00	N83°59'44"W	252.98

PARCEL CURVE SEGMENT TABLE					
CURVE TAG #	DELTA	LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD LENGTH (FT)
C62	47°21'03"	227.27	275.00	N83°59'44"W	220.86
C63	32°25'39"	513.13	906.65	N88°52'32"W	506.31
C64	12°50'04"	104.03	464.42	N65°23'13"W	103.81
C65	12°36'59"	52.32	237.61	N52°39'18"W	52.22
C66	52°53'41"	23.14	244.33	N43°28'14"W	23.13
C67	42°31'40"	195.21	263.00	N19°29'37"W	190.76
C68	1°58'59"	112.94	3266.45	N3°02'34"E	112.93
C69	81°33'38"	309.25	2153.62	N0°00'01"E	308.98
C70	36°47'00"	150.37	234.22	N22°30'27"W	147.80
C71	83°36'39"	331.72	227.32	N83°57'48"W	303.06
C72	35°39'48"	94.08	151.14	S72°03'46"W	92.57
C73	0°12'39"	46.14	12544.94	N90°00'00"W	46.14
C74	67°00'53"	119.48	102.15	S56°35'53"W	112.78
C75	27°23'15"	94.08	196.82	S92°34'59"W	93.19
C76	8°35'36"	59.43	396.22	S0°00'00"E	59.37
C77	13°47'16"	100.09	415.92	S11°11'26"W	99.85
C78	28°40'55"	70.18	140.20	S32°25'32"W	69.45
C79	46°46'00"	224.46	275.00	S23°23'00"W	218.28
C80	59°26'05"	126.98	122.41	S29°43'02"W	121.36
C81	44°08'51"	74.32	96.45	S37°21'39"W	72.49
C82	32°34'50"	95.40	167.77	S31°34'38"W	94.12
C83	24°22'54"	114.53	269.13	S35°40'36"W	113.66
C84	31°40'51"	212.22	383.81	S39°19'35"W	209.53
C85	38°54'02"	78.96	116.29	S74°37'01"W	77.45



**Galloway**  
Planning, Architecture, Engineering  
5265 E. Ronald Reagan, Suite 210  
Johnstown, CO 80534  
970.800.3300 O  
www.gallowayUS.com  
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#	DATE	ISSUE / DESCRIPTION	INIT.
1	6/11/20	TOWN COMMENTS	AN
2	7/31/20	TOWN COMMENTS	AN
3	9/24/20	TOWN COMMENTS	AN

**CLAYTON PROPERTIES GROUP II, INC.**  
5000 CLAYTON ROAD  
MARYVILLE, TN 37804

**THOMPSON RIVER RANCH SUBDIVISION  
FILING NO. 8  
FINAL PLAT**

THIS MAP IS AN INSTRUMENT OF SERVICE AND ARE THE PROPERTY OF GALLOWAY, AND MAY NOT BE DUPLICATED, DISCLOSED, OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF THE GALLOWAY. COPYRIGHTS AND INFRINGEMENTS WILL BE ENFORCED AND PROSECUTED.

PROJECT NO:	OAKLV0002.01
DRAWN BY:	AN
CHECKED BY:	FAK
DATE:	6/24/2020

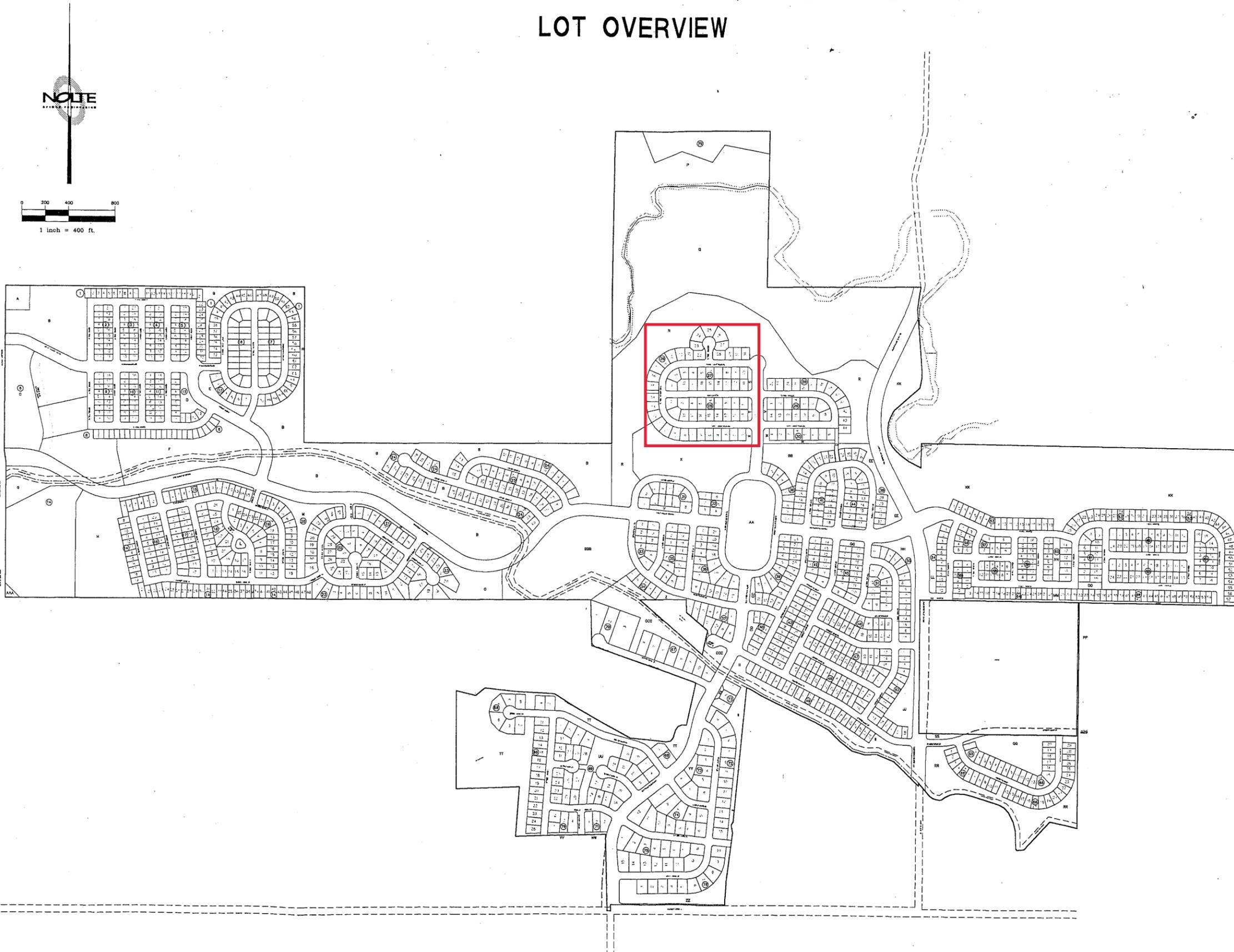
SHEET  
**9 OF 9**

# THOMPSON RIVER RANCH

## PRELIMINARY PLAT

BEING A SUBDIVISION OF A PORTION OF THE SOUTHEAST 1/4 OF SECTION 14, THE NORTHEAST QUARTER OF SECTION 22, SECTION 23 AND THE WEST HALF OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO

## LOT OVERVIEW



NOTE

0 200 400 800  
1 inch = 400 ft.

DATE: 11/09/04 TIME: 3:41 PM DRAWING NAME: PPLA1-03101  
SERVER: FSOI\_SERVER PROJECT: PLATING WORK  
PATH: F:\03101\03101\Submittal\PLA1\03101.dwg  
DRAWN BY: JAL

REFS: EMA, P, 24-24-20, 24-24-20, 24-24-20, 24-24-20, 24-24-20

NO.	BY	DATE	REVISIONS

THOMPSON RIVER RANCH  
PRELIMINARY PLAT  
JOHNSTOWN, COLORADO

**NOTE**  
BEYOND ENGINEERING  
1901 SHARP POINT DRIVE, SUITE A,  
FORT COLLINS, CO. 80525  
970.212400 TEL. 970.2321416 FAX  
WWW.NOTE.COM

SHEET NUMBER  
**3**  
OF  
**30** SHEETS  
SCALE  
VERTICAL: 1"=80'  
HORIZONTAL: 1"=400'  
JOB NUMBER  
**FC0023101**

PREPARED FOR: WR DEVELOPMENT, LLC DATE SUBMITTED: 08/09/04



# Town of Johnstown

## PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

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**ITEM:** Item #1: Public Hearing on Graybill Annexation  
Item #2: Public Hearing on Graybill Annexation Establishment of Zoning

**DESCRIPTION:** Proposed annexation of 48.6 acres with proposed HA (Holding Agricultural) zoning that will allow for the ODP and development decisions to be made at a later time.

**LOCATION:** That part of the Southeast Quarter (SE 1/4) of Section 27, Township 5 North, Range 68 West, Larimer County.

**APPLICANT:** Buckley Graybill Sr. and Brent Graybill

**STAFF:** Kristin Cote, Planner I

**HEARING DATE:** October 14, 2020

---

### BACKGROUND & SUMMARY:

The applicants, Buckley Graybill Sr. and Brent Graybill, are requesting annexation of 48.6 acres of land located in Section 27, Township 5 North, Range 68 West, Larimer County. This property is currently accessed via a frontage road north of Larimer County Road 16.

The subject property is bordered by Johnson's Corner Annexation No. Two to the west, which encompasses Interstates 25 and the existing frontage road; R & D Development Annexation No. One to the north, which is zoned PUD-MU (Planned Unit Development Mixed Use), unincorporated Larimer County to the east, which is zoned FA-Farming, and unincorporated Larimer County to the south which is zoned B-Business.

### Adjacent Zoning & Land Use

North	PUD-MU	R&D Annexation No. One / The Villages at Johnstown (PUD), undeveloped
East	FA (Farming)	Larimer County, existing agricultural land
South	B (Business)	Larimer County, existing hotel
West	PUD-JC	Johnson's Corner Annexation No Two – I25 and frontage road

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The existing surrounding land uses are mostly agricultural with the exception of the properties to the south which are used for commercial/business purposes. Those uses currently operating on the southerly properties include, but are not limited to, a motel, a chapel and a truck stop/travel plaza. The subject property is located approximately one-half mile west of "The Ridge 1," a 208-lot single family subdivision approved in 2020, and is directly south of the proposed Filing 2 of "The Ridge at Johnstown" development area (81 single family lots). Preliminary Master Plan concepts of "The Ridge at Johnstown" shows that the proposed use of the land directly north of the Graybill property is intended to be a mix of retail and commercial.

**ATTACHMENTS:**

- 1 – Vicinity Map
- 2 – Application and Petition
- 3 – Annexation Map
- 4 – Zoning Map

**NOTICE:**

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, September 24, 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.

No comments or concerns from adjacent property owners were received as of the date of approval of this staff report.

**NEIGHBORHOOD MEETING:**

No neighborhood meeting was held to discuss this annexation due to the size and location of the property.

**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 located within the Town of Johnstown Growth Management Area.
3. The Town is capable of providing water, sewer, and police service to the property.
4. The Town is authorized to annex the area without an election under Section 30(b) of Article II of the Colorado Constitution.

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**Johnstown Comprehensive Plan Alignment:**

This area is noted on the Land Use Frame Plan as an “Employment” district. As per the Johnstown Area Comprehensive Plan, the Employment Districts (Employment, Commercial and Commercial-Mixed-Use) are focused on major transportation corridors that shape the location of major concentrations of retail, office and industrial uses. As illustrated on the Land Use Framework Map, districts may include centers and residential areas. Districts provide regional, highway and auto serving commercial, office, and light-industrial uses that are dependent upon high traffic counts and volume. The flexible nature of this district allows the accommodation of manufacturing and light industry along with major big-box retailers. Siting requirements for industry should include parcel size, topography, access to rail and transportation, proximity to other like uses, land use compatibility and other infrastructure requirements. This district should be focused along major highways, including I-25 and U.S. 34.

*Goal DD-1: A diversified economic base with employment opportunities available to the region.*

The proposed annexation of this property assists in furthering the goals indicated in the *Johnstown Area Comprehensive Plan* of encouraging development in locations that capitalize on the market, transportation corridor and the provision of utilities while also providing appropriate opportunities for mixed use areas.

*Goal NH-2: A fabric of complete mixed-use neighborhoods that provide a full range of local services.*

The proposed annexation of this property will allow for the continuation of the mixed-use neighborhoods that are established and proposed in close proximity to this property which will further continue to provide for this community a full range of complementary, local-serving commercial, civic, and recreational uses.

*Goal NH-3: Maximize existing services and infrastructure in making decisions regarding residential land uses designated on Land Use Framework Map.*

The proposed annexation will utilize the existing frontage road as well as Interstate 25 and will be able to connect to sewer and water lines that have already been installed to serve nearby properties used for residential and commercial purposes within the Town limits.

**Zoning:**

The current zoning for the property is FA-Farming, in Larimer County. The current use of this property is tillable land. Within the FA-Farming zone, principal uses permitted include uses for agricultural, residential, institutional, recreational, accommodation, industrial and utility purposes.

The applicant requests zoning of HA-Holding Agricultural, at annexation. This district was developed for properties which have been annexed to the Town and are either being used for agricultural purposes and/or which have no future land use proposed at the time of annexation and are in a transitional stage with regard to their ultimate development. No expansion of any existing agricultural use is permitted on-site without the consideration and approval by Town Council. This zoning will allow for the property owners to request new zoning at a later date – either straight zoning, or a PUD (Planned Unit Development) with an Outline Development Plan (ODP), which will be consistent with the Johnstown Comprehensive Plan and compatible with existing, surrounding uses.

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**Infrastructure:**

Currently, there is no town water or sewer service to the property; though a town sanitary sewer main does run through the property in an existing easement. This existing main serves the Johnson's Corner area via the Low Point Wastewater Treatment Plant. Domestic water in the area is currently supplied by Little Thompson Water District.

The property owner has indicated to the Town that this property has secured four (4) shares of water from Consolidated Home Supply Ditch & Reservoir Company and two (2) shares of water from The Harry Lateral Ditch Company. The off-site improvements required with Filing 1 of "The Ridge," located east of this property, serves to create a solid foundation for service to be extended to this property for future development.

The frontage road currently serves as the only access to the site. The Transportation Master Plan indicates this road is intended to be a minor arterial in the future. Staff has a minor concern regarding public road access for this property. The SE Frontage Road, is currently under the jurisdiction of CDOT, which could deny expansion of an existing access or installation of a new access onto this property which would complicate development of said land. The Developers and Town will work with CDOT to gain approval for appropriate site access with future development plans.

Overall, the proposed annexation of this site will create greater contiguity in this area which will allow for more logical and cohesive development along the Town's interstate corridor and will help avoid pockets of fragmented development within this area.

**RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS****Item #1 Annexation: Graybill Annexation**

It is recommended that Planning and Zoning Commission send a positive recommendation to Town Council that the Graybill 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).

**Recommended Motion**

Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that the request for the Graybill Annexation the *Johnstown Area Comprehensive Plan* goals, and is compatible with all other applicable Town standards and regulations, and therefore moves to

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recommend to the Town Council approval of the Graybill Annexation based upon the findings as stated in the staff report.

**Alternate Motions**

- A. Motion to Approve with Conditions: “I move that the Commission recommend to Town Council approval of the Graybill Annexation with the following conditions...”
  
- B. Motion to Deny: “I move that the Commission recommend to the Town Council denial of the Graybill Annexation based upon the following...”

**Item #2 Zoning: Graybill Annexation - Establishment of Zoning**

It is recommended that Planning and Zoning Commission send a positive recommendation to Town Council that the requested zoning of HA – Holding Agricultural for the Graybill Annexation be approved based upon the following findings:

- 1. The proposed zoning is consistent with the Town of Johnstown Comprehensive Plan.
  
- 2. The proposed zoning will allow for the continued agricultural use, without expansion unless approved by the Town, until such a time as future development decisions are made.

**Motion**

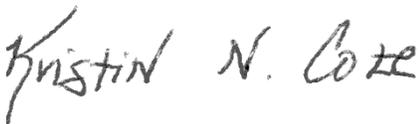
Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that the request for HA – Holding Agricultural zoning for the Graybill Annexation furthers the *Johnstown Area Comprehensive Plan* goals, and is appropriate and compatible with all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council approval of the request for HA – Holding Agricultural zoning for the Graybill Annexation based upon the two findings as stated herein.

**Alternate Motion**

Motion to Deny: “I move that the Commission recommend to the Town Council denial of the request for HA – Holding Agricultural zoning for the Graybill Annexation based upon the following...”

Planner:

Reviewed by:



Kristin Cote  
Planner I

Kim Meyer  
Planning & Development Director

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Town of

Johnstown

450 S. Parish Ave. Johnstown, CO 80534

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F: 970-587-0141

LAND USE APPLICATION

Project Name: Graybill Annexation

Land Use Action:  Site Development Plan    *Subdivision:*  Replat     Preliminary     Final  
 Use by Special Review    *PUD:*  Outline/ODP     Prel/PDP     Final/FDP  
 Annexation    *Zoning:*  Establish Zoning (Annexation)     Rezone  
*Wireless:*  Small Cell     EFR     Alt. Tower     Base Station     Tower/Other

Site Address or Parcel #: 852700002

Applicant/Project Owner: Buck Graybill + Brent Graybill

Address: 546 S.E. 8th St ~~Lowland~~ Unit C-8 Loveland Co 80537

Email: BWGraybill@msn.com Telephone: 970-371-3282  
970-237-9067

Consultant /Representative: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

Landowner Authorization to Proceed with Land Use Action: (Required)

The undersigned (1) affirms ownership or authorized representation thereof of the subject property, and (2) hereby authorizes the individuals or entities listed herein as "applicant" and/or "authorized representative" to represent me/us in all aspects of the land use process for the project being submitted with this application.

- Please keep me informed of the status and progress of this project via email at the address below.
- I do NOT want to be updated on this project. (To modify this request, contact Planning@TownofJohnstown.com)

Landowner(s): Buck Graybill AND Brent Graybill

Email: BWGraybill@msn.com Telephone: 970-371-3282  
970-237-9067

Buckley D. Graybill  
Signature of Landowner

Brent W. Graybill  
Signature of Landowner

**PETITION FOR ANNEXATION**

**To the Town of Johnstown**

(Larimer County)

The undersigned, in accordance with Article 12, Chapter 31, CRS, as amended, hereby petition the Town Council of the Town of Johnstown, Colorado, for annexation to the Town of Johnstown the unincorporated territory more particularly described below, currently known as parcel #'s 8527000002, and in support of said Petition, your petitioners allege that:

- (1) It is desirable and necessary that the following described territory be annexed to the Town of Johnstown, Colorado:

See Exhibit A attached hereto and made a part hereof.
- (2) Not less than one-sixth (1/6) of the perimeter of that area proposed to be annexed is contiguous with the Town of Johnstown, Colorado.
- (3) A community of interest exists between the territory proposed to be annexed and the Town of Johnstown, Colorado.
- (4) The territory proposed to be annexed is urban or will be urbanized in the near future;
- (5) The territory proposed to be annexed is integrated or is capable of being integrated with the Town of Johnstown, Colorado;
- (6) The signatures of the Petition comprise one hundred percent (100%) of the landowners of the territory to be included in the area proposed to be annexed and said landowners attesting to the facts and agreeing to the conditions herein contained will negate the necessity of any annexation election;
- (7) No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
  - (a) Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way;
  - (b) Comprising twenty (20) acres or more and which, together with the building and improvements situated thereon has an assessed value in excess of Two Hundred Thousand Dollars (\$200,000.00) for ad valorem tax purposes to be annexed without the written consent of the landowner or landowners.

- (8) No part of the area proposed to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will take place;
- (9) The area proposed to be annexed comprises more than ten acres and an impact report as provided in Section 31-12-105.5, CRS, as amended, is required.
- (10) The area proposed to be annexed is located within Larimer County, Thompson School District, Northern Colorado Water Conservancy District, Little Thompson Water District, Loveland Rural Fire Protection District, Aims Junior College District, and \_\_\_\_\_, and no others;
- (11) The mailing address of each signer, the legal description of the land owned by each signer and the date of signing of each signature are all shown on this Petition;
- (12) Accompanying this Petition are five (5) prints of the area proposed to be following information:
  - (a) A written legal description of the boundaries of the area proposed to be annexed;
  - (b) A map showing the boundary of the area proposed to be annexed, such map prepared and containing the seal of a registered engineer or land surveyor;
  - (c) Within the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area is to be platted at the time of the effectiveness of the annexation (as opposed to after such effectiveness), then the boundaries and the plat number of plots or of lots and blocks are shown;
  - (d) Next to the boundary of the area proposed to be annexed is drawn the contiguous boundary of the Town of Johnstown, and the contiguous boundary of any other municipality abutting the area proposed to be annexed;
  - (e) The dimensions of the contiguous boundaries are shown on the map.
  - (f) A proposed drainage plan and a proposed utilities plan.
- (13) The territory to be annexed is not presently a part of any incorporated city, city and county, or town;

- (14) The undersigned agree to the following conditions, which shall be covenants running with the land, and which shall, at the option of the Town, appear on the annexation map:
- (a) Water rights shall be provided as mutually agreed to by the Town and the undersigned; The undersigned specifically agree that they have not sold or transferred any water rights appurtenant to their property within the past year nor will they do so during the pendency of this annexation petition and once annexed to the Town of Johnstown, they will not sell or transfer any water rights appurtenant to the subject property without the prior written approval of the Johnstown Town Council.
  - (b) The owners shall participate in providing drainage plan and improvements and payment of a unit drainage fee as may be required by the Town the area;
  - (c) The undersigned hereby waive any and all "vested rights" previously created pursuant to Section 24-68-103, CRS, as amended.
  - (d) The undersigned and the Town may enter into an Annexation Agreement prior to the effective date of this annexation, which agreement shall be additional conditions as effectively as if set forth in this Petition.

(15) Petitioner represents that: (Check one)

No part of the property to be annexed is included within any site specific development plan approved by Larimer County, Colorado.

A site specific development plan has been approved by Larimer County, Colorado, which has created a vested right.

(16) Submitted with this Petition is the required \$100.00 for publication costs.

EXECUTED this 12 day of May, 2020.

By: \_\_\_\_\_

Name: Bert W. Shultz

Title: Owner

Name of Annexation: Mountain States

STATE OF COLORADO )  
 )SS  
COUNTY OF LaVine )

Subscribed and sworn to before me this 12 day of May,  
2020 by Brent Graybill as Owner of  
Property on behalf of  
Brent Graybill.

WITNESS my hand and official seal.

My commission expires: 02-12-2022

REBECCA P. SCHIEL  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184006826  
MY COMMISSION EXPIRES 2-12-2022

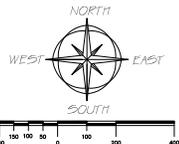
  
\_\_\_\_\_  
Notary Public



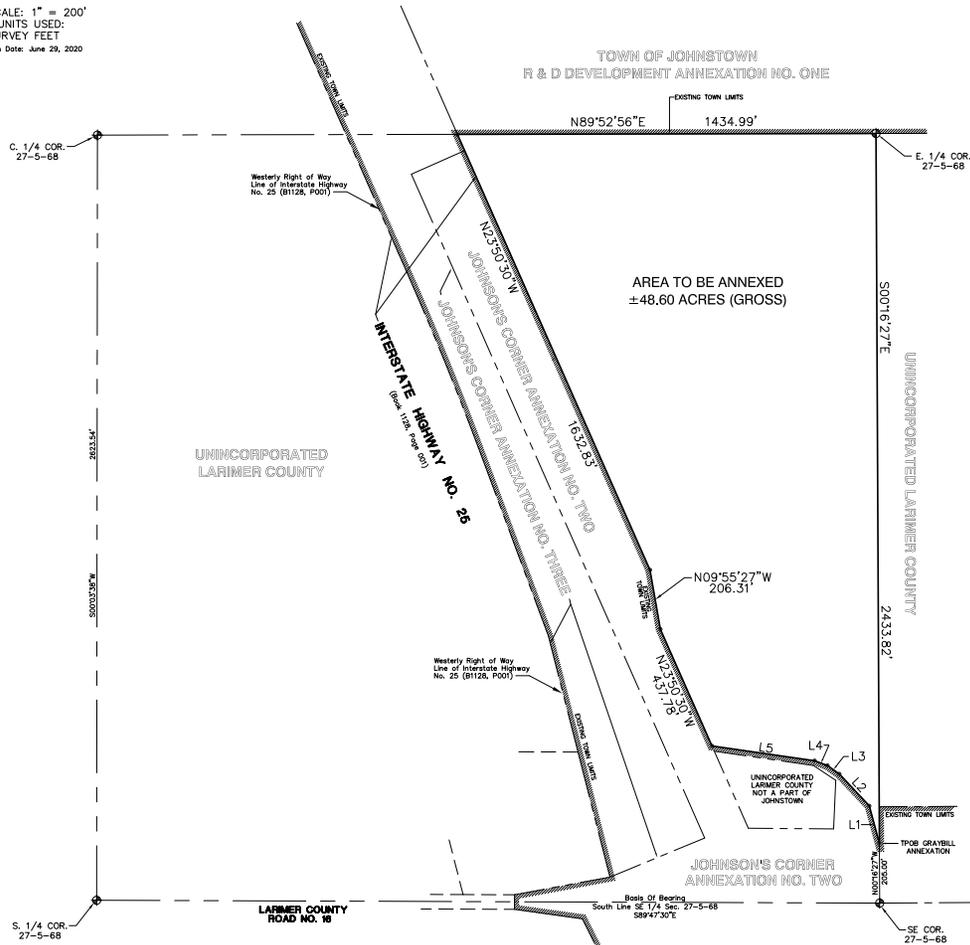
# Attachment 3 - Annexation Map

## GRAYBILL ANNEXATION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO



ORIGINAL SCALE: 1" = 200'  
LINEAL UNITS USED:  
U.S. SURVEY FEET  
Initial Preparation Date: June 29, 2020



AREA TO BE ANNEXED  
= 48.60 ACRES (GROSS)

UNINCORPORATED  
LARIMER COUNTY

UNINCORPORATED  
LARIMER COUNTY

**ANNEXATION DATA:**

Contiguity to Existing Town Limits: 4,272.62 LF.  
Total Parcel Perimeter: 6,881.13 LF.  
Minimum 1/8th Contiguity Required: 1,146.85 LF.

**TITLE COMMITMENT NOTE:**

This map does not constitute a title search by Intermill Land Surveying, Inc. to determine ownership or easements of record.

LINE	BEARING	LENGTH
L1	N151°37'50"W	133.00'
L2	N43°10'30"W	150.00'
L3	N54°31'00"W	50.00'
L4	N68°33'30"W	47.00'
L5	N81°59'30"W	358.40'

**PROPERTY DESCRIPTION:**

All that portion of the Southeast Quarter of Section 27, Township 5 North, Range 68 West of the 6th P.M., lying East of Interstate No. 25 and North of that certain parcel of land described in Book 981 of Page 147 of the Larimer County records, County of Larimer, State of Colorado being more particularly described as follows:

Considering the South line of the Southeast Quarter of said Section 27 as bearing South 89°47'30" East and with all bearings contained herein relative thereto:

Beginning at the Southeast corner of the Southeast Quarter of said Section 27, thence along the East line of the Southeast Quarter of said Section 27, North 00°16'27" West 205.00 feet to a point on the Northernly line of said certain parcel described in Book 981 of Page 147 of the Larimer County records, County of Larimer, State of Colorado and the TRUE POINT OF BEGINNING, thence departing said East line and along the Northernly line of said certain parcel described in Book 981 of Page 147 and along the Northernly line of said Johnson's Corner Annexation No. 2 the following line (5) courses and distances: North 15°13'30" West 133.00 feet, North 43°10'30" West 150.00 feet, North 54°31'00" West 50.00 feet, North 68°33'30" West 47.00 feet, North 81°49'30" West 355.40 feet, more or less, to a point on the Easterly right of way line of Interstate Highway 25 said point also being on the Easterly line of said Johnson's Corner Annexation No. 2, thence along the said Easterly right of way line of said Interstate Highway No. 25 and along the Easterly line of said Johnson's Corner Annexation No. 2, distance: North 23°50'30" West 437.76 feet, North 29°52'27" West 206.31 feet, North 23°50'30" West 163.28 feet, more or less, to a point on the North line of the Southeast Quarter of said Section 27 said point also being on the Southernly line of R & D Development Annexation No. One to the Town of Johnston, Colorado; thence departing said Easterly right of way line of said Interstate Highway No. 25 and departing the said Easterly line of Johnson's Corner Annexation No. 3 and along said North line of said Southeast Quarter and along the Southernly line of said R & D Development Annexation No. One, North 89°52'56" East 1434.99 feet, more or less, to the Northeast corner of the Southeast Quarter of said Section 27, thence departing the North line of the Southeast Quarter of said Section 27 and departing the Southernly line of said R & D Development Annexation No. One and along the East line of the Southeast Quarter of said Section 27, South 00°16'27" East 2433.82 feet, more or less, to a point on the Northernly line of said certain parcel described in Book 981 of Page 147 and the Northernly line of said Johnson's Corner Annexation No. 2 and the TRUE POINT OF BEGINNING. The above described parcel contains 48.60 Acres, more or less, and is subject to all existing easements and rights of way of record.

**TOWN COUNCIL APPROVAL:**

This Map to be known as GRAYBILL ANNEXATION is approved and accepted to the Town of Johnston, Colorado by Ordinance No. \_\_\_\_\_ passed and adopted on final reading at a regular meeting of the Town Council of the Town of Johnston, Colorado, held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Attest:

Mayor \_\_\_\_\_ Town Clerk \_\_\_\_\_

**PLANNING AND ZONING APPROVAL:**

This Map to be known as GRAYBILL ANNEXATION was recommended to the Town Council for approval by action of the Planning and Zoning Commission of the Town of Johnston, Colorado at the regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**SURVEYORS CERTIFICATE:**

I, Steven John Stencel, a Colorado Registered Professional Land Surveyor, do hereby state that this Annexation Map is an accurate representation of the property to the best of my knowledge, information, belief, and in my professional opinion. I further state that this certificate does not extend to any unnamed parties or the successors and/or assigns.

**PREPARED BY AND ON BEHALF OF:**

INTERMILL LAND SURVEYING, INC.  
1301 North Cleveland Avenue  
Loveland, Colorado 80537  
P. 970-668-0516

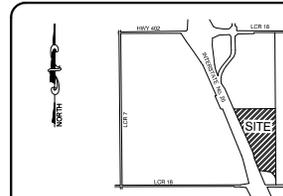
Steven John Stencel  
Colorado PLS 30462

Date: \_\_\_\_\_



**GENERAL NOTES:**

- This Annexation Map was prepared without the benefit of a Commitment For This Insurance or Title Policy. No further assessment and/or right of way research, other than what is shown on this map, was requested by the client or performed by Intermill Land Surveying, Inc. for the preparation of this Map. The easements and right-of-way which may be shown hereon may not be complete, are based on general information, and are to be used only in this context.
- This Map was compiled using existing plats, deeds, legal descriptions, known information and other documents. This Annexation Map is not based on a full field survey of the subject property. This Annexation Map is not a Boundary Survey, Improvement Location Certificate, Land Survey Plat, Improvement Survey Plat and/or an ALTA/ACSM Land Title Survey.
- The property description, shown hereon, is per the General Warranty Deed recorded on November 4, 2019 at Reception No. 20190053407, records of the Larimer County Clerk and Recorder.
- BASED ON BEARING STATEMENT: Bases of Bearings for this survey are based on the assumed bearing of South 89°47'30" East on the South line of the Southeast Quarter of Section 27, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado.
- According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



VICINITY MAP  
SCALE: 1" = 2000'

DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
REVISIONS:  
1. Johnson Review Committee Comments, dated August 13, 2020. JLS

**INTERMILL LAND SURVEYING, INC.**  
1301 NORTH CLEVELAND AVENUE  
LOVELAND, COLORADO 80537  
BIC: (970)-668-0516 / FX: (970)-632-9775

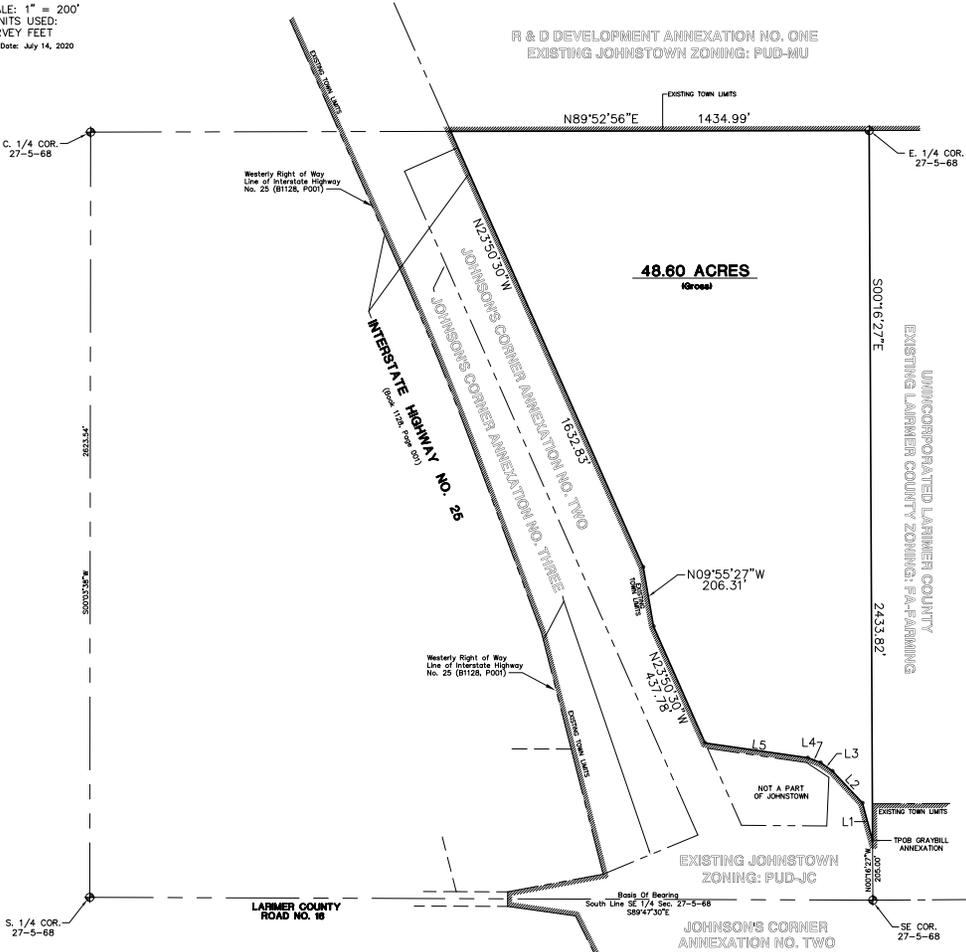
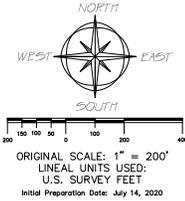
**GRAYBILL CONSTRUCTION**  
546 SE 4th Street, Building C, Unit 8  
Loveland, Colorado 80537

**GRAYBILL ANNEXATION**  
Parcel: SE1/4 Sec. 27, T5N, R68W, Larimer County, CO

DRAWN BY: JES  
CHECKED BY: \_\_\_\_\_  
APPROVED BY: \_\_\_\_\_  
DATE: 06/29/2020  
SCALE: 1" = 200'  
PROJECT NO.: P-20-8983  
SHEET 1 OF 1

# GRAYBILL ZONING MAP TO THE TOWN OF JOHNSTOWN

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO



**48.60 ACRES**  
*(40000)*

**ANNEXATION DATA:**  
Certainty to Existing Town Limits = 4,572.82 LF.  
Total Allowable Annexation = 27,435.72 LF.  
Total Proposed Annexation = 6,861.13 LF. (25.06% of Allowable)

LINE	BEARING	LENGTH
L1	N15°13'00\"	133.00'
L2	N43°10'00\"	168.00'
L3	N54°31'00\"	50.00'
L4	N69°33'00\"	47.00'
L5	N81°42'00\"	358.42'

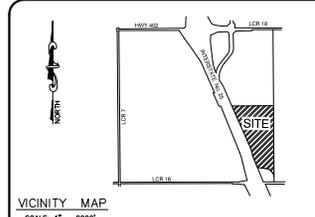
**PROPERTY DESCRIPTION:**  
All that portion of the Southeast Quarter of Section 27, Township 5 North, Range 68 West of the 6th P.M., lying East of Interstate No. 25 and North of that certain parcel of land described in Book 981 of Page 147 of the Larimer County records, County of Larimer, State of Colorado being more particularly described as follows:  
Considering the South line of the Southeast Quarter of said Section 27 as bearing South 89°47'30\"

**TOWN COUNCIL APPROVAL:**  
This Map to be known as GRAYBILL ZONING MAP TO THE TOWN OF JOHNSTOWN is approved and accepted to the Town of Johnstown, Colorado by Ordinance No. \_\_\_\_\_, passed and adopted on final reading at a regular meeting of the Town Council of the Town of Johnstown, Colorado, held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Attest:  
Mayor \_\_\_\_\_ Town Clerk \_\_\_\_\_

**SURVEYORS CERTIFICATE:**  
I, Steven John Stencel, a Colorado Registered Professional Land Surveyor, do hereby state that this Zoning Map is an accurate representation of the property to the best of my knowledge, information, belief, and in my professional opinion. I further state that this certificate does not extend to any unnamed parties or the successors and/or assigns.  
**PREPARED BY AND ON BEHALF OF:**  
INTERMILL LAND SURVEYING, INC  
1301 North Cleveland Avenue  
Loveland, Colorado 80537  
P: 970-669-0516  
E: intermill@questoffice.net  
Steven John Stencel  
Colorado PLS 30462  
Date: \_\_\_\_\_



- GENERAL NOTES:**
- This Zoning Map was prepared without the benefit of a Commitment For Title Insurance or Title Policy. No further assessment and/or right of way research, other than may be shown on this map, was required by the client or performed by Intermill Land Surveying, Inc. for the preparation of this Map. The easements and rights-of-way which may be shown hereon may not be complete, and are based on general information, and are to be used only in this context.
  - This Map was compiled using existing plats, deeds, legal descriptions, known information and other documents. This Zoning Map is not based on a full field survey of the subject property. This Zoning Map is not a Boundary Survey, Improvement Location Certificate, Land Survey Plat, Improvement Survey Plat and/or an ALTA/ACSM Land Title Survey.
  - The property description, shown hereon, is per the General Warranty Deed recorded on November 6, 2019 at Reception No. 20180053407, records of the Larimer County Clerk and Recorder.
  - BASIS OF BEARINGS STATEMENT:** Basis of Bearings for this survey are based on the assumed bearing of South 89°47'30\"
  - According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



REVISIONS:

NO.	DATE	DESCRIPTION

**INTERMILL LAND SURVEYING, INC.**  
1301 NORTH CLEVELAND AVENUE  
LOVELAND, COLORADO 80537  
BUS: (970)-669-0516 / FAX: (970)-669-9775

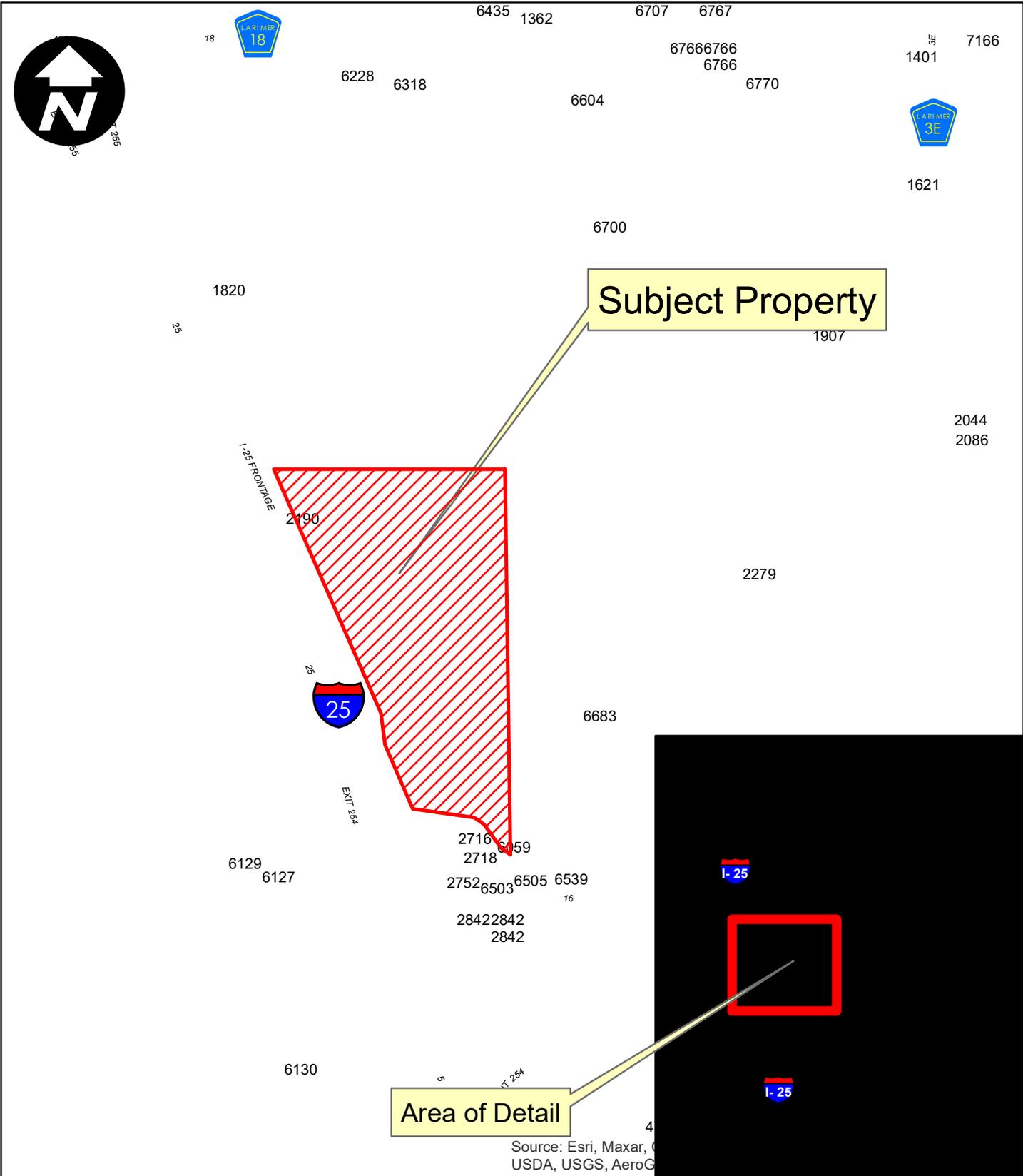
**GRAYBILL CONSTRUCTION**  
644 SE 8th Street, Building C, Unit 8  
Loveland, Colorado 80537

**GRAYBILL ZONING MAP**  
Parcelion SE 1/4 Sec. 27, T5N, R68W, Larimer County, CO

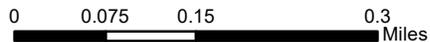
DRAWN BY: **EB**  
CHECKED BY: \_\_\_\_\_  
APPROVED BY: \_\_\_\_\_  
DATE: **07/14/2020**  
SCALE: **1" = 200'**

PROJECT NO.: **P-20-8883**

SHEET	OF
<b>1</b>	<b>1</b>



**NX20-0002**  
**Graybill Annexation**  
**approx. 2100 I-25 Frontage Rd.**







# Town of Johnstown

## PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

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<b>ITEM:</b>	<b>Item #1: Public Hearing of Podtburg Annexations #1 - 5</b> <b>Item #2: Public Hearing of Podtburg Annexation Establishment of Zoning</b>
<b>DESCRIPTION:</b>	Proposed annexation of 462.35 acres with ODP for PUD-MU zoning
<b>LOCATION:</b>	Portions of section 18, 19, & 30 of Township 4 North, Range 67 West; and portions of section 13, 23, & 25 of Township 4 North, Range 68 West.
<b>APPLICANT:</b>	Podtburg Dairy, LLLP
<b>STAFF:</b>	Darryll Wolnik, Planner II
<b>HEARING DATE:</b>	October 14, 2020

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### BACKGROUND & SUMMARY

The applicant, Podtburg Dairy LLLP, is requesting a series of five individual annexations totalling 462.35 acres of land located in portions of sections 18, 19, & 30 of Township 4 North, Range 67 West, and portions of sections 13, 23, & 25 of Township 4 North, Range 68 West. Petitioner is proposing annexation of Weld County Rd. 13 (Colorado Blvd.) from current Town limits at the corner of Weld County Rd. 13 and Weld County Rd. 46, south to Weld County Rd. 13 and Weld County Rd. 44. The applicant is additionally requesting the zoning designation PUD-MU (Planned Unit Development – Mixed Use) for the property with an Outline Development Plan (ODP).

The subject property is bordered on all sides by unincorporated Weld County, except for the portion to the northwest, which borders the Town of Berthoud. Zoning on the lands within Berthoud is PUD (Planned Unit Development). Zoning on the all other surrounding properties is AG (Agricultural).

Surrounding land uses are mostly agricultural. The exception is the properties which lay to the southwest of the quarter section,. Northmoor Acres, situated directly to the west, is a large-lot residential subdivision in unincorporated Weld County with 102 single family homes.

As noted above this is a “serial” annexation, meaning it is achieved by annexing mutiple pieces of property in immediate succession, each which must meet state statute requirements in CRS 31-21-104.

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## **HISTORY**

Historically, there have been two uses for the overall property. Prior to the Podtburg's purchasing a majority of the property in the late 1990's, the area was used for farming. The only exception is the former Knutson Home on the property, owned by the Podtburg's as of July, 2020. This was historically used as a residence. The Podtburg Dairy operations moved from further north to its present location. As part of the land use applications for their dairy operations, the Podtburgs applied for a Use By Special Review (USR) in Weld County. This USR, USR-1258, was approved by Weld County in August, 2001. The property has been used as a dairy since that time.

In 2019, the Town of Johnstown initiated an update to their growth management area (GMA) and 2001 comprehensive plan land use map (Case #CPA19-001). This update made two important changes to the subject property. First, added approximately 81 acres of property north of Northmoor Acres to the Johnstown GMA. Second, it reclassified all of the subject property south of Weld County Road 44 from "Conservation-oriented Agricultural / Large Lot Residential" to "Residential Mixed Use". This change was made to the Land Use Framework Plan contained in the 2006 Johnstown Comprehensive Plan Update. These changes were approved by Town Council on November 4, 2019, by way of Resolution 2019-22.

## **ATTACHMENTS**

- 1-Vicinity Map
- 2- Application & Petition
- 3-Annexation Map
- 4-Zoning Map
- 5-Neighborhood Meeting Summary

## **NOTICE**

A notice informing adjacent property owners of their possible eligibility for annexation was sent out on September 11, 2020. Said notice was sent because this annexation utilizes annexation of right-of-way to satisfy contiguity requirements of Colorado Revised Statutes, and CRS 31-12-105(e.3) requires such notification.

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, September 24, 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.

On Monday, September 21, Town Council passed Resolution 2020-27, finding the proposed annexation in substantial compliance with Colorado Revised Statutes and the Colorado Constitution. This resolution set the public hearing date for the proposed annexation as Monday, November 2, 2020.

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Notice for the November 2<sup>nd</sup> Town Council hearing was published in the local newspaper of widest circulation, the Johnstown Breeze, beginning on Thursday, October 1, 2020. This notice provides the date, time, and location of the Town Council hearing, as well as a description of the project. This notice, along with a copy of Resolution 2020-27, is published in the Johnstown Breeze for four (4) consecutive weeks. Notices will be mailed to all property owners within 500 feet of the property in question, including a map of the proposed annexation and zoning.

### **NEIGHBORHOOD MEETING**

An online neighborhood meeting was held on Tuesday, September 29, 2020. Notice for said meeting was mailed to all property owners within 500 feet of the proposed annexation on Wednesday, September 16, 2020, advertising the meeting time and place. Town Staff and the Applicants team were present and roughly a dozen neighbors attended. See the neighborhood meeting summary (Attachment 5) for a summary of comments and concerns.

### **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.

#### *Johnstown Comprehensive Plan Alignment*

*P.2-5:* The intersection of WCR 44 & WCR 13 is marked as a “village center”, in compliance with the commercial proposed at this intersection as part of this ODP.

*Goal CF-1: New development achieves the community’s goals and is consistent with the Town’s vision – building blocks.*

This proposal will create a new village center and add green space and new neighborhoods.

*Goal CF-2: Beautiful Town gateways and entries at major intersections – gateways.*

The proposed annexation sits at the corner of WCR 13 (Colorado Blvd.) and WCR 44, which has a major interchange with I-25 just two (2) miles west. This intersection will be a gateway into town for those coming from that interchange. Additionally, this intersection, while not called out as a gateway in the 2006 Comprehensive Plan, will act as at least an interim southern gateway into town. The golf course

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corner at WCR 11 and WCR 44 will also offer a distinct transition from future adjacent development and announce “arrival” to the Town from the west.

*Goal DD-1: A diversified economic base with employment opportunities available to the region – district mix.*

The proposed zoning for the property is MU-Mixed Use, which will allow for a mix of commercial uses. In addition, the golf course will provide unique jobs not currently seen within Johnstown.

## **Zoning**

The current zoning for the property is AG-Agriculture in Weld County. The current zoning and use is subject to Weld County Use by Special Review (USR) number USR-1258, which allows for the operation of a dairy on the property. There are additional USR’s granted in the immediate vicinity, including USR-558 for a compressor station just north of the site along WCR 13, a dog kennel in adjacent Northmoor Acres as part of SUP-35, and a home business directly west-adjacent in Northmoor Acres for a home business (USR-1538).

The applicant requests zoning PUD-MU, upon annexation. The ODP would allow for a mix of residential uses across up to 188 acres (40.7%) of the property. There is no overall maximum density for the property. Densities will be controlled by individual planning area, which will establish maximum densities. Planning areas “A” and “B”, which directly abut existing Northmoor Acres, will have a density of no more than five (5) dwelling units per acre. Area “C”, located along Colorado Blvd. south of Weld County Road 44, will be allowed a density of up to ten (10) dwelling units per acre. The 41 acre “Area D,” north of County Road 44, is designated as either golf or residential use, and shall be allowed densities of at least 5 dwelling units per acre and not more than 20 dwelling units per acre. Area “D” will have increased density due to its proximity to a future major intersection in Johnstown, being Colorado Blvd. and Weld County Road 44.

The ODP also addresses the ability to transfer area and densities between planning areas, up to 30%, with maximum DU/Ac assigned to residential areas. That transfer-ability allows for some flexibility in terms of size and configuration, as more detailed design ensues with future development plans and platting. The ODP also allows for transfer of commercial acreage from planning area “H” to either planning area “F” or “G”, should that area develop as residential only.

Two areas at this Colorado Blvd. and WCR 44 intersection, totaling 12.12 acres of the proposed annexation, will be designated for commercial development. Additional commercial development is shown at the NW corner of WCR 42 and WCR 13. Commercial development at these intersections is supported by the fact that WCR 13 / Colorado Blvd. (as it is known in incorporated areas) is a major arterial, and a major north-south corridor through not just Johnstown, but Northern Colorado. In fact,

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Colorado Blvd. runs from 88<sup>th</sup> Ave. in Thornton to just north of Highway 392 in Windsor. These commercial uses will be limited to 50% lot coverage, and will require at least 20% landscape area coverage. The remaining 247.89 acres are devoted to use as a golf course.

As part of the annexation agreement, the petitioner has agreed to develop design guidelines for the property. These more detailed guidelines will be in conformance with this proposed ODP and will act as the legal zoning regulation for the property. Said guidelines shall be developed in conjunction with the subdivision and development plan review process for the property. All “individual development” projects (i.e., individual site planning for commercial, multi-family, or golf/clubhouse uses) within the proposed annexation area shall be subject to these future design guidelines. These projects shall require approval from a design review committee and the Johnstown Review Committee. Any development subject to these design guidelines shall require administrative approval only; no hearings before Planning & Zoning Commission will be required. Hearings on subdivisions and master development plans would still go to hearing, in compliance with current code requirements.

### **Development Standards**

This ODP sets forth some basic development standards regarding setbacks, building heights, and lot sizes. More detailed design guidelines will be completed with the subdivision and development plan review process, as detailed above. Development standards for residential uses across all four residential planning areas will be consistent with one another. What will change between those planning areas is the allowed uses. In this way, impacts will be reduced to the existing Northmoor Acres, as lower densities are placed nearest that residential development. To further aid this reduction in impact, maximum height for attached single-family residential will be set at 30’, rather than the 35’ more typically seen in most residential developments.

Multi-family residential and commercial buildings require a bit more flexibility given their more-intense nature, and more prominent location. Such development will have a maximum height of 50’ by right, but will be able to apply for a Conditional Use Grant for buildings above 50’ and up to 70’ in height. Such a provision will allow for increases in height given the correct use and location, while having the ability to mitigate specific impacts. For example, the setback for buildings up to 50’ is 15’ from both property lines and arterial roadways. A Conditional Use Grant would allow staff to require additional setbacks or other buffering techniques, given the height of a building.

### **Infrastructure**

Currently, there is no town water or sewer service to the property. The Town does have plans to construct a water main along WCR 13 in 2021, which will provide future service to the property.

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Sewer service will be provided by the Town of Berthoud, as part of an intergovernmental agreement dated 06/28/2005. This agreement allows for development constructed on this property to utilize capacity within the Berthoud's wastewater treatment system. The Town will work with the Applicant/Developer to install an eight (8) inch sewer line from Berthoud's sewer system to the site of the proposed annexation and development. Details of timing and financing of infrastructure will be addressed in the proposed annexation agreement, and subsequent development agreements, which are approved by Town Council.

Regarding transportation networks in the area there are both major and minor arterials that border this proposed annexation. As previously stated, Colorado Blvd. is the Town's most significant north-south arterial, traversing from Thornton to Windsor. Weld County Road 44, which intersects with Colorado Blvd. and runs along the northern edge of this proposed annexation. Weld County Road 44 has a major interchange at I-25 roughly two (2) miles to the west. As such, it is important to the town as a major arterial roadway, with an eventual buildout of four (4) lanes. These two roads are vitally important to connectivity and access not just to the southern portion of Johnstown, but to the entire Town in general. Also of note are Weld County Roads 42 and 11. These roads are designated as minor arterials and provide secondary access to the proposed annexation to the south and west. Additionally, High Plains Blvd., CDOT's I-25 Parallel Arterial, is planned to the west of this proposed project.

Vesting of a "Site Specific Development Plan" (per CRS 24-68-101)

Petitioner has requested vesting in excess of the typical three (3) year vesting provided under Colorado Revised Statutes. Petitioner has requested 15 years of vesting for the development and planning of the site. Such vesting would preclude the Town from changing the zoning or allowed uses within the proposed annexation from this proposed ODP, for a period of 15 years. However, a property owner may apply to change the zoning or amend the ODP at any time, which would render the extended vesting period moot in that area, if changes are approved. This vesting is addressed in a proposed annexation / development agreement that will be discussed at Town Council as part of the overall annexation and zoning matters.

It is unusual for zoning to be vested, as a legislative action; however, there are details within the Outline Development Plan in terms of densities and design standards that are more typically subject to vesting, and that would be covered by that vesting period. In this case, the Applicant recognizes the long timeline for full build-out of this property, and wanted to ensure they are able to continue to move forward on their vision over the lifetime of the project.

### **Staff Concerns**

Staff is concerned with the proposed golf use for the property. The application is proposing a golf course as primary focus of their overall development. Golf courses create great value on adjacent areas, may attract associated commercial uses, and most consider them to be quite attractive – they also utilize

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P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

enormous amounts of water to keep them green and playable. With future development plans, Staff strongly encourages specific efforts at water conservation and incorporating natural areas and alternative landscaping adjacent to the course. Golf courses also utilize many chemicals for fertilizing to keep the grounds attractive and playable. These chemicals can create harmful runoff that infiltrates surface water and can have dramatic negative effects on surface water and aquatic life. The operations of the future course should work with the Town to ensure appropriate water quality treatment, and state-of-the-art treatments to avoid unnecessary impacts on the water shed. And, while a golf course is no doubt attractive, there are potential social equity issues with any such development; namely whether or not it will be public or private, and the cost of membership, and other considerations. The Town certainly permits a golf course as a use; Staff would appreciate any considerations to ensure this “community amenity” can indeed be reasonably enjoyed by our entire community, and be designed and operated to the best benefit of adjacent waterways and wildlife.

Staff is further concerned with zoning of portions of the property. The intersections of WCR 13 & 44 and WCR 13 & 42 are future major intersections for the Town, especially WCR 13 & 44, with its direct access to I-25 two (2) miles to the west. The small amount of commercial zoning at these intersections is concerning largely due to the potential viability of these intersections as commercial drivers and centers of activity. The Town may want to encourage larger-scale commercial or retail, vs low-density residential, at such vital intersections. The “transfer” clause in the ODP may assist somewhat with any commercial enterprise that wishes to expand beyond the current small acreage show; however, there is concern that residential could do the same and claim more “commercial” areas for residential use. Residential is often (relatively) easier and faster to develop and market; whereas commercial wants to see nearby residential in place prior to development. Protecting our vital intersections should be a consideration as the Town continues to develop. Density and scale of commercial and retail development at these intersections is important to the development of the south portion of Johnstown, and to Johnstown as a complete community.

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

### **Item #1 Annexation: Podtburg Annexations # 1-5**

It is recommended that Planning and Zoning Commission send a positive recommendation to Town Council that the Podtburg Annexations #1-5 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.

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P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141

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).

#### **Recommended Motion**

Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that the request for the Podtburg Annexation # 1-5 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 Podtburg Annexation # 1-5 based upon the findings as stated in the staff report.

#### **Alternate Motions**

- A. Motion to Approve with Conditions: "I move that the Commission recommend to Town Council approval of the Podtburg Annexation # 1-5 with the following conditions..."
- B. Motion to Deny: "I move that the Commission recommend to the Town Council denial of the Podtburg Annexation # 1-5 based upon the following..."

#### **Item #2 Zoning: Podtburg Annexation # 1-5 - 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 Podtburg Annexation # 1-5 be approved based upon the following findings:

1. The proposed zoning is consistent with the Town of Johnstown Comprehensive Plan.
2. The proposed zoning and accompanying uses are the best use for the area, namely commercial uses at the major intersections.

#### **Motion**

Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that the request for PUD-MU zoning for the Podtburg Annexation # 1-5 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 request for PUD-MU zoning for the Podtburg Annexation # 1-5 based upon the 2 findings as stated in the staff report.

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**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 Podtburg Annexation # 1-5 based upon the following..."

Planner:

Reviewed by:



Darryll Wolnik

Kim Meyer

Planner II

Planning & Development Director

File Name: S:\PLANNING\2019 Land Use Projects\ANX20-001 Podtburg Annexation\Staff Report.docx

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# PODTBURG ANNEXATIONS #1, #2, #3, #4, & #5

TO THE TOWN OF JOHNSTOWN  
 A PARCEL OF LAND BEING PORTIONS OF THE WEST HALF OF SECTION 18, THE WEST HALF OF SECTION 19,  
 AND THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 67 WEST  
 AND PORTIONS OF SECTION 13, SECTION 24 AND THE NORTH HALF OF SECTION 25, TOWNSHIP 4 NORTH,  
 RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO



**VICINITY MAP**  
 SCALE: 1" = 5000'

**NOTICE:**  
 According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION: 13, 18, 19, 24, 25, 30  
 TOWNSHIP: 4 N  
 RANGE: 67 & 68 W (6th PM)

**NORTHERN ENGINEERING**  
 970.221.4198  
 FORT COLLINS, 301 North Hines Street, Suite 100, 80521  
 GREELEY, 820 8th Street, 80633  
 www.northernengineering.com

DATE: 09/26/2019  
 SCALE: 1" = 30'  
 REVIEWED BY: S. Lund

PROJECT: 1859-001  
 CLIENT:  
 DRAWN BY: A. Lund

PODTBURG ANNEXATION #1  
 S18,19,30-T4N-R67W & S13,24,25-T4N-R68W  
 WELD COUNTY, STATE OF COLORADO

Sheet  
**1**  
 Of 7 Sheets

**DESCRIPTION:** PODTBURG ANNEXATION #1

A parcel of land being a portion of the Northwest Quarter of Section Eighteen (18), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) and a portion of the Northeast Quarter of Section Thirteen (13), Township Four North (T.4N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado:

**COMMENCING** at the Northeast Corner of said Section 13 and assuming the East line of the Northeast Quarter of Section 13 as bearing South 00°02'15" East a distance of 2647.90 feet with all other bearings contained herein relative thereto:

THENCE South 00°02'15" East along the East line of the Northeast Quarter of said Section 13 a distance of 30.04 feet to a Southerly line of Maplewood Acres Annexation to the Town of Johnstown recorded March 25, 2009 as Reception No. 3612645 in the Records of Weld County and to the **POINT OF BEGINNING.**

THENCE South 87°11'22" East a distance of 30.04 feet to the intersection of the Easterly Right of Way line of Weld County Road 13 and the Southerly Right of Way line of Weld County Road 46;

THENCE South 11°32'58" West a distance of 149.36 feet to the East line of the Northeast Quarter of said Section 13;

THENCE North 11°30'44" West a distance of 150.80 feet to the intersection of the Westerly Right of Way line of Weld County Road 13 and the Southerly Right of Way line of Weld County Road 46, said point also being the Southwesterly corner of said Maplewood Acres Annexation to the Town of Johnstown;

THENCE North 89°54'46" East along a Southerly line of said Maplewood Acres Annexation a distance of 30.00 feet to the East line of the Northeast Quarter of said Section 13 and to the **POINT OF BEGINNING.**

**TOTAL ANNEXED AREA** for the Podtburg Annexation #1 is 0.10 acres, more or less (±).

**OWNERS APPROVAL AND DEDICATION:**

Know all men by these presents that the undersigned, being the sole owner of the land described hereon, excluding public rights-of-way, request that the land described hereon be annexed under the name of PODTBURG ANNEXATION #1 to the Town of Johnstown.

In witness whereof, we have hereunto set our hands and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_

STATE OF COLORADO )  
 ) SS  
 COUNTY OF WELD )

The foregoing instrument was acknowledged before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires: \_\_\_\_\_ Notary Public \_\_\_\_\_

**SURVEYOR:**  
 Northern Engineering  
 Steven A. Lund  
 820 8th Street, Greeley, Colorado  
 970-395-9880

**APPLICANT:**  
 Podtburg Dairy Limited Partnership, LLLP  
 Greg Podtburg  
 37905 Weld County Road 35  
 Eaton, CO 80615  
 970-313-3601

**PODTBURG ANNEXATION #1**

TOTAL PERIMETER.....	360.20'
CONTIGUOUS BOUNDARY.....	60.04'
MINIMUM CONTIGUOUS PERIMETER FEET REQUIRED.....	60.03'

INDICATES PRESENT TOWN BOUNDARY LINE

**PLANNING AND ZONING APPROVAL:**

This Map to be known as PODTBURG ANNEXATION #1 was recommended to the Town Council for approval by action of the Planning and Zoning Commission of the Town of Johnstown, Colorado at the regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chair, Planning & Zoning Commission

**TOWN COUNCIL APPROVAL:**

This Map to be known as PODTBURG ANNEXATION #1 is approved and accepted to the Town of Johnstown, Colorado by Ordinance Number \_\_\_\_\_, passed and adopted on final reading at a regular meeting of the Town Council of the Town of Johnstown, Colorado, held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Gary Lebsack, Mayor

Attest: Town Clerk

**SURVEY NOTES:**

1. Basis of Bearings: The East line of the Northeast Quarter of Section 13 as bearing South 00°02'15" East (assumed bearing) and Monumented as shown hereon.
2. Unit of measure is U.S. Survey Feet.
3. No rights-of-way or easements, except those shown hereon, were determined by this survey, nor was any research conducted to determine the existence of additional easements, per the request of the client.
4. This survey does not constitute a title search by the surveyor to determine ownership or easements of record.

**SURVEYOR'S CERTIFICATION:**

I, Steven A. Lund, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description of land proposed to be annexed to the Town of Johnstown, County of Weld, State of Colorado, was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge, information, belief, and in my professional opinion.

I further state that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous to the boundary line of the Town of Johnstown, County of Weld, State of Colorado.

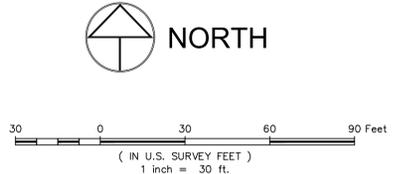
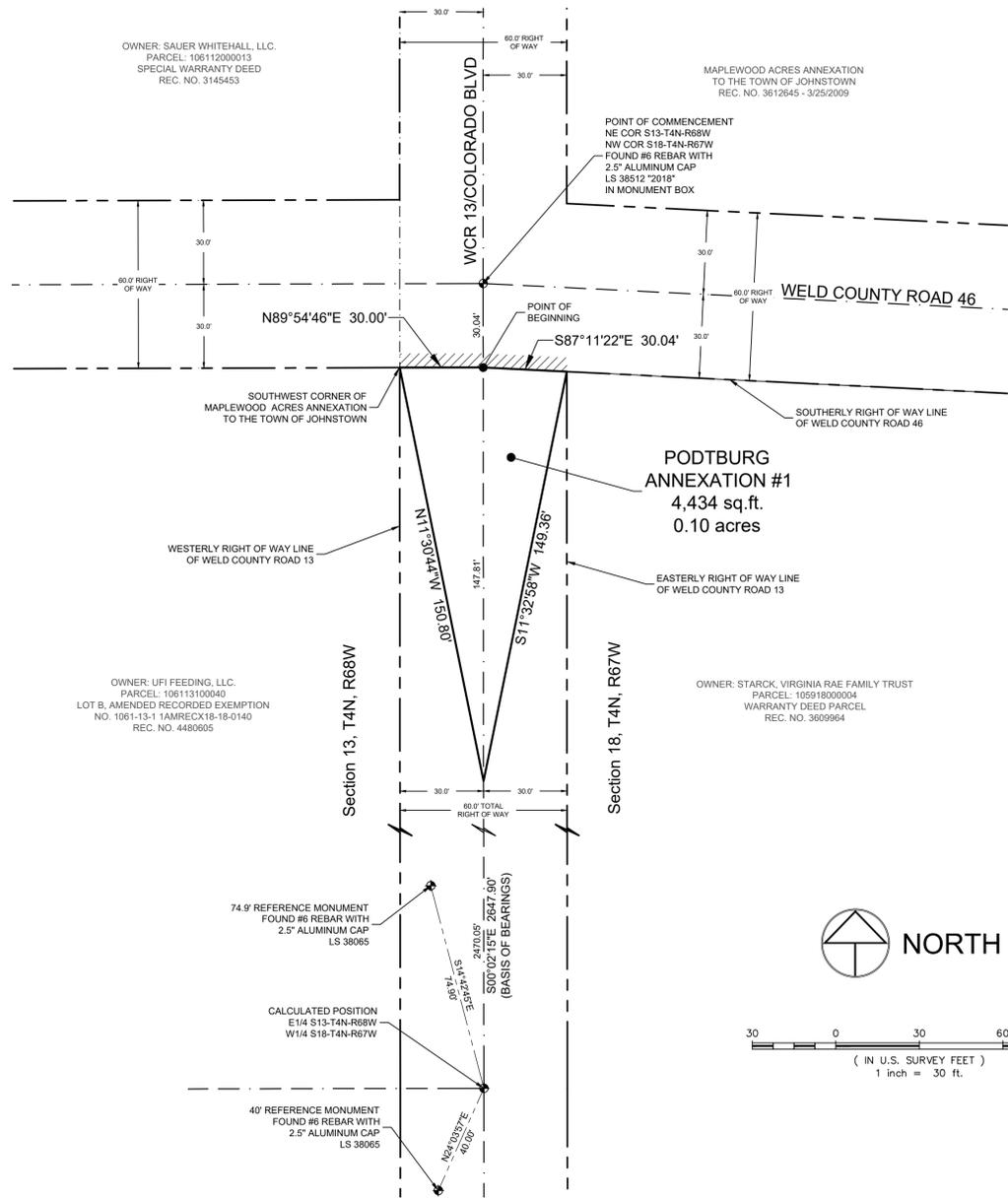
Steven A. Lund - on behalf of Northern Engineering  
 Colorado Registered Professional  
 Land Surveyor #34995

**SYMBOL LEGEND**

○	CALCULATED POSITION
●	FOUND PROPERTY MONUMENT
⬮	FOUND SECTION CORNER AS DESCRIBED

**LINE LEGEND**

---	RIGHT OF WAY LINE
---	SECTION LINE
---	ANNEXATION BOUNDARY LINE
---	PROPERTY LINE
---	EXISTING ANNEXATION LINE
---	EASEMENT LINE



S:\Survey Jobs\1859-001\DWG\Annexation1859-001\_ANNEX#01.dwg, 8/21/2019 1:54:42 PM, 1:1

# PODTBURG ANNEXATIONS #1, #2, #3, #4, & #5

TO THE TOWN OF JOHNSTOWN  
 A PARCEL OF LAND BEING PORTIONS OF THE WEST HALF OF SECTION 18, THE WEST HALF OF SECTION 19,  
 AND THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 67 WEST  
 AND PORTIONS OF SECTION 13, SECTION 24 AND THE NORTH HALF OF SECTION 25, TOWNSHIP 4 NORTH,  
 RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO



**VICINITY MAP**  
 SCALE: 1" = 5000'

**SURVEYOR:**  
 Northern Engineering  
 Steven A. Lund  
 820 8th Street, Greeley, Colorado  
 970-395-9880

**APPLICANT:**  
 Podtburg Dairy Limited Partnership, LLLP  
 Greg Podtburg  
 37905 Weld County Road 35  
 Eaton, CO 80615  
 970-313-3601

**SYMBOL LEGEND**

	CALCULATED POSITION
	FOUND PROPERTY MONUMENT
	FOUND SECTION CORNER AS DESCRIBED

**LINE LEGEND**

	RIGHT OF WAY LINE
	SECTION LINE
	ANNEXATION BOUNDARY LINE
	PROPERTY LINE
	EXISTING ANNEXATION LINE
	EASEMENT LINE

**DESCRIPTION:** PODTBURG ANNEXATION #2  
 A parcel of land being a portion of the Northwest Quarter of Section Eighteen (18), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) and a portion of the Northeast Quarter of Section Thirteen (13), Township Four North (T.4N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado:

**COMMENCING** at the Northeast Corner of said Section 13 and assuming the East line of the Northeast Quarter of Section 13 as bearing South 00°02'15" East a distance of 2647.90 feet with all other bearings contained herein relative thereto:

THENCE South 00°02'15" East along the East line of the Northeast Quarter of said Section 13 a distance of 177.85 feet to the **POINT OF BEGINNING**.

THENCE North 11° 32' 58" East a distance of 149.36 feet to the intersection of the Easterly Right of Way line of Weld County Road 13 and the Southerly Right of Way line of Weld County Road 46;

THENCE South 02° 15' 22" West a distance of 749.63 feet to the East line of the Northeast Quarter of said Section 13;

THENCE North 02° 19' 35" West a distance of 751.10 feet to the intersection of the Westerly Right of Way line of Weld County Road 13 and the Southerly Right of Way line of Weld County Road 46, said point also being the Southwest corner of Maplewood Acres Annexation to the Town of Johnstown recorded March 25, 2009 as Reception No. 3612645 in the Records of Weld County;

THENCE South 11° 30' 44" East a distance of 150.80 feet to the East line of the Northeast Quarter of said Section 13 and to the **POINT OF BEGINNING**.

**TOTAL ANNEXED AREA** for the Podtburg Annexation #2 is 0.42 acres, more or less (±).

**OWNERS APPROVAL AND DEDICATION:**  
 Know all men by these presents that the undersigned, being the sole owner of the land described hereon, excluding public rights-of-way, request that the land described hereon be annexed under the name of PODTBURG ANNEXATION #2 to the Town of Johnstown.

In witness whereof, we have hereunto set our hands and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_

STATE OF COLORADO )  
 ) SS  
 COUNTY OF WELD )  
 The foregoing instrument was acknowledged before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires: \_\_\_\_\_ Notary Public \_\_\_\_\_

**PLANNING AND ZONING APPROVAL:**  
 This Map to be known as PODTBURG ANNEXATION #2 was recommended to the Town Council for approval by action of the Planning and Zoning Commission of the Town of Johnstown, Colorado at the regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chair, Planning & Zoning Commission \_\_\_\_\_

**TOWN COUNCIL APPROVAL:**  
 This Map to be known as PODTBURG ANNEXATION #2 is approved and accepted to the Town of Johnstown, Colorado by Ordinance Number \_\_\_\_\_, passed and adopted on final reading at a regular meeting of the Town Council of the Town of Johnstown, Colorado, held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

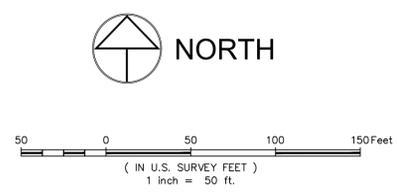
Gary Lebsack, Mayor \_\_\_\_\_

Attest: Town Clerk \_\_\_\_\_

- SURVEY NOTES:**
- Basis of Bearings: The East line of the Northeast Quarter of Section 13 as bearing South 00°02'15" East (assumed bearing) and Monumented as shown hereon.
  - Unit of measure is U.S. Survey Feet.
  - No rights-of-way or easements, except those shown hereon, were determined by this survey, nor was any research conducted to determine the existence of additional easements, per the request of the client.
  - This survey does not constitute a title search by the surveyor to determine ownership or easements of record.

**SURVEYOR'S CERTIFICATION:**  
 I, Steven A. Lund, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description of land proposed to be annexed to the Town of Johnstown, County of Weld, State of Colorado, was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge, information, belief, and in my professional opinion.  
 I further state that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous to the boundary line of the Town of Johnstown, County of Weld, State of Colorado.

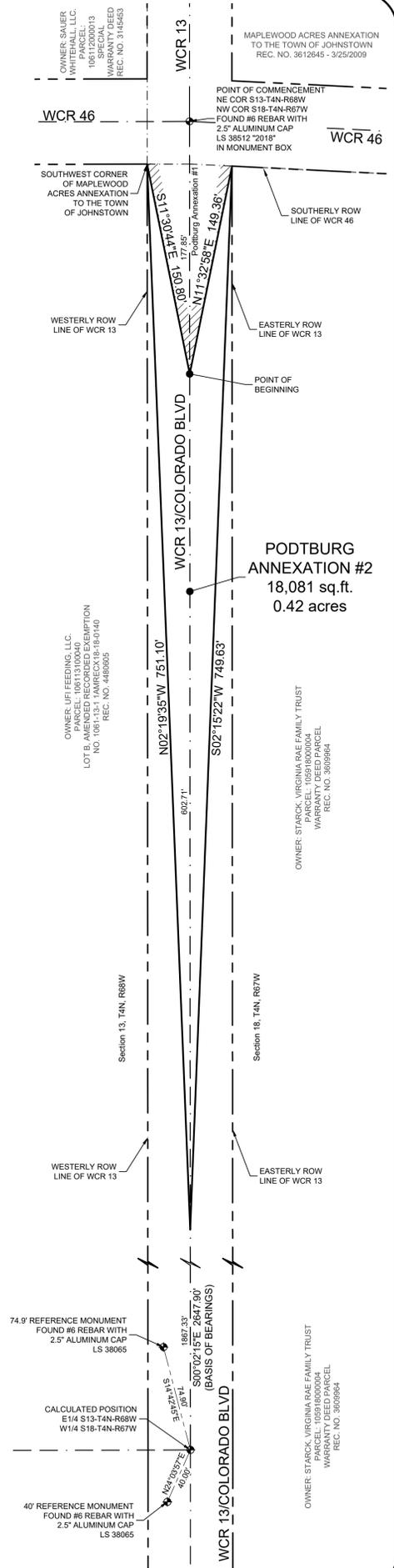
Steven A. Lund - on behalf of Northern Engineering  
 Colorado Registered Professional  
 Land Surveyor #34995



**PODTBURG ANNEXATION #2**

TOTAL PERIMETER.....	1800.90'
CONTIGUOUS BOUNDARY.....	300.16'
MINIMUM CONTIGUOUS PERIMETER FEET REQUIRED.....	300.15'

INDICATES PRESENT TOWN BOUNDARY LINE



**NOTICE:**  
 According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION:	4, 25, 630
TOWNSHIP:	4 N
RANGE:	67 & 68 W (6th PM)

**NORTHERN ENGINEERING**  
 970.223.4158  
 820 8th Street, Suite 100, Greeley, CO 80631  
 northernengineering.com

PROJECT:	1659-001	DATE:	09/26/2019
CLIENT:	A. Lund	SCALE:	1" = 50'
DRAWN BY:	A. Lund	REVIEWED BY:	S. Lund

**PODTBURG ANNEXATION #2**  
**S18, 19, 30-T4N-R67W & S13, 24, 25-T4N-R68W**  
**WELD COUNTY, STATE OF COLORADO**

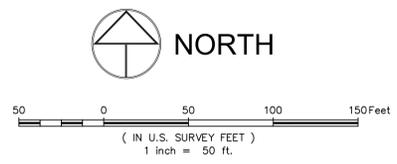
Sheet  
**2**  
 Of 7 Sheets



# PODTBURG ANNEXATIONS #1, #2, #3, #4, & #5

TO THE TOWN OF JOHNSTOWN

A PARCEL OF LAND BEING PORTIONS OF THE WEST HALF OF SECTION 18, THE WEST HALF OF SECTION 19, AND THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 67 WEST AND PORTIONS OF SECTION 13, SECTION 24 AND THE NORTH HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO



VICINITY MAP SCALE: 1" = 5000'

DESCRIPTION: PODTBURG ANNEXATION #4

A parcel of land being a portion of the West Half of Section Eighteen (18) and the Northwest Quarter of Section Nineteen (19), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) and a portion of the East Half of Section Thirteen (13) and the North Half of Section Twenty-four (24), Township Four North (T.4N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado:

COMMENCING at the Northeast Corner of said Section 13 and assuming the East line of the Northeast Quarter of Section 13 as bearing South 00°02'15" East a distance of 2647.90 feet with all other bearings contained herein relative thereto:

THENCE South 00°02'15" East along the East line of the Northeast Quarter of said Section 13 a distance of 2647.90 feet to the East Quarter Corner of Section 13;

THENCE South 00°02'29" East along the East line of the Southeast Quarter of said Section 13 a distance of 1134.55 feet to the POINT OF BEGINNING.

THENCE North 00° 32' 02" East a distance of 3001.06 feet to the Easterly Right of Way line of Weld County Road 13;

The following Three (3) courses are along the Easterly Right of Way lines of Weld County Road 13.

THENCE South 00° 02' 15" East a distance of 1866.36 feet;

THENCE South 00° 02' 29" East a distance of 2648.03 feet;

THENCE South 00° 06' 39" West a distance of 1324.43 feet;

THENCE South 89° 43' 17" West a distance of 2680.42 feet to the Northeast Corner of Northmoor Acres Second Filing recorded March 20, 1972 as Reception No. 1585866;

The following Ten (10) courses are along the Easterly, Southerly, and Westerly lines of Tract D-1 of said Northmoor Acres Second Filing:

THENCE South 00° 06' 15" West a distance of 13.89 feet to the Southeast Corner of said Tract D-1

THENCE North 89° 44' 34" West a distance of 152.81 feet;

THENCE South 88° 58' 33" West a distance of 68.31 feet;

THENCE South 88° 41' 39" West a distance of 225.35 feet;

THENCE South 89° 11' 58" West a distance of 121.90 feet;

THENCE South 89° 47' 15" West a distance of 155.18 feet;

THENCE South 89° 38' 59" West a distance of 451.60 feet;

THENCE South 89° 26' 24" West a distance of 423.45 feet;

THENCE South 89° 05' 24" West a distance of 649.81 feet to an Easterly line of Wilson Ranch Annexation to the Town of Berthoud recorded April 23, 2004 as Reception No. 3173568;

The following Four (4) courses are along the Easterly lines of said Wilson Ranch Annexation.:

THENCE North 00° 03' 04" East a distance of 43.07 feet;

THENCE South 89° 56' 54" West a distance of 20.00 feet;

THENCE North 00° 03' 04" East a distance of 1331.68 feet to the North line of the Northwest Quarter of Section 24;

THENCE North 00° 03' 04" East a distance of 30.00 feet to the Northerly Right of Way of Weld County Road 44;

THENCE North 89° 55' 24" East along said Northerly Right of Way line of Weld County Road 44 a distance of 2620.33 feet to the West line of the Southeast Quarter of said Section 13;

THENCE North 00° 02' 05" West along said West line a distance of 857.85 feet to the Southwest corner of Lot B of Recorded Exemption No. 1061-13-4 RE-3863;

The following Seventeen (17) courses are along the Southerly lines of Lot B of Recorded Exemption No. 1061-13-4 RE-3863 recorded October 18, 2004 as Reception No. 3228383 of the Records of Weld County:

THENCE South 79° 11' 49" East a distance of 251.09 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northwest a distance of 92.52 feet, said curve has a Radius of 115.39 feet, a Delta of 45° 56' 32", and is subtended by a Chord bearing North 77° 50' 10" East a distance of 90.07 feet to a Point of Tangency;

THENCE North 54° 51' 44" East a distance of 181.87 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southeast a distance of 144.05 feet, said curve has a Radius of 124.38 feet, a Delta of 66° 21' 24", and is subtended by a Chord bearing North 88° 02' 19" East a distance of 136.13 feet to a Point of Tangency;

THENCE South 58° 46' 59" East a distance of 133.41 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 115.53 feet, said curve has a Radius of 193.24 feet, a Delta of 34° 15' 17", and is subtended by a Chord bearing South 75° 54' 49" East a distance of 113.82 feet to a Point of Return Curvature;

THENCE along the arc of a curve concave to the Southwest a distance of 285.43 feet, said curve has a Radius of 753.31 feet, a Delta of 21° 42' 34", and is subtended by a Chord bearing South 82° 11' 10" East a distance of 283.73 feet to a Point of Return Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 378.03 feet, said curve has a Radius of 800.39 feet, a Delta of 27° 03' 40", and is subtended by a Chord bearing South 84° 51' 55" East a distance of 374.53 feet to a Point of Return Curvature;

THENCE along the arc of a curve concave to the Southwest a distance of 179.58 feet, said curve has a Radius of 171.12 feet, a Delta of 60° 07' 42", and is subtended by a Chord bearing South 68° 19' 54" East a distance of 171.12 feet to a Point of Tangency;

THENCE South 38° 16' 02" East a distance of 117.93 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 58.61 feet, said curve has a Radius of 231.16 feet, a Delta of 14° 31' 38", and is subtended by a Chord bearing South 45° 31' 53" East a distance of 58.45 feet to a Point of Tangency;

THENCE South 52° 47' 41" East a distance of 176.69 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 107.69 feet, said curve has a Radius of 183.32 feet, a Delta of 33° 39' 29", and is subtended by a Chord bearing South 69° 37' 20" East a distance of 106.15 feet to a Point of Tangency;

THENCE South 86° 27' 04" East a distance of 88.57 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northwest a distance of 131.99 feet, said curve has a Radius of 957.08 feet, a Delta of 08° 04' 13", and is subtended by a Chord bearing North 89° 30' 49" East a distance of 131.88 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the Southwest a distance of 359.49 feet, said curve has a Radius of 498.28 feet, a Delta of 41° 20' 12", and is subtended by a Chord bearing South 73° 51' 12" East a distance of 351.74 feet to a Point of Tangency;

THENCE South 53° 11' 05" East a distance of 63.29 feet to the Westerly Right of Way line of Weld County Road 13;

THENCE North 00° 02' 29" West along said Westerly Right of Way line a distance of 2333.22 feet;

THENCE North 00° 02' 15" West continuing along said Westerly Right of Way line a distance of 1867.83 feet;

THENCE South 00° 36' 41" East a distance of 3002.53 feet to the East line of the Southeast Quarter of said Section 13 and to the POINT OF BEGINNING.

TOTAL ANNEXED AREA for the Podtburg Annexation #4 is 212.76 acres, more or less (±).

### OWNERS APPROVAL AND DEDICATION:

Know all men by these presents that the undersigned, being the sole owner of the land described hereon, excluding public rights-of-way, request that the land described hereon be annexed under the name of PODTBURG ANNEXATION #4 to the Town of Johnstown.

In witness whereof, we have hereunto set our hands and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_

STATE OF COLORADO ) SS

COUNTY OF WELD )

The foregoing instrument was acknowledged before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires: \_\_\_\_\_ Notary Public \_\_\_\_\_

### PLANNING AND ZONING APPROVAL:

This Map to be known as PODTBURG ANNEXATION #4 was recommended to the Town Council for approval by action of the Planning and Zoning Commission of the Town of Johnstown, Colorado at the regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chair, Planning & Zoning Commission \_\_\_\_\_

### TOWN COUNCIL APPROVAL:

This Map to be known as PODTBURG ANNEXATION #4 is approved and accepted to the Town of Johnstown, Colorado by Ordinance Number \_\_\_\_\_, passed and adopted on final reading at a regular meeting of the Town Council of the Town of Johnstown, Colorado, held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Gary Lebsack, Mayor \_\_\_\_\_

Attest: Town Clerk \_\_\_\_\_

### SURVEY NOTES:

1. Basis of Bearings: The East line of the Northeast Quarter of Section 13 as bearing South 00°02'15" East (assumed bearing) and Monumented as shown hereon.
2. Unit of measure is U.S. Survey Feet.
3. No rights-of-way or easements, except those shown hereon, were determined by this survey, nor was any research conducted to determine the existence of additional easements, per the request of the client.
4. This survey does not constitute a title search by the surveyor to determine ownership or easements of record.

### SURVEYOR'S CERTIFICATION:

I, Steven A. Lund, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description of land proposed to be annexed to the Town of Johnstown, County of Weld, State of Colorado, was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge, information, belief, and in my professional opinion.

I further state that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous to the boundary line of the Town of Johnstown, County of Weld, State of Colorado.

Steven A. Lund - on behalf of Northern Engineering  
Colorado Registered Professional  
Land Surveyor #34995

### APPLICANT:

Podtburg Dairy Limited Partnership, LLLP  
Greg Podtburg  
37905 Weld County Road 35  
Eaton, CO 80615  
970-313-3601

SURVEYOR:  
Northern Engineering  
Steven A. Lund  
820 8th Street, Greeley, Colorado  
970-395-9880

### PODTBURG ANNEXATION #4

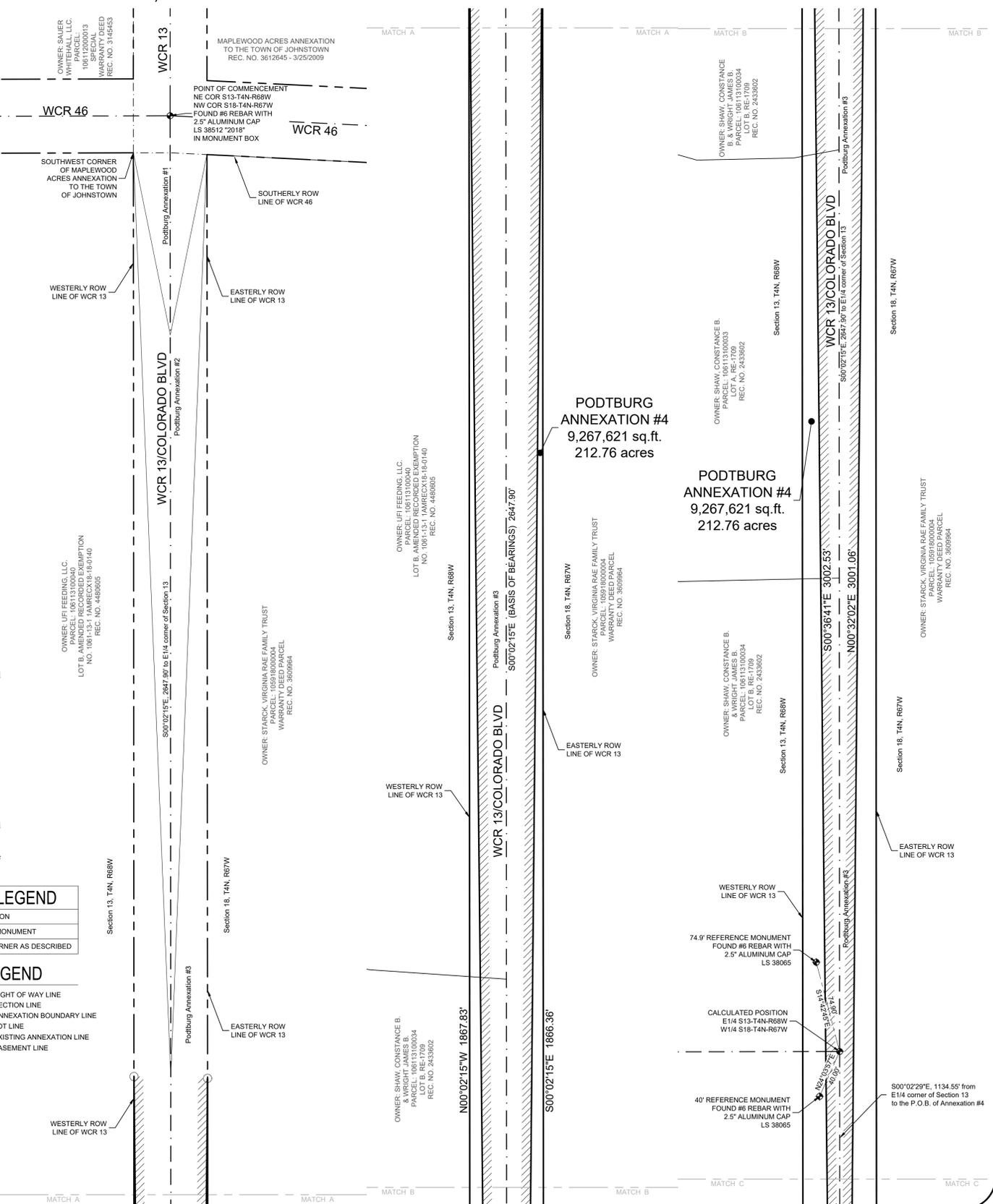
TOTAL PERIMETER.....	29106.26'
CONTIGUOUS BOUNDARY.....	6003.59'
MINIMUM CONTIGUOUS PERIMETER FEET REQUIRED.....	4851.04'

INDICATES PRESENT TOWN BOUNDARY LINE

SYMBOL LEGEND	
	CALCULATED POSITION
	FOUND PROPERTY MONUMENT
	FOUND SECTION CORNER AS DESCRIBED

LINE LEGEND	
	RIGHT OF WAY LINE
	SECTION LINE
	ANNEXATION BOUNDARY LINE
	LOT LINE
	EXISTING ANNEXATION LINE
	EASEMENT LINE



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION: 4, 25&30
TOWNSHIP: 4 N
RANGE: 67 & 68 W (6th PM)

**NORTHERN ENGINEERING**

970.231.4158  
970.231.4158  
Greeley, CO 80631  
northernengr.com

PROJECT: 1659-001	DATE: 08/26/2019
CLIENT:	SCALE: 1" = 50'
DRAWN BY: A. Lund	REVIEWED BY: S. Lund

PODTBURG ANNEXATION #4  
S18, 19, 30-T4N-R67W & S13, 24, 25-T4N-R68W  
WELD COUNTY, STATE OF COLORADO

# PODTBURG ANNEXATIONS #1, #2, #3, #4, & #5

TO THE TOWN OF JOHNSTOWN

A PARCEL OF LAND BEING PORTIONS OF THE WEST HALF OF SECTION 18,  
 THE WEST HALF OF SECTION 19 AND THE NORTHWEST QUARTER OF SECTION 30,  
 TOWNSHIP 4 NORTH, RANGE 67 WEST, AND PORTIONS OF SECTION 13, SECTION 24,  
 AND THE NORTH HALF OF SECTION 25, TOWNSHIP 4 NORTH,  
 RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO

LINE	LENGTH	BEARING
L1	13.89'	S00°06'15"W
L2	152.81'	N89°44'34"W
L3	68.31'	S88°54'38"W
L4	351.36'	S88°58'33"W
L5	225.35'	S88°41'39"W
L6	121.90'	S89°11'58"W
L7	156.18'	S89°47'15"W
L8	43.07'	N00°03'04"E
L9	20.00'	S89°56'54"W
L10	30.00'	N00°03'04"E
L11	251.09'	S79°11'49"E
L12	181.87'	N54°51'44"E
L13	133.41'	S58°46'59"E
L14	117.93'	S38°16'02"E
L15	176.69'	S52°47'41"E
L16	88.57'	S86°27'04"E
L17	63.29'	S53°11'05"E

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	45°56'32"	115.39'	92.52'	N77°50'10"E	90.07'
C2	66°21'24"	124.38'	144.05'	N88°02'19"E	136.13'
C3	34°15'17"	193.24'	115.53'	S75°54'49"E	113.82'
C4	21°42'34"	753.31'	285.43'	S82°11'10"E	283.73'
C5	27°03'40"	800.39'	378.03'	S84°51'55"E	374.53'
C6	60°07'42"	171.12'	179.58'	S68°19'54"E	171.45'
C7	14°31'38"	231.16'	58.61'	S45°31'53"E	58.45'
C8	33°39'29"	183.32'	107.69'	S69°37'20"E	106.15'
C9	8°04'13"	937.08'	131.99'	N89°30'49"E	131.88'
C10	41°20'12"	498.28'	359.49'	S73°51'12"E	351.74'

SW 1/4 SECTION 13  
T4N R68W

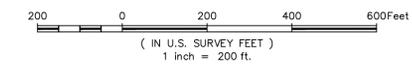
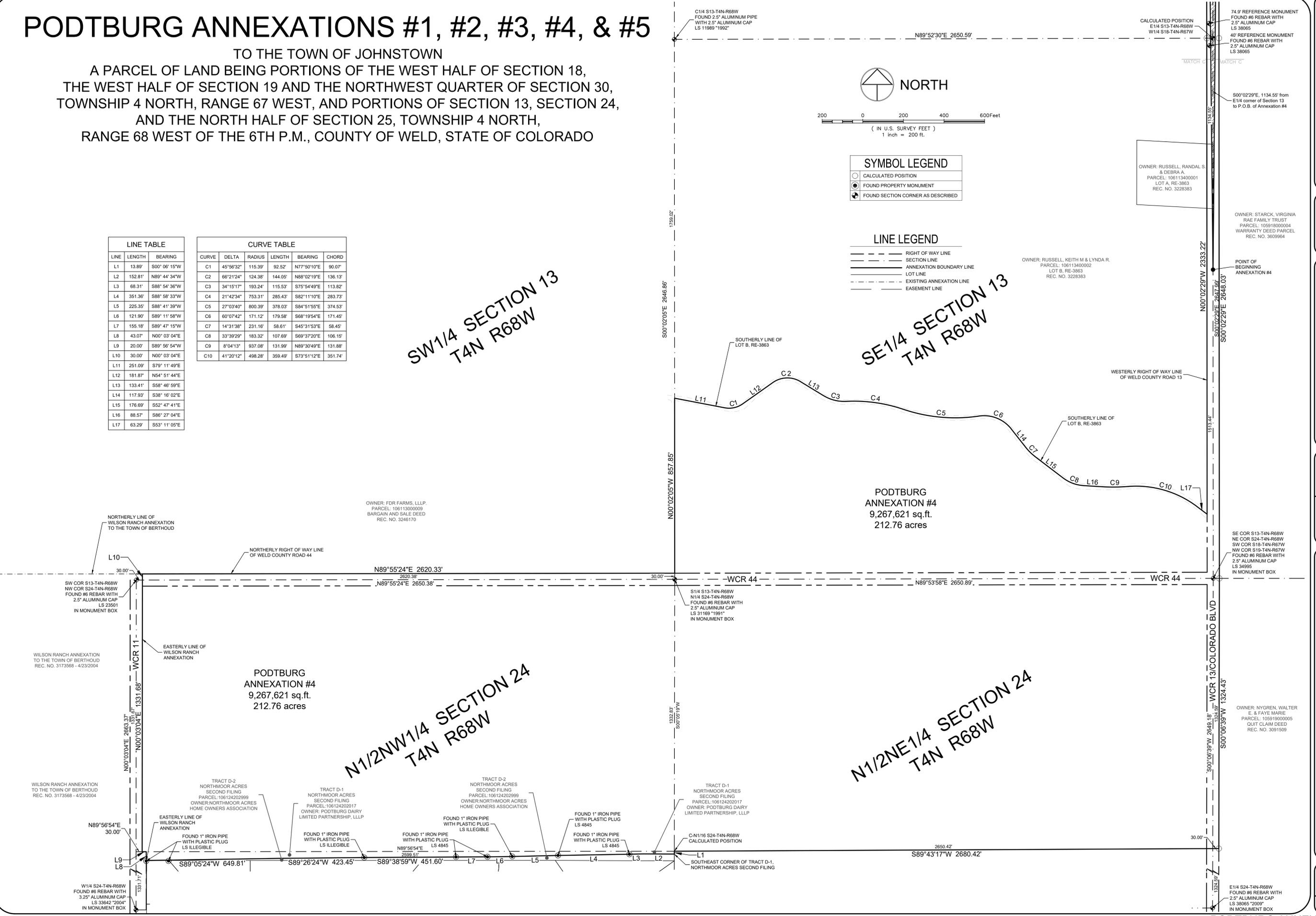
SE 1/4 SECTION 13  
T4N R68W

N 1/2 NW 1/4 SECTION 24  
T4N R68W

N 1/2 NE 1/4 SECTION 24  
T4N R68W

PODTBURG ANNEXATION #4  
9,267,621 sq.ft.  
212.76 acres

PODTBURG ANNEXATION #4  
9,267,621 sq.ft.  
212.76 acres



SYMBOL LEGEND	
	CALCULATED POSITION
	FOUND PROPERTY MONUMENT
	FOUND SECTION CORNER AS DESCRIBED

LINE LEGEND	
	RIGHT OF WAY LINE
	SECTION LINE
	ANNEXATION BOUNDARY LINE
	LOT LINE
	EXISTING ANNEXATION LINE
	EASEMENT LINE

**NOTICE:**  
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SECTION: 24, 25, 630  
 TOWNSHIP: 4 N  
 RANGE: 67 & 68 W (6th PM)

**NORTHERN ENGINEERING**  
  
 970.231.4158  
 800.881.8888  
 100 S. LUND

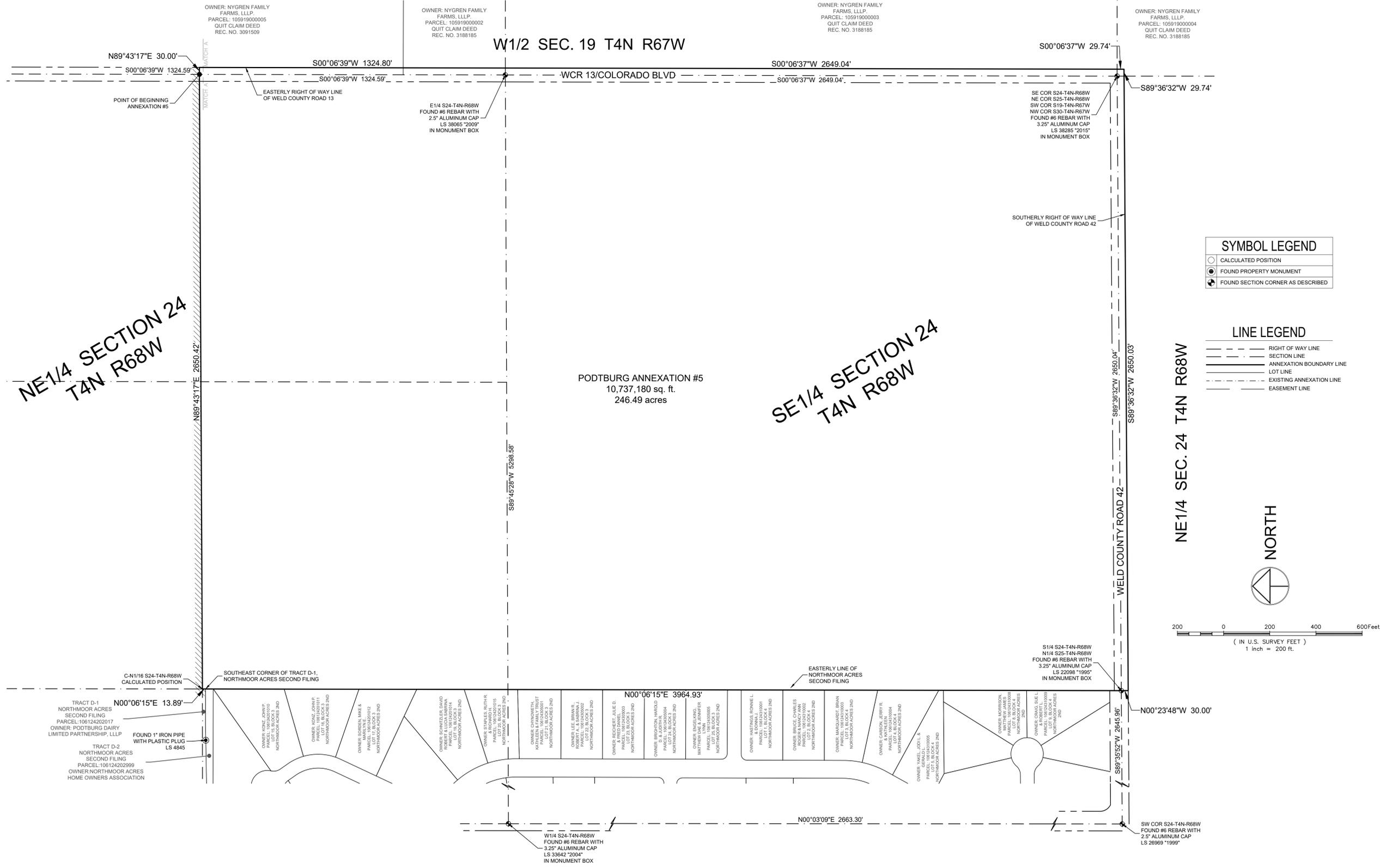
DATE:	08/26/2019
SCALE:	1" = 200'
REVIEWED BY:	S. Lund
DRAWN BY:	A. Lund
PROJECT:	1659-001
CLIENT:	

PODTBURG ANNEXATION #4  
 S18,19,30-T4N-R67W & S13,24,25-T4N-R68W  
 WELD COUNTY, STATE OF COLORADO



# PODTBURG ANNEXATIONS #1, #2, #3, #4, & #5

TO THE TOWN OF JOHNSTOWN  
A PARCEL OF LAND BEING PORTIONS OF THE WEST HALF OF SECTION 18,  
THE WEST HALF OF SECTION 19 AND THE NORTHWEST QUARTER OF SECTION 30,  
TOWNSHIP 4 NORTH, RANGE 67 WEST, AND PORTIONS OF SECTION 13, SECTION 24,  
AND THE NORTH HALF OF SECTION 25, TOWNSHIP 4 NORTH,  
RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO



**NOTICE:**  
According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION: 24, 25, 630  
TOWNSHIP: 4 N  
RANGE: 67 & 68 W (6th PM)

**NORTHERN ENGINEERING**  
970.221.4158  
970.221.4158  
GRIFFIN, 820 8th Street, Suite 100, Broomfield, CO 80021

PROJECT: 1659-001  
DATE: 09/26/2019  
CLIENT:  
SCALE: 1" = 200'  
DRAWN BY: A. Lund  
REVIEWED BY: S. Lund

PODTBURG ANNEXATION #5  
S18,19,30-T4N-R67W & S13,24,25-T4N-R68W  
WELD COUNTY, STATE OF COLORADO

Sheet  
**7**  
Of 7 Sheets





SEAL

PROJECT TITLE

**PODTBURG PROPERTY  
 OUTLINE  
 DEVELOPMENT  
 PLAN**

JOHNSTOWN, CO

PREPARED FOR

OWNER:  
**PODTBURG  
 DAIRY  
 PARTNERSHIP,  
 LLLP**

37905 WELD COUNTY  
 ROAD 35  
 EATON, CO 80615

REVISIONS DATE

Staff Comments	6.29.20
Staff Comments	9.22.20

DATE

MARCH 13, 2020

SHEET TITLE

**CONCEPT PLAN**

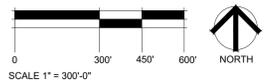
SHEET INFORMATION

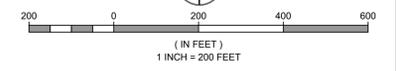
Sheet Number: 3

of: 4



**NOTE:**  
 1. THIS IS AN ILLUSTRATIVE CONCEPTUAL PLAN TO SHOW HOW THE PROPERTY COULD DEVELOP, AS WELL AS INDICATE THE CURRENT OWNERS INTENT. ALL DETAILS SHOWN ARE CONCEPTUAL ONLY AND MORE DETAILED PLANS AND ENGINEERING ARE REQUIRED TO ENSURE COMPLIANCE WITH TOWN CODES, REGULATIONS AND STANDARDS.  
 2. DIMENSIONS BETWEEN ACCESS POINTS ARE CONCEPTUAL. EXACT SPACING TO BE DETERMINED AT PLATTING.

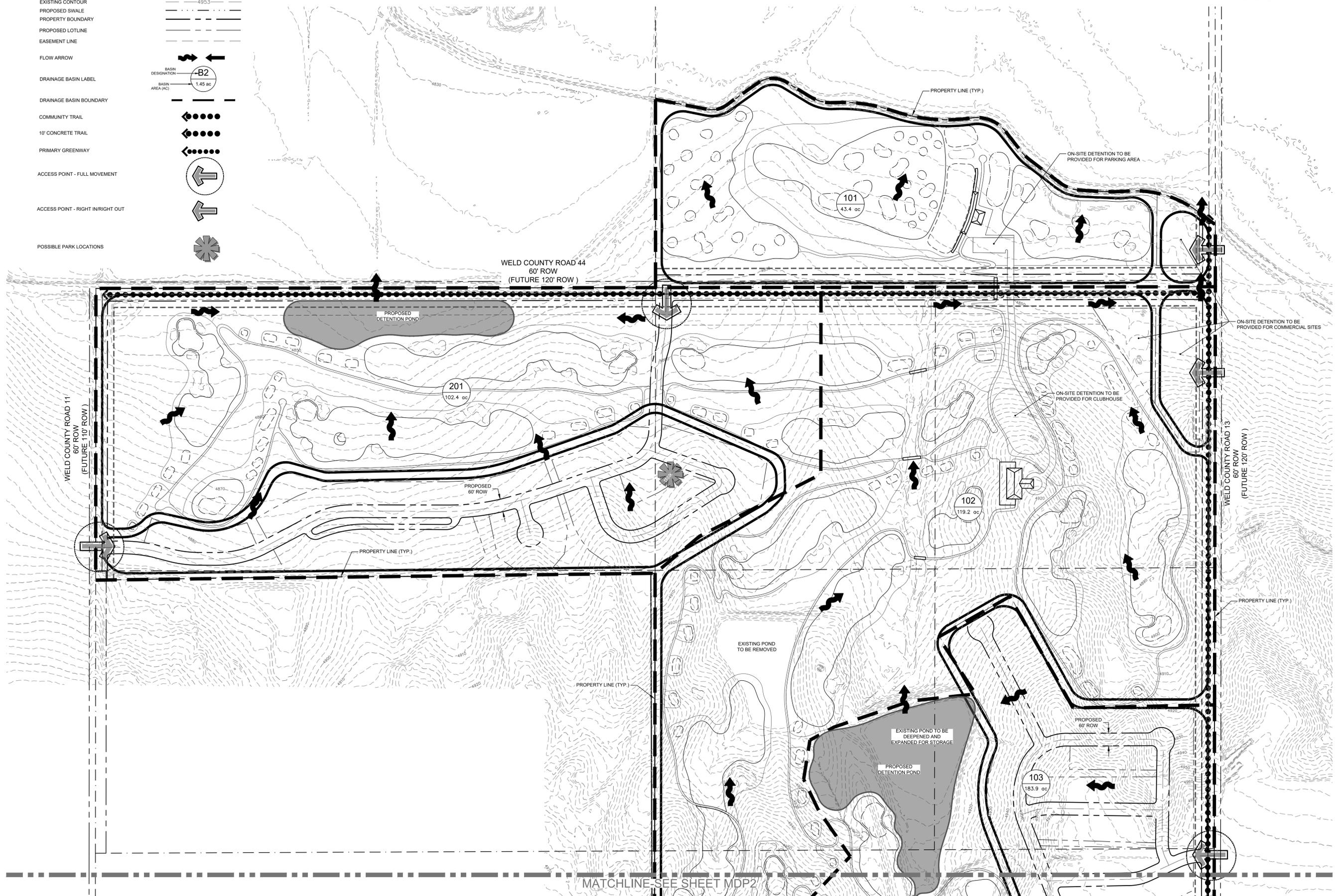




- NOTES:**
1. REQUIRED DETENTION VOLUMES AND PEAK DISCHARGE RATES WERE CALCULATED USING EPA SWMM AND THE RAINFALL INTENSITY DATA PROVIDED IN THE TOWN OF JOHNSTOWN STORM DRAINAGE CRITERIA.
  2. THE EXACT SIZES AND LOCATIONS OF DETENTION FACILITIES WILL BE DETERMINED DURING THE FINAL PLAT AND CONSTRUCTION DOCUMENT PROCESS WITH THE TOWN OF JOHNSTOWN.
  3. FLOW ARROWS DEPICT THE ANTICIPATED PROPOSED GRADING PLAN.

**LEGEND:**

- PROPOSED CONTOUR 9.3
- EXISTING CONTOUR 495.3
- PROPOSED SWALE
- PROPERTY BOUNDARY
- PROPOSED LOTLINE
- EASEMENT LINE
- FLOW ARROW
- DRAINAGE BASIN LABEL BASIN DESIGNATION: B2, BASIN AREA (AC): 1.45 ac
- DRAINAGE BASIN BOUNDARY
- COMMUNITY TRAIL
- 10' CONCRETE TRAIL
- PRIMARY GREENWAY
- ACCESS POINT - FULL MOVEMENT
- ACCESS POINT - RIGHT IN/RIGHT OUT
- POSSIBLE PARK LOCATIONS



MATCHLINE-SEE SHEET MDP2

Revisions:

No.	Date	Description

These drawings are instruments of service provided by Northern Engineering and are not to be used for any type of construction without the approval of a Professional Engineer in the employ of Northern Engineering Services, Inc.

**NORTHERN ENGINEERING**

FOOT COLLINS: 301 North Howe Street, Suite 100, 80521  
GREELEY: 820 8th Street, 80631

970.221.4188  
northernengineering.com

PROJECT:	1659-001	DATE:	09/16/2020
DESIGNED BY:	D. Weber	SCALE:	1"=200'
DRAWN BY:	D. Weber	REVIEWED BY:	D. Weber

**PODDBURG PROPERTY OUTLINE DEVELOPMENT PLAN**

**MASTER GRADING AND DRAINAGE PLAN**

DRAWING FILENAME: P:\1659-001\1659-001\1659-001.mxd DATE: Sep 16, 2020 - 2:46pm CAD OPERATOR: swwy  
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MATCHLINE-SEE SHEET MDP1

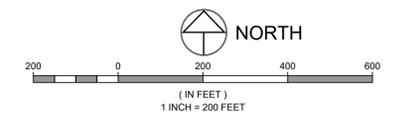


**LEGEND:**

- PROPOSED CONTOUR 93
- EXISTING CONTOUR 495.3
- PROPOSED SWALE
- PROPERTY BOUNDARY
- PROPOSED LOTLINE
- EASEMENT LINE
- FLOW ARROW
- DRAINAGE BASIN LABEL
- DRAINAGE BASIN BOUNDARY
- COMMUNITY TRAIL
- 10' CONCRETE TRAIL
- PRIMARY GREENWAY
- ACCESS POINT - FULL MOVEMENT
- ACCESS POINT - RIGHT IN/RIGHT OUT
- POSSIBLE PARK LOCATIONS

**NOTES:**

1. REQUIRED DETENTION VOLUMES AND PEAK DISCHARGE RATES WERE CALCULATED USING EPA SWMM AND THE RAINFALL INTENSITY DATA PROVIDED IN THE TOWN OF JOHNSTOWN STORM DRAINAGE CRITERIA.
2. THE EXACT SIZES AND LOCATIONS OF DETENTION FACILITIES WILL BE DETERMINED DURING THE FINAL PLAT AND CONSTRUCTION DOCUMENT PROCESS WITH THE TOWN OF JOHNSTOWN.
3. FLOW ARROWS DEPICT THE ANTICIPATED PROPOSED GRADING PLAN.



Revisions:  
 No. \_\_\_\_\_  
 Date \_\_\_\_\_  
**REVIEW SET**  
**NOT FOR CONSTRUCTION**  
 09/16/2020

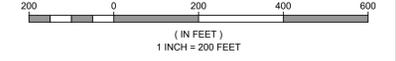
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**NE** NORTHERN ENGINEERING  
 970.223.4188  
 northernengineering.com  
 PORT COLLINS: 301 North Howe Street, Suite 100, 80521  
 GREELEY: 820 8th Street, 80631

PROJECT:	1659-001
DESIGNED BY:	D. Weber
DRAWN BY:	D. Weber
DATE:	09/16/2020
SCALE:	1" = 200'
REVIEWED BY:	D. Weber

**PODDBURG PROPERTY OUTLINE DEVELOPMENT PLAN**  
**MASTER GRADING AND DRAINAGE PLAN**

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**LEGEND:**

- PROPOSED WATER MAIN
- PROPOSED SANITARY SEWER
- PROPERTY BOUNDARY
- PROPOSED LOTLINE
- EASEMENT LINE
- COMMUNITY TRAIL
- 10' CONCRETE TRAIL
- PRIMARY GREENWAY
- ACCESS POINT - FULL MOVEMENT
- ACCESS POINT - RIGHT IN/RIGHT OUT
- POSSIBLE PARK LOCATIONS

**NOTES:**

1. UTILITY MAINS AND LIFT STATION ARE SHOWN FOR SCHEMATIC PURPOSES, FINAL LOCATIONS AND SIZES WILL BE DETERMINED DURING THE FINAL PLAT AND CONSTRUCTION DOCUMENT PROCESS WITH THE TOWN OF JOHNSTOWN.
2. THE FUTURE WATER MAIN ALONG WCR 13 IS TO BE PROVIDED BY THE TOWN OF JOHNSTOWN IN ACCORDANCE WITH THEIR WATER MASTER PLAN. THE EXACT LOCATION OF THE FUTURE WATER MAIN IS TO BE DETERMINED.

**WATER AND WASTEWATER CALCULATIONS:**

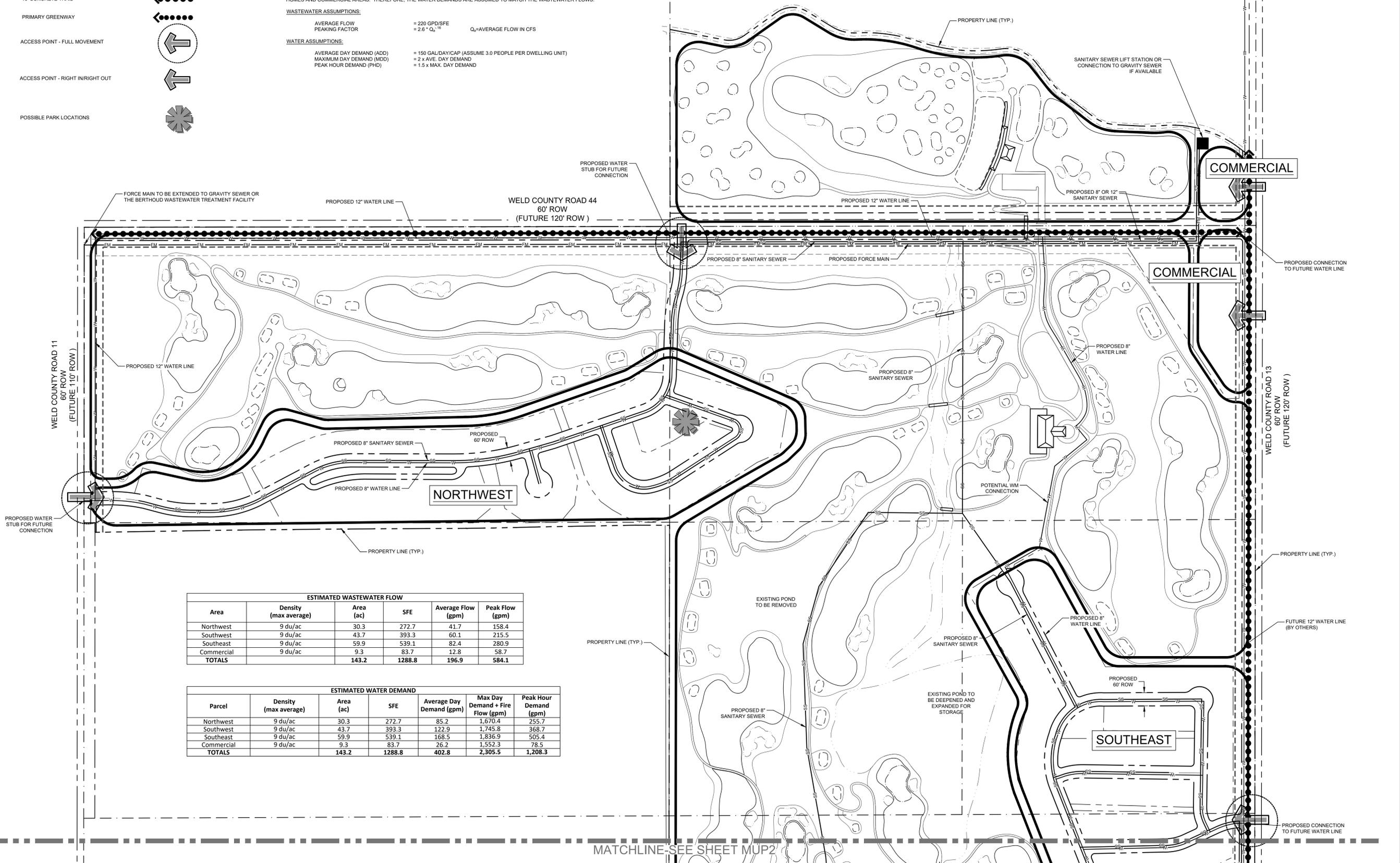
IT IS ASSUMED THAT RAW WATER WILL BE PROVIDED FOR IRRIGATION OF THE PODTBURG DEVELOPMENT, INCLUDING SINGLE-FAMILY HOMES AND COMMERCIAL AREAS. THEREFORE, THE WATER DEMANDS ARE ASSUMED TO MATCH THE WASTEWATER FLOWS.

**WASTEWATER ASSUMPTIONS:**

AVERAGE FLOW = 220 GPD/SFE  
 PEAKING FACTOR =  $2.6 \cdot Q_a^{-0.18}$        $Q_a$  = AVERAGE FLOW IN CFS

**WATER ASSUMPTIONS:**

AVERAGE DAY DEMAND (ADD) = 150 GAL/DAY/CAP (ASSUME 3.0 PEOPLE PER DWELLING UNIT)  
 MAXIMUM DAY DEMAND (MDD) = 2 x AVE. DAY DEMAND  
 PEAK-HOUR DEMAND (PHD) = 1.5 x MAX. DAY DEMAND



ESTIMATED WASTEWATER FLOW					
Area	Density (max average)	Area (ac)	SFE	Average Flow (gpm)	Peak Flow (gpm)
Northwest	9 du/ac	30.3	272.7	41.7	158.4
Southwest	9 du/ac	43.7	393.3	60.1	215.5
Southeast	9 du/ac	59.9	539.1	82.4	280.9
Commercial	9 du/ac	9.3	83.7	12.8	58.7
<b>TOTALS</b>		<b>143.2</b>	<b>1288.8</b>	<b>196.9</b>	<b>584.1</b>

ESTIMATED WATER DEMAND						
Parcel	Density (max average)	Area (ac)	SFE	Average Day Demand (gpm)	Max Day Demand + Fire Flow (gpm)	Peak Hour Demand (gpm)
Northwest	9 du/ac	30.3	272.7	85.2	1,670.4	255.7
Southwest	9 du/ac	43.7	393.3	122.9	1,745.8	368.7
Southeast	9 du/ac	59.9	539.1	168.5	1,836.9	505.4
Commercial	9 du/ac	9.3	83.7	26.2	1,552.3	78.5
<b>TOTALS</b>		<b>143.2</b>	<b>1288.8</b>	<b>402.8</b>	<b>2,305.5</b>	<b>1,208.3</b>

Revisions:  
**REVIEW SET**  
**NOT FOR CONSTRUCTION**  
 09/16/2020

These drawings are instruments of service provided by Northern Engineering and are not to be used for any type of construction without the approval of a Professional Engineer in the employ of Northern Engineering Services, Inc.

**NORTHERN ENGINEERING**  
 970.221.4188  
 northernengineering.com  
 PORT COLLINS: 301 North Howe Street, Suite 100, 80521  
 GREELEY: 820 8th Street, 80631

PROJECT:	1659-001
DATE:	09/16/2020
DESIGNED BY:	D. Weber
SCALE:	1"=200'
DRAWN BY:	D. Weber
REVIEWED BY:	D. Weber

PODTBURG PROPERTY OUTLINE DEVELOPMENT PLAN  
**MASTER UTILITY PLAN**

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MATCHLINE-SEE SHEET MUP2

