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 3 minutes each)

V. New Business

1. PUBLIC HEARING - Riverbend Estates Project (ZON21-0003) – A proposed residential development of 172.39 acres south of WCR 46 at the southwest corner of WCR 17, with proposed PUD-R (Residential) zoning district and an associated outline (master) development plan
   a. Change of Zoning
   b. Outline Development Plan

VI. Departmental Report

VII. Commissioner Reports and Comments

VIII. Adjournment
PLANNING & ZONING COMMISSION
AGENDA MEMORANDUM

ITEM:
#1: Public Hearing of Riverbend Estates Change of Zoning
#2: Public Hearing of Riverbend Estates Outline Development Plan Amendment (ODP)

DESCRIPTION:
Proposed Change of Zone to PUD-R zoning, with an Outline Development Plan (ODP) for 172.39 acres of single-family residential homes. 119 dwelling units are proposed in Phase 1 (1.72 DU/AC) and 244 dwelling units are proposed in Phase 2 allowing (2.53 DU/AC) for potentially 363 dwelling (2.11 DU/AC) units on this property.

LOCATION:
Portions of the Northeast Quarter (NE ¼) and The East Half (E ½) of Section 17, Township 4 North, Range 67 West.

APPLICANT:
Lee M. Lowry/Riverbend Estates Partners, LLC

STAFF:
Kristin Cote, Planner I

HEARING DATE:
September 15, 2021

ATTACHMENTS
1- Vicinity Map
2- Application
3- Outline Development Plan
4- Zoning Map
5- Public Comment

BACKGROUND & SUMMARY
The applicant, Lee M. Lowry/Riverbend Estates Partners, LLC, is requesting consideration of the Outline Development Plan (ODP) and zoning of PUD-R for 172.39 acres of land located in Section 17, Township 4 North, Range 67 West. This property was annexed into the Town of Johnstown on June 20, 2001 (Ordinance No. 2001-661).

The subject property is bordered on all sides by land within the Town of Johnstown, except for several small parcels directly east of the most northerly extension of this property, which is located in
unincorporated Weld County and is zoned AG (Agricultural). All the contiguous land within Town limits is zoned PUD-R with the exception of the land to the north which is zoned Holding Agriculture (HA).

The surrounding land uses are primarily agricultural. The exception to this is the existing Stroh Farms Filing 2 Subdivision which is south of this property and three (3) residential sites directly east of northerly portion of this site located in unincorporated Weld County. This property is bordered by WCR (Weld County Road) 46 to the North and Parish Avenue (WCR 17) to the east. The Great Western Railroad and the Hillsborough Ditch borders this site on its south and southeastern sides. The Little Thompson River runs through this property and splits what the developers of this site are proposing for phases 1 and 2.

HISTORY
Historically, the use of this property has been as an agricultural site used for farming. There are existing Oil and Gas wells on the northwest corner of this site and several agricultural outbuildings on the northeast corner of WCR (Weld County Road) 46 and Parish Avenue (WCR 17). This property was annexed into the Town June 20, 2001, and designated as a PUD Mixed Use (PUD-MU) zone by Ordinance No. 2001-661. The property owner made application to develop a subdivision on the area north of the river in 2002. That application was denied by the Board of Trustees in September 2002. As part of the original review process, the Planning and Zoning Commission held a public hearing and voted to recommend approval with conditions. The Board subsequently held a public hearing on the request, and expressed several questions and concerns before denying the application. The applicant subsequently filed a lawsuit against the Town in Weld County District Court. The applicant and Town were able to address the conditions and concerns expressed during the initial review process. In December 2003 the applicant withdrew the lawsuit and worked with the Town Planner to re-submit plans and a narrative. Subsequently, the Town approved a Final Development Plan (FDP) for the northern portion of this property in 2005 that allowed for the construction of 123 single family detached dwelling units in phase 1, no final plats were ever finalized or recorded, and that approval has expired(??). No additional action was taken after 2005 to develop this property until 2021, being in excess of the typical three (3) year vesting provided under Colorado Revise Statutes and Johnstown Municipal Code.

This property is located in the Little Thompson River 1% (“100-year”) floodplain and the floodway. In the catastrophic rain event that occurred in 2013, flooding occurred within the entire northern portion of this property, in the location of proposed phase 1. This prompted FEMA to designate additional land adjacent to the Little Thompson River as Regulatory Floodway and Floodplain (FIRM Panel 08069C1410G/Effective Date 1/15/21). FEMA defines the Regulatory Floodway as “the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.” The developers are currently in process of seeking FEMA approval of a Conditional Letter of Map Revision (CLOMR) which would, if deemed acceptable, remove portions of this land from the “Floodway” and “Floodplain” designation, permitting development to occur. Without FEMA granting either a CLOMR (Conditional Letter of Map Revision) or a Letter of Map Revision (LOMR) this property will not be able to be developed as is being proposed in this ODP. Staff has had conversations with the developer regarding this matter.
and they understand that the potential to develop this site is dependent on meeting the Town and FEMA’s Floodplain rules and regulations.

NOTICE
Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, August 26, 2021. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notices were mailed to all property owners within 500 feet of the property in question. This notice included a map of the proposed ODP and zoning map.

ANALYSIS
Johnstown Comprehensive Plan Alignment

Goal CF-2: Beautiful Town gateways and entries at major intersections - Gateways.
This ODP sits at the intersection of WCR 46 and Parish Avenue (WCR 17). Both of these are significant roadways; Parish Avenue is the Town’s main street. The Riverbend Estates ODP would further enhance this important roadway and the gateway into the Town from the south.

Goal PG-2: Provide a variety of recreational opportunities for all ages and abilities that will draw the community together.
The proposed ODP sets aside 72.11 acres of open space/park land as well as provides for the continuation of a regional trail from the northeast corner of the property to the west property line. This helps the Town move forward with the establishment of our safe and comprehensive trail system that will provide regional connections and links to neighborhoods.

Goal PG-3: Preserve wetlands, wildlife habitats and natural areas, especially in conjunction with development along the Little and Big Thompson River corridors.
The proposed ODP preserves a large area of permanent open space, which encompasses the Little Thompson River. This will help to protect and enhance the integrity and quality of the natural environment within that river corridor.

Zoning
The current zoning for the property is PUD-MU as was established in 2001. The applicant requests that zoning designation be changed to PUD-R. The ODP would allow for the construction of single family detached houses. The PUD-MU zone does not allow for the construction of single family detached homes, per municipal code. The overall density requested is 211 DU’s per acre.
ODP 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 process. Development standards for residential uses across both residential planning areas will be consistent with one another. A minimum lot size of 6,000 square feet is proposed to be established as part of this ODP. Any other modifications from SF-1 code? Setbacks? Any revisions to architectural standards? Ideally, we can point to a “better than our code” element or two... Good to point these out to PZC & council. Required porches? Enhanced architecture or masonry %,

Proposed Infrastructure Concept
An existing 12-inch Town waterline runs north to south along Parish Avenue (WCR 17). A 12-inch loop will be made within each future phase, and continuing the water line in CR 46 for future development to the west. Both filings will likely propose planting drought resistant native prairie grasses and shrubs with a xeric drip irrigation system as part of the 30-foot arterial landscape buffer at the project boundaries and along WCR 46 and Parish Avenue (WCR 17).

The project is located within the Central Interceptor sewer service area under current Town sewer planning. The proposed sewer service will discharge to a future offsite 21-inch sanitary sewer main at the Parish Avenue (WCR 17) and WCR 46 intersection, which will flow northeast of the property to the proposed Johnstown Farm’s lift station south of the Mountain View West development on WCR 46 ½. At the Town’s request, with future construction and engineering design the proposed WCR 46 sewer main will be oversized to ensure this leg is sized for future flows from the west as well as require stubs for future connections for development on adjacent western properties.

Regarding transportation networks in the area, this property abuts, on both the north and east sides, major arterials. The primary north/south road through the community is Weld County Road (WCR) 17, named Parish Avenue through Johnstown. Weld County Road (WCR) 46 is considered a high priority road for future paving due to the existing and proposed developments within that general area. The improvements to WCR 46 will improve the accessibility of the existing I-25 interchange at SH (State Highway) 56 (WCR 44) for residents in the south part of Johnstown and it will also provide some relief to SH 60 through town. A summary of the improvements required for this potential development as presented by the Town Traffic Engineer are as follows:

- It is anticipated that this development would participate in the funding of the future signal at WCR17/WCR 46;
- That an eastbound right-turn deceleration lane is needed at WCR 17/WCR 46 based on Town criteria;
- An acceleration lane on southbound WCR 17 exiting the Filing 2 access is referenced. This lane is called for based on the projected turning movement volumes relative to Town criteria;

The Community That Cares
www.TownofJohnstown.com
P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141
• The potential need for an acceleration lane at WCR17/WCR 46 and WCR 46/Filing 1 access will need to be addressed during subdivision;
• Town should consider the potential impacts of all of the proposed improvements on the existing bridge and grade crossing WCR 17;
• This project will be expected to construct the west side of WCR 17 to a 2-lane major arterial;
• This project will be expected to construct the south side of WCR 46 to a 2-lane major arterial; and
• Sufficient right of way to accommodate the ultimate 4 lane manor arterial cross section will need to be reserved along both WCR 17 and WCR 46 along the Riverbend frontage.

Staff Concerns
Staff is concerned with the large amount of Floodway and Floodplain that encompasses the entire northern portion of this property. Construction of homes and subdivision improvements within the 1% (“100-year”) regulatory Floodplain and/or the Floodway is not permitted, as the property currently sits. The applicant is working with FEMA to get a CLOMR (Conditional Letter of Map Revision) approved that will eliminate the Floodplain/Floodway conflict. Applican is aware of this situation and has had conversations with the Town in regards to this matter. No additional Town approvals or development construction, beyond this high-level ODP, shall be considered until the CLOMR (Conditional Letter of Map Revision) is approved.

RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS

Item #1 - Zoning: Riverbend Estates – Change of Zone
It is recommended that Planning and Zoning Commission send a positive recommendation to Town Council that the requested change of zoning to PUD-R for the Riverbend Estates property 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 the developer to continue to pursue development of this property, until such a time as ultimate 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 to change the zone district from PUD-MU to PUD-R for the Riverbend Estates property 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-R zoning for the Riverbend Estates property based upon the two findings as stated in the staff report.
Alternate Motion
Motion to Deny: “I move that the Commission recommend to the Town Council denial of the request for PUD-R zoning for the Riverbend Estates property based upon the following findings...”

Item #2 - Riverbend Estates ODP
It is recommended that Planning and Zoning Commission send a positive recommendation to Town Council that the Riverbend Estates ODP be approved based upon the following findings:

1. The proposed ODP is in agreement with the Johnstown Area Comprehensive Plan and its Future Land Use Map.

2. The level of development of the proposed ODP appears serviceable by Town systems, services and utilities, with required improvements that will be reflected in future development and construction plans.

3. The proposed ODP is in compliance with all Town codes, regulations, and standards and specifications.

Recommended Motion
Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that the request for the Riverbend Estates ODP 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 Riverbend Estates ODP 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 Riverbend Estates ODP with the following conditions...”

B. Motion to Deny: “I move that the Commission recommend to the Town Council denial of the Riverbend Estates ODP based upon the following...”

Planner:  
Kristin Cote

Reviewed by:  
Kim Meyer

Planner I  
Planning & Development Director
Town of Johnstown

LAND USE APPLICATION

Project Name: Riverbend Estates
Description: Single Family Detached Residential Subdivision

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 #: 21941 County Road 17, Johnstown, Colorado 80534
Applicant/Project Owner: Lee M. Lowrey / Riverbend Estates Partners, LLC
Applicant Address: 4040 MacArthur Boulevard, Suite 250, Newport Beach, California 92660
Email: lmlowrey@sterlingpacificholdings.com Telephone: (949) 566-8165

Consultant /Representative: Josh McCann / The FronTerra Group
Consultant Address: P.O. Box 178, Loveland, Colorado 80539
Email: josh@fronterra.design Telephone: (970) 669-3737

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): Lee M. Lowrey

Email: lmlowrey@sterlingpacificholdings.com Telephone: (949) 566-8165

Signature of Landowner

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www.TownofJohnstown.com
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Rev: 7-20
RIVERBEND ESTATES P.U.D. ZONING PLAT
TOWN OF JOHNSTOWN, COLORADO
Situate in the East Half of Section 17, Township 4 North, Range 67 West
OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO
171.414 ACRES

PROPERTY DESCRIPTION

The property described herein is the East Half (E1/2) of Section 17, Township 4 North, Range 67 West, County of Weld, State of Colorado and is more particularly described as follows:

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot".

This survey does not constitute a title search by Majestic Surveying, LLC to determine ownership or easements of record.

The foregoing instrument was acknowledged before me by ______________________ as ______________________this _____ day of ___________, 20 ___.

My commission expires: ________________.

NOTES
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. (13-80-105 C.R.S. 2012)

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My commission expires: ________________.
LEGAL DESCRIPTION

PARCEL 1: THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 119TH MERIDIAN, IN TOWN OF JOHNSTOWN, ADAMS COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINS AT THE NORTH WEST CORNER OF SAID PARCEL; THENCE NORTH 89.8 FEET; THENCE WEST 106.5 FEET; THENCE SOUTH 83 DEGREES 54' WEST 76.5 FEET; THENCE SOUTH 71 DEGREES 50' WEST 61.3 FEET; THENCE SOUTH 35 DEGREES 34' EAST 408.5 FEET; THENCE SOUTH 56 DEGREES 58' WEST 402.5 FEET; THENCE SOUTH 56 DEGREES 58' WEST 502.5 FEET; THENCE NORTH 61 DEGREES 5' WEST 154 FEET; THENCE SOUTH 59 DEGREES 39' WEST 119 FEET; THENCE WEST 339 FEET ALONG SAID RIGHT OF WAY TO THE PLACE OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL 2: THAT PORTION OF THE EAST HALF OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 119TH MERIDIAN, IN TOWN OF JOHNSTOWN, ADAMS COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINS AT A POINT ON THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 2395 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 17, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 119TH MERIDIAN, IN TOWN OF JOHNSTOWN, ADAMS COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THENCE SOUTH 89.8 FEET ALONG SAID WESTERLY RIGHT OF WAY TO THE PLACE OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

NARRATIVE / OPERATIONAL PLAN

This Outline Development Plan (ODP) presents a framework for the proposed development of the property described herein. The development will be consistent with the Town of Johnstown’s Land Development Code, and will be designed to be an environmentally sensitive, sustainable community. The development will include mixed-use development, open spaces, and amenities that are compatible with the surrounding environment.

DEVELOPMENT PHASING

Phasing will occur in a logical and cost-effective manner based on infrastructure requirements and market conditions. The project will be built in phases to meet the demands of the community.

GENERAL NOTES

1. Access Points Winson (the ODP APPROVED - EXACT LOCATIONS TO BE DETERMINED DURING THE PRELIMINARY AND FINAL PLATTING PHASES, BASED ON THE FUTURE TRAFFIC MANUFACTURER).
2. DEVELOPMENT PHASING - The project will be phased into various sub-phases as described in the APPROVAL BY THE PLANNING AND ZONING COMMISSION PRIOR TO IMPLEMENTATION.
3. GENERAL NOTES - All drainage systems are conceptual in nature and final determinations of the drainage systems, to include the placement of detention/retention ponds, will be made during the preliminary and final drainage reports and surveys, and the final improvement plan approval.
4. Landscaping, Signage, Architecture, and Environmental Features, Sites, and Locations for Development - to be shown on the final plat and submittal.
5. All drainage systems are conceptual in nature and final determinations of the drainage systems, to include the placement of detention/retention ponds, storm sewer, and the like, will be made during the preliminary and final drainage reports and surveys, and the final improvement plan approval.
6. The ODP APPROVED - EXACT LOCATIONS TO BE DETERMINED DURING THE PRELIMINARY AND FINAL PLATTING PHASES, BASED ON THE FUTURE TRAFFIC MANUFACTURER.
7. The project will be phased into various sub-phases as described in the APPROVAL BY THE PLANNING AND ZONING COMMISSION PRIOR TO IMPLEMENTATION.
8. The project will be phased into various sub-phases as described in the APPROVAL BY THE PLANNING AND ZONING COMMISSION PRIOR TO IMPLEMENTATION.
OUTLINE DEVELOPMENT PLAN
RIVERBEND ESTATES PUD
JONHSTOWN, COUNTY OF WELD, STATE OF COLORADO

LAND USE SUMMARY

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<th>ZONE DISTRICT</th>
<th>LAND USE</th>
<th>ACREAGE</th>
<th>LOTS/PLS</th>
<th>DENSITY</th>
<th>MIN. &amp; POC. ACCESS</th>
<th>OPEN SPACE/PARKS</th>
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</thead>
<tbody>
<tr>
<td>FILING 1</td>
<td>Single Family Residential</td>
<td>33.77 Acres</td>
<td>25.00 Acres (196.00 L)</td>
<td>1.00 Lot/Acre</td>
<td>50.74 Acres</td>
<td>37.62 Acres: 20.07 Acres</td>
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<tr>
<td>FILING 2</td>
<td>Single Family Residential</td>
<td>59.62 Acres</td>
<td>50.00 Acres (244.00 L)</td>
<td>2.50 Lot/Acre</td>
<td>17.40 Acres</td>
<td>15.60 Acres: 10.00 Acres</td>
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<tr>
<td>OVERALL SITE</td>
<td>Single Family Residential</td>
<td>113.39 Acres</td>
<td>75.00 Acres (329.00 L)</td>
<td>2.50 Lot/Acre</td>
<td>28.80 Acres</td>
<td>23.50 Acres: 13.71 Acres</td>
</tr>
</tbody>
</table>

SCALE: 1" = 200'
INTEGRATE A VARIETY OF ARCHITECTURAL DETAILS, WALL ARTICULATION, MULTIPLE ROOF PLANES IN EACH HOME TO CREATE BALANCED DESIGNS THAT VARY IN MASSING.

THE INCLUSION OF SEVERAL HOUSE MODELS WITH ALTERNATE MODEL ELEVATIONS FOR THE MOST POPULAR MODELS. ALTERNATE MODEL ELEVATIONS SHALL INCLUDE A REAR YARD SETBACK, FRONT SETBACK TO BUILDING, SIDE YARD CORNER SETBACK, SIDE YARD SETBACK.

FOR MORE OBVIOUS FEATURES, SUCH AS ROOFS, DOORS AND WINDOWS; THESE MAY INCLUDE DOOR HANDLES AND HINGES, SHUTTERS AND LIGHTING.

FOUNDATION FEATURES ARE TO BE PROVIDED ON STREET-FACING FACADES IN ORDER TO RELATE TO THE PEDESTRIAN SCALE. A COVERED ENTRY FEATURE IS REQUIRED FOR AT LEAST FIFTY PERCENT OF HOUSES IN ORDER TO MAXIMIZE WHEREVER POSSIBLE. A MINIMUM DEPTH OF SIX (6) FEET SHOULD BE PROVIDED TO COMFORTABLY ACCOMMODATE CHAIRS, HOWEVER DEEPER PORCHES ARE ENCOURAGED. ALL PORCHES TO BE A MINIMUM OF THIRTY-SIX (36) SQUARE FEET IN AREA. HANDRAILS SHOULD BE CONSISTENT WITH THE CHARACTER OF THE HOUSE AND PAINTED CONSISTENT WITH THE HEIGHT AND STYLE OF THE FRONT ELEVATION WINDOWS SHALL BE INCORPORATED. A MINIMUM OF A TWO-CAR GARAGE IS REQUIRED. GARAGE DOORS, VISIBLE AS PART OF THE FRONT FACADE, ARE TO BE A MATCHING COLOR TO THAT OF THE CLADDING. THE SAME AMOUNT OF THOUGHT AND CARE SHOULD BE PUT INTO THE SELECTION AND INSTALLATION OF OTHER ARCHITECTURAL FEATURES, AS LIMITING THE PROJECTION OF THE GARAGE. THE STREETSCAPE SHOULD INCLUDE A VARIETY OF GARAGE DOOR STYLES TO AVOID MONOTONY AND REPETITION OF A SINGLE GARAGE.

ON THE MAIN FLOOR, 1,400 SQUARE FOOT MINIMUM FOR RANCHES. GARDEN LEVEL BASEMENTS WHERE POSSIBLE. THERE ARE TO BE A VARIETY OF SQUARE FOOTAGES AVAILABLE ON THE SAME STREET TO PROVIDE AESTHETIC VARIATION.

ON THE MAIN FLOOR, 1,400 SQUARE FOOT MINIMUM FOR RANCHES. GARDEN LEVEL BASEMENTS WHERE POSSIBLE. THERE ARE TO BE A VARIETY OF SQUARE FOOTAGES AVAILABLE ON THE SAME STREET TO PROVIDE AESTHETIC VARIATION.

ATTENTION PAID TO ARCHITECTURAL QUALITY AND SITE DESIGN. EMPHASIS IS PLACED ON DIVERSITY IN LOCATION, STYLE AND BUILDING FORM. OF PARTICULAR IMPORTANCE, IS THE UNDERLYING GOAL OF THE GUIDELINES AND STANDARDS THAT FOLLOW IS TO ACHIEVE A HIGHLY FUNCTIONAL, AESTHETICALLY PLEASING NEIGHBORHOOD WITH MUCH ATTENTION PAID TO ARCHITECTURAL QUALITY AND SITE DESIGN. EMPHASIS IS PLACED ON DIVERSITY IN LOCATION, STYLE AND BUILDING FORM. OF PARTICULAR IMPORTANCE, IS THE UNDERLYING GOAL OF THE GUIDELINES AND STANDARDS THAT FOLLOW IS TO ACHIEVE A HIGHLY FUNCTIONAL, AESTHETICALLY PLEASING NEIGHBORHOOD WITH MUCH ATTENTION.
1. All existing oil/gas pipelines that are no longer in use shall be removed as part of Filing 1. See Riverbend Estates Subdivision Filing 1 Existing Conditions and Demolition Plan.

2. A future local road connection to properties to the west will be included as part of Filing 2 with a 60' right-of-way being dedicated on the Filing 2 Plat.

3. The proposed 21" diameter offsite sanitary sewer will be designed by the Town of Johnstown with design support from Wohnrade Civil Engineers, Inc.

4. Unless otherwise indicated herein, all onsite water and sewer mains in both Filing 1 and 2 shall be 8" diameter, with the exception of the 15" diameter sanitary sewer main to serve the property to the west.

5. Section 1.3 of the Town of Johnstown Sanitary Sewer Design Standards have been referenced in the preparation of design flow calculations for determining proposed peak sewer system demands for this project.

6. Section 1.2 of the Town of Johnstown Water System Design Standards have been referenced in the preparation of design flow calculations for determining proposed peak water system demands for this project. Assume 3.0 people per dwelling unit.

7. Fire hydrants shall be at a maximum 500-foot spacing for residential subdivisions, and shall have a minimum residual pressure of 20 psi during maximum day + fire flow, to provide minimum fire protection. As per Part III, paragraph 3.2.3 of the Town of Johnstown Water Design System Specifications.

8. Oil/gas setbacks shown on this plan are 200-feet from both existing wells and oil/gas facilities to proposed residential building footprints. Setbacks from plugged and abandoned wells are 25-feet from the well to proposed building footprints.

9. This topographic survey was prepared by Wohnrade Civil Engineers using precision UAS aerial mapping. Supplemental survey was prepared by King Surveyors. Survey was prepared in February 2018.
1. All existing oil/gas pipelines that are no longer in use shall be removed as part of Filing 1. See Riverbend Estates Subdivision Filing 1 Existing Conditions and Demolition Plan.

2. A future local road connection to properties to the west will be included as part of Filing 2 with a 60' right-of-way being dedicated on the Filing 2 Plat.

3. The 100-yr Regulatory Floodplain delineations shown on this drawing are based on the Flood Insurance Rate Map (FIRM) 08069C1410G, Effective date January 15, 2021.

4. Wohnrade Civil Engineers, Inc. is currently in the process of preparing a Conditional Letter of Map Revision (C-LOMR) to FEMA for this project. A Letter of Determination from FEMA, in support of the project, is expected prior to project approval of Filing 1 by the Town of Johnstown Town Board.

5. Oil/gas setbacks shown on this plan are 150-feet from existing wells to proposed residential building footprints, and 200-feet from existing oil/gas facilities to proposed residential building footprints. Setbacks from plugged and abandoned wells are 25-feet from the well to proposed building footprints.

6. This topographic survey was prepared by Wohnrade Civil Engineers using precision UAS aerial mapping. Supplemental survey was prepared by King Surveyors. Survey was prepared in February 2018.

7. This proposal is based on current conceptual drawings and details that may change as per the development process.

8. Roadway dedications will need to occur as required by the Town of Johnstown.
Kristin Cote

From: Kristin Cote
Sent: Friday, August 27, 2021 9:43 AM
To: Kayevdbrs@hotmail.com
Cc: Kim Meyer; Marco Carani
Subject: FW: Comments about ZON@1-0003 development
Attachments: DSCN0408.JPG; DSCN0415.JPG; DSCN0410.JPG

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Kaye,

Thank you for reaching out to the Town with your concerns. The Town is aware of the floodplain issues on that property and has concerns regarding those as well. Floodplain regulations are dictated to municipalities by FEMA. The applicant is trying to work with FEMA to take appropriate actions to get the property removed from the Floodplain by means of elevation corrections. If the applicant cannot satisfy FEMA requirements regarding the floodplain then development cannot occur on that property.

In regards to the water issues in the Town. Our Public Works department is very aware of those problems and is working towards corrections. On September 8th the bid for expanding the size of the water plant is going before Town Council. This expansion will double the current size of the existing water plant. If everything goes appropriately the expanded water plant should be up and running by mid-2023.

Again thank you for reaching out to the Town. I will make the Development Director aware of your concerns to ensure they are properly addressed. If there is anything else I can help you with or any additional questions I can answer for you, please do not hesitate to let me know. Thank you and have a great day!

Kristin Cote

From: planning <planning@JohnstownCO.gov>
Sent: Thursday, August 26, 2021 3:19 PM
To: Kristin Cote <KCote@JohnstownCO.gov>
Subject: FW: Comments about ZON@1-0003 development

From: Kaye VanDenBerghe <KayeVdbrs@hotmail.com>
Sent: Thursday, August 26, 2021 3:13 PM
To: planning <planning@JohnstownCO.gov>
Subject: Comments about ZON@1-0003 development

Dear Kristen Cote, Project Manager

I have two concerns I would like to bring up about the Development and Zoning for the proposed Riverbend Estates. My concerns are both related to water.

First, let me explain who I am: My name is Kaye VanDenBerghe and I reside at 1418 Mallard Drive, Johnstown. My husband and I have lived in Johnstown since 2007. Our home looks out over this proposed...
development, which has been advertised for nearly as long as we have lived here. The sign describing it has been on the corner of the property for many years.

My first concern: With all the new housing subdivisions already in progress in Johnstown, what is the robustness of the municipal water supply. I've been told that Johnstown has a large water supply, but is that an optimistic viewpoint? There have to be limits somewhere, especially when the area has frequent droughts. How is the Town assuring existing homeowners of an adequate water supply?

My second concern has to do with too much water. Much of the proposed development is in a flood plain. I know that the 2013 Flood of the Little Thompson River was considered a Hundred Year flood, but that doesn't mean that it will be another 100 years before such a flood could happen again. The flooding cut off the main route (CR 17 or Parish Ave) for Pioneer Ridge residents into the main part of Johnstown for a few days. CR 46 also was flooded for a time.

I've attached a few of my pictures that show what the area looked like back in September 2013. Some pictures taken from inside my house, others were taken as I walked north on CR 17 towards the flooded area. The white house in two of the pictures was so badly damaged by the flood water that it was torn down. Some homes in the proposed development would be in built right where that house was. The third picture is a view just west of the area of the two pictures with the white house is also where some proposed homes would go.

Is it wise to allow homes to be built in a flood plain? I personally don't think it is. A related issue is what are the emergency plans if people need to be evacuated? One section of the development only shows one entrance off of CR 46. The southern part of the development shows two entrances, but one of the entrances is shown going into a road that does not exist, and if a road is built, a bridge to cross the Little Thompson will also need to be constructed.

Those are my concerns. I'm not opposed to new homes, I'm just not sure this is a good place to put them.

Sincerely,

Kaye VanDenBerghe
Kristin Cote

From: Kristin Cote  
Sent: Monday, August 30, 2021 10:21 AM  
To: jodieaakko@comcast.net  
Cc: Kim Meyer  
Subject: FW: comment about Riverbend Development

Good Morning Jodie,

Thank you for reaching out to the Town with your concerns. The Town is aware of the floodplain issues on that property and has concerns regarding those as well. Floodplain regulations are dictated to municipalities by FEMA. The applicant is trying to work with FEMA to take appropriate actions to get the property removed from the Floodplain by means of elevation corrections. Please note that site is currently be considered only to establish the zoning of that property. Any development that would occur, going forward, would require additional applications, Town considerations and public hearings. If the applicant cannot satisfy FEMA requirements regarding the floodplain then development cannot occur on that property.

In regards to the water issues in the Town. Our Public Works department is very aware of those problems and is working towards corrections. On September 8th the bid for expanding the size of the water plant is going before Town Council. This expansion will double the current size of the existing water plant. If everything goes appropriately the expanded water plant should be up and running by mid-2023.

Again thank you for reaching out to the Town. I will make the Development Director aware of your concerns to ensure they are properly addressed. If there is anything else I can help you with or any additional questions I can answer for you, please do not hesitate to let me know. Thank you and have a great day!

Kristin Cote

From: planning <planning@JohnstownCO.gov>  
Sent: Monday, August 30, 2021 9:36 AM  
To: Kristin Cote <KCote@JohnstownCO.gov>  
Subject: FW: comment about Riverbend Development

From: Jodie Aakko <jodieaakko@comcast.net>  
Sent: Sunday, August 29, 2021 1:17 PM  
To: planning <planning@JohnstownCO.gov>  
Subject: comment about Riverbend Development

Dear Kristin Cote,

My family has lived at 1417 Mallard Drive in Pioneer Ridge for fifteen years. We have greatly enjoyed Johnstown; it is a hidden treasure! My house is the northern-most house in Pioneer Ridge and it over-looks the Riverbend Development.

I am writing to express my concerns for the Riverbend Development. I am requesting the town council to disallow this development for the following reasons:
1) It is in a floodplain. I watched (from my bedroom window) the flood roll-in in 2013. The Riverbend property was under water by a wide lake, and the house that was located there has been removed. The sign for Riverbend Estates was also destroyed in this flood. The train across the road from Riverbend Estates was derailed, and the bridge was destroyed. This flood plain is so deep that it would not be ample to just build it up some—it would be in a floodplain regardless.

2) We are currently under a water ration, as we are allowed to water our yards only on certain days. Adding entire neighborhoods would only add to the water concern. Can we keep adding neighborhoods?

3) My last reason is aesthetics. Yes, this reason may be considered futile by some. I like Johnstown for being Johnstown. We are set in a beautiful farm setting. The pastoral scenery is priceless! The very identity of Johnstown is its farmland, sprinkled with some happy neighborhoods with children playing and residents hanging out on their front porches. We love our Hays, we get disappointed if the fire truck did not wake us up at 5 a.m., we have the most amazing library around, we stop everything to find our neighbor’s lost pets, and we even drive 20 miles per hour. We treasure our historical buildings, including the WWII internment building, and our museum. My great grandparents lived here for a short time in 1906, hoeing beets, and living in a beet shack, until they settled in La Salle on their own farm. My children are fourth-generation Colorado natives and we love our Johnstown country-setting home.

But now, I see new neighborhoods popping-up on our highway between Hays and the interstate, I see a gas station going in on the empty block across from McDonalds, I see a development going in across the road from Riverbend.

I highly urge the town council to please protect the priceless charm of Johnstown. Please disallow more neighborhood developments. The taxes we get from the Centerra section of Johnstown will allow us to protect our farm setting.

Thank you for your consideration,

_Jodie Aakko_
Good Morning Paul,

Thank you for reaching out to the Town with your concerns. The Town is aware of the floodplain issues on that property and has concerns regarding those as well. Floodplain regulations are dictated to municipalities by FEMA. The applicant is trying to work with FEMA to take appropriate actions to get the property removed from the Floodplain by means of elevation corrections. If the applicant cannot satisfy FEMA requirements regarding the floodplain then development cannot occur on that property.

Again thank you for reaching out to the Town. I will make the Development Director aware of your concerns to ensure they are properly addressed. If there is anything else I can help you with or any additional questions I can answer for you, please do not hesitate to let me know. Thank you and have a great day!

Kristin Cote

Hello Ms. Cote:

I have received the PUBLIC HEARING NOTICE for the Riverbend Estates Development in the mail. I have lived on the western edge of the Pioneer Ridge Tract since February 2009.

The area for this development, during the flooding of 2013, was under as much as six feet of water. We joked that we had "lake front property" for a few days and were grateful we lived on Pioneer Ridge.

The real estate agent we used to buy the home told us at the time that the area in question was a flood plain and would never be built on. After what we witnessed in September 2013 I was convinced of the truth of what he told us.

I don't have any expertise in Development Plans or Zoning but my first piece of advice to anyone considering buying a home in this development would be, don't.

I have to wonder what could possibly have been done to make this area free enough from flooding to warrant building a tract of homes.

Paul Beaudoin
Good Morning,

Thank you for reaching out to the Town! I will make the Development Director aware of your concerns to ensure they are properly addressed. If there is anything else I can help you with, please do not hesitate to let me know. Thank you and have a great day!

Kristin Cote
Planner I

From: Paul and Candi Winckel <paulncandi@gmail.com>
Sent: Monday, September 6, 2021 7:42 PM
To: planning <planning@JohnstownCO.gov>
Subject: Riverbend estates proposal

September 6, 2021

To the Members of the Planning and Zoning Commission:

We would like to voice our concerns regarding the proposed Riverbend Estate Development. We have lived in Pioneer Ridge, on the ridge, for 20 years and in Johnstown for nearly all of our lives. We are vested in this community. We were here to see the flood of 2014 and our number one concern is that the housing development would be in, or near that flood zone. It seems like building homes anywhere close to that area is just asking for trouble.

We would also like you to take into consideration the overcrowding at Pioneer Ridge Elementary and the additional traffic on CR 17. That road is narrow and already difficult to access at times.

Selfishly, we love our unobstructed view of farmland and mountains and know the proposed subdivision would cause our enjoyment and the value of our home to diminish.

We respectfully ask you to consider these concerns when making your decision.

Paul and Candi Winckel
1544 Goldeneye Dr.
Johnstown, CO 80534
paulncandi@gmail.com
Thank you Kristen! Appreciate your help and valuable insights.

On Sep 7, 2021, at 11:31 AM, planning <planning@johnstownco.gov> wrote:

Ken,

So essentially the applicant is trying to work with FEMA to have a CLOM-R (Conditional Letter of Map Revision) and eventually a LOM-R (Letter of Map Revision) approved. These processes fall under FEMA jurisdiction and require FEMA approval. FEMA is essentially looking at a plan by the applicant to raise the elevations in that area so that the lowest live able level of any dwelling would be above the FEMA floodplain elevation. When FEMA reviews these sort of requests they need to look at potential surrounding impacts. The way they do that is to standardly require a No Rise study and certification. A No Rise certification certifies that “Any project in a floodway must be reviewed to determine if the project will increase flood heights. An engineering analysis must be conducted before a permit can be issued. The community’s permit file must have a record of the results of this analysis, which can be in the form of a No-rise Certification. This No-rise Certification must be supported by technical data and signed by a registered professional engineer. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM).”

As I discussed in our previous email any development that would occur, going forward, would require additional applications, Town considerations and public hearings so individuals would receive notice and have the opportunity to ask questions or state concerns regarding said development. I will save a copy of this email to the project file as to ensure it remains part of the record. If you have any additional questions for me, let me know. Thank you.

Kristin Cote

Kristen,

Thank you for your quick response. If I understand correctly, the applicant is currently working with FEMA, and is that merely a process to determine the necessary alterations/modifications that would enable construction, i.e. engineering specific? Or does the process also take into account the impact to surrounding residents? If FEMA lays out what needs to be done and the applicant indicates they can
accomplish it and it has a significant impact on the surrounding residents, is there more hearings that will allow us to be heard?

As for this current hearing, I would like to go on the record as opposing any zoning that will allow residential structures be built on that parcel.

Again, thank you very much for your quick response and the additional insight to the project. Appreciate all your assistance.

Ken.

On Sep 7, 2021, at 10:17 AM, planning <planning@johnstownco.gov> wrote:

Good Morning Ken,

Thank you for reaching out to the Town. This site is currently being considered only to establish the zoning of that property by the Town. As you are aware, those properties are located in the Floodplain district. Floodplain regulations are dictated to municipalities by FEMA. The applicant is trying to work with FEMA to take appropriate actions to get the property removed from the Floodplain by means of elevation corrections.

That being said new structures cannot be built at the current elevations, it is our understanding that the applicant is trying to be precluded from the floodplain district by raising those elevations via CLOM-R which is a FEMA process, and the Town has not been told by FEMA what elevation would be necessary for a lowest finished floor elevation on this site for structures. Please note if the applicant cannot satisfy FEMA requirements regarding the floodplain, development cannot occur on that property. Any development that would occur, going forward, would require additional applications, Town considerations and public hearings.

I hope I have answered your questions. If you need additional information let me know. Thank you.

Kristin Cote
Planner I

From: Ken Bianchetti <kbianchetti@earthlink.net>
Sent: Tuesday, September 7, 2021 9:51 AM
To: planning <planning@JohnstownCO.gov>
Subject: Re: Item ZON21-0003 / Kristin Cote

Good Morning,

I received notice of the public hearing for this development and would like to submit the following questions:
1. Will the new structures that are to be built, be built at the current elevation that exists on that parcel today?
2. Or will the elevation be raised?
3. If the plan is to raise the elevation, why is that being done? And how many feet will it be raised?

Are there minutes of the meeting that will be published or must we attend the virtual meeting to learn the responses of the questions submitted by residents?

Thank you.

Ken Bianchetti
1710 Canvasback Dr.
Good Afternoon Tom,

Thank you for reaching out to the Town with your concerns. The Town is aware of the floodplain issues on that property and has concerns regarding those as well. Floodplain regulations are dictated to municipalities by FEMA. The applicant is trying to work with FEMA to take appropriate actions to get the property removed from the Floodplain by means of elevation corrections. If the applicant cannot satisfy FEMA requirements regarding the floodplain then development cannot occur on that property.

In regards to the water issues in the Town. Our Public Works department is very aware of those problems and is working towards corrections. On September 8th the bid for expanding the size of the water plant is going before Town Council. This expansion will double the current size of the existing water plant. If everything goes appropriately the expanded water plant should be up and running by mid-2023.

If this property is able to satisfy FEMA floodplain requirements and receives the zoning approval they are asking for, they would then need to apply to develop a subdivision on this site to establish lots to build houses. A Traffic Impact Study is a required submittal document when applying for a subdivision. That is the documentation that would answer questions the Town would have regarding road improvements and traffic impacts.

Again thank you for reaching out to the Town. I will make your comments part of my staff report for the September 15th Planning Commission meeting to ensure they are properly addressed. If there is anything else I can help you with or any additional questions I can answer for you, please do not hesitate to let me know. Thank you and have a nice evening!

Kristin Cote

From: tom lanoway <tomlanoway@gmail.com>
Sent: Wednesday, September 8, 2021 4:02 PM
To: planning <planning@JohnstownCO.gov>
Subject: Riverbend estates

In regards to this development, were is the water going to come from. We have been told to limit watering, etc., due to water issues. I dont understand how adding more households to the water system coincides with what we have been told.
This area flooded in the past. How is that going to be addressed? How high up are they going to grade?
Is the gravel road going to be paved?
Have they thought of the increase traffic that will happen?
I am not behind this development.
Tom