



Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO

Wednesday, January 17, 2024 at 7:00 PM

MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.

AGENDA

CALL TO ORDER

Pledge of Allegiance

ROLL CALL

AGENDA APPROVAL

PUBLIC COMMENT

Members of the audience are invited to speak at the Council meeting. Public Comment is reserved for citizen comments on items not contained on the Public Hearing portion of the agenda. Citizen comments are limited to three (3) minutes per speaker. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position.

CONSENT AGENDA

The Consent Agenda is a group of routine matters to be acted on with a single motion and vote. Council or staff may request an item be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

- [1.](#) January 4, 2024 Meeting Minutes
- [2.](#) Resolution 2024-06 Authorizing and Supporting the Town of Johnstown's Application for a Peace Officers Behavioral Health Support and Community Partnership Grant from the Colorado Department of Local Affairs

TOWN MANAGER REPORT

TOWN ATTORNEY REPORT

NEW BUSINESS

- [3.](#) Storage Unit Use Agreement between the Town of Johnstown and Graycliff
- [4.](#) Country Acres Drainage Mitigation Study Update
- [5.](#) Colorado Boulevard & Roosevelt Parkway Intersection Alternatives Analysis
- [6.](#) Discussion Only: Front Range Fire Rescue Impact Fee Study

PUBLIC HEARING

- [7.](#) New Beer & Wine Liquor License Application for Buc-ee's Johnstown LLC

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COUNCIL REPORTS AND COMMENTS

MAYOR'S COMMENTS

INFORMATIONAL ITEMS

- [8.](#) Informational Items

EXECUTIVE SESSION

9. An executive session to discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a).

ADJOURN

AMERICANS WITH DISABILITIES ACT NOTICE

In accordance with the Americans with Disabilities Act and other applicable laws, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at 970-587-4664 no later than 48 hours before the meeting in order to request such assistance.

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Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO

Wednesday, January 03, 2024 at 7:00 PM

MINUTES

CALL TO ORDER

Mayor Mellon called the meeting to order and led the Pledge of Allegiance.

Pledge of Allegiance

ROLL CALL

Present:

Councilmember Berg
Councilmember Morris
Councilmember Young
Mayor Mellon

Absent:

Councilmember Dominguez
Councilmember Molinar
Councilmember Paranto

AGENDA APPROVAL

Councilmember Berg to approve the agenda.

Councilmember Morris seconded and the motion passed.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

Councilmember Berg moved to approve the consent agenda.

Councilmember Young seconded and the motion passed.

1. December 18, 2023 Meeting Minutes
2. Ordinance 2023-264: An Ordinance Submitting To The Registered Electors Of The Town Of Johnstown At The General Municipal Election To Be Held On April 2, 2024, A Charter Amendment Conforming The Limits On Allowing Persons With Felony Convictions To Hold Council Office To Those Set Forth In The Colorado Constitution
3. Ordinance 2023-265: An Ordinance Submitting To The Registered Electors Of The Town Of Johnstown At The General Municipal Election To Be Held On April 2, 2024, A Charter

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Amendment Setting Forth The Source Of The Population Count For Councilmember Residency Qualifications And Providing For The Election Of Councilmembers From Three Electoral Districts Rather Than From Two Districts And Four Wards

4. Ordinance 2023-266, an Ordinance Approving the Grant of a Cable Franchise to TDS Broadband Service, LLC, and Approving a Cable Franchise Agreement Between TDS Broadcast Service, LLC and the Town of Johnstown, Colorado
5. Resolution Number 2024-01 A Resolution Designating the Public Place for Posting Notices Pursuant to C.R.S. Section 24-6-402(2)(c)
6. Resolution 2024-02 Updating and Adopting the 2024 Three Mile Plan
7. Resolution 2024-03 Adopting the Town of Johnstown Strategic Plan
8. December 2023 List of Bills

TOWN MANAGER REPORT

New staff members were introduced to Council Tori Kennedy, Building Permit Technician was introduced.

Justin Scrivner, Senior Mechanic

Brian Quijada, Collection and Disruption Department,

Forrestte Brinkerhoff and Hunter Brady, Police Officers.

Matt LeCerf, Town Manager, noted the monthly report and noted a sanitary sewer inspection in November of 2023 resulted in two violations. Mr. LeCerf noted next steps and all items have been tested and show no risk to public health.

Council asked how we can prevent other issues, and Mr. LeCerf noted in 2021 and 2022 these areas were not tested, which resulted in the violation. It was noted in the future, if you do not have an inspection on the backflow, the Town will lock out the system.

Mr. LeCerf noted new water bills were sent out, and details are spelling out the adjustments have been made on the standard reading of the meters.

Council asked for clarification on the printing of the community calendars. Mitzi McCoy noted the cost of the printing and the reprint, as well as other options that were looked into. Council clarified that re-printing the calendars in order to get the correct information out would be the best course of action.

TOWN ATTORNEY REPORT

There was no Town Attorney Report.

NEW BUSINESS

9. Resolution 2024-04: Approving the Purchase and Sale Agreement By and Between the Town of Johnstown And TF Johnstown Farms, L.P. for the Purchase of Real Property Known as Lot 1 of Johnstown Farms Filing No. 1 Third Amendment

Mr. LeCerf presented this item, noting the agreement and the agreed price \$225,000 and exists of 1.744 acres, developed to house Planning and Engineering.

Council asked when staff expected to see something beginning the be built. Mr. LeCerf noted 6-7 months including a design phases and long-term needs.

Councilmember Young moved to approve Resolution #2024-04 as presented and authorize the Town Manager to administratively approve the Purchase and Sale Agreement, if changes are necessary.

Councilmember Morris seconded and the motion passed.

COUNCIL REPORTS AND COMMENTS

Councilmember Morris extended new year wishes.

Councilmember Berg noted a successful Wreaths Across America event with 221 wreaths laid.

MAYOR’S COMMENTS

Mayor Mellon noted upcoming transportation meetings.

Mayor Mellon noted the absence of Councilmember Dominguez and the excused absense on December 20, 2023. With the December 4th, 18th 2023 absences and January 3, 2024 absence it was suggested that Council now refer to Ordinance 2023-254 and direct Town Staff to draft a letter for the Mayor's signature advising Councilmember Dominguez noting she is excused and expressing thanks for the service to this date.

Councilmember Berg moved pursuant to 2023-254 deem Councilmember Dominguez’s seat as vacant and direct staff to draft a letter for Mayor Mellons signature advising Councilmember Dominguez of the absence and seat vacancy

Councilmember Young seconded and the motion passed.

Mayor Mellon declared the seat vacant, noting the seat will be filled with the individual receiving the fourth highest number of votes in the election on April 2, 2024.

INFORMATIONAL ITEMS

Informational items were included in the packet.

- 10. Informational Items

ADJOURN

Mayor Mellon adjourned the January 3, 2024 meeting at 7:35 pm.

Troy D. Mellon, Mayor

Hannah Hill, Town Clerk



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

- AGENDA DATE:** January 17, 2024
- SUBJECT:** Grant Application for Peace Officer Behavioral Health Support and Community Partnership Grant Program
- ACTION PROPOSED:** Consider Resolution 2024-06 Authorizing and Supporting the Town of Johnstown’s Application for a Peace Officers Behavioral Health Support and Community Partnership Grant from the Colorado Department of Local Affairs
- ATTACHMENTS:** 1. Resolution 2024-06
- PRESENTED BY:** Ryan Oglesby, Interim Police Chief
-

AGENDA ITEM DESCRIPTION:

Enclosed for your consideration is a resolution that will allow staff to apply for funding from the Department of Local Affairs. Funding is being offered through the Peace Officer Behavioral Health Support and Community Partnership Grant Program and will be sought to fund a community co-responder program and peer support services for the officers of the Johnstown Police Department.

The Johnstown Police Department began a community co-responder program in 2023 in which Summitstone Health Partners was able to fund a mental health clinician who works directly with officers on mental health-related calls for service. We hope to secure additional grant funding to continue this valuable program for two additional years.

We are also hoping to secure funding to begin a peer support program. This program will be focused on training officers within the department to be peer support counselors who work with mental health counselors to provide a support service for officers who are involved in critical incidents or who have job-related stress. These programs have proved to be valuable for many other departments in our area and we hope to provide the same level of service to our department.

LEGAL ADVICE:

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The Town Attorney drafted the resolution.

FINANCIAL ADVICE:

Grant funding does not require a town match for application purposes. There is also no mandate to continue funding at the conclusion of the grant period.

RECOMMENDED ACTION:

Approve Resolution 2024-06 as presented.

Reviewed and Approved for Presentation,



Town Manager

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2024-06**

RESOLUTION AUTHORIZING AND SUPPORTING THE TOWN OF JOHNSTOWN’S APPLICATION FOR A PEACE OFFICERS BEHAVIORAL HEALTH SUPPORT AND COMMUNITY PARTNERSHIP GRANT FROM THE COLORADO DEPARTMENT OF LOCAL AFFAIRS

WHEREAS, the Town of Johnstown, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, the State of Colorado, by and through the Colorado Department of Local Affairs, is offering grants to support peace officers’ behavioral health and community partnerships; and

WHEREAS, the Town Council supports the Johnstown Police Department and the Johnstown Police Department’s participation in the co-responder program that provides a coordinated approach to behavioral health intervention; and

WHEREAS, the Town Council authorizes and supports the Town’s application for a Peace Officers Behavioral Health Support and Community Partnership Grant; and

WHEREAS, the Town Council finds that adoption of this Resolution is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF TRUSTEES OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council hereby authorizes and supports the Town’s application for a Peace Officers Behavioral Health Support and Community Partnerships Grant.

Section 2. This Resolution shall be effective upon adoption.

PASSED, SIGNED, APPROVED, AND ADOPTED this ___ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Troy D. Mellon, Mayor

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Residential listings were up in 2023, but sales volumes, median prices tanked

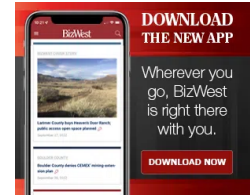
Crocs expects \$3.95B in '23 sales, stock price soars

Danone offloading Boulder-born Horizon Organic to private-equity firm



LongPath secures conditional \$189M DOE loan

Laughing it up



*The new Buc-ees fueling station will include 120 pumps under the awning but half the revenue from the operation will come from food sales.
Ken Amundson / BizWest*

≡ ≡ CALENDAR ≡ ≡

10 JAN	Northern Colorado Economic Forecast 2024, Presented by BizWest
11 JAN	Regional Business After Hours with Blue Arena
18 JAN	Boulder Economic Forecast

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Johnstown development activity reflects community that's open for business.

JOHNSTOWN — An economic measure to help gauge construction activity in a community such as Johnstown might be the number of yellow-line John Deere or Caterpillar earth movers at work on any given day.

While it may not be true, it seems like a typical traveler in the community is never out of sight of such construction equipment, as development after development works to turn vacant land into houses and commercial buildings.

Take, for example, the Colorado Highway 60 corridor. On the west side of the interchange, a massive Buc-ee's convenience store and fueling station is taking shape. On the east side, no more than a half-mile from Buc-ee's, is the heart of the Ledge Rock development that will include Missouri-based Woods Supermarket's first venture into Colorado, a Murdoch's Ranch and Home Supply store, and other retail.

The development map for the community marks development after development, from Encore north of U.S. Highway 34 down through the 2534 development, Iron Horse, The Ridge, Revere, Welty Ridge, Ledge Rock and more — about eight miles in all, much of it adjacent or near to Interstate 25, aka Colorado's Main Street. Numerous residential developments also are underway, some of which will contain "neighborhood commercial," said Sarah Crosthwaite, economic development director for the town.

The developers responsible for these projects come from near and far — Colorado-based McWhinney Real Estate Services Inc. has one, but others hail from California, Texas, Kansas and Arizona.

"The amount of outside capital investment into the community is amazing," Crosthwaite said. "It shows that Johnstown has a good reputation for working with developers."

Indeed, the relative ease that developers face in building projects in Johnstown has been a factor. Diane Seale, who served as city clerk for Johnstown from 1999 until she

been a factor. Diane Seele, who served as city clerk for Johnstown from 1990 until she retired in 2022, noted that the community's growth began incrementally and picked up speed as time went on. First, it was a development near downtown, but things accelerated when the community annexed land at the southeast corner of I-25 and Highway 34, called 2534, where the Scheels All Sports store operates from a 250,000-square-foot retail space in the Johnstown Plaza.

Seele described how the community of 1,500 people when she arrived there in 1987 grew to its size of 18,636.

"We had a grocery store, Hays Market, forever. It wanted to expand, so the town annexed Johnstown Center at the edge of downtown," she said. In the mid-'90s, some commercial expansion began but "then we kind of sat dormant for a bit."

Department-head meetings at city hall, she said, consisted of about five people. A planner who was working in the community saw the opportunity and persuaded the town to annex to the north to capitalize on the growth happening nearby in Loveland's Centerra.

"We had a proactive board at that time, but we didn't have a lot of money. We could offer time — we could get properties through the process quickly," she said.

That thread — relative ease for developers — has run through all the developments, and is remarked upon by those seeking to do business with the town.

Josh Smith, director of operations for Buc-ee's, the Texas-based convenience store operator, said the "city has been wonderful to work with, and the county, too.

"Life's too short to do business with a community that doesn't want you," Smith said, quoting the company's founder, Arch "Beaver" Alpin.

Buc-ee's to open early 2024

While access to the Buc-ee's site just west of the I-25/Colorado 60 interchange is still restricted, there's no shortage of workers or equipment getting things ready for a mid-March opening. On a Wednesday before Christmas, workers were pouring concrete,

laying asphalt, completing the weather cover over the apron that will contain 120 gas pumps, and completing the Lone Star markings above entrances.

Buc-ee's is, after all, based in Texas, where things are larger than life. The Johnstown store will be among the company's largest at 74,000 square feet. It has another of that size in Sevierville, Tennessee.

"It's a family-oriented travel center," Smith said. "It's not conducive to 18-wheeler traffic," he said. Truck traffic will continue to be served at Johnson's Corner to the north or Love's Travel Stop to the south at the Berthoud interchange.

The Johnstown store will be the company's 49th, with four more stores planned in 2024, Smith said. None of those four will be in Colorado, although the company is looking for other Centennial State opportunities.

The store does not have a sit-down restaurant but does sell a lot of food. "About 50% of our business is in food service," he said. The store caters to travelers who will stop for fuel, buy food or other convenience items and head back out on the road.

The company has begun to advertise a mass-hiring event that will occur Jan. 23-27 at the Embassy Suites Hotel and Conference Center in Loveland. On those dates, people who have applied and have been screened over the telephone will be interviewed in person and hired.

Pay for positions at Buc-ee's will be \$18 to \$33 per hour for 40-hour-per-week jobs, Smith said.

"We'll hire 250-300 employees, about 90% full time," he said. He expects the remaining part-time positions will go to students, weekend workers and others.

Jobs will include cashiers, warehousing — "it's like big box retail, stocking shelves," he said — food service workers such as people slicing and selling barbecued brisket, and retail associates selling clothing or hunting gear.

"It's all on track," Smith said.

Commercial/residential mixed uses

Many of the developments underway in Johnstown combine both commercial and residential, Crosthwaite said. Encore on 34 is an example.

Arizona-based Caliber Services LLC is the developer behind this 453-acre site north of U.S. Highway 34 and east of Centerra. The company plans 900 single-family homes, 56 apartments and 880,000 square feet of commercial space.

“Final layout will be determined by the market,” Crosthwaite said. Commercial space will be along Highway 34, and the most northern part of the development will include a private high school, she said.

The development could include light industrial or employment-related businesses. The developer hopes to get agreements finalized in 2024 and may break ground as soon as a summer, she said.

Across the road from Encore, adjacent to the 2534 retail development, is McWhinney’s Iron Horse, an industrial park that unlike many in the region includes outside yard space for those companies that have storage needs that don’t require cover.

“There are some great users there, great employers,” Crosthwaite said. A building constructed on speculation is fully leased, she said. The company has about 80 acres remaining to be developed in Iron Horse.

Also in that vicinity, just west of Iron Horse, is a United Properties Development LLC project on 16.76 acres called Trade@2534. The flex industrial site most recently picked up a Kroger Co. fulfillment center, which the King Soopers grocer uses for home-delivery services.

Caliber, the Arizona company, is also developing another parcel, this one 159 acres to start, called The Ridge. It’s located at I-25 and Weld County Road 18. At buildout, it will include residential with a diversity of housing types, and it includes space slated for commercial use along I-25.

“With them (Caliber) having two great projects, we’re excited about this moving forward. General agreements need to be voted on by the council,” Crosthwaite said.

Caliber, which entered the Johnstown development scene only about a half-decade ago, has other ambitious plans for the town.

“We have about 750 acres in six different projects” in various stages of the planning, permitting and development process, Caliber chief development officer Roy Bade said. “We have pretty much every project type — everything from schools to single-family (homes), single-family (homes) for rent, multi-family, office, industrial, medical, retail and hospitality. We’re really touching almost every kind of real estate asset there is.”

Regarding Caliber’s long-term portfolio projections, Bade said, “In the big picture, once these all have the vertical development, there will be more than \$1 billion in new development in Johnstown.”

The company’s residential communities could bring about 8,000 to 10,000 new residents to the town.

Texas-based 4 Star Development & Brokerage plans a residential development called Revere North; it does include commercial elements, but details of that await a commercial partner for 4 Star, which specializes in residential only, Crosthwaite said. Between 30 and 50 acres of Revere North will be set aside for commercial development.

Welty Ridge, being developed by Platte Land and Water, includes the Buc-ee’s project. The remainder of Welty Ridge is likely to see commercial, light industrial and some residential.

Platte Land and Water also has another parcel of particular interest to Johnstown. It’s a 160-acre parcel, annexed into the town, that the city is calling its future North Downtown. It’s north on Weld County Road 17.

“Tons of projects are coming for downtown,” Crosthwaite said. That’s noted in the town’s strategic plan, which was just updated and included for town board review last month.

Among the strategies noted in the plan are “driving development to expand the downtown corridor.” In the short-term — up to three years according to the plan — the town wants to create a downtown master plan, complete a financial improvement study for the downtown to support the vision for its expansion, and guide expansion in a creative way.

“The biggest thing is that we want to assure that it (the expansion) adds amenities and an extension of the historic corridor,” Crosthwaite said. It needs to be “pedestrian-friendly” and have elements that “activate it both day and night,” she said.

While not downtown, the Ledge Rock Center between downtown and Interstate 25 offers the community another retail opportunity. It includes six buildings in its first phase, including Woods Supermarket, Murdoch’s Ranch and Home Supply, and a retail center that will include business condos or rental units. A Sports Clips “coming soon” sign hangs in the window of one of them.

Kansas-based Carson Development Inc. is producing Ledge Rock, which will include 750,000 square feet of commercial space.

Woods Supermarket, a Missouri-based grocer making its foray into the state at Johnstown, will open in 2024. The store will be 85,000 square feet. Woods has been around Missouri for decades; the Johnstown store will be its 11th and its first outside of its home state. About 150 workers will be hired to staff the store, which as of late December was largely shelled in but did not have exterior elevations completed.

Crosthwaite said the town put more than \$8 million into improvements at the Highway 60 gateway.

Other residential developments that include some commercial elements include the Vista Commons neighborhood north of Ledge Rock, Massey Farms and Settlers Crossing, she said.

“We’re excited about Northern Colorado,” Caliber’s Bade said. “We find it to be a very strong market for a lot of reasons. most of them relate to quality of life.”

...strongly...most of them relate to quality of life...

By and large, developers have found Johnstown residents, its government officials and staffers, and its economic development community to be open for business.

“In Johnstown, they’re incredibly open to getting together and meeting with them. They’ve had a fair amount of turnover (in its planning and development office) and I think that’s one of the things that’s difficult ... but it’s part of being one the fastest growing communities in the state,” Bade said. “You’re going to have some growing pains, but overall, their receptiveness to development and to developers exceeds what we’ve seen in other regions.”





Ken Amundson



Ken Amundson is managing editor of BizWest. He has lived in Loveland and reported on issues in the region since 1987. Prior to Colorado, he reported and edited for news organizations in Minnesota and Iowa. He's a parent of two and grandparent of four, all of whom make their homes on the Front Range. A news junkie at heart, he also enjoys competitive sports, especially the Rapids.

Lucas High



A Maryland native, Lucas has worked at news agencies from Wyoming to South Carolina before putting roots down in Colorado.

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Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE:	January 17, 2024
SUBJECT:	Storage Unit Use Agreement
ACTION PROPOSED:	Consider the Storage Unit Use Agreement Between the Town of Johnstown and Graycliff Capital
ATTACHMENTS:	1. Storage Unit Use Agreement
PRESENTED BY:	Sarah Crosthwaite, Economic Development Manager

AGENDA ITEM DESCRIPTION:

Enclosed for your review and consideration is an agreement between the Town of Johnstown and Graycliff Capital to allow the existing storage units and garages to be externally leased. For reference, Town Staff presented to Council on November 6, 2023, the initial request by Graycliff to consider externally leasing the storage units. The Town Council approved Town Staff to work with Graycliff in putting together an agreement to be reviewed by Council at a later date.

The attached agreement outlines the expectations and limitations on the external leasing of the storage units and garages. Below are the general terms and conditions:

- 15% of the total storage units will be reserved for current leaseholders of the Johnstown Plaza Apartments.
- 18 of the 21 garages will be reserved for current leaseholders of the Johnstown Plaza Apartments.
- Any external lease agreements cannot exceed 12 months.
- All Town rules and regulations including the Johnstown Land Use and Development Code must be always adhered to.
- The term of the agreement will terminate on December 31, 2025 (considered the initial term) and 60 days prior to the termination of the initial term, Graycliff will need to file a request to the Town Manager to extend the term.

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- If extended, the renewal term will be in place for 2 years and automatically renew for an additional 2 years thereafter.
- Graycliff is entitled to cure violations, if any, upon receipt of notice. If violations are not cured, Graycliff will be unable to enter into new lease agreements and the agreement between the Town will terminate.
- The Town Manager reserves the right to terminate the agreement should Graycliff have continuous violations or place an undue burden on Town resources.

LEGAL ADVICE:

The Town Attorney drafted and reviewed the finalized agreement.

FINANCIAL ADVICE:

N/A

RECOMMENDED ACTION: Staff supports approval of the agreement between the Town of Johnstown and Graycliff Capital.

SUGGESTED MOTIONS:

For Approval: I move to approve the Storage Unit Use Agreement as presented.

For Denial: I move to deny the Storage Unit Use Agreement as presented.

Reviewed and Approved for Presentation,



Town Manager

**STORAGE UNIT USE AGREEMENT BETWEEN
THE TOWN OF JOHNSTOWN AND GRAYCLIFF CAPITAL**

This Storage Unit Use Agreement (“Agreement”) is made and entered into on this ____ day of _____, 2023 (“Effective Date”), by and between the Town of Johnstown, a Colorado home rule municipality (“Town”), and GrayBul Johnstown, LLC, a Delaware limited liability company (“Graycliff”). The Town and Graycliff may collectively be referred to as the “parties” or singularly as a “party.”

RECITALS

1. Graycliff is the owner of Johnstown Plaza Apartments, located at 5150 Ronald Reagan Boulevard, Johnstown, CO 80534.
2. The Johnstown Plaza Apartment complex includes two hundred forty-three (243) enclosed storage units (the “Storage Units”) located near the southeast boundary of the property along Exposition Drive.
3. The Johnstown Plaza Apartment residents have leased sixteen percent (16%) of the Storage Units, leaving eighty-four percent (84%) of the Storage Units vacant.
4. The Johnstown Plaza Apartment complex also includes twenty-one (21) parking garages (the “Garages”).
5. To endeavor to reach the leasing capacity, Graycliff seeks to lease a certain amount of the Storage Units and Garages externally to persons who are not residents of the Johnstown Plaza Apartment complex.
6. The Town agrees to accommodate Graycliff’s request based on certain terms, conditions and limitations.
7. To memorialize the foregoing, the Parties desire to enter into this Agreement.

Agreement

NOW, THEREFORE, in consideration of the terms, conditions and covenants set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and Graycliff agree as follows:

1. Recitals. The Recitals are incorporated as if set forth fully herein.
8. External Leasing. The Town hereby authorizes and permits Graycliff to lease the Storage Units and Garages to persons (or entities) who are not residents of Johnstown Plaza Apartments subject to the following terms, conditions and limitations:

- (a) No person(s) shall dwell within the Storage Units or Garages;
- (b) At least fifteen percent (15%) of the Storage Units shall be reserved for rental to residents of Johnstown Plaza Apartments;
- (c) At least eighteen (18) of the twenty-one (21) Garages shall be reserved for rental to residents of Johnstown Plaza Apartments (meaning that only three (3) of the Garages may be rented externally);
- (d) The duration of lease agreements for the rental of a Storage Unit or Garage to persons who are not residents of Johnstown Plaza Apartments shall not be for longer than a twelve (12) month period subject to renewal on the condition that such renewal period is not longer than twelve (12) months; and
- (e) On-site advertising and signage for the rental of the Storage Units and Garages shall not be permitted along streetscapes and shall otherwise be in compliance with the Johnstown Land Use and Development Code and the Town's rules and regulations.

9. Term.

- (a) The term of this Agreement shall begin on the Effective Date and terminate on December 31, 2025 ("Initial Term").
- (b) Within sixty (60) days, but not less than thirty (30) days, of the end of the Initial Term, Graycliff may provide a written request to the Town Manager to extend the term.
 - (i) If the Town Manager agrees to extend the Initial Term, the Town Manager shall provide written notice to Graycliff and the term of the Agreement shall be extended for two (2) years, to and including December 31, 2027 ("Renewal Term"), subject to Section 5 below. The Renewal Term (and each Renewal Term thereafter) shall thereafter automatically renew for additional two (2) year terms, subject to Section 5 below. The Town Manager shall not unreasonably withhold, condition, or delay its agreement to extend the Initial Term.
 - (ii) If the Town Manager denies approval of the extension of the Initial Term, the Town Manager shall provide written notice to Graycliff with an explanation of the rationale for the denial. In such case, the then-existing lease agreements for rental of the Storage Units and Garages shall remain valid until the end of their terms, but shall not be subject to renewal, and this Agreement shall terminate following the expiration of all lease agreements.

10. Documentation. During the term of this Agreement, the Town Manager may periodically request information from Graycliff to determine compliance with this Agreement,

the Johnstown Municipal Code, the Johnstown Land Use and Development Code and the Town's rules and regulations.

11. Termination. Notwithstanding the term of the Agreement, the Town, by and through the Town Manager, may terminate this Agreement in accordance with the following:

(a) Promptly following the Town Manager's reasonable, good faith determination that Graycliff is in breach of this Agreement, the Johnstown Municipal Code, the Johnstown Land Use and Development Code or the Town's rules and regulations, the Town Manager shall provide written notice to Graycliff of same, describing in specific detail the scope of such breach ("Violation Notice"). Upon receipt of the Violation Notice, Graycliff shall be entitled to a thirty (30) day period to cure such breach ("Cure Period"). The Cure Period may be extended by the Town Manager if Graycliff is proceeding in good faith to effect a cure, but such cure is not reasonably susceptible to completion within thirty (30) days. In no event shall the Cure Period exceed ninety (90) days. If, upon the expiration of the Cure Period, the matter outlined in the Town's Violation Notice has not been cured by Graycliff, Graycliff shall not be permitted to enter into new lease agreements, or extend existing lease agreements, for rental of the Storage Units or the Garages, and this Agreement shall terminate following the expiration of all lease agreements existing as of the last day of the Cure Period;

(b) If, at any time after the resolution of a Violation Notice, as described above, the Town Manager, exercising reasonable, good faith discretion, determines that a subsequent Violation Notice is warranted for the same or a different violation, the Town Manager may terminate this Agreement upon written notice from the Town to Graycliff ("Termination Notice"). Upon receipt of the Termination Notice, Graycliff shall not be permitted to enter into new lease agreements, or extend existing lease agreements, for rental of the Storage Units or the Garages, and this Agreement shall terminate following the expiration of all lease agreements existing as of the date of the Termination Notice; or

(c) Should, at the Town's sole, good faith determination, the allowed use place an undue burden on Town resources, including, but not limited to, service calls, the Town Manager may terminate this Agreement upon written notice from the Town to Graycliff (also, a "Termination Notice"). Upon receipt of the Termination Notice, Graycliff shall not be permitted to enter into new lease agreements, or extend existing lease agreements, for rental of the Storage Units or the Garages, and this Agreement shall terminate following the expiration of all lease agreements existing as of the date of the Termination Notice.

12. Assignment. Graycliff may not assign its rights or duties under this Agreement without receiving the prior written consent of the Town; provided, however, notwithstanding the foregoing, upon written notice from Graycliff to the Town, containing also the contact information of the assignee, Graycliff may assign its rights and obligations under this Agreement to any third party that acquires all of Graycliff's rights, title, and interest in and to Johnstown Plaza Apartments (inclusive of the Garages and the Storage Units).

13. No Third-Party Beneficiaries. This Agreement is not intended and shall not be deemed to confer any rights on any person or entity not named as a party hereto, or not permitted as an assign, successor or transferee.

14. Notices. All notices, consents or other instruments provided for under this Agreement shall be deemed properly given when: (1) hand-delivered; 2) sent by registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth; or (3) sent by electronic mail return receipt requested and received. Either party, by notice to be given, may change the address to which future notices shall be sent.

TO GRAYCLIFF:

TO TOWN:

GrayBul Johnstown, LLC
Attention: Paul Aiesi
c/o Graycliff Capital Partners, LLC
200 East Broad Street, Suite 220
Greenville, SC 29601
Email: paiesi@graycliffcapital.com

Town of Johnstown
Attention: Town Manager
450 So. Parish
P. O. Box 609
Johnstown, CO 80534
Email: mlecerf@johsntownco.gov

15. Laws and Regulations. In the conduct of the rental of the Storage Units and the Garages, Graycliff shall comply with all applicable laws, rules and regulations.

16. Waiver. No consent or waiver, express or implied, by the Town to or of any breach or default by Graycliff in the performance by Graycliff of its obligations hereunder shall be deemed or construed to be a consent or waiver to or of any other breach or default by the Town. Failure on the part of the Town to complain of any act or failure to act or to declare Graycliff in default, irrespective of how long such failure continues, shall not constitute a waiver by the Town of its rights hereunder.

17. Governing Law and Venue. This Agreement and the interpretation thereof shall be governed by the laws of the State of Colorado. Venue for any claim, proceeding or action arising out of this Agreement shall be in Larimer or Weld County, Colorado.

18. Costs and Attorney's Fees. If any judicial proceedings may hereafter be brought to enforce any of the provisions of this Agreement, the Town, if the prevailing party, shall be entitled to recover the costs of such proceedings, including reasonable attorney's fees and reasonable expert witness fees.

19. Entire Agreement and Amendments. This Agreement constitutes the entire agreement and understanding between the parties and supersedes all prior agreements or understandings. Any amendment to this Agreement must be in writing and signed by the parties.

20. No Presumption. Each party acknowledges that it has carefully read and reviewed the terms of this Agreement. Each party acknowledges that the entry into and execution of this Agreement is of its own free and voluntary act and deed, without compulsion.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Matt LeCerf, Town Manager



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: January 17, 2024

SUBJECT: An Update to the Country Acres Drainage Mitigation Study

ACTION PROPOSED: No Action Required, Informational Only

ATTACHMENTS: 1. Country Acres Storm Drainage Study Update (Presentation)

PRESENTED BY: Jason Elkins, Public Works Director
Austin Fling, Benesch Designer

AGENDA ITEM DESCRIPTION:

Flooding that has occurred on Sandra Drive is due to multiple storm/hail events occurring in a short time frame, as well as an undersized storm sewer and an undersized pond outlet. To reduce the effects of future flooding, a more efficient pond outlet system and an upsized storm sewer system were modeled and evaluated.

Two storm sewer system options were identified for Sandra Drive. One option would consist of upsizing three of the four pipes that take water from the low point in Sandra Drive to the existing detention pond located in the backyard of the building at 1106 Sandra Drive. The second option would be the installation of two new inlets on the south side of the street: one to the west and one to the east of the existing inlets. After receiving input from the residents on Sandra Drive, the inlet on the west side of the existing inlet would be placed at what is believed to be another low point to the west of the existing inlets.

Three viable 5-year storm options for the pond outlet have also been identified to reduce the risk of flooding on Sandra Drive. All three options were modeled to include the Sandra Drive storm sewer improvements as well as overflow provisions that directs any overflow into Hillsborough Ditch. Depending on the option approved by the Hillsborough Ditch Company, the modification of the storm sewer system on Sandra Drive might only require the installation of two new storm inlets, eliminating the necessity to upsize the existing pipe and result in cost savings.

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- Option 1: Requires a new pond outlet consisting of a 48” outlet pipe directing water from the pond directly to Hillsborough Ditch.
- Option 2: Requires a new pond outlet consisting of a system of 48” pipes directing water to the existing Hillsborough Ditch outfall point.
- Option 3: Requires a new pond outlet consisting of a drop grate inlet and pipe system that siphons flow from the pond to a point just downstream of Hillsborough Ditch.

The improvements to the storm sewer system on Sandra Drive and the pond outlet system improvements are subject to approval by the Hillsborough Ditch Company, and staff has been and continues to work with the Company to come a reasonable solution that meets both parties’ needs.

LEGAL ADVICE:

Not Applicable

FINANCIAL ADVICE:

Not Applicable

RECOMMENDED ACTION: Staff is providing a general update of the project status to Council.

Reviewed and Approved for Presentation,



Town Manager

Sandra Drive Flood Mitigation Options

Jason Elkins, Johnstown Public Works Director

Johnny Olson, PE, Senior Project Manager

Tom Fuentes, PE, Senior Project Manager

Austin Fling, EIT, Designer



Johnstown
Colorado





Contents

- The Problem
- Terminology
 - 5 Year – Minor Storm Frequency
 - 100 Year – Major Storm Frequency
 - HGL – Hydraulic Grade Line
- Existing Conditions
- Base Sandra Drive Storm Sewer Improvements
- Pond Outlet Options
 - Option 1 – New outlet directly to the ditch
 - Option 2 – New outlet to the existing outfall location
 - Option 3 – Siphon under the ditch
- Summary

The Problem





Terminology

Storm Frequencies:

Storm Precipitation (P)

5-year Minor Storm (P= 1.49 in.)

100-year Major Storm (P = 2.56 in.)

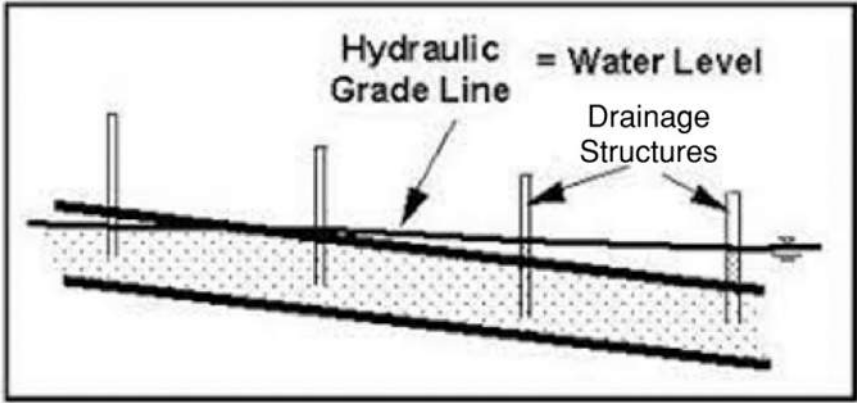
- Probability of Storm Event

Pittsburgh Storm Frequency Label	Annual Chance of Occurring	Rainfall in 1 Hour	Rainfall in 24 Hours
1-Year Storm	1 in 1 (100%)	0.969 inches	1.98 inches
2-Year Storm	1 in 2 (50%)	1.18 inches	2.35 inches
5-Year Storm	1 in 5 (20%)	1.49 inches	2.88 inches
10-Year Storm	1 in 10 (10%)	1.73 inches	3.31 inches
25-Year Storm	1 in 25 (4%)	2.05 inches	3.91 inches
50-Year Storm	1 in 50 (2%)	2.31 inches	4.40 inches
100-Year Storm	1 in 100 (1%)	2.56 inches	4.92 inches

<https://www.pgh2o.com/news-events/news/newsletter/2021-05-27-stormwater-tip-storm-size-what-it-means-why-it-matters>

HGL – Hydraulic Grade Line

- Indicates the water level of a pipe system
- 5-year HGL
- 100-year HGL



http://onlinemanuals.txdot.gov/TxDOTOnlineManuals/TxDOTManuals/hyd/hydraulic_grade_line_analysis.htm



Existing Conditions

RUNOFF SUMMARY TABLE						
BASIN NAME	DESIGN POINT	INLET TYPE & SIZE	AREA Acres	Q ₅ cfs	Q ₁₀₀ cfs	COMMENTS
A1	A1	15' TYPE 'R'	12.93	10.29	38.24	
A2	A2	10' TYPE 'R'	10.12	9.34	31.20	
A3	A3	10' TYPE 'R'	3.89	3.65	12.18	
A4	A4	5' TYPE 'R'	0.61	0.86	2.89	
A5	A5	5' TYPE 'R'	2.59	3.13	12.51	
A6	A6	5' TYPE 'R'	1.31	1.60	5.34	
B1	B1	15' TYPE 'R'	7.77	8.65	33.07	
B2	B2	10' TYPE 'R'	3.09	3.37	11.25	
A-B	P	POND	42.30	40.89	146.69	

LEGEND:

- EXISTING STORM DRAIN
- EXISTING STORM INLET

DRAINAGE SYMBOLS:

- BASIN ID
- BASIN AREA (ACRES)
- DESIGN POINT
- MAJOR BASIN BOUNDARY
- SUB-BASIN BOUNDARY
- OVERLAND FLOW DIRECTION
- DIRECT FLOW DIRECTION (I.E., CURB AND GUTTER)
- APPROXIMATE DETENTION POND OVERFLOW PATH
- DITCH FLOW DIRECTION

For Review

12/14/2023

Print Date: 12/13/2023
 File Name: 152297-SandraDrive_ExistingStormSewerMap.dgn
 Horiz. Scale: 1:0.0833332 Vert. Scale: As Noted

benesch
 Alfred Benesch & Company
 7370 E. Turin Ave., Suite 800
 Denver, Colorado 80237
 303-771-8868 Fax: 152161.03

Sheet Revisions		
Date:	Comments	Init.

Johnstown Colorado
 450 S. Parish Ave.
 Johnstown, CO 80534
 Phone: 970-587-4664
 FAX: 970-587-0141

As Constructed
No Revisions:
Revised:
Void:

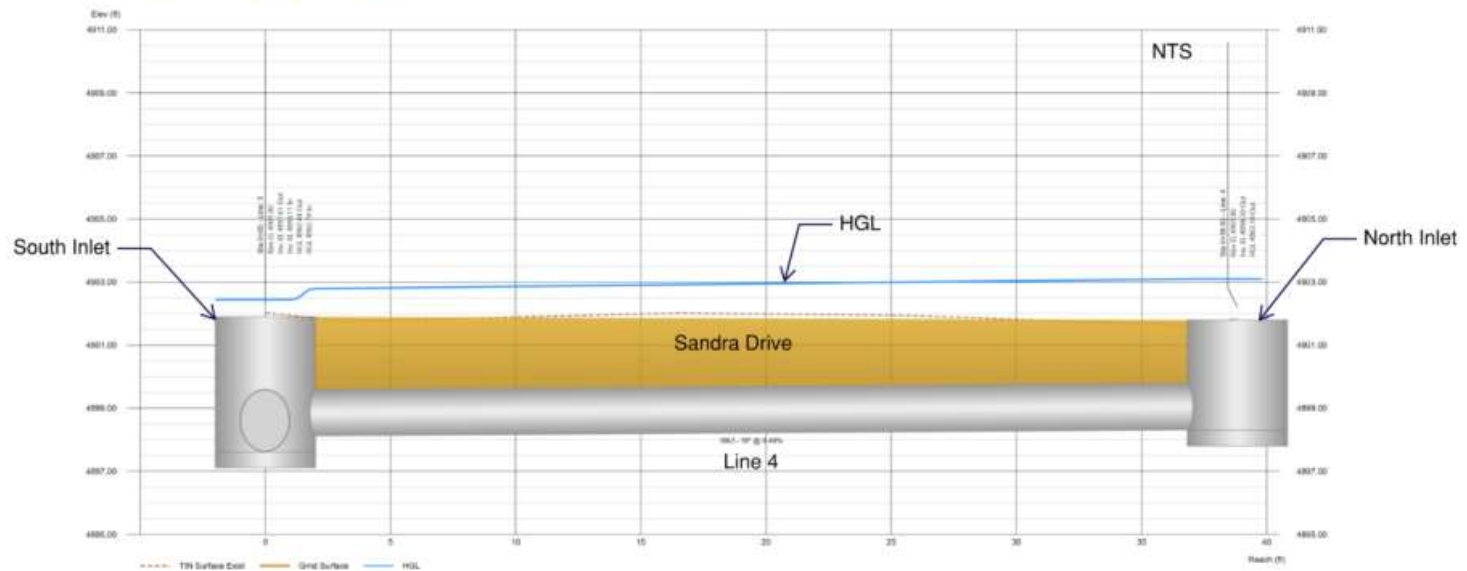
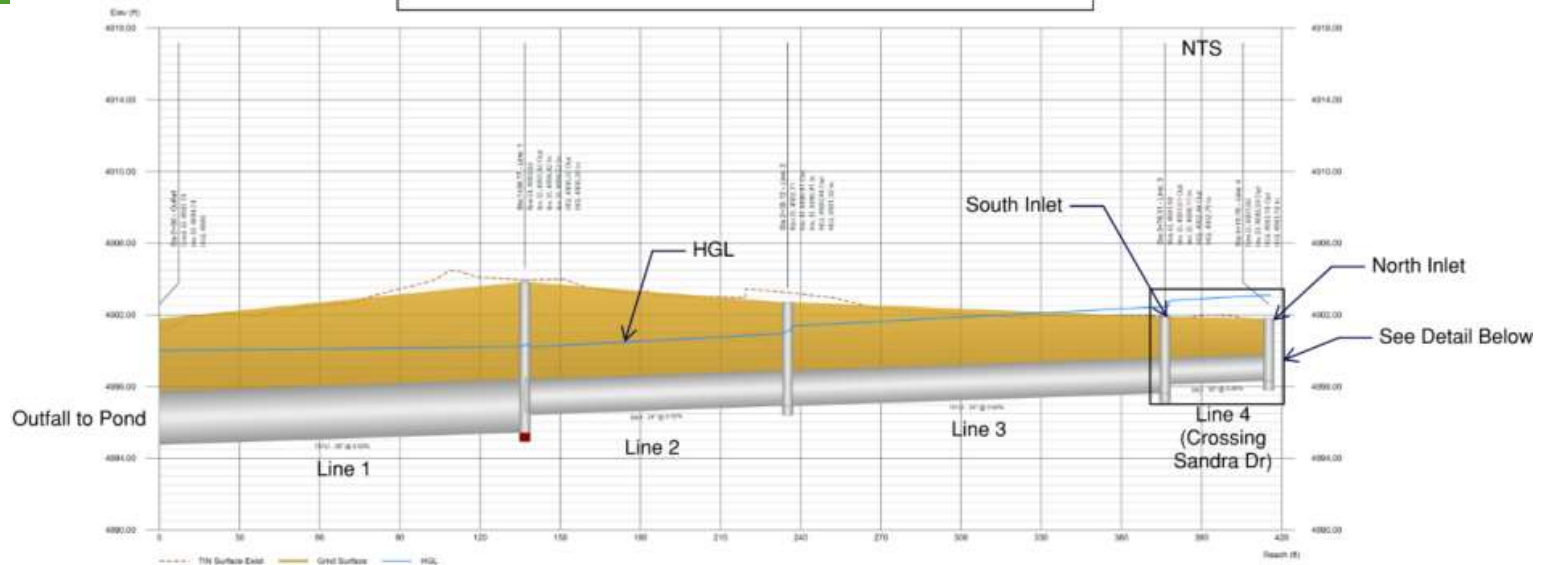
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Detailer: ARF	
Sheet Subset:	Subset Sheets:

Project No./Code
xxx
xxxxx
Sheet Number

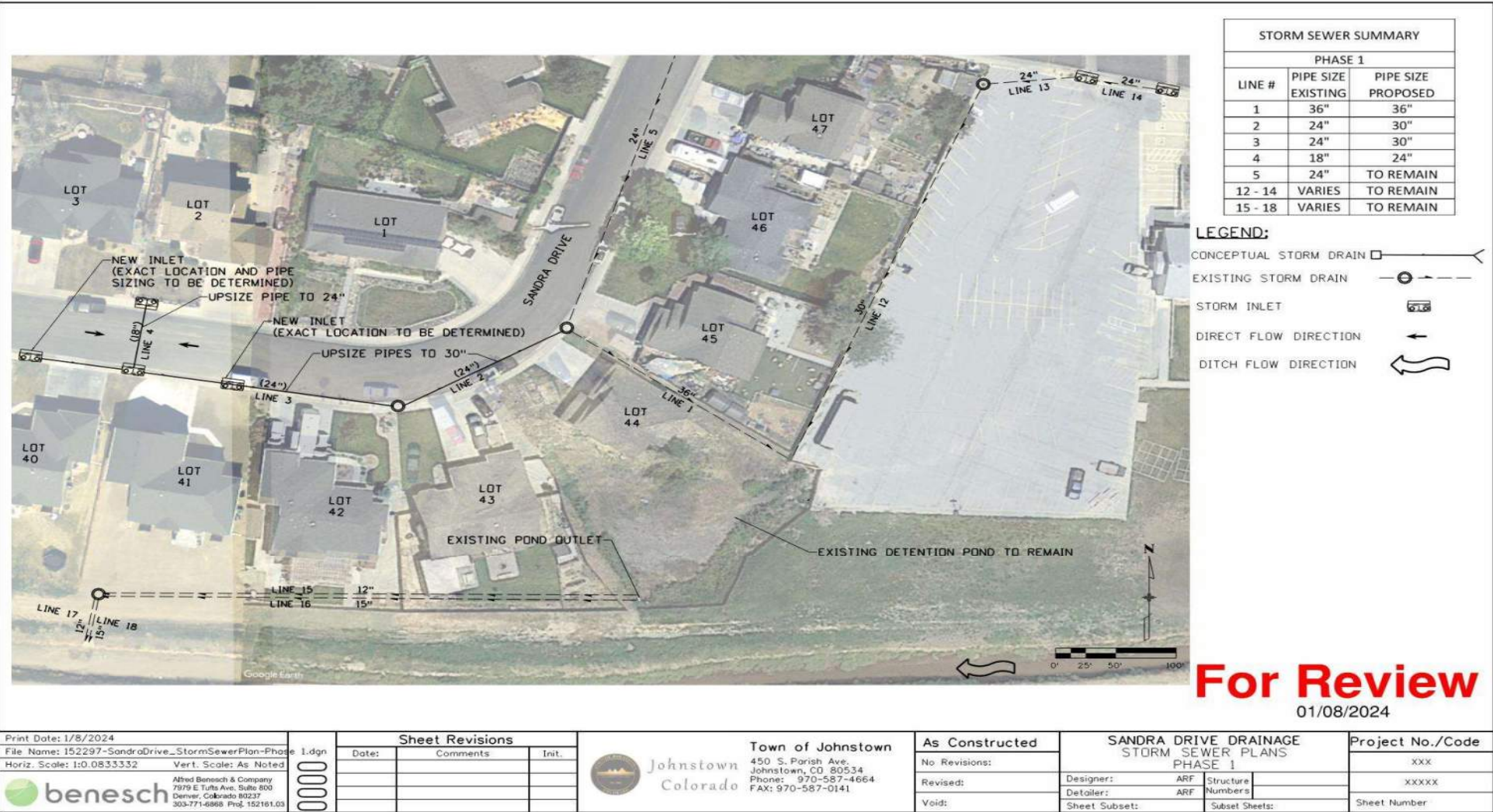
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SANDRA DRIVE EXISTING STORM SEWER - 5 YEAR

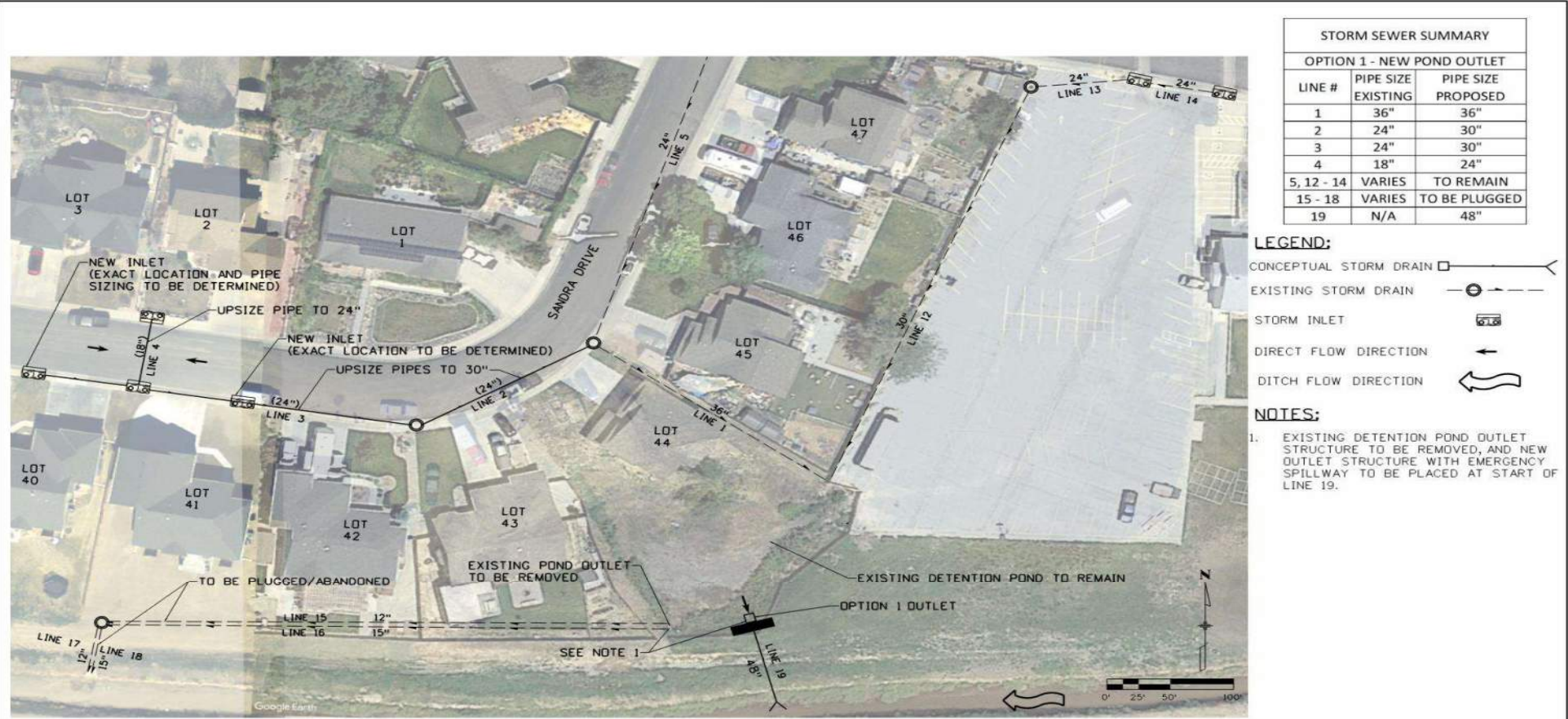


Sandra Drive Storm Sewer Improvements



I:\05_1154411_001\Benesch\p\152297-00_SandraDrive_StormSewerPlan-Phase 1.dgn

Ditch Outlet Option 1



Print Date: 1/8/2024
 File Name: 152297-SandraDrive_StormSewerPlan-Option1.dgn
 Horiz. Scale: 1:0.0833332 Vert. Scale: As Noted

benesch
 Alfred Benesch & Company
 7370 E. Turin Ave., Suite 800
 Denver, Colorado 80237
 303-771-8968 Proj. 152161.03

Sheet Revisions		
Date:	Comments	Init.

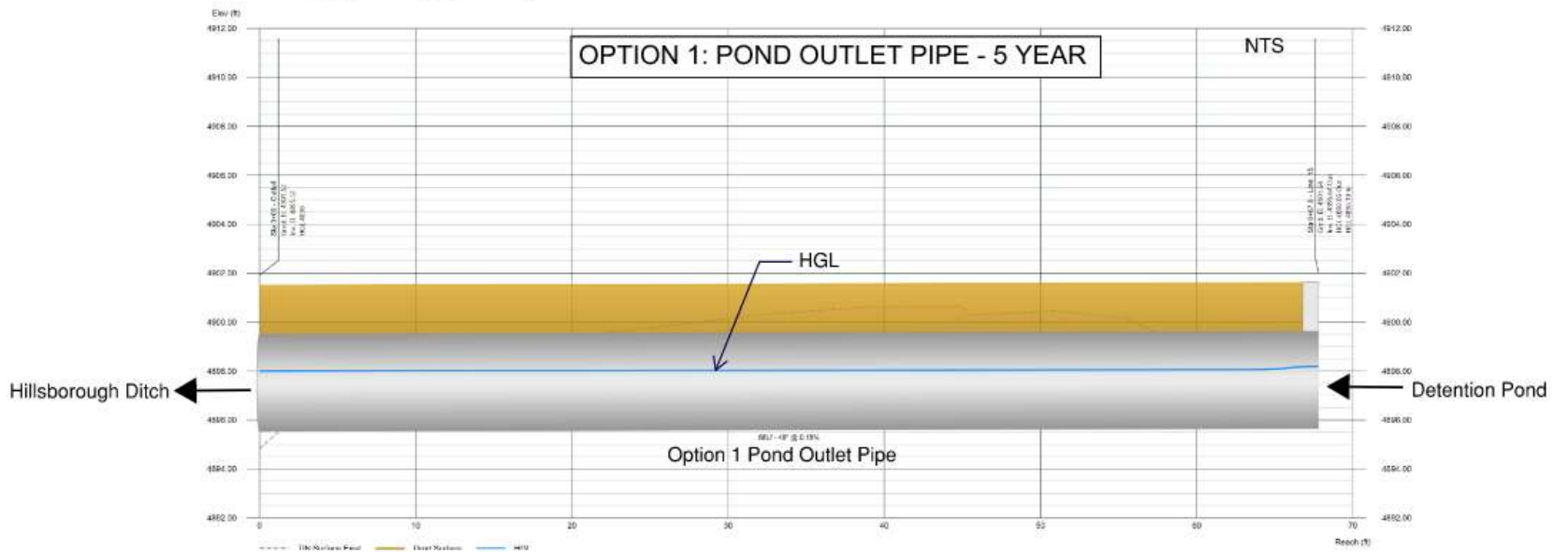
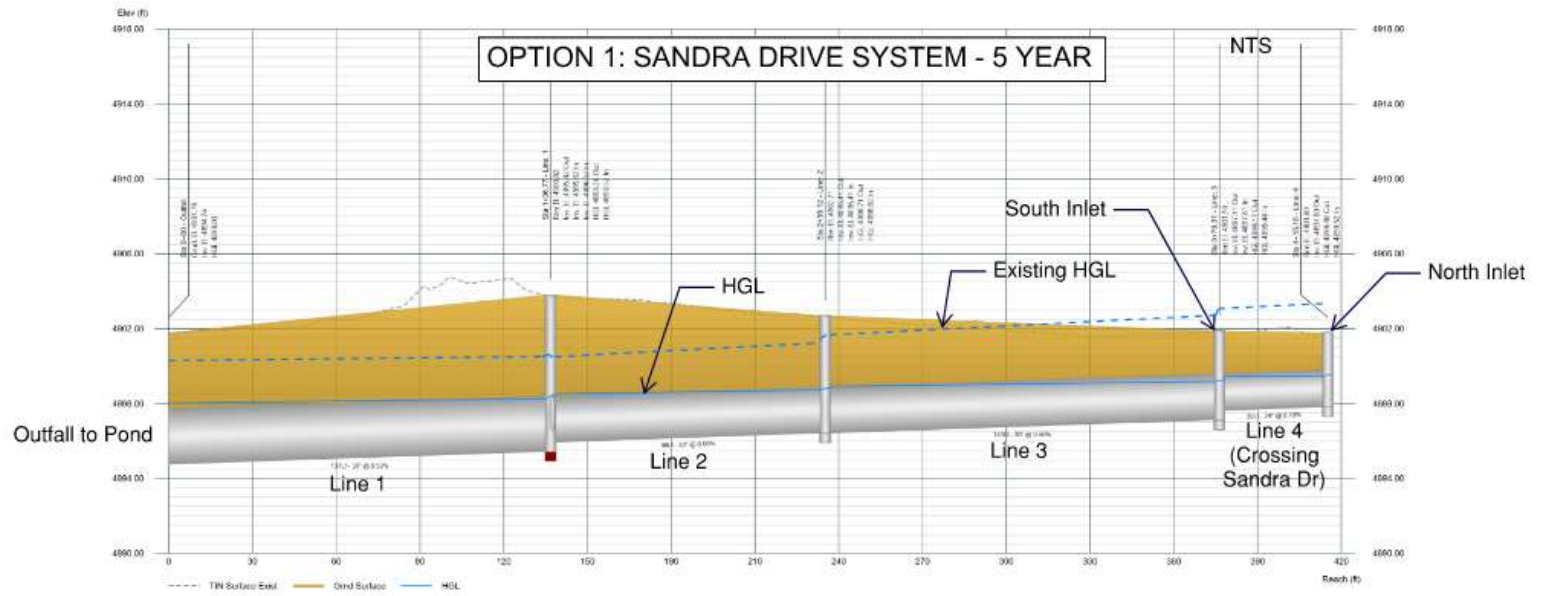
Johnstown Colorado
 Town of Johnstown
 450 S. Parish Ave.
 Johnstown, CO 80534
 Phone: 970-587-4664
 FAX: 970-587-0141

As Constructed
 No Revisions:
 Revised:
 Void:

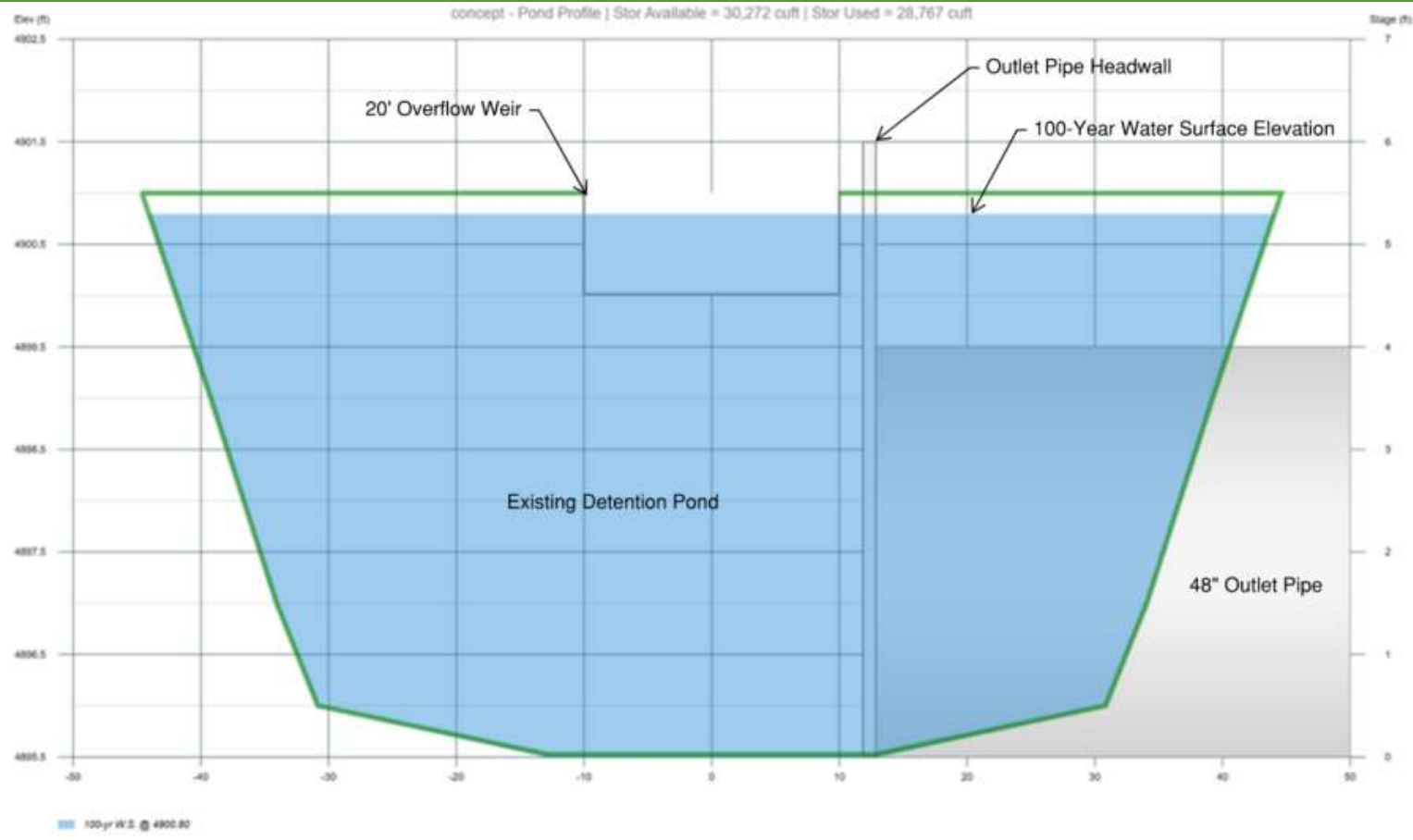
SANDRA DRIVE DRAINAGE STORM SEWER CONCEPTUAL PLANS OPTION 1

Designer:	ARF	Structure Numbers	
Detailer:	ARF	Subset Sheets:	

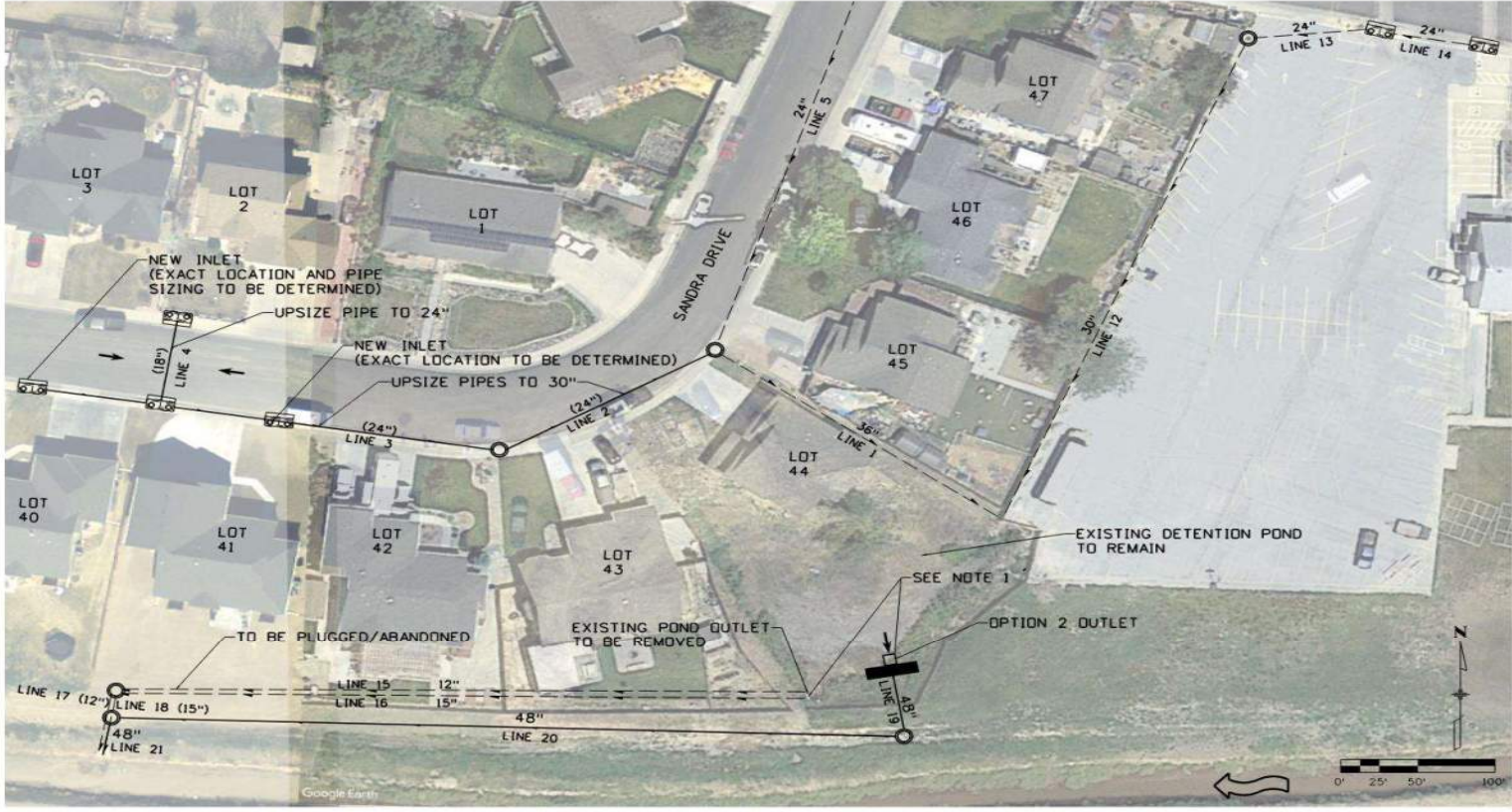
Project No./Code
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 xxxxx
 Sheet Number



Option 1: New Outlet Structure



Ditch Outlet Option 2



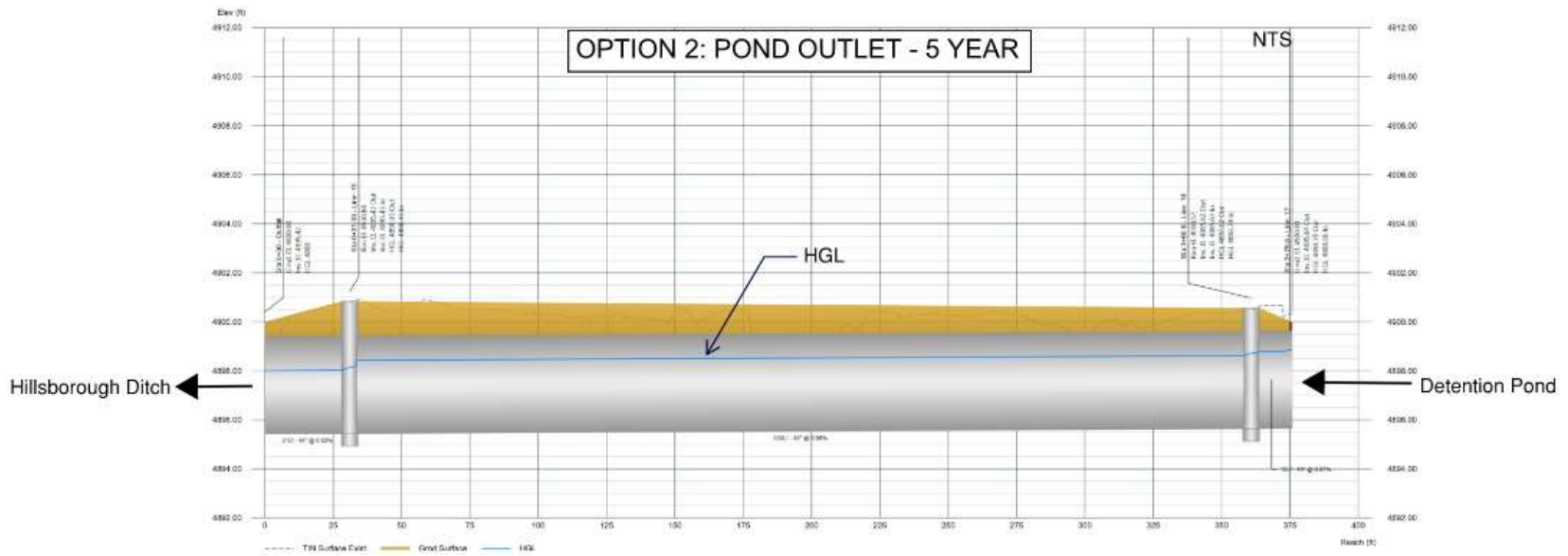
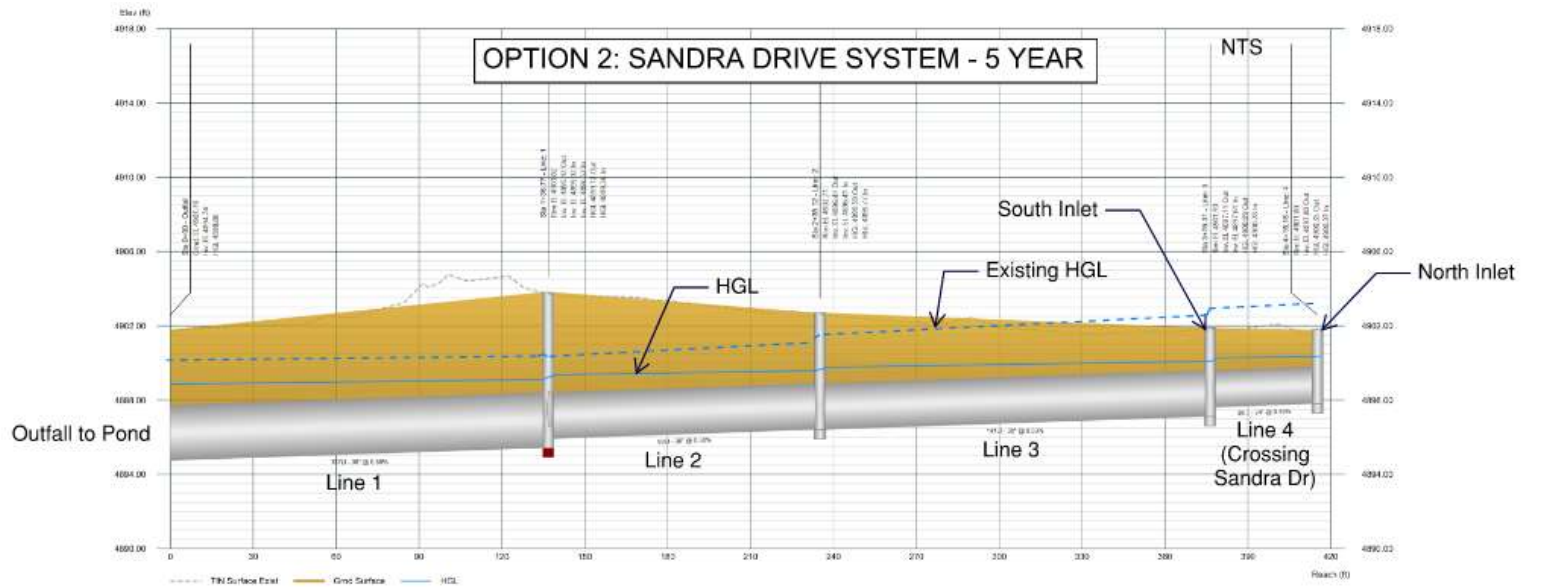
STORM SEWER SUMMARY		
OPTION 2 - ROUTE TO EX. POND OUTLET		
LINE #	PIPE SIZE EXISTING	PIPE SIZE PROPOSED
1	36"	36"
2	24"	30"
3	24"	30"
4	18"	24"
5, 12 - 14	VARIABLES	TO REMAIN
15 - 18	VARIABLES	TO BE PLUGGED
19 - 21	N/A	48"

- LEGEND:**
- CONCEPTUAL STORM DRAIN
 - EXISTING STORM DRAIN
 - STORM INLET
 - DIRECT FLOW DIRECTION
 - DITCH FLOW DIRECTION

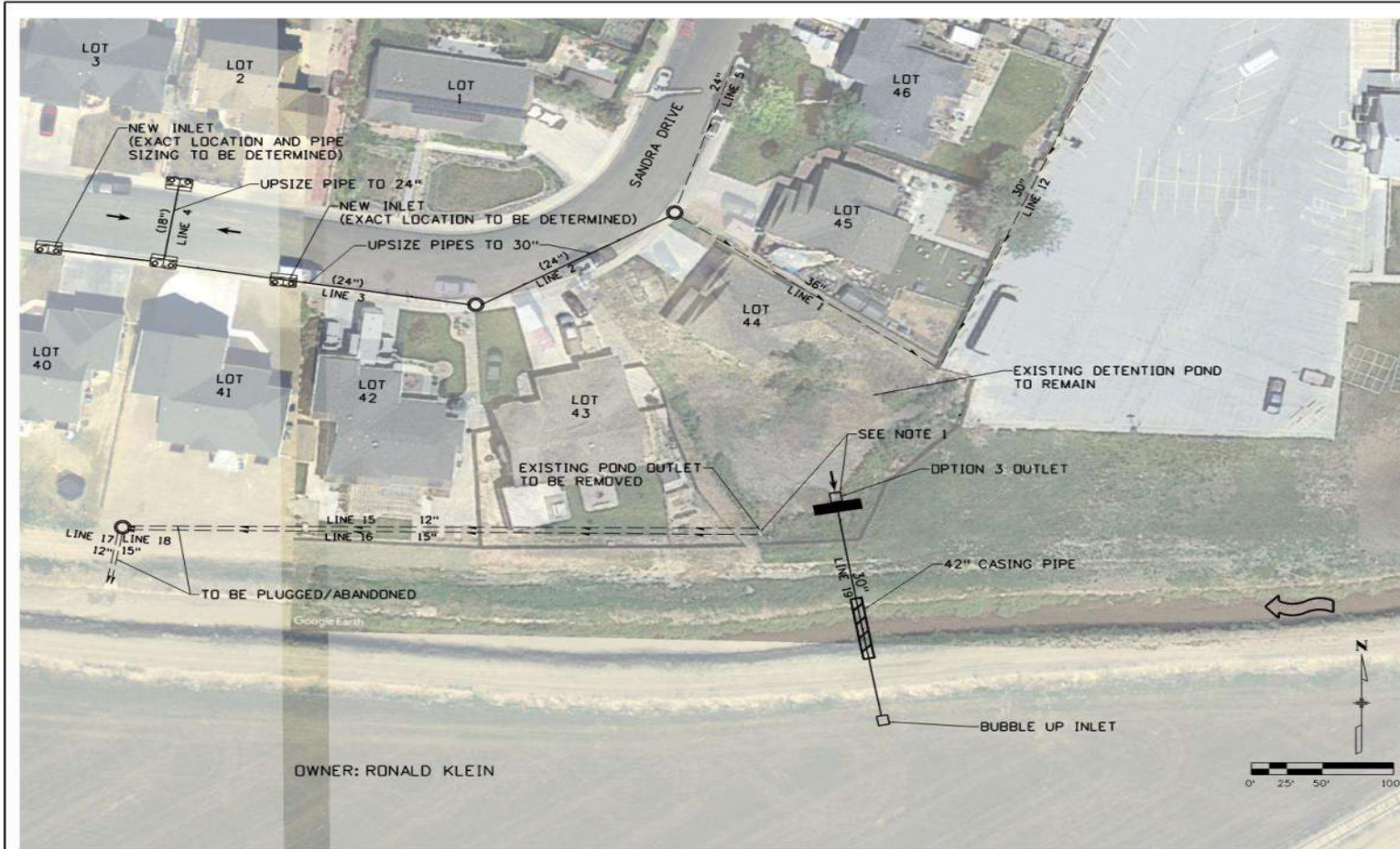
- NOTES:**
- EXISTING DETENTION POND OUTLET STRUCTURE TO BE REMOVED, AND NEW OUTLET STRUCTURE WITH EMERGENCY SPILLWAY TO BE PLACED AT START OF LINE 19

For Review
01/08/2024

Print Date: 1/8/2024	Sheet Revisions		Town of Johnstown 450 S. Parish Ave. Johnstown, CO 80534 Phone: 970-587-4664 FAX: 970-587-0141	As Constructed	SANDRA DRIVE DRAINAGE		Project No./Code
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Alfred Benesch & Company 7370 E. Turin Ave., Suite 800 Denver, Colorado 80237 303-771-8968 Proj. 152161.03				Void:	Detailer: ARF	Subset Sheets:	Sheet Number



Ditch Outlet Option 3 - Siphon



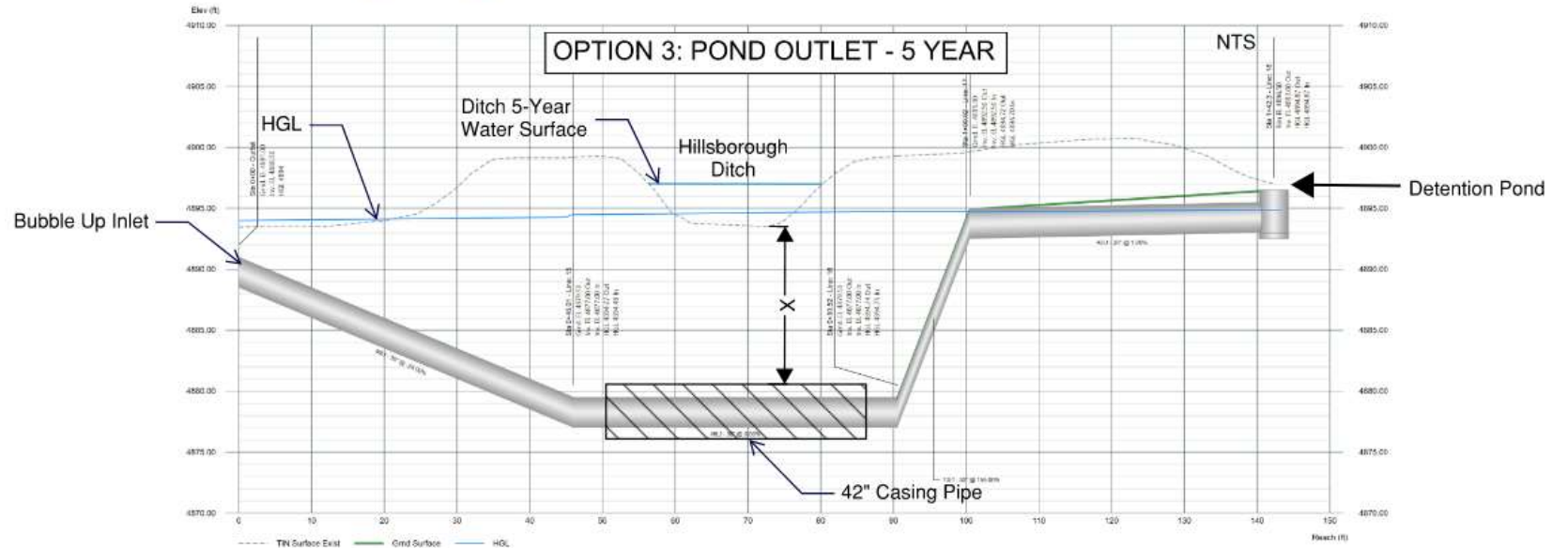
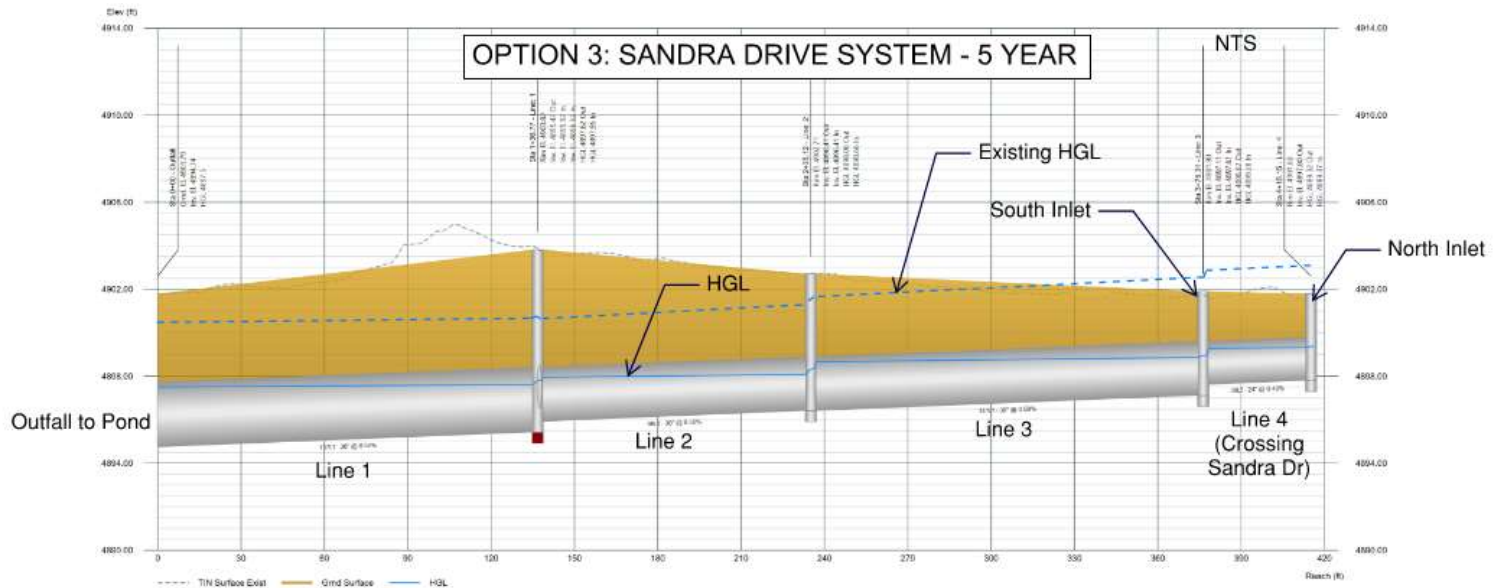
STORM SEWER SUMMARY		
OPTION 3 - SIPHON UNDER DITCH		
LINE #	PIPE SIZE EXISTIN	PIPE SIZE PROPOSED
1	36"	36"
2	24"	30"
3	24"	30"
4	18"	24"
5, 12 - 14	VARIABLES	TO REMAIN
15 - 18	VARIABLES	TO BE PLUGGED
19	N/A	30"

- LEGEND:**
- CONCEPTUAL STORM DRAIN
 - EXISTING STORM DRAIN
 - STORM INLET
 - DIRECT FLOW DIRECTION
 - DITCH FLOW DIRECTION

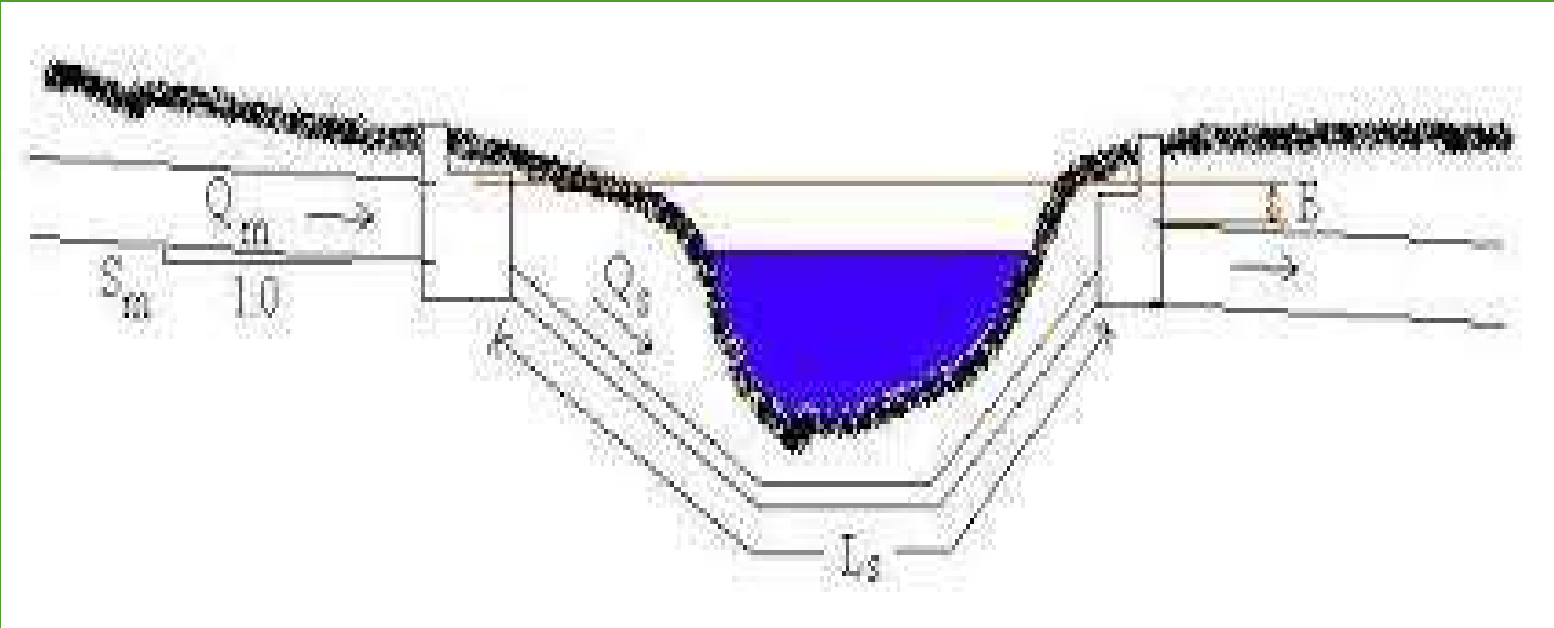
- NOTES:**
- EXISTING DETENTION POND OUTLET STRUCTURE TO BE REMOVED, AND NEW OUTLET STRUCTURE WITH EMERGENCY SPILLWAY TO BE PLACED AT START OF LINE 19

For Review
01/08/2024

Print Date: 1/8/2024	Sheet Revisions		Town of Johnstown 450 S. Parish Ave. Johnstown, CO 80534 Phone: 970-587-4664 FAX: 970-587-0141	As Constructed	SANDRA DRIVE DRAINAGE		Project No./Code										
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Date	Comments	Init.															
Horiz. Scale: 1:0.0833332	Vert. Scale: As Noted	Alfred Benesch & Company 7370 E. Turin Ave., Suite 800 Denver, Colorado 80237 303-771-8968 Proj. 152161.03	Revised:	Designer: ARF	Structure Numbers	xxxxx											
OWNER: RONALD KLEIN			Void:	Detailer: ARF	Sheet Subset:	Subset Sheets:	Sheet Number										



Option 3: Siphon Under the Ditch



<https://www.lmnoeng.com/Channels/InvertedSiphon.php>




Summary:

- Flooding in Sandra Drive is due to multiple storm/hail events occurring in a short time frame, as well as undersized storm sewer and an undersized pond outlet.
- To reduce the effects of future flooding, a more efficient pond outlet system and upsized storm sewer system is required.
- Three viable 5-year storm options have been identified to reduce the risk of flooding in Sandra Drive. All three options include Sandra Drive storm sewer improvements.
 - **Option 1:** Requires new pond outlet going directly to the ditch.
 - **Option 2:** Requires new pond outlet / storm sewer to the existing Hillsborough Ditch discharge point.
 - **Option 3:** Requires new pond outlet that siphons flow from the pond to a point just downstream of Hillsborough Ditch.
- Design field survey will be required for further design of preferred option
- All options are subject to Town and Hillsborough Ditch approval.
- Benesch and the Town will continue to work with residents to find an agreeable solution.

Additional Photos



 Existing Detention Pond



Existing Pond Outlet



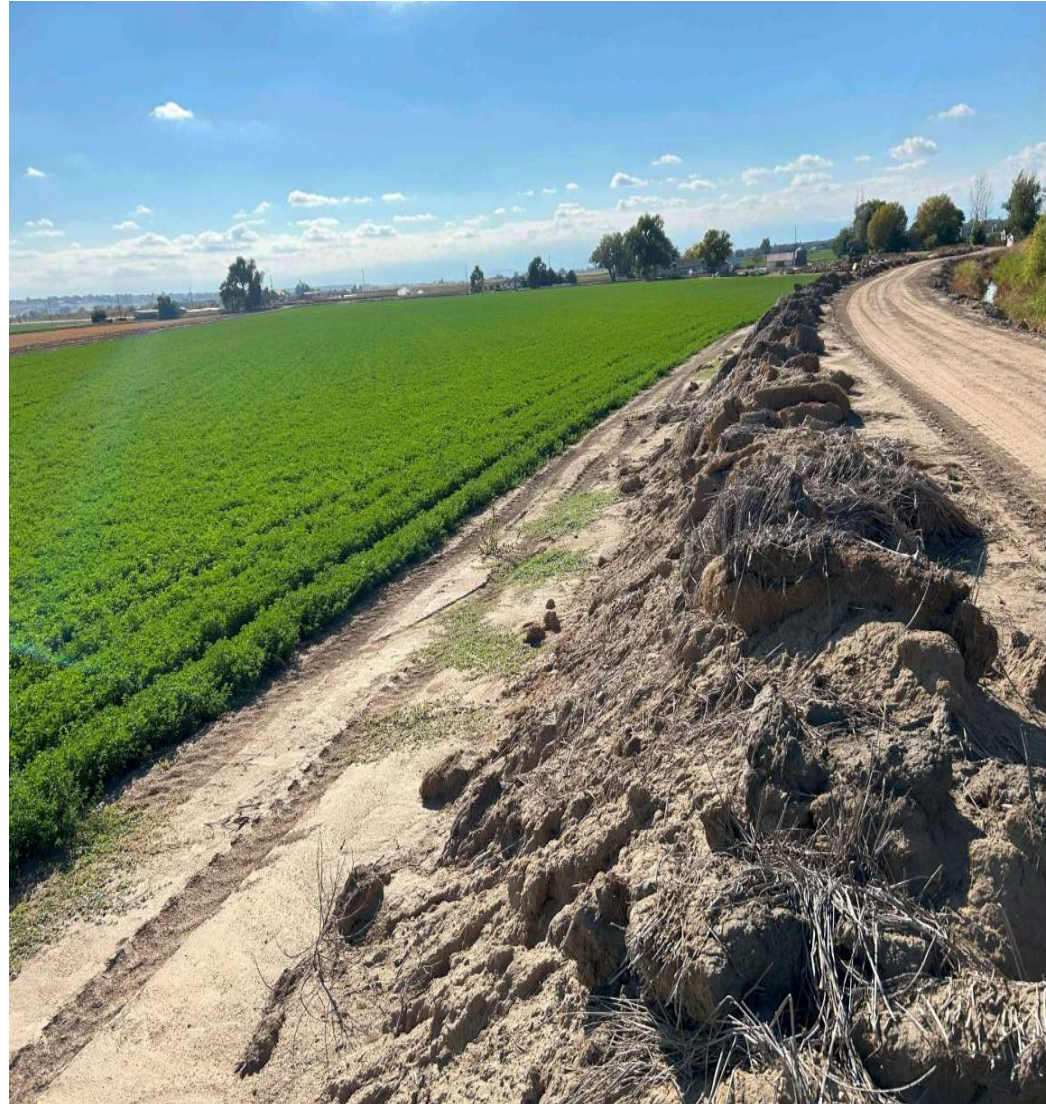
benesch Existing Outfall into Ditch



Hillsborough Ditch Looking Downstream



benesch Existing Ditch Connection to the East

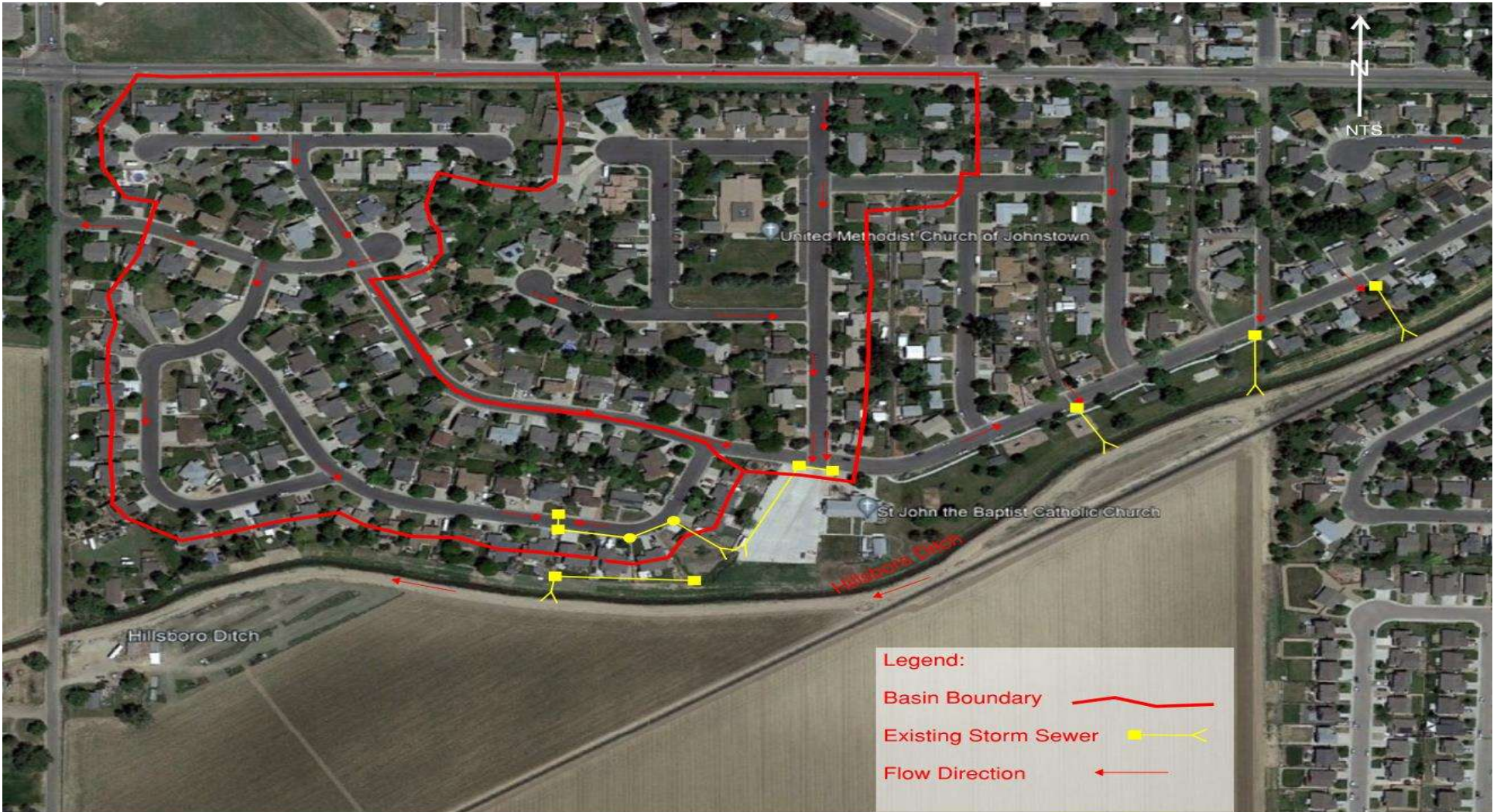


Farmland South of Ditch



Questions?







Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE:	January 17, 2024
SUBJECT:	An Update to the Colorado Blvd & Roosevelt Pkwy Intersection Alternatives Analysis
ACTION PROPOSED:	Consider the Recommended Intersection Improvements
ATTACHMENTS:	1. Colorado-Roosevelt Intersection Analysis Presentation
PRESENTED BY:	Jason Elkins, Public Works Director John Moschovich, Benesch Project Manager

AGENDA ITEM DESCRIPTION:

Benesch is tasked with analyzing the traffic and developing design alternatives for the Colorado Boulevard and Roosevelt Parkway intersection. This undertaking is crucial due to the recent opening of Roosevelt High School and the anticipated growth in the student population. With additional development potential in the form of new housing, commercial, and office space adjacent to the intersection, the expansion of Colorado Blvd will need to occur in this area.

The alternatives analyzed include a traffic signal, a single-lane roundabout, and a two-lane roundabout. The potential development mentioned above will result in notable impacts accessing the intersection daily. After careful consideration, the single-lane roundabout has been ruled out as it does not provide sufficient capacity and level of service for accommodating future growth.

Upon comparison between the traffic signal and the two-lane roundabout, the roundabout emerges as the recommended solution to the Town. Its advantages lie in superior traffic operations, enhanced vehicle and pedestrian safety, reduced right-of-way impacts, and lower maintenance costs. Notably, the roundabout presents similar construction costs when compared with a traffic signal.

Currently in the FY 2024 budget, there is no funding for the design of the roundabout and associated improvements that may be necessary at this intersection. Development Agreements currently in place with the adjacent property owners require they are financially obligated to the improvements which include design and construction. It would be the Staff's preference that the

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Town coordinates the design and construction of this intersection and then collects the reimbursement at incremental stages of the project from the obligated parties. To proceed in this direction, we would ask the adjacent property owners obligated to these improvements, if they are receptive to this general method. Assuming Council accepts the recommendations from the Benesch roadway analysis, and the parties are receptive to having the Town coordinate the project, we would provide Council with a scope of services for design and funds would need to be appropriated to begin the project at an upcoming regular council meeting.

LEGAL ADVICE:

N/A

FINANCIAL ADVICE:

Funding would need to be appropriated by Council for design to commence on this project.

RECOMMENDED ACTION: Staff supports approval of the recommended two-lane roundabout option.

SUGGESTED MOTIONS:

For Approval: I move to direct Staff to request a scope and fee from Benesch for the design of the intersection improvements to be presented at a future Council Meeting and verify from adjacent property owners their support for the Town to coordinate the projects design and construction.

For Denial: I move to deny pursuing the recommended intersection improvements as presented.

Reviewed and Approved for Presentation,



Town Manager

Colorado Blvd & Roosevelt Pkwy

Intersection Alternative Study

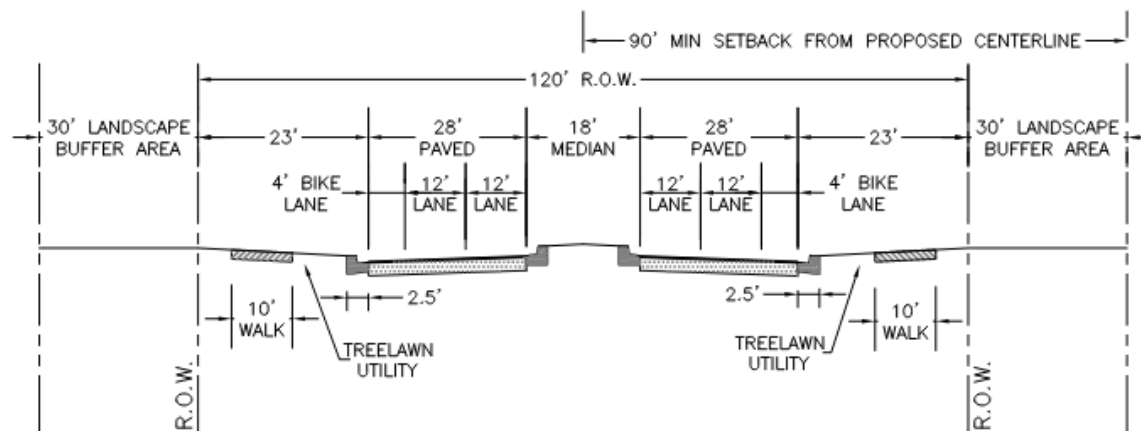
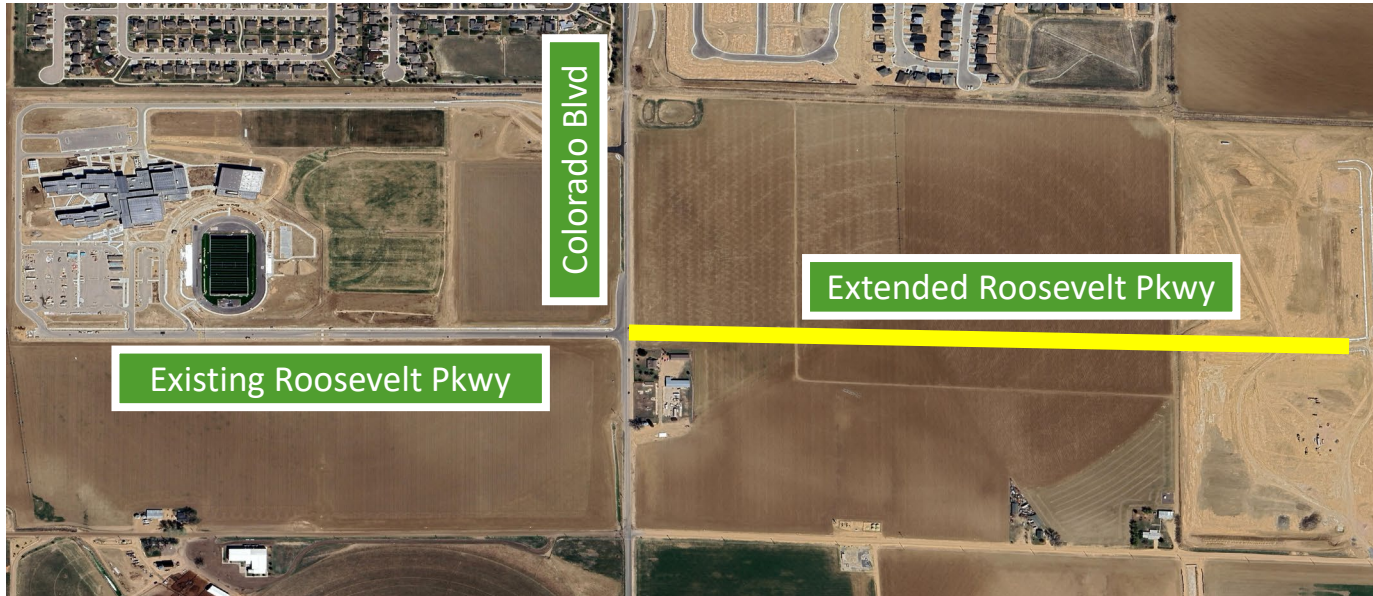


Johnstown
Colorado

Study Location



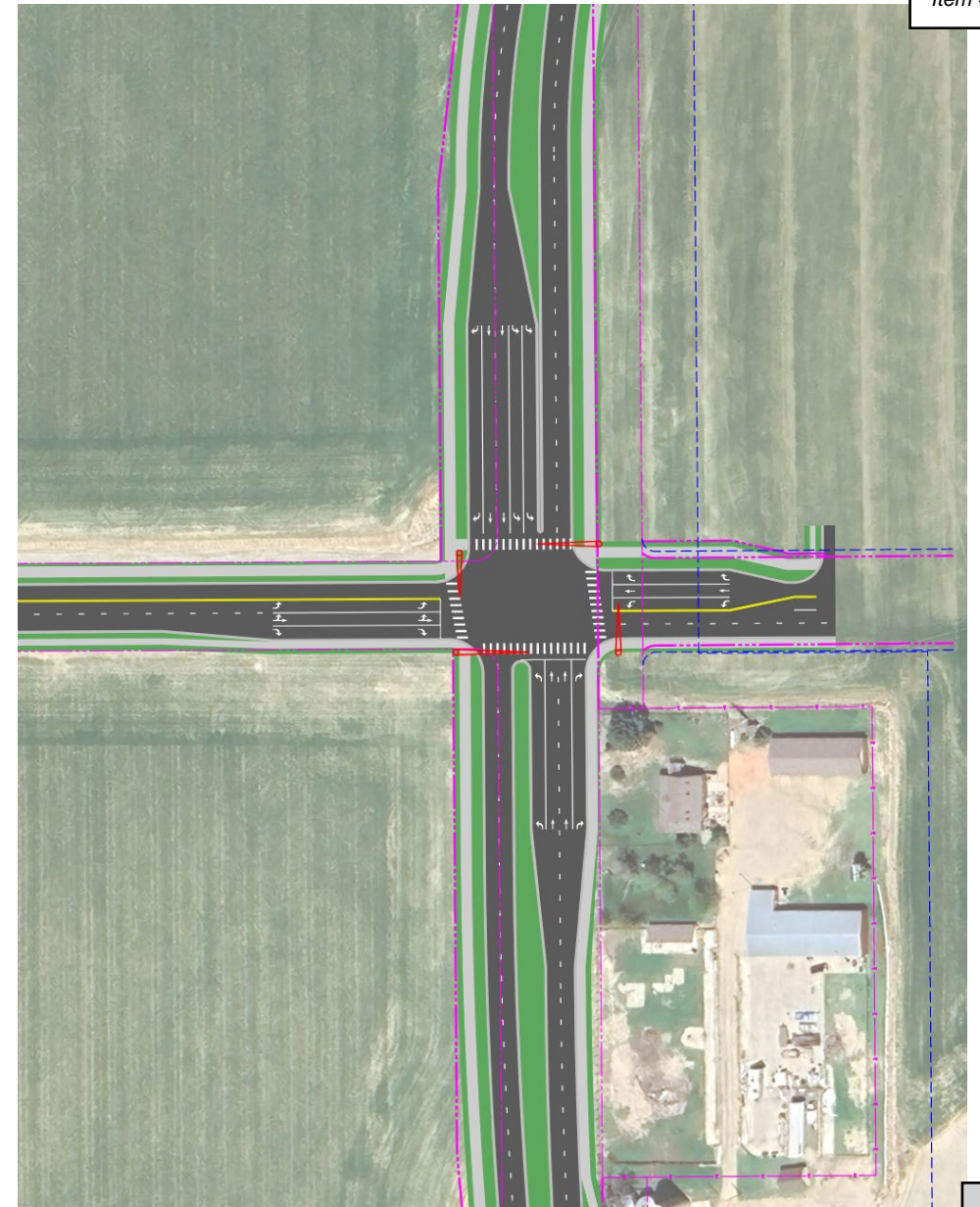
Why Are Improvements Needed?



- Side street stop controlled
- Roosevelt High School
 - Currently 1,000 students
 - Capacity 1,300 students
- The Granary Development
 - 2800 Housing Units
 - Roosevelt Pkwy expanded east
- Whitehall Development
 - 750 Housing Units
 - Retail and office
- Colorado Blvd (WCR 13)
 - Ultimate 4 lane cross section

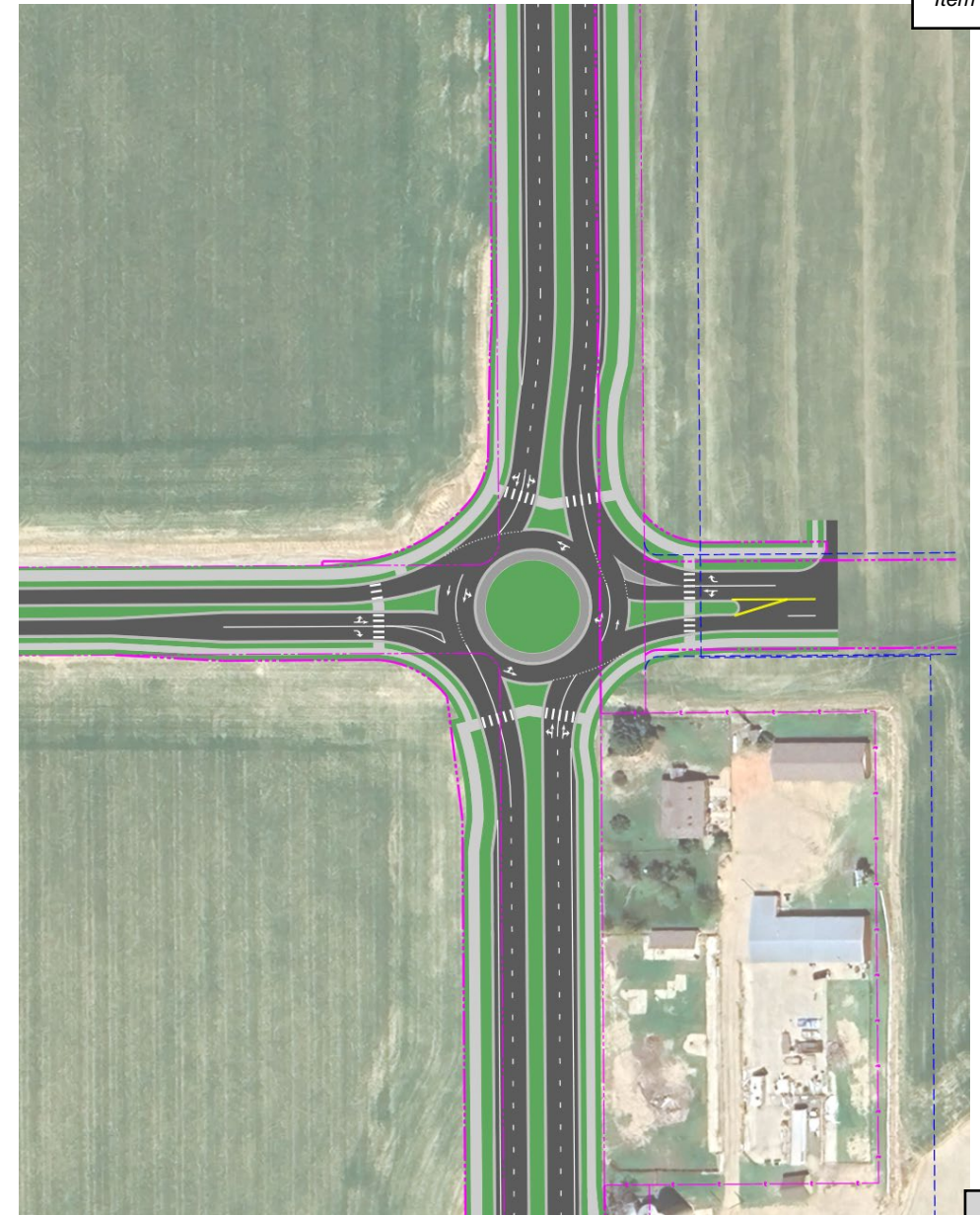
Traditional Signal

- Familiar to drivers
- Lanes can be added, and signals retimed as traffic volumes increase
- Requires dual left turns for southbound and eastbound directions
- Wide cross sections at intersection, requiring more right-of-way
- Overall Level of Service C with some turning movements at Level of Service D



2 Lane Roundabout

- Smaller footprint with less right-of-way acquisition
- Safer for pedestrians
- Can be phased to build a single lane and add a second circulating lane once traffic volumes require it
- Similar construction costs for ultimate configuration (more expensive for interim)
- Overall Level of Service B including all turning movements



Alternative Operations

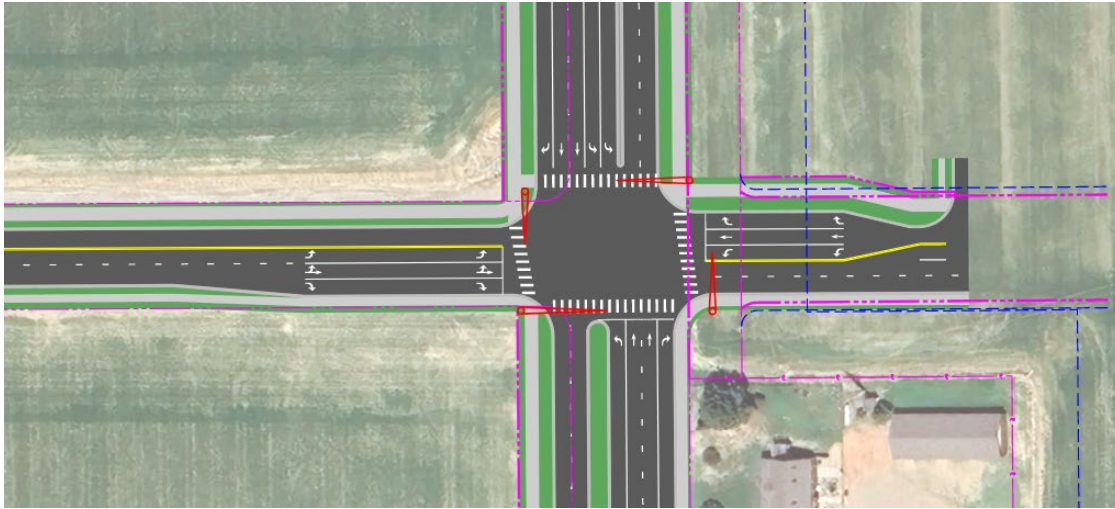


LOS	Average Delay (s/veh)	
	Signalized	Unsignalized
A	≤10	≤10
B	>10-20	>10-15
C	>20-35	>15-25
D	>35-55	>25-35
E	>55-80	>35-50
F	>80	>50



Scenario	Overall		Eastbound		Westbound		Northbound		Southbound	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Existing 2023	B	B	C	E	N/A	N/A	A	A	A	A
Signal 2045	C	B	B	B	C	B	C	B	D	B
2-Lane Roundabout 2045	B	B	B	A	B	B	A	B	B	B

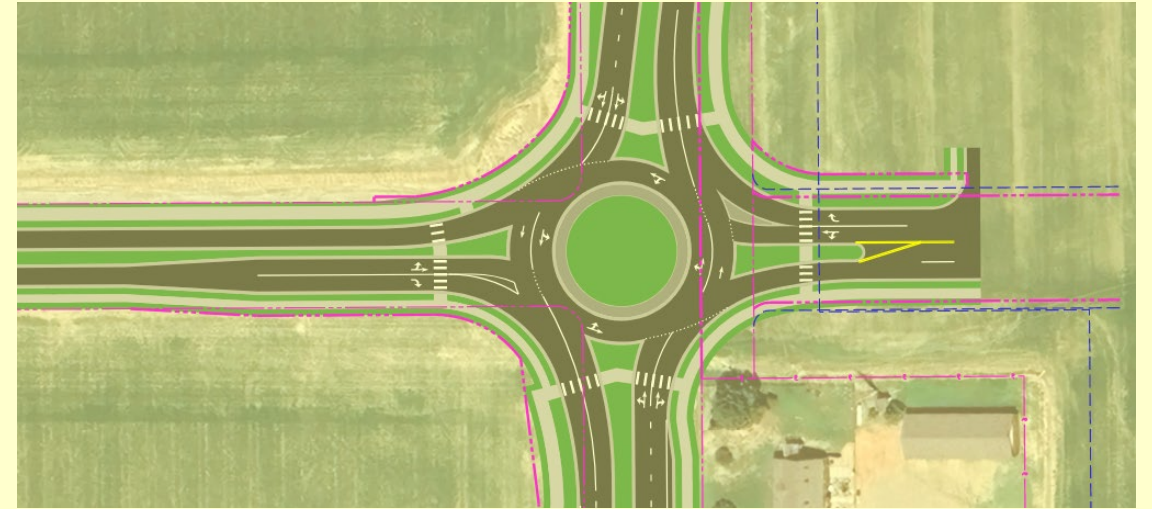
Alternative Comparison



Traditional Signal

- Familiar to drivers
- Simpler construction and phasing
- More lanes (including dual left turn lanes)
- Higher maintenance costs
- Requires more right-of-way

RECOMMENDED ALTERNATIVE



2 Lane Roundabout

- Better traffic operations
- Safer for pedestrians
- Lower maintenance costs
- Requires less right-of-way
- Unfamiliar to drivers

Questions?





Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: January 17, 2024

SUBJECT: Front Range Fire Rescue (FRFR) Impact Fees

ACTION PROPOSED: Discussion Only: Front Range Fire Rescue Impact Fees

ATTACHMENTS: 1. FRFR Impact Fee Study

PRESENTED BY: Matt LeCerf, Town Manager

AGENDA ITEM DESCRIPTION:

In May, 2023, the Front Range Fire Rescue completed an updated Fire Impact Fee Study. A copy of this document is attached for your review. In order for impact fees to be assessed at the time of a building permit that benefits FRFR, an ordinance needs to be adopted by Town Council to modify the fee. The fees currently assessed on behalf of the FRFR were adopted in December, 2018 and became effective in January 2019 as part of Ordinance 2018-154.

In conjunction with the updated Impact Fee Study, FRFR is requesting the Town proceed forward with a new ordinance to amend the fees to the recommendations shown in the table below. The table shows both the fees currently in effect and the impact fees requested for FRFR.

RESIDENTIAL		
UNIT TYPE	CURRENT FEE PER DWELLING UNIT	REQUESTED 2024 FEE PER DWELLING UNIT
Single-Family* or Two-Family	\$1,087.00	\$1,354.00
Multi-Family	\$692.00	\$1,247.00
* A Townhome is a single-family home		
NON-RESIDENTIAL		
UNIT TYPE	CURRENT FEE PER SQUARE FOOT	REQUESTED 2024 FEE PER SQUARE FOOT
Any Non-Residential	\$0.60	\$1.53

The Community That Cares

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Staff supports the requested change by FRFR based on both the duration of time in between the current and requested updated fee and the findings in the report provided. It is also worth noting the fees adopted in 2018 were 70% of the recommendation from the impact fee study.

Staff is presenting this item as a discussion item to allow for Council to ask any questions of FRFR representatives regarding the study and for Staff to receive general direction from Council if they would like for us to proceed with the process of presenting an ordinance for formal consideration.

LEGAL ADVICE:

Not applicable.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Staff supports the impact fee adjustments requested by FRFR.

Reviewed and Approved for Presentation,



Town Manager



Front Range Fire Rescue Impact Fee Study

FINAL REPORT

Final Report

May 15th, 2023

Front Range Fire Rescue Impact Fee Study

Prepared for:

Front Range Fire Rescue
P.O. Box 130
Milliken, CO 80543

Prepared by:

BBC Research & Consulting
1999 Broadway, Suite 2200
Denver, Colorado 80202-9750
303.321.2547 fax 303.399.0448
www.bbcresearch.com
bbc@bbcresearch.com

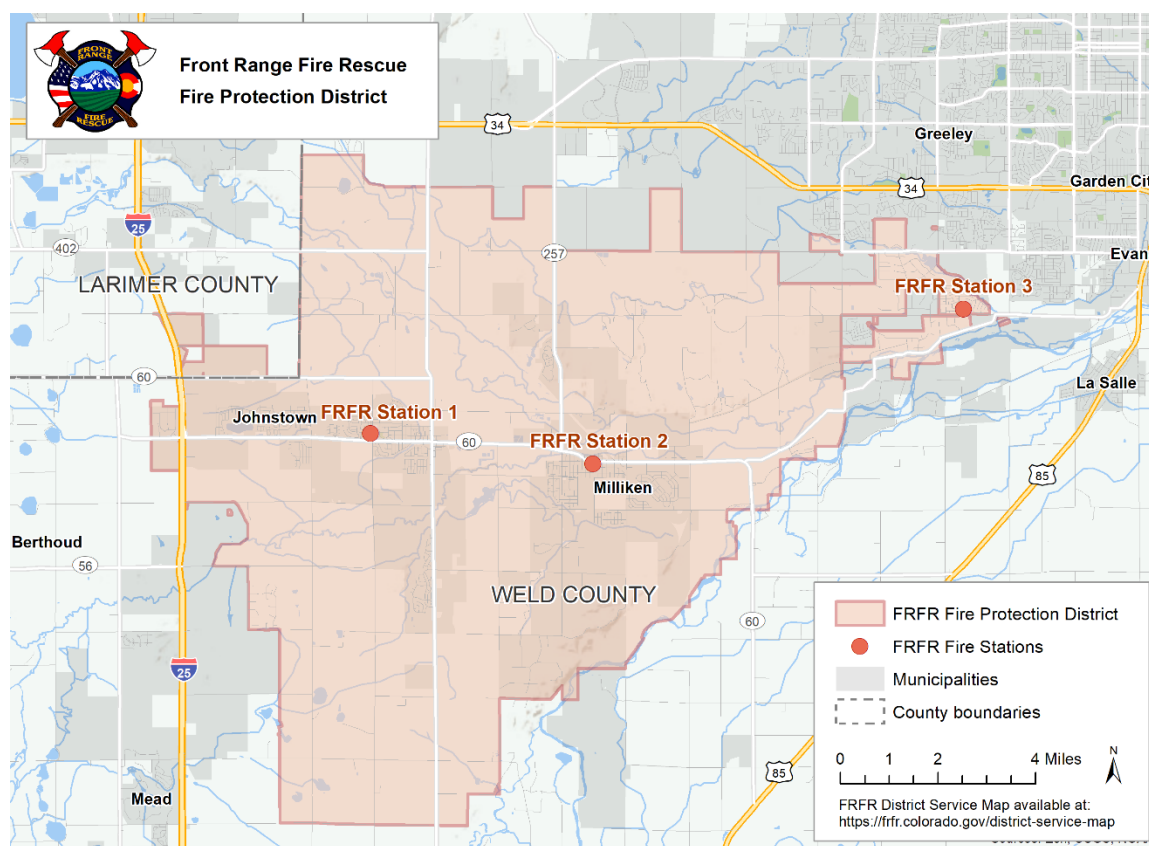
SECTION I.

Introduction

Front Range Fire Rescue Fire Protection District (FRFR) provides fire rescue, emergency medical, and life safety and fire prevention services in Weld and Larimer Counties, serving the Town of Johnstown, the Town of Milliken, and parts of unincorporated Weld and Larimer Counties, as shown in Figure I-1. FRFR’s service area includes both urban and rural land uses.

Many fire districts in Colorado impose development impact fees for expansion of public infrastructure. Colorado statute and a series of United States Supreme Court decisions dictate the amounts that districts can charge in impact fees and how they can devise, impose, and spend them. Because of those requirements, FRFR retained BBC Research & Consulting (BBC) in 2023 to conduct a feasibility assessment and prepare a report documenting the calculation of appropriate fees for its services. This report documents BBC’s analysis and recommendations for updating the impact fee system that would recover the proportional capital costs associated with new development.

Figure I-1.
Front Range Fire Rescue Fire Protection District Service Area



Source: Fire districts data aggregated by the Colorado Department of Local Affairs. Downloaded from Colorado Information Marketplace, at <https://data.colorado.gov/Local-Aggregation/Fire-Districts-in-Colorado/ua3v-vcuh>.

A. Impact Fee Requirements

Although there is no universally accepted definition of defensible impact fees, most feasibility assessments focus on the following requirements:

- *One-time application*, meaning that fees are a one-time payment for new development;
- *Restricted use*, meaning that fees are only applicable to infrastructure expansion projects;
- *New development*, meaning that fees are only applicable to new development and not improvements to existing developments; and
- *Proportionality requirements*, meaning that fees must be limited to the proportionate share of the capital costs associated with providing services to the new development.

For example, Juergensmeyer and Thomas (2008) describe impact fees as:

“Fees collected through a set schedule or formula, spelled out in a local ordinance fees are levied only against new development projects as a condition of permit approval to fund infrastructure needed to serve the proposed development. Impact fees are calculated to cover the proportionate share of the capital costs for that infrastructure...”¹

1. Colorado requirements. Consistent with Juergensmeyer and Thomas’s (2008) description of impact fees, Colorado law specifies the following requirements for impact fees:

- Impact fees are a one-time payment levied on new development;
- Funds can only be used for capital infrastructure projects:
 - Applicable projects must have a five-year life.
 - No funds can be diverted for operations, maintenance, repair, or facility replacement.
- Impact fee revenue must be segregated from other revenue and used for the purposes for which it was collected;
- Fees must be imposed on all forms of development and cannot be limited to one type of land use;
- Impact fee revenue must be used for capital infrastructure expansion. No funds can be used for correcting existing system deficiencies; and
- There must be a reasonable expectation of benefit by the fee payer.

2. Supreme Court decisions. Impact fees must also be in accordance with a series of United States Supreme Court rulings. The two most notable court decisions that speak to impact fee requirements are often referred to as *Nollan* and *Dolan*.² Guidance from those decisions requires that there be an "essential nexus" between the fee and the community’s interest. In *Dolan v. City of Tigard* (1994), the Supreme Court held that, in addition to an “essential nexus,” there must be

¹ Juergensmeyer, Julian C., and Thomas E. Roberts. *Land Use Planning and Development Regulatory Law*. St. Paul, MN: WestGroup, 2003; and ImpactFees.com, Duncan Associates, 20 February 2008.

² *Nollan v. California Coastal Commission*, 483 U.S. 82; 1987 and *Dolan v. City of Tigard* (1994) 114S.Ct. 2309.

"rough proportionality" between the proposed fee and the impacts that the fee is intended to mitigate. In *Dolan*, the Court further ruled that "rough proportionality" need not be derived with mathematical exactitude but must demonstrate some relationship to the specific impact of the project:

*"We think a term such as 'rough proportionality' best encapsulates what we hold to be the requirements of the Fifth Amendment. No precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development."*³

Over the past two decades since *Dolan*, many fire districts have imposed impact fees, resulting in a broad set of common practices when considering how best to reflect judicial and statutory requirements in designing new fees.

B. Fee Applicability

As noted above, fire districts can only use impact fee revenue to cover the costs of any necessary expansion of public infrastructure that is needed to serve new development. In addition, fee amounts can only be set in a manner that is proportional to the cost of such infrastructure expansion.

1. Public infrastructure. *Public or capital infrastructure* is the physical component of public services. Under Colorado statute, the definition of *infrastructure* can include all equipment that has at least a five-year lifetime. It does not include personnel or any elements of service costs, even in circumstances where new staff is required to operate new facilities. Public infrastructure generally includes buildings, facilities, parking, lighting, recreation centers, or other support facilities. Capital infrastructure generally includes streets, parks, administrative facilities, specialized fire or police buildings, and recreational facilities.

2. Nature of infrastructure investments. Not all capital infrastructure costs are associated with community growth or with the expansion of facility capacity. Most fire districts make infrastructure investments not because of growth pressures but for the repair and replacement of existing facilities. For example, fire districts often make infrastructure investments related to:

- *Repair and replacement of existing facilities*, such as annual building maintenance or replacing a roof;
- *Betterment of existing facilities*, such as introducing new services or improving existing infrastructure without increasing service capacity; and
- *Facilities expansions*, such as expanding an existing building to accommodate growing personnel requirements.

Fire districts are not allowed to account for such investments as part of impact fee calculations.

³ *Dolan v. City of Tigard* (1994) 114S.Ct. 2309

C. Capital Standards

In designing impact fees, fire districts must determine the appropriate capital standards applicable to each category of infrastructure. Facility standards can vary widely between districts. Whereas some states have legislation that describes such criteria with great specificity, other states—like Colorado—use more general standards. There are two primary approaches for calculating capital standards.

1. Replacement value approach. Capital standards can be estimated using the replacement value of specific capital facilities and the qualified equipment necessary for each category of infrastructure. For example, a city of 2,500 homes with a 20,000 square foot recreation center that has a replacement value of \$5 million would have a recreation center standard of 8 square feet per housing unit (i.e., 20,000 square feet/2,500 homes = 8 square feet per home) and a replacement value of \$250 per square foot (i.e., \$5 million/20,000 square feet = \$250 per square foot). Thus, each existing residence would have an embedded recreational investment of \$2,000 per home (i.e., \$250 x 8 square feet = \$2,000 per home), representing the community's recreational facility standard, which is what a developer could be charged for recreational facilities for each new unit.

If capital standards are defined using a replacement value approach, then calculations of those standards must account for any debt that applies against the relevant infrastructure. Because current residents are already responsible for that debt, it would be duplicative and inappropriate to charge developers impact fees that also include that debt.

2. Plan-based approach. Fire districts can also use a *plan-based approach* to set capital standards, which relies on capital improvement or other specific plans to estimate the value of capital required to serve future development. A plan-based approach requires forecasts of residential and commercial growth and detailed data on capital expansion plans and costs. Plan-based approaches must focus on expansion-related projects or the expansion portion of projects rather than betterment or replacement projects.

D. Other Considerations

Over time, some consensus has emerged on how best to ensure that impact fees comply with state statutes and court rulings. Many of the factors that fire districts must consider in designing fees appropriately are described above, but BBC also presents other considerations that fire districts must make.

- **Allocation by land use.** Courts have indicated that all forms of development that have facility impacts—that is, residential, industrial, and commercial developments—must pay their fair share of expansion costs. If one type of development is exempted from fees, then fees may not be sufficient to cover expansion costs that result from new development.
- **Use specificity.** Impact fee calculations vary between different forms and sizes of residential development and different uses of commercial buildings and how they impact demand for public services. When compelling evidence is available that the forms, sizes, or uses of particular types of development will result in substantially different demands for public services, then fire districts' impact fees should reflect that information.

- **Redevelopment.** The application of impact fees raises questions about how to deal with the redevelopment of existing properties. The redevelopment of a residence—even if it involves full scraping—does not lead to an increase in service demands, because it is still one residential unit with no implications for service delivery costs or capital needs. In contrast, the redevelopment of a larger lot into multiple homes would be assessed an impact fee based on the net number of new residential units, because there would be clear implications for service delivery and capital needs. Commercial redevelopment would be subject to the same considerations.
- **Waivers.** Fire districts should not waive fees unless the funds are reimbursed from other sources such as the general fund or other contributions by the developer to system expansion that exceed the calculated fees.
- **Timing.** Fees should be assessed at the time that building permits are issued.
- **Updates.** Impact fee calculations should be updated periodically. Most fire districts update their fees every two or three years.
- **Fee design costs.** The cost of fee design studies can be recovered through impact fees and used to reimburse districts' expenditures on the studies.

SECTION II.

Impact Fee Derivation

As described in Section I, there are several types of information that fire districts must consider to appropriately set their development impact fees, including determining capital standards. BBC used data from various sources to make appropriate considerations in developing updated development impact fees for FRFR.

- **Capital standards.** BBC used FRFR's planned future investment in facilities as the basis for determining capital standards for its new fees based on the District's projections of future capital requirements to serve new growth. The valuation included estimates of investments in buildings, furniture, fixtures, and durable equipment. Calculations of capital standards must also account for any debt that exists in connection with relevant infrastructure. FRFR did not have any debt associated with its capital at the time this study was conducted.
- **Demand for services by development type.** It is important for fire districts to determine how impact fees should be allocated according to demand for services by land use so that all forms of development pay their fair share of expansion costs. Data from the Weld and Larimer County Assessors regarding existing building types and square footage within the FRFR service area indicate that the large majority of existing development is single family residential (79% single family residential, 5% multifamily residential, 8% commercial, and 8% industrial). BBC allocated FRFR's updated development impact fees accordingly, because the mix of future development in the region is not expected to differ substantially from current land use.
- **Use specificity.** To the extent possible, impact fees should reflect the degree to which different forms, sizes, and uses of particular types of development will result in different demand for public services. However, there is no compelling evidence that suggests that larger homes create more demand for public services than smaller homes. In addition, there is uncertainty about the nature of future commercial development. As a result, BBC treated all residential units equally and all commercial units equally as they relate to public service demand.
- **Fee design costs:** The cost of fee design studies can be recovered through impact fees, so BBC has included the cost of this report in the fee calculations.
- **Proportionality:** By using FRFR's planned future investment in facilities to derive capital standards and then setting fee rates to replace the future standards of facility investment, BBC has ensured that proportionality has been reasonably and fairly derived.

A. FRFR Budget Overview

The FRFR Fire Protection District collects property tax revenue through an 11.642 property tax mill in Weld and Larimer Counties. A millage rate is the tax rate used to calculate local property taxes and represents the amount per every \$1,000 of a property's assessed value that a community would charge. In 2022, property taxes accounted for 82 percent of the FRFR total annual revenue of \$5.6 million. The remaining revenue came from plan and permit fees, specific ownership taxes, and other revenue sources. Expenditures totaled \$5.3 million in 2022, primarily for personnel (64%) and administration (25%). Personnel costs include salaries, benefits, and volunteer incentives.

Front Range Fire Rescue funds capital purchases through the operating budget and through a 2.0 dedicated mill to the Capital Fund. As discussed on Section I pages 3 and 4, capital investments, in general, are used for repair and replacement; betterment of facilities and service standards; and expansion of facilities. The dedicated mill for capital purchases is not restricted to a specific type of capital need and has historically been used to improve the level of service for existing residents. As such, the dedicated capital mill is not a revenue source that would offset impact fees; instead, the property tax revenues are likely to be expended for repair and replacement of existing infrastructure and service improvement as they are currently.

Additional property tax and specific ownership tax revenues that fund FRFR's operating budget will continue to be dedicated to ongoing expenses and will not likely be sufficient to fund the required level of growth-related capital expansion.

If the FRFR FPD chooses to institute impact fees of the type calculated later in this analysis, it would retain an independent and equitable source of revenue for capital expenditures required to serve new growth. With impact fees, new development pays only their equitable pro rata share of new infrastructure required to serve them while existing taxpayers will not subsidize growth. At the same time, FRFR's capital and operating funds will be reserved for fiscally appropriate, non-growth-related uses.

B. Impact Fee Calculations

BBC's calculations of updated development impact fees for FRFR includes the following steps:

1. Quantify the infrastructure investment needed to maintain current level of service given projected growth;
2. Develop estimates of current patterns of building development within the FRFR service area; and
3. Calculate the fire protection infrastructure costs per unit of development (per household or per square foot of nonresidential development).

1. Projected growth and planned future investment. BBC's estimates of household growth rates in FRFR's service area are based on growth projections by the North Front Range Metropolitan Planning Organization (NFRMPO). The existing ratio of single family residential to multifamily residential development within the service area is assumed to remain consistent.

BBC used employment projections from the NFRMPO to estimate new non-residential building development in FRFR's service area. The existing ratios of commercial and industrial building space per job within the service area is assumed to remain consistent.⁴ The forecast period for the impact fee calculations is through 2045.

Figure II-1 displays the growth projections for FRFR's service area through 2045. Over the 22-year planning horizon, development in the FRFR service area is projected to produce 12,440 new residential units (11,594 of which are single family and 847 of which are multifamily). Non-residential development is projected to produce 990,000 square feet of additional commercial and retail space and 968,000 square feet of additional industrial space.

Figure II-1.
FRFR Service Area Growth Projections

	Existing Development (2023)	Future Development		
		Growth Rate	Total	New Growth
Single family (units)	7,738	4.2%	19,332	11,594
Multifamily (units)	565	4.2%	1,412	847
Commercial (square feet)	1,277,669	2.6%	2,268,003	990,334
Industrial (square feet)	1,248,701	2.6%	2,216,582	967,881

Sources: Front Range Fire Rescue, Weld County Assessor, Larimer County Assessor, North Front Range Metropolitan Planning Organization, and BBC Research & Consulting.

FRFR's current Capital Improvement Plan details significant investments in facilities and equipment necessary to serve new growth, as shown in Figure II-2. This figure also shows the

⁴ In 2023, for each estimated job in the service area there are 111.1 square feet of commercial building space and 108.9 square feet of industrial building space.

portion of the facilities and equipment expense that is eligible to be included in the impact fee calculation.

Figure II-2.
FRFR Facilities and Capital Investment Plan

	Amount	x	Growth Percentage	=	Amount to Include in Fees
Facilities: Stations					
Station 1	\$6,650,000		0%		\$0
Station 2	\$455,000		0%		\$0
Station 3	\$200,000		0%		\$0
Station 4	\$8,000,000		100%		\$8,000,000
Station 5	\$8,350,000		100%		\$8,350,000
Training Grounds	\$850,000		0%		\$0
Two Rivers Training	\$180,000		0%		\$0
Logistics Center	\$50,000		0%		\$0
Fire Apparatus					
2006 2500 gallon Tender (Replacement)	\$450,000		0%		\$0
2008 Ford Brush Truck (Station 4)	\$200,000		100%		\$200,000
2010 3500 gallon Tender (Replacement)	\$450,000		0%		\$0
2013 Dodge Brush Type 6 (Replacement)	\$200,000		0%		\$0
2015 Pierce PUC Engines (Replacement)	\$750,000		0%		\$0
2015 Pierce PUC Engines (Replacement)	\$750,000		100%		\$750,000
2019 Chevy Brush Type 6	\$14,000		0%		\$0
2024 Ladder Truck TBD	\$1,700,000		100%		\$1,700,000
2028 Engine (Station 4?)	\$750,000		100%		\$750,000
Staff Vehicles					
2006 Chevy Pickup (Replacement)	\$100,000		0%		\$0
2016 Chevy Tahoe (Replacement)	\$120,000		0%		\$0
2016 Ford Explorer (Replacement)	\$120,000		0%		\$0
2018 Chevy Colorado (Replacement)	\$50,000		0%		\$0
2019 Chevy Silverado 1500 (Replacement)	\$125,000		0%		\$0
2021 Ford F 150 BC Truck (Replacement)	\$125,000		0%		\$0
2022 Ford F 150 DC Truck	\$120,000		0%		\$0
2023 LSB Inspector	\$50,000		100%		\$50,000
2023 Emergency Mgmt.	\$50,000		100%		\$50,000
2024 OPS BoT LT	\$120,000		100%		\$120,000
2025 LSB Inspector	\$50,000		100%		\$50,000
Equipment					
2021 SCBA (Replacement)	\$400,000		0%		\$0
SCBA (Station 4)	\$90,000		100%		\$90,000
PPE	\$490,000		0%		\$0
TIC	\$300,000		0%		\$0
Fitness Equipment - Station 5	\$33,000		100%		\$33,000
Fitness Equipment - Station 4	\$25,000		100%		\$25,000
Other	\$15,000		0%		\$0
Station Furniture (Station 4)	\$300,000		100%		\$300,000
Station Furniture (Station 5)	\$300,000		100%		\$300,000
Extrication Equipment (Station 4)	\$100,000		100%		\$100,000
Communications & IT					
Radios Replacement	\$250,000		0%		\$0
Radios (Station 4)	\$42,000		100%		\$42,000
Office PCs	\$10,000		0%		\$0
Impact Fee Study					
	\$12,000		100%		\$12,000
Subtotal					\$20,922,000
Subtract Impact Fee Fund Balance	\$1,168,749		100%		\$1,168,749
Total					\$19,753,251

Source: Front Range Fire Rescue Capital Improvement Plan 2023 and discussions with FRFR staff.

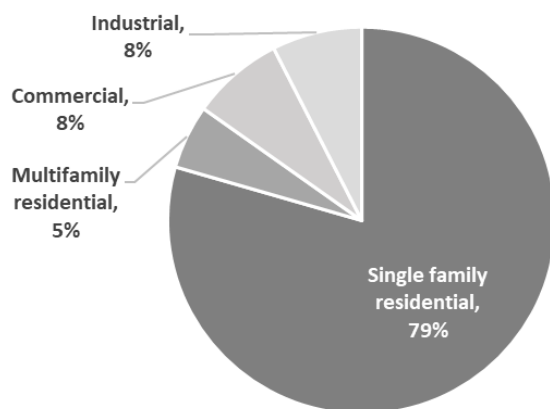
FRFR projects it will need more than \$33 million in capital projects to maintain its existing level of service at buildout, including approximately \$20 million of capital attributable to new growth. The capital plan includes two fire stations (#4 and #5), each with a built cost of approximately \$8 million. Stations 4 and 5 will serve future growth and are therefore 100 percent eligible to be included in the fee calculation. Corresponding equipment and apparatus for the two stations are also included in the fee calculation. Together, the capital required to serve new growth accounts for 60 percent of the total planned investment dollars, all of which are eligible for inclusion in the fee study.

The other 40 percent of the investment outlined in Figure II-2 is not eligible to be included in the fee calculation because the improvements are necessary to maintain the current level of service for existing residents rather than to serve future growth. Repair and renewal of existing stations—as well as the purchase of replacement fire apparatus, vehicles, and equipment—are not eligible to be included in the fee calculation for this same reason.

2. Current distribution of development types. This report utilizes the current distribution of development in the FRFR service area as the basis for allocating eligible infrastructure expansion costs over different types of land uses. This approach is consistent with the Colorado Municipal League’s recommendation that cost allocation be based on a measure of land use.

The existing mix of residential and non-residential building square footage is shown in Figure II-3 and is based on data from the Weld County Assessor and the Larimer County Assessor. By square footage, the existing built area in FRFR’s service area is 79 percent single family residential, 5 percent multifamily residential, 8 percent commercial, and 8 percent industrial space.

Figure II-3.
Land Uses within FRFR Service Area (% of total built square feet)



Note: Out buildings, roadways, agricultural buildings, mobile homes, schools, churches, and other categories are excluded from the impact fee calculation.

Sources: Front Range Fire Rescue and BBC Research & Consulting.

3. Impact fee calculation. Figure II-4 uses FRFR's capital improvement plan costs to determine appropriate single family residential, multifamily residential, commercial, and industrial impact fees. BBC used the existing distribution of development (Figure II-3) as a proxy for service demand and assigned costs to each type of development accordingly.

Figure II-4 presents fee calculations for each development type. The cost of fire capital infrastructure eligible to be included in the impact fee calculation is presented in the top row of Figure II-4 (and is identical to the last row of Figure II-2).

- The first step in calculating the impact fees was to allocate the total value of future fire capital infrastructure eligible to be included in the impact fee calculation to each type of development based on its proportion of built area as a percent of the total. Thus, BBC allocated 79 percent, or \$15.7 million, to single family residential development; 5 percent, or \$1.1 million, to multifamily residential development; 8 percent, or \$1.5 million, to commercial development; and 8 percent, or \$1.5 million, to industrial development.
- Next, BBC allocated infrastructure costs for each development type to the units of future development, based on future growth projections. For residential development, costs were allocated to each unit and for commercial and industrial development, costs were allocated to each square foot. The resulting figures represent the maximum allowable impact fee that can be charged to each unit of new development.

The result of allocating costs in the manner described above resulted in full cost recovery impact fees, which, as shown in the last three rows of Figure II-4 are \$1,354 per single family unit, \$1,247 per multifamily unit, \$1.53 per commercial square foot, and \$1.53 per industrial square foot. This is compared to the existing maximum allowable FRFR impact fees of \$1,553 per single family unit, \$989 per multifamily unit, and \$0.88 per non-residential square foot. FRFR can choose to charge less than this amount, but discounts must be uniformly applied to all land use categories.

**Figure II-4.
Full Cost Recovery Impact
Fees for FRFR**

Sources:
Front Range Fire Rescue and BBC Research &
Consulting.

Calculation of Impact Fees	
Value of Future Fire Infrastructure	\$19,753,251
Building Type Distribution (by square feet)	
Single family	79%
Multifamily	5%
Commercial	8%
Industrial	8%
Costs by Building Type	
Single family	\$15,698,788
Multifamily	\$1,055,818
Commercial	\$1,516,514
Industrial	\$1,482,131
Future Development through 2045	
Single family (in dwelling units)	11,594
Multifamily (in dwelling units)	847
Commercial (in square feet)	990,334
Industrial (in square feet)	967,881
Impact Fee by Land Use (rounded)	
Single family (per dwelling unit)	\$1,354
Multi-family (per dwelling unit)	\$1,247
Commercial (per square foot)	\$1.53
Industrial (per square feet)	\$1.53

SECTION III.

Summary and Recommendations

The development impact fees of \$1,354 per single family residential dwelling unit, \$1,247 per multifamily residential dwelling unit, and \$1.53 per square foot of commercial and industrial development that BBC recommends for FRFR's consideration represent maximum allowable amounts, and we recognize that the District may choose not to adopt fees below these amounts. BBC also offers the following recommendations for implementing the updated fees:

- FRFR should continue to maintain its impact fee fund separate and distinct from its general fund and make withdrawals from the former only to pay for growth-related infrastructure.
- FRFR should adhere to a written policy governing its expenditure of monies from its impact fee fund. The District should not fund operational expenses with impact fees under any circumstance, including the repair and replacement of existing infrastructure not necessitated by growth. In cases when FRFR expects new infrastructure to partially replace existing capacity and to partially serve new growth, cost sharing between its general fund (or capital fund) and its impact fee fund should be considered on a proportional basis as determined by the board.
- FRFR's impact fees should be updated annually at the start of each year based on the U.S. Bureau of Labor Statistic's Western Information Office's consumer price index for the West Region.⁵
- FRFR should continue to conduct impact fee review studies periodically as it invests in additional infrastructure beyond what is listed in this report or if the service area population or inventory of non-residential square footage changes substantially.

⁵ https://www.bls.gov/regions/west/news-release/consumerpriceindex_west.htm



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: January 17, 2024

SUBJECT: Public Hearing – New Beer & Wine Liquor License Application for Buc-ee’s Johnstown LLC

ACTION PROPOSED: Consider the Liquor License Application

ATTACHMENTS:

1. Application for a new Beer & Wine License
2. Results of the Liquor License Needs and Desires Petition
3. Report from Police Department
4. Order Granting Beer & Wine License
5. Vicinity map
6. Preliminary Findings
7. Affidavit of Posting

PRESENTED BY: Hannah Hill, Town Clerk

AGENDA ITEM DESCRIPTION:

This item is a public hearing to receive comments regarding the proposed Beer & Wine liquor license for Buc-ee’s Johnstown LLC dba Buc-ee’s located at 5201 Nugget Road, Berthoud, CO. When approving or denying an application, the Council acts as the local licensing authority and must consider if the reasonable requirements of the defined neighborhood are not presently being met by existing establishments, the desires of the adult inhabitants, and the number, type and availability of other similar liquor establishments located in or near the petitioned neighborhood as well as the moral character of the applicants.

LEGAL ADVICE:

The Town Attorney has reviewed the documents submitted.

FINANCIAL ADVICE:

The applicant has paid all the applicable fees.

RECOMMENDED ACTION: Consider issuing a Beer & Wine Liquor License to Buc-ee’s.

The Community That Cares

www.TownofJohnstown.com

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

SUGGESTED MOTIONS:

For Approval: I move to approve the Beer & Wine Liquor License to Buc-ee's Johnstown LLC and authorize the Mayor to sign the Order Granting a Beer & Wine License.

For Denial: I move to deny approval of the Beer & Wine Liquor License to Buc-ee's Johnstown LLC.

Reviewed and Approved for Presentation,



Town Manager

Colorado Liquor Retail License Application

* Note that the Division will not accept cash Paid by check Paid online Uploaded to MoveIt on Date 12-7-23

New License New-Concurrent Transfer of Ownership State Property Only Master file

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor, Beer and Wine Code: SBG.Colorado.gov/Liquor

1. Applicant is applying as a/an Individual Limited Liability Company Association or Other
 Corporation Partnership (includes Limited Liability and Husband and Wife Partnerships)

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation FEIN Number XXXXXXXXXX
Buc-ee's Johnstown, LLC

2a. Trade Name of Establishment (DBA) State Sales Tax Number *95964180* Business Telephone *T.B.D.*
Buc-ee's

3. Address of Premises (specify exact location of premises, include suite/unit numbers)
5201 Nugget Rd.

City *Berthoud* County *Weld* State *CO* ZIP Code *80513*

4. Mailing Address (Number and Street) City or Town *Lake Jackson* State *TX* ZIP Code *77566*
327 FM 2004 Rd.

5. Email Address
permits@Buc-ees.com

6. If the premises currently has a liquor or beer license, you must answer the following questions
Present Trade Name of Establishment (DBA) *N/A* Present State License Number Present Class of License Present Expiration Date

Section A Nonrefundable Application Fees* **Section B (Cont.) Liquor License Fees***

<input type="checkbox"/> Application Fee for New License\$1,100.00	<input type="checkbox"/> Liquor-Licensed Drugstore (County)\$312.50
<input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review\$1,200.00	<input type="checkbox"/> Lodging & Entertainment - L&E (City)\$500.00
<input type="checkbox"/> Application Fee for Transfer\$1,100.00	<input type="checkbox"/> Lodging & Entertainment - L&E (County)\$500.00

Section B Liquor License Fees*	
<input type="checkbox"/> Add Optional Premises to H & R.....\$100.00 X Total _____	<input type="checkbox"/> Manager Registration - H & R.....\$30.00
<input type="checkbox"/> Add Related Facility to Resort Complex\$75.00 X Total _____	<input type="checkbox"/> Manager Registration - Tavern.....\$30.00
<input type="checkbox"/> Arts Sidewalk Service Area.....\$75.00	<input type="checkbox"/> Manager Registration - Lodging & Entertainment.....\$30.00
<input type="checkbox"/> Arts License (City).....\$308.75	<input type="checkbox"/> Manager Registration - Campus Liquor Complex.....\$30.00
<input type="checkbox"/> Arts License (County).....\$308.75	<input type="checkbox"/> Optional Premises License (City).....\$500.00
<input checked="" type="checkbox"/> Beer and Wine License (City).....\$351.25	<input type="checkbox"/> Optional Premises License (County).....\$500.00
<input type="checkbox"/> Beer and Wine License (County).....\$436.25	<input type="checkbox"/> Racetrack License (City).....\$500.00
<input type="checkbox"/> Brew Pub License (City).....\$750.00	<input type="checkbox"/> Racetrack License (County).....\$500.00
<input type="checkbox"/> Brew Pub License (County).....\$750.00	<input type="checkbox"/> Resort Complex License (City).....\$500.00
<input type="checkbox"/> Campus Liquor Complex (City).....\$500.00	<input type="checkbox"/> Resort Complex License (County).....\$500.00
<input type="checkbox"/> Campus Liquor Complex (County).....\$500.00	<input type="checkbox"/> Related Facility - Campus Liquor Complex (City).....\$160.00
<input type="checkbox"/> Campus Liquor Complex (State).....\$500.00	<input type="checkbox"/> Related Facility - Campus Liquor Complex (County).....\$160.00
<input type="checkbox"/> Club License (City).....\$308.75	<input type="checkbox"/> Related Facility - Campus Liquor Complex (State).....\$160.00
<input type="checkbox"/> Club License (County).....\$308.75	<input type="checkbox"/> Retail Gaming Tavern License (City).....\$500.00
<input type="checkbox"/> Distillery Pub License (City).....\$750.00	<input type="checkbox"/> Retail Gaming Tavern License (County).....\$500.00
<input type="checkbox"/> Distillery Pub License (County).....\$750.00	<input type="checkbox"/> Retail Liquor Store License-Additional (City).....\$227.50
<input type="checkbox"/> Hotel and Restaurant License (City).....\$500.00	<input type="checkbox"/> Retail Liquor Store License-Additional (County).....\$312.50
<input type="checkbox"/> Hotel and Restaurant License (County).....\$500.00	<input type="checkbox"/> Retail Liquor Store (City).....\$227.50
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City).....\$600.00	<input type="checkbox"/> Retail Liquor Store (County).....\$312.50
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County).....\$600.00	<input type="checkbox"/> Tavern License (City).....\$500.00
<input type="checkbox"/> Liquor-Licensed Drugstore (City).....\$227.50	<input type="checkbox"/> Tavern License (County).....\$500.00
	<input type="checkbox"/> Vintners Restaurant License (City).....\$750.00
	<input type="checkbox"/> Vintners Restaurant License (County).....\$750.00

Questions? Visit: SBG.Colorado.gov/Liquor for more information

Do not write in this space - For Department of Revenue use only

Liability Information			
License Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$

Application Documents Checklist and Worksheet

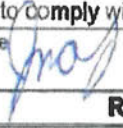
Instructions: This checklist should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable. **Questions? Visit: SBG.Colorado.gov/Liquor for more information**

Items submitted, please check all appropriate boxes completed or documents submitted

I.	Applicant information <input checked="" type="checkbox"/> A. Applicant/Licensee identified <input checked="" type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input checked="" type="checkbox"/> C. License type or other transaction identified <input checked="" type="checkbox"/> D. Return originals to local authority (additional items may be required by the local licensing authority) <input checked="" type="checkbox"/> E. All sections of the application need to be completed <input type="checkbox"/> F. Master file applicants must include the Application for Master File form DR 8415 and applicable fees to this Retail License Application
II.	Diagram of the premises <input type="checkbox"/> A. No larger than 8½" X 11" <input type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.) <input type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input type="checkbox"/> D. Kitchen - identified if Hotel and Restaurant <input type="checkbox"/> E. Bold/Outlined Licensed Premises
III.	Proof of property possession (One Year Needed) <input type="checkbox"/> A. Deed in name of the applicant (or) (matching question #2) date stamped / filed with County Clerk <input type="checkbox"/> B. Lease in the name of the applicant (or) (matching question #2) <input type="checkbox"/> C. Lease assignment in the name of the applicant with proper consent from the landlord and acceptance by the applicant <input type="checkbox"/> D. Other agreement if not deed or lease. (matching question #2)
IV.	Background information (DR 8404-I) and financial documents <input type="checkbox"/> A. Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members) <input type="checkbox"/> B. Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved State Vendor. Master File applicants submit results to the State using code 25YQHT with Identogo. Do not complete fingerprint cards prior to submitting your application. The Vendors are as follows: Identogo – https://uenroll.identogo.com/ Phone: 844-539-5539 (toll-free) Colorado Fingerprinting – http://www.coloradofingerprinting.com Appointment Scheduling Website: http://www.coloradofingerprinting.com/cabs/ Phone: 720-292-2722 Toll Free: 833-224-2227 Details about the vendors and fingerprinting in Colorado can be found on CBI's website here: https://cbi.colorado.gov/sections/biometric-identification-and-records-unit/employment-and-background-checks <input type="checkbox"/> C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license <input type="checkbox"/> D. List of all notes and loans (Copies to also be attached)
V.	Sole proprietor/husband and wife partnership (if applicable) <input type="checkbox"/> A. Form DR 4679 <input type="checkbox"/> B. Copy of State issued Driver's License or Colorado Identification Card for each applicant
VI.	Corporate applicant information (if applicable) <input type="checkbox"/> A. Certificate of Incorporation <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation (out of state applicants only)
VII.	Partnership applicant information (if applicable) <input type="checkbox"/> A. Partnership Agreement (general or limited). <input type="checkbox"/> B. Certificate of Good Standing
VIII.	Limited Liability Company applicant information (if applicable) <input type="checkbox"/> A. Copy of articles of organization <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Copy of Operating Agreement (if applicable) <input type="checkbox"/> D. Certificate of Authority if foreign LLC (out of state applicants only)
IX.	Manager registration for Hotel and Restaurant, Tavern, Lodging & Entertainment, and Campus Liquor Complex licenses when included with this application <input type="checkbox"/> A. \$30.00 fee <input type="checkbox"/> B. If owner is managing, no fee required

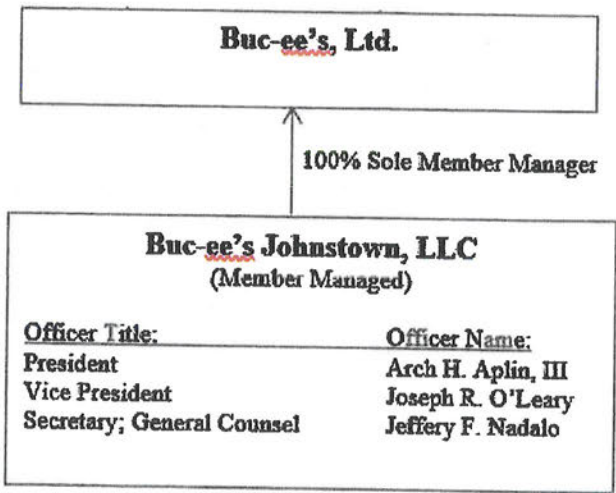
Name <i>Buc-ee's Johnstown, LLC</i>	Type of License	Account Number		
7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):				
a. Been denied an alcohol beverage license?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
b. Had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Had interest in another entity that had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
Waiver by local ordinance? <input type="checkbox"/> <input type="checkbox"/>		or		
Other: _____				
11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
13. a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
b. Are you a Colorado resident?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement?		<input type="checkbox"/> <input type="checkbox"/>		
<input checked="" type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:				
Landlord	Tenant	Expires		
<i>N/A</i>				
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11". <i>DONE</i>				
16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
<i>Trust Bank (Loan)</i>				<i>\$55,000,000.00</i>
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.				
17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:				<input type="checkbox"/> <input type="checkbox"/>
Has a local ordinance or resolution authorizing optional premises been adopted?				
Number of additional Optional Premise areas requested. (See license fee chart)				
18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.				

Name	Type of License	Account Number		
19. Liquor Licensed Drugstore (LLDS) applicants, answer the following: a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes" a copy of license must be attached.				
20. Club Liquor License applicants answer the following: Attach a copy of applicable documentation <i>N/A</i>				
a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? <input type="checkbox"/> Yes <input type="checkbox"/> No b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? <input type="checkbox"/> Yes <input type="checkbox"/> No c. How long has the club been incorporated? d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above? <input type="checkbox"/> Yes <input type="checkbox"/> No				
21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following: <i>N/A</i> a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) <input type="checkbox"/> Yes <input type="checkbox"/> No				
22. Campus Liquor Complex applicants answer the following: <i>N/A</i> a. Is the applicant an institution of higher education? <input type="checkbox"/> Yes <input type="checkbox"/> No b. Is the applicant a person who contracts with the institution of higher education to provide food services? <input type="checkbox"/> Yes <input type="checkbox"/> No If "yes" please provide a copy of the contract with the institution of higher education to provide food services.				
23. For all on-premises applicants. <i>N/A</i> a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.				
Last Name of Manager		First Name of Manager		
24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
25. Related Facility - Campus Liquor Complex applicants answer the following: <i>N/A</i> a. Is the related facility located within the boundaries of the Campus Liquor Complex? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex. b. Designated Manager for Related Facility- Campus Liquor Complex				
Last Name of Manager		First Name of Manager		
26. Tax Information. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR 8404-1 (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.				
Name	Home Address, City & State	DOB	Position	%Owned
Arch H. Aplin, III	57 Lake Rd., Lake Jackson, TX 77566	8/18/58	Officer	0
Name	Home Address, City & State	DOB	Position	%Owned
Jeff F. Nadele	5434 Abington Creek Ln, Sugar Land, TX 77479	9/20/76	Officer	
Name	Home Address, City & State	DOB	Position	%Owned
Joseph R. O'Leary	1208 Pine Hollow Dr, Friendswood, TX 77546	7/25/68	Officer	
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned

Name	Type of License	Account Number
<p>** If applicant is owned 100% by a parent company, please list the designated principal officer on above. ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable) ** If total ownership percentage disclosed here does not total 100%, applicant must check this box: <input checked="" type="checkbox"/> Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.</p>		
Oath of Applicant		
<p>I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer and Wine Code which affect my license.</p>		
Authorized Signature 	Printed Name and Title Joe O'Leary Vice President	Date 12-5-22
Report and Approval of Local Licensing Authority (City/County)		
Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)	
For Transfer Applications Only - Is the license being transferred valid?		Yes No <input type="checkbox"/> <input type="checkbox"/>
<p>The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:</p> <p><input type="checkbox"/> Fingerprinted <input type="checkbox"/> Subject to background investigation, including NCIC/CCIC check for outstanding warrants</p> <p>That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license (Check One)</p> <p><input type="checkbox"/> Date of inspection or anticipated date _____ <input type="checkbox"/> Will conduct inspection upon approval of state licensing authority</p>		
<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000?		Yes No <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000?		<input type="checkbox"/> <input type="checkbox"/>
<p>NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.</p>		
<input type="checkbox"/> Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?		<input type="checkbox"/> <input type="checkbox"/>
<p>The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. Therefore, this application is approved.</p>		
Local Licensing Authority for		Telephone Number <input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Print	Title
Signature	Print	Title
		Date
		Date

ADDENDUM

Additional Officer Information for Buc-ee's Johnstown, LLC



Full Name: Joseph Richard O'Leary

Title: Officer & Designated Principal Officer for this Application

Residence address: 1208 Pine Hollow Dr., Friendswood, Galveston County, Texas 77546

Percent Owned: 0%

Full Name: Arch Hartwell Aplin, III

Title: Officer

Residence address: 57 Lake Rd., Lake Jackson, Brazoria County, Texas 77566

Percent Owned: 0%

Full Name: Jeff Frank Nadalo

Title: Officer

Residence Address: 5434 Abington Creek Ln., Sugar Land, Fort Bend County, Texas 77479

Percent % Owned: 0%

Tax Check Authorization, Waiver, and Request to Release Information

I, Joseph R. O'Leary am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Buc-ee's Johnstown, LLC (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101, et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>Buc-ee's Johnstown, LLC</u>		Social Security Number/Tax Identification Number [REDACTED]	
Address <u>327 FM 2004 Rd.</u>			
City <u>Lake Jackson</u>		State <u>Texas</u>	Zip <u>77566</u>
Home Phone Number <u>N/A</u>		Business/Work Phone Number	
Printed name of person signing on behalf of the Applicant/Licensee <u>Joseph R. O'Leary,</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) <u>[Signature]</u>			Date signed <u>12/5/23</u>

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

DR 0140 (02/16/11)
DEPARTMENT OF REVENUE
DENVER CO 80261-0013

STATE CITY
COLORADO Johnstown

Must collect taxes for:
SALES TAX LICENSE

USE ACCOUNT NUMBER for all references	LIABILITY INFORMATION					ISSUE DATE			LICENSE VALID TO DECEMBER 31
	county	city	industry	type	liability date	month	day	year	
95964180-0000	03	0075	022	U	010124	Oct	27	23	2025

THIS LICENSE MUST BE POSTED AT THE FOLLOWING LOCATION IN A CONSPICUOUS PLACE: JESSICA PEREZ
5201 NUGGET ROAD JOHNSTOWN CO 80534

THIS LICENSE IS NOT TRANSFERABLE



BUC-EE'S JOHNSTOWN, LLC
327 FM 2004 RD
LAKE JACKSON TX 77566-4980

Jessica Perez
Executive Director
Department of Revenue

▲ **Detach Here** ▲
IMPORTANT INFORMATION

Letter Id: L0786663696

Now that you have your license, here's what you need to know:

- Use the letter ID above and go to Colorado.gov/RevenueOnline to set up your online access, manage your account, file electronic returns and submit payments. Paper returns will NOT be mailed to you.
- Both your sales tax return AND payments are due by the 20th day of the month following the end date of the reporting period in order to avoid any penalty and/or interest. Be sure you know what your filing frequency is in order to avoid missing due dates.
 - *Monthly filer* due dates: On the 20th day of the month following the reporting period end date.
 - *Quarterly filer* due dates: April 20th, July 20th, October 20th and January 20th.
 - *Annual filer* due dates: January 20th following the reporting period end date.
- If no sales were made during the reporting period, you are still required to file a return to report zero sales were made during the reporting period. Otherwise, the Department of Revenue will assess a non-filer estimate for tax.
- All licensed retailers are required to collect and remit all state-collected sales taxes based on the location where their products are delivered.
- State law requires you to collect sales tax from your customers solely for the purpose of remitting those taxes to the Colorado Department of Revenue. Businesses are entrusted with collecting and remitting taxes that belong to the State of Colorado and local jurisdictions.
- Your Colorado Sales Tax License must be displayed in a conspicuous place at your physical location.
- Your license must be renewed and the renewal fee paid at the end of the license period ending December 31 of odd-numbered years in order to maintain a valid license. Failure to renew your license will invalidate your license, but it won't automatically close your account. In order to close your account and cease any future liability, you must file form DR 1102 with the Department of Revenue.
- Having a Colorado Sales Tax License gives you the privilege to purchase non-taxable items-for-resale. Items that you consume in the course of your business are not included in this privilege.

We strongly recommend that you set up your Revenue Online account as soon as possible in order to remain compliant. If you have any questions regarding sales tax in Colorado, then please visit our website Colorado.gov/tax and click on "Education and Legal Research" for helpful FYIs, Regulations, Letter Rulings and Statutes. While there, you can also sign up for free Public Sales Tax Classes.

Thank you for registering with the Colorado Department of Revenue.



4828740 Pages: 1 of 1
05/19/2022 10:53 AM R Fee:\$13.00 D Fee:\$0.00
Carly Koppen, Clerk and Recorder, Weld County, CO

QUITCLAIM DEED

THIS DEED Made this 10 day of May, 2022
Between **POUDRE VALLEY RURAL ELECTRIC ASSOCIATION, INC.**, a Colorado cooperative corporation, of the County of Larimer and State of Colorado, grantor, and **BUC-EE'S JOHNSTOWN, LLC**, a Delaware limited liability company, whose legal address is 327 FM 2004, Lake Jackson, Texas 77566, grantee(s):
As successor in interest to John M. and Myra J. Lebsack and Robert L. and Priscilla H Lebsack.

WITNESSETH, That the grantor(s), for and in consideration of the sum of One Dollar and other valuable consideration the receipt and sufficiency of which is hereby acknowledged, has/have remised, released, sold and QUIT CLAIMED, and by these presents does/do remise, release, sell and QUIT CLAIM unto the grantee(s), his/her/their/its heirs and assigns forever, all the right, title, interest, claim and demand which the grantor(s) has/have in and to the real property, together with improvements, if any, situate, lying and being in the County of Weld, State of Colorado, described as follows:

The legal description:

LOTS 1 AND 2

WELTY RIDGE SUBDIVISION-FILING NO. 1, according to the plat recorded on December 15, 2021, at Reception No. 4785368, County of Weld, State of Colorado.

It is the intent of grantor that this conveyance release the easement rights of grantor under the terms of the Easement Poudre Valley Rural Electric Association, Inc. Right-Of-Way Easement dated November 5, 1973, and recorded April 9, 1974, with the County Clerk and Recorder of the foregoing County at Book 712, Page NA, Reception Number 1633853. This conveyance is not intended to release any other easement rights of grantor or other rights of grantor that are owned or possessed under any other agreement or by law upon the above described property; and this conveyance is not intended to convey ownership or possession of any facilities of grantor.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the grantor(s), either in law or equity, to the only proper use, benefit and behalf of the grantee(s), his/her/their/its heirs and assigns forever. **IN WITNESS WHEREOF**, the grantor(s) has/have executed this deed on the date set forth above.

POUDRE VALLEY RURAL ELECTRIC ASSOCIATION, INC.

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

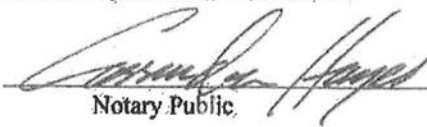

John Bowerfind, VP/COO

The foregoing instrument was acknowledged before me this 10 day of May, 2022, by John Bowerfind, as Authorized Official of Poudre Valley Rural Electric Association, Inc., a Colorado cooperative corporation.

My commission expires: 05/29/2024

Witness my hand and official seal.

CASSANDRA MARIE HAYES
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204018925
MY COMMISSION EXPIRES MAY 29, 2024


Notary Public



BUC-EE'S

A DEVELOPMENT OF

Buc-ee's Ltd.

Lake Jackson, TX 77566

TEL: (979) 230-2920

Buc-ee's Travel Center
JOHNSTOWN, CO

74K 2021-Q4

WCR 48 and Interstate 25
Johnstown, CO

LAWRENCE S. LEVINSON, A.I.A.

7900 Washington Ave., Suite 600 Houston, TX 77007
main: 713.600.3500 www.lslarc.com

ISSUE/REVISION LOG:

No. DESCRIPTION DATE

ISSUED FOR REVIEW:

ISSUED FOR BID:

ISSUED FOR PERMIT:

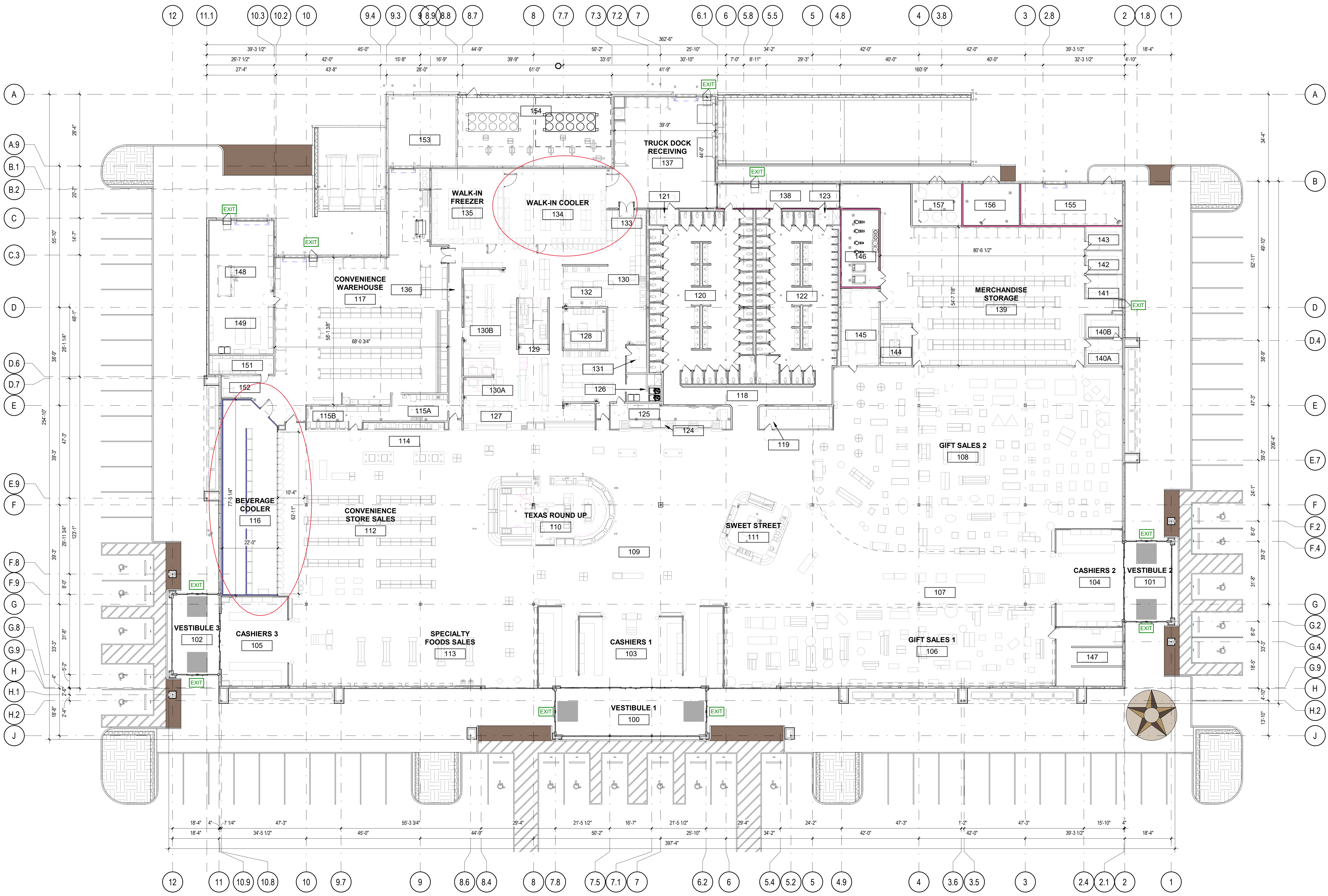
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XA1.00A

FLOOR PLAN OVERALL

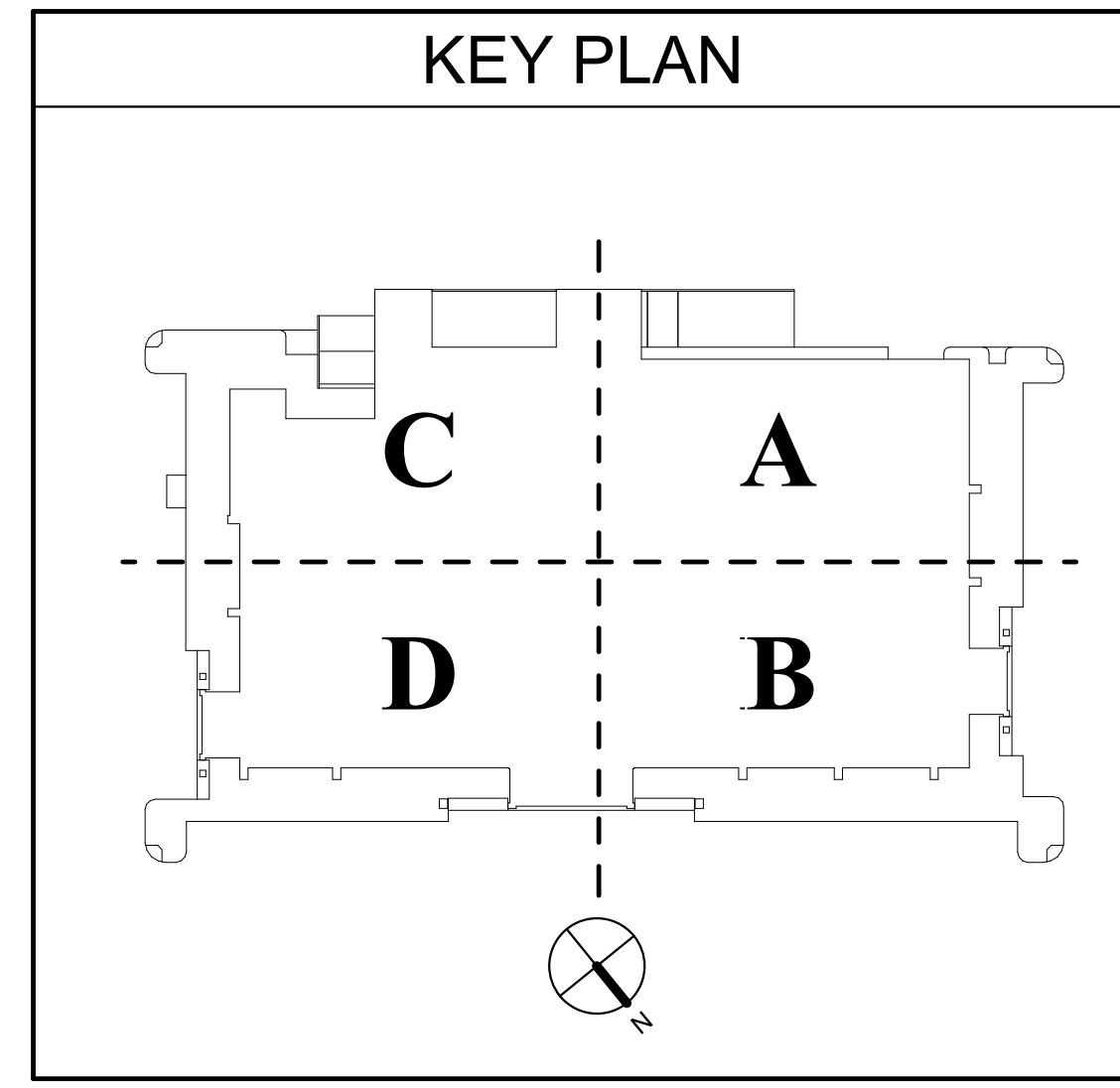
LSL PROJECT NUMBER: 2021-140.000

JOHNSTOWN, CO



1 FLOOR PLAN OVERALL PROTO

1/16" = 1'-0"



ROOM NAME INDEX			
NUMBER	ROOM NAME	NUMBER	
100	VESTIBULE 1	125	FOUNTAIN STORAGE ROOM
101	VESTIBULE 2	126	KITCHEN MOP ROOM
102	VESTIBULE 3	127	VENDING COUNTER
103	CASHIERS 1	128	WARE WASH
104	CASHIERS 2	129	FRY STATION
105	CASHIERS 3	130	KITCHEN
106	GIFT SALES 1	130A	BAKERY
107	GIFT SALES RUNWAY	130B	TRU PREP
108	GIFT SALES 2	131	DELI MANAGER
109	SALES	132	PRODUCE PREP
110	TEXAS ROUND UP	133	KITCHEN RECEIVING
111	SWEET STREET	134	WALK-IN COOLER
112	CONVENIENCE STORE SALES	135	WALK-IN FREEZER
113	SPECIALTY FOODS SALES	136	KITCHEN CORRIDOR
114	COFFEE AREA	137	TRUCK DOCK RECEIVING
115A	COFFEE SUPPLY ROOM	138	CONVENIENCE WAREHOUSE CORRIDOR
115B	ICE STORAGE ROOM	139	MERCHANDISE STORAGE
116	BEVERAGE COOLER	140A	STORE MANAGER
117	CONVENIENCE WAREHOUSE	140B	ADMIN. CLERK
118	RESTROOM CORRIDOR	141	D.M OFFICE
119	FUDGE & NUT STORAGE	142	MERCHANDISE MANAGER
120	WOMEN'S RESTROOM	143	ONBOARDING OFFICE
121	WOMEN'S MOP ROOM	144	IT ROOM
122	MEN'S RESTROOM	145	ELECTRICAL ROOM
123	MEN'S MOP ROOM	146	BOILER ROOM
124	FOUNTAIN	147	FUEL ALLEY
		148	ICE ROOM
		149	TOOL ROOM
		150	CIGARETTE STORAGE
		151	ELECTRICAL ALCOVE
		152	BALE STORAGE
		153	CHILLER YARD ENCLOSURE
		154	PUMP ROOM
		155	FILTER ROOM
		156	COMPACTOR ENCLOSURE
		157	GENERATOR ENCLOSURE
		158	GENERATOR MECHANICAL ROOM
		159	MEZZANINE
		160	
		161	

PLAN LEGEND	
	CONCRETE TILT WALL CONSTRUCTION RE. STRUCT.
	SCHEDULED FURRING
	PARTITION ON CONCRETE TILT-WALL CONSTRUCTION
	NOMINAL 8" CONCRETE MASONRY UNIT CONSTRUCTION RE. STRUCT.
	U.L. FIRE RATED WALL ASSEMBLY
	COLUMN GRID INDICATOR
	WALL PARTITION AS SCHEDULED
	INSULATED COOLER/FREEZER WALL PANELS
	ALUMINUM & GLASS STOREFRONT
	STEEL COLUMNS RE. STRUCT.

- GENERAL NOTES**
- EXTERIOR DIMENSIONS ARE TO CENTERLINE OF COLUMNS OR FACE OF STOREFRONT.
 - EXTERIOR DIMENSIONS ARE TO FACE OF SLAB @ TILT-WALL/UMI WALL/STUD WALL.
 - SIDEWALKS AT DOORS SHALL BE FLUSH WITH FINISHED FLOOR ELEVATION.
 - SLOPE ALL EXIT CONC. PADS & WALKS TO DRAIN AWAY FROM BUILDING RE. CIVIL.
 - THE CONTRACTOR AND ALL SUB-CONTRACTORS SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO PERFORMING ANY WORK AND SHALL NOTIFY THE ARCHITECT IMMEDIATELY OF ANY CONDITIONS THAT MAY EXIST THAT ARE NOT COVERED ON THESE PLANS.
 - THE CONTRACTOR AND ALL SUB-CONTRACTORS SHALL NOT DAMAGE ANY INSTRUMENTS OR EQUIPMENT DURING THE COURSE OF THIS PROJECT.
 - THE CONTRACTOR AND ALL SUB-CONTRACTORS SHALL RETURN ANY INSTRUMENTS OR EQUIPMENT THAT ARRIVES DAMAGED.
 - SEAL ALL PENETRATIONS THROUGH FIRE RATED ASSEMBLIES W/ U.L. FIRE RATED ASSEMBLIES FOR TYPE OF PENETRATION AND CONSTRUCTION.
 - METAL STUD FRAMING SHALL BE 18 GA. @ 16" O.C. UNLESS NOTED OTHERWISE. RE. STRUCTURAL FOR DETAILS.
 - BUILDING HEIGHTS AND ELEVATIONS SHALL BE MEASURED FROM FINISH FLOOR.
 - PROVIDE DOUBLE STUDS, BLOCKING, BRACING AND STEEL BACK-UP PLATES REQUIRED TO SUPPORT EQUIPMENT, MISCELLANEOUS ITEMS, E.G. CASEWORK, CABINETS, GRAB BARS, TOILET ACCESSORIES, FIXTURES, SIGNS, HAND RAILING, ETC. TYPICAL.
 - ALL SYMBOLS, ABBREVIATIONS, AND NOTES MARKED "TYPICAL" OR "TYP." SHALL APPLY IN ALL SIMILAR CIRCUMSTANCES.
 - EXTERIOR FINISHES SHALL BE PLUMB AND ALIGNED AS INDICATED ON THE BUILDING ELEVATIONS.
 - EXTERIOR WOOD BLOCKING AND NAILERS SHALL BE PRESSURE TREATED.
 - DO NOT SCALE DRAWINGS.

BIM 360://60 - Buc-ee's Johnstown-CO (L)/BUC-EE'S 74K JOHNSTOWN CO_Central_R0.rvt

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Buc-ee's Johnstown, LLC

is an entity formed or registered under the law of Delaware, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20218000390.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 11/14/2023 that have been posted, and by documents delivered to this office electronically through 11/15/2023 @ 15:18:47.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 11/15/2023 @ 15:18:47 in accordance with applicable law. This certificate is assigned Confirmation Number 15490179.



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****
Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "BUC-EE'S JOHNSTOWN, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE FIFTEENTH DAY OF NOVEMBER, A.D. 2023.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



6299704 8300

SR# 20233988713

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed in a small font.

Authentication: 204603811

Date: 11-15-23

**CERTIFICATE OF FORMATION
OF
BUC-EE'S JOHNSTOWN, LLC**

The undersigned, acting as the organizer of a limited liability company under the Delaware Limited Liability Company Act, does hereby adopt the following Certificate of Formation for Buc-ee's Johnstown, LLC (the "Company").

ARTICLE I

The name of the limited liability company formed hereby is:


Buc-ee's Johnstown, LLC

ARTICLE II

The address of the registered office and the name and address of the registered agent for service of process on the Company in the State of Delaware is:

The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
City of Wilmington, County of New Castle, Delaware, 19801

IN WITNESS WHEREOF, this Certificate of Formation is executed effective October 11, 2021.



Jeff Nadalo
Authorized Person

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:32 PM 10/12/2021
FILED 02:32 PM 10/12/2021
SR 20213490476 - FileNumber 6299704

11130593



Alcohol Petitioning Services
P.O. Box 998
Johnstown, CO 80534
(303) 710-3424

January 4, 2024

TO: Town of Johnstown
Liquor Licensing Authority
450 South Parish Avenue
Johnstown, CO 80534

REF: Neighborhood Survey – New Liquor License

Survey Overview

Survey of the Reasonable Requirements and Desires of the Neighborhood for the following:

Fermented Malt Beverage and Wine Retailer

Applicant:

Buc-ee's Johnstown, LLC
dba Buc-ee's

Applicant's Licensed Premises Location:

5201 Nugget Road
Berthoud, CO 80513

Survey Methodology

The circulators were over 21 years old.

Each circulator wore Alcohol Petitioning Services (APS) apparel and had a name tag identifying their name and the company. Each circulator also had a clipboard with the following:

1. A map of the designated area provided by the Johnstown Town Clerk describing the boundaries of the defined neighborhood.
2. The petition to the Local Licensing Authority of Johnstown that included a section where people contacted could indicate their support (in favor) or opposition for the liquor license.
3. A tally sheet to record the results of those who did not sign.

People were shown the petition form, asked to read the form, and verbally told of the license type being applied for and the site location/address.

Each person who signed the petition indicated they were either an owner/manager of a business or resident located within designated area and were 21 years or older.

Each signature was freely and voluntarily given without any influence of the circulator.

Survey Circulators and Dates

Circulators conducted the survey on the following dates:

4 Circulators – Wednesday, December 20, 2023

Survey Statistics

Summary of Signatures Obtained

Businesses..... 20
 Residences..... 58
Total 78

(Note – there are 11 signatures not included in the initial summary because the homes petitioned were not located within the neighborhood boundaries)

Details of Signatures Obtained

	Businesses	Residents	Total
Signatures in Favor - "Yes"	18	44	62
Signatures in Opposition – "No"	2	14	16
Total	20	58	78

Statistical Analysis

In Favor..... 79.5%
 In Opposition..... 20.5%

Details of Opposition

Reason	Businesses	Residents	Total
None Given	0	8	8
Support Local Business	2	4	6
Too Much Alcohol	0	1	1
Too Close to the Interstate	0	1	1
Total	2	14	16

Details of Contact Attempts

	Total	Ratio of Total Contacts
Signatures Obtained	78	25.4%
Not at Home	164	53.4%
Not Willing To Sign	38	12.4%
Business Closed/Vacant	15	4.9%
Owner/Manager Not Available	12	3.9%
Total	307	100.0%

Reason for Contacts Not Willing To Sign

No Opinion	20
Not Interested	18
Too Busy	6
Total	38

Summary of Ratio of Signatures to Contact Attempts

	Signatures	Attempts	Percent
Business	20	50	40.0%
Residents	58	257	22.6%
Total	78	307	25.4% (overall)

- An average of 25.4% of attempts to contact people obtained a signature for the petition.

Actual People Contacts (Not including Business Closed/Vacant, Owner or Manager Not Available and Not at Home)

	Signatures	Contacts	Percent
Business	20	23	87.0%
Residents	50	93	6.24%
Total	78	116	67.2% (overall)

- An average of 67.2% of eligible people contacted provided a signature for the petition.

Disqualified Signatures

There were two (2) disqualified signatures: neither of the people (residents – one in favor and one opposed) provided a full name or signature.

Statistical Analysis with Disqualified Signatures

	Business	Residents	Total
Signatures in Favor - “Yes”	18	43	61
Signatures in Opposition – “No”	2	13	15
Total	20	56	76

In Favor..... 80.3%
In Opposition..... 19.7%

Statistical Analysis For Needs and Desires

There were sixteen (15¹) signatures in opposition to the liquor license. Seven (7) of the signatures in opposition provided a reason, and eight (8) of the signatures in opposition did not provide a reason. In order to show a “Needs and Desires” of the neighborhood, the reasons should include whether or not the existing number of licenses for the same type of license is sufficient for the designated neighborhood.

Six (6) of the reasons provided could reasonably qualify as an opposition due to “needs and desires” and one (1) would not qualify. Since eight (8) of the people did not provide a reason, it is not known if the opposition would qualify as a reason that would reasonably fit the definition of “needs and desires.” If you only consider reasons that would reasonably fit the definition of “needs and desires,” you have the following:

¹ One of the opposition signatures was disqualified

	Business	Residents	Total
Signatures in Favor - “Yes”	18	43	61
Signatures in Opposition – “No”	2	6	8
Total	20	49	69

In Favor..... 88.4%
In Opposition..... 11.6%

Final Analysis

Therefore, the final analysis of the “Needs and Desires” is between **80.3% and 88.4%** of the people who signed the petition are in favor of the issuance of the new liquor license.

Report Attachments

Included in this report are the following:

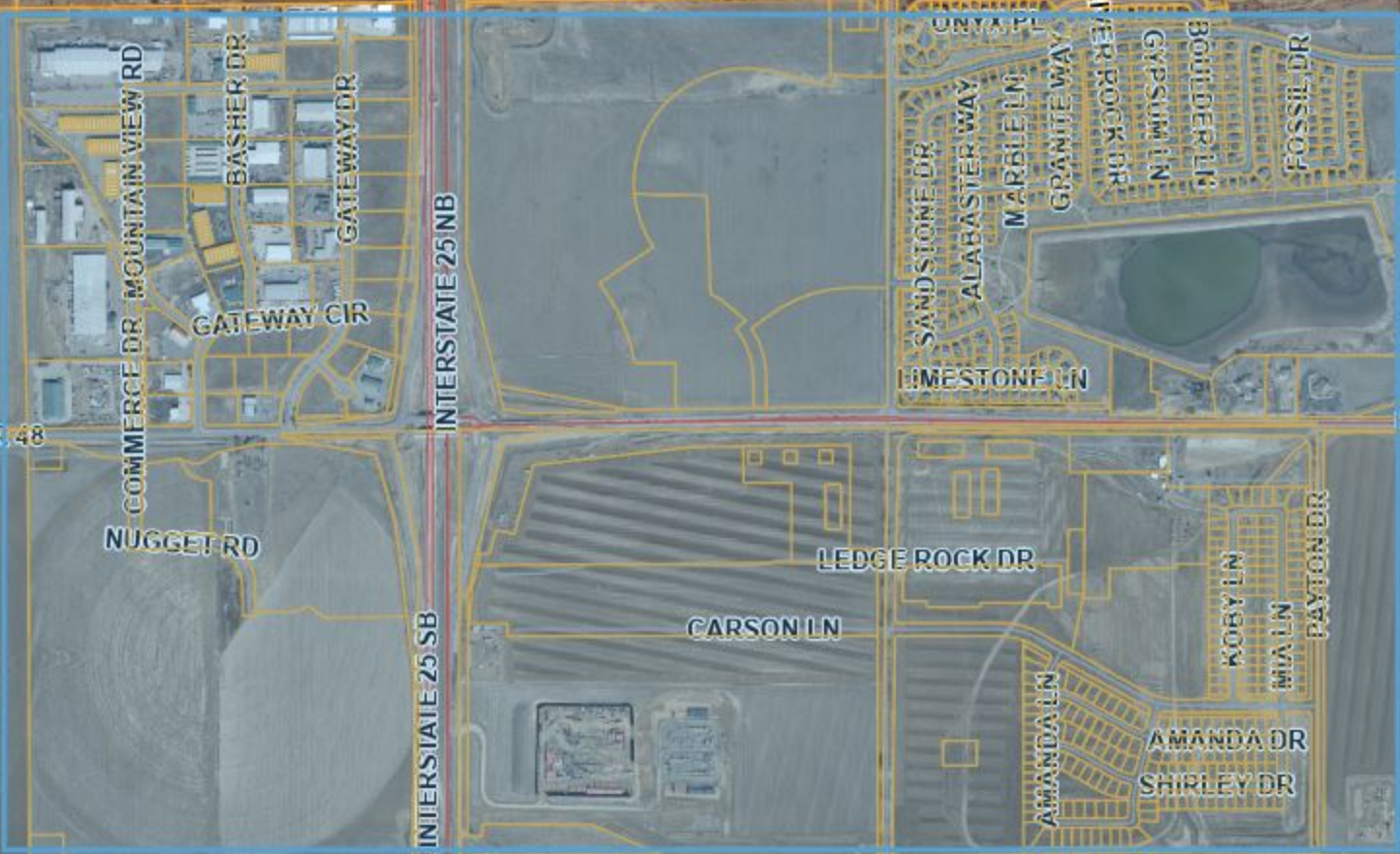
1. A copy of the map provided by Johnstown Town Clerk for the designated area.
2. A copy of the map indicating the area where circulators petitioned.
3. A copy of the petitions where signatures were obtained in support or opposition of Fermented Malt Beverage and Wine Retailer Liquor License.
4. Affidavits of Circulators for signatures obtained.

Report Prepared and Submitted by:



Patrick Maroney
 President
 PS Logistics, LLC
 dba Alcohol Petitioning Services

Item #7.





Affidavit of Circulator

I, Yvonne Brebis, circulated the attached petition

pertaining to the application of Buc-ee's Johnstown, LLC, dba Buc-ee's for licensing by the Local Licensing Authority of the Town of Johnstown, Colorado. The petition was circulated from

12/20/23 to 12/26/23, and only within the defined neighborhood

boundaries established by the Local Licensing Authority on the map provided here. I hereby certify that the persons whose signatures and addresses appear signed this petition in my presence after indicating they were at least twenty-one (21) years of age and after having read the petition. I further certify that, to the best of my knowledge, each signature appearing on the petition is who it purports to be and that and the address given with each name indicated is the true business or residence of the person signing the petition.

Yvonne Brebis

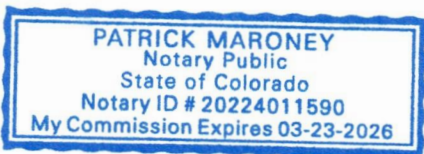
Signature of Circulator

STATE OF COLORADO)
) ss
COUNTY OF Weld)

Subscribed and sworn to before me this 20th day of December, 2023. By the person known to me to be Yvonne Brebis.

My commission expires:
03-23-2026

Patric Maroney
Notary Public





APPLICANT: Buc-ee's Johnstown, LLC dba Buc-ee's
 APPLICATION TYPE: Fermented Malt Beverage and Wine Retailer
 LOCATION: 5201 Nugget Road, Berthoud, CO 80513

PUBLIC HEARING BEFORE THE AUTHORITY:
DATE & TIME: January 17, 2024 at 7 p.m.
LOCATION: 450 S. Parish, Johnstown, CO 80534

Please print and sign your name: **First Name, Middle Initial, Last Name.**

DATE	PRINT NAME	BUSINESS NAME (IF APPLICABLE)	AGE	MARK ONE "X"		REASON:	B
	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12/20 2023	Michael Lujan <i>[Signature]</i>	144 Sand Stone dr.	66	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
2 12/20 2023	Charlotte Lujan <i>[Signature]</i>	144 Sandstone	67	P		(CIRCLE ONE) RESIDENT OWNER MANAGER	
3 12/20 2023	Hilario Baramillo <i>[Signature]</i>	144 Sandstone dr Johnstown CO	42	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
4 12/20 2023	Charlotte Johnson <i>[Signature]</i>	226 Sandstone Ave	89	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
5 12/20 23	Judy Johnson <i>[Signature]</i>	308 SANDSTONE DR	70		X	(CIRCLE ONE) RESIDENT OWNER MANAGER	
6 12/20 2023	Annie Carbon <i>[Signature]</i>	332 Sandstone Dr.	62		X	(CIRCLE ONE) RESIDENT OWNER MANAGER	
7 12/20/ 2023	<i>[Signature]</i> Bret Helso	4417 Redrock Ln	36	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
8 12/20/ 23	Alexa Lester <i>[Signature]</i>	4405 Redrock Ln	30	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	

Initials: 4B



APPLICANT: Buc-ee's Johnstown, LLC dba Buc-ee's
 APPLICATION TYPE: Fermented Malt Beverage and Wine Retailer
 LOCATION: 5201 Nugget Road, Berthoud, CO 80513

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LOCATION: 450 S. Parish, Johnstown, CO 80534

Please print and sign your name: **First Name, Middle Initial, Last Name.**

DATE	PRINT NAME	BUSINESS NAME (IF APPLICABLE)	AGE	MARK ONE "X"		REASON:	B
	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12/20/23	 TIMOTHY CHAPIN	120 SANDSTONE Dr.	33	X		(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
2 12/20/23	 S. Stokes	418 River Rock	65		X	REASON: <u>too much alcohol -</u> (CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
3 12/20/23	 Sandra Sanchez	412 River Rock	59		X	(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
4 12/20/23	 Mylie Tarnowski Marni Tarnowski	336 RIVER ROCK DR.	23	X		(CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
5 12/20/23	 Melissa Scharer Melissa Scharer	330 River Rock	47	X		(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
6 12/20/23	 Charles R. Foy Charles R. Foy	4226 FLAGSTONE DR	78	X		(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
7 12/20/23	 Kiffany Nelson Kiffany Nelson	4220 Flagstone Dr	32		X	REASON: <u>Red Barn Competition</u> (CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
8 12/20/2023	 LARRASTON LARRASTON	4214 FLAGSTONE	60		X	(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	

Initials: YB



APPLICANT: Buc-ee's Johnstown, LLC dba Buc-ee's
 APPLICATION TYPE: Fermented Malt Beverage and Wine Retailer
 LOCATION: 5201 Nugget Road, Berthoud, CO 80513

PUBLIC HEARING BEFORE THE AUTHORITY:
DATE & TIME: January 17, 2024 at 7 p.m.
LOCATION: 450 S. Parish, Johnstown, CO 80534

Please print and sign your name: *First Name, Middle Initial, Last Name.*

DATE	PRINT NAME	BUSINESS NAME (IF APPLICABLE)	AGE	MARK ONE "X"		REASON:	B
	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12/20/23	<i>Shadrach Eubanks</i>	4208 Playstone Dr	67	X		REASON:	
	<i>Shadrach Eubanks</i>					(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
2 12/20/23	<i>Amber Hugitt</i>	3305 Bayberry Ln.	41	X		REASON:	
	<i>Amber Hugitt</i>					(CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
3 12/20	<i>Expilaine Holt-Allen</i>	464 Boulder Ln.	39	X		REASON:	
	<i>Expilaine Holt-Allen</i>					(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
4 12/20	<i>Donna Clausen</i>	348 Boulder Lane	72	X		REASON:	
	<i>Donna Clausen</i>					(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
5 12/20	<i>Kurt Boyne</i>	342 Boulder Ln	32	X		REASON:	
	<i>Kurt Boyne</i>					(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
6 12/20	<i>Angela D Roinestad</i>	349 Granite Way Johnstown	55		X	REASON:	
	<i>Angela D Roinestad</i>					(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
7 12/20	<i>Joe Kolanda</i>	343 Granite Way Johnstown, CO	43	X		REASON:	
	<i>Joe Kolanda</i>					(CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
8 12/20	<i>Stephen Lewchuk</i>	301 Granite Way	34	X		REASON:	
	<i>Stephen Lewchuk</i>					(CIRCLE ONE) <u>RESIDENT</u> <u>OWNER</u> MANAGER	

Initials: 4B

Affidavit of Circulator

I, JAMES LUNN, circulated the attached petition

pertaining to the application of Buc-ee's Johnstown, LLC, dba Buc-ee's for licensing by the Local Licensing Authority of the Town of Johnstown, Colorado. The petition was circulated from

12/20/23 to 12/20/23, and only within the defined neighborhood

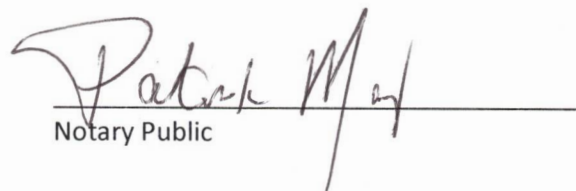
boundaries established by the Local Licensing Authority on the map provided here. I hereby certify that the persons whose signatures and addresses appear signed this petition in my presence after indicating they were at least twenty-one (21) years of age and after having read the petition. I further certify that, to the best of my knowledge, each signature appearing on the petition is who it purports to be and that and the address given with each name indicated is the true business or residence of the person signing the petition.

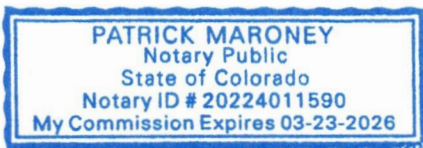

Signature of Circulator

STATE OF COLORADO)
) ss
COUNTY OF Weld)

Subscribed and sworn to before me this 20th day of December, 20 23. By the person known to me to be James Lunn.

My commission expires:
03-23-2026


Notary Public





APPLICANT: Buc-ee's Johnstown, LLC dba Buc-ee's
 APPLICATION TYPE: Fermented Malt Beverage and Wine Retailer
 LOCATION: 5201 Nugget Road, Berthoud, CO 80513

PUBLIC HEARING BEFORE THE AUTHORITY:
DATE & TIME: January 17, 2024 at 7 p.m.
LOCATION: 450 S. Parish, Johnstown, CO 80534

Please print and sign your name: *First Name, Middle Initial, Last Name.*

DATE	PRINT NAME	BUSINESS NAME (IF APPLICABLE)	AGE	MARK ONE "X"		REASON:	B
	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12-20-23	Hector Chavez <i>Hector Chavez</i>	487 Gateway Dr Reddy Ice	42	X		REASON: (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	✓
2 12-20-23	Justin Watkins <i>Justin Watkins</i>	5213 Longs Peak Rd Unit F Colubhe P. Machig	41	X		REASON: (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	✓
3 12/20/23	Ricki Hocking <i>Ricki Hocking</i>	475 Basher Dr Berthoud CO	63	✓		REASON: (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	✓
4 12/20/23	Derek Smith <i>Derek Smith</i>	445 Basher Dr BERTHOUD, CO	51		✓	REASON: <u>MIGHT HURT LOCAL BUSINESSES</u> (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	✓
5 12/20	Alyssa Serrano <i>Alyssa Serrano</i>	316 Basher Dr Berthoud CO	23	✓		REASON: (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	✓
6 12/20	Chad Stron <i>Chad Stron</i>	226 Basher Dr # 2	32	X		REASON: (CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
7 12/26	Greg Billings <i>Greg Billings</i>	266 Basher Drive Unit 4	57		X	REASON: <u>SUPPORT LOCAL BUSINESSES</u> (CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
8 12/20	BRIAN EKX <i>Brian Ekx</i>	226 Basher Dr Unit 5	48	X		REASON: (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	

Initials: *[Signature]*



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	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12/29/23	Robert ^{RIMATT} Divietto RD	5186 Longs Peak Rd	21+	X		REASON: (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
2 12/20/23	Brian C Woods Brii C Woods	1517 Rancho Way	57	X		REASON: (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
3 12/20/23	Kirk Cosson	80 Gateway Cir	over 21		X	REASON: <u>Potential Strain on Small Business</u> (CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
4 12.20.23	Becca Walkinsaw	142 Sycamore Ave	43		X	REASON: <u>too much alcohol</u> (CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
5 12/20/23	Lance Walker Jane White	308 Sycamore Ave Johnstown	45	X		REASON: (CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
6 12/20/23	Sarah Nause Sarah Nause	332 Sycamore Ave	29	X		REASON: (CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
7 12/20/23	John Brown John Brown	338 Sycamore Ave	21		X	REASON: <u>too close to high school</u> (CIRCLE ONE) RESIDENT OWNER MANAGER	
8 12/20/23	Kacey Jordan	416 Sycamore Ave	21+	X		REASON: (CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	

Initials: [Signature]



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	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12/20	Kelley Prapp <i>[Signature]</i>	316 Limestone Ln	33	✓		(CIRCLE ONE) RESIDENT OWNER MANAGER	
2 12/20	JAMES EDWARD TAMM <i>[Signature]</i>	315 FOSSIL DR	72	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
3 12/20	Judy Beaman Judy Beaman <i>[Signature]</i>	4009 Fossil Dr	70		✓	to close to the interstate (CIRCLE ONE) RESIDENT OWNER MANAGER	
4 12/20	JAMES LOZMAN James Lozman <i>[Signature]</i>	410 Fossil Dr	70	✓		(CIRCLE ONE) RESIDENT OWNER MANAGER	
5 12/20	Katie Peacer Katie Peacer <i>[Signature]</i>	423 Moss Rockway	51	✓		(CIRCLE ONE) RESIDENT OWNER MANAGER	
6 12/20	Dennis Peacer Dennis Peacer <i>[Signature]</i>	423 Moss Rockway	47	✓		(CIRCLE ONE) RESIDENT OWNER MANAGER	
7 12/20	Dream Vacations Katie Peacer <i>[Signature]</i>	423 Moss Rockway	51	✓		(CIRCLE ONE) RESIDENT OWNER MANAGER	✓
8						(CIRCLE ONE) RESIDENT OWNER MANAGER	

Initials: *[Signature]*

Affidavit of Circulator

I, Robert Doolittle, circulated the attached petition

pertaining to the application of Buc-ee's Johnstown, LLC, dba Buc-ee's for licensing by the Local Licensing Authority of the Town of Johnstown, Colorado. The petition was circulated from

12/20/23 to 12/20/23, and only within the defined neighborhood

boundaries established by the Local Licensing Authority on the map provided here. I hereby certify that the persons whose signatures and addresses appear signed this petition in my presence after indicating they were at least twenty-one (21) years of age and after having read the petition. I further certify that, to the best of my knowledge, each signature appearing on the petition is who it purports to be and that and the address given with each name indicated is the true business or residence of the person signing the petition.

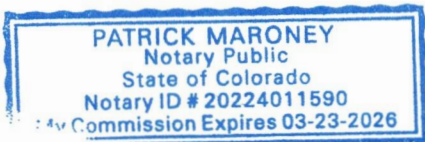


Signature of Circulator

STATE OF COLORADO)
) ss
COUNTY OF Weld)

Subscribed and sworn to before me this 20th day of December, 2023. By the person known to me to be Robert Doolittle.

My commission expires:
03-23-2026


Notary Public



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	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12/20/23	<i>Steve Urban</i>	5213 Loass Peak Rd Berthoud, Co.	58	✓		REASON:	✓
	<i>Steve Urban</i>					(CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
2 12/20/23	<i>Kelli Madenford</i>	480 Basher Dr Berthoud, CO 80513	48	✓		REASON:	✓
	<i>Kelli Madenford</i>					(CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
3 12/20/23	<i>Mike Cruz</i>	390 Mountain View Dr Berthoud, CO 80513	34	✓		REASON:	X
	<i>Mike Cruz</i>					(CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
4 12/20/23	<i>Jay L. Weier</i>	372 Mountain View Berthoud, CO 80513	55	✓		REASON:	X
	<i>Jay L. Weier</i>					(CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
5 12/20/23	<i>Ethan Coffee</i>	Vault PC 321 Basher Rd 80513	33	✓		REASON:	X
	<i>Ethan Coffee</i>					(CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
6 12/20/23	<i>Mike Missims</i>	246 Basher Drive Berthoud CO	48	✓		REASON:	A
	<i>Mike Missims</i>					(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
7 12-20/23	<i>Paula...</i>	266 Basher Trl. #2 Berthoud CO. 80513	59	✓		REASON:	X
	<i>Paula...</i>					(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
8 12-20/23	<i>Terri Ruiz</i>	246 Basher Dr #4 Berthoud CO 80513	44	✓		REASON:	X
	<i>Terri Ruiz</i>					(CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	

Initials: *AS*



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	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12/20/23	<i>Dyane Gill</i>	244 Basheer Drive	64	X		(CIRCLE ONE) RESIDENT <u>OWNER</u> MANAGER	
2 12/20/23	<i>Tanner Shemon</i> <i>Journell Shemon</i>	142 Gateway Circle	21	X		(CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	X
3 12/20/23	<i>Dennis Ryan</i>	56 Gateway Circle 80513	50	X		(CIRCLE ONE) RESIDENT OWNER <u>MANAGER</u>	
4 12/20/23	<i>Marc Matus</i>	136 Sycamore Ave	42	X		(CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
5 12/20/23	<i>Hicki Mahler</i> <i>Beth Mahler</i>	313 Sycamore Ave	68	X		(CIRCLE ONE) <u>RESIDENT</u> <u>OWNER</u> MANAGER	
6 12/20/23	<i>Aaron Johnson</i> <i>Craig Johnson</i>	3236 Tupelo Ln	72	X		(CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
7 12/20	<i>Natalie Byers</i>	3234 Tupelo Ln	25	X		(CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	
8 12/20	<i>Kaitlyn Burnett</i> <i>Kyle Burnett</i>	3233 Tupelo Ln	29	X		(CIRCLE ONE) <u>RESIDENT</u> OWNER MANAGER	

Initials: DS



APPLICANT: Buc-ee's Johnstown, LLC dba Buc-ee's
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	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1 12/20/23	<i>AC</i> Ariana Colmenero	Buckhorn 343 Gemstone Ln	21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(CIRCLE ONE) RESIDENT OWNER MANAGER	
2 12/20	<i>Tammy Merritt</i> Tammy Merritt	301 Gemstone Ln	50	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(CIRCLE ONE) RESIDENT OWNER MANAGER	
3 12/20	<i>Travis Tomlin</i> <i>TT</i>	4012 Fossil L DR	38	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SUPPORT SMALL BIZ - RED BARN (CIRCLE ONE) RESIDENT OWNER MANAGER	
4 12/20	<i>Mar Wern</i>	300 Fossil DR	45	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SUPPORT local liquor store Red Barn (CIRCLE ONE) RESIDENT OWNER MANAGER	
5 12/20	<i>Brian Wurtz</i> <i>BW</i>	406 Moss Rock Way	38	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(CIRCLE ONE) RESIDENT OWNER MANAGER	
6 12/20	<i>Heather Adams</i> <i>H Adams</i>	406 Moss Rock Way	39	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(CIRCLE ONE) RESIDENT OWNER MANAGER	
7 12/20	<i>Emily Stratton</i> <i>ES</i>	350 Moss Rock Way	45	<input type="checkbox"/>	<input checked="" type="checkbox"/>	(CIRCLE ONE) RESIDENT OWNER MANAGER	
8 12/20	<i>Leslie Freeman</i> <i>LF</i>	320 Moss Rock Way	54	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(CIRCLE ONE) RESIDENT OWNER MANAGER	

Initials: *LF*



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	SIGNATURE	STREET ADDRESS		FAVOR	OPPOSE		
1	<i>Jeffrey Trujillo</i> <i>Jeffrey Trujillo</i>	<i>307 Moss Rock way</i> <i>Johnstone, CO</i> <i>80534</i>	<i>42</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(CIRCLE ONE) RESIDENT OWNER MANAGER	
2						(CIRCLE ONE) RESIDENT OWNER MANAGER	
3						(CIRCLE ONE) RESIDENT OWNER MANAGER	
4						(CIRCLE ONE) RESIDENT OWNER MANAGER	
5						(CIRCLE ONE) RESIDENT OWNER MANAGER	
6						(CIRCLE ONE) RESIDENT OWNER MANAGER	
7						(CIRCLE ONE) RESIDENT OWNER MANAGER	
8						(CIRCLE ONE) RESIDENT OWNER MANAGER	

Initials: *JT*

Affidavit of Circulator

I, Laura S. Lunn, circulated the attached petition

pertaining to the application of Buc-ee's Johnstown, LLC, dba Buc-ee's for licensing by the Local Licensing Authority of the Town of Johnstown, Colorado. The petition was circulated from

Dec. 20, 2023 to Dec. 20, 2023, and only within the defined neighborhood

boundaries established by the Local Licensing Authority on the map provided here. I hereby certify that the persons whose signatures and addresses appear signed this petition in my presence after indicating they were at least twenty-one (21) years of age and after having read the petition. I further certify that, to the best of my knowledge, each signature appearing on the petition is who it purports to be and that and the address given with each name indicated is the true business or residence of the person signing the petition.

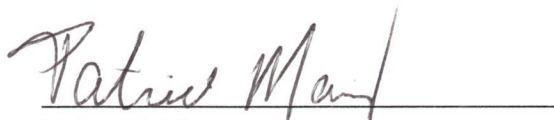


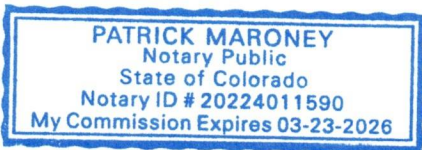
Signature of Circulator

STATE OF COLORADO)
) ss
COUNTY OF Weld)

Subscribed and sworn to before me this 20th day of December, 2023. By the person known to me to be Laura Lunn.

My commission expires:
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Notary Public





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1 12/20	<i>[Signature]</i> Elijah Eaton	322 Alabaster Way	35	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
2 12/20	<i>[Signature]</i> Jon R Arends	4420 Rocksbury Ln	64	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
3 12/20	<i>[Signature]</i> Dixie Arends	4450 Rocksbury Ln	49	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
4 12/20	<i>[Signature]</i> Steve Arends	4420 Rocksbury LN	65	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
5 12/20	<i>[Signature]</i> Michael Gillespie	413 River Rock Dr	31		X	(CIRCLE ONE) RESIDENT OWNER MANAGER	
6 12/20	<i>[Signature]</i> Willie Subert	328 Gypsum LN	42	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
7 12/20	<i>[Signature]</i> Arabella Martin	358 Gypsum	39	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
8 12/20	<i>[Signature]</i> Lannie Forsyth	406 Gypsum	75	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	

Initials: _____



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1 12/20/23	Kara Schmidt <i>Kara Schmidt</i>	421 Boulder Ln Johnstown Co 80534	39	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
2 12/20/23	Justin Western Justin Western	403 Boulder Ln	39		X	(CIRCLE ONE) RESIDENT OWNER MANAGER	
3 12/20/23	Robert White Robert White	323 Boulder Ln	32	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
4 12/20/23	Sharon Ross <i>SHARON ROSS</i>	404 GRANITE WAY	73	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
5 12/20/23	Kate Franklin <i>Kate Franklin</i>	326 Granite Way	41	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
6 12/20/23	Jonni Maxpress <i>Jonni Maxpress</i>	320 Granite Way	60		X	(CIRCLE ONE) RESIDENT OWNER MANAGER	
7 12-20-23	Sergio Wolfe <i>Sergio Wolfe</i>	314 Granite Way	48	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
8 12/20/2023	Brian Stark <i>Brian Stark</i>	4307 Cobblestone Ln	25	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	

Initials: _____



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1 12/20/23	Christina Gray <i>[Signature]</i>	4332 Cobblestone Ln Johnstown CO 80534	43	X		(CIRCLE ONE) RESIDENT OWNER MANAGER	
2						(CIRCLE ONE) RESIDENT OWNER MANAGER	
3						(CIRCLE ONE) RESIDENT OWNER MANAGER	
4						(CIRCLE ONE) RESIDENT OWNER MANAGER	
5						(CIRCLE ONE) RESIDENT OWNER MANAGER	
6						(CIRCLE ONE) RESIDENT OWNER MANAGER	
7						(CIRCLE ONE) RESIDENT OWNER MANAGER	
8						(CIRCLE ONE) RESIDENT OWNER MANAGER	

Initials: VG



Town of Johnstown

TOWN COUNCIL HEARING DATE: January 17, 2024

TOWN OF JOHNSTOWN POLICE DEPARTMENT

Information 3.2% Beer or Liquor Application

- Name and address of Applicant} Buc-ee's Johnstown LLC
237 FML 2004 Rd.
Lake Jackson TX 77566
1. Trade Name and Address} Buc-ee's
5201 Nugget Rd.
Berthoud CO 80513
 2. Date of Application: December 8, 2024
 3. Type of Application: Beer and Wine (city)
 4. Documents Accompanying Application
 - A. Local and State License Fees} Submitted with application
 - B. Evidence of Correct Zoning} Submitted with application
 - C. Building Plans and or Sketch of Interior} Submitted with application
 - D. Distance from School as per State} N/A
 - E. Deed or Lease or Assignment of Lease or Ownership} Owned, submitted with application
 5. Evidence of Public Notice
 - A. Posting of Premises} Posted at least ten days prior to hearing
 6. Legal Publication } Johnstown Breeze published January 4, 2024
 7. Investigation: Police Department Case#}
 - A. Applicant has made application for a new Beer and Wine License.
 - B. Background Investigation: – CBI and FBI have processed the background investigation
There is nothing in the background that would prohibit issuance of the liquor license
 8. Findings of fact:
 - A. The required fees were submitted.
 - B. It is my recommendation the Beer and Wine License be approved.


CHIEF OF POLICE


DATE

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

<p>TOWN OF JOHNSTOWN LIQUOR LICENSING AUTHORITY 450 S. Parish Avenue Johnstown, CO 80534 Phone No. (970) 587-4664</p> <hr/> <p>IN THE MATTER OF:</p> <p>BUC-EE’S JOHNSTOWN, LLC 5201 Nugget Road, Berthoud, CO 80513</p>	<p style="text-align: center;">Δ AUTHORITY USE ONLY Δ</p> <hr/>
<p style="text-align: center;">ORDER GRANTING A BEER AND WINE LICENSE TO BUC-EE’S JOHNSTOWN, LLC</p>	

THIS MATTER came before the Town of Johnstown Liquor Licensing Authority (“Authority”) on the Application of Buc-ee’s Johnstown, LLC, a Delaware limited liability company (“Applicant”), for a Beer and Wine License dated December 7, 2023, for a premises located at 5201 Nugget Road, Berthoud, Colorado 80513 (“Application”).

The Authority, having conducted a public hearing on January 17, 2024, after due notice, reviewed the Application and considered the evidence adduced by Town staff’s investigation and the evidence presented by the Applicant and parties in interest, as the term is defined in C.R.S. §44-3-311(5)(b), including but not limited to the petition circulated by the Applicant, hereby FINDS AS FOLLOWS:

1. The appropriate fees were paid;
2. The Applicant is entitled to possession of the premises where the beer and wine license is to be exercised;
3. The Applicant is of good moral character and entitled to hold the beer and wine license;
4. The location of the premises complies with the zoning requirements; and
5. The reasonable requirements of the designated neighborhood, the desires of the adult inhabitants of the designated neighborhood and the number, type and availability of alcohol beverage outlets support the issuance of the beer and wine license.

Based on the foregoing, the Authority hereby ORDERS that Buc-ee’s Johnstown, LLC’s application for a Beer and Wine License is GRANTED.

Done and dated this ___ day of January, 2024.

BY THE AUTHORITY:

Troy D. Mellon
Mayor, Town of Johnstown
Chairperson, Liquor Licensing Authority

ATTEST:

Hannah Hill, Town Clerk

CERTIFICATE OF SERVICE

I hereby certify that on this ___ day of _____, 2024, a true and correct copy of the foregoing Order was sent by certified mail to:

Buc-ee’s Johnstown, LLC
327 FM 2004 Road
Lake Jackson, Texas 77566

Hannah Hill



Legend

- Parcels
- Highway
- County Boundary

1: 6,703



Notes



Town of Johnstown

TOWN OF JOHNSTOWN LIQUOR LICENSING AUTHORITY, JOHNSTOWN, COLORADO
JANUARY 4, 2024

PRELIMINARY FINDINGS AND REPORT UPON APPLICATION FOR BEER AND WINE LIQUOR
LICENSE FOR BUC-EE'S JOHNSTOWN LLC DBA BUC-EE'S LOCATED AT 5201 NUGGET ROAD

TO THE APPLICANT NAMED ABOVE AND OTHER INTERESTED PARTIES;

Pursuant to Colorado Revised Statutes Section 44-3-312, as amended, you are hereby advised that with regard to your application for a Beer and Wine Liquor License, a preliminary investigation has been made, and based on the results thereof the following has been determined:

- 1) The application was filed on December 7, 2023
- 2) The Notice of Public Hearing on this matter was or will be published in the Johnstown Breeze on January 4, 2024. The applicant shall or has posted for 10 consecutive days the notice of public hearing beginning no later than January 6, 2024. Both postings and publishing were within the manner prescribed by state law.
- 3) That it appears from the application materials submitted that the applicant is/will be entitled to possession of the premises where the license is proposed to be exercised.
- 4) A criminal history background investigation was conducted and approved.
- 5) Selling/Serving alcohol beverages in the manner proposed in the application is not in violation of the zoning and land use code or regulations of the Town.
- 7) A public hearing on the application will be held January 17, 2024 at 7:00 pm. At said hearing, you shall have an opportunity to be heard regarding all matters related to the application, including all matters set forth herein.
- 8) At the public hearing pursuant to C.R.S Section 44-3-307 as amended, the applicant has the burden of proving that they are qualified to hold the license applied for and their character, record and reputation are satisfactory
- 9) The building where you propose to exercise the privilege of selling liquor is not within 500 feet from either public or parochial school

You are also advised to obtain and read a copy of the State of Colorado Liquor and Beer Codes and Regulations. These can be found at [Colorado.gov/enforcement/liquor](https://colorado.gov/enforcement/liquor)

Please feel free to contact me directly at 970-578-9600 if you have any questions that I can help to answer.



The Community That Cares

www.TownofJohnstown.com

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



Town of Johnstown

RECEIVED

DEC 22 2023

AFFIDAVIT OF POSTING

Town of Johnstown

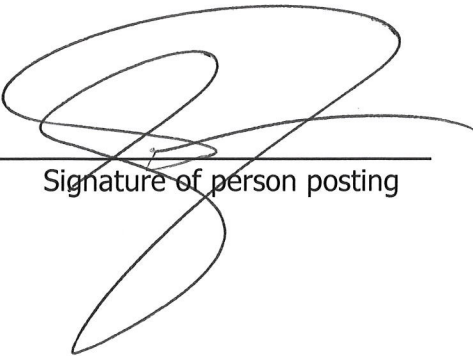
Date of posting: 12-15-2023

I hereby certify that, in accordance with the Colorado Liquor Code and related rules and regulations, the applicant, Floyd Freeman posted a Notice of Public Hearing poster on the premises at **5201 Nugget Rd** on the above date, and **continuously thereafter for at least 10 days before the hearing**, notifying the public that a hearing will be held **January 17, 2024** on an application for a Hotel and Restaurant License to dispense malt, vinous and spirituous beverages by the drink for consumption on the premises.

A photograph of the Notice as posted on the premises is attached.

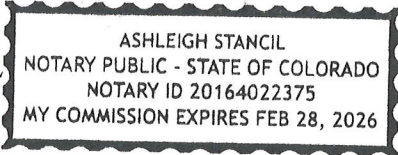

Floyd Freeman

Printed Name and Title of Person Posting


Signature of person posting

STATE OF COLORADO)
COUNTY OF ~~WELD~~ Denver) SS
TOWN OF JOHNSTOWN)

Subscribed and sworn before me by Floyd Freeman this 21st
day of December, 2023.

SEAL   Notary Signature

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

WORDING OF POSTING :

NOTICE

YOU ARE HEREBY GIVEN NOTICE THAT THE LOCAL LICENSING AUTHORITY HAS RECEIVED AN APPLICATION FOR A LIQUOR LICENSE IN THE NAME OF **BUC-EE'S JOHNSTOWN LLC DBA BUC-EE'S** WHICH INTENDS TO SELL **MALT, VINOUS AND SPIRITOUS LIQUORS- BEER AND WINE LIQUOR LICENSE**. PROTESTS RELATING TO THE PERMIT SHALL BE FILED IN THE OFFICE OF THE TOWN CLERK, 450 S PARISH, JOHNSTOWN, COLORADO, NOT LATER THAN **5:00 P.M. JANUARY 10, 2024**.

THE LOCAL LICENSING AUTHORITY SHALL HEAR THE APPLICATION AT **JANUARY 17, 2024 AT 7:00 P.M.** IF AFTER INVESTIGATION OF THE CONTENTS OF ANY PROTEST FILED BY AFFECTED PERSONS, SUFFICIENT GROUNDS APPEAR TO EXIST FOR DENIAL OF A PERMIT, THE AUTHORITY SHALL SET THE APPLICATION FOR HEARING ON **JANUARY 17, 2024 AT 7:00 P.M.** ANY PERSON FILING A PROTEST WITHIN THE REQUIRED TIME MUST APPEAR BEFORE THE AUTHORITY ON **JANUARY 17, 2024 AT 7:00 P.M.** AT 450 S PARISH, JOHNSTOWN, WHEN THE APPLICATION IS BEING CONSIDERED.

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of Weld, Colorado.

On behalf of the Johnstown Town

the Town Council
(taxing entity)^A

of the Town of Johnstown
(governing body)^B
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 481,768,940 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 481,768,940 (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57) USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: 12/27/2023 for budget/fiscal year 2024
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	<u>22.147</u> mills	\$ <u>10,669,737</u>
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< > mills	\$ < >
SUBTOTAL FOR GENERAL OPERATING:	<input type="text"/> mills	\$ <input type="text"/>
3. General Obligation Bonds and Interest ^J	_____ mills	\$ _____
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): <u>Library Capital</u>	<u>1.80</u> mills	\$ <u>867,184</u>
	_____ mills	\$ _____
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	<u>23.947</u> mills	\$ <u>11,536,921</u>

Contact person: (print) Devon McCarty Daytime phone: (970) 587-4664
Signed:  Title: Finance Director

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.
² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of Larimer, Colorado.

On behalf of the Johnstown Town,

the Town Council
(taxing entity)^A

of the Town of Johnstown
(governing body)^B
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 255,183,976 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 255,183,976 (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10


Submitted: 12/27/2023 for budget/fiscal year 2024
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)

LEVY²

REVENUE²

1. General Operating Expenses ^H	22.147	mills	\$	5,651,560
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	<	>	mills	\$ < >
SUBTOTAL FOR GENERAL OPERATING:		mills	\$	
3. General Obligation Bonds and Interest ^J		mills	\$	
4. Contractual Obligations ^K		mills	\$	
5. Capital Expenditures ^L		mills	\$	
6. Refunds/Abatements ^M		mills	\$	
7. Other ^N (specify): <u>Library Capital</u>	1.80	mills	\$	459,331
		mills	\$	
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	23.947	mills	\$	6,110,891

Contact person: (print) Devon McCarty Daytime phone: (970) 587-4664
Signed:  Title: Finance Director

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.

² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's FINAL certification of valuation).

VIA TRANSIT - Trips by Purpose 10.1.23 - 12.31.23

Row Labels	Count of Trip Date
Adult Day Respite Care	92
Education	1
Employment	86
Grocery	43
Meal (Senior)	6
Medical	90
Personal	28
Pharmacy	4
Recreational	2
Senior Resources Service Connections	32
Therapy	43
(blank)	
Grand Total	427

Distinct clients served

Row Labels	Distinct Count of Trip Date
Johnstown	282
Grand Total	282

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ECONOMY & ECONOMIC DEVELOPMENT | BY KEN
AMUNDSON LUCAS HIGH | JANUARY 5, 2024 | 1:36:47 PM

Destination: Johnstown

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Residential listings were up in 2023, but sales volumes, median prices tanked

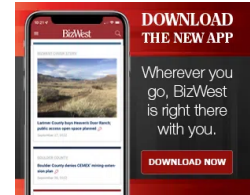
Crocs expects \$3.95B in '23 sales, stock price soars

Danone offloading Boulder-born Horizon Organic to private-equity firm



LongPath secures conditional \$189M DOE loan

Laughing it up



The new Buc-ees fueling station will include 120 pumps under the awning but half the revenue from the operation will come from food sales.

Ken Amundson / BizWest

≡ ≡ CALENDAR ≡ ≡

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11 JAN	Regional Business After Hours with Blue Arena
18 JAN	Boulder Economic Forecast

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Johnstown development activity reflects community that's open for business.

JOHNSTOWN — An economic measure to help gauge construction activity in a community such as Johnstown might be the number of yellow-line John Deere or Caterpillar earth movers at work on any given day.

While it may not be true, it seems like a typical traveler in the community is never out of sight of such construction equipment, as development after development works to turn vacant land into houses and commercial buildings.

Take, for example, the Colorado Highway 60 corridor. On the west side of the interchange, a massive Buc-ee's convenience store and fueling station is taking shape. On the east side, no more than a half-mile from Buc-ee's, is the heart of the Ledge Rock development that will include Missouri-based Woods Supermarket's first venture into Colorado, a Murdoch's Ranch and Home Supply store, and other retail.

The development map for the community marks development after development, from Encore north of U.S. Highway 34 down through the 2534 development, Iron Horse, The Ridge, Revere, Welty Ridge, Ledge Rock and more — about eight miles in all, much of it adjacent or near to Interstate 25, aka Colorado's Main Street. Numerous residential developments also are underway, some of which will contain "neighborhood commercial," said Sarah Crosthwaite, economic development director for the town.

The developers responsible for these projects come from near and far — Colorado-based McWhinney Real Estate Services Inc. has one, but others hail from California, Texas, Kansas and Arizona.

"The amount of outside capital investment into the community is amazing," Crosthwaite said. "It shows that Johnstown has a good reputation for working with developers."

Indeed, the relative ease that developers face in building projects in Johnstown has been a factor. Diane Seale, who served as city clerk for Johnstown from 1999 until she

been a factor. Diane Seele, who served as city clerk for Johnstown from 1990 until she retired in 2022, noted that the community's growth began incrementally and picked up speed as time went on. First, it was a development near downtown, but things accelerated when the community annexed land at the southeast corner of I-25 and Highway 34, called 2534, where the Scheels All Sports store operates from a 250,000-square-foot retail space in the Johnstown Plaza.

Seele described how the community of 1,500 people when she arrived there in 1987 grew to its size of 18,636.

"We had a grocery store, Hays Market, forever. It wanted to expand, so the town annexed Johnstown Center at the edge of downtown," she said. In the mid-'90s, some commercial expansion began but "then we kind of sat dormant for a bit."

Department-head meetings at city hall, she said, consisted of about five people. A planner who was working in the community saw the opportunity and persuaded the town to annex to the north to capitalize on the growth happening nearby in Loveland's Centerra.

"We had a proactive board at that time, but we didn't have a lot of money. We could offer time — we could get properties through the process quickly," she said.

That thread — relative ease for developers — has run through all the developments, and is remarked upon by those seeking to do business with the town.

Josh Smith, director of operations for Buc-ee's, the Texas-based convenience store operator, said the "city has been wonderful to work with, and the county, too.

"Life's too short to do business with a community that doesn't want you," Smith said, quoting the company's founder, Arch "Beaver" Alpin.

Buc-ee's to open early 2024

While access to the Buc-ee's site just west of the I-25/Colorado 60 interchange is still restricted, there's no shortage of workers or equipment getting things ready for a mid-March opening. On a Wednesday before Christmas, workers were pouring concrete,

laying asphalt, completing the weather cover over the apron that will contain 120 gas pumps, and completing the Lone Star markings above entrances.

Buc-ee's is, after all, based in Texas, where things are larger than life. The Johnstown store will be among the company's largest at 74,000 square feet. It has another of that size in Sevierville, Tennessee.

"It's a family-oriented travel center," Smith said. "It's not conducive to 18-wheeler traffic," he said. Truck traffic will continue to be served at Johnson's Corner to the north or Love's Travel Stop to the south at the Berthoud interchange.

The Johnstown store will be the company's 49th, with four more stores planned in 2024, Smith said. None of those four will be in Colorado, although the company is looking for other Centennial State opportunities.

The store does not have a sit-down restaurant but does sell a lot of food. "About 50% of our business is in food service," he said. The store caters to travelers who will stop for fuel, buy food or other convenience items and head back out on the road.

The company has begun to advertise a mass-hiring event that will occur Jan. 23-27 at the Embassy Suites Hotel and Conference Center in Loveland. On those dates, people who have applied and have been screened over the telephone will be interviewed in person and hired.

Pay for positions at Buc-ee's will be \$18 to \$33 per hour for 40-hour-per-week jobs, Smith said.

"We'll hire 250-300 employees, about 90% full time," he said. He expects the remaining part-time positions will go to students, weekend workers and others.

Jobs will include cashiers, warehousing — "it's like big box retail, stocking shelves," he said — food service workers such as people slicing and selling barbecued brisket, and retail associates selling clothing or hunting gear.

"It's all on track," Smith said.

Commercial/residential mixed uses

Many of the developments underway in Johnstown combine both commercial and residential, Crosthwaite said. Encore on 34 is an example.

Arizona-based Caliber Services LLC is the developer behind this 453-acre site north of U.S. Highway 34 and east of Centerra. The company plans 900 single-family homes, 56 apartments and 880,000 square feet of commercial space.

“Final layout will be determined by the market,” Crosthwaite said. Commercial space will be along Highway 34, and the most northern part of the development will include a private high school, she said.

The development could include light industrial or employment-related businesses. The developer hopes to get agreements finalized in 2024 and may break ground as soon as a summer, she said.

Across the road from Encore, adjacent to the 2534 retail development, is McWhinney’s Iron Horse, an industrial park that unlike many in the region includes outside yard space for those companies that have storage needs that don’t require cover.

“There are some great users there, great employers,” Crosthwaite said. A building constructed on speculation is fully leased, she said. The company has about 80 acres remaining to be developed in Iron Horse.

Also in that vicinity, just west of Iron Horse, is a United Properties Development LLC project on 16.76 acres called Trade@2534. The flex industrial site most recently picked up a Kroger Co. fulfillment center, which the King Soopers grocer uses for home-delivery services.

Caliber, the Arizona company, is also developing another parcel, this one 159 acres to start, called The Ridge. It’s located at I-25 and Weld County Road 18. At buildout, it will include residential with a diversity of housing types, and it includes space slated for commercial use along I-25.

“With them (Caliber) having two great projects, we’re excited about this moving forward. General agreements need to be voted on by the council,” Crosthwaite said.

Caliber, which entered the Johnstown development scene only about a half-decade ago, has other ambitious plans for the town.

“We have about 750 acres in six different projects” in various stages of the planning, permitting and development process, Caliber chief development officer Roy Bade said. “We have pretty much every project type — everything from schools to single-family (homes), single-family (homes) for rent, multi-family, office, industrial, medical, retail and hospitality. We’re really touching almost every kind of real estate asset there is.”

Regarding Caliber’s long-term portfolio projections, Bade said, “In the big picture, once these all have the vertical development, there will be more than \$1 billion in new development in Johnstown.”

The company’s residential communities could bring about 8,000 to 10,000 new residents to the town.

Texas-based 4 Star Development & Brokerage plans a residential development called Revere North; it does include commercial elements, but details of that await a commercial partner for 4 Star, which specializes in residential only, Crosthwaite said. Between 30 and 50 acres of Revere North will be set aside for commercial development.

Welty Ridge, being developed by Platte Land and Water, includes the Buc-ee’s project. The remainder of Welty Ridge is likely to see commercial, light industrial and some residential.

Platte Land and Water also has another parcel of particular interest to Johnstown. It’s a 160-acre parcel, annexed into the town, that the city is calling its future North Downtown. It’s north on Weld County Road 17.

“Tons of projects are coming for downtown,” Crosthwaite said. That’s noted in the town’s strategic plan, which was just updated and included for town board review last month.

Among the strategies noted in the plan are “driving development to expand the downtown corridor.” In the short-term — up to three years according to the plan — the town wants to create a downtown master plan, complete a financial improvement study for the downtown to support the vision for its expansion, and guide expansion in a creative way.

“The biggest thing is that we want to assure that it (the expansion) adds amenities and an extension of the historic corridor,” Crosthwaite said. It needs to be “pedestrian-friendly” and have elements that “activate it both day and night,” she said.

While not downtown, the Ledge Rock Center between downtown and Interstate 25 offers the community another retail opportunity. It includes six buildings in its first phase, including Woods Supermarket, Murdoch’s Ranch and Home Supply, and a retail center that will include business condos or rental units. A Sports Clips “coming soon” sign hangs in the window of one of them.

Kansas-based Carson Development Inc. is producing Ledge Rock, which will include 750,000 square feet of commercial space.

Woods Supermarket, a Missouri-based grocer making its foray into the state at Johnstown, will open in 2024. The store will be 85,000 square feet. Woods has been around Missouri for decades; the Johnstown store will be its 11th and its first outside of its home state. About 150 workers will be hired to staff the store, which as of late December was largely shelled in but did not have exterior elevations completed.

Crosthwaite said the town put more than \$8 million into improvements at the Highway 60 gateway.

Other residential developments that include some commercial elements include the Vista Commons neighborhood north of Ledge Rock, Massey Farms and Settlers Crossing, she said.

“We’re excited about Northern Colorado,” Caliber’s Bade said. “We find it to be a very strong market for a lot of reasons. most of them relate to quality of life.”

...strongly...most of them relate to quality of life...

By and large, developers have found Johnstown residents, its government officials and staffers, and its economic development community to be open for business.

“In Johnstown, they’re incredibly open to getting together and meeting with them. They’ve had a fair amount of turnover (in its planning and development office) and I think that’s one of the things that’s difficult ... but it’s part of being one the fastest growing communities in the state,” Bade said. “You’re going to have some growing pains, but overall, their receptiveness to development and to developers exceeds what we’ve seen in other regions.”





Ken Amundson



Ken Amundson is managing editor of BizWest. He has lived in Loveland and reported on issues in the region since 1987. Prior to Colorado, he reported and edited for news organizations in Minnesota and Iowa. He's a parent of two and grandparent of four, all of whom make their homes on the Front Range. A news junkie at heart, he also enjoys competitive sports, especially the Rapids.

Lucas High



A Maryland native, Lucas has worked at news agencies from Wyoming to South Carolina before putting roots down in Colorado.

Categories: [Economy & Economic Development](#) [Johnstown](#) [Buc-ee's Ltd.](#) [Home Supply](#) [Murdoch's Ranch](#) [Woods Supermarket](#)

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Jeff Nuttall -
 Publisher
 jnuttall@bizwest.com

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