



Town Council Meeting Minutes - Draft

Mayor Jason Gray
Mayor Pro Tem Kevin Bracken
Councilmember Ryan Hollingshead
Councilmember Laura Cavey
Councilmember Desiree Lefleur
Councilmember Max Brooks
Councilmember Tim Dietz

Tuesday, March 7, 2023

6:00 PM

**Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: 720-650-7664
Meeting code: 2482 660 2414
www.CRgov.com/CouncilMeeting**

This meeting is open to the public and will be held in a virtual format in accordance with the Town Council Electronic Participation, Connected, and Hybrid Meeting Policy. Public may choose to attend in person at Town Hall, or electronically or by phone if preferred. This meeting will be hosted online and can be accessed at www.CRgov.com/CouncilMeeting, or phone in by calling 720-650-7664, meeting code 2482 660 2414 (if prompted for a password enter "Mar7Council"). All Town Council Meetings are also streamed online in real time at www.CRgov.com/WatchCouncil, and are broadcast for Comcast Cable subscribers on Channel 22 (please note there is a delay to the broadcast).

All times indicated on the agenda are approximate. Remote participants please visit www.CRgov.com/CouncilComments to sign up to speak to an item, and for related instructions. Public Comments may also be submitted in writing online by 1:00 p.m. March 7, 2023, to be included in the public record.

COUNCIL DINNER & INFORMAL DISCUSSION

INVOCATION - Pastor David Love, Calvary Castle Rock

CALL TO ORDER / ROLL CALL

Present: 7 - Mayor Gray, Mayor Pro Tem Bracken, Councilmember Hollingshead, Councilmember Cavey, Councilmember LaFleur, Councilmember Brooks, Councilmember Dietz

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Mayor Gray addressed anti-Semitism rhetoric circulating in Castle Rock and is disheartened by this prejudice. If others within the community are aware of this, he encouraged those incidents be reported to the police department.

Councilmember Brooks recognized his step-daughter who was present in the audience and Police Chief Cauley noting the double digit decreases in crime in Castle Rock.

Mayor Pro Tem Bracken spoke to emails received from the Denver City Council in regard to climate preparedness along the Front Range on the premise of job creation and clarified such communication as disingenuous.

[ID 2023-025](#)**Representative Lisa Frizell, House District 45**

Update on current and anticipated legislative activity was presented to Council by Lisa Frizell.

Questions and comments from Council included those from Mayor Pro Tem Bracken in regard to proposed bills that would allow the state to supersede local zoning and land use regulations and Councilmember Cavey who voiced opposition to multiple bills moving forward to include those in regard to gun control. Councilmember Brooks emphasized his support of Councilmember Cavey's comments.

UNSCHEDULED PUBLIC APPEARANCES**TOWN MANAGER'S REPORT**[ID 2023-026](#)**Update: Legislative Update**

Assistant Town Manager, Kristin Read, presented additional legislative updates and noted that the Town was communicating with the Colorado Municipal League and the Town's legislative delegation to reiterate Council's opposition to multiple items including the bill proposed to create statewide land use and zoning regulations. New items were introduced to Council seeking direction, support or opposition, to be determined by Council.

Town Manager Corliss clarified the intent was to prepare a draft letter to include Council's position on the legislative items presented or discussed tonight for their approval. Corliss also discussed that staff will present additional information to Council on the proposed bill regarding collective bargaining to further continue discussion and determine if Council wished to define a position.

Moved by Councilmember Brooks, seconded by Councilmember Lafleur, to direct staff to draft a letter on state legislation and discussions as presented tonight, and to communicate the positions to the Town's legislative delegation, CML and others.

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

[ID 2023-027](#)**Update: Calendar Reminders**

Dave Corliss, Town Manager, highlighted the presentation on April 6 with the State Demographer at Town Hall as well as the Boards & Commission Interviews on May 9th.

[ID 2023-028](#)**Hazardous Materials Risk Overview**

Fire Chief, Norris Croom, articulated an overview of the hazardous materials transported by rail in Castle Rock in response to Council's inquiry after the recent rail disaster in Palestine, Ohio. Castle Rock Fire and Rescue is the delegated emergency response agency and is responsible for all hazardous material responses within the Town. A crisis such as the Ohio train derailment typically overwhelms the local and regional response from authorities and would require neighboring agencies and partners to assist which could include Douglas County or the state. Additionally, the Town has an Emergency Operations Plan which

defines what each department's role is in responding to a catastrophic incident. Noting that these types of extreme disasters are low in probability, yet high in risk, the Town constantly trains to be prepared.

Councilmember Lafleur questioned incidents on the Interstate or Town roadways and how multiple jurisdictions may be impacted. Councilmember Cavey questioned if the Town is notified of hazardous materials being transported by rail as a normal course of business and Chief Croom acknowledged that information is not shared but the department is trained on how to respond based on the type of material being transported should there be a derailment.

Councilmember Dietz acknowledged his thanks for the presentation and update.

[ID 2023-029](#)

Update: Quasi-Judicial Projects

Tara Vargish, Director of Development Services, highlighted development activity to include new pre-applications to include proposed warehouse condominiums at 379 Alexander Place, east of Home Depot, the proposed widening of Crowfoot Valley Road from Knobcone Drive past the Sapphire Pointe subdivision, a picnic pavilion for the Founders Village Pool and a proposed roundabout at the Mikelson Blvd. and Mitchell Street intersection. Within the Meadows, a pre-application for a VA Community Behavior Outpatient Clinic near the AMC movie theater has also been submitted.

Questions from Council asked for clarification of the definition of a warehouse condominium and if the Meadows Town Center parking concerns would be addressed in the upcoming report to Council.

[ID 2023-030](#)

Development Services Project Updates

Vargish continued with the introduction of the application submitted by T-Mobile to construct a public bathroom core and shell with a cupola to house wireless equipment at Bison Park which will enhance cell reception in this area. This item will be reviewed further by the Planning Commission prior to being presented to Council.

Vargish also highlighted upcoming hearings for multifamily parking requirements, industrial zoning and sign code updates scheduled for meetings in late March and April.

Present: 7 - Mayor Gray, Mayor Pro Tem Bracken, Councilmember Hollingshead, Councilmember Cavey, Councilmember LaFleur, Councilmember Brooks, Councilmember Dietz

TOWN ATTORNEY'S REPORT

No report.

ACCEPTANCE OF AGENDA

Moved by Councilmember Dietz, seconded by Councilmember Cavey to Accept the Agenda as Presented: The motion passed by a vote of:

Yes: 6 - Gray, Hollingshead, Cavey, LaFleur, Brooks, Dietz

Not Present: 1 - Bracken

CONSENT CALENDAR

Moved by Mayor Pro Tem Bracken, seconded by Councilmember LaFleur, to Approve the Consent Calendar as presented. The motion passed by a vote of:

Yes: 7 - Gray, Cavey, Bracken, Hollingshead, LaFleur, Brooks, Dietz

[ORD 2023-001](#) Ordinance Annexing to the Town of Castle Rock, Colorado, 409.008 Acres of Land Located in the South Half of Section 30 and the North Half Of Section 31, Township 7 South, Range 66 West, and the Southeast Quarter of Section 25, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, Pursuant to an Annexation Petition Submitted by Canyons South, LLC (Second Reading - Approved on First Reading on February 21, 2023 by a vote 7-0) [Canyons Far South Annexation] *[409 acres, located east of Founders Parkway, north of Crimson Sky Drive and west of Castle Oaks Drive]*

[ORD 2023-002](#) Ordinance Approving the Initial Zoning for 409.008 Acres of Land Located in the South Half of Section 30 and the North Half of Section 31, Township 7 South, Range 66 West, and the Southeast Quarter of Section 25, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, Pursuant to a Zoning Application Submitted by Canyons South, LLC. (Second Reading - Approved on First Reading on February 21, 2023, by a vote 7-0) [Canyons Far South Planned Development] *[409 acres, located east of Founders Parkway, north of Crimson Sky Drive and west of Castle Oaks Drive]*

[ORD 2023-003](#) Ordinance Approving the Canyons Far South Development Agreement and Purchase Option Agreement; and Vesting a Site Specific Development Plan through December 31, 2037 (Second Reading - Approved on First Reading on February 21, 2023, by a vote 7-0)

[RES 2023-020](#) Resolution Approving a Partial Fee Waiver for the Meadowmark Senior Multifamily Residential Housing Development

[ORD 2023-004](#) Ordinance Approving a Ground Lease Agreement between the Town and CORE Electric Cooperative for an Electric Vehicle Charger at Philip S. Miller Park (Second Reading - Approved on First Reading on February 21, 2023, by a vote 7-0)

[ORD 2023-005](#) Ordinance Amending Section 110 of Chapter 2.17 of the Castle

**Rock Municipal Code Regarding Tasting Licenses (Second Reading
- Approved on First Reading on February 21, 2023, by a vote 7-0)**

- [RES 2023-021](#) **Resolution Approving a Water Rights Lease Agreement between the Town of Castle Rock and Turnpike, LLC *[Weld County CO]***
- [RES 2023-022](#) **Resolution Approving a Water Rights Lease Agreement between the Town of Castle Rock and Ruppel Farms, LLC *[Weld County CO]***
- [RES 2023-023](#) **Resolution Approving a Water Rights Lease Agreement between the Town of Castle Rock and Dove Meadow Dairy, Inc. *[Weld County CO]***
- [RES 2023-024](#) **Resolution Approving a Water Rights Lease Agreement between the Town of Castle Rock and H&H Farms *[Weld County CO]***
- [MIN 2023-006](#) **Minutes: February 21, 2023 Town Council Meeting**

QUASI JUDICIAL HEARINGS

- [ORD 2023-006](#) **Ordinance Amending the Town of Castle Rock's Zone District Map by Approving the Plum Creek Planned Development Plan Amendment No. 3 and the Amended Plum Creek Planned Development Zoning Regulations (First Reading) *[1.5 acres Located West of Mount Royal Drive and West Prestwick Way]***

Tara Vargish, Director of Development Services, identified the 1.5-acre tract parcel west of Mount Royal Drive and west of Prestwick Way. It was clarified that this third amendment allows for a change in zoning in regard to use to allow for three, single family homes to be built.

The applicant, Peter Rinehart of the Douglas Group and Mike Tollefson with Point Consulting presented additional information to Council.

Questions from Council addressed possible view restrictions and impact to existing home values.

Moved by Councilmember Dietz, seconded by Councilmember LaFleur, to Approve Quasi-Judicial Ordinance ORD 2023-006 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

- [RES 2023-025](#) **Resolution Finding that the Petition for Annexation Submitted by Matrix Design Group is in Substantial Compliance with Article II, Section 30(1)(B) of the Colorado Constitution and Section 31-12-107(1), C.R.S.; and Setting a Date, Time and Place for a Hearing to Determine if the Subject Property is Eligible for Annexation Under Article II, Section 30 of the Colorado Constitution**

and Sections 31-12-104 and 31-12-105, C.R.S. [Wellspring Community Annexation, 498 E. Wolfensberger Road]

Vargish presented overview of the petition for the Wellspring Community Annexation located in unincorporated Douglas County near Wolfensberger Road.

Moved by Councilmember LaFleur, seconded by Councilmember Brooks, to Approve Quasi-Judicial Resolution RES 2023-025 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

RES 2023-028 Resolution Approving and Adopting the Town of Castle Rock 2023 Water Efficiency Master Plan [Entire Castle Rock Water Service Area]

Mark Marlowe, Director of Castle Rock Water, introduced the Water Efficiency Master Plan to Council. The plan outlines goals to reduce future water demands as the Town strive towards the renewable water goals. Future goals include the implementation of advanced metering infrastructure, an ordinance to implement ColoradoScape guidelines, and requirements for high efficiency toilets mandatory for all new construction.

Moved by Councilmember Cavey, seconded by Councilmember Dietz, to Approved the Resolution 2023-028 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

RES 2023-026 Resolution Approving and Adopting the Town of Castle Rock 2023 Water Use Management Plan [Entire Castle Rock Service Area]

Marlowe continued introduction of the Water Use Management Plan which utilizes demand management to ensure adequate pressure and volume during the peak landscape irrigation season. Under this plan the Town provides Water Wiser education and utilizes water monitors to identify customer irrigation violations. Watering schedule violation surcharges for residential and non-residential customers fund the water conservation rebate program.

Council directed questions to staff and Rick Schultz, Water Efficiency Supervisor, was introduced to Council. He clarified that residents receiving a first violation notice had no fine assessed, that the notice was more of a courtesy notification to raise awareness. He also spoke to the fact that there is a significant reduction in repeat violations after a first violation notice.

Moved by Councilmember Lafleur, seconded by Councilmember Dietz, to Approved the Resolution 2023-026 as presented. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

RES 2023-027 Resolution Approving the 2023 Town of Castle Rock Water Conservation Rebate Incentive Program [Entire Castle Rock Water Service Area]

Marlowe highlighted the ColoradoScape program which utilizes low to very-low water use plant materials for landscaping. The conservation rebate program will continue rebates for rotary nozzle and high efficiency toilet retrofits as well as increase the per square foot rebate amount for turf replacement with a ColoradoScape design. Smart controllers will no longer be included within the conservation rebate incentive program.

Moved by Councilmember Cavey, seconded by councilmember LaFleur, to Approve Resolution 2023-027 as presented. the motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

ADJOURN

Moved by Councilmember Brooks, seconded by Councilmember Lafleur to Adjourn. The motion passed by a vote of:

Yes: 7 - Gray, Bracken, Hollingshead, Cavey, LaFleur, Brooks, Dietz

Meeting adjourned at 8:07 pm.

Submitted by:

Robbie Schonher, Assistant Town Clerk