

**RESOLUTION NO. 2022-**

**A RESOLUTION APPROVING A VARIANCE PURSUANT TO SECTION 2.3.1.1 OF THE TRANSPORTATION DESIGN CRITERIA MANUAL FOR THE OMISSION OF A SIDEWALK ON PROPOSED TIMBERMILL PARKWAY IN THE MEADOWS DEVELOPMENT**

[Located near the BNSF Railroad at the northwesterly side of North Meadows Drive]

**WHEREAS**, the Castle Rock Development Company (the “Company”) is proposing the construction of Timbermill Parkway in the undeveloped portion of the Meadows located to the northwest of North Meadows Drive; and

**WHEREAS**, the Company plans to construct sidewalks on both sides of the street where there are developable properties; and

**WHEREAS**, pursuant to Section 2.3.1.1 of the Town’s Transportation Design Criteria Manual (the “Manual”), which Manual has been adopted by reference pursuant to Section 15.41.010 of the Castle Rock Municipal Code (the “Code), “[s]idewalks or bicycle paths shall be constructed on both sides of all roadways unless specifically deleted by action of the Town Council;” and

**WHEREAS**, the Company has submitted an application for a technical criteria variance (the “Variance Application”) from the Manual for the omission of a sidewalk adjacent to non-developable properties along Timbermill Parkway adjacent to the railroad right-of-way; and

**WHEREAS**, the Company’s articulated justification for omitting the sidewalk is as follows:

- (i) there is no planned development on the side of Timbermill Parkway where the sidewalk is omitted;
- (ii) a sidewalk immediately adjacent to a railroad poses a safety concern;
- (iii) a sidewalk that does not connect to anything will create long-term maintenance obligations for the Town, including repair and replacement; and

**WHEREAS**, the Company has proposed the following alternatives to offset the omission of a sidewalk:

- (i) the Company will construct a wider sidewalk on the north side of Timbermill Parkway in those locations where only one sidewalk is available;
- (ii) to increase crosswalk safety, the Company will pay the Town to install pedestrian crossing beacons where Timbermill Parkway transitions from two sidewalks to one sidewalk.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK AS FOLLOWS:**

**Section 1. Findings.** Pursuant to Section 15.32.050.C.1. of the Code, Town Council finds that the sidewalk standards set forth in Section 2.3.1.1 of the Manual may be met by an alternative method that the Company has demonstrated to have an equivalent or better function and meet the same objective.

**Section 2. Approval and Conditions.** The Company's Variance Application is hereby approved subject to the following conditions:

- (i) The Company will construct a wider sidewalk on the north side of Timbermill Parkway in those locations where only one sidewalk is available.
- (ii) To increase crosswalk safety, the Company will pay the Town to install pedestrian crossing beacons where Timbermill Parkway transitions from two sidewalks to one sidewalk.

**PASSED, APPROVED AND ADOPTED** this 15th day of February, 2022 by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, by a vote of \_\_\_ for and \_\_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK:**

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Michael J. Hyman, Town Attorney

\_\_\_\_\_  
Tara Vargish, Development Services Director