



Meeting Date: June 20, 2017

AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council

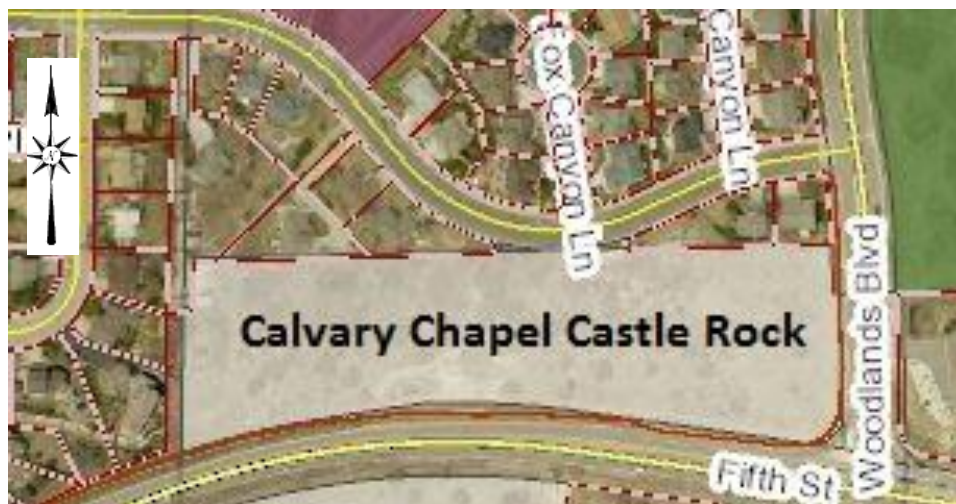
From: Kathy Marx, Senior Planner, Development Services

Title: A Resolution Approving the Calvary Chapel Castle Rock Development Agreement

Executive Summary

Town Council heard the associated annexation and PD zoning at the June 6, 2017, public hearing and approved both on first reading.

When a property is approved for annexation into the Town it is necessary to not only zone the parcel but to also enter into a Development Agreement (DA) between the Town and the property owner. This is a mutual contractual agreement. It clarifies developer obligations governing the development of the property. Those obligations are intended to enhance public health, safety and welfare.



Proposed Site

The DA will be applicable to a parcel of 5.4± acres located at the northwest corner of Fifth Street and Woodlands Boulevard.

Findings and Recommendation

The proposed DA helps to promote health, safety and welfare by defining developer and Town obligations. The obligations include curb and gutter, street lighting, street scape and drainage improvements for the portion of Fifth Street that fronts the property; a proportionate cash share of the future improvements at the intersection of Woodlands Boulevard and Fifth Street and the reconstruction of the existing full movement entry into the Church of Christ to a $\frac{3}{4}$ movement access.

Discussion

Planning Commission reviewed the Calvary Chapel Castle Rock Annexation and Zoning proposals on April 27, 2017, recommending approval to Town Council by a vote of 4-0. Town Council has reviewed both of the proposals in public hearing for first reading on June 6, 2017, voting 7 - 0 for approval. The DA between the Town and the property owner is being reviewed in conjunction with the Annexation and Zoning proposals for a church to be constructed on the site.

The proposed Annexation and DA contain a number of noteworthy provisions:

Fire District:

The Town of Castle Rock Fire Protection District currently serves the Calvary Chapel Castle Rock Annexation property. Section 3.03 disconnects the annexation area from the Fire Protection District; fire protection will be provided directly by the Town.

Water Bank:

The owner is obligated to convey to the Town marketable title to the Water Rights for the property in order to support the Town's obligation to provide municipal water supply to the property. The conveyance of the Water Rights will transfer to the Town the right to use, reuse, lease or sell the water withdrawn under the Water Rights.

Fifth Street:

The owner is responsible for the construction of curb and gutter, street lighting, street scape and drainage improvements for the portion of Fifth Street that fronts the property.

Woodlands Boulevard:

The owner will pay cash in lieu of improvements at the time of plan approval for the addition of a second southbound left turn lane at the intersection of Woodlands Boulevard and Fifth Street. The cash amount would be equivalent to the percentage of site traffic relative to the overall traffic for that movement. The cost amount is based on an engineer's cost opinion reviewed and approved by the Town.

Additionally, the owner will pay for the reconstruction of the existing full movement access at the Church of Christ's entrance on Woodlands Boulevard to a $\frac{3}{4}$ movement access. The purpose is to prohibit a left turn from this access point, which will be near the proposed left-turn lane from Woodlands Boulevard onto Fifth Street.

Budget Impact

No immediate budget impact. When the development receives plat approval, cash in lieu payments will benefit certain Town funds.

Recommendation

Staff recommends approval. The proposed DA helps promote health, safety and welfare by defining developer and Town obligations.

Proposed Motion

I move to approve this Resolution as introduced by title.

Attachment

Attachment A: Resolution
Exhibit 1: Development Agreement