



Town Council Meeting Minutes - Final

Mayor Jason Gray
Mayor Pro Tem Kevin Bracken
Councilmember Ryan Hollingshead
Councilmember Laura Cavey
Councilmember Desiree LaFleur
Councilmember Caryn Johnson
Councilmember Tim Dietz

Tuesday, January 12, 2021

5:00 PM

**Town Hall Council Chambers
100 North Wilcox Street
Castle Rock, CO 80104
Phone in: (720) 650-7664
Meeting Code: 146 171 0025
www.CRgov.com/Jan12Council**

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STUDY SESSION

CALL TO ORDER / ROLL CALL

Councilmembers Johnson, Cavey and LaFleur attended remotely.

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

[ID 2021-003](#)

Study Session: Land Use Items

David Corliss, Town Manager, went over the legal guidelines to hold Study Sessions. Study Sessions are meant to be informational with no action taken, but Council may direct staff. Study Sessions begin at 5pm and staff proposes a hard stop at 6:30 pm.

Corliss stated that staff will be providing a background of projects going on, and wants to ensure we are building the kind of the community that Council is satisfied with.

Tara Vargish, Director of Development Services, provided a background on the Pine Canyon Development timeline and history.

Mike Hyman, Town Attorney, briefed Council on 1041 Regulations which allow for adoption of regulatory framework by local governments that dovetails with watershed protection regulations used to protect water, wastewater infrastructure, Town watershed, and transportation infrastructure from development outside of the Town boundaries. They require a Town permit for certain development proposals outside of our borders that have an adverse or negative impact on our

facilities and are considered quasi-judicial. The applicant needs to demonstrate appropriate and reasonable mitigation efforts. The focus would be on areas around interchanges and major new domestic water and sewer treatment systems and the extension of existing systems. Staff desires to go to the community and development community prior to bringing to Council at a public hearing.

Mayor Pro Tem Bracken asked for an example of when we would use this. Hyman stated if we adopted these regulations, the Pine Canyon development would be a project where we may go to the developer. Corliss stated Brewer Court is seeking annexation and there would be a large impact on our busiest intersection. These regulations are a tool Council could use to help mitigate the impact on Town facilities and infrastructure.

Councilmember Hollingshead asked if there is a threshold for the size of the development. Hyman stated the projects would have to have some size to it with a major impact.

Councilmember Johnson asked if there were provisions for ongoing impacts. Corliss stated that Council could include that in the regulations.

Mayor Pro Tem Bracken inquired who decides that. Hyman said the Ordinance would set up the regulations. The permitting process would be a quasi-judicial process through the Town Council. Corliss stated it is like a special use permit.

Councilmember Cavey asked if the regulations would mitigate issues with the Pine Canyon project. Hyman stated that is the goal, to create dialogue and protect our Town residents. Corliss said it gives us a tool to help with mitigation, but we would still want to send our opposition to items to the County.

Vargish then gave an overview of the land development process and introduced the land development team from their department staff and professional staff in other departments.

Councilmember Johnson asked if a project with 10 acres is administratively reviewed. Vargish stated a commercial lot under 10 acres would not go to Council, and she will go over exceptions.

Vargish highlighted the boards that are involved in this process for certain areas - Historic Preservation Board for Craig and Gould, Design Review Board for downtown areas, Planning Commission for quasi-judicial applications, skyline/ridgeline variances and use by special review. Town Council hears all other quasi-judicial items and then hear appeals from those boards if an application has been denied. An annexation occurs when property changes jurisdiction from the County to the Town. The Town may benefit by shaping/regulating the development, and the owner then has access to Town services.

Councilmember Johnson stated the IGA we previously had with the County required a three mile buffer and asked if there is anything existing now. Vargish stated we do not have any planned annexations but recognize that some property

may be annexed in the future. Vargish stated that unincorporated property goes through the County regardless of how close it is to our boundary. Johnson confirmed that the County could consider development within three miles of our boundary.

Vargish then briefed Council on the zoning process that establishes the legally binding requirements for the land owner and approval from the Town for those allowable uses within the zoning and development standards for number of homes, commercial square footage, lot size, setbacks, building heights, etc.

Vargish briefed Council on the Site Development Plan which is how it is going to look, roads, layout of lots, open space, buffering, landscaping, utilities, retaining walls, detention ponds, parking, etc. and ensure it complies with the zoning requirements and development agreement.

Councilmember Johnson stated residents sometimes aren't sure what will be built on open property next to them. She has seen signs for future development in the Meadows, but it isn't the case in other areas of Town. She asked if it was possible to have a future development layer on the map that people could reference to know what may be planned in areas in the Town. Vargish stated that the pending development map they prepared last year will be updated and she will see how staff can make that accessible to the public.

Vargish provided an example of Covenant/Park Preserve that was completely surrounded by the Town. There is Town-owned property on the north and south of the property on the east end was dedicated to the Town, and staff found it would be advantageous to the Town for trail connectivity and usable open space. The development was proposed on the other end of the property.

Mayor Gray stated he wants to see smart development and that landowners with entitlements are afforded those. Those without entitlements need more scrutiny to demand more open space. He felt that when we have opportunities to make more trails, open space and parks; we are mandated to do that based on community desire.

Mayor Pro Tem Bracken stated it is a hot topic and the residents in Castle Rock are holding Council accountable; which isn't fair if they are already entitled/zoned in some instances. As long as they meet the criteria for that zoning, Council must approve. We need to educate residents on what Council can and cannot do and what they must base their decision on. The areas that aren't already entitled is a separate issue and we should look at areas that we can affect.

Councilmember Hollingshead said what we can control is to ensure we are prepared for the growth with roads, parks and recreation, and that we have proper funding to get there. He wants to ensure we stay ahead of that curve.

Councilmember Cavey understands about properties that have already been zoned. She and her constituents feel we are going too fast, and we need to ensure we are keeping up with roads and community services. She feels properties zoned in the 80's appear egregious that we have to live with that zoning without a timeline set.

Mayor Gray stated we can't deny their zoning now, but we can set timelines for future entitlements.

Vargish stated for the most recent annexation they put in a development suspension clause that they must complete a certain amount of development within ten years.

Councilmember Johnson stated her constituents want to take advantage to include all natural features in the Town.

ADJOURN

Moved by Councilmember Hollingshead, seconded by Councilmember Johnson, to Adjourn. The motion passed by the following vote:

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

ADJOURN

Adjourned at 6:54 pm.

Submitted by:

Lisa Anderson, Town Clerk