



Meeting Date: May 17, 2016

AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council

From: Donna Ferguson, Planner I, Development Services

Title: **AN ORDINANCE AMENDING THE BURT AT CASTLE ROCK PD ZONING REGULATIONS CONCERNING PERMITTED USES AND DEVELOPMENT STANDARDS FOR DESIGNATED USE AREAS**

Executive Summary

Property owners, Plum Creek Investment Group LLC and Schoolhouse Castle Rock LLC, are proposing to revise the existing Burt at Castle Rock Planned Development (PD) Zoning Regulations in order to expand the permitted uses and design guidelines of the PD. It is their goal to include light industrial uses and increase both the floor area ratio and the building coverage allowances of the PD in order to accommodate more mixed, yet complimentary, uses for the site. The Burt at Castle Rock PD is located south of Downtown Castle Rock along S. Wilcox Street where it intersects with S. Perry Street (Figure 1). Major amendments to PD Zoning Regulations require public hearing before the Planning Commission who shall review the proposed plan and provide a recommendation to Town Council.

On May 3, 2016 Town Council voted 7-0 to approve the Major Amendment to the Burt at Castle Rock PD Zoning Regulations.

On April 28, 2016 Planning Commission voted 6-0-0 to recommend approval to Town Council of the Major Amendment to the Burt at Castle Rock PD Zoning Regulations.

Planning Commission heard one public comment on this application. Public comment was from a parent of a child who attends World Compass Academy, located within the Burt at Castle Rock PD. She expressed concern about the traffic that the new uses would produce. It was explained that the traffic generated by the new uses would be consistent with the traffic assumption of the Burt at Castle Rock PD when it was originally approved and that the new uses would generate



Figure 1: The Burt at Castle Rock PD is located south of Downtown Castle Rock and is bisected by S. Perry Street

no more traffic than would be generated by the existing permitted uses. Staff also shared that the Town is currently working with the school on their traffic management plan.

Discussion

Three revisions are proposed to the Burt at Castle Rock PD Zoning Regulations.

- Expand the permitted uses by right of the Integrated Business use area to include:
 1. Business or personal storage
 2. Vehicle storage, operable
 3. Vehicle storage, inoperable, enclosed only
 4. Commercial warehousing and logistics
 5. Alcoholic beverage sales and production
 6. Light industry, wholesale, manufacturing, processing and fabrication
 7. Mini-storage facility
 8. Storage yard adequately screened by opaque fence
 9. Auto service/fuel station/wash/rental
- Increase the maximum floor area ratio (FAR) to .40
- Increase the maximum building coverage to 40%

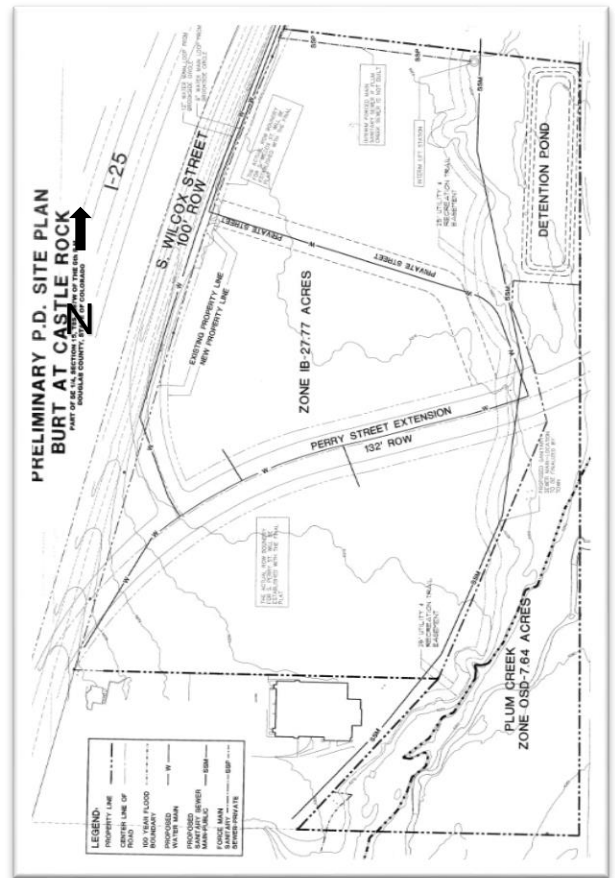


Figure 2: Burt at Castle Rock Use Areas

Analysis

Existing Conditions

The property was annexed into the Town of Castle Rock and zoned Burt at Castle Rock PD in 2004. It is a 35.41 acre site which contains 27.77 acres of Integrated Business use area (IB) and 7.64 acres of Open Space Dedication use area (OSD) (Figure 2). The PD is bisected by S. Perry Street and contains one developed property, World Compass Academy, which is located south of S. Perry Street. To the north and adjacent to the property resides a parcel of land which is under the jurisdiction of Douglas County (DC) and zoned Rural Residential and a parcel of land equal in size which is under the jurisdiction of the Town of Castle Rock (TOCR) and zoned Plum Creek West PD. The DC parcel permits residential uses and the TOCR parcel permits office and retail uses. Both of these parcels are undeveloped. To the east of the property resides the Brookside Business Center Amended PD. This PD permits Integrated Business uses which are similar to those proposed by the Burt at Castle Rock PD. To the south and adjacent to the property resides a lot which is zoned Business/Commercial and is home to the Plum Creek Community Church. To the west and across Interstate 25 is the undeveloped Westfield Trade Center Amendment PD, which permits residential, commercial and industrial uses. The Burt at Castle Rock PD has easy access to downtown Castle Rock via S. Wilcox Street and access to Interstate I-25 via W. Plum Creek Pkwy which is approximately 1.25 miles to the north.

Current Zoning and Proposed Amendments

The intent of the IB use area is to provide a conveniently accessible and aesthetically desirable environment in which to establish select businesses that serve the needs of the residents and visitors to the Town of Castle Rock. The Zoning Regulations of the Burt at Castle Rock PD currently permit 33 uses by right within the IB use area. These uses can generally be described as office, retail, personal service and indoor/outdoor recreation uses; Uses by Special Review for the IB use area include auto and boat sales and service uses, ambulance and mortuary service uses as well as single-family and multifamily uses.

The nine additional proposed permitted uses are light industrial uses in nature and very similar to the uses already permitted in the Brookside Business Center Amended PD which is located to the east. Additionally, the uses that would traditionally be considered less aesthetic in nature, such as outdoor storage, are being mitigated by required screening. The proposed uses are consistent with the Burt at Castle Rock PD's intent to permit select businesses in an aesthetically desirable environment.

Currently the zoning regulations permit Floor Area Ratios (FAR) of .30 and a Lot Coverage allowance of 30%. A FAR is the total square feet of a building (total of all floors) divided by the total square feet of the lot that the building is located upon. Lot Coverage is defined as the percentage of the lot which is covered by a building (total of first floor only). Higher FAR numbers and Lot Coverage percentages indicate denser development.

The proposed FAR of .40 and the Lot Coverage of 40% are standards which are consistent with the Town's regulations for the I-1 Light Industrial Zone District and would not adversely change the character of the PD. Furthermore, the existing minimum setback regulations of the PD which are 15-feet from rights-of-ways, open space and property lines further help to control the placement of buildings upon lots and maintain space between buildings on lots which helps create a less dense feeling.

Public Outreach, Notice and External Referrals

Because the site is surrounded by only three neighbors on mostly undeveloped property, the applicant pursued a less formal public outreach process which they undertook prior to the Planning Commission hearing; they reached out via e-mail and via telephone to their adjacent neighbors as well as the Home Owner's Association (HOA) of the Plum Creek neighborhood, which is not technically in their notice area, but an important part of the community.

The applicant indicated that he spoke to following: the head pastor of Plum Creek Church who had no objections; two parents with children who attend World Compass Academy who had concerns about traffic which he addressed by explaining that the proposed uses would actually produce less traffic than the existing permitted uses; and, the Plum Creek Master Association, who posted notice of the application on the website which did not produce any inquiries.

Town staff received two inquiries regarding this application. The first was from a residential neighbor in the area who wanted to know what the proposed uses were in relation to the existing uses. This information was provided without any further inquiry. The second was from a representative from World Compass Academy, located within the Burt at Castle Rock PD, who expressed concerns regarding the volume of traffic that the new uses would create. Staff provided her with the traffic conformance letter; this letter confirmed that the traffic generated by the new uses would be consistent with the traffic assumption of the Burt at Castle Rock PD when it was originally approved. Staff also arranged for Development Services Transportation Planner, Tom Reif, to call her and further discuss her concerns. Mr. Reif explained to her that the Town was currently working with

World Compass Academy on their traffic management plan and explained again that the traffic which would be generated by the new use would be no more than would be generated by the existing permitted uses.

Posted, written and published notices were performed in accordance with the Town of Castle Rock Municipal Code and external referrals were sent to utility and service providers with no objections being reported.

Budget Impact

The proposed Major Amendment to the Burt at Castle Rock PD Zoning Regulations will generate development review fees along with use taxes.

Staff Findings

Staff finds that the Major Amendment to the PD Plan meets the objectives of Vision 2020, the Comprehensive Plan as well as the Town's PD Amendment review and approval criteria.

Recommendation

On April 28, 2016 the Planning Commission voted 6-0 to recommend approval to Town Council of the Major Amendment to the Burt at Castle Rock PD Zoning Regulations.

Proposed Motion

I move to approve this Ordinance as introduced by title.

Attachments

Attachment A: Ordinance