



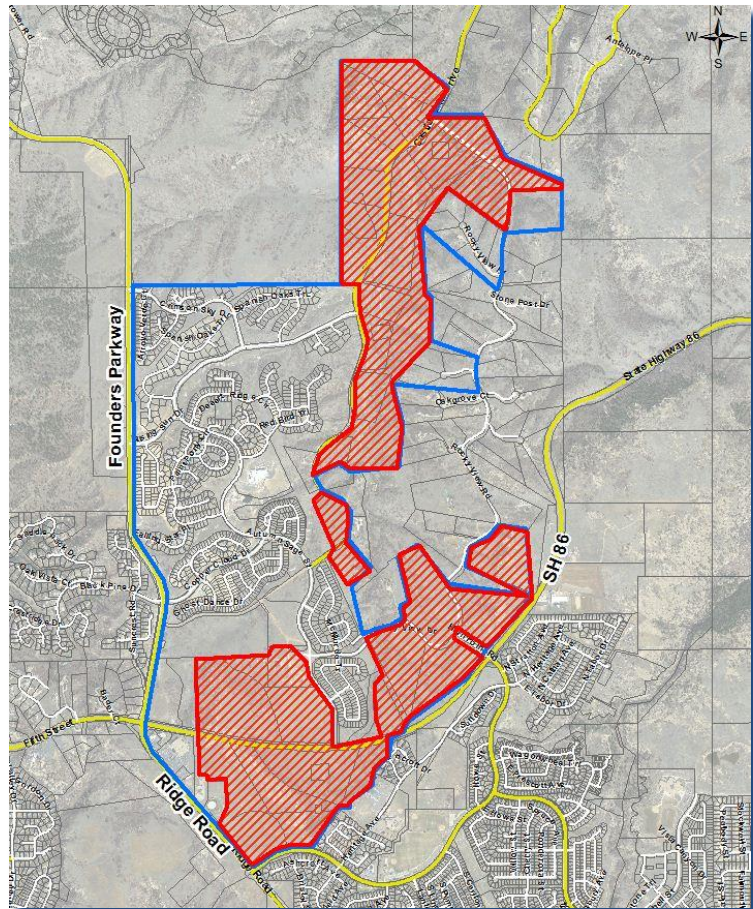
AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council
From: Julie Kirkpatrick, RLA, ASLA, Planner II, Development Services
Title: Ordinance: Amending the Town's Zone District Map by Approving the Terrain Planned Development Plan (Formerly a Portion of the Castle Oaks Estates PD), Approving the Terrain Planned Development Zoning Regulations; Approving the Terrain Development Agreement; and Vesting a Site Specific Development Plan (Second Reading)
(Project #PDP14-0008 and #AGR14-0020)

Executive Summary

The ordinance was approved as presented on first reading on September 1, 2015, by a vote of 5 to 0 with no changes. Staff has worked with the applicant to finalize the Zoning Regulations and the Development Agreement between first and second reading and updates to those documents are attached.

Updates to the PDP include adding the 2-acre well site adjacent to Planning Area 38 that had been inadvertently missed on the first reading copy. The zoning document was revised from first reading to clarify General Provisions 1.3 and 1.5. The Development Agreement has been updated from first reading to better address developer obligations and include the new items of the Civilian Conservation Corps (CCC) Mitigation Measures and Alternate Well Parcel language.



Location Map

The Terrain Planned Development Plan and PD Zoning Regulations (**Attachment A**), the Terrain Development Agreement (**Exhibit 4**), including the vesting of a site specific development plan, encompasses approximately 612 acres. Located roughly to the east of the Founders Parkway and State Highway 86 intersection, the area is currently zoned as part of the Castle Oaks PDP and PD Zoning Regulations and is more commonly known as the Terrain community.

Planning Commission voted 5-0 to recommend approval of this application with specific conditions, which the applicant has now met.

The proposed PDP would:

- Organize planning areas into villages, where allowable dwelling units apply to the entire village rather than one specific planning area;
- Affects the undeveloped land within the existing Castle Oaks PD;
- Transfer “unused” dwelling units from developed areas of the Castle Oaks PD to the undeveloped lands within Terrain;
- Include the phasing matrix and responsibilities within each phase from the Development Agreement to be part of the PDP plan set;
- Clarify residential use areas with more specific maximum densities:

Land Use Designation	R-SF - Estate Residential Single Family Estate	R-SF - Large Lot Residential Single Family	R-SF Residential Single Family	R-SFA Residential Single Family Attached	R-TH-SF Residential Townhome Single Family	R-MF Residential Multi Family Attached	MF/IB Multi Family Integrated Business
Maximum Dwelling Units/Gross Acre	2	3	5	6	8	18	18

The proposed DA addresses the following obligations:

- The owner will be responsible for the remaining balance due towards the Woodlands Interceptor upgrade already completed by the Town.
- Castle Oaks Drive improvements must be completed with the associated development phase in order to receive building permits within that phase.
- The owner must improve segments of Rocky View Drive within the property during the associated phase of development.
- Create a Site Specific Development Plan with vesting not extending beyond December 31, 2028, per Chapter 17.08 of the Castle Rock Municipal Code and C.R.S. §24-68-101, *et seq.*

Notification and Outreach Efforts

The proposed zoning was noticed in accordance with the Town of Castle Rock municipal code. The applicant posted signs on the property and mailed letters to

property owners within 300 feet of the site. Town Staff published the zoning notice on the Town's website and the "In Your Backyard" map.

Neighborhood Meetings

The applicant has presented conceptual ideas, especially regarding future Site Development Plans, to the community at various HOA meetings. Additionally, the applicant held a neighborhood meeting specifically for surrounding Douglas County residents on May 11, 2015. The residents asked questions regarding road improvements, particularly to Valley View Drive and Rocky View Road, and also regarding the location of commercial, multi-family residential and single family residential. The applicant explained their obligations within the Development Agreement regarding the road improvements and clearly showed where the various uses would be located. Some residents were concerned about water service to the new homes and how it might affect their own wells. The applicant explained that the new homes would be served by the Town of Castle Rock water supply and would not affect their wells.

After the first Planning Commission meeting on July 23rd, the applicant held two more neighborhood meetings with the Douglas County residents. Those meetings occurred on August 3 and August 18, 2015. Based on public input from those meetings, the applicant made revisions to their proposal in an effort to address some of the public's concerns. **Attachment C** includes emails from those concerned citizens.

External Referrals

External referrals were sent to the various utility service providers, Douglas County School District, Colorado Department of Transportation (CDOT), Colorado Geological Survey, Colorado Parks and Wildlife, Cherry Creek Water Quality Authority, nearby HOA's and metro districts, and Douglas County Government. The applicant has addressed the comments raised by the various agencies. The comments from CDOT and the DCSD will be further considered during any future Site Development Plan applications. Douglas County Planning Services, Engineering Services, and Addressing had no comments.

History of Past Town Council, Boards & Commissions, or Other Discussions

Planning Commission

The Planning Commission first heard this application on July 23, 2015. The Commission continued the hearing and asked for more information from the applicant regarding comparing existing densities and allowable unit counts to the proposed densities and unit counts within the Village concept. As a result of the first Planning Commission meeting and public input at that meeting, the applicant held two additional neighborhood meetings with the concerned Douglas County residents. The neighborhood meeting on August 3rd included approximately 22 attendees. On August

18, the next neighborhood meeting included approximately 25 attendees. At the last neighborhood meeting, the applicant presented changes to their proposed PDP in an effort to address the public's concerns.

At the August 20 Planning Commission meeting, the applicant presented those proposed changes to the Commission. The changes from the original PDP included:

- Changing the proposed maximum unit count within the North Basin Village from 303 to 200 total dwelling units;
- Changing the proposed maximum unit count within the Ravenwood Village from 385 to 375 total dwelling units;
- Changing the land use designation in PA (Planning Area) 1 from R-SF to R-SF-Estate and changing the density maximum from 5 du/acre to 2 du/ac;
- Changing the land use designation in PA 8 from R-TH to R-SFA and changing the density maximum from to 6 du/ac;
- Changing the land use designation in PA 41 from R-TH to R-SFA and changing the density maximum from 8 du/ac to 6 du/ac;
- Changing the land use designation in PA 37 from R-SF to OSP open space;
- Finalize the restatement of the Zoning Regulations and work with Town Staff for staff approval.

The Planning Commission voted 5-0 to recommend approval of the PDP and PD zoning regulations based on the outlined conditions (**Attachment D**). The Planning Commission also voted 5-0 to change the name of the application from "Castle Oaks Planned Development Plan No. 2" and the "Castle Oaks Estates Planned Development Zoning Regulations" to "Terrain Planned Development Plan" and "Terrain Planned Development Zoning Regulations."

Discussion

Current Zoning

The current zoning is Castle Oaks PD Amendment 1, which identifies planning areas by a specific use, acreage, maximum dwelling units allowed, and density. Permitted uses include:

- R-SF: Residential – Single Family Detached – Estate through 5.0 DU/ac)
- R-TH: Residential – Townhome / SF attached – 6.0-8.0 DU/ac)
- R-TH/SF: Residential – Townhome / SF Detached – 5.0 DU/ac)
- R-MF: Residential – Multi-family / Retirement Village – 15.0 DU/ac)
- R-MF: Residential – Multi-family – 16.0-18.0 DU/ac)
- I/B: Integrated Business / Commercial
- Open Space

Property Description

This PDP includes 612 acres of the undeveloped land within the current Castle Oaks PD. The Terrain community is located generally east of the Founders Parkway/State Highway 86 intersection. McMurdo Gulch runs through the area from south to north. The area of this proposal is



Existing View from State Highway 86 Looking North onto Property

currently vacant land with existing vegetation consisting of native grasslands, shrubs, and scrub oak. The applicant is making an effort to preserve existing stands of scrub oak, where possible. The area includes slopes of varying steepness, with ridges extending through the property from the east and south. The McMurdo Gulch also includes a 100-year floodplain. The Department of Interior, Department of Fish and Wildlife, has indicated that the report completed by the applicant's consultants is acceptable and agree that the Preble's Meadow Jumping Mouse is not likely present in this area. Additionally, the applicant has obtained a Letter of Map Revision from FEMA to address the impacts of the 100-year floodplain on development. Various environmental studies have been completed by the applicant's consultants. All of which showing no impacts to any protected species (**Attachment B**). Additional studies may be required as part of any future Site Development Plan applications.

Summary of Findings

Planning Commission and staff suggest the following findings for Council consideration:

- The PDP and Zoning Regulations are consistent with the Community Vision of the 2020 Comprehensive Master Plan;
- The proposal meets the review and approval criteria of the Municipal Code;
- The application meets Chapter 17.10 requirements that densities and setbacks are comparable and compatible with the surrounding uses;
- Adequate open space, which preserves environmentally sensitive areas, will be provided.

Proposed Motion

I move to approve Ordinance 2015-39, Amending the Town's Zone District Map by approving the Terrain Planned Development Plan and the Terrain Planned Development Zoning Regulations; approving the Terrain Development Agreement; and Vesting a Site Specific Development Plan, on second and final reading.

Attachments

Attachment A:	Ordinance
Exhibit 1:	Legal Description
Exhibit 2:	Proposed PDP
Exhibit 3:	Proposed PD Zoning Regulations
Exhibit 4:	Development Agreement
Attachment B:	Environmental Impacts
Attachment C:	Public Input
Attachment D:	PC Minutes