



## **AGENDA MEMORANDUM**

**To:** Honorable Mayor and Members of Town Council

**Through:** Bill Detweiler, Director, Development Services

**From:** Donna Ferguson, Planner II, Development Services

**Title:** **Ordinance Amending the Town's Zone District Map by Designating the Castle Rock Industrial Park Annexation Property as I-2 General Industrial (Second Reading)**

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### **Executive Summary**

First reading of this application occurred on June 20, 2017; Town Council voted 6-0 to approve the zoning as presented. The second reading was previously scheduled for July 18, 2017 but the applicant chose to table the hearing until today in order to settle a site development matter.

Polo Properties Holdings, LLC is proceeding with an application for Zoning for property known as Castle Rock Industrial Park which was previously owned and brought forward for zoning district classification by Castle Rock Industrial Park, LLC. The property resides within an industrial area of Town and is sandwiched between the Union Pacific Railroad and Highway 85 where Liggett Road spurs off of Highway 85 (Figure 1).



Figure 1: Location Map

Castle Rock Industrial Park is currently under consideration for annexation into the Town under a separate Annexation application. If the property is approved for annexation it subsequently needs to be zoned; through this Zoning application a straight zone district classification of I-2 General Industrial is being proposed for the Castle Rock Industrial Park property.

A zoning district classification of I-2 would permit the property to be developed as a versatile industrial land use and help the Town fill in an industrial land use area within its boundary and grow its tax base. Applications for Zoning require public hearing before Town Council for review and approval after review and a recommendation by Planning Commission.

### **The Proposed Zoning District Classification**

The proposed zoning district classification for the property is I-2 General Industrial. The I-2 District is intended to allow a less restrictive type of industrial development where the necessary characteristic of industrial operations will not adversely affect nearby residential and business uses. The purpose of the District is to permit the normal operation of almost all industries, subject to those regulations necessary for mutual protection of nearby property owners in the lawful use of their respective properties, and the public health, safety and general welfare. A full list of permitted uses for the I-2 zone district is attached.

In addition, the I-2 District outlines the following development standards for the property:

<b>General Industrial I-2 Development Standards</b>	
Maximum Lot Coverage	As limited by applicable standards for development, parking, landscaping and other requirements
Minimum Front yard setback	15-feet from the property line
Minimum Side yard setback	Zero feet except where the side yard abuts an adjoining zoning of a lesser intensity, then the side yard setback of the lesser zoning district shall apply for that side
Minimum Rear yard setback	Zero feet except where the rear yard abuts an adjoining zoning of a lesser intensity, then the rear yard setback of the lesser zoning district shall apply
Maximum Height of buildings	50-feet

### **Discussion**

#### **Background**

The Castle Rock Industrial Park property is 4.568 acres in size and currently under the jurisdiction of Douglas County. It is addressed as 2801 U.S. Highway 85 and owned by Polo Properties Holdings, LLC who took ownership of the property from Castle Rock Industrial Park, LLC on February 1, 2017.

#### **Proposed Annexation**

Town Council will review the proposed annexation under a separate Annexation application.

#### **Existing Conditions**

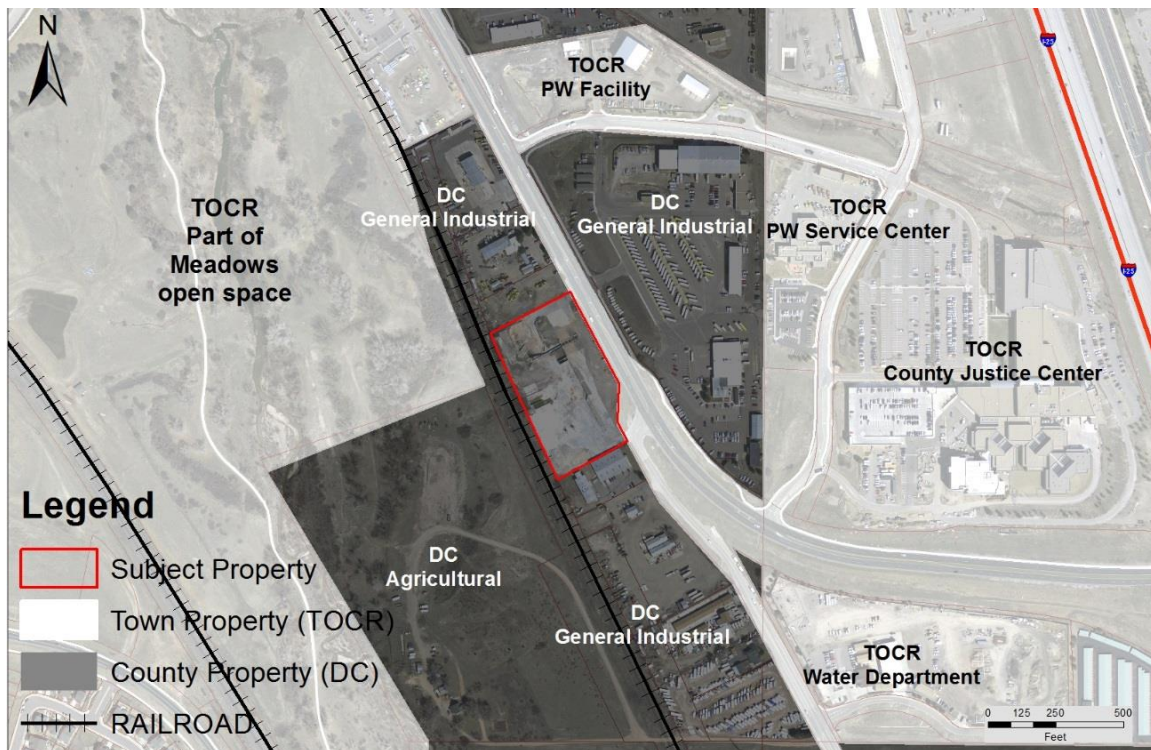


Figure 2: Surrounding Zoning & Uses Map

The subject property lies within an industrial area made up of a patchwork pattern of Town and County properties (Figure 2). It is an industrial site currently being used for large vehicle storage but was formally the site of a concrete mixing business. The property contains large concrete pads and concrete wall dividers but no buildings. There is also a well which has been abandoned and an old septic system. The property has access to both Highway 85 and Liggett Road which are both Town owned streets that have minimal street improvements. However, annexation of the subject property would provide an opportunity for the Town to exact additional street improvements such as street lights, sidewalks and street landscaping.

To the north of the subject property resides vacant industrial land, to the east and across Highway 85 lies property owned by the Douglas County School District which contains bus storage and an ancillary office and service building, to the south is an auto body repair business and to the west and across the railroad is a single family home on property zoned agricultural and under the jurisdiction of Douglas County.

The subject property is well established as an industrial use property and is compatible with the adjacent General Industrial zone districts of the County. Furthermore, the subject property is separated from existing open space and agricultural lands by a railroad which acts as a development limit and buffer between the urban development of the industrial district and the non-urban development of the open space and agricultural district.

### Land Suitability

The Land Suitability Analysis Report (LSAR) for the property reviewed slope, soils, vegetation and wildlife habitat. The LSAR indicated that the terrain of the site is relatively flat having only a slight slope from the southeast corner of the property down to the northwest corner of the property. It also noted that the property has little vegetative coverage due to its existing development and is not located within a floodplain or within a Preble's Meadow Jumping Mouse habitat area. The LSAR



concluded that the property has very few natural resource constraints and is overall suitable for the proposed industrial use development.

#### Service and Infrastructure Capacity

The Concept Utility Letter and Phase I Drainage Report for the site indicate that the proposed use can be accommodated into the Town's water, wastewater and storm drain systems. In addition, the Transportation Impact Analysis (TIA) indicates that the proposed land use of industrial is a low traffic generator, that the surrounding street network and intersections are sufficient in capacity to accommodate the traffic generated by the site and the proposed development will not have an adverse impact on intersection operations in the area. The property also lies within and thus will be able to be served by the Town's Police and Fire Districts.

#### Review and Approval Criteria

The application for Zoning was reviewed against and found to meet the following zoning approval criteria outlined in Section 17.02060 of the Town's Municipal Code:

1. Compatibility with applicable [Intergovernmental Development Plan](#).
2. Conformity with the most recently adopted version of the [Town's Vision](#), [Comprehensive Master Plan](#) and long-range or master plans.
3. Compatibility with existing and planned development on adjacent properties and in the surrounding area or neighborhood, or measures will be taken to substantially buffer or otherwise substantially mitigate any incompatibility.
4. Adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife and vegetation, or such impacts will be substantially mitigated.
5. Whether the property will have access to current or planned services and infrastructure adequate to support the orderly development of the property.
6. Positive economic impact potential from development of the property.
7. Addition criteria, if any, germane to the rezoning request as prescribed under this Title.

#### Neighborhood Outreach, External Referrals and Notices

On November 17, 2016 Bob Hier, representing Castle Rock Industrial Park, LLC, held a neighborhood open house at the office of Hier and Company Inc. to share and discuss the proposed applications for annexation and zoning. One neighbor attended the open house. The neighbor asked about the site's ultimate development. Mr. Hier answered candidly that they were in talks with a potential buyer for a flexible industrial use and that they were proposing to zone the property General Industrial (I-2). The neighbor responded by nodding her head and saying that the zone district and the use made sense for the area.

External referrals were sent to Douglas County, other various jurisdictional partners as well as the Town's utility service providers with no objections being reported.

Posted, written and published notices were performed in accordance with the Town of Castle Rock Municipal Code.

#### Budget Impact

The proposed Zoning application will generate development review and impact fees along with use taxes.

### **Staff Findings**

Staff finds that the proposed zoning district classification meets the zoning approval criteria outlined in Section 17.02.060 of the Town's Municipal Code.

### **Recommendation**

On April 13, 2017 the Planning Commission voted 4-0 to recommend approval of the annexation as presented.

### **Proposed Motion**

I move to approve the Ordinance as introduced by Title on 2<sup>nd</sup> reading.

### **Attachments**

Attachment A: Ordinance  
Exhibit 1: Legal Description  
Attachment B: Annexation Plat  
Attachment C: Uses by zone district