



## AGENDA MEMORANDUM

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

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

**From:** Brad Boland, Planner II, Development Services

**Title:** A Resolution Approving a Use by Special Review for Lot 10A Block 10 Craig and Gould's Addition to Castle Rock for Use as a Day Care Center

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### Executive Summary

Town staff and Planning Commission are seeking Town Council action for a Use by Special Review (UBSR) application for the operation of a day care center in the existing building located at 399 North Gilbert Street. The capacity of the day care center will be 36 children with 5 employees. The scope of work will be predominately inside the building with site work primarily being the installation of a landscaped playground behind the building and striping of parking spaces.

On September 27, 2018, the Planning Commission recommended approval of the resolution by a vote of 6-0.



Figure 1: Location Map

## **Background**

Two houses, 389 and 399 North Gilbert Street originally occupied the subject property. In 2007, the previous owner of the property, the Women's Crisis Family and Outreach Center (WCFOC), was granted a Use by Special Review for administrative office functions. The approval included a 900 sq. foot building addition to connect the two homes into a single building to provide additional office space.

## **Analysis**

### **Location**

The subject property is located at 399 North Gilbert Street at the southwest corner of Fourth Street within the Craig and Gould Neighborhood. The property is generally surrounded by single-family residents. The property adjacent to the south, 303 North Gilbert Street, is the original Douglas County Library. Currently, the building is being used as a residence, but has been used as a day care center in addition to the library in the past. One block to the west of the property on Fourth Street is the Christ Episcopal Church and the Douglas County School District's Colorado Cyber School.



Figure 2: Aerial Map (Looking from the East)

### Existing Conditions

The existing building is a one-story building with a finished walk-out basement. The ground level contains 3,335 square feet and the basement includes 3,169 square feet. The building can be accessed from multiple entrances in the front along North Gilbert Street and from the back of the building. The back of the lot is completely paved and was utilized as parking by the previous owner.



Figure 3: Aerial Map 2 (Looking from the North)

### Zoning Regulations

The property is zoned R-2 Single-Family and Duplex Residence District. Day Care center, subject to the licensing requirements of the State, is an allowed Use by Special Review of the R-2 Zoning District.

### Design

The capacity of the day care center will be limited to 36 children and a maximum shift of 5 employees. Drop-off and pick-up of children will be located both in the back and front of the building.

The majority of the work will be the tenant finish of the existing building to meet the building code requirements of a day care center. Site improvements are concentrated behind the parking lot.

These improvements include a 2,308 square foot landscaped play area that will be fenced in, striping for parking, and a fence to screen the parking lot.

### Interface Regulations

The purpose of the Residential/Nonresidential Interface Regulations are to mitigate the impacts between residential and nonresidential activities and land uses. These regulations are generally applicable on a Town-wide basis within all Zoning Districts; however, the Town Council recognizes that certain development patterns deliberately intermingle residential and nonresidential uses and there is no intention for the provisions of this Chapter to apply in those situations.

It is staff's opinion that the development pattern of the Craig and Gould neighborhood does intermingle residential and nonresidential uses within the neighborhood. Examples of this include the previous uses of the building, the Christ Episcopal Church at 615 Fourth Street, and the Douglas County School District's Colorado Cyber School at 312 Cantril Street. Additionally, the property to the south, 303 North Gilbert Street has had a variety of uses over time, including the original Douglas County Library and as a day care center.

The site plan does include efforts to mitigate new impacts brought on by the use of the existing building as a day care center. This includes fencing the perimeter of the play area and adding fencing in the parking area along the alley way to screen the parking.

### Traffic

With a capacity of 36 children and 5 employees, the project is expected to generate less than 200 trips per day to the Town's transportation system. In accordance with Town criteria (TDCM 7.2.1), Public Works staff has waived the requirement for a detailed transportation impact analysis.

### Public Outreach

A neighborhood meeting was held at the property on August 1, 2017. Four neighbors attended the meeting. Concerns raised at the meeting were the potential noise generated by children and additional traffic generated. In response, the applicant has proposed fencing around the playground and along the alley in front of the parking to help mitigate noise offsite.

### Referrals and Notice

External referrals were sent to various utility providers, public service providers and jurisdictional partners 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 Town will collect building permit fees.

### **Staff Findings**

Staff finds that the Use by Special Review meets the objectives and criteria of the review and approval criteria set forth in Sections 17.38.040 Site Development Plan and 17.38.050 Use by Special Review of the Castle Rock Municipal Code.

### **Recommendation**

The Planning Commission, at a Public Hearing on September 27, 2018, recommended approval of the resolution by a vote of 6-0.

### **Proposed Motion**

I move to approve the resolution as introduced by title.

### **Attachments**

Attachment A: Resolution  
Exhibit 1: Use by Special Review