

# The Canyons

September 25, 2019

Sam Bishop, AICP  
City of Castle Pines Planner  
City of Castle Pines  
360 Village Square Lane, Suite B  
Castle Pines, CO 80108

Re: Canyons Planned Development- 2nd Amendment, Case No. PDMI 9-001;  
Referral and Second City Comment Letter Responses

Mr. Bishop,

We have received the second letter of City and City consultant comments, City Attorney letter, and the noted referrals, related to the submittal of the 2nd Amendment to the Canyons Planned Development (PD) Land Use Application, Case No. PDM19-001. Comments of referral agencies, City staff members and others have been considered in this revision to the PD and ADA. This letter provides a summary of the referral and applicant responses below to all comments :

## **Referral Agency Comments**

- **Douglas County Planning-** The Planning Department noted that higher densities with smaller lot setbacks along the eastern edge of the Canyons will result in greater visual impact to abutting residents, suggesting that community open space areas are an opportunity for visual screening and enhanced community character.

**Applicant Response:** The 2009 PD approval included significant open space corridors particularly located along the property's edges to reduce visual impacts to adjoining developments. Parcel 3 is 1441 acres of which approximately 712 acres remains open space, representing almost 50%. Dimensions of the open spaces corridors at the perimeter typically exceed 250' in width. No changes to 2009 PD development boundaries are proposed with this amendment, thereby maintaining existing buffers to neighbors. In areas of high visibility, earth toned colors on buildings, berming, landscaping and downcast lighting will be used to minimize viewshed impacts.

- **Douglas County Engineering-** Please see traffic-related comment summary and responses provided in the attached letter from Felsburg Holt Ullevig on behalf of the applicant.
- **Colorado Geological Survey-** No objection provided
- **Tri County Health-** No comments provided

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- **Parker Water and Sanitation District**-No additional comments beyond the will-serve letter that was provided, noting that it is physically and economically feasible for the District to provide sewer and water service to the Canyons additional 1500 units.

- **COOT** - Please see comment summary and responses provided in the attached letter from Felsburg Holt Ullevig on behalf of the applicant. We note that this PD Amendment is a planning level approval, and further review and traffic studies will be incorporated as the platting process moves forward, providing additional opportunities to examine the development's potential traffic related impacts.

- **Town of Castle Rock-**

**Fire Department** - Castle Rock Fire Protection District provided comments in their "will-serve" letter indicating they will serve the portion of the property within their District, subject to applicable laws, fees, charges and taxes and compliance with all agreements, rules and regulations of the District and the Town.

**Floodplain** - Town of Castle Rock comments were to ensure that floodplains are delineated and Lemon Gulch flooding and erosion concerns are addressed.

**Applicant response:** As this PD Amendment is a planning/zoning process updating residential densities and land uses, our engineers suggest that delineating the undesignated floodplains in Parcel 3 is best an effort performed during preliminary and final subdivision designs of the project. Section VI(A) within the Drainage Report has been updated to provide this guidance. Additional language has been added to the second paragraph of VI(B) "Major Drainageways" to specifically identify that Lemon Gulch and its impacts and stability will be studied during the preliminary and final plat design stages of the project.

**TIS Comments:** Please see comment summary and responses provided in the attached letter from Felsburg Holt Ullevig on behalf of the applicant.

- **Douglas County School District** - The Douglas County School District (DCSD) referral requested a revision of the Douglas County School dedication figure to be 31.96 acres, rather than the proposed dedication of 9.86 acres, according to their calculations corresponding to the addition of 1500 units within the development. The letter requested the City enter into an MOU with the District addressing how the educational needs of the Canyons can be met through additional future land dedication, cash-in-lieu, or a combination, addition of schools as a use by right within all planning areas, and City codification of student generation and land dedication requirements used by DCSD, along with development monitoring and milestones to ensure adequate land is available for school purposes.

**Applicant Response:** The applicant and City of Castle Pines are committed to providing appropriate land for necessary DCSD facilities as the Canyons community grows. The District has discussed the future need for a high school site within the City, along with the potential for a middle school sited together. The proposed PD Amendment includes a land dedication proposal sufficient to develop a future

combination high and middle school site along with proposed designation of schools as a "Permitted Use by Special Review" within Planning Areas 13 and 14, consistent with City request. These planning areas are specifically designated because they are sufficiently large and flat enough land character to support the development of a large school facility.

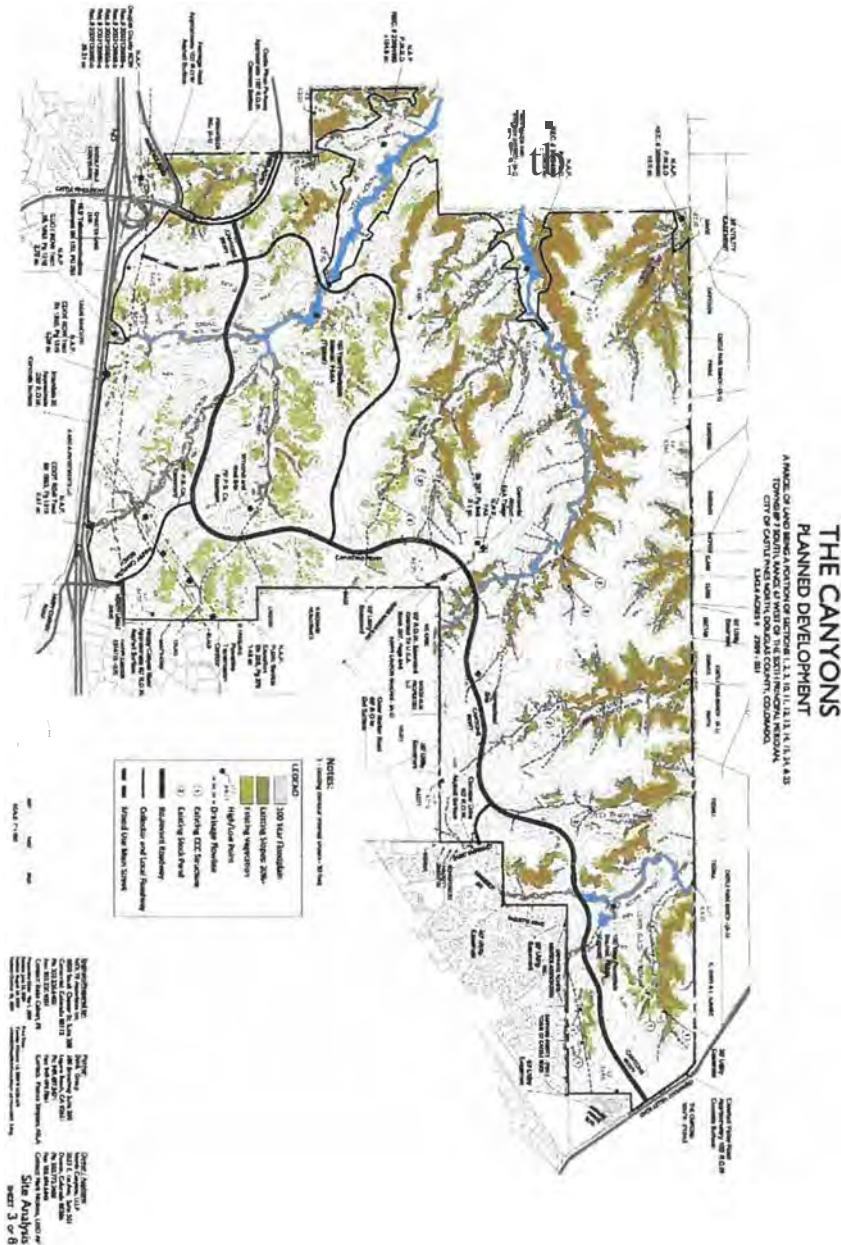
The applicant's traffic consultant has estimated traffic generated by a flagship high school in PA13 or 14 is between 19-34% of the morning peak along varying sections of Canyonside Blvd. These significant percentages of traffic volumes will be accommodated in the road system designed and installed by The Canyons, reflecting a substantial investment in traffic improvements on behalf of District impact.

- **South Metro Fire Rescue** - Comments include no objections provided improvements are designed and constructed in accordance with applicable codes and standards. They would like to review street layout, high school location, and fire station site.

**Applicant Response:** No improvements are currently proposed with this PD Amendment application. At such time, the noted street, high school and fire station improvements will be designed, submitted for review /approval and constructed in accordance with applicable codes and standards and provided for South Metro Fire Rescue review.

- **Cherry Creek Basin Water Quality Authority**-Authority comments were that development will need to provide construction and post-construction BMPs per Authority's Control Regulation 72. Comments included a request for mapped floodplains and more details on Construction BMPs and GESC.

**Applicant response:** As a PD Amendment process, no construction is proposed with this application. Inserted below is page 3 from the originally approved 2009 PD showing 100 year mapped floodplains are associated with both South Newlin Gulch and Lemon Gulch within the project area. At such time that subdivision and construction is proposed, appropriate BMPs and GESC plans to address water quality in these drainages will be provided. The Drainage Report will be updated at the time of platting to show the floodplain limits on the Detailed Drainage Map. Language addressing future study of the drainages and the future provision of appropriate mitigation and BMPs has been included in Section VI(B) "Major Drainageways" of the Drainage Report.



2009 PD Site Analysis Sheet 3/8

- **Centennial Airport / Arapahoe County Public Airport Authority** - Airport comments included concern for homes within the Instrument Landing Approach with low aircraft levels, suggesting notification with both an avigation easement and overflight disclosure . Additional comments include a recommended noise test, approval of FAA Form 7460-1 for objects penetrating a 100:1 slope from the nearest runway, plat

notification of the avigation easement, and request to show the airport and the Outer Marker on the vicinity map.

**Applicant Response:** The following responses are noted in sequential order matching the comment letter:

The Airport's concerns are duly noted. The applicant notes that development boundaries of this PD Amendment are unchanged from the original PD Approval in 2009. Disclosures will be made to all buyers of proximity to the Centennial Airport. Overflight disclosures will be made to all buyers and potential avigation easements, covenant disclosure, or plat notes will be recorded as deemed appropriate and necessary by the Developer or Assigns.

A residential noise test meeting Airport recommendations will be performed prior to land development within the site to assess the potential for interior noise levels at or below 45 db.

The applicant expects limited conflicts with the 100:1 slope to the nearest point of the Centennial Airport runway since the south area has a max elevation of 6510 in PA10/PA15 area. That leaves roughly 400' or more window from the approach surface depending on where measured. However, should future development or cranes penetrate this area, the Canyons will obtain all applicable FAA permits.

If it is found that an avigation easement is required for the Development, a copy will be shared with the Arapahoe County Public Airport Authority, and marked on the required plats/plans as required by the City of Castle Pines.

The vicinity map meets the City of Castle Pines requirements. The outer marker property has been shown on the vicinity map and is located on Sheet 2 of the PD. However, the Airport is far beyond the limits of the vicinity map and has not been included.

#### **City and City Consultant Second Review Letter**

##### **P. Planning Comments:**

Pl. No additional redlines were required.

##### **S. Survey Comments:**

S1. No additional comments.

##### **T. Traffic Comments:**

T1. All previous traffic comments have been addressed.

##### **D. Drainage & Utility Comments:**

D1. All previous drainage comments have been addressed.

##### **PW. Public Works/Transportation Comments:**

PW1. Previous Public Works comments have been addressed.

PW2. Please revise Section 4.2.3.c to redirect reader to original PD to see roadway sections.

**Applicant Response:** This revision has been included.

**L. Legal Comments:** The City attorney requested that "high school" references be changed to "school" to allow any school use, and to add the school use change to the title block.

**Applicant Response:** These revisions have been made to the PD Plan. We note a second draft of an Amended Annexation and Development Agreement is accompanying this resubmittal for review and finalization.

#### **NEXT STEPS**

The revised Planned Development Plan Exhibit and supporting documents are hereby resubmitted to address the City of Castle Pines comments. We believe we have sufficiently addressed all comments concerning the PD Amendment and request the application be scheduled for public hearings.

Please contact me if you have questions or need further information.

Regards,



Mary Hart  
Project Coordinator  
North Canyons LLLP

CC: Sam Bishop, AICP- Castle Pines Community Development Director