



**Town of Castle Rock
100 North Wilcox Street
Castle Rock, CO 80104**

Mayor Paul Donahue
Mayor Pro Tem Jennifer Green
Mark Heath
Chip Wilson
Renee Valentine
George Teal
Brett J. Ford

Town Council Meeting Minutes

Tuesday, October 4, 2016

6:00 PM

Council Chambers

CALL TO ORDER / ROLL CALL

Mayor Donahue called the meeting to order at 6:02 PM

Present: 6 - Council Member Teal, Council Member Valentine, Mayor Donahue, Mayor Pro-Tem Green, Council Member Wilson, and Council Member Heath

Not Present: 1 - Council Member Ford

PLEDGE OF ALLEGIANCE - Cub Scout Troop 262 led the Pledge

COUNCIL COMMENTS

Items presented were informational only and did not require direction from or action by Council.

UNSCHEDULED PUBLIC APPEARANCES

The following members of the public made comments or asked questions of the Council related to a variety of items that were NOT included on the regular agenda:

Pam Ridler

Angie Vencill

TOWN MANAGER'S REPORT

[ID 2016-076](#) **Update: Quasi-Judicial Projects**

TOWN ATTORNEY'S REPORT

Slentz presented a letter of engagement with Alperstein and Covell, LLC, noting the Town had hired this firm to represent it on a time sensitive water matter.

Donahue moved, seconded by Valentine to authorize the engagement of Alperstein and Covell, LLC as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

ACCEPTANCE OF AGENDA

Green moved, seconded by Valentine, to approve accept the agenda as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

CONSENT CALENDAR

- [MIN 2016-015](#) **Minutes: September 6, 2016 Town Council Meeting**
- [DIR 2016-058](#) **Resolutions Approving the 2017 Service Contracts**
- [RES 2016-090](#) **Resolution Approving the Service Contract Between the Town of Castle Rock and the Castle Rock Chamber of Commerce**
- [RES 2016-091](#) **Resolution Approving the Service Contract Between the Town of Castle Rock and the Castle Rock Economic Development Council**
- [RES 2016-092](#) **Resolution Approving the Service Contract Between the Town of Castle Rock and the Castle Rock Historical Society**
- [RES 2016-093](#) **Resolution Approving the Service Contract Between the Town of Castle Rock and the Castle Rock Senior Center**
- [RES 2016-094](#) **Resolution Approving the Service Contract Between the Town of Castle Rock and the Downtown Merchants Association**
- [RES 2016-095](#) **Resolution Approving Change Order No. 1 to the Construction Contract between the Town of Castle Rock and W.L. Contractors, Inc.**
[Traffic Signal Installation Founders Parkway/Copper Cloud Drive, Founders Parkway/Black Pine Drive and Ridge Road / King Soopers Intersections]
- [RES 2016-096](#) **Resolution Approving a Variance Pursuant to Chapter 9.16.070E of the Castle Rock Municipal Code for the Meadows Lift Station Pump Replacement** *[5193 Rocky Mountain Drive]*

Wilson moved, seconded by Green, to approve the Consent Calendar as read with the exception of Resolution No. 2016-095.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

- [RES 2016-095](#) **Resolution Approving Change Order No. 1 to the Construction Contract between the Town of Castle Rock and W.L. Contractors, Inc.**
[Traffic Signal Installation Founders Parkway/Copper Cloud Drive,

Founders Parkway/Black Pine Drive and Ridge Road / King Soopers Intersections]

This item was removed from the Consent Calendar at the request of Councilmember Wilson, who noted that the total amount of the change order and the original contract, which was also approved on the Consent Calendar, was in excess of \$450,000. He felt a project of this significant dollar amount warranted a public presentation / discussion.

Goebel provided an overview of the proposed change order to the previously approved signal contract, noting the need to relocate one of the mast arms to avoid interference with the IREA power lines.

Wilson moved, seconded by Valentine, to approve Resolution No. 2016-095 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

QUASI JUDICIAL HEARINGS

[RES 2016-097](#) **Resolution Approving a Use by Special Review for a Personal Wireless Service Facility for Verizon Wireless on Lot 6B-1, the Meadows Filing No. 17, Area No. 4, Amendment No. 9 [Southeast corner of Limelight and Meadows Parkway]**

Detweiler provided an overview of the proposed cell tower, noting it would be installed within the building, completely screened from public view.

Herb Quintana, representing Verizon, noted the tower was required to supply additional service capacity to the area.

Green moved, seconded by Teal, to approve Resolution No. 2016-097 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

[RES 2016-098](#) **Resolution Approving the Crystal Valley Ranch Filing No. 15 Site Development Plan [Single-Family; West Loop Road / East Loop Road]**

Detweiler provided overview of proposed plan for 900 units, which was a reduction from the previously approved plan. Noted a significant amount of open space, as well as a school site was included.

Jerry Richmond, Raintree Investment Corp., applicant, reviewed key elements of the site plan, including preservation of natural topography and drainage ways, and addition of key trails and other walkable spaces.

Ryan McBream, Norris Design, provided additional detail regarding the variety of

home types / styles and prices which would be included in the development.

Teal moved, seconded by Valentine, to approve Resolution No. 2016-098 as presented.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

[RES 2016-099](#) Resolution Approving the Lot 1, Block 11, The Meadows Filing No. 20, Phase I Site Development Plan *[Multi-Family; Southwest of Meadows Boulevard and Coriander Street]*

Detweiler entered the following items into the record:

- 1) Copies of citizen emails sent to Council on 10/18/16
- 2) Copies of citizen emails handed out to Council on 10/18/16
- 3) Updated Site Plan which reflected Planning Commission condition regarding additional parking spaces
- 4) Planning Commission minutes from public hearing on this application.

Detweiler provided general overview of proposal to construct 240 multi family units on approximately 15 acres adjacent to the Town Center area in the Meadows. Reviewed access points and traffic flow, as these were the primary areas of concern discussed during the Planning Commission hearing.

Jim Riley, Castle Rock Development, provided a historical overview of the Town Center area, and how this development fit into the overall Meadows Development Plan.

Matt Griffin, The Garrett Companies, presented a detailed overview of the development plan for this site.

The following members of the public made statements or asked questions on this item:

Brian Aller	Jessica Aller
Katie Carda	A J Carda
Paul Osborn	Kimberly Osborn
Dena Fitzgerald	Doug Decker
Brenda Thompson	Jim Watkins
Greg Bradley	Dave Romero
Marcus Notheisen	Christine Alexander
Matt Call	Angel

The applicant, various staff and Council responded to issues / concerns raised by members of the public.

Donahue moved, seconded by Teal, to approve the plan with the following condition:

The north access point be restricted to ENTRANCE ONLY

Heath requested the following friendly amendments be added:

- 1) Restrict parking on Coriander Street to one side only;
- 2) Installation of a round-about be considered to control access from Meadows Blvd.

Donahue and Teal **ACCEPTED** the friendly amendment regarding parking restrictions on Coriander, but **REJECTED** the amendment related to the use of a round-about at this location.

Slentz advised that these amendments related to elements that were not part of the site plan and potentially not under the developer's control and therefore should be addressed separately.

Heath withdrew the proposed amendments.

The motion to approve the plan with the restriction that the north access point to a **ENTRANCE** only, **FAILED** by the following vote:

Yes: 2 - Teal, and Donahue

No: 4 - Valentine, Green, Wilson, and Heath

Not Present: 1 - Ford

Heath moved, seconded by Wilson, to approve Resolution No. 2016-099 as presented, including the revised Site Plan entered into the record at the beginning of the hearing.

The motion passed by the following vote:

Yes: 6 - Teal, Valentine, Donahue, Green, Wilson, and Heath

Not Present: 1 - Ford

BREAK

The meeting went into recess at 8:45 PM.

RECONVENE

The meeting reconvened at 9:00 PM

Councilmember Valentine was not in attendance when the meeting reconvened, so a new roll call was taken.

Present: 5 - Council Member Teal, Mayor Donahue, Mayor Pro-Tem Green, Council Member Wilson, and Council Member Heath

Not Present: 2 - Council Member Ford, and Council Member Valentine

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS**[ORD 2016-032](#) Ordinance Amending Chapter 3.16.030 of the Castle Rock Municipal Code Adjusting the Development Impact Fees For Residential and Non-Residential Uses (First Reading)**

Corliss provided an overview of the proposed 2017 - 2018 Impact Fees, and cost of an average permit under the updated fee schedule. Reviewed types of projects that were or could be paid for by impact fees.

The following members of the public made statements or asked questions on this item:

Cherie Talbert

Frank Gray

Teal moved, seconded by Heath, to approve Ordinance No. 2016-032 as presented on First Reading.

The motion passed by the following vote:

Yes: 5 - Teal, Donahue, Green, Wilson, and Heath

Not Present: 2 - Ford, and Valentine

[ORD 2016-033](#) Ordinance Approving the Fifth Amendment to the 2016 Budget and Authorizing Changes in Appropriations for Year 2016 to Permit the Distribution of 2015 Excess TABOR Revenues only in the Event the Electorate Does not Approve a Revenue Change at the November 8, 2016 Coordinated Election (First Reading)

Carner reviewed proposed amendment to 2016 Budget which transferred money from the General Fund to the Utilities Funds in order to reimburse the funds for the credit which would be applied to utility bills, should the TABOR ballot question authorizing the retention of these revenues fail.

Wilson moved, seconded by Heath, to approve Ordinance No. 2016-033 as presented on first reading.

The motion passed by the following vote:

Yes: 5 - Teal, Donahue, Green, Wilson, and Heath

Not Present: 2 - Ford, and Valentine

[ORD 2016-034](#) Ordinance Approving the Sixth Amendment to the 2016 Budget and Authorizing Changes in Appropriations For Year 2016 (First Reading)

Carner reviewed amendment to increase expenditures within the Development Services Fund to cover the cost of the contract inspectors hired by the Town to handle the increased demand for roof inspections due to the July hail storm. Noted expenses were offset by increase in permit fees collected, so there was no net effect to the enterprise budget.

Wilson moved, seconded by Teal, to approve Ordinance No. 2016-034 as presented

on First Reading.

The motion passed by the following vote:

EXTENSION OF MEETING

At 9:19 PM, Donahue moved, seconded by Green, to extend the meeting until 10:00 PM

The motion passed by the following vote:

Yes: 5 - Teal, Donahue, Green, Wilson, and Heath

Not Present: 2 - Ford, and Valentine

[ORD 2016-035](#) **Ordinance Amending Section 17.04.040 of the Castle Rock Municipal Code Regarding the Criteria for Conducting Neighborhood Meetings Prior to and During the Land Development Process (First Reading)**

Detweiler reviewed proposed Code amendment which would require neighborhood meetings be held prior to submittal of certain land use applicaitons.

The following members of the public made statements or asked questions on this item:

Frank Gray

Heath moved, seconded by Wilson, to approve Ordinance No. 2016-035 as presented on First Reading.

The motion passed by the following vote:

Yes: 5 - Teal, Donahue, Green, Wilson, and Heath

Not Present: 2 - Ford, and Valentine

[ORD 2016-036](#) **Ordinance Vacating a Portion of First Street and Alley in Block 29, Northwest Quarter of Section 11, Township 8 South, Range 67 West, Town of Castle Rock [First Street between Wilcox and Perry] (First Reading)**

Detweiler reviewed need to vacate certain right of way to accomodate the Town Hall expansion project and also the proposed improvements to Festival Park.

Green moved, seconded by Heath, to approve Ordinance No. 2016-036 as presented on First Reading.

The motion passed by the following vote:

[ORD 2016-037](#) **Ordinance Amending Section 17.04.060 of the Castle Rock Municipal Code Concerning Posting Requirements for Public Hearings (First Reading)**

Detweiler reviewed proposed Code amendment which updated and clarified prodedures related to posting of signs for public hearings.

Teal moved, seconded by Heath, to approve Ordinance No. 2016-037 as presented on first reading.

The motion passed by the following vote:

[RES 2016-100](#) **Resolution Finding a Certain Petition for Annexation Known as the Castle Rock Industrial Park Annexation to be in Substantial Compliance with Section 30 of Article II of the Colorado Constitution and with the Requirements of §31-12-107(1), C.R.S.; and Establishing a Date, Time and Place for the Hearing Prescribed Under §31-12-108, C.R.S. to Determine if the Property Petitioned for Annexation to the Town of Castle Rock is Eligible for Annexation Under Section 30, Article II of the Colorado Constitution and the Municipal Annexation Act Of 1965 [4.568 acres between Railroad and Highway 85 just north of Liggett Road and Highway 85]**

Proposed Resolution was first step in state mandated annexation process, and was used to establish that petition was in substantial compliance with state requirements, and to set the eligibility hearing on the proposed annexation.

Heath moved, seconded by Wilson, to approve Resolution No. 2016-100 as presented.

The motion passed by the following vote:

Yes: 5 - Teal, Donahue, Green, Wilson, and Heath

Not Present: 2 - Ford, and Valentine

[RES 2016-086](#) **Resolution Approving a Contract with Short Elliott Henderson for Architectural Services for Fire Station 152 [Crystal Valley]**

Morales provided overview of proposed contract for architectural design services for the Crystal Valley Fire Station.

Teal moved, seconded by Heath, to approve Resolution No. 2016-086 as presented.

The motion passed by the following vote:

Yes: 5 - Teal, Donahue, Green, Wilson, and Heath

Not Present: 2 - Ford, and Valentine

[DIR 2016-059](#) **Discussion/Direction: Riverwalk Project - TIF Agreement**

Kevin Tilson, representing the Downtown Development Authority (DDA) and Tony DiSimmone, Confluence Companies, presented a conceptual overview of a proposed mixed use development to be located accross from Town Hall. Project would include restaruants, retail space, office space, and apartments, as well as on site parking.

Discussed major deal points of potential financing agreement, including use of DDA's Tax Increment Financing, to help bridge the gap between costs and projected revenues from the project.

EXTENSION OF MEETING

At 10:02 PM, Donahue moved, seconded by Wilson, to extend the meeting until 10:30 PM

The motion passed by the following vote:

Yes: 5 - Teal, Donahue, Green, Wilson, and Heath

Not Present: 2 - Ford, and Valentine

[DIR 2016-059](#) **Discussion/Direction: Riverwalk Project - TIF Agreement**

The following members of the public made statements or asked questions on this item:

John Manka	Lou Fletcher
Greg Boman	Frank Gray

Heath moved, seconded by Donahue, to direct staff to prepare a Redevelopment Agreement between the Town of Castle Rock and Confluence Companies incorporating the terms as outlined.

The motion passed by the following vote:

Yes: 5 - Teal, Donahue, Green, Wilson, and Heath

Not Present: 2 - Ford, and Valentine

[DIR 2016-060](#) **Discussion / Direction Item: Rueter-Hess Reservoir Recreation Authority**

Brauer provided overview of planning efforts undertaken by the Recreational Authority, and status of various elements included in each phase of the Recreational Master Plan for this area.

Reviewed budget request made by the Recreational Authority, which totalled approximately \$219,000 in 2017.

The general consensus of the Council was that while the Town was willing to continue with ongoing discussions, additional detailed information about the benefits to the Town would be required before any additional funding would be authorized for the project.

ADJOURN

The meeting was adjourned at 10:25 PM