



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

Mayor Jennifer Green
Mayor Pro Tem Renee Valentine
Councilmember Jess Loban
Councilmember James Townsend
Councilmember Jason Bower
Councilmember George Teal
Councilmember Brett Ford

Town Council Meeting Minutes - Final

Tuesday, October 3, 2017

6:00 PM

Council Chambers

**This meeting is open to the public. All times indicated on the agenda are approximate.
Interested parties are encouraged to be present earlier than the posted time.**

COUNCIL DINNER & INFORMAL DISCUSSION

Mayor Green opened the meeting with a moment of silence for the victims of the Las Vegas shootings at 6:02 pm

INVOCATION - Pastor Matt Crowe, Ridgeline Community Church

CALL TO ORDER / ROLL CALL

Present: 5 - Council Member Townsend, Mayor Green, Council Member Bower, Mayor Pro Tem Valentine, and Council Member Teal

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

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Townsend, Council liaison to the Chamber, attends their monthly meetings stated their mission is to be a voice to government. The Chamber held a Mayor at Large education presentation, will have a Douglas County Education Board forum on October 12 at the PACE Center, and will bring in a speaker on October 23rd for a management class. Townsend thanked everyone for their hard work for Oktoberfest.

Councilmember Bower was able to attend the DC Youth Initiative at the State Capitol where they debated curfew, substance abuse and developed a resolution to present at the Capitol. Bower stated that our future is in good hands and that all of the kids looked good and spoke well and encouraged everyone to go to their website to view the videos. Bower conveyed his thanks to Development Services and Zoning for organizing the fall clean up in his neighborhood. Bower agreed that Oktoberfest was a huge success, winning the stein holding competition between himself, James, and Brett; and he thanked Angie Vencill and Kevin Tilson with the Merchants Association for their hard work. Bower congratulated Kevin Tilson and Kara Rogers for the awards they received for Economic Developer of the Year and Rookie of the Year respectively.

Councilmember George Teal provided an update from DRCOG that they are interviewing finalists for the Executive Director position.

Mayor Green congratulated Kevin Tilson on his recognition.

[PROC
2017-012](#)**Proclamation: Fire Prevention Week October 8-14, 2017**

Councilmember Bower read the Proclamation for Fire Prevention Week and presented it to Fire Chief Art Morales.

Fire Chief Morales thanked Council and stated they celebrate Fire Prevention week and partnered to serve pizza to the citizens.

UNSCHEDULED PUBLIC APPEARANCES

Rick Sanborn, resident, stated he and his wife are new residents as of December 2016. Sanborn is a retired special education teacher and his wife is a veterinarian. He stated he is a member of the Citizen Climate Lobby with 82,000 members worldwide, and 3,100 are from Colorado. They focus on national policies on climate change. The CCL is made up of both parties equally and hold the Energy Freedom Tour to engage people. Sanborn extended an invitation to Council to attend a presentation by the Regional Director at the Parker Library on October 21st, and offered one on one sessions on October 20th and 21st. Handouts were marked as Exhibit A.

Barbara Larson, resident, thanked Council for making Castle Rock a great town; and complimented departments that operate well, especially the Police department recently responding to multiple calls on robberies in the communities. Larson thanked Development Services and Zoning for providing the bins for the fall clean up and feels the program is a good opportunity to clean up the community and meet neighbors.

Mayor Jennifer Green asked the Town Manager if that could be revisited on an as needed or annual basis.

Councilmember Brett Ford arrived at 6:25 pm.

Present: 6 - Council Member Townsend, Mayor Green, Council Member Bower, Mayor Pro Tem Valentine, Council Member Teal, and Council Member Ford

Not Present: 1 - Council Member Loban

TOWN MANAGER'S REPORT

Town Manager Dave Corliss stated that staff conducted a citizen survey earlier this year and then formed a focus group. The report is in the packet. A number of topics were reviewed such as the value of services, growth, community character, park priorities, recreation development at Rueter Hess, and education on the Town's water plan. Staff will continue to use this information as we look at priorities.

[ID 2017-074](#)**Update: Community Conversations Online Focus Group Report**

[ID 2017-075](#)**Update: Quasi-Judicial Projects**[ID 2017-077](#)**Department Updates: Rick Schultz, Water Conservation Specialist for Castle Rock Water Receives the Alice Darilek Conservation Award**

Mark Marlowe, Director of Castle Rock Water, stated that Castle Rock has been a leader in conservation; and Rick Schultz was recently recognized by the Rocky Mountain American Water Works Association.

Mayor Green presented Rick Schultz with the award; and stated that Rick has been leading all the conservation classes for the Town.

Marlowe thanked the citizens for their dedication to conservation.

[ID 2017-078](#)**Department Updates: Fluvial Hazard Zone Mapping Pilot Study of East Plum Creek by the Colorado Water Conservation Board**

Mark Marlowe, Director of Castle Rock Water, provided an update to Council explaining that streams tend to wander from their banks and create a fluvial hazard zone, an area outside of the 100 year floodplain, and that 57% of damage occurs in the fluvial hazard zone. The state passed a Senate Bill to authorize money to help map these hazard zones, and Castle Rock offered to be part of the pilot study at no cost. We would study East Plum Creek and determine areas of concern and the state would provide mapping. We would reach out to approximately 20 property owners to make sure they are aware and ensure they are okay with us mapping them. The information will help us manage those areas and protect the property.

Mayor Jennifer Green asked about the overall timeframe. Marlowe replied that it would begin this year and be completed by July of 2018.

[ID 2017-079](#)**Department Updates: Neighborhood Park Site Selection Recommendation**

Jeff Brauer, Parks and Recreation Director, stated that they will present their recommendation for the neighborhood park selection for discussion at the October 17th Council meeting to obtain additional input. Brauer reported that 500 people participated on-line; and that their website, facebook posts and the press release over the next week will allow for further input.

Mayor Jennifer Green appreciated the walk through for Commission to help in the decision.

[ID 2017-081](#)**Department Update: Development Services Development Projects****TOWN ATTORNEY'S REPORT**

Bob Slentz, Town Attorney, stated that they are requesting an Executive Session to discuss the Aptive solicitor litigation. Aptive has also requested time on the agenda to give a presentation.

Mayor Jennifer Green asked what the current time is that solicitors can knock on doors. Slentz reported it is until 7pm year round.

ACCEPTANCE OF AGENDA

Valentine moved, seconded by Townsend, that the agenda be Approved as presented. The motion passed by the following vote:

Yes: 6 - Townsend, Green, Bower, Valentine, Teal, and Ford

Not Present: 1 - Loban

CONSENT CALENDAR

Valentine moved, seconded by Bower, to Approve the Consent Calendar. The motion passed by the following vote:

Yes: 6 - Townsend, Green, Bower, Valentine, Teal, and Ford

Not Present: 1 - Loban

[RES 2017-079](#) **Resolution Ratifying and Approving the Recommendation of the Town Manager for the Town Clerk for the Town of Castle Rock**

[MIN 2017-016](#) **Minutes: September 19, 2017 Town Council Meeting**

[ID 2017-080](#) **Presentation: Resolutions Approving the 2018 Service Contracts**

[RES 2017-080](#) **Resolution Approving the Service Contract between the Town of Castle Rock and the Castle Rock Chamber of Commerce**

[RES 2017-081](#) **Resolution Approving the Service Contract Between the Town of Castle Rock and the Castle Rock Economic Development Council**

[RES 2017-082](#) **Resolution Approving the Service Contract Between the Town of Castle Rock and the Castle Rock Historical Society**

[RES 2017-083](#) **Resolution Approving the Service Contract Between the Town of**

Castle Rock and the Castle Rock Senior Center**[RES 2017-084](#) Resolution Approving the Service Contract Between the Town of Castle Rock and the Downtown Merchants Association****ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS****[RES 2017-076](#) Resolution Approving the Town of Castle Rock Transportation Master Plan**

Bob Goebel, Director of Public Works, presented the Transportation Master Plan stating the purpose, why it is updated, visions and goals, steps taken, public outreach conducted, pedestrian and bicycle network improvements, demand management strategy and how it assists the Capital Improvement Plan. The plan is a guide for transportation decisions to address future needs for interconnection and to offer a variety of travel choices in the Town based on land use and in allocating funding for capital projects. This plan is coordinated with other plans like the comprehensive master plan and the master trails plan. Currently they are projecting buildout to year 2040 and show areas of concern in the Plum Creek area and the Founders/Meadows parkway. Scenarios were inserting the Crystal Valley interchange to improve the south end of town and adding an interchange at Black Feather and I-25 for the north end which would be the lowest cost and the biggest impact. The interchange has to go through studies and is a long term commitment. The process is lengthy and requires full cooperation with CDOT. Alternate transportation solutions are being studied. CDOT is considering a stop in Castle Rock for the Bustang front range service from Colorado Springs to Denver and further north along I-25 and I-70. Location of Park and Rides, taxi service, van pooling, ride sourcing programs, public private Lyft and shuttle services are also being looked at. The Public Works Commission has reviewed the plan and recommends adoption.

Town Manager David Corliss appreciated the work that went into the Plan and stated the document is the best estimate on what we will need to maintain a reasonable level of service as we grow. Beyond that 5 year window, we need to look for other revenue sources and partnering opportunities.

Mayor Green asked if the powerpoint and the Transportation Master Plan could be put on our website.

Mayor Green opened the public hearing. No comments.

Councilmember Teal commended staff and the Public Works Commission for their work.

Teal moved, seconded by Bower, that Resolution 2017-076 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Townsend, Green, Bower, Valentine, Teal, and Ford

Not Present: 1 - Loban

RES 2017-085 Resolution Approving the Downtown Redevelopment Agreement between the Town of Castle Rock, the Castle Rock Downtown Development Authority and 5th Avenue Apartments, "LLC" [5th and Jerry Street]

Kevin Tilson, Director of Castle Rock Downtown Alliance, presented the steps that have been taken to create an active and vibrant downtown; and that the Downtown Master Plan is used as their guiding document. Tilson briefed Council on the 5th street apartment project, a 6 story building with 65 apartment units and 5 office spaces. Originally, there were 90 parking spaces, but due to structural support requirements it has been reduced to 78 parking spaces which still fully parks the project with 1 per unit and 1 per 300 square feet of office space. Tilson went on to say that this is a performance based agreement where downtown pays for downtown. The proposal is sharing back 40% of property tax on the project with the developer paying \$1.7 M in fees and use tax which will go to the impact fee entities. The project must be submitted to the Design Review Board by December 31, 2017, which has been accomplished, must have a building permit by July 1, 2018 and a Certificate of Occupancy by August 1, 2019.

Councilmember Townsend asked if the deadline is reasonable. Tilson stated the developer agreed it was a reasonable date.

Councilmember Teal asked to clarify the reduction of parking spaces. Tilson replied that it allows for 1 space per unit and 1 space per 300 ft of office with 5 visitor spaces for the building. This is the maximum number of spaces possible without adding a 3rd floor.

Mayor Green confirmed there is currently no downtown parking agreement. Tilson said it could be built without parking requirements if not for the Tax Increment Financing.

Councilmember Bower asked if there was a plan for construction parking. Gene Gregory, the developer, stated he had not talked to any neighbors yet, but will do a traffic plan coordinated with the Town and will fence off the front of the lot with spots in front of building. They will have cranes as well, and will make it work by staging it a floor at a time. Street closure requirements will be coordinated with Public Works. Bower encourages them to coordinate with the neighboring lot where the bike shop is. Gregory went on to say there will be 60-70 employees for 8 months to a year working on the project. Developer fees and use tax amount is an estimate and could go down or up; and the water tap may be able to be reduced to 2" which would further reduce costs.

Town Manager David Corliss reiterated that the developer pays those fees as the Town is not reimbursing any of those fees.

Mayor Green opened the public hearing. No comments.

Valentine moved, seconded by Bower, that Resolution 2017-085 be Approved as presented. The motion passed by the following vote:

Yes: 6 - Townsend, Green, Bower, Valentine, Teal, and Ford

Not Present: 1 - Loban

[DIR 2017-042](#)

Discussion/Direction: Recommendation for Additional Review with Castle Brae Development, LLC on Possible Public/Private Partnership on the Existing Town Parking Lot South of Town Hall

Town Manager David Corliss stated the Town was approached with interest in developing the parking lot south of Townhall. A Request for Proposal was sent out with an emphasis on a number of Town values, enhancing the existing parking lot, more public parking, and keeping with other planning development items. Twenty individuals signed up for pre-submittal meeting and walked the site. The Town received two high quality proposals from two area contractor redevelopment firms. An interview committee was established with Councilmember Bower, Economic Development Council, and the Downtown Alliance. The consultant that helped with the financial analysis for Miller's Landing will be brought in as well.

The Castle Brae project includes 132 for sale condos, 22k square feet of retail/restaurants, increased public parking of 250 spaces plus parking for condos for a total 410k square feet at a cost of \$67M. The plaza area integrates Townhall and Festival park. This proposal includes the railroad horn quiet zone as part of TIF revenue proceeds. Additionally, they have the three lots along Wilcox under contract for purchase.

The White/Mars proposal includes a 65 room hotel, 100 public parking spaces, performing arts space, outdoor rooftop gathering use, office, and other uses. Underground parking provided for the project and additional surface parking anticipated and an estimated cost of \$60M. This proposal has backup proposals on the three properties along Wilcox.

Corliss stated that both proposals lend uniqueness to downtown and that Council is being asked who should staff spend time with in negotiations. Staff anticipates tax increment and tax sharing, but have not made any level of commitment. The consensus of the committee was to recommend Castle Brae because they were stronger in public parking increases from 95 to 250 public parking spaces. Corliss went on to say that there are many things to work out such as a long term lease of the parking lot, maintenance, final design concept, etc.

Tom Kahn, general partner of Castle Brae Development and owner of Kahn Development, was present and stated this would be a new project and gathering area in downtown along with the Riverwalk project, Townhall addition, and Festival park. Their concern is the quiet zone provided for their condos; and they want to work with the Town, with Town taking the lead and they will fund as part of the development.

Mayor Green asked If they would pay for the quiet zone assuming it is \$800k, and inquired about the maintenance costs. Corliss replied this is an area to discuss. Mayor Green stated the Town would have to be the applicant, but wants to clarify where the revenue would come from for maintenance costs.

Councilmember Teal asked to clarify the current parking capacity. Corliss stated it is currently 95 spaces and the recommended plan would increase that to 250 public parking spaces. Corliss stated they have not done the final level of engineering so the numbers may change. Teal feels this is a home run, addresses the parking concerns and increases parking, and he likes the condos in the downtown area.

Councilmember Ford is interested in the quiet zone and addressing the funding mechanism. Ford asked if the condominiums are contingent upon the quiet zone. Kahn replied they will move forward one way or the other.

Councilmember Valentine would like to continue discussions and likes the concept of ownership opportunities downtown.

Councilmember Bower stated both projects are outstanding. In terms of quiet zone, Bower asked if Kahn would be able to charge more money for the condos if the quiet zone was implemented. Bower feels this is a positive project for downtown and echos how organic development will start to happen around Festival Park.

Kahn added that the demographics in Douglas County and Castle Rock show there is a desire to downsize and there is a huge market that is not being addressed for those that want to stay in Castle Rock and make it a viable, nighttime, 24/7 place to be.

Mayor Green opened the public hearing.

Barb Larson, resident, asked if the impact of growth on the schools was being looked into.

Mayor Green closed the public hearing.

Corliss replied that the Town has public land dedication requirements that provide for the dedication of school sites with development. Projects are referred to the school district so they are cognizant of the developments.

Town Attorney Bob Slentz stated it is unlawful for jurisdictions to impose an impact fee for schools.

Mayor Green reiterated that the project is contingent on closing on the property and what was presented this evening.

Corliss affirmed and thanked the participants in the process.

Valentine moved, seconded by Teal, that staff should continue negotiations with Castle Brae. The motion passed by the following vote:

Yes: 6 - Townsend, Green, Bower, Valentine, Teal, and Ford

Not Present: 1 - Loban

Policy

Dan Sailer, Assistant Director of Public Works, presented the proposed On Street Parking Policy. They are proposing a formal policy to assist staff as requests come in. The draft policy would allow on-street parking if the street is wide enough to accommodate it on a first come first serve basis. This provides the maximum benefit to those that demand it. Feedback was achieved through news releases, HOA representatives, online subscribers and notification prior to official close of the comment period. The feedback showed a balanced response between favorable, neutral, and unhappy. The Public Works Commission unanimously recommends approval.

Councilmember Ford stated he is sympathetic to people that live by the high schools and wondered if students who can't pay for a parking permit at the school park on residential streets. Sailer stated the policy does not discriminate, and that streets are open to anyone that has a desire to park there. If there is a concern with littering or trespass, they could look at a parking permit program. If they adopt this policy, it applies to everywhere in town.

Mayor Green stated they receive a significant number of complaints, and asked how this applies to HOA restrictions. Sailer replied that HOAs are contracts between residents and HOAs, and if they agree to restrict that, they have to regulate it themselves.

Councilmember Townsend asked how the HOA could impose a fee on a non-resident.

Town Manager David Corliss said enforcement of HOA parking on streets would be difficult, as it is not as expeditious as a police officer ticketing them.

Councilmember Bower asked how we would enforce a permit system.

Councilmember Ford is not concerned with occasional parties held in neighborhoods, it is the people that live by the high schools that have an undue burden Monday through Friday.

Councilmember Bower stated many households have more cars than spaces provided; and that there are certain hotspots around town.

Councilmember Townsend stated he would like to see flexibility to make changes as needed. Sailer said the policy is designed to preserve flexibility and to work with stakeholders. If their tools can't resolve the issue, they can still regulate if issues arise.

Bob Goebel, Director of Public Works, added parking on South Perry was being abused with semis parking overnight on the street and that we have codes that apply to that as well as littering, parking in line of sight, etc.

Mayor Green stated she has seen cars parked on the street in front of a stop sign. Goebel stated that is a violation of the model traffic code and the police enforce that on a regular basis. As well, there is a 72 hour restriction for parking on a street and then it is considered abandoned and can be ticketed. Goebel will

confirm if it is a violation to park in front of a mail box.

Councilmember Ford asked if this is the policy we already have. Sailer replied that it is not a formal policy to allow on street parking. Currently, there is no formal policy allowing on-street parking which requires them to work on each issue. There is currently some restricted parking by the high school now. Sailer confirmed and that they work with all the stakeholders; and this new policy is to allow on street parking if the street is wide enough, and there is a demand for parking. If the homeowner is having an issue as a result of the parking i.e., littering, they will try to address that issue before restricting parking.

Mayor Green opened the public hearing.

Wayne Harlos, resident, has constant parking issues in front of his business downtown across from the Chamber of Commerce. He has requested 2 hour parking, but has not heard back. Harlos stated that people are parking there all day, so there is no place for his customers to park. In addition, they have their own parking lot they pay for, but others park there as well. Harlos agrees with growth, but if there is inadequate parking people won't patronize downtown and more parking needs to be made available. Harlos went on to state that one of the title companies by Siena has no parking, and he had to park a disabled customer's car for them after dropping them off as there were no close spaces. Harlos feels lack of parking impacts attendance at the downtown festivals.

Mayor Green closed the public hearing.

Corliss stated he would like to follow up with Harlos' request for parking restrictions in front of his business. Council approved funding for staffing downtown parking enforcement and conducted a parking study that showed we have a parking inconvenience we need to work on. Efforts are continuing to form public private partnerships to get more public parking and encouraging the use of Townhall and County parking lots with long-term parking requirements to park further away. The On Street Parking Policy is focussed in non-downtown areas that do not have limited time parking.

Councilmember Ford voiced concern about adopting a first come first serve blanket policy and wants to encourage parking in a parking lot vs. parking wherever they want on a first come first serve basis. Ford is sympathetic to those parking by schools and wants more flexibility in the policy.

Councilmember Bower agreed and would like to find a way to address the hot spots.

Councilmember Townsend asked if they could discuss further.

Resolution Tabled for lack of action.

Green moved, seconded by Townsend, to direct staff to allow more discussion with Council regarding this policy. The motion passed by the following vote:

Yes: 6 - Townsend, Green, Bower, Valentine, Teal, and Ford

Not Present: 1 - Loban

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

None.

ADJOURN

Mayor Green read a bible passage in closing.

Mayor Green adjourned the meeting at 8:20 pm.

Submitted by:

Lisa Anderson, Town Clerk