



Town Council Meeting Minutes - Final

Mayor Jason Gray
Mayor Pro Tem Jason Bower
Councilmember Jess Loban
Councilmember James Townsend
Councilmember Kevin Bracken
Councilmember Caryn Johnson
Councilmember George Teal

Tuesday, January 8, 2019

6:00 PM

**Council Chambers
100 N. Wilcox Street
Castle Rock, CO 80104**

**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

INVOCATION - Pastor Ebassa Berhanu, Faith Lutheran Church

CALL TO ORDER / ROLL CALL

Present: 7 - Council Member Loban, Council Member Townsend, Council Member Bower, Council Member Teal, Mayor Gray, Council Member Bracken, Council Member Johnson

PLEDGE OF ALLEGIANCE

COUNCIL COMMENTS

Councilmember Loban reiterated that everyone needs to be concerned with safety around ice.

Councilmember Bracken cited recent communication from a constituent and wanted to relay the appreciative comments to Town staff.

Councilmember Teal thanked Senator Jim Smallwood for attending the Council meeting.

Mayor Gray relayed information regarding the public meetings for the I 25 South Planning Environmental Link Study on January 15, 2019.

Councilmember Townsend thanked the residents of Cobblestone Ranch that had reached out to him in regard to the recent incidents of stray bullets in their neighborhood. He acknowledged the timely response statement by Castle Rock Police. Councilmember Townsend invited Chief Cauley to present a summary of this issue to Council.

Chief Cauley reiterated that this issue was very concerning and serious and that three homes in Cobblestone Ranch were damaged since mid December through January. Currently CRPD is working with partners, Bureau of Alcohol, Tobacco, Firearms and Explosives and the Douglas County Sheriff's Office, a K9 unit and field agents as the investigation continues. This investigation is still active and Chief Cauley asked anyone with information to contact the Denver Metro Crime Stoppers.

[EXEC](#)
[2019-001](#)

Executive Session Report: December 18, 2018

[ID 2019-001](#)

Senator Jim Smallwood, Colorado State Senate - Presentation

Mayor Gray introduced Senator Jim Smallwood. Senator Smallwood referenced the recent election and inauguration of Governor Polis, continuing with an overview of bills that will be introduced at the State level.

UNSCHEDULED PUBLIC APPEARANCES

Amanda Irwin, resident of Plum Creek, addressed Council urging the Town to consider the purchase of land near the Plum Creek Golf Course to build a park.

Pam Ridler, President of the Chamber of Commerce, updated Council on the partnership between Arapahoe Community College, CSU, Douglas County School District and the Chamber to present the Talent Pipeline Douglas County event on January 15, 2019.

TOWN MANAGER'S REPORT

[ID 2019-002](#)

Recognition and Proclamation of Commendation to Fritz Sprague

Dave Corliss, Town Manager, recognized the service of Fritz Sprague, Deputy Town Manager, who has accepted the City Administrator position with the City of Lafayette. Mayor Gray read the proclamation on behalf of Town Council recognizing the highlights and accomplishments of Fritz Sprague during his career with the Town of Castle Rock. Dave Corliss, Town Manager, thanked him for his work in Castle Rock.

Fritz Sprague addressed the audience noting he started with the Town of Castle Rock in 1999 when the Town population was just over 19,000 and there were just 200 employees. He noted several milestones which were accomplished due to a great group of professionals and a great team. He thanked Council and Mayor Gray and said it was a honor serving this community and thanked everyone for the opportunity to do so.

[ID 2019-003](#)

Development Services Project Update

Town Manager, Dave Corliss, referenced this item was included in the Council packet.

[ID 2019-004](#)

Update: Quasi-Judicial Projects

Town Manager, Dave Corliss, referenced this item was included in the Council packet.

TOWN ATTORNEY'S REPORT

There was no report from the Town Attorney.

ACCEPTANCE OF AGENDA

Teal moved, seconded by Bower, that the Agenda be Accepted as presented. The

motion passed by the following vote.

Yes: 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

CONSENT CALENDAR

[ORD 2018-047](#) **Ordinance Amending Title 4 of the Castle Rock Municipal Code Adding a New Chapter 4.05 Entitled Graywater Systems (Second Reading)**

[RES 2019-004](#) **Resolution Designating the Public Place for Posting Notices Pursuant to C.R.S. Section 24-6-402(2)(c) for 2019**

[MIN 2019-001](#) **Minutes: December 18, 2018 Town Council Meeting**

Loban moved, seconded by Johnson to approve the Consent Calendar as read. The motion passed by a vote of:

Yes: 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

QUASI JUDICIAL HEARINGS

[RES 2019-003](#) **Resolution for a Site Development Plan, Amendment No. 9, The Meadows Filing 16, Parcel 8 (Town of Castle Rock Project SDP18-0028)**
[Single Family Paired Homes; Southwest of Wolfensberger Road and Coachline Road/Plum Creek Parkway]

Bill Detweiler, Director of Development Services, introduced the Site Development Plan application. He explained to Council that vested property rights provide contractual assurance to the owner that the property may be developed according to the provisions of the Planned Development Plan and PD zoning regulations. Key Elements of the Site Development Plan were presented to Council.

Detweiler noted the Planning Commission discussion was on compatibility with adjacent property development and they recommended denial based on the paired home product not being a fit with adjacent uses and the proposed development as inconsistent with overall development in the area.

Detweiler explained that staff recommended approval finding the project to be consistent with existing zoning entitlements, vested rights and SDP criteria in the Town Municipal Code. He noted that it is unusual to present two different recommendations to Council.

Town Attorney, Bob Slentz, addressed Council explaining that the entitlement granted the land owner the choice of the types of property uses available and continued to explain that at the point in time when a site development plan is presented before Council, that Council does not get to decide, at that stage, which type of land use Council would like. He explained that vesting honors the commitment, the range of uses and the applicants right to seek application for the property and the decision tonight is to determine if the development meets the criteria of the Municipal Code. If it does not meet the criteria, then it is proper to

deny the application.

Applicants R.C. Hanisch, Development Director and Malcolm Mulroney, Project Manager for Castle Rock Development Company made presentations to Council. Hanisch discussed the history of this project beginning in 1984 with two Planned Developments but although there were two documents, there was always one ownership. Bankruptcies occurred and in 1997 CRDC took ownership of the project and began development of both parcels as one community.

Hanisch introduced the proposal for 116 single family paired units and felt that the proposal was still within the comprehensive master plan, the Town's vision, as well as the vision of CRDC. Commitments to connectivity with existing PSM Park and existing amenities within the Meadows were made in addition to a strong commitment to architecture, enhancements of rear and corner lots, and lots adjacent to open space and public right of ways. He stated the proposal introduced a product that is missing in the Castle Rock market which targeted move down buyers, empty nesters, multi-generational families, and buyers that wanted a smaller commitment, lower maintenance, minimal landscaping and front and back yards.

Hanisch stated several significant infrastructure requirements had been met, additional projects yet to be completed included intersection improvements as well as on site water sanitary infrastructure to serve the project.

Mulroney spoke to Council about specifics of single family attached structures and the amenities which include side yards, front and back yards, sidewalks and two car garages to present and look like single family. The 58 structures would feature either one front door or two front doors with very little distinction between those. He also addressed water drainage improvements and the inclusion of two pocket parks for a community feel. Applicants summarized that they had met the requirements of the Municipal Code for this project.

Item was opened up for public comment. Several residents of the Park Preserve subdivision addressed Council to voice concerns and opposition to the proposed Site Development Plan. Those addressing Council included the following:

Joe Murin
Rob Meissner
Ben Scholz
Vickie Deppe
James Deppe
Byrn Baker
Jennifer Block
Spencer Milo
Maura George

Councilmember Loban questioned staff in regard to vested property and guidelines, and if the application were to be denied, what the legal exposure for the Town would be. Town Attorney, Bob Slentz, responded the worst outcome would be a decision that is not legally defensible for the Town, the applicant and the community.

Development Services Director, Bill Detweiler, reiterated that Staff felt the Site Development Plan criteria had been met according to Municipal Code 17.38.040.

Councilmember Loban asked Staff if there was an opportunity to defer the item for further discussion and review.

Public comment was re-opened and additional comments were addressed to Council by the following:

James Deppe
John
Rob Meissner
Joe Murin
Vickie Deppe

Town Attorney, Bob Slentz, advised Council that they were still under the Quasi Judicial constraints during this continuation process.

Teal accepted amendment to his motion to continue Resolution 2019-003 to February 19, 2019 seconded by Bracken. Motion passed by the following vote:

Yes: 5 - Loban, Teal, Gray, Bracken, Johnson

No: 2 - Townsend, Bower

BREAK

Council recessed for a ten minute break 8:40 p.m.

ADVERTISED PUBLIC HEARINGS & DISCUSSION ACTION ITEMS

[RES 2019-001](#) **Resolution Finding the Petition for Annexation to the Town of Castle Rock, Colorado, Designated on the Annexation Map as the Memmen Trails Annexation, to be in Substantial Compliance with Section 30 of Article II of the Colorado Constitution and with the Requirements of Section 31-12-107(1), C.R.S.; and Establishing a Date, Time and Place for the Hearing Prescribed Under Section 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 of Article II of the Colorado Constitution and the Municipal Annexation Act of 1965** *[located east of Oman Road, south of South Street and north of Ash Avenue]*

Town Manager, Dave Corliss, explained this item now before Council was unlike the previous one, as it was early on in the development process. The property is not vested and currently not in the Town. No zoning or property uses have been determined at this time.

Bill Detweiler, Director of Development Services, identified the property for annexation as surrounded by the Memmen Ridge Open Space, Gilbert Street and

Oman Road.

No public comment on this item.

After motion was stated, Councilmember Bower directed staff to provide the history of the property and the acquisition of Memmen Open Space to Council.

Teal moved, seconded by Townsend, that Resolution 2019-001 be Approved as presented. The motion passed by the following vote:

Yes: 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

[RES 2019-002](#) Resolution Approving the Town of Castle Rock Services Agreement with AECOM Technical Services, Inc. for the Craig and Gould North Infrastructure Improvements Project

Mark Marlowe, Director of Castle Rock Water, presented item to Council. This project is to upgrade infrastructure of the Craig and Gould North area that is nearing the end of its useful life. This project will be joint funded with Public Works.

No public comment on this item.

Loban moved, seconded by Bower, that Resolution 2019-002 be Approved as presented. The motion passed by the following vote:

Yes: 7 - Loban, Townsend, Bower, Teal, Gray, Bracken, Johnson

ADDITIONAL UNSCHEDULED PUBLIC APPEARANCES

There was no additional public comment.

ADJOURN

Mayor Gray adjourned the meeting at 9:08 p.m.

Submitted by:

Robbie Schonher, Administrative Assistant