

ORDINANCE 19-01

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES, COLORADO
APPROVING THE CANYONS PLANNED DEVELOPMENT PLAN, FIRST
AMENDMENT, CASE NO. ZR 18-002, AND AMENDING THE OFFICIAL
ZONING MAP**

WHEREAS, the Canyons property consists of approximately 3,342 acres and is generally located in the southeast quadrant of Interstate I-25 and Hess Road (“Canyons Property”); and

WHEREAS, in 2009, the then owners of the Canyons Property, North Canyons LLLP, a Colorado limited liability limited partnership (“Owner”), and Judge Inc., a Colorado corporation (“Judge”), petitioned the City of Castle Pines to annex and zone the Canyons Property; and

WHEREAS, the City annexed and approved initial zoning of the Canyons Property through the Canyons Planned Development (“Canyons PD”); the Canyons PD was approved via Ordinance No. 09-17; and

WHEREAS, in connection with annexation of the Canyons Property, the Owner, Judge, Canyons Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado, and the City entered into that certain Annexation and Development Agreement dated October 22, 2009 (“Development Agreement”); and

WHEREAS, since 2009, portions of the Canyons Property have been sold, further subdivided and are in process of development for detached and attached single family residences; and

WHEREAS, in 2011, Judge conveyed all of its interest in the Canyons Property to the Owner; and

WHEREAS, the Owner has requested rezoning to allow for an additional 1,000 multi-family residential units within Planning Areas 1, 2, and 3 along with increases and modifications to land dedication requirements, for that portion of the Canyons Property legally described in **Exhibit A** (“North Canyons Property”), attached hereto and incorporated herein; and

WHEREAS, such rezoning request is accompanied by a PD plan exhibit (the “First Amended PD Plan”) on file in the Castle Pines Community Development Department; and

WHEREAS, the Planning Commission has considered the First Amended PD Plan during a duly noticed public hearing; and

WHEREAS, public notice has been properly given of such proposed rezoning of the Property in accordance with the City of Castle Pines Zoning Ordinance (“Zoning Ordinance”); and

WHEREAS, in accordance with the Zoning Ordinance, a public hearing was held before the City Council at which time evidence and testimony were presented to the City Council concerning said zoning proposal; and

WHEREAS, the legislative record for this case includes, but is not limited to, the Zoning Ordinance, City of Castle Pines 2016 Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with the First Amended PD Plan and accompanying maps, reports, studies and all other submittals of the Applicant, any written evidence or correspondence submitted at the public hearing, and the staff report pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, City Council has determined that the proposed rezoning of the North Canyons Property, subject to the conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; meets the criteria of approval set forth in Section 15 of the Zoning Ordinance; is generally in conformance with the City's 2016 Comprehensive Plan; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines, Colorado:

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The City Council hereby approves rezoning of the North Canyons Property to allow for up to 1,000 multi-family residential units in Planning Areas 1, 2, and 3 of the Canyons PD which shall be in addition to the 2,500 residential units approved through the Canyons PD, subject to and in accordance with the terms and conditions of the Canyons PD Plan, the Development Agreement (as amended), and the First Amended PD Plan.

Section 3. The Zoning Map of the City of Castle Pines shall be amended to conform to and incorporate the First Amended PD Plan.

Section 4. Effective Date. Except as otherwise expressly provided herein, this Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 26th day of MARCH, 2019.

READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 9th day of APRIL, 2019.

City of Castle Pines

Ordinance No. 19-01



DocuSigned by:

Tera Stave Radloff

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Tera Stave Radloff, Mayor

ATTEST:

DocuSigned by:

Tobi Basile

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Tobi Basile, City Clerk

Approved as to form:

DocuSigned by:

Linda C. Michow

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Linda C. Michow, City Attorney

City of Castle Pines

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CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a noticed public hearing of the Castle Pines City Council on March 26, 2019; published by reference by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of all ordinances is available through the City Offices and on the City’s official website”; and finally passed and adopted by the City Council on April 9, 2019 following a duly noticed public hearing and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on April 18, 2019, 2019.

ATTEST:


DocuSigned by:

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Tobi Basile, City Clerk

Exhibit A
Legal Description of North Canyons Property

PARCELS OF LAND BEING A PORTION OF THE CANYONS SUPERBLOCK PLAT NO. 2, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 2018040799 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED WITHIN SECTIONS 2, 3, 10, 11, 14, AND 15, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF CASTLE PINES, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCELS 1, 2, 3, 4 AND 5, INCLUSIVE, THE CANYONS SUPERBLOCK PLAT NO. 2, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 2018040799 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE.