



City of Castle Pines, Colorado

Planning Commission/ Board of Adjustment

Member/Term

David Goode – Chair
1/2022

Andrew Hendel –
Chair Pro Tem
1/2021

Lisa Glynn
1/2020

Seth Katz
1/2022

David Necker
1/2020

Don Tosby
1/2021

Michelle Wiley
1/2021

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION

Douglas County Library, Castle Pines Branch,
360 Village Square Lane, Castle Pines, CO 80108
Thursday, December 5, 2019 - 6:00 PM

1. **CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF AGENDA**
3. **DISCLOSURE OF CONFLICTS OF INTEREST AS TO ANY ITEM ON THE AGENDA**
4. **PLANNING COMMISSION – Action Items**
 - a. Approval of the October 24, 2019 Planning Commission Meeting Minutes
 - b. PUBLIC HEARING: Castle Pines Town Center, 3rd Amendment, Case No. PDM19-002
5. **PLANNING COMMISSION – Discussion Items**
 - a. Ceremonial Recognition of Commissioner Necker's Service
 - b. Parker Water and Sanitation Presentation to Council 5:30 02/11/2020
6. **ADJOURNMENT**



City of Castle Pines, Colorado Minutes

REGULAR MEETING OF THE PLANNING COMMISSION & BOARD OF ADJUSTMENT Douglas County Library, 360 Village Square Lane, Castle Pines, CO 80108 Thursday, October 24, 2019 - 6:00 PM

Planning Commission/ Board of Adjustment

David Goode – Chair

Andrew Hendel – Chair
Pro Tem

Lisa Glynn

Seth Katz

David Necker

Michelle Wiley

Don Tosby

1. ROLL CALL

The regular meeting of the Planning Commission of the City of Castle Pines, Colorado, was called to order by Commissioner Hendel at 6:00 p.m.

Those present were: Commissioner David Goode
Commissioner Andrew Hendel
Commissioner Lisa Glynn
Commissioner Seth Katz
Commissioner Michelle Wiley

Those absent were: Commissioner David Necker
Commissioner Don Tosby

Also present with the Commission:
Sam Bishop, Community Development Director
Lori Strand, Assistant City Attorney
Tobi Basile, City Clerk

2. PLEDGE OF ALLEGIANCE

- Commissioner David Goode led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Motion: A motion was made by Commissioner Glynn to approve the October 24, 2019 Planning Commission Agenda as presented. Commissioner Katz seconded. Motion approved by unanimous consent.

4. DISCLOSURE OF CONFLICTS OF INTEREST AS TO ANY ITEM ON THE AGENDA

- There were no disclosures of conflicts submitted.

5. PLANNING COMMISSION – ACTION ITEMS

a. Approval of the September 26, 2019 Planning Commission Minutes

Motion: A motion was made by Commissioner Wiley to approve the September 26, 2019 Planning Commission Minutes as presented. Commissioner Hendel seconded. Motion approved by unanimous consent.

b. PUBLIC HEARING: Resolution No. 2019-PZ-R-01, Amending the Future Land Use Plan of the City of Castle Pines Comprehensive Plan

- Chairperson Goode opened the Public Hearing at 6:03 p.m.
- Sam Bishop, Community Development Director, presented the item.
- Chairperson Goode opened Public Comment at 6:19 p.m.
- No public comment was presented.

- Chairperson Goode closed Public Comment at 6:19 p.m.
- Chairperson Goode closed the Public Hearing at 6:19 p.m.

Motion: Chairperson Pro Tem Hendel moved to approve Resolution No 2019-PZ-R-01, amending the future land use plan and corresponding maps of the City of Castle Pines Comprehensive Plan. Commissioner Wiley seconded. Motion approved by unanimous consent.

c. **PUBLIC HEARING: The Canyons Planned Development, 2nd Amendment, Case No. PDM19-001**

- Chairperson Goode opened the Public Hearing at 6:21 p.m.
- Sam Bishop, Community Development Director, gave a brief overview of The Canyons Planned Development, 2nd Amendment. The legal description is Parcel 3, Canyons Superblock Plat #1 and includes changes to Planning Areas 10 and 12-19. The project area is generally located south of the Rueter-Hess Reservoir, east of the I-25 freeway, and north of Crowfoot Valley Road.
- Mr. Bishop introduced Mary Hart, Project Manager at North Canyons LLLP. Ms. Hart spoke regarding the project.
- Ms. Hart introduced Becky Zimmerman of Design Workshop. Ms. Zimmerman presented a summary of the amendment and spoke regarding the community benefits.
- Ms. Hart spoke regarding the Review and Referrals and introduced Paul Brown of Felsburg, Holt, and Ullevig who spoke regarding a traffic study and traffic commitments.
- Ms. Hart next spoke regarding consistency with the City's vision, residential density, and City Standards for Approval.
- Chairperson Goode opened the Public Comment at 7:23 p.m.
- Mark Spoone, 6510 Dear Run Trail, spoke regarding his unhappiness with the increase in density, traffic content and flow, and the lack of new traffic infrastructure.
- Lynn Jacobs, 7881 Solstace Way, spoke regarding her unhappiness with the proposed access road into Sapphire Pointe which would increase traffic in her neighborhood. She noted she would like the road to be eliminated or gated.
- Mike Sibo, 7618 Kimberly Drive, spoke regarding his unhappiness with the amount of faster traffic that will be introduced into his neighborhood with the proposed access road into Sapphire Pointe.
- Chairperson Goode closed Public Comment at 7:29 p.m.
- Mr. Bishop answered questions regarding attainable housing maximum and the possibility of further increased density.

- Ms. Hart answered questions regarding possible further increased density.
- Mr. Brown answered questions regarding traffic studies and Crowfoot Valley Road access.
- Mr. Bishop noted the access road was requested by Castle Rock Fire Protection.
- Blake Calvert, Core Consultants, answered questions regarding the requested link through road by Castle Rock Fire Protection.
- Mr. Brown answered further questions on traffic flow and traffic improvement commitments.
- Mr. Bishop answered questions regarding 4 lane roadways and 6 lane roadways and the maximum number of units in Parcel 3.
- Ms. Hart answered questions regarding remaining units and exterior planning boundaries.
- Mr. Calvert answered questions regarding water supply for the development.
- Ms. Hart answered further questions regarding density of the units, variety of housing options, lot size options, and density distribution.
- Chairperson Goode closed the Public Hearing at 8:01 p.m.

Motion: Chairperson Pro Tem Hendel moved to recommend approval of the 2nd Major Amendment to The Canyons Planned Development, Case No. PDM19-001 subject to the following conditions of approval found in the staff report dated October 18, 2019:

1. The applicant shall pay all fees and costs incurred by the City and its consultant, in review and processing of the application prior to recordation; and
2. The applicant shall resolve/correct any minor technical issues as directed by staff prior to the recordation of the Planned Development Major Amendment; and
3. Prior to recordation of The Canyons Planned Development, 2nd Amendment, the applicant shall file and process with the City an amendment to the Amended and Restated Service Plan for The Canyons Metropolitan District numbers 2-4, as amended, to authorize and reimburse the City for the cost of providing operations and maintenance on all City owned property within Parcel 3 of the Canyons Superblock Plat Number 1 through a mill levy pledge in an amount commensurate with the City's cost of providing such Public Services; and
4. Including a designation for a minimum of 5% for workforce housing.

Chairperson Goode seconded. The motion passed with a vote of 3 in favor and 2 against the motion.

6. PLANNING COMMISSION – Discussion Items

- The next Planning Commission meeting is scheduled for December 5, 2019.
- Paperless packets are now an option for the Planning Commission.



6. ADJOURNMENT OF REGULAR MEETING

Motion: A motion was made by Commissioner Katz to adjourn the meeting at 8:13 p.m. Chair Pro Tem Hendel seconded. Motion approved by unanimous consent.

RESPECTFULLY SUBMITTED:

APPROVED:

Tobi Basile, CMC, City Clerk

David Goode, Chairperson



COMMUNITY DEVELOPMENT DEPARTMENT—STAFF REPORT

PROJECT NAME: Castle Pines Town Center Planned Development (PD), 3rd Amendment, Case No. PDM19-002

PROJECT LOCATION: The subject property is 20.25 acres and located approximately a 1/2-mile northwest of the Happy Canyon Road and Interstate 25 intersection; east of Lagae Road and west of Interstate 25. The property is legally described as Tract I, Castle Pines Town Center, Filing No. 2.

OWNER: LS Partners, LLC
9801 E. Easter Ave.
Centennial, Colorado 80112

APPLICANT: City of Castle Pines
360 Village Square Lane
Suite B
Castle Pines, Colorado 80108

PROJECT DESCRIPTION: The City of Castle Pines, on behalf of the property owner, is initiating the 3rd Major Amendment to Castle Pines Town Center Planned Development. The amendment requests the addition of single-family attached residential as an allowable principle land use in Planning Area 12 (PA12), at a proposed maximum density of 15 dwelling units per acre, for a total of up to 303 dwelling units. This third amendment also includes revisions to the development standards, specific to PA12, to support the development of attached single family residential dwelling units.

STAFF RECOMMENDATION: Approval

PUBLIC NOTICE: Public notice of the proposed zoning amendment was published in the newspaper on November 14, 2019, mailed to abutting landowners on November 20, 2019 and posted on November 20, 2019. Legal requirements pursuant to Section(s) of the City of Castle Pines Zoning Code are satisfied.

REPORT DATE: November 27, 2019

PLANNING COMMISSION HEARING DATE: December 5, 2019

VICINITY MAP:



EXECUTIVE SUMMARY:

The City of Castle Pines, on behalf of the property owner LS Partners LLC, is initiating a Major Amendment to the Castle Pines Town Center Planned Development to allow for single family attached residential dwelling units as a principal land use on Tract I, Castle Pines Town Center, Filing No. 2. This third amendment includes revisions to the development standards and permitted uses for Planning Area 12 to allow for up to 303 single family attached residential units at a proposed density of at a proposed maximum density of 15 dwelling units per acre (303 units/20.25 acres = 15 du/ac).

Tract I, designated as PA12 on the Castle Pines Town Center Planned Development, First Amendment, is currently zoned for a Regional Park. Pursuant to the Castle Pines Town Center PD, the property owner is required to dedicate PA12 to the City for Regional Parkland purposes. City leadership has expressed an interest to pursue alternative locations for Regional Parkland development in the City. Therefore, the City is initiating the PD amendment in accordance with the Major Amendment process set forth in the City of Castle Pines Zoning Ordinance Section 15 – Planned Development District, Subsections 1516, 1517 and 1518.

STAFF ANALYSIS OF APPLICABLE REGULATIONS:

Project Description

As described above, the City as successor of Tract I, desires that PA12 be developed in a different manner than was envisioned in the 1st Amendment to the Castle Pines Town Center PD (2014). This direction is expressed in the attached Letter of Intent (Exhibit C) where the City and property owner agree to work towards the execution of a Public Private Partnership Agreement (PPPA). The PPPA is anticipated to set forth certain terms and conditions in which the City and property owner will jointly work together to rezone PA12, sell PA12 and acquire other real property in the City of Castle Pines. To that end, Staff finds the following points validate PA12 not being suitable or developed as a Regional Park:

- The subject property was originally zoned in 2012 for mixed use, commercial and office land uses and subsequently rezoned in 2014 as a regional park; and
- The subject property is located one a mile away by roadway, or a ½ mile as the crow flies, from Elk Ridge Park which meets the City's Regional Park needs on the west side of I-25; and
- The subject property may not be suitable for Regional Park amenities (i.e. ball fields, water features, level playing surfaces, etc.) without costly site work and extensive grading; and
- The City has an extensive portfolio of available Regional Park sites that are better suited to meet the needs of the community; and
- The Castle Pines Town Center development contains an existing Local Park consisting of 15.09 acres; and
- The City is currently collecting cash-in-lieu for parkland in the amount \$101,000 from residential development occurring within the Castle Pines Town Center at a rate of \$300 per single family residential unit. The future development of PA12 will be required to dedicate additional parkland cash-in-lieu fees as determined at the time of final plat; and
- The subject property is in close proximity to residential development to the north and west where multiple rezonings have occurred (commercial to residential) which have contributed to the area being more residential in nature; and
- The City is working with the Douglas County School District to acquire PA11 (10.10 acre school site on the NWC of Lagae Road and Chase Lane) for parkland purposes which is better suited to the meet any local parkland needs of the development; and
- The sale proceeds from PA12 will help secure civic uses including a potential Recreational Center and City Hall site within the City's existing Business Zone District.

Rezoning PA12 to allow for single family attached residential development will allow the property owner to sell the subject property and split the sale proceeds with the City. The City intends to use proceeds

from the sale of PA12 to acquire and develop a municipal center site on the SWC of Castle Pines Parkway and Lagae Road which will include a City Hall and Recreation Center site.

The City of Castle Pines Comprehensive Plan Future Land Use Plan designates PA12 as Mixed-Use Community, which contemplates residential development. This classification provides for a residential density of 10-15 dwelling units per acre. The project proposes the development of 303 units on 20.25 acres, which amounts to a density of 15 dwelling units per acre. The proposed project is consistent with the land use designation for the planning area. Finally, the City has approval authority of attached single family, development through the Site Improvement Plan process to ensure a high quality of design on any future project.

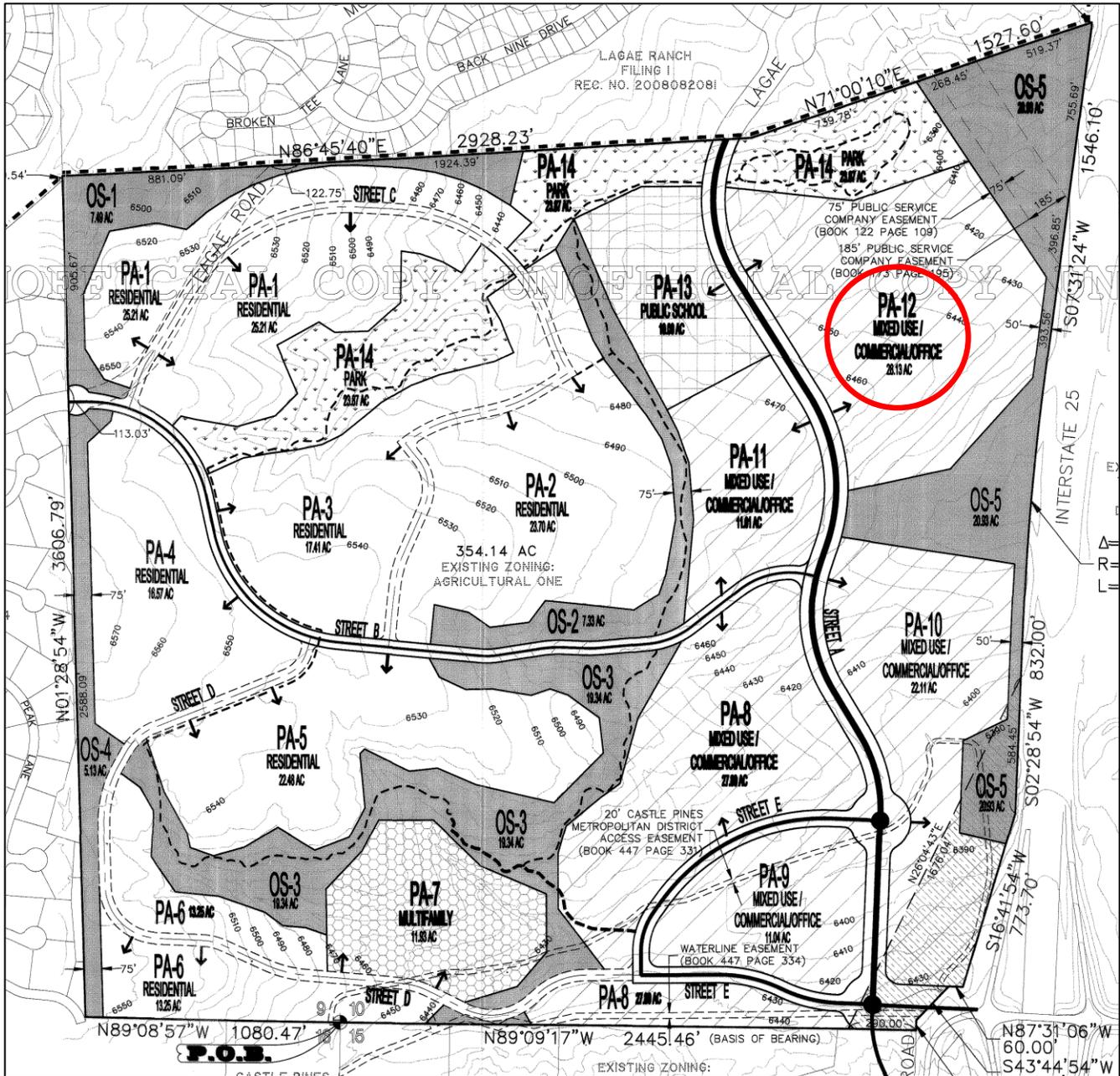
Background

The Castle Pines Town Center 354.14-acre parcel is generally located west of Interstate 25, south of Castle Valley, east of Castle Pines Village, and northwest of the Happy Canyon/I-25 Interchange. The Castle Pines Town Center Planned Development was originally approved by the City of Castle Pines in March 2012 and subsequently amended in 2014 (1st Major Amendment) and again in 2019 (2nd Administrative Amendment).

The 2012 Castle Pines Town Center Planned Development allowed for a maximum of 520 dwelling units; a maximum of 700,000 square feet of non-residential structures; 60.22 acres of open space; 10 acre school site; and a 23.87 acre public park. PA12 was originally zoned for mixed use, commercial and office land uses. The following exhibit highlights the original location of Planning Area 12 within the development.

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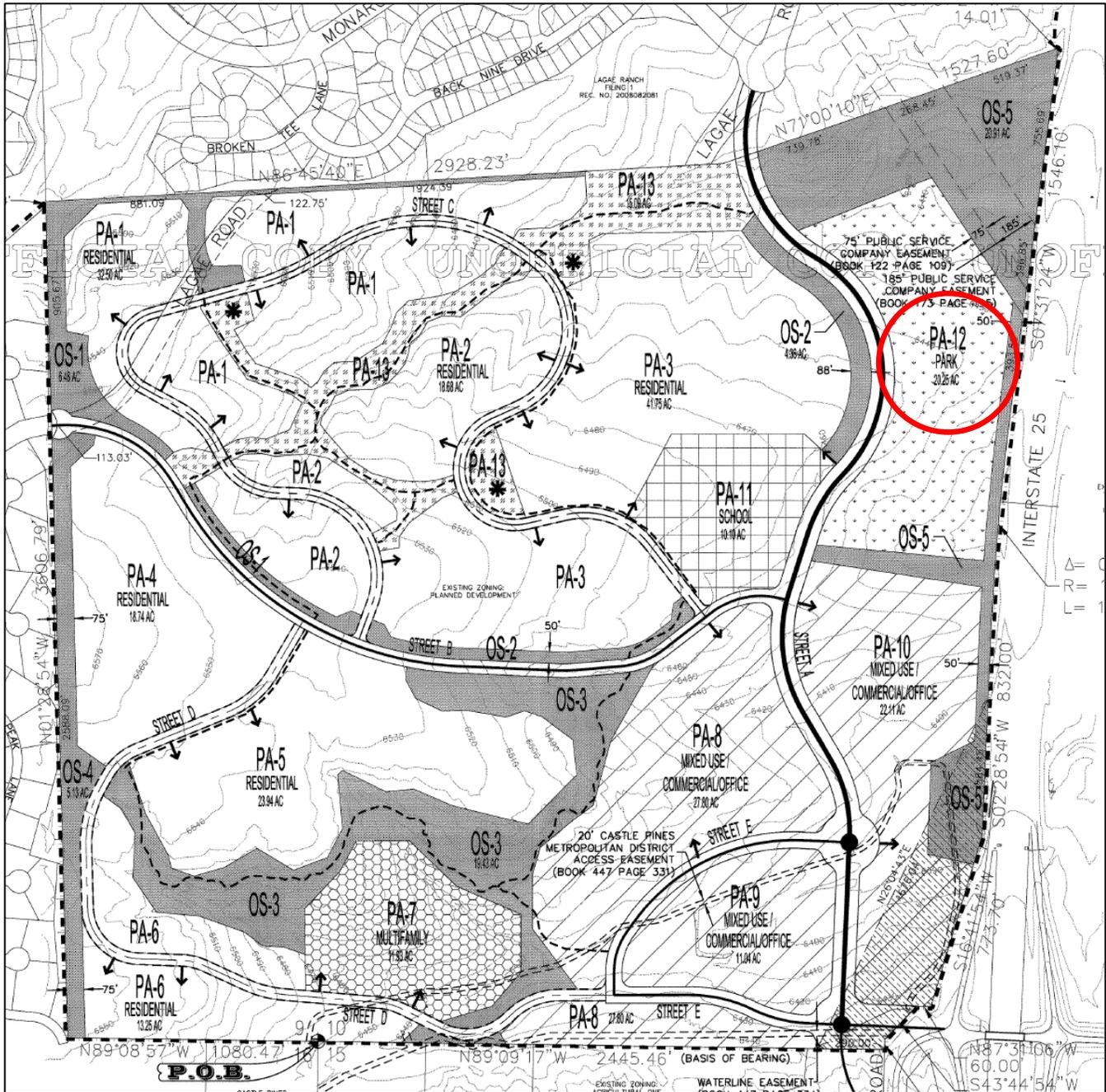
Castle Pines Town Center Planned Development – 2012:



The 1st Major Amendment rezoned approximately 39 acres from mixed use/commercial/office land uses to single family residential land uses. The rezoning resulted in the elimination of 199,135 square feet of mixed use/commercial/office development and allowed for an additional 155 single family residential units to be added to the previously approved Castle Pines Town Center Planned Development. The 1st Amendment rezoned PA12 to parkland and is highlighted in the following exhibit.

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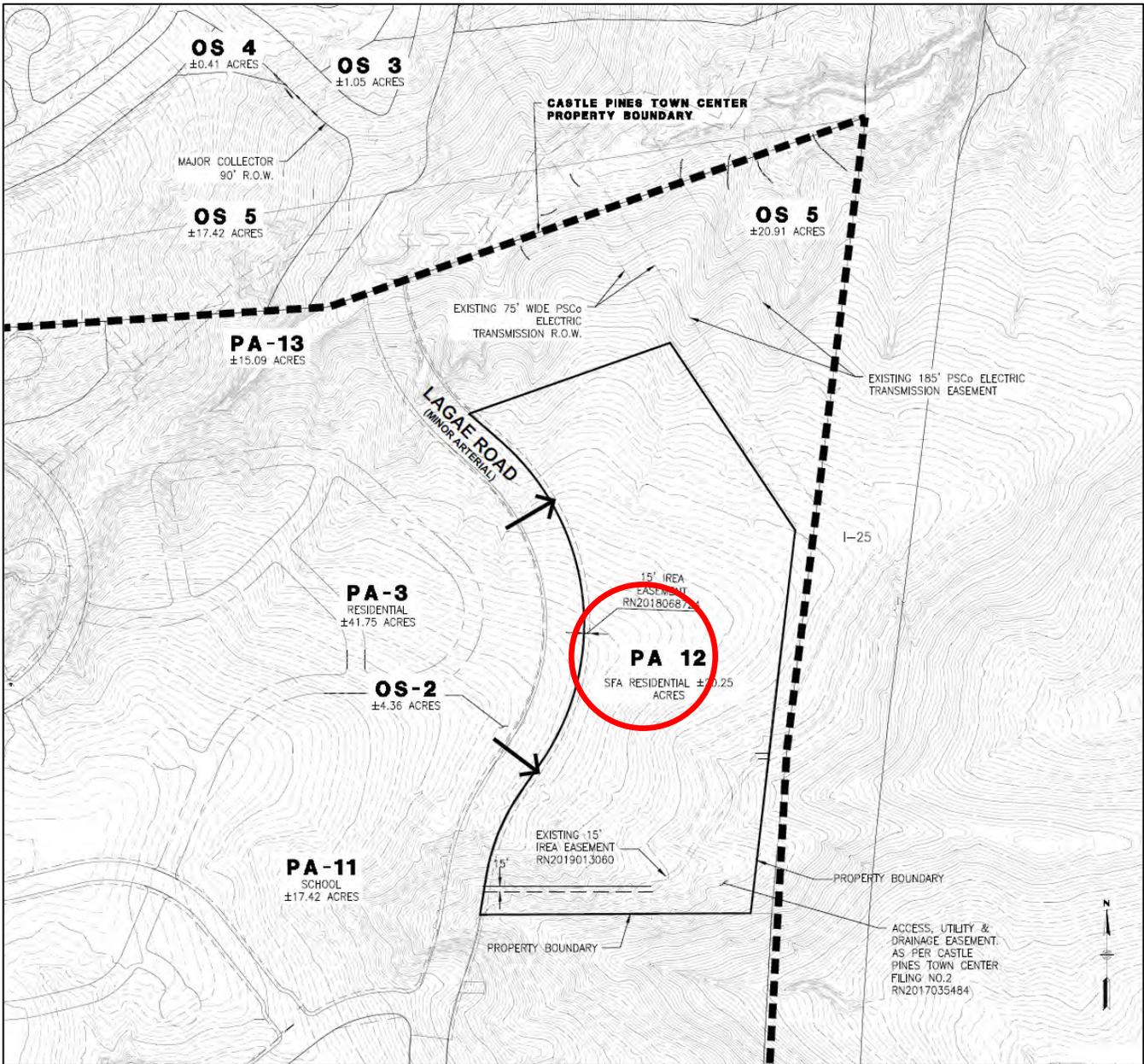
Castle Pines Town Center Planned Development, 1st Amendment – 2014



The 3rd Major Amendment proposes to rezone PA12 to allow for up to 303 single family attached residential units. The development currently allows for 475 single family detached residential units and 200 multifamily units. Should the amendment be approved the total number of residential units within the Castle Pines Town Center would be 978 residential units (475 single family detached, 200 multifamily and 303 single family attached) resulting in an overall density of 2.76 DU/AC. The location, size and planning area boundaries remain the same as highlighted in the following exhibit.

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Castle Pines Town Center Planned Development, 3rd Amendment (proposed):



PA12 Adjacent Land Uses and Zoning Designations:

	North	South	East	West
Adjacent Land Uses:	Open Space/Utility Transmission Lines	Open Space/Mixed Use/Commercial/Office	Open Space/Interstate 25	LAGAE Road/Open Space/Single Family Residential/School
Adjacent Zoning Designation:	Planned Development District	Planned Development District	Planned Development District	Planned Development District

Specific site information is provided in the table below:

Area (Acres):	20.25 Acres
Existing Vegetation:	Native grasses
Existing Structures:	None
Drainage Basins:	Happy Canyon Creek Basin / Cherry Creek Basin
Sewer District:	Castle Pines North Metro District
Water District	Castle Pines North Metro District
Fire Service District:	South Metro Fire and Rescue District
Flood Plain/Soil Hazards:	None
Overlay District:	None

Public Agency Comments

Staff sent a total of twenty-one (21) referral letters to agencies, districts, and community groups. The City received seven (7) responses regarding the proposal. A complete list of referral agencies and responses are attached in Exhibit B.

Traffic Impacts and Access

The proposed project required the completion of a focused Traffic Impact Analysis (TIA) to determine the impacts of the proposed project on nearby streets and intersections. Access to the PA12 project area is proposed along two driveways along Lagae Road. Full access is proposed at both driveway intersections with one-way-stop controls at both locations. Lagae Road would remain uncontrolled through the two proposed project driveway intersections. The following intersections were assessed as part of this analysis:

1. Lagae Road / Castle Pines Parkway (existing)
2. Lagae Road / PA 12 Northerly Site Access (future with project)
3. Lagae Road / PA 12 Southerly Site Access (future with project)
4. Lagae Road / Happy Canyon Road (existing)

The proposed project trip generation was calculated based on the ITE Trip Generation (10th Edition, 2017) rate for 230 single family detached homes (ITE Land Use Code 210) which is equivalent to the trip generation for 303 single family attached homes. The project is estimated to generate approximately 2,171 trips per day, with approximately 171 trips during the AM peak hour and approximately 227 trips during the PM peak hour.

The level of service (LOS) analysis studied the intersections based on Existing Conditions and based on Horizon Year 2040 With Project Conditions, which reflects the long-range future traffic conditions with the buildout of the City of Castle Pines Comprehensive Plan plus the traffic generated by the proposed project. The LOS analysis showed that under Existing Conditions, the existing study intersections currently operate at an acceptable LOS D or better during the peak hours.

The findings of the Horizon Years 2040 analysis showed that forecasted growth in background traffic from the year 2030 to 2040 would result in the need for additional improvements to the Lagae Road / Happy Canyon Road intersection beyond what was recommended in the *Lagae Ranch Traffic Impact Analysis* (FHU, September 2013) and the *Castle Pines Town Center Traffic Impact Analysis* (FHU,

December 2011). The following additional improvements are recommended under Horizon Year 2040 Project Buildout conditions with the approval of this project:

INTERSECTION IMPROVEMENTS	
Lagae Road / Northerly Site Access	
Westbound Approach (Driveway)	Stop-controlled with access restricted to right-out only; One right-turn lane
Southbound Approach (Lagae Road)	One left-turn lane with a total length of 290'; Two through lanes
Northbound Approach	One through lane; One shared through/right-turn lane
Lagae Road / Southerly Site Access	
Westbound Approach (Driveway)	Stop-controlled with access restricted to right-out only; One right-turn lane
Southbound Approach (Lagae Road)	One left-turn lane with a total length of 280'; Two through lanes
Northbound Approach	One through lane; one shared through/right-turn lane
ROADWAY IMPROVEMENTS	
Eastbound Approach Castle Pines Parkway/Lagae Road	Remove the channelized free right-turn as a future improvement and maintain the existing right-turn lane; modify traffic signal to provide a right-turn overlap phase

The northerly and southerly site access intersections are projected to operate at an acceptable LOS with turning movements restricted. The proposed project is anticipated to be completed in 2021, and consideration of allowing full turning movements at the site access intersections may be a viable alternative until such time that future growth in traffic on Lagae Road may require turn restrictions at the access points.

To verify that allowing full turning movement access at the site access intersections would be feasible for the project at project completion in 2021, an analysis was performed for the two project access intersections under Project Opening Year (2021) conditions with full access proposed. The Project Opening Year (2021) traffic volumes include traffic from other nearby approved projects that are anticipated to be built by 2021, and a growth factor of 4.24% was also applied to the existing traffic volumes on Lagae Road to reflect two years of background growth.

The analysis results under Project Opening Year (2021) conditions showed that both project access intersections would operate at LOS B during the peak hours with full access allowed. It is recommended that full access be provided at both project access intersections at Project Opening Year (2021) when the project is initially completed. Turn restrictions at one or both project access intersections should be considered in the future when growth in traffic along Lagae Road may require restricting left-turns exiting the project site.

Future development applications will be required to verify the findings of the reviewed and approved TIA.

Dedications

Future school and parkland dedications will be required at the Final Plat stage of development and subject to the final number of dwelling units approved for development.

Zoning Resolution, Approval Criteria—Planned Development Major Amendment

Major Amendments to Planned Developments require Planning Commission and City Council consider the approval criteria set forth in Section 1517.09 of the City of Castle Pines Zoning Ordinance. Staff has identified each of the criteria, followed by a response.

§1517.09 Approval Criteria for approval of a Major Amendment to a Planned Development:

§1517.09.1 – Whether the amendment is consistent with the development standards, commitments, and overall intent of the planned development.

The proposed PD amendment is consistent with the development standards, commitments and overall intent of the Castle Pines Town Center Planned Development. The amendment proposes to add single-family attached residential development as an allowable principle land use in PA12 to allow the construction of 303 units, which would bring the total allowable residential units in the PD to 978 units. The future developer of PA12 will be required to dedicate additional school and parkland. These dedications will be determined and satisfied at the final plat stage of development. These dedications will likely occur in the form of cash-in-lieu which will be based on the total number of platted units. City Staff is working with the Douglas County School District to acquire PA11 (10.10 acre school site on the NWC of Lagae Road and Chase Lane) which is better suited to the meet the local parkland needs of the development. DCSD has expressed that they do not intend to develop PA11 as a school site. Furthermore, the sale proceeds from PA12 are anticipated to be used to acquire real property in the City's Business Zone District that can be used to site a Recreation Center. This will expand the City's Parks and Recreation footprint and meet a long-requested community amenity.

§1517.09.2 – Whether the amendment is consistent with the intent, efficient development and preservation of the entire planned development.

The proposed PD amendment is consistent with the intent, efficient development and preservation of the Castle Pines Town Center PD. The PD retains all envisioned land uses for the development of the property. The PD amendment reallocates the balance of land uses with the addition of residential dwelling units and allows the City to adapt to changing community preferences.

§1517.09.3 – Whether the amendment will adversely affect the public interest or enjoyment of the adjacent land.

The amendment will not adversely affect the public interest or enjoyment of the adjacent lands because the project is consistent with the intent of the PD and the City's Comprehensive Plan. Future development of the property will require additional land dedications.

The Traffic Impact Analysis (TIA) reviewed and approved by the City finds that the existing and future, roadways and intersections will operate at, or better than, Level of Service D. Therefore, traffic will not adversely affect the public interest or enjoyment of the adjacent land.

§1517.09.4 – Whether the amendments sole purpose is to confer a special benefit upon an individual.

The proposed amendment does not solely confer a special benefit upon an individual.

§1517.09.5 – For applications proposing an increase in the intensity of allowed land-uses, including changes in densities, whether the amendment is consistent with the water supply standards in Section 18A, Water Supply Overlay District, of this Ordinance.

The proposed amendment is consistent with the water supply standards found in Section 18A, Water Supply Overlay District, of the City's Zoning Ordinance. Planning Area 12 is served and located entirely within the Castle Pines North Metropolitan District service boundaries. The Castle Pines North Metropolitan District provided a "will serve letter" dated September 26, 2019 which states the District's ability to serve the development. To further confirm the ability of the Castle Pines North Metropolitan District's ability to service this development, city staff met with Castle Pines North Metropolitan District staff and confirmed ample water availability and sewer line capacity.

STAFF RECOMMENDATION:

Based upon findings herein, Staff recommends that Planning Commission recommend approval of the 3rd Major Amendment to the Castle Pines Town Center Planned Development.

SUGGESTED MOTION FOR APPROVAL:

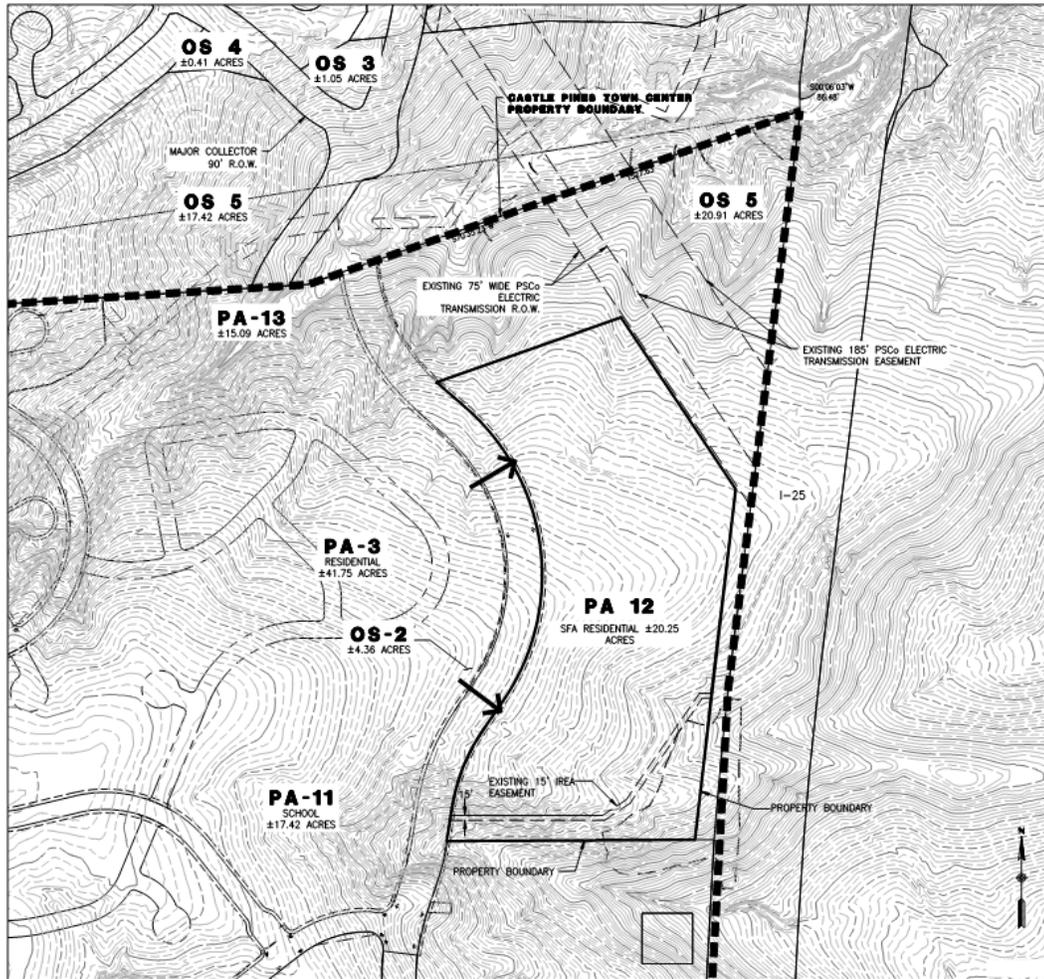
I move to recommend approval of the 3rd Major Amendment to the Castle Pines Town Center Planned Development, Case No. PDM 19-002, based on the findings outlined in the Staff Report, dated November 27, 2019.

EXHIBITS:

- A. Application Materials
 - a. Project Narrative
 - b. Plan Exhibit
- B. Referral Agency List & Comments
- C. City of Castle Pines/LS Partners LLC LOI

- A. Application Materials
 - a. Project Narrative
 - b. Plan Exhibit

CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT 3rd AMENDMENT PA-12 CASTLE PINES, COLORADO



PROJECT SUMMARY August 27th, 2019

Submitted to:

City of Castle Pines
Community Development
Department
360 Village Square Lane
Suite B
Castle Pines, CO 80108

Prepared by:



9801 East Easter Ave
Centennial, CO, 80112
(303) 537-8020

TABLE OF CONTENTS

1. APPLICANT INFORMATION (Sec 1507.01)	1
2. PROJECT NARRATIVE / CONCEPT (Sec 1507.02)	1
3. DEVELOPMENT TIME FRAME (Sec 1507.03)	1
4. EXISTING & ADJACENT LAND USES (Sec 1507.04)	2
5. CHANGES in CHARACTER of the NEIGHBORHOOD (Sec 1507.05)	3
6. PUBLIC SERVICES (Sec 1507.06)	3
a. Water	
b. Sewer	
c. Electric & Gas	
d. Fire Protection	
e. Schools	
7. SITE CHARACTERISTICS (Sec 1507.07)	4
8. IMPACTS on FLORA and FAUNA (Sec 1507.08)	4
9. COMPLIANCE WITH PLANS (Sec 1507.09)	4
10. RECREATIONAL FACILITIES (Sec 1507.10)	5
11. OTHER REQUIRED INFORMATION (Sec 1507.11)	6
a. Phase I Drainage Report	
b. Traffic Impact Analysis	



1. APPLICANT INFORMATION (Sec 1507.01)

Owner:

LS Partners, LLC
9801 East Easter Ave
Centennial, CO 80112

Applicant:

City of Castle Pines
360 Village Square Lane
Suite B
Castle Pines, CO 80108

Engineer:

Robert Fitch, PE
Rick Engineering Company
9801 East Easter Ave
Centennial, CO 80112

2. PROJECT NARRATIVE / CONCEPT (Sec 1507.02)

The overall goal is to create a high quality residential community, creating diversity of housing options and price points for Castle Pines Town Center (CPTC), consistent with the goals, objectives and policies of the City of Castle Pines Comprehensive Plan (CCPCD).

The property consists of 20.25 acres and the development proposes a maximum density of 15 DU/acre, resulting in a maximum of 303 units. The project is located along the east side of Lagae Road north of the intersection with Chase Lane. The development is bordered on the east by I-25, on the south by future mixed use/commercial/office development, and has designated open space north of the property.

Access to the property is proposed via two access points along Lagae Road. Central water and wastewater services will be provided by Castle Pines North Metro District (CPNMD).

3. DEVELOPMENT TIME FRAME (Sec 1507.04)

The applicant anticipates processing the Planned Development amendment with the City of Castle Pines Community Development Department in the fall of 2019. Plan processing and permitting is anticipated to take place in 2019 and 2020, with construction commencing after approvals.

4. EXISTING AND ADJACENT LAND USES (Sec 1507.05)

The subject property is located within the Castle Pines Town Center subdivision and is currently zoned Planned Development District (PD) for Mixed Use or Park Land. The land is currently undeveloped, consisting of natural terrain.

The proposed residential land use is consistent with the surrounding residential communities and adjacent lands, which consist of the following:

North:

- **North Pines Vistas Metro District**
Zoning: PD
Land Use: Open Space

West:

- **North Pines Vistas Metro District No 1**
Zoning: PD
Land Use: Open Space
- **LS Partners, LLC**
Zoning: PD
Land Use: School
- **Castle Pines Town Center Filing 2**
Zoning: PD
Land Use: Residential

South:

- **Castle Pines Town Center Metro District 1**
Zoning: PD
Land Use: Open Space
- **A&A Investments LLC**
Zoning: PD
Land Use: Mixed Use/Commercial/Office

East:

- **North Pines Vistas Metro District No 1**
Zoning: PD
Land Use: Open Space
- **Colorado Department of Transportation**
Land Use: I-25 Corridor

5. CHANGES in CHARACTER of the NEIGHBORHOOD (Sec 1507.05)

The overall CPTC development is relatively new, having only started construction within the last 5 years and with many of the adjacent properties either currently under construction or still vacant. This development shall be of similar character and quality as the adjacent developments within CPTC, and will provide a diversity of housing product and price point within the development.

The CPTC development is zoned Planned Development (PD), with general land uses for adjacent areas consist of Residential, School, Mixed Use/ Commercial/ Office and Open Space.

6. PUBLIC SERVICES (Sec 1507.06)

a. Water

Potable water service will be provided by the Castle Pines North Metro District. There is an existing 16-inch water main located in Lagae Road west of the property that will serve as the point of connection. The applicant has presented the project to CPNMD and has requested a Will Serve Letter from CPNMD to serve this property.

b. Sewer

Sanitary sewer service will be provided by the Castle Pines North Metro District. There is an existing 16-inch sewer main located in Lagae Road west of the property that will serve as the point of connection. The applicant has presented the project to CPNMD and has requested a Will Serve letter from CPNMD to serve this property.

c. Electric & Gas

The applicant is pursuing a will serve letter from IREA for electric services and Xcel Energy for gas services. Preliminary and final designs will take place in future phases.

d. Fire Protection

The applicant will meet with South Metro Fire and will seek a will serve letter. As the project progresses, the applicant will meet with South Metro to ensure access and water design standards are met.

e. Schools

The property is located within the Douglas County School District.

7. SITE CHARACTERISTICS (Sec 1507.07)

The subject property is currently zoned Planned Development District (PD) with uses for Mixed Use or Park Land. The property is generally undeveloped consisting of natural terrain. The property is vegetated with grasses. The topography of the site overall generally slopes west to east, with a high point ridge roughly central, and the site falling to the northeast and southeast. No site conditions or features typically associated with “recognized environmental conditions” were identified during the site reconnaissance by the environmental consultant on the project during previous reports.

8. IMPACTS on EXISTING FLORA and FAUNA (Sec 1507.08)

A Phase I ESA report was completed for Lagae South, which includes PA-12, by Mactec in December 2010. This environmental report did not identify any recognized environmental conditions associated with the site.

9. COMPLIANCE WITH PLANS (Sec 1507.09)

a. City of Castle Pines Comprehensive Master Plan

Goal PR-3.4: Use “best management practices” (BMP) to control soil-erosion sediments.

- Onsite full-spectrum water detention and water quality control measures will be constructed with the development.

Goal H-3.1: Strengthen a mixed housing stock with a range of housing sizes and price points.

- The surrounding development areas are mainly single family detached homes, and the PA-12 development will provide a diversity of housing stock and price point with the addition of single family attached units.

Policy LU-1.3: Mitigate environmental and visual impacts on the natural terrain.

- The development will largely utilize existing topography and landforms to minimize impacts to existing vegetation and natural drainage courses. Screening vegetation is anticipated along the east side of the property alongside the I-25 corridor.

Policy LU-6.1: Design appropriate scale and massing of buildings related to neighborhood context with regards to side wall articulation, changes in planes, set-backs, step backs, and roof lines.

- The development shall utilize setbacks and lot sizes consistent with the Single Family Attached standards for the Castle Pines Town Center and Lagae Ranch Planned Developments.

Policy LU-6.2: Utilize building and site materials and colors that reflect a natural character in both private and public sector development.

- The development shall follow the residential design standards set forth in the PD amendment and is proposing architectural finishes in a similar character to the surrounding development.

Policy LU-7.1: Review projected development to mitigate negative impacts on existing services and infrastructure.

- The development will connect to existing utilities located in the adjacent Lagae Road and will not require significant extension or upsizing of existing utility infrastructure to service the property.

Policy LU-7.2: Maintain a development pattern of contiguous and logical extensions of community resources and infrastructure.

- The development will compliment recently developed areas located to the west and north, and provide continuity for future development to the south.
- The development will have access from Lagae Road, and utility infrastructure services will be provided by existing utilities installed within or adjacent to Lagae Road.

10. RECREATIONAL FACILITIES (Sec 1507.10)

a. Existing

The existing property is undeveloped land, with no existing recreational or park facilities on the property.

b. Proposed

The applicant proposes no new public recreation facilities with this development. It is proposed that the development provide amenities such as a club house, pool, and associated outdoor recreation area for residents of the development.

11. OTHER REQUIRED INFORMATION (Sec 1507.11)**a. Phase I Drainage Analysis**

In lieu of a Phase I drainage study, it is proposed to provide an amendment letter to the previous Phase III Drainage Report completed by Merrick in August 2017. This letter is in the process of being completed and will be included in a future submittal.

i. Flood Zones

There is no existing FEMA flood plain within the project limits.

b. Traffic Impact Analysis

A traffic impact analysis is underway, with scoping and count locations confirmed by the City of Castle Pines and Jacobs Engineering. The traffic impact study shall be completed as per Appendix B of the Douglas County Roadway Design and Construction Standards, and will be included in a future submittal.

CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT, 3RD MAJOR AMENDMENT

THE 3RD MAJOR AMENDMENT TO CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT FOR PA 12 TO ALLOW THE LAND USE OF RESIDENTIAL A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 9 & SECTION 10, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF CASTLE PINES, DOUGLAS COUNTY, COLORADO

PA 12 20.25 Acres CASE NO. PDM19-002 15 DU/AC (303 SINGLE FAMILY ATTACHED RESIDENTIAL UNITS)

AMENDMENT NOTE

THIS DOCUMENT IS TO SERVE AS THE 3RD MAJOR AMENDMENT TO THE CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT, ZR13-001, RECORDED IN DOUGLAS COUNTY ON THE 7TH OF MAY, 2014 AT RECEPTION NO. 2014022959. THIS AMENDMENT INCLUDES REVISIONS TO PLANNING AREA STANDARDS, PERMITTED USES, AND DEVELOPMENT STANDARDS FOR PLANNING AREA 12 ONLY. THE INTENT OF THIS AMENDMENT IS TO UPDATE THE PRINCIPLE USE TO RESIDENTIAL. ALL OTHER STANDARDS, USES AND STATEMENT OF COMMITMENTS WITHIN THE DEVELOPMENT WILL REMAIN AS IDENTIFIED BY THE CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT, ZR13-001

LEGAL DESCRIPTION

TRACT 1 AS SHOWN ON CASTLE PINES TOWN CENTER FILING NO. 2, FINAL PLAT, RECORDED ON MAY 26, 2017 IN THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 2017035484.

BEING LOCATED IN THE EAST 1/2 OF SECTION 9 & SECTION 10, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF CASTLE PINES, DOUGLAS COUNTY, COLORADO

GENERAL PROVISIONS

A. AUTHORITY

THIS DEVELOPMENT PLAN IS AUTHORIZED BY SECTION 15 - PLANNED DEVELOPMENT DISTRICT OF THE CITY OF CASTLE PINES ZONING ORDINANCE ADOPTED PURSUANT TO THE COLORADO PLANNED UNIT DEVELOPMENT ACT OF 1972, AS AMENDED.

B. APPLICABILITY

THE PROVISIONS OF THIS DEVELOPMENT PLAN SHALL RUN WITH THE LAND. THE LANDOWNERS, THEIR SUCCESSORS, HEIRS, OR ASSIGNS SHALL BE BOUND BY THIS DEVELOPMENT PLAN, AS AMENDED AND APPROVED BY THE CITY COUNCIL FOR CITY OF CASTLE PINES.

C. ADOPTION

THE ADOPTION OF THIS DEVELOPMENT PLAN SHALL EVIDENCE THE FINDINGS AND DECISION OF THE CASTLE PINES CITY COUNCIL THAT THIS DEVELOPMENT PLAN FOR CASTLE PINES TOWN CENTER IS IN GENERAL CONFORMITY WITH THE SURROUNDING LAND USES; IS AUTHORIZED BY THE PROVISION OF SECTION 15 OF THE ZONING ORDINANCE FOR THE CITY OF CASTLE PINES; AND THAT SUCH SECTION 15 AND THIS DEVELOPMENT PLAN COMPLY WITH THE COLORADO PLANNED UNIT DEVELOPMENT ACT OF 1972, AS AMENDED.

D. RELATIONSHIP TO CITY REGULATIONS

THE PROVISIONS OF THIS DEVELOPMENT PLAN SHALL PREVAIL AND GOVERN THE DEVELOPMENT OF CASTLE PINES TOWN CENTER, PROVIDED, HOWEVER, THAT WHERE THE PROVISIONS OF THIS DEVELOPMENT PLAN DO NOT ADDRESS A PARTICULAR SUBJECT, THE RELEVANT PROVISIONS OF THE ZONING ORDINANCE, AS AMENDED, OR ANY OTHER APPLICABLE RESOLUTIONS OR REGULATIONS OF THE CITY OF CASTLE PINES, SHALL BE APPLICABLE.

E. ENFORCEMENT

TO FURTHER THE MUTUAL INTEREST OF THE RESIDENTS, OCCUPANTS, AND OWNERS OF THE PLANNED DEVELOPMENT AND OF THE PUBLIC IN THE PRESERVATION OF THE INTEGRITY OF THE PLAN, THE PROVISIONS OF THE PLAN RELATING TO THE USE OF LAND AND THE LOCATION OF COMMON OPEN SPACE SHALL RUN IN FAVOR OF THE CITY OF CASTLE PINES AND SHALL BE ENFORCEABLE AT LAW OR IN EQUITY BY THE CITY WITHOUT LIMITATION ON ANY POWER OR REGULATION OTHERWISE GRANTED BY LAW.

F. CONFLICT

WHERE THERE IS MORE THAN ONE PROVISION WITHIN THE DEVELOPMENT PLAN THAT COVERS THE SAME SUBJECT MATTER, THE PROVISION WHICH IS MOST RESTRICTIVE OR IMPOSES HIGHER STANDARDS OR REQUIREMENTS SHALL GOVERN UNLESS DETERMINED OTHERWISE BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES.

G. MAXIMUM LEVEL OF DEVELOPMENT

THE TOTAL NUMBER OF DWELLINGS APPROVED FOR DEVELOPMENT WITHIN THE PLANNING AREAS IS THE MAXIMUM DEVELOPMENT REQUESTED FOR PLATTING OR CONSTRUCTION (PLUS APPROVED DENSITY TRANSFERS, IF ANY). THE ACTUAL NUMBER OF DWELLINGS OR LEVEL OF DEVELOPMENT MAY BE LESS DUE TO SUBDIVISION OR SITE IMPROVEMENT PLAN REQUIREMENTS, LAND CARRYING CAPACITY, OR OTHER REQUIREMENTS OF CITY COUNCIL.

H. DEVELOPER IS DEFINED AS "OWNER, SUCCESSORS, AND/OR ASSIGNS" AS TO THEIR RESPECTIVE OWNERSHIP PARCELS.

PROJECT TRACKING

AT THE TIME OF SUBDIVISION FINAL PLAT(S), THE APPLICANT SHALL PROVIDE A SUMMARY OF THE DEVELOPMENT, TO DATE, ALONG WITH THE FINAL PLAT SUBMITTAL TO THE CITY'S PLANNING DIVISION, IN ORDER TO ASSURE MAXIMUM DEVELOPMENT LIMITS ARE NOT EXCEEDED.

STATEMENT OF COMMITMENTS

THE FOLLOWING STATEMENT OF COMMITMENTS ARE REQUIRED TO BE COMPLETED BY THE OWNERS OF CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT AND SHALL BE BINDING UPON THEIR SUCCESSORS, HEIRS, AND ASSIGNS WITH RESPECT TO THE LAND WITHIN THE CASTLE PINES TOWN CENTER DEVELOPMENT. THE FOLLOWING COMMITMENTS, AS SET FORTH IN THE CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT, RECORDED ON 15TH, JUNE, 2012 IN THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NO. 2012043270, ARE REVISED AS TO PLANNING AREA 12 (TRACT 1, CASTLE PINES TOWN CENTER FILING NO. 2) AS FOLLOWS:

1. THE OWNER WILL PAY TO THE CITY CASH-IN-LIEU PAYMENT FOR DEDICATION OF SCHOOL LAND AS DETERMINED AT FINAL PLAT.
2. THE OWNER WILL PAY TO THE CITY CASH-IN-LIEU PAYMENT FOR DEDICATION OF PARK LAND AS DETERMINED AT FINAL PLAT.

SHEET INDEX

- | | |
|---|---|
| 1 | COVER SHEET |
| 2 | PLANNING AREA EXHIBIT & DEVELOPMENT STANDARDS |

PLANNING AREA 12: RESIDENTIAL

A. RESIDENTIAL -PA-12 (20.25 ACRES - 303 DWELLING UNITS)

PLANNING AREA PA-12 IS INTENDED TO BE RESIDENTIAL IN CHARACTER, PROVIDING FOR ATTACHED SINGLE FAMILY RESIDENTIAL DWELLING UNITS.

i. PRINCIPAL USES

1. RESIDENTIAL USES

- A. SINGLE-FAMILY ATTACHED HOMES.
 - B. DUPLEXES, TRIPLEXES AND FOURPLEXES.
 - C. TOWNHOMES.
 - D. GARAGES, ATTACHED OR DETACHED, WITH OR WITHOUT LIVING QUARTERS LOCATED ABOVE.
 - E. AGRICULTURAL USES (WHICH RIGHT SHALL AUTOMATICALLY TERMINATE ON A LOT-BY-LOT BASIS FOR (I) EACH LOT UPON THE ISSUANCE OF A BUILDING PERMIT FOR THE STRUCTURE TO BE CONSTRUCTED THEREON AND (II) EACH LOT IMMEDIATELY ADJACENT TO EACH LOT REFERENCED IN (I) ABOVE UPON WHICH A STRUCTURE HAS NOT BEEN PREVIOUSLY CONSTRUCTED.
- ##### 2. COMMUNITY USES
- A. ARTIFICIAL AND NATURAL WATERWAYS AND PONDS.
 - B. DRAINAGE FACILITIES.
 - C. ENTRY GATES, GUARDBOUSES AND/OR SHELTERS.
 - D. MULTI-USE TRAILS AND TRAIL HEADS.
 - E. OPEN SPACE.
 - F. PARKS AND SIDEWALKS.
 - G. CLUBHOUSES AND SWIMMING POOLS, INCLUDING MEETING AND RECREATION FACILITIES.
 - H. UTILITY SERVICE FACILITIES.
 - I. LEASING OFFICE AND MAINTENANCE FACILITY.
 - J. FENCED DOG PARK.
 - K. OUTDOOR KITCHEN AREAS.

ii. ACCESSORY USES

1. THE FOLLOWING SHALL BE ALLOWED ONLY WHEN A PRINCIPAL USE HAS BEEN ESTABLISHED ON THE LOT:
 - A. ALTERNATIVE ENERGY SYSTEMS, INCLUDING WIND AND SOLAR, WHEN INTEGRATED INTO THE DESIGN AND ATTACHED TO THE PRIMARY STRUCTURE.
 - B. COURTYARDS, DECKS, PATIOS, PLAZAS AND PORCHES.
 - C. DRIVEWAYS.
 - D. NON WOOD-BURNING FIREPLACES, FIREPITS, AND BARBEQUE PITS; PROVIDED, HOWEVER, THAT WOOD BURNING VERSIONS OF THE FOREGOING SHALL BE ALLOWED IF THE SAME COMPLY WITH APPLICABLE GOVERNMENTAL REQUIREMENTS AND INTEGRATE AND/OR USE CATALYTIC CONVERTERS, SECONDARY COMBUSTION SYSTEMS OR FUTURE TECHNOLOGICAL ADVANCES THAT MINIMIZE AIR POLLUTION.
 - E. GARDENS, WATER FEATURES AND FOUNTAINS (PRIVATE).
 - F. PLAY STRUCTURES NOT EXCEEDING AN AREA OF 900 SQUARE FEET AND A HEIGHT OF 15 FEET.
 - G. SECONDARY STRUCTURES (EXCLUDING PLAY STRUCTURES) NOT EXCEEDING THE SIZE LIMITATIONS SET FORTH BELOW. SECONDARY STRUCTURES INCLUDE ONE EACH OF THE FOLLOWING:
 - i. SHED (400 SF).
 - ii. GAZEBO (800 SF).
 - iii. GREEN HOUSE (PRIVATE) (400 SF).
 - H. STORM SHELTERS (BELOW GROUND).
 - I. SWIMMING POOLS, TENNIS COURTS OR OTHER PLAY COURTS (ONE EACH).

iii. USES BY SPECIAL REVIEW

1. THE FOLLOWING USES ARE PERMITTED THROUGHOUT PLANNING AREA PA-12 UPON APPROVAL BY THE CITY IN ACCORDANCE WITH THE ZONING ORDINANCE.
 - A. ALTERNATIVE ENERGY, SOLAR AND WIND SYSTEMS WHICH ARE NOT ATTACHED TO THE PRIMARY STRUCTURE.

iv. SETBACKS

1. RESIDENTIAL STRUCTURES, BUILDINGS AND GARAGES

- A. SIDE: 0 FEET, PROVIDED THAT A MINIMUM OF 5 FEET MUST EXIST BETWEEN STRUCTURES. WITH RESPECT TO ATTACHED UNITS (E.G. TOWN HOMES, DUPLEXES, TRIPLEXES, ETC.), ALL UNITS WHICH ARE PHYSICALLY ATTACHED SHALL BE DEEMED TO BE ONE STRUCTURE.
- B. REAR: 0 FEET, PROVIDED THAT A MINIMUM OF 5 FEET MUST EXIST BETWEEN STRUCTURES. WITH RESPECT TO ATTACHED UNITS (E.G. TOWNHOMES, DUPLEXES, TRIPLEXES, ETC.), ALL UNITS WHICH ARE PHYSICALLY ATTACHED SHALL BE DEEMED TO BE ONE STRUCTURE.
- C. TO PRIVATE DRIVES AND ALLEYS: 18"

2. NON-RESIDENTIAL STRUCTURES

- A. SIDE AND REAR: A MINIMUM OF 6' MUST EXIST BETWEEN STRUCTURES.
- B. TO PUBLIC ROW: 40'

3. SIGNS

- A. MONUMENT SIGNS OR NEIGHBORHOOD IDENTIFICATION SIGNS MAY BE PLACED WITHIN A REQUIRED SETBACK, PROVIDED THAT THEY MEET ROADWAY DESIGN SIGHT DISTANCE CRITERIA AND PERMISSION HAS BEEN GRANTED FROM THE OWNERS OF THE APPLICABLE PROPERTY.

v. MAXIMUM BUILDING HEIGHT

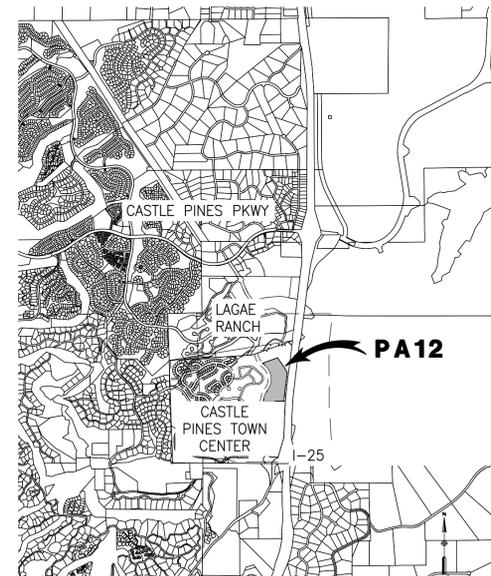
1. 35 FEET.
2. THE MAXIMUM BUILDING HEIGHT SHALL NOT APPLY TO CHIMNEYS, VENTILATION DUCTS, OR PLUMBING DUCTS. THE FOREGOING MAY EXCEED THE MAXIMUM HEIGHT LIMITATIONS BY NO MORE THAN 10 FEET.
3. BUILDING HEIGHT SHALL BE MEASURED IN ACCORDANCE WITH THE CITY'S ZONING ORDINANCE AND BUILDING CODE METHODOLOGIES.

vi. MINIMUM LOT SIZE

1. 700 SQUARE FEET.

vii. PARKING REQUIREMENTS

1. MAXIMUM OFF-STREET PARKING SPACES REQUIRED: 2 SPACES PER DWELLING UNIT. DRIVEWAYS, CARPORTS, ATTACHED AND DETACHED GARAGES MAY BE UTILIZED FOR THIS REQUIREMENT.



VICINITY MAP

SCALE 1"=3000'

OWNER SIGNATURE

Signed:
LS Partners, LLC, a Colorado Limited Liability Company

By: _____ (owner signature)
Darwin Horan, Manager

State of Colorado)
) SS.
County of Douglas)

The foregoing certification was acknowledged and signed before me this _____ day of _____, 20____.

My commission expires _____, _____
(date) Notary Public

OWNERSHIP CERTIFICATION

I/we _____, (qualified title company), duly qualified, insured or licensed by the State of Colorado, do hereby certify that I/we have examined the title of all lands depicted and described hereon and that title to such land is owned in fee simple by _____ at the time of this application.

_____, _____ (notorized signature) _____ (date)

Name of Authorized Official
Name of Company: _____

OR

_____, _____ (signature)(registration number) _____ (date)
Name of Attorney

State of Colorado)
) SS.
County of Douglas)

The foregoing certification was acknowledged and signed before me this _____ day of _____, 20____.

My commission expires _____, _____
(date) Notary Public

CITY CERTIFICATION

This major amendment of the Castle Pines Town Center PD Development Plan amending the principle uses for Planning Area 12 as depicted hereon has been approved by City Ordinance No. _____ on _____ (month/day/year).

This Amendment No. PDM19-002 affects only Planning Area 12.

_____, _____ (signature) _____ (date)
Mayor, CITY OF CASTLE PINES

_____, _____ (signature) _____ (date)
Director of Community Development

CLERK AND RECORDER CERTIFICATION

I hereby certify that this Development Plan was filed in my office on this _____ (day) of _____ (month), 20____ A.D. at _____ o'clock a.m./p.m. and was recorded per Reception No. _____.

_____, _____ (signature)
Douglas County Clerk and Recorder

CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT 3RD MAJOR AMENDMENT COVER SHEET

PLANNER/ENGINEER:
RICK ENGINEERING COMPANY
9801 EAST EASTER AVE
CENTENNIAL, CO 80112
303-537-8020

PREPARED FOR:
LS PARTNERS, LLC
9801 EAST EASTER AVE
CENTENNIAL, CO 80112

DATE: OCTOBER 21, 2019

SHEET:

1 OF 2

PLANNING AREA/LAND USE SUMMARY

SYMBOL	LAND USE TYPE	ACREAGE	MAXIMUM DU/AC	MAXIMUM DWELLING UNITS	% TOTAL SITE
PA 12	SINGLE FAMILY (ATTACHED)	20.25	15 DU/AC	303	100%

CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT, 3RD MAJOR AMENDMENT

THE 3RD MAJOR AMENDMENT TO CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT FOR PA 12
TO ALLOW THE LAND USE OF RESIDENTIAL
A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 9 & SECTION 10, TOWNSHIP 7 SOUTH,
RANGE 67 WEST OF THE 6TH P.M., CITY OF CASTLE PINES, DOUGLAS COUNTY, COLORADO

PA 12 20.25 Acres CASE NO. PDM19-002
303 SINGLE FAMILY ATTACHED RESIDENTIAL UNITS

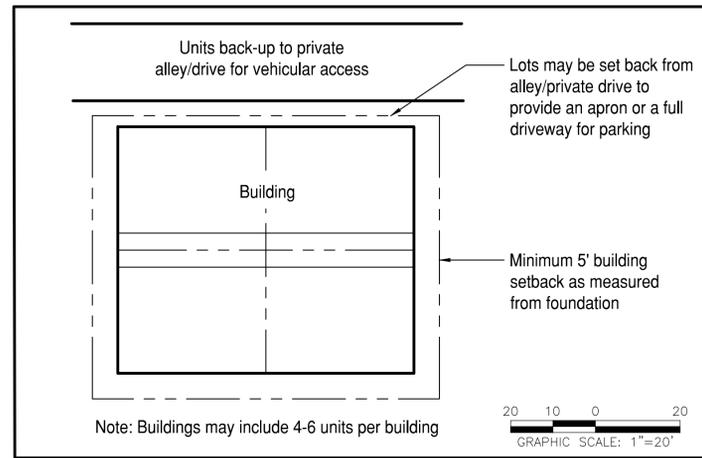
DEVELOPMENT STANDARDS

PLANNING AREA	MAX DENSITY	MINIMUM LOT SIZE (SF)	MINIMUM SETBACKS									BUILDING HT.			
			PRIVATE ROAD						PUBLIC ROAD						
			STREET / FRONT			BLDG SEPARATION ₃	PRIVATE ROAD		PROJECT BOUNDARY ₂	MINOR ARTERIAL	MAJOR ARTERIAL		MAJOR COLLECTOR	MAXIMUM	
IF SINGLE FAMILY ATTACHED	PA 12	15 DU/AC	700 (SFA)	5'	0'		5'	0' OR 5'				0'			0'

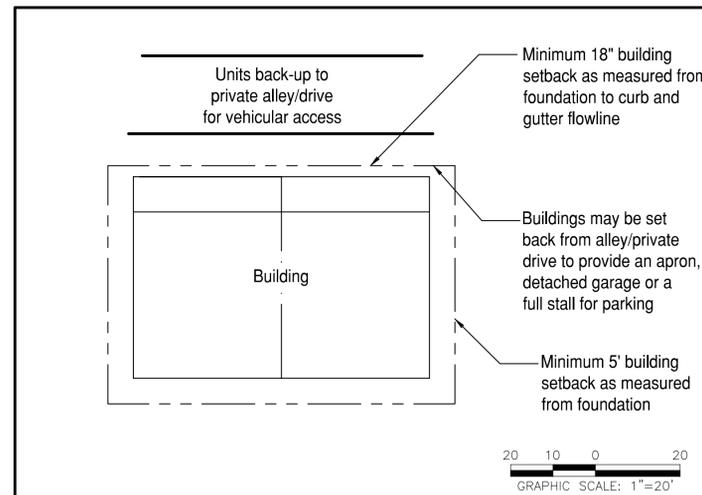
- MEASURED FROM THE PROPERTY LINE.
- PROJECT BOUNDARY REFERS TO THE OUTSIDE PERIMETER OF AN INDIVIDUAL LAND USE TYPE CONSTRUCTED BY A SINGLE DEVELOPER ABUTTING A DIFFERENT LAND USE TYPE, INCLUDING OPEN SPACE USES.
- A BUILDING MAY CONTAIN MULTIPLE UNITS, THEREFORE THE BUILDING SEPARATION REFERS TO THE DISTANCE BETWEEN BUILDINGS NOT UNITS.
- A 2'-0" ENCROACHMENT INTO THE MINIMUM SETBACK WILL BE ALLOWED FOR CHIMNEYS, CANTILEVERS AND BAY WINDOWS AND EAVES.
- *MINIMUM LOT SIZES ARE NOT EQUIVALENT TO MINIMUM HOME OR BUILDING SIZE. MINIMUM HOME SIZE TO BE CONFIRMED DURING ARCHITECTURAL REVIEW AT TIME OF IMPROVEMENT PLAN APPROVAL IN ACCORDANCE WITH THE CITY'S ADOPTED MIXED USE GUIDELINES.

LEGEND
SFA = SINGLE FAMILY ATTACHED RESIDENTIAL
AL = ALLEY LOADED GARAGE
STRUCTURE = LIVING SPACE OR COVERED PORCH

NOTE 1: SETBACKS AND LOT MINIMUMS ARE PROPOSED STANDARDS DEVELOPED SPECIFICALLY FOR THIS SITE.



Lot typical **1** SINGLE FAMILY ATTACHED LOT CONCEPT: 4-6 UNITS



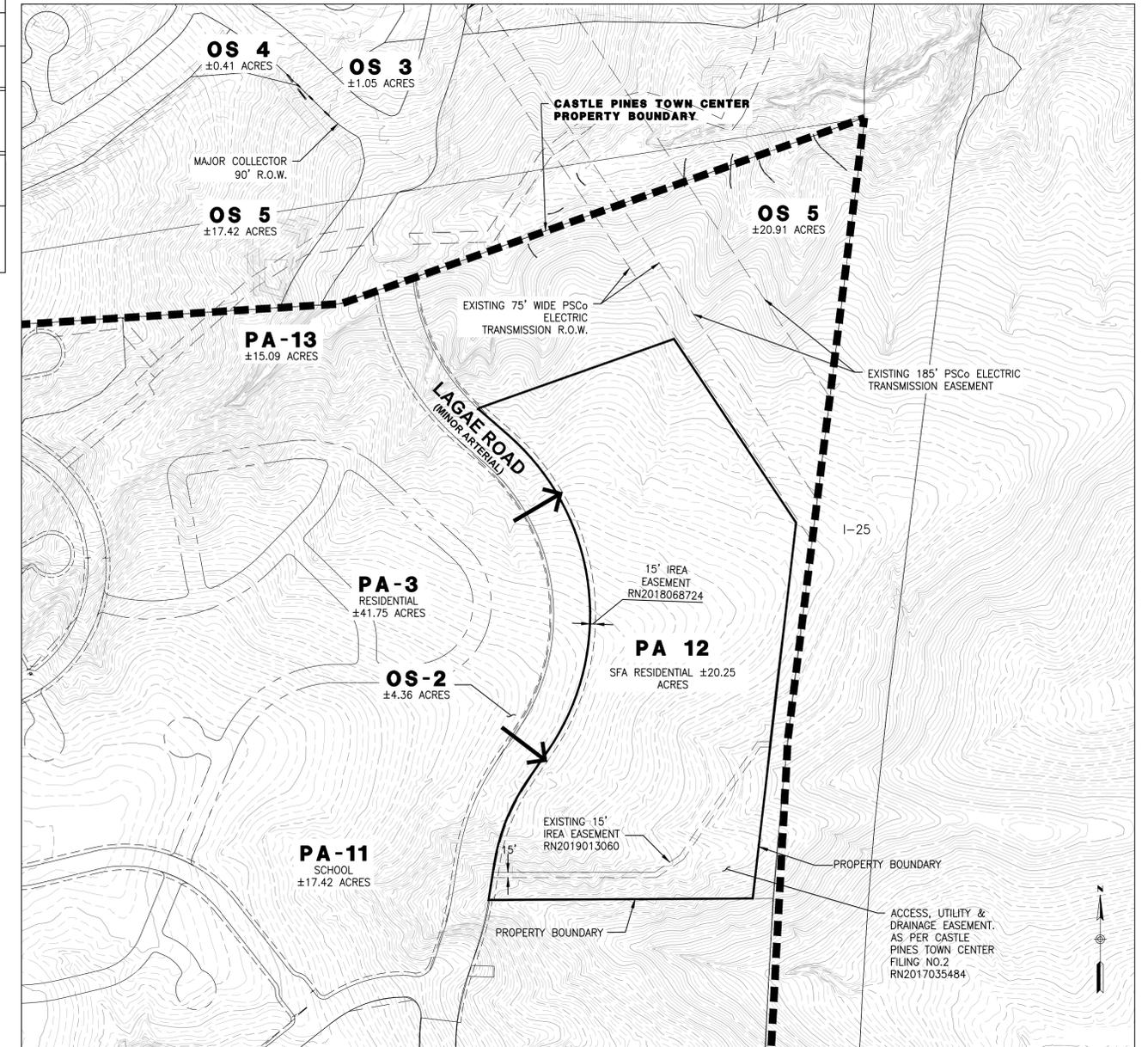
2 TYPICAL SINGLE FAMILY DUPLEX HOME LOT CONCEPT: 2 UNITS

SINGLE-FAMILY ATTACHED RESIDENTIAL DESIGN STANDARDS

- A. ARCHITECTURAL DESIGN CONCEPT.
- ARCHITECTURAL ELEVATIONS WILL BE REVIEWED AND APPROVED AT THE TIME OF SITE IMPROVEMENT PLAN APPROVAL IN ACCORDANCE WITH THE CITY'S ADOPTED MIXED USE GUIDELINES.
 - THE OVERALL CHARACTER OF THE DEVELOPMENT SHOULD BE DEFINED THROUGH THE USE OF A VARIETY OF COHESIVE ARCHITECTURAL STYLES.
 - PROJECTS SHALL INCORPORATE THE CONTEXT OF ADJACENT AND SURROUNDING PROJECTS, YET BE ORIGINAL IN DESIGN.
 - ARCHITECTURAL DESIGN OF SINGLE-FAMILY ATTACHED HOMES WITHIN A DEVELOPMENT SHOULD CREATE VISUAL VARIETY AND AT THE SAME TIME PROMOTE AN INTEGRATED CHARACTER FOR THE NEIGHBORHOOD.
 - ARCHITECTURAL TREATMENTS ON ALL SIDES OF RESIDENTIAL STRUCTURES SHOULD BE OF HIGHER QUALITY SIMILAR TO THE ARCHITECTURAL TREATMENT ON THE FRONT FAÇADE AND ON HIGH VISIBILITY LOTS THAT HAVE FAÇADES THAT FACE ONTO OPEN SPACE OR HIGH VISIBILITY PUBLIC STREETS.
- B. FORM AND MASSING
- VARIATION OF MATERIALS, ROOFLINES, AND BUILDING FORM SHOULD BE PROVIDED TO CREATE VISUALLY ENGAGING DESIGNS.
 - MIX CONTRASTING VERTICAL AND HORIZONTAL ELEMENTS TO CREATE A BALANCED AND INTERESTING COMPOSITION.
- C. EXTERIOR BUILDING MATERIALS AND COLOR
- EXTERIOR FINISH MATERIALS SHOULD HAVE LOW REFLECTANCE, VARIED TEXTURES, AND UTILIZE NATURAL EARTH TONE HUES. EXAMPLES OF MATERIALS INCLUDE: BRICK, STUCCO, STONE, SPLIT-FACED BLOCK, CUT STONE, AND SIDING.
 - THE USE OF (3) OR MORE COLORS IS ENCOURAGED.
 - WALL, TRIM, ACCENT, ROOF AND MASONRY COLORS SHALL BE COORDINATED.

LEGEND

- ▬▬▬ CASTLE PINES TOWN CENTER PROPERTY BOUNDARY
- ▬▬▬ PLANNING AREA BOUNDARY
- - - EASEMENT
- CONCEPTUAL ROAD ALIGNMENT
- ➔ APPROXIMATE PROPOSED VEHICULAR ACCESS



PLANNING AREA EXHIBIT

SCALE 1"=200'

CASTLE PINES TOWN CENTER PLANNED DEVELOPMENT 3RD MAJOR AMENDMENT PLANNING AREA EXHIBIT & DEVELOPMENT STANDARDS

PLANNER/ENGINEER:
RICK ENGINEERING COMPANY
9801 EAST EASTER AVE
CENTENNIAL, CO 80112
303-537-8020

PREPARED FOR:
LS PARTNERS, LLC
9801 EAST EASTER AVE
CENTENNIAL, CO 80112

DATE: OCTOBER 21, 2019

SHEET:
2 OF 2

B. Referral Agency List & Comments

REFERRAL LIST AND RESPONSE SUMMARY

REFERRAL AGENCY	REFERRAL SENT	RESPONSE RECEIVED
Departments and Divisions of the State of Colorado:		
1. Dept of Transportation (CDOT) – Region 1	X	
2. US Army Corp of Engineers	X	
Divisions of Douglas County:		
3. Douglas County Planning, Engineering, and Addressing	X	X
4. Douglas County School District	X	
Districts, Authorities and Public Agencies:		
5. Castle Pines North Metro District	X	
6. Centennial Airport-Arapahoe County Public Airport Authority	X	
7. Cherry Creek Basin Water Quality Authority	X	X
8. North Pine Vistas Metro District (serves as HOA for Castle Valley and Skyline Ridge)	X	
9. Plum Creek Wastewater Authority	X	
10. South Metro Fire & Rescue	X	X
11. Tri-County Health Department	X	X
12. Urban Drainage and Flood Control	X	
Utilities:		
13. IREA	X	X
14. CenturyLink	X	
15. Comcast	X	
16. XCEL	X	X
Property Owners, Homeowner and Community Associations:		
17. Meritage Homes	X	
18. Taylor Morrison	X	X
19. Century Communities	X	
20. Lennar	X	
21. A&A Investments	X	



November 21, 2019

Sam Bishop
City of Castle Pines
7501 Village Square Drive, Suite 10
Castle Pines, CO 80108

RE: Castle Pines Town Center Planned Development, 3rd Amendment, PDM19-002
TCHD Case No. 5963

Dear Mr. Bishop,

Thank you for the opportunity to review and comment on the PD Amendment to add Residential Single Family Attached as a principal use for Planning Area 12, located north of Chase Lane between Lagae Road and I-25. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

Noise – Site Location

Regular exposure to elevated sound levels can have a negative impact on both physical and mental health by increasing the risk of stress, hearing impairment, hypertension, ischemic heart disease, and sleep disturbance. Planning Area 12 is located adjacent to I-25. The proposed residential uses may be subjected to elevated noise levels. A noise analysis should be conducted to evaluate this potential impact on the proposed use. TCHD recommends that the applicant consider how noise mitigation measures could aid in the mitigation of nuisance noises. These measures could include setbacks, sound walls, vegetative barriers, construction design, operational practices, or similar measures.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions on TCHD's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "K Boyer", with a horizontal line extending to the right.

Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Keith Homersham, TCHD

City of Castle Pines
Community Development Department
360 Village Square Lane, Suite B
Castle Pines, CO 80108
[PHONE: 303-705-0200]
[FAX: 303-688-9414]

Date Sent: October 29, 2019
Comments Due: **November 28, 2019**

30-DAY REFERRAL RESPONSE REQUEST

Name: Castle Pines Town Center Planned Development, 3rd Amendment

Case Number: PDM19-002

Request: The City of Castle Pines is initiating the 3rd Amendment to the Castle Pines Town Center on behalf of the property owner, LS Partners, LLC, to amend Planning Area 12 to add Residential Single Family Attached as a principal use. The property consists of 20.25 acres and the development proposes a maximum density of 15 DU/acre, resulting in a maximum of 303 units. The project is located along the east side of Lagae Road north of the intersection with Chase Lane. The development is bordered on the east by I-25, on the south by future mixed use/commercial/office development and has designated open space north of the property.

Because of the possible effect of the proposed action/development upon your area, or agency, the case is being referred for your comment. Please examine the enclosed request and, after review, check the appropriate line and return to the City of Castle Pines Community Development Department on or before **Thursday, November 28, 2019**. *Please Note: Comments not received on or by the date indicated above, will be considered as an endorsement for approval.*

Please review and comment in the space provided

NO COMMENT

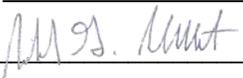
PLEASE BE ADVISED OF THE FOLLOWING CONCERNS:

The Authority's CR 72 requires construction and post-construction BMPs. No exceptions taken to the concepts provided and more information is needed to review construction and post-construction BMPs. The Authority reserves the right to review and comment on future submittals for this project

SEE ATTACHED LETTER

AGENCY: CHERRY CREEK BASIN WATER QUALITY AUTHORITY

PRINT NAME: RICHARD G. BORCHARDT

SIGNATURE: 

PHONE #: 303.488.7571

DATE: 11/26/19

EMAIL: RBORCHARDT@R2ENGINEERS.COM

No public hearing dates have been scheduled before Planning Commission or City Council. Additional specific information may be obtained by calling 303-705-0225. If you are unable to submit written comments by the due date or need additional materials/information, please contact me—**IMMEDIATELY**.

Sincerely,

Sam Bishop, AICP
Castle Pines Community Development Director
sam.bishop@castlepinesco.gov

From: [Brooks Kaufman](#)
To: [Sam Bishop](#)
Subject: RE: Castle Pines 30-Day Referral Request: Castle Pines Town Center PD, 3rd Amendment, Case No. PDM19-002 [COMMENTS DUE 11/28/19]
Date: Wednesday, November 6, 2019 7:35:30 AM
Attachments: [image004.jpg](#)
[image005.png](#)
[image006.gif](#)
[image007.gif](#)

Dear Mr. Bishop;

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:

The Association has existing underground/overhead electric facilities on the subject property. The Association will maintain these existing utility easements and facilities unless otherwise requested by the applicant to modify them under the Association's current extension policies.

The Association will address utility easements and site requirements at the site plan and plat referral time period; therefore the Association approves of the PDM.

Respectfully

Brooks Kaufman
Intermountain Rural Electric Association
Lands and Rights of Way Manager
5496 N. US Hwy 85
Sedalia, CO 80135
Direct : 720.733.5493
Cell : 303.912.0765
bkaufman@irea.coop

irea-logoshaded



From: Sam Bishop [mailto:sam@castlepinesco.gov]
Sent: Tuesday, October 29, 2019 10:50 AM
Subject: Castle Pines 30-Day Referral Request: Castle Pines Town Center PD, 3rd Amendment, Case No. PDM19-002 [COMMENTS DUE 11/28/19]

CAUTION:

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Interested Parties,

Please find the attached referral response form and link below to access referral documents for The Castle Pines Town Center Planned Development, 3rd Amendment, Case No. PDM19-002.

Project Name: Castle Pines Town Center (CPTC) Planned Development, 3rd Amendment
Project File #: PDM19-002

Project Summary: The City of Castle Pines is initiating the 3rd Amendment to the Castle Pines Town Center on behalf of the property owner, LS Partners, LLC, to amend Planning Area 12 to add Residential Single Family Attached as a principal use. The property consists of 20.25 acres and the development proposes a maximum density of 15 DU/acre, resulting in a maximum of 303 units. The project is located along the east side of Lagae Road north of the intersection with Chase Lane. The development is bordered on the east by I-25, on the south by future mixed use/commercial/office development and has designated open space north of the property. Click on the following link to access the CPTC PD 3rd Amendment submittal documents and associated plans/reports:

https://castlepines.sharepoint.com/:f/s/CastlePinesDevelopmentReview/EvdJVRcykyhNq-IXT_t57asB15OvXsCclQnlM7-mYEkk8w?e=FBuEdo

Please fill out the referral response form or reply directly to this email on or before **November 28, 2019.**

If you have any questions, please contact me.

Samuel L. Bishop, AICP
Community Development Director

City of Castle Pines
360 Village Square Lane, Suite B
Castle Pines, CO 80108

Desk: 303.705.0225

Conference: 303-643-5001

castlepinesco.gov



City of Castle Pines
Community Development Department
360 Village Square Lane, Suite B
Castle Pines, CO 80108
[PHONE: 303-705-0200]
[FAX: 303-688-9414]

Date Sent: October 29, 2019
Comments Due: November 28, 2019

30-DAY REFERRAL RESPONSE REQUEST

Name: Castle Pines Town Center Planned Development, 3rd Amendment

Case Number: PDM19-002

Request: The City of Castle Pines is initiating the 3rd Amendment to the Castle Pines Town Center on behalf of the property owner, LS Partners, LLC, to amend Planning Area 12 to add Residential Single Family Attached as a principal use. The property consists of 20.25 acres and the development proposes a maximum density of 15 DU/acre, resulting in a maximum of 303 units. The project is located along the east side of Lagae Road north of the intersection with Chase Lane. The development is bordered on the east by I-25, on the south by future mixed use/commercial/office development and has designated open space north of the property.

Because of the possible effect of the proposed action/development upon your area, or agency, the case is being referred for your comment. Please examine the enclosed request and, after review, check the appropriate line and return to the City of Castle Pines Community Development Department on or before **Thursday, November 28, 2019**. *Please Note: Comments not received on or by the date indicated above, will be considered as an endorsement for approval.*

Please review and comment in the space provided

<input type="checkbox"/>	NO COMMENT
<input type="checkbox"/>	PLEASE BE ADVISED OF THE FOLLOWING CONCERNS: _____ _____
<input checked="" type="checkbox"/>	SEE ATTACHED LETTER
	AGENCY: <u>TAYLOR MORRISON OF COLORADO, INC.</u>
	PRINT NAME: <u>PETER KLYMKOW</u>
	SIGNATURE: 
	PHONE #: <u>303-877-9620</u> DATE: <u>11/25/19</u>
	EMAIL: <u>PKLYMKOW@TAYLORMORRISON.COM</u>

No public hearing dates have been scheduled before Planning Commission or City Council. Additional specific information may be obtained by calling 303-705-0225. If you are unable to submit written comments by the due date or need additional materials/information, please contact me—**IMMEDIATELY**.

Sincerely,

Sam Bishop, AICP
Castle Pines Community Development Director
sam.bishop@castlepinesco.gov

November 27, 2019

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

Re: Castle Pines Town Center Planned Development, 3rd Amendment

Dear Sam,

The Douglas County Engineering Division has reviewed the proposed 3rd Amendment to the Castle Pines Town Center Planned Development and has the following comments:

1. It is not apparent in the referral materials what impact this PD amendment will have on the overall traffic associated with the PD. Are the proposed land-uses going to create an increase in traffic from what the current PD allows for this planning area? If there is an increase in traffic from what the current PD allows, how will this impact the Happy Canyon/I-25 interchange? The County suggests the traffic impact study clearly outline the increase or decrease in traffic associated with these land-use changes and how this change will impact the Happy Canyon/I-25 interchange. As you know, the current configuration of Lagae Road/Happy Canyon was an interim solution and is limited in the amount of traffic the intersection can accommodate. The traffic impact study should include an analysis of this intersection based on existing and proposed traffic.

Thank you for the opportunity to review this proposal. If you have any questions, please contact me.

Respectfully,



Matt Williams, P.E., CFM
Assistant Director Development Review and Stormwater
mwillial@douglas.co.us

Project Name: Castle Pines Town Center Planned Development, 3rd Amendment

Project Number:

Date Received: 10/29/2019

Jurisdiction: City of Castle Pines

Due Date: 11/28/2019

Addressing Comments:

No Comments

Engineering Comments:

See attached letter for Engineering comments.

Planner Comments:

Consideration should be made to provide buffering or other protections for residential structures by using setbacks, berms, and building materials given the proposed development's close proximity to Interstate 25. Residential development should be located away from areas that exceed an outside noise level of 65 DNL.

City of Castle Pines
Community Development Department
360 Village Square Lane, Suite B
Castle Pines, CO 80108
[PHONE: 303-705-0200]
[FAX: 303-688-9414]

Date Sent: October 29, 2019
Comments Due: November 28, 2019

30-DAY REFERRAL RESPONSE REQUEST

Name: Castle Pines Town Center Planned Development, 3rd Amendment

Case Number: PDM19-002

Request: The City of Castle Pines is initiating the 3rd Amendment to the Castle Pines Town Center on behalf of the property owner, LS Partners, LLC, to amend Planning Area 12 to add Residential Single Family Attached as a principal use. The property consists of 20.25 acres and the development proposes a maximum density of 15 DU/acre, resulting in a maximum of 303 units. The project is located along the east side of Lagae Road north of the intersection with Chase Lane. The development is bordered on the east by I-25, on the south by future mixed use/commercial/office development and has designated open space north of the property.

Because of the possible effect of the proposed action/development upon your area, or agency, the case is being referred for your comment. Please examine the enclosed request and, after review, check the appropriate line and return to the City of Castle Pines Community Development Department on or before Thursday, November 28, 2019.
Please Note: Comments not received on or by the date indicated above, will be considered as an endorsement for approval.

Please review and comment in the space provided

<input type="checkbox"/>	NO COMMENT		
<input type="checkbox"/>	PLEASE BE ADVISED OF THE FOLLOWING CONCERNS: _____ _____		
<input checked="" type="checkbox"/>	SEE ATTACHED LETTER		
AGENCY:	<u>South Metro Fire Rescue</u>		
PRINT NAME:	<u>Scott Stene</u>		
SIGNATURE:	<u>[Handwritten Signature]</u>		
PHONE #:	<u>720-989-2249</u>	DATE:	<u>11-7-19</u>
EMAIL:	<u>scott.stene@southmetro.org</u>		

No public hearing dates have been scheduled before Planning Commission or City Council. Additional specific information may be obtained by calling 303-705-0225. If you are unable to submit written comments by the due date or need additional materials/information, please contact me—**IMMEDIATELY**.

Sincerely,

Sam Bishop, AICP
Castle Pines Community Development Director
sam.bishop@castlepinesco.gov



SOUTH METRO FIRE RESCUE

FIRE MARSHAL'S OFFICE

9195 E Mineral Ave, Centennial, CO 80112

PHONE: 720.989.2230 www.southmetro.org FAX: 720.989.2030

Sam Bishop, AICP
City of Castle Pines Community Development
360 Village Square Lane, Suite B
Castle Pines, CO 80108
303-705-0225

Project Name: Castle Pines Town Center Planned Development, 3rd Amendment
Project File #: PDM19-002
S Metro Review #: REFPDP19-00285

Review date: 11-7-19

Plan reviewer: Scott Stene
720.989.2249
Scott.stene@southmetro.org

Project Summary: Proposal to update the PD Zoning land use for Castle Pines Town Center PA-12 from Parks/Mixed Use to Residential (total of 303 units). The parcel size is 20.25 acres east of Lagae Road but north of intersection of Chase Lane.

Owner: LS Partners, LLC

Applicant Representative: Tom Clark

Code Reference: Douglas County Fire Code, 2015 International Fire Code, 2015 International Building Code as adopted by Douglas County.

The South Metro Fire Rescue (SMFR) Fire Marshal's Office has reviewed the documents provided.

SMFR has no objection to the proposed change of use from parks/mixed use to residential provided the improvements are designed and constructed in accordance with all applicable codes and standards. Permits from South Metro Fire Rescue may be required prior to work.

UNRESOLVED ISSUES:ds

Comments: future referrals for PA 12 regarding access, water distribution, and road slope/design will be evaluated through the referral process.

Construction Comments:

1. Prior to Construction water distribution plans are to be submitted through SMFR's online permit/review system at www.southmetro.org, following the link for Electronic Plan Submittal. Plans will be reviewed as a Residential Water Distribution record for formal approval of hydrant placement and fire flows. Projected static pressures and modeling shall be provided. Approved plans will be signed as required for the water district. If the area will be built out in phases, water distribution plans for each phase may be individually submitted as needed.

2. Required access, road signage, and water supplies shall be completed for each area prior to the release of building permits for homes or other structures. Combustible building materials shall not be onsite until water supplies are completed and useable for the area.
3. Areas which contain more than 30 homes shall maintain two routes into and out of the area at all times once homes have been completed.



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

November 22, 2019

City of Castle Pines Community Department
7501 Village Square Drive, Suite 100
Castle Pines, CO 80108

Attn: Samuel Bishop

Re: Castle Pines Town Center PD 3rd Amendment, Case # PDM19-002

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Castle Pines Town Center PD 3rd Amendment** and has **no apparent conflict** with the proposed change of use.

Please be aware of PSCo's high tension electric transmission facilities along the northeasterly property line. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Should there be any off-site activities within the PSCo easements, it is the responsibility of the property owner/developer/contractor to go to the website at www.xcelenergy.com/rightofway or email coloradorightofway@xcelenergy.com to have this project assigned to a Land Rights Agent for development plan review and execution of a License Agreement.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

November 26, 2019

Mr. Sam Bishop
City of Castle Pines
360 Village Square Lane, Suite B
Castle Pines, CO 80108

Dear Sam:

Please accept this referral agency response, related to the Castle Pines Town Center Planned Development, 3rd Amendment. Taylor Morrison of Colorado, Inc. (TM) will not take a position on whether it supports or opposes the application provided to us. However, should the City of Castle Pines approve the proposed rezoning request to change the current Regional Park, as shown on the Castle Pines Town Center Planned Development – 1st Amendment as PA-12, TM would request that the City refund the \$5,000.00 cash-in-lieu payment towards the Regional Park it made on 11/15/18 with check #23990, as well as be relieved of any responsibility for making the \$300.00 per single family residential unit payment, due at building permit issuance time, for the Regional Park construction. Additionally, should any of the \$300.00 payments have been made recently for the initial building permits that have been obtained by TM, we would request that such payments be refunded, as well.

Furthermore, TM would request that should the proposed 3rd Amendment rezoning be approved by the City, that the Statement of Commitments, Section (1) Dedications a) be stricken from the requirements of the Castle Pines Town Center Planned Development – 1st Amendment as the Regional Park Land will no longer be a part of the development and such payments that were contemplated for the "...future maintenance, design and/or construction of planning area PA-12." will no longer be of merit to the 1st Amendment.

Please keep me posted on this application.

Thank You,



Peter Klymkow
V.P. Land Development

C. City of Castle Pines/LS Partners LLC LOI



CITY OF CASTLE PINES • 360 VILLAGE SQUARE LANE, SUITE B • CASTLE PINES, CO 80108

This Letter of Intent (“Letter”) outlines the proposed terms and conditions under which the **CITY OF CASTLE PINES, COLORADO**, a Colorado home rule municipal corporation (“City”), and **LS PARTNERS, LLC**, a Colorado limited liability company (“LS Partners”), will jointly proceed toward the development and execution of a public private partnership agreement (“PPP Agreement”) regarding the matters set forth herein.

Section 1. Conditional proposal. The City’s obligation to proceed with the property entitlements described in this Letter is expressly conditional upon the City Council’s exercise of its legislative discretion in considering any such land use applications, including amendments to the City of Castle Pines 2016 Comprehensive Plan, rezoning, and approval of the PPP Agreement. Nothing in this Letter shall be construed to constitute approval of any land use application for the Properties described herein. Further, the completion of any real estate transaction is conditional upon the formal approval of such acquisition by the Castle Pines City Council via ordinance, as required by Section 14.6 of the City of Castle Pines Home Rule Charter (“Charter”).

Section 2. Property Description. The properties subject to this Letter consist of:

a. Property legally described as Tract I, Castle Pines Town Center Filing No. 2, City of Castle Pines, recorded at reception No. 2017035484 in the Douglas County Clerk and Recorder’s Office (“Tract I”);

b. Property located in the southwest corner of Castle Pines Parkway and Lagae Road in the City of Castle Pines comprised of 10.056 acres (“Lagae Family Parcel”) and currently owned by the Lagae Family Limited Partnership

(collectively, the “Properties”).

Section 3. Tract I. Tract I, designated as PA-12 on the Castle Pines Town Center Planned Development, First Amendment, is currently zoned for park uses pursuant to the Castle Pines Town Center Planned Development as PA-12 and is required to be dedicated to the City for park purposes. Within thirty days of the mutual execution of the PPP Agreement or other timeframe specifically referenced therein, LS Partners will convey an undivided 50% interest in Tract I to the City and an undivided 50% interest in Tract I to LS Partners, as tenants in common. Upon such conveyance the City and LS Partners will cooperate in processing an amendment to the Comprehensive Plan and appropriate land development applications to rezone Tract I to allow for residential uses. If Tract I is rezoned, the City and LS Partners shall proceed to jointly market and sell Tract I to a qualified third party purchaser on terms acceptable to the Parties and share the sale proceeds equally, net of closing costs associated with the sale and brokerage fees, if any (“Sale Proceeds”).

Section 4. Lagae Family Parcel. LS Partners acknowledges it is under contract to purchase the Lagae Family Parcel. In conjunction with closing on the Lagae Family Parcel, LS Partners shall diligently process a subdivision plat through the City to enable the creation of lots



CITY OF CASTLE PINES • 360 VILLAGE SQUARE LANE, SUITE B • CASTLE PINES, CO 80108

(the “LFP Final Plat”). Within thirty (30) days of the recording of the LFP Final Plat or other timeframe set forth in the PPP Agreement, LS Partners shall convey a parcel consisting of one or two lots within the boundaries of the LFP Final Plat (collectively, the “City Lot”) to the City by special warranty deed, for total consideration of one dollar (\$1.00). The Parties agree to identify the City Lot with particularity in the PPP Agreement or during the processing of the LFP Final Plat. Unless otherwise set forth in the PPP Agreement, the City Lot shall contain a minimum of space to accommodate a City Hall, Recreation Center Facility, and necessary parking. The purpose of the City Lot is to accommodate the development and construction of a City municipal office building (“City Building”) comprised of no less than 10,000 square feet pad site and a City recreation facility comprised of no less than 20,000 square feet pad site. It is the current intent of the parties that the City Building would include some arrangement of utilization of office space for LS Partners through lease, or upon other mutually agreeable terms.

Section 5. Subdivision Improvement Agreements. The City and LS Partners are parties to those certain subdivision improvement agreements identified as: Lagae Ranch Filing No. 1 Subdivision Improvement Agreement between RI Management of Tulsa, Inc., and the City of Castle Pines North dated November 21, 2008, a First Amendment to RI Management of Tulsa, Inc., and the City of Castle Pines dated November 1, 2017, a Subdivision Improvements Agreement between LS Partners, LLC, Taylor Morrison of Colorado, Inc. and the City of Castle Pines dated May 26, 2017, and an Escrow Agreement among LS Partners LLC, RI Management of Tulsa Inc., the City of Castle Pines and American Title Insurance Company dated January 2018 (collectively, the “SIA”). The SIA includes, among other provisions, an obligation by LS Partners to fund the full cost of intersection improvements at Castle Pines Parkway and Lagae Road as specifically described in the SIA (“Intersection Improvements”). The City agrees to prepare necessary documentation to acknowledge LS Partners’ full satisfaction of the obligation to fund such Intersection Improvements and to release LS Partners from any additional costs associated with the Intersection Improvements. LS Partners and the City shall execute appropriate amendment(s) to the SIA or releases of the same (collectively, the “SIA Amendment”) prior to or upon the conveyance of the 50% undivided interests in Tract I from LS Partners to the City and LS Partners. Upon execution, the escrow agent shall be directed to deposit the SIA Amendment into escrow for release in accordance with the terms of the escrow agreement as set forth in Paragraph 6 of this Letter below.

Section 6. Escrow Agreement. The City and LS Partners shall negotiate and execute, as an exhibit or attachment to the PPP Agreement and in a form approved by the City Attorney, an escrow agreement into which the Sale Proceeds shall be deposited with an escrow agent. In accordance with the terms of the escrow agreement, the escrow agent will be authorized to disburse escrowed funds: (a) to the City for the design and construction of the City Building on the City Lot and/or recreation center on the Lagae Family Parcel up to the City’s 50% share of the Sale Proceeds, and (b) to LS Partners for reimbursement of the purchase price of the Lagae Family Parcel up to LS Partner’s 50% share of the Sale Proceeds. In addition, the SIA Amendment shall also be deposited into escrow and shall be released upon LS Partner’s acquisition of the Lagae Family Parcel, recording of the LFP Final Plat, conveyance of the City Lot to the City for construction of the City Building and recreation facility, or otherwise released in accordance with specific triggering events to be set forth with particularity in the PPP Agreement.



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Section 7. Confidentiality. The City and LS Partners shall use best efforts to keep any negotiations and communications between the parties regarding the potential sale of Tract I and purchase of the Lagae Family Parcel confidential, acknowledging that the City is subject to the Colorado Open Records Act.

Section 8. Legal effect. The provisions of this Letter create no contractual obligation on the part of either party, but merely state a framework pursuant to which the City and LS Partners may proceed to negotiate the formal PPP Agreement.

Section 9. Article X, Section 20/TABOR. The City and LS Partners understand and acknowledge that the City is subject to Article X, § 20 of the Colorado Constitution (“TABOR”). The City represents that it has or will have budgeted and appropriated sufficient funding to meet its obligations set forth in this Letter and those of any PPP Agreement ensuing. For any amounts not fully appropriated, the City does not intend to violate the terms and requirements of TABOR by the execution of this Letter. It is understood and agreed that this Letter does not create a multi-fiscal year direct or indirect debt or obligation within the meaning of TABOR and, therefore, all payment obligations of the City are expressly dependent and conditioned upon the continuing availability of funds beyond the term of the City’s current fiscal period. Financial obligations of the City payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available in accordance with the Charter, and other applicable rules, regulations, ordinances and resolutions of the City, and any other applicable law.

Section 10. Governmental Immunity. Nothing in this Letter shall be construed as a waiver of the rights and privileges of the City pursuant to the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as the same may be amended from time to time.

Section 11. Execution in Counterparts. This Letter may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. By signing below, the parties signify that the terms described in this Letter are acceptable.

[signature page follows]



CITY OF CASTLE PINES • 360 VILLAGE SQUARE LANE, SUITE B • CASTLE PINES, CO 80108

THE CITY:

CITY OF CASTLE PINES, a Colorado home rule municipal corporation

DocuSigned by:
Tera Elaine Radloff
6E0C8EB279DC479

Tera Radloff, Mayor

ATTEST:

DocuSigned by:
Christine Basile
AD03A3B02032499...

City Clerk

LS PARTNERS, LLC, a Colorado limited liability company

By: _____
Name: _____
Title: _____