

ORDINANCE NO. 20-01

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES, COLORADO,
APPROVING THE CASTLE PINES TOWN CENTER PLANNED
DEVELOPMENT PLAN, THIRD AMENDMENT, CASE NO. PDM19-002, AND
AMENDING THE OFFICIAL ZONING MAP**

WHEREAS, the Castle Pines Town Center Planned Development, originally approved in 2012 and amended in 2014 and 2019 (the "PD Plan"), currently designates Planning Area 12 of the PD Plan ("PA-12") as regional park land; and

WHEREAS, PA-12 is comprised of approximately 20.25 acres and is legally described as Tract I, Castle Pines Town Center Filing No. 2, City of Castle Pines, County of Douglas, Colorado ("Filing No. 2"); and

WHEREAS, General Note 10 of Filing No. 2 provides that PA-12 shall be conveyed to the City of Castle Pines (the "City") by separate document as a regional park, and that the conveyance shall occur upon written request of the City; and

WHEREAS, PA-12 has not been conveyed to the City and is currently owned by LS Partners, LLC (the "Owner"); and

WHEREAS, the City has determined that PA-12 is not suitable for a regional park and is better suited for residential use; and

WHEREAS, the Department of Community Development for the City (the "Department"), in cooperation with the Owner, has initiated a third amendment to the PD Plan to allow attached single family residential dwelling units and community uses as principal land uses as well as certain accessory land uses in PA-12; and

WHEREAS, the requested third amendment to the PD Plan is accompanied by an exhibit referred to as the "Castle Pines Town Center Planned Development, 3rd Amendment," comprised of two sheets (the "Third Amended PD Plan"), which is on file with the Department; and

WHEREAS, the Planning Commission has considered the Third Amended PD Plan during a duly noticed public hearing and recommended approval of the Third Amended PD Plan to the City Council, subject to compliance with one condition which has been satisfied; and

WHEREAS, public notice has been properly given of such proposed rezoning of PA-12 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, the City of Castle Pines 2016 Comprehensive Plan, as amended, and all other applicable ordinances, resolutions and regulations, together with the Third Amended PD Plan and accompanying maps, reports, studies and all other submittals of the Department and Owner, 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 PA-12 within the Castle Pines Town Center Planned Development, 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, as amended; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the Zoning Ordinance; and

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to conduct a public hearing in order to provide staff, the Department, the Owner, interested parties, and the public an opportunity to present testimony and evidence regarding the application; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the proposed rezoning.

**THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO,
ORDAINS:**

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 the Castle Pines Town Center Planned Development, Third Amendment, Case No. PDM19-002, which amends the principal and accessory land uses allowed in PA-12, subject to all conditions, standards, and requirements of the PD Plan, the Third Amended PD Plan, and the Zoning Ordinance.

Section 3. Approval of the Castle Pines Town Center Planned Development, Third Amendment, Case No. PDM19-002 is subject to compliance with all applicable terms, standards, requirements, and conditions of the PD Plan as amended by the Third Amended PD Plan, and the following conditions of approval:

1. The Department shall resolve any minor technical changes to the Third Amended PD Plan prior to recordation; and

- 2. The conditions stated in this Ordinance No. 20-01 shall be revised to conform to any conditions of approval made by motion of City Council.

Section 4. The Zoning Map of the City of Castle Pines shall be amended to conform to and incorporate the Third Amended PD Plan.

Section 5. Publication and Effective Date. The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.5 of the Charter. This Ordinance shall be effective thirty (30) days after final publication on the City's official website and posting at the City Clerk's office pursuant to Section 1-3-40 of the Municipal Code.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 14th day of JANUARY, 2020.

READ, PASSED, AND ADOPTED ON SECOND READING, FOLLOWING A PUBLIC HEARING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 28th day of JANUARY, 2020.



DocuSigned by:
Tera Stave Radloff
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 Tera Stave Radloff, Mayor

ATTEST:

DocuSigned by:
Tobi Basile
 AD63A3B62032498...
 Tobi Basile, CMC, City Clerk

Approved as to form:
 DocuSigned by:
Linda C. Michow
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 Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading on January 14, 2020; published by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of the ordinance is available through the City Clerk’s office and on the City’s official website with second reading and public hearing to be held on January 28, 2020”; and finally passed and adopted by the City Council on January 28, 2020, following a duly noticed public hearing and published on the City’s official website and posted at the City Clerk’s office on January 15, 2020.

ATTEST:

DocuSigned by:



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Tobi Basile, CMC, City Clerk