

ORDINANCE NO. 17-06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CASTLE PINES, COLORADO APPROVING THE LAGAE RANCH
PLANNED DEVELOPMENT, FIRST MAJOR AMENDMENT
(FORMERLY KNOWN AS THE SECOND MAJOR AMENDMENT),
CASE NO. ZR17-001, AND AMENDING THE OFFICIAL ZONING MAP**

WHEREAS, the applicant, Ventana Capital, Inc. (“Applicant”) on behalf of the owner, R.I. Management of Tulsa, Inc. (“Owner”), has submitted an application to the City of Castle Pines (“City”) to amend the Lagae Ranch Planned Development (“PD Plan”) originally approved in 2008 concerning certain property totaling 249 acres, more or less, generally located west of Interstate I-25 and south of Castle Pines Parkway; and

WHEREAS, the application, Case No. ZR17-001, is accompanied by an amended Planned Development, titled Lagae Ranch Planned Development – 2nd Major Amendment (“Amended PD Plan”), copies of which are on file with the Castle Pines Community Development Department and are incorporated herein by reference; and

WHEREAS, through the Amended PD Plan, the Applicant seeks to rezone approximately 28 acres of property within the PD Plan, designated as Planning Area 6, legally described as Lot 235-A, Lagae Ranch Filing No. 1, First Amendment, City of Castle Pines, County of Douglas, Colorado (the “Property”); and

WHEREAS, the specific rezoning request is to allow up to 145 attached and detached single family residential units within the Property; and

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

WHEREAS, in accordance with the Zoning Ordinance, public hearings were held before the Planning Commission and City Council at which time evidence and testimony were presented 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 Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with the PD Plan, the Amended PD Plan, accompanying maps, reports, studies and all other submittals of the Owner, any written evidence or correspondence submitted at the public hearings before the Planning Commission and City Council, and the staff reports pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, City Council has determined that the proposed rezoning of the Property, subject to the conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; meets the criteria of approval set forth in Section 15 of the Zoning Ordinance; is in conformance with the City’s Comprehensive Master Plan; 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 comply with state law and the Zoning Ordinance by setting a public hearing in order to provide staff, the Applicant, the Owner, 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.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO:

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

Section 2. The City Council hereby grants and approves the Lagae Ranch Planned Development, First Major Amendment (Formerly known as the Second Major Amendment), Case No. ZR17-001, to amend the permitted uses within Planning Area 6 to add up to 145 attached and detached single family residential units subject to all conditions, standards and requirements of the PD Plan and the City's Zoning Ordinance.

Section 3. Approval of the Amended PD Plan is subject to the following conditions of approval, and subject to and in accordance with all applicable terms and conditions of the PD Plan, Amended PD Plan:

1. The Applicant/Owner shall pay ALL fees and costs incurred by the City and its consultants, in the review and processing of the Amended PD Plan application prior to recordation; and
2. The Applicant/Owner shall resolve any minor technical changes to the Amended PD Plan as directed by staff prior to recordation, including changing all "2nd Major Amendment" references on the Planned Development to "1st Major Amendment"; and
3. The Applicant and City shall investigate the possibility of allowing pedestrian access from the subject property to the adjacent business zoned property and the Applicant shall construct such pedestrian access connection if deemed possible and practicable by the City Community Development Director; and
4. The PD Plan shall be amended to include a maximum building height of thirty five feet (35') for single family attached and detached, consistent with the City's residential standards; and
5. The conditions stated in this Ordinance No. 17-06 shall be revised to conform to the 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 reflect the Property's amended PD zoning.

Section 5. Effective Date. Except as otherwise expressly provided herein, this Ordinance shall become effective thirty (30) days after final publication.


INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 8th day of August, 2017.

READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 22nd day of August, 2017.




Jeffrey T. Huff, Mayor

ATTEST:


Sharon Washington, CMC, City Clerk

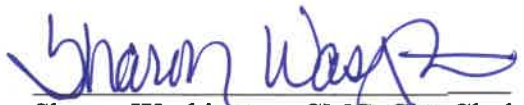
Approved as to form:


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 of the Castle Pines City Council on August 8, 2017; published by reference by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of all ordinances is available through the City Offices and on the City’s official website”; and finally passed and adopted by the City Council on August 22, 2017 following a duly noticed public hearing and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on August 31, 2017.

ATTEST:


Sharon Washington, CMC, City Clerk