

## AGENDA MEMORANDUM

**To:** Honorable Mayor and Members of Town Council

**Through:** Bill Detweiler, Director, Development Services

**From:** Donna Ferguson, Senior Planner, Development Services

**Title:** AN ORDINANCE ANNEXING TO THE TOWN OF CASTLE ROCK, COLORADO A 70.010 ACRE PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 8 SOUTH, RANGE 67 EAST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO (RIDGE ESTATES ANNEXATION)

### Executive Summary

On May 23, 2019, the Planning Commission voted 5-0 to recommend approval of the Annexation as presented. There was no public comment on the application.

Maple Grove Land, LP, property owner and applicant, has submitted an application for annexation of a 70-acre property known as Ridge Estates, which is located south of Crystal Valley Ranch, east of Bell Mountain Ranch and north of Sellers Creek Ranch (Figure 1).

Annexation of Ridge Estates would benefit the Town by providing a net positive financial contribution towards the costs of the Crystal Valley Parkway Interchange construction project while not increasing the overall residential units in the area.

It would also benefit the Town by supplying

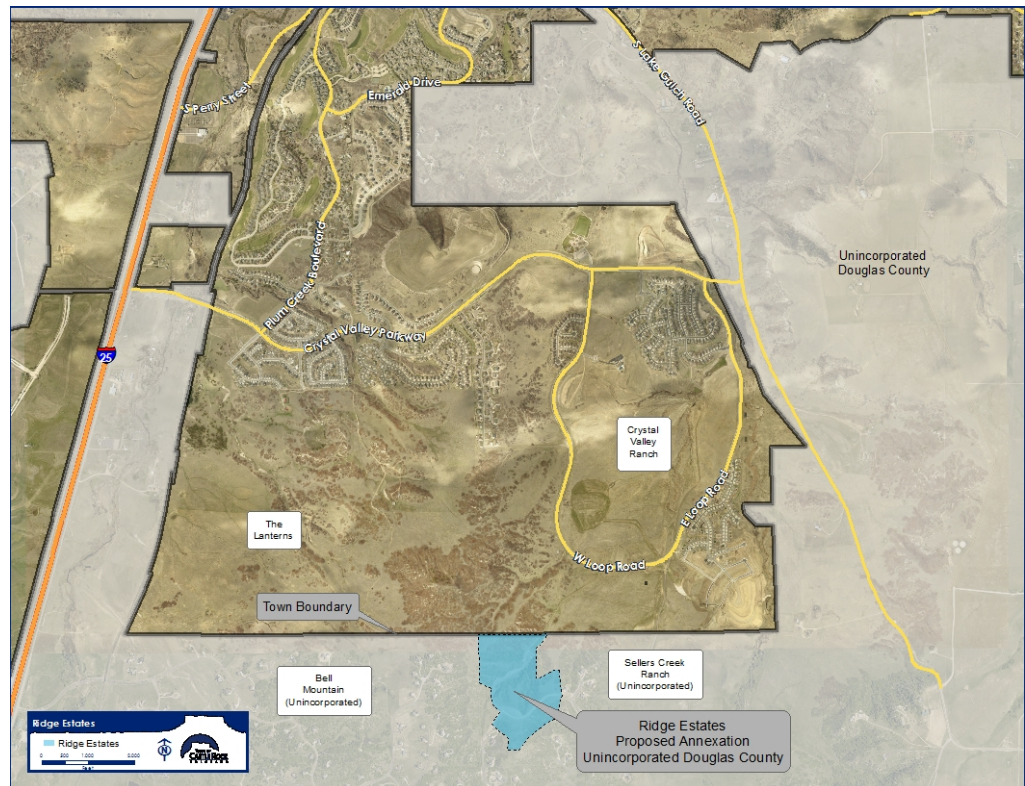


Figure 1: Vicinity Map.

water system infrastructure and services to nearby Town properties and aid the Town, at some time in the future, if the Town determines it would provide water services to nearby County neighborhoods.

Applications for annexations require public hearings before Town Council, after review and recommendation by Planning Commission, who shall review and make a decision upon the proposed annexation.

## **Proposed Annexation**

The proposed annexation property is 70 acres in size and currently under the jurisdiction of Douglas County. Under the jurisdiction of Douglas County the property is zoned Agricultural One (A1) which permits agricultural uses, certain community uses and single-family residential uses however, the property is currently undeveloped.

## **Discussion**

### **Annexation Background**

The Ridge Estates annexation petition, formally known as Sellers Creek Ranch Estates, was accepted and filed with the Town Clerk on March 10, 2016. As prescribed by State statute, the petition was then reviewed by Town Council in two separate hearings. The first was a Substantial Compliance hearing on May 3, 2016, at which time TC found the petition to substantially comply with state requirements; the second was an Eligibility hearing on June 21, 2016 at which time Town Council found Ridge Estates to be eligible to be considered for annexation into the Town.

As part of initial discussion to annex Ridge Estates for 52 dwelling units, Town staff requested the applicant formally reduce the permitted dwelling units within Crystal Valley Ranch PA-4 by a corresponding 52 dwelling units. Town Council reviewed and approved this reduction through a rezoning process on September 18, 2018.

### **Existing Conditions**

The annexation property is located on the southeast edge of Town and attaches to the southern boundary of Crystal Valley Ranch. It is surrounded on the west, south, and east by County properties; to the west is Bell Mountain Ranch and to the south and east is Sellers Creek Ranch. Both Bell Mountain Ranch and Sellers Creek Ranch are large lot residential neighborhoods with lots approximately 5 acres in size. To the north is a yet to be developed planning area of Crystal Valley Ranch and single-family homes on lots ranging in size from 6,600 to 8,600 square feet.

Other characteristics of the annexation property include Town identified minor and moderate skyline designated areas along the western perimeter and a winding dirt road that traverses the property and connects Ridge Estates to Crystal Valley Ranch and to the neighboring County properties to the south and east.

### **Land Suitability**

The Land Suitability Analysis Report (LSAR) for the annexation property reviewed slope, soils, vegetation and wildlife habitat. The LSAR indicates that the property is made up of a variety of slopes, which create a series of ridges, valleys and drainage ways with the highest point located at the southern tip of the property. The steepest slopes are dispersed across the property while the flatter slopes are located in two spots along the existing dirt road. The majority of the property contain slopes in the 8% to 12% slope range. The property has two general soil types; one laying on the slopes and the other, existing in a linear fashion, on the ridges and steep valley sides. Stands of

native gambel oak, varying in size and maturity, are scattered throughout the property and this type of vegetation creates habitat known to provide wildlife with food, water, shelter and space. It is assumed that many wildlife species utilize this habitat such as bird, red fox, coyote, mule deer, bear and mountain lion. No known nationally designated threatened or endangered species have been observed or known to exist within the property boundary. The LSAR indicates that the annexation property will require grading to accommodate development, which will impact existing slopes and wildlife habitat.

### Service and Infrastructure Capacity

The Concept Utility Letter and Phase I Drainage Report for the site, which were reviewed by staff, indicate that the Town's water, wastewater and storm drain systems can accommodate the proposed use. The property can also be served by the Town's Police and Fire Districts.

### Transportation and Traffic

The proposed 70-acre site is located on the south end of Crystal Valley Ranch and south of Loop Road. The major roadways in the site's vicinity include Crystal Valley Parkway, and West and East Loop Road. It is further located adjacent to County properties with Bell Mountain Ranch on its west and Sellers Creek Ranch on its south and east boundary. Loop Road is a collector road and Crystal Valley Parkway is a major arterial.

Nearby planned Town capital improvement program (CIP) projects include Crystal Valley Parkway Interchange improvements at a date to be determined. Nearby development projects include the Lanterns Development to the northwest of the proposed site and Crystal Valley Ranch subdivisions to the immediate north of the site.

The neighborhood streets will access the wider transportation network through two yet to be constructed local streets on its north boundary in Crystal Valley Ranch.

LSC Transportation Consultants (LSC) prepared a project-specific traffic impact study (TIS) in May 2016 in order to estimate project traffic and provide recommendations to mitigate traffic impacts. LSC evaluated traffic impacts by comparing existing traffic to year 2020 and year 2035 projections, both with and without project traffic. The TIS compares different scenarios by estimating the operational level of service (LOS) for each scenario. LOS is a measure of average intersection delay and is reported on a scale of A through F, with A indicating free flow conditions and F representing congestion conditions. LOS A, B, C are good and mean the network is running smoothly. LOS D means the network is starting to slow down, but for peak hours, LOS D is acceptable. LOS E can be acceptable in certain cases, and LOS F is typically unacceptable.

The TIS studied existing intersection and proposed site accesses. The future signalized intersections of Crystal Valley Parkway with East Loop and West Loop Road are expected to operate at an overall LOS C or better during both morning and afternoon peak-hours through 2035 with or without the addition of site traffic, causing less than a 0.5-second increase in delay at either signalized intersection. All movements at the unsignalized intersections analyzed are expected to operate at LOS D or better through 2035 with or without the addition of site traffic, causing less than a 0.5-second increase in delay at any unsignalized intersection. None of these increase in delay will change the LOS-level for any of the studied intersections.

The planned connections between Crystal Valley Ranch and Crystal Valley Parkway through the Lanterns development is necessary for Ridge Estates to achieve full buildout so as not to overload a

few local streets between the site and Loop Road. Because of this, Town staff commissioned a study by FHU Engineering Consultants to determine maximum vehicle trip thresholds on the various street connections, thereby limiting the number of lots developed on the proposed site.

Based on the subsequent FHU engineering analysis, the maximum allowable lot development is shown on the map exhibit and as follows:

1. A total of 26 platted lots is allowed while the sole access to Ridge Estates is provided through Crystal Valley Ranch Filing 12A to Loop Road.
2. A total of 29 platted lots is allowed while accesses to Ridge Estates are provided through Crystal Valley Ranch Filing 12A and Crystal Valley Ranch Filing 13 to Loop Road.
3. A total of 52 platted lots is allowed when access is provided through Crystal Valley Ranch Filing 12A and the Lanterns development to Montaine Circle.

Emergency Vehicle Access (EVA) only is allowed between Ridge Estates and the County via Ranch Gate Trail (south of the site).

Ridge Estates will impact and benefit from the construction of the new I-25 interchange at Crystal Valley Parkway and will therefore financially participate in the interchange cost based on pro rata share based on estimated average daily trips generated from the property of 495 vehicle trips per day.

#### Water Dedication

If the annexation is approved, the applicant will dedicate the groundwater underlying the property to the Town. This underlying ground water will be conveyed to the Town, free and clear of encumbrances, at the time of annexation.

#### Neighborhood Outreach

There have been numerous neighborhood meeting regarding the proposed annexation of Ridge Estates. The most recent neighborhood meeting was held on January 4, 2018 at which time the applicants, Gregg Brown and Jim Mill representing Maple Grove Land, LP, shared and discussed this latest plan. Seventeen people attended the meeting.

Attendees expressed satisfaction for the proposed lot count of 52 (relative to the previously proposed lot count of 100), the proposed location of the larger lots adjacent to the County properties and the proposed placement of the EVA on the southwest end of the planned road. In addition, residents of the county neighborhood Bell Mountain Ranch expressed appreciation for the proposed location of the water tank infrastructure on the southern tip of the property proximate to their neighborhood as they view this as a possible water resource should they negotiate a future water service agreement with the Town.

Attendees expressed concerns about the aesthetics of the water tank and stated they would like to see the water tank tucked into the topography and landscaped with berms trees and shrubs to screen the water tank as much as possible. In addition, attendees requested that a clear boundary between Ridge Estates and the nearby Sellers Creek Ranch neighborhood be created by the use of perimeter fencing with "no trespassing" signs. Attendees also requested that the larger lots contain building envelopes or building setbacks to restrict building on the edges of the lots. The applicant subsequently addressed these items in the proposed Ridge Estates PD plan and zoning regulations

by locating the water tank in an area that can be tucked in and landscaped, enabling perimeter fencing, and designating larger lots with deep setbacks adjacent to County properties.

### External Referrals and Notices

External referrals were sent to various utility providers, public service providers and jurisdictional partners with no objections being reported.

Posted, written and published notices were performed in accordance with the Town of Castle Rock Municipal Code.

### Development Agreement

A Development Agreement addresses required infrastructure improvements, public land conveyances, water rights conveyances, Town service obligation and other relevant items. The proposed Development Agreement for Ridge Estates will be reviewed and decided upon by Town Council concurrently with the second reading of the application for annexation.

### Staff Analysis

This independent staff analysis takes into account the representations made in the application for annexation and attachments submitted to date which were reviewed and processed as prescribed in Title 20 of the Town's Municipal Code and also reviewed and found to be consistent with the Town's 2030 Comprehensive Master Plan's Responsible Growth Principle for annexation areas (Principle RG-2.1). Annexation requests must take into consideration the following items:

- a. Is a logical extension or infill of Town boundaries.

*The annexation property is located on the southeast edge of Town. Approximately one-sixth of the boundary of the annexation property is contiguous to the Town boundary with the entirety of the property being located within the Town's potential annexation area (3-Mile Plan). If annexed, Ridge Estates would extend the Town boundary southward of the current Town boundary. It would also create an additional shared border between the Town and the County neighborhood of Bell Mountain Ranch.*

- b. Has demonstrated a significant benefit to the Town.

*Annexation of Ridge Estates would benefit the Town by providing a net positive financial contribution towards the costs of the Crystal Valley Parkway Interchange construction project while not increasing the overall residential units in the area. This is because Ridge Estates will financially contribute toward the costs of the Interchange construction project for the same 52 dwelling units for which Crystal Valley Ranch PA-4 already paid and was not reimbursed.*

*It would also benefit the Town by supplying water system infrastructure and services to nearby Town properties and aid the Town, at some time in the future, if the Town determines it would provide water services to nearby County neighborhoods.*

- c. Will be provided with adequate urban services.

*The Town will be able to provide adequate municipal services to the property upon construction of a new tan zone water system. The Town will also be able to provide access to Town owned open space, which is planned within the nearby Lanterns community.*



- d. Is fiscally responsible.

*The annexation property will be required to pay for all required infrastructure improvements necessary for its development such as water, wastewater, storm water and/or drainage, and transportation improvements. Specifically, the developer will construct the tan zone water system that will serve Ridge Estates as well as nearby Crystal Valley Ranch properties. Ridge Estates will also be responsible for payment of operational and maintenance costs for the water system pump station component.*

*In addition, a phasing plan ties platting of lots to the construction of roads in order to reduce on- and off-site traffic impacts. Ridge Estates will also financially contribute toward the costs of the Crystal Valley Parkway Interchange construction improvement project.*

*Lastly, in order to maximize the utilization of the water and reduce the demand for long-term renewable water, the owner has created a water efficiency plan, which will be implemented at time of development.*

- e. Conveys to the Town all water rights appurtenant to the ground at time of annexation.

*The applicant will dedicate all appurtenant ground water rights to the Town.*

- f. Secures renewable water to 100 percent of the expected development on the annexed area.

*Per Town Code 4.04.045B this annexation property is not required to secure renewable water.*

### **Budget Impact**

The proposed annexation will generate review fees. In addition, impact fees will offset Town costs at time of zoning and site development.

### **Findings**

Planning Commission and Town staff find that the proposed annexation was reviewed and processed as prescribed in Title 20 of the Municipal Code, meets the objectives of the Town's Vision 2030, and meets the review and approval criteria as outlined in the 2030 Comprehensive Plan. It has additionally been determined that the annexation is otherwise desirable to the Town.

### **Recommendation**

Planning Commission and staff recommend approval of the proposed Ridge Estates Annexation based on the analysis and findings outlined in this report.

### **Proposed Motion**

I move to approve the ordinance as introduced by title, first reading.

### **Attachments**

Attachment A: Ordinance

Exhibit 1: Annexation plat  
Attachment B: TIS by Developer  
Attachment C: TIS by Town of Castle Rock