

ORDINANCE NO. 2021-__

AN ORDINANCE AMENDING THE TOWN OF CASTLE ROCK'S ZONE DISTRICT MAP BY APPROVING THE PROMENADE AT CASTLE ROCK PLANNED DEVELOPMENT PLAN AMENDMENT NO. 1; APPROVING THE AMENDED PROMENADE AT CASTLE ROCK PLANNED DEVELOPMENT ZONING REGULATIONS; AND APPROVING THE PROMENADE AT CASTLE ROCK BLOCK 3A DEVELOPMENT AGREEMENT

WHEREAS, Promenade Castle Rock, LLC (the "Master Developer") has requested an amendment to the PD Planned Development zoning of the property described in the attached *Exhibit 1* (the "Property"); and

WHEREAS, the Master Developer has requested approval of the Amended Promenade at Castle Rock PD Zoning Regulations (the "Amended Zoning Regulations") attached as *Exhibit 2*, insofar as the same affect the Property; and

WHEREAS, the Master Developer has requested approval of the Promenade at Castle Rock Planned Development Plan Amendment No.1 (the "PD Plan Amendment No. 1"); and

WHEREAS, the Town's Comprehensive Master Plan designates the Property as suitable for mixed use development, which is represented by the mixture of commercial and residential uses within the proposed development; and

WHEREAS, the PD Plan Amendment No. 1 and Amended Zoning Regulations are consistent with the Town's Vision 2030 and the Comprehensive Master Plan; and

WHEREAS, public hearings on the PD Plan Amendment No. 1 and Amended Zoning Regulations have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code; and

WHEREAS, the Master Developer and the Town have agreed to certain terms and conditions pertaining to the development of the Property contained in the Promenade at Castle Rock Block 3A Development Agreement ("Block 3A DA") attached as *Exhibit 3*; and

WHEREAS, among other things, the Block 3A DA provides for the dedication to the Town of approximately 43 acres of open space located on the east side of Interstate 25.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Zoning District Map Amendment. The Town's Zoning District Map pertaining to the Property is amended to conform to the Promenade at Castle Rock Planned Development Plan Amendment No. 1.

Section 2. Planned Development Plan Approval. The Promenade at Castle Rock Planned Development Plan Amendment No. 1, dated _____, 2021, is hereby approved.

Section 3. Zoning Regulations Approval. The Amended Promenade at Castle Rock PD Zoning Regulations are hereby approved.

Section 4. Development Agreement Approval. The Promenade at Castle Rock Block 3A Development Agreement is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the agreement by and on behalf of the Town of Castle Rock, Colorado.

Section 5. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 6. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 16th day of February, 2021, by the Town Council of the Town of Castle Rock, Colorado by a vote of ____ for and _____ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED this 2nd day of March, 2021, by the Town Council of the Town of Castle Rock by a vote of _____ for and _____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Tara Vargish, Director of Development Services