

PLAT IDENTIFICATION SHEET

Reception #: **8717467**

Number of pages: **1**

Date: **06/12/87**

Name: **BROOKSIDE
BUSINESS CENTER**

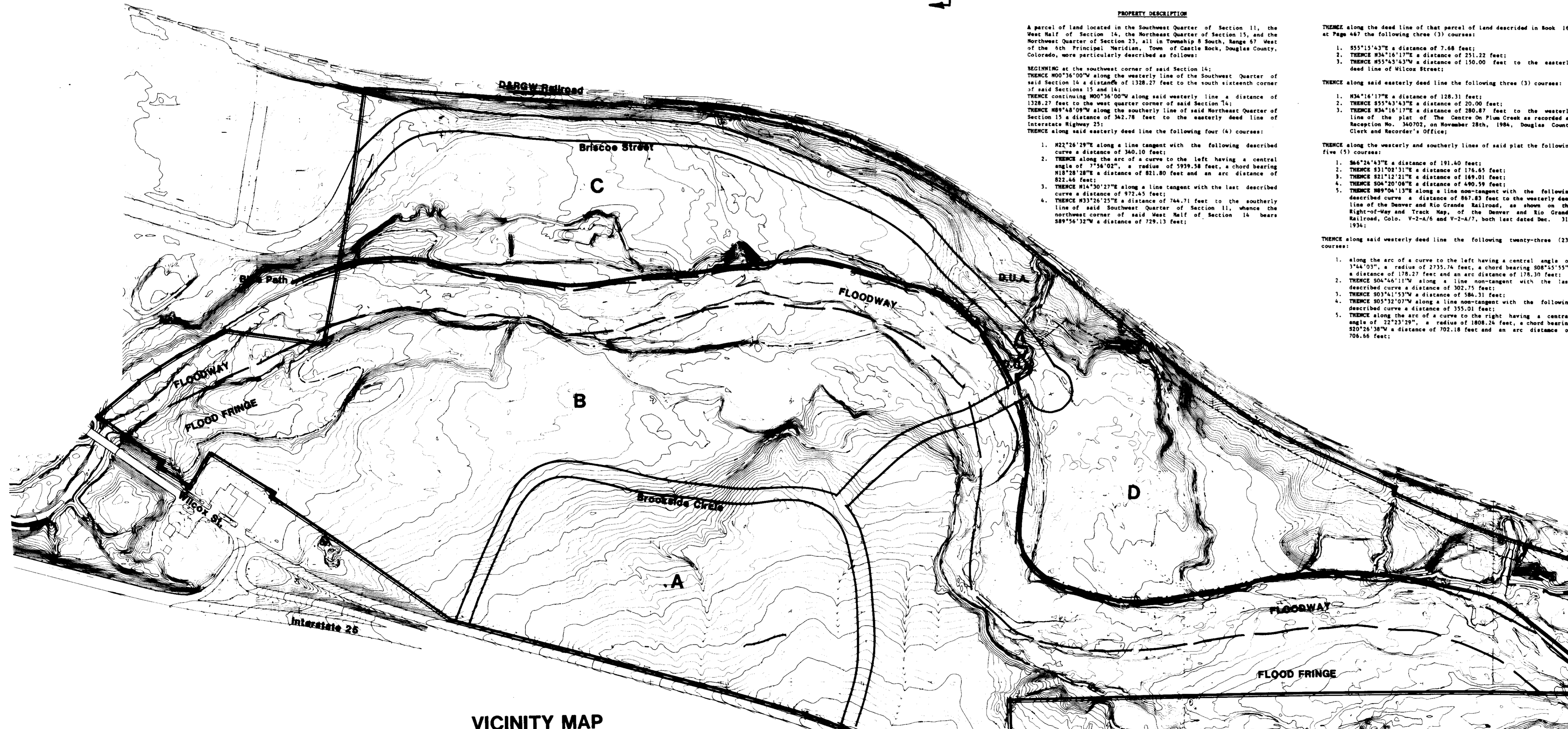
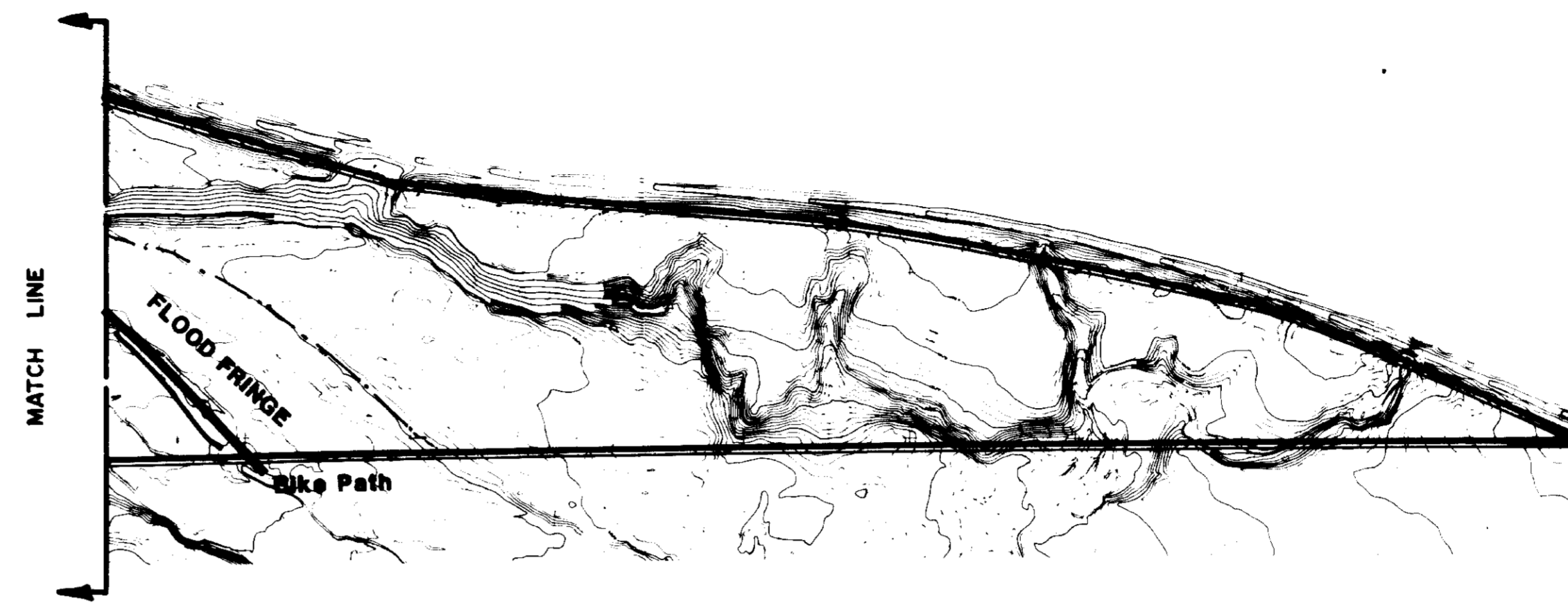
MISCELLANEOUS COMMENTS:

BROOKSIDE BUSINESS CENTER P.U.D.

An Amendment to a Portion of the Miller Ranch P.U.D. and Preliminary Site Plan.

Castle Rock, Colorado

OWNER: Park Funding Corporation



PROPERTY DESCRIPTION

A parcel of land located in the Southwest Quarter of Section 11, the West Half of Section 14, the Northeast Quarter of Section 15, and the Northeast Quarter of Section 23, all in Township 8 South, Range 67 West of the 6th Principal Meridian, Town of Castle Rock, Douglas County, Colorado, more particularly described as follows:

BEGINNING at the southwest corner of said Section 14;

THENCE $000^{\circ}36'00''$ along the westerly line of the Southwest Quarter of said Section 14 a distance of 1328.27 feet to the south sixteenth corner of said Sections 15 and 14;

THENCE continuing $000^{\circ}36'00''$ along said westerly line a distance of 1328.27 feet to the west quarter corner of said Section 14;

THENCE $89^{\circ}48'09''$ along the southerly line of said Northeast Quarter of Section 15 a distance of 342.78 feet to the easterly deed line of Interstate Highway 25;

THENCE along said easterly deed line the following four (4) courses:

- $022^{\circ}26'29''$ along a line tangent with the following described curve a distance of 340.10 feet;
- THENCE along the arc of a curve to the left having a central angle of $7^{\circ}56'02''$, a radius of 5939.58 feet, a chord bearing $81^{\circ}28'28''$ a distance of 821.80 feet and an arc distance of 821.48 feet;
- THENCE $81^{\circ}43'21''$ along a line tangent with the last described curve a distance of 972.45 feet;
- THENCE $83^{\circ}16'29''$ a distance of 744.71 feet to the southerly line of said Southwest Quarter of Section 11, whence the northwest corner of said West Half of Section 14 bears $88^{\circ}56'32''$ a distance of 729.13 feet;

THENCE along the deed line of that parcel of land described in Book 164 at Page 467 the following three (3) courses:

- $55^{\circ}15'43''$ a distance of 7.66 feet;
- THENCE $83^{\circ}16'17''$ a distance of 231.22 feet;
- THENCE $85^{\circ}45'43''$ a distance of 150.00 feet to the easterly deed line of Wilcox Street;

THENCE along said easterly deed line the following three (3) courses:

- $83^{\circ}16'17''$ a distance of 128.31 feet;
- THENCE $85^{\circ}43'43''$ a distance of 20.00 feet;
- THENCE $83^{\circ}16'17''$ a distance of 280.87 feet to the westerly line of the plat of The Centre On Plum Creek as recorded at Section No. 340702, on November 28th, 1984, Douglas County Clerk and Recorder's Office;

THENCE the westerly and southerly lines of said plat the following five (5) courses:

- $84^{\circ}24'43''$ a distance of 191.40 feet;
- THENCE $83^{\circ}02'31''$ a distance of 176.65 feet;
- THENCE $82^{\circ}12'21''$ a distance of 149.01 feet;
- THENCE $80^{\circ}40'08''$ a distance of 490.39 feet;
- THENCE $89^{\circ}04'13''$ along a line non-tangent with the following described curve a distance of 867.83 feet to the westerly deed line of the Denver and Rio Grande Railroad, as shown on the Right-of-Way and Track Map, of the Denver and Rio Grande Railroad, Colo. V-2-A/6 and V-2-A/7, both last dated Dec. 31, 1934;

THENCE along said westerly deed line the following twenty-three (23) courses:

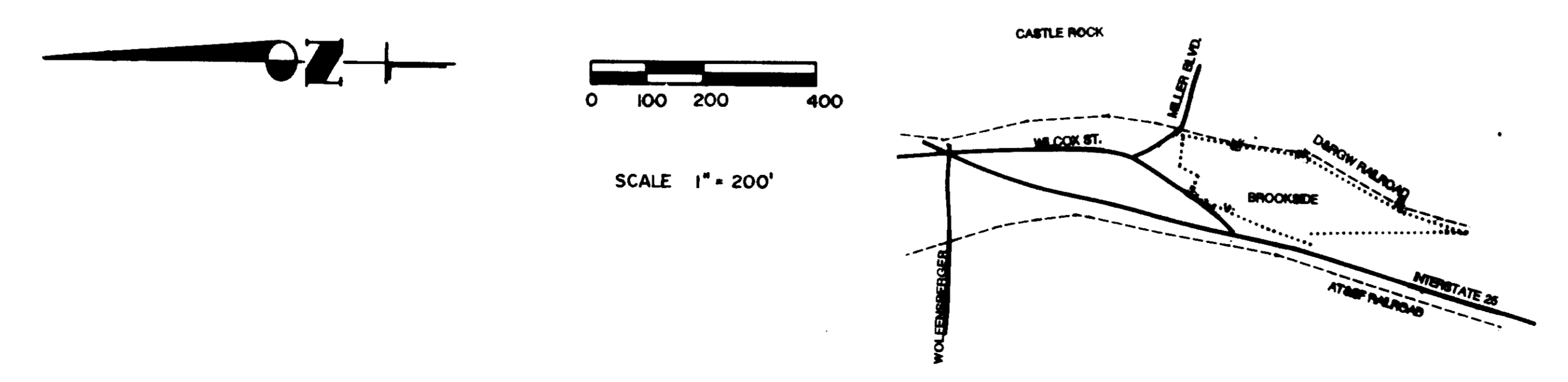
- along the arc of a curve to the left having a central angle of $7^{\circ}44'03''$, a radius of 2335.74 feet, a chord bearing $808^{\circ}53'55''$ a distance of 178.27 feet and an arc distance of 178.10 feet;
- THENCE $80^{\circ}44'11''$ along a line non-tangent with the last described curve a distance of 302.75 feet;
- THENCE $80^{\circ}41'53''$ a distance of 584.31 feet;
- THENCE $80^{\circ}32'07''$ along a line non-tangent with the following described curve a distance of 355.01 feet;
- THENCE along the arc of a curve to the right having a central angle of $32^{\circ}23'29''$, a radius of 1808.24 feet, a chord bearing $830^{\circ}28'38''$ a distance of 702.18 feet and an arc distance of 706.66 feet;

- THENCE $83^{\circ}52'08''$ along a line non-tangent with the last described curve a distance of 355.01 feet;
- THENCE $83^{\circ}11'22''$ a distance of 350.18 feet;
- THENCE $83^{\circ}10'04''$ along a line non-tangent with the following described curve a distance of 302.62 feet;
- THENCE along the arc of a curve to the left having a central angle of $13^{\circ}15'54''$, a radius of 2867.83 feet, a chord bearing $827^{\circ}30'25''$ a distance of 662.47 feet and an arc distance of 663.95 feet;
- THENCE $818^{\circ}50'44''$ along a line non-tangent with the last described curve a distance of 57.07 feet to the northerly line of the South Half of the Southwest Quarter of said Section 14;
- THENCE $88^{\circ}53'36''$ along said northerly line a distance of 52.77 feet, whence said south sixteenth corner of Sections 14 and 15 bears $88^{\circ}53'36''$ a distance of 690.71 feet;
- THENCE $818^{\circ}51'00''$ a distance of 229.49 feet;
- THENCE $817^{\circ}48'28''$ a distance of 408.59 feet;
- THENCE $816^{\circ}42'51''$ along a line non-tangent with the following described curve a distance of 305.71 feet;
- THENCE along the arc of a curve to the left having a central angle of $8^{\circ}15'31''$, a radius of 2704.35 feet, a chord bearing $811^{\circ}23'42''$ a distance of 295.28 feet and an arc distance of 295.42 feet;
- THENCE $806^{\circ}04'33''$ along a line non-tangent with the last described curve a distance of 141.22 feet to the southerly line of the Southwest Quarter of said Section 14, whence the southwest corner of said Section 14 bears $88^{\circ}59'51''$ a distance of 316.98 feet;
- THENCE $88^{\circ}59'51''$ along said southerly line a distance of 50.26 feet;
- THENCE $806^{\circ}04'14''$ a distance of 168.85 feet;
- THENCE $804^{\circ}57'54''$ a distance of 331.66 feet;
- THENCE $806^{\circ}03'36''$ along a line non-tangent with the following described curve a distance of 297.08 feet;
- THENCE along the arc of a curve to the right having a central angle of $11^{\circ}40'18''$, a radius of 2554.35 feet, a chord bearing $814^{\circ}06'09''$ a distance of 519.65 feet and an arc distance of 520.35 feet;
- THENCE $822^{\circ}08'33''$ along a line non-tangent with the last described curve a distance of 297.08 feet;
- THENCE $823^{\circ}14'14''$ a distance of 162.14 feet to the westerly line of said Northwest Quarter of Section 23;

THENCE $000^{\circ}09'03''$ along said westerly line a distance of 1522.71 feet to the POINT OF BEGINNING;

Said parcel contains 172.257 acres, more or less.

VICINITY MAP



LAND USE SUMMARY	AREA	FLOOD FRINGE	TOTAL ACRES
ZONE			
Intergrated Business			
A	19.8		19.8
B	40.0	14.6	54.6
C	19.0	2.7	21.7
D	28.0	4.2	32.2
Subtotal	106.8	21.5	128.3
Dedicated Use Area	8.9	1.5	10.4
Floodway	24.0		24.0
Roads	9.8		9.8
TOTAL SITE			172.3

Reviewed this ^{5th} day of Aug, 1986, by the Planning Commission of the Town of Castle Rock.

Attest:
 [Signature] Town Clerk
 [Signature] Chairman

Approved this ^{28th} day of Aug, 1986, by the Board of Trustees of the Town of Castle Rock.

Attest:
 [Signature] Town Clerk
 [Signature] Mayor

I hereby certify that this Planned Unit Development Preliminary Site Plan was filed this day ^{12th} of June, 1986, A.D., at ^{2:15} o'clock P.M. and was recorded per Reception No. ⁸⁷¹⁷⁴⁶⁷ at Book Page ¹ County Clerk and Recorder

ISSUE	DESCRIPTION	DATE	REFERENCE

BROOKSIDE BUSINESS CENTER P.U.D.

SCALE _____
 DRAWN _____
 CHECKED _____
 APPROVED _____

MERRICK
 Merrick & Company - Telephone 303/781-0741
 11085 E. Bathway Drive - Aurora, Colorado 80014
 Post Office Box 22028 - Denver, Colorado 80222

JOB _____ DATE _____ SH - OF -

210

ORDINANCE NO. 95-24

DC9865688

**AN ORDINANCE AMENDING ORDINANCE NO. 3-62, ORDINANCE NO. 83-28
AND ORDINANCE 94-05
(MILLER RANCH BUSINESS TECH PARK P.U.D.)**

WHEREAS, Hier & Company has made application to the Town of Castle Rock for approval of a major amendment to the Miller Ranch Business Tech Park P.U.D. zoning ordinance; and

WHEREAS, public hearings on the applications have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code.

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

SECTION 1. Approvals. A. That Ordinance No. 3-62 and Ordinance no. 83-28 are amended by the addition of a subparagraph "m." to paragraph 4.1 of Section IV, which reads as follows:

- m. Nursing home, as defined in the Castle Rock Zoning Regulations, as amended through March, 1995 within Brookside Filing No. 3 Subdivision, provided the uses listed below shall not be permitted within Brookside Filing No.3 or within 200 feet of the south line of Brookside Filing No. 3, unless approved by the Town;
1. Warehouse and office/warehouse units;
 2. Light manufacturing facilities;
 3. Restaurants and lounges;
 4. Automotive service stations and car washes;
 5. Cultural activities;
 6. Commercial parking lots and garages (provided, however, that parking lots and areas associated with any permitted use are permitted and that nothing contained herein shall be construed to prohibit such parking.)
 7. Amusements and recreation establishments and areas (provided, however, that such uses, except accessory parking, are permitted if contained entirely within an enclosed structure.)

B. That Ordinance No. 3-62 and Ordinance No. 83-28 are further amended by the addition of a subparagraph "n." to paragraph 4.1 of Section IV, which reads as follows:

- n. Any nursing home, skilled nursing facility or similar residential use shall be adequately buffered from any adjoining commercial or industrial use by means of an opaque fence, wall or coniferous screen or other suitable buffer as approved by the Town on the final pd site plan.

C. That Ordinance No. 3-62, Ordinance No. 83-28 and Ordinance No. 94-05 are amended by the addition of a paragraph 11.4 to of Section XI of Ordinance No. 83-28

(Ord. No. 95-24, Cont'd.)

which reads as follows:

11.4 The Town finds a need to identify and secure secondary access, for subdivisions in this pd submitted after Brookside Business Center Filing No. 3, which will conform to the Town's transportation plan. To this end, the Town may require submission of a traffic impact analysis and alignment study for extension of Briscoe street to Wilcox street as a requirement for approval of any preliminary plat, final plat or final site plan which describes areas within this pd which are located south of Brookside Business Center Filing No.3 and which will receive access from Briscoe street as extended. The Town may require dedication of right-of-way identified by the alignment study for extension of Briscoe street within this pd with at the time of final subdivision plat approval.

SECTION 2. 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.

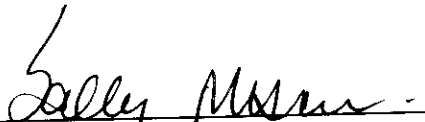
SECTION 3. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.


SUBMITTED this 8th day of June, 1995, and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 7 for and 0 against.

PASSED, APPROVED AND ADOPTED this 22nd day of June, 1995, by the Town Council of the Town of Castle Rock by a vote of 6 for and 0 against.

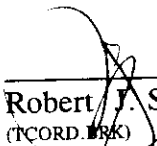
ATTEST:

TOWN OF CASTLE ROCK


Sally Misare, Town Clerk


Mark C. Williams, Mayor

APPROVED AS TO FORM:


Robert J. Slentz, Town Attorney
(TCORD.11K)

2K

ORDINANCE NO. 94-05

**AN ORDINANCE AMENDING THE
TOWN'S ZONE DISTRICT MAP BY
AMENDING ORDINANCE NO. 3.62 AND ORDINANCE NO. 83.28
(MILLER RANCH BUSINESS TECH PARK P.U.D.)**

WHEREAS, Robert L. Hier has made application to the Town of Castle Rock for an amendment to Ordinance No. 3.62 and Ordinance No. 83-28 to permit additional uses within the Miller Ranch Business Tech Park P.U.D.; and

WHEREAS, public hearings on the application have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code.

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

SECTION 1. Amendment. Ordinance No. 3.62 and Ordinance No. 83-28 are amended by the addition of a subsection 4.1 (1) to said Ordinance No. 83.28 which reads as follows:

- (1) Mortuaries, funeral homes and related services upon Lot 2, The Center on Plum Creek Filing No. 2, Second Amendment.

SECTION 2. 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.

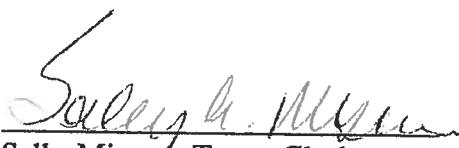
SECTION 3. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.


SUBMITTED this 24th day of March, 1994 and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 7 for and 0 against.

PASSED, APPROVED AND ADOPTED this 28th day of April, 1994, by the Town Council of the Town of Castle Rock by a vote of 5 for and 2 against.

ATTEST:

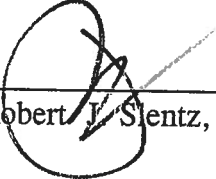
TOWN OF CASTLE ROCK


Sally Misare, Town Clerk


Mark C. Williams, Mayor

(Ord. No. 94- cont'd)

APPROVED AS TO FORM:



Robert J. Stentz, Town Attorney

(F:\user\common\plan\tcord.mil)

9711202 - 03/03/97 15:45 - RETA A CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
B1412 - P0904 - \$10.00 - 2/ 2

ORDINANCE NO. 93-13

AN ORDINANCE AMENDING SECTION IV
OF ORDINANCE NO. 83-28
CONCERNING PERMITTED USES IN
INTEGRATED BUSINESS GENERAL USE AREAS

WHEREAS, it is necessary to clearly define permitted uses which presently are not specifically cited under the current zoning designation of Brookside Business Center as IB-Integrated Business.

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

SECTION 1. Amendment. Section IV of Ordinance No. 83-28 is amended by the addition of a new subparagraph (1) to add the following permitted uses:

- 4.1 (1) Health Care-Related Businesses, including but not limited to: Professional offices, clinics, nursing homes, nurseries, hospital-acute and long term care, laboratories, pharmacies, outpatient medical facilities, medical facilities for standard and emergency care, and, transportation facilities to support these uses including air and ground ambulance, parking and storage.
- 1) For any air transport landing area, the Designated Approach and Departure Routes will stay west of the D&RGW railroad tracks.
 - 2) Air transport is restricted to emergency use only.

SECTION 3. 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 4. 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.

SUBMITTED this 8th day of July, 1993, and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 7 for and 0 against.

PASSED, APPROVED AND ADOPTED this 26th day of August, 1993, by the Town Council of the Town of Castle Rock by a vote of 6 for and 0 against.

ATTEST:

TOWN OF CASTLE ROCK

Sally Misare
Sally Misare, Town Clerk

Mark C. Williams
Mark C. Williams, Mayor

APPROVED AS TO FORM:

Robert J. Slentz
Robert J. Slentz, Town Attorney

ORDINANCE NO. 86-29

AN ORDINANCE AMENDING ORDINANCE NO. 83-28
(AN ORDINANCE AMENDING THE ZONING DISTRICT
MAP OF THE TOWN OF CASTLE ROCK, COLORADO)
(BROOKSIDE BUSINESS CENTER P.D.)

WHEREAS, the Board of Trustees of the Town of Castle Rock find that:

- (a) an application has been filed with the TOWN for a major modification requesting certain modifications to the Preliminary Planned Unit Development Site Plan for Miller Ranch P.U.D., approved August 7, 1980, pursuant to Ordinance No. 3.62, as amended September 6, 1984, pursuant to Ordinance No. 83-28; and
- (b) that public hearings, following notice duly made and published pursuant to applicable Colorado State Statute and Town of Castle Rock Ordinance, have been held before the Planning and Zoning Commission of the Town of Castle Rock, and the Board of Trustees of the Town of Castle Rock; and,
- (c) that said major modification complies with the stated purposes of Castle Rock Municipal Code, Section 17.48.010.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, as follows:

That the requested major modification to the approved Preliminary Planned Unit Development Site Plan for Miller Ranch is hereby approved and the name of such plan is hereby changed to Brookside Business Center P.D. as more specifically set forth in

REC'D 20671 - 10/01/86 14:17 - RETA A. CHAIN DOUGLAS CO. COLO. CLERK & RECORDER 1/5 \$15.00

this Ordinance and upon the amended Preliminary Planned Unit Development Site Plan for said Brookside Business Center P.D.

SECTION I

That Section III of said Ordinance No. 83-28 shall be amended to read as follows:

AMENDED GENERAL USE AREAS

Integrated Business Use Area	-	152.3 Acres
Public Dedication Use Area	-	10.4 Acres
Roads	-	<u>9.6 Acres</u>
Total Acres		172.3 Acres

SECTION II

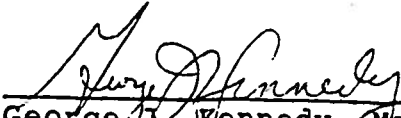
That Section V of said Ordinance No. 83-28 be amended to read as follows:

5.1 Building (ground) coverage shall not exceed 2,252,923 square feet (40%).

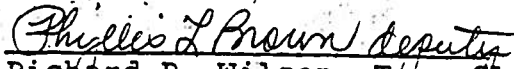
Passed and adopted on first reading this 14th day of August, 1986, by a vote of the Board of Trustees of the Town of Castle Rock, Colorado 6 for and 0 against.

RECORDER - 10/01/86 14:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER

Passed and adopted on second reading this 28th day of August, 1986, by a vote of the Board of Trustees of the Town of Castle Rock, Colorado 5 for and 0 against.


George R. Kennedy, Mayor
Town of Castle Rock

ATTEST:


Richard R. Wilson, Town Clerk

Approved as to form:

Bruce B. Lassman,
Town Attorney

Publication Date: September 8, 1986
Re-publication Date: October 4, 1986

8620671 - 10/01/86 14:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
R0669 - P0350 - \$15.00 3/ 5

ORDINANCE NO. 83-28

AN ORDINANCE AMENDING ORDINANCE NO. 3.62
AND REPEALING ORDINANCE NO. 3.71
(Miller Ranch Business Tech Park PUD)

WHEREAS, on the 7th day of August, 1980, the Board of Trustees adopted Ordinance No. 3.62 amending the zoning district map of the Town of Castle Rock and creating the Miller Ranch Business Tech Park Planned Unit Development; and

WHEREAS, on the 7th day of May, 1981, the Board of Trustees adopted Ordinance No. 3.71 amending said Ordinance No. 3.62; and

WHEREAS, the present owners of said Planned Unit Development, the legal description of which is described in attached Exhibit "A", have applied to the Board of Trustees for a major modification to said Planned Unit Development Site Plan and Planned Unit Development Ordinance, pursuant to the provisions of subsection 17.48.220 of the Castle Rock Municipal Code; and

WHEREAS, said application for major modification has been reviewed by the planning commission as contemplated in said subsection, and a recommendation has been made by said commission to the Board of Trustees; and

WHEREAS, the Board of Trustees has held a public hearing into the proposed modification as required pursuant to said subsection; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, as follows:

That the certain major modifications, as set forth herein and upon the Revised Preliminary Site Plan approved by the Board of Trustees contemporaneously herewith are hereby approved and shall amend Ordinance No. 3.62 and repeal Ordinance No. 3.71, affecting the zoning of the real property described in the attached Exhibit "A":

8620670 - 10/01/86 14:17 - BETA A. GRAY DOUGLAS CO. COLO. CLERK & RECORDER \$24.00
P0669 - P0310 1 8

SECTION I.

APPROVAL OF REVISED PRELIMINARY SITE PLAN

1.1 That the revised preliminary site plan dated October 28, 1983, is hereby approved and that the previously approved preliminary site plan dated August 7, 1980 shall be of no further force and effect, said revised plan being a complete substitution for said original preliminary site plan.

SECTION II.

ELIMINATION OF CERTAIN GENERAL USE AREAS

2.1 That the following general use areas, and all specific references thereto in said Ordinance No. 3.62 are hereby eliminated:

- (a) Medium density residential area.
- (b) Mobile home residential area.
- (c) Modular home residential area.

SECTION III.

AMENDED GENERAL USE AREAS

3.1	Integrated Business Use Area	-	181.84 Acres
	Public Dedication Use Area	-	10.4 Acres
	Roads	-	<u>14.04 Acres</u>
	Total		206.28 Acres

SECTION IV.

PERMITTED USES

4.1 That the following uses shall be permitted in the Integrated Business General Use Area:

- (a) Retail stores, sales and display rooms and shops.
- (b) Offices, professional and commercial.
- (c) Personal service establishments.
- (d) Financial institutions.
- (e) Warehousing and office/warehouse units.
- (f) Light manufacturing facilities - provided that all stages of the manufacturing process, other than the delivery of raw materials and the shipment of finished products be conducted entirely within enclosed structures.

8620670 - 10/01/86 14:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
 B0669 - P0341 - \$24.00

- (g) Service-related businesses, including but not limited to:
 - (1) Restaurants and lounges.
 - (2) Lodging facilities.
 - (3) Cultural activities, including motion picture theaters, legitimate theaters, playhouses, concert halls or other music facilities.
 - (4) Religious institutions, parochial and private schools both academic and technical.
 - (5) Parking lots and garages.
 - (6) Amusement and recreation establishments and areas.
- (h) Public and private community services.
- (i) Professional research laboratories.
- (j) Clinics.
- (k) Automotive service stations and car washes, excluding outdoor storage of junked or wrecked vehicles.

SECTION V.

MAXIMUM GROUND COVERAGE

5.1 Building (ground) coverage shall not exceed 3,168,380 square feet (40%).

SECTION VI.

MAXIMUM BUILDING HEIGHTS

6.1 The maximum building height which may be constructed by right shall be 50 feet, provided however that the Board of Trustees may permit maximum building heights not to exceed 72 feet at the time of final site plan review following consideration of the following criteria; (i) the topography of the site and visual impact of the proposed structure; (ii) the size of the site; (iii) height of adjacent structures; (iv) compatibility with adjacent structures; (v) affect upon light to adjacent streets and properties; and (vi) traffic impact. Such structures shall meet all applicable provisions of the Uniform Fire Code and Uniform Building Code as are in effect at the time of their construction.

8620670 -- 10/01/86 14:17 -- RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER

SECTION VII.

PUBLIC DEDICATION USE AREAS

7.1 Public Dedication Use Areas are shown on the approved Preliminary P.U.D. Site Plan, consisting of a total of 10.4 acres.

7.2 Permitted Uses:

- (a) Parks, playgrounds and picnic areas.
- (b) Public schools, school grounds and playing fields.
- (c) Community centers.
- (d) Community recreational facilities.
- (e) Public buildings, including but not limited to fire and police stations.
- (f) Such other public uses, not inconsistent with the nature of surrounding use areas, as may be permitted by the Town of Castle Rock.
- (g) Facilities for the acquisition, treatment and storage of water.
- (h) Facilities for the collection, treatment and disposal of sewage.
- (i) Facilities for the collection, treatment and storage of reuse water.

SECTION VIII.

USES PERMITTED IN PRIVATE OPEN SPACE AREAS

8.1 Uses permitted in Private Open Space Areas:

- (a) Landscaping.
- (b) Passive and/or active recreation and facilities.
- (c) Gardens.
- (d) Community centers.
- (e) Water and reuse water storage reservoirs and tanks.

SECTION IX.

ACCESSORY USES PERMITTED IN ALL USE AREAS

9.1 Uses permitted in All Use Areas:

8620670 - 10/01/86 14:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER - 4/8
R0669 - P0343 - \$24.00

- (a) Utility and communications distribution lines, provided that no public offices and repair or storage facilities are maintained on the site.
 - (b) Roadways, bike paths, pedestrian and equestrian trails.
 - (c) Parking areas.
 - (d) Open spaces and lakes, to include reuse water reservoirs.
 - (e) Fences.
- 9.2 Uses permitted by special review in all use areas.
- (a) Electric substations and gas regulator stations.

SECTION X.

MINIMUM BUILDING SETBACKS AND MAXIMUM BUILDABLE SLOPES

10.1 To provide maximum flexibility for innovative design, the development of criteria for minimum building setbacks and maximum buildable slopes will be reserved until the presentation of final site plans, provided that no such final site plan will be presented for consideration that does not contain specific criteria for the establishment of minimum setbacks and maximum buildable slopes.

SECTION XI.

SUBMISSION OF FINAL PLANNED UNIT DEVELOPMENT PLANS AND/OR PLATS

11.1 That following the approval of this Ordinance, the owners of tracts within the above-described tract shall present final site plans for all or any portion or portions of the general use areas as are then ready for development.

11.2 No structural building permit will issue until a final site plan and final plat for such area has been presented to and approved by the Board of Trustees.

11.3 In those cases where the Subdivision Regulations of the Town of Castle Rock require approval of a final plat by the Board of Trustees prior to sale or transfer of lands within the Planned Unit Development, no such final plat shall be approved by the Board of Trustees for any area for which a final site plan has not been

8620670 - 10/01/86 14:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER - 5/ 8
 R0669 - P0344 - \$24.00

approved for the lands so sold or transferred, unless such plat contains a note, on the face thereof, which shall state as follows:

"(Pursuant to Town of Castle Rock Ordinance No. 83-16, no building permit will issue for the erection of any structural improvement in any area described hereon for which a final site plan has not been approved by the Board of Trustees of the Town of Castle Rock.)"

SECTION XII.

TRANSITIONAL USE

12.1 After approval of the Preliminary Site Plan incorporated herein by reference, any portion or portions of the property described above, which has not been subjected to a final site plan, shall be used for agricultural purposes until approval of a final site plan for the area or areas in question. Agricultural uses, for purposes of this section, shall mean, farming, ranching, gardening, buildings and out buildings pertaining thereto. It shall not be deemed to include commercial feed yards, commercial poultry or pig farms, fur farms, or kennels.

12.2 Any general ordinance of the Town of Castle Rock prohibiting any activity permitted by this Section XII. shall have no application within the area described above until a Final Site Plan for such area or areas has been approved; provided however, the Board of Trustees reserves the right to prohibit such agricultural use in areas for which no final site plan has been submitted in the event said Board determines that due to the proximity of such uses to developed areas that a danger exists to the health, safety or welfare of the residents of such developed areas.

12.3 Such transitional use areas shall be closed to vehicular traffic and off road recreational motor biking excepting agricultural vehicles and implements, emergency vehicles, vehicles engaged in utility and other maintenance work, and designees of the master developer and/or Town.

8620670 - 10/01/86 14:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER 6/8
80669 - P0345 - \$24.00

SECTION XIII.

SEVERABILITY OF PROVISIONS

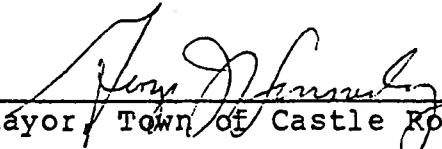
13.1 In the event that any provision hereof shall be determined to be illegal or void by the final order of any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION XIV.

EXTENT OF AMENDMENT/REPEAL

14.1 Whenever the provisions of this ordinance conflict with the provisions of Ordinance No. 3.62 the provisions contained herein shall control. Except as amended herein, however, the provisions of Ordinance No. 3.62 shall remain in full force and effect. Ordinance No. 3.71 is hereby repealed.

Passed and adopted this 6th day of September, 1984, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 5 for and 0 against.



Mayor, Town of Castle Rock

ATTEST:



Town Clerk

Publication Date: October 3, 1986

8620670 - 10/01/86 14:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER 7/ 8
R0669 - P0346 - 49A 00

Exhibit "A"

PROPERTY DESCRIPTION

*All that part of the Southwest 1/4 of Section 11, and all that part of Section 14, and all that part of the Northeast 1/4 of Section 15, and all that part of the Northwest 1/4 of Section 23, Township 8 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, lying between the East Right-of-Way line of Interstate 25, the West Right of Way line of the Denver & Rio Grande Western Railroad and the South Right of Way line of Miller Boulevard, as platted in the Town of Castle Rock, Except that tract described in Book 164 at Page 467, and Except that tract described in Book 566 at Page 111 of the Douglas County Records.
Containing 206.276 acres, more or less.*

8620670 - 10/01/86 14:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
R/

Recorded at 3:00

O'clock

OCT 21 1980

BOOK

398 PAGE 700

Reception No. 258544

CARROLL HIER

Recorder.

ORDINANCE NO. 342

AN ORDINANCE RELATIVE TO PROVISIONAL AMENDMENT
OF THE ZONING DISTRICT MAP OF THE
TOWN OF CASTLE ROCK, COLORADO

(MILLER RANCH BUSINESS TECH PARK
PLANNED UNIT DEVELOPMENT)

WHEREAS, on the Basel day of January, 1980, an Application was filed with the Town Clerk praying for an amendment to the Zoning District Map of the Town of Castle Rock, Colorado, as hereinafter described; and

WHEREAS, the said Petition was forwarded by the Town Clerk to the Board of Trustees; and

WHEREAS, the Board of Trustees has held a public hearing, following notice duly made and published into the matters contained in said Petition.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, COLORADO, as follows:

That the zoning classification of the lands hereinafter described is provisionally changed from zoning classification R-R (Rural Residence District) to zoning classification PUD (Planned Unit Development District):

All that part of the Southwest $\frac{1}{4}$ of Section 11, and all that part of Section 14, and all that part of the Northeast $\frac{1}{4}$ of Section 15, and all that part of the Northwest $\frac{1}{4}$ of Section 23, Township 8 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, lying between the East right-of-way line of Interstate 25, the West right-of-way line of the Denver & Rio Grande Western Railroad and the South Right-of-way line of Miller Boulevard, as platted in the Town of Castle Rock, EXCEPT, that tract described in Book 164 at Page 467 of the Douglas County Records.

Containing 211.15 acres, more or less.

Except that parcel described in Exhibit "A" attached hereto.

That the above-described tract shall be divided into four (4) general use areas, which are generally described upon the approved preliminary site plan and as follows, and shall not exceed, without specific authorization of the Board of Trustees, the acreages set forth:

Medium Density Residential Area - 46.60 acres

Mobile Home Residential Area - 21.00 acres

Modular Home Residential Area - 17.75 acres

Integrated Business/Light Industrial Area - 92.48 acres

That following the approval of this ordinance, the owners of the above-described tract shall present final site plans for all or any portion or portions of the general use areas as are then ready for development. Each final site plan shall contain a phasing plan, provided, however, the the entire Planned Unit Development shall be completed within twenty (20) years of the date hereof, except as such may be enlarged by the Board of Trustees or its successors. No final site plan shall describe less than one acre in area. No final site plan in a residential area shall contain less than fifty (50) dwelling units, excepting the last final site plan presented in any general use area. No land within the above-described areas may be sold, nor private improvements be erected or occupied until a final site plan and final PUD ordinance for such area has been presented to and approved by the Board of Trustees. If the area in question is to be sold to third parties (other than the developers or their assigns), a final plat must also be presented and approved by the Board of Trustees before such sale.

That the MEDIUM DENSITY RESIDENTIAL AREA shall have the following permitted uses; provided that density shall not exceed five (5) dwelling units per acre (234 dwelling units):

- A. Single family dwelling units
- B. Townhouse or cluster (condominium or apartment) dwelling units
- C. Churches
- D. Schools
- E. Community Centers

and further provided as follows:

- A. Functional open space (exclusive of parking and streets), but which may be included in individual sites, equal to a minimum of 25% of the gross area of the medium density use residential use area shall be provided,

50% of which must be located out of the designated flood area.

B. Maximum Height of Structures - 35 feet

That the MODULAR HOME RESIDENTIAL AREA shall have the following uses; provided that density shall not exceed seven (7) dwelling units per acre (100 dwelling units):

- A. Modular Home Dwelling Units ("modular home" shall be defined as a home built either in a factory or on the site, installed on a permanent foundation)
- B. Churches
- C. Schools
- D. Community Centers

and further provided as follows:

- A. Dwelling units to have a minimum ground floor square footage of 750 square feet.
- B. All modular dwellings must be approved by the State of Colorado.
- C. Functional open space (exclusive of parking and streets), but which may be included in individual sites, equal to a minimum of 25% of the gross area of the Modular Home Residential area shall be provided, 50% of which must be located out of the designated flood area.
- D. Maximum Height of Structures - 35 feet

That the MOBILE HOME RESIDENTIAL AREA shall have the following uses; provided that density shall not exceed seven (7) dwelling units per acre (147 dwelling units):

- A. Mobile Home Dwelling Units
- B. Community Centers

and further provided as follows:

- A. Functional open space (exclusive of parking and streets), but which may be included in individual sites, equal to minimum of 25% of the gross area of the Mobile Home Residential use area shall be provided, 50% of which must be located out of the designated flood area.
- B. Maximum Height of Structures - 35 feet

That the INTEGRATED BUSINESS/LIGHT INDUSTRIAL use area shall have the following uses:

- Retail stores, sales and display rooms and shops
- Offices, professional and Commercial
- Personal Service Establishments
- Financial Institutions
- Warehousing and Office/Warehouse Units
- Light Manufacturing and Industrial Uses
- Service-Related Businesses, including but not limited to:

- Restaurants and Lounges
- Lodging facilities
- Cultural activities, including motion picture theaters, legitimate theaters, playhouses, concert halls or other music facilities
- Churches, church schools and private schools both academic and technical
- Parking lots and garages
- Amusement and recreation establishments and areas

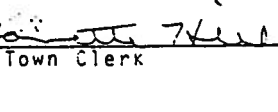
provided, however, as follows:

- A. building (ground) coverage shall not exceed 1,611,372 square feet (40%)
- B. Maximum Height of Structures - 50 feet

Introduced as an Ordinance at a regular meeting of the Board of Trustees of the Town of Castle Rock, Colorado, on the 7th day of August, 1980, and passed by a vote of 5 for and 0 against, and ordered published.


 Mayor

-ATTEST:


 Town Clerk

DAVID E. ARCHER
& ASSOCIATES, INC.
REGISTERED LAND SURVEYOR
222 FRONT ST.
CASTLE ROCK, COLO. 80104
PHONE 688-4642

Exhibit "A"

August 19, 1980
Job No. 79-566

PROPERTY DESCRIPTION: 5.000 acre Bank Site

A tract of land situated in the South 1/2 of the Southwest 1/4 of Section 11, Township 8 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 11 and considering the North line of said Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 11 to bear S 89°29'52"E with all bearings contained herein relative thereto;

Thence S 0°30'06"W along the West line of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 11 a distance of 52.08 feet to a point on the North Right of Way line of Miller Boulevard;

Thence S 89°45'14"E along said North Right of Way line a distance of 16.43 feet;

Thence S 0°14'46"W a distance of 80.00 feet to a point on the South boundary of said Miller Boulevard;

Thence Easterly along said South boundary along the arc of a curve to the right a distance of 126.06 feet, said curve has a radius of 1224.18 feet and a central angle of 5°54'00" to a point of compound curve;

Thence Southeasterly along the arc of said compound curve a distance of 72.43 feet, said curve has a radius of 160.00 feet and a central angle of 25°56'14";

Thence S 44°13'16"W a distance of 441.95 feet;

Thence N 75°46'18"W a distance of 616.96 feet to a point on the East Right of Way line of South Wilcox Street (old State Highway No. 1);

Thence N 34°41'00"E along said East Right of Way line a distance of 350.00 feet;

Thence Southeasterly along the arc of a curve to the left a distance of 308.56 feet, said curve has a radius of 513.41 feet and a central angle of 34°26'14" to a point of tangent and to a point on the South Right of Way line of Miller Boulevard;

Thence S 89°45'14"E along said South Right of Way line a distance of 223.49 feet to the point of beginning.

Containing 5.000 acres, more or less.