

PLAT IDENTIFICATION SHEET

RECEPTION # :

DC9804860

DATE: 1-27-98

TIME: 13:12

FEE: \$ 10 (/ Pages)

GRANTOR: Conoco Inc
(OWNER/SIGNER)

+

Town of Castle Rock

GRANTEE: I-25 + Founder Parkway
(SUBDIVISION NAME OR NAME OF PLAT) Conoco

Preliminary PD Site Plan

LEGAL:

26-7-68

(SECTION-TOWNSHIP-RANGE)

RECEPTION # 9804860

BOOK 1505 PAGE(S) 0927 THRU _____

were not used in Douglas County Real Estate Records

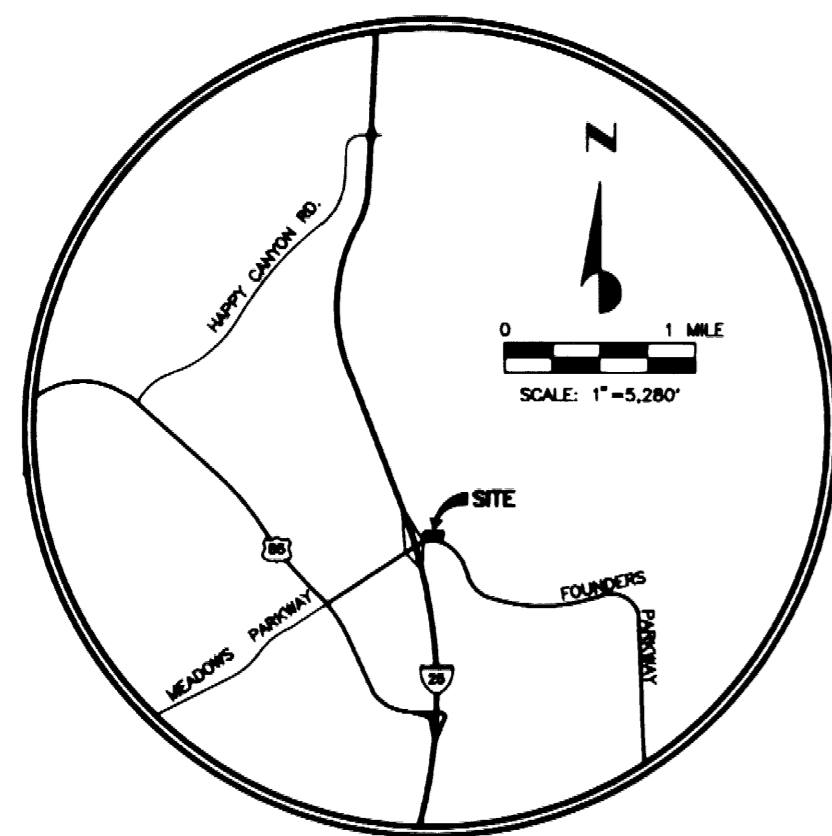
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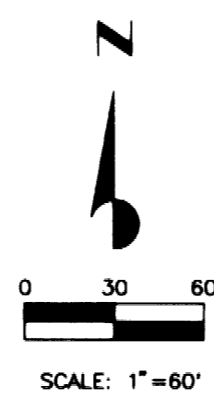
I-25 AND FOUNDERS PARKWAY CONOCO

PRELIMINARY PD SITE PLAN

A PART OF THE NW 1/4 OF SECTION 26, T. 7 S., R. 68 W., OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO



VICINITY MAP



LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 26, T.7S., R.67W., OF THE 6TH P.M., DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W 1/4 CORNER OF SAID SECTION 26, THENCE S89°48'39"E ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 26 A DISTANCE OF 246.30 FEET TO THE SOUTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 156 AT PAGE 360, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING S89°48'39"E ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 609.21 FEET TO THE SOUTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 893 AT PAGE 1086; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1086 THE FOLLOWING (THREE COURSES): THENCE N22°36'26"E A DISTANCE OF 11.51 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS N11°35'47"E A DISTANCE OF 158.53 FEET TO A POINT OF TANGENT; THENCE N00°35'08"E A DISTANCE OF 167.69 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1086, SAID POINT LYING ON THE NORTH LINE OF THE S 1/2 OF THE S 1/2 OF THE N 1/2 OF SAID SECTION 26; THENCE N89°43'06"W ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1086 AND ALONG SAID NORTH LINE A DISTANCE OF 734.33 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1086, SAID POINT BEING THE NORTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 536 AT PAGE 470; THENCE S57°48'08"W ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 536 AT PAGE 470 A DISTANCE OF 105.09 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 536 AT PAGE 470 LYING ON THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 156 AT PAGE 360; THENCE S32°13'52"E ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 156 AT PAGE 360 A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (245,788 SQUARE FEET) 5.643 ACRES.

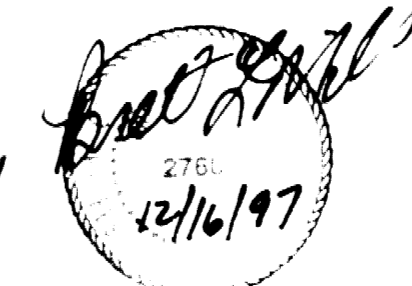
SURVEYOR'S CERTIFICATE

I, **BRUCE W. MILLER**, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THE I-25 AND FOUNDERS PARKWAY CONOCO PRELIMINARY PD SITE PLAN WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS SITE PLAN ACCURATELY REPRESENTS THAT SURVEY.

Bruce W. Miller
REGISTERED LAND SURVEYOR

Engineering Service Company

14426 East Evans Avenue, Suite 150
Aurora, Colorado 80014
Phone: (303) 337-1393 Fax: (303) 337-7481
engineers-surveyors



TITLE CERTIFICATION:

I, **Stephan G. Anderson**, AN AUTHORIZED REPRESENTATIVE OF **Title Services, Inc.**, A TITLE INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF COLORADO, HAVE MADE AN EXAMINATION OF THE PUBLIC RECORDS AND STATE THAT ALL OWNERS, MORTGAGEES AND LIENHOLDERS OF THE PROPERTY ARE LISTED IN THE CERTIFICATE OF OWNERSHIP AND LIENHOLDER SUBORDINATION CERTIFICATE.

SIGNED THIS 17th DAY OF December, 1997

Stephan G. Anderson
Authorized Representative (NOTARIZED SIGNATURE)

Title Services, Inc.
Title Insurance Company

STATE OF COLORADO) SS
COUNTY OF Douglas)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17th DAY OF December, A.D. 1997, BY

TITLE OFFICER Stephan G. Anderson

WITNESS MY HAND AND OFFICIAL SEAL.

Stephan G. Anderson
NOTARY PUBLIC
MY COMMISSION EXPIRES 6th DAY OF July, 1998



LAND USE SUMMARY:

LAND USE:	S.F.	%
BUILDINGS	10,000	4.0
PAVING	89,828	36.5
LANDSCAPING	92,623	37.7
TOTAL LAND USE	192,501	78.3
DEDICATION TO PUBLIC RIGHT-OF-WAY	53,287	21.6
TOTAL AREA	245,788	100

PRESENT ZONING CLASSIFICATION: B, BUSINESS (DOUGLAS COUNTY)

PROPOSED ZONING CLASSIFICATION: PD, INTEGRATED BUSINESS, (CASTLE ROCK)

SURROUNDING ZONING: A-1, AGRICULTURAL, B, BUSINESS, & (DOUGLAS COUNTY); PD, INTEGRATED BUSINESS, (CASTLE ROCK)

MINIMUM OFF-STREET PARKING: TO BE DETERMINED AS PER FINAL SITE PLAN APPROVAL

NOTE:

PHASE LINES ARE APPROXIMATE. 100 YEAR FLOODPLAIN IS NOT WITHIN THE PROJECT. PUBLIC LAND DEDICATION WILL BE CASH-IN-LIEU OF.

OWNERSHIP CERTIFICATION:

THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS THE I-25 AND FOUNDERS PARKWAY CONOCO PD IN THE TOWN OF CASTLE ROCK.

W.R. Gove
CONOCO INC.
SIGNED THIS 17th DAY OF January, 1998

STATE OF Texas) SS
COUNTY OF Dallas)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17th DAY OF January, A.D. 1998, BY CONOCO, INC. AS OWNERS.

WITNESS MY HAND AND OFFICIAL SEAL.

Kathy G. Williams
NOTARY PUBLIC
MY COMMISSION EXPIRES 8-20-2000 DAY OF August, 19__



OWNERSHIP CERTIFICATION:

THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS THE I-25 AND FOUNDERS PARKWAY CONOCO PD IN THE TOWN OF CASTLE ROCK.

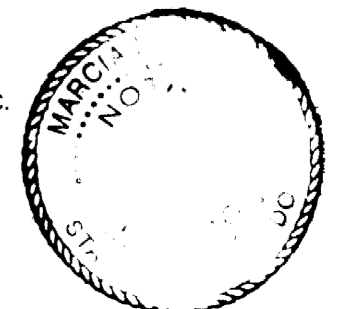
Donald J. Jones
TOWN OF CASTLE ROCK
SIGNED THIS 31st DAY OF Jan, 1998

STATE OF COLORADO) SS
COUNTY OF DOUGLAS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 31st DAY OF January, A.D. 1998, BY CONOCO, INC. AS OWNERS.

WITNESS MY HAND AND OFFICIAL SEAL.

Neena M. Shogren
NOTARY PUBLIC
MY COMMISSION EXPIRES 8th DAY OF May, 19__



TOWN CERTIFICATION:

A. PLANNING COMMISSION RECOMMENDATION:

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE I-25 AND FOUNDERS PARKWAY CONOCO PD WERE APPROVED BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 11th DAY OF January, 1997.

Alan
CHAIRMAN
DATE: 1/23/97

ATTEST:
Sally Allen
TOWN CLERK
DATE: 1/23/97

Alan
CHAIRMAN
DATE: 1-23-97

B. TOWN COUNCIL APPROVAL:

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE I-25 AND FOUNDERS PARKWAY CONOCO PD WERE APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 30th DAY OF January, 1997.

Alan
MAYOR
DATE: 1-23-97

ATTEST:
Sally Allen
TOWN CLERK
DATE: 1-23-97

DOUGLAS COUNTY CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO) SS
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS 23rd DAY OF January, A.D. 1997, AT 11:00 O'CLOCK A.M. AND WAS RECORDED UNDER RECEPTION NUMBER 480480

Allen Craig Chepigny
DOUGLAS COUNTY CLERK AND RECORDER



REVISIONS	ORIGINAL ISSUE:
No. Description	Des. By Drn. By Date

CONOCO INC.
600 North Dairy Ashford
Houston, Texas 77079
(713) 293-5489

Calloway, Romero & Associates
Design Engineering Planning
5350 DTC Parkway
Englewood, Colorado 80111
Tel: (303) 770-8884
Fax: (303) 770-3838

I-25 AND FOUNDERS PARKWAY CONOCO PRELIMINARY PD SITE PLAN

I-25 & FOUNDERS PARKWAY CASTLE ROCK, CO

Designed By: DHM Date: MAY, 1997 Sht

Drawn By: SEF Scale: 1" = 60'

Checked By: DHM Disk File: C076SP80

1 of 1

H:\DMG5\CONOCO\076\C076SP80 Tue Oct 07 14:08:56 1997 6:17

**FIRST AMENDMENT TO
I-25 AND FOUNDERS PARKWAY CONOCO PLANNED DEVELOPMENT ZONING
REGULATIONS**

DATE: January 9, 2019

APPLICANT: Demis Investors, LLLP("Applicant").

1. Applicant has requested an amendment to the I-25 and Founders Parkway Conoco Planned Development Zoning Regulations approved by the Town Council by Ordinance No. 97-39, recorded in the Douglas County public records ("Records") on January 27, 1998 at Reception No. 9804859.
2. This First Amendment to the I-25 and Founders Parkway Conoco Planned Development Plan Zoning Regulations ("First Amendment") qualifies as a "Minor Amendment" to Zoning Regulations in accordance with Chapter 17.36 of the Castle Rock Municipal Code.
3. This First Amendment to the I-25 and Founders Parkway Conoco Planned Development Zoning Regulations makes minor text amendments to Section 4 of the Zoning Regulations, as follows:
 - A. **Section 4 – Development Standards.** Subsection 4.2 was amended to create a new setback from Founders Parkway to parking for Lots 2 & 3.

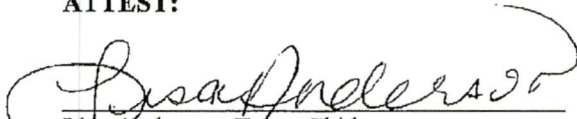
Setbacks:

Founders Parkway:		
Lot 1 & Tract A		
ROW to building		30'
ROW to parking		20'
Lots 2 & 3		
ROW to building		30'
ROW to parking		10'

4. This First Amendment shall apply to all property subject to the Zoning Regulations, as further described in the attached *Exhibit 1*.
5. Except to the extent expressly modified by this First Amendment, the Zoning Regulations shall remain in full force and effect. To the extent of any inconsistency between this First Amendment and the Zoning Regulations, the terms and conditions of this First Amendment shall control.

6. The approval of this First Amendment to the I-25 and Founders Parkway Conoco Planned Development Zoning Regulations is conditioned on the conveyance to the Town of Castle Rock of the real property interests as set forth in the Memorandum of Agreement between the Town of Castle Rock and Demis Investors, LLLP and Hidden Lake Properties, LLC. In the event such conveyance has not taken place by March 31, 2019, this approval shall be null and void.

ATTEST:



Lisa Anderson, Town Clerk

TOWN OF CASTLE ROCK



Bill Detweiler, Director of Development Services



ZONING REGULATIONS
FOR
I-25 AND FOUNDERS PARKWAY CONOCO PLANNED DEVELOPMENT

TABLE OF CONTENTS:

Section I	General Provisions
Section II	Definitions
Section III	Use Areas
Section IV	Development Standards
Section V	Temporary Uses
Section VI	Accessory Uses
Section VII	Final Planned Development Site Plans
Section VIII	Transitional Use
Section IX	Severability of Provisions

SECTION I:
GENERAL PROVISIONS

- 1.1 Adoption/ Authorization. The Town Council has adopted the **1-25 AND FOUNDERS PARKWAY CONOCO** Preliminary PD Site Plan and Zoning Regulations pursuant to Section 17 .60 of Title 17 (Zoning) of the Castle Rock Municipal Code after appropriate public notice and hearing.
- 1.2 Applicability. The **1-25 AND FOUNDERS PARKWAY CONOCO** Preliminary PD Site Plan and Zoning Regulations shall run with and bind all landowners of record, their successors, heirs, or assigns of the land as approved by the Castle Rock Town Council.
- 1.3 Maximum Level of Development. The total commercial floor area approved for development within the established Use Areas is the *maximum* allowed for platting and development. The actual floor area approved will be determined at the Final Plat and Final PD Site Plan stage of review based upon environmental constraints, utility and street capacity, compatibility with surrounding land uses, and other relevant factors.
- 1.4 Relationship to Town Regulations. The provisions of this Preliminary PD Site Plan and Zoning Regulations shall prevail and govern the development of the **1-25 AND FOUNDERS PARKWAY CONOCO PD**, provided, however, that where the provisions of this Preliminary PD Site Plan and Zoning Regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, or any other applicable provisions of the Town Municipal Code shall be applicable.
- 1.5 Phasing. The Phasing order indicated upon the Preliminary PD Site Plan is advisory in nature and is not to be construed as obligatory upon Developer.
- 1.6 Development Agreement. In addition to these regulations, certain provisions of the development of this PD property are controlled by an agreement between the Town of Castle Rock and the PD property owners. This agreement, entitled **Conoco Annexation and Development Agreement**, was adopted by the Town on the 25th day of September, 1997, by Ordinance No. 97-40.

SECTION II:
DEFINITIONS

- 2.1 Definitions. The standard definitions found in the Town of Castle Rock Zoning Ordinance (Title 17), shall apply to this Planned Development.

SECTION III:
USE AREAS

- 3.1 Commercial Use Area – C
A. Permitted Uses:

1. Motor vehicle fueling service station (except diesel fuel) with convenience store, car wash, quick serve restaurants and similar uses allowed as accessory uses. Operating hours to be limited to 5:00 AM through 12:00 PM.
2. Personal service businesses, such as barber and beauty shops
3. General and professional offices
4. Office – showrooms
5. Restaurants, excluding fast food and drive-through restaurants. Restaurants to close at 12:00 PM.
6. Day Care Centers
7. Retail business, except liquor stores
8. Banks and financial institutions
9. Car was
10. Automobile parking lots
11. Public and quasi-public buildings and structures, including: police stations, fire stations, public schools, libraries, emergency care facilities, public recreation, and public utilities
12. Churches, synagogues and other religious institutions
13. Ambulance services
14. Other uses as determined to be similar by the Planning Director and as confirmed by the Planning Commission.

3.2 Open Space Use Areas – OSD, OSP and PLD.

- A. Definitions:
 1. OSD: Land proposed to meet the PD open space requirements and proposed to be dedicated to the Town
 2. OSP: Land proposed to meet the PD open space requirements and proposed to be held in private ownership.
 3. PLD: Land proposed to be dedicated to meet the land dedication requirements of the subdivision code of the Town
- B. Permitted Uses:
 1. Parks, schools and other public uses, active and passive recreation activities, preservation of land for public purposes, and including such structures and other improvements not inconsistent with the Land Dedication and the Planned Development District ordinances.

3.3 Utilities Dedication Use Area – UD

- A. Definition: Land proposed to be dedicated for utility purposes, including, but not limited to water, sanitary sewer and storm water purposes.
- B. Permitted Uses:
 1. All Town owned and operated utilities
 2. Other Public and/or Private utilities as authorized on a Final PD Site Plan
 3. All uses permitted in the OSD and OSP Use Area ordinance.

SECTION IV:
DEVELOPMENT STANDARDS

- 4.1 Overall project standards. The standard zoning requirements of the Town of Castle Rock Zoning Ordinance including off-street parking, landscaping, site development, accessory and temporary

uses, and use by special review and variance processes shall apply to this PD, except as modified by the following:

4.2 General:

<u>Standard</u>	<u>Commercial Use Area "C"</u>
Gross Density	na
Minimum lot area	na
Setbacks:	
Founders Parkway:	
Lot 1 & Tract A	
ROW to building	30'
ROW to parking	20'
Lots 2 & 3	
ROW to building	30'
ROW to parking	10'
Allen Street:	
ROW to building	15'
ROW to parking	15'
Interstate 25:	
ROW to building	15'
ROW to parking	10'
Side interior lot:	5'
Side to street:	15'
Max. building coverage:	35%
Max. building height:	35' (50' maximum by special review)
Parking:	As per Chapter 17 of the Town Code.

- 4.3 Fencing: Trash containers with masonry walls and wooden doors will be allowed. In general, fencing will be allowed with Town of Castle Rock approval
- 4.4 Exterior Lighting: Site lighting on poles and buildings will be downcast and installed to retain all direct light within the property boundaries, except at access points where safety requires light to spill onto the public roads.
- 4.5 Utilities: All public utility distribution lines must be placed underground.
- 4.6 Building Wall Cladding: The Conoco convenience store will be primarily brick clad with accent panels of finished metal. The canopy fascia shall be of finished metal cladding to match the accent panel on the store building.

SECTION V:
TEMPORARY USES

5.1 Temporary Uses:

- A. Construction offices and material storage shall be permitted in all use areas during, and for a period of 30 days after cessation of actual construction in those areas being served by such construction office or material storage area.

SECTION VI:
ACCESSORY USES PERMITTED IN ALL USE AREAS

6.1 Accessory Uses:

- A. Underground utility and communications distribution lines.
- B. Roadways, bike paths, pedestrian and equestrian trails.
- C. Parking Areas
- D. Open spaces and lakes, to include storm water drainage detention areas.

SECTION VII:
FINAL PLANNED DEVELOPMENT SITE PLANS

- 7.1 Submission of Final PD Site Plans and plats and additional information. Following approval of the Preliminary PD Site Plan, the property owners shall submit a Final PD Site Plan for all or any portion or portions of the general use areas as are then ready for development. No building permit will be issued until a Final PD Site Plan and Final Subdivision Plat have been approved for the property by the Town Council and duly recorded.

SECTION VIII:
TRANSITIONAL USE

- 8.1 After approval of the Preliminary Site Plan incorporated herein by reference, any portion of the property described above, which has not been subject to a Final PD Site Plan, may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry or hog farms or kennels be permitted. Any activity permitted by this section shall be considered to be a valid pre-existing non-conforming use within the area described above until a Final PD Site Plan for such area or areas has been approved; Provided however, that the Town Council reserves the right to prohibit such agricultural uses in areas for which no Final PD Site Plan has been submitted if the Council determines that due to the proximity of such uses to developed areas a danger exists to the health, safety or welfare of the residents of such developed area(s).

SECTION IX:
SEVERABILITY OF PROVISIONS

- 9.1 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.

Exhibit 1

LEGAL DESCRIPTION OF CONOCO ANNEXATION:

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 26, T.7S., R.67W., OF THE 6TH P.M., DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W 1/4 CORNER OF SAID SECTION 26, THENCE S89°48'39"E ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 26 A DISTANCE OF 246.30 FEET TO THE SOUTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 156 AT PAGE 360, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING S89°48'39"E ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 609.21 FEET TO THE SOUTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 893 AT PAGE 1066; (THENCE ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1066 THE FOLLOWING THREE COURSES) THENCE N22°36'26"E A DISTANCE OF 11.51 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS N11°35'47"E A DISTANCE OF 158.53 FEET TO A POINT OF TANGENT; THENCE N00°35'08"E A DISTANCE OF 167.69 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1066, SAID POINT LYING ON THE NORTH LINE OF THE S 1/2 OF THE S 1/2 OF THE N 1/2 OF SAID SECTION 26; THENCE N89°43'06"W ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1066 AND ALONG SAID NORTH LINE A DISTANCE OF 734.33 FEET TO THE NORTHWESTERLEY CORNER OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1066, SAID POINT BEING THE NORTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 536 AT PAGE 470; THENCE S57°46'08"W ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 536 ATP AGE 470 A DISTANCE OF 105.09 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 536 AT PAGE 470 LYING ON THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 156 AT PAGE 360; THENCE S32°13'52"E ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 156 AT PAGE 360 A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (245.788 SQUARE FEET) 5.643 ACRES.

EXCLUDING

A TRACT OR PARCEL OF LAND NO. RW-3 OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO PROJECT CODE: 21475, PROJECT NUMBER STU M185-010, CONTAINING 232 SQ. FT. (0.005 ACRES) OF LAND, MORE OR LESS, LYING IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN COUDLAS COUNTY, COLORADO, SAID TRACT OR PRACEL OF LAND BEING MORE PARCIULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 5, COOPER-HOOK/MAIN PLACE FILING NO.1, RECORDED AT RECEPTION NO. 2001072259 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, WHENCE THE W1/4 CORNER OF SECTION 26 BEARS NORTH 89°57'42" WEST, A DISTANCE OF 877.68 FEET;

- 1) THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 5 AND ALONG THE ARC OF A NON-TANGENCT CURVE TO THE LEFT HAVING A RADIUS OF 436.50 FEET, A CENTRAL ANGLE OF 03°16'54", AN ARC DISTANCE OF 25.00 FEET, A CHORD BEARING OF NORTH 21°21'40" EAST, A CHORD DISTANCE OF 25.00 FEET;

Exhibit 1

- 2) THENCE DEPARTING SAID WESTERLY LINE SOUTH 70°16'47" EAST, A DISTANCE OF 10.00 FEET;
- 3) THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 446.50 FEET, A CENTRAL ANGLE OF 02°44'20", AN ARC DISTANCE OF 21.34 FEET, A CHORD BEARING OF SOUTH 21°05'23" WEST, A CHORD DISTANCE OF 21.34 FEET TO THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER;
- 4) THENCE ALONG SOUTHERLY LINE NORTH 89°57'42" WEST, A DISTANCE OF 10.84 FEET TO THE POINT OF BEGINNING

THE ABOVE DESCRIBED TRACT OR PARCEL OF LAND CONTAINS 232 SQ. FT (0.005 ACRES), MORE OR LESS.

AND EXCLUDING

A TRACT OR PARCEL OF LAND RW-1A OF THE DEPARTMENT OF TRANSPORTION, STATE OF COLORADO PROJECT CODE: 21475, PROJECT NUMBER STU M185-010, CONTAINING 1,283 SQ. FT. (0.029 ACRES) OF LAND, MORE OR LESS, LYING IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, COLORADO, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A, CONOCO AT FOUNDERS FILING NO. 1, 1ST AMENDMENT, RECORDED AT RECEPTION NO. 2004096057 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, WHENCE THE WEST ¼ CORNER OF SECTION 26 BEARS 79°36'17" WEST, A DISTANCE OF 224.48 FEET;

- 1) THENCE ALONG THE WESTERLY LINE OF SAID TRACT A NORTH 32°32'58" WEST, A DISTANCE OF 33.99 FEET;
- 2) THENCE DEPARTING SAID WESTERLY LINE SOUTH 81°21'09" EAST, A DISTANCE OF 77.41 FEET TO THE EASTERLY LINE OF SAID TRACT A;
- 3) THENCE ALONG SAID EASTERLY LINE SOUTH 00°02'12" EAST, A DISTANCE OF 10.07 FEET TO THE SOUTHERLY LINE OF SAID TRACT A;
- 4) THENCE ALONG SAID SOUTHERLY LINE SOUTH 83°12'18" WEST, A DISTANCE OF 58.67 FEET TO THE POINT OF BEGINNING

THE ABOVE DESCRIBED TRACT OR PACEL OF LAND CONTAINS 1,283 SQ. FT. (0.029 ACRES), MORE OR LESS.

98

ORDINANCE NO. 97-39

DC9804859

**AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY
ZONING THE CONOCO PROPERTY AS PD PLANNED DEVELOPMENT AND
APPROVING THE I-25 AND FOUNDERS PARKWAY CONOCO PD ZONING
REGULATIONS
AND PRELIMINARY PD SITE PLAN**

WHEREAS, Conoco, Inc. ("Owner") has requested PD planned development zoning of the parcel described in *Exhibit 1* in conjunction with annexation; and

WHEREAS, Owner has requested approval of the I-25 and Founders Parkway Conoso PD zoning regulations as described on *Exhibit 2* attached hereto; and

WHEREAS, Owners have requested approval of the I-25 and Founders Parkway Conoco Preliminary PD Site Plan; and

WHEREAS, public hearings on the zoning, zoning regulations and preliminary pd plan 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. Chapter 17 of the Castle Rock Municipal Code is hereby amended by the addition of the property described in *Exhibit 1* which is hereby zoned PD Planned Development.

SECTION 2. Approval. The zoning regulations a described in *Exhibit 2* and the preliminary pd site plan are approved.

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 11th day of SEPTEMBER, 1997 and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 4 for and 3 against.

EXHIBIT 1

I-25 and Founders Parkway Conoco Annexation

LEGAL DESCRIPTION OF CONOCO ANNEXATION:

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 26, T.7S., R.67W., OF THE 6TH P.M., DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W 1/4 CORNER OF SAID SECTION 26, THENCE S89°48'39"E ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 26 A DISTANCE OF 246.30 FEET TO THE SOUTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 156 AT PAGE 360, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING S89°48'39"E ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 609.21 FEET TO THE SOUTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 893 AT PAGE 1066; (THENCE ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1066 THE FOLLOWING THREE COURSES) THENCE N22°36'26"E A DISTANCE OF 11.51 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT WHOSE CHORD BEARS N11°35'47"E A DISTANCE OF 158.53 FEET TO A POINT OF TANGENT; THENCE N00°35'08"E A DISTANCE OF 167.69 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1066, SAID POINT LYING ON THE NORTH LINE OF THE S 1/2 OF THE S 1/2 OF THE S 1/2 OF THE N 1/2 OF SAID SECTION 26; THENCE N89°43'06"W ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1066 AND ALONG SAID NORTH LINE A DISTANCE OF 734.33 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 893 AT PAGE 1066, SAID POINT BEING THE NORTHEASTERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 536 AT PAGE 470; THENCE S57°46'08"W ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 536 AT PAGE 470 A DISTANCE OF 105.09 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 536 AT PAGE 470 LYING ON THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 156 AT PAGE 360; THENCE S32°13'52"E ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 156 AT PAGE 360 A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (245.788 SQUARE FEET) 5.643 ACRES.

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EXHIBIT 2

ZONING REGULATIONS
FOR
I-25 AND FOUNDERS PARKWAY CONOCO PLANNED DEVELOPMENT

TABLE OF CONTENTS:

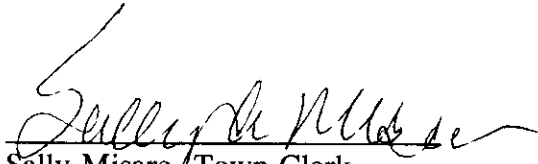
Section I	General Provisions
Section II	Definitions
Section III	Use Areas
Section IV	Development Standards
Section V	Temporary Uses
Section VI	Accessory Uses
Section VII	Final Planned Development Site Plans
Section VIII	Transitional Use
Section IX	Severability of Provisions

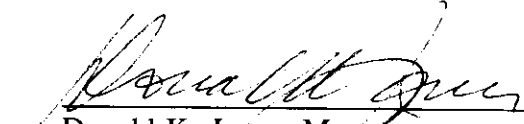
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PASSED, APPROVED AND ADOPTED this 25th day of SEPTEMBER, 1997, by the Town Council of the Town of Castle Rock by a vote of 5 for and 1 against.

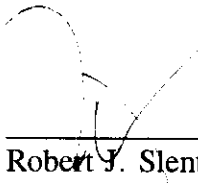
ATTEST:

TOWN OF CASTLE ROCK


Sally Misare, Town Clerk


Donald K. Jones, Mayor

APPROVED AS TO FORM:


Robert J. Slentz, Town Attorney

(TCORDZNG.COM)

9804859 - 01/27/98 13:11 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER
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SECTION I
GENERAL PROVISIONS

- 1.1 Adoption/Authorization. The Town Council has adopted the **I-25 AND FOUNDERS PARKWAY CONOCO** Preliminary PD Site Plan and Zoning Regulations pursuant to Section 17.60 of Title 17 (Zoning) of the Castle Rock Municipal Code after appropriate public notice and hearing.
- 1.2 Applicability. The **I-25 AND FOUNDERS PARKWAY CONOCO** Preliminary PD Site Plan and Zoning Regulations shall run with and bind all landowners of record, their successors, heirs, or assigns of the land as approved by the Castle Rock Town Council.
- 1.3 Maximum Level of Development. The total commercial floor area approved for development within the established Use Areas is the *maximum* allowed for platting and development. The actual floor area approved will be determined at the Final Plat and Final PD Site Plan stage of review based upon environmental constraints, utility and street capacity, compatibility with surrounding land uses, and other relevant factors.
- 1.4 Relationship to Town Regulations. The provisions of this Preliminary PD Site Plan and Zoning Regulations shall prevail and govern the development of the **I-25 AND FOUNDERS PARKWAY CONOCO PD**, provided, however, that where the provisions of this Preliminary PD Site Plan and Zoning Regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, or any other applicable provisions of the Town Municipal Code shall be applicable.
- 1.5 Phasing. The Phasing order indicated upon the Preliminary PD Site Plan is advisory in nature and is not to be construed as obligatory upon Developer.
- 1.6 Development Agreement. In addition to these regulations, certain provisions of the development of this PD property are controlled by an agreement between the Town of Castle Rock and the PD property owners.
This agreement, entitled **Conoco Annexation and Development Agreement**, was adopted by the Town on the 25th day of September, 1997, by Ordinance No. 97-40.

SECTION II:
DEFINITIONS

- 2.1 Definitions. The standard definitions found in the Town of Castle Rock Zoning Ordinance (Title 17), shall apply to this Planned Development.

SECTION III:
USE AREAS

3.1 Commercial Use Area - C

A. Permitted Uses:

- (1.) Motor vehicle fueling service station (except diesel fuel) with convenience store, car wash, quick serve restaurants and similar uses allowed as accessory uses. Operating hours to be limited to 5:00 AM through 12:00 PM.
- (2.) Personal service businesses, such as barber and beauty shops.
- (3.) General and professional offices.
- (4.) Office - showrooms
- (5.) Restaurants, excluding fast food and drive-through restaurants. Restaurants to close at 12:00 PM.
- (6.) Day Care Centers
- (7.) Retail businesses, except liquor stores.
- (8.) Banks and financial institutions
- (9.) Car wash
- (10.) Automobile parking lots.
- (11.) Public and quasi-public buildings and structures, including: police stations, fire stations, public schools, libraries, emergency care facilities, public recreation, and public utilities.
- (12.) Churches, synagogues and other religious institutions.
- (13.) Ambulance service.
- (14.) Other uses as determined to be similar by the Planning Director and as confirmed by the Planning Commission.

3.2 Open Space Use Areas - OSD, OSP and PLD

A. Definitions:

- (1.) OSD: Land proposed to meet the PD open space requirements and proposed to be dedicated to the Town.
- (2.) OSP: Land proposed to meet the PD open space requirements and proposed to be held in private ownership.
- (3.) PLD: Land proposed to be dedicated to meet the land dedication requirements of the subdivision code of the Town.

B. Permitted Uses:

- (1.) Parks, schools and other public uses, active and passive recreation activities, preservation of land for public purposes, and including such structures and other improvements not inconsistent with the Land Dedication and the Planned Development District ordinances.

3.3 Utilities Dedication Use Area - UD

- A. Definition: Land proposed to be dedicated for utility purposes, including, but not limited to, water, sanitary sewer and storm water purposes.
- B. Permitted Uses:
 - (1.) All Town owned and operated utilities.
 - (2.) Other Public and/or Private utilities as authorized on a Final PD Site Plan.
 - (3.) All uses permitted in the OSD and OSP Use Areas ordinance.

SECTION IV:
DEVELOPMENT STANDARDS

4.1 Overall project standards. The standard zoning requirements of the Town of Castle Rock Zoning Ordinance including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PD, except as modified by the following:

4.2 General:

<u>Standard</u>	<u>Commercial Use Area "C"</u>
Gross Density	na
Minimum lot area	na
Setbacks:	
Founders Parkway:	
ROW to building	30'
ROW to parking	20'
Allen Street:	
ROW to building	15'
ROW to parking	15'
Interstate 25	
ROW to building	15'
ROW to parking	10'
Side interior lot	5'
Side to street	15'
Max. building coverage	35%
Max. building height	35' (50' maximum by special review)
Parking:	As per Chapter 17 of the Town Code.

4.3 Fencing: Trash containers with masonry walls and wooden doors will be allowed. In general, fencing will be allowed with Town of Castle Rock approval.

4.4 Exterior Lighting: Site lighting on poles and buildings will be downcast and installed to retain

all direct light within the property boundaries, except at access points where safety requires light to spill onto the public roads.

4.5 Utilities: All public utility distribution lines must be placed underground.

4.6 Building Wall Cladding: The Conoco convenience store will be primarily brick clad with accent panels of finished metal. The canopy fascia shall be of finished metal cladding to match the accent panel on the store building.

SECTION V:
TEMPORARY USES

5.1 Temporary Uses:

- A. Construction offices and material storage shall be permitted in all use areas during, and for a period of 30 days after cessation of actual construction in those areas being served by such construction office or material storage area.

SECTION VI:
ACCESSORY USES PERMITTED IN ALL USE AREAS

6.1 Accessory Uses:

- A. Underground utility and communications distribution lines.
- B. Roadways, bike paths, pedestrian and equestrian trails.
- C. Parking Areas
- D. Open spaces and lakes, to include storm water drainage detention areas.

SECTION VII:
FINAL PLANNED DEVELOPMENT SITE PLANS

7.1 Submission of Final PD Site Plans and plats and additional information. Following approval of the Preliminary PD Site Plan, the property owners shall submit a Final PD Site Plan for all or any portion or portions of the general use areas as are then ready for development. No building permit will be issued until a Final PD Site Plan and Final Subdivision Plat have been approved for the property by the Town Council and duly recorded.

SECTION VIII:
TRANSITIONAL USE

- 8.1 After approval of the Preliminary Site Plan incorporated herein by reference, any portion of the property described above, which has not been subject to a Final PD Site Plan, may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry or hog farms or kennels be permitted. Any activity permitted by this section shall be considered to be a valid pre-existing non-conforming use within the area described above until a Final PD Site Plan for such area or areas has been approved; Provided however, that the Town Council reserves the right to prohibit such agricultural uses in areas for which no Final PD Site Plan has been submitted if the Council determines that due to the proximity of such uses to developed areas a danger exists to the health, safety or welfare of the residents of such developed area(s).

SECTION IX
SEVERABILITY OF PROVISIONS

- 9.1 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.