

ORDINANCE NO. 2018-014

**AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY
REZONING OF A 156.693 ACRE PARCEL LOCATED IN SECTION 2,
TOWNSHIP 8 SOUTH, RANGE 67 WEST, OF THE 6TH P.M. TO PL-1
DISTRICT; AND PROVIDING FOR ITS EMERGENCY ADOPTION ON
SECOND AND FINAL READING**

WHEREAS, the Town is the owner of a 156.693 acre parcel located in Section 2, Township 8 South, Range 67 West of the 6th P.M., more particularly described in attached *Exhibit 1* (the "Property"),

WHEREAS, the Property is currently zoned POS-1 District,

WHEREAS, with adoption of Ordinance No. 2016-009, the POS-1 District was repealed and replaced with the PL-1 District, and

WHEREAS, in order to ensure the Property is properly zoned for its intended use, Town administration has initiated the rezoning of the Property to PL-1 District, and

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

WHEREAS, in order to accommodate the construction schedule for the Central Service Center to be located on the Property, it is necessary to adopt this Ordinance on an emergency basis on second and final reading.

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

Section 1. Zoning Approval. The Property described in *Exhibit 1* is rezoned to PL-1 District and the Town's Zoning District Map is amended accordingly.

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 judgement shall not affect the remaining provisions of this ordinance.

Section 3. Emergency Clause. For the reasons stated in the recitals to this Ordinance, it is declared that an emergency exists and it is necessary for the immediate preservation of the public peace, health or safety for this Ordinance to take effect upon its adoption.

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.

APPROVED ON FIRST READING this 1st day of May, 2018 by a vote of 5 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

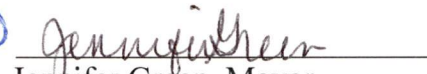
PASSED, APPROVED AND ADOPTED AS AN EMERGENCY ORDINANCE ON SECOND AND FINAL READING this 15th of May, 2018, by a vote of the Town Council of the Town of Castle Rock, Colorado of 6 for and 0 against constituting the extraordinary majority required by Section 2.02.100 of the Castle Rock Municipal Code.

ATTEST:

TOWN OF CASTLE ROCK



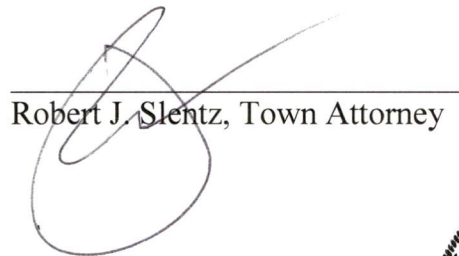
Lisa Anderson, Town Clerk



Jennifer Green, Mayor

Approved as to form:

Approved as to content:



Robert J. Slentz, Town Attorney



Bill Detweiler, Director of Dev. Svcs.



LEGAL DESCRIPTION:

EXHIBIT 1

THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DOCUMENTS RECORDED AT RECEPTION NUMBER 2009039758, BOOK 1409 AT PAGE 1640, BOOK 137 AT PAGE 376, BOOK 136 AT PAGE 523, BOOK 204 AT PAGE 141, BOOK 919 AT PAGE 846, BOOK 1229 AT PAGE 68, AND BOOK 1409 AT PAGE 1640 IN THE OFFICE OF THE CLERK AND RECORDER OF DOUGLAS COUNTY, STATE OF COLORADO, LYING WITHIN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, THE WEST HALF OF SECTION 2, AND THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN IN SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35;

THENCE ALONG THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, SOUTH 89°16'45" EAST 214.39 FEET TO THE WESTERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING 2 COURSES:

- 1) SOUTH 25°55'43" EAST 1,471.09 FEET;
- 2) SOUTH 25°18'28" EAST 281.04 FEET TO THE WESTERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD DESCRIBED AS PARCEL 5-X IN THE DOCUMENT RECORDED AT RECEPTION NO. 2004025131 IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING 2 COURSES:

- 1) SOUTH 25°48'47" EAST 765.06 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 7,689.49 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 64°11'13" EAST;
- 2) SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°00'10" AN ARC LENGTH OF 134.57 FEET TO THE EASTERLY LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, ALSO THE NORTHERLY PROLONGATION OF THE WESTERLY BOUNDARY OF PARCEL 5A-X, AS DESCRIBED IN SAID DOCUMENT;

THENCE ALONG SAID EASTERLY LINE, SAID NORTHERLY PROLONGATION, AND SAID WESTERLY BOUNDARY, SOUTH 00°04'06" EAST 109.72 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 7,739.49 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 62°27'32" EAST;

THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°44'37" AN ARC LENGTH OF 235.51 FEET TO THE SOUTHERLY LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2 AND THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 137 AT PAGE 376;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARCEL OF LAND, SOUTH 29°47'43" EAST 592.28 FEET TO A CORNER IN THE NORTHERLY BOUNDARY OF SAID PARCEL OF LAND RECORDED IN BOOK 1409 AT PAGE 1640;

THENCE ALONG THE NORTHEASTERLY, SOUTHEASTERLY, AND SOUTHERLY BOUNDARIES OF SAID PARCEL OF LAND THE FOLLOWING 3 COURSES:

- 1) SOUTH 29°49'14" EAST 333.65 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 3,980.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 84°56'22" EAST;
- 2) SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°51'40" AN ARC LENGTH OF 546.07 FEET;
- 3) NON-TANGENT TO SAID CURVE, NORTH 68°07'37" WEST 386.30 FEET TO THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 1229 AT PAGE 68;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND AND THE SOUTHERLY AND WESTERLY BOUNDARIES OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 919 AT PAGE 845 THE FOLLOWING 5 COURSES:

- 1) SOUTH 44°06'13" WEST 198.00 FEET;
- 2) SOUTH 62°38'13" WEST 193.00 FEET;
- 3) SOUTH 44°22'35" WEST 140.34 FEET;
- 4) NORTH 84°20'26" WEST 574.98 FEET;
- 5) NORTH 17°30'47" WEST 841.58 FEET TO THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 1409 AT PAGE 1640;

THENCE ALONG THE SOUTHERLY AND WESTERLY BOUNDARIES OF SAID PARCEL OF LAND THE FOLLOWING 4 COURSES:

- 1) NORTH 86°31'09" WEST 187.66 FEET;
- 2) NORTH 20°47'47" WEST 420.02 FEET;
- 3) NORTH 69°24'06" WEST 114.93 FEET;
- 4) NORTH 00°03'24" WEST 261.18 FEET TO THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3 AND THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 2009039758;

THENCE ALONG SAID SOUTHERLY LINE AND SAID SOUTHERLY BOUNDARY, SOUTH 89°07'26" WEST 483.01 FEET TO THE EASTERLY RIGHT-OF-WAY OF THE ATCHISON TOPEKA AND SANTA FE RAILROAD;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING 3 COURSES:

- 1) NORTH 11°45'34" WEST 1,462.13 FEET;
- 2) NORTH 78°14'26" EAST 25.00 FEET;
- 3) NORTH 11°45'34" WEST 1,264.96 FEET TO THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34;

THENCE ALONG SAID NORTHERLY LINE, NORTH 89°30'01" EAST 1117.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 156.693 ACRES (6,825,532 SQ. FT.), MORE OR LESS

17.30.020 - PL-1 District.

- A. Permitted Uses. Uses permitted by right in the PL-1 District are:
1. Active and developed parks, recreation center and facilities and related uses including, but not limited to, rest rooms, parking and drives, information kiosks and maintenance and storage buildings;
 2. Facilities for cultural/art uses, community events and other civic uses;
 3. All municipal and/or quasi-municipal facilities or utilities; and
 4. Educational facilities.
- B. Development Standards. Development standards for the PL-1 District are as follows:
1. Maximum Height: Fifty (50) feet;
 2. Minimum Front Yard Setback: A minimum of fifteen (15) feet from the property line; twenty-five (25) feet if abutting an arterial street. However, for property within the Downtown Overlay District (see Chapter 17.42), setbacks shall be governed exclusively by the standards set forth in 17.42.060.
- C. Use by Special Review. Applications for use by special review shall be evaluated under 17.38.050 of the Code, provided 17.38.040 shall have no application. Uses permitted by special review in the PL-1 District are as follows:
1. Buildings, structures or other permanent improvements privately owned and operated, which must be open for public use;
 2. Special district buildings and structures (C.R.S. Title 32); and
 3. Any building or structure more than fifty (50) feet in height, but not to exceed seventy-five (75) feet in height.

(Ord. No. 2016-009, § 1, 4-5-2016)