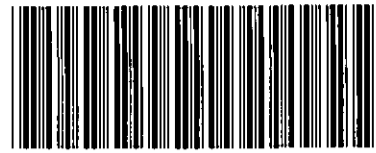


21-

OFFICIAL RECORDS
DOUGLAS COUNTY CO
JACK ARROWSMITH
CLERK & RECORDER
RECORDING FEE: \$21.00
3 PGS

2008051997
07/24/2008 10:59 AM



2008051997 3 PGS

PLAT IDENTIFICATION SHEET

Spero Demis

Grantor (owner)

Grantor (owner)

Demis Preliminary PD Site Plan

Grantee (name of plat or condo)

Grantee (name of plat or condo)

Subdivision Info: Demis

Condo Info: Phase _____ Bldg _____ Unit _____

11 & 14

8

67

Section

Township

Range

Cross Reference numbers: (reception #s or book and page)

OWNERSHIP CERTIFICATION

THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS THE DEMIS PD IN THE TOWN OF CASTLE ROCK.

OWNER

SPERO DEMIS
P.O. BOX 24785
DENVER, CO 80224

SIGNED THIS 9th DAY OF July, 2008

NOTARY CERTIFICATES

STATE OF COLORADO)
COUNTY OF DOUGLAS) SS

SUBSCRIBED AND SWORN TO BEFORE ME THIS 9th DAY OF July, 2008,
BY SPERO DEMIS AS LANDOWNER.

WITNESS MY HAND AND OFFICIAL SEAL THIS 9th DAY OF July, 2008

MY COMMISSION EXPIRES 12/8/2010

Karen E. Oliver
NOTARY PUBLIC



PLANNING COMMISSION RECOMMENDATION

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE DEMIS PD WERE RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 8th DAY OF June, 2008.

Andrew P. Mack July 10, 2008
CHAIRMAN DATE

[Signature] July 10, 2008
DIRECTOR OF DEVELOPMENT SERVICES DATE

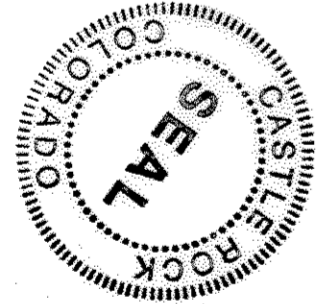
TOWN COUNCIL APPROVAL

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE DEMIS PD WERE APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 14th DAY

OF August, 2008.

[Signature] 7/15/08
MAYOR DATE

[Signature] 7/15/08
TOWN CLERK DATE



TITLE CERTIFICATION

I, Eric Serebns, AN AUTHORIZED REPRESENTATIVE OF FIRST AMERICAN HERITAGE TITLE COMPANY, 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 OF THE PROPERTY ARE LISTED IN THE CERTIFICATE OF OWNERSHIP.

AUTHORIZED REPRESENTATIVE OF
FIRST AMERICAN HERITAGE TITLE COMPANY

SIGNED THIS 7th DAY OF July, 2008.

NOTARY CERTIFICATES

STATE OF COLORADO)
COUNTY OF DOUGLAS) SS

SUBSCRIBED AND SWORN TO BEFORE ME THIS 7th DAY OF July, 2008,
BY Eric Serebns AS TITLE OFFICER OF FIRST AMERICAN HERITAGE TITLE COMPANY

WITNESS MY HAND AND OFFICIAL SEAL THIS 7th DAY OF July, 2008

MY COMMISSION EXPIRES 12/8/2010

Karen E. Oliver
NOTARY PUBLIC



DEMIS

PRELIMINARY PD SITE PLAN

IN SECTIONS 11 & 14, T8S, R67W, 6th P.M., TOWN OF CASTLE ROCK, DOUGLAS COUNTY, COLORADO

1.64 ACRES



VICINITY MAP

PROPERTY DESCRIPTION

A TRACT OF LAND SITUATED IN SECTIONS 11 AND 14, 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 SAID SECTION 14 AND CONSIDERING THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 14 TO BEAR S89°38'46"E WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE S89°38'46"E ALONG SAID NORTH LINE A DISTANCE OF 729.04 FEET TO THE EAST RIGHT OF WAY LINE AT INTERSTATE 25 AND TO THE TRUE POINT OF BEGINNING; THENCE N33°50'31"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1.65 FEET; THENCE N54°51'00"W A DISTANCE OF 142.31 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 734.31 FEET, SAID CURVE HAS A RADIUS OF 1928.87 FEET, A CENTRAL ANGLE OF 21°48'44" AND A CHORD THAT BEARS S23°26'14"W A DISTANCE OF 729.89 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 17.94 FEET, SAID CURVE HAS A RADIUS OF 34.69 FEET, A CENTRAL ANGLE 29°37'41" AND A CHORD THAT BEARS S02°16'58"E A DISTANCE OF 17.74 FEET TO THE EAST RIGHT OF WAY LINE OF INTERSTATE 25; THENCE N33°50'31"E A DISTANCE OF 727.32 FEET TO THE POINT OF BEGINNING; CONTAINING 1.64 ACRES, MORE OR LESS. THIS PROPERTY DESCRIPTION WAS PREPARED UNDER THE DIRECT SUPERVISION OF DAVID E. ARCHER (P.L.S. 6935), 105 WILCOX STREET, CASTLE ROCK, CO 80104.

DEVELOPMENT DATA	
ZONING	PLANNED DEVELOPMENT (PD)
EXISTING LAND USE	AGRICULTURAL - A1
PROPOSED LAND USE	BUSINESS
TOTAL USABLE ACREAGE	1.64 ACRES
MAXIMUM GROSS FLOOR RATIO (FAR)	.30

SURVEYOR'S CERTIFICATE

I DAVID E ARCHER, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THE DEMIS PRELIMINARY PD SITE PLAN WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS SITE PLAN ACCURATELY REPRESENTS THAT SURVEY.

[Signature] 7-2-08
DAVID ARCHER-REGISTERED PROFESSIONAL
LAND SURVEYOR (PLS 6935) DATE



DOUGLAS COUNTY CLERK AND RECORDER'S CERTIFICATE

THIS PRELIMINARY PD SITE PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY AT 10:51 AM/PM ON THE 24th DAY OF July, 2008 AT RECEPTION NO. 2008051997
DOUGLAS COUNTY CLERK AND RECORDER

[Signature]
DEPUTY

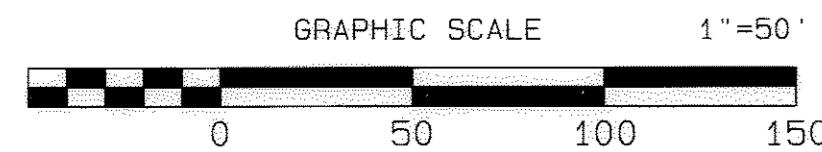
NOTES

- PHASING-NOT APPLICABLE
- ZONING AND LAND USE- THE PROPERTY IS CURRENTLY ZONED AGRICULTURAL AND IS VACANT. ZONING OF ADJACENT PROPERTIES IS LISTED ON THE PLAT.
- NO GRADING IS PROPOSED AT THIS TIME.
- FLOOD PLAIN-THE ONE HUNDRED YEAR FLOOD PLAIN IS NOT LOCATED ON THE SUBJECT PROPERTY.
- NATURAL FEATURES-THERE ARE NO DRAINAGE CHANNELS, WOODED AREAS, OR OTHER SIGNIFICANT NATURAL FEATURES ON THE SITE.
- THE BENCHMARK AND TOPOGRAPHY IS ON THE NAVD 88 DATUM.
- THE DEVELOPMENT OF THIS SITE WILL BE IN COMPLIANCE WITH THE ENDANGERED SPECIES ACT.
- SETBACKS AS INDICATED, TOGETHER WITH THE DETENTION POND TO BE CONSTRUCTED, SHALL SATISFY THE TWENTY PERCENT (20%) OPEN SPACE REQUIRED PURSUANT TO SECTION 17.60.070, TOWN OF CASTLE ROCK MUNICIPAL CODE.
- THE DEED FROM THE COLORADO DEPARTMENT OF TRANSPORTATION TO SPERO DEMIS DATED JUNE 2, 1999 AND RECORDED IN BOOK 1724, PAGE 729 ("DEMIS CONVEYANCE") CONVEYED A PORTION OF WHAT WAS THEN THE RIGHT OF WAY FOR INTERSTATE HIGHWAY 25. THE REFERENCE IN THE PROPERTY DESCRIPTION INCLUDED HEREON TO THE "EAST RIGHT OF WAY LINE AT INTERSTATE 25" REFERS TO THE EAST RIGHT OF WAY LINE AS IT EXISTED PRIOR TO THE DEMIS CONVEYANCE. UPON THE DEMIS CONVEYANCE, THE EAST RIGHT OF WAY LINE SHIFTED TO ITS CURRENT LOCATION, WHICH IS DEPICTED ON THIS DEMIS PRELIMINARY PD SITE PLAN AS THE "EAST RIGHT OF WAY LINE OF INTERSTATE 25."

REVISIONS
11-06-07
Revised 7-2-08

DAVID E. ARCHER & ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTING
SURVEYING & ENGINEERING
PHONE (303) 688-4642
105 WILCOX ST. CASTLE ROCK, COLORADO 80104

TITLE
DEMIS PRELIMINARY PD SITE PLAN
CLIENT
SPERO DEMIS
SHEET
1 of 2
JOB NUMBER
03-210

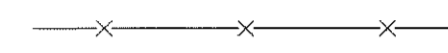

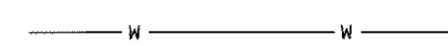



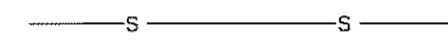









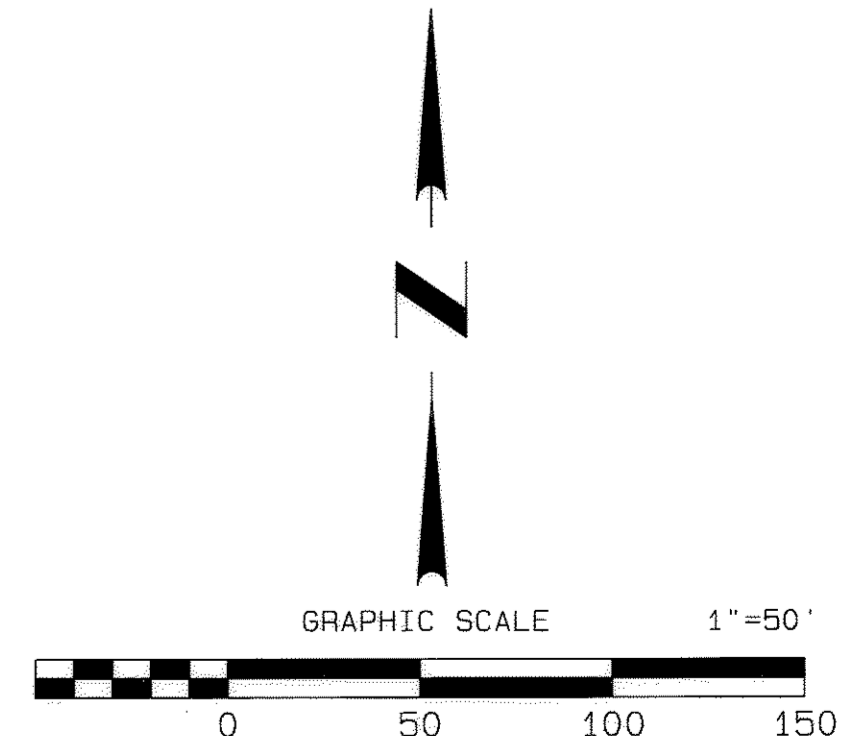
*NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DEMIS

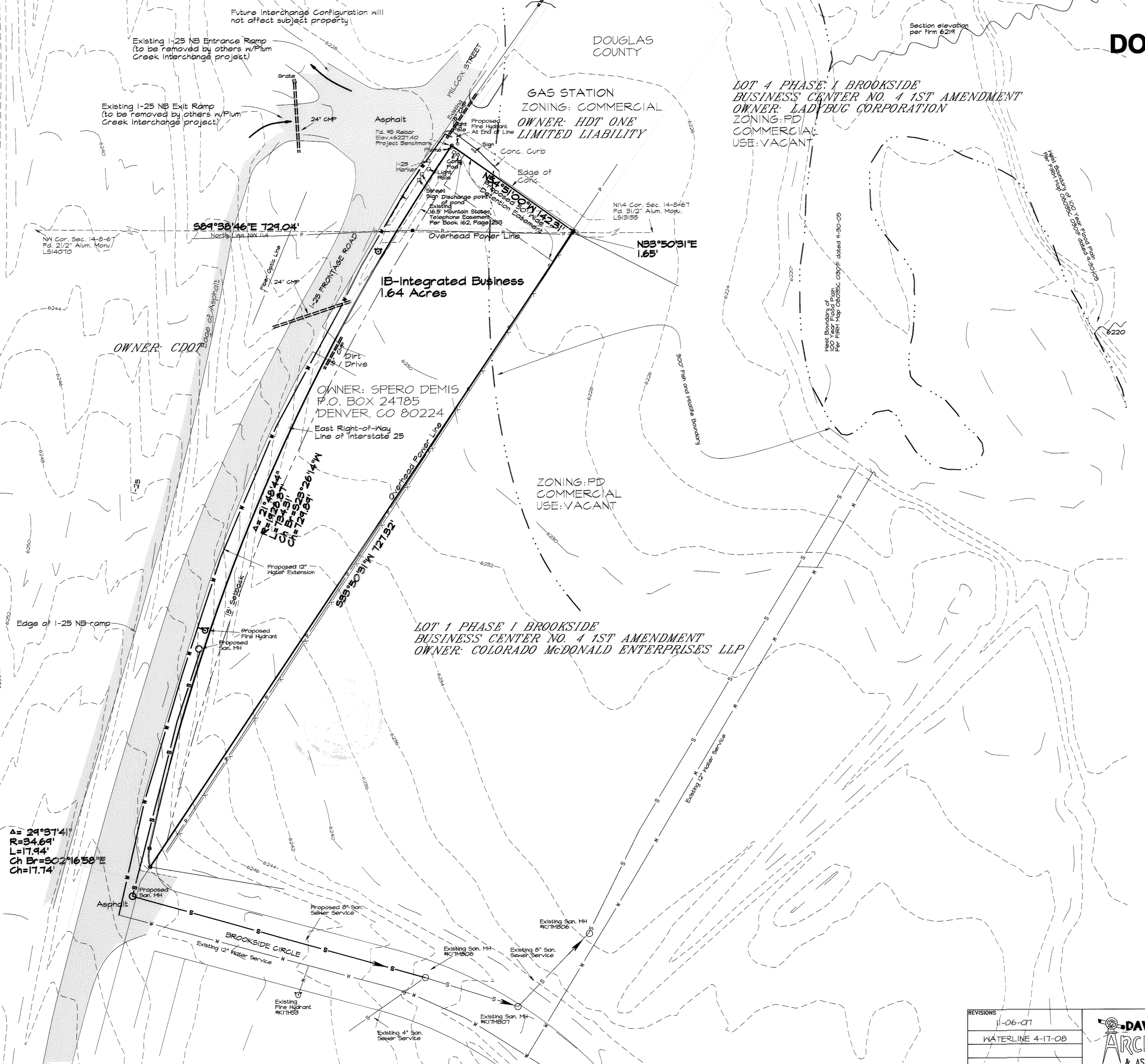
PRELIMINARY PD SITE PLAN IN SECTIONS 11 & 14, T8S, R67W, 6th P.M., TOWN OF CASTLE ROCK, DOUGLAS COUNTY, COLORADO 1.64 ACRES

LEGEND

-  FENCE
-  ELECTRIC LINE
-  EXISTING WATER LINE
-  PROPOSED WATER LINE
-  EASEMENT
-  EXISTING SEWER LINE
-  PROPOSED SEWER LINE
-  FLOODPLAIN LINE
-  PROPOSED FIRE HYDRANT
-  EXISTING FIRE HYDRANT
-  PROPOSED SANITARY MANHOLE
-  EXISTING SANITARY MANHOLE
-  BOUNDARY LINE
-  ASPHALT

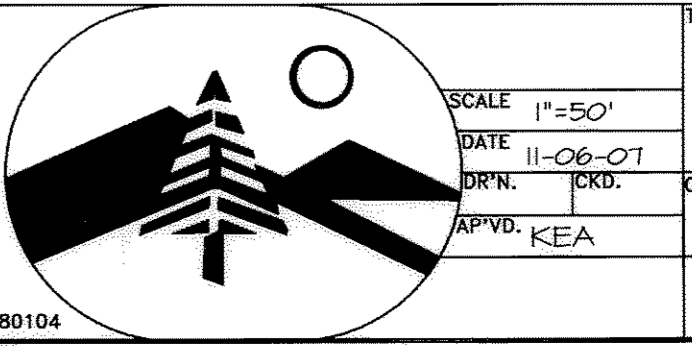


$A = 29^{\circ}37'41''$
 $R = 34.64'$
 $L = 17.44'$
 $Ch Br = S02^{\circ}16'58'' E$
 $Ch = 17.74'$



REVISIONS	DATE
11-06-07	
WATERLINE 4-17-08	

DAVID E. ARCHER & ASSOCIATES, INC.
 LAND DEVELOPMENT CONSULTING
 SURVEYING & ENGINEERING
 PHONE (303) 688-4642
 105 WILCOX ST. CASTLE ROCK, COLORADO 80104

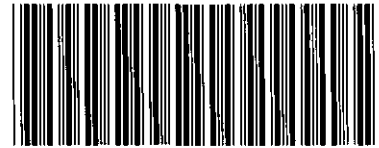


TITLE	CLIENT	SHEET	JOB NUMBER
DEMIS PRELIMINARY PD SITE PLAN	SPERO DEMIS	2 of 2	03-210

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

G:\Drawings\2008\03-02\CA\PREP\PD\SITE\pro Med Jul 02 08:04:34 2008

OFFICIAL RECORDS
DOUGLAS COUNTY CO
JACK ARROWSMITH
CLERK & RECORDER
RECORDING FEE: \$66.00
13 PGS



2008051996
07/24/2008 10:59 AM

ORDINANCE NO. 2006 - 34

2008051996 13 PGS

130
66-

AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING THE DEMIS PRELIMINARY PLANNED DEVELOPMENT SITE PLAN AND PLANNED DEVELOPMENT ZONING REGULATIONS

WHEREAS, Spero Demis (Owner) has requested PD Planned Development zoning of the parcel described in *Exhibit A* (Property); and

WHEREAS, Owner has requested approval of the Demis PD Zoning Regulations as described in the attached *Exhibit B* as the same affect the Property (Zoning Regulations); and

WHEREAS, Owner has requested approval of "Demis Preliminary PD Site Plan" (Site Plan); and

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

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

Section 1. Zoning Approval. The Property is rezoned to PD (Planned Development District) and the Town's Zoning District Map is amended accordingly. The Demis PD Zoning Regulations and Site Plan are approved in conjunction with the rezoning of the Property.

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.

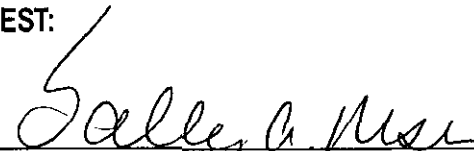
Section 3. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

INTRODUCED this 27th day of June, 2006 for public comment, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED this 14th day of August, 2007, by the Town Council of the Town of Castle Rock by a vote of 7 for and 0 against.

ATTEST:

TOWN OF CASTLE ROCK



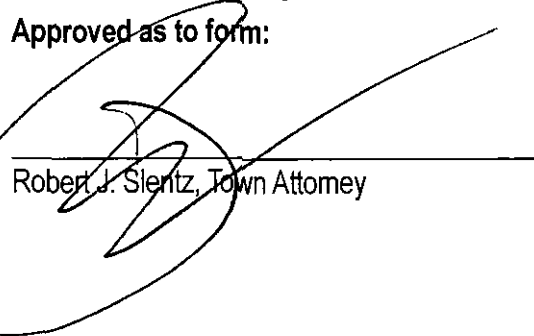
Sally A. Misare, Town Clerk



Randy A. Reed, Mayor

Approved as to form:

Approved as to content:



Robert J. Slentz, Town Attorney



Bill Detweiler, Acting Director,
Development Services



DAVID E. ARCHER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS

105 Wilcox Street * Castle Rock, CO 80104
PHONE (303) 688-642 * FAX (303) 688-4675 * karcher@davidearcher.com

July 2, 2008
Job No. 03-0210

PROPERTY DESCRIPTION:

A tract of land situated in Sections 11 and 14, 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 said Section 14 and considering the North line of the Northwest 1/4 of said Section 14 to bear S 89°38'46"E with all bearings contained herein relative thereto;

Thence S 89°38'46"E along said North line a distance of 729.04 feet to the East Right of Way line at Interstate 25 and to the true point of beginning;

Thence N 33°50'31"E along said Right of Way line a distance of 1.65 feet;

Thence N 54°51'00"W a distance of 142.31 feet;

Thence Southwesterly along the arc of a curve to the left a distance of 734.31 feet, said curve has a radius of 1928.87 feet, a central angle of 21°48'44" and a chord that bears S 23°26'14"W a distance of 729.89 feet;

Thence Southwesterly along the arc of a curve to the left a distance of 17.94 feet, said curve has a radius of 34.69 feet, a central angle of 29°37'41" and a chord that bears S 02°16'58"E a distance of 17.74 feet to the East Right of Way line of Interstate 25;

Thence N 33°50'31"E a distance of 727.32 feet to the point of beginning;

Containing 1.64 acres, more or less.

This property description was prepared under the direct supervision of David E. Archer (P.L.S. 6935), 105 Wilcox Street, Castle Rock, CO 80104.

Signed 
Professional Land Surveyor

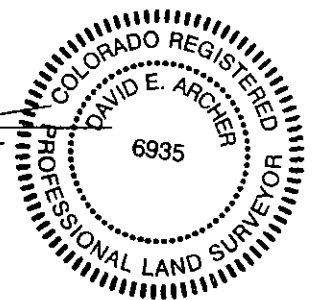


Exhibit A
to
Ordinance Approving Demis Preliminary Planned Development
Site Plan and Zoning Regulations

Exhibit B

ORDINANCE NO. 2006-34

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF
THE TOWN OF CASTLE ROCK, COLORADO

FOR DEMIS ANNEXATION --- PLANNED DEVELOPMENT (PD)

SECTION I -- GENERAL PROVISIONS

- 1.1 These Zoning Regulations constitute an amendment to the Town of Castle Rock Zoning Ordinance, and the Zoning District Map of the Town of Castle Rock, and establish permitted densities, uses, and development standards for the Land.
- 1.2 When these regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended shall apply. Relevant Sections include, but are not limited to PD Planned Development District, Definitions, Landscaping Requirements, Off- Street parking, and General Site Development and Use Standards.
- 1.3 The Town Council has adopted the Demis Preliminary PD Site Plan and Zoning Regulations pursuant to Chapter 17.60 of the Town of Castle Rock Code after appropriate public notice and hearing.
- 1.4 The Demis 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 Town Council.
- 1.5 The total number of dwelling units or total commercial, industrial or other nonresidential floor are approved for development within the established use areas is the maximum allowed for platting and development. The actual number of dwellings or 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.

SECTION II -- DEFINITIONS

- 2.1 **Building.**
Any built structure having a floor, walls, and fully-enclosed roof.
- 2.2 **Building Envelope.**
That area(s) delineated on the PD Site Plan and located within the Integrated Business (IB) Use Area that defines the ground area within which a Building must be contained in its entirety.
- 2.3 **Building Ground Coverage.**
That portion of the ground on any building site that is covered by structures having a floor, walls, and fully enclosed roof.

Building ground coverage shall not include unenclosed patios, decks or patio decks, tennis courts, surface parking areas, roadways, bike paths, or pedestrian ways or such other uses not meeting the above definition.
- 2.4 **Building Height.**
The vertical distance from the average finished grade (not including berming or grading for the purpose of permitting a higher building) surrounding a structure to the uppermost point of the roof structure. Chimneys, ventilators, skylights, solar collectors, air conditioning and heating units, antennas, architectural projections, and necessary mechanical appurtenances usually constructed above roof level are not to be considered in determining building height.

- 2.5 **Building Setback.**
The horizontal distance between a building or structure and a platted lot line (including ROW and PD boundary lines, but excluding PD Use Area boundary lines). This distance does not include the projections of eaves, overhangs, fireplaces, patios, decks, fire escapes, mechanical units, or similar architectural appurtenances, except that no projection shall extend beyond any ROW or PD boundary line.
- 2.6 **Common Area.**
All land within the Integrated Business, as designated on the PD site plan that is not within a Building Envelope, Drive-Through Area, and/or is not within an area exclusively appropriated for the use of any single Occupant or limited number of Occupants (including building perimeter pedestrian passageways and associated site and landscape improvements or designated employee parking areas, auto display, or service parking).
- 2.7 **Developer.**
Spero P. Demis or his successors or assigns as Developer.
- 2.8 **Drive-Through Area.**
All areas within the Demis Annexation PD designed or used to provide services or merchandise for delivery to consumers or users in vehicles, including stacking areas, order areas, pick-up areas, and curb cuts or driveways-use-only for such uses.
- 2.9 **Occupant.**
Any and each owner, lessee and/or person that from time to time is entitled to the use and occupancy of any portion of the Integrated Business area under any lease, sublease, license, or concession agreement, or other instrument or arrangement.
- 2.10 **Open Space Dedicated Use Area (OSD).**
Because of the small size of the Site, the Developer and the Town of Castle Rock have agreed pursuant to the "Demis Annexation and Development Contract" approved at the same time as this Ordinance that cash-in-lieu of any public land dedication be paid to the Town together with interest as set forth in said Contract.
- 2.11 **Owner.**
The record holder of fee title to all or any portion of the Demis Annexation PD site, its respective heirs, personal representatives, assigns, and successors in interest.
- 2.12 **Permittees.**
All Occupants and all customers, employees, agents, contractors, vendors, suppliers, visitors, and other business invites of Owners and Occupants insofar as their activities relate to the intended use or construction of the Demis Annexation.
- 2.13 **Site.**
Shall refer to Demis Annexation Plat and its associated documents that have been approved by the Town of Castle Rock of the County of Douglas, Colorado, a copy of which is attached as Exhibit A and incorporated herein by reference.
- 2.14 **Site Plan or PD Site Plan.**

The plan for development on the Demis Preliminary PD that has been approved by the Town of Castle Rock of the County of Douglas, a copy of which is attached as Exhibit B and incorporated herein by reference.

SECTION III -- USE

3.1 General Use Areas.

The land shall be divided into General Use areas as indicated on the Preliminary PD Site Plan and General Use areas shall consist of Integrated Business (I-B). The aggregate number of acres within each type of use area and the proposed maximum Floor Area Ratio (FAR) to be constructed in the Business Use area is indicated on the Preliminary PD Site Plan. Development Standards for each of the Use Areas is established by this Ordinance. Allowed uses in each of the areas are set forth in this Section.

3.2 Integrated Business Use Area (IB).

A. Intent.

The intent of this Use Area is to provide a conveniently accessible and aesthetically desirable environment in which to establish select businesses that serve the needs of the residents and visitors to the Town of Castle Rock.

B. Uses by Special Review:

- (1) Recreation Vehicle Sales & Service
- (2) Auto and Truck Sales, including outdoor display
- (3) Auto and Truck Service
- (4) Boat Sales, including outdoor display
- (5) Boat Service
- (6) Ambulance service
- (7) Caretaker's residence
- (8) Mortuary
- (9) Single-family and multifamily dwelling
- (10) Amusement Enterprise (see Section 17.40.030 (A) (1) of Castle Rock Regulations)

C. Permitted Uses:

- (1) Accessory uses (see Section 17.66.200 of Town of Castle Rock Regulations)
- (2) Auto accessory sales
- (3) Service station, with grocery store, car washes and similar uses allowed as accessory: wrecked, junked or abandoned vehicles shall not be allowed to be stored on the property
- (4) Car wash
- (5) Banks/financial institutions
- (6) Catering services
- (7) Child care centers
- (8) Churches, synagogues, places of worship
- (9) Clinics
- (10) Clubs, lodges and service organizations

- (11) Confectionery shop
- (12) Fine arts gallery and/or fine arts studio
- (13) Government and public facilities
- (14) Hospital
- (15) Hotel/motel
- (16) Indoor/outdoor recreation facilities
- (17) Laboratory except those which involve any hazardous process or emit noxious noise, dust and odor
- (18) Museum
- (19) Personal service shops, such as barber, beauty parlor
- (20) Pharmacy
- (21) Post office
- (22) Printing / copy shops
- (23) Private / public schools
- (24) Professional or business office
- (25) Public utilities
- (26) Restaurants, cafes, and other places serving food and beverages
- (27) Retail business stores, sales establishments, and centers
- (28) Transit facilities or other facilities designed to enhance the use of public transit
- (29) Repair, rental, service of any Item retailed in the B-2 district
- (30) Studios, including television and radio broadcasting stations, but excluding antenna towers and microwave dishes
- (31) Tailoring
- (32) Theaters
- (33) Upholstering
- (34) Utilities office
- (35) Small Animal Clinics

SECTION IV -- DEVELOPMENT STANDARDS

4.1 Development Standards for Designated Use Areas.

The Development Standards for each of the Use Areas indicated on the Preliminary PD site plan are set forth below:

DEVELOPMENT STANDARD	USE AREA
	<u>IB</u>
Maximum floor Area Ratio	.30
Minimum Setbacks (building and parking)	---
-from South Wilcox ROW (west)	15 feet
-from east, north boundaries of the property	5 feet
Maximum Building Height	40 feet
Maximum Building Coverage	30%
Residential setbacks and density to be determined at the time of Use by Special Review Approval	

Note: 20% of the site shall be designated as private open space at the time of Final PD Site Plan. This private open space may include setbacks and any area devoted to a detention pond if onsite detention is required.

4.2 Architectural Standards.

In order to ensure an architecturally compatible and unified development, the type and design of each building, now and in the future, shall be of first quality construction and architecturally designed so that its exterior elevation (including signs) and color will be structurally and aesthetically compatible and harmonious with all other buildings within Demis Annexation PD.

Architectural design elements shall comply with the Guidelines for Design and Development in the Town of Castle Rock.

4.3 Common Area.

- A. The Common Area is hereby reserved for the sole and exclusive use of the owners, Occupants, and their Permittees and is defined as private streets (not dedicated ROW) and common storm water detention areas. The Common Area may be used for vehicular driving and parking areas, pedestrian traffic, walkways, storm water detention, utilities, landscaping, and for the other uses specified herein.
- B. Unless otherwise authorized in writing by the Town, no structures shall be placed or constructed on the Common Area, except paving, parking curbs, landscape planters, street lights, utility pads and sidewalks.
- C. The Common Area shall be constructed in accordance with the Development Agreement and the PD Site Plan and shall be kept and maintained as provided for in the CAMA (Common Area Maintenance Agreement).
- D. The sizes and arrangements of the Common Area improvements, including without limitation access and service drives, striping, traffic directional indicators, street lighting and landscaped areas, together with the necessary planning, may not be changed without the written approval of the Consenting owners.

4.4 Fencing Standards.

Perimeter fencing will be permitted around the PD as follows:

- A. Perimeter fencing constructed of masonry or wood or metal picket (or other acceptable materials) will be permitted and is in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Final PD Site Plan and must conform to the design guidelines established for Demis Annexation. Said fences may be used for the purposes of visual screening of proposed development, such as parking areas.
- B. Fences, walls, or hedges less than 6 feet in height shall be allowed on the property line within the building setbacks on private land. A building permit is required for any retaining wall greater than four feet in height.

4.5 Lighting Standards.

Exterior lighting will be permitted within the PD as follows:

- A. Such lighting will be in conformance with applicable Town of Castle Rock adopted lighting regulations.
- B. Lighting will be permitted in the parking areas to illuminate vehicular and pedestrian traffic movement and vehicular display.
- C. After business hour security lighting will be allowed in conformance with the Town's adopted lighting regulations.

4.6 Parking Standards.

Off-street parking standards shall conform to those of the Town of Castle Rock's Zoning Ordinance.

4.7 Signage Standards.

Signage will be permitted within the PD as follows:

- A. Signage is to be in conformance with applicable Town of Castle Rock Sign Regulations.

4.8 Utility Standards.

All public utility distribution lines to be constructed must be placed underground.

4.9 Water and Sanitation Standards.

All uses must be served by a central water facility.

4.10 Landscaping.

Landscaping is to be in conformance with applicable Town of Castle Rock Landscape Regulations.

4.11 Vehicle Sales and Service Criteria.

Due to the special concerns related to the design of auto dealerships, the following special conditions will apply to vehicle sales and service uses (use by special review section B, uses (1) through (5)):

A. Architectural Standards:

- 1. Building mass, form, length and proportions shall be designed to provide variety of visual interest and maintaining a human scale that is appropriate to surroundings.
- 2. A breakdown of building mass at all significant entryways and walls that front pedestrian activities to mark entryways.

3. Building facades shall meet one of the following standards:
 - a. Facades greater than 100 feet in length shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the facade.
 - b. Each building facade shall have a repeating pattern that includes three instances of either:
 - (1) Color change
 - (2) Texture changes
 - (3) Material module change
 - (4) Expression of an architectural or structural bay through a change in plane
4. Alternative building designs are allowed which significantly articulate a wall plane.
5. Ground floor facades facing a primary access street shall have clearly defined customer entrances that feature three of the following: canopies or porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, distinctive roof forms, arches, outdoor patios, display windows, integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
6. Building materials shall present an image of high quality and permanence. Predominant exterior building materials shall be high quality, durable material such as, but not limited to: brick, cultured or native stone, integrally colored, textured concrete masonry units, high quality metal wall and roof panels as accents (no all-metal buildings or exposed fasteners) high quality pre-stressed concrete systems and exterior installation finish systems (EIFS).
7. All sides of the building shall include materials consistent with those on the front.

B. Prohibited Activities:

1. Public Address System
2. Advertising and display methods that utilize banners, flags, car ramps and "sandwich boards".
3. Display of vehicles on landscaping.

C. Screening:

1. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction and other service functions shall be screened and integrated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.
2. Architectural elements, materials, colors and design of screening walls, coverings and/or fences shall conform to those used as predominant materials, colors and elements on the building or landscaping.

3. All rooftop mechanical equipment shall be screened. Screening may be done either with an extended parapet wall or a freestanding screen wall of a material and color matching the building. Parapets or screens shall be at least as high as the equipment they hide.

SECTION V -- TEMPORARY USES

5.1 Temporary Uses

Temporary uses are permitted as follows:

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

SECTION VI -- ACCESSORY USES PERMITTED IN ALL USE AREAS

6.1 Accessory Uses

The following Accessory Uses are permitted in all Use Areas:

- A. Underground utility and communications distribution lines, specifically including cable and television distribution lines.
- B. Roadways, bike paths, pedestrian, and equestrian trails.
- C. Storm water drainage detention areas.
- D. Fences, walls, retaining walls.

SECTION VII -- SUBMISSION OF FINAL PLANNED DEVELOPMENT SITE PLANS AND/OR PLATS AND ADDITIONAL INFORMATION

- 7.1 Following the approval of this Ordinance and the Preliminary Plat, the owners of the above-described site shall present a Final PD Site Plan and Final Plat for all or any portion of the general use area as are ready for development.
- 7.2 No structural building permit will be issued until a Final PD Site Plan and Final Plat for such area has been approved by the Town Council and filed for the public record.
- 7.3 In those cases where the Subdivision Regulations of the Town of Castle Rock require approval of a final plat by the Town Council prior to sale or transfer of lands, a sale or transfer of a portion or portions of the Land is permitted without prior approval of a Final PD Site Plan if the deed or other document evidencing the sale or transfer contains the following language:

"No building permit will be issued for the erection of any structural improvements in any area described herein for which a Final PD Site Plan has not been approved by the Town Council of the Town of Castle Rock."

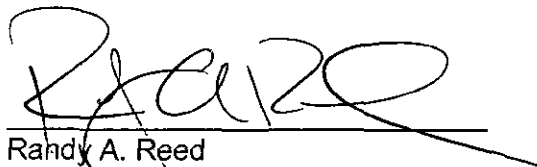
SECTION VIII -- TRANSITIONAL USE

- 8.1 After approval of the Preliminary PD Site Plan, incorporated herein by reference, any portion or portions of the land that have not been included in a Final PD Site Plan may be used for agricultural purposes until approval of a Final PD Site Plan for the area or areas in question. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings and outbuildings pertaining thereto. It shall not be deemed to include commercial feed yards, commercial poultry or pig farms, fur farms or kennels.
- 8.2 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; however, the Town Council reserves the right to prohibit such agricultural uses in areas for which not 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 health, safety, or welfare of the residents of such developed areas.
- 8.3 Such transitional use areas shall be closed to vehicular traffic and off-road recreational motor vehicles, except agricultural vehicles and implements, emergency vehicles, vehicles engaged in utility and other maintenance work, and designees of the master developer and/or Town.

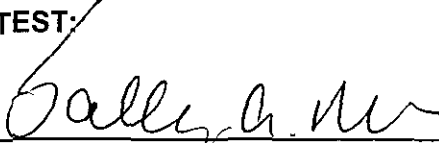
SECTION X -- SEVERABILITY OF PROVISIONS

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

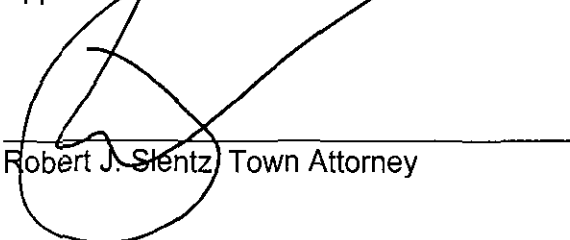
Passed and adopted this 14th day of August, 2007, by a vote of the Town Council of the Town of Castle Rock, Colorado, of 7 for and 0 against.


 Randy A. Reed
 Mayor Town of Castle Rock

ATTEST:


 Sally A. Misare, Town Clerk

Approved as to form:


 Robert J. Slentz, Town Attorney

APPROVED AS TO CONTENT:


 Bill Detweiler, Acting Director
 Development Services