

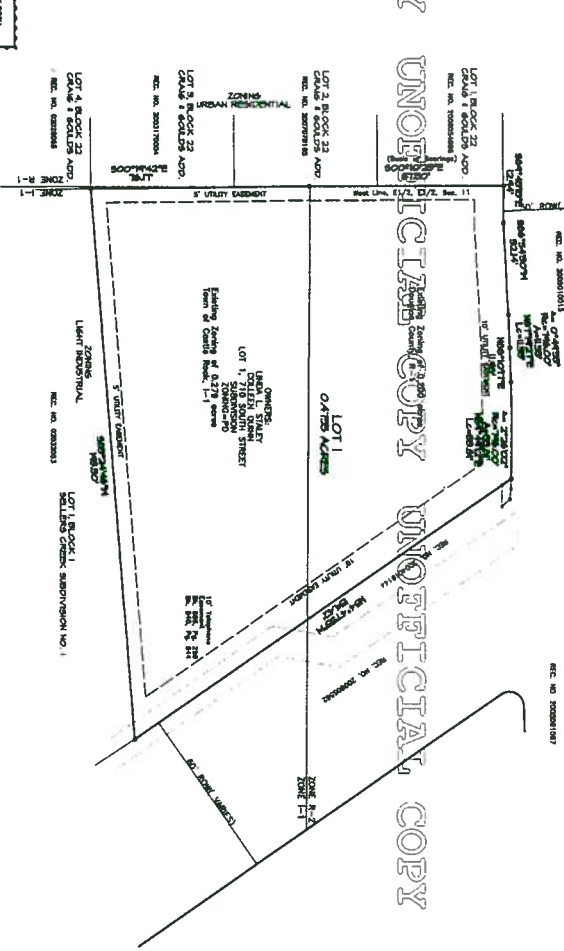
710 SOUTH STREET PD PRELIMINARY PD SITE PLAN A PART OF THE E1/2 OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO 0.476 ACRES

OWNERSHIP CERTIFICATE
 THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS THE 710 SOUTH STREET PD IN THE TOWN OF CASTLE ROCK IN THE COUNTY OF DOUGLAS, STATE OF COLORADO.
 I, David E. Archer, do hereby certify that the above and foregoing is a true and correct copy of the original record of the same as the same is now on file in the office of the County Clerk and Recorder of Douglas County, Colorado.
 SIGNED THIS 24th DAY OF May 2010
 DAVID E. ARCHER
 COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO

NOTARY CERTIFICATE
 STATE OF COLORADO)
 COUNTY OF DOUGLAS) SS
 I, David E. Archer, Notary Public for the State of Colorado, do hereby certify that the above and foregoing is a true and correct copy of the original record of the same as the same is now on file in the office of the County Clerk and Recorder of Douglas County, Colorado.
 SIGNED THIS 24th DAY OF May 2010
 DAVID E. ARCHER
 COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO

UNOFFICIAL COPY
 THE UNDERSIGNED ARE ALL THE LANDOWNERS AND LESSEES OF CERTAIN LANDS KNOWN HEREIN AS THE 710 SOUTH STREET PD IN THE TOWN OF CASTLE ROCK, COLORADO. WE HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD OF THE SAME AS THE SAME IS NOW ON FILE IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY, COLORADO. WE FURTHER CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD OF THE SAME AS THE SAME IS NOW ON FILE IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY, COLORADO.
 SIGNED THIS 14th DAY OF May 2010
 DAWN GILL, VICE PRESIDENT
 DAVID E. ARCHER, COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO

NOTARY CERTIFICATE
 STATE OF COLORADO)
 COUNTY OF DOUGLAS) SS
 I, David E. Archer, Notary Public for the State of Colorado, do hereby certify that the above and foregoing is a true and correct copy of the original record of the same as the same is now on file in the office of the County Clerk and Recorder of Douglas County, Colorado.
 SIGNED THIS 24th DAY OF May 2010
 DAVID E. ARCHER
 COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO



OWNER'S CERTIFICATE
 I, David E. Archer, a duly registered professional land surveyor in the State of Colorado, do hereby certify that the above and foregoing is a true and correct copy of the original record of the same as the same is now on file in the office of the County Clerk and Recorder of Douglas County, Colorado.
 SIGNED THIS 14th DAY OF May 2010
 DAVID E. ARCHER
 COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO

TOWN CERTIFICATE
 A. FINANCIAL COMMISSION RECOMMENDATION
 THE FINANCIAL COMMISSION HAS REVIEWED THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE 710 SOUTH STREET PD AND HAS RECOMMENDED FOR APPROVAL BY THE FINANCIAL COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 14th DAY OF May 2010.
 SIGNED THIS 14th DAY OF May 2010
 DAVID E. ARCHER
 COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO

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 1:00 PM ON THE 30th DAY OF June 2010.
 SIGNED THIS 30th DAY OF June 2010
 DAVID E. ARCHER
 COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO

NOTARY CERTIFICATE
 STATE OF COLORADO)
 COUNTY OF DOUGLAS) SS
 I, David E. Archer, Notary Public for the State of Colorado, do hereby certify that the above and foregoing is a true and correct copy of the original record of the same as the same is now on file in the office of the County Clerk and Recorder of Douglas County, Colorado.
 SIGNED THIS 24th DAY OF May 2010
 DAVID E. ARCHER
 COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO

DEVELOPMENT DATA

FORM NO.	PLANNED DEVELOPMENT (PD)
PERMITTED LAND USE	RESIDENTIAL
PERMITTED LOT AREA	1.076 ACRES
TOTAL LOT AREA (APPROXIMATE)	0.476 ACRES
MINIMUM GROSS LOT AREA	622 SQ. FT.

18' W of rd
 1-18-10
 1-18-10

NOTARY CERTIFICATE
 STATE OF COLORADO)
 COUNTY OF DOUGLAS) SS
 I, David E. Archer, Notary Public for the State of Colorado, do hereby certify that the above and foregoing is a true and correct copy of the original record of the same as the same is now on file in the office of the County Clerk and Recorder of Douglas County, Colorado.
 SIGNED THIS 14th DAY OF May 2010
 DAVID E. ARCHER
 COUNTY CLERK AND RECORDER
 DOUGLAS COUNTY, COLORADO

(2)

ORDINANCE NO. 2010 - 02

AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING
THE 710 SOUTH STREET PRELIMINARY PLANNED DEVELOPMENT SITE PLAN
AND PLANNED DEVELOPMENT ZONING REGULATIONS

WHEREAS, Linda L. Staley and Colleen Quinn (Applicants) have requested Planned Development (PD) zoning of the parcel described in *Exhibit 1* (Property); and

WHEREAS, Applicants have requested approval of the "710 South Street PD Zoning Regulations" as described in the attached *Exhibit 2* as the same affect the Property (Zoning Regulations); and

WHEREAS, Applicants have requested approval of "710 South Street Preliminary PD Site Plan" (Site Plan); and

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WHEREAS, the Site Plan is consistent with the Town's Vision 2020, the Comprehensive Master Plan, and the Town of Castle Rock/Douglas County Land Use Intergovernmental Agreement; 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;

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 710 South Street PD Zoning Regulations in the form attached as *Exhibit 2* and the 710 South Street Preliminary PD Site Plan are hereby approved, subject to the following conditions:

1. All staff comments shall be addressed prior to recordation.

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.

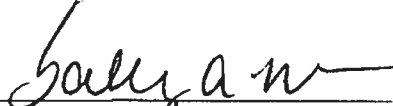
Section 3. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 5th day of January, 2010 by the Town Council of the Town of Castle Rock, Colorado by a vote of seven (7) for and zero (0) against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and


PASSED, APPROVED AND ADOPTED this 12th day of January, 2010, by the Town Council of the Town of Castle Rock by a vote of seven (7) for and zero (0) against.

ATTEST:

TOWN OF CASTLE ROCK



Sally A. Misare, Town Clerk

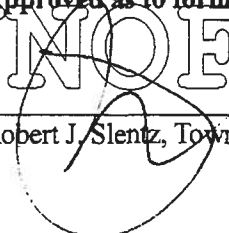


Randy A. Reed, Mayor


Approved as to form:

Approved as to content:

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Robert J. Slentz, Town Attorney



Bill Detweiler, Director of Development Services

Exhibit 1

PROPERTY DESCRIPTION: LOT 1, 710 SOUTH STREET SUBDIVISION

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

Beginning at the Southwest corner of said Southeast 1/4 of the Northeast 1/4 and considering the West line of said Southeast 1/4 of the Northeast 1/4 to bear N 00°10'23"W with all bearings contained herein relative thereto; Thence N 00°10'23"W along said West line a distance of 67.50 feet to the South line of that tract of land described in Deed Recorded on February 2, 2005 at Reception No. 2005010015.

Thence Easterly along said South line for the next 6 courses:

1. Thence S 89°45'15"E a distance of 12.94 feet;
 2. Thence N 86°54'30"E a distance of 32.14 feet;
 3. Thence Easterly along the arc of a curve to the right a distance of 11.55 feet, said curve has a radius of 796.00 feet, a central angle of 00°49'54" and a chord that bears N 87°19'27"E a distance of 11.55 feet;
 4. Thence N 88°10'17"E a distance of 11.98 feet;
 5. Thence along the arc of a curve to the right a distance of 37.28 feet, said curve has a radius of 796.00 feet, a central angle of 02°41'01" and a chord that bears N 89°56'41"E a distance of 37.28 feet to a point of compound curve;
 6. Thence Easterly along the arc of a curve to the right a distance of 3.67 feet, said curve has a radius of 23.00 feet a central angle of 09°08'04" and a chord that bears S 84°08'47"E a distance of 3.66 feet;
- Thence S 42°58'01"E a distance of 3.75 feet;
 Thence N 89°45'15"W a distance of 7.48 feet;
 Thence S 34°47'35"E a distance of 155.58 feet;
 Thence S 85°24'46"W a distance of 193.30 feet;
 Thence N 00°19'42"W a distance of 76.17 feet to the point of beginning;

Containing 0.476 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.

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Exhibit 2

ORDINANCE NO. _____

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

UNOFFICIAL COPY
FOR 710 SOUTH STREET 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 710 South Street 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.

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- 1.4 The 710 South Street Preliminary PD Site Plan and Zoning Regulations shall run with and bind all landowners of record, their successors, heirs or assigns of the land.
- 1.5 The total commercial or residential floor area approved for development within the established use area is the maximum allowed for platting and development. The actual floor area approved will be determined at the final PD site plan or by amended site plan at some future date 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 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.
- 2.3 **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.
- 2.4 **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, fire escapes, mechanical units, or similar architectural appurtenances, except that no projection shall extend beyond any ROW or PD boundary line.

2.5 **Developer.**
Linda L. Staley and Colleen Quinn or their successors or assigns as Developer.

2.6 **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 Commercial Use Area under any lease, sublease, license, or concession agreement, or other instrument or arrangement.

2.7 **Owner.**
The record holder of fee title to all or any portion of the 710 South Street PD site, its respective heirs, personal representatives, assigns, and successors in interest.

2.8 **Permittees.**
All Occupants and all customers, employees, agents, contractors, vendors, suppliers, visitors, and other business invitees of Owners and Occupants insofar as their activities relate to the intended use or construction of the 710 South Street PD.

2.9 **Site.**
Legal description for the site attached as Exhibit A and incorporated herein by reference.

2.10 **Site Plan or PD Site Plan.**
The plan for development on the 710 South Street 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 **Commercial.**

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. **Permitted Uses:**

- (1) Single-family dwellings, with or without home occupations
- (2) Parking lot(s) for permitted uses
- (3) Catering services
- (4) Confectionery shop
- (5) Fine arts gallery and/or fine arts studio
- (6) Offices
- (7) Personal service shops, such as barber, beauty parlor
- (8) Public utilities
- (9) Retail business stores
- (10) Tailoring
- (11) Accessory uses as allowed by Section VI hereof.

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:

DEVELOPMENT STANDARDS	<u>USE AREA</u> <u>Commercial</u>
Minimum Front Yard	15 feet
Maximum Building Height	35 feet
Maximum Building Coverage	30%

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4.2 Architectural Standards.

Future architectural design elements, if any, shall comply with any mandatory provisions of The Town of Castle Rock Design Guidelines in effect and applicable to the site at the time such design elements are proposed.

4.3 Fencing Standards.

Perimeter fencing will be permitted around the PD as follows:

- A. Existing fencing, walls and hedges shall remain in place. Any new fencing will be permitted and will be in conformance with applicable Town of Castle Rock Zoning Regulations.
- B. A building permit will be required for any new retaining wall greater than four feet in height.

4.4 Lighting Standards.

Existing exterior lighting will be retained. Any new lighting shall be permitted only in conformance with applicable Town of Castle Rock lighting regulations.

4.5 Parking Standards.

Parking for existing uses is in place and shall be deemed sufficient. Off-street parking standards for any new uses shall conform to those of the Town of Castle Rock's Zoning Ordinance.

4.6 Signage Standards.

Signage will be permitted within the PD as follows:

- A. The following types of signs are permitted:
 - (1) Freestanding signs

- (2) Wall signs
- (3) Window signs
- (4) Real estate signs in accordance with Section 19.04.041A3
- (5) Construction signs in accordance with Section 19.04.041A4
- (6) Awning signs
- (7) Canopy signs
- (8) Identification signs and Joint Identification signs
- (9) Flags and flagpoles
- (10) Parapet signs.

B. The maximum sign area per sign face permitted shall be thirty-two (32) square feet.

C. The following maximum sign areas shall be permitted, but in no event may such sign area exceed one hundred (100) square feet:

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- 1. The greater of the following:
 - a. Thirty-two (32) square feet
 - b. One (1) square foot of sign area for each linear foot of total street frontage; or
 - c. Two (2) square feet of sign area for each linear foot of total building frontage of the unit occupied by a street level use.

2. For flags, a maximum of fifteen (15) square feet. Corporate flags shall be counted in the calculation for total site signage; government flags shall not be counted in total signage.

D. The maximum sign height for any freestanding sign shall be eight (8) feet and for any wall sign or flagpole shall be twenty (20) feet.

E. The minimum setback from a property line abutting a street for any freestanding sign shall be ten (10) feet and five (5) feet for any flagpole.

F. The minimum horizontal separation between freestanding signs on one (1) lot shall be three hundred (300) feet.

4.7 Utility Standards.

All public utility distribution lines to be constructed after the date of approval hereof must be placed underground.

4.8 Water and Sanitation Standards.

All uses must be served by a central water facility.

4.9 Landscaping.

If any landscaping is added to existing landscaping, such new landscaping is to be in conformance with applicable Town of Castle Rock Landscape Regulations.

SECTION V -- TEMPORARY USES

5.1 Temporary Uses

Temporary uses are permitted as follows:

Construction offices and construction material storage shall be permitted 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:

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A. Utility and communications distribution lines, specifically including cable distribution lines.

B. Roadways, bike paths, pedestrian, and equestrian trails.

C. Storm water drainage detention areas.

D. Fences, walls, retaining walls.

E. Solar collection devices.

SECTION VII -- SEVERABILITY OF PROVISIONS

7.1 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.

Passed and adopted this _____ day of _____, 2009, by a vote of the Town Council of the Town of Castle Rock, Colorado, of _____ for and _____ against.

Mayor Town of Castle Rock

ATTEST:

Sally Misare, Town Clerk

Approved as to form:

Robert J. Slentz, Town Attorney

Approved as to content:

Bill Detweiler, Director of Development Services