

ORDINANCE NO. 2018-019

**AN ORDINANCE APPROVING
THE OAKWOOD APARTMENTS PLANNED DEVELOPMENT PLAN AMENDMENT
NO. 1 AND ZONING REGULATIONS, AND PROVIDING FOR ITS EMERGENCY
ADOPTION ON SECOND AND FINAL READING**

WHEREAS, proper application has been made by Douglas County Housing Partnership (“Applicant”) for an amendment to the Oakwood Apartments Planned Development Plan and zoning regulations, and

WHEREAS, Applicant has requested approval of the Oakwood Apartments Planned Development Plan Amendment No. 1 and Zoning Regulations (collectively, the “PD Plan”), and

WHEREAS, Applicant is requesting an increase in the number of units from 64 units to 109 units and changes to development standards, and

WHEREAS, the PD Plan complies with Chapter 17.36 of the Castle Rock Municipal Code, and the Comprehensive Master Plan, and

WHEREAS, public hearings on the PD Plan 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 support Applicant’s grant application that was filed with CHFA on June 1, 2018 for the project, 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. Planned Development Plan and Zoning Regulation Approval. The Oakwood Apartments Planned Development Plan Amendment No. 1 and Zoning Regulations in the form attached as *Exhibit 1*, is hereby approved.

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. 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 5th day of June, 2018 by the Town Council of the Town of Castle Rock, Colorado by a vote of 6 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

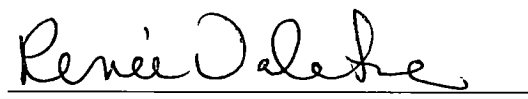
PASSED, APPROVED AND ADOPTED AS AN EMERGENCY ORDINANCE this 19th of June, 2018, by a vote of the Town Council of the Town of Castle Rock, Colorado of 6 for and 0 against constituting the extraordinary majority required by Section 2.02.100 of the Castle Rock Municipal Code.

ATTEST:

TOWN OF CASTLE ROCK



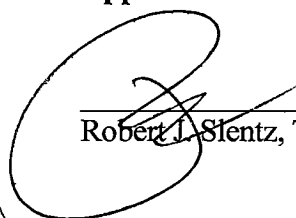
Lisa Anderson, Town Clerk



Renee Valentine, Mayor Pro Tem

Approved as to form:

Approved as to content:



Robert J. Slentz, Town Attorney



Bill Detweiler, Director of Development Services



Official Copy

OAKWOOD APARTMENTS PLANNED DEVELOPMENT PLAN - Amendment No. 1 AND ZONING REGULATIONS

(AN AMENDMENT TO THE PRELIMINARY SITE PLAN)

EXHIBIT 1

LOCATED IN THE SW $\frac{1}{4}$, NE $\frac{1}{4}$ OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 67 WEST
OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

PDP GENERAL NOTES:

1. The purpose of this amendment is to add a new 3-story building with 53 new dwellings. Additionally, 3 existing buildings are to be removed and new parking spaces are to be added.
2. The mineral rights associated with this development have not been severed. Notification of development hearings before Planning Commission and Town Council must be provided to owners of mineral estates.
3. This site lies within FEMA Flood Zone X per map panel 09035C0168G dated 3/16/2016. No structures shall be permitted in the approved 100-year flood plain.
4. This site is within the Town of Castle Rock Light Blue water pressure zone.
5. All-weather (concrete or asphalt) surfaced access roads capable of withstanding the imposed loads of the apparatus (75,000 lbs.) and all required fire hydrants shall be installed and made serviceable prior to and during all construction.
6. Right-of-way for ingress and egress for emergency vehicles is granted over, across, on and through any and all private roads and drives.

LEGAL DESCRIPTION:

LOTS 1 AND 2 OAKWOOD APARTMENTS, ACCORDING TO THE RECORDED PLAN THEREOF, COUNTY OF DOUGLAS, STATE OF COLORADO.

NAMES & ADDRESSES:

OWNER
Douglas County Housing Partnership
6350 Heritage Hills Circle
Lans Trce CO 80124
Attn: Diane Laversley

ENGINEER
Strategic Land Solutions
2595 Ponderosa Rd
Franktown, CO 80116
Attn: Robert Palmer

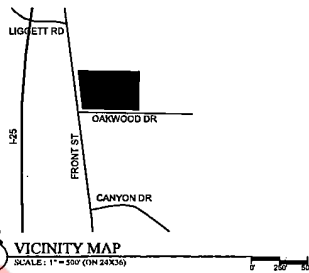
ARCHITECT:
Parikh Stevens Architects
3457 Ringsby Ct #209
Denver CO 80216
Attn: Harsh Parikh

SHEET INDEX:

1 OF 2 COVER SHEET
2 OF 2 PLANNED DEVELOPMENT PLAN

SUMMARY TABLE:

LAND AREA:	3.77 Acres
DWELLING UNITS:	Maximum 109
DENSITY:	Maximum 29 DU/A



VICINITY MAP
SCALE: 1" = 300' (ON 24X36)

OWNERSHIP CERTIFICATION

THE UNDERSIGNED ARE ALL THE OWNERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, DESCRIBED HEREIN

DOUGLAS COUNTY HOUSING PARTNERSHIP OAKWOOD APARTMENTS ENTERPRISE
SIGNED THIS _____ DAY OF _____, 20__

NOTARY BLOCK

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20__

BY: _____ AS: _____
OF DOUGLAS COUNTY HOUSING PARTNERSHIP OAKWOOD APARTMENTS ENTERPRISE

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

TITLE CERTIFICATION

I, _____, AN AUTHORIZED REPRESENTATIVE OF 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 CERTIFICATES.

AUTHORIZED REPRESENTATIVE

TITLE COMPANY

SIGNED THIS _____ DAY OF _____, 20__

NOTARY BLOCK

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20__

BY: _____ AS: _____
OF DOUGLAS COUNTY HOUSING PARTNERSHIP OAKWOOD APARTMENTS ENTERPRISE

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

DOUGLAS COUNTY CLERK AND RECORDER CERTIFICATE

THIS PLANNED DEVELOPMENT PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY AT _____ ON THE _____ DAY OF _____, 20__ AT RECEPTION NO. _____

DOUGLAS COUNTY CLERK AND RECORDER:

BY: _____
DEPUTY

PLANNING COMMISSION RECOMMENDATION

THIS PLANNED DEVELOPMENT PLAN WAS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK ON THE _____ DAY OF _____, 20__

BY: _____ CHAIR DATE: _____

ATTEST:
BY: _____ TOWN CLERK DATE: _____

TOWN COUNCIL APPROVAL

THIS PLANNED DEVELOPMENT PLAN WAS APPROVED BY THE TOWN COUNCIL AT _____ ON THE _____ DAY OF _____, 20__

BY: _____ MAYOR DATE: _____

ATTEST:
BY: _____ TOWN CLERK DATE: _____

LIENHOLDER SUBORDINATION CERTIFICATION

THE UNDERSIGNED ARE ALL THE MORTGAGEES AND LIENHOLDERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, DESCRIBED HEREIN. THE UNDERSIGNED BENEFICIARY OF THE LIEN CREATED BY THE INSTRUMENT RECORDED FEBRUARY 23, 2012 AT RECEPTION NO. 2012012816

FIRSTBANK

SIGNED THIS _____ DAY OF _____, 20__

BY: _____ AS: _____
OF FIRSTBANK

NOTARY BLOCK

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20__

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LIENHOLDER SUBORDINATION CERTIFICATION

THE UNDERSIGNED ARE ALL THE MORTGAGEES AND LIENHOLDERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, DESCRIBED HEREIN. THE UNDERSIGNED BENEFICIARY OF THE LIEN CREATED BY THE INSTRUMENT RECORDED FEBRUARY 23, 2012 AT RECEPTION NO. 2012012819

COLORADO HOUSING AND FINANCE AUTHORITY

SIGNED THIS _____ DAY OF _____, 20__

BY: _____ AS: _____
OF COLORADO HOUSING AND FINANCE AUTHORITY

NOTARY BLOCK

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20__

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LIENHOLDER SUBORDINATION CERTIFICATION

THE UNDERSIGNED ARE ALL THE MORTGAGEES AND LIENHOLDERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, DESCRIBED HEREIN. THE UNDERSIGNED BENEFICIARY OF THE LIEN CREATED BY THE INSTRUMENT RECORDED APRIL 13, 2006 AT RECEPTION NO. 2006031689

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS

SIGNED THIS _____ DAY OF _____, 20__

BY: _____ AS: _____
OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS

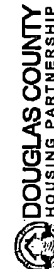
NOTARY BLOCK

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20__

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____



OAKWOOD APARTMENTS
PLANNED DEVELOPMENT PLAN

ISSUE DATE

4/17/18

SHEET TITLE

COVER SHEET

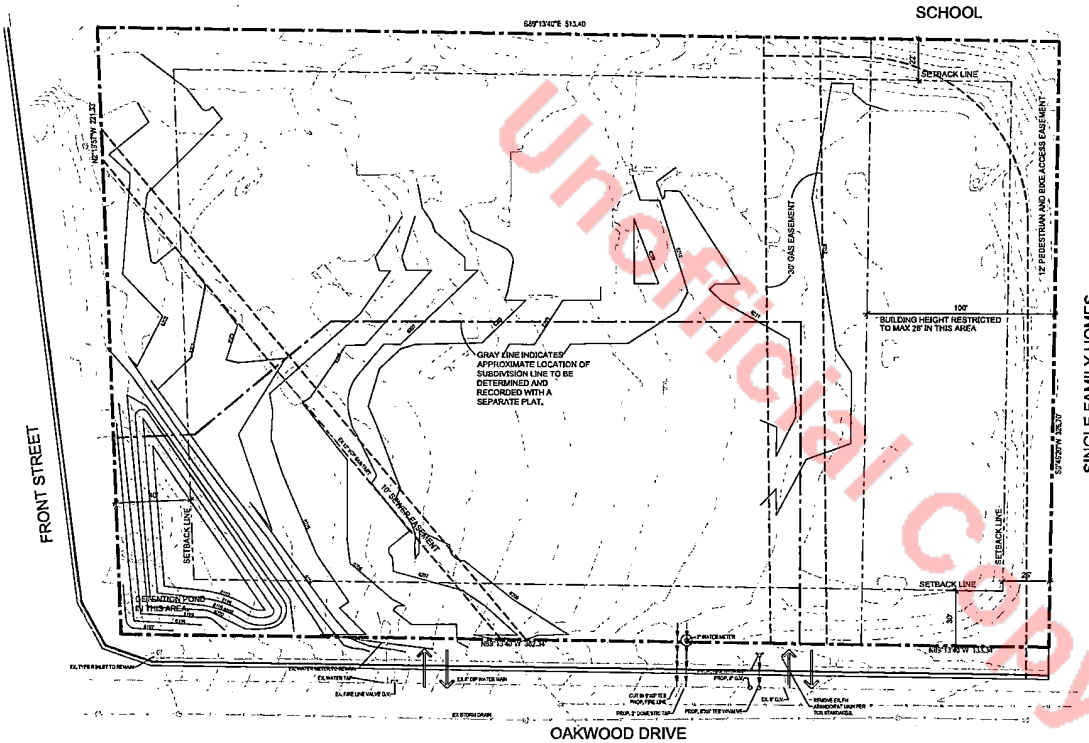
SHEET NUMBER

1 OF 2

OAKWOOD APARTMENTS PLANNED DEVELOPMENT PLAN - Amendment No. 1

(AN AMENDMENT TO THE PRELIMINARY SITE PLAN)

LOCATED IN THE SW $\frac{1}{4}$, NE $\frac{1}{4}$ OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



LEGEND:

- PROPERTY LINE
- FUTURE SUBDIVISION LINE
- SETBACK LINE
- EASEMENT
- VEHICULAR ENTRY
- EXISTING CONTOURS
- PROPOSED CONTOURS



ZONING REGULATIONS:

Note: There is no separate Planned Development Zoning Regulations Document.

- I. **APPROPRIATE UTILITIES:**
The Town Council has adopted the Oakwood Apartments Planned Development Plan (PDP) and Planned Development Zoning Regulations pursuant to Chapter 17.14 of the Code after appropriate public notice and hearing.
- II. **ADAPTIVE TO ZONING REGULATIONS:**
The provisions of this PDP plan and zoning regulations shall govern the development of the Oakwood Apartments PDP provided, however, that subject to the provisions of the Town zoning ordinance, as amended, or any other rules or provisions of this Code that be applicable.
- III. **SOVEREIGNTY OF PUBLIC PLAN:**
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.
- IV. **USE OF LAND:**
The maximum building height shall be 28 feet in the eastern 100% of the site and 43 feet in the western 100% of the site. However, in the eastern 100% of the site the maximum building height shall be 28 feet.
- V. **PERMITTED USES:**
A. Minimum 100' buffer for other than single units for a smaller urban housing project.
B. Dedicated areas for public use.
C. Private open space areas for:
1. Recreational purposes.
2. Storage and/or active recreation.
3. Stormwater management.
4. Any other purpose and use consistent with the overall intent of the PDP.
D. Maximum building height shall be 28 feet in the eastern 100% of the site and 43 feet in the western 100% of the site.
E. Maximum building height shall be 28 feet in the eastern 100% of the site and 43 feet in the western 100% of the site.
F. Maximum building height shall be 28 feet in the eastern 100% of the site and 43 feet in the western 100% of the site.
- VI. **PERMITTED RESIDENTIAL DENSITY:**
Density on the 578 Acres use described in this plan shall not exceed 20' with set back 20'. Notwithstanding the above, the maximum building height shall be 28 feet in the eastern 100% of the site and 43 feet in the western 100% of the site.
- VII. **MINIMUM BUILDING HEIGHT:**
The minimum building height shall be 43 feet in the eastern 100% of the site and 28 feet in the western 100% of the site.
- VIII. **MINIMUM BUILDING SETBACKS:**
For the property described herein there shall be provided a minimum of 10 feet setback for all buildings per unit construction, for as long as the facilities are used for residential housing. Each parking space shall have minimum dimensions of 10 feet wide.
- IX. **ADDITIONAL REQUIREMENTS:**
All private streets and easements, if any, contained in the Planned Development Plan shall be constructed in accordance with the standard construction specifications of the Town of Castle Rock in effect at the time of construction.
- X. **STRENGTHENING:**
1. Two unit buildings which have the existing clubhouse and parking shall be removed.
2. New club house and new parking spaces will be located to the east and north of the proposed new building.
3. Existing small parking lot on the western side of site will remain but the other existing parking spaces in conflict with the new building location will be removed.
4. New 3-story building will be constructed along with the new parking spaces between the new building and District Drive.
5. Existing 403 person houses (4 units) and the existing small parking lot on the west end will be removed.
6. New parking spaces will be added within 30 days of the completion of construction of the new building, ensuring a total of not less than 100 parking spaces for the entire site.

COMPARISON CHART:

Land Use	Previous PD	This Amended PD
Minimum Open Space	30%	30%
Dwellings & Parking		
Maximum Dwelling Units	54	109
Maximum Density (DUs)	17	33
Minimum Parking Ratio (Spaces per Unit)	1.00	1.00
Building Properties (In Feet)		
Minimum West Setback	40	25
Minimum South Setback	40	25
Minimum East Setback	25	25
Minimum North Setback	25	22
Minimum Building Separation	20	20
Maximum Building Height	28	28/43*

*Maximum Building Height is 28' in the eastern 100% of the site, and 43' elsewhere.



PARIKH STRAVENS ARCHITECTS
PARTNERSHIP, INC. 100.100.1000

OAKWOOD APARTMENTS PLANNED DEVELOPMENT PLAN

ISSUE DATE

4/17/18

SHEET TITLE

PLANNED DEVELOPMENT PLAN

SHEET NUMBER

2 OF 2

PLAT IDENTIFICATION SHEET

298926

02/14/1983

GRANTOR:

(owner/signer)

Oakwood Apts Prelim Site Plan

GRANTEE:

(subdivision name or name of plat)

Oakwood Apts Prelim Site Plan

LEGAL:

(section-township-range)

SITE DATA

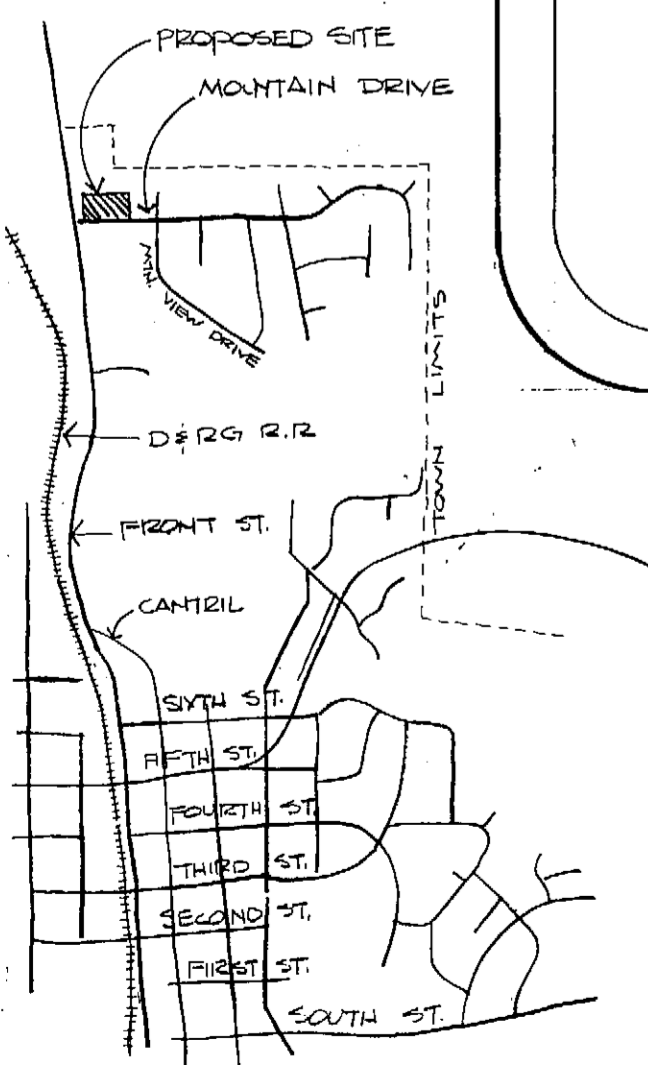
TOTAL PROJECT	3.78		
PARCEL 'A' (PHASE I)	2,682.0		
PARCEL 'B' (PHASE II)	1,104.0		
		ACRES	PERCENT TOTAL
BUILDING COVERAGE	20,028	7,282	27.30
PAVEMENT COVERAGE (WALKWAYS NOT INCLUDED)	18,312		11%
GREENSPACE & WALKWAYS	78,401	40,634	19,055
TOTALS	164,657		100%

ALL LIVING UNITS TO BE 1 BEDROOM UNITS
 MAXIMUM BUILDING HEIGHT 35'-0"
 TOTAL NUMBER OF UNITS
 PHASE I: 48
 PHASE II: 16
 TOTAL: 64 UNITS
 TOTAL PARKING PROVIDED: 64 STALLS
 DWELLING UNIT SIZE IS: 698 S.F. I
 SEE PLAN FOR MINIMUM BUILDING SET-BACKS
 WALKWAYS ARE 4'-0" WIDE (TYPICAL)
 MINIMUM BUILDING SEPARATION 20'-0"

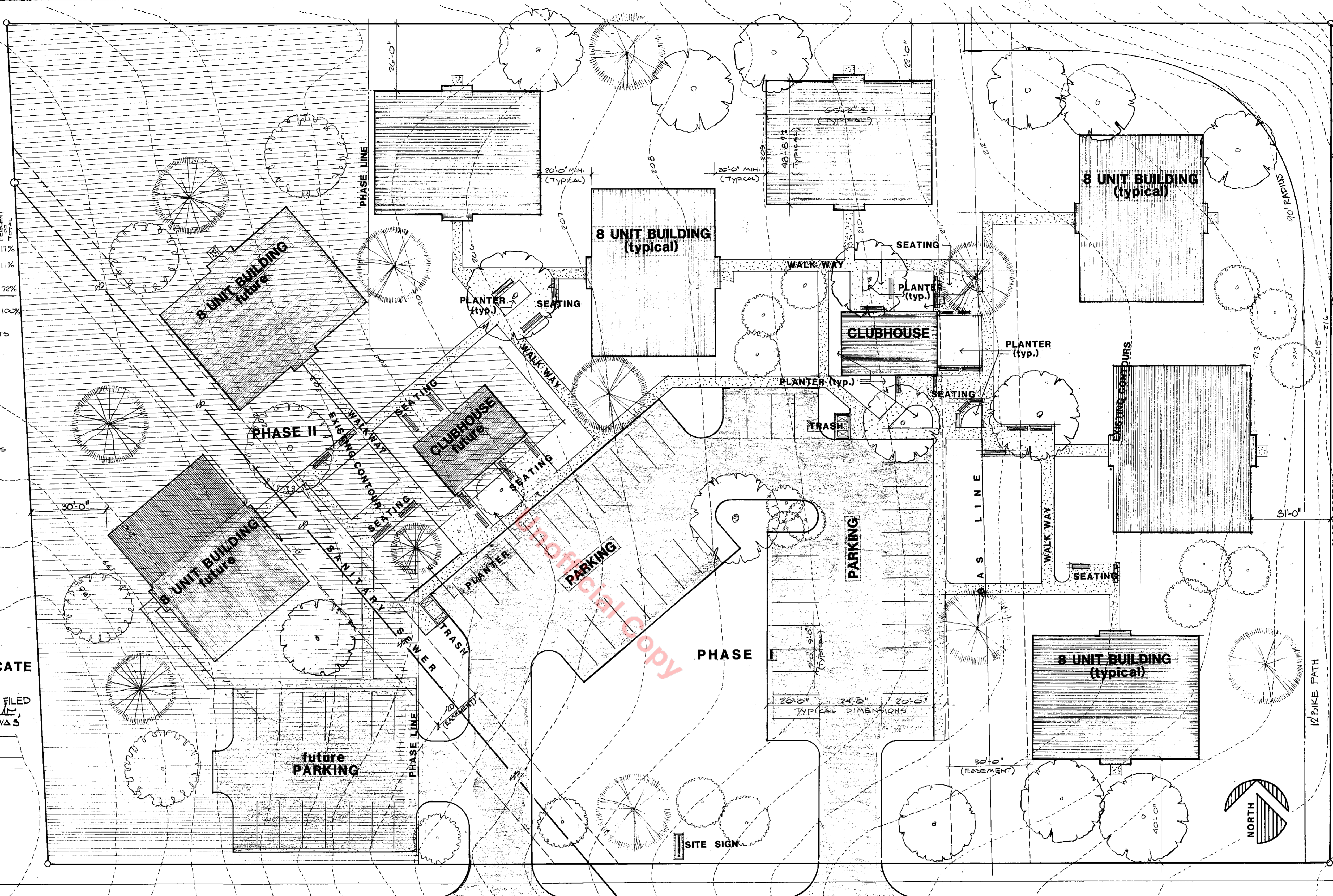
CLERK & RECORDERS CERTIFICATE

STATE OF COLORADO) SS
 COUNTY OF DOUGLAS)
 I HEREBY CERTIFY THAT THIS PLAT WAS FILED
 IN MY OFFICE, ON THIS 14th DAY OF Feb,
 A.D. 1982, AT 1:32 P.M. O'CLOCK, AND WAS
 RECORDED IN REC. # 298926

Phyllis Brown
 DEPUTY COUNTY CLERK AND RECORDER



VICINITY MAP



APPROVED THIS 19th DAY OF August 1982 BY THE
 PLANNING AND ZONING COMMISSION, TOWN OF CASTLE ROCK, COLO.
 By: *S. Colleen Payne*
 CHAIRMAN
 APPROVED September 7, 1982
 BY THE BOARD OF TRUSTEES, TOWN OF CASTLE ROCK, COLO.
 By: *Timothy L. White*
 TIMOTHY L. WHITE, MAYOR

PROPERTY DESCRIPTION: Phase I
 A parcel of land in the Southwest 1/4 of the Northeast 1/4 of Section 2, Township 8 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows: Commencing at the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 2; Thence S 29°15'57"E along the North-South centerline of said Section 2 a distance of 350.49 feet; Thence S 89°13'40"E a distance of 142.00 feet to the true point of beginning; Thence continuing S 89°13'40"E a distance of 371.40 feet to the Northwesterly corner of Lot 4, Block 1, Castle North Filing No. 1; Thence S 0°46'20"W along the Westerly boundary of said Filing No. 1, a distance of 326.70 feet to the Northerly Right of Way line of Oakwood Drive (formerly Mountain Drive as filed in said filing No. 1); Thence N 89°13'40"W along the Northerly Right of Way line of Oakwood Drive a distance of 350.18 feet; Thence N 0°46'20"E a distance of 125.00 feet; Thence N 50°16'20"E a distance of 75.00 feet; Thence N 39°43'40"W a distance of 37.50 feet; Thence N 89°13'40"W a distance of 53.90 feet; Thence N 0°46'20"E a distance of 124.48 feet to the true point of beginning; Containing 2.626 acres, more or less.

PROPERTY DESCRIPTION: Phase II
 A parcel of land in the Southwest 1/4 of the Northeast 1/4 of Section 2, Township 8 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows: Commencing at the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 2; Thence S 29°15'57"E along the North-South centerline of said Section 2 a distance of 350.49 feet to the point of beginning; Thence S 89°13'40"E a distance of 142.00 feet; Thence S 0°46'20"W a distance of 124.48 feet; Thence N 89°13'40"E a distance of 53.90 feet; Thence S 39°43'40"E a distance of 37.50 feet; Thence S 50°16'20"W a distance of 75.00 feet; Thence S 0°46'20"W a distance of 125.00 feet to the Northerly Right of Way line of Oakwood Drive (formerly Mountain Drive as filed in Castle North Filing No. 1); Thence N 89°13'40"W a distance of 145.50 feet to the North-South centerline of said Section 2; Thence N 29°15'57"W along said North-South centerline a distance of 327.18 feet to the true point of beginning; Containing 1.158 acres, more or less.

OAKWOOD DRIVE PRELIMINARY SITE PLAN
 SCALE 1" = 20'

**AMENDED STONEWOOD VILLAGE P.U.D.
 TO BE CALLED: OAKWOOD APARTMENTS**

sutter architects/planners
 Drake Office Center
 888 West Drake Road
 Fort Collins, Colorado 80586
 (303) 253-5198

OAKWOOD APARTMENTS
 CASTLE ROCK, COLO.

date: 8-4-82
 REVISIONS
 BY: 9-3-82

drawn by:

EXHIBIT C
 PRELIMINARY
 SITE PLAN

sheet: 1
 of: ONE
 project number

ON REPAIRING RECORDS \$21.00

AUG 18 2 15 PM '82

ORDINANCE NO. 373

AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF
THE TOWN OF CASTLE ROCK, COLORADO
(STONEMOOD VILLAGE, P.U.D.)

WHEREAS, the Board of Trustees of the Town of

Castle Rock find that:

- A. A Petition has been filed with the Town Clerk praying for an amendment to the Zoning Map of the Town of Castle Rock, and;
- B. That said Petition has been forwarded to the said Board of Trustees, and;
- C. That public hearings, following notice duly made and published pursuant to applicable Colorado State Statutes and Town of Castle Rock Ordinances, have been held before the Planning and Zoning Commission of the Town of Castle Rock and the Board of Trustees of the Town of Castle Rock, and;
- D. That the amendment sought to the Zoning District Map complies with the stated purposes of Ordinance 3.21.3 as set forth therein.

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

That the Zoning Classification of the Lands, consisting of 8.701 acres, described on Exhibit "A", consisting of one page attached hereto and made a part hereof, (the Stonewood Village P.U.D. Preliminary Site Plan) is changed from Zoning Classification R-1 to Zoning Classification P.U.D. (Planned Unit Development District). This amendment to the Zoning District Map shall be effective thirty (30) days after publication of this Ordinance subject

to the following terms and conditions:

I. PERMITTED USES

- A. 120 Multi-Family dwelling units (either occupant owned or rental units).
- B. Dedicated areas for bike paths.
- C. Private open space areas for:
 - 1. Landscaping
 - 2. Passive and/or active recreation
- C. Gardens
- D. View protection and enhancement
- E. Private recreational facilities
- F. Accessory uses permitted in all types of use areas:
 - (a) Underground utility distribution lines
 - (b) Facilities for the acquisition of water
 - (c) Facilities for the collection and disposal of sewage.
 - (d) Local transit way.
 - (e) Roadways, bike, pedestrian trails and parking areas.

II. PERMITTED RESIDENTIAL DENSITY

Density shall not exceed 13.80 units per net acre.

Net acreage consists of the project area described on the P.U.D. Preliminary Site Plan minus the dimensions of Oakwood Drive shown thereon.

III. MAXIMUM BUILDING HEIGHTS

The maximum building height shall be 36 feet as measured from foundation top to roof peak however buildings adjacent to the boundary of the Castle North Subdivision shall be no higher than 30 feet as measured from foundation top to roof peak.

IV. MINIMUM OFF-STREET PARKING

There shall be provided a minimum of off-street parking facilities for 2.18 vehicles per unit constructed. Each parking space shall have minimum dimensions of 9x18 feet.

V. MINIMUM BUILDING SET BACKS

Minimum set backs for all buildings from property lines and between buildings on the property, shall be 30 feet to the North boundary, 30 feet to the West boundary, 50 feet to the South boundary, 50 feet to the East boundary, 30 feet between buildings, 30 feet between buildings and Oakwood Drive measured from building foundation of side wall to the property line boundary or to adjacent building foundation outside wall.

VI. ADDITIONAL REQUIREMENTS

A. Phasing Plans. The project is to be constructed upon and in accordance with the Preliminary Site Plan attached as Exhibit "A" presented and approved by the Board of Trustees of the Town of Castle Rock on August 18, 1981, and duly recorded with the Clerk and Recorder of Douglas County. The property shall be developed in one or more phases delineated by the Developer to include at least two acres of property in each phase. Prior to issuance of building permits for construction in a phase, Developer shall submit a Phase Final Site Plan of the phase to the Planning Commission for the Town of Castle Rock which shall review the same and transmit it to the Board of Trustees for final approval at which point building permits may be issued for construction of units in the phase.

B. Phase Final Site Plan Standards. Each phase Final Plan submitted in accordance with paragraph A above, shall meet the following standards prior to approval by the Board of Trustees:

1. The maximum building heights shall be only as allowed elsewhere in this Ordinance, the appropriate number of off-street parking spaces for the units in the phase shall be shown and constructed in the phase as otherwise specified in this Ordinance and the minimum setbacks of buildings from property lines and between buildings on the property shall be as otherwise set forth in this Ordinance.

2. There shall be submitted a landscaping plan along with each Phase Final Site Plan and each landscaping plan must be approved along with the Phase Final Site Plan and applied to the landscaping of the property described in the Final Site Plan.

C. Overall Development Standards. The following shall be the overall development standards which Developer shall adhere through the P.U.D. District:

1. All private streets and curb and gutter contained in the P.U.D. District shall be constructed in accordance with the standard construction specifications of the Town of Castle Rock in effect as of the date of construction.

2. The developer agrees to construct at his expense, deceleration and acceleration lanes at the entrance to the P.U.D. District on High School Road in accordance with Colorado State Highway or Douglas County Highway standards if and when required by the Colorado State Highway Department or Douglas County or the Town of Castle Rock to do so prior to District completion.

3. Developer agrees to use Homeowners or Condominium Covenants throughout the P.U.D. District which generally comply with one or more of the then applicable governmental standards for drafting such (i.e. VA, FHA or FHLMC/FNMA Standards) and the Developer shall furnish the Board of Trustees a copy of proposed Covenants at the

submission of a Phase Final Site Plan, however the actual Covenants filed may vary as a permanent lending institution may require.

4. Developer agrees to construct at its expense a wooden fence along the boundary of the property adjacent to High School Road. Said fence to be completed prior to issuance of a Certificate of Occupancy to any unit in the phase in which the fence is located. Specifications of fence shall be approved by the Town and set forth on the Phase Final Site Plan in which the fence is located.

D. Land Dedication. As shown on the Preliminary Site Plan approved concurrently with this Ordinance, certain land within the property has been designated for public dedication as a bike path. The Developer agrees to construct at its sole expense the bike path in the areas shown on the Preliminary Site Plan and pave the same as per Town of Castle Rock specifications in effect as of the date of this Ordinance. The bike path will be installed upon request of the Town but the request shall not be sooner than after issuance of the first Certificate of Occupancy for a unit in the P.U.D. District. Upon completion of the bike path to Town of Castle Rock specifications, the Town agrees to assume all repair and maintenance responsibilities therefore. Following issuance of the last Certificate of Occupancy for the last unit in the final phase of the P.U.D. District, Developer agrees to dedicate the bike path and adjacent area as shown on the final plats to the Town of Castle Rock.

E. Completion Schedule of Private Amenities.

The clubhouse, swimming pool, adjacent parking, and roadways to and from the clubhouse and swimming pool shall be included in the first Phase Final Site Plan and completed prior to issuance of any unit Certificates of Occupancy within the P.U.D. District, unless the persons responsible

for completion of such amenities have been prevented from completing the same due to adverse whether conditions, acts of God or other similar circumstances beyond their control, in which case the completion schedule for such amenities may be amended or in the discretion of the Board of Trustees or their successors, such persons may be required to post a letter of credit, bond, surety or cash in an amount equal to 110% of the cost of such completion prior to issuance of Certificates of Occupancy.

F. Oakwood Drive (Formerly Mountain Drive) Improvements. It is understood that the Town Board of Trustees has obtained certain funds for repair or reconstruction of the streets, sidewalks, curbs and gutters on both sides of Mountain Drive from Castle North Associates, Inc. but has not expended such funds to reconstruct damaged areas along Mountain Drive adjacent to this P.U.D. District. Provided that the Town of Castle Rock has not repaired the streets, sidewalks, curbs and gutters along Mountain Drive prior to the Developer of this P.U.D. District having approved Final Phase Site Plans for a portion of the P.U.D. District including land adjacent to such roadways, curbs and gutters, the Town shall install at its expense, all modifications to said sidewalks, streets, curbs and gutters as required on the Final Phase Site Plan and Developer shall only pay that portion of such expense for such which exceeds the cost of making the original repairs to the streets, sidewalks, curbs and gutters which were to have been made regardless of this rezoning. Any such cooperative payment shall be made by the Developer directly to the Town of Castle Rock prior to the issuance of the first Certificate of Occupancy in the Phase adjacent to the streets, gutters and roadways affected.

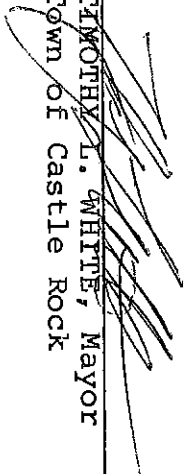
G. Unified Developmental Control. The P.U.D. District shall be developed under single Developer control

and only the original Developer, its successors, heirs, and assigns or a single successive developer may complete the P.U.D. District.

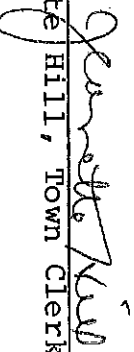
H. Developer Review Schedule. The Board of Trustees of the Town of Castle Rock shall receive a report prepared by the Developer at the submission of each Final Phase Plat for their review of the Developer's compliance with the provisions of this Ordinance.

I. Compliance with Ordinance No. 3.21.3. All provisions of Ordinance No. 3.21.3 in effect as of the date of this rezoning shall apply as standards and procedures for the conduct of the Board of Trustees of the Town of Castle Rock, the Planning Commission of the Town of Castle Rock and the Developer with respect to development of this P.U.D. District except as may have been expressly modified by the terms of this Ordinance.

Passed and adopted this 3rd day of November, 1981
Colorado, 4 for and 2 against.


TIMOTHY L. WHITE, Mayor
Town of Castle Rock

ATTEST:


Jeanette Hill, Town Clerk

White is
Mayor

PROPERTY DESCRIPTION:

A parcel of land in the Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of Section 2, Township 8 South, Range 67 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, more particularly described as follows:

Commencing at the Northwest corner of the Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of said Section 2

Thence S 2019'57"E, along the North-South centerline of said Section 2 a distance of 350.49 feet to the true point of beginning;

Thence S 89013'40"E, a distance of 513.40 feet to the Northwestern corner of Lot 4, Block 1, Castle North Filing No. 1 as filed in the Office of Clerk and Recorder of Douglas County, Colorado;

Thence S 0046'20"W, along the Westerly boundary of said Filing No. 1, a distance of 326.70 feet to the Northerly Right of Way line of Mountain Drive as filed in said Filing No. 1;

Thence N 89013'40"W, along said Northerly Right of Way line of Mountain Drive, a distance of 495.68 feet to the North-South centerline of said Section 2;

Thence N 2019'57"W, along said North-South centerline a distance of 327.18 feet to the Point of Beginning, Town of Castle Rock, Douglas County, Colorado. Containing 3.784 acres, more or less.

RETA A. CRANI

RECORDER

\$3000⁰⁰ pd

FEB 14 1 26 PM '83

ORDINANCE NO. 3.78

AN ORDINANCE AMENDING THE PRIOR ORDINANCE
(NO. 3.73) OF THE TOWN OF CASTLE ROCK, COLORADO,
RELATING TO STONEWOOD VILLAGE P.U.D.

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

A. A Petition has been filed with the Town Clerk
praying for certain amendments to the Stonewood Village
P.U.D. Preliminary Site Plan, which Preliminary Site
Plan was approved by the Board of Trustees in its
Ordinance No. 3.73; and

B. Said Petition has been forwarded to the said
Board of Trustees; and

C. Public hearings, following notice duly made
and published pursuant to applicable Colorado State
Statutes and Town of Castle Rock Ordinances, have been
held before the Planning and Zoning Commission of the
Town of Castle Rock and the Board of Trustees of the
Town of Castle Rock; and

D. The amendments sought to said Stonewood
Village P.U.D. Preliminary Site Plan are reasonable and
in the public interest and comply with the purposes and
requirements of the applicable Ordinances of the Town
of Castle Rock.

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

The real property to which this Amendment Ordinance
applies consists of 3.784 acres, described on Exhibit A,
attached hereto and incorporated herein. The remaining
portion of Stonewood Village P.U.D. shall not be affected by
this Amendment Ordinance, and the provisions of Ordinance
No. 3.73, and the Preliminary Site Plan attached thereto,
shall continue in force and effect as to said remaining
property.

The zoning classification shall remain P.U.D. (Planned Unit Development District) for all of Stonewood Village P.U.D.

UNLESS OTHERWISE STATED BELOW, THE FOLLOWING ITEMS SHALL APPLY TO THE 3.784 ACRES COMPRISING A PORTION OF STONEWOOD VILLAGE P.U.D., AND THE PRELIMINARY SITE PLAN THEREFOR, ONLY:

I. PERMITTED USES

A. 64 Multi-Family dwelling units for a senior citizen housing project operated in accordance with the Rural Rental Housing Rules and Regulations of the Farmers Home Administration (see Exhibit B, filed with the Town of Castle Rock, for a copy of said Rules and Regulations), as said Rules and Regulations may be amended from time to time, together with two (2) recreation buildings.

B. Dedicated areas for bike paths.

C. Private open space areas for:

- (1) Landscaping.
- (2) Passive and/or active recreation.
- (3) Gardens.
- (4) View protection and enhancement.
- (5) Private recreational facilities.
- (6) Storage facilities for maintenance tools and equipment.

(7) Accessory uses permitted in all types of use areas:

- (a) Underground utility distribution lines.
- (b) Roadways, bike, pedestrian trails, and parking areas.

II. PERMITTED RESIDENTIAL DENSITY

Density on the tract described in Exhibit A shall not exceed 17 units per net acre. Net acreage consists of the

project area described on the P.U.D. Preliminary Site Plan for both Phase I and Phase II.

III. MAXIMUM BUILDING HEIGHTS

The maximum building height shall be 28 feet as measured from foundation top to roof peak.

IV. MINIMUM OFF-STREET PARKING

For the property described on Exhibit A hereof there shall be provided a minimum of off-street parking facilities for 1.0 vehicles per unit constructed, for as long as the facilities are used for senior citizens' housing. Each parking space shall have minimum dimensions of 9x18 feet.

V. MINIMUM BUILDING SET BACKS

Minimum set backs for all buildings from property lines on the property shall be 22 feet to the North boundary, 40 feet to the West boundary, 40 feet to the South boundary, and 25 feet to the East boundary. There shall be a minimum of 20 feet between buildings.

VI. ADDITIONAL REQUIREMENTS

A. Phasing Plans. All units constructed on the portion of Stonewood Village P.U.D. shown on Exhibit A shall be constructed upon and in accordance with the Revised Preliminary Site Plan attached hereto as Exhibit C, which was presented to, and approved by, the Board of Trustees of the Town of Castle Rock on Sept 7, 1982, 1982, and duly recorded with the Clerk and Recorder of Douglas County. The prior Preliminary Site Plan approved by the Board of Trustees on August 18, 1981, is therefore hereby canceled, as it relates to the portion of Stonewood Village P.U.D. described on Exhibit A, only.

The property shall be developed in at least two phases delineated by the developer, to include at least one (1) acre of property in each phase. Prior to issuance of building permits for construction in each phase, developer shall submit a Phase Final Site Plan of the phase to the Planning Commission for the Town of

Castle Rock, which shall review the same and transmit it together with their recommendations to the Board of Trustees for final approval. After such final approval, building permits may be issued for construction of units in each phase.

B. Phase Final Site Plan Standards. Each Phase Final Plan submitted in accordance with paragraph A above shall meet the following standards prior to approval by the Board of Trustees:

(1) The maximum building heights shall be only as allowed elsewhere in this Ordinance, the appropriate number of off-street parking spaces for the units in the phase shall be shown and constructed in the phase as otherwise specified in this Ordinance, and the minimum set-backs of buildings from property lines and between buildings on the property shall be as otherwise set forth in this Ordinance.

(2) There shall be submitted a landscaping plan along with each Phase Final Site Plan and each landscaping plan must be approved along with the Phase Final Site Plan and applied to the landscaping of the property described in the Final Site Plan. The Certificate of Occupancy for the last unit in each respective phase shall be withheld until the landscaping plan has been executed, or the developer may elect to provide an irrevocable letter of credit in favor of the Town of Castle Rock, to guarantee completion of said improvements.

C. Overall Development Standards. The following shall be the overall development standards to which the developer shall adhere through the P.U.D. District:

(1) All private streets and curb and gutter, if any, contained in the P.U.D. District shall be constructed in accordance with the standard construc-

tion specifications of the Town of Castle Rock in effect as of the date of construction.

(2) The developer agrees to construct, at its expense, an acceleration lane at the entrance to the P.U.D. District on High School Road, concurrent with construction of Phase I, in accordance with the Town of Castle Rock's standards. The developer shall provide an irrevocable letter of credit in favor of the Town of Castle Rock, to guarantee completion of said improvements prior to issuance of a Certificate of Occupancy for the last unit of Phase I.

(3) Developer agrees to construct at its expense a four (4) foot high landscaping berm along the boundary of the property adjacent to High School Road. Said berm shall be completed as part of Phase II in the development schedule. Specifications of the berm shall be approved by the Town and set forth on the Phase Final Site Plan in which the berm is located. The location and design of this berm shall be included on the landscaping plan to be submitted to the Town of Castle Rock for approval.

(4) The developer agrees to construct, at its expense, curb and gutter in accordance with the Town of Castle Rock's standards along High School Road, for the length of the western property line. The developer shall provide an irrevocable letter of credit in favor of the Town of Castle Rock, to guarantee completion of said improvements.

D. Land Dedication. As shown on the Preliminary Site Plan approved concurrently with this Ordinance, certain land within the property has been designated for public dedication as a bike path. The developer agrees to construct at its sole expense the bike path

in the areas shown on the Preliminary Site Plan and pave the same as per Town of Castle Rock specifications. The bike path will be installed upon request of the Town but the request shall not be sooner than after issuance of the first Certificate of Occupancy for a unit in the P.U.D. District. Upon completion of the bike path to Town of Castle Rock specifications, the Town agrees to assume all repair and maintenance responsibilities therefor. Following issuance of the last Certificate of Occupancy for the last unit in the final phase of the P.U.D. District, developer agrees to dedicate the bike path and adjacent area as shown on the final plats to the Town of Castle Rock.

F. Completion Schedule of Private Amenities.

The recreation centers, adjacent parking, and roadways to and from each of the recreation centers shall be included in the Phase Final Site Plan and, in each respective phase, shall be completed prior to issuance of any unit Certificates of Occupancy within the phase of the P.U.D. being developed, unless the persons responsible for completion of such amenities have been prevented from completing the same due to adverse weather conditions, Acts of God, or other similar circumstances beyond their control, in which case the completion schedule for such amenities may be amended or in the discretion of the Board of Trustees or their successors such persons may be required to post a letter of credit, bond, surety, or cash in an amount equal to 110% of the cost of such completion prior to issuance of Certificates of Occupancy.

F. Oakwood Drive (Formerly Mountain Drive)

Improvements. It is understood that the Town Board of Trustees has obtained certain funds for repair or reconstruction of the streets, sidewalks, curbs, and gutters on both sides of Oakwood Drive from Castle

North Associates, Inc., and has expended a portion of such funds to reconstruct damaged areas along Oakwood Drive adjacent to this P.U.D. District. Provided that the Town of Castle Rock has not repaired the streets, sidewalks, curbs, and gutters along Oakwood Drive prior to the developer of this P.U.D. District having approved Final Phase Site Plans for a portion of the P.U.D. District including land adjacent to such roadways, curbs, and gutters, the Town shall install at its expense all modifications to said sidewalks, streets, curbs, and gutters (minus those sections where the two curb cuts are shown on the Revised Preliminary Site Plan) as required on the Final Phase Site Plan and developer shall only pay that portion of such expense for such which exceeds the cost of making the original repairs to the streets, sidewalks, curbs, and gutters which were to have been made regardless of this rezoning. Any such cooperative payment shall be made by the Developer directly to the Town of Castle Rock prior to the issuance of the first Certificate of Occupancy in the phase adjacent to the streets, gutters, and roadways affected.

G. Unified Developmental Control. The portion of the P.U.D. described on Exhibit A shall be developed under single developer control, and only the applicant, its successors, heirs, and assigns or a single successive developer may complete the improvements within said portion of the P.U.D. District.

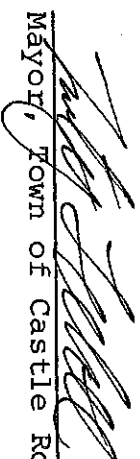
H. Developer Review Schedule. The Board of Trustees of the Town of Castle Rock shall receive a report prepared by the developer at the submission of each Final Phase Plat for their review of the developer's compliance with the provisions of this Ordinance.

I. Compliance with Ordinance No. 3.21.3. All provisions of Ordinance No. 3.21.3 in effect as of the

date of this rezoning shall apply as standards and procedures for the conduct of the Board of Trustees for the Town of Castle Rock, the Planning Commission of the Town of Castle Rock and the developer with respect to development of this P.U.D. District except as may have been expressly modified by the terms of this Ordinance. Passed and adopted this 7th day of September, 1982, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 6 for and 0 against.

ATTEST:


TOWN CLERK


Mayor, Town of Castle Rock

PROPERTY DESCRIPTION:

A parcel of land in the Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of Section 2, Township 8 South, Range 67 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, more particularly described as follows:

Commencing at the Northwest corner of the Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of said Section 2

Thence S 2019'57"E, along the North-South centerline of said Section 2 a distance of 350.49 feet to the true point of beginning;

Thence S 89013'40"E, a distance of 513.40 feet to the Northwestern corner of Lot 4, Block 1, Castle North Filing No. 1 as filed in the Office of Clerk and Recorder of Douglas County, Colorado;

Thence S 0046'20"W, along the Westerly boundary of said Filing No. 1, a distance of 326.70 feet to the Northerly Right of Way line of Mountain Drive as filed in said Filing No. 1;

Thence N 89013'40"W, along said Northerly Right of Way line of Mountain Drive, a distance of 495.68 feet to the North-South centerline of said Section 2;

Thence N 2019'57"W, along said North-South centerline a distance of 327.18 feet to the Point of Beginning, Town of Castle Rock, Douglas County, Colorado. Containing 3.784 acres, more or less.