

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

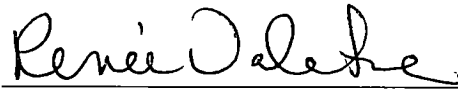
PASSED, APPROVED AND ADOPTED AS AN EMERGENCY ORDINANCE this 19th of June, 2018, by a vote of the Town Council of the Town of Castle Rock, Colorado of 6 for and 0 against constituting the extraordinary majority required by Section 2.02.100 of the Castle Rock Municipal Code.

ATTEST:

TOWN OF CASTLE ROCK



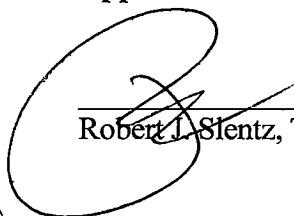
Lisa Anderson, Town Clerk




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)

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

EXHIBIT 1

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
Lane Tree CO 80124
Attn: Diana Leavelley

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

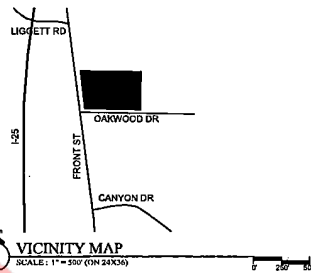
ARCHITECT:
Parikh Stevens Architects
3457 Ringsby Ct #209
Denver Co 80216
Attn: Harsh Parikh

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 DUA



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 _____, A TITLE INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF COLORADO, HAVE MADE AN EXAMINATION OF THE PUBLIC RECORDS AND STATE THAT ALL OWNERS, MORTGAGEES AND LIENHOLDERS OF THE PROPERTY ARE LISTED IN THE CERTIFICATE OF OWNERSHIP AND LIENHOLDER SUBORDINATION 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: _____

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

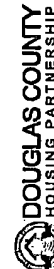
NOTARY BLOCK

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

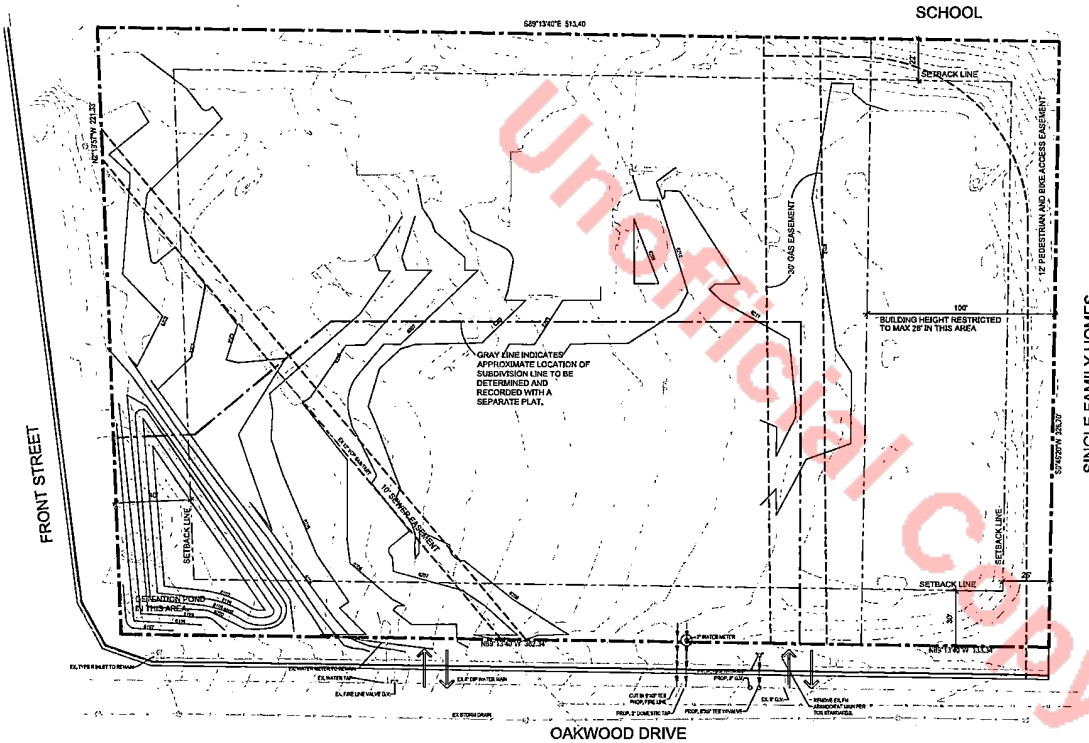
SHEET NUMBER

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



PLANNED DEVELOPMENT PLAN

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 where the provisions of the Town zoning code, as amended, or any other applicable provisions of this Code shall be applicable.
- III. **SOVEREIGNTY OF PUBLIC POWERS:**
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. **WILL ENFORCE ALL LAWS & ORDINANCES:** Following approval of the Oakwood Apartments PDP, the owner shall submit an SDP plan for all or any portion or portions of the general use areas as are then ready for development. No building permits will be issued until an SDP and any necessary subdivision plat have been approved.
- V. **PERMITTED USES:**
 - A. Maximum 100' height for multi-dwelling units for a senior citizen housing project.
 - B. Dedicated areas for bike trails.
 - C. Private open space areas for:
 1. Recreational.
 2. Passive and/or active recreation.
 3. Play areas.
 4. Any new recreation and recreation.
 5. Private recreation and recreation.
 6. Any other recreation and recreation.
 - D. Maximum building height shall be 28'.
 - E. Maximum building height shall be 42'.
 - F. Maximum building height shall be 42'.
 - G. Maximum building height shall be 42'.
 - H. Maximum building height shall be 42'.
 - I. Maximum building height shall be 42'.
 - J. Maximum building height shall be 42'.
 - K. Maximum building height shall be 42'.
 - L. Maximum building height shall be 42'.
 - M. Maximum building height shall be 42'.
 - N. Maximum building height shall be 42'.
 - O. Maximum building height shall be 42'.
 - P. Maximum building height shall be 42'.
 - Q. Maximum building height shall be 42'.
 - R. Maximum building height shall be 42'.
 - S. Maximum building height shall be 42'.
 - T. Maximum building height shall be 42'.
 - U. Maximum building height shall be 42'.
 - V. Maximum building height shall be 42'.
 - W. Maximum building height shall be 42'.
 - X. Maximum building height shall be 42'.
 - Y. Maximum building height shall be 42'.
 - Z. Maximum building height shall be 42'.
- VI. **PERMITTED RESIDENTIAL DENSITY:**
Density on the 3.78 acre site described here shall not exceed 20' units per acre. No part of the site shall be used for any other purpose than as described in the Planned Development Plan.
- VII. **MINIMUM BUILDING HEIGHTS:**
The minimum building height shall be 42' feet as measured from foundation top to roof peak. However, in the easterly 100' of the site the maximum building height shall be 28'.
- VIII. **MINIMUM PARKING REQUIREMENTS:**
For the property described herein there shall be provided a minimum of 1.0 parking spaces for 1.0 dwelling unit. For all other uses, the minimum parking spaces shall be provided as follows: Each parking space shall have a minimum dimension of 8' x 12'.
- IX. **VEHICULAR DRIVING SETBACKS:**
Minimum setbacks for all buildings (comparatively then on the property shall be 33 feet to the West boundary, 40 feet to the West boundary, 50' feet to the South boundary, and 25 feet to the East boundary. There shall be a minimum of 20 feet between buildings. Setbacks for parking and/or other uses shall be as follows:
- X. **ADDITIONAL REQUIREMENTS:**
All private streets and sidewalks, 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 date of construction.
- XI. **STRENGTHENING:**
 1. Two (2) buildings which have the existing conditions and existing building shall be removed.
 2. New buildings shall be constructed and new parking spaces will be provided to the east and north of the proposed new building.
 3. Existing small parking lot on the west 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 the existing street.
 5. Existing 40' parking lot (with) and the existing small parking lot on the west side will be removed.
 6. New parking spaces will be added within 30 feet of the completion of construction of the new building, ensuring a total of not less than 1.0 parking space per dwelling unit.

COMPARISON CHART:

Land Use	Previous PD	This Amended PD
Minimum Open Space	30%	20%
Dwellings & Parking		
Maximum Dwelling Units	54	109
Maximum Density (DUs)	17	29
Minimum Parking Ratio (Spaces per Units)	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	28/42*

*Maximum Building Height is 28' in the easterly 100' of the site, and 42' elsewhere.



OAKWOOD APARTMENTS PLANNED DEVELOPMENT PLAN

ISSUE DATE

4/17/18

SHEET TITLE

PLANNED DEVELOPMENT PLAN

SHEET NUMBER

2 OF 2