

PLAT IDENTIFICATION SHEET

RECEPTION # : DC99074500

DATE: 8-27-99

TIME: 13:07

FEE: \$ 10⁰⁰ (1 Pages)

GRANTOR:
(OWNER/SIGNER)

Harry Kreft
Gladys Kreft

GRANTEE:

(SUBDIVISION NAME OR NAME OF PLAT)

Kreft Preliminary PD
Site Plan

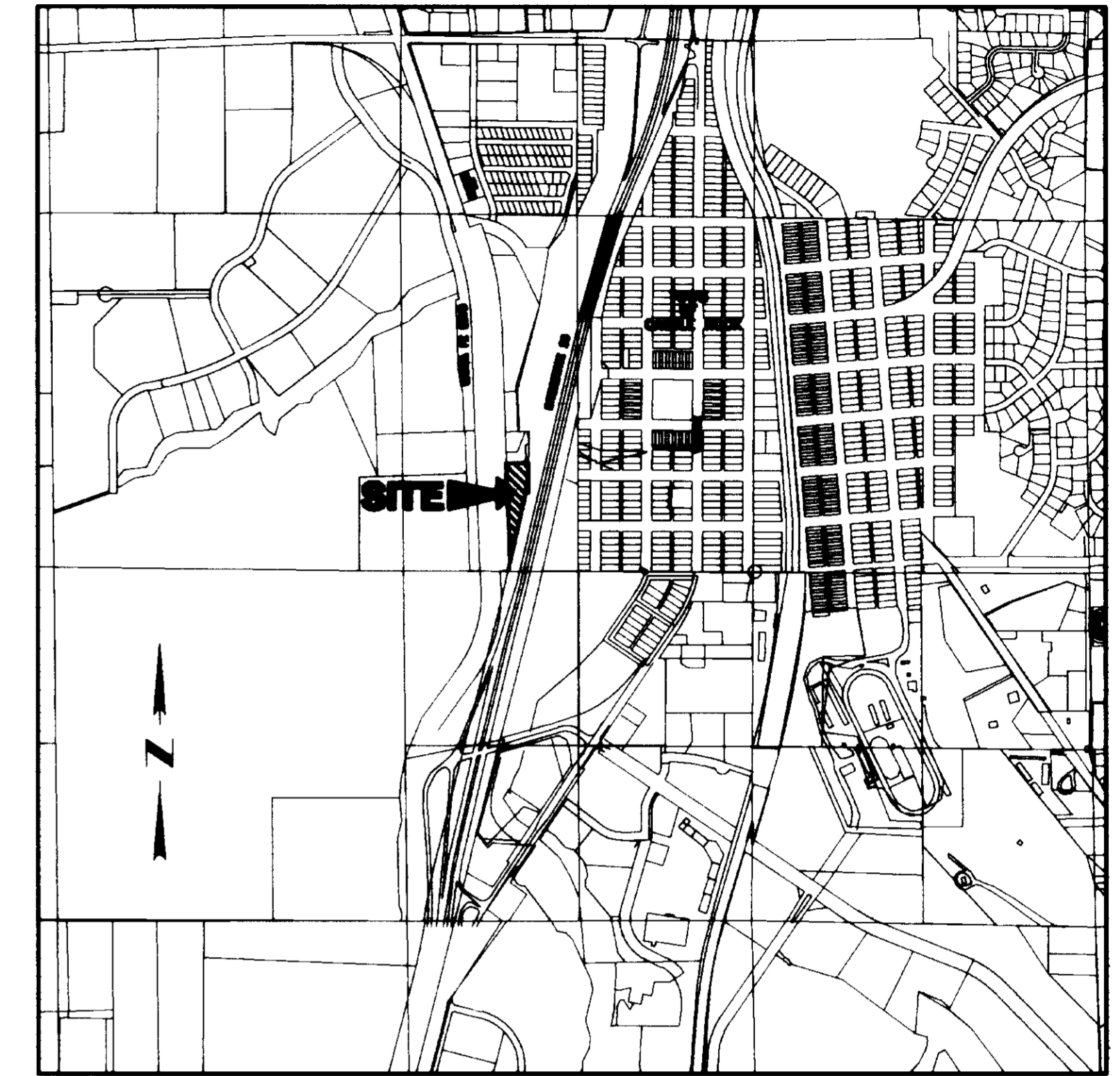
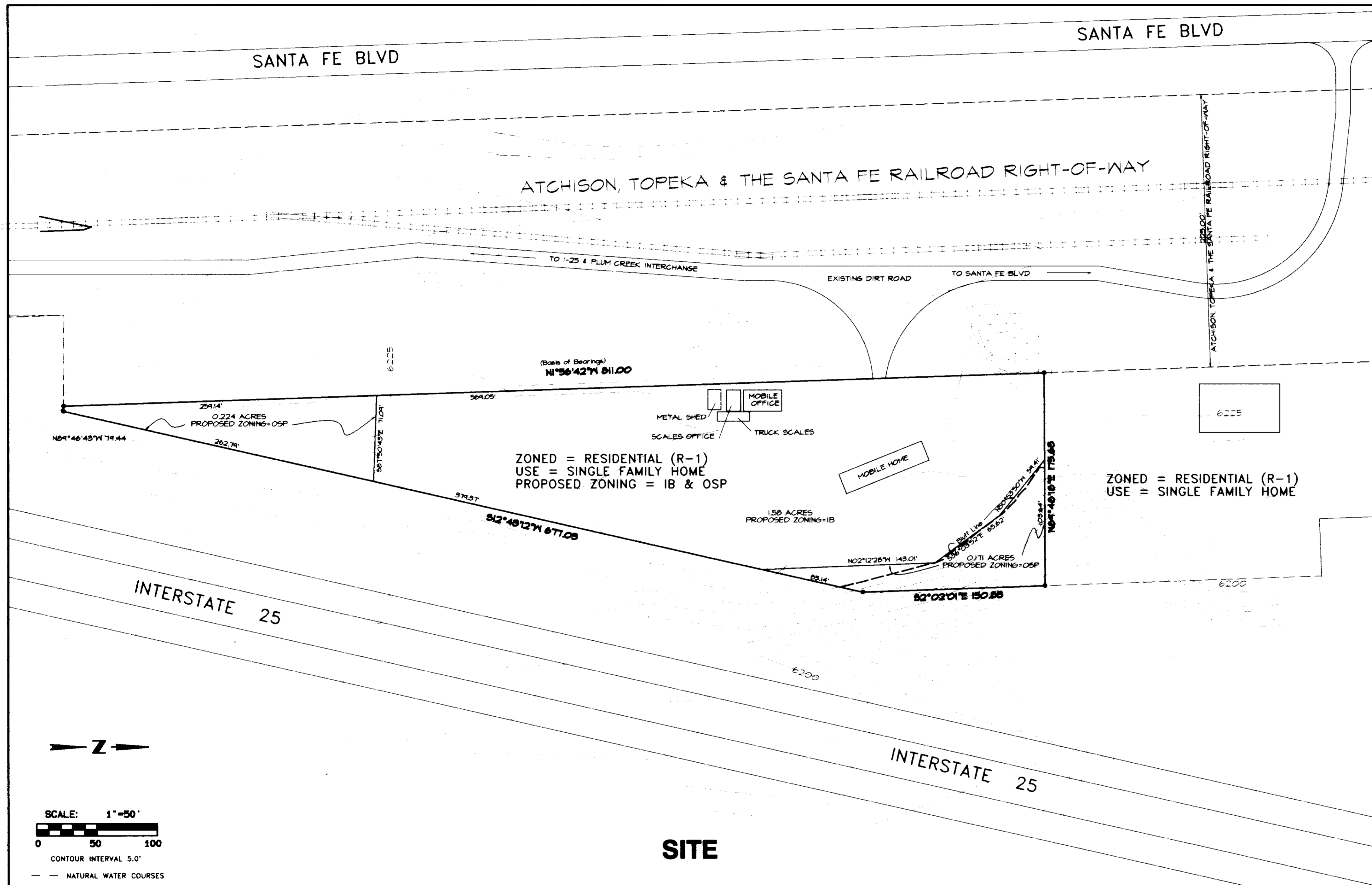
LEGAL:

(SECTION-TOWNSHIP-RANGE)

11, 8, 67

KREFT PRELIMINARY PD SITE PLAN

A PART OF SECTION 11, T8S, R67W, 6th P.M., DOUGLAS COUNTY, COLORADO



OWNER

Harry Kreff
19201 E. Main Street #203
Parker, CO 80134
(303) 841-2752

Glady's Kreff
19201 E. Main Street #203
Parker, CO 80134
(303) 841-2752

NOTARY CERTIFICATE

STATE OF COLORADO)
COUNTY OF DOUGLAS) SS

The foregoing instrument was acknowledged before me this 23rd day of February, 1999, by Harry and Gladys Kreff

Witness my hand and Official seal this 23rd day of February, 1999

My Commission Expires Aug 22, 1999

Terry Walker
Notary

TITLE VERIFICATION

We, FIRST AMERICAN HERITAGE TITLE CO., a qualified title insurance company, do hereby certify that we have examined the title of all lands platted hereon and that title to such land is in the dedicator free and clear of all liens, taxes, and encumbrances.

Date FEB 25, 1999 Title Company FIRST AMERICAN HERITAGE TITLE CO. as TITLE OFFICER

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
COUNTY OF DOUGLAS) SS

I hereby certify that this plat was filed in my office on this 27 day of Aug, 1999 A.D., at 13:07 a.m./p.m., and was recorded at Reception Number 99074500

Sheryl Muehlfelt
County Clerk and Recorder

LEGAL DESCRIPTION

A tract of land lying between the westerly right-of-way line of Interstate Highway 25 and the easterly right-of-way line of the Atchison, Topeka and Santa Fe Railway, and being situated in the SW 1/4 of the NW 1/4 of Section 11, Township 8 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado

More particularly described as follows:
Commencing at the West 1/4 corner of said Section 11;
Thence easterly along the South line of said SW 1/4 of the NW 1/4 a distance of 755.1 feet to the East right-of-way line of the said Santa Fe Railroad, and the True Point of Beginning;
Thence northerly along said East line a distance of 811.00 feet;
Thence easterly on an angle to the right of 81.4500 a distance of 175.63 feet to the West right-of-way line of Interstate No. 25;
Thence southerly on an angle to the right of 88.0940 and along said West line a distance of 150.83 feet;
Thence southwesterly on an angle to the right of 144.5133 and along said West line a distance of 577.03 feet to the South line of said SW 1/4 of the NW 1/4;
Thence westerly along said South line a distance of 4.40 feet to the True Point of Beginning, being the same land as described in deed recorded July 10, 1983 in Book 151, Page 257.

PLANNING COMMISSION

The Preliminary PD Site Plan and Zoning regulations for the Kreff Preliminary PD Site Plan were recommended for approval by the Planning Commission of the Town of Castle Rock, Colorado, on the 14th day of DECEMBER, 1998.

Robert
Chairman Date 8/18/99

John Franklin
Planning Director Date 3/26/99

SURVEYOR'S CERTIFICATE

I, David E. Archer, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made during November 1998, by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:50,000; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivisions or surveying of land and all provisions, within my control, of the Douglas County Subdivision Regulations.

I attest the above on this 23rd day of Feb, 1999.

David E. Archer
David E. Archer, A Colorado Professional Land Surveyor, Number 6935

TOWN COUNCIL APPROVAL

The Preliminary PD Site Plan and Zoning regulations for the Kreff Preliminary PD Site Plan were recommended for approval by the Town Council of the Town of Castle Rock, Colorado, on the 14th day of JANUARY, 1999.

Al Parker Mayor Date 8/24/99

Sally Town Clerk Date 8/24/99

ENGINEER/SURVEYOR

David E. Archer & Associates, Inc.
105 Wilcox Street
Castle Rock, Colorado 80104
(303)-688-4642

<p>REVISIONS</p> <p>12-9-98</p>	<p>DAVID E. ARCHER & ASSOCIATES, INC.</p> <p>LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING</p> <p>PHONE (303) 688-4842</p> <p>105 WILCOX ST. CASTLE ROCK, COLORADO 80104</p>	<p>SCALE 1" = 50'</p> <p>DATE 11-12-98</p> <p>PROJECT KREFF</p> <p>CLIENT HARRY & GLADYS KREFF</p> <p>JOB NUMBER 98-0475</p>
<p>SEAL OF DAVID E. ARCHER</p>		<p>KREFT PRELIMINARY PD SITE PLAN</p> <p>HARRY & GLADYS KREFF</p> <p>Sheet <u>1</u> of <u>1</u></p>

ORDINANCE NUMBER 98 - 42

DC99074501

**CHANGING THE ZONING FROM R-1 TO PD
FOR THE KREFT PROPERTY**

WHEREAS, Harry and Gladys Kreft ("Owners") have requested a change from R-1 zoning to PD planned development zoning of the parcel described in *Exhibit 1*; and

WHEREAS, Owners have requested approval of Kreft PD zoning regulations as described on *Exhibit 2* attached hereto; and

WHEREAS, Applicant has requested approval of Kreft Preliminary PD Site Plan; and

WHEREAS, public hearings on the zoning, zoning regulations and preliminary pd 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 AS FOLLOWS:

SECTION 1. Amendment. Chapter 17 of the Castle Rock Municipal Code is hereby amended by a change of zone for the property described in *Exhibit 1* which is hereby rezoned from R-1 to PD Planned Development.

SECTION 2. Approval. The zoning regulations a described in *Exhibit 2* and the preliminary pd site plan are approved.

SECTION 3. 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.

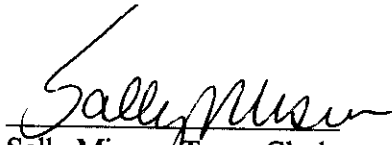
SECTION 4. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.


SUBMITTED this 17th day of December, 1998 and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 6 for and 0 against.

PASSED, APPROVED AND ADOPTED this 14th day of January, 1999 by the Town Council of the Town of Castle Rock by a vote of 7 for and 0 against.

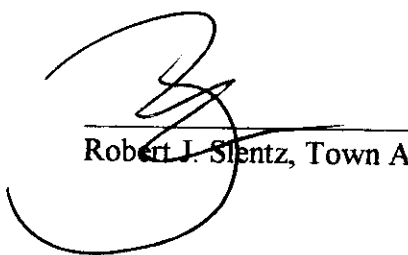
ATTEST:

TOWN OF CASTLE ROCK


Sally Misare, Town Clerk


Donald K. Jones, Mayor

APPROVED AS TO FORM:


Robert J. Slentz, Town Attorney

LEGAL DESCRIPTION

A tract of land lying between the Westerly right-of-way line of Interstate Highway 25 and the Easterly right-of-way line of the Atchison, Topeka and Santa Fe Railway, and being situated in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 8 South, Range 67 West of the principal Meridian, Douglas County, Colorado.

More particularly described as follows:

Commencing at the West $\frac{1}{4}$ corner of said Section 11;

Thence Easterly along the South line of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 798.1 feet to the East right-of-way line of the said Santa Fe Railroad, and the True Point Of Beginning.

Thence Northerly along said East line a distance of 811.00 feet;

Thence Easterly on an angle to the right of $91^{\circ}45'00''$ a distance of 175.63 feet to the West right-of-way line of Interstate No. 25;

Thence Southerly on an angle to the right of $88^{\circ}09'40''$ and along said West line a distance of 150.83 feet;

Thence Southwesterly on an angle to the right of $14^{\circ}45'13''$ and along said West line a distance of 677.03 feet to the South line of said SW $\frac{1}{4}$ of the NW 14.

Thence westerly along said South line a distance of 4.40 feet to the True Point Of Beginning, being the same land as described in deed recorded July 10, 1963 in Book 151, Page 257.

Kreft Zoning Regulations

EXHIBIT 2

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ZONING REGULATIONS
FOR
KREFT PLANNED DEVELOPMENT

TABLE OF CONTENTS:

Section I	General Provisions
Section II	Definitions
Section III	Control Provisions
Section IV	Use Areas
Section V	Temporary Uses
Section VI	Accessory Uses
Section VII	Development Standards
Section VIII	Final Planned Development Site Plans
Section IX	Transitional Use
Section X	Severability of Provisions

SECTION I
GENERAL PROVISIONS

- 1.1 Adoption/Authorization. The Town Council has adopted the **Kreft Preliminary PD Site Plan and Zoning Regulations** pursuant to Section 17.60 of Title 17 (Zoning) of the Castle Rock Municipal Code after appropriate public notice and hearing.
- 1.2 Applicability. The Kreft 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 Castle Rock Town Council.
- 1.3 Maximum Level of Development. The total number of dwelling units or total commercial, industrial or other non-residential floor area 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.
- 1.4 Relationship to Town Regulations. The provisions of this Preliminary PD Site Plan and Zoning Regulations shall prevail and govern the development of the Kreft PD, provided, however, that where the provisions of this Preliminary PD Site Plan and Zoning Regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, or any other applicable provisions of the Town Municipal Code shall be applicable.
- 1.5 Phasing: This plan has no phasing.
- 1.6 Development Agreement: A development agreement will be required for this property at the time of platting. There is no development agreement existing at the time of this PD zoning.

SECTION II:
DEFINITIONS

2.1 Definitions: No definitions are adopted herein.

SECTION III:
CONTROL PROVISIONS

3.1 Use Area Boundaries: There shall be some limited flexibility in determining the exact location of Use Area Boundaries due to the scale of the drawing and the somewhat diagrammatic depiction of Use Areas. (Rounded corners, separation from other areas, etc.)

However, actual changes or adjustments to boundaries may only be made through the PD Amendment procedure as provided in the Town Code.

SECTION IV:
USE AREAS

4.1 IB - Integrated Business

A. Permitted Uses

- (1) Manufacturing, processing and fabrication
- (2) Sale at wholesale, warehousing and/or storage of any commodity, except:
 - (a) Live animals
 - (b) Commercial explosives
 - (c) Bulk storage of flammable liquids or gases, unless and only to the extent that such storage of liquids or gases is directly connected to energy or heating devices on the premises.
- (3) Sale at retail: The sale at retail of the following:
 - (a) Hardware
 - (b) Any commodity manufactured, processed, fabricated, or warehoused only on the premises;
 - (c) Equipment, supplies and materials (except commercial explosives) for agriculture, mining, industry, business, transportation, building and other construction
- (4) Laboratory
- (5) Office, including contractor's office, yard and storage.
- (6) Towing services, wrecked, junked or abandoned vehicle storage or similar uses are permitted, ONLY if no more than eight vehicles are stored

Kreft Zoning Regulations

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- outside at any one time.
- (7) Railroad track including main track, lead track and spur track.
- (8) Repair, rental and servicing of any commodity.
- (9) Outdoor storage.
- (10) Restaurant
- (11) Small animal hospital and clinic (except that no external boarding of animals is permitted.)
- (12) Ambulance service;
- (13) Feed stores, lumber yards, wood yards and similar storage yards;
- (14) Pet store
- (15) Blueprinting;
- (16) Mini-storage
- (17) Trash removal operations
- (18) Plant nursery
- (19) Accessory uses

B. Uses by Special Review:

- (1) Churches and other religious institutions
- (2) Clubs, lodges, fraternal and service organizations;
- (3) Public and quasi-public facilities.
- (4) Dog kennel;

4.4 Open Space Use Areas - OSD

A. Definitions:

- (1) OSD: Land proposed to meet the PD open space requirements and proposed to be dedicated to the Town.

B. Permitted Uses:

- (1) Parks and other public purposes, active and passive recreation activities, view preservation .

SECTION V:
DEVELOPMENT STANDARDS

- 5.1 Overall project standards. The standard zoning requirements of the Town of Castle Rock Zoning Ordinance including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PD, except as modified herein.

Kreft Zoning Regulations

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5.2 General:

Setbacks: Minimum setbacks from the north, east and south perimeter of the PD shall be 15' or one foot for each foot of building height, whichever is the greater.
In addition, minimum setbacks from the bluff line, as shown on the preliminary pd site plan, shall be 15', or one foot for each foot of building height, whichever is greater.
There are no minimum setbacks from the west perimeter of the PD.

Max. building coverage 40%
Max. building height 35'
Parking: As per Chapter 17 of the Town Code.

5.2 Screening and fencing:

Through plantings of evergreen trees and shrubs, plus the use of opaque fencing, the development in this PD shall be screened from view from I-25 and from the Town of Castle Rock to the east, to the extent determined to be desirable by the Planning Commission.

- A. No fencing in excess of eight (8) feet shall be required.
- B. No evergreen trees shall be required to exceed ten (10) feet in height at the time of planting.

5.3 Exterior Lighting:

No exterior lights of any sort may be erected, placed, installed or otherwise incorporated into the property, adjacent road right-of-way or adjacent property or open space wherein any glare or direct light is visible beyond the perimeter of the property. This applies to all lighting including, but not limited to entry lights, garage lights, driveway illumination and interior lights visible from off the property.

5.4 Utilities: All public utility distribution lines must be placed underground.

SECTION VI
TEMPORARY USES

6.1 Temporary Uses:

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

SECTION VII:
ACCESSORY USES PERMITTED IN ALL USE AREAS

7.1 Accessory Uses:

- A. Underground utility and communications distribution lines.
- B. Roadways, bike paths, pedestrian and equestrian trails.
- C. Parking Areas
- D. Open spaces and lakes, to include storm water drainage detention areas.

SECTION VIII:
FINAL PLANNED DEVELOPMENT SITE PLANS

- 8.1 Submission of Final PD Site Plans and plats and additional information. Following approval of the Preliminary PD Site Plan, the property owners shall submit a Final PD Site Plan for all or any portion or portions of the general use areas as are then ready for development. No building permit will be issued until a Final PD Site Plan and Final Subdivision Plat have been approved for the property by the Town Council and duly recorded.

SECTION IX:
TRANSITIONAL USE

- 9.1 After approval of the Preliminary Site Plan incorporated herein by reference, any portion of the property described above, which has not been subject to a Final PD Site Plan, may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry or hog farms or kennels be permitted. 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. Provided, however, that the Town Council reserves the right to prohibit such agricultural uses in areas for which no 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 the health, safety or welfare of the residents of such developed area(s).

Kreft Zoning Regulations

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SECTION X
SEVERABILITY OF PROVISIONS

- 10.1 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.

(pdREGkre)