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**FIRST AMENDMENT TO
PS MILLER HOUSE PLANNED DEVELOPMENT ZONING REGULATIONS**

Date: September 21, 2023

Applicants: Cottonwood Row, LLC
DLH Holdings (the "Applicants")

1. The Applicants have requested an amendment to the PS Miller House Planned Development Zoning Regulations (the "Zoning Regulations") approved by the Town Council by Ordinance 2007-53, recorded in the Douglas County public records (the "Records") on April 7, 2008 at reception no. 2008024737 and re-recorded on June 22, 2022 at reception no. 2022044074.
2. The Applicants are the owners of 100% of the property located within the PS Miller House Planned Development and, as such, are authorized to initiate this First Amendment to the Zoning Regulations (the "First Amendment").
3. The First Amendment qualifies as a Minor Zoning Regulation Amendment within the meaning of Section 17.36.010 of the Castle Rock Municipal Code.
4. The Director of Development Services, acting as the duly authorized representative of the Town Manager, has the requisite authority to approve a Minor Zoning Regulation Amendment under Section 17.36.030 of the Castle Rock Municipal Code.
5. The First Amendment, which makes the following minor text amendments to Subsections 1) and 2) of Section 6.1 of the Zoning Regulations, is hereby approved without conditions:

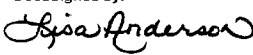
6.1 Regulations:

- 1) Uses:
 - a. Uses permitted by right:
 - 1) Single-family Detached Dwellings
 - 2) Multi-Family Attached Housing
 - 3) Offices
 - 4) Medical Offices
 - 5) Personal service
 - 6) Daycare
 - 7) Churches
 - 8) Schools
 - b. Maximum number dwelling units: 6 Units
 - c. Minimum lot area: Equivalent to gross acreage.
 - e. Minimum setbacks from property lines:
 - 1) Front yard setback (Front Street) 20 feet
 - 2) Side yard setback (Second Street) 5 feet
 - 3) Back yard setback (Alley) 5 feet
 - f. Maximum building height 35 feet
 - g. Maximum building coverage: 50% of any lot ~~or 2,500 square foot building footprint, which ever is smaller~~
 - h. Maximum Lot Size 75' x 125'
 - i. Other developmental standards:

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- 2) **Maximum Gross Floor Area:** The maximum footprint gross floor area for the all buildings located within the Planned Development is 14,200 sq ft.
6. This First Amendment shall apply to all properties subject to the Zoning Regulations, as further described in the attached **Exhibit A**.
7. Except to the extent expressly modified by this First Amendment, the Zoning Regulations shall remain in full force and effect. To the extent of any inconsistency between this First Amendment and the Zoning Regulations, the terms and conditions of this First Amendment shall control.

ATTEST:

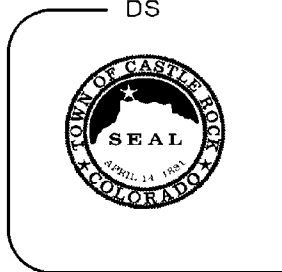
DocuSigned by:


Lisa Anderson, Town Clerk

TOWN OF CASTLE ROCK:

DocuSigned by:


Tara Vargish, Director of Development Services



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Exhibit A

Legal Description

Lots 4A and 5A, Craig and Gould's Addition to Castle Rock, 12th Amendment and Lots 9A and 10A, Craig and Gould's Addition to Castle Rock, 11 Amendment, Town of Castle Rock, County of Douglas, according to the recorded plats thereof.

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PD Zoning Regulations for
P.S. Miller House PD
1st Amendment
July 2023

Section 1: General Provisions

- 1.1 **Adoption / Authorization.** This document is presented to The Castle Rock Town Council for adoption of the P. S. Miller House Preliminary PD Site Plan and zoning regulations pursuant to chapter 17.60 of the Castle Rock Municipal Code after appropriate public notice and hearing.
- 1.2 **Applicability.** The P. S Miller Preliminary PD Site Plan and zoning regulations shall run with and bind all landowners of record, their successors, heirs or assigns of the land as approved by the Town Council.
- 1.3 **Maximum Level of Development.** The total number of dwelling units or other nonresidential floor area approved for development within the established use areas is the maximum allowed for platting and development.
- 1.4 **Relationship to Town Regulations.** The provisions of the Preliminary PD Site Plan and zoning regulations shall prevail and govern the development of the P. S. Miller PD; provided, however, that where the provisions of this Final PD Site Plan and zoning regulations do not address a particular subject, the relevant provisions of the Town zoning ordinance, as amended, or any other applicable provisions of the Castle Rock Municipal Code shall be applicable.
- 1.5 **Severability of provisions.** 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 effort.

Section 2: Development Agreement

- 2.1 In addition to these regulations, certain provisions of the development of this PD property are controlled by and agreement between the Town and the PD property owners.

A Development Agreement will be entered into the time of the Preliminary PD Site Plan.

Section 3: Definitions

- 3.1 Definitions: Standard definitions for this PD can be found in Title 17 of the Castle Rock Municipal Code.

Section 4: Overall Project Standards

- 4.1 The standard zoning requirements of the Town 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 by the following:
 - a. **Parking:** A minimum of 11 parking spaces and a maximum of 28 off-street parking spaces are required of the entire Planned Development. Shared parking between individual sites is allowed. All off-street parking must be located in the rear ½ of any lot.

- b. **Landscaping Requirements:** Existing street trees and landscaping in the right-of-way shall count toward the landscaping requirement. Landscaping shall be in conformance with the Town's adopted landscape regulations. Xeriscaping is encouraged for all lots, while street tree planting using historic species is required along or within adjacent rights-of-ways, excluding alleys.

Section 6: Use Area Categories Regulations

6.1 Regulations:

- 1) **Uses:**
 - a. **Uses permitted by right:**
 - 1) Single-family Detached Dwellings
 - 2) Multi-Family Attached Housing
 - 3) Offices
 - 4) Medical Offices
 - 5) Personal service
 - 6) Daycare
 - 7) Churches
 - 8) Schools
 - b. **Maximum number dwelling units:** 6 Units
 - c. **Minimum lot area:** Equivalent to gross acreage.
 - e. **Minimum setbacks from property lines:**
 - 1) Front yard setback (Front Street) 20 feet
 - 2) Side yard setback (Second Street) 5 feet
 - 3) Back yard setback (Alley) 5 feet
 - f. **Maximum building height:** 35 feet
 - g. **Maximum building coverage:** 50% of any lot
 - h. **Maximum Lot Size:** 75' x 125'
 - h. **Other developmental standards:**
- 2) **Maximum Gross Floor Area:** The maximum gross floor area for the all buildings located within the Planned Development is 14,200 sq ft.
- 3) **Design Standards:** All buildings and accessory buildings should complement the residential character of the neighborhood and be compliant with the Town's Design Guidelines, Castle Rock Style, and the Historic Preservation Plan. The Town's vision to preserve key historic buildings in the historic district as specified in the Comprehensive Master Plan's policies shall be respected and considered.

Significant design features and materials found on existing older historical structures such as, The Miller House and the Cantril School shall be emulated or used for the inspiration for new non-residential infill development.

New buildings and additions shall reflect the traditional architectural features found in the historic neighborhood. Structures shall have varied massing, heights, and setbacks similar to the existing residential structures in the neighborhood.

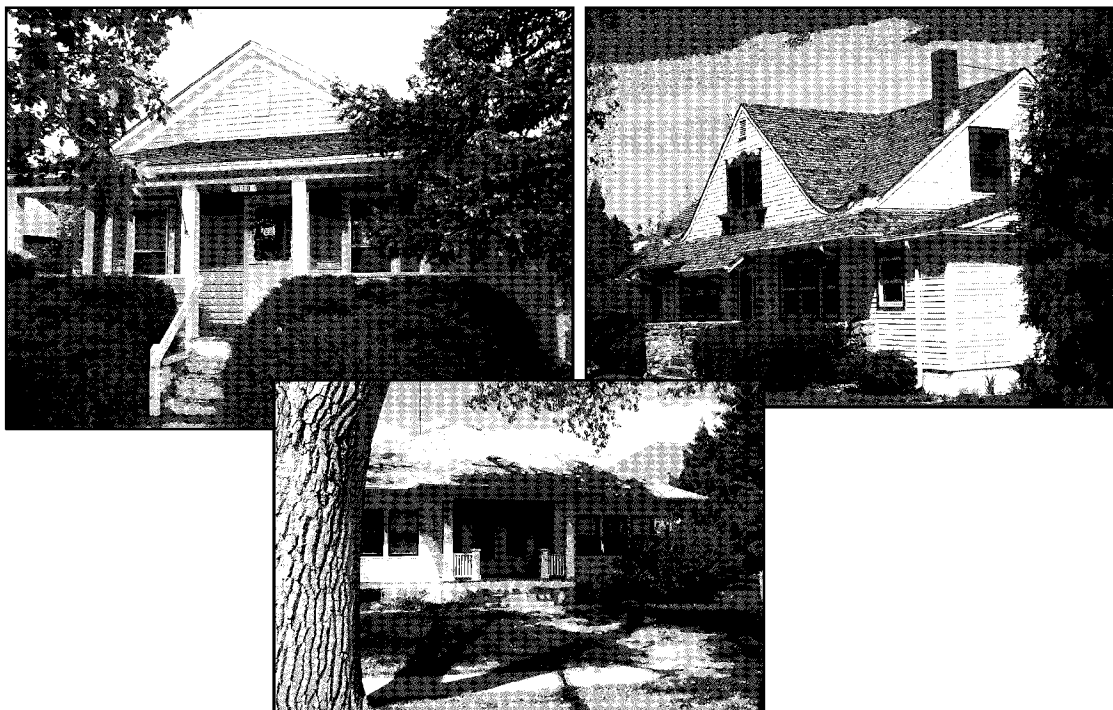
Stone, brick, stucco and painted wood are encouraged as the primary building materials. Materials used on new buildings shall be compatible

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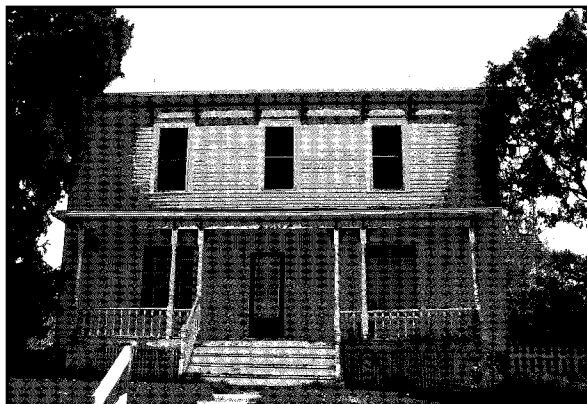
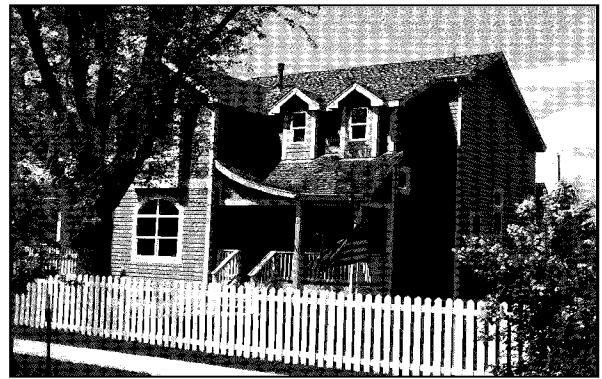
with those found in the neighborhood. Window and door shapes traditionally found in the older buildings shall be emulated in new developments.

The residential street character of the neighborhood shall be maintained with street edge elements such as low fences, hedges and shrubs, planting beds, and street trees.

- 4) **Signage:** Signage is limited to one free-standing sign per lot. All signage shall have a max height of 5' above the adjacent grade and shall have a maximum square footage of 20 square feet. Changeable signage is encouraged. Back-lighted or internal lighted signage are prohibited. Landscaping around the base of the signage is encouraged. Wooden construction materials are preferred.
- 5) **Front Porches:** Open unenclosed uncovered or covered porches can encroach up to 10' into the front yard 20' setback.
- 6) **Detention:** On site detention in the Craig and Gould's Neighborhood will be dependent on discharge location and flows. Water quality issues will be addressed at the time of Final PD Site Plan submittal.
- 7) **Illumination:** Yard lights will be allowed as long as the exterior lighting is in the style of the Craig and Gould's Neighborhood street lighting found consistently on 2nd and 3rd Street. Any lighting attached to the structures shall also be consistent with the historical style of the neighborhood but meet the requirements of the Town's Illumination Code
- 8) The following photographs are examples of the type of design standards to be implemented in this PD.



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Section 7: Submission of Final PD Site Plans and Additional Information.

- 7.1 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 has been approved for the property by the Town.



June 15, 2022

“This Ordinance No. 2007-53 and the attached exhibits for P.S. Miller Planned Development are recorded as corrections for the previous P.S. Miller Planned Development, recorded at reception no. 2008024737 on April 7, 2008. The previously recorded zoning documents were incorrect and did not reflect the zoning documents approved and adopted by the Castle Rock Town Council on December 18th 2007.”

ORDINANCE NO. 2007-53

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

WHEREAS, Mr. David Hieronymus on behalf of the DHL Architecture, LLC, Kathy Hamacher, and Kathy Hamacher as executor of the estate for Mr. O. Kent Hamacher ("Owners") has made application of Planned Development zoning of the parcel described in **Exhibit A** (the "Property") denominated as "P.S. Miller House Planned PD"; and

WHEREAS, Owner has requested approval of P.S. Miller House Planned PD Zoning Regulations as described in the attached **Exhibit B** ("Zoning Regulations") and the P.S. Miller House Preliminary Planned Development Site Plan as described in the attached **Exhibit C**; and

WHEREAS, public hearings on the Site Plan and Zoning Regulations 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. **Approval.** The Zoning Regulations and Preliminary PD Site Plan are 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.

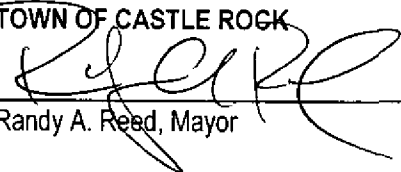
Section 3. **Safety Clause.** The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

INTRODUCED this 11th day of Dec., 2007, and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 7 for and 0 against.

PASSED, APPROVED AND ADOPTED this 18th day of Dec., 2007, by a vote of the Town Council of the Town of Castle Rock, Colorado of 6 for and 0 against.

ATTEST:


Sally A. Misare, Town Clerk

TOWN OF CASTLE ROCK

Randy A. Reed, Mayor

Approved as to form:


Robert J. Slentz, Town Attorney


Bill Detweiler, Director, Development Services

OFFICIAL RECORDS
DOUGLAS COUNTY CO
JACK ARROWSMITH
CLERK & RECORDER
RECORDING FEE: \$61.00
12 PGS
2008024737
04/07/2008 11:31 AM



Exhibit A

Legal Description



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Exhibit B

Planned Development Zoning Regulations



PD Zoning Regulations for
P.S. Miller House PD.
September 2007

Prepared By



3833 Elk Run Drive
Castle Rock, CO 80109
303-688-5273
Fax 303-814-3370

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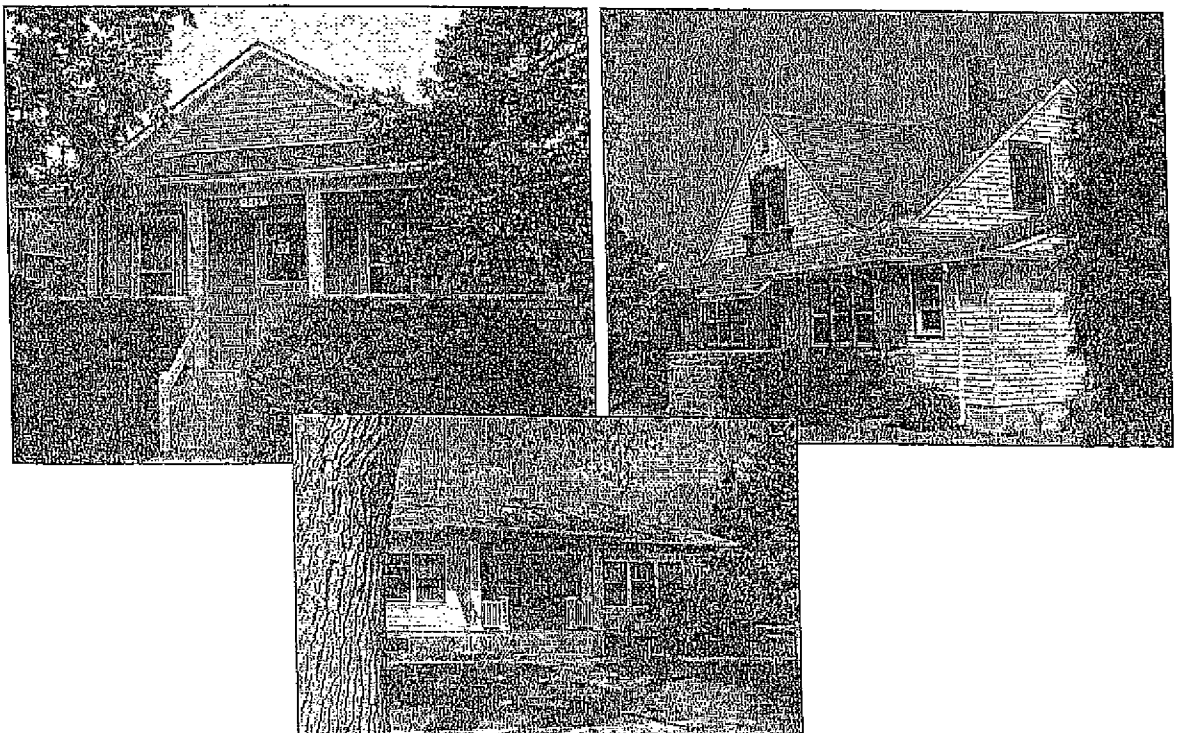
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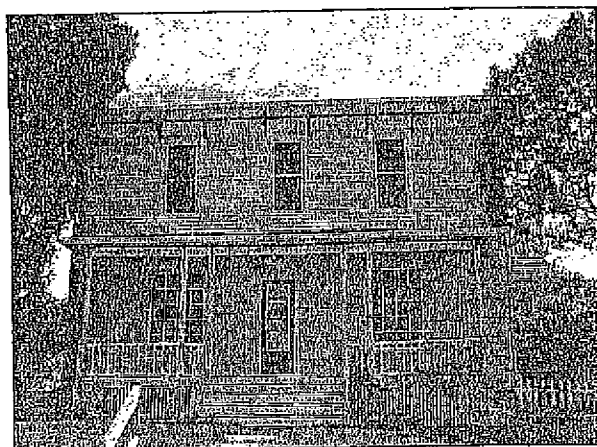
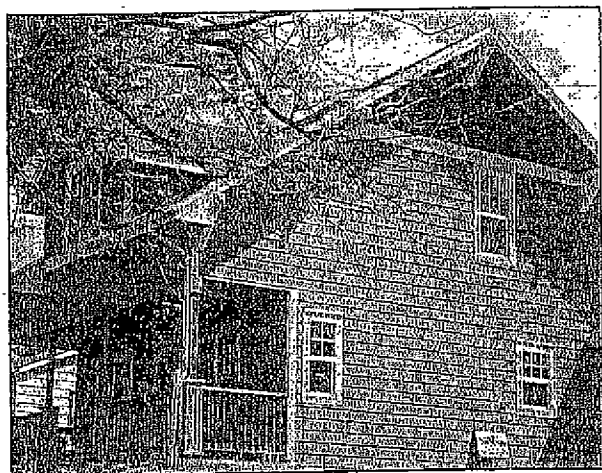
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Exhibit C

Preliminary Planned Development Site Plan



