

Ownership Certification

THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS THE P. S. MILLER HOUSE PD IN THE TOWN OF CASTLE ROCK, COLORADO.

David E. Archer *Wesley A. King*
 KATHY R. HAMMUCHER, EXECUTOR OF THE ESTATE OF ROBERT HAMMUCHER
 KATHY R. HAMMUCHER, MEMBER
 DLH ARCHITECTURE LLC, A COLORADO LIMITED LIABILITY COMPANY
 SIGNED THIS 23RD DAY OF JANUARY, 2008.

NOTARY BLOCK
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 23RD DAY OF JANUARY, 2008
 BY *David E. Archer, Wesley A. King, Kathy R. Hammucher* member of DLH Architecture LLC & Kathy R. Hammucher
 WITNESS MY HAND AND OFFICIAL SEAL
Stacy E. Shaffer
 NOTARY PUBLIC STATE OF COLORADO
 MY COMMISSION EXPIRES 03/30/10

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, 11th Amendment, Town of Castle Rock, County of Douglas, according to the recorded plats thereof.

OWNERSHIP CERTIFICATION

THE UNDERSIGNED ARE ALL OWNERS OF CERTAIN LANDS KNOWN AS THE P. S. MILLER HOUSE PD IN THE TOWN OF CASTLE ROCK, COLORADO.

David E. Archer *Wesley A. King*
 KATHY R. HAMMUCHER, EXECUTOR OF THE ESTATE OF ROBERT HAMMUCHER
 KATHY R. HAMMUCHER, MEMBER
 DLH ARCHITECTURE LLC, A COLORADO LIMITED LIABILITY COMPANY
 SIGNED THIS 23RD DAY OF MARCH 2008
 WITNESS MY HAND AND OFFICIAL SEAL
Stacy E. Shaffer
 NOTARY PUBLIC STATE OF COLORADO
 MY COMMISSION EXPIRES 03/30/10

Lien Holder Subordination Certification

THE UNDERSIGNED ARE ALL THE MORTGAGEES AND LIEN HOLDERS OF CERTAIN LANDS KNOWN HEREIN AS THE P. S. MILLER HOUSE IN THE TOWN OF CASTLE ROCK, COLORADO.

THE UNDERSIGNED BENEFICIARIES OF THE LIENS CREATED BY INSTRUMENTS RECORDED ON OCTOBER 13, 2008 RECEPTION # 2008008761, JANUARY 11, 2008 RECEPTION NO. 2008004826 AND JULY 9, 2008 RECEPTION NO. 200800474 DOUGLAS COUNTY, COLORADO, SUBORDINATE TO THE SUBJECT LIENS TO THE TERMS, CONDITIONS AND RESTRICTIONS OF THIS DOCUMENT.

David E. Archer
 LARSEN E. ARCHER
 WESLEY A. KING, President
 FIRSTBANK OF DOUGLAS COUNTY
 SIGNED THIS 12TH DAY OF FEBRUARY, 2008
 NOTARY BLOCK
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 12TH DAY OF FEBRUARY, 2008
 BY *Larsen E. Archer and Wesley A. King* as President of FirstBank of Douglas County
 WITNESS MY HAND AND OFFICIAL SEAL
Stacy E. Shaffer
 NOTARY PUBLIC STATE OF COLORADO
 MY COMMISSION EXPIRES 03/30/10

Title Certification

Lois L. Nitzsch AN AUTHORIZED REPRESENTATIVE OF THE 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 LIEN HOLDERS OF THE PROPERTY ARE LISTED IN THE CERTIFICATE OF OWNERSHIP AND LIEN HOLDERS SUBORDINATION CERTIFICATE.

SIGNED THIS 20TH DAY OF MARCH, 2008

Lois L. Nitzsch
 LOIS L. NITZSCH, AUTHORIZED REPRESENTATIVE
 TITLE INSURANCE COMPANY
 NOTARY BLOCK
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 20TH DAY OF MARCH, 2008
 BY *Lois L. Nitzsch*
 WITNESS MY HAND AND OFFICIAL SEAL
Brenda Becker
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 06/21/2010

Town Certification

A PLANNING COMMISSION RECOMMENDATION ON OCTOBER 20TH 2007 FOR THE P. S. MILLER HOUSE PD PROJECT WAS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 20TH DAY OF OCTOBER, 2007.

Sally G. Allen
 CHAIRMAN
 DATE 10/20/07
 DIRECTOR OF DEVELOPMENT SERVICE
 DATE 11/30/07
 B. TOWN COUNCIL APPROVAL
 THE PRELIMINARY PD SITE PLAN FOR THE P. S. MILLER HOUSE PD WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 16TH DAY OF DECEMBER, 2007.

Sally G. Allen
 MAYOR
 DATE 12-16-07
 ATTEST
Sally G. Allen
 TOWN CLERK
 DATE 1-3-08

Surveyor's Certification

PAUL NIXON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THE P. S. MILLER HOUSE PD PROJECT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS SITE PLAN ACCURATELY REPRESENTS THAT SURVEY.

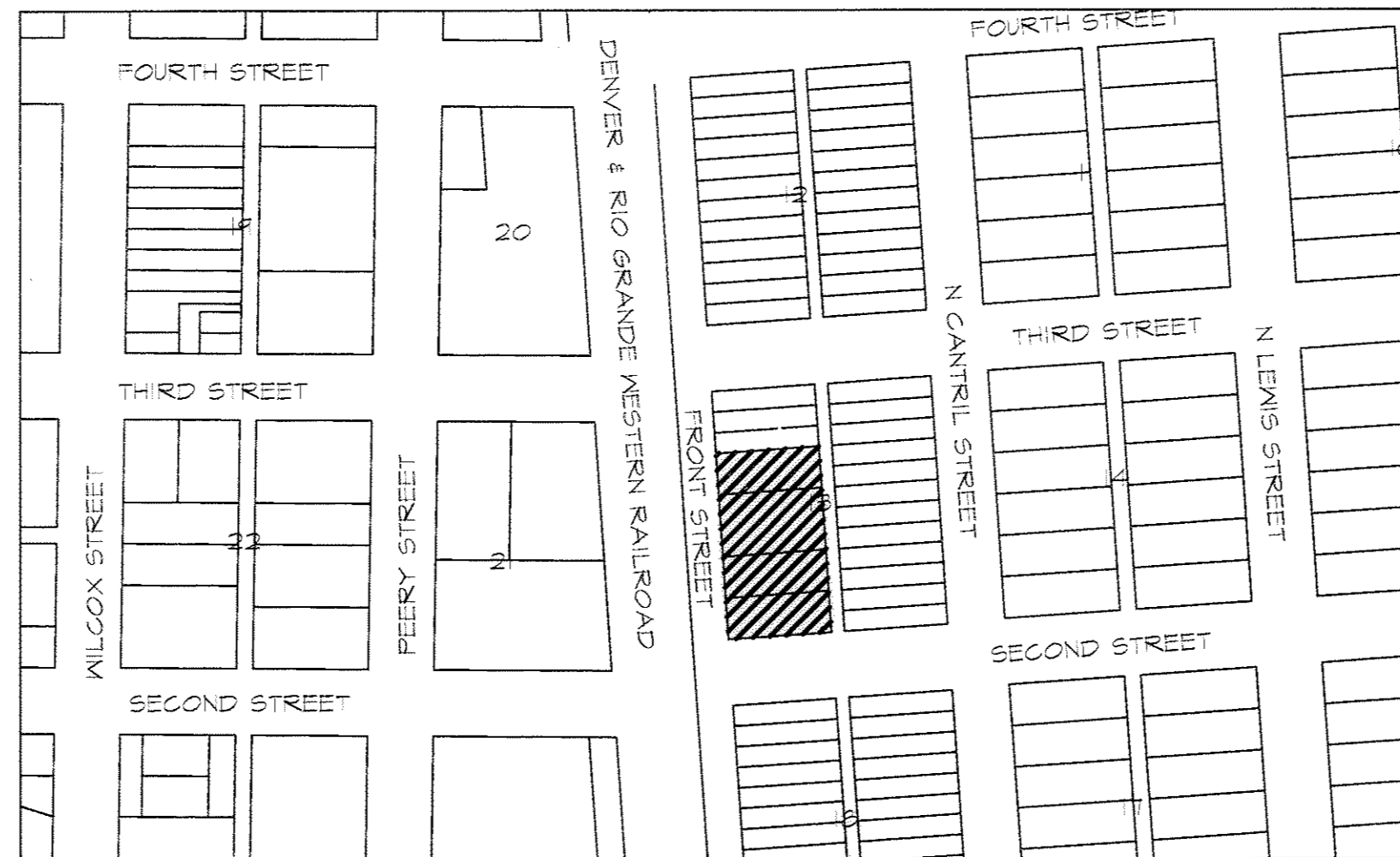
Paul Nixon REG. # 6884
 NIXON AND ASSOCIATES
 DATE 2-19-08
 STATE OF COLORADO

Douglas County Clerk and Recorder's Certificate

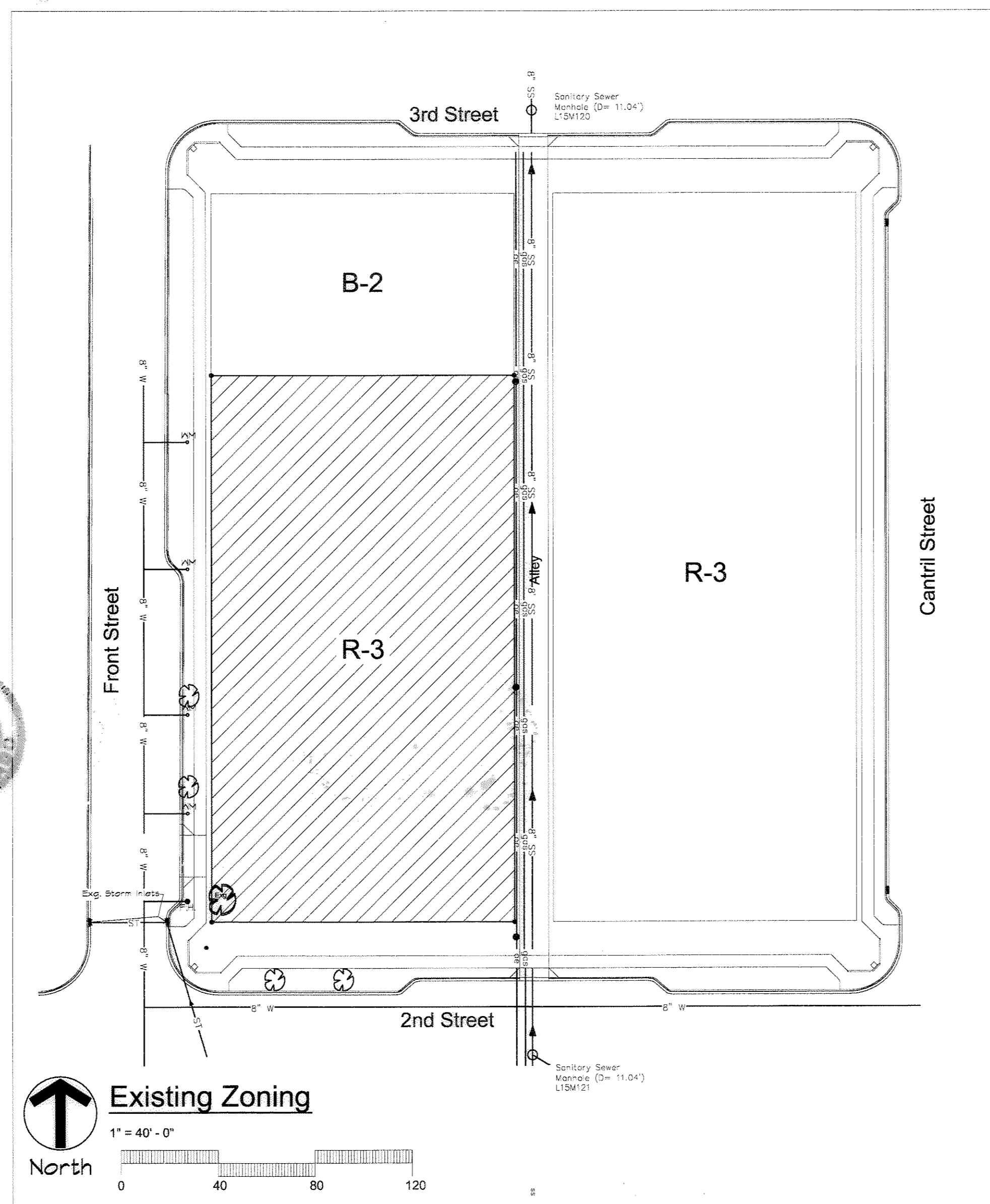
THIS PRELIMINARY PD SITE PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY AT 11:31 AM ON THE 1ST DAY OF APRIL, 2008 AT RECEPTION NO. 2008024738

Angela K. Holt
 DOUGLAS COUNTY CLERK AND RECORDER
 DATE 4-1-08

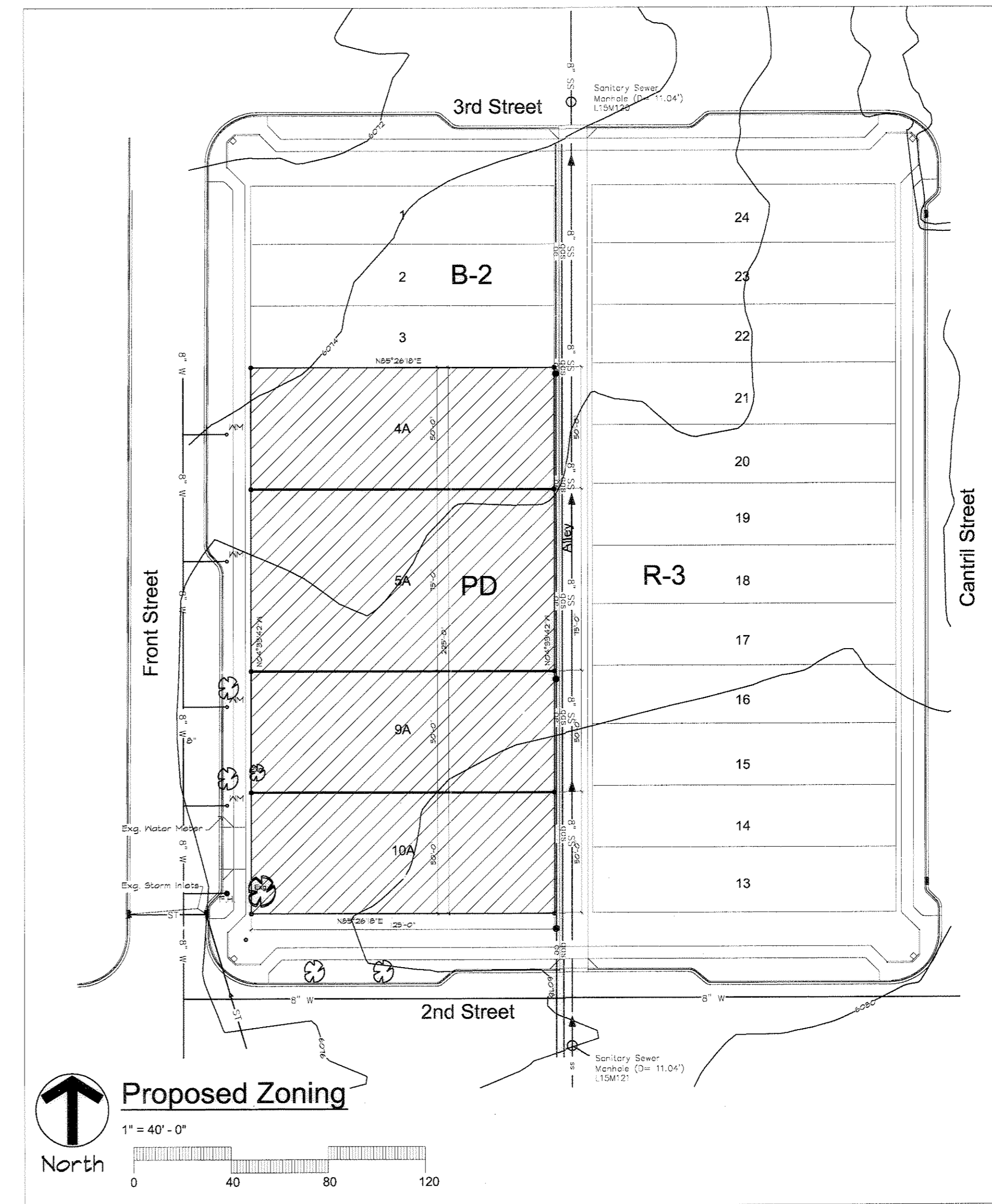
P.S. MILLER HOUSE Preliminary PD Site Plan
 Lots 4A and 5A, Craig and Gould's addition to Castle Rock, 12th amendment and lots 9A and 10A, Craig and Gould's addition to Castle Rock, 11th amendment
 204 Front Street



Vicinity Map
 1" = 200'-0"
 North
 0 200' 400' 600'



Existing Zoning
 1" = 40'-0"
 North
 0 40 80 120



Proposed Zoning
 1" = 40'-0"
 North
 0 40 80 120

Permitted Uses
 Offices
 Medical Offices
 Schools
 Churches
 Single Family Detached Dwellings
 Multi Family Attached Housing
 Personal Service Shops and Offices
 Daycare

Site Data
 Location: 204 Front Street, Castle Rock, CO 80104
 County: Douglas County
 Fire District: Town of Castle Rock Fire Dept.
 Size: 28,125 S.F. or 6437 Acres
 FAR: 50% of Total Square Footage or 4,062 S.F.
 Parking: 16 Spaces required
 5 Allowed On Street
 11 Spaces On Site
 4 Parking spaces will be off of the Alley
 2 Parking spaces will be off the existing concrete entry drive on Front St.

Drainage Notes
 On site detention in the Craig and Gould neighborhood shall depend on the development and the final decision will be made in the Final PD Site Plan Application.
 Water quality issues will be addressed in the Final PD Site Application.
 A Phase II Drainage Report requirement shall depend on the development and will be addressed in the Final PD Site Plan Application.

Site Notes
 1. Flood plain is not within the area of this project.
 2. No grading is required.
 3. All utilities are existing.
 4. There are no new utilities planned for this project.
 5. There are no significant natural features on or adjacent to this project.

Landscape Note
 Historical plantings will be used to match the architecture of the buildings. All plantings shall be xeric in nature.

Signage Notes
 All signage shall have a max height of 5' above the adjacent grade and shall have a minimum square footage of 20 square feet. Changeable signage is encouraged. Exterior above mounted lighting is encouraged. Backlighted or internally lit signage is not allowed. Landscaping around the base of the signage is encouraged.

Front Porches
 Open unenclosed uncovered or covered porches can encroach 10' into the 20' front yard setback.

Developer:
 DLH Architecture
 3839 Elk Run Drive
 Castle Rock, CO 80104
 Ph: 303-688-3278
 FX: 303-614-3970

Plan Preparer:
 DLH Architecture
 3839 Elk Run Drive
 Castle Rock, CO 80104
 Ph: 303-688-3278
 FX: 303-614-3970

Lead Surveyor:
 Nixon and Associates P.A.
 5565 Florence Cr
 Parker, CO 80134
 Contact: Paul Nixon
 Ph: 303-840-0570

DLH Architecture
 Planning, Architecture, Consulting and Construction Phone: (303) 688-3278
 1800 East Main Street, Suite 200, Castle Rock, CO 80104 Fax: (303) 614-3970
 DLH Architecture is a Limited Liability Corporation Established in 1997.

P.S. MILLER HOUSE Preliminary PD Site Plan
 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, 11th amendment
 204 Front Street

Project #: 0701
 Date: 09/17/07
 Drawn By: JDB
 Checked By: DLH
 Scale: as noted
 Revisions: 4-12-6-07

TCR Project # FPD 07-004

Sheet # 1

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.

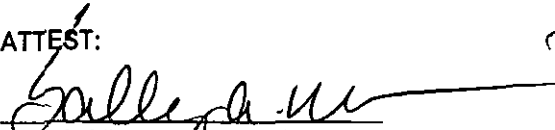
Section 2. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

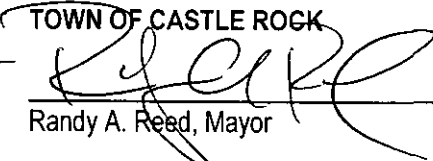
Section 3. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

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: \$51.00
12 PGS

2008024737
04/07/2008 11:31 AM



2008024737 12 PGS

Exhibit A

Legal Description



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, 11th Amendment, Town of Castle Rock, County of Douglas, according to the recorded plats thereof.

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

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 Caste 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 by Special Agreement:** Off-street parking at off-site locations is permitted providing that there are reciprocal parking agreements with adjacent property owners and that the off-site parking spaces should be no further than 800 feet from the nearest edge of the PD zone. Any reciprocal parking agreements shall be

recorded with the Douglas County Clerk and Recorder prior to Final PD Site Plan approval.

- b. **Parking Space Requirements by Use:** In consideration of the infill character of the PD within the Craig and Gould's neighborhood, the minimum required number of off-street parking spaces to be provided for a use is listed in the following table.

Proposed Parking:

Use	Location	Handicapped Parking (Included in Total)	Total Off-Street Parking Provided
Offices	Off the Alley	2 Spaces	12 Spaces
Residential	3 Spaces per 1000 sq. ft.	N/A	4 Spaces
On Site		2 Spaces	16 Spaces

The Town of Castle Rock will reduce the required on site parking by 5 spaces because of the associated on street parking.

Total Number of on site parking spaces required = 11 with 2 HC and 9 Regular spaces.

- c. **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.
- d. **Historically appropriate xeric landscaping will be used.**

Section 5: Use Area Categories and Density Caps

Use Area	Gross Acreage	Maximum Permitted Detached DU's
PD	0.65	6
Total Provided	0.65	6

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 detached 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% or 14,157 sq ft
 - h. Other developmental standards:
- 2) Maximum Gross Floor Area: The maximum footprint for the all buildings on lots 4a, 5a, 9a, & 10a 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.

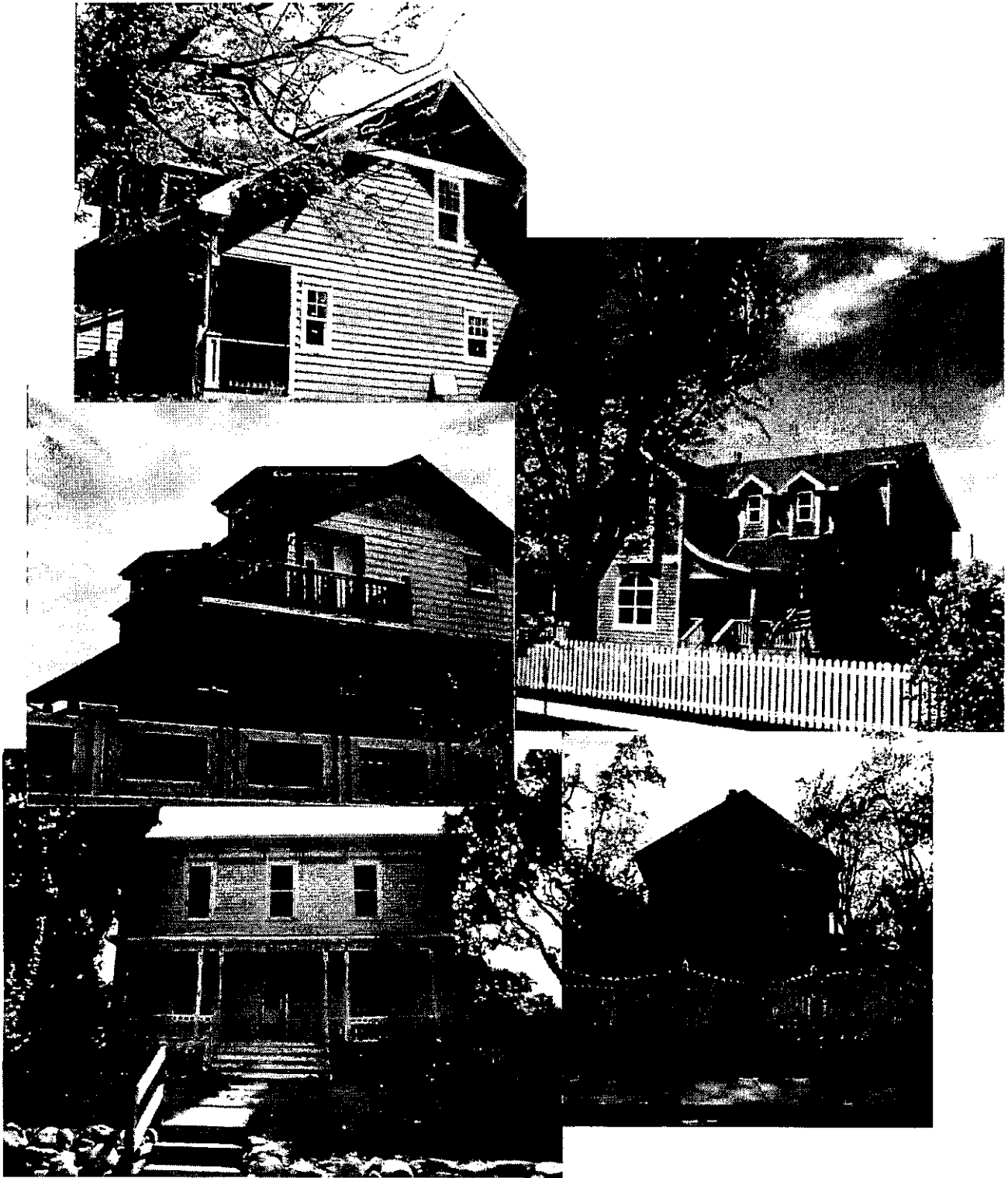
New buildings and additions shall reflect the traditional architectural features found in the historic neighborhood. Structures shall have varied massing, heights, and setbacks similar to the existing residential structures in the neighborhood.

Stone, brick, stucco and painted wood are encouraged as the primary building materials. Materials used on new buildings shall be compatible 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: 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. Exterior above mounted lighting is encouraged. Back-lighted or internal lighted signage is not allowed. Landscaping around the base of the signage is encouraged.
- 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 be zero cut off lighting and shall also be consistent with the historical style of the neighborhood.
- 8) The following photographs are examples of the type of design standards to be implemented in this PD.





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.

Exhibit C

Preliminary Planned Development Site Plan



