

RED HAWK CROSSINGS PLANNED DEVELOPMENT PLAN NO.1
 (Formerly Red Hawk Preliminary PD Site Plan Amendment No. 1)

LOTS 201 AND 202, BLOCK 1, RED HAWK
 FILING NO.1, LOT 1, BLOCK 8 - 4TH AMENDMENT

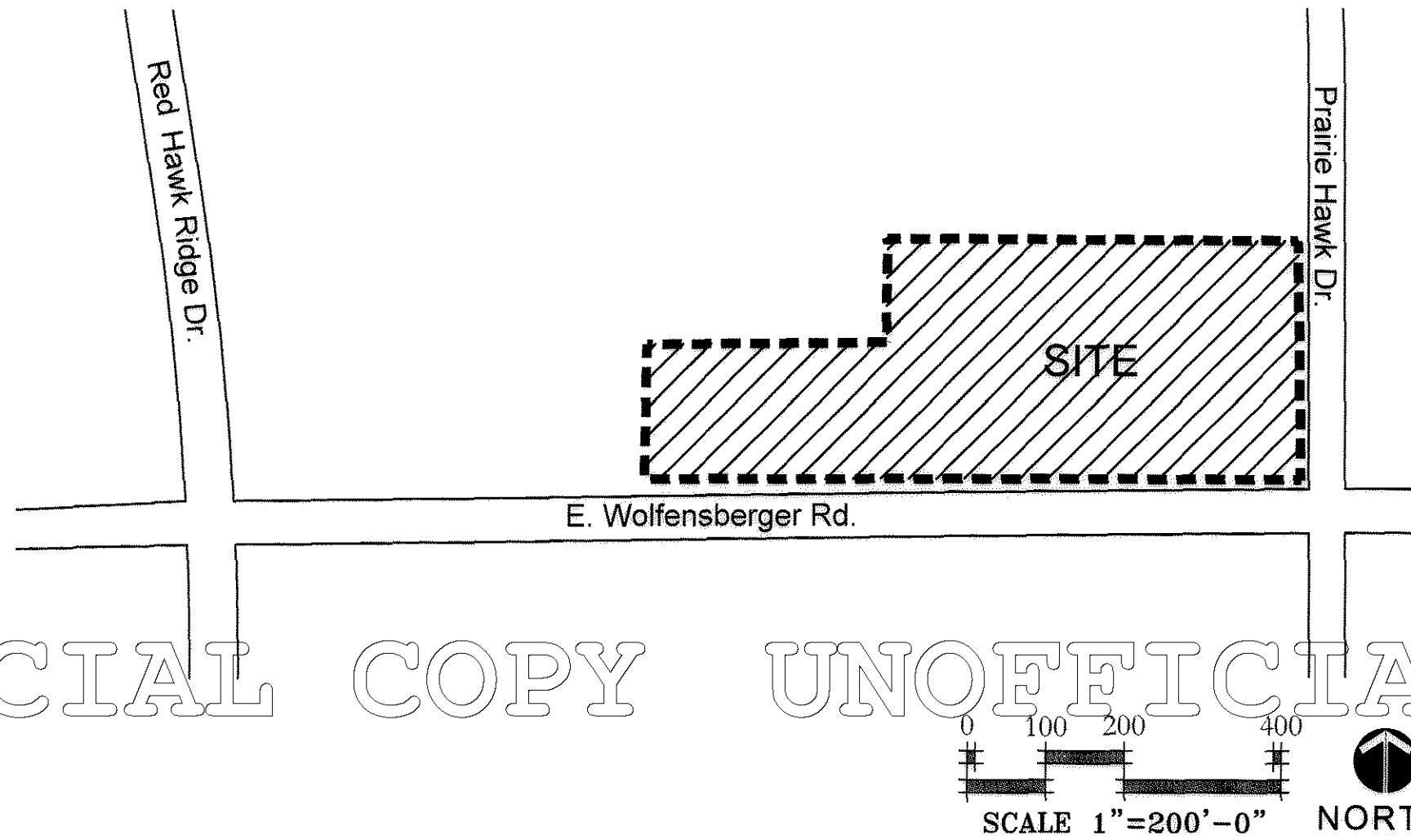
SHEET INDEX

- 1.0 COVER SHEET
- 2.0 PLANNED DEVELOPMENT PLAN

LAND USE SUMMARY

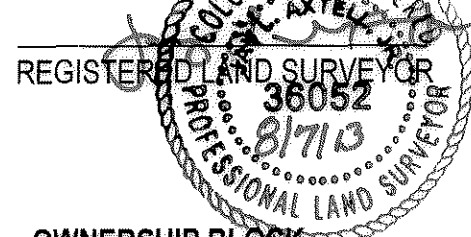
USE AREA	AREA IN ACRES		MAXIMUM DENSITY		MAXIMUM FLOOR AREA		MAXIMUM FLOOR AREA-SINGLE USER	
	EXISTING	AMENDED	EXISTING	AMENDED	EXISTING	AMENDED	EXISTING	AMENDED
MULTI-FAMILY/ NEIGHBORHOOD COMMERCIAL	4.3	4.3	18 DU/Ac.	16 DU/Ac.	350,000 S.F.	100,000 S.F.	100,000 S.F.	30,000 S.F.

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Jay L. Aron, Jr., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THIS (PLANNED DEVELOPMENT PLAN) WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS (PLANNED DEVELOPMENT PLAN) ACCURATELY REPRESENTS THAT SURVEY.



DATE _____

OWNERSHIP BLOCK

THE UNDERSIGNED ARE ALL THE OWNERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS AND STATE OF COLORADO DESCRIBED HEREON.
 RED HAWK CROSSINGS, L.L.C. A COLORADO LIMITED LIABILITY COMPANY.

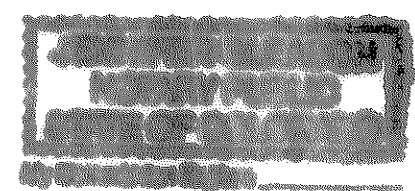
Chuck Micale
 NOTARY BLOCK

SUBSCRIBED AND SWORN TO BEFORE ME THIS 5th DAY OF August

20 13 BY Charles Micale AS OF RED HAWK CROSSINGS, L.L.C.

Jennifer Stearn
 WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC
 MY COMMISSION EXPIRES: 3/24/16



TITLE CERTIFICATION

I, Scott Bennett, AN AUTHORIZED REPRESENTATIVE OF Land Title Guaranty Co., 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 CERTIFICATE.

Scott Bennett
 AUTHORIZED REPRESENTATIVE
Land Title Guaranty Co.
 TITLE COMPANY

SIGNED THIS 6th DAY OF August, 20 13.

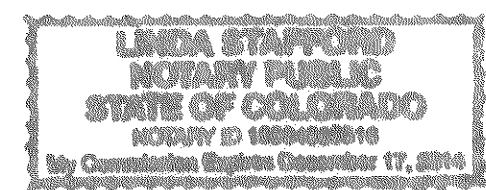
NOTARY BLOCK

SUBSCRIBED AND SWORN TO BEFORE ME THIS 6th DAY OF August

20 13 BY Scott Bennett AS AUTHORIZED REPRESENTATIVE OF Land Title

WITNESS MY HAND AND OFFICIAL SEAL.
Linda Stafford
 NOTARY PUBLIC

MY COMMISSION EXPIRES: 12-17-2014



LIENHOLDER SUBORDINATION CERTIFICATE

THE UNDERSIGNED ARE ALL THE MORTGAGEES AND LIENHOLDERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS AND STATE OF COLORADO DESCRIBED HEREON. THE UNDERSIGNED BENEFICIARY OF THE LIEN CREATED BY THE INSTRUMENT RECORDED AUGUST 24, 2001 IN BOOK 2116 AT PAGE 756 AND RE-RECORDED OCTOBER 10, 2001 IN BOOK 2150 AT PAGE 1959, DOUGLAS COUNTY, COLORADO, SUBORDINATES THE SUBJECT LIEN TO THE TERMS, CONDITIONS AND RESTRICTIONS OF THIS DOCUMENT.

Chuck Micale
 MY WAY DEVELOPMENT CORPORATION
 SIGNED THIS 5th DAY OF August, 20 13.

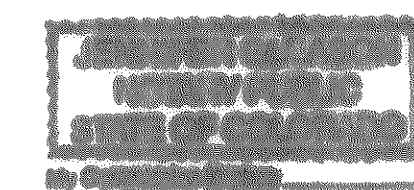
NOTARY BLOCK

SUBSCRIBED AND SWORN TO BEFORE ME THIS 5th DAY OF August

20 13 BY Charles Micale AS _____ OF MY WAY DEVELOPMENT CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL.
Jennifer Stearn
 NOTARY PUBLIC

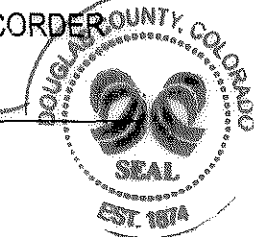
MY COMMISSION EXPIRES: 3/24/16



DOUGLAS COUNTY CLERK AND RECORDER'S CERTIFICATE

THIS PLANNED DEVELOPMENT PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY AT 12:00 ON THE 15th DAY OF August, 20 13. AT RECEPTION NO. 2013068375

DOUGLAS COUNTY CLERK AND RECORDER
 BY: Tulaym Poir
 DEPUTY



PLANNING COMMISSION RECOMMENDATION

THIS PLANNED DEVELOPMENT PLAN WAS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO ON THE 14th DAY OF March, 20 13.

CHAIR: Paul Donohue DATE: 14 August 2013

ATTEST:

Paul Donohue
 DIRECTOR OF DEVELOPMENT SERVICES

DATE: 8/14/2013

TOWN COUNCIL APPROVAL

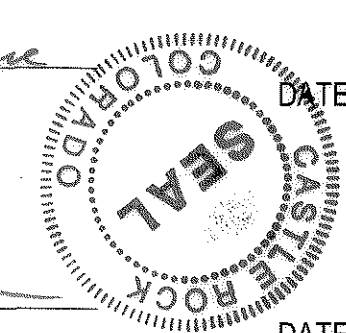
THIS PLANNED DEVELOPMENT PLAN WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 16th DAY OF April, 20 13.

MAYOR: Paul Donohue DATE: 8/15/13

ATTEST:

Sally M...
 TOWN CLERK

DATE: 8/15/13



OWNER/DEVELOPER

RED HAWK CROSSINGS, LLC.
 Chuck Micale
 14 Inverness Drive., SUITE G-136
 Englewood, CO 80112
 PHONE: 303-799-0728
 FAX: 303-799-0670

LANDSCAPE ARCHITECT

DHM DESIGN
 1390 Lawrence Street
 Denver, CO 80204
 Phone: 303-892-5566
 FAX: 303-892-4984

LOTS 201 AND 202, BLOCK 1, RED HAWK FILING NO.1, LOT 1, BLOCK 8 - 4TH AMENDMENT, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF DOUGLAS STATE OF COLORADO.

COVER SHEET
 SHEET 1 OF 2
 RED HAWK CROSSINGS PLANNED DEVELOPMENT PLAN NO. 1
 PROJECT NO. PDP-13-0003

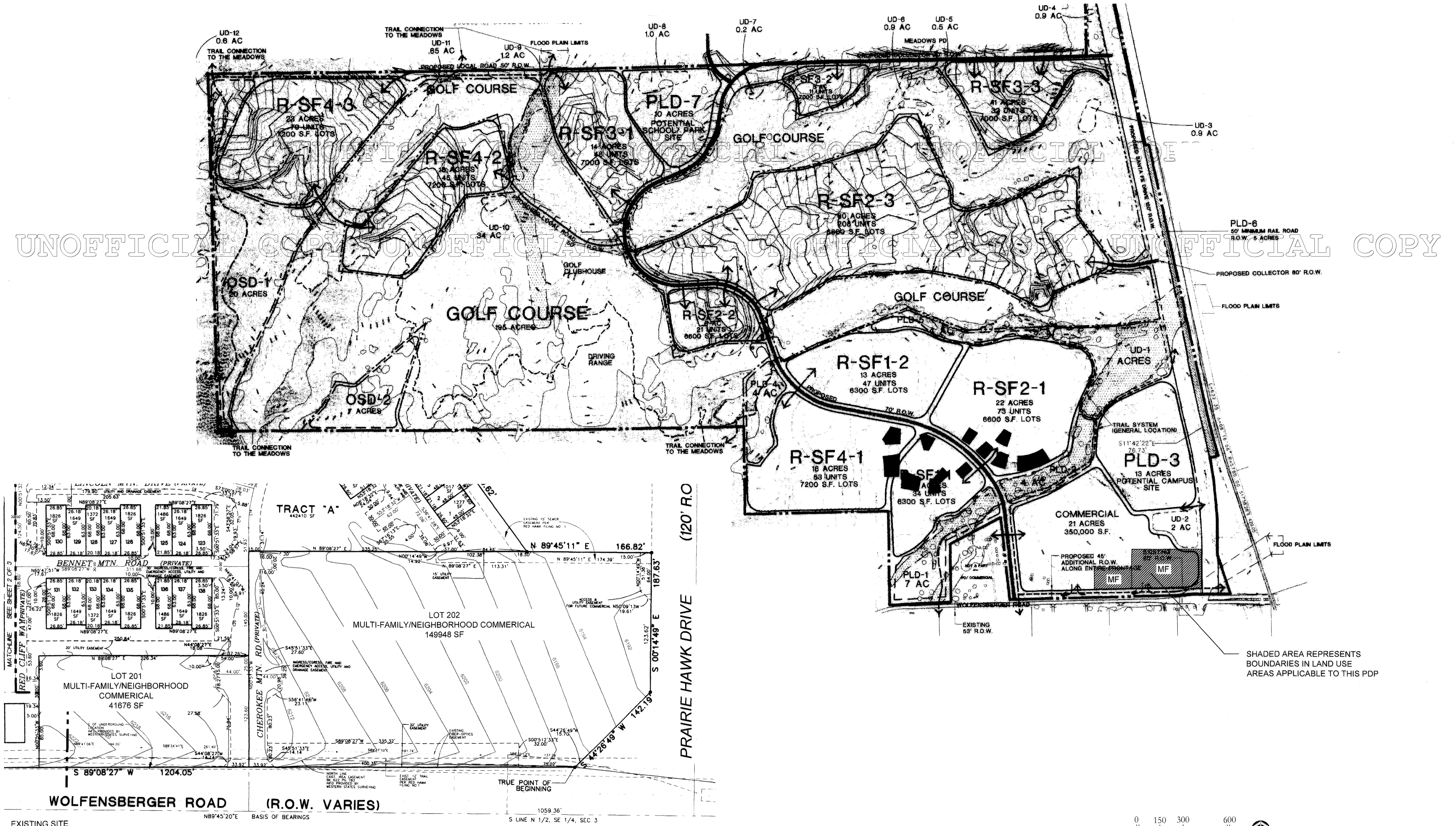
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SITE PLAN

SHEET INDEX

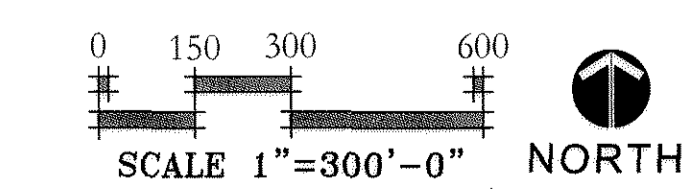
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SHADED AREA REPRESENTS BOUNDARIES IN LAND USE AREAS APPLICABLE TO THIS PDP

EXISTING SITE N89°45'20"E BASIS OF BEARINGS S LINE N 1/2, SE 1/4, SEC 3



ORDINANCE NO. 2013-11

**AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING
THE RED HAWK CROSSINGS PLANNED DEVELOPMENT PLAN NO. 1, AN
AMENDMENT TO THE RED HAWK PRELIMINARY PD SITE PLAN AMENDMENT
NO. 1 AND PLANNED DEVELOPMENT ZONING REGULATIONS**

WHEREAS, Red Hawk Crossings LLC (Applicant) has requested PD Planned Development zoning of the parcel described in *Exhibit 1* (Property); and

WHEREAS, Applicant has requested approval of the "Red Hawk Crossings PD Zoning Regulations" (Zoning Regulations) as described in *Exhibit 2*, as the same affect the Property;
and

WHEREAS, Applicant has requested approval of "Red Hawk Crossings Planned Development Plan No. 1, An Amendment to the Red hawk Preliminary PD Site Plan Amendment No. 1" (PDP) as described in *Exhibit 3*;

WHEREAS, the PDP is consistent with the Town's Vision 2020, the Comprehensive Master Plan, and the Town of Castle Rock/Douglas County Land Use Intergovernmental Agreement; and

WHEREAS, public hearings on the Zoning Regulations and PDP 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. Zoning Approval. The Property is rezoned to PD (Planned Development District) and the Town's Zoning District Map is amended accordingly. The Red Hawk Crossings PD Zoning Regulations in the form attached as *Exhibit 2* and the Red Hawk Crossings Planned Development Plan No. 1, An Amendment to The Red Hawk Preliminary PD Site Plan Amendment No. 1 in the form attached as *Exhibit 3* are hereby approved, subject to the following conditions:

1. All staff comments shall be addressed prior to recordation.

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.

APPROVED ON FIRST READING this 2nd day of April, 2013 by the Town Council of the Town of Castle Rock, Colorado by a vote of six (6) for and zero (0) against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and


PASSED, APPROVED AND ADOPTED this 16th day of April, 2013, by the Town Council of the Town of Castle Rock by a vote of 5 for and 0 against.

ATTEST:

TOWN OF CASTLE ROCK

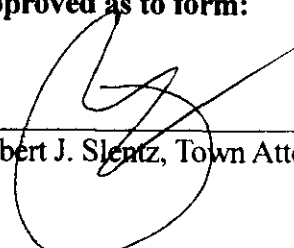
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Sally A. Misre, Town Clerk


Paul Donahue, Mayor

Approved as to form:

Approved as to content:


Robert J. Slentz, Town Attorney



Bill Detweiler, Director of Development Services

Exhibit 1

Lots 201 and 202,
Block 1, Red Hawk Filing No. 1, Lot 1, Block 8 – 4th Amendment,
County of Douglas, State of Colorado

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Exhibit 2

Red Hawk Crossings Planned Development

UNOFFICIAL Zoning Regulations COPY

(Formerly zoned under Ordinance No. 99-08: An Ordinance Amending the Red Hawk Preliminary PD Site Plan; Repealing the Zoning Regulations Adopted by Ordinance No. 95-45; Adopting New PD Zoning Regulations; Approving the Second Amendment to the Red Hawk Annexation and Development Agreement, Including the Vesting of a Site Specific Development Plan)

**Zoning Regulations
For
Red Hawk Crossings Planned Development**

Section 1: General Provisions.....1

Section 2: Development Agreement.....1

Section 3: Use Area Categories.....1

Section 4: Development Standards.....2

Section 5: Site Development Plans and Plats.....3

Section 6: Transitional Use.....3

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SECTION 1: GENERAL PROVISIONS.

1.1 Applicability. The Red Hawk Crossings Planned Development Plan (PDP) and Planned Development (PD) Zoning Regulations shall run with the land and bind owners of record and successors in interest to the property.

1.2 Maximum level of development. The total number of dwelling units or total commercial, industrial or other nonresidential 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 ascertained in an approved Site Development Plan.

1.3 Relationship to Town regulations. All Town ordinances and regulations, as the same are amended from time to time, shall apply to and be enforceable in a PD. Accordingly, such Town ordinances and regulations shall govern and control over any conflicting provisions in the PD zoning regulations unless such conflicting provision is vested as an express development right under the applicable development agreement.

1.4 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 effect.

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SECTION 2: DEVELOPMENT AGREEMENT.

In addition to these regulations, certain provisions of the development of this PD property are controlled by the agreements between the Town and the PD property owners listed below.

The agreement, entitled Red Hawk Annexation and Development Agreement recorded March 26, 1996 at Reception No. 9615291 of the Douglas County Clerk and Recorder's records.

The agreement, entitled First Amendment to Red Hawk Annexation and Development Agreement recorded February 25, 1997 at Reception No. 9710204 of the Douglas County Clerk and Recorder's records.

The agreement, entitled Second Amendment to Red Hawk Annexation and Development Agreement recorded April 2, 1999 at Reception No. 99029103 of the Douglas County Clerk and Recorder's records.

The agreement, entitled Third Amendment to Red Hawk Annexation and Development Agreement recorded January 6, 2000 at Reception No. 00001274 of the Douglas County Clerk and Recorder's records.

SECTION 3: USE AREA CATEGORIES

3.1 Multi Family/Neighborhood Commercial

A. PERMITTED USES BY RIGHT:

1. Multifamily dwellings, provided that any multifamily complex approved is limited to a maximum of 70 units; is limited to a maximum density of 16 units per acre.

2. Small neighborhood commercial and personal service establishments.
3. Restaurants, cafes, coffee shops, excluding drive through facilities.
4. Financial Institutions, including drive through facilities.
5. Total aggregate commercial uses to be limited to 100,000 square feet.

B. ACCESSORY USES PERMITTED BY RIGHT:

1. *Underground utility and communications distribution lines.*

C. USES BY SPECIAL REVIEW

1. Small animal clinics, excluding outdoor kennels and doggy daycare.
2. Assisted living or memory care facilities.
3. Day care centers.
4. Places of worship.
5. Offices.
6. Restaurants, cafes, and fast food establishments, including drive-thru facilities.
7. Any permitted uses occupying more than 30,000 square feet.

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D. TEMPORARY USES:

1. Homebuilder sales and information offices/facilities provided that:
 - a. Such temporary structure is located within a final platted subdivision;
 - b. Sales are limited to those unites within the Red Hawk Crossings PD;
 - c. Adequate access, parking, sanitary facilities, and landscaping are provided.
2. Construction office and/or trailer.
3. Dwelling units to be used as models and/or sales and information offices; provided the unit so utilized is a permitted use in the use area where it is located. Further provided any such use shall be discontinued when all similar dwelling units within the Red Hawk Crossings PD have been sold.

SECTION 4: DEVELOPMENT STANDARDS

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 those areas with PD zoning. The PD zoning regulations shall not preclude the applicant of Town ordinances, including revisions to Title 17, which are of general application throughout the Town, unless such application would conflict with an express vested property right.

Table 4.1

	Non-Residential Uses	Residential Uses
Minimum lot area	N/A	N/A
Minimum front yard setback	20 feet	To allow for flexibility in site development the setbacks shall be determined on the Site Development Plan.
Minimum front to side load garage	N/A	
Minimum rear setback	10 feet	
Side interior lot	0 feet	
Side to street	20 feet	
Maximum building height	50 feet	38 feet
Maximum floor area	100,000 s.f.*	N/A
Buffering in the form of a landscaped area will be provided where commercial areas directly abut residential uses	20 foot wide buffer	N/A

*No single user shall occupy more than 30,000 square feet unless such occupancy is permitted as a use by special review.

SECTION 5: SITE DEVELOPMENT PLANS AND PLATS

Following approval of the Planned Development Plan, the property owners shall submit a Site Development Plan (SDP) 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 SDP and plat have been approved for the property by the Town Council and duly recorded, unless the property is a Town-owned property being developed for Town uses.

SECTION 6: TRANSITIONAL USE

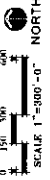
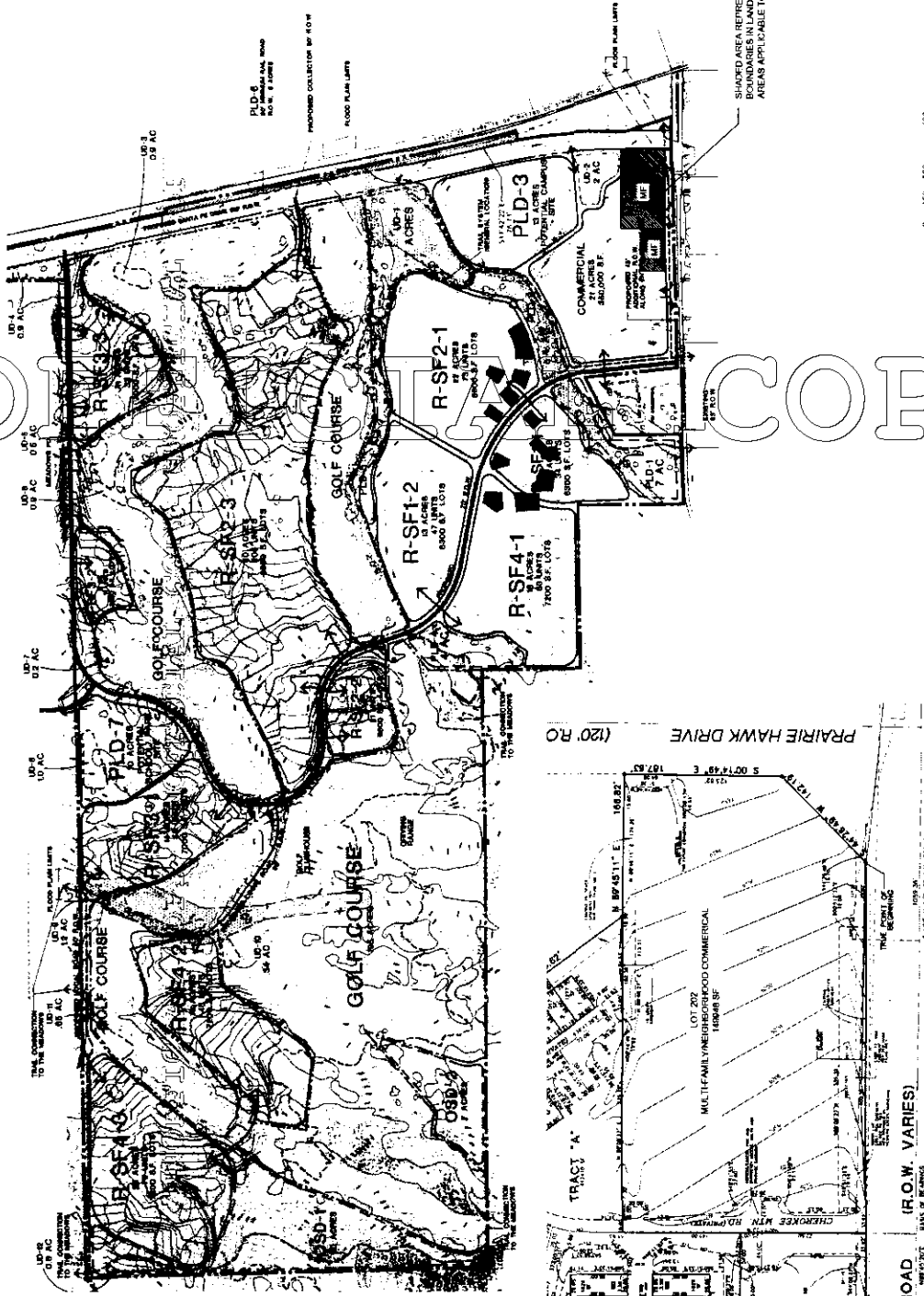
After approval of the Planned Development Plan incorporated as part of this amendment to the Town of Castle Rock Zoning District Map, any portion of the Red Hawk Crossings property which does not have an approved Site Development Plan may be used for agricultural purposes. These uses may continue until a Site Development Plan for such property is approved or until such a time that the Town Council determines that the proximity of these uses to developed areas provided a negative impact to the health, safety, or welfare of residents/owners of such developed areas. Permitted agricultural uses include farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry or hog farms be permitted.

Transitional Use Areas shall be closed to vehicular traffic and off-road recreational motor biking excepting agricultural vehicles and implements, emergency vehicles, vehicles engaged in utility and maintenance work, and designers of the developer and/or Town.

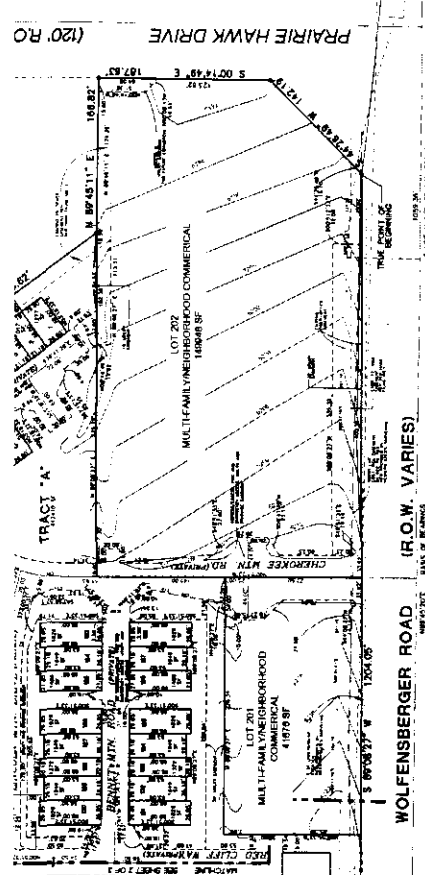
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SITE PLAN

- SHEET INDEX
- 10 COVER SHEET
- 20 PLANNED DEVELOPMENT PLAN



SHEET 2 OF 2
RED HAWK CROSSINGS PLANNED DEVELOPMENT PLAN NO. 1
PROJECT NO. PDP-13-0083



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