

PLAT IDENTIFICATION SHEET

RECEPTION #: 9350844

DATE: 10-25-98

NUMBER OF PGS: 2

NAME OF PLAT: SCOTT II

MISCELLANEOUS COMMENTS:

**PRELIMINARY PLANNED DEVELOPMENT SITE
PLAN**

SCOTT II AT CASTLE ROCK MAJOR MODIFICATION TO AMENDED P.U.D.

PRELIMINARY P.D. SITE PLAN

AFFECTING PARCEL 1 AND PARCEL 2 THEREOF EXCEPTING THAT PORTION OF PARCEL 2
PLATTED AS SCOTT II, FILING NO. 2
SHEET 1 OF 2

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTH ONE-HALF OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND THE SOUTH ONE-HALF OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER OF SECTION 2; THENCE SOUTH 03°51'27" WEST ALONG THE EASTERLY LINE OF SAID NORTHEAST ONE-QUARTER A DISTANCE OF 534.45 FEET; SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SCOTT ROAD, RECORDED IN BOOK 643 AT PAGE 234 OF THE DOUGLAS COUNTY RECORDS THE FOLLOWING TWO (2) COURSES:

1. THENCE NORTH 89°52'58" WEST A DISTANCE OF 948.25 FEET;
2. THENCE ALONG THE ARC OF A CURVE, CONCAVE NORTHERLY, HAVING A CENTRAL ANGLE OF 11°17'01" AND A RADIUS OF 589.99 FEET A DISTANCE OF 116.19 FEET;

THENCE ALONG THE EASTERLY, NORTHERLY AND WESTERLY BOUNDARY LINE OF SCOTT II, FILING 2, RECORDED AT RECEPTION NUMBER 8721124 OF THE DOUGLAS COUNTY RECORDS, THE FOLLOWING FIVE (5) COURSES:

1. THENCE ALONG THE ARC OF A CURVE, CONCAVE EASTERLY, HAVING A CENTRAL ANGLE OF 94°31'41" AND A RADIUS OF 20.00 FEET A DISTANCE OF 33.00 FEET;
2. THENCE NORTH 15°55'44" EAST A DISTANCE OF 195.49 FEET;
3. THENCE NORTH 74°04'16" WEST A DISTANCE OF 50.00 FEET;
4. THENCE SOUTH 89°18'09" WEST A DISTANCE OF 233.27 FEET;
5. THENCE SOUTH 00°41'51" EAST A DISTANCE OF 116.44 FEET;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SCOTT ROAD THE FOLLOWING SIX (6) COURSES:

1. THENCE NORTH 56°55'22" WEST A DISTANCE OF 261.98 FEET;
2. THENCE ALONG THE ARC OF A CURVE, CONCAVE SOUTHERLY, HAVING A CENTRAL ANGLE OF 22°29'57" AND A RADIUS OF 670.00 FEET A DISTANCE OF 263.10 FEET;
3. THENCE NORTH 79°25'19" WEST A DISTANCE OF 136.68 FEET;
4. THENCE ALONG THE ARC OF A CURVE, CONCAVE NORTHERLY, HAVING A CENTRAL ANGLE OF 28°58'21" AND A RADIUS OF 590.00 FEET A DISTANCE OF 298.34 FEET;
5. THENCE NORTH 50°36'18" WEST A DISTANCE OF 558.20 FEET;
6. THENCE ALONG THE ARC OF A CURVE, CONCAVE SOUTHERLY, HAVING A CENTRAL ANGLE OF 33°39'24" AND A RADIUS OF 340.01 FEET A DISTANCE OF 199.73 FEET;

THENCE NORTH 03°16'40" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 25, RECORDED IN BOOK 103, PAGE 259 OF THE DOUGLAS COUNTY RECORDS A DISTANCE OF 308.64 FEET; THENCE SOUTH 88°55'17" EAST A DISTANCE OF 1478.87 FEET; THENCE SOUTH 00°41'51" EAST ALONG THE EASTERLY LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 35 A DISTANCE OF 662.86 FEET; THENCE SOUTH 88°50'46" EAST ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 2 A DISTANCE OF 1348.33 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 39.792 ACRES.

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTH ONE-HALF OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 67 WEST AND THE SOUTH ONE-HALF OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 2, WHENCE THE EAST QUARTER CORNER OF SAID SECTION 2 BEARS SOUTH 03°51'27" WEST, SAID LINE FORMING THE BASIS OF BEARINGS FOR THIS DESCRIPTION; THENCE SOUTH 58°09'34" WEST 1158.73 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SCOTT ROAD, AS RECORDED IN BOOK 643 AT PAGE 234 OF THE RECORDS OF SAID DOUGLAS COUNTY, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE NORTH 89°52'58" WEST 402.73 FEET; THENCE NORTH 45°57'00" WEST 224.35 FEET; THENCE NORTH 63°20'00" WEST 244.70 FEET; THENCE NORTH 82°08'18" WEST 466.26 FEET; THENCE NORTH 68°18'00" WEST 205.00 FEET; THENCE NORTH 42°29'45" WEST 272.74 FEET; THENCE SOUTH 86°24'45" WEST 189.48 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 25, AS RECORDED IN BOOK 103 AT PAGE 259 OF THE RECORDS OF SAID DOUGLAS COUNTY; THENCE NORTH 03°16'40" WEST 344.85 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF SCOTT ROAD AND A POINT ON A CURVE, WHENCE THE RADIUS POINT BEARS SOUTH 08°45'10" WEST; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES:

1. THENCE 139.76 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 30°47'52" AND A RADIUS OF 260.00 FEET TO A POINT OF TANGENT;
2. THENCE SOUTH 50°26'58" EAST 558.20 FEET ALONG SAID TANGENT TO A POINT OF CURVE;
3. THENCE 338.80 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 28°58'21" AND A RADIUS OF 670.00 FEET TO A POINT OF TANGENT;
4. THENCE SOUTH 79°25'19" EAST 136.68 FEET ALONG SAID TANGENT TO A POINT OF CURVE;
5. THENCE 231.68 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22°29'57" AND A RADIUS OF 590.00 FEET TO A POINT OF TANGENT;
6. THENCE SOUTH 56°55'22" EAST 305.14 FEET ALONG SAID TANGENT TO A POINT OF CURVE;
7. THENCE 385.42 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 32°57'36" AND A RADIUS OF 670.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 5.636 ACRES.

ZONING HISTORY

THE ORIGINAL ZONING FOR THE SCOTT-II P.U.D. AREA WAS ESTABLISHED PURSUANT TO ORDINANCE #85-61 RECORDED IN BK. 673 PG. 463 DOUGLAS COUNTY RECORDS. SAID P.U.D. WAS AMENDED PURSUANT TO ORDINANCE #87-40 RECORDED IN BK. 734, PG. 468 DOUGLAS COUNTY RECORDS.

PREPARED FOR:

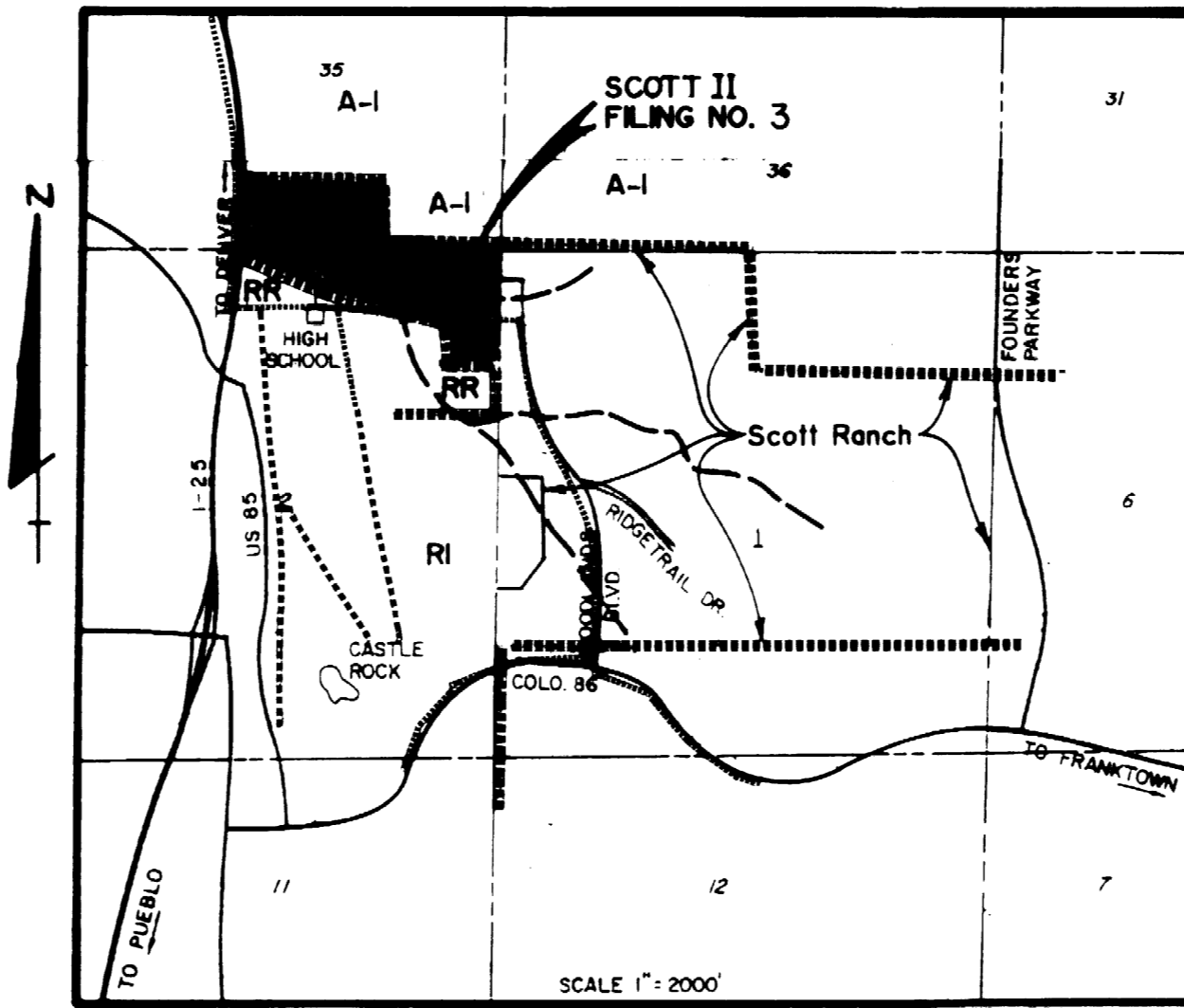
PARK LAND COMPANY
7340 E. CALEY AVENUE
SUITE 300
ENGLEWOOD, CO 80111

PROPERTY OWNER:

ORIOLE INVESTMENTS, INC.
7340 E. CALEY AVENUE
SUITE 300
ENGLEWOOD, CO 80111

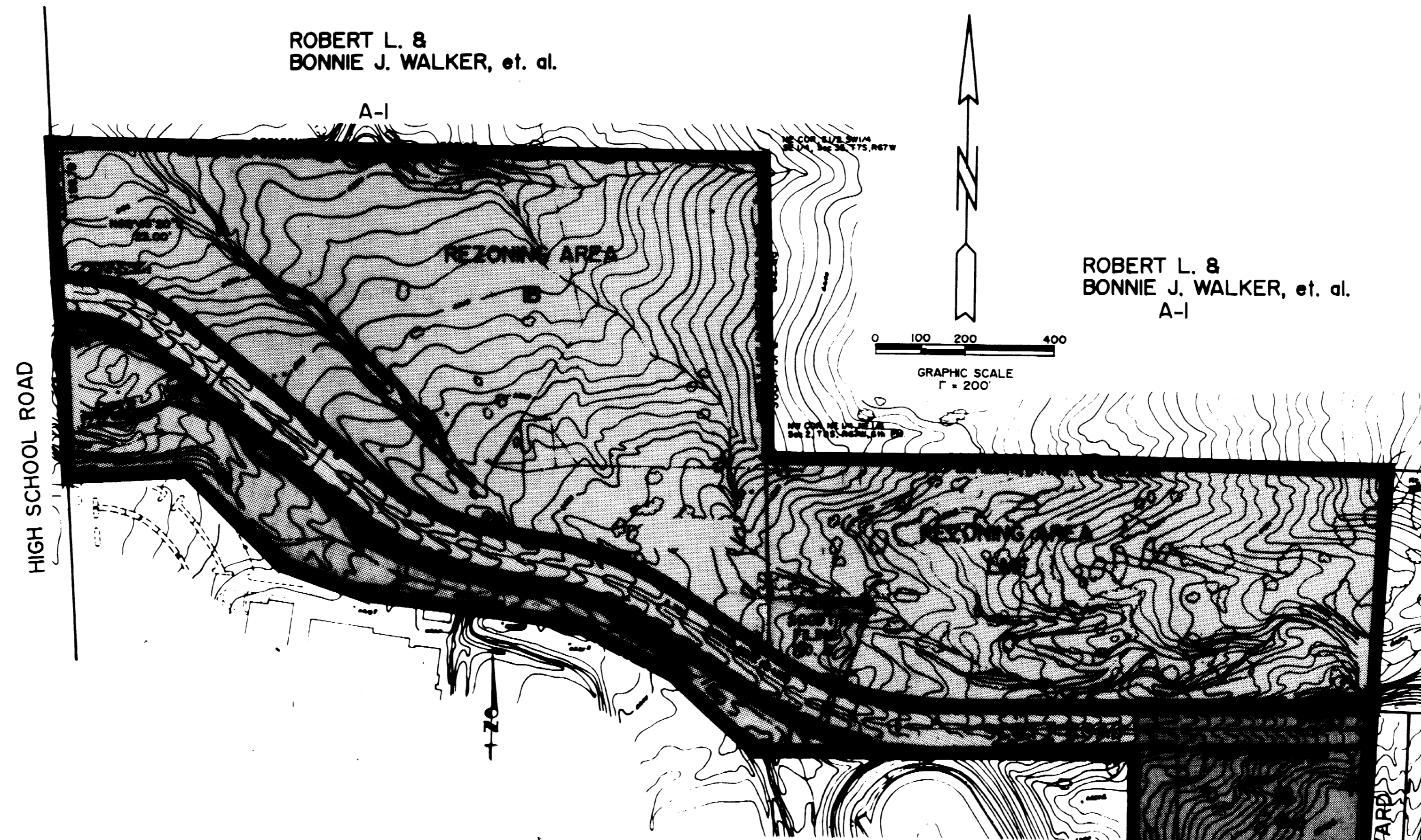
LEGEND

- EXISTING TRAILS
- PROPOSED TRAILS
- TOWN LIMITS
- MAJOR DRAINAGE WAYS



VICINITY MAP

ROBERT L. &
BONNIE J. WALKER, et. al.



ROBERT L. &
BONNIE J. WALKER, et. al.
A-1

EXISTING P.U.D. - March 27, 1987

Land Use	LAND USE SUMMARY		
	Acreage	Dwelling Units	% of Site Acreage
LMF	Multif-Family 10' du/ac	162	28.0
IB	Integrated Business	---	44.9
PLD	Public Land Dedication	6.95	11.1
DUA	Dedicated Use Area	5.4	8.7
-----	Roads	5.8	9.3
TOTAL		62.38	100

DOUGLAS COUNTY
SCHOOL DISTRICT
RE-1

EXISTING ZONING AND ADJACENT OWNERSHIP

ROCKY MOUNTAIN CONSULTANTS, INC.

CIVIL AND ENVIRONMENTAL ENGINEERING • PLANNING 8301 E. Prentice Ave.
Suite 101
Englewood, CO 80111
REV. AUG. 24, '93 (303) 741-6000
REV. JULY 27, '93 (303) 741-6000
Date: APRIL '93 Job No.: 2195.005.00 FAX (303) 741-6106

OWNER:

ORIOLE INVESTMENTS, INC., A COLORADO CORPORATION

BY: *[Signature]*
COUNTY OF DOUGLAS)
STATE OF COLORADO)SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 6TH DAY OF October, 1993, BY J. ELLIOTT CORDERO AS VICE PRESIDENT. WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES 05-30-95.

[Signature]
LORRAINE M. JOHNSON
NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, DUNAYNE M. PHILLIPS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF COLORADO, DO HEREBY CERTIFY THAT A SURVEY OF THE ABOVE DESCRIBED PARCEL WAS MADE UNDER MY SUPERVISION, THAT SAID SURVEY WAS COMPLETED TO THE NORMAL STANDARD OF CARE AND PROFESSIONAL LAND SURVEYORS PRACTICING IN DOUGLAS COUNTY, COLORADO AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT SURVEY AND THIS PLAT OF THAT SURVEY ARE TRUE AND CORRECT.

THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS OF THE PROFESSIONAL LAND SURVEYORS OF COLORADO, INC.

[Signature]
DUNAYNE M. PHILLIPS, REGISTERED PROFESSIONAL LAND SURVEYOR

PLANNING COMMISSION APPROVAL

THIS PLAN WAS APPROVED BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, THE 26TH DAY OF JULY, A.D., 1993.

ATTEST:

[Signature] 10-11-93
CHAIRMAN DATE TOWN CLERK DATE

TOWN COUNCIL APPROVAL

THIS PLAN WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, THE 26TH DAY OF AUGUST, A.D., 1993.

ATTEST:

[Signature] 10/15/93
MAYOR DATE TOWN CLERK DATE

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)SS
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS PLAN WAS FILED IN MY OFFICE ON THE 25th DAY OF October, 1993 AT 6:27 O'CLOCK P.M. AND WAS RECORDED UNDER RECEPTION NUMBER 9350844.

[Signature]
DOUGLAS COUNTY CLERK AND RECORDER

ORIOLE INVESTMENTS, INC.

THE WOODLANDS
FILING NO. 1

INDEX OF DRAWINGS

SHEET	TITLE
1 OF 2	VICINITY MAP, LEGAL DESCRIPTION EXISTING ZONING, ADJACENT OWNERSHIP
2 OF 2	SCOTT II P.D. SITE PLAN MODIFICATION

SCOTT II AT CASTLE ROCK
MAJOR MODIFICATION TO AMENDED P.U.D.

SCOTT II AT CASTLE ROCK MAJOR MODIFICATION TO AMENDED P.U.D. PRELIMINARY P.D. SITE PLAN

AFFECTING PARCEL 1 AND PARCEL 2 THEREOF EXCEPTING THAT PORTION OF PARCEL 2
PLATTED AS SCOTT II, FILING NO. 2
SHEET 2 OF 2

DEVELOPMENT STANDARDS

DEFINITIONS

- Density, gross and net.
 - "Gross density" means the resultant figure when the total number of dwelling units in a development area is divided by the total acres in such area.
 - "Net density" is derived by the same calculation as used to determine gross density; except that all public and private streets and all public land dedication is excluded from the total acreage in the development area.
- Dwelling, multifamily. "Multifamily dwelling" means a building, or portion thereof, designed for or occupied by three (3) or more families living independently of each other, which may include apartment, condominium or townhouse units.
- Dwelling, one (1) family. "One (1) family dwelling" means a building designed exclusively for occupancy by one (1) family.

PERMITTED DENSITIES

- It is the intent of these Development Standards to permit the development of 85 Single Family dwelling units within the Residential Area (RA). It is the intent of these Development Standards to permit development of 264 Multi Family dwelling units within the Multi Family (MF) Area. In no event shall the total numbers of dwelling units in both said residential use areas exceed 349 dwelling units.

MULTI FAMILY USE AREA (MF AREA)

- Permitted Uses.
 - Townhome units, garages and accessory structures;
 - Condominium units, garages and accessory structures;
 - Apartment units, garages and accessory structures;
 - Private community centers and private indoor/outdoor recreational facilities.
 - Apartment, townhouse and condominium dwelling units to be utilized as models and/or sales and information offices.
 - Mobile sales and information offices and construction trailers during period of construction.
- Permitted Densities. Maximum Gross Density of 24 dwelling units per acre.
- Maximum Building Heights. Maximum building height which may be constructed by right shall be 50 feet.
- Minimum Off-Street Parking. Two parking spaces per dwelling unit.
- Minimum Setbacks. Minimum building setbacks will be established at the time of presentation and approval of final site plans.

RESIDENTIAL USE AREA (RA)

- Permitted Uses.
 - Single family units, garages and accessory structures;
 - Private community centers and private indoor or outdoor recreational facilities.
 - Single family units to be utilized as models and/or sales and information offices, mobile sales and information units; provided any such use shall be discontinued when all dwelling units within such use area have been sold.
 - Construction trailers during period of construction.
- Maximum Gross Density of four (4) dwelling units per acre.
- Maximum Building Heights. 35 feet.
- Minimum Off-Street Parking. Two parking spaces per dwelling unit.
- Minimum Setbacks.
 - Front yard - 20 feet;
 - Rear yard - 20 feet;
 - Side yard - 3 feet, with the sum of the two side yard setbacks being not less than 10 feet; and with a minimum of ten feet between structures;
 - Side yard (where abutting a public street) - 15 feet.

USES PERMITTED IN ALL USE AREAS

- Uses permitted by right in all use areas.
 - Fences.
 - Gardens.
 - Landscaping.
 - Open spaces.
 - Parking areas.
 - Passive and/or active recreation facilities.
 - Roadways, bike paths, and pedestrian trails.
 - Storm water detention areas.
 - Utility and communications distribution lines, provided that no public offices and repair or storage facilities are maintained on the site.
- Uses permitted by Special Review in All Use Areas.
 - Electric substations and gas regulator stations.

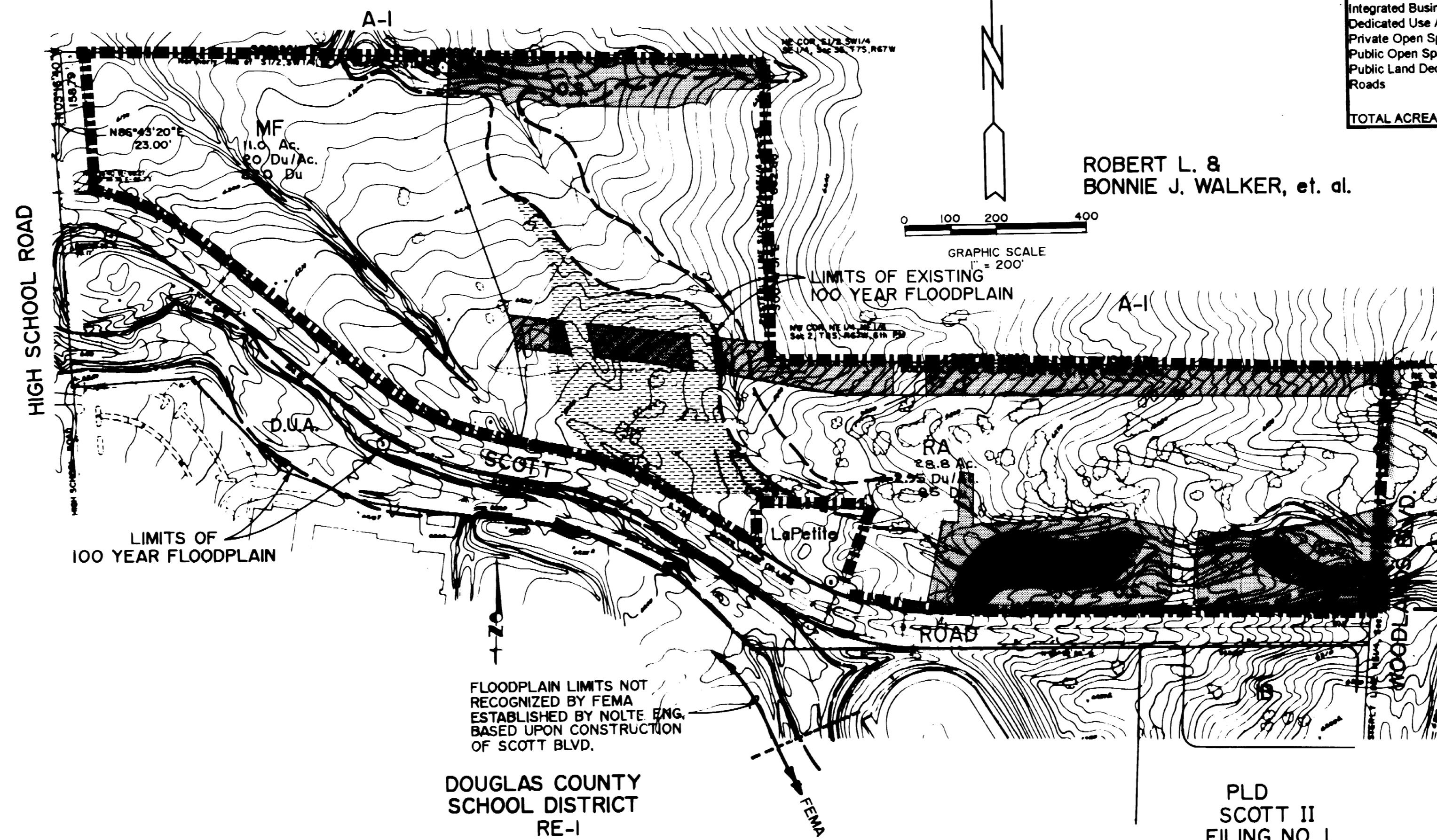
ZONING HISTORY

Zoning (after annexation) for the Scott II P.U.D. area was established pursuant to Ordinance #85-61 recorded in BK. 673 PG. 463 Douglas County records. Said P.U.D. was amended pursuant to Ordinance #87-40 recorded in BK. 734, PG. 468 Douglas County records. Both said P.U.D. ordinances were subsequently amended pursuant to Ordinance #93-18 recorded in BK. 1156 PG. 139 Douglas County records. Said zoning and first amendment are reflected on the preliminary and amended preliminary site plans filed for the Douglas County public record under Reception Nos. 8622544 and 8931795, respectively. Said subsequent amendment is filed for the Douglas County public record under Reception No. 1350844.

LAND USE SUMMARY

LAND USE	MODIFIED P.U.D.						EXISTING P.U.D.					
	EXISTING			PROPOSED			EXISTING			PROPOSED		
	Acreage	D.U.'s	% of Site Acreage	Acreage	D.U.'s	% of Site Acreage	Acreage	D.U.'s	% of Site Acreage	Acreage	D.U.'s	% of Site Acreage
Residential Area (RA)	-	-	-	14.8	85	37.2	-	-	-	14.8	85	23.8
Scott II Filing No. 2	-	-	-	-	-	-	-	-	-	1.2	-	1.9
Low Density Multi Family (LMF)	14.2	162	31.3	-	-	-	16.2	162	26.0	-	-	-
Multi Family (MF)	-	-	-	11.0	220	27.6	-	-	-	11.0	220	17.8
Integrated Business (IB)	25.8	-	56.8	-	-	-	28.03	-	44.9	2.23	-	3.8
Dedicated Use Area Space (DUA)	5.4	-	11.9	-	-	-	5.4	-	8.7	5.8	-	9.0
Private Open Space	-	-	-	3.3	-	8.3	-	-	-	3.3	-	5.3
Public Open Space	-	-	-	5.7	-	14.3	-	-	-	5.7	-	9.1
Public Land Dedication (PLD)	-	-	-	-	-	-	6.95	-	11.1	6.95	-	11.1
Roads	-	-	-	5.0	-	12.6	5.8	-	9.3	11.6	-	18.6
TOTAL ACREAGE	45.4	162	100	39.8	305	100	62.38	162	100	62.38	305	100

ROBERT L. &
BONNIE J. WALKER, et. al.



PROPOSED REZONING

ROCKY MOUNTAIN CONSULTANTS, INC.
CIVIL AND ENVIRONMENTAL ENGINEERING + PLANNING
REV. AUG. 24, '93
REV. AUG. 31, '93
REV. JULY 27, '93
Date: APRIL '93

8301 E. Platteville Ave.
Suite 101
Englewood, CO 80111
(303) 741-6000
FAX (303) 741-6106

SCOTT II AT CASTLE ROCK
MAJOR MODIFICATION TO AMENDED P.U.D.

ORDINANCE NO. 87- 40

AN ORDINANCE AMENDING ORDINANCE NO. 85-61
(AN ORDINANCE AMENDING THE ZONING DISTRICT
MAP OF THE TOWN OF CASTLE ROCK, COLORADO)
(SCOTT-II AT CASTLE ROCK P.U.D.)

WHEREAS, the Board of Trustees of the Town of castle Rock find that:

- (a) an application has been filed with the TOWN for a major modification requesting certain modifications to the Preliminary Planned Unit Development Site Plan for The Villages at Castle Rock P.U.D., approved May 1, 1986, pursuant to Ordinance No. 85-61; and
- (b) that public hearings, following notice duly made and published pursuant to applicable Colorado State Statute and Town of Castle Rock Ordinance, have been held before the Planning and Zoning Commission of the Town of Castle Rock, and the Board of Trustees of the Town of Castle Rock; and
- (c) that said major modification complies with the stated purposes of Castle Rock Municipal Code, Section 17.48.010.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, as follows:

That the requested major modification to the approved Preliminary Planned Unit Development Site Plan for Scott-II at Castle Rock is hereby approved as more specifically set forth in this Ordinance and upon the amended Preliminary Planned Unit Development Site Plan for Scott-II at Castle Rock.

SECTION I

That Paragraph 2.1 of Section II of Ordinance NO. 85-61 be amended to read as follows:

8720749 - 07/14/87 14:48 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER \$9.00
R0734 - P0466 -

SECTION II

2.1 The land shall be divided into general use areas as the same are generally located on "The Scott-II at Castle Rock Amended Planned Unit Development Preliminary Site Plan", approved contemporaneously herewith, which is incorporated by reference into this Ordinance. Said general use areas shall be of five (5) types, as designated below. The aggregate number of acres within each type of use area shall be as indicated opposite each type designation.

<u>Type Use Area</u>	<u>Acreage</u>
Low Density Multi Family (LMF)	16.20
Integrated Business (IB)	28.03
Dedicated Use Area Space (DUA)	12.35
Roads	5.8
TOTAL ACREAGE	62.38

SECTION II

That Section III of Ordinance No. 85-61 shall be amended to read as follows:

SECTION III

It is the intent of this Ordinance to permit the development of 162 dwelling units within the residential areas upon the land. In no event shall the total number of residential dwelling units in all said residential use areas exceed 162 dwelling units.

SECTION III

That Section V of Ordinance 85-61 shall be amended to add Section 5.8 which shall read as follows:

8720749 - 07/14/87 14:48 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER 2/ 3
R073A - P0467 \$9.00

5.8 Notwithstanding any of the foregoing, the permitted uses upon Lot 1, Block 1, Scott II, Filing No. 1, shall be limited to the following:

Uses by Right:

- (a) Offices and office parks, including design, medical, research and development facilities;
- (b) Religious institutions.

Use by Special Review:

- (a) Financial institutions.

SECTION IV

SPECIAL NOTICE PROVISION

4.1 Special Notice Provision. Notwithstanding any ordinance or regulation to the contrary, any applicant for final site plan approval (for final site plans describing all or any portion of Lot 1, Block 1, Filing No. 1, Scott II Subdivision) shall give the public notice of hearing upon such final site plan(s). Notice shall be mailed and posted pursuant to applicable Town public notice requirements for zoning amendments. Notice by publication shall not be required.

Passed and adopted on first reading this 11th day of June, 1987, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 6 for and 0 against.

Passed and adopted on second reading this 18th day of June, 1987, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 6 for and 0 against.

ATTEST:

Phyllis L. Brown
Phyllis L. Brown,
Town Clerk

George J. Kennedy
George J. Kennedy, Mayor
Town of Castle Rock

8720749 - 07/14/87 14:48 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER

ORDINANCE NO. 85-61

AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF
THE TOWN OF CASTLE ROCK, COLORADO
(SCOTT-II AT CASTLE ROCK P.U.D.)

WHEREAS, the Board of Trustees of the Town of Castle Rock find that:

- (a) A petition has been filed with the Town Clerk praying for an amendment to the Zoning District Map of the Town of Castle Rock, and;
- (b) That said petition has been forwarded to the said Board of Trustees, and;
- (c) That public meetings and hearings, following notice duly made and published pursuant to applicable Colorado Statutes and Town of Castle Rock Ordinances, have been held before the Planning and Zoning Commission of the Town of Castle Rock, and the Board of Trustees of the Town of Castle Rock, and;
- (d) That the amendment sought to the said Zoning District Map complies with the stated purposes of the Planned Unit Development Ordinance 17.48 as set forth in subsection 17.48.010 thereof.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, as follows:

That the Zoning Classification of the lands, consisting of 61.639 acres, described in Exhibit "A", attached hereto and made a part hereof, (hereinafter the "land") is changed from Zoning Classification A-1 (Agricultural One District) and R-R (Rural

8622543 - 10/20/86 16:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER 1/ 13
B0673 - P0463 - \$39.00

Residence District) to Zoning Classification PUD (Planned Unit Development District).

SECTION I.

DEFINITIONS

1.1 Apartment Units. Dwelling units which are not individually owned, but rented or leased to the occupants thereof.

1.2 Building Ground Coverage. That portion of the ground on any building site which is covered by structures having a floor, walls and fully enclosed roof.

Building ground coverage shall not include unenclosed patios, decks or patio decks, tennis courts, surface, underground, or partially underground parking areas, (provided such partially underground parking areas shall not protrude more than six (6) feet from the average surrounding grade), roadways, bike paths or pedestrian ways or such other uses not meeting the above definition.

1.3 Building Height. The vertical distance from the average grade surrounding a structure to the uppermost point of the roof structure. Chimneys, ventilators, skylights, solar collectors, air conditioning and heating units, antennas and necessary mechanical appurtenances usually constructed above roof level are not to be considered in determining building height.

1.4 Condominium Units. Dwelling units in which individual ownership is limited to finite space (air space) within a structure. Condominium unit owners will not individually own land underneath such units. All common elements or facilities including the land are owned in undivided interest, in common, by individual unit owners.

8622543 - 10/20/86 16:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER - 2/ 13
\$39.00
P0464

1.5 Off-street Parking. Parking located in areas other than on public streets, or private streets which are utilized by more than one dwelling unit. Such off-street parking may be either enclosed or unenclosed.

1.6 Parking Space. One parking space as defined by the zoning ordinances of the Town of Castle Rock.

1.7 Townhome Units. Dwelling units which share common walls or abutting walls. Townhome unit owners will own the land beneath such units and may own land surrounding such units, provided, however, that common, undivided ownership of certain common elements or facilities is also permitted.

SECTION II.

GENERAL USE AREAS

2.1 The land shall be divided into general use areas as the same are generally located on "The Scott-II at Castle Rock Planned Unit Development Preliminary Site Plan", approved contemporaneously herewith, which is incorporated by reference into this Ordinance. Said general use areas shall be of four (4) types, as designated below. The aggregate number of acres within each type of use area shall be as indicated opposite each type designation.

<u>Type Use Area</u>	<u>Acreage</u>
Low Density Multi Family (LMF)	24.6
Integrated Business (IB)	25.8
Dedicated Open Space (DUA)	5.4
Roads	5.8
TOTAL ACREAGE	61.639

8622543 - 10/20/86 16:17 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER 3/ 13
B0673 - P0465 - \$39.00

2.2 Residential Areas, [Low Density Multi Family (LMF)] shall contain a minimum amount of private open space equal to 20% of the total acreage contained in such areas, none of which shall be credited to the public land dedication requirement. All such private open space which is to be held as common open space shall be perpetually protected by appropriate protective covenants and title to such common open space shall be held by non-profit corporate entities which shall bear the responsibility of maintaining and controlling such private common open space.

SECTION III.

PERMITTED DENSITIES

It is the intent of this Ordinance to permit the development of 246 dwelling units within the residential areas upon the land. In no event shall the total number of residential dwelling units in all said residential use areas exceed 246 dwelling units.

SECTION IV.

LOW DENSITY MULTI FAMILY USE AREAS (LMF AREAS)

4.1 Permitted Uses.

- (a) Townhome units, garages and accessory structures.
- (b) Condominium units, garages and accessory structures.
- (c) Apartment units, garages and accessory structures.
- (d) Private community centers and private indoor or outdoor recreational facilities.
- (e) Religious institutions, day care centers.

4.2 Permitted Densities. Maximum average density of 10 dwelling units per acre within each individual use area.

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4.3 Maximum Building Heights. The maximum building height which may be constructed by right shall be 35 feet, provided however that the Board of Trustees may permit maximum building heights not to exceed 50 feet at the time of final site plan review following consideration of the following criteria; (i) the topography of the site and visual impact of the proposed structure; (ii) the size of the site; (iii) height of adjacent structures; (iv) compatibility with adjacent structures; (v) affect upon light to adjacent streets and properties; and (vi) traffic impact. Such structures shall meet all applicable provisions of the Uniform Fire Code and Uniform Building Code as are in effect at the time of their construction.

4.4 Minimum Off Street Parking. Two parking spaces per dwelling unit.

4.5 Minimum Setbacks, Maximum Buildable Slopes. See Section IX. hereunder.

SECTION V.

INTEGRATED BUSINESS USE AREA (IB AREA)

5.1 Permitted Uses.

- (a) Retail stores (excluding retail sales of food items).
- (b) Personal service establishments.
- (c) Financial institutions.
- (d) Indoor places of public assembly, entertainment and recreation (excluding video game rooms and arcades).
- (e) Offices and office parks including design, research and development facilities.
- (f) Automotive service stations, car washes and garages excluding outdoor storage of junked or wrecked vehicles.

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- (g) Parking lots and parking structures.
- (h) Transit terminals.
- (i) Public lodging facilities.
- (j) Warehouses, distribution centers and service centers.
- (k) Public buildings.
- (l) Religious institutions.
- (m) Animal hospitals.
- (n) Mortuaries.
- (o) Light manufacturing facilities - provided that all stages of the manufacturing process, other than the delivery of raw materials and the shipment of finished products be conducted entirely within enclosed structures, and provided further that all dust, fumes, odors, smoke, vapor, unusual noise, lights or vibrations shall be confined to the lot upon which such structure is located, and all storage areas be enclosed by opaque screening.

5.2 Uses by Special Review.

- (a) Retail sales of food items.
- (b) Restaurants and lounges.

5.3 Sale and/or storage of live animals, commercial explosives, or above ground bulk storage of flammable liquids or gases is prohibited within the Integrated Business Use Area.

5.4 Maximum permitted building ground coverage of 35% of net acreage of building site exclusive of dedicated roadways.

5.5 Maximum Building Heights. 50 feet.

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5.6 Minimum Off Street Parking. Such parking shall be provided as would be required for similar uses, pursuant to the Zoning Ordinance of the Town of Castle Rock, as amended.

5.7 Minimum Setbacks, Maximum Buildable Slopes. See Section IX. hereunder.

SECTION VI.

DEDICATED USE AREA (DUA AREA)

6.1 Permitted Uses.

- (a) Parks, playgrounds and picnic areas.
- (b) Community centers.
- (c) Community recreational facilities.
- (d) Public buildings, including but not limited to fire and police stations.
- (e) Such other public uses, not inconsistent with the nature of surrounding use areas, as may be permitted by the Town of Castle Rock.
- (f) Facilities for the acquisition, treatment and storage of water.
- (g) Facilities for the collection, treatment and disposal of sewage.
- (h) Facilities for the collection, treatment and storage of irrigation water.

6.2 Maximum Building Heights 50 feet

6.3 Minimum Off Street Parking. To be determined/as per final site plan.

6.4 Minimum Setbacks, Maximum Buildable Slopes. See Section IX. hereunder.

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SECTION VII.

USES PERMITTED IN PRIVATE OPEN SPACE AREAS

- 7.1 Uses Permitted in Private Open Space Areas:
- (a) Landscaping.
 - (b) Passive and/or active recreation and facilities.
 - (c) Gardens.
 - (d) Community centers.
 - (e) Water and reuse water storage reservoirs and tanks.

SECTION VIII.

ACCESSORY USES PERMITTED IN ALL USE AREAS

- 8.1 Uses Permitted in All Use Areas.
- (a) Utility and communications distribution lines, provided that no public offices and repair or storage facilities are maintained on the site.
 - (b) Roadways, bike paths, pedestrian and equestrian trails.
 - (c) Parking areas.
 - (d) Open spaces and lakes, to include reuse water reservoirs.
 - (e) Fences.
 - (f) Apartment, townhouse and condominium units to be utilized 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. And further provided any such use shall be discontinued when all dwelling units within such use area have been sold.
 - (g) Mobile sales and information units in any residential or commercial use area provided no such mobile sales and

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information unit shall be erected until plans and specifications for such unit have been first submitted to the Board of Trustees for review and approval and further provided that no such unit shall be maintained in any area described in a final site plan more than 30 days after a certificate of occupancy has been issued for the first residential or commercial structure within such area without the express approval of the Board of Trustees.

8.2 Uses Permitted by Special Review in All Use Areas.

- (a) Electric substations and gas regulator stations.

SECTION IX.

MINIMUM BUILDING SETBACKS AND MAXIMUM BUILDABLE SLOPES

To provide maximum flexibility for innovative design, the development of criteria for minimum building setbacks and maximum buildable slopes will be reserved until the presentation of final site plans, provided that no such final site plan will be presented for consideration or approved that does not contain specific criteria for the establishment of minimum setbacks and maximum buildable slopes.

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SECTION X.

SUBMISSION OF FINAL PLANNED UNIT
DEVELOPMENT PLANS AND/OR PLATS

10.1 Following the approval of this Ordinance, the owners of tracts within the land described in Exhibit "A" attached hereto shall present final site plans for all or any portion or portions of the general use areas as are then ready for development.

10.2 No structural building permit will issue until a final site plan and final plat for such area has been presented to and approved by the Board of Trustees.

10.3 In those cases where the Subdivision Regulations of the Town of Castle Rock require approval of a final plat by the Board of Trustees prior to sale or transfer of lands within the Planned Unit Development, no such final plat shall be approved by the Board of Trustees for any area for which a final site plan has not been approved for the lands so sold or transferred, unless such plat contains a note, on the face thereof, which shall state as follows:

"(Pursuant to Town of Castle Rock Ordinance No. 83-16, no building permit will issue for the erection of any structural improvement in any area described hereon for which a final site plan has not been approved by the Board of Trustees of the Town of Castle Rock.)"

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SECTION XI.

TRANSITIONAL USE

11.1 After approval of the Preliminary Site Plan incorporated herein by reference, any portion or portions of the land described in Exhibit "A" attached hereto, which has not been subjected to a final plat or site plan, may be used for agricultural purposes until approval of a final plat or site plan for the area or areas in question. Agricultural uses, for purposes of this section, shall mean, farming, ranching, gardening, buildings and out buildings pertaining thereto. It shall not be deemed to include commercial feed yards, commercial poultry or pig farms, fur farms, or kennels.

11.2 Any general ordinance of the Town of Castle Rock prohibiting any activity permitted by this Section shall have no application within the area described above until a final plat or site plan for such area or areas has been approved; provided however, the Board of Trustees, reserves the right to prohibit such agricultural use in areas for which no final plat or site plan has been submitted in the event said Board determines that due to the proximity of such uses to developed areas that a danger exists to the health, safety or welfare of the residents of such developed areas.

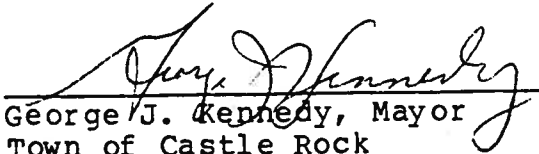
11.3 Such transitional use areas shall be closed to vehicular traffic and off road recreational motor biking excepting agricultural vehicles and implements, emergency vehicles, vehicles engaged in utility and other maintenance work, and designees of the owner and/or Town.

SECTION XII.

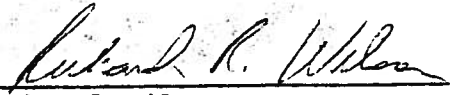
SEVERABILITY OF PROVISIONS

12.1 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.

Passed and adopted this 1st day of May, 1986, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 6 for and 0 against.


George J. Kennedy, Mayor
Town of Castle Rock

ATTEST:


Richard Wilson,
Town Clerk

Publication Date: June 24, 1986

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EXHIBIT "A"

PROPERTY DESCRIPTION:

A tract of land situated in the Northeast $\frac{1}{4}$ of Section 2, Township 8 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:

Beginning at the Northeast corner of said Northeast $\frac{1}{4}$ and considering the East line of said Northeast $\frac{1}{4}$ to bear S $03^{\circ}51'27''$ W with all bearings contained herein relative thereto; Thence S $03^{\circ}51'27''$ W a distance of 1374.59 feet;
Thence N $83^{\circ}43'26''$ W a distance of 472.05 feet;
Thence N $01^{\circ}47'40''$ E a distance of 749.81 feet;
Thence N $89^{\circ}52'58''$ W a distance of 845.15 feet;
Thence N $45^{\circ}57'00''$ W a distance of 224.35 feet;
Thence N $63^{\circ}20'00''$ W a distance of 244.70 feet;
Thence N $82^{\circ}08'18''$ W a distance of 466.26 feet;
Thence N $68^{\circ}18'00''$ W a distance of 295.00 feet;
Thence N $42^{\circ}29'45''$ W a distance of 272.74 feet;
Thence S $86^{\circ}24'45''$ W a distance of 262.48 feet;
Thence N $03^{\circ}16'40''$ W a distance of 580.27 feet;
Thence N $86^{\circ}43'20''$ E a distance of 23.00 feet;
Thence N $03^{\circ}16'40''$ W a distance of 158.79 feet to the North line of the South $\frac{1}{2}$ of the Southeast $\frac{1}{2}$ of the Southwest $\frac{1}{2}$ of said Section 35;
Thence S $88^{\circ}55'17''$ E a distance of 1529.01 feet to the Northeast corner of the South $\frac{1}{2}$ of the Southwest $\frac{1}{2}$ of the Southeast $\frac{1}{2}$ of said Section 35;
Thence S $00^{\circ}41'51''$ E a distance of 662.96 feet to the Northwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 2;
Thence S $83^{\circ}50'46''$ E a distance of 1348.33 feet to the point of beginning;
Containing 61.639 acres, more or less.

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