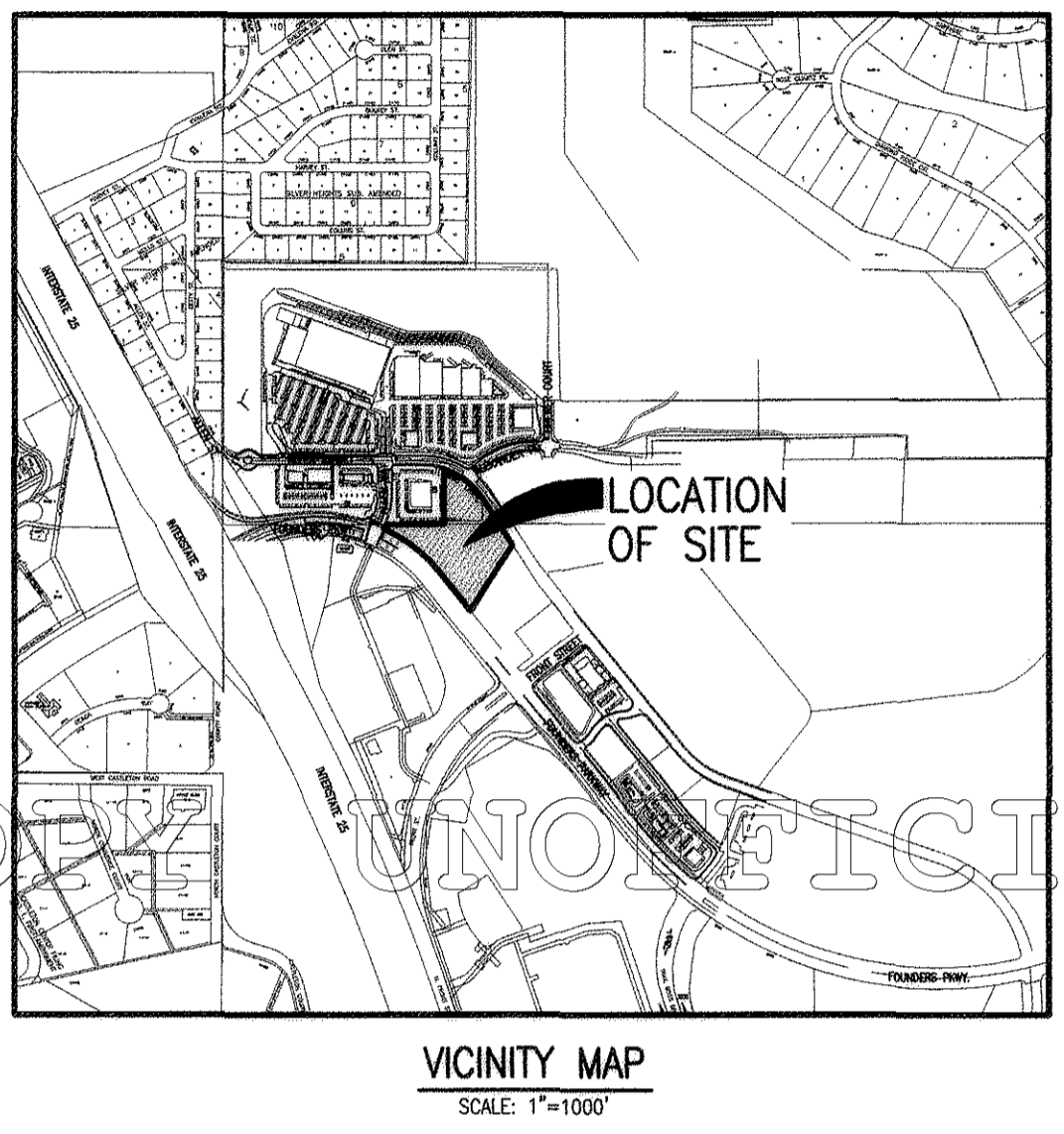
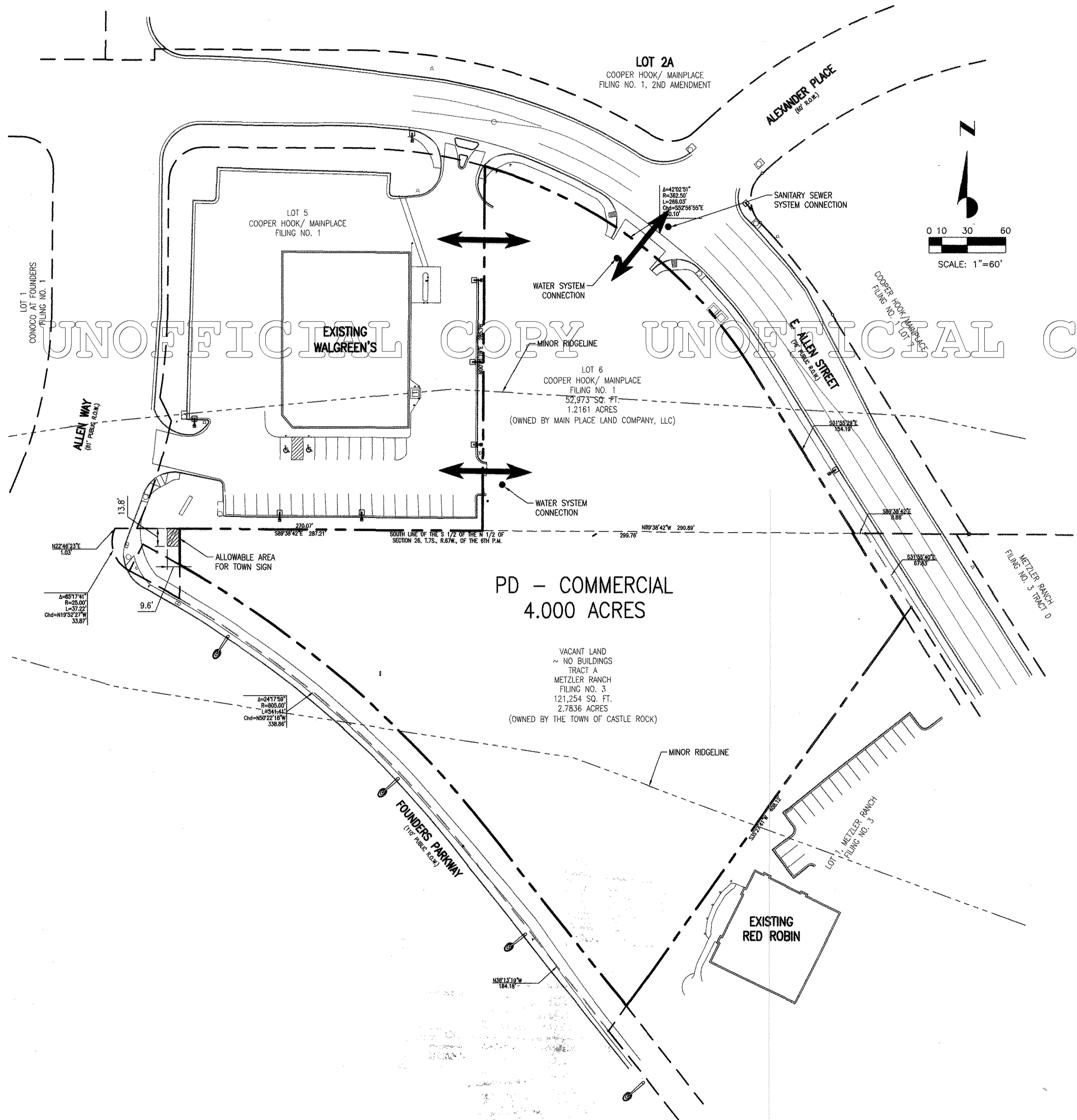


PRELIMINARY PD SITE PLAN THE SHOPPES ON FOUNDERS

A RESUBDIVISION OF LOT 6, COOPER-HOOK/MAIN PLACE FILING NO. 1,
 AND TRACT A, METZLER RANCH FILING NO. 3
 SITUATED IN THE WEST 1/2 OF SECTION 26, T. 7 S., R. 67 W., OF THE 6TH P.M.
 TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO



LEGEND

→ PROPOSED ACCESS

SHEET INDEX

SHEET 1 PRELIMINARY PD SITE PLAN

LAND USE SUMMARY

ZONING: PD-COMMERCIAL

FLOODPLAIN

BY GRAPHIC PLOTTING ONLY THE SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 08035C0186F LAST REVISED SEPTEMBER 30, 2005. NO OFFICE CALCULATIONS OR FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS INFORMATION.

BENCHMARK

BENCHMARK: TOWN OF CASTLE ROCK GPS CONTROL POINT #14 DESCRIBED AS QUARTER SECTION CORNER SECTION 27 AND 26. PUBLISHED ELEVATION: 6174.60 NAVD 1988.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTH 1/2 OF THE N 1/2 OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN BEARING S89°38'42" E AS REFERENCED AND BOUNDED BY THE MONUMENTS SHOWN HEREON.

LEGAL DESCRIPTION

A PARCEL OF LAND BEING LOT 6, COOPER-HOOK/MAINPLACE FILING NO. 1, AS RECORDED AT RECEPTION NO. 2001072259, AND TRACT A, METZLER RANCH FILING NO. 3, AS RECORDED AT RECEPTION NO. 2001055443, DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO.

PARCEL CONTAINS (174,227 SQUARE FEET) 4.000 ACRES, MORE OR LESS.

USE AREA	GROSS ACRES	PERCENT OF TOTAL ACRES	GROSS RESIDENTIAL DENSITY	MAXIMUM DWELLING UNITS	MAXIMUM NON-RESIDENTIAL GLA
COMMERCIAL PD (C)	3.675	91.875%	N/A	N/A	56,029
PUBLIC LAND DEDICATION (PLD) (TRACT A)	0.047	1.175%	N/A	N/A	N/A
RIGHT OF WAY (ROW)	0.278	6.950%	N/A	N/A	N/A
TOTAL	4.000	100.000%	N/A	N/A	56,029

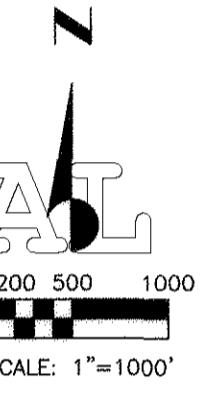
OWNER
 TOWN OF CASTLE ROCK
 100 NORTH WILCOX STREET
 CASTLE ROCK, COLORADO 80104

OWNER/DEVELOPER:
 EVC-CR FOUNDERS, LLC
 5561 SUWANEE ROAD
 FAIRWAY, KS 66205
 CONTACT: MARK MCPHERSON
 PHONE: (785) 925-1027

TITLE COMPANY
 HERITAGE TITLE COMPANY
 8450 E. CRESSENT PARKWAY #410
 GREENWOOD VILLAGE, CO 80111

LAND SURVEYOR:
 CHARLES N. BECKSTROM, PLS No. 33202
 FOR AND ON BEHALF OF
 ENGINEERING SERVICE COMPANY
 1300 S. POTOMAC ST. SUITE 126
 AURORA, COLORADO 80012
 PHONE: 303-337-1393

CIVIL ENGINEER:
 JON N. ANDRESEN JR. P.E. No. 35118
 FOR AND ON BEHALF OF
 GALLOWAY & CO. INC.
 5300 DTC PARKWAY, SUITE 100
 GREENWOOD VILLAGE, COLORADO 80111
 PHONE: 303-770-8884



OWNERSHIP CERTIFICATION:

THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS THE SHOPPES ON FOUNDERS IN THE TOWN OF CASTLE ROCK.

EVC-CR FOUNDERS, LLC, A COLORADO LIMITED LIABILITY COMPANY
 SIGNED THIS 27TH DAY OF Aug., 2011

NOTARY BLOCK
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 27TH DAY OF August, 2011
 BY MARK MC PHERSON, MANAGER
 JOEL POINDEXTER
 NOTARY PUBLIC - State of Kansas
 My Comm. Expires 06/16/2014

THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS THE SHOPPES ON FOUNDERS IN THE TOWN OF CASTLE ROCK.

TOWN OF CASTLE ROCK, A COLORADO MUNICIPAL CORPORATION
 SIGNED THIS 12TH DAY OF Sept, 2011
Paul Domes
 MAYOR
 ATTEST: TOWN CLERK

NOTARY BLOCK
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 12TH DAY OF September, 2011
 BY Paul Domes
 WITNESS MY HAND AND OFFICIAL SEAL.
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 9-21-2016

TITLE CERTIFICATE

Eric Stearns AN AUTHORIZED REPRESENTATIVE OF Heritage Title Company 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, MORTGAGES AND LIENHOLDERS OF THE PROPERTY ARE LISTED IN THE CERTIFICATE OF OWNERSHIP AND LIENHOLDER SUBORDINATION CERTIFICATE

SIGNED THIS 31ST DAY OF August, 2011
Eric Stearns
 AUTHORIZED REPRESENTATIVE
Heritage Title Company
 TITLE INSURANCE COMPANY
NOTARY BLOCK
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 31ST DAY OF August, 2011
 BY Eric Stearns as Title Officer

WITNESS MY HAND AND OFFICIAL SEAL.
Michael S Walker
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 10/25/13
 STATE OF COLORADO
 My Commission Expires 10/25/2013

SURVEYOR'S CERTIFICATE

Charles N. Beckstrom REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THE THE SHOPPES ON FOUNDERS WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS SITE PLAN ACCURATELY REPRESENTS THAT SURVEY.

SIGNED THIS 29TH DAY OF August, 2011
Charles N. Beckstrom
 CHARLES N. BECKSTROM, PLS No. 33202

TOWN CERTIFICATION

A. PLANNING COMMISSION RECOMMENDATION:
 THE PRELIMINARY PD SITE PLAN FOR THE SHOPPES ON FOUNDERS WAS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 26TH DAY OF MAY, 2011

CHAIR Jolie Lee DATE Sept 2, 2011
 DIRECTOR OF DEVELOPMENT SERVICES Bob DATE 9/2/11

B. TOWN COUNCIL APPROVAL:
 THE PRELIMINARY PD SITE PLAN FOR THE THE SHOPPES ON FOUNDERS WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 21ST DAY OF JUNE, 2011

MAYOR Paul Domes DATE 9/12/11
 ATTEST: Gallagher DATE 9/12/11
 TOWN CLERK

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 2:17 ON THE 3RD DAY OF Oct, 2011

AT RECEPTION NO. 2011059824
 DOUGLAS COUNTY CLERK AND RECORDER
 BY Christine DEPUTY

JOYCE L. WHITE
 NOTARY PUBLIC
 STATE OF COLORADO
 My Commission Expires 06/06/2012

ORDINANCE NO. 2011 - 15

AN ORDINANCE APPROVING THE SHOPPES ON FOUNDERS PRELIMINARY
PLANNED DEVELOPMENT SITE PLAN AND PD ZONING REGULATIONS

86-16
WHEREAS, the Town of Castle Rock previously approved the Main Place PPD and PD Zoning Regulations through Ordinance No. 2001-07; and

WHEREAS, the Town of Castle Rock previously approved the Metzler Ranch PPD and PD Zoning Regulations through Ordinance No. 1996-42; and

WHEREAS, Equity Ventures Commercial Development ("Applicant") has requested approval of a new Preliminary PD Site Plan and PD Zoning Regulations for The Shoppes on Founders for the property described in the attached *Exhibit 1* ("Property"); and

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WHEREAS, a portion of the Property is subject to Ordinance No. 1996-42 and the balance of the Property is subject to Ordinance No. 2001-07; and

WHEREAS, the proposed Planned Development is consistent with the Town's Vision 2020 and the Comprehensive Master Plan; and

WHEREAS, public hearings on the proposed Planned Development 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. Site Plan Approval. The Shoppes on Founders PPD is hereby approved. Such approval supersedes the approvals granted by Ordinance Nos. 2001-07 and 1996-42, which shall no longer applies to the Property.

Section 2. Zoning Regulation Approval. The Shoppes on Founders PD Zoning Regulations in the form attached as *Exhibit 2* are hereby approved. Such approval supersedes the approvals granted by Ordinance Nos. 2001-07 and 1996-42, which shall have no longer applies to the Property.

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.

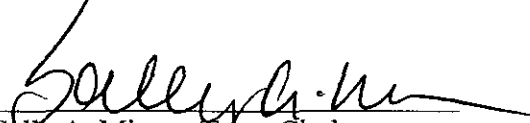
Section 4. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

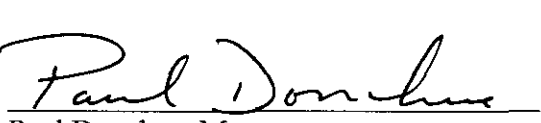
APPROVED ON FIRST READING this 14th Day day of June, 2011 by the Town Council of the Town of Castle Rock, Colorado by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED this 21st of June, 2011, by a vote of the Town Council of the Town of Castle Rock, Colorado of 7 for and 0 against.

ATTEST:

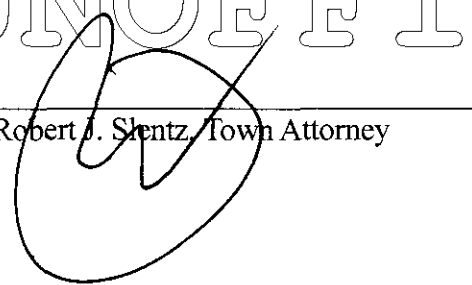
TOWN OF CASTLE ROCK



Sally A. Misare, Town Clerk


Paul Donahue, Mayor

Approved as to form:

Approved as to content:


Robert J. Slentz, Town Attorney


Bill Detweiler, Director of Development Services

UNOFFICIAL COPY

EXHIBIT /

UNOFFICIAL COPY

LEGAL DESCRIPTION

A PARCEL OF LAND BEING LOT 6, COOPER HOOK/MAINPLACE FILING NO. 1, AS RECORDED AT RECEPTION NO. 2001072259, AND TRACT A, METZLER RANCH FILING NO. 3, AS RECORDED AT RECEPTION NO. 2001055443, DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO.

PARCEL CONTAINS (174,227 SQUARE FEET) 4.000 ACRES, MORE OR LESS.

EXHIBIT 2

THE SHOPPES ON FOUNDERS

PD ZONING REGULATIONS

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SUBMITTED: FEBRUARY 4, 2011
REVISED: APRIL 6, 2011
REVISED: JUNE 9, 2011

TABLE OF CONTENTS

SECTION 1: GENERAL PROVISIONS 3

 1.1 Adoption/Authorization 3

 1.2 Applicability 3

 1.3 Maximum Level of Development..... 3

 1.4 Relationship to Town Regulations..... 3

 1.5 Relationship to Previous Zoning Regulations..... 3

 1.6 Phasing 3

 1.7 Severability of Provisions 4

SECTION 2: DEVELOPMENT AGREEMENT 4

SECTION 3: DEFINITIONS..... 4

 3.1 Building..... 4

 3.2 Building Coverage 4

 3.3 Building Height..... 4

 3.4 Building Setback / Setback 4

 3.5 Gross Floor Area / Gross Leasable Area 5

 3.6 PD Property..... 5

SECTION 4: OVERALL PROJECT STANDARDS 5

 4.1 Building Setback / Setback 5

 4.2 Drive-Thru Facilities..... 5

 4.3 Landscaping 5

 4.4 Lighting / Illumination..... 6

 4.5 Minimum Front Yard..... 6

 4.6 Parking 6

 4.7 Signage..... 6

 4.8 Utilities..... 8

SECTION 5: USE AREA CATEGORIES AND DENSITY CAPS 8

SECTION 6: USE AREA CATEGORIES REGULATIONS 8

 6.1 Commercial PD (C) 8

 6.2 Public Land Dedication (PLD) 11

 6.3 Right of Way (ROW)..... 12

 6.4 Accessory Uses Permitted in All Areas 12

SECTION 7: SUBMISSION OF FINAL PD SITE PLANS AND PLATS AND
 ADDITIONAL INFORMATION..... 13

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SECTION 1: GENERAL PROVISIONS

- 1.1 **Adoption/Authorization.** The Town Council of the Town of Castle Rock has adopted The Shoppes on Founders Preliminary PD Site Plan and Final PD Site Plan (the “**PD Site Plan**”) and The Shoppes on Founders PD Zoning Regulations (the “**PD 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 PD Site Plan and PD Zoning Regulations shall run with the PD Property and bind all landowners of record, their successors, heirs, and assigns with respect to the PD Property.
- 1.3 **Maximum Level of Development.** The total commercial, industrial, or other nonresidential floor area approved for development within the PD Property is the maximum allowed for platting and development, with the actual amount of approved floor area to be determined in accordance with the PD Site Plan.
- 1.4 **Relationship to Town Regulations.** The provisions of the PD Site Plan and PD Zoning Regulations shall prevail and govern the development of The Shoppes on Founders PD; provided, however, that where the provisions of the PD Site Plan or PD 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 provision of the Town of Castle Rock Municipal Code, as amended, shall be applicable.
- 1.5 **Relationship to Previous Zoning Regulations.** The provisions of the PD Site Plan, PD Zoning Regulations, and the Development Agreement, as applicable, shall expressly supersede and replace any and all previously adopted development regulations and requirements for the PD Property, including but not limited to regulations and requirements, if any, set forth in (a) Ordinance No. 96-42, Zoning Amendment recorded December 24, 1996, in book 1396 at Page 1655, (b) Metzler Ranch Preliminary PD Site Plan recorded December 24, 1996, at Reception No. 9627131, (c) Metzler Ranch Development Agreement recorded December 24, 1996, in Book 1396 at Page 1742 and First Amendment recorded March 13, 1998, in Book 1549 at Page 304, (d) Subdivision Improvements Agreement recorded June 20, 2001, in Book 2066 at Page 1332, (e) Ordinance No. 2001-07, Amending the Towns Zone District Map, recorded April 26, 2001, in Book 2020 at Page 2069, (f) Main Place Preliminary PD Site Plan recorded April 26, 2001 at Reception No. 2001036018 and refilled October 23, 2003, at Reception No. 20030154228 (Affidavit of Correction, recorded September 06, 2006, at Reception No. 2006076849), (g) Main Place Annexation and Development Agreement, recorded April 26, 2001, in Book 2020 at Page 2082, and (h) Cooper Hook/Main Place Filing No. 1 Subdivision Improvements Agreement recorded August 09, 2001, in Book 2104 at Page 2323.
- 1.6 **Phasing.** It is anticipated that all site work for PD Property, including construction of drive aisles, parking, retaining walls, primary utilities, parking lot lighting, freestanding monument signs, and common area landscaping (excluding

areas directly around Buildings, which will be completed upon completion of each respective Building) will be completed in a single phase. Any phasing order indicated in the PD Site Plan or the PD Zoning Regulations is advisory in nature and is not to be construed as obligatory upon the owners of the PD Property.

- 1.7 **Severability of Provisions.** In the event that any provision of the PD Site Plan or PD Zoning Regulations 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.

SECTION 2: DEVELOPMENT AGREEMENT

In addition to the provisions of the PD Site Plan and PD Zoning Regulations, certain provisions of the development of the PD Property are controlled by an agreement between the Town of Castle Rock and the owners of the PD Property. This agreement, entitled _____, was adopted by the Town on the _____ day of _____, 2011, by Resolution No. _____.

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SECTION 3: DEFINITIONS

In addition to, or in lieu of as applicable, the standard definitions found in Title 17 (Zoning) of Castle Rock Municipal Code, the following definitions of terms shall apply to the PD Site Plan and PD Zoning Regulations:

- 3.1 **Building.** A Building is a fully enclosed structure with a floor, permanent walls on all sides (including windows and doors, if applicable), and a permanent roof. A Building does not include patios, patio seating areas, parking areas, roadways, or other uses not satisfying the above definition.
- 3.2 **Building Coverage.** Building Coverage is the ratio of ground area upon which a Building is located divided by the total ground area of the applicable site or area being measured.
- 3.3 **Building Height.** Building Height is the vertical distance from the average finished grade (excluding artificial berming or grading features added for the intended purpose of permitting a taller building) at the Building's foundation to the uppermost point of the roof structure. Building Height and height restrictions shall not include or apply to spires, belfries, cupolas, or penthouses not used for human occupancy, chimneys, ventilators, skylights, solar collectors, cornices without windows, or necessary mechanical appurtenances typically constructed above roof level (e.g., air condition and heating units, antennas/dishes, etc.).
- 3.4 **Building Setback / Setback.** Building Setback and Setback is the horizontal distance between a platted lot line and a Building or Structure. This distance does not include the projection of architectural features, eaves, cornices, canopies, awnings, overhangs, decks, patios, safety features (e.g., pedestrian and/or vehicle guard rails, traffic safety features, patio railings, fire escapes, roof ladders, etc.), light fixtures or scones, building signage, mechanical units, utilities, meters, or similar appurtenances (including attached or detached screen walls hiding such

items from view); provided, however, that such projections shall not extend beyond any exterior lot line of the PD Property and shall be in conformance with all applicable building codes. Retaining walls, common area improvements (e.g., parking lots, drive thru improvements and components, curbing, trash enclosures, sidewalks, etc.), and signage shall not be considered a Structure for the purposes of building setback or other setback requirements.

3.5 Gross Floor Area / Gross Leasable Area. Gross Floor Area (GFA) and Gross Leasable Area (GLA) shall be that portion of ground-floor area within a Building available for lease to a tenant, expressly excluding (a) space devoted to utility and equipment serving all or any portion of the Building (including but not limited to properly screened walk-in cooler/freezer space attached to the exterior of a Building), (b) space devoted to parking motor vehicles or working on motor vehicles within a Building, (c) patio seating/dining space (unless within a Building), and (d) any other space now or in the future excluded from the definition of "gross floor area" or "gross leasable area" as defined by Title 17 (Zoning) of the Castle Rock Municipal Code. GFA and GLA shall not include basement space, non-ground floor space, or mezzanine space unless a tenant or occupant is paying rent for such space and the space is made available to the general public in the ordinary course of business. For the purposes of GFA and GLA, horizontal dimensions shall be measured from the dominant exterior faces of exterior walls.

3.6 PD Property. The PD Property includes the land area referenced in and covered by the PD Site Plan and PD Zoning Regulations, as legally described and shown in the PD Site Plan.

SECTION 4: OVERALL PROJECT STANDARDS

The standard zoning requirements of Title 17 (Zoning) of the Town of Castle Rock, including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes, shall apply to the PD Site Plan and PD Zoning Regulations, except as modified below or elsewhere in the PD Site Plan or PD Zoning Regulations, or otherwise directly or indirectly inconsistent with the PD Site Plan and PD Zoning Regulations.

4.1 Building Setback / Setback. Building setbacks and other setbacks shall be as set forth in Section 6, below.

4.2 Drive-Thru Facilities. Drive-thru facilities shall be allowed on the PD Property to enhance restaurant, retail, and financial/banking services, provided that a maximum of two (2) restaurant use drive thru facilities shall be allowed on the PD Property and further provided that any drive thru lane must contain the minimum stacking required pursuant to the parking provisions of the PD Site Plan and PD Zoning Regulations.

4.3 Landscaping. Landscape design and regulations shall be as set forth in Title 17 (Zoning) of the Castle Rock Municipal Code. Notwithstanding the foregoing, the

landscape design for the PD Property shall in all events (a) require efficient water demand landscaping, (b) not require deep-root based plantings (hedges, trees, etc.) or irrigation above or below retaining walls or in close proximity to footings or foundations of Buildings or Structures, and (c) not require construction of landscaping directly around Buildings or Structures prior to the completion of the respective Building or Structure, to ensure minimal loss due to construction and proper design considerations.

4.4 **Lighting / Illumination.** Lighting / illumination design and regulations shall be as set forth in Title 17 (Zoning) of the Castle Rock Municipal Code.

4.5 **Minimum Front Yard.** Minimum front yard shall equal the Building Setbacks set forth in Section 6, below.

4.6 **Parking.** Off-street parking design and regulations shall be as set forth in Title 17 (Zoning) of the Castle Rock Municipal Code, except as otherwise set forth in the PD Site Plan and PD Zoning Regulations. Chart 64-1 of Title 17 (Zoning) of the Castle Rock Municipal Code shall not apply to the PD Property. Rather, parking requirements for the multiple-use nature of the shopping center to be located on the PD Property as whole and each individual lot thereof shall be four and one-half (4.5) spaces per one thousand (1,000) square feet of GLA minimum, with no maximum, provided that restaurant GLA shall be limited to seventeen thousand six hundred twenty-five (17,625) square feet of GLA within the PD Property. If any portion of the PD Property is subject to common ownership, private covenants, or similar arrangements providing for shared parking or cross-parking among separate lots or uses, then the total number of spaces for such lots or uses may be distributed over all lots included within said arrangement for the purpose of satisfying parking requirements. Walk-in coolers/freezers (which must be properly screened) and patio seating/dining areas (unless included within a Building) shall not be included in GLA for the purposes of parking ratios or otherwise, or increase the number of spaces required for the PD Property. Any financial/banking or retail service drive-thru facility shall provide three (3) stacking spaces per drive-up lane, measured from the product delivery window or device. Any restaurant drive-thru facility shall provide eight (8) stacking spaces per drive-up lane, measured from the product delivery window. Notwithstanding the foregoing provisions, the Director of Development Services of the Town of Castle Rock shall have the right and power to determine that the foregoing parking requirements may be satisfied with a lesser number of minimum spaces or lesser sized spaces if such lesser number or size of spaces will provide adequate parking for all or any part of the PD Property.

4.7 **Signage.** Signage regulations applicable to the PD Property shall be as set forth in Title 19 (Sign Code Regulations) of the Castle Rock Municipal Code, except as otherwise set forth in the PD Site Plan and PD Zoning Regulations.

4.7.1 **Building Occupant Signage.** The owner of the PD Property shall have the right to allocate and display building and monument signage equal to

one thousand nine hundred (1,900) square feet of sign area, of which up to four hundred (400) square feet may be allocated by the owner to monument signage. Signage space shall be divided among occupants leasing or owning space within the PD Property as determined by the owner in writing; provided, however, absent such a determination in writing, occupant building signage shall be divided based on GLA of each occupant divided by the total GLA of the PD Property.

4.7.2 Monument Signage. The owner of the PD Property shall have the right to construct and display two (2) freestanding multi-panel monument signs along Founders Parkway in the approximate locations shown on the PD Site Plan (or within five (5) feet thereof), with an aggregate sign panel sign area not to exceed one hundred (100) square feet per side per sign. The height of each freestanding monument sign shall not exceed twenty (20) feet in height, measured by the vertical distance from the then-existing land grade at the base of such monument sign to the uppermost point of the monument sign. Each monument sign may be used by the owner of the PD Property or shared among the owner or owners of PD Property and/or occupants of the PD Property, as determined in writing by the owner of such monument sign. The Town of Castle Rock shall have the right to construct and display monument or other signage in the Public Land Dedication (PLD) area not to exceed ten (10) feet in height; provided, however, the Town's monument sign space or other signage shall not reduce the sign area available for monument or other signage erected by the owner of the PD Property.

4.7.3 Other Signage. The following items shall be allowed at the PD Property and shall not be considered when determining sign area size or other limitations relating to the signs detailed in Sections 4.7.1 and 4.7.2, above, or otherwise allowed at the PD Property: (a) traffic signs, parking stall signs, and safety signs of standard size, (b) drive thru facilities (e.g., menu boards, height bars, traffic and directional signs, etc.), (c) emblems, trade names, or symbols located on or forming part of occupant trade dress or furniture (e.g., awnings, umbrellas, etc.), (d) interior window tinting, vinyl graphics, window signage, and other interior signage or trade dress of any size, (e) identification signs for each rear service door, not to exceed ten (10) inches in height or twenty-four (24) inches in width, (f) one or more small stickers or decals at each front entrance door indicating hours of business, emergency telephone numbers, acceptable forms of payment, and similar information, (g) temporary banners for bona fide grand opening or promotional purposes as allowed upon application to the Town for a special temporary sign permit, provided that any individual occupant of space at the PD Property may not apply for and receive more than two (2) such special temporary sign permits per calendar year, and (h) any other signage permitted pursuant to Title 19 (Sign Code) of the Castle Rock Municipal Code.

4.7.4 Computation of Sign Area. Sign area shall be calculated pursuant to Title 19 (Sign Code) of the Castle Rock Municipal Code. Notwithstanding the foregoing, any logo, letter, symbol, and/or grouping thereof which is more than ten (10) feet away from another logo, letter, symbol, or group thereof shall be independently counted as separate and distinct signage.

4.8 Utilities. All public utility distribution shall be underground.

SECTION 5: USE AREA CATEGORIES AND DENSITY CAPS

The PD Property shall contain the general use areas indicated in the following table, which such use areas are also shown on the PD Site Plan:

Use Area	Gross Acres	Percent of Total Acres	Gross Residential Density	Maximum Dwelling Units	Maximum Non-Residential GLA
Commercial PD (C)	3.675	91.875%	N/A	N/A	56,029
Public Land Dedication (PLD)	0.047	1.175%	N/A	N/A	N/A
Right of Way Dedication (ROW)	0.278	6.950%	N/A	N/A	N/A
Total	4.000	100.00%	N/A	N/A	56,029

SECTION 6: USE AREA CATEGORIES REGULATIONS

6.1 Commercial PD (C). The Commercial PD district is established for the purpose of providing commercial retail uses, quasi-retail and service uses, professional and business office uses, health and medical uses, professional and personal service uses, restaurant and beverage uses (at any and all service levels, from self-service to quick-service to full service), and similar retail, restaurant, service, and consumer uses. Without limiting the foregoing, permissible uses shall expressly include the uses set forth in Section 6.1.1, below, and expressly exclude the uses set forth in Section 6.1.3, below.

6.1.1 Uses Permitted By Right.

- (a) Automobile parking lots;
- (b) Automobile repair garage, maintenance garage (oil, tires, parts, lube, etc.), and/or convenience service station, provided that wrecked, junked, or abandoned motor vehicles shall not be stored on the property except within a Building;
- (c) Bakery, including retail or wholesale;

- (d) Banks/financial institutions, including with drive-thru facilities and/or ATMs (if applicable);
- (e) Car Wash;
- (f) Catering services;
- (g) Clinics;
- (h) Clubs, lodges, and service organizations;
- (i) Confectionery shop;
- (j) Fine arts gallery and/or fine arts studio;
- (k) Government and public facilities;
- (l) Hospital;
- (m) Hotel/motel;
- (n) Indoor/outdoor recreation facilities;
- (o) Laboratory except those which involve any inherently hazardous process (unless specifically authorized herein) or emit noxious noise, dust, and/or odor;
- (p) Laundry facilities, including non-coin or coin-operated facilities, collection stations, and dry cleaning (provided any hazardous materials based dry cleaning and/or laundry is conducted off-site);
- (q) Museum;
- (r) Offices, including professional offices and/or business offices;
- (s) Parking garage or facilities;
- (t) Personal service shops, such as barber, beauty parlor, beauty salon with ancillary services (including but not limited to nails, waxing, hair or skin treatments, facials, botox, etc.), nail parlor, chiropractic clinic, massage studio, etc.;
- (u) Pharmacy or drug store, including drive-thru facilities (if applicable);
- (v) Photography studio and/or photo processing and printing;
- (w) Post office;
- (x) Printing/copy shops;
- (y) Private/public schools;
- (z) Public and quasi-public buildings and structures, including police stations, fire stations, public schools, libraries, and public utilities;
- (aa) Repair, rental, service of any item retailed in the Commercial PD district;

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- (bb) Restaurants, cafes, sports bars, bar and grills, wine bars, and other places serving food and/or beverages, including but not limited to fast food, quick serve, sit-down, or other service levels, patio seating/dining areas, liquor sales, and drive thru facilities (maximum of two (2) restaurant based drive thru locations);
- (cc) Retail and/or business stores, establishments, and/or centers, including showroom space (if applicable);
- (dd) Health and/or fitness club or facilities;
- (ee) Grocery store;
- (ff) Studios, including television and radio broadcasting stations, but excluding antenna towers and microwave dishes;
- (gg) Tailoring;
- (hh) Theaters;
- (if) Upholstering;
- (jj) Utilities office;
- (kk) Wine, beer, and/or liquor store;
- (ll) Accessory uses.

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6.1.2 Uses Permitted By Special Review.

- (a) Ambulance service;
- (b) Automobile sales;
- (c) Child care centers;
- (d) Churches, synagogues, places of worship;
- (e) Small animal clinics, kennels, and/or animal hospitals;
- (f) Mortuary;
- (g) Radio, telephone, and television antenna towers.

6.1.3 Prohibited Uses.

Any inherently dangerous and/or hazardous use, including the storage, display, or sale of explosives or fireworks and any distillation, refining, smelting, agriculture, or mining operations

6.1.4 Maximum Gross Density.

Thirty-five percent (35%) of the PD Property.

6.1.5 Minimum Lot Area.

None.

6.1.6 Maximum Gross Floor Area Ratio For Nonresidential Uses.

Thirty-five percent (35%) of the PD Property.

6.1.7 Minimum Setbacks Between Residential and Nonresidential Land Uses, Setbacks From Major Roadways and Similar Standards.

- (a) Setbacks for the exterior perimeter of the lots collectively constituting the PD Property: Zero (0) feet.
- (b) Setbacks for the interior lots lines between the lots collectively constituting the PD Property: Zero (0) feet.

6.1.8 Maximum Building Height.

Thirty-five (35) feet, except that (a) the maximum height to which the uses enumerated in Sections 6.1.1(a), (d), (l), (m), (n), (r), (s), (y), (z), or (hh), above, shall have a maximum of fifty (50) feet, and (b) for the uses not referenced in this Section 6.1.8, the maximum height may otherwise be increased up to, but not to exceed, fifty (50) feet by special review.

6.1.9 Maximum Building Coverage.

Thirty-five percent (35%) of the PD Property.

6.2 Public Land Dedication (PLD). The Public Land Dedication (PLD), consisting of approximately two thousand forty-nine (2,049) square feet at the intersection of Founders Parkway and Allen Way, is established for sight-line, public art, and landscaping purposes.

6.2.1 Uses Permitted By Right.

- (a) "Welcome to Castle Rock" monument sign or other public use signage such as a way-finding sign, sign plaza; and/or "Welcome to Castle Rock" monument sign or other public use signage such as a sign plaza, wayfinding sign, or community message sign, provided that the sign shall not include more than one display panel in addition to the Town branding; and/or
- (b) Public art area.

6.2.2 Other Development Standards.

- (a) All permitted uses shall not exceed ten (10) feet in height or include signage that exceeds one hundred (100) square feet of total sign face;
- (b) Any permitted signage shall be placed only in the location shown on the PD Site Plan; and

- (c) All permitted uses shall be owned and maintained by the Town of Castle Rock.

6.3 Right of Way (ROW). The Right of Way (ROW) dedication, consisting of approximately twelve thousand one hundred ten (12,110) square feet along Founders Parkway and Allen Way, is established for right of way purposes.

6.3.1 Uses permitted by right.

- (a) Public roads and associated pedestrian and vehicular circulation improvements as permitted and approved by applicable governing authorities;
- (b) Uses not inconsistent with right of way purposes;

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- (c) Open space;
- (d) Accessory uses.

6.4 Accessory Uses Permitted in All Areas. Accessory uses permitted in all areas shall include:

- 6.4.1 Any accessory use as defined in Title 17 (Zoning) of the Castle Rock Municipal Code;
- 6.4.2 Safety features, including but not limited to guard rails, fences, retaining walls, safety signs, ramps, and other items intended to promote the safety of pedestrians;
- 6.4.3 Open spaces;
- 6.4.4 Parking areas and access drives;
- 6.4.5 Roadways, sidewalks, bike paths, and pedestrian trails;
- 6.4.6 Signage in conformance with applicable regulations and restrictions;
- 6.4.7 Parking signage, directional signage, and safety/informational signage;
- 6.4.8 Lighting;
- 6.4.9 Landscaping;
- 6.4.10 Utility and communications distribution lines in compliance with applicable easements, provided that no public offices and repair or storage facilities are maintained on the site;
- 6.4.11 Facilities for detention ponds/areas, storm water collection and storage, and/or reuse water reservoirs.

SECTION 7: SUBMISSION OF FINAL PD SITE PLAN, PLAT, AND ADDITIONAL INFORMATION

- 7.1 Following approval of the preliminary PD Site Plan and PD Zoning Regulations, the owners of the PD Property 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. Public Land Dedication is exempt from this provision.
- 7.2 No structural building permit will be issued until a final PD Site Plan and a preliminary Plat for such areas have been presented to and approved by the Town of Castle Rock and duly recorded. Public Land Dedication is exempt from this Provision.
- 7.3 In those cases where the Zoning Regulations of the Town of Castle Rock require approval of a final plat by the Town Council of the Town of Castle Rock prior to sale or transfer of lands, a sale or transfer of a portion or portions of the PD Property is permitted without prior approval of a final site plan, provided a final plat has been approved which must contain the following language: "Pursuant to the Town of Castle Rock Ordinance No. _____, no building permit will be issued for the erection of any structural improvement in any area described hereon for which a final site plan has been approved by the Town Council of the Town of Castle Rock." Public Land Dedication is exempt from this Provision.