

# PLAT IDENTIFICATION SHEET

**RECEPTION #:** 8904502

**DATE:** 03-01-89

**NUMBER OF PGS:** 1

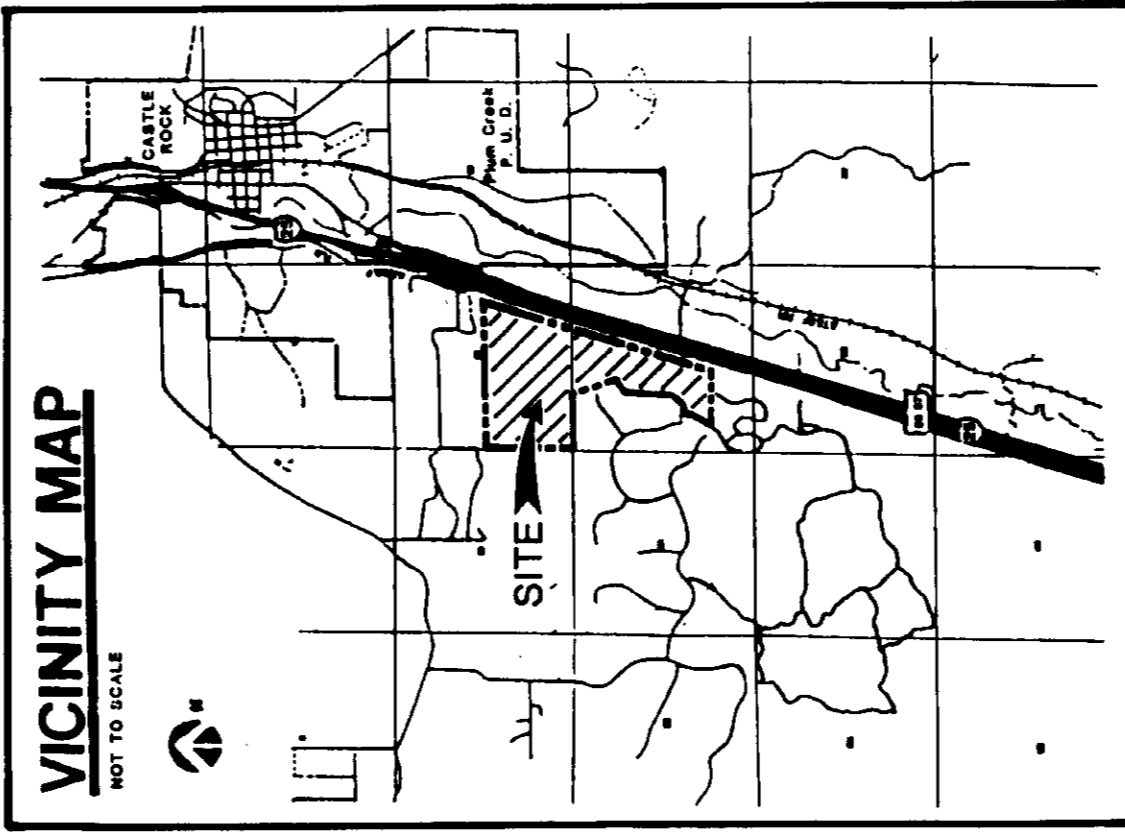
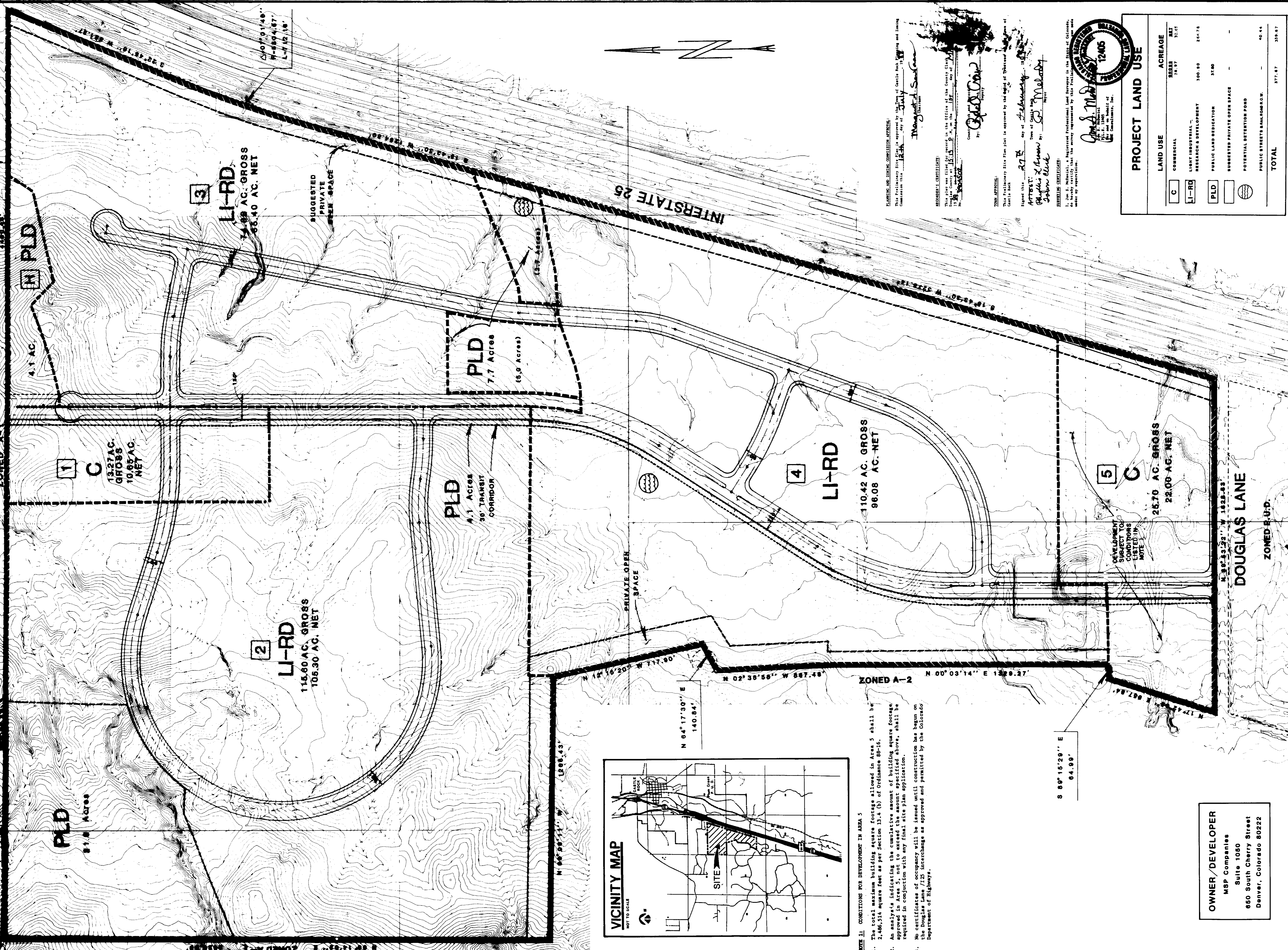
**NAME OF PLAT:** WESTFIELD TRADE  
CENTER 2ND AMEND

**MISCELLANEOUS COMMENTS:**

# WESTFIELD TRADE CENTER

## 2ND AMENDED PRELIMINARY SITE PLAN

AN AMENDMENT TO TRACT 'A' OF THE CASTLE ROCK RANCH PRELIMINARY P.U.D. PLAN



### NOTE 1: CONDITIONS FOR DEVELOPMENT IN AREA 5

- The total maximum building square footage allowed in Area 5 shall be 2,486,514 square feet as per Section 12.4 (D) of Ordinance 88-10.
- An analysis indicating the cumulative amount of building square footage approved in Area 5, not to exceed the amount specified above, shall be required in conjunction with any final site plan application.
- No certificates of occupancy will be issued until construction has begun on the Douglas Lane /12 interchange as approved and permitted by the Colorado Department of Highways.

**OWNER/DEVELOPER**  
 MSP Companies  
 Suite 1050  
 650 South Cherry Street  
 Denver, Colorado 80222

**PLANNING AND DESIGN COMMISSION APPROVAL:**  
 This Preliminary Site Plan is approved by the Planning and Design Commission on this 13th day of February, 1988.

**REGISTERED PROFESSIONAL LAND SURVEYOR:**  
 This Plan was filed for record in the Office of the County Clerk on this 13th day of February, 1988.

**REGISTERED PROFESSIONAL ENGINEER:**  
 This Preliminary Site Plan has been approved by the State of Colorado on this 13th day of February, 1988.



PROJECT LAND USE		ACREAGE	MAX. VALUE
C	COMMERCIAL	28.70	32.00
LI-RD	LIGHT INDUSTRIAL - RESEARCH & DEVELOPMENT	306.90	267.78
PLD	PUBLIC LAND DEDICATION	37.80	-
	SUGGESTED PRIVATE OPEN SPACE	-	-
	POTENTIAL DETENTION POND	-	-
	PUBLIC STREETS (MILK/ROCK)	-	40.44
<b>TOTAL</b>		<b>377.67</b>	<b>339.97</b>

		<b>EMK CONSULTANTS, INC.</b> ENGINEERS - SURVEYORS - LAND PLANNERS 6061 SOUTH WILLOW DRIVE, SUITE 120 ENGLEWOOD, COLORADO 80111 (303) 694-1520													
JOB NUMBER: 10603 DATE: 4/88 SCALE: 1"=200' SHEET NO.: 1 of 1	REVISIONS <table border="1"> <thead> <tr> <th>No.</th> <th>DESCRIPTION</th> <th>DATE BY</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>REVISED P.L.D. ACREAGE</td> <td>5/88</td> </tr> <tr> <td>2</td> <td>REVISED C.A.L.L. PROJ. ACREAGE</td> <td>7/88</td> </tr> <tr> <td>3</td> <td>REVISED ACREAGE</td> <td>7/88</td> </tr> </tbody> </table>	No.	DESCRIPTION	DATE BY	1	REVISED P.L.D. ACREAGE	5/88	2	REVISED C.A.L.L. PROJ. ACREAGE	7/88	3	REVISED ACREAGE	7/88	SCALE VERIFICATION BAR IS ONE INCH ON ORIGINAL DRAWING IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY	REUSE OF DOCUMENT THE IDEAS & DESIGN INFORMATION PROFESSIONAL SERVICE IS THE PROPERTY OF EMK CONSULTANTS, INC. & IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION OF EMK CONSULTANTS, INC.
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3	REVISED ACREAGE	7/88													

Westfield

ORDINANCE NO. 86-27

AN ORDINANCE AMENDING THE  
ZONING DISTRICT MAP OF  
THE TOWN OF CASTLE ROCK, COLORADO  
(WESTFIELD TRADE CENTER - A REPEAL AND  
REENACTMENT OF THE ZONING OF  
TRACT "A" OF THE CASTLE ROCK RANCH  
P.U.D. ORDINANCE NO. 84-33)

8625695 - 11/20/86 09:23 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER 1/ 32  
B0680 - P0923 - \$96.00

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ORDINANCE NO. 86-27

AN ORDINANCE AMENDING THE  
ZONING DISTRICT MAP OF  
THE TOWN OF CASTLE ROCK, COLORADO  
(WESTFIELD TRADE CENTER - A REPEAL AND  
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TRACT "A" OF THE CASTLE ROCK RANCH  
P.U.D. ORDINANCE NO. 84-33)

WHEREAS, the Board of Trustees of the Town of Castle Rock finds 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, to wit, a major modification to the Castle Rock Ranch P.U.D. - Tract A Preliminary Site Plan and repeal and reenactment of the P.U.D. Zoning of Tract A in accordance herewith, 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, and the major modification to the Castle Rock Ranch P.U.D. - Tract A Preliminary Site Plan, to be known as the Westfield Trade Center is

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authorized by Article IV, Chapter 17.48 of said Ordinance.

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

Section One. Ordinance No. 84-33 entitled "An Ordinance Amending the Zoning District Map of the Town of Castle Rock, Colorado (Castle Rock Ranch P.U.D.)" is hereby amended by repealing the zoning classification imposed by said Ordinance on the lands consisting of 377.67 acres (Tract "A" of the Castle Rock Ranch P.U.D.), described in Exhibit A, attached hereto and made a part hereof (hereinafter the "Land"), and the zoning classification of the Land as planned unit development is reenacted in accordance herewith.

#### SECTION I.

##### GENERAL PROVISIONS

1.0 This ordinance constitutes an amendment to the Town of Castle Rock Zoning Ordinance, and the Zoning District Map of the Town of Castle Rock and establishes permitted densities, uses and development standards for each tract within the Land.

#### SECTION II.

##### DEFINITIONS

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

2.2 Attached Dwelling Units. Dwelling units which are physically connected to other dwelling units. As used herein, the term attached dwelling units shall include, but not be limited to, apartment units, condominium units and townhome units.

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2.3 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 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 above the average surrounding grade), roadways, bike paths or pedestrian ways or such other uses not meeting the above definition.

2.4 Building Height. The vertical distance from the average finished grade (not including berming or grading for the purpose of permitting a higher building) surrounding a structure to the uppermost point of the roof structure. Chimneys, ventilators, elevator housings, 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.

2.5 Building Setback. The horizontal distance between a platted lot line and a building or structure. This distance does not include the projections of eaves, overhangs, fireplaces, patios, decks, fire escapes, mechanical units or similar architectural appurtenances except that no such projection shall extend beyond any lot line of the lot on which they are located. In instances where buffer areas are provided, the width or depth of any such buffer area may be subtracted from the required setback to either reduce or eliminate such setback.

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2.6 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.

2.7 Detached Dwelling Units. Dwelling units which are not physically connected to other dwelling units. As used herein, the term detached dwelling units shall include, but not be limited to, single family units and patio homes.

2.8 Patio Home Units. Single family units clustered in close proximity to each other commonly, but not necessarily, utilizing zero lot lines. Common undivided ownership of elements or facilities which are located in areas other than the lots surrounding such units is permitted.

2.9 Public Land Dedication. That property designated to be deeded to the Town of Castle Rock for public usage, to satisfy the land dedication requirements of the Subdivision Ordinance Chapter 16.20.

2.10 Single Family Units. Dwelling units not sharing common walls. Single family unit owners will own the land beneath such units and the land surrounding such units. Common undivided ownership of elements or facilities which are located in areas other than the lots surrounding such units is permitted.

2.11 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,

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provided, however, that common, undivided ownership of certain common elements or facilities is also permitted.

2.12 Usable Open Space. Space, suitable for landscaping, passive and/or active recreation, gardens, view protection and enhancement, and/or other appropriate uses, which is to remain in private ownership.

### SECTION III.

#### OVERALL PROJECT STANDARDS

3.1 Parking. Off-street parking is required for all land uses developed in the Westfield Trade Center PUD. Except as otherwise specifically provided herein, the number and size of all required parking spaces are to be in conformance with the applicable Town of Castle Rock Zoning Regulations at the time of approval of Final Site Plan and Plat, unless developer can demonstrate, to the satisfaction of the Board of Trustees, at the time of final platting and site plan review, that provision of a lesser number of spaces or spaces of lesser size will still provide adequate off-street parking for the proposed use.

3.2 Temporary Uses. Temporary uses are permitted as follows:

- (a) Mobile sales and information units in any commercial use area provided no such mobile sales and 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 60 days after a certificate of

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occupancy has been issued for the first residential or commercial structure within the area being served by such unit without the express approval of the Board of Trustees.

- (b) Construction offices and material storage shall be permitted in all use areas during and for a period of 30 days after cessation of actual construction in those areas being served by such construction office or material storage area.

3.3 Setback and Lot Area. Except as specifically provided in this paragraph, to provide flexibility for innovative design, the development criteria for minimum lot area and minimum building setbacks and separations within and adjacent to development tracts will be reserved until the presentation of final site plans, provided that no such final site plan will be presented for consideration or approved which does not establish these criteria. Notwithstanding the provisions of this Section, building setbacks on lots within the Land which are subject to the open space easements created contractually between the Town of Castle Rock, MSP Companies and the Twin Oaks Homeowners Association (hereinafter referred to as the "open space easements") by document recorded in Book 680 at Page 909, Douglas County, Colorado shall be of a sufficient distance to maintain the required open space easement. Provided further however, that in the event any portion of the said open space easements are extinguished by the Town as provided by said document, the minimum setbacks shall be determined without consideration to the open space easements.

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3.4 Spine Road Setback. Notwithstanding any provision contained herein to the contrary, the minimum building setback east of the spine road (the "spine road" as referred to herein shall mean the major north south arterial roadway extending from the northern boundary of the Land to its southern boundary which is located in the easterly portion of the Land and which runs parallel to Interstate Highway 25) shall be fifty (50) feet from the easterly right-of-way line of such road.

3.5 Use Restrictions. Development of lots subject to the Open Space Easement shall be restricted to the confines of a described building envelope.

In order to maintain the open space easements, no portion of a building envelope shall be situated within the open space easement, and the following restrictions on construction activity and use of any portion of a lot subject to the open space easement shall apply:

(a) Care shall be exercised during all construction operations to prevent unnecessary disturbance to any area within the open space buffer.

(b) All waste materials shall be promptly removed from the site. Dumping or temporary storage of waste materials outside the building envelope is prohibited.

(c) Except for underground utilities and required appurtenances, no fences, structures, buildings, out buildings, storage sheds, or improvements of any nature shall be placed or allowed to remain within the open space easement.

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(d) To the extent natural vegetation is disturbed in construction and grading, the disturbed area shall be returned to its natural condition, to the extent feasible.

Responsibility for enforcement of the provisions of this Section shall reside exclusively with a homeowners association, which shall be duly organized as a Colorado non-profit corporation with perpetual existence prior to the time of Town approval of the first final plat within the Land. Provided, however, that the Town shall have concurrent jurisdiction to enforce such provisions if the Board of Trustees deem it to be in the best interests of the Town of Castle Rock. Developer shall cause the provisions of this Section to be incorporated into the protective covenants to be imposed upon all lots together with the grant of appropriate enforcement powers to the master homeowners association.

3.6 Residential Density Transfer. Except as otherwise provided herein, in order to provide flexibility, (in that this project must be responsive to changing conditions over a long planning and development period) an upper limit on density of 20 percent over the permitted density in each planning area may be permitted by the Board of Trustees at the time of and as a part of the final plat and final site plan review process.

#### SECTION IV.

#### GENERAL USE AREAS

4.1 The Land shall be divided into general use areas as the same are located on "Westfield Trade Center Preliminary P..D. Site Plan", approved contemporaneously herewith, which is incorporated by

reference into this Ordinance. Said general use areas shall be of eleven (11) types, as designated below. The aggregate number of acres within each type of use area and maximum number of dwelling units to be constructed in Residential areas (except as such maximum numbers may be increased by residential density transfer as provided in paragraph 3.6 hereof) shall be as indicated opposite each type designation.

<u>Type Use Area</u>	<u>Density</u>	<u>Acreage</u>	<u>Dwelling Units</u>
Residential A (RA)	1 du/ac	-	-0-
Residential B (RB)	2.5 du/ac	-	-0-
Residential C (RC)	3.5 du/ac	-	-0-
Residential D (RD)	5.0 du/ac	-	-0-
Residential E (RE)	(DELETED)		
Residential F (RF)	8.0 du/ac	-	-0-
Residential G (RG)	10.0 du/ac	-	-0-
Residential H (RH)	20.0 du/ac	-	-0-
Commercial (C)		38.97	-
Office/Commercial (OC)		-0-	-
Light Industrial, Research and Development (LI/RD)		301.35	-
Public Land Dedication (PLD)		37.35	-
TOTALS		377.67	-0-

4.2 It should be noted that the amended preliminary site plan approved pursuant to this ordinance does not designate use areas in all permitted classifications set forth above. Any requested amendment to said approved preliminary site plan to permit uses contained in this ordinance but not shown on the approved preliminary site plan shall be considered a major modification to the Planned Development Zone District.

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4.3 Residential Areas, (Residential A through Residential H, inclusive) shall contain a minimum amount of private open space equal to 20% of the total acreage contained in such areas. Any such private open space, if owned in common 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.

4.4 The Town's ability to provide adequate fire protection with suitable equipment to buildings with heights in excess of 35 feet shall be a condition to the approval of any final plat within a use area in which building heights in excess of 35 feet are permitted under the applicable use areas set forth below.

#### SECTION V.

##### RESIDENTIAL A USE AREAS (RA AREA)

##### 5.1 Permitted Uses.

- (a) Detached dwelling units, garages and accessory structures.

##### 5.2 Uses by Special Review.

- (a) Home occupations;
- (b) Recreational facilities;
- (c) Religious facilities;
- (d) Public or private schools.

5.3 Permitted Densities. Average density of 1 dwelling unit per acre within each individual use area.

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5.4 Maximum Building Heights. 35 feet

5.5 Additional Criteria. Residential A use areas are not subject to density transfer unless zoning upon adjoining lands (located outside of the Castle Rock Ranch PUD) is increased to permit more intensive land use.

SECTION VI.

RESIDENTIAL B USE AREAS (RB AREAS)

6.1 Permitted Uses.

(a) Attached or detached dwelling units, garages and accessory structures.

6.2 Uses by Special Review.

(a) Any use permitted by special review in Residential A Use Area.

6.3 Permitted Densities. Average density of 2.5 dwelling units per acre within each individual use area.

6.4 Maximum Building Heights. 35 feet.

SECTION VII.

RESIDENTIAL C USE AREAS (RC AREAS)

7.1 Permitted Uses.

(a) Any use permitted in the Residential B Use Area.

7.2 Uses by Special Review.

(a) Any use permitted by special review in the Residential A Use Area.

7.3 Permitted Densities. Average Density of 3.5 dwelling units per acre within each individual use area.

7.4 Maximum Building Heights. 35 feet.

SECTION VIII.

RESIDENTIAL D USE AREA (RD AREAS)

8.1 Permitted Uses.

(a) Any use permitted in Residential B Use Area.

8.2 Uses by Special Review.

(a) Any use permitted by special review in the Residential A Use Area.

8.3 Permitted Densities. Average density of 5.0 dwelling units per acre within each individual use area.

8.4 Maximum Building Heights. 35 feet.

SECTION IX.

RESIDENTIAL E USE AREA (E AREA)

(DELETED)

SECTION X.

RESIDENTIAL F USE AREAS (RF AREAS)

10.1 Permitted Uses.

(a) Multi-family dwelling units to include, but not to be limited to, apartments, condominiums, patio homes and townhomes.

(b) Indoor or outdoor community recreational facilities.

10.2 Uses by Special Review.

(a) Any use permitted by special review in the Residential A Use Area.

10.3 Permitted Densities. Average density of 8 dwelling units per acre within each individual use area.

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10.4 Maximum Building Heights. 35 feet.

SECTION XI.

RESIDENTIAL G USE AREAS (RG AREAS)

11.1 Permitted Uses.

(a) Any use permitted in the Residential F Use Areas.

11.2 Uses by Special Review.

(a) Any use permitted by special review in the Residential F Use Areas.

11.3 Permitted Densities. Average Density of 10 dwelling units per acre within each individual use area.

11.4 Maximum Building Heights. 50 feet. Provided, however, that the maximum building height in Use Area 15 shall not exceed 35 feet.

11.5 Additional Criteria. Density transfer into Use Area 15 shall be prohibited.

SECTION XII.

RESIDENTIAL H USE AREA (RH AREA)

12.1 Permitted Uses.

(a) Any use permitted in Residential F Use Areas.

12.2 Uses by Special Review.

(a) Any use permitted by special review in the Residential F Use Areas.

12.3 Permitted Densities. Average density of 20 dwelling units per acre.

12.4 Maximum Building Heights. 50 feet.

12.5 Additional Criteria. Density transfer into RH Use Areas shall be prohibited.

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SECTION XIII.

COMMERCIAL C USE AREAS (C AREAS)

13.1 Permitted Uses shall include but shall not be limited

to:

- (a) Automotive sales, repair and service facilities.
- (b) Community centers.
- (c) Convenience stores.
- (d) Financial institutions.
- (e) Laundries and dry cleaning establishments.
- (f) Liquor stores.
- (g) Offices, professional, medical and commercial.
- (h) Parking lots, structures and garages.
- (i) Personal service establishments.
- (j) Places of public assembly, entertainment and recreation.
- (k) Public and private community services.
- (l) Public lodging facilities, hotel/convention centers.
- (m) Public or private membership clubs and health clubs.
- (n) Restaurants, lounges and fast food establishments.
- (o) Retail stores, sales and display rooms and shops.
- (p) Service related businesses.

13.2 Uses by Special Review:

- (a) Day care centers.
- (b) Transit terminals.

13.3 Maximum permitted building ground coverage of 35% of net acreage of building site

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13.4 Maximum Building Heights. Except as specifically provided to the contrary in this subsection, the maximum building height which may be constructed by right shall be 50 feet, provided however that the Board of Trustees may permit maximum building heights not to exceed 75 feet at the time of final site plan review following consideration of at least 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.

13.5 Minimum Setbacks: Subject to the further provisions of 3.3, above, 30 feet from adjacent public road rights of way, 30 feet from the boundary of abutting residential uses. Where abutting residential areas, such setbacks shall not contain driveways, parking or accessory buildings.

#### SECTION XIV.

#### LIGHT INDUSTRIAL - RESEARCH AND DEVELOPMENT (LI-RD AREA)

##### 14.1 Permitted Uses.

- (a) Light industrial (assembly, fabricating and processing).
- (b) Office/warehouses.
- (c) Offices.
- (d) Parking lots, structures and garages.

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- (e) Research facilities and laboratories.
- (f) Restaurants.
- (g) Retail (repair services, showrooms and support services).
- (h) Veterinarian clinics and kennels.

14.2 The manufacturing, processing and/or fabrication of the following products is prohibited.

- (a) Abrasives, basic manufacture;
- (b) Animal by-products, basic manufacture or processing, to include garbage, offal or dead animal reduction or rendering or dumping thereof and fat rendering or distillation of bones;
- (c) Bone black, basic manufacture;
- (d) Carbon black and lamp black, basic manufacture;
- (e) Charcoal, basic manufacture;
- (f) Chemicals, heavy or industrial including acids, basic manufacturer or processing;
- (g) Cinder and cinder block, basic manufacturing or fabrication;
- (h) Clay and clay products, basic manufacture or fabrication;
- (i) Coal or coke, manufacture or processing;
- (j) Concrete and concrete products, manufacture or fabrication (processing or mixing);
- (k) Detergents; soaps and by-products, using animal fat, basic manufacture;

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- (l) Electric power generator station;
- (m) Explosives, manufacture;
- (n) Fertilizers, manufacture or processing;
- (o) Fungicides, manufacture;
- (p) Gases, other than nitrogen and oxygen, manufacture;
- (q) Glass, basic manufacture;
- (r) Glue and size, manufacture;
- (s) Grain milling;
- (t) Graphite, manufacture;
- (u) Gypsum cement, lime, plaster of Paris, and other forms of plaster base, manufacture;
- (v) Insecticides, manufacture;
- (w) Insulation, flammable type, manufacture or fabrication;
- (x) Matches, manufacture;
- (y) Meat packing, to include stock yards, feeding yards or animal slaughtering;
- (z) Metals, milling, extraction or smelting of ore;
- (aa) Metal ingots, pigs, casting, sheets or bars, manufacture;
- (bb) Oil and fats, animal and vegetable manufacture;
- (cc) Paints (nonwater based), pigments, enamels, japans, lacquers, putty, varnishes, whiting and wood fillers, manufacture or fabrication;
- (dd) Paper pulp and cellulose, basic manufacture;
- (ee) Paraffin manufacture;

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- (ff) Petroleum and petroleum products, manufacture, processing, or refining;
- (gg) Portland and similar cements, manufacture;
- (hh) Rubber, manufacture, processing or reclaiming;
- (ii) Sawmill or planing mill;
- (jj) Serums, toxins, viruses, manufacture;
- (kk) Sugar and starches, manufacture;
- (ll) Tannery;
- (mm) Turpentine, manufacture;
- (nn) Wax and wax products, manufacture;
- (oo) Wood preserving by creosoting or other pressure impregnation of wood by preservatives.

14.3 The sale at wholesale, and/or storage of the following products is prohibited.

- (a) Live animals;
- (b) Commercial explosives;
- (c) Aboveground bulk storage of flammable liquids or gases, unless and only to the extent that such storage of liquids or gases is directly connected to energy or heating devices on the premises.

14.4 Minimum Setbacks. 30 feet from adjacent public roads, 30 feet from boundaries of abutting residential uses. (Where abutting residential areas such setbacks shall not contain driveways, parking or accessory structures.)

14.5 Accessory Uses. Incidental only to a permitted use, any use may be operated as an accessory use in the LI/RD Use Area if it complies with all of the following conditions:

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- (a) Is clearly incidental and customary to and commonly associated with the operation of the permitted use;
- (b) Is operated and maintained under the same ownership or lessees or concessionaires thereof, and on the same site as the permitted use;
- (c) Does not include structures or structural features inconsistent with the permitted use;
- (d) Does not include residential occupancy except for caretakers or watchmen.

14.6 Development Standards. The following development standards shall apply:

- (a) Maximum lot coverage: forty percent (40%) of lot area;
- (b) Minimum side yard: twelve feet (12')
- (c) Minimum front yard: fifteen feet (15') from the front property line;
- (d) Minimum rear yard: twenty feet (20');
- (e) Maximum height of buildings: forty feet (40').

14.7 Uses permitted by special review. The following uses are permitted in the LI/RD Use Area as a use by special review:

- (a) Child care centers;
- (b) Trade Schools/Occupational training.
- (c) Alcoholic distillation;
- (d) Brewery;
- (e) Manufacture of fermented fruits and vegetable products;

14.8 Limitations on external effects of uses. Every use in the LI/RD Use Area shall be made to comply with the following limitations:

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- (a) Enclosure of uses. Every use, unless expressly exempted herein, shall be operated in its entirety within a completely enclosed structure or screened area; outdoor storage shall be behind any building setback line, screened from view from adjacent properties and abutting streets.
- (b) Vibration generated. Every use shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on any boundary line of the site on which the use is located.
- (c) Every use shall be so operated so that emission of heat, glare, radiation, fumes or odors for any extended period of time is not permitted beyond any boundary line of the site on which the use is located for any extended period of time.
- (d) Outdoor storage and waste disposal.
- (i) No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground. Tanks or drums of fuel directly connecting with heating devices or appliances located on the same site as the tanks or drums of fuel are excluded from this provision as well as liquified and gaseous noncombustible materials;
- (ii) All outdoor storage facilities for manufacturing equipment, fuel, raw materials, subassemblies, finished goods and defective or repairable goods shall be enclosed by a fence, or other appropriate treatment,

which shall be adequate to conceal such facilities from adjacent property excluding, however, chain link fencing with slats. Only split rail or similar decorative fencing shall be allowed in or in front of a landscaped area.

(iii) No waste material shall be deposited upon any lot in such form or manner that they may be transferred off the lot by normal natural causes or forces;

(iv) All materials or wastes which cause fumes or dust or which constitute a fire hazard or which attract to rodents or insects shall be stored outdoors only in closed trash containers which are screened from adjacent property.

14.9 Noise. Every use in the LI/RD Use Area shall be operated so that the volume of sound inherently and recurrently generated by the use does not impact contiguous property in excess of the noise levels permitted under any applicable Federal or State Regulation.

14.10 Outdoor storage. Railroad boxcars and trailers may not be used for permanent storage or warehousing purposes. Outdoor storage shall be screened with an appropriate visual barrier of such height and density to adequately screen the area from view. Such barrier shall include fencing, berming, or other landscape treatment; however, use of chain link fencing with slats for screening is prohibited.

14.11 Roof top mechanical equipment and other special equipment.

(a) All roof top mechanical equipment with the exception of solar energy devices shall be screened from view by the use of compatible and appropriate materials. Roof top screening will only be required to screen equipment from views at the finished grade of the developed building site, or the equivalent grade on the adjacent portion of contiguous building sites. Where roof top mechanical equipment cannot be adequately screened because of elevation changes or higher buildings in the vicinity then screening accompanied by compatible painting of equipment is permissible.

(b) Special equipment such as silos, dust collectors, cooling towers, or other similar structures shall be sited at the rear or sides of the lot, adjacent to the primary building.

14.12 Metal Buildings. Metal buildings shall be permitted in the LI/RD Use Area, provided however, that such buildings shall be restricted pursuant to protective covenants which DEVELOPER agrees to impose prior to the final platting of any portion of the LI/RD Use Area. Such covenants shall contain certain specific requirements stating that all metal buildings shall be "earth tone" in color or covered with building materials other than metal, and providing that the exterior treatment of such buildings shall be subject to the review and approval of the architectural control committee or other committee established pursuant to said covenants for the purpose of improvement review.

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SECTION XV.

OFFICE-COMMERCIAL OC USE AREAS (OC AREAS)

15.1 Permitted Uses.

- (a) Financial institutions.
- (b) Hospitals and clinics.
- (c) Offices, including but not limited to corporate, professional, business, medical, governmental offices and office showrooms.
- (d) Office and personal service establishments.
- (e) Parking lots, structures and garages.
- (f) Public or private membership clubs and health clubs.
- (g) Retail uses located within an office building.
- (h) Restaurants within office buildings or as a separate use, specifically excluding drive-up window service.
- (i) Research facilities and laboratories.

15.2 Uses by Special Review:

- (a) Transit terminals.

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

15.4 Maximum Building Heights. The maximum building height which may be constructed by right shall be 50 feet, provided however that the Board of Trustees may permit maximum building heights not to exceed 75 feet at the time of final site plan review following consideration of at least 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

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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.

SECTION XVI.

PUBLIC LAND DEDICATION USE AREAS (PLD AREAS)

16.1 Permitted Uses.

- (a) Open space.
- (b) Parks, playgrounds and picnic areas, excluding camping and overnight parking.
- (c) Public schools, school grounds and playing fields.
- (d) Community centers.
- (e) Community recreational facilities.
- (f) Public buildings, including but not limited to libraries, fire and police stations.
- (g) Such other public uses, not inconsistent with the nature of surrounding use areas, as may be permitted by the Town of Castle Rock.

16.2 Development Standards.

- (a) Building Height: Maximum Height: As permitted in most permissive abutting area, with the exception of school gymnasiums which may reach 42 feet.
- (b) Building Setback: As permitted in most permissive abutting area.

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SECTION XVII.

ACCESSORY USES PERMITTED IN ALL USE AREAS

17.1 Uses Permitted in All Use Areas.

- (a) Underground utility and communications distribution lines, to specifically include cable television distribution trunks and lines.
- (b) Roadways, bike paths, pedestrian and equestrian trails.
- (c) Parking areas.
- (d) Open spaces, and lakes, to include storm water drainage detention areas.
- (e) Fences.
- (f) Wells and well houses, water pumping stations and sewage lift stations.

17.2 Uses Permitted by Special Review in All Use Areas.

- (a) Electric substations and gas regulator stations.

SECTION XVIII.

SUBMISSION OF FINAL PLANNED UNIT  
DEVELOPMENT PLANS AND/OR PLATS

18.1 Following the approval of this Ordinance, the owners of tracts within the above-described tract shall present final site plans for all or any portion or portions of the general use areas as are then ready for development.

18.2 No structural building permit will be issued until a final site plan and final plat for such area has been approved by the Board of Trustees, and filed for the public record.

18.3 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, a sale or transfer of a

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portion or portions of the Land is permitted without prior approval of a final site plan, provided a final plat has been approved which must contain the following language:

("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.")

#### SECTION XIX.

#### TRANSITIONAL USE

19.1 After approval of the Preliminary Site Plan incorporated herein by reference, any portion or portions of the property described above, which has not been subjected to a final site plan, may be used for agricultural purposes until approval of a final 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.

19.2 Any activity permitted by this section shall be considered to be a valid pre-existing non-conforming use within the area described above until a Final Site Plan for such area or areas has been approved; provided however, the Board of Trustees, reserves the right to prohibit or enjoin such agricultural use in areas for which no final 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.

19.3 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 master developer and/or Town.

SECTION XX.

SEVERABILITY OF PROVISIONS

20.1 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.

Section Two. The major modification to Tract "A" of the Castle Rock Ranch P.U.D. as described in the attached Exhibit "A" is hereby approved and such amended site plan shall be designated as "Westfield Trade Center" on the Town's zone district map.

Passed and adopted on first reading this 24<sup>th</sup> day of July, 1986 by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 4 for and 0 against.

Passed and adopted on second reading this 24<sup>th</sup> day of July, 1986, by a vote of the Board of Trustees of the Town of Castle Rock, Colorado 4 for and 0 against.

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

ATTEST:

Richard R. Wilson  
Richard R. Wilson, Town Clerk

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Approved as to form:

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Bruce B. Lassman,  
Town Attorney

Approved for Board action:

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Donald Cooper,  
Town Administrator

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EXHIBIT "A"

A parcel of land lying in the South half of Section 15 and the North half of Section 22, Township 8 South, Range 67 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, more particularly described as follows:

Beginning at the Southwest corner of said Section 15;  
thence  $N00^{\circ}14'02''E$  along the West line of said Section 15, 2629.38 feet to the Northwest corner of the South half of said Section 15;  
thence  $S89^{\circ}22'24''E$  along the North line of the South half of said Section 15, 4480.46 feet to the westerly right-of-way of the Atchison, Topeka and Santa Fe Railroad;  
thence along said westerly right-of-way, the following three (3) courses:

1. thence  $S22^{\circ}45'16''W$ , 821.27 feet to a point of curve;
2. thence along said curve to the left having a radius of 5804.67 feet, a central angle of  $07^{\circ}01'46''$ , 712.16 feet to a point of tangent;
3. thence  $S15^{\circ}43'30''W$  along said tangent, 4533.04 feet to a point on the northerly right-of-way line of Douglas Lane;

thence  $N89^{\circ}53'22''W$  along said northerly right-of-way, 1628.63 feet to the easterly boundary of Twin Oaks as filed under Reception No. 161972 of the Douglas County records;  
thence along the easterly line of said Twin Oaks, the following three (3) courses:

1. thence  $N17^{\circ}42'35''E$ , 557.84 feet;
2. thence  $S89^{\circ}15'29''E$ , 64.99 feet to the Southwest corner of the Southeast quarter of the Northwest quarter of said Section 22;
3. thence  $N00^{\circ}03'14''E$ , 1329.27 feet to the Northwest corner of the Southeast quarter of the Northwest quarter of said Section 22;

thence  $N02^{\circ}35'58''W$  along the West line of Lot 3 of said Twin Oaks, 567.48 feet;  
thence  $N64^{\circ}17'30''E$ , 140.84 feet;  
thence  $N12^{\circ}15'20''W$  along the West line of Lot 4 of said Twin Oaks and its southerly extension, 717.90 feet to the South line of said Section 15;  
thence  $N89^{\circ}06'11''W$  along said South line, 1266.43 feet to the Point of Beginning, containing 377.67 acres, more or less.

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LEGAL DESCRIPTION  
(TRACT A)

"EXHIBIT A"

A TRACT OF LAND LOCATED IN SECTIONS 15 AND 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 15, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE  $N00^{\circ}11'54''E$  A DISTANCE OF 2628.95 FEET TO THE NORTHWEST CORNER OF THE SOUTH ONE-HALF OF SAID SECTION 15; THENCE  $S89^{\circ}24'40''E$  A DISTANCE OF 4480.46 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE ATCHISON TOPEKA AND SANTA FE RAILROAD; THENCE  $S22^{\circ}43'00''W$  AND ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 821.27 FEET TO A POINT OF CURVE; THENCE ALONG SAID CURVE TO THE LEFT A DISTANCE OF 709.25 FEET HAVING A RADIUS OF 5779.58 FEET AND A DELTA OF  $0701'52''$  TO A POINT OF TANGENCY; THENCE  $S15^{\circ}41'08''W$  A DISTANCE OF 1258.09 TO A POINT ON THE SOUTH LINE OF SECTION 15; THENCE  $S15^{\circ}41'15''E$  A DISTANCE OF 3278.09 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE COUNTY ROAD; THENCE  $N89^{\circ}56'39''W$  AND ALONG SAID RIGHT-OF-WAY A DISTANCE OF 1628.60 FEET TO A POINT ON THE EASTERLY BOUNDARY OF "TWIN OAKS"; THENCE  $N17^{\circ}39'12''E$  AND ALONG SAID BOUNDARY LINE A DISTANCE OF 557.81 FEET; THENCE  $S89^{\circ}04'58''E$  A DISTANCE OF 65.07 FEET; THENCE  $N00^{\circ}01'04''W$  A DISTANCE OF 1329.32 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 22; THENCE  $N02^{\circ}36'26''W$  A DISTANCE OF 567.93 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 225.07 FEET HAVING A RADIUS POINT BEARING  $S39^{\circ}33'01''E$  A DISTANCE OF 299.30 FEET AND A DELTA OF  $43^{\circ}05'08''$  TO A POINT OF TANGENCY; THENCE  $S86^{\circ}27'53''E$  A DISTANCE OF 414.81 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE SAID NON-TANGENT CURVE A DISTANCE OF 345.71 FEET HAVING A RADIUS POINT BEARING  $N66^{\circ}02'56''E$  A DISTANCE OF 65.00 FEET AND DELTA OF  $304^{\circ}44'05''$  TO A POINT OF NON-TANGENCY; THENCE  $N86^{\circ}27'53''W$  A DISTANCE OF 414.81 FEET TO A POINT ON A CURVE; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 99.17 FEET, SAID CURVE HAVING A RADIUS OF 359.30 FEET AND A DELTA OF  $15^{\circ}48'52''$  TO A POINT OF NON-TANGENCY; THENCE  $N12^{\circ}16'45''W$  A DISTANCE OF 657.48 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 22; THENCE  $N89^{\circ}07'34''W$  AND ALONG THE NORTH LINE OF SECTION 22 A DISTANCE OF 1266.43 FEET TO THE SOUTHWEST CORNER OF SECTION 15, SAID POINT BEING THE TRUE POINT OF BEGINNING, SAID PARCEL CONTAINING 377.854 ACRES MORE OR LESS.

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