

ORDINANCE NO. 2014-02

**AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING
A CHANGE OF ZONE TO I-2 GENERAL INDUSTRIAL IN THE HANGMAN'S GULCH
ANNEXATION AREA**

WHEREAS, Edward D. Scott, Adam B. Scott, and Kyle A. Scott (Owners) have applied for I-2 General Industrial zoning for the Hangman's Gulch Annexation; and

WHEREAS, the application has been found to conform with the Town of Castle Rock Municipal Code review criteria for zoning map amendments found in 17.02.060.C; and

WHEREAS, the proposed zoning map amendment conforms with the most recently adopted versions of the Town's Vision and Comprehensive Master Plan; and

WHEREAS, the Planning Commission and Town Council have conducted the required public hearings in accordance with the applicable provisions of the Town of Castle Rock Municipal Code.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. I-2 General Industrial Zoning Classification. The property described in the attached *Exhibit 1* (Property), concurrently annexed to the Town as the Hangman's Gulch Annexation, is rezoned to I-2 General Industrial, subject to the following conditions and restrictions:

- A. Additional Prohibited Uses. Recycling center and salvage yard, and asphalt/concrete plant, as those uses are defined and interpreted under the I-2 Zoning District regulations are prohibited on the Property. Storage yards are prohibited within 200 feet of the Interstate 25 right of way.
- B. Additional Uses by Special Review. Towing and storage of inoperable vehicles, small scale is not a permitted use but is allowed only by Use by Special Review in accordance with the applicable process and criteria in the Castle Rock Municipal Code.
- C. Additional Use Setback. Within 200 feet of the Interstate 25 right of way, accessory outdoor storage uses shall be located on the west side of the primary structure so as to partially screen accessory outdoor storage from the I-25 corridor.

Section 2. Zoning District Map Amendment. The official Zoning District Map is amended to reflect the zoning classification of the Property to I-2 General Industrial (with conditions).

Section 3. Effective Date. With the effective date of this ordinance, the Property is subject to the Charter, Castle Rock Municipal Code and all ordinances, resolutions, rules and regulations of the Town of Castle Rock.

Section 4. 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 5. 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 to the legislative object sought to be obtained.

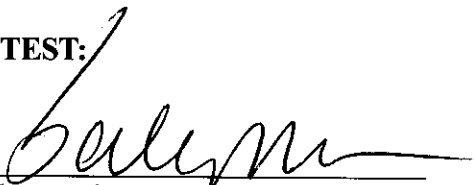
UNOFFICIAL COPY

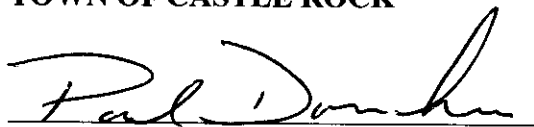
APPROVED ON FIRST READING this 7th day of January, 2014, by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED this 21st day of January, 2014, by the Town Council of the Town of Castle Rock by a vote of 7 for and 0 against.

ATTEST:

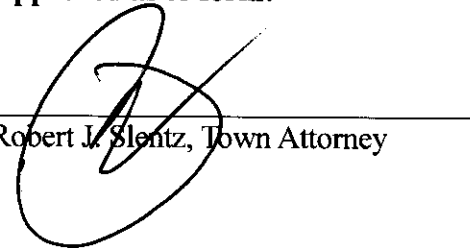
TOWN OF CASTLE ROCK

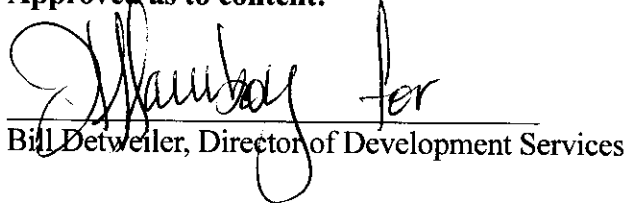

Sally A. Misare, Town Clerk


Paul Donahue, Mayor

Approved as to form:

Approved as to content:


Robert J. Slentz, Town Attorney


Bill Detweiler, Director of Development Services

ANNEXATION LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 67 WEST AND THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN OF DOUGLAS COUNTY, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35;
THENCE ALONG THE SOUTH LINE OF SAID SECTION 35 NORTH 89°09'30" WEST 572.79 TO THE POINT OF BEGINNING;

THENCE SOUTH 7°52'47" EAST 71.87 FEET;

THENCE SOUTH 47°54'38" EAST 72.98 FEET;

THENCE SOUTH 0°29'15" WEST 181.09 FEET;

THENCE SOUTH 4°18'28" WEST 147.12 FEET;

THENCE SOUTH 8°26'39" WEST 302.85 FEET;

THENCE SOUTH 82°55'20" EAST 54.26 FEET TO A POINT ON THE WESTERN RIGHT OF WAY OF INTERSTATE 25;

THENCE ALONG SAID RIGHT OF WAY SOUTH 7°04'40" WEST 118.82 FEET;

THENCE ALONG SAID RIGHT OF WAY SOUTH 7°45'40" WEST 362.12 FEET;

THENCE DEPARTING SAID RIGHT OF WAY ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 259.60 FEET AND AN ARC LENGTH OF 114.64 FEET, THROUGH A CENTRAL ANGLE OF 25°18'02" AND A CHORD BEARING SOUTH 76°25'32" EAST AND CHORD LENGTH OF 113.70 FEET;

THENCE SOUTH 89°04'34" EAST 160.11 FEET TO A POINT ON THE WESTERN LINE OF THE PARCEL GRANTED TO THE CITY OF CASTLE ROCK BY THE QUITCLAIM DEED IN BOOK 2131 AT PAGE 2380;

THENCE ALONG SAID LINE SOUTH 4°03'23" WEST 100.15 FEET;

THENCE DEPARTING SAID LINE NORTH 89°04'34" WEST 154.64 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 359.60 AND AN ARC LENGTH OF 126.40, THROUGH A CENTRAL ANGLE OF 20°08'25" AND A CHORD BEARING NORTH 79°00'21" WEST AND A CHORD LENGTH OF 125.75 FEET TO A POINT ON THE WEST RIGHT OF WAY OF INTERSTATE 25;

THENCE ALONG SAID RIGHT OF WAY SOUTH 8°08'40" WEST 253.48 FEET;

THENCE ALONG SAID RIGHT OF WAY SOUTH 5°17'52" WEST 284.32 FEET;

THENCE ALONG SAID RIGHT OF WAY SOUTH 0°34'04" WEST 45.43 FEET TO A POINT OF INTERSECTION WITH THE UNION PACIFIC RAILROAD RIGHT OF WAY;

THENCE ALONG THE EASTERLY RIGHT OF WAY OF THE UNION PACIFIC RAILROAD NORTH 30°56'37" WEST 493.21 FEET TO THE INTERSECTION WITH THE BOUNDARY OF CASTLE ROCK MARINE FILING NO. 1 (RECEPTION NO. 2009074562);

THENCE ALONG SAID BOUNDARY NORTH 15°18'43" EAST 162.43 FEET;

THENCE ALONG SAID BOUNDARY NORTH 12°48'08" EAST 142.07 FEET;

THENCE ALONG SAID BOUNDARY NORTH 0°06'51" WEST 260.27 FEET;

THENCE ALONG SAID BOUNDARY NORTH 5°41'26" WEST 350.42 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1880.00 FEET AND AN ARC LENGTH OF 461.16 FEET, THROUGH A CENTRAL ANGLE OF 14°03'16" AND A CHORD BEARING OF NORTH 21°05'46" WEST AND A CHORD LENGTH OF 460.00 FEET;

THENCE ALONG SAID BOUNDARY NORTH 28°07'24" WEST 236.90 FEET;

THENCE ALONG SAID BOUNDARY SOUTH 73°48'33" WEST 588.13 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF THE UNION PACIFIC RAILROAD;

THENCE ALONG SAID RIGHT OF WAY NORTH 25°48'45" WEST 99.88 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 35;

THENCE ALONG SAID RIGHT OF WAY NORTH 25°48'45" WEST 1470.35 FEET;

UNOFFICIAL COPY

THENCE DEPARTING SAID RIGHT OF WAY SOUTH 89°18'37" EAST 577.71 FEET TO A POINT ON THE WESTERY RIGHT OF WAY OF NORTH LIGGETT ROAD;
THENCE ALONG SAID RIGHT OF WAY NORTH 28°23'31" WEST 1504.33;
THENCE DEPARTING SAID RIGHT OF WAY SOUTH 89°27'39" EAST 68.55 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF NORTH LIGGETT ROAD;
THENCE ALONG SAID RIGHT OF WAY SOUTH 28°23'31" EAST 1504.54 FEET;
THENCE DEPARTING SAID RIGHT OF WAY SOUTH 89°18'37" EAST 1119.75 FEET;
THENCE SOUTH 42°47'09" EAST 18.82 FEET;
THENCE SOUTH 5°25'01" EAST 15.02 FEET;
THENCE SOUTH 5°11'15" EAST 489.81 FEET;
THENCE SOUTH 10°57'34" EAST 362.78 FEET;
THENCE SOUTH 0°05'40" EAST 388.23 FEET;
THENCE SOUTH 52°44'45" WEST 95.70 FEET;
THENCE SOUTH 7°52'47" EAST 1.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,695,639.05 SQUARE FEET OR 61.883 ACRES, MORE OR LESS.

UNOFFICIAL COPY