

NOTICE OF ADOPTED ORDINANCE

Pursuant to Section 7-3 of the Town of Castle Rock Home Rule Charter, notice is hereby given that the Town Council did adopt the following named and described Ordinance during its Regular Meeting on May 17, 2016 which commenced at 6:00 P.M. at the Castle Rock Town Council Chambers, 100 N. Wilcox St. Castle Rock, CO 80104

Title of Adopted Ordinance: Ordinance No. 2016-012

An Ordinance Amending The Town's Zoning District Map By Approving The Pinon Manor Apartments Planned Development Plan And The Pinon Manor Planned Development Plan Zoning Regulations

Subject Matter Summary:

The proposed Ordinances rezones part of the BW Squared PD and an R-1 zone district to create a new PD known as Pinon Manor Apartments PD. The new Pinon Manor Apartments PD will allow the development of three new multi-family dwellings to be added to the four existing multi-family dwellings.

The entire text of the proposed ordinance is contained herein, and copies of all documents are available for public inspection at the office of the Town Clerk, 100 North Wilcox, Castle Rock, Colorado 80104 during normal working hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Publication Date: May 20, 2016

ORDINANCE NO. 2016-012

AN ORDINANCE AMENDING THE TOWN'S ZONING DISTRICT MAP BY APPROVING THE PINON MANOR APARTMENTS PLANNED DEVELOPMENT PLAN AND THE PINON MANOR PLANNED DEVELOPMENT PLAN ZONING REGULATIONS

WHEREAS, proper application has been made by 472-498 So. Gilbert St., LLC ("Applicant") for an amendment to the zoning of the property described in the attached *Exhibit 1* ("Property"), and

WHEREAS, Applicant has requested approval of the Pinon Manor Apartments Planned Development Plan ("PD Plan"), and

WHEREAS, Applicant has requested approval of the Pinon Manor Apartments Planned Development Plan Zoning Regulations ("Zoning Regulations"), as the same affect the Property, and

WHEREAS, the PD Plan and Zoning Regulations comply with Chapter 17.36 of the Castle Rock Municipal Code, the Town's Vision 2020 and the Comprehensive Master Plan, and

WHEREAS, public hearings on the PD Plan and Zoning Regulations 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:

Section 1. Zoning District Map Amendment. The Town's Zoning District Map pertaining to the Property is amended to conform to the Pinon Manor Apartments Planned Development Plan.

Section 2. Planned Development Plan Approval. The Pinon Manor Apartments Planned Development Plan dated July 5th, 2014 in the form attached as *Exhibit 2*, is hereby approved.

Section 3. Zoning Regulation Approval. The Pinon Manor Apartments Planned Development Plan Zoning Regulations, in the form attached as *Exhibit 3*, are hereby approved.

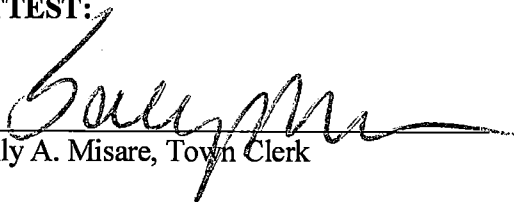
Section 4. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

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 relation to the legislative object sought to be obtained.


APPROVED ON FIRST READING this 3rd day of May, 2016 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 ON SECOND AND FINAL READING this 17th day of May, 2016, by the Town Council of the Town of Castle Rock by a vote of 7 for and 0 against.

ATTEST:

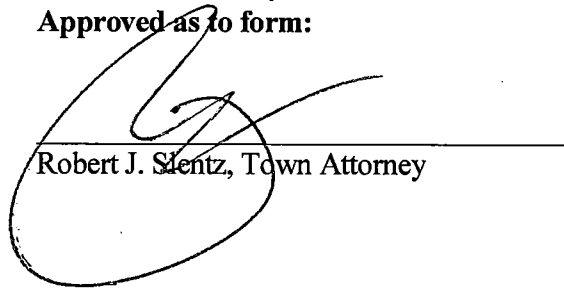


Sally A. Misare, Town Clerk

TOWN OF CASTLE ROCK



Paul Donahue, Mayor

Approved as to form:



Robert J. Slentz, Town Attorney

Approved as to content:



Bill Detweiler, Director of Development Svcs.

LEGAL DESCRIPTION:

LEGAL DESCRIPTION: LOTS 3 AND 4
B.W. SQUARED SUBDIVISION
DOUGLAS COUNTY
STATE OF COLORADO

LEGAL DESCRIPTION: A PORTION OF THE NORTHEAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH P.M. BEARS EAST 30 FEET; THENCE NORTH ALONG THE WEST SIDE OF THE COUNTY ROAD 285.5 FEET; THENCE AT RIGHT ANGLE WEST 237.5 FEET TO A POINT ON THE EAST BOUNDARY OF THE BRANCH LINE OF THE DENVER AND RIO GRANDE WESTERN RAILROAD RIGHT OF WAY; THENCE ALONG SAID EAST BOUNDARY SOUTH 31°15' EAST 330.5 FEET TO THE SOUTH LINE OF THE ABOVE MENTIONED NORTHEAST 1/4 OF THE SOUTH EAST 1/4; THENCE ALONG SAID SOUTH LINE 70 FEET TO THE POINT OF BEGINNING.

Zoning Regulations

Pinon Manor Apartments Planned Development Plan

Amended: _____
Approved: _____

**Zoning Regulations
For
Pinon Manor Apartments**

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SECTION I: GENERAL PROVISIONS.

Adoption/Authorization. The Town Council has adopted the Pinon Manor Apartments Planned Development Plan and Planned Development Zoning Regulations pursuant to Chapter 17.34 of this Code after appropriate public notice and hearing.

Applicability. The Pinon Manor Apartments Planned Development Plan shall run with and bind all landowners of record, their successors, heirs or assigns of the land as approved by Town Council.

Maximum level of development. The total number of dwelling units approved for development within the established use areas is the maximum allowed for platting and development. The actual number of dwellings or floor area approved will be determined at the plat and SDP stage of review based upon environmental constraints, utility and street capacity, compatibility within surrounding land uses and other elevations.

Relationship to Town regulations. The provisions of this PD plan and zoning regulations shall prevail and govern the development of the Pinon Manor Apartments Planned Development Plan; provided, however, that where the provisions of the Town zoning ordinance, as amended, or any other applicable provisions of this Code shall be applicable.

Severability of provisions. In the event that any provision hereof shall be determined to be illegal or void by the final order of any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION II: DEVELOPMENT AGREEMENT.

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

This agreement, entitled _____, was adopted by the Town on ____ day of _____, 20 __, by Ordinance No. 2016- _____.

SECTION III: SITE DEVELOPMENT PLANS AND PLATS.

Following approval of the Pinon Manor Apartments Planned Development Plan, the property owners shall submit a SDP plan for all or any portion or portions of the general use areas as are then ready for development. No building permit will be issued until a SDP plan and subdivision plat have been approved.

SECTION IV: USE AREAS

4.1 Multi-Family Use Area – MM-1

These units are existing.

A. Permitted Uses:

- 1) Multiple-family dwellings.
- 2) Temporary leasing office and construction trailers.
- 3) Leasing offices, model units.
- 4) Storage areas and covered parking.
- 5) Recreation and gathering areas.

B. Design Standards:

- 1) The photograph attached as Figure 1 has been included to demonstrate the current architecture on this site. Improvements may be made during the Site Plan and Subdivision Plat approval stage.

4.2 Multi-Family Use Area – MM-2

These are new units.

A. Permitted Uses:

- 1) Multiple-family dwellings.
- 2) Temporary leasing office and construction trailers.
- 3) Leasing offices, model units.
- 4) Storage areas and covered parking. 5) Recreation and gathering areas.

B. Design Standards:

- 1) Building Height shall be forty (40') maximum for principal apartment buildings
- 2) Building Height shall be (24') for accessory buildings.
- 3) A 25' foot wide landscape buffer shall be installed along Gilbert Road.
- 4) Site development shall work with the topography
- 5) The architectural elevation renderings for buildings in MM2 attached as Figure 2 have been included to demonstrate the level of quality in architecture

planned for this site. The rendering is conceptual in nature, but will be used as a guide for the general architectural design and plans.

4.3 Accessory Uses

A. The following Accessory Uses are permitted in all use areas:

- 1) Home occupations subject to Town of Castle Rock Municipal Code 17.52.230 (excluding in-home Daycare)
- 2) Public utilities
- 3) Roadways, bike paths, pedestrian trails
- 4) Stormwater drainage detention areas
- 5) Parking areas
- 6) Mail kiosks

SECTION V: DEVELOPMENT STANDARDS.

	<u>MM-1</u>	<u>MM-2</u>
Gross Density	16 du/acre	
Use Area Density	15 du/acre	18 du/acre
Planning Area	2.2 acres	1.09 acre
Minimum lot area	.95 acres	1.09 acre
<u>Setbacks:</u>		
Front	15'	15'
Rear	15'	15'
Side	15'	15'
Landscape buffer adjacent to Gilbert Rd.	30'	25'
Max. building coverage	40%	40%
Max. building height	40'	40'
<u>Parking Standards:</u>	<ul style="list-style-type: none"> • 2 parking stalls per 2-3 bedroom unit • 1.5 parking stall per 1 bedroom unit • 1 parking space per studio unit • 1 visitor parking space for every 4 units • 1/3 of the total parking spaces may be reduced in size (9' x 16') to accommodate compact automobiles 	

5.1 Lighting: Lighting shall comply with the Town of Castle Rock Illumination Regulations.

5.2 Landscaping: Landscaping shall comply with the Town of Castle Rock Landscape and Irrigation Performance Standards and Criteria.

5.3 Signage: Signage must be depicted on the Site Development Plan. All signs require an approved Sign Permit from the Town of Castle Rock.