

ORDINANCE NO. 3.74.1, Series of 2013

**TITLE: A BILL FOR AN ORDINANCE TO AMEND THE CROWN POINT
CENTER DEVELOPMENT GUIDE THIRD AMENDMENT PURSUANT
TO THE PARKER LAND DEVELOPMENT ORDINANCE**

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER,
COLORADO, ORDAINS:

Section 1. Finding of Fact.

a. Application has been made for amending the Planned Development zoning, for the "Crown Point Development Guide Second Amendment," approved by the Town Council on August 7, 1989, and recorded in the Office of the Douglas County Clerk and Records Office on September 10, 2001, in Book 2126, page 1089 and Reception No. 01083112, for the property described in attached **Exhibit A** within the Town of Parker, Colorado, pursuant to the Parker Land Development Ordinance (the "2001 Crown Point Development Guide").

b. Public notice has been given of such zoning amendment by one (1) publication in the *Douglas County News-Press*, a newspaper of general circulation within the Town and the official newspaper of the Town, at least fifteen (15) days before the public hearing of such zoning.

c. Written notice was sent by certified mail to all owners of property within five hundred (500) feet of the property, at least fifteen (15) days prior to the public hearing.

d. Notice of such proposed hearing was posted on the property for fifteen (15) consecutive days prior to said hearing.

e. The requirements contained in Section 13.04.240 of the Parker Municipal Code for approving the amendment to the 2001 Crown Point Development Guide have been satisfied.

Section 2. The 2001 Crown Point Development Guide approved by the Town Council on August 7, 2001, for the property identified in Exhibit A is hereby amended by the "Crown Point Center Development Guide Third Amendment" as set forth in **Exhibit B**, which is attached hereto and incorporated by this reference

Section 3. Approval of this Ordinance does not create a vested property right. Vested property rights may arise and accrue, pursuant to the provisions of Ordinance No. 3.65.1, as amended, of the Town of Parker.

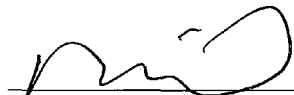
Section 4. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the

publication of an agenda that contains the title to this ordinance in a newspaper of local circulation prior to first and second reading of this ordinance creates a financial burden on the Town and that the title to this ordinance was posted in two public places two days before the Town Council meeting as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

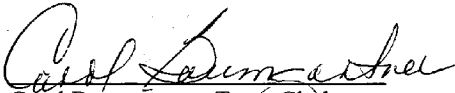
Section 5. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 6. This Ordinance shall become effective ten (10) days after final publication.


INTRODUCED AND PASSED ON FIRST READING this 28th day of May, 2013.


Mike Waid, Mayor

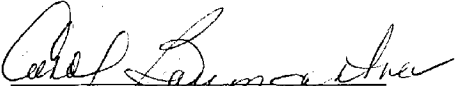
ATTEST:


Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this 3rd day of June, 2012.


Mike Waid, Mayor

ATTEST:


Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:



James S. Maloney, Town Attorney

EXHIBIT A

SECTION 12

LEGAL DESCRIPTION

TWO PARCELS OF LAND LOCATED IN SECTIONS 3, 4, 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 3;

THENCE N89°14'30"E ALONG THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER A DISTANCE OF 1,227.45 FEET TO THE POINT OF BEGINNING ON THE EASTERLY RIGHT-OF-WAY LINE OF E-470, PARCEL NO. TK-23 REV. 1;

THENCE CONTINUING N89°14'30"E ALONG SAID NORTH LINE A DISTANCE OF 1,483.59 FEET TO THE POINT ON THE WESTERLY BOUNDARY LINE OF SIERRA VISTA FILING NO. 3;

THENCE ALONG THE WESTERLY BOUNDARY LINES OF SIERRA VISTA FILINGS NO. 3 AND NO. 2 THE FOLLOWING EIGHT (8) COURSES:

- 1) S10°45'30"E A DISTANCE OF 580.00 FEET;
- 2) S75°14'30"W A DISTANCE OF 385.00 FEET;
- 3) 10°45'30"E A DISTANCE OF 635.00 FEET;
- 4) S61°33'52"E A DISTANCE OF 281.33 FEET;
- 5) S34°32'23"W A DISTANCE OF 280.00 FEET TO THE POINT OF RADIAL CURVE, WHENCE THE CENTER OF SAID CURVE BEARS S34°32'23"W;
- 6) ALONG THE ARC OF SAID RADIAL CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 07°00'00" AND A RADIUS OF 1,250.00 FEET, A DISTANCE OF 152.72 FEET TO THE POINT ON A RADIAL LINE;
- 7) S41°32'23"W ALONG SAID RADIAL LINE A DISTANCE OF 172.48 FEET;
- 8) S00°21'34"E A DISTANCE OF 756.72 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 10;

THENCE CONTINUING S00°21'34"E ALONG THE EAST LINE OF SAID NORTHWEST ONE-QUARTER A DISTANCE OF 1,621.90 FEET TO THE POINT ON THE NORTH LINE OF THAT PARCEL OF LAND DESCRIBED IN BOOK 289 AT PAGE 826, DOUGLAS COUNTY RECORDS;

THENCE S89°32'23"W ALONG SAID NORTH LINE A DISTANCE OF 2,265.17 FEET TO THE POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 83, AS DESCRIBED IN BOOK 727 AT PAGE 628, DOUGLAS COUNTY RECORDS;

THENCE N24°38'59"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 665.42 FEET;

THENCE N19°46'10"W ALONG THE RIGHT-OF-WAY LINE OF E-470, PARCEL NO. TK-23 B REVISION 1 A DISTANCE OF 501.81 FEET;

THENCE N24°39'15"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 100.00 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF E-470, PARCEL NO. TK-23 REV. 1;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES:

- 1) N65°20'45"E A DISTANCE OF 52.69 FEET TO THE POINT OF RADIAL CURVE, WHENCE THE CENTER OF SAID CURVE BEARS N65°20'45"E;

- 2) ALONG THE ARC OF SAID RADIAL CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 70°18'53" AND A RADIUS OF 549.41 FEET, A DISTANCE OF 674.24 FEET TO THE POINT OF TANGENT;
- 3) N45°39'38"E ALONG SAID TANGENT LINE A DISTANCE OF 648.67 FEET TO THE POINT OF CURVE;
- 4) ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 35°55'43" AND A RADIUS OF 1,979.85 FEET, A DISTANCE OF 1,241.51 FEET TO THE POINT OF TANGENT;
- 5) N09°43'55"E ALONG SAID TANGENT LINE A DISTANCE OF 945.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,086,265 SQUARE FEET OR 208.5919 ACRES, MORE OR LESS.

TOGETHER WITH:

PARCEL B

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER OF SECTION 3;

THENCE N89°14'30"E ALONG THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER A DISTANCE OF 900.77 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF E-470, PARCEL NO. TK-23 REVISION 1;

THENCE ALONG THE RIGHT-OF-WAY LINE OF E-470, PARCELS NO. TK-23 REVISION 1 AND TK-23 A REVISION 1 AND THE RIGHT-OF-WAY LINE OF STATE HIGHWAY NO.

83 THE FOLLOWING ELEVEN (11) COURSES:

- 1) S10°52'39"W A DISTANCE OF 681.68 FEET;
- 2) S14°37'39"W A DISTANCE OF 95.13 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22E03'52" AND A RADIUS OF 1,075.92 FEET, A DISTANCE OF 414.33 FEET TO A POINT OF TANGENT;
- 3) S36°41'31"W ALONG SAID TANGENT LINE A DISTANCE OF 228.17 FEET TO A POINT OF CURVE;
- 4) ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 52°39'15" AND A RADIUS OF 549.41 FEET, A DISTANCE OF 504.90 FEET TO A POINT OF TANGENT;
- 5) S89°20'46"W ALONG SAID TANGENT LINE A DISTANCE OF 428.00 FEET TO A POINT OF CURVE;
- 6) ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 66°00'00" AND A RADIUS OF 549.41 FEET, A DISTANCE OF 632.88 FEET;
- 7) N24°39'14"W A DISTANCE OF 189.84 FEET;
- 8) N55°34'56"W A DISTANCE OF 82.67 FEET;
- 9) N24°39'05"W A DISTANCE OF 862.93 FEET;
- 10) N37°19'01"E A DISTANCE OF 106.97 FEET;
- 11) N28°26'39"W A DISTANCE OF 105.93 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST ONE-QUARTER OF SECTION 4;

THENCE N88°53'23"E ALONG SAID NORTH LINE A DISTANCE OF 1,427.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,762,891 SQUARE FEET OR 63.4272 ACRES, MORE OR LESS.

EXHIBIT B

**CROWN POINT CENTER
DEVELOPMENT GUIDE
THIRD AMENDMENT**

ORIGINALLY APPROVED BY THE PARKER TOWN COUNCIL
DECEMBER 4, 1989

SECOND AMENDMENT
APPROVED BY THE PARKER TOWN COUNCIL
AUGUST 7, 2001

THIRD AMENDMENT
APPROVED BY THE TOWN OF PARKER TOWN COUNCIL
JUNE 3, 2013

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SECTION 1

PURPOSE, OBJECTIONS AND INTENT

- 1.1 Purpose. The purpose of this Crown Point Center Planned Development District Development Guide Second Amendment (hereinafter referred to as “Development Guide”) is to assure that Crown Point Center grows as a comprehensively planned development with adequate provisions for the orderly development and improvement of the property. The property to which this development guide is applicable (hereinafter referred to as Crown Point Center) is legally described in Section 12 hereof. All section references, unless otherwise stated, are to sections in this Development Guide.
- 1.2 Objectives. The Crown Point Center Planned Development is intended to accommodate a mix of commercial, office, hotel, research and development, residential, open space/buffer, and recreational land uses. This Development Guide permits opportunities for innovative community design and sensitive site design, while allowing the flexibility to respond to changing market and community needs.
- 1.3 Legislative Intent. It is the intent of this Development Guide to be consistent with, and to assist in the implementation of, the legislative declarations contained in the Planned Unit Development Act of 1972 for the State of Colorado, as amended.

SECTION 2

AUTHORITY

- 2.1 Authority. The authority for this Development Guide is Section XXIV - Planned Development - PD of the Town of Parker Zoning Ordinance, July 30, 1981. The authority for Section XXIV of the Town of Parker Zoning Ordinance is Article 67, Title 24 (Planned Unit Development Act of 1972), of the Colorado Revised Statutes, 1973, as amended.
- 2.2 Adoption. The adoption of this Development Guide (and the included Development Plan) shall evidence the finding and decision of the Town Council that this Development Guide for Crown Point Center is authorized by the provisions of Section XXIV of the Town of Parker Zoning Ordinance; that said Section XXIV and this Development Guide comply with the Planned Unit Development Act of 1972; that this Development Guide supersedes, voids, terminates and otherwise replaces by operation of law that certain Crown Point Development Guide and Development Plan (including, without limitation, all owner/developer commitments and obligations contained within the “Preamble” thereto) adopted by Douglas County and filed in the records of Douglas County at Book 545, Page 751 on October 29, 1984.
- 2.3 Enforcement. The provisions of this Development Guide (and the included Development Plan) relating to the use of land shall run in favor of the Town of

Parker and shall be enforceable, at law or in equity, by the Town of Parker. All provisions of this Development Guide shall also run in favor of the occupants and owners of the land within Crown Point Center.

- 2.4 Application of Any Provision Declared Invalid. If the application of any provision of this Development Guide to any parcel, building, other structure, or tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the intent of this Development Guide that:
- 2.4.1 The effect of such decision shall be limited, to the extent practical, to that lot, building, other structure or tract of land immediately involved in the controversy, action, or proceeding in which the judgement or decree of invalidity was rendered; and
- 2.4.2 Such decision shall, to the extent practical, not affect, impair or nullify this Development Guide as a whole or the application of any provision hereof to any other lot, building, other structure or tract of land.

SECTION 3

LAND DEDICATIONS, CONVEYANCES AND EXPENDITURES

- 3.1 Land Dedications, Conveyances and Expenditures. Prior to the date of this Development Guide, the following land dedications, conveyances and expenditures for public use have been made by the Developer and/or its predecessors:
- 3.1.1 E-470 Dedication. The Developer has dedicated, in fee simple and without charge, 1,834,015 square feet (42.1 acres) of land to the E-470 Authority. The required "slope easements" consisting of an additional 3.7 acres have also been granted to the E-470 Authority. The total conveyance represents 14.3% of total site. The Developer has paid to the E-470 Authority \$38,500 for additional design work and environmental impact studies relating to the final alignment of E-470 right-of-way through Crown Point Center.
- 3.1.2 S H 83 (Parker Road). The Developer has dedicated, in fee simple and without charge, 227,857 square feet (5.2 acres) to Douglas County for use by the Colorado Department of Highways for improvements to State Highway 83 (Parker Road) (1.6% of site). In addition, the Developer has conveyed permanent easements totaling 29,507 square feet (0.68 acres) to the Colorado Department of Highways for the purpose of relocating the Wyco Pipeline.
- 3.1.3 Cottonwood Water and Sanitation District. The Developer has granted easements totaling 8.89 acres to the Cottonwood Water and Sanitation District for water transmission lines and for the site on which their water storage facilities have been constructed. In addition, the Developer is committed to conveying to the District, in fee simple and without charge, perpetual rights to approximately 450 acre feet of non-tributary water decreed to the Developer.

- 3.1.4 Open Space/Buffer District. The Developer has, as shown on the Development Plan, preserved a buffer area suitable for future dedication, separating Crown Point Center from the adjacent residential areas (approximately 10% of total the site). Additionally, a minimum prescribed portion of each Planning Area is set aside for landscaping/open space.
- 3.1.5 Cottonwood Drive/Parker Road Intersection. The Developer has previously paid \$35,000 representing 50% of the cost to signalize the intersection of Cottonwood Drive and Parker Road.

SECTION 4

DEFINITIONS

- 4.1 Purpose and Intent. The purpose of this Section is to make certain the meanings of certain words, terms and phrases used in this Development Guide. Any words, terms and phrases contained in this Development Guide shall be defined and interpreted in accordance with the definitions contained in this Section, unless the context indicates a different meaning was intended.
- 4.2 Rules of Construction. The following rules of construction shall govern the interpretation of the provision of this Development Guide.
- 4.2.1 All words, terms and phrases not defined herein in other resolutions or codes of the Town of Parker relative to land development or construction shall be construed as defined in such ordinances or codes, unless the context indicates a different meaning was intended.
- 4.2.2 All words, terms and phrases neither defined herein nor in other such ordinances or codes shall be given their usual and customary meanings unless the context indicates a different meaning was intended.
- 4.2.3 The text of this Development Guide shall have precedence over its captions and titles.
- 4.2.4 The word “shall” is mandatory and not permissive; the word “may” is permissive and not mandatory.
- 4.2.5 Words used in the singular include the plural and words used in the plural include the singular, unless the context indicates the contrary.
- 4.2.6 Words used in the present tense include the future tense and words used in the future tense include the present tense.
- 4.2.7 The phrase “used for” includes “arranged for” “designed for” , “intended for” , “maintained for” and “occupied for”.
- 4.2.8 The particular or specific definitions given in this Development Guide control over the general meaning of those words.

- 4.2.9 The definitions set forth in Section XIII, Definitions, of the Town of Parker Zoning Ordinance and the successors thereof, as in effect at the time of adoption of this Development Guide, except as amended in this Development Guide, are by this reference incorporated herein as if set forth in full to the extent not inconsistent with this Development Guide.
- 4.2.10 Definitions:
- 4.2.10.1 Abut: Are contiguous, i.e., have a common property line
- 4.2.10.2 Accessory Building: A subordinate building, the use of which is customarily incidental to that of the main building(s) or to the main use(s) of the land and which is located on the same lot(s) or parcel with the main building or use.
- 4.2.10.3 Accessory Use: A use naturally and normally incidental and subordinate to, and devoted exclusively to, the main use of the premises.
- 4.2.10.4 Borrow Site: An area used for the extraction of earthen materials such as sand, gravel or dirt which is outside the area of immediate development.
- 4.2.10.5 Building: Any permanent structure, or portion thereof, built for the shelter or enclosure of human beings or property of any kind, but excluding advertising signboards, fences and walls.
- 4.2.10.6 Building Height: Except as otherwise provided for in the Development Guide, Building Height shall mean the vertical distance measured from the highest point of the ground-level grade to the elevation of the highest point of the roof level. Also see Section 9.1.3.
- 4.2.10.7 Car Care Center: An establishment providing sales of vehicle fuel and such services as lubrication, oil, tire changes, maintenance and repairs. This use does not include paint spraying or body repair.
- 4.2.10.8 Caretaker Residence: A dwelling unit accessory to any building arranged, designed and intended for occupancy by a person or persons owning, employed in or dealing with and responsible for security and maintenance of such building or the uses permitted therein.
- 4.2.10.9 Common Area or Common Element: The total area and structures within a project which are designed, designated and maintained for common use and enjoyment by the owners and tenants of the project and their invitees, such as recreation areas and facilities, landscaped areas, open space areas, sidewalks, hallways, parking facilities, elevators, and entries.

- 4.2.10.10 Community Information Center: A temporary or permanent structure or facility, including associated parking areas, which is used principally for dissemination of community news and events, and information concerning real estate held for sale or lease during the development of Crown Point Center.
- 4.2.10.11 Contiguous Land: A parcel of land which has a common property line with another parcel of land.
- 4.2.10.12 Convenience, Commercial: A retail or service commercial use which serves the area immediately surrounding the use by providing groceries, sundries and miscellaneous services which do not typically offer comparison shopping opportunities.
- 4.2.10.13 CPCACC ("Crown Point Center Architectural Control Committee"): The Crown Point Center Architectural Control Committee created pursuant to the Protective Covenants.
- 4.2.10.14 Day Care Center: A facility which may utilize one or more buildings, which is maintained for the whole or part of a day for the care of persons under the age of 21 years under the provisions of the Colorado Child Care Act. Such facilities may be operated with or without stated educational purposes. The term shall include facilities commonly known as "day care centers", "day nurseries", "nursery schools", "pre-schools", "kindergartens" and those facilities which give 24 hour care for dependent and neglected children and shall include those facilities with stated educational purposes operated in conjunction with public or private educational facilities.
- 4.2.10.15 Developer: Crown Point Center, Ltd. and its designees as formally appointed in writing by Crown Point Center, Ltd., which appointment shall be recorded in the records of Douglas County, Colorado.
- 4.2.10.16 Development: Any construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure, building and/or land.
- 4.2.10.17 Development Guide: The document establishing permissible parameters for the lot size, type of use or activity, lot coverage, open space and other Town of Parker zoning regulation standards within a Planned Development. Unless otherwise specifically provided for herein, e.g., variances, once the Development Guide is approved and recorded by the Town of Parker, all current and future owners and their assigns are required to develop their property in accordance with the Development Guide.

- 4.2.10.18 Development Plan: A map depicting the land to be used within a Planned Development. Once a Development Plan is approved and recorded by the Town of Parker, the current and future owner and their assigns are required to develop their property in accordance with the Development Plan. The Development Plan is an integral part of and must be interpreted in accordance with the Development Guide.
- 4.2.10.19 Executive Residence: A dwelling unit accessory to any commercial or office main building which is arranged, designed and intended for occupancy by a person or persons owning, employed by or dealing with a business contained within such building.
- 4.2.10.20 Floor Area, Net (Commercial): The total horizontal floor area, measured in square feet, of all floors of a building, excluding therefrom walls, stairwells, elevator shafts, covered walkways, roof patio areas, covered entries, covered parking, covered driveways, covered loading areas, utility rooms and storage areas.
- 4.2.10.21 Grade, Ground Level: The elevation of the finished lot surface measured at any point along the perimeter of the building.
- 4.2.10.22 Helipad: The area necessary to land and hold a helicopter which is used for Hospital emergencies, unscheduled flights; no maintenance or fueling facilities are to be present. The Helipad shall be located at grade.
- 4.2.10.23 Hospital: A service commercial building or portion thereof used primarily for the overnight accommodation and medical and surgical care of the sick, injured, and infirm, including sanitariums, but excluding therefrom medical clinics, rest homes, convalescent homes and homes for the aged.
- 4.2.10.24 Hotel: Any building arranged, designed and intended as a temporary lodging place for human beings, with or without meals; in which there are 6 or more guest rooms or suites.
- 4.2.10.25 Landscape: Improvement to an area of land by the planting of a combination of trees, shrubs and ground cover or the installation of other materials such as rock and bark.
- 4.2.10.26 Lot: A lot is a portion of a subdivision intended as a unit for transfer of property ownership or for development and designated as a lot on a recorded plat.
- 4.2.10.27 Lot Line: A line bounding a lot which divides one lot from another or from a street or any other public or private space.

- 4.2.10.28 Motel: A hotel primarily for transients traveling by automobile.
- 4.2.10.29 Open Space: Public or private land and aquatic areas which are acquired, regulated and managed to protect the natural environment and significant cultural resources, provide recreational and agricultural opportunities; shape the pattern of urban development, or any combination thereof, including yards, common areas and common elements.
- 4.2.10.30 Owner: Any person or persons who from time to time own or hold an aggregate fee simple interest in any portion of Crown Point Center or any Net Floor Area appurtenant thereto. The owners or holders of an "aggregate fee simple interest" shall not include owners or holders of (a) mortgages, deeds of trust, and other instruments pursuant to which said land or floor area rights secure indebtedness, (b) easements, rights-of-way or licenses that pertain to or affect said land or floor area rights, (c) water, mineral, air, or subsurface rights that, as appropriate, are located in, on, under, over or are or were appurtenant to said land, (d) leasehold interests, or (e) other equitable title interests such as a vendee's interest under an installment land contract.
- 4.2.10.31 Parking Area: A portion of land, other than a street, used for the parking of automobiles and available for use, either free or for remuneration.
- 4.2.10.32 Parking, Off-Street: A portion of land, other than a street, used for parking of motor vehicles and available for use, either free or for remuneration.
- 4.2.10.33 Planning Director: The Planning Director or acting head of the Planning Department for the Town of Parker.
- 4.2.10.34 Planned Development: A tract or parcel of land controlled by one or more landowners, which is developed under unified control or a single Development Guide for either a number of residential units, business, commercial, educational, recreational uses or any combination of the foregoing.
- 4.2.10.35 Planning Area: An area of land identified on the Development Plan, the boundaries of which are streets and other lines and areas set forth on the Development Plan. The specific uses in, and the corresponding development standards and requirements applicable to, any Planning Area are determined by the Planning District within which such Planning Area is placed.
- 4.2.10.36 Planning District: Those specific zoning classification Districts provided for in Section 9 of this Development Guide, i.e., Commercial/Office/Hotel District; Commercial/Office/Research and Development District;

Suburban Residential/Campus Office District; Open Space/Buffer District.

- 4.2.10.37 **Plat:** A map of a subdivision showing the location, boundaries and ownership of individual properties and prepared in accordance with the requirements of the Town of Parker and recorded in the records of Douglas County, Colorado.
- 4.2.10.38 **Power Center:** Generally defined as being an up-scale, unenclosed community center consisting of multiple anchors which are compatible, but not necessarily competitive. Typically, between 60% - 80% of the space is occupied by anchors having a regional impact and the balance devoted to smaller tenants. The anchors may be free standing and/or individually owned, or in line, in which case the anchor stores may also be individually owned.
- 4.2.10.39 **Professional Office:** A place of business for any of the following: accountants, architects, attorneys, bookkeeping services, brokers (of stocks, bonds, real estate), building designers, persons licensed by the State to practice any of the healing arts, corporate offices, drafting services, financial institutions, including banks, savings and loan associations, insurance companies, credit unions and credit reporting agencies, development companies, engineers, surveyors and planners, insurance agencies and brokers, interior decorators and designers (no retail sales allowed on premises), laboratories (medical and dental), landscape architects, pharmacies, notaries public, public stenographers, typing and secretarial services, and other similar businesses and professions.
- 4.2.10.40 **Project:** One or more lots or parcels planned and designed as a unified entity such as a condominium development, cluster development, townhouse development, commercial development, recreational development, shopping center development, etc.
- 4.2.10.41 **Protective Covenants:** The Declaration of Protective Covenants for Crown Point Center recorded and/or to be recorded in the records of Douglas County, Colorado by the Developer, as may from time to time be amended and/or restated and/or extended.
- 4.2.10.42 **Recreation Facility Commercial:** A commercial use characterized by the provision of recreational facilities and services for remuneration, such as theaters, bowling alleys, tennis courts, recreation centers and similar uses.
- 4.2.10.43 **Recreation Facility Private:** A recreation facility operated by a non-profit organization and open only to bona fide members and guests of such non-profit organization.

- 4.2.10.44 **Recreation Facility, Public:** A recreation facility operated by a governmental or quasi-governmental agency and open to the general public.
- 4.2.10.45 **Retail Commercial:** A commercial use characterized by the selling of tangible goods, wares, and merchandise directly to the consumer.
- 4.2.10.46 **Setback:** The length of any required unobstructed area (exclusive of certain items as otherwise provided in this Development Guide, such as landscaping, walkways and patios) measured perpendicular to the lot line.
- 4.2.10.47 **Service Commercial:** A commercial use characterized by the selling of services and intangibles directly to the consumer.
- 4.2.10.48 **Shopping Center:** A group of three (3) or more commercial establishments planned, developed and managed as a unit with common off-street parking and open space provided on the property.
- 4.2.10.49 **Site:** Any portion or part of Crown Point Center that is the subject of any Site Plan submitted in accordance with the provisions of this Development Guide.
- 4.2.10.50 **Site Design/Development Standards:** See Section 9 of this Development Guide.
- 4.2.10.51 **Site Plan:** The plans and supplement materials drawn and submitted in accordance with the requirements of this Development Guide to evaluate a project prior to the issuance of design approval or a building permit.
- 4.2.10.52 **Site Planning Standards:** See Section 8 of this Development Guide.
- 4.2.10.53 **Special Community Event:** A temporary event, such as fireworks, parades, community picnics, athletics events, non-motorized vehicle races, Christmas and holiday pageants and other outdoor programs, (sponsored by an association, property owners association, other community organization or the owner of land within Crown Point Center).
- 4.2.10.54 **Structure:** Anything constructed or erected which requires permanent location on the ground or is attached to something having a permanent location on the ground, but not including fences or walls less than eight (8) feet in height, poles, lines, cables, or other transmission or distribution facilities or public utilities.

- 4.2.10.55 Use: The purpose for which land, or portions thereof, or buildings are arranged, designed and intended, or the purpose for which either land or buildings, or portions thereof, are or may be occupied or maintained.

SECTION 5

GENERAL PROVISIONS

- 5.1 Purpose. The purpose of this Section is to provide general provisions and clarifications of standards and requirements for development which occurs within Crown Point Center.
- 5.2 Conflict. The provisions of the Development Guide shall prevail and govern the development of Crown Point Center provided, however, where the provisions of the Development Guide do not clearly address a specific subject, the provisions of the Town of Parker Zoning Ordinance shall prevail.
- 5.3 Incorporation of Land Development Plan. The Crown Point Center Development Plan is hereby incorporated by reference into this Development Guide as Section 13 together with everything shown thereon and all amendments thereto.
- 5.4 Development Phasing. Any project may be constructed in phases, provided that there is compliance with the appropriate Site Design/Development Standards and other applicable requirements of this Development Guide.
- 5.5 Planning Area Boundaries. Wherever a Planning Area abuts a dedicated roadway, i.e., Parker Road (State Highway 83), E-470 or other public right-of-way shown on the Development Plan, the Planning Area boundary is the abutting right-of-way line. Modifications in Planning Area boundaries and streets may be accomplished by the Developer through final road alignments or technical refinements shown on a final plat, with the approval of the Planning Director, without any amendment to this Development Guide, provided, however, that Planning Areas may not increase or decrease more than twenty-five (25) percent in gross area.
- 5.6 Construction Standards. Construction shall comply with applicable provisions of the Uniform Building and Mechanical Code, the National Electrical Code, Uniform Fire Code, the Colorado Plumbing Code and other similar such codes, and the successors thereof, setting forth construction standards as promulgated by the International Conference of Building Officials or other standards-establishing bodies and adopted by the Town of Parker.
- 5.7 Utility Connections. Connection to public water and public sewerage facilities shall be required for each principal building constructed in Crown Point Center. All connections shall be made in compliance with the specifications set forth by the Cottonwood Water and Sanitation District. Temporary structures such as sales and construction trailers shall be exempt from this requirement.

- 5.8 Underground Utility Requirements. All future permanent distribution lines and cables, including, without limitation, electrical, gas, communication, and cable television shall be placed underground. Temporary facilities such as interim telephone and electric or similar lines or cables for use prior to the installation of permanent underground services will be allowed to be overhead.
- 5.9 Borrow Sites. Any area within Crown Point Center may be used as a borrow site for construction materials. All borrow areas shall be regraded, reseeded and re-landscaped, in a timely manner, with appropriate plant materials subsequent to borrow operations.
- 5.10 Erosion Control. All lands disturbed during development and/or construction or not left in a natural state shall be treated to prevent erosion. Further, an erosion control plan shall be submitted to the Town Planning Director prior to grading. To the extent reasonably practical, the Open/Space Buffer District lands depicted on the Development Plan(s) shall be left undisturbed so as not to disrupt the natural vegetation.
- 5.11 Agricultural Uses. Agricultural and ranch activities and uses and all ancillary uses which are customarily incidental or appropriate to farming and ranching, shall be permitted within all Planning Areas in Crown Point Center where development is not taking place.
- 5.12 Foundation Design. All footings and/or foundation structures and retaining walls shall be designed and certified by a licensed professional engineer, and shall be constructed in accordance with such designs.
- 5.13 Public improvements. All public streets and roads and other public improvements to be dedicated to and/or maintained by the Town of Parker within the confines of Crown Point Center shall be designed and constructed to Town of Parker standards and specifications. Water and sewer design shall be to the standards and specifications of the Cottonwood Water and Sanitation District.
- 5.14 Exterior Lighting. Ground and building lighting shall be designed, installed and maintained to minimize energy consumption, provide adequate illumination for the intended use and public safety, and to minimize glare or illumination onto adjoining property.

SECTION 6

AMENDMENTS, INCLUSIONS AND VARIANCES

- 6.1 Process for Amending Development Plan. The Crown Point Center Development Plan is the map which depicts the various locations of land uses. As Crown Point Center develops, changes may need to be made in Planning Area boundaries. These changes need to be shown on Amended Development Plans which are approved by the Town of Parker. Therefore, the process for amending the Development Plan shall be as follows :

6.1.1 **Amendments.** A land owner may amend, alter or modify the Crown Point Center Development Plan by making written application to the Town of Parker Planning Department, which application shall include the proposed Amended Development Plan. Upon submission, the Town of Parker Planning Director shall make the determination whether the requested amendment is a “Minor Amendment” or a “Major Amendment.” The basic criteria that the Planning Director shall use for his determination is as follows:

6.1.1.1 **Minor Amendment :** Any changes to the Development Plan due to changes in or to the E-470 right-of-way and its corresponding frontage road shall be reviewed by the Town of Parker Planning Director as a Minor Amendment. Additionally, the requested Amendment to the Development Plan may be Minor in nature if the applicant can document to the Planning Director that :

6.1.1.1.1 Such Amendment to the Development Plan does not involve Planning Area boundary changes greater than twenty-five percent (25%) of the overall Development Plan as calculated in gross acres and does not exceed 40 gross acres.

6.1.1.1.2 Such Amendment to the Development Plan does not substantially alter the overall traffic circulation plan as shown on the approved Development Plan. It is anticipated that some right-of-way adjustment and refinement of proposed roadway alignments will be accomplished during platting.

6.1.1.1.3 Such Amendment to the Development Plan does not substantially diminish any existing Open Space/Buffer District.

6.1.1.2 **Major Amendments:** Unless the Amendment request meets all three (3) of the requirements set forth in Section 6.1.1.1.1, 6.1.1.1.2 and 6.1.1.1.3, above, it shall be deemed to be a Major Amendment.

6.1.2 **Amendment Procedure:**

6.1.2.1 **Minor Amendment Procedure:**

6.1.2.1.1 If the Planning Director has determined that the requested Amendment is a Minor Amendment to this Development Plan, he may, but shall not be obligated to, refer the submittal with the proposed Amendment to any one or more referral agencies for their review and comment.

- 6.1.2.1.2 When a Minor Amendment to the Development Plan is approved by the Planning Director, the Amended Development Plan shall be recorded by the Town. The Plan shall be designated as an "Amended Plan", dated, and shall bear the Planning Director's signature.
- 6.1.2.1.3 Should an applicant disagree with any determination(s) of the Planning Director, other than as to whether or not the Amendment is a Minor or Major Amendment, he may appeal directly to the Town Council. The applicant shall initiate this appeal to the Town Council in a written form which specifies with particularity the nature of the appeal/request. The Town Clerk shall schedule the appeal/request for the next available date on the Town Council's agenda.
- 6.1.2.2 Major Amendment Procedure:
- 6.1.2.2.1 If the Planning Director has determined that the requested Amendment does not meet the criteria for being a Minor Amendment as set forth in Section 6.1.2.1, above, it shall be deemed a Major Amendment and the applicant shall be required to process the Amendment through the Planning Department, Planning Commission and the Town Council. The procedure for approval of a Major Amendment shall be the same as the procedure required for the adoption of a new Development Plan.
- 6.1.2.2.2 When the Major Amendment has been approved by Town Ordinance, an Amended Development Plan shall be recorded by the Town. The Plan shall be noted as an "Amended Plan", dated, and shall bear the Mayor's or Mayor Pro Tem's signature, and the signature of the Chairman of the Planning Commission or his designee.
- 6.1.2.2.3 The inclusion or exclusion of lands to the Development Plan shall be deemed a Major Amendment to the Development Plan.
- 6.1.2.3 Fees: Any Amendment request, Minor or Major, shall be subject to the Town review fees then in effect.
- 6.2 Process for Amending Development Guide. This Development Guide establishes standards, and requirements for the Crown Point Center Planned Development. These Standards may or may not be the same as the standards and practices outlined by the Town of Parker Zoning Ordinance. The process for amending this Development Guide (exclusive of the Development Plan) shall be as follows:

- 6.2.1 A land owner may amend, alter or modify the Crown Point Center Development Guide by making a written application to the Town of Parker Planning Department.
- 6.2.2 The Planning Director may, but shall not be obligated to, refer the application along with the proposed Amendment to any one or more referral agencies for their review and comment.
- 6.2.3 Minor modifications of the provisions of this Development Guide may be made administratively by the Planning Director upon application of an owner of the affected property when it is determined by the Planning Director that the modification is not inconsistent with the purpose, objectives and intent of this Development Guide.
- 6.2.4 Should the Planning Director, in his sole discretion, believe the requested Amendment is of major significance he shall require the applicant to obtain formal approval by the Town Council. The Town Clerk shall schedule a formal approval hearing for the next available date on the Town Council's agenda.
- 6.2.5 Any request to Amend this Development Guide shall be subject to the applicable Town of Parker fees then in effect.
- 6.2.6 If an Amendment to this Development Guide is approved by the Town Council, the Amendment shall be recorded by the Town as an Amendment to the previously recorded Development Guide.
- 6.3 Inclusion of Additional Land.
- 6.3.1 Requirements. Notwithstanding anything to the contrary in this Development Guide, additional land may be made subject to the terms and provisions of this Development Guide by the Town Council in accordance with the requirements and procedures of this Development Guide if and only if the following requirements are met:
- 6.3.1.1 Contiguity. Such land is contiguous to any land which is already subject to this Development Guide. For purposes of this Development Guide, contiguity shall be deemed to exist, even if the additional land is separated from Crown Point Center by a platted street or alley, or a public or private right-of-way.
- 6.3.1.2 Application. The application to include such land under the Crown Point Center Development Guide, and the resulting amendment to and/or amended and restated version of the Crown Point Center Development Plan are signed by all owners of the said additional land and by the Developer.
- 6.3.1.3 Development Control. All of such land which is capable of being developed shall be subject to the Crown Point Center Protective Covenants.

- 6.3.2 Procedure. An application for the inclusion of additional land into the Crown Point Center Planned Development shall be processed as an Amendment to the Development Guide and as a Major Amendment to the Development Plan.

- 6.4 Variations. A property owner may be granted minor relief from the provisions of this Development Guide by the Town of Parker, provided it is determined that the minor relief has no substantial adverse affect on the rights and enjoyment of the other occupants and owners of Crown Point Center properties and there exist practical difficulties or particular hardships, or other reasonable jurisdiction in carrying out the strict letter of the regulations of this Development Guide. The Variance process shall be:
 - 6.4.1 The applicant shall make written application to the Town of Parker Planning Department. The application shall, at a minimum, contain the following:
 - 6.4.1.1 A narrative description along with an acceptable sketch or map indicating the requested variance and its justification; and
 - 6.4.1.2 Adequate proof of ownership; and
 - 6.4.1.3 A map indicating the ownership and uses of the abutting properties; and
 - 6.4.1.4 Any required fee.
 - 6.4.2 Upon the Planning Director finding that the rights and enjoyment of the other occupants and owners of Crown Point Center properties would not be adversely effected and that there is reasonable justification for approval, the Planning Director may grant such variance, or, in his sole discretion, endorse the application subject to formal approval by the Town Council. In their deliberations, the Town Council may hear the variance request with or without requiring public comment on the merits of the application. The Town Clerk shall schedule such a formal approval hearing for the next available date on the Town Council's agenda.
 - 6.4.3 In the event the Planning Director denies a variance request, the applicant shall have the right to appeal directly to the Town Council. The applicant shall initiate such appeal to the Town Council in a written form which specifies with particularity the nature of the appeal/request. The Town Clerk shall schedule the appeal/request for the next available date on the Town Council's agenda.
 - 6.4.4 Any variance approved shall run with the property for which it is granted, and shall be for the duration of the use or activity for which it is intended.

SECTION 7

CONTROL PROVISIONS

- 7.1 Control Over Use. After the effective date of this Development Guide:
- 7.1.1 Any new building or other structure, and any parcel of land, may be used; and
- 7.1.2 The use of any existing building, other structure or parcel of land may be changed or extended; and
- 7.1.3 Any existing building or other structure may be enlarged, reconstructed, structurally altered, converted or relocated;

for any purpose permitted or required by the provisions of this Development Guide applicable to the Planning Area in which such building, other structure or parcel of land is located, and for no other purpose. Existing non-conforming structures shall not be enlarged or altered in any manner which increase their non-conformity, unless a variance is granted, but any such structure or portion thereof may be altered or relocated to increase its conformity. Such use, change, extension, enlargement, reconstruction, structural alteration, conversion or relocation shall be subject to all other standards and requirements set forth or referred to in the standards and requirements for that District, and to any other applicable standards and requirements of this Development Guide.

- 7.2 Control Over Location and Height. After the effective date of this Development Guide the location and height of all buildings and other structures erected in the future, shall be in conformity with the restrictions of this Development Guide.
- 7.3 Architectural Control. The CPCACC shall act in lieu of the Town of Parker, e.g., the Design Advisory Review Committee, in approving all building plans and designs. As a condition to the flexibility granted hereunder and granted under Section 8 hereof, the Town shall have the right (but not the obligation) to appoint up to one-third (1/3) of the members of the CPCACC from members of the Town Council and/or the Town Planning Commission. Further the Town shall be given the opportunity to review and comment on the architectural guidelines to be established by the CPCACC.

SECTION 8

SITE PLANNING STANDARDS AND PROCEDURE

- 8.1 Intent. It is the intent of this Section 8 to promote the orderly and sound development of Crown Point Center. The following Site Planning Standards and other requirements contained in this Section are intended to enhance and protect Crown Point Center's natural as well as man-made environments.
- 8.2 Miscellaneous General Requirements. These Site Planning Standards and other requirements of this Section 8 (other than Sections 8.4, 8.4.1 and 8.4.2)

shall apply to Planning Areas 1, 2a, 2b, 3, 4, 8 and 9 described in the 2001 Development Plan for Crown Point Center. Sections 8.4, 8.4.1 and 8.4.2 of this Development Guide (but not any other provisions of Section 8 of this Development Guide, other than this sentence) shall apply to Planning Areas 5, 6a and 6b described in the 2001 Development Plan for Crown Point Center.

- 8.2.1 A Site Plan shall not be approved prior to the platting of the specific parcel of ground which is the subject of the Site Plan. A plat may be submitted simultaneously with the proposed Site Plan, and approval of the Site Plan application may be made subject to the final approval of the plat.
- 8.2.2 No building permit shall be issued for the construction of any new building, structure, or improvement to the site without first obtaining the approval of a Site Plan for the proposed use.
- 8.2.3 No overlot grading (as distinguished from mass grading), drainage work, parking lot construction, or other site improvements shall be allowed on a specific site or lot, unless specifically provided for by the Planning Director, without first obtaining approval of the Site Plan for the proposed use.
- 8.3 Site Plan Review.
- 8.3.1 Submittal Requirements. For any proposed improvement in Crown Point Center for which a building permit is required from the Town of Parker, six (6) copies of a Site Plan, six (6) copies of a Landscape Plan, proof of ownership acceptable to the Town of Parker and the certifications described hereinafter shall be submitted to the Town of Parker for review and approval. All Site Plans, Landscape Plans and certifications submitted shall comply with the requirements set forth hereinafter.
 - 8.3.1.1 Both Site Plans and Landscape Plans shall comply with the following general provisions.
 - 8.3.1.1.1 Such plans shall contain the name of the proposed development, the legal description of the site, the area of the site in terms of square footage and, if applicable, the address of the existing or proposed improvements on the site.
 - 8.3.1.1.2 Such plans shall contain a north arrow and shall state the scale utilized.
 - 8.3.1.1.3 Such plans shall be on 24" x 36" sheets with the long dimension horizontal.
 - 8.3.1.1.4 Such plans shall include a title block in the lower right-hand corner of each sheet and shall set forth the date of preparation or amendment in the title block.

- 8.3.1.1.5 Such plans shall show development phasing lines, if any.
- 8.3.1.1.6 Such plans shall show adjoining land uses and zoning.
- 8.3.1.1.7 Such plans shall show public and private easements on or adjacent to the site, with dimensions and uses of those easements.
- 8.3.1.1.8 Such plans shall show major drainage ways affecting the site.
- 8.3.1.1.9 Such plans shall show existing and proposed topography at two (2) foot intervals.
- 8.3.1.2 In addition to complying with the general requirements set forth in Section 8.3.1.1., above, Site Plans shall comply with the following specific requirements:
 - 8.3.1.2.1 Site Plans shall be prepared at a scale of 1" = 50' , 1" = 100' or other scale that allows for maximum clarity of the project.
 - 8.3.1.2.2 Site Plans shall include a vicinity map to scale showing the relationship of the site to the surrounding area.
 - 8.3.1.2.3 Site Plans shall show dimensions for all existing and proposed structures (including setback dimensions from property lines) and building heights. Structures to be removed should be indicated as such.
 - 8.3.1.2.4 Site Plans shall show the location and dimensions of required off-street parking and loading areas and shall note the total number of parking spaces provided. In addition, Site Plans must contain the following information:
 - 8.3.1.2.4.1 Number, location and size of parking stalls;
 - 8.3.1.2.4.2 Widths of parking aisles and islands;
 - 8.3.1.2.4.3 Location(s) of landscaping areas with in parking, access and loading areas;
 - 8.3.1.2.4.4 Type of surfacing;
 - 8.3.1.2.4.5 Location(s) of streets, curb cuts and property boundaries;
 - 8.3.1.2.4.6 Location(s) of traffic directional arrows, signs and marking;

- 8.3.1.2.4.7 Location(s) of loading areas;
- 8.3.1.2.4.8 Proposed drainage and detention improvements;
- 8.3.1.2.4.9 Location(s) and direction of proposed exterior lighting;
- 8.3.1.2.4.10 Location(s), height and material of any screening as required by Section 9.1.4. hereof;
- 8.3.1.2.4.11 Location(s) of trash collection facilities and any exterior storage area(s).
- 8.3.1.2.5 Site plans shall name and show dimensions of any public and private roadways, rights-of-way, and points of access on or adjacent to the Site and shall note the surface materials.
- 8.3.1.2.6 Site Plans shall show the location and sign area of all existing and proposed signs, exclusive of traffic control signs.
- 8.3.1.2.7 Site Plans shall include signature/approval blocks for the Town of Parker Planning Director and for each of the referral agencies whose signatures are required pursuant to Section 8.3.2.2., below.
- 8.3.1.3 In addition to complying with the general requirements as set forth in Section 8.3.1.1. above, landscaping plans shall comply with the following specific requirements:
 - 8.3.1.3.1 Landscape Plans shall show all planting areas to be maintained in a natural state, with plant materials drawn at mature size at the scale of the plan; shall identify trees, shrubs, lawn areas and ground cover area (living and non-living) by name of material to be used; and shall show the dimensions and include the total square footage of each such area.
 - 8.3.1.3.2 Landscape Plans shall show all pedestrian walkways and pedestrian oriented areas, dimensioned, with materials and type of surface finish noted.
 - 8.3.1.3.3 Landscape Plans shall locate and identify all landscape structures (including fences, signs, lighting, water features, etc.) and recreational facilities.
 - 8.3.1.3.4 Landscape Plans shall show all significant naturally vegetated landscape features to be preserved and improved.

- 8.3.1.3.5 Landscape Plans shall indicate existing and finished grades at a maximum of two (2) foot intervals and identify all mounds and areas in excess of 20% slopes.
- 8.3.1.3.6 Landscape Plans shall label all public and private roadways, right-of-way, and points of access on or adjacent to the site and shall note all off-street parking and loading areas and surfacing materials.
- 8.3.1.3.7 Landscape Plans shall show all planting details and notes, including methods of soil preparation, erosion control, soil and vegetation removal, stockpiling and reuse.
- 8.3.1.3.8 Landscaping Plans shall contain the following statement concerning maintenance: "All landscaping shown on this plan shall be maintained in a neat and adequate manner. Required maintenance activities shall include, but not be limited to mowing of lawns, trimming of hedges, adequate irrigation, replacement of dead, diseased or unsightly landscaping, removal of weeds from planted areas and appropriate pruning of plant materials".
- 8.3.1.4 The certifications required to be submitted to the Town of Parker shall be as follows :
 - 8.3.1.4.1 The applicant shall submit a certification by one or more professionals, e.g., architects, engineers, attorneys, licensed in the State of Colorado and competent and experienced in the matters being certified to that state(s) as follows:
 - 8.3.1.4.1.1 The proposed land use is allowed under the Crown Point Center Development Guide.
 - 8.3.1.4.1.2 The proposed structures comply with the height limitation(s) set forth in this Development Guide.
 - 8.3.1.4.1.3 The proposed setbacks comply with the setback requirements set forth in this Development Guide.
 - 8.3.1.4.1.4 The proposed parking facilities comply with the applicable requirements contained in Section 10 of this Development Guide.
 - 8.3.1.4.1.5 The proposed signs are in compliance with the applicable requirements contained in this Development Guide.

- 8.3.1.4.2 The applicant shall submit a certification by a professional engineer licensed in the State of Colorado and competent and experienced in drainage engineering, confirming that the proposed improvements comply and are consistent with any applicable master drainage plans previously approved by the Town of Parker.
- 8.3.1.4.3 The applicant shall submit a certification by one or more professional engineers licensed in the State of Colorado and competent and experienced in both traffic and civil engineering to the effect that the proposed vehicular access system to and from the site will be adequate to serve the proposed improvements on the site.
- 8.3.1.4.4 The applicant shall submit a certification by the CPCACC that the Site Plan and Landscape Plan conforms to the requirements of the Crown Point Center Protective Covenants.

8.3.2 Procedure.

- 8.3.2.1 Any Site Plans, Landscape Plans, proof of ownership and certifications required pursuant to Section 8 above, shall be submitted to the Town of Parker Planning Department.
- 8.3.2.2 Immediately upon receipt of the Site Plan, Landscape Plan, proof of ownership and certifications for a particular project as described above, the Planning Department shall distribute copies of the materials submitted to the following referral agencies:
 - 8.3.2.2.1 The Town of Parker Public Works Department;
 - 8.3.2.2.2 The Town of Parker Building Department;
 - 8.3.2.2.3 The Town of Parker Police Department;
 - 8.3.2.2.4 The Parker Fire District;
 - 8.3.2.2.5 The Cottonwood Water and Sanitation District.
- 8.3.2.3 Within thirty (30) calendar days after the submittal of the application to the Planning Department, as aforesaid, the Planning Department and the other referral agencies shall take the following actions:
 - 8.3.2.3.1 The Planning Department shall make its own determination whether all of the statements set forth in Sections 8.3.1.4.1.1. through 8.3.1.4.1.5., above, are true with respect to the submittal, and notwithstanding anything to the contrary in the Crown Point Center

Development Guide, the scope of Site Plan approval rights by the Planning Department for improvements in Crown Point Center shall be limited to that determination. If the Planning Department determines that all of the statements set forth in Sections 8.3.1.4.1.1. through 8.3.1.4.1.5., above, are true with respect to the submittal, the Town of Parker Planning Director shall sign his approval onto the Site Plan and onto the Landscape Plan. If the Planning Director is absent or unavailable, the Mayor or the Mayor Pro Tem of the Town of Parker shall have the authority to sign the Planning Director's approval of the submittal onto the Site Plan and onto the Landscape Plan.

8.3.2.3.2

The Town of Parker Public Works Department shall make its own determination whether both the certifications described in Sections 8.3.1.4.2 and 8.3.1.4.3., above, are true with respect to the submittal, and notwithstanding anything to the contrary in this Development Guide, the scope of Site Plan approval rights of the Town of Parker Public Works Department for improvements in Crown Point Center shall be limited to that determination. If the Town of Parker Public Works Department determines that both of the certifications described in Sections 8.3.1.4.2. and 8.3.1.4.3., above, are true with respect to the submittal, the Town of Parker Public Works Director shall sign his approval of the submittal onto the Site Plan . If the Public Works Director is absent or unavailable, the Town of Parker Planning Director, the Mayor or the Mayor Pro Tem of the Town of Parker shall have the authority to sign the Public Works Director's approval of the submittal onto the Site Plan.

8.3.2.3.3

The Town of Parker Building Department shall make its own determination whether the street name or names proposed as part of or in connection with the submittal is or are acceptable to it, and notwithstanding anything to the contrary in this Development Guide, the scope of Site Plan approval rights by the Town of Parker Building Department for improvements in Crown Point Center shall be limited to that determination. If the Town of Parker Building Department determines that any street name or names proposed as part of or in connection with the submittal is or are acceptable to it, the Town of Parker Building Department shall sign its approval of the submittal onto the Site Plan. If the official or officials within the Town of Parker Building Department who have signature/approval authority are absent, the Town of Parker Planning Director, the Mayor or the Mayor Pro Tem of the Town of Parker shall have the authority to

sign the Building Department's approval of the submittal onto the Site Plan.

8.3.2.3.4

The Parker Fire District shall make its own determination whether the proposed project is satisfactory to it in terms of all issues relating to fire protection, and notwithstanding anything to the contrary in this Development Guide, the scope of Site Plan approval rights by the Parker Fire District for improvements in Crown Point Center shall be limited to that determination. If the Parker Fire District determines that the proposed project is satisfactory to it in terms of those issues relating to fire protection, the Parker Fire District shall sign its approval onto the Site Plan.

8.3.2.3.5

Although the Town of Parker Police Department shall have the right to review the Site Plan, it shall not have the right to either approve or disapprove the Site Plan for any reason.

8.3.2.3.6

The Cottonwood Water and Sanitation District shall make the determination whether or not the proposed improvements interfere with existing or proposed District facilities. If the Cottonwood Water and Sanitation District determines that the proposed project is satisfactory to it in terms of those issues relating to possible interference with District facilities, the District Manager shall sign his approval onto the Site Plan.

8.3.2.4

If, within the thirty (30) calendar day review period described in Section 8.3.2.3., above, the Town of Parker Planning Department and the other four referral agencies all approve and/or sign the Site Plan submittal pursuant to the review, approval and signature procedures set forth in Sections 8.3.2.2. and 8.3.2.3., above, the applicant at any time thereafter shall have the right to apply to the Town of Parker Building Department for issuance of a building permit or permits for the project, If, however, within said thirty (30) calendar day period, the Town of Parker Planning Department, and/or Public Works Department, and/or Building Department, and/or the Parker Fire District, and/or the Cottonwood Water and Sanitation District affirmatively object to the Site Plan submittal for a reason within the scope of its or their review and approval authority as set forth in Sections 8.3.2.2. and 8.3.2.3., above, within five (5) working days following the last day of the aforesaid thirty (30) calendar day review period the Town of Parker Planning Department shall advise the applicant in writing of that fact and shall identify for and explain to the applicant in writing the basis or reason for the objection.

- 8.3.2.5 Upon receipt of a written notification of the type described in the second sentence of Section 8.3.2.4., above, the applicant shall have the option either to modify the proposed Site Plan and/or Landscape Plan to meet all of the objections of the Town of Parker Planning Department and/or other referral agencies and thereafter to resubmit the proposed Site Plan and/or Landscape Plan as modified to the Town of Parker Planning Department for review and approval by it and/or the appropriate referral agency within fourteen (14) days after re-submittal, or not to modify (or to modify only with respect to some but not to all of Planning Department's or other referral agency's comments) the proposed Site Plan and/or Landscape Plan and to submit the unmodified or partially modified plan(s) directly to the Town Council, which shall make a decision thereon within twenty-one (21) calendar days. If the Town Council determines that all of said criteria have been met with respect to the proposed Site Plan and/or Landscape Plan submitted, the Town Council shall authorize the applicant to apply to the Town of Parker for issuance of a building permit or permits for the project.
- 8.3.2.6 Any Site Plan and/or Landscape Plan approval granted by the Town of Parker pursuant to this Section 8 shall be valid until the third (3rd) anniversary of the date of approval. If construction of the project shown on the approved plan(s) does not commence within said three year period, except for good cause shown, the approval(s) shall lapse and the plan(s) must be resubmitted to the Town of Parker for a new approval or approvals pursuant to the process set forth in this Section 8 before construction of the project may commence.
- 8.3.3 Exclusivity of Requirements and Procedures. Notwithstanding anything to the contrary in this Crown Point Center Development Guide and the Crown Point Center Development Plan or in any other Town of Parker regulations, the Site Plan Review requirements and procedure set forth in this Section 8 shall be the sole and exclusive Site Plan review requirements and procedures for Crown Point Center, and no other Site Plan review requirements or procedures shall apply to any proposed improvement within Crown Point Center. Thus, any Site Plan review requirement, procedure, matter or item not addressed or listed in this Section 8 shall not be applicable to, or a requirement or procedure of, or a review item for, Site Plan review for proposed improvements within Crown Point Center.
- 8.4 Special Site Plan Requirements: These Site Planning Standards shall apply to Hospitals, medical offices/facilities located in Planning Areas 5, 6a and 6b as described in the 2001 Development Plan for Crown Point Center.
- 8.4.1 Hospitals and medical offices/facilities located in Planning Areas 5, 6a, and 6b shall be required to follow the Town's Site Plan process as outlined in Section 13.06 of the Town of Parker Land Development Code (as it exists on the date of this restated Development Guide and not as

hereafter amended). Upon submittal of the site plan for the above mentioned uses, the Town shall have thirty (30) days to review the site plan submittal for compliance with the Town of Parker Land Development Code (as it exists on the date of this restated Development Guide and not as hereafter amended). Upon expiration of the first thirty (30) days review period, the Town will have an additional thirty (30) days to schedule a Public Meeting before the Town of Parker Planning Commission in which to review the Site Plan application.

- 8.4.2 Hospital and medical offices/facilities located in Planning Areas 5, 6a and 6b shall be required to meet the requirements of the Town of Parker Land Development Code (as it exists on the date of this restated Development Guide and not as hereafter amended), including, but not limited to, landscape requirements, pedestrian access, and other design standards. The Town of Parker Planning Commission shall have the authority to grant exceptions to the strict interpretation of the requirements of the Land Development Code (as it exists on the date of this restated Development Guide and not as hereafter amended), as long as the intent of the Land Development Code (as it exists on the date of this restated Development Guide and not as hereafter amended) is met.

SECTION 9

USES AND STANDARDS

9.1 General Site Design/Development Standards.

In addition to the Site Planning Standards of Section 8 hereof and except as otherwise provided for in this Development Guide, the following general Site Design/Development Standards shall apply to all Districts within Crown Point Center :

9.1.1 Minimum Dimensions of Lots.

- 9.1.1.1 Unless otherwise provided for herein, no part of the area, setback or dimension of a lot required for the purpose of complying with the provisions of this Development Guide shall be included as part of the area, setback or dimension required for another lot.

9.1.2 Minimum Setbacks.

- 9.1.2.1 Cornices, canopies, eaves, wing walls or similar architectural features may extend into a required setback not more than six (6) feet.
- 9.1.2.2 Open, unenclosed, pads and loading docks at ground level may extend into a required setback.
- 9.1.2.3 Open, unenclosed, pads and loading docks three (3) feet or more above ground level may extend into a required rear setback,

provided that the distance from the pad or dock to the rear property line shall not be less than five (5) feet.

- 9.1.2.4 For purposes of this Development Guide, the setback bordering on Parker Road shall not be less than fifty (50) feet from the Parker Road right-of-way line (applies only to above-grade enclosed buildings and not to any other improvements except above-grade parking structures). When this requirement conflicts with a setback otherwise required by this Guide, the greater setback shall be required.
- 9.1.2.5 There shall be no set back required from the E-470 right-of-way.
- 9.1.2.6 No structure shall be erected within a utility easement without approval of the appropriate agency.
- 9.1.2.7 No minimum setback will apply adjacent to property lines which merely separate uses whether or not under separate or different ownerships, e.g., anchor tenant buildings attached to a regional mall.
- 9.1.2.8 The only setbacks which shall be applicable within Crown Point Center are those set forth within this Development Guide. Any reduction in a specific setback, except as otherwise permitted by this Development Guide, shall be treated and processed as a Variance, as provided for in Section 6.4 hereof.
- 9.1.3 Maximum Height of Buildings. The height limitations of this Development Guide shall not apply to permitted communication facilities, solar collectors and appurtenances, and to heating, air conditioning and ventilating equipment usually carried above roof level.
- 9.1.4 Screening. At a minimum, screening shall be provided as follows :
 - 9.1.4.1 Adequate screening shall be constructed along property lines where non- residential Planning Districts abut any residential Planning District without street separation and, in addition, along that portion of the eastern most boundary of Zone District Number "7" (of the Development Plan) which backs to the existing residential subdivision to the East. The height of such screening shall be indicated on the approved Site Plan.
 - 9.1.4.2 All mechanical equipment placed on any roof or otherwise outside of any building, including but not limited to, air conditioning, heating and ventilating equipment, shall be screened from view at ground level. In addition, all mechanical equipment shall be painted a uniform complimentary color so as to mitigate its visual impact to the surrounding community.
 - 9.1.4.3 Screening material shall consist of any one or combination of the following:

- 9.1.4.3.1 Wall: A wall consisting of concrete block, stone, brick, tile or similar solid masonry material, which shall complement exterior building materials.
- 9.1.4.3.2 Berm: A berm constructed of earthen materials and landscaped.
- 9.1.4.3.3 Fence: An opaque fence constructed of wood or other fence materials, which shall complement the exterior building materials.
- 9.1.4.3.4 Planting: Landscape planting utilizing vegetative species to maximize year-round effectiveness.
- 9.1.5 Loading and Unloading. Loading areas shall be screened from view at ground level.
- 9.1.6 Trash and Storage Areas. Trash collection facilities and storage areas shall be indicated on the Site Plan, These areas shall be screened from view at ground level, or enclosed.
- 9.1.7 Compliance with Airport Influence - Overlay Map. Any requirements imposed by virtue of any applicable airport influence zone shall be complied with.
- 9.2 Crown Point Center Permitted Use Districts.
- 9.2.1 Commercial/Office/Hotel District
- 9.2.1.1 Uses Permitted By Right. The following uses are permitted by right in the Commercial/Office/Hotel District of Crown Point Center.
 - 9.2.1.1.1 Shopping Centers including, but not limited to, Regional Community, Neighborhood and Power Centers, and all uses customarily associated with such shopping centers.
 - 9.2.1.1.2 Commercial retail and wholesale businesses.
 - 9.2.1.1.3 Banks, financial institutions and services, with or without drive-up facilities.
 - 9.2.1.1.4 Car Care Centers.
 - 9.2.1.1.5 Commercial service businesses, including but not limited to, dry cleaners, barber shops and salons, travel agencies, shoe repair stores.
 - 9.2.1.1.6 Hotels and Motels, including conference and convention centers and other incidental accessory uses located within the principal building.

- 9.2.1.1.7 Restaurants, with or without drive-up facilities, and other eating and drinking establishments including bars and lounges.
- 9.2.1.1.8 General business, professional, and government offices.
- 9.2.1.1.9 Indoor theatres.
- 9.2.1.1.10 Parking structures
- 9.2.1.1.11 Commercial, public and private recreational facilities.
- 9.2.1.1.12 Educational and training related facilities.
- 9.2.1.1.13 Executive and caretaker residences.
- 9.2.1.1.14 Hospitals and health care facilities.
- 9.2.1.1.15 Veterinary clinics and hospitals.
- 9.2.1.1.16 Community information centers.
- 9.2.1.1.17 Nursery schools and day care centers.
- 9.2.1.1.18 Open space, parks, playgrounds, country clubs and other clubs operated for the benefit of the public or for private members.
- 9.2.1.1.19 Special community events in open space and plaza areas (subject to application and receipt of any required Town permit(s)).
- 9.2.1.1.20 Public, commercial and private recreational facilities.
- 9.2.1.1.21 Public and quasi-public buildings and structures, including but not limited to, police stations, fire stations, libraries, schools and emergency care facilities.
- 9.2.1.1.22 Public and private utilities and utility service facilities and ancillary, related and/or accessory facilities including, but not limited to, land application of treated effluent, water treatment, transmission and storage facilities.
- 9.2.1.1.23 Transit facilities or other facilities designed to enhance the use of public transit.
- 9.2.1.1.24 Microwave dishes and other communication facilities without towers.

- 9.2.1.1.25 Religious institutions, including churches, temples and other religious facilities.
- 9.2.1.1.26 Helipads affiliated with a Hospital use are allowed as a permitted use solely within Planning Area 5, subject to the following conditions being met: (1) they are used for emergency purposes only (no scheduled flights), (2) no maintenance or fueling of aircraft shall be permitted, (3) it shall be located at grade, and (4) the use must be associated with a Hospital use within Crown Point (use by right in only Planning Areas 5).
- 9.2.1.1.27 Accessory and support uses and buildings.
- 9.2.1.1.28 Any other use compatible with the uses set forth herein.
- 9.2.1.2 Uses Permitted By Special Review.
- 9.2.1.2.1 Microwave and other communication facilities with towers.
- 9.2.1.2.2 Heliports.
- 9.2.1.3 Development/Design Standards. Development permitted in the Commercial/Office/Hotel District shall be constructed in accordance with an approved Site Plan and the following Development/Design Standards.
- 9.2.1.3.1 Minimum lot area: 10,000 square feet, unless such development is designed as a project(s) in which case there is no minimum lot area.
- 9.2.1.3.2 Maximum Building Height: Sixty (60) feet except for Hotels, which shall be 120 feet, and except for Regional Shopping Malls which shall be 80 feet, and except where height limitations are otherwise dictated by virtue of existing Airport Influence Zones. The following exceptions apply:
- 1) Within Planning Area 5, as depicted on the 2001 Development Plan for Crown Point Center, Hospitals and attached medical offices/facilities beyond nine hundred (900) feet of the eastern property boundary of Crown Point may be constructed to a maximum height of one hundred twenty (120) feet.
 - 2) Detached medical offices/facilities affiliated with a Hospital use within Planning Area 5, as depicted on the 2001 Development Plan for Crown Point Center, may be constructed to a maximum height of ninety (90) feet.

- 3) Religious institutions, including churches, temples and other religious facilities may be constructed to a maximum height of sixty (60) feet; heights in excess of sixty (60) feet shall be required to follow the use by special review process outlined in the Town of Parker Land Development Code (as it exists on the date of this restated Development Guide and not as hereafter amended).

9.2.1.3.3 Minimum Setback: Thirty (30) feet shall be required in areas abutting perimeter and interior public streets and the boundaries of the Planning Area, except that buildings will be set back a minimum of fifty (50) feet from Parker Road (applies only to above-grade enclosed buildings and not any other improvements except above-grade parking structures). No minimum setback will apply adjacent to property lines which merely separate uses whether or not under separate or different ownerships, e.g., anchor tenant buildings attached to a regional mall.

9.2.1.3.4 Landscaped Area: A minimum of eight percent (8%) of the gross land area of each site shall be landscaped, except in the case of a regional shopping mall in which event the minimum landscape area shall be five percent (5%).

9.2.2 Commercial/Office/Research and Development District

9.2.2.1 Uses Permitted by Right. The following uses shall be permitted by right in the Commercial/Office/Research and Development District of Crown Point Center:

9.2.2.1.1 Any use permitted by right in the non-residential portion, i.e., the Campus Office portion, (Section 9.2.3.2.1) of the Residential Suburban/Campus Office District.

9.2.2.1.2 Scientific research and development facilities.

9.2.2.1.3 Indoor theaters.

9.2.2.1.4 Commercial retail and wholesale businesses.

9.2.2.1.5 Showroom and office/showroom facilities.

9.2.2.1.6 Car Care Centers and gasoline/convenience stores.

- 9.2.2.1.7 Restaurants with or without drive-up facilities and other eating and drinking establishments including bars and lounges.
- 9.2.2.1.8 Motor vehicle and motorized equipment sales, leasing, service and repair.
- 9.2.2.1.9 Garden shops, greenhouses and wholesale/retail plant nurseries.
- 9.2.2.1.10 Home repair centers - wholesale/retail.
- 9.2.2.1.11 Bakeries - wholesale/retail.
- 9.2.2.1.12 Boat and recreational vehicle sales.
- 9.2.2.1.13 Building materials - wholesale/retail.
- 9.2.2.1.14 Accessory and support uses and buildings.
- 9.2.2.1.15 Microwave and other communication facilities without towers
- 9.2.2.1.16 Food and beverage processing facilities.
- 9.2.2.1.17 Mortuaries and funeral homes.
- 9.2.2.1.18 Office warehouses with no storage of hazardous materials.
- 9.2.2.1.19 Product distribution and storage facilities.
- 9.2.2.1.20 Special community events.
- 9.2.2.1.21 Executive and caretaker residences.
- 9.2.2.1.22 Educational and training related facilities.
- 9.2.2.1.23 Helipads affiliated with a Hospital use are allowed as a permitted use solely within Planning Areas 6a and 6b, subject to the following conditions being met: (1) they are used for emergency purposes only (no scheduled flights), (2) no maintenance or fueling of aircraft shall be permitted, (3) it shall be located at grade, and (4) the use must be associated with a Hospital use within Crown Point (use by right in only Planning Areas 6a and 6b).
- 9.2.2.1.24 Religious Institutions, including churches, temples and other religious facilities.

- 9.2.2.1.25 Hotels and Motels, including conference facilities and accessory uses within the building.
- 9.2.2.1.26 Hospitals and health care facilities (Planning Areas 6a and 6b only).
- 9.2.2.1.27 Any other use compatible with the uses set forth herein.

9.2.2.2 Uses Permitted by Special Review

- 9.2.2.2.1 Heliports.
- 9.2.2.2.2 Microwave and other communication facilities with towers.
- 9.2.2.3 Site Design/Development Standards. Development permitted in the Commercial/Office/Research and Development District shall be constructed in accordance with an approved Site Plan and the following Site Design/Development Standards.

9.2.2.3.1 Minimum Lot Area: 10,000 square feet, unless such development is designed as a project(s) in which case there is no minimum lot area.

9.2.2.3.2 Maximum Building Height: The maximum building height is sixty (60) feet with the following exceptions:

- 1) Within Planning Areas 6a and 6b, no building over forty-five (45) feet in height shall be closer than one hundred fifty (150) feet from the easternmost property boundary of the Crown Point Planned Development as depicted in the 2001 Development Plan.
- 2) Within Planning Areas 6a and 6b, no building over sixty (60) feet in height shall be closer than three hundred (300) feet from the easternmost property boundary of the Crown Point Planned Development as depicted in the 2001 Development Plan.
- 3) Within Planning Areas 6a and 6b, no building over ninety (90) feet in height shall be closer than nine hundred (900) feet from the easternmost property boundary of the Crown Point Planned Development as depicted in the 2001 Development Plan.
- 4) No building over one hundred twenty (120) feet in height shall be constructed within Planning Areas 6a and 6b.

- 5) Religious Institutions, including churches, temples and other religious facilities, may be constructed to a maximum height of sixty (60) feet, subject to the set-back limitations set forth in this Section 9.2.2.3.2; heights of Religious Institutions, including churches, temples and other religious facilities, in excess of sixty (60) feet shall be required to follow the use by special review process outlined in the Town of Parker Land Development Code (as it exists on the date of this restated Development Guide and not as hereafter amended).
- 6) Any Hotel and/or Motel in this District in excess of sixty (60) feet in height shall be required to follow the Use By Special Review process outlined in the Town of Parker Land Development Code (as it exists on the date of this restated Development Guide and not as hereafter amended).
- 7) Within Planning Areas 6a and 6b, Hospitals and attached medical offices/facilities may be constructed to a maximum of one hundred twenty (120) feet in height, subject to the set-back limitations set forth in this Section 9.2.2.3.2.
- 8) Within Planning Areas 6a, and 6b, detached medical offices/facilities affiliated with a hospital use within Crown Point may be constructed to a maximum of ninety (90) feet in height, subject to the set-back limitations set forth in this Section 9.2.2.3.2.

9.2.2.3.3

Minimum Setback: Thirty (30) feet shall be required in areas abutting perimeter and interior public streets and the boundaries of the Planning District, except that buildings will be set back a minimum of fifty (50) feet from Parker Road (applies only to above-grade enclosed buildings and not to any other improvements except above-grade parking structures). No minimum setback will apply adjacent to property lines which merely separate uses whether or not under separate or different ownerships, e.g., anchor tenant buildings attached to a regional mall.

9.2.2.3.4

Landscaped Area: a minimum of ten percent (10%) of the gross land area of each site shall be landscaped.

- 9.2.3 Campus Office District
- 9.2.3.1 Uses Permitted by Right. The following uses are permitted by right in the Campus Office Districts of Crown Point Center.
- 9.2.3.1.1 General business professional and governmental offices.
- 9.2.3.1.2 Accessory buildings and uses.
- 9.2.3.1.3 Banks, financial institutions and services including automatic teller machines.
- 9.2.3.1.4 Caretaker residences.
- 9.2.3.1.5 Community information centers.
- 9.2.3.1.6 Day care centers and nursery schools.
- 9.2.3.1.7 Public and quasi-public buildings and structures including, but not limited to, police stations, fire stations, libraries, schools and emergency care facilities.
- 9.2.3.1.8 Public and private utilities and utility service facilities and ancillary, related and/or accessory facilities including, but not limited to, land application of treated effluent, water treatment, transmission and storage facilities.
- 9.2.3.1.9 Institutional facilities including, without limitation, churches, temples and other religious institutions.
- 9.2.3.1.10 Educational and training related facilities.
- 9.2.3.1.11 Public and private parking lots.
- 9.2.3.1.12 Commercial, public and private recreational areas.
- 9.2.3.1.13 Commercial services including, but not limited to, dry cleaners, barber shops and salons, travel agencies, shoe repair stores.
- 9.2.3.1.14 Transit facilities or other facilities designed to enhance the use of public transit.
- 9.2.3.1.15 Microwave dishes and other communication facilities without towers.
- 9.2.3.1.16 Special community events.
- 9.2.3.1.17 Public or private membership clubs.

- 9.2.3.1.18 Any other uses consistent with the purposes and compatible with the uses set forth herein.
- 9.2.3.2 Uses Permitted by Special Review
- 9.2.3.2.1 Microwave and other communication facilities with towers.
- 9.2.3.2.2 Outdoor community and entertainment centers.
- 9.2.3.2.3 Convenience Commercial.
- 9.2.3.2.4 Equipment rentals requiring exterior storage or display.
- 9.2.3.2.5 Residential.
- 9.2.3.3 Non-Residential Site Design/Development Standards: Non-residential development permitted in the Campus Office District shall be constructed in accordance with an approved Site Plan and the following Site Design/Development Standards.
- 9.2.3.3.1 Minimum lot area: 10,000 square feet, unless such development is designed as a project(s) in which case there is no minimum lot area.
- 9.2.3.3.2 Maximum Building Height: 35 feet.
- 9.2.3.3.3 Minimum Setback: 30 feet shall be required in areas abutting perimeter and interior public streets and the boundaries of the District. No minimum setback will apply adjacent to property lines which merely separate uses whether or not under separate or different ownerships, e.g., anchor tenant buildings attached to a regional mall.
- 9.2.3.3.4 Landscaped Area: a minimum of ten percent (10%) of the gross land area of each site shall be landscaped.
- 9.2.3.4 Residential Site Design/Standards: To be determined as part of the Use By Special Review process.
- 9.2.4 Open Space/Buffer District
- 9.2.4.1 Uses Permitted by Right. The following uses shall be permitted by right in the Open Space/Buffer District(s) within Crown Point Center.
- 9.2.4.1.1 Public and private utilities and ancillary, related and/or accessory facilities including, but not limited to, utility service facilities, land application of treated effluent

(including rapid infiltration ponds), water and storm water storage, transmission and treatment facilities.

- 9.2.4.1.2 Off-street parking for open/space uses.
- 9.2.4.1.3 Special community events.
- 9.2.4.1.4 Any other uses consistent with the uses set forth herein.

9.2.4.2 Uses Permitted by Special Review

- 9.2.4.2.1 Roads or roadways, both public and private, which access the existing residential area(s) located to the East of the Open Space/Buffer District, i.e., Zone District Number "9" (of the Development Plan).
- 9.2.4.2.2 Athletic fields, picnic facilities, playgrounds, biking and jogging trails, parks, tennis courts, other sports courts, swimming pools and other public recreation facilities.

SECTION 10

OFF-STREET PARKING

- 10.1 Off-street Parking Requirements. The following minimum requirements for off-street parking spaces shall be implemented in Crown Point Center:
 - 10.1.1 Shopping Centers - Four (4) parking spaces for each one thousand (1,000) square feet of net floor area.
 - 10.1.2 Churches and Related Buildings: One (1) off-street parking space per four (4) fixed seats in principal public areas (example: auditoriums), or one (1) off-street parking space per one hundred fifty (150) square feet of net floor area, whichever is greater.
 - 10.1.3 Auditoriums and Other Places of Public Assembly: One (1) off-street parking space per three (3) fixed seats, or one (1) off-street parking space per one hundred (100) square feet of net floor area, whichever is greater.
 - 10.1.4 Hospitals and Similar Health Facilities: one (1) off-street parking space per four (4) beds, plus one (1) off-street parking space per two (2) employees.
 - 10.1.5 Home Occupations: One (1) off-street parking space per permitted home occupation.
 - 10.1.6 Hotels, Motels, Tourist Homes: one (1) off-street parking space per rental unit, plus one (1) off-street parking space per two (2) employees.

- 10.1.7 Restaurants, Bars, and Similar Dining and Drinking Establishments: one (1) off-street parking space per three (3) seats, or one (1) off-street parking space per seventy-five (75) square feet of gross floor area, whichever is greater.
- 10.1.8 Nursing Homes, Sanitariums, and Similar Establishments: one (1) off-street parking space per two (2) employees, plus one (1) off-street parking space per five (5) beds.
- 10.1.9 Office Uses: one (1) off-street parking space per three hundred (300) square feet of net floor area.
- 10.1.10 Other Business and Commercial Uses: one (1) off-street parking space per two hundred and fifty (250) square feet of net floor area, or as required by the Council.
- 10.1.11 Warehouse Distribution and Storage Facilities: one (1) parking space for each five thousand (5,000) square feet of net floor area not in use for retail, wholesale or office area plus one (1) parking space for each five hundred (500) square feet of net floor area in use for retail, wholesale or office area.
- 10.1.12 Car Care Centers: one (1) parking space for each attendant on duty at any given time plus two (2) parking spaces for each service bay.
- 10.1.13 Nursery Schools and Day care Centers: one (1) parking space for each teacher/care provider on maximum shift plus one parking space for each five (5) students/care recipients in attendance on maximum shift.
- 10.1.14 Amusement/Recreational Enterprises (Swimming Pools, Skating Rinks, Health Clubs, Spas, etc.): one (1) parking space for each two (2) persons based on designated use or occupancy capacity or one (1) parking space for each spectator seat, whichever applies.
- 10.1.15 Libraries, Museums, and Galleries: one (1) parking space for each three hundred (300) square feet of net floor area.
- 10.1.16 Indoor Theaters: one (1) parking space for each three (3) fixed seats plus one (1) parking space for each employee on maximum shift.
- 10.1.17 Veterinary Clinics and Hospitals: one (1) parking space for each employee on maximum shift plus one (1) parking space for each five hundred (500) square feet of net floor area.
- 10.1.18 Use Not Specified: For any use not specified above, or in the Town of Parking Off-Street Parking Regulations, the requirements for a similar use shall apply, or the applicant shall have the right to propose a new parking requirement for the use. This requirement shall be considered for approval by the Town of Parking Planning Director.

- 10.2 Alternative Requirements. Should the applicant for a specific use present a Site Plan with less than the number of required parking spaces due to site or project specific requirements, the alternative parking requirements shall be considered for approval by the Town of Parker Planning Director. If the alternative requirements are justifiable and achieve at least 85% of the required parking spaces, the site plan may be approved.
- 10.3 Shared Parking. Parking facilities shared by more than one use (whether or not the uses are in separate buildings or projects) are permitted in Crown Point Center. Parking spaces provided must meet the applicable criteria for the use which requires the greater number of spaces. The uses may not utilize the parking facilities at the same time.
- 10.4 Handicapped Parking. Parking for the handicapped shall be provided for all uses, except single family residential uses for which no parking for the handicapped will be required, at the minimum rate of two percent (2%) of the total parking spaces subject to a minimum of one space per use. The minimum size of a handicap parking space shall be as shown in Table I. Handicap parking shall be located near the entrance to the use.
- 10.5 Compact Car Ratio. Parking facilities with a minimum of twenty (20) spaces may provide a maximum of forty percent (40%) of the required parking spaces for compact cars. Such parking spaces shall be clearly designated for compact cars. The minimum size of a compact car parking space shall be as shown in Table I.
- 10.6 Off-site Parking. Off-site parking shall be permitted for uses in Crown Point Center. Said off-site parking must be in reasonable proximity to the use and will be considered for approval by the Town of Parker Planning Director.
- 10.7 Loading Areas. Off-street locations for the loading and unloading of goods and materials ancillary to a use shall be provided in accordance with the specific requirements of the use. Such loading areas will be located to avoid conflicts with other traffic and will be considered for adequacy by the Town of Parker Planning Director.
- 10.8 Parking Space Dimensions. Table I, below, establishes the minimum dimensions for parking spaces within Crown Point Center:

Table 1

Full Sized Car

Angle	0 (parallel parking)	45°	60°	90°
Width	8'	8'6"	8'6"	9'
Length	20'	19'	20'	18'

Compact Cars

Angle	0	45°	60°	90°
Width	7'6"	7'6"	8'	7'6"
Length	16'	17'	16'	16'
Aisle Width	11'	22'	22'	22'

Handicap Parking

Angle	0	45°	60°	90°
Width	12'	12'6"	12'6"	13'
Length	20'	19'	20'	18'

SECTION 11

SIGNS

- 11.1 **General.** Signs allowed in Crown Point Center shall conform to the Sign Ordinance for the Town of Parker except as specifically addressed within this Section to meet the unique requirements of Crown Point Center.
- 11.1.1 **Entryway Signs.** Permanent entryway signs or monuments shall be permitted to identify Crown Point Center, individual projects or major facilities within Crown Point Center. The Crown Point Center entryway signs will be permitted at both of the intersections of Cottonwood Drive with State Highway 83. Other entryway signs will typically be located at the entrance to the project or facility from Cottonwood Drive or other major roadway. Two sign faces per entrance are permitted, and shall have a maximum sign area of 100 square feet per sign face. The maximum height of the sign shall be fifteen (15) feet above finished grade. Signs shall be setback a minimum of ten (10) feet from any property line adjacent to a street, and shall be located to avoid visibility or other traffic conflicts.
- 11.1.2 **Shopping Center Identification Signs.**
- 11.1.2.1 One identification ground sign per shopping center shall be permitted provided such sign does not extend more than fifteen (15) feet in height above ground level, the total sign area does not exceed two hundred (200) square feet per sign, and no sign face exceeds one hundred (100) square feet, or

11.1.2.2 One identification ground sign identifying the individual businesses within the shopping center if a minimum of fifty percent (50%) of the area of said sign serves as identification of the Shopping Center. Such sign shall not exceed fifteen (15) feet in height above ground level, the total sign area shall not exceed two hundred (200) square feet, and no sign shall exceed one hundred (100) square feet.

11.1.3 Business, Commercial, or Office Park Identification Signs

11.1.3.1 One identification ground sign identifying the park shall be permitted per access point into the project area, provided such sign is located adjacent to major intersecting roadways on the outside perimeter of the park. In addition the sign shall not extend more than fifteen (15) feet in height above ground level, the total sign area shall not exceed two hundred (200) square feet per sign, and no sign face shall exceed one hundred (100) square feet.

11.1.3.2 One directory sign identifying each use or tenant is allowed per park provided such a sign does not exceed one hundred (100) square feet in area. Such sign is recommended to be located at the primary entrance to the park.

11.1.4 Individual Uses within a Center or Park. Each use shall be entitled to a fascia sign area of fifty (50) square feet per wall area visible from a public right-of-way; however, such sign area for each wall area visible from a public right-of-way may be increased at the rate of one (1) square foot of sign area for each lineal foot of building exposure in excess of fifty (50) lineal feet, to a maximum of one hundred (100) square feet of sign area per each wall area visible from a public right-of-way.

11.1.5 Mall Type Shopping Center. In addition to the signs allowed in the preceding paragraph, mall type of shopping centers shall be allowed signs at all building entrances to the mall. In addition, mall type shopping malls shall be allowed one sign advertising a food court. The maximum size of all above signs will be seventy (70) square feet.

11.1.6 Indoor Theaters. In addition to signs permitted in 11.1.4 and 11.1.5 above, indoor theaters shall be allowed one additional sign for the purpose of displaying the current selection ("readerboard"). Such readerboard may either be affixed to the exterior wall of the building or be a ground sign. Readerboard ground signs shall not extend more than fifteen (15) feet in height above ground level. The total sign area shall not exceed two hundred (200) square feet per sign, and no sign face shall exceed one hundred (100) square feet.

SECTION 12

LEGAL DESCRIPTION

TWO PARCELS OF LAND LOCATED IN SECTIONS 3, 4, 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 3;

THENCE N89°14'30"E ALONG THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER A DISTANCE OF 1,227.45 FEET TO THE POINT OF BEGINNING ON THE EASTERLY RIGHT-OF-WAY LINE OF E-470, PARCEL NO. TK-23 REV. 1;

THENCE CONTINUING N89°14'30"E ALONG SAID NORTH LINE A DISTANCE OF 1,483.59 FEET TO THE POINT ON THE WESTERLY BOUNDARY LINE OF SIERRA VISTA FILING NO. 3;

THENCE ALONG THE WESTERLY BOUNDARY LINES OF SIERRA VISTA FILINGS NO. 3 AND NO. 2 THE FOLLOWING EIGHT (8) COURSES:

- 1) S10°45'30"E A DISTANCE OF 580.00 FEET;
- 2) S75°14'30"W A DISTANCE OF 385.00 FEET;
- 3) 10°45'30"E A DISTANCE OF 635.00 FEET;
- 4) S61°33'52"E A DISTANCE OF 281.33 FEET;
- 5) S34°32'23"W A DISTANCE OF 280.00 FEET TO THE POINT OF RADIAL CURVE, WHENCE THE CENTER OF SAID CURVE BEARS S34°32'23"W;
- 6) ALONG THE ARC OF SAID RADIAL CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 07°00'00" AND A RADIUS OF 1,250.00 FEET, A DISTANCE OF 152.72 FEET TO THE POINT ON A RADIAL LINE;
- 7) S41°32'23"W ALONG SAID RADIAL LINE A DISTANCE OF 172.48 FEET;
- 8) S00°21'34"E A DISTANCE OF 756.72 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 10;

THENCE CONTINUING S00°21'34"E ALONG THE EAST LINE OF SAID NORTHWEST ONE-QUARTER A DISTANCE OF 1,621.90 FEET TO THE POINT ON THE NORTH LINE OF THAT PARCEL OF LAND DESCRIBED IN BOOK 289 AT PAGE 826, DOUGLAS COUNTY RECORDS;

THENCE S89°32'23"W ALONG SAID NORTH LINE A DISTANCE OF 2,265.17 FEET TO THE POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 83, AS DESCRIBED IN BOOK 727 AT PAGE 628, DOUGLAS COUNTY RECORDS;

THENCE N24°38'59"W ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 665.42 FEET;

THENCE N19°46'10"W ALONG THE RIGHT-OF-WAY LINE OF E-470, PARCEL NO. TK-23 B REVISION 1 A DISTANCE OF 501.81 FEET;

THENCE N24°39'15"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 100.00 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF E-470, PARCEL NO. TK-23 REV.1;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES:

- 1) N65°20'45"E A DISTANCE OF 52.69 FEET TO THE POINT OF RADIAL CURVE, WHENCE THE CENTER OF SAID CURVE BEARS N65°20'45"E;

- 2) ALONG THE ARC OF SAID RADIAL CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 70°18'53" AND A RADIUS OF 549.41 FEET, A DISTANCE OF 674.24 FEET TO THE POINT OF TANGENT;
- 3) N45°39'38"E ALONG SAID TANGENT LINE A DISTANCE OF 648.67 FEET TO THE POINT OF CURVE;
- 4) ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 35°55'43" AND A RADIUS OF 1,979.85 FEET, A DISTANCE OF 1,241.51 FEET TO THE POINT OF TANGENT;
- 5) N09°43'55"E ALONG SAID TANGENT LINE A DISTANCE OF 945.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,086,265 SQUARE FEET OR 208.5919 ACRES, MORE OR LESS.

TOGETHER WITH:

PARCEL B

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER OF SECTION 3;

THENCE N89°14'30"E ALONG THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER A DISTANCE OF 900.77 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF E-470, PARCEL NO. TK-23 REVISION 1;

THENCE ALONG THE RIGHT-OF-WAY LINE OF E-470, PARCELS NO. TK-23 REVISION 1 AND TK-23 A REVISION 1 AND THE RIGHT-OF-WAY LINE OF STATE HIGHWAY NO.

83 THE FOLLOWING ELEVEN (11) COURSES:

- 1) S10°52'39"W A DISTANCE OF 681.68 FEET;
- 2) S14°37'39"W A DISTANCE OF 95.13 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22E03'52" AND A RADIUS OF 1,075.92 FEET, A DISTANCE OF 414.33 FEET TO A POINT OF TANGENT;
- 3) S36°41'31"W ALONG SAID TANGENT LINE A DISTANCE OF 228.17 FEET TO A POINT OF CURVE;
- 4) ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 52°39'15" AND A RADIUS OF 549.41 FEET, A DISTANCE OF 504.90 FEET TO A POINT OF TANGENT;
- 5) S89°20'46"W ALONG SAID TANGENT LINE A DISTANCE OF 428.00 FEET TO A POINT OF CURVE;
- 6) ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 66°00'00" AND A RADIUS OF 549.41 FEET, A DISTANCE OF 632.88 FEET;
- 7) N24°39'14"W A DISTANCE OF 189.84 FEET;
- 8) N55°34'56"W A DISTANCE OF 82.67 FEET;
- 9) N24°39'05"W A DISTANCE OF 862.93 FEET;
- 10) N37°19'01"E A DISTANCE OF 106.97 FEET;
- 11) N28°26'39"W A DISTANCE OF 105.93 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST ONE-QUARTER OF SECTION 4;

THENCE N88°53'23"E ALONG SAID NORTH LINE A DISTANCE OF 1,427.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,762,891 SQUARE FEET OR 63.4272 ACRES, MORE OR LESS.

SECTION 13
CROWN POINT CENTER DEVELOPMENT PLAN

