



**TOWN OF LARKSPUR  
ORDINANCE NO. 3.123**

**AN ORDINANCE REZONING CERTAIN PROPERTY FROM OPEN SPACE TO  
PLANNED DEVELOPMENT AND AMENDING THE ZONING DISTRICT MAP  
OF THE TOWN OF LARKSPUR, COLORADO**

**(Town Property Lot 4 Parcel C2 of Spruce Mountain Development Rezoning)**

**WHEREAS**, the Town of Larkspur (“Applicant”) is the owner of certain real property known as Parcel C2 of Lot 4 of the Spruce Mountain Development in the Town of Larkspur, Douglas County, Colorado and described on Exhibit A attached hereto and incorporated herein by reference, (“the Property”); and

**WHEREAS**, the Applicant has filed an application seeking to rezone the Property from Open Space to a district that allows mixed use of the Property to include Mixed Use Commercial; and

**WHEREAS**, following proper notice and referral of the matter to the required agencies for comment, on July 31, 2017, the Larkspur Planning Commission, conducted a public hearing on the application and approved the proposal and recommended to the Town Council to approve without conditions: and

**WHEREAS**, at a public hearing conducted by the Town Council on August 3, 2017, the Council considered the application and the Planning Commission’s recommendation as well as all matters presented in support of and in opposition to the proposed rezoning;

**FINDINGS**

Based on the materials submitted by the Applicant and the matters presented at the public hearing, the Town Council finds as follows:

1. The requested rezoning is to rezone from Open Space to Plan Development,
2. The requested rezoning is consistent with the zoning and land uses adjacent to the property,
3. The requested rezoning is consistent with the Town’s Vision Statement directing future growth and maintaining small Town values

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
TOWN OF LARKSPUR, COLORADO AS FOLLOWS:**

1. The real property described on Exhibit A attached hereto and incorporated herein

by reference is hereby rezoned from Open Space to Planned Development upon the effective date of this Ordinance, subject to the following conditions:

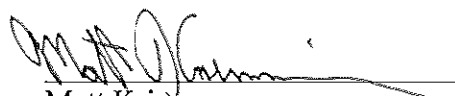
2. The Town Clerk is hereby authorized and directed to amend the Town zoning map to reflect this rezoning.
3. The Town Clerk is directed to record this Ordinance with the Clerk and Recorder of Douglas County within 30 days of the effective date of this Ordinance.
4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
5. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

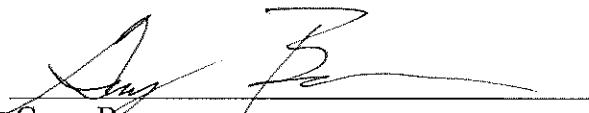
**INTRODUCED, PASSED, AND ADOPTED AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR AFTER PUBLIC HEARING AND SIGNED THIS 7<sup>TH</sup> DAY OF SEPTEMBER 2017.**

Votes Approving: 7  
Votes Opposed: 0  
Absent: 0  
Abstained: 0

**ATTEST:**

**TOWN COUNCIL OF THE  
TOWN OF LARKSPUR, COLORADO**

  
Matt Krimmer  
Town Clerk/Manager

By:   
Gerry Been  
Mayor

**EXHIBIT A  
LEGAL DESCRIPTION**

A PARCEL OF LAND, BEING A PART OF LOT 4, DOUGLAS VALLEY ESTATES, AS RECORDED AT RECEPTION NO. 9336957 IN THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, SAID PARCEL IS SITUATED IN THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 9 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF LARKSPUR, DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID LOT 4, THENCE NORTH 53°57'31" EAST, A DISTANCE OF 417.86 FEET TO A POINT ON THE WEST LINE OF AN EXCEPTED PORTION CONVEYED TO THE TOWN OF LARKSPUR AT RECEPTION NO. 2012017055, ALSO BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID WEST LINE, THE FOLLOWING SIX (6) COURSES:

1. NORTH 10°26'39" WEST, A DISTANCE OF 166.79 FEET;
2. NORTH 54°09'44" WEST, A DISTANCE OF 272.11 FEET;
3. NORTH 00°00'00" EAST, A DISTANCE OF 147.06 FEET;
4. NORTH 86°33'59" WEST, A DISTANCE OF 76.73 FEET;
5. NORTH 36°38'56" WEST, A DISTANCE OF 149.28 FEET;
6. NORTH 06°57'13" WEST, A DISTANCE OF 325.00 FEET;

THENCE THROUGH SAID LOT 4, THE FOLLOWING SIX (6) COURSES:

1. NORTH 83°02'47" EAST, A DISTANCE OF 137.50 FEET;
2. SOUTH 30°55'17" EAST, A DISTANCE OF 365.45 FEET;
3. SOUTH 11°57'13" EAST, A DISTANCE OF 200.00 FEET;
4. SOUTH 21°57'13" EAST, A DISTANCE OF 200.00 FEET;
5. SOUTH 06°57'13" EAST, A DISTANCE OF 300.00 FEET;
6. SOUTH 83°02'47" WEST, A DISTANCE OF 10.00 FEET TO THE **POINT OF**

**BEGINNING.**

PARCEL CONTAINS 153,144 SQUARE FEET (3.5157 ACRES), MORE OR LESS.

ALL LINEAL DISTANCE UNITS ARE REPRESENTED IN U.S. SURVEY FEET.

**BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE WEST LINE OF LOT 4, DOUGLAS VALLEY ESTATES, WITH THE LINE BEARING NORTH 06°57'13" WEST.

PREPARED BY: ANTHONY W. SMITH, PLS #38320  
FOR AND ON BEHALF OF R&R ENGINEERS-SURVEYORS, INC.  
710 WEST COLFAX AVE. DENVER, COLORADO 80204  
May 22, 2017

# SUBDIVISION PLAT OF LOT 4 PARCEL C DOUGLAS VALLEY ESTATES

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 27, AND THE SOUTHWEST ONE-QUARTER SECTION 22,  
TOWNSHIP 9 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
TOWN OF LARKSPUR, DOUGLAS COUNTY, STATE OF COLORADO

**LEGAL DESCRIPTION**

BEING A PORTION OF LOT 4, DOUGLAS VALLEY ESTATES, AND ALL THAT REAL PROPERTY DESCRIBED AS PARCEL C, OF THAT RECORDED BARGAIN AND SALE DEED UNDER RECEPTION NUMBER 2012017055, RECORDED MARCH 7, 2012, TOWN OF LARKSPUR, COUNTY OF DOUGLAS, STATE OF COLORADO.

**TOWN PLANNING COMMISSION APPROVAL**

THIS PLAT WAS APPROVED FOR FILING BY THE PLANNING COMMISSION OF THE TOWN OF LARKSPUR, COLORADO, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CHAIRMAN, PLANNING COMMISSION

**TOWN COUNCIL APPROVAL**

THIS PLAT WAS APPROVED FOR FILING BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. THE DEDICATIONS ARE HEREBY ACCEPTED. ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE TOWN OF LARKSPUR. THE TOWN SHALL ACCEPT MAINTENANCE OF ANY SUCH IMPROVEMENTS AFTER CONSTRUCTION HAS BEEN COMPLETED IN ACCORDANCE WITH TOWN REGULATIONS.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**DEDICATION STATEMENT:**

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LANDS INTO TWO LOTS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND NAME AND SUBDIVISION OF SUBDIVISION PLAT OF LOT 4 PARCEL C DOUGLAS VALLEY ESTATES. EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR THE PURPOSES SHOWN.

**OWNERS**

**NOTARY CERTIFICATE**

STATE OF COLORADO }  
COUNTY OF DOUGLAS } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY \_\_\_\_\_.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MY COMMISSION EXPIRES \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

**NOTARY CERTIFICATE**

STATE OF COLORADO }  
COUNTY OF DOUGLAS } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY \_\_\_\_\_.

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MY COMMISSION EXPIRES \_\_\_\_\_.

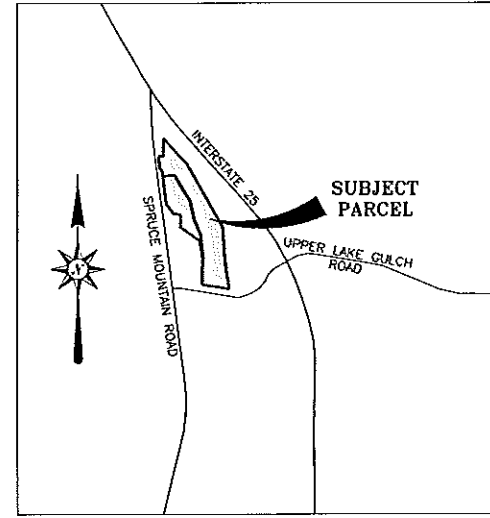
\_\_\_\_\_  
NOTARY PUBLIC

**LEGEND**

- SUBJECT PARCEL BOUNDARY LINE
- ADJACENT PROPERTY LINE
- - - - - EASEMENT LINE, AS NOTED
- RIGHT-OF-WAY LINE
- OFFSET / TIE LINE
- 100 YEAR FLOOD LINE
- FOUND MONUMENT, AS NOTED
- SET NAIL AND BRASS TAG OR #5 REBAR WITH GREEN PLASTIC CAP STAMPED "PLS 38320"

**NOTE**

APPROVAL OF THIS PLAT DOES NOT OBTAIN THE NEED OF THE PROPERTY OWNER TO COMPLY WITH THE REQUIREMENTS OF SECTION 7 AND 9 OF THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. ET SEQ., AS AMENDED, OR WITH ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAWS OR REGULATION.



**VICINITY MAP**  
SCALE 1" = 1000'

**SURVEY CERTIFICATION**

I, ANTONIO W. SMITH, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON DECEMBER 9, 2016, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND.

FIRST SUBMITTAL

ANTONIO W. SMITH P.L.S.  
COLORADO REG. NO. 38320  
FOR AND ON BEHALF OF  
R&R ENGINEERS-SURVEYORS, INC.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.

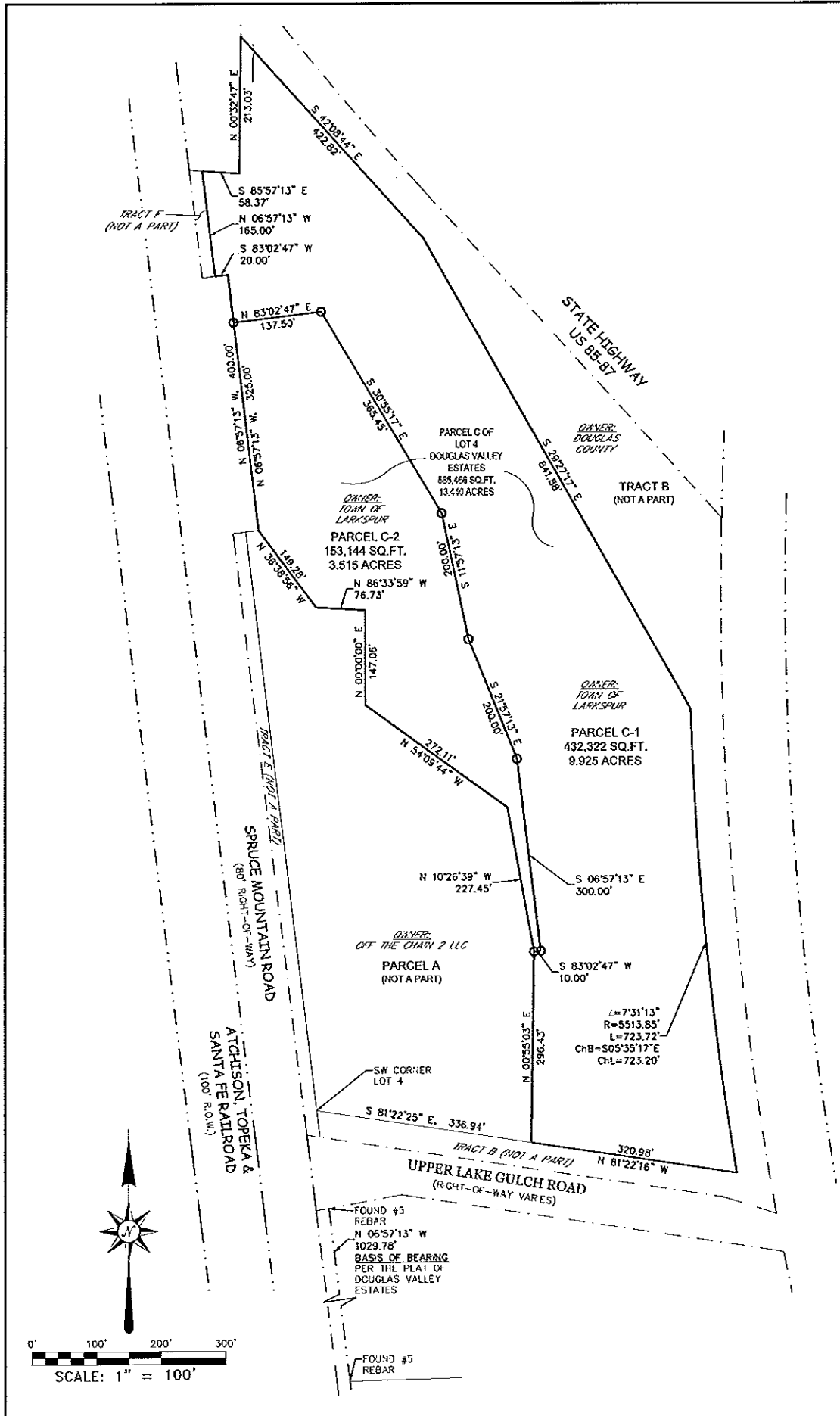
**CLERK AND RECORDER'S CERTIFICATE**

STATE OF COLORADO }  
COUNTY OF DOUGLAS } SS

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_\_ A.M./P.M., AND WAS RECORDED AT RECEPTION NUMBER \_\_\_\_\_.

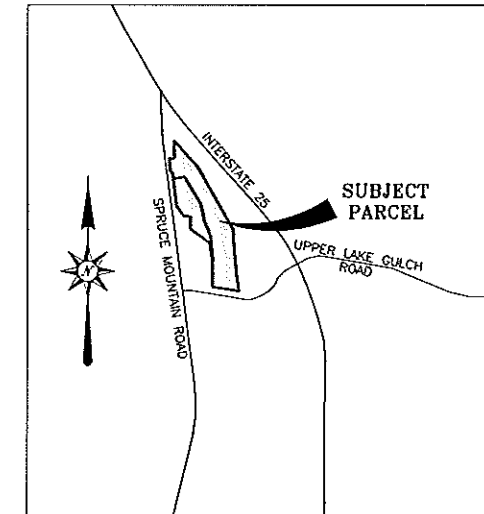
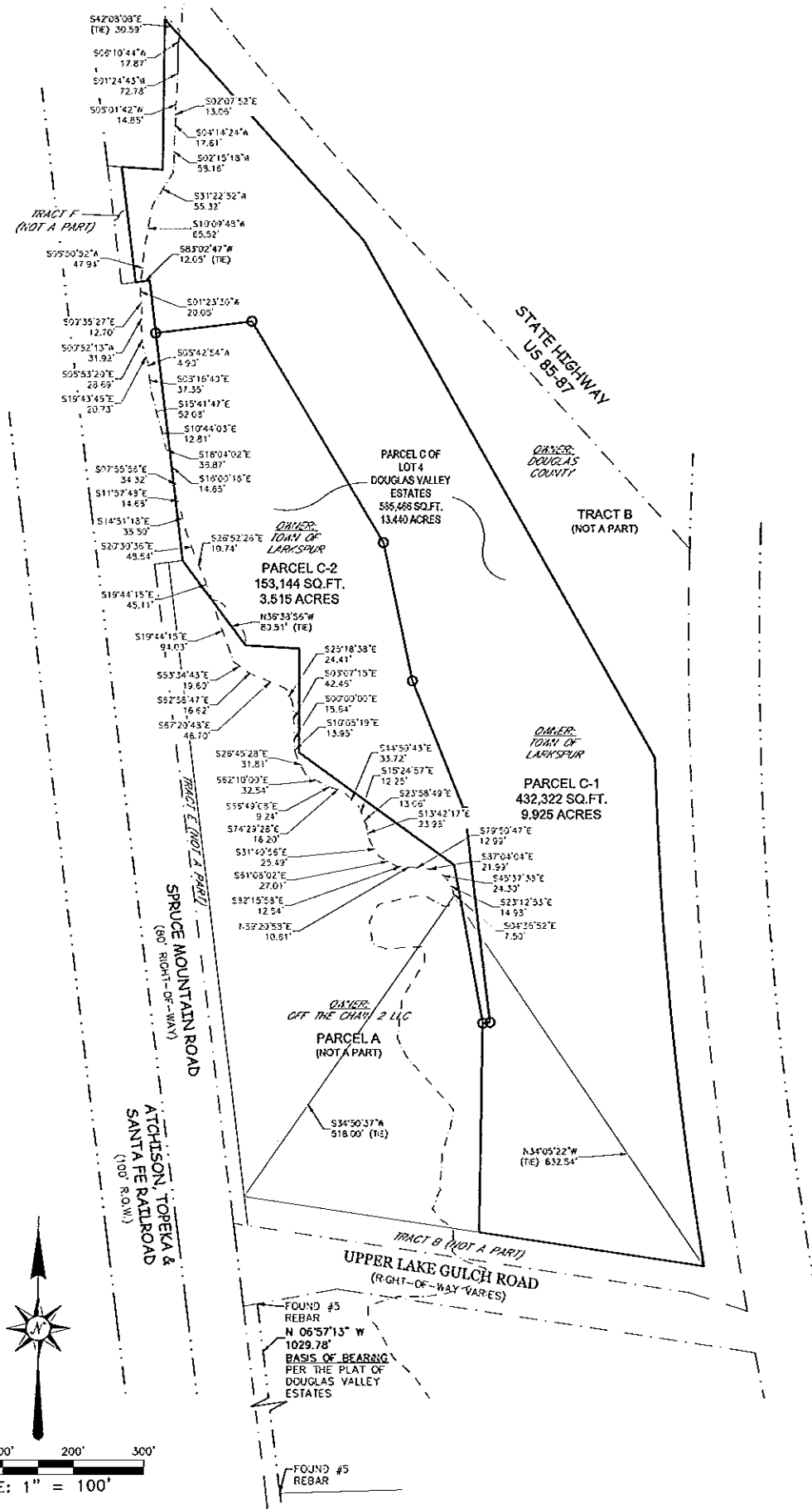
\_\_\_\_\_  
COUNTY CLERK AND RECORDER

<b>R&amp;R ENGINEERS-SURVEYORS, INC.</b>	
70 WEST COLFAX AVENUE DENVER, COLORADO 80204 (303) 733-6730 (F) 303-733-6568 WWW.RRENINEERS.COM	
<b>REVISIONS</b>	File No. 215130 26/17
	Date Drawn 5/25/17
	Drawn By DF
	Checked By AWS
	Job No. TD15130



# SUBDIVISION PLAT OF LOT 4 PARCEL C DOUGLAS VALLEY ESTATES

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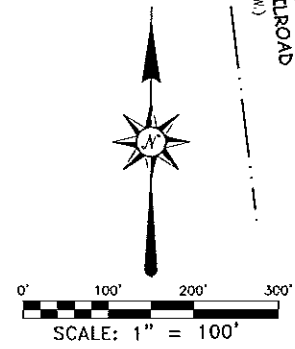
**VICINITY MAP**  
SCALE 1" = 1000'

**FLOOD PLAIN DISCLAIMER NOTE**

THE 100 YEAR FLOOD PLAIN AS SHOWN HEREON IS A GRAPHICAL REPRESENTATION ONLY AND WAS DERIVED FROM FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 0803500432F, WITH AN EFFECTIVE DATE OF SEPTEMBER 30, 2005. NO WARRANTIES OR GUARANTEES ARE EXPRESSED OR IMPLIED.

**LEGEND**

- SUBJECT PARCEL BOUNDARY LINE
- ADJACENT PROPERTY LINE
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<b>REVISIONS</b>	File No. D15110 RRRAT
	Date Drawn 6/25/17
	Drawn By DF
	Checked By AHS
	Job No. TD15130