

FIRST AMENDMENT TO THE
PRELIMINARY DEVELOPMENT PLAN
 for
WILLOW BEND

REPLAT OF LOTS 1 & 2, BLOCK 61, WALNUT HILLS FILING NO. 9
 AND PART OF VACATED S. WILLOW ST.
 A PART OF THE NE 1/4, SECTION 28, TOWNSHIP 5 SOUTH,
 RANGE 67 WEST OF THE 6TH P.M.
 ARAPAHOE COUNTY, COLORADO

MU
 Red Robin

Legal Description

LOTS 1 AND 2, BLOCK 61, WALNUT HILLS FILING NO. 9, ARAPAHOE COUNTY, STATE OF COLORADO, CONTAINING 0.523 ACRES OF LAND, MORE OR LESS.

AND A PARCEL OF LAND DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST ONE-QUARTER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN ARAPAHOE COUNTY, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 61, WALNUT HILLS FILING NO. 9 AS RECORDED IN ARAPAHOE COUNTY, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF EAST ARAPAHOE ROAD, THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 1, EXTENDED EASTERLY 29.95 FEET, THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" AND SOUTHERLY 40.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF SOUTH YOSEMITE STREET, THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" AND WESTERLY ALONG THE BOUNDARY OF SAID LOT 1, A DISTANCE OF 29.95 FEET, THENCE ON AN ANGLE TO THE RIGHT OF 90°00'00" AND NORTHERLY ALONG THE BOUNDARY OF SAID LOT 1, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1198 SQUARE FEET OF LAND, MORE OR LESS.

J. Drainage

Existing flow patterns shall be maintained.

K. Access

Access onto Arapahoe Road shall be designated right in/right out only. Signage indicating this condition, stating that no left turns may be made from east bound Arapahoe Road onto South Yosemite Street when exiting the property from this access, shall be provided by the developer after review and approval by the Arapahoe County Engineering Department. The Board of County Commissioners shall have the right to close said access, if in the sole opinion of the Board said closure is warranted.

Developer Responsibilities

The owner(s), developer(s) and/or subdivider(s) of the Preliminary Development Plan known as Willow Bend and their respective successors, heirs, and/or assigns agree to the following notes:

A. Street Maintenance

It is mutually understood and agreed that the dedicated roadways shown on this plat/plan will not be maintained by the County until and unless the streets are constructed in accordance with the subdivision regulations in effect at the date construction plans are approved, and provided construction of said roadways is started within one year of the construction plan approval. The owners, developers, and/or subdivider(s), their successors and/or assigns in interest, shall be responsible for street maintenance until such time as the County accepts the responsibility for maintenance as stated above.

B. Drainage Maintenance

To be responsible for maintenance of all detention/retention facilities installed pursuant to the subdivision agreement. Requirements include, but are not limited to maintaining the specified storm water detention/retention volumes, maintaining outlet structures, flow restriction devices and facilities needed to convey flow to said basins. Arapahoe County shall have the right to enter properties to inspect said facilities at any time. If, as authorized by drainage easements conveyed with the plat, these facilities are not properly maintained, the County may provide necessary maintenance and assess the maintenance cost to the owner of the property.

C. Drainage Liability

It is the policy of Arapahoe County that it does not and will not assume liability for the drainage facilities designed and/or certified by Kelmore Development Corporation's engineer. Arapahoe County reviews drainage plans pursuant to Colorado Revised Statutes Title 30, Article 28, but cannot, on behalf of Kelmore Development Corporation guarantee that final drainage design review will absolve Kelmore Development Corporation and/or their successors and/or assigns of future liability for improper design. It is the policy of Arapahoe County that approval of the Final Plat and/or Final Development Plan does not imply approval of Kelmore Development Corporation's engineer's drainage design.

D. Landscape Maintenance

The owners of this subdivision, their successors and/or assigns in interest, the adjacent property owner(s), homeowners association or other entity other than Arapahoe County is responsible for maintenance and upkeep of perimeter fencing, landscaped areas and sidewalks between the fence line/property line and any paved road ways.

The owners of this subdivision, their successors and/or assigns in interest, or some other entity other than Arapahoe County, agree to the responsibility of maintaining all other open space areas associated with this development.

E. Sight Triangle Maintenance

The owners of private property containing a Traffic Sight Triangle are prohibited from erecting or growing any obstructions over three feet in height above the elevation of the lowest point on the crown of the adjacent roadway within said triangle.

Statement of Zoning Change

THE DEVELOPMENT OF THE PREVIOUSLY DESCRIBED PROPERTY, LOCATED IN ARAPAHOE COUNTY, SHALL BE IN ACCORDANCE WITH THIS PRELIMINARY DEVELOPMENT PLAN ON FILE WITH THE ARAPAHOE COUNTY PLANNING DEPARTMENT.

Amendment History

The PDP for Willow Bend was approved 4/28/87, case no. Z86-27.

The First Amendment to the Preliminary Development Plan, case no. A93-016, for Willow Bend sets forth the following changes as described:

- 1) The increase of monument sign height from 4' to 6'.
- 2) The increase in facade sign height from 10' to 12'6" to respond to specific architectural design.

Approvals

Board of County Commissioner Approval

Approved by the Arapahoe County Board of Commissioners, this 7th day of August A.D., 1973.

Chairman: *Jeanne Jolley*

Attest: *Mary Kay Pope*

Development Standards

A. Intent

1. B1-PUD Administrative and Professional Office building with uses described below and all uses conducted in this district shall be contained within structures (no outdoor storage, display, or sale.)

B. B-1 (Professional & Administrative Offices) Use Restrictions

1. Principal Permitted Uses:
 - a. General office as follows:
 - 1) Consulting service offices (business and professional)
 - 2) Design professions (architect, planner, etc.)
 - 3) Financial institutions (not including drive-thru facilities)
 - 4) Medical, dental, and veterinary offices
 - 5) Insurance and investment offices, etc.
 - 6) Pharmacy
 - b. Nursery school; day care center provided it is ancillary use for the benefit of tenant employees.
2. Accessory Uses:
 - a. Building and use customarily appurtenant to the permitted use
 - b. Restaurant - provided that the entrance to any such accessory use shall be from inside the building and no sign advertising said restaurant shall be visible from outside the building and providing that no more than twenty-five percent (25%) of said building shall be devoted to such use.
3. Maximum Building Height: 31 feet as measured from the existing average grade of the site.
4. Yard Requirements: All uses in this district shall set back twenty feet (20') from property lines.

C. Unobstructed Open Space 20% of total site

D. Floor Area Ratio .44

E. Parking Standards

1. A minimum of 3.3 spaces per 1000 G.A.
2. Minimum setback from project perimeter: 2 feet

F. Signs

A maximum of two wall signs shall be permitted on the proposed building provided such signs do not exceed 100 square feet in face area each, are not flashing and are not located above a height of 12'6".

Two free standing monument type signs, not exceeding 6 feet in height or 48 square feet of display area each, single faced, shall be permitted.

Lighting for all signs shall be by internal illumination or by a directed source from the ground.

G. Architectural Standards

All exterior walls of the structure, particularly those exposed to public streets, shall be designed and finished with architecturally and aesthetically pleasing materials compatible with the surrounding neighborhood. Specific materials shall include masonry materials such as brick, stone and textured & exposed aggregate concrete, wood, stucco, metal, only when exposed surfaces are finished, and non-reflective glass. Colors shall be natural earth tone.

Eaves, cantilevers, protrusions and other architectural effects shall be used to break up long expanses of wall areas. Compatible materials and styles shall be used to maintain harmony.

Roof tops shall be designed to screen mechanical equipment, vents and ducts in a manner which minimizes obstruction of views and provides an architecturally and aesthetically pleasing appearance. Reflective rooftop elements including solar collectors and skylights shall be installed in a manner which minimizes reflective glare on adjacent properties.

The structure shall be designed so that all sides shall be substantially similar in materials used and appearance.

H. Buffering & Fencing

Berms and landscaping clusters shall be used to buffer this site from adjacent residential uses. In addition, a 6 foot wood fence shall be installed along the southerly and westerly perimeters of the site. This fence shall further buffer the site from adjacent residential uses and prevent access (vehicular and pedestrian) to and from the neighborhood.

I. Lighting

All exterior lighting shall be a downcast type, which does not cast any offensive glare on adjacent residential uses. The height of the light standard shall not exceed 18 feet.

OWNER OF RECORD

Donald E. Sieck
 Owner of Record

KELMORE DEVELOPMENT CORP.
 7939 E. Arapahoe Road Suite 200
 Englewood, Colorado 80112
 (303)779-1800

prepared by:
ELLIOTT/HUTCHINSON & COMPANY
 7383 South Alton Way, Suite C-103
 Englewood, Colorado 80112
 (303)770-9111

SCALE: 1" = 20'

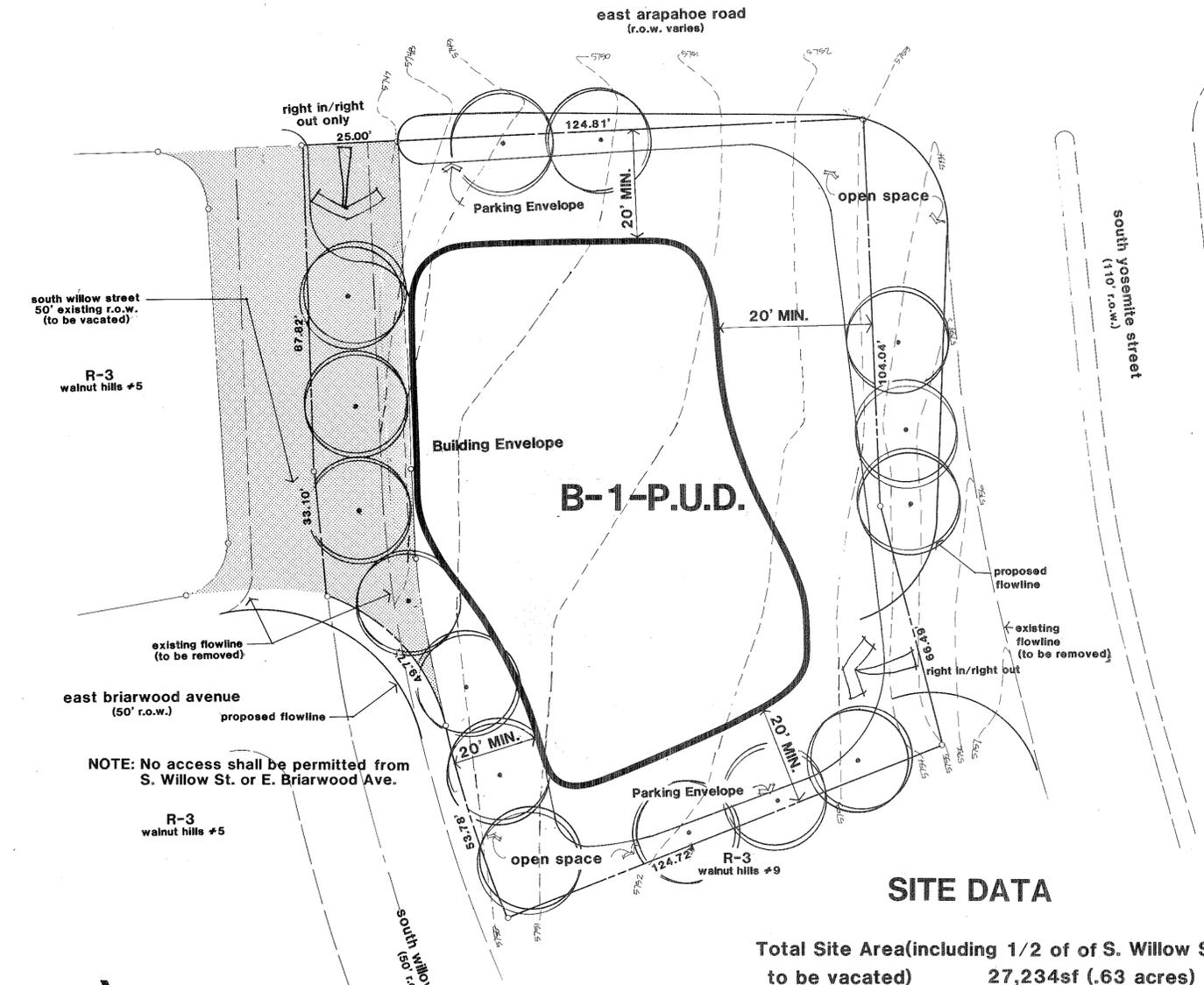
 prepared by:
ELLIOTT/HUTCHINSON & COMPANY
 7383 South Alton Way, Suite C-103
 Englewood, Colorado 80112
 (303)770-9111

JOB NUMBER:
Z86-27

DATE:
AUG 29, 1986

SHEET:
1 of 1

REVISIONS:
 Oct. 22, 1986
 Dec. 9, 1986
 Jul. 13, 1987
 Sept. 3, 1987 Nov. 5, 1987 July 8, 1993 *ELG/ps*



SITE DATA

Total Site Area (including 1/2 of S. Willow St. to be vacated)	27,234sf (.63 acres)
Maximum Floor Area	12,000sf
Floor Area Ratio	.44
Min. Open Space	5,450sf (20% of site area)
Parking Standard	3.3 spaces/1000sf G.L.A.

NOTE: Landscaping is shown for illustrative purposes only.
 NOTE: Signage is conceptual and final design shall be determined at the time the Final Development Plan is approved by Arapahoe County.

**WILLOW BEND
 PRELIMINARY DEVELOPMENT PLAN**

