CITY OF CASTLE PINES,
COLORADO

RESOLUTION NO. 19-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, APPROVING THE BERKELEY HOMES FILING NO. 1 FINAL PLAT; CASE NO. FP 18-005

WHEREAS, the City of Castle Pines is authorized pursuant to Title 31, Article 23, C.R.S., the City of Castle Pines zoning and subdivision regulations as adopted via Ordinance No. 08-04, as amended ("Zoning Ordinance"), and the Canyons Subdivision Regulations ("Subdivision Regulations") as adopted through Ordinance No. 09-18, to regulate the subdivision of land within the Canyons Planned Development; and

WHEREAS, Berkeley Homes, a Colorado corporation ("Applicant"), has submitted an application for the Berkeley Homes Filing No. 1 Final Plat, Case No. FP 18-005 ("Final Plat"), a re-plat of Parcel 12 of The Canyons Superblock No. 2; and

WHEREAS, the Final Plat covers property containing 18.18 acres as legally described in the attached **Exhibit A** (the "Property"); and

WHEREAS, the City Council considered the Final Plat during a duly noticed public meeting held on February 12, 2019; and

WHEREAS, the Applicant has agreed to all conditions of approval as stated in this Resolution; and

WHEREAS, the City Council has determined that the Final Plat meets all applicable requirements of the Zoning Ordinance and the Subdivision Regulations, subject to the conditions of approval as stated in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO AS FOLLOWS:

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The Final Plat designated as Berkeley Homes Filing No. 1 Final Plat, Case No. FP 18-005, is approved subject to the following conditions of approval to be satisfied prior to recordation of the Final Plat:

a. The Applicant shall pay all fees and costs incurred by the City and its consultants, including without limitation legal fees and costs, for review and processing of the Final Plat application within forty-five (45) days of receiving an invoice from the City. If the fees and costs are not paid within forty-five (45) days of receiving an invoice, the City may withhold issuance of building permits or further approvals until the invoices have been paid; and

b.   The Applicant shall resolve/correct any minor technical issues as directed by Staff; and

c.   The Applicant shall finalize and execute a Subdivision Improvements Agreement in a form approved by the City Attorney and shall finalize the Street and Stormwater Construction Documents as approved by the City; and

d.   The Final Plat shall be recorded in the office of the Douglas County Clerk and Recorder and such recording information shall be inserted as appropriate on the Final Plat and in Exhibit A of this Resolution; and

e.   The Applicant shall comply with such conditions that are imposed by motion of City Council at the public hearing to satisfy the criteria of approval set forth in the Subdivision Regulations and to meet the goals of the Comprehensive Plan.

Section 3.   The Mayor is hereby authorized to sign the Final Plat exhibit upon satisfaction of the foregoing conditions of approval and upon final review and approval as to form by the Community Development Director and the City Attorney.

Section 4.   **Effective Date.** Approval of the Final Plat shall be deemed effective upon its recordation in the office of the Douglas County Clerk and Recorder.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 12th day of February, 2019.

Tera Stave Radloff

Tera Stave Radloff, Mayor

ATTEST:

Tobi Basile

Tobi Basile, City Clerk

Approved as to form:

Linda C. Michow

Linda C. Michow, City Attorney

EXHIBIT A

<u>Legal Description of Subject Property</u>:

Parcel 12, The Canyons Superblock No. 2 Plat recorded at Rec. No. 2018040799 with the Douglas County Clerk and Recorder, City of Castle Pines, Douglas County, Colorado.