

RESOLUTION 08-27

INTRODUCED BY:

Councilperson Dooley
Councilperson Havercraft

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CASTLE PINES NORTH
CONDITIONALLY APPROVING LAGAE RANCH SKETCH PLAN NO. 1

WHEREAS, H.F. Holdings, LLC, a Colorado Limited Liability Company, (the "Applicant") has submitted a proposed sketch plan titled the Lagae Ranch Sketch Plan No. 1 for property located approximately 600 feet south of the intersection of Castle Pines Parkway and Lagae Road, a legal description of which is attached hereto as Exhibit A and incorporated herein by reference (the "Property"); and

WHEREAS, the owner of the Property, R.I. Management of Tulsa, Inc., a North Dakota Corporation, has consented to the submission of the Sketch Plan; and

WHEREAS, the City Council held a public hearing on approval of the Sketch Plan on August 27, 2008, following proper notice of the public hearing; and

WHEREAS, pursuant to Ordinance 08-04, the City Council has adopted certain zoning regulations (the "Zoning Regulations") and subdivision regulations (the "Subdivision Regulations"); and

WHEREAS, the City Council has reviewed the Sketch Plan and the staff report, referral agency comments and public testimony regarding the Sketch Plan and finds the Sketch Plan to be in compliance with the requirements of Section 306 and other requirements of the Subdivision Regulations; and

WHEREAS, the City Council wishes to approve the Sketch Plan, subject to the conditions contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO, THAT:

Section 1. The City Council hereby finds that:

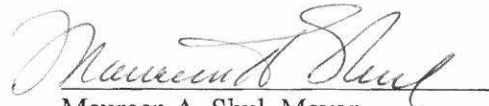
- A. The Sketch Plan is in conformance with the goals, objectives, and policies of the Master Plan adopted by the City of Castle Pines North.
- B. The Sketch Plan is in conformance with the design elements established in Section 304 of the Subdivision Regulations.
- C. The Applicant has demonstrated provision of a water supply that is sufficient in terms of quantity, dependability and quality as determined in conformance with the standards set forth in the Water Supply – Overlay District section of the Zoning Regulations.

- D. The Applicant has demonstrated provision of a sewage disposal system.
- E. The Applicant has demonstrated provision of services to meet the needs of the proposed subdivision including, streets, police/fire protection, schools, recreation facilities, and utility service facilities.
- F. The soil is suitable for the proposed sketch plan.
- G. The sketch plan protects the natural resources/unique landforms.
- H. Bonus lots, if any, meet the criteria set forth in the Zoning Regulations regarding site design standards and density bonus approval standards of the associated zone district.
- I. The proposed sketch plan will not interfere with the extraction of any known commercial mining deposit.

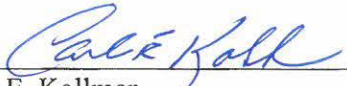
Section 2. The City Council hereby approves the Lagae Ranch Sketch Plan, subject to the following conditions:

1. 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 Sketch Plan application, prior to approval of a Preliminary Plan; and
2. The Applicant shall submit to the City a proposed Implementation Plan, which proposes construction responsibilities, maintenance responsibilities, ownership, timing and details for overall implementation of ALL public improvements, the terms of which may be incorporated into a Subdivision Improvement Agreement (“SIA”).
3. The applicant shall enter into an SIA, in form acceptable to the City, with the City prior to recordation of Final Plat, which may include, without limitation: the construction responsibilities, maintenance responsibilities, ownership, timing and details for overall implementation of ALL public improvements.
4. Pursuant to the SIA, the Applicant shall provide a letter of credit, which is acceptable to the City, to ensure completion of the public improvements, more specifically:
 - a. Off-site public improvements; and
 - b. Phase I – public improvements for all temporary and permanent facilities, except those permitted to be constructed during Phase II or Phase III; and
 - c. Phase II – Lagae Road and Monarch Road; and
 - d. Phase III – all other public improvements not included in Phase I or II; and
5. The applicant shall resolve/correct any minor technical issues as directed by staff prior to submittal of a Preliminary Plan.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO, THE
27TH DAY OF AUGUST, 2008.


Maureen A. Shul, Mayor

ATTEST:


Carl E. Kollmar
City Clerk

APPROVED AS TO FORM:

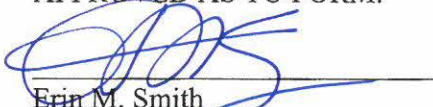

Erin M. Smith
City Attorney

Exhibit A

Legal Description of the Property

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTH ONE-HALF (S 1/2) OF SECTION 3, THE EAST ONE-HALF (E 1/2) OF SECTION 9 AND THE NORTH ONE-HALF (N 1/2) OF SECTION 10, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N00°36'25"W ALONG THE WEST LINE OF THE SOUTH HALF OF SAID SECTION 3, BEING THE BASIS OF BEARINGS AND ALL BEARINGS CONTAINED BEING RELATIVE, A DISTANCE OF 1291.32 FEET; THENCE S89°31'01"E, A DISTANCE OF 778.70 FEET; THENCE S89°29'13"E, A DISTANCE OF 2707.69 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 25; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. S07°06'13"W, A DISTANCE OF 2174.99 FEET;
 2. S00°06'03"W, A DISTANCE OF 86.48 FEET;
- THENCE S70°35'23"W, A DISTANCE OF 1527.63 FEET; THENCE S86°20'43"W, A DISTANCE OF 2928.26 FEET; THENCE N01°53'42"W, A DISTANCE OF 1656.35 FEET; THENCE N88°54'13"E, A DISTANCE OF 1214.66 FEET TO THE TRUE POINT OF BEGINNING .

CONTAINING 248.861 ACRES OF LAND, MORE OR LESS. -----