

**CITY OF CASTLE PINES,
COLORADO**

RESOLUTION NO. 21-27

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE
PINES, COLORADO APPROVING THE CANYONSIDE SUBDIVISION
FILING NO. 1, AMENDMENT NO. 1 REPLAT,
CASE NO. SRP2021-002**

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, the City Council previously approved a final plat known as the Canyonside Subdivision Filing No. 1, in conformance with the Subdivision Regulations; and

WHEREAS, CANYONS APARTMENTS OWNERS, LLC, a Colorado limited liability company (the “Applicant”), with authorization from the property owner, North Canyons LLLP, has submitted an application for a final plat to replat Lot 2 of the Canyonside Subdivision Filing No. 1 (“Final Plat”); and

WHEREAS, the proposed Final Plat covers property containing 17.319 acres, legally described as Lot 2, Canyonside Subdivision Filing No. 1, City of Castle Pines, County of Douglas, State of Colorado (the “Property”); and

WHEREAS, the City Council considered the Final Plat during a regular Council meeting held on June 22, 2021; 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 The Canyonside Subdivision Filing No. 1, Amendment No. 1 Replat , Case No. SRP-2021-002, is approved subject to the following conditions of approval which shall be satisfied prior to recordation of the Final Plat:

- a. The Applicant shall resolve any minor technical issues in relation to the Final Plat as directed by City staff; and
- b. The Applicant shall pay all fees and costs incurred by the City and its consultants, in the review and processing of the Final Plat application for the Property within forty-five (45) days of receiving an invoice from the City; if such 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 in full; and
- c. The Applicant shall provide updated title work to the City showing proof of ownership prior to recordation of the Final Plat; and
- d. The Applicant shall enter into a license agreement in a form approved by the Community Development Director and the City Attorney obligating the Applicant to maintain the trail improvements on the Property within the public access easements shown on the Final Plat (“License Agreement”); and
- e. The Applicant shall finalize a Subdivision Improvements Agreement in a form approved by the City Attorney at the direction of the Community Development Director.

Section 3. The Mayor is hereby authorized to sign the Final Plat exhibit, and the City Manager is authorized to sign the Subdivision Improvements Agreement and License Agreement upon final review and approval as to form of each 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 THIS 22nd DAY OF JUNE, 2021.



ATTEST:

DocuSigned by:
Tobi Basile
AD03A7B02032498
Tobi Basile, CMC, City Clerk

DocuSigned by:
Tera Stave Radloff
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Tera Stave Radloff, Mayor

Approved as to form:
DocuSigned by:
Linda C. Michow
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Linda C. Michow, City Attorney