

RESOLUTION NO. 22-55

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE
PINES, COLORADO APPROVING CANYONSIDE SUBDIVISION
FILING NO. 2, 1ST AMENDMENT, CASE NO. FPL-2022-001**

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 plat known as Canyonside Subdivision Filing No. 2, whereby Lot 4, Lot 5, Tract A and Tract B were platted, and a plat known as Canyonside Subdivision Filing No. 1, whereby Lot 3 was platted, in conformance with the Subdivision Regulations; and

WHEREAS, North Canyons Development Company, LLC, a Delaware limited liability company (the “Applicant”), the owner of the Property, has submitted an application for the Canyonside Subdivision Filing No. 2, 1st Amendment (“Final Plat”), a replat to create new right-of-way; further subdivide Lots 4 and 5, Canyonside Subdivision Filing No. 2, and Lot 3, Canyonside Subdivision Filing No. 1, to create six (6) mixed-use lots; and further subdivide the open space tracts, Tracts A and B, Canyonside Subdivision Filing No. 2; and

WHEREAS, the proposed Final Plat covers property containing 58.462 acres, legally described as Lot 3, Canyonside Subdivision Filing No. 1, recorded with the Douglas County Clerk and Recorder at Reception No. 2021054776; and Lot 4, Lot 5, Tract A, and Tract B, Canyonside Subdivision Filing No. 2, recorded with the Douglas County Clerk and Recorder at Reception No. 2022012594 (the “Property”); and

WHEREAS, the City Council considered the Final Plat during a public hearing held on December 13, 2022; 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 Canyonside Subdivision Filing No. 2, 1st Amendment, Case No. FPL-2022-001, 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.

Section 3. The Mayor is hereby authorized to sign the Final Plat exhibit, and, if applicable, the City Manager is authorized to sign the Subdivision Improvements 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 BY A VOTE OF 6 IN FAVOR AND 1 AGAINST THIS 13th DAY OF DECEMBER 2022.



ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Tracy Engerman
Tracy Engerman (Jan 10, 2023 15:37 PST)

Tracy Engerman, Mayor

Approved as to form:

Linda C. Michow

Linda C. Michow, City Attorney