

RESOLUTION NO. 1703

A RESOLUTION OF THE GOLDEN CITY COUNCIL APPROVING THE GOLDEN OVERLOOK FILING NO. 1 PRELIMINARY PLAT

WHEREAS, Richmond American Homes Inc. (Subdivider) has submitted a proposed Preliminary Subdivision Plat for property within the City of Golden, State of Colorado, entitled Golden Overlook Filing No. 1 Preliminary Plat; and

WHEREAS, the City of Golden Planning Commission conducted hearings on the proposed preliminary plat on May 17, 2006 and August 2, 2006; and

WHEREAS, the City of Golden City Council conducted a public hearing on Case No. PC 06-12, the proposed preliminary subdivision plat on September 14, 2006.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. The evidence and testimony presented during the September 14, 2006 public hearing demonstrates that the proposed plat is in substantial conformance with the technical requirements of Title 17 of the Golden Municipal Code.

Section 2. Based upon the Subdivider's request for a waiver from requirement for full compliance with the City's noise ordinance standards as contained in Section 17.40.070, and the evidence presented related to the physical and economic difficulties associated with the installation of a 17'-25' high sound wall instead of the proposed 8'-10' high sound wall, City Council finds that the subdivider has provided sufficient justification for approval of the requested variance for noise mitigation. City Council therefore requires that the subdivision include the construction of the sound wall as designed within the application submittal.

Section 3. City Council hereby approves the Preliminary Plat of Golden Overlook Filing No. 1 which is subject to:


- a. Prior to the submittal of a Final Plat, the applicant shall address and mitigate the following geotechnical concerns:
 1. Additional testing to determine if the existing bedrock dips more than 20 to 30 degrees. If it is found that the bedrock is in excess of 20 degrees, development criteria for steeply dipping bedrock are required in the affected areas.
 2. The applicant shall provide written documentation to the satisfaction of the City Engineer that the relocation of the water tank easement can sufficiently guarantee the tank may be appropriately constructed in the new location or another location within the site given the nature of the soils.
 3. Consideration of off site slopes, especially in the area of 6th Avenue West and above the new location of the water tank, shall be addressed, to ensure the global stability of the upper tier of homes as well as Sixth Avenue West Estates.
 4. Additional details regarding surface drainage within lots, drainage around retaining and sound walls, and design calculations for those retaining walls.

5. Additional testing and a proposal for mitigation is required for the area where the minimum Factor of Safety (FOS) falls below 1.5 during temporary construction periods.
6. Details of area drains and individual foundation drains as mitigation of ground water shall be submitted.
7. If overexcavation of the site for foundations is planned, detailed overexcavation plans shall be submitted prior to final plat.
8. A grading permit from Jefferson County shall be obtained for the area of the emergency vehicle access lane prior to the start of grading or construction of the project.
9. The final design of the emergency vehicle access lane and improvements shall be provided to the Sixth Avenue West Estates homeowner's association prior to construction. Access to this lane shall be restricted in a form acceptable to the City.
10. The final drainage report shall address the requirements of Jefferson County regarding downstream basin impacts within Sixth Avenue West Estates Filing 11 and to determine the need for improvements if additional capacity is required.
11. Prior to final plat approval, the applicant shall secure written approval from CDOT for grading activities on CDOT property and the conveyance of a deed for the additional portion of the West 4th Avenue right-of-way that is required for the development.

Section 4. The Mayor is authorized to sign the preliminary plat on behalf of the city.

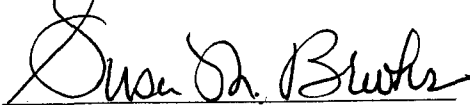
Section 5. Unless otherwise extended by City Council, the approval of the Golden Overlook Filing No. 1 Preliminary Plat shall be null and void if a final plat for all or a portion of the property is not approved by the City of Golden within two years of the date of this Resolution.

Adopted this 12th day of October, 2006.



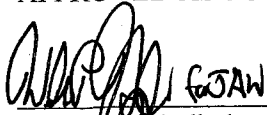
Charles J. Baroch
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM:



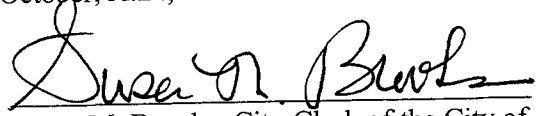
James A. Windholz
City Attorney

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I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular meeting thereof held on the 12th day of October, A.D., 2006.

(SEAL)

ATTEST:


Susan M. Brooks, City Clerk of the City of
Golden, Colorado