

## RESOLUTION NO. 1550

### A RESOLUTION OF THE GOLDEN CITY COUNCIL APPROVING THE CANYON VIEW FILING NO. 2 PRELIMINARY PLAT

WHEREAS, the Real Estate Council, Inc. (subdivider) has submitted a proposed preliminary subdivision plat for property within the City of Golden, State of Colorado, entitled Canyon View Filing No.2 Subdivision Preliminary Plat; and

WHEREAS, the City of Golden Planning Commission conducted hearings on the proposed preliminary plat on January 5, 2005 and February 2, 2005, and recommended approval of the preliminary plat subject to the conditions contained in Planning Commission Resolution PC-04-53; and

WHEREAS, the City of Golden City Council conducted a public hearing on Case No. PC 04-53, the proposed preliminary subdivision plat on February 24, 2005.

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

Section 1. 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 12' high sound wall instead of the proposed 8' high sound wall, City Council has considered the subdivider's request. 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 a 8' sound wall adjacent to lots 1-20.

Section 2. The Preliminary Plat of Canyon View Filing No.2 Subdivision is hereby approved, subject to the findings and conditions contained in Planning Commission Resolution PC-04-53, as detailed in this section. Approval of the preliminary plat is subject to:

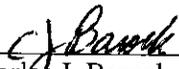
- a. Submittal of detailed design of noise wall and any noise berms to Planning Commission prior to final plat submittal based upon Council resolution of the requested variance.
- b. To ensure that the drainage easements on 24-35 will continue to facilitate proper drainage, a plat note acceptable to Planning Commission and City Council shall be added that states any improvements including fencing shall not be placed within the swale so as to impede drainage, nor shall there be any grading within these lots that would impede the drainage as approved.
- c. Final landscape plans and fence designs shall be reviewed and approved administratively prior to final plat submittal.
- d. A Final geological report shall include stability of land forms and shall be available prior to final plat approval.
- e. The Water rights fees are calculated to be \$4,400 per unit and an additional \$500 per thousand square feet of landscaped irrigation. These fees are valid for up to one year from the final plat approval and after such time will be recalculated as per the P.U.D.
- f. The final plat shall be submitted for review and approval to Planning Commission for a public hearing if such review occurs before the end of April, 2005, and for a technical compliance with the above if the review occurs after April 2005.

Section 3. City Council has determined that City shall be responsible for ensuring that the Mesa Drive extension will be completed concurrent with the installation of infrastructure for the subject subdivision.

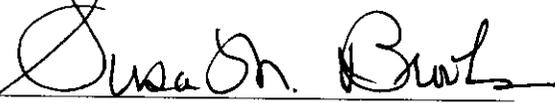
Section 4. The Mayor is authorized to sign the preliminary plat on behalf of the city.

Section 5. Unless otherwise extended by City Council, the approval of the Canyon View Filing No.2 Subdivision 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.

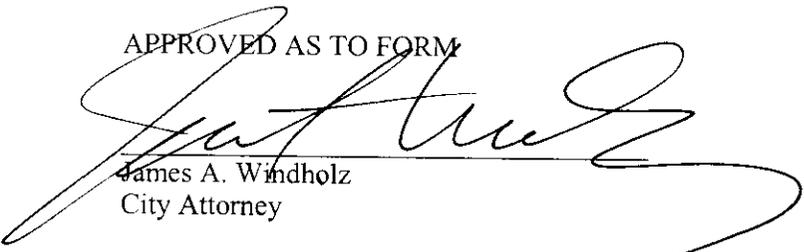
Adopted the 24<sup>th</sup> day of February, 2005.

  
\_\_\_\_\_  
Charles J. Baroch  
Mayor

ATTEST:

  
\_\_\_\_\_  
Susan M. Brooks, MMC  
City Clerk

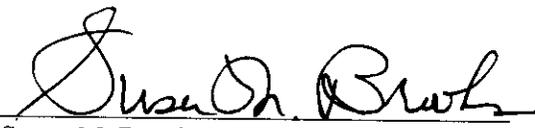
APPROVED AS TO FORM

  
\_\_\_\_\_  
James A. Windholz  
City Attorney

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 24th day of February, A.D., 2005.

(SEAL)

ATTEST:

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