

**ORDINANCE NO. 14
SERIES OF 2019**

**AN ORDINANCE OF THE BOARD OF TRUSTEES
OF THE TOWN OF CARBONDALE, COLORADO
APPROVING A FINAL PLAT
TO RE-SUBDIVIDE LOT A, CRYSTAL VILLAGE P.U.D.**

WHEREAS, CBS Village Lane, LLC, a Colorado limited liability company (“Applicant”) submitted an application to the Town of Carbondale (“Town”) for the approval of a final subdivision plat (“Final Plat”) to re-subdivide Lot A of the First Amended Plat of Lot A, a Resubdivision of Lots 2 and 4, Crystal Village P.U.D., Filing No. 3 (the “subject property”) into seven townhome units; and

WHEREAS, after required public notices, the Town’s Planning and Zoning Commission reviewed these requests at a noticed public hearing on August 15, 2019 and recommended approval with conditions; and

WHEREAS, after required public notices, the Town’s Board of Trustees conducted a public hearing on these requests on August 27, 2019, during which public hearing the Board of Trustees heard and considered the statements of Town staff, the Applicant’s representatives, and members of the public, and reviewed and considered all other relevant documents and information presented at such hearing, all as required by law; and

WHEREAS, the Board of Trustees finds and determines that the final subdivision plat approval should be granted, with conditions, for the following reasons:

- a. The proposed final plat conforms to the approved preliminary plat and incorporates all recommended changes, modifications, and conditions attached to the approval of the preliminary plat;
- b. The development will substantially comply with all requirements of this Code; and
- c. The development will comply with the applicable technical standards and specifications adopted by the Town; and

WHEREAS, the Board of Trustees also finds and determines that certain conditions of approval should be imposed so that the project will be developed consistent with the purposes of Chapter 17 of the Carbondale Municipal Code.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO that:

1. The Applicant's request for final subdivision plat approval to re-subdivide Lot A of the Crystal Village P.U.D. into seven townhome units in two buildings is hereby approved, subject to the conditions set forth below.

2. The Final Plat shall be in a form acceptable to and approved by Town staff prior to recording. The Applicant shall execute and record the Final Plat within ninety (90) days of the effective date of this Ordinance. The following plat notes shall be included on the Final Plat:

a. All uses must comply with the parking requirements contained in Section 5.8.3 of the Unified Development Code of the Town of Carbondale. Parking spaces are provided as per the major site plan review for the property as contained in Ordinance No. 14, Series of 2017 of the Town of Carbondale and recorded at Reception No. 904529 in the Garfield County Records.

b. Lot 2 and Lot 6 are deed restricted pursuant to the Declaration of Deed Restriction and Agreement recorded as Reception No. 904531.

c. The property is subject to the Declaration of Covenants, Conditions, Restrictions, and Easements of Village Lane North Townhomes recorded as Reception No. 925430.

3. Approval of the application shall also be subject to the following conditions:

a. All conditions of Ordinance No. 14, Series of 2017, recorded in the Office of the Garfield County Clerk & Recorder on March 19, 2018 at Reception No. 904529, by which the Board of Trustees approved a major plat amendment and site plan review for Lot A, Crystal Village P.U.D., shall remain in full force and effect unless otherwise expressly approved by the Board of Trustees by subsequent ordinance.

b. All conditions of the Community Housing Mitigation Agreement, dated July 25, 2017 and recorded in the Office of the Garfield County Clerk & Recorder as Reception No. 904531, and the Clarification of Deed Restriction, Village Lane North Townhomes, Town of Carbondale, Colorado, dated 09/06/2019 and recorded at Reception No. 925429 shall remain in full force and effect.

c. The Applicant shall be responsible for all recording costs and shall be required to pay and reimburse the Town for all professional fees, as set forth in Section 1.8.30 of the Municipal Code.

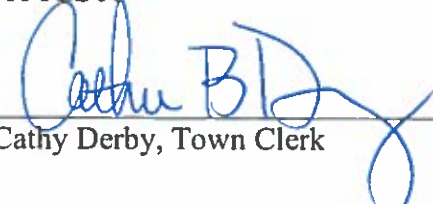
4. All other representations of the Applicant and its representatives made before the Board of Trustees during public hearings shall be considered additional conditions of approval of the Final Plat.

INTRODUCED, READ AND PASSED this 10th day of September, 2019.

THE TOWN OF CARBONDALE

By: 
Dan Richardson, Mayor

ATTEST:


Cathy Derby, Town Clerk



TOWN OF CARBONDALE
1000 JEFFERSON AVE
CARBONDALE CO, 81623