

RESOLUTION NO. 29

SERIES OF 2018

**A RESOLUTION OF THE CRESTED BUTTE TOWN COUNCIL
APPROVING THE REPLAT OF BLOCK 76, PARADISE PARK
SUBDIVISION, TOWN OF CRESTED BUTTE**

WHEREAS, the Town Council of Crested Butte, Colorado (the "**Town**") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, pursuant to Chapter 17, Article 4 of the Crested Butte Municipal Code (the "**Code**"), the Town's Board of Zoning and Architectural Review (the "**Board**") has the power to approve as a Minor Subdivision the subdivision of lands within the Town of Crested Butte;

WHEREAS, pursuant to Section 17-4-40 of the Code, any plat approved in accordance with Article 4 of the Code, prior to recordation thereof, must be approved and certified by the Town Council as being in compliance with the Article;

WHEREAS, on August 29, 2002, Paradise Park Subdivision which includes Block 76 was recorded as Reception No. 523289 in the office of the Gunnison County Clerk and Recorder. According to the recorded plat, Block 76 contains a greenway/snow storage parcel and seven (7) residential lots with the requirement that a minimum of eleven (11) units are to be constructed on the tract;

WHEREAS, the Block 76 Minor Subdivision, an affordable housing development, involved an extensive public process that included a series of publicly noticed meetings, design charrettes, presentations and public review on the following dates: July 10, 2018, the initial introduction and scoping session at Paradise Park; August 18, 2018, a design charrette in Council Chambers at Town Hall; September 17, 2018, a Town Council work session with the three (3) development teams, Bywater Development, Coburn Partners and Morrison Group, presenting their initial designs for the project and receiving questions and comments from Council and the public; October 1, 2018, at a regular Town Council meeting, the Selection Committee presented their recommendations and Council directed staff to enter into negotiations with both, Coburn and Bywater; October 15, 2018, at a regular meeting, Town Council selected Bywater Development and executed a Memorandum of Understanding (MOU) between Town of Crested Butte ("Town") and Bywater, LLC ("Developer");

WHEREAS, on November 27, 2018, during a properly noticed public hearing, the Board reviewed the Minor Subdivision with re-lotting of the tract that includes a greenway/snow storage parcel and six (6) residential lots having a maximum of fifteen (15) units to be constructed; received public comment; and then voted 7-0 in favor of approving the Replat of Block 76, Paradise Park Subdivision, Town of Crested Butte (the "**Replat**"), and certified the same as being in compliance with Article 4 of the Code; and

WHEREAS, Town Council, having received and considered public comment, hereby approves the Replat of Block 76, Paradise Park Subdivision, and certifies the Replat is in compliance with Article 4 as required by Code Section 17-4-40 Procedure for Board review, finding such approval and certification being in the best interest of the health, safety and welfare of the Town, its residents and visitors.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT:

1. **Findings.** The Town Council hereby (a) approves the Minor Subdivision, a Replat of Block 76, Paradise Park Subdivision, and (b) certifies that the Replat is in compliance with Article 4 of the Code as required by Section 17-4-40 thereof. The recommendation for approval by the Board and Town staff report relative to such matters are incorporated herein as supporting findings.
2. **Authorization of Mayor.** The Mayor is hereby authorized to execute the Minor Subdivision, a Replat of Block 76, Paradise Park Subdivision in the form attached hereto as **Exhibit "A"**. Any substantive changes to the Replat may be made only following approval by the Town Attorney.

17m **INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL THIS DAY OF DECEMBER 2018.**

TOWN OF CRESTED BUTTE, COLORADO

By: _____



James A. Schmidt, Mayor

ATTEST:



Lynelle Stanford, Town Clerk

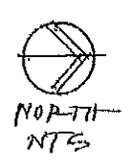
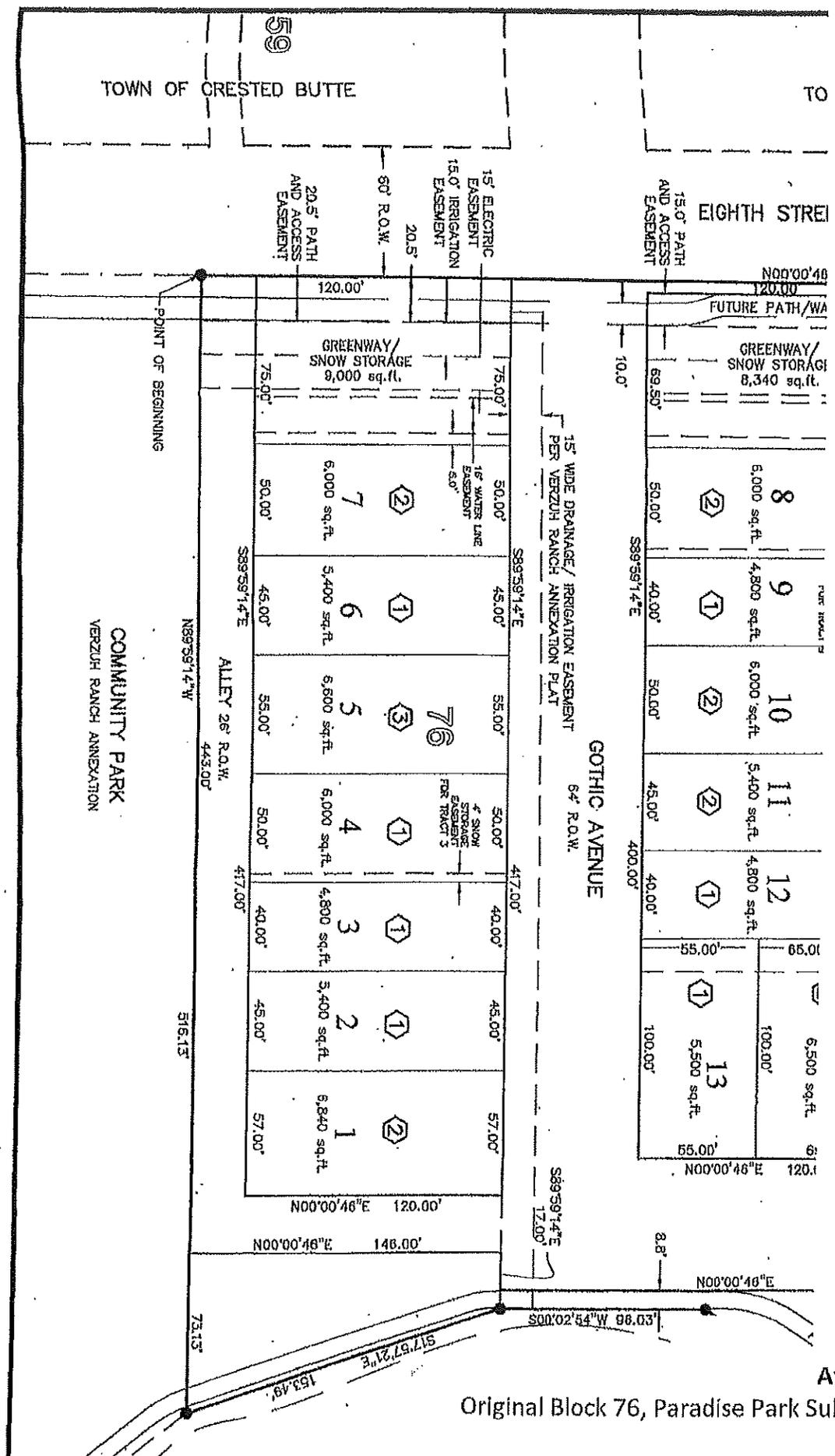
(SEAL)



EXHIBIT "A"

**Minor Subdivision
Replat of Block 76, Paradise Park Subdivision,
Town of Crested Butte**

(attach copy of approved Replat here)



Attachment 2-
Original Block 76, Paradise Park Subdivision Plat