

TOWN OF SUPERIOR
RESOLUTION NO. R-57
SERIES 2016

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR APPROVING A FINAL DEVELOPMENT PLAN FOR LOT 3A, BLOCK 1, SUPERIOR TOWN CENTER FILING 1B, REPLAT NO. 3, AND ALSO APPROVING THE ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, RC Superior, LLC, owns the real property more particularly described as Lot 3A, Block 1, Superior Town Center, as platted by Superior Town Center Filing 1B, Replat No. 3 (the "Property");

WHEREAS, RC Superior, LLC and Glacier House Hotel Management, LLC (collectively, "Applicant") have jointly filed an application for a final development plan ("FDP") for the Property to allow development of a four-story hotel (the "Application");

WHEREAS, Section 16-10-40 of the Superior Municipal Code (the "Code") requires a public hearing and recommendation by the Planning Commission regarding approval of an FDP;

WHEREAS, the specific approval criteria for an FDP are set forth in Section 16-10-40(b) of the Code;

WHEREAS, on September 6, 2016, the Planning Commission held a properly-noticed public hearing on the Application and recommended approval of the FDP, with conditions;

WHEREAS, on September 6, 2016, the Planning Commission also held a properly-noticed public hearing and recommended approval for the related Superior Town Center Filing 1B, Replat No. 3;

WHEREAS, Section 16-10-40 of the Code requires a public hearing and a decision by the Board of Trustees on the Application;

WHEREAS, on September 12, 2016, the Board of Trustees held a properly-noticed public hearing on the Application;

WHEREAS, Section 16-15-10 of the Code and Section 3 of the Development Improvement Agreement for the Town Center dated March 11, 2013 both require a subdivision improvement agreement for the improvements associated with the FDP; and

WHEREAS, the Board of Trustees, upon reviewing the recommendation of the Planning Commission, hearing the statements of staff and the public, and giving due consideration to the matter, finds and determines as provided below.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. The Board of Trustees hereby finds and determines that the Application meets all of the criteria set forth in Section 16-10-40 of the Code and is consistent with the Town of Superior Comprehensive Plan.

Section 2. The Board of Trustees hereby approves the FDP as set forth in the Application, subject to the following conditions:

A. Within 60 days of approval of this Resolution, Applicant shall make minor technical and redline corrections to plans as identified by Town Staff.

B. All required easements shall either be dedicated on the final plat for Superior Town Center Filing 1B, Replat No. 3, or granted by separate instrument.

C. Applicant shall provide additional landscaping on Lot 3A between Marshall Road and the west parking lot.

D. If Lot 3B is not developed within two years from the date of the issuance of the first certificate of occupancy for the hotel on Lot 3A, Applicant shall provide permanent landscaping along the eastern property line of Lot 3A.

E. The sign on the south elevation of the hotel on Lot 3A shall be turned off between the hours of 10:00 p.m. and 6:00 a.m. each day.

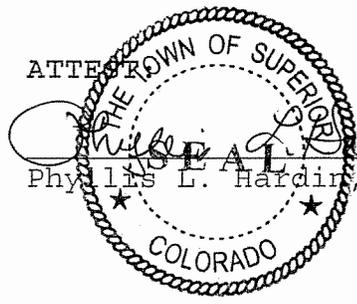
F. The entry monument sign on Lot 3A shall accommodate signage for the hotel on Lot 3A and provide space to also accommodate the business on Lot 3B.

Section 3. The Subdivision Improvement Agreement between the Town and RC Superior, LLC is hereby approved in substantially the same form as attached hereto, subject to final approval by the Town Attorney.

ADOPTED this 12th day of September, 2016.

Clint Folsom

Clint Folsom, Mayor



ATTEST

Phyllis L. Hardin

Phyllis L. Hardin, Town Clerk-Treasurer