

TOWN OF SUPERIOR
PLANNING COMMISSION
RESOLUTION NO. PC-5
SERIES 2017

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF SUPERIOR RECOMMENDING APPROVAL OF THE FINAL PLAT AND FINAL DEVELOPMENT PLAN FOR ETHAN ALLEN, LOT 12, BLOCK 1, FILING NO. 6, SUPERIOR MARKETPLACE, CASE NOS. FP-2017-03 & FDP -2017-03

WHEREAS, Ethan Allen Retail, Inc. ("Applicant"), owns and would like to develop certain property legally described as Lot 12, Block 1, Filing No. 6, Superior Marketplace (the "Property");

WHEREAS, Applicant has filed an application for approval of a Final Plat and Final Development Plan ("FDP") for development of the Property as a retail shop (the "Application");

WHEREAS, Section 16-8-60 of the Superior Municipal Code (the "Code") requires a replat to be treated as a new subdivision;

WHEREAS, Section 16-1-70 of the Code specifies that, as applicable here, the division of a lot or parcel into six or fewer lots is a "minor subdivision";

WHEREAS, Section 16-8-40 of the Code controls minor subdivisions and requires a public hearing and recommendation from the Planning Commission before consideration by the Board of Trustees;

WHEREAS, Section 16-8-10 of the Code contains general subdivision requirements that apply to both major and minor subdivisions;

WHEREAS, Section 16-10-40 of the Code requires a public hearing and recommendation from the Planning Commission before consideration of a FDP by the Board of Trustees;

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

WHEREAS, on November 7, 2017, the Planning Commission held a properly-noticed public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. The Planning Commission hereby finds that the Application meets all applicable requirements of the Code.

Section 2. The Planning Commission hereby recommends that the Board of Trustees approve the Application, subject to the following conditions:

A. Prior to consideration by the Board of Trustees, Applicant shall make minor technical and redline corrections to plans as identified by Town staff.

B. Prior to consideration of the Board of Trustees, or as soon as time allows, Applicant should revise the parapet design for the building façade to wrap the building corners as discussed during the Planning Commission meeting, and Applicant should revise the plat and take such additional steps as necessary to create a sidewalk or access easement along the west side of the lot.

C. If approved by the Board of Trustees, and prior to recording the final mylars, all easements required on Lot 3 including without limitation storm drainage and dry utilities shall be granted by separate instrument, recorded, and reflected on the Final Plat.

D. If approved by the Board of Trustees, the Final Plat shall be recorded prior to recording of the FDP.


Section 3. This Resolution is hereby adopted by a majority of those Planning Commissioners present to hear the matter according to the following numbers of votes:

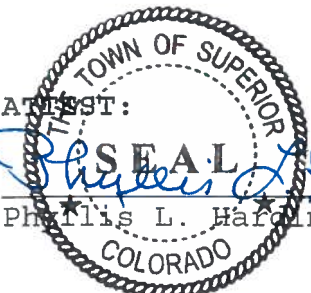
___ 7 ___ "yes" votes

___ "no" votes

ADOPTED this 7th day of November, 2017.


Jim Sawtelle, Chairperson

ATTEST:

Phillis L. Harfain, Town Clerk



The seal is circular with a double-line border. The outer ring contains the text 'TOWN OF SUPERIOR' at the top and 'COLORADO' at the bottom. The inner circle contains the word 'SEAL' in the center, with 'ATTEST:' to its left and 'PHILLIS L. HARFAIN' written across it.