

**TOWN OF SUPERIOR
RESOLUTION NO. 49
SERIES 2018**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR APPROVING THE FINAL MAJOR SUBDIVISION PLAT, FINAL PLAT SITE PLAN AND ASSOCIATED DEVELOPMENT IMPROVEMENT AGREEMENT FOR ROCK CREEK RANCH FILING NO. 17D, LOT 1, BLOCK 1 (CASE NOS. FP-2018-05 AND FPSP-2018-01)

WHEREAS, Superior Shores, LLC ("Applicant"), wishes to develop certain property located in the Town of Superior (the "Property");

WHEREAS, Applicant has filed an application for approval of a final plat and final plat site plan for the creation of a condominium development on the Property, containing 94 units in 20 buildings (the "Application");

WHEREAS, within the Rock Creek Planned Development, a final development plan is referred to as a final plat site plan;

WHEREAS, Section 16-8-50 of the Superior Municipal Code (the "Code") requires a public hearing and recommendation by the Planning Commission on a final plat;

WHEREAS, Section 16-10-40 of the Code also requires a public hearing and recommendation by the Planning Commission on a final plat site plan;

WHEREAS, the specific approval criteria for a final plat are set forth in Section 16-8-50 of the Code;

WHEREAS, the specific approval criteria for a final development plan or final plat site are set forth in Section 16-10-40(b) of the Code; and

WHEREAS, on September 4, 2018, the Planning Commission held a properly-noticed public hearing on the Application and recommended that the Board of Trustees approved the Application with conditions;

WHEREAS, Section 16-8-50 of the Code requires a public hearing and decision by the Board of Trustees on a final plat;

WHEREAS, Section 16-10-40 of the Code requires a public hearing by the Board of Trustees regarding approval of a FPSP;

WHEREAS, on September 24, 2018, the Board of Trustees held a properly-noticed public hearing on the Application; 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 applicable criteria set forth in the Code and is consistent with the Town of Superior Comprehensive Plan.

Section 2. The Board of Trustees hereby approves the Application, subject to the following conditions:

A. Applicant shall make minor technical and redline corrections to plans as identified by Town staff;

B. The final plat shall be recorded prior to recording the final plat site plan; and



C. Applicant shall work with the owner of Autrey Reservoir to improve the landscaping in the area between the sidewalk and the trail around the Reservoir.

Section 3. The Development Agreement between the Town and Superior Shores, LLC is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Development Agreement on behalf of the Town.

ADOPTED this 24th day of September, 2018.



Clint Folsom, Mayor

ATTEST



Phyllis L. Hardin, Town Clerk