



1 - VIEW LOOKING WEST INTO TOWN SQUARE



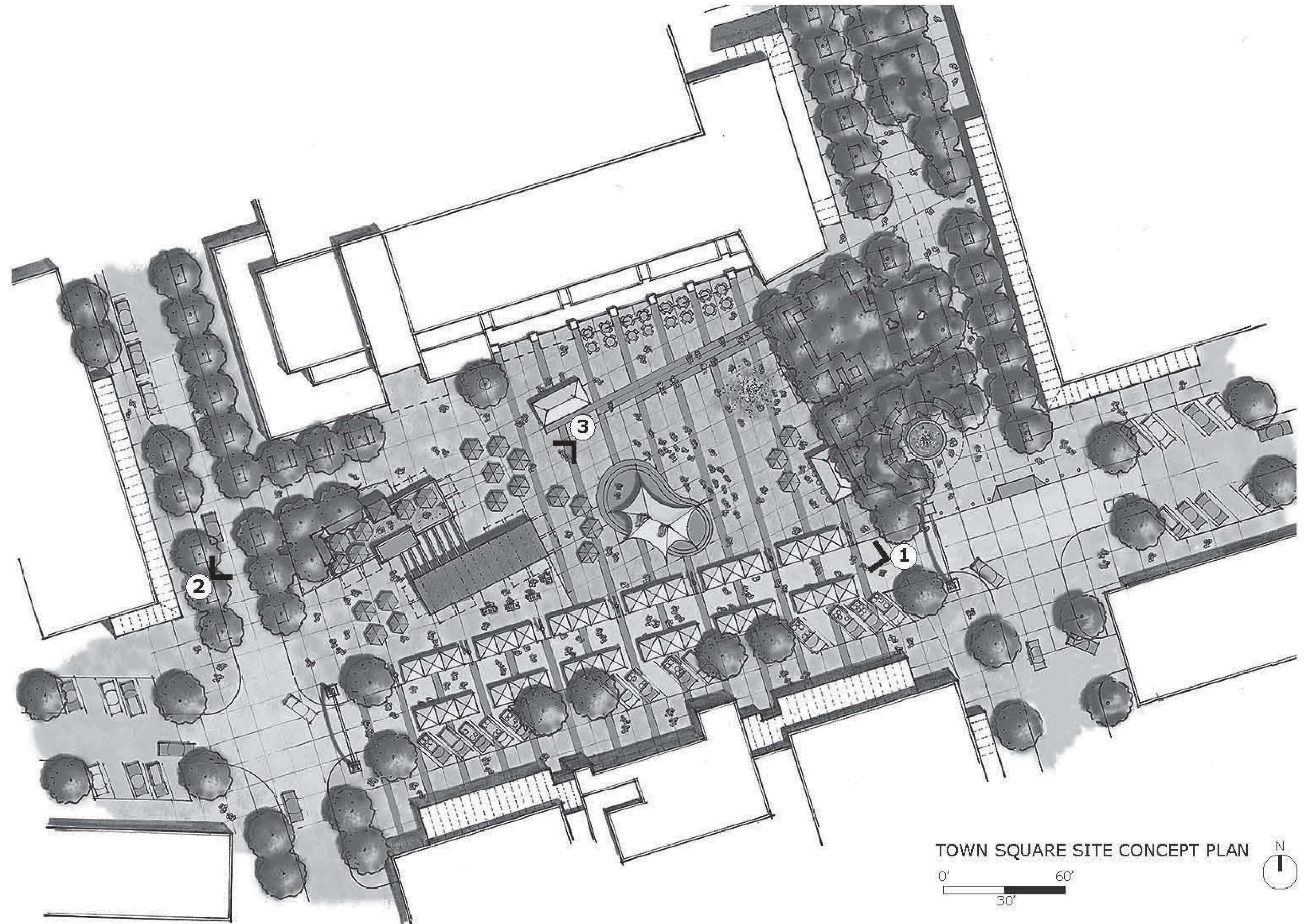
2 - VIEW LOOKING EAST INTO TOWN SQUARE



TOWN SQUARE AERIAL LOOKING NORTHEAST



3 - VIEW LOOKING NORTH TO "PAVILION"



TOWN SQUARE SITE CONCEPT PLAN
 0' 30' 60'

RC SUPERIOR
 12275 El Camino Real
 Suite 100
 San Diego, CA 92130

Vested Rights:
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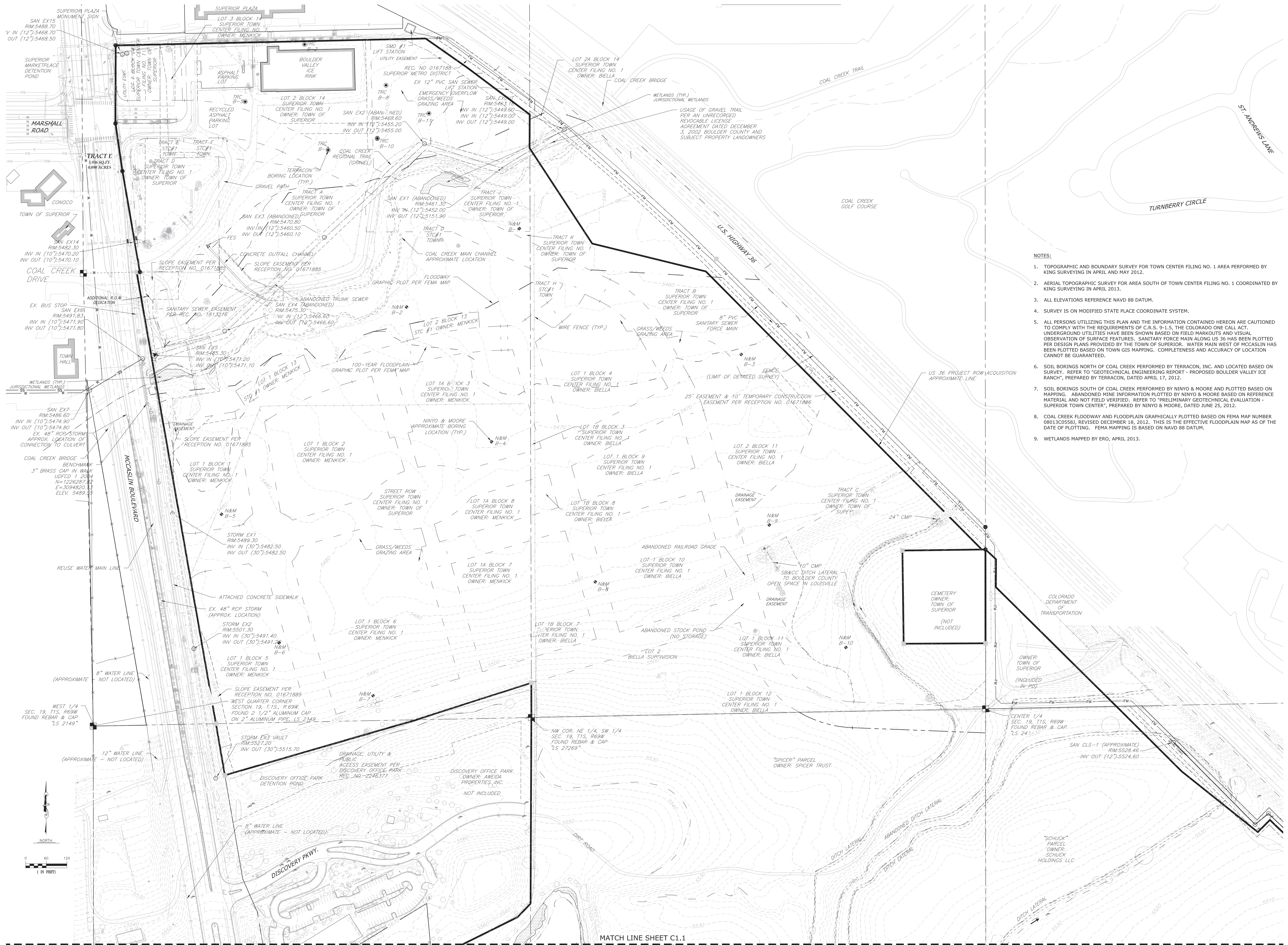
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**SUPERIOR TOWN CENTER
 PD AMENDMENT #4**

PROJ. NO.
 DRAWN:
 CHECKED:
 APPROVED: APRIL 10 2018
 DATE:
 SUBMITTALS:
 04.03.2018 PLANNING COMMISSION
 04.10.2018 TOWN BOARD APPROVAL
 06.06.2018 FINAL SUBMISSION

SHEET TITLE:
**ARCHITECTURAL
 PRECEDENTS**
 (CORE & NORTH AREA)

SCALE:
 SHEET NUMBER
**L1.2 /
 FIGURE D**



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 12275 El Camino Real
 Suite 100
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NOTES:

1. TOPOGRAPHIC AND BOUNDARY SURVEY FOR TOWN CENTER FILING NO. 1 AREA PERFORMED BY KING SURVEYING IN APRIL AND MAY 2012.
2. AERIAL TOPOGRAPHIC SURVEY FOR AREA SOUTH OF TOWN CENTER FILING NO. 1 COORDINATED BY KING SURVEYING IN APRIL 2013.
3. ALL ELEVATIONS REFERENCE NAVD 88 DATUM.
4. SURVEY IS ON MODIFIED STATE PLACE COORDINATE SYSTEM.
5. ALL PERSONS UTILIZING THIS PLAN AND THE INFORMATION CONTAINED HEREON ARE CAUTIONED TO COMPLY WITH THE REQUIREMENTS OF C.R.S. 9-1-5, THE COLORADO ONE CALL ACT. UNDERGROUND UTILITIES HAVE BEEN SHOWN BASED ON FIELD MARKS AND VISUAL OBSERVATION OF SURFACE FEATURES. SANITARY FORCE MAIN ALONG US 36 HAS BEEN PLOTTED PER DESIGN PLANS PROVIDED BY THE TOWN OF SUPERIOR. WATER MAIN WEST OF MCCASLIN HAS BEEN PLOTTED BASED ON TOWN GIS MAPPING. COMPLETENESS AND ACCURACY OF LOCATION CANNOT BE GUARANTEED.
6. SOIL BORINGS NORTH OF COAL CREEK PERFORMED BY TERRACON, INC. AND LOCATED BASED ON SURVEY. REFER TO "GEOTECHNICAL ENGINEERING REPORT - PROPOSED BOULDER VALLEY ICE RANCH", PREPARED BY TERRACON, DATED APRIL 17, 2012.
7. SOIL BORINGS SOUTH OF COAL CREEK PERFORMED BY NINYO & MOORE AND PLOTTED BASED ON MAPPING. ABANDONED MINE INFORMATION PLOTTED BY NINYO & MOORE BASED ON REFERENCE MATERIAL AND NOT FIELD VERIFIED. REFER TO "PRELIMINARY GEOTECHNICAL EVALUATION - SUPERIOR TOWN CENTER", PREPARED BY NINYO & MOORE, DATED JUNE 25, 2012.
8. COAL CREEK FLOODWAY AND FLOODPLAIN GRAPHICALLY PLOTTED BASED ON FEMA MAP NUMBER 080130558J, REVISED DECEMBER 18, 2012. THIS IS THE EFFECTIVE FLOODPLAIN MAP AS OF THE DATE OF PLOTTING. FEA MAPPING IS BASED ON NAVD 88 DATUM.
9. WETLANDS MAPPED BY FRO, APRIL 2013.

**SUPERIOR TOWN CENTER
 PD AMENDMENT #4**

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 04.03.2018 PLANNING COMMISSION
 04.10.2018 TOWN BOARD APPROVAL
 06.06.2018 FINAL SUBMISSION

SHEET TITLE:
**EXISTING
 CONDITIONS
 NORTH
 (2013)**

SCALE:
 SHEET NUMBER
C1.0

MATCH LINE SHEET C1.1

I:\Projects\Town Center PD\Map\2018\0111.PDA.dwg 04/10/2018 10:46:51 AM

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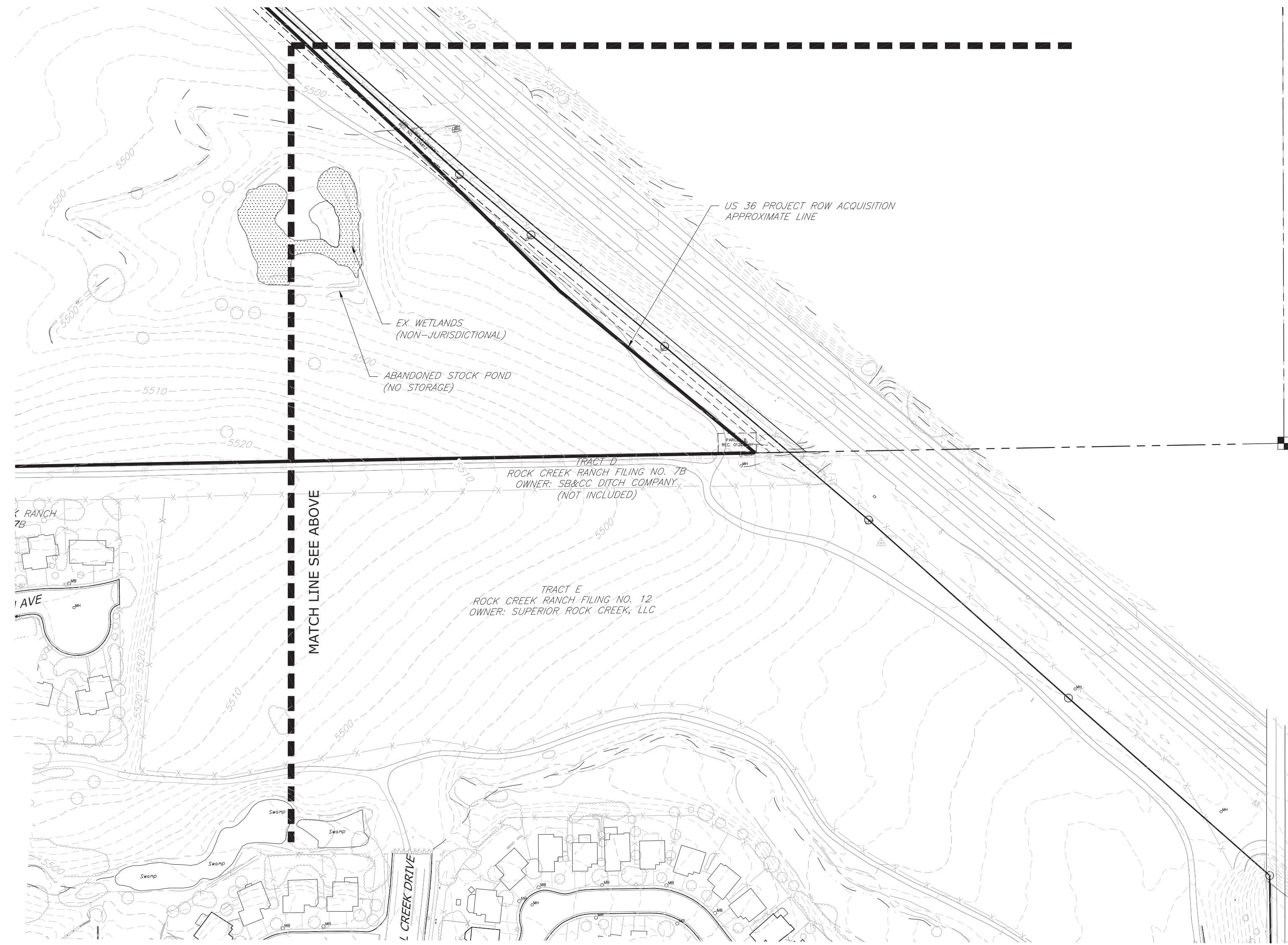
SHEET TITLE:
**EXISTING
CONDITIONS
SOUTH
(2013)**

SCALE:
SHEET NUMBER
C1.1

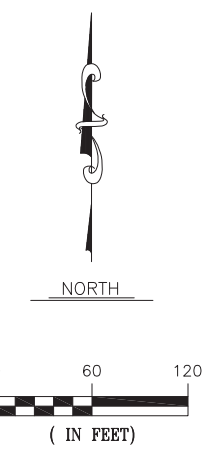
MATCH LINE SHEET C1.0



MATCH LINE SEE BELOW



MATCH LINE SEE ABOVE



04500001 Town Center PDA Amendments 03/13 PDA #1, #2, #3, #4 03/13/2013 11:48 AM 03/13/2013 11:48 AM 03/13/2013 11:48 AM

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04.10.2018 TOWN BOARD APPROVAL
06.06.2018 FINAL SUBMISSION

SHEET TITLE:
**PRELIMINARY
DRAINAGE PLAN**

SCALE:
SHEET NUMBER
C2.0



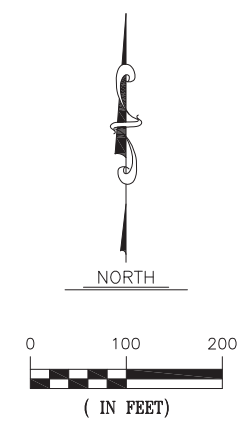
LEGEND

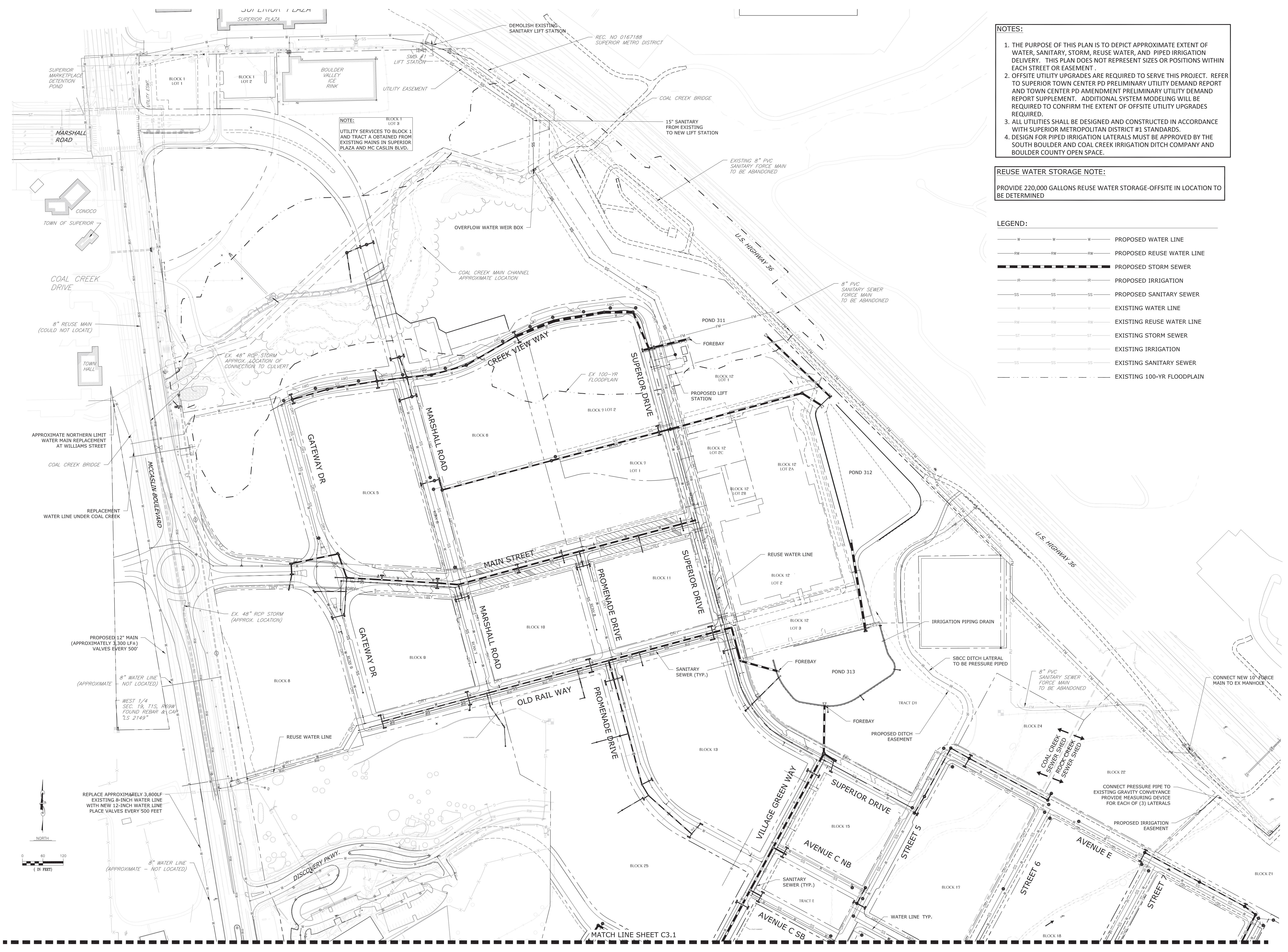
- 130 = BASIN (FROM REFERENCE HYDROGRAPHS)
- 130 = BASIN (FROM CUHP)
- 219.64 = BASIN AREA (IN ACRES)
- = BASIN CENTROID
- = DRAINAGE BASIN BOUNDARY
- = PATH ALONG FLOW LENGTH
- = PROJECT LIMITS
- = FLOW ARROW
- = SWMM DESIGN POINT
- OVERFLOW
- = FEMA EFFECTIVE FLOODPLAIN
- = FLOODPLAIN PER US 36 CLOMR
- = FLOODWAY
- = STORMWATER POND AREA
- = PERVIOUS PAVER AREA
- = CUHP ROW SUBBASIN DIVISION FOR S2A
- = EXISTING CONTOUR
- 5522 = PROPOSED CONTOUR

NOTE:
POND VOLUMES AND RUNOFF RATES ARE APPROXIMATE AND SHALL BE DESIGNED AS PART OF INDIVIDUAL FINAL DEVELOPMENT PLANS FOR THE TRIBUTARY AREA

EXISTING CONTOURS REFLECT TOPOGRAPHIC AND BOUNDARY SURVEY FOR TOWN CENTER FILING NO. 1 AREA PERFORMED BY KING SURVEYING IN APRIL AND MAY 2012. AERIAL TOPOGRAPHIC SURVEY FOR AREA SOUTH OF TOWN CENTER FILING NO. 1 COORDINATED BY KING SURVEYING IN APRIL 2013.

PROPOSED CONTOURS REFLECT GRADING PERMIT WITHIN BLOCK 26 AND TRACT H. #GR2016.03





NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEPICT APPROXIMATE EXTENT OF WATER, SANITARY, STORM, REUSE WATER, AND PIPED IRRIGATION DELIVERY. THIS PLAN DOES NOT REPRESENT SIZES OR POSITIONS WITHIN EACH STREET OR EASEMENT.
2. OFFSITE UTILITY UPGRADES ARE REQUIRED TO SERVE THIS PROJECT. REFER TO SUPERIOR TOWN CENTER PD PRELIMINARY UTILITY DEMAND REPORT AND TOWN CENTER PD AMENDMENT PRELIMINARY UTILITY DEMAND REPORT SUPPLEMENT. ADDITIONAL SYSTEM MODELING WILL BE REQUIRED TO CONFIRM THE EXTENT OF OFFSITE UTILITY UPGRADES REQUIRED.
3. ALL UTILITIES SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH SUPERIOR METROPOLITAN DISTRICT #1 STANDARDS.
4. DESIGN FOR PIPED IRRIGATION LATERALS MUST BE APPROVED BY THE SOUTH BOULDER AND COAL CREEK IRRIGATION DITCH COMPANY AND BOULDER COUNTY OPEN SPACE.

REUSE WATER STORAGE NOTE:

PROVIDE 220,000 GALLONS REUSE WATER STORAGE-OFFSITE IN LOCATION TO BE DETERMINED

LEGEND:

	PROPOSED WATER LINE
	PROPOSED REUSE WATER LINE
	PROPOSED STORM SEWER
	PROPOSED IRRIGATION
	PROPOSED SANITARY SEWER
	EXISTING WATER LINE
	EXISTING REUSE WATER LINE
	EXISTING STORM SEWER
	EXISTING IRRIGATION
	EXISTING SANITARY SEWER
	EXISTING 100-YR FLOODPLAIN

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**SUPERIOR TOWN CENTER
PD AMENDMENT #4**

PROJ. NO.
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SUBMITTALS:
04.03.2018 PLANNING COMMISSION
04.10.2018 TOWN BOARD APPROVAL
06.06.2018 FINAL SUBMISSION

SHEET TITLE:
**PRELIMINARY
UTILITY PLAN
NORTH**

SCALE:
SHEET NUMBER
C3.0

J:\Projects\Town Center PD\Drawings\Sheet\0311.PDA.dwg (3/20/18) 11:50:28 AM

RC SUPERIOR
12275 El Camino Real
Suite 100
San Diego, CA 92130

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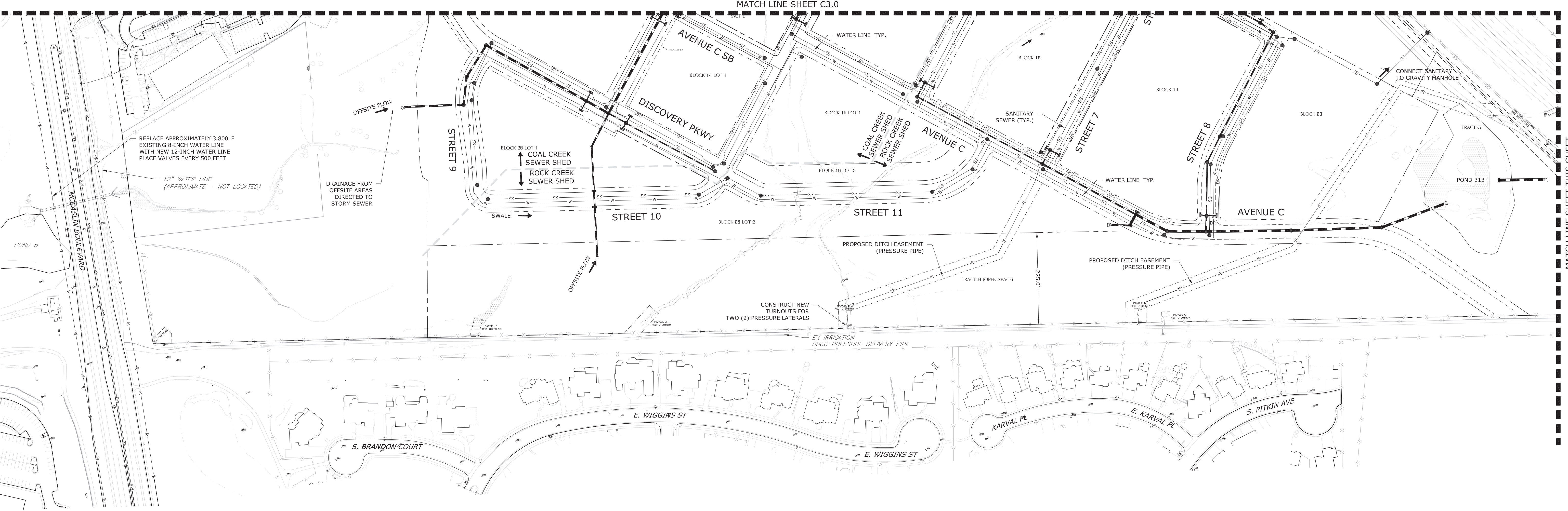
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SHEET TITLE:
PRELIMINARY
UTILITY PLAN
SOUTH

SCALE:
SHEET NUMBER
C3.1



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- PROPOSED STORM SEWER
- PROPOSED IRRIGATION
- PROPOSED SANITARY SEWER
- EXISTING WATER LINE
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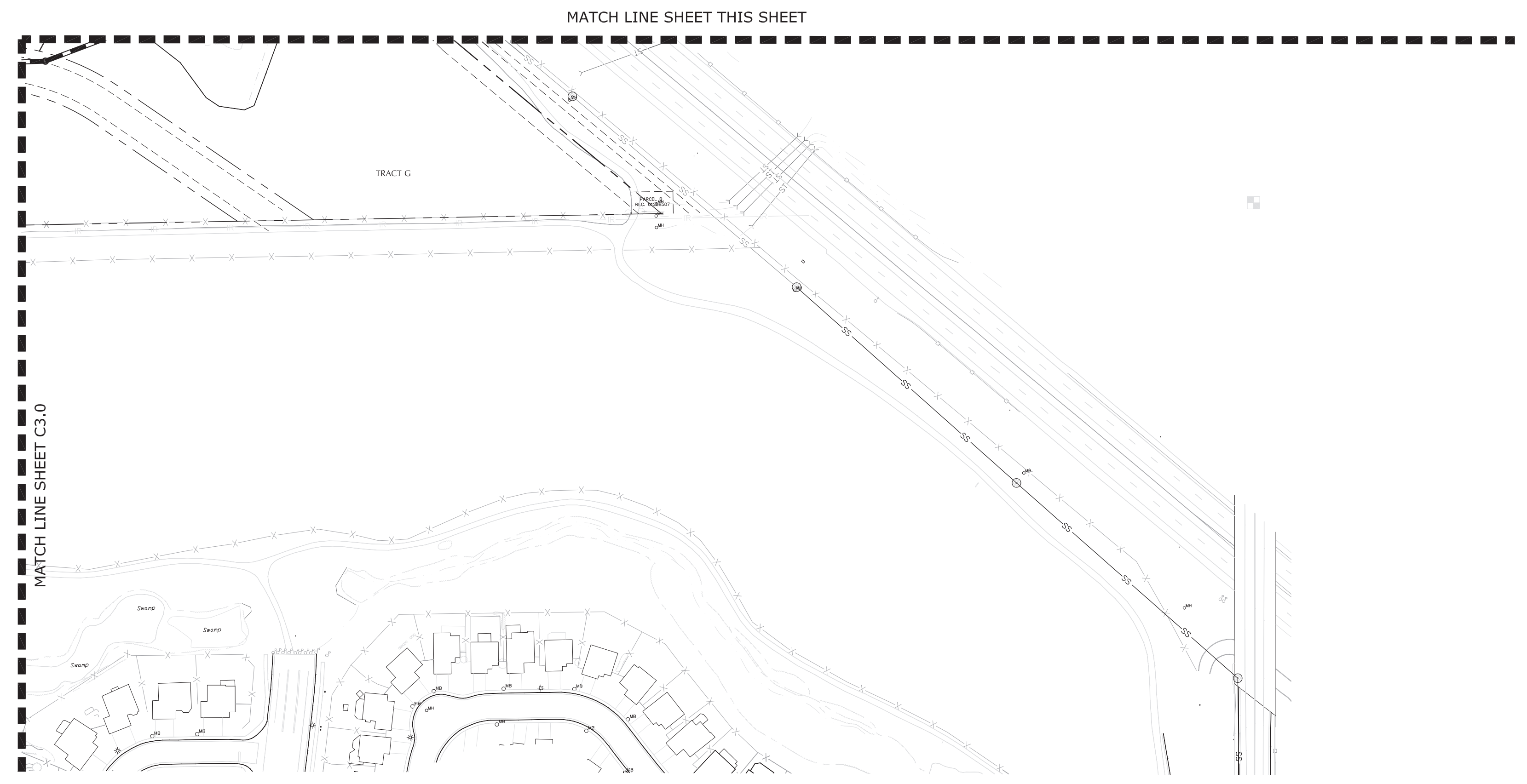


Exhibit B
from
Town of Superior
Ordinance No. 0-6
Series 2013

EXHIBIT B

PROJECT IMPLEMENTATION – RIGHTS AND OBLIGATIONS
 PD AMENDMENT sheet P1.0

1. **No Oversized Facilities.** Developer shall not be required to construct any oversized facilities for any property west of McCaslin Boulevard. Oversized facilities means any Public Improvement required by the Town to be larger than that required to serve the Town Center.
2. **Town Approval.** Any time Developer or any Successor Developer is required to submit to the Town any Public Improvements to the Town for conditional or final acceptance of such Public Improvements, the Town will administratively approve or disapprove such Public Improvements, as a ministerial act, without approval of the Planning Commission or the Town Board being required.
3. **Coal Creek Drive Access.** The Town established the importance of connecting the Project to the existing neighborhoods to the south and identified the general location of the connection on the southeast corner of the Property (the "Coal Creek Drive Access") for access from the Town Center to Coal Creek Drive. The Town will not impose the requirement that Developer provide access to Coal Creek Drive unless the Town acquires the Coal Creek Drive Access for such access. Developer will advance to the Town the costs incurred by the Town in acquiring the Coal Creek Drive Access. In addition to the costs of land acquisition, Developer will be responsible for the cost of the design and construction of the improvements for such access, and all such costs shall be reimbursable pursuant to a reimbursement agreement with the Town that will be funded from future development of such off-site (intervening) property.
4. **Marshall Road Structure.** Developer will use commercially reasonable efforts to obtain all approvals and permits for a structure to carry Marshall Road over Coal Creek in the approximate location depicted herein. The Town shall cooperate with Developer in supporting such efforts to obtain the approvals and permits as Developer may from time to time reasonably request provided that Developer shall pay all costs and expenses incurred in such approval and permitting process and the construction of the structure, which construction shall not be required until all approvals and permits are obtained and then only in connection with the approval of a future FDP. If Developer is unable to obtain all approvals and permits, Developer will cooperate with the Town in implementing alternative traffic mitigation measures if necessary to achieve acceptable levels of service on adjacent roads, but the Town will not fail to approve any FDP solely because the Developer is unable to obtain all such approvals and permits.
5. **Lift Station.** The Town will use commercially reasonable efforts to obtain all approvals and permits for a sanitary sewer lift station (the "Lift Station") in the approximate location of the Tract C Lift Station depicted herein. The Lift Station will be used in providing sewer service to the Project and other portions of the Town. Developer shall cooperate with the Town in supporting such efforts to obtain the approvals and permits as the Town may from time to time reasonably request provided that the Town shall pay all costs and expenses incurred in such approval and permitting process.

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8/20/2013
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6. **Special Districts.** The Town acknowledges that Developer may form one or more Districts for the purpose of providing facilities or services to the Property, either independently or as Developer's designee or assignee under this Plan. The Districts may facilitate financing, construction, and maintenance of the public infrastructure improvements and other public facilities of the Project for which Developer are or may become obligated under the terms in this Plan, including construction of streets, parks, water lines, sanitary sewer lines, storm drainage facilities, and other utilities and Public Improvements serving the Property. The Town will not unreasonably withhold its approval of the service plan for any new such Districts or for any subsequent proceedings to consolidate the Districts. Further, the Town agrees that such Districts may exercise any and all powers and functions permitted by law in accordance with their service plans, including the provision of facilities and services to the Property.]

7. **Vested Rights Created.** The PD Plan constitutes a site specific development plan as defined in C.R.S. § 24-68-101, *et seq.*, and Chapter 16 of the Town Code, and shall create vested property rights for five (5) years from the effective date of approval of the PD Plan, which vested property rights may be extended pursuant to Section 8. The vested property rights include the rights identified below:

- (a) The right to Develop, plan and engage in land uses within the Property in the order as set forth in the Town Center Plat and the PD Plan and the B-O Zone District for the B-O Property, if applicable, and upon approval by the Town, any Final Development Plan or rezoning, including the uses, density and intensity of use.
- (b) The right to have the PD Plan and existing zoning and approved rezoning to remain valid for the term of the vested property rights established by this PD Plan.
- (c) The right to apply for and, upon compliance with the terms and conditions of the PD Plan and any Final Development Plan and any terms of the Town Code or other applicable regulations adopted by the Town or Superior Metropolitan District No. 1, as amended, to receive grading permits, building permits, water taps, sewer taps, certificates of occupancy, and other permits necessary for Development, construction and occupancy of improvements within the Project.

8. **Extension of Vested Property Rights.** In recognition of the benefits the Town will derive from development of the Project, the size of the development contemplated under this Agreement, the substantial investment and time required to complete the development of the Project and related infrastructure and public facilities, the anticipated phased development of the Project over an extended period under current market conditions, and the possible impact of economic cycles and varying market conditions during the course of Development that might further extend the build-out period, the vested property rights contemplated by this Section 8 shall be extended for an additional fifteen (15) years if Developer completes the Public Improvements for Phase One within five (5) years from the effective date of approval of the PD Plan. Such Public Improvements shall be deemed complete when all of the Public Improvements required by the Final Development Plan for Phase One have been conditionally accepted by the Town in accordance with the terms of this PD Plan. If the Town determines that the Public Improvements for the Phase One are not complete within such 5-year period, the Town shall provide at least one hundred twenty (120) days prior written notice to Developer,

10

8/20/2013
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during which time Developer may complete such Public Improvements; provided that, if such Public Improvements are completed within such one hundred twenty (120) days, the extension shall be granted.

9. **Final Development Plan for Phase One.** The Town agrees to present the Final Development Plan ("FDP") for Phase One to the Board of Trustees within ninety (90) days of receipt of a complete FDP application, as determined by the Town under the Town Code. Should the Board of Trustees fail to act on the FDP for Phase One within ninety (90) days of the opening of the public hearing on the FDP for Phase One, upon the 91st day, the five-year period established in Section 8 hereof shall begin to be tolled, and shall continue to be tolled until the approval of the FDP for Phase One, if the FDP for Phase One is approved by the Board of Trustees.

10. **Site Specific Development Plans.** Each subdivision plat, Final Development Plan and application for rezoning of the Property that Developer or any Successor Developer submits to the Town subsequent to the effective date of approval of the PD Plan will be eligible for vested property rights for the remaining amount of the vested rights term established in this Plan.

11. **No Obligation to Develop.** Notwithstanding anything to the contrary in this PD Plan, Developer will have no obligation to Develop all or any portion of the Project and will have no liability under this Plan to the Town or to any other party for its failure to develop all or any part of the Town Center unless provided for in a Final Development Plan or any other agreement executed by the Town and Developer and then only to the extent and with respect to the applicable property that is subject to the Final Development Plan or other any other agreement.

12. **Site Specific Development Plan.** Pursuant to Section 16-12-80(b), on the effective date of approval of the PD Plan, this PD Plan has been approved by the Town Board and is a site specific development plan vesting property rights in Developer. By approving this PD Plan, the Town acknowledges that all of the terms and conditions for the creation of the vested property rights described in Section 7 hereof (including the requirements for all of the documents referred to in Section 16-12-50(a) of the Town Code) have been satisfied, subject to any requirements in the Town Code for publication.

13. **School Impact Fees.** Developer shall dedicate a parcel of land in Planning Area 3 consisting of 2.0 net acres in the general location of Block 14 (the "School Site") at such time as the Boulder Valley School District ("BVSD") provides evidence to the Town that BVSD has the funding and capability for the construction of an Early Childhood Education Center on the School Site. The dedication shall be to the Town or BVSD, as directed by the Town. If Developer makes such decision, it shall be in lieu of and in complete satisfaction of any obligation of Developer to pay any school impact fees or any other fees for schools that may otherwise be required under the Town Code. If the foregoing conditions are not satisfied by BVSD and the Town does not make the request for dedication within four (4) years of the effective date of approval of the PD Plan, then Developer shall, in lieu of such dedication of the School Site, pay to the Town a fee of Two Million Dollars (\$2,000,000) in full satisfaction of any land dedication, school impact fees or any other fees or dedications for schools that may otherwise be required under the Town Code. In such event, Developer shall retain the School Site for development in accordance with the PD Plan and make the payment to the Town of the

11

8/20/2013
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 FILES\CONTENT\OUTLOOK\PTDHLJQ8\TOWN CENTER PDP AMEND-6.DOC

Two Million Dollars (\$2,000,000) at the time the Final Development Plan that contains the School Site is approved by the Town.

14. **Intergovernmental Agreement.** Section 3(b) of the First Amendment to Intergovernmental Agreement (the "First Amendment") between the Town and the City of Louisville requires a certain minimum number of square feet of retail, sales tax-generating development occur on portions of the Property before certificates of occupancy are granted for a certain number of residential dwelling units within portion of the Property. To the extent such provisions are enforceable, Developer shall be bound by such provisions of the First Amendment. The sole remedy available to the Town for noncompliance with such provisions will be withholding the issuance of certificates of occupancy for residential dwelling units until the minimum standards are satisfied in accordance with Section 3(b) of the First Amendment.

12

8/20/2013
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**PROJECT
 IMPLEMENTATION
 RIGHTS &
 OBLIGATIONS**

SCALE:
 SHEET NUMBER

PI 1.0