

**TOWN OF SUPERIOR
RESOLUTION NO.R-11
SERIES 2019**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR APPROVING A MAJOR FINAL SUBDIVISION PLAT AND FINAL DEVELOPMENT PLAN FOR LOT 1, BLOCK 14 AND A PORTION OF LOT 1, BLOCK 26, SUPERIOR TOWN CENTER, AND THE ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT (CASE NOS. FP-2018-03, FP-2018-04 & FDP-2018-03)

WHEREAS, Thrive Home Builders, LLC (the "Applicant") would like to develop certain property legally described as Lot 1, Block 14 and a portion of Lot 1, Block 26, Superior Town Center (the "Property");

WHEREAS, the Applicant has filed an application for approval of a final plat (the "Final Plat") and a final development plan (the "FDP") to subdivide and develop the Property (the "Application");

WHEREAS, Sections 16-8-50 and 16-10-40 of the Superior Municipal Code (the "Code") require a public hearing and recommendation by the Planning Commission on the Final Plat and FDP;

WHEREAS, the specific approval criteria for the Final Plat is set forth in Section 16-8-50 of the Code;

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

WHEREAS, on January 22, 2019, the Planning Commission held a properly-noticed public hearing on the Application and recommended that the Board of Trustees approve the Application subject to certain conditions;

WHEREAS, Sections 16-8-50 and 16-10-40 of the Code require a public hearing by the Board of Trustees on the Final Plat and FDP;

WHEREAS, on February 11, 2019, 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. Within 60 days of the date of this Resolution, the Applicant shall make minor technical and redline corrections to plans as identified by Town staff;

B. The Final Plat shall be recorded prior to the recording of the FDP;

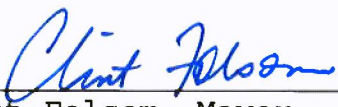
C. No certificates of occupancy shall be issued for Block 26 until all necessary improvements are constructed for Central Park Circle to provide safe vehicular access from Discovery Parkway to Incline Lane; and

D. Prior to recording the Final Plat, the Applicant shall execute the Subdivision Improvement Agreement approved in Section 3; and

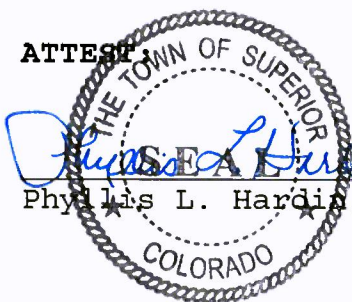

E. Within 60 days of the date of this Resolution, the Applicant shall modify the Final Plat to accurately portray distances between the boundary of the Property and Tract H and the width of the intervening property in Block 27.

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

ADOPTED this 11th day of February, 2019.



Clint Folsom, Mayor

ATTEST



Phyllis L. Hardin, Town Clerk