

**TOWN OF SUPERIOR  
BOARD OF TRUSTEES  
RESOLUTION NO. R-61  
SERIES 2022**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
SUPERIOR APPROVING A REPLAT OF BLOCKS 2 AND 5 OF THE  
SUPERIOR TOWN CENTER PLANNED DEVELOPMENT, SUPERIOR TOWN  
CENTER, CASE NO. FP-2022-01**

**WHEREAS**, RC Superior, LLC (the "Applicant") wishes to develop a portion of certain property located within the Town of Superior that is generally described as Blocks 2 and 5 of the Superior Town Center (the "Property");

**WHEREAS**, Applicant has filed an application seeking to combine Blocks 2 and 5 into a single block (Block 5), eliminating a segment of Gateway Drive between Main Street and Creek View Way, and creating three lots within the new Block 5, Lots 1, 2, and 3 (the "Application");

**WHEREAS**, Applicant has also filed applications for an amendment to the Superior Town Center Planned Development ("PD") where the Property is located as well as a Final Development Plan for the Property;

**WHEREAS**, Section 16-8-60(a) of the Superior Municipal Code (the "Code") provides that a resubdivision of land, or replat is considered 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 (6) 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 and determination by the Board of Trustees on the replat;

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

**WHEREAS**, on June 7, 2022, the Planning Commission held a properly-noticed public hearing on the Application, and recommended denial of the Application;

**WHEREAS**, on August 2, 2022, the Planning Commission held a second properly-noticed public hearing on the Application, and recommended approval of the Application with modifications and conditions;

**WHEREAS**, on June 28, 2022 and August 22, 2022, 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 to deny the Application, 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 120 days of the date of this Resolution, Applicant shall make minor technical and redline corrections to plans as identified by Town staff;
- B. Within 120 days of the date of this Resolution, Applicant shall update the plat to reflect a cross-access easement to ensure required parking for all lots; and
- C. The Replat shall be recorded prior to recordation of the associated Final Development Plan (FDP-2022-01).

**ADOPTED this 22<sup>nd</sup> day of August, 2022.**



*Clint Folsom*  
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Clint Folsom, Mayor

**ATTEST:**

*Patricia Leyva*  
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Patricia Leyva, Town Clerk