

**TOWN OF SUPERIOR
ORDINANCE NO. 0-14
SERIES 2022**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
SUPERIOR APPROVING AMENDMENT NO. 6 TO THE PLANNED
DEVELOPMENT FOR SUPERIOR TOWN CENTER, BLOCKS, 2, 5, AND
8, CASE NO. PDA-2022-02**

WHEREAS, RC Superior, LLC ("Applicant") is the owner of property located in the Town of Superior that is generally described as the Superior Town Center and more particularly described in **Exhibit A** (the "Property");

WHEREAS, the Property is located within the Superior Town Center Planned Development (the "PD");

WHEREAS, Applicant has filed an application for approval of an amendment to the PD to rezone the Property to add Life Sciences as an allowed use and adjust the density, height, and setback requirements (the "Application");

WHEREAS, Life Sciences as an allowed use is described as a mix of laboratory research and office space;

WHEREAS, Applicant has also filed applications for a Replat and Final Development Plan for the Property;

WHEREAS, Section 16-10-30(c)(3) of the Superior Municipal Code (the "Code") requires a public hearing before the Planning Commission and recommendation by the Planning Commission to the Board of Trustees regarding an amendment to a PD;

WHEREAS, Section 16-7-30(a) of the Code requires a public hearing and recommendation by the Planning Commission for a rezoning request;

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

WHEREAS, Section 16-7-30(a) of the Code also requires a public hearing by the Board of Trustees prior to approval of a rezoning;

WHEREAS, on June 28, 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 ORDAINED 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 satisfies the criteria for rezoning set forth in Section 16-7-30 of the Code.

Section 2. The Board of Trustees hereby approves Amendment No. 6, Superior Town Center Blocks 2, 5, and 8, as set forth in the Application.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.

Section 4. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 22nd day of August, 2022.



Clint Folsom, Mayor

ATTEST:



Patricia Leyva, Town Clerk

