

**TOWN OF SUPERIOR
PLANNING COMMISSION
RESOLUTION NO. PC-5
SERIES 2023**

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF SUPERIOR RECOMMENDING APPROVAL OF A REPLAT FOR TOWN CENTER FILING 1B REPLAT NO. 7 ON BLOCKS 2, 5, AND 8, CASE NO. FP-2023-01

WHEREAS, PMB LLC (the "Applicant") wishes to develop a portion of certain property located within the Town of Superior that is generally described as Blocks 2, 5, and 8 of the Superior Town Center (the "Property");

WHEREAS, Applicant has filed an application seeking to vacate and create various easements within Lot 1, Block 2, Lot 1, Block 5, and Lot 1, Block 8 for Superior Town Center Filing 1B Replat No. 7 (the "Application");

WHEREAS, Applicant has also filed applications for a Final Development Plan 1 Phase 12 and a Final Development Plan 11 & 12 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 before consideration by the Board of Trustees;

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

WHEREAS, on October 30, 2023, and November 7, 2023, the Planning Commission held properly-noticed public hearings on the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. The Planning Commission hereby finds that the Application meets all applicable requirements of the Code.

Section 2. The Planning Commission hereby recommends that the Board of Trustees approve the Replat and all materials included in the Application in the form submitted by Applicant, unless expressly modified by the following conditions:

A. Before final documents are signed and recorded, Applicant shall make minor technical and redline corrections to plans as identified by Town staff; and

B. The Replat for Town Center Filing 1B Replat No. 7 on Blocks 2, 5, and 8 shall be adopted and recorded prior to adoption of the Final Development Plan Phase 12 (FDP-2023-01) and Final Development Plan 11 & 12 (FDP-2023-02).

Section 3. This Resolution is hereby adopted by a majority of those Planning Commissioners present to hear the matter according to the following numbers of votes:

7 "yes" votes
1 "no" votes

ADOPTED this 7th day of November, 2023.

David J. Harper

David Harper, Chair

ATTEST:

Lydia Yecke

Lydia Yecke, Town Clerk

