

**TOWN OF SUPERIOR
ORDINANCE NO. O-8
SERIES 2024**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR APPROVING A SECOND AMENDMENT TO THE PLANNED DEVELOPMENT PLAN FOR DISCOVERY OFFICE PARK (CASE NO. PDA-2024-01)

WHEREAS, Aweida Properties, Inc. (the "Owner") owns certain real property more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, and commonly known as Discovery Office Park (the "Property");

WHEREAS, in March 2001, the Board of Trustees approved an original Planned Development Plan (the "PD Plan") for the Property;

WHEREAS, in May 2014, the Board of Trustees approved the First Amendment to the PD Plan for the Property;

WHEREAS, the Owner authorized Pennrose Properties, LLC (the "Applicant") to file an application (the "Application") for a Second Amendment to the PD Plan (the "Second Amendment");

WHEREAS, pursuant to Section 16-10-30(c)(5) of the Superior Municipal Code (the "Code"), an amendment to a PD Plan is treated as a new plan, and the specific review criteria are set forth in Section 16-10-30(b) of the Code;

WHEREAS, on March 19, 2024, the Planning Commission held a properly-noticed public hearing on the Application and recommended approval with conditions;

WHEREAS, on April 8, 2024, 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 herein.

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 that the Second Amendment, subject to the conditions set forth in Section 2 hereof, meets all of the 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 Second Amendment, subject to the following conditions:

a. Within 90 days of the date of this Ordinance, Applicant shall make minor technical and redline corrections to the Second Amendment as identified by Town staff; and

b. Within 90 days of the date of this Ordinance, Applicant shall submit to the Town a complete and final PD Plan that includes the Second Amendment.

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 April, 2024.



Mark Lacis, Mayor

ATTEST:



Lydia Yecke, Town Clerk



Exhibit A
Legal Description

Lot 21, Block 1, Discovery Office Park/Superior Town Center Replat No. 3