

TOWN OF SUPERIOR
RESOLUTION NO. R-37
SERIES 2016

A RESOLUTION OF BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR APPROVING THE FINAL MINOR SUBDIVISION PLAT AND FINAL PLAT SITE PLAN FOR ROCK CREEK RANCH FILING NO. 17C, BLOCK 1, LOTS 1-3, TRACTS A, B AND C; APPROVING VESTED RIGHTS THEREFOR; AND APPROVING A DEVELOPMENT AGREEMENT RELATED THERETO

WHEREAS, Rock Creek Holdings, LLC ("Applicant"), is the owner of certain property located in the Town of Superior (the "Property");

WHEREAS, Applicant has filed an application for a final minor subdivision plat and final plat site plan for the creation of three lots and three tracts, including grading and construction, an access street, various utilities, and a retaining wall(the "Application");

WHEREAS, within the Rock Creek Planned Development a final development plan ("FDP"), as is requested by this Application, is referred to as a final plat site plan ("FPSP");

WHEREAS, the specific approval criteria for a final minor subdivision plat are set forth in Section 16-8-40 of the Code;

WHEREAS, the specific approval criteria for a final development plan or a final plat site plan are set forth in Section 16-10-40(b) of the Code;

WHEREAS, on May 17, 2016, the Planning Commission held a properly-noticed public hearing on the Application;

WHEREAS, Section 16-8-40 of the Code requires a public hearing and a decision by the Board of Trustees on a final minor subdivision plat;

WHEREAS, Section 16-10-40 of the Code requires a public hearing and a decision by the Board of Trustees on a final development plan or a final plat site plan;

WHEREAS, the specific approval criteria for an FDP or FPSP are set forth in Section 16-10-40 of the Code;

WHEREAS, on June 13, 2016, 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 BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. The Board of Trustees hereby finds and determines that the final minor subdivision plat as contained in the Application meets all of the criteria set forth in Section 16-8-40 of the Code and is consistent with the Town of Superior Comprehensive Plan.

Section 2. The Board of Trustees hereby approves the final minor subdivision plat as contained in the Application, subject to the condition that Applicant shall make minor technical corrections to plans as identified by Town Staff.

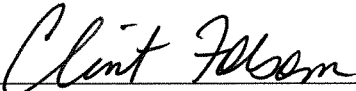
Section 3. The Board of Trustees hereby finds and determines that the FPSP as contained in the Application meets all of the criteria set forth in Section 16-10-40 of the Code and is consistent with the Rock Creek Planned Development plan and all other Town ordinances and regulations.

Section 4. The Board of Trustees hereby approves the final plat site plan as contained in the Application, subject to the condition that Applicant shall make minor technical corrections to plans as identified by Town Staff.

Section 5. Pursuant to Article XII of Chapter 16 of the Code, the approval of the FPSP under the conditions stated in this Resolution creates vested rights for the period stated in Section 16-12-60 of the Code, but only if Applicant complies with all conditions stated in this Resolution and all applicable requirements of Article XII of Chapter 16 of the Code.

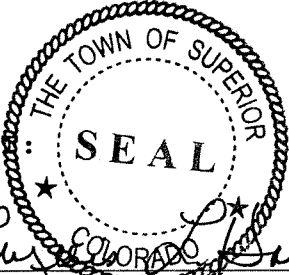
Section 6. The Development Agreement between the Town and Applicant is hereby approved in substantially the same form as attached hereto, subject to final approval by the Town Attorney.


ADOPTED this 13th day of June, 2016.



Clint Folsom, Mayor

ATTES:





Phyllis L. Hardin, Town Clerk