

TOWN OF SUPERIOR
RESOLUTION NO. R-55
SERIES 2016

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
SUPERIOR APPROVING A FINAL DEVELOPMENT PLAN FOR PHASE
4, MARSHALL ROAD EXTENSION, SUPERIOR TOWN CENTER, AND
ALSO APPROVING THE ASSOCIATED SUBDIVISION IMPROVEMENT
AGREEMENT

WHEREAS, the Town owns the real property more particularly described as a portion of the Marshall Road Right-of-Way from the Eastern Terminus to the edge of the Coal Creek Floodplain, as platted by Superior Town Center Filing 1B (the "Property");

WHEREAS, RC Superior, LLC ("Applicant") has filed an application for a final development plan ("FDP") for the Property, as part of Phase 4 of the Superior Town Center, to allow the extension of Marshall Road into the Superior Town Center development (the "Application");

WHEREAS, Section 16-10-40 of the Superior Municipal Code (the "Code") requires a public hearing and recommendation by the Planning Commission regarding approval of an FDP;

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

WHEREAS, on August 16, 2016, the Planning Commission held a properly-noticed public hearing on the Application and recommended approval of the FDP, with conditions;

WHEREAS, Section 16-10-40 of the Code requires a public hearing and a decision by the Board of Trustees on the Application;

WHEREAS, on August 22, 2016, the Board of Trustees held a properly-noticed public hearing on the Application;

WHEREAS, Section 16-15-10 of the Code and Section 3 of the Development Improvement Agreement for the Town Center dated March 11, 2013, both require a subdivision improvement agreement for the improvements associated with the FDP; 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 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 criteria set forth in Section 16-10-40 of the Code and is consistent with the Town of Superior Comprehensive Plan.

Section 2. The Board of Trustees hereby approves the FDP as set forth in the Application subject to the following conditions:

A. Applicant shall make minor technical and redline corrections to plans as identified by Town Staff; and

B. Applicant shall modify the landscape plan to include additional landscape screening (shrubs and/or ornamental grasses) south of Lot 2, Block 1, in compliance with sight distance triangle requirements.


Section 3. The Subdivision Improvement 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 22nd day of August, 2016.



Clint Folsom, Mayor

ATTEST



Phyllis L. Hardin, Town Clerk-Treasurer

