

**ORDINANCE NO. 10
SERIES OF 2016**

**AN ORDINANCE OF THE BOARD OF TRUSTEES
OF THE TOWN OF CARBONDALE, COLORADO
APPROVING AN EXTENSION OF THE DEADLINE TO RECORD
A FINAL SUBDIVISION PLAT FOR
THE CARBONDALE MARKETPLACE SUBDIVISION**

WHEREAS, Crystal River Marketplace, LLC ("Applicant"), previously submitted an application to the Town of Carbondale ("Town") for the approval of a final subdivision plat ("Final Plat") for a five-lot subdivision to be known as the Carbondale Marketplace Subdivision:

WHEREAS, on March 16, 2016 the Board of Trustees adopted Ordinance No. 5, Series of 2016, which ordinance included approval of the proposed subdivision and ancillary requests for a special use permit to authorize a fueling station upon proposed Lot 3 of the subdivision, for site plan approval to authorize the location and development of an approximately 60,000 s.f. grocery store upon proposed Lot 2, a fueling station upon Lot 3, and a 9,600 s.f. (net leasable space) retail building upon proposed Lot 4, and for a conditional use permit to authorize a drive-through pharmacy as part of the grocery store operation upon proposed Lot 2; and

WHEREAS, pursuant to Section 3 of said Ordinance No. 5, the deadline to complete and record a final subdivision plat (to include completion of associated public street and right-of-way dedications, subdivision improvements agreement, payment of fees, and posting of security for the same) was to be 90 days following adoption of Ordinance No. 5, or approximately June 14, 2016; and

WHEREAS, pursuant to a letter to the Town dated May 26, 2016, the Applicant has requested that this deadline be extended approximately another 60 days, through and including August 12, 2016, in order to allow additional time for preparation, execution and recording of final documents; and

WHEREAS, the Board of Trustees finds and determines that this extension request should be granted, for good cause shown, including that since the approval of Ordinance No. 5 the Applicant has been diligently engaged with Town staff in the development of final information necessary to support a building permit application for a new grocery store that is anticipated to be filed shortly after recordation of the final plat.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO that:

1. The Applicant's request for a 60 day extension of the final plat recordation deadline is hereby granted. Applicant shall have through and including August 12, 2016 in order to record a final subdivision plat for the Carbondale Marketplace Subdivision.

2. Except as amended herein, all terms and conditions of Ordinance No. 5, Series of 2016, shall remain in full force and effect.

INTRODUCED, READ AND PASSED this 8th day of June, 2016.

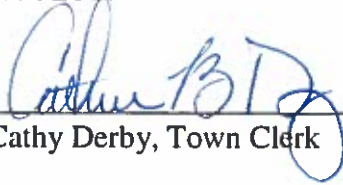
THE TOWN OF CARBONDALE

By:



Dan Richardson, Mayor Pro Tem

ATTEST:



Cathy Derby, Town Clerk

