

**TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 70, SERIES 2022**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH
APPROVING TOWN COUNCIL WAIVERS TO THE KUM & GO SITE PLAN,
GENERALLY LOCATED SOUTH OF HARMONY ROAD, NORTH OF INNOVATE
PLACE AND EAST OF CLUB DRIVE**

WHEREAS, the Town Council of the Town of Timnath (“Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, Kum & Go (the “Developer”) has submitted a Waiver Request for The Kum & Go Site Plan, more particularly described in **Exhibit A** (legal description) and **Exhibit B** (Requested Waivers) and attached hereto and incorporated herein by this reference (the “Property”); and

WHEREAS, a Planning Commission hearing was held on November 15, 2022, and the above described Waivers were recommended for approval to the Town Council by the Town of Timnath Planning Commission by unanimous vote (5-0); and

WHEREAS, a hearing with the Town Council was held on December 13, 2022 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below.

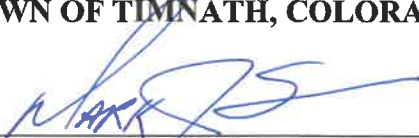
BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:

Section 1. Approval

The Waivers are hereby approved in substantially the form as attached hereto, subject to technical or otherwise non-substantive modifications, as deemed necessary by the Town Manager in consultation with the Town Planner, Engineer, Legal Counsel, and other applicable staff or consultants with the following condition:


INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, ON DECEMBER 13, 2022

TOWN OF TIMNATH, COLORADO



Mark J. Soukup, Mayor

ATTEST:



Milissa Garcia-Peters, CMC
Town Clerk

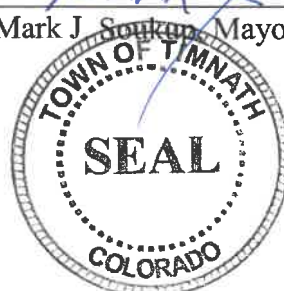


EXHIBIT A

Legal Description of Property Proposed for the Site Plan

LOT 1, TIMNATH RANCH 5th FILING REPLAT 2

EXHIBIT B

Requested Waivers

Parking

5.10.5.6.A: Parking Lots shall not extend more than 134 feet along the Harmony Road frontage.

Building Placement, Massing & Articulation

5.10.7.5.A: Buildings shall extend along Harmony Road at least 35% of the overall property frontage.