

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 778**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, ESTABLISHING
THE LAND USE OF MEAD PLACE, UPON THE PETITION OF THE OWNER
THEREOF TO SINGLE-FAMILY DETACHED RESIDENTIAL,
COMMERCIAL, AND VILLAGE MIXED USES.**

WHEREAS, a request for an amendment to the existing zoning for the Mead Place has been filed by Equinox Mead, LLC, 10450 E 159th Ct., Brighton, CO 80602, for the following described real property, to wit:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 21, TOWNSHIP 3
NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD,
STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A

WHEREAS, the property was zoned upon its annexation as permitted by §31-12-115, C.R.S., August 27, 2007; and

WHEREAS, a public hearing was scheduled on the request to amend the current zoning designation on Monday, June 29, 2015; and

WHEREAS, the public hearing on the proposed land use was continued to July 27, 2015, to allow the applicant to post the property 15 days before the public hearing as required by the *Mead Municipal Code*; and

WHEREAS, notice was given by publication and by certified mail to adjacent property owners in accordance with the requirements of Chapter 16 of the *Mead Municipal Code*; and

WHEREAS, it has been determined by the Board of Trustees that it is desirable and necessary that the designated land use for the described real property be single-family detached residential, commercial, and village mixed uses in accordance with the application for land use designation and the *Land Use Code* of the Town of Mead, Colorado;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that;

Section 1. The land uses for the above described property are hereby designated single-family detached residential, commercial, and village mixed uses. All activities conducted on the site shall be in conformance with the *Land Use Code* for the Town of Mead, as modified by the “*Mead Place PUD Development Regulations*,” dated September 13, 2007, and as further modified by the “*Mead Place PUD Development Regulations*,” dated July 2015, as though the same were herein set forth in full.

Section 2. The following special conditions shall apply to the development of the above described property.

- a. All activities conducted on the site shall be in conformance with *Chapter 16, Land Use Regulations*, of the *Mead Municipal Code*,” as modified by the “*Mead Place PUD*

Development Regulations,” dated September 13, 2007, and as further modified by the “*Mead Place PUD Development Regulations*,” dated July 2015.

- b. An access permit to cross the Highland Ditch shall be obtained from the ditch company prior to development unless the applicant provides documentation from the ditch company that their requirements have been satisfied.
- c. A Master Open Space Plan shall be provided with the Preliminary Plat..
- d. A reservation of land, consistent with State and local regulations shall be identified on the preliminary plat(s) to accommodate oil and gas well locations, setbacks and access. A Surface Use Agreement shall be provided at the time of final plat(s).

Section 3. The official *Town of Mead Zoning District Map* as adopted by Section 16-7-10 of the *Mead Municipal Code*, and as subsequently amended, shall be amended by the designation of the above described property as single-family detached residential, commercial, and village mixed uses in accordance with the map titled “*Mead Place PUD Land Use Plan*,” dated April 27, 2015.

Section 4. Ministerial Action. The Mayor and Town Clerk are authorized and directed to complete all the necessary procedures required to cause an appropriate revision of the *Town of Mead Zoning District Map* to be prepared and placed in the official records of the Town and recorded with this ordinance in the office of the Weld County Clerk and Recorder.

Section 5. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 6. Validity. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 7. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Mead.

Section 8. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 27th DAY OF July, 2015.

ATTEST:

TOWN OF MEAD

By Linda Blackston
Linda Blackston, CMC, Town Clerk

By Gary R. Shields
Gary R. Shields, Mayor



EXHIBIT A

MEAD PLACE

Legal Description:

THAT PART OF THE SOUTH HALF OF SECTION 21, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, LYING EASTERLY OF THE RIGHT OF WAY GRANTED TO NORTHERN CONSTRUCTION COMPANY BY INSTRUMENTS RECORDED IN BOOK 228 AT PAGE 109 AND IN BOOK 212 AT PAGE 163 AND LYING NORTHERLY OF TRACT DESCRIBED IN RULE AND ORDER TO COLORADO DEPARTMENT OF HIGHWAYS RECORDED IN BOOK 1588 AT PAGE 479, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST ONE-QUARTER CORNER OF SECTION 21, WHENCE THE CENTER ONE-QUARTER CORNER OF SAID SECTION 21 BEARS SOUTH 89°03'26" WEST, SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION;

THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 21 SOUTH 00°26'23" EAST 2361.79 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 66; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 66 THE FOLLOWING 9 COURSES:

- 1) SOUTH 89°33'37" WEST 30.00 FEET;
- 2) SOUTH 43°39'50" WEST 70.15 FEET;
- 3) ALONG THE ARC OF A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 11565.00 FEET, A CENTRAL ANGLE OF 02°17'33" AND A CHORD WHICH BEARS SOUTH 85°52'20" WEST 462.70), A DISTANCE OF 462.73 FEET;
- 4) SOUTH 84°43'20" WEST 1263.20 FEET;
- 5) ALONG THE ARC OF A CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 11355.00 FEET, A CENTRAL ANGLE OF 01°34'39" AND A CHORD WHICH BEARS SOUTH 85°30'50" WEST 312.60) A DISTANCE OF 312.61 FEET;
- 6) SOUTH 03°42'10" EAST 72.90 FEET;
- 7) SOUTH 89°01'50" WEST 598.30 FEET;
- 8) NORTH 00°54'40" WEST 60.00 FEET;
- 9) SOUTH 89°05'20" WEST 432.24 FEET TO A POINT ON THE EAST LINE OF THAT TRACT OF LAND DESCRIBED IN RIGHT OF WAY DEED RECORDED IN BOOK 228, PAGE 109;

THENCE ALONG SAID EAST LINE OF THAT TRACT OF LAND DESCRIBED IN RIGHT OF WAY DEED RECORDED IN BOOK 228, PAGE 109, WELD COUNTY RECORDS, AND ALONG THE EAST LINE THAT TRACT OF LAND DESCRIBED QUITCLAIM DEED RECORDED IN BOOK 212, PAGE 163, WELD COUNTY RECORDS, THE FOLLOWING 2 COURSES:

- 1) NORTH 19°25'35" EAST 1607.08 FEET;
- 2) NORTH 00°21'15" WEST 1058.21 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTH LINE NORTH 89°03'26" EAST 2590.33 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 158.547 ACRES, MORE OR LESS.