



**TOWN OF MEAD, COLORADO
ORDINANCE NO. 728**

AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AUTHORIZING A WAIVER OF SITE DEVELOPMENT STANDARDS AND ARCHITECTURAL DESIGN STANDARDS FOR THE PROPOSED DOUBLE S BUILDING ON LOT 3, VALLEY 66 BUSINESS PARK AND A WAIVER OF THE CURRENT SITE PLAN REVIEW PROCESS.

WHEREAS, Butch Sekich, 4315 Highway 66, Longmont, CO 80504, hereinafter called the "Applicant" has proposed a 24,000 square foot building to be located on Lot 3, Valley 66 Business Park; and

WHEREAS, the proposed building site is on a single vacant lot within a developed commercial/industrial subdivision; and

WHEREAS, adjacent properties were developed under a previous Land Use Code with minimal landscaping, parking, and architectural standards; and

WHEREAS, under the 2009 Land Use Code, property zoned GC - General Commercial requires certain standards for landscaping, parking and architectural design which do not fit in with the existing adjacent industrial/commercial properties within the Valley 66 subdivision; and

WHEREAS, the 2009 Land Use Code provides that the Board of Trustees may authorize waivers from the Town Land Use Code in cases where, due to exceptional conditions particular to the site, practical difficulties or an unnecessary hardship is placed on the landowner; and

WHEREAS, the Applicant has requested waivers be granted for landscaping, parking, screening of dumpsters, architectural design standards, and the site plan review process for the building to be located on Lot 3, Valley 66 Subdivision;

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

Section 1. The Board of Trustees reviewed the requested waivers for the proposed building to be located on Lot 3, Valley 66 Subdivision, at the regular meeting of the Board of Trustees held on Monday, July 8, 2013 and by resolution made certain findings of fact regarding the requested waivers as follows for each waiver requested:

- a. The waiver, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor diminish the value, use or enjoyment of adjacent property.

The Board of Trustees finds that granting of the waivers as outlined in the staff recommendations satisfy this criteria. Staff has recommended a "reduction" in some standards, recognizing the character of the neighborhood.

- b. The waiver, if granted, is the minimum variance that will afford relief and is the least

modification possible of the zoning ordinance provisions which are in question.

The Board of Trustees finds that Mead Street is the major roadway entrance into this business park area. Providing architectural treatment to the front facade (street frontage) of this building is an important element for continued improvement to the business park. Several buildings do have front entry treatments.

- c. That such practical difficulties or unnecessary hardship has not been created by the applicant.

The Board of Trustees finds that this is an existing vacant lot. The architectural standards can be met. Staff has recommended a Waiver (reduction) in the front façade standard.

Section 2. The Board of Trustees hereby grants a waiver from the landscaping requirements for a reduction in the street setback buffer to 15 feet. The applicant will plant street frontage trees at a ratio of one tree per 40 feet of street frontage and install landscaping per the Mead Land Use Code.

Section 3. The Board of Trustees hereby grants a waiver from the parking requirements to allow the location of limited parking (one bay) in front of the building.

Section 4. The Board of Trustees hereby grants a waiver from the bicycle parking/bike rack requirements and allow bicycle parking within the building.

Section 5. The Board of Trustees hereby grants a waiver from the trash dumpsters placement and screening requirements at this time and authorizes the screening of dumpsters to be evaluated at the time of tenant finish.

Section 6. The Board of Trustees hereby grants a waiver for the blank wall (north side of the building) requirements, wall articulation (north and south sides of the building), facade treatment with alternatives materials covering the front facade (street front) with materials such as stucco, wood stone or brick. The Board of Trustees grants a waiver for the wall and roof articulation requirements, the reduction of the 100% alternative materials covering the front facade, provided that the building plans incorporate design elements to break up a flat front wall, and incorporate a "knee wall" as stucco, wood, stone or brick in the front elevations, and wrapping these south wall on either side of the man door entrances, to the first overhead garage door.

Section 7. The Board of Trustees hereby grants a waiver of the current site plan review process to allow the administrative review of site plans for this building under the pending legislation doctrine.

Section 8. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 9. Severability. 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 10. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 11. 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 8th DAY OF July, 2013.

ATTEST:

TOWN OF MEAD

By 
Linda Blackston, CMC, Town Clerk

By 
Richard W. Macomber, Mayor

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Steve Moreno, Clerk and Recorder, Weld County, CO

