

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 759**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING THE
REQUESTED WAIVER OF PORTIONS OF SECTION 04000, 1.3, OF THE
TOWN OF MEAD STANDARD DESIGN CRITERIA AND CONSTRUCTION
REQUIREMENTS WITH REGARD REQUIRED HORIZONTAL ALIGNMENT
OF INTERSECTING STREETS AND DRIVEWAY ACCESS FOR LOT 12,
LYONS 66 PACIFIC COMMERCE PARK.**

WHEREAS, Lyons 66 Pacific, LLC, the current owner of the property, has requested a waiver of the portions of the *Town of Mead Standard Design Criteria and Construction Requirements* requiring 150 foot separation between intersections of streets and driveway access to a commercial zoned property, to wit:

Lot 12, Lyons 66 Pacific Commerce Park.

WHEREAS, in accordance with Section 16-3-150 of the *Mead Municipal Code*, the requested waiver application was considered at a regularly scheduled public meeting of the Board of Trustees on Monday, January 12, 2015; and

WHEREAS, Section 16-3-150 of the Mead municipal code provides that a waiver request be made only in conjunction with other applications, and

WHEREAS, the Tractor Supply Company, the prospective purchaser of the property, has submitted a site plan for the property requesting the administrative approval of the site plan for Lot 12, Lyons 66 Pacific Commerce Park; and

WHEREAS, the Board of Trustees has considered the following justifications for allowing the requested waivers:

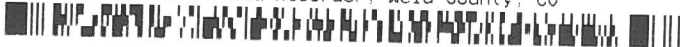
- a. The waiver will not alter the essential character of this commercial property.
- b. The waiver is the minimum variance that will afford relief and is the least modification possible of the zoning provisions that are in question.
- c. The practical difficulties caused by the isolated location and the distance from the intersection of I-25 and Highway 66 warrant the granting of the proposed waivers; and

WHEREAS, it is the opinion of the Board of Trustees that it is desirable and necessary that the waivers for the described real property be granted in accordance with the application;

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

Section 1. Approval of Waiver. The following waiver for the above described property is hereby approved:

- a. A waiver of the requirement of the *Town of Mead Standard Design Criteria and*



Construction Requirements requiring 150 foot separation between intersections of streets and driveway access to a commercial zoned property, to allow the eastern driveway access for Lot 12, Lyons 66 Pacific Commerce Park to be located immediately west of the eastern property line of said Lot 12, resulting in a 25 foot horizontal offset from the intersection of Pacific Circle and I-25 Frontage Road.

- b. The waiver is subject to the vacation of the right-of-way for a portion of Pacific Circle, to be considered an approved in accordance with C.R.S. 43-2-303.

Section 2. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 3. 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 4. 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 5. 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, ADOPTED AND ORDERED PUBLISHED THIS 12th DAY OF January, 2015.

ATTEST:

TOWN OF MEAD

By Linda Blackston
Linda Blackston, CMC, Town Clerk

By Gary R. Shields
Gary R. Shields, Mayor

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Carly Koppes, Clerk and Recorder, Weld County, CO

