

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 874**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING THE SORRENTO SUBDIVISION PRELIMINARY PLAT
AND REZONING THE PROPERTY WITHIN THE SORRENTO
SUBDIVISION PRELIMINARY PLAT FROM RSF-4 (RESIDENTIAL
SINGLE-FAMILY DISTRICT) TO RSF-4 (RESIDENTIAL SINGLE-
FAMILY DISTRICT) WITH A PLANNED UNIT DEVELOPMENT
OVERLAY DISTRICT UNDER THE TOWN'S LAND USE CODE, AND
AMENDING THE OFFICIAL ZONING MAP**

WHEREAS, the Town of Mead is authorized pursuant to Title 31, Article 23, C.R.S. and the Town of Mead Land Use Code to regulate the subdivision of land; and

WHEREAS, 532 Ventures, LLC, a Colorado limited liability company ("Applicant") has submitted an application for a subdivision designated as the SORRENTO SUBDIVISION PRELIMINARY PLAT ("Preliminary Plat") for property consisting of 158.18 acres, more or less, and located generally in the Northwest Quarter of Section 21, Township 3 North, Range 68 West of the 6th Principal Meridian, Weld County, State of Colorado, and more particularly described as follows:

BEGINNING at the Northwest Quarter of said Section 21 and considering the North line of the Northwest Quarter of said Section 21 as bearing North 89°23'33" East with all bearings contained herein relative thereto:

Thence North 89°23'33" East along the North line of the Northwest Quarter of said Section 21 a distance of 360.05 feet for the most Northerly corner of that certain tract of land described in deed recorded in Book 228 at page 105 of the Records of Weld County;

The following two (2) courses are along the Northwesterly and Westerly lines of said parcel described in Book 228 at page 105 of the Records of Weld County:

Thence South 20°22'26" West a distance of 143.51 feet;

Thence South 00°01'00" East of distance of 2158.18 feet to the South line of the Northwest Quarter of said Section 21 from which the Center Quarter Corner of said Section 21 bears North 89°23'13" East a distance of 50.00 feet;

Thence South 89°24'13" West along the South line of the Northwest Quarter of said Section 21 a distance of 2591.56 feet to the West Quarter Corner of said Section 21;

Thence North 00°01'52" East along the West line of the Northwest Quarter of said Section 21 a distance of 2651.75 feet to the **POINT OF BEGINNING**.

(the "Property"); and

WHEREAS, the Applicant is the record owner of the Property; and

WHEREAS, Section 16-4-60(a) of the Mead Municipal Code ("MMC") sets forth that the purpose of a preliminary plat is to provide the Town with an overall master plan for the proposed development; and

WHEREAS, the Applicant is proposing 454 single-family residential lots in the Preliminary Plat, with an overall density of 2.87 lots per acre, in compliance with the underlying RSF-4 zoning district, which allows for densities of up to four (4) lots per acre; and



WHEREAS, the Applicant has also submitted a rezoning request for the Property seeking to rezone the Property from RSF-4 to RSF-4 with a Planned Unit Development overly in accordance with that certain “SORRENTO SUBDIVISION PLANNED UNIT DEVELOPMENT (P.U.D.) OVERLY/ZONING MAP (“Rezoning Plan”); and

WHEREAS, a copy of the Rezoning Plan is on file with the Town’s Planning Department; and

WHEREAS, the Planning Commission considered the Preliminary Plat at a public hearing held on August 8, 2018, and recommended approval of the Preliminary Plat; and

WHEREAS, the Planning Commission also considered the Rezoning Plan and recommended approval of the Rezoning Plan to the Board of Trustees; and

WHEREAS, the Board of Trustees considered the Preliminary Plat and Rezoning Plan during a public hearing held on August 13, 2018; and

WHEREAS, public notice has been properly given of the proposed rezoning of the Property by publication in *The Times-Call*, a newspaper of general circulation within the Town of Mead, by posting of the Property, and by notification of adjacent property owners and other interested parties in accordance with applicable provisions of the Land Use Code; and

WHEREAS, the administrative record for this matter includes, but is not limited to, the Town of Mead Land Use Code (including subdivision and zoning amendment regulations), the Town of Mead Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff files and reports of the Planning Director and Town Engineer related to the Preliminary Plat and Rezoning Plan, any and all submittals by the Applicant and members of the public, and the tape recordings and minutes of both the Planning Commission and Board of Trustee meetings at which this application was considered; and

WHEREAS, the Applicant/Owner has agreed to all conditions of approval as stated in this Ordinance; and

WHEREAS, the Board of Trustees has determined that the Sorrento Subdivision Preliminary Plat meets all applicable requirements of the Town of Mead Land Use Code and MMC and that the review criteria set forth in Section 16-4-60(c) of the MMC have been satisfied; and

WHEREAS, the Board of Trustees has determined that the rezoning request satisfies the review criterion applicable to amendments to the Town’s official zoning map set forth in Section 16-3-160(e)(6) of the MMC, specifically that the rezoning to Planned Unit Development overlay district is requested to encourage innovative and creative design and to promote a mix of land uses in the development; and

WHEREAS, the Board of Trustees has further determined that approval of the Preliminary Plat and approval of the Rezoning Plan will advance the public health, safety, convenience and general welfare of the residents of the Town, subject to the conditions of approval as hereinafter set forth.

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



Section 1. Zoning of Property Approved. The Board of Trustees hereby grants and approves rezoning of the Property from RSF-4 (Residential Single-Family District) to RSF-4 (Residential Single-Family District) with a Planned Unit Development Overlay District under the Town's Land Use Code, as depicted on the Rezoning Plan. Following the effective date of this Ordinance, the Property shall be zoned RSF-4 with a PUD Overlay.

Section 2. Amendment of Zoning Map. The Town Clerk is instructed to record the Rezoning Plan for the Property in the real property records of Weld County, Colorado following the date on which the Planning Director and Town Engineer have made any technical corrections to the Rezoning Plan to conform the same to all applicable requirements of the Land Use Code and the Applicant has fully paid any outstanding fees to the Town related to the Town's review and processing of the Rezoning Plan. In accordance with Sec. 16-3-160(g) of the MMC, the official zoning map of the Town of Mead shall be amended to conform to and reflect the Property's RSF-4 with PUD Overlay zone district classification.

Section 3. That the Preliminary Plat designated as the SORRENTO SUBDIVISION PRELIMINARY PLAT, be approved subject to the following conditions of approval:

- a. The Applicant shall resolve and correct any technical issues as directed by Town staff prior to signature of Town officials on the Preliminary Plat; and
- b. The Applicant shall pay all fees and costs incurred by the Town and its consultants in reviewing and processing the Preliminary Plat application.

Section 4. Subject to review and approval of the Preliminary Plat mylar by the Planning Director and the Town Attorney, the Mayor Pro Tem and other Town officials, as applicable, are hereby authorized to sign the Preliminary Plat mylar.

Section 5. Approval of the Preliminary Plat shall be deemed effective upon signing by the Applicant/Owner and Town officials in conformance herewith. In accordance with Section 16-4-60 of the MMC, the Preliminary Plat shall be valid for one (1) year and shall automatically expire thereafter. If a final plat is not submitted within one (1) year or within such extended time as may be granted by the Board of Trustees, a new preliminary plat must be submitted and processed in accordance with applicable provisions of the Land Use Code.

Section 6. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 7. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

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

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 part, section, subsection, sentence, clause or phrase is 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.

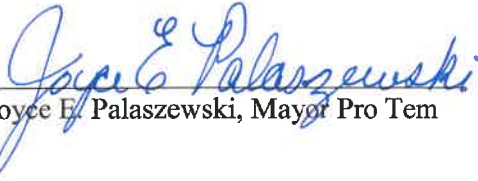
INTRODUCED, READ, PASSED, AND ADOPTED THIS 13TH DAY OF AUGUST, 2018.

ATTEST:

TOWN OF MEAD

By 
Mary E. Strutt, CMC, Town Clerk



By 
Joyce E. Palaszewski, Mayor Pro Tem