

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 883**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING THE MEAD PLACE PRELIMINARY PLAT,
AMENDMENT NO. 1**

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, EQUINOX MEAD, LLC, a Colorado limited liability company (“Applicant”) has submitted an application for a subdivision designated as the PRELIMINARY PLAT – MEAD PLACE, AMENDMENT NO. 1 (“Preliminary Plat”) for property consisting of 154.4 acres, more or less, and located generally in the south half 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:

TRACTS A, B AND C, MEAD PLACE, ACCORDING TO THE ADMINISTRATIVE
PLAT THEREOF RECORDED DECEMBER 3, 2015 AS DOCUMENT NO. 4162823,
COUNTY OF WELD,
STATE OF COLORADO

(the “Property”); and

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

WHEREAS, the Property is described with specificity in the Preliminary Plat; and

WHEREAS, an Administrative Plat for the Mead Place Subdivision was approved by Ordinance No. 774 dated June 8, 2015; 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 311 single-family residential lots in the Preliminary Plat, with an overall density of 2.98 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 Property is also subject to the Mead Place P.U.D Development Regulations, a copy of which was recorded on June 8, 2016 at Reception No. 4209893 in the real property records of Weld County, Colorado; and

WHEREAS, the Planning Commission considered the Preliminary Plat at a public hearing held on October 17, 2018, and recommended conditional approval of the Preliminary Plat by adoption of Resolution No. 4-PC-2018; and

WHEREAS, the Board of Trustees considered the Preliminary Plat during a public hearing held on October 29, 2018; and

WHEREAS, public notice has been properly given of the proposed adoption of the Preliminary

Plat 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 (subdivision 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, 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 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 further determined that approval of the Preliminary Plat 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. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. The Preliminary Plat designated as the PRELIMINARY PLAT – MEAD PLACE, AMENDMENT NO. 1, 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;
- 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 3. The Preliminary Plat does not result in the vesting of property rights under the MMC or Title 24, Article 68, C.R.S., as amended.

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. The Preliminary Plat shall not be recorded in the real property records of Weld County, Colorado. 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.

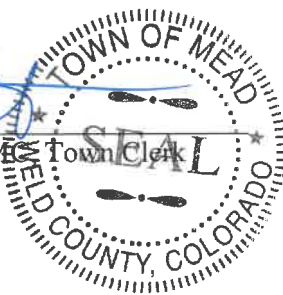
Section 11. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 29TH DAY OF OCTOBER, 2018.

ATTEST:

By:

Mary E. Strutt, CM



Town Clerk

TOWN OF MEAD

By:

Joyce E. Palaszewski, Mayor Pro Tem