

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 912**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
CONDITIONALLY APPROVING THE SCANNELL INDUSTRIAL DEVELOPMENT
ADMINISTRATIVE SITE PLAN**

WHEREAS, the Town of Mead (“Town”) is authorized pursuant to Title 31, Article 23, C.R.S. and Article IV of Chapter 16 of the *Mead Municipal Code* (“Code”) to regulate development; and

WHEREAS, the applicant SP-FXF Mead, LLC, a Delaware limited liability company (c/o Scannell Properties, LLC) (the “Applicant”), caused to be submitted to the Town a land use application for a site plan designated as the SCANNELL INDUSTRIAL DEVELOPMENT ADMINISTRATIVE SITE PLAN (the “Site Plan”), for certain property generally located northeast of the intersection of County Road 34 and Interstate Highway 25, abutting the East I-25 Frontage Road in the Town of Mead, County of Weld, State of Colorado, and more particularly described as follows:

LOT 1, BLOCK 1, AND TRACT A, BLOCK 1,
RATERINK MIXED-USE SUBDIVISION FINAL PLAT,
TOWN OF MEAD,
COUNTY OF WELD,
STATE OF COLORADO

and consisting of approximately 2,251,209 square feet (51.68 acres), more or less (the “Property”); and

WHEREAS, WCR 34 & HWY 25-220, LLC (the “Owner”) is the current record owner of the Property; and

WHEREAS, the Applicant desires to develop new buildings on the Property, comprising approximately 165,181 square feet, to be developed in two (2) phases, together with certain on- and off-site public improvements including but not limited to sidewalks, street cuts, exterior lighting, landscaping, I-25 ramp improvements, frontage road turn lane improvements, water line extension and related improvements (collectively, the “Public Improvements”); and

WHEREAS, in accordance with Section 16-4-100(b)(8) of the Code, Town Staff has conditionally approved the Site Plan; and

WHEREAS, Section 16-4-100(b)(9) of the Code requires that the final Site Plan be presented to the Board of Trustees for its adoption by ordinance; and

WHEREAS, the Town Board of Trustees has reviewed the Site Plan and Town Staff’s

conditional approval of the Site Plan and has determined that the Site Plan satisfies the site plan review criteria set forth in the Code; and

WHEREAS, the administrative record for this case includes, but is not limited to, the Code, the Town of Mead Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff report/agenda item summary presented to the Board of Trustees, the site plan application and all other submittals of the Applicant and Owner, the Site Plan, and the recording and minutes of the Board of Trustees meeting at which the Site Plan was considered; and

WHEREAS, the Town Board of Trustees desires to conditionally approve the Site Plan.

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

Section 1. Recitals incorporated. The foregoing recitals are incorporated herein as findings of the Board of Trustees.

Section 2. Site Plan Approval. The Site Plan is approved subject to the following conditions:

- a. The Applicant will submit all post-approval documents required by Section 16-4-100 of the Code prior to the issuance of a building permit.
- b. The Applicant and Owner shall resolve and correct any technical issues as directed by Town Staff prior to signature of Town officials on the Site Plan.
- c. The Applicant shall pay all fees and cost incurred by the Town and its consultants in reviewing and processing the Site Plan application.
- d. The Applicant shall execute the Subdivision Improvement Agreement for Lot 1, Raterink Mixed-Use Subdivision (the “Lot 1 SIA”) in a form approved by the Town Attorney to assure the construction of the Public Improvements.
- e. All Public Improvements will be constructed in accordance with applicable Town standards and in accordance with the terms and conditions of the Lot 1 SIA prior to issuance of a Certificate of Occupancy.

Section 3. Site Plan Valid for Seven Years. The Site Plan shall be effective for a period of seven (7) years from the effective date of this Ordinance. Specifically, this Ordinance shall constitute the written site plan approval contemplated in Section 16-4-100(b)(10)(j) of the Code.

Section 4. The Mayor is hereby authorized to sign the Site Plan on behalf of the Town, and the Town Clerk is hereby authorized to attest the signature of the Mayor on the Site Plan.

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

Section 6. 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 7. 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 8. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 30TH DAY OF SEPTEMBER, 2019.

ATTEST:

TOWN OF MEAD:

By: Mary E. Strutt
Mary E. Strutt, MMC, Town Clerk

By: Colleen G. Whitlow
Colleen G. Whitlow, Mayor