

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 911**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING THE RATERINK MIXED-USE SUBDIVISION
FINAL PLAT**

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, WCR 34 & HWY 25-220, LLC, a Colorado limited liability company (“Applicant”) has submitted an application for a subdivision designated as the RATERINK MIXED-USE SUBDIVISION FINAL PLAT (“Final Plat”) for property consisting of 218.37 acres, more or less, and located generally in the West Half of Section 11, Township 3 North, Range 68 West of the 6th Principal Meridian, Town of Mead, County of Weld, State of Colorado (the “Property”); and

WHEREAS, a legal description of the Property is set forth in the Final Plat; and

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

WHEREAS, Section 16-4-70 of the *Mead Municipal Code* (“MMC”) authorizes administrative staff review and approval of the Final Plat, subject to confirmation by the Board of Trustees through the adoption of an ordinance approving the Final Plat; and

WHEREAS, the Applicant is proposing subdividing the Property into six (6) lots and three (3) tracts, as shown and set forth in the Final Plat; and

WHEREAS, the Final Plat generally conforms to the RATERINK MIXED-USE SUBDIVISION PRELIMINARY PLAT conditionally approved by the Board of Trustees by Resolution No. 50-R-2019 dated July 8, 2019; and

WHEREAS, the administrative record for this matter includes, but is not limited to, the Town of Mead Land Use Code, 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 Final Plat, any and all submittals by the Applicant and members of the public, and the tape recordings and minutes of the Board of Trustees meeting at which the Final Plat was considered; and

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

WHEREAS, the Board of Trustees has determined that the Final Plat meets all applicable requirements of the Town of Mead Land Use Code and MMC and that the review criteria set forth in Section 16-4-70(b)(8) of the MMC have been satisfied; and



WHEREAS, the following subdivision improvement agreements have been prepared in accordance with the requirements of Section 16-4-130 of the MMC:

- Subdivision Improvement Agreement for Raterink Mixed-Use Subdivision Final Plat by and between the Town and Applicant; and
- Subdivision Improvement Agreement for Lot 1, Raterink Mixed-Use Subdivision by and between the Town and SP-FXF Mead, LLC, a Delaware limited liability company (c/o Scannell Properties)

(together, the “SIAs”); and

WHEREAS, the SIAs are presently filed of record with the Town Clerk; and

WHEREAS, the Board of Trustees has determined that approval of the Final 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. That the Final Plat designated as the RATERINK MIXED-USE SUBDIVISION FINAL PLAT, be approved subject to the following conditions of approval:

- a. Prior to and as a condition of recordation of the Final Plat, the Applicant shall resolve/correct any and all minor technical issues as directed by Town Staff; and
- b. The Applicant shall pay all fees and costs incurred by the Town and its consultants, including without limitation legal fees and costs, for review and processing of the Final Plat application within forty-five (45) days of receiving an invoice from the Town. If the fees and costs are not paid within forty-five (45) days of receiving an invoice, the Town may withhold issuance of building permits or further approvals until the invoices have been paid.

Section 2. The SIAs are hereby approved, in substantially the form presently on file with the Town Clerk. The Town Manager and Town Attorney shall be authorized to negotiate and make non-material changes to the SIAs that do not increase the Town’s obligations. The Town Manager shall be authorized to execute the SIAs on behalf of the Town once the SIAs have been finalized.

Section 3. Subject to review and approval of the Final Plat mylar by the Town Staff, and satisfaction of the conditions set forth in a. and b. in Section 1 above, the Mayor and other Town officials, as applicable, are hereby authorized to sign the Final Plat mylar.

Section 4. Prior to the issuance of a building or grading permit for the Property, the Applicant shall submit the documentation to the Town Clerk, as required by Section 16-4-70(b)(10) of the MMC.

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

Section 6. 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 7. 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.

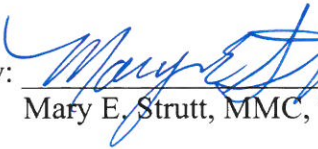
Section 8. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance 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.

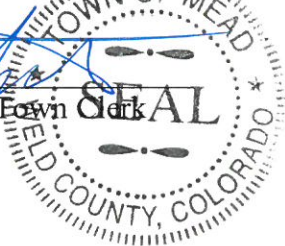
Section 9. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 10. 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 30TH DAY OF SEPTEMBER, 2019.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD

By: 
Colleen G. Whitlow, Mayor