

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 955**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,  
APPROVING WITH CONDITIONS THE ZIGGI'S COFFEE  
ADMINISTRATIVE PLAT**

**WHEREAS**, the Town of Mead is authorized to regulate the subdivision of land pursuant to Title 31, Article 23, C.R.S. and the Town of Mead Land Use Code, such Land Use Code being Chapter 16 of the Mead Municipal Code (“MMC”) to regulate the subdivision of land; and

**WHEREAS**, Ziggi’s Coffee Franchise, LLC, a Colorado limited liability company (the “Applicant”) has submitted to the Town an application for an administrative plat designated as the ZIGGI’S COFFEE ADMINISTRATIVE PLAT (“Administrative Plat”) for certain property generally located northeast of the intersection between Welker Avenue and 3<sup>rd</sup> Street in the Town of Mead, Colorado, and legally described as follows:

Lots 8, 10, 12, 14, 16, 18, 20, 22, and 24, Town of Mead Plat, Town of Mead, State of Colorado, consisting of .723 acres, more or less

(the “Property”); and

**WHEREAS**, 4<sup>th</sup> & Main Holdings LLC, a Colorado limited liability company (“Owner”), is the record owner of the Property; and

**WHEREAS**, Section 16-4-110 of the MMC authorizes administrative staff review and approval of the Administrative Plat, subject to confirmation by the Board of Trustees through the adoption of an ordinance approving the Administrative Plat; and

**WHEREAS**, the Applicant is proposing the Administrative Plat in order to vacate the lot lines between Lots 8, 10, 12, 14, 16, 18, 20, 22, and 24 of the Town of Mead Plat; 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 Administrative 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 Administrative 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 Administrative Plat meets all applicable requirements of the Town of Mead Land Use Code and MMC and that the review criteria set forth in Section 16-4-110(3)(f) of the MMC have been satisfied; and

**WHEREAS**, the Board of Trustees has further determined that approval of the Administrative 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 Administrative Plat designated as the ZIGGI'S COFFEE ADMINISTRATIVE PLAT, be approved subject to the following conditions of approval:

- a. Prior to and as a condition of recordation of the Administrative Plat, the Applicant shall resolve/correct any 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 Administrative 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.
- c. The Applicant shall pay recording fees and other costs billed by the Town, as authorized by Section 16-4-110(3)(h)(1) of the MMC.

**Section 2.** Subject to review and approval of the Administrative Plat mylar by the Town Staff, and satisfaction of the conditions set forth in a. through c. in Section 1 above, the Mayor and other Town officials, as applicable, are hereby authorized to sign the Administrative Plat mylar and cause the same to be recorded in the real property records of Weld County, Colorado.

**Section 3. Effective Date.** This ordinance shall be published and become effective as provided by law.

**Section 4. Certification.** The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted ordinance available for inspection by the public during regular business hours.

**Section 5. 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 6. 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 ordinances or resolutions, nor revive any ordinances or resolutions thereby.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 29TH DAY OF MARCH, 2021.**

**ATTEST:**

By: 

Mary E. Strutt, MMC, Town Clerk



**TOWN OF MEAD**

By: 

Colleen G. Whitlow, Mayor