

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 956**

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

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 development of land; and

WHEREAS, Ziggi’s Coffee Franchise, LLC, a Colorado limited liability company (the “Applicant”) has submitted to the Town a land use application for a site plan designated as the ZIGGI’S COFFEE SITE PLAN (the “Site Plan”), for certain property generally located northeast of the intersection between Welker Avenue and 3rd 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, 4th & Main Holdings LLC, a Colorado limited liability company (“Owner”), is the current record owner of the Property; and

WHEREAS, the Applicant desires to develop a three-story mixed-use coffee shop and office building with drive-through coffee window on the Property, together with certain public improvements on the Property including sidewalks, street cuts, drainage, grading, and landscaping (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 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, 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 Owner will submit all post-approval documents required by Section 16-4-100 of the Code prior to the issuance of a building permit.

b. All Public Improvements will be constructed in accordance with applicable Town standards and in accordance with the applicable Site Plan Agreement.

c. Any expansion of an existing building, construction of any new building, or application for a permit or entitlement necessary for such expansion or construction, will be subject to applicable provisions of the MMC related to parking, access, architecture, drainage, landscaping, signage and other relevant standards.

d. Owner shall satisfy all requirements set forth in the Site Plan Agreement, including dedication of required right-of-way by deed in a form acceptable to the Town Attorney ("ROW Deed").

e. Owner shall remit the sum of seventy-thousand seven hundred and twenty dollars (\$70,720.00) to the Town prior to the issuance of any building permit, which represents the Property's equitable share of the cost of future signalization improvements and intersection improvements at the intersection of 3rd Street and Welker Avenue.

Section 3. 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 4. The Mayor shall also be authorized to accept the ROW Deed on behalf of the Town, following review and approval by the Town Attorney.

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 29TH DAY OF MARCH, 2021.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD

By: 
Colleen G. Whitlow, Mayor