

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1000**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING WITH CONDITIONS THE SUNSTATE SITE PLAN**

WHEREAS, the Town of Mead is authorized to regulate the use and development of land within its jurisdiction, pursuant to Title 31, Article 23, C.R.S., Title 29, Article 20, C.R.S. and the Town's Land Use Code, codified in Chapter 16 of the *Mead Municipal Code* (the "MMC"); and

WHEREAS, Bidanjiri Architects, an Arizona professional limited liability company (the "Applicant") has submitted to the Town a land use application for a site plan designated as the SUNSTATE SITE PLAN (the "Site Plan"), for certain property generally located north CO-66 and west of WCR 9.5, within the Valley 66/Business Park, in the Town of Mead, Colorado, as more particularly described in EXHIBIT 1 attached to this Ordinance and incorporated by this reference (the "Property"); and

WHEREAS, the Applicant is the authorized representative of the current Property owner of record, Sunstate Equipment Co., LLC, an Arizona limited liability company (the "Owner"); and

WHEREAS, the Owner desires to make site modifications to the Property, including the addition of an above ground fuel tank and propane tanks, the addition of .66 acres of asphalt paving, drainage improvements, landscaping and fencing improvements, and other improvements as shown in the Site Plan; and

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

WHEREAS, Section 16-4-100(b)(9) of the MMC requires that the 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 MMC; and

WHEREAS, the administrative record for this case includes, but is not limited to, the MMC, 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. Applicant shall resolve/correct any minor technical issues as directed by Town staff and 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 Site Plan application within forty-five (45) days of receiving an invoice or notice from the Town. If fees and costs are not paid within forty-five (45) days of receiving an invoice or the Site Plan is not corrected within forty-five (45) days of notice, the Town may withhold issuance of building permits or further approvals until invoices are paid and corrections are made.

b. 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.

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. The fully executed Site Plan Agreement shall be recorded in the Weld County real property records with the Site Plan.

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 Site Plan Agreement is 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 Site Plan Agreement that do not materially increase the Town's obligations. The Town Manager shall be authorized to execute the Site Plan Agreement on behalf of the Town once the Site Plan Agreement has been finalized.

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 27TH DAY OF JUNE, 2022.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD


By: 
Colleen G. Whitlow, Mayor

EXHIBIT 1

**PROPERTY LEGAL DESCRIPTION
(SUNSTATE SUBDIVISION ADMINISTRATIVE PLAT)**

LOTS 17 THRU 19, VALLEY/66 BUSINESS PARK (REVISED PHASE 4 FINAL PLAT),
ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 27, 1996 IN BOOK 1563 AT
RECEPTION NO. 2508316, TOWN OF MEAD, COUNTY OF WELD, STATE OF COLORADO.

Thus-described property contains 186,008 sq. ft. or 4.27 acres, more or less, together with and subject to all easements and rights-of-way existing and/or of public record. In case of any conflict between this Exhibit 1 and the final Sunstate Subdivision Administrative Plat on file with the Town Clerk, the version on file with the Town Clerk shall control.