

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 1009**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,  
CONDITIONALLY APPROVING THE SPECIALTY PRODUCTS COMPANY 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**, Tom Donnelly (the "Applicant"), on behalf of the Owner, has submitted to the Town a land use application for a site plan designated as the SPECIALTY PRODUCTS COMPANY SITE PLAN (the "Site Plan"), for certain property generally located north CO-66 and west of WCR 9.5, within the Sekich 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, FBVAM Investments, LLC, a Colorado limited liability company (the "Owner"); and

**WHEREAS**, the Owner desires to make site modifications to the Property, including the addition of a storage building, drainage improvements, landscaping 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. The Applicant/Owner will submit all post-approval documents required by Section 16-4-100 of the MMC prior to the issuance of a building permit; and
- b. The Applicant/Owner shall resolve and correct any technical issues as directed by Town Staff prior to signature of Town officials on the Site Plan; and
- c. The Applicant/Owner shall pay all fees and cost incurred by the Town and its consultants in reviewing and processing the Site Plan application; and
- d. The Applicant/Owner shall execute a site plan agreement in a form approved by the Town Attorney (“Site Plan Agreement”) prior to recordation of the Site Plan; and

**Section 3.** Following the satisfaction of the conditions set forth in Section 2 of this Ordinance, the Mayor shall be authorized to sign the Site Plan on behalf of the Town, and the Town Clerk may proceed 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. The Town Clerk shall cause recordation of the fully executed Site Plan Agreement at the time of Site Plan recordation.

**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.

*[Remainder of page left intentionally blank.]*


INTRODUCED, READ, PASSED, AND ADOPTED THIS 12<sup>th</sup> DAY OF SEPTEMBER, 2022.

ATTEST:

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



TOWN OF MEAD

By:   
Colleen G. Whitlow, Mayor

**EXHIBIT 1**

**PROPERTY LEGAL DESCRIPTION**

LOT 8, BLOCK 2, SEKICH BUSINESS PARK, COUNTY OF WELD, STATE OF COLORADO,  
AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A LOT LOCATED IN BLOCK 2 OF SEKICH BUSINESS PARK, A P.U.D.  
TRACT LOCATED IN THE SW ¼ OF SECTION 23, TOWNSHIP 3  
NORTH, RANGE 68 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO,  
SAID LOT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT  
THE NW CORNER OF BLOCK 2, SEKICH BUSINESS PARK, ACCORDING TO THE  
RECORDED PLAT THEREOF, AND WITH ALL BEARINGS CONTAINED HEREIN  
RELATIVE THERETO: THESE ALONG THE NORTH LINE OF SAID BLOCK 2, N 89  
DEGREES 43' 01" E, 288.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE  
CONTINUING ALONG SAID NORTH LINE, N 89 DEGREES 43' 01" E, 280.57 FEET; THENCE  
S 00 DEGREES 14' 44" E, 417.29 FEET; THENCE S 89 DEGREES 42' 07" W, 284.42 FEET;  
THENCE N 00 DEGREES 16' 59" E, 417.38 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER HILLTOP ROAD,  
AS DESCRIBED IN CERTIFICATE OF SURVEY RECORDED JULY 10, 1989 IN BOOK 1237  
AT RECEPTION NO. 2184922. SAID EASEMENT SHALL BE APPURTENANT TO SAID LOT  
8, BLOCK 2, COUNTY OF WELD, STATE OF COLORADO.