

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 1011**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO  
CONDITIONALLY APPROVING THE SCHULZ PROPERTY ZONING  
AMENDMENT**

**WHEREAS**, the Town of Mead (the “Town”) is authorized pursuant to Title 31, Article 23, C.R.S. and the Town of Mead Municipal Code (the “MMC”) to regulate the development of land, streets and utilities within the Town for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

**WHEREAS**, Mead Investors 2, LLC (the “Owner”) has submitted an application for the Schulz Property Zoning Amendment (the “Zoning Amendment”) for the 5 acre property known as the Schulz Property, generally located south of WCR 36, and east of the I-25 Frontage Road, in the Town of Mead, County of Weld, State of Colorado, as more particularly described in **Exhibit 1**, attached hereto and incorporated into this Resolution (the “Property”); and

**WHEREAS**, the Owner is proposing that the zoning of the Property be changed from Highway Commercial (HC) to Light Industrial (LI); and

**WHEREAS**, the Future Land Use Plan, from the Town’s 2018 Comprehensive Plan, designates the Property as Planned Industrial Mixed Use (PI), which corresponds with the Light Industrial (LI) zoning district in the Town Land Use Code; and

**WHEREAS**, in accordance with Sections 16-3-160 of the MMC, the Planning Commission held a duly noticed public hearing on September 21, 2022 to consider the Zoning Amendment, and following the conclusion of the public hearing, recommended conditional approval of the Zoning Amendment to the Board of Trustees via Resolution No. 09-PC-2022; and

**WHEREAS**, the Board of Trustees considered the Zoning Amendment at a public hearing held on September 26, 2022; and

**WHEREAS**, the administrative record for this matter includes, but is not limited to, the MMC (including subdivision and zoning amendment regulations), 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 Zoning Amendment, any and all submittals by the Owner and members of the public, and the tape recordings and minutes of both the Planning Commission and Board of Trustee meetings at which this application was considered; and

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

**WHEREAS**, the Board of Trustees has determined that the Zoning Amendment request satisfies at least one of the review criteria applicable to amendments to the Town’s official zoning

map set forth in Section 16-3-160(e) of the MMC, specifically that the area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area; and

**WHEREAS**, the Board of Trustees has further determined that approval of the Zoning Amendment will advance the public health, safety, convenience, and general welfare of the residents of the Town.

**THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Mead, Colorado, that:

**Section 1. Public Hearing.** The Board finds that the public hearing on the Zoning Amendment was held, conducted, and concluded in accordance with Section 16-3-160 of the MMC.

**Section 2. Zoning Amendment Approved.** The Board of Trustees approves the Zoning Amendment, based on a determination that the applicable review criteria set forth in Section 16-3-160(e) have been satisfied, subject to the following conditions of approval:

- a) The Owner shall resolve and correct any technical issues as directed by Town staff prior to signature of Town officials on the Zoning Amendment; and
- b) The Owner shall pay all fees and costs incurred by the Town and its consultants in reviewing and processing the Zoning Amendment application.

**Section 3. Amendment of Town Zoning Map.** The Town Clerk is instructed to record the Zoning Amendment for the Property in the real property records of Weld County, Colorado once the Owner has satisfied the conditions set forth in Section 2 of this Ordinance. In accordance with Sec. 16-3-160 of the MMC, the official zoning map of the Town of Mead shall be amended to conform to and reflect the Property's Light Industrial (LI) zone district classification.

**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.

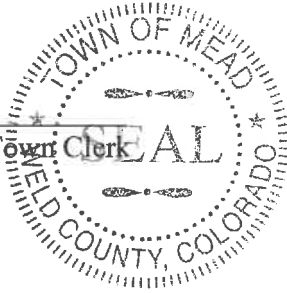
**Section 5. Severability.** If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the 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 ordinance nor revive any ordinance thereby.


**INTRODUCED, READ, PASSED AND ADOPTED THIS 26<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

### Schulz Property Legal Description

That part of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 11, Township 3 North, Range 68 West of the 6th P.M., described as follows:

Beginning at a point on the North line of said Section 11 from which the Northwest Corner of said Section 11 bears West 50 feet;

Thence East 500 feet along the North line of said Section 11;

Thence S00°13' W 435.6 feet;

Thence West 500 feet parallel to the North line of said Section 11;

Thence N00°13' E 435.6 feet along the East right of way line of Highway 87 to the point of beginning;

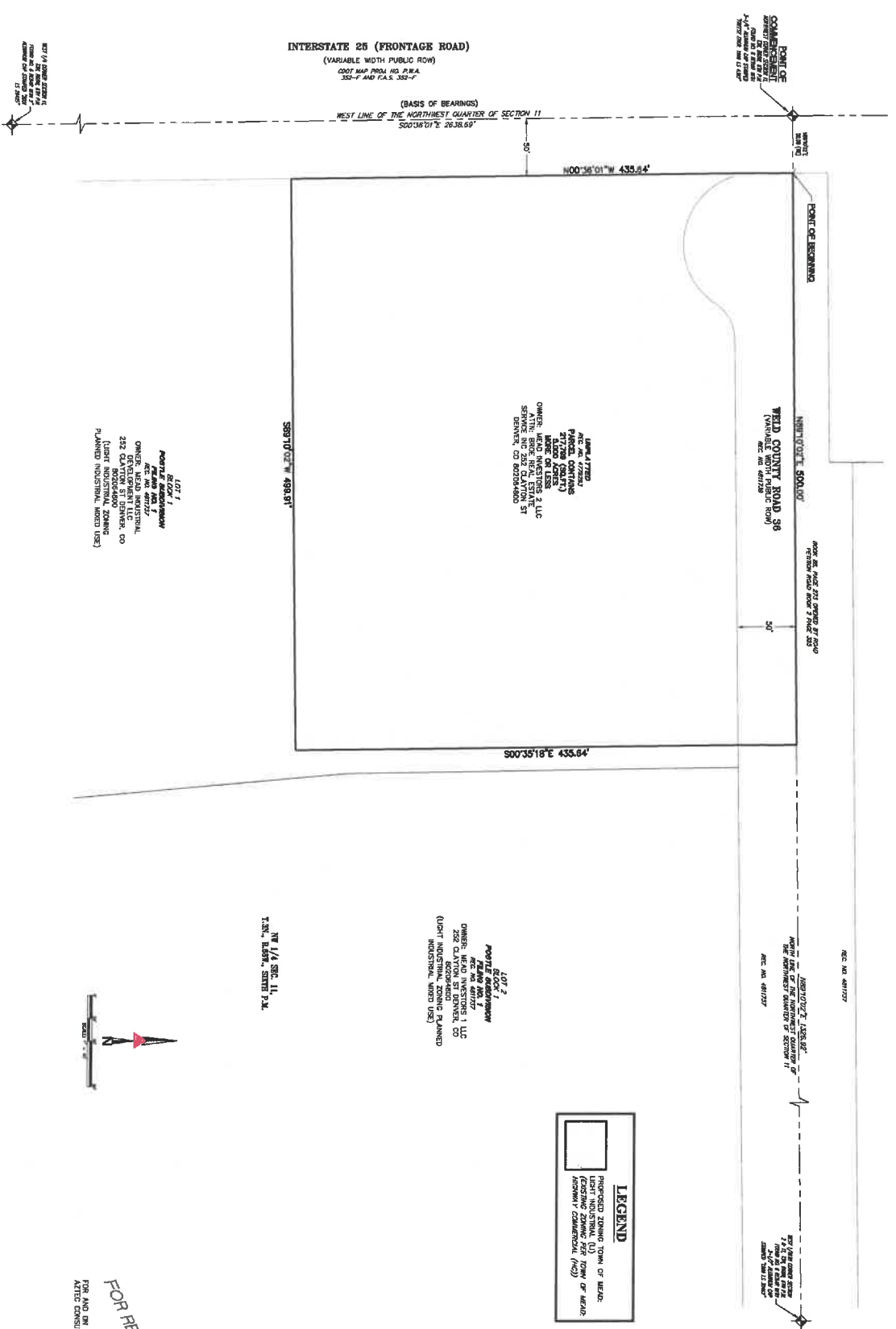
County of Weld, State of Colorado.

**EXHIBIT 2**

Schulz Property Zoning Amendment Map  
[Exhibit begins on the next page.]



**WILFRIED SCHULZ ANNEXATION, TOWN OF MEAD, COLORADO**  
**ZONING AMENDMENT MAP**  
 LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 66 WEST OF THE 6TH P.M.  
 TOWN OF MEAD, WELD COUNTY, COLORADO  
 SHEET 2 OF 2  
 TOTAL AREA = 217,799 S.F., OR 5,000 AC., MORE OR LESS



**LEGEND**

 PROPOSED ZONING TOWN OF MEAD: (INDUSTRIAL ZONING PER TOWN OF MEAD ANCHOR CHARTER (AC))

FOR AND ON BEHALF OF  
 WILFRIED SCHULZ, INC.

**ZONING AMENDMENT MAP**  
**SCHULZ ANNEXATION**  
**TOWN OF MEAD, WELD COUNTY, COLORADO**  
 PREPARED BY  
 REG LAND  
 1800 W CANAL COURT, LITTLETON, CO 80120

**AZTEC**  
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 300 East Mineral Ave., Suite 1  
 Littleton, Colorado 80122  
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 Fax: (303) 713-1897  
 www.aztecconsultants.com

DATE	BY	REVISION DESCRIPTION

SCALE  
 1" = 40'  
 SDL RBA  
 07/20/2022