

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1014**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING WITH CONDITIONS THE QUIKTRIP STORE #4227 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, property owner, QUIKTRIP CORPORATION, an Oklahoma corporation (the "Owner"), has submitted to the Town a land use application for a site plan designated as the QUIKTRIP STORE #4227 SITE PLAN, attached hereto and incorporated as EXHIBIT 1 of this Ordinance (the "Site Plan"); and

WHEREAS, Owner is the fee owner of certain property that is the subject of the Site Plan, generally located south of State Highway 66 and west of Interstate 25 in the Town of Mead, Colorado, as more fully described in the Site Plan ("Property"); and

WHEREAS, the Owner desires to construct a convenience store and gasoline fueling station together with certain public improvements including reconstruction of Foster Ridge Drive and Highland Drive along the frontage of the Property, the installation of a traffic signal at Foster Ridge Drive and Hwy 66, construction of an additional east-bound deceleration lane on Hwy 66, and installation of lane striping on west-bound Hwy 66, drainage improvements, landscaping and fencing improvements, and other improvements as shown on 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 Owner, 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 MMC prior to the issuance of a building permit; and

b. The 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 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 Owner shall execute a site plan agreement in a form approved by the Town Attorney, in accordance with Section 4 below, prior to recordation of the Site Plan; and

e. Approval of the Site Plan is contingent on and shall not be effective until approval of the Mead Crossings, Amendment No. 1 administrative replat of Lots 10A, 10B, 10C, 10D, and 9A, Mead Crossings.

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 QuikTrip Store #4227 Site Plan Agreement (SPA) is hereby approved, in substantially the form presently on file with the Town Clerk. The Town Manager and Town Attorney are authorized to make non-material changes to the SPA that do not materially increase the Town's obligations. The Town Manager shall be authorized to execute the SPA on behalf of the Town once the SPA 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 26TH DAY OF SEPTEMBER, 2022.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD


By: 
Colleen G. Whitlow, Mayor

EXHIBIT 1

QUIKTRIP STORE #4227 SITE PLAN

[Exhibit attached.]