

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1025**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
MEAD, COLORADO APPROVING WITH STANDARD CONDITIONS
THE ZONING AMENDMENT FOR A PLANNED UNIT
DEVELOPMENT (PUD), KNOWN AS THE TURION SOUTH PUD**

WHEREAS, in accordance with Section 16-3-160 of the *Mead Municipal Code* (“MMC”), Front Range Investment Holdings, LLC (the “Applicant” and the “Owner”) submitted an application to amend the official Town zoning map and rezone certain real property generally known as the Turion South Property, consisting of approximately 595.31 acres, more or less, and which is described in **Exhibit 1** attached hereto (the “Property”); and

WHEREAS, the Property is currently zoned as Residential Single Family District (RSF-4) and Highway Commercial (HC); and

WHEREAS, the Applicant is seeking an amendment to rezone the Property to Planned Unit Development Overlay, as further described in the Turion South PUD, attached hereto as **Exhibit 1**, and which includes the Turion South Regulatory Procedures document, attached hereto as **Exhibit 2**; and

WHEREAS, the Town of Mead’s 2018 Comprehensive Plan, designates the Property as being appropriate for the Single-Family Residential (SFR), Residential Mixed-Use (RMU), and Regional Commercial (RC) land use categories per the Future Land Use Plan set forth in the 2018 Comprehensive Plan; and

WHEREAS, in accordance with Sections 16-3-160 and 16-8-90 of the MMC, the Planning Commission held a duly noticed public hearing on January 18, 2023 to review and consider the proposed Turion South PUD; and

WHEREAS, following the conclusion of the public hearing on January 18, 2023, the Planning Commission adopted Resolution No. 02-PC-2023, recommending approval of the Turion South PUD to the Board of Trustees; and

WHEREAS, on February 13, 2023, the Board of Trustees opened and continued the public hearing regarding the Turion South PUD to the Board’s March 27, 2023 regular meeting; and

WHEREAS, public notice has been properly given of the proposed rezoning of the Property by publication in *The Times-Call*, a newspaper of general circulation within the Town of Mead, by posting the Property, and by notification of adjacent property owners and other interested parties in accordance with applicable provisions of the Land Use Code; and

WHEREAS, the administrative record for this matter includes, but is not limited to, the MMC, the Town of Mead Land Use Code (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 Community Development Director and Town

Engineer related to the Turion South PUD, any and all submittals by the Applicant and members of the public, and the audio recordings and minutes of both the Planning Commission and Board of Trustee meetings at which this application was considered; and

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

WHEREAS, the Board of Trustees has determined that the Turion South PUD 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 rezoning to Planned Unit Development Overlay district will promote a variety of housing types and commercial uses; and

WHEREAS, the Board of Trustees has further determined that approval of the Turion South PUD will advance the public health, safety, convenience, and general welfare of the residents of the Town.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Colorado, that:

Section 1. Recitals Incorporated. The foregoing recitals are incorporated by reference herein as findings and determinations of the Board of Trustees.

Section 2. The Board of Trustees finds that the public hearing on the proposed Turion South PUD was conducted in accordance with Section 16-3-160 of the MMC.

Section 3. The Board of Trustees approves the proposed Turion South PUD, in substantially the form attached hereto as **Exhibits 1 and 2**, based on a determination that the applicable review criteria set forth in Sections 16-3-160 and 16-3-30 of the MMC have been satisfied, subject to the following conditions:

1. The Applicant/Owners shall 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 PUD application within forty-five (45) days of receiving an invoice from the Town.
2. The Applicant/Owner shall resolve and correct any technical issues as directed by Town staff prior to recording the PUD.

Section 4. Amendment of Zoning Map. The Town Clerk is instructed to record the Turion South PUD for the Property in the real property records of Weld County, Colorado once the Applicant has satisfied the conditions set forth in Section 3 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 Planned Unit Development Overlay zone district classification.

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.

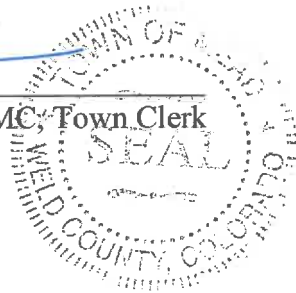
Section 8. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 27TH DAY OF MARCH 2023.

ATTEST:

By: _____

Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: _____

Colleen G. Whitlow, Mayor

Exhibit 1
TURION SOUTH PUD

(Attached)

Exhibit 2
TURION SOUTH REGULATORY PROCEDURES DOCUMENT
(Attached)