Commissioner Rosier moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC11-21

Case No.	10-117545RZ
Map No.	213
Applicant/Owner	Watson & Associates, LLC
Location:	29003 Upper Bear Creek Road Section 10, Township 5 South, Range 71 West
From:	Planned Development (PD)
To:	Planned Development (PD)
Purpose:	To amend the Planned Development Zoning to allow for additional restaurant square footage, to limit the medical and dental square footage and to address the parking standards for the development.
Approximate Area:	1.98 Acres

WHEREAS, Watson & Associates, LLC, filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property from Planned Development to Planned Development to allow for additional restaurant square footage, to limit the medical and dental square footage and to address the parking standards for the development and;

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on January 5, 2011, at which time the Planning Commission, by formal resolution, recommended approval with conditions of the subject rezoning application; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on January 25, 2011; and

WHEREAS, based on the study of the Comprehensive Plan and the Zoning Resolution, recommendations of the Jefferson County Planning Commission, recommendations of the Jefferson County Planning and Zoning Division, comments of public officials and agencies, and testimony and written comments from all interested parties, this Board finds as follows:

1. That proper posting, publication and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of Jefferson County.

2. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at those hearings.

3. The proposal is in general conformance with the Comprehensive Master Plan and the Evergreen Community Plan because it meets all applicable sections of the Plans' policies.

4. The proposed land use is compatible with existing and allowable land uses in the surrounding area because it is an existing development and the changes to the Official Development Plan do not change the character of the development.

5. The proposed land uses will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

6. That each of the factors set forth above is adequate independently to support this resolution.

7. The subject property is served by the Evergreen Fire Department and the Evergreen Water and Sanitation District.

8. No known commercial mineral deposits exist on the subject property.

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 10-117545RZ to rezone from Planned Development to Planned Development the following described unincorporated area of Jefferson County, attached hereto as Exhibit A, be and hereby is APPROVED subject to the following condition:

a. Revisions to the Official Development Plan in accordance with the red-marked print dated January 25, 2011.

Commissioner McCasky seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Donald Rosier	Aye
Commissioner J. Kevin McCasky	Aye
Commissioner Faye Griffin, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: January 25, 2011

EXHIBIT A

Case No. 10-117545RZ

Legal Description

Street Location of Property 29003 Upper Bear Creek Road
Is there an existing structure at this address? Yes X No____

Type the legal description and address below.

Lot 1, Lakepoint Center- Amendment No. 1,
recorded at Plat Book 90, Pages 60 and 61, reception # 86103234
of Jefferson County records, Jefferson County, State of Colorado

Advise of Ortho Map No. 213 Section 10 Township 5 S. Range 71 W.
Calculated Acreage 1.97 Acres Checked by: Ed Wieland
Address Assigned (or verified) 29003 Upper Bear Creek Road