

Commissioner Odom moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC12-102

Case No.	11-137385RZ	Map No.	15
Owner/Applicant:	WCMAR, LLC and WG Littleton, LLC		
Location:	6709 and 6789 West Coal Mine Ave. Section 24, Township 5 South, Range 69 West		
From:	Planned Development (PD)		
To:	Planned Development (PD)		
Purpose:	To amend the Planned Development Zoning to allow for fast food restaurants without drive-through facilities, and instructional studios.		
Approximate Area:	2.93 Acres		

WHEREAS, WCMAR, LLC and WG Littleton, 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 fast food restaurants without drive-through facilities, and instructional studios; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on March 7, 2012, 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 March 27, 2012; and

WHEREAS, based on the study of the Comprehensive Master 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, because it meets all applicable sections of the Plan policies except the Land Use Section, which discourages fast food restaurants. In this instance, fast food restaurants would be allowed without drive-through facilities.
4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because it would be allowing an expansion of commercial uses in an existing commercial center.
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 Littleton Fire Rescue and Platte Canyon Water and Sanitation District.
8. No known commercial mineral deposits exist on the subject property.

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 11-137385RZ 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 with the following condition:

- a. Revisions to the Official Development Plan in accordance with the red-marked print dated March 27, 2012.

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

Commissioner John Odom	Aye
Commissioner Faye Griffin	Aye
Commissioner Donald Rosier, Chairman	Aye

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

Dated: March 27, 2012

EXHIBIT A

Case No. 11-137385RZ

Legal Description

Street Location of Property 6709 & 6789 W Coal Mine Ave
Is there an existing structure at this address?

Yes X No

Type the legal description and address below.

Parcels 1 and 2, Dutch Creek Village Filing No.3 Exemption Survey No.1,
Plat Book 147, Pages 50 and 51, Reception Number F0856558, containing
2.92 acres more or less, being located in the Southwest quarter, Section 24,
Township 5 South, Range 69 West, of the 6th Principal Meridian,
State of Colorado, County of Jefferson.

Advise of Ortho Map No. 15 Section 24 Township 5 S. Range 69 W.
Calculated Acreage 2.92 Acres Checked by: Ed Wieland
Address Assigned (or verified) 6709 & 6789 W Coal Mine Ave