# 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. CC12-212

Case No. 11-119319RZ Map No. 11 & 12

Owner/Applicant: USL Denver Green Gables, LLC

Location: 6800 W. Jewell Avenue

Sections 25 & 26, Township 4 South,

Range 69 West

From: Agricultural-Two (A-2)

To: Planned Development (PD)

Purpose: To rezone from Agricultural-Two

(A-2) to Planned Development (PD) to allow commercial and residential

uses.

Approximate Area: 152.36 Acres

WHEREAS, USL Denver Green Gables, LLC, filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property from Agricultural-Two to Planned Development to allow commercial and residential uses; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on May 2, 2012, and continued to May 9, 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 June 12, 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 for the specific policies of the general land use section as noted in the staff report.
- 4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because it will allow mixed use commercial and residential uses in a highly developed area surrounded by commercial and residential uses.
- 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 West Metro Fire Protection District and Bancroft-Clover Water and Sanitation District.
- 8. No known commercial mineral deposits exist on the subject property.

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NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 11-119319RZ to Rezone from Agricultural-Two 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 June 12, 2012.

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

Commissioner John Odom

Commissioner Faye Griffin

Commissioner Donald Rosier, Chairman

Aye

Aye

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

Dated: June 12, 2012

#### **EXHIBIT A**

1	-1	1	9	3	1	9RZ	
	1	1-1	1-11	1-119	1 - 1193	1-11931	1-119319RZ

#### Legal Description

Street Location of Property 6800 West Jewell Avenue Is there an existing structure at this address?

No\_ Yes

Type the legal description and address below.

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 25 AND THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 609.23 FEET OF THE NORTHWEST 1/4 OF SECTION 25, EXCEPT THE SOUTH 495 FEET THEREOF, AND THE NORTHEAST 1/4 OF SECTION 26, EXCEPT THE SOUTH 495 FEET THEREOF, AND EXCEPT THE FOLLOWING DESCRIBED TRACTS:

(A) BEGINNING AT A POINT ON THE NORTH BOUNDARY LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 69 WEST, 308.71 FEET EAST OF THE NORTHWEST CORNER OF SAID NORTHEAST 1/4;

IHE NORTH-WEST CURNER OF SAID NORTHEAST 1/4;
THENCE SOUTH 100 FEET;
THENCE SOUTH 69 DEGREES EAST 80 FEET;
THENCE SOUTH 58 DEGREES 20 MINUTES EAST 119 FEET;
THENCE NORTH 63 DEGREES 20 MINUTES EAST 35 FEET;
THENCE NORTH 30 DEGREES 40 MINUTES EAST 189 FEET;
THENCE NORTH 30 FEET;
THENCE WEST 327.89 FEET TO THE PLACE OF BEGINNING; AND

(B) THAT PART OF THE NORTHEAST 1/4 OF SECTION 26 TOWNSHIP 4 SOUTH, RANGE 69 WEST DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 30 FEET SOUTH OF STATION 205 PLUS 49 OF SURVEY OF FEDERAL AID PROJECT #B2 SAID POINT BEING SOUTH 82 DEGREES 08 MINUTES EAST 202.9 FEET DISTANT FROM NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE

FROM NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 69 WEST;
THENCE SOUTH 89 DEGREES 29 MINUTES WEST 145.9 FEET ALONG PRESENT FENCE LINE;
THENCE SOUTH 51 DEGREES 44 MINUTES WEST 29.0 FEET ALONG FENCE LINE;
THENCE SOUTH 22 DEGREES 12 MINUTES WEST 23.8 FEET ALONG FENCE LINE;
THENCE SOUTH 00 DEGREES 16 MINUTES WEST 140.4 FEET ALONG FENCE LINE TO A POINT 30
THENCE SOUTH 00 DEGREES 16 MINUTES EAST 140.4 FEET ALONG FENCE LINE TO A POINT 30
POINT ALSO BEING SOUTH 09 DEGREES 17 MINUTES EAST 208.0 FEET DISTANT FROM SAID
NORTHWEST CORNER OF THE NORTHEAST 1/4 SECTION 26, TOWNSHIP 4 SOUTH, RANGE 69
WEST:

THENCE NORTHEASTERLY ON A CURVE HAVING A RADIUS OF 174.6 FEET (SAID CURVE BEING PARALLEL TO CURVE OF CENTER LINE SAID SURVEY OF FEDERAL AID PROJECT #82 AND BEING AT PRESENT MARKED BY A ROW OF STAKES MARKED R-O-W) 276.4 FEET TO PLACE OF BEGINNING,

ALSO AND EXCEPTING ANY PORTION THEREOF CONVEYED TO THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO IN INSTRUMENT RECORDED JULY 11, 1985 UNDER RECEPTION NO. 85064188, AND ANY OTHER PORTIONS LYING WITHIN PUBLIC STREET OR ROADWAY.

AND EXCEPT THAT PORTION CONTAINED IN INSTRUMENT RECORDED MARCH 16, 1990 UNDER RECEPTION NO. 90021793.

AND EXCEPT ANY PORTION LYING WITHIN THE PLAT OF GREEN GABLES OFFICE COMMONS.

6,636,519 SQUARE FEET (152.356 ACRES) MORE OR LESS