# Commissioner Griffin moved that the following Resolution be adopted:

## BEFORE THE BOARD OF COUNTY COMMISSIONERS

#### OF THE COUNTY OF JEFFERSON

#### STATE OF COLORADO

#### RESOLUTION NO. CC13-032

Case Number: 12-120921RZ

Map Number(s): 36 & 37

Owner/Applicant: LSI Retail III, LLC

Location: 8154 S. Kipling Pkwy.

Section 35, Township 5 South,

Range 69 West

From: Planned Development (PD)

To: Planned Development (PD)

Purpose: To amend the Planned Development

(PD) zoning to allow for modifications

to an existing telecommunication

facility

Approximate Area: 1.95 Acres

WHEREAS, LSI Retail III, 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 amend the Planned Development zoning to allow for modifications to an existing telecommunication facility; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on January 9, 2013, 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 29, 2013; 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 and the South Plains Area because it meets all applicable sections of the Plan policies.
- 4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because commercial land uses are retained.
- 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 West Metro Fire Protection District and Southwest Metro 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. 12-120921RZ 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 January 29, 2013.

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

Commissioner Faye Griffin Aye
Commissioner Casey Tighe 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: January 29, 2013

# **EXHIBIT A**

Case No.	12-120921RZ

## Legal Description

Is there an existing structure at this address? Yes x No
Type the legal description and address below.
All of Jefferson Marketplace Subdivision as recorded at Reception Number 2006079495 in the Office of the Clerk and Recorder, Jefferson County, Colorado, containing 16.26 acres, more or less.

Advise of Ortho Map No. 36 & 37 Section 34 Township 5 S. Range 69 W. Calculated Acreage 16.26 Acres Checked by: Ed Wieland Address Assigned (or verified) 8154 South Kipling Pkwy