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 - 055

Case Number:	12-119691RZ
Map Number(s):	174 & 210
Owner/Applicant:	Evergreen Country Day School
Location:	1093 Swede Gulch Road, 1035 & 1037 El Rancho Road Section 15, Township 4 South, Range 71 West
From:	Planned Development (PD) and Restricted Commercial-One (RC-1)
To:	Planned Development (PD)
Purpose:	To rezone from Planned Development (PD) and Restricted Commercial-One (RC-1) to Planned Development (PD) to allow for religious uses and expansion of school and commercial uses.
Approximate Area:	11.03 Acres

WHEREAS, Evergreen Country Day School filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property from Planned Development (PD) and Restricted Commercial-One (RC-1) to Planned Development (PD) to allow for religious uses and expansion of school and commercial uses; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on January 30, 2013, at which time the Planning Commission, by formal resolution approved a Plan Exception and 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 February 19, 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 Evergreen Sub-Area Plan because it meets all applicable sections of the Plan policies; except for the land uses policies recommending commercial uses where school and religious uses are proposed, and recommending residential uses where office uses are proposed. The proposed uses are appropriate within an activity center and produce similar or less impacts than what the zoning presently allows and the Planning Commission approved a Plan Exception for these uses.

4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the property is either already developed or zoned to allow uses with similar impacts to what are being proposed.

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 Protection District and Evergreen Metropolitan District.

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

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 12-119691RZ to rezone from Planned Development (PD) and Restricted Commercial-One (RC-1) to Planned Development (PD) 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 February 19, 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: February 19, 2013

EXHIBIT A

Case No. 12-119691RZ

Legal Description

Street Location of Property 1093 Swede Gulch Road
Is there an existing structure at this address? Yes X No

Type the legal description and address below.

Lot 4B, Tepee Office Subdivision, recorded at Reception No. 2012017530, County of Jefferson, State of Colorado. Containing 1.26 Acres, more or less.

Including,

Lot 2, Block 2, The Tepees Exemption Survey No. 1, recorded at Reception No. 94003531, Book 116, Page 5. County of Jefferson, State of Colorado. Containing 7.84 Acres, more or less.

Also Including,

That part of the South 1/2 , Southwest ¼ of Section 15, T.4S., R.71W. of the 6th Principal Meridian, described as follows; Beginning at a pipe on the South line of said Section 15, whence the marked stone at the Southwest corner of said Section 15 bears South 88 degrees 12 minutes West, 993.2 feet; thence North 01 degrees West, 657 feet to another iron pipe at the TRUE POINT OF BEGINNING of this description; thence North 89 degrees 10 minutes East, 425 feet to another iron pipe; thence North 13 degrees 44 minutes West, 215.4 feet to another iron pipe; thence South 89 degrees 10 minutes West, 377.5 feet to another iron pipe; thence South 01 degrees East, 210 feet, more or less, to the TRUE POINT OF BEGINNING. County of Jefferson, State of Colorado. Containing 1.93 Acres, more or less.

Containing a total area of 11.03 Acres, more or less.

Advise of Ortho Map No. 174 & 210 Section 15 Township 4 S. Range 71 W.
Calculated Acreage 11.03 Acres Checked by: Ben Hasten
Address Assigned (or verified) 1093 Swede Gulch Road, 1035 and 1037 El Rancho Road