Commissioner Tighe moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC14-103

Case Number: 13-114666RZ

Map Number(s): 176

Owner/Applicant: Ruikka Enterprises, LLC

Location: 27620 Fireweed Drive

Section 3, Township 5 South,

Range 71 West

From: Planned Development (PD)

To: Planned Development (PD)

Purpose: To amend the Planned Development

(PD) zoning to allow for the continued use of the conference center and to

add uses for limited office,

brewpub/vintner, restaurant, low intensity specialty goods and services,

and one single family dwelling.

Approximate Area: 4.05 Acres

WHEREAS, Ruikka Enterprises, LLC filed an application with the Planning and Zoning Division of Jefferson County to amend the Planned Development (PD) zoning to allow for the continued use of the conference center and to add uses for limited office, brewpub/vintner, restaurant and low intensity specialty goods and services, and one single family dwelling; and

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WHEREAS, a public hearing was held by the Jefferson County Planning Commission on March 5, 2014, 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 March 25, 2014; 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 and the Planning and Zoning case file is hereby incorporated into the record.
- 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 Land Use policies pertaining to the Downtown Evergreen Activity Center for which a Plan Exception was approved by the Planning Commission.
- 4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because it is located within an activity center and adjacent property are also zoned for commercial 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 the Evergreen Fire Protection District, Evergreen Metro District (water and sanitation) and Evergreen Park and Recreation District.
- 8. No known commercial mineral deposits exist on the subject property.

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 13-114666RZ to rezone from Planned Development (PD) 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 conditions:

a. Revisions to the Official Development Plan in accordance with the red-marked print dated March 25, 2014.

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

Commissioner Casey Tighe Aye
Commissioner Donald Rosier 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: March 25, 2014

EXHIBIT A

Case No. <u>13-114666RZ</u>

<u>Legal Description</u>
Street Location of Property <u>27618 – 27620 Fireweed Drive</u> Is there an existing structure at this address? Yes X No
Type the legal description and address below.
LEGAL DESCRIPTION:
PARCEL A:
A TRACT OF LAND LOCATED IN SECTIONS 2, 3, 10 AND 11, TOWNSHIP 5 SOUTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT CORNER NUMBER 1, AN IRON PIPE, FROM WHENCE THE SECTION CORNER COMMON TO SAID SECTIONS 2, 3, 10 AND 11 BEARS SOUTH 51 DEGREES 00 MINUTES WEST, A DISTANCE OF 164.9 FEET; THENCE NORTH 64 DEGREES 24 MINUTES WEST, A DISTANCE OF 130.1 FEET; THENCE NORTH 73 DEGREES 30 MINUTES WEST, A DISTANCE OF 41.70 FEET; THENCE NORTH 75 DEGREES 06 MINUTES WEST, A DISTANCE OF 100.00 FEET; THENCE SOUTH 03 DEGREES 30 MINUTES WEST, A DISTANCE OF 160.00 FEET; THENCE SOUTH 03 DEGREES 30 MINUTES WEST, A DISTANCE OF 160.00 FEET; THENCE SOUTH 03 DEGREES 30 MINUTES WEST, A DISTANCE OF 160.00 FEET; THENCE SOUTH 03 DEGREES 30 MINUTES WEST, A DISTANCE OF 70.5 FEET TO A CROSS ON A ROCK ON THE NORTHERLY LINE OF BEAR CREEK; THENCE SOUTH 69 DEGREES 30 MINUTES SAST, A DISTANCE OF 127.00 FEET; THENCE NORTH 86 DEGREES AST, A DISTANCE OF 171.84 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY NO. 74; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES:
SOUTH 78 DEGREES 53 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.25 FEET; THENCE SOUTH 84 DEGREES 54 MINUTES 49 SECONDS EAST, A DISTANCE OF 137.83 FEET; THENCE NORTH 56 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 52.11 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE IN A NORTHEASTERLY DIRECTION, A DISTANCE, OF 122.6 FEET (THE CHORD OF SAID CURVE BEARS NORTH 77 DEGREES 35 MINUTES EAST, A DISTANCE OF 121.84 FEET); THENCE SOUTH 22 DEGREES 57 MINUTES OF SECONDS EAST, A DISTANCE OF 30.00 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE IN A NORTHEASTERLY DIRECTION, A DISTANCE OF 133.5 FEET (THE CHORD OF SAID CURVE BEARS NORTH 56 DEGREES 35 MINUTES EAST, A DISTANCE OF 132.78 FEET); THENCE NORTH 35 DEGREES 51 MINUTES 44 SECONDS EAST, A DISTANCE OF 88.3 FEET; THENCE NORTH 30 DEGREES 11 MINUTES 11 SECONDS EAST, A DISTANCE OF 23.79 FEET; THENCE LEAVING SAID HIGHWAY RIGHT-OF-WAY LINE, SOUTH 64 DEGREES 32 MINUTES WEST, A DISTANCE OF 104.26 FEET; THENCE NORTH 82 DEGREES 11 WEST, A DISTANCE OF 139.6 FEET; THENCE NORTH 61 DEGREES 07 MINUTES WEST, A DISTANCE OF 113.9 FEET TO THE POINT OF BEGINNING,
EXCEPTING THEREFROM THOSE PARCELS CONVEYED IN INSTRUMENTS RECORDED AUGUST 9, 1990 UNDER RECEPTION NO. 90068292 AND MARCH 25, 2009 UNDER RECEPTION NO. 2009026036,
COUNTY OF JEFFERSON, STATE OF COLORADO.
PARCEL B:
NON EXCLUSIVE RIGHT TO USE ALL PARKING FACILITIES, AS MORE SPECIFICALLY DESCRIBED IN RECIPROCAL PARKING EASEMENT RECORDED JANUARY 11, 1990 UNDER RECEPTION NO. 90003806, COUNTY OF JEFFERSON, STATE OF COLORADO. [SEE GRAPHIC DETAIL SHEET 2, NO LOCATIONS PERFORMED THIS SURVEY]
Containing 4.19 Acres, more or less.

Advise of Ortho Map No. <u>176</u> Sections <u>2</u>, <u>3</u>, <u>10</u>, and <u>11</u> Township <u>5 S.</u> Range <u>71 W.</u> Calculated Acreage <u>4.19 Acres</u> Checked by: <u>Ben Hasten</u>
Address Assigned (or verified) <u>27618 - 27620 Fireweed Drive</u>