



**Board of County Commissioners Meeting
AGENDA**

August 12, 2025, 9:00 a.m.

**Hybrid BCC Hearing - Hearing Room 1 and WebEx Webinars
100 Jefferson County Parkway, Golden, CO 80419**

To attend the Public Meeting please attend in person or visit the County's web site at www.jeffco.us/meetings to attend virtually and click on the link for the BCC Meeting you desire to attend which will take you to the WebEx Webinar platform. Please register and click on the blue "Join by Browser" option to join the meeting. The following website also provides access to the meeting: <https://jeffco.webex.com/jeffco/j.php?MTID=m4e51bc7d7a6fa78476dd2870600d88cb>

Webinar password: CrqDRj75YD4

Alternatively, people can also call in and listen to the meeting by dialing: +1-408-418-9388:

Access Code/Webinar Number: 249 231 85632

People who dial in will not be able to provide public comment during the meeting.

AGENDA

The Tuesday meeting of the Board of County Commissioners (the "Board") is an open meeting in which the Board approves contracts, expends funds, hears testimony, makes decisions on land use cases and takes care of other county matters. The public is welcome to attend.

The Board meeting has three parts: Public Comment, the Business Meeting and the Public Hearing.

General Procedures

Agenda items will normally be considered in the order they appear on this agenda. However, the Board may alter the agenda, take breaks during the meeting, work through the noon hour; and even continue an item to a future meeting date.

The Board welcomes your comments. During the Public Comment time, members of the public have three minutes to present views on county matters that are not included on the Hearing Agenda. Public Comment time is not for questions and answers; it is your time to express your views, people will not be allowed to utilize county resources to make visual presentations during public comment. The Board will take up to 15 minutes at the beginning of the meeting and if needed, additional public comment will be taken at the end of the meeting on items not listed on the Hearing Agenda.

To participate in Public Comment please attend in person or please log into the WebEx Events virtual

meeting using a computer. Once logged into the meeting on your computer, please send a chat message to the host with your name, address, and the topic of your comment so that the Chair can recognize you at the appropriate time for public comment.

Please note that you are always welcome to communicate with the Board on the county's web site (www.jeffco.us), by e-mail (commish@jeffco.us), by phone (303-271-8525), fax (303-271-8941) or US mail (100 Jefferson County Parkway, Golden, CO 80419). You can also meet your Commissioners at numerous community events such as town hall meetings, homeowner associations and chamber meetings.

	Pages
1. Call to Order	
2. Pledge of Allegiance	
3. Public Comment Please see public comment instructions above	
4. Business Meeting CONSENT AGENDA PROCEDURES - Items on the Business Meeting Consent Agenda generally are decided by The Board without further discussion at the meeting. However, any Board member may remove an item from the Business Meeting Consent Agenda for a presentation by staff and questions from the Board. The Board is not required to take public comment on business meeting items but may request additional information and input.	
5. Approval of Minutes Dated August 5, 2025	5
6. Consent Agenda Other Contracts and Resolutions for which Notice was not possible may be considered.	
6.1 Resolution CC25-207 Expenditure Approval Listings dated August 7, 2025	10
6.2 Resolution CC25-208 Abatement Refund of Property Taxes	11
7. Regular Agenda - No Agenda Items	

8. Public Hearing

There are two parts to the Public Hearing Agenda: The Hearing Consent Agenda and the Regular Hearing Agenda.

Items are listed on the Hearing Consent Agenda because no testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the Regular Hearing Agenda.

To offer public testimony on any of the cases on the Public Hearing Agenda, please attend in person or please log into the WebEx Events virtual meeting using a computer. Once logged into the meeting on your computer, please send a chat message to the host with your name, address, and the agenda item for which you wish to provide testimony so that the Chair can recognize you at the appropriate time for public testimony. Individuals will receive three minutes and HOA's located with the notice area for the Hearing item will be granted ten minutes.

Unless otherwise stated by the Chair, a motion to approve the Hearing Consent Agenda shall include and be subject to staff's findings, recommendations, and conditions as listed in the applicable Staff Report.

The public is entitled to testify on items under the Public Hearing Regular Agenda. Information on participation in hearings is provided on the County's website at <https://www.jeffco.us/2079/County-Public-Meetings>. Information may also be obtained from the County Public Affairs Office at 303-271-8512.

9. Hearing Consent Agenda - No Agenda Items

10. Hearing Regular Agenda

10.1 Resolution CC25-209

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Case Number 23-136369RZ Rezoning

Case Name: Moore/Snugli Official Development Plan Amendment 2

Owner/Applicant: 1212 Kerr Gulch LLC, a Colorado limited liability company

Location: 1212 Kerr Gulch Road, Evergreen

Section 21, Township 4 South, Range 71 West

Approximate Area: 1.349 Acres

Purpose: Rezone from Planned Development (PD) to a new Planned Development (PD) to allow for an existing office building to be converted into four residential dwelling units

Case Manager: Reid Powers

11. Public Comment

Please see public comment instructions above.

12. Reports

13. Adjournment

Jefferson County does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or sexual orientation in the provision of services. Disabled persons requiring reasonable accommodation to attend or participate in a County service, program or activity should call 303-271-5000 or TDD 303-271-8560. We appreciate a minimum of 24 hours advance notice so arrangements can be made to provide the requested auxiliary aid.



Board of County Commissioners' Hearing Minutes

August 5, 2025, 9:00 a.m.

**Hybrid BCC Hearing - Hearing Room 1 and WebEx Webinars
100 Jefferson County Parkway, Golden, CO 80419**

BCC Present: Commissioner Andy Kerr
Commissioner Lesley Dahlkemper, Chair
Commissioner Rachel Zenzinger

Staff Present: Joe Kerby, County Manager
Kym Sorrells, County Attorney
Jeremy Fleming, Public Affairs
Katie LaLiberte, Deputy Clerk to the Board
Alanna Blomquist, Deputy Clerk to the Board
Karina Madrigal Bedolla, Deputy Clerk to the Board

1. Call to Order

Commissioner Dahlkemper called the meeting to order.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Public Comment

Tammy Waller
Adrian Waller
Mike Rosenthal
Daniel Mongieri
Sam Clement

Bryann Lynch
Keith Ives
Craig Stevinson
Nancy Pate
Jeff Sackley
Margaret Wood
Laura Cardon
Sam Meleika
Thomas Hoefler
Tamara McKee
Thomas Larocque
Samantha Reese
Erica Schroeder
Rudy Maltos
Ryan Glombecki
Tara Slowik

4. Business Meeting

5. Approval of Minutes Dated July 29, 2025

Motioned by Commissioner Kerr
Seconded by Commissioner Zenzinger

The Board unanimously approved the minutes dated July 29, 2025.

6. Consent Agenda

Motioned by Commissioner Kerr
Seconded by Commissioner Zenzinger

The Board unanimously approved the following Resolutions:

6.1 Resolution CC25-201

Expenditure Approval Listings dated July 31, 2025

6.2 Resolution CC25-202

Abatement Refund of Property Taxes

6.3 Resolution CC25-203

Rooney Landfill Field Reclamation- Facilities Management

6.4 Resolution CC25-204

Purchase Order – West Coal Mine Avenue Roadway Design (Pierce to County Line) Felsburg, Holt & Ullevig Not to Exceed \$795,195.65 - Development & Transportation

7. Regular Agenda - No Agenda Items

8. Public Hearing

9. Hearing Consent Agenda

Motioned by Commissioner Kerr

Seconded by Commissioner Zenzinger

The Board unanimously approved the following Resolution:

9.1 Resolution CC25-205

Case Number: 24-127376SU Special Use

Case Name: Lost Valley Ranch Special Use

Owner/Applicant: Goose Creek Land Corporation, a Colorado corporation

Location: 29555 Goose Creek Road, Sedalia

Section 16 & 21, Township 10 South, Range 71 West

Approximate Area: 480 Acres

Purpose: A Special Use within the Agricultural – Two (A-2) zone district to expand an existing guest ranch and associated ancillary uses

Case Manager: Alex Fowlkes

10. Hearing Regular Agenda

10.1 Resolution CC25-206

Case Number: 24-113723 RZ Rezoning

Case Name: Prospector at Evergreen Official Development Plan

Owner/Applicant: Kim Haarberg

Location: 31033 American Pkwy, Evergreen

Section 32, Township 4 South, Range 71 West

Approximate Area: 1.13 Acres

Purpose: To rezone from Planned Development (PD) to a new PD to allow a vertical mixed-use development with ground level office use and a maximum of 24 residential dwelling units above

Case Manager: Alex Fowlkes

Staff Presentation:

Alex Fowlkes

Applicant Testimony:

Sarah Sanderson

Motioned by Commissioner Kerr

Seconded by Commissioner Zenzinger

Following a staff presentation and public testimony, the Board unanimously approved Resolution CC25-206.

11. Public Comment

No comments.

12. Reports

Commissioner Zenzinger: Commissioner Zenzinger thanked Sheriff Marinelli for providing the annual jail tour and shared it was her first tour of the jail which was very informative. Commissioner Zenzinger also thanked the Open Space staff for a tour of the recently constructed portions of the new Peaks to Plains Trail. Commissioner Zenzinger shared that she was out of town over the past week and was not able to attend the Jefferson Center for Mental Health's recent board meeting but noted she will go over the meeting minutes to get caught up on missed information.

Commissioner Kerr: Commissioner Kerr thanked Sheriff Marinelli for her annual jail tour. Additionally, Commissioner Kerr thanked the Open Space Board for their efforts in expanding the Clear Creek Trail and enjoyed the recent tour of this area, noting the Open Space team has been given an engineering award for segments of this project. Commissioner Kerr shared that tonight is National Night Out and encouraged residents to participate in their local events. Finally, Commissioner Kerr wanted to share that Jefferson County strives to be open and transparent with their community and will continue to use facts and science when making decisions that will affect our community.

Commissioner Dahlkemper: Commissioner Dahlkemper thanked Sheriff Marinelli for the annual jail tour and noted that she learns something new every year on this tour. Commissioner Dahlkemper also attended the Open Space tour of the new Clear Creek Trail. One portion of this trail will open in November and the Huntsman Rancho section will open in late 2026 and is one of the legacy projects of Jeffco Open Space. Commissioner Dahlkemper wished to thank the Open Space Rangers and acknowledged it was recently World Ranger Day. Additionally, Commissioner Dahlkemper thanked the Open Space Trail Stewardship Crew for clearing 1.5 miles of wildfire mitigation buffers in areas

close to homes and thanked our municipal partners for their support in this effort including Bear Creek Lake Park in the City of Lakewood.

County Manager: No reports.

County Attorney: No reports.

13. Adjournment

There being no further business to come before the Board, the meeting was adjourned.

These minutes summarize the final decision made by the Board at the referenced meeting. This meeting was also audio recorded and that recording is available for review. In the event there is confusion as to what the final decision of the Board is, the Board will rely on the audio tape to interpret the Board's intent. The audio tape shall act as an official record of these proceedings for any necessary purpose when, in the opinion of the Board, the minutes are in any way insufficient. An audio copy of the Board of County Commissioners' proceedings is available by contacting the Deputy Clerk to the Board.

Chair

Deputy Clerk

M E M O R A N D U M

TO: Honorable Chair and Members of the Board of County Commissioners

FROM: Joe Kerby, County Manager

RE: Expenditure Approval Listings

DATE: August 12, 2025

Staff Recommendation:

Resolved that the Board of County Commissioners (BCC) hereby approves settlement of accounts listed on the Expenditure Approval Listings dated August 7, 2025.

Resolution No. CC25-207

Background:

Jefferson County has established a system of controls to reasonably assure that the claims to be examined and settled by the Board of County Commissioners on the Expenditure Approval Listings are allowable.

Further, the staff has reviewed all claims and has reasonable assurance that all claims are allowable and are in order to be paid.

Original returned to:

Dan Conway, Chief Financial Officer, x-8507

Distribution:

Jerry DiTullio, County Treasurer

M E M O R A N D U M

TO: Honorable Chair and Members of the Board of County Commissioners

FROM: Kimberly S. Sorrells, County Attorney

RE: Abatement Refund of Property Taxes

Date: 8/12/2025

Staff Recommendation:

Whereas, the Board of County Commissioners hereby approves the findings and recommendations of the Jefferson County Assessor denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement petitions.

<u>CASE NO.</u>	<u>PETITIONER</u>	<u>TAXES ABATED REFUNDED</u>
A25-185	Carleno Hagen LLC	\$5,332.25
A25-190	Colorado Credit Union	\$24,974.00
A25-180	Dean Carson Grape St LLC	\$8,345.75
A25-233	Fox Point Cleaners	\$1,340.47
A25-230	Happy Day	\$1,639.05
A25-107	Brian Kannady	\$5,946.30
A25-183	Kastin Company LLC	\$3,626.97
A25-191	KDD CO LLC	\$11,595.38
A25-199	Kong Real Estate Holdings LLC	\$24,432.99
A25-221	Phillip Martinez	\$5,439.93
A25-151	Matthew Peter Olson	\$1,120.23
A25-152	Mile High Tree Care Inc	\$23,945.49
A25-178	Palmetto Club Associates LLP	\$7,492.33
A25-054	Jerome Pierce	\$1,544.47
A25-181	Public Service Employees Credit Union	\$2,872.36
A25-217	Walter G Quinn Jr	\$601.94
A25-116	Cameron Schorg	\$1,275.90
A25-186	Stern Lawrence Holdings LLC	\$3,593.90

A25-184	Suman Properties LLC	\$4,154.92
A25-188	TEBO Superstore LLC	\$12,686.38
A25-179	Wind Drift Associates LLC	\$1,248.24
A25-187	6275 Joyce LLC	\$4,994.57
A25-141	7950 West Colfax Avenue LLC	\$18,462.08

Resolution CC25-208

Background:

Final Board action on 23 abatement petitions, \$ 176,665.90 to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommends approval of these petitions in the amounts indicated in the corresponding resolutions. The Board is taking action on these abatement petitions by accepting or rejecting the Assessor's recommendations.

If an abatement appeal is approved by the Board, the Treasurer's Office will calculate interest owed and send payment to the taxpayer. The Property Tax Administrator must approve all refunds in excess of \$10,000.00. If unsatisfied with this Board's action, a taxpayer may appeal further to the State Board of Assessment Appeals. Abatement refunds over \$10,000.00 are recommended for the following reasons:

A25-190: Assessor recommends approval. Equalized value to match 2023.

A25-191: Assessor recommends approval. Equalized value to match 2023.

A25-199: Assessor recommends approval. Equalized value to match 2023.

A25-152: Assessor recommends approval. Based upon additional information provided by the taxpayer.

A25-188: Assessor recommends approval. Equalized value to match 2023.

A25-141: Assessor recommends approval in part. Adjusted to 2024 stipulated value.

Fiscal Impact: No fiscal impact

BCC Briefing Presented on: Not applicable

Originator: Amber Munck, Assistant County Attorney

Distribution: Board of Equalization

CASE SUMMARY

CASE SUMMARY
Regular Agenda

PC Hearing Date: July 23, 2025

BCC Hearing Date: August 12, 2025

23-136369RZ

Rezoning

Case Name: Moore/Snugli Official Development Plan Amendment 2

Owner/Applicant: 1212 Kerr Gulch LLC, a Colorado limited liability company

Location: 1212 Kerr Gulch Road, Evergreen
Section 21, Township 4 South, Range 71 West

Approximate Area: 1.349 Acres

Purpose: Rezone from Planned Development (PD) to a new Planned Development (PD) to allow for an existing office building to be converted into four residential dwelling units

Case Manager: Reid Powers

Issues:

- None

Recommendations:

- **Staff:** Recommends APPROVAL

Interested Parties:

- None

Level of Community Interest: Medium

General Location: East of the intersection of Evergreen Parkway and Kerr Gulch Road Drive.

Case Manager Information: Phone: 303-271-8703 e-mail: rzpowers@jeffco.us

PC RESOLUTION

It was moved by Commissioner **Messner** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

July 23, 2025

RESOLUTION

23-136369RZ	Rezoning
Case Name:	Moore/Snugli Official Development Plan Amendment 2
Owner/Applicant:	1212 Kerr Gulch LLC, a Colorado limited liability company
Location:	1212 Kerr Gulch Road, Evergreen Section 21, Township 4 South, Range 71 West
Approximate Area:	1.349 Acres
Purpose:	Rezone from Planned Development (PD) to a new Planned Development (PD) to allow four residential dwelling units
Case Manager:	Reid Powers

The Jefferson County Planning Commission hereby recommends **APPROVAL**, of the above application, on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposed Rezoning to allow for an existing office building to be converted into four residential dwelling units on the subject properties is compatible with the existing and allowable single-family and agricultural land uses in the surrounding area.
 - B. The proposal is in general conformance with the Comprehensive Master Plan (Plan). The Plan identifies the subject property as an Area of Stability. In Areas of Stability the Plan recommends that commercial uses be rezoned to community or residential uses. The proposal for residential dwelling units aligns with the Plan recommendation. All other applicable Plan goals and policies have been met.
 - C. The negative impacts of the proposed land use upon the surrounding area have been considered and found to be minimal or mitigated by the provisions in the proposed Official Development Plan to include increased setbacks and screening on the east property line, which address possible visual, odor or

- noise impacts.
- D. The properties are within the Evergreen Metropolitan District for water and sanitation services and the Evergreen Fire Protection District for fire protection services. Both Districts have indicated they can serve the uses proposed with this Rezoning. The Sheriff's Office provides law enforcement services. The existing transportation network is capable of absorbing the anticipated traffic. The infrastructure and services available to the subject property are adequate to serve the proposed uses.
- E. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

Commissioner **Spencer** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	aye
Commissioner	Spencer	aye
Commissioner	Liles	aye
Commissioner	Messner	aye
Commissioner	LaRocque	aye
Commissioner	Dunne	aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Kimi Schillinger, Executive Secretary for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, July 23, 2025.



Kimi Schillinger
Executive Secretary

STAFF REPORT

Staff Report Summary

Case Number:
23-136369 RZ

Summary of Process

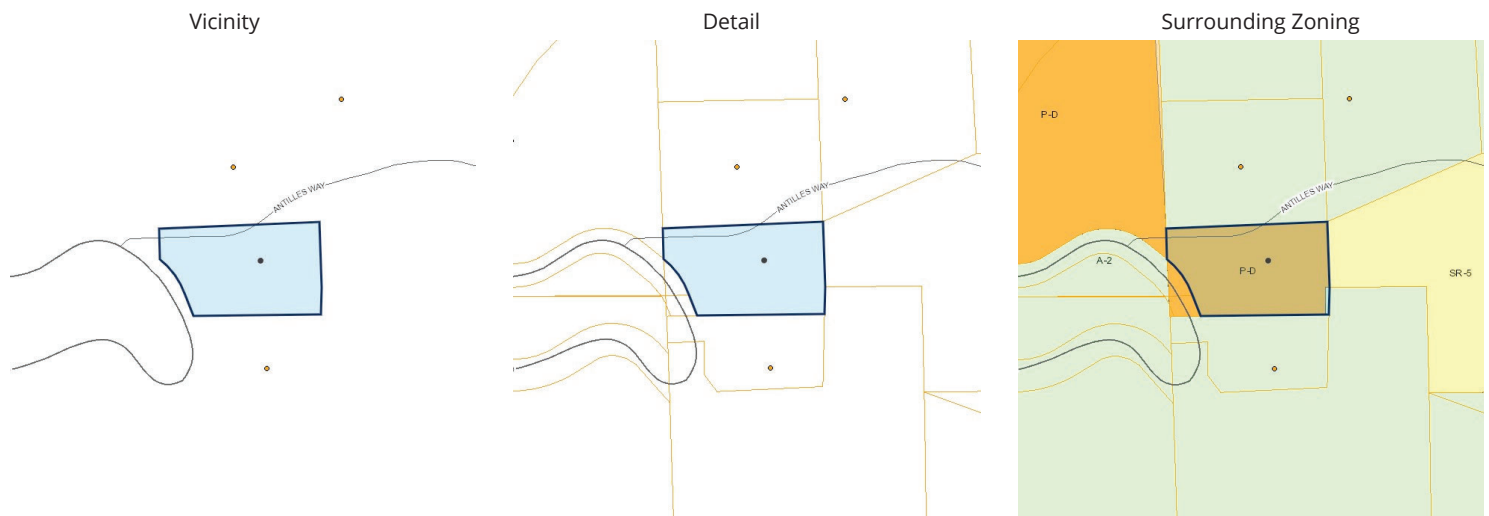
- The Staff evaluation of an application will be presented at the required Planning Commission and Board of County Commissioners' Hearings.
- The Planning Commission will review the evidence and will make a recommendation to the Board of County Commissioners.
- The final decision on the request will be made by the Board of County Commissioners.

Case Summary

Rezoning from Planned Development (PD) to Planned Development (PD) to allow for existing office building to be converted into units.

Purpose			Moore/Snugli Official Development Plan Amendment 2			Reid Powers			12-04-2023		
Case Name			12-21-2020			12-01-2023			07-23-25		
Pre-Application Date			Community Meeting Date			PC Hearing Date			BCC Hearing Date		
Jeanne Shaffer			1212 Kerr Gulch LLC, a Colorado limited liability company			Owner			Subdivision Plat/Site Development Plan		
Applicant/Representative, check if same as owner: ☐			1212 Kerr Gulch Road			Evergreen			80439		
Property Address			City			Zip			Area ≈		
41-211-00-008			Approximately 0.15 miles east of the intersection of Evergreen Parkway and Kerr Gulch Road			Section			Township		
Pin			General Location			Range			71		

Land Use and Zoning



Existing Land Use:	Existing Zoning:	CMP Recommended Land Use:	Requested Zoning:
Commercial	PD	Area of Stability	PD
Plan Area: <u>Evergreen Area</u>		Number of citizens at Community Meetings: <u>12</u>	
PC Recommendations: <u>Approval</u>		Level of Community Interest: <u>medium</u>	
Key Issues: <u>None</u>			

Criteria for Rezoning:

- The compatibility with existing and allowable land uses in the surrounding area.
- The degree of conformance with applicable land use plans.
- The ability to mitigate negative impacts upon the surrounding area.
- The availability of infrastructure and services.
- The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area.

✓	○	✗
☒	☐	☐
☒	☐	☐
☒	☐	☐
☒	☐	☐
☒	☐	☐

1. SUBJECT REQUEST



The applicants are requesting to Rezone the subject property from Planned Development (PD) governed by the Moore/Snugli Official Development Plan Amendment 1, to a new Planned Development (PD), governed by the Moore/Snugli No. 2 Official Development Plan, to allow for an existing office building to be converted into four residential units.

In addition to allowing up to four dwelling units the proposed Planned Development also includes restrictions/regulations related to setbacks, fences, landscaping, and parking. Setbacks for the primary structure are proposed to be 45 feet to the north, 75 feet to the south, 50 feet to the east, and 75 feet to the west, as measured from the ODP boundary line. Fencing is primarily limited to 42 inches in height and must be wildlife friendly except that up to 6 feet in height is allowed along the east property line to provide screening. New landscaping is not required to minimize fuel for potential wildfire, but existing landscaping would be required to be maintained. Finally, parking is required to be two parking spaces per dwelling unit plus one additional guest parking space.

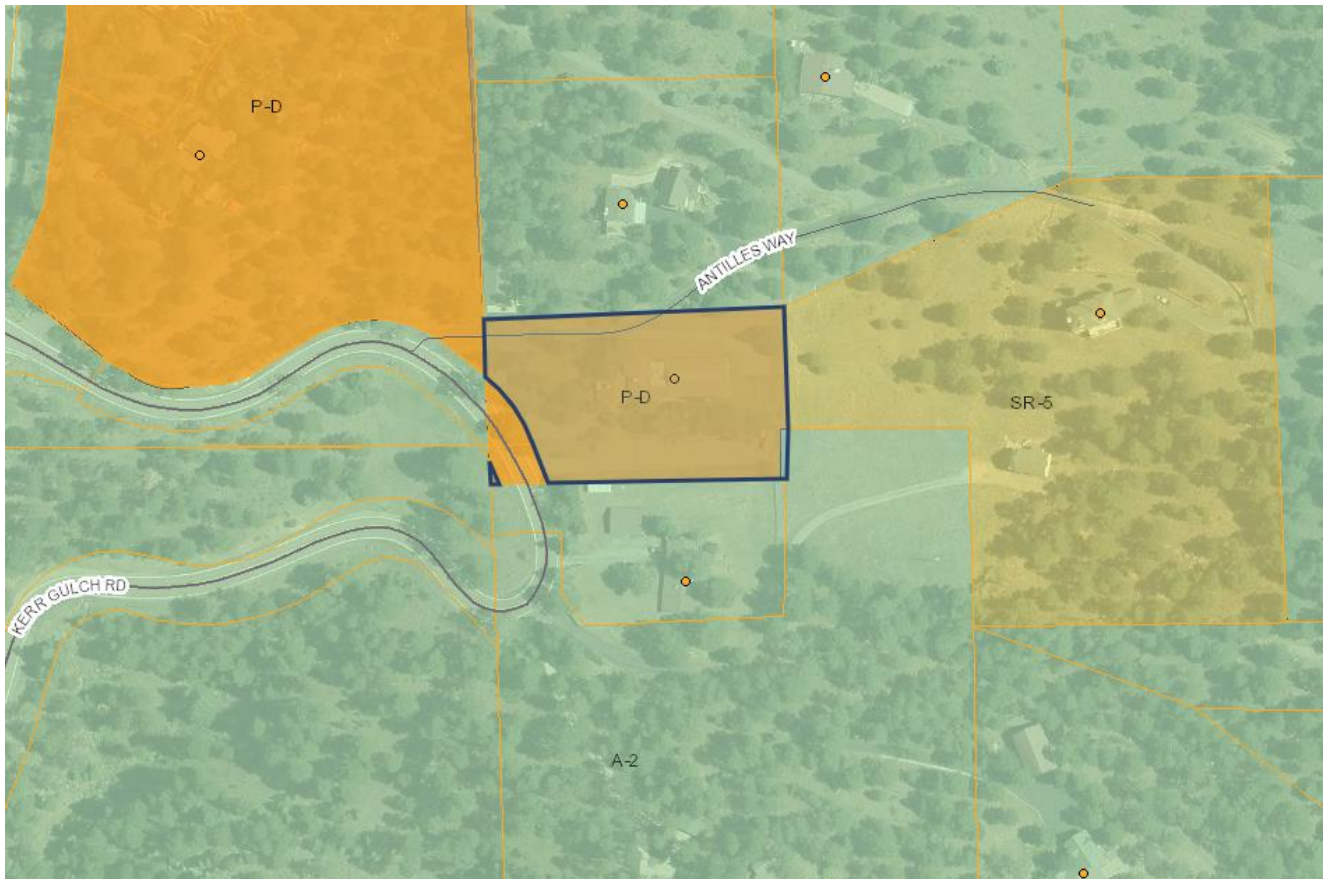
2. CONTEXT

The subject property is located approximately 0.15 miles east of the intersection of Evergreen Parkway and Kerr Gulch Road. The immediate area around the subject property is residential in nature, with single-family detached dwellings to the north, south, east, and west. A property to the northwest is zoned as a Planned Development and allows for a single-family residence and agricultural uses.



3. SURROUNDING ZONING/LAND USE

	Adjacent Zoning	Land Use
North:	Agricultural-Two (A-2)	Single-Family
South:	Agricultural-Two (A-2)	Single-Family
East:	Suburban Residential-Five (SR-5)	Single-Family
West:	Agricultural-Two (A-2) and Planned Development (PD)	Single-Family



A) SUMMARY OF PROPOSED CHANGES

	Current Zoning PD (Moor/Snugli ODP Amd 1)	Proposed Zoning PD (Moore/Snugli No. 2 ODP)
Permitted Uses	Professional and Business Offices	Single-family attached, duplex, townhomes, and multi-family
Setbacks	Primary Building - Front: 80 ft - East: 75 ft - West: 125 ft - Rear: 45 ft	Primary Building - North ODP Boundary Line: 45 ft - East ODP Boundary Line: 50 ft - West ODP Boundary Line: 75 ft - South ODP Boundary Line: 75 ft Accessory - North ODP Boundary Line: 45 ft - East ODP Boundary Line: 20 ft - West ODP Boundary Line: 30 ft - South ODP Boundary Line: 75 f Surface Parking - North ODP Boundary Line: 45 ft - East ODP Boundary Line: 6 ft - West ODP Boundary Line: 30 ft - South ODP Boundary Line: 10 f

4. TRANSPORTATION

A traffic analysis was prepared and reviewed as a part of the required referral process for the proposed Rezoning. The analysis found that the local road network, in its current state, is capable of handling the proposed traffic. Additional analysis of transportation impacts may be reviewed in the subsequent Preliminary-Final Plat processes or Site Development Plan process, should this Rezoning request be approved. Improvements to the roadways or points of access may be required of the applicant at time of future Preliminary-Final Plat application or Site Development Plan, if warranted by the traffic analysis associated with either process.

5. CRITERIA FOR DECISIONS FOR REZONING TO PLANNED DEVELOPMENT APPLICATIONS

Section 6 of the Zoning Resolution states, *In reviewing Rezoning & Special Use applications, the Planning Commission and the Board of County Commissioners may consider the following criteria:*

- ✓ a. The compatibility with existing and allowable land uses in the surrounding area.
- ✓ b. The degree of conformance with applicable land use plans.
- ✓ c. The ability to mitigate negative impacts upon the surrounding area.
- ✓ d. The availability of infrastructure and services.
- ✓ e. The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area.

a. The compatibility with existing and allowable land uses in the surrounding area.

The area surrounding the subject property of this Rezoning is made up of residential land uses. The proposed allowed use of up to 4 dwelling units, in the form of single-family attached dwellings, duplexes, townhomes, or multi-family units, is compatible with the surrounding area, as much of the surrounding area is already used for single-family detached dwellings. The proposed density allowed would be higher than surrounding residential lots, which are low-density residential lots. However, the adaptive reuse of an existing building and limits on the total number of dwelling units allowed lend towards compatibility with the surrounding area.

b. The degree of conformance with applicable land use plans.

The Comprehensive Master Plan (CMP), an advisory document required by State statute, contains Goals and Policies that are used to guide land use decisions. The Area Plans section of the CMP contains supplementary policies and land use recommendations for evaluation.

	Summary	Conforms with CMP? ✓ ○ ✗
Land Use	The CMP discusses the need for a variety of uses to create a vibrant, enduring community. The Plan encourages diverse communities in which to live, work, and enjoy outdoor recreation.	✓
Physical Constraints	The CMP describes physical constraints as those physical features that due to safety concerns may potentially restrict where and how development occurs. Physical Constraints include geologic hazards and constraints, floodplains, wetlands, wildfire, radiation, landfills, abandoned mines, and wildlife habitat	✓
Community Resources	The CMP contains policies that relate to historic structures or sites, scenic corridors, natural features, air quality, light, odor and noise pollution, open space and trails.	✓

Infrastructure Water and Services	The CMP describes the importance of new developments having adequate Transportation, Water and Wastewater, and Services.	
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Staff concludes that the subject request is in general conformance with the applicable goals and policies of the Comprehensive Master Plan (CMP).

Land Use: The subject property is located within the Evergreen Area Plan of the CMP and has a land use recommendation of Area of Stability. Areas of Stability are typically residential in nature and already subdivided and built out. Commercial properties within Areas of Stability are recommended to remain commercial, or if Rezoning to allow a new land use to be Rezoned to a community or residential use. The change from commercial to residential use with this Rezoning application is supported by the CMP. Staff finds that the proposal meets the land use recommendations of the CMP.

Physical Constraints: There are no geological hazards or floodplains on site. The Evergreen Area Plan does rate this area as having medium potential for wildfire hazards. The proposed residential use is no more impactful to this wildfire hazard than other residential properties in the area. If the Rezoning is approved, then a Defensible Space permit will be required as part of a Building Permit to remodel the structure for residential use.

Community Resources: The Community Resources section contains policies that relate to historic structures or sites, scenic corridors, natural features, air quality, light, odor and noise pollution, open space and trails. None of these community resources are of concern with this Rezoning. There are no historical structures on site, the site is not within any scenic corridors, and there are no natural features of note. Air quality, light, odor, and noise pollution impacts of the proposed use would be no more impactful than the other existing residential uses in the surrounding area.

Infrastructure, Water, and Services: A primary goal of the CMP is to ensure that development has an adequate provision of infrastructure and services. The property is served by the Evergreen Metropolitan District, the Evergreen Fire Protection District, and the Jefferson County Sheriff's Office for law enforcement. The providers have indicated they would be able to serve the proposed development. Additionally, the traffic analysis reviewed during the referral process has indicated the existing transportation network can support the proposed development. The infrastructure, water and service goals and policies of the CMP are met.

c. *The ability to mitigate negative impacts upon the surrounding area.*

The proposed uses are generally no more impactful to the surrounding area than the already allowed uses and those uses already allowed on adjacent properties. Possible visual, odor, or noise impacts the development could have on adjacent properties are addressed by restricting uses to the existing building size, required setbacks, screening requirements at the east property line, and limiting the maximum number of dwelling units allowed.

d. *The availability of infrastructure and services*

The property is within the Evergreen Metropolitan District for water and sanitation services and the Evergreen Fire Protection District for fire protection services. Both Districts have indicated they can serve the uses proposed with this Rezoning. Additionally, The Jefferson County Sheriff's Office provides law enforcement services. The transportation network has been found to be able to accommodate the traffic that may be generated from the proposal. Staff finds the proposal has adequate infrastructure and services available to it.

e. *The effect upon the health, safety, and welfare of the residents and*

landowners in the surrounding area.

The proposed land use has been found to be appropriate for the area. The potential deleterious effects related to the Rezoning have been found to be minimal or mitigated. Staff finds the proposal will not create an adverse impact on the health, safety, or welfare of the residents and landowners of the surrounding area.

6. COMMERCIAL MINERAL DEPOSITS

No known commercial mineral deposits exist on the subject property.

7. COMMUNITY MEETING

A Community Meeting (22-117189CMT) was completed on December 1, 2022, for the proposed Rezoning. There were twelve (12) citizens in attendance, and the primary topics covered included traffic, density, and fire risks. The meeting was held virtually. The applicant presented the development proposal. The applicant responded to citizens' questions. The meeting summary is included in this case packet.

8. COMMUNITY RESPONSES

During the processing and review of this Rezoning application staff received seventeen comments pertaining to this Rezoning, which are included in the case packet. The comments were opposed to the Rezoning proposal and had concerns about density, lot sizes, traffic, fire risk, and proposed uses.

9. AGENCY REFERRAL RESPONSES

This Rezoning application was sent on three (3) referrals to nine (9) Jefferson County departments and twelve (12) external agencies. The referrals are an opportunity for the applicant to update the application to meet Jefferson County and external agency rules and regulations.

There are no unresolved concerns raised by referral agencies regarding the Rezoning proposal.

10. NOTIFICATION

Notification of the proposed development was sent and posted in accordance with the Zoning Resolution for Rezoning applications, at least fourteen (14) days ahead of the scheduled hearings.

11. POST HEARING REVIEW

If the Rezoning is approved by the Board of County Commissioners, the post-hearing review shall be in accordance with the Zoning Resolution as follows:

The applicant shall have 28 days after the Board of County Commissioner's approval to submit a 'clean' copy of the approved red-marked ODP and pay the recordation fees. The Case Manager will have 7 days to review the submitted ODP. If the revisions have been made in accordance with the approval conditions, Staff will affirm and record the ODP documents as appropriate. If the submitted documents are not in conformance with the approved red-marked ODP, the red-marked ODP shall be recorded.

12. SUBSEQUENT PROCESSES

If the Rezoning is approved, the applicant would be required to submit a Preliminary-Final Plat application or Site Development Plan application, depending on if the lot is to be subdivided to allow townhomes or if the lot is to be used for multi-family. The Preliminary-Final Plat process and Site Development Plan process involves an intensive review of the applicant's proposed site plan, grading, drainage, parking, and other plans for compliance with the ODP, Zoning Resolution, Land Development Regulation, Transportation Design & Construction Manual, and the Storm Drainage Design & Technical Criteria. If the Preliminary-Final Plat or Site Development Plan is approved (whichever is required), the applicant may then apply for Building Permit(s).

SUMMARY OF STAFF ANALYSIS

Staff has identified through a complete referral process and analysis that the proposed Rezoning from PD to a new PD for the purpose of allowing for an existing office building to be converted into four residential dwelling units is appropriate for the area and the proposed ODP has adequate measures to limit the impact of the proposed land uses on the surrounding area. The proposal meets the applicable goals and policies of the CMP and has adequately addressed comments from County and outside agency referrals. For these reasons Staff recommends APPROVAL of the proposed Rezoning. The Proposal meets the land use recommendation of an area of stability converting from commercial to community or residential uses and meets all other goals and policies of the CMP.

FINDINGS:

Based on the analysis included in this report, Staff concludes that this Rezoning proposal satisfactorily addresses each of the criteria below which the Board of County Commissioners may consider, as detailed in subsection 6 in this staff report.

- 1. The proposed Rezoning to allow for an existing office building to be converted into four residential dwelling units on the subject property is compatible with the existing and allowable single-family and agricultural land uses in the surrounding area.**
- 2. The proposal is in general conformance with the Comprehensive Master Plan (Plan). The Plan identifies the subject property as an Area of Stability. In Areas of Stability the Plan recommends that commercial uses be rezoned to community or residential uses. The proposal for residential dwelling units aligns with the Plan recommendation. All other applicable Plan goals and policies have been met.**
- 3. The negative impacts of the proposed land use upon the surrounding area have been considered and found to be minimal or mitigated by the provisions in the proposed Official Development Plan to include increased setbacks and screening on the east property line, which address possible visual, odor or noise impacts.**
- 4. The properties are within the Evergreen Metropolitan District for water and sanitation services and the Evergreen Fire Protection District for fire protection services. Both Districts have indicated they can serve the uses proposed with this Rezoning. The Sheriff's Office provides law enforcement services. The existing transportation network is capable of absorbing the anticipated traffic. The infrastructure and services available to the subject property are adequate to serve the proposed uses.**
- 5. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.**

PLANNING COMMISSION ACTION:

Planning Commission Recommendation (Resolution Dated July 23, 2025 Attached):

Approval	X (6-0)
Approval with Conditions	_____
Denial	_____

The case was scheduled on the regular agenda of the Planning Commission hearing based upon staff anticipation of public testimony related to the application. A number of citizens did attend the hearing virtually and in person to offer public testimony related to the case. The testimony was generally related to concerns about traffic, density, and compatibility. One resident was in favor of the application, saying the change from underutilized commercial to residential makes sense. Planning Commission members requested the applicant and planning staff to respond to the stated resident concerns. The applicant responded by going over how the project would be compatible with the surrounding area, including how the same building currently on site is planned to be converted for the dwelling units. It was also reiterated that the proposed residential use would generate less traffic than the currently allowed professional office use. The Planning Commission recommends approval of this case (6-0).

COMMENTS PREPARED BY:

Reid Powers
Reid Powers – Planner 7/29/2025

PROPOSED ZONING

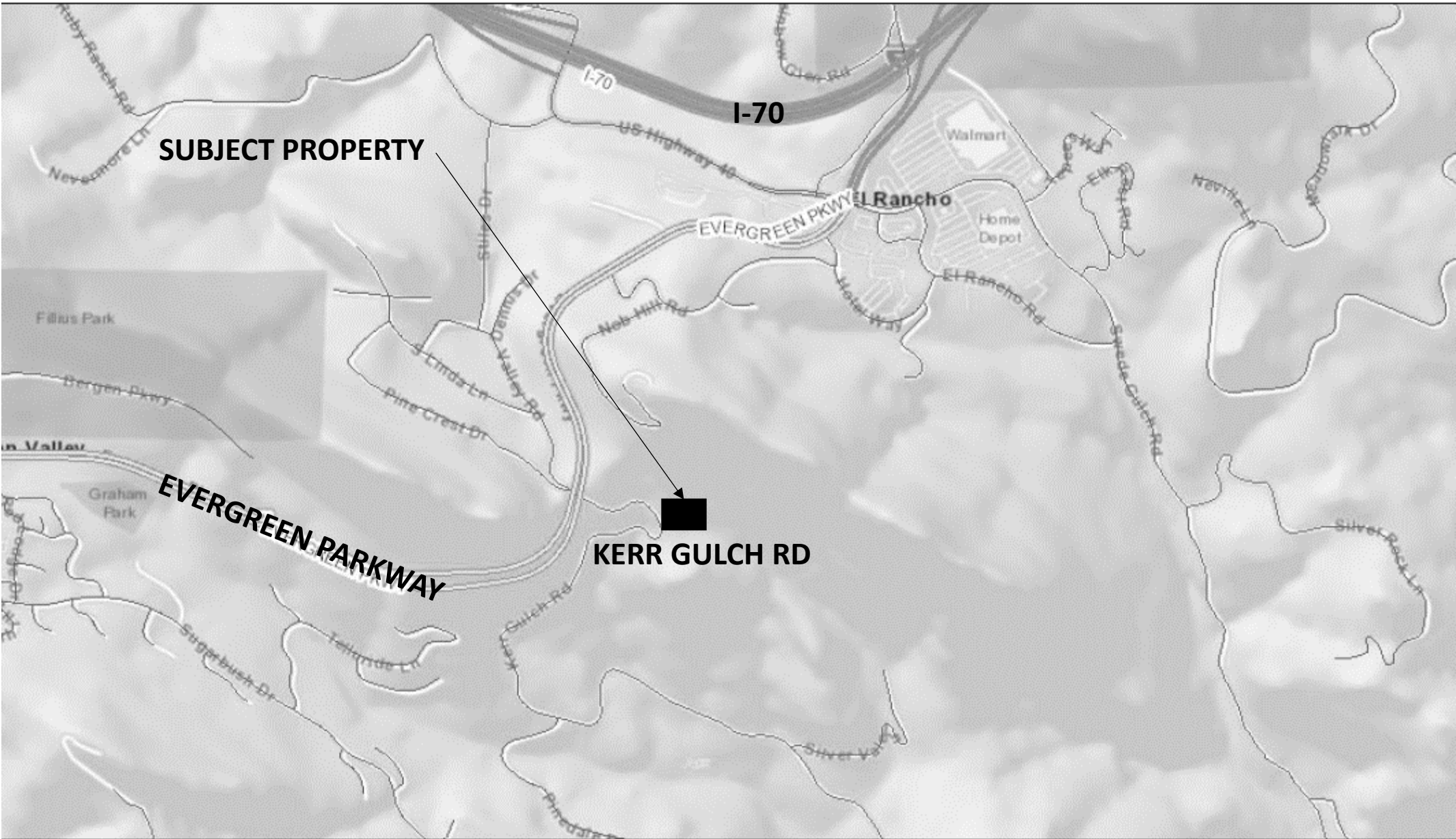
MOORE /SNUGLI

Official Development Plan AMENDMENT 2

Sheet 1 of 2

CASE NUMBER: 23-136369RZ
MAP NUMBER: XX

VICINITY MAP:



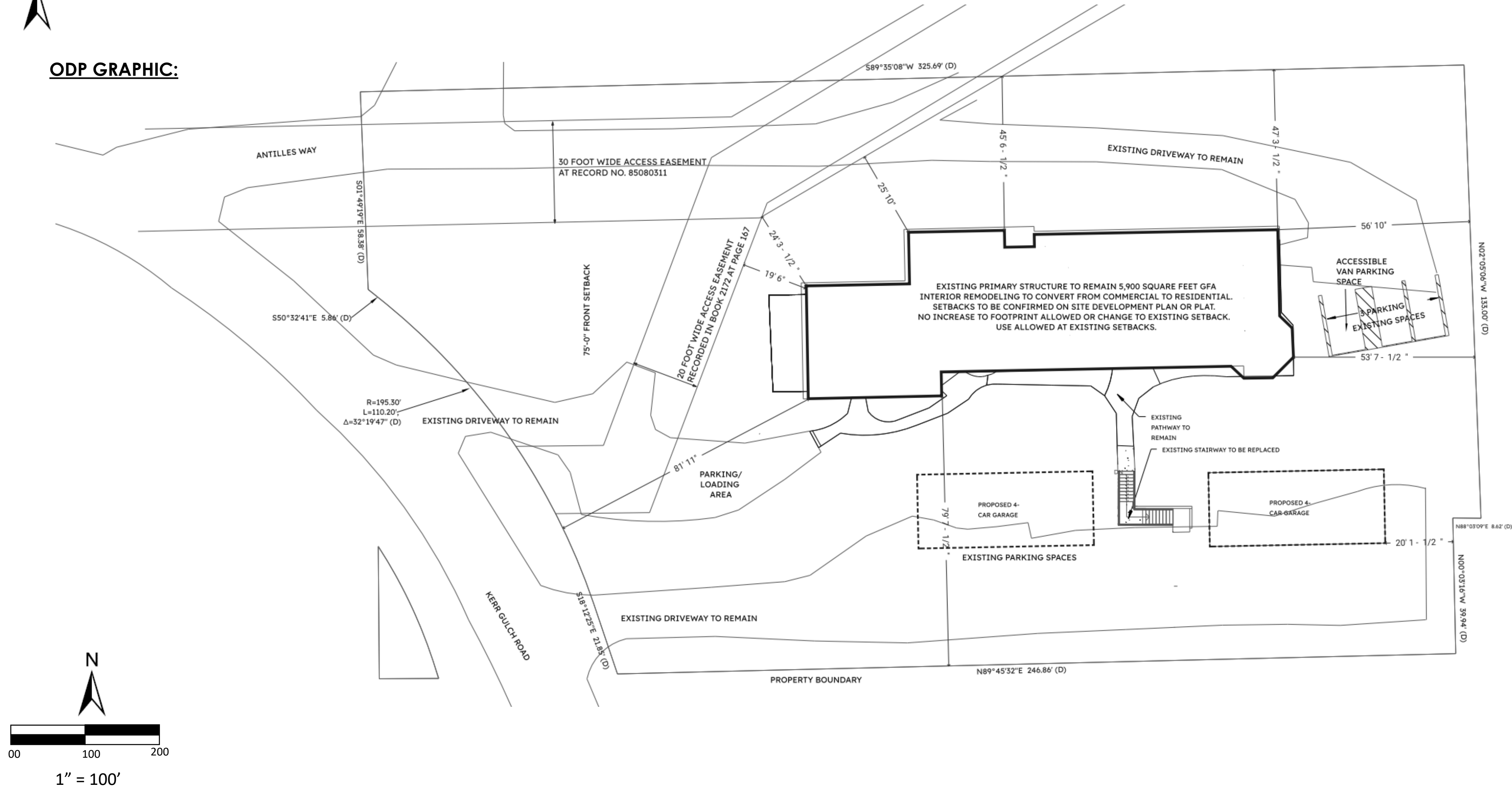
LEGAL DESCRIPTION:

PARCEL A:
THE SOUTH 133 FEET OF THE W_ OF THE NW_ OF THE NE_ OF THE NE_ OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 71 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL B:
A TRACT OF LAND LOCATED IN THE W_ OF THE SW_ OF THE NE_ OF THE NE_ OF SECTION 21, TOWNSHIP 4 SOUTH, RANGE 71 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SW_ OF THE NE_ OF THE NE_ OF SAID SECTION 21 AT A POINT WHICH IS THE EASTERLY CORNER OF THE TRACT OF LAND DESCRIBED IN DEED RECORDED AUGUST 15, 1966 IN BOOK 1390 AT PAGE 694, JEFFERSON COUNTY RECORDS:
THENCE SOUTH ALONG THE EASTERLY LINE OF SAID TRACT 40 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE TRACT DESCRIBED IN DEED OF TRUST RECORDED IN BOOK 2217 AT PAGE 135, JEFFERSON COUNTY RECORD;
THENCE ALONG THE NORTH LINE OF SAID TRACT, SOUTH 89°00'52" WEST 317.60 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF THE SW_ OF THE NE_ OF THE NE_ OF SAID SECTION 21;
THENCE NORTH A DISTANCE OF 40 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SW_ OF THE NE_ OF THE NE_;
THENCE EAST ALONG SAID NORTH LINE 317.60 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, TOGETHER WITH THE EASEMENTS RESERVED BY GRANTOR IN INSTRUMENTS
(1) RECORDED ON JANUARY 29, 1973 IN BOOK 2468 AT PAGE 910 AND
(2) RECORDED ON MAY 9, 1973 IN BOOK 2504 AT PAGE 103.

ODP GRAPHIC:



COUNTY COMMISSIONER'S CERTIFICATE:

This Official Development Plan, titled Nob Hill Official Development Plan, was approved the ____ day of ____, 20__, and is accepted by the Board of County Commissioners this ____ day of ____, 20__.

BOARD OF COUNTY COMMISSIONERS:

Chairman

Clerk

CLERK AND RECORDER'S CERTIFICATE:

Accepted for filing in the office of the County Clerk and Recorder of Jefferson County at Golden, Colorado on this ____ day of ____, 20__, at __ o'clock __M.

By: _____
Jefferson County Clerk and Recorder Deputy Clerk

OWNER'S CERTIFICATE:

1212 Kerr Gulch LLC as owner(s) of the land affected by this Planned Development, accept and approve all conditions set forth herein.

BY: _____ Date: _____
Ann A. Moore, Managing Member

Notary Public:
County of _____ }
State of _____ } ss

Sworn and Subscribed before me this ____ day of ____, 20__, by _____.

Witness my hand and official seal.

Notary Public

My Commission expires: _____

BY: _____ Date: _____
Michael C. Moore, Managing Member

Notary Public:
County of _____ }
State of _____ } ss

Sworn and Subscribed before me this ____ day of ____, 20__, by _____.

Witness my hand and official seal.

Notary Public

My Commission expires: _____

STANDARD FLEXIBILITY STATEMENT: The graphic drawings contained within this Official Development Plan are intended to depict general locations and illustrate concepts of the textual provisions of this Official Development Plan. During the platting process the Planning Director may allow minor variations for the purpose of establishing:

- Final road alignments
- Final configuration of lot and tract sizes and shapes
- Final building envelopes
- Final access and parking locations
- Landscaping adjustments

APPLICABILITY STATEMENT:

Except as expressly provided otherwise in this Official Development Plan, development of this property shall conform to the Jefferson County Zoning Resolution in effect at the time of platting and building permit application.

MOORE /SNUGLI

Official Development Plan AMENDMENT 2

Sheet 2 of 2

CASE NUMBER: 23-136369RZ
MAP NUMBER: XX

WRITTEN RESTRICTIONS:

A. Intent

The purpose of this rezoning is to allow the adaptive reuse of an existing office building into four attached residential units.

B. Written Restrictions

1. Primary Uses

- a. Single family attached, duplex, two-family, townhome, multi-family building types.
 - i. Units must be located in within existing building footprint. No additions to the existing building footprint or square footage are allowed.

2. Accessory Uses

- a. Detached Garages
 - i. Maximum 2 garage/parking structures with up to 4 parking spaces per structure (total of 8 garage parking spaces).
- b. Storage Shed/Storage Space
 - i. Enclosed storage shed or storage space to be used for property maintenance equipment and materials (e.g., snowplow, landscaping, etc.).
 - ii. Maximum 400 square feet total.
 - iii. May be detached or attached to garage/parking structure.

3. Lot and Building Standards

- a. Maximum Density: 4 dwelling units maximum within ODP boundary area
- b. Maximum Number of Lots: 4
- c. Minimum Lot Size: 4,000 square feet per lot or per residential unit
- d. Building Height:
 - i. Maximum primary building height: 30 feet
 - ii. Maximum accessory structure height: 25 feet
- e. Primary Structure Setbacks (intended to represent setback of existing building):
 - i. North ODP Boundary Line: 45'
 - ii. South ODP Boundary Line: 75'
 - iii. East ODP Boundary Line: 50'
 - iv. West ODP Boundary Line: 75'
 - v. Property Lines Internal to the ODP boundary: 0',
 - vi. No side setback shall be required where there is a common wall shared between buildings on adjacent lots.
- f. Accessory Structure Setbacks:
 - i. North ODP Boundary Line: 45'
 - ii. South ODP Boundary Line: 30'
 - iii. East ODP Boundary Line: 20'
 - iv. West ODP Boundary Line: 75'
 - v. Property Lines Internal to the ODP boundary, or along shared walls of living unit: 0'
- g. Surface Parking Setbacks:
 - i. North Property Line: 45'
 - ii. South Property Line: 10'
 - iii. East Property Line: 6' for three existing parking spaces east of building.
 - iv. West Property Line: 30 feet

4. Parking

- a. 2 parking spaces per dwelling unit
- b. Minimum one guest parking space total within ODP
- c. Parking shall be allowed to be located on a separate lot from the dwelling unit with the execution of a shared parking and easement agreement at the time of site development plan or subdivision plat.

5. Landscaping

- a. No new landscaping is required as long as existing landscaping and vegetation onsite remains and is maintained to the extent feasible while complying with wildfire and defensible space requirements, except as listed below.
- b. Screening will be required along the eastern property line/eastern ODP boundary line to screen access to the eastern portion of the building. Screening may be either of the following:
 - 1. Shrubs for screening that meet the shrub requirements for dissimilar uses in the Jefferson County Zoning Resolution Landscape Section, or
 - 2. A 6' tall solid fence constructed of fire-resistant materials.

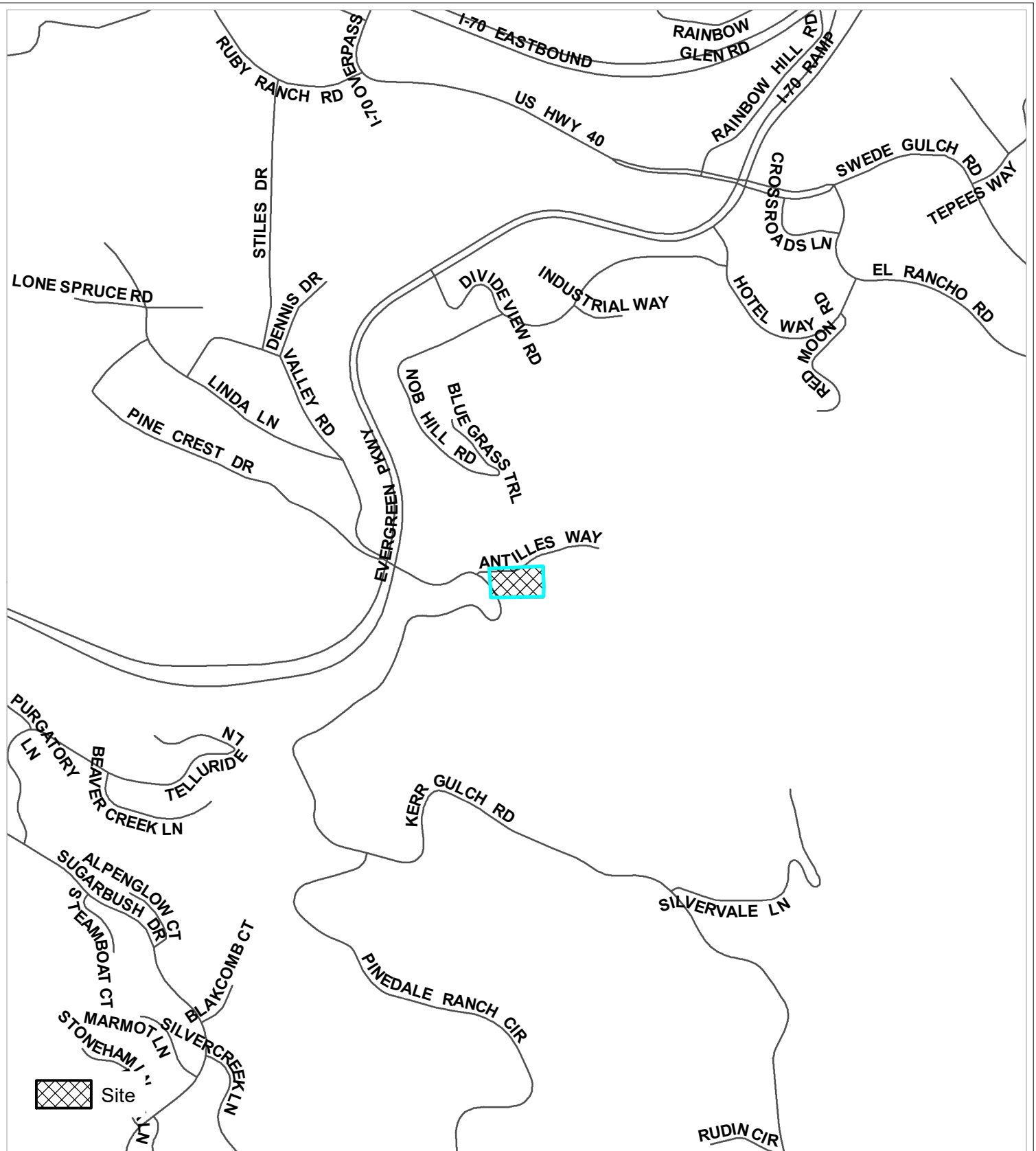
6. Fencing

- a. Maximum height: 42" except where 6' fencing is allowed in this ODP for screening along the eastern ODP boundary line.
- b. Fencing is limited to wildlife friendly fencing, except where 6' fencing is allowed in this ODP for screening along the eastern ODP boundary line.

7. Lighting

- a. Lighting shall meet the Jefferson County Zoning Resolution requirements for lighting in mountain areas.

MAPS



Case Number: 23-136369RZ

Location: Section 21, T4S, R71W

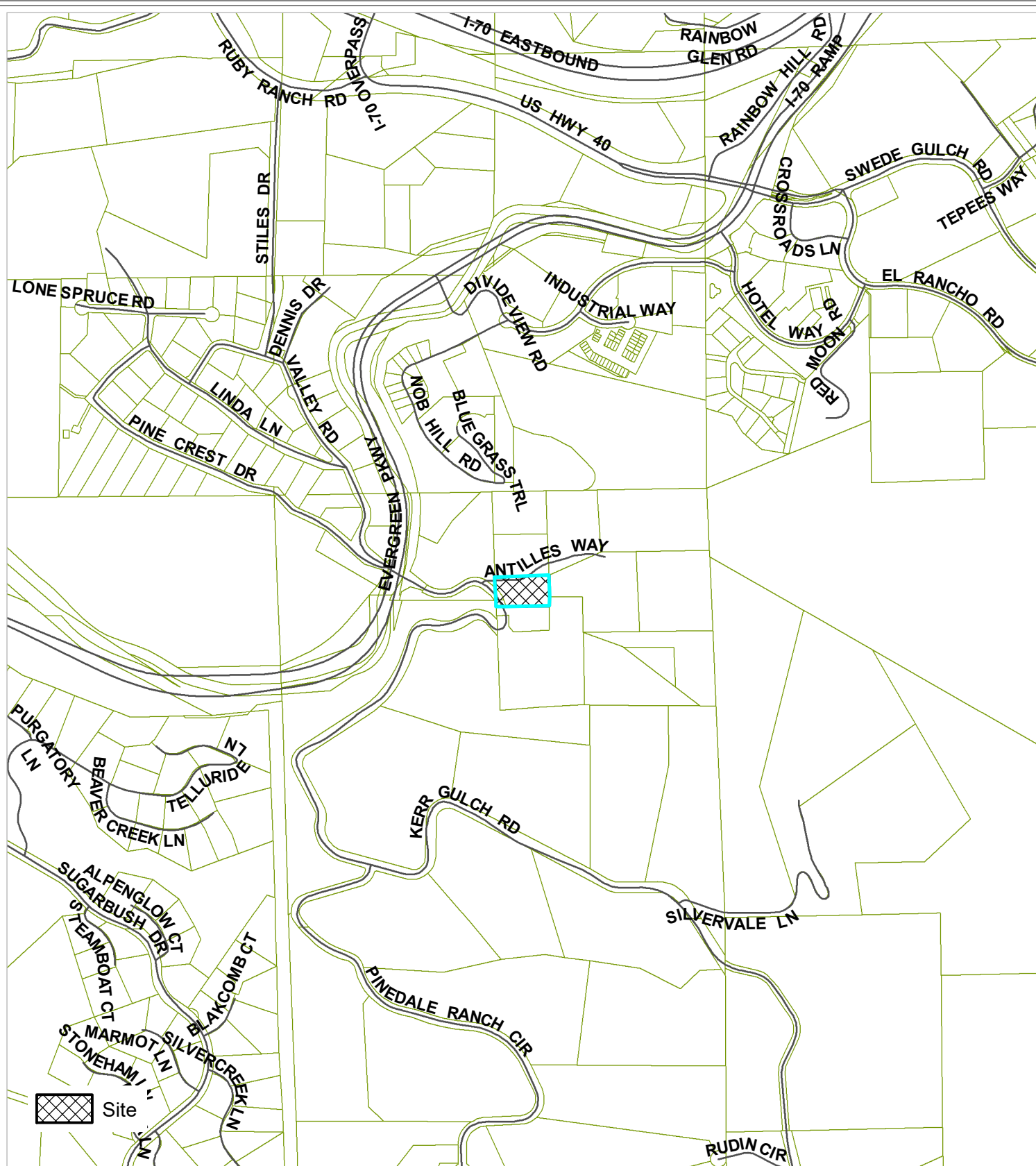


JEFFERSON
COUNTY COLORADO

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0 370 740 1,480
Feet





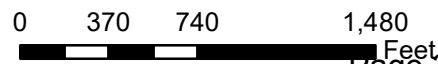
Case Number: 23-136369RZ

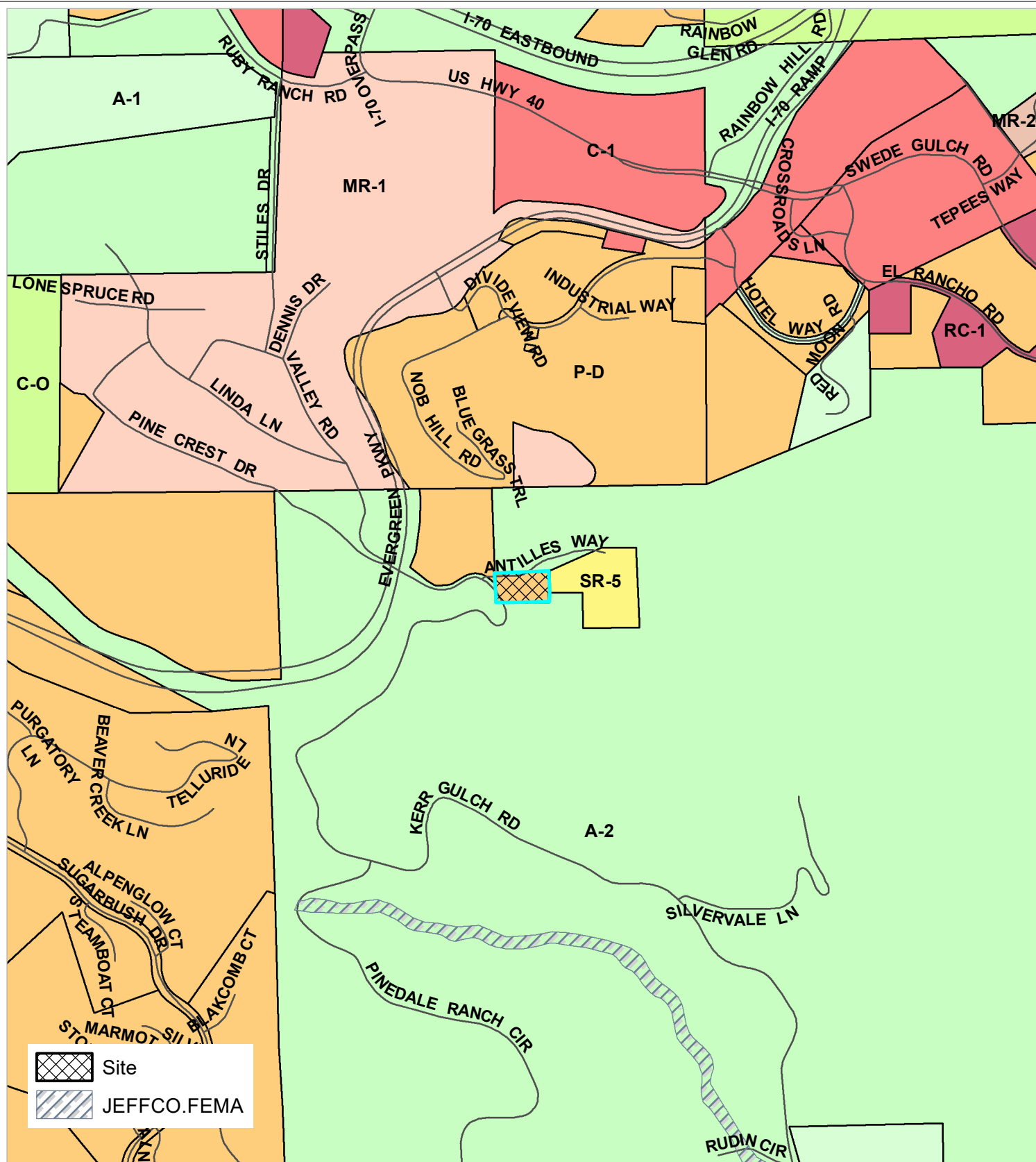
Location: Section 21, T4S, R71W



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Case Number: 23-136369RZ

Location: Section 21, T4S, R71W



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Case Number: 23-136369RZ

Location: Section 21, T4S, R71W



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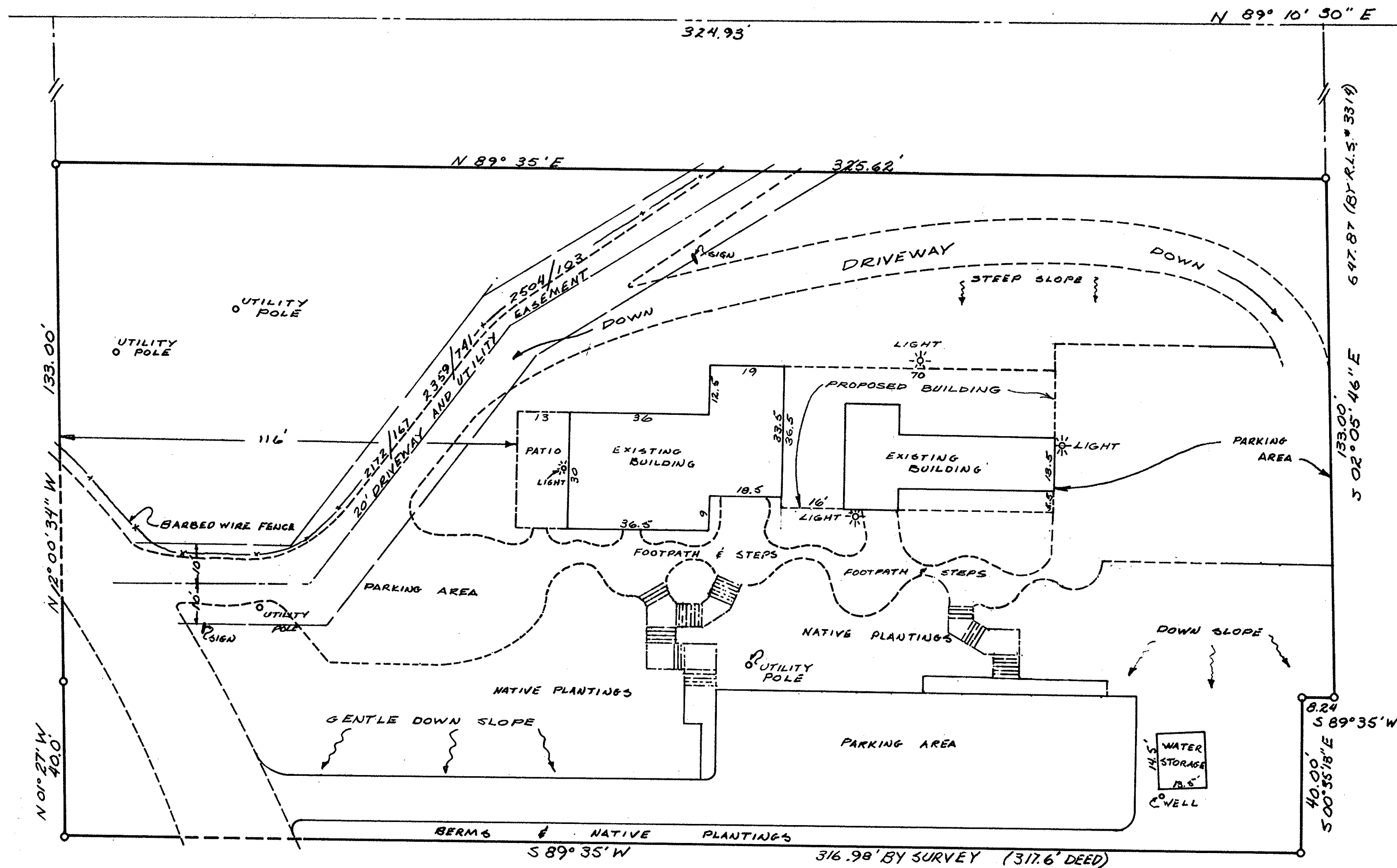
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Feet

Page 37 of 85



CURRENT ZONING

MOORE / SNUGLI OFFICIAL DEVELOPMENT PLAN AMENDMENT NO. 1

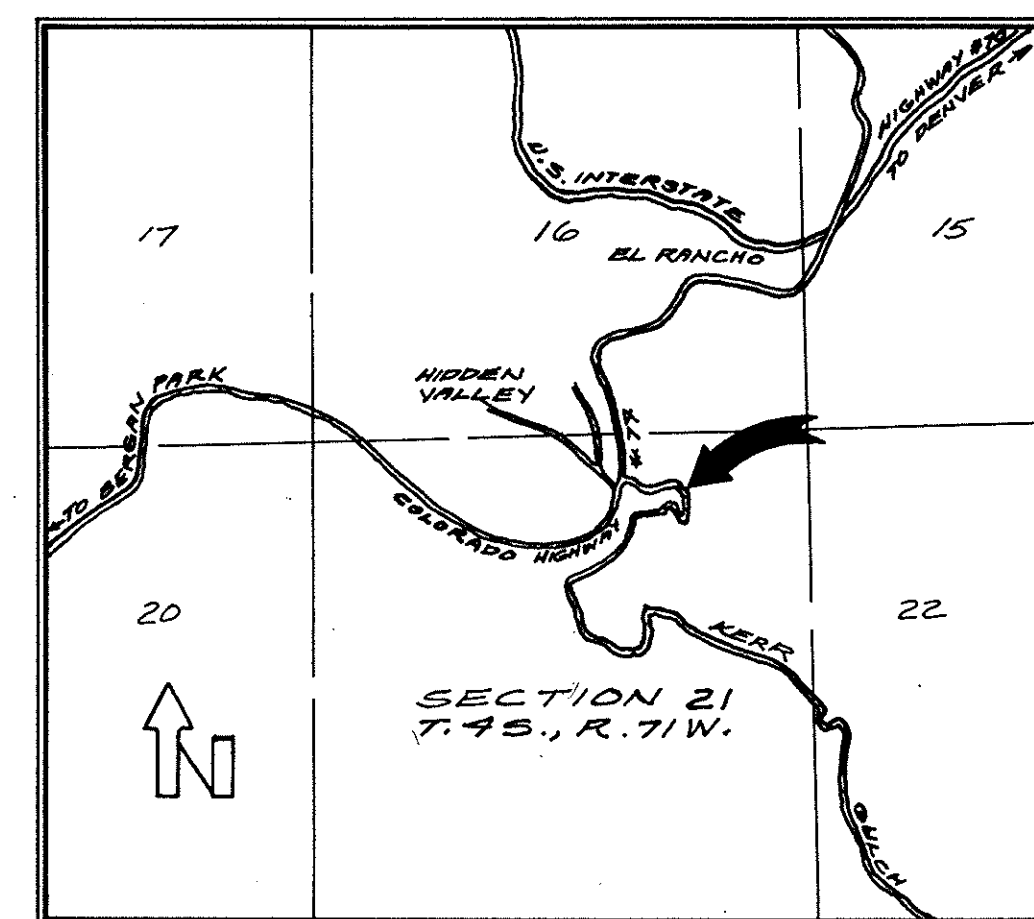
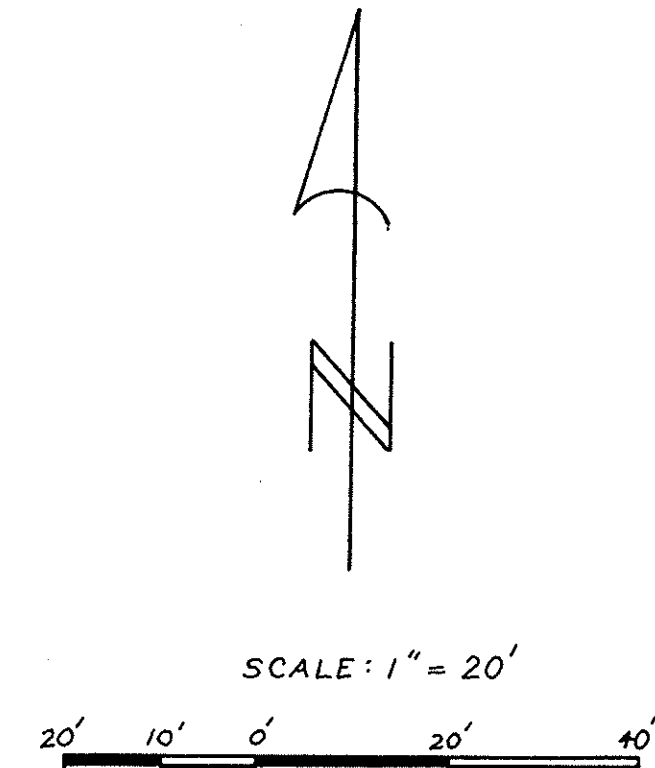


Official Development Plan - Written Restrictions

- Development of this property shall conform to the Jefferson County Zoning Resolution, Subdivision Regulations, Building Code, Engineering Specifications, and all other applicable County requirements then current except as modified below.
- Permitted Uses: Professional and business offices
- Structural and Lot Standards
 - Lot Size - 58,806 sq. ft. (1.35 acres)
 - Building
 - Maximum of one building plus water storage building.
 - No additional structures are permitted.
 - Materials in new construction of addition to existing structure will be aesthetically compatible with those in the existing structure
 - Maximum gross floor area - 5,161 sq. ft.
 - Setbacks
 - Front: 80 ft. (South)
 - Side: 125 ft. (West)
 - 70 ft. (East)
 - Rear: 45 ft. (North)
 - Maximum height - 30 ft.
- Ancillary Use Standards
 - Parking
 - 3.5 parking spaces will be provided for each 1,000 GLA.
 - Utilities
 - Served by existing above ground electric and telephone cables and buried Public Service natural gas.
 - Signs
 - Maximum of 2 signs
 - Identification Sign - located at entrance to property from Kerr Gulch Road.
 - Maximum height - 5 ft.
 - Two faces
 - Maximum face size - 20 sq. ft.
- Directional Sign - located at fork in driveway directing traffic to turn down right fork.
 - Maximum height - 5 ft.
 - One face
 - Maximum face size - 10 sq. ft.
- Illumination - none
- Type of material - wood and/or stone
- Fencing
 - Maximum height - 5 ft.
 - Type of material - barbed wire or field fence
 - Location - around perimeter of property
- Landscaping and maintenance - by owner
 - Parking envelope on south side of property will be bermed to screen from view of neighbors immediately to the south.
- Lighting - outside lights to illuminate driveway, parking area, and entrances
 - Affixed to building
 - Maximum height - 30 ft.
 - Along ways and steps - max height 3 ft.
- Trash
 - Trash pickup by individual arrangement
 - Trash containers shall be screened from public view
- Storage
 - No outdoor storage permitted
 - Ancillary indoor

E. A maximum of 25 full-time employees are authorized.

N.E. Cor. SEC. 21
T4S RT1W, 6TH PM.



VICINITY MAP SCALE: 1" = 2000'

1. Signature Block

The hereon plan of the Planned Development of MOORE / SNUGLI is approved and accepted by the Board of County Commissioners this 5th day of MARCH, 19 82.

BOARD OF COUNTY COMMISSIONERS:

Walt Lammie Chairman
Norman C. Allen Clerk
Raymond Armstrong Deputy Clerk
David E. Peterson Chairman
M.S.M. Sullivan Secretary

Reviewed by the Jefferson County Planning Commission this 10th day of March, 19 82.

RECORDER'S CERTIFICATE

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF JEFFERSON COUNTY AT GOLDEN, COLORADO ON THIS 11 DAY OF MARCH, 19 82 at 1:30 O'CLOCK P.M.

Norman C. Allen
JEFFERSON COUNTY CLERK AND RECORDER
By: Raymond Armstrong - Deputy
DEPUTY CLERK

2. Standard Flexibility Statement

The graphic drawings contained within this Official Development Plan are intended to depict general locations and illustrate concepts of the textual provisions of this Official Development Plan. In granting plat approval, the Board of County Commissioners may allow minor variations for the purpose of establishing:

- Final road alignments
- Final configuration of lot and tract sizes and shapes
- Final building envelopes
- Final access and parking locations
- Landscaping adjustments

3. Public Works Sign-off

Reviewed by Public Works Department

Date: 3/5/82

By: Paul S. L...

4. Applicability Statement

Except as expressly provided otherwise in this Official Development Plan, development of this property shall conform to the Jefferson County Zoning Resolution, Subdivision Regulations, Building Code, Engineering Specifications, other applicable county requirements, as the same are in effect at the time of platting or building permit application.

This certifies that on 6 August 1981, a survey was made under my supervision of the property described below, and that to the best of my knowledge and belief the attached is a true and correct plat of said survey and that the corners shown were set or found as indicated.

LEGAL DESCRIPTION

The South 133 feet of the West one-half of the Northwest one-quarter of the Northeast one-quarter of the Northeast one-quarter and the North 40 feet of the West 317.6 feet of the Southwest one-quarter of the Northeast one-quarter of the Northeast one-quarter containing 1.35 acres, more or less, Section 21, Township 4 South, Range 71 West of the Sixth Principal Meridian, County of Jefferson, State of Colorado.

ROGER E. SOUCIE
REGISTERED LAND SURVEYOR
#10388

HAYES & SOUCIE REGISTERED LAND SURVEYORS DIVISION OF E-S-C INC. P.O. BOX 1214, EVERGREEN, CO 80439			
SCALE: 1" = 20'		APPROVED BY:	
DATE: 8-6-81		DRAWN BY OTHERS	
		REVISED	
AMENDED PD FOR MICHAEL C. AND ANNE A. MOORE AT 1212 KERR GULCH			
P.U.D.		DRAWING NUMBER 8-81/3	

COMMUNITY MEETING SUMMARY

COMMUNITY MEETING SUMMARY

Case Number

Meeting Date

Approx. # of Citizens

Signed in

12/1/2022

12

12

Meeting Location

Virtual - Zoom

Subject Property

1212 Kerr Gulch Road

Property Owner

Applicant/Representative

Summary of the Applicant's Presentation

history of site and owner (applicants parents), shown render of proposed building upon rezoning, presented on applicants perceived benefits of the rezoning on the community. Opened it up to questions.

Information Presented/Format of the Meeting

Planning staff presented on rezoning process. Applicant presented on history of site and building, proposed plan for rezoning, opening it up to questions.

Overall Impression/Tone of Meeting

attendees opposed to rezoning to residential. Many seem to have strong feelings against the rezoning.

Main Points/Issues Raised by Citizens/Applicant's Response

density of planned rezoning not in compliance with master plan for the area.
 Some like commercial more because people not there at night or on weekend.
 People concerned about fire risk and evacuating when a forest fire.
 Having 4 families and young people in the units.
 All very concerned about the Kerr Gulch area plan and the min lot size and density requirements.

REFERRAL COMMENTS

MEMO

TO: Reid Powers
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
Jefferson County Environmental Health Services Division

DATE: January 22, 2024

SUBJECT: Case #23-136369 RZ
Nicole Behrhorst
1212 Kerr Gulch Rd

The applicant has met the public health requirements for the proposed rezoning of this property.

PROPOSAL SUMMARY

Rezone the current P-D to MR-3 to remodel the current office building into 7-unit multi-family residences.

COMMENTS

Jefferson County Public Health (JCPH) provided comments on January 14, 2021 for a pre-application process for this planning case. We have reviewed the documents submitted by the applicant for this rezone process and have the following comments:

The applicant must submit the following documents or take the following actions prior to a ruling on the proposed rezoning of this property. NOTE: Items marked with a “✓” indicate that the document has been submitted or action has been taken. **Please read entire document for requirements and information. Please note additional documentation may be required.**

REZONING REQUIREMENTS (Public Water & Public Sewer Systems)

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	01/22/2024	Submit a will serve/proof of services letter from the Water and Sanitation District to provide proof of public sewer services in accordance with the Jefferson County Zoning Resolution and Land Development Regulation (LDR) Section 22.	Wastewater
✓	01/22/2024	Submit a notarized Environmental Questionnaire and Disclosure Statement in accordance with the Jefferson County Zoning Resolution and Land Development	Environmental Site Assessment

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
		Regulation (LDR) Section 30.	

WATER & WASTEWATER (LDR 21 & 22)

The Evergreen Metropolitan District has provided a letter dated January 12, 2021 stating that public water and sanitation services are provided to the current property and that the taps may need to be upgraded to accommodate the seven (7) residential units in the proposed development.

ENVIRONMENTAL QUESTIONNAIRE (LDR 30)

JCPH has reviewed the Environmental Questionnaire and Disclosure Statement. The applicant checked "No" on all categories of environmental concern on the cover sheet. From this information, it does not appear that any recognized environmental conditions exist which would negatively impact the property.

Should stained or discolored soil or contaminated groundwater be encountered during construction and excavation of this area, the contractor must cease operations and contact a professional engineer licensed in Colorado or equivalent expert to further evaluate the soil and/or groundwater conditions, the nature and extent of the contamination, and determine the proper remediation and disposal of the contaminated material. The contractor must contact the CDPHE, Hazardous Materials and Waste Management Division at 303.692.3320

AIR

Land development activities that are less than 25 contiguous acres and less than 6 months in duration are exempt from permitting and do not need to report air emissions to the Air Pollution Control Division. However, the developer must use sufficient control measures and have a dust control plan in place to minimize any dust emissions during demolition, land clearing and construction activities. This department will investigate any reports of fugitive dust emissions from the project site. If confirmed, a notice of violation will be issued with appropriate enforcement action taken by the State.

Please be advised that a vehicle tracking pad or equivalent should be placed at egress points to prevent off property transport of materials during construction.

RADON

JCPH strongly advises and encourages the developer to install a radon mitigation system in the proposed multi-family housing development to address the health hazard associated with radiation from radon gas. Jefferson County is considered a Zone Red which is the highest risk of radon exposure according to the Environmental Protection Agency (EPA). According to our statistics from our radon grants, more than half of the homes in Jefferson County have radon levels that are at or above of 4 picoCuries per Liter (piCu/L). EPA advises that dwellings that test at or above 4 piCu/L should have a radon mitigation system installed. It is extremely difficult to

install radon mitigation system in multi-home developments after the development is built. As such, it is more cost effective and the reasonable and prudent choice to install a radon system as part of the development to protect future residents.

NOISE

The Colorado Revised Statutes (Sections 25-12-101 through 108) stipulate that maximum residential noise levels must comply with the following 25 feet from the property line:

- 55dB(A) between 7:00 a.m. and 7:00 p.m.
- 50dB(A) at all other times.

NOTE: These case comments are based solely upon the submitted application package. They are intended to make the applicant aware of regulatory requirements. Failure by Jefferson County Public Health to note any specific item does not relieve the applicant from conforming to all County regulations. Jefferson County Public Health reserves the right to modify these comments, request additional documentation, and or add appropriate additional comments.

ADDRESSING

MEMO

To: Reid Powers
FROM: Christine Derby
SUBJECT: 23-136369RZ 1212 Kerr Gulch Road
DATE: January 22, 2024

Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to Rezone from Planned Development (PD) to a new Planned Development(P-D) to allow Multifamily Residential.
2. Access is off Kerr Gulch Road.
3. There is a valid existing address, 1212 Kerr Gulch Road, in the addressing database. This address will not change with this Rezoning but may change with future development.

Please let me know if you have any questions.

Memorandum

To: Reid Powers
Planner

From: Patrick O'Connell
Engineering Geologist

Date: February 12, 2024

Re: 1212 Kerr Gulch Rd, Case No. 23-136369RZ

The intent of the application is to rezone to PD. I have the following comment.

1. The site is not within a zoned or unzoned geologic hazard area and reports are not required with the rezoning process.
2. The property is located within the Mountain Ground Water Overlay District. However, this property will be served by EMD.

PLANNING ENGINEERING MEMORANDUM

TO: Reid Powers, Case Manager
FROM: Lauren Caruso, Planning Engineering
DATE: May 21, 2024
RE: 23-136369RZ; Rezoning to a new Planned Development that allows Multi-Family Residential at 1212 Kerr Gulch Road

I have reviewed the application documents and provided the comments below. These comments are based upon the requirements of the Jefferson County Zoning Resolution (ZR), the Transportation Design and Construction Manual (TD&CM), the Land Development Regulation (LDR), and the Storm Drainage Design and Technical Criteria (SDD&TC).

Planning engineering staff do not have concerns with this rezoning.

FUTURE REQUIREMENTS

A Site Development Plan (SDP) process will be necessary in order to do the proposed work (ZR 7.B.1.a and f). The applicant is encouraged to schedule a Pre-Application Meeting to discuss the SDP process. Below are some considerations for the SDP process:

1. Access: Access to the site will be evaluated during the SDP process. The current driveway spacing does not meet County Standards for multi-family or non-residential driveways adjoining collector streets, a minimum of 200 feet is required.
2. Drainage: The applicant will need to provide a Phase III Drainage Report that describes how the development will be able to meet the County Standards related to stormwater runoff. This may involve the construction of detention/retention or stormwater quality facilities.
3. Site Adjustment/Dedication Plat: is required if any of the items listed below are proposed with a Site Development Plan (ZR 7.B.3). This is a separate survey document submitted with the Site Development Plan application that follows the format for the Final Plat in Section 8 of the Land Development Regulation.
 - a. Creation of superlots.
 - b. Adjustments to property lines or elimination of property lines involving any combination of lots, parcels or tracts, which does not increase the number of existing legal building sites and does not increase the number of lots, parcels or tracts, except as allowed per the regulations.
 - c. Adjustments to previously established building envelopes.
 - d. Adjustments to previously established non-buildable areas and non-disturbance areas.
 - e. Creation of non-buildable tracts.
 - f. Changes to notes, restrictions and certificates.
 - g. **Dedication of drainage easements** or right-of-way to the County.
 - h. Vacation of County easements.

If you wish to set up a meeting to discuss the above comments, or if you have any questions regarding these comments, please contact me at lcaruso@jeffco.us or 303-271-8752.

Sincerely,

Lauren Caruso, PE,
Civil Planning Engineer

Attachment:

c: Owner/Applicant
 File

P&Z REFERRAL T&E RESPONSE

To: Reid Powers

Case #:23-136369 RZ

Case Name, Address, or PIN:

From: Transportation & Engineering

Due Date:May 21, 2024

1212 Kerr Gulch Road

Amanda Attempt Result & Attachments:

☒ Comments Sent (no further review)

☐ Comments Sent (request re-review)

☐ No Comment (no further review)

Drainage

☐ T&E is currently working on a project in the area. See attached information.

☐ No concerns.

☐ Other Notes:

Right-of-Way / Roadway Corridor Expansion Projects

☒ **Corridor Projects / ROW**

☐ Land owner will need to refund the county \$ _____ for ROW purchased in _____ for
 This amount **must** be paid before plat is recorded and / or plans are approved and released for construction.

☐ Documentation attached in AMANDA. ☐ Documentation to follow.

☐ Additional ROW needed for upcoming T&E project. Plan sheet attached with required width / area.

☐ Fee-in-lieu of adjacent roadway construction preferred, due to planned construction by the county. Please have the applicant submit a cost estimate.

☒ No Concerns.

☐ Other Notes:

Traffic Operations / Transportation Planning

	Included in referral	Reviewed		☒ Transportation Planning ☒ Transportation Engineering
		No	Yes	
Traffic Study	☐	☐	☐	
Signage & Striping Plan	☐	☐	☐	
Traffic Signal Plans	☐	☐	☐	
Trails or Sidewalks	☐	☐	☐	
Street / Road Plans	☐	☐	☐	

☐ No Concerns.

☒ Other Notes:

Although traffic analysis does not use the proper SF, as per the ODP, staff acknowledges that this additional analysis would result in minimal added trips. Additionally, the traffic letter incorrectly states that the zoning is generally "commercial" (versus "office" use as specified per ODP).

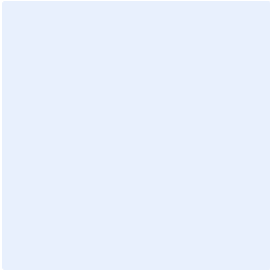
SEE NEXT PAGE

No additional concerns, overall traffic generated by rezone would be less than existing, and can be absorbed by the surrounding transportation network.

Additional Comments

☐ Name:

Comments:



☐ Name:

Comments:

ADDITIONAL CASE DOCUMENTS

The Denver Post, LLC

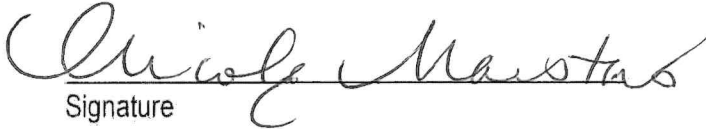
PUBLISHER'S AFFIDAVIT

City and County of Denver)
State of Colorado)
)

The undersigned Nicole Maestas
being first duly sworn under oath, states
and affirms as follows:

1. He/she is the legal Advertising Reviewer
of The Denver Post, LLC, publisher
of The Denver Post.
2. The Denver Post is a newspaper of general
circulation within the State of Colorado that has
been published continuously and without
interruption for at least fifty-two weeks in Denver County
and meet the legal requisites for a legal
newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto
is a true copy, published in The Denver Post
on the following date(s):

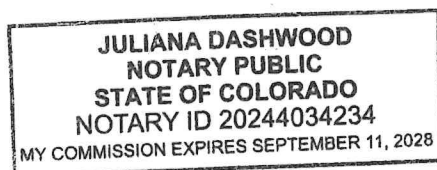
July 24, 2025


Signature

Subscribed and sworn to before me this
25 day of July, 2025.


Notary Public

(SEAL)



NOTICE OF PUBLIC HEARINGS FOR REZONING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of the County of Jefferson, State of Colorado will hold a hybrid (in-person and online virtual) public hearing on a proposed rezoning of certain property within Jefferson County, Colorado. The public hearing will be held at the Jefferson County Administration and Courts Facility, Hearing Room 1, at 100 Jefferson County Parkway, Golden, Colorado, on August 12, 2025 at 9:00 a. m. with the virtual hearing link being available on the County's website at <https://www.jeffco.us/meetings>.

FURTHER NOTICE IS HEREBY GIVEN that said public hearings may be continued from time to time without further notice.

Said proposed rezoning is Case No. 23-136369RZ/Moore/Snugli Official Development Plan Amendment 2, which proposes to rezone from Planned Development (PD) to a new Planned Development (PD) to allow for an existing office building to be converted into four residential dwelling units.

Said property is located at: 1212 Kerr Gulch Road, Evergreen, which contains approximately 1.349 acres.

BE IT ALSO KNOWN that the text and/or maps relating to the above referenced rezoning and any text and/or maps so certified by the Jefferson County Planning Commission may be examined by contacting the Jefferson County Planning and Zoning Division during any working day. You can reach Planning & Zoning at 303-271-8700 or pzweb@jeffco.us.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF JEFFERSON
STATE OF COLORADO

Published July 24, 2025

/s/ Lesley Dahlkemper, Chairman

Please note: The Denver Post will no longer be issuing paper tears. There will only be a digital copy.

EVERGREEN METROPOLITAN DISTRICT

Water and Wastewater
30920 Stagecoach Blvd.
Evergreen, Colorado 80439
303-674-4112

January 12, 2021

Jefferson County Planning and Zoning Department
100 Jefferson County Parkway
Suite 3550
Golden, CO 80419
Attn: Brittany Gada, Case Manager

Re: Case Number: 20-130589 - Preliminary Application 1212 Kerr Gulch Road, 80439 to
Rezone the property to allow a seven-unit apartment building.

Dear Ms. Gada,

The District has no objections to the proposal to rezone the property to allow residential rental units.

The property at 1212 Kerr Gulch Road is currently receiving water and sewer service from Evergreen Metropolitan District under account number 00897024-01 under a commercial account classification. The reformation of the property as rental units will remain classified as a commercial account.

There is only one water and one sewer tap equivalent associated with this account. A single tap equivalent allows the average monthly consumption of 7,600 gallons. Historically, this property has used on average less than 4,000 gallons per month. It is assumed that adding residential consumption to this account will increase the monthly average requiring the purchase of at least one additional water and sewer tap equivalent to meet the tap equivalency rating mentioned above. The owner should forecast any increase in consumption based on the final configuration of the property and budget to purchase additional water and sewer taps. These taps must be purchased prior to completion of the planned improvements. After one year of full occupancy, the District will perform a consumption audit to determine if additional taps will be required.

The property is currently served by a 1" water service line that is metered inside a crawl space. The water service line will need to be upsized to provide adequate residential service to all 7 proposed units. The owners architect or engineer will be responsible for determining the proper size based on occupancy and fixture units. The metering equipment will also need to be upsized and relocated to an area that is accessible to District staff. Increased backflow protection will need to be added to meet District standards for multi-unit residential properties. Evergreen Fire Protection District may require a fire hydrant be placed on the property to provide protection and/or that the units be provided with a sprinkler system. At present, the water main that provides domestic service to this property and the adjacent property at 1238 Kerr Gulch is undersized for either of these requirements. The owner will be responsible for design and installation of any water main extension that may be required to provide fire protection or increased domestic usage.

The property is currently served by a 4" sewer service line that is connected to a private sewer lift station. This lift station is also shared with the adjacent property owner. Prior to any improvements, the Developer's Engineer will need to verify that the existing lift station has adequate capacity and discharge rate for the increased use. The shared user should also be contacted and will need to be in agreement with the additional usage. If the existing lift station is not adequate for the expected increased usage or if the shared user is in objection to the increased demand, then a new lift station will need to be installed or the existing lift station will need to be improved at the Developers cost. This includes any new piping and connections to the sewer main. The owner is also responsible for the proper abandonment of any existing water and sewer service lines per District Rules and Regulations.

If you have any questions, please call me at 720-458-4362.

Sincerely,

A handwritten signature in blue ink that reads "Chris Schauder". The signature is fluid and cursive, with the first name "Chris" and last name "Schauder" clearly distinguishable.

Chris Schauder
New Services and Environmental Manager
Evergreen Metropolitan District



Evergreen Fire/Rescue

1802 Bergen Parkway • Evergreen, Colorado 80439
Phone: 303-674-3145 • Fax: 303-674-8701

19 October 2017

Jefferson Co. Planning and Zoning
100 Jeffco Pkwy, Suite 3550
Golden, Co 80419

RE: Fire Protection Letter for 1212 Kerr Gulch Road, Evergreen, CO 80439

This property is within the Foothills Fire Protection District and service to this area is provided by Evergreen Fire Rescue (EFR)

Response to this property will be from Station #2, 1802 Bergen Parkway.

If you have any questions, please call me at 303-679-4746 or by email fdearborn@evergreenfirerescue.com

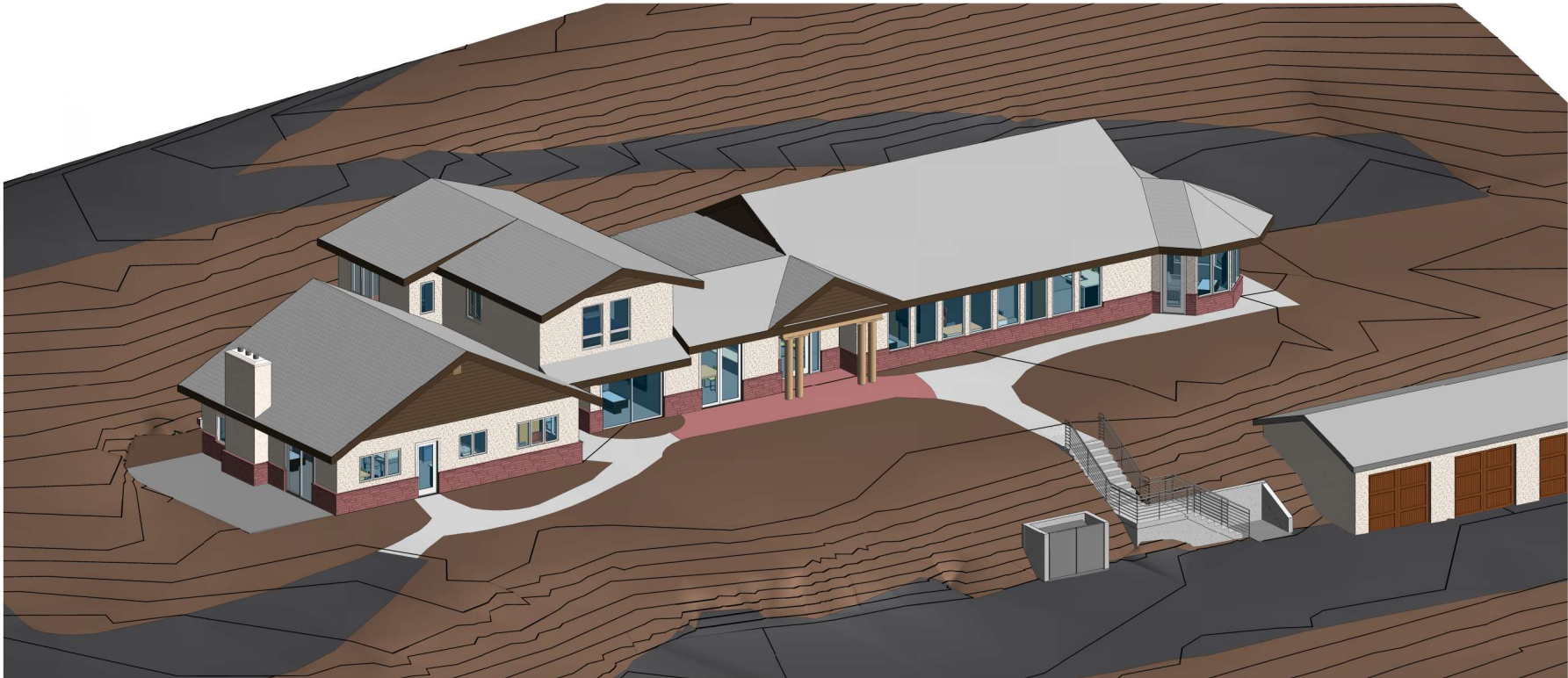
Sincerely,

Frank Dearborn, Fire Marshal
Evergreen Fire Rescue

Proof of Fire Protection
Kerr Gulch Townhomes

1212 KERR GULCH REMODEL

1212 KERR GULCH
EVERGREEN, CO 80439



EVstudio

Denver, CO
Evergreen, CO
303.670.7242, CO

inspections@evstudio.com
design@evstudio.com
www.evstudio.com

Contact:
Bill Myhren, AIA
billm@evstudio.com
(303) 670-7242x28

1212 Kerr Gulch Remodel

1212 Kerr Gulch
Evergreen, CO 80439

20253

DESIGN TEAM

EVstudio
architecture · engineering · planning

5335 W. 48th, Suite 300
Denver, CO 80212
(303) 670-7242

CIVIL ENGINEERING
Brian Welch, PE

ARCHITECTURE
Bill Myhren, AIA

STRUCTURAL ENGINEERING
Ross Maxwell, PE

MEP ENGINEERING
Shane Donelson, PE

SHEET INDEX

GENERAL	COVER SHEET
ARCHITECTURAL	PROPOSED ARCHITECTURAL SITE PLAN/CDP
A100	MAIN LEVEL FLOOR PLANS
A101	UPPER LEVEL PLANS
A200	ELEVATIONS

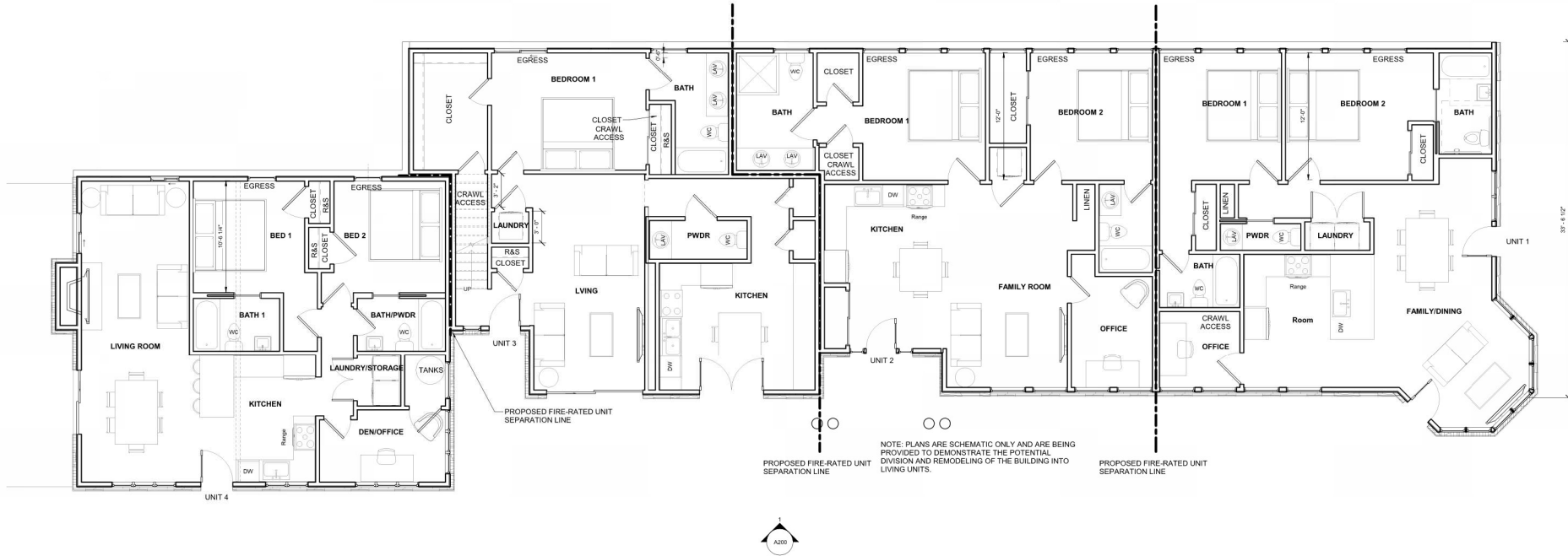


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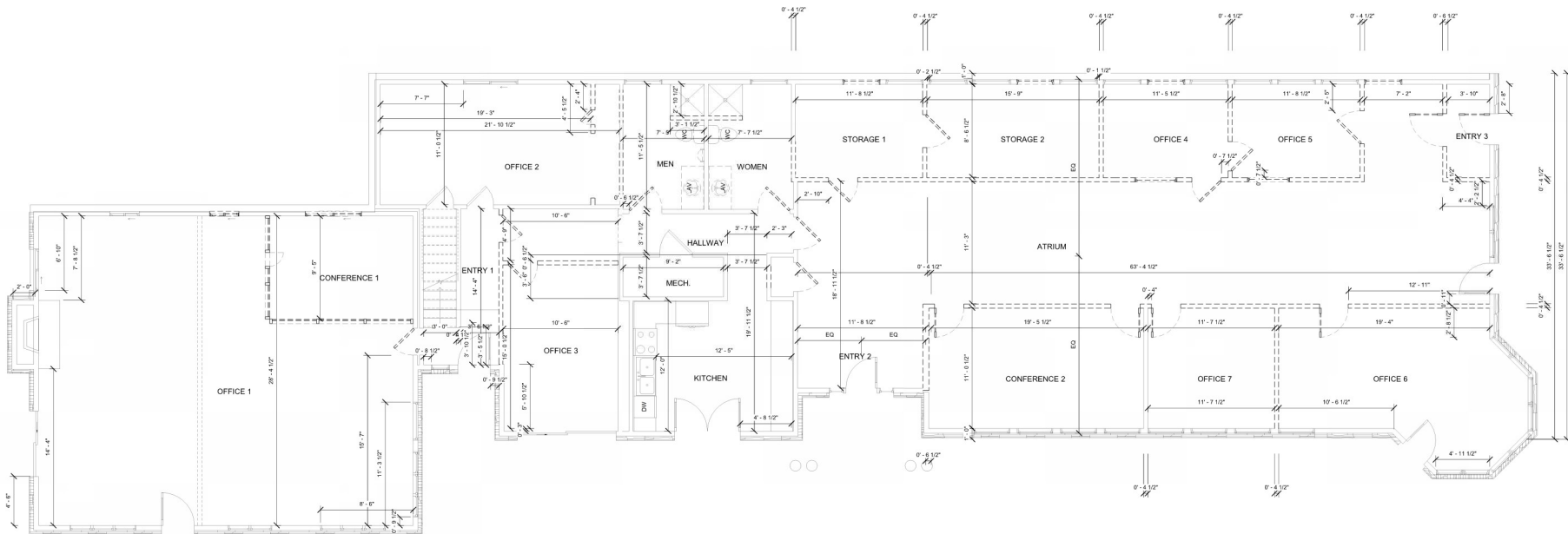
REVISION:

REVISION APPLICATION	
DATE	9/26/2022
DRAWN	WAM
CHECKED	WAM

COVER SHEET
G000



2 MAIN LEVEL - PROPOSED
1/4" = 1'-0"



1 MAIN LEVEL - EXISTING
1/4" = 1'-0"

1212 Kerr Gulch Remodel

1212 Kerr Gulch
Evergreen, CO 80439

20253

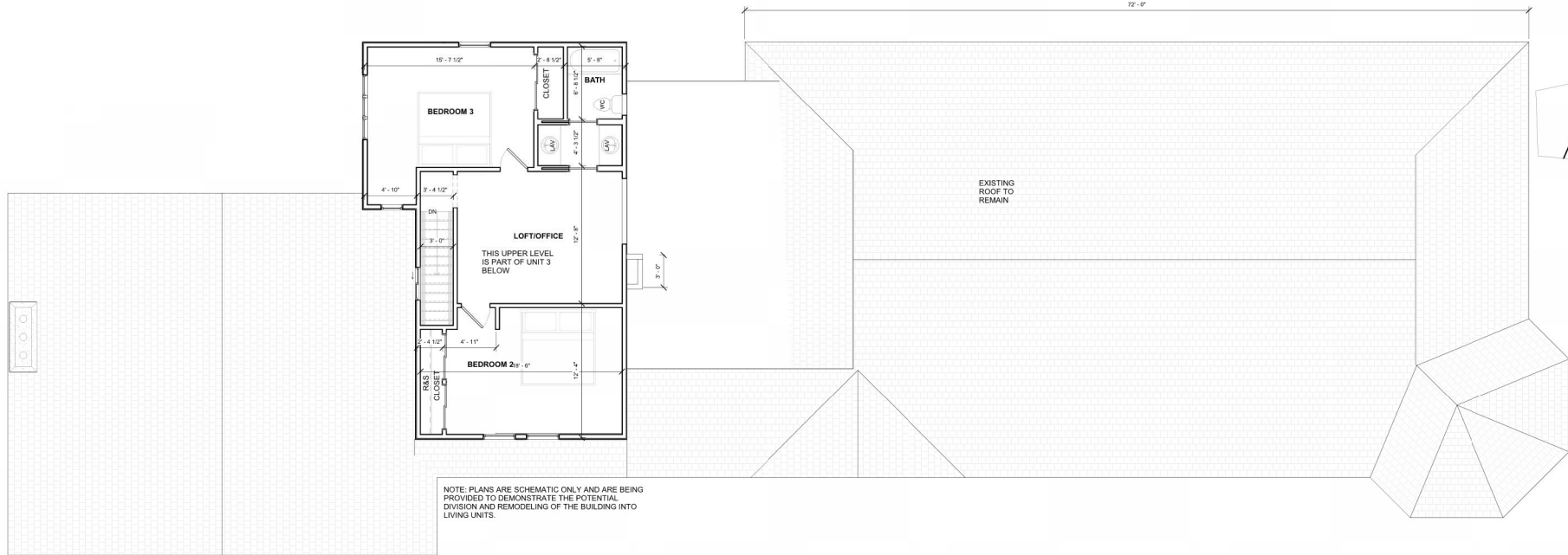


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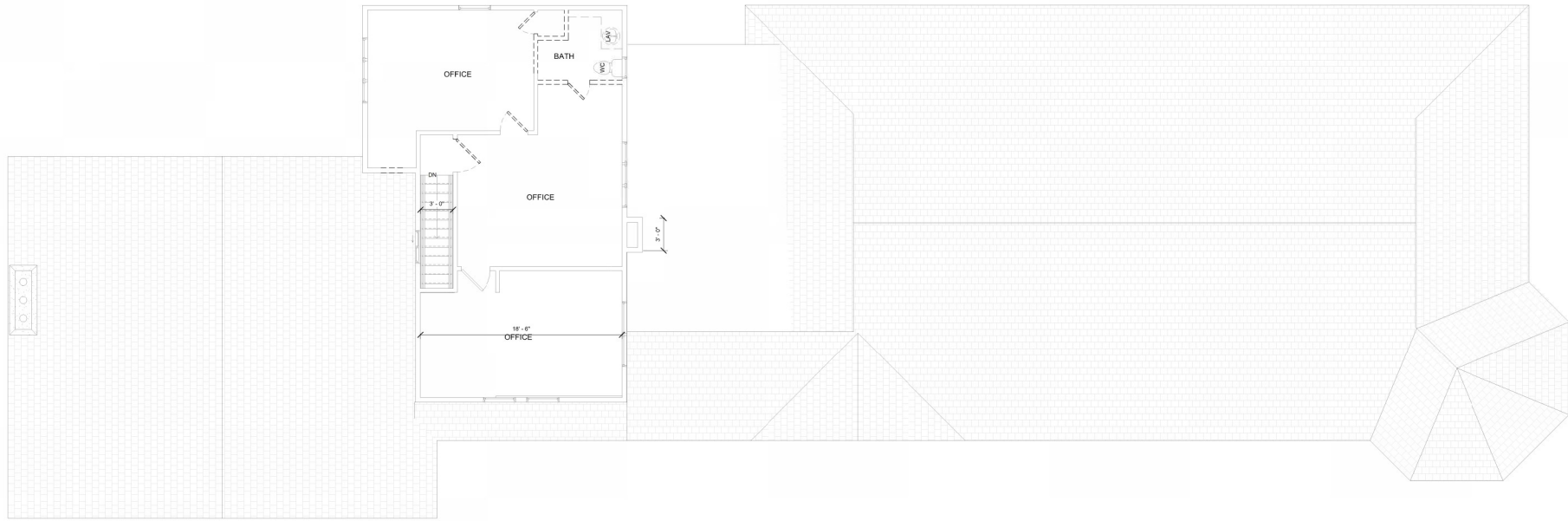
REVISION:

REVISIONING APPLICATION
DATE: 9/20/2022
DRAWN: WAM
CHECKED: WAM

MAIN LEVEL
FLOOR PLANS
A101



2 UPPER LEVEL - PROPOSED
1/4" = 1'-0"



1 UPPER LEVEL - EXISTING
1/4" = 1'-0"

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Contact:
Bill Myhren, AIA
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1212 Kerr Gulch Remodel

1212 Kerr Gulch
Evergreen, CO 80439

20253



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REVISION:

REVISION APPLICATION
DATE 9/20/2022
DRAWN WAM
CHECKED WAM

UPPER LEVEL
PLANS
A102



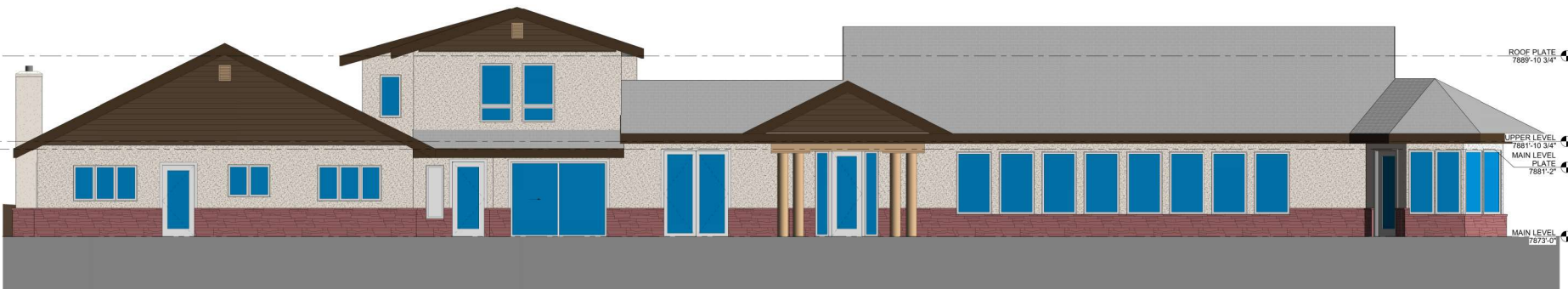
4 EAST ELEVATION - EXISTING
1/4" = 1'-0"



3 WEST ELEVATION - EXISTING
1/4" = 1'-0"



2 NORTH ELEVATION - PROPOSED
1/4" = 1'-0"



1 SOUTH ELEVATION - EXISTING
1/4" = 1'-0"

1212 Kerr Gulch Remodel
1212 Kerr Gulch
Evergreen, CO 80439

20253



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REVISION:

REVISION APPLICATION
DATE 9/20/2022
DRAWN WAM
CHECKED WAM

ELEVATIONS
A200

From: Lauren Kaufman <laurenwkaufman@gmail.com>
Sent: Tuesday, January 30, 2024 11:04 AM
To: Reid Powers; Chris O'Keefe; Abel Montoya; Dave and Bev Zanetell; Mark Lehrner; lance bunch; Michael Brewer; Lesley Dahlkemper
Subject: --{EXTERNAL}-- Re: Jefferson County Planning and Zoning - 1212 Kerr Gulch

Follow Up Flag: Follow up
Flag Status: Flagged

This Message Is From an External Sender

This message came from outside your organization.

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To: Jefferson County Planning and Zoning

Attention: County Commissioners, Reid Powers, Chris O'Keefe, Abel Montoya, Michael Brewer

Case Number: 20-130589 or 22-11789CMT

Regarding the Rezoning of 1212 Kerr Gulch Road for a 4 multifamily complex.

January 30, 2024

Dear Planning/ Zoning, Commissioners, Reid Powers,

After reviewing the submitted paperwork for the above property, I notice that the Fire/Rescue was submitted October 19, 2017. The fire concerns and regulations have drastically changed since 2020. I do not consider this a relative approval as the Fire Marshal is no longer there and this is an outdated assessment.

The Evergreen Metropolitan District letter is from January 12, 2021, which is out of date and states a 7 unit apartment building. This, also has major concerns for water gallon capacity and piping, for sewer and septic. It doesn't mention that the bedrooms requested are 9+ considering the 3 office areas in the 4 units. For less than an acre property and the number of bedrooms requested, there is inadequate coverage for septic and water, in addition to water for fire protection.

The Traffic Analysis from March 10, 2022 from a Denver Civil Engineer, states nothing of the elevation, multiple S curves, lack of shoulders, and that 10 plus homes exit at the same curve onto Kerr Gulch. I have stated before and to Reid that the County needs to come out and see the area themselves and also note that this is

the main evacuation route for 100+ residents that live further down Kerr Gulch. Kerr Gulch is also used by many cyclists and there was a death in 2021 on the curve after 1212 Kerr Gulch.

I am a representative for Evergreen Fire/Rescue and have stated in the past 2 years the concern for the Kerr Gulch Residents regarding safety, evacuation access, water resources, and traffic density at this site. There is no objection to a single-family resident on this less than 1 acre lot, but the density of a 4 multifamily complex has never been the zoning plan for Kerr Gulch. Kerr Gulch has always been a single-family resident zoned area with large acreage and for the number of persons living in the Gulch, fire, traffic, water, and access to Evergreen Parkway is of paramount importance.

Please reevaluate these 3 assessments, as well as the proposal of 4 multifamily units and have the county closely inspect this area. This is the mountain community and not urban Golden, Wheat Ridge, Littleton, and the like. The County has already passed 14-28 multifamily STR around the corner and above on Knob Hill. There have been 2 fires in the last two years on Knob Hill and the condos that are there now, lost their insurance. Hundreds of people could die in an emergency and lack of water necessary to protect Kerr Gulch will be in jeopardy.

The insurance companies are assessing the mountain areas for past fires, density, evacuation, and water/flow when considering insuring residents. Many insurance companies are refusing to insure mountain properties. High density residential properties definitely put a strain on all mountain residents.

I have offered to meet with County officials regarding the impact this may have on Kerr Gulch and its residents.

Please let me know if I can be of assistance.

Sincerely,
Lauren Kaufman
(970)214-3749

Lauren Kaufman

"Be certain that you do not die without having done something wonderful for humanity." Maya Angelou

On Mon, Jan 22, 2024 at 4:30 PM Reid Powers <rzpowers@co.jefferson.co.us> wrote:

Hello,

The rezoning application for 1212 Kerr Gulch (case number 23-136369) has gone on referral. Public comments related to the application can be sent to my email address. Referral materials can be found via the link below.

Link: [Citizen Portal \(jeffco.us\)](https://jeffco.us)

Click the Planning and Zoning Search button, put in address and his search, double click address and scroll down, click the blue detail button next to the rezoning case (looks to be on second page, called 2023 136369 000 00 RZ), click the Public Documents link, click the review process- agency comment folder, 1st referral, referral documents.

If there are any issues opening the link, locating the files, or opening the files please let me know.

Best,

Reid Powers

Planner III

Jefferson County

Planning and Zoning

o: 303-271-8703

rzpowers@co.jefferson.co.us

From: MARK LEHRNER <marklehrner@mlcpapc.net>
Sent: Tuesday, February 13, 2024 10:14 PM
To: Reid Powers
Cc: LaurenWKaufman@gmail.com
Subject: --{EXTERNAL}-- 1212 Kerr Gulch Road

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Reid,

I saw your sign at 1212 Kerr Gulch Road stating that you are considering an application for rezoning of this property from a commercial property to multi-family housing.

This email is a follow up email to my prior emails to affirm that I am strongly against this request to rezone the property to multi-family housing.

I obtained a copy of the application and attachments and noticed that many of the supporting documents were outdated and not relevant under current conditions. All of the letters attached to the application need to be updated.

I am also aware that all of the neighbors are against this rezoning and that you need to have a meeting/hearing to understand how this rezoning will impact all neighbors up and down Kerr Gulch.

Please make sure that I am notified via email of any meetings/hearings regarding the rezoning. I am concerned that the rezoning will negatively impact traffic on Kerr Gulch including egress in the event of a fire or evacuation emergency.

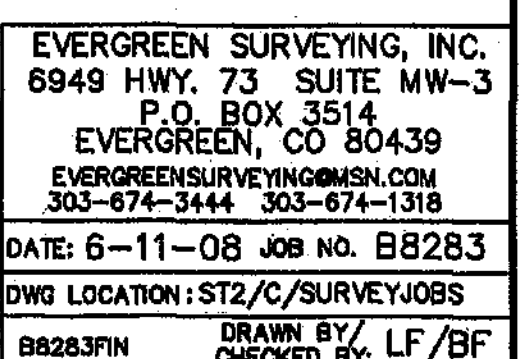
I have stated before that multi-family housing at this location would open the door for other developers to request rezoning and construction of additional multi-family housing in Kerr Gulch. As you are aware, Kerr Gulch consists of only single family residences on large lots. The subject property is approximately 1 acre which is inconsistent with existing housing in Kerr Gulch.

It is important to note that there have been two fires in our neighborhood and insurance companies are not writing new homeowner insurance policies. Multi-family housing would make getting homeowners insurance more difficult.

You should also be aware that there is much bicycle traffic on the road and there has been one bicycle death on the road. Multi-family housing with increased traffic would negatively impact the safety of bicyclist on this road.

Please consider my concerns and make sure that you notify me of any meetings/hearings regarding the rezoning of 1212 Kerr Gulch.

**Sincerely,
Mark Lehrner
[1856 Wieler Road,](#)
[Evergreen, CO 80439](#)
303-506-2286 Cell
marklehrner@mlcpapc.net**



From: Lauren Kaufman <laurenwkaufman@gmail.com>
Sent: Monday, March 3, 2025 1:36 PM
To: Reid Powers
Subject: Re: --{EXTERNAL}-- Re: 1212 Kerr Gulch Road

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County Commissioners, JEFFCO Zoning, Reid,

1212 Kerr Gulch was zoned commercial and they want to rezone to Multi Family Housing. This property is less than 1 acre and the location on Kerr Gulch is very hilly, narrow, and steep. Adjacent to this property are 12 properties that all enter and exit on this dangerous S curve. The residents of Kerr Gulch use this as their single entry and exit to their properties/homes down the Gulch.

I have written numerous emails to the county stating the above reasons as well as fire evacuation for the 100's of people that live down Kerr Gulch. **THIS PROPERTY SHOULD NOT BE REZONED FOR MULTI FAMILY HOUSING.** If the owners want to build one home on this property this is their choice, but Kerr Gulch is not a Multi Family Housing neighborhood and never has been. The Kerr Gulch Plan states single family homes!!!

The County needs to protect the residents of the mountain community by standing by the original zoning of our mountain lands. Otherwise, all of you will be responsible for what happens regarding density in the mountains!!!

Sincerely,
Lauren Kaufman

From: MARK LEHRNER <marklehrner@mlcpapc.net>
Sent: Monday, March 3, 2025 2:09 PM
To: Reid Powers
Subject: --{EXTERNAL}-- REZONING OF 1212 KERR GULCH ROAD

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Hi Reid,

I am a resident of Kerr Gulch and I am opposed to the rezoning of 1212 Kerr Gulch Road into multi-unit housing. When I purchased my residence in Kerr Gulch, I made the purchase with the understanding that Kerr Gulch would not be turned into multi housing properties.

I purchased here because of the beauty of Kerr Gulch and knowing that it would not be developed. Kerr Gulch has always been a community of large lots and single family residences. If the rezoning is approved, you are ruining the beauty of my valley and decreasing the value of my property.

You also need to consider that you are placing the Kerr Gulch residents in greater danger as the result of the increased traffic congestion which could result in limiting escape in the event of a fire.

Do not destroy our Kerr Gulch neighborhood. I want to live here for the rest of my life and your decision may negatively affect my dream.

**Sincerely,
Mark Lehrner
303-506-2286**

On Mon, Mar 3, 2025 at 11:44 AM Reid Powers <rzpowers@co.jefferson.co.us> wrote:

Hello,

From: Karen B. Miller <kbm1red@comcast.net>
Sent: Friday, March 1, 2024 8:15 AM
To: Reid Powers
Cc: bryan@millerwalls.com
Subject: --{EXTERNAL}-- Rezoning 1212 Kerr Gulch Road
Attachments: [Moore Behrhorst Subdivision.pdf](#)

Follow Up Flag: Follow up
Flag Status: Flagged

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Good morning Reid,

This is Karen Miller. I forgot to send you this after your phone conversation a couple of weeks ago with Bryan. Attached is the information on a previous approved subdivision request in 2008 by the Moore/Behrhorst's for their property adjacent to the 1212 Kerr Gulch property. It encompasses what is now 1170 and 1150 Kerr Gulch Road. Previously it was zoned only for one single family home which has been there for many years. The residential density was doubled on that property. They now want to put 4 residential units on one acre. The rest of us are zoned for single family homes. My point being that the current rezoning request is not harmonious or consistent with the rest of the Kerr Gulch properties. Is the County amenable to such approvals for property owners throughout Kerr Gulch or just the Moore/Behrhorsts who already have received one rezoning on an adjacent property and are now requesting another? Does the County envision this type of density throughout Kerr Gulch? Thank you for your attention to this matter.

Sincerely,

Karen and Bryan Miller
1226 Kerr Gulch Road
1228 Kerr Gulch Road

Sent from [Mail \[go.microsoft.com\]](mailto:kbm1red@comcast.net) for Windows

Jefferson County Planning and Zoning Board

100 Jefferson County Parkway

Golden, CO 80419

Subject: Strong Opposition to Rezoning Case 23-136369RZ – 1212 Kerr Gulch Rd,
Evergreen, CO 80439

Dear Members of the Jefferson County Planning and Zoning Board,

I am writing to you as the property owner and full-time resident at 1238 Kerr Gulch Rd, Evergreen, CO 80439. Like many of my neighbors, I chose to live in Kerr Gulch because of its peaceful, rural character—defined by large lots, quiet surroundings, abundant wildlife, and a community rooted in respect and privacy. The rezoning proposal for 1212 Kerr Gulch Rd is not a small change—it represents a fundamental shift in the nature of our neighborhood, and I strongly oppose it.

When I moved to Kerr Gulch, it was because of its rural charm: single-family homes, low-density zoning, and the natural beauty of Colorado foothills. This proposed rezoning—to allow four apartments and detached garages—runs directly counter to everything this community has stood for over the decades.

This is not a minor adjustment. This is the introduction of multifamily housing into a quiet, single-family community. We are not Knob Hill, nor are we a suburban corridor designed for high density. Kerr Gulch has long been a sanctuary of privacy and open space, and this proposal jeopardizes that.

I am especially concerned because this same applicant has previously sought density increases at 1150/1170 Kerr Gulch Rd. Now, they are asking for a far more aggressive change at 1212 Kerr Gulch. This could open the door to even more developments that chip away at the very nature of this area.

There are also serious concerns regarding the current condition and past use of the property at 1212 Kerr Gulch. It appeared to have been used in violation of zoning rules—evidenced by long-term neglect, makeshift housing, and improper use of outbuildings. It's hard to believe this property has been managed or marketed with genuine commercial intent.

Moreover, the hillside behind the property is part of an important wildlife migration corridor. More buildings, more noise, more human presence—it all disrupts this delicate balance and threatens our natural environment.

Closer to home, I'm concerned about increased traffic, noise, animals, and foot traffic that could result from adding multiple residences on a small parcel with no buffers or fencing. This impacts our sense of security, privacy, and frankly, our property values.

This proposed rezoning sets a troubling precedent, and I respectfully ask the Board to preserve the unique, rural integrity of Kerr Gulch. I strongly urge you to deny the rezoning application for 1212 Kerr Gulch Rd.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Ryan', with a stylized flourish at the end.

Jeffrey Ryan

1238 Kerr Gulch Road

Evergreen, CO 80439

310-663-2934

jeff@hailmedic.com

From: Lauren Kaufman <laurenwkaufman@gmail.com>
Sent: Tuesday, July 8, 2025 2:52 PM
To: Reid Powers
Subject: --{EXTERNAL}-- Fwd: Case Number: 23-136369RZ

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Reid, please pass this along to the Zoning Board.

To Whom It May Concern:

Regarding your intentions of rezoning 1212 Kerr Gulch for the 4th attempt-I protest for the 4th time!!!! I have asked that someone from the county come to see the location of this less than 1 acre property that the county proposes to rezone. I have never had a response and that proves that you are only looking at this site on paper.

We are Evergreen and NOT a subdivision neighborhood down the hill in Denver. Kerr Gulch has always been zoned Single Family Housing. This rezoning is NOT Single Family Housing as you state, Multifamily.

In the mountains of Evergreen we are forever worried about fires as well as evacuation. This 1212 Kerr Gulch Property is at a critical junction of Kerr Gulch and Hwy 74(Evergreen Parkway). It has a steep S curve with multiple trees that have never been mitigated, no shoulder to the road, and 12 other homes that exit close to the same point. This is only one of two exits from Kerr Gulch, our evacuation road.

A few hundred yards from this property we have had a cyclist killed because of the steep curves. There have been a couple of fires (Knob Hill) above this property all ready and a developer is in the process of building more short term rentals just over the hill from here (Thanks ALOT JEFFCO)!!!!

This decision will affect all of Kerr Gulch, not just the north end. As many of us have protested this in the past 3 years, again, we say NO Multifamily housing on Kerr Gulch.

As natural disasters continue to occur throughout our world, you have a chance to protect our mountain communities and NOT make a wrong decision. This is why you were elected, NOT TO MAKE MONEY!!!!!!

Do something wonderful for our Colorado mountains, the Lariat Loop, and Humanity!!!!!!

Sincerely,
Lauren Kaufman

"Be certain that you do not die without having done something wonderful for humanity." Maya Angelou

July 16, 2025

Bryan and Karen Miller
1226 Kerr Gulch Rd
Evergreen, CO 80439
bryan@millerwalls.com
303-901-0734

Jefferson County Planning and Zoning Board
100 Jefferson County Parkway
Golden, CO 80419

Opposition to Rezoning Case 23-136369RZ, 1212 Kerr Gulch Rd, Evergreen, CO 80439

Dear Members of the Jefferson County Planning and Zoning Board,

As residents and property owners at 1226 and 1228 Kerr Gulch Rd, Evergreen, CO 80439, we are writing to join the strong opposition to the proposed rezoning of the property at 1212 Kerr Gulch Rd under case number 23-136369RZ, owned by Anne and Mike Moore. Living in close proximity to the subject property, we are deeply concerned about the impact of converting one commercial building into four apartments and adding detached garages on the current mountain rural character and quality of life in Kerr Gulch. The applicants claim that the project will not negatively impact the health, safety, and welfare of surrounding residents, involves no footprint or height increase, is justified by COVID-19-related work pattern changes, and is compatible with areas like Nob Hill. We dispute these claims, as the longstanding absence of multifamily addresses on Kerr Gulch Rd demonstrate that this rezoning violates the character of the neighborhood.

The Moores, residing at 1150 Kerr Gulch Rd, previously obtained a variance to place two single-family homes on a single property at 1150/1170 Kerr Gulch Rd, increasing density beyond the single-family, low-density standard of our neighborhood. Their proposal to rezone 1212 Kerr Gulch Rd for four apartments introduces multifamily housing, which is unprecedented on Kerr Gulch Rd, and contravenes existing development plans for the area. Our objections are as follows:

- 1. Incompatibility with Kerr Gulch's Mountain Rural Character and Existing Land Uses:**
Kerr Gulch Rd has long been characterized by single-family homes and low-density, as exemplified by historic properties like the Ralston Ranch and Hager Ranch. These properties reflect Kerr Gulch's rural character, with significant private open space and minimal development. There are no multifamily properties on Kerr Gulch Rd, making the proposed conversion of 1212 Kerr Gulch Rd into four apartments unprecedented and fundamentally incompatible with the existing mountain rural nature of this residential area. Like many others opposed to this proposed rezoning, as property owners at 1226 and 1228 Kerr Gulch Rd, we chose this area for its mountain rural

tranquility, which this proposed rezoning threatens to erode by introducing multifamily housing.

- 2. Contradictory to the Evergreen Area Plan:** The proposed rezoning is directly contradictory to the Evergreen Master Plan, part of the Jefferson County Comprehensive Master Plan, and the Moores make multiple incorrect and misleading associations with The Evergreen Master Plan as the basis of their Land Use Plan Analysis¹. The Evergreen Area Plan stipulates the following as the top two goals of residential development under its Land Use Recommendations²:

- “Maintain the mountain rural character of the residential areas.”
- “Ensure that future residential development respects the unique mountain environment and enhances the quality of life.”

The proposed rezoning directly erodes the unique mountain rural character of the Kerr Gulch area by introducing a multi-family residential structure in an otherwise entirely single-family home neighborhood. This unprecedented deviation from the longstanding character of Kerr Gulch does not respect the unique mountain environment of the area and diminishes the quality of life of its residents.

- 3. Failure to Satisfy Rezoning Criteria:** The proposed rezoning fails to satisfy the Criteria for Decisions for Rezoning and Special Use Applications³. Foremost, the proposed rezoning is incompatible with existing land uses in the surrounding area as no multi-family housing currently exists in the Kerr Gulch neighborhood and the proposed density would be significantly higher than the surrounding area. Further, the Moores make a misleading association of the subject property with what the Evergreen Master Plan identifies as “Areas of Stability” in an attempt to include areas such as Nob Hill Road within their creative definition of “surrounding area”. In reality, there is a mountain between the two areas which creates a substantial division and clear geological separation for what amount to two distinct neighborhoods.

4. Inability to Mitigate Negative Impacts Upon the Surrounding Area

- Disruption to Wildlife Migration: The property at 1212 Kerr Gulch Rd lies on a critical hillside used by elk, deer, and other wildlife for migration, supported by a nearby highway tunnel designed for safe animal passage, as recognized in Jefferson County’s environmental planning policies. Converting the building into four apartments and adding detached garages will increase human activity, fencing, and impervious surfaces, impeding these key migration routes.

¹ Moore/Snugli ODP Amendment 2 – Rezoning Cover Letter, Paragraph D

² Jefferson County Comprehensive Master Plan – Evergreen Area Plan, pg. 7

³ Jefferson County Zoning Resolution (as Amended) – Section 6, pg.6

- Increased Noise and Disturbance: The addition of four apartments will introduce new residents and visitors, leading to a significant and concentrated increase in evening, night, and weekend noise that will disrupt Kerr Gulch's rural tranquility.
- Trespassing and Boundary Concerns: The proximity of 1212 Kerr Gulch Rd to our properties raises trespassing risks with new residents, visitors and pets potentially inadvertently or deliberately entering our land, thereby threatening our property rights and safety.
- Potential Decrease in Property Values: The proposed four apartments increase density to a level inconsistent with Kerr Gulch's single-family character, potentially lowering property values for surrounding property owners as the area's rural appeal diminishes.

5. Cumulative Impact of Chronic Mismanagement and Zoning Violations: The Moores claim shifting work preferences resulting from COVID-19 as the driver of low commercial occupancy and the basis for the desire to request rezoning approval. However, as potential tenants we previously inspected the property and found it in disarray, with no recent painting, asphalt resurfacing, or general upkeep, rendering it unsuitable for professional use. Past zoning violations, including unauthorized residential use (someone living in the building, prohibited under the current zoning), a camper in the parking lot housing a resident, and an unpermitted shipping container still present today, reflect the neglect and mismanagement that would likely continue with a multi-family property. The Moores' prior variance at 1150/1170 Kerr Gulch Rd and the proposed four apartments represent a pattern of density increases that violates the character of Kerr Gulch. Approving this rezoning could encourage further deviations, eroding the zoning standards that protect our community's rural identity.

We respectfully urge the Board to deny the rezoning application for 1212 Kerr Gulch Rd to preserve current mountain rural character of the area. As directly affected neighbors, we request that the Board prioritize existing residents and reject this rezoning to maintain our community's zoning integrity and rural identity. We are available to provide further input at public hearings or through additional correspondence and can be reached at bryan@millerwalls.com or 303-901-0734. Thank you for your time and consideration.

Sincerely,

Bryan and Karen Miller

From: Barb Scripps <barb@scrippstaylorcpas.com>
Sent: Tuesday, July 22, 2025 7:31 PM
To: Reid Powers
Subject: --{EXTERNAL}-- Rezoning 1212 Kerr Gulch Rd.

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Hello Mr. Powers,

I am writing in support of the rezoning application submitted by the owners of 1212 Kerr Gulch Rd. in Jefferson county.

Converting this property to small, multi-unit residential use is clearly the highest and best use of the property in the current real estate and economic climate, to wit:

1. Rented office space is abysmally empty these days as the pandemic-accelerated work-from home trend is not abating, especially for the targeted small business owners that previously would have rented 1212 Kerr Gulch Rd.
2. Residential rental space is precariously limited these days and the creation of new residential rentals is on the minds of all elected officials in our state, from the governor down to county commissioners. And Jeffco has been allowing apartment units to be built to a much higher density than ever before in this part of the county, of course, much to the dismay of property neighbors. Case in point are the Vista El Rancho Apartments at 1055 El Rancho Rd., built by Foothills Regional Housing. Those apartments are barely ½ mile as the crow flies from 1212 Kerr Gulch Rd.
3. Apartments are clearly a more harmonious fit with the surrounding properties. 1212 Kerr Gulch Rd is, in fact, the only commercial property on Kerr Gulch. Rezoning to residential simply makes sense for the neighborhood.
4. Re-zoning the property will reduce road traffic in all likelihood, as the current zoning allows for 25 cars/daily. Residential use will cut this to 6-8 cars/day.
5. The property is very close to the intersection with Evergreen Parkway, thus any traffic will, again in all likelihood, be travelling to Evergreen Parkway to either go to Denver or to the Bergen Park or El Rancho business areas, and not further down Kerr Gulch Rd.

As a very long-time Evergreen resident and business owner I fully support this re-zoning application. I hope you do, too.

Sincerely,

Barb Scripps, CPA

1202 Bergen Parkway #208
Evergreen, CO 80439
303-670-8930



From: David Jackson <dave7049@gmail.com>
Sent: Tuesday, July 22, 2025 11:44 AM
To: Reid Powers
Subject: --{EXTERNAL}-- Rezoning 1212 Kerr Gulch Road.

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Dear Mr. Powers,

I have been an Evergreen resident for over 50 years. It has come to my attention that there are objections to the rezoning request for 1212 Kerr Gulch Rd. This request seems appropriate in the neighborhood that is mostly residential. Over the years I have seen the disappearance of affordable housing in this area so the proposed project seems to offer a reasonable new option. I don't see any viable justification for obstructing the project. I urge you to approve the transition from commercial to residential zoning.

Thank you,
David Jackson

From: David Schmitt <David.Schmitt@denverpumps.com>
Sent: Tuesday, July 22, 2025 7:16 PM
To: Reid Powers
Subject: --{EXTERNAL}-- Rezoning 1212 Kerr Gulch Road

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Mr Powers,

I am writing to you about the improvements proposed for 1212 Kerr Gulch Road. As a member of the Evergreen Community for over 20 years, I am Keenly aware of the need for more affordable housing in the community. There are numerous businesses that have an extremely difficult time hiring people due to lack of affordable housing. As a former business owner and current vice president of a business I can speak from experience that the lack of affordable housing is hurting our community. I have seen the location of the project and will not be intrusive to the community. I feel it will enhance the community and be of highest and best use of the Land/Building.

The traffic impact will be less than a traditional business using the building as well.

Please feel free to reach out to me for additional comments and questions.

Best regards,

David Schmitt
303-886-5509

Disclaimer

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From: Jeanne Dobbin <jeannedobbin@gmail.com>
Sent: Tuesday, July 8, 2025 3:08 PM
To: Reid Powers
Subject: --{EXTERNAL}-- Fwd: Case Number: 23-136369RZ

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----- Forwarded message -----

From: Jeanne Dobbin <jeannedobbin@gmail.com>
Date: Tue, Jul 8, 2025 at 2:59 PM
Subject: Re: Case Number: 23-136369RZ
To: Lauren Kaufman <laurenwkaufman@gmail.com>
Cc: <repowers@jeffco.us>

Hi Reid,

I have lived on Kerr Gulch for more than 25 years and I have to say that I agree with Lauren's assessment. I believe that it would create too much traffic at the top of Kerr gulch as well. When it snows it is icy and if you have too many folks stopped at Evergreen parkway, it can create a traffic build up and folks can start sliding down!! I have seen it myself. Folks either don't have the right tires or are not familiar with driving up here.

PLEASE PLEASE, don't let this become a multi family entity. We choose to live up here because of the single family/mountain atmosphere. I might add that our taxes show that we are willing to pay the extra amount for our area and I would say that we have the right to keep it that way.

Please keep this in mind when you are considering this rezoning.

Thank you

Jeanne Dobbin
2030 Kerr Gulch Road
Evergreen, CO

On Tue, Jul 8, 2025 at 2:44 PM Lauren Kaufman <laurenwkaufman@gmail.com> wrote:

>

> Reid, please pass this along to the Zoning Board.

>

> To Whom It May Concern:

>

> Regarding your intentions of rezoning 1212 Kerr Gulch for the 4th attempt-I protest for the 4th time!!!! I have asked that someone from the county come to see the location of this less than 1 acre property that the county proposes to rezone. I have never had a response and that proves that you are only looking at this site on paper.

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> As natural disasters continue to occur throughout our world, you have a chance to protect our mountain communities and NOT make a wrong decision. This is why you were elected, NOT TO MAKE MONEY!!!!!!

>

> Sincerely,
> Lauren Kaufman

>

> "Be certain that you do not die without having done something wonderful for humanity." Maya Angelou

From: MARK LEHRNER <marklehrner@mlcpapc.net>
Sent: Tuesday, July 8, 2025 1:13 PM
To: Reid Powers
Cc: laurenwkaufman@gmail.com
Subject: --{EXTERNAL}-- REZONING OF 1212 KERR GULCH ROAD

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Hi Reid,

I am a resident of Kerr Gulch and I am opposed to the rezoning of 1212 Kerr Gulch Road into multi-unit housing. When I purchased my residence in Kerr Gulch five years ago, I made the purchase with the understanding that Kerr Gulch would not be turned into multi housing properties.

I purchased here because of the beauty of Kerr Gulch and knowing that it would not be developed. Kerr Gulch has always been a community of large lots and single family residences. If the rezoning is approved, you are ruining the beauty of my valley and decreasing the value of my property.

You also need to consider that you are placing the Kerr Gulch residents in greater danger as the result of the increased traffic congestion which could result in limiting escape in the event of a fire.

Do not destroy our Kerr Gulch neighborhood. I want to live here for the rest of my life and your decision may negatively affect my dream.

If you allow this development, you are opening the door to future multi-unit housing units in Kerr Gulch.

I am out of town on the date of the hearing so I will not be available to provide testimony at the hearing.

**Sincerely,
Mark Lehrner
303-506-2286**

From: Mande Mischler <mandemischler@gmail.com>
Sent: Monday, July 21, 2025 6:39 AM
To: Reid Powers
Subject: --{EXTERNAL}-- Rezoning 1212 Kerr Gulch Road.

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Dear Case Planning Team -

I understand that the rezoning meeting for 1212 Kerr Gulch Rd will occur on Wednesday evening, 7/23. Due to travel, I will be unable to attend, but wanted to send a letter of support for this rezoning.

I grew up in Evergreen and then moved back in 2021 to live at the top of Kerr Gulch Rd. Evergreen has changed a lot over the years and the lack of smaller-sized, moderately priced housing is a huge challenge. I appreciate what the Moores are trying to do with the conversion of the office space to residential. I also think it makes a lot of sense to make all of Kerr Gulch is residential as it will help build a greater sense of community if everyone there is *living* side-by-side.

I urge you to approve the re-zoning application. Thank you for your consideration.

Mande

Mande Moore Mischler
Staying curious and relentlessly optimistic

From: Tom Murphy <Tom@conference-source.com>
Sent: Monday, July 21, 2025 11:55 AM
To: Reid Powers
Cc: gray@behrhorst.com; nicole@behrhorst.com
Subject: --{EXTERNAL}-- Rezoning 1212 Kerr Gulch Road

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Hi Reid,

I'm writing you to express my support for the rezoning of 1212 Kerr Gulch Road. This seems like a no-brainer. Less traffic, more affordable housing, and lifelong Evergreen residents backing the project. The Moore's and the Behrhost's have a vested interest in doing what is best for that neighborhood and the entire community, which lacks affordable and accessible housing. I hope the county can get behind this important project.

Cheers,
tom



TOM MURPHY

ConferenceSource

O: +1 303 325 8800 M: +1 303 913 8570

Tom@conference-source.com

www.conference-source.com



From: Pamela Macy <pamelakmacy@gmail.com>
Sent: Tuesday, July 22, 2025 10:08 AM
To: Reid Powers
Subject: --{EXTERNAL}-- Rezoning 1212 Kerr Gulch Road

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Hello Reid,

I am a long time Evergreen resident and would like to express my full hearted support of transitioning this former commercial property to residential zoning, which aligns it with the existing neighborhood. We are all aware of the high housing costs in our beautiful town and to offer something more affordable to our essential workers is a laudable goal. This seems like the only logical and rational decision in this zoning decision.

Thank you for your thoughtful consideration.

Pam Macy
720.635.6501
Sent from my iPad