



REGULAR PLANNING COMMISSION MEETING MINUTES

Tuesday, February 25, 2014

Vice -Chair Helen Rogers called the Regular Planning Meeting to order at 7:00 p.m.

MEMBERS PRESENT AT ROLL CALL:

ROLL CALL: Rogers, Elliott, Pettinger, Mead, Marantino, Caldwell, Fuller and Sieber

OTHERS PRESENT:

Planning Director Nathan Lindquist, Planner Hannah Klausman, City Attorney Jeff Conklin, Administrative Assistant Charlotte Squires, City Television Station Jim Bell, Mark Sills.

APPROVAL OF DECEMBER 10, 2013 SPECIAL PLANNING COMMISSION MEETING MINUTES

Commissioner Pettinger moved to **APPROVE** December 10, 2013 Special Planning Commission Meeting Minutes *Commissioner Caldwell* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Rogers, Pettinger, Elliott, Mead, Caldwell, Marantino Abstained- Fuller

CONDITIONAL USE PERMIT 2014-1 2185 10th STREET SOUTH

The Chair called up the applicant(s) Mark Sills

The Chair verified public notice requirements had been met.

Purpose: The applicant requests approval of a Conditional Use Permit for an expansion of an existing Medical and Retail Marijuana Cultivation (MMC) Operation

Applicant: Stated there are four (4) apartments on the second floor of the building and the proposed business would like to keep the current apartments for employees. This would also help with security. Mr. Sills also wanted to confirm if one business does not move forward with the expansion then the other cultivation business in an adjacent building on the same lot, may be allowed to expand to this building.

Staff Report: Staff recommends that the following conditions be attached to an approval of Conditional Use Permit 2014-1 subject:

1. The Conditional Use Permit shall only be valid in conjunction with the appropriate Marijuana Cultivation Operation license awarded by the City Manager;
2. No improvements for this operation shall occur within the building until a license is granted by the City Manager. If a license is not awarded within 1-year of approval by the P&Z, the permit shall become null and void;
3. The Conditional Use Permit shall become null and void if the grow operation is discontinued for 12 consecutive months;
4. Should the applicant move operations from the building at 2185 10th Street South, the Conditional Use Permit shall become null and void for that building UNLESS an approved recreational marijuana grow operation businesses that already operates on Lot 7 receives a City license for the site within one year of the vacation by this applicant.
5. The Conditional Use Permit for the four (4) residences shall become null and void, and all residential uses shall be discontinued and vacated prior to receiving a Medical and Retail Marijuana Cultivation Operation

license awarded by the City Manager. The units may be used as caretaker units occupied by employees of the business, or as office space for the business.

- 6. Failure to comply with any and all licenses required by the City of Rifle and/or the State of Colorado for the purpose of growing medical and retail marijuana shall result in this Conditional Use Permit becoming null and void upon revocation of said licenses.
- 7. The production of marijuana infused products on the premises is not approved by this Conditional Use Permit. Only cultivation may occur on site.

Public Comments: No Comments

Commissioners Questions and Comments:

Can the grow operations expand to other neighboring lots?

City Attorney replied no they can only expand on the existing property they are currently occupying. This is a unique property with four (4) existing buildings.

Tenant knows they will need to vacate the apartment?

Mr. Sills replied yes they do know.

Motion Made:

Commissioner Elliot moved to **APPROVE** Conditional Use Permit 2014-1 2185 10th Street South, with Staff’s recommendation 1-4; 6-7 and changes to recommendations 5 to read “The Conditional Use Permit shall allow two (2) residential uses to be used as caretaker units occupied by employees of the business and the other two (2) units will need become null and void”. *Commissioner Caldwell* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Rogers, Pettinger, Elliott, Mead, Caldwell, Marantino, and Fuller

MEMBER COMMENT AND ADJOURNMENT

Staff discussed the solar project at City Hall which will attach to the Xcel electrical system is at no cost to the City of Rifle. City Market Fuel Station on 14th Street will be opening mid April.

Vice Chair Rogers adjourned the meeting at 7:35 p.m.

Helen Rogers, Vice-Chairman

Date

SIGNED COPY ON FILE

Charlotte Squires, Planning Technician

Date