

RESOLUTION NO. 09-2019

A RESOLUTION GRANTING A USE BY SPECIAL REVIEW

WHEREAS, High Plainz Strains II, LLC, a Tenant of certain property located at 2506 6th Avenue, Garden City, CO 80631, and more specifically described as South 23.5 feet of Lot 7 and the North 37.5 feet of Lot 8, Block 2, Third Addition to Garden City, Weld County, Colorado, together with an easement for ingress and egress to the above described property over and across the East 18 feet of Lot 6 and the East 18 feet of the North 26½ feet of Lot 7, Block 2, Third Addition to Garden City (also known as Ray's subdivision), Weld County, Colorado according to the recorded map or plat thereof, has filed an application for a Use By Special Review; and

WHEREAS, the property is zoned Commercial; and,

WHEREAS, the applicant intends to operate a retail marijuana business and a retail marijuana cultivation facility; and,

WHEREAS, the property is zoned Commercial and retail marijuana facilities are allowed in the Commercial Zone as a Use By Special Review.

WHEREAS, adequate notice has been published and the Board of Trustees conducted a public hearing on this matter on the 7th day of May, 2019.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GARDEN CITY, COLORADO AS FOLLOWS:

Section 1. Grant of Use By Special Review. After a public hearing on this matter and no adverse comments were received at the public hearing, the Board of Trustees by this Resolution approves the Use by Special Review with the following conditions:

- (a) The Use by Special Review may be reviewed by the Board of Trustees annually.
- (b) The Use by Special Review is personal to High Plainz Strains II, LLC and the sole members of the LLC being John Rotherham and Alicia Rotherham. The Use by Special review shall not be transferred to any other individual, entity, or owner of High Plainz Strains II, LLC without the approval of the Board of Trustees of the Town of Garden City.
- (c) The property shall be kept in compliance with the Town of Garden City Municipal Code.
- (d) No marijuana equipment, tools, supplies, or waste material shall be stored outdoors.

Section 2. Tenant. This Use by Special Review is granted to High Plainz Strains II, LLC, P.O. Box 552, Fort Lupton, CO 80621, the members being John Rotherham and Alicia Rotherham, Tenant, which as of this date is a legitimate registered business with the Colorado Secretary of

State and the registered agent as of this date is listed as John Rotherham, 2506 6th Avenue, Garden City, CO 80631.

PASSED, ADOPTED AND APPROVED THIS 21st DAY OF MAY, 2019.

TOWN OF GARDEN CITY

By: _____
Town Mayor

ATTEST:

Deputy Town Clerk