

PLANNING COMMISSION

Commerce City Planning Commission
December 4, 2013

Commerce City Civic Center
Page 2

CU-99-12-13*: iVita Wellness is requesting approval of a Conditional Use Permit in order to operate a medical marijuana dispensary at 5500 Colorado Boulevard.

Ms. Stevens introduced the case and asked that the record reflect that the file contained the relevant notice and publication information. Mr. Workman reviewed the staff report and presentation. He stated that one individual attended the neighborhood meeting on October 29th and did not indicate either support or objection to the application. Staff recommended that the Planning Commission forward the conditional use permit to the City Council with a favorable recommendation subject to the conditions listed in the staff report.

Mr. David Foster, 360 S. Garfield Street Denver, CO addressed the commission on behalf of the applicant. In response to a question by the Commission, Mr. Foster clarified that there would not be a physician onsite.

Chairman McFarlin opened the hearing for public comment. There being no public comment, the public hearing was closed and a motion was requested.

Motion:

Commissioner Robertson made the following motion "I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Conditional Use Permit for the property located at 5500 Colorado Boulevard contained in case CU-99-12-14 meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Conditional Use Permit subject to the following conditions:

- A. The applicant shall provide a copy of their state license to the City after any renewal of the state license.
- B. The applicant shall be restricted to providing medical marijuana only.
- C. There shall be no growing operations on the subject property without an amendment to this Conditional Use Permit."

Commissioner Jones seconded the motion.

McFarlin	Yes
Dreiling	Yes
Cammack	Yes
Jones	Yes
Robertson	Yes

5 Yes, Motion Passed.

Ms. Stevens addressed the confusion resulting from the discrepancies between the case numbers contained on the agenda and those that appeared on the staff reports. She explained that the case numbers generally reflect the year in which the case is approved by City Council but that they are given a number at the time that they are received by the City. As a result, the case numbers on the agenda, which were the same that appeared on

PLANNING COMMISSION

Commerce City Planning Commission
December 4, 2013

Commerce City Civic Center
Page 3

all notices provided to the community, used the current year but that the numbers would likely be amended when the matters were presented to City Council. She advised the Planning Commission to use the 13 prefix for all cases presented throughout the evening since that is how the cases were listed on the agenda and noticed to the public. As a result, an amended motion was requested for case CU-99-12-13.

A motion was made by Commissioner Robertson and seconded by Commissioner Jones to amend the case number from CU-99-12-14 to CU-99-12-13 mentioned in the previous motion. Voice vote passed unanimously.

|