



August 8, 2012

Andy Weiss
Ivita Wellness
25 S. Clermont Street
Denver, CO 80246

RE: Denial Conditional Use Permit application – Case No. CU-99-12

Dear Mr. Weiss,

This letter is to inform you that your application for a conditional use permit to operate a medical marijuana business at 5500 Colorado Boulevard has been denied. In the review of your application, it was discovered that the property is within 1000 feet of the trailhead for the Sand Creek Regional Greenway. Because the trailhead falls within the definition of a "Park" contained in the City's Land Development Code (LDC) and because Section 21-5249 of the LDC prohibits a medical marijuana business from being located within 1000 feet of a park, your application is hereby denied.

I am enclosing a copy of your signed Applicant Certification, in which you acknowledged the City's right to deny your application based upon a finding that your proposed location failed to meet the distance requirements contained Section 21-5249, a map of the area, and the relevant sections of the LDC. If you have any comments or questions regarding any of the above stated information, please feel free to contact me at 303-227-8774 or via email at pworkman@c3gov.com.

Sincerely,

Paul Workman
City Planner

Enclosed:

Applicant Certification
Buffer Map
Section 21-5249
Section 21-11200(302)