



City of Fort Lupton
Marijuana Licensing Authority
Agenda
Tuesday, March 15, 2022
7:00 PM
130 South McKinley Avenue

Zo Stieber, Mayor
Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3
David Crespín, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

You may join in person or join remotely by clicking on:
<https://global.gotomeeting.com/join/851983253>

Call to Order

Pledge of Allegiance

Roll Call

Public Hearings Public Hearings allow members of the audience to present comments and questions to the City Council on the item being presented. Comments and questions may be limited to three (3) minutes - Mayor Stieber

- a.** AM 2022-001 Consideration by the City of Fort Lupton City Council Acting as the Local Licensing Authority ("Authority") on an Application Submitted by 1310 Factory Circle, LLC, for a Retail Marijuana Business to be Located at 1310 Factory Circle
- b.** AM 2022-002 Consideration by the City of Fort Lupton City Council Acting as the Local Licensing Authority ("Authority") on an Application Submitted by Carretera Ocho Cinco, LLC DBA Highway 85 Cannabis for a Retail Marijuana Business to be Located at 7853 US Highway 85
- c.** AM 2022-003 Consideration by the City of Fort Lupton City Council Acting as the Local Licensing Authority ("Authority") on an Application Submitted by High Plainz Strains of Fort Lupton, Inc., for a Retail Marijuana Business to be Located at 1330 Factory Circle

Adjourn

CITY OF FORT LUPTON

MARIJUANA LICENSING AUTHORITY



Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

AM 2022-001

CONSIDERATION BY THE CITY OF FORT LUPTON CITY COUNCIL ACTING AS THE MARIJUANA LOCAL LICENSING AUTHORITY (“AUTHORITY”) ON AN APPLICATION SUBMITTED BY 1310 FACTORY CIRCLE, LLC, FOR A RETAIL MARIJUANA BUSINESS TO BE LOCATED AT 1310 FACTORY CIRCLE

I. Agenda Date: Local Licensing Authority – March 15, 2022

II. Attachments: a. Location Map

III. Summary Statement:

The applicant, 1310 Factory Circle, LLC was successful in the lottery held before the City Council on February 15, 2022. This hearing is being held pursuant to the municipal code on consideration of the application for a retail marijuana business.

IV. Submitted by: _____
Mari Peña, City Clerk

V. Finance Reviewed _____
Finance Director

VI. Approved for Presentation: _____
City Administrator

VII. Attorney Reviewed _____ Approved _____ Pending Approval

VIII. Certification of Licensing Authority: _____
City Clerk _____ Date _____

IX. Detail of Issue/Request:

1310 Factory Circle, LLC, submitted a complete application for a retail marijuana business. Staff reviewed the application and found that it met zoning requirements, setbacks, and possession of the premises. A background investigation was conducted on the Controlling Beneficial Owner, Colin Madden. Mr. Madden appears to be of good moral character. The application review included the floor plan/security diagram, locks and doors, alarm system, lighting, cameras and DVD Recording, parking lot, and waste disposal plan. It appears all plans covered all the requirements that are needed by the Colorado Marijuana Enforcement Division and no issues were found with the security plan.

During the application process, Mr. Madden, indicated that additional financing may be forthcoming. Any additional financing must be reported to both the state and local authorities and additional background investigations may be conducted.

The applicant was successful in the lottery held before the City Council on February 15, 2022, and is now before the Authority in the public hearing process.

The application is being provided to the Authority for review electronically.

All notification requirements have been met including publication in the newspaper and posting of a sign on the premises ten (10) days prior to the hearing.

Approval of the business license does not constitute approval of the land use process and building components. If the applicant hasn't already, the applicant will also need to submit a Pre-Application Review Questionnaire to discuss requirements for potential land use applications and building permits with the Planning and Building Department. It is highly likely that permits and procedures in addition to this marijuana business license will be required.

X. Legal/Political Considerations:

XI. Alternatives/Options:

1. The Authority may approve the business license for retail marijuana.
2. The Authority may refuse to issue a regulated marijuana business license if the application does not meet the requirements of the municipal code or any other applicable law, rule, or regulation, or contains false or incomplete information.
3. The Authority may refuse to issue a regulated marijuana business for good cause, as defined Section 6-352, of the municipal code subject to judicial review.
4. The Authority may delay a response on the application if further investigation is needed, but no later than 30 days, the city clerk shall notify the applicant of the Authority's findings based on investigation.

XII. Financial Considerations:

XIII. Staff Recommendation:

Staff seeks recommendation.



CITY OF FORT LUPTON

MARIJUANA LICENSING AUTHORITY



Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

AM 2022-002

CONSIDERATION BY THE CITY OF FORT LUPTON CITY COUNCIL ACTING AS THE MARIJUANA LOCAL LICENSING AUTHORITY ("AUTHORITY") ON AN APPLICATION SUBMITTED BY CARRETERA OCHO CINCO, LLC, DBA HIGHWAY 85 CANNABIS FOR A RETAIL MARIJUANA BUSINESS TO BE LOCATED AT 7853 US HIGHWAY 85

I. Agenda Date: Local Licensing Authority – March 15, 2022

II. Attachments: a. Location Map

III. Summary Statement:

The applicant, Carretera Ocho Cinco, LLC, was successful in the lottery held before the City Council on February 15, 2022. This hearing is being held pursuant to the municipal code on consideration of the application for a retail marijuana business.

IV. Submitted by: _____
Mari Peña, City Clerk

V. Finance Reviewed _____
Finance Director

VI. Approved for Presentation: _____
City Administrator

VII. Attorney Reviewed _____ Approved _____ Pending Approval

VIII. Certification of Licensing Authority: _____
City Clerk Date

IX. Detail of Issue/Request:

Carretera Ocho Cinco, LLC, submitted a complete application for a retail marijuana business. Staff reviewed the application and found that it met zoning requirements, setbacks, and possession of the premises. A background investigation was conducted on the Controlling Beneficial Owners, Daniel Balderas, Rachel K Gillette and Puppies & Sushi, LLC. Both Mr. Balderas and Ms. Gillette appear to be of good moral character. The application review included the floor plan/security diagram, locks and doors, alarm system, lighting, cameras and DVD Recording, parking lot, and waste disposal plan. The following concerns were noted during the review:

- Floor plan/security diagram: the plan lacks clear explanation of types of doors and locks being placed inside the establishment. What type of locks will be used? Will they meet the required state requirements?
- Cameras/DVR storage: the diagram doesn't list if the DVR will have the required storage for video recording retention. Will the cameras be able to hold the required memory and have the proper resolution?
- Lighting: What type of lighting types will be placed on the property? Will the lighting be able to provide facial recognition for the cameras?
- Alarms system: What type of alarm system will be provided? What type of services in the plan?

The applicant was successful in the lottery held before the City Council on February 15, 2022, and is now before the Authority in the public hearing process.

The application is being provided to the Authority for review electronically.

All notification requirements have been met including publication in the newspaper and posting of a sign on the premises ten (10) days prior to the hearing.

Approval of the business license does not constitute approval of the land use process and building components. If the applicant hasn't already, the applicant will also need to submit a Pre-Application Review Questionnaire to discuss requirements for potential land use applications and building permits with the Planning and Building Department. It is highly likely that permits and procedures in addition to this marijuana business license will be required.

X. Legal/Political Considerations:

XI. Alternatives/Options:

1. The Authority may approve the business license for a retail marijuana store.

2. The Authority may refuse to issue a regulated marijuana business license if the application does not meet the requirements of the municipal code or any other applicable law, rule, or regulation, or contains false or incomplete information.
3. The Authority may refuse to issue a regulated marijuana business for good cause, as defined Section 6-352, of the municipal code subject to judicial review.
4. The Authority may delay a response on the application if further investigation is needed, but no later than 30 days, the city clerk shall notify the applicant of the Authority's findings based on investigation.

XII. Financial Considerations:

XIII. Staff Recommendation:

Staff seeks recommendation.



CITY OF FORT LUPTON
MARIJUANA LICENSING AUTHORITY



Valerie Blackston, Ward 1
Chris Ceretto, Ward 2
Carlos Barron, Ward 3

Zo Stieber, Mayor

David Crespín, Ward 1
Claud Hanes, Ward 2
Bruce Fitzgerald, Ward 3

AM 2022-003

**CONSIDERATION BY THE CITY OF FORT LUPTON CITY COUNCIL ACTING AS THE MARIJUANA LOCAL
LICENSING AUTHORITY ("AUTHORITY") ON AN APPLICATION SUBMITTED BY HIGH PLAINZ STRAINS
OF FORT LUPTON, INC. FOR A RETAIL MARIJUANA BUSINESS TO BE LOCATED AT 1330 FACTORY
CIRCLE**

I. Agenda Date: Local Licensing Authority – March 15, 2022

II. Attachments: a. Location Map

III. Summary Statement:

The applicant, High Plainz Strains of Fort Lupton, Inc., was successful in the lottery held before the City Council on February 15, 2022. This hearing is being held pursuant to the municipal code on consideration of the application for a retail marijuana business.

IV. Submitted by: _____
Mari Peña, City Clerk

V. Finance Reviewed _____
Finance Director

VI. Approved for Presentation: _____
City Administrator

VII. Attorney Reviewed _____ Approved _____ Pending Approval

VIII. Certification of Licensing Authority: _____ Date _____

IX. Detail of Issue/Request:

High Plainz Strains of Fort Lupton, Inc. submitted a complete application for a retail marijuana business. Staff reviewed the application and found that it met zoning requirements, setbacks, and possession of the premises. A background investigation was conducted on the Controlling Beneficial Owners, John Rotherham and Alicia Rotherham. Both Mr. Rotherham and Mrs. Rotherham appear to be of good moral character. The application review included the floor plan/security diagram, locks and doors, alarm system, lighting, cameras and DVD Recording, parking lot, and waste disposal plan. It appears all plans covered all the requirements that are needed by the Colorado Marijuana Enforcement Division and no issues were found with the security plan.

The application includes three (3) managers:

Tucker Elridge – Operations Manager

Jason Montoya – Retail General Manager

Crissy Deleon – Store Manager

Background investigations were completed on all three (3) managers. Tucker Elridge, Jason Montoya and Crissy Deleon appear to be of good moral character.

The applicant was successful in the lottery held before the City Council on February 15, 2022, and is now before the Authority in the public hearing process.

The application is being provided to the Authority for review electronically.

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Approval of the business license does not constitute approval of the land use process and building components. If the applicant hasn't already, the applicant will also need to submit a Pre-Application Review Questionnaire to discuss requirements for potential land use applications and building permits with the Planning and Building Department. It is highly likely that permits and procedures in addition to this marijuana business license will be required.

X. Legal/Political Considerations:

XI. Alternatives/Options:

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2. The Authority may refuse to issue a regulated marijuana business license if the application does not meet the requirements of the municipal code or any other applicable law, rule, or regulation, or contains false or incomplete information.

3. The Authority may refuse to issue a regulated marijuana business for good cause, as defined Section 6-352, of the municipal code subject to judicial review.
4. The Authority may delay a response on the application if further investigation is needed, but no later than 30 days, the city clerk shall notify the applicant of the Authority's findings based on investigation.

XII. Financial Considerations:

XIII. Staff Recommendation:

Staff seeks recommendation.

Retail Marijuana Business

