



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

MEMO TO: Boulder County Commissioners
FROM: Erica Bjelland – Development Review Planner
DATE: March 26, 2024
RE: SPR-23-0087: Reptar 1783 LLC Change of Use - Decision to Call-Up

Item	Pages
○ Staff Memo	1 – 3
○ Determination Letter (Attachment A)	A1 – A310
○ Public Comments in 14-Day Call Up/Appeal Period (Attachment B)	B1 – B76
○ Applicant Additional Materials (Attachment C)	C1-C14

On September 12, 2023, staff received application materials for a Site Plan Review to allow for a Change of Use on the subject parcel from an Overnight Lodging use (Article 4-507.C) to a Marijuana Establishment use (Article 4-512.I). In the original application, the applicant proposed to have 20 employees, 55 parking spaces, a 140-person occupancy load, and 310 Average Daily Trips (ADTs).

The applicant worked with staff to revise the proposal to reduce the impact of the ADTs and parking and to provide more information about the proposed growing, processing, and selling of marijuana. On January 19, 2023, staff sent out a re-referral packet with information from the applicant that proposed 8-10 employees, 32 parking spaces, 149 ADTs, an occupant load of 58, and provided more information about on-site security, odor control, water use, and the use of minimal chemical processing.

On February 27, 2024, the Community Planning & Permitting Department conditionally approved the revised application for docket *SPR-23-0087: Reptar 1783 LLC Change of Use*, allowing for a change of use from Overnight Lodging to Marijuana Establishment with growing, processing, and retail and the addition of a 1,200-square-foot grow shed on an approximately 2.67-acre parcel, located at 33247 Coal Creek Canyon Drive.

During the 14-day appeal and call-up period, the Community Planning & Permitting Department received 55 comments from adjacent property owners and members of the public regarding the application (see Attachment B). Of the total comments received after the Determination was issued, three members of the public expressed general support for the project and 52 expressed concerns. The applicant also submitted additional information about the proposal and existing development in the surrounding area (see Attachment C).

A summary of concerns expressed in the received public comments are as follows:

- The parcel zoned as Business and the use proposed is not compatible with the surrounding residential subdivision zoned Forestry.
- Well water depletion
- Water contamination from chemicals used on-site
- Wildfire risk
- Energy intensive use

- Increased traffic
- Increased parking
- Community safety for children and surrounding residents
- Police response time due to location (increased criminal activity concerns)
- Air and odor pollution
- Property value effects
- Enough marijuana dispensaries in nearby towns
- Destruction of the existing structure's historical significance

Staff evaluated the application pursuant to the Site Plan Review Standards set forth in Article 4-806 of the Boulder County Land Use Code.

COMPATIBILITY WITH NEIGHBORHOOD

The subject parcel is located within the Cedar Ridge Estates subdivision. The parcel is zoned Business, and the rest of the subdivision is zoned Forestry. Staff noted in the Determination Letter that a Marijuana Establishment use is allowed in the Business Zoning District, and staff found that the proposed use is compatible with the small business character of the parcel.

Public comments expressed concerns about an increase in lighting that would not be compatible with the neighborhood character. Staff did not approve the proposed lighting plan, but required a new lighting plan showing downlit fixtures and only one lighting fixture per entrance be submitted with a building permit application.

TRAFFIC AND PARKING

Public comment expressed concern with an increase in traffic to the area and the subject parcel. The site currently has two access points to State Highway 72 (Coal Creek Canyon Drive). To reduce potential traffic conflicts, staff required the western most access to connect with Ramona Road at approximately 70 feet to the north of State Highway 72.

Staff found that with the rerouting of Ramona Road, the 149 ADTs shown in the Traffic System Impact Study would reduce traffic conflicts. Information regarding the ADTs of the previous Overnight Lodging use was not provided. To ensure traffic concerns are addressed, Staff required a traffic study at six and eighteen months after the new Marijuana Establishment use commences. If the ADTs exceed 150, per Article 4-109.F.2.a the applicant must apply for and receive approval under the Special Use provisions in Article 4-600 of the Boulder County Land Use Code (the Code).

Staff also evaluated the proposed 32 parking spots, which is a decrease from the original 55 parking spaces proposed. Per Section 4-512.I.2 of the Code, only 11 spaces are required to comply with parking standards for the proposed use. Approximately 16 parking spaces exist, and staff did not approve any expansion of parking.

RESOURCE USE

The applicant proposes to grow, process, and sell marijuana-infused creams, oils, powders, tea, and sunscreen as well as pre-packaged joint packs. Public comments expressed concerns about chemicals seeping into groundwater supply. The narrative notes that the growing will be organic and the extraction of oils from plants will not use solvents. The Building Department requires a hazard material inventory and an industrial hygienist to evaluate the process at building permit application. This is included in the Additional Materials section of the Determination Letter.

Staff found that creating marijuana-infused products does not fall under 'plant extraction,' which is a Light Industrial use and is not allowed in the Business Zoning District. The processing of the plant material falls under the proposed Marijuana Establishment use, which includes 'marijuana-infused products manufacturing.' Staff requires the applicant to obtain all necessary county and state licenses required for this use.

Several public comments noted concern about limited water resources in the area. The applicant

proposes to use 20-100 gallons per day. The applicant noted that the previous lodging use had a use of 300 gallons per day. Boulder County does not have jurisdiction over well permits or well use, but staff referred the packet to The Division of Water Resources (DWR). DWR noted that the existing well permit does not allow water use for cultivation of marijuana or irrigation of lawns and landscaping. After receiving the referral, the applicant notified staff that they plan to have 660 gallons of water monthly brought in for cultivation that will be stored in 550-gallon cisterns. They did not provide a location or more information about the cisterns. Staff conditioned that the plans for bringing in water and the location of the cisterns must be provided before building permit application. Additionally, staff conditioned that the well water and cistern water cannot have any interconnection. DWR noted that they do not have concerns with hauling in water from a legal source and storing it in cisterns but did recommend keeping records of all deliveries as evidence the well is not being used improperly. Staff found that one delivery of water per month would not have a significant impact on ADT calculations.

Boulder County Public Health requires that any wastewater associated with the growing or cultivation of marijuana drain into a permitted vault and not into the existing Onsite Wastewater Treatment System (OWTS). The applicant is required to apply for an OWTS permit with Boulder County Public Health.

The applicant is proposing an odor ventilation system with a low decibel fan and odor control for outside the facility. Odor control is required by Boulder County Public Health as part of getting a marijuana license, which comes after the Determination and is noted in the Additional Comments.

SAFETY

Several public comments expressed safety concerns about people purchasing marijuana close to residences and wildfire risk. Staff required the applicant to preserve and plant landscaping around the property line for security and screening. Staff also required the applicant work with Wildfire Partners to make sure the screening meets wildfire safety standards. Lastly, the applicant is required to work with Coal Creek Canyon Fire Department to meet their standards. Boulder County does not have jurisdiction over Coal Creek Canyon Fire Department but requires sign off from the Fire Marshall during the building permit process.

Several public comments mentioned that the use may affect police response time and property value in the neighborhood. Police response time and property values are not part of the Site Plan Review Standards, but staff recommends the applicant work with Boulder County Police to discuss any response time issues.

Several public comments noted the presence of armed guards and cash on-site that would create safety concerns. Submitted application materials did not include information about armed guards or cash on-site. The applicant is proposing security cameras around the building and a fence around the property that has already partially been constructed. Staff required that the fence be wildlife safe and that a boundary survey be completed to ensure the location is not in the public right-of-way and other parcels. Staff also required that the fence meet all height requirements. There is currently a zoning violation (ZON-23-0152) that found that the height of the fence is over 6 feet. The zoning violation must be resolved before issuance of any building permits.

REQUEST

Staff requests that the Board of County Commissioners determine whether to call up the Director's determination of docket *SPR-23-0087: Reptar 1783 LLC Change of Use* for review at a public hearing.



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Claire Levy County Commissioner

Marta Loachamin County Commissioner

Ashley Stolzmann County Commissioner

2/27/2024

Reptar 1783 Llc
 33247 Coal Creek Canyon Drive (Hwy 72)
 Golden, CO 80403 848

Dear Applicant(s):

This letter certifies that in accordance with section 4-800 of the Boulder County Land Use Code, the Boulder County CPP Director has Approved with Conditions the site plan for the following, effective February 27, 2024.

Docket: SPR-23-0087 Reptar 1783 LLC Change of Use

Request: Site Plan Review for a change of use from Lodging to a Marijuana Establishment with growing, processing, and retail and addition of a 1,200-square-foot grow shed on an approximately 2.67-acre parcel.

Location: 33247 COAL CREEK CANYON DRIVE

Zoning: Business

Applicant: REPTAR 1783 LLC

This is a Conditional Approval made by the CPP Director, and is not final until a 14-day referral period has transpired. During the next 14 days, the Board of County Commissioners (BOCC) may choose to call this docket up for a public hearing. If no hearing is required, this letter will serve as the final determination. Building, grading and access permits will be subject to any and all conditions of approval.

If the BOCC should decide to modify the CPP Director's approval, or determines that further review is necessary, a public hearing will be held. Upon completion of the public hearing and approval by the BOCC, if a building, grading or access permit has been applied for, it will continue in the process and permits may be issued subject to any and all conditions of approval.

In the event that you wish to appeal any conditions of the CPP Director's determination, you are entitled to appeal the determination to the BOCC. You must file an appeal for this purpose with the CPP Department in writing no later than 14 days after the date of this letter. If an appeal is requested, the BOCC will review the CPP Director's determination at a public meeting.

Please be aware that the attached Conditions of Approval become final if the docket is not called up by the BOCC at the end of the 14-day review period. There are no other administrative means to appeal. If you wish to resubmit information with regards to complying with any of the attached Conditions of Approval, and have this information reviewed for approval by staff prior to the end of the 14-day review period, your submissions must be received by the office no later than 10 days from the date of this letter.

Site Plan Review approval is valid for three years from the date of this letter although any changes in County regulations could affect the proposal prior to application for a building permit. In order to be issued a building permit, the project must comply with all policies and regulations in effect at the time of permit application.

ATTACHMENT A 2 A Building Permit cannot be issued for this project until the applicable conditions above have been met. Furthermore, a Certificate of Occupancy cannot be issued for this project until the applicable conditions above have been met. A SPR inspection will need to be scheduled with this department prior to the issuance of a Certificate of Occupancy. None of the conditions of approval will be waived or a Certificate of Occupancy issued for this project based upon the applicant's need to meet financial obligations (i.e., construction cost overruns or loan closing dates). Any future additions to the approved structure, regardless of size, will require SPR approval to amend this SPR.

The Public Notice sign must remain posted for 14 days after the date of this letter and then returned to the CPP Department in a timely manner after this date. Or, if your Site Plan Review application requires a public hearing, please return the sign after the final public hearing. We will begin processing a refund for the \$25 sign deposit when your sign is returned, and a check will be mailed to you within approximately 2 weeks.

Please carefully review the attached conditions of approval. Compliance with these conditions will be confirmed as is necessary throughout the process.

Sincerely,

A handwritten signature in cursive script that reads "Erica Bjelland".

Erica Bjelland

Planner I

ATTACHMENT A 3

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 1 of 18
February 27, 2024

APPLICATION #: SPR-23-0087
APPLICANT: Reptar 1783 LLC
PROJECT LOCATION: 33247 Coal Creek Canyon Drive
PROJECT SUMMARY: Site Plan Review for a change of use from Lodging to a Marijuana Establishment with growing, processing, and retail and addition of a 1,200-square-foot grow shed on an approximately 2.67-acre parcel.

CONDITIONS OF APPROVAL

Per Article 4-802.A of the Boulder County Land Use Code (the Code), Site Plan Review is required for this proposed development because it is proposing a change of use from a Lodging use to a Marijuana Establishment with growing, processing, and retail.

Article 4-806 of the Code states that no Site Plan Review can be approved without compliance with the following standards. All site plan review applications shall be reviewed in accordance with the following standards which the Director has determined to be applicable based on the nature and extent of the proposed development. ***Only those standards applicable to this project are included in this list.***

Staff received 86 comments for this docket (84 against the proposal, 2 in favor). A petition with 1,059 signatures was also sent to staff. All comments and the text of the petition are included as attachments in this packet. Concerns included increased traffic, community safety, neighborhood compatibility, energy usage, water usage, and effects on housing values. The concerns discussed in the comments are addressed throughout this determination letter.

1. To provide a greater measure of certainty as to the applicable neighborhood relevant for comparison, the following definition of neighborhood shall be used to review proposed Site Plan Review applications:

a. For applications inside platted subdivisions, which have seven or more developed lots, the neighborhood is that platted subdivision.

The applicable neighborhood for the subject parcel is the platted subdivision of Cedar Ridge Estates.

2. The size of the resulting development (residential or nonresidential) must be compatible with the general character of the defined neighborhood.

a. In determining size compatibility of residential structures within the defined neighborhood, it is presumed that structures of a size within the larger of a total residential floor area of either (1) 125% of the median residential floor area for that defined neighborhood or (2) of a total residential floor area of 1,500 square feet in the mapped townsites of Allenspark, Eldora, Eldorado Springs, Raymond, and Riverside, or 2,500 square feet for all other areas of the County, are compatible with that neighborhood, subject also to a determination that the

ATTACHMENT A 4

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 2 of 18
February 27, 2024

resulting size complies with the other Site Plan Review standards in this section 4-806.A.

A. FLOOR AREA

Currently, the parcel has an existing 5,760-square-foot structure on site that previously housed an Overnight Lodging use (Article 4-507. C). The applicant is proposing to change the use of the parcel from the Lodging use (Overnight Lodging) to a Marijuana Establishment (Retail and Personal Service Use – Article 4-512.I). The applicant plans to grow, process, and sell products with marijuana and other plants (including cream, salve, body oil, sunscreen, shampoo, joint packs, and tea blends).

The applicant is not proposing to add floor area to the existing structure. A new entrance on the south side of the structure is proposed. The Historic Preservation Advisory Board (HPAB) supported this entrance in their review on October 19, 2023. Building permits will be required for internal alterations.

A 1,200-square-foot shed is proposed that will provide a separate space to grow plants. The 1,200-square-foot shed will house 80 marijuana plants (including 36 flowering plants, 36 vegetative plants, 8 mother plants), and 36 clone plants. Other plants for infusing will include 10 rose plants, 10 arnica plants, and 10 calendula plants. The structure will be a permanent structure and will need to meet building code requirements.

During a site visit on January 25, 2024, staff found four accessory structures that are larger than 120 square feet in size. The structures include one teepee and one covered structure on the southern part of the parcel. It is unclear if the covered structure is under 120-square-feet. The other two structures are green sheds on the northwestern portion of the parcel. From the application materials, staff finds that these two sheds must be deconstructed for the proposed 1,200-square-foot grow shed because they are located where the new shed is proposed. Additionally, two unpermitted hot tubs were noted on the deck. Conditions related to unpermitted structures are included in standard 15 of this determination.

B. ZONING

The parcel is zoned Business and the rest of the Cedar Ridge subdivision, the defined neighborhood, is zoned Forestry. The parcel was first zoned Business in 1964. The current Lodging use on the parcel was built in 1963. Comments received in opposition to the proposal state that the proposed use will be inconsistent with the character of the area.

Small business use, rather than residential, defines the current and anticipated character of the parcel – the change of use proposed will maintain the business character of the parcel. Staff finds that the addition of the 1,200-square-foot growing shed will allow for a controlled, separate space for growing in a previously disturbed area.

C. RE-REFERRAL AND PROPOSED USE

The size of the proposed Marijuana Establishment use was originally proposed in September 2023 at a larger size and anticipated a more intensive operation. 150 Average Daily Trips, 20 full-time employees, and an occupant load of 140 people were originally proposed. An occupant load of over 100 and average daily trips over 150 would have required approval through a Special Use review application. After discussion with staff,

ATTACHMENT A 5

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 3 of 18
February 27, 2024

the applicant revised the proposal, reducing the full-time employees and square footage used for the proposed use, which decreased the occupant load and average daily trips calculation.

The intensity of the proposed use after revisions based on the information provided in the application materials is summarized below. Any future expansion will require further review by the county:

- Staff of approximately 8 to 10 people total (4 to 5 full-time retail employees and 4 to 5 full-time processing and cultivation employees);
- Occupant load of 58 people;
- Water use ranging from 20 to 100 gallons per day (less than the 300 gallons per day used by the previous Lodging use);
- Average traffic generation of under 150 trips per day; and
- Marijuana retail sales floor area, grow shed, storage/trimming/drying area for plants, production room, and storage.

Overall, staff finds that the proposal is considered to be consistent with the above standard.

Any changes to the activity as defined above and as outlined in the application materials and this determination letter will need to be submitted to the county for review and approval prior to any changes taking place.

D. APPROVED SIZE

FLOOR AREA*	
Total Floor Area to Remain and Use	5,760 square feet <ul style="list-style-type: none">• 707-square-foot apothecary (marijuana retail)• 1,400-square-foot storage/trimming drying of plants (marijuana processing)• 1,400-square-foot marijuana processing• 2,253-square-foot storage
Approved Additional Floor Area and Use	Approximately 1,200-square-foot growing shed
TOTAL approved resulting floor area	Approximately 6,960 square feet

3. *The location of existing or proposed buildings, structures, equipment, grading, or uses shall not impose an undue burden on public services and infrastructure.*

A. LEGAL ACCESS

The parcel is accessed via State Highway 72 (SH 72), also known as Coal Creek Canyon Drive, a paved Colorado Department of Transportation (CDOT) owned and maintained

ATTACHMENT A 6

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 4 of 18
February 27, 2024

right-of-way (ROW). Legal access has been demonstrated via adjacency to this public ROW.

At the time of building permit, documentation demonstrating legal use of the CDOT ROW must be provided.

B. PHYSICAL ACCESS

The current access configuration of the subject parcel includes two access points to SH 72. Ramona Road, which is owned and maintained by the County, is located immediately adjacent to the west access point. The junction of Ramona Road and SH72, and the parcel's access combine to create an access width of approximately 80 feet onto SH72. In order to reduce potential traffic conflicts, the applicant must re-route the current access drive to connect to Ramona Road. To limit disturbance, staff requires utilizing an existing access that intersects Ramona Road approximately 70 feet to the north of SH72. Staff also recommends one-way traffic circulation on the subject parcel such that the Ramona Road access point provides egress.

At building permit, provide updated plans showing the western-most access point to SH72 removed and restored. Plans must also show a new connection to Ramona Road compliant with Multimodal Transportation Standards (the Standards).

At the time of Building Permit review, an Access Permit will be issued for the new access point at Ramona Road. No special application procedure is necessary, the Access Permit will be issued concurrently with the Building Permit.

At building permit application, Updated plans must depict a driveway and parking area compliant with the Standards, including without limitation:

- a. Table 5.5.1 – Parcel Access Design Standards
- b. Standard Drawing 1- Parking Lot Dimensions
- c. Standard Drawings 11 – 12 Private Access
- d. Standard Drawing 14 – Access With Roadside Ditch Detail
- e. Standard Drawing 15 – Access Profiles Detail f. Standard Drawing 16 – Access Grade & Clearance

C. PARKING

Materials provided by the applicant indicate approximately 32 total parking spaces are proposed for the site. Section 4-512.I.2 of the Code requires one space per 200 square feet of floor area used for retail sales, and one space per 1,000 square feet of floor area for cultivating, research, and/or testing at a Marijuana Establishment. In addition, section 4-515.B.2 of the Code requires one parking space per 1,000 square feet of floor area of warehouse space. Revised materials submitted by the applicant assumes 4,000 square feet of floor area will be used for Marijuana Cultivation and Processing, and 707-square feet will be used for retail sales, resulting in a total of eight required parking spaces. An additional two spaces are required for the remaining area dedicated as storage space resulting in a total number of 11 spaces required to comply with the code. Aerial imagery indicates approximately 16 spaces already exist at the site. Therefore, the proposed expanded parking is not approved.

ATTACHMENT A 7

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 5 of 18
February 27, 2024

Additionally, Chapter 11 of the International Building Code (IBC) and referenced standard ICC A117.1-09 provide for accessibility for persons with disabilities. Any building permit submittals are to include any applicable accessibility requirements, including accessible parking, signage, accessible routes, and accessible fixtures and features.

At building permit, provide updated plans showing the existing parking spaces on site and that parking meets accessible parking requirements.

Plans submitted by the applicant mentioned bicycles but do not indicate the location of bicycle parking in the site plan. Per article 5.6.3 of the Multimodal Transportation Standards, one bicycle parking space is required for every 10 automobile parking spaces. Therefore, two bicycle parking spaces are required to comply with the Multimodal Transportation Standards. In addition, bicycle parking shall be no more than 50 feet from the entrance of the proposed business.

At building permit, provide updated plans depicting sufficient bicycle parking to comply with the Multimodal Transportation Standards.

D. FENCE

Staff is aware that a fence on the southwest corner of the subject parcel was recently constructed and may be within the CDOT ROW. Per Section 5.3.5.6 and Section 5.11.3 of the Standards, and Article 4-806.A.6 of the Code (the Code), fences must not be constructed within the public ROW, interfere with sight triangles at intersections, or impede historic drainage.

At building permit, provide updated plans depicting the location and height of all existing and proposed fences compliant with the Standards and the Code.

Prior to construction, a boundary survey must be completed to ensure all existing and proposed improvements are located within the subject parcel and outside of all ROWs, parcel boundaries, and required setbacks.

Appropriate erosion control measures such as erosion control logs shall be installed downslope and parallel to contours for all disturbed areas including staging areas. The location and types of erosion control shall be shown on site plans submitted for building permit approval.

During construction, all vehicles, materials, machinery, dumpsters, and other items shall be staged on the subject parcel. No staging or parking may occur along State Highway 72.

E. TRAFFIC

Development Review Team - Access & Engineering (A&E) staff reviewed and accepted a revised Traffic System Impact Study (TSIS) submitted by the applicant and dated February 15, 2024. The TSIS indicates that the proposed Marijuana Establishment's Average Daily Trips (ADT) are estimated at 149.

ATTACHMENT A 8

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 6 of 18
February 27, 2024

Information regarding the Average Daily Trips for the current Lodging use were not provided, so it is unclear if traffic will increase. Actual trip generation for uses depends on hours of operation and other factors such as popularity. With the condition of re-routing the current access drive to connect to Ramona Road, staff finds that traffic conflicts will be reduced with the proposed ADTs.

Several comments in opposition to the proposal expressing a consistent concern regarding traffic safety and the potential for the proposal to worsen the situation.

Average traffic generation for the use is limited to 150 ADTs.

The Applicant shall measure traffic generation at six months and at 18 months after the use commences and must submit reports immediately thereafter to the Community Planning & Permitting Department for review. The measurements must count traffic for a full week. The Community Planning & Permitting Department will review and determine the necessity for additional annual traffic generation measurements after the 18-month review. If at any time the ADTs exceeds 150, the Applicant must apply for and receive approval under the Special Use Review provisions in Article 4-600 of the Code.

F. WATER USE

The parcel is served by an existing well with Well Permit No. 154505. Well permit No. 154505 was approved as the only well on a site described as Lot 20, Cedar Ridge Estates Subdivision. The Colorado Division of Water Resources (DWR) noted in a referral response that the well permit does not support the well being used for cultivation of marijuana or the irrigation of lawns or landscaping.

The use of groundwater from the well is limited to drinking and sanitary facilities inside a business. As currently permitted, water from this well must not be used for the cultivation of marijuana or for the irrigation of any lawns or landscaping. The maximum annual volume of groundwater to be used must not exceed $\frac{1}{3}$ acre-foot (108,600 gallons), and the well is required to be outfitted with a totalizing flow meter.

The DWR noted that the applicant can obtain a non-exempt well permit that allows for use of the water from the well for cultivation of marijuana or other non-exempt uses, the well would first need to be included in a plan for augmentation decreed by the water court or a substitute water supply plan approved by the state engineer.

After the referral response was received, the applicant noted that they plan to have 660 gallons of water from Mountain View Water Services brought on site for cultivation and lawns/landscaping uses. The applicant plans to store this water in two 550-gallon cisterns to be installed by a licensed contractor but did not note the location of the cisterns.

Prior to issuance of building permit, submit plans indicating the specifications and location of the proposed cisterns. The system that supplies water to the plants must remain entirely separate from all other water sources and fixtures on the site. No interconnection is allowed.

ATTACHMENT A 9

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 7 of 18
February 27, 2024

- The site plan shall satisfactorily mitigate the risk of wildfire both to the subject property and those posed to neighboring properties in the surrounding area by the proposed development. In assessing the applicable wildfire risk and appropriate mitigation measures, the Director shall consider the referral comments of the County Wildfire Mitigation Coordinator and the applicable fire district, and may also consult accepted national standards as amended, such as the Urban-Wildland Interface Code; National Fire Protection Association (NFPA); International Fire Code; and the International Building Code.***

WILDFIRE MITIGATION/TREE PRESERVATION REQUIREMENTS

The proposed project is in Wildfire Zone 1 of unincorporated Boulder County. Therefore, wildfire mitigation is required. The Boulder County wildfire mitigation requirements are composed of site location, ignition-resistant materials and construction, defensible space, emergency water supply, and emergency vehicle access.

A Wildfire Partners certificate is required to mitigate the risk of wildfire both to the subject parcel and those posed to neighboring properties in the surrounding area. The proposed landscaping is not approved. Any proposed landscaping will need to be approved by the Boulder County Wildfire Mitigation team.

After applying for, but prior to issuance of any permits, a Boulder County Wildfire Mitigation Specialist will contact you to schedule a Wildfire Partners assessment and defensible space marking.

At the time of final inspection, all required items in the Wildfire Partners Assessment report are to be fully implemented and inspected.

Prior to issuance of any permits or removal of any trees, a Wildfire Partners or Regulatory Wildfire Mitigation assessment and defensible space marking shall be completed. Based upon the compliance path selected, either a Wildfire Partners Assessment report or a Wildfire Mitigation Plan will be created which will describe the wildfire mitigation requirements to be implemented. The defensible space marking will be designed in conjunction with the Tree Preservation Plan and Screening requirements outlined in standard 10 below: maximum preservation of existing mature trees on-site on the edge of the property line is required. The existing stand(s) of mature trees on the property lines of the parcel are critical for visual screening and to soften visual impacts. These trees shall be preserved to the maximum extent possible while incorporating wildfire safety requirements.

The Wildfire Partners Assessment report or the Wildfire Mitigation Plan will show the existing trees that are required to be preserved (noted on the site plan and marked on site) for visual screening, per standard 10 below.

Before scheduling rough inspections, vegetation marked for removal must be cut and all slash, cuttings, and debris must be removed and/or properly disposed and inspected by the Boulder County Community Planning & Permitting Department. Community Planning & Permitting staff must confirm that the trees required to be preserved (noted

ATTACHMENT A 10

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 8 of 18
February 27, 2024

on the approved defensible space plan and marked on site) remain on the parcel. The trees flagged with “Do Not Cut” tape shall not be removed without staff approval.

The [Fire Sprinkler and Fire Cistern Approval Form](#) must be submitted to the Boulder County Building Safety & Inspection Services at ezbp@bouldercounty.org (or Fax: 303-441-4856 or P.O. Box 471, Boulder, Colorado, 80306) after the fire protection district completes the Community Cistern or Individual Fire Cistern portion.

At the time of final inspections, all required items in the Wildfire Partners Assessment Report or Regulatory Wildfire Mitigation Plan are to be implemented, inspected by a Wildfire Mitigation Specialist, and approved. Staff must confirm that the trees required to be preserved (flagged with “Do Not Cut” tape, noted on approved defensible space plan) remain on the parcel.

Please refer to Section R327 of the Boulder County Building Code for Ignition-Resistant Construction requirements. See the referral from the Wildfire Mitigation Team for more information on the County’s wildfire mitigation requirements, including: site location, and emergency vehicle access. See the referral from the Building Safety & Inspection Services Team for more information on the County’s Automatic Fire Sprinkler System requirement.

The Coal Creek Canyon Fire Protection District submitted a referral indicating the International Fire Code requirements for the proposed use. Plans are required to be submitted to the Coal Creek Canyon Fire Protection District for review and approval. Staff highly recommends the applicant contact the Coal Creek Canyon Fire Protection District and satisfying their requirements before applying for building permits.

7. ***The development shall avoid significant natural ecosystems or environmental features, including but not necessarily limited to riparian corridors and wetland areas, plant communities, and wildlife habitat and migration corridors, as identified in the Comprehensive Plan or through the site plan review process. Development within or affecting such areas may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.***

WILDLIFE SAFE FENCE

Because this area is near land owned by the US Forest Service, the following wildlife-safe specifications shall apply for any new fences:

- a. Fences should be made from materials like woven wire or tightly strung, single-strand wire. Chain-link fencing is not permitted except for small kennels, since wildlife can be easily entangled in mesh fencing.
- b. Top and bottom wires must be smooth, with wire spacing at 16, 22, 28, and 40 inches from the ground. The bottom wire must be at least 16 inches from the ground for the passing of young animals. The top two wires must be 12 inches apart to reduce entanglement. Because fences over 40 inches high may be lethal, they are not permitted.

ATTACHMENT A 11

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 9 of 18
February 27, 2024

9. *The development shall avoid significant historic or archaeological resources as identified in the Comprehensive Plan or the Historic Sites Survey of Boulder County, or through the site plan review process. Development within or affecting such resources may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.*

HISTORIC SIGNIFICANCE

The Historic Preservation Advisory Board (HPAB) has determined that the existing historic lodge is eligible for landmark status for its construction. Additionally, as noted in standard 2, the proposed new entrance and the use proposed was supported by the HPAB.

The applicant proposed a new sign that has not been reviewed by the Historic team.

At building permit, the proposed signs should be sent to and reviewed by the Boulder County Historic team.

10. *The development shall not have a significant negative visual impact on the natural features or neighborhood character of surrounding area. Development shall avoid prominent, steeply sloped, or visually exposed portions of the property. Particular consideration shall be given to protecting views from public lands and rights-of-way, although impacts on views of or from private properties shall also be considered. Development within or affecting features or areas of visual significance may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.*

b. For development anywhere in the unincorporated areas of the county, mitigation of visual impact may include changing structure location, reducing or relocating windows and glazing to minimize visibility, reducing structure height, changing structure orientation, requiring exterior color and materials that blend into the natural environment, and/or lighting requirements to reduce visibility at night.

	APPROVED
Location of shed	As shown on the site plan sent out on referral on January 19, 2024 Note: proposed parking area is not approved (noted in standard 3)
Elevations	As shown in the referral packet sent out January 19, 2024
Height of shed	Approximately 8 feet from existing grade
Exterior Materials	Metal
Exterior Colors	Green

A. LANDSCAPE AND SCREENING REQUIREMENTS

ATTACHMENT A 12

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 10 of 18
February 27, 2024

Because the parcel is visible from neighboring parcels within the adjacent subdivision, additional landscaping is required and must include the following:

- a. The maximum number of existing and proposed mature trees is required. A tree preservation plan must be created in conjunction with Wildfire Partners conditions (discussed in standard 5).
- b. The placement of trees along the property line is required on all sides to buffer its visual impact from the rest of the residential subdivision and SH 7. All required deciduous trees must have at least a two-and-a-half inch caliper and coniferous trees must be at least six feet in height. The intent is to provide visual screening of the structure and additional separation for safety from the surrounding residential area.



Figure 1 The above photo shows the proposed landscaping plan that was submitted by the applicant. The proposed plan did not meet wildfire mitigation requirements. Preserving the proposed and existing vegetation noted with red lines above should be prioritized while also meeting Wildfire Mitigation standards. These areas will allow for visual screening from the residential subdivision surrounding the parcel.

Prior to issuance of building or grading permits, submit to the Community Planning & Permitting Department a Landscape and Screening Plan that depicts the type and location of required trees for review and approval. The Landscape and Screening Plan shall be included as part of the building plan set required at the time of permit application.

ATTACHMENT A 13

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 11 of 18
February 27, 2024

Prior to issuance of a Certificate of Occupancy /At the time of final inspection, the full installation of the approved Landscape and Screening Plan must be inspected and approved by the Community Planning & Permitting Department.

B. EXTERIOR COLORS AND MATERIALS

The color of the existing structure is proposed to remain unchanged. The application materials indicate green metal will be used for the grow shed although, no color samples were provided. Due to the structure's visible position in the landscape, samples of the exterior colors and metallic materials shall be provided to ensure visual impacts of the development are minimized and that the development blends in with the natural environment and neighborhood character of surrounding area. Colors should be carefully selected from the dark to medium brown, gray, or green color range and materials should have a matte finish. This ensures that they are compatible with the policies and goals established by the Comprehensive Plan and provisions of the Code and will not result in an adverse impact on surrounding properties.

Prior to issuance of building permits, submit to the Community Planning & Permitting Department for review and approval, three sets of exterior color samples (color chips, brochure, or catalog page) and material samples to be used including roof, siding and trim. Please note that all samples need to be small enough to fit into a file and will be kept for the record. Samples should be included as part of the building plan set required at the time of permit application.

C. EXTERIOR LIGHTING

The locations and types of exterior lighting fixtures were provided in the application but are not approved. Given the visible position in the landscape and the rural character of the area, lighting has the potential to cause negative visual impacts. In order to minimize adverse visual impacts, lighting on site should be limited to one fixture for each exterior entrance and the use of landscape or driveway lighting is discouraged.

Prior to issuance of building permits, one copy of a proposed lighting plan must be submitted to the Community Planning & Permitting Department for review and approval. The lighting plan shall be included as part of the building plan set required at the time of permit application.

NOTE: [Down lighting](#) is required, meaning that all bulbs must be fully shielded to prevent light emissions above a horizontal plane drawn from the bottom of the fixture. All exterior light fixtures must be in conformance with [Article 7-1600](#) and [Article 18-162A](#) of the Code.

Prior to issuance of a Certificate of Occupancy/At the final inspection, the full installation of the approved lighting plan must be inspected and approved by the Community Planning & Permitting Department.

11. *The location of the development shall be compatible with the natural topography and existing vegetation and the development shall not cause unnecessary or excessive site disturbance. Such disturbance may include but is not limited to long driveways, over-*

ATTACHMENT A 14

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 12 of 18
February 27, 2024

sized parking areas, or severe alteration of a site's topography. Driveways or grading shall have a demonstrated associated principal use.

A. LOCATION

The locations shown on the site plan for the grow shed dated January 19, 2024 are approved as proposed.

B. EARTHWORK AND GRADING

233 cubic yards of fill is proposed for parking areas and driveways. It is unclear where all of this fill will be used. Staff supports earthwork for moving the western access toward Ramona Road (as discussed in standard 3).

However, the application materials and staking on site indicated a parking area to the east of the structure that staff finds to be excessive parking. Staff does not support this proposed parking area because of the steep slope of that area. Additionally, as discussed in standard 3, the parking expansion is not approved.

At building permit, provide updated grading calculations for the fill proposed for driveway rerouting.

C. UTILITIES

To minimize disturbances to the site, all utility service lines shall be routed underground (see [Article 7-1200](#) of the Code) and should be located in areas already disturbed or proposed to be disturbed (e.g., along driveway).

No permanent structures are acceptable within the dry utility easements.

Renewable Energy

The applicant proposed adding solar energy to the roof of the structure to reduce energy consumption in the building, however, plans for the solar array were not included. If the applicant would like to add solar to the roof, they will need to reach out to their utility provider, United Power, and receive a building permit to do so.

Prior to issuance of building and grading permits, submit to the Community Planning & Permitting Department for review and approval a plan depicting the routing of all utility services. The utility routing plan shall be included as part of the building plan set required at the time of permit application.

At the time of building inspections, full installation of the utilities per the approved plan must be inspected and confirmed by the Community Planning & Permitting Department.

ATTACHMENT A 15

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 13 of 18
February 27, 2024

12. ***Runoff, erosion, and/or sedimentation from the development shall not have a significant adverse impact on the surrounding area.***

REVEGETATION PLAN

No information was provided regarding the proposed method of revegetation for site disturbance associated with construction.

Prior to issuance of building or grading permits, submit to the Community Planning & Permitting Department for review and approval one copy of the proposed Revegetation Plan that conforms to the requirements as described on the materials located on our [Revegetation Page](#).

The plan must also show the location of all erosion control devices such as silt fence, straw bales, riprap and retaining walls. Cut and fill slopes are not to exceed a slope of 2:1 (slopes of 1.5:1 may be allowed in areas with soils and exposures conducive to good revegetation or if the plan takes steps to improve the revegetative properties of the site.) The grade of all cut and fill slopes must be included on the revegetation plan. The plan must include details regarding the reclamation of existing and proposed cut and fill slopes.

Prior to issuance of a Certificate of Occupancy /At the time of final inspection, the full installation of the approved revegetation plan must be inspected and approved by the Community Planning & Permitting Department. If weather is not conducive to seeding or if adequate revegetation efforts have not occurred and vegetation is not adequately established at the time of final inspection request, an irrevocable letter of credit or monies deposited into a County Treasurer account will be required to assure the success of revegetation. You should consider the following well in advance of your revegetation inspection:

- a. Whether you are applying for a Certificate of Occupancy, final inspection, or the return of funds held in escrow for completion of revegetation, some level of germination and growth of grass seed is required.
- b. Keep in mind that the steeper the slopes and dryer the soil, the greater the attention needed to establish a level of germination adequate to obtain revegetation approval.
- c. Areas of disturbance found at inspection not included on the revegetation plan are still subject to reseeding and matting.

Incomplete revegetation is the leading cause for delays in obtaining a Certificate of Occupancy.

15. ***The proposal shall be consistent with the Comprehensive Plan, any applicable intergovernmental agreement affecting land use or development, and this Code.***

ATTACHMENT A 16

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 14 of 18
February 27, 2024

A. MARIJUANA ESTABLISHMENT REQUIREMENTS

As conditioned, this proposal will be consistent with the Comprehensive Plan, intergovernmental agreements, and the Code.

Additional standards for Retail and Personal Uses/Marijuana Establishments are contained in Article 4-512-I.5 of the Code and are addressed as follows.

- a. This use must obtain and maintain all necessary state and local permits and licenses. Regardless of when they are established, businesses operating for the purpose of cultivation, manufacture, or sale of marijuana or marijuana-infused products, as defined in the Colorado Medical Marijuana Code, C.R.S. §12-43.3-101, et. seq., and the Colorado Retail Marijuana Code, C.R.S. §12-43.4-101, et. seq. (“the Codes”), are and will be subject to the provisions and limitations stated in those Codes. These provisions and limitations include those in the legislation, and any state and County requirements promulgated under the legislation. Such businesses or uses, even if allowed under this Section 4-512.I or prior provisions of this Code, are subject to termination if they cannot meet the requirements of, or legally operate pursuant to the Codes.*

The applicant must obtain any necessary State and local permits for Marijuana Establishments. From Boulder County, the following licenses are required: Retail Marijuana Cultivation Facility, Retail Marijuana Products Manufacturing Facility, and Retail Marijuana Store.

Prior to the commencement of operations, copies of all necessary State and local permits and licenses shall be submitted to the Community Planning & Permitting Department.

- b. This use may include the accessory sale of products containing marijuana to the extent authorized by applicable state law.*

The applicant has proposed selling products containing marijuana and will be subject to the applicable state laws.

- c. Except in the LI and GI Zoning Districts, this use shall not be located within 500 feet of another Marijuana Establishment (including a Marijuana Establishment in the unincorporated County or a substantially similar facility in an adjacent municipality or county), as measured from the closest point of the subject parcel lines. This prohibition shall not prevent a marijuana store, marijuana-infused products manufacturing, optional premises cultivation, retail marijuana cultivation facility, or marijuana testing and/ or research facility from locating with 500 feet of a primary caregiver or personal cultivation.*

A review of county records indicates that the proposed location is not within 500 feet of another Marijuana Establishment.

- d. A Marijuana Store shall not be located within 1,000 feet of an alcohol or drug treatment facility, a licensed child care facility, or an educational facility with*

ATTACHMENT A 17

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 15 of 18
February 27, 2024

students below the college grade level (including facilities in the unincorporated County or substantially similar facilities in an adjacent municipality or county), as measured from the closest point of the subject parcel lines.

A review of county records indicate that the proposed location is not within 1,000 feet of an alcohol or drug treatment facility, a licensed childcare facility, or an educational facility or similar facility. Comments in opposition of the proposal indicated that there is a school bus stop near the proposed Marijuana Establishment where children congregate. However, bus stops do not constitute 'educational facilities' because the location of stops change over time.

e. Marijuana-infused products manufacturing, optional premises cultivation, and marijuana testing and/or research facilities, are not subject to the above setback requirement in Subsection e., provided there is not an associated marijuana store on the same parcel.

The setbacks referred to in Subsection e. apply because the manufacturing and cultivation is on the same parcel as a marijuana retail store.

f. Marijuana establishments shall not have a drive-through service.

No drive-through service is proposed or approved.

g. Personal cultivation and Primary Caregiver cultivation facilities are limited to no more than 99 plants.

This application is not for personal cultivation.

B. EXISTING NON-PERMITTED ACCESSORY STRUCTURES

Only accessory structures 120 square feet or less in size (or agricultural loafing sheds 200 square feet or less in size) are exempt from requiring a building permit.

As mentioned in standard 1, at our site visit, staff found that there are 4 accessory structures that are larger than 120 square feet in size. The structures mentioned are one teepee and covered structure on the southern part of the parcel. It is unclear if the covered area is under 120-square-feet. The other two structures are two green sheds on the northwestern portion of the parcel. From the application materials, staff finds that these two structures must be demolished for the location of the proposed 1,200-square-foot grow shed. Additionally, two unpermitted hot tubs were noted on the deck.

County records do not show that building permits have been issued for any of these four structures. Consequently, the teepee and sheds must be demolished.

Prior to issuance of any permits, the structures must be removed from the parcel or issued a building permit.

As conditioned this proposal will be consistent with the Comprehensive Plan, intergovernmental agreements, and this Code.

ATTACHMENT A 18

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 16 of 18
February 27, 2024

ADDITIONAL REQUIREMENTS AND INFORMATION:

BUILDING PERMITS A building permit, plan review, inspection approvals, and a Certificate of Occupancy (“C.O.”) are required for the proposed change of use to the building. Separate building permits are required for each structure, including the proposed sign and grow shed.

Please refer to the county’s adopted 2015 editions of the International Codes and code amendments, which can be found via the internet under the link:

2015 Building Code Adoption & Amendments, at the following URL: [Amendments to Boulder County Building Code effective June 6, 2022](#)

The Commercial Plan Submittal Checklist: [B70 Commercial Plan Checklist \(bouldercounty.gov\)](#)

DESIGN WIND AND SNOW LOADS The design wind and snow loads for the parcel are 170 mph (Vult) and 50 psf, respectively.

At building permit, provide a narrative for the process for the making of the product.

At building permit, An industrial hygienist or professional engineer will be required to evaluate the process.

At building permit, provide a hazard material inventory including the packaging materials.

The proposed project is in an existing building with a proposed change in occupancy as defined by the 2015 International Existing Building Code. A Colorado licensed registrant needs to provide a design analysis in accordance with the IEBC. Please indicate the Method of Compliance for the work proposed.

- 1.) Prescriptive Compliance Method (IEBC chapters 3 and 4)
- 2.) Work Area Compliance Method (IEBC chapters 3, and 5 through 13, as applicable)
- 3.) Performance Compliance Methods (Demonstrate compliance in accordance with IEBC chapters 3 and 14.)
- 4.) Addition (Demonstrate compliance in accordance with IEBC chapters 11 and the IBC...)
- 5.) Structural evaluation will be required including but not limited to the live loads.

Please document steps of compliance to each appropriate section in accordance with the Method of Compliance chosen including accessibility requirements.

MINIMUM PLUMBING FIXTURES The plumbing fixtures count needs to meet or exceed the requirements of IBC Chapter 29, including the need for accessible restrooms and fixtures.

ACCESSIBILITY Chapter 11 of the IBC and referenced standard ICC A117.1-09 provide for accessibility for persons with disabilities. Any building permit submittals are to include any applicable accessibility requirements, including accessible parking, signage, accessible routes and accessible fixtures and features.

ATTACHMENT A 19

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 17 of 18
February 27, 2024

FIRE DEPARTMENT The site is served by Coal Creek Canyon Fire District. A separate referral response from the fire department should also be forthcoming. The fire department may have additional requirements in accordance with their International Fire Code (“IFC”) adoption. Also, the Fire Protection District must provide written documentation to Boulder County Building Safety and Inspection Services approving the building permit plans and specifications of projects before the building permit can be issued.

IGNITION-RESISTANT CONSTRUCTION AND DEFENSIBLE SPACE Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space. 10. Plan Review. The items listed above are a general summary of some of the county’s building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our Building Safety publications can be found at: [Building Publications, Applications and Forms - Boulder County](#)

DECONSTRUCTION PERMITS To comply with Chapter 11 Sections N1105.2.1& N11105.2.2 of the [Boulder County Building Code](#), the existing unpermitted structures must be deconstructed and a Deconstruction Plan will be required at the time of building permit submittal. Deconstruction consists of salvaging materials from an existing structure and the recycling, resale, or reuse of the materials as an alternative to sending them to a landfill. In addition to the deconstruction of existing unpermitted structures, all construction jobsite wood, scrap metal, cardboard, and concrete must be recycled. There are several means by which the existing residence may be removed, reused, and/or the building materials recycled.

PUBLIC HEALTH

ONSITE WASTEWATER TREATMENT SYSTEM

Boulder County Public Health issued a new permit for the installation of an absorption bed system on 07/30/1981. The permit was issued for an onsite wastewater treatment system (OWTS) adequate for a 2-bedroom house and 10 single bedroom hotel rooms. Boulder County Public Health approved the installation of the OWTS on 02/03/1982.

OWTS Use Permit Needed: The applicant is pursuing a change in the commercial use of the parcel from a hotel to a marijuana cultivation facility and dispensary.

The owner or their agent (e.g., contractor) must submit an application for an OWTS Use Permit and associated engineer’s report with Boulder County Public Health. Details pertaining to the OWTS Use Permit and Non-Residential Change In Use Policy can be found here: <https://assets.bouldercounty.gov/wpcontent/uploads/2023/05/Non-Residential-Change-In-Use-Policy.pdf>

Any wastewater associated with the growing or cultivation of marijuana cannot drain to the existing OWTS and must drain to a permitted vault. To construct a vault, the owner or their agent (e.g., contractor) must apply for an OWTS permit with BCPH.

ODOR CONTROL All marijuana facilities must use all available and practical methods which are technologically feasible and economically reasonable to control odors such that no odors are

ATTACHMENT A 20

SPR-23-0087: Reptar 1783 Change of Use
33247 Coal Creek Canyon Drive
Page 18 of 18
February 27, 2024

noticeable at the property boundary. There are various odor control technologies that are effective in controlling odors from grow operations: Activated Carbon Filtration, Ozone generation and Negative Ion generation (Electrostatic Precipitators).

All odor control equipment and filters must be maintained regularly and operated using best management practices recommended by the manufacturer. It is imperative to properly design the ventilation and odor control system, taking into consideration the square footage and number of plants. A properly sized, installed, and maintained ventilation system can help resolve two issues. First, having the grow room's ventilation properly balanced will inhibit odors from escaping. Second, the addition of a de-humidifying system will control mold and pathogen growth and will also control additional odors.

MARIJUANA ESTABLISHMENT PERMITS

Before Certificate of Occupancy is issued, the applicant is required to apply for and receive the following licensing permits from Boulder County:

- Retail Marijuana Cultivation Facility
- Retail Marijuana Products Manufacturing Facility
- Retail Marijuana Store

ATTACHMENT A 21



Boulder County Land Use Department

Courthouse Annex Building
 2045 13th Street • PO Box 471 • Boulder, Colorado 80302
 Phone: 303-441-3930
 Email: planner@bouldercounty.org
 Web: www.bouldercounty.org/lu
 Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
 Tuesday 10 a.m. to 4:30 p.m.

<i>Shaded Areas for Staff Use Only</i>
Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Number		Project Name			
<input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent		<input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning		<input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input checked="" type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Special Use/SSDP	<input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other:
Location(s)/Street Address(es) 33247 Highway 72					
Golden, CO 80403					
Subdivision Name Cedar-Ridge Estates					
Lot(s) Lot 20	Block(s)	Section(s) 36	Township(s) 1S	Range(s) 72	
Area in Acres 2.67	Existing Zoning Business	Existing Use of Property Lodging		Number of Proposed Lots 1	
Proposed Water Supply Well		Proposed Sewage Disposal Method Septic System			

Applicants:

Applicant/Property Owner Reptar 1783 LLC			Email spadilla2050@gmail.com	
Mailing Address 33247 Highway 72				
City Golden	State CO	Zip Code 80403	Phone 347-452-7927	
Applicant/Property Owner/Agent/Consultant Reptar 1783 LLC			Email spadilla2050@gmail.com	
Mailing Address 33247 Highway 72				
City Golden	State CO	Zip Code 80403	Phone 347-452-7927	
Agent/Consultant			Email	
Mailing Address				
City	State	Zip Code	Phone	

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner 	Printed Name Sarah Manocherian	Date 09/11/2023
Signature of Property Owner	Printed Name	Date

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

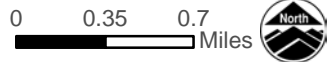
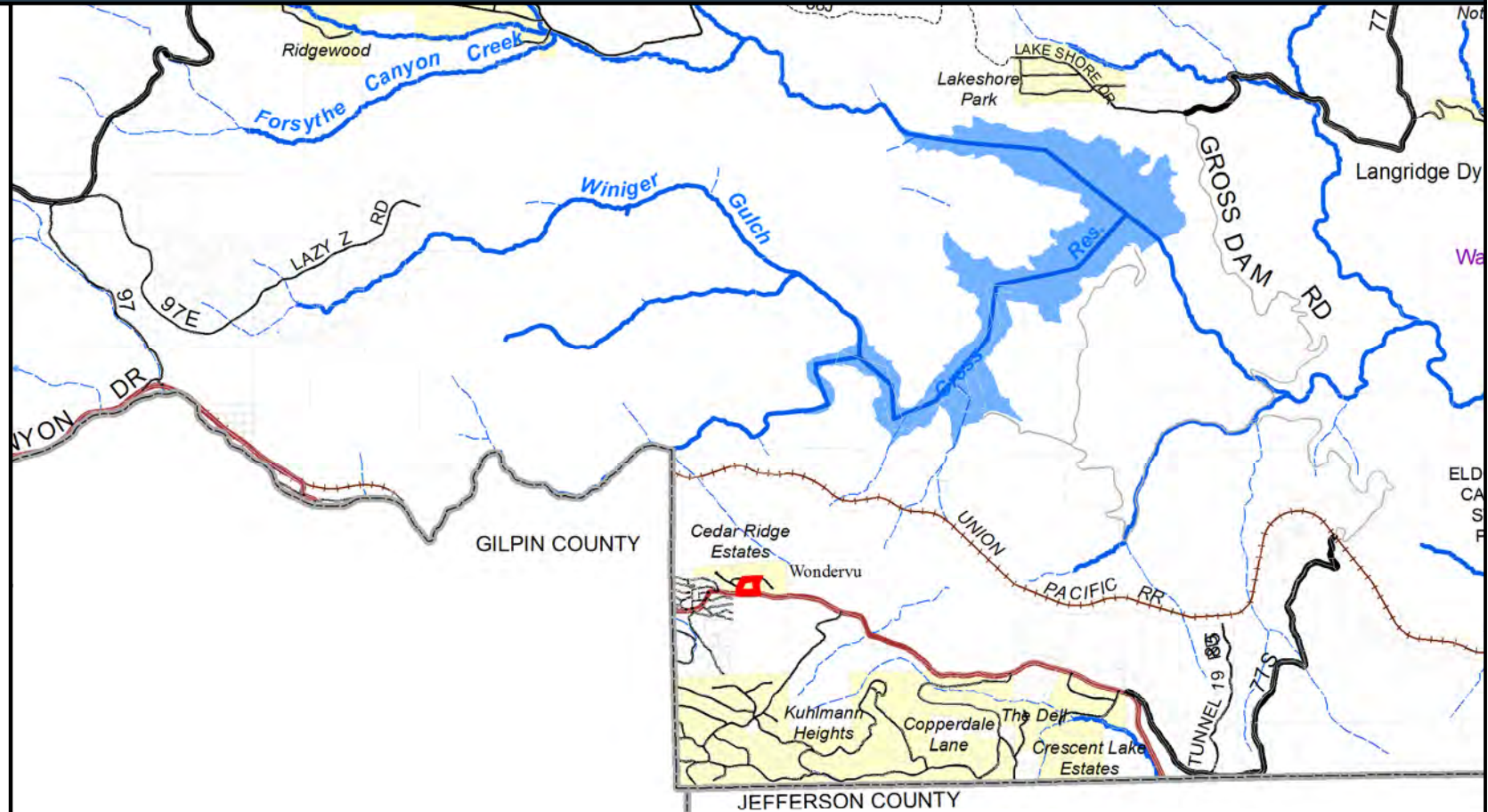
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33247 COAL CREEK CANYON DR

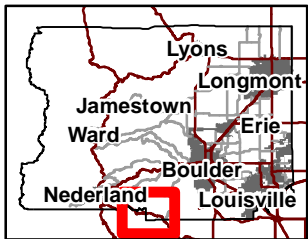
Subject Parcel

Subdivisions

Subdivisions



Area of Detail Date: 2/4/2021



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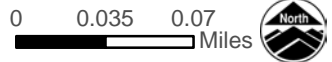
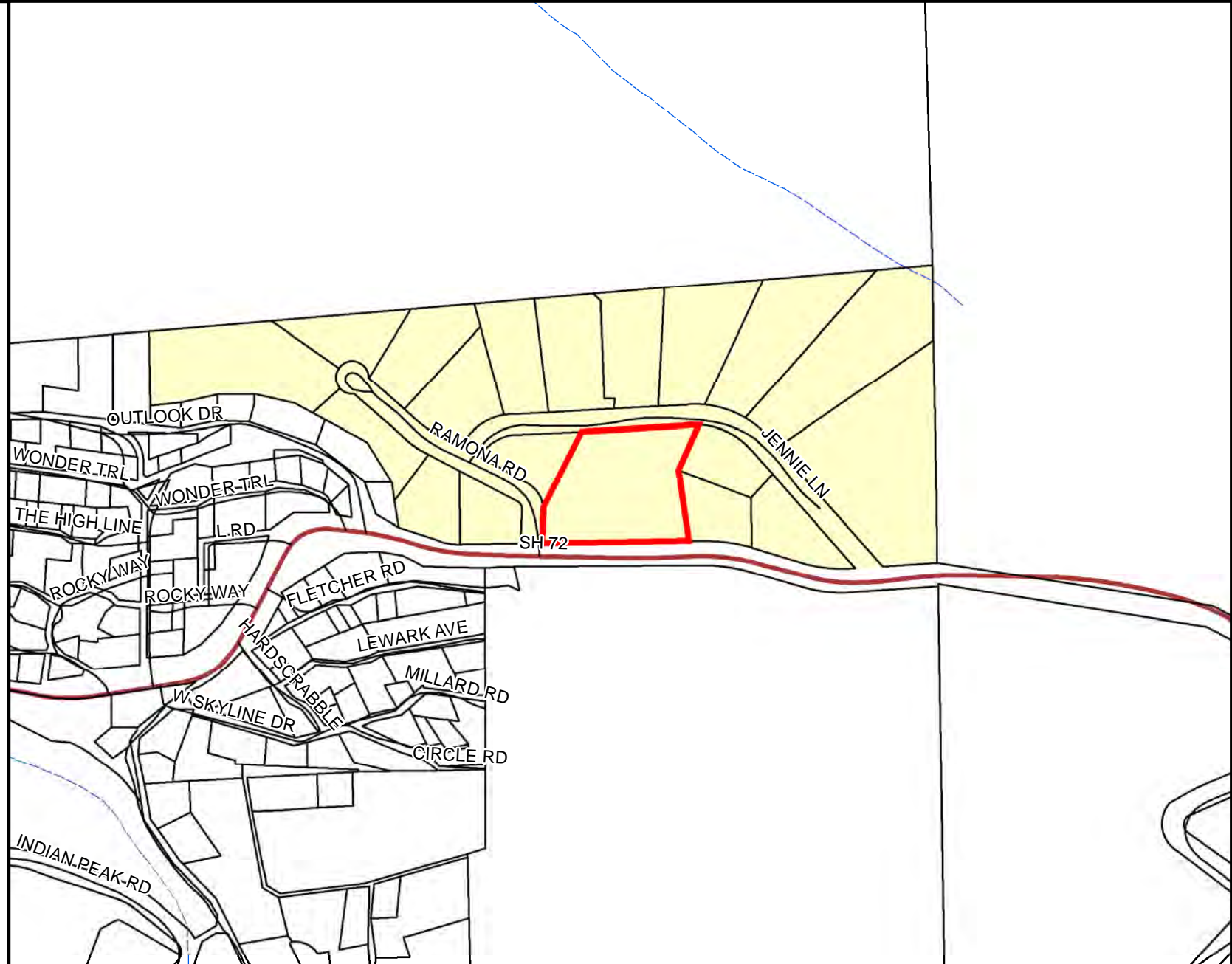
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33247 COAL CREEK CANYON DR

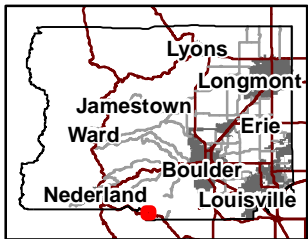
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Subdivisions

Subdivisions



Area of Detail Date: 2/4/2021



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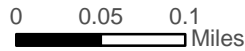
Community Planning & Permitting

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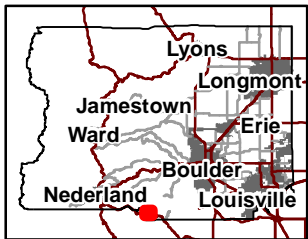
Aerial

33247 COAL CREEK CANYON DR

 Subject Parcel



Area of Detail Date: 2/4/2021



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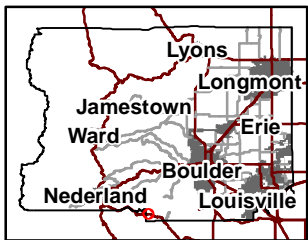
 Subject Parcel



0 0.005 0.01 Miles



Area of Detail Date: 2/4/2021



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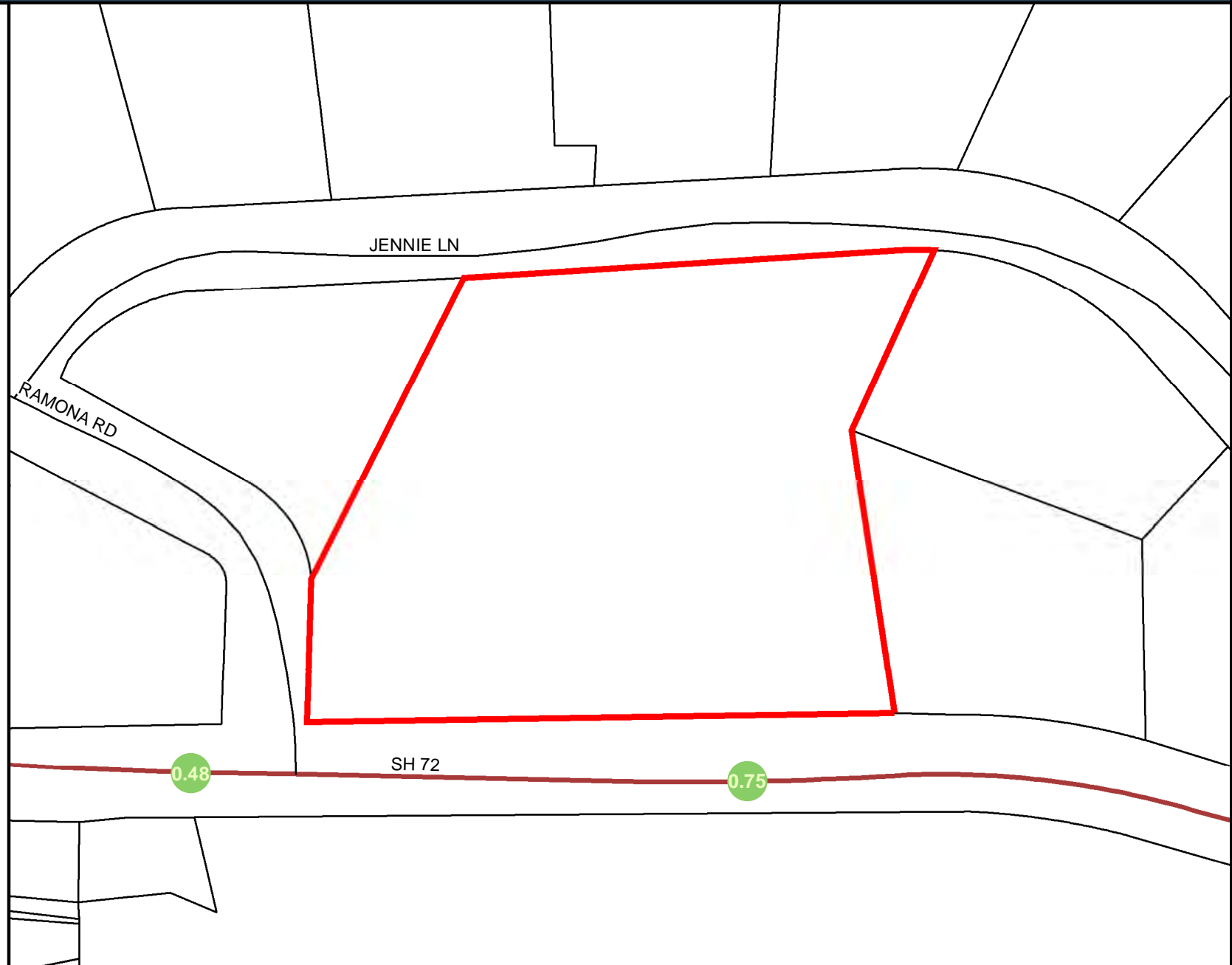
Community Planning & Permitting

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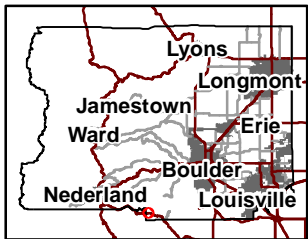
Comprehensive Plan

33247 COAL CREEK CANYON DR

 Subject Parcel



Area of Detail Date: 2/4/2021



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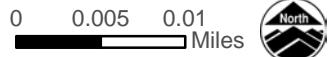
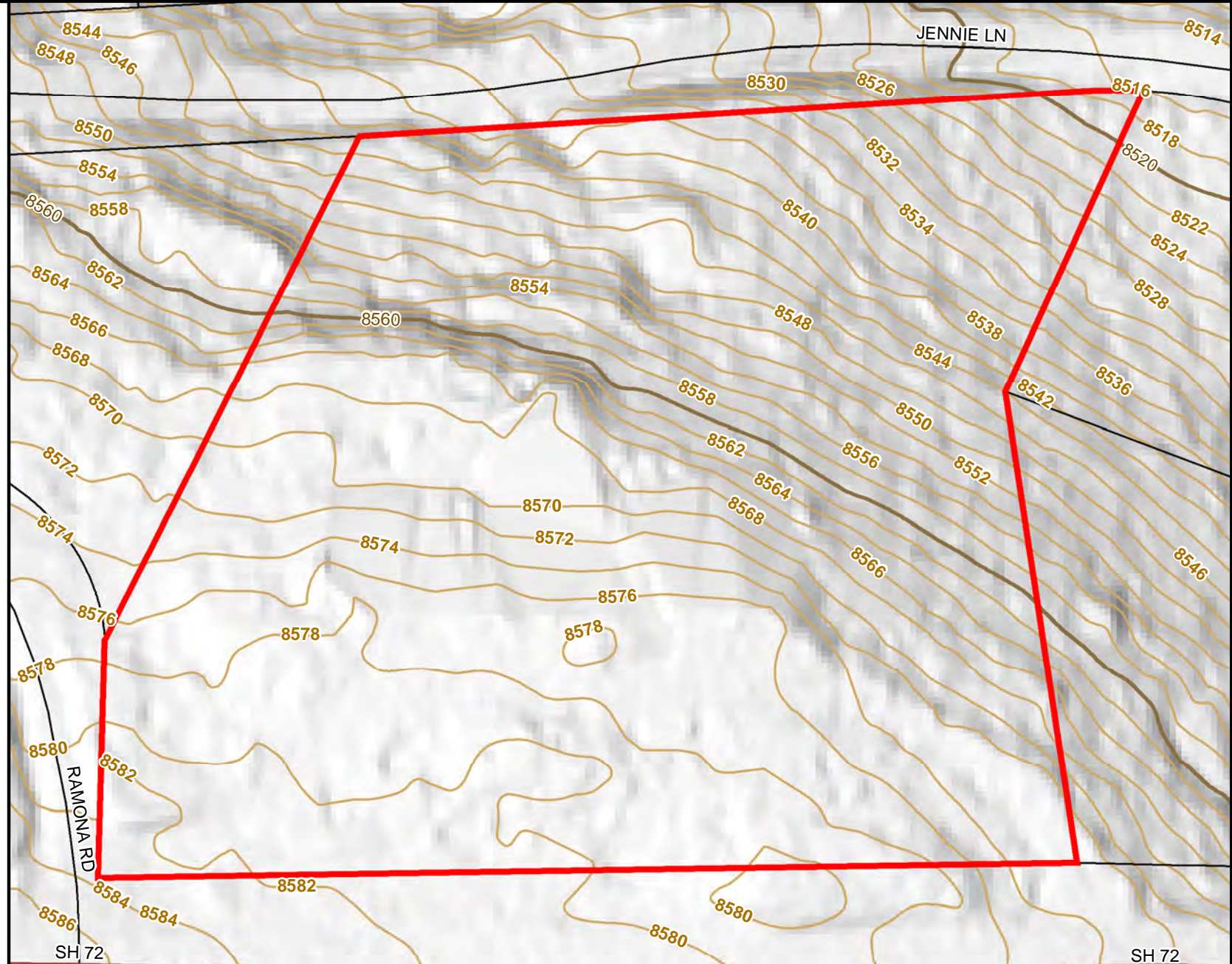
Community Planning & Permitting

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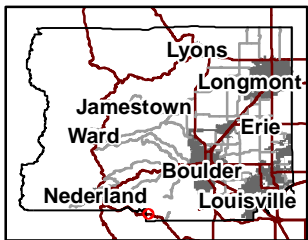
Elevation Contours

33247 COAL CREEK CANYON DR

-  Subject Parcel
-  Contours 40'
-  Contours 2'



Area of Detail Date: 2/4/2021







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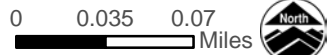
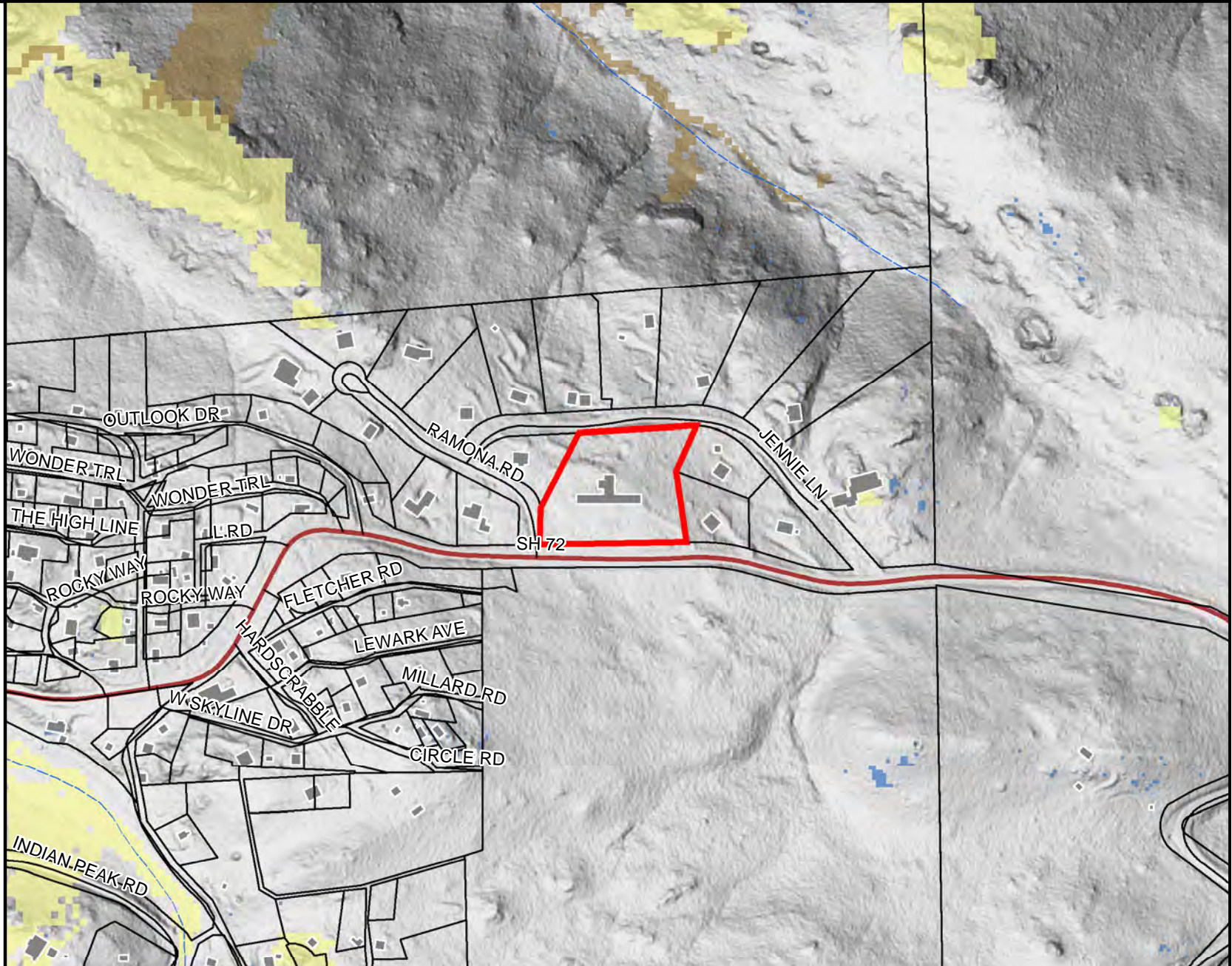


Community Planning & Permitting

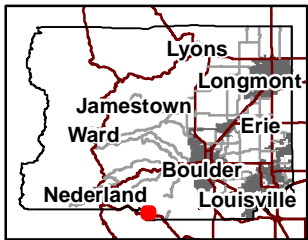
2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

33247 COAL CREEK CANYON DR

-  Subject Parcel
-  Debris flow susceptibility area
-  Rockfall susceptibility area
-  Landslide high susceptibility area



Area of Detail Date: 2/4/2021



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2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

Public Lands & CEs

33247 COAL CREEK CANYON DR

Subject Parcel

Boulder County Open Space

County Open Space

Federal Lands

USFS Land

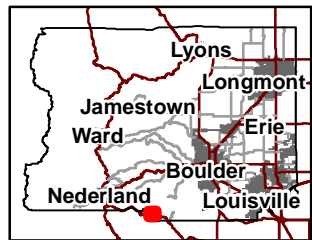
Private

Conservation Easements

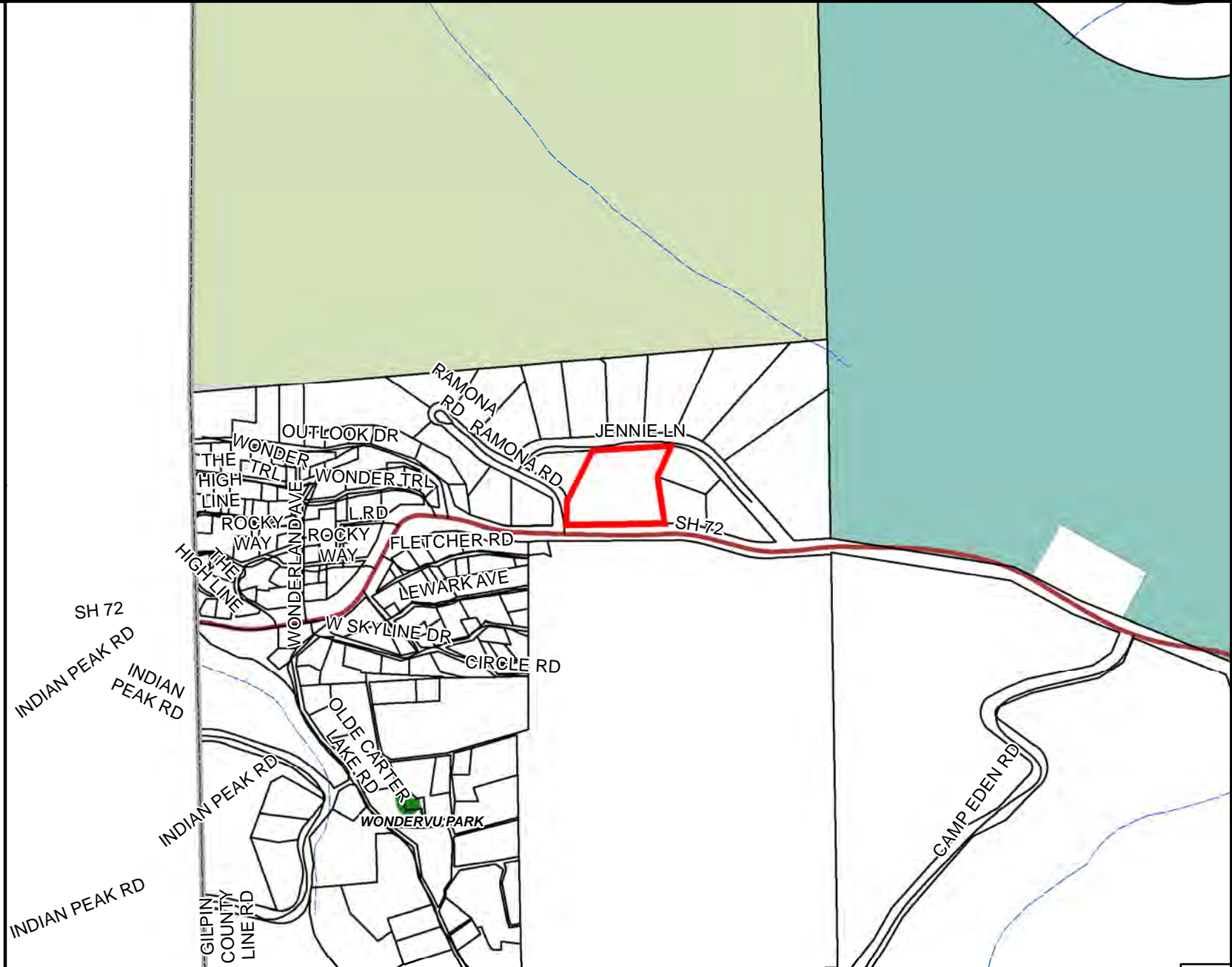
0 0.05 0.1 Miles



Area of Detail Date: 2/4/2021



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Community Planning & Permitting

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33247 COAL CREEK CANYON DR

Subject Parcel

Major Road Setbacks

55 feet

Zoning Districts

Business

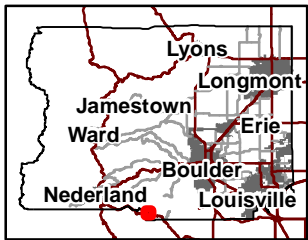
Forestry



0 0.035 0.07 Miles



Area of Detail Date: 2/4/2021



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Site Plan Review Fact Sheet

The applicant(s) is/are required to complete each section of this Site Plan Review (SPR) Fact Sheet even if the information is duplicated elsewhere in the SPR application. Completed Fact Sheets reduce the application review time which helps expedite the Director's Determination. Please make duplicates of this SPR Fact Sheet if the project involves more than two structures.

Structure #1 Information

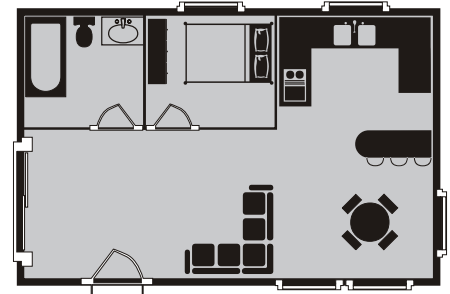
Type of Structure: (e.g. residence, studio, barn, etc.)		Hotel Lodge			
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)		5,760	Deconstruction:		
		sq. ft.			sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input type="checkbox"/> Residential	
				<input checked="" type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	9'
Basement:	sq. ft.	sq. ft.	sq. ft.		
First Floor:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Material	Wood
Second Floor:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Color	Natural Brown
Garage: <input type="checkbox"/> Detached <input type="checkbox"/> Attached	sq. ft.	sq. ft.	sq. ft.	Roofing Material	Metal
*Covered Porch:	sq. ft.	sq. ft.	sq. ft.	Roofing Color	Forest Green
Total:	sq. ft.	sq. ft.	sq. ft.	Total Bedrooms	11

Project Identification:

Project Name: 33247 Highway 72
Property Address/Location: 33247 Highway 72, Golden, CO 80403
Current Owner: Sarah Manocherian
Size of Property in Acres: 2.67

Determining Floor Area

Floor Area is measured in terms of square feet. The total square footage is as everything within the exterior face of the exterior walls including garages and basements. **Covered porch area that is attached to the principal structure is not included (see Article 18-131A).** The shaded area on the diagram indicates the area counted as square feet.



Structure #2 Information

Type of Structure: (e.g. residence, studio, barn, etc.)		Metal Shed			
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)		600	Deconstruction:		
		sq. ft.			sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input type="checkbox"/> Residential	
				<input checked="" type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	8'
Basement:	sq. ft.	sq. ft.	sq. ft.		
First Floor:	600	sq. ft.	sq. ft.	Exterior Wall Material	Metal
Second Floor:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Color	Forest Green
Garage: <input type="checkbox"/> Detached <input type="checkbox"/> Attached	sq. ft.	sq. ft.	sq. ft.	Roofing Material	Metal
*Covered Porch:	sq. ft.	sq. ft.	sq. ft.	Roofing Color	Forest Green
Total:	sq. ft.	sq. ft.	sq. ft.	Total Bedrooms	0

Residential vs. Non-Residential Floor Area

Residential Floor Area includes all attached and detached floor area (as defined in Article 18-162) on a parcel, including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, home offices and workshops. Gazebos and carports up to a total combined size of 400 square feet are exempt. Barns used for agricultural purposes are not considered residential floor area.

Note: If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Site Plan Review and shown on this Fact Sheet.

If a Limited Impact Special Review is required, then call 303-441-3930 and ask for a new Pre-Application conference for the Limited Impact Special Review.

*See Article 18-131A for definition of covered porch.

Grading Calculation

Cut and fill calculations are necessary to evaluate the disturbance of a project and to verify whether or not a Limited Impact Special Review is required. Limited Impact Special Review is required when grading for a project involves more than 500 cubic yards (minus normal cut/fill and backfill contained within the foundation footprint).

If grading totals are close to the 500 yard trigger, additional information may be required, such as a grading plan stamped by a Colorado Registered Professional Engineer.

Earth Work and Grading

This worksheet is to help you accurately determine the amount of grading for the property in accordance with the Boulder County Land Use Code. Please fill in all applicable boxes.

Note: Applicant(s) must fill in the shaded boxes even though foundation work does not contribute toward the 500 cubic yard trigger requiring Limited Impact Special Use Review. Also, all areas of earthwork must be represented on the site plan.

Earth Work and Grading Worksheet:

	Cut	Fill	Subtotal
Driveway and Parking Areas		233	
Berm(s)			
Other Grading			
Subtotal			233 <small>Box 1</small>

* If the total in Box 1 is greater than 500 cubic yards, then a Limited Impact Special Review is required.

	Cut	Fill	Total
Foundation			
Material cut from foundation excavation to be removed from the property			

Excess Material will be Transported to the Following Location:

Excess Materials Transport Location: N/A

Narrative

Use this space to describe any special circumstances that you feel the Land Use Office should be aware of when reviewing your application, including discussion regarding any factors (listed in Article 4-806.2.b.i) used to demonstrate that the presumptive size limitation does not adequately address the size compatibility of the proposed development with the defined neighborhood. If more room is needed, feel free to attach a separate sheet.


N/A

Is Your Property Gated and Locked? No.

Note: If county personnel cannot access the property, then it could cause delays in reviewing your application.

Certification

I certify that the information submitted is complete and correct. I agree to clearly identify the property (if not already addressed) and stake the location of the improvements on the site within four days of submitting this application. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures, and that modifications may be required. Site work will not be done prior to issuance of a Grading or Building Permit.

Signature 	Print Name Sarah Manocherian	Date 09/09/2023
---	---------------------------------	--------------------

Proposed Site Plan

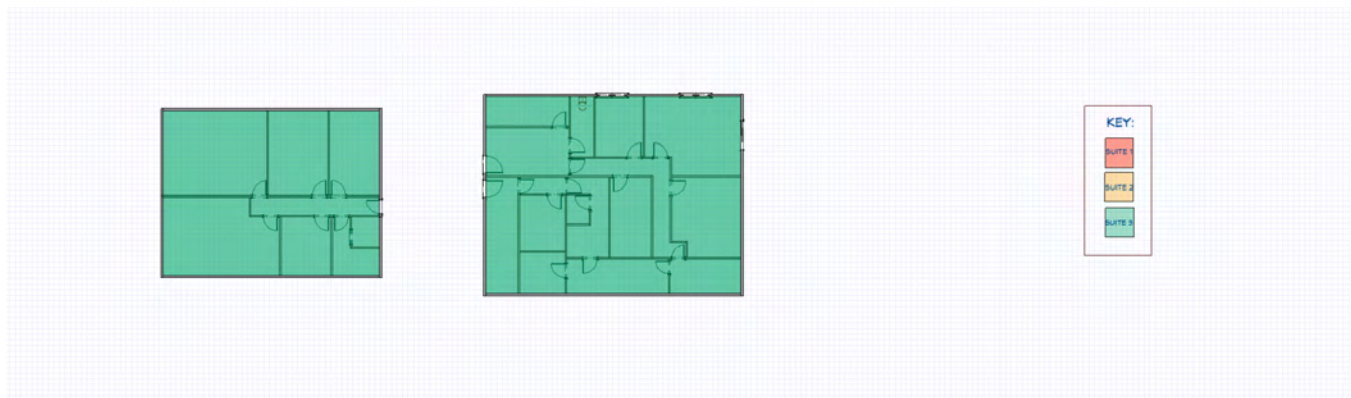


ATTACHMENT A 34

Proposed Floor Plan – First Level

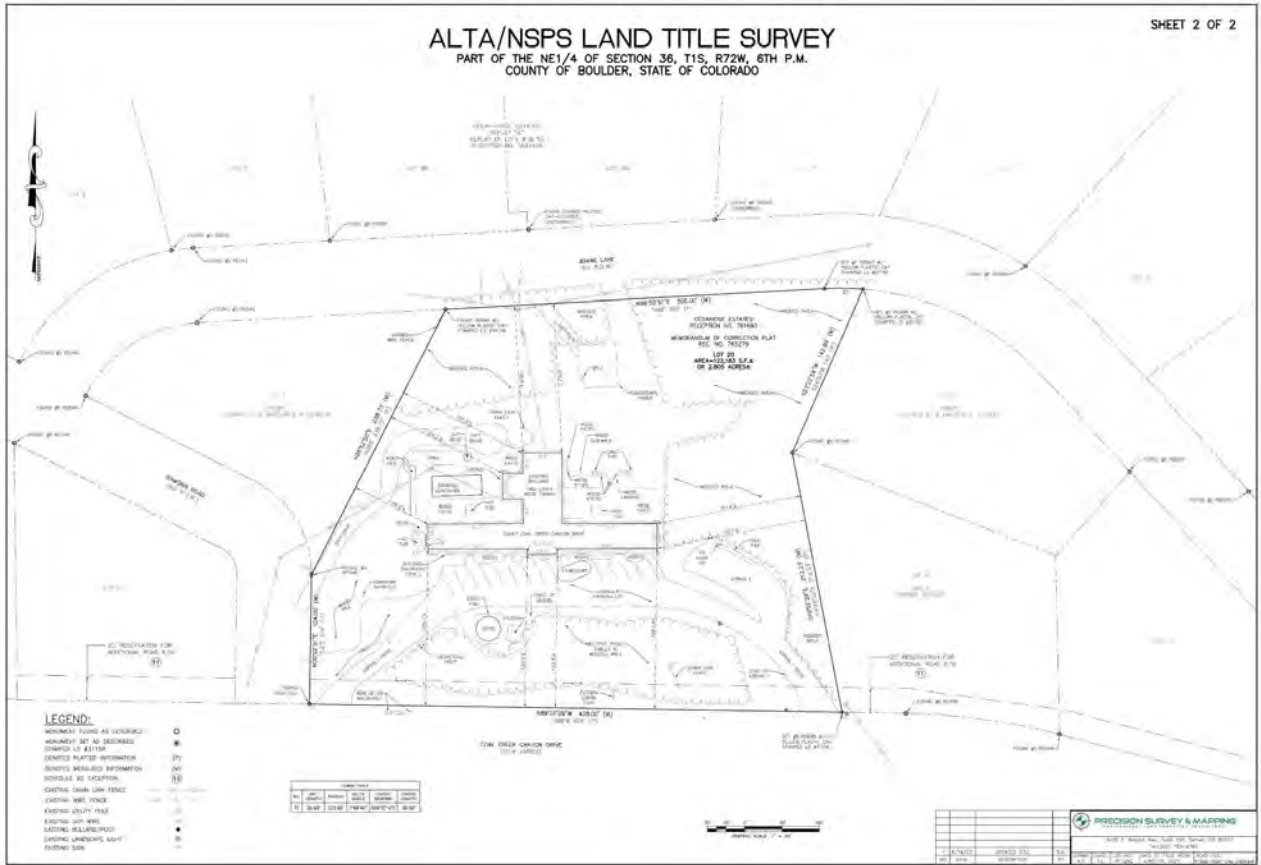


Proposed Floor Plan – Lower Level



Suite	Proposed Tenant
1	Apothecary/Dispensary
2	Production Room
3	Cultivation

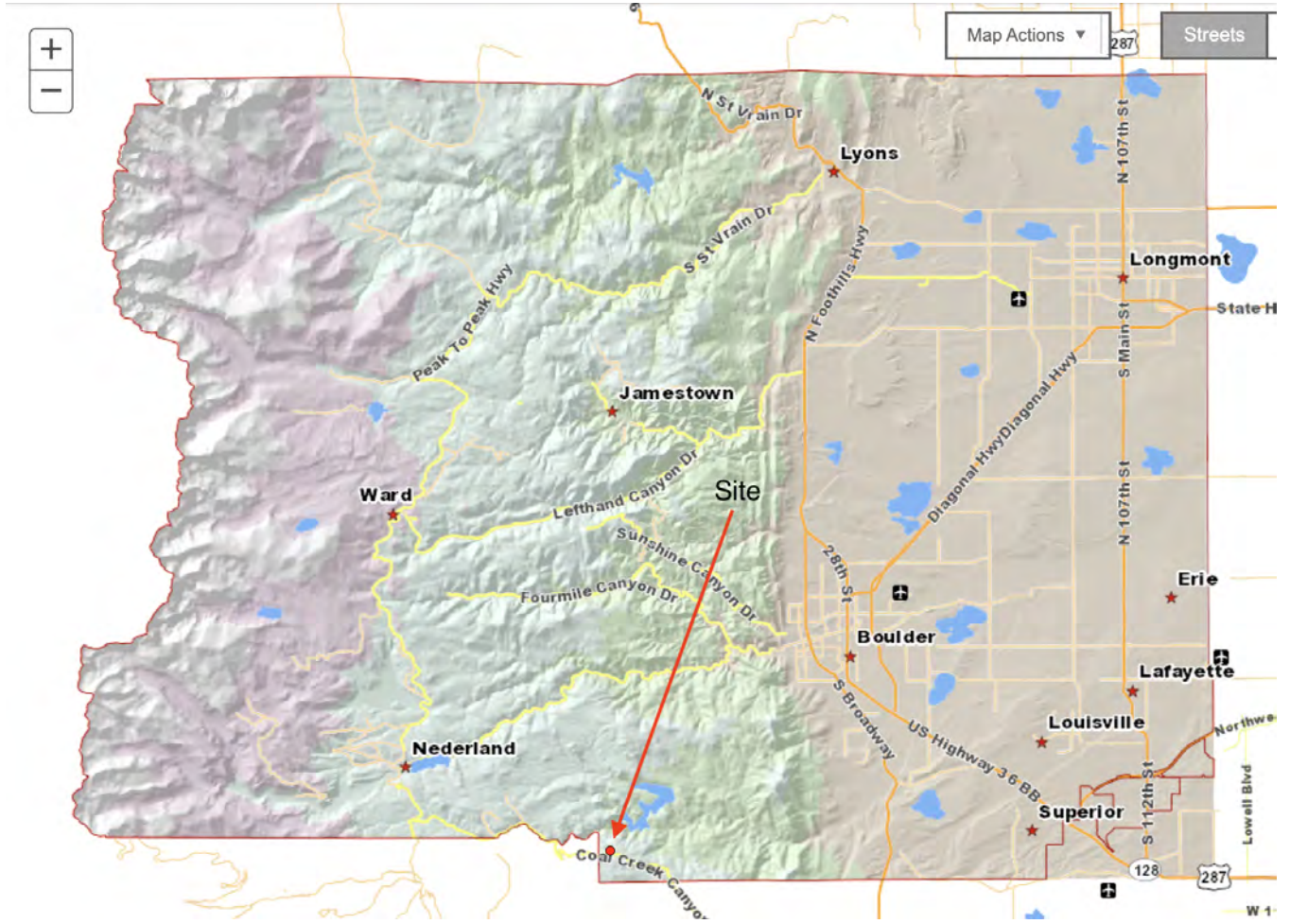
Existing Site Plan



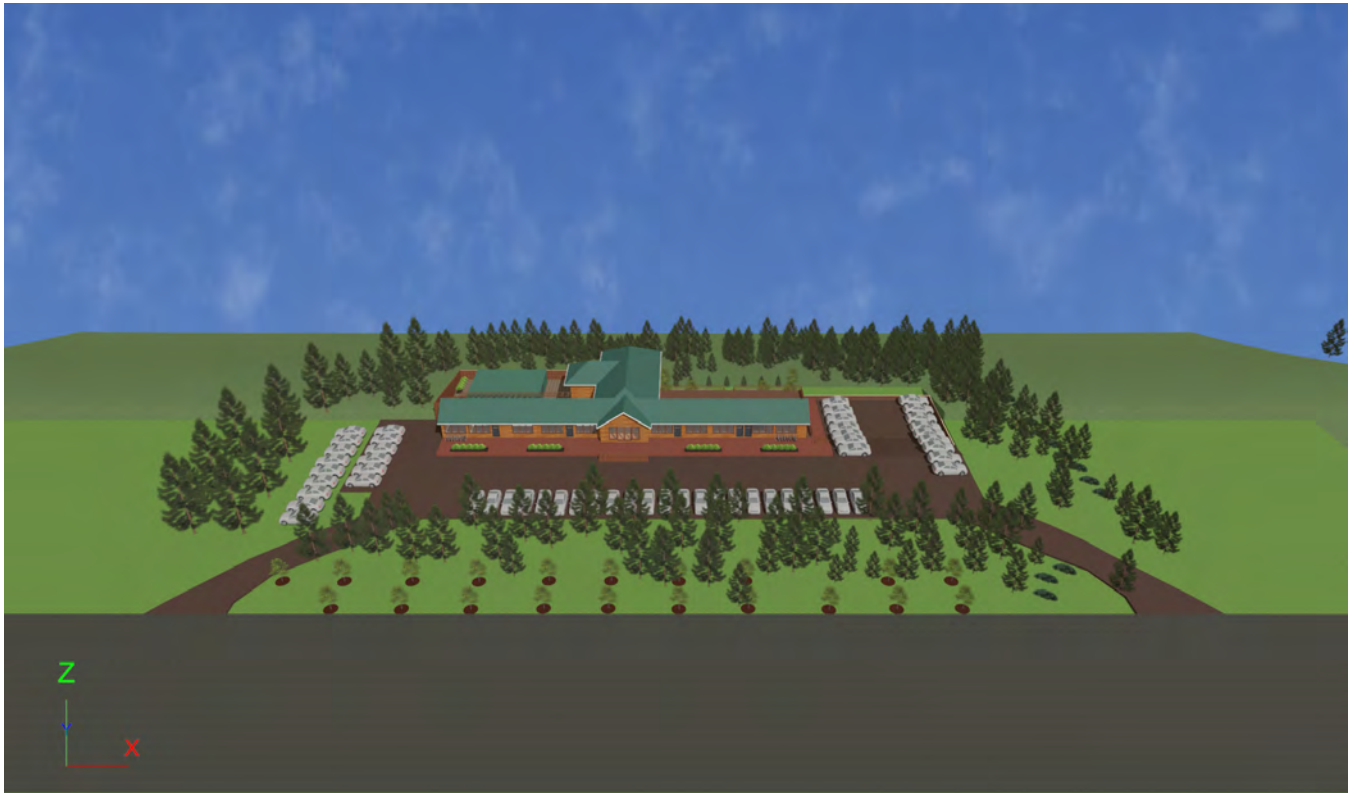
Existing Site Plan



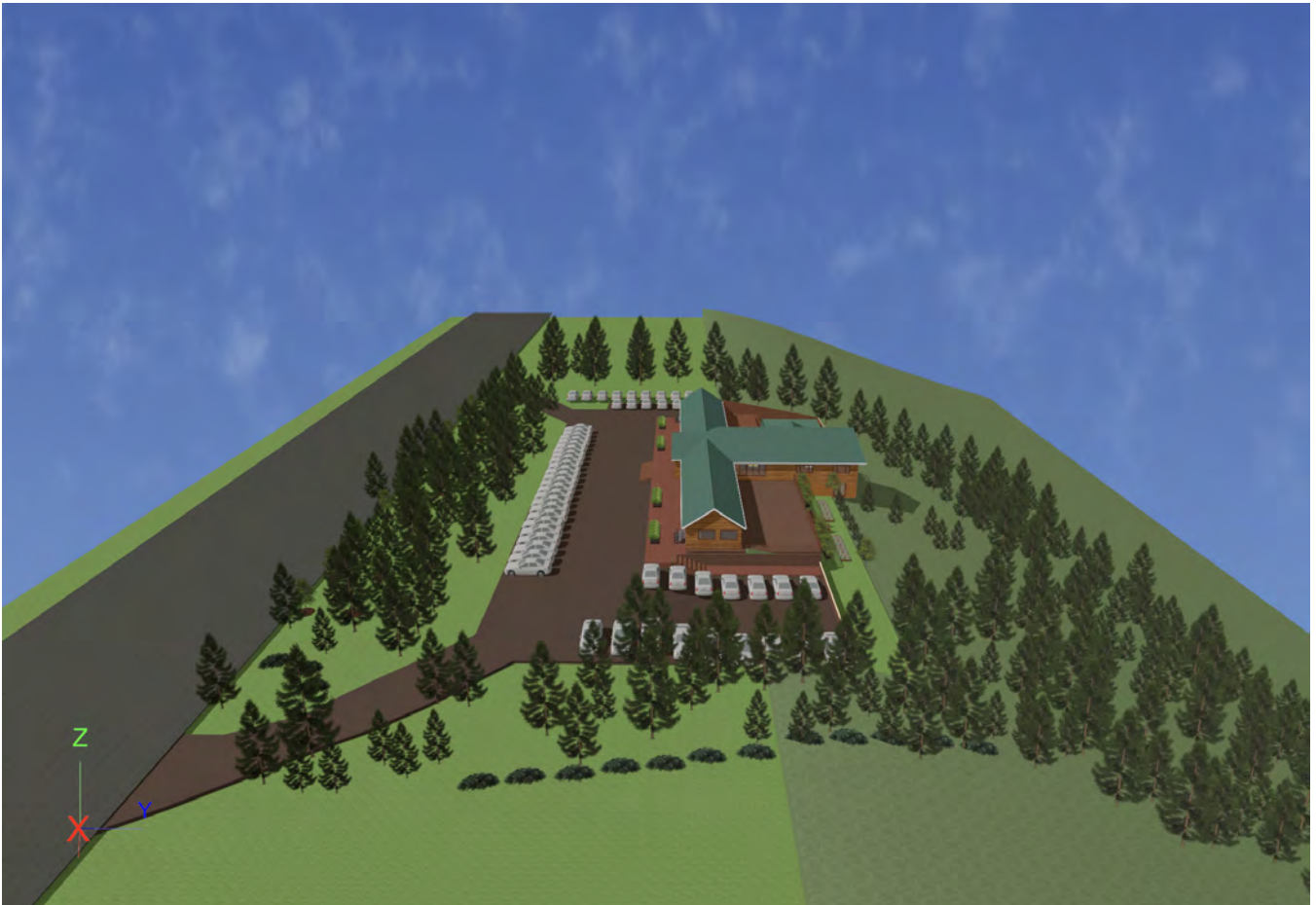
Existing Site Plan



Proposed Site Plan – North View



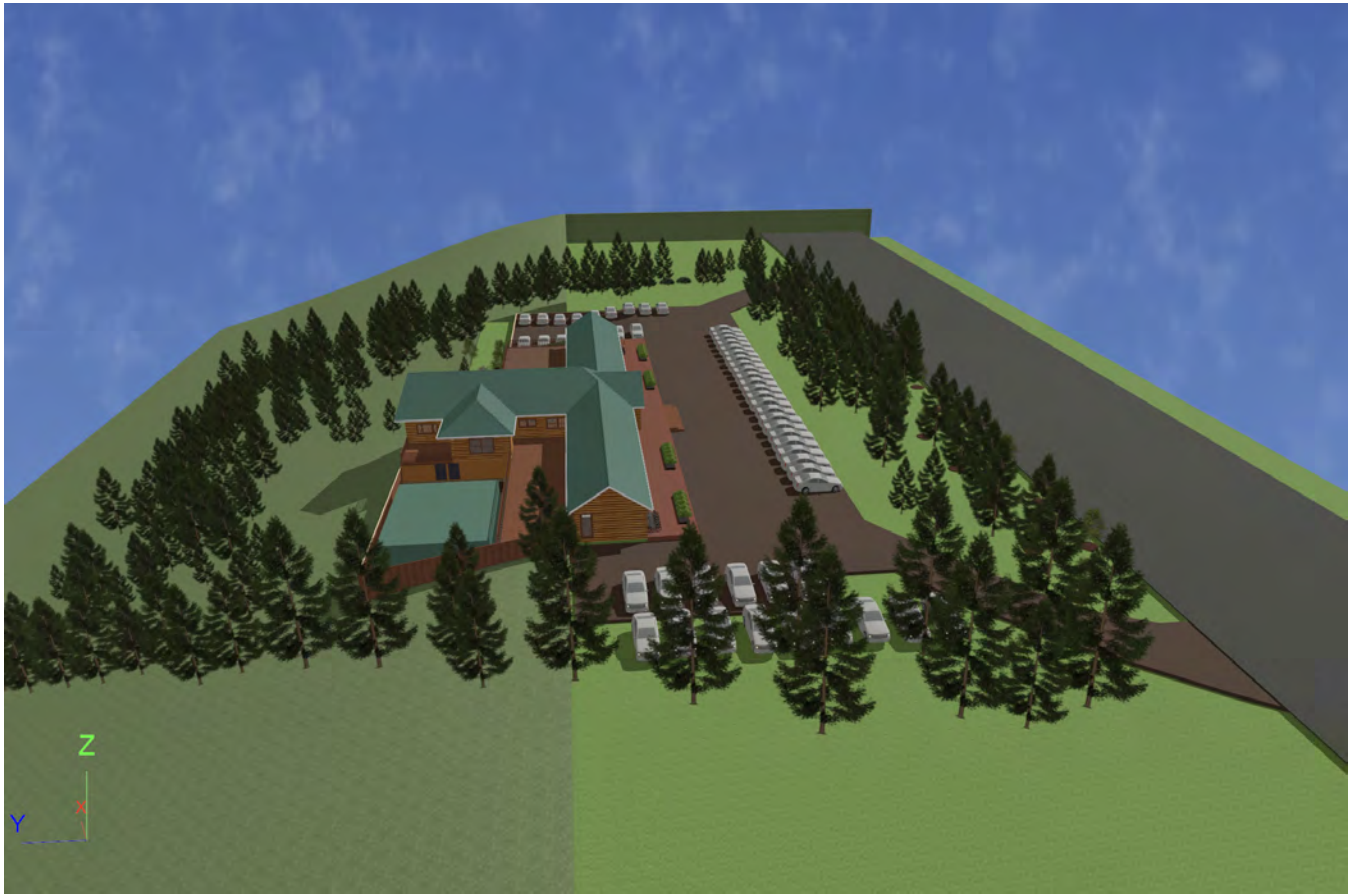
Proposed Site Plan – West View



Proposed Site Plan – South View



Proposed Site Plan – East View



Development Report – 33247 Highway 72

To Whom this May Concern,

We greatly appreciate the support and guidance given to us by everyone at the Boulder rreeCounty office and would like to politely request that the following proposal be reviewed.

We believe that the supporting documents will demonstrate how the building and the 2.67 acres of land are well suited for professional and small personal service use. Our team has worked within the cannabis industry for over three years and has previously applied and qualified for a cannabis license in the state of Illinois, a highly regulated cannabis market. Our team intends to build its relationship with the community and with all government bodies in an effort to demonstrate its ability to operate responsibly and consciously within Boulder County. We will demonstrate that our business model is transparent yet revolutionary to the cannabis industry, in part by only selling cannabis in discrete sealed packs. We believe that our business model will be in harmony with the community and intend to adhere to all local and state regulations religiously. With help from Boulder county, we intend to set the standard on how best to grow, process, test, package and retail cannabis in Colorado and across the country.

We thank you for your time, cooperation and for your input during this process.

Sincerely,

Sarah Manocherian

4-601 Review Criteria

In accordance with Rule 4-601 Review Criteria:

A.

1. The use will be compatible with the minimum zoning requirements of the district in which the use is to be established:

The property at 33247 Highway 72, Golden, CO 80403 is located in the Business (B) Zoning District and is a legal Building Lot. The property is seeking approval of a Retail and Personal Service Use, including an apothecary/dispensary, and a marijuana production room and cultivation facility. These uses are permitted in the business zoning district. This property is ideally suited for professional use and we will ensure that secure business practices are utilized to secure the building using advice provided to us by security and technology consulting company Guidepost Solutions, LLC.

The proposed use not only complies with the requirements of the zoning district, but also with all other applicable county and state requirements regarding cannabis dispensing, manufacturing, and cultivation. This property is well-suited for sustainable, professional, and trustworthy business practices and we believe we can exceed the expectations and practices of any business present in the past.

2. The use will be compatible with the surrounding area:

- a. The location of structures and other improvements on the site;
The location of structures on the site will not be changing. The location of driveways will not be changing.
- b. The size, height and massing of the structures;
There is one main building on the property that has 5,760 square feet with a rough height of 10 feet. It has equally sized wings on the east and west side and a main wing in the center with a basement below. There is one 600 square foot rectangular metal container with a rough height of 8 feet on the property. The metal contained is proposed to be increased to 1,200 square feet and will be surrounded by a fence. All improvements on the site will not increase the size, height or massing of the structures that are already on the site.
- c. The number and arrangement of structures;
There are two structures on the property with the main one at the front of the property, and the metal container in the back of the property on the lower level.
- d. The design of structures and other site features;
The main wood lodge building has maintained a historical character and will continue to do so with its proposed use. We intend to rehab the building in part by installing new windows. The site has scenic views of the mountains and is covered throughout with evergreen trees.

- e. The proposed removal or addition of vegetation;
Landscaping will include the addition of evergreen trees and shrubs along the west and east sides of the property, the addition of semi deciduous trees, shrubs, and perennials at the entrance of the property, and a combination of evergreen trees, deciduous trees, shrubs, and perennials in the backyard area.
The removal of vegetation will be minimal and include the removal of dead trees or old tree trunks left by the previous owner.
- f. The extent of site disturbance, including, but not limited to, any grading and changes to natural topography;
The existing parking lot will be expanded slightly on the east side of the building with minimal grading. There will be a low maintenance garden with local plants added in the back area.
- g. The nature and intensity of the activities that will take place on the site;
The apothecary/dispensary will provide locally handcrafted creams, lotions, body oils, and an assortment of skincare products in addition to pre-packaged/sealed cannabis products made on site in the secured cultivation and manufacturing rooms. The building will be equipped with an advanced security system as developed for us by security/technology consulting company Guidepost Solutions, LLC. We will ensure compliance with all Colorado Marijuana Enforcement Division rules and regulations.
Staffed by an accomplished group of highly trained employees, the apothecary/dispensary will offer a hospitable lobby with a welcoming staff available for questions, concerns, and suggestions. All products will be made in small batches with the cleanest most natural ingredients and with much care. The apothecary/dispensary will provide an interface for the public but all of our tenants will focus on quality and tradition. Business will be open daily from 9:30am – 8:30pm and will be closed on Tuesdays. There are anticipated to be 12 full-time retail employees and 8 full-time manufacturing employees. Traffic calculations for the proposed change of use are included with this application. Parking is anticipated to have a capacity of roughly 55 vehicles.
- h. Thus, in keeping the aesthetics of a traditional cabin/lodge, our use will be in sync with the characteristics of the neighborhood and will ultimately improve the parcel and the building through other landscaping and building improvements. State Highway 72 is a busy rural highway with multiple businesses in the surrounding area and we believe that we can be a strong member of the community.

3. The use will be in accordance with the Comprehensive Plan:

The use is in accordance with the Comprehensive Plan in every way.

The property is compatible with other businesses in the area. The property is located off of STATE HIGHWAY-72 with multiple retail businesses in our area and nearby including; Wondervu Cafe, Canyon Tavern (formerly The Last Stand), Sinclair Gas Station, Canyon

Liquors, Canyon Coffee, and others. Residential properties in the area have clear access to the highway and are usually not facing the highway.

4. The use will not result in an over-intensive use of land or excessive depletion of natural resources:

The use will not result in over-intensive use of land or depletion of natural resources and we will instead further develop the plant and animal habitat on the 2.6 acre property. The proposed use has significantly lower water and wastewater demand than the prior hotel lodging use. The building currently has thirteen bathrooms but we will be acquiring a licensed contractor to remove six bathrooms. Furthermore, a licensed landscaping contractor will be utilized to plant dozens of trees, shrubs, perennials, and flowers on the property to be made visible from STATE HIGHWAY-72, for all to enjoy.

5. The use will not have a material adverse effect on community capital improvement programs:

Our use will not have a material adverse effect on any community capital improvement. No community capital improvement programs are in place for State Highway 72. The highway is a state owned and operated right-of-way and is therefore not subject to Boulder County's Community Capital Improvement Program. But if it were, the use in no way would have an adverse effect on the program.

6. The use will not require a level of community facilities and services greater than that which is available:

The use will not require a level of community facilities or services greater than that which is available.

7. The use will support a multimodal transportation system and not result in significant negative impacts to the transportation system or traffic hazards:

Employees, guests and customers will be encouraged to commute to work primarily using carpooling methods. The property will facilitate parking for bicycles, electric cars, and access for public transportation vehicles such as buses and Uber. The use will support a multimodal transportation system and will not result in significant negative impacts to the transportation system or traffic hazards.

8. The use will not cause significant air, odor, water or noise pollution:

We plan to meet and exceed industry standards for air quality by utilizing; numerous industrial strength fans, filters, and HVAC systems that will eliminate any significant air odor, water, or noise pollution. Significant care and expense has been dedicated to ensuring that no significant odor pollution will ever be detected even by our closest neighbor. The addition of evergreens, trees, shrubs, fragrant perennials, and flowers around the property will provide additional cleaning of the surrounding air.

9. The use will be adequately buffered or screened to mitigate any undue visual impacts of the use:

No negative or significant visual impacts will result in the proposed change of use. The property is picturesque with open views and thriving wildlife but many trees have died and many tree stubs must be removed. Our responsible stewardship of the property and extensive level of care for the flora and fauna will bring more life to the property. The addition of evergreens, trees, shrubs, fragrant perennials, and flowers around the property will heighten the visual appeal of the front entrance and further screen the neighbors on the sides and back of the property.

10. The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County:

No evidence exists that suggests that use can be detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County, in fact, we believe that the proposed use will only increase the health, safety and welfare of the present or future inhabitants of Boulder County through our products, extensive landscaping plan and increased relationship with the Boulder County community. In addition to professional, state-required video, motion detection, fire, and security surveillance, our tenants will also appoint their own security guards and systems to monitor the property day and night.

11. The use will establish an appropriate balance between current and future economic, environmental, and societal needs by minimizing the consumption and inefficient use of energy, materials, minerals, water, land, and other finite resources:

The use seeks to establish an appropriate balance between current and future economic, environmental, and societal needs by minimizing the consumption and inefficient use of energy, materials, minerals, water, land, and other finite resources. Our property will be responsible and eco-friendly; the building will use solar panels and will retain rainwater throughout the year to conserve energy and water resources. We

will be retailing our final products at the same facility where they are produced, further reducing transportation costs and almost eliminating our carbon footprint. Additionally, during the building's rehab, we plan to install energy efficient water boilers, appliances, and solar panels.

12. The use will not result in unreasonable risk of harm to people or property-both onsite and in the surrounding area- from natural hazards:

Our use will not result in unreasonable risk or harm to people or property from natural hazards, both onsite and in the surrounding area as identified in the Comprehensive Plan Geologic Hazard and Constraint Areas Map or through Special Review or Limited Impact Special Review Process using the best available information available from the Colorado Geological Survey Landslide or Earth/Debris Flow Data, Interim Floodplain Mapping data and Creek Planning studies.

13. The proposed use shall not alter historic drainage patterns and/or flow rates unless the associated development includes acceptable mitigation measures to compensate for anticipated drainage impacts:

This use permit will not alter historic drainage patterns or flow rates. We will acquire a licensed architect and landscaping contractor to ensure that this requirement is met.

3-203(F)(1)(g) Development Report

In accordance with Rule 3-203(F)

g. An evaluation of the expected demands and effects of the development on the ability of local governments and quasi-governmental agencies to provide water, sanitation, natural gas, electricity, access, fire protection, schools, hospitals, police, flood protection, solid waste disposal, and other services to this development while maintaining adequate levels of service to other areas.

F.1.g:

The following list will a) evaluate our expected demand of each individual service and b) determine if local governments and agencies can provide adequate levels of the individual service to the community upon start of special-use:

1. Water:
 - a. We expect water demand to decrease significantly from previous use as it was previously a hotel. At least six bathrooms will be removed from the property.
 - b. Property uses a water well. Use will have no negative effect on current duties of local governments and agencies to provide services to other areas.
2. Sanitation:
 - a. Demand for sanitation services will decrease from previous use as it was previously a hotel.
 - b. Property uses septic tanks and use will have no negative effect on the duties of local governments and agencies.
3. Natural gas:
 - a. The building does not utilize natural gas and utilizes a propane tank.
 - b. Property uses propane tanks and use will have no effect on the duties of local governments and agencies.
4. Electricity:
 - a. The new building-use will utilize less electricity from the previous use as a hotel. Further, we intend to add a solar-panel system to reduce our impact on the environment.
 - b. Our expected use will have no effect on the duties of local governments and agencies.
5. Access:
 - a. Building use will not interfere with access to the property. The included site plan shows all existing and proposed access locations, vehicular routes and parking areas. This location is ideally suited for this use with a major, paved highway (State Highway 72), emergency access, a fire station less than 0.5 miles away, and a plethora in services and amenities including a powerful well, septic, cistern, and industrial service from United Power. State Highway 72 is a major thoroughfare in the area with the average daily traffic (ADT) at 1,600 trips per day per CDOT OTIS website and a 20-year growth factor of 1.17 equating to 1,900 average daily traffic in the next 20 years. The building is located just north of State Highway 72 and is generally accessed by customers traveling southeast or northwest on State Highway 72. No trip through a residential or agricultural area is necessary for the majority of customers.
 - b. Use will have no effect on the duties of local governments and agencies.
6. Fire protection:
 - a. With the expected security and technology upgrades to the building and the property we expect to have a fire protection system that exceeds the standards of previous fire protection systems in place.
 - b. Use is expected to have no effect on the duties of local governments and agencies to provide services to other community areas. The property does not

have a cistern or fire hydrant. We are working with the Coal Creek Canyon Fire Protection District to establish emergency water at the property.

7. Schools:

- a. Use does not allow residential housing.
- b. Use will have no effect on duties of local governments and agencies to provide services to other areas.

8. Hospitals:

- a. We expect demand for hospital services to decrease from its previous use as a hotel.
- b. Use will have no negative effect on current duties of local governments and agencies to provide services to other areas.

9. Police:

- a. We intend to secure our building with advanced security features such as closed circuit surveillance systems that are to be monitored 24 hours a day.
- b. We expect that our use will not put a strain on the current duties of local law enforcement and believe that we can in fact aid local law enforcement by providing full access to our security systems spanning our 2.6 acre property.

10. Flood protection:

- a. We expect to install vegetation and extensive landscaping features like shrubs throughout the property and expect to have a superior flood protection system than the hotel previously on the property.
- b. Our use is expected to have no negative effect on duties of local governments and agencies to provide services to other areas.

11. Solid waste disposal:

- a. We intend to not use more than the previous hotel business on the property and intend to use the same container size used by the hotel previously on the property.
- b. Use will have no negative effect on duties of local governments and agencies to provide services to other areas.

12. Other services

- a. All other services will be used to a minimum and
- b. Any other utility like services used in the future will have no negative effect on the duties of local governments and agencies to provide services to other areas.

Occupant Load – 33247 Highway 72

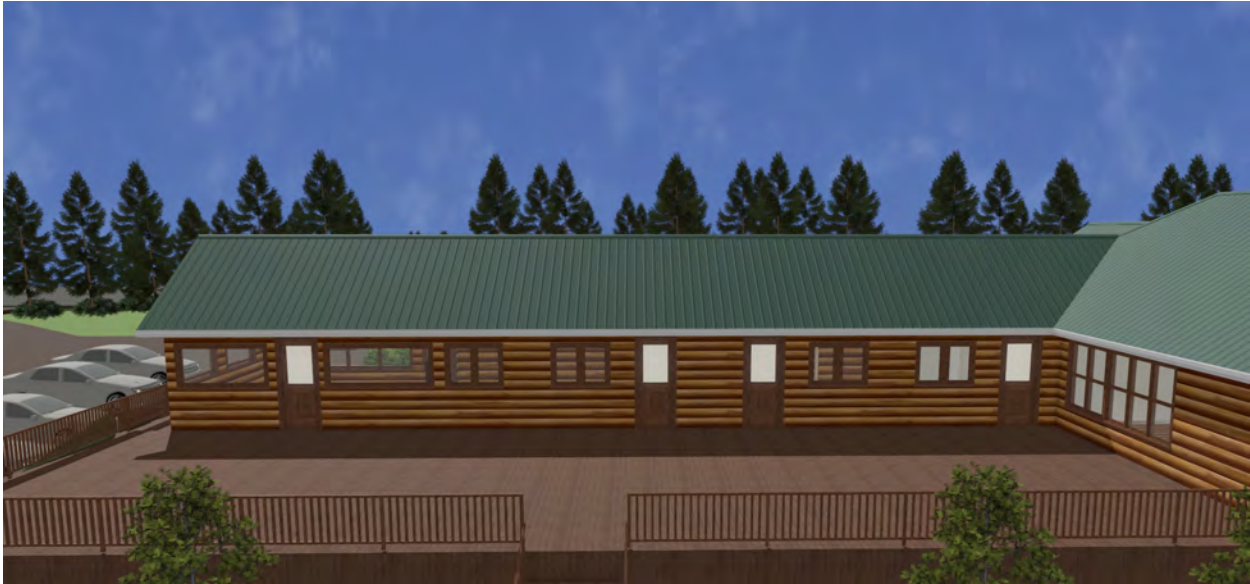
According to Section 1004.8 Concentrated business use areas of the 2018 International Building Code (IBC), the occupant load shall be not less than one occupant per 50 square feet of gross occupiable floor space.

The building is 5,760 square feet with a 1,200 square foot metal container, totaling 6,960 square feet of occupiable floor space. This equates to an occupant load of approximately 140 people.

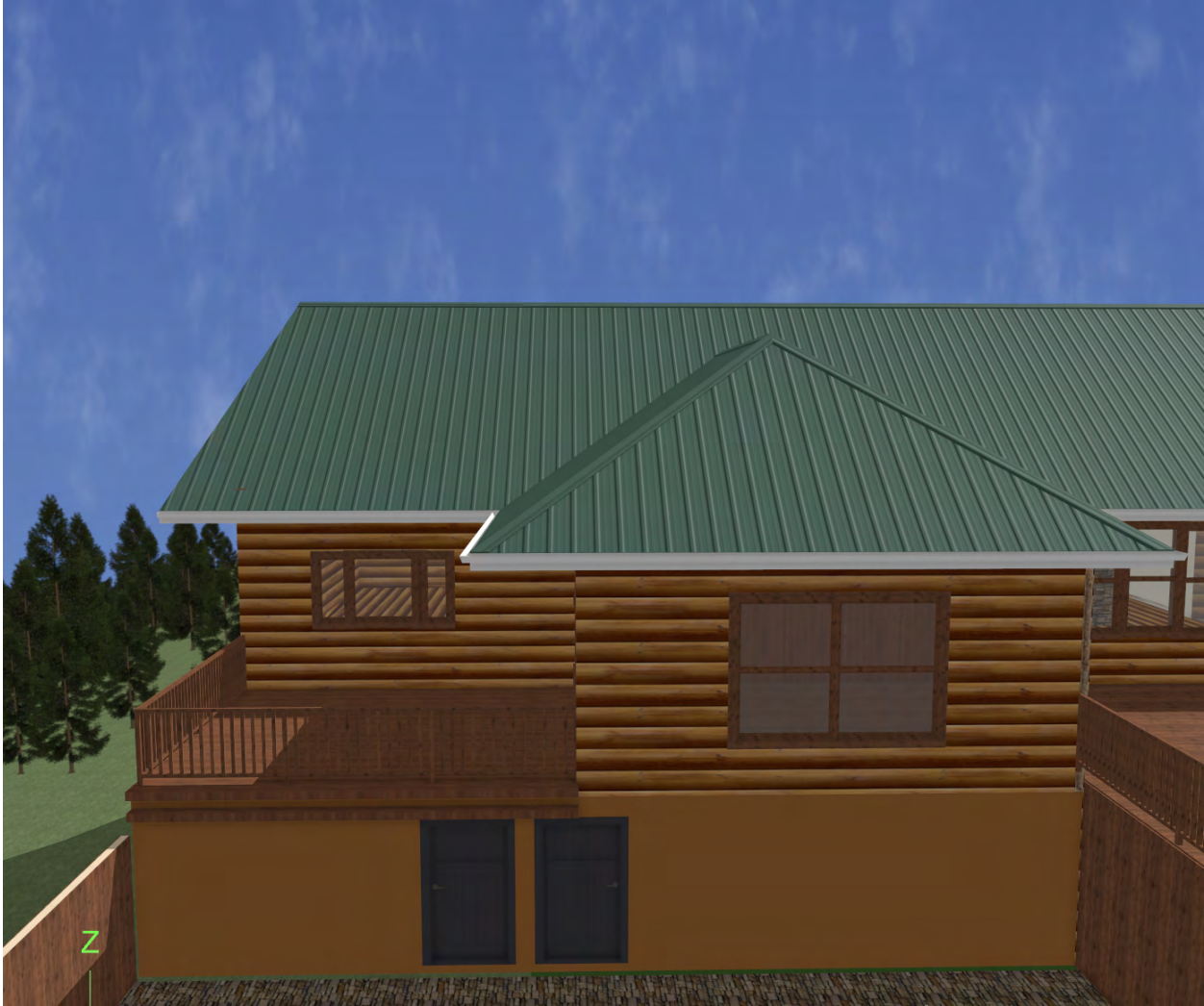
Proposed Elevations

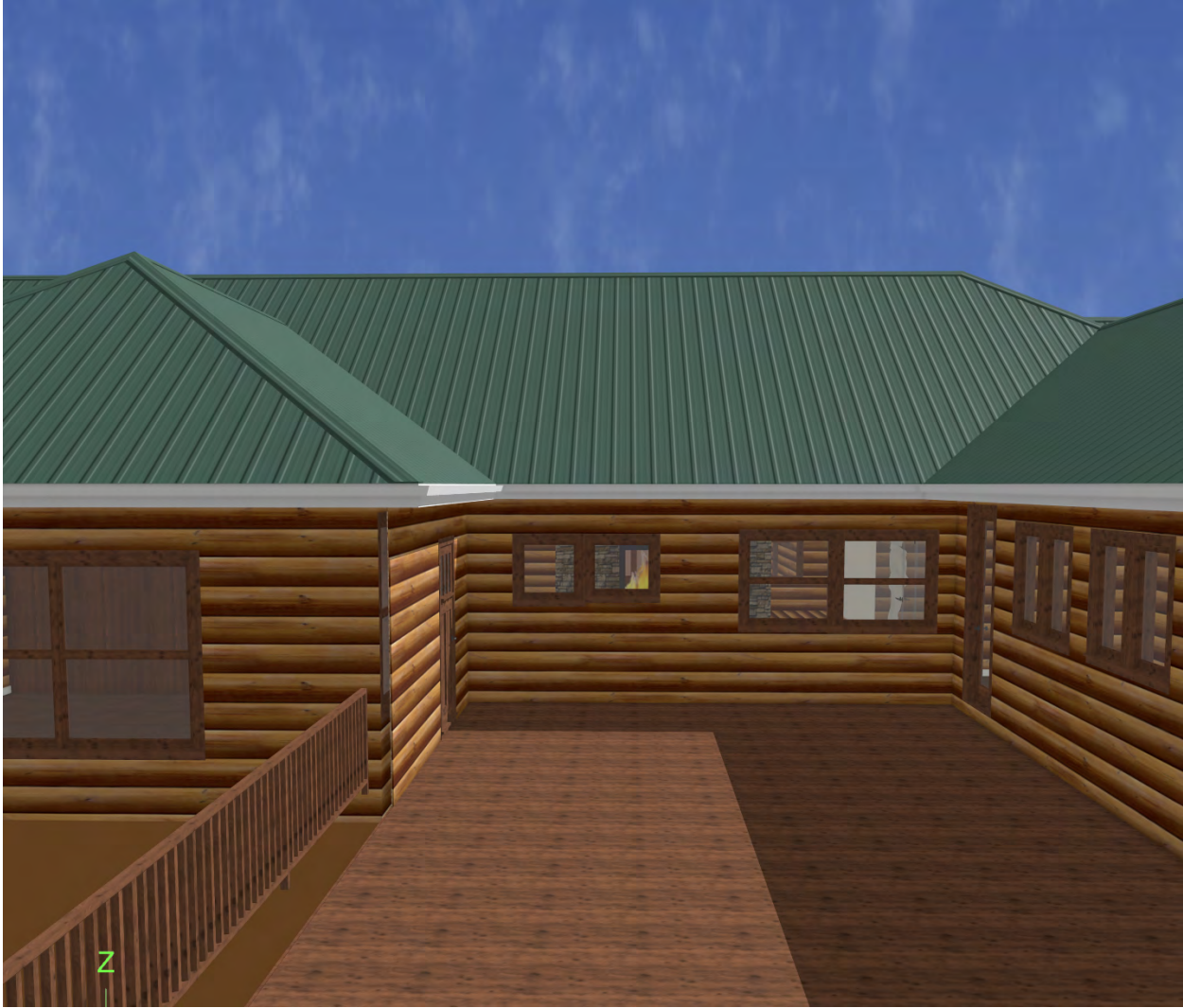
Main Structure:







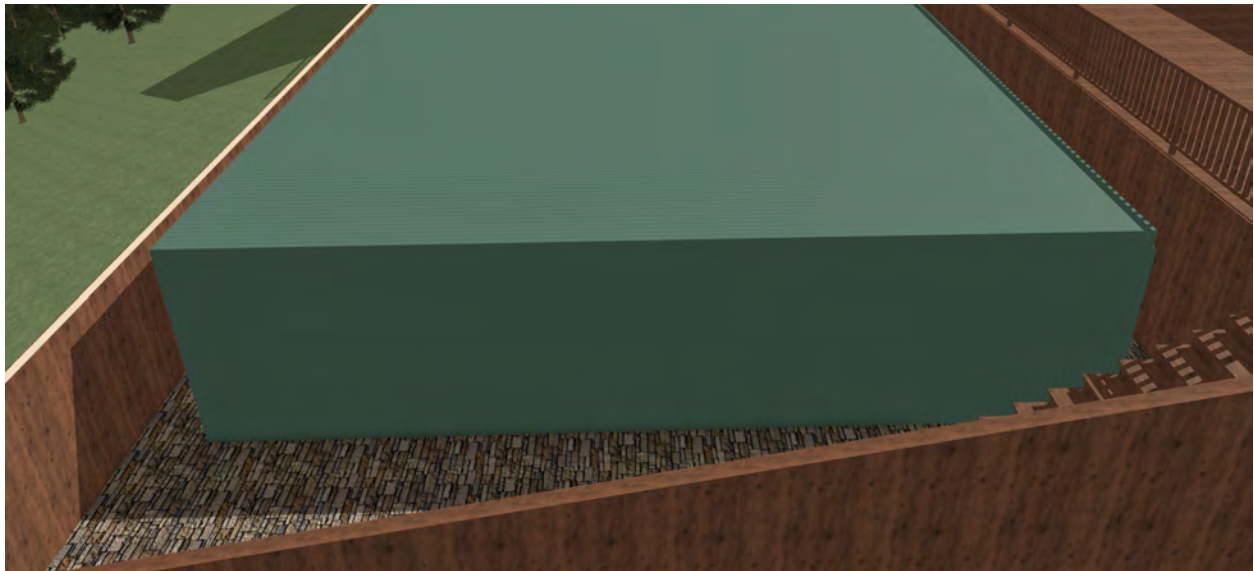
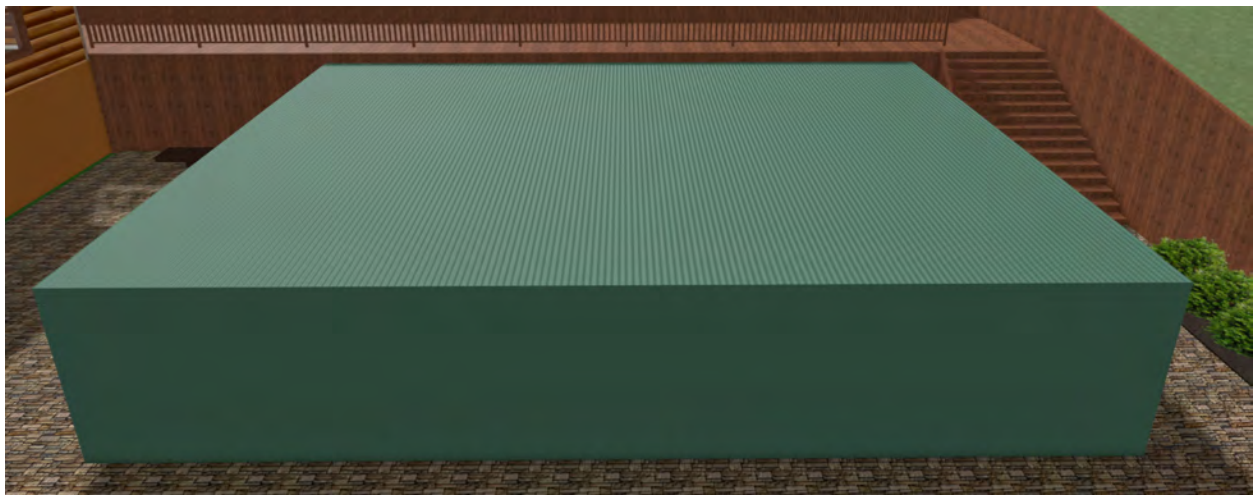


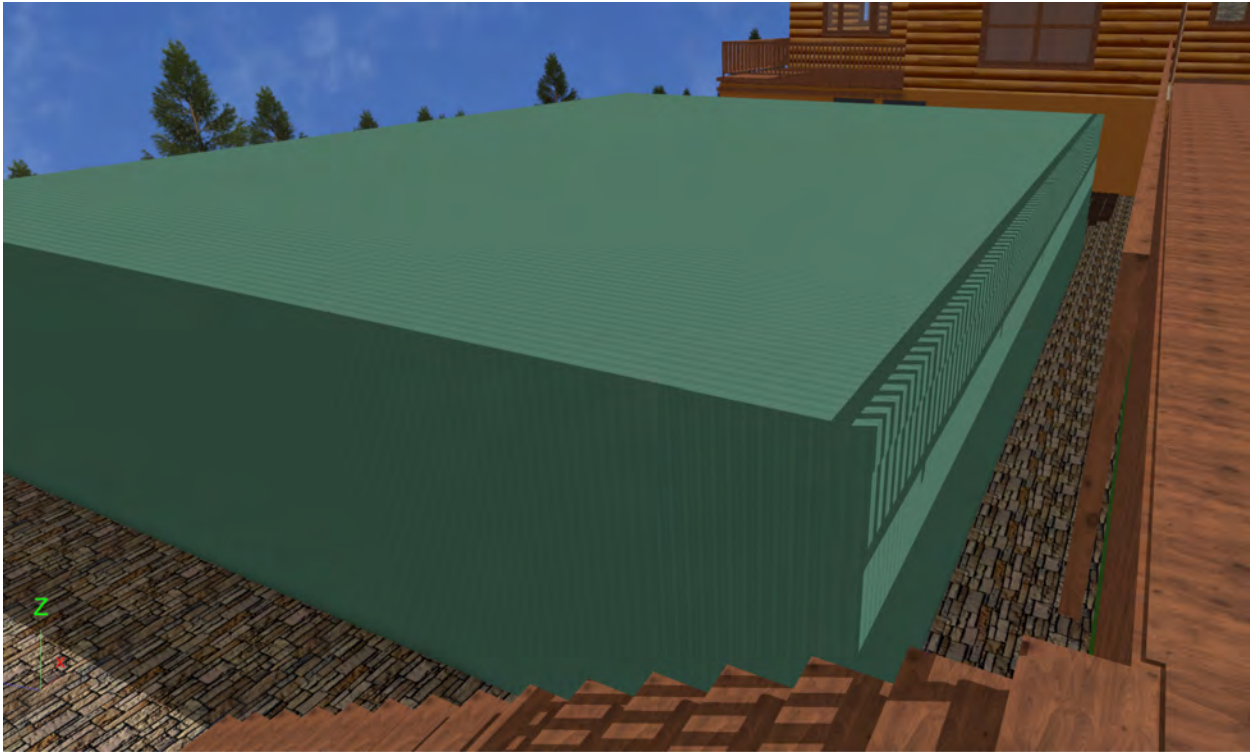




ATTACHMENT A 58

Metal Container:



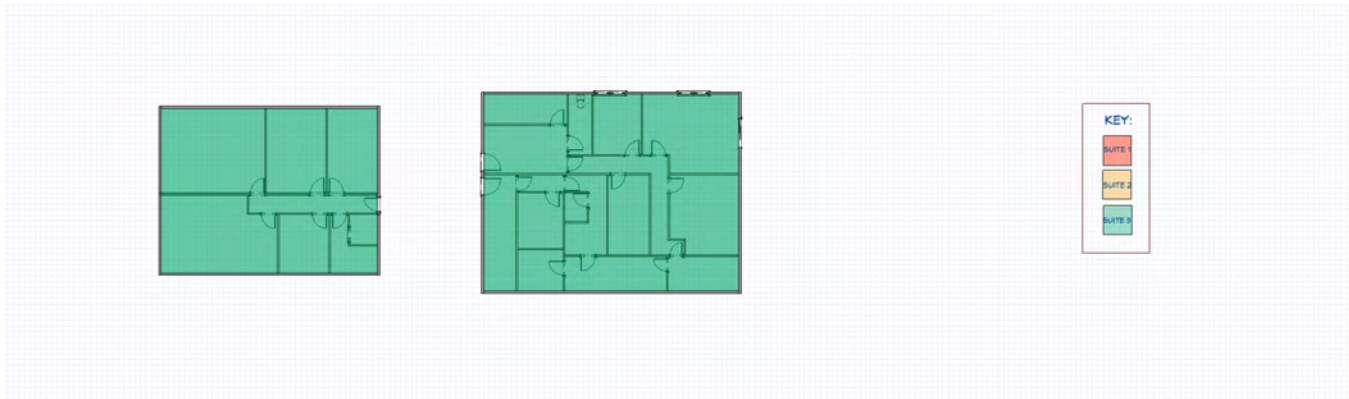


Floor Plan – 33247 Highway 72

Proposed Floor Plan – First Level



Proposed Floor Plan – Lower Level



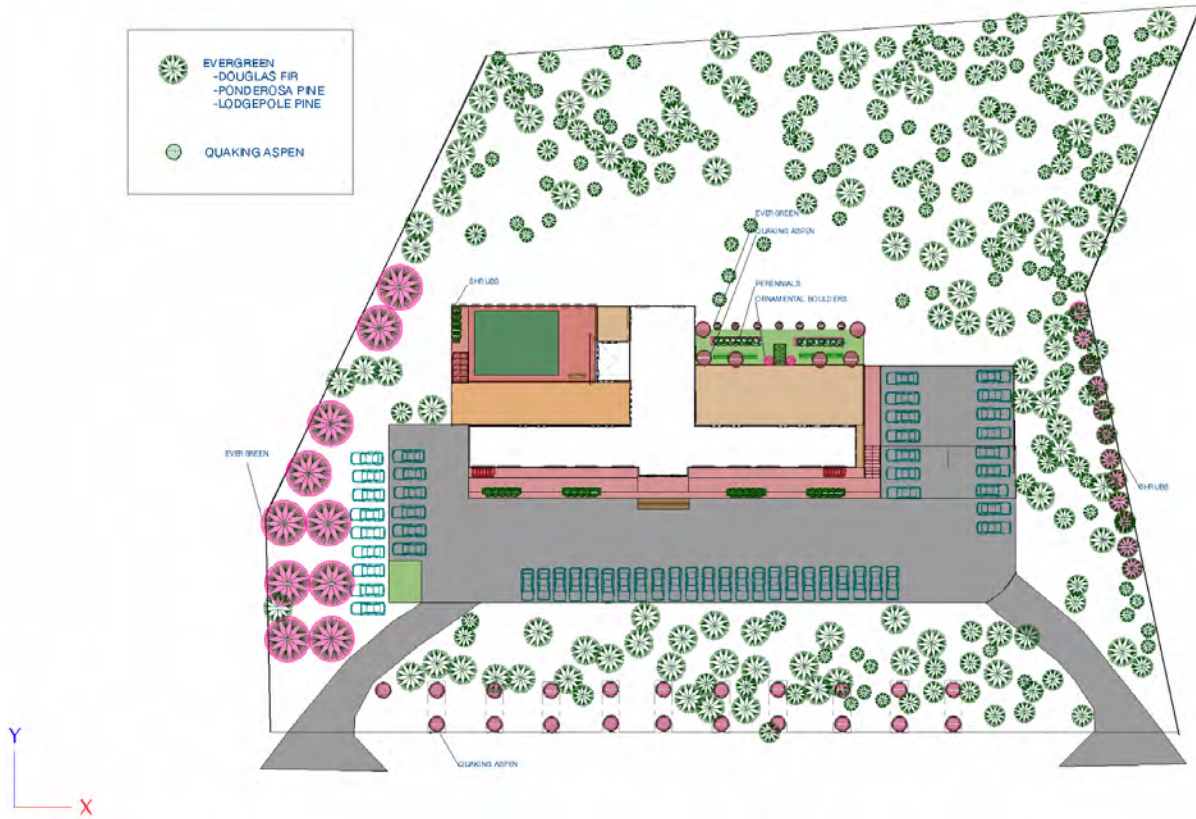
Suite	Proposed Tenant
1	Apothecary/Dispensary
2	Production Room
3	Cultivation

Turn-out and Turn-around Location/Dimension – 33247 Highway 72

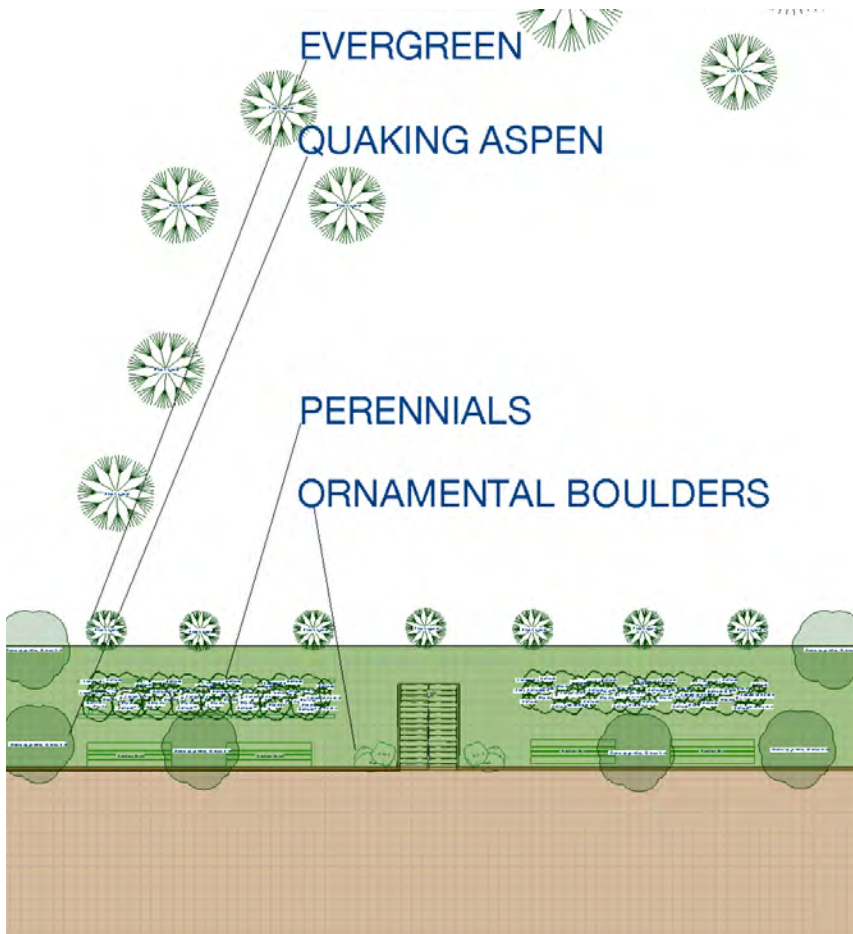


Landscaping Plan – 33247 Highway 72

Landscaping Plan



Landscape Plan



Building Elevations – 33247 Highway 72

Existing Elevations

Main Structure:



















ATTACHMENT A 73

Metal Container:









Boulder County Land Use Department

Courthouse Annex Building
 2045 13th Street • PO Box 471 • Boulder, Colorado 80302
 Phone: 303-441-3930
 Email: planner@bouldercounty.org
 Web: www.bouldercounty.org/lu
 Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
 Tuesday 10 a.m. to 4:30 p.m.

<i>Shaded Areas for Staff Use Only</i>
Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Number		Project Name			
<input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent		<input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning		<input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input checked="" type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Special Use/SSDP	<input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other:
Location(s)/Street Address(es) 33247 Highway 72					
Golden, CO 80403					
Subdivision Name Cedar-Ridge Estates					
Lot(s) Lot 20	Block(s)	Section(s) 36	Township(s) 1S	Range(s) 72	
Area in Acres 2.67	Existing Zoning Business	Existing Use of Property Lodging		Number of Proposed Lots 1	
Proposed Water Supply Well		Proposed Sewage Disposal Method Septic System			

Applicants:

Applicant/Property Owner Reptar 1783 LLC			Email spadilla2050@gmail.com	
Mailing Address 33247 Highway 72				
City Golden	State CO	Zip Code 80403	Phone 347-452-7927	
Applicant/Property Owner/Agent/Consultant Reptar 1783 LLC			Email spadilla2050@gmail.com	
Mailing Address 33247 Highway 72				
City Golden	State CO	Zip Code 80403	Phone 347-452-7927	
Agent/Consultant			Email	
Mailing Address				
City	State	Zip Code	Phone	

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner 	Printed Name Sarah Manocherian	Date 09/11/2023
Signature of Property Owner	Printed Name	Date

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

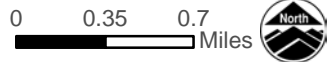
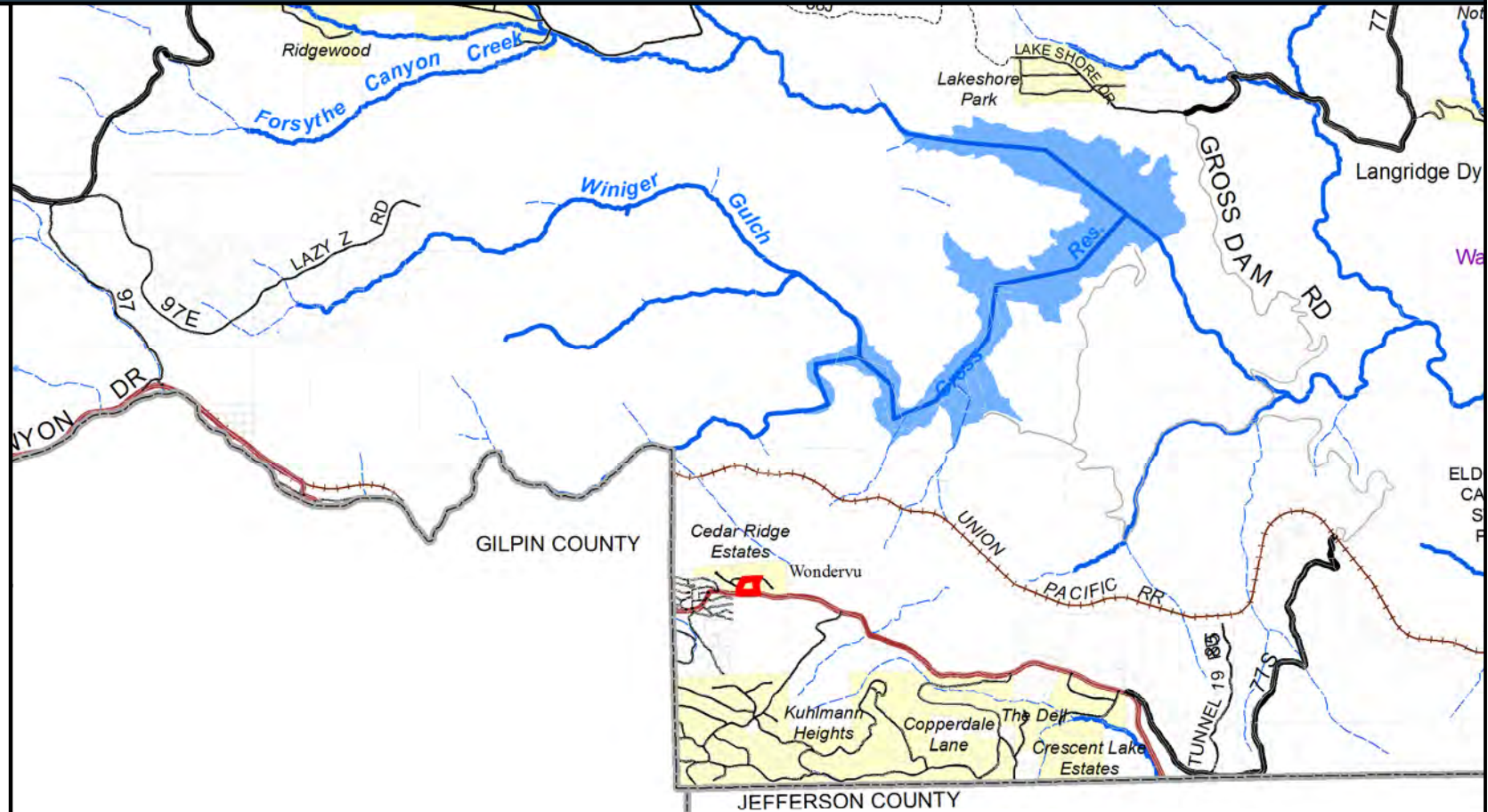
Vicinity

33247 COAL CREEK CANYON DR

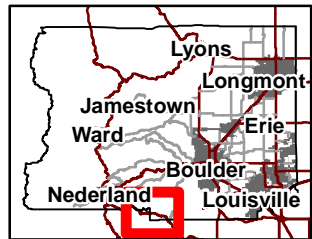
Subject Parcel

Subdivisions

Subdivisions



Area of Detail Date: 2/4/2021



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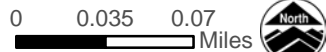
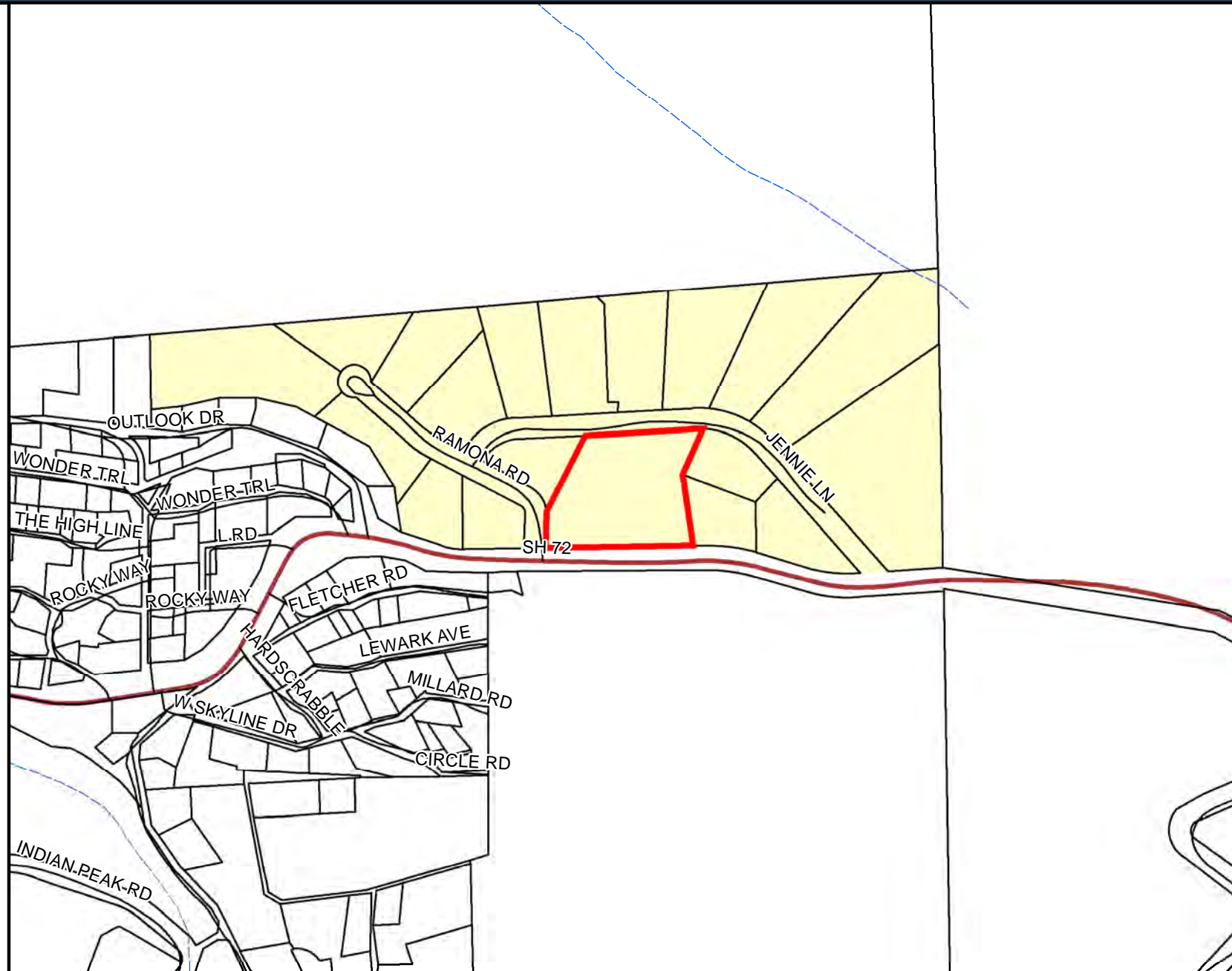
Location

33247 COAL CREEK CANYON DR

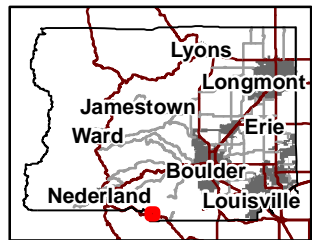
Subject Parcel

Subdivisions

Subdivisions



Area of Detail Date: 2/4/2021



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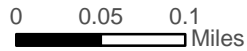
Community Planning & Permitting

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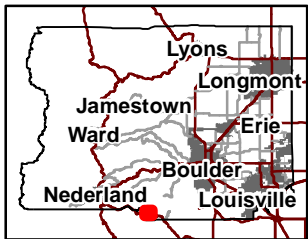
Aerial

33247 COAL CREEK CANYON DR

 Subject Parcel



Area of Detail Date: 2/4/2021



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Community Planning & Permitting

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Aerial

33247 COAL CREEK CANYON DR

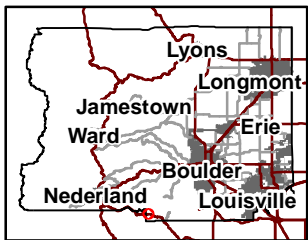
Subject Parcel



0 0.005 0.01 Miles



Area of Detail Date: 2/4/2021



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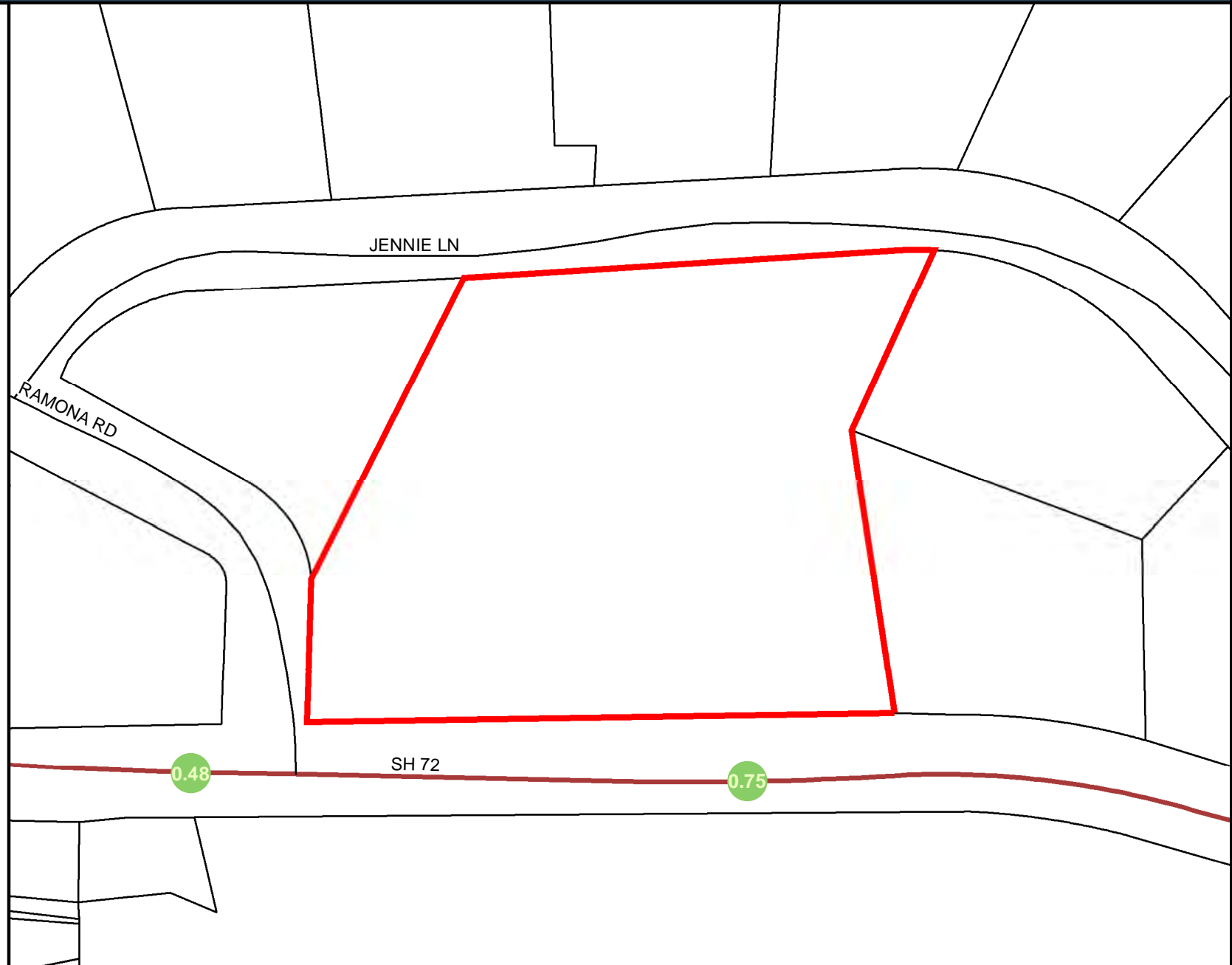
Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

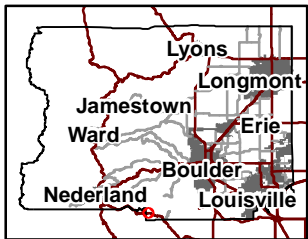
Comprehensive Plan

33247 COAL CREEK CANYON DR

 Subject Parcel



Area of Detail Date: 2/4/2021



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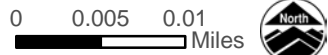
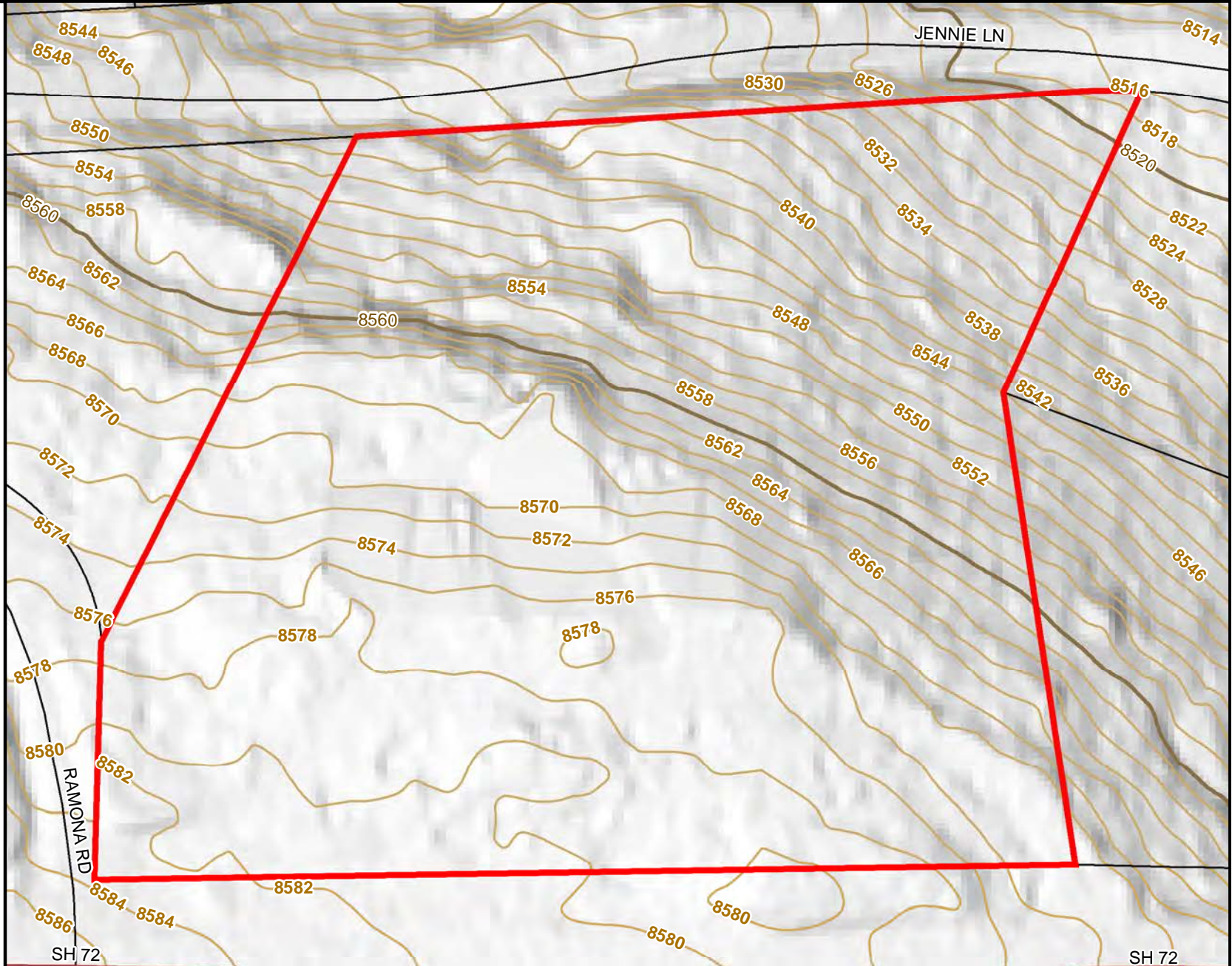
Community Planning & Permitting

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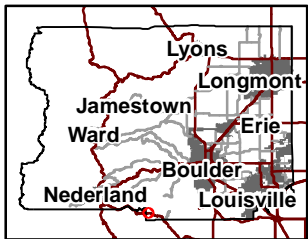
Elevation Contours

33247 COAL CREEK CANYON DR

- Subject Parcel
- Contours 40'
- Contours 2'



Area of Detail Date: 2/4/2021







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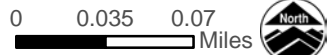
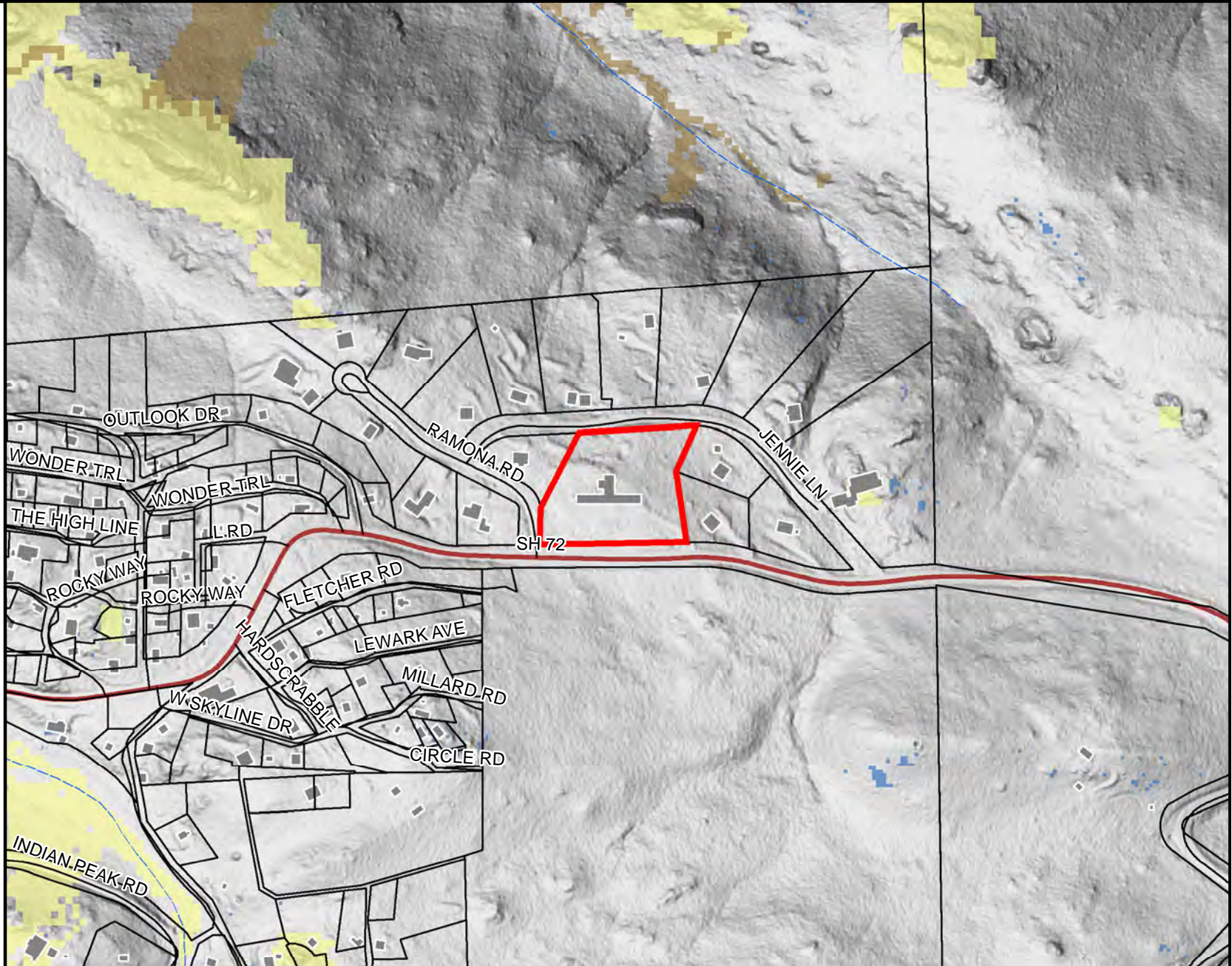


Community Planning & Permitting

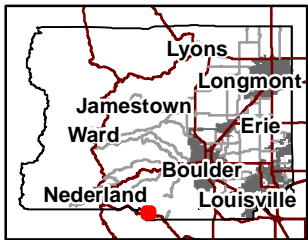
2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

33247 COAL CREEK CANYON DR

-  Subject Parcel
-  Debris flow susceptibility area
-  Rockfall susceptibility area
-  Landslide high susceptibility area



Area of Detail Date: 2/4/2021



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Community Planning & Permitting

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Public Lands & CEs

33247 COAL CREEK CANYON DR

Subject Parcel

Boulder County Open Space

County Open Space

Federal Lands

USFS Land

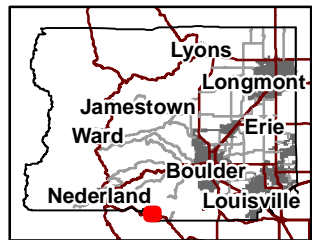
Private

Conservation Easements

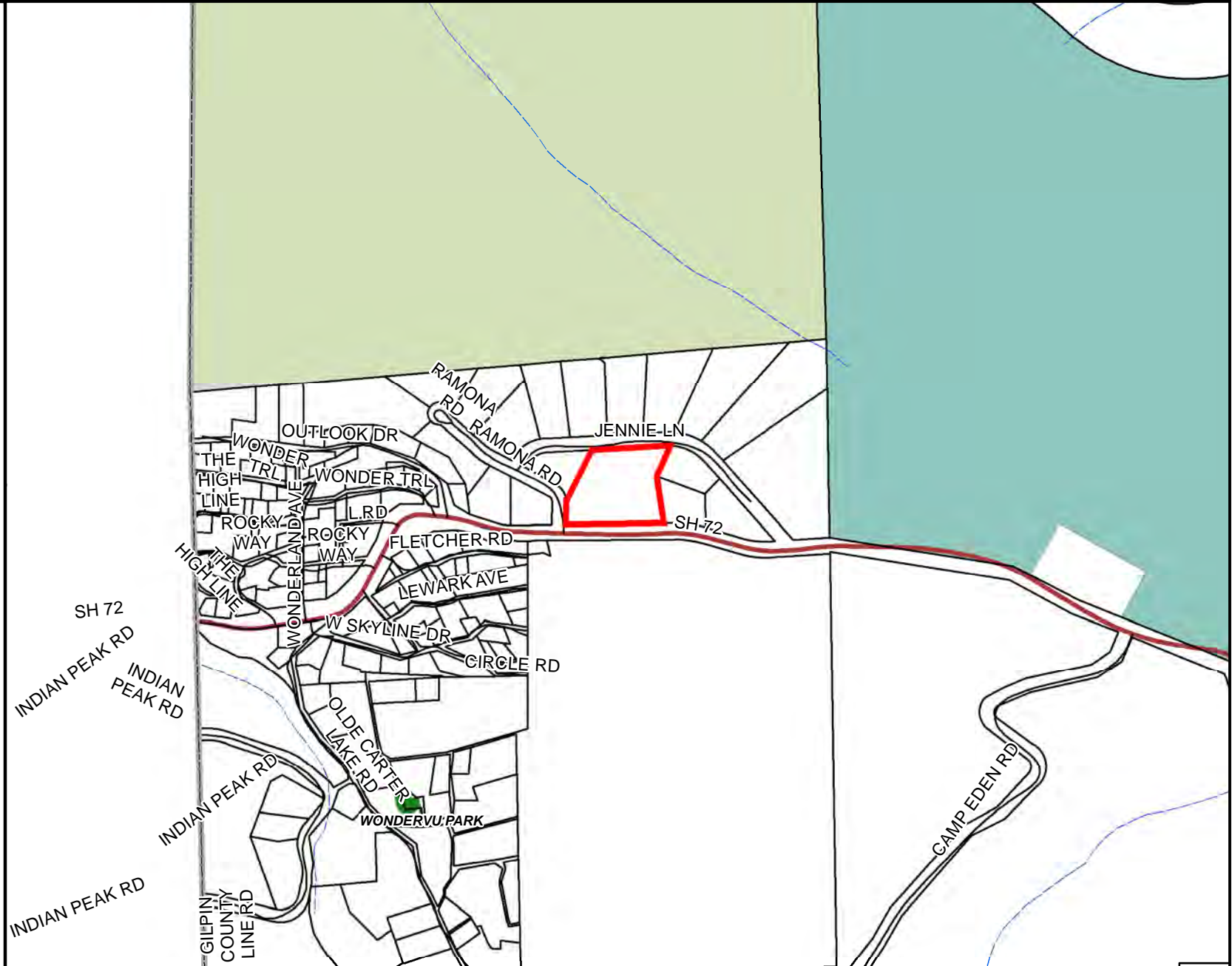
0 0.05 0.1 Miles



Area of Detail Date: 2/4/2021



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Subject Parcel

Major Road Setbacks

55 feet

Zoning Districts

Business

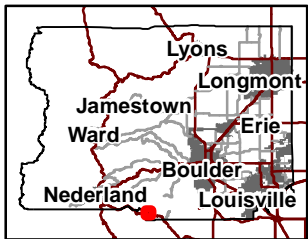
Forestry



0 0.035 0.07 Miles



Area of Detail Date: 2/4/2021



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Site Plan Review Fact Sheet

The applicant(s) is/are required to complete each section of this Site Plan Review (SPR) Fact Sheet even if the information is duplicated elsewhere in the SPR application. Completed Fact Sheets reduce the application review time which helps expedite the Director's Determination. Please make duplicates of this SPR Fact Sheet if the project involves more than two structures.

Structure #1 Information

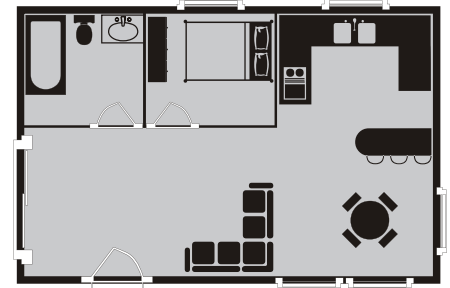
Type of Structure: (e.g. residence, studio, barn, etc.)		Hotel Lodge			
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)		5,760	Deconstruction:		
		sq. ft.			sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input type="checkbox"/> Residential	
				<input checked="" type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	9'
Basement:	sq. ft.	sq. ft.	sq. ft.		
First Floor:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Material	Wood
Second Floor:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Color	Natural Brown
Garage:				Roofing Material	Metal
<input type="checkbox"/> Detached					
<input type="checkbox"/> Attached	sq. ft.	sq. ft.	sq. ft.	Roofing Color	Forest Green
*Covered Porch:	sq. ft.	sq. ft.	sq. ft.		
Total:	sq. ft.	sq. ft.	sq. ft.	Total Bedrooms	11

Project Identification:

Project Name: 33247 Highway 72
Property Address/Location: 33247 Highway 72, Golden, CO 80403
Current Owner: Sarah Manocherian
Size of Property in Acres: 2.67

Determining Floor Area

Floor Area is measured in terms of square feet. The total square footage is as everything within the exterior face of the exterior walls including garages and basements. **Covered porch area that is attached to the principal structure is not included (see Article 18-131A).** The shaded area on the diagram indicates the area counted as square feet.



Structure #2 Information

Type of Structure: (e.g. residence, studio, barn, etc.)		Metal Shed		The metal shed is proposed to be used as the grow area with 1200sf.	
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)		600	Deconstruction:		
		sq. ft.			sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input type="checkbox"/> Residential	
				<input checked="" type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	8'
Basement:	sq. ft.	sq. ft.	sq. ft.		
First Floor:	600	sq. ft.	sq. ft.	Exterior Wall Material	Metal
Second Floor:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Color	Forest Green
Garage:				Roofing Material	Metal
<input type="checkbox"/> Detached					
<input type="checkbox"/> Attached	sq. ft.	sq. ft.	sq. ft.	Roofing Color	Forest Green
*Covered Porch:	sq. ft.	sq. ft.	sq. ft.		
Total:	sq. ft.	sq. ft.	sq. ft.	Total Bedrooms	0

Residential vs. Non-Residential Floor Area

Residential Floor Area includes all attached and detached floor area (as defined in Article 18-162) on a parcel, including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, home offices and workshops. Gazebos and carports up to a total combined size of 400 square feet are exempt. Barns used for agricultural purposes are not considered residential floor area.

Note: If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Site Plan Review and shown on this Fact Sheet.

If a Limited Impact Special Review is required, then call 303-441-3930 and ask for a new Pre-Application conference for the Limited Impact Special Review.

*See Article 18-131A for definition of covered porch.

Grading Calculation

Cut and fill calculations are necessary to evaluate the disturbance of a project and to verify whether or not a Limited Impact Special Review is required. Limited Impact Special Review is required when grading for a project involves more than 500 cubic yards (minus normal cut/fill and backfill contained within the foundation footprint).

If grading totals are close to the 500 yard trigger, additional information may be required, such as a grading plan stamped by a Colorado Registered Professional Engineer.

Earth Work and Grading

This worksheet is to help you accurately determine the amount of grading for the property in accordance with the Boulder County Land Use Code. Please fill in all applicable boxes.

Note: Applicant(s) must fill in the shaded boxes even though foundation work does not contribute toward the 500 cubic yard trigger requiring Limited Impact Special Use Review. Also, all areas of earthwork must be represented on the site plan.

Earth Work and Grading Worksheet:

	Cut	Fill	Subtotal
Driveway and Parking Areas		233	
Berm(s)			
Other Grading			
Subtotal			233 <small>Box 1</small>

* If the total in Box 1 is greater than 500 cubic yards, then a Limited Impact Special Review is required.

	Cut	Fill	Total
Foundation			
Material cut from foundation excavation to be removed from the property			

Excess Material will be Transported to the Following Location:

Excess Materials Transport Location: N/A

Narrative

Use this space to describe any special circumstances that you feel the Land Use Office should be aware of when reviewing your application, including discussion regarding any factors (listed in Article 4-806.2.b.i) used to demonstrate that the presumptive size limitation does not adequately address the size compatibility of the proposed development with the defined neighborhood. If more room is needed, feel free to attach a separate sheet.

N/A

Is Your Property Gated and Locked? No.

Note: If county personnel cannot access the property, then it could cause delays in reviewing your application.

Certification

I certify that the information submitted is complete and correct. I agree to clearly identify the property (if not already addressed) and stake the location of the improvements on the site within four days of submitting this application. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures, and that modifications may be required. Site work will not be done prior to issuance of a Grading or Building Permit.

Signature 	Print Name Sarah Manocherian	Date 09/09/2023
---	---------------------------------	--------------------

January 2, 2024

To Whom This May Concern,

The following is a list of updates to the material that was initially submitted to the Community Planning & Permitting Department of Boulder County.

1. QUANTITY OF EMPLOYEES
 - A. In our initial application we stated that there are anticipated to be 12 full-time retail employees and 8 full-time processing/cultivating employees. This is to be revised to a total of 8-10 employees (4-5 full-time retail employees and 4-5 full-time processing/cultivation employees).

2. FLOOR PLAN LAYOUT
 - A. We have adjusted our floor plan. This revision is demonstrated in the Floor Plan, Occupant Load, and Building Elevations. In our initial application we stated that there would be an occupant load of 140 people; this is to be revised to an occupant load of 58.

3. QUANTITY OF REQUIRED PARKING SPACES
 - A. In our initial application we also stated that parking is anticipated to have a capacity of roughly 55 vehicles; this is to be revised to a capacity of 32 vehicles. This revision is demonstrated in the Site Plan and Turn-Out and Turn-Around.

4. ADDITIONAL LANDSCAPING FEATURES
 - A. Additionally, we will be adding perennials, shrubs, and trees at the west entryway to the property, and more trees on the sides of the property to ensure privacy.

SUPPLEMENT MATERIAL

We have attached the following material to help illustrate our vision and long term plan.

1. The Story
2. Inside the Apothecary Shop
3. Floor Plan
4. Site Plan
5. Turn-Out and Turn-Around
6. Landscaping
7. Occupant Load
8. Our Selection
9. Key Building Features
10. Security Camera Visibility
11. Solventless Extraction
12. Lighting and Signage Plan
13. Building Elevations

Sincerely,
Sarah Manocherian



ZEPPELINS

Apothecary • Lab

Table of Contents

1	The Story
2	Inside the Apothecary Shop
3	Floor Plan
4	Site Plan
5	Turn-Out and Turn-Around
6	Landscaping
7	Occupant Load
8	Our Selection
9	Key Building Features
10	Security Camera Visibility
11	Solventless Extraction
12	Lighting and Signage Plan
13	Building Elevations



ZEPPELINS

Apothecary • Lab

The Story Behind Zeppelins

Zeppelins apothecary began as a hobby after years of study and work inside laboratories at the University of Chicago and Mount Sinai Hospital in New York. Zeppelins is a woman owned, eco-friendly product line of handmade organic skincare and self care products. Our physical store will also sell some age-restricted items.

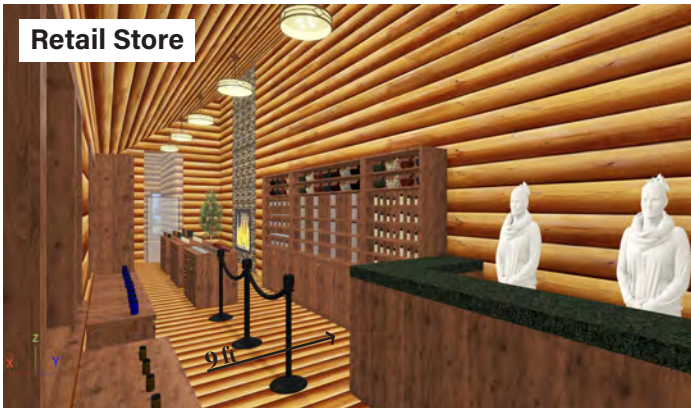
Our mission is to offer the magnificent benefits of natural and raw materials that have the power to heal the body and mind. All of our products are organic and made in small batches.

Some of our oils and lotions include; a rejuvenating skin cream, aches and pains body oil, peppermint tooth powder and a raspberry carrot sunscreen. As part of our mission, our hope is that our products help our customers reclaim their health through natural methods.





INSIDE THE APOTHECARY SHOP



FLOOR PLAN

Room	Proposed Tenant
1	Apothecary
2	Grow Shed
2.5	Storage/Trimming/Drying
3	Production Room
4	Landlord Storage

KEY:

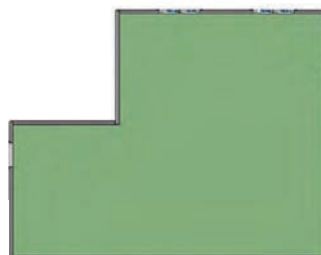


Enclosed Fence



Level One

Scale: 10ft



Level Two

SITE PLAN

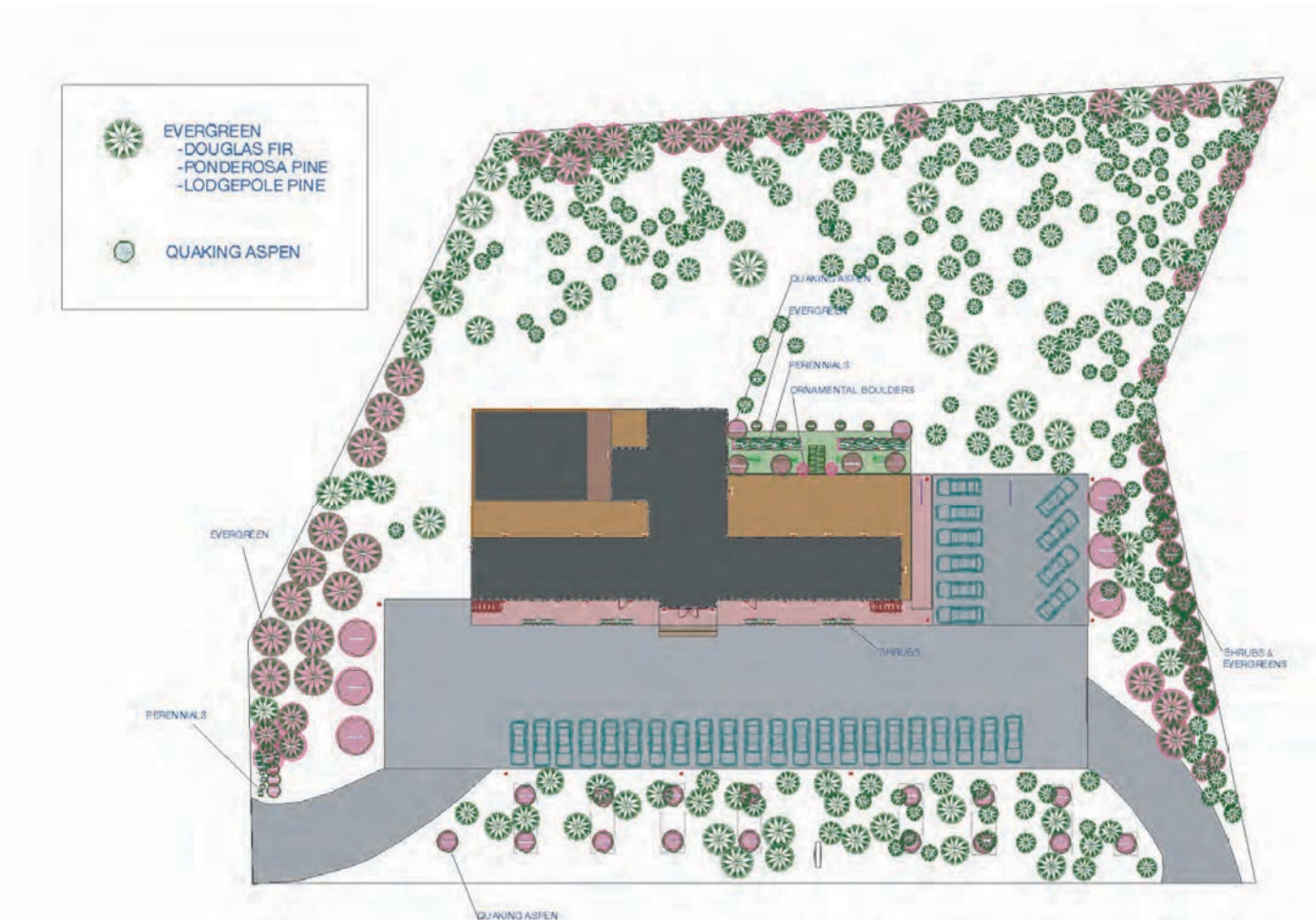


TURN-OUT AND TURN-AROUND



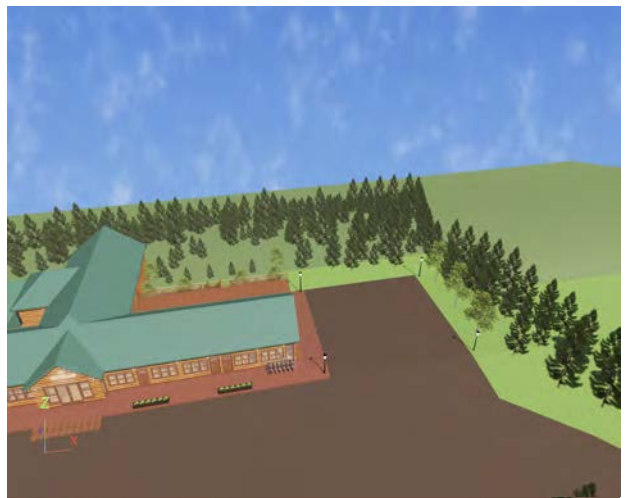
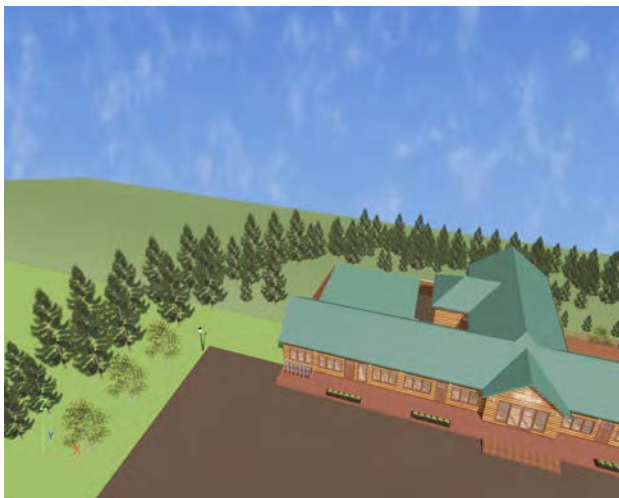
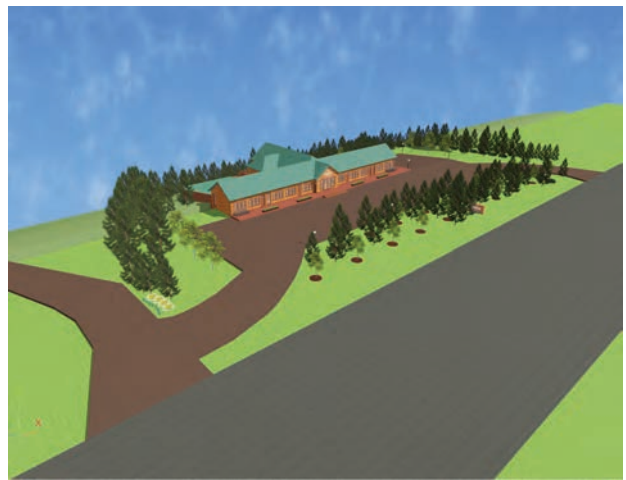
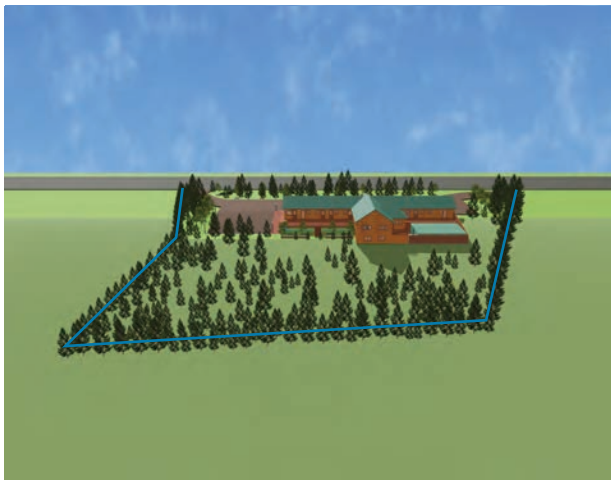
LANDSCAPING

To enforce privacy, dozens of trees will be planted and moved, and a discrete fence may be implemented.



LANDSCAPING (CONTINUED)

To enforce privacy, dozens of trees will be planted and moved, and a discrete fence may be implemented.



OCCUPANT LOAD

According to Table 1004.5 Maximum Floor Area Allowances Per Occupant of the 2021 International Building Code (IBC), the occupant load shall be not less than:

1. 1 occupant per 60 square feet of gross occupiable floor space for Mercantile areas
2. 1 occupant per 100 square feet of gross occupiable floor space for Industrial areas
3. 1 occupant per 300 square feet of gross occupiable floor space for Accessory storage areas

The building is 5,760 square feet with a 1,200 square foot metal container, totaling 6,960 square feet of occupiable floor space. Based on the types of uses, this equates to an occupant load of approximately 58 people.



Our Store Selection

Rose Skin Cream

Revitalizing Eye Cream

Advanced Repair Face Oil

Nourishing Body Cream

Sore Muscle Body Salve

Aches and Pains Body Oil

Peppermint Tooth Powder

Frankincense Deodorant

Raspberry Carrot Sunscreen

Rosemary Sage Shampoo

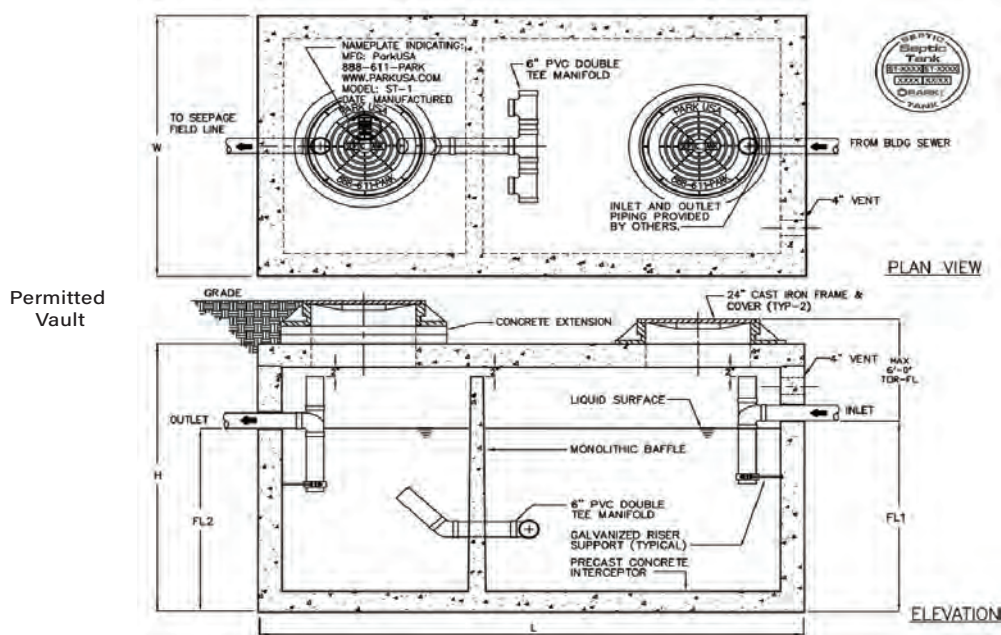
Amber Wood Candle

Pre-Packaged Joint Pack

Organic Herbal Tea Blends



**WATER USE AND RESPONSIBLE WASTE
WATER DISPOSAL**



WASTE WATER DISPOSAL

To protect the environment, and as required by Boulder County, our wastewater will not drain to the existing onsite wastewater treatment system and will drain to a custom designed ‘permitted vault’.

HARMFUL CHEMICALS

All plants will be grown with our own recycled, OMRI-listed, proprietary blend of organic living soil. By using living soil, we will produce healthier and more robust crops WITHOUT the use of chemicals, harmful pesticides or fertilizers.

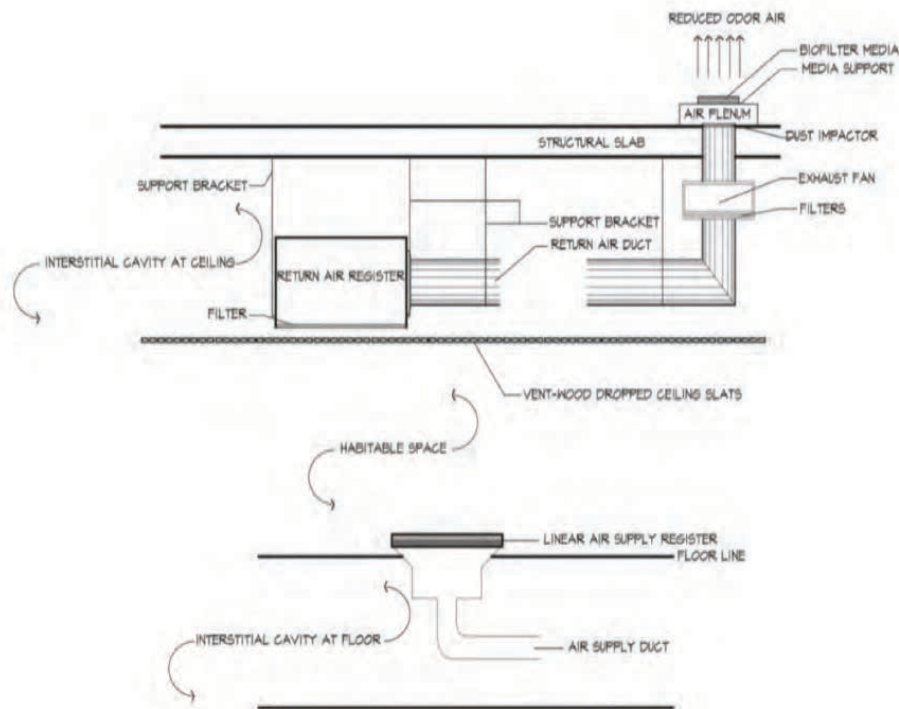
WATER USE

Water use is expected to be less than with the previous hotel lodging use – which had a maximum use of 300 gallons per day. * Water use for the cultivation will range from 20-100 gal per day. **

* Source: Colorado Division of Water Resources Data

** Source: One Eleven Farm (Licensed Cannabis Grower)

ZERO-ODOR VENTILATION SYSTEM



To ensure that no odor ever leaves the building we will install an advanced commercial air filtration system designed by a professional HVAC company and licensed electrician.

- Our advanced filtration systems will include multiple carbon filters that will scrub the ambient air of any latent cannabis odor emitted. No odor produced indoors will be detected from outside the facility.
- Fan noise levels shall remain silent to low decibel.

HIGH CALIBER SECURITY SYSTEM

Our building will be equipped with a state of the art security system designed by Guidepost Solutions and will be under surveillance 24 hours a day. Our system is designed to be used with Lenel S2 and NetBox Access Control. *

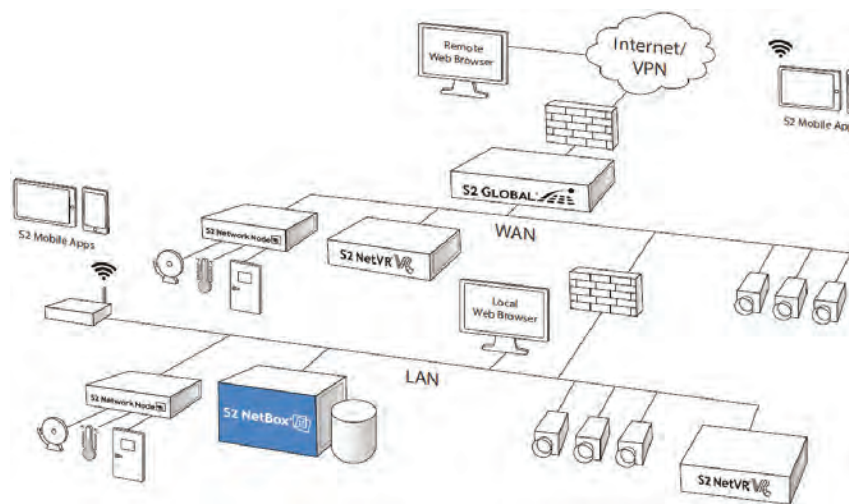
All video surveillance recordings will be at least 8 frames per second (fps) and will be available as recordings to the authorities 24 hours a day via a secure web-based portal with reverse functionality.

Further collaboration with local authorities will be sought out to identify gaps in resource availability.

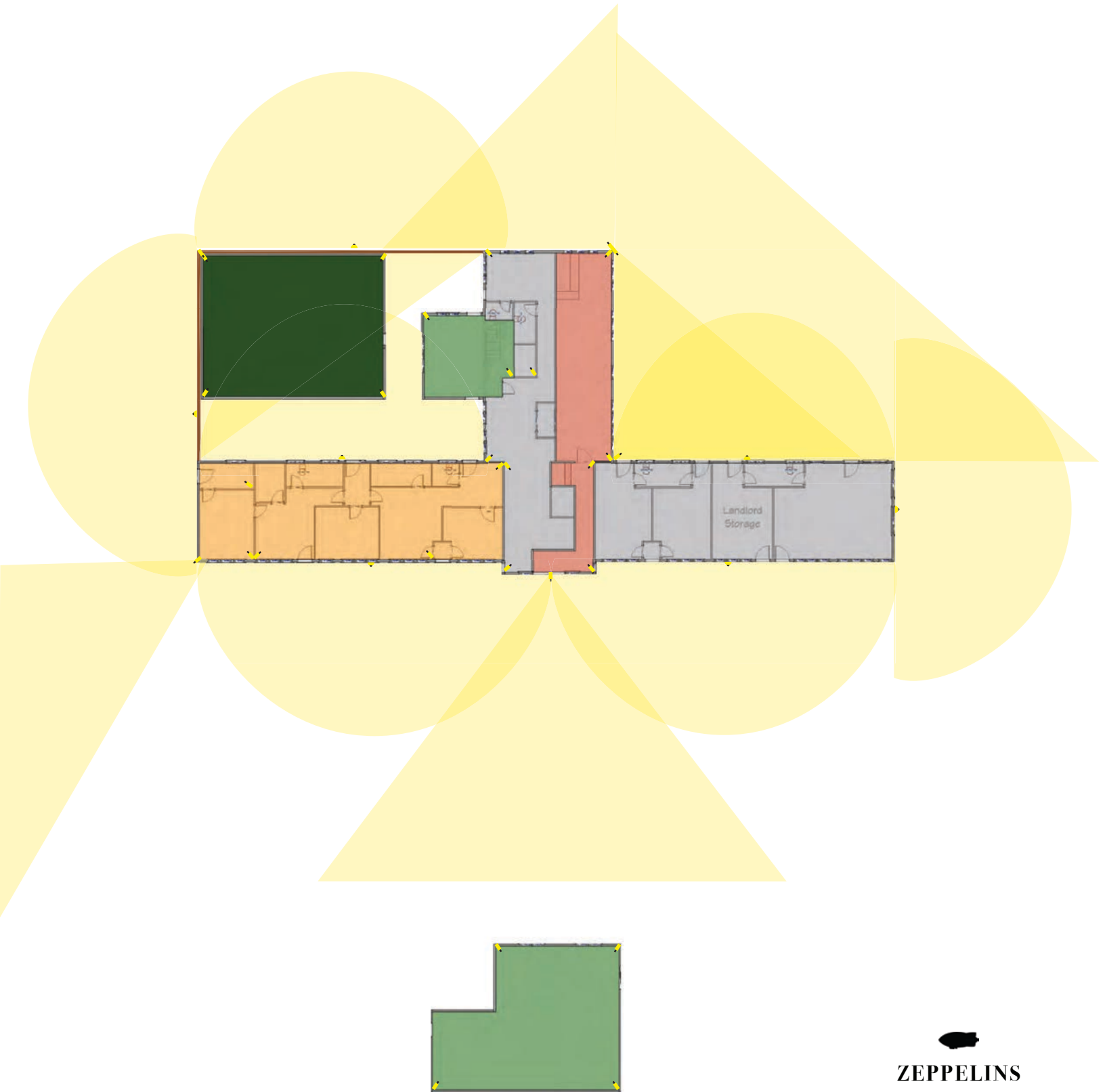
SYSTEM FEATURES

- Event and Alarm Monitoring, including comprehensive event logging, notification and escalation.
- Person Record Management and Reporting: maintains detail credential based user records and access history, and creates custom reports.

* www.lensels2.com



SECURITY CAMERA VISIBILITY



SOLVENTLESS EXTRACTION

The production room will be completely solventless, and will use an environmentally friendly press to extract the oil from the plant.



TRP STACK

SIMPLICITY IN HIGH-VOLUME EXTRACTION
The multi-platen design was built for production scalability and consistent yields. The patented Easy Pivot™ drip-tech system allows rosin to quickly drop to a cool surface with a seamless tilt of the platens. With six precision heating elements, 25 tons of force, and a high-visibility design, pressing rosin at commercial volumes has never been easier.

THE BEST COMMERCIAL ROSIN PRESS

EASY PIVOT™ DRIP TECHNOLOGY
Patented tech creates seamless press rotation for proper directional flow.

MULTI-PLATEN STACK
The TRP Stack's patented design maintains and equalizes pressure allowing for bulk presses up to 3/4 lb per squeeze.

FOOD-SAFE ALUMINUM PLATENS
Large production area provides even and consistent heat.

HYDRAULIC CYLINDER
Air and manual pump options available to accommodate any workflow.

SOLVENTLESS EXTRACTION
Press with high pressure at lower temperatures to preserve valuable terpenes.

POWER FRAME™
The high-strength alloy steel frame is designed to withstand 25 tons of pressure.

SPECIFICATIONS	HEIGHT	22 IN / 57 CM
	WIDTH	27 IN / 69 CM
	LENGTH	13 IN / 33 CM
	WEIGHT	151 LBS / 68 KG
	DRIP TECH	YES
	PLATEN SIZE	6 IN X 10 IN / 15 CM X 25 CM
	POWER REQ	120 V, 20 A



ZEPPELINS

Apothecary · Lab

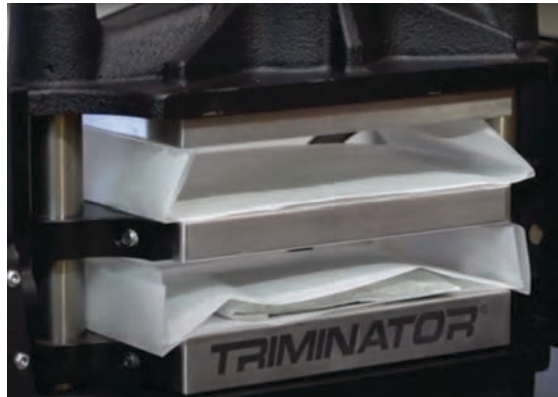
SOLVENTLESS EXTRACTION (CONTINUED)

The following steps illustrate the solventless extraction process.

Step 1: Pack cured plants into bags



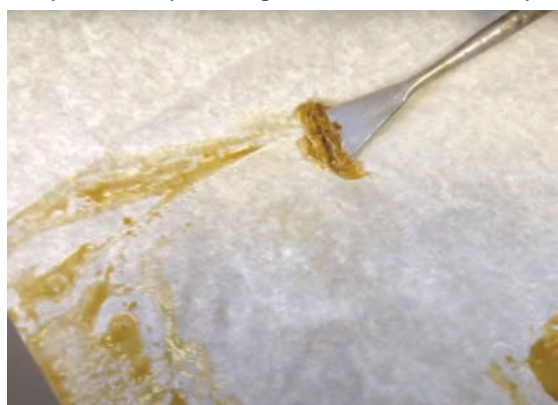
Step 2: Press bags between the plates



Step 3: Plant oil (rosin) will be extracted



Step 4: After pressing, collect oil with scraper



Step 5: Combine rosin oil into creams and oils



Step 6: Enjoy benefits of infused creams and oils



LIGHTING PLAN

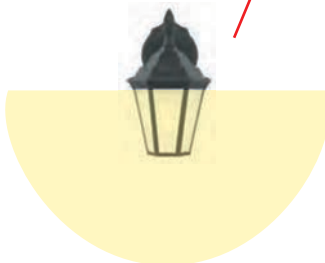
The following is the lighting plan which includes the location and description of the existing and proposed lighting.

All existing lighting will be removed entirely or replaced.

Proposed wall mounts and light posts are shown below with the angle of cut off of light emissions.



Proposed Wall Mounts for the front entrance.



Proposed Wall Mounts for the sides of building.



Proposed Lamp Posts for the parking area.

SIGNAGE PLAN

The following is the signage plan.



Wall plaque on front entrance with halo illumination.



Two-sided Freestanding Sign.

BUILDING ELEVATIONS

The following are proposed building elevations for the main structure:



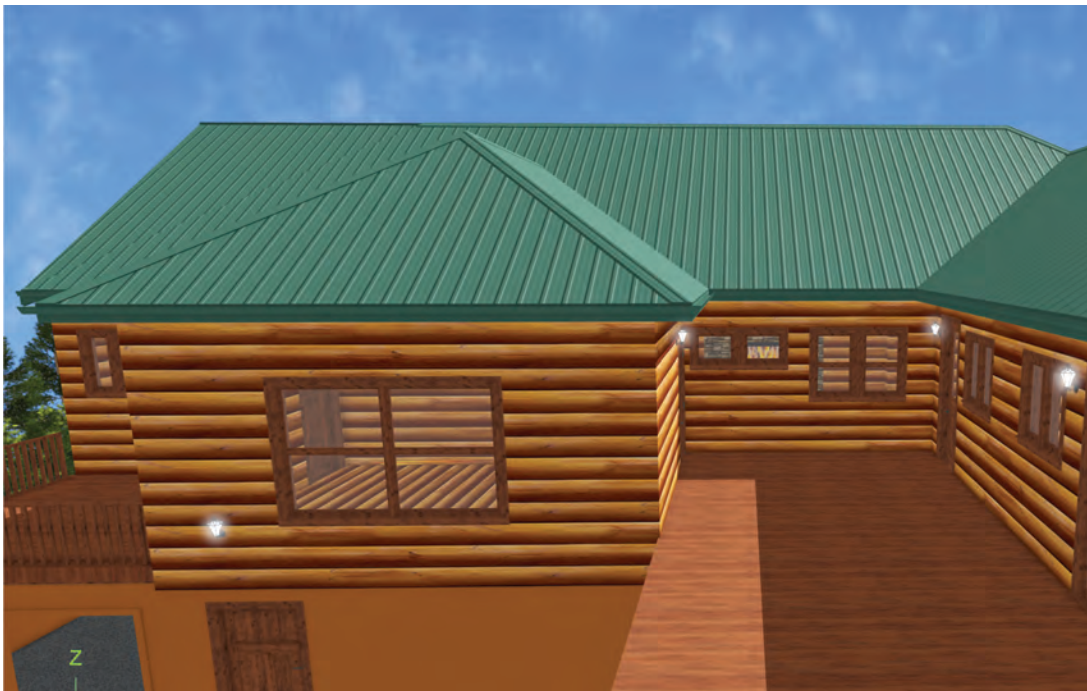
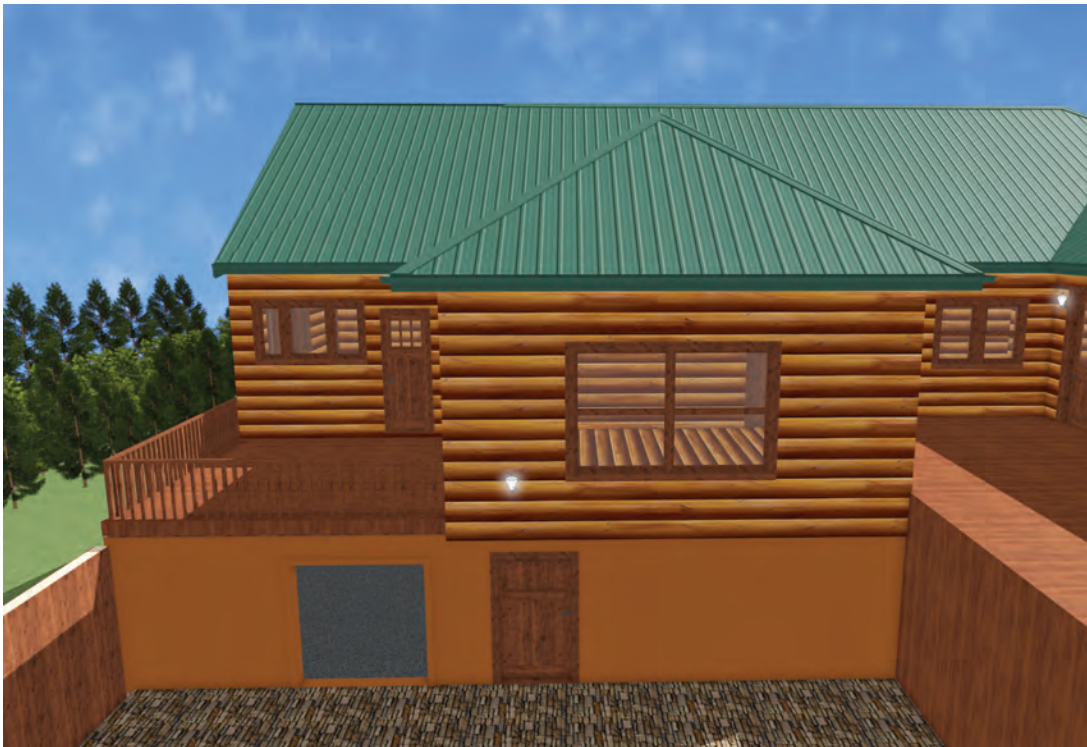
BUILDING ELEVATIONS (CONTINUED)



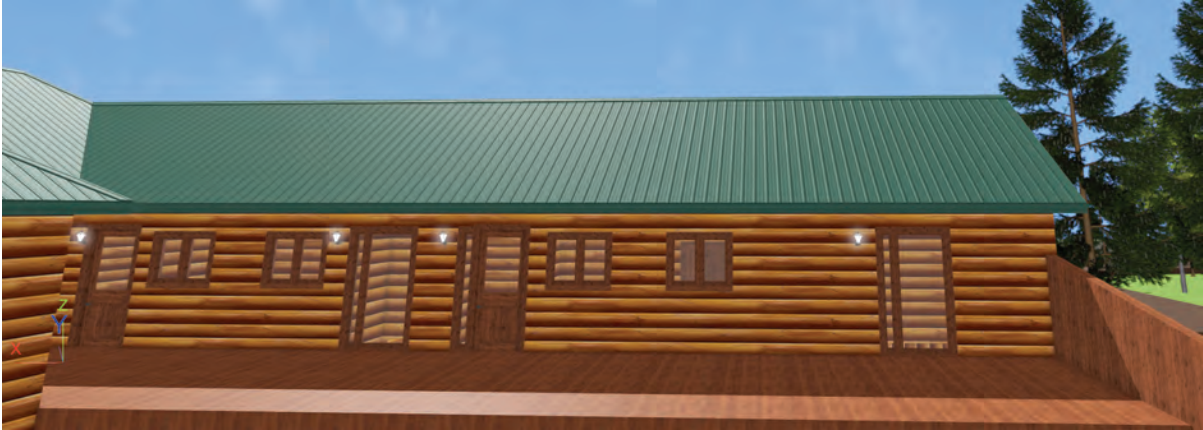
BUILDING ELEVATIONS (CONTINUED)



BUILDING ELEVATIONS (CONTINUED)

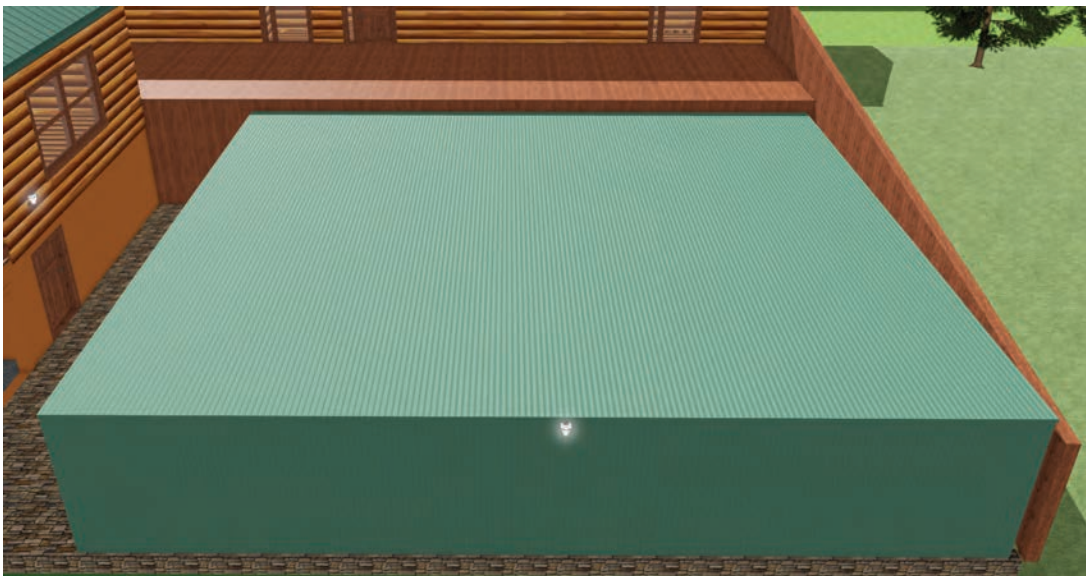
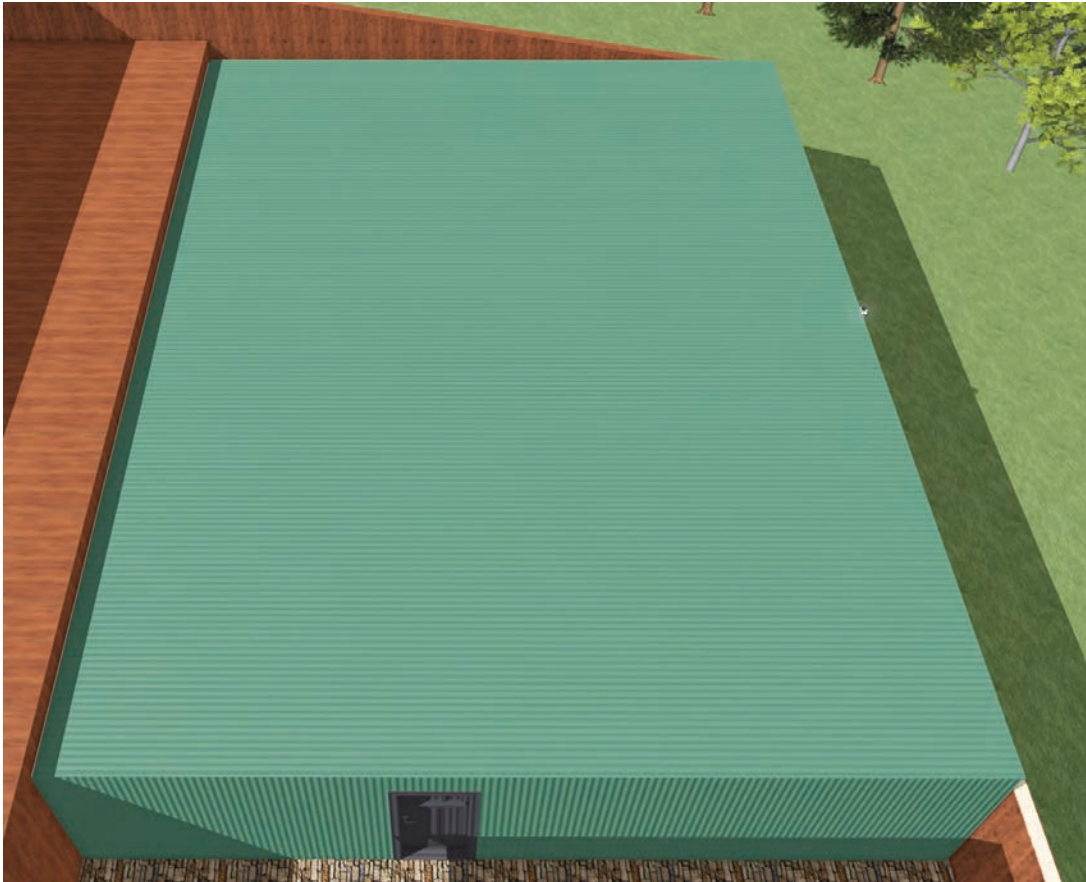


BUILDING ELEVATIONS (CONTINUED)

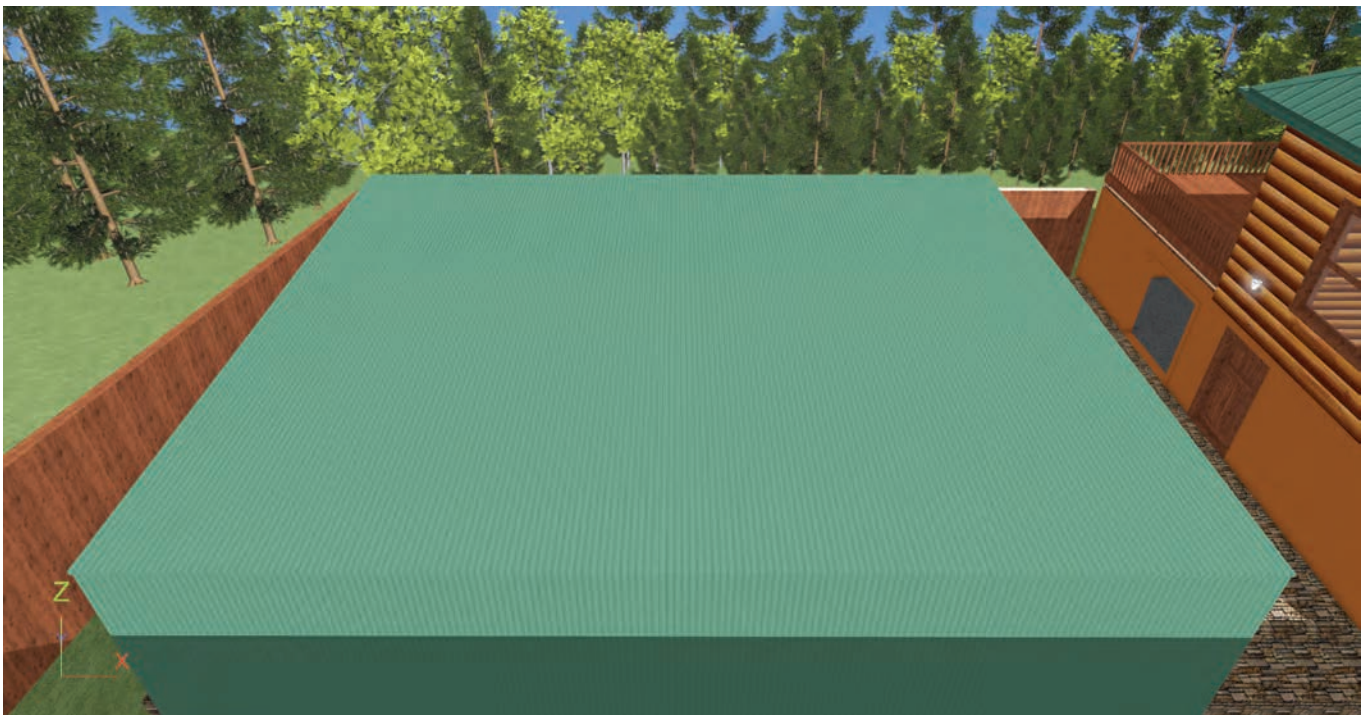
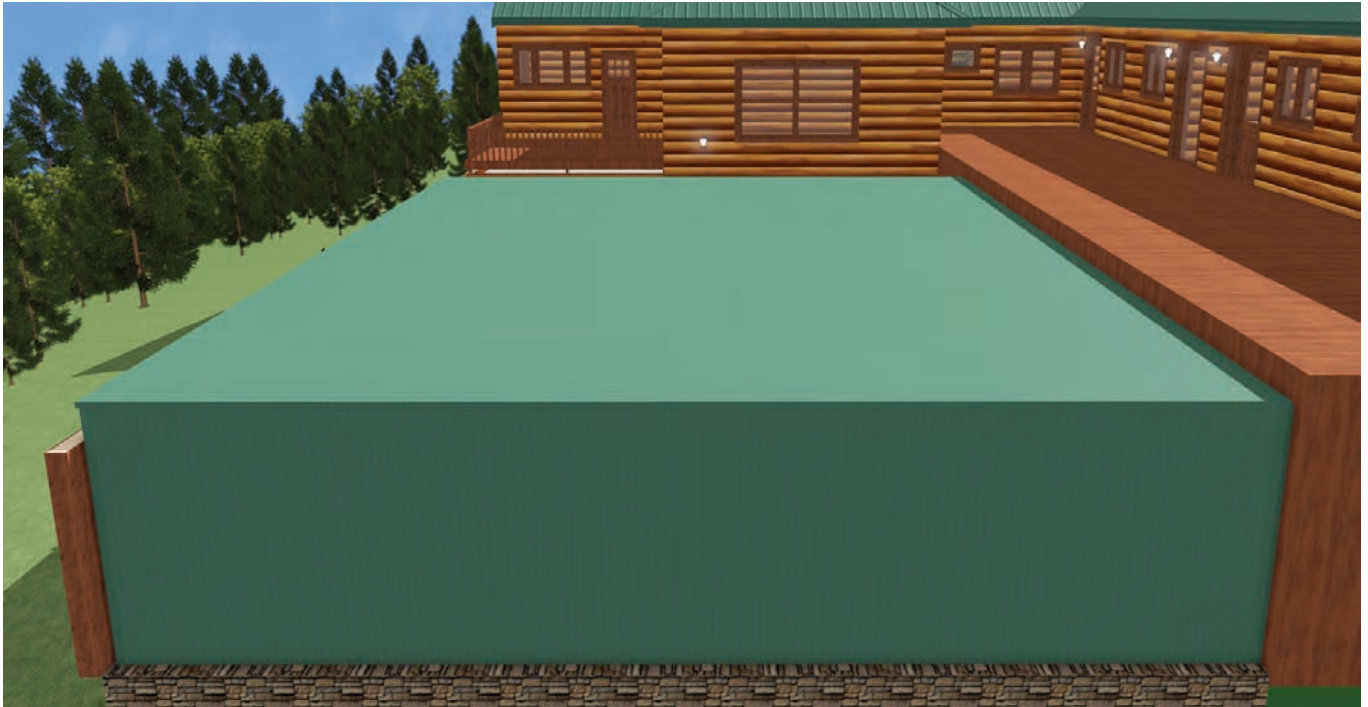


BUILDING ELEVATIONS (CONTINUED)

The following are proposed building elevations for the metal shed:



BUILDING ELEVATIONS (CONTINUED)

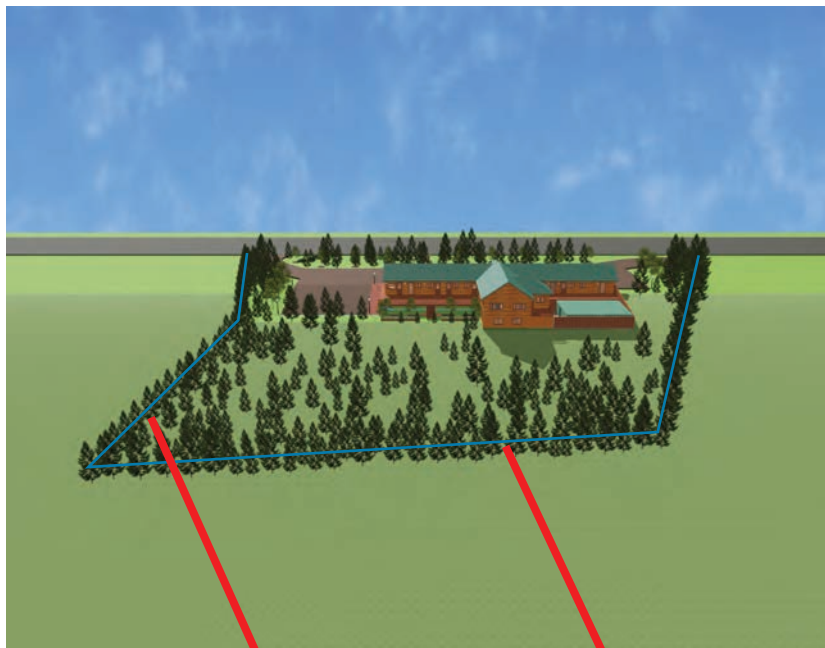


CURRENT LOCATION OF FENCE

The fence consists of wood posts with barbed wire on the sides of the property, and metal posts with barbed wire at the back of the property.

Below is a picture depicting the general outline of where the fence is located.

Outline of fence



Wood post and barbed wire



Metal post and barbed wire

FLOOR PLAN

Room	Proposed Tenant	Square Footage
1	Apothecary	707
2	Grow Shed	1200
2.5	Storage/Trimming/Drying	1400
3	Production Room	1400
4	Landlord Storage	2253

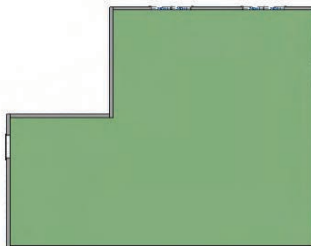
KEY:



Enclosed Fence



Level Two





ALDRIDGE TRANSPORTATION CONSULTANTS, LLC

Advanced Transportation Planning and Traffic Engineering

TRANSPORTATION SYSTEM IMPACT STUDY

for

33247 CO-72

Boulder County

Prepared by:

John M.W. Aldridge, P.E.

Aldridge Transportation Consultants, LLC

1082 Chimney Rock Road
Highlands Ranch, Colorado 80126
303-703-9112

February 15, 2024





1) INTRODUCTION/PROJECT DESCRIPTION

The property at 33247 CO-72 in Boulder County is seeking approval of Retail and Personal Service Uses including an apothecary/dispensary and a marijuana production room and cultivation facility. The property is currently zoned for lodging use. The lodge has since closed, and the property is to be repurposed for retail and personal service uses. The property is situated on 2.67 acres and has one 5,760 square foot building, and a 600 square foot metal container that is proposed to be increased to 1,200 square feet. The existing driveways on either side of the property will provide access.



Figure 1 Site Location

There are no new buildings proposed for the site at this time. The only proposed alteration is to increase the size of the outdoor green metal container from 600 square feet to 1200 square feet. Note that the east wing of the building is dedicated for landlord storage and as such will not generate any trips. The property will have to get an approval through the special use review application process for the change of use from lodging before any alterations commence. It is anticipated that the development construction would be phased and be completed by the end of Year 2024.



The proposed primary driveway to access the property is on the east side. The west side driveway is adjacent to Ramona Rd and will be a secondary access. It will be realigned to connect to Ramona Road perpendicularly and not function independently of Ramona Road. Jennie Lane is located on the north side of the property. No additional connections are currently planned. The site plan in Figure 2 indicates that there are no sidewalks for pedestrian use, shared-use paths for pedestrian/bicycle use, nor are there connections to public transit facilities for transit travel within ¼ mile. However, 4 bicycle parking spaces will be located no more than 50 feet from the entrance of the proposed business.



Figure 2 Site Plan

2) STUDY AREA

The property is located on the north side of CO-72. There are no major intersections and only local roads within a mile of this site. The nearest major intersection is Peak to Peak Highway which is 6 miles west of the site and CO-93, which is 9 miles east of the site. The local road intersections approximately half mile east is Camp Eden Road and west about a half mile is Indian Peaks Rd. One mile from the site includes Copperdale Lane approximately one mile east of the site and Old Lodging Road approximately one mile west of the site. Multiple retail and other businesses are nearby, including Wondervu Cafe, Canyon Tavern (formerly The Last Stand), Sinclair Gas Station, Canyon Liquors, Canyon Coffee, and more. There are residential properties in the area that are accessed from the local roads. The location of the site limits the traffic impact evaluation to the site access on CO-72. There are no sidewalks, bike lanes, or transit facilities in the study area. Figure 3



shows the roads and intersections within half-mile of the project.

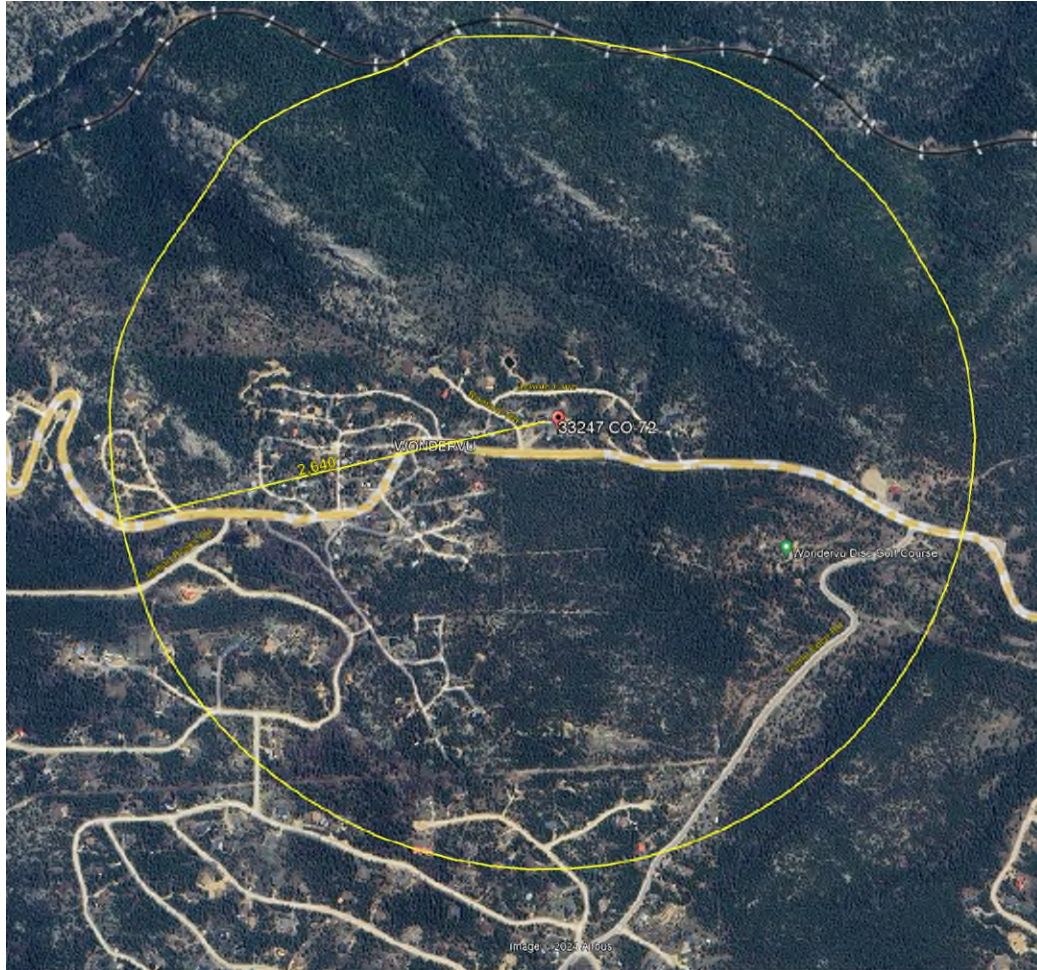


Figure 3 Half Mile Radius

3) EVALUATION ELEMENTS – EXISTING & FUTURE CONDITIONS

CO-72 is a state highway and categorized as an R-B rural highway. Presently it carries 1,600 AADT per CDOT OTIS website. The 20-year growth factor is 1.17 equating to an AADT of 1,900. In the AM peak hour, it carries 155 vehicles per hour (66 eastbound and 89 westbound). In the PM peak hour, it carries 209 vehicles per hour (118 eastbound and 91 westbound). The heavy vehicle percentage is less than 1. CDOT reports a lane capacity of 900 vehicles per hour.

In terms of Level of Service (LOS), the present volume of 1,600 rates LOS C. the 20-year AADT of 1,900 would also rate LOS C. There are no peak hour movements on the driveway approaches to determine a peak hour LOS.



The trip generation rates and values are from the 11th Edition of the ITE Trip Generation Manual. The following tables present the Average Daily Traffic (ADT) and the AM and PM peak hour of the adjacent street traffic trip generation. Note that these are vehicle trips not person trips, so occupant loading is inclusive.

Trip Generation Worksheet								
ITE CODE	LAND USE	UNIT	QUANTITY	ADT	AM		PM	
					IN	OUT	IN	OUT
190	Marijuana Cultivation & Processing Facility	KSF	4.0	n/a	0.64	0.05	0.18	0.12
					3	0	1	0
882	Marijuana Dispensary	KSF	.7	211.20	5.48	4.97	9.46	9.46
				149	4	4	7	7
Total Trips					7	4	8	7

The distribution assumes that it would mirror the present directional split on the highway. This means that in the AM peak hour 4 vph will enter from the eastbound direction and 3 vph from the westbound direction. 2 vph will exit eastbound and 2 vph will exit westbound. In the PM peak hour 5 vph will enter from the eastbound direction and 3 vph from the westbound direction. 4 vph will exit eastbound and 3 vph will exit westbound. The distribution and assignments assume a single driveway. There will be two, but analyzing a single driveway with the maximum traffic provides a worst-case scenario.

There are no known safety and crash issues on this section of the highway. The Boulder County GIS crash data reports no traffic crashes in the immediate area and only one single car crash on a nearby road that was the result of an emotionally disturbed driver. There is no mode of sharing data or are there any identifiable pedestrian and bicycle hazards. There are no transit stops.

ATC uses Synchro v.11 for operations analyses. The Synchro methodology is based on the 6th Edition of the Highway Capacity Manual (HCM). The table summarizes the AM and PM peak hour LOS for the 2028 and 2043 Total (with the site generated traffic and roadway network). LOS is a letter rating from A to F. LOS A indicates free-flow traffic conditions and no delay at intersections. LOS F is heavy traffic congestion with significant delays. LOS is provided for the overall operations at signalized intersections. LOS D is generally the benchmark for acceptable signalized intersection operations during the weekday peak hours. The critical movement, not the overall, indicates the LOS rating for unsignalized intersections, which is generally a left turn out from the minor street approach. Caution must be used when evaluating the LOS at unsignalized intersections particularly when LOS F is shown. In the case of LOS F, the HCM suggests that other evaluation methods should be considered such as the volume over capacity ratio and the 95th percentile queue length to make the most effective traffic control decision. LOS F at unsignalized intersections is typically normal during the weekday peak hours. Synchro reports for each timeframe are provided in the appendix.



Peak Hour Intersection Level of Service					
Intersection	Type	2024		2044	
		AM	PM	AM	PM
CO-72/Access	Unsignalized				
SBL		A	A	A	A
Critical Movement Delay (s/veh)		9.2	9.6	9.1	9.8

The analysis indicates that the access inclusive of all site generated traffic will operate at a high LOS A in all timeframes. The accesses are two-way stop sign controlled. None of the MUTCD signal warrants will be met.

4) CONCLUSIONS & MITIGATION RECOMMENDATIONS

No multimodal transportation infrastructure and facilities are required. As such there are no safety issues across modes. We guess that some patrons will “share the ride” and arrive/leave in multiple occupant vehicles. There are no practical TDM strategies for this type of use. Based on the analysis herein and in my professional opinion, the proposed repurposing of 33247 CO-72 will not have an adverse impact on the existing roadway and intersection infrastructure. No improvements are necessary to the existing roadway and intersection geometry or traffic control to maintain an acceptable traffic operational environment.

ATTACHMENT A 122

33247 CO-72
3: CO-72 & Access

2044 AM
09/07/2023

Intersection						
Int Delay, s/veh	0.7					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	6	66	89	7	4	6
Future Vol, veh/h	6	66	89	7	4	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	84	113	8	4	7

Major/Minor	Major1	Major2	Minor2		
Conflicting Flow All	121	0	-	0	215 117
Stage 1	-	-	-	-	117 -
Stage 2	-	-	-	-	98 -
Critical Hdwy	4.12	-	-	-	6.42 6.22
Critical Hdwy Stg 1	-	-	-	-	5.42 -
Critical Hdwy Stg 2	-	-	-	-	5.42 -
Follow-up Hdwy	2.218	-	-	-	3.518 3.318
Pot Cap-1 Maneuver	1467	-	-	-	773 935
Stage 1	-	-	-	-	908 -
Stage 2	-	-	-	-	926 -
Platoon blocked, %		-	-	-	
Mov Cap-1 Maneuver	1467	-	-	-	769 935
Mov Cap-2 Maneuver	-	-	-	-	769 -
Stage 1	-	-	-	-	903 -
Stage 2	-	-	-	-	926 -

Approach	EB	WB	SB
HCM Control Delay, s	0.5	0	9.2
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1467	-	-	-	861
HCM Lane V/C Ratio	0.004	-	-	-	0.013
HCM Control Delay (s)	7.5	0	-	-	9.2
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0

ATTACHMENT A 123

33247 CO-72
3: CO-72 & Access

2024 PM
09/07/2023

Intersection						
Int Delay, s/veh	1.2					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	13	118	91	10	13	10
Future Vol, veh/h	13	118	91	10	13	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	14	128	99	11	14	11

Major/Minor	Major1	Major2	Minor2		
Conflicting Flow All	110	0	-	0	261 105
Stage 1	-	-	-	-	105 -
Stage 2	-	-	-	-	156 -
Critical Hdwy	4.12	-	-	-	6.42 6.22
Critical Hdwy Stg 1	-	-	-	-	5.42 -
Critical Hdwy Stg 2	-	-	-	-	5.42 -
Follow-up Hdwy	2.218	-	-	-	3.518 3.318
Pot Cap-1 Maneuver	1480	-	-	-	728 949
Stage 1	-	-	-	-	919 -
Stage 2	-	-	-	-	872 -
Platoon blocked, %		-	-	-	
Mov Cap-1 Maneuver	1480	-	-	-	721 949
Mov Cap-2 Maneuver	-	-	-	-	721 -
Stage 1	-	-	-	-	910 -
Stage 2	-	-	-	-	872 -

Approach	EB	WB	SB
HCM Control Delay, s	0.7	0	9.6
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1480	-	-	-	805
HCM Lane V/C Ratio	0.01	-	-	-	0.031
HCM Control Delay (s)	7.5	0	-	-	9.6
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.1

ATTACHMENT A 124

33247 CO-72
3: CO-72 & Access

2024 AM
09/07/2023

Intersection						
Int Delay, s/veh	0.8					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	6	66	89	7	4	6
Future Vol, veh/h	6	66	89	7	4	6
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	72	97	8	4	7

Major/Minor	Major1	Major2	Minor2		
Conflicting Flow All	105	0	-	0	187
Stage 1	-	-	-	-	101
Stage 2	-	-	-	-	86
Critical Hdwy	4.12	-	-	-	6.42
Critical Hdwy Stg 1	-	-	-	-	5.42
Critical Hdwy Stg 2	-	-	-	-	5.42
Follow-up Hdwy	2.218	-	-	-	3.518
Pot Cap-1 Maneuver	1486	-	-	-	802
Stage 1	-	-	-	-	923
Stage 2	-	-	-	-	937
Platoon blocked, %		-	-	-	
Mov Cap-1 Maneuver	1486	-	-	-	798
Mov Cap-2 Maneuver	-	-	-	-	798
Stage 1	-	-	-	-	918
Stage 2	-	-	-	-	937

Approach	EB	WB	SB
HCM Control Delay, s	0.6	0	9.1
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1486	-	-	-	885
HCM Lane V/C Ratio	0.004	-	-	-	0.012
HCM Control Delay (s)	7.4	0	-	-	9.1
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0

ATTACHMENT A 125

33247 CO-72
3: CO-72 & Access

2044 PM
09/07/2023

Intersection						
Int Delay, s/veh	1.1					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕		↕	
Traffic Vol, veh/h	13	118	91	10	13	10
Future Vol, veh/h	13	118	91	10	13	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	14	150	116	11	14	11

Major/Minor	Major1	Major2	Minor2		
Conflicting Flow All	127	0	-	0	300 122
Stage 1	-	-	-	-	122 -
Stage 2	-	-	-	-	178 -
Critical Hdwy	4.12	-	-	-	6.42 6.22
Critical Hdwy Stg 1	-	-	-	-	5.42 -
Critical Hdwy Stg 2	-	-	-	-	5.42 -
Follow-up Hdwy	2.218	-	-	-	3.518 3.318
Pot Cap-1 Maneuver	1459	-	-	-	691 929
Stage 1	-	-	-	-	903 -
Stage 2	-	-	-	-	853 -
Platoon blocked, %		-	-	-	
Mov Cap-1 Maneuver	1459	-	-	-	684 929
Mov Cap-2 Maneuver	-	-	-	-	684 -
Stage 1	-	-	-	-	894 -
Stage 2	-	-	-	-	853 -

Approach	EB	WB	SB
HCM Control Delay, s	0.6	0	9.8
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1459	-	-	-	773
HCM Lane V/C Ratio	0.01	-	-	-	0.032
HCM Control Delay (s)	7.5	0	-	-	9.8
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0.1

ATTACHMENT A 126

[EXTERNAL] Re: Note About Holiday Time Off

Sarah Padilla <spadilla2050@gmail.com>

Tue 1/2/2024 7:35 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

📎 2 attachments (14 MB)

Site Plan Review Fact Sheet.pdf; Fence Location.pdf;

Hi Erica,

Thanks for letting me know and hope you enjoyed the Holidays!

We've just sent the revised plans in a separate email. Below are the answers to your questions from one of your previous emails.

Thanks!

Sarah

- **Will you be adding any lighting or signage? If so, you can add that to this review. Make sure it meets our sign and [lighting requirements](#).**
 - Yes, that is included in the Revisions and Supplementary Information PDF.
- **Do you have any idea of occupancy loads for the building?**
 - Yes, the revised occupancy load should be 58 people.
- **The information notes that you are proposing solar. Are you proposing solar on the roof? The ground?**
 - We intend to place the solar panels on the roof.
- **Are there any other exterior changes you will be adding? If so, please include those for the review.**
 - There are no other exterior changes.
- **How many marijuana plants and other types of plants will be grown in the grow shed?**
 - The current plan is to have 80 marijuana plants (including 36 flowering plants, 36 vegetative plants, 8 mother plants), and 36 clone plants.
 - Other plants: 10 rose plants, 10 arnica plants, and 10 calendula plants.
- **You noted a new access in the new information you submitted. Are you proposing this to be reviewed as part of this docket? That was not clear to me.**
 - At the moment we won't be pursuing that new access entrance as part of this docket. We have removed it from the updated Revisions and Supplementary Information PDF.
- **Could you update the [Fact Sheet](#) with the square footage proposed for the grow area and any changes in the cut/fill for the parking and new access area?**
 - Attached is the updated Fact Sheet; the structure shows that the 1200sf metal shed will be used as the grow area.
 - There are no changes to the cut/fill as we're not planning to pursue the new access entrance.
- **What materials are used for the fence?**
 - The fence will consist of wood and metal posts with barbed wire. Please refer to the attached PDF for details on the fence.

On Thu, Dec 21, 2023 at 4:01 PM Bjelland, Erica <ebjelland@bouldercounty.gov> wrote:

Hi Sarah,

I wanted to send a note letting you know that I will be out of the office tomorrow in the afternoon to January 3. If you send any revised plans while I am out, I will work on processing the application when I return.

Fasick, Jessica

From: Fasick, Jessica
Sent: Tuesday, October 17, 2023 9:27 AM
To: Grimm, Denise; Mueller, Scott; Sarah Padilla
Cc: Bowers, James; Morgan, Heather; Bjelland, Erica
Subject: 1st item for Virtual subcommittee meeting 10/19
Attachments: spr230087hpabsub2023oct19.pdf

Hi everyone,

Here is information on the 1st item for our Virtual subcommittee meeting on Thursday, October 19th at 1pm ([link and phone number below](#)):

1. Referral:

a. SPR-23-0087: Reptar 1783 LLC Change of Use

Request: Site Plan Review for a change of use from lodging to marijuana retail facility on an approximately 2.67-acre parcel.
Location: 33247 Highway 72, Section 36, Township 1S, Range 72W
Zoning: Forestry (F) Zoning District
**Owner/
Applicant:** Reptar 1783 LLC

The role of the HPAB subcommittee is to first determine whether or not the lodge is eligible for landmark status with Boulder County. Please find attached the Architectural Inventory Form recently completed by Scott who found the lodge to be eligible for landmark status under Criterion 4 as one of the first commercial buildings to use log construction with tongue and groove notching in recent times.

Please find attached the Architectural Inventory Form, the referral packet for SPR-23-0087, and one public comment that was sent specifically to historic@bouldercounty.gov.

15-501 Criteria for Landmark Designation

A. In determining whether a structure, site, or district is appropriate for designation as a historic landmark, HPAB and the Board shall consider whether the landmark proposed for designation meets one or more of the following criteria:

1. the character, interest, or value of the proposed landmark as part of the development, heritage, or cultural characteristics of the county;
2. the proposed landmark as a location of a significant local, county, state, or national event;
3. the identification of the proposed landmark with a person or persons significantly contributing to the local, county, state, or national history;
4. the proposed landmark as an embodiment of the distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or the use of indigenous materials;
5. the proposed landmark as identification of the work of an architect, landscape architect, or master builder whose work has influenced development in the county, state, or nation;
6. the proposed landmark's archaeological significance;
7. the proposed landmark as an example of either architectural or structural innovation; and
8. the relationship of the proposed landmark to other distinctive structures, districts, or sites which would also be determined to be of historic significance.

ATTACHMENT A 128

If the subcommittee finds either building eligible for landmark status, you will then review and comment on the proposal – SPR-23-0087: Reptar 1783 LLC Change of Use – to change the use from lodging to marijuana retail facility. The proposal also includes the installation of new windows and doors and the switching of two windows to doors in the entry vestibule.

Meeting link:

Join ZoomGov Meeting

<https://www.zoomgov.com/j/1600393391?pwd=MTB4RIJTdFFpOFRGenlpdHVlOThzUT09>

Meeting ID: 160 039 3391

Passcode: 772238

One tap mobile

+16692545252,,1600393391# US (San Jose)

+16692161590,,1600393391# US (San Jose)

Dial by your location

• +1 669 254 5252 US (San Jose)

• +1 669 216 1590 US (San Jose)

• +1 646 828 7666 US (New York)

• **833 568 8864 US Toll-free**

Meeting ID: 160 039 3391

Find your local number: <https://www.zoomgov.com/u/aKprlYcuo>

Join by SIP

• 1600393391@sip.zoomgov.com

Join by H.323

• 161.199.138.10 (US West)

• 161.199.136.10 (US East)

Meeting ID: 160 039 3391

Passcode: 772238

Jessica Fasick | Planning Technician

Pronouns: She/her/hers ([why are these here?](#))

Boulder County Community Planning & Permitting

My hours are 8:00am-1:00pm Monday thru Thursday

Mailing address: PO Box 471 Boulder CO 80306

Direct: 720-564-2614 | Main: 303-441-3930

jfasick@bouldercounty.gov

Boulder County has migrated all email to the .gov domain. Please update your contact lists to reflect the change from jfasick@bouldercounty.org to jfasick@bouldercounty.gov. Emails sent to both .org and .gov addresses will continue to work. This work is part of the migration to the .gov domain that began in July 2022 when the Boulder County website moved to www.bouldercounty.gov. This move to the .gov domain provides a higher level of cybersecurity protection.

ATTACHMENT A 129

Resource Number: 5BL.14957
Parcel Number:158136102002

OAHP1403
Rev. 9/98

COLORADO CULTURAL RESOURCE SURVEY

Architectural Inventory Form

Official eligibility determination
(OAHP use only)

Date _____ Initials _____
____ Determined Eligible- NR
____ Determined Not Eligible- NR
____ Determined Eligible- SR
____ Determined Not Eligible- SR
____ Need Data
____ Contributes to eligible NR District
____ Noncontributing to eligible NR District

I. Identification

- 1. Resource number: **5BL.14957**
Parcel number: **158136102002**
- 3. County: **Boulder**
- 4. City: **Golden**
- 5. Historic building name: **Cedaridge Mountain-Lodge**
- 6. Current building name: **Eldora Lodge at Wondervu**
- 7. Building address: **33247 Coal Creek Canyon Dr**
- 8. Owner name and address:
Reptar 1783 LLC
33247 Hwy 72, Golden, CO
80403-8488

II. GEOGRAPHIC INFORMATION

- 9. P.M.: **6th** Township: **1S** Range: **72**
NE¼ of NE¼ of Section: 36
- 10. UTM reference
Zone: **13N 466465mE 4419609mN**
- 11. USGS quad name:**Tungsten,CO**
Year: **2022** Map scale: 7.5' 15'
- 12. Lot(s): **20** Block:
Addition: **Cedar-Ridge Estates** Year of Addition: **1964**
- 13. Boundary Description and Justification:
The property is located at 33247 Coal Creek Canyon Dr and the legal description is Lot 20 Cedar Ridge Estates.

III. Architectural Description

- 14. Building plan (footprint, shape): **T-Shaped Plan**

ATTACHMENT A 130

Resource Number: 5BL.14957

Parcel Number:158136102002

15. Dimensions in feet: Length: Feet Width: Feet

16. Number of stories: **1**

17. Primary external wall material(s): **Log**

18. Roof configuration: **Cross Gabled Roof**

19. Primary external roof material: **Metal Roof**

20. Special features: **Stone chimney and log construction**

General architectural description:

The Lodge has a T-shaped plan and faces south. Its foundation is made of concrete and CMU blocks. The walls are built using cedar logs with tongue and groove notching. On the south side of the lodge, there is a single-story apartment at the southwest end, followed by three motel rooms. The lobby and gift shop is at the center of the lodge, followed by five more motel rooms. Extending to the north from the center of the lodge, is a two-story residence. There is a large wraparound porch towards the northeast and another large wood porch that extends northwest along the lodge.

Each motel room on the south side of the lodge has a group of fixed wood windows with a hopper window at the centered bottom. Each room has a flush wood door, and some have a metal storm door. The lobby has eight fixed wood windows at the center of the south elevation, with two hopper windows at the center bottom. Towards the northwest, each motel room and apartment has a wood casement window and a fully glazed door with a sidelight. The motel rooms to the northeast each have a wood casement window and a glazed metal door.

The residence, which extends north from the center of the lodge, has a variety of windows, including casement, fixed, hopper, and sliders. There is a metal-glazed door off the second story towards the northeast, accessing the porch. There is also a sliding glass door off a small wood deck to the main floor of the residence with a metal portico. There is another wood deck off the second floor towards the northwest. The garage is located on the residence's first floor towards the northwest. Lastly, the roof is cross-gable with a metal channel finish, and centering the roof is a large stone chimney.

21. Architectural style/building type: **Rustic**

22. Landscaping or special setting features:

The property is located in a mountainous region, on top of Wondervu Mountain and off Coal Creek Canyon Drive or Highway 72. There is a circular asphalt driveway and parking lot on the Lodge's south side. The property has aspen, evergreen trees, native shrubs, and grass throughout.

23. Associated buildings, features, or objects:

Associated buildings: **Non-contributing Shed**

ATTACHMENT A 131

Resource Number: 5BL.14957

Parcel Number: 158136102002

Description: **The shed is rectangular, single-story, and oriented towards the south. It has wood stud construction and is opened framed towards the south. It also has a metal shed roof.**

IV. ARCHITECTURAL HISTORY

25. Date of Construction: **1964** Actual:
Source of information: **BP-93-6949**
26. Architect: **Unknown**
Source of information: **Unknown**
27. Builder/Contractor: **R Ridgeway**
Source of information: **BP-63-6949**
28. Original owner: **Ada Munzberg**
Source of information: **Deed 90739933 and BP-63-6949**
29. Construction history (include description and dates of major additions, alterations, or demolitions):
Building: **Lodge**
Construction History: **The lodge was built in 1964. Around 1997, two large decks were added to the north side of the building. The time when the roof was replaced with metal is unknown. The doors on the north were installed at an unknown time, and the metal doors were added after 2013.**
Building: **Shed**
Construction History: **Looking at aerial views, between 2016 and 2018, the shed was built.**
Building: **Shipping container**
Construction History: **Looking at aerial views, between 2016 and 2018, the building was added.**
Building: **Cut building**
Construction History: **Looking at aerial views, the building was built after 2013.**
Buildings: **Gazebo and Teepee**
Construction History: **Looking at aerial views, the buildings was built after 2016.**
30. Original location: Moved: Date of move(s):

V. HISTORICAL ASSOCIATIONS

31. Original use(s): **Domestic/Hotel**
32. Intermediate use(s): **Domestic/Hotel**
33. Current use(s): **Domestic/Hotel**
34. Site type(s): **Commercial**

ATTACHMENT A 132

Resource Number: 5BL.14957

Parcel Number:158136102002

35. Historical background:

Boulder County is 740 square miles and includes the western plains and the Rocky Mountains. Over time, the entire Boulder Valley area has been the ancestral homeland of numerous indigenous peoples. The United States acknowledged the Arapaho and Cheyenne peoples in the Fort Laramie Treaty of 1851 as their traditional territory.

In 1963, Ada Munzberg purchased a 40-acre site. She then had it rezoned for commercial and residential use. Ada had plans made for a three-bedroom home and a ten-unit motel. At the time, it was the first-time using logs with tongue and groove notching. The only nails used in construction were on the roof. The lodge was built in 1964 and was on four acres. Ada subdivided the remaining 36 acres into one-acre lots and then sold them for four to five thousand dollars to people who had stayed at the lodge.

Ada was married to Fred Munzberg circa 1924. He was born in 1892 and immigrated to the United States in 1908 from Germany. Ada was originally from Iowa and was born in 1905. They had their daughter Juanita in 1927. By 1930, they were living in Chicago, and both Fred and Ada were managing a restaurant. By 1940, Fred was a bartender at a hotel and unfortunately passed away in 1956.

Before moving to Colorado, Ada had a successful 35-year career in real estate with the O Ross and Company in Chicago, where she specialized in business brokerage. She later expanded her business into income property management and insurance.

Juanita Hyrdlicka, Ada's daughter, moved to Colorado with her mother and two daughters, Jennie Lynn and Ramona, and helped her mother manage the lodge. She also wrote a news column called "News and Nonsense About Mountain Folks" for The Colorado Transcript, which covered the News in Coal Creek Canyon. After selling the lodge, Juanita worked for the County Sheriff in 1970, as listed in the Denver Directory.

In 1969, the property was purchased by Francis and Patricia Leeper. Francis had previously been married to Elberta Inman in 1942. She was originally from Norton, Kansas, and later moved to Denver. During World War II, Francis served in the Navy. By 1950, Francis lived in Golden with Elberta and two children. At that time, Francis worked as the Fountain Manager at Foss Drug in Golden. It is unclear when Francis and Patricia got married. But by 1974, they bought The Rock Rest Tavern in Golden and remodeled the building.

William and Claudine Schwartz purchased the property in 1975. They got married in 1948 and were living in Madison, Wisconsin in 1950. William worked selling Aluminum and Claudine was employed by the Federal

ATTACHMENT A 133

Resource Number: 5BL.14957

Parcel Number:158136102002

Government for the Census Bureau. It's believed that William and Claudine Schwartz managed the lodge during their ownership because of newspaper advertisement.

It is unknown when Schwartz sold the property, but by 1992, the property was sold to Mary Margaret Brun and Elizabeth Bernard. The property was then sold in 1993 to William Jukola. In 1995, Debra Johnston bought the property. About ten years later, in 2006, Miles and Jolanta Filus were the owners. Rebecca Richmond purchased the property in 2012. Then, the property went under the company name 33247 Hwy 72, LLC in 2016. Michael and Rebecca Richmond sold the property to its current owner, Reptar 1783, LLC, in 2021.

ATTACHMENT A 134

Resource Number: 5BL.14957

Parcel Number:158136102002

36. Sources of information:

Chicagoland's Real Estate Advertiser, "Ada Munzberg sells in west," February 1966. Carnegie Library Newspaper Clippings

Encyclopedia Staff. "Treaty of Fort Laramie," June 9, 2020. <https://coloradoencyclopedia.org/article/treaty-fort-laramie>.

Hrdlicka Juanita, Polk's Denver Suburban Directory, 1970. www.ancestry.com

Leeper Francis L, Census Place: Golden, Jefferson, Colorado, 1950. www.ancestry.com

Leeper Francis L, National Cemetery Administration; U.S. Veterans' Gravesite, www.ancestry.com

Munzberg Ada, Census Place: Chicago, Cook, Illinois, 1930, 1940. www.ancestry.com

Munzberg Fred, U.S., Social Security Applications and Claims Index, 1936-2007. www.ancestry.com

Notices New Owner, Cedaridge Lodge Golden Transcript, Volume 107, Number 185, September 10, 1974.

www.coloradohistoricnewspapers.org

"Rock Rest Tavern remodeling okayed," Golden Transcript, Volume 107, Number 97, May 7, 1974.

www.coloradohistoricnewspapers.org

"Social Activates Francis Leeper Weds Miss Elberta Inman," The Colorado Transcript, Number 7, December 17, 1942. www.coloradohistoricnewspapers.org

Schwartz Wilbur, Census Place: Madison, Dane, Wisconsin, 1950. www.ancestry.com

"Unusual Construction Marks Lodge in Coal Creek Canyon," The Colorado Transcript, Volume 99, Number 32, May 13, 1965. www.coloradohistoricnewspapers.org

VI. SIGNIFICANCE

37. Local landmark designation: Yes No Date of designation: _____

Designating authority:

38. Applicable National Register Criteria:

A. Associated with events that have made a significant contribution to the broad pattern of our history;

B. Associated with the lives of persons significant in our past;

C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

D. Has yielded, or may be likely to yield, information important in history or prehistory.

Qualifies under Criteria Considerations A through G (see Manual)

Does not meet any of the above National Register criteria

Applicable Colorado State Register criteria:

A. Associated with events that have made a significant contribution to history.

B. Connected with persons significant in history.

C. Has distinctive characteristics of a type, period, method of construction, or artisan.

D. Is of geographic importance.

ATTACHMENT A 135

Resource Number: 5BL.14957
Parcel Number:158136102002

- E. Contains the possibility of important discoveries related to prehistory or history.
- Does not meet any of the above Colorado State Register criteria.

Applicable Boulder County landmark criteria:

- 1. The character, interest, or value of the proposed landmark as part of the development, heritage, or cultural characteristics of the county;
- 2. The proposed landmark as a location of a significant local, county, state, or national event;
- 3. The identification of the proposed landmark with a person or persons significantly contributing to the local, county, state, or national history;
- 4. The proposed landmark as an embodiment of the distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or the use of indigenous materials;
- 5. The proposed landmark as identification of the work of an architect, landscape architect, or master builder whose work has influence development in the county, state, or nation;
- 6. The proposed landmark’s archaeological significance;
- 7. The proposed landmark as an example of either architectural or structural innovation; and
- 8. The relationship of the proposed landmark to other distinctive structures, districts, or sites which would also be determined to be of historic significance.
- Does not meet any of the above Boulder County landmark criteria.

39. Area(s) of significance: **Architecture**

40. Period of significance: **1964**

41. Level of significance: National State Local

42. Statement of significance:

The lodge still has its physical integrity and a good example of rustic architectural style. This was one of the first commercial buildings to use log construction with tongue and groove notching at the time. Therefore, the property should be eligible for landmarking under criteria four under the listing of Boulder County Landmark.

43. Assessment of historic physical integrity related to significance:

The lodge has kept its physical integrity with minimal alterations. The decks were added to the north. Some of the doors and windows towards the north have changed, along with the roof. Fortunately, the south elevation has kept most of its original fabric.

VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT

44. National Register eligibility field assessment:

Eligible Not Eligible Need Data

ATTACHMENT A 136

Resource Number: 5BL.14957
Parcel Number:158136102002

45. Is there National Register district potential? Yes No

Discuss: **This inventory was conducted as a single as-needed survey.**

If there is National Register district potential, is this building: Contributing Noncontributing

46. If the building is in existing National Register district, is it: Contributing Noncontributing

VIII. RECORDING INFORMATION

47. Photograph numbers: **Digitals at Boulder County Community Planning and Permitting**

Negatives filed at: **Boulder County Community Planning and Permitting**

48. Report title: **Eldora Lodge**

49. Date(s): **September 26, 2023**

50. Recorder(s): **Scott Mueller**

51. Organization: **Boulder County Community Planning and Permitting**

52. Address: **2045 13th Street, Boulder, CO 80302**

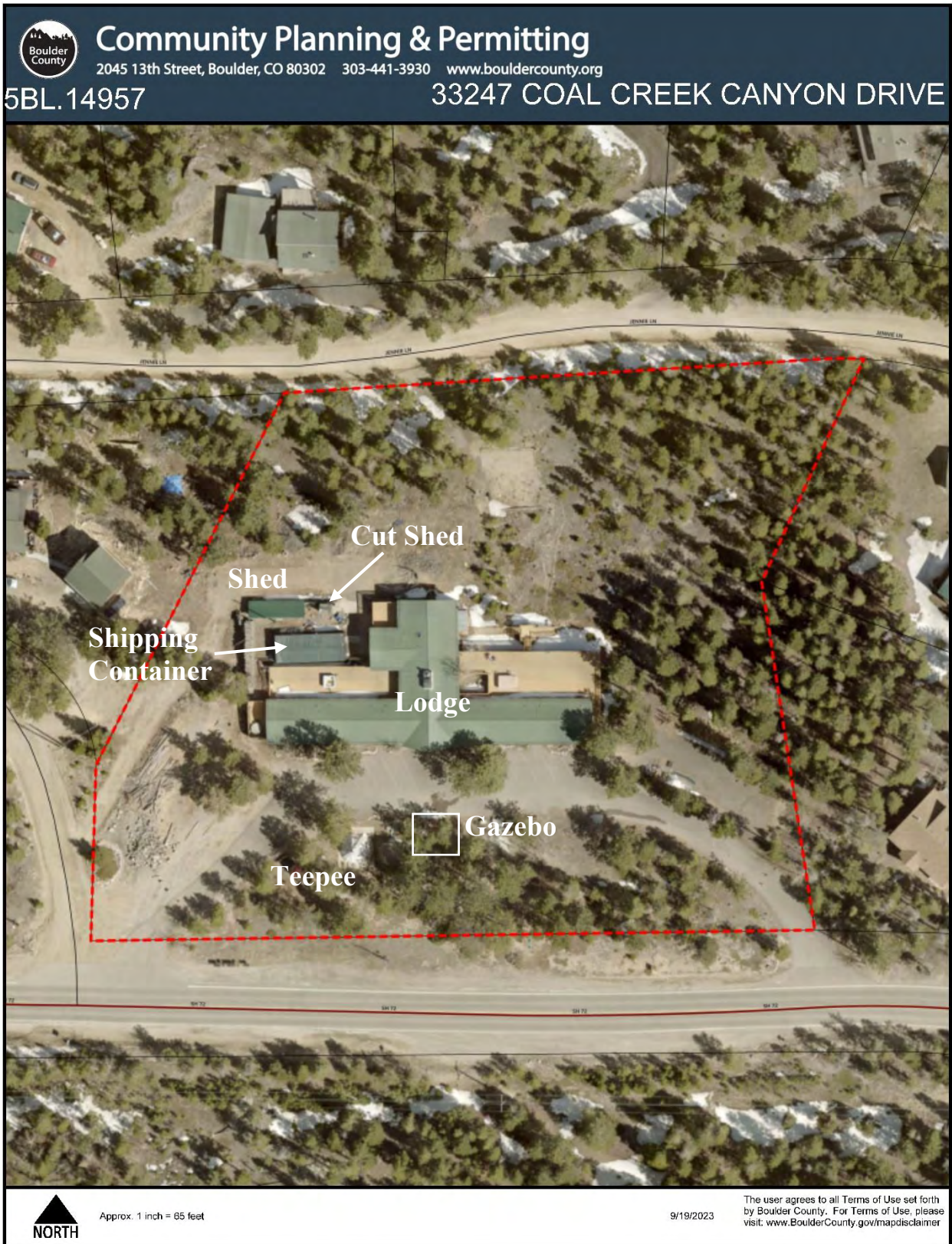
53. Phone number(s): **720-564-2880**

NOTE: Please include a sketch map, a photocopy of the USGS quad map indicating resource location, and photographs.

History Colorado - Office of Archaeology & Historic Preservation
1200 Broadway, Denver, CO 80203 (303) 866-3395

ATTACHMENT A 137

Resource Number: 5BL.14957
Parcel Number: 158136102002

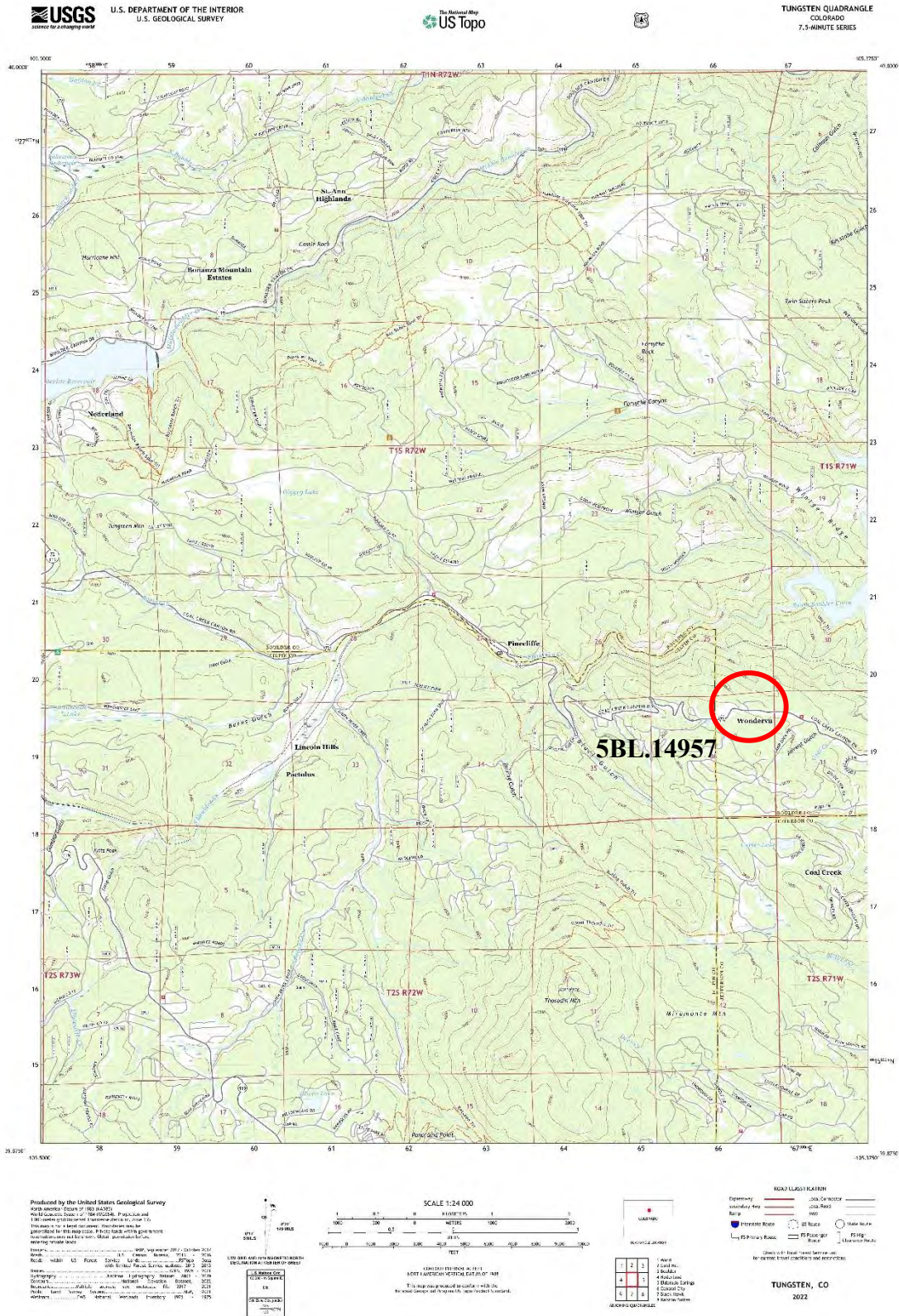


ATTACHMENT A 138

Resource Number: 5BL14957

Parcel Number: 158136102002

USGS TOPO Map



ATTACHMENT A 139

Resource Number: 5BL.14957

Parcel Number:158136102002

Photographs



Lodge Northeast Elevation July 2023



Lodge North Elevation July 2023

ATTACHMENT A 140

Resource Number: 5BL.14957

Parcel Number:158136102002



Lodge Northwest Elevation July 2023



Lodge Southwest Elevation July 2023

ATTACHMENT A 141

Resource Number: 5BL.14957

Parcel Number:158136102002



Lodge South Elevation July 2023



Lodge Southeast Elevation July 2023

ATTACHMENT A 142

Resource Number: 5BL.14957

Parcel Number:158136102002



Lodge East Elevation July 2023



Lodge East Elevation July 2023

ATTACHMENT A 143

Resource Number: 5BL.14957

Parcel Number:158136102002



Lodge East Elevation July 2023



Lodge West Elevation July 2023

ATTACHMENT A 144

Resource Number: 5BL.14957

Parcel Number:158136102002



Lodge West Elevation July 2023



Lodge West Elevation July 2023

ATTACHMENT A 145

Resource Number: 5BL.14957

Parcel Number:158136102002



Shipping Container Southeast Elevation July 2023



Cut shed Southeast Elevation July 2023

ATTACHMENT A 146

Resource Number: 5BL.14957

Parcel Number:158136102002



Gazebo Northeast Elevation July 2023



Teepee North Elevation July 2023

ATTACHMENT A 147

Resource Number: 5BL.14957

Parcel Number:158136102002



Lodge Southeast Elevation circa 1964 Cedaridge Mountain-Lodge & Gift Shop Postcard



Lodge Interior circa 1964 Cedaridge Mountain-Lodge & Gift Shop Postcard

ATTACHMENT A 148

Resource Number: 5BL.14957

Parcel Number:158136102002



Lodge South Elevation June 1965 The Colorado Transcript



Lodge Southwest Elevation Circa 1966 Chicagoland's Real Estate Advertiser Carnegie Library Newspaper Clippings

ATTACHMENT A 149

Resource Number: 5BL.14957

Parcel Number:158136102002

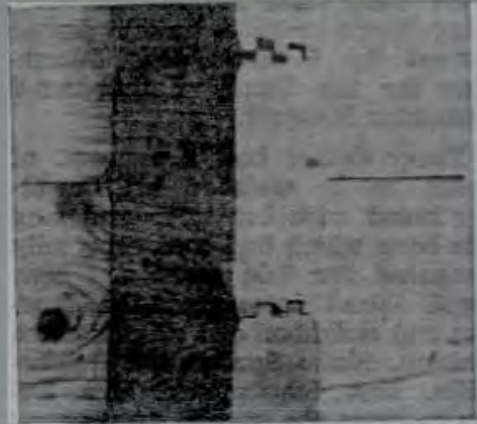


Original owner Ada Munzberg Circa 1966 Chicagoland's Real Estate Advertiser Carnegie Library Newspaper Clippings



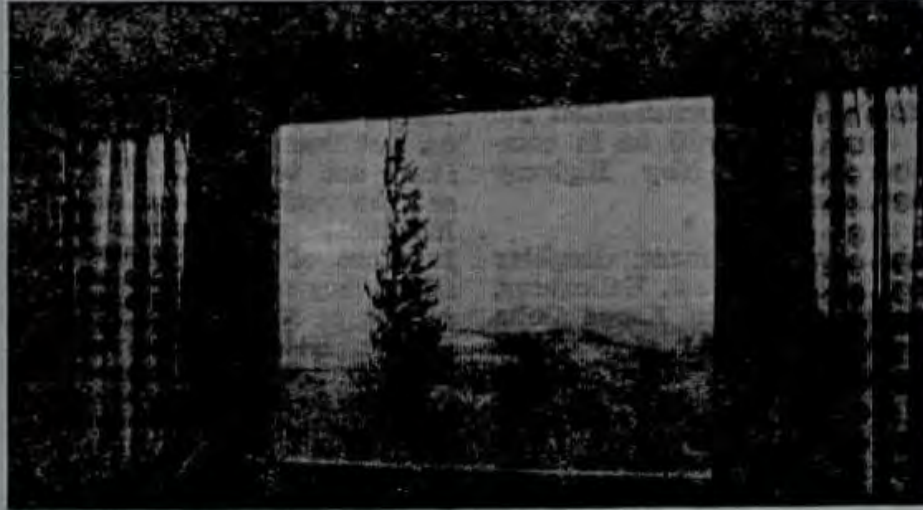
Juanita Hrdlicka 1966 The Colorado Transcript www.coloradohistoricnewspapers.org

Unusual Construction Marks Lodge in Coal Creek Canyon



Close-up shows detail of interlocking construction. No nails were used in the building except on the roof.

A house without nails? Of course. In the pioneer days in this coun-



A glance through the window reveals a scenic backdrop of mountains with evergreen-covered hills in the foreground.

Close-up shows detail of interlocking construction. No nails were used in the building except on the roof.

A house without nails? Of course. In the pioneer days in this country nails were scarce and the pioneers were resourceful. Skilled with adze and froe they built their houses of logs with carefully cut interlocking joints. Some of today's construction pioneers have improved on these early techniques and come up with a new method of dovetailing logs for snugness and security. The first commercial building of this type in the U.S. is not far from Golden — the new Cedaridge Lodge in Coal Creek Canyon.

Completed only a year ago, the unusual building is located in a spectacular mountain setting not far from the entrance to Roosevelt National Forest.

The lodge is operated by a mother-daughter team, Mrs. Juanita Hrdlicka and her mother Mrs. **Ada Munzberg** selected the site for its scenic value and absence of noise and had the building constructed to their specifications. Their objective in the designing of the building was to complement rather than conflict with the mountain backdrop. They specified materials and methods that permit the

building to be in complete harmony with its setting.

A cheerful lounge and comfortable, attractive units should prove to be a lure for the tourist who seeks a vacation spot in the mountains easily accessible and yet quiet.

Mrs. **Munzberg** and Mrs. Hrd-

licka are originally from Chicago. They came to Colorado to enjoy the mountains and chose a business that would let them live in the type of setting they like and at the same time indulge their hobby of meeting people. They welcome visitors who come up to look at their unusual building.



Proposed



Fasick, Jessica

From: Lynette Clark <Inclark2503@gmail.com>
Sent: Sunday, October 15, 2023 9:03 AM
To: Historic
Subject: [EXTERNAL] Eldorado Lodge in Wondervu Coal Creek Canyon
Categories: Jessica

Hello! As you know and are in review of the Eldorado lodge in Coal Creek Canyon for SPR-23-0087.

This lodge is in a neighborhood of approximately 20 houses that is zoned forestry. We all live with wells and septic. We as a community are extremely concerned for our water and the contamination of it. We also believe the water usage of this "grow site" for marijuana will be far more than the lodge ever was. Their sight plan review indicates they took a national average of hotels water usage. This cannot be compared to the lodge as it wasn't always at capacity nor open in full during the winter months.

This business is far larger than the lodge would ever be and isn't compatible with a neighborhood that has children. Our concerns go beyond the water usage and contamination of the land but for our property values going down. Resale value is huge for all of us who have worked hard to get where we are and to live in the beautiful foothills.

Crime is also a serious issue since it takes the police to respond to a call at least 30-40 minutes. We have increased traffic in our canyon do to the Gross reservoir expansion, Axton's park, and the delays for construction at the bottom of the canyon for the Canyon Estates development.

The light and noise pollution will also be an issue. Boulder County has rules for light pollution as we who have built our own homes had to comply with it. They will be using industrial fans to help with the "odor" of their grow site. We don't all have air conditioning and have our windows open in the summer and in the evenings to cool our houses off from the summer heat.

This business is on too large a scale to be in the mountains and in a neighborhood.

Please consider not approving the Eldorado Lodge for such a business as they are proposing.

Thank you for your time in this matter.
Lynette Clark

Sent from my iPad



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

Oct. 23, 2023

TO: Erica Bjelland, Planner I; Community Planning & Permitting, Development Review

FROM: Ian Brighton, Planner II; Community Planning & Permitting, Access & Engineering

SUBJECT: SPR-23-0087: Reptar 1783 LLC Change of Use- HOLD REQUEST

33247 Highway 72

Pursuant to Article 4-805.C.2 of the Boulder County Land Use Code, Access & Engineering staff ***requests the review be placed on hold for the following reasons:***

1. A Traffic System Impact Study (TSIS) dated Sep.11, 2023 provided by the applicants assumes that 3,300 square feet of floor area will be used for Marijuana Cultivation and Processing, and 1,500-square feet will be used as a dispensary for retail sales. Using materials provided by the applicant however, staff estimates that approximately 3,200 square feet of floor area will be used for cultivation and production, and 2,500 square feet of floor area will be used as a dispensary for retail sales.

Please provide updated floorplans clearly indicating the total square-footage proposed for retail sales and the total square-footage proposed for production/cultivation. If necessary, provided an updated TSIS analysis reflecting the proposed square footage noted on updated materials.

Additional comments will be provided once the requested materials are submitted.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

Feb. 5, 2024

TO: Erica Bjelland, Planner I; Community Planning & Permitting, Development Review

FROM: Ian Brighton, Planner II; Community Planning & Permitting, Access & Engineering

SUBJECT: SPR-23-0087: Reptar 1783 LLC Change of Use-HOLD REQUEST 2
33247 Highway 72

Pursuant to Article 4-805.C.2 of the Boulder County Land Use Code, Access & Engineering staff requests the re-referred application be placed on hold for the following reasons:

1. A revised Traffic System Impact Study (TSIS) provided by the applicants and dated Dec.17, 2023 does not meet the requirements in section 4.7.1 through 4.7.9 of the [Boulder County Multimodal Transportation Standards](#) (the Standards). Due to the anticipated impacts of the change of use, a full TSIS must be submitted that includes, without limitation:
 - Project Description
 - Proposal and development application
 - Development timing and phasing
 - Land Uses
 - Pedestrian, bicycle and transit travel within ¼ mile of the site
 - Study Area
 - ½ mile radius from project site
 - All multimodal facilities, infrastructure, & services
 - School and park locations
 - Parking locations, type (lot, structure, etc.) and use
 - Evaluation Elements, Existing and Future Conditions
 - Inventory of existing multimodal transportation facilities and service
 - Access management/spacing dimensions
 - Average daily traffic or peak hour traffic volumes
 - LOS performance on roadways & intersections
 - Peak hour access LOS
 - Trip generation distribution and assignment

- Safety and accident analysis
- Mode share
- Pedestrian and bicycle hazards
- Public input issues
- Conclusions & Mitigation Recommendations
 - Safety issues across modes

In addition to the hold request above, Access & Engineering staff has reviewed the above referenced docket and has the following comments:

2. The subject property is accessed via State Highway 72 (SH 72), also known as Coal Creek Canyon Drive, a paved Colorado Department of Transportation (CDOT) owned and maintained right-of-way (ROW). Legal access has been demonstrated via adjacency to this public ROW.
3. SH 72 is owned and maintained by CDOT. At the time of building permit, please provide documentation demonstrating legal use of the CDOT ROW.
4. Materials provided by the applicant indicate approximately 32 total parking spaces are proposed for the site. Section 4-512.I.2 of the Land Use Code (the Code) requires one space per 200 square feet of floor area used for retail sales, and one space per 1,000 square feet of floor area for cultivating, research, and/or testing at a Marijuana Establishment. In addition, section 4-515.B.2 of the Code requires one parking space per 1,000 square feet of floor area of warehouse space.

Revised materials submitted by the applicants assumes 4,000 square feet of floor area will be used for Marijuana Cultivation and Processing, and 707-square feet will be used as a dispensary, resulting in a total of 8 parking spaces required to comply with the code. An additional 2 spaces is required for the remaining area dedicated as storage space resulting in a total number of 11 spaces required to comply with the code.

Aerial imagery indicates 16 spaces already exist at the site. Therefore, expanded parking is not required to comply with the Code.

5. Plans submitted by the applicant don't indicate the location of bicycle parking. Per article 5.6.3 of the Standards, one bicycle parking space is required for every 10 automobile parking spaces. Therefore, two bicycle parking spaces are required to comply with the Standards.

In addition, bicycle parking shall be no more than 50 feet from the entrance of the proposed business. For questions on bicycle parking requirements, please contact Alexandra Phillips at aphillips@bouldercounty.gov.

At building permit, provide updated plans indicating sufficient bicycle parking to comply with the Standards.

6. The current access configuration of the subject property includes two access points to SH 72. Ramona Road, which is owned and maintained by the County, is located immediately adjacent to the west access point. The junction of Ramona Road and SH72, as well as the subject property access combine to create an access width of approximately 80 feet onto SH72. In order to reduce potential traffic conflicts, applicants must re-route the current access drive to connect to Ramona Road. To limit disturbance, staff suggests utilizing an existing access that intersects Ramona Road approximately 70 feet to the north of SH72. Staff also recommends one-way traffic circulation on the subject property such that the Ramona Road access provides egress.

At building permit, provide updated plans showing the western-most access point to SH72 removed and restored. Plans must also show a new connection to Rowena Road compliant with the Standards.

At the time of Building Permit review, an Access Permit will be issued for the new access point at Ramona Road. No special application procedure is necessary, the Access Permit will be issued concurrently with the Building Permit.

7. Updated plans submitted at building permit must indicate a driveway and parking area compliant with the Standards, including without limitation:
 - a. Table 5.5.1 – Parcel Access Design Standards
 - b. Standard Drawing 1- Parking Lot Dimensions
 - c. Standard Drawings 11 – 12 Private Access
 - d. Standard Drawing 14 – Access With Roadside Ditch Detail
 - e. Standard Drawing 15 – Access Profiles Detail
 - f. Standard Drawing 16 – Access Grade & Clearance
8. Staff is aware that a fence on the southwest corner of the subject property was recently constructed and may be within the CDOT ROW. Per Section 5.3.5.6 and Section 5.11.3 of the Standards, and Article 4-806.A.6 of the Land Use Code (the Code), fences must not be constructed within the public ROW, interfere with sight triangles at intersections, or impede historic drainage.

At building permit, provide updated plans indicating the location and height of all existing and proposed fences compliant with the Standards and the Code.

Prior to construction, a boundary survey must be completed to ensure all existing and proposed improvements are located within the subject property and outside of all ROWs, property boundaries, and required setbacks.

9. Appropriate erosion control measures such as erosion control logs shall be installed downslope and parallel to contours for all disturbed areas including staging areas. The location and types of erosion control shall be shown on site plans submitted for building permit approval.
10. During construction, all vehicles, materials, machinery, dumpsters, and other items shall be staged on the subject property. No staging or parking may occur along State Highway 72.

This concludes our comments at this time.



ATTACHMENT A 157

Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

Feb. 16, 2024

TO: Erica Bjelland, Planner I; Community Planning & Permitting, Development Review

FROM: Ian Brighton, Planner II; Community Planning & Permitting, Access & Engineering

SUBJECT: SPR-23-0087: Reptar 1783 LLC Change of Use- Addendum
33247 Highway 72

Access & Engineering (A&E) staff reviewed and accepted a revised Traffic System Impact Study (TSIS) submitted by the applicants and dated Feb. 15th, 2024.

This concludes our comments at this time.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

Building Safety & Inspection Services Team

MEMO

TO: Erica Bjelland, Planner I
FROM: Michelle Huebner, Plans Examiner Supervisor
DATE: September 18, 2023

RE: Referral Response, SPR-23-0087: Reptar 1783 LLC Change of Use. Site Plan Review for a change of use from lodging to marijuana retail facility on an approximately 2.67-acre parcel.

Location: 33247 Highway 72

Thank you for the referral. We have the following comments for the applicants:

1. **Building Permits.** A building permit, plan review, inspection approvals, and a Certificate of Occupancy (“C.O.”) are required for the proposed change of use to the building.

Please refer to the county’s adopted 2015 editions of the International Codes and code amendments, which can be found via the internet under the link:

2015 Building Code Adoption & Amendments, at the following URL:
[Amendments to Boulder County Building Code effective June 6, 2022](#)

The Commercial Plan Submittal Checklist: [B70 Commercial Plan Checklist \(bouldercounty.gov\)](#)

1. **Design Wind and Snow Loads.** The design wind and snow loads for the property are 170 mph (Vult) and 50 psf, respectively.
2. The proposed project is in an existing building with a proposed **change in occupancy** as defined by the 2015 International Existing Building Code. A Colorado licensed registrant needs to provide a design analysis in accordance with the IEBC. Please indicate the Method of Compliance for the work proposed.
 - 1.) Prescriptive Compliance Method (IEBC chapters 3 and 4)
 - 2.) Work Area Compliance Method (IEBC chapters 3, and 5 through 13, as applicable)
 - 3.) Performance Compliance Methods (Demonstrate compliance in accordance with IEBC chapters 3 and 14.)

- 4.) Addition (Demonstrate compliance in accordance with IEBC chapters 11 and the IBC...)

Please document steps of compliance to each appropriate section in accordance with the Method of Compliance chosen including accessibility requirements.

3. **Minimum Plumbing Fixtures.** The plumbing fixtures count needs to meet or exceed the requirements of IBC Chapter 29, including the need for accessible restrooms and fixtures.
4. **Accessibility.** Chapter 11 of the IBC and referenced standard ICC A117.1-09 provide for accessibility for persons with disabilities. Any building permit submittals are to include any applicable accessibility requirements, including **accessible parking**, signage, **accessible routes** and accessible fixtures and features.
5. **Fire Department.** It appears that the site is served by Coal Creek Canyon Fire District. A separate referral response from the fire department should also be forthcoming. The fire department may have additional requirements in accordance with their International Fire Code (“IFC”) adoption. Also, the Fire Protection District must provide written documentation to Boulder County Building Safety and Inspection Services approving the building permit plans and specifications of projects before the building permit can be issued.
6. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.
7. **Plan Review.** The items listed above are a general summary of some of the county’s building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our Building Safety publications can be found at: [Building Publications, Applications and Forms - Boulder County](#)

If the applicants should have questions or need additional information, we’d be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.org



Community Planning & Permitting

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

Building Safety & Inspection Services Team

MEMO

TO: Erica Bjelland, Planner I
FROM: Michelle Huebner, Plans Examiner Supervisor
DATE: February 13, 2024

RE: Referral Response, SPR-23-0087: Reptar 1783 LLC Change of Use. Site Plan Review for a change of use from lodging to marijuana processing and retail establishment and addition of a 1,200-square-foot grow shed on an approximately 2.67-acre parcel.

Location: 33247 Highway 72

Thank you for the referral. We have the following comments for the applicants:

1. **Building Permits.** A building permit, plan review, inspection approvals, and a Certificate of Occupancy (“C.O.”) are required for the proposed change of use to the building. Separate building permits are required for each structure.

Please refer to the county’s [adopted 2015 editions of the International Codes and code amendments](#), which can be found via the internet under the link:

2015 Building Code Adoption & Amendments, at the following URL:
[Amendments to Boulder County Building Code effective June 6, 2022](#)

The Commercial Plan Submittal Checklist: [B70 Commercial Plan Checklist \(bouldercounty.gov\)](#)

1. **Design Wind and Snow Loads.** The design wind and snow loads for the property are 170 mph (Vult) and 50 psf, respectively.
2. Provide a **narrative for the process** for the making of the product.
3. An **industrial hygienist or professional engineer** will be required to evaluate the process.
4. Provide a **hazard material inventory** including the packaging materials.
5. The proposed project is in an existing building with a proposed **change in occupancy** as defined by the 2015 International Existing Building Code. A Colorado licensed

registrant needs to provide a design analysis in accordance with the IEBC. Please indicate the Method of Compliance for the work proposed.

- 1.) Prescriptive Compliance Method (IEBC chapters 3 and 4)
- 2.) Work Area Compliance Method (IEBC chapters 3, and 5 through 13, as applicable)
- 3.) Performance Compliance Methods (Demonstrate compliance in accordance with IEBC chapters 3 and 14.)
- 4.) Addition (Demonstrate compliance in accordance with IEBC chapters 11 and the IBC...)
- 5.) Structural evaluation will be required including but not limited to the live loads.

Please document steps of compliance to each appropriate section in accordance with the Method of Compliance chosen including accessibility requirements.

6. **Minimum Plumbing Fixtures.** The plumbing fixtures count needs to meet or exceed the requirements of IBC Chapter 29, including the need for accessible restrooms and fixtures.
7. **Accessibility.** Chapter 11 of the IBC and referenced standard ICC A117.1-09 provide for accessibility for persons with disabilities. Any building permit submittals are to include any applicable accessibility requirements, including **accessible parking**, signage, **accessible routes** and accessible fixtures and features.
8. **Fire Department.** It appears that the site is served by Coal Creek Canyon Fire District. A separate referral response from the fire department should also be forthcoming. The fire department may have additional requirements in accordance with their International Fire Code (“IFC”) adoption. Also, the Fire Protection District must provide written documentation to Boulder County Building Safety and Inspection Services approving the building permit plans and specifications of projects before the building permit can be issued.
9. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.
10. **Plan Review.** The items listed above are a general summary of some of the county’s building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our Building Safety publications can be found at: [Building Publications, Applications and Forms - Boulder County](#)

If the applicants should have questions or need additional information, we’d be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.org



COLORADO
Department of Transportation
Region 1

Region 1 Traffic - Permits Unit
2829 W. Howard Place - Second Floor
Denver, CO 80204

MEMORANDUM

TO: Beccah Bailey, Norris Design

FROM: David Dixon, Assistant Access Manager

DATE: October 6, 2023

RE: SPR-23-0087 – 33247 Highway 72

I have reviewed this referral and I have the following comments:

- Both access points will require access permits. The applications can be submitted to myself at David.dixon@state.co.us
- <https://www.codot.gov/business/permits/accesspermits/forms/cdot0137>
- What is the peak hour traffic count for this new proposed business?
- Are there any opportunities to combine the west access with Ramona Rd?
- Per Section 3.8(3)(a): *'The standard for spacing of all intersecting public ways and other accesses that will be full movement is one-half mile intervals.'* Since the spacing cannot be met, full-movement access will not be allowed for either access. One access will need to be used for ingress only and the other for egress only. Due to better sight distance, the east access should be used for the egress.
- If any work is proposed within the ROW unrelated to any proposed access improvements, a Special Use/Utility Permit will be required. Our inspector role for this area is currently experiencing a vacancy; unsure who will be assigned for a potential permit, so feel free to contact me and I will redirect your question(s) to the appropriate person. Application can be found here:

<https://cdotpermits.force.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2F>

Very Respectfully,

David Dixon
Region 1 Assistant Access Manager



COLORADO
Department of Transportation
Region 1

Region 1 Traffic - Permits Unit
2829 W. Howard Place - Second Floor
Denver, CO 80204

MEMORANDUM

TO: Beccah Bailey, Norris Design

FROM: David Dixon, Assistant Access Manager

DATE: February 9, 2024

RE: SPR-23-0087 – 33247 Highway 72

I have reviewed the provided documents and I have the following comments:

- I drove by the site in December and noticed cones and a new fence along the western access; if any part of this fence or cone is inside the CDOT ROW, it will need to be removed and moved out of the ROW and onto private property.
- The site plan shows the western access going into the county road: 1) the fence I saw up blocks where this access is shown; I am assuming the fence is temporary? 2) The western access should be pushed further back to avoid having westbound customers having to make a sharp turn into the access from the highway.
- Since west access will be closed (moved to county road), east access will be allowed to have full movement access. Access meets sight distance requirements.
- Closure of west access will need to match preexisting conditions.

Very Respectfully,

David Dixon
Region 1 Assistant Access Manager



Coal Creek Canyon Fire Protection District

P.O. Box 7187 ▪ Golden, Colorado 80403 ▪ 303-642-3121
general@coalcreekcanyonfd.org ▪ www.coalcreekcanyonfd.org

Fire Protection Requirements

Revision 0

Property Location: 33247 Hwy. 72, Golden CO 80403

Existing Building: Combustible construction (Type V), construction date unknown.

Proposed Project: Conversion from existing Occupancy Group R (Residential Hotel/Motel) to Group F-1 Marijuana grow, processing and dispensing.

- The building and all aspects of the project shall comply with all requirements of the 2021 International Building Code and 2021 International Fire Code (IFC) for new construction.
- A code analysis prepared by a Colorado Licensed Professional Fire Protection Engineer addressing all fire life safety aspects and demonstrating compliance of the project shall be submitted to the CCCFD for approval.
- A full coverage fire sprinkler system per NFPA 13 shall be provided. Design criteria shall be Ordinary Hazard Group II throughout.
- A water supply per 2021 IFC shall be provided with a pressurized hydrant for fire department use. The water supply shall be sized per 2021 IFC for the sprinkler design flow plus 250 gpm hose stream allowance for a two-hour duration.

These requirements are based on:

1. Code compliance with all applicable codes.
2. Regulatory precedence from other Colorado jurisdictions.
3. The heavily forested rural location with an extreme wildfire risk.
4. The high fire hazard presented by marijuana facilities.
5. The response time and capabilities of the CCCFD.
6. The existing water supply infrastructure at the property.



COLORADO
Division of Water Resources
Department of Natural Resources

January 29, 2024

Erica Bjelland, Planner I
Boulder County Community Planning & Permitting
Transmission via email: ebjelland@bouldercounty.gov

Re: Reptar 1783 LLC Change of Use
Case No. SPR-23-0087
Lot 20, Cedar Ridge Estates Subdivision
Pt. NE of the NE ¼, Section 36, Township 1 South, Range 72 West, 6th P.M.
Water Division 1, Water District 6

Dear Ms. Bjelland,

We have reviewed the above referenced application for a Site Plan Review for a change of use from lodging to marijuana and retail processing and retail establishment. The current referral does not qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments regarding the proposed water supply. The comments do not state an opinion on the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements, and cannot be used to guarantee the physical availability of water or the issuance of a well permit.

The subject property is 2.67 acres in size and is proposed to be used for marijuana processing and retail, with the addition of a 1,200 square-foot grow shed. There will be 8 to 10 employees (4-5 full-time retail and 4-5 full-time processing/cultivation employees). The applicant proposes to plant landscaping vegetation.

According to records available to this office, the property is served by an existing well with permit no. 154505. Well permit no. 154505 was approved as the only well on a site described as Lot 20, Cedar Ridge Estates Subdivision. The use of groundwater from the well is limited to drinking and sanitary facilities inside a business. As currently permitted, water from this well may not be used for the cultivation of marijuana or for the irrigation of any lawns or landscaping. The maximum annual volume of groundwater that may be used shall not exceed ⅓ acre-foot (108,600 gallons), and the well is required to be outfitted with a totalizing flow meter.

To obtain a non-exempt well permit that allows for use of the water from the well for cultivation of marijuana or other non-exempt uses, the well would first need to be included in a plan for augmentation decreed by the water court or a substitute water supply plan approved by the state engineer.



Should you or the property owner/agent have any questions regarding this matter, please contact Javier Vargas-Johnson of this office at 303-866-3581 ext. 8227 or javier.vargasjohnson@state.co.us.

Sincerely,



Kate Fuller, P.E.
Water Resources Engineer

Cc: Owner (Reptar 1783 LLC, spadilla2050@gmail.com)
Referral file no. 31166
Well permit file no. 154505

RECEIVED

JUN 26 1989

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in **BLACK INK**. No overstrikes or erasures unless initialed.

- () A PERMIT TO USE GROUND WATER
- () A PERMIT TO CONSTRUCT A WELL
- FOR: () A PERMIT TO INSTALL A PUMP
- () REPLACEMENT FOR NO. _____
- (X) OTHER Change Use of Well # 4695-RF
- WATER COURT CASE NO. _____

36-26-89
333472
44X006
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0.00
0.00

WATER RESOURCES
PERMIT FEE
STATE ENGINEER
OFFICE

(1) APPLICANT - mailing address

NAME W.H. and Claudine E. Schwartz
 STREET 1218 County Road 5
 CITY Golden, CO 80403
 (State) (Zip)
 TELEPHONE NO. 237-1344 / 232-5511(w)

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 301983
 Basin _____ Dist. _____

(2) LOCATION OF PROPOSED WELL

County Boulder
NE 1/4 of the NE 1/4, Section 36
 Twp. 1 S, Rng. 72 W, 6th P.M.
 (N.S) (E.W)

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

~~ISSUANCE OF THIS PERMIT DOES NOT CONFER A DECREED WATER RIGHT~~

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 11
 Average annual amount of ground water to be appropriated (acre-feet): 1/3
 Number of acres to be irrigated: 0
 Proposed total depth (feet): 525
 Aquifer ground water is to be obtained from: _____

- 1) APPROVED FOR THE CHANGE IN USE OF AN EXISTING WELL, NO. 4695-F.
- 2) APPROVED PURSUANT TO CRS 37-92-602(3)(b)(1) AND THE POLICY OF THE STATE ENGINEER FOR APPROPRIATION OF GROUND WATER TRIBUTARY TO SOUTH BOULDER CREEK AND THE SOUTH PLATTE RIVER SYSTEM.
- 3) THE USE OF GROUND WATER FROM THIS WELL IS LIMITED TO DRINKING AND SANITARY FACILITIES AS DESCRIBED IN CRS 37-92-602(1)(c), FOR A LODGE. WATER FROM THIS WELL SHALL NOT BE USED FOR LAWN OR LANDSCAPE IRRIGATION OR FOR ANY OTHER PURPOSE OUTSIDE THE LODGE.
- 4) THE MAXIMUM PUMPING RATE OF THIS WELL SHALL NOT EXCEED 11 G.P.M.
- 5) THE MAXIMUM ANNUAL OF GROUND WATER TO BE DIVERTED BY THIS WELL SHALL NOT EXCEED 1/3 ACRE-FOOT (108,600 GALLONS).
- 6) APPROVED AS THE ONLY WELL ON A SITE OF 3+ ACRES DESCRIBED AS LOT NO. 20, CEDAR RIDGE ESTATES SUBDIVISION, BOULDER COUNTY.
- 7) THE RETURN FLOW FROM THE USE OF THE WELL MUST BE THROUGH AN INDIVIDUAL WASTEWATER DISPOSAL SYSTEM OF THE NON-EVAPORATIVE TYPE WHERE THE WATER IS RETURNED TO THE SAME STREAM SYSTEM IN WHICH THE WELL IS LOCATED.
- 8) A TOTALIZING FLOW METER MUST BE INSTALLED ON THIS WELL AND MAINTAINED IN GOOD WORKING ORDER. PERMANENT RECORDS OF ALL DIVERSIONS MUST BE MAINTAINED BY THE WELL OWNER (RECORDED AT LEAST ANNUALLY) AND SUBMITTED TO THE DIVISION ENGINEER UPON REQUEST.
- 9) ISSUANCE OF THIS PERMIT HEREBY CANCELS PERMIT NO. 4695-F (4695-RF).

Owner's well designation _____

GROUND WATER TO BE USED FOR:

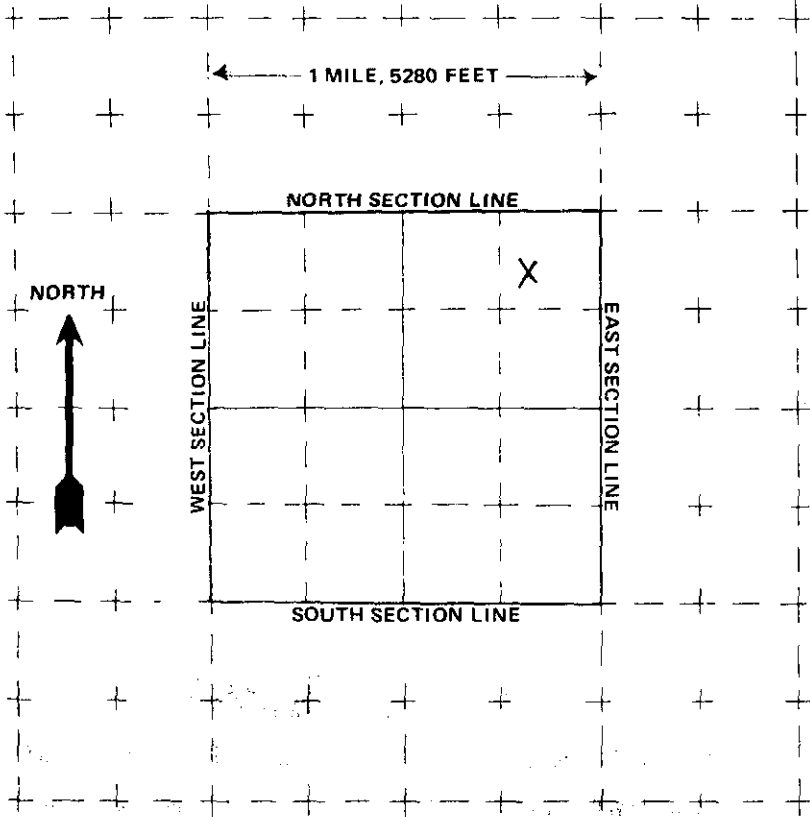
- () HOUSEHOLD USE ONLY - no irrigation (0)
- () DOMESTIC (1) () INDUSTRIAL (5)
- () LIVESTOCK (2) () IRRIGATION (6)
- () COMMERCIAL (4) () MUNICIPAL (8)
- (X) OTHER (9) Commercial Exemption
- DETAIL THE USE ON BACK IN (11)

APPLICATION APPROVED Steve 6/26/89
 PERMIT NUMBER 151505
 DATE ISSUED JUN 26 1989
 EXPIRATION DATE JUN 26 1991
 BY Steve Lauterbach
 (STATE ENGINEER)
 I.D. 1-06 COUNTY 07

(4) DRILLER

Name N/A EXISTING WELL
 Street _____
 City _____ (State) (Zip)
 Telephone No. _____ Lic. No. _____

(5) **THE LOCATION OF THE PROPOSED WELL** and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) **THE WELL MUST BE LOCATED BELOW** by distances from section lines.

660 ft. from North sec. line
(north or south)
900 ft. from East sec. line
(east or west)

LOT 20 BLOCK _____ FILING # _____
SUBDIVISION Cedaridge Estates

(7) **TRACT ON WHICH WELL WILL BE LOCATED** Owner: W.H. Schwartz

No. of acres 3+ Claudine F. Schwartz Will this be the only well on this tract? Yes

(8) **PROPOSED CASING PROGRAM**

Plain Casing
6 7/8 in. from 0 ft. to 20 ft.
4 in. from 18 ft. to 445 ft.
Perforated casing
4 in. from 445 ft. to 525 ft.
_____ in. from _____ ft. to _____ ft.

(9) **FOR REPLACEMENT WELLS** give distance and direction from old well and plans for plugging it:

N/A

(10) **LAND ON WHICH GROUND WATER WILL BE USED:**

Owner(s): W.H. Schwartz and Claudine F. Schwartz No. of acres: 3+
Legal description: Lot 20, Cedaridge Estates

(11) **DETAILED DESCRIPTION** of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.

Commercial use for a small lodge; no food facilities, inside use only. No irrigation or livestock. Septic tank and leaching field.

(12) **OTHER WATER RIGHTS** used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
<u>N/A</u>		

(13) **THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.**

SIGNATURE OF APPLICANT(S)



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

MEMO TO: County Health, and Parks Departments, FPD
FROM: Erica Bjelland, Planner I
DATE: January 18, 2024
RE: Re-referral for Site Plan Review application SPR-23-0087

This proposal is being re-referred due to updated information, including updated floorplans, traffic study, occupancy load, and narrative.

Docket SPR-23-0087: Reptar 1783 LLC Change of Use

Request: Site Plan Review for a change of use from lodging to marijuana processing and retail establishment and addition of a 1,200-square-foot grow shed on an approximately 2.67-acre parcel.
Location: 33247 Coal Creek Canyon Drive, Section 36, Township 1S, Range 72W
Zoning: Business (B) Zoning District
Owner/ Applicant: Reptar 1783 LLC

Site Plan Review by the Boulder County Community Planning & Permitting Director is required for new building/grading/access or floodplain development permits in the plains and mountainous areas of unincorporated Boulder County. The subject review process considers potential significant impact to the ecosystem, surrounding land uses and infrastructure, and safety concerns due to natural hazards.

The Community Planning & Permitting staff values comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.org. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.org to request more information.

IF YOU HAVE REPLIED TO THE ORIGINAL REFERRAL LETTER AND HAVE NO FURTHER COMMENTS, NO ACTION IS REQUIRED.

Please return responses to the above address by **February 6, 2024.**

We have reviewed the proposal and have no conflicts.
 Letter is enclosed.

Signed Name James A. Shredut Printed Name JAMES A. SHREDUT

Agency or Address Golden County Community Development

Date 2/5/2024



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

MEMO TO: County Health and Parks Departments, FPD
FROM: Erica Bjelland, Planner I
DATE: September 15, 2023
RE: Site Plan Review application SPR-23-0087

Docket SPR-23-0087: Reptar 1783 LLC Change of Use

Request: Site Plan Review for a change of use from lodging to marijuana retail facility on an approximately 2.67-acre parcel.
Location: 33247 Highway 72, Section 36, Township 1S, Range 72W
Zoning: Forestry (F) Zoning District
Owner/
Applicant: Reptar 1783 LLC

Site Plan Review by the Boulder County Community Planning & Permitting Director is required for new building/grading/access or floodplain development permits in the plains and mountainous areas of unincorporated Boulder County. The subject review process considers potential significant impact to the ecosystem, surrounding land uses and infrastructure, and safety concerns due to natural hazards.

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Please return responses by **October 3, 2023.**

We have reviewed the proposal and have no conflicts.
 Letter is enclosed.

Signed Name  Printed Name Rob Gutierrez - Director

Agency or Address Gilpin County Community Development

Date September 20th, 2023



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

MEMO TO: County Health and Parks Departments, FPD
FROM: Erica Bjelland, Planner I
DATE: September 15, 2023
RE: Site Plan Review application SPR-23-0087

Docket SPR-23-0087: Reptar 1783 LLC Change of Use

Request: Site Plan Review for a change of use from lodging to marijuana retail facility on an approximately 2.67-acre parcel.
Location: 33247 Highway 72, Section 36, Township 1S, Range 72W
Zoning: Forestry (F) Zoning District
Owner/
Applicant: Reptar 1783 LLC

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The Community Planning & Permitting staff values comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.gov. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.gov to request more information.

Please return responses by **October 3, 2023.**

We have reviewed the proposal and have no conflicts.
 Letter is enclosed.

Signed Name  Printed Name Jessica Fasick

Agency or Address CP&P Historic Review

Date 10/23/23



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302

Mailing Address: P.O. Box 471 • Boulder, Colorado 80306

303-441-3930 • www.BoulderCounty.gov

TO: Erica Bjelland, Community Planning & Permitting Department

FROM: Jessica Fasick, Historic Review, Community Planning & Permitting Department

DATE: October 23, 2023

SUBJECT: Docket SPR-23-0087: Reptar 1783 LLC Change of Use

On October 19, 2023, a subcommittee of the Historic Preservation Advisory Board reviewed the lodge at 33247 Hwy 72 and unanimously agreed (2-0) that it is eligible for landmark status with Boulder County under Criterion 4 for its construction. They then reviewed and gave their support for docket SPR-23-0087: Reptar 1783 LLC Change of Use including the addition of doors to the entry vestibule.

ATTACHMENT A 173

RE: Re-Referral packet for SPR-23-0087: Reptar 1783 LLC Change of Use at 33247 Coal Creek Canyon Drive

Boulder County Marijuana Licensing <MarijuanaLicensing@bouldercounty.gov>

Mon 2/26/2024 2:36 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Hi Erica,

Apologies that I missed this email. Thank you for asking.

There aren't any concerns from a licensing standpoint. If you could confirm with them that they would need to apply for three licenses:

- Retail Marijuana Cultivation Facility
- Retail Marijuana Products Manufacturing Facility
- Retail Marijuana Store

Also, Kathy wanted to relay that they should apply as early as possible for their building permits.

Best regards,

Brendan McGuinness (*He/Him/His*)

Marijuana Co-Authority | Licensing Specialist

Boulder County Community Planning & Permitting

Mailing Address: P.O. Box 471, Boulder, CO 80306

Physical Address: 2045 13th Street, Boulder, CO 80302

Phone: 303.441.3930 | Email: bmcguinness@bouldercounty.gov





ATTACHMENT A 174

Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.org
www.BoulderCountyOpenSpace.org

TO: Erica Bjelland, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: October 6, 2023
SUBJECT: Docket SPR-23-0087, Reptar, 33247 Highway 72

Staff has reviewed the submitted materials, and has no concerns with the proposal. The 2.7-acre parcel is largely developed, is in an existing development corridor of the highway, and the change of use should not produce significant natural resource impacts.



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.org
www.BoulderCountyOpenSpace.org

TO: Erica Bjelland, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: February 9, 2024
SUBJECT: Docket SPR-23-0087, Reptar, 33247 Coal Creek Canyon Drive, re-referral

Staff has reviewed the newly submitted materials, and has limited additional comments beyond those in the 2023 POS referral memo.

It is unclear what the specific proposal is for plantings. From a visual perspective, staff does not have concerns with screening. Yet the Landscaping drawing appears to show about 65 new trees, with other plantings. This would be an expensive undertaking, and these are difficult soils to get trees established.

Simply for a commitment of record, a list of how many, what size (caliper/height), and all species, including shrubs and perennials, needs to be submitted. Species need to be reviewed.

Similarly, the fencing discussion seems incomplete. The Landscaping drawing states that a “discreet fence” *may* be implemented. And another drawing shows existing fences. All of this is likely fine, but what exactly is proposed?

The lighting fixtures are not compliant.



Public Health
Environmental Health Division

February 2, 2024

TO: Staff Planner, Land Use Department

FROM: Carl Job, Environmental Health Specialist

SUBJECT: SPR-23-0087 [REREFERRAL]: Site Plan Review for a change of use from lodging to marijuana retail facility on an approximately 2.67-acre parcel.

OWNER: REPTAR

PROPERTY ADDRESS: 33247 Coal Creek Canyon

SEC-TOWN-RANGE: 36 -1S -72

The Boulder County Public Health – Environmental Health division has reviewed the submittals for the above referenced docket and has the following comments.

OWTS:

1. Boulder County Public Health issued a new permit for the installation of an absorption bed system on 07/30/1981. The permit was issued for an onsite wastewater treatment system (OWTS) adequate for a 2-bedroom house and 10 single bedroom hotel rooms. Boulder County Public Health approved the installation of the OWTS on 02/03/1982.

OWTS Use Permit Needed:

1. The applicant is pursuing a change in the commercial use of the property from a hotel to a marijuana cultivation facility and dispensary.
2. The owner or their agent (e.g., contractor) must submit an application for an OWTS Use Permit and associated engineer's report with Boulder County Public Health. Details pertaining to the OWTS Use Permit and Non-Residential Change In Use Policy can be found here: <https://assets.bouldercounty.gov/wpcontent/uploads/2023/05/Non-Residential-Change-In-Use-Policy.pdf>
3. Any wastewater associated with the growing or cultivation of marijuana cannot drain to the existing OWTS and must drain to a permitted vault. To construct a vault, the owner or their agent (e.g., contractor) must apply for an OWTS permit with BCPH.

Odor Control:

1. All marijuana facilities must use all available and practical methods which are technologically feasible and economically reasonable to control odors such that no odors are noticeable at the property boundary. There are various odor control technologies that are effective in controlling odors from grow operations: Activated Carbon Filtration, Ozone generation and Negative Ion generation (Electrostatic Precipitators). All odor control equipment and filters must be maintained regularly and operated using best management practices recommended by the manufacturer. It is imperative to properly design the ventilation and odor control system, taking into consideration the square footage and number of plants. A properly sized, installed, and maintained ventilation system can help resolve two issues. First, having the grow room's ventilation properly balanced

ATTACHMENT A 177

will inhibit odors from escaping. Second, the addition of a de-humidifying system will control mold and pathogen growth and will also control additional odors.

This concludes comments from the Public Health - Environmental Health division at this time. For additional information on the OWTS application process and regulations, refer to the following website: www.SepticSmart.org. If you have additional questions about OWTS, please do not hesitate to contact HealthOWS@bouldercounty.org at (303) 441-1138.

Cc: OWTS file, owner, Community Planning and Permitting



Public Health
Environmental Health Division

September 20, 2023

TO: Staff Planner, Land Use Department

FROM: Carl Job, Environmental Health Specialist

SUBJECT: SPR-23-0087: Site Plan Review for a change of use from lodging to marijuana retail facility on an approximately 2.67-acre parcel.

OWNER: REPTAR

PROPERTY ADDRESS: 33247 Coal Creek Canyon

SEC-TOWN-RANGE: 36 -1S -72

The Boulder County Public Health – Environmental Health division has reviewed the submittals for the above referenced docket and has the following comments.

OWTS:

1. Boulder County Public Health issued a new permit for the installation of an absorption bed system on 07/30/1981. The permit was issued for an onsite wastewater treatment system (OWTS) adequate for a 2-bedroom house and 10 single bedroom hotel rooms. Boulder County Public Health approved the installation of the OWTS on 02/03/1982.

Use Permit Needed:

1. The applicant is pursuing a change in the commercial use of the property from a hotel to a marijuana cultivation facility and dispensary.
2. The owner or their agent (e.g., contractor) must submit an application for an OWTS Use Permit and associated engineer's report with Boulder County Public Health. Details pertaining to the OWTS Use Permit and Non-Residential Change In Use Policy can be found here: <https://assets.bouldercounty.gov/wpcontent/uploads/2023/05/Non-Residential-Change-In-Use-Policy.pdf>
3. Any wastewater associated with the growing or cultivation of marijuana cannot drain to the existing OWTS and must drain to a permitted vault. To construct a vault, the owner or their agent (e.g., contractor) must apply for an OWTS permit with BCPH.

This concludes comments from the Public Health - Environmental Health division at this time. For additional information on the OWTS application process and regulations, refer to the following website: www.SepticSmart.org. If you have additional questions about OWTS, please do not hesitate to contact HealthOWS@bouldercounty.org at (303) 441-1138.

Cc: OWTS file, owner, Community Planning and Permitting



February 1, 2024

Boulder County Community Planning & Permitting Department
P.O. Box 471
Boulder, CO 80306

Re: SPR-23-0087 Reptar 1783 LLC

Dear Erica:

On behalf of United Power, Inc., thank you for inviting us to review and comment on the Re-Referral for the Site Plan Review for a change of use from lodging to marijuana retail facility. The following comments are subject to change as information is received or if there are changes to the plans during additional reviews. Any comments/requirements provided are not all inclusive and are provided with the intention to aid you in your process.

After review of the information, our comments have remained the same since the original submittal:

- United Power does provide electrical distribution service to the existing residential structure within the site location. The electrical distribution may or may not need to be upgraded depending on the requirements of the site, in order to provide safe, reliable power to the area.
- If the site is still planning on using solar panels, please note our Solar & Storage Connection Requirements.
 - Net-metering allows a member to offset their electric usage through on-site generations of electricity through solar, wind, biomass, etc. Please review United Power's Solar Interconnection Standards and Terms & Conditions before signing a contract with a Solar installer. To interconnect to the distribution system, a member must complete the corresponding application and follow all requirements associated with that system. Systems connected without proper notification to United Power will be immediately disabled and can result in service being terminated to the member until all requirements are met. Please visit <https://www.unitedpower.com/connect-your-solar> to review standards and complete any required applications.

Please have the property owner/developer/contractor submit an application for any modification to existing facilities including relocation and/or removal along with CAD data via <https://www.unitedpower.com/construction>. United Power would like to work early with the applicant in the process to get an electric design prepared so that we can request any additional easements.

ATTACHMENT A 180

As a Reminder: No permanent structures are acceptable within the dry utility easement(s). United Power considers any structure that impedes the access, maintenance, and safety of our facilities a permanent structure. No exceptions can be allowed, and any encroachments could result in penalties.

Service will be provided according to the rules, regulations, and policies in effect by United Power at the time service is requested. We would like to remind the developer to call the Utility Notification Center by dialing 811 to have all utilities located prior to construction. We look forward to safely and efficiently providing reliable electric power and outstanding service.

Thank you,

A handwritten signature in black ink that reads "Emily Fore". The signature is written in a cursive, flowing style.

Emily Fore
United Power, Inc.
Right of Way Agent
M: 970-515-0128 | Email: platreferral@unitedpower.com



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

Wildfire Mitigation Team

MEMO

TO: Erica Bjelland, Planner I
FROM: Kyle McCatty, Senior Wildfire Mitigation Specialist Supervisor
DATE: September 29, 2023
RE: Referral Packet for SPR-23-0087: Reptar 1783 LLC Change of Use at 33247 Highway 72

Thank you for the referral. We have the following comments for the applicants:

Decades of catastrophic wildfires, research, and case studies have shown that extreme wildfires are inevitable in the forests of Boulder County and across the Western US. Still, the loss of life and homes does not have to be inevitable. The conditions that principally determine if a house ignites occur within 100 feet of the house, including the house itself. That is why Boulder County has such strong wildfire mitigation requirements in our Land Use and Building Code. Boulder County encourages all homeowners to voluntarily take responsibility to mitigate their own home's risk of igniting in a wildfire through Wildfire Partners.

Per criteria of the Site Plan Review Standards, a Wildfire Partners certificate is required to mitigate the risk of wildfire both to the subject property and those posed to neighboring properties in the surrounding area.

Note: The proposed landscaping is not approved. Any proposed landscaping will need to be approved by the Boulder County Wildfire Mitigation team.

Timeline

After applying for, but prior to issuance of any permits, a Boulder County Wildfire Mitigation Specialist will contact you to schedule a Wildfire Partners assessment and defensible space marking.

At the time of final inspection, all required items in the Wildfire Partners Assessment report are to be fully implemented and inspected.

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum land use and building code requirements. I can be reached at 720-564-2625 or via e-mail at kmccatty@bouldercounty.gov.

[Petition details](#) [Comments](#)

Say NO to Marijuana GROW/Retail HERE!!!



BoCo Application: SPR-23-0087 (Historic Eldora Lodge)
Email: planner@bouldercounty.gov; 303-441-1688
Email: commissioners@bouldercounty.org; 303-441-3500



Protect Our Homes and Neighborhood from a Marijuana Dispensary!

Started

September 23, 2023

1,059

Signatures

1,500

Next Goal

Support now

[Sign this petition](#)

Why this petition matters



Started by [Concerned Residents of Coal Creek Canyon](#)

ATTACHMENT A 183

As concerned residents of Coal Creek Canyon, CO, USA, we are deeply troubled by the proposal to establish a marijuana dispensary right next to our homes and neighborhood. This petition aims to address the environmental concerns, quality of life issues, potential increase in crime rates, and negative impacts on our housing values that such a dispensary could bring.

Personal Story:

Imagine waking up every morning to the serene beauty of Coal Creek Canyon. The crisp mountain air fills your lungs as you step outside your home and take in the breathtaking views. This is the idyllic life we have chosen for ourselves and our families – a peaceful haven away from the chaos of city living.

However, this tranquility is now under threat. A marijuana dispensary wants to set up shop right next to our homes! As someone who lives just yards away from this proposed location, I am deeply concerned about how this will affect my family's well-being.

Environmental Concerns:

Marijuana cultivation requires significant resources such as water and electricity. The increased demand for these resources can strain our already limited supply in Coal Creek Canyon. Additionally, improper disposal of waste products from cultivation can harm local ecosystems and wildlife habitats.

Quality of Life:

Our community cherishes its quiet mountain life - an escape from noise pollution and urban stressors. The presence of a marijuana dispensary would introduce new traffic patterns with potential noise disturbances that disrupt our peace. Moreover, it may attract individuals who do not share our values or respect for our mountain life and community.

Crime and Safety:

While proponents argue that dispensaries do not contribute significantly to crime rates, studies have shown otherwise in certain areas (source: National Institute on Drug Abuse). We cannot ignore the fact that an increase in traffic near residential areas can lead to more opportunities for thefts or other criminal activities.

Negative Effects on Housing Values:

The establishment of a marijuana dispensary in our neighborhood could have a detrimental impact on our property values. Studies have shown that proximity to dispensaries can decrease housing values by up to 7% (source: Journal of Urban Economics). This decline in

 Support now

[Sign this petition](#)

We understand that Boulder County already has 44 dispensaries, raising the question of whether another one is truly necessary, especially within a residential neighborhood like ours. We urge the authorities to consider the well-being and concerns of the families and children who call this place home.

By signing this petition, we demand that decision-makers take immediate action to prevent the establishment of a marijuana dispensary next to our homes and neighborhood. Let us preserve the peaceful mountain life we cherish and protect our environment, quality of life, safety, and housing values.

Together, let's ensure Coal Creek Canyon remains a safe haven for families now and in the future!

Cedar Ridge Estates Residents and all of Coal Creek Canyon, Golden Colorado USA



Share this petition in person or use the QR code for your own material.

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Are you an Elected Official, Administrator, or a Company involved with this petition?
[Reach out to learn about available actions.](#)



Victories Every Day — **100% Funded by You**

 Support now

ATTACHMENT A 185

Change.org is free for people everywhere to make change. Every day there are real victories for issues you care about, only possible because we are 100% funded by everyday people like you.

Will you stand with us to protect the power of everyday people to make a difference?

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English (United States)



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ATTACHMENT A 186

[EXTERNAL] Historic Eldora lodge

Pual Anders <mybeer2018@outlook.com>

Mon 2/12/2024 12:33 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

So I understand that this property has a new owner and their zoning change to use the building and grounds for a Mj dispensary was declined. I understand some people have concerns about water usage, noise, fire and traffic, all legitimate concerns however in my opinion a dispensary is no more likely to increase those concerns than other business.

In fact some business that would have a larger negative impact. Take a convenience store for instance, definitely more traffic & noise, open 24 hrs. ? Light pollution ? Water usage.

A historical landmark sounds good but who is going to fund this ? Who will operate and maintain the property. Do you want your taxes to cover these expenses ?

Myself I say NO to tax revenue covering those expenses.

Maybe a new community center but again where does the funding come from ? and the water usage ?

So what people need to focus on what kind of business do they want to see at this location. Some day in the future this property will be developed, and into what ? Condos, duplexes, bars, strip mall, high rises, motels, dividing into little parcels to build more houses ?

Is that what we want ? Boulder county wants the tax revenue from every business regardless of what the business entails.

We the residents can vote down all these development options, but at some point this property will be developed.

Paul Anderson

ATTACHMENT A 187

[EXTERNAL] SPR-23-087, Permit request for marijuana retail operation

Ruth Atkinson <atknr29@gmail.com>

Wed 9/27/2023 2:31 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Erica Bjelland,

I am writing to express my concerns regarding the change of permit request for the Eldorado Lodge in Wondervu, Coal Creek Canyon under review. I reside within a mile of the location in question, and have very serious concerns for the residents of our area if this business should be approved.

The large scale cultivation, production and retail operation proposed here would bring additional traffic to Highway 72, narrow two-lane roadway that is the main access to and from Coal Creek Canyon. And, there is the likelihood of increased crime that follows this kind of business, especially now in the turmoil our nation faces.

As you know, this a rural, mostly residential area with few businesses. Most residents came here to raise their families and live in a community with limited crime. My Family lived here for 40 years, trading the crime of the Chicago Area for this wonderful Mountain Community and the need for healthier surrounding for my asthmatic children. I still treasure the tranquility this canyon provides for the residents here and object to the introduction of this kind of business into it.

Back when Marijuana use was legalized in Colorado, A young man decided to use his home to sell marijuana. Two of his relatives also joined him in this endeavor at his home on Divide View road. Shortly thereafter, a male posing as a buyer of their product came up here to do business with them. However, the supposed buyer shot and killed all three of these people, stole their marijuana products and their money. That person was eventually apprehended and tried for the three murders. This event was traumatic for those of us who live up here and has left us wary of bringing persons seeking these kinds of products to our community.

My family strongly opposes the permit allowing this business so close to our residents in Coal Creek Canyon. Our police protection is limited up here due to the current economic conditions of our nation. We have had some theft of businesses up here and do not want to entice more of them. It is of great importance to the people who live here to maintain a safe environment to live and raise our families.

It is our belief that this kind of business is not conducive to retaining the safety of our community. We are opposed to this change of use and ask that the Boulder Commissioners respect the needs and preferences of our residents.

Thank you,
Ruth A. Atkinson
41 Ronnie Road
Golden, Colorado 80403

ATTACHMENT A 188

[EXTERNAL] SPR-23-0087

Wendy Barnett <wendy@springercrazy.com>

Tue 10/3/2023 5:21 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner
<planner@bouldercounty.gov>; Boulder County Board of Commissioners
<commissioners@bouldercounty.gov>

To whom may concern:

I am writing to express my opposition to the proposed conversion of the canyon's historic Eldora Lodge into a large-scale marijuana cultivation production and retail operation. This is completely out of character with the essence of this canyon and has the high likelihood of negatively impacting our quality of life as it relates to traffic, environment, safety and it should be rejected. Additionally, this is not an application from a local or even a CO business, but an organization from IL with minimal (3 years) experience in the industry.

This, in conjunction with the recent donation of 450 acres of land to Denver Parks & Rec (Aston Ranch), which we already know will have negative impacts and create significant safety issues, will be detrimental to canyon life.

I am vehemently opposed to this and request that you reject the application and only consider applications which preserve the lodge as just that.

Thank you.

Coal Creek Canyon resident.

Wendy Barnett

Bjelland, Erica

From: shawn bechtel <shawnbechtel@gmail.com>
Sent: Sunday, September 24, 2023 3:02 PM
To: LU Land Use Planner; Bjelland, Erica; Boulder County Board of Commissioners
Cc: Jeremy Turnmeyer
Subject: [EXTERNAL] Reference: spr-23-0087 - Petition Against Dispensary/Cultivation/Grow House

Hi Boulder County, Commissioners, and Erika!

It has been brought to my attention that there has been a submission to change zoning of the Eldora Lodge to a marijuana dispensary, cultivation, and grow house.

As a Coal Creek Canyon resident and a resident who lives very close to what was the Eldora Lodge. I find this to be outrageous, on multiple levels (bulleted below) and I struggle to see how a company called 'Reptar 1783 LLC' is going to take our community to the next level.

- as a home owner, there is data that shows a decrease in home value due to a dispensary added to a residential area
- there is data and cases showing dispensaries polluting soil and water tables (Up in the canyon, we all are on wells) -we have drug abuse problems with locals, so putting in a dispensary would only provide access and increase problems -by allowing an out of state company erect a business that provides no benefits for its locals but to actually take away from the mountain esthetic also hinders the community/county/ and state

If someone would like to open a dispensary then they can look at one of the industrial park buildings located in the city of Boulder. Myself and other community members moved up into the canyon to get away from things and to enjoy quiet spaces that are not filled with business and marijuana businesses.

Myself and my household are against this and do not approve of this type of business.

My best,
Shawn Bechtel & Jeremy Turnmeyer
507 Camp Eden Rd
Golden, CO 80403

303-618-5059

Bjelland, Erica

From: William Berg <dodge77wb@gmail.com>
Sent: Wednesday, September 27, 2023 8:33 AM
To: LU Land Use Planner
Subject: [EXTERNAL] Grow house on Highway 72 in Boulder County.

To whom it may concern,

I feel that a grow house in this rural mountain community would be most inappropriate. If the grow house would also be a retail outlet, the consequences of navigating the mountain highway would be disastrous to those who are using the products provided by the grow house. For this reason, I am strictly opposed to the opening of a grow house in Coal Creek Canyon.

Thank you for your consideration,
Bill Berg
Coal Creek Canyon resident.

ATTACHMENT A 191

[EXTERNAL] Historic Eldora Lodge

Gisela Boderke <giselaboderke@yahoo.com>

Thu 2/15/2024 11:02 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

The Eldora Lodge apparently has many acres of land surrounding it, 40 acres as I understand. If the owner would have the community in mind with this dispensary business he/she is planning, it would even help bring customers in, I think could turn into a nice addition to the area. The 40 acres could accommodate outdoor activities for hikers, bikers, skiers, as nothing of that sort of recreational outdoor place unfortunately exists along the whole Highway 72. A rest area for travelers by car, bike or foot, as trails are non-existent in the whole 72 Highway area. If someone wants to stretch their legs, getting a drink, walking around some woody trails, enjoying the Rocky Mountain landscape, that could be a very desirable place for rest from this long winding road. Walking and hiking in neighborhoods surrounding Highway 72 restricts residents to roads only.

I don't see any problem with dispensaries elsewhere in terms of increased traffic, noise, fire, the safety of our neighborhoods, the impact to our water, wildlife and the environment.

The Historic Landmark vision could still be maintained and in addition a vision for the neighborhood of trail access close to a recreational area of 40 acres would be a desirable one and fill a missing link in Coal Creek Canyon.

Gisela Boderke

Gisela Boderke www.giselart.com Unique Jewelry

ATTACHMENT A 192

[EXTERNAL] Eldora lodge coal Creek Canyon

Kelly Borden <bordenkelly460@gmail.com>

Wed 10/18/2023 10:03 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Hi Erica my name is Kelly Borden. We have lived in coal Creek Canyon for 33 years. We are not happy at all to hear about this possibility of a grow in the place of Eldora lodge. If any of these people who want to do this lived up there they would already be able to smell in neighborhoods when they walk that people have small Grove. We did not move into the mountains to replace our wonderful mountain air with Pot air. I am pleading with you to fight for us and keep this Caustic idea. out of our mountain Canyon. We live up there for the quiet in the peace not for people to come up from the city and invade it mr. toxic idea. Please leave Eldora Lodge as a line for people to stay. Thank you Kelly Borden 303-642-2002. I welcome any comments or response

ATTACHMENT A 193

[EXTERNAL] Proposed cannabis retail and manufacturing at Eldora Lodge in Coal Creek Canyon

Susie Broderick <lommebroderick@me.com>

Tue 10/3/2023 6:44 PM

To:LU Land Use Planner <planner@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

To whom may concern:

I am writing to express my opposition to the proposed conversion of Coal Creek Canyon's historic Eldora Lodge into a large-scale marijuana cultivation production and retail operation.

This is completely out of character with the essence of this canyon and those of us living in our community are concerned that the applicant applicate is not local or even a CO business, but an organization from IL with minimal (3 years) experience in the industry.

We are also concerned with respect to outdated electrical at Eldora Lodge which could present a fire hazard and the consumptive use of electricity for a grow facility.

I am vehemently opposed to this and request that you reject the application and only consider applications which preserve the lodge as just that.

Thank you.

Coal Creek Canyon resident.

Sent from my iPhone

ATTACHMENT A 194

[EXTERNAL] SPR 23-0087

Rachel Byland <rbyland@mac.com>

Mon 10/9/2023 12:37 PM

To:LU Land Use Planner <planner@bouldercounty.gov>;Boulder County Board of Commissioners <commissioners@bouldercounty.gov>;Bjelland, Erica <ebjelland@bouldercounty.gov>

Cc:Greg Gaus <ggaus@me.com>

My husband and I who live on Divide View Drive in the Wondervu area of Boulder, County Unincorporated, are very opposed to the proposed retail grow facility on the premises of the old Eldora Lodge in Wondervu.

- When the Eldora Lodge was a pot-friendly hotel, driving in the area became more risky — we are afraid a busy grow facility will increase traffic and impaired driving accidents far more than the “pot lodge” did.
- A factory style grow facility with a 55 spot parking lot does not belong in a residential, rural (and already densely packed) neighborhood.
- We value what little privacy there still is up here, and don’t want to promote a dearth of recreational drug seekers coming into our neighborhoods— camping out, parking in pull-offs or in front of our houses — to indulge — as the long drive back home may seem like too long to wait.
- We also don’t want any FIRES in this area. We all-too-well remember the Cold Springs fire and the young people from Alabama that started it — they’d come to Ned to enjoy camping in nature (someone’s private property) while getting high, and thus were irresponsible with a campfire.
- Our neighborhoods are working so hard to prevent/prepare for wildfire and doing so much excellent mitigation work—supported by community, state, and federal grants—that allowing this large scale grow facility will not support those efforts.

Please consider the scope, character and size of our small community up here, and understand that this large scale grow facility is not in keeping with the tenets and goals of our Wondervu neighborhood.

Coal Creek Canyon’s character has already been forever changed by the daily influx of construction workers and their vehicles on the Gross Dam project. How’s about Boulder County sticks up for us on this one?

Thank you for your time,

Rachel Byland and Greg Gaus

Sent from my iPhone

ATTACHMENT A 195

[EXTERNAL] Docket SPR 23-0087 Eldora Lodge

Sue Chambers <chambers161co@gmail.com>

Fri 2/23/2024 9:01 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

As a 45 year resident of Coal Creek Canyon, in Boulder County, I am very concerned about Eldora lodge being turn into a marijuana grow, production and retail facility.

Some of my concerns are the increased traffic, impact on our wildlife and the environment and the fact that there is no police presence to deal with crime that this business will bring.

This is a small community that does not need this marijuana business.

Sincerely,

Susan Chambers

Sent from my iPhone

ATTACHMENT A 196

FW: [EXTERNAL] Cedar Ridge Estates in Coal Creek Canyon

Sanchez, Kimberly <ksanchez@bouldercounty.gov>

Tue 10/17/2023 1:58 PM

To: Frederick, Summer <sfrederick@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>

-----Original Message-----

From: Commissioner Levy <commissioner.levy@bouldercounty.gov>

Sent: Tuesday, October 17, 2023 1:52 PM

To: Lynette Clark <lnclark2503@gmail.com>

Subject: RE: [EXTERNAL] Cedar Ridge Estates in Coal Creek Canyon

Hello Lynette,

Thank you for contacting me with your concerns about the Site Plan Review in Cedar Ridge Estates. Because this will be reviewed by the Board of County Commissioners I cannot comment on the application outside of the hearing process. The commissioners will review the request based on the criteria in the land use code and will consider all public comments submitted for the record and made at the hearing.

I am copying the Community Planning and Permitting department so that your message can be included in the record.

Kind regards,

Claire

Claire Levy

Boulder County Commissioner

303-579-0156

Please note that my email address is now clevy@bouldercounty.gov.

-----Original Message-----

From: Lynette Clark <lnclark2503@gmail.com>

Sent: Wednesday, October 11, 2023 2:52 PM

To: Commissioner Levy <commissioner.levy@bouldercounty.gov>

Subject: [EXTERNAL] Cedar Ridge Estates in Coal Creek Canyon

hello Claire!

We live in the Cedar Ridge Estates up in Coal Creek Canyon behind what is known as the historic Eldorado Lodge. It has been operated as a lodge for years but was sold 2 1/2 years ago. It has sat empty for that long until on 9/20/23 we noticed it had a SPR-23-0087 sign posted to change its use from a lodge to a grow, manufacturing and dispensary sight.

Last spring one of the owners said it was going to be a book store and coffee shop but when we saw the sign for the SPR...it took us all by surprise.

ATTACHMENT A 197

They have a square footage called out for their grow area which could potentially hold 100 or more plants. They say they will use industrial sized fans so the odor won't be significant.

We all live on wells up here and are extremely concerned about the usage of water that will be used to water all the plants, washing containers, processing and having 20 employees using the facilities. They propose being open 6 days a week at 11 hours a day. They say their water usage will be way below the lodge's water consumption. They took the average of hotels across the nation to come up with this water consumption. The Eldorado lodge wasn't at capacity except for maybe on the weekends. It isn't right to compare it to a hotel in the city.

We are concerned for water contamination, environment, crime (the police can't get here for at least 30-40 minutes). This being in a residential area, the light pollution, noise of industrial fans, odors, the barbed wire fence installed around the perimeter of their property.....we have deer, moose, bears and fox who reside here as well.

Also our property values will drop and who would want to purchase a house next to a grow sight? Plus your well potentially running dry or polluted?

There also children in the area. That raises more concerns as the worker who installed the fence was threatening, working till midnight pounding while installing the fence and shining headlights, flashlights and headlamps into houses of the windows closest to this activity. Driving recklessly up and down our dirt road with the silver Audi car. The police were called and all of this activity has currently stopped for now.

Is there anything you can or could do to help us?

Please advise

Thank you for your time in this matter

Lynette Clark

303-642-7065

Sent from my iPad

Bjelland, Erica

From: Boulder County Marijuana Licensing <MarijuanaLicensing@bouldercounty.gov>
Sent: Wednesday, October 11, 2023 2:46 PM
To: LU Land Use Planner
Subject: FW: [EXTERNAL] SPR

Hi,

Please see the email below. It is a public comment regarding SPR-23-0087.

Best regards,

Brendan McGuinness (He/Him/His)
Marijuana Co-Authority | Licensing Specialist Boulder County Community Planning & Permitting Mailing Address: P.O. Box 471, Boulder, CO 80306 Physical Address: 2045 13th Street, Boulder, CO 80302
Phone: 303.441.3930 | Email: bmcguinness@bouldercounty.gov

Boulder County has migrated all email to the .gov domain. Please update your contact lists to reflect the change. Emails sent to both .org and .gov addresses will continue to work. This move to the .gov domain provides a higher level of cybersecurity protection.

-----Original Message-----

From: Lynette Clark <Inclark2503@gmail.com>
Sent: Wednesday, October 11, 2023 2:32 PM
To: Boulder County Marijuana Licensing <MarijuanaLicensing@bouldercounty.gov>
Subject: [EXTERNAL] SPR

Hello! We live up in in the foothills of Coal Creek Canyon. There is currently a Site plan review SPR-23-0087 to change the Eldorado Lodge from a lodge to a grow sight, processing and dispensary facility. The current owners will not give us a qty of plants they plan on growing but are stating the size of the metal container they plan on using for their plant growing. It could be over 100 plants. They also state they will use fans etc so their won't be "significant " odor.

Their acreage is zoned business in Boulder county while the are in a neighborhood with 20 houses around them zoned forestry.

We all live on well and septic. Water is a priceless commodity for us who live in the mountains. We as a community feel threatened to have our wells possibly contaminated or run dry with their proposed grow sight water usage.

Is there any way this could be stopped given it's location?

We also feel we are remote enough that they won't be checked as often because of our location. The response time for police to get up here is 30-40 minutes. Given increased traffic in the canyon do to Gross Dam construction and having Axton Ranch opening up as a park could make that response time greater.

Currently our interaction with some of the people installing a barbed wire fence (is that legal in the mountains with wildlife such as deer, moose, bear, fox) has been very unpleasant and feelings of threats, working till midnight making noises etc.

ATTACHMENT A 199

We are a subdivision.....not a business district. When it was operated as a lodge the owners were respectful and worked with the neighbors to keep harmony amongst all. This isn't the feelings we get from this proposed business.

Thank you for your time. Please let me know if there is anyway to stop this license to be awarded to the owners. Currently it is only in Sight Plan ReviewSPR-23-0087.

Again thank you!
Lynette Clark
303-642-7065

Sent from my iPad

ATTACHMENT A 200

[EXTERNAL] SPR-23-0087

Steve Clark <swclark255@gmail.com>

Tue 10/3/2023 3:48 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Erica

I'm reaching out to express concerns regarding the land use change for the Eldora lodge SPR-23-0087 in Caesar Ridge Estates. Some of the many issues are water use, wastewater run off, traffic including vehicles and pedestrians roaming the neighborhood and a family with two little girls living adjacent to the proposed Marijuana growing facility. I would like to ask is this really the correct use for the property in a residential neighborhood? I'm aware that the property is zoned for business and could potentially become a tricky classification change. I'm asking you to reconsider this land use change to preserve our neighborhood. It only takes one good person to do the right thing.

Thank you

Steve Clark

Sent from my iPhone

ATTACHMENT A 201

[EXTERNAL] SPR-23-0087

Margie Shanley-Collins <mmshanley@yahoo.com>

Tue 10/3/2023 11:33 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; margaret shanley-collins <kpcollins_13@yahoo.com>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

We are strongly opposed to the passing of the re-zoning to allow a Marijuana Dispensary in our beautiful canon and down the street from our retirement home.

Thank you ,

Kevin and Margaret Collins
126 Ramona

ATTACHMENT A 202

[EXTERNAL] Concerned about SPR-23-0087

Keith Duff <kduff999@gmail.com>

Thu 10/12/2023 5:42 PM

To: Boulder County Board of Commissioners <commissioners@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>

Dear Boulder County Representatives,

My wife and I moved to Ramona Road in Coal Creek Canyon a little over a year ago because we fell in love with its natural beauty. The other residents welcomed us into their community, and we've made many new friends. We looked forward to the Eldora Lodge reopening, but are very worried about the different direction it's taking.

Ours is such a small community, that a business embedded among our houses worked precisely because it was a residential business. Customers at the lodge came to rest and sleep at night, while enjoying the environment during the day. A lodging facility can exist here in harmony with our homes surrounding it.

But the proposed plan for this lot, with many parking spaces, a dozen or more full-time employees, much impermeable cover, growing and production facilities, and retail outlets is not compatible among our homes. It will significantly disrupt our community and degrade our quality of life. Please keep this lot as a lodging facility to protect our neighborhood and fragile canyon ecosystem.

Thank you for your consideration.

Keith Duff and Jasmine Jaco

116 Ramona Rd.

512-297-6505

512-743-6908

ATTACHMENT A 203

[EXTERNAL] Opinion - Eldora Lodge new owners - growing/processing facility

Realtor Lise Colorado <lisefriis12@gmail.com>

Mon 10/9/2023 9:40 AM

To:Boulder County Board of Commissioners <commissioners@bouldercounty.gov>;LU Land Use Planner <planner@bouldercounty.gov>;Bjelland, Erica <ebjelland@bouldercounty.gov>

Until today, I was somewhat undecided on my thoughts about this new owner's plan to install a marijuana growing & processing facility at the former Eldora Lodge on Hwy 72 near WonderVu.

BUT

I just read that they are going to put up a barbed wire &/or electric fence around it.

Our wildlife population is heavily impacted as it is. Please do NOT allow this project to commence.

Coal Creek Canyon is already dealing with the Gross Dam expansion, being the most horrible thing to happen in this area...the negative environmental impact stretching from Rocky Mtn. Nat'l Park to Mexico...

SO, for the record, I am COMPLETELY AGAINST THIS use of the Eldora Lodge.

Thank you for recording my opinion.

On behalf of our beloved, and dwindling, wildlife,

Lise

--

Lise Friisbaastad

Realtor®, Broker Associate

LiseFriis.JPAR.com

Facebook.com/RealtorLiseColorado

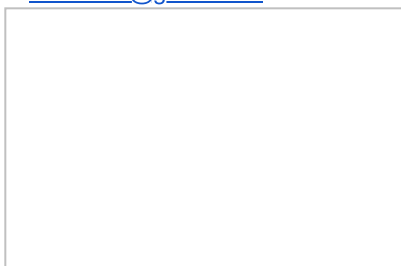
Instagram: @RealtorLiseColorado

Linkedin.com/in/lisefriisrei

M 714-394-9534

O 720-514-9727

E lisefriis12@gmail.com



ATTACHMENT A 204

[EXTERNAL] Plus. Re: SPR-23-0087. NO!

Kathy Gale <kathygcmt@gmail.com>

Fri 10/6/2023 8:51 AM

To:Boulder County Board of Commissioners <commissioners@bouldercounty.gov>;Bjelland, Erica <ebjelland@bouldercounty.gov>

I will add this to the importance stopping of mold being introduced into the environment. Dr D is a local doctor.

<https://youtu.be/2a-qw9xSLMY?si=MfHd-KLUA95BQW-5>



Kathy

On Wed, Oct 4, 2023 at 8:39 AM Irene Sullivan <mfsullivan7@gmail.com> wrote:

Dear Ms. Bjelland:

I am writing to express my concern over the proposal to change the historic Eldora Lodge permitting so that a large scale marijuana cultivation, production and retail operation can be put into place. I am a long time resident (over 30 years) of Coal Creek Canyon and Boulder county. I live 2 miles from this proposed project. This is a major erosion on the quality of life in this canyon which is already suffering from the Gross Dam Expansion project and the Axton Ranch bequeath to Denver Parks and Recreation!

I ask you to consider the following:

1. The increased fire risks because of the re-wiring required to run such an operation. We are already in an extreme fire zone risk area, insurance rates for home protection keep rising. This type of facility would increase the fire probability index for the entire canyon. The increased fire protection and monitoring needed for such grow sites is considerable.
2. The electricity 24/7 needed for these sites consumes **6 times** more than the average household. To say nothing of the environmental impact. What about the disruption to the acoustic ecology of the running of constant fans and other machinery?
3. Where is the water coming from? And what about the water tables and water shed issues? We are in a fragile ecosystem here. Where is the waste generated by such an operation going?
4. These operations often use compostable fluids and dangerous chemicals that are toxic to humans, animals, and overall are invasive to the fragile ecosystems in this area. How is that going to be handled and monitored? Our law enforcement and fire departments are already spread thin here!
5. The types of traffic this will bring both in terms of volume and irresponsible driving behaviors is an invitation to fatalities and serious injuries. It happens. Review your statistics for the canyon.

ATTACHMENT A 205

6. These establishments are notorious for creating environments of serious mold infestations requiring even more toxic measures to control the mold. When the project fails, usually because of mold and other issues and is abandoned you are left with a destroyed, boarded up structure filled with molds. Who is going to deal with that? The county?

7. There are plenty of "private" grow structures in the canyon already. Some of them have irresponsible tenants. We do not need more irresponsible attitudes compromising and eroding the quality of life here.

Why, in good conscience with a concern of environmental integrity which includes human, animal and vegetal integrity would the county permit this.? The Eldora Lodge sits on a beautiful piece of land with magnificent views. It has a rich history of hosting many family events, multiple out of town visitors and offering refuge to stranded travelers.

There are already retail operations in Nederland. Considering such a destructive action in Coal Creek Canyon is unconscionable. This is the WRONG location for such a venue!

Sincerely,

Irene F. Sullivan
Wilfred H. Reller

Long time residents, land guardians and taxpayers in Boulder County.

Irene F. Sullivan
Wind's Edge Studio
<http://www.irenefsullivan.com>
<http://www.facebook.com/irenefsullivan/>
<http://www.instagram.com/irenefsullivan/>

ATTACHMENT A 206

[EXTERNAL] Re: EXTERNAL-Site plan review, SPR-23-0087 (Updtaed)

Molly Gardner <mgardnermo@hotmail.com>

Thu 9/28/2023 8:21 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>

Re: Site plan review, SPR-23-0087, posted at 33247 Hwy 72, Golden, CO 80403.

To whom it may concern;

Four years ago my husband and I moved to Coal Creek Canyon for the natural beauty, peacefulness and wildlife. We love our neighbors and community. What we didn't plan on is a retail and marijuana grow facility next to our house.

I am writing this letter as I vehemently disagree and am profoundly concerned about the proposed retail business for a grow/dispensary at the former Eldora Lodge (located at 33247 Hwy 72) for multiple reasons.

- Environment
 - (Water/Electricity)-Cultivating any kind of plant takes a lot of water and electricity. Both of which are precious in Coal Creek Canyon as everyone is on well water and there are houses that run on electricity only, for heat, light and cooking who don't have propane gas. I'm one of them.
 - Toxic chemical use is a concern. Run off or an accidental spill can place residence water wells in jeopardy.
 - Fire danger-This business would be surrounded by a neighborhood/subdivision and a forest. Customers potentially lighting up just off the retail property.
 - Light pollution-Open from 9:30am to 8:30pm with parking for 50. This is going to make the neighborhood much brighter. This is not a small operation. Most likely the largest dispensary in the county.
 - Land and wildlife impact it will have with developing the business.
 - Odor permeation-The developers say 'no significant odor'. This is a loose term, which means there will be some odor (air pollution)
 - Litter- As there will be an increase in traffic/people.
 - Traffic-Increase in traffic and damage to infrastructure.
- Crime and safety
 - Potential increase in neighborhood crime
 - Retail location and Coal Creek Canyon are rather isolated from law enforcement
 - Customers wondering and trespassing
- Home values
 - Potential of property values decreasing

The proposal states that they want to work with the community and there wouldn't be much or any negative impact to the area. Both of these statements are remarkably

ATTACHMENT A 207

false and are boilerplate statements. There will be a significantly negative impact to the land, community, safety of the residence and wildlife.

Thank you for your support and understanding with this matter.

Molly Gardner
720-340-9322

ATTACHMENT A 208

[EXTERNAL] Docket SPR-23-0087: Reptar 1783 LLC Change of Use

Tim Glovatsky <tglovatsky@jtmega.com>

Mon 9/25/2023 10:23 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Cc: Debbie Glovatsky (glogirly@comcast.net) <glogirly@comcast.net>

Dear Erica Bjelland,

In Response To: Docket SPR-23-0087: Reptar 1783 LLC Change of Use

Regarding the proposed marijuana facility at the previous Eldora Lodge location.

A few years ago, my wife and I purchased property and moved into our home in Coal Creek Canyon. After having lived in the city, we chose this location because of its seclusion, natural beauty and insulation from the crime and undesirable traffic that comes with urban culture. We love our community and were sad to see the Lodge go out of business. The guests they attracted were those who wanted to also appreciate the beauty and solace of our community.

We are strenuously opposed to allowing this marijuana facility to be located in our neighborhood. From that proposed location, a few miles down the hill there are dozens of cannabis sales outlets in Nederland. So, there is clearly no need to grow, produce and sell marijuana in our community. Additionally, there are hundreds of locations in our state for users to score their weed. Instead of providing a service that contributes to the neighborhood, this facility will attract undesirable traffic and change the culture of our community and change its culture to which we were attracted. Without question, property values will also be negatively affected.

So please, on our behalf, do not permit this business to be established in our community and neighborhood. In addition to the negative consequences it would bring, it would add insult to the injury we have had to endure with Denver Water's destroying of our beautiful landscape across the canyon.

This should be an easy decision. Weigh the benefits this facility will bring to our neighborhood against the negative and undesirable consequences it will certainly bring to our wonderful community.

Thank you for supporting our interests and needs.

Tim & Debbie Glovatsky
32101 Coal Creek Canyon Rd
Golden, CO 80403
612-867-8394

ATTACHMENT A 209

[EXTERNAL] Grow project in Wondervu

Cindy Goodrich <cindy.l.goodrich@gmail.com>

Thu 10/5/2023 11:04 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Hi Erica -

I'm just writing to voice my concern about the grow operation that's been approved in Coal Creek Canyon.

My biggest concern is what measures can be taken if they don't follow best practices - water, noise, smell, etc. As you know, there are houses in very close proximity that could be greatly impacted. I know Boulder County in general is very strict and stringent about code violations - but up here, not always. Can we count on you to make sure they are adhering to these codes? What recourse do we have if they are not?

Thanks for your time -

Cindy Goodrich
214-232-9746

ATTACHMENT A 210

[EXTERNAL] Eldora Lodge SPR 23-0087 Comments on Application

Dave Goss <dave@dcgoss.com>

Thu 11/2/2023 3:36 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Cc: LU Land Use Planner <planner@bouldercounty.gov>; commissioners@bouldercounty.gov
<commissioners@bouldercounty.gov>

Erica, Planners and Commissioners,

My wife and I have a home within a mile and a half of the former Eldora Lodge that is proposed to become a marijuana grow facility in Boulder County. Although we live in Gilpin County, we are very concerned that this facility will be completely improper in the close knit mountain community that thrives around Wondervu. As we understand, water usage for a grow facility is huge. In addition to the use for watering the plants, there are water uses related to cooling, humidification, and processing that are significant. Mountain water is not easy to obtain. For our home we had to go down 980 feet in our well to get seven and an half gallons per minute flow. Ours is a very small water footprint, so to speak. A grow facility is far greater and large users like that would be affecting the water available throughout the Wondervu community.

Increasing the amount of marijuana only adds to the already existing problem of people who become impaired after its use. Impaired driving is up significantly in Colorado since the legalization of marijuana. Coupled with alcohol, irresponsible people drive and are a risk to themselves and others. Why encourage that type of behavior by approving another grow facility?

We strongly urge you to turn down this application and instead try to encourage another lodge, bed and breakfast or overnight accommodations to take this space. For many years the Eldora Lodge was a destination for Coloradoans and others from out of state who fell in love with this area. We would think that Boulder would want to encourage more tourism throughout the county and the community of Wondervu is an idea area to promote.

We respectfully submit these comments in opposition to application SPR 23-0087 for 33247 Coal Creek Canyon Drive. Thank you,

*Dave and Joann Goss
300 Cleaveland Place,
Golden, CO 80403*

Bjelland, Erica

From: Jessica Gregg <jessica.gregg.44@gmail.com>
Sent: Monday, September 25, 2023 11:28 AM
To: LU Land Use Planner; Boulder County Board of Commissioners; Bjelland, Erica
Subject: [EXTERNAL] Reference: spr-23-0087

Good morning,

I am writing to express my concerns about the large marijuana retail center currently proposed at the old El Dora Lodge in Coal Creek Canyon. I have lived in Coal Creek for 23 years and in general I am thrilled about the recent turnover and growth of our little town as we are certainly due for some new ownership and economic excitement. However, a giant pot retailer adjacent to homes is simply incompatible city planning. Changing the use from a quiet mountain inn to a pot retailer with clouds of smoke traveling into neighbor's yards is shockingly offensive. There is also a blind turn right there which will create increased traffic collision risk, on top of the higher risk of drivers impaired by marijuana driving on our small rural roads and highway 72. Recently we have had traffic impacts from the gross dam, axton ranch, and Castle Pines Subdivision and more importantly the little bussing Jeffco and Boulder bother to provide to our neighborhoods pick up literally on the side of highway 72, do you really want a bunch of drivers under the influence running over our kids at the bus stops?

I can't believe I even have to write this email.

Jessica Gregg

720-838-5458

ATTACHMENT A 212

[EXTERNAL] Permit for Eldora Lodge spr-23-0087

Pat Heaviland <pheavila@yahoo.com>

Thu 10/12/2023 11:55 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Ms. Erica Bjelland,

We are very concerned about the permit change for the Eldora Lodge in Coal Creek Canyon to a large – scale marijuana cultivation, production, and retail operation. We are a close knit community with many community events. Coal Creek is primarily a residential area and not compatible for this type of business. It is not conducive to have this type of facility up here. The roads are narrow, twisting, and becoming more and more packed. In the winter, often the road crew can't manage to plow quickly. There are multiple accidents up here without people driving up and down stoned. Plus, with a volunteer fire department and ambulance medical assistance is not quick. Boulder has already thrown Coal Creek Canyon under the bus by taking dollars from Denver Water to enlarge Gross Reservoir. When will you all stop and say "enough is enough"? We have to have protection for not only our Boulder residents but also Jefferson and Gilpin County residents.

Thank you,

Pat and Brent Heaviland

Bjelland, Erica

From: Robert Heilbronner <rheilbronner@outlook.com>
Sent: Saturday, January 27, 2024 1:23 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] Eldora Lodge

Dear Commissioners -

It seems crazy to turn this lodge into a cannabis operation. There is no shortage of those, and no constraints to putting them almost anywhere. If this were one of the few locations suitable for growing weed (as for example some places on the Western Slope are for grapes), I might feel differently. I live in Boulder but nowhere near this location, so this is not NIMBYISM- this is just lending my voice to those who want to preserve the area's current uses and water supply.

Robert Heilbronner

ATTACHMENT A 214

[EXTERNAL] opposition to SPR-23-0087

John Jantsch <john@ducttapemarketing.com>

Mon 9/25/2023 1:56 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Erica,

I live at 941 Indian Peak Rd, very near a proposed rezoning of the Eldora Lodge to a Commercial Grow Facility.

This makes no sense at all. I am writing to oppose the consideration vehemently. This is in a neighborhood, and all homes are on wells and septic. There is no way that it won't have a terribly negative impact on the environment in the area as well as the home values.

Please turn this application down.

John Jantsch

Learn how to license the Duct Tape Marketing System to use in your agency or consulting practice. [Get it here](#)



John Jantsch

Duct Tape Marketing

941 Indian Peak Rd

Golden, CO 80403

866 DUC-TAPE (382-8273)

john@ducttapemarketing.com

[Facebook](#)

[Twitter](#)

Bjelland, Erica

From: jannetjamison <jannetjamison@yahoo.com>
Sent: Thursday, November 30, 2023 5:28 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Eldora Lodge proposed grow house

I appreciate the attention you will give to this email. Thank you for the job you do!

I would like to express my concern regarding the proposed grow house at Eldora Lodge. We have limited resources in this canyon and I feel this is not the appropriate place to stretch those resources even farther than they are already stretched. Our volunteer fire department and water resources are already very limited.

I have lived in this canyon for 42 years and have a tremendous respect for what it takes to respect this harsh but beautiful environment. I hope that this will be taken into consideration as you review this dispensing operation.

Thank you, Jannet Jamison

Sent from my Galaxy

ATTACHMENT A 216

Voicemail received 9/26/23. Called back 9/27/23. Information and comment recorded below. -EB

From: Carol Jantsch

Phone: 816-588-3516

Regarding: SPR-23-0087

Comment: Lives in Coal Creek Canyon and wanted to comment that she is against the application.

ATTACHMENT A 217

Call and voicemail received Sunday, January 28, 2024 at 4:47 PM

Transcription:

Hello, this is Matthew Kaseeka. I live in Coal Creek Canyon and 11528 Overland Dr. in Golden. I would like to let you guys know that I am and all my neighbors which are about 10 of us all do not like the idea of having dispensary. With the increased fire and water usage reference SPR 23-2087 I think would ruin the vibe of Coal Creek Cane, so please do not allow this to happen.

[EXTERNAL] SPR-23-0087 - Eldora Lodge

Michael kirschbaum <michaelkirschbaum@gmail.com>

Sun 2/11/2024 6:27 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; Planner@bouldercoubty.org <Planner@bouldercoubty.org>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

To whom it may concern,

I am writing today to voice my opposition to the application to convert the historic Eldora Lodge (33247 Coal Creek Canyon Road) into a commercial marijuana operation. Such a change of use is incompatible with our multi-county (Boulder, Jefferson, and Gilpin) rustic mountain community in Coal Creek Canyon.

My reasons for opposition are:

- 1) Converting the historic Eldora Lodge into a marijuana operation would deprive residents (and their visitors) of being able to stay at the lodge, and there are no nearby viable alternatives. If the application is denied, the current owners could begin operating the lodge again or put it on the market to give someone else the opportunity to run it successfully. I personally would be fine if they wanted to convert a part of the use to something like a restaurant or pizza shop in addition to providing accommodation, as something like that is much more compatible with the neighborhood.
- 2) There are not a lot of historic structures in the canyon, and the existing ones should be preserved and ideally operated in accordance with their historical use.
- 3) Grow operations use a lot of water, and fire response also requires a lot of water. Not sure what the submitted plan calls for but I am worried about over-drawing from wells and the inability of the fire department to respond if there is a fire.
- 4) Marijuana operations pose the risk for increased criminal activity in the canyon. In 2017 there was a triple homicide in the same neighborhood as the Eldora Lodge, which was motivated by drugs (a marijuana grow operation) and money (link included below). There have also been robberies/muggings at the liquor store in the canyon; a commercial marijuana grow facility will further attract criminals. The lack of access to banking (due to the continued federal classification of marijuana as a Schedule 1 drug) will mean the business could be perceived to be holding large sums of cash. This combined with the dearth of law enforcement in the canyon (and coupled with complex multi-county boundaries) could provide a recipe for repeated robberies, botched law enforcement response, and the possibility for dangerous high speed chases on our winding mountain roads.
Link: <https://www.dailycamera.com/2017/04/19/boulder-county-detectives-find-marijuana-plants-at-scene-of-triple-homicide/>
- 5) Coal Creek Canyon is divided by 3 different county lines (Boulder, Gilpin, and Jefferson counties). This had led to our community being a sort of no-mans-land jurisdiction with very little in the way of coordinated county services and a virtually absent law enforcement presence. Authorizing a commercial grow operation in an area virtually devoid of law enforcement is a bad idea and such change in use should be rejected.

I sympathize with the current owners who obviously thought it would be a good idea to convert the Eldora Lodge to a commercial marijuana facility. I am sorry if their plans are rejected as I know such rejection would likely incur significant financial loss. However, the character of our community and safety of our residents is more important than someone's gamble on a property, which speculated that such a change of use would be granted. Therefore I encourage the planning

ATTACHMENT A 219

department as well as the County Commissioners to reject the conversion of the Eldora Lodge in the commercial marijuana facility.

Thanks for your consideration,
Michael Kirschbaum
704 Copperdale Ln.
Golden, CO 80403
(303) 884-7510

Bjelland, Erica

From: tjkreidler@mric.net
Sent: Monday, September 25, 2023 11:12 AM
To: Bjelland, Erica; LU Land Use Planner; Boulder County Board of Commissioners
Subject: [EXTERNAL] Coal Creek Canyon Petition regarding proposed cannabis facility

This is in addition to the email I recently sent regarding the proposed cannabis grow facility and dispensary in Coal Creek Canyon. This is from a petition being circulated to Canyon residents to object to this proposal and explains our concerns much better than I can.

As concerned residents of Coal Creek Canyon, CO, USA, we are deeply troubled by the proposal to establish a marijuana dispensary right next to our homes and neighborhood. This petition aims to address the environmental concerns, quality of life issues, potential increase in crime rates, and negative impacts on our housing values that such a dispensary could bring.

Personal Story:

Imagine waking up every morning to the serene beauty of Coal Creek Canyon. The crisp mountain air fills your lungs as you step outside your home and take in the breathtaking views. This is the idyllic life we have chosen for ourselves and our families – a peaceful haven away from the chaos of city living.

However, this tranquility is now under threat. A marijuana dispensary wants to set up shop right next to our homes! As someone who lives just yards away from this proposed location, I am deeply concerned about how this will affect my family's well-being.

Environmental Concerns:

Marijuana cultivation requires significant resources such as water and electricity. The increased demand for these resources can strain our already limited supply in Coal Creek Canyon. Additionally, improper disposal of waste products from cultivation can harm local ecosystems and wildlife habitats.

Quality of Life:

Our community cherishes its quiet mountain life - an escape from noise pollution and urban stressors. The presence of a marijuana dispensary would introduce new traffic patterns with potential noise disturbances that disrupt our peace. Moreover, it may attract individuals who do not share our values or respect for our mountain life and community.

ATTACHMENT A 221

Crime and Safety:

While proponents argue that dispensaries do not contribute significantly to crime rates, studies have shown otherwise in certain areas (source: National Institute on Drug Abuse). We cannot ignore the fact that an increase in traffic near residential areas can lead to more opportunities for thefts or other criminal activities.

Negative Effects on Housing Values:

The establishment of a marijuana dispensary in our neighborhood could have a detrimental impact on our property values. Studies have shown that proximity to dispensaries can decrease housing values by up to 7% (source: Journal of Urban Economics). This decline in value not only affects current homeowners but also makes it harder for future generations to afford homes in our community.

We understand that Boulder County already has 44 dispensaries, raising the question of whether another one is truly necessary, especially within a residential neighborhood like ours. We urge the authorities to consider the well-being and concerns of the families and children who call this place home.

By signing this petition, we demand that decision-makers take immediate action to prevent the establishment of a marijuana dispensary next to our homes and neighborhood. Let us preserve the peaceful mountain life we cherish and protect our environment, quality of life, safety, and housing values.

Together, let's ensure Coal Creek Canyon remains a safe haven for families now and in the future!

Cedar Ridge Estates Residents and all of Coal Creek Canyon, Golden Colorado USA

Terry Kreidler Darlene Schriener

1027 Indian Peak Road

Golden, CO 80403-9417

3030-642-3333

When you don't know where you are going, any road will take you there.

Bjelland, Erica

From: tjkreidler@mric.net
Sent: Monday, September 25, 2023 10:04 AM
To: ebljelland@bouldercounty.org; LU Land Use Planner; Boulder County Board of Commissioners
Subject: [EXTERNAL] Cannabis grow facility and dispensary in Coal Creek Canyon

We must voice our concern over this proposal to build a huge marijuana grow facility and dispensary in Coal Creek Canyon. Canyon residents oppose this development for the effect this will have on our lives here. Coal Creek Canyon is a quiet, rural living space and we all moved here for that laid back lifestyle. Something of this magnitude will upset our culture and lifestyle. The increase in traffic will cause many problems on our hilly, winding road—Highway 72, it will surely affect our property values, the increased water usage will affect our water quality and supply, and crime usually follows these types of establishments. Nearby Nederland has several dispensaries that already serve the public. There are several other uses for this site that are better suited to Canyon life like reopening it as a lodge or maybe an event center, but please, PLEASE, do not allow some outside interest with a ton of money with no connection to Colorado and our Canyon to destroy our Canyon life. We live in Wondervu, just across the county line in Gilpin County and this will surely cause our life to deteriorate.

Terry Kreidler and Darlene Schriener
1027 Indian Peak Road
Golden, CO 80403-9417
303-642-3333

When you don't know where you are going, any road will take you there.

Bjelland, Erica

From: Lynette Clark <Inclark2503@gmail.com>
Sent: Wednesday, October 4, 2023 9:59 AM
To: LU Land Use Planner
Subject: [EXTERNAL] SPR-23-0087

> Boulder county planners

>

> I am writing to you in hopes you will listen to the concerns of the Cedar Ridge Estates community located behind the Eldorado lodge.

>

> The SPR-23-0087 that is proposing changing the use from a lodge to a grow site, processing and dispensary is a huge concern for us in this neighborhood.

> We all live with well water and septic systems. This grow site will be consuming a larger amount of water than the lodge ever did. The lodge wasn't open all year round as this proposed business would be. Even their proposal of reducing the toilets doesn't take into consideration the watering of plants, processing their products and washing containers and everything else that goes with this type of business. Plus the twenty employees using the facilities six days a week eleven hours a day.

>

> Please consider not allowing this business in a neighborhood. Water usage, increase threat of crime, people trespassing on private property, fire hazard increased, light pollution with their security system plus increase traffic on Highway 72. Ramona road and one of the driveways to the lodge conflict with each other making traffic harder to negotiate getting on and off the highway and in and out of Ramona road from the highway.

>

> Thank you for your time in this matter Lynette Clark

>

> Sent from my iPad

Bjelland, Erica

From: Lynette Clark <Inclark2503@gmail.com>
Sent: Wednesday, October 4, 2023 7:47 AM
To: LU Land Use Planner
Subject: [EXTERNAL] SPR-23-0087 Eldorado Lodge

> Planner of Boulder County:

> I am writing to voice concern about the lodge changing to a grow, processing and dispensary.

>

> As you know it is in a subdivision of Cedar Ridge Estates and this change has everyone living in close proximity very concerned.

>

> It would bring:

>

> Constant odors while growing and processing. The wording they use in their SPR brings alarming concern as they say no "significant odor". We have already gone thru one grow site in a rental house in the neighborhood that proved this growing of 100 plants to be of significant odor.

>

> The decrease in property value. All of us have worked hard to obtain and live in our homes only to have this "type of business" be in our neighborhood. Let alone trying to sell your house when significant odors permeates the neighborhood. I would never purchase a house with this type of business being conducted in the neighborhood. A lodge is one thing....but a grow facility?

>

> Increase traffic from Highway 72 and our two roads Ramona and Jennie would not be welcomed. Plus people wandering around the neighborhood after their "purchases" and just wanting to get high and go for a walk in the mountains. We who live in the mountains are highly aware of flatlander people coming up here with no concept of fire hazards. We have had issues with the customers from the lodge thinking they could trespass onto our properties to enjoy the mountains as if they were entitled to do so.

>

> The light pollution would not be per Boulder County rules. We who have built our homes in this county have had to adhere to all the building codes and know the rigors of going thru a SPR.

>

> There is also no police presence in this canyon. To call the police for an incident would mean waiting 30-40 minutes. This gives none of us a feeling of security. There was a triple homicide up here not to far from us a few years back. It was over this very issue if drugs.

>

> People up here have Nederland to go to which has four dispensaries in town.....not a neighborhood. Plus since you are allowed to grow this yourself....don't you think people already have their resources?

>

> Several of the business owners in the canyon do not want this type of business up here as there have already been broken into. They have allowed us to bring our petitions for signatures from their customers.

>

> There is a school bus pick up and drop off right by the fire station up here. Does that warrant concern for a place where children gather?

>

> The people who are proposing this business do not understand what it's like living at 8500 feet in the winter. There isn't a bus that runs up here, who would take an Uber this far up the canyon to make a purchase only to turn around and

ATTACHMENT A 225

drive back down? The bicycles who ride up and down this canyon in the summer take their own life in their hands as there isn't a bicycle lane. Very dangerous. Plus someone partaking of this substance shouldn't be on a bicycle in traffic. The winds up here are horrendous in the winter and not to bicycle friendly.

>

> In conclusion, would you please consider all of our concerns from those of us who don't want to be saddled with living in the area of a grow, processing and dispensary?

>

> Thank you for your time

> Lynette Clark

>

>

>

> Sent from my iPad

Bjelland, Erica

From: L Yeldell <mcelroy.lauren@gmail.com>
Sent: Thursday, October 5, 2023 8:50 PM
To: LU Land Use Planner
Subject: Fwd: Automatic reply: [EXTERNAL] Attn: Erica Bjelland, reference: Docket SPR-23-0087: Reptar 1783 LLC Change of Use; Reference Docket: SPR-23-0087
Attachments: eldora water.pdf

Reference Docket: SPR-23-0087

To Whom It May Concern,

My name is Lauren Yeldell and I live at 238 Jennie Lane, Golden CO 80403. We are directly adjacent to the property in question: 33247 Highway 72, Section 36, Township 1S, Range 72W. Reference Docket: SPR-23-0087

My children's playground is within feet of the proposed marijuana facility. Our playground has been there for many years - no doubt, the owner of the property in question has driven down our street and seen that children live here - it would be very hard to miss the colorful play structures, climbing wall, slides, bikes, and swings. From my research it looks as though marijuana retail facilities cannot be in close proximity to children schools, playgrounds etc. I would ask you to consider what makes it different for a home in which children live full-time. Children should not have to live directly next door to a marijuana facility.

Water is a precious commodity in the canyon. We are always in the process of only using the water we need. Everyone that lives in the canyon understands that. With global temperatures rising every year - this is more important than ever. A marijuana retail facility is frivolous in Boulder County - it would be irresponsible to use our water source on this type of establishment. I believe everyone is well-aware that there are many other marijuana facilities in Boulder - this is certainly not something the county is lacking or needs.

Additionally, in the proposed permit the owners discuss conserving more water as they are cutting in half the number of bathrooms. This is fraudulent as having 20 full-time employees there 6 days a week - using the bathroom facilities in addition to cultivating any kind of plant will take significantly more water than what the lodge ever needed as a lodge. There are many points within the proposed SPR where the owner discusses ways in which they are going to lessen the use of water or improve something - yet I see no actual numbers, math equations, or any kind of actual data to support the claims made in the SPR.

We need the county to understand we live here. We take pride and care in the land. Previous owners of the lodge lived on site as well and took care of the land. The proposed owners are operating in a way to drain our area of resources, potentially contaminate our wells, increase our risk of fire danger and then go home to where they live.

The lodge has sat vacant since the owners purchased the lodge. Fire mitigation has not happened, one winter the breaker box opened-and-closed, opened-and-closed, we were concerned with fire danger so went up and closed it as we knew no one was taking care of the lodge. In the past few years we have seen no activity at the lodge. When the Marshall Fires occurred I hoped the lodge doors would open its door to our community to offer housing for victims that desperately needed a place to stay, yet again the lodge sat vacant.

Here in the mountains we care about our properties, we don't view land as how can the land serve me, we view our land as property as something to preserve and care for. The Eldora lodge is a quaint, beautiful building. Previous owners took great care in the facility. Our community made solid partnerships with previous owners and oftentimes we all worked together on splitting wood in the winter and sharing tools and equipment. That's what we do in the mountains, we help one another. We are by no means a community that wants to exclude development or individuals that want to also take care of the land. At the same time, the land is not something to harm, or threaten.

Our water is a life-line up here - a large cultivation marijuana retail facility is frivolous and irresponsible in regards to conserving water. It's not the place for large-scale agriculture endeavors. I noticed in the water transfer permit, on page 8 - the owners of the proposed property signed within that transaction that the facility would continue to operate as a lodge. I will attach documents within this email. There have been many misleading instances within this process so far. At this very moment a fence has been constructed along hwy 72 that blocks a well-worn safety route all of us rely on to safely enter and exit hwy72. With half the road blocked off - it will be hard for county plows to get through. We currently have fencing placed along our property line without any warning and/or consideration; we assumed Boulder county permitting would need to take place prior to permanent changes to the Eldora lodge and surrounding areas.

Our fire danger is real - we do a lot to mitigate fire risks; having a store that sells items that require fire to even partake is completely against keeping our community safe.

Lastly, as mentioned in my first section, do not approve this marijuana retail facility for the youth that live in the canyon. We have a school bus stop nearby, and I can assure you my children and all the youth in Coal Creek Canyon deserve to NOT have this in their backyard.

ATTACHMENT A 227

We appreciate all you do and thank you for your attention regarding this matter,

If there is anything our community can do to help - please let us know.

Warmly,

Lauren Yeldell

Contact 713.775.7104

m: 713.775.7104

e: mcelroy.lauren@gmail.com

ATTACHMENT A 228

[EXTERNAL] Commercial Grow Facility - Coal Creek Canyon

Jim Langsted <jmlangsted@gmail.com>

Mon 9/25/2023 10:12 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

This is NOT a good idea. It is not compatible with this portion of Boulder County.

Jim Langsted

ATTACHMENT A 229

[EXTERNAL] Fw: SPR-23-0087. NO!

Judy Lehmkuhl <jblstories@prodigy.net>

Sun 10/8/2023 8:56 AM

To: Boulder County Board of Commissioners <commissioners@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>

I too fully agree with these sentiments. There has already been too much loss in our canyon. The quality of our lives, the safety issues, the environmental issues (especially water) are huge, but the emotional slap-in-the-face from uncaring officials is difficult for our trust levels!

----- Forwarded Message -----

From: Kathy Gale <kathygcmt@gmail.com>

To: "commissioners@bouldercounty.org" <commissioners@bouldercounty.org>; "ebjelland@bouldercounty.org" <ebjelland@bouldercounty.org>

Sent: Wednesday, October 4, 2023 at 09:05:35 AM MDT

Subject: Re: SPR-23-0087. NO!

We echo these sentiments.

Sincerely,

Kathy and Al Gale

303-619-4708

On Wed, Oct 4, 2023 at 8:39 AM Irene Sullivan <mfsullivan7@gmail.com> wrote:

Dear Ms. Bjelland:

I am writing to express my concern over the proposal to change the historic Eldora Lodge permitting so that a large scale marijuana cultivation, production and retail operation can be put into place. I am a long time resident (over 30 years) of Coal Creek Canyon and Boulder county. I live 2 miles from this proposed project. This is a major erosion on the quality of life in this canyon which is already suffering from the Gross Dam Expansion project and the Axton Ranch bequeath to Denver Parks and Recreation!

I ask you to consider the following:

1. The increased fire risks because of the re-wiring required to run such an operation. We are already in an extreme fire zone risk area, insurance rates for home protection keep rising. This type of facility would increase the fire probability index for the entire canyon. The increased fire protection and monitoring needed for such grow sites is considerable.
2. The electricity 24/7 needed for these sites consumes **6 times** more than the average household. To say nothing of the environmental impact. What about the disruption to the acoustic ecology of the running of constant fans and other machinery?
3. Where is the water coming from? And what about the water tables and water shed issues? We are in a fragile ecosystem here. Where is the waste generated by such an operation going?
4. These operations often use compostable fluids and dangerous chemicals that are toxic to humans, animals, and overall are invasive to the fragile ecosystems in this area. How is that going to be handled and monitored? Our law enforcement and fire departments are already spread thin here!
5. The types of traffic this will bring both in terms of volume and irresponsible driving behaviors is an invitation to fatalities and serious injuries. It happens. Review your statistics for the canyon.
6. These establishments are notorious for creating environments of serious mold infestations requiring even more toxic measures to control the mold. When the project fails, usually because of mold and other issues and is abandoned you are left with a destroyed, boarded up structure filled with molds. Who is going to deal with that? The county?
7. There are plenty of "private" grow structures in the canyon already. Some of them have irresponsible tenants. We do not need more irresponsible attitudes compromising and eroding the quality of life here.

ATTACHMENT A 230

Why, in good conscience with a concern of environmental integrity which includes human, animal and vegetal integrity would the county permit this.? The Eldora Lodge sits on a beautiful piece of land with magnificent views. It has a rich history of hosting many family events, multiple out of town visitors and offering refuge to stranded travelers.

There are already retail operations in Nederland. Considering such a destructive action in Coal Creek Canyon is unconscionable. This is the WRONG location for such a venue!

Sincerely,

Irene F. Sullivan
Wilfred H. Reller

Long time residents, land guardians and taxpayers in Boulder County.

Irene F. Sullivan
Wind's Edge Studio
<http://www.irenefsullivan.com>
<http://www.facebook.com/irenefsullivan/>
<http://www.instagram.com/irenefsullivan/>

Bjelland, Erica

From: April Lew <aprilboater@hotmail.com>
Sent: Sunday, October 1, 2023 1:15 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Comments Site Review SPR-23-0087

Hello Boulder County,

Thank you for the opportunity to comment on the Site Review for the proposed redevelopment of the historic Eldora Lodge property.

Recently, our community was informed that the old motel was bought by an out-of-state marijuana company that wants to revamp the property and turn it into a grow and sell facility.

As a 21-year resident of Coal Creek Canyon at 996 Rudi Lane, just about 1.5 miles from this facility, I am writing to express my vehement opposition to this development.

Coal Creek Canyon is a tight community. Our bonds here have formed from the ways we reach out to one another in formal ways, from attending holiday parades and pancake breakfasts to stocking food pantries and attending social events at our community hall. Our bonds have been strengthened by informal situations like living through natural disasters or from walking each other's dogs or checking their mail or digging out from a big snowstorm. The spirit of community is alive and well in Coal Creek, and it is quite a special place we call home.

Currently, our community faces many changes, some of which Boulder County has had direct influence on, namely, allowing Denver Water to pursue its expansion of Gross Dam. The negative impacts have already taken a toll on the safety and spirit of our canyon—a toll Boulder County could have prevented.

In an unprecedented move, our canyon is facing another drastic change, the closure of our K-8 school. We have been told that the closure will drastically affect our property values let alone impact the families in our canyon, pushing them out as they seek to find closer education options for their children.

Approving the grow/sell facility would add another blow to all tender hearts. While businesses have the right to exist, and Boulder County has made a pathway to help business owners, there have only been a few businesses able to operate in our canyon reliably through the years: the power company, the liquor store, the gas station, and the coffee shop. They are good members of our community, supporting local events and doing providing essential goods and services for our community.

We don't need a grow/sell house. This business is NOT wanted in our community. It's not a business we need, and the optics of a grow/sell facility does not represent Coal Creek.

Quite frankly, we have other concerns beyond the optics. We are hyper concerned that their presence will create a drain on the wells and water in the area and that their grow facility with its landscaping plans do not create a fire wise structure in our area.

One of the perks of living in Boulder County is that the county has strong building codes and zoning development.

Erica, we call on you to serve your role in the highest regard as you scrutinize this new business proposal/site development and make a decision that will not detract from our quality of life.

ATTACHMENT A 232

Instead, you have been entrusted to make a decision that gives us ALL the best possible life in Boulder County and our unique community. The development process should result in a decision that keeps us all safe and brings out the best of all of us.

Sincerely,
April Lewandowski
996 Rudi Lane
Golden, CO 80403

ATTACHMENT A 233

October 17, 2023

Commissioner Marta Loachamin
Commissioner's Office
Boulder County Courthouse
Third Floor
1325 Pearl Street
Boulder, CO 80302

Commissioner Loachamin,

We represent the residents of Cedar Ridge Estates in Boulder County. Cedar Ridge Estates is a very small subdivision at the top of Coal Creek Canyon. The Reference Docket is SPR-23-0087, Boulder County Planning Department, where there is a request for a change of use from lodge to marijuana cultivation, production, and retail at the historic Eldora Lodge, 33247 Coal Creek Canyon Road.

At one of the homes in the neighborhood, we have children playing on their property adjacent to the proposed marijuana facility. The playground has been there for many years and the owners surely must have seen that children live there. It would be difficult not to see the play structures, climbing walls, swings and bikes. It appears that marijuana facilities cannot be in close proximity to children's schools, playgrounds and bus stops but wonder what makes that different from a home in which children live full time?

Our water is our lifeline up here. Our wells will not produce forever. We know that and may have to drill even deeper than the 500+ feet we are at currently to reach an aquifer that will produce enough water to support our households. A large cultivation marijuana retail facility is an irresponsible use of the water we work so hard to preserve in our canyon. Please reach out to the Department of Natural Resources on our behalf.

Our fire danger is real. The fire department has expressed their requirements for the change of use and based them on 1) the heavily forested rural location with an extreme fire risk, 2) the high fire hazard presented by marijuana facilities, 3) the response time and capabilities of the CCCFD, and 4) the existing water supply infrastructure at the property. The fire department is volunteer and realizes the impact this facility would have on their ability to be effective and supportive of this canyon.

Dispensaries are targets for crime as they are currently cash businesses. We are on the edge of Boulder County so on a good day, with no traffic, we may see a Boulder County Sheriff in 40 minutes if a call is made. The potential for crime is great and the availability of protection is low. This is our neighborhood, and we are inviting trouble by having this facility approved.

We currently have increased traffic from the Gross Dam Expansion Project and soon for those visiting the new Denver Parks Axton Ranch. With increased traffic comes the increased risk of fire with those that do not understand the real danger of wildfires. With increased traffic on our treacherous highway during the winter is the potential for more accidents which also puts stress on our volunteer fire department.

Since this proposed facility is in the mountains and quite a distance from the regulatory agencies that would monitor the operation, it's very likely that minimal monitoring would take place. Monitoring such

ATTACHMENT A 234

as the number of plants, odor, products, processes, and sales most likely would not happen regularly. This could be by design.

We have concerns about the water run-off into the soil – what fertilizers and pesticides will be used? Concerns about the wastewater. Concerns for the moose, deer, bear, fox that cross the highway and now run into a barbed wire fence on the sides and back of the property that has never been there before. Concerns that our home values will decrease or that it will be difficult to sell our homes. Concerns that the lifestyle we chose is about to dramatically change.

The Eldora Lodge is a quaint, beautiful building that provided a happy place for many families. The previous owners took great care to be a part of our community. Had they owned the lodge during the Marshall Fire, we are certain they would have reached out to those that had lost their homes and would have provided a welcoming place to stay.

We currently have 658 names on a petition opposing this change of use. This canyon has experienced the Flood of 2013, the Gross Dam Expansion Project, the closing of the CCK-8 school and the Denver Parks Axton Ranch. This change of use will also impact us in a very negative way.

The residents of the canyon have communicated this spot zoning for a change of use to a marijuana “factory” is not in their best interests.

We appreciate all you do for Boulder County and Colorado. We are asking for your support in helping us prevent this change of use that is a real threat to Coal Creek Canyon. If you have any questions, please contact:

Pam Ling
720 369 1846
ling.pam1@gmail.com Thank you.
Cedar Ridge Estate Residents

Keith Duff
Keith Duff
Molly A. Gardner
Molly A. Gardner
Warren Bruyn
Warren Bruyn
Gnette Clark
Gnette Clark
Steve Clark
Steve Clark
Wilma Wagner Cury
Wilma Wagner Cury
[Signature]

Changelynd (Chauke)
Changelynd (Chauke)
Stillman
Michael Thi
Michael Thi
Lannyldell
Lannyldell
[Signature]
[Signature]
Paula Ling
Paula Ling


ATTACHMENT A 235

[EXTERNAL] SPR 23-0087

Pam Ling <ling.pam1@gmail.com>

Sun 10/8/2023 9:05 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

 2 attachments (23 MB)

attachments (1).zip; IMG-2408.jpg;

Erica,

In the evening after dark, the owners are having an electric barbed wire fence installed on three sides of the property. One of the neighbors was told by them that it is in retaliation for us opposing the dispensary/grow which if I am certain is our right.

This situation is escalating. The children in the neighborhood are frightened, the animals that regularly cross HWY 72 to get to water are now faced with a barbed wire electric fence they cannot cross. But, what is clear is that the owners do not want to be in harmony with us or be a contributor to this community and have a disregard for regulations. I realize that you are only involved with the requirements of the planning department, but I am hopeful the county commissioners are also aware of our situation in the canyon.

I have attached pictures.

Thank you.

Pam Ling

ATTACHMENT A 236

[EXTERNAL] SPR 23-0087

Pam Ling <ling.pam1@gmail.com>

Mon 10/23/2023 9:00 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>; robin@judyamabile.com <robin@judyamabile.com>

Cc: Pam Ling <ling.pam1@gmail.com>

Good evening,

Adopted as a final decision of the Board on the 17th day of August 2021 was the following amendment on Resolution 2021-57:

I.5.a

A Marijuana Store shall not be located within 1,000 feet of an alcohol or drug treatment facility, a licensed child care facility, or an educational facility with students below the college grade level and ancillary properties owned by the educational facility, including but not limited to sport fields, play grounds, community gardens, or where for other reasons school children congregate (including facilities in the unincorporated County or substantially similar facilities in an adjacent municipality or county), as measured from the closest point of the subject parcel lines.

It is my understanding that the ancillary properties include bus stops. Please see the photo below.



The Boulder County bus stop is in front of the Eldora Lodge. In the photo you can see the Eldora Lodge sign, the bus stop sign, and the Boulder County notification of the proposed change of use.

This proposed change appears to be in direct violation of Resolution 2021-57.

ATTACHMENT A 237

There is a bus stop at this location because this is a residential neighborhood. Please take this into consideration when reviewing the application and making a determination on the change of use from a lodge to a marijuana cultivation, production and retail operation.

Thank you.

Pam Ling
121 Ramona Rd
Golden, CO 80403

720 369 1846

ATTACHMENT A 238

January 23, 2024

Tracy Kosloff
Acting State Engineer of Division of Water Resources
Colorado Department of Natural Resources
Division of Water Resources
1313 Sherman Street, Room 718
Denver, Colorado 80203

RE: Permit #154505

Ms. Kosloff,

Recently Boulder County sent a packet to the Division of Water Resources regarding SPR 23-0087. This site review is for a proposed change of use from a lodge to a retail, cultivation, production marijuana facility at the Eldora Lodge at 33247 Hwy 72, Golden CO 80403.

In 1963 Ada Munzberg purchased a 40-acre site in Wondervu, Coal Creek Canyon. She had plans to build a lodge and residence for herself and her two daughters Jennie and Ramona. For sixty years, the Eldora Lodge has provided a place to stay for visiting family members of the canyon or for those just wanting to enjoy the beauty of the area. Until now...

The majority of residents in this canyon are opposed to this change of use due to the unnecessary use of the water and the possibility of negatively impacting the surrounding wells. The well located at 33247 Hwy 72 is permit #154505, permitted as residential for commercial use. This was appropriate for a small lodge that used the water for drinking and sanitation purposes.

The proposed change of use is for a large-scale marijuana production facility located in a residential area where the water use will not be limited to domestic use. Water is the lifeline up here. Wells will not produce forever. All residents of the mountains know that and may have to drill even deeper to reach an aquifer that will produce enough water to support the households near the property. A large cultivation marijuana retail facility is an irresponsible use of the water everyone works so hard to preserve in the canyon.

Ms. Kosloff, we urge you to respond to Boulder County SPR 23-0087 with those same concerns over the use of these water resources in a residential neighborhood.

Regards,

Pam Ling and Residents of Cedar Ridge Estates

ATTACHMENT A 239

October 1, 2023

Boulder County Planning and Permitting
2045 13th Street
Boulder, CO 80302

Re: SPR 23-0087

To whom this may concern,

We are submitting this response to **Docket SPR-23-0087: Reptar 1783 LLC Change of Use** regarding a change of use from lodging to marijuana retail and grow facility in a residential neighborhood.

In the opening letter of the Development Report submitted by Sarah Manocherian, it states, "Our team intends to build its relationship with the community" and that "We believe that our business model will be in harmony with the community." We do not see how this type of operation will bring harmony or benefit the Coal Creek Canyon community in any way.

Responses to **Rule 4-601 Review Criteria:**

A.

1. The use will be compatible with the minimum zoning requirements of the district in which the use is to be established.

It is stated that the property is ideally suited for professional use and to this we would agree.

However, due to the proximity of the housing and children in the subdivision, we do not believe this type of business use is compatible with the area.

With 44 dispensaries currently in Boulder County including 4 in Nederland, we do not see the need for this type of business in Coal Creek Canyon.

It is stated that there are multiple businesses in the surrounding area implying that they are close to the businesses in Coal Creek Canyon. It is true there is a restaurant in close proximity, but the businesses in Coal Creek Canyon are in the business section three miles away. This location is residential.

2. The use will be compatible with the surrounding area.

This proposed facility will have a direct affect on our home values. We have recently been confronted with the expectation that our K-8 school will be closed. This alone will impact the decision of families wanting to move to this mountain community. Coupled with a marijuana retail, cultivation, production facility in the area this will have an adverse affect on our home values and the ability to sell. This affects all of us economically.

3. The use will be in accordance with the Comprehensive Plan

We are not quite sure what "compatible with other businesses in the area" means, but those referenced businesses are several miles from the proposed site. There are residential properties on both sides of the proposed site that face the highway.

4. The use will not result in an over-intensive use of the land or excessive depletion of natural resources

It is stated that "a licensed contractor will be planting dozens of trees, shrubs, perennials and flowers on the property to be made visible from STATE Highway-72 for all to enjoy." There is nothing stated as to what will be visible to the west side of the property that abuts Jennie Lane and adjacent properties.

ATTACHMENT A 240

There is a strong moose, deer, fox, and bear presence in our area. Having this facility and the increase in traffic will adversely affect their habitat. They are currently being disrupted due to the Gross Dam expansion project and this will only add to their disturbance.

Since this operation will be on a well in a residential neighborhood, the extensive use of water for this operation will affect the level of water in the aquifer we all share in Cedar Ridge Estates.

5. The community will not have a material adverse effect on community capital improvement programs.

No comment

6. The use will not require a level of community facilities and services greater than that which is available.

Fire:

With the increase in traffic and customers in the retail operation comes the increase in fire risk. This property is zoned forestry and with forestry comes the high risk of fire and fire spreading to homes in this area. Visitors to the canyon do not have the same respect for the canyon nor the fire awareness that the residents have.

Additionally, with this operation is the increase in combustibles, plastics, pesticides and fertilizers in the facility which should be cause for concern for the volunteer Coal Creek Canyon Fire Department and could take their fire fighting skills to another level.

It will be difficult to monitor when visitors to the retail establishments smoke their purchases and the lure to walk the areas in the canyon will be tempting. With the addition of the Denver Mountain Parks Axton Ranch public area 2.5 miles from the proposed retail operation, this will most definitely increase the wildfire risk.

Police:

Marijuana operations are cash operations. The proposed facility is in an area where there is no police presence. Claiming to have security 24/7 will not help the fact that the response time from the Boulder County Sheriff is typically 30-45 minutes because there is no office remotely close. We are a mountain community and with that comes fewer community services.

Several years ago, there was a triple murder and robbery in Coal Creek Canyon at an illegal grow. With the common knowledge that mountain canyons are without local law enforcement we believe there could be an increase in crime as this operation could be an easy target.

Medical:

There are no hospitals or medical facilities in Coal Creek Canyon. The only medical provided for emergency situations relies on the services of the volunteer fire department.

7. The use will support a multimodal transportation system and not result in significant negative impacts to the transportation system or traffic hazards.

Coal Creek Canyon does not have a "transportation system." There are no buses or Uber drivers, and we strongly discourage bikers from biking up this canyon due to the absence of a bike path and the risk involved to motorists and bikers. This proposed facility is at the top of the canyon and that is a difficult drive for those that are not familiar with mountain driving. We have winter seven months out of the year with the potential for snow from October to June which adds to the hazardous driving. Additionally, the pull out on to Highway 72 has blind spots at each entrance to the current lodge.

8. The use will not cause significant air, odor, water or noise pollution.

Odor:

ATTACHMENT A 241

Marijuana plants have a pungent odor often described as skunky, earthy but nevertheless, not pleasing and offensive. From the experience we had with an illegal grow in the neighborhood, we're aware that it is difficult to contain this odor even when the plants are grown inside. For a neighborhood in the mountains, this would not be compatible with our way of life. Although there is the promise of "providing equipment that meets or exceeds industry standards... that will eliminate any air odor." Currently there are no requirements in Boulder County that address this and will initiate compliance.

Water:

This is a strong area of concern as run-off from the plants that have been fertilized or sprayed with pesticides will affect the quality of our groundwater. We do not have the option of tapping into "city water" so our wells are our only means of obtaining water. Water going into the septic system on the property will leach out and also have a negative impact.

Additionally, dispensary/grow operations in Boulder County are on municipal water systems with metered water usage. This proposed facility, on a well, will not be metered and the usage can impact our water level in the aquifer.

9. The use will be adequately buffered or screened to mitigate any undue visual impacts of the use.

No comment

10. The use will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of Boulder County.

We are not responding to the negative or positive effects of the use of marijuana in our comments. But we are saying that the facility itself will have a negative impact in many ways as we have outlined in this response.

11. The use will establish an appropriate balance between current and future economic, environmental, and societal needs by minimizing consumption and inefficient use of energy, materials, minerals, water, land and other finite resources.

The comment states that since they will be retailing their final product at the same facility where they are produced, they will be reducing their carbon footprint. This requires more explanation.

12. The use will not result in unreasonable risk of harm to people or property-both on-site and in the surrounding area – from natural hazards.

No comment

13. The proposed use will not alter historic drainage patterns and/or flow rates unless the associated development includes acceptable mitigation measures to compensate for anticipated drainage impacts.

No comment

Responses to **Rule 3-203:**

Water:

Water demand will increase significantly. Permit #154505- is a well permit owned by the current owners that is allowed 108,600 gallons per year and not allowed for a commercial "agricultural" operation. The Department of Natural Resources has indicated that in order to use this current well, the current owners of the permit must go through a lengthy augmentation process to increase the usage of the well.

Solid Waste Disposal:

ATTACHMENT A 242

The septic is approved for 12 bedrooms. When ownership of the septic system was transferred to the new owners on 05/28/2021, a letter written by Sarah Manocherian stated that "the operations for the following address will continue to be run as a lodge: 33247 Highway 72, Golden Co 80403." The transfer was based on the assumption that there would be no change in operations. Use of the existing septic for marijuana retail, production and cultivation operation should be evaluated again based on the change. It is our understanding that the recommended septic has been provided to Sarah Manocherian by the health department but there are still concerns about water/waste not being put in the septic and dumped on the land.

Access:

"Building use will not interfere with access." As stated previously, we do not have the "plethora in services and amenities" as described. Water is not abundant, police protection is 30-45 minutes away, the fire department is volunteer, well and septic availability are in question, increased traffic through the canyon is counter to why we live here. This is a mountain community, not a major metropolitan area, that can manage an increase in activity such as proposed.

Fire Protection

Mountain fire departments are already stressed with the increase in wildfires. The majority of fires we have seen in the canyon and surrounding areas have not been started by natural causes but instead human caused. The goal of any retail operation is to increase sales and that can only be achieved by an increase in visitors to the canyon. With this increase comes the increase of cigarettes being thrown out the windows, illegal campfires and smoking while hiking. Coal Creek Canyon is primarily a residential canyon with many homes. A fire would decimate this canyon.

The fire protection system within the structure will help with any fire started in the premises but will do nothing to address the fire risk stated above.

Schools

This operation will not affect schools, but it will affect children. Article 4-512 I 5d states that a Marijuana Store shall not be located within 1000' of ancillary properties with students below college level.

Mountain Boulder Valley School District has a bus stop in front of the proposed facility and in front of the fire department. Across the street is a disc golf course frequented by children below college grade level.

Please be advised we are not opposed to the use of marijuana products in any way. The addition of the proposed marijuana facility provides no positive enhancement to our way of life and negatively impacts the residents of Coal Creek Canyon.

Thank you.

Cedar Ridge Estates Residents
Coal Creek Canyon

<i>Steve and Lynette Clark</i>	<i>Margie Lawson</i>
<i>Molly Gardner and Mark Perry</i>	<i>Gina and George Scott</i>
<i>Chauce Stillman</i>	<i>Matt Wittke</i>
<i>Wilma and Carl Wagner</i>	<i>Mike and Pam Ling</i>
<i>Jesse Simon</i>	<i>Keith Duff and Jasmine Jaco</i>
<i>Kevin and Margie Collins</i>	<i>Lauren and Stephen Yeldell</i>

Bjelland, Erica

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, September 26, 2023 3:28 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - Michael Ling - SPR-23-0087 - 121 Ramona Rd.

Boulder County Property Address : 121 Ramona Rd.

If your comments are regarding a specific Docket, please enter the Docket number: SPR-23-0087

Name: Michael Ling

Email Address: divideview@yahoo.com

Phone Number: (303) 642-7836

Please enter your question or comment: My concerns for this change of use application are many:

Fire Risk

Safety concerns - no police presence

Water usage

Environmental issues for air, water, soil, lighting Increased traffic Location in a residential neighborhood Lack of medical resources

I am counting on the county commissioners to assess whether the county can provide the necessary resources to keep the residents of Coal Creek Canyon safe with this risk. As a resident in the Cedar Ridge Estates where this facility will be located, my concerns have a direct impact on my way of life.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

Bjelland, Erica

From: Eli & Aleisha Ludtke <ludtke.household@gmail.com>
Sent: Thursday, January 25, 2024 11:43 AM
To: LU Land Use Planner; Boulder County Board of Commissioners
Subject: [EXTERNAL] Concerns Regarding Proposed Dispensary in Coal Creek Canyon - Case SPR-23-0087

Dear Board of County Commissioners,

I trust this email finds you well. I'm writing to express concerns about the proposed dispensary in Coal Creek Canyon, specifically related to Case SPR-23-0087.

Coal Creek Canyon, known for its tranquility and family-friendly environment, faces potential challenges with the introduction of a dispensary. Key concerns include:

1. **Community Character:**

Preserving the unique character of Coal Creek Canyon is paramount. The introduction of a dispensary may alter the community atmosphere.

2. **Crime Impact:**

While regulated, concerns about potential increases in crime rates in the vicinity should be considered.

3. **Youth and Families:**

The presence of a dispensary may impact the family-friendly environment, and careful consideration is needed to address potential influences on youth.

4. **Traffic and Accessibility:**

Assessing the impact on traffic and ensuring infrastructure can handle potential spikes is crucial.

Moreover, it's essential to acknowledge that the dispensary's effects extend beyond Boulder County, impacting neighboring Jefferson and Gilpin Counties. Recognizing jurisdictional boundaries, collaboration with the respective authorities is necessary.

I urge the Board to consider these concerns within the context of Case SPR-23-0087, ensuring that public input shapes decisions.

Thank you for your consideration.

Sincerely,

Eli Ludtke
Golden, Colorado
ludtke.household@gmail.com
720-209-9417

ATTACHMENT A 245

[EXTERNAL] Eldora Lodge

acric <keepintime@aol.com>

Sat 2/17/2024 2:35 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

As a former resident and frequent visitor of Coal Creek Canyon, I want to voice my opinion regarding the fate of the Eldora Lodge. I would strongly advocate for the landmark status and not the proposed marijuana grow/retail facility.

Coal Creek Canyon does not need such a business. A marijuana production plant would lower the quality of life and home value of the community. The need for a visiting lodge for the general public far outweighs the benefits afforded to a single landowner. Please consider keeping the Eldora Lodge the way it is.

Thank you
Brian Mikulich

Bjelland, Erica

From: Justin Onwiler <onwiler83@gmail.com>
Sent: Friday, September 29, 2023 11:16 AM
To: bjelland@bouldercounty.org; LU Land Use Planner
Subject: [EXTERNAL] SPR-23-0087: Reptar 1783 LLC Change of Use

Hello,

Writing as a concerned citizen (11927 Coal Creek Heights Dr) of the proposed marijuana growing/retail facility. The Site Plan review states that its water use is anticipated to be lower than when historically utilized as a hotel, but does not provide any scientific/usage rates to justify that. The hotel was never heavily utilized by guests and thus not a heavy user of water. With growing operations, that is a guaranteed use of 3 gals/plant/day. Resident's lives and property values depend exclusively upon our limited water supply in the mountain. A commercial growing facility will tax the limited supply and in short is just a beneficial let alone necessary business to have in our canyon. The ever changing/increasing drought conditions will not be able to sustain this operation, nor can home owners afford to drill deeper wells if the water table continues to decrease.

Traffic from local residents should be expected to be minimal as they likely already grow their personal supplies and tourists/passers-bys will have already purchased their supplies in the flatlands or in Nederland where there's already multiple dispensaries.

I urge you to deny this application based on the health and sustainability of the residential community up here in the canyon. If you must approve with the hopes of more taxable business, then I'd urge with the caveat that growing operations are denied and limited to retail only.

Thanks for your time, Justin Onwiler.

ATTACHMENT A 247

[EXTERNAL] Commercial Grow Facility in Coal Creek Canyon

Catherine Pappas <catherine.pappas@outlook.com>

Wed 10/4/2023 1:59 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Cc: LU Land Use Planner <planner@bouldercounty.gov>

Reference: SPR-23-0087

PLEASE do not allow the marijuana grow operation in our canyon! Where the Eldora Lodge sits is so beautiful. The residents of the canyon have put up with the ridiculous huge trucks and extra traffic for the Gross Reservoir project. We sure do not need a large-scale marijuana operation.

Catherine Pappas

Sent from [Mail](#) for Windows



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

MEMO TO: County Health and Parks Departments, FPD
FROM: Erica Bjelland, Planner I
DATE: September 15, 2023
RE: Site Plan Review application SPR-23-0087

Docket SPR-23-0087: Reptar 1783 LLC Change of Use

Request: Site Plan Review for a change of use from lodging to marijuana retail facility on an approximately 2.67-acre parcel.
Location: 33247 Highway 72, Section 36, Township 1S, Range 72W
Zoning: Forestry (F) Zoning District
Owner/
Applicant: Reptar 1783 LLC

Site Plan Review by the Boulder County Community Planning & Permitting Director is required for new building/grading/access or floodplain development permits in the plains and mountainous areas of unincorporated Boulder County. The subject review process considers potential significant impact to the ecosystem, surrounding land uses and infrastructure, and safety concerns due to natural hazards.

The Community Planning & Permitting staff values comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.gov. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.gov to request more information.

Please return responses by **October 3, 2023.**

We have reviewed the proposal and have no conflicts.
 Letter is enclosed.

Signed Name Kaela Passarelli Printed Name Kaela Passarelli
Agency or Address 31448 Highway 72, Golden CO 80403
Date 09/25/2023

ATTACHMENT A 249

09/25/2023

Kaela & Chris Passarelli
31448 Highway 72
Golden, CO 80403
303-335-9311
kaelacpassarelli@gmail.com

Boulder County Community Planning & Permitting
2045 13th St.
Boulder, CO 80302
303-441-3930
planning@bouldercounty.gov

Dear Boulder Community Planning & Permitting,

In regards to Docket SPR-23-0087, Site Plan Review for a change of use from lodging to marijuana retail facility on an approximately 2.67-acre parcel, **we have reviewed the proposal and have no conflicts.**

At first, I was skeptical of the claim that a retail/grow facility will use LESS water and LESS electricity than it previously did as lodging. However, with some research it appears that the average lodge use per occupied room is approximately 100 gallons of water per day. The Eldora Lodge previously had capacity for 10 rooms, so at full capacity they could be expected to consume 1000 gallons of water per day. For indoor cannabis grows, the industry estimates a maximum water demand of 1 liter per square foot of flowering plant canopy or ten liters of water per square meter per day. The plan does not specify exactly how much square footage is being devoted to the cultivation room in the basement, but if we estimate it takes approximately $\frac{1}{3}$ of the total footage (1,918sq ft) then **the amount of water used would be 507 gallons and change per day.** Estimating the previous and projected electrical use volume has too many unknowable variables for me to evaluate but is likely to be less if LED and high efficiency HVAC technology is universally employed.

I mention the above information since it's likely other members of the community may also be skeptical about the reduced water use and the information may be helpful during discussions. Additionally, our local businesses listed in the proposal are extremely active and well-respected in the community by supporting local events, such as the annual 4th of July Festival, and our canyon-based nonprofits. Ms. Manocherian or her representative may consider donating funds prior to active renovation to demonstrate their commitment to "build its relationship with the community" should the Review Change pass to help assuage concerns. The community most regularly uses a Facebook group titled, "[Coal Creek Speak](#)" to share information and announcements.

The primary nonprofits they may consider are **The Coal Creek Community Improvement Association (CCCIA;** disclaimer - Chris Passarelli is currently the active president), **Canyon Cares, The Coal Creek Canyon Park and Recreation District, Slaws and Saws,** and **Cub Scout Pack 51.**

<https://www.coalcreekcanyon.org/>

<https://canyoncares.org/>

<https://www.cccparkandrec.org/>

<https://sawsandslaws.org/about/>

<https://www.cccscouts.org/>

Thank you for your time and attention in reviewing Docket SPR-23-008. We sincerely hope this new facility keeps the community in mind for all it's future decisions.

ATTACHMENT A 250

[EXTERNAL] SPR-23-0087

Brian Penick <brian@reliancetradebindery.com>

Mon 10/30/2023 4:41 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Cc: LU Land Use Planner <planner@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

Hello Erica.

My name is Brian Penick. I am a long time resident in Coal Creek Canyon. I'd like to voice my concerns with the potential permitting of the Eldora Lodge to begin cultivating production and retail of Marijuana. Reference: SPR-23-0087. I believe this will change the landscape in the area in a negative form, first it most likely will affect well water supply unknown how far reaching from the immediate residential area. Also would it require an agriculture permit on the well? It most likely will bring a criminal element to the area with the down side of law enforcement response times up to 45 minutes. And the air pollution impact just from the grow will affect many with the strong offensive odor it emits. This will affect every residence in the direct area and may lower property values. It will also affect the only restaurant in the area Wondervu café. I frequent that restaurant and the air pollution the grow puts off will turn away patrons such as myself. Personally I am hyper sensitive to the grows and being close to those who are smoking marijuana. I experience a loss of mental focus and my heart beat is felt throughout my whole body. It is very uncomfortable and unsettling. My residence is downwind from the Eldora Lodge and the odor may reach my residence. I reached out to the state if there has been research on health affects on humans being in close proximity to marijuana production/ retail. They responded that no study has been performed on health effects. Though marijuana may be legal. I believe we as a community need to be careful on where these types of business should be permitted to grow. I ask this will not be permitted. If you would like to ask more questions on my health affects please call me at 303-444-2463.

Thank you.

Brian Penick



brian.reliancetradebindery.com

phone: 303-444-2463

fax: 303-415-9096

ATTACHMENT A 251

[EXTERNAL] Letter concerning SPR-23-0087 33247 Coal creek canyon

Mark Perry <mgperry@me.com>

Tue 10/3/2023 8:51 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Dear Erica,

In response to to: SPR-23-0087: Reptar 1783 LLC change of use

I am concerned about the change of use request of the old Eldora Lodge to a retail marijuana business that cultivates, processes, distributes, and sells. I have several concerns, among them are smell, water usage and disposal of growing bi-product.

This property was not a failed business when bought from the last owner of the lodge. Eldora Lodge was a welcome and thriving part of the community, until it was sold three plus years ago. The new owners canceled all reservations and shuttered it. Now they want to reopen as a large retail marijuana business.

My main concern is how it will affect those in the immediate area. Reptar LLC states that it will not have an adverse impact on Boulder County (as a whole) but, to the local residents, many see this as devastating. The business property is surrounded by residential. In fact, the residential properties were subdivided by the original owner of the lodge. Many who bought and built on these properties (almost half), were building their dream homes, their forever homes and have lived up here for more than 15 years. Others have moved here with families or to find their own piece of heaven away from the bustle of the front range. I am one that moved up here for that reason. I love the mountains and loved camping. Living up here feels like I am camping everyday (except I have indoor plumbing). I tell people I'm staying here forever..... until now. Many of our neighbors are beside themselves by this news. Some are considering selling their homes at a loss rather than have their family live next to this business.

Reptar's change of use to a retail marijuana business and their business plan would make it the defining business in the canyon and bigger than all other canyon businesses combined. I am pro-legalization and not necessarily against an appropriately sized dispensary in the canyon next to the other businesses. I am against a 6900+ square foot grow, processing and sales factory surrounded by nothing BUT residential properties and as my next door neighbor. I would also be against a liquor world, a stockyard, or an oil refinery.

My other main concern is with a large retail marijuana business at 33247 Hwy 72 is that the nearest law enforcement is close to 30 minutes away. Which mean if there are any problems, they are our problems.

Please reconsider this change of use.

Thank you for your time,

Mark Perry
33201 Hwy 72
303.808.6731

Bjelland, Erica

From: Wufoo <no-reply@wufoo.com>
Sent: Monday, October 23, 2023 1:54 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - Tamara Reeger - SPR-23-0087 - 33247 Hwy 72, Golden, CO 80403

Boulder County Property Address : 33247 Hwy 72, Golden, CO 80403 If your comments are regarding a specific Docket, please enter the Docket number: SPR-23-0087

Name: Tamara Reeger

Email Address: coloradotjr@gmail.com

Phone Number: (303) 941-5646

Please enter your question or comment: I am a voting citizen of Boulder County for over 40 years. I don't think I have ever written regarding a site plan review. I am writing now, hoping my voice will be considered. We are a very small community up here. It was very nice having a motel close by when relatives visited for holidays. Having our own little motel gave us a place to have get togethers, such as scrap booking weekends, in addition to the before mentioned having a close place to have relatives stay.

Considering a large scale grow....I am rolling my eyes....in my neighborhood off of Camp Eden, there are two illegal grow houses within a stones throw of my home. 4 years ago, there was a triple murder just less than a mile away from my home - because of illegal marijuana activities. I understand that these new owners are going about it in the proper way. I am so completely opposed to this business that I am writing you. How many large scale grow properties does Boulder County need?

Let's look at the reality. Even for a car accident, we wait at least 45 minutes, sometimes hours to get someone up here. We are remote, secluded, and this concerns me for my safety. We already have rampant mail crime. We don't seem to be considered by Boulder County.

During the floods, thank goodness for Jeffco. Without Jeffco, we would have been stranded up here. The roads and culverts, that I can see, have never been addressed by Boulder County. We receive very little consideration.

With that said, I really hope Boulder County pulls through and declines this business. It is the right thing to do.

Tamara Reeger

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

ATTACHMENT A 253

[EXTERNAL] proposed marijuana facility at 33247 Hwy 72

Scott Ribe <scott_ribe@elevated-dev.com>

Tue 10/3/2023 9:14 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

I am writing to object to the proposed marijuana facility at 33247 Hwy 72. Let me first be clear that though I am not myself a user, that is not what my objection is about. I am not generally opposed to marijuana production, sale or consumption--I would have no objection to an appropriately-sized dispensary located within existing Coal Creek commercial/retail space.

1) Size & location.

This is an extremely quiet, rural residential area. With the low housing density, there is simply not the population to support a facility of this scale, not already served by a closer facility. (There are multiple dispensaries to the north in Nederland, to the south in Blackhawk and Central City, to the east in Arvada, Boulder and Golden. Additionally, up here, heavy users tend to have their own personal grows.)

There is simply no way a facility of this size and cost is successful based on local business, nor would it be successful based on customers from more populous areas bypassing all the dispensaries closer to them in Boulder/Golden/Arvada. I doubt the investors are dumb enough to believe it will--thus the logical alternative, they intend to make it a marijuana tourism destination--immediately adjoining to residential properties, completely surrounded by only residential. Nearest commercial is a single bar/restaurant a little over a mile away, other than that, it's over 3 miles to our little commercial area.

2) Environmental concerns

There is no municipal water or sewer up here. We are all on wells and septic, thus all somewhat interdependent for water, both quality and availability at all. The claim that they will use less water because they are removing bathrooms seems disingenuous--20 employees on site all day every day, plus customers. Without actual numbers on use, I would expect the greater toilet use to offset the lack of shower use. Number of bathrooms is irrelevant when you are taking out motel in-room bathrooms in exchange for bathrooms which will be used all day by employees and public. And that doesn't even take into account water use for the grow itself. (Will a well permit even cover the grow? Or will they have to truck in water, or buy water rights?)

What is the plan for wastewater treatment? Will this grow operation be 100% organic? (And does "organic" still use chemicals which would be dangerous in our water supply?) I don't know much about this, but I suspect that discharge into a local septic needs a higher level of treatment than discharge into municipal sewer where there would be further treatment downstream.

Is there a plan for monitoring discharge for contamination? For monitoring quantity of discharge? For monitoring water quality of nearby wells? For remediation in case of problems? For monitoring water consumption?

3) Trustworthiness

ATTACHMENT A 254

The claim about reduced water usage seems specious. They claim they will work with the community, but there has been zero outreach to anyone in the community, absolutely none.

This is anecdotal, but could be confirmed if needed: they promised the owners prior to purchase to honor all existing reservations, then cancelled them immediately after close.

Just watch: I bet that any resistance on the county's part will be met with "but we have invested so much, and can't possibly get a return with *that* restriction in place". It's not the county commission's responsibility to guarantee returns for a New York LLC which pays 2X the property's valuation based on a presumption of change of use. I am thankful that it's in Boulder County, not Jefferson ;-)

--

Scott Ribe

scott_ribe@elevated-dev.com

<https://www.linkedin.com/in/scottribe/>

[EXTERNAL] Site Plan Review

inna shnaiden <i_shnaiden@yahoo.com>

Tue 10/3/2023 9:00 PM

To:LU Land Use Planner <planner@bouldercounty.gov>;Bjelland, Erica
<ebjelland@bouldercounty.gov>;Boulder County Board of Commissioners
<commissioners@bouldercounty.gov>

Dear Boulder Community Planning & Permitting Department, Ms. Erica Bjelland,
Boulder County Commissioners,

I am writing to you to voice our opinion on a matter of the application for Site Plan Review to change the use of lodging to marijuana retail facility at 33247 Highway 72, Golden CO. The application is seeking an approval of retail and personal service use including an apothecary/dispensary, and a marijuana production room and cultivation facility. In our opinion the proposal is based on false assumptions and is trying to camouflage the negative effects the approval will have on our area and community. Below are the reasons why we believe this is a horrible and frightening idea:

1. In a proposal it is stated "The use will be compatible with the surrounding area" - there are 6 existing businesses in Coal Creak Canyon. Wondervu Cafe the closest to the Lodge is a mile away, all others are 2-4 miles away. With 20 full-time employees 365 days a year and 55 parking spaces this business is going to be the biggest retail in our small residential community. Please, don't turn Coal Creak Canyon into marijuana destination.

2. In a proposal it is stated "It would deplete less in natural resource such as water or electricity and would have less stress to septic/well water" - Eldora Lodge was a small roadhouse with 13 rooms. Except for occasional weddings it was not a busy place. We live not far from the Lodge and most of the times majority of their dozen+ parking lots were vacant. Just a quick research says, each marijuana plant required about 900 gallons of water a year, and cannabis grow room requires 2,000 to 3,000 kilowatt hours of energy per 1lb of product. How many plants they are going to have? Cultivation of marijuana will require much more natural resources: water, gas, electricity - than an old Lodge.

Proposal "to beautify" the area is laughable to say the least. We are at 8000+ elevation, the climate here is very different even from Front Range area. Between the low humidity, cold and long winter/spring season, strong sun in summer, poor sandy and acidic from pine needles soil, and wild life even people living here for decades are struggling to have their small gardens alive. The facility is going to end up with a lot filled up with dried up and dying plants. And their effort to keep this "beautification" alive will consume even more resources.

3. In a proposal it is stated "It would not increase governmental services or emergency services" - with proposed 50 parking spaces how many customers are they planning to have a day? How many trucks they are going to have traveling up and down HWY 72 delivering water and propane? Wear of the road, pollution, increased number of accidents, etc. How is it not putting more stress on government or emergency services? Our Fire Department has only 2 paying positions, the rest are volunteers,

and they are already stressed. How is it all the deliveries/employees/customers are not going to become an additional burden for them? We love our homes (just as much as you love yours) and it is a horrifying thought that our wonderful VOLUNTEERS firefighters and first responders will have to respond brush and grass fires caused by outdoor smocking of people traveling up and down our Canyon. Who is going to monitor them?

4. In a proposal it is stated "it would not cause significant air, odor, water or noise pollution" - according to the Northwest Power and Conservation Council (NPCC):

- particle concentration from dabbing and vaporizing cannabis can create levels of indoor air pollution similar to those seen in extreme air pollution events like wildfires and severe industrial pollution. Exposure at these concentrations can cause cardiovascular and respiratory disease;

- grow houses also pose considerable fire risks due to custom electrical retiring and the use of hot grow lamps putting the entire neighborhood at risk for fire.

Plus, what about all the pesticides and herbicides they are going to use? What a terrible effect they are going to have on air, water, vegetation, wild life, and people?

There are more lies and truth covering in a proposal than I mentioned.

In addition:

- there are enough marijuana grow/retail facilities in the great state of Colorado without turning our small community into a marijuana destination. We are a small community of people, who choose to live in a quiet mountain neighborhood;

- please, don't put a financial gain of out-of-state investment company before well-being of the local people. We love the beauty of our neighborhood and want to keep it safe and undamaged just as much as you.

Sincerely yours,

Wolfgang & Inna Schickler

44 Rudi Ln

Golden (Boulder county) CO

80403

303 249 2935

[Sent from Yahoo Mail for iPhone](#)

Bjelland, Erica

From: John Schrader <schratz00@gmail.com>
Sent: Friday, October 6, 2023 5:13 PM
To: LU Land Use Planner; Boulder County Board of Commissioners
Subject: [EXTERNAL] Commercial grow facility.

I'll make this quick. I have lived up Coal Creek Canyon for 38 years. I do not smoke pot. I just read an ad taken out that is saying to keep a grow facility and dispensary out of Coal Creek. This is crazy as I would welcome any business in this canyon rather than having to look at a run down piece of property that is vacant. Hopefully you are bright enough to know poor home values , hoodlums, and traffic aren't any more of an issue as if they opened a liquor store. Probably much better clientele and safer to boot. Thanks for your time. John S.

Sent from my iPad

Bjelland, Erica

From: Gina M Scott <ggscott104@gmail.com>
Sent: Tuesday, September 26, 2023 7:29 PM
To: Commissioner Loachamin; Commissioner Levy; Commissioner Stolzmann; Boulder County Board of Commissioners; LU Land Use Planner; Boulder County Marijuana Licensing
Subject: [EXTERNAL] Docket SPR-23-0087

To our elected county commissioners and others,

I am writing this letter to express my incredibly strong opposition to Docket SPR-23-0087: Reptar 1783 LLC Change of Use regarding a change of use from lodging to marijuana retail and grow facility in a 100% residential neighborhood.

In the Development Report submitted by Sarah Manocherian, it states, "Our team intends to build its relationship with the community" and that "We believe that our business model will be in harmony with the community." An important step in any relationship building is communication. However, we have received zero communication from Reptar 1783 LLC about their intended use to sell and grow marijuana on this property, and if we had, we would have made it explicitly clear that we are not in harmony. Therefore, they've already demonstrated how little they care about our community and about the immediate impact a potential marijuana grow and retail facility will have on our neighborhood and our community. This puts their integrity into question immediately.

We are a small, close community here in the mountains of Boulder County. We have families, young and old and children that live here and too near the potential dispensary and grow facility. Would you want your family living next door to this type of place or even a liquor store as they are almost the same with the same issues to public safety. Is this really needed here and in Boulder County? There are 44 dispensaries in Boulder county currently.

There is great concern with changing the "use" of that property from a lodge to a dispensary/grow facility. Traffic and safety impact on the road at that location is an issue, there is a blind corner from the west and even going in and out of our neighborhood is very dangerous. I have almost been in an accident myself trying to avoid speeding cars and motorcycles.

Safety of our families and homes is paramount and having a facility like this in a neighborhood puts us all at risk and with the delayed response from the sheriff's office should there be an issue, that poses even more of a safety risk.

After reading the Boulder County Land Use Code, I have noted the following -

A Marijuana Store shall not be located within 1,000 feet of an alcohol or drug treatment facility, a licensed child care facility, or an educational facility with students below the college grade level and ancillary properties owned by the educational facility, **including but not limited to sport fields, play grounds, community gardens, or where for other reasons school children congregate (including facilities in the unincorporated County or substantially similar**

ATTACHMENT A 259

facilities in an adjacent municipality or county), as measured from the closest point of the subject parcel lines.

We have families whose school aged children play and have a playground within 20 feet of this property.

Please help us and do the right thing for our mountain neighborhood reject this change!

Thank you
Gina Scott

--

Gina M. Scott
ggscott104@gmail.com
m. 303-579-8446

ATTACHMENT A 260

[EXTERNAL] Historic Eldora Lodge

JAMES R SHARP <jsharp006@me.com>

Thu 2/22/2024 4:37 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; planner@bouldercounty.gov <planner@bouldercounty.gov>;
commissioners@bouldercounty.gov <commissioners@bouldercounty.gov>

To whom it may concern,

My wife and I are nearing retirement and bought a beautiful mountain home off of Camp Eden Road about 2-1/2 years ago. We love the scenery, the seclusion and the quiet neighborhood that we live in - Mary Anna subdivision.

We are very disappointed to find out recently that the Historic Eldora Lodge is being considered for a marijuana grow op. This would be a huge disappointment and would be detrimental to the neighborhood. I had hoped that someone was planning to reopen it as a lodge as we are in constant need of a place for guests to stay.

I urge you to reconsider allowing such a horrible move. There are more than enough grow ops/retail dispensaries all over Denver, Golden, Nederland, etc.

We moved from Houston due to the traffic, crime, and nefarious businesses ("massage parlors", strip clubs, etc.) near our home. We would hate to experience a similar fate only two miles down the street from our house here.

Thank you for your consideration,

James and Jill Sharp
100 Sander Rd
Golden, CO
713-396-9523

ATTACHMENT A 261

[EXTERNAL] SPR-23-0087

April Simmons <grassrootslandscape.inc@gmail.com>

Tue 10/3/2023 6:47 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

I am writing in reference to the application for a Grow Facility which is being targeted for the Eldora Lodge in Coal Creek Canyon: having lived in Boulder County since 1968 and I have experienced many changes. Change happens...a well deserved old time cliché. Let me start by saying that I own Grassroots Landscape Inc in Boulder and am in support of small businesses including grow facilities if they are done in the right place at the right time. I vehemently do not agree however with the start up of a marijuana growing facility taking the space of a beautiful long loved lodge in the canyon. I know that it has sadly been vacant and I truly understand the owner's possible need for a sale. I also understand from a person in the industry of plants and environmental issues that this will have a large impact on an already struggling community. The aquifers alone can not support a grow facility. Add to that the smell that will invade the neighborhood and the local restaurant across the way, Wondervu Cafe. Then there is the bus stop where kids wait to catch the bus to school right across the way. We are already dealing with the Gross Dam Project which has created pollution and congestion. Add to that the Axton Ranch open space project that was given to the city of Denver and the chaos that will create in an already overburdened canyon. Floods and roads washing out. You get the picture. As all areas in Colorado, we are facing many transitions. I ask that no more be brought in until we see what the current issues will unfold. All that said, truly my biggest concern is the water issue. We do not have flowing streams and lakes a plenty. The root balls on my pine trees go down 6" at best and we all count a windstorm up here by how many trees we lose as they blow over from drought stress. Pine beetles are killing many of the ones that don't blow over. Like all of Colorado (and of course the world at the moment) we are struggling to keep our wells flowing. We don't have lush bluegrass lawns (luckily) or beautiful gardens like the ones I am privileged to service in Boulder. Just on the water issue alone this application should be thoughtfully and gracefully declined. I also feel strongly that businesses should stay in areas zoned for this type of business. Half of my company services Commercial accounts. I have many in the downtown area as well as in the commercial zones. Each has its own beauty and in the right place is the center of the wheel of commerce for all of us. This is however, not the area in which to put an out of state marijuana growing facility. The light pollution, the noise of the fans, the air quality as well as the water are of great concern to many of the families who call coal creek canyon home. Please take all these concerns into consideration. Thanks, from one small local business owner who values the environment over profit.

--

**April Simmons: Owner~Grassroots Landscape Inc in Boulder
303-588-1931**

ATTACHMENT A 262

To: Kim Sanchez - Deputy Director - Planning & Zoning and Local Governmental Designee (Oil & Gas)

ksanchez@bouldercounty.gov / 720-564-2627

Erica Bjelland - Planner I - DRT (Planning)

ebjelland@bouldercounty.gov / 303-441-1688

From: Jesse Simon (property owner)

201 Jennie Lane, Golden Co 80403

651-343-1425

Jessesimonjazz@gmail.com

Re: Letter of Conflict

SPR – 23 – 0087

33247 Coal Creek Cnyon Rd, Golden CO 80403

10/3/2023

My name is Jesse Simon. I have been a property owner at 201 Jennie Lane, Golden CO since April of 2000 – over 23 years. I am opposed to SPR – 23 – 0087. I was born and raised in Boulder. I grew up roaming the Shanahan Ridge, Eldorado Canyon, Walker and Miramonte Ranch areas.

I have three opposition points:

- 1) Sustaining the beautiful historical mountain lodge bed and breakfast that is 33247 Coal Creek Canyon Road.

- a. This beautiful property has interior wood walls, log beds, and southwestern décor.
- b. It has always been family-owned and operated.
 - i. Mike and Rebecca Richmond, previous owners of “The Eldora Lodge”, and their children were active members of our community.
- c. I have put up visiting friends and family at both “The Eldora Lodge” and it’s predecessor, “The Cedar Ridge Lodge”. The guests loved it and were treated well.

2) Logistical problems with large-scale manufacturing and wholesale operations 11 miles up Coal Creek Canyon Road:

- a. Adverse weather
 - i. Occurs over half the year; from September to May.
 - ii. There are frequent 60+mph wind storms, severe wind chills, and 12-inch or more snow storms.
 - iii. These conditions make for treacherous driving situations.
 - iv. We have lost neighbors on their commute on this road.

3) Comparison to surrounding businesses:

- a. Canyon and Mountain businesses are small family operations with <12 employees.
 - i. Both the Wondervu Café and the Canyon Tavern on a busy night have less than a dozen employees rotating through; rarely four at a time.
 - ii. These establishments struggle to find help; most are local high school kids.

iii. Most of these owners and employees reside here in the mountains.

4) Summary

a. This is a manufacturing dispensary where most of their employees will be commuting from the urban areas in adverse weather conditions over half the year.

b. They're asking patrons to make the drive up when they can get the same thing on a city corner.

c. I want to preserve the integrity and beauty of the 33247 Mountain Bed and Breakfast Lodge

i. I am personally concerned that the large-scale production will have destructive effects on this property and this neighborhood, degrading the property and therefore the neighborhood and community.

5) Compromise

a. I would much prefer to see them grow in an industrial complex in the Denver/Boulder urban area and if they want to continue to operate the property as a Bed and Breakfast while supplying cannabis as a retail option in their "gift shop" I can agree to that.

Lastly, I want to say how much I appreciate your time, and how much your consideration means to my family. I respect the challenge you are facing with this situation.

Warmly,

A handwritten signature in black ink, appearing to read 'Jesse Simon', followed by the date '10/19/23' written in a similar cursive style.

Jesse Simon 10/19/23

ATTACHMENT A 265

To: Kim Sanchez - Deputy Director - Planning & Zoning and Local Governmental Designee (Oil & Gas)
ksanchez@bouldercounty.gov / 720-564-2627
Erica Bjelland - Planner I - DRT (Planning)
ebjelland@bouldercounty.gov / 303-441-1688

From: Jesse Simon (property owner)
201 Jennie Lane, Golden Co 80403
651-343-1425
Jessesimonjazz@gmail.com

Re: Letter of Conflict
SPR – 23 – 0087
33247 Coal Creek Canyon Rd, Golden CO 80403

10/3/2023

My name is Jesse Simon. I have been a property owner at 201 Jennie Lane, Golden CO since April of 2000 – over 23 years. I am opposed to SPR – 23 – 0087. Even though I currently reside in St. Paul, Minnesota, I return to this area at least six times a year. I was born and raised in Boulder. I grew up roaming the Shanahan Ridge, Eldorado Canyon, Walker and Miramonte Ranch areas.

I have three opposition points:

- 1) Sustaining the beautiful historical mountain lodge bed and breakfast that is 33247 Coal Creek Canyon Road.
 - a. This beautiful property has interior wood walls, log beds, and southwestern décor.
 - b. It has always been family-owned and operated.
 - i. Mike and Rebecca Richmond, previous owners of “The Eldora Lodge”, and their children were active members of our community.
 - c. I have put up visiting friends and family at both “The Eldora Lodge” and it’s predecessor, “The Cedar Ridge Lodge”. The guests loved it and were treated well.
- 2) Logistical problems with large-scale manufacturing and wholesale operations 11 miles up Coal Creek Canyon Road:
 - a. Adverse weather
 - i. Occurs over half the year; from September to May.
 - ii. There are frequent 60+mph wind storms, severe wind chills, and 12-inch or more snow storms.
 - iii. These conditions make for treacherous driving situations.
 - iv. We have lost neighbors on their commute on this road.
- 3) Comparison to surrounding businesses:
 - a. Canyon and Mountain businesses are small family operations with <12 employees.
 - i. Both the Wondervu Café and the Canyon Tavern on a busy night have less than a dozen employees rotating through; rarely four at a time.
 - ii. These establishments struggle to find help; most are local high school kids.
 - iii. Most of these owners and employees reside here in the mountains.

4) Summary

- a. This is a manufacturing dispensary where most of their employees will be commuting from the urban areas in adverse weather conditions over half the year.
- b. They're asking patrons to make the drive up when they can get the same thing on a city corner.
- c. I want to preserve the integrity and beauty of the 33247 Mountain Bed and Breakfast Lodge
 - i. I am personally concerned that the large-scale production will have destructive effects on this property and this neighborhood, degrading the property and therefore the neighborhood and community.

5) Compromise

- a. I would much prefer to see them grow in an industrial complex in the Denver/Boulder urban area and if they want to continue to operate the property as a Bed and Breakfast while supplying cannabis as a retail option in their "gift shop" I can agree to that.

Lastly, I want to say how much I appreciate your time, and how much your consideration means to my family. I respect the challenge you are facing with this situation.

Warmly,

Jesse Simon

Bjelland, Erica

From: Karen Sims <karelynn@comcast.net>
Sent: Wednesday, September 27, 2023 2:45 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Marijuana grow house on Coal Creek canyon

Please do not allow this grow/dispensary in the old Eldorado space. It will ruin our neighborhood Karen sims
166 hummingbird lane
Golden, co

Sent from my iPhone

[EXTERNAL] Commercial Grow Permit in Coal Creek Canyon

T. Scott Smith <timothy.scott.smith@gmail.com>

Thu 10/5/2023 10:37 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Ms Bjelland,

I am writing to oppose the permit to allow the Eldora Lodge in Wondervu, Colorado to become a large-scale marijuana cultivation, product and retail operation. This permit would allow the facility to become both a significant danger and inconvenience to the approximately 2,605 adult and child residents of Coal Creek Canyon, many of whom live in Boulder County.

Highway 72 in Coal Creek Canyon is a narrow, winding, two-lane road with only one short passing zone low in the 10-mile long canyon. Boulder County's approval of the Gross Reservoir expansion has already created a significant increase of traffic both up and down the canyon which is a major increase in large and small truck traffic.

The permit approval will result in the creation of a dramatic increase to an already significant inconvenience to canyon residents created by Gross Dam construction. Allowing a new production and retail business of this scale will magnify an already serious new traffic problem for Boulder County residents in the Canyon by dramatically increasing the number of supply trucks and client passenger cars going up and down the canyon a commercial grow facility will generate.

More importantly, this increase of traffic represents a serious safety risk to residents, particularly in winter at those times when Highway 72 has not been plowed or sanded. The second safety issue rests with the location of Eldora Lodge on Highway 72. It is just east of a series of two sharp 90-degree turns in the narrow road, turns that many trucks and passenger cars already have difficulty in navigating.

For safety and convenience reasons, I urge you not to approve this permit. I would welcome the opportunity to discuss these safety and inconvenience issues with you. Please confirm that you have received this email.

Scott Smith

Scott Smith

Direct: 303/642-7700

Cell: 303/246-3594

Email: timothy.scott.smith@gmail.com

"We shall not cease from exploration, and the end of all our exploring will be to arrive where we started and know the place for the first time."

-- T. S. Eliot.

ATTACHMENT A 269

Call and voicemail received: 10/16

Transcription from voicemail:

Hello, my name is Kirsten Spencer. I'm calling regarding SPR-23-0087 for a change of use for 33247 Coal Creek Canyon Drive. I'm totally against it. I don't want to growth facility with barbed wire fencing and my beautiful neighborhood where animals run freely about. I do not want this place in what was once a beautiful little hotel with barbed wire fences. That makes it feel like I'm driving past a prison every time I go by there. So I am against it. And I'm sure my neighbors are too. A terrible idea. Absolutely terrible.

Planner called back and left voicemail for any additional comments and noted this comment would be recorded as part of the record: 10/16

Bjelland, Erica

From: Wufoo <no-reply@wufoo.com>
Sent: Friday, October 13, 2023 8:46 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - John Stevens - SPR-23-0087 - 33247 COAL CREEK CANYON DR

Boulder County Property Address : 33247 COAL CREEK CANYON DR If your comments are regarding a specific Docket, please enter the Docket number: SPR-23-0087

Name: John Stevens

Email Address: john07347@yahoo.com

Phone Number: (303) 949-1677

Please enter your question or comment: This change of use request seems to have kicked up some dust in our canyon. As such I became a bit curious as to who these folks are that purchased the lodge 2 yrs ago and now want to open a MJ dispensary.

I tried to search for the owner listed property owner LLC (Reptar 1783) on the CO Sec. of State (SOS) business site, but with no luck. I was able to find the Grantee LLC from the property sale in Apr. '21, but the LLC is delinquent. The owners are presenting themselves as Zepellins Apothecary LLC to our community, and have scheduled a couple meetings at the CCCIA Hall to discuss the business and address questions/concerns. Zeppelin LLC is registered with the SOS, but what is interesting is that they just created the LLC earlier this month (10/7).

My question is: "Is this company legit?" Zeppelin seems to be coming from California (found in SOS paperwork). It just seems a bit odd that the listed LLC of the property doesn't exist in Colorado, and I'm not finding in CA either.

Anyway, perhaps this is just how things work and everything is legal and legit, which is disconcerting. It just seems funny (i.e. red flags) that everything isn't transparent and up front from a documentation stand point.

Thank you in advance for your response. I trust this question and comments will be added to the community input documentation to be considered by all those appropriate and making a decision.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

ATTACHMENT A 271

[EXTERNAL] URGENT Plea to Stop Proposed Industrial Cannabis Operation at Historic Eldora Lodge (SPR-23-0087)

Chaucee Stillman <chaucees@gmail.com>

Tue 1/23/2024 11:18 AM

To:Boulder County Board of Commissioners <commissioners@bouldercounty.gov>;robin@judyamabile.com <robin@judyamabile.com>;Levy, Claire <cl Levy@bouldercounty.gov>;Loachamin, Marta <mloachamin@bouldercounty.gov>; Stolzmann, Ashley <astolzmann@bouldercounty.gov>;Bjelland, Erica <ebjelland@bouldercounty.gov>

Dear Boulder County Commissioners and Planning,

I pen this urgent appeal as an extremely concerned resident of Boulder County, vehemently opposing the proposed rezoning (SPR-23-0087) and the establishment of an industrial cannabis cultivation, manufacturing, and retail operation at the historic Eldora Lodge (33247 Coal Creek Canyon Dr).

Our community's collective voice, echoed by the resounding support of **over 950 petitioners, stands staunchly united against this proposal.** The immediate surrounding residents echoes a unanimous consensus, emphatically expressing profound opposition.

We are not merely opposing a manufacturing facility in a 100% residential area; we are safeguarding our community, our environment, and way of life.

We are concerned about increased traffic, noise, the safety of our neighborhood and the impact to the environment. The proposed industrial cannabis operation would irrevocably alter the character of our community,

Given these considerations, **We urge the Boulder County Commissioners and Planning Department to uphold the principles of fair and consistent land use, giving due regard to the comprehensive plan and the voices of the community.** The preservation of the residential and historical character of our neighborhood is paramount, and I trust that the Planning Department will make a decision that reflects these values.

Thank you for your time, consideration, and commitment to serving our community. We are available for any discussions or public hearings that may arise as part of the review of this application, eager to contribute constructively to this important decision-making process.

Sincerely,
Chaucee Stillman

ATTACHMENT A 272

RE: [EXTERNAL] Please Stop Docket SPR-23-0087: Reptar 1783 LLC Change of Use

Commissioner Levy <commissioner.levy@bouldercounty.gov>

Wed 10/4/2023 2:11 PM

To:Chaucee Stillman <chaucees@gmail.com>

Cc:Bjelland, Erica <ebjelland@bouldercounty.gov>

Hello Chaucee,

Because this is an active case that the commissioners will be considering at a public hearing, I cannot comment on it. I am copying the planner on the case so your comment can be part of the file.

Claire

Claire Levy

Boulder County Commissioner

303-579-0156

Please note that my email address is now clevy@bouldercounty.gov.

From: Chaucee Stillman <chaucees@gmail.com>

Sent: Tuesday, October 3, 2023 9:17 PM

To: Commissioner Levy <commissioner.levy@bouldercounty.gov>

Subject: [EXTERNAL] Please Stop Docket SPR-23-0087: Reptar 1783 LLC Change of Use

Hi Claire,

My name is Chaucelynd (Chaucee) Stillman, and I live at 221 Jennie Ln, Golden, CO 80403, which is within Boulder County and is also in the residential neighborhood that contains the property in question: 33247 Highway 72, Section 36, Township 1S, Range 72W.

I am writing this letter to express my incredibly strong opposition to **Docket SPR-23-0087: Reptar 1783 LLC Change of Use** regarding a change of use from lodging to marijuana retail and grow facility in a 100% residential neighborhood.

On the first page of the Development Report submitted by Sarah Manocherian, it states, "Our team intends to build its relationship with the community" and that "We believe that our business model will be in harmony with the community." An important step in any relationship building is communication. However, we have received zero communication from Reptar 1783 LLC about their intended use to sell and grow marijuana on this property, and if we had, we would have made it explicitly clear that we are not in harmony. Therefore, they've already demonstrated how little they care about our community and about the immediate impact a potential marijuana production facility will have on our neighborhood and our community. Not a great start. This puts their integrity into question right away, and we're not even off the first page.

I am extremely concerned about the potential for this facility to negatively impact the health and well-being of both myself and all of my neighbors. I would very much like to discuss this with you as soon as possible. My phone number is 267-838-1683.

Sincerely,

Chaucee Stillman

267-838-1683

ATTACHMENT A 273

[EXTERNAL] SPR-23-0087

Irene Sullivan <mfsullivan7@gmail.com>

Tue 2/13/2024 11:18 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Cc: LU Land Use Planner <planner@bouldercounty.gov>; Boulder County Board of Commissioners

<commissioners@bouldercounty.gov>; Cynthia Yokooji <cyokooji@q.com>; Kathy Gale <kathygcmt@gmail.com>; Bonnie

Herrmann <herrmann.bonnie@gmail.com>; Reller <willreller@gmail.com>; Mike Gurrola <gurrolam@indra.com>

Good Morning!

This is the second timer I am commenting on this issue. Simply put: NO!!!! For the following reasons.

1. The use of water for this type of grow operation is an obscenity when we are in a water crisis already. The amount of water this facility needs is a threat to our local water tables.
2. The fire danger is tripled. Have you consulted our local fire department? We are a volunteer fire department in a mountain community! Home values are threatened. Insurance rates will increase AGAIN!
3. This type of facility encourages dangerous and irresponsible driving on already challenging driving conditions with hairpin turns, we have multiple motorcycle, truck accidents occurring already, people coming to the mountains think they have 'carte blanche' for irresponsible behavior, add driving under the influence to the mix and you are increasing risk to the innocent residents commuting and living here. Have you checked the stats with CSP, Jeffco and Boulder County Sheriff for serious accidents and fatalities in this area? Law enforcement is already stretched in terms of monitoring irresponsible behaviors in this canyon. The increase in traffic is noticeable in winter for skiing at Eldora and in the summer for cycling this operation increases volume on an already overburdened system.
4. Environmental impacts of eco-system destruction, the waste water from a grow house has anti fungal agents and other chemicals in it to protect the marijuana plants. The native plants and animals living in the area are already under stress.
5. The building of an operation like this, on a historic site is a blatant dismissal of the community profile, needs and investment in quality of life with deep concerns for these commitments. It is a violation of the Boulder County Comprehensive Plan Guiding Principle #5.

My husband and I live just under 2 miles from the Eldora Lodge, we have lived here for over 30 years. We are guardians of the land and eco-systems of this canyon. Do not add to the destruction and ecocide events taking place because of the wrong choice made with the Gross Dam Expansion Project. Take your responsibilities to "Maintain the rural character and function of the unincorporated area of Boulder County by protecting environmental resources....harmonioius with the community's vision and long term goals." Seriously.

Irene F. Sullivan
Rev. Will Reller
71 Aspen Lane
Coal Creek Canyon 80403

ATTACHMENT A 274
720-646-6181

Irene F. Sullivan

Wind's Edge Studio

<http://www.irenefsullivan.com>

<http://www.facebook.com/irenefsullivan/>

<http://www.instagram.com/irenefsullivan/>

ATTACHMENT A 275

[EXTERNAL] Re: SPR-23-0087. NO!

bleu byrd <bleubyrd1@gmail.com>

Wed 10/4/2023 12:07 PM

To:Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

Cc:Bjelland, Erica <ebjelland@bouldercounty.gov>

Please explain why this should not be worrisome. Thank you.

Phyllis

Coal Creek Canyon

303-642-7391

On Wed, Oct 4, 2023 at 9:05 AM Kathy Gale <kathygcmt@gmail.com> wrote:

We echo these sentiments.

Sincerely,

Kathy and Al Gale

303-619-4708

On Wed, Oct 4, 2023 at 8:39 AM Irene Sullivan <mfsullivan7@gmail.com> wrote:

Dear Ms. Bjelland:

I am writing to express my concern over the proposal to change the historic Eldora Lodge permitting so that a large scale marijuana cultivation, production and retail operation can be put into place. I am a long time resident (over 30 years) of Coal Creek Canyon and Boulder county. I live 2 miles from this proposed project. This is a major erosion on the quality of life in this canyon which is already suffering from the Gross Dam Expansion project and the Axton Ranch bequeath to Denver Parks and Recreation!

I ask you to consider the following:

1. The increased fire risks because of the re-wiring required to run such an operation. We are already in an extreme fire zone risk area, insurance rates for home protection keep rising. This type of facility would increase the fire probability index for the entire canyon. The increased fire protection and monitoring needed for such grow sites is considerable.
2. The electricity 24/7 needed for these sites consumes **6 times** more than the average household. To say nothing of the environmental impact. What about the disruption to the acoustic ecology of the running of constant fans and other machinery?
3. Where is the water coming from? And what about the water tables and water shed issues? We are in a fragile ecosystem here. Where is the waste generated by such an operation going?
4. These operations often use compostable fluids and dangerous chemicals that are toxic to humans, animals, and overall are invasive to the fragile ecosystems in this area. How is that going to be handled and monitored? Our law enforcement and fire departments are already spread thin here!

ATTACHMENT A 276

5. The types of traffic this will bring both in terms of volume and irresponsible driving behaviors is an invitation to fatalities and serious injuries. It happens. Review your statistics for the canyon.
6. These establishments are notorious for creating environments of serious mold infestations requiring even more toxic measures to control the mold. When the project fails, usually because of mold and other issues and is abandoned you are left with a destroyed, boarded up structure filled with molds. Who is going to deal with that? The county?
7. There are plenty of "private" grow structures in the canyon already. Some of them have irresponsible tenants. We do not need more irresponsible attitudes compromising and eroding the quality of life here.

Why, in good conscience with a concern of environmental integrity which includes human, animal and vegetal integrity would the county permit this.? The Eldora Lodge sits on a beautiful piece of land with magnificent views. It has a rich history of hosting many family events, multiple out of town visitors and offering refuge to stranded travelers.

There are already retail operations in Nederland. Considering such a destructive action in Coal Creek Canyon is unconscionable. This is the WRONG location for such a venue!

Sincerely,

Irene F. Sullivan
Wilfred H. Reller

Long time residents, land guardians and taxpayers in Boulder County.

Irene F. Sullivan
Wind's Edge Studio
<http://www.irenefsullivan.com>
<http://www.facebook.com/irenefsullivan/>
<http://www.instagram.com/irenefsullivan/>

Bjelland, Erica

From: Wufoo <no-reply@wufoo.com>
Sent: Friday, October 20, 2023 12:22 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - Michael Tancig - SPR-23-0087 - 33247 COAL CREEK CANYON DRIVE

Boulder County Property Address : 33247 COAL CREEK CANYON DRIVE If your comments are regarding a specific Docket, please enter the Docket number: SPR-23-0087

Name: Michael Tancig

Email Address: soboprop@comcast.net

Phone Number: (303) 641-0304

Please enter your question or comment: After a quick review of the application, a couple of things caught my attention.

1) The drawings lack detail that would help a person get a good idea of the full intention and impact. 2) Statements about the lack of Water and Electricity impact, especially in regards to a cultivation operation, are lacking specific details and measurements. My understanding is full-time cultivation requires a good deal of water and electricity, presumably in excess of what an occasionally occupied hotel room with guests would require. Can we ask for more details? 3) The proposed activity seems like it would be in direct conflict with current uses in the area. There is no manufacturing nearby, no large agricultural operation I am aware of, no 54 parking space retail operation either. The Eldorado Lodge, while in distress, could easily be refreshed and returned to service as a historical lodging facility as it was before Covid restrictions forced the owners' sale of the property. Lastly, I am concerned about additional traffic (54 parking spaces?) and the potential of impaired drivers driving an already unforgiving canyon road. Who will be responsible when an impaired driver makes an unavoidable fatal mistake facilitated by cannabis, sealed or not?

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

ATTACHMENT A 278

[EXTERNAL] Commercial Grow Facility in Wondervu

MARGARET TILSON <matilson@me.com>

Thu 10/26/2023 10:37 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Erica, I live in Coal Creek Canyon and just heard about the plans to open a large-scale marijuana cultivation, production and retail operation on the Canyon's historic Eldora Lodge property. I would love to get more information and find out what I can do to stop this project. It seems inappropriate to allow such a facility next to a residential area. I know it's not in the best interests of families in the canyon. Please let me know how I can support those working against it. Thanks!

Margaret Tilson
28300 Highway 72

Bjelland, Erica

From: Marian Trowbridge <macrobuz@gmail.com>
Sent: Saturday, November 4, 2023 7:36 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Reference SPR 23-0087

Hello,

This is in regard to Eldora Lodge/marijuana proposal.

It seems everyone is trying to change our community first through the larger dam construction (affecting more than Boulder residents who got paid \$2000 when Jefferson County residents received nothing for our inconvenience and I live closer to the dam).

Now there is a proposal for Eldora Lodge to a marijuana growing, processing, and dispensing operation. This affects more than just Boulder County just like the dam.

Please do NOT accept their application! Besides not providing a product for building up the community, it is a fire hazard in a wooded area. The existing water supply on the property is not sufficient (imagine that precious water again).

We do not need this burden on our community and our fire department.

Please do NOT accept their application!

Marian Trowbridge
33573 Sidney Rd. W.
Golden, CO 80403

Bjelland, Erica

From: Liz Vance <elizabethmarievance@gmail.com>
Sent: Friday, September 29, 2023 7:30 AM
To: LU Land Use Planner
Subject: [EXTERNAL] SPR•23-0087 Historic Eldora Lodge

Hello,

I would like to submit a comment against the establishment of marijuana dispensary at the historic Eldora lodge. This would lower the value of my home, increased traffic on an already treacherous mountain road, and could threaten our delicate mountain ecosystem with overuse of water and improper disposal of waste.

Best,
Elizabeth Vance
158 Rudi Ln W
Golden CO 80403

Elizabeth Vance, MSc.

about.me/lizvance
<https://cal.berkeley.edu/lizvance>

ATTACHMENT A 281

[EXTERNAL] Reference: SPR-23-0087

Wilma Wagner <wilmawagner59@msn.com>

Tue 9/26/2023 12:45 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>

To whom it may concern,

I want to voice my concern about the site plan review, SPR-23-0087, posted at 33247 Highway 72, Golden CO 80403 to change from a lodge to a marijuana cultivation, production and retail operation. I live at 37 Jennie Lane, across the street from this property.

The site of the site plan is surrounded by houses and not a good place for this type of business. I am concerned about increase in crime that comes with the marijuana business and the extra people that may come into our quiet peaceful neighborhood. There is no close sheriff or police station. It would take at least 30 minutes for anyone to answer an emergency call. There is a volunteer fire department a mile down the road, but it is volunteer so after they get a call, the volunteers have to get to the station and get their equipment before they can go to the call.

The cultivation and production are also a concern because of the well and septic system that are not suitable for this purpose. The Colorado Department of Natural Resources-groundwater division says well on the property cannot be used for growing plants. I am also concerned about the septic system that is not suitable for production of the marijuana products. They may use chemicals that could leach into the ground where I get my water. My well is within 200 feet of their leach fields.

The property is on a blind corner of Highway 72, which could be a safety hazard if there is a lot of traffic in and out of the business. The site plan has plans for bicycles, Uber and Buses but there are few bicycles the drive up the 2500 feet incline from the plains, very few Ubers and no buses in Coal Creek Canyon.

If this business is allowed to operate in my neighborhood, I feel it will effect my property value and all my neighbors.

Please do not approve this site plan.

Wilma Wagner

Bjelland, Erica

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, September 26, 2023 11:53 AM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - Wilma Wagner - SPR-23-0087 -

If your comments are regarding a specific Docket, please enter the Docket number: SPR-23-0087

Name: Wilma Wagner

Email Address: wilmawagner59@msn.com

Phone Number: (303) 642-7858

Please enter your question or comment: I live in Cederige Estates, which Eldora Lodge is in. I am opposed to changing the lodge into a marijuana cultivation, production and retail operation. My concerns are the increase in traffic, crime and noise in our quiet neighborhood.

The well on this property should not be used for growing plants, according to Colorado Department of Natural Resources groundwater division. The septic system is not suitable for production and may leach chemical into the ground where we get our water from.

The site is on a blind curve on highway 72 which could become hazardous if there's a lot of traffic in and out of their driveway.

There are houses surrounding this lot and we are concerned that this business will effect our property value.

There is a family with small children adjacent to this lot where they have a playground for their children.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

Bjelland, Erica

From: Cheryl Walker <ckimmet@gmail.com>
Sent: Monday, September 25, 2023 5:05 PM
To: Bjelland, Erica; Boulder County Board of Commissioners; LU Land Use Planner
Subject: [EXTERNAL] Docket SPR-23-0087: Reptar 1783 LLC - Proposed Marijuana Sales/Cultivation Facility - Coal Creek Canyon

To Whom it may concern,

I would like to express my concern of having a Marijuana facility at the proposed location in Coal Creek Canyon on Hwy 72. Having a facility of such is not going to help our community in any way. We are rural and this business has not tried to reach out to the community as a show of good faith.

State Law states that Well Water can not be used for anything other than household use. It can not be used for gardening, cultivation or any other outside uses. Furthermore, studies should be done to determine the effects on groundwater and septic systems. This is not a facility utilizing city water and water treatment when it recirculates. The types of fertilizers and pesticides and any disposal of contaminated water would cause major concerns for our entire community.

Water and Septic is life in our canyon. If this facility contaminates our groundwater, who is going to fix it? Not Boulder County. Not Reptar 1783 LLC.

Please stop this business from coming into our community. Do not allow them to contaminate our groundwater and destroy our environment.

Thanks for your time,

Cheryl Walker
10982 Twin Spruce Rd
Golden, CO 80403

Bjelland, Erica

From: Steven White <stevenwhite88@icloud.com>
Sent: Monday, September 25, 2023 10:27 AM
To: Boulder County Board of Commissioners
Cc: LU Land Use Planner
Subject: [EXTERNAL] Eldora Lodge

RE: BoCo Application SPR-23-0087 (Historic Eldora Lodge)

Hello—

I have lived in Coal Creek Canyon for seventeen years at the same house on Indian Peak Rd. I drive by the former Eldora Lodge a dozen times every week and have had family stay at the lodge during several holidays. The thought of having such a massive retail establishment with all that entails in our quiet, small slice of Colorado heaven is appalling, especially a pot shop. There are nearly a dozen in Nederland and we do not need nor want such a place of business where we live. It would ruin the area and bring too much traffic for the highway. Please do not allow a serene mountain retreat be sullied by a marijuana grow house. It is not an any way needed or wanted.

Thank you.
~Steve

Bjelland, Erica

From: Matt Wittke <mattwittke@hotmail.com>
Sent: Thursday, September 28, 2023 10:29 AM
To: LU Land Use Planner
Subject: [EXTERNAL] Attn: Erica Bjelland, reference: Docket SPR-23-0087: Reptar 1783 LLC Change of Use

To Whom It May Concern,

My name is Matt Wittke and I live at 15 Jennie LN, Golden CO 80403 which is within Boulder County and is also in the neighborhood that is directly adjacent to the property in question: 33247 Highway 72, Section 36, Township 1S, Range 72W. Reference Docket: SPR-23-0087

I would like to dispute this application. This is not simply a marijuana retail operation, but a proposal for a chemical processing and manufacturing facility. It will be generating an unknown amount of hazardous waste with no stated plan for how they will legally and safely dispose of it. I have very serious concerns about the effects this will have on my well water and that of the aquifer of the entire neighborhood. There is also a serious increase in the risk of a catastrophic fire due to the amount of volatile organic solvents that will be in use and stored at this facility. It seems to me that the current application is fraudulent. It is not a change of use from a residential hotel type business to a retail only business, but is in fact a change to an industrial facility that will be processing chemicals.

I am very concerned over the potential for this facility to negatively impact the health and well-being of both myself and all of my neighbors. I would very much like to discuss this with you as soon as possible. My phone # is 303-514-4947.

Thank you for your attention regarding this matter,
Matt Wittke

Bjelland, Erica

From: Ashante Wood <ashantewood@gmail.com>
Sent: Monday, September 25, 2023 5:48 PM
To: bjelland@bouldercounty.gov; LU Land Use Planner; commissioner@bouldercounty.gov
Subject: [EXTERNAL] No to Grow Op- SPR-23-0087

Good Evening Boulder County Representatives, I am writing to share my strong opposition to the proposed marijuana grow and retail operation outlined in SPR-23-0087. As a resident of Coal Creek Canyon it concerns me greatly to consider the environmental, social, and infrastructural implications this would have for our community. Please consider protecting this historical building and the community by not approving the proposed permit. This would alter the community in a negative way by adding a burden to our limited road accessibility, polluting our water and air quality, and inviting the risk of people driving under the influence in a dangerous area filled with wildlife and children. Thank you for your consideration and the support of our small mountain community.

All my best,
Ashante Wood

Sent from my iPhone

ATTACHMENT A 287

Re: [EXTERNAL] Protest of change of use application SPR-23-0087, Coal Creek Canyon (Cannabis Grow/Retail Operation)

Stephen Yeldell <s.yeldell@gmail.com>

Tue 9/26/2023 11:03 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>

Hi Erica,

(Thanks for your patience here)

Here is another consideration from the BoCo land use, pg. 183. The playground and planned extension of the playground border of the planned cannabis property.

A Marijuana Store shall not be located within 1,000 feet of an alcohol or drug treatment facility, a licensed child care facility, or an educational facility with students below the college grade level and ancillary properties owned by the educational facility, **including but not limited to sport fields, play grounds, community gardens, or where for other reasons school children congregate (including facilities in the unincorporated County or substantially similar facilities in an adjacent municipality or county)**, as measured from the closest point of the subject parcel lines. An alcohol or drug treatment facility shall be defined as a facility wherein treatment and 24-hour on-site supervision are provided for substance abuse with the goal of enabling residents to live independently when treatment is completed.

Thanks

Stephen

On Mon, Sep 25, 2023 at 9:16 AM Bjelland, Erica <ebjelland@bouldercounty.gov> wrote:

Hi Stephen,

Thank you for your comment. It has been received and will be recorded as part of the docket.

Erica Bjelland | Planner I | she/her

Boulder County Community Planning & Permitting

Physical address: [2045 13th St., Boulder CO 80302](https://www.bouldercounty.gov/2045-13th-st)

Mailing address: PO Box 471, Boulder, CO 80306

303-441-1688 (Direct)

ebjelland@bouldercounty.gov

www.bouldercounty.gov



Boulder County has migrated all email to the .gov domain. Please update your contact lists to reflect the change from ebjelland@bouldercounty.org to ebjelland@bouldercounty.gov. Emails sent to both .org and .gov addresses will continue to work. This work is part of the migration to the .gov domain that began in July 2022

ATTACHMENT A 288

when the Boulder County website moved to www.bouldercounty.gov. This move to the .gov domain provides a higher level of cybersecurity protection.

From: Churchill, Jennifer <jchurchill@bouldercounty.gov>

Sent: Monday, September 25, 2023 8:27 AM

To: Stephen Yeldell <s.yeldell@gmail.com>

Cc: Springett, Natalie <nspringett@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>

Subject: RE: [EXTERNAL] Protest of change of use application SPR-23-0087, Coal Creek Canyon (Cannabis Grow/Retail Operation)

Hi Stephen,

Thank you for contacting the Boulder County Commissioners.

It appears that this docket is on hold. Therefore, I have forwarded your comments with the planner, Erica Bjelland (cc'd here), who will share the comments with the Board at the appropriate time.

<https://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=SPR-23-0087>

Please let me know if you need any additional assistance.

Kind regards,

Jennifer

Jennifer Churchill | Public Affairs Specialist

She|Her|Hers

Boulder County Commissioners' Office

Office: 303-441-1211 | Cell: 303-817-3008

jchurchill@bouldercounty.gov

www.bouldercounty.gov

ATTACHMENT A 289

Visit boco.org/BOCC to sign up for updates from the Boulder County Commissioners.

Visit boco.org/advance-agenda to attend public hearings and meetings in person, online, or by phone.

From: Stephen Yeldell <s.yeldell@gmail.com>

Sent: Sunday, September 24, 2023 4:59 PM

To: Boulder County Board of Commissioners <commissioners@bouldercounty.gov>; Springett, Natalie <nspringett@bouldercounty.gov>

Subject: [EXTERNAL] Protest of change of use application SPR-23-0087, Coal Creek Canyon (Cannabis Grow/Retail Operation)

Dear Boulder County Commissioners,

Our community needs your help!

We strongly oppose the plan to allow the former Eldora Lodge located at [33247 Hwy 72](https://www.google.com/maps/place/33247+Hwy+72) to convert to a Cannabis Retail and Grow Operation under application **SPR-23-0087 filed by Reptar 1783 LLC**.

As residents of Coal Creek Canyon, CO we are deeply concerned about the proposed marijuana grow/dispensary that is planned under **SPR-23-0087** to be established right next to our homes and neighborhood. We believe that this decision will have a detrimental impact on our community and the quality of life we cherish. Imagine waking up every morning to the serene beauty of Coal Creek Canyon, surrounded by nature's wonders and enjoying a peaceful mountain life. This is what drew us to this area - a place where families can thrive and children can grow up in a safe environment. However, our tranquility is now under threat due to the plan under **SPR-23-0087**.

Families like mine have chosen to settle down here because of the sense of security and peace that this community offers. Unfortunately, plans for a marijuana dispensary right next door jeopardize

ATTACHMENT A 290

everything we hold dear. The thought of having such an establishment near our homes fills us with worry and concern for the well-being of our families, children, and neighbors.

Relevant Information:

1. Boulder County already has ~44 dispensaries (~1 per 17 sq-miles BoCo alone): With such an abundance already present in the county, it begs the question - do we really need another one? Adding yet another dispensary in close proximity to residential areas seems unnecessary and potentially disruptive. Is this a real need and priority for Coal Creek Canyon considering the planned shutdown of the local K-8 school?

2. Safety: Cannabis operations are illegal under Federal Law. **Many banks, investors and administrators can still technically be prosecuted under the Racketeer Influenced and Corrupt Organizations Act (RICO) for facilitating Cannabis Industries.** On the bank side, this may instill a behavior of carrying large sums of cash on hand, making the business highly susceptible to armed robbery. In fact, in 2017 there was a triple homicide here in Coal Creek Canyon due to an armed robbery for an illegal growing operation (<https://www.denverpost.com/2019/06/17/coal-creek-canyon-triple-homicide-guilty/>). With the remote location within Boulder County response times will be prolonged, especially for safety matters related to robbery after hours. The county is already burdened having to provide Law Enforcement for Nederland, since the police force disbanded. The same county sheriff's department is having to protect/respond to those dispensaries as well. The typical security guards stated in the application, would not fit the bill to blunt an armed robbery nor would they protect the surrounding residences.

3. Environmental: Dispensary and growing facilities use significant quantities of water to facilitate growth. Cannabis plants can be water-intensive, and in areas such as Coal Creek that source of water is from a well. **The maximum rainwater collection allowed in Colorado is 110 Gallons or 2 barrels.** This means the deficit of the water will be put on the shared neighborhood Aquifer. Natural rain will not be an option as there is freezing temperature 6-months out of the year. Regarding energy consumption, indoor cannabis cultivation requires significant amounts of electricity, heating and ventilation. The noted use of solar will offset, but hard to imagine the net

ATTACHMENT A 291

zero aspect and this should be analyzed. Our area is also a frequent migratory path for numerous wildlife, including large moose and bear. The larger planned fence combined with the smell and increased traffic could further displace such wildlife and should be studied as a part of the planning. Finally, the increased traffic including heavy trucks supporting their supply chain will put a burden on the environment due to increased emissions, noise and vibration – this should also be studied.

4. Negative impact on home values: Numerous studies have shown that proximity to marijuana dispensaries can negatively affect property values in residential neighborhoods. As homeowners who have invested time, money, and effort into creating comfortable lives for ourselves and our families here in Coal Creek Canyon, it is disheartening to think that these efforts may be undermined by this proposed development. Its hard to imagine selling our home when prospective buyers would pass in front the proposed Cannabis Grow/Retail. Wouldn't that impact your decision? Finally, the current owners of the lodge do not live in the area (possibly out of state), so they have zero skin in the game here in terms of shared burden.

5. Quality of life concerns: Establishing a marijuana dispensary near our homes raises concerns about increased traffic flow from customers coming into our quiet neighborhood. Additionally, there may be potential issues related to public safety or increased crime rates or wildfire danger associated with such establishments. **My kids play ground is less than 50 ft away from the planned site!** Finally, what do we know about the Reptar 1783 LLC who are they and what are their intentions for the lodge. The same party has owed the lodge for the last couple of years and have made zero investment back to the community. Furthermore, they have let the site infrastructure become derelict hardily indicating promise for the community.

We understand that marijuana dispensaries can serve a purpose and have their place in appropriate locations. However, we firmly believe that our residential neighborhood is not the right place for such an establishment.

Therefore, we kindly request the local authorities to reconsider this decision and prevent the marijuana dispensary from being established next to our homes and neighborhood. Let us preserve the peaceful mountain life that Coal Creek Canyon offers to its residents and protect our home values for future generations.

ATTACHMENT A 292

Looking forward to a transparent discussion.

Regards,

Stephen Yeldell

512-963-5867

s.yeldell@gmail.com

[EXTERNAL] Opposition to Proposed Rezoning (SPR-23-0087) and Establishment of Industrial Cannabis Operation at 33247 Coal Creek Canyon Dr (Historic Eldora Lodge)

L Yeldell <mcelroy.lauren@gmail.com>

Sat 1/20/2024 7:38 PM

To:Boulder County Board of Commissioners <commissioners@bouldercounty.gov>;robin@judyamabile.com <robin@judyamabile.com>;Levy, Claire <cl Levy@bouldercounty.gov>;Loachamin, Marta <mloachamin@bouldercounty.gov>; Stolzmann, Ashley <astolzmann@bouldercounty.gov>;Bjelland, Erica <ebjelland@bouldercounty.gov>

 1 attachments (408 KB)

SPR-23-0087_Spot Zoning_Opposition.pdf;

Dear Boulder County Commissioners and Planning,

Opposition to Proposed Rezoning (SPR-23-0087) and Establishment of Industrial Cannabis Operation at 33247 Coal Creek Canyon Dr (Historic Eldora Lodge)

We are writing as concerned residents of Boulder County to express our staunch opposition to the proposed rezoning and establishment of an industrial cannabis cultivation, manufacturing, and retail operation at the historic site of the Eldora Lodge.

Our community has spoken loud and clear with over 950+ petitioners against the proposal including unanimous consensus in the immediate residential area expressing overwhelming opposition to this proposal. We are concerned about increased traffic, noise, the safety of our neighborhood and impact to the environment. The proposed industrial cannabis operation would irrevocably alter the character of our community, risking our quality of life.

Given these considerations, We urge the Boulder County Commissioners and Planning Department to uphold the principles of fair and consistent land use, giving due regard to the comprehensive plan and the voices of the community. The preservation of the residential and historical character of our neighborhood is paramount, and I trust that the Planning Department will make a decision that reflects these values.

Thank you for your time, consideration, and commitment to serving our community. We are available for any discussions or public hearings that may arise as part of the review of this application, eager to contribute constructively to this important decision-making process.

Sincerely,

Stephen and Lauren Yeldell

ATTACHMENT A 294

Stephen and Lauren Yeldell
238 Jennie Lane
Golden, CO 80403
January 20th, 2024

Boulder County Commissioners
1325 Pearl Street
Boulder, CO 80302

Subject: Opposition to Proposed Rezoning (**SPR-23-0087**) and Establishment of Industrial Cannabis Operation at 33247 Coal Creek Canyon Dr (Historic Eldora Lodge)

Dear Boulder County Commissioners and Planning,

I am writing as a concerned resident of Boulder County to express our staunch opposition to the proposed rezoning and establishment of an industrial cannabis cultivation, manufacturing, and retail operation at the historic site of the Eldora Lodge.

Our community has spoken loud and clear with over 950+ petitioners against the proposal including unanimous consensus in the immediate residential area (Figures 1&2) expressing overwhelming opposition to this proposal. We are concerned about increased traffic, noise, the safety of our neighborhood and impact to the environment. The proposed industrial cannabis operation would irrevocably alter the character of our community, risking our quality of life.

1. Inconsistency with Comprehensive Plan: The proposal to change the zoning from its current designation, aligned with the residential character and historical significance of the area, to a use that is industrial and commercial in nature is incongruent with Boulder County's comprehensive plan. Specifically, the Boulder County Comprehensive Plan Guiding Principle #5 'Maintain the rural character and function of the unincorporated area of Boulder County by protecting environmental resources, agricultural uses, open spaces, vistas, and the distinction between urban and rural areas of the county.' The comprehensive plan serves as a crucial guide for land development decisions, ensuring that changes in land use are harmonious with the community's vision and long-term goals.

2. Spot Zoning Concerns: The proposal at hand raises serious concerns of spot zoning – which is illegal in Colorado per the Colorado Supreme Court. The transformation of this specific parcel of land for the exclusive benefit of the new business owner, without clear alignment with the comprehensive plan, raises serious concerns of spot zoning. Spot zoning undermines equitable land use and sets a precarious precedent, jeopardizing the integrity of zoning regulations within our county. The wider area is residential (Figures 1&2) with some businesses allowed. The business that was arguably grandfathered in this case was a lodge, and both uses are places of rest and day to day living. To change the zoning to allow an industrial grow/manufacture/sell of marijuana use is very likely to be seen as a spot zoning – it benefits only the business landowner (to the detriment of the neighborhood) and does not further the goals of the comprehensive plan or meet the needs of the community.

In Colorado, spot zoning is generally defined as the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners. Spot zoning is typically characterized by a rezoning that

is not in accordance with a comprehensive plan and is seen as arbitrary and unreasonable, favoring a particular property owner without serving the public interest.

The test for determining whether a particular action constitutes spot zoning in Colorado involves evaluating whether the zoning change is designed to further the comprehensive plan of the community or whether it is intended merely to relieve a particular property from the restrictions of the zoning regulations.

Key legal cases in Colorado, such as "King's Mill Homeowners Ass'n v. City of Westminster" and "Clark v. City of Boulder", have helped establish criteria and considerations for determining whether spot zoning has occurred.

The courts will often look at factors such as:

- **Consistency with the Comprehensive Plan**: Is the rezoning in accordance with the community's comprehensive or master plan?
 - **Assessment**: Absolutely not, the proposed rezone would be in direct conflict with the neighborhood's comprehensive plan as a residential area of rural character.
- **Size and Characteristics of the Parcel**: Is the rezoned parcel significantly smaller than surrounding parcels? Does it stand out as being different?
 - **Assessment**: Largest Parcel of Land in Cedar Ridge Estates is 3.83 acres while the Lodge is 2.67. The parcel of land across directly across is 54.18 acres. The parcel of land designated to the property only makes sense as a lodge to support the surrounding residences.
- **Benefits and Detriments**: Does the rezoning benefit the general public, or does it seem to exclusively benefit the property owner? –
 - **Assessment**: Over 950+ petitioners against and unanimous residential opposition within Cedar Ridge Estates. It would benefit only the property owner, and clearly bring detriment to the neighborhood.
- **Character of the Surrounding Area**: Is the new zoning classification drastically different from the existing uses in the surrounding area?
 - **Assessment**: No other cannabis shop in this remote area of Boulder County. There are 2 Restaurants, Gift Shop and a Community Center along the stretch of Hwy 72 along Boulder County. It should be noted they are NOT connected as a 'town center'. The rest of the area is residential! The proposal would benefit only the property owner, and clearly bring detriment to the neighborhood and community.
- **Precedent**: Is there a precedent of similar rezoning in the area, or is this an isolated case?
 - **Assessment**: This would be an isolated case with no precedent.

3. Preservation of Residential and Historical Character: Recently the Historic Preservation Advisory Board reviewed the Eldora Lodge and unanimously agreed that it is eligible for landmark status with Boulder County. The Eldora Lodge holds significant historical value to our community. The previous use as a lodge was compatible with the residential nature of the area, providing a place of rest and contributing positively to the community fabric. A shift to an industrial cannabis grow/retail operation would not only disrupt this harmony but also risk devaluing the historical significance of the site.

4. Community's Well-Being and Quality of Life: The overwhelming opposition from the community underscores the potential negative impacts on our quality of life. Increased traffic, noise, and safety

concerns are just a few of the issues that have been raised, demonstrating the community's vested interest in preserving the residential nature of the area.

Given these considerations, I urge the Boulder County Commissioners and Planning Department to uphold the principles of fair and consistent land use, giving due regard to the comprehensive plan and the voices of the community. The preservation of the residential and historical character of our neighborhood is paramount, and I trust that the Planning Department will make a decision that reflects these values.

Thank you for your time, consideration, and commitment to serving our community. We are available for any discussions or public hearings that may arise as part of the review of this application, eager to contribute constructively to this important decision-making process.

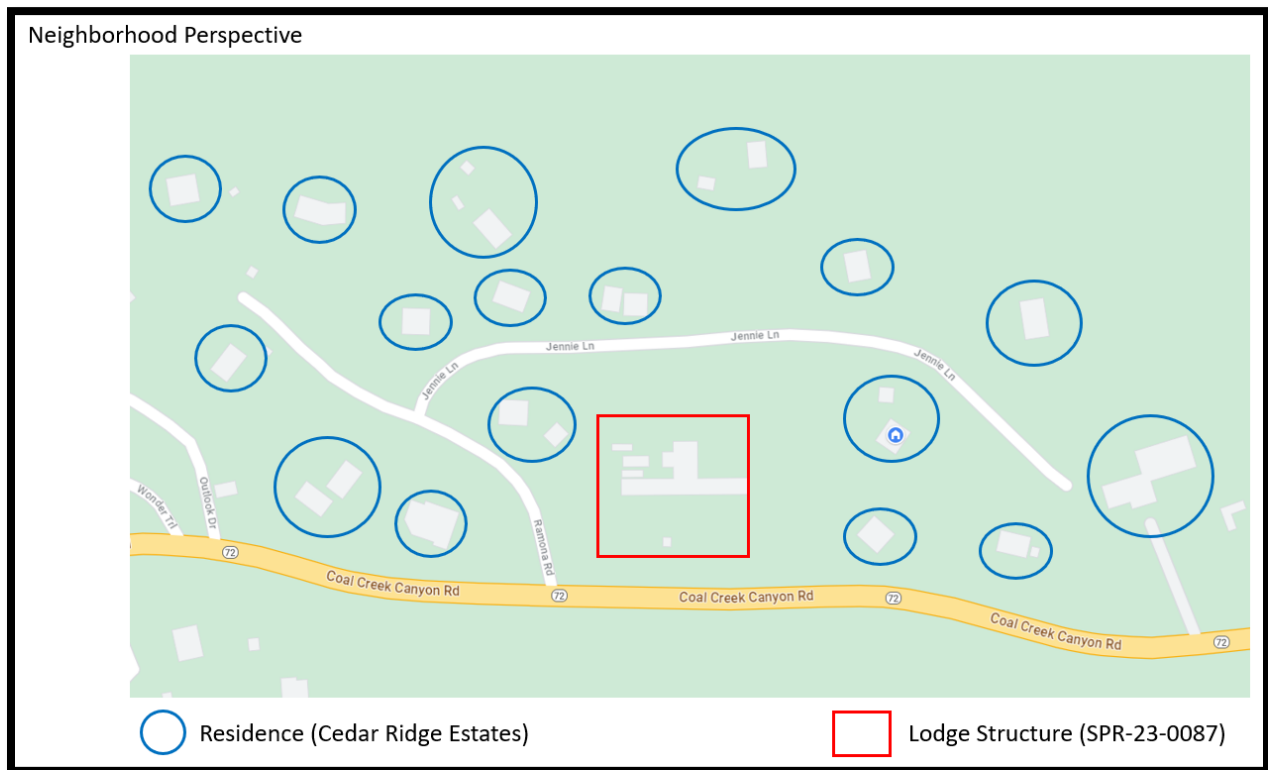


Figure 1: Cedar Ridge Estates and the Cannabis Industrial Grow/Retail (SPR-23-0087)

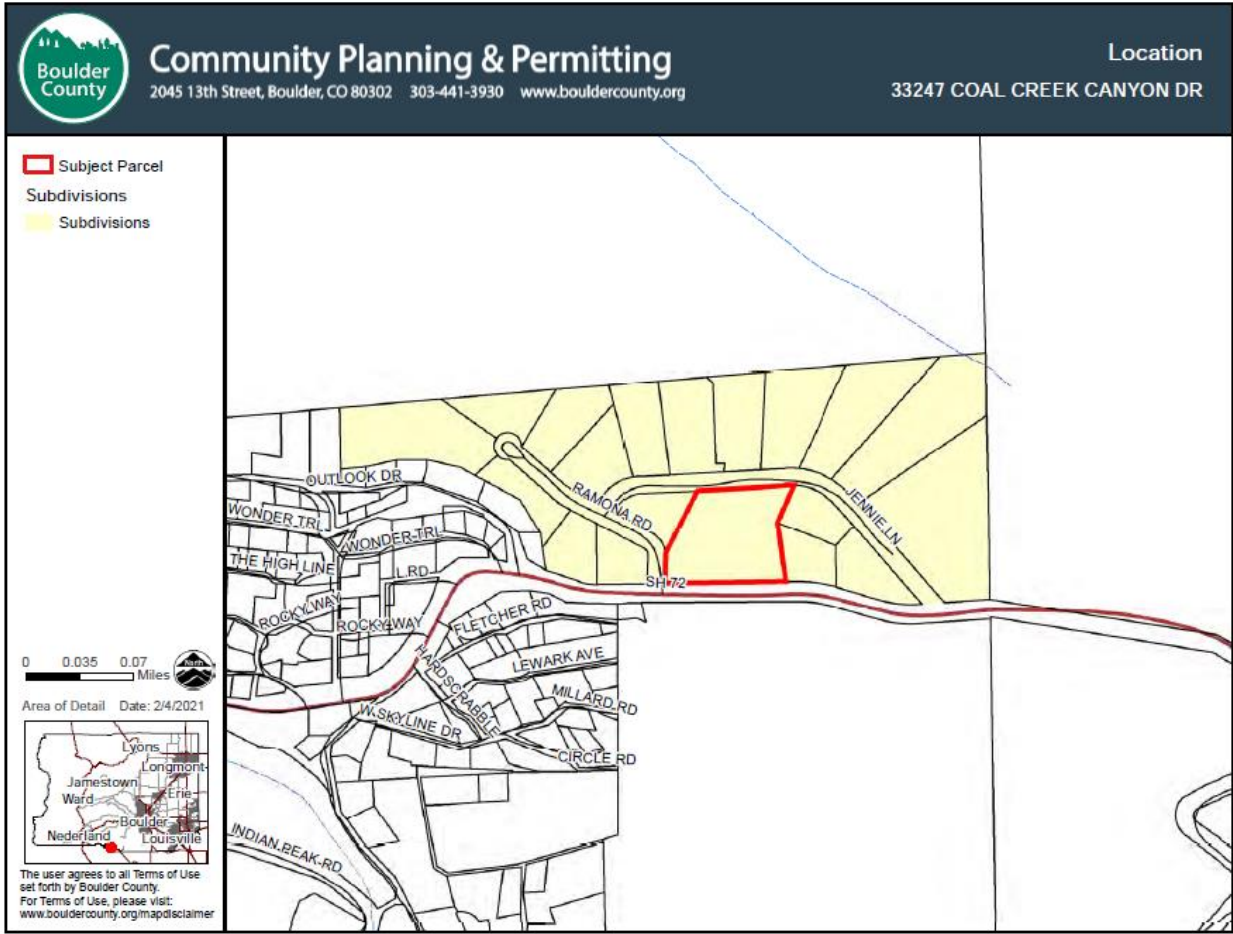


Figure 2: Cedar Ridge Estates and the Cannabis Industrial Grow/Retail (SPR-23-0087)

Sincerely,

Stephen and Lauren Yeldell

ATTACHMENT A 298

RE: Automatic reply: [EXTERNAL] Attn: Erica Bjelland, reference: Docket SPR-23-0087: Reptar 1783 LLC Change of Use; Reference Docket: SPR-23-0087

LU Land Use Planner <planner@bouldercounty.gov>

Tue 10/10/2023 7:55 AM

To: L Yeldell <mcelroy.lauren@gmail.com>; Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>

 1 attachments (110 KB)

ordinance-noise.pdf;

Hi Lauren,

Yes, the noise ordinance sets a limit at 10 pm. The ordinance is enforced by the Boulder County Sheriff. The non-emergency phone number is 303-441-4444.

Bonnie Gracia

On-call Planner

[Boulder County Community Planning & Permitting](#) | P.O. Box 471, Boulder, CO 80306
303-441-3930 | bgracia@bouldercounty.gov

Boulder County Community Planning & Permitting office at 2045 13th St., Boulder is open to the public on Monday, Wednesday, and Thursday from 8 a.m. to 3 p.m., and on Tuesday from 10 a.m. to 3 p.m. Appointments are available on Tuesday but not required. Sign-up for Boulder County news at boco.org/e-news

New: Boulder County has a new website: [\[BoulderCounty.gov\]](https://BoulderCounty.gov)BoulderCounty.gov! Bookmark it today. Email addresses will transition at a later date.

From: L Yeldell <mcelroy.lauren@gmail.com>

Sent: Sunday, October 8, 2023 11:26 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>; LU Land Use Planner <planner@bouldercounty.gov>

Subject: Re: Automatic reply: [EXTERNAL] Attn: Erica Bjelland, reference: Docket SPR-23-0087: Reptar 1783 LLC Change of Use; Reference Docket: SPR-23-0087

Additionally, it's 11:15PM at night and I can hear someone working on hammering/fencing from inside my home.

Are there noise ordinances as to when construction items and development can be worked on?

Again, appreciate your help!

Lauren

On Sun, Oct 8, 2023 at 6:45 PM L Yeldell <mcelroy.lauren@gmail.com> wrote:

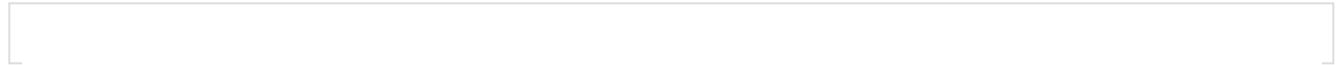
Attn: Erica Bjelland, reference: Docket SPR-23-0087: Reptar 1783 LLC
Change of Use; Reference Docket: SPR-23-008

Additionally, please see attached pictures that demonstrate the following:

- (1) distance from the former Eldora Lodge to the school bus stop.
- (2) the fencing that will be installed in a wildlife path; you can see the foxes in the picture / construction has begun on fencing around the property, on the front-side there are barbed wire strands and the fencing on the side where my children play looks as though it may be orange/plastic grading (warning fencing material). We saw no documentation of fencing in the SPR.
- (3) and (4) distance of the proposed site from my children's playground; 21 feet. My children's playground is 21 ft from the proposed marijuana retail facility's fencing/property.

Thank you for your consideration. Please let me know how I can be of more help.

We appreciate all you do! You are so valued!



Lauren Yeldell
property owner of 238 Jennie Lane, Golden, CO, 80403

[distance from playground to fence of proposed m...](#) Error! Filename not specified.
On Thu, Oct 5, 2023 at 8:50 PM L Yeldell <mcelroy.lauren@gmail.com> wrote:

Reference Docket: SPR-23-0087

To Whom It May Concern,

My name is Lauren Yeldell and I live at 238 Jennie Lane, Golden CO 80403. We are directly adjacent to the property in question: 33247 Highway 72, Section 36, Township 1S, Range 72W. Reference Docket: SPR-23-0087

My children's playground is within feet of the proposed marijuana facility. Our playground has been there for many years - no doubt, the owner of the property in question has driven down our street and seen that children live here - it would be very hard to miss the colorful play structures, climbing wall, slides, bikes, and swings. From my research it looks as though marijuana retail facilities cannot be in close proximity to children schools, playgrounds etc. I would ask you to consider what makes it different for a home in which children live full-time. Children should not have to live directly next door to a marijuana facility.

Water is a precious commodity in the canyon. We are always in the process of only using the water we need. Everyone that lives in the canyon understands that. With global temperatures rising every year - this is more important than ever. A marijuana retail facility is frivolous in Boulder County - it would be irresponsible to use our water source on this type of establishment. I believe everyone is well-aware that there are many other marijuana facilities in Boulder - this is certainly not something the county is lacking or needs.

Additionally, in the proposed permit the owners discuss conserving more water as they are cutting in half the number of bathrooms. This is fraudulent as having 20 full-time employees there 6 days a week - using the bathroom facilities in addition to cultivating any kind of plant will take significantly more water than what the lodge ever needed as a lodge. There are many points within the proposed SPR where the owner discusses ways in which they are going to lessen the use of water or improve something - yet I see no actual numbers, math equations, or any kind of actual data to support the claims made in the SPR.

ATTACHMENT A 300

We need the county to understand we live here. We take pride and care in the land. Previous owners of the lodge lived on site as well and took care of the land. The proposed owners are operating in a way to drain our area of resources, potentially contaminate our wells, increase our risk of fire danger and then go home to where they live.

The lodge has sat vacant since the owners purchased the lodge. Fire mitigation has not happened, one winter the breaker box opened-and-closed, opened-and-closed, we were concerned with fire danger so went up and closed it as we knew no one was taking care of the lodge. In the past few years we have seen no activity at the lodge. When the Marshall Fires occurred I hoped the lodge doors would open its door to our community to offer housing for victims that desperately needed a place to stay, yet again the lodge sat vacant.

Here in the mountains we care about our properties, we don't view land as how can the land serve me, we view our land as property as something to preserve and care for. The Eldora lodge is a quaint, beautiful building. Previous owners took great care in the facility. Our community made solid partnerships with previous owners and oftentimes we all worked together on splitting wood in the winter and sharing tools and equipment. That's what we do in the mountains, we help one another. We are by no means a community that wants to exclude development or individuals that want to also take care of the land. At the same time, the land is not something to harm, or threaten.

Our water is a life-line up here - a large cultivation marijuana retail facility is frivolous and irresponsible in regards to conserving water. It's not the place for large-scale agriculture endeavors. I noticed in the water transfer permit, on page 8 - the owners of the proposed property signed within that transaction that the facility would continue to operate as a lodge. I will attach documents within this email. There have been many misleading instances within this process so far. At this very moment a fence has been constructed along hwy 72 that blocks a well-worn safety route all of us rely on to safely enter and exit hwy72. With half the road blocked off - it will be hard for county plows to get through. We currently have fencing placed along our property line without any warning and/or consideration; we assumed Boulder county permitting would need to take place prior to permanent changes to the Eldora lodge and surrounding areas.

Our fire danger is real - we do a lot to mitigate fire risks; having a store that sells items that require fire to even partake is completely against keeping our community safe.

Lastly, as mentioned in my first section, do not approve this marijuana retail facility for the youth that live in the canyon. We have a school bus stop nearby, and I can assure you my children and all the youth in Coal Creek Canyon deserve to NOT have this in their backyard.

We appreciate all you do and thank you for your attention regarding this matter,

If there is anything our community can do to help - please let us know.

Warmly,

Lauren Yeldell

Contact 713.775.7104

m: 713.775.7104

e: mcelroy.lauren@gmail.com

--

Lauren Yeldell

m: 713.775.7104

e: mcelroy.lauren@gmail.com

Protest of change of use application SPR-23-0087, Coal Creek Canyon (Cannabis Grow/Retail Operation)

We strongly oppose the plan to allow the former Eldora Lodge located at 33247 Hwy 72 to convert to a Cannabis Retail and Grow Operation under application **SPR-23-0087 filed by Reptar 1783 LLC**.

As residents of Coal Creek Canyon, CO we are deeply concerned about the proposed marijuana grow/dispensary that is planned under **SPR-23-0087** to be established right next to our homes and neighborhood. We believe that this decision will have a detrimental impact on our community and the quality of life we cherish. Imagine waking up every morning to the serene beauty of Coal Creek Canyon, surrounded by nature's wonders and enjoying a peaceful mountain life. This is what drew us to this area - a place where families can thrive and children can grow up in a safe environment. However, our tranquility is now under threat due to the plan under **SPR-23-0087**.

Families like mine have chosen to settle down here because of the sense of security and peace that this community offers. Unfortunately, plans for a marijuana dispensary right next door jeopardize everything we hold dear. The thought of having such an establishment near our homes fills us with worry and concern for the well-being of our families, children, and neighbors.

Relevant Information:

1. Boulder County already has ~44 dispensaries (~1 per 17 sq-miles BoCo alone): With such an abundance already present in the county, it begs the question - do we really need another one? Adding yet another dispensary in close proximity to residential areas seems unnecessary and potentially disruptive. Is this a real need and priority for Coal Creek Canyon considering the planned shutdown of the local K-8 school?

2. Safety: Cannabis operations are illegal under Federal Law. Many banks, investors and administrators can still technically be prosecuted under the Racketeer Influenced and Corrupt Organizations Act (RICO) for facilitating Cannabis Industries. On the bank side, this may instill a behavior of carrying large sums of cash on hand, making the business highly susceptible to armed robbery. In fact, in 2017 there was a triple homicide here in Coal Creek Canyon due to an armed robbery for an illegal growing operation (<https://www.denverpost.com/2019/06/17/coal-creek-canyon-triple-homicide-guilty/>). With the remote location within Boulder County response times will be prolonged, especially for safety matters related to robbery after hours. The county is already burdened having to provide Law Enforcement for Nederland, since the police force disbanded. The same county sheriff's department is having to protect/respond to those dispensaries as well. The typical security guards stated in the application, would not fit the bill to blunt an armed robbery nor would they protect the surrounding residences.

3. Environmental: Dispensary and growing facilities use significant quantities of water to facilitate growth. Cannabis plants can be water-intensive, and in areas such as Coal Creek that source of water is from a well. **The maximum rainwater collection allowed in Colorado is 110 Gallons or 2 barrels.** This means the deficit of the water will be put on the shared neighborhood Aquifer. Natural rain will not be an option as there is freezing temperature 6-months out of the year. Regarding energy consumption, indoor cannabis cultivation requires significant amounts of electricity, heating and ventilation. The noted use of solar will offset, but hard to imagine the net zero aspect and this should be analyzed. Our

area is also a frequent migratory path for numerous wildlife, including large moose and bear. The larger planned fence combined with the smell and increased traffic could further displace such wildlife and should be studied as a part of the planning. Finally, the increased traffic including heavy trucks supporting their supply chain will put a burden on the environment due to increased emissions, noise and vibration – this should also be studied.

4. Negative impact on home values: Numerous studies have shown that proximity to marijuana dispensaries can negatively affect property values in residential neighborhoods. As homeowners who have invested time, money, and effort into creating comfortable lives for ourselves and our families here in Coal Creek Canyon, it is disheartening to think that these efforts may be undermined by this proposed development. Its hard to imagine selling our home when prospective buyers would pass in front the proposed Cannabis Grow/Retail. Wouldn't that impact your decision? Finally, the current owners of the lodge do not live in the area (possibly out of state), so they have zero skin in the game here in terms of shared burden.

5. Quality of life concerns: Establishing a marijuana dispensary near our homes raises concerns about increased traffic flow from customers coming into our quiet neighborhood. Additionally, there may be potential issues related to public safety or increased crime rates or wildfire danger associated with such establishments. **My kids play ground is less than 50 ft away from the planned site!** Finally, what do we know about the Reptar 1783 LLC who are they and what are their intentions for the lodge. The same party has owed the lodge for the last couple of years and have made zero investment back to the community. Furthermore, they have let the site infrastructure become derelict hardily indicating promise for the community.

We understand that marijuana dispensaries can serve a purpose and have their place in appropriate locations. However, we firmly believe that our residential neighborhood is not the right place for such an establishment.

Therefore, we kindly request the local authorities to reconsider this decision and prevent the marijuana dispensary from being established next to our homes and neighborhood. Let us preserve the peaceful mountain life that Coal Creek Canyon offers to its residents and protect our home values for future generations.

Looking forward to a transparent discussion.

Regards,

Stephen Yeldell
512-963-5867
s.yeldell@gmail.com

ATTACHMENT A 303

Re: [EXTERNAL] Site Plan Review application SPR-23-0087

Eliza H Zimmerman <echowe1@yahoo.com>

Mon 10/23/2023 8:12 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Dear Erica,

I would like to add a few more comments about the site plan change request for application SPR-23-0087 33247 Coal Creek Canyon the old Eldora lodge.

I have met the owners and heard their plans. They are couple decent good young people with ideas and dreams. However, their plans would be better somewhere else. A cultivating, producing, and selling any products just doesn't belong in a forest/mountain. A commercial production is totally out of place in Coal Creek Canyon. I would even object to growing wheat, milling plant, making flour. I would object to raising farm animal, a meat slaughter/processing plant. These type of businesses just do not belong up here. This is the mountain and zone forestry. Please keep the commercial production in a commercial area.

Thank You,
Eliza Zimmerman

On Tuesday, September 26, 2023 at 10:13:09 AM MDT, Bjelland, Erica <ebjelland@bouldercounty.gov> wrote:

Hello Eliza,

Thank you for your comment. It has been received and will be recorded as part of the docket.

Erica Bjelland | Planner I | she/her

Boulder County Community Planning & Permitting

Physical address: 2045 13th St., Boulder CO 80302

Mailing address: PO Box 471, Boulder, CO 80306

303-441-1688 (Direct)

ebjelland@bouldercounty.gov

www.bouldercounty.gov



*Boulder County has migrated all email to the .gov domain. Please update your contact lists to reflect the change from ebjelland@bouldercounty.org to ebjelland@bouldercounty.gov. **Emails sent to both .org and .gov addresses will continue to work.** This work is part of the migration to the .gov domain that began in July 2022 when the Boulder County website moved to www.bouldercounty.gov. This move to the .gov domain provides a higher level of cybersecurity protection.*

From: Eliza H Zimmerman <echowe1@yahoo.com>

Sent: Monday, September 25, 2023 9:22 PM

To: LU Land Use Planner <planner@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

Subject: [EXTERNAL] Site Plan Review application SPR-23-0087

Dear Boulder Community Planning & Permitting Department, Ms. Erica Bjelland, Boulder County Commissioners,

I am writing to express my concerns with the application for Site Plan Review to change the use of lodging to marijuana retail facility at 33247 Highway 72, Golden CO. The application is seeking an approval of retail and personal service use including an apothecary/dispensary, and a marijuana production room and cultivation facility. The proposal suggests there wouldn't be much or any negative changes to the area. It even suggested the new facility would be in harmony to the community. This is an horrible idea. The proposal has false facts and did not address the real negative impacts. There are plenty of growing and retail facilities in the State of Colorado and in Boulder County. Please do not approve the change of use of the facility and turn Coal Creek Canyon into a marijuana destination.

The change of use from a 13 room lodging to a retail business that will be open daily (except Tuesday) from 9:30am – 8:30pm and cultivation/production daily has more negative impacts to the area than stated on the application. This business anticipates to have at least 20 full-time employees 365 days a year. This business plans on a parking lot of 55 vehicles. This business naturally expects lots of customers. In the application, it stated that 1, The use will be compatible with the surrounding area. 2, It would deplete less in natural resource such as water or electricity and would have less stress to septic/well water. 3 it would not increase governmental services or emergency services. 4, it would not cause significant air, odor, water or noise pollution.

This business would be the largest retail in the Coal Creek Canyon area. This business would have more employees and parking spaces than the 6 exiting businesses in Coal Creek Canyon combined! With exception of Wondervu Cafe (which is about an mile from the exiting lodge), the other businesses are 2 and 4 miles from the lodge. The application makes as if all these exiting businesses are nearby each other. While Hwy 72 (also known as Coal Creek Canyon Rd) is our main road to the canyon. It is also has many houses along. Coal Creek canyon is a small residential community in the mountains. It doesn't need a huge retail/grow facility. It is a forest, not a grow house.

Eldora Lodge was a small roadhouse with only 13 rooms. It was not a busy place with vacancy most time of the year. I pass by the lodge everyday and the 10+ parking spaces are mostly open. The new business proposal would have occupants 365 days a year of customers and employees. Everyone up here is on well water and have septic system. Taking away 6 bathrooms in the proposed plan would not alleviate their water/septic usage for the employees and customers 365 days a year. The proposal of planting vegetation will need water. Growing marijuana means maintaining humidity and WATER not to mention electricity for lights or heat. Exiting well permit prohibits watering outside and marijuana plants. The cultivation of marijuana not only use more water but also electricity and gas than the old lodge. The plants/vegetation proposed in the plan to beautify the building is ludicrous. The site is at 8000+ feet elevation. We have unique weather patterns that is different than other Front Range mountain areas. Most plants/perennials don't grow well here. They have to fight the weather AND the wildlife. With our cold Winter/Spring season, more natural resources will be tapped into. They will be using exceptionally large amount of electricity even with solar panels...during our extra long winter/spring months.

ATTACHMENT A 305

Is there an impact plan regarding extra cars/trucks that will be traveling on Highway 72? How large-scale is this business? How many retail customers are expected each day? How many large trucks would the business have every day delivering water? delivering propane gas? They are planning to put in 55 parking spaces! How is all these traffic not putting stress onto our governmental services? or not pollute the air/water/ground water in our canyon? Extra cars coming up and down the highway will put more wear on the road. Accidents to the canyon will increase. Our precious Coal Creek Canyon Fire Department are funded by resident's tax dollar. The little tax dollars help support our VOLUNTEER firefighters/first responders. Other than two pay positions in the department, everyone else in the department is VOLUNTEERS. How are the extra employees and customers, delivery persons not going to be a burden to our already stressed VOLUNTEER fire fighters/first responders?

A marijuana plant needs about **6 gallons of water per day** to grow, which translates into 900 gallons per year per plant. How many plants are they going to grow?

How much energy is used to grow marijuana? According to the Northwest Power and Conservation Council (NPCC), indoor commercial cannabis production (also known as a cannabis grow room) can consume **2,000 to 3,000 kilowatt hours (kWh) of energy per pound of product.**

Does marijuana pollute the air? Their take-home was that **particle concentrations from dabbing and vaporizing cannabis can create levels of indoor air pollution** similar to those seen in extreme air pollution events like wildfires and severe industrial pollution. Exposure at these concentrations can cause cardiovascular and respiratory disease.

Is it safe to live next to or near a grow house? **Grow houses also pose considerable fire risks due to custom electrical rewiring and the use of hot grow lamps** putting **the entire neighborhood** at risk for fire.

Air, odor, noise and pollution are definitely issues to the canyon. What kind of air filter/filtration system can absolutely filter out the odor of marijuana? What system will be noiseless? Pollution? What kind of pesticide and herbicide do not hurt the environment and wild life? Who is going to monitor outdoor smoking during fire ban with customers traveling up and down the canyon to buy marijuana? Indoor cannabis cultivation is energy-consuming, mainly due to heating, ventilation, air conditioning, and lighting. Energy consumption leads to greenhouse gas emissions. There more lies and untold truth in the application!

There is no reason to have a growing/cultivation marijuana operation in the mountains, and certainly not in Coal Creek Canyon. We are not a city or a commercial district. I am one of many residents who live on Highway 72. It is very much a residential area! If you can visit Coal Creek Canyon, you'll find a rural small community who just want to live in a quiet mountain. Please do not allow a marijuana cultivation/retail business here in Coal Creek Canyon.

Sincerely yours,
Eliza Zimmerman
31937 Highway 72, Golden

Bjelland, Erica

From: Eliza H Zimmerman <echowe1@yahoo.com>
Sent: Monday, September 25, 2023 9:23 PM
To: LU Land Use Planner; Bjelland, Erica; Boulder County Board of Commissioners
Subject: [EXTERNAL] Site Plan Review application SPR-23-0087

Dear Boulder Community Planning & Permitting Department, Ms. Erica Bjelland, Boulder County Commissioners,

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ATTACHMENT A 308

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There is no reason to have a growing/cultivation marijuana operation in the mountains, and certainly not in Coal Creek Canyon. We are not a city or a commercial district. I am one of many residents who live on Highway 72. It is very much a residential area! If you can

ATTACHMENT A 309

visit Coal Creek Canyon, you'll find a rural small community who just want to live in a quiet mountain. Please do not allow a marijuana cultivation/retail business here in Coal Creek Canyon.

Sincerely yours,
Eliza Zimmerman
31937 Highway 72, Golden
303-642-0242

ATTACHMENT A 310

[EXTERNAL] Proposal SPR-23-0087

Tony Zubricky <tzubricky@aol.com>

Sun 10/8/2023 2:55 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

The statements of objection to this proposal are unsubstantiated and are of no merit. It will NOT effect our quality of life, safety or house values. The un-permitted house rentals and VRBOs are the real danger. They only benefit the greedy home owners and nobody else. The renters are mostly out of state people who leave trash on our properties, light unsafe fires and let their dogs run wild and chase all the wildlife. This real problem is the lack of understanding the problems involved with rentals to people who lack a real understanding of our fragile environment. THIS should be stopped and not a commercial endeavor that will bring additional taxes and revenue to all in the canyon, stores and restaurants. The dispensaries in Nederland prove that.

Bjelland, Erica

From: Wendy Barnett <springerspanielcrazy@gmail.com>
Sent: Saturday, March 2, 2024 4:30 PM
To: LU Land Use Planner
Subject: [EXTERNAL] SPR 23-0087.

I am a canyon resident and live pretty close to the old lodge. I have previously submitted my concerns about this change in use to a grow facility and am writing again to request a public hearing on this matter.

Thank you

Wendy Barnett

Bjelland, Erica

From: Bob Bartusiak <bobbartusiak@gmail.com>
Sent: Sunday, March 3, 2024 7:12 AM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] SPR 23-0087 opposition

Dear Commissioners,

I am writing in opposition of approving a marijuana grow house at the previous Eldorado Lodge location. As a resident to Coal Creek Canyon these are the issues I have:

- 1) Water resources are tight and using it to grow marijuana is not a wise use.
- 2) It does not fit the needs or desires of the surrounding community.
- 3) There is plenty of supply in town.
- 4) Safety. We do not need people in the canyon under the influence on the winding roads. Lives are more important than tax revenue.
- 5) Out of sight out of mind for inspectors.
- 6) High potential for contamination of the land and water table with the dumping of contaminated water

Please do not approve this operation for the good of the community and canyon.

Bob Bartusiak,
720-891-3418

ATTACHMENT B 3

Bjelland, Erica

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, March 5, 2024 7:59 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - Dan Bickhard - SPR 23-0087 - 33247 CO-72

Boulder County Property Address : 33247 CO-72 If your comments are regarding a specific Docket, please enter the Docket number: SPR 23-0087

Name: Dan Bickhard

Email Address: dbickhard@msn.com

Phone Number: (720) 415-9182

Please enter your question or comment: The proposed business under review in this docket would be a mistake if approved, especially considering the predominantly residential nature of the area, which includes many children and could pose a safety risk. Additionally, how could a business like this be sustainable without high water usage? It's likely that water consumption would exceed reasonable limits in this neighborhood.

Please do not approve

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

Bjelland, Erica

From: Warren Bruger <warrenbruger@yahoo.com>
Sent: Tuesday, March 5, 2024 5:04 PM
To: LU Land Use Planner
Subject: [EXTERNAL] SPR-23-0087

Please consider a rejection for the site plan review to change from lodging to marijuana establishment. The proposed site plan increases greatly the parking spaces of the property resulting in light interferences from cars, noxious gases from emissions, and increase in noise levels. As a neighbor with borderline property I don't feel as if the landscape plan effectively covers and mitigates the increasing size of the parking lots space on the adjoining east and west proposals of expansion. The topography of the parking lot expansion on the east side of the property will definitely cause light pollution to shine directly into windows on the North Side of my residence. The health safety and wellness of current and future residents- would you want cameras/ security guards in your back yard? Part of the wellness of living in such a sparsely populated area is the freedom of privacy and seclusion. Although many people may consider security guards a safe way to protect their property, means others around them may be more susceptible to crime committed on their property as criminals often tend to seek more value in something that is protected greater. Water depletion is another concern that I have with being a close proximity and also having well water. With so much opposition from neighbors including myself I urge you to reject the SPR. The Lodging that currently exists doesn't impact the residential subdivision due to the size of the lodging facility in which was a 12? Unit building with full time employees comes out to 20? Cars entering and exiting at various times. This influx and change of use could triple? or quadruple + the amount of cars an hour entering and exiting at various times. It would be uncanny to the locals that live here, (myself), and others that pay taxes that oppose this change of use to be passed through without a public hearing, and reconsideration of the determination of use.

Thank You
33229 Hwy 72
Warren Bruger

Bjelland, Erica

From: Chris Yeldell <chris.yeldell@gmail.com>
Sent: Tuesday, March 5, 2024 8:42 PM
To: Commissioner Levy; Commissioner Loachamin; Commissioner Stolzmann
Subject: [EXTERNAL] SPR-23-0087

Dear Commissioners,

Please consider not allowing a change of use of the Eldora Lodge from lodge to a retail space. The previous owners of the lodge lived and worked in the community, and made it a destination for travellers passing through. When the current owner purchased the lodge, it sat in ill repair for several years during harsh winters and the damaging sun of the summer months. Very rarely did we see the new owners on location during this time.

Only now are the new owners attempting to make it a beacon of the community. They had a functioning business with cash flow from day 1 of ownership, and squandered that. I don't think they've done their due diligence on this business investment, and will potentially squander this opportunity as well which will leave this building abandoned and derelict once more. Marijuana is a big buzzword these days, but it takes a lot of capital and community resources to become operational. Please consider that they may have underbid all of their future power, water, and environmental impacts. Also remember that everything from the lodge's location flows downhill and into Gross Dam Reservoir.

Thank you for your time, and once again, please consider keeping the zoning of Eldora Lodge as a lodge.

Kind Regards,
Chris Yeldell

Bjelland, Erica

From: Daniel Campbell <daniel.taylor.campbell@gmail.com>
Sent: Friday, March 1, 2024 9:59 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] Please vote no on Eldorda Lodge: SPR 23-0087

Hello,

I wish to express our community's stance on the proposal of establishing a tourist dispensary in our canyon. The traffic to and from Gross Reservoir is already significant, and with ongoing construction at the bottom of the hill, introducing a cannabis tourism business would exacerbate the situation. This addition would not be safe and undermines the tranquility of our community. We urge you to consider these factors and vote on the proposition of converting the Eldora lodge into a cannabis business.

No on SPR 23-0087

11965 Vonnie Claire RD
Golden CO 80403

Thank you
Daniel

Bjelland, Erica

From: Lynette Clark <Inclark2503@gmail.com>
Sent: Friday, March 8, 2024 10:40 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] SPR-23-0087 Reptar 1783 LLC change of use

> Dear Commissioner Stolzmann,

> I was able to attend the public meeting yesterday and stand before you in person to ask you to please allow the people of Coal Creek Canyon have a hearing with you and commissioners Loachamine and Levy about this SPR-23-0087. Or even better yet to stop this change before it gets started.

>

> It comes down to this change to a factory and grow sight isn't compatible to the surrounding neighborhood filled with people's homes. Yes, we all purchased our houses or land knowing there was a lodge in our neighborhood but that was acceptable at the time. Not ever, ever dreaming someone would buy it to change its use from lodge to factory, and grow sight. The previous lodge owner's always worked with the neighbors to keep it compatible for their customers and the neighbors. I don't feel like this will be the case with the new owners and their proposed change of use. Last fall was a rude awakening to this with confrontations and one resulting in having to call the police. I love to walk on the two roads in this neighborhood and last fall I wouldn't attempt it with the owner and hired landscaper tearing up and down the road spinning tires, gunning the car engine, kicking up dust for concern for my safety. They have shown their type of conduct physical and on social media that they are not "good neighbors" and aren't contributing to the community but only appear to have one thing in mind.....make money at the cost of neighborhood compatibility. I wish them all the best for their business adventure but not in this are zoned forestry and high fire danger and in a neighborhood consisting of families and children.

>

> Thank you commissioner Stolzmann for your time on this matter.

>

> Lynette Clark

> Sent from my iPad

FW: [EXTERNAL] Fire station report

Stolzmann, Ashley <astolzmann@bouldercounty.gov>

Tue 3/12/2024 2:02 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

-----Original Message-----

From: Lynette Clark <lnclark2503@gmail.com>

Sent: Tuesday, March 12, 2024 1:59 PM

To: Commissioner Stolzmann <commissioner.stolzmann@bouldercounty.gov>

Subject: [EXTERNAL] Fire station report

> Dear Commissioner Stolzmann,

>

> The volunteer firefighter report bearings more questions about this processing /factory for marijuana. Compost piles from the used plants? Won't that seep into the ground and affect well water? Not knowing what chemicals might be used to grow and feed the plants. They say organic but to get rid of spider mites you need a chemical.

>

> If this goes through....there isn't any hope for this neighborhood/residential area surrounding this type of business/factory/processing plant to ever have it changed. When they decide to sell it opens this are up to outsiders from who knows where to purchase and use this with no cares for the community. I have heard China is buying up houses, land and buildings to grow marijuana in the US.

>

> Please, please stop this or at least give the people of our canyon a voice before the Boulder County Commissioners.

>

> Thank you for your time!

>

> Lynette Clark

>

>>

>> Article 4 • 4-506 Industrial Uses

>> 4-506 Industrial Uses

>> A. Composting Facility 1. Definition: A facility where organic

>> materials are converted into a humus-like material under a process of managed biological decomposition.

>> 2. Districts Permitted: By special review in A and GI 3. Parking

>> Requirements: One space per 1,000 square feet of floor area.

>> 4. Loading Requirements: One space per 10,000 square feet of floor area.

>> 5. Additional Provisions: a. In the General Industrial District,

ATTACHMENT B 9

- >> composting and composting incidental to operations are exempt from special use when:
- >> (i) Materials to be composted are limited to organic materials; (i
- >> The location of the composting is at least 300 feet from any property
- >> line if more than 50 cubic yards of material is being composted at
- >> any one time; and
- >> (iii) The total amount of active composting material does not exceed
- >> 1,000 cubic yards at any one time;
- >> (iv) Organic materials include but are not limited to leaves, tree
- >> trimmings, untreated wood, and shrubbery cuttings.
- >> B. General Industrial 1. Definition: Any manufacturing operation or
- >> industrial use, including but not limited to milling and processing of ore, junkyards, slaughter houses,
- >> and batch plants, which is not specifically listed in this Code.
- >> 2. Districts Permitted: By Special Review in GI 3. Parking
- >> Requirements: One space per 500 square feet of floor area 4. Loading
- >> Requirements: One loading space for 10,000 or more square feet of
- >> floor area 5. Additional Provisions:
- >> a. This use shall also be granted and maintain all applicable local, state, and federal permits.
- >> b. Accessory inside retail sales may occupy up to 10 percent of the total floor area of the main use.
- >> C. Light Industrial 1. Definition: Places for the conduct of any
- >> light industrial activity, which is not specifically listed in this Code, including but not limited to
- >> assembling; compounding; food or beverage processing; inside storage, processing or treatment of
- >> products; scientific research; plant extraction; and sign manufacturing.
- >> 2. Districts Permitted: By right in LI and GI 3. Parking
- >> Requirements: One space per 500 square feet of floor area 4. Loading
- >> Requirements: One loading space for 10,000 or more square feet of
- >> floor area 5. Additional Provisions: a. All required local, state,
- >> and federal licenses and permits, including those related to
- >> marijuana must be obtained from the appropriate regulatory agencies. b. Accessory inside retail sales
- >> may occupy up to 10 percent of the total floor area of the main use. Any marijuana retail sales will be
- >> considered a Marijuana Establishment as described in Section 4-512.I. of this Code.
- >> D. Major Oil and Gas Operations 1. Definition: Centralized water
- >> transfer stations, centralized water pump stations, storage yards and construction staging yards in
- >> place for longer than six months, and any other oil and gas operation the location of which is not
- >> dependent upon development of the mineral resource or subject to Article 12.
- >> 2. Districts Permitted: By Special Review in GI 3. Parking
- >> Requirements: None 4. Loading Requirements: None 5. Additional
- >> Provisions: Water injection wells and facilities are prohibited in
- >> all districts. Disposal of produced waters, water-based bentonitic drilling fluids, or flowback fluids by
- >> roadspreading on public or private roads is prohibited in all districts.
- >> E. Outside Storage
- >> 1. Definition: The outside placement of items for a period of more than twenty-four hours.
- >> 2. Districts Permitted: By right in GI; by Special Review in LI 3.
- >> Parking Requirements: None 4. Loading Requirements: None
- >> 4-120
- >> Boulder County Land Use Code • October 12, 2023 Sent from my iPad

ATTACHMENT B 10

SPR-23-0087 Reptar 1783 LLC change of use

-----Original Message-----

From: Lynette Clark <lnclark2503@gmail.com>

Sent: Friday, March 8, 2024 10:38 AM

To: Commissioner Loachamin <commissioner.loachamin@bouldercounty.gov>

Subject: [EXTERNAL] SPR-23-0087 Reptar 1783 LLC change of use

> Dear Commissioner Loachamine,

> I was able to attend the public meeting yesterday and stand before you in person to ask you to please allow the people of Coal Creek Canyon have a hearing with you and commissioners Levy and Stolzmann about this SPR-23-0087. Or even better yet to stop this change before it gets started.

>

It comes down to this change to a factory and grow sight isn't compatible to the surrounding neighborhood

filled with people's homes. Yes, we all purchased our houses or land knowing there was a lodge in our neighborhood but that was acceptable at the time. Not ever, ever dreaming someone would buy it to change its use from lodge to factory, and grow sight. The previous lodge owner's always worked with the neighbors to keep it compatible for their customers and the neighbors. I don't feel like this will be the case with the new owners and their proposed change of use. Last fall was a rude awakening to this with confrontations and one resulting in having to call the police. I love to walk on the two roads in this neighborhood and last fall I wouldn't attempt it with the owner and hired landscaper tearing up and down the road spinning tires, gunning the car engine, kicking up dust for concern for my safety. They have shown their type of conduct physical and on social media that they are not "good neighbors" and aren't contributing to the community but only appear to have one thing in mind.....make money at the cost of neighborhood compatibility. I wish them all the best for their business adventure but not in this are zoned forestry and high fire danger and in a neighborhood consisting of families and children.

> > Thank you commissioner Loachamin for your time on this matter.

Lynette Clark

> Sent from my iPad

Bjelland, Erica

From: Lynette Clark <Inclark2503@gmail.com>
Sent: Tuesday, March 5, 2024 1:18 PM
To: Commissioner Stolzmann
Subject: [EXTERNAL] Reptar

Dear commissioner Loachamin

>
>>>
>>>>
>>>> I am writing to you today in regards to the Notice of Determination for this SPR23-0087 change of use from a lodge to a Marijuana Establishment with growing, processing and retail establishment and addition of 1200-square-foot grow shed.
>>>>
>>>> As you have already seen the letters and a petition from people in the Coal Creek canyon and in particular the Cedar Ridge Estates subdivision consisting of approximately 16 homes in protest to this change of use.
>>>>
>>>> Our canyon would benefit more from a lodge than yet another grow sight that will be not only growing but processing and selling of their product. There are already several places in Nederland that grow, sell marijuana and lotions as well as in town.
>>>>
>>>> We have all stated our concerns for our ground water, water usage, fire hazard, odors associated with growing marijuana and the absence of police presence being one half hour or more away from us. As you have heard all of this and have put in stipulations for this business to adhere to. It all being said....how would we be able to know the "vault" with the waste water will be emptied when full, or the use of their "hailed in water" being used instead of the well water? Or being able to smell " the strong odor" produced while growing the plants ? Our word against theirs? The biggest concern for all people living in the canyon is fire. The fire depart is mostly volunteers and I'm not downing them as they train and respond in a timely manner.....but if there is a fire above us and only so many ways to evacuate.....it's not a comfortable situation.
>>>>
>>>> I feel these people would do much better in town, in a business district where there is water, sewer, police and fire protection readily available. We wish them well in their business endeavors but just not at the location so remote from things required to operate safely.
>>>>
>>>> I enjoy walking on our two roads in this subdivision of houses without being concerned of someone making a purchase and driving down our road to pull over and partake of their purchase. Or littering.....
>>>>
>>>> Please consider us as a neighborhood made up of families and homes and not being subjected to this type of business in a residential area.
>>>>
>>>> Thank you for your time and consideration in this important matter for those who live in this neighborhood.
>>
>> Please consider allowing us a hearing with the commissioners to be
>> able to voice our concerns over this matter that will affect everyone living in this residential neighborhood surrounding this grow sight business, Please!
>>
>> Thank you!
>>>>
>>>> Lynette Clark

ATTACHMENT B 12

Sent from my iPad

Bjelland, Erica

From: Lynette Clark <Inclark2503@gmail.com>
Sent: Friday, March 8, 2024 11:05 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] Fwd: SPR-23-0087 Reptar 1783 LLC change of use

- > Dear commissioner Stolzmann,
- >
- > After attending the Open to the public meeting yesterday I have had my eyes opened to all the requests, demands and needs of the people living in Boulder County. I am sure it can be daunting.
- >
- > With regards to the people of Coal Creek Canyon and in particular to the neighborhood directly affected by this change from lodge to a factory/grow sight for marijuana. Please let us have a hearing before the commissioners to voice outer concerns with all of you. Or better yet shut it down before it gets started.
- >
- > The fire department has stated in their response to this proposed change to a grow site and factory that it resides in a "heavily forested RURAL location" with "EXTREME WILDFIRE RISK" with a "HIGH FIRE HAZARD" presented by marijuana facilities.
- >
- > Our fire department and the fire department fighters are made up of volunteers who respond the best they are capable of doing. They are requesting a large amount of water on sight that would produce a flow of water of 250 gallons per minute for two hours. A pressurized fire hydrant for fire department use. That is approximately three swimming pools of water or the size of a small town water tower. That tells me this is a high fire risk situation of this request for this change of use at the lodge.
- >
- > This puts the residents of the canyon and the immediate neighborhood in jeopardy of escaping. If the fire is blocking our road to escape either by the road in the neighborhood or highway 72it will affect a lot of people only to satisfy the owners to change the use of the lodge to a factory/grow sight for their profit and no one else's.
- >
- > Please consider our request for a hearing with you or shutting this proposed change down before it gets started.
- >
- > Thank you for your time
- > Lynette Clark
- > Sent from my iPad

ATTACHMENT B 14

[EXTERNAL] Owners of 126 Ramona / SPR-30-0087

Margie Shanley-Collins <mmshanley@yahoo.com>

Wed 2/28/2024 10:57 AM

To: Boulder County Board of Commissioners <commissioners@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>; margaret shanley-collins <kpcollins_13@yahoo.com>

Re: Conditional Approval of SPR-23-0087

We kindly request a public hearing to strongly voice our concerns to this SPR at this particular location in our neighborhood.

There are also 1,059 signatures on our petition that Mrs. Pam Ling will forward to Erica Bjelland.

Thank you for allowing us to express our concerns in a public hearing as it pertains to our beautiful mountain community.

Regards,

Margaret and Kevin Collins

ATTACHMENT B 15

Please have the Coal Creek Canyon residents' best interest in mind. Thank you.

We request an in-person docket.

Margaret Collins

On Saturday, March 2, 2024 at 03:26:05 PM CST, Kevin Collins <kpcollins_13@yahoo.com> wrote:

Boulder County Commissioners,

SPR 23-0087 for change of use from lodging to a marijuana grow and dispensary operation has created great concern within the community to be most effected by such a change. We are one family of many who would like to request a public hearing for this site plan review. Many residents of the greater Coal Creek Canyon community feel that such a business endeavor will have a tremendous adverse impact on the quality of life that drew us to this beautiful mountain escape.

There will be great environmental impact on the limited resources available to us, there will be increased traffic stressors at a time when the expansion of Gross Reservoir has already pushed many residents to their limits, and the prospective business owner has continued to torment his immediate neighbors and anyone else who may express concerns regarding his business. The community has a right to be heard, informed and there must be transparency as the review process proceeds.

Thank you ,

Kevin and Margaret Collins

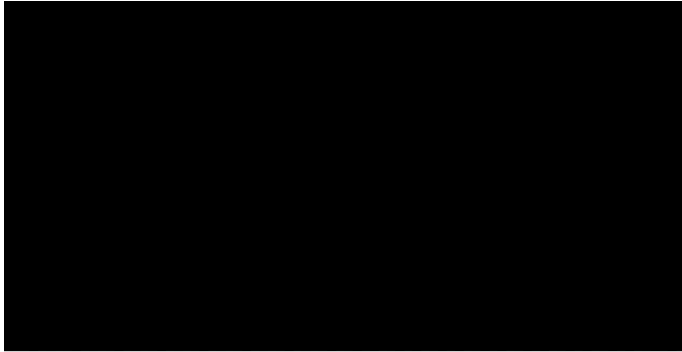
ATTACHMENT B 16

[EXTERNAL] Re: SPR-23-0087

Margie Shanley-Collins <mmshanley@yahoo.com>

Sat 3/2/2024 3:16 PM

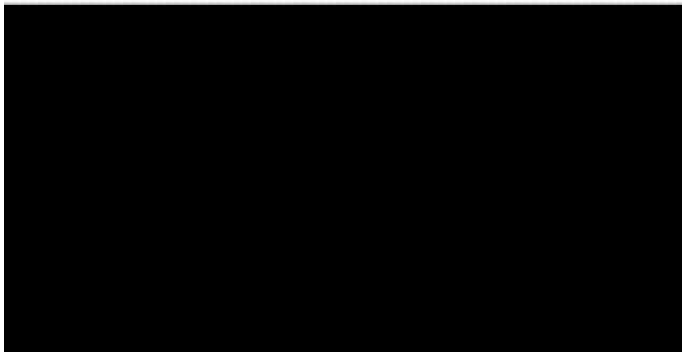
To: Boulder County Board of Commissioners <commissioners@bouldercounty.gov>; Bjelland, Erica <ebjelland@bouldercounty.gov>; Kevin Collins <kpcollins_13@yahoo.com>; Pam Ling <ling.pam1@gmail.com>



Eddie DePadilla

Chase a check. Never chase a bitch.
-ftr

[Message](#) [...](#)



This is the proposed owners Facebook Page. That is the type of arrogance, misogynistic and disgraceful behaviors that we have been dealing with for the past 6 months.



DIETZE AND DAVIS, P.C.
ATTORNEYS AT LAW

Serving the West from Boulder since 1972

Robyn W. Kube
Karl F. Kumli, III*†
Carmen S. Danielson
Renée Ezer*
Stephen A. Closky
Tucker M. Katz
Mark D. Detsky
William A. Rogers, III
Joshua E. Anderson
Jennifer L. Lorenz
Gabriella Stockmayer
Carolyn R. Steffl
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Of Counsel:
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Star L. Waring
Nicholas G. Muller

*Also admitted in California
†Also admitted in New Mexico
**Also admitted in Wyoming

Peter C. Dietze 1934-2019
Joel C. Davis 1936-2013

March 8, 2024

SENT VIA EMAIL ONLY TO: commissioner.levy@bouldercounty.org;
commissioner.loachamin@bouldercounty.org;
commissioner.stolzmann@bouldercounty.org

Board of County Commissioners
Boulder County
1325 Pearl Street Third Floor
Boulder, CO 80302

Re: SPR-23-0087
Reptar 1783 LLC Change of Use
33247 Coal Creek Canyon Drive

Dear Commissioners:

I write on behalf of certain residents of Cedar Ridge Estates, the subdivision where the subject property is located, to ask that this matter be called up for review. This request is based on the following:

- The proposed change in use from Lodging to Marijuana Establishment, while still a use falling within the Business zoning district, will bring significant change to the neighborhood which is contrary to the Boulder Valley Comprehensive Plan and should be decided by the Board, not just the Community Planning & Permitting Director.¹
- The Conditions of Approval provided by Staff do not address a key issue – a foundational part of Applicant’s proposed business is plant extraction, which is considered a Light

¹ The significance of this impact is reflected in the petition bearing 1,059 signatures noted in the Conditions of Approval, which opposed the proposed change in use.

ATTACHMENT B 18

Board of County Commissioners

March 8, 2024

Page 2

Industrial Use only allowed in Industrial zoning districts, not in Business districts.

- Applicant has not satisfied certain requirements, such as providing (i) a full Traffic System Impact Study² and demonstrating compliance with County's Multimodal Transportation Standards and (ii) a screening plan to mitigate its negative visual impact that is consistent with the expected, but currently unspecified wildfire mitigation requirements.
- Rather than deny the application based on its acknowledged deficiencies, Staff has attempted to fill those gaps with Conditions of Approval that, in some instances, (a) are inconsistent with the Land Use Code and comments provided by various referral agencies, (b) are internally inconsistent and (c) will be enforced, if at all, in post-approval processes from which neighbors and other members of the public are effectively excluded.
- Most notably, the Conditions of Approval make no effort to address the impacts of the well and septic issues posed by the application. The well currently providing water to the property cannot be used for growing marijuana, the most significant part of Applicant's business, or to facilitate and maintain the required revegetation of the property.³ The wastewater from the grow operation cannot be processed through an OWTS and must be stored in an onsite vault. Applicant, therefore, proposes to truck water to the property and will need to remove the wastewater in a similar manner. The current application does not address the impacts these delivery and removal methods will have on traffic generated by the business. It also does not identify where the water storage cisterns and vault will be located or how they will be accessed by delivery and removal trucks.

Given the foregoing significant issues raised by the Conditions of Approval, it is appropriate for this application to be called up by the Board. Thank you for your consideration.

Very truly yours,

DIETZE AND DAVIS, P.C.



Robyn W. Kube

RWK/hs

- c: Clients (via email only)
Erica Bjelland (via email only)
Erica Rogers, Esquire (via email only)

² Staff has suggested that the traffic impact be studied 6 and 18 months after operations begin, i.e., well after the change in use has already been approved.

³ Per the attached letter from the Division of Water Resources, the Applicant will be required to place a "totalizing flow meter" on the existing well to ensure that such water will not be used for uses inconsistent with its permit. This requirement is not included in the Conditions of Approval.

Bjelland, Erica

From: Keith Duff <kduff999@gmail.com>
Sent: Saturday, March 2, 2024 7:43 PM
To: ebielland@bouldercounty.gov; LU Land Use Planner; Boulder County Board of Commissioners
Subject: [EXTERNAL] Request Public Hearing for SPR-23-0087

Dear BOCC Members,

We urgently request that a public hearing be conducted on SPR-23-0087 so residents can directly express their deep concerns about the negative impacts of this project on our neighborhoods. Despite overwhelming opposition from the local community; serious questions about residents' safety and wellbeing; and (we believe) clear violations of guiding principles in the Boulder County Comprehensive Plan; this project was approved by the Boulder County Director of Community Planning and Permitting on February 27. It is essential that the full BOCC membership hears from local residents about why we are so strongly opposed to this project.

Locating a high-density industrial, agricultural, and retail business within a residential neighborhood will significantly degrade the neighborhood's quality of life and environmental health. This, combined with the owner's high levels of aggression directed at local residents, drives us to take action. The previous business at this location, Eldora Lodge, was compatible with the surrounding homes because it was itself a residential business, providing a place to stay for others who wanted to enjoy the beauty and calm of Coal Creek Canyon and its local area. To convert that site into a marijuana growing, processing, and retail facility with a dozen or more full-time employees, parking for dozens of cars, large amounts of cash on site, and armed guards patrolling this 2.4 acre lot will fundamentally change the character of our neighborhood for the worse. We're not fundamentally opposed to this type of business, but we firmly believe it should be located in a commercial area - not embedded among our homes.

Please hear the residents' concerns in a public forum. We urge you to reconsider and reject the SPR-23-0087 proposal.

Thank you,
Keith Duff

116 Ramona Rd,
Golden, CO 80403

Bjelland, Erica

From: tracycraig <tracycraig@aol.com>
Sent: Tuesday, March 5, 2024 9:48 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] Eldora Lodge MJ

Hello Ashley,

I hope you are well. I am writing to you because I live very near to Eldora Lodge and many of my neighbors are quite animated over the planned use changes there.

I am not.

As with the Gross Reservoir expansion, I do not oppose this change, since I am one who deeply understands the need for infrastructure as well as appreciates the core value of property rights. I do not believe there will be significant - or even noticeable - negative impacts from a grow/retail MJ operation and I recognize my neighbors' opposition as the predictable reaction that accompanies most proposals for change. It's what I encountered numerous times in my experience gaining approval for large projects for Xcel Energy. I support the conditional use change at Eldora Lodge.

Sincerely,
Craig Eicher
Wondervu

Bjelland, Erica

From: Philip Eidenschink <philip@psgcolorado.com>
Sent: Monday, March 11, 2024 12:06 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Project # SPR-23-0087

To whom it may concern:

Thank you for your time to review my comments concerning the referenced project number.

The proposed change from Lodging to a Marijuana Establishment with a growing, processing, retail, and an additional grow shed is extremely concerning. The Eldora Lodge was built for just that, "lodging." No retail, no marijuana, nothing else. Though I do understand the desire from the property owners to convert this beautiful piece of property, I strongly believe it is unwarranted. Please allow me to expand.

The property is surrounded by single family homes in a mountain setting. People live here to get away from commercial activity, the city, and the traffic. The creation of a marijuana facility would create excessive traffic, a strong marijuana odor which I have experienced with many illegal grow houses in Coal Creek Canyon, potential increase in crime, and a service that would not benefit our community.

You may recall an article from Boulder's Daily Camera: "Survey: Boulder has one of nation's highest concentrations of pot shops" Is this what Boulder wants to be known as? I believe there are 123 active retail dispensaries in Boulder County with a population in the county of just over 330k. The population in proper Boulder is just over 100k. That ratio is outrageous. Do we want to be known as the pot capital of the country?

And the Daily Camera wrote another article: "For Karing Kind, the first dispensary in Boulder County, business was great when recreational marijuana was legalized 10 years ago. Now, it's become harder. It's on the brink. A decade later, the grass is not as green." It does not seem wise to create a business that has a high percentage rate of failure. And then what would be do with a retail grow house in the middle of the mountains?

It is more concerning that an article from Harbor Collective revealed that it's become more common for workers in the legal pot industry to be high while on the job. <https://harbormmcc.com/pot-industry-employees-getting-high-at-work/#:~:text=A%20New%20Study%20Sheds%20A,high%20while%20on%20the%20job>. I prefer not to drive the canyon with MORE pot induced drivers. It's bad enough right now. Let's keep our roads safe and not pass this.

This is the most disturbing in all of this, the triple murder in Coal Creek Canyon because of marijuana. "COAL CREEK, Colo. (CBS4) - CBS4 News has learned the three victims found murdered in a home in Coal Creek Canyon, were all shot in the head execution style. A marijuana grow with more than 100 plants was found by investigators inside the home. Drugs are being investigated as a possible motive for the triple murder." <https://www.cbsnews.com/colorado/news/coal-creek-canyon-boulder/>. I know people who live on Divide View and prefer they stay out of danger.

This is what Boulder is known for. Let's keep it that way.

Why is Boulder so great?

This vibrant Colorado city is one of the best places to live in the U.S.—with a health-focused culture, state-of-the-art educational facilities, and tons of outdoor recreation hot spots in the area's vast mountain ranges and open green spaces. Jan 30, 2024: <https://www.extraspace.com/blog/moving/city-guides/15-things-to-know-about-living-in-boulder/#:~:text=This%20vibrant%20Colorado%20city%20is,ranges%20and%20open%20green%20spaces>.

ATTACHMENT B 22

What is Boulder County known for?

Boulder County has among the nation's most educated population, one of the highest concentrations of advanced technology workers, world-class research facilities including the state's flagship university, the University of Colorado Boulder, and more than a dozen major federal research facilities. <https://www.metrodenver.org/do-business/communities/boulder#:~:text=Boulder%20County%20has%20among%20the,dozen%20major%20federal%20research%20facilities.>

The said new retail center is surrounded by residential homes including playgrounds, etc. Would you let your children play in their backyard with the smell of pot day in and day out? It's not just the manufacturing smell, it's the smell from people sitting in their cars smoking their new purchase before they drive the canyon.

My home is 2,650 from Eldora Lodge. There was never a concern of who used the motel, never a noise issue, never a smell issue, never a traffic issue, nothing. With a marijuana retail and grow center, that will all change. You have the statistics to prove that.

Our home values will drop tremendously if this project passes. No one wants to live by a pot shop. That is why most shops are in commercial areas, not residential areas.

The location for this in Coal Creek Canyon is not feasible. It is not a destination vacation location. It is local, private, and safe. There are plenty of marijuana shops in Denver, Boulder, Nederland, etc. We do not need one out our front door. Please keep our canyon safe.

Truly appreciated,
Philip Eidenschink
Coal Creek Canyon Resident
140 Outlook Drive
Golden, CO 80403
720-318-3997

Bjelland, Erica

From: Steven T. Floyd <stfdesigngroup@gmail.com>
Sent: Friday, March 1, 2024 3:11 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] SPR 23-0087 / Eldora Lodge Proposal

As property owners in Coal Creek Canyon my partner (James V. Lauro) and I are vehemently opposed to allowing Eldora Lodge to be used for a manufacturing facility for cannabis related products. The neighborhood is not designed to accommodate they type of business. In addition to the logistics issues, just the aspect that it will attract an undesirable clientele to the neighborhood should be reason enough to deny the application! Families are located next to this property...what is next...a high altitude strip club???

PLEASE deny this application!

Steven T. Floyd
James V. Lauro

--

Steven T. Floyd

214.558.1551 M.
stfdesigngroup@gmail.com

ATTACHMENT B 24

[EXTERNAL] SPR 23-0087 Concerns Regarding Eldora Lodge Development

Andrea Fox <andreatfox@icloud.com>

Mon 3/11/2024 5:09 PM

To:Commissioner Levy <commissioner.levy@bouldercounty.gov>;Commissioner Loachamin <commissioner.loachamin@bouldercounty.gov>;Commissioner Stolzmann <commissioner.stolzmann@bouldercounty.gov>
Cc:Bjelland, Erica <ebjelland@bouldercounty.gov>

Dear Commissioners,

I am writing to express my deep concerns regarding the proposed development of the Eldora Lodge within our neighborhood. As a resident of this subdivision, my family and I have cherished the peace and tranquility that defines our community. However, recent developments have left us profoundly disheartened.

Initially, we were hopeful upon hearing about plans to reopen the lodge, envisioning a continuation of the serene atmosphere that drew us to this area. Regrettably, it has come to our attention that the intended use of the lodge will not align with our expectations. Learning that it will instead house a marijuana establishment has been distressing for many of us.

The transformation of our once welcoming entrance into what resembles a fortified compound has been alarming. The presence of barbed wire evokes feelings of unease and prompts questions about the perceived need for such security measures. Previously, our doors were always open, and we enjoyed observing the local wildlife through our cameras. However, the current climate of apprehension has compelled us to adopt measures for our safety, including locking our doors and redirecting our cameras towards potential entry points of our homes.

Moreover, the sense of community that once thrived within our neighborhood is being overshadowed by concerns regarding the impact of this development on our environment and safety. Instead of sharing happy moments and snapshots of nature, our conversations have turned to worries about the preservation of this beautiful mountain, the implications for fire safety, and the availability of water resources in light of potential cultivation activities. Our community prides itself on fostering mutual respect and stewardship of our surroundings. However, the prospect of these values being compromised by misleading plans is disheartening.

In closing, I respectfully ask you to consider the profound implications of this development on our environment and our community's well-being and cohesion.

Thank you for your attention to this matter.

Sincerely,

Andrea Fox

126 Ramona Road
Golden, CO 80403

Bjelland, Erica

From: Sundoggin <sundoggin@gmail.com>
Sent: Tuesday, March 5, 2024 10:58 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] Referencing SPR 23-0087

To the office of County Commissioner Ashley Stolzmann
Reference to SPR 23-0087

From: Steve Galaty, a concerned Coal Creek Canyon resident and parent,

To whom it may concern.

My family and I live on Indian Peaks Circle. We moved here from the city 6 years ago so that our family of 4 can enjoy being surrounded by nature.

The marijuana grow operation doesn't make sense for our community for a number of reasons that I'm sure other residence have voiced.

My specific concern is safety and well being of our residence. My wife and 2 children commute down the canyon for school and events 5-7 times each week. I have strong concerns for their safety with the additional traffic volume and possible inebriated drivers that are visiting the marijuana retail operation.

I strongly urge you to consider the safety impact this operation would have on our canyon residence and deny the change of use from lodge to marijuana grow, production and retail operation.

Sincerely,

Steve Galaty
59 Happy Trail Rd, Golden, CO 80403
Boulder County Resident
Indian Peaks Rd resident
sundoggin@gmail.com

ATTACHMENT B 26

From: Tim Glovatsky <tglovatsky@jtmega.com>
Sent: Thursday, March 7, 2024 7:21 AM
To: Boulder County Board of Commissioners <commissioners@bouldercounty.gov>
Subject: [EXTERNAL] Please be advised...

Dear Commissioners,

In Response To: Docket SPR-23-0087: Reptar 1783 LLC Change of Use Regarding the proposed marijuana facility at the previous Eldora Lodge location.
A few years ago, my wife and I purchased property and moved into our home in Coal Creek Canyon. After having lived in the city, we chose this location because of its seclusion, natural beauty and insulation from the crime and undesirable traffic that comes with urban culture. We love our community and were sad to see the Lodge go out of business. The guests they attracted were those who wanted to also appreciate the beauty and solace of our community.

We are strenuously opposed to allowing this marijuana facility to be located in our neighborhood. From that proposed location, a few miles down the hill there are dozens of cannabis sales outlets in Nederland. So, there is clearly no need to grow, produce and sell marijuana in our community. Additionally, there are hundreds of locations in our state for users to score their weed. Instead of providing a service that contributes to the neighborhood, this facility will attract undesirable traffic and change the culture of our community and change its culture to which we were attracted. Without question, property values will also be negatively affected.

So please, on our behalf, do not permit this business to be established in our community and neighborhood. In addition to the negative consequences it would bring, it would add insult to the injury we have had to endure with Denver Water's destroying of our beautiful landscape across the canyon.

This should be an easy decision. Weigh the benefits this facility will bring to our neighborhood against the negative and undesirable consequences it will certainly bring to our wonderful community.

ATTACHMENT B 27

Thank you for supporting our interests and needs.

Tim & Debbie Glovatsky
32101 Coal Creek Canyon Rd
Golden, CO 80403
612-867-8394



tim glovatsky
strategic advisor

c. 612.867.8394



ATTACHMENT B 28

[EXTERNAL] Opposition to SPR-23-0087:Reptar 1783 LLC Change of Use

Mary Kathryn Hight <mkhight@icloud.com>

Thu 2/29/2024 11:14 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

To Whom it May Concern:

As a resident of Coal Creek Canyon I strongly oppose the proposed change of use of the historic Eldora Lodge from lodging to marijuana processing and sales. The proposed change of use would have a significant negative impact on Canyon residents' quality of life, environment and safety. I strongly oppose this change of use for the following reasons:

- The impact to resident quality of life with the constant odor of marijuana permeating the area (demonstrated in multiple locations/communities).
- This is a residential area with homes adjacent on all sides and children literally next door.
- The negative environmental impact and risk to residents and wildlife with the increase in traffic
- The run-off and chemicals from the distillation and cultivation process would negatively affect the water health and the health of surrounding wells.
- Water is a precious commodity in our community and such a change in use will have impact that goes beyond the assertion of "less water use by toilets" cited by the purchaser.

This change of use is not in the best interests of the community you serve or Boulder County as a whole. The only benefit would be for the investors in the property who are not Canyon residents or even residents of our state. Please do not approve this change of use.

Thank you,

Mary Kathryn Hight
Concerned Coal Creek Canyon Resident

Bjelland, Erica

From: Mary Kathryn Hight <mkhight@icloud.com>
Sent: Thursday, March 7, 2024 10:38 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] Opposition to SPR 23-0087

Commissioner Stolzmann:

I am writing to oppose the proposed change of the use of the historic Eldora Lodge from lodging to a marijuana processing and sales facility (SPR 23-0087). The proposed change of use would have a significant negative impact on Coal Creek Canyon environment, residents' quality of life, and safety of residents and wildlife. One need only drive through an area with a marijuana facility to experience the negative impact to surrounding resident quality of life—the sickening constant odor of marijuana permeating the area has been demonstrated in multiple locations and communities in Colorado. The establishment has already indicated their intention to expand the parking to accommodate over 50 vehicles which signals the amount of traffic they anticipate. This is a residential area with adjacent homes with small children and abundant wildlife. There will be a significant increase in the risk to residents and wildlife with the increase in traffic and potentially impaired drivers; again this has been demonstrated in multiple communities in Colorado along with a documented increase in criminal activity. This community is also at high risk from potential wildfires. The increase risk of fire danger posed by this change of use has been recognized and is evident by the opposition to the proposed change of use by the Coal Creek Canyon Fire Protection District. The proposal submitted is disingenuous to suggest that a large scale marijuana facility will use less water than a small B&B. There may be fewer toilets, but the increased use of the remaining facilities by employees and expected customer traffic as well as the water required for marijuana plants will far surpass the previous water usage. In addition, the run-off and chemicals from the distillation and cultivation process would negatively affect the health of surrounding wells and would be detrimental to the wellbeing of surrounding residents. That is not a risk you should be willing to subject our community to just to benefit an LLC that has no investment in our community or its wellbeing.

In short, this change of use would be terrible for the community and the county. It is not in the best interest of Coal Creek Canyon or Boulder County; the only benefit would be for the out of state investors who have no interest in our community beyond their potential personal gain. There are ample marijuana retail outlets available in Nederland, Boulder and Denver. Please do not approve this proposed change of use that would dramatically change our community for the worse.

Thank you.

Kathryn Hight
Concerned Coal Creek Canyon Resident

Bjelland, Erica

From: Jasmine Jaco <jasminejaco8@gmail.com>
Sent: Wednesday, March 6, 2024 11:18 AM
To: Commissioner Levy; Commissioner Stolzmann; Commissioner Loachamin
Subject: [EXTERNAL] opposition to SPR 23-0087

Dear BOCC Members,

I urgently request a public hearing on SPR-23-0087 so residents can share our strong concerns about the negative impacts this project will have on our neighborhood and our community. Our safety and wellbeing, natural resources, and quality of life are at risk. It is essential that the BOCC hears from the overwhelming majority of local residents about why we are so strongly opposed to this project.

A high-density industrial, agricultural, and retail business is highly incompatible with a small residential neighborhood. Our opposition includes but is not limited to the following:

- **Physical safety** – this business will have large amounts of cash onsite and the criminal risk will require the presence of armed guards. This is grossly inappropriate for our small, quiet neighborhood.
- **Traffic** - a marijuana growing, processing, and retail facility with a dozen or more full-time employees and parking for dozens of cars will fundamentally change the character of the neighborhood for the worse
- **Environmental exposure** – the water requirements and fire hazards of a marijuana grow facility are a material risk to our nearby homes and quality of life
- **Indefinite damage** – approval for change of use from lodge to a marijuana grow, production, and retail operation will open the doors to future large scale business operations and irreparably harm the neighborhood regardless of the tenure of the business question.

The previous business at this location, Eldora Lodge, was compatible with the neighborhood because it was itself a residential business, providing a place to stay for others who wanted to enjoy the beauty and calm of Coal Creek Canyon. We're not fundamentally opposed to this type of business, but we firmly believe it should be located in a commercial area - not embedded among our homes.

Please hear the residents' concerns in a public forum. We urge you to reconsider and reject the SPR-23-0087 proposal.

Thank you,
Jasmine Jaco

116 Ramona Rd

Bjelland, Erica

From: jill <jill@tuells.org>
Sent: Thursday, February 29, 2024 8:24 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] application SPR 23-0087

As someone who lives within a few miles of this proposed 'pot shop' I would like to urge you to deny their request. They are asking to use water in a grow operation. They are asking to filter their air, thus forcing the smell of marijuana into the surrounding area where children live. They are turning a small, simple motel property into a grow operation and dispensary. That they are covering this up by trying to convince us that it is a 'woman owned' local business that will sell 'locally sourced thc products' is misleading. The company behind this is NOT a local business. The people who want to run this have NEVER lived in our canyon and do not know the area at all.

There are many businesses that would work well on this property, a marijuana grow house and dispensary is not appropriate.

a concerned neighbor

Bjelland, Erica

From: wendell king <wdking64@gmail.com>
Sent: Tuesday, March 5, 2024 8:57 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] SPR 23-0087

Ashley Stolzmann

I understand that you are deciding this week, whether to grant the use of the Eldora Lodge in Wondervu Boulder, county, as a marijuana grower and retail space. Please do not grant this use. It is not an appropriate use of this historic building.

As a resident of rural Boulder County, more traffic is not desirable, we already have too much traffic, cars, trucks, & bicycles. Then the question of the air pollution..... This would be the worst.

Also you would need to provide more police presence for security reasons. Those costs alone would preclude your decision.

Please do not grant them a permit for this use.

Thank you for reading my request and taking these thoughts into consideration.

Please reject this permit.

Diane King

Bjelland, Erica

From: TERRY KREIDLER <tjkreidler@msn.com>
Sent: Wednesday, March 6, 2024 10:48 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] SPR 23-0087 and El Dora Lodge

This is to protest any continuing of the process to allow the cannabis business in our Canyon. We have lived up here for going on 43 years and in that time, we have seen traffic increase two or three fold and this business will only increase traffic. Water is always a problem up here and we think this grow business will consume large amounts of water, a precious commodity.

Those of us who live in Coal Creek Canyon moved here for the rural life style and there can be no positive affect on our Canyon life if this business comes to fruition.

Please reconsider approving **SPR 23-0087 and help preserve our idyllic way of life.**

Terry
When you don't know where you're going, any road will take you there

Terry
When you don't know where you're going, any road will take you there

Bjelland, Erica

From: Judy Lehmkuhl <jblstories@prodigy.net>
Sent: Sunday, March 3, 2024 1:19 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] Dispensary/grow house in Coal Creek Canyon

This keeps popping it's head up again. We as a community are not in favor of the usage of the former Eldorado Motel site for a marijuana grow house and cannabis dispensary. It is not in keeping with our community values or resources. There are strong feelings and misinformation being passed as truth. Shaky basis for a community relationship! Please do not allow this use in our community.

Bjelland, Erica

From: Pam Ling <ling.pam1@gmail.com>
Sent: Wednesday, February 28, 2024 9:26 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] SPR 23-0087

Commissioners --

I urge you to consider a public hearing for this site review to hear views from the canyon. We have legitimate concerns about safety, fire, environment, zoning and more as you have read in the comments. This is our community, our homes that are affected.

Thank you.
Pam Ling
121 Ramona Rd

ATTACHMENT B 36

Dear Boulder County Commissioners.

My name is Pam Ling and I have been a resident of Boulder County for 51 years. I currently live on Ramona Rd in a home we built in 2005 in Cedar Ridge Estates. The Eldora Lodge is also a part of Cedar Ridge Estates as you know.

We are zoned Forestry as are most of the homes in Coal Creek Canyon because ... we live in a forest and in fact we are adjacent to Roosevelt National Forest and in viewing and hearing distance of Gross Reservoir.

The approval of SPR 23-0087 will put an unnecessary burden on the Coal Creek Canyon Fire Department who has said

1. The lodge is in a heavily forested rural location with an extreme fire risk,
2. There is a high fire hazard presented by marijuana facilities and
3. They are concerned about their own capabilities and response times in addition to the water supply.

Our fire danger is real. We have hikers trespassing and smoking on our properties, and we have campers in the forest with illegal fires. We are constantly watching for smoke or any indication of a fire. With an anticipated increase in traffic and the potential for foot traffic in our neighborhood, this contributes to an already high fire risk situation.

The lighting needed to grow marijuana indoors is energy intensive and fires and explosions can result from overloading a power system. The location of the proposed marijuana operation is in an area where extremely high winds are the norm, not the exception and a fire will undoubtedly spread rapidly by the time the fire department can respond.

But, not only are the homes in this neighborhood at risk, the Roosevelt National Forest is at risk as well as Gross Reservoir. Since Gross is downhill from Cedar Ridge Estates, should there be a fire, there will be significant water runoff into the reservoir as well as the potential for all the negative impacts from the burn scar. I have not seen responses from the Forest Service or Denver Water regarding this change of use.

We have witnessed behaviors from the applicants for this site review that lead us to believe that they have little respect for Coal Creek Canyon and its residents and once they receive all the necessary permitting, they will disregard any requirements that interfere with their business.

The Boulder County Land Use Code states “This Code is enacted to protect and promote the health, safety, and general welfare of the present and future inhabitants of Boulder County and to guide future growth, development, and distribution of land uses within Boulder County.”

The approval of **SPR 23-0087** will not promote the safety of the inhabitants of Boulder County as the Land Use Code states. It will not promote the safety of the the residents of Cedar Ridge Estates, the residents of Coal Creek Canyon, the Roosevelt National Forest or Gross Reservoir when realizing the increased potential for fire.

ATTACHMENT B 37

Commissioners, these are our homes and the quality of life that we love. Please do not approve this change of use or at a minimum call it up for hearing, so that you can hear from the majority of residents of Coal Creek Canyon that are opposed to this change of use.

Thank you.

Bjelland, Erica

From: Michael Madura <michael.madura@gmail.com>
Sent: Wednesday, March 6, 2024 8:45 AM
To: Commissioner Levy; Commissioner Loachamin; Commissioner Stolzmann
Subject: [EXTERNAL] Support for SPR-23-0087 - Coal Creek Canyon

To the Boulder County Commissioners,

Regarding SPR-23-0087, a Marijuana Grow facility at the former Eldora Lodge in Coal Creek Canyon - I am a 15 year Canyon resident and have attended the public hearing about this facility. I find the new young couple seeking to start this business to be very well prepared, thoughtful, and considerate of the canyon public concerns. I found their plan to be well laid out and very considerate of our most precious resource, Water.

I write because I am watching on social media a small group of canyon people pushing very hard to ensure this facility does not go through. Their voice absolutely does not speak for all people in our canyon, and I sincerely hope this facility get's approval because it will be a welcomed, well-attended new business in our canyon. Why anyone would seek to discredit or cast a shadow on this project is beyond me.

Thank you for your consideration,

Michael Madura
Coal Creek Canyon Resident

ATTACHMENT B 39

From: [Rhett Mitchell](#)
To: commissioners@bouldercpnty.gov; [LU Land Use Planner](#)
Subject: [EXTERNAL] Eldora Lodge Change in Use- SPR 23-0087
Date: Tuesday, February 27, 2024 8:32:44 PM

Dear Planners & Commissioners,

We are a family residing in Coal Creek Canyon & we are deeply concerned about the change in use submitted for the Eldora Lodge location. Eldora Lodge has a significant historical value to the community & was compatible with the rural residential neighborhoods that call this canyon home. The Historic Preservation Advisory Board recently unanimously agreed that it is eligible for landmark status. A shift to a cannabis grow/retail operation would destroy the rural character & historical significance of the site.

Additionally, Boulder County Comprehensive Plan Guiding Principal #5 - ' Maintain the rural character and function of the unincorporated area of Boulder County by protecting environmental resources, agricultural users, open spaces, vistas, & the distinction between urban and rural areas of the county.' is at stake of being violated. The comprehensive plan serves as an important guide for land development decisions, ensuring that changes in land use are harmonious with the community's vision & long term goals. This land use change is an obvious departure from guiding principal #5.

As residents of the canyon we are also deeply concerned with the fire safety of the neighborhoods, impact to water tables, wildlife & the overall environment of the canyon.

The change of use request only benefits the new landowner, to the detriment of the canyon & neighborhood. It does not further the goals of the comprehensive or meet the needs of this vibrant rural community.

Please do not approve the change in use request.

Sincerely,
Rhett, Chelsy & Ruby Mitchell

ATTACHMENT B 40

FW: [EXTERNAL] Eldora Lodge

From: C Boo <emailbizcs@yahoo.com>

Sent: Friday, March 8, 2024 1:51 PM

To: Bowers, James <jbowers@bouldercounty.gov>

Subject: [EXTERNAL] Eldora Lodge

It is very sad for our canyon - Coal Creek - that another decision by the powers that be of Boulder County, will adversely effect, our what once was a peaceful, safe, cozy canyon. It is bad enough - absolutely disgusting actually - that the Boulder county commissioners sold us out to devil water. We have to watch/listen and breath the daily/nightly destruction 24hrs/365. Now the county wants to (guess has already approved) allow a marijuana dispensary to conduct business at the top of our canyon. Hwy 72 can be a challenging road to navigate at times - even for the residents that are familiar with it. The monies that will come into the state and county should NOT take precedence over the ridiculous amount of traffic, and unknown activities that will result with the allowing this type of business.

We have enough to deal with, with the devil water dangerous over-sized trucks and careless uncaring drivers. Now you want to allow more of the same!!!

Shame on you!

You do not live here! Pretty sure you would be sad and disappointed in the disregard for our canyon as the county continues to exhibit ever since the last commissioners' election!

PLEASE LISTEN TO THE RESIDENTS OF THIS WONDERFUL COMMUNITY AND DO NOT MOVE FORWARD WITH allowing this business to move into our canyon. We are dealing with enough already!!! Residents are stressed - many - to the max! Leave our canyon alone - Please.

ATTACHMENT B 41

[EXTERNAL] RE: SPR-23-0087

Brian Penick <brian@reliancetradebindery.com>

Mon 3/4/2024 2:29 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Cc: LU Land Use Planner <planner@bouldercounty.gov>; Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

Hi Erica.

I saw a notice in the February mountain messenger that the planning board was beginning to actively look into the permitting change to the Eldora Lodge. Here is my original letter from October 30 2023. Since this letter I have not found anyone in favor of the proposed change and are in fact nervous the permit will be approved. Is it possible I can be emailed as this is being discussed by the board? I do welcome anyone to contact me with any questions.

Thank you.

Brian Penick



brian.reliancetradebindery.com

phone: 303-444-2463

fax: 303-415-9096

From: Brian Penick

Sent: Monday, October 30, 2023 4:41 PM

To: ebjelland@bouldercounty.org

Cc: planner@bouldercounty.gov; commissioners@bouldercounty.org

Subject: SPR-23-0087

Hello Erica.

My name is Brian Penick. I am a long time resident in Coal Creek Canyon. I'd like to voice my concerns with the potential permitting of the Eldora Lodge to begin cultivating production and retail of Marijuana. Reference: SPR-23-0087. I believe this will change the landscape in the area in a negative form, first it most likely will affect well water supply unknown how far reaching from the immediate residential area. Also would it require an agriculture permit on the well? It most likely will bring a criminal element to the area with the down side of law enforcement response times up to 45 minutes. And the air pollution impact just from the grow will affect many with the strong offensive odor it emits. This will affect every residence in the direct area and may lower property values. It will also affect the only restaurant in the area Wondervu café. I frequent that restaurant and the air pollution the grow puts off will turn away patrons such as myself. Personally I am hyper sensitive to the grows and being close to those who are smoking marijuana. I experience a loss of mental focus and my heart beat is felt throughout my whole body. It is very uncomfortable and unsettling. My residence is downwind from the Eldora Lodge and the odor may reach my residence. I reached out to the state if there has been research on health affects on humans being in close proximity to marijuana production/ retail. They responded that no study has been performed on health effects. Though marijuana may be legal. I believe we as a community need to be careful on where these types of business should be permitted to grow. I ask this will not be permitted. If you would like to ask more questions on my health affects please call me at 303-444-2463.

Thank you.

Brian Penick



brian.reliancetradebindery.com

ATTACHMENT B 42

phone: 303-444-2463

fax: 303-415-9096

ATTACHMENT B 43

[EXTERNAL] SPR-23-0087 Proposed Change of Use

Mary Reneau <kathrynreneau11@icloud.com>

Thu 2/29/2024 12:24 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

Cc: Boulder County Board of Commissioners <commissioners@bouldercounty.gov>

Ms. Bjelland:

I am writing to oppose the proposed change of the use of the historic Eldora Lodge from lodging to a marijuana processing and sales facility. The proposed change of use would have a significant negative impact on Coal Creek Canyon environment, residents' quality of life, and safety of residents and wildlife. One need only drive through an area with a marijuana facility to experience the negative impact to surrounding resident quality of life—the sickening constant odor of marijuana permeating the area has been demonstrated in multiple locations and communities in Colorado. The establishment has already indicated their intention to expand the parking to accommodate over 50 vehicles which signals the amount of traffic they anticipate. This is a residential area with adjacent homes with small children and abundant wildlife. There will be a significant increase in the risk to residents and wildlife with the increase in traffic and potentially impaired drivers; again this has been demonstrated in multiple communities in Colorado along with a documented increase in criminal activity. This community is also at high risk from potential wildfires. The increase risk of fire danger posed by this change of use has been recognized and is evident by the opposition to the proposed change of use by the Coal Creek Canyon Fire Protection District. The proposal submitted is disingenuous to suggest that a large scale marijuana facility will use less water than a small B&B. There may be fewer toilets, but the increased use of the remaining facilities by employees and expected customer traffic will far surpass the previous water usage. In addition, the run-off and chemicals from the distillation and cultivation process would negatively affect the health of surrounding wells and would be detrimental to the wellbeing of surrounding residents. That is not a risk you should be willing to subject our community to just to benefit an LLC that has no investment in our community or its wellbeing.

In short, this change of use would be terrible for the community and the county. It is not in the best interest of the Canyon or Boulder County; the only benefit would be for the out of state investors who have no interest in our community beyond their potential personal gain. There are ample marijuana retail outlets available in Nederland, Boulder and Denver. Please do not approve this proposed change of use that would dramatically change our community for the worse.

Thank you.

Kathryn Reneau

ATTACHMENT B 44

SPR 23-0087

-----Original Message-----

From: Liana Roscoe <liana_roscoe@yahoo.com>

Sent: Tuesday, March 5, 2024 9:24 PM

To: Commissioner Loachamin <commissioner.loachamin@bouldercounty.gov>

Subject: [EXTERNAL] SPR 23-0087

Dear Commissioner Loachamin,

I am writing to express my concerns regarding the marijuana facility proposed on the previous Eldora Lodge site in Coal Creek Canyon. I beg you to STOP this "change of use" request. Not only would a change be detrimental to our community land, but it would also place another black mark on our home values as we have already lost our public schools for future years. Please help us keep this a family friendly community for owners and visitors alike.

Thank you for your time and consideration!

Brett and Liana Roscoe
Coal Creek Community Residents

Bjelland, Erica

From: Liana Roscoe <liana_roscoe@yahoo.com>
Sent: Tuesday, March 5, 2024 9:26 PM
To: Commissioner Stolzmann
Subject: [EXTERNAL] SPR 23-0087

Dear Commissioner Stolzmann,

I am writing to express my concerns regarding the marijuana facility proposed on the previous Eldora Lodge site in Coal Creek Canyon. I beg you to STOP this "change of use" request. Not only would a change be detrimental to our community land, but it would also place another black mark on our home values as we have already lost our public schools for future years. Please help us keep this a family friendly community for owners and visitors alike.

Thank you for your time and consideration!

Brett and Liana Roscoe
Coal Creek Community Residents

Bjelland, Erica

From: Joseph Ryan <peaktpeakplumbing@gmail.com>
Sent: Friday, March 1, 2024 5:08 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] SPR 23-0087

As a resident of coal Creek Canyon, I wanted to reach out and let you guys know that my family and I strongly oppose the proposed grow/dispensary at this location. For numerous reasons, including ecological impact as well as it being out of place in the community. Our community is in dire need of other amenities to service us. We do not need a grow/dispensary up here. I know that I speak for many of my neighbors as well when I say that you would be doing our community a great disservice by passing and allowing this facility to open.

This type of facility is extremely out of place in such a rural community-based environment. It will do nothing but diminish the quality of life to the surrounding residents. We beg you to not allow it.

Joe Ryan
720-471-6942.
365 South Beaver Creek road.

Bjelland, Erica

From: Darlene Schriener <dbschriener@hotmail.com>
Sent: Tuesday, March 5, 2024 10:25 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] SPR 23-0087

Being a resident of Coal Creek Canyon since 1981 and residing just a short distance from the current Eldora Lodge building, I strongly recommend that the current proposal for a marijuana growth facility be rejected. This location is surrounded by residential properties; access is via a 2 lane, curvy, already heavily trafficked road; and being a small mountain community with high exposure to wildfires, are just a few reasons why this is not the place for this type of business. This proposal, including the expansion to accommodate the growth portion, consist of a much larger parking area to accommodate a large amount of employees, which will most likely be commuting from town(s) is simply not suitable for a small community.

Respectfully,

Darlene Schriener
1027 Indian Peak Road

Bjelland, Erica

From: Gina M Scott <ggscott104@gmail.com>
Sent: Thursday, February 29, 2024 7:15 PM
To: LU Land Use Planner
Subject: [EXTERNAL] SPR-23-0087

To Erica Bjelland and County Commissioners,

I am writing to express my strong opposition to the SPR 23-0087 for the proposed change to property at 33247 Coal Creek Canyon Drive Golden, CO to a marijuana dispensary within our residential community. As a concerned resident, I believe that allowing such a facility to operate in our neighborhood would have detrimental effects on our community and the well-being of its residents.

While I understand the growing acceptance of marijuana for medicinal and recreational use in some areas, I firmly believe that a residential community is not an appropriate location for a dispensary. Here are several reasons why I oppose the establishment of a marijuana dispensary in our neighborhood:

1.
Impact on Property Values: The presence of a marijuana dispensary could lower property values in our community. Many potential buyers may be deterred from purchasing homes in an area with a nearby dispensary due to concerns about safety, crime, and other negative impacts.
2.
Safety Concerns: Marijuana dispensaries often attract a large number of customers, which could lead to increased traffic congestion and pedestrian activity in our residential streets. This influx of visitors could pose safety risks to children, pedestrians, and other residents.
3.
Negative Influence on Youth: The presence of a marijuana dispensary in our neighborhood could expose children and teenagers to marijuana use at an impressionable age. Research has shown that early exposure to marijuana can have long-term negative effects on cognitive development and academic performance.
4.
Potential Increase in Crime: Studies have suggested a correlation between the presence of marijuana dispensaries and an increase in crime rates in surrounding areas. While I hope that our community remains safe, I am concerned that the presence of a dispensary could attract criminal activity and compromise the security of our neighborhood.
5.
Violation of Community Character: Our residential community has a distinct character and ambiance that could be disrupted by the presence of a marijuana dispensary. We value our quiet, family-friendly mountain community, and the addition of such a facility would be incongruent with the atmosphere we strive to maintain.

I respectfully urge you to consider the concerns of myself and other residents who oppose the establishment of a marijuana dispensary in our neighborhood. There have been over 1000 signatures on a petition opposing the SPR and many public comments made from all over the Coal Creek Canyon community. We have already been greatly impacted by the Gross Dam expansion, please help us keep what's left of our mountain community.

Thank you for taking the time to review my concerns. I trust that you will make the decision that best serves the interests of our community.

Thank you,

ATTACHMENT B 49

Gina Scott

-- Gina M. Scott ggscott104@gmail.com

Bjelland, Erica

From: Gina M Scott <ggscott104@gmail.com>
Sent: Tuesday, March 5, 2024 8:12 AM
To: Commissioner Levy; Commissioner Loachamin; Commissioner Stolzmann
Subject: [EXTERNAL] Urgent SPR-23-0087

Dear BOCC Members,

The home owners of Coal Creek Canyon and Cedar Ridge Estates urgently request that a public hearing be conducted on SPR-23-0087 so residents can directly express their deep concerns about the negative impacts of this project on our neighborhood. Despite overwhelming opposition from the local community; serious questions about residents' safety and wellbeing; and we believe clear violations of guiding principles in the Boulder County Comprehensive Plan.

This project was approved by the Boulder County Director of Community Planning and Permitting on February 27, 2024. It is essential that the full BOCC membership hears from local residents about why we are so strongly opposed to this project.

Locating a high-density industrial, agricultural, and retail business within a residential neighborhood will significantly degrade the neighborhood's quality of life and environmental health. This, combined with the new owner's high levels of aggression directed at local residents, drives us to take action. The prior business at this location, Eldora Lodge, was compatible with the surrounding homes because it was itself a residential business, providing a safe place to stay for others who wanted to enjoy the beauty and calm of Coal Creek Canyon. To convert that site into a marijuana growing, processing, and retail facility with increased traffic, large amounts of cash on site, and armed guards patrolling this 2.4 acre lot will fundamentally change the character of our neighborhood for the worse. We're not fundamentally opposed to this type of business, but we firmly believe it should be located in a commercial area - not embedded among our homes.

Please hear the residents' concerns in a public forum. We urge you to reconsider and reject the SPR-23-0087 proposal.

Thank you,
Gina Scott
77 Ramona Rd
Golden, CO 80403

--

Gina M. Scott
ggscott104@gmail.com
m. 303-579-8446


ATTACHMENT B 51

[EXTERNAL] Please Call Public Hearing and Stop Docket SPR-23-0087

Chaucee Stillman <chaucees@gmail.com>

Fri 3/1/2024 7:42 PM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

 1 attachments (97 KB)

ChauceeStillmanLetter.pdf;

Hi Erica,

I hope this letter finds you well. I am writing on behalf of the concerned residents of our community in Coal Creek Canyon, who have been diligently voicing their opposition to the proposed conversion of the Eldora Lodge into a commercial marijuana grow and manufacturing facility (docket SPR-23-0087).

We understand that the county commissioner's conditional approval has been granted despite the overwhelming protest from over 1,000 residents. It is disheartening to witness a decision that affects nearly half of our community population and reflects a significant discrepancy between the sentiments of the residents and the Commissioner's office.

Our community has gone to great lengths to express our collective concerns. From signs and banners to public meetings, surveys, and engagement with various authorities, we have exhausted every available avenue to have our voices heard. This issue has mobilized our residents to an extent where our frustration and determination have reached new heights.

We request your consideration in scheduling a public hearing for SPR-23-0087, as we believe it would greatly contribute to the transparency and inclusivity of the decision-making process. Your assistance in this matter would be sincerely appreciated.

Attached is a letter detailing our community's concerns.

Thank you.

Chaucee Stillman
CCC Resident

ATTACHMENT B 52

October 3, 2023

Boulder County Planning and Permitting
2045 13th Street
Boulder, CO 80302

Re: SPR 23-0087

To whom this may concern,

We are submitting this response to **Docket SPR-23-0087: Reptar 1783 LLC Change of Use** regarding a change of use from lodging to marijuana retail and grow facility in a residential neighborhood.

In the opening letter of the Development Report submitted by Sarah Manocherian, it states, "Our team intends to build its relationship with the community" and that "We believe that our business model will be in harmony with the community." We do not see how this type of operation will bring harmony or benefit the Coal Creek Canyon community in any way.

Responses to **Rule 4-601 Review Criteria:**

A.

1. The use will be compatible with the minimum zoning requirements of the district in which the use is to be established.

It is stated that the property is ideally suited for professional use and to this we would agree.

However, due to the proximity of the housing and children in the subdivision, we do not believe this type of business use is compatible with the area.

With 44 dispensaries currently in Boulder County including 4 in Nederland, we do not see the need for this type of business in Coal Creek Canyon.

It is stated that there are multiple businesses in the surrounding area implying that they are close to the businesses in Coal Creek Canyon. It is true there is a restaurant in close proximity, but the businesses in Coal Creek Canyon are in the business section three miles away. This location is residential.

2. The use will be compatible with the surrounding area.

This proposed facility will have a direct affect on our home values. We have recently been confronted with the expectation that our K-8 school will be closed. This alone will impact the decision of families wanting to move to this mountain community. Coupled with a marijuana retail, cultivation, production facility in the area this will have an adverse affect on our home values and the ability to sell. This affects all of us economically.

3. The use will be in accordance with the Comprehensive Plan

We are not quite sure what "compatible with other businesses in the area" means, but those referenced businesses are several miles from the proposed site. There are residential properties on both sides of the proposed site that face the highway.

4. The use will not result in an over-intensive use of the land or excessive depletion of natural resources

It is stated that "a licensed contractor will be planting dozens of trees, shrubs, perennials and flowers on the property to be made visible from STATE Highway-72 for all to enjoy." There is nothing stated as to what will be visible to the west side of the property that abuts Jennie Lane and adjacent properties.

ATTACHMENT B 53

There is a strong moose, deer, fox, and bear presence in our area. Having this facility and the increase in traffic will adversely affect their habitat. They are currently being disrupted due to the Gross Dam expansion project and this will only add to their disturbance.

5. The community will not have a material adverse effect on community capital improvement programs.

No comment

6. The use will not require a level of community facilities and services greater than that which is available.

Fire:

With the increase in traffic and customers in the retail operation comes the increase in fire risk. This property is zoned forestry and with forestry comes the high risk of fire and fire spreading to homes in this area. Visitors to the canyon do not have the same respect for the canyon nor the fire awareness that the residents have.

Additionally, with this operation is the increase in combustibles, plastics, pesticides and fertilizers in the facility which should be cause for concern for the volunteer Coal Creek Canyon Fire Department and could take their fire fighting skills to another level.

It will be difficult to monitor when visitors to the retail establishments smoke their purchases and the lure to walk the areas in the canyon will be tempting. With the addition of the Denver Mountain Parks Axton Ranch public area 2.5 miles from the proposed retail operation, this will most definitely increase the wildfire risk.

Police:

Marijuana operations are cash operations. The proposed facility is in an area where there is no police presence. Claiming to have security 24/7 will not help the fact that the response time from the Boulder County Sheriff is typically 30-45 minutes because there is no office remotely close. We are a mountain community and with that comes fewer community services.

Several years ago, there was a triple murder and robbery in Coal Creek Canyon at an illegal grow. With the common knowledge that mountain canyons are without local law enforcement we believe there could be an increase in crime as this operation could be an easy target.

Medical:

There are no hospitals or medical facilities in Coal Creek Canyon. The only medical provided for emergency situations relies on the services of the volunteer fire department.

7. The use will support a multimodal transportation system and not result in significant negative impacts to the transportation system or traffic hazards.

Coal Creek Canyon does not have a "transportation system." There are no buses or Uber drivers, and we strongly discourage bikers from biking up this canyon due to the absence of a bike path and the risk involved to motorists and bikers. This proposed facility is at the top of the canyon and that is a difficult drive for those that are not familiar with mountain driving. We have winter seven months out of the year with the potential for snow from October to June which adds to the hazardous driving. Additionally, the pull out on to Highway 72 has blind spots at each entrance to the current lodge.

8. The use will not cause significant air, odor, water or noise pollution.

Odor:

Marijuana plants have a pungent odor often described as skunky, earthy but nevertheless, not pleasing and offensive. From the experience we had with an illegal grow in the neighborhood, we're aware that it is difficult to contain this odor even when the plants are grown inside. For a neighborhood in the mountains, this would not be compatible with our way of life. Although there is the promise of

ATTACHMENT B 54

“providing equipment that meets or exceeds industry standards... that will eliminate any air odor.”
Currently there are no requirements in Boulder County that address this and will initiate compliance.

Water:

This is a strong area of concern as run-off from the plants that have been fertilized or sprayed with pesticides will affect the quality of our groundwater. We do not have the option of tapping into “city water” so our wells are our only means of obtaining water. Water going into the septic system on the property will leach out and also have a negative impact.

9. The use will be adequately buffered or screened to mitigate any undue visual impacts of the use.

No comment

10. The use will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of Boulder County.

We are not responding to the negative or positive effects of the use of marijuana in our comments. But we are saying that the facility itself will have a negative impact in many ways as we have outlined in this response.

11. The use will establish an appropriate balance between current and future economic, environmental, and societal needs by minimizing consumption and inefficient use of energy, materials, minerals, water, land and other finite resources.

The comment states that since they will be retailing their final product at the same facility where they are produced, they will be reducing their carbon footprint. This requires more explanation.

12. The use will not result in unreasonable risk of harm to people or property-both on-site and in the surrounding area – from natural hazards.

No comment

13. The proposed use will not alter historic drainage patterns and/or flow rates unless the associated development includes acceptable mitigation measures to compensate for anticipated drainage impacts.

No comment

Responses to **Rule 3-203:**

Water:

Water demand will increase significantly. Permit #154505- is a well permit owned by the current owners that is allowed 108,600 gallons per year and not allowed for a commercial “agricultural” operation. The Department of Natural Resources has indicated that in order to use this current well, the current owners of the permit must go through a lengthy augmentation process to increase the usage of the well.

Solid Waste Disposal:

The septic is approved for 12 bedrooms. When ownership of the septic system was transferred to the new owners on 05/28/2021, a letter written by Sarah Manocherian stated that “the operations for the following address will continue to be run as a lodge: 33247 Highway 72, Golden Co 80403.” The transfer was based on the assumption that there would be no change in operations. Use of the existing septic for marijuana retail, production and cultivation operation should be evaluated again based on the change.

Access:

“Building use will not interfere with access.” As stated previously, we do not have the “plethora in services and amenities” as described. Water is not abundant, police protection is 30-45 minutes away, the fire department is volunteer, well and septic availability are in question, increased traffic through the canyon is counter to why we live here. This is a mountain community, not a major metropolitan area, that can manage an increase in activity such as proposed.

Fire Protection

Mountain Fire Departments are already stressed with the increase in wildfires. The majority of fires we have seen in the canyon and surrounding areas have not been started by natural causes but instead human caused. The goal of any retail operation is to increase sales and that can only be achieved by an increase in visitors to the canyon. With this increase comes the increase of cigarettes being thrown out the windows, illegal campfires and smoking while hiking. Coal Creek Canyon is primarily a residential canyon with many homes. A fire would decimate this canyon.

The fire protection system within the structure will help with any fire started in the premises but will do nothing to address the fire risk stated above.

Schools

This operation will not affect schools, but it will affect children. Article 4-512 I 5d states that a Marijuana Store shall not be located within 1000’ of ancillary properties with students below college level.

Mountain Boulder Valley School District has a bus stop in front of the proposed facility. Across the street is a disc golf course frequented by children below college grade level.

Please be advised we are not opposed to the use of marijuana products in any way. The addition of the proposed marijuana facility provides no positive enhancement to our way of life and negatively impacts the residents of Coal Creek Canyon.

Thank you.

Cedar Ridge Estates Residents
Coal Creek Canyon

Chaucelynd Stillman

Bjelland, Erica

From: Chaucee Stillman <chaucees@gmail.com>
Sent: Tuesday, March 5, 2024 8:03 PM
To: Commissioner Stolzmann
Subject: [EXTERNAL] Please Call Public Hearing and Stop Docket SPR-23-0087
Attachments: ChauceeStillmanLetter (1).pdf

Hi Ashley,

I hope this letter finds you well. I am writing as a resident of Coal Creek Canyon and on behalf of the concerned residents of our community in Coal Creek Canyon, who have been diligently voicing their opposition to the proposed conversion of the Eldora Lodge into a commercial marijuana grow and manufacturing facility (docket SPR-23-0087).

We understand that the county commissioner's conditional approval has been granted despite the overwhelming protest from over 1,000 residents. It is disheartening to witness a decision that affects nearly half of our community population and reflects a significant discrepancy between the sentiments of the residents and the Commissioner's office.

Our community has gone to great lengths to express our collective concerns. From signs and banners to public meetings, surveys, and engagement with various authorities, we have exhausted every available avenue to have our voices heard. This issue has mobilized our residents to an extent where our frustration and determination have reached new heights.

We request your consideration in scheduling a public hearing for SPR-23-0087, as we believe it would greatly contribute to the transparency and inclusivity of the decision-making process. Your assistance in this matter would be sincerely appreciated.

Attached is a letter detailing our community's concerns.

Thank you.

Best,
Chaucee Stillman

ATTACHMENT B 57

October 3, 2023

Boulder County Planning and Permitting
2045 13th Street
Boulder, CO 80302

Re: SPR 23-0087

To whom this may concern,

We are submitting this response to **Docket SPR-23-0087: Reptar 1783 LLC Change of Use** regarding a change of use from lodging to marijuana retail and grow facility in a residential neighborhood.

In the opening letter of the Development Report submitted by Sarah Manocherian, it states, "Our team intends to build its relationship with the community" and that "We believe that our business model will be in harmony with the community." We do not see how this type of operation will bring harmony or benefit the Coal Creek Canyon community in any way.

Responses to **Rule 4-601 Review Criteria:**

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However, due to the proximity of the housing and children in the subdivision, we do not believe this type of business use is compatible with the area.

With 44 dispensaries currently in Boulder County including 4 in Nederland, we do not see the need for this type of business in Coal Creek Canyon.

It is stated that there are multiple businesses in the surrounding area implying that they are close to the businesses in Coal Creek Canyon. It is true there is a restaurant in close proximity, but the businesses in Coal Creek Canyon are in the business section three miles away. This location is residential.

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This proposed facility will have a direct affect on our home values. We have recently been confronted with the expectation that our K-8 school will be closed. This alone will impact the decision of families wanting to move to this mountain community. Coupled with a marijuana retail, cultivation, production facility in the area this will have an adverse affect on our home values and the ability to sell. This affects all of us economically.

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ATTACHMENT B 58

There is a strong moose, deer, fox, and bear presence in our area. Having this facility and the increase in traffic will adversely affect their habitat. They are currently being disrupted due to the Gross Dam expansion project and this will only add to their disturbance.

5. The community will not have a material adverse effect on community capital improvement programs.

No comment

6. The use will not require a level of community facilities and services greater than that which is available.

Fire:

With the increase in traffic and customers in the retail operation comes the increase in fire risk. This property is zoned forestry and with forestry comes the high risk of fire and fire spreading to homes in this area. Visitors to the canyon do not have the same respect for the canyon nor the fire awareness that the residents have.

Additionally, with this operation is the increase in combustibles, plastics, pesticides and fertilizers in the facility which should be cause for concern for the volunteer Coal Creek Canyon Fire Department and could take their fire fighting skills to another level.

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There are no hospitals or medical facilities in Coal Creek Canyon. The only medical provided for emergency situations relies on the services of the volunteer fire department.

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Coal Creek Canyon does not have a "transportation system." There are no buses or Uber drivers, and we strongly discourage bikers from biking up this canyon due to the absence of a bike path and the risk involved to motorists and bikers. This proposed facility is at the top of the canyon and that is a difficult drive for those that are not familiar with mountain driving. We have winter seven months out of the year with the potential for snow from October to June which adds to the hazardous driving. Additionally, the pull out on to Highway 72 has blind spots at each entrance to the current lodge.

8. The use will not cause significant air, odor, water or noise pollution.

Odor:

Marijuana plants have a pungent odor often described as skunky, earthy but nevertheless, not pleasing and offensive. From the experience we had with an illegal grow in the neighborhood, we're aware that it is difficult to contain this odor even when the plants are grown inside. For a neighborhood in the mountains, this would not be compatible with our way of life. Although there is the promise of

ATTACHMENT B 59

“providing equipment that meets or exceeds industry standards... that will eliminate any air odor.”
Currently there are no requirements in Boulder County that address this and will initiate compliance.

Water:

This is a strong area of concern as run-off from the plants that have been fertilized or sprayed with pesticides will affect the quality of our groundwater. We do not have the option of tapping into “city water” so our wells are our only means of obtaining water. Water going into the septic system on the property will leach out and also have a negative impact.

9. The use will be adequately buffered or screened to mitigate any undue visual impacts of the use.

No comment

10. The use will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of Boulder County.

We are not responding to the negative or positive effects of the use of marijuana in our comments. But we are saying that the facility itself will have a negative impact in many ways as we have outlined in this response.

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The comment states that since they will be retailing their final product at the same facility where they are produced, they will be reducing their carbon footprint. This requires more explanation.

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No comment

13. The proposed use will not alter historic drainage patterns and/or flow rates unless the associated development includes acceptable mitigation measures to compensate for anticipated drainage impacts.

No comment

Responses to **Rule 3-203:**

Water:

Water demand will increase significantly. Permit #154505- is a well permit owned by the current owners that is allowed 108,600 gallons per year and not allowed for a commercial “agricultural” operation. The Department of Natural Resources has indicated that in order to use this current well, the current owners of the permit must go through a lengthy augmentation process to increase the usage of the well.

Solid Waste Disposal:

The septic is approved for 12 bedrooms. When ownership of the septic system was transferred to the new owners on 05/28/2021, a letter written by Sarah Manocherian stated that “the operations for the following address will continue to be run as a lodge: 33247 Highway 72, Golden Co 80403.” The transfer was based on the assumption that there would be no change in operations. Use of the existing septic for marijuana retail, production and cultivation operation should be evaluated again based on the change.

ATTACHMENT B 60

Access:

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This operation will not affect schools, but it will affect children. Article 4-512 I 5d states that a Marijuana Store shall not be located within 1000' of ancillary properties with students below college level.

Mountain Boulder Valley School District has a bus stop in front of the proposed facility. Across the street is a disc golf course frequented by children below college grade level.

Please be advised we are not opposed to the use of marijuana products in any way. The addition of the proposed marijuana facility provides no positive enhancement to our way of life and negatively impacts the residents of Coal Creek Canyon.

Thank you.

Cedar Ridge Estates Residents
Coal Creek Canyon

Chaucelynd Stillman

Bjelland, Erica

From: Chaucee Stillman <chaucees@gmail.com>
Sent: Tuesday, October 3, 2023 9:17 PM
To: Commissioner Stolzmann
Subject: [EXTERNAL] Please Stop Docket SPR-23-0087: Reptar 1783 LLC Change of Use
Attachments: ChauceeStillmanLetter.pdf

Hi Ashley,

My name is Chaucelynd (Chaucee) Stillman, and I live at 221 Jennie Ln, Golden, CO 80403, which is within Boulder County and is also in the residential neighborhood that contains the property in question: 33247 Highway 72, Section 36, Township 1S, Range 72W.

I am writing this letter to express my incredibly strong opposition to **Docket SPR-23-0087: Reptar 1783 LLC Change of Use** regarding a change of use from lodging to marijuana retail and grow facility in a 100% residential neighborhood.

On the first page of the Development Report submitted by Sarah Manocherian, it states, "Our team intends to build its relationship with the community" and that "We believe that our business model will be in harmony with the community." An important step in any relationship building is communication. However, we have received zero communication from Reptar 1783 LLC about their intended use to sell and grow marijuana on this property, and if we had, we would have made it explicitly clear that we are not in harmony. Therefore, they've already demonstrated how little they care about our community and about the immediate impact a potential marijuana production facility will have on our neighborhood and our community. Not a great start. This puts their integrity into question right away, and we're not even off the first page.

I am extremely concerned about the potential for this facility to negatively impact the health and well-being of both myself and all of my neighbors. I would very much like to discuss this with you as soon as possible. My phone number is 267-838-1683.

Sincerely,
Chaucee Stillman
267-838-1683

Bjelland, Erica

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, March 5, 2024 4:29 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - KATHERINE Sylvest - SPR-23-0087 - 242 Black Bear Trail

Boulder County Property Address : 242 Black Bear Trail

If your comments are regarding a specific Docket, please enter the Docket number: SPR-23-0087

Name: KATHERINE Sylvest

Email Address: katieannefranks@yahoo.com

Phone Number: (225) 278-6138

Please enter your question or comment: Hello, i currently live less than 1 mile from this proposed marijuana facility. At the highway where this building is located, tourists frequently stop to look out at panoramic views of the Indian Peaks Wilderness and Continental Divide. Beetle Kill forest lines both sides of the road. Tourists stop to take photos and soon, if this SPR-23-0087 passes will be smoking and throwing their butts into the forests. You can see many many homes without proper road exits from their non county mained roads. Wildfires spread uphill. Several hundred neighbors and I are at risk of physical and property harm due to wildfire if this marijuana distribution business happens. A forest, which as you know in Colorado can light like a match, especially the one on this remote canyon with steep walls, is not a place to encourage excessive smoking by out of staters who dont understand fire safety. Speaking of which, this business owner is new to the area from Chicago. Do you want the future of Boulder, Jeffco, and Gilpin Counties (all found close to this site) to be determined by a new out of stater without wild fire or local knowledge or will you listen to long time residents? See attached photo for one of the most beautiful vistas in the state which will soon be burned to a crisp black ash. Our rural volunteer fire departments wont be able to save it. Thank you

Attach a photo or document (optional): <https://bouldercounty.wufoo.com/cabinet/cf3558ab-bc52-4d24-bad1-e5bfd1a645e5> - 3.56 MB

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

Bjelland, Erica

From: Katie Sylvest <katiesylvest@gmail.com>
Sent: Friday, March 1, 2024 3:33 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] SPR 23-0087

Hello,

Im a resident of Coal Creek Canyon writing about my big concern for wildfires regarding SPR 23-0087. I ask that this never be allowed to be a dispensary as local residents do not want tourists to throw lit marijuana butts out of their car windows. The terrain in this area is vertical and our fire departments will be unable to exterminate wildfires caused by tourists smoking marijuana after stopping at this proposed majiujana facility. I invite you to come take a drive through Wondervu to Pinecliffe and see our lovely homes and forrest that we do not want burned down. We have limited resources up here. Its not an appropriate location for smoking outdoors. I understand that balms and creams with THC are very different that smokable products. Please dont let the smokable products wver be sold in Wondervu! Signed, I'm scared! Katie Sylvest

Bjelland, Erica

From: Mike Tomaskovic <mtomaskovic1@aol.com>
Sent: Tuesday, March 5, 2024 12:37 AM
To: Commissioner Stolzmann
Subject: [EXTERNAL] public hearing for SPR 23-0087

Dear Commissioner Ashley Stolzmann ,

I live in Coal Creek Canyon and have worked in Boulder County for over 15 years. There is no need for a marijuana grow, production and retail operation in CCC. We do not have the resources in the canyon to support manufacturing of any kind especially a grow operation that uses way more resources than we currently have in this rural mountain community. This is a community of families and a few small businesses that barley survive.

I am not against the marijuana industry and I will get whatever I need down in town. This is just not the right place for a facility like this. It belongs down in a industrial area where most of the other grow operations are located that have the proper infrastructure to support the operation.

Please do not let this happen in our small close knit mountain community. We will have to live with the consequences of your decision.

Sincerely,

MIKE TOMASKOVIC
AUDIO ENGINEER/PRODUCTION MANAGER
708-288-5364

Bjelland, Erica

From: Felicia Trujillo <ftruji2@gmail.com>
Sent: Monday, March 11, 2024 4:19 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Marijuana Establishment

To the Boulder County Community Planning and Permitting Director,

I own 11 Millard Rd. in Wondervu. I think that such a large growing, processing, and retail establishment would be detrimental to the small community of Wondervu. In my opinion this would attract the wrong type of crowd. Also, police are hardly available to this community and I think it would increase crime in the surrounding neighborhood. I don't think that this large of an operation would be supervised appropriately in Wondervu. Most roads in Wondervu aren't paved and this would increase the traffic and the erosion to the mostly dirt roads in the area. Overall, I object to a Marijuana Establishment of this scale in the middle of the community and would change the overall dynamics of the community.

Sincerely,
Felicia Trujillo

Bjelland, Erica

From: Wilma Wagner <wilmawagner59@msn.com>
Sent: Wednesday, February 28, 2024 2:48 PM
To: Boulder County Board of Commissioners
Subject: [EXTERNAL] SPR-23-0087

To Whom it may concern:

I am writing to request a public hearing for SPR-23-0087.

This pertains to changing the lodge zoning to marijuana growing, manufacturing and selling in Coal Creek Canyon.

I live in the neighborhood where this historic lodge is located. It is in a forested residential area. This is not the place for a manufacturing site. We live in a fire risk area already and this will increase that risk.

We moved to Coal Creek Canyon for the quiet and peaceful environment. Having a manufacturing and retail site across the street from us, will hinder our peace and quiet.

Please give us a public hearing so we can voice our concerns.

Thank you,

Wilma Wagner

Bjelland, Erica

From: CARL WAGNER <carlewagner@msn.com>
Sent: Wednesday, March 6, 2024 1:20 PM
To: Commissioner Levy; Commissioner Loachamin; Commissioner Stolzmann
Subject: [EXTERNAL] Please stop the factory in our neighborhood - SPR-23-0087

Ms. Levy, Ms. Loachamin, and Ms. Stolzmann,

I am writing you to express my deep concerns about the proposed factory being built across the street from me.

Can you please explain to me how this is not a violation of zoning? I live in a residential neighborhood in the middle of the forest.

The applicant is requesting converting the existing Eldora Lodge in to a factory for the production of cannabis products. To be clear, my concern has nothing to do with cannabis itself, but lay with having a factory next to my house.

Per the Boulder county Planning department's web site

The planning or development review processes through the Community Planning & Permitting Department are necessary to achieve a number of goals, including ensuring the health, safety, and welfare of the citizens while at the same time protecting the rights of property owners. Learn more about [Planning Review Processes](#).

Will the county guarantee that this change of use will not impact "the rights of property owners" in perpetuity?

Will the county guarantee that this factory will not emit noxious fumes in perpetuity?

Will the county guarantee that this factory will not increase the ambient noise levels, in perpetuity?

Will the county guarantee that this factory will not increase light levels that trespass onto our properties from this facility, in perpetuity?

Will the county guarantee that this factory will not dump waste products into their septic system that vertically above my well and several of my neighbors well, in perpetuity? If they poison our wells, we will legal recourse against Boulder County as being complicit in this activity.

Will the county guarantee that this factory, that was designed and built as a lodge with little concern for ignition resistant materials will not increase the fire danger to our homes, in perpetuity?

Will the county guarantee that the crime rate in our neighborhood will not increase?

Will the county guarantee that the property values will not decrease because of this change of use?

Water use

They propose a lot of landscape changes. Is the existing well allowed to be used for external watering?

Is the existing well allowed to be used for agricultural uses?

How would you feel if I bought the house next door to you and converted it into a factory? Would you mind if I built a hog lot next to your house?

Has anyone from the county come out or contacted the neighbors to discuss their concerns? Everyone that I have talked to is opposed to this change of use. Everyone in this case is all the households on Ramona and Jennie lane, except 2 that I haven't had a chance to meet.

ATTACHMENT B 68

Having been through the planning process for my house, the planning department required me to reduce the size of, at the time, proposed house by 103 square feet. That seemed like a rather nit-picky item, whereas the conversion of a lodge to a factory is just fine by the county? Can you please explain why that is?

Has Boulder county rescinded all zoning ordinances? What is the point have having zoning if you allow a factory to be built in a residential neighborhood? I realize that it is zoned Business, but there should be limits on what can be done regardless of zoning if it is in the middle of a residential area.

Thus far, the applicant has been anything other than a good neighbor. They put up a barbed wire fence around the property with little concern for wildlife safety. This fence was built just to irritate us, and the applicant said as much in a public meeting held at the Coal Creek Canyon meeting room. They said that they would take it down if we didn't resist the SPR. Also, this fence appears to have been erected on a neighbor's property, and in the right of way for Ramona road, and possibly the right of way for highway 72. I would like the county surveyor to come out and verify the corners, but that is difficult until more of the snow melts. They have had arguments with multiple neighbors (this is hearsay, but I can introduce the neighbors that had arguments with the applicant) but not with me.

I am also concerned with what will happen after the applicant's venture fails as most assuredly will, unless they base the entire business on shipping products. As it will then be approved for a cannabis grow and processing site. What will the new owners do?

Per Merriam-Webster,

factory

noun

fac·to·ry

'fak-t(ə-)rē

plural

factories

Synonyms of *factory*

1

: a station where **factors** reside and trade

a colonial *factor*

2

a

: a building or set of buildings with facilities for manufacturing

ATTACHMENT B 69

b

: the seat of some kind of production

This sounds like what the applicant is proposing.

Several neighbors are consulting with an attorney to determine our path forward in blocking this.

Best regards,

Carl Wagner

Bjelland, Erica

From: Wufoo <no-reply@wufoo.com>
Sent: Friday, March 8, 2024 2:56 PM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - Vivian White - SPR-23-0087 - 33247 coal creek can drive

Boulder County Property Address : 33247 coal creek can drive If your comments are regarding a specific Docket, please enter the Docket number: SPR-23-0087

Name: Vivian White

Email Address: vivianwhite1974.vw@gmail.com Phone Number: (303) 847-2647 Please enter your question or comment: NO to change use to Marijuana Establishment.

ABSOLUTELY NOT!! Too dangerous for mountain driving. This notice of determination was dated 2/27/24.. just received it yesterday 3/7/24. You cannot rely on the mail for communication.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

Bjelland, Erica

From: Matt Wittke <mattwittke@hotmail.com>
Sent: Wednesday, March 6, 2024 11:41 AM
To: LU Land Use Planner
Subject: [EXTERNAL] SPR-23-0087

To Whom it May Concern,

I would like to request that a public hearing be conducted on SPR-23-0097, the change of use request for 33247 Coal Creek Canyon Dr., so that local residents, to include myself, can voice their opposition to this project. Despite serious questions regarding the safety and environmental impact of converting a former small hotel in a mountain residential neighborhood into an industrial facility, the Director of Community Planning & Permitting approved the change of use Site Plan Review on February 27th.

The previous business at this location was a small hotel that was compatible with the mountain neighborhood it was a part of. Changing an old wooden hotel into a large scale marijuana grow, processing, & retail operation will not only degrade the quality of life of residents, but will also be extremely difficult to operate without damaging the environment. How much well water will they use, and how will their septic system handle the chemicals needed for a large scale grow? Fire danger and risk of criminal activity? Even if these concerns could be overcome, the dozens of full time employees, customers, supposedly armed security guards, etc will ruin an otherwise very quiet and peaceful residential neighborhood.

Please give all the concerned residents such as myself a chance voice their opinions at a public forum. The SPR-23-0087 proposal should be rejected.

**Sincerely,
Matt Wittke
15 Jennie LN**

Public Hearing request for SPR-23-0087, Coal Creek Canyon (Cannabis Grow Industrial Operation)

We are requesting that the Boulder County Commissioners hold a public hearing regarding SPR-23-0087!

We strongly oppose the plan to allow the former Eldora Lodge located at 33247 Hwy 72 to convert to a Cannabis Retail and Grow Operation under application SPR-23-0087 filed by Reptar 1783 LLC.

Our community has spoken loud and clear with over 1000+ petitioners against the proposal including unanimous consensus in the immediate residential area expressing overwhelming opposition to this proposal. We are concerned about increased traffic, noise, the safety of our neighborhood and impact to the environment. The proposed industrial cannabis operation would irrevocably alter the character of our community, risking our quality of life.

Families like mine have chosen to settle down here because of the sense of security and peace that this community offers. Unfortunately, plans for a marijuana dispensary right next door jeopardize everything we hold dear. The thought of having such an establishment near our homes fills us with worry and concern for the well-being of our families, children, and neighbors.

Relevant Information:

1. Inconsistency with Comprehensive Plan: The proposal to change the zoning from its current designation, aligned with the residential character and historical significance of the area, to a use that is industrial and commercial in nature is incongruent with Boulder County's comprehensive plan. Specifically, the Boulder County Comprehensive Plan Guiding Principle #5 'Maintain the rural character and function of the unincorporated area of Boulder County by protecting environmental resources, agricultural uses, open spaces, vistas, and the distinction between urban and rural areas of the county.' The comprehensive plan serves as a crucial guide for land development decisions, ensuring that changes in land use are harmonious with the community's vision and long-term goals.

2. Spot Zoning Concerns: The proposal at hand raises serious concerns of spot zoning – which is illegal in Colorado per the Colorado Supreme Court. The transformation of this specific parcel of land for the exclusive benefit of the new business owner, without clear alignment with the comprehensive plan, raises serious concerns of spot zoning. Spot zoning undermines equitable land use and sets a precarious precedent, jeopardizing the integrity of zoning regulations within our county. The wider area is residential with some businesses allowed. The business that was arguably grandfathered in this case was a lodge, and both uses are places of rest and day to day living. To change the zoning to allow an industrial grow/manufacture/sell of marijuana use is very likely to be seen as a spot zoning – it benefits only the business landowner (to the detriment of the neighborhood) and does not further the goals of the comprehensive plan or meet the needs of the community.

3. Environmental: Dispensary and growing facilities use significant quantities of water to facilitate growth. Cannabis plants can be water-intensive, and in areas such as Coal Creek that source of water is from a well. **The maximum rainwater collection allowed in Colorado is 110 Gallons or 2 barrels.** This means the deficit of the water will be put on the shared neighborhood Aquifer. Natural rain will not be an option as there is freezing temperature 6-months out of the year. **The Colorado DWR has already stated the well is permitted to only drinking and sanitation. The current "work around" proposed is to haul-in water and haul out the waste water associated with their cultivation questioning the "eco-**

friendly” nature of the business. As discussed below, this increases industrial traffic. While the applicant claims that only 20-120 gallons of water will be used daily, this statement has not been supported by any evidence of actual use.

4. Waste Water: It is unclear what “permitted vault” will entail. It clearly anticipates additional trucking of the waste water, adding large vehicle traffic.

5. Energy consumption: Indoor cannabis cultivation requires significant amounts of electricity, heating and ventilation. The noted use of solar will offset, but it is hard to imagine the net zero aspect and this should be analyzed. The application does not provide evidence of such analysis.

6. Wildlife: Our area is also a frequent migratory path for numerous wildlife, including large moose and bear. The larger planned fence combined with the smell and increased traffic could further displace such wildlife and should be studied as a part of the planning.

7. Traffic: The increased traffic including heavy trucks supporting their supply chain, **including water logistics**, will put a burden on the environment due to increased emissions, noise and vibration. It also creates an added danger to children, neighbors, etc. A water truck holds between 2,000 and 4,000 gallons. While the applicant claims that only 20-120 gallons of water will be used daily, this statement has not been supported by any evidence of actual use.

9. Safety: Cannabis operations are illegal under Federal Law. **Many banks, investors and administrators can still technically be prosecuted under the Racketeer Influenced and Corrupt Organizations Act (RICO) for facilitating Cannabis Industries.** On the bank side, this may instill a behavior of carrying large sums of cash on hand, making the business highly susceptible to armed robbery. **In fact, in 2017 there was a triple homicide here in Coal Creek Canyon due to an armed robbery for an illegal growing operation (<https://www.denverpost.com/2019/06/17/coal-creek-canyon-triple-homicide-guilty/>).** With the remote location within Boulder County response times (30+ minutes at best) will be prolonged, especially for safety matters related to robbery after hours. The county is already burdened having to provide Law Enforcement for Nederland, since the police force disbanded. The same county sheriff’s department is having to protect/respond to those dispensaries as well. The typical security guards stated in the application, would not fit the bill to blunt an armed robbery nor would they protect the surrounding residences.

Boulder County already has 40+ dispensaries (~1 per 17 sq-miles BoCo alone): With such an abundance already present in the county, it begs the question - do we really need another one? Adding yet another dispensary in close proximity to residential areas seems unnecessary and potentially disruptive. **Is this a real need and priority for Coal Creek Canyon considering the local K-8 school is in limbo?**

10. Negative impact on home values: Numerous studies have shown that proximity to marijuana dispensaries can negatively affect property values in residential neighborhoods. As homeowners who have invested time, money, and effort into creating comfortable lives for ourselves and our families here in Coal Creek Canyon, it is disheartening to think that these efforts may be undermined by this proposed development. It’s hard to imagine selling our home when prospective buyers would pass in front the proposed Cannabis Grow/Retail. Wouldn’t that impact your decision? Finally, the current owners of the lodge do not live in the area (possibly out of state), so they have zero skin in the game here in terms of shared burden.

11. Overall Quality of life concerns: Establishing a marijuana dispensary near our homes raises concerns about increased traffic flow from customers coming into our quiet neighborhood. Additionally, there may be potential issues related to public safety or increased crime rates or wildfire danger associated with such establishments. **My kid's playground is less than 50 ft away from the planned site! These applicants have already threatened my family's wellbeing and peace with video documentation to prove behaviors. They have erected valueless fencing on the border of the properties merely for intimidation purposes. We have had to call law enforcement. This is not the residential expectation that any family has. My family is fearful of these people and has a right to be!**

We understand that marijuana dispensaries can serve a purpose and have their place in appropriate locations. **However, we firmly believe that our residential neighborhood is not the right place for such an establishment and strongly question both the character and integrity of the applicants to do what is right and respect others.**

Therefore, we kindly request the local authorities to reconsider this decision and prevent the marijuana dispensary from being established next to our homes and neighborhood. Let us preserve the peaceful mountain life that Coal Creek Canyon offers to its residents and protect our home values for future generations.

Looking forward to a transparent discussion.

Regards,

Stephen & Lauren Yeldell
512-963-5867
s.yeldell@gmail.com

ATTACHMENT B 75

Hi, this is Stephen Yeldell. I'm a constituent of Claire Levy for Boulder County. I'm calling in concern to a change of use application for Eldora Lodge. It's under SPR23-O87. As I understand, there's a determination letter that the conditional termination termination letter that was issued yesterday and the Boulder County Commissioners Court has the option to pick that up for for public review. I'd like to urge a public hearing regarding that application. We are in a very rural part of Boulder County and we have great concern about safety, traffic, impacts on the environment and just overall compatibility with the area. Damage is in the middle of a residential area and does not make sense given the remote nature. I think we need a public hearing regarding SPR-23O87 if you would. My phone number is 512-963-5867. I would also, you know, welcome a, you know, a direct chat, Claire Levy, if that's even possible regarding this. But we definitely want to advocate for a public hearing. We have 14 days for the Boulder County Commissioners Court to pick that up and I want to urge public hearing on that matter. Thank you very much for your time. Sorry for the long message, important matter to our community, but looking forward to constructive dialogue here. Thank you very much. Bye.

From: Stephen Yeldell

Voicemail received to Boulder County Voicemail February 28 at 8:40AM

ATTACHMENT B 76

[EXTERNAL] Docket SPR-23-0087

Tony Zubricky <tzubricky@aol.com>

Thu 3/7/2024 11:27 AM

To: Bjelland, Erica <ebjelland@bouldercounty.gov>

I read an article in the Mountain Messenger about this docket issue. Most of the comments are from people in Cedar Ridge Estates, the ones that own 4,000 to 5,000 square feet homes with four to five bathrooms. They are the ones who complain the most because they have a lot of resources and think they can make the rules. How can the Eldora Lodge be considered a historical building when it in self is a commercial business, causing more traffic, out of state people renting rooms, extreme use of natural resources. Historical cabins in Wondervu have been torn and two story houses are built that are out of the original intention and unique attraction of this area. Many people either rent out their homes or turn them into VERBOS. And that does not effect the "harmony" in this wonderful community or pose a fire danger? Statements about this project will increase traffic, noise, fire, and the safety of our neighborhoods, are without merit. All the homes in Candelas and other developments along the foothills contribute to the noise and fire danger and water waste and increased traffic. Drive the Canyon and take a chance of having an accident. It's alright to turn a land mark restaurant into a sports bar with many patrons leaving the bar extremely drunk and impaired. And this business does not pose a safety issue and benefit the owners with a healthy profit? The same scenario, just different players. Do you not think the Gross Dam project does not pose the same safety issues? There are many other factors that impact the Mountain community in reality, more than a new business in the Canyon. Sounds like the "chicken little syndrome" to me and others in the neighborhood. Please listen to reason and not to people that are worried about their riches, and the remote possibility of losing their coveted money. Thanks for listening.

Tony Zubricky
Coal Creek resident

March 7, 2024

Dear Boulder County Commissioners and Community Planning & Permitting Department,

Thank you for your time in reviewing our application. We greatly appreciate the guidance and input we have received from everyone during this process.

In addition to the material that was submitted as part of our Re-referral, we have attached additional material here for your review. The following material will shed light on the local business market and on the shortage of dispensaries in the area:

1. A Small Growing Area
2. Shortage of Stores in Area
3. Businesses Near Residences
4. Businesses off State Highway 72
5. Distance Requirements
6. Proposed Road Expansion
7. Other Developments in the Canyon
8. Benefits to the Community

If you have any questions or concerns please feel free to contact me at anytime.

Sincerely,
Sarah Manocherian



ZEPPELINS

Apothecary • Lab

Table of Contents

1	A Small Growing Area
2	Shortage of Stores in Area
3	Businesses Near Residences
4	Businesses off State Highway 72
5	Distance Requirements
6	Proposed Road Expansion
7	Other Developments in the Canyon
8	Benefits to the Community

A SMALL GROWING AREA

Our growing area will be very small and it will be limited to a 1,200 sq. foot enclosed room. We intend to use a previously disturbed area on the property.

According to state law, allowed Colorado residents may grow cannabis (up to six plants) in their home. Nonetheless, medical-marijuana patients and caregivers **may grow and process up to 99 plants in their home**. Our plan includes only 80 plants.

Unlike grow operations taking place in personal residences, we intend to be fully prepared for any type of emergency fire response. We will not use harmful pesticides or fertilizers and will ensure that all wastewater drains into the required custom-built vault-tank.

Due to lack of dispensaries in the area, many private residential grows have developed, both legal and illegal. One of our missions is to ensure that we create a product of the utmost quality in a highly secure and sanitized environment.

Additionally; rose, arnica and calendula plants will also be harvested in the growing area to serve as ingredients for our line of skincare products.

SHORTAGE OF STORES IN AREA

As demonstrated below, there are no dispensaries within a **12 mile radius** of our proposed location. With only one dispensary 12 miles away, most are located over **20 miles** away.



Zoomed out:



BUSINESSES NEAR RESIDENCES

There are many examples of cannabis businesses that are in close proximity to residential properties. **Village Green Society**, a dispensary in Boulder, is surrounded by countless residences and is located on a quieter street **directly next** to single family homes & residential properties.



Yellow = residential homes

BUSINESSES NEAR RESIDENCES (CONT.)

Harvest House, a retail dispensary and cultivation in Nederland, CO, is immediately surrounded by private residences.

Operated from 2009-2024



Yellow = residential homes

BUSINESSES NEAR RESIDENCES (CONT.)

Kind Castle, a retail dispensary in Nederland, CO, is also surrounded by private residences.



Yellow = residential homes

BUSINESSES NEAR RESIDENCES (CONT.)

The Republic, a retail dispensary, processing, and cultivation operation in Boulder County, is also surrounded by private residences.



Yellow = residential homes

BUSINESSES OFF STATE HIGHWAY 72

Our proposed location is comparable with other businesses in the area. Our property is located off State Highway 72 and there are various retail businesses in the area including; Wondervu Cafe, Canyon Tavern, Sinclair Gas Station, Canyon Coffee, and Canyon Liquors.



Wondervu Cafe



Canyon Tavern (formerly The Last Stand)

BUSINESSES OFF STATE HIGHWAY 72 (CONT.)



Canyon Liquors



Sinclair Gas Station



Canyon Coffee, Mountain Aire Hair Salon
& Intuition Massage



Carl's Corner Auto Repair



United Power



DISTANCE REQUIREMENTS

The location meets all of the Boulder County distance requirements for Marijuana Establishments.

Because the property is in a Business zone, the property must be at least 500 feet from any other Marijuana Establishment in the same zone. The closest dispensary is 12 miles away.

Additionally, the store is at least 1000 feet from any alcohol or drug treatment facilities, licensed childcare facilities, and educational facilities (below college gradelevel). The closest alcohol or drug treatment facility is 21 miles away, the closest licensed childcare facility is 16 miles away, and the closest educational facility is 3 miles away.



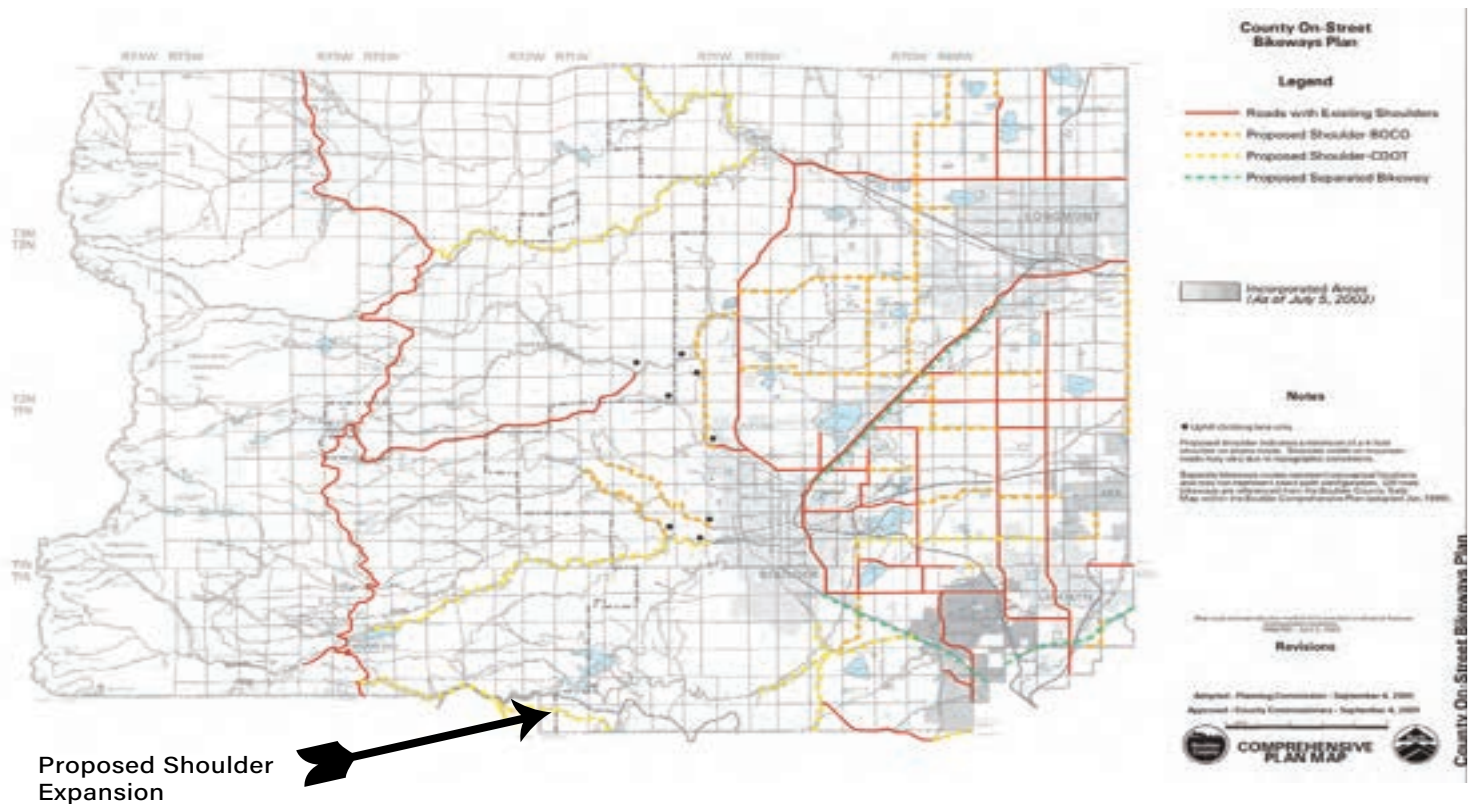
*Per the Community Planning & Permitting Department Director, the school bus stop does not count as an educational facility.

PROPOSED ROAD EXPANSION

The property is located off of STATE-HIGHWAY-72 and is maintained by the Colorado Department of Transportation (CDOT).

State Highway 72 is a major thoroughfare in the area with the average daily traffic (ADT) at 1,600 trips per day per CDOT OTIS website and a 20-year growth factor of 1.17 equating to 1,900 average daily traffic in the next 20 years.

Proposed road expansion includes the addition of a shoulder along State Highway 72 for bicycles per the Boulder County On-Street Bikeways Plan. The expansion of the highway will undoubtedly benefit the business environment through increased traffic.



CDOT also has an easement on the property along the highway; they have a 20' reservation for additional road right-of-way, indicating CDOT proposed road expansion plans.



OTHER DEVELOPMENTS IN THE CANYON

There are numerous large-scale developments in Coal Creek Canyon that are currently taking place.

These developments include the following:

- 1) **Gross Dam Expansion:** Denver Water is expanding Gross Dam. Once raised the Gross Dam will become the tallest dam in Colorado and the tallest roller-compacted concrete (RCC) dam in the United States.
- 2) **Axton Ranch:** City of Denver's new 450 acre mountain park.
- 3) **Canyon Pines:** Large 90-lot residential community development.

Gross Dam Expansion:



Canyon Pines:



HIGHLIGHTS

- Largest concrete dam raise in the world using RCC
- Tallest RCC dam in the United States
- Tallest dam in Colorado
- 2,000,000 tons of aggregate processing
- 230,000 SF of hydro-demolition
- 1,000,000 CY of site excavation
- 90,000+ CY of conventional concrete
- 23,000 SF of wire saw demolition
- Onsite crushing and batching operations

BENEFITS TO THE COMMUNITY

1. CONVENIENT ACCESS TO ORGANIC SKINCARE & SELF CARE PRODUCTS

The apothecary will provide organic handcrafted creams, lotions, body oils, and an assortment of skincare products in addition to discrete pre-packaged/sealed cannabis products made on site.

The location will make it easier for those in need of these products without having to travel over 20 miles, especially in difficult weather conditions.

Staffed by an accomplished group of highly trained employees and herbalists, the apothecary will offer a hospitable lobby with a welcoming staff available for questions, concerns, and suggestions.

The apothecary will also offer tutorials on how to craft herbal recipes at home. Housed with a library of books that focus on healthy living and natural remedies, Zeppelins strives to be an educational resource for the community that is looking to reclaim their health through natural methods.

By shopping at Zeppelins you get the purest product possible and you also support a woman owned, minority-owned business!

2. BUILDING IMPROVEMENTS & BEAUTIFICATION OF PROPERTY

The main wood lodge building has maintained a historical character and will continue to do so with its proposed use. A large investment of funds will go towards the rehab of the building. Plans include the addition of new windows, a new entrance, new flooring, the removal of several bathrooms, and the installation of energy efficient water boilers, appliances and solar panels.

The responsible stewardship of the property and extensive level of care for the flora and fauna will bring more life to the property. The addition of evergreens, trees, shrubs, fragrant perennials, and flowers around the property will heighten the visual appeal of the front entrance and further screen the neighbors on the sides and back of the property.

The removal of vegetation will be minimal and include the removal of dead trees or old tree trunks left by the previous owner. There will be a low maintenance garden with local plants.

The investment in these building and landscaping improvements will increase property values.

3. COMMUNITY ENGAGEMENT PLAN

We are committed to building relationships with talented professionals in the community, providing exceptional service to our local customers, and supporting the local economy.

As part of the community engagement plan, we will support our community and give back in various ways, including, but not limited to, the following:

- A. Contractors will be hired locally.
- B. Employees will be hired locally with a minimum wage of \$21-30/hr including benefits.
- C. Community Member Discounts for locals.
- D. Supporting local events and non-profits in the canyon, including donations / volunteer-support to:
 1. **Coal Creek Canyon KS (CCCK-8):** Elementary school in the canyon on the brink of closure.
 2. **Coal Creek Canyon Improvement Association (CCCIA):** Community center and non-profit that supports local kids' groups, provides scholarships & contributes to emergency community needs.
 3. **Canyon Cares:** Non-profit that provides short-term financial assistance for area residents.
 4. **Coal Creek Canyon Fire Protection District (CCCFPD):** Volunteer Fire Department.
 5. **Saws & Slaws:** Non-profit that focuses on fire mitigation of residences in the canyon.
 6. **The Environmental Group (TEG):** Environmental group focusing on local environmental issues.