



Community Planning & Permitting

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**BOULDER COUNTY PLANNING COMMISSION
PUBLIC HEARING**

August 21, 2024 at 1:30 p.m.

**Boulder County Courthouse, 3rd Floor,
1325 Pearl Street, Boulder
Virtual and in-person**

STAFF RECOMMENDATION

STAFF PLANNER: Pete L’Orange, Planner II

DATE ISSUED: August 14, 2024

Docket SU-24-0004: Zeke’s Quality LLC

Request: Special Use Review to permit a second principal use of Marijuana Establishment in an existing structure at 5853 Rawhide Court.

Location: 5853 Rawhide Court, located north of Longhorn Road, near the northeast corner of US 36 and Longhorn Road, in Section 6, Township 1N, Range 70W.

Zoning: Light Industrial (LI)

Owner: McRawhide LLC

Applicant: Diamond Riley, Zeke’s Quality LLC

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SUMMARY:

The subject application is for a Special Review to permit a second principal use in an existing industrial building on a one-acre parcel located in the Light Industrial (LI) zoning district. With the recommended conditions of approval, staff find the proposal can meet the Special Review Criteria in Article 4-601 of the Boulder County Land Use Code (the Code) and recommend conditional approval to the Planning Commission.

PROPOSAL:

The subject parcel is a one-acre parcel, which is a legal building lot. The property is accessed via an access easement to Longhorn Road that is also used by surrounding properties. The subject property and neighboring properties in the immediate vicinity constitute an “island” of light industrial uses bordered on the west by US Highway 36 highway and surrounded by large areas of open space (see

Figure 1 below). There is an approximately 9,000-square-foot, single level, industrial building and gravel car parking areas. Seventeen car parking spaces have been identified on the submitted site plan.



Figure 1: Aerial photograph of area surrounding the subject parcel (indicated in red).

The proposal seeks to establish a second principle use in the existing 9,000-square-foot building at 5853 Rawhide Court, including the existing light industrial use (Sonoma Tile) and a new Marijuana Establishment, through Special Review as provided in Article 4-111.F.5 and Article 4-600, and the additional provisions for marijuana establishments in Article 4-512.I, of the Code. Sonoma Tile presently occupies approximately 6,000 square feet of the existing building with the proposed Marijuana Establishment to use the remaining 3,000 square feet.

Sonoma Tile, a hand-made tile operation, was established on the subject property in 1988 (named Fire and Earth Ceramics) and was subsequently acquired by Sonoma Tile in 2008. The application materials include the following description of the tile operation: *“Sonoma receives fired clay tiles, they glaze and re-fire these tiles before sending them to distributors. Sonoma does not have retail customers on site.”*

The proposed Marijuana Establishment is a manufacturing operation requiring three employees and having no retail component. The application materials include the following description of the proposed Marijuana Establish operations: *“Zeke’s Quality LLC will use proprietary formulations to manufacture marijuana-infused products such as pre-rolls (consumer ready joint), infused pre-rolls, and edibles for distribution in Boulder and throughout the state of Colorado. Additionally, they will be repackaging marijuana concentrates. The manufacturing processes will not emit any odor detectable outside the facility and will not create any manufacturing noise. There is no water used in the manufacturing process and thus no wastewater is produced. There will be no large delivery vehicles accessing the site for this business.”*

Under Article 4-111.F.5 of the Code, no parcel in the Light Industrial Zoning District may only be used for more than one principal use except for allowed Agricultural uses, Forestry uses, Mining uses, or any combination thereof, unless approved through the Special Use Review process. There is Sonoma Tile use is considered a Light Industrial use as defined in Article 4-506.C of the Code; the

proposed Marijuana Establish constitutes a Retail and Personal Service Use. Therefore, the Marijuana Establishment would be a second principal use, which requires such Special Use Review.

There are several environmental resource designations as identified by the Boulder County Comprehensive Plan on the subject parcel, including: the North Glasslands Natural Aera; the Boulder Valley Ranch/Beech Open Space Environmental Conservation area; Rare Plants area; and Very High Biodiversity Significance area. There is small Wetlands area in the northeast corner of the subject parcel. There is a Critical Wildlife Habitat area west of the subject parcel, on the west side of US Highway 36. Finally, the map indicates there is a Viewshed Protection score of 2.96 out of 5 along US Highway 36, west of the subject parcel. (See Figure 2 below). The majority of the parcels surrounding the subject parcel are owned and managed by the City of Boulder Open Space & Mountain Parks (see Figure 3 below); these parcels are open and undeveloped.



Figure 2: Comprehensive Plan map, with subject parcel indicated in red.

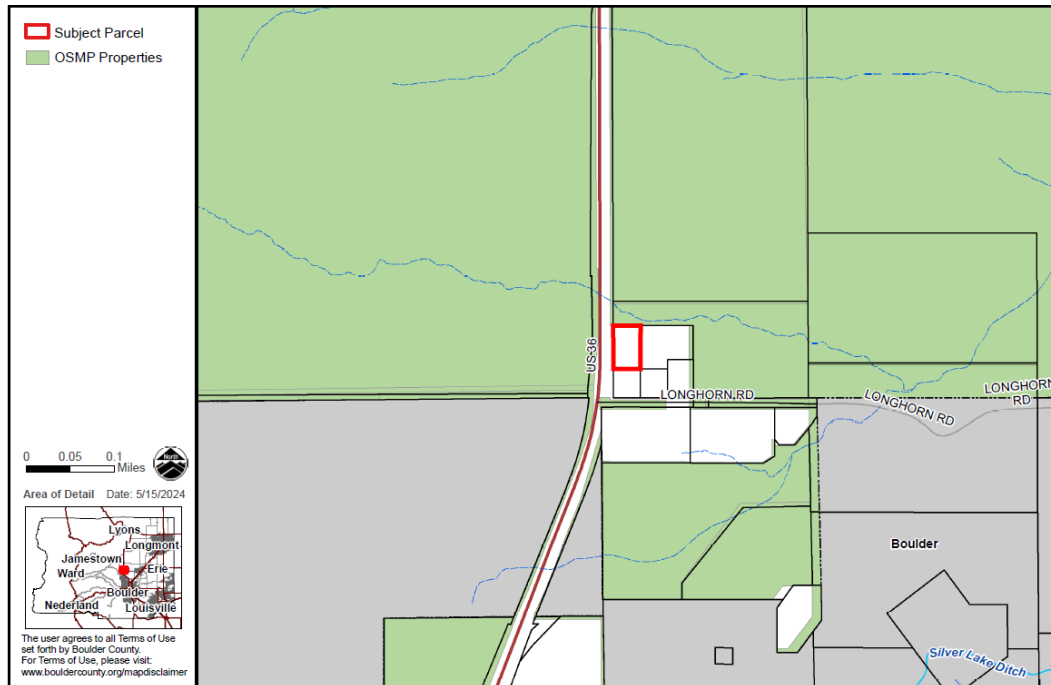


Figure 3: Public Lands and Open Space map, with subject parcel indicated in red.

As detailed in the criteria review below, staff find that the proposed second principal use of a Marijuana Establishment can meet the Special Review Criteria in Article 4-601 of the Code and the additional provisions for Marijuana Establishment listed in Article 4-512.I of the Code, with the recommended conditions of approval.

REFERRALS:

The application was referred to the standard agencies and adjacent property owners. Copies of all responses received by the Community Planning and Permitting Department are attached. A summary of each response follows.

Boulder County Building Safety & Inspection Services Team: This team reviewed the application materials submitted and provided comments detailing building permit requirements. They also noted that this is considered a change in occupancy and that a design analysis will be required. Finally, they stated an evaluation of the proposed process including but not limited to storage of and quantities of possible hazardous materials used will be necessary.

Boulder County Public Health: This team reviewed the application materials and determined that a change in use permit for a commercial onsite wastewater treatment system (OWTS) was reviewed and issued for the subject parcel in 2017. They noted that the existing OWTS is adequate for the level and nature of the uses on the parcel. Finally, they noted that the commercial permit will need to be updated to put it in the name of the current applicant, Zeke’s Quality LLC.

Boulder County Development Review Team – Access & Engineering: This team reviewed the application materials submitted, including the pre-application methodology statement (PAMS) which was submitted for a similar use in 2017. The team found that the PAMS may be used with this application and agrees with its assessment. They also provided comments related to the proposed parking plan as submitted. They noted that the parking plan as submitted could not be implemented due to a required truck turnaround, the location of the dumpsters, and existing grade. However, they also noted that the Institute of Transportation Engineers (ITE) Parking Generation Manual, 3rd Edition indicates that the total number of parking spaces required for both uses is less than that required by the Code.

Boulder Rural Fire Rescue: This agency reviewed the application materials and stated that sprinklers and alarms will not be required for the proposed Marijuana Establishment use. They also noted that, due to lack of space on the east side of the building, a dedicated fire lane would be helpful.

Adjacent Property Owners: Notices were sent to 7 adjacent property owners; staff have not received any public comments.

Agencies that responded with no conflict: Boulder County Historic Preservation team; Boulder County Parks & Open Space – Natural Resources Planner; and Xcel Energy.

Agencies that did not respond: Boulder County Assessor; Boulder County Attorney; Boulder County Marijuana Licensing; Boulder County Sheriff; Boulder County Treasurer; Boulder County Surveyor; City of Boulder Planning & Development Service; City of Boulder Open Space and Mountain Parks; Boulder Valley and Longmont Conservation Districts; and Colorado Department of Revenue – Marijuana Enforcement Division.

CRITERIA REVIEW AND ANALYSIS:

Land Use staff has reviewed the conditions and standards for approval of a Special Use Review for the proposal for multiple principle uses and a Marijuana Establishment per Section 4-601.A of the Boulder County Land Use Code, and finds the following:

SPECIAL REVIEW CRITERIA:

The Community Planning & Permitting staff has evaluated the Special Review standards for approval of a Marijuana Establishment as a second Principal Use, per Article 4-601 of the Code, and find the following:

- (1) *Except as otherwise noted, the use will comply with the minimum zoning requirements of the zoning district in which the use is to be established, and will also comply with all other applicable requirements;*

Multiple principal uses may be permitted through Special Use Review in the Light Industrial zoning district. The building in which the activities (Sonoma Tile and the proposed Marijuana Establishment) are proposed is existing and was legally established in 1967. Any internal renovations to the building will require a building permit and a Certificate of Occupancy will be required for the change in use proposed.

The proposed Marijuana Establishment must meet the provisions of Article 4-512.I. of the Code.

1. *Definition: Any location where more than six (6) plants are cultivated, produced, tested or distributed as authorized pursuant to Section 14 and Section 16 of Article XVIII of the Colorado Constitution and other applicable state law. This use includes the following:*
- a. *Marijuana store*
 - b. *Marijuana-infused products manufacturing;*
 - c. *Optional premises cultivation or retail marijuana cultivation facility;*
 - d. *Marijuana testing and/or research facility.*
 - e. *Primary caregiver;*
 - f. *Personal cultivation.*

Based on the description of the activities in the narrative submitted by the applicants, staff find the proposed Marijuana Establishment meets the definition as a Marijuana-

infused products manufacturing establishment.

2. Districts Permitted: By right in T, B, C, LI, and GI.

The subject parcel is in the Light Industrial zoning district.

Therefore, staff find this provision is met.

3. Parking Requirements:

- a. One space per 200 square feet of floor area used for office, sales, or personal service operations.**
- b. One space per 1,000 square feet of floor area used for used for cultivating and research and/or testing facilities.**

Per the floor plans submitted by the applicants, the proposed Marijuana Establishment will occupy approximately 3,000 square feet of the existing structure. Of that, approximately 750 square feet of that will be office, requiring four parking spaces; the remaining floor area would be used for processing, which staff find would fall under the “cultivating and research and/or testing facilities” category, requiring two additional parking spaces. In total, the Marijuana Establishment use requires a total of six parking spaces.

Since the subject parcel will be occupied by two uses, the required parking for the Light Industrial use (the Sonoma Tile company) must also be accounted for. This use occupies approximately 6,000 square feet of floor area. Light Industrial uses are required to provide one parking space per 500 square feet of floor area. As such, the Light Industrial use requires 12 parking spaces.

Between the two uses, the Code requires that 18 parking spaces be provided. However, per Article 4-516.Y.3.a of the Code, “The quantity and location of vehicle parking shall be appropriate for the use and site characteristics. Deviating from the number of required automotive parking spaces as described in each use classification may be appropriate based on the specific circumstances of a proposal including without limitation available on-street parking, seasonal or temporary needs for parking, shared parking agreements, reliance on alternative modes or other transportation demand management strategies.”

In this case, the applicants have stated that the proposed Marijuana Establishment use will only have three employees and that there will be no retail and, therefore, no customer traffic associated with it. Additionally, per the property owners, the existing tile business only has six employees. Also, as discussed in the referral response from the Boulder County Access & Engineering team, the ITE Parking Generation Manual indicates that average parking supply ratio for manufacturing uses (which is the closest use category in the ITE manual to the proposed Marijuana Establishment use as proposed) is 1.3 spaces per 1,000 square feet of gross floor area, resulting in a requirement of four parking spaces for the Marijuana Establishment use. Similarly, the ITE manual average parking supply ratio for general light industrial (such as the tile business) is 1.1 spaces per 1,000 square feet of gross floor area, resulting in seven parking spaces for the tile business. The Access & Engineering staff find that, in this specific case, the 18 parking spaces required by the Code are not necessary.

As such, staff find that providing four parking spaces is sufficient for the proposed Marijuana Establishment and seven spaces for the tile business (one for each of the employees for each use, plus one additional space for each use for any deliveries or other

incidental traffic) to be sufficient. To ensure that the appropriate spaces remain available for each of the uses, staff recommend as a condition of approval that four spaces be officially designated, through signage or other appropriate means, for the use of the Marijuana Establishment and seven spaces be similarly designated for the tile business.

Additionally, as discussed in more detail in Special Use Criterion 6 below, staff find the two proposed parking spaces located next to the fence on the eastern property line would conflict with the Boulder Rural Fire Rescue's request for a fire access lane to the east of the existing building. As such, staff recommend that the two parking spaces proposed along the eastern fence be eliminated.

Finally, per the Americans with Disabilities Act (ADA), one accessible parking space is required, and one is indicated on the submitted site plan. To ensure that the accessible parking space is functional for those with disabilities, staff recommend as a condition of approval that the accessible parking space meet ADA requirements.

For the reasons discussed above, staff support reducing the total number of parking spaces from the 18 required by the Code to a total of 12, and therefore, staff recommend as a condition of approval that, at permitting, the applicants submit a revised parking plan which shows a total of 12 parking spaces (four for the Marijuana Establishment, seven for the tile business, and one ADA accessible space) and complies with the Boulder County Multimodal Transportation Standards (MMTS). To ensure that all of the 12 parking spaces are clearly established and defined, staff recommends as a condition of approval that a wheel stop be installed for each parking space.

As the parking lot already exists and no expansions of the parking lot are required, staff find that this proposal does not trigger the electric vehicle supply equipment ("EVSE") requirements under Article 4-516.Y.5.c of the Code.

Therefore, as conditioned, staff find this provision can be met.

4. Loading requirements: One loading space for 10,000 or more square feet of floor area.

Total floor area on the property is less than 10,000 square feet and therefore no loading space is required.

Therefore, staff find this provision is not applicable.

5. Additional Provisions:

- 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.***

All necessary permits and licenses must be obtained. Staff recommend this

requirement be included as a condition of approval. Therefore, as conditioned, staff find this provision can be met.

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

No on-site sales are proposed. As discussed above, one of the justifications for allowing a decrease in the number of parking spaces is that there will be no retail sales. To ensure that the reduced number of parking spaces continue to be sufficient for the proposed use, staff recommend as a condition of approval that on-site sales be prohibited. Therefore, as conditioned, staff find this provision can be met.

- 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.***

The property is in the Light Industrial zoning district; therefore, staff find this provision is not applicable.

- 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 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.***

Not applicable; see provision 5.e below.

- 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 proposal is for marijuana-infused products manufacturing and no on-site retail is proposed or approved. Therefore, with recommended condition of approval prohibiting on-site sales, staff find the setback requirement outlined above does not apply.

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

No drive-through is proposed and, as discussed above, staff recommend that on-site sales be prohibited. Therefore, with recommended condition of approval prohibiting on-site sales, staff find this provision can be met.

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

The Marijuana Establishment as proposed does not include any personal or Primary Caregiver cultivation. Therefore, staff find this provision is not applicable.

h. For marijuana warehouse regulations, refer to section 4-515.b. of this Code

The Marijuana Establishment as proposed is not considered a marijuana warehouse. Therefore, staff find this provision is not applicable.

Therefore, as conditioned, staff find this criterion can be met.

- (2) ***The use will be compatible with the surrounding area. In determining compatibility, the Board should consider the location of structures and other improvements on the site; the size, height and massing of the structures; the number and arrangement of structures; the design of structures and other site features; the proposed removal or addition of vegetation; the extent of site disturbance, including, but not limited to, any grading and changes to natural topography; and the nature and intensity of the activities that will take place on the site. In determining the surrounding area, the Board should consider the unique location and environment of the proposed use; assess the relevant area that the use is expected to impact; and take note of important features in the area including, but not limited to, scenic vistas, historic townsites and rural communities, mountainous terrain, agricultural lands and activities, sensitive environmental areas, and the characteristics of nearby development and neighborhoods;***

The subject parcel is zoned for light industrial uses, as are the nine other surrounding parcels. The proposed uses, Sonoma Tile and the Marijuana Establishment, are consistent with the existing light industrial character. Sonoma Tile (or predecessor) has operated from the property for approximately 30 years; a Marijuana Establishment with a retail component operates from the neighboring property to the east.

No exterior changes are proposed to the existing building. Any signage is required to obtain a permit prior to installation.

No conflicts between the two proposed uses on the property have been identified and their operation from the same property will remain in character with the neighborhood.

Therefore, staff find that this criterion is met.

- (3) ***The use will be in accordance with the Boulder County Comprehensive Plan;***

As discussed above, there are a number of environmental resources identified on or near the subject parcel. However, the use will be occupying a portion of an existing building, and no exterior modifications or expansions are required or proposed. As such, staff does not anticipate any adverse impacts to any of the resources, and no referral agencies have responded with any such concerns.

Staff have identified several policies from the Boulder County Comprehensive Plan which are relevant to this proposal.

Agricultural Element Policy 1.04 Development Review: This policy states that the county should use the development review process to consider and mitigate any adverse impacts to existing and future agricultural activities. While the subject parcel is largely surrounded by Agriculture zoned parcels, there are no active agricultural operations or activities in the area. Additionally, staff have not identified any potential adverse impacts which might harm or prevent any agricultural activities in the future. As such, staff find the proposal does not conflict with this policy.

Economics Element Policy 3.03 Small Businesses: This policy states that the county should work to help small businesses thrive within the context of existing community character and infrastructure. The proposed Marijuana Establish is a local small business, which will be occupying an already developed industrial space which is supported by existing infrastructure. As such, staff find the proposal is supported by this policy.

Economics Element Policy 3.07 Existing Commercial and Industrial Uses: This policy states that the county promotes rehabilitation of existing commercial and industrial properties. As discussed above, this is an existing industrial building, in an existing small industrial area, and the applicants will be occupying an existing space. As such, staff find the proposal is consistent with this policy.

Staff have not identified any goals or policies of the Comprehensive Plan which conflict with this proposal.

Therefore, staff find that this criterion is met.

- (4) ***The use will not result in an over-intensive use of land or excessive depletion of natural resources. In evaluating the intensity of the use, the Board should consider the extent of the proposed development in relation to parcel size and the natural landscape/topography; the area of impermeable surface; the amount of blasting, grading, or other alteration of the natural topography; the elimination or disruption of agricultural lands; the effect on significant natural areas and environmental resources; the disturbance of plant and animal habitat, and wildlife migration corridors; the relationship of the proposed development to natural hazards; and available mitigation measures such as the preservation of open lands, the addition or restoration of natural features and screening, the reduction or rearrangement of structures and land disturbance, and the use of sustainable construction techniques, resource use, and transportation management;***

The proposed multiple uses will utilize an existing building, which was originally constructed and designed to support multiple tenants. Additionally, as discussed above, the proposal does not propose or require any increase in floor area or expansion of the area of land used. As such, staff find it will not result in an over-intensive use of land or deplete natural resources.

Therefore, staff find this criterion is met.

- (5) ***The use will not have a material adverse effect on community capital improvement programs;***

No adverse effects have been identified on capital improvement programs.

Therefore, staff find this criterion is met.

- (6) ***The use will not require a level of community facilities and services greater than that, which is available;***

Per their referral response, Boulder County Public Health found that a change in use permit for a commercial onsite wastewater treatment system (OWTS) was reviewed and issued for the subject parcel in 2017. They noted that the existing OWTS is adequate for the level and nature of the uses on the parcel. Finally, they noted that the commercial permit will need to be updated to put it in the name of the current applicant, Zeke's Quality LLC, which will be addressed through the permitting process.

The Boulder Rural Fire Protection District has reviewed the proposed Marijuana Establishment and has determined that, due to the low intensity level of the use, sprinklers and/or alarms are not necessary. They did note that, due to lack of space on the east side of the building, a dedicated fire lane would be helpful in responding to any situations. As discussed in Criterion 1 above, staff recommend that the two parking spaces parallel to the fence on the eastern edge of the property (see Figure 4 below) be eliminated. This would allow the portion of the parking lot along the fence line to use as a fire lane. To ensure that this fire lane remains open, staff recommends as a condition of approval that the applicants install “No Parking Fire Lane” signs on the fence.

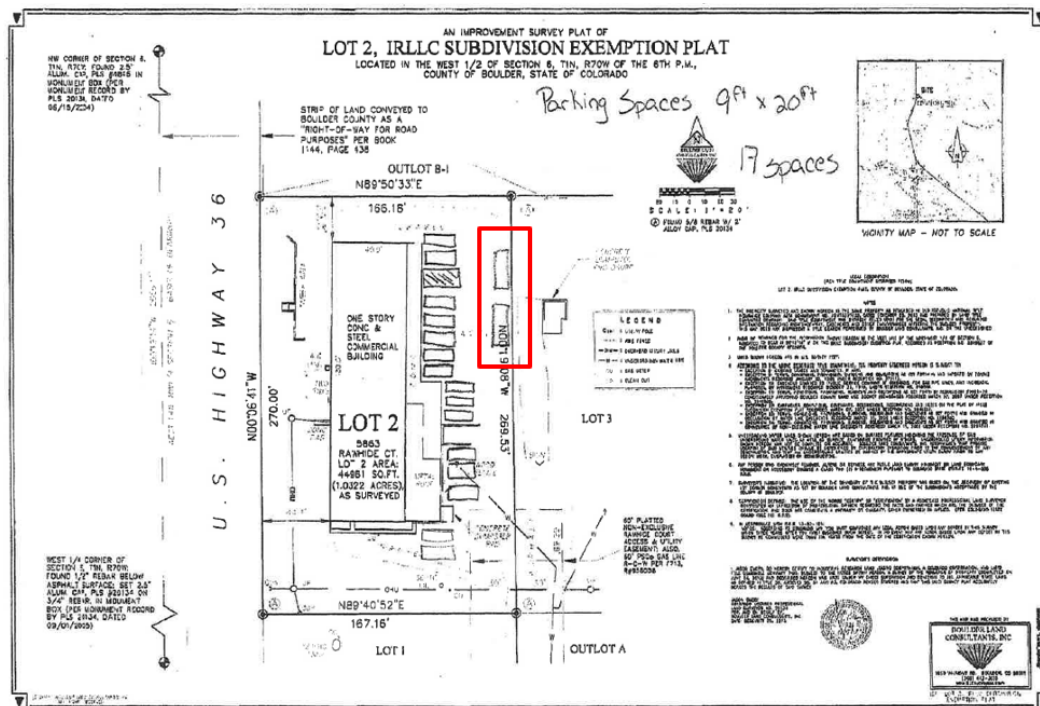


Figure 4: Site plan submitted by the applicants. The two parking spaces recommend for removal are indicated in red.

No other referral agencies responded with any concerns related to this criterion.

Therefore, as conditioned here and in Criterion 1 above, staff find this criterion can be met.

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

The subject property is accessed via an existing 60-foot wide easement (Rawhide Court) from Longhorn Road, a Boulder County owned right-of-way (ROW), with a functional classification of Local. Legal access has been demonstrated via this easement.

Per the referral response from the Access & Engineering team, a pre-application methodology statement (PAMS) for a similar use at the same address was submitted as part of this application. The PAMS indicated an average daily traffic volume of 16 vehicles for the combined uses. Access & Engineering staff found that the PAMS may be used with this application and agrees with this assessment. Consequently, no further transportation system impact analysis is required

As discussed in Criterion 1 above, staff find that, due to the specific circumstances related to the subject parcel and its existing and proposed uses, a deviation from the 18 parking spaces required by the Code is appropriate and justified. And, as discussed in Criterion 1 above, staff recommend that the total number of required parking spaces be reduced to 12.

Therefore, as conditioned in Criterion 1 above, staff find this criterion can be met.

(8) *The use will not cause significant air, odor, water, or noise pollution;*

The application materials assert that the proposed extraction process at the Marijuana Establishment will neither require water nor produce wastewater, and also will not emit any odor or noise detectable outside the building. Additionally, as discussed above, no exterior modifications to the existing structure are proposed or necessary, and no regrading of the existing parking lot will be required. As such, staff find the proposed use will not result in any significant air, odor, water, or noise pollution.

Therefore, staff find this criterion is met.

(9) *The use will be adequately buffered or screened to mitigate any undue visual impacts of the use;*

As discussed above, there are no external changes to the building are proposed, and no outdoor storage is proposed.

No signage has been proposed to date. Any future signage will require the appropriate permits and must meet the provisions of Article 13-600.D of the Code, for signs located in the Transitional, Business, Commercial, Light Industrial, Economic Development, and General Industrial zoning districts. Article 13-600.D allows for both internally and externally illuminated signs. Given the extremely rural and undeveloped nature of the area surrounding the subject parcel, however, staff find that illuminated signage has the potential to be visible from a long distance away. As such, staff recommends as a condition of approval that any externally illuminated signs be restricted to one lighting fixture, which must comply with Article 7-1300 of the Code (Outdoor Lighting), and that internally illuminated signs be prohibited. Staff find that this condition of approval will serve to minimize any potential light pollution resulting from the proposed Marijuana Establishment.

Therefore, as conditioned, staff find this criterion can be met.

(10) *The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County;*

Staff have not identified any impacts from the proposed Marijuana Establishment which would be detrimental to the health, safety, or welfare of the inhabitants of Boulder County; additionally, no referral agencies have responded with any such concerns.

Therefore, staff find this criterion is met.

(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.*

Allowing the multiple principle uses proposed will enable the unoccupied portion of the existing building to contain a light industrial business that is consistent with the character of

the vicinity. As such, staff find the proposal will efficiently use an existing resource.

Therefore, staff find this criterion is met.

- (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. Development or activity associated with the use must avoid natural hazards, including those on the subject property and those originating off-site with a reasonable likelihood of affecting the subject property. Natural hazards include, without limitation, expansive soils or claystone, subsiding soils, soil creep areas, or questionable soils where the safe-sustaining power of the soils is in doubt; landslides, mudslides, mudfalls, debris fans, unstable slopes, and rockfalls; flash flooding corridors, alluvial fans, floodways, floodplains, and flood-prone areas; and avalanche corridors; all as identified in the Comprehensive Plan Geologic Hazard and Constraint Areas Map or through the Special Review or Limited Impact Special Review process using the best available information. Best available information includes, without limitation, updated topographic or geologic data, Colorado Geologic Survey landslide or earth/debris flow data, interim floodplain mapping data, and creek planning studies.***

The subject parcel is located within a Steeply Dipping, Heaving Bedrock area and a Moderate Swelling Soil Potential area (see Figure 5 below). There are also some identified Landslide Susceptibility areas in the vicinity of the subject parcel, but there are no such areas on the subject parcel itself. As discussed above, the proposed use will occupy an existing structure, and no exterior modifications or additional construction are required or proposed. As such, staff find the proposal will not result in any increased or unreasonable risk of harm.

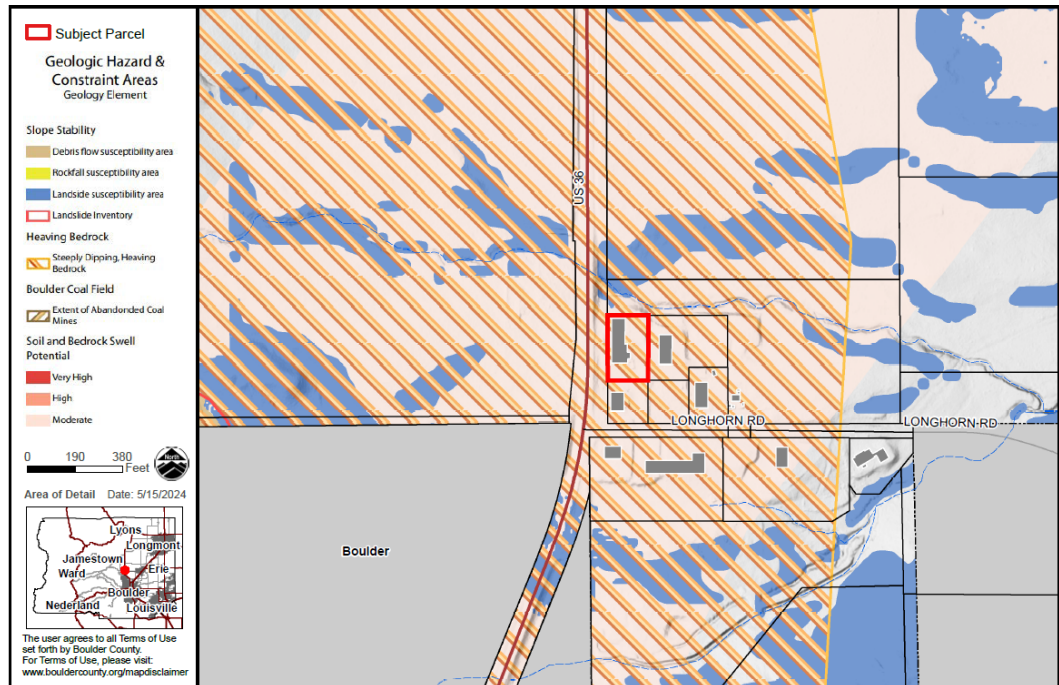


Figure 5: Geological Hazards map with the subject parcel indicated in red.

Therefore, staff find this criterion is met.

- (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. The best available information should be used to evaluate these impacts, including without limitation the Boulder County Storm Drainage Criteria***

Manual, hydrologic evaluations to determine peak flows, floodplain mapping studies, updated topographic data, Colorado Geologic Survey landslide, earth/debris flow data, and creek planning studies, all as applicable given the context of the subject property and the application.

No exterior changes are proposed; and thus, no impact on historic drainage patterns or flow rates will result.

Therefore, staff find that this criterion is met.

RECOMMENDATION:

Staff recommend that the Boulder County Planning Commission recommend to the Board of County Commissioners **Conditional Approval of SU-24-0004: Zeke's Quality LLC** as described in the application materials subject to the following conditions:

1. The applicant must provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Land Use Department and prior to the recordation of said agreement.
2. *At permitting*, the applicants must submit a revised parking plan, for review and approval by Community Planning & Permitting staff, showing a total of 12 parking spaces, including seven for the existing Light Industrial (Sonoma Tile) use, four for the Marijuana Establishment, and one ADA accessible parking space. All parking spaces must comply with the Boulder County Multimodal Transportation Standards (MMTS).
3. *Prior to issuance of any Certificate of Occupancy*, Community Planning & Permitting staff must inspect the parking lot for compliance with the MMTS and ADA requirements.
4. *Prior to issuance of any Certificate of Occupancy*, the parking spaces for the tile business and the Marijuana Establishment must be clearly designated through signage or other appropriate means.
5. *Prior to issuance of any Certificate of Occupancy*, all parking spaces must be clearly defined and delineated through the use of wheel stops or other appropriate means.
6. The applicant must obtain and maintain all applicable permits and licenses.
7. No on-site sales are approved or permitted for the Marijuana Establishment use.
8. *Prior to issuance of any Certificate of Occupancy*, the area adjacent to the fence on the eastern property line must be designated for use as fire lane, and must include "No Parking Fire Lane" signs.
9. Any externally illuminated signs be restricted to one lighting fixture, which must comply with Article 7-1300 of the Code (Outdoor Lighting); internally illuminated signs are prohibited. Sign permits are required for all signage.
10. The applicants are subject to the terms, conditions, and commitments of record and in the file for **Docket SU-24-0004: Zeke's Quality LLC**.



Boulder County Land Use Department

Courthouse Annex Building
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Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only

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 type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input checked="" 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) 5853 Rawhide Court unite C					
Boulder, Co 80304					
Subdivision Name Irllc sub Exemption					
Lot(s) 2	Block(s)	Section(s)	Township(s)	Range(s)	
Area in Acres	Existing Zoning	Existing Use of Property light industrial		Number of Proposed Lots	
Proposed Water Supply cistern delivery		Proposed Sewage Disposal Method septic			

Applicants:



Applicant/Property Owner McRawhide LLC (owner)		Email jill@jillmcintyre.com		
Mailing Address 1475 Moss Rock Place				
City Boulder	State CO	Zip Code 80304	Phone 303-444-4598	
Applicant/Property Owner/Agent/Consultant Diamond Riley (applicant)		Email sales@zekesquality.com		
Mailing Address 14229 E Radcliff Cir				
City Aurora	State CO	Zip Code 80015	Phone 301-741-6153	
Agent/Consultant Fredrick Jenkins		Email jenkinsfredrick1@gmail.com		
Mailing Address 14229 E Radcliff Cir				
City Aurora	State CO	Zip Code 80015	Phone 720-312-0031	

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 Jill McIntyre	Date 5/28/24
Signature of Property Owner 	Printed Name Mark McIntyre	Date 5/28/24

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






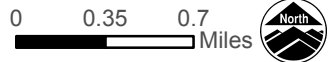
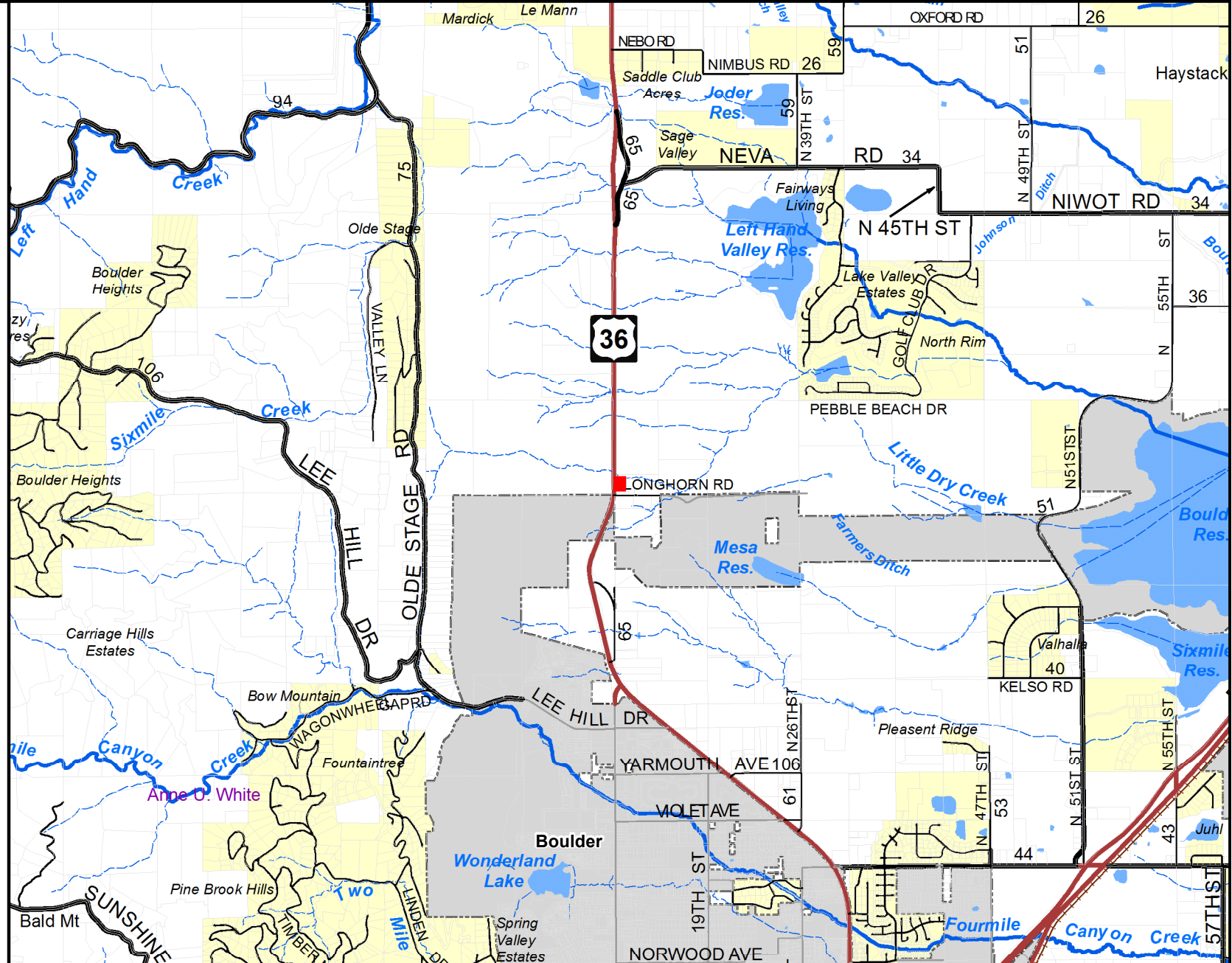
Community Planning & Permitting

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

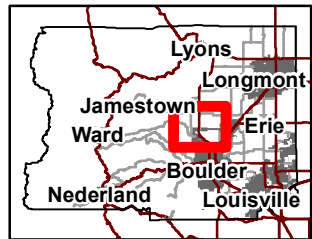
Vicinity

5853 RAWHIDE CT

-  Subject Parcel
-  Municipalities
- Subdivisions**
-  Subdivisions



Area of Detail Date: 5/15/2024



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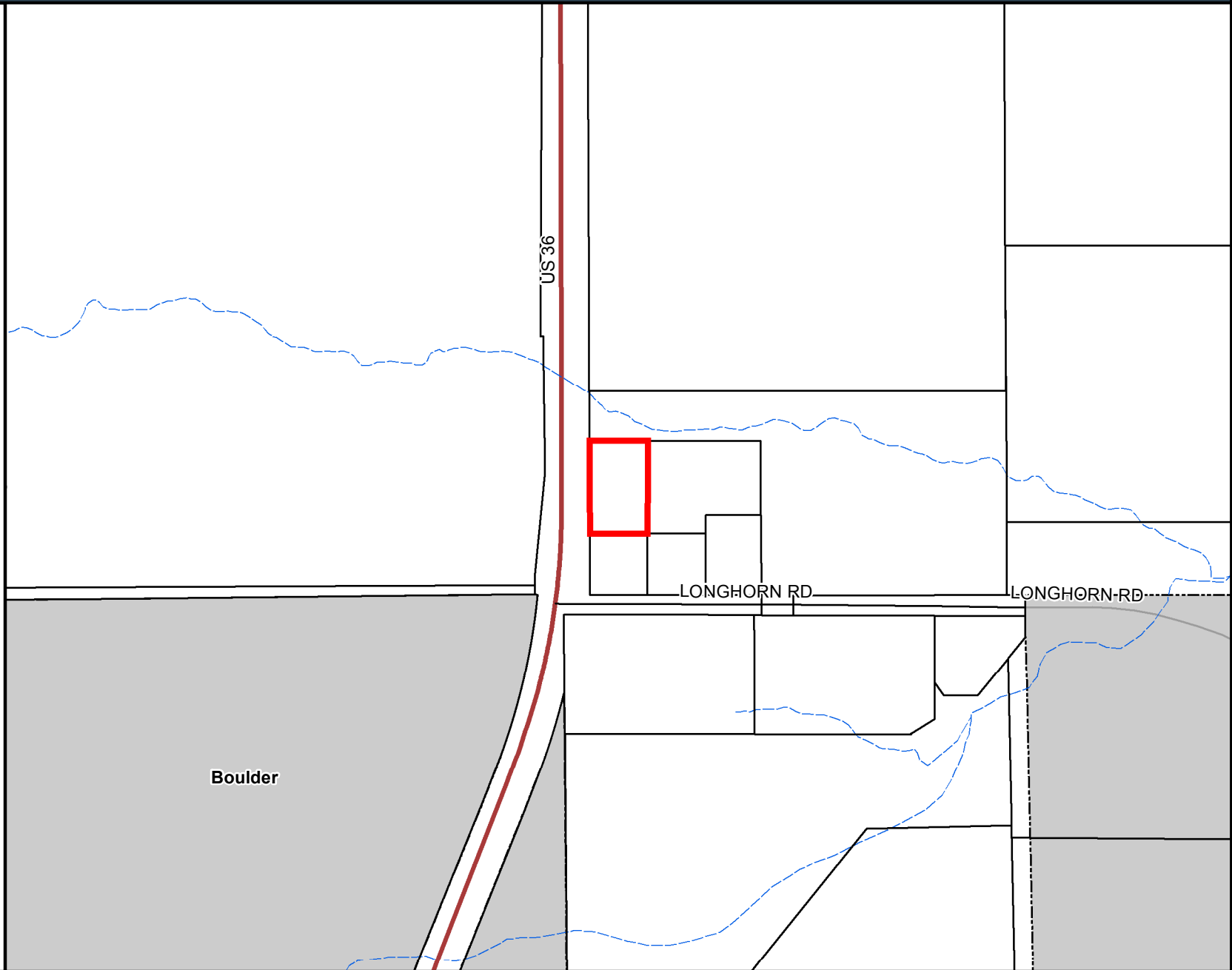
Community Planning & Permitting

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Location

5853 RAWHIDE CT

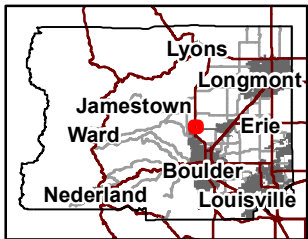
 Subject Parcel



0 0.035 0.07 Miles



Area of Detail Date: 5/15/2024



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Aerial
5853 RAWHIDE CT

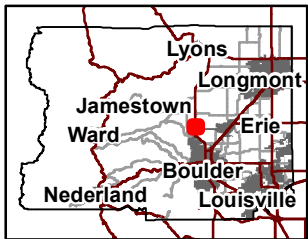
 Subject Parcel



0 0.05 0.1 Miles



Area of Detail Date: 5/15/2024



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Aerial
5853 RAWHIDE CT

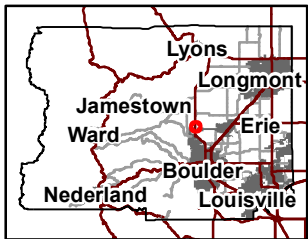
 Subject Parcel



0 0.015 0.03
Miles



Area of Detail Date: 5/15/2024



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Community Planning & Permitting

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Zoning

5853 RAWHIDE CT

Subject Parcel

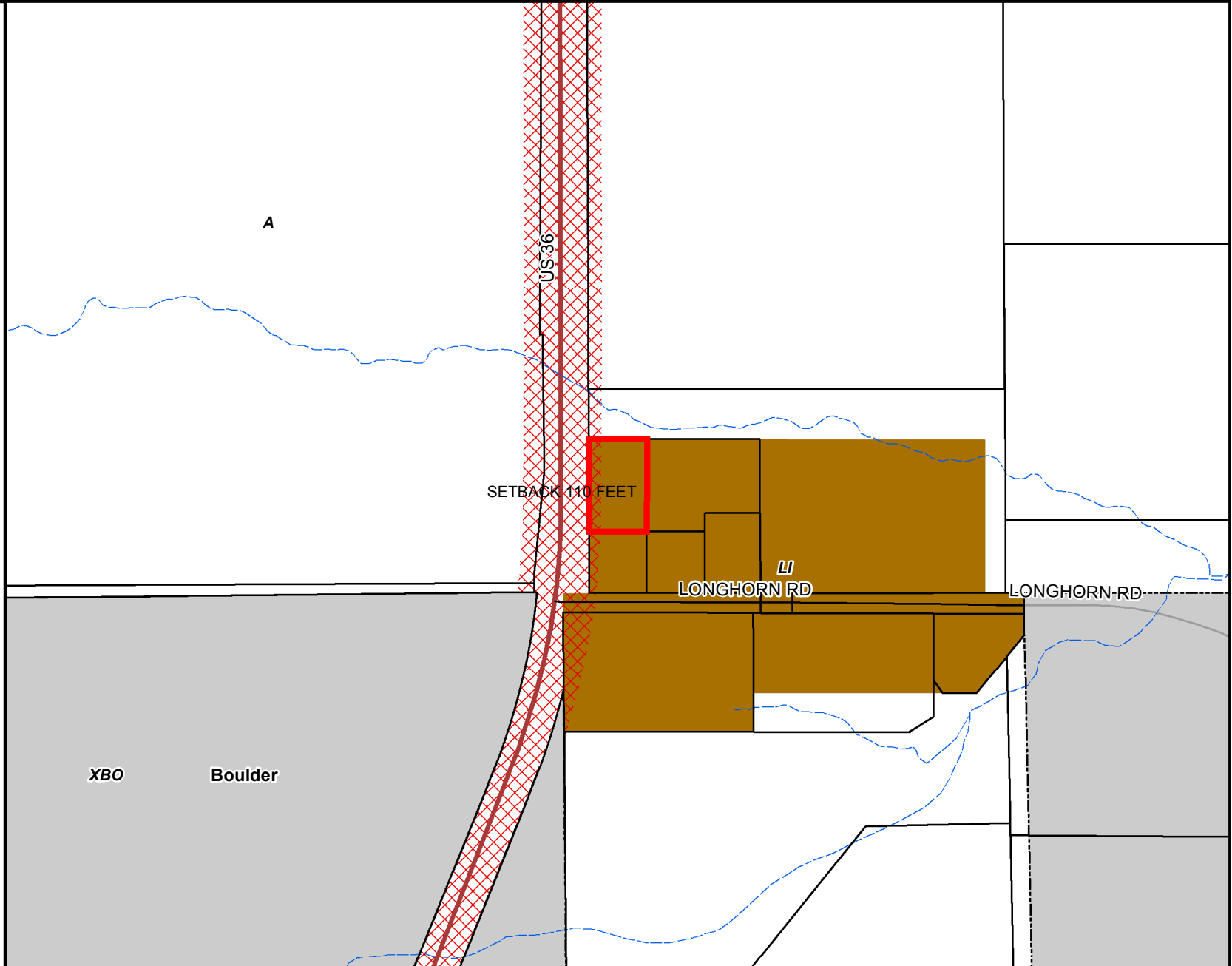
Zoning Districts

Agricultural

Light Industrial

Major Road Setbacks

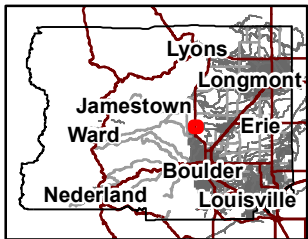
110 feet



0 190 380 Feet



Area of Detail Date: 5/15/2024



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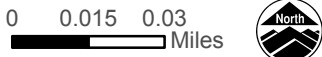
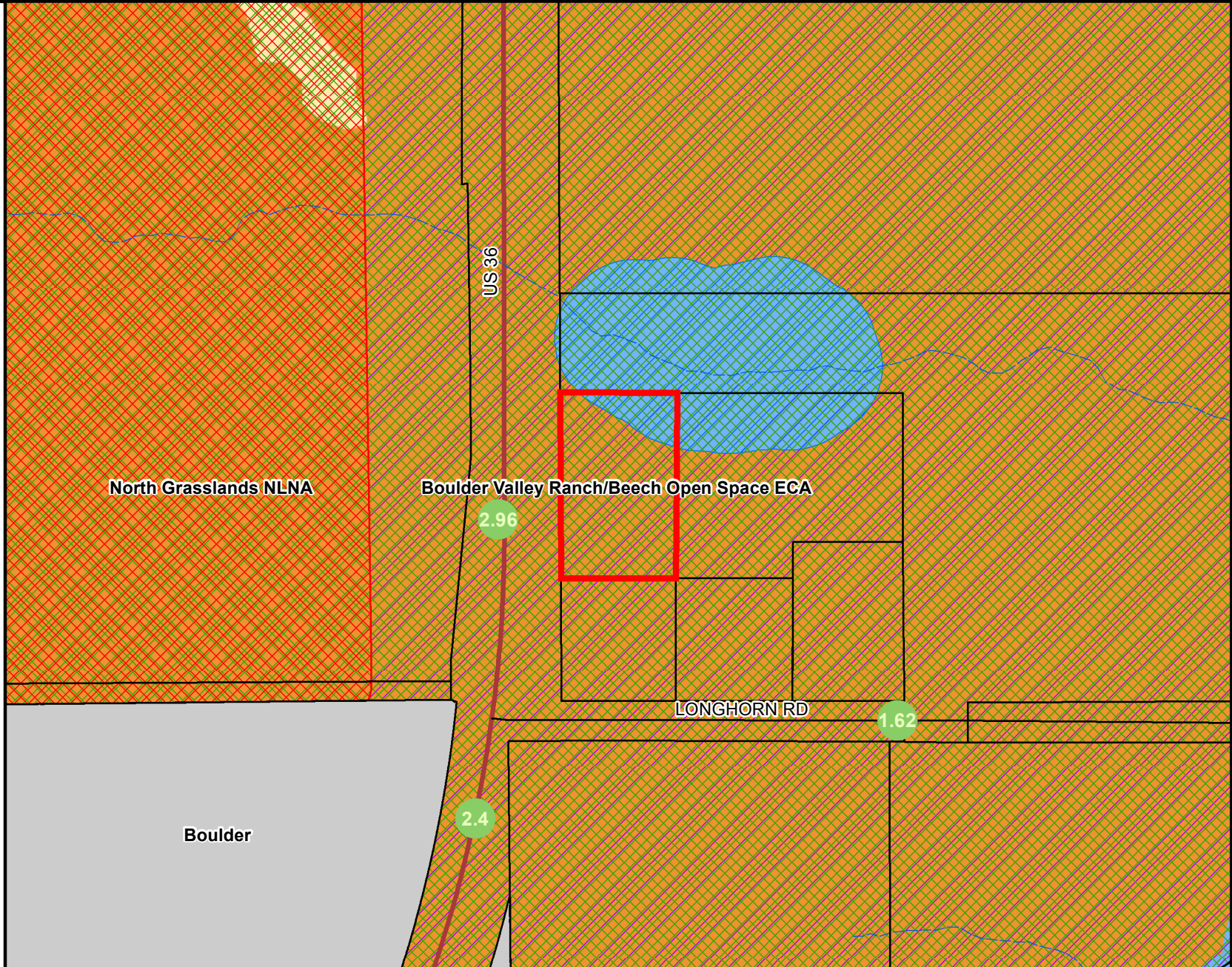
Community Planning & Permitting

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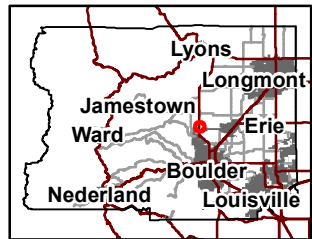
Comprehensive Plan

5853 RAWHIDE CT

-  Subject Parcel
-  Critical Wildlife Habitats
-  Environmental Conservation Areas
-  Riparian Areas
-  Wetlands
-  Significant Natural Communities
- High Biodiversity Areas**
-  B2: Very High Biodiversity Significance
-  Natural Landmarks Natural Areas
-  Rare Plant Areas



Area of Detail Date: 5/15/2024



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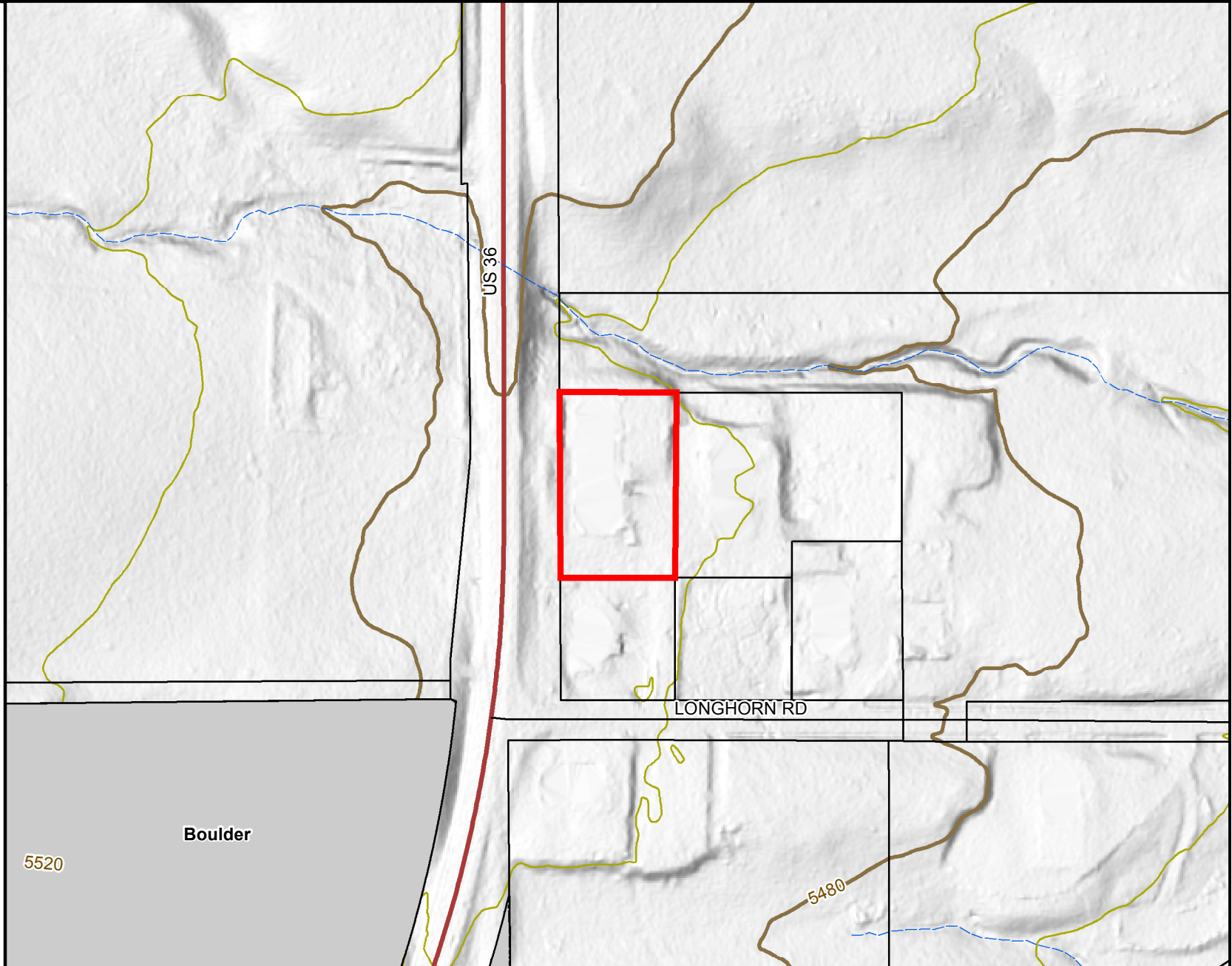
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Elevation Contours

5853 RAWHIDE CT

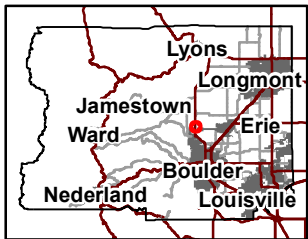
-  Subject Parcel
-  Contours 40'
-  Contours 20'



0 0.015 0.03 Miles



Area of Detail Date: 5/15/2024



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Geologic Hazards

5853 RAWHIDE CT

Subject Parcel

Geologic Hazard & Constraint Areas Geology Element

Slope Stability

- Debris flow susceptibility area
- Rockfall susceptibility area
- Landslide susceptibility area
- Landslide Inventory

Heaving Bedrock

- Steeply Dipping, Heaving Bedrock

Boulder Coal Field

- Extent of Abandoned Coal Mines

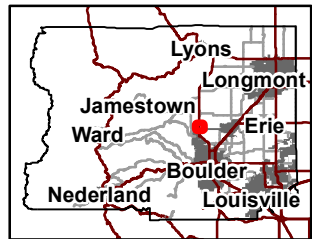
Soil and Bedrock Swell Potential

- Very High
- High
- Moderate

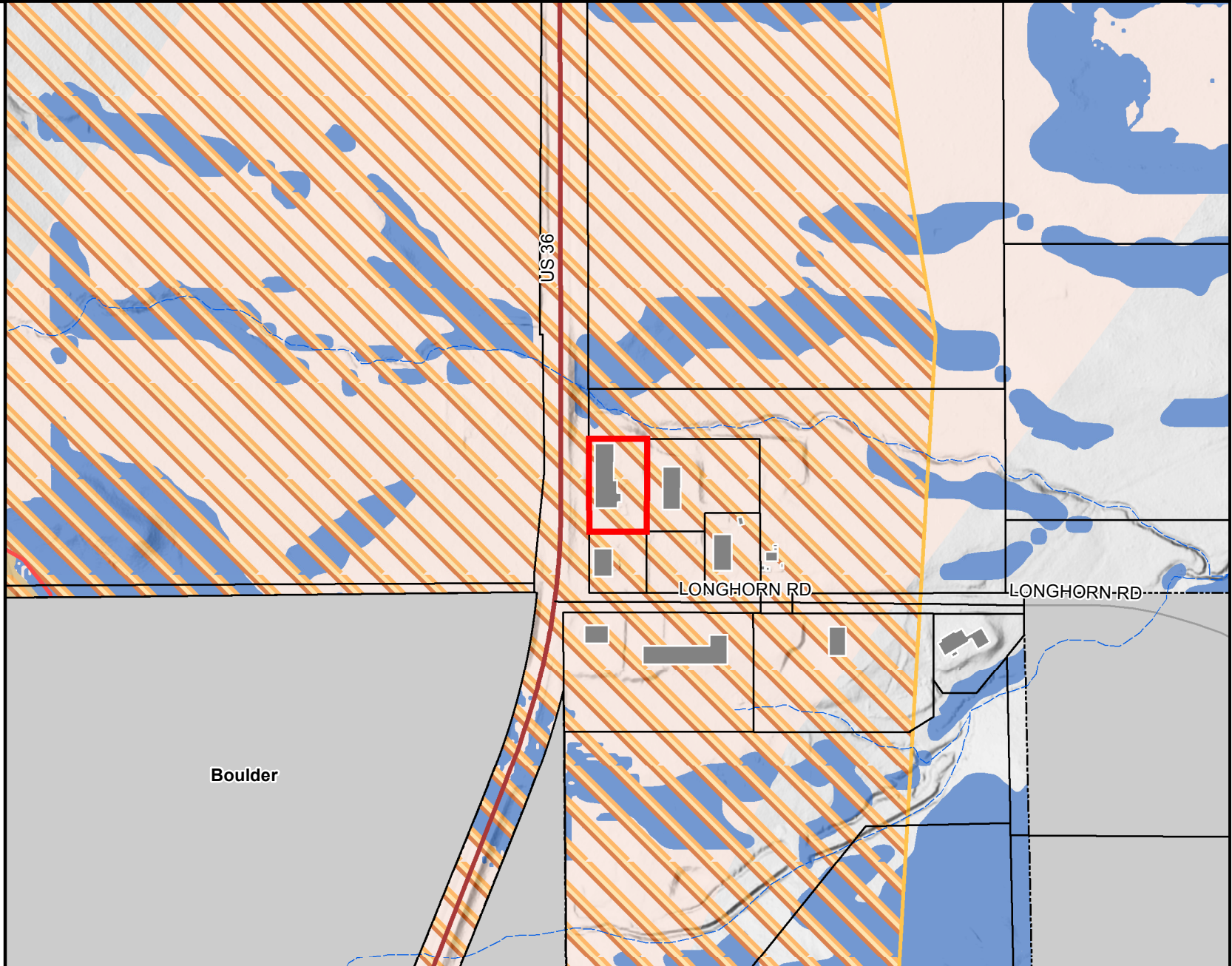
0 190 380 Feet



Area of Detail Date: 5/15/2024



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Planning Areas

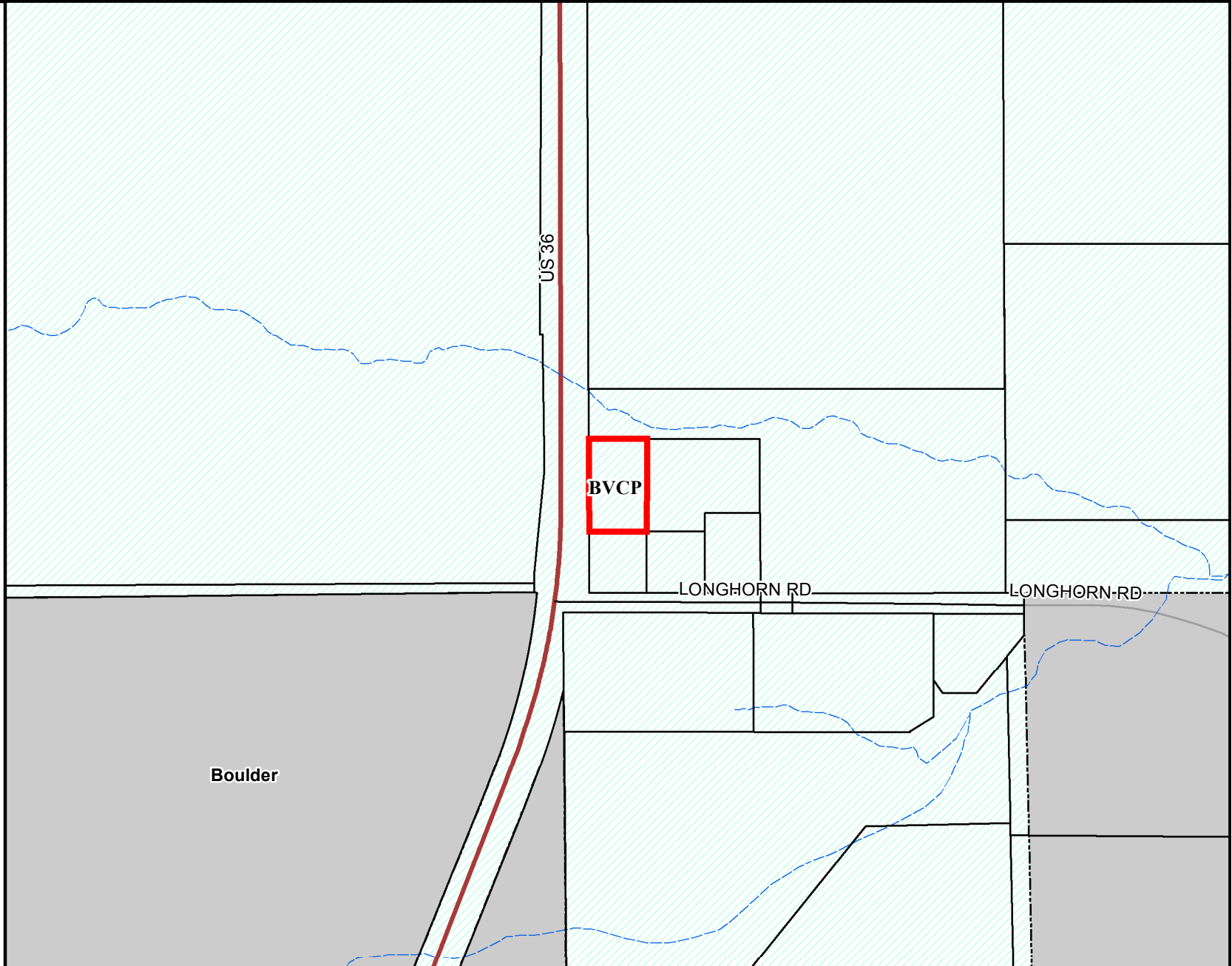
5853 RAWHIDE CT

Subject Parcel

Active IGA Boundary

Active IGA Designation

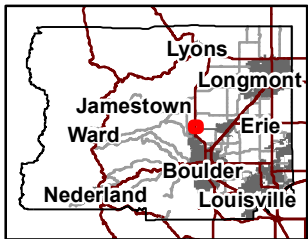
BVCP



0 0.035 0.07 Miles



Area of Detail Date: 5/15/2024



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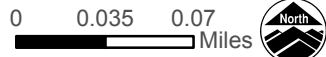
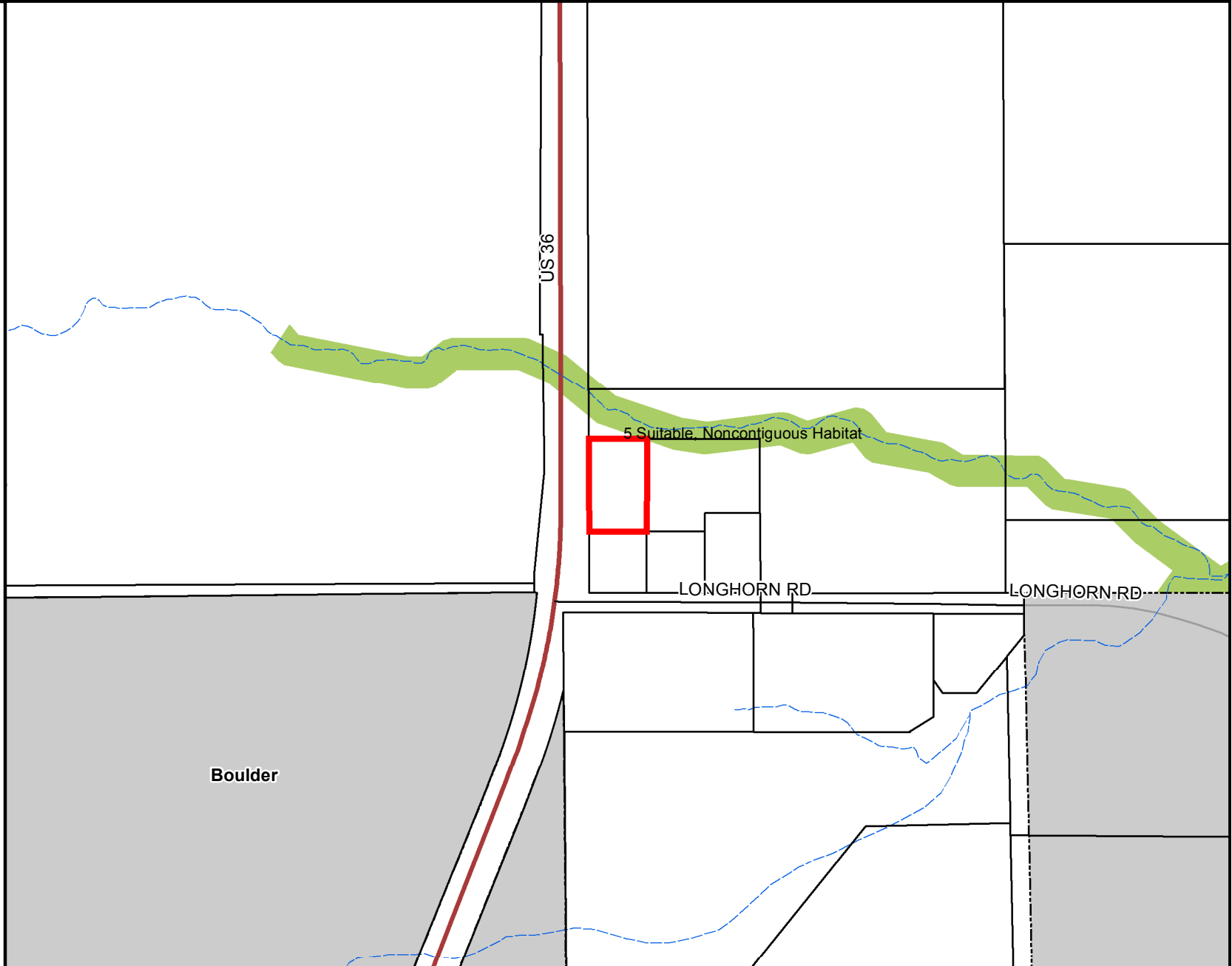
Prebles
5853 RAWHIDE CT

 Subject Parcel

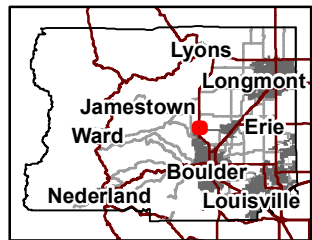
Note: This map's legend shows all Preble's Priority Zones as mapped by Boulder County. The subject property may not contain all zones. Refer to the USFWS Memo dated 9/17/03 to determine when projects require review by USFWS for Preble's.

Prebles

 Zone 5 Suitable, Noncontiguous Habitat



Area of Detail Date: 5/15/2024



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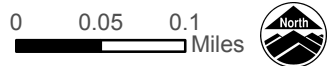
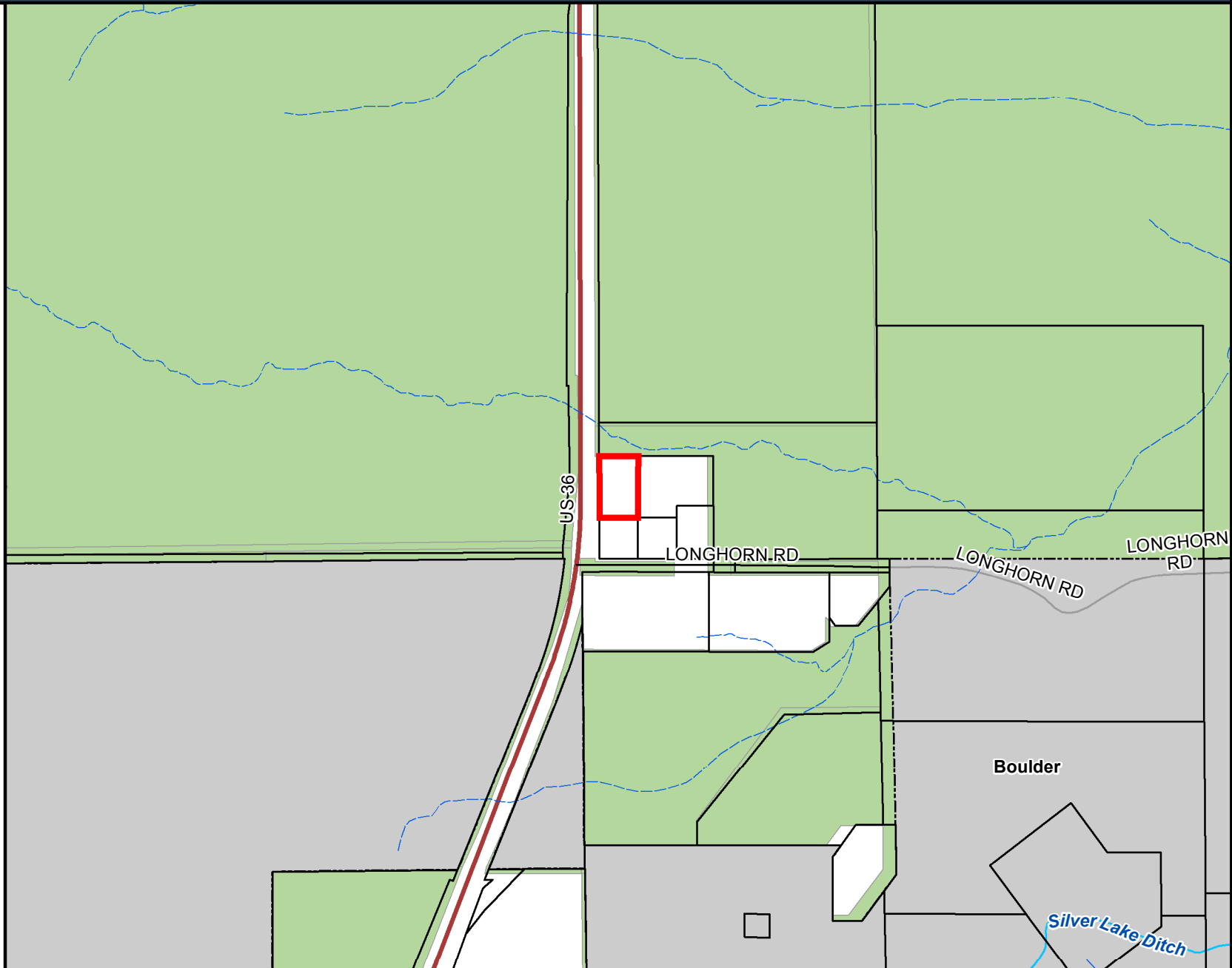
Community Planning & Permitting

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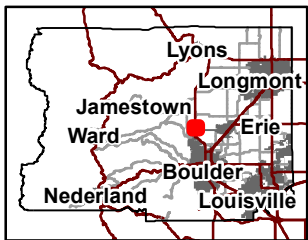
Public Lands & CEs

5853 RAWHIDE CT

-  Subject Parcel
-  OSMP Properties



Area of Detail Date: 5/15/2024



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Narrative for 5953 Rawhide Court

Formatted

Introduction

Zeke's Quality, LLC and McRawhide LLC, the owners of 583 Rawhide Court, are seeking a special use permit to allow two separate uses in our 9,000 sf commercial building. Sonoma Tile has been a tenant at this location for over 30 years, occupying Units A and B. Zeke's Quality LLC would like to move into Unit C to operate a Licensed Marijuana Infused Products business (MIP). The following is a narrative that we hope will answer any questions you may have about our proposal.

McRawhide LLC

McRawhide LLC is a local family company that owns the property at 5853 Rawhide Court. Mark and Jill McIntyre are the managing members of the LLC and as active landlords, manage and lease the property directly. Our home office is less than three miles from our property. We are 45-year residents of Boulder and as hands-on landlords, are committed to creating and maintaining strong and respectful relationships with our tenants and our neighbors. We are particularly interested in leasing our properties to small independent businesses.

Sonoma Tile

Fire and Earth Ceramics was started by Jeff Gaines in 1988 and has been a tenant at this location since then. The business was acquired in 2008 by Sonoma Tile, a national tile manufacturer and distributor. This acquisition enabled Jeff to remain in business during the recession and keep employing his devoted crew, several of whom have been employed there for many years. Jeff died in 2015 and the business is now run by Chris Lovejoy, a long-time employee. Sonoma Tile makes quality handmade tile, with an emphasis on sustainability. The business is centered around glazing and re-firing pre-fired tiles, before sending them to distributors. Sonoma Tile does not have retail customers. There will be no changes to their business or their side of the building.

Zeke's Quality LLC

Zeke's Quality LLC was founded by businesswoman Diamond Riley in 2020, and has been operating in Boulder County since 2022. Fred Jenkins serves as the manager of the business, bringing the experience he has gained from working in the legal marijuana industry for ten years.

Zeke's Quality LLC is looking to establish a Retail Marijuana Products Manufacturing Facility at 5853 Rawhide Court, Unit C, Boulder, CO 80302. The facility will employ three hourly employees. There will be no retail customers.

The company intends to operate the manufacturing facility at Rawhide court in compliance with all Boulder County marijuana regulations, state law and with approval from local fire officials.

- About Diamond Riley

I am a 34-year-old native of Washington DC holding both a Masters of Psychology and a JD Degree. I am a mom to a wonderful and bright three-year-old boy named Zeke. My business, Zeke's Quality, is named after him.

It is my goal with this business to create a lasting foundation for my son.

So often African Americans in inner cities have to fight to survive and make it day by day. My story is no different. I am creating a different narrative for my son. Despite the challenges of being the only black in the entire state of Colorado using a MIP license to make edibles, I know that I am paving the road for others like me. Although it has been well documented that blacks have been disproportionately affected by marijuana, we still hold the fewest number of legal owners in the marijuana industry. It is my goal to show that without social equity but with self-funding and tons of perseverance, that legal marijuana ownership is possible.

- About Fredrick Jenkins

I am the manager of Zeke's Quality. I have been in the cannabis business for ten years as a MIP/grow manager, consultant, and transporter. I have a degree in IT and Business. I am a veteran of the US Army where I served for three years.

Manufacturing Plans

Zeke's Quality LLC will use proprietary formulations to manufacture marijuana-infused products such as pre-rolls (consumer ready *joint*), infused pre-rolls, and edibles for distribution in Boulder and throughout the state of Colorado. Additionally, they will be repackaging marijuana concentrates.

The manufacturing processes will not emit any odor detectable outside the facility and will not create any manufacturing noise. There is no water used in the manufacturing process and thus no wastewater is produced. There will be no large delivery vehicles accessing the site for this business.

Impact of Proposed Change on Traffic

Please see the attached traffic study completed by Delich Associates which was originally performed for the previous tenant's (NoBo Partners) special use review in 2018. NoBo received conditional approval by the County Commissioners but chose not to operate their marijuana business in the space. We are re-submitting this traffic study because there have not been any significant changes to the traffic flow and Zeke's Quality will employ the same amount or fewer employees. Performing an additional study seems like a waste of resources and time.

The conclusion of the study states, “The calculated daily trip generation (16 daily trip ends) is less than the 30 daily vehicle trips that would require additional transportation system impact analyses. It is respectfully requested that no additional transportation analyses be required...”

One of the conditions for the 2018 Special Use Review approval was the installation of tire stops for all (19) of the identified parking spaces. We are in disagreement with that requirement because with so few employees and no retail use, there will never be enough cars to warrant such delineation. It is a gravel parking lot with ample room for both tenants. Installing plastic tire stops would be a waste of environmental and financial resources.

Impact of Proposed Changes on Septic System

Please see the attached Onsite Wastewater Treatment System Verification performed by 5280 Septic LLC, which was originally submitted for our previous tenant’s (NoBo Partners) special use review in 2018. We are re-submitting this verification as it also applies to the current applicant, Zeke’s Quality LLC. The report concludes, “Based upon the above calculations, the existing OWTs will accommodate the daily wastewater flow in the proposed Change in Use.”

Also see attached the Major repair permit issued by Boulder County Public Health dated December 21, 2017 referencing this proposed change of use.

Impact of Proposed Change on Surrounding Businesses

As referenced above, this facility will continue to be a light industrial manufacturing facility with no significant changes to the current operation of the building. There will be no retail sales or additional truck traffic, little water use, no odors or noise that would impact the surrounding properties.

Untitled Map

Write a description for your map.

Legend

5863 RAWHIDE COURT

US 36



Rawhide Ct

Rele Ct

Longhorn Rd

Rodeo Ct

Google Earth

© 2017 Google



800 ft

AN IMPROVEMENT SURVEY PLAT OF LOT 2, IRLLC SUBDIVISION EXEMPTION PLAT

LOCATED IN THE WEST 1/2 OF SECTION 6, T1N, R70W OF THE 6TH P.M.,
COUNTY OF BOULDER, STATE OF COLORADO

NW CORNER OF SECTION 6,
T1N, R70W; FOUND 2.5"
ALUM. CAP, PLS #4846 IN
MONUMENT BOX (PER
MONUMENT RECORD BY
PLS 20134, DATED
06/15/2004)

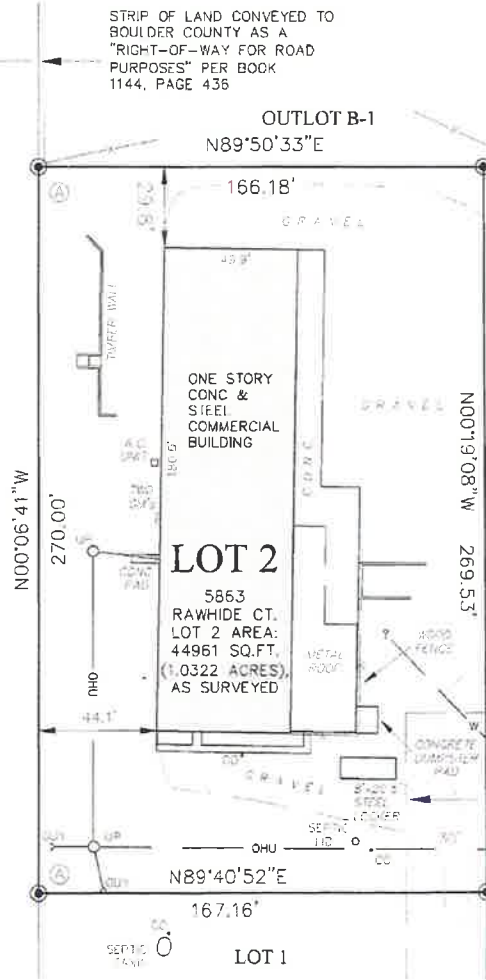
STRIP OF LAND CONVEYED TO
BOULDER COUNTY AS A
"RIGHT-OF-WAY FOR ROAD
PURPOSES" PER BOOK
1144, PAGE 436



VICINITY MAP - NOT TO SCALE

U.S. HIGHWAY 36

SECTION 6
WEST LINE - 1/4 SECTION 6 - BASIS OF BEARINGS
100°16'14" W 266.66' P



LEGEND	
○ (p)	UTILITY POLE
—	WIRE FENCE
— OHU	OVERHEAD UTILITY LINES
— W	UNDERGROUND WATER LINE
○ W	GAS METER
—	CLEAN OUT

LEGAL DESCRIPTION
(PER TITLE COMMITMENT DESC RECD BELOW)
LOT 2, IRLLC SUBDIVISION EXEMPTION PLAT, COUNTY OF BOULDER, STATE OF COLORADO

- NOTES**
1. THE PROPERTY SURVEYED AND SHOWN HEREON IS THE SAME PROPERTY AS DESCRIBED IN OLD REPUBLIC NATIONAL TITLE GUARANTEE COMPANY AREA COMMITMENT NO. 48466666 DATED NOVEMBER 10, 2012 AND PREPARED BY LAND TITLE GUARANTEE COMPANY. SAID TITLE COMMITMENT WAS ENERGETICALLY FILED FOR THE LEGAL DESCRIPTION AND RECORD INFORMATION PROVIDED HEREON. EASEMENTS AND OTHER ENCUMBRANCES AFFECTING THE SURVEYED PROPERTY. THIS MAP DOES NOT REPRESENT A TITLE SEARCH PERFORMED BY BOULDER LAND CONSULTANTS, INC. OR THE UNDERFOOT.
 2. RANGE OF BEARINGS FOR THE INFORMATION SHOWN HEREON IS THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 6, ADJACENT TO BEAR # 02 19 41 W ON THE IRLLC SUBDIVISION EXEMPTION PLAT, RECORDED AS RECEPTION NO. 3848047 OF THE BOULDER COUNTY RECORDS.
 3. SHOWN SHOWN HEREON ARE NO U.S. SURVEY FEES.
 4. ACCORDING TO THE ABOVE RECORDED TITLE COMMITMENT, THE PROJECTED RECORDED IS SUBJECT TO:
 - EXCEPTION 8: ERECTION, EASEMENTS AND ENCUMBRANCES AS SET FORTH IN AND REFERRED BY ERECTION AGREEMENTS RECORDED JANUARY 29, 1985 UNDER RECEPTION NO. 16173
 - EXCEPTION 9: ERECTION, EASEMENTS, PROVISIONS, RIGHTS AND OBLIGATIONS AS SET FORTH AND REFERRED BY ERECTION AGREEMENTS RECORDED OCTOBER 23, 1970, UNDER RECEPTION NO. 826000
 - EXCEPTION 10: ERECTION, EASEMENTS TO PUBLIC SERVICE COMPANY OF COLORADO, FOR GAS PIPE LINES, AND ACCORDING PURPOSES, BY INSTRUMENT RECORDED OCTOBER 23, 1970, UNDER RECEPTION NO. 826000
 - EXCEPTION 11: ERECTION, EASEMENTS, PROVISIONS, RIGHTS AND OBLIGATIONS AS SET FORTH IN RESOLUTION 2000-28 CONDITIONALLY APPROVING BOULDER COUNTY LAND USE DOCKET #98-03-03 RECORDED MARCH 01, 2001 UNDER RECEPTION NO. 28188
 - EXCEPTION 12: EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND AGREES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 284807
 - EXCEPTION 13: TERMS, CONDITIONS, PROVISIONS, RIGHTS, OBLIGATIONS AND AGREEMENTS AS SET FORTH AND GRANTED IN DECLARATION OF WATER LINE EASEMENTS RECORDED MARCH 11, 2009 UNDER RECEPTION NO. 324240
 - EXCEPTION 14: TERMS, CONDITIONS, PROVISIONS, RIGHTS, OBLIGATIONS AND AGREEMENTS AS SET FORTH AND GRANTED IN COVENANTS OF NON-EXCLUSIVE WATER LINE EASEMENTS RECORDED MARCH 11, 2009 UNDER RECEPTION NO. 324241
 5. UNDERGROUND WATER LINES SHOWN HEREON ARE BASED ON SURFACE FEATURES INDICATING THE PRESENCE OF SAID UNDERGROUND WATER LINES AS WELL AS SURFACE FEATURES PROVIDED BY OTHERS. UNDERGROUND UTILITY INFORMATION SHOWN HEREON MAY NOT BE COMPLETE OR ACCURATE. BOULDER LAND CONSULTANTS, INC. RECOMMENDS THAT PRECISE LOCATION OF SAID UTILITIES SHOULD BE DETERMINED BY EXPLOIATION/ REVISION PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION, AND THAT ALL UNDERGROUND UTILITIES BE MARKED BY THE APPROPRIATE UTILITY ENTITY PRIOR TO ANY SIGN WORK, EXCAVATION OR CONSTRUCTION.
 6. ANY PERSON WHO KNOWINGLY ALLOWS OR COACHES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY CORNER TO BE PLACED IN VIOLATION OF COLORADO STATE STATUTE 18-4-508 C.F.S.
 7. SURVEYOR'S NARRATIVE: THE LOCATION OF THE BOUNDARY OF THE SUBJECT PROPERTY WAS BASED ON THE RECEIPTS OF EXISTING CORNER MONUMENTS AS SET BY BOULDER LAND CONSULTANTS, INC. AT THE TIME OF THE SURVEY'S ACCEPTANCE BY THE COUNTY OF BOULDER.
 8. CERTIFICATION REQUIRED: THE USE OF THE WORDS "CERTIFY" OR "CERTIFIED" BY A REGISTERED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED. (PER COLORADO STATE BOARD RULE NO. 8-7.3)
 9. IN ACCORDANCE WITH C.R.S. 13-20-108, NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LITIGATION BASED UPON ANY DEFECT IN THE SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IF IN EVERY MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN NINE YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

BLANCHE'S CERTIFICATION

LAND SURVEY
COLORADO LICENSED PROFESSIONAL
LAND SURVEYOR
BOULDER LAND CONSULTANTS, INC.
DATE: DECEMBER 28, 2013



THIS MAP WAS PREPARED BY
BOULDER LAND CONSULTANTS, INC.
2645 VALMONT RD. BOULDER, CO 80501
PHONE: 443-3618
WWW.BLCOLORADO.COM

BOULDER COUNTY REGISTERED PROFESSIONAL LAND SURVEYOR

WEST 1/4 CORNER OF
SECTION 5, T1N, R70W;
FOUND 1/2" REBAR BELOW
ASPHALT SURFACE; SET 2.5"
ALUM. CAP, PLS #20134 ON
3/4" REBAR, IN MONUMENT
BOX (PER MONUMENT RECORD
BY PLS 20134, DATED
09/01/2005)

DELICH ASSOCIATES Traffic & Transportation Engineering
2272 Glen Haven Drive Loveland, Colorado 80538
Phone: (970) 669-2061 Fax: (970) 669-5034



September 20, 2017

Ms. Anita Riley, Senior Planner
Boulder County Transportation Department
2525 13th Street, P.O. Box 471
Boulder, CO 80304

Dear Anita:

This Transportation Pre-Application Methodology Letter (TP-AML) addresses the proposed methodology for the transportation system impact analysis per the Boulder County Multimodal Transportation Standards for an additional use at 5863 Rawhide Court in Boulder County. This TP-AML addresses the increase in the trip generation, as well as other elements.

The site/building location aerial and the lot plan are provided in the Appendix. The subject lot is northeast of the US36/Longhorn Road intersection. United States Highway 36 is a state highway under the administrative control of CDOT. Longhorn Road is a two-lane paved road that is classified as a local road. Rawhide Court is a two-lane paved street ending in a cul-de-sac at the subject property. The parcel currently has a small building (9,000 square feet).

The current use in the building is Sonoma Tilemakers, which occupies 6,000 square feet. The remaining 3,000 square feet will be occupied by the proposed NoBo Marijuana Infused Products operation. There are two other buildings that are served from Rawhide Court. The existing uses in the area can be categorized as light industrial. The Sonoma Tilemakers has six employees. Using Trip Generation, 9th Edition, ITE, with Light Industrial (Code 110) as the land use, Table 1 shows the calculated trip generation for Sonoma Tilemakers using both floor area and employees as the trip generation variables. The average of the calculated trip generation is: 30 daily trip ends, 5 morning peak hour trip ends, and 5 afternoon peak hour trip ends.

The proposed use will be the NoBo Marijuana Infused Products operation. This use will be in the remaining 3,000 square feet of the subject building. The existing driveway to Rawhide Court will be used for both uses in the building. The proposed operation is best described as a light industrial land use from a trip generation perspective. Using Trip Generation, 9th Edition, ITE, with Light Industrial (Code 110) as the land use, the average of the calculated trip generation is: 16 daily trip ends, 2 morning peak hour trip ends, and 2 afternoon peak hour trip ends (Table 2). Other than employee trips, the NoBo Marijuana Infused Products operation will have occasional courier deliveries. There will be no retail sales at this site.

There is no current available daily traffic data on Longhorn Road. Current available daily traffic data on US36 is 15,484 vehicles (approximately 1.5 miles south of Longhorn Road). The trip distribution for the proposed use is a function of trip production locations in the general vicinity of the site (10± mile radius). Preliminary trip distribution is estimated at: 90 percent to/from the south and 10 percent to/from the north. Given the trip generation and trip distribution, it is likely that all of the peak hour trips will be to/from the south. The increase in peak hour traffic will not be significant. Future background traffic forecasts, if necessary, should be obtained from sources provided by Boulder County Transportation or agreed upon growth rates on the key roads/streets.

The primary travel mode will be by private automobile for employee related trips; however alternative mode facilities are available. RTD Route Y (Lyons/Boulder) operates on US36. There are transit stops at Longhorn Road. There are 4-foot bike lanes on US36.

The calculated daily trip generation (16 daily trip ends) is less than the 30 daily vehicle trips that would require additional transportation system impact analyses. It is respectfully requested that no additional transportation analyses be required for the NoBo Marijuana Infused Products operation.

Do not hesitate to contact me if you have questions or desire additional information.

Sincerely,



Matthew J. Delich, P.E., PTOE

File: 1778LT01



TABLE 1								
Trip Generation for the Existing Sonoma Tilemakers								
Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
110	Sonoma Tilemakers	6.0 KSF	6.97	42	0.92	6	0.97	6
110	Sonoma Tilemakers	6 Employ.	3.02	18	0.44	3	0.42	3
Average				30		5		5

TABLE 2								
Trip Generation for the Proposed NoBo Marijuana Infused Products								
Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
110	NoBo Marijuana Infused Products	3.0 KSF	6.97	20	0.92	3	0.97	3
110	NoBo Marijuana Infused Products	3 Employ.	3.02	10	0.44	1	0.42	1
Average				16		2		2

APPENDIX

Untitled Map

Write a description for your map.

Legend



Google Earth

© 2017 Google

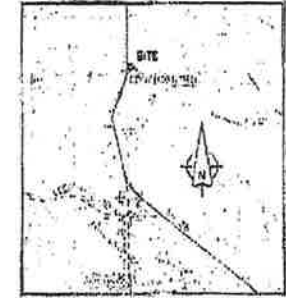
800 ft

AN IMPROVEMENT SURVEY PLAT OF LOT 2, IRLLC SUBDIVISION EXEMPTION PLAT LOCATED IN THE WEST 1/2 OF SECTION 6, T1N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO

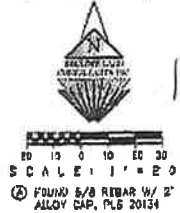
NW CORNER OF SECTION 6,
T1N, R70W, FOUND 2.5"
ALUM. CAP, PLS #1456 IN
MONUMENT BOX (PER
MONUMENT RECORD BY
PLS 20134, DATED
06/15/2004)

STRIP OF LAND CONVEYED TO
BOULDER COUNTY AS A
"RIGHT-OF-WAY FOR ROAD
PURPOSES" PER BOOK
1144, PAGE 438

Parking Spaces 9ft x 20ft
17 spaces

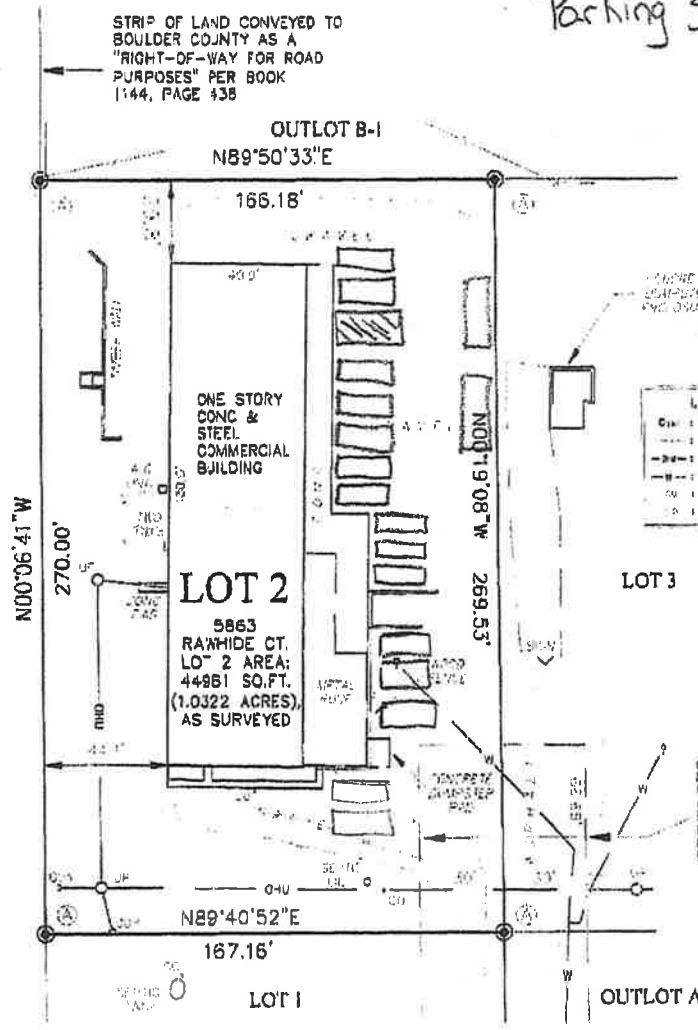


VICINITY MAP - NOT TO SCALE



FOUNDED 5/8 REBAR 4" X 2"
ALLOY CAP, PLS 20134

U.S. HIGHWAY 36



LOT 2
5863
RANWIDE CT.
LO 2 AREA:
44961 SQ.FT.
(1.0322 ACRES),
AS SURVEYED

LEGEND

- VISION POLE
- FENCE
- INGROUND WATER LINE
- GAS METER
- CLEAN OUT

60' PLATTED
NON-EXCLUSIVE
RANWIDE COURT
ACCESS & UTILITY
EASEMENT, ALSO,
60" PSD GAS LINE
R-O-W PER 7713,
R9056006

LEGAL EXEMPTION
(PER TITLE DOCUMENT REFERRED TO)
LOT 2, IRLLC SUBDIVISION EXEMPTION PLAT, COUNTY OF BOULDER, STATE OF COLORADO.

NOTES

1. THE BOUNDARY SHOWN AND EXEMPTION HEREIN IS THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY.
2. THIS SURVEY IS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO SURVEYING ACTS AS AMENDED.
3. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY.
4. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY.
5. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY.
6. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY.
7. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY.
8. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY.
9. THE BOUNDARY SHOWN IS BASED ON THE BEST AVAILABLE AS SHOWN BY THE RECORDS AND FIELD SURVEY.

SURVEYOR'S CERTIFICATE

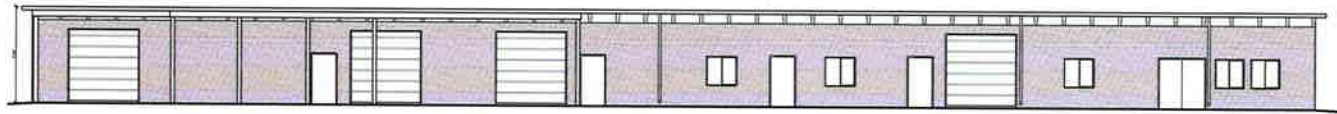
I, **DAVID J. BERRY**, SURVEYOR, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF COLORADO AND THAT I AM THE SURVEYOR OF THIS SURVEY. I AM NOT PROVIDING ANY PROFESSIONAL OPINION OR GUARANTEE AS TO THE ACCURACY OF THIS SURVEY. I AM NOT PROVIDING ANY PROFESSIONAL OPINION OR GUARANTEE AS TO THE ACCURACY OF THIS SURVEY.



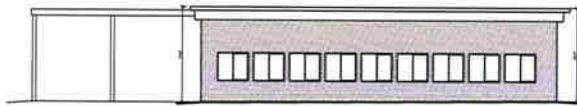
THIS MAP WAS PREPARED BY
BOULDER LAND CONSULTANTS, INC.

5850 VALLEY RD. BOULDER, CO 80501
(303) 442-2615
www.boulderland.com

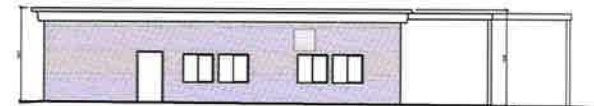
WEST 1/4 CORNER OF
SECTION 6, T1N, R70W;
FOUND 1/2" REBAR BELOW
ASPHALT SURFACE; SET 2.5"
ALUM. CAP, PLS #20134 ON
3/4" REBAR IN MONUMENT
BOX (PER MONUMENT RECORD
BY PLS 20134, DATED
09/01/2005)



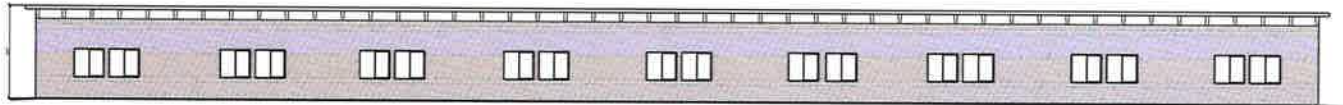
4 EAST ELEVATION
1/8" = 1'-0"



3 NORTH ELEVATION
1/8" = 1'-0"



2 SOUTH ELEVATION
1/8" = 1'-0"



1 WEST ELEVATION
1/8" = 1'-0"

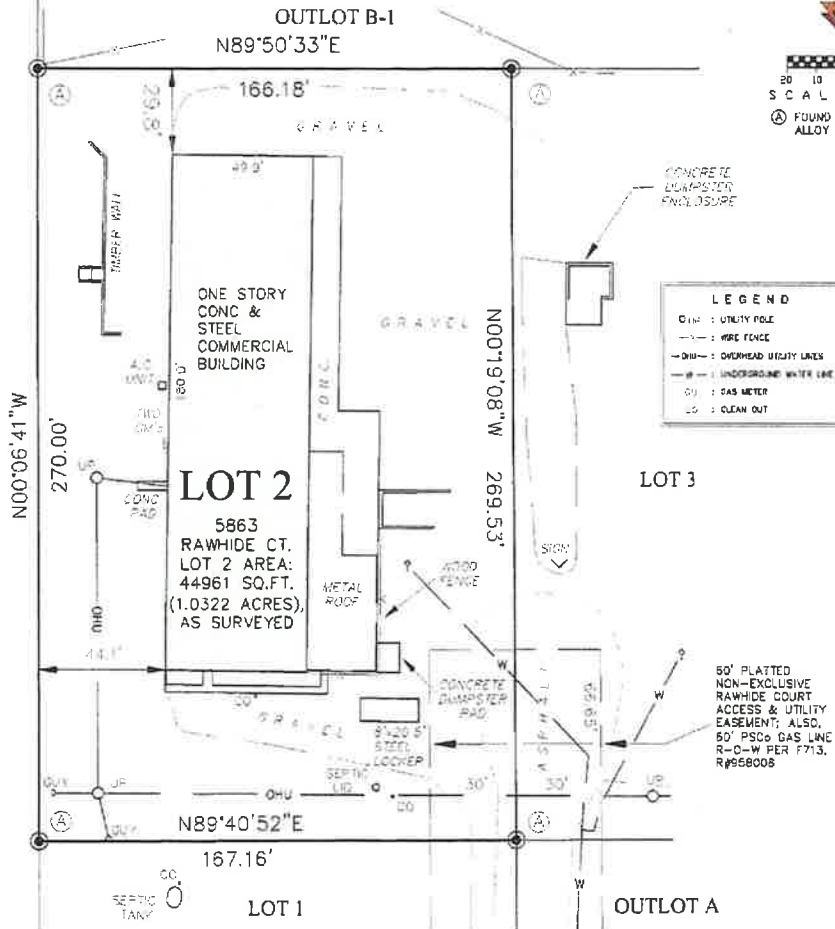
AN IMPROVEMENT SURVEY PLAT OF
LOT 2, IRLLC SUBDIVISION EXEMPTION PLAT
 LOCATED IN THE WEST 1/2 OF SECTION 6, T1N, R70W OF THE 6TH P.M.,
 COUNTY OF BOULDER, STATE OF COLORADO

NW CORNER OF SECTION 6,
 T1N, R70W; FOUND 2.5"
 ALUM. CAP, PLS #4846 IN
 MONUMENT BOX (PER
 MONUMENT RECORD BY
 PLS 20134, DATED
 08/15/2004)

STRIP OF LAND CONVEYED TO
 BOULDER COUNTY AS A
 "RIGHT-OF-WAY FOR ROAD
 PURPOSES" PER BOOK
 1144, PAGE 436



100°15'14\"W 2656.17'
 WEST LINE RWY 4 SECTION 6 - BASIS OF BARRIERS
U.S. HIGHWAY 36



LEGEND

- --- ○ UTILITY POLE
- — — WIRE FENCE
- OHU — OVERHEAD UTILITY LINES
- — — UNDERGROUND UTILITY LINES
- --- ○ GAS METER
- --- ○ CLEAN OUT

LEGAL DESCRIPTION
 (PER TITLE COMMITMENT DESCRIBED BELOW)
 LOT 2, IRLLC SUBDIVISION EXEMPTION PLAT, COUNTY OF BOULDER, STATE OF COLORADO.

- NOTES**
1. THE PROPERTY SURVEYED AND SHOWN HEREON IS THE SAME PROPERTY AS DESCRIBED IN OLD REPUBLIC NATIONAL TITLE GUARANTEE COMPANY AREA COMMITMENT NO. 4803380000 DATED NOVEMBER 09, 2010 AND INCORPORATED BY LAND TITLE GUARANTEE COMPANY. SAID TITLE COMMITMENT WAS ENTIRELY RELEASD UPON FOR THE LEGAL DESCRIPTION AND RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND OTHER ENCUMBRANCES AFFECTING THE SUBJECT PROPERTY. THIS MAP DOES NOT REPRESENT A TITLE SEARCH PERFORMED BY BOULDER LAND CONSULTANTS, INC. OF THE UNRECORDED.
 2. RANGS OF BARRIERS FOR THE INFORMATION SHOWN HEREON IS THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 6, SUBJECT TO BEAR N 00°18'14\"W ON THE IRLLC SUBDIVISION EXEMPTION PLAT, RECORDED AS RECORDATION NO. 284067 OF THE BOULDER COUNTY RECORDS.
 3. UNITS SHOWN HEREON ARE IN U.S. SURVEY FEET.
 4. EXCEPTION TO THE ABOVE DESCRIBED TITLE COMMITMENT, THE PROPERTY DESCRIBED HEREON IS SUBJECT TO:
 - EXCEPTION 8: EARTH LIENS AND TOWNSHIP IF ANY.
 - EXCEPTION 9: TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE RECORDED JANUARY 17, 2008 UNDER RECORDATION NO. 279173.
 - EXCEPTION 10: EASEMENTS GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, FOR GAS PIPE LINES AND INCIDENTAL EASEMENTS OF WITHHELD RECORDS DATED 22, 1970 UNDER RECORDATION NO. 680806.
 - EXCEPTION 11: TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH BY REGULATION 2009-29 (SECTION 11) APPROVED BOULDER COUNTY LAND USE SOCIETY 09-05-09E RECORDED MARCH 07, 2007 UNDER RECORDATION NO. 284067.
 - EXCEPTION 12: EASEMENTS, CONDITIONS, COVENANTS, RESERVATIONS AND SETS ON THE PLAT OF SAID SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECORDATION NO. 284067.
 - EXCEPTION 13: TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH AND GRANTED IN DECLARATION OF INTEREST LINES RECORDED MARCH 11, 2008 UNDER RECORDATION NO. 284067.
 - EXCEPTION 14: TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND OBLIGATIONS AS SET FORTH AND GRANTED IN EVIDENCE OF NON-ENCUMBRANCE AND EVIDENCE RECORDED MARCH 11, 2008 UNDER RECORDATION NO. 284067.
 5. UNDERGROUND UTILITY LINES SHOWN HEREON ARE BASED ON SURFACE FEATURES INDICATING THE PRESENCE OF SAID UNDERGROUND UTILITY LINES AS WELL AS CURRENT RECORDS PROVIDED BY SOURCE. UNDERGROUND UTILITY INFORMATION SHOWN HEREON MAY NOT BE COMPLETE OR ACCURATE. BOULDER LAND CONSULTANTS, INC. (BOULDER) HAS CONDUCTED VISUAL LOCATIONS OF SAID UTILITY LINES (EVIDENCED BY SURFACE FEATURES AND RECORDS) FROM THE COMMENCEMENT OF ANY CONSTRUCTION, AND THAT ALL UNDERGROUND UTILITY BE MARKED BY THE APPROPRIATE UTILITY COMPANY PRIOR TO ANY NEW PILING, CONSTRUCTION OR CONSTRUCTION.
 6. ANY PERSON WHO KNOWLEDGELY REVEALS ANY DATA OR DATA ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY CORNER A CLASS TWO (2) MONUMENT PURSUANT TO COLORADO STATE STATUTE 18-6-308 OR 18-6-309.
 7. SURVEYOR'S WARRANT: THE LOCATION OF THE BOUNDARY OF THE SUBJECT PROPERTY HAS BEEN ON THE BOUNDARY OF THE EXISTING LOT CORNER MONUMENTS AS SET BY BOULDER LAND CONSULTANTS, INC. AT THE TIME OF THE SURVEYOR'S APPROBATION BY THE COUNTY OF BOULDER.
 8. CERTIFICATION: THE USE OF THE WORDS "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR IDENTIFIES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FIGURES PRESENT ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED. (PER COLORADO STATE STATUTE 18-6-309).
 9. IN ACCORDANCE WITH C.R.S. 18-6-309-1001:
 NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION FROM HEREON.

SURVEYOR'S CERTIFICATION
 I, JASON BERRY, DO HEREBY CERTIFY TO INCORPORATE BETWEEN LAND LEASING CORPORATION, A DECLARATORY CORPORATION, AND LAND TITLE GUARANTEE COMPANY THAT, SUBJECT TO THE NOTICE SHOWN HEREON, A SURVEY OF THE PERMITS OF PROPERTY LOCATED ON JUNE 24, 2010 AND DESCRIBED HEREON WAS MADE UNDER MY DIRECT SUPERVISION AND CONFORMANCE TO ALL APPLICABLE STATE LAWS AS DEFINED IN TITLE 18, ARTICLE 30, § 1 AND 30, COLORADO REDEVELOPMENT AND THAT THE SAID SURVEY PLAT ACCURATELY DEPICTS THE RESULTS OF SAID SURVEY.



THIS MAP WAS PREPARED BY
BOULDER LAND CONSULTANTS, INC.
 2800 VALLEY BLVD. BOULDER, CO 80501
 (303) 443-3810
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WEST 1/4 CORNER OF
 SECTION 6, T1N, R70W;
 FOUND 1/2" REBAR BELOW
 ASPHALT SURFACE; SET 2.5"
 ALUM. CAP, PLS #20134 ON
 3/4" REBAR, IN MONUMENT
 BOX (PER MONUMENT RECORD
 BY PLS 21134, DATED
 09/01/2005)

AN IMPROVEMENT SURVEY PLAT OF
LOT 2, IRLLC SUBDIVISION EXEMPTION PLAT
 LOCATED IN THE WEST 1/2 OF SECTION 6, T1N, R70W OF THE 6TH P.M.,
 COUNTY OF BOULDER, STATE OF COLORADO

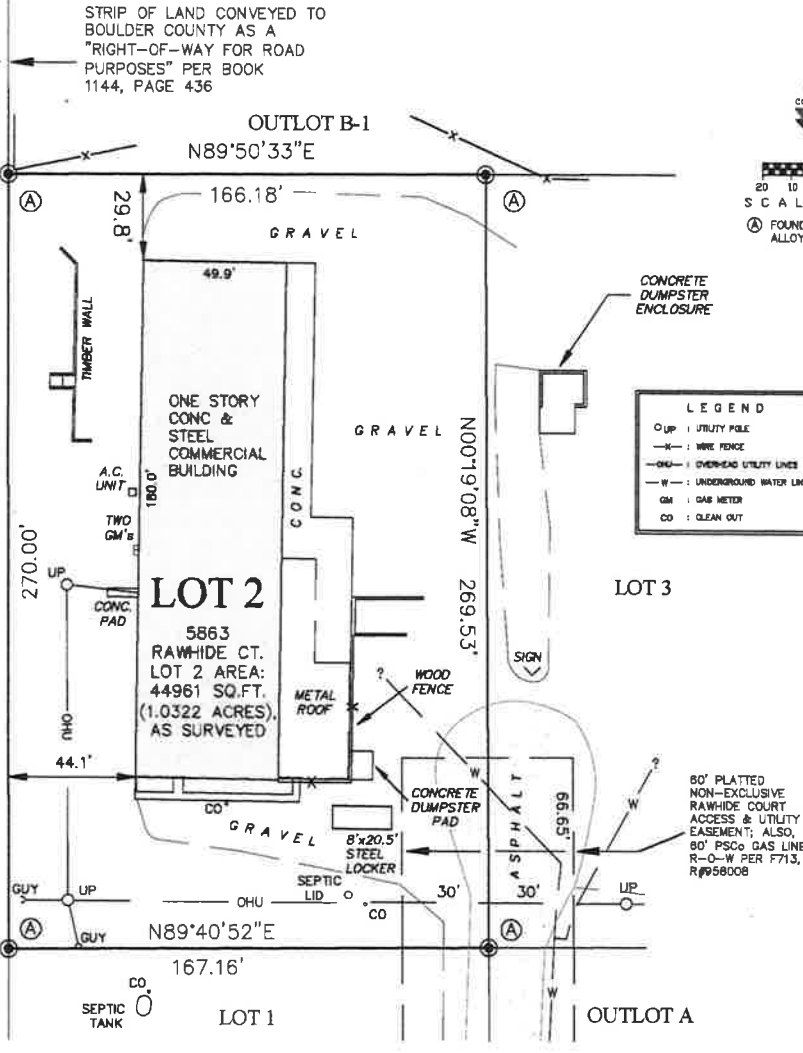
NW CORNER OF SECTION 6,
 T1N, R70W, FOUND 2.5"
 ALUM. CAP, PLS #4846 IN
 MONUMENT BOX (PER
 MONUMENT RECORD BY
 PLS 20134, DATED
 08/15/2004)

STRIP OF LAND CONVEYED TO
 BOULDER COUNTY AS A
 "RIGHT-OF-WAY FOR ROAD
 PURPOSES" PER BOOK
 1144, PAGE 436



N0019'14" W 2656.17'
 WEST LINE NW1/4 SECTION 6 - BASIS OF BEARINGS

U.S. HIGHWAY 36
 N00'06'41" W



○ UP	UTILITY POLE
— X —	WIRE FENCE
— OH —	OVERHEAD UTILITY LINES
— W —	UNDERGROUND WATER LINE
GM	GAS METER
CO	CLEAN OUT

WEST 1/4 CORNER OF
 SECTION 6, T1N, R70W;
 FOUND 1/2" REBAR BELOW
 ASPHALT SURFACE; SET 2.5"
 ALUM. CAP, PLS #20134 ON
 3/4" REBAR, IN MONUMENT
 BOX (PER MONUMENT RECORD
 BY PLS 20134, DATED
 09/01/2005)

LEGAL DESCRIPTION
 (SEE TITLE COMMITMENT RECORDED BELOW)
 LOT 2, IRLLC SUBDIVISION EXEMPTION PLAT, COUNTY OF BOULDER, STATE OF COLORADO.

- NOTES**
1. THE PROPERTY SURVEYED AND SHOWN HEREIN IS THE SAME PROPERTY AS DESCRIBED IN OLD RECORDED NATCHAL TITLE INSURANCE COMPANY AND COMPANIES RECORDS AND SURVEYS DATED NOVEMBER 20, 2013 AND PREPARED BY LAND TITLE CONSULTANTS COMPANY, SAID TITLE COMMITMENT WAS DIRECTLY REPLIED UPON FOR THE LEGAL DESCRIPTION AND RECORDED INFORMATION HEREON. THESE NOTES, CONDITIONS, PREVISIONS, RESERVATIONS AND RESTRICTIONS PERTAINING TO THE SUBJECT PROPERTY. THIS MAP DOES NOT REPRESENT A TITLE SEARCH PERFORMED BY BOULDER LAND CONSULTANTS, INC. OR THE ENGINEER.
 2. BASIS OF BEARINGS FOR THE INFORMATION SHOWN HEREIN IS THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 6, ADJACENT TO BOOK N OF PLAT "W" ON THE IRLLC SUBDIVISION EXEMPTION PLAT, RECORDED AS RECEPTION NO. 8497 OF THE BOULDER COUNTY RECORDS.
 3. UNITS SHOWN HEREIN ARE IN U.S. SURVEY FEET.
 4. ACCORDING TO THE ABOVE RECORDED TITLE COMMITMENT, THE PROPERTY DESCRIBED HEREIN IS SUBJECT TO:
 - EXCEPTION 13: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 14: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 15: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 16: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 17: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 18: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 19: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 20: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 21: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 - EXCEPTION 22: EASEMENT, CONDITIONAL COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF IRLLC SUBDIVISION EXEMPTION PLAT RECORDED MARCH 07, 2007 UNDER RECEPTION NO. 8246327.
 5. UNDERGROUND WATER LINES SHOWN HEREIN ARE BASED ON SURFACE FEATURES INDICATING THE PRESENCE OF SAID UNDERGROUND WATER LINES AS WELL AS SURFACE PATTERNS PROVIDED BY OTHERS. UNDERGROUND UTILITY INFORMATION SHOWN HEREON MAY NOT BE COMPLETE OR ACCURATE. BOULDER LAND CONSULTANTS, INC. RECOMMENDS THAT PRECISE LOCATION OF SAID UTILITIES SHOULD BE DETERMINED BY EXPLORATORY DIGGING PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION, AND THAT ALL UNDERGROUND UTILITIES BE MARKED BY THE APPROPRIATE UTILITY CARRY PRIOR TO ANY DRAIN WORK, EXCAVATION OR CONSTRUCTION.
 6. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR OBTAINS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCORDS TO CHANGE OR OBTAINS TWO (2) HINDERSAW SUBJECT TO COLORADO STATE STATUTE 19-2-100 C.A.S.
 7. ENGINEER'S INFERRED: THE LOCATION OF THE BOUNDARY OF THE SUBJECT PROPERTY IS BASED ON THE RECOVERY OF EXISTING LOT CORNER MONUMENTS AS SET BY BOULDER LAND CONSULTANTS, INC. AT THE TIME OF THE SURVEYOR'S ACCEPTANCE BY THE COUNTY OF BOULDER.
 8. CERTIFICATION DEFINES: THE USE OF THE WORDS "CERTIFY" OR "CERTIFYING" BY A REGISTERED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED, UNDER COLORADO STATE BOARD RULE NO. 6.2.3.
 9. IN ACCORDANCE WITH C.R.S. 18-100-109, NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT SHALL ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN 10 YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

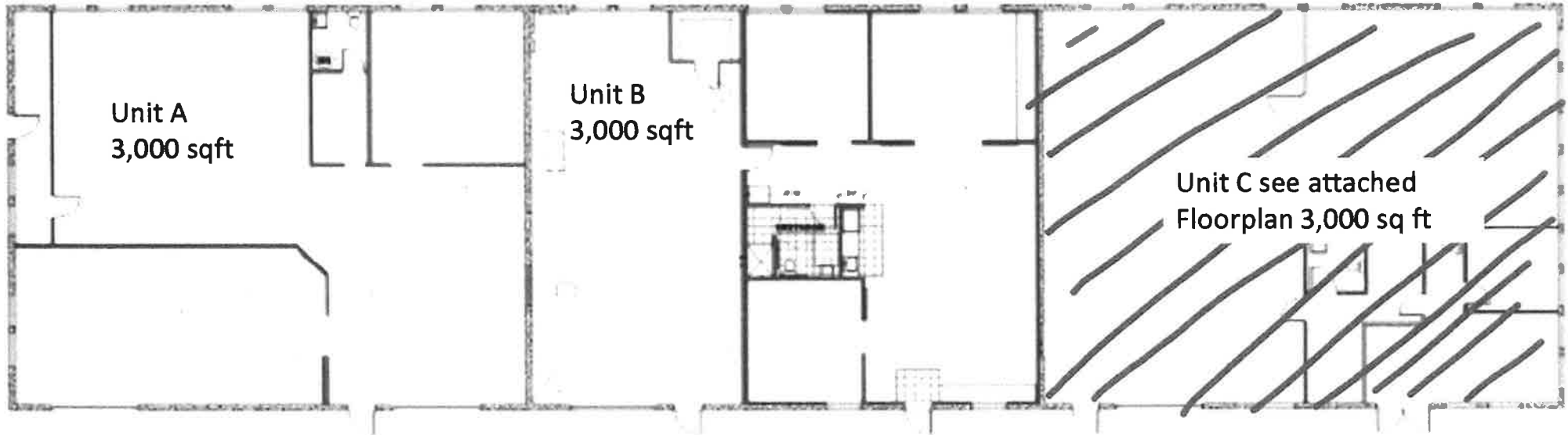
SURVEYOR'S CERTIFICATION
 I, JASON QUERRY, DO HEREBY CERTIFY TO BOULDER COUNTY, BOULDER COUNTY, COLORADO, THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR AND HOLD A VALID LICENSE TO PRACTICE AS A SURVEYOR IN THE STATE OF COLORADO. I HAVE CONDUCTED THE SURVEY SHOWN HEREON AND THE RESULTS OF THE SURVEY ARE SHOWN ON THIS PLAT. I HAVE REVIEWED THE RESULTS OF THIS SURVEY.

JASON QUERRY
 COLORADO LICENSED PROFESSIONAL
 LAND SURVEYOR NO. 26244
 PLS AND OR BEHALF OF
 BOULDER LAND CONSULTANTS, INC.
 DATE: DECEMBER 06, 2013

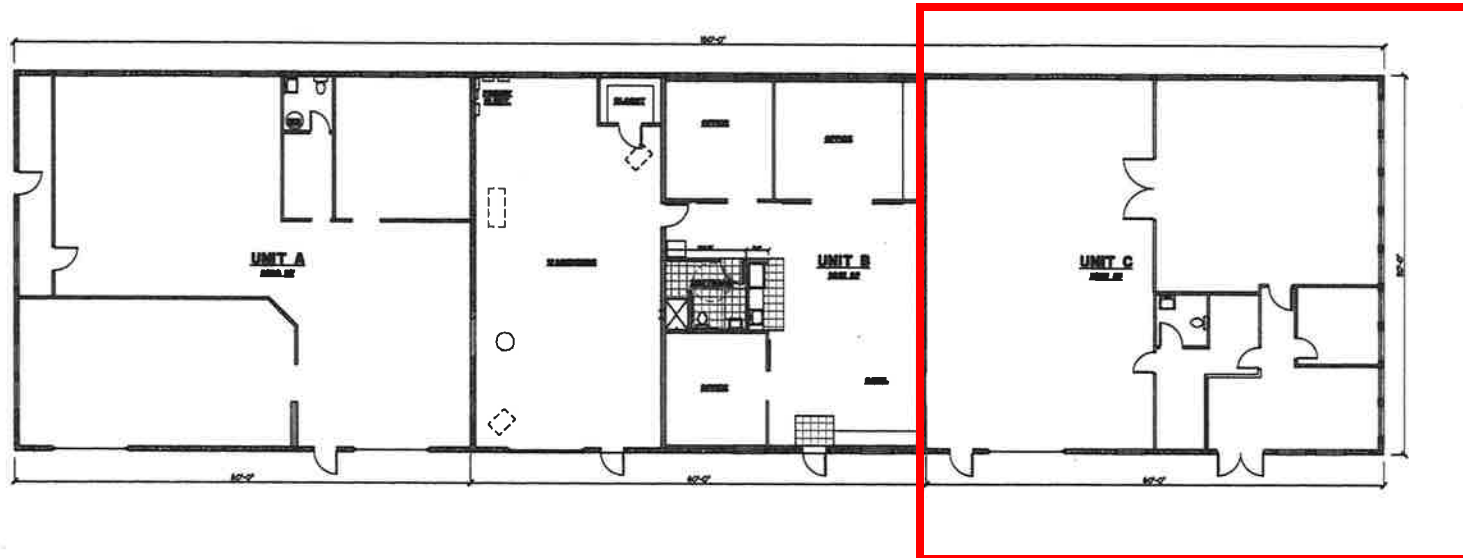


THIS MAP WAS PREPARED BY
BOULDER LAND CONSULTANTS, INC.
 8990 VALMONT RD., BOULDER, CO 80501
 (303) 443-3888
 www.BLCsurveys.com

5853 Rawhide Court
Unit A and B leased to Sonoma Tilemakers
Unit C to be leased to Zeke's Quality LLC



Unit C Floor Plan



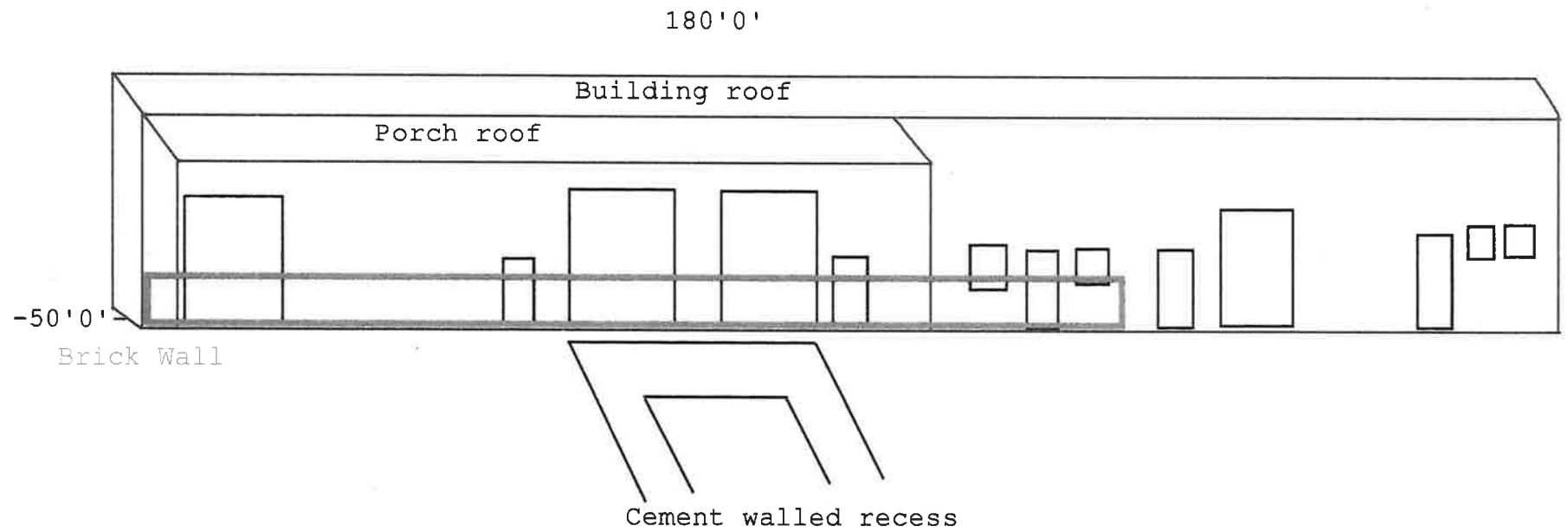
1 FLOOR PLAN
A1 1/16" = 1'-0"



BRAY
Architecture, Inc.
1300-C Yellow Pine
Boulder, CO 80504

BOULDER WAREHOUSE ASSOCIATION
5853 RAWHIDE CT.
BOULDER, COLORADO

SCALE: AS SHOWN
DRAWN BY:
PROJECT No:
DATE:
SHEET TITLE:
FLOOR PLAN
SHEET NUMBER:
A1



5853 Rawhide Ct
Building Elevation

Water Information

5853 Rawhide Ct

The water for this property is supplied via delivery by Mile Hi Water

The property uses a septic system for waste water

The property is in the Urban Drainage Floor Control area.



Boulder County Public Health

3450 Broadway, Boulder, CO 80304
(303) 441-1564

PERMIT TO INSTALL, CONSTRUCT, ALTER, OR REPAIR ONSITE WASTEWATER SYSTEM (OWS).

Permit Type OWTS MAJOR REPAIR (FULL FEE)
Site Address 5853 RAWHIDE CT BOULDER, CO 80302
Legal Description (short) 061N70W

Permit # ON0050676 Application Date 12/14/2017
Parcel # 146306002002

Owner MCRAWHIDE LLC
Mailing Address 1475 MOSS ROCK PL
City/State/Zip BOULDER, CO 80304

Phone (Home) (303) 444-4598
(Cell Phone)

Agent NOBO PARTNERS LLC
Mailing Address 1435 YARMOUTH AVE STE
City/State/Zip BOULDER, CO 80304
Engineer 5280 SEPTIC LLC

Phone (Work) (720) 276-2644

Installer:

Site Information

- Proposed Building(s) Commerical/Industrial
- Area of Lot (Acres) 0.98
- Type of System Requested
Evapotranspiration Bed
- Water Supply Cistern
- Slope 30% 45%
- Floodplain N

System Design Parameters

- Soil Type 5- Soil Types 2-4A Platy
- Soil Percolation Rate NA Minutes/Inch
- LTAR 0.10
- Seasonal Groundwater 1 Feet
- Bedrock Depth NA
- Unsuitable Soil Depth 0 Feet
- Electrical Inspection Required N
- Sized for 0 bedrooms (2 persons/bedroom)
- Design Flow 135

Installation Instructions

Type of System: Evapotranspiration Bed

Type of System 2: Septic Tank/Lift Station

- Minimum septic tank/vault 1,000 gallons.

- Minimum absorption/evaporation area 1,350 square feet.

THIS CHANGE IN USE PERMIT IS ISSUED FOR THE EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) PERMITTED ON 7/17/14 AND APPROVED BY BOULDER COUNTY PUBLIC HEALTH (BCPH) ON 12/8/14 AS A COMMERCIAL SYSTEM FOR A TILE COMPANY WITH PERMIT #ON0048239. THE CHANGE OF USE DETERMINATION WAS CONDUCTED BY 5280 SEPTIC, LLC DOCUMENTATION, DATED OCTOBER 10, 2017.

THIS EXISTING OWTS WAS APPROVED CONSISTING OF 1765-GALLONS OF SEPTIC TANK CAPACITY, PRESSURE DOSED INTO A MOUNDED EVAPOTRANSPIRATION BED WITH A TOTAL AREA OF 1824 SQUARE FEET.

WASTEWATER FLOW CALCULATIONS FOR THE EXISTING TILE COMPANY AND THE PROPOSED MARIJUANA INFUSION COMPANY, CONSISTING OF A TOTAL OF NINE (9) TOTAL EMPLOYEES WORKING 8-HOUR SHIFTS, OF 135 GALLONS PER DAY REQUIRE A MINIMUM REQUIRED EVAPOTRANSPIRATION BED OF 1350 SQUARE FEET AND A MINIMUM SEPTIC TANK CAPACITY OF 1000-GALLONS.

BASED ON THE PROVIDED WASTEWATER FLOW CALCULATIONS AND SIZING REQUIREMENTS OF THE OWTS, THE EXISTING OWTS IS ADEQUATE FOR THE CHANGE OF USE OF THE FACILITY.

ANY CHANGE IN USE OF THE OWTS FROM THIS PERMIT WILL REQUIRE ANOTHER ENGINEER VERIFICATION OF THE CHANGE OF USE AND A NEW PERMIT WILL BE REQUIRED FROM BCPH.

Permission is hereby granted to the owner or the owner's agent to perform the work indicated on this permit in accordance with the Boulder County OWS regulations. This permit is reviewable on an annual basis and is valid for 5 years provided that the conditions of the permit do not change, unless revoked for non-compliance.

TO THE OWNER OR AGENT: Leave entire OWS uncovered for final inspection. A final inspection is required for all system installations. BOULDER COUNTY PUBLIC HEALTH AND ITS REPRESENTATIVES SHALL ASSUME NO RESPONSIBILITY IN CASE OF FAILURE OR INADEQUACY OF AN OWS BEYOND CONSULTING IN GOOD FAITH WITH THE PROPERTY OWNER OR AGENT.

PLEASE BE ADVISED that issuing this onsite water system (OWS) permit is dependent of other reviews and approvals that may be required by the County Land Use or Building Departments. Because a variety of factors may influence placement of an OWS on a lot, IT IS STRONGLY RECOMMENDED that you contact these departments regarding their requirements prior to installing this OWS.

Environmental Health Specialist

Owner or Agent MCRAWHIDE LLC

Permit Date 12/21/2017

Final Inspection Date
Environmental Health Specialist

Engineer Approval Date 10/10/2017

Final Approval Date 12/21/2017

Original Copy

Original Copy

5280 SEPTIC, LLC
OWTS ENGINEERING

October 10, 2017

Project No. OWTS-1082

Property Representative:
Alicia Bonsett
The Landmark Group
720.276.2644
ali651@hotmail.com

RE: Onsite Wastewater Treatment System Verification

3-Unit Commercial Facility
5853 Rawhide Court
Boulder, CO 80302

Mrs. Bonsett,

As requested, 5280 Septic, LLC has prepared a system verification letter for an existing Onsite Wastewater Treatment System (OWTS) located at 5863 Rawhide Court, in Boulder, Colorado. The property owner has applied for a Change in Use for one unit in the building; therefore, the property owner must re-apply for a major OWTS permit through Boulder County Public Health (BCPH). Daily wastewater flow calculations and OWTS sizing criteria for the proposed Change in Use must be provided in the letter. OWTS sizing calculations must be based upon current BCPH Regulations, Effective May 29, 2014. **The existing OWTS was designed by Scott, Cox and Associates, Inc. and was installed by Hendershott Construction. The permit was finalized on December 8, 2014 under BCPH Permit No: ON0048239 (Reference Attached Existing OWTS Permit Records)**

There are currently three units in the subject building. Units A and B are occupied by a tile company that produces and packages ceramic tile. Six total employees, working an 8-hour shift each day occupy the units. Unit C is applying for the Change in Use to a marijuana product infusion business. Three employees, working an 8-hour shift each day occupy this unit. Each unit produces wastewater like that of an office building. Per the property representative, wastewater specific to product manufacturing does not flow into the existing OWTS.

The existing OWTS consists of the following components:

- 1500-gallon, three-compartment, Front Range Precast® concrete septic tank with a lift station in the third-compartment.
- Based upon existing OWTS records, the Soil Treatment Area (STA) consists of a 24-foot by 76-foot mounded pipe and gravel bed with a total infiltrative surface of 1,824 SF (**Reference Attached OWTS Design**).

SUBSURFACE DATA

Subsurface information is taken from the most recent OWTS design. Soils in the STA were classified as Soil Type 5: silty, sandy clay with platy structure; therefore, a long-term acceptance rate of 0.10 GPD/SF will be used for verification calculations.

5333 JULIAN STREET ■ DENVER, CO 80221
PHONE 303.437.1027
FAX 303.302.1293
5280SEPTIC@GMAIL.COM

CALCULATIONS

Calculations are based upon daily wastewater flows in an office building (per employee, per 8-hour shift) per BCPH Regulation, Table 6-2: Daily Wastewater Flow per employee / 8-hour shift = 15 GPD. Employees of these facilities work one 8-hour shift per day.

Units A and B (Tile Manufacturing and Packaging): 6 employees x 15 GPD = 90 GPD

Unit C (Marijuana Infused Products): 3 employees x 15 GPD = 45 GPD

Total Daily Wastewater Flow: 90 GPD + 15 GPD = 135 GPD

STA Calculations: 135 GPD / 0.10 GPD/SF = 1,350 SF

1,350 SF x 1.0 (pressure dosing factor) = 1,350 SF minimum required

Existing OWTS consists of 1,824 SF of infiltrative surface

Based upon the above calculations, the existing OWTS will accommodate the daily wastewater flow for the proposed Change in Use.

LIMITS

This verification letter is based on information submitted to 5280 Septic, LLC as well as existing OWTS records obtained from Boulder County Public Health. If site conditions differ or a Change in Use and employee count is different from conditions described in this report, 5280 Septic, LLC shall be notified. This letter is not a guarantee or certification of system performance.

Please contact our office if any further information is needed.

Sincerely,

5280 Septic, LLC



Annette N. Martin, BA

**APPENDICIES**

Existing OWTS Permit Records

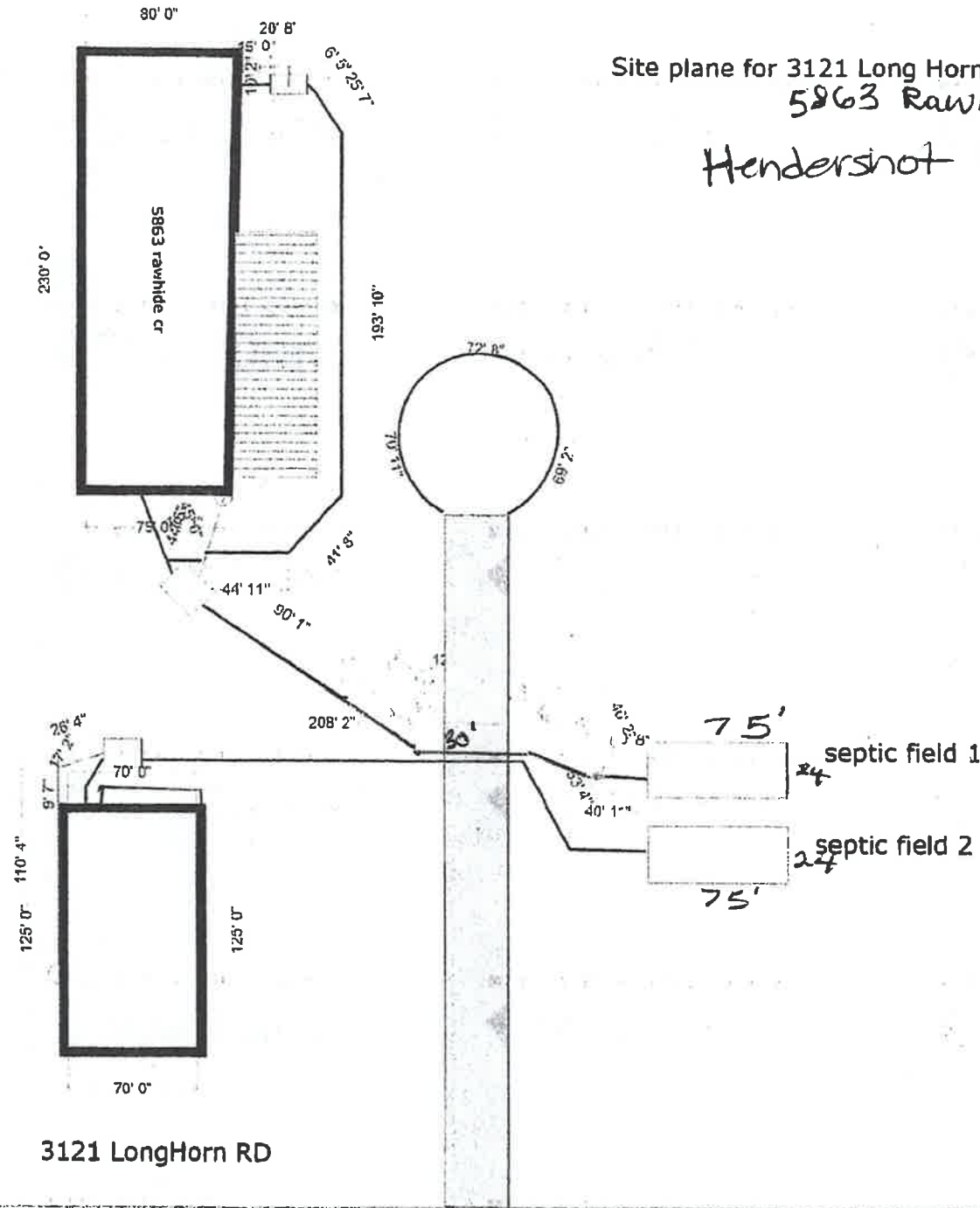
Existing OWTS Design

Disclaimer: This verification letter is intended only as an evaluation of the present condition of the OWTS based upon information provided by the property representative and the Engineer's expertise in onsite wastewater technology. This letter does not warranty or guarantee the proper functioning of the system for any period of time in the future. Because of numerous factors which may affect the operation of an OWTS, as well as the inability of the Engineer to supervise or monitor the use or maintenance of this OWTS, this report shall not be construed as a warranty by the Engineer that the system will function properly for any business occupant, and the Engineer disclaims any warranty, either expressed or implied, arising from the verification of the OWTS or this report. The evaluation does not ascertain the impact the system is having on groundwater.

5333 JULIAN STREET ■ DENVER, CO 80221
 PHONE 303.437.1027
 FAX 303.302.1293
 5280SEPTIC@GMAIL.COM

Site plane for 3121 Long Horn RD,
5863 Rawhide Court
Hendershot Construction

RECEIVED
OCT 24 2014
ENVIRONMENTAL
HEALTH



3121 LongHorn RD

22 11 2014

Boulder County Public Health3450 Broadway, Boulder, CO 80304
(303) 441-1564**PERMIT TO INSTALL, CONSTRUCT, ALTER, OR REPAIR ONSITE WASTEWATER SYSTEM (OWS)**Permit Type OWS MAJOR REPAIR (FULL FEE)
Site Address 5863 RAWHIDE CT BOULDER, CO 80302
Legal Description (short) 061N70WPermit # QN0048239 Application Date 06/20/2014Parcel # 146306002002Owner KC SCHNEIDER
Mailing Address PO BOX 18628
City/State/Zip BOULDER, CO 80308Phone (Home) (303) 818-5384
(Work)
(Fax)Agent Not Specified
Mailing Address Not Specified
City/State/Zip Not Specified
Engineer SCOTT, COX & ASSOCIATESPhone (Work)
(Fax)Installer: HENDERSHOTT CONSTRUCTION**Site Information**

- Proposed Building(s) Commerical/Industrial
- Area of Lot (Acres) 0.98
- Type of System Requested Evapotranspiration /Absorption Bed
- Water Supply Cistern
- Slope 30% 45%
- Floodplain N

System Design Parameters

- Soil Type Clay
- Soil Percolation Rate 480 Minutes/Inch
- Seasonal Groundwater 1 Feet
- Bedrock Depth Not Specified
- Unsuitable Soil Depth 1.00 Feet
- Electrical Inspection Required Y
- Sized for 0.00 bedrooms (2 persons/bedroom)
- Size Reduction 0.00 Reason Not Specified
- Design Flow 150.00

Installation InstructionsType of System: Evapotranspiration /Absorption Bed

- Minimum septic tank/vault 1,000 gallons.
- Minimum absorption/evaporation area 1,500 square feet.

Install system exactly per Scott, Cox & Associates design # 13626 B, dated 6/5/14, and all Boulder County Public Health (BCPH) onsite wastewater treatment system (OWTS) regulations.

System must be installed in the area of test pit and perc test holes. The system must be installed by a contractor licensed by BCPH.

Install a new three-compartment septic tank with 1000 gallons (minimum) in the first 2 compartments and a lift station in the 3rd compartment. If gravity cannot be achieved from the sewer line coming out of the northern part of the building, install a separate 1000 gallon 2-compartment tank with lift station in the second compartment. Septic tank(s) shall have risers over each access manhole and all risers shall extend above final grade.

Effluent screen(s) must be installed prior to the pump or siphon inlet between the 2nd and 3rd compartments of tank(s).

Lift station(s) must employ an audio or visual warning device to signal pump failure and must be inspected by BCPH. An electrical inspection and permit by the Boulder County Building Division is required for all lift station electrical components.

Schedule 40 PVC or pipe of equivalent or greater strength is required where building sewer or effluent lines are located under a road or driveway.

Bottom of absorption field (gravel layer) must be installed a minimum of 2 feet ABOVE existing grade. Engineer must verify suitability of wicking sand, and soil for the cap of the bed before installation of such material.

A lined horizontal berm with a 3:1 slope must be constructed to engineer's specifications along all sides of the absorption bed.

Permission is hereby granted to the owner or the owner's agent to perform the work indicated on this permit in accordance with the Boulder County OWS regulations. This permit is reviewable on an annual basis and is valid for 5 years provided that the conditions of the permit do not change, unless revoked for non-compliance.

TO THE OWNER OR AGENT: Leave entire OWS uncovered for final inspection. A final inspection is required for all system installations. BOULDER COUNTY PUBLIC HEALTH AND ITS REPRESENTATIVES SHALL ASSUME NO RESPONSIBILITY IN CASE OF FAILURE OR INADEQUACY OF AN OWS BEYOND CONSULTING IN GOOD FAITH WITH THE PROPERTY OWNER OR AGENT.

PLEASE BE ADVISED that issuing this onsite water system (OWS) permit is dependent of other reviews and approvals that may be required by the County Land Use or Building Departments. Because a variety of factors may influence placement of an OWS on a lot, IT IS STRONGLY RECOMMENDED that you contact these departments regarding their requirements prior to installing this OWS.

Environmental Health Specialist *Don Sherman* Permit Date 07/17/2014
Owner or Agent KC SCHNEIDER

Final Inspection Date 8/14/14; 9/5/14; 9/25/14; 9/29/14

Engineer Approval Date 10/10/14

Environmental Health Specialist *Don Sherman*

Final Approval Date 12/8/14

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Page 1 of 2

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Boulder County Public Health

3450 Broadway, Boulder, CO 80304

(303) 441-1564

PERMIT TO INSTALL, CONSTRUCT, ALTER, OR REPAIR ONSITE WASTEWATER SYSTEM (OWS)Permit Type OWS MAJOR REPAIR (FULL FEE)Permit # ON0048239Application Date 06/20/2014Site Address 5863 RAWHIDE CT BOULDER, CO 80302Legal Description (short) 061N70WParcel # 146306002002Owner KC SCHNEIDERMailing Address PO BOX 18628City/State/Zip BOULDER, CO 80308Phone (Home) (303) 818-5384

(Work)

(Fax)

Agent Not SpecifiedMailing Address Not SpecifiedCity/State/Zip Not SpecifiedEngineer SCOTT, COX & ASSOCIATES

Phone (Work)

(Fax)

Installer: HENDERSHOTT CONSTRUCTION**Site Information**

1. Proposed Building(s) Commerical/Industrial
2. Area of Lot (Acres) 0.98
3. Type of System Requested Evapotranspiration /Absorption Bed
4. Water Supply Cistern
5. Slope 30% 45%
6. Floodplain N

System Design Parameters

1. Soil Type Clay
2. Soil Percolation Rate 480 Minutes/Inch
3. Seasonal Groundwater 1 Feet
4. Bedrock Depth Not Specified
5. Unsuitable Soil Depth 1.00 Feet
6. Electrical Inspection Required Y
7. Sized for 0.00 bedrooms (2 persons/bedroom)
8. Size Reduction 0.00 Reason Not Specified
9. Design Flow 150.00

Maintain ET/Absorption area 10 feet to all property lines, 25 feet to water lines, 50 feet to waterways, 100 feet to all wells, 25' from cisterns, and 6' from all other absorption beds.

Installer should use best management practices and run-off control during construction of the OWTS, grading, or when placing fill soils for raised systems, to prevent any sediment from discharging into waters of the state or running off site.

An Easement and Maintenance agreement must be on file and recorded with Boulder County Clerk & Recorder prior to final approval because the OWTS is on two lots. Any OWTS that serves a commercial facility is regulated by the EPA as a Class V injection well. The owner should contact Valois Shea, of the EPA, at 303-312-6276, for an application and more information.

Final inspection by BCPH and the design engineer and a final approval letter from the engineer are required prior to final approval and use of this system.

Environmental Health Specialist

Owner or Agent KC SCHNEIDERPermit Date 07/17/2014Final Inspection Date 8/14/14, 9/3/14, 9/25/14, 9/29/14Engineer Approval Date 10/10/14

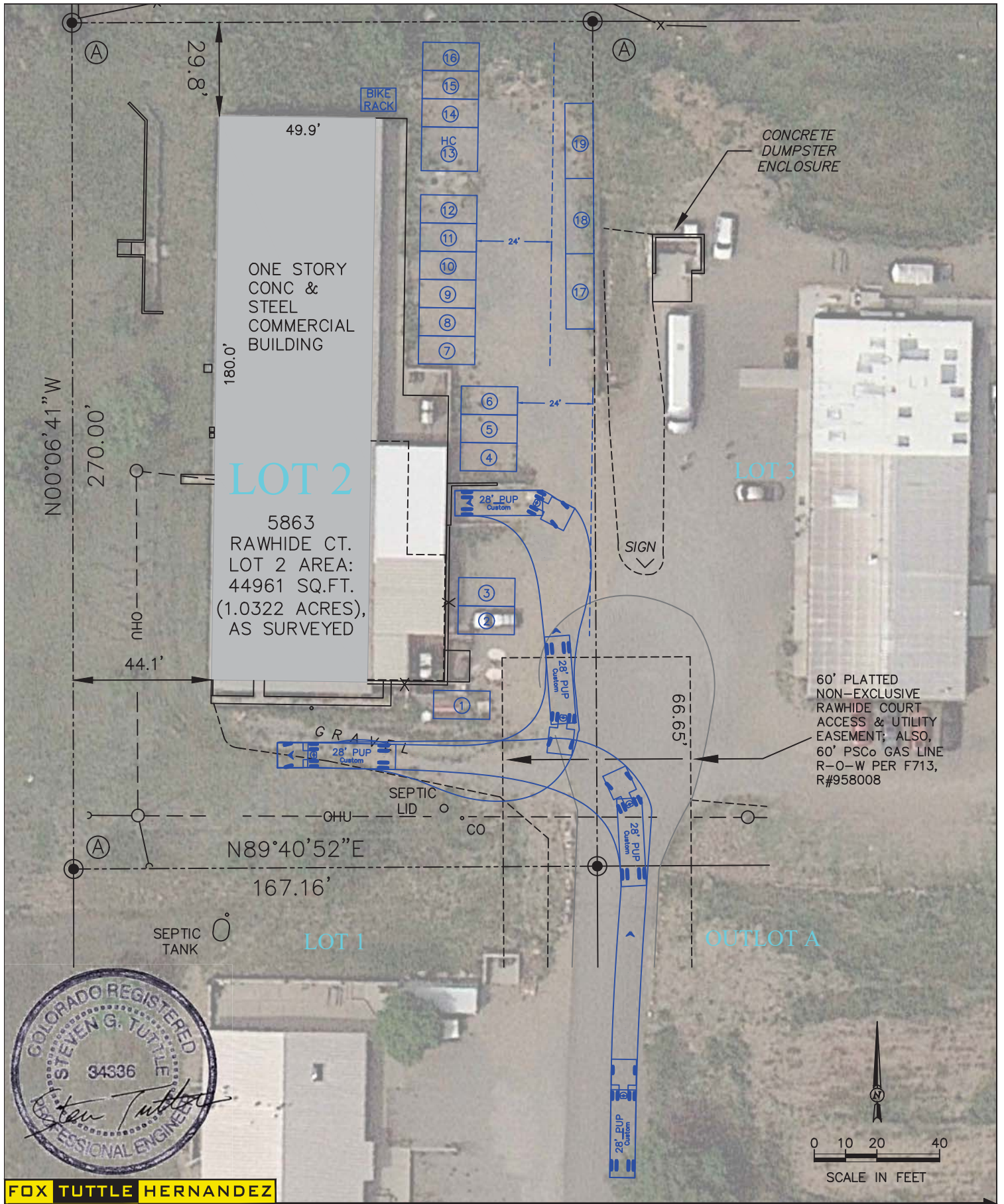
Environmental Health Specialist

Final Approval Date 12/8/14

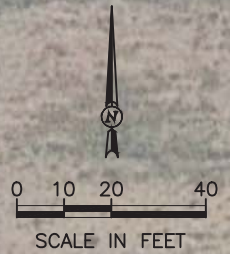
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Page 2 of 2

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FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP



5853 RAWHIDE CT
28' PUP TRUCK TURNING MOVEMENT

Project #	18042	Original Scale	1"=40'	Date	6/7/18	Drawn by	SGT	Figure #	1
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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: Pete L'Orange, Planner II
 FROM: Michelle Huebner, Plans Examiner Supervisor
 DATE: June 25, 2024

RE: Referral Response, SU-24-0004: Zeke's Quality LLC: Special Use Review to permit a second principal use of Marijuana Establishment in an existing structure.

Location: 5853 Rawhide Court

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 165 mph (Vult) and 45 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. **Evaluation of the proposed process.** The space requires a building permit and an evaluation of the proposed process including but not limited to storage of and quantities of possible hazardous materials used to process the cannabis. A set of construction documents including drawings and an evaluation in accordance with 1 CCR-212-3 will be required for permit issuance. The evaluation from the Certified Industrial Hygienist or Professional Engineer that outlines the methods, means, processes of marijuana/cannabis concentrate production, in accordance with Code of Colorado Regulations, 1 CCR 212-3. A complete plan review cannot be completed without this information.
6. **Fire Department.** It appears that the site is served by Boulder Rural Fire Protection 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.
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



Public Health

Environmental Health Division

August 5, 2024

TO: Staff Planner, Community Planning and Permitting

FROM: Jessica Cannon, Environmental Health Specialist

SUBJECT: SU-24-0004: Zeke's Quality LLC

OWNER:

PROPERTY ADDRESS: 5853 Rawhide Court

SEC-TOWN-RANGE: 06 -1N -70

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

OWTS:

1. BCPH issued a change in use permit for a commercial onsite wastewater treatment system (OWTS) on 12/21/17. This change in use permit was issued for the existing OWTS permitted on 7/17/14 and approved by BCPH on 12/8/14 as a commercial system for a tile company. The change of use determination was conducted by 5280 Septic, LLC documentation, dated October 10, 2017. This existing OWTS was approved consisting of 1765-gallons of septic tank capacity, pressure dosed into a mounded evapotranspiration bed with a total area of 1824 square feet. Wastewater flow calculations for the existing tile company and the proposed marijuana infusion company, consisting of a total of nine (9) total employees working 8-hour shifts, of 135 gallons per day require a minimum required evapo-transpiration bed of 1350 square feet and a minimum septic tank capacity of 1000-gallons. Based on the provided wastewater flow calculations and sizing requirements of the OWTS, the existing OWTS is adequate for the proposed change of use of the facility. Any change in use of the OWTS from this permit will require another engineer verification of the change of use and a new permit will be required from BCPH.
2. The permit was issued for NoBo Partners. According to the Applicant, Zeke's Quality LLC: the OWTS verification performed by 5280 Septic LLC, which was originally submitted for our previous tenant's (NoBo Partners) special use review in 2018, is valid for this proposal as well. Zeke's Quality LLC will re-submit this verification.
3. An OWTS change in use (no construction) permit from BCPH in the Zeke's Quality LLC's name will be required. For information on applying online, go to: <https://bouldercounty.gov/environment/water/septicmart/permit-and-fee-schedule/#owts-permit-services-and-fees>

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 HealthOWS@bouldercounty.org.

Cc: OWTS file, owner, Community Planning and Permitting



Community Planning & Permitting

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

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

Tel: 303-441-3930 • www.BoulderCounty.gov

August 6, 2024

TO: Pete L'Orange, Planner II; Community Planning & Permitting, Development Review Team - Zoning

FROM: Anita Riley, Principal Planner; Community Planning & Permitting, Development Review Team – Access & Engineering

SUBJECT: Docket # SU-24-0004: Zeke's Quality LLC – 5853 Rawhide Court

The Development Review Team – Access & Engineering has reviewed the above referenced docket and has the following comments:

1. The subject property is accessed by Longhorn Road, a gravel Boulder County owned right-of-way (ROW), maintained by other, with a Functional Classification of Local, via a 60-foot non-exclusive access easement. Legal access has been demonstrated via the easement recorded on October 23, 1970 at Reception Number 90958008.
2. The application includes a pre-application methodology statement (PAMS) submitted for a similar use at the same address. The PAMS indicated an average daily traffic volume of 16 vehicles. Staff agrees that the PAMS may be used with this application and agrees with this assessment. Consequently, no further transportation system impact analysis is required.
3. Please note that the parking plan generally cannot be implemented as shown. It shows spaces in an area required for a pup truck turnaround, where a trash dumpster is located, and where the grade changes sharply. Additionally, it shows more parking spaces than be accommodated along the east side of the building.

The ITE Parking Generation Manual, 3rd Edition indicates that average parking supply ratio for manufacturing uses is 1.3 spaces per 1000 square feet of gross floor area. This ratio equates to a requirement of 4 parking spaces for the use associated with this application. Similarly, the average parking supply ratio for general light industrial, which is the use at the adjacent address, is 1.1 spaces per 1000 square feet of gross floor area. This ratio equates to 7 parking spaces for the adjacent use.

Additionally, a signed, van accessible ADA parking space is required.

Staff recommends the applicant provide a revised, dimensioned parking plan at building permit application that indicates 12 spaces and complies with the Boulder County Multimodal Transportation Standards (Standards).

This concludes our comments at this time.



Parks & Open Space

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

TO: Pete L'Orange, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: July 19, 2024
SUBJECT: Docket SU-24-0004, Zeke's Quality LLC, 5853 Rawhide Court

Staff has reviewed the submitted materials, and has no natural resource concerns with the proposal. The structure already exists and there would be no significant outdoor changes compared to past uses.



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: Referral Agencies
 FROM: Pete L'Orange, Planner II
 DATE: June 25, 2024
 RE: Docket SU-24-0004

Docket SU-24-0004: Zeke's Quality LLC

Request: Special Use Review to permit a second principal use of Marijuana Establishment in an existing structure at 5853 Rawhide Court.
 Location: 5853 Rawhide Court, located north of Longhorn Road, near the northeast corner of US 36 and Longhorn Road, in Section 6, Township 1N, Range 70W.
 Zoning: Light Industrial (LI) Zoning District
 Owner: McRawhide LLC c/o Jill and Mark McIntyre
 Applicant: Diamond Riley
 Agent: Frederick Jenkins

Special Use Review / Site Specific Development Plan is required of uses which may have greater impacts on services, neighborhoods, or environment than those allowed with only Building Permit Review. This process will review compatibility, services, environmental impacts, and proposed site plan.

This process includes public hearings before the Boulder County Planning Commission and the Board of County Commissioners. Adjacent property owners and holders of liens, mortgages, easements or other rights in the subject property are notified of these hearings.

The Community Planning & Permitting staff, Planning Commission, and County Commissioners value 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 plorange@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. If you have any questions regarding this application, please contact me at 303-441-1418 or plorange@bouldercounty.gov.

Please return responses by **July 30, 2024**.

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

Signed  PRINTED Jessica Fasick

Agency or Address CP&P Historic Review

Date 6/25/24

Claire Levy County Commissioner Marta Loachamin County Commissioner Ashley Stolzmann County Commissioner

From: [Dean Rogers](#)
To: [L"Orange, Pete](#)
Subject: [EXTERNAL] SU-24-0004
Date: Monday, July 29, 2024 11:12:54 AM

Pete,

Boulder Rural has the following recommendations regarding SU-24-0004, Zeke's Quality LLC at 5853 Rawhide.

1. Regarding our previous emails, with the assigned occupancy of "F," Low Hazard, the space will not need sprinklers. As you stated before, the occupancy is closer to a "B," but it's over 2500 sq ft (IBC 304.1). With an "F" occupancy, sprinklers would be required if the total area were over 12000 sq ft, google earth dimensions have it at about 10260 sq ft (this is without the consideration of a fire wall).
2. An alarm system will not be required.
3. With the limited space on the East side, a dedicated fire lane would be helpful in the event of a fire. This will need to be done in cooperation with Sonoma Tiles.

If I missed anything, or if there are any questions, please let me know.

Thank you,

Dean Rogers, Engineer

Boulder Rural Fire Rescue
6230 Lookout Road, Boulder, CO 80301
O 303-530-9575 | C 720-498-0019
drogers@brfr.org | www.brfr.org





Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
Donna.L.George@xcelenergy.com

July 19, 2024

Boulder County Community Planning and Permitting
PO Box 471
Boulder, CO 80306

Attn: Pete L'Orange

Re: Zeke's Quality LLC, Case # SU-24-0004

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Zeke's Quality LLC** and currently has **no apparent conflict** with the additional special use.

Please be aware PSCo owns and operates existing natural gas and electric facilities within the subject property. For any new natural gas or electric service or modification to existing facilities, the property owner/developer/contractor must complete the application process via www.xcelenergy.com/InstallAndConnect.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com