



AGENDA
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
SEPTEMBER 28, 2021
Council Chambers, First Floor
101 W. 8TH STREET
6:00 PM

1 Zoom Instructions

- A. This meeting is IN PERSON as well as via ZOOM.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87171111818>

Or One tap mobile :

US: +13462487799,,87171111818# or +16699006833,,87171111818#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

Webinar ID: 871 7111 1818

International numbers available: <https://us02web.zoom.us/j/87171111818>

2 Roll Call

3 Receipt of the Minutes

- A. August 24, 2021 Planning and Zoning Commission Draft Minutes

4 Comments from citizens appearing for items not on the agenda

5 Continued Items

- A. Planning Item 28-21 - Appeal of a Community Development Director Decision to require a debris flow analysis and a floodplain analysis in compliance with Sections 070.020.040(c)(3)a and 070.020.040(d) of the *Glenwood Springs Municipal Code* respectively. **ITEM HAS BEEN WITHDRAWN BY THE APPLICANT.**

Planning File 18-21 - Consideration of Planning and Zoning Commission by-laws

6 New Items

- A. Planning Item 43-21 - Location & Extent Review for Childcare Center for 12-15 children located at the Glenwood Springs Community Center at a property zoned Residential Transitional at 100 Wulfsohn Road. PIN 2185-092-00-058.
- B. Planning Item 32-21 - Consideration of a request for an amendment to a special use permit for the addition of automobile fuel sales in the M1 Mixed-Use Corridor District

7 Commissioner Comments

8 Director Comments

9 Adjournment



MINUTES

**City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
August 24, 2021
Council Chambers, First Floor
101 W. 8TH STREET
6:00PM**

4:30PM SITE VISIT

- A. Commissioners to visit site of Planning File 60-20 - Consideration of a Major Site/Architectural Plan Review application below. The subject property is Lots 11 C-B and 11 C-C of Glenwood Meadows Subdivision No. 6, adjacent to Flat Top View Drive and Wulfsohn Road (PIN: 2185-081-41-002 and 2185-081-41-003).

6PM REGULAR SESSION

This meeting will be held **IN PERSON** and via Zoom.

1. Roll Call

Present at roll call were Commissioners:

Marco Dehm, Carolyn Cipperly, Sumner Schachter, Ben West, Joy White, George Shaver, Peter Waller

Absent at roll call were Commissioners:

Amber Wissing

Also present were:

Asst. City Manager Jenn Ooton, Asst. Community & Economic Dev. Director Hannah Klausman, Senior Planner Trent Hyatt, City Attorney Richard J Peterson-Kramer, Assistant City Engineer Jessica Bowser

2. Seating of Alternate Commissioner

Commissioner Dehm made a motion to seat Alternate Commissioner Waller. Commissioner Cipperly seconded the motion. Commissioner Dehm called the item to question.

Motion passed unanimously.

- A. Planning File #60-20– BLD Group Major Site/Architectural Plan Review**
Major Site/Architectural Plan Review for the construction of 300 multi-family residential apartment units. Presentation by Senior Planner Trent Hyatt.

Senior Planner Trent Hyatt presents details of the proposal and notes that that staff recommends approval of this application.

- Commission questions to staff included: Questions about variances
- Fire Department concerns,
- Hill side standards
- Grading areas with slope greater than 20%
- Lift station requirements
- Site generated traffic and traffic study
- 150,000.00 traffic fee allocation
- Current inclusionary housing code
- Safety West Glenwood evacuation, 300-unit capacity within its zoning,
- Plans for evacuation

Staff responded to all Commissioner questions and clarified that the project had no variances, no major concerns from the Fire Department, and was below the 20% slope threshold for their limits of disturbance. In addition, staff clarified that the fees will be allocated to future improvements in lift station and traffic flow. Staff further clarified that Future traffic on Midland is being looked at and the additional funding maybe for a future round-about or traffic signal. Staff pointed out that the City has plans to manage traffic better in emergencies and is working with CDOT to help prevent clogging of traffic, Staff clarified that the current applicant does not intend to purchase the adjacent properties that would allow an additional 175 additional units no apartments are allowed to be built in these 2 remaining zones.

The applicant, represented by his attorney Chad Lee, thanked counsel for their service, and introduced the Development team. The applicant gave a presentation highlighting that the Meadows has provided affordable housing in the form of the existing Glenwood Green LIHTC project that provides 60 units at 40-80%AMI In addition the applicant pointed out the plan for on site child care as a great community amenity as well as an internal shuttle system to transport residents easily to the Meadows shopping center and bus terminal.

Commissioners posed additional questions to the applicant about lift station purpose, the maximum street slopes, surface drainage, recreational trails, rental rates, shuttle specifics, and the traffic study. Commissioner Dehm asked the developers to please consider an increase in the affordable housing number of units.

Staff and the applicant provided clarification that:

- The lift station was originally built in anticipation of the development of this area.

- Street slope is less than 10% max grade and even though they are private streets, they are built with public street grade standards.
- Drainage is going to be re-routed to handle the volume of the debris flow ponds capacity.
- Jason James Architect stated the public trails will remain intact.
- Alex Levin stated rental rate ranges from \$1,500.00 to \$2,800.00 per month.
- Jason James explains that they are meeting the required landscaping requirements from the Parks Department with drought resilient landscaping.
- TheDay Care capacity is 75 Children.
- Chad Lee explains that the lift station contribution of \$475,000.00 by BLD is for all potential future residents.
- Assistant City Manager Jenn Ooton clarifies, from Matt Langhorst Director of Public Works, that this includes all of the Meadows including RAFTA.
- Developers have agreed to consider the plea from the commission.

5 Minute break was called by Commissioner Dehm.

Public Comments:

David Barton, Is in favor of the project and is hoping that supply and demand will bring the pricing of all rental units down.

John Swanson, Is in favor of this project.

Commissioner Waller motioned to approve Planning Item 60-20 with findings and conditions from the staff report. Commissioner Schachter seconded the motion.

Motion passed unanimously 7-0.

- B. Planning File #20-21 Major Site/Architectural Plan Review. Consideration of a Major Site/Architectural Plan review for the construction of a 40-unit multifamily building. The project includes an administratively reviewed and approved Parking Alternative request. Presentation by Hannah Klausman Assistant Director Of Economic & Community Development**

Commissioner Dehm noted that Commissioner Wissing, previously absent at roll call, joined the dias.

Assistant Director Hannah Klausman presented project specifics for code compliance with building design and layout, parking, open space, and Inclusionary Zoning. Ms. Klausman explained the project meets all development code requirements. Staff included conditions for a small change to the unit mix of inclusionary housing units, as well as evidence of a CDOT access permit as indicated in the submitted Traffic Report.

The applicant gave a short presentation and introduction of Real America LLC and how the project has been altered, including reduced density from 54 units, from the original submission.

Commissioners asked about

- Private Road easement and the alignment of the narrowing road with the proposed project.

- Consideration of realigning the sidewalk to extend further north to the boundary with Valley View West Condominiums to benefit more residential properties.
- Building orientation and decision to have the parking in the front.
- Retaining walls on the south property line and need or differentiation.
- Details of the CDOT access permit.
- Desire for drought tolerant plant type consideration for the landscape plan.

The applicant indicated they would agree to realigning the sidewalk, adding recessed sections to the retaining wall with tiered configuration, and the staff condition for inclusionary housing requirements and make changes prior to City Council review.

Commissioner Cipperly motioned to approve Planning Item 20-21 with findings and conditions from the staff report. Commissioner Waller seconded the motion.

Motion passed unanimously 7-0.

Commissioner Comments:

- Commissioner Waller would love to see evacuation planning efforts being conducted and how new developments impact that plan.
- Commissioner Cipperly would also like to see the status of the evacuation report as well as the capacity for water provision. Also asked about Confluence master planning.
- Commissioner Shaver thanked Staff for their work on guiding development applications.
- Commissioner White requested additional organization for the work sessions. Also requested numbers on housing developments that have been approved or are pending.
- Commissioner Dehm noted he would be absent for September and October meetings.

Meeting adjourned at 10:06 PM.



Planning and Zoning Commission Report

Date: September 28, 2021

To: Planning and Zoning Commission

From: Trent Hyatt, Senior Planner

Subject: Planning Item 28-21 - Appeal of a Community Development Director Decision to require a debris flow analysis and a floodplain analysis in compliance with Sections 070.020.040(c)(3)a and 070.020.040(d) of the *Glenwood Springs Municipal Code* respectively. **ITEM HAS BEEN WITHDRAWN BY THE APPLICANT.**

ACTION ITEMS

Action 1 - Appeal – of a Community Development Director Decision to require a debris flow analysis and a floodplain analysis in compliance with Sections 070.020.040(c)(3)a and 070.020.040(d) of the *Glenwood Springs Municipal Code* respectively.

BACKGROUND

PROJECT SUMMARY

REVIEW CRITERIA AND STAFF ANALYSIS

REVIEWING AGENCY COMMENTS

ACTION ITEMS & STAFF RECOMMENDATIONS

Suggested Findings:



Planning and Zoning Commission Report

Date: September 28, 2021

To: Planning and Zoning Commission

From:

Subject: Planning File 18-21 - Consideration of Planning and Zoning Commission by-laws

REQUEST	Review and update Planning & Zoning Commission By-laws
APPLICANT	NA
OWNER	NA
LOCATION	NA
ZONE	NA
SURROUNDING LAND USES	NA
LOT SIZE	NA

ACTION ITEMS

Consideration of Planning and Zoning Commission by-laws.

BACKGROUND

Attached are a copy of the Commission's current by-laws. The document needs to be updated to ensure that they accurately reflect current processes and procedures.

PROJECT SUMMARY

NA

REVIEW CRITERIA AND STAFF ANALYSIS

NA

REVIEWING AGENCY COMMENTS

NA

ACTION ITEMS & STAFF RECOMMENDATIONS

Staff requests that the Planning & Zoning Commission adopt the updated bylaws with changes suggested at the previous meeting.

Suggested Findings:

NA

RULES, REGULATIONS AND PROCEDURES
GLENWOOD SPRINGS PLANNING AND ZONING COMMISSION

The Glenwood Springs Planning and Zoning Commission ("Commission") was created by ordinance pursuant to the authority provided in the home rule charter section 7.1 section 020. 020. 030 parentheses LM parentheses set forth the power and duties of this Commission the purpose of these rules, regulations and procedures in parentheses rules is to provide an orderly set of rules and procedures for the Commission to carry out the function set forth in the municipal code.

I. MEETINGS.

- A. **Time Limit.** Meeting shall not continue past 11:00 PM. No agenda item shall be taken up after 10:00 PM., unless approved by the unanimous vote of the Commission.
- B. **Regular Meetings.** The Commission shall meet once a month on the fourth Tuesday. Meeting shall be held in the City Council Chambers unless the Commission deems it necessary to use other facilities. Meetings shall commence at 6:00 PM. In the event that the proposed number of agenda items appears to require two meetings to complete such business, two meetings shall be scheduled at the discretion of the Community Development Director, upon consultation with the Chairperson and such other members of the Commission necessary to ensure a quorum at such additional meeting.
- C. **Continuation of Regular Meeting.** In the event that an agenda item scheduled for the regular meeting has not been taken up due to the provisions of I. (A) above, the Commission shall have the option of continuing such agenda item until a regular meeting or a special meeting. Agenda items maybe continued as addressed in the Glenwood Springs Municipal Code.
- D. **Work Sessions.** The Commission may meet once a month for a work session. Work sessions shall generally be held one week before the regular meeting date, unless another date has been designated by the staff based on room availability. All work session shall be in the City Council chambers unless the Commission deems it necessary to use other facilities. Work session shall commence a 6:00 PM and shall not extend past 8:00 PM unless approved by a unanimous vote of the Commission.
- E. **Special Meetings.** Special meetings are discouraged. A special meeting shall be held only in those circumstances in which there is a matter of pressing business which requires action by the Commission part to the next regular meeting prior to calling a special meeting the chairperson shall consult with the community

development director and such other members of the Commission which are necessary to form a quorum. The decision to call a special meeting shall be at the sole discretion of the chairperson. Such meeting shall be called with no less than twenty-four hours notice.

- F. **Notice.** In the event that a special meeting is called, all notices required by the municipal code shall be followed. In the event that a continued regular meeting is held, all notices published in compliance with the Municipal Code shall be deemed automatically continued until the date of the continued regular meeting.

II **MEMBERSHIP/OFFICERS**

A. **Election of Officers.**

1. **Chairperson.** The Commission, at its regular meeting in February shall elect a Chairperson who shall serve in such capacity for a twelve month period. In the event of a Chairperson vacates the Commission, for whatever reason, the Vice-Chairperson shall act in the role of Chairperson to serve out the Chairperson's term.
2. **Vice-Chairperson.** The Commission, at its regular meeting in February, shall elect the Vice-Chairperson who shall serve in such capacity for a twelve month period. In the event a Vice-Chairperson vacates the Commission, for whatever reason, the Commission shall elect a Vice-Chairperson at its next regular meeting.
3. **Election of chairperson in the event of absence of the chairperson and vice chairperson.** In the event the Chairperson and Vice-Chairperson are both absent from any meeting any members of the Commission present shall vote to elect a Chairperson to preside over such meeting.
4. **Recording secretary.** The Recording Secretary shall be a non-elected position and shall be a member of the Community Development Department or shall be designated by the Community Development Director.

B. **Duties of Officers.** The duties and powers of the officers of the Commission shall be as follows:

1. **Chairperson.**
 - (a) Preside at all meetings of the Commission.
 - (b) Call special meetings in conformance with Rules I. (E).
 - (c) Sign all documents of the Commission.

- (d) Oversee compliance with the Municipal Code provisions pertinent to the actions of the Commission.
- 2. **Vice-Chairperson.** During the absence, disability, or disqualification of the chairperson, the Vice-Chairperson shall exercise or perform all duties and be subject to all responsibility of the Chairperson.
- 3. **Recording Secretary.**
 - (a) Keep the minutes of all meetings of the Commission and recording of such meetings per the Colorado retention schedule.
 - (b) Prepare summaries of such meetings.
 - (c) Arrange for a verbatim transcription upon written request, if the recording for the meeting has not been purged per the Colorado retention schedule. A fee for the actual cost of such verbatim transcription may be charged.
 - (d) Prepare the agenda upon consultation with the Chairperson and Community Development Director.
 - (e) Act as the official custodian of all Commission records.
 - (f) Publish notices of appeals in city actions as required by the Municipal Code.

III **QUORUM**

The quorum shall be met if at least four (4) members of the Commission are present for any meeting. The Commission shall not act on any matter unless there is at least a quorum of its members present.

IV **Alternate.**

A Commissioner appointed as an alternate shall be authorized to participate in a meeting when substituting for an absent member. An alternate may attend any meeting of the Commission. An alternate shall not be authorized to participate in a meeting when not substituting for an absent member, except in cases where the alternate is speaking as a citizen on his own behalf and not as a representative of the Commission. Alternate member shall be allowed to participate in work sessions.

V **DEADLINE FOR AGENDA.**

The deadline for filling applications or other items on an agenda shall be eight weeks prior to the public hearing, unless otherwise provided by the Municipal Code. Requests for continuance of any application for a particular agenda shall be filed with the Community Development Director as soon as is practicable with the goal of having those changes reflected on the printed agenda. In the event a request for continuance is not made in a timely manner in strict compliance with these Rules, an application for continuance may be presented by the applicant at the meeting.

VI **CORRESPONDENCE/APPLICATIONS.**

All correspondence or any application shall be provided to the Planning Commission .

VII **PROCEDURE FOR PUBLIC HEARINGS.**

The following procedure shall normally be followed. It may be re-arranged by the Chairperson upon consultation with the Community Development Director, if necessary, for the expeditious conduct of business.

- A. Community Development Director, or designated representative, shall present the staff report and make recommendations.
- B. Commission members may ask questions regarding the staff presentation, report and recommendations.
- C. Applicant or applicant's representative shall make their presentation.
- D. Commission members may ask questions pertaining to the applicant's presentation.
- E. Comments shall be taken from the public.
- F. Applicant makes rebuttal of any points not previously covered. Public may respond to rebuttal only. The Chairperson shall limit the time for applicant in public to make such rebuttal.
- G. The public hearing is then closed. No further statements may be made by anyone who is not a Commissioner, subject to clarification questions directed to staff by the commissioners (see "J" below).
- H. A Commissioner makes a motion on the application per the actions allowed in the Glenwood Springs Municipal Code.

- I. Discussion among Commissioners on the findings for the public hearing.
- J. Discussion among Commissioners on the motion. Commissioners may ask clarification questions of staff. No one from the public is allowed to make further statements or provide additional evidence.
- K. The Chairperson shall call for the vote when discussion ends.
- L. A vote is then taken.
- M. A majority vote is necessary to carry any motion.

VIII **CONFLICT OF INTEREST.**

Any member who shall feel that he or she has a conflict of interest on any matter that is on the agenda shall voluntarily excuse himself or herself, temporarily vacate the Commission seat, and refrain from discussing and voting on said matter. Commissioners who have business or financial interest that would stand to profit from a decision should absent themselves from the hearing.

IX **RULES TO ENSURE FAIRNESS FOR PUBLIC HEARINGS.**

The Commission intends to provide the following to anyone involved in a public hearing before the Commission:

- A. Adequate notice;
- B. An impartial tribunal;
- C. An opportunity to present, hear and rebut evidence; and
- D. A decision based upon the law and upon evidence presented at the hearing.

In Order to ensure that these precepts are followed:

1. Commissioners shall never discuss any item with anyone who is to come before the Commission at a public hearing; However, the Commission is authorized to make a site visit with staff prior to the hearing. The site visit is subject to open meeting laws. In the event the site visit is taken, the Chairperson shall report on the record on the record of what the Commission saw and did on the site visit.
2. Commissioner shall never comment on the pros and cons of an agenda item until all evidence and testimony have been presented and the public hearing is closed;
3. In the event many people wish to speak on a particular item, the chairperson shall ration speaking time so that all may be heard in a timely matter.
4. Speakers who represent groups at the hearing shall be given more time than individuals expressing their own views;
5. Individuals who persist in interrupting the proceedings shall be asked to leave the hearing room a member of the Police Department shall be requested to remove anyone persisting in unruly or disruptive behavior;
6. Due to the tape recording of the proceedings, all Commissioners and speaker shall speak clearly and directly into the microphones to ensure at clear record; All speakers shall identify themselves and state their home or business address and the group they represent, if any.
7. Individuals wishing to be part of the record must be at the podium or at the microphone prior to speaking;
8. Written materials offer to the Commission shall be handed to the recording secretary. The material shall then be circulated to the Commissioners;
9. No cross examination of a witness or speaker shall be allowed. In the event a person wishes to ask a question of a witness or speaker, such questions shall be addressed to the Chairperson, who may then address such witness or speaker with the question;
10. The strict rules of evidence shall not be followed;
11. No Speaker shall be subject to harassment or embarrassment during the hearing;

12. The Chairperson shall determine whether offered testimony is material or relevant to the hearing.
13. The Commissioners shall give offered evidence whatever weight is deemed worthy by the Commission;
14. Commissioners shall base their vote only upon evidence presented during the hearing;
15. Commissioners serving as alternates who are not filling in for another absent Commissioner shall not ask questions, comment or participate in a public hearing; unless the alternate member clearly states they are speaking as a citizen and not as a representative of the Planning Commission.
16. Commissioners shall not vote on minutes of a meeting at which they were not present;
17. A Commissioner who has not participated in a hearing on an item that is continued, may not participate in discussion of the item at a future meeting unless the Commissioner has listened to the audio recording of the item from the original meeting and also has fully reviewed all written evidence presented at the previous meeting on that agenda item.
18. Commissioners and alternate members that wish to speak on items taken up by the Planning Commission, City Council or other City Boards and Commissions, shall identify himself/herself as a member of the Planning Commission and shall preface their remarks by stating they are speaking on their own behalf, not as a representative of the Planning Commission as a whole.

X **AMENDMENT OF RULES.**

These rules may be amended from time to time upon the majority vote of the full Commission.

XI **AVAILABILITY OF RULES.**

The Recording Secretary shall see to whether anyone who requests a copy of these rules shall have them provided at the cost of copying said rules.



Planning & Zoning Commission Staff Report

Date: September 28, 2021
To: Planning & Zoning Commission
From: Emery Ellingson, Planner I
Subject: #43-21- Location & Extent Review, Childcare Center at
Glenwood Springs Community Center

REQUEST	Consideration of a Location & Extent Review for a proposed child care center at the Glenwood Springs Community Center.
APPLICANT	City of Glenwood Springs, Glenwood Springs Parks & Recreation
OWNER	City of Glenwood Springs
ZONE	RT Residential Transitional
LOCATION:	100 Wulfsohn (PIN 2185-092-00-058)
SURROUNDING LAND USES	North: Commercial lodging South: Undeveloped East: Right-of-way (Midland Ave.) West: Parkland, multifamily residential, and parkland
LOT SIZE	37.083 acres (39,655 sf building)

ACTION ITEM SUMMARY

Action 1: Location & Extent review to utilize existing space in the Glenwood Spring Community Center as a child care center.

Staff Recommendation: Staff recommends that the Planning and Zoning Commission approve the Location and Extent with suggested findings and conditions on page 6 & 7 of this report.

PROJECT SUMMARY

The City of Glenwood Springs Parks & Recreation Department proposes a licensed childcare center at the Glenwood Springs Community Center. Currently, the Community Center operates a non-licensed child watch in two rooms at the Community Center. This child watch operates under an exemption from the State, is not licensed, and has limited hours.

The proposed child care center would utilize the two existing rooms used for the child watch as well as a third adjoining room. This third room is currently under utilized and was used for birthday party rental prior to COVID. The three rooms would total 1,300 square feet and no work or remodeling will be required for the conversion. The proposed child care center would serve 12-15 children with operating hours of Monday-Friday from 7 AM to 6 PM. The proposed child care center would be licensed and the child care services would primarily intended for City staff with the option to extend services to community should space allow. The expanded child care service would require the hiring of a full time director as well as 2-3 part time attendants. The proposed opening date is January 3, 2022.

For reference, a Child Care Center is defined in Code as:

A facility that is maintained for the whole or part of a day for the care of five (5) or more children who are eighteen (18) years of age or younger and who are not related to the owner, operator, or manager of the facility, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term includes facilities commonly known as day care centers, school-age child care centers, before and after school programs, nursery schools, kindergartens, preschools, day camps, summer camps, and centers for developmentally disabled children and those facilities that give twenty-four-hour care for children and includes those facilities for children under the age of six (6) years with stated educational purposes operated in conjunction with a public, private or parochial college or a private or parochial school; except that the term shall not apply to any kindergarten maintained in connection with a public, private or parochial elementary school system of at least six (6) grades or operated as a component of a school district's preschool program operated pursuant to the Colorado Preschool and Kindergarten Program Act, 22-28-101, et seq. of the Colorado Revised Statutes, as amended. The term shall not include any facility licensed as a family child care home or foster care home.

Proposed Site & Traffic Plan



REVIEW PROCESS & APPROVAL CRITERIA:

The Planning and Zoning Commission is the deciding body for a Location & Extent review. Planning and Zoning Commission actions on this item may be one of the following:

- Approve item
- Approve with conditions
- Deny application
- Remand application back to the Director for further consideration.

LOCATION & EXTENT CRITERIA:

A Location & Extent Review is required of public and quasi-public special district. The criteria for approval are as follow:

- Application is consistent with applicable Comprehensive Plan goals and policies
- Application is consistent with general purpose and intent of the Municipal Code.
- Application minimized adverse impacts to health, safety, and welfare of the inhabitants of surrounding areas and the city.

Below in bold font are the criteria and the staff analysis of proposed improvements.

1) Consistency with the Comprehensive Plan and other City plans and policies

Direct Development to Locations and Forms that are Cost-effective to Serve

This proposed use is at an existing site and utilizes existing City resources to expand and improve current City services.

Promote Sustainable Economic Diversity and Maintain Glenwood's Role as a Regional Center

This proposed use addresses a need in the community for childcare which assists in improving quality of life and attracting and retaining a quality workforce for the City and other employers in the community.

Support Social Diversity

The proposed use will provide childcare options which will promote social diversity as this proposed project addresses the lack of quality childcare options for families in the region.

Maintain Glenwood Springs as the regional tourism, retail, commercial, and governmental center of Garfield County

The addition of a child care center will assist in increasing the childcare capacity of the community and thereby improve the community's ability to maintain its status as a regional hub.

2) Consistency with the general purpose and intent of this Code.

The proposed use for a child care center in the RT Residential Transitional Zoning District is a Location and Extent Review. With a Location & Extent Review, the Planning & Zoning

Commission would review the application and its consistency with Comprehensive Plan, Municipal Code, and minimization of adverse impacts on neighboring properties. Following text addresses how this project meets Code requirements.

General Zoning Requirements

This project meets all zoning requirements for setback, building height, and building design.

Off-street parking

According to Code, a child care center must provide 1 parking space per 250 sf. The proposed project is approximately 1,300 square feet which would require 6 parking spaces. The Community Center has 320 parking spaces including 5 ADA parking spaces. The Community Center is considered a civic facility, which has a parking requirement of 1 parking space per 300 square feet of gross floor area. Based on the total square footage of 39,655, the Community Center requires 133 parking spaces. As seen in the site plan, the Community Center will designate 6 parking spaces for dedicated pick-up and drop-off spaces for the child care center which will be 15 minute spaces located directly in the circle drive area. The proposed parking for this project meets requirements and the additional parking requirement does not exceed the amount provided.

Use-Specific Standards

According to Code, a child care center would be subject to the following requirements:

The applicant shall provide documentation of preliminary approval from the State of Colorado Department of Human Services

The Parks & Recreation Department has been and will be in contact with Garfield County and the State Department of Human Services, the regulatory agencies that oversee child care uses. Prior to operation, the applicant shall provide evidence of County and/or State approval.

Buffering of play areas through the use of fencing or a landscape screen in compliance with the height restrictions of this Code may be required when play areas are adjacent to residential uses.

The existing play area on the east side of the property is not adjacent to any residential uses.

3. Minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the City.

The proposed project does not negatively impact surrounding properties or the health, safety, and welfare of the city's inhabitants. The proposed child care center is located in a community oriented facility which already offers similar type services. The property is adjacent to a mix of nearby compatible uses including commercial, multifamily residential, and parklands. The existing play area is not adjacent to any residential uses.

The table below shows traffic count information as provided by the Engineering Department based on current uses. This traffic count information was generated using the 8th edition of the

ITE. The count information shows there would be a small impact from added traffic at drop off times between 7:00 AM-8:30 AM and at pick up times of 4:00 PM-6:00 PM. This amount would be marginally more than what already occurs for the Community Center. The impact of this traffic increase would mostly be seen in the internal circulation of the property.

Use	Size	Units	AM Peak		PM Peak	
			Trip Rate	Total Trips	Trip Rate	Total Trips
Recreational Community Center (ITE 495)	49,220	SF	1.62/1,000SF	80	1.45/1,000SF	71
Ice Rink/Building (ITE 465)	25,935	SF	N/A – assumes same as PM	61	2.36/1,000SF	61
Day Care Center (ITE 565)	1,300	SF	12.26/1,000SF	16	12.46/1,000SF	16
	15	Students	0.80/student	12	0.82/Student	12
Tennis Courts (ITE 490)	4	Courts	1.83/court	7	3.67/court	15
TOTAL PROPOSED				164		163
Difference from Original Study (2001)*				+31		-20
Difference from approved uses (ITE 8)				+16		-10

*Original study completed using different version of ITE in the year 2000.

PUBLIC COMMENTS

Although no formal, written comments were received, this project has been developed with regular input from all applicable City Departments.

PUBLIC COMMENTS

No public comments were received.

REQUIRED ACTIONS

Action Alternatives

The Planning and Zoning Commission may approve, approve with conditions, deny, remand to Director, or continue this application to a future hearing with a request for additional specific information which it finds necessary to determine compliance with the Municipal Code and city goals and policies.

Action 1: Consideration of a Location & Extent review to convert existing space in the Glenwood Springs Community Center for use as a licensed child care center.

Staff Recommendation: Staff recommends that the Planning and Zoning Commission approve the Location and Extent with suggested findings and conditions on page 6 & 7 of this report.

Suggested Findings:

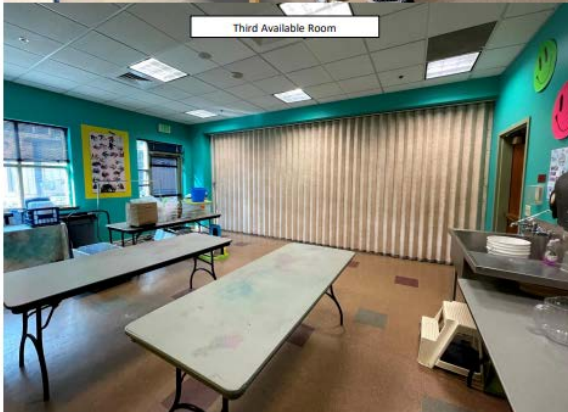
1. The proposal is consistent with the Comprehensive Plan and other City plans and policies;
2. The proposal is consistent with the general purpose and intent of this Code; and

3. The proposal minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

Suggested Conditions:

1. The applicant/owner shall comply with all verbal representations made in the public hearings, as outlined in all application materials, and/or as revised per conditions herein and approved by the Community Development Director.
2. Any future physical changes to or improvements on the property are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the Glenwood Springs Municipal Code.

Site Photographs



Location and Extent Review Application Narrative

Childcare in Glenwood Springs has always been a critical need which has only been exacerbated due to the COVID 19 pandemic. City staff who were working remotely during the pandemic are slowly beginning to transition back to in person. The lack of available childcare in Glenwood Springs is directly impacting their ability to return to onsite work.

The City of Glenwood Springs Parks and Recreation Department is proposing the addition of a licensed childcare center for City staff dependents, with the option to extend services to community members should space allow. The new childcare would be located inside the Glenwood Springs Community Center located at 100 Wulfsohn Rd. This childcare center would operate within the current structure utilizing existing Community Center amenities. Three rooms which are all connected and can be used as one big space or three smaller individual spaces near the main entrance to the facility are the proposed location. The proposed opening date is January 3, 2022.

The Community Center is an ideal location for a childcare center as it already has a non-licensed child watch housed in two of the three proposed rooms. The current child watch operates under an exemption from the State and is not licensed. The three rooms have a total square footage of approximately 1,300 square feet. This will make it possible for the childcare center to serve approximately 12-15 children based on a minimum of 35 square foot per child, as well as keep the current child watch open to Community Center members. The third room is currently underutilized and is being used primarily for storage. The operational hours of the proposed childcare center would be from 7am - 6pm, Monday – Friday.

While the addition of an onsite childcare center may impact traffic at and near the Community Center, the impact will be low. A slight increase in traffic may affect Midland Avenue and Wulfsohn Road as parents would be utilizing both roads twice per day. Impacts would primarily occur during the early morning drop off times of 7am – 8:30pm and pick up times of 4pm – 6pm. The anticipated traffic flow for parents dropping off or picking up their children is through the main Community Center entrance off Wulfsohn Road and then to the circle drive directly in front of the Ice Rink and back out onto Wulfsohn Road. The Community Center has approximately 320 parking spaces including 5 ADA compliant parking spaces and 6 spaces that will be dedicated pick up and drop off. Pick up and drop off spaces will be limited to 15-minute parking and are located directly in the circle drive area.

How this site planning meets the Comprehensive Plan for the City

The Comprehensive plan defines what the City is looking for in development of sites within the City, and list below are notable points on how adding a licensed childcare center within the Community Center meets the direction the plan wants development to unfold.

- The comprehensive plan calls out to “Direct Development to Locations and Forms that are Cost-effective to Serve” which is what this site does for the City. The infrastructure and capacities of the site meet the needs of the City well, and there would be no changes that would need to be made to the current property as the additional use fits within the current site and would not affect the utility capacities within the site.
- The Comprehensive Plan calls out to “Address Transportation Needs and Provide Multiple Convenient Travel Choices” by locating development in ways to reduce traffic congestion, assure safe and efficient movement of people and goods, and provide equal access to community facilities. This site is conveniently located near downtown, is pedestrian and bike friendly and is on the bus route for Ride Glenwood.
- The Comprehensive Plan also sets forth the following goal, “Maintain Glenwood Springs as the regional tourism, retail, commercial and governmental center of Garfield County.” Adding childcare capacity within the community meets this goal. Without more childcare capacity, the community's ability to maintain its status as a region hub may be impacted.





Front Entrance to Kid Watch Room



Current Kid Watch Room #1

Childcare
Location

Current Kid Watch Room #2



Third Available Room





LAND USE APPLICATION

City of Glenwood Springs
Economic and Community Development Dept.
101 West 8th Street
Glenwood Springs, CO 81601
970-384-6411

Ordinance Amendments		Development Permits	
☐	Rezoning		Site/Architectural Plan Review
☐	Rezoning to Planned Unit Development (PUD)		☐ Administrative
☐	Annexation		☐ Minor
☐	Condominiumization		☐ Major
☐	Annexation	☐	Master Plan
☐	Street Vacation	☐	Construction Plans
		☐	Location & Extent
Subdivisions			Right of Way Encroachment License
☐	Minor Subdivision	☐	Floodplain Development Permit
☐	Preliminary Plat	☐	Special Use Permit
☐	Final Plat		Flexibility and Relief Procedures
☐	Vacation of Right-of-Way	☐	Variance
		☐	Administrative Adjustment
Other Land Use Applications		☐	Appeal
☐	Outdoor Seating		

Applicant/Property Owner Information:			
Applicant		Owner	
Relationship to Owner		Owner	
Applicant Address		Owner Address	
Phone	Email Address	Phone	Email Address

Property Information:	
Address	Parcel Number
Subdivision	Lot and Block Number
Zone District	Existing Land Use

General Project Description:

Signatures:		
The owner or applicant must be present at the hearing. All public hearings must be properly noticed according to G.S.M.C. Section 070.010.030. Signatures of all owners of the property must appear before the application is accepted. Partnerships or corporations may have the authorized general partner or corporate officer sign the		
	Applicant	Date
	Owner	Date

application. (Attach additional incorporation documents if necessary.) I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.		
	Owner	Date



Planning and Zoning Commission Report

Date: September 28, 2021
To: Planning and Zoning Commission
From: Trent L. Hyatt, Senior Planner
Subject: #32-21 – Amendment to a Special Use Permit for Automobile Fuel Sales

REQUEST	Consideration of a request for an amendment to a special use permit for the addition of automobile fuel sales in the M1 Mixed-Use Corridor District
APPLICANT	Peter Fornell
OWNER	23 Mel Rey Ventures, LLC
LOCATION	23 Mel Ray Road (PIN: 2185-061-04-005)
ZONE	M1 Mixed Use Corridor District
SURROUNDING LAND USES	North: Commercial automotive repair shop South: Highway 6&24 and Interstate 70 rights of way East: Mel Ray Road, Automobile fuel sales/drive thru restaurant West: Vacant, mixed commercial/Glenwood Springs Mall
LOT SIZE	Approximately 0.243 acres/10,586 square feet)

ACTION ITEM:

Generally, the Planning and Zoning Commission (Commission) is the recommending body to City Council on marijuana related uses per the *Glenwood Springs Municipal Code* (Code). However, the current application does not include any changes to the existing retail marijuana establishment. As such, staff has determined that only review/approval by the Commission for the proposed use is necessary.

Action 1 - Amendment to a Special Use Permit – to allow automobile fuel sales in the M1 Mixed-Use Corridor District.

Staff recommendation: Staff recommends **approval (with conditions)** of the Amendment to a Special Use Permit with the findings and conditions on page 7.

BACKGROUND/ANALYSIS070.0

Proposal

At the September 2020 meeting, the Commission considered an application for a Special Use Permit (SUP) for a retail marijuana establishment. The application included the interior remodel of an existing approximately 1,055 square foot unit (southern portion of the building formerly occupied by a Shell gas/convenience store) in an existing approximately 2,161 square foot

commercial building located at 23 Mel Ray Road. Fuel sales continued at the site until December 2020 as a legal nonconforming use. The retail marijuana establishment is currently operated as The Dab as opposed to a relocation of Martins Recreational proposed last year. Details related to the former application are attached. A separate retail marijuana business special use, Native Roots Gas and Grass was approved for the site in 2016, Planning Item #25-16, but never began operations and the related Special Use Permit (SUP) has since expired.



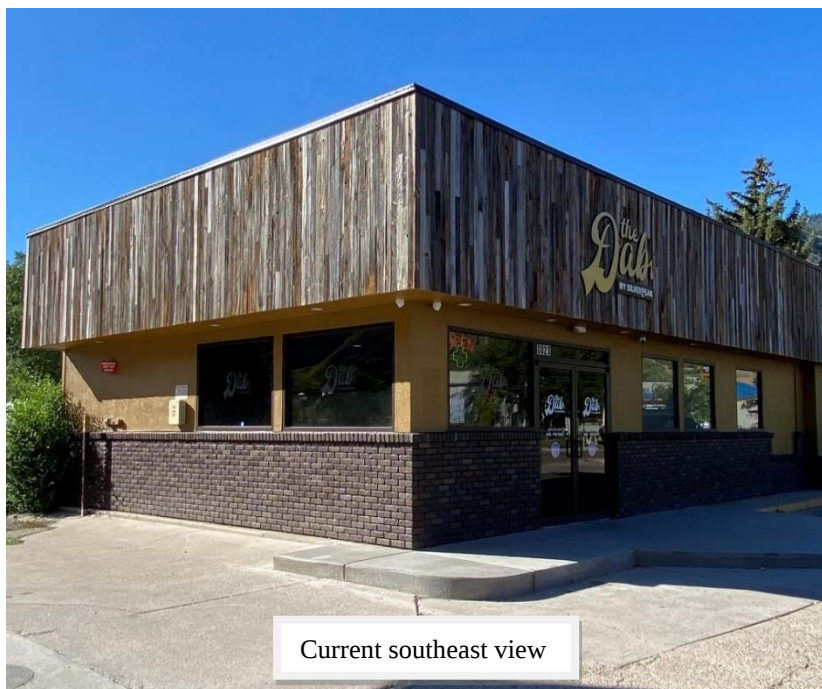
Peter Fornell (the same applicant) proposes the reintroduction of automobile fuel sales to the subject property. Staff determined that an amendment to the SUP was necessary to accommodate the historic fuel sales use since it was not a part of the SUP approval last year. It is important to note that a convenience store is not included with the request. While fueling will utilize the existing pumps and canopy, all sales will occur electronically and be processed off-site. Therefore, the use is not expected to include the same impacts as a typical convenience store including but not limited to the number vehicle trips, traffic, noise, site activity, etc. The remainder of the existing commercial building, formerly occupied by Geno's Liquors, is currently vacant.

Special Review Criteria

Section 070.060.050(e)(3)e.2 applies generally to special review uses. Staff lists each of the criteria in **bold** below along with comments.

- i. The use will be compatible with the surrounding area;**

The proposed use previously operated at the site and similar vehicle related uses are located in close proximity including auto body repair, auto repair, fuel sales, and a restaurant. The subject property is directly adjacent to Colorado State Highway 6 and 24,



Interstate 70, and related uses which generally serve the travelling public. Therefore, the use is compatible with the surrounding area.

ii. The impacts of the use on surrounding areas have been adequately minimized;

The use is not expected to generate additional negative impacts to surrounding areas/properties than that which currently exist.

iii. The use will be consistent with the general purpose and intent of this Code;

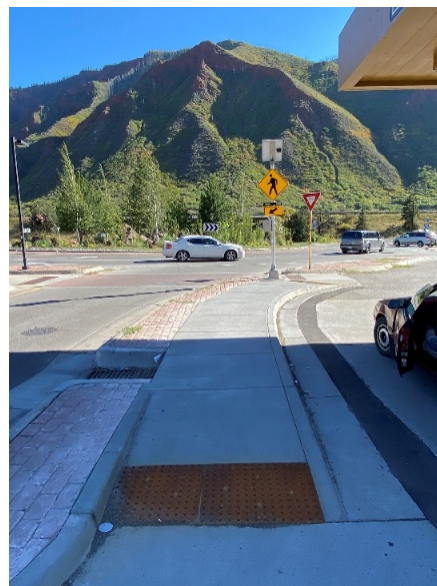
The use/proposal appears to be consistent with the general purpose and intent of the Code.

iv. The use will comply with all applicable standards of this Code;

The use is in compliance with the Code. While certain aspects of the existing parking lot are substandard in terms of design (mainly landscaping), the proposed use does not alone trigger the upgrading of these features unless significant improvements are made (i.e. adding parking spaces or accessways). The Native Roots application included the addition of employee parking on the western parcel of the site. However, doing so would require bringing the existing parking area into full compliance with the Code. Additional parking is not necessary as the eight existing spaces accommodate the existing marijuana use (four required) and the proposed fuel

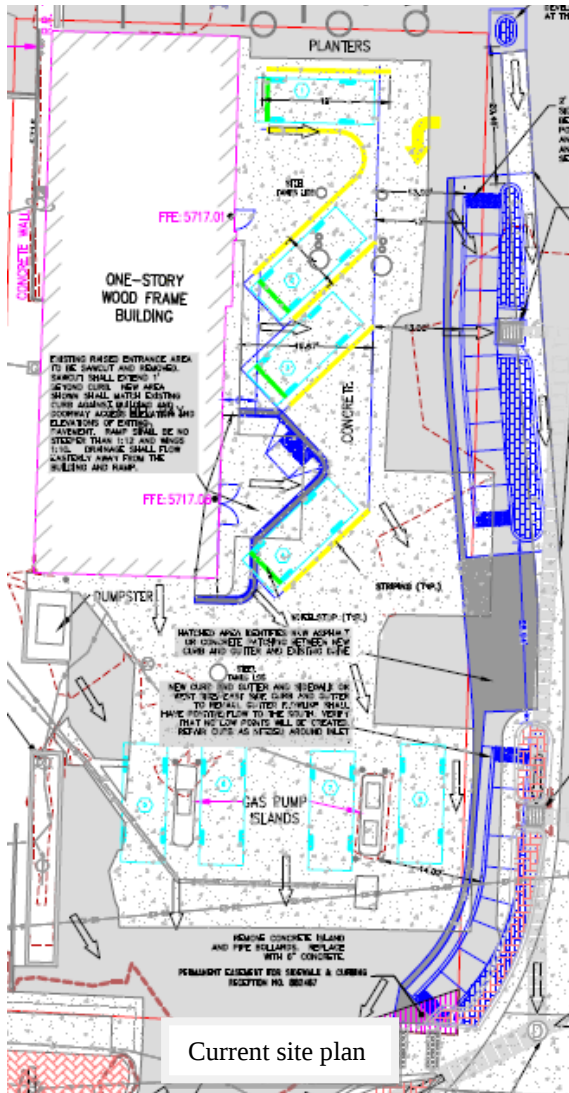


sales (four required). Otherwise, there are no changes to the site are proposed to the access for the site which negatively impact vehicular circulation. However, the combination of the two uses will likely prohibit the use of north half of the building until parking is added.



A condition of the approval of the marijuana use required improvements to the pedestrian infrastructure at the site. Following approval, the Community Development and

Engineering Departments worked with the applicant to design and install a sidewalk along the east side of the site adjacent to Mel Ray Road (pictured above and at left). This condition



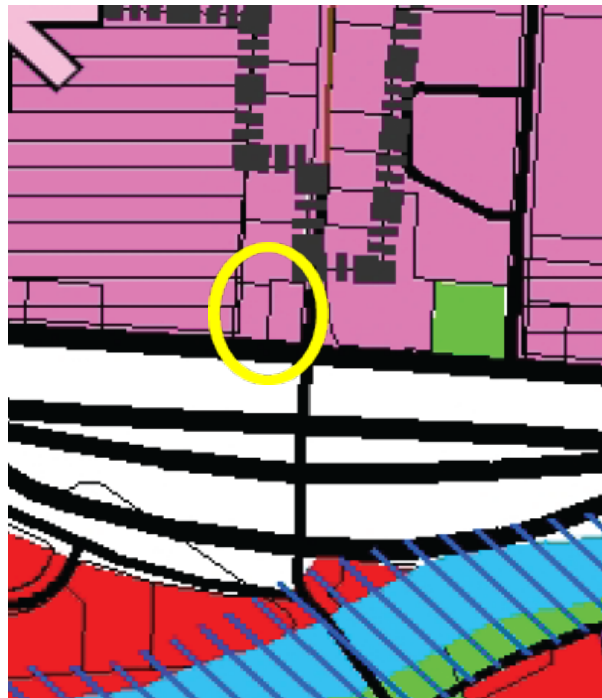
As shown at right, Map 2.1 Future Land Use – North Portion of the City of the Glenwood Springs of the Comprehensive Plan (Comp Plan) identifies the property as “Mixed-use” in fuchsia. According to the Comp Plan, the “Mixed-use” designation “...allows for a variety of uses including commercial, retail, office, restaurant, entertainment and multi-family housing co-existing through design either in a horizontal or vertical fashion..” The current proposal is in compliance with the map designation and description.

Numerous community goals and related objectives and strategies outlined in the Executive Summary and subsequent

significantly improved pedestrian safety while also eliminating the wide-open vehicle access that previously existed.

Fuel sales is expected to increase AM and PM peak hour traffic generation at the site by approximately 12 trips for a total of 80 peak hour trips as outlined in the attached traffic letter. Please note, this analysis includes a retail liquor store use of the north half of the building which is not likely to occur since the existing parking is limited and only accommodates the fuel sales and the existing retail marijuana establishment. An exceedance of 100 peak hour trips would require the submission of a full traffic impact analysis. The former application found that an access permit for the site was never applied for/granted by the Colorado Department of Transportation (CDOT). However, CDOT determined that an access permit was not required at that time. Staff will confirm whether an access permit is required for the current proposal.

v. The use is in conformance with the Comprehensive Plan and other City plans and policies; and



chapters of the Comp Plan encourage economic development, preserving our small-town character, convenient transportation, infill development, housing opportunities, social diversity, and preserving natural resources all of which are supported by this proposal. These goals are outlined in the following table.

<u>Comprehensive Plan Goal Supported</u>	<u>Objectives and Strategies</u>
-Promote long-term, sustainable, diverse, economic development	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Attract diverse businesses and industries (Chapter 4, Page 50) -Maintain the role as regional center (Chapter 4, Page 54) -Retain role as a regional center (Chapter 7, Page 83)
Staff Comment: The objective/strategy outlined above are supported by the current application as it includes infill development/redevelopment.	
-Maintain Glenwood Springs as the regional tourism, retail, commercial, and governmental center of Garfield County	-Maintain the role as regional center (Chapter 4, Page 54) -Retain role as a regional center (Chapter 7, Page 83)
Staff Comment: Continuing to utilize the space for fuel sales, as proposed, helps to maintain/retain the City's role as a regional center.	
-Preserve small town character while maintaining the livability of Glenwood Springs and increasing the vibrancy and commercial success of the downtown	-Develop according to the vision (Chapter 4, Page 34) -Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Enhance pedestrian-friendliness while facilitating traffic (Chapter 3, Page 36) -Maintain the role as regional center (Chapter 4, Page 54) -Retain role as a regional center (Chapter 7, Page 83) -Direct growth inward (Chapter 9, Page 102)
Staff Comment: Infill, as proposed, makes improvements more cost effective. The use is in character with surrounding the site area and aligns with zone district purpose.	
-Address transportation and provide multiple convenient travel choices	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34)
Staff Comment: Infill, as proposed, is a land use strategy used to address transportation issues per the Comp Plan.	

-Direct development to locations and building forms that are cost effective to serve	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Direct growth to areas where utilities and services can be provided efficiently (Chapter 7, Page 82) -Retain role as a regional center (Chapter 7, Page 83) -Direct growth inward (Chapter 9, Page 102)
Staff Comment: The objective/strategy outlined above are supported by the current application as it includes infill development/redevelopment.	
-Support social diversity	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Retain role as a regional center (Chapter 7, Page 83) -Direct growth inward (Chapter 9, Page 102)
Staff Comment: The objective/strategy outlined above are supported by the current application as it includes infill development/redevelopment.	
-Preserve natural resources	-Promote water conservation (Chapter 7, Page 84) -Direct growth inward (Chapter 9, Page 102)
Staff Comment: The objective/strategy outlined above are supported by the current application as it includes infill development/redevelopment.	

vi. The use minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

The use/proposal does not appear to negatively impact health, safety, and welfare of the inhabitants of the surrounding areas and the city.

Reviewing Agency Comments

No comments have been received from referral agencies regarding the application, however, staff has corresponded with the Engineering Department regarding traffic impacts.

Adjacent Property Owner Comments

None received as of the drafting of this staff report.

ACTION ALTERNATIVES AND STAFF RECOMMENDATION:

Section 070.060.050(e)(1)e.1 of the Code explains, “The Planning Commission shall review and approve, approve with conditions, or deny the special use permit application in accordance with 070.060.030(g) and the approval criteria in paragraph 2 below [addressed above in in this instance]. The Planning Commission may also remand the application back to the Director for further consideration.” Section 070.060.030(g)(1)d also states, “The body may also continue the hearing or refer the application to another authority as provided in 070.060.050(a)(2)c, *Referral*

and Call-Up Procedures. In the instance of marijuana related business, Section 070.060.020(d)/ Table 060.1 Summary of Development Review Procedures outlines the Commission is the review and reminding authority to City Council.

Action 1 - Amendment to a Special Use Permit – to allow automobile fuel sales in the M1 Mixed-Use Corridor District.

Staff recommendation: Staff recommends **approval with conditions** of the Special Use Permit application with the **findings** and **conditions** below:

Recommended Findings:

1. The use is compatible with the surrounding area;
2. The impacts of the use on surrounding areas have been adequately minimized;
3. The use is consistent with the general purpose and intent of this Code;
4. The use complies with all applicable standards of this Code;
5. The use is in conformance with the Comprehensive Plan and other City plans and policies; and
6. The use minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

Recommended Conditions:

1. The applicant shall maintain required licenses from the State of Colorado and the City of Glenwood Springs for a retail marijuana establishment prior to issuance of a Special Use Permit.
2. The applicant shall maintain compliance with applicable State of Colorado and International Fire Code requirements and/or licensing related to fuel sales at the site.
3. Any future physical changes or improvements to the property or buildings on the parcel are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the *Glenwood Springs Municipal Code*. Substantial changes may result in the need for an amendment to the Special Use Permit.
4. The retail marijuana establishment and proposed fuel sales shall comply with all verbal representations made by the applicant in the public hearings related thereto, as well as all approved plans and application materials, as revised per conditions of the Special Use Permit and approved by the Community Development Director prior to issuance of a Special Use Permit.
5. Any changes to signage on the site shall require a sign permit and demonstrated compliance with applicable requirements of the of the *Glenwood Springs Municipal Code*.
6. The use shall comply with the use standards and special review criteria for marijuana uses specified in the *Glenwood Springs Municipal Code* at all times. Failure to comply with the applicable standards may result in an enforcement action or the incorporation of additional mitigation methods for Code compliance.
7. If complaints are received from adjacent property owners regarding any odors emitting from the site or any other matter regulated by the Code, City Council shall have the ability to re-evaluate or revoke the special use permit. The special use permit shall be subject to reconsideration and revocation by City Council within sixty (60) days of notification of the violation if the business owners are convicted by the City's Municipal Court of two *Glenwood Springs Municipal Code* nuisance violations pertaining to odors, etc. emitting from the site within a six (6) month period.
8. The applicant shall obtain an access permit from the Colorado Department of Transportation, as required.



LAND USE APPLICATION

City of Glenwood Springs
Economic and Community Development Dept.
101 West 8th Street
Glenwood Springs, CO 81601
970-384-6411

Ordinance Amendments		Development Permits	
☐	Rezoning	☐	Site/Architectural Plan Review
☐	Rezoning to Planned Unit Development (PUD)	☐	Administrative
☐	Annexation	☐	Minor
☐	Condominiumization	☐	Major
☐	Annexation	☐	Master Plan
☐	Street Vacation	☐	Construction Plans
☐		☐	Location & Extent
Subdivisions		☐	Right of Way Encroachment License
☐	Minor Subdivision	☐	Floodplain Development Permit
☐	Preliminary Plat	☒	Special Use Permit
☐	Final Plat	Flexibility and Relief Procedures	
☐	Vacation of Right-of-Way	☐	Variance
☐		☐	Administrative Adjustment
Other Land Use Applications		☐	Appeal
☐	Outdoor Seating	☐	

Applicant/Property Owner Information:			
Applicant		Owner	
Peter Fornell		23 Mel Rey Ventures LLC	
Relationship to Owner		Owner	
Partnership Manager		23 Mel Rey Ventures LLC	
Applicant Address		Owner Address	
625 S. West End Street #4	Aspen Colorado 81611	625 S. West End Street #4	Aspen Colorado 81611
Phone 970-379-3434	Email Address p.fornell@comcast.com	Phone 970-379-3434	Email Address amos@pbrworkshop.com

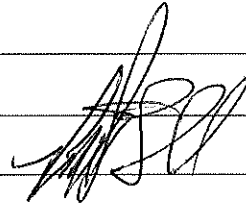
Property Information:	
Address	Parcel Number
23 Mel Rey Road Glenwood Springs CO 81601	218506104005
Subdivision	Lot and Block Number
MEL-RAY SUB	Lot: 6 Block: 4
Zone District M1 - Mixed Use Corridor	Existing Land Use SUP - Retail Marijuana Establishment

General Project Description:
Objective: Obtain a Special Use Permit for fuel sales. Parcel has an existing fueling infrastructure that consists of three fuel pumps, fuel pump canopy, and three existing underground fuel tanks (3,000g Diesel, & two 8,000g Unleaded) All systems current and inspected by State of Colorado

Signatures:					
The owner or applicant must be present at the hearing. All public hearings must be properly noticed according to G.S.M.C. Section 070.010.030. Signatures of all owners of the property must appear before the application is accepted. Partnerships or corporations may have the authorized general partner or corporate officer sign the	<table border="1"> <tr> <td>Applicant</td> <td>7/16/21</td> </tr> <tr> <td>Owner</td> <td>7/16/21</td> </tr> </table>	Applicant	7/16/21	Owner	7/16/21
Applicant	7/16/21				
Owner	7/16/21				

application. (Attach additional incorporation documents if necessary.) I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.

Owner



Date

7/16/21



State Documentary Fee
Date: November 13, 2020
\$75.00

Warranty Deed

(Pursuant to C.R.S. 38-30-113(1)(a))

THIS DEED, made on November 13th, 2020 by **M&C FATTOR LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO PARCEL 1; AND THE FATTOR FAMILY LIMITED PARTNERSHIP, A COLORADO LIMITED PARTNERSHIP, AS TO PARCEL 2** Grantor(s), of the County of **Garfield** and State of **Colorado** for the consideration of **(\$750,000.00) ***Seven Hundred Fifty Thousand and 00/100***** dollars in hand paid, hereby sells and conveys to **23 MEL REY VENTURES LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantee(s), whose street address is **625 S WEST END STREET, APT 4, Aspen, CO 81611**, County of **Pitkin**, and State of **Colorado**, the following real property in the County of **Garfield**, and State of **Colorado**, to wit:

See attached "Exhibit A"

also known by street and number as: **511116 & 24 HIGHWAY AND 23 MEL REY ROAD, GLENWOOD SPRINGS, CO 81601**

with all its appurtenances and warrants the title to the same, subject to the matters shown in the attached Exhibit B, which, by reference, is incorporated herein.

M&C FATTOR LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO PARCEL 1

By: 

STEPHEN M. FATTOR AS MANAGER

THE FATTOR FAMILY LIMITED PARTNERSHIP, A COLORADO LIMITED PARTNERSHIP, AS TO PARCEL 2

By: 

STEPHEN M. FATTOR AS MANAGING LIMITED PARTNER

State of Colorado)

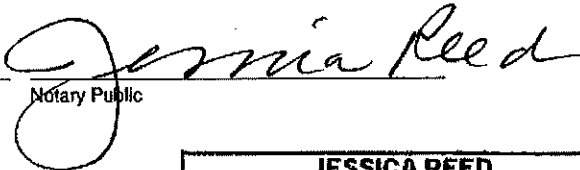
)ss.

County of **GARFIELD**)

The foregoing instrument was acknowledged before me on this day of **November 13th, 2020** by **STEPHEN M. FATTOR, AS MANAGER OF M&C FATTOR LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO PARCEL 1 AND STEPHEN M. FATTOR, AS MANAGING LIMITED PARTNER OF THE FATTOR FAMILY LIMITED PARTNERSHIP, A COLORADO LIMITED PARTNERSHIP, AS TO PARCEL 2**

Witness my hand and official seal

My Commission expires: 9/8/2024


Notary Public

JESSICA REED
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994021384
My Commission Expires: September 08, 2024

When recorded return to: **23 MEL REY VENTURES LLC, A COLORADO LIMITED LIABILITY COMPANY**
625 S WEST END STREET, APT 4, Aspen, CO 81611



Exhibit A

PARCEL 1:

PARCEL B, GRIFFIN AMENDED FINAL PLAT, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1985 AS
RECEPTION NO. 363363, COUNTY OF GARFIELD, STATE OF COLORADO.

PARCEL 2:

THE EAST HALF OF THE SOUTH 50 FEET OF LOT 6 AND THE EAST HALF OF LOT 7, BLOCK 4, MEL RAY SUBDIVISION,
COUNTY OF GARFIELD, STATE OF COLORADO, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7,
THENCE N. 86°51'50" W. 70.72 FEET ALONG THE SOUTHERLY LINE OF LOT 7;
THENCE N. 01°52' E. 148.06 FEET;
THENCE S. 88°08' E. 70.72 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 6;
THENCE S. 01°52' W. 149.63 FEET ALONG THE EASTERLY LINE OF SAID LOTS 6 AND 7 TO THE SOUTHEAST CORNER OF
SAID LOT 7, THE POINT OF BEGINNING.

Exhibit B

1. GENERAL TAXES FOR THE YEAR OF CLOSING.
2. DISTRIBUTION UTILITY EASEMENTS (INCLUDING CABLE TV).
3. THOSE SPECIFICALLY DESCRIBED RIGHTS OF THIRD PARTIES NOT SHOWN BY THE PUBLIC RECORDS OF WHICH GRANTEE HAS ACTUAL KNOWLEDGE AND WHICH WERE ACCEPTED BY GRANTEE IN ACCORDANCE WITH § 8.3 (OFF-RECORD TITLE) AND § 9 (NEW ILC OR NEW SURVEY) OF THE CONTRACT TO BUY AND SELL REAL ESTATE RELATING TO THE REAL PROPERTY CONVEYED BY THIS DEED.
4. INCLUSION OF THE PROPERTY WITHIN ANY SPECIAL TAXING DISTRICT.
5. ANY SPECIAL ASSESSMENT IF THE IMPROVEMENTS WERE NOT INSTALLED AS OF THE DATE OF GRANTEE'S SIGNATURE TO THE CONTRACT TO BUY AND SELL REAL ESTATE RELATING TO THE REAL PROPERTY CONVEYED BY THIS DEED, WHETHER ASSESSED PRIOR TO OR AFTER CLOSING.
6. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 25, 1894, IN BOOK 12 AT PAGE 298.
7. RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 25, 1894, IN BOOK 12 AT PAGE 298.
8. EASEMENTS AND RIGHTS OF WAY AS SET FORTH ON THE PLAT OF MEL-RAY SUBDIVISION RECORDED OCTOBER 29, 1949 IN BOOK 245 AT PAGE 515 AS RECEPTION NO. 170138.
9. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE WEST GLENWOOD SPRINGS WATER DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED NOVEMBER 26, 1957, UNDER RECEPTION NO. 199836.
10. EASEMENTS AND RIGHTS OF WAY AS SET FORTH ON THE GRIFFIN AMENDED FINAL PLAT RECORDED JULY 16, 1985 AS RECEPTION NO. 363363.
11. TERMS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN WATER SERVICE AGREEMENT RECORDED SEPTEMBER 10, 1958 IN BOOK 311 AT PAGE 287 AND RECORDED SEPTEMBER 13, 1978 IN BOOK 515 AT PAGE 418.
12. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RIGHT-OF-WAY AGREEMENT RECORDED APRIL 17, 1992 IN BOOK 829 AT PAGE 190.
13. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RIGHT-OF-WAY AGREEMENT RECORDED APRIL 17, 1992 IN BOOK 829 AT PAGE 201.
14. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN GRANT OF ZONING VARIANCE RECORDED MARCH 28, 1996 IN BOOK 972 AT PAGE 90.
15. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LEASE DATED AUGUST 24, 1989 BY AND BETWEEN THE FATTOR FAMILY LIMITED PARTNERSHIP, AS SUCCESSOR-IN-INTEREST TO EUGENE JAMES FATTOR AND MARY DOROTHY FATTOR, LESSOR, AND STEPHEN MICHAEL FATTOR, LESSEE, AS MEMORIALIZED BY MEMORANDUM OF LEASE RECORDED JANUARY 30, 2001 IN BOOK 1229 AT PAGE 426.
16. EACH AND EVERY RIGHT OF ACCESS AS CONVEYED IN INSTRUMENT RECORDED FEBRUARY 16, 2005 IN BOOK 1663 AT PAGE 346.
17. EACH AND EVERY RIGHT OF ACCESS AS CONVEYED IN INSTRUMENT RECORDED JUNE 9, 2005 IN BOOK 1695 AT PAGE 411.
18. EASEMENT GRANTED TO DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, FOR CONSTRUCTION AND MAINTENANCE OF SIDEWALK AND CURBING FACILITIES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED SEPTEMBER 16, 2016 UNDER RECEPTION NO. 882467.

Special Use Permit to Operate a Automotive Fuel Sales & Service Station

Location: 23 Mel Ray Road

Submitted to the City of
Glenwood Springs:

Parcel Number: 218506104005

July 16 2021

● Introduction

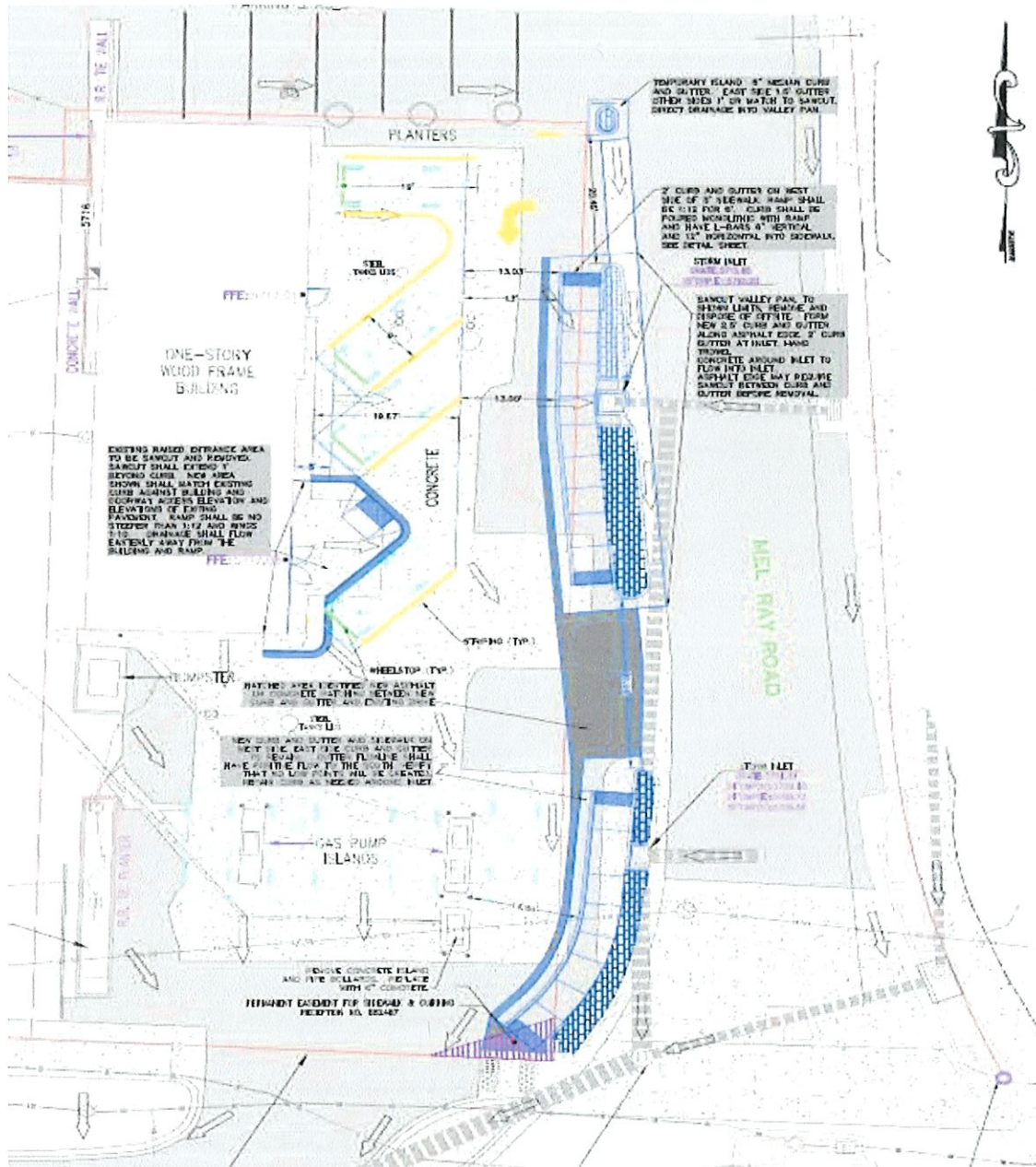
23 Mel Rey Ventures LLC is submitting this application to allow for a Special Use Permit to operate an Automotive Fuel Sales & Service Station Establishment. The location of the proposed use is 23 Mel Ray Road / Parcel No. 218506104005. The property is zoned C/1 Limited Commercial District and Automotive Fuel Sales & Service Station establishments are listed as a special review use in this district. The proposal would use the existing fueling infrastructure, no additional Improvements to the property are proposed in this application. The existing fuel service infrastructure consisting of; 30'x50' gas canopy with three (3) gas pump islands below, three (3) underground fuel tanks, and a 2,120 square foot retail building divided into two spaces, the south unit contains a retail marijuana establishment, per planning file #44-20. The retail marijuana establishment remains as a completely separate business, with no interior access between the units. The North unit is currently vacant.

● Location

The proposed Automotive Fuel Sales & Service Station Establishment is proposed at 23 Mel Ray Road / Parcel No. 218506104005 which is at the northwest corner of the exit 114 on I-70, and northwest of the north-side roundabout. See image below.



The property takes its vehicular access via Mel Rey Road, while its egress is via either Mel Rey Road or a protected right-only onto U.S. Highway 24. This vehicular circulation and access is safe and efficient for the site. There are currently eight (8) parking spaces for the uses on the site, which meets the parking requirements. Parking as required by code requires three (3) spaces for the automotive fuel sales (one per pump) and four (4) spaces for the retail marijuana establishment. The site plan below shows eight (8) spaces delineated, an excess of the requirement. The applicant has just completed the improved pedestrian access with the addition of a sidewalk and buffer along Mel Rey Road. The site, which is adjacent to the exit 114 north roundabout, is accessed via a sidewalk connection and crosswalk across Mel Rey Road. There is a near-by transit stop that provides safe access for pedestrians and transit users. Generally, the use of the site as a gas station is more automobile oriented. However, the pedestrian access to and across the site is well established and provides for safe usage by pedestrians.



- **Compatibility with the surrounding area;**

The use as an automotive fuel sales and service station is compatible with the surrounding area. Historically, it has been a gas station for over fifty years. The location is well away from the City's downtown area and the proposed use blends in with the heavy commercial nature of the area. The character of the neighborhood is generally automotive oriented, and

includes a mix of commercial uses, semi-industrial uses, and institutional uses, including the following:

- Gas stations
- Alternative fueling
- Restaurant
- Bar
- Automobile service and detailing
- Automotive parts and tire retail
- Metal fabrication
- Car and truck rental
- Fire station



- **Minimization of impacts on surrounding areas;**

This application adequately minimizes the impacts on the surrounding areas as no development is proposed. This turn key operation was last used January 2021 by the previous owners. Bringing back this fueling station to operation will offer the motorist and additional option for obtaining fuel.

- **Consistency with the intent of the Code;**

The proposed use is consistent with the general purpose and intent of the Code. The Hwy 6 / 24 corridor currently is comprised of many different uses, auto-oriented commercial and service uses along the highway and residential uses tucked behind. In spite of having an elementary school much of the area lacks true neighborhood character and walk ability. This area has potential for significant redevelopment in the future. As it does so, it is expected that the immediate Hwy 6 / 24 corridor will continue to be a mix of uses.

- **Compliance with applicable Code standards;**

This application complies with all applicable standards of the Code. No administrative adjustments are requested. No Variances are being asked for. Off-street parking is provided in excess of the code requirements, Access and Circulation has recently been updated with a new sidewalk and buffer area along the East property line. No changes are proposed to the exterior lighting. The existing gas canopy contains eight (8) surface mounted lights provide a visually safe, secure, and adequate outdoor illumination while minimizing excessive glare as well as spillover to adjacent properties. All future signage associated with the fueling operations will both comply with the land use code and be installed after permitting and approval by the City of Glenwood Springs.

- **Comprehensive Plan Analysis;**

The Glenwood Springs Comprehensive Plan was adopted in 2011 and provides guidance to the community in making land use decisions. It outlines the community's values and vision for the future. This section provides and analysis of the Glenwood Springs Comprehensive Plan to show

how the proposal is consistent with the plan.

The Future Land Use Map identifies the subject property as “Mixed-Use” (re-named C-1 Commercial Corridor) and the entire area as a “Secondary Center” as indicated on the map below:



- **Minimization of adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city;**

This proposal minimizes the adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city in two ways; 1) revitalization of this fuel station is a re-use of an existing infrastructure. By re-using the infrastructure, the surrounding inhabitants do not have to go through the laborious process of new construction at a very busy intersection. At the same time, the removal of the existing fueling infrastructure would cause additional demolition related headaches to traffic flow at the roundabout. The best scenario is re-use of the existing infrastructure.

- **Special Use Permit Criteria for Review –
General**

The criteria for review of a Special Use Permit for an Automotive Fuel Sales & Service Station Establishment are provided in Section 070.30.30 of the Glenwood Springs Municipal Code. Below is an analysis of the proposal's compliance with each criteria:

(17)Automotive Fuel Sales and Service Station. The following types of modifications to the site and use require a special use permit and approval from the Fire Department:

- a.Change of the number of fuel pumps;*
- b.Change of the location of fuel pumps; and*
- c.Change in the type of service or location of bulk fuel tanks.*

The site is an already developed site. No change in the number of fuel pumps is proposed. The existing number of pumps is three (3). No change to the existing location of the fuel pumps is proposed in the application. The three (3) pumps are located underneath a 30'x50' canopy located at the south end of the property. This application does not propose to change the type or location of the bulk fuel tanks. There are three (3) existing underground fuel tanks; two (2) are located to the Northeast end of the property and are eight-thousand (8,000) gallons each and one (1) located underground at the center of the parcel at three-thousand (3,000) gallons.



• Conclusions

The proposed continued use of an Automotive Fuel Sales & Service Station Establishment is at a location that has been determined by the Town's locational criteria to be appropriate for such a use. The site is located in a heavy commercial district and area of town that allows for intensive commercial uses of many kinds. The site has adequate access for vehicles and pedestrians. The proposal is consistent with the Glenwood Springs Comprehensive Plan. The proposal complies with all of the general special use criteria as well as those additional criteria adopted by the City for Automotive Fuel Sales & Service Station Establishment.

IMPROVEMENT LOCATION CERTIFICATE

LEGAL DESCRIPTION:

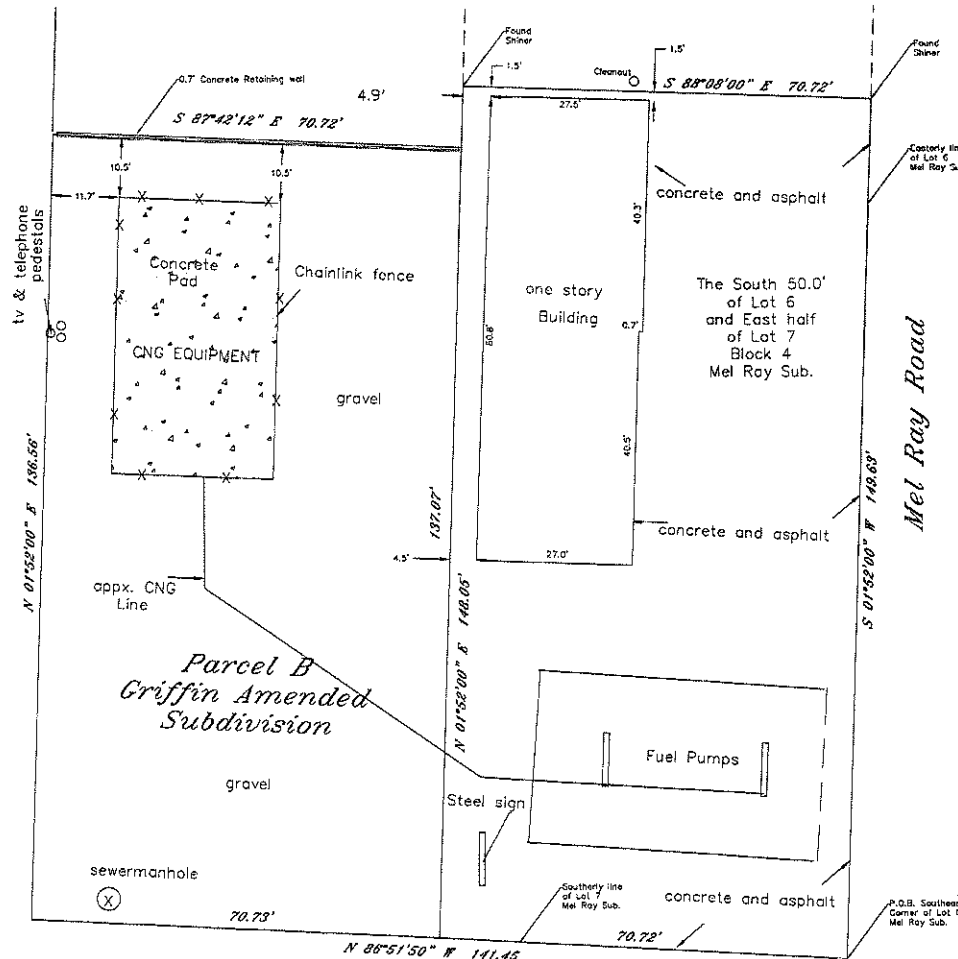
PARCEL 1:

PARCEL 1, GRIFIN AMENDED FINAL PLAT, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1995 AS RECEPTION NO. 363363, QUANTITY OF GARFIELD, STATE OF COLORADO.

PARCEL 2:

THE EAST HALF OF THE SOUTH 50 FEET OF LOT 6 AND THE EAST HALF OF LOT 7, BLOCK 4, MEL RAY SUBDIVISION, COUNTY OF GARFIELD, STATE OF COLORADO, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7, THENCE N. 88°51'50"W. 70.72 FEET ALONG THE SOUTHERLY LINE OF LOT 7, THENCE N. 01°52'00"E. 148.63 FEET, THENCE S. 88°08'00"E. 70.72 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 6, THENCE S. 01°52'00"E. 148.63 FEET ALONG THE EASTERLY LINE OF SAID LOT 6 AND 7 TO THE SOUTHEAST CORNER OF SAID LOT 7, THE POINT OF BEGINNING, COUNTY OF GARFIELD, STATE OF COLORADO.



LAND TITLE GUARANTEE COMPANY, EFFECTIVE DATE: JUNE 17, 2020 ORDER NO. A555305252.

9. EXISTING LEASES AND TENANCIES, IF ANY, 9. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS OR HER MINERAL SHOULD THE SAME BE FOUND TO PENETRATE OR INTERFERE WITH THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 23, 1894, IN BOOK 12 AT PAGE 298. (AFFECTS BOTH PARCELS)

10. RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 23, 1894, IN BOOK 12 AT PAGE 298. (AFFECTS BOTH PARCELS)

11. TERMS, CONDITIONS, RESTRICTIONS AND PROVISIONS OF DECLARATION RECORDED AUGUST 1, 1910 IN BOOK 50 AT PAGE 353. (AFFECTS BOTH PARCELS)

12. EASEMENTS AND RIGHTS OF WAY AS SET FORTH ON THE PLAT OF MEL RAY SUBDIVISION RECORDED OCTOBER 29, 1949 IN BOOK 245 AT PAGE 515 AS RECEPTION NO. 170304. (AFFECTS BOTH PARCELS)

13. ANY TAX, LIEU FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE WEST GLENWOOD SPRINGS WATER DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED NOVEMBER 26, 1997 UNDER RECEPTION NO. 190506. (AFFECTS BOTH PARCELS)

14. EASEMENTS AND RIGHTS OF WAY AS SET FORTH ON THE GRIFIN AMENDED FINAL PLAT RECORDED JULY 16, 1995 AS RECEPTION NO. 363363. (AFFECTS PARCEL 1)

15. TERMS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN WATER SERVICE AGREEMENT RECORDED SEPTEMBER 10, 1998 IN BOOK 311 AT PAGE 287 AND RECORDED SEPTEMBER 10, 1998 IN BOOK 311 AT PAGE 418. (AFFECTS BOTH PARCELS)

16. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN GRANT OF ZONING VARIANCE RECORDED MARCH 29, 1996 IN BOOK 979 AT PAGE 90. (AFFECTS PARCEL 2)

17. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RIGHT-OF-WAY AGREEMENT RECORDED APRIL 17, 1996 IN BOOK 809 AT PAGE 581. (AFFECTS PARCEL 2)

18. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN GRANT OF ZONING VARIANCE RECORDED MARCH 29, 1996 IN BOOK 979 AT PAGE 90. (AFFECTS PARCEL 2)

19. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LEASE DATED AUGUST 24, 1989 BY AND BETWEEN THE FATTOR FAMILY LIMITED PARTNERSHIP, AS SUCCESSOR-IN-INTEREST TO EUGENE JAMES FATTOR AND MARY DOROTHY FATTOR, LESSOR, AND STEPHEN MICHAEL FATTOR, LESSEE, AS MEMORIALIZED BY MEMORANDUM OF LEASE RECORDED JANUARY 20, 1990 IN BOOK 309 AT PAGE 456. NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN. (AFFECTS PARCEL 2)

20. EACH AND EVERY RIGHT OF ACCESS AS CONVEYED IN INSTRUMENT RECORDED FEBRUARY 16, 2005 IN BOOK 1663 AT PAGE 346. (AFFECTS PARCEL 1)

21. EACH AND EVERY RIGHT OF ACCESS AS CONVEYED IN INSTRUMENT RECORDED JUNE 9, 2005 IN BOOK 1693 AT PAGE 411. (AFFECTS PARCEL 2)

22. EASEMENT GRANTED TO DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, FOR CONSTRUCTION AND MAINTENANCE OF HIGHWAYS AND CURBING FACILITIES, AND INCIDENTAL IMPROVEMENTS, BY INSTRUMENT RECORDED SEPTEMBER 16, 2016 UNDER RECEPTION NO. 882467. (AFFECTS PARCEL 2)

IMPROVEMENT LOCATION CERTIFICATE

I HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE, WAS PREPARED FOR PETER FORNELL AND LAND TITLE GUARANTEE COMPANY, EFFECTIVE DATE: JUNE 17, 2020 ORDER NO. A555305252.

THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.

I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL, ON THIS DATE, 6/24/2020, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

DAVID C. NICHOLSON, L.S. 34585



DIVIDE CREEK SURVEYORS INC.

DAVID C. NICHOLSON
Professional Land Surveyor
L.S. 34585

0029 Colorado River Road
New Castle, Colorado
(970)355-9306

Improvement Location Certificate

511116 & 24 HIGHWAY AND 23 MEL REY ROAD,
GLENWOOD SPRINGS, CO 81601

DATE: 06/24/2020

PROJ: 06/24/2020 DMC ILC

NOTICE: ACCORDING TO COLORADO LAW YOU MUST CONSIDER ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER THE FIRST PROVISION AND DEFECT IS DISCOVERED BY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY IS CONSIDERED TO BE MORE THAN TEN YEARS FROM THE DATE OF COMPLETION UNLESS OTHERWISE NOTED.

July 2, 2021

Peter Fornell
420 Midland Park Place
Aspen, CO 81611

Re: CDOT Region 3 Level 1 Trip Generation Assessment for
23 Mel Ray Rd, Glenwood Springs, CO

Dear Mr. Fornell,

As per your request, this letter presents the results of the Level 1 Trip Generation Assessment prepared by APEX Consulting Engineers LLC (APEX) for the proposed addition of fuel sales at 23 Mel Ray Road in Glenwood Springs, CO (Project). The Project location is shown in Figures 1 and 2. The following sections describe the Project and Project traffic volumes. Project volumes are reported only as increase to existing traffic as a result of the additional fuel sales.

Project Location, Description and Access

The Project site currently operates as a 1,055 sf marijuana dispensary with a vacant unit and will reintroduce fuel sales. The fuel sales will be unattended, pay-at-pump only and there are no plans to add a convenience store to the site. As shown in Figure 2, access to the site is from SH 6 & 24 and Mel Ray Road.

Figure 1 – General Project Location

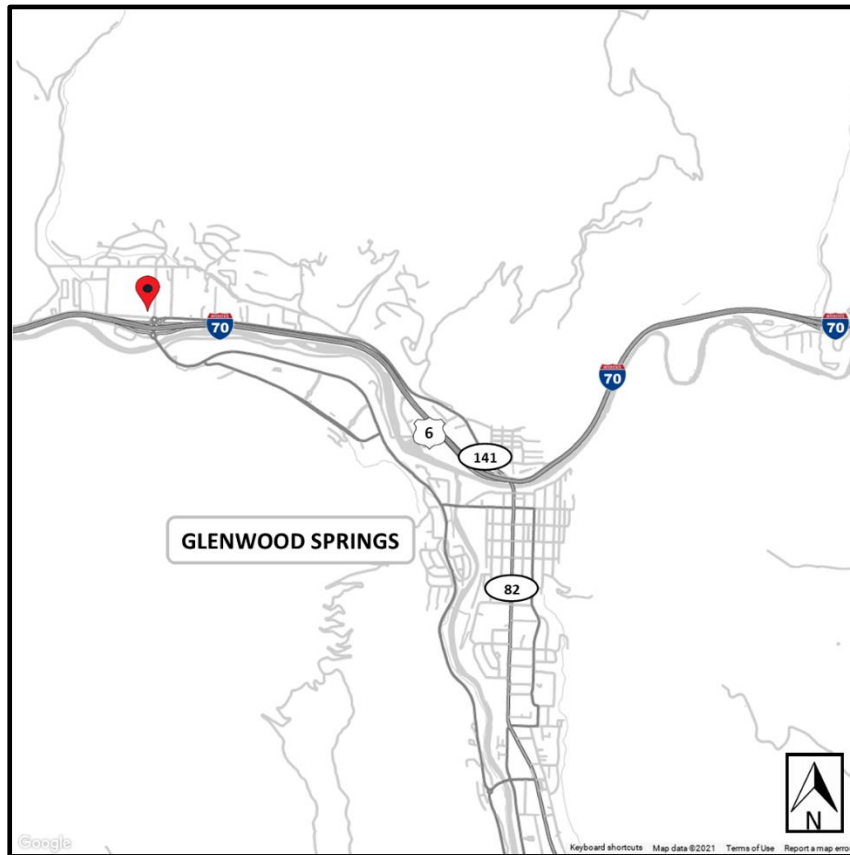
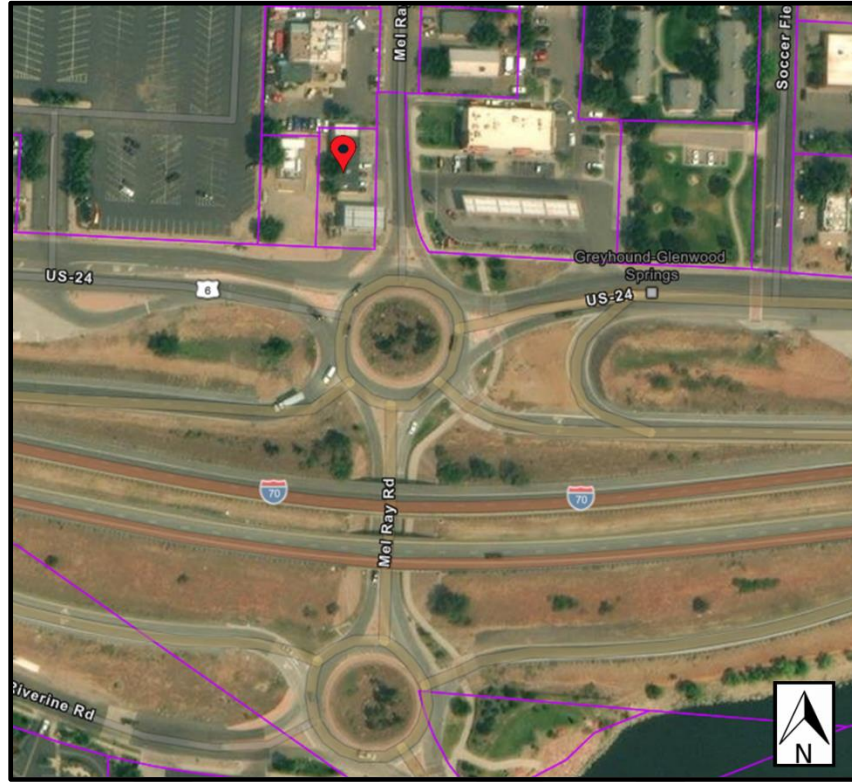


Figure 2 – Project Location



Project Trip Generation

Land Use Code 944, Gasoline/Service Station, from the ITE Trip Generation Manual 10th Edition, was used in trip generation calculations. In all peak hour cases, the higher of “either peak hour of roadway” or “peak hour of generator” is used, providing a conservative assessment. In this case, peak hour of generator is used. Trip generation uses the Vehicle Fueling Positions for the calculations since the Project will only include self-service pumps. Though there are 6 fueling positions available, only 4 can reasonably be used simultaneously.

Table 1 shows the Average Daily Trips (ADT), AM Peak Hour, and PM Peak Hour for the addition of the proposed land use code. Trip generation traffic calculations from the ITETripGen Web-based App are attached in Exhibit A.

Table 1 – Peak Hour Calculation Summary

	Period	ADT	AM Peak Hour	PM Peak Hour
Proposed LUC 882	Entry	344	21	29
	Exit	344	21	29
	TOTAL	688	42	58

Conclusion

The reintroduction of fuel sales on the Project site will result in an increase of 688 trips ADT, 42 trips AM Peak Hour, and 58 trips PM Peak Hour.

Respectfully,
APEX CONSULTING ENGINEERS, LLC

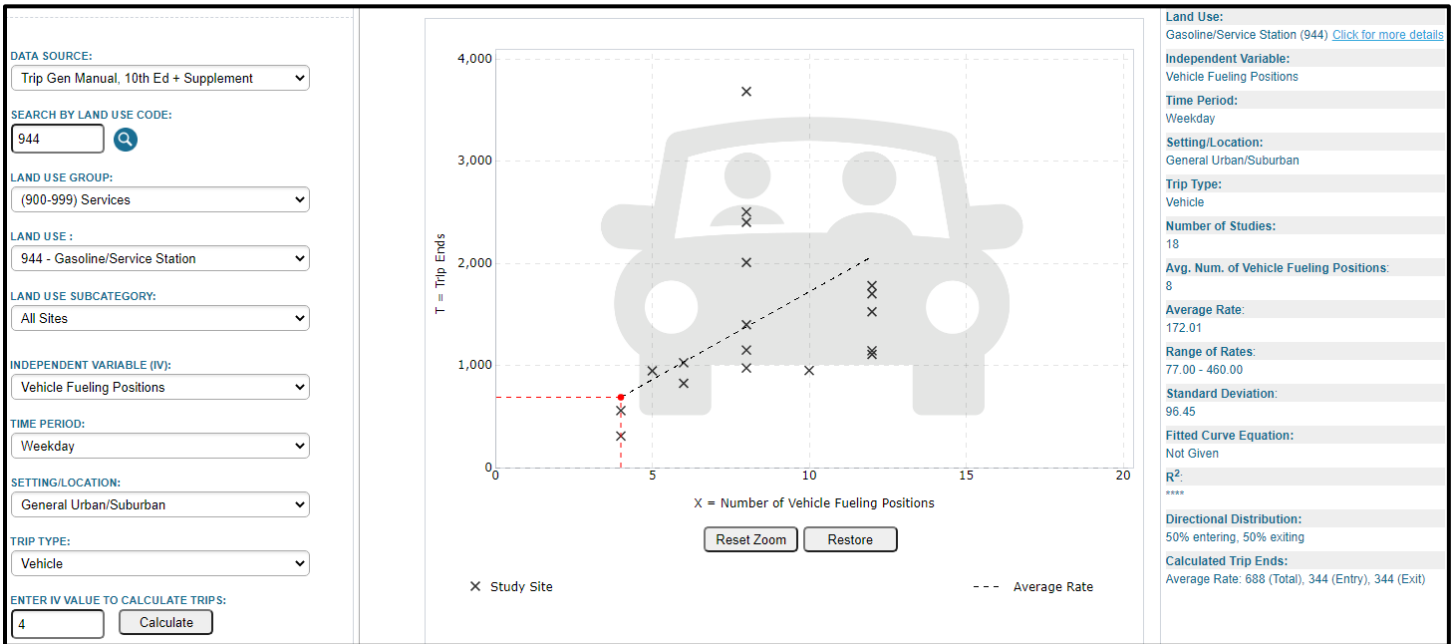


Eric C. Marquez, P.E.
Managing Member

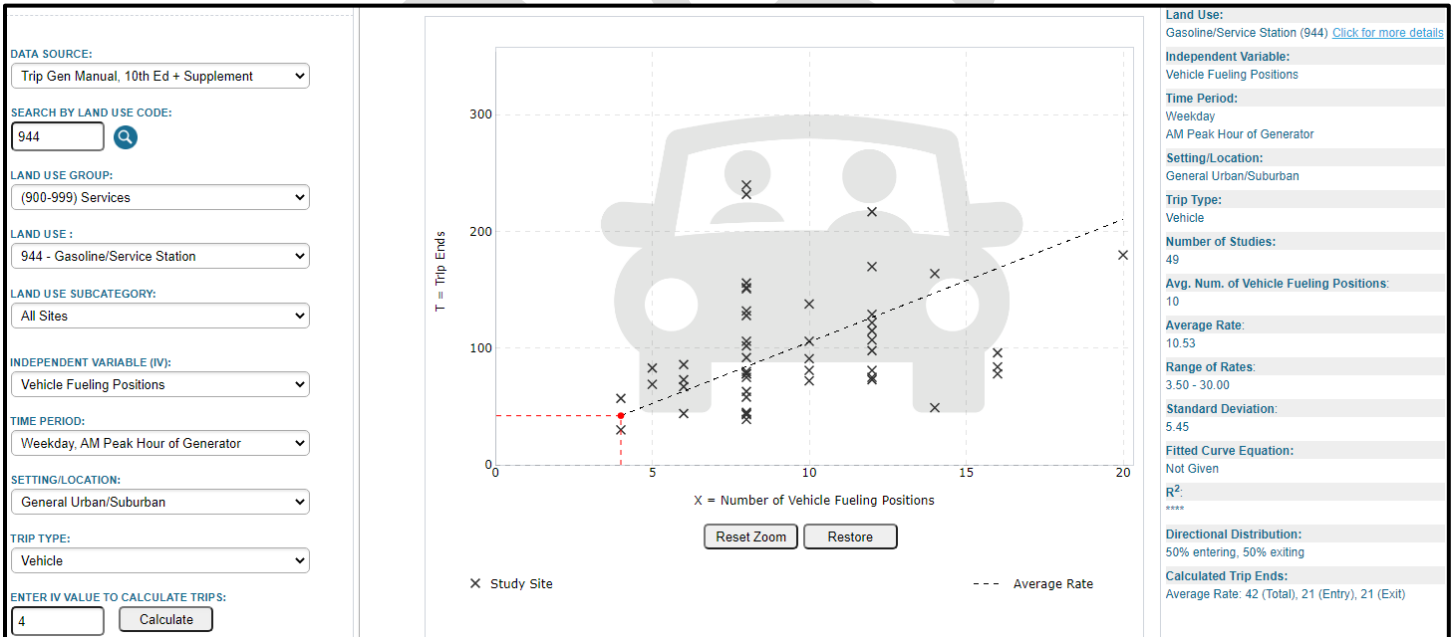
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cc: file

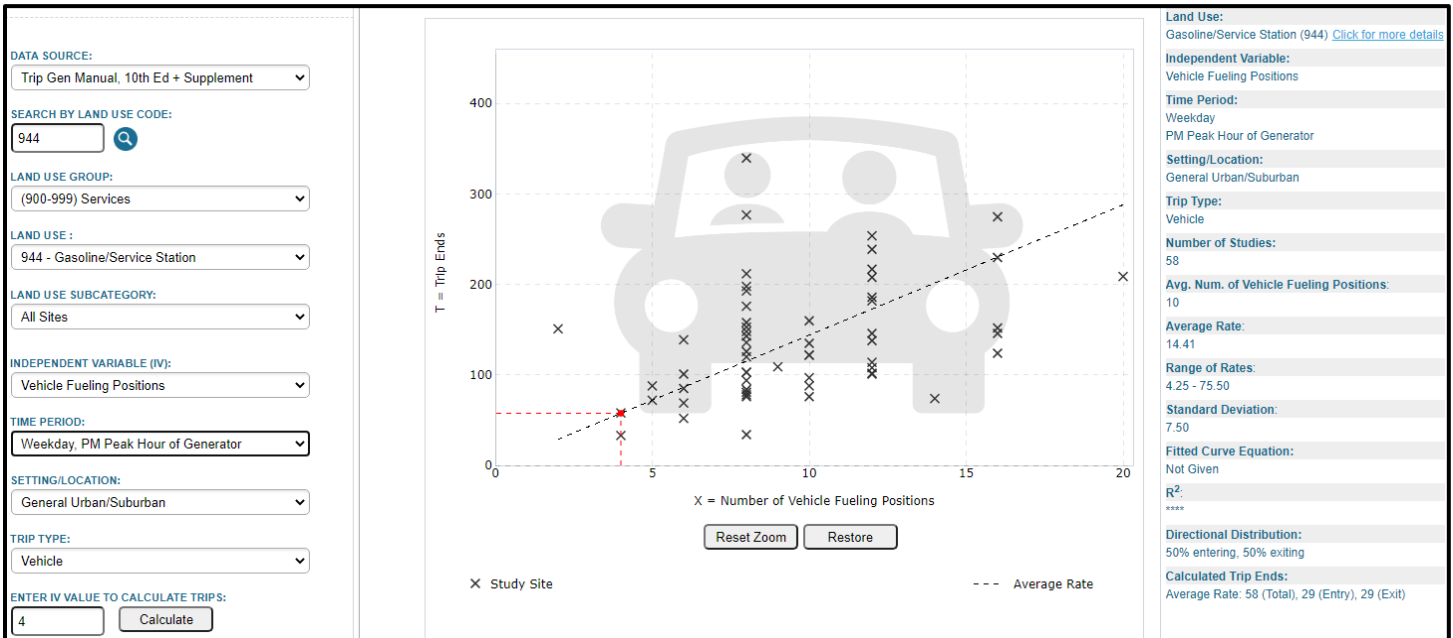
Proposed Project ADT



Proposed Project AM Peak Hour



Proposed Project PM Peak Hour



ABBREVIATIONS

@ & ABV. hpAC ACT. ACoust. ADDNL. ADJ. AFF. AGG. ALUM. ALT. ARCH. AVG.	AT AND ABOVE AIR CONDITIONING ABOVE COUNTERTOP ACOUSTICAL ADDITIONAL ADJACENT ABOVE FINISH FLOOR AGGREGATE ALUMINUM ALTERNATE ARCHITECTURAL AVERAGE	LAM. LB. LF. LVL.	LAMINATE POUND LINEAL FOOT LAMINATED VENEER LUMBER
BD. BF. BIC. BLDG. BLK. BLK'G. BLW BTM. BTWN. BVL. BW.	BOARD BOTH FACES BUILT-IN CABINET BUILDING BLOCK BLOCKING BELOW BOTTOM BETWEEN BEVELED BOTH WAYS	(N) NEC NIC. N/A NTS.	NEW NATIONAL ELECTRIC CODE NOT IN CONTRACT NOT APPLICABLE NOT TO SCALE
CAB. CF CLG. CJ. CLR. CMU CNTR. C.O. COL. COMP. CONC. CONV. CONT. CONTR. CT.	CABINET CUBIC FEET CEILING CONTROL JOINT CLEAR CONCRETE MASONRY UNIT COUNTER CLEAN OUT COLUMN COMPOSITION CONCRETE CONNECTION CONTINUOUS CONTRACTOR CERAMIC TILE	PERF. PLAM. PLYWD PNT. PP. PSF PT. PVC. PVMIT. PUE. QT.	PERFORATED PLASTIC LAMINATED PLYWOOD PAINT POWER POLE POUNDS PER SQUARE FOOT PRESSURE TREATED POLY VINYL CHLORIDE PAVEMENT PUBLIC UTILITY EASEMENT QUARRY TILE
DBL. DET. DEPT. D.F. DIA. DIM. DIV. DN DW DWG.	DOUBLE DETAIL DEPARTMENT DOUGLAS FIR DIAMETER DIMENSION DIVISION DOWN DISHWASHER DRAWING	R. RAD. RD. RDWD. REINF. REF. REQ'D RET. REV. RM. RO.	RISER RADIUS ROOF DRAIN REDWOOD REINFORCING REFRIGERATOR REQUIRED RETAINING REVISION ROOM ROUGH OPENING
(E) EA. EJ. ELECT. ELEV. EMER. EN. EOP. EOS. EQ. EQUIP. EXT.	EXISTING EACH EXPANSION JOINT ELECTRIC/ELECTRICAL ELEVATION EMERGENCY EDGE NAIL EDGE OF PAVEMENT EDGE OF SLAB EQUAL EQUIPMENT EXTERIOR	SC. SCHED. SD SDR. SECT. SF SHT. SHLV. SHWR. SIM. SLR. SPECIFICATIONS SQ. S&P SS S.S.D. S.S.T. STD. STL. STOR. STRUCT. SUSP. S.W.	SOLID CORE SCHEDULE SOAP DISPENSER STORM DRAIN SECTION SQUARE FOOT/FEET SHEET SHELVES SHOWER SIMILAR SEALER SPECIFICATIONS SQUARE SHELF & POLE SANITARY SEWER SEE STRUCTURAL DRAWINGS STAINLESS STEEL STANDARD STEEL STORAGE STRUCTURAL SUSPENDED SHEARWALL
GA. GALV. GC. GFI. GI. GLB. GND. GSM. GYP.	GAUGE GALVANIZED GENERAL CONTRACTOR GROUND FAULT INTERRUPTER GALVANIZED IRON GLUED LAMINATED BEAM GROUND GALVANIZED SHEET METAL BD. GYPSUM WALL BOARD	T. TC. TEL. TEMP. T&G TV TYP.	TREAD TRASH COMPACTOR TELEPHONE TEMPERED TONGUE & GROOVED TELEVISION TYPICAL
HB HC HDWR. HORIZ. HP. HT. HTG. HVAC HW.	HOSE BIBB HOLLOW CORE / HANDICAP HARDWARE HORIZONTAL HIGH POINT HEIGHT HEATING HEATING/VENTILATION/AIR CONDITIONING HOT WATER	UON UPN VCT VENT. VERT. VIF. VNR.	UNLESS OTHERWISE NOTED UNIFORM PLUMBING CODE VINYL COMPOSITION TILE VENTILATION VERTICAL VERIFY IN FIELD VENEER
IBC. ID. INCL. INFO. INSUL. INT. INF. IRC.	INTERNATIONAL BUILDING CODE INSIDE DIAMETER INCLUDED INFORMATION INSULATION INTERIOR INFRARED INTERNATIONAL RESIDENTIAL CODE	W/ WC. WD. W. WH. WO WP. YD.	WITH WATER CLOSET WOOD WASHER WATER HEATER WITHOUT WATER PROOF YARD

VICINITY MAP



TEAM

OWNER: PARCEL 1
23 MEL REY LLC
625 S. WEST END STREET
ASPEN CO 81611

CONSULTING:
STTI
STORAGE TANK TECHNOLOGY INC.
970-216-7438
dwaine@sttienviro.com

CONSULTING:
APEX - TRAFFIC ENGINEER
1000 N. 9TH STREET STE. 44
GRAND JUNCTION, CO 81501
970-424-5280

CIVIL ENGINEER:
HIGH COUNTRY ENGINEERING INC.
1517 BLAKE AVE, SUITE 101
GLENWOOD SPRINGS, CO 81601
(970) 945-8676

LAND SURVEYOR:
DIVIDE CREEK SURVEYORS INC
29 CR 335
NEW CASTLE, CO 81647
(970) 876-5632

DRAFTSMAN:
THE PBRWORKSHOP
301 W. HYMAN #6
ASPEN, CO 81611
(970) 274-0481

PROJECT DATA

PARCEL 1

23 Mel Ray Road
Zone District: M/1 Mixed Use
Parcel ID: 218506104005
Legal Descriptions: Section: 6 Township: 6 Range: 89
Subdivision: MEL-RAY SUB. Block: 4 Lot: 6,
Lot Size: 10,586 SQUARE FEET
Building #: 1
Gross Area: 2,120 SQUARE FEET

JURISDICTION

CITY OF GLENWOOD SPRINGS BUILDING DEPARTMENT
101 W. 8th STREET
GLENWOOD SPRING, COLORADO 81601

APPLICABLE CODES: (see amendments)

2015 International Residential Code
2015 International Mechanical Code
2015 International Plumbing Code
2015 International Fuel & Gas Code
2015 International Existing Building Code
2015 International Energy Conservation Code
2015 National Electrical Code

DESIGN CRITERIA:

GROUND SNOW LOAD	50 LB
WIND DESGIN SPEED	90/75MPH
SISMEIC DESIGN CAT	C
WEATHERING	SEVERE
FROST LINE DEPTH	36"
TERMITE	SLIGHT/MOD
DECAY	SLIGHT
WINTER DESIGN TEMP	-2 F
UNDERLAYMENT	YES 10-15-85
FLOOD HAZARD	YES
AIR FREEZING INDEX	2500
MEAN ANNUAL TEMP	48 F

SPECIAL USE PERMIT
AUTOMOTIVE FUEL SALES & SERVICE
STATION ESTALISHMENT



SHEET INDEX

1-COVER
A.0.1
A.0.2

Cover Sheet
Survey
Site Plan

Project Description					
Lot Size Information	Acres	Square Feet	Lot Coverage	Existing (Sq.Ft. & %)	Proposed (Sq.Ft. & %)
	0.243	10,586		3,780 & 36	3,780 & 36
Limits of Disturbance	Existing (Sq.Ft. & %)	Proposed (Sq.Ft. & %)	Average Slope within Limits of Disturbance	Percentage %	
	0	0		0	
Off-Street Parking Spaces	Existing # Vehicle Spaces	Proposed # Vehicle Spaces	Bicycle Parking	Existing # Spaces	Proposed # Spaces
	8	8		0	3
Residential Units	# Existing Units	# Proposed Units	Non-residential Uses	Type of Use(s)	Gross Floor Area (Sq.Ft.)
	0	0		Retail	2,120
Open Space	Existing (Sq.Ft. & %)	Proposed (Sq.Ft. & %)	Total Landscape area	Existing (Sq.Ft. & %)	Proposed (Sq.Ft. & %)
	0	0		160 & 1.5	160 & 1.5
Building Height	Existing	Proposed	Total Impervious area	Existing (Sq.Ft & %)	Proposed (Sq.Ft. & %)
	15'-6"	15'-6"		10426 & 98.5	10426 & 98.5
Snow Storage	Required (Sq.Ft.)	Proposed (Sq.Ft. & %)	Other	# GAS PUMP ISLANDS	# GAS TANKS (UNDERGROUND)
	none	0		3	3

the PBRworkshop

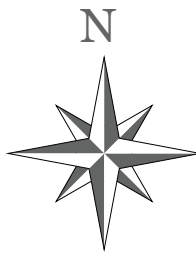
301 W. HYMAN STE. #6
ASPEN CO 81611
970-274-0481 or
amos@pbrworkshop.com

DATE	REVISION NOTES
1/26/21	Draft / Review Plans
7/6/21	City Comment

TITLE #
Cover Sheet

PAGE #
1 - COVER

100'-0" = 5,725'



SCALE:NONE

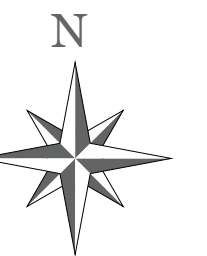
23 Mel Rey Road
GLENWOOD SPRINGS, COLORADO 81601
PARCEL ID 218506104005 & 218506107002

DATE	REVISION NOTES
1/26/21	Draft / Review Plans
7/2/21	City Comment

TITLE #
Survey

PAGE #
A.0.1

100'-0" = 5,725'



SCALE: NONE

23 Mel Rey Road
GLENWOOD SPRINGS, COLORADO 81601
PARCEL ID 218506104005 & 218506107002

IMPROVEMENT LOCATION CERTIFICATE

LEGAL DESCRIPTION:

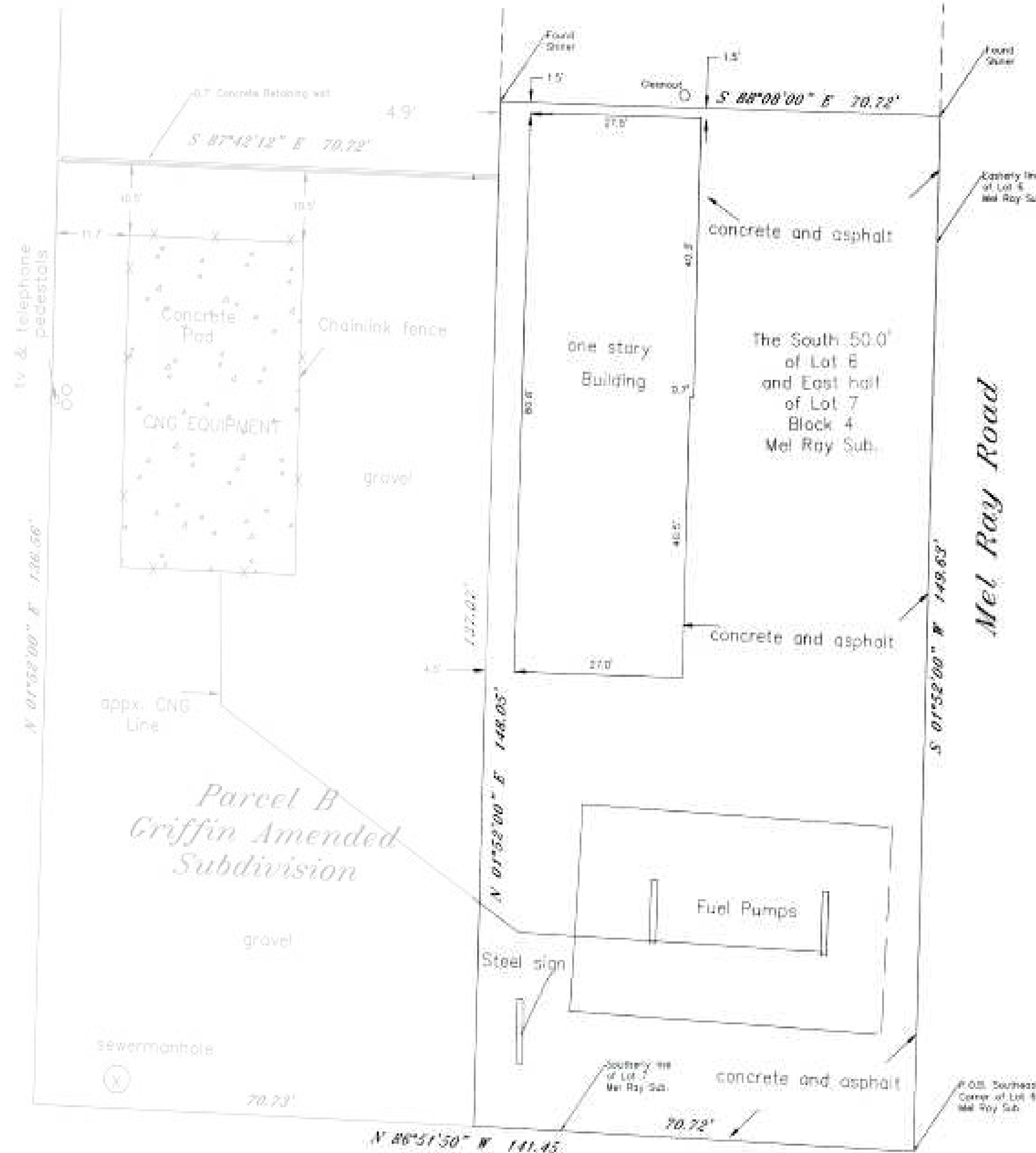
PARCEL 1:

PARCEL B, GRIFFIN AMENDED FINAL PLAT, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1995 AS RECEPTION NO. 363363, COUNTY OF GARFIELD, STATE OF COLORADO.

PARCEL 2:

THE EAST HALF OF THE SOUTH 50 FEET OF LOT 6, AND THE EAST HALF OF LOT 7, BLOCK 4, MEL REY SUBDIVISION, COUNTY OF GARFIELD, STATE OF COLORADO, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH-EAST CORNER OF LOT 7, THENCE N. 88°51'30" W. 70.72 FEET ALONG THE SOUTHERLY LINE OF LOT 2, THENCE N. 01°52'00" E. 148.05 FEET, THENCE S. 87°42'12" E. 70.72 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 6, THENCE S. 01°52'00" W. 149.63 FEET ALONG THE EASTERLY LINE OF SAID LOTS 6 AND 7 TO THE SOUTHEAST CORNER OF SAID LOT 7, THE POINT OF BEGINNING, COUNTY OF GARFIELD, STATE OF COLORADO.



IMPROVEMENT LOCATION CERTIFICATE

I HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR PETER FORMELL AND LAND TITLE GUARANTEE COMPANY, EFFECTIVE DATE: JUNE 13, 2020 ORDER NO. A0563018262.

THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES.

I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL, ON THIS DATE, 6/24/2020, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN. THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJACENT PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EXTENSION OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.


DAVID C. NICHOLSON, L.S. 34585



DIVIDE CREEK SURVEYORS INC.

DAVID C. NICHOLSON
Professional Land Surveyor
L.S. 34585

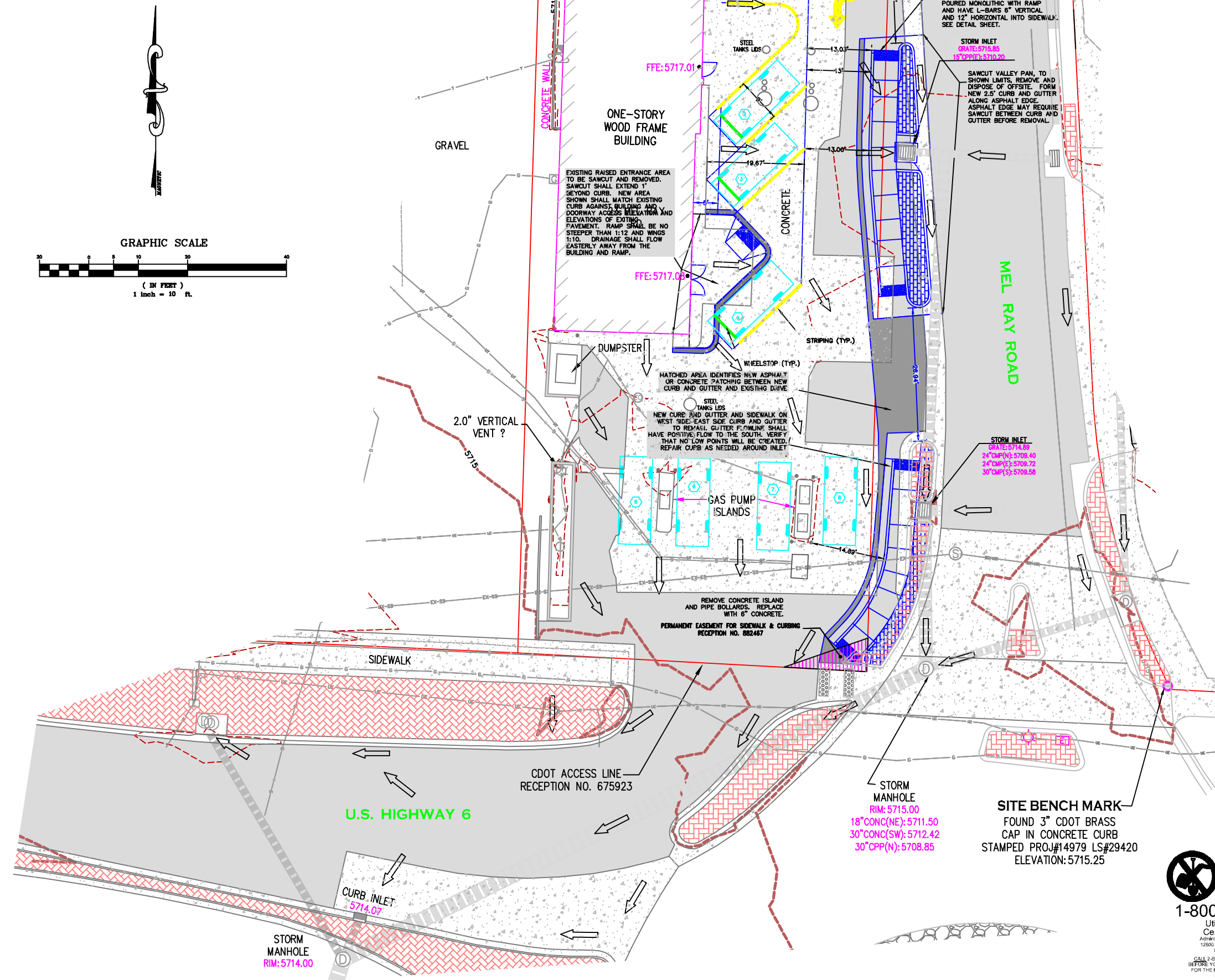
0029 Colorado River Road
New Castle, Colorado
(970) 355-6306

Improvement Location Certificate

511116 & 24 HIGHWAY AND 23 MEL REY ROAD,
GLENWOOD SPRINGS, CO 81601

DATE: 06/24/2020 PROJ: 06/24/2020 DMC ILC

NOTES: - According to Colorado law you must commence my legal action based upon any defect in this survey within three years after the first discovery such defect. No claim may be asserted based upon any defect in this survey or commenced more than ten years from the date of certification being entered.



GENERAL NOTES

1. ALL CONSTRUCTION WITHIN THE STATE HIGHWAY 6 & 24 CORRIDOR SHALL BE PER CDOT STANDARDS SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION. ALL OTHER CONSTRUCTION TO BE PER CURRENT CITY OF GLENWOOD SPRINGS SPECIFICATIONS.
2. MAINTAIN POSITIVE DRAINAGE AWAY FROM STRUCTURES IN ALL DIRECTIONS.
3. EXISTING TOPOGRAPHY ESTABLISHED BY A FIELD SURVEY CONDUCTED BY HCE.
4. SOILS THAT ARE TRACKED OFF THE SITE ARE TO BE CLEANED UP ON A REGULAR BASIS.
5. GEOTECHNICAL RECOMMENDATIONS MAY BE REQUIRED IF SUBGRADE MATERIAL REQUIRES STABILIZATION.
6. LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE. CONTACT THE UTILITY NOTIFICATION CENTER OF COLORADO (UNCC) 48 HOURS PRIOR TO CONSTRUCTION.
7. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO CONSTRUCTION.
8. EXPANSION JOINTS SHALL BE PROVIDED AT MINIMUM EVERY 10' FOR DRIVEWAY SLABS AND EVERY 5' FOR SIDEWALKS.

SIGNING AND PAVEMENT MARKING NOTES

1. SIGNING AND MARKING SHALL BE INSTALLED IN COMPLIANCE WITH THE LATEST EDITION OF THE MUTCD.
2. PAVEMENT MARKING PAINT MATERIALS AND APPLICATION SHALL CONFORM TO SECTION 807 - PAVEMENT MARKING OF CDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION LATEST EDITION. GLASS BEADS ARE NOT REQUIRED.
3. ALL UTILITIES, BOTH UNDERGROUND OR OVERHEAD, SHALL BE MAINTAINED IN CONTINUOUS SERVICE THROUGHOUT THE ENTIRE CONSTRUCTION PERIOD, EXCEPT AS NOTED IN THE SPECIAL CONDITIONS. THE CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR ANY DAMAGES TO, OR INTERRUPTION OF, SERVICES CAUSED BY THE CONSTRUCTION.
4. THE CONTRACTOR SHALL CONTAIN HIS CONSTRUCTION OPERATIONS TO THE AREA WITHIN CONSTRUCTION LIMITS. THE CONTRACTOR SHALL NOT OPERATE OUTSIDE THIS AREA WITHOUT THE PRIOR CONSENT FROM THE PROPERTY OWNER AFFECTED BY CONSTRUCTION.
5. ANY DAMAGE TO PRIVATE PROPERTY BY THE CONTRACTOR OUTSIDE THESE LIMITS WITHOUT THE PERMISSION OF THE PRIVATE PROPERTY OWNER WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
6. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO AVOID POTENTIAL POLLUTION FROM CONSTRUCTION EQUIPMENT AND THE STORAGE OF ON-SITE MATERIALS. WRITTEN PRACTICES FOR THE MITIGATION OF THE ABOVE IS REQUIRED.
7. A TRAFFIC CONTROL PLAN WILL BE REQUIRED FOR CONSTRUCTION OF SIDEWALK AND CURB AND GUTTER WITHIN THE MEL RAY ROAD ROW. PLAN WILL BE SUBMITTED WITH ROW PERMIT APPLICATION.
8. ROW PERMIT SHALL BE OBTAINED FROM THE CITY PRIOR TO CONSTRUCTION WITHIN THE ROW.
9. CONTRACTOR SHALL COMPLY WITH ALL LOCAL, COUNTY AND STATE REGULATIONS PERTAINING TO GRADING, DUST AND EROSION.

23 MEL RAY VENTURES, LLC
GLENWOOD SPRINGS, CO.
23 MEL RAY ROAD



PEDESTRIAN ACCESS REVISIONS

PROJECT NO.
2201040.00

SP-01

C 2

September 15, 2021

Peter Fornell
420 Midland Park Place
Aspen, CO 81611

Re: CDOT Region 3 Level 1 Trip Generation Assessment for
23 Mel Ray Rd, Glenwood Springs, CO

Dear Mr. Fornell,

In response to comments from the City's engineering staff regarding our Trip Generation Assessment for your project, we have updated the document and provide the following clarifications:

1. Trip Generation rates

The description for ITE Trip Generation Land Use Code 944 Gasoline/Service Station describes sites that generally have small buildings with attendants and have facilities for vehicle maintenance supplies and general convenience products. Site may also have repair facilities and/or car washes. Additionally, the LUC is suitable for private fueling facilities for self-fuel service, but are not open for use by the general public. To use the services offered at the facility, a pre-established membership account is required. This would be similar to a Sam's Club or Costco. The ITE LUC 944 description is attached.

Having established that the ITE Trip Generation Manual doesn't include trip data for the proposed land use, APEX Consulting Engineers LLC (APEX) collected local data for similar businesses. Doing so involved consulting with a previous client, Monument Oil, a regional petroleum distributor, that has several customers with card-lock fueling businesses. APEX was advised of four card-lock fueling locations in Grand Junction, Delta, Rifle, and Craig. After evaluating each location, APEX considered the locations in Delta and Craig to be the most similar to the proposed project and collected local data at each location.

These locations had similar proximity to higher volume roads and were each previously convenience stores with fueling positions, which is the same scenario as the proposed project.

Additionally, APEX compared rates derived from local data to ITE rates for various land use codes (including LUC 944) and found all the ITE rates to be orders of magnitudes greater than the local data. Depending on the independent variable, the ITE rates for LUC 944 were 9 to 62 times greater than rates derived from local data.

The local rate prepared by APEX is consistent with the methodologies presented in the ITE trip generation manual and accepted practices in similar reports submitted to CDOT.

2. Collection of Local Data

The Trip Generation Assessment has an incorrect description for the local data collection locations. Counts were performed at the Master Petroleum Company card-lock fueling station in Craig and not the Sparq card-lock station in Rifle. Changes have been made to the assessment to reflect the correct location. Count data sheets are attached.

Respectfully,

APEX CONSULTING ENGINEERS LLC

Eric C. Marquez, P.E.
Managing Member

cc: file,



Land Use: 944

Gasoline/Service Station

Description

This land use includes gasoline/service stations where the primary business is the fueling of motor vehicles. The sites included generally have a small building (less than 2,000 gross square feet) that houses a cashier and limited space for motor vehicle maintenance supplies and general convenience products. A gasoline/service station may also have ancillary facilities for servicing and repairing motor vehicles and may have a car wash. Convenience market with gasoline pumps (Land Use 853), gasoline/service station with convenience market (Land Use 945), and truck stop (Land Use 950) are related uses.

Additional Data

The independent variable—vehicle fueling positions—is defined as the maximum number of vehicles that can be fueled simultaneously.

Gasoline/service stations in this land use include “pay-at-the-pump” and traditional fueling stations.

Time-of-day distribution data for this land use for a weekday, Saturday, and Sunday are presented in Appendix A. For the 16 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 11:45 a.m. and 12:45 p.m. and 5:45 and 6:45 p.m., respectively. For the one center city core site with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 10:30 a.m. and 11:30 p.m. and 5:00 and 6:00 p.m., respectively.

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Florida, Kentucky, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, Ontario (CAN), Oregon, South Dakota, Texas, and Washington.

Specialized Land Use Data

A 2006 study provided data on four private fuel facilities in Florida (source 721). These facilities provide self-fuel service, but are not open for use by the general public. To use the services offered at the facility, a pre-established membership account is required. The trip generation characteristics of this site differed from sites included in this land use; therefore, trip generation information for this site is presented here and was excluded from the data plots. The sites had an average of nine vehicle fueling positions. An average of 12 vehicle trips were counted during the weekday, AM peak hour of adjacent traffic and seven were counted during the weekday, PM peak hour of adjacent street traffic.

Source Numbers

221, 274, 278, 288, 340, 350, 351, 355, 359, 366, 440, 583, 617, 618, 631, 721, 867, 882, 883, 888, 954, 977

Name: Craig Self Service Gas
 Date: 8/24/2021
 Location: Craig CO
 Period: Weekday PM

10 operating
 handles / 12 total

Intersection Turning Movements - Field Data

545 195 78041

20

24

24

29

Time	IN to site	Out of site
4:00 - 4:15	 (6)	 (5)
4:15 - 4:30	 (4)	 (4)
4:30 - 4:45	 (2)	 (2)
4:45 - 5:00	 (3)	 (4)

11

8

4

7

Notes

Intersection Turning Movements - Field Data

31

5

8

9

9

Name: Craig Self Service Gas
 Date: 8/25/2021
 Location: Craig CO
 Period: Weekday AM

Intersection Turning Movements - Field Data

	Time	IN to site	Out of site	
27	7:00 - 7:15	 (5)	 (4)	9
22	7:15 - 7:30	 (4)	 (5)	9
19	7:30 - 7:45	 (3)	1 (1)	4
23	7:45 - 8:00	 (3)	 (2)	5

Notes

Intersection Turning Movements - Field Data

Notes

September 15th, 2021

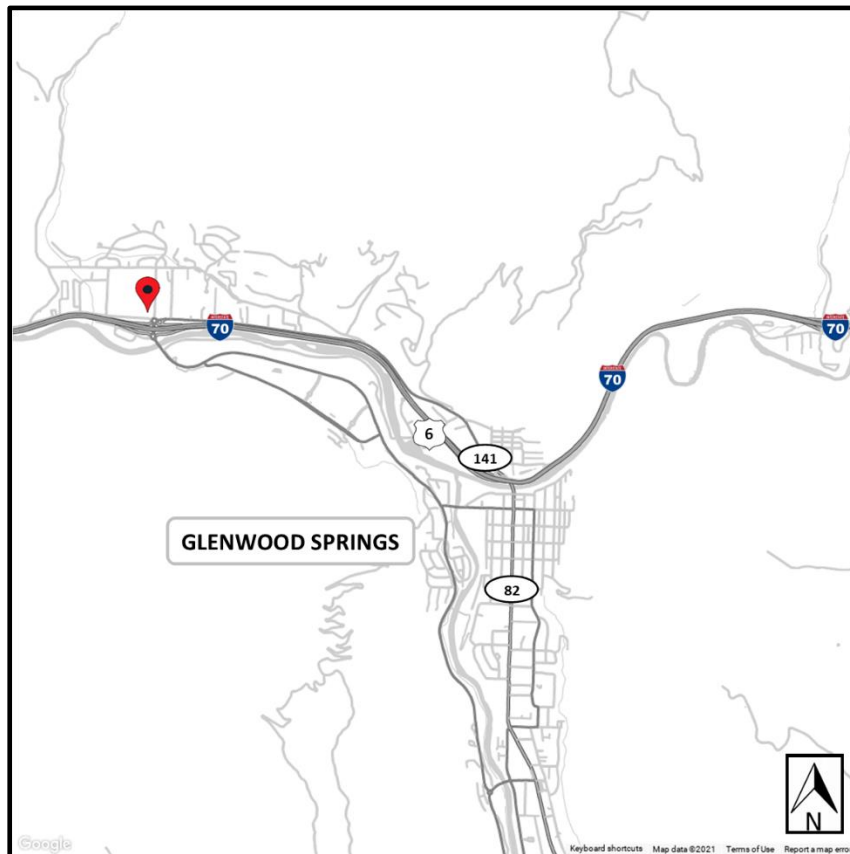
Peter Fornell
420 Midland Park Place
Aspen, CO 81611

Re: CDOT Region 3 Level 1 Trip Generation Assessment for
23 Mel Ray Rd, Glenwood Springs, CO

Dear Mr. Fornell,

This letter presents the results of the Level 1 Trip Generation Assessment prepared by APEX Consulting Engineers LLC (APEX) for the proposed addition of fuel sales at 23 Mel Ray Road in Glenwood Springs, CO (Project). The Project location is shown in Figures 1 and 2. The following sections describe the Project, Project traffic volumes and Total traffic as a result of other land uses at the property.

Figure 1 – General Project Location

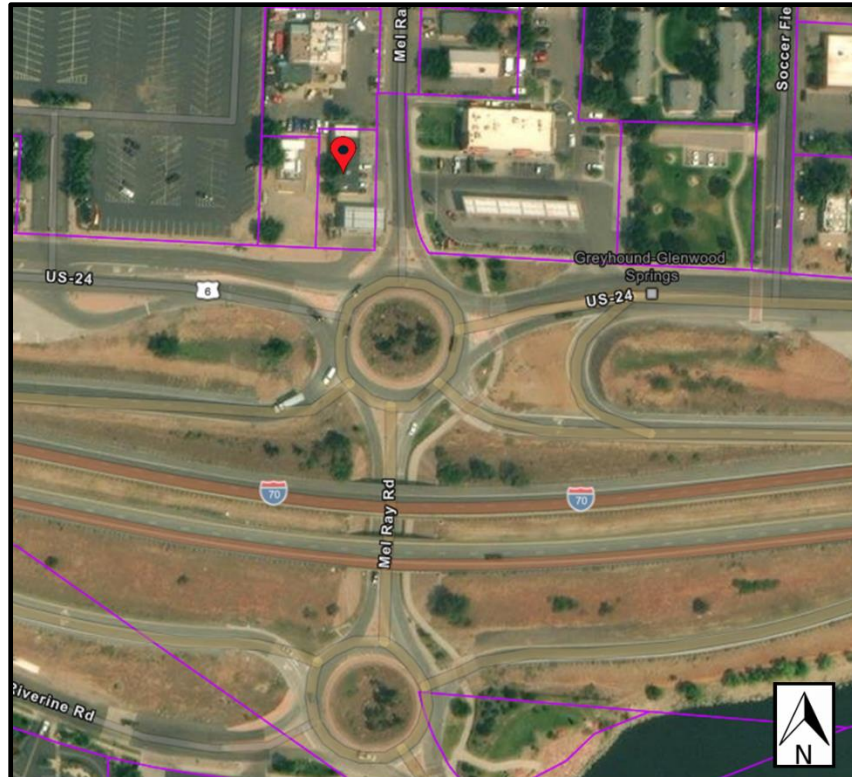


Project Location, Description and Access

The Project site currently operates a 1,055 sf marijuana dispensary and includes a 1,050 sf vacant unit, previously occupied by a liquor store. The dispensary was previously occupied by a convenience store with fuel sales. The project will reintroduce fuel sales with unattended, pay at the pump only options, which is commonly referred to as cardlock fuel sales.

Though there are 6 fueling positions available, only 4 positions can reasonably be used simultaneously. There are no plans to add a convenience store to the site. As shown in Figure 2, access to the site is from SH 6 & 24 and Mel Ray Road.

Figure 2 – Project Location



Project Trip Generation

The ITE Trip Generation Manual does not include a land use code and trip data for cardlock fuel sales. Trip Generation was developed by conducting traffic counts at the following existing cardlock fueling locations:

- 1160 Main Street in Delta, CO and
- 923 E Victory Way in Craig, CO.

Table 1 – Peak Hour Trip Generation Rate Calculation

Location	Period	Entry	Exit	Total Peak Hour	Fueling Positions	Trips/Position
Delta	AM Peak	6	5	11	4	2.75
	PM Peak	5	6	11		2.75
Craig	AM Peak	15	12	27	10	2.7
	PM Peak	16	15	31		3.1

Note that the fueling positions represent the total number of vehicles that can simultaneously use the pumps at each site. The trip generation calculations will use the conservative rate of 3.0 trips/fueling position or AM and PM periods. Table 2 shows the AM and PM Peak Hour trips for the cardlock fueling positions. The distribution of entry to exits is assumed to be 50/50.

Table 2 – Project Peak Hour Calculation Summary

	Period	AM Peak Hour	PM Peak Hour
Using Calculated Rate of 3.0 Trips/Position with 4 fueling positions	Entry	6	6
	Exit	6	6
	TOTAL	12	12

Existing traffic

The existing traffic at the project location is generated by the existing dispensary. The Trip Generation Traffic Assessment for the dispensary, also prepared by APEX, dated 08-20-2020, showed the following trip generation:

Table 3 – Existing Dispensary Peak Hour Calculation Summary

	Period	AM Peak Hour	PM Peak Hour
Dispensary Trip Generation	Entry	-	15
	Exit	-	16
	TOTAL	-	31

Estimated Trip Generation for Vacant Unit

The vacant unit was previously occupied by a liquor store. ITE Trip Generation rates show liquor stores (ITE LUC 899) having higher traffic volumes than most other retail sales. Therefore, to provide a conservative estimate, this analysis will assume the vacant unit would be occupied by a business with similar traffic volumes as shown in Table 4.

Table 4 – Vacant Unit Peak Hour Calculation Summary with LUC 899 rates

	Period	AM Peak Hour	PM Peak Hour
1,050 sf Liquor Store (ITE LUC 899)	Entry	-	18
	Exit	-	19
	TOTAL	-	37

Total Site Trip Generation

The combined uses of the site are shown below in Table 5.

Table 5 –Total Site Trips

	Period	AM Peak Hour	PM Peak Hour
Using Calculated Rate of 3.0 Trips/Position with 4 fueling positions	Entry	6	6
	Exit	6	6
Dispensary Trip Generation	Entry	-	15
	Exit	-	16
1,050 sf Liquor Store (ITE LUC 899)	Entry	-	18
	Exit	-	19
	TOTAL	12	80

Conclusion

The reintroduction of fuel sales on site will increase both the AM & PM Peak Hour trips by a total of 12. Future use of the remaining lease space of the building will produce equal to or less traffic estimated by LUC 899, Liquor Store. Overall, the site should expect AM Peak Trips of 12 and PM Peak Trips of 80.

Respectfully,
APEX CONSULTING ENGINEERS, LLC



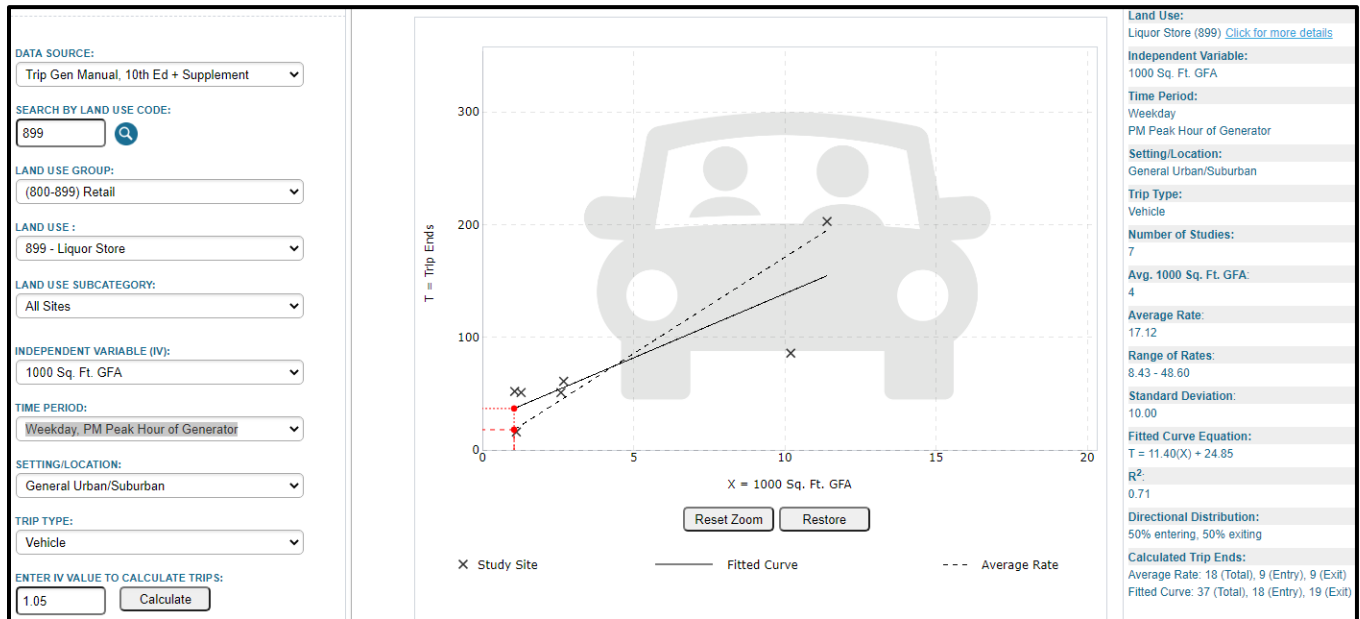
Eric C. Marquez, P.E.
Managing Member



cc: file

Exhibit A

LUC 899 - PM Peak Hour



ABBREVIATIONS

@ & ABV. hpAC ACT. ACoust. ADDNL. ADJ. AFF. AGG. ALUM. ALT. ARCH. AVG.	AT AND ABOVE AIR CONDITIONING ABOVE COUNTERTOP ACOUSTICAL ADDITIONAL ADJACENT ABOVE FINISH FLOOR AGGREGATE ALUMINUM ALTERNATE ARCHITECTURAL AVERAGE	LAM. LB. LF. LVL.	LAMINATE POUND LINEAL FOOT LAMINATED VENEER LUMBER
BD. BF. BIC. BLDG. BLK. BLK'G. BLW BTM. BTWN. BVL. BW.	BOARD BOTH FACES BUILT-IN CABINET BUILDING BLOCK BLOCKING BELOW BOTTOM BETWEEN BEVELED BOTH WAYS	MAX. MECH. MFR. MH. MIN. MIR. MISC. MW. MOD. MTL.	MAXIMUM MECHANICAL MANUFACTURER MAN HOLE MINIMUM MIRROR MISCELLANEOUS MICROWAVE MODULE METAL
CAB. CF CLG. CJ. CLR. CMU CNTR. C.O. COL. COMP. CONC. CONV. CONT. CONTR. CT.	CABINET CUBIC FEET CEILING CONTROL JOINT CLEAR CONCRETE MASONRY UNIT COUNTER CLEAN OUT COLUMN COMPOSITION CONCRETE CONNECTION CONTINUOUS CONTRACTOR CERAMIC TILE	(N) NEC NIC. N/A NTS.	NEW NATIONAL ELECTRIC CODE NOT IN CONTRACT NOT APPLICABLE NOT TO SCALE
DBL. DET. DEPT. D.F. DIA. DIM. DIV. DN DW DWG.	DOUBLE DETAIL DEPARTMENT DOUGLAS FIR DIAMETER DIMENSION DIVISION DOWN DISHWASHER DRAWING	O/ O.C. O.D. OFD. OH. OPP.	OVER ON CENTER OUTSIDE DIAMETER OVERFLOW DRAIN OVERHEAD OPPOSITE
(E) EA. EJ. ELECT. ELEV. EMER. EN. EOP. EOS. EQ. EQUIP. EXT.	EXISTING EACH EXPANSION JOINT ELECTRIC/ELECTICAL ELEVATION EMERGENCY EDGE NAIL EDGE OF PAVEMENT EDGE OF SLAB EQUAL EQUIPMENT EXTERIOR	PERF. PLAM. PLYWD PNT. PP. PSF PT. PVC. PVMIT. PUE.	PERFORATED PLASTIC LAMINATED PLYWOOD PAINT POWER POLE POUNDS PER SQUARE FOOT PRESSURE TREATED POLY VINYL CHLORIDE PAVEMENT PUBLIC UTILITY EASEMENT
FA. FACP FAU FFE. FG. FH. FIN. FLR.	FIRE ALARM FIRE ALARM CONTROL PANEL FORCED AIR UNIT FINISHED FLOOR ELEVATION FIXED GLASS FIRE HYDRANT FINISH FLOOR	QT.	QUARRY TILE
GA. GALV. GC. GFI. GI. GLB. GND. GSM. GYP.	GAUGE GALVANIZED GENERAL CONTRACTOR GROUND FAULT INTERRUPTER GALVANIZED IRON GLUED LAMINATED BEAM GROUND GALVANIZED SHEET METAL BD. GYPSUM WALL BOARD	R. RAD. RD. RDWD. REINF. REF. REQ'D RET. REV. RM. RO.	RISER RADIUS ROOF DRAIN REDWOOD REINFORCING REFRIGERATOR REQUIRED RETAINING REVISION ROOM ROUGH OPENING
HB HC HDWR. HORIZ. HP. HT. HTG. HVAC HW.	HOSE BIBB HOLLOW CORE / HANDICAP HARDWARE HORIZONTAL HIGH POINT HEIGHT HEATING HEATING/VENTILATION/AIR CONDITIONING HOT WATER	SC. SCHED. SD SDR. SECT. SF SHT. SHLVs. SHWR. SIM. SLR. SPECs. SQ. S&P SS S.S.D. S.S.T. STD. STL. STOR. STRUCT. SUSP. S.W.	SOLID CORE SCHEDULE SOAP DISPENSER STORM DRAIN SECTION SQUARE FOOT/FEET SHEET SHELVES SHOWER SIMILAR SEALER SPECIFICATIONS SQUARE SHELF & POLE SANITARY SEWER SEE STRUCTURAL DRAWINGS STAINLESS STEEL STANDARD STEEL STORAGE STRUCTURAL SUSPENDED SHEARWALL
IBC. ID. INCL. INFO. INSUL. INT. INF. IRC.	INTERNATIONAL BUILDING CODE INSIDE DIAMETER INCLUDED INFORMATION INSULATION INTERIOR INFRARED INTERNATIONAL RESIDENTIAL CODE	T. TC. TEL. TEMP. T&G TV TYP.	TREAD TRASH COMPACTOR TELEPHONE TEMPERED TONGUE & GROOVED TELEVISION TYPICAL
		UON UPN	UNLESS OTHERWISE NOTED UNIFORM PLUMBING CODE
		VCT VENT. VERT. VIF. VNR.	VINYL COMPOSITION TILE VENTILATION VERTICAL VERIFY IN FIELD VENEER
		W/ WC. WD. W. WH. WO WP.	WITH WATER CLOSET WOOD WASHER WATER HEATER WITHOUT WATER PROOF
		YD.	YARD

VICINITY MAP



TEAM

OWNER: PARCEL 1
FATTOR FAMILY LIMITED PARTNERSHIP
P.O. BOX 848
GLENWOOD SPGS CO 81602

OWNER: PARCEL 2
M&C FATTOR LLC
PO BOX 447
GLENWOOD SPRINGS CO 8160

APPLICANT:
MARTINS NATURAL MEDICINALS
216 6TH STREET, UNIT A
GLENWOOD SPRINGS, CO. 81601
(970) 945-2040

CONTRACTOR:
FRR CONSTRUCTION
PO BOX 3789
ASPEN, COLORADO 81612
(970) 710-7098

LAND SURVEYOR:
ASPEN SURVEY ENGINEERS
210 SOUTH GALENA STREET
ASPEN, CO 81611
(970) 925-3816

STRUCTURAL ENGINEER:
STUDIO M ENGINEERS
250 TRIPP DRIVE
RIFLE, COLORADO 81650
(970) 366-8690

CONSULTING:
PETER FORNELL
625 SOUTH WEST END #4
ASPEN CO 81611
(970) 379-3434

DRAFTSMAN:
THE PBRWORKSHOP
301 W. HYMAN #6
ASPEN, CO 81611
(970) 274-0481

PROJECT DATA

PARCEL 1

23 Mel Ray Road
Zone District: C/1 Limited Commercial District
Parcel ID: 218506104005
Legal Descriptions: Section: 6 Township: 6 Range: 89
Subdivision: MEL-RAY SUB. Block: 4 Lot: 6,
Subdivision: MEL-RAY SUB. Lot: 7 S 50' OF E 71.72' OF E 71.72' OF
Lot Size:10,586 SQUARE FEET
Building #: 1
Gross Area: 2,120 SQUARE FEET

PARCEL 2

51111 6 & 24 HWY
Zone District: C/1 Limited Commercial District
Parcel ID: 218506107002
Legal Descriptions: Section: 6 Township: 6 Range: 89
Subdivision: GRIFFIN AMENDED FINAL PLAT PARCEL B,
RE-SUB OF MEL-RAY SUB BLK 4 LOTS 5-7
Lot Size:9,670 SQUARE FEET
Building #: Vacant
Gross Area: 0 SQUARE FEET

JURISDICTION

CITY OF GLENWOOD SPRINGS BUILDING DEPARTMENT
101 W. 8th STREET
GLENWOOD SPRING, COLORADO 81601

APPLICABLE CODES: (see amendments)

2015 International Residential Code
2015 International Mechanical Code
2015 International Plumbing Code
2015 International Fuel & Gas Code
2015 International Existing Building Code
2015 International Energy Conservation Code
2015 National Electrical Code

DESIGN CRITERIA:

GROUND SNOW LOAD	50 LB
WIND DESGIN SPEED	90/75MPH
SISMEIC DESIGN CAT	C
WEATHERING	SEVERE
FROST LINE DEPTH	36"
TERMITE	SLIGHT/MOD
DECAY	SLIGHT
WINTER DESIGN TEMP	-2 F
UNDERLAYMENT	YES 10-15-85
FLOOD HAZARD	YES
AIR FREEZING INDEX	2500
MEAN ANNUAL TEMP	48 F

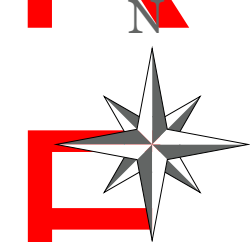
SHEET INDEX

1-COVER	Cover Sheet and Index
A.1.0	Conceptual Site Plan
A.1.1	Conceptual Floor Plan
A.1.2	Preliminary Landscape Plan

Special Use
Permit to
Operate a
Retail
Marijuana
Establishment

the PBRworkshop	
301 W. HYMAN STE. #6 ASPEN CO 81611 970-274-0481 or amos@pbrworkshop.com	
DATE 7.7.20	REVISION NOTES Application Set
TITLE # Cover Sheet	
PAGE # 1 - COVER	

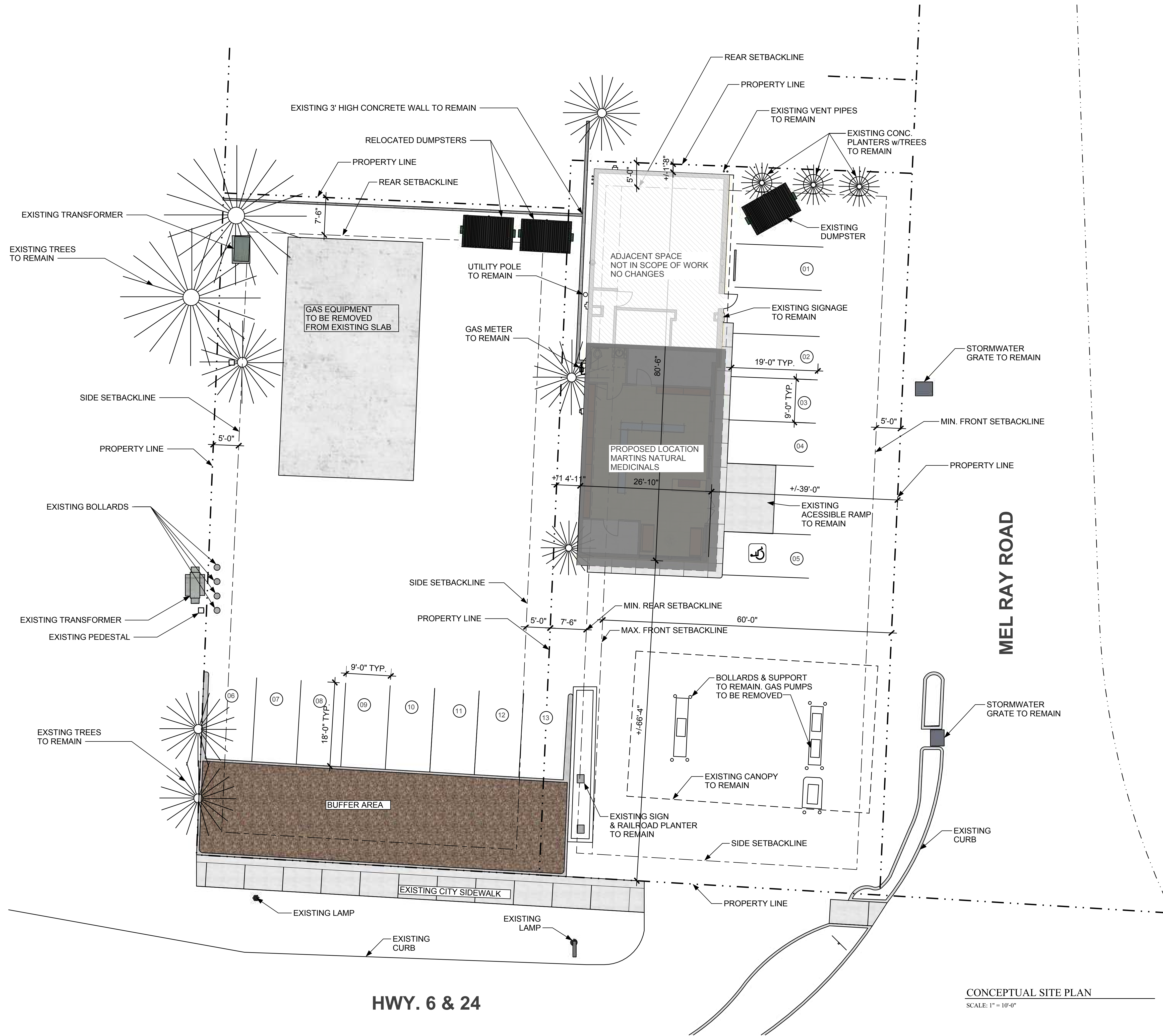
100' 0" = 5,750'



SCALE:
NONE

Martin's Natural Medicinals
23 Mel Ray Road
GLENWOOD SPRINGS, COLORADO 81601
PARCEL ID 218506104005 & 218506107002





the PBRworkshop	
301 W. HYMAN STE. #6 ASPEN CO 81611 970-274-0481 or amos@pbrworkshop.com	
DATE 7.7.20	REVISION NOTES Application Set
TITLE # Site Plan	
PAGE # A.1.0	

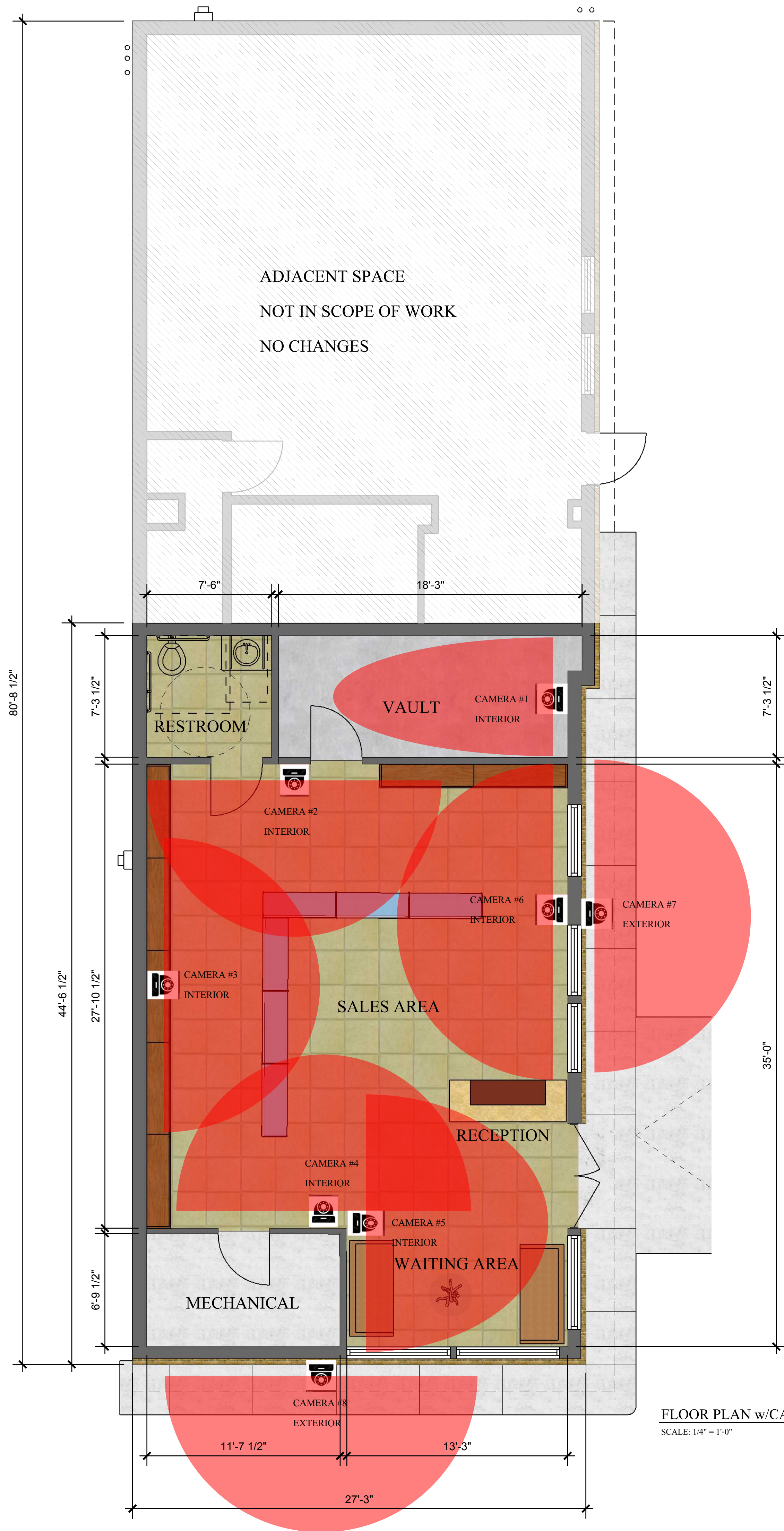
100'-0" = 5,750'

REVIEW

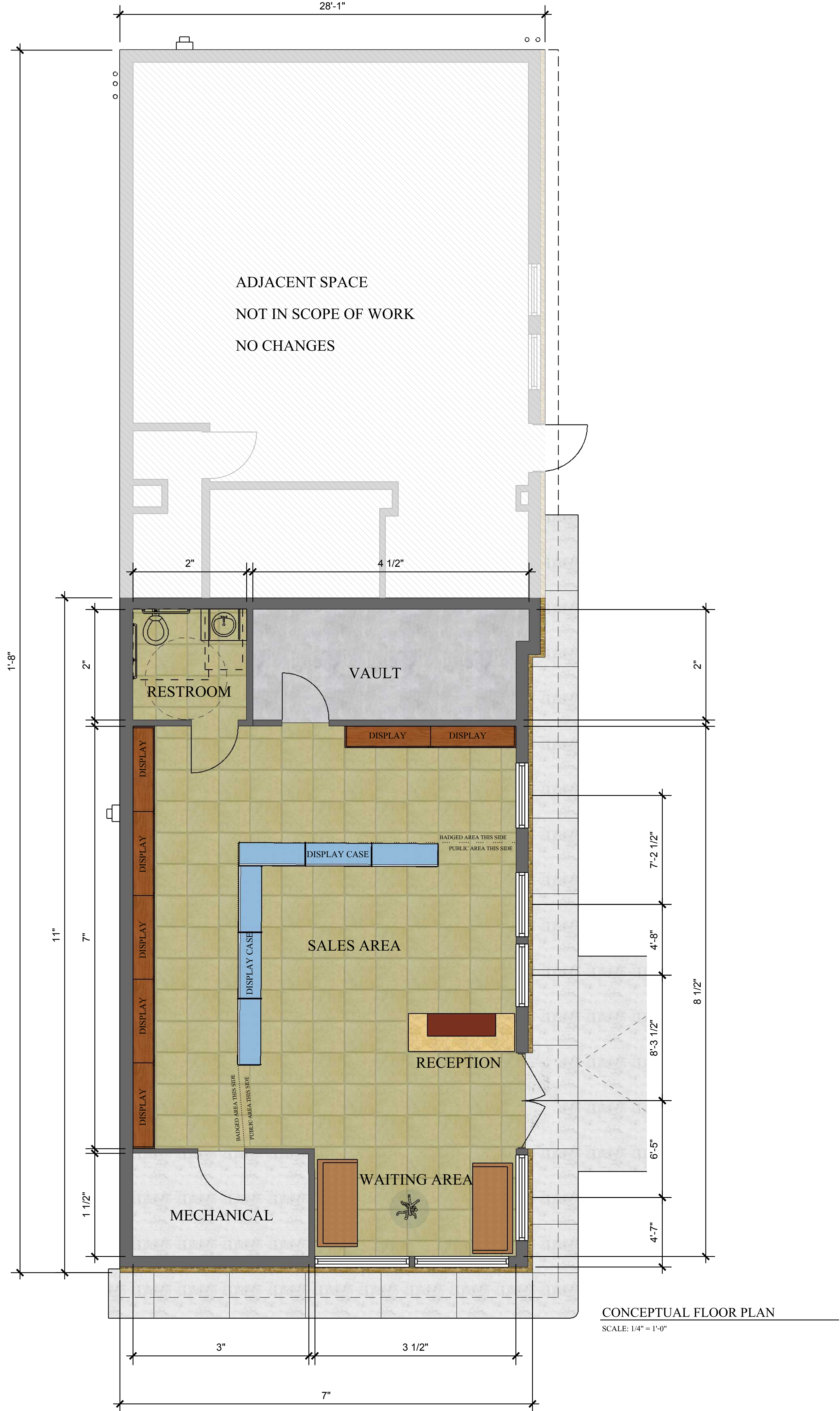
SCALE:
1" = 10'

Martin's Natural Medicinals
23 Mel Ray Road
GLENWOOD SPRINGS, COLORADO 81601
PARCEL ID 218506104005 & 218506107002

CONCEPTUAL SITE PLAN
SCALE: 1" = 10'-0"



FLOOR PLAN w/CAMERA LOCATIONS
SCALE: 1/4" = 1'-0"



CONCEPTUAL FLOOR PLAN
SCALE: 1/4" = 1'-0"

the PBRworkshop	
301 W. HYMAN STE. #6 ASPEN CO 81611 970-274-0481 or amos@pbrworkshop.com	
DATE	REVISION NOTES
7.7.20	Application Set
TITLE #	Floor Plan
PAGE #	A.1.1

100'-0" = 5,750'



SCALE:

REVIEW

Martin's Natural Medicinals
23 Mel Ray Road
GLENWOOD SPRINGS, COLORADO 81601
PARCEL ID 218506104005 & 218506107002



the PBRworkshop	
301 W. HYMAN STE. #6 ASPEN CO 81611 970-274-0481 or amos@pbrworkshop.com	
DATE	REVISION NOTES
7.7.20	Application Set
TITLE #	Landscape Plan
PAGE #	A.1.2

100'-0" = 5,750'

REVIEW

SCALE:
NONE

Martin's Natural Medicinals

23 Mel Ray Road

GLENWOOD SPRINGS, COLORADO 81601

PARCEL ID 218506104005 & 218506107002

CONCEPTUAL LANDSCAPE PLAN
SCALE: 1" = 10'-0"



Special Use Permit to Operate a Retail Marijuana Establishment

Location: 23 Mel Ray Road & HWY 6 and 24

Submitted to the City of Glenwood Springs:

Parcel Number: 218506104005 & 218506107002

July 9th 2020

1. Introduction

M & C Fattor and Fattor Family Limited Partnership are submitting an application on behalf of Martin's Natural Medicinals to allow for a Special Use Permit to operate a Retail Marijuana Establishment.

The location of the proposed use is 23 Mel Ray Road / Parcel No. 218506104008. The property is zoned C/1 Limited Commercial District and retail marijuana establishments are listed as a special review use in this district. The existing property is developed with a retail building containing a liquor store and a convenience store with gas pumps. The convenience store will be converted to the retail marijuana establishment.

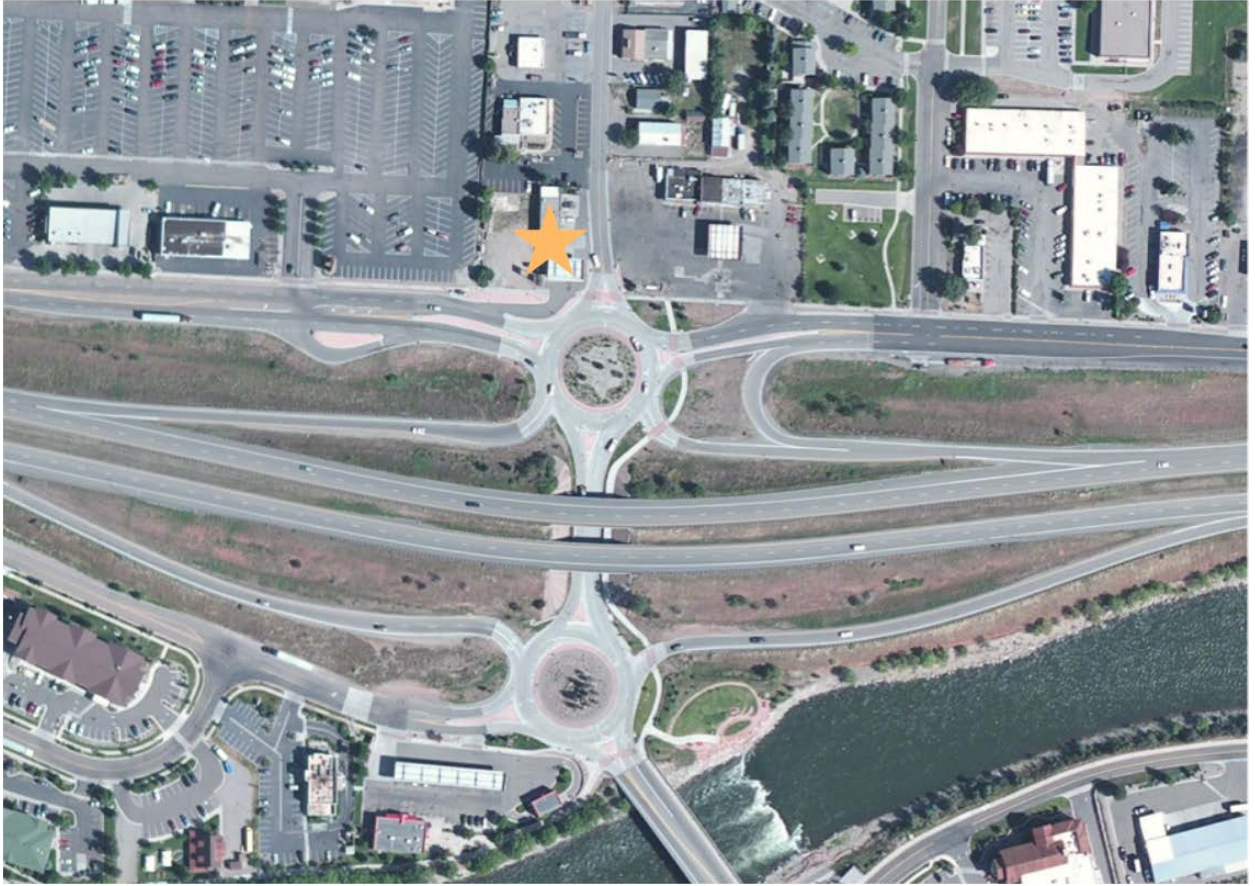
The location is well away from the City's downtown area and from any other marijuana establishment meeting the city's goal of limiting the proliferation of such uses in the core area of the Town or creating a high concentration of the use. The proposed location will blend in with the heavy commercial nature of the area.

2. Martin's Natural Medicinals

Martin's Natural Medicinal is a recreational marijuana retail store located in heart of Glenwood Springs, CO. Having a history with the community for the past 10 years. With being licensed for recreational use. Currently the store is located at 216 6th St, Unit A, Glenwood Springs, CO 81601, and is a 600 sq. ft facility. The current location of the retail store has been sold and Martin's Natural Medicinals is required to vacate in September 2020.

3. Martin's New Location

The proposed retail marijuana establishment is proposed at 23 Mel Ray Road / Parcel No. 218506104008 which is the existing Shell gas station at the northwest corner of the exit 114 north roundabout.



Existing Shell Food Mart and Liquor Store

The proposal would convert the existing convenience store to the retail marijuana establishment. The liquor store remains as a completely separate business, with no interior access between the units. Improvements to the property will include painting and façade improvements to the structure and rebranding of the signage. Additionally, the parking will be properly delineated.

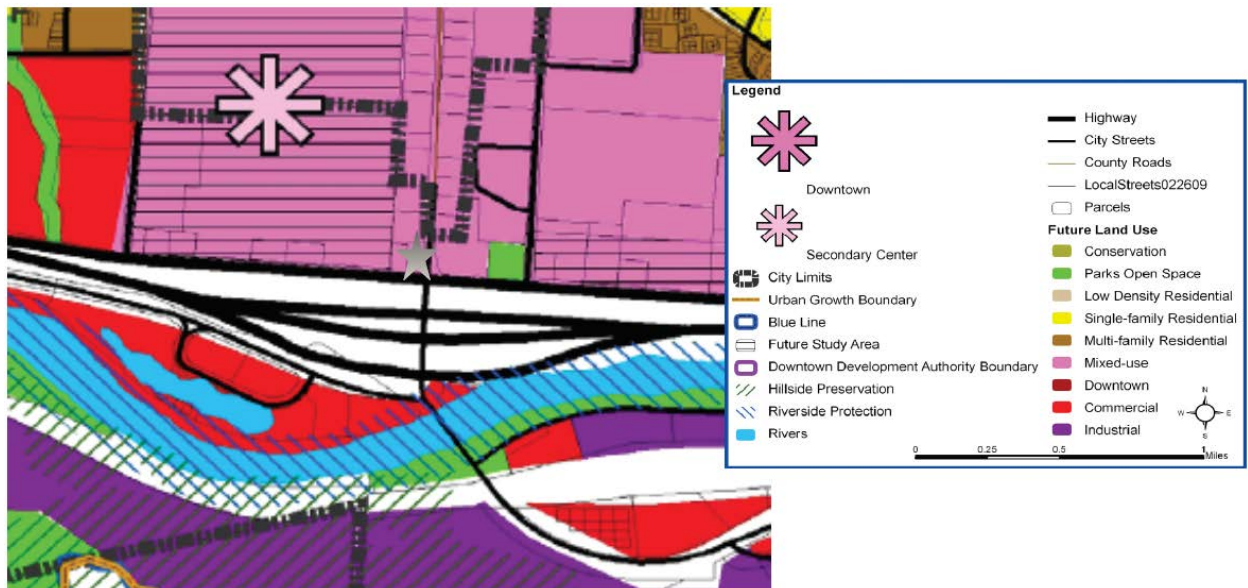
A site plan and floor plan of the proposal is provided below:



4. Comprehensive Plan Analysis

The Glenwood Springs Comprehensive Plan was adopted in 2011 and provides guidance to the community in making land use decisions. It outlines the community's values and vision for the future. This section provides an analysis of the Glenwood Springs Comprehensive Plan to show how the proposal is consistent with the plan.

The Future Land Use Map identifies the subject property as "Mixed-Use" and the entire area as a "Secondary Center" as indicated on the map below:



The Mixed-Use designation is defined as:

The Mixed-use land use designation allows for a variety of uses including commercial, retail, office, restaurant, entertainment, and multi-family housing co-existing through design either in a horizontal or vertical fashion.

The proposed Martin's Natural Medicinals is consistent with the mixed-use designation. The location is not ideal for residential uses with its proximity to the roundabout and I-70 corridor but provides an appropriate retail use for

this location. The Glenwood Springs Comprehensive Plan also provides the values and vision for community character and form. It provides the following visions statements:

Direct Development to Locations and Forms that are Cost-effective to Serve

The cost of infrastructure (streets, utilities) and services (bus, fire, police) impact residents and businesses in two ways— adding to the cost of development and adding to the cost of maintenance. Whenever possible, it is important to direct development to areas where infrastructure and services already exist or can be provided efficiently. The goal is an urban form that keeps development costs as low as possible and allows efficient service delivery—all the while maintaining other community values.

Promote Sustainable Economic Diversity and Maintain Glenwood’s Role as a Regional Center

To minimize the historic boom and bust economic cycles of western Colorado, efforts must be undertaken to continue to diversify the local economy. The City should build on existing assets. Therefore, community strengths and assets should be considered while determining the appropriate mix and type of businesses and industries that would be attracted to Glenwood Springs. Quality of life, quality infrastructure and an educated and qualified workforce are keys to attracting quality businesses and employment opportunities.

The Comprehensive Plan recommends that the City should maintain a compact urban form by growing inward, noting that growth is limited by topographic constraints. It notes that secondary commercial centers such as the Glenwood Springs Mall area as a primary opportunity for growth. Because the proposed Martin’s Natural Medicinals is an infill project, locating within an area already served by infrastructure, it allows for efficient service delivery and keeps development impacts or costs to the community low.

The Comprehensive Plan also provides strategies and actions to promote economic development, looking to attract diverse businesses and industries and to maintain the city’s role as a regional goods and service center. Martin’s Natural Medicinals has been a successful business model at its other existing location. The policy decision as to whether marijuana facilities should be

permitted has already been decided by the Town. The Special Use Permit process ensures that the location is appropriate based on specific criteria which this proposal is consistent with. The proposal complies with the Comprehensive Plan and furthers many of the values and visions of the community.

5. Special Use Permit Criteria for Review – General

The criteria for review of a Special Use Permit for a retail marijuana establishment are provided in Section 070.040.040 of the Glenwood Springs Code. Below is an analysis of the proposal's compliance with each criteria:

- a. Conditions. A special use permit may be granted for a special review use as provided in Subsections 070.040.030(a) through (j3), inclusive, or for an architectural feature exceeding building height limitations, as provided in Subsection 070.040.030(o), or for a building height over forty (40) feet in the C/2 Zone District, as provided in Subsection 070.040.030(h), provided that the Planning Commission finds that the proposal meets the following criteria:
 - i. All special use permits: The proposal is consistent with City goals and policies and plans and will be compatible with existing and allowed uses surrounding or affected by the proposed use. Analysis of compliance with this criterion may include, but is not limited to, the following factors:
 - 1. The applicant has demonstrated safe pedestrian access to and across the site.

Applicant Analysis: The site is an already developed site with pedestrian access established and no changes are proposed. The site, which is adjacent to the exit 114 north roundabout, is accessed via a sidewalk connection and crosswalk across Mel Rey Road. There is a near-by transit stop that provides safe access for pedestrians and transit users. Generally, the use of the site as a gas station is more automobile oriented. However, the pedestrian access to and across the site is well established and provides for safe usage by pedestrians.

- b. The applicant has demonstrated safe and adequate vehicular circulation, parking and access for the proposed use.
 - i. (SEE ATTACHED APPLICATION PLANS)



Adjacent sidewalk and transit stop in close proximity to site

Applicant Analysis: The property takes its vehicular access via Mel Rey Road, while its egress is via either Mel Rey Road or a protected right-only onto U.S. Highway 24. This vehicular circulation and access is safe and efficient for the site. There are currently 6 parking spaces for the uses on the site, which meets the parking requirements, along with parking available at the fueling stations which provides another 6 parking spaces. Based on the Zoning Requirements for the uses on the site, the parking requirement is as indicated on the following table:

- c. The proposed use is compatible with the character of the neighborhood.

Applicant Analysis: The following map indicates the uses of the surrounding neighborhood:



The character of the neighborhood is generally automotive oriented, and includes a mix of commercial uses, semi-industrial uses, and institutional uses, including the following:

- Gas stations
- Alternative fueling
- Restaurant
- Bar

- Automobile service and detailing
- Automotive parts and tire retail
- Metal fabrication
- Car and truck rental
- Fire station

Highway 24, the roundabouts, and I-70 are dominant features of the neighborhood and create a substantial separation to the river. There are restaurants in proximity. Parking for the mall is near-by. The near-by residential and educational uses are beyond the guidelines required for such use, and accessed from Soccer Field Road, creating substantial separation between uses. As a result, the proposal is compatible with the character of the neighborhood as a retail use along a major vehicular street.

- d. The proposal mitigates any potential negative impacts to surrounding properties. Mitigation techniques will be specific to the proposed use and the character of the surrounding properties, but may include techniques such as restrictions on hours of operation; screening with walls, fencing and/or landscaping; sound reduction techniques; modifications to light levels and fixtures; and compatible architecture.

Applicant Analysis: There are restrictions on the hours of operation. The hours of operation for the retail marijuana establishment shall be 9:00 a.m. to 6:00 p.m. Monday through Sunday. Surrounding properties, as noted in the analysis above, are generally similar uses, including fueling stations, automotive service stations, and other commercial uses. The proposal will not have any more negative impacts than the existing use of the property as a retail facility. Additionally, the air handling system for the establishment contains carbon filtration preventing odors associated with marijuana from impacting neighbors.

6. Special Use Permit Criteria for Review - Retail Marijuana

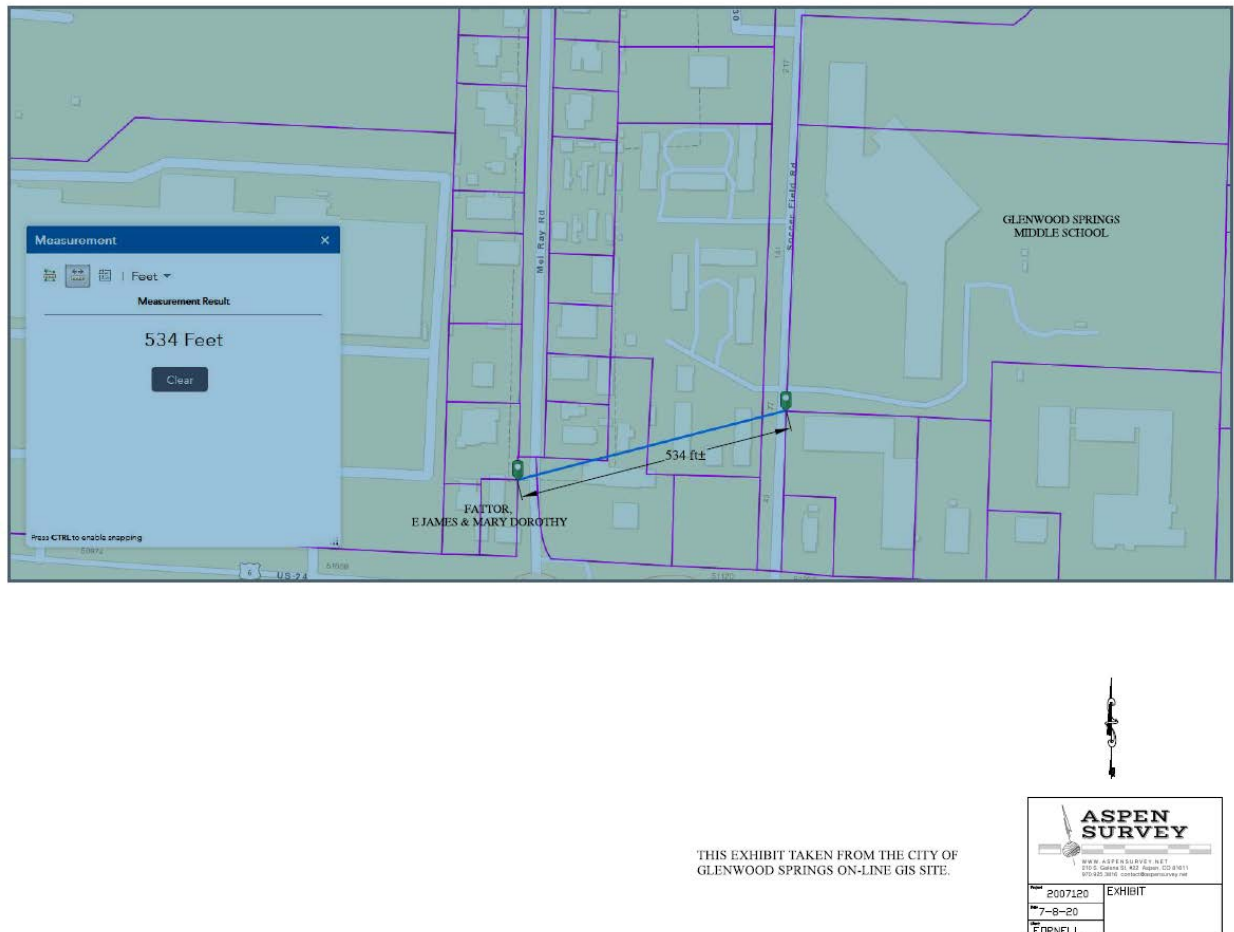
Special use permit for medical marijuana business or retail marijuana establishment, excluding cultivation.

- a. The proposed use shall comply with section 070.040.040.a.1. All special use permits. In determining compatibility with neighboring land uses, special consideration shall be given to the proximity of residences, parks, and public or institutional facilities or land uses.

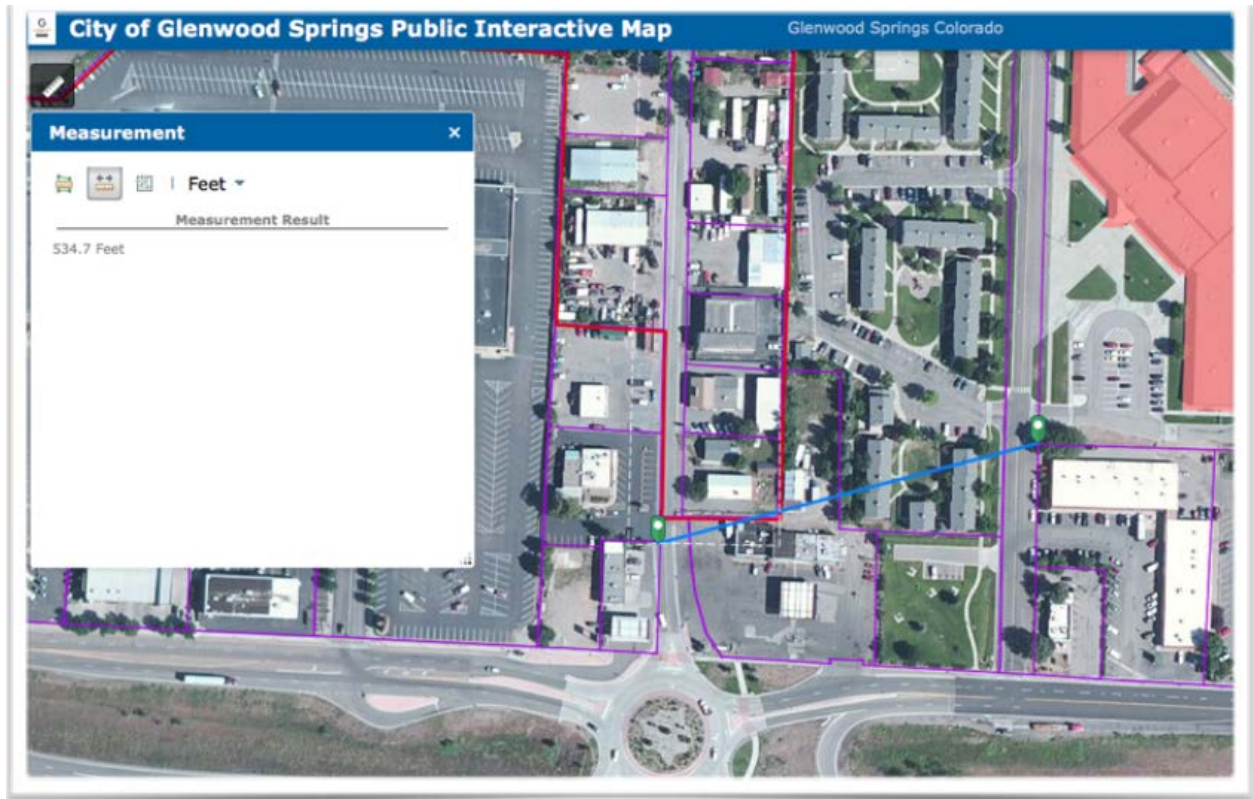
Applicant Analysis: Because the proposed use of Martin's Natural Medicinals is substantially similar to the existing use as a convenience store, impacts of the proposal are generally the same as the existing use. Traffic generation for a retail marijuana establishment is similar to other retail uses, including a convenience store. Noise impacts and lighting impacts will not change. There is no increase in water or sewage usage as a result of the change in use. Finally, the limitation on hours of operation for the retail marijuana store reduce the impacts that may have arisen from a convenience store with no limitation on hours of operation. The character of the neighborhood is generally automotive oriented and includes a mix of commercial uses similar to the uses existing and proposed for this site. There are gas stations, alternative fueling, automobile service and detailing, industrial uses, and a fire station. Highway 24, the roundabouts, and I-70 are dominant features of the neighborhood and create a substantial separation to the river. There are restaurants and bars in proximity. Parking for the mall is near-by. Any residential and educational uses are a block away, and accessed from Soccer Field Road, creating substantial separation between uses. Therefore, the proposal for a retail marijuana establishment is compatible with neighboring land uses as a retail use.

- b. No medical marijuana business or retail marijuana establishment shall be located:
 - i. Within five hundred (500) feet of any existing public or private school facility where classes are held for children aged kindergarten through the 12th grade. This distance shall be computed by a straight-line measurement from the nearest property line of the school property to the nearest property line of the site housing the medical marijuana business or retail marijuana establishment; or

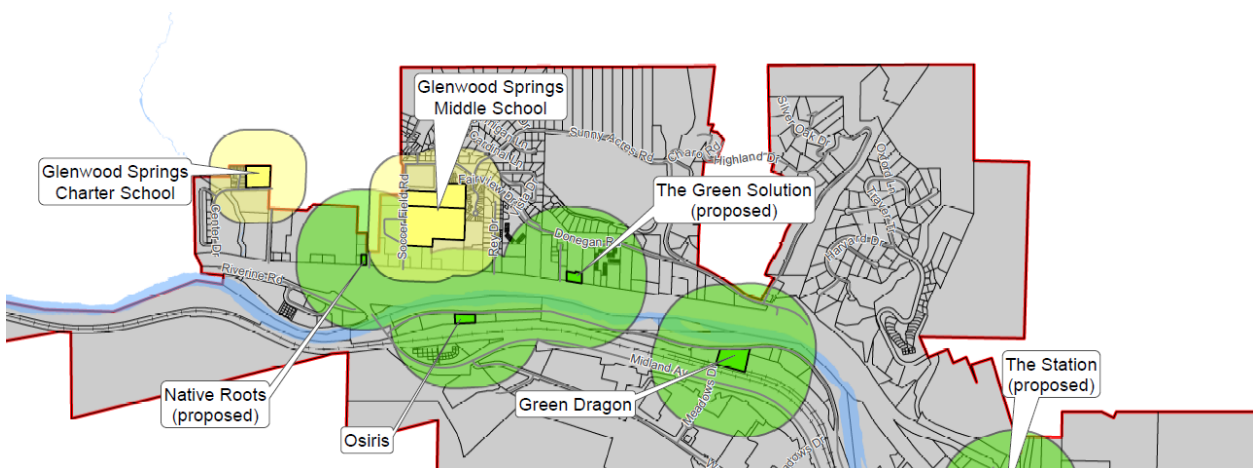
Applicant Analysis: The property is 539 ft. from the Glenwood Springs Middle School, the nearest school to the site. The distance was measured by Peak Land Consultants, who provided the School Buffer Exhibit, included with this submittal and provided below:



The distance was also measured using the Glenwood Springs on-line GIS as shown below and verified on the City’s adopted “School and Marijuana Business Location and Required Buffers” Map, dated September 5, 2015. Additionally, the accuracy of the GIS measurement was verified by City staff.



- ii. Within nine hundred (900) feet of another medical marijuana business, retail marijuana establishment, or marijuana cultivation facility. This distance shall be computed by a straight-line measurement between property lines of the sites housing the two (2) facilities.



- c. The proposal mitigates the potential for offensive odor emitting from the site. The application shall demonstrate adequate design or construction technology to control odors, contain them within the premises.

Applicant Analysis: The project will utilize air recirculation systems equipped with activated carbon filters to reduce odor levels. This design approach will provide proper ventilation of the licensed premises and ensure odors from the retail store do not materially interfere with adjoining businesses.

- d. Storage of retail marijuana shall be considered an accessory use. Not more than twenty-five (25) percent of the licensed premises of a retail marijuana business shall be used for such purposes.

Applicant Analysis: As indicated in the plans submitted, no more than 25% of the premises will be used for storage of retail marijuana. The total area dedicated to storage is 104 sq. ft., while the total area of the premises is 985 sq. ft., which is approximately 10% of the premises.

- e. Hours of operation shall be limited to 9:00 a.m. to 6:00 p.m. Monday through Sunday.

Applicant Analysis: The hours of operation for the retail marijuana establishment will be 8:00 a.m. to 7:00 p.m. Monday through Sunday. The fueling operation, which allows for payment at the pump is not subject to these limitations.

- f. All signage shall be subject to the requirements of Articles 070.060, 050.080 and 050.090.

Applicant Analysis: All signs will meet the above-referenced sections. A sign package will be submitted to the Community Development Department under separate cover.

7. Conclusions

The proposed retail marijuana establishment is intended at a location that has been determined by the Town's locational criteria to be appropriate for such a use. The site is located in a heavy commercial district and area of town that allows for intensive commercial uses of many kinds. With this heavy commercial traffic we are expecting increase in revenue which will increase tax revenue with the city. The site has adequate access for vehicles and pedestrians. The proposal is consistent with the Glenwood Springs Comprehensive Plan and complies with all of the general special use criteria as well as those additional criteria adopted by the City for retail marijuana facility.