6:00 PM CALL TO ORDER
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
APPROVAL OF MINUTES
APPROVAL OF VOUCHERS

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

.I. CONSIDERATION OF A TRANSFER OF OWNERSHIP OF HOTLEAF LLC FROM SOLE OWNERSHIP OF TONY MILLER TO SOLE OWNERSHIP OF ANDREW BRODY, REMOVING TONY MILLER

ADDRESS: 30390 US HIGHWAY 9, HARTSEL CO 80449

APPLICANT: ANDREW BRODY

.II. CONSIDERATION OF RENEWAL OF ZBZ CORP PARK COUNTY RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION FACILITY, AND RETAIL MARIJUANA INFUSED PRODUCTS MANUFACTURING LICENSES

ADDRESS: 100 W. HWY 24, HARTSEL, CO 80449

APPLICANTS: BRENT AND FLORIBETH BECKMAN

Documents:

ZBZCorp_2018_Renewal_BOCC Staff Report.pdf

.III. APPROVE/DENY VEHICLE LEASE AGREEMENT BETWEEN PARK COUNTY AND LEASING SPECIALTIES LLC FOR SHERIFFS OFFICE VEHICLES

.IV. APPROVE/DENY A RESOLUTION APPROVING THE REZONING FROM AGRICULTURAL TO RESIDENTIAL FOR REAL PROPERTY DESCRIBED AS PART OF THE NW ¼ SE ¼ SECTION 2, TOWNSHIP 08 RANGE 72 WEST, COMMONLY KNOWN AND NUMBERED AS 1001 COUNTY ROAD 837, BAILEY, COLORADO

Documents:

19ZON-01 BOCC Resolution.docx

.V. APPROVE/DENY A RESOLUTION APPROVING THE REZONING FROM COMMERCIAL TO RURAL CENTER MIXED USE FOR REAL PROPERTY DESCRIBED AS TRACT 3, CASTLE COMMERCIAL TRACTS, COMMONLY
PARK COUNTY BOARD OF COMMISSIONERS
AGENDA
856 CASTELLO AVE.
FAIRPLAY, COLORADO
Thursday, April 18, 2019
6:00 PM

CALL TO ORDER
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
APPROVAL OF MINUTES
APPROVAL OF VOUCHERS

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

CONSIDERATION OF A TRANSFER OF OWNERSHIP OF HOTLEAF LLC FROM
SOLE OWNERSHIP OF TONY MILLER TO SOLE OWNERSHIP OF ANDREW
BRODY, REMOVING TONY MILLER
ADDRESS: 30390 US HIGHWAY 9, HARTSEL CO 80449
APPLICANT: ANDREW BRODY

CONSIDERATION OF RENEWAL OF ZBZ CORP PARK COUNTY RETAIL
MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION FACILITY, AND
RETAIL MARIJUANA INFUSED PRODUCTS MANUFACTURING LICENSES
ADDRESS: 100 W. HWY 24, HARTSEL, CO 80449
APPLICANTS: BRENT AND FLORIBETH BECKMAN

APPROVE/DENY VEHICLE LEASE AGREEMENT BETWEEN PARK COUNTY
AND LEASING SPECIALTIES LLC FOR SHERIFFS OFFICE VEHICLES

APPROVE/DENY A RESOLUTION APPROVING THE REZONING FROM
AGRICULTURAL TO RESIDENTIAL FOR REAL PROPERTY DESCRIBED AS
PART OF THE NW ¼ SE ¼ SECTION 2, TOWNSHIP 08 RANGE 72 WEST,
COMMONLY KNOWN AND NUMBERED AS 1001 COUNTY ROAD 837, BAILEY,
COLORADO

APPROVE/DENY A RESOLUTION APPROVING THE REZONING FROM
COMMERCIAL TO RURAL CENTER MIXED USE FOR REAL PROPERTY
DESCRIBED AS TRACT 3, CASTLE COMMERCIAL TRACTS, COMMONLY
KNOWN AND NUMBERED AS 39505 HIGHWAY 24, LAKE GEORGE,
COLORADO

PUBLIC HEARING(S)
PUBLIC COMMENTS
EXECUTIVE SESSION IN REGARD TO LEGAL & PERSONNEL MATTERS (CLOSED
SESSION)

ADJOURN
ADMINISTRATIVE SESSION (OPEN)

TIMES ARE APPROXIMATE. ITEMS MAY BE HEARD EARLIER OR LATER THAN SHOWN
ABOVE.

NOTE: Items May Be Added To These Agendas Up To 48 Hours Before The Scheduled Time.
Items May Be Deleted Or Cancelled At Any Time. Please Check Website “Parkco.Us” for most
Updated Agendas. If You Need Further Information, Please Contact The BOCC (Board of County
Commissioners) Office At: 719-836-4201.
To: County Commissioners  
Date: March 18, 2019  
Prepared by: Louise Derengowski, Planning Technician  
Sheila Cross, Director of Development Services  
Subject: ZBZ Corp DBA Antero Junction  
Retail Marijuana License Renewal  
Request: Renewal of Retail Marijuana Store, Infused Products Manufacturing & Cultivation Facility Licenses

License Summary:

<table>
<thead>
<tr>
<th>Business:</th>
<th>ZBZ Corp.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant(s):</td>
<td>Brent &amp; Floribeth Beckman</td>
</tr>
<tr>
<td>Property/Business Owner(s):</td>
<td>Brent &amp; Floribeth Beckman</td>
</tr>
<tr>
<td>Location:</td>
<td>100 W Hwy 24, Hartsel</td>
</tr>
<tr>
<td>Zone District:</td>
<td>Commercial (C) - see Attachment 1, Zoning Map.</td>
</tr>
<tr>
<td>Lot Size:</td>
<td>25 Acres</td>
</tr>
<tr>
<td>License Type:</td>
<td>Retail Marijuana Store, MIPS &amp; Cultivation Facility</td>
</tr>
</tbody>
</table>

Background:

ZBZ Corp was approved for Park County Marijuana Licenses to allow for a retail cultivation facility, retail store, and infused products manufacturing. The facility is located at 100 West Highway 24, at the historic Antero Junction townsite. A vicinity map is included as Attachment 2. Renewal of their licenses is due, and proper application has been made. The applicants are requesting renewal of the retail store, cultivation facility, and infused products manufacturing licenses.

While Ordinance 17-01 allows for administrative review of marijuana license renewals, staff is deferring ZBZ’s renewals to the Board of County Commissioners (BOCC) because the initial license was granted in 2014, but the facility has not yet opened for business; and because the facilities’ state licenses have expired and renewal has not been applied for by the operators. At the time of writing this report the license owners...
have a personal tax delinquency from 2016 of $1,775.15 and 2017 $1,482.48. A request for an abatement has been filed with the Assessor.

**Licensing History**

- The Retail Marijuana Store, Retail Products Manufacturing, and Retail Marijuana Cultivation Facility Licenses were originally approved on September 18, 2014; and renewed on October 1, 2015; October 2, 2016, and November 8, 2017.

**Operational Comments**

This facility is still under construction. The applicants’ projected development plan is attached, see Attachment 3.

**Conditions**

The original licenses and renewals were granted with no conditions.

**Ordinance 16-01**

Section 7(d) states “a license issued pursuant to this Ordinance does not eliminate the need for the licensee to obtain other required permits or licenses related to the operation of the retail marijuana establishment, including, without limitation, a license from the state licensing authority…” The subject state license expired October 1, 2017 and, at the time of writing this report, the operators have not applied to renew the licenses.

Section 14 (a) states that no license shall be issued to, held by, or renewed by any of the following: (8) Any person who fails to file any tax return with a taxing agency… At the time of writing this report the facility owner has personal property taxes due from 2016 and 2017.

Section 15(b) states “no retail marijuana store license shall be renewed where the licensee has not commenced operation of the licensed facility during the initial term of the license.” This facility has not opened for business, but the referenced stipulation was added to the ordinance after ZBZ’s license was issued.

**BOCC Action:**

A public hearing is not required for license renewal. The BOCC’s options are to:
- Approve the license renewals, or
- Schedule a public hearing regarding the license renewals.
Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014
Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014
October 2, 2018

Dear Louise, Sheila, and the BOCC,

This letter is to update you about the progress and timeline regarding the grand opening of Antero Junction. Due to conditions outside of our control there have been several delays in our opening. The work is due to be completed in 2019.

Our progress will be carried out with the following goals:

December 2018
Meet with building department to reopen permits.

January 2019
Plumbing, HVAC, and Electrical

February 2019
Plumbing, HVAC, and Electrical inspections
Insulation/Drywall, Interior Finishes

March 2019
Painting, Flooring, Fixtures, Final inspections and CO signoff

April 2019
Grand Opening!

We appreciate your flexibility and understanding as we get closer to our goal!

Brent & Floribeth Beckman
Brent@Herbanoids.com
100 west Hwy 24 Hartsel Co. 80449
PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
Resolution No. 2019-____

A RESOLUTION APPROVING THE REZONING FROM AGRICULTURAL TO RESIDENTIAL FOR REAL PROPERTY DESCRIBED AS PART OF THE NW ¼ SE ¼ SECTION 2, TOWNSHIP 08 RANGE 72 WEST, COMMONLY KNOWN AND NUMBERED AS 1001 COUNTY ROAD 837, BAILEY, COLORADO.

WHEREAS, the Applicant, Lee Runyan, managing member of Elbow Room Properties, has applied to rezone the property described in the attached Exhibit A from Agricultural to Residential; and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant and patrons; and

WHEREAS, based on the testimony and evidence presented at the public hearing the Board of County Commissioners determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

NOW, THEREFORE, BE IT RESOLVED THAT:

The application to rezone the above-described real property from Agricultural to Residential is approved.

Moved, seconded, and passed this ____ day of April, 2019.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS

_____________________________
Richard Elsner, Chairperson

ATTEST:

_______________________
County Clerk
LEGAL DESCRIPTION AND CERTIFICATE OF OWNERSHIP

CHRISTOPHER LEE RUNYAN, BEING THE OWNER OF THE REAL PROPERTY OF
12.74 ACRES LOCATED IN PARK COUNTY, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

A PART OF THE E ¼, NW ¼ OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 72 WEST OF THE 6TH P.M.,
DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF SAID NW 1/4, SE 1/4,
THENCE NORTH 02°29' WEST, ALONG THE EAST LINE OF SAID NW 1/4, SE 1/4, 1211 FEET TO THE NORTHEAST
CORNER THEREOF;
THENCE NORTH 85°44' WEST, ALONG THE NORTH LINE OF SAID NW 1/4, SE 1/4, 338.14 FEET;
THENCE SOUTH 03°10'10" EAST, 1197.64 FEET TO A POINT ON THE SOUTH LINE OF SAID NW 1/4, SE 1/4 WHICH IS
324.65 FEET WESTERLY FROM THE POINT OF BEGINNING;
THENCE SOUTH 86°11' EAST, ALONG SAID SOUTH LINE 324.65 FEET TO THE POINT OF BEGINNING;
EXCEPT THAT PORTION THEREOF CONVEYED TO HEAD BY DEED, RECORDED IN BOOK 205 AT PAGE 818 BEGIN AT
THE CENTER OF THE SE 1/4;
THENCE NORTH 02°29' WEST ALONG THE EAST LINE OF THE NW 1/4, SE 1/4, 325.00 FEET;
THENCE WEST 327.00 FEET MORE OR LESS TO THE WEST LINE OF THE E 1/2, E 1/2, NW 1/4, SE 1/4;
THENCE SOUTH 03°10'10" EAST ALONG SAID WEST LINE, 188.00 FEET TO THE CENTERLINE OF A PRIVATE ROAD;
THENCE SUBEASTERLY ALONG SAID CENTERLINE 995.00 FEET;
THENCE SOUTH 96°11' EAST, 67.5 FEET TO THE POINT OF BEGINNING.

AND

THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 72
WEST OF THE 6TH P.M., COUNTY OF PARK, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID NW 1/4, SE 1/4, A 3/8" PIPE;
THENCE NORTH 85°08'31" WEST, ALONG THE SOUTH LINE OF SAID NW 1/4, SE 1/4, 324.33 FEET TO A 1/2" REBAR;
THENCE NORTH 05°24'52" WEST, 301.23 FEET TO A 1/2" REBAR, THE TRUE POINT OF BEGINNING;
THENCE NORTH 02°55'48" WEST, 898.75 FEET TO A 1/2" PIPE ON THE NORTH LINE OF SAID NW 1/4, SE 1/4;
THENCE NORTH 03°17'19" WEST, ALONG SAID LINE 337.42 FEET TO A 1/2" REBAR;
THENCE SOUTH 03°46'30" EAST, 778.55 FEET TO A 1/2" REBAR;
THENCE NORTH 72°58'40" EAST, 138.34 FEET TO A 1/2" REBAR;
THENCE SOUTH 49°24'31" EAST, 263.17 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, SAID TRACT
CONTAINING 6.00 ACRES, MORE OR LESS.

COUNTY OF PARK,
STATE OF COLORADO.
A RESOLUTION APPROVING THE REZONING FROM COMMERCIAL TO RURAL CENTER MIXED USE FOR REAL PROPERTY DESCRIBED AS TRACT 3, CASTLE COMMERCIAL TRACTS, COMMONLY KNOWN AND NUMBERED AS 39505 HIGHWAY 24, LAKE GEORGE, COLORADO.

WHEREAS, the Applicants, Kevin and Christi Heidenreich, have applied to rezone the property described as Tract 3, Castle Commercial Tracts from Commercial to Rural Center Mixed Use; and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant and patrons; and

WHEREAS, based on the testimony and evidence presented at the public hearing the Board of County Commissioners determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

NOW, THEREFORE, BE IT RESOLVED THAT:

The application to rezone the above-described real property from Agricultural to Residential is approved with the following condition:

Before any building permits are issued the well permit is revised to also allow for residential use.

Moved, seconded, and passed this ___ day of April, 2019.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS

_____________________________
Richard Elsner, Chairperson

ATTEST:

_______________________
County Clerk