

November 18, 2015

To City Clerk Gail A. Davidson,

Pursuant to Section 5.2 of the City of Gunnison Municipal Home Rule Charter, I, Richard Hagan, Mayor of the City of Gunnison, am directing you, the City Clerk, to set a Special Session Meeting of City Council, for Tuesday, December 1, 2015, at 7:00 P.M. in the City Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison, for the following agenda items:

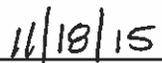
Special Session Agenda:

- A. Set Public Hearing on Retail Marijuana Store License Application from RFSCG LLC dba Roots RX, 1198B N. Main Street in Gunnison for 7:00 P.M., Tuesday, December 15, 2015, in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison
- B. Set Public Hearing on Retail Marijuana Store License Application from MissKat Inc., dba Frosty Leaf, 500 W. Highway 50, Unit 102, in Gunnison for 7:20 P.M., Tuesday, December 15, 2015 in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison
- C Set Public Hearing on Retail Marijuana Store License Application from Colorado Cannabis Cabin LLC dba Colorado Cannabis Cabin, 650 S. 11th Street, Unit B, in Gunnison for 7:40 P.M., Tuesday, December 15, 2015 in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison

I understand the meeting will be noticed and posted at least 24 hours prior to the meeting.
Thank you.



Mayor Richard Hagan



Date



To: City Councilors
CC: City Manager Ken Coleman
From: City Clerk Gail Davidson
Date: November 23, 2015
Re: Setting Public Hearings on Retail Marijuana Store License Applications from:
1) RFSCG LLC dba Roots RX; 2) MissKat Inc., dba Frosty Leaf; 3) Colorado Cannabis Cabin LLC dba Colorado Cannabis Cabin

Councilors:

On June 23, 2015, City Council passed Ordinance No. 5, Series 2015, establishing the regulations and process for approving medical and retail marijuana establishments in Gunnison. The State Marijuana Enforcement Division (MED) has approved Conditional Retail Marijuana Store Licenses for three applications that are currently being processed by City Staff. After a marijuana applications status meeting, Staff is recommending the City Public Hearings on these three applications be set in accordance with Gunnison Municipal Code Section 8.50.040B (1). A copy of the City application form has been included in your packet for preliminary information. The more detailed application will be included for the public hearing meetings.

Thank you, Gail

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from RFSCG LLC dba Roots RX, 1198B N. Main Street in Gunnison for 7:00 P.M., Tuesday, December 15, 2015, in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from MissKat Inc., dba Frosty Leaf, 500 W. Highway 50, Unit 102, in Gunnison for 7:20 P.M., Tuesday, December 15, 2015 in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from Colorado Cannabis Cabin LLC dba Colorado Cannabis Cabin, 650 S. 11th Street, Unit B, in Gunnison for 7:40 P.M., Tuesday, December 15, 2015 in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

CITY OF GUNNISON, COLORADO
MARIJUANA ESTABLISHMENT LICENSE APPLICATION



CITY CLERK'S DEPARTMENT
201 W. VIRGINIA AVENUE - P.O. BOX 239
GUNNISON, CO 81230
970-641-8140 (phone) 970-641-8051 (FAX)
gail@cityofgunnison-co.gov (email)

Date Application Received by Clerk: 08/19/15
Application Fee Paid: 08/19/15 (see attached fee schedule)
License Fee Paid: 08/19/15
Application Received By: AH

TYPE OF LICENSE: (please choose ONE)

- Medical Marijuana Center
- Retail Marijuana Store
- Cultivation Establishment: Medical _____ Retail _____
- Marijuana Product Manufacturing Establishment: Medical _____ Retail _____
- Marijuana Testing Facility
- License Renewal
- Modification of Premises
- Transfer License Ownership
- Transfer of License Location
- Other (please specify) _____

BUSINESS PREMISES INFORMATION

Legal Business Name: RFCG LLC (DBA ROOTS RX)
Trade Name of Business (dba): ROOTS RX
FEIN: [REDACTED] City Sales Tax # 99-700
State Sales Tax # 30815915-0001
Physical Address of Business: 1198 N. MAIN ST GUNNISON CO.
Mailing Address of Business: 1375 RED BUTTE DR ASPEN CO. 81611
Business Telephone Number: 970-544-8000
Business Email: R.Holmes@MAC.com
Property Owner Name: R.R. Holmes
Property Owner Address and Phone Number: 1375 RED BUTTE DR ASPEN CO. 81611
Building Owner Name: State Laundry
Building Owner Address and Phone Number: 970-596-9999

If the applicant is not the owner of the land or building where the marijuana establishment is to be located, the applicant shall submit a lease and a notarized "Property Owner Consent Form" granting consent from the property and/or building owner for the City to initiate the review process.

APPLICANT INFORMATION

APPLICANT is applying as a: (please choose ONE):

- Corporation
- Limited Liability Company (LLC)
- Partnership (includes Husband/Wife Partnerships)
- Individual (Sole Proprietor)
- Other (Specify)

APPLICANT NAME: RFSOG LLC

Individual or Sole Proprietorship:

Applicant Full Legal Name: Peter W. Traun Social Security Number: [REDACTED] DOB: [REDACTED]

Applicant's Physical Address: [REDACTED]

Applicant's Mailing Address: P.O. Box 1923 Aspen CO. 81612

Applicant's Home and Cell Phone Numbers: [REDACTED]

Applicant's Current Email Address: [REDACTED]

What Marijuana License(s) does the Applicant or any member of the LLC, Corporation, Partnership/Association currently hold with the State of Colorado?

- Medical Marijuana Center License #: _____
- Retail Marijuana Establishment License #: _____
- Marijuana Product Manufacturing License #: _____
- Marijuana Testing License #: _____
- Cultivation Center License #: _____
- Other License #: _____
- None

SEE ATTACHED

What Marijuana License(s) does the Applicant hold with the City of Gunnison?

- Type: _____ License #: _____
- Type: _____ License #: _____

Additional Licenses Use Additional Pages

None

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application and any required attachments are true, correct and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Marijuana Code that will affect my license.

Authorized Signature: [Signature]
 Printed Name and Title: Peter W. Traun owner
 Date: 8-14-15

[Signature]
 Robert R Holmes Jr - owner
 8/14/15

Entity	LIC #	Application Date	Colo. Rev #	FEIN
RFSCFV, LLC	402R-00242	06/11/2014	30384864	47-1799486
RFSCB, LLC	402R-00246	06/11/2014	31235133	47-1235967
RFSCLV, LLC	402R-00362	09/18/2014	30815915-0002 30815915-0001	47-1871456
RFSC, LLC	403R-00327	06/16/2014	31314879-0001	47-1632491
RFSCG-1, LLC	403R-00322	09/09/2014	Not started	47-1799777
RFSCLVG, LLC	403R-00407	09/18/2014	30815915-0001	47-1871574
RFSCA LLC	402R-00487	06/02/2015	30816084	47-2123576

All Entities
are 66.7%
owned by
Holmes and
33.3% by
Tramm

**(This page BELOW to be completed by City Staff)
CITY OF GUNNISON DEPARTMENTAL APPROVALS**

Each Department Must Review, Approve, Sign, Check-Off, and Date for Application Approval to be forwarded to City Council for approval.

CITY CLERK'S DEPARTMENT

- Includes payment of application and licensing fees; submission of complete application forms and any other forms as required.

Date approved: 11/17/15 By: [Signature]

COMMUNITY DEVELOPMENT DEPARTMENT

see attached

- Compliance with Mechanical, Fire and Technical Codes of the Gunnison Municipal Code
- Compliance with Land Use Requirements as defined in the Gunnison Land Development Code.

Date approved: _____ By: _____

FINANCE DEPARTMENT

- Compliance with sales tax collection and remittance Code requirements

Date approved: 9/4/15 By: [Signature]

POLICE DEPARTMENT

- Successful completion of local background checks and investigations

Date approved: 9/10/15 By: [Signature]

PUBLIC WORKS DEPARTMENT

- Compliance with City Utilities Codes

Date approved: 9-3-15 By: [Signature]

REQUIRED ATTACHMENTS FOR CITY COUNCIL PUBLIC HEARING

Results of local background check by City of Gunnison Police Department.

Approved Site Development Application and/or Conditional Use Permit.

Completed State of Colorado License Application Forms to Application.

Date Application Accepted by City Council: ___/___/___

Date of Public Hearing: ___/___/___

APPLICATION APPROVED: ___/___/___

APPLICATION DENIED: ___/___/___

CITY OF GUNNISON, COLORADO
MARIJUANA ESTABLISHMENT LICENSE – PROPERTY OWNER CONSENT

CITY CLERKS DEPARTMENT

201 W. VIRGINIA AVENUE

P.O. BOX 239

GUNNISON, CO 81230

970-641-8140 (phone) 970-641-8051 (FAX)

gail@cityofgunnison-co.gov (Email)

BUSINESS NAME: RFSCG LLC (DBA ROOTS RX)

APPLICANT NAME: Peter W. Tamm

STREET ADDRESS OF PROPOSED LICENSED PREMISES:

URBAN, MAIN

LEGAL DESCRIPTION: Lot 4, Gunnison Center Phase 1-C

**OWNER'S CONSENT TO SUBMISSION OF APPLICATION
FOR MARIJUANA ESTABLISHMENT ON OWNED PREMISES**

As owner of the real property listed above, I hereby authorize the submission of this application for my property to be used as a (check all that apply):

- Medical Marijuana Center
- Retail Marijuana Store
- Cultivation Establishment: Medical _____ Retail _____ (check one)
- Marijuana Product Manufacturing Establishment: Medical _____ Retail _____
- Marijuana Testing Facility

Steven Landry Property Owner (Printed Name)

[Signature] Property Owner (Signature)

8-19-15 Date

(Attach copy of deed or lease in name of the license applicant)

STATE OF COLORADO)

COUNTY OF GUNNISON)^{ss.}

The foregoing instrument was acknowledged before me this 19 day of August, 2015, by Steven Landry.

WITNESS my hand and official seal.

My commission expires 2-14-16.



MY COMMISSION EXPIRES 2-14-16

[Signature]
Notary Public

Retail Marijuana Establishment Permit Community Development Department

Applicants Name: RFSCG LLC dba Roots RX

Applicants Address: 1375 Red Butte Drive, Aspen, CO 81611

Establishment Address: 1198 N. Main Street, Gunnison, Co 81230

APPROVED WITH CONDITIONS


October 28, 2019

Compliance	Initial Compliance Criteria and Standards for all Marijuana Establishments
OK	<i>Buffers:</i> Marijuana establishment is not located within 1000 feet of a public school; private or charter school; daycare school, center or home; and mental health facilities. Establishments shall not be located on real property that fronts, abuts or is adjoining to any Residential District zone.
OK	Marijuana establishment complies with the district zone location standards set forth in Table 2-3, Principal Use Table of the <i>Land Development Code</i> .
OK	Marijuana establishment complies with all provisions, standards and regulations of the <i>Land Development Code</i> .
OK	Marijuana establishment is served by city water, wastewater, and electrical utility services and complies with all provisions, standards and regulations of the <i>City of Gunnison Municipal Code, Title 12, Utilities</i> .
CHECKED	<i>State Regulations:</i> Marijuana establishment complies with all applicable requirements of Colorado State Law and <i>Code of Colorado Regulations, Medical Use of Marijuana and Retail Marijuana Code</i> .
OK with Conditions	A source capture system cable of removing particulate and odors to achieve levels that do not constitute a nuisance to adjacent occupants, structures and properties has been approved.
PENDING	Marijuana establishment complies with International Code Council building and fire codes adopted by the City.
Compliance	Additional Standards for Retail Marijuana and Medical Marijuana Centers
1/ 60 sq ft = 17 total	Retail establishments shall be located in buildings that comply with occupancy standards established by the International Code Council codes and adopted by the City.
OK w/ Parking Conditions	Retail establishments shall be located on lots in buildings that comply with the regulations in the Land Development Code including, but not limited to, landscaping, buffers, lighting, screening and parking standards.

The Community Development Director finds that initial compliance with Mechanical, Fire and Technical Codes and Land Use Requirements have been met with the following conditions:

Conditions:

1. Marijuana establishment signage shall include only the registered business or trade name, address, and telephone number of the marijuana establishment.
2. Marijuana establishment complies with all provisions, standards and regulations of the *Land Development Code*.
3. Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment.
4. *Hours of Operation:* Anytime between 8 a.m. and 10 p.m. Monday through Sunday, except that Retail Marijuana Establishment hours are limited on Sunday to the hours of 1 p.m. to 6 p.m.
5. The licensed marijuana establishment shall have inspections by the Community Development Director or designee. Inspections shall include review of operations and maintenance records.

Retail Marijuana Establishment Permit
Community Development Department

6. Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.
7. Off-premise retail marijuana establishment storage facilities are prohibited.
8. Engineered mechanical source capture and exhaust system shall be installed and subject to inspection and approval by the Building Official.
9. The licensed retail marijuana establishment premises shall be equipped with a Carbon Monoxide detector.
10. A minimum for 4 exterior parking spaces with one handicap accessible space shall be dedicated to this retail Marijuana establishment operation.
11. Building occupancy for the licensed retail marijuana establishment shall be subject to a final inspection and approval by the Building Official, Fire Marshal and Director Community Development.

STATE OF COLORADO

DEPARTMENT OF REVENUE



Marijuana Enforcement Division



Retail Marijuana Conditional License

RFSCG, LLC

ROOTS RX

1198 B North Main Street, Gunnison, CO 81230

Retail Marijuana Store - 402R-00505

Effective Date of License: September 28, 2015

License Valid Through: 09/28/2016

This license is conditioned upon Local Authority approval, pursuant to section 12-43.4-304(1) C.R.S.

This conditional license is issued subject to the laws of the State of Colorado and especially under the provisions of Title 12, Article 43.4, as amended. A licensee shall not exercise any of the rights or privileges of this license until such time as all such Medical Marijuana and Medical Marijuana-Infused Product are fully transferred and declared in the MITS system as Retail Marijuana and Retail Marijuana Product, pursuant to Rule 1211 & R309. This conditional license is nontransferable and shall be conspicuously posted in the place above described. This conditional license is only valid through the expiration date shown above. Any questions concerning this conditional license should be addressed to: Colorado Marijuana Enforcement Division, 455 Sherman Street, Suite 390, Denver, CO 80203. In testimony whereof, I have hereunto set my hand.

W. Lewis Kosko

W. Lewis Kosko
Division Director

Barbara J. Broke
Barbara J. Broke, Executive Director



To: City Councilors
CC: City Manager Ken Coleman
From: City Clerk Gail Davidson
Date: November 23, 2015
Re: Setting Public Hearings on Retail Marijuana Store License Applications from:
1) RFSCG LLC dba Roots RX; 2) MissKat Inc., dba Frosty Leaf; 3) Colorado Cannabis Cabin LLC dba Colorado Cannabis Cabin

Councilors:

On June 23, 2015, City Council passed Ordinance No. 5, Series 2015, establishing the regulations and process for approving medical and retail marijuana establishments in Gunnison. The State Marijuana Enforcement Division (MED) has approved Conditional Retail Marijuana Store Licenses for three applications that are currently being processed by City Staff. After a marijuana applications status meeting, Staff is recommending the City Public Hearings on these three applications be set in accordance with Gunnison Municipal Code Section 8.50.040B (1). A copy of the City application form has been included in your packet for preliminary information. The more detailed application will be included for the public hearing meetings.

Thank you, Gail

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from RFSCG LLC dba Roots RX, 1198B N. Main Street in Gunnison for 7:00 P.M., Tuesday, December 15, 2015, in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from MissKat Inc., dba Frosty Leaf, 500 W. Highway 50, Unit 102, in Gunnison for 7:20 P.M., Tuesday, December 15, 2015 in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from Colorado Cannabis Cabin LLC dba Colorado Cannabis Cabin, 650 S. 11th Street, Unit B, in Gunnison for 7:40 P.M., Tuesday, December 15, 2015 in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

⁰¹¹¹
COPY

CITY OF GUNNISON, COLORADO
MARIJUANA ESTABLISHMENT LICENSE APPLICATION



CITY CLERK'S DEPARTMENT
201 W. VIRGINIA AVENUE - P.O. BOX 239
GUNNISON, CO 81230
970-641-8140 (phone) 970-641-8051 (FAX)
gail@cityofgunnison-co.gov (email)

Date Application Received by Clerk: 09/28/15
Application Fee Paid: 091 301 15 (see attached fee schedule)
License Fee Paid: 09 130 15
Application Received By: [Signature]

TYPE OF LICENSE: (please choose ONE)

- Medical Marijuana Center
- Retail Marijuana Store
- Cultivation Establishment: Medical _____ Retail _____
- Marijuana Product Manufacturing Establishment: Medical _____ Retail _____
- Marijuana Testing Facility
- License Renewal
- Modification of Premises
- Transfer License Ownership
- Transfer of License Location
- Other (please specify) _____

BUSINESS PREMISES INFORMATION

Legal Business Name: MissKat Inc

Trade Name of Business (dba): Frosty Leaf

FEIN: [REDACTED] City Sales Tax # 99-720

State Sales Tax # 30999703

Physical Address of Business: 500 W HWY 50 Suite 102 Gunnison 81230

Mailing Address of Business: Same

Business Telephone Number: 719-251-6296

Business Email: Katina.Steele@yahoo

Property Owner Name: Tomichi Landmark no 2

Property Owner Address and Phone Number: 767 Rio Vista Rd 81230 970-596-7

Building Owner Name: Tomichi Landmark no 2

Building Owner Address and Phone Number: 767 Rio Vista Rd 81230 970-596-7

If the applicant is not the owner of the land or building where the marijuana establishment is to be located, the applicant shall submit a lease and a notarized "Property Owner Consent Form" granting consent from the property and/or building owner for the City to initiate the review process.

APPLICANT INFORMATION

APPLICANT is applying as a: (please choose ONE):

- Corporation
- Limited Liability Company (LLC)
- Partnership (includes Husband/Wife Partnerships)
- Individual (Sole Proprietor)
- Other (Specify)

APPLICANT NAME: MissKat Inc DBA Frosh Leaf

Individual or Sole Proprietorship:

Applicant Full Legal Name: _____ Social Security Number _____ DOB: / /

Applicant's Physical Address: 500 W HWY 50 Site 102 Gunnison 81230

Applicant's Mailing Address: Same

Applicant's Home and Cell Phone Numbers: [REDACTED] / [REDACTED]

Applicant's Current Email Address: [REDACTED]

What Marijuana License(s) does the Applicant or any member of the LLC, Corporation, Partnership/Association currently hold with the State of Colorado?

- Medical Marijuana Center License #: 402-00908
- Retail Marijuana Establishment License #: 4022-00201
- Marijuana Product Manufacturing License #: _____
- Marijuana Testing License #: _____
- Cultivation Center ~~or~~ License #: 4032-00261
- Other medical Cultivation License #: 403-01435
- None

What Marijuana License(s) does the Applicant hold with the City of Gunnison?

- Type: _____ License #: _____
- Type: _____ License #: _____

Additional Licenses Use Additional Pages

None

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application and any required attachments are true, correct and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Marijuana Code that will affect my license.

Authorized Signature: [Signature]
 Printed Name and Title: Katrina M Canchola Sec/Treasurer
 Date: 9-21-15

(This page BELOW to be completed by City Staff)
CITY OF GUNNISON DEPARTMENTAL APPROVALS

Each Department Must Review, Approve, Sign, Check-Off, and Date for Application Approval to be forwarded to City Council for approval.

CITY CLERK'S DEPARTMENT

- Includes payment of application and licensing fees; submission of complete application forms and any other forms as required.

Date approved: NA By: 9/30/15

COMMUNITY DEVELOPMENT DEPARTMENT

see attached

- Compliance with Mechanical, Fire and Technical Codes of the Gunnison Municipal Code
- Compliance with Land Use Requirements as defined in the Gunnison Land Development Code.

Date approved: _____ By: _____

FINANCE DEPARTMENT

- Compliance with sales tax collection and remittance Code requirements

Date approved: _____ By: _____

POLICE DEPARTMENT

- Successful completion of local background checks and investigations

Date approved: _____ By: _____

PUBLIC WORKS DEPARTMENT

- Compliance with City Utilities Codes

Date approved: _____ By: _____

REQUIRED ATTACHMENTS FOR CITY COUNCIL PUBLIC HEARING

Results of local background check by City of Gunnison Police Department.

Approved Site Development Application and/or Conditional Use Permit.

Completed State of Colorado License Application Forms to Application.

Date Application Accepted by City Council: ___/___/___

Date of Public Hearing: ___/___/___

APPLICATION APPROVED: ___/___/___

APPLICATION DENIED: ___/___/___

Retail Marijuana Establishment Permit Community Development Department

Applicants Name: MissKat Inc, dba Frosty Leaf

Applicants Address: 125 South Neilson Avenue Pueblo, CO 81001

Establishment Address: 500 W. Highway 50, Suite 102, Gunnison, Co 81230

APPROVED WITH CONDITIONS

 November 16, 2015

Compliance	Initial Compliance Criteria and Standards for all Marijuana Establishments
OK	<i>Buffers:</i> Marijuana establishment is not located within 1000 feet of a public school; private or charter school; daycare school, center or home; and mental health facilities. Establishments shall not be located on real property that fronts, abuts or is adjoining to any Residential District zone.
OK	Marijuana establishment complies with the district zone location standards set forth in Table 2-3, Principal Use Table of the <i>Land Development Code</i> .
Ok w/ parking and Bldg. use conditions	Marijuana establishment complies with all provisions, standards and regulations of the <i>Land Development Code</i> .
OK	Marijuana establishment is served by city water, wastewater, and electrical utility services and complies with all provisions, standards and regulations of the <i>City of Gunnison Municipal Code</i> , Title 12, Utilities.
CHECKED	<i>State Regulations:</i> Marijuana establishment complies with all applicable requirements of Colorado State Law and <i>Code of Colorado Regulations</i> , Medical Use of Marijuana and Retail Marijuana Code.
OK w/ conditions	A source capture system cable of removing particulate and odors to achieve levels that do not constitute a nuisance to adjacent occupants, structures and properties has been approved.
OK w/ conditions	Marijuana establishment complies with International Code Council building and fire codes adopted by the City.
Compliance	Additional Standards for Retail Marijuana and Medical Marijuana Centers
1/ 60 sq ft = 17 total	Retail establishments shall be located in buildings that comply with occupancy standards established by the International Code Council codes and adopted by the City.
OK w/ Parking Conditions	Retail establishments shall be located on lots in buildings that comply with the regulations in the Land Development Code including, but not limited to, landscaping, buffers, lighting, screening and parking standards.

The Community Development Director finds that initial compliance with Mechanical, Fire and Technical Codes and Land Use Requirements have been met with the following conditions:

Conditions:

1. Marijuana establishment signage shall include only the registered business or trade name, address, and telephone number of the marijuana establishment.
2. Marijuana establishment complies with all provisions, standards and regulations of the *Land Development Code*.
3. Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment.
4. *Hours of Operation:* Anytime between 8 a.m. and 10 p.m. Monday through Sunday, except that Retail Marijuana Establishment hours are limited on Sunday to the hours of 1 p.m. to 6 p.m.
5. The licensed marijuana establishment shall have inspections by the Community Development Director or designee. Inspections shall include review of operations and maintenance records.

Retail Marijuana Establishment Permit
Community Development Department

6. Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.
7. Off-premise retail marijuana establishment storage facilities are prohibited.
8. Building permit and mechanical system alternations shall be installed and subject to inspection and approval by the Building Official.
9. The licensed retail marijuana establishment premises shall be equipped with a Carbon Monoxide detector.
10. A minimum for 3 exterior parking spaces as shown on the final plat shall be dedicated to this Retail Marijuana establishment operation.
11. The western two-thirds of this unit's floor plan are considered unoccupied and/or used for general indoor storage. Any other uses contemplated for this space shall not be permitted if they generate additional parking demand.
12. Building occupancy for a retail marijuana establishment shall not occur until final inspection and approval by the Building Official, Fire Marshal and Community Development Director.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

MissKat INC.

is a
Corporation

formed or registered on 07/15/2015 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20151454426 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 11/16/2015 that have been posted, and by documents delivered to this office electronically through 11/17/2015 @ 15:08:56 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 11/17/2015 @ 15:08:56 in accordance with applicable law. This certificate is assigned Confirmation Number 9378221 .



A handwritten signature in blue ink that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

*****End of Certificate*****
Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

STATE OF COLORADO

DEPARTMENT OF REVENUE



Marijuana Enforcement Division



Retail Marijuana Conditional License

MISSKAT, INC

FROSTY LEAF

500 West Highway 50, Suite 102, Gunnison, CO 81230

Retail Marijuana Store - 402R-00521

Effective Date of License: November 10, 2015

License Valid Through: 11/10/2016

This license is conditioned upon Local Authority approval, pursuant to section 12-43.4-304(1) C.R.S.

This conditional license is issued subject to the laws of the State of Colorado and especially under the provisions of Title 12, Article 43.4, as amended. A licensee shall not exercise any of the rights or privileges of this license until such time as all such Medical Marijuana and Medical Marijuana-Infused Product are fully transferred and declared in the MITS system as Retail Marijuana and Retail Marijuana Product, pursuant to Rule R211 & R309. This conditional license is nontransferable and shall be conspicuously posted in the place above described. This conditional license is only valid through the expiration date shown above. Any questions concerning this conditional license should be addressed to: Colorado Marijuana Enforcement Division, 455 Sherman Street, Suite 390, Denver, CO 80203. In testimony whereof, I have hereunto set my hand.

W. Lewis Koski

W. Lewis Koski
Division Director

Barbara J. Broni
Barbara J. Broni, Executive Director



To: City Councilors
CC: City Manager Ken Coleman
From: City Clerk Gail Davidson
Date: November 23, 2015
Re: Setting Public Hearings on Retail Marijuana Store License Applications from:
1) RFSCG LLC dba Roots RX; 2) MissKat Inc., dba Frosty Leaf; 3) Colorado Cannabis Cabin LLC dba Colorado Cannabis Cabin

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Thank you, Gail

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from RFSCG LLC dba Roots RX, 1198B N. Main Street in Gunnison for 7:00 P.M., Tuesday, December 15, 2015, in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from MissKat Inc., dba Frosty Leaf, 500 W. Highway 50, Unit 102, in Gunnison for 7:20 P.M., Tuesday, December 15, 2015 in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

Action Requested of Council: A motion, second and vote to set the City's public hearing on the retail marijuana store license application from Colorado Cannabis Cabin LLC dba Colorado Cannabis Cabin, 650 S. 11th Street, Unit B, in Gunnison for 7:40 P.M., Tuesday, December 15, 2015 in the City Council Chambers of City Hall, 201 W. Virginia Ave. in Gunnison.

APPLICANT INFORMATION

APPLICANT is applying as a: (please choose ONE):

- Corporation
- Limited Liability Company (LLC)
- Partnership (includes Husband/Wife Partnerships)
- Individual (Sole Proprietor)
- Other (Specify)

APPLICANT NAME: THE COLORADO CANNABIS CABIN, LLC

Individual or Sole Proprietorship:

Applicant Full Legal Name: _____ Social Security Number: _____ DOB: 1/1

Applicant's Physical Address: [REDACTED] B, GUNNISON, CO 8123

Applicant's Mailing Address: [REDACTED], GUNNISON, CO 81230

Applicant's Home and Cell Phone Numbers: [REDACTED]

Applicant's Current Email Address: [REDACTED]

What Marijuana License(s) does the Applicant or any member of the LLC, Corporation, Partnership/Association currently hold with the State of Colorado?

- Medical Marijuana Center License #: _____
- Retail Marijuana Establishment License #: _____
- Marijuana Product Manufacturing License #: _____
- Marijuana Testing License #: _____
- Cultivation Center License #: 403R-00369
- Other License #: _____
- None

What Marijuana License(s) does the Applicant hold with the City of Gunnison?

- Type: _____ License #: _____
- Type: _____ License #: _____

Additional Licenses Use Additional Pages

- None

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application and any required attachments are true, correct and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Marijuana Code that will affect my license.

Authorized Signature: Louis F. Costello
 Printed Name and Title: LOUIS F. COSTELLO, MEMBER MANAGER
 Date: 08-26-2015

(This page BELOW to be completed by City Staff)
CITY OF GUNNISON DEPARTMENTAL APPROVALS

Each Department Must Review, Approve, Sign, Check-Off, and Date for Application Approval to be forwarded to City Council for approval.

CITY CLERK'S DEPARTMENT

- Includes payment of application and licensing fees; submission of complete application forms and any other forms as required.

Date approved: 11/17/15 By: [Signature]

COMMUNITY DEVELOPMENT DEPARTMENT

see attached

- Compliance with Mechanical, Fire and Technical Codes of the Gunnison Municipal Code
- Compliance with Land Use Requirements as defined in the Gunnison Land Development Code.

Date approved: _____ By: _____

FINANCE DEPARTMENT

- Compliance with sales tax collection and remittance Code requirements

Date approved: _____ By: _____

POLICE DEPARTMENT

- Successful completion of local background checks and investigations

Date approved: 11/17/15 By: [Signature]

PUBLIC WORKS DEPARTMENT

- Compliance with City Utilities Codes

Date approved: 11-6-15 By: [Signature]

REQUIRED ATTACHMENTS FOR CITY COUNCIL PUBLIC HEARING

Results of local background check by City of Gunnison Police Department.
Approved Site Development Application and/or Conditional Use Permit.
Completed State of Colorado License Application Forms to Application.

Date Application Accepted by City Council: ___/___/___

Date of Public Hearing: ___/___/___

APPLICATION APPROVED: ___/___/___

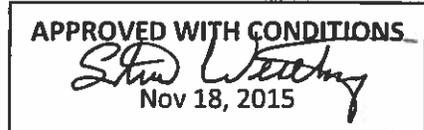
APPLICATION DENIED: ___/___/___

Retail Marijuana Establishment Permit Community Development Department

Applicants Name: The Colorado Cannabis Cabin LLC.

Applicants Address: 103 Basin Park Drive, Gunnison, CO 81230

Establishment Address: 650 S. 11th St. Suite B, Gunnison, Co 81230



Compliance	Initial Compliance Criteria and Standards for all Marijuana Establishments
OK	<i>Buffers:</i> Marijuana establishment is not located within 1000 feet of a public school; private or charter school; daycare school, center or home; and mental health facilities. Establishments shall not be located on real property that fronts, abuts or is adjoining to any Residential District zone.
OK	Marijuana establishment complies with the district zone location standards set forth in Table 2-3, Principal Use Table of the <i>Land Development Code</i> .
OK	Marijuana establishment complies with all provisions, standards and regulations of the <i>Land Development Code</i> .
OK	Marijuana establishment is served by city water, wastewater, and electrical utility services and complies with all provisions, standards and regulations of the <i>City of Gunnison Municipal Code</i> , Title 12, Utilities.
CHECKED	<i>State Regulations:</i> Marijuana establishment complies with all applicable requirements of Colorado State Law and <i>Code of Colorado Regulations</i> , Medical Use of Marijuana and Retail Marijuana Code.
OK W/ CONDITIONS	A source capture system cable of removing particulate and odors to achieve levels that do not constitute a nuisance to adjacent occupants, structures and properties has been approved.
OK W/ CONDITIONS	Marijuana establishment complies with International Code Council building and fire codes adopted by the City.
Compliance	Additional Standards for Retail Marijuana and Medical Marijuana Centers
1/ 60 sq ft = 21 max occ	Retail establishments shall be located in buildings that comply with occupancy standards established by the International Code Council codes and adopted by the City.
OK	Retail establishments shall be located on lots in buildings that comply with the regulations in the <i>Land Development Code</i> including, but not limited to, landscaping, buffers, lighting, screening and parking standards.

The Community Development Director finds that initial compliance with Mechanical, Fire and Technical Codes and Land Use Requirements have been met with the following conditions:

Conditions:

1. Marijuana establishment signage shall include only the registered business or trade name, address, and telephone number of the marijuana establishment.
2. Marijuana establishment complies with all provisions, standards and regulations of the *Land Development Code*.
3. Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment.
4. *Hours of Operation:* Anytime between 8 a.m. and 10 p.m. Monday through Sunday, except that Retail Marijuana Establishment hours are limited on Sunday to the hours of 1 p.m. to 6 p.m.
5. The licensed marijuana establishment shall have inspections by the Community Development Director or designee. Inspections shall include review of operations and maintenance records.

Retail Marijuana Establishment Permit
Community Development Department

6. Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.
7. Off-premise retail marijuana establishment storage facilities are prohibited.
8. Mechanical odor mitigation system installation shall be inspected and approved by the Building Official.
9. The licensed retail marijuana establishment premises shall be equipped with a carbon monoxide detector.
10. A minimum of 5 off street parking spaces shall be dedicated to this retail Marijuana establishment operation.
11. Building occupancy for a retail marijuana establishment shall not occur until final inspection and approval by the Building Official, Fire Marshal and Community Development Director.

CITY OF GUNNISON, COLORADO
MARIJUANA ESTABLISHMENT LICENSE – PROPERTY OWNER CONSENT

CITY CLERKS DEPARTMENT
201 W. VIRGINIA AVENUE
P.O. BOX 239
GUNNISON, CO 81230
970-841-8140 (phone) 970-641-8051 (FAX)
mail@cityofgunnison-co.gov (Email)

BUSINESS NAME: THE COLORADO CANNABIS CABIN, LLC

APPLICANT NAME: SAME

STREET ADDRESS OF PROPOSED LICENSED PREMISES:

650 S. 11TH STREET, UNIT B, GUNNISON, CO 81230

LEGAL DESCRIPTION: LOT 5-13 BLK 6 RIO GRAND ADDITION # 565096

**OWNER'S CONSENT TO SUBMISSION OF APPLICATION
FOR MARIJUANA ESTABLISHMENT ON OWNED PREMISES**

As owner of the real property listed above, I hereby authorize the submission of this application for my property to be used as a (check all that apply):

- Medical Marijuana Center
- Retail Marijuana Store
- Cultivation Establishment: Medical _____ Retail _____ (check one)
- Marijuana Product Manufacturing Establishment: Medical _____ Retail _____
- Marijuana Testing Facility

SANDRA L. HEAD TRUST Property Owner (Printed Name)

Sandra Head Property Owner (Signature)

8-27-15 Date

(Attach copy of deed or lease in name of the license applicant)

STATE OF COLORADO)

COUNTY OF Montrose) ss.

The foregoing instrument was acknowledged before me this 27th day of August, 2015, by Patricia J. Cummings

WITNESS my hand and official seal.
My commission expires 8-6-18

PATRICIA J. CUMMINGS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20104028576
MY COMMISSION EXPIRES AUGUST 6, 2018

AUTHORIZATION OF AGENT

I/We, the undersigned owner(s) of the following described real property located in the City of Gunnison, Colorado, hereby authorize the following individual(s):

LEWIS CASTELLO 535 RIVERFRONT RD GUNNISON, CO 81224 970 209 4865
Name Address Phone

to act in my/our behalf concerning the application for action under the Land Development Code of the City of Gunnison.

Legal description and street address of the property for which application is being made:

LOT 5-13 BLK 6 RIV GRAND ADDITION #16-5096
650 SOUTH 11TH STREET UNIT B GUNNISON, CO 81224

Type(s) of permit applied for:

- 1) Conditional Use
- 2) Marijuana
- 3) _____
- 4) _____

FIRST OWNER OF RECORD:

SANDRA L HEAD TRUST
Printed Name of Property Owner

Sandra Head
Signature of Property Owner

9-15-15
Date

LANDLORD/LESSOR
~~SECOND OWNER OF RECORD:~~

NEALE ACKLEY
Printed Name of Property Owner ~~LESSOR~~

Signature of Property Owner

Date

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

The Colorado Cannabis Cabin, LLC

is a **Limited Liability Company** formed or registered on 07/16/2015 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20151457045.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 07/24/2015 that have been posted, and by documents delivered to this office electronically through 07/27/2015 @ 11:00:37.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 07/27/2015 @ 11:00:37 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9257754.



Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."