

RESOLUTION NO. 18-29

**A RESOLUTION OF THE BOARD OF TRUSTEES OF
THE TOWN OF MILLIKEN, COLORADO
APPROVING A SITE PLAN TO CONSTRUCT A MARIJUANA DISPENSARY,
RETAIL STORE AND EXTRACTION LAB ON LOT 1, BLOCK 2, MILLIKEN
CORPORATE CENTER REPLAT A, 3220 CENTER DRIVE, MILLIKEN, COLORADO.**

WHEREAS, the Town of Milliken (“Town”) is authorized pursuant to Title 31, Article 23, C.R.S. and the Town of Milliken zoning and subdivision regulations to regulate land uses and development within its jurisdiction; and

WHEREAS, J & A Properties, LLC, John and Alicia Rotherham, (collectively, the “Owner”), has submitted an application for a commercial site plan known as Nature’s Herb Site Plan pursuant to Section 16-4-430 of the Town of Milliken Municipal Code to allow for the operation of approved I-2 (Medium Industrial District) uses and related improvements (“Site Plan”); and

WHEREAS, The Milliken Board of Trustees approved a Retail Marijuana Product Manufacturing and Retail Store License Application by Resolution 17-33 on December 17, 2017 in compliance with Chapter 6, Article VI, Sections 6-6-10 through 6-6-300 of the Municipal Code.; and

WHEREAS, the subject property is legally described as Lot 1, Block 2, Milliken Corporate Center Replat A Subdivision, Town of Milliken, County of Weld, Colorado, and consists of 111,737 square feet or 2.56 acres, more or less (the “Property”); and

WHEREAS, the Planning Commission reviewed and recommended approved of the Site Plan at a duly noticed public meeting on September 5, 2018; and

WHEREAS, pursuant to a duly noticed public hearing held on September 12, 2018, the Town Board of Trustees considered the Site Plan and hereby approves the same subject to the terms and conditions set forth in this resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF MILLIKEN, COLORADO THAT:**

Section 1. The Town Board of Trustees approves the Nature’s Herb Plan in substantially the same form as attached hereto subject to the following conditions of approval:

1. The site plan and construction plans shall be revised to reflect the approved placement, design, height, setback and size of the freestanding pole sign shown on Sheet AS200.
2. The landscaping plan shall be revised to remove landscaping from the right-of-ways.
3. Landscaping calculations shall be revised to reflect percentage of landscaping within the lot lines.
4. The applicant has requested a waiver from the Board of Trustees from landscaping requirements on the northwest lot corner bordering Center Drive and WCR 23 ¾ and along the north side of the building to allow for future expansion.

5. Stormwater management will be provided onsite based on a design approve by the Town Engineer and Public Works Director
6. The water plan provided will include the irrigation demands.
7. The applicant shall dedicate the required number of water shares as determined by the water demand and tap size and as approved by the Town.

Section 2. The Town staff is directed to take all steps necessary to finalize the Site Plan and cause the same to be recorded in the Clerk and Recorder's office of Weld County.

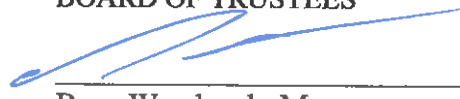
Section 3. Effective Date. This Resolution shall become effective immediately upon passage and approval.

Dated this 12th day of September, 2018.

ATTEST:


Cheryl Powell, Town Clerk

TOWN OF MILLIKEN, COLORADO
BOARD OF TRUSTEES


Beau Woodcock, Mayor