



Nederland Planning Commission

AGENDA

Wednesday, February 23, 2011 ~ 7:00 pm
Nederland Community Center
750 Highway 72 North

- 1) Call to Order
- 2) Roll Call
- 3) Approval of minutes from January 26, 2011
- 4) Action Items
 - a. Approval of minutes from June 23, 2010
 - b. Revocable encroachment permit – 34 E. 1st Street
 - c. Code changes to the sidewalk display permit process
- 5) Discussion Items
 - a. Plan review schedule for Sidewalk Enhancement Plan
 - b. Nederland Comprehensive Plan Update
 - c. Zoning Map Update
- 6) Other Business
- 7) Adjournment



Nederland Planning Commission

MINUTES

Wednesday, January 26, 2011 ~ 7:00 pm
Nederland Community Center
750 Highway 72 North

1) Call to Order

The Chairman called the meeting to order at 7:09 PM.

2) Roll Call

Present: Chairman Bill Martin, Commissioners Roger Cornell, Denise Jackson, Mikki Osterloo, and Trustee Kevin Mueller.

Absent: Commissioner Steve Williams

Also present: Town Administrator Alisha Reis, Deputy Town Clerk Kristen Edwards, Town Clerk Teresa Myers.

3) Approval of minutes from December 1, 2010

Chairman Martin requested that the fourth paragraph of page three be changed to read "The Commission has heard of projects tailored in order to avoid coming before the Planning Commission." and that the sentence "Handbooks and other tools would be very useful to avoid those conflicts in the future." be added to the end of the paragraph.

The motion to approve the minutes with the proposed change was made by Commissioner Cornell, seconded by Commissioner Jackson and unanimously approved.

4) Action Items

- a. Consideration of a request by resident Mark Cohen to amend Section 16-88 of the Nederland Municipal Code

Reis introduced item. The applicants are requesting that density increases be considered on a case-by-case basis in the Mountain Residential zoning district, as is currently allowed in the Neighborhood Commercial district. Staff is looking for direction as to

if the Commission would be interested in moving that direction in the Mountain Residential or other zoning districts. She pointed out that doing so would be one way to address some of the issues with the many non-confirming or undersized lots that are currently undevelopable, and that keeping things on a case-by-case basis would still allow for a significant amount of oversight by the Commission and the BOT. Projects would still need to go through the PUD or Special Review Use process.

Mark Cohen – 110 Snyder Street – spoke on behalf of his client, Paul Rewinkel. He explained that Mr. Rewinkel owns two adjacent properties in the Mountain Residential district; applications for building permits regarding the existing structures on the properties were denied by the interim Town Administrator. On appeal, the decision was upheld by the BZA in a recent hearing. The two lots are non-confirming lots and the structures on both are old; Mr. Rewinkel is looking for an economically feasible way to develop the properties. He is hoping to make a duplex out of the two structures, which is not permitted under the density parameters of current code.

Chairman Martin reminded the group to focus less on the specific details of this individual case and more on the larger pros and cons of this type of a change in the code.

The meeting was opened to public comment.

Leonard Cottonsteady – 354 W. 4th Street – lives just to the west of the properties in question. He feels it is a situation of ‘buyer beware and lender beware’ and that a lack of due diligence in the past by both parties does not merit a change in code now. He detailed a number of specific concerns vis-à-vis the specific property in question and the dynamics of the proposed duplex.

Mr. Cohen responded that Mr. Cottonsteady’s specific concerns are better addressed during the review process if the code change occurs to permit such a thing. He reiterated that it would not be economically viable for Mr. Rewinkel to build two separate houses.

Public comment was closed.

Chairman Martin reminded the Commission to focus on issues germane to the Planning Commission sphere and the larger impact of the proposed code change on the Town as a whole.

Commissioner Cornell said he found it hard not to consider the history of the specific case. He believes that the applicant bought the properties knowing they were non-conforming properties and that the code is very clear in that area. He talked about the history of the code that the applicant is looking to change (Section 16-88), noting that the section has been there since code was established in 1982. Neighborhood Commercial was permitted to have density increases considered because it was intended to be the zone that accommodated apartments, trailer parks and low-income housing. He noted that the opportunity to increase density is zone-wide but still requires a PUD. He believes that the rule of accepting things by exception is problematic and that it is better to have things be zone-wide based on specific criteria. The code is very clear on the limitations regarding non-conforming lots; owners cannot rebuild or remodel, they can only maintain the properties. He argued that it makes more sense to consider a change to the non-conforming use sections of the code to address this sort of problem.

Commissioner Jackson generally agreed with Commissioner Cornell, and said that allowing numerous case-by-case changes is contradictory to the intent of code and the logic behind having broad zoning districts in the first place. She pointed out that, per code, the BZA is not allowed to grant a variance that increases density.

Commissioner Martin opined that this code change opens up a can of worms; if the Commission permits this exception to the density requirements, numerous others could ask for the same and there could be significant sweeping changes, as he saw in Boulder in the late 80's and early 90's. He agrees that the currently permitted case-by-case density increases allowed in Neighborhood Commercial are really about having that 'near downtown' district to meet the need for infill development, but that other districts are zoned with different intent. He noted that infill development is a stated goal in the Comprehensive Plan, but thinks that can be achieved with the current zoning regulations.

Trustee Mueller said he does not necessarily mind the idea of doing things on a case-by-case basis, but believes it does not make sense as things are currently zoned. He reminded the group that the Town has agreed to provide for infill development to accommodate known population increases in the future. He thinks the Town's current zoning is problematic overall and that the Commission has a lot of work to do revising the zoning code as a whole. He believes that

adding another level of 'quirkiness' doesn't make sense for now, but maybe in the future when things are set up differently it would.

Commissioner Osterloo said she is in agreement with the sentiments of the group.

Reis stated that the non-conforming lot issue is, in her opinion, one of the biggest zoning issues in Town, particularly in the larger-lot areas such as Big Springs. She said that at some point Staff would very much like to address the issue, and maybe consider at least allowing remodels given the advancing age of older buildings.

Commissioner Cornell concurred with Reis that a problem exists and would be interested in revisiting that section of the code. Chairman Martin agreed, noting that there are health and safety issues vis-à-vis aging buildings.

Mr. Cohen clarified that it was not the intent of the building permits to enlarge the structures and argued that the code is not clear on the subject of non-conforming lots.

A motion was made to recommend the proposed change to Section 16-88 of the code was made by Commissioner Cornell, seconded by Commissioner Jackson and unanimously rejected.

b. Consideration of draft medical marijuana ordinance request

Town Clerk Teresa Myers introduced the item, explaining that the proposed draft ordinance is the culmination of efforts by the Medical Marijuana Task Force, has been reviewed by the Town Attorney, and is the draft ready to go to the public for comment as well as to the BOT. She bolded all sections related to planning and zoning, which are the sections on which the BOT is looking for the Commission's comments. The Commission asked the public to please keep their comments to those sections as well.

Commissioner Cornell said he thought section 6-255 was very good, clear and self-explanatory and he had no changes.

Trustee Mueller wondered if 'Forestry' should be included in the zones permitted to have optional premises for cultivation (Section 6-255-C). The Commission discussed and agreed that there are no Forestry areas in Town that would be candidates for a grow operation so there is no need for it to be included.

Chairman Martin asked if the State clarified whether or not towns have the right to change distance requirements. Myers replied that, while much of the regulations are still unclear, the State has made clear that municipalities will be in charge of zoning decisions. She emphasized it could be years rather than months until everything is settled at the State level. Chairman Martin asserted that is even more reason to be proactive and define the parameters with which our Town is comfortable. He emphasized again that it is the Commission's desire to rely on established and existing code as much as possible.

The Commission had a discussion about how the various types of businesses fit in the different use groups, agreeing that MMCs are like other retail businesses so are more straightforward, while the grows are more complex. Myers explained that the ordinance prohibits a grow operation from being a part of a residence, addressing resident concerns about rental houses being used exclusively for grow operations. She said that building inspectors have flagged residential grow operations as very problematic and believe that the electric and ventilation required for large commercial grows make them more of a semi-industrial classification. She made it clear that caregivers are not included in or covered by any of the ordinance language. Commissioner Cornell's concern about exceedingly large greenhouses was resolved when the group agreed that the 40% maximum lot coverage limit currently in the code would effectively address the situation.

The meeting was opened to public comment.

Kathleen Chippi – Magnolia Star Route – stated that she has serious concerns with the adversarial language of the ordinance and the dynamics of the Task Force history. She listed her concerns with the proposed ordinance, which included but were not limited to many of the definitions, ways in which caregivers are included in and could be considered to be covered by the ordinance, the five-MMC limit, the requirement that applicants must have a signed lease in order to apply for a business license, restrictions on signage and odors, videotape requirements, and the ways in which she believes the ordinance is in conflict with the vote passed by residents to decriminalize recreational marijuana. She discussed her upcoming lawsuit and argued that the State constitution guarantees access to medical marijuana, making local regulations and licensing invalid.

Janet Perry – 119 E. First Street – covers the medical marijuana industry for the Mountain Music, Arts & Culture section of the Mountain-Ear. While visiting dispensaries she has seen very ill patients so immediately helped by smoking medical marijuana that she wants them to have the ability to smoke on-site in the centers.

Heather Dalton – 3C Kathmandu Plaza – stated that grows are now a significant percentage of the building where she resides and that she has serious safety concerns. She is pro-marijuana but believes that the concerns of residents who live in proximity to grows are not being adequately addressed.

Koby Malone – 451 W. 3rd Street – is a manager at the MMC Nedicade in the Kathmandu Plaza. She understands that grows proximate to residences can be problematic and said they are working hard to be good neighbors, but they are also trying to build a business and help patients.

Mary Jarrell – 304 [Unintelligible] Street – agrees generally with Ms. Chippi that the ordinance is arbitrary and capricious and is concerned about the money being spent on this language. She has concerns with the process and believes that more public hearings should be held after the final proposed language is drafted so the public has the opportunity to comment further before the ordinance is adopted.

Shasta Fite – 630 Copperdale Lane – is the owner of the Tea Alchemy and a member of the Medical Marijuana Task Force. She stated that the intent of the language is to create a clear distinction between the retail centers that generate tax revenue and the personal caregivers, and to only regulate the former group. She believes that a lack of available space in Town forces grows into undesirable places that affect residents, and would like to work with the Commission to create more possible locations for commercial grows. She stated that all Task Force meetings were posted if not always well attended and nothing was kept secret.

In response to questions, Myers clarified that this draft of the ordinance was finalized by the Task Force in late November and was returned by the Town Attorney last week, and that the Commission is the first group to see this draft. The Town Attorney primarily removed references to Federal law as well as language referencing caregivers, but otherwise felt it was legally sound legislation.

Mark Rose – Sundance Circle – encouraged the Commission to be very careful with any language relating to caregivers. House Bill 1284 only addresses centers and grow operations while caregivers and patients are constitutionally protected, so if the two are mixed up in any way in the ordinance he is concerned that the Town could be sued.

Ms. Perry wanted to clarify that the Mayor has stated that Planning Commission meetings are the appropriate venue for public comment rather than Task Force meetings, so she has been encouraging people to follow that advice. In her coverage of the issue in the paper, she stated that the Commission is “receiving” the language tonight, so she would like the public to have more time for review and comment.

Ms. Chippi stated that the first three Task Force meetings were not publicized. She asked for clarification as to who was on the Task Force; Myers listed the members as Shasta Fite, Brian Swanton, Chris Perret, herself, and Brian Goldkamp, as well as Kimba Stefane for part of the time. Ms. Chippi noted that three members have lived in Town for less than a year and disputed the way in which others were removed from the Task Force.

Ms. Fite clarified that she has lived in the area for over six years. She explained that the membership changed because the Task Force was ‘top heavy’ with dispensary owners and was directed by the Mayor to be more balanced. Myers clarified that the official Task Force makeup was dictated by the BOT and never changed. Trustee Perret believed that as many interested people as possible should be included and so invited numerous additional dispensary owners to attend meetings. When the Task Force was not making progress at the desired pace, the Mayor requested that the meetings be curbed to the original direction of the Trustees.

Public comment was closed.

The Commission had an extended discussion about the ordinance. In response to questions about how the document will be used, Myers explained that the ordinance is primarily a business licensing document. The ultimate goal is to have everything in place as the Town desires by July 1 when the State moratorium on medical marijuana businesses is lifted and State laws would otherwise take effect. She explained that the BOT directed the Commission to work

on the document first, as many of the issues and things that would most impact residents are planning- and zoning-related. Resident concerns to date have been primarily focused on things like the number of centers and the location of grows in residential areas. Both Myers and the public answered questions from Commissioners clarifying the dynamics of the broader situation and State-related issues. Myers clarified that the Task Force agreed on and was comfortable recommending the five-center limitation. Chairman Martin and Commissioner Cornell agreed that while they have concerns about things like the caregiver issue, the group should continue to focus on the zoning aspects; concerns about constitutionality and lawsuits should be addressed more by the BOT and the Town Attorney. Commissioner Jackson wondered if it was possible to do so, as the constitutional issues seem to her to impact the zoning. Myers noted that the Town Attorney has spent significant amounts of time on the document, and cautioned the group not to try to make legal determinations.

In response to questions about the timeline, Myers explained that Trustee Perret and Mayor Abu-Haidar would like the ordinance to pass from the Commission to the BOT for action by March 1st, when the final State regulations are expected to be released and serious enforcement begun.

The Commission went through the bolded section of the ordinance and had the following comments and recommendations:

- Section 6-240-G: After an extended discussion on the pros and cons of various numbers, the Commission recommended a maximum of seven centers instead of five.
- Sections 6-257 and 6-261: The Commission recommended to strike the sections in full, as medical marijuana businesses should be held to the same requirements as other businesses and are therefore covered by the existing code.
- Sections 6-258 and 6-259 and 6-264: The Commission did not believe that these sections are under its jurisdiction and therefore had no comment.

With the exception of the sections listed above, the Commission is in agreement with the remainder of the bolded sections as written.

The Commission discussed whether to require a special review for buildings above a certain size, but decided the current code and bulk requirements adequately address the issue. Trustee Mueller suggested that expanding the application of the design guidelines

from the Central Business District to other zones might be a good way to address that. It was agreed that process should be a separate endeavor that applies to all businesses and not specifically medical marijuana-related businesses.

A move to approve the bolded sections of the medical marijuana ordinance with the recommended changes was made by Commissioner Cornell, seconded by Commissioner Jackson and approved unanimously by a hand vote.

5) Discussion Items

a. Plan for update of the 2003 Comprehensive Plan

Chairman Martin thought that Reis' overall proposed plan was a good one and that the timeframe was realistic. The Commission discussed possible variations on the composition of the 'team', who should be responsible for which components, and the best way to proceed. Commissioner Cornell noted that in past iterations of Plan updates the group was supported by a Town Staff member who provided administrative support and maintained the master document. Deputy Clerk Edwards would seem to be the logical person to fill that role. Edwards stated that while she would be happy to do so, the workload at Town Hall is significant and she would not want competing Staff obligations to slow the process. The Commission agreed to divvy up the chapters amongst Commission members for the 'first cut' at each section, then pass the documents along to Edwards to compile and maintain from that point forward. It was agreed that after the initial push of revising and information gathering that a "champion/project manager" should be identified.

The Commission divided the chapters as follows:

- Population – Commissioner Jackson
- Housing – Chairman Martin
- Economy – Commissioner Williams
- Utilities – Public Works and Administrator Reis
- Transportation & Community Facilities – Commissioner Osterloo
- Land Use – Commissioner Cornell
- New Sustainability Chapter – Trustee Mueller

Commissioner Cornell raised the issue of how to integrate the concept of sustainability; should it be its own chapter or integrated in some way into each separate chapter? The Commission agreed it was a point to consider as the process moved forward. Commissioner

Cornell also raised the issue of the super-IGA and the need to address that situation before it expires in 2012, or confirm that it will be renewed for another round.

The Commission had a discussion on the cost dynamics of the Plan revisions vis-à-vis the options proposed by Reis. The group decided that, given budget constraints, the majority of the work should be undertaken by the Commissioners, Town Staff and volunteers. It was agreed that a scientifically valid mail-in survey would not be worth the cost and that the group could instead leverage information gathered in the Envision 2020 process. Chairman Martin volunteered to serve as a mediator for public meetings so as to save costs there. The Commission agreed that there might be a role for paid third-party help on specific jobs, particularly in the middle-to-late stages of the process. DRCOG and/or DOLA may be of some help, and Trustee Mueller raised the idea of leveraging the graduate planning program at CU.

6) Other Business

a. Zoning map update

The Commission gathered around a large version of the draft zoning map as Chairman Martin took the group through the updating work done by he and local GIS professional Whit Johnson so far. The group discussed changes since the 1981 and 2003 versions of the map. Commissioners will continue to review the new map for possible inconsistencies and send questions to Staff to research.

7) Adjournment

The motion to adjourn was made by Commissioner Jackson, seconded by Commissioner Cornell and unanimously approved at 10:31 pm.

Approved by the Planning Commission,

Bill Martin, Chair, Planning Commission

ATTEST:

Kristen Edwards, Deputy Town Clerk



**AGENDA INFORMATION
MEMORANDUM
NEDERLAND
PLANNING COMMISSION**

Meeting Date: February 23, 2011

Initiated By: /s/ Kristen Edwards

Dept: Administration

Action Discussion

AGENDA ITEM:

Approval of minutes from June 23, 2010

SUMMARY:

In organizing Planning Commission documents, I discovered that the minutes from the June 23, 2010 meeting were never formally approved by the Commission at any subsequent meeting.

HISTORY AND PREVIOUS BOARD ACTION:

None.

ATTACHMENTS:

Draft minutes from the June 23, 2010

Nederland Planning Commission
Community Center
750 Hwy 72

Minutes
Wednesday, June 23, 2010
7:00pm

1. Call to Order: Chairman Martin called the meeting to order at 7:10.

Present: Chairman Martin, Commissioners Oserloo, D. Mueller

Trustee K. Mueller (Board Liaison and ex-officio member)

Absent: D. Jackson

2. Approval of minutes: There were no minutes to approve

3. Public Comment: None

4. Continuation of work on Comp Plan

As of April 2010, we have reviewed and edited up through the foreword section with most focus on the general policy statements. Several new ones were added (see draft), and further work identified the need to establish measures of success to make sure that the general policy statements are implemented. Examples included: sustainability goals (how many homes/ businesses upgraded), water treatment plant, sidewalks (how did recent work change things), LEED certification (how aggressive in going after various levels), runoff concerns from projects.

Other topics that will come up during the Comp Plan revision process:

- 2020 vision document

- DDA projects (need to integrate their planning process into ours)

- Special events permitting process (need to address costs, public vs. private differences, other issues based on different types of events)
- Old PC priority project list – need to dust off and rehash to see what can be checked off vs. what needs work

Next steps: keep reviewing chapters, schedule joint workshop with BOT in August.

5. Review of terms, appointments and openings

- Currently, two openings on PC (need to advertise and solicit for Interest)
- Need to verify that Denise Jackson was re-appointed by BOT in June
- Get updated contact info and terms to town staff

6. Updates to code book (get revised sections from town staff and insert into Our books)

7. Upcoming items for PC

- Zoning for medical marijuana (what are the needs/parameters; how will new state reg's shape our debate and needs (and do we need to craft our own regulations); how do we begin to shape our debate (ie, how are liquor store applications addressed and processed); what zoning classes are appropriate for mmj; how to manage (need for SPUA?) as well as consider other issues (noise, water, traffic, crime, fire/wiring, rental supply/demand); different aspects of mmj – wellness centers, grow operations and kitchens (may need to split

these out as they are categorized into usage groups); ways to oversee licensing (and how to gauge where and how many).

8. Other Business

It was moved, seconded, and unanimously approved to adjourn at 9:00 PM

Approved by the Planning Commission

Bill Martin, Planning Commission

ATTEST:

Mary MacWilliams, Deputy Town Clerk



**AGENDA INFORMATION
MEMORANDUM
TOWN OF NEDERLAND
PLANNING COMMISSION**

Meeting Date: February 23, 2011

Initiated By: /s/ Alisha Reis
Dept: Planning & Zoning
Action X Discussion

AGENDA ITEM:

Revocable Encroachment Permit – 34 E. First St.

SUMMARY:

The applicant, David Jagger, has submitted a request for an encroachment permit for a portion of East First Street adjacent to and near Lots 1 and 2 of the Jenai Subdivision, including his property at 34 E. First St. (Bella's Deli), the Mountain People's Co-op (30 E. First St.) and the Rustic Moose (26 E. First St.). As indicated by Exhibit A, the properties encroach upon Town right-of-way for First Street. The structures have been in place for many years. The encroachment was discovered recently when the applicant contracted for survey work upon his property.

The permit is revocable, upon any future need for the Town to need the property for public use. Currently, the encroachment does not impede the public use of East First Street. Any future development upon the identified sites would need to be compliant with the Town's right-of-way.

RECOMMENDATIONS:

Recommend approval to the Board of Trustees of the revocable encroachment permit

ALTERNATIVES:

Recommend denial of the permit to the Board of Trustees

ATTACHMENTS:

- 1) Draft Resolution 2011-05, granting a revocable encroachment permit
- 2) Exhibit A, illustrating the encroachment
- 3) Exhibit B, detailing the legal description of the site

**TOWN OF NEDERLAND
Boulder County, Colorado**

RESOLUTION 2011-05

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF NEDERLAND
GRANTING A REVOCABLE ENCROACHMENT PERMIT FOR A PORTION OF
EAST 1ST STREET ADJACENT TO AND NEAR LOTS 1 AND 2 OF THE JENAI
SUBDIVISION, NEDERLAND, COLORADO**

WHEREAS, C.R.S. § 31-15-702 authorizes the Town of Nederland (“Town”) to manage and regulate the use and occupation of lands dedicated to the public use as rights-of-way; and

WHEREAS, it has come to the Town Board of Trustees’ (“Board”) attention that certain improvements currently encroach into and over the public right-of-way known as East First Street, as further described herein; and

WHEREAS, the Board finds and determines that such encroachment is not currently harmful or disruptive to the public’s use of the right-of-way for public use and travelling purposes; and

WHEREAS, the Board further finds that such encroachment could, in the future, be detrimental to and inconsistent with the public use of East First Street; and

WHEREAS, the Board therefore determines that it is necessary and desirable to formalize an arrangement under which the current encroachments are permitted while maintaining the Town’s ability to require that such encroachments be removed in the future; and

WHEREAS, the Board therefore desires to approve the revocable encroachment permit under the terms and conditions set forth herein.

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

Section 1. The Board of Trustees hereby grants and approves a revocable encroachment permit to the owners of those encroaching improvements illustrated on **Exhibit A**, attached hereto and incorporated herein by this reference, to occupy a certain portion of the public right-of-way known as East 1st Street within the Town of Nederland, County of Boulder, State of Colorado, more specifically described in **Exhibit B**, attached hereto and incorporated herein by reference. This encroachment permit may be revoked by the Town at any time and for any reason by Resolution of the Board of Trustees.

Section 2. After approval and execution, the Town Clerk is directed to record this Resolution and its Exhibits in the real property records of the Boulder County Clerk and Recorder’s Office. The Town Administrator and Town Clerk are further authorized to execute any and all instruments necessary to effectuate the intent of this Resolution.

Section 3. This Resolution shall take effect immediately upon adoption.

RESOLVED, APPROVED and ADOPTED this ___ day of _____, 2011.

TOWN OF NEDERLAND

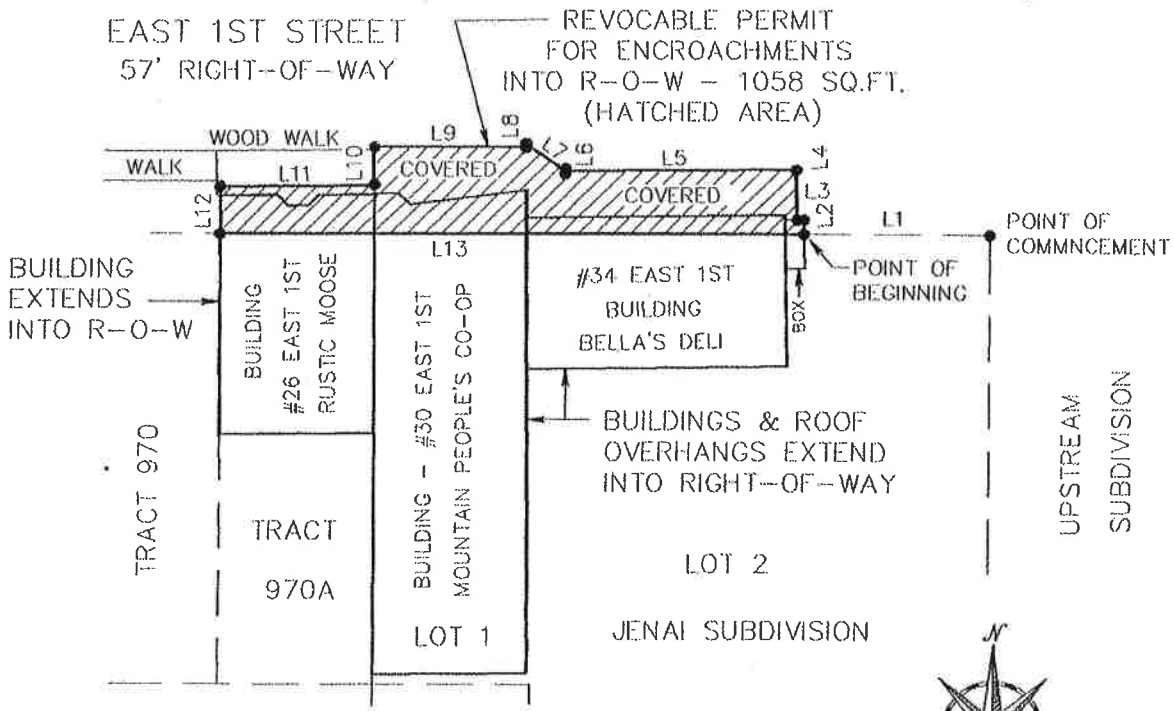
By: _____
Sumaya Abu-Haidar, Mayor

ATTEST:

Teresa Myers, Town Clerk

- REVOCABLE PERMIT EXHIBIT -

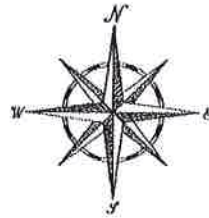
FOR A PORTION OF EAST 1ST STREET . IN THE TOWN OF NEDERLAND
BOULDER COUNTY . COLORADO



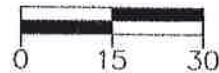
- Line Table -

L1	- NORTH 90-00-00 WEST	30.36 FEET
L2	- NORTH 01-01-39 WEST	2.40 FEET
L3	- SOUTH 89-22-11 WEST	1.20 FEET
L4	- NORTH 01-01-39 WEST	8.37 FEET
L5	- SOUTH 89-40-27 WEST	38.00 FEET
L6	- NORTH 00-16-39 WEST	0.07 FEET
L7	- NORTH 56-26-03 WEST	7.59 FEET
L8	- SOUTH 00-22-07 WEST	0.28 FEET
L9	- SOUTH 89-57-41 WEST	25.44 FEET
L10	- SOUTH 01-01-39 EAST	6.48 FEET
L11	- SOUTH 89-38-00 WEST	25.28 FEET
L12	- SOUTH 00-22-00 EAST	7.87 FEET
L13	- NORTH 90-00-00 EAST	96.27 FEET

DEGREES - MINUTES - SECONDS



SCALE : 1" = 30'



Flagstaff Surveying Inc.

TABLE MESA SHOPPING CENTER
637 SOUTH BROADWAY . SUITE C
BOULDER . COLORADO . 80305
303.499.9737

16400e-1.dwg . 31 January 2011

PREPARED BY LEE STADELE
COLORADO PLS 26300

Flagstaff Surveying Inc.

Revocable Permit Description

A portion of the East 1st Street road right-of-way in the Town of Nederland, located in the southwest quarter of Section 13, Township 1 South, Range 73 West of the 6th Principal Meridian, County of Boulder, State of Colorado, more particularly described as follows:

Commencing at the northeast corner of Lot 2, JENAI SUBDIVISION;

thence North 90°00'00" West, along the north line of Lot 2 and the south line of the East 1st Street road right-of-way, a distance of 30.36 feet to a point on the east side of the frame utility box attached to the building on Lot 2, said point being the **Point of Beginning**;

thence North 01°01'39" West, along the east edge of the frame box, a distance of 2.40 feet to the northeast corner of the frame box;

thence South 89°22'11" West, along the north side of the frame box, a distance of 1.20 feet to the intersection with the east roof eave line of the building on Lot 2;

thence the following seven (7) courses and distances along the edge of the roof eaves for the buildings located on Lots 1 and 2, JENAI SUBDIVISION, to wit:

- 1) North 01°01'39" West, a distance of 8.37 feet;
- 2) South 89°40'27" West, a distance of 38.00 feet;
- 3) North 00°16'39" West, a distance of 0.07 feet;
- 4) North 56°26'03" West, a distance of 7.59 feet;
- 5) South 00°22'07" West, a distance of 0.28 feet;
- 6) South 89°57'41" West, a distance of 25.44 feet;
- 7) South 01°01'39" East, a distance of 6.48 feet to a point on the north edge of the roof overhang attached to the front of the building located on Assessor's Tract 970A, also known as #26 East 1st Street;