

**GRAND JUNCTION CITY COUNCIL
WORKSHOP AGENDA**

**MONDAY, MARCH 1, 2004, 7:00 P.M.
COMMUNITY MEETING ROOM, MESA MALL, 2424 HIGHWAY 6 & 50**

MAYOR'S INTRODUCTION AND WELCOME

7:00 COUNCILMEMBER REPORTS

7:10 CITY MANAGER'S REPORT

7:15 REVIEW FUTURE WORKSHOP AGENDAS

[Attach W-1](#)

7:25 REVIEW WEDNESDAY COUNCIL AGENDA

7:30 DISCUSSION WITH YOUTH COUNCIL

[Attach W-2](#)

9:00 ADJOURN

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as is the order of the agenda.

**Attach W-1
Future Workshop Agenda**

CITY COUNCIL WORKSHOP AGENDAS

**** MARCH 15, MONDAY 11:30 AM***

11:30 Transportation Capacity Payment (TCP)/One-half Street Improvements

MARCH 15, MONDAY 7:00PM

7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW
FUTURE WORKSHOP AGENDAS

7:25 CITY MANAGER'S REPORT

7:30 WINGATE PARK MASTER PLAN

**** APRIL 5, MONDAY 11:30 AM***

11:30 CITY OWNED PROPERTY

APRIL 5, MONDAY 7:00PM

7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW
FUTURE WORKSHOP AGENDAS

7:25 CITY MANAGER'S REPORT

**** APRIL 19, MONDAY 11:30 AM***

11:30 OPEN

APRIL 19, MONDAY 7:00PM

7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW
FUTURE WORKSHOP AGENDAS

7:25 CITY MANAGER'S REPORT

7:30 UPCOMING APPOINTMENTS TO BOARDS & COMMISSIONS

**** May 3, MONDAY 11:30 AM***

11:30 OPEN

MAY 3, MONDAY 7:00PM

7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW
FUTURE WORKSHOP AGENDAS

7:25 CITY MANAGER'S REPORT

7:30 STRATEGIC PLAN UPDATE

**** MAY 17, MONDAY 11:30 AM***

11:30 OPEN

MAY 17, MONDAY 7:00PM

7:00 COUNCIL REPORTS, REVIEW WEDNESDAY AGENDA AND REVIEW
FUTURE WORKSHOP AGENDAS

7:25 CITY MANAGER'S REPORT

7:30 UPCOMING APPOINTMENTS TO BOARDS & COMMISSIONS

**BIN LIST FROM CITY COUNCIL RETREAT (June 2003)
(and other reminders)**

1. Utilities in right-of-way ordinance
2. Ridges Architectural Control Committee Letter
3. Linden Avenue Housing Project request (April 5, am or pm?)
4. Continuation of cable television franchise discussion
5. Visit to the Senior Center

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Reduction of Distance Restriction for Hotel and Restaurant Liquor Licenses to College Campuses					
Meeting Date	Not Scheduled Yet					
Date Prepared	January 8, 2004				File # NA	
Author	Stephanie Tuin		City Clerk			
Presenter Name	Stephanie Tuin John Shaver		City Clerk Acting City Attorney			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	John Bellio
X	Workshop		Formal Agenda		Consent	Individual Consideration

Summary: State law requires five hundred feet, using direct pedestrian access, from the property line of a school to the liquor-licensed premise; however, the law also allows local jurisdictions to reduce that distance for a certain class of license for one or more types of schools. In 1987, the Grand Junction City Council reduced the distance for full service restaurant licenses from college campuses to 300 feet. A property owner near Mesa State College has requested that City Council consider further reducing or eliminating the distance restriction for hotel/restaurant liquor licenses for principal college campuses.

Budget: There is no cost other than that of processing an ordinance. A change to the ordinance may result in additional liquor licenses in the vicinity of Mesa State College.

Action Requested/Recommendation: Consider whether to schedule this for formal action.

Attachments:

1. Map of the area affected
2. Proposed Ordinance

Background Information: Mr. John Bellio, a property owner on North Avenue, has contacted the City Clerk's office a number of times concerning the distance restriction. At present, due to the proximity of his property to Mesa State College, the business is only allowed a 3.2 percent beer license. His lessee would like to serve mixed drinks, in particular margaritas, and imported and domestic beer, which is greater than 3.2 percent.

State law, 12-47-313(1)(d)(II), C.R.S., provides that the distance is measured “by direct measurement from the nearest property line of the land used for school purposes to the nearest portion of the building in which liquor is to be sold, using a route of direct pedestrian access.” State Liquor Code Regulation 47-326 further clarifies that it is “measured as a person would walk safely and properly, without trespassing with right angles at crossings and with the observance of traffic regulations and lights.”

Using the City’s GIS system, other establishments in the area are removed from the college campus as approximated below. No requests have been made from these other businesses but if the distance restrictions were to be reduced or removed that may spark some interest. Also, if any of these businesses change hands, that too might generate a request for a hotel/restaurant liquor license.

Any change to the distance will affect all locations in the City where a principal campus of a college, university or seminary exist. At present, there are no other principal college campuses.

Existing food establishments currently within 300 feet are all listed. Those that would be restricted under the current law are bolded (remember measurement is how a pedestrian would legally walk, using crosswalks). The measurements are approximate using the GIS system; only an on ground survey could determine the exact distance.

1. Chopstix Chinese Restaurant, 1029 North Ave - 342 feet
2. Blackjack Pizza, 1059 North Ave – 468 feet
3. Steaming Bean Coffee House, 1059 North Ave – 468 feet
4. Kentucky Fried Chicken, 1111 North Ave – 535 feet
5. Diorios Pizza, 1125 North Ave – 457 feet
- 6. El Tapatio, 1145 North Ave – 281 feet**
- 7. Arby’s, 1155 North Ave – 226 feet**
8. McDonalds, 1212 North Ave – 343 feet
- 9. Taco John’s, 1122 N. 12 St - 241 feet**
10. Higher Grounds Coffee Shop, 1230 N. 12th St. – 332 feet
- 11. Papa Kelsey’s & Fred, 1234 N. 12th St - 133 feet**
- 12. Subway, 1840 N. 12th St – 200 feet**
- 13. Prime Cut, 1960 N. 12th St – 270 feet**
14. Chef’s, 936 North Ave – 297 feet (this restaurant was licensed prior to Mesa State buying the St. Matthews Episcopal Church property at 10th and North).

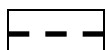
A map showing the locations of the bolded properties is attached.

Mesa State College and Vicinity

Prime Cut

 Mesa State

Subway

 300 foot boundary

Papa Kelsey's

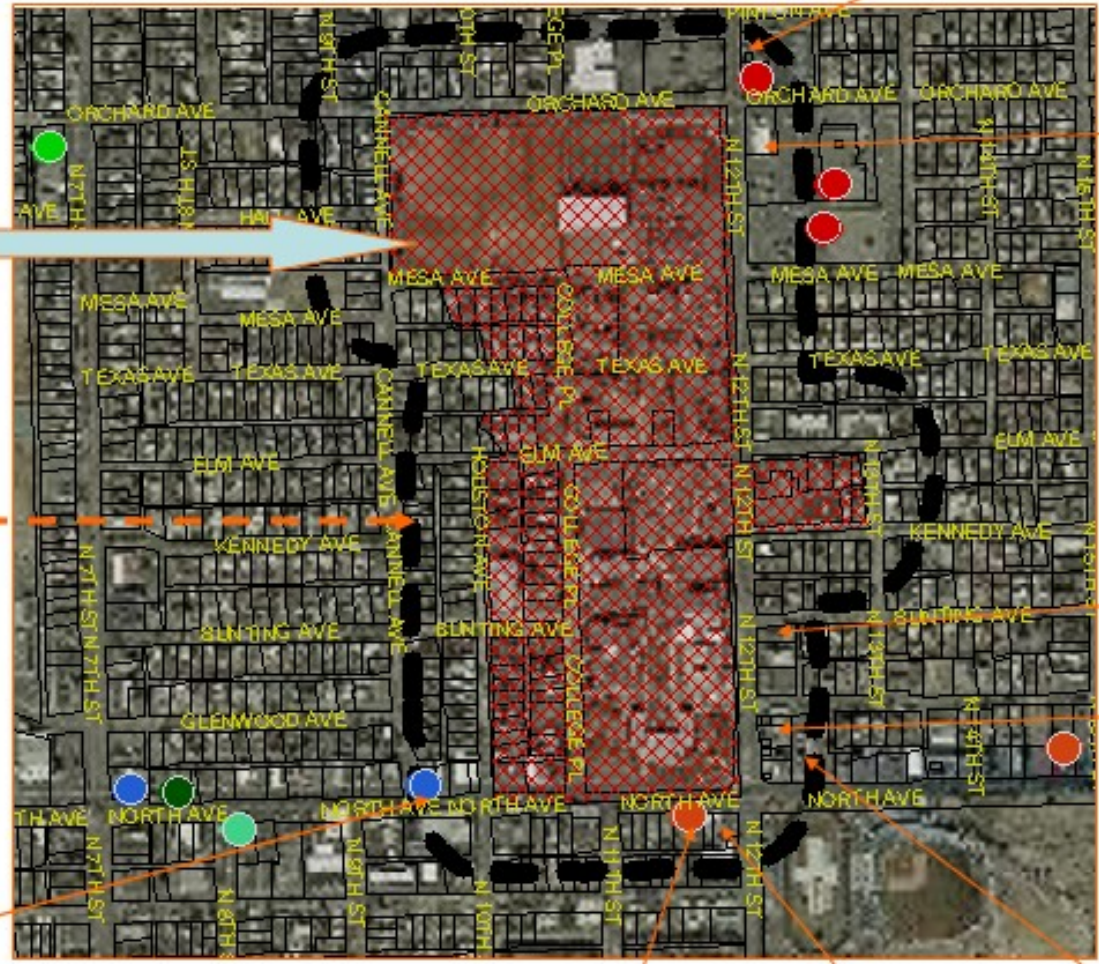
Taco John's

Chef's

El Tapatio

Arby's

McDonald's



Ordinance No. _____

**An Ordinance Amending Section 4-52 of the Grand Junction Code of Ordinances
Reducing the Distance a Hotel and Restaurant
Liquor Licensed Premise Must Be from the Principal Campus of a
College or University in the City of Grand Junction**

Recitals.

12-47-313 (1)(d)(I) C.R.S. requires any building where the malt, vinous, or spirituous liquor is to be sold to be located at least five hundred feet from any public or parochial school or the principal campus of any college, university or seminary.

12-47-313 (1)(d)(III) C.R.S. provides that "The local licensing authority of any city and county, by rule or regulation, the governing body of any other municipality, by ordinance and the governing body of any other county, by resolution, may eliminate or reduce the distance restrictions imposed by this paragraph (d) for any class of license, or may eliminate one or more types of schools or campuses from the application of any distance restrictions established by or pursuant to this paragraph (d)".

In 1987, the City Council of the City of Grand Junction, after a properly noticed public hearing, adopted Ordinance No. 2367 which reduced the distance a hotel and restaurant liquor licensed establishment must be from the principal campus of a college or university to 300 feet.

The City Council considered a further reduction of distance required between hotel and restaurant liquor licenses and the principal campus of colleges and universities and has established the required distance as provided with this ordinance.

NOW, THEREFORE, BE IT ORDAINED THAT:

Under the provisions of 12-47-313 (1)(d)(III) C.R.S., the distance that a hotel and restaurant liquor licensed premises must be separated from the principal campus of a college or university in the City of Grand Junction is reduced from 300 feet to _____ feet. The distance shall be determined in accordance with 12-47-313 (1)(d)(II) C.R.S. and Colorado Liquor Regulation 47-326.

Introduced on first reading and ordered published this _____ day of _____, 2004.

Passed on second reading and order published this _____ day of _____, 2004

ATTEST:

President of the Council

City Clerk

Attach W-2

Youth Council Discussion



Memorandum

TO: City Council

CC: Kelly Arnold, City Manager; David Varley, Assistant City Manager

FROM: Seth Hoffman, Management Intern

Date: February 25, 2004

Subject: Discussion Topics for the March 1, 2004 meeting with Youth Council

At their meeting on February 12, 2004, the Youth Council identified the following topics they would like to discuss with City Council at its workshop at 7 p.m., March 1st at Mesa Mall.

1. Update on Youth Council Activities

The Youth Council will give a brief update on what they've been working on lately, including their recent visit to a School Board meeting.

2. Quarterly Meetings

The Youth Council was very receptive to City Council's suggestion that the two groups meet on a regular basis. The Youth Council would like City Council's input on the structure and timing of those meetings.

3. City Council Representation

The Youth Council would like to discuss the possibility of having a City Councilmember attend each of their meetings.

4. Boys and Girls Club

Mark Messenbaugh, a representative from the Boys and Girls Club and the Attorney General's office, presented to the Youth Council at their February 12 meeting. The Youth Council was generally supportive of the ideas presented and would like to discuss the issue with the City Council.

5. Legislative Activities

The Youth Council has had several discussions about state legislation that affects teenagers. They hope to discuss their role in legislative activities.

6. Areas the City Can Better Serve Youth

The Youth Council would like to discuss this topic in light of the City Council's recent Strategic Plan update.