

**GRAND JUNCTION CITY COUNCIL
WORKSHOP AGENDA**

**MONDAY, JULY 4, 2005
CITY HALL AUDITORIUM, 250 N. 5TH STREET**

“CANCELED DUE TO HOLIDAY”

FUTURE WORKSHOP AGENDAS

[Attach W-1](#)

WRITTEN REPORTS

**1) PROPOSED ORDINANCES: POSSESSION OF MARIJUANA, MINORS
IN POSSESSION OF ALCOHOL**

[Attach W-2](#)

**2) PROPOSED ORDINANCE: REDUCING DISTANCE RESTRICTION
FOR BREW PUB LIQUOR LICENSES**

[Attach W-3](#)

Attach W1

Future Workshop Agendas

FUTURE CITY COUNCIL WORKSHOP AGENDAS

(29 June 2005)

* ~~JULY 4, 2005 MONDAY 11:30 AM & 7 PM~~ Canceled for Fourth of July

* **JULY 18, 2005 MONDAY 11:30 AM** at **TWO RIVERS CONVENTION CENTER**

11:30 CHAMBER OF COMMERCE BOARD OF DIRECTORS

JULY 18, 2005 MONDAY 7:00PM (Begin meeting at 6:00 PM?)

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

7:25 CITY MANAGER'S REPORT

7:30 APPOINTMENTS TO BOARDS & COMMISSIONS

7:40 NEW GYMNASIUMS & INTERGOVERNMENTAL AGREEMENT WITH SCHOOL DISTRICT 51 (*May be delayed*)

8:00 UPDATE ON GRAND JUNCTION STORM WATER ORDINANCE: 5-2-1 DRAINAGE AUTHORITY

8:35 CITIZEN SURVEY REPORT: PRESENTATION BY DR. MOORMAN

9:05 ?*LISTENING TO BUSINESS REPORT?* (or move to a different workshop?)

9:35 STRATEGIC PLAN UPDATE

* **AUGUST 1, 2005 MONDAY 11:30 AM** at **TWO RIVERS CONVENTION CENTER**

11:30 PLANNING COMMISSION

AUGUST 1, 2005 MONDAY 7:00PM

7:00 FORUM WITH ELECTED OFFICIALS AND OTHER OFFICIALS TO DISCUSS THE IMPACTS OF REFERENDUMS C & D (November ballot)

RESCHEDULE: These items were replaced by the forum to discuss referendums C & D: *Should an additional workshop be scheduled for these or other items?*

~~**AUGUST 1, 2005 MONDAY 7:00PM**~~

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

7:25 CITY MANAGER'S REPORT

7:30 RIVERSIDE PARKWAY UPDATE (*15 August at 11:30 AM workshop?*)

8:05 COMMUNICATIONS UPDATE

8:25 SISTER CITY REQUEST

8:40 STRATEGIC PLAN UPDATE

• **AUGUST 10, 2005, 11:30 AM: ANNUAL PERSIGO MEETING WITH MESA COUNTY** at the **HOLIDAY INN**

* **AUGUST 15, 2005 MONDAY 11:30 AM**

11:30 OPEN (Budget workshop if needed?)

Suggested topics if this meeting is not used for the budget or canceled:

11:30 ? Prohibition of Underage purchase, possession or consumption of alcohol and marijuana: Discuss proposed ordinances?

12:00 Riverside Parkway update?

AUGUST 15, 2005 MONDAY 5:00PM at TWO RIVERS CONVENTION CENTER

5:00 DINNER IS SERVED

5:10 COUNCIL REPORTS AND REVIEW AGENDAS

5:20 CITY MANAGER'S REPORT

5:25 BUDGET WORKSHOP: REVIEW CITY'S CAPITAL IMPROVEMENT PLAN

*** SEPTEMBER 5, 2005 MONDAY 11:30 AM & 7 PM Canceled for Labor Day Holiday**

*** SEPTEMBER 19, 2005 MONDAY 11:30 AM**

11:30 ALL ECONOMIC DEVELOPMENT PARTNERS

SEPTEMBER 19, 2005 MONDAY 7:00PM

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

7:25 CITY MANAGER'S REPORT

7:30 APPOINTMENTS TO BOARDS & COMMISSIONS

7:40 OPEN

*** OCTOBER 3, 2005 MONDAY 11:30 AM**

11:30 OPEN

OCTOBER 3, 2005 MONDAY 7:00PM

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

7:25 CITY MANAGER'S REPORT

7:30 OPEN

↩ BIN LIST ↩

1. Request to meet with IDI to discuss Bookcliff Technology Park (after City Council retreat)
2. GJEP and BIC would like to meet with CC in August or September (after City Council retreat)
3. Avalon Theater Report
4. Listening to Business Report (*18 July at evening workshop?*)
5. Prohibition of Underage purchase, possession or consumption of alcohol and marijuana: Discuss proposed ordinances. (*Schedule for 15 August at 11:30 AM?*)
6. Downtown Business Improvement District: (*Schedule for 18 July in the evening as this is a time sensitive item?*)

2005/6 Department Presentations to City Council

September Tour City's watershed in the Kannah Creek area

October Customer Service (Administrative Services Department)

November

Tour of the Police Department Crime Lab

December

Fire Department

January

Two Rivers Convention Center and the Avalon Theater

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject		Prohibition of underage purchase, possession or consumption of alcohol and marijuana				
Meeting Date		TBD				
Date Prepared		June 30, 2005			File #	
Author		Shelly Dackonish		Staff Attorney		
Presenter Name		Greg Morrison		Chief of Police		
Report results back to Council		<input type="checkbox"/> No	<input type="checkbox"/> Yes	When		
Citizen Presentation		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Name		
<input checked="" type="checkbox"/>	Workshop		Formal Agenda			Consent
						Individual Consideration

Summary: In 2004, the Grand Junction Police Department handled 389 cases of minor in possession of alcohol, resulting in 697 arrests. Officers from the Department made 92 arrests of minors in possession of one ounce or less of marijuana.

Many municipalities across Colorado, including several on the Western Slope have ordinances prohibiting minors from purchasing, possessing or consuming alcohol and/or marijuana. These ordinances would prohibit those activities, as a matter of local law in Grand Junction.

Budget: The Municipal Court judges are likely to request salary increases for additional work and/or enlarged or expanded dockets.

Action Requested/Recommendation: Consider ordinances prohibiting underage purchase, possession or consumption of alcohol and provision of alcohol to minors and ordinance prohibiting underage persons from possessing, consuming or purchasing marijuana.

Attachments: Two proposed ordinances; list of area alcohol/drug education and counseling providers; table of sentencing examples.

Background Information: State law prohibits underage purchase, possession and drinking of alcohol; however, the high number of criminal cases in state court may be contributing to the under-enforcement of alcohol offenses. In 2004, the Grand Junction Police Department handled 389 cases of minor in possession of alcohol, resulting in 697 arrests and made 92 arrests of minors in possession of marijuana. A municipal prohibition of possession, consumption and purchase of alcohol by minors would enhance the community's ability to deal more effectively with underage drinking. Many other municipalities in Colorado have enacted ordinances prohibiting underage possession, purchase or consumption of alcohol and marijuana.

The Police Department supports the ordinances. The Municipal Court and the City Attorney's Office expect, for the present at least, to be able to handle the increased court case workload; however, this may come at the expense of other services, or the level of

service, currently provided by each. Diversion of some cases to Teen Court for sentencing is also expected. It is anticipated that the Teen Court program will be expanded to include Teen Court as a course at Grand Junction High School beginning next fall, which is expected to increase the participation by students in the program and may also allow for an increase in the number of cases that can be adjudicated through Teen Court.

The proposed sentencing options are substantially similar to those of other Colorado cities. Drug and alcohol classes, evaluation and counseling would be provided by outside entities. The attached list would be made available to the convicted minor and parent, who would then be responsible for contacting a provider of their choice, paying fees for services directly to that provider, completing the required class(es) and/or treatment, and making sure completion of the program is certified to the Municipal Court within a specified amount of time.

The fine amount is discretionary up to \$1000, with the idea that the Court would establish a presumptive fine schedule for first, second and third offenses within that discretionary authority. At the state level there is a proposal to increase fines for minor in possession offenses: \$250 – 1st offense, \$500 – 2nd offense and \$1000 – 3rd offense. Mesa County Court currently assesses a \$100 fine for a first offense, and typically suspends the fine on the condition that useful public service is timely completed.

State law also provides for suspension of a drivers' license for alcohol and marijuana offenses by minors for three months for a first offense and up to a year for subsequent offenses. The penalties provided in the proposed ordinances are thus within (and up to) the limits of state law. The typical practice by other jurisdictions is to, upon conviction, suspend the license for a specified period of time, but reinstate the license upon completion of the other components of the sentence (fines, UPS, education) if done sooner than ordered by the Court, providing further incentive for compliance.

The proposed ordinances, in compliance with state law and City Charter, do not allow for imposition of jail time for juvenile minors. Minors who are not juveniles, however, can be sentenced to jail time and this is provided for in the ordinances that are proposed for your consideration.

AN ORDINANCE PROHIBITING PURCHASE, POSSESSION OR CONSUMPTION OF ALCOHOL BY MINORS AND PROHIBITING THE PROVISION OF ALCOHOL TO MINORS

Recitals.

Consumption of alcohol is harmful to the health, well-being, safety and development of minors. It can also lead to accidents, injuries and the commission of other crimes that might otherwise not occur or be avoided.

State law prohibits underage purchase, possession and drinking of alcohol; however, the high number of criminal cases in state court may be contributing to the under-enforcement of alcohol offenses. A municipal prohibition of possession, consumption and purchase of alcohol by minors will enhance the community's ability to deal more effectively with underage drinking.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following Section 24-22 shall be added to Chapter 24 of the Code of Ordinances, City of Grand Junction, Colorado, to prohibit the provision of alcohol to persons under 21 years of age, and the purchase, possession or consumption of alcohol by persons under 21 years of age, all as follows:

Sec. 24-22. Purchase, possession, consumption or sale of alcohol by or to persons under the age of 21.

Definitions

Alcoholic beverage, as used in this section, shall mean any vinous, spirituous or malt liquor and/or any fermented malt beverage, including 3.2 percent beer, of any kind and in any quantity.

Providing alcohol to minor

(1) It shall be unlawful for any person to knowingly sell, serve, give away, dispose of, exchange or deliver, or to permit the sale, serving, giving or procuring of any alcoholic beverage to or for anyone under the age of 21 years.

(2) It shall be unlawful for any person to knowingly permit any person under the age of 21 years to violate subsections (3), (4) or (5) of this section.

Purchase of alcohol by minor

(3) It shall be unlawful for any person under the age of 21 years to obtain or attempt to obtain any alcoholic beverage by misrepresentation of age or any other method in any place selling or providing alcoholic beverages.

(4) It shall be unlawful for any person under the age of 21 years to purchase any alcoholic beverage.

Possession or consumption of alcohol by minor

(5) It shall be unlawful for a person under the age of 21 years to possess or consume any alcoholic beverage.

Defenses, exceptions

(6) It shall be an affirmative defense to any violation of this section that the person under the age of 21 years was participating in a religious ceremony or practice, or was participating in a supervised and bona fide investigation conducted by a law enforcement agency, or that the conduct was permitted by Articles 46 and/or 47 of Title 12, Colorado Revised Statutes.

(7) Nothing in this section shall prohibit any minor from possessing or consuming any alcoholic beverage in their own home with the knowledge and permission of, and in the presence and under the supervision of, their natural parent(s) or legal guardian, nor to prohibit any natural parent or legal guardian from providing any alcoholic beverage to their minor child(ren) in their own home.

Penalties

(8) Each violation of subsections (1) or (2) (providing alcohol to a minor) of this ordinance, Section 24-22, shall be punishable by a fine of up to \$1,000, useful public service, up to 30 days in jail, or any combination thereof, in the discretion of the Court.

(9) Each violation of subsections (3), (4) or (5) (purchase, possession or consumption of alcohol by a minor) of this ordinance, Section 24-22, shall be punishable by a fine of up to \$1000, costs, useful public service of not less than 24 hours, alcohol education class(es), alcohol evaluation and treatment, suspension of drivers' license for a period of 3 months for a first offense and up to 1 year for subsequent offenses, or any combination of these, in the discretion of the Court.

(10) Each violation of subsections (3), (4) or (5) (purchase, possession or consumption of alcohol by a minor) of this ordinance, Section 24-22, by a person who is 18 years of age or older may be punishable by up to 30 days in jail, in combination with or in lieu of any penalties set forth in subsection (9) of this ordinance, Section 24-22, in the discretion of the Court.

All other provisions of Chapter 24 shall remain in full force and effect.

PASSED for first reading this _____ day of _____, 2005.

PASSED AND ADOPTED this _____ day of _____, 2005 on
Second Reading.

Bruce Hill
President of the Council

Attest:

Stephanie Tuin
City Clerk

AttachW3

ORDINANCE NO. _____

AN ORDINANCE PROHIBITING PURCHASE, POSSESSION OR CONSUMPTION OF MARIJUANA BY MINORS

Recitals.

Consumption of marijuana is harmful to the health, well-being, safety and development of minors.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following Section 24-23 shall be added to Chapter 24 of the Code of Ordinances, City of Grand Junction, Colorado, to prohibit the purchase, possession or consumption of less than one ounce of marijuana by persons under the age of 21, as follows:

Sec. 24-23. Purchase, possession, consumption of marijuana by persons under the age of 21.

(1) It shall be unlawful for any person under the age of 21 years to purchase or possess one ounce or less of marijuana, and/or to consume any quantity of marijuana, except as allowed for medicinal purposes.

Penalties

(2) Each violation of subsection (1) of this ordinance, Section 24-23, shall be punishable by a fine of up to \$1000, costs, useful public service of not less than 24 hours, drug education class(es), drug evaluation and treatment, suspension of drivers' license for a period 3 months for a first offense and up to 1 year for subsequent offenses, or any combination of these, in the discretion of the Court.

(3) Each violation of subsection (1) of this ordinance, Section 24-23 by a person who is 18 years of age or older may be punishable by up to 30 days in jail, in combination with or in lieu of any penalty provided for in subsection (2) of this ordinance, Section 24-23, in the discretion of the Court.

All other provisions of Chapter 24 shall remain in full force and effect.

PASSED for first reading this _____ day of _____, 2005.

PASSED AND ADOPTED this _____ day of _____, 2005 on Second Reading.

Bruce Hill
President of the Council

Attest:

Stephanie Tuin

City Clerk

Attach W3

Proposed Ordinance Reducing Distance Restriction for Brew Pub

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Reduction of Distance Restriction for Brew Pub Liquor Licenses to College Campuses					
Meeting Date	TBD					
Date Prepared	June 30, 2005				File # NA	
Author	Stephanie Tuin		City Clerk			
Presenter Name	Stephanie Tuin John Shaver		City Clerk City Attorney			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Jim Jeffryes
	Workshop	X	Formal Agenda		Consent	X 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 and then in 2004, the City Council eliminated the distance restriction from college campuses to full service restaurant licenses. The City Council has now been requested to consider reducing the distance restriction from college campuses to brew pub liquor licenses.

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: Staff is asking for direction from City Council on whether to schedule the proposed ordinance for first reading and a subsequent public hearing. If the Council is inclined to consider the matter, the first reading could be scheduled for July 20th with the public hearing on August 3rd.

Attachments:

1. Letter from Jim Jeffryes requesting Council consideration
2. Map of the area affected
3. Measurement of Distance Map
4. Proposed Ordinance

Background Information: Mr. Jim Jeffryes has leased the old Prime Cut Restaurant just north of Mesa State College Campus on 12th Street and is asking the City Council

to reduce the distance restriction so that a brew pub liquor license can proceed through the licensing process.

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.”

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.

The Liquor Code defines a brew pub as a retail establishment that manufactures no more than 1,860,000 gallons of malt liquor on-premises per year. The manufactured beer can be sold by the drink on the premises or sold in sealed containers for off-premise consumption (sometimes referred to as “growlers”) or to independent wholesalers or distributors. Only 15% of the gross annual income from on-premises business needs to be from food; hotel-restaurant liquor licenses require 25% food. The Zoning and Development Code requires on-premise consumption liquor establishments to go through the Conditional Use Permit process unless the food service accounts for at least 75% of the annual revenue.

Although Mr. Jeffryes represents that his brew pub will be run like a restaurant, any change made by the City Council would affect any subsequent license at this location with very little review (liquor licenses can be transferred to new owners and the new owner would only need to comply with the minimum requirements) or any additional brew pub licenses in that vicinity.

Currently hotel-restaurant liquor licenses are allowed immediately adjacent to the college. Existing food establishments in the immediate vicinity of the college are all listed below. Mr. Jeffryes is proposing a brew pub license at the former Prime Cut location. Measurement is defined as 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. (Formerly) Prime Cut, 1960 N. 12th St – 372 feet (the applicant states 340 feet)
14. Higher Grounds & Biscotti Lounge, 936 North Ave – 297 feet

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

Grand Junction City Council
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sales in beer and 5% in wine. Our hours of operation will be 11 a.m. to 10 p.m., so there will be no late night activity to disturb the surrounding neighborhood.

The great location of our restaurant provides a tremendous opportunity for a successful lunch business. Liquor sales during lunch will be almost non-existent. Dinner sales are not projected to be as strong as lunch time, but that is the period of time when we will sell more beer and wine. In addition, because we will not be open late-night, beer and wines sales overall will be low. Based on our business plan, we anticipate that we will be operating more like a traditional restaurant instead of a brew pub. Although we are located in close proximity to the college, we plan to vigorously card young people to insure they are over 21 and to monitor consumption and behavior of our clientele to insure that we do not serve anyone who might be visibly intoxicated. Generally speaking, our business plan is not to draw a large number of college students or other young people who are interested primarily in drinking. Rather, we expect our market to be those persons who want to have a specialty beer with a meal.

In the alternative, we request that the City Council make a determination that our business premises are located more than 500 from the principal campus of Mesa State College based on the method by which this measurement is calculated. Pursuant to the Colorado Division of Liquor/Tobacco Enforcement Regulation 47-326, the distance between a principal campus of any college or university and the premises where liquor is sold is to be computed by direct measurement from the nearest property line of land used for school purposes to the nearest portion of the building in which malt, vinous or spiritous liquors are to be sold using a route of direct pedestrian access.

We submit that the parking lot at the southwest corner of 12th and Orchard, while legally owned by Mesa State College, is not used for school purposes. Rather, it is actually used as a transfer station by Grand Valley Transit. Because this area is not being used by Mesa State College for school purposes, the closest area being used by the college for school purposes is the tennis courts lying to the west of the GVT parking lot. This distance is more than 500 feet. Thus, as it relates to a specific brew pub license, we feel that we would qualify under that criteria. In the event that the City Council does not approve our request to reduce the minimum distance between the premises of a brew pub and the principal campus of a college or university to 300 feet, we ask that the Council make a factual determination that our building is more than 500 feet from the nearest area of its property actually being used by Mesa State College and that my client qualifies for a brewpub license.

In summary, we believe that our request is reasonable for the following reasons:

1. Our location's distance from college buildings is nearly 1000 feet
2. The parking lot of the college closest to our access is actually used for Grand Valley Transit as a transfer station, not actual college use

Grand Junction City Council


June 7, 2005

Page 3

3. We are a neighborhood business with our success closely tied to being good neighbors and serving the best products that we can make
4. We manufacture beer only for restaurant purposes, not to distribute
5. We are providing a full-service restaurant in an area that is underserved . . . ½ mile to any full service restaurant from our neighborhood
6. Our affordable prices fit the college community and the local customers we will attract for lunch and dinner

Please consider our request and approve a change to the City Code 4-52 that will allow us to establish our business at this landmark location. In the alternative, make a factual determination that my client qualifies for a brewpub license at its intended location under the current criteria.

Sincerely,



Jim Jeffryes

cc: Mark Luff, Esq.
Stephanie Tuin, City Clerk

Parcel Search & Roadmap

Total: 355.14 FEET Segment: 71.25 FEET

Zoom to Area...

978
1935 N 12TH ST

971
001 N 12TH ST

113
168

1910 N 12TH ST
109

1040 MESA AVE
923

026
1040 N 12TH ST

N 12TH ST

ORCHARD AVE

Mesa County, Colo

0 711 0

LEGEND MAP LAYERS

MAP LAYERS

- All Layers
- Property Information
 - Parcel Lines
 - Parcel Numbers
 - Arbitrary Blocks
- Map Features
 - Transportation
 - Roads
 - State Highways
 - Railroad
 - Incorporated Areas
 - Buffer Zones
 - Facilities
 - Survey Lines
 - Waterways
 - Public Lands
 - Ortho Photos
 - 2005 BW
 - 2003 CIR
 - 2001-2002 Color
 - 2001 BW
 - 1997 Color
 - 1994 BW
 - 1966 BW
 - 1954 BW
 - Shade Relief

Refresh Map

2005 BW
Measure Totals cleared.

http://mcgis.co.mesa.co.us/website/assessor/viewer.htm?ActiveLayer=16&Query=PARCEL_NUM%3D%222945-122-00-109%2... 6/8/2005

Parcel Search & Roadmap

Zoom to Area...

Total: 738.75 FEET Segment: 640.2 FEET

LEGEND **REFRESH**

MAP LAYERS

- All Layers
- Property Information
 - Parcel Lines
 - Parcel Numbers
 - Arbitrary Blocks
- Map Features
 - Transportation
 - Roads
 - State Highways
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- Survey Lines
- Waterways
- Public Lands
- Ortho Photos
 - 2005 BW
 - 2003 CIR
 - 2001-2002 Color
 - 2001 BW
 - 1997 Color
 - 1994 BW
 - 1966 BW
 - 1954 BW
 - Shade Relief

Refresh Map

Mesa County GIS.

2005 BW
Measure Totals cleared.

http://mcgis.co.mesa.co.us/website/assessor/viewer.htm?ActiveLayer=16&Query=PARCEL_NUM%3D%222945-122-00-109%2... 6/8/2005

Parcel Search & Roadmap

Total: 708.83 FEET Segment: 755.59 FEET

Mesa County GIS.

2005 BW
Measure Totals cleared.

Zoom to Area . . .

LEGEND MAP LAYERS

MAP LAYERS

- All Layers
- Property Information
 - Parcel Lines
 - Parcel Numbers
 - Arbitrary Blocks
- Map Features
 - Transportation
 - Roads
 - State Highways
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http://mcgis.co.mesa.co.us/website/assessor/viewer.htm?ActiveLayer=16&Query=PARCEL_NUM%3D%222945-122-00-109%2... 6/8/2005

Mesa State College and Vicinity

Formerly
Prime Cut

Mesa State

Subway

300 foot
boundary

Papa
Kelsey's

Taco
John's

Higher
Grounds

Chopstix

KFC

El Tapatio

Arby's

McDonald's

Blackjack/Coffee House

Dioiros



463 feet

Proposed Site

372 feet



MSC Parking Lot

Distance Measurement

Ordinance No. _____

**An Ordinance Amending Section 4-52 of the Grand Junction Code of Ordinances
Reducing the Distance a Brew Pub
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. Subsequently in 2004, the City Council adopted Ordinance No. 3620 which reduced the distance for a college campus down to zero for hotel-restaurant liquor licenses.

The City Council considered a reduction of distance required between brew pub 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 brew pub liquor licensed premises must be separated from the principal campus of a college or university in the City of Grand Junction is reduced from 500 feet to 300 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 _____, 2005.

Passed on second reading and order published this _____ day of _____, 2005.

ATTEST:

President of the Council

City Clerk