



MINUTES OF THE REGULAR (and VIRTUAL) MEETING OF THE PALISADE BOARD OF TRUSTEES

March 23, 2021

The regular meeting of the Board of Trustees for the Town of Palisade was called to order at 6:00 PM by Mayor Mikolai with Trustees Somerville, Turner, Carlson, Maxwell, and Mayor Pro-Tem Chase present in person. Trustee L'Hommedieu appeared via Zoom. Also present in person were Town Manager Janet Hawkinson, Town Clerk Keli Frasier, Town Attorney Jim Neu, Community Development Director Brian Rusche, Police Chief Deb Funston, and Parks, Recreation, and Events Director Troy Ward.

AGENDA ADOPTION

Motion #1 by Trustee Somerville, seconded by Mayor Pro-Tem Chase, to approve the agenda as presented.

A voice vote was requested.
Motion carried unanimously.

Mayor Mikolai asked for a moment of silence in memory of Palisade citizen Harry Talbott who recently passed away, as well as in honor of the fallen police officer in Boulder, Colorado.

TOWN MANAGER REPORT

Town Manager Janet Hawkinson announced that to date, the Town had been awarded \$2.5 million in grants for capital improvements, that staff is currently working with the Colorado Department of Transportation (CDOT) for potential additional funding for Highway 6 sidewalks from Iowa Avenue to Palisade High School, the Town is moving forward with two additional parklets thanks to a Main Street Grant award of \$100,000.00, Palisade Fire conducted a successful training burn with the Bureau of Land Management (BLM) and Clifton Fire, staff is continuing to move forward with working with Clifton Sanitation to come to an agreement to connect Palisade sewer and Clifton sewer, and gave an update on the proposed new clinic in Palisade. Town Manager Hawkinson went on to announce that Palisade is joining other area water districts in a Drought Response Information Project (DRIP) to monitor the valley drought conditions and come up with a united plan for response and that the Palisade Plunge ribbon-cutting ceremony is being planned for some time in July, and she will keep the Board updated as new information is announced.

CONSENT AGENDA

The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board members may ask that an item be removed from the Consent Agenda for individual consideration.

- **Expenditures**

Approval of Bills from Various Town Funds – March 6, 2021 – March 19, 2021

- **Minutes**

Minutes from the March 9, 2021 Board Meeting

Motion #2 by Trustee Somerville, seconded by Trustee Turner, to approve the Consent Agenda as presented.

A roll call vote was requested.

Yes: Mayor Mikolai, Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Trustee L'Hommedieu, Trustee Maxwell

No:

Absent:

Motion carried.

PUBLIC COMMENT

None was offered.

PUBLIC HEARING I

PRO 2021-3 – Colorado Weedery Conditional Use Permit (CUP)

Before opening the public hearing, Mayor Mikolai asked for clarification on Palisade Municipal Code Article 5, Section 6-106 "Conversions of licenses and co-locations of marijuana businesses: (a) A licensee of a medical marijuana business that was licensed, open and lawfully operating on the effective date of this Article pursuant to Article IV of the Palisade Municipal Code may submit an application to convert the license to a retail marijuana store license by submitting an application for a retail marijuana store or an application to be co-located with the existing medical marijuana business, paying all applicable fees, and complying with all other requirements of this Article V applicable to retail marijuana stores. However, an application to convert an existing medical marijuana business license to a retail marijuana store license or an application to be co-located with an existing medical marijuana business is not required to go through the full review and selection process described in Section 6-108 and shall not be subject to the limitation on the number of retail marijuana store licenses described in Section 6-105 above. In the case of a conversion, the previously issued license for the medical marijuana business must be surrendered to the Town before the retail marijuana store license will be issued. The term of the new license shall be the same as the existing medical marijuana business license." The specific clarification Mayor Mikolai was requesting from Town Attorney (TA) Jim Neu was if the retail marijuana store applying for the CUP under consideration was to move, would the associated medical marijuana store need to move with it – or vice versa if the medical moved would the retail also need to go with it? TA Neu responded that looking at the Code as written, there was an exception to the existing medical marijuana license when the retail/recreational Code was adopted, and they were given the opportunity to either convert to retail/recreation or co-locate. They chose co-location so they have both medical and retail/recreational marijuana in the same location, but it does need to stay in the same location. He doesn't believe they are asking to move the medical to the new location, so the question becomes: do they need to stay together – yes, or the medical marijuana license can be surrendered. He stated that this does not have any bearing on the decision before the Board at this meeting.

Mayor Mikolai went on the ask for clarification on Article 4 Section 6-85 (b) of the Palisade Municipal Code, which states, "Permitted locations. All medical marijuana business licenses shall be issued for a specific location which shall be designated as the licensed premises. Except as permitted by law, all sales, deliveries, and other transfers of medical marijuana products by a

licensee shall be made at the licensed premises. Medical marijuana businesses that include medical marijuana centers and medical marijuana-infused products manufacturers shall only be located in the Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts pursuant to a conditional use permit issued in accordance with the requirements contained in the Town's Land Development Code. Optional premises cultivation operations shall only be located in the Agriculture, Forestry Transitional (AFT), Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts pursuant to a conditional use permit issued in accordance with the requirements contained in the Town's Land Development Code." Mayor Mikolai stated that this CUP that is before the Board is asking to move the retail business to the location up by the interstate, and they would be required to move the medical with it; the proposed property is not zoned for medical dispensary use. TA Neu responded that in reviewing the CUP application, the applicant isn't asking to move the medical dispensary. Mayor Mikolai asked that if the CUP was successful, if the applicant wanted to move the retail to that location, would they then have to surrender their medical license? TA Neu agreed that the current Code does state that they would.

Mayor Mikolai clarified that he agreed that these questions do not have an influence on the proposed CUP, but he wanted to make sure all involved were clear on what the outcome of the vote, approval or denial, would be.

Trustee Chase also asked TA Neu if the retail license be void if the applicant decided to surrender their medical license in order to move because the retail license was approved due to the existence of the medical facility, and without the medical, the retail would not exist? TA Neu responded that under the current Code, they can surrender the medical if the CUP is approved and still keep their retail license.

Trustee Turner requested confirmation from TA Neu that she was interpreting the Municipal Code correctly when she reads that an owner can have only one location, regardless if they may have two different licenses. TA Neu stated that two licenses may be co-located.

Mayor Mikolai opened the public hearing at 6:22 PM.

Community Development Director (CDD) Brian Rusche began by reading a statement from the applicants Jesse and Desa Loughman stating, "Per our conversation today (Friday, March 19), and for further clarification, we have requested that parcel number 2937-054-55-002 be removed from the CUP since it is not being used for cannabis-related business. All of our documents submitted reflect parcel 2937-054-55-001 for the CUP. Please update the packet for the Board of Trustees' upcoming meeting. We appreciate your time." He then reviewed his staff report citing the Conditional Use Permit (CUP) Criteria (aka Findings of Fact):

1. That the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved. The proposed use would utilize an existing winery building that will no longer operate at this location. The property consists of a large building and associated parking area, along with vineyards and outdoor gathering spaces. The proposed use is limited to a retail marijuana store and does not include any growing of marijuana on site. Its location is served by a shared, private access road that is immediately accessible to I-70, as this type of use attracts visitors from out of Town. The site includes parking areas that provide a greater amount than the required number of spaces under the Land Development Code. One of the proposed conditions would include the approval of a landscape design, including any changes to the existing vineyard areas on site.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and other applicable regulations.

The applicant shall comply with all required specifications and standards within the Land Development Code and Municipal Code. The retail marijuana store shall comply with the above required standards for a retail marijuana establishment. Additionally, the proposed use shall comply with parking, landscaping, trash containments, lighting, and all other required sections of the Land Development Code.

The application shall comply with all requirements of the Town of Palisade Marijuana Code and all applicable regulations of the State of Colorado.

3. That the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The property is located near other businesses that cater to regional customers, including a hotel and another winery. The building is located within the center of the property and is buffered by vineyards. There will not be marijuana grown onsite. The LDC requires the property to remain free of odors. The proposed circulation will utilize the existing routes used to access the winery, with all parking happening onsite – no parking is permitted on the shared drive per the covenants.

4. That the application will not adversely affect the adopted plans and policies of the Town or violate the character of existing standards for development of the adjacent properties.

The Future Land Use designation of this property is Commercial-Agricultural-Lodging. The duly adopted Hospitality Retail zone was established to provide hospitality and retail development along I-70 in the vicinity of Exit 42, compatible with the character of the adjacent historic neighborhoods and existing uses. A retail marijuana store may be considered via this conditional use permit process in this zone. All retail marijuana applications must comply with all necessary standards within the adopted Marijuana Code and Land Development Code. The proposed use will be located within an existing winery building on the west side of Elberta, which will not increase in size but will be remodeled as necessary to accommodate the proposed store.

There are two distinct neighborhoods at Exit 42, with the west side of Elberta being more agricultural in look and feel (i.e., gravel roads, large acreage sizes, active agricultural uses) and the east side of Elberta being more highway convenience-oriented (i.e., a new road with sidewalk, ample paved parking, new buildings but with historical aesthetics).

Beyond this intersection are residential subdivisions (south of the canal) and a mix of uses continuing south on Elberta, with historical agriculture on the west and residential on the east giving way to a park and a commercial node at the intersection of Highway 6. Different parts of the Town exhibit different characters, such as the original grid of streets south and west of downtown, exclusively residential subdivisions south of Highway 6 up to Riverbend Park, with commercial frontage along the highway itself.

Trustee Maxwell inquired about recommendation #9 found in the staff report "The owner or operator of the retail marijuana store shall adhere to the "Right to Farm" ordinance -

specifically Section 7-173 of the Municipal Code," and how that applied to the requested CUP. CDD Rusche replied that the idea of this condition (which is in the Municipal Code, regardless of the type of development) shows that the applicant understands that they are in a farming community and that any nuisances that are generated (within reason) that fall under that standard cannot be complained about.

Applicant Jesse Loughman briefly explained that he and co-owner Desa Loughman have owned and operated their businesses in Palisade (Colorado Alternative Health Care and Colorado Weedery) for over 11 years, in which time they have seen immense changes in not only their business but the entire Town of Palisade. Going through several municipal elections, a majority of residents have stated that they want his business and the industry in Palisade.

Mr. Loughman spoke at length about his growing business, addressing the following highlights:

- His businesses have not only stayed open but were also deemed critical businesses by the State of Colorado during the COVID pandemic.
- Because of this, the businesses continued to grow and add value to not just customers but to the Town as a whole by continuing to create commerce.
- According to Mr. Loughman, it is apparent that they are ready and need to take their business to the next step. To stay competitive, as the market continues to change and continue to bring commerce to the Town of Palisade, they feel that they are at an important crossroads. They need better accessibility for their customers, and exposure would help move forward, and they are looking to rebrand their customer experience to keep their business competitive.
- Local business is important to the citizens of Palisade, and Mr. Loughman stated that he and Desa are as local as anyone can get. They created a business, and they look to the Town to help support their local business so that they can continue to push forward with their 32 employees.
- What is currently on the proposed property, and will the proposed use be similar? Currently, there is a retail facility (Grande River Vineyards Winery) that produces small-batch Colorado products to be consumed by adults. The proposed use is very much in line with the current use. They are a retail facility that produces small batches of Colorado products intended for adult consumption.
- As the Town continues to grow, what are the public safety issues? In its current location, there is nowhere to park. Most of their customers visit their store and leave, and by moving, they will reduce some of the traffic flow into downtown alleviating public hazard/health risks.
- As Grand Junction considered allowing retail marijuana sales, it's huge to be able to put their best foot forward as an economic driver. The proposed facility is larger than their current space and gives the opportunity to produce a better experience for their customers and to put a better light on what cannabis can be in Palisade.
- The advantage of his business in Palisade is that they have been operating for 11 ½ years, and they have not shown to bring a negative impact to the Town or their neighbors. He feels they show more of a positive impact and bring value instead of anything negative.
- Mr. Loughman is committed to doing a traffic study for the conditional use.
- He addressed that they will not have two locations. Under the retail cannabis ordinances, they own one location, and they intend to move it to the proposed parcel.
- They understand the value of their potential neighbor Wine Country Inn, and many of their guests are customers of Mr. Loughman as well, and it seems advantageous for him to do everything he can to make sure that the hotel is full all of the time.

- Current property values where his existing businesses are located have increased and show that the requested move will not negatively impact the new location's surrounding properties.
- Odors are regulated by existing ordinances, and there will be no grow or manufacturing at the proposed location, and odor is the least of his concerns.
- The mission of the Town is to grow tourism, and even though they are not included in the Tourism Advisory Board's vision/mission, studies show that 16 % of Colorado travelers make a purchase at retail cannabis facilities, which is a significant economic driver.
- Mr. Loughman showed a website (<https://www.highroadstudio.com/portfolio/dispensary-design>) of existing work from a design contractor that they will use to build their new establishment if the CUP was to be approved to show that the proposed facility's image would fit into the area.
- He addressed signage by stating that under the current Code, he is unable to use his store's name on any signs.
- Mr. Loughman ended by stating they love Palisade, and they are good business owners and citizens and are the type of business owners that Palisade wants in Town. He hopes the Board recognizes the value they add and will support their business's growth by approving the CUP.

Mayor Mikolai opened the hearing to public comment.

Jeff Snook 424 W 8th Street, Casey Sumnicht 229 W 1st Street, Patricia Smith 930 Iowa Avenue, Hanna Odneal 175 Sunset Circle, Lisa Houston 720 38 2/10 Road, Matt Pitman 3781 G 7/10 Road, Tammy Craig 150 E 3rd Street (real estate agent for property seller), Michelle Walker 588 W 1st Street, Dave Walker 588 W 1st Street, Sandy North 392 W 5th Street, Steven Smith owner of Grande River Vineyards (property seller), Keith Ehlers 985 North River Road, and Tim Wedel 3815 North River Road all expressed support of the proposed CUP to allow the Colorado Weedery to move to the proposed location stating the following:

- Happy to have another successful business in Town, and the applicant has done his due diligence in meeting the criteria required.
- Tourists do come to Palisade for wine, agritourism as well as marijuana – this is a one-stop shop for a lot of travelers.
- The move will relieve a lot of traffic problems from the downtown area
- The move would significantly improve the quality of life for the residents who are impacted by the traffic generated by the Weedery's current location
- The new large property would create a great buffer between the shop and surrounding residences
- The smell shouldn't be an issue due to the grow and manufacturing not moving to the location
- The move will not negatively impact Palisade's image or the feel of Palisade
- Both the wine industry and the marijuana industry are alluring to locals and tourists
- The applicants do not plan to rip out the vines that are currently on the property; the look will remain agricultural
- Jesse and Dessa are exemplary business owners and have done wonderful things for the Town
- This business should be treated the same as any other business
- The property has been on the market for a long time, and this is the only solid contract that has been submitted

- The Comprehensive Plan promotes this business – high volume business should be moving up to the area that can handle that activity
- Marijuana customers have to pass children's bus stops, churches, homes, and a dangerous bridge at their current location. By moving, they would get off the interstate and then get right back on in a much safer location.
- Retail marijuana store by Basecamp Resort has not had a negative effect on the business

Juliann Adams 3839 G Road, Brian Bielby 3695 G 4/10 Road, Ron West 405 W 1st Street, Charlie Talbott 497 34 ¾ Road, Dave Talbott (bullet points), Shelly Dackonish (attorney for Wine Country Inn), Ian Kelly – General Manager of Wine Country Inn, Brett Goff 3873 Hwy 6 & 24, Curt Lincoln 683 38 3/8 Road, Nathan Talbott 3806 F ¼ Road, Diann Cox 3641 E ½ Road, and Peter Brekalo 1023 Grand River Drive were opposed to the proposed CUP stating:

- Not about Jesse and Dessa as people or being for or against marijuana
- The traffic and safety issues caused by approving the CUP may become a significant problem
- Concern for the safety of cyclists and horse-drawn carriages going to and from Grand River Drive
- Other locations in Palisade could be better
- The vision of the Palisade Comprehensive Plan "preserve and enhance the agricultural village atmosphere of Palisade while fostering tourism, economic growth, and prosperity to create an attractive and vibrant community for residents and visitors."
- The application does not meet three of the four findings of fact.
- Letters read into public comment will be attached to these minutes
- When marijuana was first approved, it was citizens' understanding that Exit 42, as the gateway of the Town, was off the table for locations of marijuana establishments
- Marijuana customers are disrespectful of other local businesses
- It will have a negative impact on surrounding orchards and vineyards
- Approval will change the family-friendly culture of Palisade in a negative way
- A traffic study is required by the Municipal Code and has not been completed
- The application does not meet the findings of fact; specifically, "the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses." Odor and traffic will negatively impact the neighboring business.
- This applicant was granted a retail store because they already owned a medical store and moving them to a separate building is not fair

Mayor Mikolai opened the hearing to Board comment.

Trustee Somerville began by stating that marijuana as a whole will not be addressed at this meeting – the discussion is solely regarding the requested CUP. Jesse and Dessa have earned the benefit of the doubt as far as the business goes in terms of the character of the business. There is no doubt that if the CUP passes, whatever they build will not only fit the character of Palisade but enhance it as well. The traffic problems will not be solved by moving the business; the problems will just be moved around. *With that in mind, he felt that the application should be tabled until a traffic study and solutions could be completed.* That intersection is direct access for first responders – ambulances and police cars access the interstate all the time, and the situation could be detrimental.

Trustee Carlson agreed that a traffic study that includes bicycle traffic needs to be done before a decision can be made. The owner's point of sales reports could aid the traffic study and should be included as well.

Trustee L'Hommidieu stated that CDOT (Colorado Department of Transportation) would regulate what will happen at that intersection, and the applicants will have no choice but to follow CDOT's recommendations no matter what a traffic study says. That shouldn't affect the CUP.

Trustee Maxwell asked for a point of clarification on the traffic study only being contingent on part of the CUP. Mayor Mikolai stated that if the CUP is approved, then the traffic study would occur, and at that point, CDOT would determine what would happen. CDD Rusche confirmed that what the Mayor stated was correct. Trustee Maxwell asked if they could table the application until the traffic study was done and then revisit it once complete. Mayor Mikolai confirmed that they were allowed to do so.

She went on to agree that the Loughman's have done a really good job in the Town of Palisade with their business. What stood out to her was *requirement number four "That the application will not adversely affect the adopted plans and policies of the Town..."* She noted that there is a second in *Chapter three of the Comprehensive Plan that speaks about desired future conditions, policies, and action items, and under policy number seven it states clearly "the area near I-70 Exit 42 should encourage commercial development on vacant or undeveloped land that is consistent with preserving the agricultural character and an attractive entry into Palisade."* The draft minutes from the Planning Commission meeting reflect that the applicant wishes to keep the neighboring parcel as a development property and potentially develop the property into another hotel, showing that they don't plan on keeping it agriculture in the long run. For that reason, *she supports denying the application.*

Mayor Pro-Tem Chase agreed with Trustee L'Hommidieu that the traffic study would not really impact the CUP. She went on to state that she thought that the I-70 location was not allowed for marijuana sales after initial discussions when marijuana ordinances were originally discussed, and after review, the minutes from those meetings and a town survey reflected that desire. She commented that *she would sit on the side of not supporting the application because the character of the location and adjoining properties and the community's historic nature promotes fruit and wine, and that's what people should think of when they drive into Town.* She supports the growth of the business, but not in that location.

Trustee Turner also has an *issue with requirement number four for the same reason as Trustee Maxwell.* She also reiterated that this hearing is not about the applicants personally, nor about the seller of the property. It is solely about allowing retail marijuana to be sold at this specific location.

Mayor Mikolai agreed with Trustees Carlson and Somerville regarding the *need for a traffic study* before moving forward with a decision on this application. The study would impact not only the proposed location but the surrounding businesses as well, and until they see the results study and what impacts it may require, *he is not in favor of moving forward.*

Closing remarks from applicant Jesse Loughman included reiterating that a traffic study will definitely be performed if the CUP is approved. If this application fails, he feels the CUP process needs to be revisited to save the applicant's time and money. If Grand Junction approves retail

marijuana sales and they don't get the opportunity to move, it will kill their business. In May of 2017, a map of approved locations was approved, and the proposed property is allowed. He is doing everything asked from the Town of Palisade to grow his business and has followed all of the rules, and has met all of the four standards required. Mr. Loughman asked again for the Town's support of his business by approving the requested CUP.

Mayor Mikolai asked why there wasn't a traffic study done within this application. Town Manager Hawkinson stated that this application was asked to be put in front of the Board as soon as possible, and so was put in as a condition.

Trustee Maxwell and **Trustee Turner** asked if they could make a condition that the existing agriculture remains as a buffer between the two businesses? Town Manager Hawkinson stated that the applicant withdrew that particular parcel from the application, so the Board cannot make any conditions that affect it.

Trustee L'Hommedieu asked if the Board tables the application for a traffic study to be completed, would the CDOT recommendations be included? If one is required, then both should be (Traffic study and CDOT requirements).

Motion #3 by Mayor Pro-Tem Chase, seconded by Trustee Turner to deny PRO 2021-3 – Colorado Weedery Conditional Use Permit (CUP) on the basis that the application does not meet condition number four "That the application will not adversely affect the adopted plans and policies of the Town or violate the character of existing standards for development of the adjacent properties."

A roll call vote was requested.

Yes: Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Trustee Maxwell, Mayor Mikolai

No: Trustee L'Hommedieu

Absent:

Motion carried.

Mayor Mikolai closed the public hearing at 8:42 PM.

NEW BUSINESS

Palisade Swimming Pool Intergovernmental Agreement (IGA) with the City of Grand Junction
Town Manager Hawkinson reviewed her staff report, reiterating that this agreement is one that the Board reviews yearly, and no changes have been made since last year.

Motion #4 by Trustee Maxwell, seconded by Trustee Turner to direct the Town Manager to enter into an IGA with the City of Grand Junction for swimming pool services.

A roll call vote was requested.

Yes: Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Trustee L'Hommedieu, Trustee Maxwell, Mayor Mikolai, Trustee Turner

No:

Absent:

Motion carried.

Memorandum of Understanding (MOU) with the Colorado Bureau of Land Management (BLM) and the City of Grand Junction for Fire Mitigation on the Palisade Watershed

Town Manager Hawkinson reviewed her staff report, reiterating that this agreement is also one that the Board reviews yearly, and no changes have been made.

Motion #5 by Trustee Turner, seconded by Trustee Somerville to authorize the Mayor to enter into an MOU with the City of Grand Junction and the BLM.

A roll call vote was requested.

Yes: Mayor Pro-Tem Chase, Trustee Carlson, Trustee L'Hommedieu, Trustee Maxwell, Mayor Mikolai, Trustee Turner, Trustee Somerville

No:

Absent:

Motion carried.

OPEN DISCUSSION

Trustee Turner acknowledged how nice it was to see most Board members at the meeting in person and how much easier discussions were because of it.

Mayor Pro-Tem Chase announced that there are a lot of grant funds that are flowing that could impact the Town and requested a mini-retreat to discuss shovel-ready projects. ***The consensus of the Board is to set up an hour workshop soon.***

Trustee Maxwell announced a free *fundamentals of computers* class taught by Chris Portell and asked staff to help get the word out.

Trustee Carlson mentioned that the Food Bank of the Rockies is rebranding and that they are under contract for a new location that will have a full kitchen and a food bank for pets.

Mayor Mikolai explained that after reviewing the Town's marijuana ordinances for this meeting, we have to start working on cleaning them up. ***The consensus of the Board is to direct Town Attorney Neu to start looking into what is needed to start fixing the ordinances.***

COMMITTEE REPORTS

Board members briefly explained the various meetings they had recently attended.

ADJOURNMENT

Motion #6 by Mayor Pro-Tem Chase, seconded by Trustee Turner to adjourn the meeting at 9:12 PM.

A voice vote was requested.

Motion carried unanimously.

X

Greg Mikolai

Greg Mikolai
Mayor

X

Keli L. Frasier

Keli L. Frasier
Town Clerk



To: The Town of Palisade Board of Trustees

From: Brian Bielby at 3695 G 4/10 RD

Re: CUP for Colorado Weedery

Submitted: 3/23/2020

I think it's good that Palisade has some dispensary options for visitors and locals. I don't think moving a location next to the interstate is advantageous. If you've ever been downtown, people go to the distillery or brewery and then wander over to the dispensary. For some it's a thrill or a rush to go to a pot shop while they are visiting. It currently helps keep people downtown near other local businesses, off the road driving, and is part of the tourist experience.

Ask yourselves: What will the Colorado weed market look like in ten years? Will it be oversaturated? Will Palisade look like just another common weed stop along I-70? How many other wine valleys are in Colorado? Is a wine region a proven draw for people? Do people from other countries, states and backgrounds have the same tolerance for weed that we do in Colorado? Certainly people are aware of the Colorado weed connection, but do they know about our wine country?

In the previous meeting last Wednesday, the weed proprietor mentioned that GJ might adopt legalized marijuana and that we should try to get ahead of that expansion and competition. But you could also look at it from the other perspective: if everyone's doing it, then how can we continue to set ourselves apart?

What we currently communicate with our fruit and vine platform to passerby's: we're different and have something refined and traditional to offer. Winemaking is a thousands of year old practice with international appeal. We should cherish and promote what makes us different from the other I-70 towns in between GJ and Denver.

On Friday, March 19th I surveyed 25 people who visited the Palisade Weedery and I asked them two simple questions. Are you visiting any other businesses in Palisade while you're here buying marijuana, and if so where?

22 out of 26 respondents said they were only here to visit the dispensary, and of the three that responded no, they lived in town. One person I surveyed said they were also picking up a pizza.

I also surveyed people leaving the Golden Gate service station and the vast majority were either heading home or were jumping back on the interstate. I think it would be correct to assume that if the dispensary location were moved adjacent to the interstate, it would have even less of an economic impact on local Palisade businesses.

That led me to the conclusion and realization that it's inaccurate to compare pot tourism to wine tourism. Most people visiting for the wineries make a day or weekend out of it. Most pot customers buy their weed and leave. And I also believe that the dispensaries benefit from the winery business; as folks who are here for a wine tour getaway, might have someone in their party that is interested in the dispensary as well.

I think the economic impact and emotional aspect are valid, but the philosophical piece of what we are promoting in our area and to our children is worth considering.

Why would you want to move closer to the interstate unless to sell to people off the interstate? How does that benefit other local businesses in Palisade?

Thank you,
Brian Bielby

Palisade Land Use Code: Section 4.07 Conditional Use Permit Criteria

2) Conforms to standards and practices of sound land use planning.

- This is arguably the **most iconic property in Palisade** and possibly the Valley, placing a **pot house** at the “**head waters**” of our much-respected **Fruit and Wine Byway** would be destructive to the character of, our town and the **long-term** vision of our community.
- Peach and Wine industry are well established and have **put Palisade on the map** as a **unique area**. This gives a very **upscale feel** to our community.
- **Marijuana is not unique** to our valley and is a very **short-term proposition**.
- **Legalization in multiple states**.
- The future of the industry is to be taken over by **Corporate America**.

3) Will NOT substantially injure the value of adjoining or abutting property and will NOT be detrimental to the use of development of adjacent properties or other neighborhood uses.

- A pot house will **change the culture and tarnish** the towns pristine image.
- Fruit and wine industries are perceived as very **upscale**, drugs are not.
- This will not only **harm the Wine Country Inn both in business and property value** but other local businesses.

4) Application will NOT adversely affect – violate the character of existing standards for development of the adjacent properties. Diminish other property owners’ value in the area.

- It will discourage other industries from investing in our town.
- decrease the **family friendly perception of our town**.
- There is a **dark and costly downside** to prolific use of drugs.
- Putting a **pot shop as the “crown jewel”** of our town will soon **relegate exit 42 to any town USA. Do we really want marijuana to be the Legacy of Palisade?**

Respectfully, David Talbott, MD, DC, MBA, FAAEM