

**CITY OF GUNNISON, COLORADO CITY COUNCIL**

**IN THE MATTER OF THE APPLICATION )  
FOR A RETAIL MARIJUANA STORE LICENSE )  
FOR THE POT SHOP LLC ) FINDINGS AND DECISION  
dba THE POT SHOP ) 905B N. MAIN STREET,  
GUNNISON CO 81230 )**

**TO THE APPLICANT ABOVE-NAMED AND ALL OTHER INTERESTED PARTIES:**

Pursuant to 8.50.040 of the Gunnison Municipal Code and Title 12-Article 43.4 C.R.S., you are hereby advised based upon the application for a Retail Marijuana Store License, the investigation conducted by the City of Gunnison, as the local Marijuana Licensing authority, and the evidence submitted at the public hearing, the application of The Pot Shop LLC dba The Pot Shop, 905B N. Main Street, Gunnison, Colorado, for a Retail Marijuana Store License, is approved for the following reasons and with the following findings and conditions:

**FINDINGS:**

- (1) There has not been a denial of an application at the same location, on the grounds that the reasonable requirements of the neighborhood were satisfied by the existing establishments.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the license is proposed to be exercised.
- (3) Selling Retail Marijuana and Allowed Retail Marijuana-Associated Products, as proposed in the application, is not in violation of the zoning, fire, building, technical, and other applicable codes of the City of Gunnison or the laws of the State of Colorado.
- (4) The building where the application proposes to sell Retail Marijuana and allowed marijuana-associated products does not appear to be within 1000 feet of any public, charter, or parochial school, daycare school, center or home, the principal campus of any college, university or seminary, or mental health facilities.
- (5) Within the City Limits where Retail Marijuana and Marijuana-associated products are proposed to be sold, there are the following existing licensed marijuana establishments:

8 – Retail Marijuana Stores

- 6) Based on the petitions of adult inhabitants of the City of Gunnison, the license applied for will meet the desires of the adult inhabitants of the City of Gunnison.
- 7) All fees necessary for the application have been paid.

**CONDITIONS:**

- (1) The Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code* and all relevant building, mechanical and fire codes adopted by the City.
- (2) A mechanical source capture and exhaust system shall be installed and subject to inspection and approval by the Building Official.
- (3) The licensed retail marijuana establishment premises shall be equipped with a carbon monoxide detector.
- (4) A minimum of 3 exterior parking spaces with one handicap accessible space shall be dedicated to this retail Marijuana establishment operation.
- (5) Building occupancy for the licensed retail marijuana establishment shall be subject to final inspection and approval by the Building Official, Fire Marshal and Community Development Director.

Dated this 28th day of June, 2016

MARIJUANA LICENSING AUTHORITY  
CITY OF GUNNISON

Gail A. Davidson, City Clerk  
City of Gunnison  
201 W. Virginia Avenue  
Gunnison, CO 81230

**CERTIFICATE OF DELIVERY**

I hereby certify that I have mailed via USPS the foregoing "**FINDINGS & DECISION**" on June 29, 2016, to the following:

Mr. Jonathan Billingsley  
130 Tawanka Trail  
Gunnison, CO 81230

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Gail A. Davidson, City Clerk

## MOTION

I move that the Retail Marijuana Store License for The Pot Shop, LLC dba The Pot Shop, 905B N. Main Street, Gunnison, Colorado, 81230, be approved based on the following findings and with the following conditions:

### FINDINGS:

- (1) There has not been a denial of an application at the same location, on the grounds that the reasonable requirements of the neighborhood were satisfied by the existing establishment.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the license is proposed to be exercised.
- (3) Selling Retail Marijuana and Allowed Retail Marijuana-Associated Products, as proposed in the application, is not in violation of the zoning, fire, building, technical, and other applicable codes of the City of Gunnison or the laws of the State of Colorado.
- (4) The building where the application proposes to sell Retail Marijuana and allowed marijuana-associated products does not appear to be within 1000 feet of any public, charter, or parochial school, daycare school, center or home, the principal campus of any college, university or seminary, or mental health facilities.
- (5) Within the City Limits where Retail Marijuana and Marijuana associated products are proposed to be sold, there are the following existing other licensed marijuana establishment:
  - 8 – Retail Marijuana Stores
- (6) Based on the petitions of adult inhabitants of the City of Gunnison, the license applied for will meet the desires of the adult inhabitants of the City of Gunnison.
- (7) All fees necessary for the application have been paid.

### CONDITIONS:

- (1) The Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code* and all relevant building, mechanical and fire codes adopted by the City.
- (2) A mechanical source capture and exhaust system shall be installed and subject to inspection and approval by the Building Official.
- (3) The licensed retail marijuana establishment premises shall be equipped with a carbon monoxide detector.
- (4) A minimum of 3 exterior parking spaces with one handicap accessible space shall be dedicated to this retail Marijuana establishment operation.
- (5) Building occupancy for the licensed retail marijuana establishment shall be subject to final inspection and approval by the Building Official, Fire Marshal and Community Development Director.