

Gibson, Dylan - CM

From: James Dixon <james@teboproperties.com>
Sent: Monday, July 17, 2023 10:03 AM
To: Gibson, Dylan - CM
Cc: Nafziger, Wendi - CM; Huseman, Benjamin - CC; Allen-Thomas, Jennifer - CC; Madera, Oscar - CC; Chacon, Renee - CC; Noble, Susan - CC; Hurst, Craig - CC; Douglas, Kristi - CC; Ford, Sean - CC; Kim, Craig - CC
Subject: Ordinance No. 2527

Good morning and thank you in advance for your consideration of this email.

I am not a citizen of Commerce city, but our company does own and lease commercial properties within the city. I am reaching out, regarding the 2nd reading and potential passage of ordinance 2527, which would put into place a 12 month moratorium on new recreational and medical marijuana facilities.

While not being a citizen with intimate knowledge of the need for such moratorium, I do not necessarily object to the passage of any such ordinance to accomplish the goals the city may have. What I do have a very strong opinion on is the limitations of the exclusions as shown in Exhibit A of the ordinance. As I understand the process to obtain a new license, any such applicant must first obtain zoning approval, then obtain a state license, and finally after meeting both of those hurdles, the applicant can then apply to a city license. The exclusions listed in exhibit A of the ordinance, excludes only those applicants who have already applied for a license by Aug 1, 2023. In simple terms, this threshold seems reasonable, but in application it is extremely unfair to those business owners currently seeking zoning approval. The zoning approval process is long, and very expensive, and the threshold for the exclusion from the moratorium should INCLUDE those applications who have already submitted a zoning application and are working their way through that process.

In full discretion, we own a property at 5555 Dahlia, in which our tenant has been working with the city for about 12 months on their zoning approval. They have spent **hundreds of thousands** of dollars through this process, have submitted several iterations of plans to the city, and are very entrenched in the zoning approval process. Under the ordinance, with exhibit A as drafted, they would be left in a situation where they are thrown to the curb, and will lose all of the work and money they have spent to date. Please do not put your local business owners in this kind of situation! Please modify the Exhibit to the Ordinance 2527 to INCLUDE APPLICANTS WHO HAVE SUBMITTED A ZONING APPLICATION. This is the only fair way to go forward with any such moratorium.

I am available should you have any questions or comments about anything written here.

Thank you for your time and consideration.

James Dixon | CEO
Tebo Properties

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