

**Town of Lyons, Colorado
Marijuana Licensing Authority
Agenda Cover Sheet
Agenda Item No: VIII.1
Meeting Date: March 20, 2023**

TO: Town of Lyons Marijuana Licensing Authority
FROM: Dolores M. Vasquez, Town Clerk
SUBJECT: New Retail & Medical Marijuana Infused Products Manufacturer License Application – Transfer of Location
APPLICANT: Christopher & Erika Weich/ Conscious Medz: E & C Enterprises LLC

I. BACKGROUND

On February 7, 2023, the Clerk's office received an application from the above-referenced Applicants to Relocate their Retail & Medical Marijuana Infused Products Manufacturer License to be located at 1040 5th Ave Unit 6. Applicants are currently licensed and based out of Boulder, CO. Per Ordinance 952, no more than 2 Marijuana Infused Products (MIPS) business licenses shall be issued, and the approval of this application would be the first MIPS licenses issued and would cap that number.

The location is zoned General Industrial which does allow for this type of use. The site was previously housed by a hemp extraction business and the site is built out for this exact type of use. There will be no cannabis extraction on site, they contract that out. They will make several batches of product and then spend the next six months selling the product.

Applicants are updating their Sales Tax License to reflect the new location and will have that in place before they open for business in June of 2023.

Applicants have submitted all required documentation, completed background check requirements have been reviewed and approved by the Colorado Bureau of Investigation and Boulder County Sheriff's Office. The Applicants are leasing the premises.

On March 17, 2023, Town Staff along the and Boulder County Sheriff did an onsite inspection with applicant.

Applicants are actively working with Town of Lyons Building Department and Lyons Fire to ensure all requirements are met and they are in full compliance with local codes. They need approval of the relocation / license before they can make the move.

Staff is working with the State Marijuana Enforcement Division on this relocation application and have no issues.

The Town posted notice at the location on March 9, 2023 and posted online on March 9, 2023. The Clerk's Office has not received any objections to this new application to date.

II. RESULTS OF APPLICATION INVESTIGATION

- A. Application received: February 7, 2023
- B. Posting of Notice at Location: confirmed

- C. Objections to New Application: none
- D. Fees, Licenses, and Municipal Zoning Code Compliance: confirmed
- E. Ownership of Licensed Premises: Lease
- F. Attachments:
 - a. Application
 - b. Lease Agreement
 - c. Detailed Sketch for Interior of proposed building
 - d. Certificate of Good Standing
 - e. Zoning Verification Letter

III. STAFF RECOMMENDATION TO AUTHORITY

Based upon the information provided above and in the related attachments, staff:

☒ Finds that Applicant has complied with all criteria for a New Retail Marijuana License and recommends that the Lyons Marijuana License Authority approve Applicant's application for a New Retail Marijuana License that is the subject of the application.

☒ Other recommendations: Staff would like to recommend that this application be approved pending site modifications per the Lyons Fire and the Town of Lyons Building Department. Please see attached report.

Recommended Motion:

I MOVE TO CONDITIONALLY APPROVE THE APPLICATION OF E & C ENTERPRISES LLC, FOR A NEW RETAIL & MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURER LICENSE BASED ON THE FINDINGS SET FORTH IN THE STAFF REPORT FOR THE MARCH 20,2023 MEETING AND WITH THE FOLLOWING CONDITIONS:

- THAT APPLICANT IS OF GOOD MORAL CHARACTER AND NOT PROHIBITED AS A LICENSEE.
- THAT BEFORE THE LICENSE IS ISSUED UPDATED SALES TAX LICENSE IS SUBMITTED TO STAFF
- THAT **BEFORE** THE LICENSE IS ISSUED ALL BUILDING AND FIRE CODE RECOMMENTDATIONS ARE MET
- THAT BEFORE THE LICENSE IS ISSUED THE ONE FINAL WALK THRU IS DONE WITH BUILDING OFFICALS AND LYONS FIRE

I FURTHER MOVE TO DIRECT TOWN STAFF TO NOTIFY THE STATE OF COLORADO MARIJUANA ENFORCEMENT DIVISION OF THIS APPROVAL.