

RESOLUTION NO. \_\_\_\_-19

A RESOLUTION CREATING THE TROLLEY DISTRICT  
ENTERTAINMENT DISTRICT

WHEREAS, the City of Colorado Springs, Colorado is a municipal corporation authorized to adopt ordinances and resolutions in furtherance of the public health, safety and welfare; and

WHEREAS, the City Council, by Ordinance 17-75, exercised its local option to allow Entertainment Districts in accordance with the Colorado Liquor Code, C.R.S. §44-3-101, *et seq.*, as amended; and

WHEREAS, C.R.S. §44-3-301(11) authorizes the consumption of alcohol within the boundaries of a Common Consumption Area located within an entertainment district established by the City; and

WHEREAS, Joseph M. Niebur has requested City Council to establish an Entertainment District within the Trolley District; and

WHEREAS, the City Council has considered the factors, provided under C.R.S. §44-3-301(11), relevant to operating the proposed Trolley District Entertainment District; and

WHEREAS, the City Council finds that it is appropriate to establish the Trolley District for operation in accordance with the provisions of this Resolution and C.R.S. §44-3-101, *et seq.*; and

WHEREAS, the proposed Entertainment District complies with C.R.S. §44-3-103(15), as it comprises less than one hundred acres and contains at least twenty thousand square feet of eligible liquor licensed premises.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO:**

Section 1. City Council finds that the property described in Exhibit A (Property) comprises the southern 2.25 acres of the block generally bounded by East Cimarron Street on the north, East Moreno Avenue on the south, South Tejon Street on the east, and South Cascade Avenue on the west, being less than 100 acres in accordance with C.R.S. §44-3-103(15)(b).

Section 2. City Council finds that the Property includes at least 20,000 square feet of premises, holding a liquor license types permitted to attach to a Common Consumption Area within the boundaries of the entertainment district in accordance with C.R.S. §44-3-103(15)(c), and as described and depicted in Exhibit B.

Section 3. City Council hereby establishes the Property described in Exhibit A as an Entertainment District in accordance with C.R.S. §44-3-301(11). The Entertainment District

shall be known as the Trolley District. The establishment of the Trolley District, hereby authorizes the City Clerk to certify eligible Promotional Associations and permit the operation of authorized Common Consumption Areas, in accordance with applicable law and regulations, including, but not limited to, the Colorado Liquor Code, the City Liquor Code, and the Liquor and Beer Rules and Regulations for the City of Colorado Springs.

Section 4. City Council declares that the hours of operation for any subsequently authorized Common Consumption Area within the Trolley District, as defined under C.R.S. §44-3-103(11), shall be between 7:00 A.M. and no later than 2:00 A.M. for any indoor only common consumption areas, and shall be between 7:00 A.M. and no later than 11:00 P.M. for any outdoor common consumption areas.

Section 5. City Council declares that any un-liquor-licensed street side sidewalk areas in the Trolley District remain available to general pedestrian traffic, and be used only for transportation of alcohol beverages to an authorized common consumption area, and that any Promotional Association formed within the Trolley District outline protocols in the required control plan for compliance with this requirement.

Section 6. City Council authorizes the City's Local Licensing Authority to certify a Promotional Association in accordance with C.R.S. §44-3-301(11), City Code §2.5.206, and Rule 19.00 *et seq.* of the Liquor and Beer Rules and Regulations of the City of Colorado Springs.

Section 7. The boundaries of the Trolley District, may be modified by subsequent Resolution of the City Council, subject to the requirements of the City Liquor Code and Rules, and the Colorado Liquor Code and Rules.

Section 8. Establishment of the Trolley District shall be effective upon its introduction and passage, and shall remain effective until amended or rescinded by subsequent Resolution of the City Council.

DATED at Colorado Springs, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah Johnson, City Clerk