

Appellant 1 - RJJ Tejon, LLC
File No. AR R 19-00118

Colorado Springs Planning Commission Meeting
May 16, 2019

Administrative Decision AR R 19-00118 should be overturned

- The decision is against the express language of the ordinance.
- The decision is against the express intent of the zoning ordinance, and others.
- The decision is unreasonable and erroneous.
- The decision does not provide for any significant community benefit.

**The decision is against the
express language of the ordinance**

- Section 7.3.205.M.5 states that “a medical marijuana center (MMC) shall be located no less than one thousand feet (1,000’) from any other MMC.”
- **The applicant is within one thousand feet from the appellant.**
- The City acknowledged that the Applicant is also within one thousand feet of Rocky Road Remedies.

The decision is against the express intent of this zoning ordinance, and others

- 2018 - City Council voted overwhelmingly to increase the setback between MMCs to one thousand feet.
- 2017 - City Council placed a cap on the number of total MMC licenses.
- These Ordinances were enacted to limit the growth of MMC's in local neighborhoods and protect existing businesses.
- The regulation changes were supported by City Council, staff and industry alike.
- **A deviation from the new regulations would set a bad precedent and undermine the collaborative efforts of all interested parties.**

The decision is unreasonable and erroneous

- Adding a fifth medical marijuana business into this already **highly saturated area** will adversely impact RJJ Tejon, LLC's business operations, and could result in the **decreased sales and loss of full time jobs for local residents.**
- Adequate consideration of negative impacts was not given by the City as the initial approval was sent to the Applicant within one hour of receiving RJJ Tejon, LLC's initial comments which is **not sufficient time to adequately consider the stated concerns.**

The relocation provides no significant community benefit

- Allowing for an additional MMC in a highly saturated neighborhood threatens the existing businesses who are competitively operating in good faith.
- **Business and community are both in opposition of this decision.**
 - Ivywild Improvement Society voted unanimously to oppose AR R 19-00118, and accompanying parking variance AR R 19-00141.
 - Ivywild neighborhood has four MMCs in the immediate area:
 - Native Roots Tejon - 1433 S. Tejon St.
 - Rocky Road Remedies – 1530 S. Nevada Ave.
 - Maggie’s Farm – 1420 S. Nevada Ave.
 - LivWell Enlightened Health – 1414 S. Tejon St.

**In conclusion, the Administrative Decision
AR R 19-00118 should be overturned**

- The decision goes against the express language.
- The decision goes against the intent of the zoning ordinance.
- The decision was unreasonable and erroneous.
- The decision does not provide for any significant community benefit.
- The decision is opposed by local businesses and neighborhoods.