

Council OKs house demo, postpones medical pot measure

By Jeanne Davant

The Goebel family of Wichita, Kan., has been vacationing in Manitou Springs for 53 years. During that time, the family, which owns Star Lumber & Supply Co., has allowed their employees to spend their summer vacations here too.

"Manitou is a magical place for me and my family and a special place for the families who come here," Star Lumber CEO Chris Goebel told City Council on Tuesday.

In fact, Manitou has grown so popular with Star employees that the demand outgrew the two homes the family owns on Elk Path.

So the Goebels bought a neighboring property at 108 Elk Path to build a new employee vacation home.

"We are asking permission to replace the 800-square-foot home (on the property) with a 1,665 main-floor-size home with a two car garage," Goebel said. "We expect the new home to look like it's been there for decades."

Council voted 5-1 to allow the Goebels to demolish the original house, which is in poor repair, and build a new structure, which eventually will have seven bedrooms and sleep 16 to 18 people. Council-woman Ingrid Richter was absent.

The Historic Preservation Commission approved the demolition request earlier this month, stating that the original home was not a contributing historic structure and that it would not be economically feasible to rehabilitate it.

Council's official action was to uphold the HPC's decision.

Councilwoman Aimee Cox voted against the demolition request.

"I don't buy the economic argument," she said. "I see that that house could be rehabilitated at reasonable return of investment."

Cox also said she thought the new house would not fit the character of the neighborhood.

"Most of the homes in the neighborhood are not more than 1,000 square feet," she said. "This is a very large home ... On a smaller scale, this is the equivalent of the Cliff House West to Grand Avenue."

Cox said she would like to see the Goebels rethink the design of the new home, which has a stone profile in front that is not typical of the neighborhood.

Goebel said the stone facade would match the house across the street and would be constructed of Colorado flagstone quarried near Woodland Park.

Also Tuesday, Council postponed consideration of a medical marijuana dispensary ordinance until June 1.

That was because of a recently passed state law regulating medical marijuana operations. At press time, the bill was on Gov. Bill Ritter's desk. The governor was expected to sign it.

Before the state law was passed, Planning Director Dan Folke drafted an ordinance, which was reviewed by the Planning Commission and presented to Council on Tuesday. But City Attorney Jeff Parker said the ordinance needed to be revised because some of its provisions were not consistent with the state law.

The state bill complicates Manitou's job, because it addresses three types of medical marijuana operations: dispensaries, which in the bill are called medical marijuana centers; growing operations; and manufacturing operations, which produce edible items.

Medical marijuana centers must grow 70 percent of what they sell, Parker said. If the city wanted to ban growing operations, the centers would have to grow their marijuana elsewhere. That could pose a problem for the centers, which would have to get approval from two different jurisdictions.

Timing is another issue. Medical marijuana centers must apply for licensing by July 1, or else they'll have to wait until they can obtain state review. That could take up to a year.

Manitou currently has a moratorium on dispensaries in place that expires in mid-June. The earliest Council could adopt a revised regulatory ordinance would be June 8. That would give dispensary business owners only a few weeks to apply.

In a unanimous vote, Council instructed Parker to revise the ordinance and bring it back at the June 1 meeting.

In other business, Council...

- Approved on second reading an ordinance regulating solicitation. The ordinance bans aggressive or coercive solicitation throughout the city but allows passive solicitation downtown. It replaces a previous ordinance that was thought to be unconstitutional because of its restrictions on free speech. Police Chief Mary Jo Smith asked Parker to meet with the city's police officers to clarify what is and is not allowed under the new ordinance. "I hope we don't have any adverse impacts, but we have the ability to revisit this," Mayor Marc Snyder said.

- Passed on second reading an ordinance rezoning city-owned public works property from hillside low density and residential to public facilities.

- Approved a hotel and restaurant license for Wild Ginger Thai Restaurant at 27 Manitou Ave.

- Appointed Amy Filipiak to represent the city on the Citizen Advisory Committee of the Rural Transportation Authority.

- Heard a presentation on the proposed streetcar project in Colorado Springs. Results of a feasibility study on a downtown streetcar line will be presented to Colorado Springs City Council on June 21. If it is built, the line could eventually be extended to Manitou.

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