



Quick Facts

Applicant

Colorado Chronic, LLC
represented by Austin Edmisson

Property Owner

Text Cali Wings, LLC

Address / Location

2926 Wood Avenue

TSN(s)

6331306007

Zoning and Overlays

Current: MX-M (Mixed-Use Medium) with a Condition of Record (CR)

Proposed: N/A

Site Area

27,300 square feet (.63 acres)

Proposed Land Use

Commercial Center

Applicable Code

Unified Development Code (UDC)

Council District

District 5

Project Summary

The Applicant is proposing a Conditional Use (“CU”) to add Retail Marijuana Cultivation (“RMJ Grow”) to an existing Medical Marijuana Cultivation Facility in the Mixed-Use Medium Scale (“MX-M”) zone district at 2926 Wood Avenue (see “Attachment 1-Vicinity Map”).

File Number

CUDP-25-0009

Application Type

Conditional Use with a Land Use Statement

Decision Type

Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

Action	Name	Date
Annexation	North Colorado Springs Addition No. 2	1970
Subdivision	Northfield Acres	1953
Master Plan	N/A	N/A
Prior Enforcement Action	N/A	N/A

Site History



The property is within the 1970 North Colorado Spring Annexation No. 2 that included a total of 840 acres in the area east of I-25 from Templeton Gap Floodway on the North to Rock Island Trail on the South, and Hancock Avenue on the East. The site is 27,300 square feet in size and is legally described as the South ½ of Lots 2, and all of Lots 3, 4 and 5, Block C Northfield Acres. Northfield Acres was subdivided in 1953.

The property was developed in 1959 in unincorporated El Paso County as a Neighborhood Shopping Center style building. The building is 9,500 square feet in size and has 10 individual commercial spaces. The commercial center is occupied by Personal Service (Lady 280), Retail (EJ's Dispensary), animal care (JoAnn's Ruff Cuts) and

Medical Marijuana Cultivation Facility (Colorado Chronic) uses; some units are currently vacant. (see **“Attachment 4-Aerial View”** and **“Attachment 5-Plan View”**).

The Applicant has owned and operated the current MMJ Grow, under the name Colorado Chronic, LLC, since July 16, 2021. As of today, the current MMJ Grow has been in existence in the same location and space for 14 years.

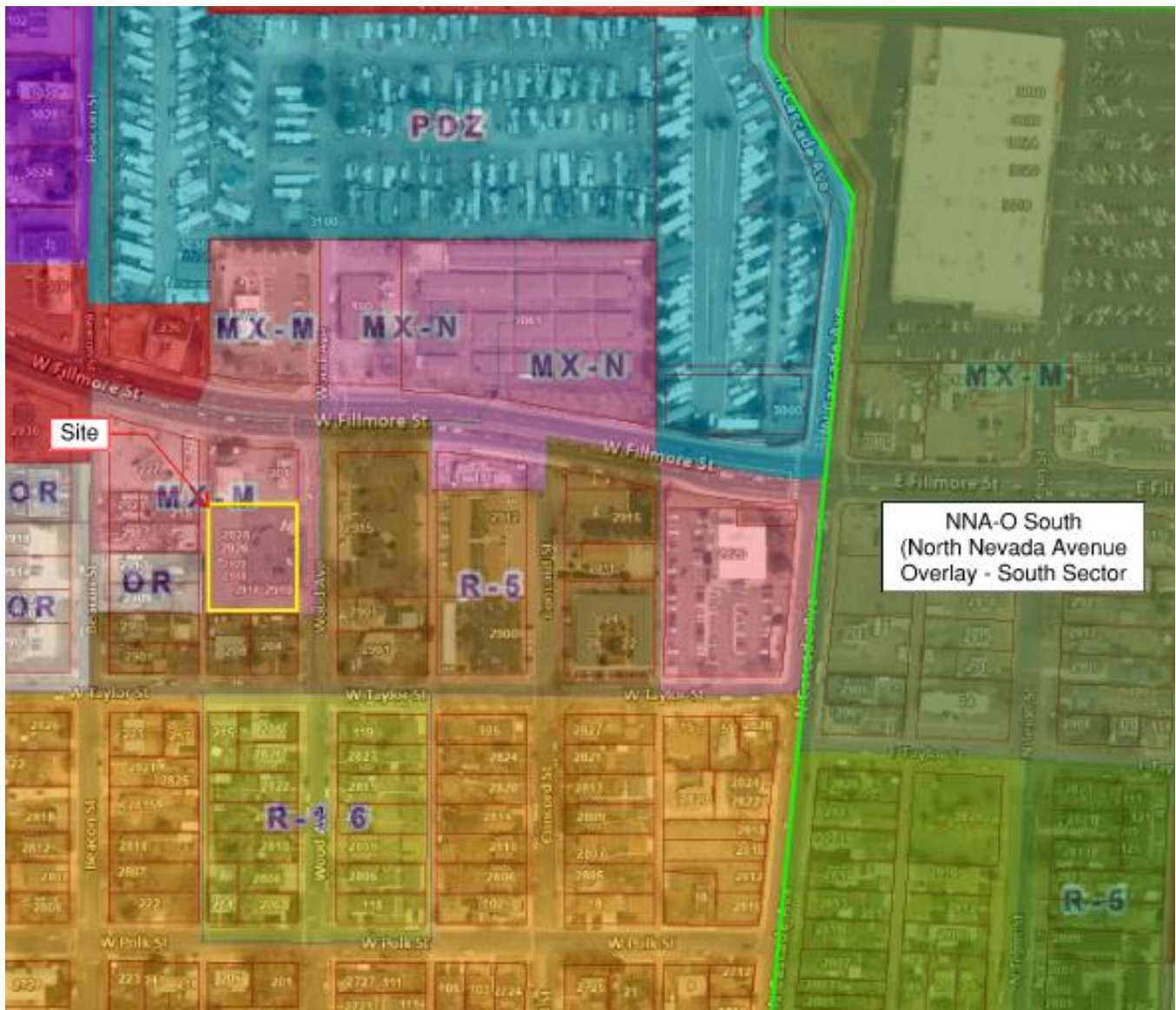
Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	Zoning	Existing Use	Special Conditions
North	MX-M (Mixed-Use Medium Scale)	Convenience Store and Fueling Station	7 Eleven/Conoco

West	MX-M (Mixed-Use Medium Scale) and OR (Office Residential)	Convenience Store and Fueling Station, and Single-Family	Alta Convenience (corner of Fillmore St and Beacon St)
South	R-5 (Multi-Family High)	Single-Family and Two-Family	N/A
East	R-5 (Multi-Family High)	Multi-Family	Wood Avenue Apartments

Zoning Map (see "Attachment 2-Zoning Map)



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	2, Initial Review and Planning Commission Public Hearing
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	194, mailed 2 times – Initial Review and Planning Commission Public Hearing.
Number of Comments Received	Five (5) public comments were received at the time of initial review of the application (see “ Attachment 3-Public Comment ”). Most of the public comments were opposed to the proposed conditional use for RMJ Grow.

Public Engagement

Public engagement for the application was the City’s required public notice requirements for a Conditional Use. Postcards were sent to property owners of records within 1,000 feet of the site and a poster was displayed facing Wood Avenue.

The comments submitted were outright objections to the use and/or its expansion. Many also indicated the odor of marijuana, consumers of marijuana, and building lighting as problems caused by the marijuana businesses located at 2926 Wood Avenue. Many cited the adjacent existing marijuana store to be the cause, not the grow use. One gentleman even did his own site inspection of the property and found that the marijuana grow facility did not smell.

The marijuana uses are subject to Use-Specific Standards (see the standards below). One of the standards requires that no odor be detectable from an adjacent property or from the street right-of-way.

2. General Standards:

- a. An MMJ Facility is prohibited within a residential zone district or dwelling unit except as allowed by Subsection [7.3.304J](#) (Marijuana, Home Cultivation, Accessory), and RMJ Facilities are prohibited within residential zone districts or dwelling units.
- b. An MMJ Facility shall hold valid local and state medical marijuana business licenses and local and state Sales Tax licenses, as applicable.
- c. On-premises use, consumption, ingestion, or inhalation within an MMJ Facility is prohibited.
- d. An MMJ Facility shall install, maintain, and operate an adequate ventilation and filtration system that ensures odors are not reasonably detectable by a person with a typical sense of smell from any adjoining lot, parcel, tract, public right-of-way, building unit, or residential unit.

No Neighborhood Meeting was held for this application.

Timeline of Review

Initial Submittal Date	March 18, 2025
Number of Review Cycles	3
Item(s) Ready for Agenda	April 15, 2026

Agency Review

Traffic Impact Study

No Traffic Impact Study required. A Traffic Impact Study is required when a non-residential development has a peak hour trip generation rate of over 100 vehicles. The proposed application will generate no new trips.

Engineering

Engineering initially required new curb, gutter, and sidewalk, closing of the middle access drive, and modification to the parking lot to eliminate its encroachment into the Wood Avenue right-of-way. This application does not require a Development Plan because none of the development plan triggers in Section 7.5.515.B.1 are met. After extensive internal discussion, the requirement for new curb, gutter, and sidewalk, and the closing of the middle drive have been waived. Engineering continues to have a concern with the parking stalls that encroaches into the Wood Avenue right-of-way. To address this, Engineering requires a Revocable Permit for the encroachment. An alternative is for the owner and/or Applicant to have the parking lot re-striped to eliminate the encroachment.

SWENT

Informational comments were provided to make the applicant and owner aware of stormwater requirements if site improvements were to disturb less than one (1) acre or equal to/greater than one (1) acre. No site changes are proposed with the application

Colorado Springs Utilities

Colorado Springs Utilities requested that the Applicant confirm if any exterior/interior utility modifications are planned or necessary with the addition of a recreational grow to the existing use. If not, they recommended the following statement be added:

“There are no changes to building utility requirements proposed as part of this application.”

It has been confirmed that no utility modifications are required.

Planning – Park Land Dedication, School Land Dedication, and Community Development Impact Fees

No Citywide Development Impact (Police & Fire) Fees will be due with the Conditional Use, as MMJ Cultivation has existed since 2012 (PPRBD Plan# C66119).

Conditional Use

Summary of Application

The zoning of the property is MX-M. Mixed-use zoning was established in the mid 1980's (see “**Attachment 2-Zoning Map**”). Medical and Retail Cultivation Facilities are a Conditional Use in the MX-M zone. The existing Medical Marijuana Cultivation Facility (“MMJ Grow”) was initiated in 2012. At the time the property was zoned C-5 (the adoption of the Unified Development Code in 2023 changed the name of C-5 to MX-M) and MMJ Grow was a permitted (allowed) use. The city updated its Medical Marijuana land use code in 2016, which changed MMJ Grow from being permitted use to a conditional use. As allowed by the land use code (UDC Section 7.5.804.G) the current MMJ Grow is considered to have its required conditional use. The city added Retail Marijuana Uses to its codes and ordinances in November 2024.

G. Conditional Use

A preexisting, legal nonconforming use that would require the approval of a Conditional Use Permit to be allowed in its zone district shall be presumed to have the required Conditional Use Permit. Modifications to the structure or site shall be processed in accord with Section 7.5.414 (Conditional Use Permit).

The neighborhood is strong mix of well-established commercial and residential uses developed in the 1950's and 1960's. Some of the properties have redeveloped more recently, like the 7-Eleven and Starbucks at Fillmore Street and Wood Avenue (see "**Attachment 6-Context Map**").

This application comes about because the Applicant, Colorado Chronic, LLC, would like to add Retail Marijuana Cultivation use to the existing use (see "**Attachment 7-Conditional Use Statement**" and "**Attachment 8-Land Use Statement**"). The Applicant has owned and operated the existing MMJ Grow since 2016. Colorado Chronic lease two (2) suites in the building that together total 2,600 square feet (see "**Attachment 9-Floor Plan**"). Currently, the number of plants grown in the facility is 450. The addition of Retail Cultivation to the existing use would not change the numbers of plants being grown, only the mix of plants (medical and retail plants). It will also allow the operator to sell plants to both medical and retail markets. There is only one (1) employee for the existing facility, and with approval of this conditional use two (2) or three (3) employees may be added. The current facility utilizes four (4) carbon filters to mitigate odor.

As a part of this review, City Staff researched code enforcement cases for the past three (3) years and found no open or closed enforcement actions associated with Colorado Chronic. In this same period there were also no cases related to EmJ's Dispensary at 2918 Wood Avenue (a separate operator within the same multi-tenant building). Based on this it is presumed that Colorado Chronic is operating and using its space in accordance with the general use-specific standards for all marijuana facilities.

2. General Standards:

- a. An MMJ Facility is prohibited within a residential zone district or dwelling unit except as allowed by Subsection [7.3.304J](#) (Marijuana, Home Cultivation, Accessory), and RMJ Facilities are prohibited within residential zone districts or dwelling units.
- b. An MMJ Facility shall hold valid local and state medical marijuana business licenses and local and state Sales Tax licenses, as applicable.
- c. On-premises use, consumption, ingestion, or inhalation within an MMJ Facility is prohibited.
- d. An MMJ Facility shall install, maintain, and operate an adequate ventilation and filtration system that ensures odors are not reasonably detectible by a person with a typical sense of smell from any adjoining lot, parcel, tract, public right-of-way, building unit, or residential unit.

Access to the site is from Wood Avenue by three (3) drives, a north, south and middle driveway, that provide entrance and exit to a 33-space paved and striped parking lot (see "**Attachment 5-Plan View**"). A portion of the existing off-street parking lot encroaches into Wood Avenue right-of-way. This condition has existed since at least 2002. City Engineering is requesting the encroachment be addressed by either a revocable permit or to restripe the parking lot to eliminate the encroachment. The revocable permit would acknowledge and allow the owner to maintain the encroachment and provide the city with the mechanism to have it removed if the right-of-way is needed for future public improvements or other reasons. is currently configured, the parking lot meets code for the number of spaces required (both standard and accessible). The Plan View attachment includes a code analysis for required and provided parking spaces.

There are no other interior or exterior changes required to accommodate the proposed use.

Application Review Criteria

UDC Section 7.5.601, Conditional Use

An application for Conditional Use is subject to the following Criteria for Approval:

Section 7.5.601.C.2 Criteria for Approval

- a. *The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards).*

The application complies with the use-specific standards for marijuana related services.

- b. *Describe how the size, scale, height, density, traffic impacts, and other impacts of the use are compatible with existing and planned uses in the surrounding area, and any potential adverse impacts are mitigated to the extent feasible; and*

The size and scale of the use do not change with this application. This conditional use only adds the ability for the Applicant to grow both medical and retail marijuana plants in the existing 2,600 square feet cultivation facility that has been at this location since 2012. It will not allow the Applicant to grow more plants or expand the capacity of the use (i.e., employees). The proposed use does not have adverse impacts on the neighborhood.

- c. *Describe how the City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development and any burdens on those systems have been mitigated to the maximum extent feasible.*

The city infrastructure is adequate to serve the proposed use

The City Planning Staff finds that the approval criteria of UDC Section 7.5.601.C.2, which are applicable to Conditional Uses, are met with this application.

Statement of Compliance

CUDP-25-0009 Colorado Chronic Marijuana Cultivation Facility

City Planning has reviewed the proposed Conditional Use for Colorado Chronic Marijuana Cultivation Facility and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.601.C.2. with the following conditions:

1. A Revocable Permit is obtained for the parking lot encroachment in Wood Avenue right-of-way, or the parking lot is re-striped to eliminate the encroachment within 90-days of Conditional Use approval by City Planning Commission.
2. Add a note to the Land Use Statement reading "There are no changes to building utility requirements proposed as part of this application"