



Astrozon Cultivation Relocation – Use Variance

CITY COUNCIL

October 8th, 2024



Astrozon Cultivation Relocation – Use Variance

QUICK FACTS

Address:

3758 Astrozon Boulevard

Location:

West of the intersection of Astrozon Blvd
and S. Academy Blvd

Zoning and Overlays

Current: MX-L P/AO/SS

Site Area

2.4 Acres

Proposed Land Use

Medical Marijuana Cultivation Facility

APPLICATIONS

Use Variance with Land Use Statement

VICINITY MAP



Astrozon Cultivation Relocation – Use Variance

PROJECT SUMMARY

File #(s):

UVAR-24-0002

Project Proposal:

Allow legal re-establishment of a medical marijuana cultivation facility within an existing commercial center.

SITE PLAN



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ADDITIONAL INFO

- A medical marijuana cultivation license was first acquired for the site in July 2015
- The Planned Provisional Overlay restrictions were not applied to prior license holder
- During pre-application meetings and further review, use was found to be non-compliant and required a use-variance to re-establish on site

Ord. 83-88: Planned Provisional Overlay Language

7. Uses and square footages of those uses are limited to those listed below:

One fast food restaurant	3,500 square feet
One sit down restaurant	4,000 square feet
One convenience store	3,500 square feet
Retail	19,000 square feet
Office, warehouse	90,000 square feet
One car wash	N/A
One bowling alley	N/A
One car dealership	N/A

CPC P 83-88

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ITEM NO. 8-B-14

TIMELINE OF REVIEW

Initial Submittal Date	June 18 th , 2024
Number of Review Cycles	2 cycles
Item(s) Ready for Agenda	August 12 th , 2024

STAKEHOLDER INVOLVEMENT

PUBLIC NOTICE

Public Notice Occurrences (Posters / Postcards)	Internal Review / Prior to Planning Commission Hearing / Prior to City Council
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	110 Postcards
Number of Comments Received	2 Comments Received

PUBLIC ENGAGEMENT

- Public comments pertained to ongoing issues with crime in the area. There is concern that having a cultivation facility could encourage more break-ins.
- Both commentors were affiliated with other commercial properties in the area.

AGENCY REVIEW

Traffic Engineering

No comments received during review.

SWENT

No comments received during review.

Engineering Development Review

No comments received during review.

Colorado Springs Utilities

Informational comments only.

Fire

No comments received during review.

Overlay District(s)

No comments from the Streamside Overlay review received during review.

Airport

No comments received during review.

Other

No comments received during review.

APPLICATION REVIEW CRITERIA

7.5.527 – Use Variance

Criteria for Approval:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same zone so that a denial of the Use Variance would result in undue property loss and not solely a mere inconvenience or financial disadvantage;
2. That the Use Variance is necessary for the preservation and enjoyment of a property right of the and if not approved, the property or structure cannot yield any beneficial use;
3. That the Use Variance will not be detrimental to the public welfare or convenience nor injurious to the property or improvements of other owners of property;
4. That the hardship is not the result of the applicant's own actions;
5. That because of these conditions, the application of the UDC prohibition on the requested use on the subject property would effectively prohibit or unreasonably restrict the use of the property; and
6. That the Use Variance is not being requested primarily to avoid the time or expense of complying with UDC standards generally applicable to similar properties and development.

Statement of Compliance

UVAR-24-0002

After evaluation of the Astrozon Cultivation Relocation use variance, the application meets the review criteria .

CITY COUNCIL OPTIONAL MOTIONS

Optional Motions

UVAR-24-0002 – Astrozon Cultivation Relocation

Motion to Approve

Approve the Use Variance to establish a Medical Marijuana Cultivation Facility based upon the findings that the request complies with the criteria as set forth in City Code Section 7.5.527.

Motion to Deny

Deny the Use Variance to establish a Medical Marijuana Cultivation Facility based upon the findings that the request does not comply with the criteria as set forth in City Code Section 7.5.527.



Questions?

