

Conditional Use Application- Project Statement

PROJECT: HOBBY FARMS LLC- TO ADD RETAIL MARIJUANA CULTIVATION TO LICENSE
817 Wooten Road, Colorado Springs, CO 80915
Colorado Springs Land Use Review- Conditional Use Application
File Number: CUDP-25-0007

PROJECT DESCRIPTION:

Keystone Associates, Inc. on behalf of Hobby Farms LLC is submitting a Conditional Use Request for the addition of retail marijuana cultivation to an existing licensed medical marijuana (MMJ) business. The current warehouse is used solely for cultivation for medical marijuana and associated support functions. This Conditional Use Request is required as there have been changes to allowed uses in the currently adopted Colorado Springs Zoning Code and to align with the recently voter approved "retail marijuana cultivation center" use in the code. The currently approved use for MMJ cultivation was originally approved/ permitted/ constructed when the building was remodeled for MMJ in 2014 under the previous Colorado Springs Uniform Development Code.

The property and building are located at 817 Wooten Road in Colorado Springs, just north of Platte Avenue. The Conditional Use request is for a change in nomenclature in the license only and there are no planned interior or exterior changes to the building or on the 3.60-acre site.

Zoning: The property is currently zoned BP (Business Park) and no other zoning changes are requested beyond this Conditional Use Request.

Final plat: The property was previously platted as Lot 2, Cruz Subdivision, Colorado Springs. No changes are requested to the existing plat.

PROJECT JUSTIFICATION:

The current building owner originally purchased the property and building in 2014. The building underwent several interior remodels (changes in occupancy) from 2015 through 2019. See also Pikes Peak Regional Building Department permits K84448, L84382, M56504 and associated Development Review Enterprise approval for the specific scope of the interior remodel, as well as the building department change in use to facilitate the current cultivation use. When the interior remodels occurred, the medical marijuana cultivation center was allowed by the Colorado Springs Uniform Development Code in a PIP (Planned Industrial Park) zone.

A pre-application meeting with Colorado Springs planning staff on February 21, 2025 indicated that the marijuana cultivation and associated curing/ packaging processes could continue to occur but a Conditional Use Request would need to be initiated in order to add retail marijuana cultivation to the business license and to formally request the use under the requirements of the current Colorado Springs Uniform Development Code.

We believe that this application complies with the conditional use review criteria as follows:

- A. Part 7.3.3 (Use-Specific Standards) identifies several areas that relate to the current application-
 - 1. Section 7.3.303,F,2. (Marijuana-Related Services, General Standards).
 - a. "An MMJ Facility is prohibited within a residential zone district or dwelling unit except as allowed by Subsection 7.3.304,J (Marijuana, Home Cultivation, Accessory)." The facility exists within a commercial zone district.

- b. "An MMJ Facility shall hold a valid local and state medical marijuana business license and local and state Sales tax licenses, as applicable." Hobby Farms LLC possesses all applicable business and sales tax licenses.
 - c. "On-premises use, consumption, ingestion, or inhalation within an MMJ Facility is prohibited." No on-premises use, consumption, ingestion, or inhalation within the existing facility has been allowed and no violations have been documented since the facility originally opened for business.
 - 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." Ventilation and filtration systems were previously installed as part of the previous permitting and construction process.
- B. "The size, scale, height, density, multimodal traffic impacts, and other impacts of the use are compatible with existing and planned uses in the surrounding area, and any potentially adverse impacts are mitigated to the extent feasible."

The conditional use request is for a nomenclature change to the business license and to add retail cultivation as an allowed use. No changes are planned to the existing 13,735 s.f., two-story, precast concrete structure or the cultivation use.

In that the submittal is solely an administrative process, there are no changes to the overall size or height of the building or scale within the boundaries of the property. The owner does not project any changes in staffing associated with on-site cultivation. Therefore, with a "net-zero" staffing change, no additional parking or traffic impacts are anticipated.

The property lies within a broader commercial zoning area of the city. The area surrounding the property features strip retail shopping to the south along Platte. Additionally, the immediate areas surrounding the subject property include pad industrial storage buildings to the east and south of the subject property, and a combination of retail stores, storage, and commercial warehouses on the west side of Wooten Road. Therefore, functionally and visually, few impacts are anticipated as a major use (and focus of public traffic) of the building remains a cultivation center.

A review with planning staff indicates that no elementary or secondary schools, residential childcare facilities, drug or alcohol treatment facilities, or any other medical marijuana stores exist within 1,000 feet of the subject property.

There have been no prior code enforcement issues or cases brought against the owners.

- C. "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."

There are no changes to building utility requirements proposed as part of this submittal. Street, trail, and sidewalk systems will not be affected as there are no significant changes to staffing or customer traffic anticipated with the organization change.

Sincerely,

Robert E. Seever, NCARB, Principal
Keystone Associates, Inc.