



3760 EAST BOULDER STREET – CONDITIONAL USE

Planning Commission July 9, 2025

Staff Report by Case Planner: Allison Stocker



Quick Facts

Applicant

M.V.E. Civil, Inc

Property Owner

James A. Barber

Address / Location

3760 East Boulder Street

TSN

6415113005

Zoning and Overlays

Current: MX-L/AP-O (Mixed-Use Large Scale with Airport Overlay)

Site Area

0.50 acres

Proposed Land Use

Office / Warehouse

Applicable Code

UDC

Council District

District 4

Project Summary

A Conditional Use to allow office and warehouse uses in the MX-L/AP-O (Mixed-Use Large Scale with Airport Overlay) zone district consisting of an approximately 20,000 square foot lot located at 3760 East Boulder Street. (Quasi-Judicial)

File Number

CUDP-24-0024

Application Type

Conditional Use with Land Use Statement

Decision Type

Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

| <i>Action</i> | <i>Name</i> | <i>Date</i> |
|--------------------------|---------------------------------|------------------|
| Annexation | Austin Acres Annexation | April 1, 1963 |
| Subdivision | Maxdon Subdivision Filing No. 5 | May 31, 1982 |
| Master Plan | South Academy Master Plan | October 31, 2023 |
| Prior Enforcement Action | NA | N/A |

Site History

The subject property consists of a vacant half acre lot in a largely commercially developed area. Located at the southwest corner of East Platte Avenue and North Academy Boulevard, the site is accessible by taking North Chelton Road south or by utilizing the East Platte Avenue Frontage Road. The overall area is a mixture of commercial and industrial uses with the nearest residential use being located over one thousand feet away. The immediate surroundings of the vacant site are primarily used by auto-oriented services and warehousing buildings.

The request for conditional use is to allow the construction of a 20,000 square foot warehouse building with an office for an undetermined future user. Warehousing and wholesaling use type is a conditional use in the Mixed-Use Large Scale (MX-L) zone district. The applicant has also submitted the required development plan (refer to Attachment 1 – In Progress Development Plan) highlighting the anticipated site design and features. The landowner anticipates that the end-user will likely be a business that would be similar and compatible with the surrounding properties.

Applicable Code

The subject application was submitted after the implementation date (06/05/2023) of the ReTool project. All subsequent references within this report that are made to “the Code” and related sections are references to the Unified Development Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

| | <i>Zoning</i> | <i>Existing Use</i> | <i>Special Conditions</i> |
|-------|--|---------------------|---------------------------|
| North | MX-L/AP-O (Mixed-Use Large Scale with Airport Overlay) | Auto Repair | N/A |
| West | MX-L/AP-O (Mixed-Use Large Scale with Airport Overlay) | Auto Repair | N/A |
| South | MX-L/AP-O (Mixed-Use Large Scale with Airport Overlay) | Auto Sales & Repair | N/A |
| East | MX-L/AP-O (Mixed-Use Large Scale with Airport Overlay) | Warehouse | N/A |

Zoning Map



Stakeholder Involvement

Public Notice

| | |
|---|---|
| Public Notice Occurrences (Poster / Postcards) | Internal Review / Prior to Public Hearing |
| Postcard Mailing Radius | 1,000 feet |
| Number of Postcards Mailed | 65 Postcards |
| Number of Comments Received | 0 comments |

Public Engagement

At time of writing this staff report, no public comments have been received.

Timeline of Review

| | |
|--------------------------|------------------|
| Initial Submittal Date | December 3, 2024 |
| Number of Review Cycles | 2 Reviews |
| Item(s) Ready for Agenda | June 16, 2025 |

Agency Review

Traffic Engineering

Traffic Engineering had no comments on this application.

SWENT

SWENT had no comments on the application.

Colorado Springs Utilities

CSU had no comments on the application.

City Engineering

City Engineering had no comments on the application.

City Fire

CSFD had no comments on the application.

Conditional Use

Summary of Application

The applicant chose to submit a conditional use application with land use statement (refer to Attachment 2 – Land Use Statement), which is permitted through UDC Section 7.5.601.B.3: *“If no Development Plan is submitted with the Conditional Use request, the applicant shall submit a Land Use Statement. This statement shall indicate the following: a. Proposed land uses, housing densities (as applicable), and development intensity; b. Compatibility with adjacent development patterns; and c. Impact to adjacent developments including but not limited to light, noise, and traffic.”* The applicant has submitted a development plan for review which is still under administrative review and will not be a part of the conditional use decision making process (refer to Attachment 1 - In Progress Development Plan). This concurrent development has been provided as an attachment to show anticipated site design and features.

The conditional use would allow the construction of a 20,000 square foot warehouse with an office. The end-user of the site is undetermined at this time, but the site is being designed in such a way to accommodate uses that would benefit by having a rollaway door, enclosed fenced area, and minimal site amenities. Since the potential future users are undetermined and there is a high likelihood that the end-user might be an auto-oriented use, a consumer repair use, or another use that might be subject to use-specific standards. The applicant has indicated in their project statement (refer to Attachment 3 – Project Statement) that any future user will communicate with the City Planning to ensure that future proposed use is able to meet any applicable use-specific standards. In the event that a user cannot meet applicable use-specific standards through the approved site design, the user would be required to take any necessary steps to make sure their use meets the UDC requirements. No users will be permitted to use the site before proving they meet all the relevant criteria.

Application Review Criteria

This conditional use application is required to meet the application review criteria as defined in Section 7.5.601.C.2. This application meets the review criteria as described below:

1. The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards).
Warehousing does not have any use-specific criteria, but as discussed above there have been steps taken to ensure that any possible future user will be obligated to meet any applicable criteria before occupying the site. The Applicant has provided the below language on the Development Plan (refer to Attachment 1- In Progress Development Plan):

“Dependent on future user of the site, future modifications to the Development Plan and/or other land use applications may be required to address use-specific issues. Future users of the site shall contact the Land Use Review Division prior to occupying the site to ensure Code compliance”

In addition to the principal use, the proposed project includes an outdoor area intended for storage. Dependent on the future user of the property and how this space is used, this area may qualify as either an accessory Outdoor Display of Goods or Outdoor Storage use. The site design in the associated Development Plan complies with both Section 7.3.304.K and 7.3.304.M by ensuring the required screening is in place and from keeping these areas away from pedestrian and vehicular circulation areas. Future users of the site will be assed by the Planning Department to ensure that their specific use continues to comply with the relevant standards.

2. *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 potential adverse impacts are mitigated to the extent feasible; and*

The proposed building and site design are compatible with the surrounding area and its uses. The majority of the structures in this area are single-story and have an outdoor storage component similar to the proposed site design. Since the area is overwhelmingly commercial and industrial, there have been no concerns raised about potential traffic impacts since the likely uses are anticipated to be low traffic generating and have a comparable traffic generation to the surrounding properties.

3. *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.*

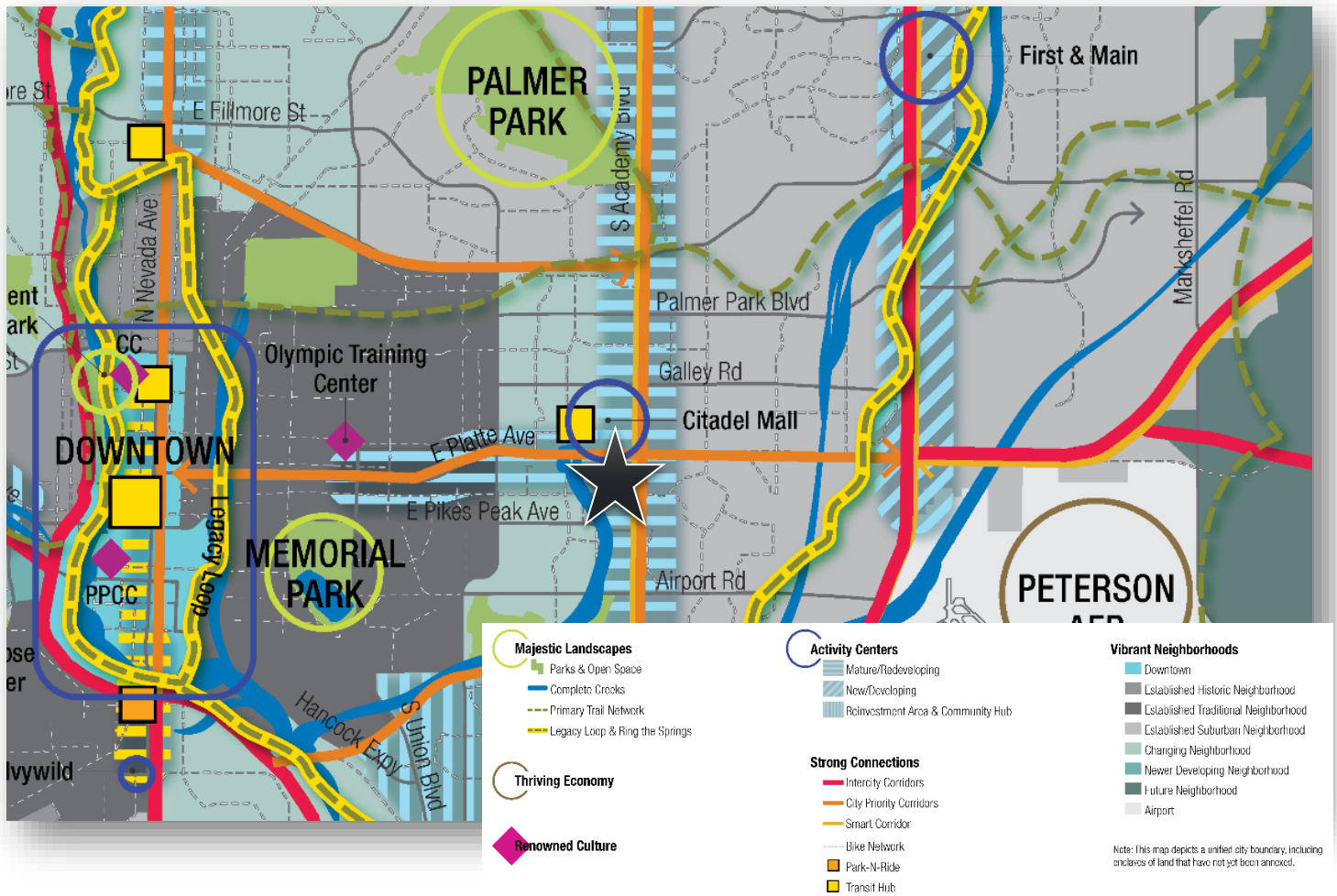
Through the review of the conditional use and the associated development plan, no major concerns have been raised regarding the capacity of local infrastructure or that public improvements are needed to support this development. The area is already served by utilities and has sufficient road connectivity and capacity for this site to be developed.

After evaluation of the 3760 East Boulder Street Conditional Use, the application meets the review criteria.

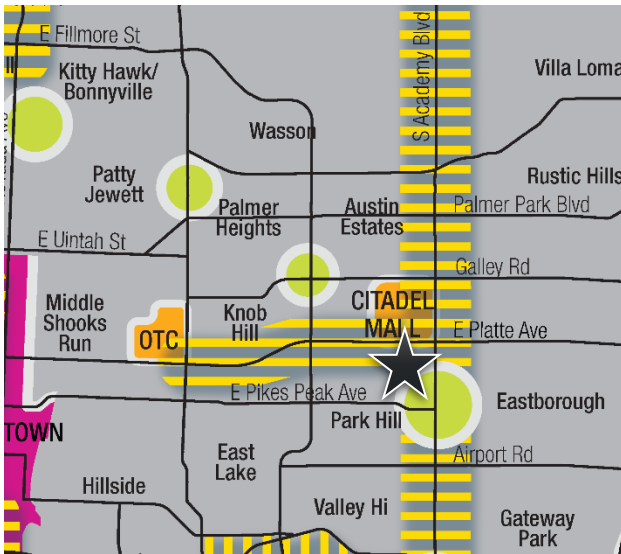
Compliance with Relevant Guiding Plans and Overlays

Per the Academy Boulevard Corridor Great Streets Plan, *“the intent of this Great Streets Plan is to establish a vision for this segment of Academy Boulevard that integrates land use and transportation at the Corridor level. Its overall purpose is to support the needs of existing residents and businesses in the area while encouraging reinvestment, revitalization, and long-term sustainability. In short, facilitating the re-purposing of Academy Boulevard to be a “Great Street.”* The proposed uses support the intent of this Plan by allowing similar business types to locate in the same area and keeping away uses with potential externalities away from residential areas or areas more suitable for commercial development. By allowing this area to retain its character as a consumer oriented.

PlanCOS Vision



The subject property is within the 'Mature / Redeveloping typology' on the PlanCOS Vision Map. This typology is used in areas that are undergoing continuous change and are the focus of redevelopment and investment. This project is an example of how the Academy Boulevard corridor can continue to develop and promote existing industry while respecting existing land use patterns.

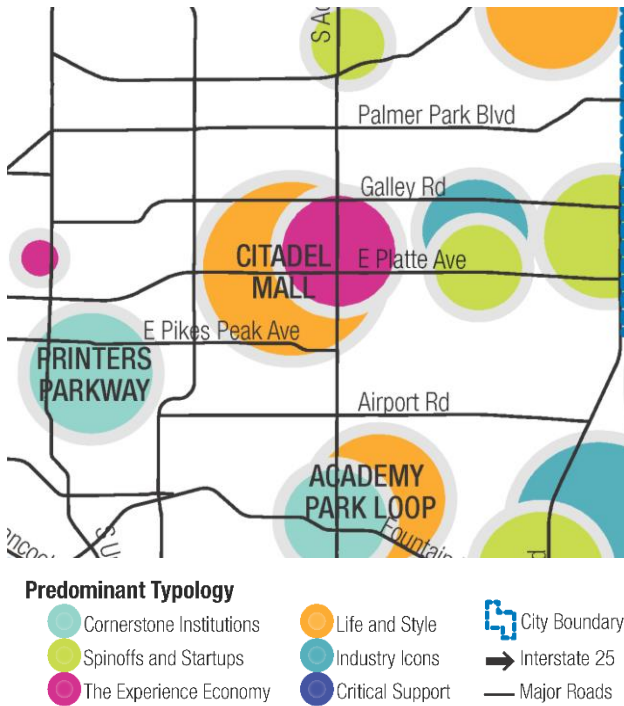


Unique Places

This project supports PlanCOS's Policy of supporting infill and redevelopment within the City limits.

Policy UP-2,A: Support infill and land use investment throughout the mature and developed areas of the City.

Strategy UP02.A-4: Actively support ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment.



Thriving Economy

This project promotes the local economy by providing a commercial spec building and outdoor space that could serve a variety of businesses.

Strategy TE-1.A-1: Provide an adequate supply of varied, development ready sites that are appropriate for new investments in existing industry and targeted clusters.

Statement of Compliance

CUDP-25-0024 – 3760 East Boulder Street Conditional Use

After evaluation of the East Boulder Street Conditional Use, the application meets the review criteria.