



# 1790 SOUTH ACADEMY BOULEVARD – CONDITIONAL USE

Planning Commission March 11, 2026

Staff Report by Case Planner: Kerri Schott



## Quick Facts

### Applicant

Carefree Carwash, LLC

### Representative

Drexel and Barrell

### Property Owner

Carefree Carwash, LLC

### Address / Location

1790 South Academy Boulevard

### TSN

6427111070

### Zoning and Overlays

Current: MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay)

### Site Area

0.61 acres

### Proposed Land Use

Minor Automobile and Light Vehicle Repair and Accessory Outdoor Display of Goods

### Applicable Code

Unified Development Code (UDC)

### Council District No. 4

## Project Summary

The applicant proposes a Conditional Use application to allow for Minor Automobile and Light Vehicle Repair with Accessory Outdoor Display of Goods uses in the MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay). The property is located at 1790 South Academy Boulevard and consists of 0.61 acres. The use has been currently operating on the site as a tire sales and service shop since 2021; this application was submitted in response to a code enforcement case.

File Number	Application Type	Decision Type
CUDP-25-0012	Conditional Use	Quasi-Judicial

## Background

### Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Pikes Peak Park Addition #6	1964
Subdivision	Chelton Square Filing No. 1	July 1986
Master Plan	South Academy	October 31, 2023
Prior Enforcement Action	Code Enforcement Case for Noncompliant Use	ENF23-10922 (January 4, 2024)

### Site History

The site is located at 1790 South Academy Boulevard and is currently platted as Lot 1 Chelton Square Filing 1. The property consists of 0.61 acres and is zoned MX-M/AP-O (Mixed Use Medium Scale with Airport Overlay). The property originally operated as a car wash in the early 1980s, which is a permitted use within the MX-M zone district; previously zoned PBC (Planned Business Center) under Chapter 7. It has been operating as a tire sales and service shop for the last five years without approved land use entitlements.

In January 2024, the City's Neighborhood Services Division of Public Works received a complaint about outdoor storage of tires, inoperable junk vehicles, and auto parts on the property and conducted a site inspection to confirm a tire sales and service operation (Refer to Attachment 1 – *Code Enforcement Letter*). Per UDC definitions, this use is identified as Minor Automobile and Light Vehicle Repair which is a conditionally approved use in the MX-M zone district. The outdoor storage of tires is not a permitted principal or accessory use in the MX-M zone district; therefore, the applicant is proposing Outdoor Display of Goods as an accessory use which is a conditionally allowed use. This proposed conditional use application has been processed to resolve the code enforcement action and bring the site into compliance with respect to both conditionally permitted uses. While a pre-application meeting did occur with the property owner and City Planning Department to address the violations on January 15, 2024, there was delay in pursuing the applications due to uncertainty whether the property owner wanted to continue the use or pursue alternate land use options.

Currently, the Conditional Use application is prepared for the Colorado Springs' Planning Commissions determination and shall be accompanied with a Land Use Statement and Project Statement (Refer to Attachment 2 – *Land Use Statement* and Attachment 3 – *Project Statement*). A Development Plan (DEPN-25-0171) application is under simultaneous administrative review and pending approval until such time as the Conditional Uses are approved.

### Applicable Code

The subject application was submitted after the implementation date (June 5, 2023) of the ReTool project. The subject application will be reviewed under the Unified Development Code. 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

	Zoning	Existing Use	Special Conditions
North	MX-M/AP-O	Walmart Retail	
West	MX-M/AP-O	Vacant land with approved Land Use Plan for Multi-Family Apartments, Commercial/Retail	
South	MX-M/AP-O	Automotive Sales	
East	MX-M/AP-O	Commercial Warehouse	Use Variance approved 1998 for expansion of existing approved warehouse

### Zoning Map



## Stakeholder Involvement

### Public Notice

Public Notice Occurrences (Poster / Postcards)	2 (Initial Administrative Review and prior to City Planning Commission hearing)
Postcard Mailing Radius	1000 feet
Number of Postcards Mailed	130 Postcards
Number of Comments Received	1 Comment Received

### Public Engagement

One comment was received during initial review with concerns over access to South Academy Boulevard from Delta Drive which has been the subject reoccurring parking of operable and inoperable vehicles making access difficult (Refer to Attachment 4 – *Public Comment*). Over the years, many vehicles have been towed from Delta Drive. The applicant responded with a resubmittal clarifying that Delta Drive is a private access drive for the overall development. (Refer to Attachment 5 – *Applicant Response*). No further public engagement.

## Timeline of Review

Initial Submittal Date	April 15, 2025
Number of Review Cycles	3 cycles
Item(s) Ready for Agenda	March 11, 2026,

## Agency Review

Overall, agency reviewers did not have any major comments regarding the proposed principal or accessory uses. Comments received on this project were primarily related to site design and improvements which are to be reviewed and resolved under the concurrent development plan application (DEPN-25-0171). City Traffic Engineering determined that a Traffic Impact Study (TIS) was not required because the site plan showed no changes to existing access points and all existing access points meet the City Traffic Criteria Manual. Applicant has coordinated with City Fire Department through the coordinated application review and requested the establishment of Delta Drive as a fire lane, which will prohibit its use for vehicle parking or storage, and to ensure the display storage of tires comply with all applicable Building Code and Fire Code requirements. Agency reviewers have no objections to this use.

### Summary of Application

The applicant chose to submit a Conditional Use application with land use statement, which is permitted under City Code 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." A separate Development Plan is currently being reviewed administratively and is subject to approval of the conditional use application and any conditions of approval imposed by the City Planning Commission. The proposed Conditional Use would allow for a tire sales and service shop which is identified as a Minor Automobile and Light Vehicle Repair use under Section UDC definitions 7.6 as well as proposed accessory use for Outdoor Display of Goods.

Automobile and Light Vehicle Repair, Minor is defined under City Code Section 7.6 as: "*An establishment that provides minor and routine maintenance or repair to motor vehicles and light vehicles, including tire sales and installation, wheel and brake work, muffler replacement, oil and fluid changes, glass repair, and similar repairs that produce few noise or other impacts on surrounding properties.*"

Outdoor Display of Goods, Accessory is defined under City Code Section 7.6 as: "*The location of goods or stock in trade outside of the primary structure in which an establishment operates, when the placement of such goods or stock in trade is for sale, including but not limited to the display of vehicles, equipment, sheds, grills, lawn mowers, lawn furniture, produce, landscape plants, and materials.*"

The applicant's proposed commercial use of Minor Automobile and Light Vehicle Repair consists of both new and slightly used tires, inside storage of tires for sale, outdoor display of tires within designated areas per the reviewed development plan and tire installation services within enclosed portions of the existing building. The existing single-story building and ancillary storage container will remain and not be expanded. Modifications are proposed to enclose existing open bays with the associated Development Plan to expand the allowance for the tire repair and installation services and secure stored tires. Site and building lighting will remain the same with no additional lighting fixtures proposed. Minimal proposed improvements include updated parking spaces, pedestrian access and connectivity as well as updated landscaping are proposed under the development plan application.

### Application Review Criteria

This Conditional Use application is required to meet the application review criteria as defined in City Code Section 7.5.601.B.2. This application meets the review criteria as described below for both the primary use and the accessory use:

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

The proposed Minor Automobile and Light Vehicle Repair use is expected to be able to comply with all applicable use-specific standards. The use-specific standards for this use can be found in City Code Section 7.3.303 and include the following:

- a. *All work on vehicles shall be done entirely within an enclosed building.*
- b. *Automotive parts or junk vehicles may not be stored outside.*
- c. *The nearest point of the building in which the repair activity occurs shall be more than one hundred (100) feet from the boundary of any residential zone district.*

The Applicant will utilize the existing building on site with some minor modifications to enclose open bays so that all tire installation work shall occur within the existing building. The site will be cleaned up, and no junk vehicles or automotive parts will be stored outside as a condition of approval of this application. The existing outdoor storage of tires along the northern property boundary will be consolidated and relocated within the existing building and/or existing storage container. Any display of tires outside will be confined to specific designated areas that will be further reviewed and approved through the coordinated Development Plan application to ensure meeting all

criteria. The vacant lot directly to the west of the subject property is designated as MX-M zoning. The nearest residential areas are not yet developed farther to the west but are approved as multi-family through a previously approved Land Use Plan and estimated to be over 200 feet away from the building.

The proposed Outdoor Display of Goods accessory use is expected to comply with all applicable use-specific standards found in City Code Section 7.3.304.K as indicated by the applicant. While the location of these potential outdoor display areas are currently in review through the associated Development Plan, the following criteria will be met and will be a condition of approval with this application:

- 1) *The outdoor display may not be placed in required vehicular parking, maneuvering, or access areas, and its location must be in proximity to the main entrance of the primary structure.*
- 2) *The outdoor display area shall be delineated on required plans.*
- 3) *The outdoor display shall be screened from public rights-of-way and from adjacent land uses that in a different land use category (as shown on Table 7.3.2-A: Base and NNA-O District Use Table) than the subject property. Buffer screening is considered adequate regardless of topographic conditions if it includes a screening wall or an opaque fence that is at least seven feet in height, and materials and merchandise may not be stacked or stored higher than the wall or fence. Buffer screening is not required for the display of vehicles for sale or rental is permitted by an approved Development Plan.*
- 4) *The display of merchandise adjacent to the entrance of the principal building is allowed if:*
  - (a) *It is adjacent to the main structure.*
  - (b) *It provides a minimum of five feet of unimpaired sidewalk or pedestrian way width*
  - (c) *It does not block fire access or impede the traffic flow in front of the building.*

The outdoor display area will accommodate a portion of the retail tires inventory and will be accurately delineated on the related Development Plan. The designated area will be located on the western side of the existing building within easy access for customers to the main entrance and will not impede on vehicular parking, maneuvering and access areas. The outdoor display area of tires will not block fire access or traffic flow in front of the building along the western façade. Additional screening will not be required with the proposed location of the outdoor display area on the western side of the building because it will be adjacent to a vacant lot within the MX-M zone district and away from the Academy Boulevard public right-of-way. Per the Applicant, the tires will be displayed appropriately within the designated outdoor display area during business hours only and will otherwise be stored within the enclosed building and existing ancillary storage container.

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 tire sales and service shop is compatible with the existing uses in the adjacent areas. The site is located within a commercially zoned corridor and is surrounded by other retail and service-oriented businesses including automotive sales directly to the south and Walmart Neighborhood Market to the north. The existing building footprint will not change and only modifications to the structure are proposed to enclose existing outdoor bays to accommodate the required indoor installation and repair services are proposed. Reuse of the existing building further supports continuity and avoids disruption to neighboring parcels. The applicant has indicated that all work will be completed within the enclosed building which will limit sounds and smells within the area. No multimodal traffic impacts are anticipated as the proposed services will operate during business hours of 7:00 AM – 6:00 PM, Monday through Saturday. The tire sales and service shop does not house a waiting area, nor will it allow customers to access installation areas for safety reasons. There are no changes to existing access points. The site will continue utilizing existing private access via Delta Road from either South Academy Boulevard or Chelton Road and meets the City's Traffic Criteria Manual.

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.

The project site is located within a largely developed part of the City with built out roads, sidewalks, and existing utility connections. Through the associated Development Plan review, the City's review agencies have deemed the existing infrastructure in this location to be sufficient for the proposed use. The Applicant will be required to ensure sidewalk connections and safe access as well as landscape and parking improvements through the Development Plan.

### Compliance with Relevant Guiding Plans and Overlays

The project site is in the Academy Master Plan. This master plan calls out the subject property as being set aside for commercial uses. With that, the proposed Minor Automobile and Light Vehicle Repair use for a tire sales and services shop at 1790 South Academy Boulevard would meet the intent of the master plan and would be complimentary to existing and proposed uses along this commercial corridor.

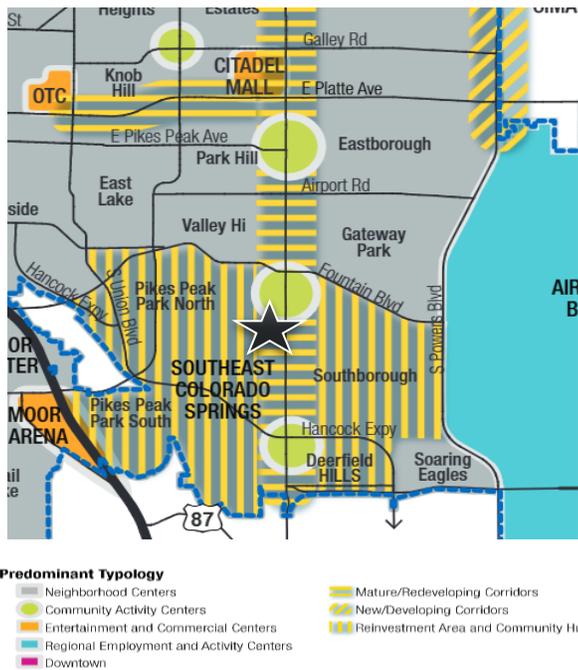
This site is within the Airport Overlay District and was reviewed by the Airport Advisory Commission. The commission did not have any objections to the proposed Conditional Use or the related Development Plan.

## Compliance with PlanCOS

### PlanCOS Vision



The subject site is located within PlanCOS Visions Map's typology of "Mature/Redeveloping Changing Neighborhood". This typology includes existing areas that have the potential for reinvestment and land use change. Redevelopment and infill are expected than other areas of the city. The proposed conditional use supports PlanCOS through the following policy alignment:



### Unique Places

The subject site is within a known “Mature/Redeveloping Neighborhood Center”. The intent behind this typology is to utilize the higher capacity street network for higher intensity development that is street oriented. Often the existing pattern along these older commercial corridors, such as Academy Boulevard, includes a combination of retail uses and auto-oriented services.

This project supports **Policy UP-2.A:** “Support infill and land use investment throughout the mature and developed areas of the City”.

## Statement of Compliance

### CUDP-25-0012 – 1790 South Academy Boulevard Conditional Use

After evaluation of this Conditional Use for Minor Automobile and Light Vehicle Repair use with accessory Outdoor Display of Goods, the application meets the review criteria with the following conditions of approval:

- Prior to Development Plan approval, Outdoor Display of Goods location(s) will be delineated on the development site plan on the west side of the commercial building and will meet all City Code Section 7.3.304.K.
- The existing open bays shall all be enclosed to mitigate visual impacts along Academy Boulevard and to further secure and screen the indoor storage of tires and indoor tire installation services.
- Within 60 days of the associated Development Plan approval, the site will be cleaned up of all inoperable junk vehicles and auto parts shall be removed. Outdoor storage of tires are to be placed in designated outdoor display areas per the approved Development Plan and/or stored within the enclosed building(s).