

April 1, 2025

TOTAL GREEN, LLC.

Conditional Use Application- Project Statement

PROJECT: TOTAL GREEN LLC- TO ADD RETAIL MARIJUANA CULTIVATION TO LICENSE

1105 S Chelton Road, Colorado Springs, CO 80910

Colorado Springs Land Use Review- Conditional Use Application

File Number: PRE 25-0382

PROJECT DESCRIPTION:

Total Green LLC is submitting a Conditional Use Request for the addition of retail marijuana cultivation to an existing licensed medical marijuana (MMJ) business. The current building is used solely for cultivation for medical marijuana and a medical store. 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 for MMJ in 2020 under the previous Colorado Springs Uniform Development Code. The store will be at the address of 1105 S Chelton Road.

The property and building are located at 1105 S Chelton Road in Colorado Springs, just west of Academy Boulevard. 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 22,500 s.f. site. We propose to expand the floor area by combining to area that’s under construction with the current grow area. We will be adding openings in the rear end of the building and from the office to access the proposed expanded grow area. Our current square footage is approximately 1,800 sq. feet and the proposed expansion area is 3,900 sq. feet. Together they will be a total of 5,700 sq. feet

PROJECT JUSTIFICATION:

The current building owner originally purchased the property 2008 and had the building built in 2010. It has been a medical cultivation and medical store since 2020.

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.” TOTAL GREEN 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 6,744 s.f., one-story structure or the cultivation use. We will be adding openings in the rear end of the building and from the office to access the proposed expanded grow area which is currently under construction.

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 east as well as a sushi restaurant and 711 along Fountain. Additionally, the immediate areas surrounding the subject property include storage buildings to the east of the subject property. 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,

Engie Lee, Owner
Total Green, LLC.