

Meeting Date: October 27, 2025

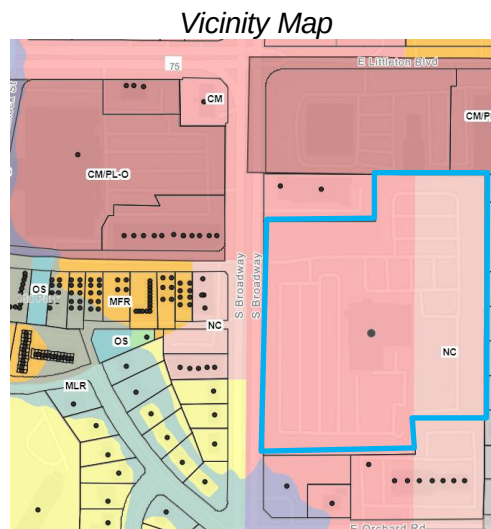
Planner: Andrea Vaughn, AICP - Senior Planner

APPLICATION SUMMARY:

Project Name:	CarMax Lot Expansion
Case Numbers:	CDU24-0003
Application type:	Conditional Use Permit
Location:	5850 S Broadway
Size of Property:	9.511 acres
Zoning:	NC - Neighborhood Commercial CM - Corridor Mixed
Applicant:	CenterPoint Integrated Solutions
Applicant's Representative:	Cassidy Clements
Owner(s):	CarMax Auto Superstores, Inc
Applicant Request:	To allow for the Conditional Use of Vehicle Sales in the proposed rezoned portion of the parcel

LOCATION:

The proposed development is located on the eastern side of Broadway, between Littleton Boulevard and East Orchard Road, at 5850 S. Broadway.



PUBLIC NOTICE REQUIREMENTS AND PROCESS:

Pursuant to Section 10-9-3.5 of the Unified Land Use Code (the “ULUC”), notice of public hearings shall be given in accordance with Table 10-9-3.9.1. Section 10-9-3.5 of the ULUC requires that any notice provided by mail, shall be provided through the United States Postal Service to all addresses, units, and property owners located within 700 feet of the property at least ten (10) days in advance of the public hearing. If there are any homeowner’s or other owner associations within 700 feet of the property, then notification need only be sent to the association’s designee.

In total, staff sent 274 notification cards to property owners and residents within the notification boundary and within the prescribed time period.

Neighborhood meetings were held on the following dates: July 2, 2024; April 3, 2025; Comments raised at the neighborhood meetings are attached to the packet.

BACKGROUND; APPLICATION DETAILS:

The applicant, CarMax Auto Superstores Inc, first received approval for their operations in 2011. At the time, the lot, which was split-zoned as it is today, was zoned B-2 (Business 2) in the western portion of the site and the eastern portion was zoned T (Transitional). In 2011, the applicant sought the conditional approval of the use for “Sales, Leasing, Rental or Pawning of Used Motor Vehicles”, for the portion zoned B-2 and for the off-site parking of employees or patrons of the site, in the portion that was zoned T. The applicants conditional use was approved by the Planning Commission in April 2012. The comprehensive rezoning that occurred in conjunction with the adoption of the ULUC resulted in the B-2 area being rezoned to CM and the T area being rezoned to NC.

In October 2022, CarMax first approached the City, with the proposal to pave the section of the parcel zoned NC, for the staging of vehicles awaiting repair and ultimately to be either displayed for sale on site or relocated. While the portion of the site that is zoned NC did receive conditional approval for the use of an “Off-site commercial employee/customer parking on residential zoned property”, per the now Repealed Title 10, staff found that the proposed use is better described as an extension of the vehicle sales use, which is not permitted in the NC, but is a conditional use in the CM zone district. In November 2024, staff received a completed application from CarMax’s representative to request that the portion of the site zoned NC be rezoned to CM and for the conditional use of “Vehicle Sales, Rental and Leasing”.

The applicant has worked closely with staff and all outside agencies on any outstanding comments and have addressed all of the comments or the agencies have conditionally approved the application.

Decision Criteria and Analysis:

Pursuant to Section 10-9-5.1 of the ULUC, Planning Commission shall approve, approve with conditions, or deny the proposed application. The recommendation shall be based on the following Decision Criteria as outlined in Section 10-9-5.1.C of the ULUC.

1. **Proposed Benefits.** The proposed use and its contemplated size, intensity, and location will provide a use that is necessary or desirable for the neighborhood and community;

Staff believes that expanding the conditional use for “Vehicles Sales, Rental and Leasing” on this parcel to the portion of the site seeking to rezone to CM helps accommodate the growing need of the business, and as a result, expanding the tax revenue of the City.

2. **Adverse Impacts.** The proposed use will minimize any adverse impacts on any adjacent property or use;

The applicant worked closely with staff to ensure that any adverse impacts from the paving of this section of the lot were minimized, including ensuring proposed lighting does not trespass onto neighboring residential properties and that the appropriate bufferyard is installed, per Section 10-1-3.6.F.

3. **Detrimental Impacts.** The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or to property, improvements, or potential development in the vicinity based on:

- a. The nature of the proposed site, including its size, shape, and topography and the proposed size, location, and arrangement of structures;

Staff finds that the installation of a paved lot here does not negatively impact the site. There are no structures proposed at this time.

- b. The accessibility and patterns of pedestrian and vehicular traffic, including the type and volume of traffic, locations of ingress and egress, and the adequacy of off-street parking and loading; and

Staff reviewed the application and finds that the vehicular access for this site is sufficient for the staging of vehicles, as proposed.

- c. The provisions for landscaping, screening, common open space, service areas, lighting, and signage.

Staff has worked with the applicant and outside reviewing agencies to ensure the provisions for Outdoor Lighting, found in 10-1-3.11 and the landscaping and bufferyard requirements found in Section 10-1-3.6.F.

STAFF RECOMMENDATION:

Staff recommends the following: that the Planning Commission conditionally approve Resolution 09-2025 with the following conditions:

1. Approval by City Council of the rezoning of the eastern portion of the subject property from Neighborhood Commercial to Corridor Mixed; and
2. Prohibition of any outdoor display ramps.