

City of Colorado Springs
City Planning Commission
Draft Meeting Minutes – Excerpt
Wednesday, August 13, 2025

5.G. ZONE-25-0007 – 2402 N Nevada Avenue Rezoning

A Zone Map Amendment (Rezoning) consisting of 7,000 square feet located at 2402 North Nevada Avenue from R-2 (Two-Family) to MX-N (Mixed-Use Neighborhood Scale).
(Quasi-Judicial)

Council District # 5

Presenter:

William Gray, Senior Planner, City Planning Department

William Gray, Senior Planner, presented the Zone Map Amendment (Rezoning) consisting of 7,000 square feet located at 2402 North Nevada Avenue from R-2 (Two-Family) to MX-N (Mixed-Use Neighborhood Scale), with an existing commercial- residential building, the proposed use would be a small neighborhood commercial use. The property was originally developed in the late 1950's, designed with residential and commercial character, it was initially owned by a chiropractor and used mainly as a home occupation. In the late 90's it was used for wellness or massage. Between that time, it was used as a photography studio and, at some point, there was a request to have retail space, however, it was denied by the Planning Commission at that time.

Mr. Gray said the request to rezone to MX-N will allow residential, as well as offices, small personal business services, and retail uses, which are conditional uses. The purpose of the rezoning is to facilitate future use of small-scale commercial use by the current owner, considering uses such as massage, fitness, wellness, salon or spa, that fit into the small personal and service use category. The property is directly north of Penrose Hospital and surrounded by single and two-family dwellings, there are commercial centers to the west and east, like the Lincoln school and a shopping center.

Mr. Gray said this application is compatible with PlanCOS and North End Neighborhood Plan. The second mentions neighborhood commercial uses and infers that these uses should be continued as they have existed for long periods of time, this is one of those lots. He said one of the ways to maintain those uses, the current zone does not perpetuate that, and they have to look at mixed use zones. Any future use would require development plans or conditional use to ensure the standards are appropriate. Standard Notice was sent out; no public comments were received. The project meets the review criteria.

Applicant's presentation

Meche Haflich, property owner, said she has lived in the neighborhood for the past 20 years, and she has always tried to comply with and improve the aesthetics of the business for the historic district. She said as the property is close to Penrose Hospital, it is seen as a business. She said she is a massage therapist and health trainer and has been able to provide services through the home occupation permit, usually to residents of the Old North End. Ms. Haflich said there are no proposed changes to the existing building that was built as a chiropractic office with treatment rooms and she wants to utilize that space. She said there is also a living space that can be used more as a community setting such as health classes. She said she will continue to keep it as a boutique business for the neighborhood. Ms. Haflich said the current zoning for that property would allow for a duplex to be built; however, she feels it would be less appealing than a boutique business.

Commissioner Robbins asked if there will be retail sales in the facility. Ms. Haflich said there will be no retail sales, only personal services.

Commissioner Cecil mentioned other the uses that would be permitted in an MX-N zone district.

Public Comments

Dutch Schulz, President of the Old North End Neighborhood Board, said the applicant desires to continue the use that has been in place for years, even though it has been in violation of the R-2 zoning. He said the North End Board does not object to that, as a medical office is a compatible transition to the surrounding streets. He said the Board does object to the rezoning from R-2 to MX-N, because of all the other conditional uses that the proposed new zone will allow to any new owner, and are not compatible with the area, and

only a public review is required to approve a conditional use. Mr. Schulz said the applicant has referred to commercial uses around the area, however, North Nevada is a residential street. He said the rezoning needs to be compatible with the residents that live around, and the consideration should be about the uses that the rezoning allows, not what the applicant desires. He said the applicant refers to the MX-N as compatible with the Master Plan, however, the zone did not exist at the time the Plan was approved. Mr. Schulz said this zone was presented during the RetoolCOS, and they were already strongly opposed as it was too broad, proposing 29 uses to be allowed.

Michael Anderson, member of the Old North End Neighborhood Board, said he wanted to emphasize certain uses from the 29 allowed uses, such as bar, hotel/motel, restaurants, retail, auto related uses, self-storage, detox center, and even mining and mineral extraction. He said the neighborhood will become very vulnerable to all those additional uses. Mr. Anderson said they are not opposed to the medical office/personal health use that the applicant is proposing, but to the broad range of other uses that expose the property and the neighborhood. He said they would like to propose two alternatives that they will be in support of; one will be to rezone the property to Office Residential, and referred to section 7.2.301, describing said use; and the second option will be a use variance that would maintain the current R-2 use but will allow them to have the medical office and personal services.

Chair Slattery asked if the chiropractic services would fall under the “personal services small or large” category. Mr. Gray said the proposed use will be for massage, wellness, salon/spa, and all will fall under the definition of personal and business services small.

Applicant's Rebuttal

Ms. Haflich said it is her understanding that if it is zoned OR, personal services use would not be allowed. She said she does not know if the City Planning Commission could restrict automotive uses there, because she would not want them either, but something more compliant with the neighborhood, as a boutique studio. She said she has seen some Victorian homes that have small businesses associated, and it would not make sense to do something that would damage the appeal of the neighborhood. Ms. Haflich said they are located close to the hospital, close to the area in Filmore that is more commercial, but she wanted to have the opportunity to provide personal services.

Commissioners' Comments

Commissioner Rickett asked if Staff could come up with an alternative that meets the applicant's and the neighborhood's needs, would the applicant consider it. Ms. Haflich said she will.

Commissioner Cecil asked if the option of a use variance was explored for those services and what the reasoning was. Mr. Gray said they did consider the variance, however, the application would not meet the criteria, so they started to focus on the history of the building, and what the comprehensive plans are saying about the area. He said they felt the rezoning was more appropriate instead of trying to explain a use variance without meeting the criteria.

Commissioner Robbins asked if the Office Residential option was reviewed and is not applicable. Mr. Gray said the OR zone district does not permit personal and business services, but general or medical office, therefore, massages would not be allowed, and that is why they decided to go to the next level zone. He said there are standards and procedures that all listed uses need to adhere to, and not all of them would be compatible with the area, for example auto sales. Mr. Gray said the applicant is willing to work with staff to address the opposition's concerns.

Commissioner Rickett suggested moving forward with the rezoning but condition it to personal services, limiting all other uses.

Chair Slattery commended Mr. Schultz and Mr. Anderson for their knowledge of the code. Chair Slattery said according to the allowable use tables between OR and MX-N, the difference is that personal and business services are not allowed in the OR zone, and that has been the historic use, and the one this rezoning is intending to honor to comply with the Master Plan for the Old North End. Chair Slattery said if any of the other uses were to come forward, there is a public process, and no additional conditions are needed, because they exist in the code. Chair Slattery said for those reasons she will be voting in favor of the rezone.

Commissioner Casey said he agrees with Chair Slattery. Commissioner Cassey said there are some uses, like mineral extraction, that are allowed as a conditional use in OR but

would not make sense due to the size of the property. Commissioner Cassey said for those reasons he will be voting in favor of the rezoning to MX-N.

Commissioner Hensler said she concurs with Chair Slattery's comments and appreciates the research, the conversation and the robust discussion.

Commissioner Gigiano said she voted against the item because the zone is too broad and she worries about future uses.

Motion by Commissioner Hensler, seconded by Commissioner Casey, to recommend approval to City Council the Zone Map Amendment (Rezoning) from R-2 (Two-Family) to MX-N (Mixed-Use Neighborhood Scale) consisting of 7,000 square feet located at 2402 North Nevada Avenue, based upon the findings that the request complies with the criteria for a Zone Map Amendment (Rezoning) as set forth in City Code Section 7.5.704. to the City Council.

The motion passed by a vote of 8-1.

Aye: 8 - Commissioner Hensler, Commissioner Cecil, Chair Slattery, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements and Commissioner Rickett.

No: 1 - Commissioner Gigiano.