

Tefertiller, Ryan

From: Rochelle Salmore <rocsalmore@aol.com>
Sent: Tuesday, March 05, 2019 4:41 PM
To: Tefertiller, Ryan
Subject: AR R 19-00141 parking variance on south Tejon

Follow Up Flag: Follow up
Flag Status: Completed

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Please do not allow decreased parking variance at the former Blue Star. There is currently not enough parking along south Tejon and when Milibo theater has a play, it is even worse.

Thank you Rochelle Salmore

Tefertiller, Ryan

From: Pamela Pitrone <plpitrone58@gmail.com>
Sent: Tuesday, March 05, 2019 4:54 PM
To: Tefertiller, Ryan
Subject: Re: Blue Star Building Applications

Follow Up Flag: Follow up
Flag Status: Completed

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Thank you for the email and the information. Once again businesses are being proposed that require variances. I don't think a bar/music venue and medical marijuana is a typical commercial use.

I can tell you from experience that the other two medical marijuana businesses in the area produced traffic and unsafe drivers. I hate to generalize but it is logical to think that both of these businesses produce impaired drivers.

I also have a concern that that the bar being on the side and the medical marijuana being in the back, as reported does not sound like a safe environment.

This owner and a partner created a special tax district. He seems to be targeting large dollar businesses. Medical marijuana and alcohol are two top sellers. I am all for free enterprise and commerce! However, these are certainly not the type of businesses that they spoke about when creating that special district.

There should not be a variance because there's already two medical marijuana close. And there should not be a variance once again for parking. If he would like to properly develop this area he will have to consider the parking requirements and Public Safety.

Thank you,
Pamela Pitrone

On Tue, Mar 5, 2019 at 2:32 PM Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov> wrote:

Hello all,

You are receiving this email due to your interest in the future of the Blue Star building at [1645 S. Tejon St.](#) Specifically, you either a) emailed me about the proposed music venue concept, or b) attended the neighborhood meeting at the Ivywild School on January 23, 2019. Please see the attached public notice postcard describing two applications that were recently submitted for the property. Additional information about both applications can be found on the City's LDRS website here: <https://eoc.springsgov.com/ldrs/rpt/index.htm> (enter the file numbers in the appropriate box and hit "search").

Feel free to contact me with questions or concerns,

Ryan

Tefertiller, Ryan

From: Dennis & Jill Clark <jackandjillc@yahoo.com>
Sent: Tuesday, March 05, 2019 10:48 PM
To: Tefertiller, Ryan
Subject: Lasted proposal for blue star

Follow Up Flag: Follow up
Flag Status: Completed

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I do not feel this is a good mix for our neighborhood - other facilities are sufficient - there is not a need for any variance parking or close proximity

Sent from Yahoo Mail on Android

Tefertiller, Ryan

From: Jim Easton <jpeaston97@hotmail.com>
Sent: Wednesday, March 06, 2019 1:58 PM
To: Tefertiller, Ryan
Cc: Jim Easton
Subject: RE: Blue Star Building Applications

Follow Up Flag: Follow up
Flag Status: Completed

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Mr. Tefertiller:

Thank you for including me in the attached notice.

I offer my comment about the request for administrative relief for the required parking stalls. In my opinion, the area in question is subject to significant parking issues that will only be exacerbated by reducing the number of required stalls or spaces. I recommend retaining the required number of parking stalls and rejecting the request for administrative relief.

Thank you.

Jim Easton
31 Friendship Lane
Colorado Springs, CO 80904

From: Tefertiller, Ryan [mailto:Ryan.Tefertiller@coloradosprings.gov]
Sent: Tuesday, March 05, 2019 2:33 PM
To: Tefertiller, Ryan
Subject: Blue Star Building Applications

Hello all,

You are receiving this email due to your interest in the future of the Blue Star building at 1645 S. Tejon St. Specifically, you either a) emailed me about the proposed music venue concept, or b) attended the neighborhood meeting at the Ivywild School on January 23, 2019. Please see the attached public notice postcard describing two applications that were recently submitted for the property. Additional information about both applications can be found on the City's LDRS website here: <https://eoc.springsgov.com/ldrs/rpt/index.htm> (enter the file numbers in the appropriate box and hit "search").

Feel free to contact me with questions or concerns,
Ryan

Tefertiller, Ryan

From: Edelweiss Restaurant <edelweissrest@msn.com>
Sent: Thursday, March 07, 2019 10:17 AM
To: Tefertiller, Ryan
Subject: 1645/1647 S Tejon

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Ryan,

This seems like a much better plan to us, and the parking relieve is much more acceptable. My only concern is what would stop them from still opening the large concert venu once they have it approved as a commercial center? Is there any sort of clause we can put that the remainder of the space not be turned into a bar/restaurant/entertainment sort of business? Or some sort of %? In the last meeting they brought up the Axe and Oak going into Ivywild where it was originally planned for commercial/bike shop. How do we stop that from happening here?

Thanks,

Dieter

Edelweiss Restaurant
34 E Ramona Ave
Colorado Springs, CO 80905
www.Edelweissrest.com
719-633-2220

Tefertiller, Ryan

From: Tefertiller, Ryan
Sent: Friday, March 08, 2019 7:29 AM
To: 'martin@harpercpa.com'
Subject: RE: Blue Star Building Applications

Hi Martin,

I've read and reread that section of code a number of times and find it a bit confusing. However, I believe it is intended to apply to situations where a free-standing restaurant is a significant part of a larger shopping center (e.g. Burger King at Southern Cross Shopping Center, or Red Robin at the Broadmoor Towne Center); oftentimes, but not always, those restaurants are on separate lots and the Code is trying to say that they should not be included in the 1/250 ratio but should use their own use-specific ratio (e.g. 1/100). Conversely, the subject property has two buildings with a common wall. The Blue Star Building has three distinct tenants (small music venue, retail, and MMJ), whereas the Distillery 291 building has only one tenant – although we did allow use of two parking ratios which is common practice for distilleries, breweries, and similar uses that have very distinct areas of their business (e.g. manufacturing area vs. tasting room area).

I hope this makes sense,
Ryan



Ryan Tefertiller

Planning Manager, AICP

Phone (719) 385-5382

Email

Ryan.Tefertiller@coloradosprings.gov

Urban Planning Division

Planning & Community Development

30 S. Nevada Ave, #603

Colorado Springs, CO 80901

Phone (719) 385-5905

Weblinks:

[Pre-Application Meeting Request](#) | [SpringsView/Map](#) | [Downtown Planning](#) | [Development Applications](#) | [Zoning Code](#) | [Track My Plan](#) | [Parcel Info](#)

From: martin@harpercpa.com [mailto:martin@harpercpa.com]

Sent: Thursday, March 07, 2019 3:01 PM

To: Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

Subject: RE: Blue Star Building Applications

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Yeah, but it also says this: Freestanding buildings with one or two (2) uses within a commercial center shall provide parking spaces for the use(s) required based upon the approved use(s) and not be included as part of the overall center parking calculations.

Wouldn't that be two or more uses? Seems like the bar requires so much more parking you would want to require them to provide what's required, 1 per 100 sf or something like that.

Martin Harper

From: Tefertiller, Ryan [<mailto:Ryan.Tefertiller@coloradosprings.gov>]
Sent: Thursday, March 07, 2019 1:52 PM
To: martin@harpercpa.com
Subject: RE: Blue Star Building Applications

Hi Martin,

City Code includes a use definition called "commercial center" which is defined as "A grouping of three (3) or more attached commercial, office and/or civic uses developed and maintained under unified control. A majority of the establishments in a commercial center share common walls and parking areas. Freestanding buildings may be included as part of a commercial center." The proposed plan illustrates 3 separate tenants in the Blue Star building earning the ability to consider it as a Commercial Center. A Commercial Center is parked at a 1 stall per 250 sf ratio. We analyzed the Distillery 291 space as a separate building and use using parking ratios specific to their operation.

I hope this makes sense,

Ryan



Ryan Tefertiller

Planning Manager, AICP

Phone (719) 385-5382

Email

Ryan.Tefertiller@coloradosprings.gov

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From: martin@harpercpa.com [<mailto:martin@harpercpa.com>]

Sent: Tuesday, March 05, 2019 2:55 PM

To: Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

Subject: RE: Blue Star Building Applications

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Ryan

I was just curious about why the music venue is included with the retail in the parking requirements shown on the site plan. Seems like they would have different parking requirements like the bar part of the distillery does.

Marty Harper

From: Tefertiller, Ryan [<mailto:Ryan.Tefertiller@coloradosprings.gov>]

Sent: Tuesday, March 05, 2019 2:33 PM

To: Tefertiller, Ryan

Subject: Blue Star Building Applications

Hello all,

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Feel free to contact me with questions or concerns,
Ryan



Ryan Tefertiller

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Tefertiller, Ryan

From: Pamela Pitrone <plpitrone58@gmail.com>
Sent: Friday, March 08, 2019 7:52 AM
To: Tefertiller, Ryan
Subject: Re: Blue Star Building Applications

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Thank you! The change and growth is exciting. I just want it to be part of the overall master plan and not detrimental to the neighborhood.

Best wishes

On Fri, Mar 8, 2019 at 7:16 AM Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov> wrote:

Hello Pamela,

Thanks for your email. I will add it to my project file and provide it to the applicant. I will likely be making an administrative decision on these applications based upon the required criteria within City Code within the coming weeks; I'll be sure to notify you of that decision when it is available.

Thanks again,

Ryan



Ryan Tefertiller

Planning Manager, AICP

Phone (719) 385-5382

Email

Ryan.Tefertiller@coloradosprings.gov

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From: Pamela Pitrone [mailto:plpitrone58@gmail.com]
Sent: Tuesday, March 05, 2019 4:54 PM
To: Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>
Subject: Re: Blue Star Building Applications

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Thank you for the email and the information. Once again businesses are being proposed that require variances. I don't think a bar/music venue and medical marijuana is a typical commercial use.

I can tell you from experience that the other two medical marijuana businesses in the area produced traffic and unsafe drivers. I hate to generalize but it is logical to think that both of these businesses produce impaired drivers.

I also have a concern that that the bar being on the side and the medical marijuana being in the back, as reported does not sound like a safe environment.

This owner and a partner created a special tax district. He seems to be targeting large dollar businesses. Medical marijuana and alcohol are two top sellers. I am all for free enterprise and commerce! However, these are certainly not the type of businesses that they spoke about when creating that special district.

There should not be a variance because there's already two medical marijuana close. And there should not be a variance once again for parking. If he would like to properly develop this area he will have to consider the parking requirements and Public Safety.

Thank you,

Pamela Pitrone

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Feel free to contact me with questions or concerns,

Ryan



Ryan Tefertiller

Planning Manager, AICP

Phone (719) 385-5382

Email

Ryan.Tefertiller@coloradosprings.gov

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Tefertiller, Ryan

From: martin@harpercpa.com
Sent: Friday, March 08, 2019 10:14 AM
To: Tefertiller, Ryan
Subject: RE: Blue Star Building Applications

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Ok, well the neighbors are going to oppose the parking variance as well as the variance for the pot shop. Nobody trusts those guys after the mess over at the school. The City should have learned something from that debacle, also.

I'm not sure how Native Roots (Tejon), Liv Well (Tejon) and Maggies Farm (Nevada) are allowed to be less than 1,000, they must already have variances. I see no compelling to grant another variance for another pot shop, I believe the addition of another MMC business would be detrimental to the neighborhood.

M Harper

From: Tefertiller, Ryan [mailto:Ryan.Tefertiller@coloradosprings.gov]
Sent: Friday, March 08, 2019 9:16 AM
To: martin@harpercpa.com
Subject: RE: Blue Star Building Applications

There is probably some discretion that we could utilize if the applicant was proposing 6000+ sf of restaurant or music venue and then two very small (roughly 500 sf office or retail) uses where we could say that the commercial center parking rate was not appropriate. However, that scenario isn't being proposed. My position is that the use of the commercial center rate is appropriate. One reason we allow that use and rate is that likelihood that the various uses have different peak parking demands. In this case the retail and MMJ uses will largely have peak parking demand during traditional business hours, whereas the small music venue would have peak parking needs in the evening.

Ryan



Ryan Tefertiller
Planning Manager, AICP
Phone (719) 385-5382
Email
Ryan.Tefertiller@coloradosprings.gov

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To: Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>
Subject: RE: Blue Star Building Applications

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So you're saying one of the 3 tenants could be anything and still only have to park at 1 per 250 sf? They'd be ok putting the larger music venue or a restaurant in there under those circumstances, correct? That makes no sense.

Marty

From: Tefertiller, Ryan [<mailto:Ryan.Tefertiller@coloradosprings.gov>]
Sent: Friday, March 08, 2019 7:29 AM
To: martin@harpercpa.com
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I hope this makes sense,
Ryan



Ryan Tefertiller

Planning Manager, AICP
Phone (719) 385-5382
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I hope this makes sense,

Ryan



Ryan Tefertiller
Planning Manager, AICP
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Email
Ryan.Tefertiller@coloradosprings.gov

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From: martin@harpercpa.com [<mailto:martin@harpercpa.com>]
Sent: Tuesday, March 05, 2019 2:55 PM
To: Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>
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Ryan

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Marty Harper

From: Tefertiller, Ryan [<mailto:Ryan.Tefertiller@coloradosprings.gov>]
Sent: Tuesday, March 05, 2019 2:33 PM

To: Tefertiller, Ryan
Subject: Blue Star Building Applications

Hello all,

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Feel free to contact me with questions or concerns,
Ryan



Ryan Tefertiller

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Phone (719) 385-5905

Weblinks:

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Tefertiller, Ryan

From: Robin Depies <robin1261@gmail.com>
Sent: Sunday, March 10, 2019 5:54 PM
To: Tefertiller, Ryan
Subject: Re: Blue Star Building Applications

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Hi Ryan,

I do not like the idea of granting a relief for the footage. I know it is not much but I do not think that another MMC in this area is good for the area. There is one just a few blocks away.

As for the parking relief I again so no. Parking is in short supply in that area and is causing enough problems. I think the owner of that building can make a parking lot out of one of his lots to accommodate that area.

Best regards,

Robin Depies



Virus-free. www.avast.com

On Tue, Mar 5, 2019 at 2:32 PM Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov> wrote:

Hello all,

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Feel free to contact me with questions or concerns,

Ryan

Tefertiller, Ryan

From: Jo <rapido_jo@yahoo.com>
Sent: Monday, March 11, 2019 9:15 PM
To: Tefertiller, Ryan
Subject: Re: Blue Star Building Application AR R 19-00141

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Hello Ryan,
Please see my comments below on the referenced Administrative Relief application.

1. Regarding change of use from restaurant to commercial center - the county records list this parcel as a restaurant which requires 1 parking space per 200 sq. ft. vs 1 per 250 sq. ft. for a commercial center. How has the decision to change use to a commercial center been made and is any appeal or public input to this possible.
2. A 5% reduction in parking spaces is shown on site plan (from 46 to 44) with no explanation. Surely the actual number of required spaces should be listed as 46 in the application. If the 5% reduction has some validity it does not seem appropriate to apply this in addition to administrative relief.
3. The parking spaces shown seem very small, far smaller than the street ones indicated. Have these (as well as access lanes) been confirmed as meeting the city code?
4. No accessible spaces seem to be indicated but the city code appears to require 2 per 26-50 spaces.
5. The 2 southernmost spaces don't appear to exist currently and it does not appear that loading/trash collection would be feasible with these here.
6. City code parking section 7.4.208 refers to 'administrative relief to save trees'. This would not seem to apply to this parcel. Are there other valid reasons that would apply to allow the requested administrative relief elsewhere in the code?

Regards
Joanne Lucey
206 Laclede Ave, 80905.

On Tuesday, March 5, 2019, 2:32:53 PM MST, Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov> wrote:

Hello all,

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Feel free to contact me with questions or concerns,

Ryan

Tefertiller, Ryan

From: Diane DeMallie <erweidman@comcast.net>
Sent: Tuesday, March 12, 2019 3:51 PM
To: Tefertiller, Ryan
Subject: RE: Blue Star Building Applications

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Dear Mr. Tefertiller,

I would like to express my concerns about the proposed development of 1645 S Tejon Commercial Center, file numbers AR R 19-00118 and AR R 19-00141.

First, I am opposed to administrative relief to allow less than the required distance between two Medical Marijuana Centers (MMCs).

As a neighbor, I am concerned that having two MMCs so close together will have a deleterious effect on the neighborhood. A three-year study in Denver showed that the density of marijuana outlets was positively related to property crime in areas adjacent to the marijuana outlets, and was also related to higher rates of marijuana-specific crime.¹

As a physician, I am concerned about the negative effects of high densities of marijuana outlets on public health. A study from California showed that an additional one dispensary per square mile in a ZIP code was associated with a 6.8% increase in the number of marijuana hospitalizations.² Marijuana can cause significant increased risk of disease in our population, including increases in cognitive deficits, mental health problems, and addiction, as well as possible increased risk of cancer, heart, and lung problems.³

Second, I am opposed to administrative relief to allow 37 parking stalls where 44 are required. Our neighborhood already has significant problems with parking, as discussed at the community meeting on January 23, 2019. Our neighborhood is not able to absorb the additional parking needs that the proposed development will require.

Sincerely,
Diane DeMallie, M.D.

References:

1. Freisthler B, Gaidus A, Tam C, Ponicki WR, Gruenewald PJ. From Medical to Recreational Marijuana Sales: Marijuana Outlets and Crime in an Era of Changing Marijuana Legislation. *J Prim Prev.* 2017;38(3):249-263. doi:10.1007/s10935-017-0472-9
2. Mair C, Freisthler B, Ponicki WR, Gaidus A. The impacts of marijuana dispensary density and neighborhood ecology on marijuana abuse and dependence. *Drug Alcohol Depend.* 2015;154:111-116. doi:10.1016/j.drugalcdep.2015.06.019
3. Marijuana and Public Health. National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention. <https://www.cdc.gov/marijuana/health-effects.html>. Published 2018. Accessed March 10, 2019.

From: [Tefertiller, Ryan](#)
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Subject: Blue Star Building Applications

Hello all,

You are receiving this email due to your interest in the future of the Blue Star building at 1645 S. Tejon St. Specifically, you either a) emailed me about the proposed music venue concept, or b) attended the neighborhood meeting at the Ivywild School on January 23, 2019. Please see the attached public notice postcard describing two application that were recently submitted for the property. Additional information about both applications can be found on the City's LDRS website here: <https://eoc.springsgov.com/ldrs/rpt/index.htm> (enter the file numbers in the appropriate box and hit "search").

Feel free to contact me with questions or concerns,
Ryan



Ryan Tefertiller

Planning Manager, AICP
Phone (719) 385-5382
Email

Ryan.Tefertiller@coloradosprings.gov

Urban Planning Division

Planning & Community Development
30 S. Nevada Ave, #603
Colorado Springs, CO 80901
Phone (719) 385-5905

Weblinks:

[Pre-Application Meeting Request](#) | [SpringsView/Map](#) | [Downtown Planning](#) | [Development Applications](#) | [Zoning Code](#) | [Track My Plan](#) | [Parcel Info](#)

Tefertiller, Ryan

From: Bee Sinton <honey1bee5@aol.com>
Sent: Wednesday, March 13, 2019 10:50 AM
To: Tefertiller, Ryan
Subject: Blue Star

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I have a couple of questions. Number one has Bluestar received permission for a MMC? Number two is why is the city willing to take a chance on A variance on an unknown entity when a good standing company is already in place. I believe that Edelwise restaurant has always complied with city regulations and is an asset to our city whereas another marijuana business would only hurt our neighborhood. Therefore I am very much against varying the ordinance of parking!

Thankyou for giving me a chance to voice my views. Blanche Sinton
Sent from my iPad

Tefertiller, Ryan

From: elglskiff@aol.com
Sent: Thursday, March 14, 2019 7:26 PM
To: Tefertiller, Ryan
Subject: Comments: File numbers: AR R 19-00118 and AR R 19-00141

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As a business property owner (Ramona/Nevada), we are writing in opposition to File Numbers:
AR R 19-00118 and AR R 19-00141.

A few weeks ago a meeting was held concerning a music venue for this project site with projected parking for 400-800 as mentioned in the Gazette. Now the project has been changed to a small?? music venue, plus retail space (very vague...vaping business possibly?!), and a Medical Marijuana Center (MMC). Really?

This area is saturated with Medical Marijuana Centers what with those on South Tejon and South Nevada, already.

The density of the proposed three (3) businesses does not warrant 37 parking places where 44 are required and certainly are not enough for even a small music venue to make a profit and remain in business.

Adding a Medical Marijuana Center plus retail just adds to the problem at hand (parking and business compatibility). The owner of the property needs to come up with a better business plan for this site, and one which enhances the Iywild community rather than businesses which do not meet this goal.

George L. Skiffington

Emma Lou Skiffington

Tefertiller, Ryan

From: Valerie Fix <vpfix29@gmail.com>
Sent: Friday, March 15, 2019 8:47 AM
To: Tefertiller, Ryan
Subject: Fwd: MMC & Parking Admin Relief: 1645 S Tejon

Follow Up Flag: Follow up
Flag Status: Completed

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Mr. Tefertiller,

Below is the email I tried to send you yesterday, but apparently your emailFix address is listed incorrectly on our green post card.

Valerie Fix

----- Forwarded message -----

From: Valerie Fix <vpfix29@gmail.com>
Date: Thu, Mar 14, 2019, 4:26 PM
Subject: MMC & Parking Admin Relief: 1645 S Tejon
To: <ryan.tefertiller@springsgov.com>, <AllCouncil@springsgov.com>, <jsuthers@springsgov.com>, <planningdev@springsgov.com>

Dear Mr. Tefertiller:

I am writing to register my opposition to the administrative relief measures that are proposed for 1645 S Tejon. The available information regarding these proposals provides more questions than answers, so at the very least, a decision should be postponed until these issues are addressed.

1. The proposal asks for two separate administrative relief measures, yet it is unclear if one can pass without the other. Specifically, if parking relief is given but the MMC is not approved, will the parking relief still go through and become permanently attached to this property. Since the MMC must apply to move locations, we don't know if they will actually be able to set up shop there. Also, the section of 1645 S Tejon that the MMC will occupy requires extensive renovation before it will meet occupancy requirements, possibly preventing them from re-opening in a reasonable timeframe.
2. The proposal includes a drawing of the existing buildings with the 37 parking stalls notated. However, there are currently no parking stalls physically marked on the property. I have walked this area many times, and am not sure they will reasonably fit as the drawing suggests. Also, two spots are in front of the dumpsters, no ADA parking is indicated, and currently several vehicles seeming to belong to employees of Distillery 291 are always in this lot.

Many parking spots are also indicated in front of the building, which do currently exist. However, they are pull-in street spots, so the question arises as to whom they belong. Several transportation studies are going on right now which reference changes to Tejon, including the creation of wider bike lanes on Tejon, a roundabout at the

5 points, and other traffic-flow measures. Should these become reality, how does that affect the future of those spots?

This proposal also references that the parking relief would cover both 1645 & 1647 S. Tejon, although this is not referenced on our green mailer. Does this mean that Distillery 291 will be part of the Tejon Commercial Center, or will they be relinquishing parking rights? I believe they are currently classified as a warehouse, but they regularly hold small concerts and events, taking up all of the parking around the building.

3. While I am not opposed to the existence of an MMC in Ivywild, I am opposed to this location. There is no reason to go around the current code requiring 1000 ft between dispensaries just because they almost made the distance. While I don't know the exact distances, the dispensary within 1000 ft of the proposed MMC has two others that look to be right at the 1000 ft mark. I don't believe we should bend the rules to add a 4th location walking distance to the east side of the neighborhood, nor do I believe making exceptions to the MMC code should even be considered. With the mayor's firm stance on recreational marijuana, it seems ridiculous to let the medical shops proliferate by allowing administrative relief.

Regardless of parking or distance limits, this particular property seems unsuitable due to the location behind the building and in between two businesses that sell alcohol.

4. You and the developer originally came to our neighborhood to discuss a parking variance for a proposed large-scale music venue. During that meeting, we only heard how we should want a cultural attraction like a music theater in our neighborhood and should therefore support any required variances. The property owner showed no consideration for the concerns of the attendees nor did he provide any constructive proposals to accommodate the parking needs. Now, the music venue has disappeared, and a commercial center with lesser requirements has appeared. This shows that the property owner has little regard for the character of the neighborhood or the types of businesses on his property, but only for the easiest way to disregard the inadequate parking his property provides.

To conclude, the Ivywild neighborhood has been dealing with numerous development and variance requests over the last year, and the overwhelming concern of the residents is parking. We repeatedly ask for proactive parking and transportation solutions, and are told over and over again to simply approve variances which will exacerbate the problem. Our neighborhood needs to enhance connectivity through pedestrian and biking safety measures, and maintain our historic neighborhood feel before we are swallowed up by haphazard development.

Thank you for your time and consideration,

Valerie Fix
1500 S Cascade

Tefertiller, Ryan

From: Rochelle Salmore <rocsalmore@aol.com>
Sent: Friday, March 15, 2019 10:09 AM
To: Wysocki, Peter; Tefertiller, Ryan
Subject: AR R 19-00118 and AR R 19-00141

Follow Up Flag: Follow up
Flag Status: Completed

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Hello Ryan and Peter - At the Ivywild community meeting we heard that the term "administrative relief" means that a decision is left to the planning council with no community input. Is that correct?
If so, my husband, Daniel Salmore, and I are definitely not in favor of allowing administrative relief to these proposals. Additionally, we are not in favor of anything that decreases parking spaces for these businesses. There is not enough parking now, and when there are events at either Ivywild School or Milibou, parking spills out to neighboring NARROW streets.

Thanks.

Rochelle and Dan Salmore

Tefertiller, Ryan

From: Tad Bowler <tad@rockyroad.com>
Sent: Friday, March 15, 2019 10:32 AM
To: Tefertiller, Ryan
Cc: Stephanie Hull; morgan.hester@coloradosprings.govn
Subject: FW: Urgent-Opposition to File Numbers AR R 19-00118 and AR R 19-00141 on 3-14-19
Attachments: Opposition to File Numbers AR R 19-00118 and AR R 19-00141 on 3-14-19.pdf

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Ryan.

Please accept my withdrawal of opposition for Pure Medical to do a move of location, to a letter/reference of support. I did not realize it was Karly, owner of Pure Medical, and this is not for a "New License" as described on your notice letter. Pure Medical was already located nearby, losing their lease. Pure Medical and Karly should be allowed to reopen, due in part to the Hardship of having to relocate close to their members.

Please let me know if a hearing is necessary, as I would try to attend to give verbal support.

Thanks

Thomas "Tad" Bowler 970-471-3633

From: Tad Bowler
Sent: Thursday, March 14, 2019 12:31 PM
To: 'Ryan.Tefertiller@coloradosprings.gov' <Ryan.Tefertiller@coloradosprings.gov>
Cc: Stephanie Hull <Stephanie@rockyroad.com>
Subject: Urgent-Opposition to File Numbers AR R 19-00118 and AR R 19-00141 on 3-14-19

Mr. Ryan Tefertiller, or to whom it may concern, please see that attached and below:

March 14, 2019

To: City Planner Colorado Springs
Ryan Tefertiller
Ryan.Tefertiller@coloradosprings.gov

Re: File Numbers AR R 19-00118
AR R 19-00141

Project Description:
Medical Marijuana Center (MMC) at 1645 S. Tejon Street Colorado Springs CO. 80905

Subject:
Proposed MMC at location 1645 S. Tejon Street Colorado Springs, CO 80905 is requesting to allow approximately 975 feet of separation to the MMC at 1433 S. Tejon Street where 1,000 feet are required by Code.

Response/Comments of Rocky Road Remedies LLC located at 1530 S. Nevada Avenue Colorado Springs, CO. 80905

1. I would like to bring to your attention that Rocky Road Remedies has not been properly notified of the intent from the company seeking administrative relief to open an MMC at 1645 S. Tejon.
2. Rocky Road Remedies is located at 1530 S. Nevada Avenue Colorado Springs, CO. 80905. The distance from our location and the proposed MMC is less than 1,000 feet.
3. There are currently five dispensaries located in the immediate area in questions:
 - Native Roots located at 1433 S. Tejon
 - Liv Well located at 1414 S. Tejon
 - Rocky Road Remedies located 1530 S. Nevada Ave.
 - Maggie's Farm located at 1420 S. Nevada Ave.
 - Pure Medical located at 130 E. Cheyenne Rd.
 - Good Weed located at 601 E. Las Vegas

These dispensaries are all located in close proximity of the proposed location at 1645 S. Tejon and some of the above-mentioned dispensaries are within less than 1,000 feet, which does not meet the code requirement for the City of Colorado Springs.

Rocky Road Remedies strongly objects to a new MMC with a proposed location of 1645 S. Tejon. As this is within less than 1,000 feet of our dispensary located at 1530 S. Nevada Ave. Colorado Springs, CO 80905.

For further questions, information or comments please feel free to contact me at any time.

With kind regards,

Thomas Bowler
Owner
Rocky Road Remedies
tad@rockyroad.com
970-471-3633



PO Box 18017
Colorado Springs, Co 80935

March 14, 2019

To: City Planner Colorado Springs
Ryan Tefertiller
Ryan.Tefertiller@coloradosprings.gov

*Withdrawn
per 3/15
email*

Re: File Numbers AR R 19-00118
AR R 19-00141

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For further questions, information or comments please feel free to contact me at any time.

With kind regards,

 3-14-19

Thomas Bowler
Owner
Rocky Road Remedies
tad@rockyroad.com
970-471-3633

Tefertiller, Ryan

From: ward_witch <ward_witch@yahoo.de>
Sent: Friday, March 15, 2019 2:47 PM
To: Tefertiller, Ryan
Subject: Re: Blue Star Building Applications

Follow Up Flag: Follow up
Flag Status: Completed

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Hello Mr. Tefertiller,

I looked at the attached postcard and the additional information and I am still concerned. Not with the pot shop even I think it is not a good idea to put it right beside a restaurant patio ...

I am concerned with the "smal music venue" ... how did it go from 500 people to smal? How smal is smal? Did the architect consider the parking spaces from the hairdresser, the 291 brewery and the proposed pot shop? When you allow to reduce the requirements you open the doors for trouble. We know how the owner from blue star works ... not gentleman like. Why can't they buy a piece of land that is so abundant around there and make new parkingplaces? Other ones did it. If you give in it will go out of hand and cost the other businesses around lots of money.

Thank you for reading this and your consideration

Marion Ward

Sent from my Galaxy Tab® A

----- Original message -----
From: "Tefertiller, Ryan" <Ryan.Tefertiller@coloradosprings.gov>
Date: 3/5/19 14:32 (GMT-07:00)
To: "Tefertiller, Ryan" <Ryan.Tefertiller@coloradosprings.gov>
Subject: Blue Star Building Applications

Hello all,

You are receiving this email due to your interest in the future of the Blue Star building at 1645 S. Tejon St. Specifically, you either a) emailed me about the proposed music venue concept, or b) attended the neighborhood meeting at the Ivywild School on January 23, 2019. Please see the attached public notice postcard describing two application that were recently submitted for the property. Additional information about both applications can be found on the City's LDRS website here:

<https://eoc.springsgov.com/ldrs/rpt/index.htm> (enter the file numbers in the appropriate box and hit "search").

Feel free to contact me with questions or concerns,

Mr. Tefertiller,

When I first read the new proposal letter for the property at 1645 & 1647 S Tejon St. I was thrilled. Knowing that the property now was within 7 parking spaces of code was such a relief! Then over the next few days, and talking it over with neighbors, friends, and my family I have realized that both you and Mr. Coleman are manipulating the city code to require fewer parking spaces for the project.

By adding the third business you are able to classify it as a "Commercial Center" which requires less parking per sf. Once it is approved you can put in bars/restaurants/entertainment businesses but at less than 1/2 the parking rate as what is normally required. You are also including street parking in their "on site" numbers which is not allowed since half is owned by the city and can be taken away at any time. Then if that was not enough you are NOT classifying the 291 Distillery as part of the Commercial Center but giving it its own "warehouse" classification, which also requires less parking. Please tell me why they should be figured as a warehouse and the rest of the businesses are not bar/restaurants? That is what the other ½ of the building will be used as right? This all brings the number of spots required down far enough you can push it through as "Administrative Relief" so it won't even require a parking variance.

The city codes are there to protect the people and businesses. The city employees should be enforcing those codes not manipulating them.

Edelweiss cannot support this proposal. It will allow Mr. Coleman to do whatever he wants in his building with no regard to parking. If it is pushed through in this format, we will appeal it and come after you personally for allowing this sort of manipulation.

And if you did now know this is what was happening and were just pushing papers through your desk, I am sorry for all the blame. However, you may want to read over things just a little more carefully before you send them out for approval.

Thank you,

Dieter Schnakenberg

Manager

Edelweiss Restaurant

Mr. Ryan Tefertiller,

First, a fact you may not know! Mr. Coleman had valet service in front of the Blue Star Restaurant up until the time the church property was bought. This shows that there was a parking problem and Mr. Coleman was aware of it.

Secondly, I want to go on record as being opposed to Administrative Relief or a parking variance for the building at 1645 and 1647 S Tejon St.

My Wife and I have owned the Edelweiss Restaurant for 30 years. We also own two lots at 25 & 27 E Ramona and two lot at 44 & 50 E Ramona. The economical impact on our business and the surrounding businesses would be substantial. We are looking at installing two mechanical arms to protect our exits and a minimum of three parking attendants to monitor the parking lots. We will have not choice but to tow everyone except our customers. I'm sure you run into this problem in downtown areas. We will be sure to give them your number as a contact.

Thirdly, we were at the neighborhood meeting Monday March 11th at the Ivywild Gym. They had a good turnout of 30-40 persons. They took a vote of who was for granting Administrative Relief and who was opposed. Every person at the meeting was against the city granting Administrative Relief for the building at 1645 & 1647 S Tejon.

Fourthly, we are talking about a huge building. Mr. Coleman can say he only needs 44 parking spaces. In reality he might need 200. The burden the City of Colorado Springs would put on our community and are could be unbelievable.

Concerning our parking variance;

Fifthly, I do take offence that you put the Edelweiss Restaurant in the same category as Mr. Coleman and the Blue Star. We used our parking variances to grow and increase our parking. We have done three major remodels at the restaurant. Each time we also grew our parking. We now employ 60 people with a payroll of 1,688,000. Do you know what kind of taxes we pay to the city? We are one of the largest and busiest family owned restaurants in Colorado Springs. What I really like is that our neighborhood appreciates us and the hard work we have done to make the Edelweiss what it is today.

Gary Schnakenberg

Owner

Edelweiss

The Edelweiss has several specific questions for Ryan Tefertiller/City for the Administrative Relief Application at 1645 S. Tejon. We are formatting the questions in bullet form to make sure each one is addressed/answered individually.

1. For the Administrative Relief request; Which City Officials (by name and Title) reviews, signs, approve/deny the application?

a. What is the date the City will decide the Administrative Relief Application?

2. *What is the parking requirement threshold/standard/city code, for “Administrative Relief Application” vs. Parking Variance Application?*

3. What are the steps the City takes to make sure the application is submitted correctly?

4. Does the City approve that the Application is submitted correctly?

5. Is the Administrative Relief Application correct when it comes to;

- 1. Correct On-site parking to be applied?**
- 2. Square footage totals to building?**
- 3. Correct usage of type(s) of parking code applied?**
- 4. Correct code for parking widths, location, parking angles, and driveway widths (taking into account the different parking angels) and exits.**
- 5. What is the City code/regulation that allows for Off-site parking to be counted as On-site parking; there are 11 parking spaces on Tejon that are being counted as On-site parking. However, at least 1/2 of the land is owned by the City and can be revoked at any time.**

6. Is there a significant change and reduction on the Parking Impact to the community and surrounding properties with using a different Parking Code(s)?

- a. Knowing at the January 2019 public meeting, the Pre-application Applicants used a different Parking Code based on the Type of Businesses to establish parking requirements.**
- b. And also knowing using this Parking Code would require anywhere from 120 to 200 onsite parking.**

- c. Furthermore, knowing that adding a third business would allow for a different Parking Code (requiring less Parking).
- d. And also knowing, using two different Parking Codes would minimize the Parking requirements (one for Multi-Use Commercial Center and one for Warehouse Distribution).
- e. And finally, knowing that the Music Venue/restaurant/Bar are still going in and a second Music Venue can go in at a later time and not be required to have additional parking because of the new Parking Classification of a Commercial Center (having at least 3 business).

In conclusion, can you show/prove how this significantly changes anything from the original proposal and significantly reduces the parking impact on community and the surrounding landowners?

7. Can you break down the 3 different Parking code options to show the number of on-site parking required. Using;

- 1. Entire site based on the type of each business and what those parking totals are.
- 2. Entire site using Commercial Center parking based on Square Footage.
- 3. Splitting site up where you are minimizing required onsite parking; by applying two different parking codes.
 - A. Why is the 3rd option applied and allowed by the City?
 - B. What is the reason for choosing the 3rd option over 1st or 2nd option?
 - C. Why isn't the 1st or 2nd option used in this case?

8. What is the City Code/Regulation that identifies/defines the criteria for using two different Parking Codes for one land site? And why would two codes be applied (reason)?

For the record: The Edelweiss does not support the approval of the Administrative Relief Application;

- 1. The application does not meet the criteria and requirements for a Administrative Relief Application.***
- 2. The Parking Codes are not properly applied.***
- 3. The application is improperly submitted.***
- 4. The application does not meet the Parking Code requirements***

Norman K Moss – Edelweiss Restaurant

Tefertiller, Ryan

From: Anna Kruse <anna@annablueberry.com>
Sent: Sunday, March 17, 2019 1:18 PM
To: Tefertiller, Ryan
Cc: allcouncil@springsgov.com; Tefertiller, Ryan
Subject: 1645 S Tejon Center Administrative Relief Requests
Attachments: image001.png

Follow Up Flag: Follow up
Flag Status: Completed

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To: City Planner Ryan Tefertiller,

CC: City Council

Regarding Administrative Relief for fewer than required parking stalls:

I commented previously that it would be irresponsible to grant a parking variance at 1645 S Tejon St. My feelings have not changed. This is still not a good area to bring in a higher volume of traffic.

Any large scale project must come with adequate parking. As this is unlikely to ever happen at 1645 S Tejon, I recommend considering 8th street as an alternative location for such projects. I believe you would meet with less opposition in building up 8th Street.

I oppose this administrative relief. Please consider a business that is actually suitable for that location size.

Regarding Administrative Relief for less than required 1,000 ft:

I am unaware of any disabled individuals in the immediate area relying on medicinal marijuana who are finding the sites of the current MMCs as an intolerable, insurmountable barrier to getting their meds that this variance needs to be granted.

Seeing no dire need for making an exception to the voter-approved regulation, I oppose this administrative relief as well.

Anna Kruse

Tefertiller, Ryan

From: kyle purer <kylepurer@hotmail.com>
Sent: Sunday, March 17, 2019 10:47 PM
To: Tefertiller, Ryan; allcouncil@springsgov.com
Subject: administrative relief requests for Ivywild building

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Ryan Tefertiller at Ryan.Tefertiller@coloradosprings.gov
and allcouncil@springsgov.com

Regarding File numbers

AR R 19-00118

AR R 19-00141

for Ivywild and the property at 1645 S Tejon St.

Greetings,

This letter states several objections to the administrative relief requests for both AR R 19-00118 and 19-00141, as they appeared on the same notification.

Objection 1: Error with parking summary math, the request is to allow 37 parking stalls where 44 are required... this is an error it's actually 46. Why did the engineer enter into the ledger "(REDUCTION 5%)and then reduce the number of stalls from 46 STALLS REQUIRED to 44 STALLS. 44 stalls are not required, 46 are. What authority allows the additional 5% reduction? The total reduction is 20% and disqualifies for administrative relief.

<https://eoc.springsgov.com/LDRSDocs/LUISPlanner/Documents/App/117287.pdf>

PARKING SUMMARY

<u>1645 SOUTH TEJON ST.</u>	COMMERCIAL CENTER: 8783 G.S.F. / 1 STALL/250 S.F. = 36 STALLS
<u>1647 SOUTH TEJON ST.</u>	WAREHOUSING & DISTRIBUTION: 8,348 G.S.F. / 1 STALL/1000 S.F. = 6 STALLS
	BAR (TASTING ROOM): 500 G.S.F. / 1 STALL/100 S.F. = 5 STALLS 46 STALLS REQUIRED
	(REDUCTION 5%) = 44 STALLS
	ADMINISTRATIVE RELIEF@ BSR = 37 STALLS REQUIRED
	PARKING STALLS PROVIDED: = 26 ON-SITE STALLS 11 STREET STALLS 37 TOTAL

Objection 2) The property is incorrectly defined as a commercial center. The commercial center does not account for the warehouse and tasting room. They share common walls, common parking, and common access inside and are maintained under unified control, which by definition with section 7.2.302.C.9 definition shall be included into the commercial center. This would require 62 parking spaces for the commercial center.

Selectively using only portions of the business to qualify for “commerce center” designation is not in the spirit of the definition of the commercial center.

Objection 3) The property should be defined as a mixed use property. per 7.4.203.C “In the case of mixed uses (i.e., restaurant and hotel) and uses with two (2) or more different functional areas (i.e., warehouse with office, dining area within a convenience food store), the total requirement for off street parking spaces shall be the sum of the requirements for each of the various uses.”

The development plan shows

- Retail: 3390sq ft. 1/300sq ft. = 11 spaces
- Restaurant (sit down) 3641sq ft. 1/100 sq ft. = 36 spaces
- Medical marijuana: 1752sq ft. 1/300sq ft. = 6 spaces
- Distillery / warehouse: 6346sq ft. 1/1000 = 6 parking spaces
- Tasting Room: 500sq ft. 1/100 = 5 parking spaces

The total number of spaces $11 + 36 + 6 + 6 + 5 = 64$ spaces needed, about the same as the Commercial Center plan.

Objection 4) Judge Patrick Kelly’s order Dec 3 1998 requires mixed use zones. The Judge wrote that “*Future use of the property shall be in accordance with all applicable provisions and regulation of the zone district in which such property is classified at the time of termination.*” See HO NV 97-00121

<https://eoc.springsgov.com/LDRSDocs/LUISPlanner/Documents/Misc/25605.pdf>

At the time of termination, the building was not a “commercial center” zone. It was and should only be considered a commercial mixed-use zone and must then support the 64 spaces in this configuration.

Objection 5) The development plan misrepresents the current parking use for Pure Medical MMC. Google maps shows 29 spaces at 130 East Cheyenne Rd currently supporting the business. See images below for parking lot count and property lines for the business. The application misrepresents the number of parking stalls required for this business.



Objection 6) The proposed location of the Medical Marijuana Center is also within 1000 feet of Clinic 5280 at 1629 S Nevada Ave. This was not disclosed.

Objection 7) In Pure Medicals may have provided an invalid argument in the application for administrative relief, section 2, i. "relocating MMC is unable to find any conforming properties" when in-fact several buildings in the Southgate shopping area would suite well with very adequate parking, including those around the vacated Sears.

Objection 8) The granting of the administrative relief does adversely impact surrounding properties. The prior business "The Blue Star" showcases this in its failed attempt to satisfy a parking variance by attempting to use additional parking at the U-Haul across the street– demonstrating the impact on surrounding properties. The 7.4.203.B Mixed Uses definition requires 64 spaces, again, causing overflowing into the neighborhood causing significant community distress and adversely impacting the immediate properties.

Objection 9) The request is above the 15% reduction threshold for Administrative Relief. The mixed use requires 64 spaces, and the request is for 37, this is a 38% reduction, not 15% as stated.

Objection 10) The request for Administrative Relief is not allowed per 7.4.204.A "Adjustments to the minimum off street parking requirements will not be considered in conjunction with a request for administrative relief for off street parking." This request is specifically for off street parking, and is attempting to game the zoning requirements to make it seem like less is needed.

Objection 11) The business use is not solidified per the development plan and this will impact the parking stall needs should the business use change. As stated in the development plan, "the tenant mix is not officially determined yet". How can the city planner provide a professional determination when the suggested uses are only guesses?

Objection 12) The Ivywild traffic study needs to be completed before a variance in parking stalls can be considered. Proposed roundabouts, street widening / narrowing, crosswalks and bicycle lanes will impact the number of on street parking stalls, which provides a risk to this project. The urban planning office should be knowledgeable enough to wait and deeply consider the potential impacts proposed by the traffic study before providing administrative relief.

Objection 13) At a IVYWILD COMMUNITY MEETING STRAW POLL, NO ONE IN ATTENDANCE VOTED IN FAVOR OF EITHER MEASURE. None of the board members of the Ivywild improvement society voted in favor of either measure. All votes

cast were against AR R 19-00118 and 19-00141, especially in regards to parking issues and the use of administrative relief. This occurred March 11th.

Objection 14) Note that the community meeting the residents and public in attendance were sour (boo's) in general against the perceived influence that the Urban Planning Division and Mr. Tefertiller, (who was named during the meeting) have shown Mr Coleman in suggesting the building be split into a Commercial center with mixed uses, separate from the warehouse and tasting room, in order to lower the parking stall requirements.

Kyle Purer
Resident of Ivywild.

Tefertiller, Ryan

From: Kjersten Halvorsen <kjerstenjoy@gmail.com>
Sent: Monday, March 18, 2019 9:02 AM
To: Tefertiller, Ryan
Cc: allcouncil@springsgov.com
Subject: Comment for 1645 S Tejon

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To Mr. Teferriller and City Council Members,

I write today in order to voice my agreement with Mr. Purer's 14 objections regarding File numbers AR R 19-00118 and AR R 19-00141 regarding 1645 S. Tejon. Please see objections listed below.

I respectfully ask that both of the administrative relief requests be denied, as evidenced by Mr. Purer's 14 objections.

Sincerely,

Kjersten Halvorsen
Owner, 39 Cheyenne Blvd.

Comment for 1645 S Tejon
Ryan Tefertiller at Ryan.Tefertiller@coloradosprings.gov
allcouncil@springsgov.com

Re:
File numbers
AR R 19-00118
AR R 19-00141

Greetings,

This letter states several objections to the administrative relief requests for both AR R 19-00118 and 19-00141, as they appeared on the same notification.

Objection 1: Error with parking summary math, the request is to allow 37 parking stalls where 44 are required... this is an error it's actually 46. Why did the engineer enter into the ledger "(REDUCTION 5%)and then reduce the number of stalls from 46 STALLS REQUIRED to 44 STALLS. 44 stalls are not required, 46 are. What authority allows the additional 5% reduction? The total reduction is 20% and disqualifies for administrative relief.

<https://eoc.springsgov.com/LDRSDocs/LUISPlanner/Documents/App/117287.pdf>

Objection 2) The property is incorrectly defined as a commercial center. The commercial center does not account for the warehouse and tasting room. They share common walls, common parking, and common access inside and are maintained under unified control, which by definition with section 7.2.302.C.9 definition shall be included into the commercial center. This would require 62 parking spaces for the commercial center.

Selectively using only portions of the business to qualify for “commerce center” designation is not in the spirit of the definition of the commercial center.

Objection 3) The property should be defined as a mixed use property. per 7.4.203.C “In the case of mixed uses (i.e., restaurant and hotel) and uses with two (2) or more different functional areas (i.e., warehouse with office, dining area within a convenience food store), the total requirement for off street parking spaces shall be the sum of the requirements for each of the various uses.”

The development plan shows

-
- Retail: 3390sq ft. 1/300sq ft. = 11 spaces
-
- Restaurant (sit down) 3641sq ft. 1/100 sq ft. = 36 spaces
-
- Medical marijuana: 1752sq ft. 1/300sq ft. = 6 spaces
-
- Distillery / warehouse: 6346sq ft. 1/1000 = 6 parking spaces
-
- Tasting Room: 500sq ft. 1/100 = 5 parking spaces

The total number of spaces 11 + 36 + 6 + 6 + 5 = 64 spaces needed, about the same as the Commercial Center plan.

Objection 4) Judge Patrick Kelly’s order Dec 3 1998 requires mixed use zones. The Judge wrote that “Future use of the property shall be in accordance with all applicable provisions and regulation of the zone district in which such property is classified at the time of termination.” See HO NV [97-00121](https://eoc.springsgov.com/LDRSDocs/LUISPlanner/Documents/Misc/25605.pdf) <https://eoc.springsgov.com/LDRSDocs/LUISPlanner/Documents/Misc/25605.pdf>

At the time of termination, the building was not a “commercial center” zone. It was and should only be considered a commercial mixed-use zone and must then support the 64 spaces in this configuration.

Objection 5) The development plan misrepresents the current parking use for Pure Medical MMC. Google maps shows 29 spaces at 130 East Cheyenne Rd. See images below for parking lot count and property lines for the business. The application misrepresents the number of parking stalls required for this business.

Objection 6) The proposed location of the Medical Marijuana Center is also within 1000 feet of Clinic 5280 at 1629 S Nevada Ave. This was not disclosed.

Objection 7) In Pure Medicals may have provided an invalid argument in the application for administrative relief, section 2, i. “relocating MMC is unable to find any conforming properties” when in-fact several buildings in the Southgate shopping area would suite well with very adequate parking, including those around the vacated Sears.

Objection 8) The granting of the administrative relief does adversely impact surrounding properties. The prior business “The Blue Star” showcases this in its failed attempt to satisfy a parking variance by attempting to use additional parking at the U-Haul across the street– demonstrating the impact on surrounding properties. The 7.4.203.B Mixed Uses definition requires 64 spaces, again, causing overflowing into the neighborhood causing significant community distress and adversely impacting the immediate properties.

Objection 9) The request is above the 15% reduction threshold for Administrative Relief. The mixed use requires 64 spaces, and the request is for 37, this is a 38% reduction, not 15% as stated.

Objection 10) The request for Administrative Relief is not allowed per 7.4.204.A “Adjustments to the minimum off street parking requirements will not be considered in conjunction with a request for administrative relief for off street parking.” This request is specifically for off street parking, and is attempting to game the zoning requirements to make it seem like less is needed.

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Tefertiller, Ryan

From: Dani Commendador <dcommendador@gmail.com>
Sent: Monday, March 18, 2019 10:13 AM
To: Tefertiller, Ryan
Subject: Variance Request for 1645 S Tejon

Follow Up Flag: Follow up
Flag Status: Completed

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Ladies and Gentlemen;

I am writing regarding the request for parking variances at 1645 S Tejon St. A couple of members of the Ivywild community have already written to you and voiced their opinions in very profound manners. Rather than add another version I would like to add my agreement to their replies concerning the parking variance. Those individuals are Mark Scofield and Kyle Purer.

Please serve your community with integrity and honesty and do not approve this request for a variance. It's underhanded, smarmy, and will not benefit the Ivywild community. Thank you,

Tefertiller, Ryan

From: Al Kemper <albertkemper@yahoo.com>
Sent: Monday, March 18, 2019 10:31 AM
To: Tefertiller, Ryan
Subject: DEVELOP PROPOSAL AT 1645 S. TEJON ST. (FILE # AR R 19-00118 and #AR R 19-00141)

Follow Up Flag: Follow up
Flag Status: Completed

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Ryan-

As the owners of the property located at #1711 South Cascade Avenue and in response to your email and the letter from the Planning & Community Development department concerning the proposed development at 1645 South Tejon Street, we would like to express our concerns regarding both the parking issue, the number of MMC's currently in the neighborhood and the 1,000 ft. separation requirement for the proposed MMC.

First of all, we believe that we have previously tried to express our feelings concerning the parking issues that currently exist in our neighborhood. It is our opinion and our recommendation that when new projects are considered for this area that they make sure they have at least the 'minimum' number of required parking spaces that are required by city code. While we can understand that there may be exceptions to the various rules, we have already seen the results of what can happen when exceptions have been made by looking at the parking problems that were created when the Ivywild School complex was built and the parking was not adequate. The parking problems on Cascade Avenue, in front and around that complex, are obvious and now, (we believe) a similar problem is in the making for the property at 1645 South Tejon. If the developers are required to have 44 parking spaces, we think they should have 44 parking spaces. Otherwise, the parking issue in the neighborhood will continue to get worse and the customers that frequent the businesses at 1645 South Tejon will be parking in the spaces that are needed by the existing homes and businesses.

Secondly, we are not in favor of another Medical Marijuana Center in our neighborhood for several reasons. If you take a quick drive around the immediate area you will find at least four (4) MMC's in operation and, possibly, six (6). there is Pure Medical at #130 East Cheyenne Road, Maggie's Farm South Colorado springs at #1420 South Nevada Avenue, LivWell on Tejon at #1414 South Tejon Street, Clinic 5280 on South Nevada Avenue (might be closed?), Native Roots Dispensary Tejon at #1433 South Tejon Street, and Rocky Road Cannabis on East Navajo Street (this may also be closed?). We do not know how many MMC's are allowed in a neighborhood, but it is our opinion that there are currently enough to serve the area in question without adding another. There is also the question of not meeting the Code Requirement of 1,000 ft. separation between MMC's which is fair and should be enforced.

Thank you for the time that you and your department have expended on this matter and please feel free to contact us if you should have any questions regarding this matter.

Sincerely,
Albert C. and Katherine J. Kemper
Property Owners
#1711 South Cascade Avenue

Tefertiller, Ryan

From: Carly Bennett <carlybnntt@gmail.com>
Sent: Monday, March 18, 2019 10:57 AM
To: Tefertiller, Ryan; Skorman, Richard; Gaebler, Jill; Pico, Andy; Knight, Don; Avila, Yolanda; Bennett, Merv; Strand, Tom; Murray, Bill; Evans, Emily S.
Subject: Ivywild Administrative Relief: AR R 19-00118 / AR R 19-00141

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Ryan,

As an Ivywild resident, I have serious concerns regarding file number AR R 19-00118 and AR R 19-00141.

There are economic, technical and social issues at the heart of the matter.

1. From a business perspective, three MMJ facilities in a one-block radius reduces economic diversity and impacts existing proprietors. For instance, 291 Distillery has a tasting room and uses barrels to ferment its whiskey. While I am no expert on the process, it is well documented that marijuana seeps into adjacent establishments, meaning in this case, 291's barrels and operations. Has the city even consulted existing businesses in the area to identify these type of potential issues? Since there are already two other MMJ facilities in the area, how will this lack of retail diversity impact the neighborhood? I worry that businesses created hastily today will become boarded up ghost towns that are a blight on communities, especially small ones like Ivywild.
2. Technically speaking, how is the facility being considered given the city's recent moratorium on these type of establishments? Additionally, the proposed business is requesting two administrative reliefs: 1) Approximately 975 feet instead of 1,000 feet from other like facilities, and 2) 37 parking stalls instead of 44. Reliefs should be used in exceptions where economic vitality is positive, not as a rule of thumb for rushing into decisions. As you know, city codes serve an important purpose and should be upheld by all means necessary.
3. Urban renewal is meant to serve blighted areas and provide economic benefit while serving the community. What value does a new MMJ facility provide the Ivywild community and city at large, and how will it strengthen the area in the long term? Through this lens, it's difficult to identify wins. My neighborhood and surrounding areas are passionate about maintaining sustainability for Ivywild and our city – now and for future residents. We are appreciative of the partnership the Urban Renewal Authority has forged with residents. This proposal is a step backward in that work.

I ask you not to grant the requested administrative reliefs and consider the negative impacts this business will bring with it. Please follow the existing code and do not allow a third Medical Marijuana facility less than 1,000 ft. away. This is not a needed or desired business and exceptions should not be given for this establishment.

Kindest regards,
Carly Hoff

Tefertiller, Ryan

From: Wysocki, Peter
Sent: Monday, March 18, 2019 1:02 PM
To: 'Mark Scofield'; Skorman, Richard; Bennett, Merv; Murray, Bill; Strand, Tom; mollypcb@hotmail.com; Dani Commendador
Cc: Sunderlin, Katie; Tefertiller, Ryan
Subject: RE: AR R 19-00118, 19-00141

Hello Mr. Scofield,

Thank you for your comments. Allow me to clarify a couple of topics.

Administrative relief and variance are a process allowed by City Code. The purpose and intent of an administrative relief/variance is to allow homeowners, business owners and landowners to ask permission from the City to vary from the strict application of development standards set forth in City Code. It is a process allowed in vast majority of cities throughout the state and the country. Variances are NOT a way-around, but rather a defined due process in cases where strict application of code is not attainable. City Code does require notification to surrounding property owners. While applications for administrative relief and variance are indeed reviewed administratively (i.e. it doesn't need to go to a public hearing at the City Planning Commission or City Council), we do seek input from surrounding property owners. That is why the City sent out postcards, required a poster to be placed on the site, and in this case an email was sent all those who emailed Ryan Tefertiller about the music venue that was previously proposed for this same building. The input received will help in rendering the administrative decision.

Administrative decisions on applications (such as variances) are appealable to the City Planning Commission. Our Neighborhood Development Outreach Specialist, Katie Sunderlin, is a great resource and can help you navigate through your due process options. Ms. Sunderlin is copied on this email.

Thank you.



Peter R. Wysocki, AICP

Director of Planning and Community Development

Land Line: 719.385.5347

Email: pwyssocki@springsgov.com

30 South Nevada Ave. Suite 603

PO Box 1575, Mail Code 155

Colorado Springs, CO 80901-1575

From: Mark Scofield [mailto:litenupp@gmail.com]
Sent: Wednesday, March 13, 2019 7:24 PM
To: Wysocki, Peter; Skorman, Richard; Bennett, Merv; Murray, Bill; Strand, Tom; mollypcb@hotmail.com; Dani Commendador
Subject: AR R 19-00118, 19-00141

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Gentlemen,

My neighbors and I are wondering why the zoning code does not offer sufficient guidance to the shadow applicants on these 2 file #s. The applicants are seeking Administrative Relief in their attempt to circumvent the current Code. Their clear motive is to gain approval for less parking than the code permits. Admin. Relief would allow them to avoid public comment. Believe me, the public here has much to share on this issue. In opposition.

City Planner Ryan Tefertiller appears to be guiding these shadow applicants in their efforts to circumvent the lawful Code, or at minimum, to facilitate their deception of the public. Their goal is to get the large music venue they originally sought. Their strategy is to use a code title involving at least 3 businesses in one setting. Then they can operate as 3 entities in name only, circumvent the parking code, and most importantly, expand, and comply with the current parking havoc in the Ivywild neighborhood of south Tejon street. Also, check the map, our pot shop density is plenty. Administrative relief for that is plainly against the rule and intent of the 1000 ft. separation the code requires

As your constituent, I urge you to see through this deception. Hold Mr. Tefertiller responsible for his betrayal of public trust in favor of developers. Give your constituents their lawful due process by denying the 2 applications for administrative relief. Require the adequate parking that customers, commercial and residential neighbors rely on. Make these developers follow the code everyone else legally complies with.

Then address the 2 loopholes in the code this development proposal leverages: administrative relief and whatever you call the 3-in-1 common parking scam.

Many eyes are on you.

Mark Scofield
410 Yucca Drive, 80905

Tefertiller, Ryan

From: mike@waybackattic.com
Sent: Monday, March 18, 2019 6:02 PM
To: Tefertiller, Ryan; PlanningDev
Cc: Fitzsimmons, Matthew P; allcouncil@springsgov.com; Suthers, John
Subject: Comments on 1645 S Tejon - NO on Admin Relief

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03/18/2019

Re: OPPOSITION to Relief for 1645 S Tejon

Dear Ryan, Peter, Matt, City Council, Mayor and Residents of Ivywild,

As a homeowner and resident of Ivywild, and one who lives on Cascade where the current parking problem is exaggerated weekly, my comments are a strong "NO" to any of the proposals of relief that Ryan Tefertiller is spearheading. The irony here is also that EVERY member of the community at the meeting at the Ivywild school last week also voted "NO" to all the relief efforts. I have outlined specific reasons why it is a "NO" on both relief proposals, but unfortunately, I need to expand on a larger concern first that hangs over the project as a whole.

As if everyone at the Ivywild meeting voting "NO" was not enough, then there was the issue of anger and emotions about Ryan Tefertiller himself. I have only been a resident in Ivywild for 3 years, but the community was surfacing years worth of concerns vocally about the integrity of Ryan Tefertiller with regards to misinformation, favoritism, and general deception. Ivywild feels betrayed by his actions around the Blue Star and the Ivywild School which were also projects of Joe Coleman that Ryan pushed through without support (both resulted in parking abuses in the neighborhood, and still do). Many residents were still talking about how **"Ryan promised us a parking garage and solution"** many times while trying to get neighborhood approval. Well, Ryan has burned the community too many times, and there is NO trust left in his leadership. I witnessed this firsthand with his handling of community concerns when he approached the community with the absurd "Orion" project whereby Ryan wanted the community to relieve 135 parking spots and simply let people going to the Orion **"park in the neighborhood on Cascade, Cheyenne, Dorchester, and Navajo I guess (as stated out loud by Joe Coleman)."** Ryan was also hostile to residents and business owners who were asking questions about the city code. In addition, Ryan's daughter, [REDACTED], has spoken out to several minors in Ivywild about the relationship he has with Joe. [REDACTED] was heard at [REDACTED] School stating to members of the Debate Team, **"My dad will just push this through since he is friends with Joe. It is going to happen because he has helped Joe out before. You had better just deal with it."** I take comments about one's integrity very seriously, and I try to stay away from ad hominem attacks always. In this case, since so many people are voicing the same concerns, the community will have to appeal and take further actions including legal

means if Ryan acts alone and grants his friend relief on 2 items that the community and Ivywild Improvement Society have opposed. It is exactly this lack of transparency and understanding of community needs that causes distrust in government and public officials. I know the public meeting about the "Orion Project" was a little painful with all the opposition, but this does not mean that Ryan gets to circumvent the will of the people by not having a meeting and reviewing the case "administratively." I did not intend to start my letter with this level of negativity, however, after hearing numerous complaints about Ryan from the residents, I felt the need to surface these concerns to everyone. I want everyone to understand that if Ryan approves any relief, he has done this unilaterally without any support from the residents living in the urban renewal corridor. Now, I would like to expand on specific reasons why it is a "NO" for any relief.

I am registering a resounding "NO" to any relief in any parking requirements for 1645 S Tejon whether it be legally acquired through a variance approved by Planning and Council or a "dark" decision made alone administratively by Ryan Tefertiller. WHY?

1. 1. The entire of Ivywild Residents already said "NO" more than once. Ivywild residents registered a NO to the Orion parking situation, and now, through a vote at the meeting, all voted NO again recently. Also, citizens wanted to know why Ryan Tefertiller told the Independent in the negative article about the Orion that he could just "do it administratively" and bypass the neighborhood. This makes the planner look like he is NOT willing to work with the community which he serves. Reference first paragraph where Ryan has exhibited this behavior previously when working with Ivywild.
2. 2. There are currently 2 traffic studies proposing huge changes and connectivity solutions for the neighborhood. City officials were at the meeting where everyone voted NO on relief to discuss the ongoing traffic studies. The City acknowledged that Tejon "was already a problem" with narrow streets, speeding, parking, and lack of accessibility. The City is collecting data through the 3rd quarter to begin making recommendations including potential roundabouts on Tejon. We should NOT make any exceptions until we know the plan and scope of all the roadwork. 1645 S Tejon could lose parking in front as City makes changes, and a unilateral action by Ryan would forever alter the City's ability to respond to concerns from the traffic studies. Any changes at 1645 S Tejon should NOT occur until we all know the correct course of action. Ryan should not be able to push through a project before we know consequences as this could lead to additional concerns.
3. 3. Since there is NO parking anywhere on the street of Tejon, the City of COS should not be allowed to ADD parking to the residential neighborhood (by allowing Ryan to take unilateral action to put cars on the street instead of on the property owner's land) knowing that parking is already the #1 concern of the neighborhood. If the city allows Ryan to proceed without public approval and if parking problems reduce property value, then Ryan will be held accountable along with the City enablers. Residents want a parking solution provided to the neighborhood since we all know that 10 years of development is already in process.

1

2. 4. Administrative Relief as defined by COS dictates the answer is "NO." "Administrative relief is a request for an exception to development standards however the maximum amount of relief that can be requested is 15% to any quantitative standard listed within the Zoning and/or Subdivision code." Ryan does NOT have the power to offer relief since the property does not currently have 38 spots available. If one walks the property, there are only 18 spots designated, and the information on the city drawing is inaccurate as there are NO spots parking in front of the dumpsters, against the backwall of the building, or accessible on the corner of the building. The building owner will need to resurface and stripe the lot first of all just to show everyone that the parking even exists or is viable. In addition, there is NO ADA access in the back, so a MMC will not be approved without the requirements, and these will also reduce parking stalls.

5. 5. The information provided about Distillery 291 is inaccurate. Only half of the property is a warehouse as the other is a tasting room and music venue already advertised on social media. As of today, I am confident that 291 does not have adequate parking according to code. Any parking granted or used by 291 can not be added to the existing stalls simply by Ryan changing the designation into a "commercial center." There are always 3 cars (actually trucks) parked in the rear in 291 spots. These cars are never moved and also reduce the parking by 3. The parking here has already been manipulated enough, and there is NO way to get creative with planning proposals to make there be more parking. Joe will either have to ADD parking or Ryan/Joe should again go back to the drawing board for a more suitable business use. Members of the community have already offered to buy the building for residential/retail, so Joe will need to fix his own property problems or develop a new plan that works with the existing building. Changing plans, holding meetings, and taking comments again and again only serves to wear down the community so that Ryan can make his move.
6. 6. Bike lanes and pedestrian walkways are a priority for the City and the community up and down Tejon. All the projects in the renewal corridor are factoring in connectivity to their projects. Why should this project be allowed to disregard this plan? The sidewalks and bike accessibility in front of the old Blue Star are already a problem, and they will most likely be addressed with the traffic studies. NOTHING should be authorized here until the community and City know how the non-vehicular activity will be affected.

I am also registering a resounding "NO" to any relief to allow a MMC be placed closer than the required 1000' as recently passed by the City of COS. WHY?

1. 1. We already have 3 MMCs on Tejon and Nevada all next to each other. There is absolutely NO need to saturate and already saturated area. This request makes NO sense from a business perspective, and I believe that Ryan Tefertiller is only suggesting this practice to circumvent the codes that he is supposed to actually uphold (trying to create a commercial center to reduce parking requirements). Ryan only wants to give the owner Joe Coleman parking relief, and since the community blocked his first attempt, Ryan is now trying a completely different angle to try to accommodate his friend Joe's business needs. Neither the community nor the other MMCs are asking for yet another MMC to be placed inside the City code limits. This is NOT the right business or in the right place to support the renewal corridor. I am positive there is a space in Southgate or near Star Ranch to accommodate the business and not make exceptions to the codes.
2. 2. Our City government is trying to limit MMC access within 1000 feet by making changes recently, so why should Ryan be allowed to change what the Council and Mayor have already stated? The answer is that he should NOT be able to. The only reason the MMC is on the relief project is to provide the building owner with another type of business so that they can reclassify their building to reduce parking requirements.
3. 3. A single city planner should NOT be allowed to provide any type of changes regarding MMCs until the COMED approves, licenses, and agrees to a move of the facility. Colorado has many laws and restrictions in place to govern MMCs, and MMCs must be held up to a higher standard. The code should NOT be altered and changed to make any accommodation.
4. 4. There is no ADA access in the back. Both Native Roots and Maggie's Farm have provided well lit, ADA accessible, and safe areas to perform their business with Medical card holders. I have seen walkers and wheelchairs at both locations on multiple occasions. When I walked the back of the Blue Star building, I saw no ADA access, no parking, no cameras, and no lights. Instead, I saw several cinderblock steps and a plywood door with busted out plywood windows above. To put an MMC into this spot, it would require major renovations and inspections required by various authorities. For Coleman to allow his building to be in this level of disrepair shows his willingness to invest in the business. I could not support or vote for any exceptions to the code until we know 100% it is even possible to move this business here. I would really

hope the business was not added to reduce parking, and then the proposal falls through and Joe finally gets his parking relief through deceptive means.

5. This is a dangerous location for an MMC to be placed behind a building in between 2-3 bars/drinking establishments. The back of the building is not a safe or secure location for such a regulated business.

For all the reasons referenced above, I would like to conclude again with my opposition to any administrative relief being applied to 1645 S Tejon. I thank you for your consideration, and I look forward to hearing about next steps with this property.
Sincerely,

Mike Fix
Ivywild Resident and Homeowner

----- Original Message -----

Subject: RE: Comments on ORION music venue - NO on variance
From: "Tefertiller, Ryan" <RTefertiller@springsgov.com>
Date: Fri, January 25, 2019 8:13 am
To: "mike@waybackattic.com" <mike@waybackattic.com>

Hello Mike,

Thanks for your email. As stated repeatedly at the meeting Wednesday night, the proposal is in the early "pre-application" stage. The proponent and his team are working to find solutions to City and neighborhood concerns; the first and most important step to that process is to understand what the concerns are. I think that they understand the range of issues that were discussed Wednesday night and will present ideas on how to address many of them. While this project doesn't have an official file at this point since a submittal hasn't been made, I will retain your email and include with the project history should a submittal be made in the future.

Don't hesitate to contact me if you have additional questions or would just like an update on the project status.

Ryan



Ryan Tefertiller

Planning Manager, AICP

Phone (719) 385-5382

Email rtefertiller@springsgov.com

Urban Planning Division

Planning & Community Development

30 S. Nevada Ave, #603

Colorado Springs, CO 80901

Phone (719) 385-5905

Weblinks:

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From: mike@waybackattic.com [<mailto:mike@waybackattic.com>]

Sent: Thursday, January 24, 2019 1:21 PM

To: Tefertiller, Ryan <RTefertiller@springsgov.com>

Cc: Valerie Fix <vpfix29@gmail.com>; Fitzsimmons, Matthew P <mpfitzsimmons@springsgov.com>; Council

Members <allcouncil@springsgov.com>

Subject: Comments on ORION music venue - NO on variance

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January 24, 2019

Re: Proposed Orion Live Music Venue
1645 S. Tejon Street - Ivywild Residential Neighborhood

To whom it concerns (Ryan Tefertiller, City Council COS, Orion Theater),

After a detailed review (meeting at Ivywild, Website details, social media sites) and consideration of facts regarding the proposed Orion development in Ivywild, my position is a clear "NO." As a music lover, this is painful to say, but I must record comments with official records to voice a resounding "NO" to both the conversion, code exceptions, and the parking variance. Simply put, it is the "wrong use in the wrong space," especially since two other local business owners offered to buy the building in order to convert it to retail and residential.

Joe Coleman first received a much smaller parking variance simply to operate the Blue Star Restaurant, however, there were concerns with this regarding parking overflow and guest annoyances. Now, the residents of the neighborhood are being asked to give up their neighborhood streets to accommodate a 511 person capacity venue that offer less than 15 parking spots? Most of us attended the meeting to hear their plan to ADD parking spaces, lots, or shared parking areas. Instead, Joe Coleman stated that a minimum of 60 cars would have to find parking on "Cascade, Ramona or Navajo?" This is NOT a plan. In addition, they did not address any of the following concerns:

1. How much parking is owned by the Blue Star (Coleman) and how much parking is for 291? If the building has 27 stalls, then how many are for the proposed Orion? Neither Ryan or Joe could tell us how many spots they actually own.
2. If the venue is at 400+ capacity, then how many team members are working inside to support (security, bartenders, servers, kitchen staff, sound technicians, managers, etc.)? The potential 12-18 parking spots that the Orion would have access to would in reality only support the parking needs of the staff inside.
3. How would responsible local businesses be protected from the onslaught of cars heading to the venue on Friday and Saturday nights? Edelweiss and the new Smashburger center have both been very thoughtful and caring for the needs of their guests by adding both parking and well lit/secure areas. When 150+ cars come to the venue, there will be absolutely NO parking provided. This will force guests to choose what their best option will be to park their vehicle...in the Edelweiss lot, the Smashburger lot, or in front of residential homes?
4. Why would the City of Colorado Springs want to ADD a parking problem without any information or understanding of the status quo? There are currently studies from the Maverik proposal (traffic study) and the Ivywild traffic study giving stats showing safety, security, congestion, and increased traffic concerns. Why would a variance be reviewed without complete information? Currently, the entire neighborhood gets parked up on all streets from Cascade, Navajo, Dorchester, Woodburn, and Lorraine simply to accommodate an event in the barrel aging room at Bristol. Residents were told in the Ivywild project that parking would be added later, and this never happened. Why should we just "trust in Joe" again that there will not be negative affects on the residential area?

Tefertiller, Ryan

From: Jinda Hastings <hastings5usa@hotmail.com>
Sent: Monday, March 18, 2019 6:27 PM
To: Tefertiller, Ryan
Cc: Wysocki, Peter; Strand, Tom; Gaebler, Jill; Bennett, Merv; Knight, Don; Dgeislinger@springsgov.co; Murray, Bill; Pico, Andy; Suthers, John; Rskorman@springs
Subject: File numbers AR R 19-00118, AR R 19-00141

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Dear Gentlemen,

The Development Proposal with FILE NUMBER AR-R 19-00118 and FILE NUMBER AR R 19-00141 is not supported by the IVYWILD neighborhood.

The fact that these proposal's are requesting Administrative Relief to allow them is an attempt to bypass community input and further discussion. The neighborhood is just that, a neighborhood.

The idea of increasing parking throughout the immediate neighborhood in this reckless way is to continue to ignore all community concern and wishes of the people who make this area their home.

Again, this is an historic neighborhood that does not wish to be at the mercy of every commercial project and Administrative Relief.

Recently the Ivywild Improvement Society met and there was not a single person that was in favor of these proposals.

Jim and Jinda Hastings
20 Cheyenne Blvd.

Sent from [Mail](#) for Windows 10

Tefertiller, Ryan

From: KAYE MITCHELL <mkayem@msn.com>
Sent: Monday, March 18, 2019 7:42 PM
To: Tefertiller, Ryan
Cc: Sunderlin, Katie; allcouncil@springsgov.com
Subject: Objections and concerns re: Development Proposal 1645 S. Tejon St, Colo Spgs, CO

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Dear Mr. Tefertiller,

This letter states several objections to the administrative relief requests for both AR R 19-00118 and 19-00141, as they appeared on the same notification. We am copying members of City Council and Ms. Sunderlin as well to encourage that all decisions being made regarding Mr. Coleman's proposed development for his property at 1645 S. Tejon, Colorado Springs, CO 80905 are being considered and addressed with no bias or conflict of interest by City Planning.

Objection 1: Issue with zoning this property as a commercial center since this potentially takes all ability for the neighbors directly affected by this property to have any future say on use. This is especially concerning since the Project Description on the letter requesting comments received from the City Planning still notes "small music venue." This property owner has already met with our community regarding his pursuit of a parking variance on the original music venue he was planning and that created several issues throughout the community. It is my understanding that this attempt at getting administrative permission for commercial center would still allow him to create a music venue should one of the proposed tenants or uses fall through. This appears to be a back handed way of getting his music venue pushed through the Planning Department.

Objection 2: This property owner already created a huge issue in the neighborhood regarding parking when it first opened as the Blue Star. To once again allow parking variance when other businesses that have been in the surrounding neighborhood have had to go to great lengths and expense to accommodate parking under required zoning does not seem fair. Such special privileges should not be given even at an administrative level.

Objection 3: The proposed location of the Medical Marijuana Center is also within 1000 feet of Clinic 5280 at 1629 S Nevada Ave. There are other suitable buildings to house the proposed MMC tenant with adequate parking in the area that would be over 1,000 feet of the 1629 S Nevada Clinic.

Objection 4: We would request that the Ivywild traffic study be completed before a variance in parking stalls can be considered. Proposed roundabouts, street widening / narrowing, crosswalks and bicycle lanes will impact the number of on street parking stalls, which provides a risk to this project. The urban planning office should be knowledgeable enough to wait and deeply consider the potential impacts proposed by the traffic study before providing administrative relief.

Objection 5: At a IVYWILD COMMUNITY MEETING STRAW POLL, NO ONE IN ATTENDANCE VOTED IN FAVOR OF EITHER MEASURE. None of the board members of the Ivywild improvement society voted in favor of either measure. All votes cast were against AR R 19-00118 and 19-00141, especially in regards to parking issues and the use of administrative relief. This occurred March 11, 2019.

Objection 6: Note that at the community meeting on March 11, 2019 the residents and public in attendance were sour in general against the perceived influence that the Urban Planning Division and Mr. Tefertiller, (who was named during the meeting) have shown Mr. Coleman preferential treatment in suggesting the building be

split into a Commercial center with mixed uses, separate from the warehouse and tasting room, in order to lower the parking stall requirements.

Objection 7: It appears that you Mr. Tefertiller might have a personal relationship that has developed with the property owner(s) requesting the variances and administrative relief. We would respectfully request that you allow another planner with no connection to this property owner(s) take over the planning of any and all projects regarding 1645 S. Tejon so that there is no possibility of conflict of interest. This was discussed openly at our recent Ivywild Community Meeting and is a huge cause of concern for us as property owners and tax payers. This particular owner has been part of some contention in our community before over this same property. We do not wish to prevent any property owner from legally developing their property to benefit themselves and the community in which their property is situated. However, special allowances should not be made selectively available, especially when our community has already lived through the fall out created by previous allowances gifted to Bluestar regarding parking when they first opened. We have a huge concern that this is an attempt to eventually create the music venue Mr. Coleman is seeking that would be a parking/traffic nightmare for this community, especially considering the community in this area consists of commercial and single family residences.

Thank you for your consideration.

Kaye and Marvin Mitchell
Property Owners/Residents
707 Yucca Drive
Colorado Springs, CO 80905
Phone: 719-575-9481

Tefertiller, Ryan

From: Julie Nedrow <rustedfence@gmail.com>
Sent: Tuesday, March 19, 2019 8:11 AM
To: Tefertiller, Ryan
Subject: Ivywild Improvement Society RE: Administrative Relief applications for 1645 S. Tejon
Attachments: Sign in sheet (2).jpg; Sign in sheet 4.jpg; Sign in sheet.jpg; Sign in sheet 3.jpg; March 11 2019 Agenda.jpg

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Good Morning Mr. Tefertiller - This email is in response to the request for comments regarding the Administrative Relief applications submitted on the 1645 S Tejon Commercial Center, formally known as the Blue Star building. The Ivywild Improvement Society held a General Neighborhood meeting on March 11, 2019 in which discussion was facilitated by myself, President of the Ivywild Improvement Society, in regards to the two applications submitted regarding the Bluestar building. I have attached a copy of the agenda as well as the sign-in sheets for those who attended the meeting. On those sign- in pages there are 80 names of residents of Ivywild who unanimously voted by show of hands, are against the proposed new Medical Marijuana Center in the rear of the building at 1645 S. Tejon, they vote against the requested Administrative Relief to allow approximately 975 feet of separation to the MMC at 1433 S. Tejon Street where 1,000 feet are required by Code and they voted against the Administrative Request to allow 37 parking stalls where 44 are required. The Ivywild Improvement Society as elected representatives of the Ivywild Neighborhood, supports the residents of Ivywild in their opposition of the proposed Administrative Relief applications.

New Medical Marijuana Center Proposal:

The neighborhood acknowledges that Pure Medical has existed in the neighborhood at its previous location. The previous location was more on the fringe of the neighborhood than the new proposed location. By relocating to the back of 1645 S. Tejon, the MMC is moving into the interior of the neighborhood which we feel has a greater adverse affect on the safety of the immediate neighborhood. In looking at the density of marijuana businesses in Ivywild there are 6 MMJ businesses within one mile. That is a very high number for such a small area. In 2017, Ohio State University completed a three-year study in Denver, CO, which found that legal marijuana shops are linked to higher levels of property crime in nearby areas. With the Urban Renewal development, the potential development brings improvement to the Ivywild Neighborhood, another MMC business does add value to the area. With the revitalization and development the creek for community use, the MMC does not contribute to keeping that pathway safe. The applicant states in the application that they are unable to find a property without the requirements of Administrative Relief and they are asking for leniency in the application of the regulations. We disagree with the applicant in that we feel strict application is reasonable to apply in this situation. I am hard press to believe that the applicant could not find any conforming properties without the the requirement of Administrative Relief or a non-use variance somewhere in Colorado Springs. Colorado Springs has a very large geographic foot print. We are against their relocation and against the two Administrative Relief requests.

Overall, the Ivywild Improvement Society (IIS) is concerned with re-zoning of the 1645 S. Tejon property from C5 to a Commercial Center. This appears to reduce the parking requirements from 1 spot to 250 square feet to 1 spot to 100 square feet. It appears that the use of on street parking is

being taken into consideration by the applicant for the use of 1645 S, Tejon. Parking on the street is owned by the City and therefore cannot be included for the use of the Commercial Center. The neighborhood feels that the 1645 S. Tejon group are being manipulative to get their own needs met without regard to the neighborhood. Business owners such as the Edelweiss have invested in meeting their parking needs and may incur more expense to protect it. Another area of concern is why in a Commercial Center is the parking considerations done one entity at a time? While each business is its own operation the shared parking spaces impact the entire center and the surrounding areas. I realize and the neighborhood acknowledges that the property at 1645 S. Tejon has limited parking, but that being said they have business opportunities and options to use their property or to partner with other business owners to help resolve the parking issue in Ivywild and operate a profitable business. Parking is an issue that cannot be ignored. To continue to develop and not address the parking is a disservice to the Ivywild Neighborhood. Other areas of Colorado Springs are dealing with the parking issue and new development, such as the Historic North End, a parking structure was ultimately decided upon to meet the needs of the City, the developer and the neighborhood. The Ivywild Improvement Society and the residents of Ivywild would like to see the same ingenuity and considerations be applied in our area of town. Ivywild Neighborhood wants to preserve its family and historic feel and value, they do not want to continue to have overflow parking in the neighborhood, they want to see the transient and homeless populations presence be reduced not encouraged. Residents of Ivywild want to support the improvement happening within and on its neighborhood borders, we all value the collaboration of the City as well as the developers. Thank you for this opportunity and dialogue concerning this project proposal.

Sincerely,

Julie Nedrow
Ivywild Improvement Society, President
719-650-7085



Virus-free. www.avg.com



Ivwild Improvement Society

PO Box 60242
Colorado Springs, CO 80905
lvwild80905@gmail.com

March 11, 2019 General Neighborhood Meeting Agenda

1. Welcome
2. Introduction of the Board
3. Awards and Thumbs Up Award
4. Bear Task Force – Chris Beyer
5. Traffic Study
 - Karen Aspelin - Max Green Engineers
 - Tim Roberts - City of Colorado Springs
 - Erin Purcell - City of Colorado Springs
6. Fire Mitigation
 - Ashley Whitworth - Wildfire Mitigation Program Coordinator, CSFD
7. Sub-committee's Check in
 - Involvement -Collin Downing, Nolan Stephenson
 - Identity – Charlie Lawson/Jake Norment
 - Improvement – Molly Merry, Julia Melendez, Julie Nedrow
8. Development Proposal for 1645 S. Tejon
9. Adjourn

P / use 0 0 0 0 0 0
 Ivy Wild Neighborhood MT6
 3-11-19

NAME	Address	email or phone #
C. Holton	932 1/2 Cheyenne Blvd	aholton-johnson@ppld
T. Paisley	1785 S. 8th St ste 101	tpaisley@ppld.org
B. Swearingen	730	swearingen@ppld.org
Rob + Jo Lucy	206 La Clede	rapido_jo@yahoo.com
N. Thaler	1514 Parkway Dr	bibliography@live.com
Chris Deptola	46 Cheyenne Blvd	
Rochelle + Dan Salmore	24 E SERENO	
Robert Marshall	1706 Arbor Way	
KAYS MITCHELL	707 Yucca Dr	MKAYS@MSU.COM
Sally Green	413 Cascade	
Jasmine Valles-Nogee	115 W. Brookside St.	jlacez@aol.com
Selma Kurbey	- Gold wess	
Choyanne Payne	31 Cheyenne Blvd	
Alex Yonemura	(719) 237-0161	
Chris Beyer	1925 Mt. Washington Ave 80906	chris_beyer@msu.com
Dani & Jarrod Stern	1607 Lorraine St.	jstern87@gmail.com
Frank Rogers	SALON FRANK PAUL	
Carolyn Rogers	1600 S. Tejon All Seasons	Carolyn@all-seasons.com
JUDAN SPENCER	302 Yucca Cir. 80905	719-413-2392
Dan Robertson	1649-1701 S. Tejon	
BRET BEDNARZ	2028 MT WASHINGTON AV	BRETMARB@GMAIL.COM
Lewis Becker	1825 S. CASCADE Ave	jibecker929@gmail.com
Jen Sullivan	117 Trout Ave	jen@exitrcaltypikespeak.com
Karen + Dan Fleming	MPCC	kfleming@springsjail.com
Nancy Erickson	108 W Brookside	n Erickson@aol.com

FIGURE 8

Molly Merry

Tracy & Maxine Goodale 1611 Woodward St
Bridget Brooke & Stephen Locke 38 W Brookside 80905 BRDR4013@gmail.com

Linda VonKoh - 102 W. RAMONA 80905
Denise Rogers All Seasons LLC

denise@all-seasons.com

Richterstrom 17 E Sereno Dr. ric.hulstrom@gmail.com

Becky Fredell 17 E Sereno Dr.

senorabeckyfredell@gmail.com

Anna Kruse 612 Pinen Dr anna@annablueberry.com

Jill & Dennis Clark 1666 Dorchester Dr.

Bruce Eggleston

Sim & Sinba Hastings 20 Cheyenne Blvd

Russell SPATZ 299 Yucca Cir 80905

vprfx29@gmail.com

Mike & Valerie Fix 1500 S. CASCADE

Scott & Alea Hastings 25 Cheyenne Blvd 80905

Christie Lee

19 E. Rawona Ave

Christie80905@gmail.com

243 1821

Taret Hildebrandt on file

Jen + Shaun

Daphne Williams

Bernadette Norton

AMILLI CASSAN 15 W. BROOKSIDE ST.

Robin

Cheryl Harris

John Buell

Kjersten Haerom

MICHAEL + DEB FINLAY McFINLAY7@gmail.com

Mark Seefeld 410 Yucca 80905

Margrit Knight 624 Yucca Dr.

Justie Barnes

JENNIFER CARTWRIGHT 226 LALEDE AVE 80905

J_CREATES@YAHOO.COM

Dani Comendador dcomendador@gmail.com

Ric Helstrom ric.helstrom@gmail.com

Haley Dahlberg haleydahlberg@mac.com

Julia Melendez 31 W. St Elmo Ave

Gary Schnakenberg 34E Rawona

Helga Schnakenberg 34E Rawona

Liz Mueller

Place 210 N in
 In Wild Neighborhood MTR
 3-11-19

# next or their #	Address	NAME
1000-1000-1000	1000-1000-1000	Johnston
1000-1000-1000	1000-1000-1000	T. Parson
1000-1000-1000	1000-1000-1000	R. Parson
1000-1000-1000	1000-1000-1000	N. Parson
1000-1000-1000	1000-1000-1000	C. Parson

Robert Marshall 1506 Arbor Way
 KATZ MATHIAS 107 Yucca St
 Kelly Green 413 Yucca St
 JERRY WILSON 122 W. Broadway St.
 JERRY WILSON 122 W. Broadway St.
 JERRY WILSON 122 W. Broadway St.
 JERRY WILSON 122 W. Broadway St.

Anthony Ashley	711 Yucca	719-360-8193
Kyle Purser	310 + 308 Romana	719 338 7158
Lisa Schmitz	Family Life 1880 S. Cascade	
Nancy Yeager	1608 Dorchester Dr.	719-351 8358
Peter Yeager	" " "	" "
Dennis & Lill Clark	1664 Dorchester Dr	719-520-5760

FIGURE 8

Tefertiller, Ryan

From: Valerie Fix <vpfix29@gmail.com>
Sent: Tuesday, March 19, 2019 3:46 PM
To: Tefertiller, Ryan
Subject: Re: MMC & Parking Admin Relief: 1645 S Tejon
Attachments: image001.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

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Thanks, Ryan. I'm sorry about the email mix- up, that was entirely my fault. Gmail populated the old address, and I managed to combine it with the new one to create the wrong address.

I would like to talk with you further about the future parking spaces at the Blue Star. I am still concerned about the number of parking spaces that can actually fit on Joe's property, and am wondering who created the drawing indicating 37 spaces. Will you be requiring him to physically show the spaces at the property for us to count before you make an administrative decision? What will happen if the ongoing development on Tejon causes the street spaces to disappear?

Also, do we know what kind of time frame the MMC has to relocate? The section of the building that the MMC proposes to occupy does not have any HVAC or access to restrooms, so I imagine it will be a fairly lengthy renovation project. I also just found out that the three MMC's we already have access to are under 1000 ft apart due to being grandfathered, so I think we all know this isn't the most suitable location.

Let me know if you are unable to answer these questions, and if not, I'll give Joe a call and find out if he has more information or a timeline for this proposal to reach completion, and if he can walk me through the proposed parking on-site.

Thanks in advance for any light you can shed on my concerns.

Valerie Fix

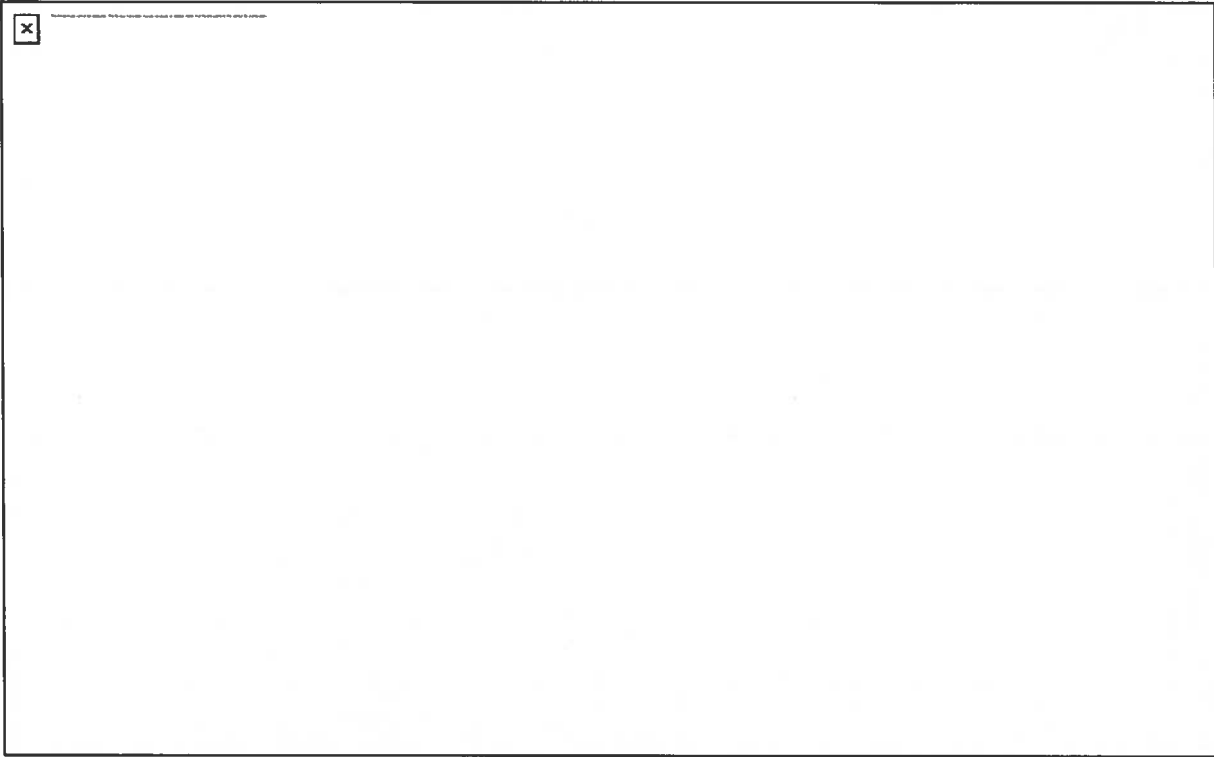
On Fri, Mar 15, 2019, 8:54 AM Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov> wrote:

Hello Valerie,

Thanks for your email. I will add it to my project file and provide it to the applicant. I will likely be making an administrative decision on these applications based upon the required criteria within City Code within the coming weeks; I'll be sure to notify you of that decision when it is available. As for the postcards we sent and my email address, I've copied/pasted a portion of the postcard as it was mailed below. The City recently migrated from the springsgov.com address to coloradosprings.gov address. I believe you combined my new email (ryan.tefertiller@coloradosprings.gov) with my old address (rtefertiller@springsgov.com) to create an address that doesn't work (both new and old still work, just not a hybrid of the two).

Sorry for any confusion,

Ryan



Ryan Tefertiller

Planning Manager, AICP

Phone (719) 385-5382

Email

Ryan.Tefertiller@coloradosprings.gov

Urban Planning Division

Planning & Community Development

30 S. Nevada Ave, #603

Colorado Springs, CO 80901

Phone (719) 385-5905

Weblinks:

[Pre-Application Meeting Request](#) | [SpringsView/Map](#) | [Downtown Planning](#) | [Development Applications](#) | [Zoning Code](#) | [Track My Plan](#) | [Parcel Info](#)

From: Valerie Fix [mailto:vpfix29@gmail.com]
Sent: Friday, March 15, 2019 8:47 AM
To: Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>
Subject: Fwd: MMC & Parking Admin Relief: 1645 S Tejon

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Mr. Tefertiller,

Below is the email I tried to send you yesterday, but apparently your emailFix address is listed incorrectly on our green post card.

Valerie Fix

----- Forwarded message -----

From: Valerie Fix <vpfix29@gmail.com>
Date: Thu, Mar 14, 2019, 4:26 PM
Subject: MMC & Parking Admin Relief: 1645 S Tejon
To: <ryan.tefertiller@springsgov.com>, <AllCouncil@springsgov.com>, <jsuthers@springsgov.com>, <planningdev@springsgov.com>

Dear Mr. Tefertiller:

I am writing to register my opposition to the administrative relief measures that are proposed for 1645 S Tejon. The available information regarding these proposals provides more questions than answers, so at the very least, a decision should be postponed until these issues are addressed.

1. The proposal asks for two separate administrative relief measures, yet it is unclear if one can pass without the other. Specifically, if parking relief is given but the MMC is not approved, will the parking relief still go through and become permanently attached to this property. Since the MMC must apply to move locations, we don't know if they will actually be able to set up shop there. Also, the section of 1645 S Tejon that the MMC

will occupy requires extensive renovation before it will meet occupancy requirements, possibly preventing them from re-opening in a reasonable timeframe.

2. The proposal includes a drawing of the existing buildings with the 37 parking stalls notated. However, there are currently no parking stalls physically marked on the property. I have walked this area many times, and am not sure they will reasonably fit as the drawing suggests. Also, two spots are in front of the dumpsters, no ADA parking is indicated, and currently several vehicles seeming to belong to employees of Distillery 291 are always in this lot.

Many parking spots are also indicated in front of the building, which do currently exist. However, they are pull-in street spots, so the question arises as to whom they belong. Several transportation studies are going on right now which reference changes to Tejon, including the creation of wider bike lanes on Tejon, a roundabout at the 5 points, and other traffic-flow measures. Should these become reality, how does that affect the future of those spots?

This proposal also references that the parking relief would cover both 1645 & 1647 S. Tejon, although this is not referenced on our green mailer. Does this mean that Distillery 291 will be part of the Tejon Commercial Center, or will they be relinquishing parking rights? I believe they are currently classified as a warehouse, but they regularly hold small concerts and events, taking up all of the parking around the building.

3. While I am not opposed to the existence of an MMC in Ivywild, I am opposed to this location. There is no reason to go around the current code requiring 1000 ft between dispensaries just because they almost made the distance. While I don't know the exact distances, the dispensary within 1000 ft of the proposed MMC has two others that look to be right at the 1000 ft mark. I don't believe we should bend the rules to add a 4th location walking distance to the east side of the neighborhood, nor do I believe making exceptions to the MMC code should even be considered. With the mayor's firm stance on recreational marijuana, it seems ridiculous to let the medical shops proliferate by allowing administrative relief.

Regardless of parking or distance limits, this particular property seems unsuitable due to the location behind the building and in between two businesses that sell alcohol.

4. You and the developer originally came to our neighborhood to discuss a parking variance for a proposed large-scale music venue. During that meeting, we only heard how we should want a cultural attraction like a music theater in our neighborhood and should therefore support any required variances. The property owner showed no consideration for the concerns of the attendees nor did he provide any constructive proposals to accommodate the parking needs. Now, the music venue has disappeared, and a commercial center with lesser requirements has appeared. This shows that the property owner has little regard for the character of the neighborhood or the types of businesses on his property, but only for the easiest way to disregard the inadequate parking his property provides.

To conclude, the Ivywild neighborhood has been dealing with numerous development and variance requests over the last year, and the overwhelming concern of the residents is parking. We repeatedly ask for proactive parking and transportation solutions, and are told over and over again to simply approve variances which will exacerbate the problem. Our neighborhood needs to enhance connectivity through pedestrian and biking safety measures, and maintain our historic neighborhood feel before we are swallowed up by haphazard development.

Thank you for your time and consideration,

Valerie Fix

1500 S Cascade



March 20, 2019

Ryan Tefertiller, Planning Manager
Urban Planning Division
Planning & Community Development
30 S. Nevada Ave, #603
Colorado Springs, CO 80901

Re: File number AR R 19-00118

Dear Mr. Tefertiller,

I am writing today to submit comment opposing the request for administrative relief to allow Pure Medical LLC to relocate to 1645 S. Tejon Street which is within 1,000 feet of our existing medical marijuana center, located at 1433 S. Tejon Street.

We disagree with the applicant that strict application of 7.3.205.M.5 is unreasonable. In fact, it is just for this purpose that the regulation exists. The inability of the applicant to find an alternative location within the city, nor the date they established their business at their current location, precedes our right to operate within the current regulations as set forth by the city.

Colorado Springs is notorious for its concentration of medical marijuana centers. The increase in distance restriction from 500 to 1,000 feet between existing MMC's, combined with the license cap and prohibition of new licenses on new MMC's, were intentional policy decisions enacted in order to curb the growth of the overall number of locations as well as protect the many existing businesses struggling in this highly saturated market. A new MMC in the neighborhood would certainly infringe on the existing businesses and erode the intent of these regulations.

As evidence of the MMC saturation in this neighborhood, the applicant admits that their presence will not bring "a new type of industry to the neighborhood," (section 2.3). In addition to our MMC, at least two other MMC's not listed in the application's summary are also in the immediate area. Those locations, Rocky Road Remedies (1530 S. Nevada Ave.) can be measured within the distance restriction of the proposed location and LivWell Enlightened Health (1414 S. Tejon St.), across the street from our MMC, lands just outside of the 1,000-foot distance restriction. Both of those MMC's have also expressed concern with the addition of another MMC to the neighborhood.

Although we were not noticed of the application for administrative relief, we received the notice and plans for redevelopment from a concerned MMC late last week. This notice summarizes plans to the develop the property 1645 S. Tejon St. which will not only accommodate space for a new MMC but also retail use and a music venue. This redevelopment will undoubtedly draw retail traffic and event goers in this neighborhood away from the existing MMC's. Finally, allowing the applicant to move within the 1,000-



foot distance restriction sets a bad precedent and undermines the collaborative changes to the regulations which included support from city council, staff, and industry alike.

We understand that the city is incentivized to assist the applicant in finding an alternative location due to the urban renewal project which is forcing them from their current location. While we empathize with the applicant and their being removed from their current location by the city, this circumstance does not justify the imposition of a new MMC within at least one, and arguably three, other MMC's currently operating. It is incumbent upon the city to take measures to protect the applicant's existing license while working with them to find a location that does not violate the 1,000-foot distance restriction and subject existing MMC's to undue business challenges.

I would like to thank you for the two-day extension to explore this issue and prepare comment for your consideration. We would like to note that the address used in an attempt to notify us of this issue belongs to the landlord of the property and as the tenant we never received a notice from the city. We encourage the city to amend its policy to contact impacted MMC's directly so that we may have the opportunity to respond in a timely manner.

Best regards,

Shannon Fender
Director of Public Affairs
(303) 250-0125
shannon.fender@nativerootsdispensary.com

Tefertiller, Ryan

From: Edelweiss Restaurant <edelweissrest@msn.com>
Sent: Thursday, April 04, 2019 6:10 PM
To: Tefertiller, Ryan
Subject: 1645 S Tejon

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Hi Ryan,

Just a few things that we would like to request from you as they become available;

The new Revised Site Plan with all the changes.

The Nonuse Variance Application once submitted. To include how Coleman address's all the Criteria required by the application and code.

When you make your decision; a copy of your decision and if approved, the specific reasons why you have approved application. And if you could address in writing how the Criteria has been met for the Nonuse Application in the 3 areas;

1. Extraordinary or Exceptional Conditions.
2. No Reasonable Use.
3. No Adverse Impact.

In addition; The Edelweiss officially will offer/sell or lease 25 E. Ramona to 1645 S. Tejon owners which would satisfy their parking requirements and no parking variance would be needed. There are 35 parking spots on this lot. This would solve 1645 S. Tejon parking problem now and in the future. This is a turn key parking lot, that is landscaped with sprinkler systems, leveled lot, fenced, has electrical, parking lights, bricked pavers, stripped, correct widths, entry and exits. Note; It took many years to develop this property into a parking lot to included the removal of 2 house and a garage. We can sell or lease this parking lot because we purchased/acquired an additional 35 spaces next to the Edelweiss and this is what we would be giving up, therefore it's a wash for us. We would also be open to leasing the entire lot for \$13,000 per month (just under 8% return on investment) based on provable value of \$2,000,000.00. Lease would include Landlord to provide lawn and landscape maintenance, all utilities paid by landlord; lighting, electrical, and water. Condition for lease; Long term lease tied to Parking Code/conditions/requirement for 1645 S. Tejon. Purchase price for 25 E. Ramona parking lot \$2,000,000.00 (Note; this does not include 23 E. Ramona which is a house on a separate lot). We want to make this offer through the City/Ryan and Ryan can forward to the owners of 1645 S. Tejon.

Thanks,
Dieter, Gary, Helga Schnakenberg

Edelweiss Restaurant
34 E Ramona Ave
Colorado Springs, CO 80905
www.Edelweissrest.com
719-633-2220

Tefertiller, Ryan

From: Pamela Pitrone <plpitrone58@gmail.com>
Sent: Friday, April 05, 2019 2:07 PM
To: Tefertiller, Ryan
Subject: Re: Resubmittal of Plans and Documents for 1645 S. Tejon Commercial Center and Pure Medical

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Ryan, with someone's direction they are scooting by the parking issue. If the use has not yet been determined how can you approve it.

If you approve this variance and then they expand the music venue later, the problem for our neighborhood is the same.

The application states that rule restrictions just does not work for the owner. He knew that the property was lock in by the creek when he bought the building. Is the neighborhood meant to bear the weight of his responsibilities.

Most recently they had it event where all of the front street parking was taken up by a food truck.

I honestly think our concerns are falling on deaf ears because somebody has told them what to do to scoot by the ordinances.

Great!

On Fri, Apr 5, 2019 at 12:15 PM Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov> wrote:

Hello Stakeholders,

You are receiving this email due to your past communications to me regarding the two applications that have been submitted for the buildings at 1645 and 1647 S. Tejon St. The applications are file numbers AR R 19-00118 and AR R 19-00141. I'm writing to let you know that I have received revised plans and documents for both applications. You can review all the necessary information about these projects via our online file system here: <https://eoc.springsgov.com/ldrs/rpt/index.htm> Just enter a file number (exact spacing and hyphens) into the File Number search box and hit the "search" button; please note that there are slightly different documents available for each file number. I will be reviewing the resubmittal documents over the next week. Please note that per my initial review the request for Administrative Relief for parking has been converted to a Non-Use Variance application. If all the necessary issues have been resolved and I find that the relevant review criteria are met, I will be taking an administrative action on both applications. I will let you know if/when that occurs.

Feel free to contact me with any questions,

Ryan

Tefertiller, Ryan

From: Molly Merry <mollypcb@hotmail.com>
Sent: Monday, April 08, 2019 11:05 AM
To: Tefertiller, Ryan
Cc: Julie & Jim Neighbors; mbtryba@comcast.net; kaspelin@maxgreenengineers.com
Subject: Variances for 1645 S. Tejon

Follow Up Flag: Follow up
Flag Status: Flagged

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Good morning Ryan....

As an IIS Board member and a resident of Ivywild I have serious concerns about the proposed variances for 1645 S. Tejon. As you know, Tejon St. is inside of our neighborhood boundary and what goes on there greatly impacts our entire neighborhood, particularly with parking and traffic. We have, and I have been supportive of the urban renewal developments, the type of businesses and the developers' addressing parking. However, another marijuana business inside our neighborhood and the lack of parking is truly a problem. The other marijuana business is by shopping and not in close proximity to residences. The 1645 proposal is literally inside of our neighborhood!

We have adjusted to the parking issues around the Ivywild School, but the 1645 project does not adequately address parking. The Edelweiss is a great example of a good neighbor that has gone to great expense to make sure their business and parking/traffic does not infringe on residents nearby. As other developers plan, this should be a primary criteria!

Have you brought Tim and Karen into the decision making process? How can you make final decisions without looking at a finalized comprehensive traffic study and plan?

I do not speak for the IIS Board, but as an individual greatly concerned about how urban renewal is now creeping west without consideration and coordination with Traffic Engineering in Planning's decision making.

Thank you for your consideration—for our neighborhood, not just the developer!
Molly Merry

Tefertiller, Ryan

From: Mark Scofield <litenupp@gmail.com>
Sent: Friday, April 12, 2019 4:13 PM
To: Tefertiller, Ryan; Skorman, Richard; Murray, Bill; Wysocki, Peter; Strand, Tom; Sunderlin, Katie; Bennett, Merv; Dani Commendador
Subject: Re: Approval of Applications for 1645 and 1647 S. Tejon St.

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Parking plan is not appropriate, flagrantly bad decision by Planning. The logic that parking was adequate for a restaurant that was there before ignores the overwhelming parking problem that Ivywild School development brought to the neighborhood since Blue Star departed. Your decision notes that the old plan/new plan was adequate 20 years ago, yet that decision declines to acknowledge the dramatic increase in use and traffic in the interim. With much more to come, right? This decision paves the way for the owners to shuffle tenants, and get the business they planned and you rejected originally. Handy workaround that residents informed you of in person and via written comments.

What is the price tag in projected tax revenues that the planners expect, in exchange for selling out the rights and interests of the residents and existing businesses in S Tejon/Cheyenne vicinity? Or will the \$ change hands under the table, off the books?. When you wonder why residents distrust city government, do so standing in front of a mirror.

On Fri, Apr 12, 2019 at 3:02 PM Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov> wrote:

Hello Stakeholders,

Please see attached for the administrative approval documents for files AR R 19-00118 and AR R 19-00141 – relieve from the Medical Marijuana Center (MMC) separation requirement and a parking variance. Attached you will find:

- Approval letter for both applications
- Record of Decision for the parking variances (RODs are required for non-use variances).
- The approved site plan
- Approved MMC separation map.

These documents are also available via our LDRS file system here:

<https://eoc.springsgov.com/ldr/rpt/index.htm>

Unfortunately, I am out of the office next week but I've Cc'd Katie Sunderlin, the City's Neighborhood Outreach Specialist, to this email. She may be able to answer your questions about this action in my absence.

I will be back in the office on Monday, April 22nd if you'd like to talk with me directly.

Thanks again for your interest and participation in this project,

Tefertiller, Ryan

From: Rich Resling <rich.resling@icloud.com>
Sent: Monday, April 15, 2019 11:58 AM
To: Tefertiller, Ryan
Cc: Sunderlin, Katie
Subject: Re: Approval of Applications for 1645 and 1647 S. Tejon St.

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Ryan, Just trying to sneak a response in as I am heading out of town. My concern is the marijuana stores next to the ski shop, the grass Roots gas station and Maggies over on Nevada and Brookside. We are already inundated with panhandling, homeless wandering around the residences, sleeping behind buildings and leaving trash in shrubbery. The use of the Blue Star as another marijuana dispensary coupled with the music venue will only exasperate the situation with a drug culture clientele patronizing the bars and restaurants.

Variations for parking, setbacks and distances from other MMJ stores lowers the standards set in zoning and sets a precedent around the city as the drug culture and bars explodes around the various neighborhoods with the changing demographics.

Thanks, Rich Resling

Sent from my iPad

On Apr 12, 2019, at 3:02 PM, Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov> wrote:

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Thanks again for your interest and participation in this project,

Ryan



Ryan Tefertiller

Planning Manager, AICP

Phone (719) 385-5382

Email

Ryan.Tefertiller@coloradosprings.gov

Urban Planning Division

Planning & Community Development

30 S. Nevada Ave, #603

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Phone (719) 385-5905