

## **Olmedo, Conrad**

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**From:** Olmedo, Conrad  
**Sent:** Monday, June 20, 2016 4:07 PM  
**To:** Christina Miller; Erin Hatfield  
**Subject:** RE: File CPC CU 16-0078

Hello Christina,

Thank you for contacting me during the public noticing period for the submitted conditional use permit, CPC CU 16-00078, at 7023 Sapling Place. I have provided an answer to each of your questions below:

**- Does the allowance actually change the zoning designation?**

No, this request does not change the zoning designation. The zone district allows certain uses as permitted rights and this particular use is permitted but is needed to go before the City Planning Commission and undergo a public notification process. Currently, the City allows licensed small home daycare permits for up to 6 full time and 2 part time children but, when the number is exceeded as in this case, the conditional use permitting process is required.

**- Is the allowance owner specific or does it transfer with the property?**

This allowance is not owner specific and remains on the property. A granted conditional use though does expire after a year of the use not operating on the property. For example, a property may have a conditional use and a new property owner may continue to operate that use. However, if the new property owner wants to continue operating the same use that has discontinued for more than a year, they would need to reapply for the conditional use because the permit would have expired. A good real-world example is recently a couple returned from back-packing around Europe for about 2 years. Before they had left, they operated a licensed large home daycare that had a conditional use permit. However, since they had not been operating the use while they were in Europe, the use expired and are unable to operate a licensed large home daycare.

**- Is it revokable if it proves to be a public nuisance?**

This is a good question that is often asked when uses go before the City Planning Commission. These types of uses are given “technical and informational modifications”, which, exact certain operating criteria – it is basically an agreement of operation between the property owner and the City. However, if there are issues on the property, City Code indicates the process for enforcement actions. In addition to this, these types of uses are regulated by the State of Colorado. The State of Colorado is the final issuer and holder of a childcare license. As such, I would imagine that any issues occurring with regards to the daycare’s operations would first be between the State and the operator.

**- What are the permitted hours and days of operation?**

I will add to the applicant’s response that there is precedence from the City Planning Commission to allow flexibility with hours and days of operation for these types of uses.

**- What issues or concerns publicly noted are associated with other similar allowances?**

In my prior dealings with similar land uses, concerns neighbors typically raise are noise and traffic generation. To help address potential traffic concerns, I distribute these applications to the City Traffic Engineer. They are able to provide technical analysis and provide the applicant and staff with major traffic issues. In terms of noise issues, as with all uses, matters would fall into the enforcement sphere.

If you have any more questions, please feel free to let me know.

Best,

Conrad

Conrad Olmedo, AICP, MPA  
Planner II – Central Team

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**From:** Christina Miller [<mailto:themillerhome@icloud.com>]  
**Sent:** Saturday, June 18, 2016 6:36 PM  
**To:** Erin Hatfield  
**Cc:** Olmedo, Conrad  
**Subject:** Re: File CPC CU 16-0078

Erin,  
I greatly appreciate your response and your approach. I will look forward to hearing from Mr. Olmedo regarding my other questions and hope they are equally as satisfactory. Thank your for taking the time to respond.  
Christina

On Jun 18, 2016, at 12:55 PM, Erin Hatfield <[ebohat@gmail.com](mailto:ebohat@gmail.com)> wrote:

Christina Miller,

Hi, I would like to tell you about myself and my business.

I have been licensed by the state since 1998. We have lived in our home for ten and a half years and never had a noise complaint or any other complaints by any neighbors about my business. I currently have a permit and license for eight children and I am asking to be licensed for up to

twelve. I will not have to make any changes to my property to care for the additional children. In our previous home here in Colorado Springs I was licensed and permitted for twelve children and never had any complaints.

The only questions I am able to answer are whether it is transferable and my business hours.

My hours are currently Monday thru Friday 6:45am - 5:30pm

The permit is transferable for a year after the property is sold. However, the new owner would have to get licensed by the state for a large home with in a year of purchase. This would include training, inspections and FBI and CBI background checks at a minimum.

I am sure Conrad Olmedo will be answering the rest of your questions.

Thank you for considering my proposal.

Erin Hatfield

On Sat, Jun 18, 2016 at 11:53 AM, Christina Miller <[themillerhome@icloud.com](mailto:themillerhome@icloud.com)> wrote:

Mr. Olmedo,

We received the public notice regarding the request for the daycare allowance at 7023 Sapling Place (File CPC CU 16-0078). We would like to know the following:

- Does the allowance actually change the zoning designation?
- Is the allowance owner specific or does it transfer with the property?
- Is it revokable if it proves to be a public nuisance?
- What are the permitted hours and days of operation?
- What issues or concerns publicly noted are associated with other similar allowances?

We would like to go on record as homeowners with concerns. Please respond in a timely manner so that we can respond to any issues prior to the June 27, 2016 deadline.

Kind Regards,  
Christina Miller