



Quick Facts

Applicant/Property Owner

Mechelle Haflich, Moxie
Suites, LLC

Address / Location

2402 N Nevada Avenue

TSN(s)

6406107016

Zoning and Overlays

R-2 (Two-Family)

Site Area

7,000 square feet

Land Use

Office

Future Use

Small Personal and Business
Services or similar

Applicable Code

Unified Development Code

Council District

District 5

Project Summary

A Zone Map Amendment (Rezoning) to change the zoning of the property located at 2402 North Nevada Avenue from R-2 (Two-Family) to MX-N (Mixed-Use Neighborhood Scale). The purpose of the rezoning is to provide the existing building the opportunity to be used commercially to match its original form and function (**See “Attachment 1- Zone Map”**).

File Number	Application Type	Decision Type
ZONE-25-0007	Zone Map Amendment (Rezoning) R-2 to MX-N	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

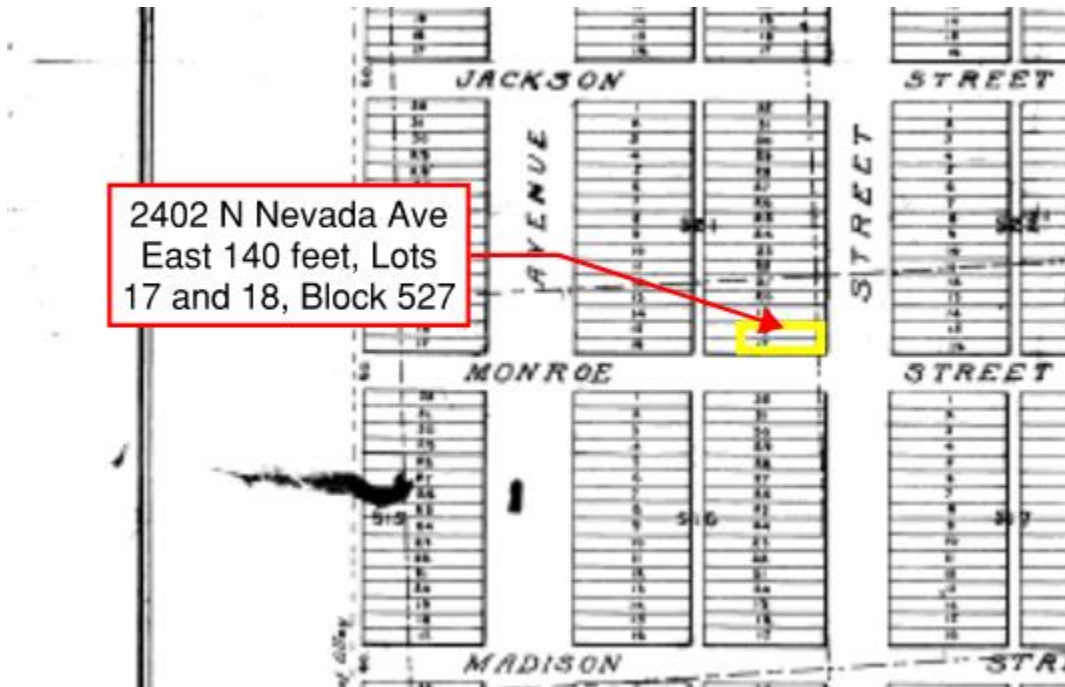
Action	Name	Date
Annexation	The North End Addition	1889
Subdivision	The North End Addition	1889
Master Plan	North End Neighborhood Plan	1990
Prior Enforcement Action	N/A	N/A

Site History

The property is within the “The North End Addition to the City of Colorado Springs”. It was annexed and subdivided in 1889. The 1880’s were an era that saw the City of Colorado Springs transform from a frontier settlement to an Eastern-style resort community with modern conveniences, including the creation of additional residential areas like The North End Addition.



The parcel is legally described as the East 140-feet of Lots 17 and 18, Block 575, The North End Addition to the City of Colorado Springs (see “Attachment 2 – North End Addition”).



The site is 7,000 square feet in size. It is developed with a 3,915 square foot building. The property was developed in 1956. The building was originally designed to be a commercial building (chiropractic office) that included a residential unit (mixed-use). The chiropractic office was never fully completed due to the death of the owner in 1967. The building was completed as a single-family residence with an interior area for a medical office, and the original owner did have a chiropractic office as a home occupation. Afterwards, the building has been used as a residence, photographers' studio and most recently has had a home occupation for a massage and wellness studio. The photographer's studio existed from 1968 to 1990 and was allowed by a Use Variance that was approved in 1968 (CPC UV 68-2). In the early 1990's, a previous owner attempted to establish a retail store (Military Surplus Store) under the 1968 use variance. However, this was not allowed because the use variance approved was specifically for Photographic Studio. This owner did pursue a Use Variance for a Retail Store (CPC UV 91-96), but it was denied by Planning Commission in August 1991. The date of the Home Occupation Permit for a massage and wellness studio is 2006. This Home Occupation continued throughout the 2010's when the owner stopped living in the building.



The site zoning is R-2 (Two-Family). The R-2 zoning has been in place on the property since at least 1968. Before 1968, the zoning was R-3 (Two-Family). Prior to the 1970's the R-3 zoning was the two-family zone district, and R-1 and R-2 were for single-family with different minimum lot areas. As indicated above, the original building design had clear intent for mixed-use (Office and Residential). However, all the commercial uses established at this location have been more home occupation in character or allowed through a use variance. Any future use of the building is required to comply with the UDC, the zone district designation, and would require a Development Plan and/or Conditional Use.

The current owner of the property purchased the property in 2005 with the intent of using the property for medical or health related use. The focus has been refined slightly to match the previously issued home occupation permit for massage and health/wellness use.

Applicable Code

All references within this report that are made to "the Code" and related sections are references to the Unified Development Code ("UDC").

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	R-2 (Two-Family)	Residential – Single and Two Family	N/A
West	R-2 (Two-Family)	Residential -Single and Two Family	N/A
South	R-5 (Multi-Family High)	Hospital	Penrose Hospital – Conditional Use
East	R-2 (Two-Family)	Residential – Single and Two Family	N/A

Context Maps (see “Attachment 3-Context Map”)



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	2, Initial Review and Planning Commission Public Hearing
Postcard Mailing Radius	1,000 feet and Old North End HOA
Number of Postcards Mailed	203, mailed 2 times – Initial Review and Planning Commission Public Hearing.
Number of Comments Received	No comments received.

Public Engagement

Public engagement for the application was the City's required public notice requirements for a Rezoning. Postcards were sent to property owners of records within 1,000 feet of the site and posters were placed on Nevada Avenue and Jackson Street.

Timeline of Review

Initial Submittal Date	February 4, 2025
Number of Review Cycles	2 review cycles
Item(s) Ready for Agenda	July 9, 2025

Agency Review

City Surveyor

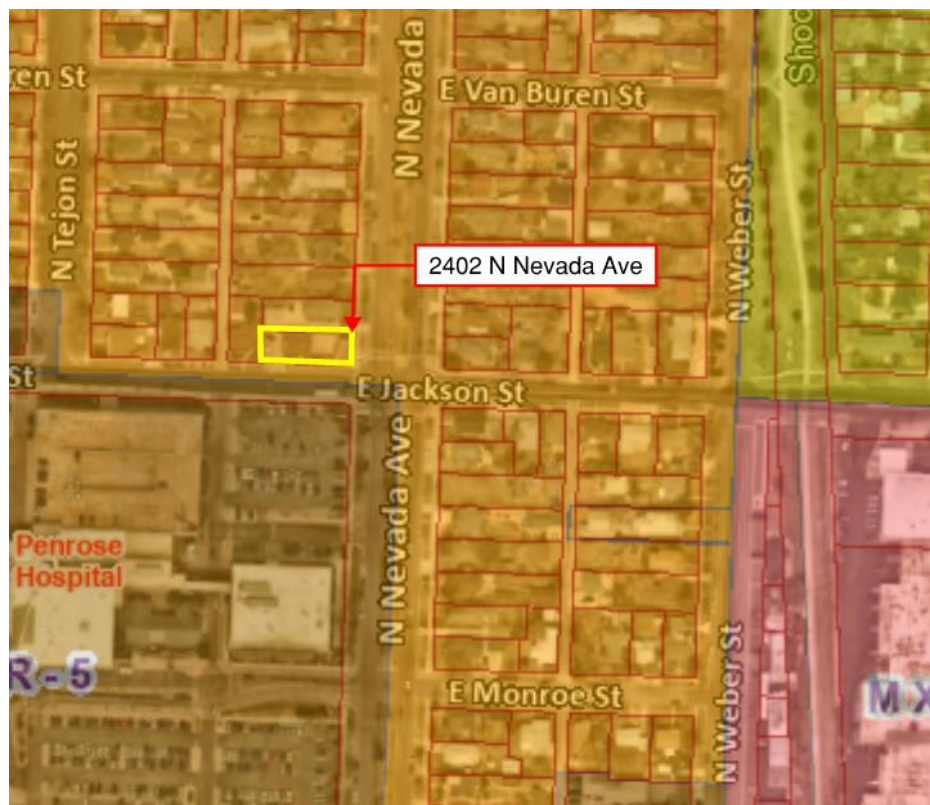
The City Surveyor identified several items related to the drawing/drafting standards for the zoning exhibits. The Applicant has addressed all the review comments of the City Surveyor.

Zone Map Amendment (Rezoning)

Summary of Application

The Applicant has applied for a Zone Map Amendment (Rezoning) to change the zoning of 2402 North Nevada Avenue from R-2 (Two-Family) to MX-N (Mixed-Use Neighborhood Scale) to facilitate future commercial use. Future uses being considered are health and wellness related uses like massage, fitness and salon uses (see **“Attachment 4-Project Statement”** and **“Attachment 5-Land Use Statement”**).

The property is located at 2402 North Nevada Avenue, and across Jackson Street from Penrose Hospital. It is in the Old North End Neighborhood and is a part of the Old North End Historic District (National Register Historic District) but not included in the Old North End Historic Preservation Overlay. The site is 7,000 square feet in area and again, it is zoned R-2 (Two-Family) (see **“Attachment 1-Zoning Map”**).



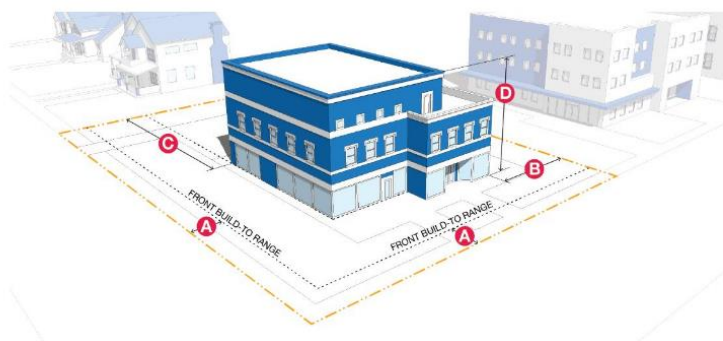
Access to the site is from a driveway off Jackson St on the south, and from sidewalks on the east and south sides of the parcel. It is also near transit routes and stops and bike routes and trails. The surrounding neighborhood (within two blocks) is a mixture of residential, civic, and commercial uses and residential and mixed-use zone districts. Adjacent zone districts include R-2 (Two-Family) and R-5 (Multi-Family High). R-2 (Two-Family) is the predominant zone district along Nevada Avenue from the Rock Island Trail on the north to Caramillo Street on the south. The R-2 is intended for single-family detached and duplex residential uses. The R-5 in the neighborhood is primarily Penrose Hospital and associated use through an approved Conditional Use. The mixed-use district, MX-M (Mixed-Use Medium Scale), located two-blocks east is the Bonn Shopping Center. This zone district allows for a wide variety of commercial uses (i.e., Retail, Office, Auto Repair) and residential uses for single-family detached to multi-family apartments (see “Attachment 6 – North End Existing Land Use”).

An important consideration with zoning is compatibility in terms of use, scale and density of existing and future uses. The neighborhood where this is located is primarily small, single-family structures, and commercial uses in one (1) to two (2) story buildings. The one exception is Penrose Hospital to the south at 10-stories in height. The proposal considers these variations of use and structure sizes by proposing MX-N (Mixed-Use Neighborhood Scale) for the zoning on this property and to allow and facilitate the smaller-scale and limited commercial uses as indicated in the application. Plus, the property is located at the edge of and within a residential neighborhood and near an intersection with an arterial street.

7.2.302 MX-N: Mixed-Use Neighborhood Scale

A. Purpose

The MX-N zone district provides opportunities for a compact mix of, for example, low intensity neighborhood-serving commercial, office, institutional, low-scale multi-family residential uses. Land uses are as indicated in Table 7.3.2-A (Base and NNA-O District Use Table). MX-N zone districts are generally located at the edges of, or internal to, a residential neighborhood, at a local street intersection with a collector or arterial street. MX-N zone districts are intended to maintain the scale of the adjacent neighborhood, to avoid establishments so large that they serve as destinations for persons from outside the neighborhood, and to have safe and convenient pedestrian and bicycle access. The layout of permitted use types shall be as shown in a Land Use Plan approved pursuant to Section 7.5.514 (Land Use Plan).



This property and the surrounding blocks are in the North End Neighborhood Plan. The focus of the North End Neighborhood Plan is to guide the conservation, preservation and enhancement of the neighborhood. The plan clearly discourages the rezoning from residential to non-residential uses. The plan does call out and support maintaining small neighborhood commercial that is compatible with the neighborhood. 2402 North Nevada Avenue was identified as a “Small Neighborhood Commercial or Office” property (see “Attachment 7 – North End Future Land Use”)

3.D1 DISCOURAGE RESIDENTIAL ZONE CHANGES TO NON-RESIDENTIAL USE AND IDENTIFY AREAS AND TYPES OF NON-RESIDENTIAL USES APPROPRIATE FOR THE NEIGHBORHOOD

3.D2 SPECIFICALLY IDENTIFIED SMALL NEIGHBORHOOD COMMERCIAL PROPERTIES WHICH ARE COMPATIBLE WITH THE NEIGHBORHOOD SHOULD BE CONTINUED AND ENCOURAGED.

The property being considered for rezoning is a building with a commercial design and a history of commercial uses that created minimal impact to the neighborhood. The building and its future use are adjacent to a major traffic corridor and regional hospital, and within a national historic district, and a stable, strong and historic residential neighborhood. This

rezoning is being done to foster the use of a property identified as a “Small Neighborhood Commercial Property” in the North End Neighborhood Plan. The MX-N district may not be a perfect fit, but its results will be a future development that is compatible with uses, scale, and density of the surrounding area and consistent with the North End Neighborhood Plan. This can further be administered as any new use would require both a Development Plan and/or Conditional Use.

Application Review Criteria

UDC Section 7.5.704.D, Zone Map Amendment

An application for a Zone Map Amendment shall be subject to the following criteria for approval:

1. *The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district(s).*

The proposed application is consistent with the Colorado Springs Comprehensive Plan (PlanCOS) and the North End Neighborhood Plan. It is also consistent with the purpose statement and planned uses of the MX-N zone district. The commercial uses being considered by the Applicant are either permitted or conditional uses in the proposed zone district.

2. *The rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare.*

The proposed application will not be detrimental to public interest, health, safety, convenience, or general welfare.

3. *The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s).*

The property being rezoned is appropriate for the proposed zone district and use.

4. *If the application proposes to rezone a small area of land, the application demonstrates that the size, scale, height density, and multimodal traffic impacts of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions.*

The application to rezone can be characterized as a small area of land. This application demonstrates that its size, scale, height, and multi-modal traffic impacts are compatible with surrounding development.

5. *If the application proposes to rezone a relatively small area of land, the application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Colorado Springs Comprehensive Plan goals that would be achieved by approval of the application.*

The application to rezone does not create any dislocation of tenants or occupants.

6. *If a Land Use Plan or amendment to a Land Use Plan accompanies the application, the Land Use Plan or amendment complies with the applicable criteria in Subsection 7.5.514C.3 (Land Use Plan Criteria).*

N/A

7. *The application is consistent with any approved Concept Plans in the area for which the map is being amended or includes or is accompanied by a provision that the approved Concept Plans have been classified as implemented and do not have to be amended to be considered consistent with an amended zoning map.*

N/A

8. *If the application is for creation of an ADS-O district, the approval criteria applicable to the creation of the text of the ADS-O district in Section 7.2.607D.47.5.702 (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.*

N/A

9. *If rezoning to a PDZ district, the proposed PDZ district provides significant community amenities or other benefits, as determined by the Manager, that promote the achievement of Colorado Springs Comprehensive Plan goals and would not otherwise be required of the applicant under this UDC or other City or government regulations.*

N/A

10. *Complies with the additional standards of the base zone district where the property is located (see Article 7.2 (Zone Districts)) or in an overlay district that applies to the property (see Part 7.2.6 (Overlay Districts)).*

The future use as small-scale neighborhood commercial use (i.e., salon, massage, and/or wellness) complies with the base zone district standards. A Development Plan and/or Conditional Use will be required for any future use to ensure that it complies with use and development standards. It is highly unlikely that any future use or development of the site would result in more intense use due to the property's size and the standards applicable to future development. Limiting factors for development include meeting setback standards and off-street parking standards to name a few.

City Planning Staff finds that the approval criteria of UDC Section 7.5.704.D, which are applicable to a Rezoning are met with this application.

Compliance with PlanCOS

PlanCOS Vision



2402 N Nevada Avenue Rezoning is in an “Established Historic Neighborhood” and adjacent to a City Priority Corridor. Established Neighborhoods are predominantly built out and have been for at least a few decades or more. Relative to other neighborhoods, they are stable and do not anticipate high levels of land use changes. However, most Established Neighborhoods within the city should expect some degree of infill and redevelopment. The North Nevada Avenue Corridor (City Priority Corridor) is a future Multi-Modal Corridor. The goal of this corridor type is to further transform the corridor into a transit-supportive corridor of focus for development, redevelopment and community life. The proposed rezoning will facilitate reuse of a small-scale commercial building that should bring and maintain quality, convenience and attractiveness to the neighborhood.

Typology 5: Corridors

The goal of this place typology is to take advantage of the capacity and potential of these corridors to create unified, vital, connected, and more transit supportive urban places, each with its unique character, identity, and design.

Typology 1: Established Neighborhoods

The goal of this neighborhood typology is to recognize, support, and enhance the existing character of these neighborhoods, while supporting their ongoing investment and improved adaptation. New development and/or redevelopment should incorporate elements of the existing neighborhoods.

PlanCOS also calls for creating vibrant neighborhoods. A big idea for Vibrant Neighborhoods is “Creative Infill”. The goal for this idea is as follows:

EMBRACE CREATIVE INFILL, ADAPTATION, AND LAND USE CHANGE

GOAL UP-2

Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.

The City Planning Staff find that the application is consistent with the goals, policies and strategies of PlanCOS.

Statement of Compliance

ZONE-25-0007 2402 N Nevada Avenue Rezoning

City Planning has reviewed the proposed Rezoning for 2402 N Nevada Avenue Rezoning and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.704.D.