Gray, William E

From: Mike Anderson <blueskyanderson@comcast.net>
Sent: Thursday, August 28, 2025 10:39 AM
To: Gray, William E
Subject: Re: Planning Commission item 25-0007 - 2402 N Nevada Ave. Rezoning request

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Bill: Many thanks for the answers and prompt response.

Mike anderson

From: "Gray, William E" <William.Gray@coloradosprings.gov>
Date: Wednesday, August 27, 2025 at 2:53 PM
To: Michael Anderson <blueskyanderson@comcast.net>
Cc: "Walker, Kevin" <Kevin.Walker@coloradosprings.gov>, "Tefertiller, Ryan" <Ryan.Tefertiller@coloradosprings.gov>
Subject: RE: Planning Commission item 25-0007 - 2402 N Nevada Ave. Rezoning request

Hi Mike

1). The application was never intended to be on the August 26 CC agenda. Typically, there is insufficient time to meet submittal deadlines between the Planning Commission hearing and the next CC meeting.
2) First reading of the application is set for September 9th. First reading is not a public hearing. Its purpose is to only set the date for the public hearing.
3) The public hearing date for this application will be September 23.
4) If rezoned to MX-N, a personal and business services, small or large use will require a conditional use.
5) The only application considered by the Planning Commission was the rezoning. Yes, there was mention of a conditional to acknowledge it will be required for the desire use if the rezoning is approved.
6) A rezoning application is going through the process before any conditional use application is reviewed.
7) A Rezoning application may be submitted with a land use statement, land use plan, conditional use application or development plan. In this case, it was determined that this application could move ahead with a land use statement. Both the Applicant and Staff determined through many discussions that getting a decision on the zone change must be the first step in the process, and that a conditional use application could be submitted later.
8) If the property was rezoned, the owner/applicant would not be obligated to pursue a personal or business services use.
9) A development plan is required for new construction, when a use is converted from one use classification to another (different) (i.e, residential to commercial), or additions.
10) All Development Plans require public notice. Also, any conditional use application requires public notice too.
11) City Staff provided guidance to the Applicant on how to prepare an application for a rezoning with a land use statement.
12) The Applicant prepared and submitted the application on her own.
13) I have no knowledge of whether the property is for sale or not.

Hope this information helps. Let me know if you have any additional questions.

Thanks
Bill

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From: Mike Anderson <blueskyanderson@comcast.net>
Sent: Tuesday, August 26, 2025 4:14 PM
To: Gray, William E <William.Gray@coloradosprings.gov>
Cc: Walker, Kevin <Kevin.Walker@coloradosprings.gov>
Subject: Planning Commission item 25-0007 - 2402 N Nevada Ave. Rezoning request

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Bill: We noticed this item did not make today's City Council agenda. Do you know if the item is tentatively slated to be on the September 9 Council agenda?

After the August Planning Commission meeting, ONEN did a re-review of the agenda materials for the rezoning request and have some questions regarding the development review process for this property going forward:

- First, it appears the proposed use of "Small Personal and Business Services or similar" will require a separate approval of a conditional use under MX-N. Are we reading that correctly?

- Does the item approved by the Planning Commission at its August 13 meeting include the necessary authorization of a conditional use? We ask that question since the application materials, specifically the Project Statement, contains the statement "a Conditional Use submission is set forth" and makes other references to the application being for a zone change and a conditional use.

- Isn't it rare for the zone change request to first go through the City's review process and then a separate application process is initiated for the conditional use after the zone change is approved? In other words, aren't zone change requests typically accompanied by any required conditional use application?

- Assuming the City Council approves the zone change as currently proposed, would the property owner be obligated to move forward with the proposed "small personal and business services" use or would they be able to move forward with any of the permitted uses under MX-N without any further development review/approval? Would the property owner be able to use the property for any of the permitted uses

without a development plan submittal if there are no changes being made to the existing building's exterior? In other words, when would a development plan be required?

- What would trigger a development plan have to be submitted?
- Is it correct that submittal of a development plan does not require notice of the neighborhood, just a neighborhood meeting? Also, is approval of a development plan made administratively by the staff/manager?
- We noted that the Project Statement and the Land Use Statements were quite complete and thorough. However, at the Planning Commission meeting it did not appear that the applicant was being represented or assisted by a planning/legal consultant. Do you know if the applicant has retained a firm to represent/assist her with the rezoning process? If so, who is that firm? Or, did City Planning staff assist with the preparation of those documents?
- Do you know if the property is currently under contract? Some folks in the neighborhood have reported that the property has been listed for sale in recent months.

Thanks in advance for any information you can provide to help answer these questions.

Mike Anderson

From: Dutch Schulz <dutch1969@msn.com>
Date: Tuesday, August 12, 2025 at 4:31 PM
To: Bill Gray <william.gray@coloradosprings.gov>
Cc: Michael Anderson <Blueskyanderson@comcast.net>
Subject: Planning Commission item 25-0007 - 2402 N Nevada Ave. Rezoning request

As President of the Old North End Neighborhood, I am requesting that the application for Rezoning of 2502 N Nevada Ave. be pulled from the consent calendar for Wednesday's City Planning Commission meeting. I and Mr. Michael Anderson will be making oral remarks during the meeting concerning this rezoning.

I regret the late notice, but neither I or any ONEN Board members received a Green Postcard on this item, as the President of ONEN is suppose to for any item within ONEN that comes before the Planning Commission.

Dutch Schulz
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OLD NORTH END
NEIGHBORHOOD