

**DOWNTOWN REVIEW BOARD AGENDA
AUGUST 2, 2022**

STAFF: ANN ODOM

**FILE NO:
CPC CU 22-00062 – QUASI-JUDICIAL**

PROJECT: SUKI'S CANTINA

OWNER: 106 PA LLC

DEVELOPER: IAN PEREZ

CONSULTANT: BOBBY HILL DESIGNS, LLC



PROJECT SUMMARY:

1. Project Description: This application was submitted to convert an existing 2,542 square foot building, located at 106 Pueblo Avenue, to a bar with an outdoor patio. The 5,513 square foot lot is located on the southeast corner of E. Vermijo Ave. and S. Nevada Ave., is zoned FBZ-COR (Form-

Based Zone – Corridor Sector) and is currently vacant. The project requires a parking warrant to allow 0 off-street parking spaces where 16 are required. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Team's Recommendation: **Approval of the application with conditions of approval and technical modifications.**

BACKGROUND:

1. Site Address: 106 Pueblo Avenue
2. Existing Zoning/Land Use: FBZ-COR (Form-Based Zone – Corridor Sector) / Vacant building which was previously used as an auto repair shop.
3. Surrounding Zoning/Land Use:
North: FBZ-COR (Form-Based Zone – Corridor Sector) / Office and private off-street parking lots
South: FBZ-COR (Form-Based Zone – Corridor Sector) / Commercial, Office and, public on-street parking
East: FBZ-COR (Form-Based Zone – Corridor Sector) / Office and Commercial (Carter Payne Food Hall)
West: FBZ-CEN (Form-Based Zone – Central Sector) / Commercial, Office, and Civic
4. PlanCOS Vision: Downtown activity center
5. Annexation: Town of Colorado Springs 1872
6. Master Plan/Designated Master Plan Land Use: Experience Downtown Master Plan (2016) / General Mixed-Use
7. Subdivision: Town of Colorado Springs
8. Zoning Enforcement Action: None
9. Physical Characteristics: This site is a level, triangular, corner lot with a single-story building on the east side of the lot. There is a double-sided driveway that crosses the majority of the remaining open space on the lot with access to Pueblo Ave and E Vermijo Ave.

STAKEHOLDER PROCESS AND INVOLVEMENT: The public notice for this application included the display of posters on the site and 125 postcards mailed to surrounding property owners when the application was first submitted to the City. These notices included information on how to review the plans and provide comments. Staff received one formal comment expressing strong support for the project from the Downtown Partnership **(FIGURE 3)**. The site will be posted, and notices will be sent announcing the public hearing prior to the Downtown Review Board meeting.

All applicable City agencies and departments reviewed and commented on the project. All concerns and comments have been incorporated into the plan or are listed in the technical modifications section at the conclusion of this report.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Background:
The subject property is located on the southeast corner of E Vermijo Ave and S Nevada Ave., totals 5,513 square feet in size and is zoned FBZ-COR (Form Based Zone – Corridor Sector). The site includes a vacant, 2,542 square foot commercial building that was previously used for an auto repair business. The area is a mix of commercial, office, and civic uses. The block has seen some improvements recently that includes The Carter Paynes's expanded outdoor seating area and sidewalk realignment a couple of parcels to the southeast of the project site. Additionally, Pueblo Ave. adjacent to the site was repaved and restriped in the fall of 2020; these public improvements also included new curb and gutter and pedestrian improvements at intersection crossings.

The project site is in an area of the Form-Based Zone that the Experience Downtown Master Plan refers to as 'the New South End' which includes a mix of residential, commercial, and industrial properties. This part of downtown has seen significant reinvestment in recent years with nearly 1,000 apartment units expected to open over the next couple years within a few blocks of the site.

2. Review Criteria / Design & Development Issues:

a. Project Details

The proposed project includes the conversion of an existing, vacant commercial building into a new bar with a large outdoor seating area and on-site food truck parking. The project will also include public improvements including the reconfiguration of the sidewalk along Pueblo Ave. which will provide connectivity to the reconfigured sidewalk at The Carter Payne to the southeast. **(FIGURE 1).**

b. Conditional Use

One of the overarching principles of the Downtown Form-Based Zone is that individual land uses are less important than the building forms themselves which establish Downtown's character, architecture, and built environment. A healthy Downtown is comfortable to pedestrians, and pedestrians are affected more by physical forms, public improvements, traffic speeds, and a consistent street-wall than they are by the uses which exist behind closed doors. However, there are a select number of uses that, if not properly considered, have the potential to negatively impact surrounding properties and Downtown as a whole. One such use is a bar, which is defined as a business which generates more than fifty percent of gross revenue from on-site alcohol sales. While all successful urban areas have bars, it has been determined that the size, type, and perhaps most importantly, location of new bars shall have a case-by-case review by the Downtown Review Board at a public hearing through the Conditional Use process. This review, including the evaluation of the Conditional Use review criteria, can be an important step toward ensuring that surrounding properties are not harmed and that clusters of existing bars are not intensified, worsening problems associated with many late-night urban uses.

The three criteria that must be considered by the Downtown Review Board to grant the requested conditional use permit are:

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the Conditional Use are not substantially injured.
- B. Intent Of Zoning Code: That the Conditional Use is consistent with the intent and purpose of this Zoning Code to promote public health, safety, and general welfare.
- C. Comprehensive Plan: That the Conditional Use is consistent with the Comprehensive Plan of the City.

Specific areas within the Downtown Form-Based Zone have experienced recurring problems with bars and late-night bar customers. Littering, fighting, and other disruptive or criminal activities are a challenge in areas with a high concentration of bar uses. There are a few existing bars within proximity of the subject property. These establishments include Steel Pan PNP at 402 S. Nevada Avenue, The Garden at 401 S. Nevada, Bar-K at 124 E. Costilla, and The Carter Payne (which includes Local Relic Brewing) at 320 S. Weber St. It should be noted that Steel Pan PNP has a substantial dining menu and may qualify as a restaurant depending on precise revenue calculations.

This proposed bar differentiates itself from the typical bar establishment by dedicating most of the functional square footage to its outdoor patio. The applicant is proposing to include a 2,688 square foot outdoor seating area which will include turf grass lawn, a variety of seating types, designated food truck parking, and a small outdoor stage. Trees and other landscaping will be planted in the amenity zones where there currently are none. The curb cuts on E Vermijo and Pueblo Ave. will remain to provide access for the food trucks, but gates will be put up to restrict access to other vehicles. The seating area will be enclosed with new four-foot-high fencing to provide security and liquor control within the site. Staff has worked with the applicant to ensure that the fencing is of an "open" design to allow visibility and create interest from the public realm; a fence detail is provided within the proposed plan.

Due to the location, size and proposed business model, Staff has concluded that the proposed use will not negatively impact surrounding properties or Downtown as a whole.

This area of southeast downtown (often referred to as the New South End) has seen a resurgence in the last few years with the opening of White Pie, The Garden, and Kinship Landing, to name a few. Suki's Cantina is ideally located to build upon the reawakening of this once-blighted area of Downtown. The Applicant, property owner, Downtown Partnership and Planning Staff all see this project as having great potential to assist in continuing the redevelopment of this area.

c. Parking Warrant

A Parking Warrant is required for the proposed project because the Applicant is not providing any on-site parking and the project is not located in the parking-exempt, Central Sector of the Form-Based Zone. A bar use in the Form-Based Zone requires 1 parking stall per 250 square feet of floor space and 1 parking stall per 500 square feet of outdoor patio space. Suki's Cantina will require 10 parking stalls for the 2,542 square feet of interior space and 6 stalls for the exterior 2,688 square feet of the patio, bringing the total combined parking requirement to 16 stalls.

The five criteria that must be considered by the Downtown Review Board in order to grant the requested Parking Warrant found in section 5.4.3 of the Downtown Colorado Springs Form-Based Code are:

- A. Is the requested warrant consistent with the intent of the form-based code?
- B. Is the requested warrant, as well as the project as a whole, consistent with Section 4 – Design Guidelines of the form-based code?
- C. Is the requested warrant reasonable due to the proposed project's exceptional civic or environmental design?
- D. Is the requested warrant consistent with the Downtown Master Plan?
- E. Is the requested warrant consistent with the City's Comprehensive Plan?

The Applicant proposes that a Parking Warrant is justified because their parking needs will be satisfied with the local on-street parking in the area which includes a combination of metered and unmetered stalls. Within a one- or two-minute walk there are approximately 24 parking spaces on S. Nevada Ave., 85 spaces on E. Vermijo Ave., 68 on Pueblo Ave, 23 spaces on E Costilla St., and 25 spaces on S Weber St. In total, there are about 225 on-street parking stalls within a 90 second walk of the subject property. All of these on-street parking stalls are currently metered except for those on S Weber St, however this may change in the near future. Many of the businesses surrounding this location along E. Vermijo Ave. and Pueblo Ave. do not have much use at night and on weekends when Suki's Cantina would be at its busiest. These parking spaces are currently used mostly by employees who work in the surrounding buildings and only during office hours. They would then be freed up at the end of the workday to be utilized by Suki's Cantina patrons which will maximize the use of street parking in the area. Because the existing metered stalls surrounding the project site are under-utilized in the evenings and weekends, the new use with a relatively low occupancy allowance and parking requirements will encourage patrons to utilize existing infrastructure. Additionally, by not requiring the applicant to provide surface parking it allows for greater utilization of the small, infill lot to promote a more pedestrian friendly environment and encourage the use of multi-modal transportation opportunities. Staff does not believe that the reduction in parking will create a burden on the surrounding on-street parking.

Additionally, Mountain Metro has two bus lines (10 & 11) on S. Nevada Ave. that have at least two stops within 400' of 106 Pueblo Ave. However, these two lines end their runs too early for most customers to be able to utilize the service later in the evening. Final pickups are 6:30pm for Route 10 and 9:15pm for Route 11. Biking is a viable

transportation option to get to Suki's Cantina due to the bike lanes along E. Costilla St, and S. Weber St. Pike Ride bike share has recently added a station a few parcels down in front of The Carter Payne, and less than a block away at Kinship Landing and Loyal Coffee. Suki's Cantina is also planning to install bike racks within the fenced patio area.

Use of the City's two scooter providers can also provide convenient access to the site from the surrounding areas. There are currently 3 hubs within 1 block of the project site that would allow patrons to easily utilize scooters to travel to and from the site without having to get in their cars and find additional parking. The nearby hubs include 1 site on the southwest corner of S Tejon and E Vermijo and 2 hubs on the southeast and southwest corners of S Nevada and E Costilla.

After careful consideration of the review criteria and the conditions of the surrounding area, Staff concludes that the review criteria have been substantially met and that there are no parking deficiencies in the area that would overburden the existing nearby parking infrastructure.

3. Conformance with the City Comprehensive Plan:

The following goals, policies and strategies from Colorado Springs' comprehensive plan, PlanCOS, support the approval of Suki's Cantina Conditional Use and associated Parking Warrant application.

- Policy UP-2.A: Support infill and land use investment throughout the mature and developed areas of the city.
- Strategy UP-2.A-1: Encourage the development or redevelopment of vacant properties in the core area of the city by using a combination of incentives, rezoning, and creative design solutions.
- Strategy UP-2.A-4: Actively support ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment.
- Goal UP-3: Continue to grow and support Downtown as an inclusive, mixed use, cultural, and economic heart of the region.
- Policy UP-3.A: Proactively participate and invest in the development of Downtown as the city's premier urban activity center.
- Goal UP-4: Strengthen our overall community identity and better serve the needs of residents and businesses within our large metropolitan area by developing active, unique, and connected centers and corridors.
- Strategy UP-4.A-2: Focus area-specific planning attention and capital improvements prioritization on mature corridors and centers with a potential and need for redevelopment.
- Strategy TE-1.A-3: Prioritize Downtown redevelopment to establish it as the region's employment center, hub of commerce, governing, innovation, tourism, entertainment, art and culture.

PlanCOS does encourage increased density and mixed uses for the Downtown in Policy UP 4.B. It can be argued that while this proposal does not necessarily increase density, it will bring a unique and vibrant business to a site that has not been a positive contributor to the downtown economy for decades. Developments like these are essential components of the diversity and character of a thriving neighborhood. A business like Suki's Cantina would attract other developments that would result in increased density and the mixed uses to which PlanCOS aspires.

4. Conformance with the Area's Master Plan:

The Experience Downtown Masterplan's Future Land Use map shows this area as "General Mixed Use." According to the Master plan, the future use for this area is described as "Similar to activity centers, but with a slightly decreased intensity and density, these areas are intended to include a range of uses, stressing the presence of urban residential options. General mixed-use areas are to be designed as pedestrian friendly and serve as transitions to the surrounding areas." The proposed use of Suki's Cantina fits well within the General Mixed-Use definition. In addition, the Master plan shows the block directly north of the project site as a Catalytic Development Site, "based on the near-to mid-term development potential, and their ability to impact the development and capital attraction patterns in the city center." Staff believes the addition of Suki's Cantina in the neighborhood will bring the goal of this Masterplan a little closer to fruition.

After careful consideration, Staff has determined that the required criteria for both the Conditional Use and the Parking Warrant are met. Once the technical modifications described below are addressed, the plan can be approved.

STAFF RECOMMENDATION:

Item No: CPC CU 22-00062 – SUKI'S CANTINA

Approve the Suki's Cantina Form-Based Zone Conditional Use Development Plan with a Parking Warrant, based upon the finding that the application complies with the review criteria for Conditional Uses and warrants subject to compliance with the following conditions of approval and technical plan modifications:

Conditions of Approval on Conditional Use Development Plan:

1. SWENT approval of drainage report
2. Colorado Springs Utilities and SWENT acceptance of utility plan.
3. Gain acceptance of the HGL and Wastewater Master Facility Report

Technical and Informational Modifications to the Conditional Use Development Plan:

1. Gain approval of a revocable permit for all private encroachments into the public right-of-way.
2. Add information to the plans providing consistency on sidewalk reconfiguration details
3. Include information regarding site functionality including accessibility routes, site lighting, fencing, and easement locations
4. Include clarifying information regarding site design including landscaping and elevation drawings
5. Include information regarding adjacent private property ownership and right-of-way details.