

# NEW BUSINESS CALENDAR

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## DOWNTOWN REVIEW BOARD AGENDA

ITEM NO: 6

STAFF: RYAN TEFERTILLER

FILE NO:  
CPC DP 15-00013 – QUASI-JUDICIAL

**PROJECT:** 123 AND 127 LAS ANIMAS ST.  
**APPLICANT:** SHARON ALLEN, TREMMEL DESIGN GROUP, LLC.  
**OWNER:** CHARLES J. MURPHY



### **PROJECT SUMMARY:**

1. Project Description: This proposal is to construct a new two-story, 1,902 square foot office building on a 3,791 square foot property on the south side of Las Animas between S. Tejon St. and S. Nevada Ave. The plan also illustrates the renovation of the existing 1,500 square foot building immediately west of the proposed office. The two properties will share a new parking area behind (to the south of) the principal structures. The site is zoned FBZ-T1 (Form-Based Zone – Transition Sector 1) which requires compliance with the form-based standards included in the Downtown Colorado Springs Regulating Plan. The proposed project requires two Form-Based Zone warrants for relief from the following standards: 1) Section 2.4 Frontages; and 2) Section 2.6 Parking. The project also includes a waiver of replat to establish the eastern parcel (127 E. Las Animas) as one platted lot; this application is being processed administratively.
2. Applicant's Project Statement: **(FIGURE 1)**
3. Planning & Development Team's Recommendation: **Approval of the application with technical modifications.**

### **BACKGROUND:**

1. Site Addresses: 123 and 127 E. Las Animas St.
2. Existing Zoning/Land Use: FBZ-T1 (Form-Based Zone – Transition Sector 1) / 123 E. Las Animas St. is currently developed with a 1,500 square foot residential structure; 127 E. Las Animas St. is currently vacant. **(FIGURE 2)**
3. Surrounding Zoning/Land Use:  
North: FBZ-T1 (Form-Based Zone – Transition Sector 1) / Office uses  
South: FBZ-T1 (Form-Based Zone – Transition Sector 1) / Residential uses  
East: FBZ-T1 (Form-Based Zone – Transition Sector 1) / Office, Commercial, and Residential  
West: FBZ-T1 (Form-Based Zone – Transition Sector 1) / Residential and Office
4. Comprehensive Plan/Designated 2020 Land Use: Regional Center
5. Annexation: Town of Colorado Springs, 1872
6. Master Plan/Designated Master Plan Land Use: Imagine Downtown Master Plan (2009) / Activity Center
7. Subdivisions: Colorado Springs Addition No. 2 (1874)
8. Zoning Enforcement Action: None
9. Physical Characteristics: 123 E. Las Animas St. is currently developed with a 1,500 square foot residential structure; 127 E. Las Animas St. is currently vacant.

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Fifty-six surrounding property owners were notified of the proposal shortly after the application was submitted. That notification provided instructions of how to submit comments along with the date, time and location of the public hearing. Staff has received one formal comment in response to the notification **(FIGURE 3)**. All applicable City agencies and departments were asked to review and comment and all concerns are incorporated into the required modifications listed at the conclusion of this report. Prior to the Downtown Review Board hearing, the site will be posted and postcards mailed once again.

### **ANALYSIS OF REVIEW CRITERIA AND MAJOR ISSUES**

The project site currently includes an unoccupied 2-story residential structure and the adjacent vacant lot; both lots are 3,791 square feet in size bringing the total site size to 7,584 square feet. The proposed project will convert the existing structure to a 1,500 square foot office building and construct a new 2-story 1,902 square foot office building on the vacant lot. The site will also include a new shared driveway providing access to a new 7-stall parking lot behind the two structures. **(FIGURE 4)**

The Downtown Colorado Springs Form-Based Zone (FBZ) was created to promote urban development patterns in the heart of the City. Quantifiable physical standards were created to require new structures to be located in close proximity to the public right-of-way; surface parking areas are therefore required to

be located behind structures and accessed by public alleys or shared driveways. The intent of these standards is to allow high density development that is interesting to the pedestrian and public.

Recognizing these goals, objectives, and standards, the applicant worked with Planning Staff to submit a development plan that aligned with the FBZ regulations on most issues but also took into account the character of this stretch of Las Animas St. and the forms of the surrounding structures. The proposed structure is two-stories and located within six feet of the public right-of-way. One challenge, however, is that the dominant frontage type in the area is the “common lawn” frontage where buildings are set back from the right-of-way, front yards are unfenced and visually continuous with adjacent yards and landscaping. Both the applicant and Staff agreed that the “common lawn” frontage was desirable, however, that frontage type is only permitted on civic buildings, apartment buildings, and rowhouses. As a two story, non-residential structure, the proposed office building is considered a “mixed-use building” which prohibits use of the common lawn frontage type, necessitating the Downtown Review Board’s approval of a frontage type warrant.

There are two other issues related to frontage that are both covered under the proposed frontage warrant: 1) building envelope (i.e. setback) of a mixed use building, and 2) percent glazing. Staff initially considered requiring the proposed project to request a building envelope warrant to allow the mixed use building to not be located adjacent to the right-of-way with a zero foot setback. However, as described above, the placement of the proposed building is tied directly to the use of the common lawn frontage type, which also requires a warrant. Staff determined it was duplicative to require a warrant for both frontage type and building envelope. The second frontage-related standard that deserves specific discussion, but is included in the proposed frontage warrant is percent glazing. According to the building elevations submitted with the plan, the proposed structure includes only 19% glazing along its north-facing façade where 25% glazing is required for a common lawn frontage type. Staff supports relief from this standard as the proposed structure has consistent architecture and character with other structures along both sides of Las Animas St.

The second warrant that is being process as part of this application is for parking. According to Section 2.6 of the Form-Based Code, one on-site parking stall is required for every 500 square feet of office space. And while the development plan illustrates the new building together with the renovated existing building as part of one project, each building must provide the required number of parking stalls on its individual lot. Given the size of the existing structure (1,500 square feet) and the proposed structure (1,902 square feet) only 7 stalls are required in total. While the plan illustrates 7 stalls as being provided in the proposed lot; however, 4 are located behind the existing, smaller, structure (although only 3 are required) and 3 are provided behind the new, larger, structure (although 4 are required). Although a warrant is necessary to allow the proposed configuration, Staff finds that the intent of the parking requirements is met and the warrant should therefore be approved.

Any project that requires relief from a standard must gain approval of a warrant by the Downtown Review Board. Warrants are reviewed using the five criteria found in Section 5.4 of the Form-Based Code. The criteria are:

1. Is the requested warrant consistent with the intent of the form-based code?
2. Is the requested warrant, as well as the project as a whole, consistent with Section 4 – Design Guidelines of the form-based code?
3. Is the requested warrant reasonable due to the proposed project’s exceptional civic or environmental design?
4. Is the requested warrant consistent with the Imagine Downtown Master Plan?
5. Is the requested warrant consistent with the City’s Comprehensive Plan?

As described above, the project as submitted does not meet two form-based standards: 1) frontage standards and 2) parking. After careful consideration, Staff has determined that the required warrant criteria are met and once the technical modifications described at the conclusion of this report are addressed, the plan should be approved.

**STAFF RECOMMENDATION:**

**ITEM NO: 6 CPC DP 15-00013 – 123 and 127 E. Las Animas**

**Approve** the proposed development plan and two warrants (for relief from frontage and parking standards) based on the findings that the warrant criteria found in Section 5.4 of the Downtown Colorado Springs Form-Based Code will be substantially met once the following technical modifications are made:

**Technical Modifications to the Development Plan:**

1. Add the file number to the bottom right-hand corner of each plan sheet.
2. Add the following notes:
  - a. Note that a waiver of replat is being processed for 127 E. Las Animas St. and that building permits cannot be issued until the document is recorded.
  - b. Note that the site falls within the Imagine Downtown Master Plan
  - c. Note the recordation information for the newly created cross access and parking agreement.
  - d. Note the warrants as approved by the Downtown Review Board.
3. Label the surrounding zone districts on the plan.
4. Label the height and type of new and proposed fencing on the site.
5. Address the following Engineering comments:
  - a. Show and callout a City Standard D-16 driveway apron.
  - b. Add the following note: "remove and replace sidewalk to meet current standard commercial thickness (8") behind the driveway apron."
  - c. Add the following note: "All curb, gutter, pedestrian ramps and sidewalk posing a safety hazard, damaged or exhibiting excessive deterioration along Las Animas Street adjacent to the site will need to be removed and replaced. An on-site meeting can be set up with the City Engineering Inspector to determine what, if any improvements are required. The inspector can be reached at 385-5977."
  - d. Revise the drainage report to address off-site flow to the south.
6. Address the following comments from Colorado Springs Utilities:
  - a. Provide a preliminary utility plan addressing all utility checklist items and standards.
  - b. Add the "General Notes" to the preliminary utility plan.
  - c. Submit an acceptable Hydraulic Grade Line Request Form.
  - d. Extend the public water main line per CSU standards.
7. Address the following landscape comments:
  - a. Revise the landscape chart to call out the calculations for both lots individually.
  - b. Call out the type of existing trees and reflect the mature canopy size.
  - c. Call out the side yard fence as opaque as required for standard buffers or provide justification for an alternative design.

# TremmelDesignGroup

201 E. Las Animas Street, Suite 113  
Colorado Springs, CO 80903  
719 623-5641

February 10, 2015

Attn: Ryan Tefertiller

City of Colorado Springs  
Land Use Review  
30 South Nevada Avenue, Ste. 101  
Colorado Springs, CO 80947

**Re: FBZ Development Plan and Warrants  
for 123 and 127 E. Las Animas Street  
Colorado Springs, CO**

## **PROJECT STATEMENT**

### Project Description:

The intent of the project for the two properties, 123 and 127 E. Las Animas Street, is to continue to revitalize the neighborhood south of downtown. For the property 123 E. Las Animas Street property, the owner intends to convert and remodel the existing two story residence into an office building similar to the converted residences on the north side of Las Animas Street. The square footage for this building is 1500 over two stories. For the 127 E. Las Animas Street property, the owner intends to build a new two story office building with the residential feel to integrate seamlessly into the neighborhood. The proposed square footage for this building is 1902 square feet over two stories. The structure would be wood construction. A warrant to allow a common frontage in lieu of a shopfront or gallery frontage is requested in the documentation below.

The development plan creates a shared drive and shared parking for the two properties. A draft of the cross access agreement is included in this submittal and will be completed when the development plan is approved. A warrant to allow the shared parking to meet the parking requirements per the code is requested in the documentation below.

### Project Justification

The project is consistent with the current fabric of the north side of Las Animas Street which consists of one and two story, wood frame residential buildings in a Victorian style. The new building and the remodel of the existing building will complement the current architectural detailing of the adjacent buildings. The development plan includes the street landscaping, shared parking and screened trash enclosure which is consistent with the requirements of the form-based code. Allowing this project to move forward would continue to enhance the street appearance, functionality and vibrancy intended by the code and to match the already improved north side.

### Issue List

- 1.) *Ryan to research the possibility of 10'-0" access drive to alley or 20'-0" access drive to Las Animas Street.*
  - a.) Ryan researched this issue with Traffic. A 10'-0" wide access to the alley would not be acceptable. 20'-0" is the minimum width for a commercial use. A 20'-0" wide would be acceptable to Las Animas Street.

- 2.) *New construction for 127 Las Animas requires FBZ development plan. This could be combined together with 123 Las Animas.*
  - a.) The submitted development plans included both the 123 and 127 properties.
- 3.) *Subdivision status may be needed to 127 but could be combined with 123.*
  - a.) Subdivision status was not sought for this project.
- 4.) *Front setback relief required for 127 Las Animas.*
  - a.) See warrant requests for 127 below and see the Development Plan.
- 5.) *Confirm/document the access agreement*
  - a.) On the survey from Rocky Mountain Land Services, there was a 10'-0" access agreement indicated for the 802 S. Nevada property. Also there is a 10'-0" right of way called out for the 127 property. After some research, the origin of the right of way was not conclusive as to when it was created and who was granted the access. Please find attached a letter from the Law Offices of Brian Murphy regarding his research into this matter.
- 6.) *Consider upper floor as residential units which is consistent with the Imagine Downtown's Master Plan*
  - a.) The owner would like to continue to create small business opportunities in this area of the neighborhood.

## **WARRANT REVIEW CRITERIA**

### Warrant Request for 127 E. Las Animas Street

FBZ Standard to be modified:

2.4.6 Frontage Table

Standard:

Permitted frontage for mixed use building is 'shopfront' or 'gallery' which is tight to the sidewalk.

Request:

Allow a 'common' frontage with the building more closely aligned with the adjacent buildings for the new building at 127 E. Las Animas where only 'shopfront' or 'gallery' frontage is permitted.

*Is the requested warrant consistent with the intent of the form-based code?*

The request is consistent with the intent of the code to create a cohesive look to the existing streetscape.

*Is the requested warrant, as well as the project as a whole, consistent with Section 4 - Design Guidelines of the form-based code?*

This project will create a complimentary Victorian architectural vocabulary to the buildings in the immediate surrounding area including a porch feature to create a stepback to the building. It will improve the public pedestrian access to the buildings while providing new construction to help revitalize the neighborhood.

*Is the requested warrant reasonable due to the proposed project's exceptional civic or environmental design?*

Not applicable

*Is the requested warrant consistent with the Imagine Downtown Master Plan?*

Yes, we are maintaining the current neighborhood and link to the past while creating places for economic growth, strength and vitality.

*Is the requested warrant consistent with the City's Comprehensive Plan?*

Yes, the neighborhood is being preserved with walkabout features and scale. The unique beauty of the street is being reflected with uses integrated into the current fabric.

Warrant Request for 123 and 127 E. Las Animas Street

FBZ Standard to be modified:

2.6 Parking

Standard:

1 parking space per 500 feet

Request:

To allow the total required parking count for the two properties be met with a shared parking count instead of the individually per property. We have 3 spaces where 4 are required on the 127 property and 4 spaces where 3 are required on the 123 property. The total meets with intent of the code requirement.

*Is the requested warrant consistent with the intent of the form-based code?*

The requested warrant is consistent with the intent of the parking requirements for the form-based code. Shared parking is encouraged and street parking adds to the streets activity level.

*Is the requested warrant, as well as the project as a whole, consistent with Section 4 - Design Guidelines of the form-based code?*

The requested warrant is consistent with the Section 4 – Design Guidelines as it will reinforce the current architectural vocabulary to the buildings in the immediate surrounding area including a porch feature to create a stepback to the building. It will improve the public pedestrian access to the buildings.

*Is the requested warrant reasonable due to the proposed project's exceptional civic or environmental design?*

Not applicable

*Is the requested warrant consistent with the Imagine Downtown Master Plan?*

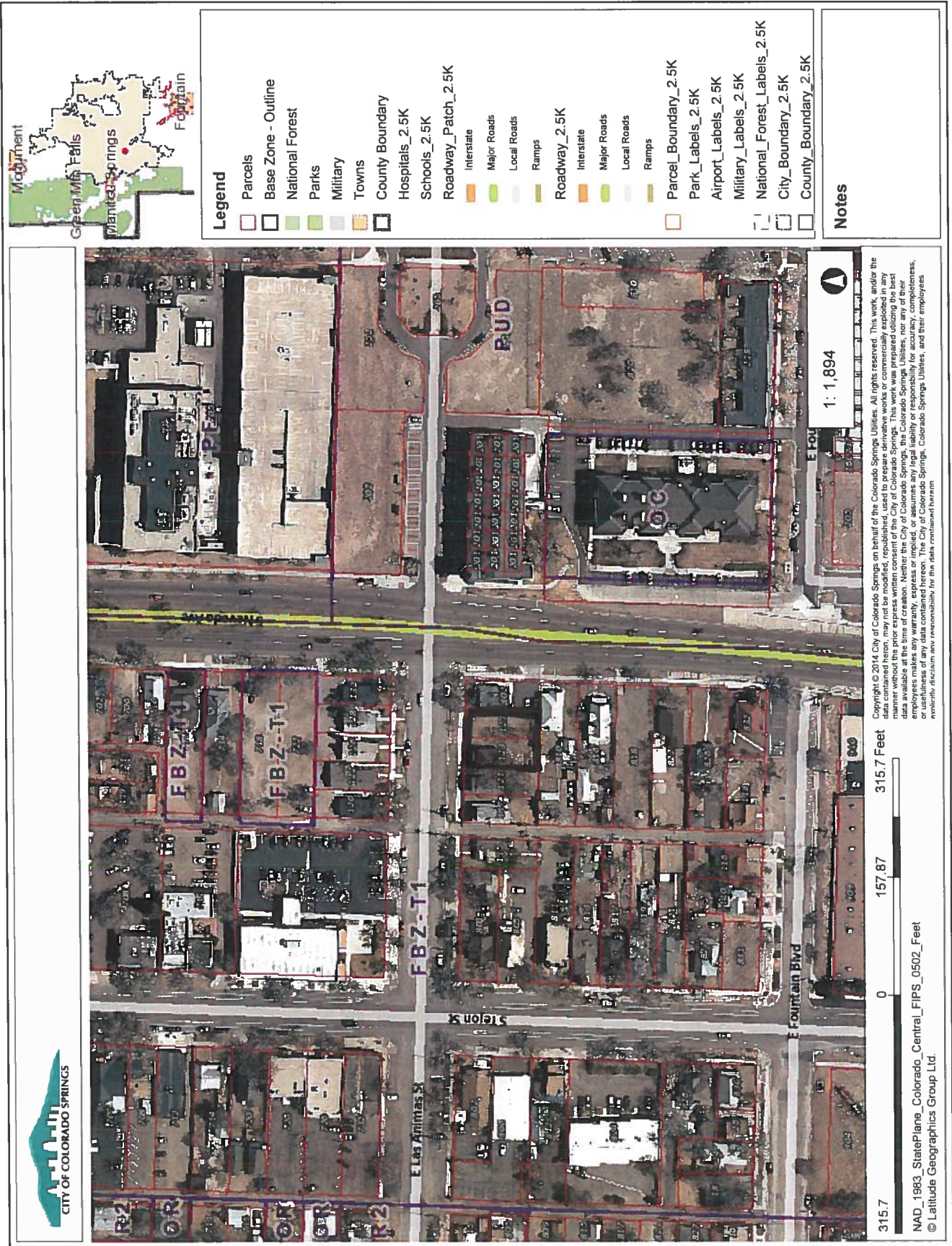
Yes, we are fulfilling the goal of providing sufficient parking while simultaneously meeting the urban context of the neighborhood.

*Is the requested warrant consistent with the City's Comprehensive Plan?*

Yes. New parking and traffic are added efficiently as possible to meet the daily needs of the residents. Connectivity is maintained with the new uses to invigorate the neighborhood.

On behalf of Chuck Murphy and as his agent in this matter, Tremmel Design Group requests favorable consideration of this Development Plan and requested warrants.





**FIGURE 2**





March 2, 2015

Ryan Tefertiller, Senior Planner  
City of Colorado Springs  
Land Use Review Division  
30 S. Nevada Ave.  
Colorado Springs, CO 80903

Dear Mr. Tefertiller,

The purpose of this letter is to express an opinion by Downtown Partnership regarding the request of Sharon Allen of Tremmel Design Group on behalf of Charles J Murphy for the properties located at 123 and 127 E Las Animas St. The request is for a parking warrant.

Downtown Partnership is generally supportive of the application for a new 2 store office building to be located on Las Animas St. Though our priorities emphasize residential and mixed use, this project will reduce blight in the area and the design fits the context of the existing buildings. If possible, we would be very supportive of one or two units of residential to be added to the building to encourage a stronger mixed use environment, however we see the project as an improvement overall.

Given the existing uses the street has minimal current parking demands. Therefore, we are supportive of the request for a parking warrant at this point in time.

Sincerely,

Sarah Harris  
Director of Business Development & Economic Vitality  
Downtown Partnership of Colorado Springs

DP XX-XXXXXX

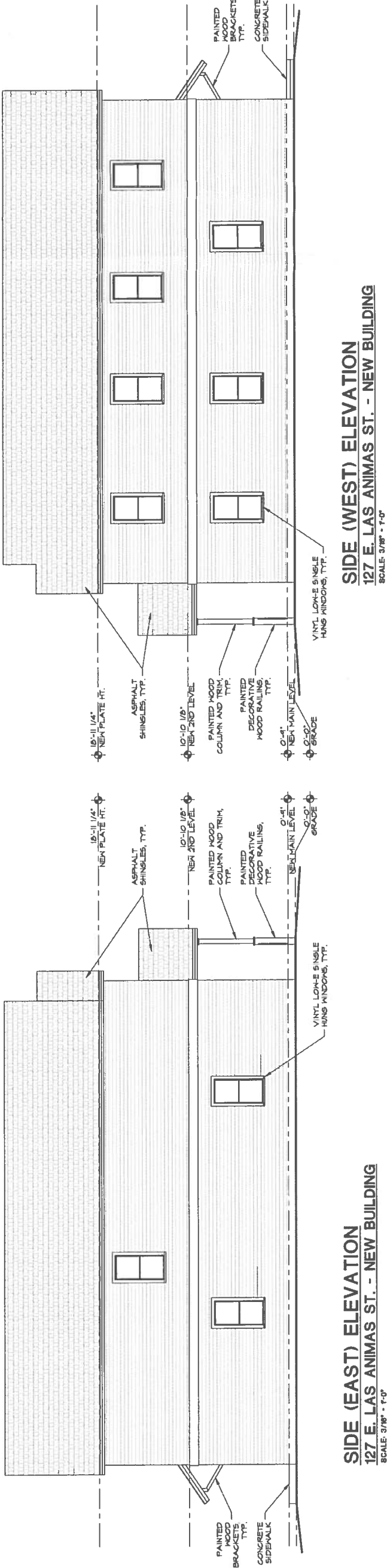
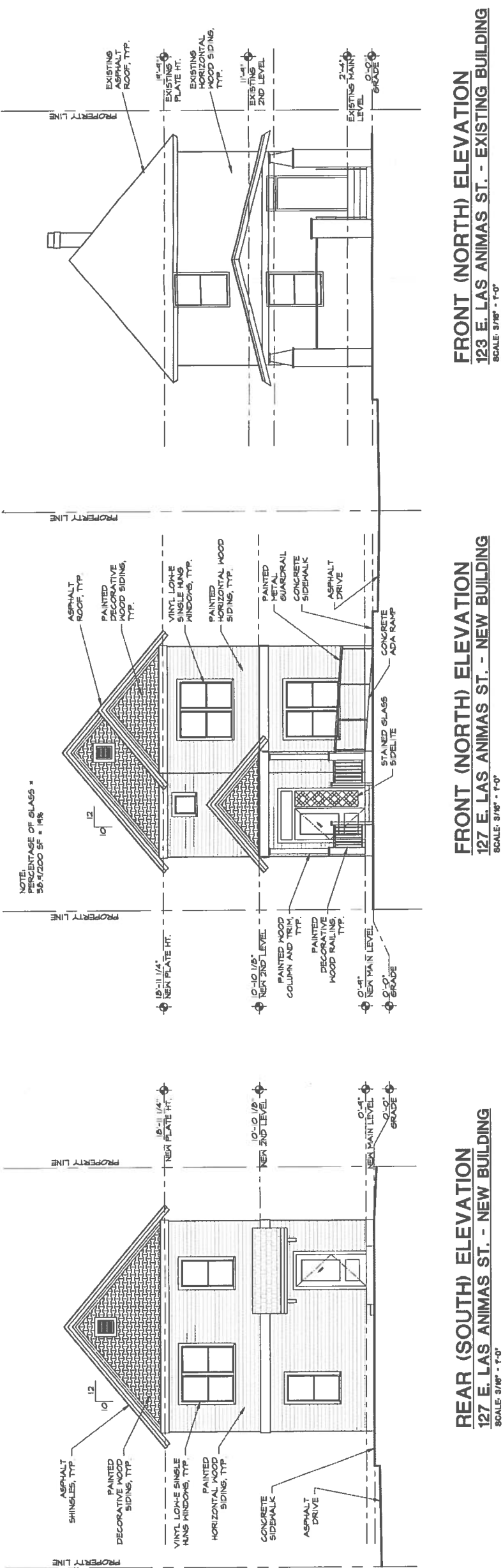


FIGURE 4

