

**DOWNTOWN REVIEW BOARD AGENDA  
FEBRUARY 7, 2023**

**STAFF: ANN ODOM**

**FILE NOs:**  
**FBZN-22-0003 – QUASI-JUDICIAL**  
**ADRF-23-0004 – QUASI-JUDICIAL**

**PROJECT: 40 W LAS VEGAS SELF STORAGE**

**OWNER: DAVID K BRINKER**

**DEVELOPER: BRYAN ARMSTRONG**

**CONSULTANT: ARCO MURRAY – CALEB BECK**



## **PROJECT SUMMARY:**

1. **Project Description:** This application was submitted to construct a 31,242 square-foot 3-story self-storage building located at 40 W Las Vegas St. The 1-acre lot is located on the north side of W Las Vegas St. roughly 800 feet west of S. Tejon St., is zoned FBZ-T1 (Form-based Zone – Transition Sector 1) and is currently used as a contractor storage yard. The project requires 2 warrants and 1 administrative relief. The first warrant would allow a 6' front setback where 0' is the maximum allowed. The second warrant would allow 3% glazing on the south building façade where 60% is required. The administrative relief would allow an 18', 2-way drive aisle where 20' is required. **(FIGURE 1)**
2. **Applicant's Project Statement:** **(FIGURE 2)**
3. **Planning and Development Team's Recommendation:** **Approval of the application with multiple conditions of approval and multiple technical modifications.**

## **BACKGROUND:**

1. **Site Address:** 40 W Las Vegas St
2. **Existing Zoning/Land Use:** FBZ-T1 (Form-Based Zone – Transition Sector 1) / Automotive storage yard
3. **Surrounding Zoning/Land Use:**  
North: R2 (Two-family Residential) / Single-family residential  
South: FBZ-COR SS (Form-Based Zone – Corridor Sector with Streamside Overlay) / Civic and Multi-Family Residential (Springs Rescue Mission campus and Greenway Flats)  
East: FBZ-T1 (Form-Based Zone – Transition Sector 1) / Light Industrial and Auto-Oriented Commercial  
West: FBZ-T1 (Form-Based Zone – Transition Sector 1) / Light Industrial (warehouse/storage)
4. **PlanCOS Vision:** Downtown activity center
5. **Annexation:** Town of Colorado Springs 1872
6. **Master Plan/Designated Master Plan Land Use:** Mill Street Neighborhood Plan/General Mixed-use
7. **Subdivision:** Brinker Subdivision
8. **Zoning Enforcement Action:** None
9. **Physical Characteristics:** This site is a 1- acre square lot that is mostly level with a steep grade change at the northern property line. There are currently no permanent structures on the property which is being used as an automotive storage yard.

**STAKEHOLDER PROCESS AND INVOLVEMENT:** The public notice for this application included the display of posters on the site and 170 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 did not receive any public comments in support or opposition to this project. 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/conditions of approval 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 north side of W Las Vegas St. just east of where Sahwatch terminates, totals 1-acre in size, and is zoned FBZ-T1 (Form Based Zone – Transition Sector 1). The site does not have any permanent structures and is currently used as an automotive storage yard. The area is a combination of mixed-use, civic, residential, and industrial use types.

The block has seen some redevelopment in the area that includes the resident enhancements to the Springs Rescue Mission and the completed construction of the Greenway Flats permanent supportive housing project. The project site is in an area of the Mill Street Neighborhood that is

characterized by larger industrial buildings and vacant, surface storage lots. Redevelopment of this area has been historically slow, and this proposed infill project will provide a nearby storage option for growing number of residential units and businesses in the downtown area.

2. Review Criteria / Design & Development Issues:

a. Project Details

The proposed project includes the construction of a new 3-story, 31,242 square-foot self-storage building. The project will also include public improvements including a new pedestrian way and amenity zone along W Las Vegas St which will provide new street trees, site lighting, and maintain connectivity along W Las Vegas St. (**FIGURE 1**).

b. Form-Based Code

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.

This project is in the Form-based zone Transition 1 sector which is intended to provide an area of transition from high-density land uses to the lower density residential and mixed-uses in the Mill Street Neighborhood while maintaining the goals of the form-based code such as establishing a distinct downtown architecture and promoting a comfortable and engaging pedestrian experience. The proposed building design requires a glazing warrant to allow 3% of the street-level south facing façade to be glazed where 60% is required for a shopfront building type. Two murals are proposed within the critical area to increase pedestrian interest; the design of the murals will be individually reviewed and approved prior to installation. While the murals are helpful to improve the design and interest of the proposed building, Staff recommends that the Downtown Review Board review establish recommendations/conditions of approval regarding acceptable façade design for the proposed building (see below for more details).

Another key standard regarding this project is the building envelope standard which requires a mixed-use building to be located at the front property line and no more than 20' of setback from the side lot line when there is no other way to access the on-street parking for the site. The intent of this standard is to avoid the creation of significant gaps in the public "street wall" and support the creation of a high-density walkable pedestrian environment. The proposed building is setback from the front property line by 6' to accommodate a pedestrian way and amenity zone which do not exist adjacent to the site today. The pedestrian way will accommodate a 6' wide sidewalk and the amenity zone will have 5 new street trees. Administrative relief is also sought for an 18' drive aisle width where 20' is required to reduce the gap in the street wall.

3. Analysis

The proposed project, a 3-story self-storage building, will offer additional storage options for the growing number of residential units in the urban core. This development will infill an underutilized downtown lot and brings redevelopment without reducing the number of residential units or burdening existing residents.

While the project will surely benefit downtown through redevelopment of an underutilized lot, it must still be evaluated using the required Form-Based Code Standards. The proposed building is considered a 'mixed-use' building (i.e. a multi-story, non-residential building) which is permitted in the T1 sector. The project includes positive improvements such as a pedestrian way and amenity zone and upgraded site landscaping however, staff believes additional considerations by the DRB are necessary to establish enhanced design and articulation of the front façade to justify the requested glazing warrant.

The five criteria that must be considered by the Downtown Review Board in order to grant the requested building envelope and glazing 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 the Glazing Warrant is justified because they are proposing to include two murals within the 'critical area' which is the area between 18" and 10' above grade. They have also included glazing on the third story of the building outside of the critical area. Staff finds that these are positive improvements to the structure but additional architectural improvements are necessary to comply with the required warrant criteria. Staff has determined that the proposed façade does not meet the design guidelines because of the homogenous material palette and the minimal glazing proposed along the pedestrian way. The lack of building articulation also creates a monotonous façade that does little to enhance the streetscape. Staff requests that the DRB establish recommendations/conditions of approval regarding acceptable façade design for the proposed building.

Design guidelines can be found in section 4.1 of the Form-based Code, these guidelines should be considered when designing projects in the form-based zone, especially those that require warrants or other instances of relief to complete the project. Some of the design guidelines referenced in the form-based code that are not well aligned with the proposed building design include architectural encroachments and architectural details. Architectural encroachments such as stoops, and awnings enhance the pedestrian character by providing shade, interest and 3-dimensional depth. Additionally, the form-based code recommends that architectural detail be provided at a minimum on the first 2 floors. Architectural detail should be incorporated into a variety of façade elements and should establish a varied building texture and highlight façade articulation. Staff provided examples of desired building elements at the time the 1<sup>st</sup> review was issued; however, staff finds that the improved design does not meet the intent of the design guidelines. **(Figure 2)**. Staff recommends that the DRB decide between the following four options regarding this application's resolution.

1. approve as is,
2. approve with the requirement to work with Staff on an improved design,
3. send the project back to staff for improvement but require future DRB review prior to final approval or,
4. deny the application.

If conditions of approval are established by the DRB, the conditions should be detailed and objective, so Staff is able to determine if the revised plans meet the intent of the DRB's conditions. The proposed motion at the end of the report recommends option 2.

The applicant has also proposed that the building envelope warrant is justified because they are using the increased setback to accommodate a 6' wide pedestrian way and using the off-site right-of-way as an amenity zone where they will introduce 5 new street trees while maintaining sidewalk connectivity in the area. Staff supports this request and agrees with the applicant regarding compliance with the required warrant criteria for this issue.

The four criteria that must be considered by the Downtown Review Board in order to grant the requested administrative relief for drive aisle width found in City Code section 7.5.1102 are:

- A. The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or

- exceptional physical conditions that do not generally exist in nearby properties in the same zoning district and such conditions will not allow a reasonable use of the property in its current zone in the absence of relief.
- B. The intent of this Zoning Code and the specific regulation in question is preserved.
  - C. The granting of the administrative relief will not result in an adverse impact on surrounding properties.
  - D. The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel. Administrative relief shall not be used to create or modify lots to the extent that they no longer meet the minimum lot size for the zone district in which they are located

The applicant proposes that the administrative relief for an 18' drive aisle where 20' is required is justified because it will allow for functional access to the site, landscape buffering from the neighbor to the east while meeting the building envelope standard of a 20' maximum side setback. Staff agrees with this request and supports the necessary administrative relief.

After careful consideration of the review criteria and the conditions of the surrounding area, Staff concludes that the review criteria have been substantially met for the building envelope warrant and administrative relief for drive aisle width. Staff recommends that the Downtown Review Board review establish recommendations/conditions of approval regarding acceptable façade design for the proposed building to justify those implications of the glazing warrant. Staff also recommends two conditions of approval requiring the plan to be updated to meet Colorado Springs Utilities and SWENT acceptance of the drainage report and facilities details.

#### 4. 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 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 thriving economy of downtown. A business like 40 W Las Vegas Self Storage would attract other

developments that would result in increased density and the mixed uses to which PlanCOS aspires.

5. Conformance with the Area's Master Plan:

The Mill Street Neighborhood Plan 'Exploring New Uses' map shows this area as "General Mixed Use." In accordance with the neighborhood plan, the proposed commercial use and mixed-use building type would be woven into the existing character of the neighborhood and revitalize a previously underdeveloped automotive storage lot. General mixed-use areas are to be designed as pedestrian friendly and serve as transitions to the surrounding areas." The proposed use of 40 W Las Vegas self-storage fits well within the General Mixed-Use definition and will support surrounding residences.

After careful consideration, Staff has determined that the required criteria for the Development Plan, building envelope Warrant, and administrative relief for drive aisle width are met. Staff recommends that the DRB establish conditions of approval regarding acceptable façade design for the proposed building. Once the technical modifications and conditions of approval described below are addressed, the plan can be approved.

**STAFF RECOMMENDATION:**

**Item No: FBZN-22-0003 – 40 W Las Vegas Self-Storage**

**Approve** the 40 W Las Vegas Form-Based Zone Development Plan with Glazing and Building Envelope Warrants based upon the findings that the application complies with the review criteria for Development Plans and warrants subject to compliance with the following conditions of approval and technical plan modifications:

**Item No: ADRF-23-0004 – 40 W Las Vegas Self-Storage Administrative Relief**

**Approve** the 40 W Las Vegas Form-Based Zone Administrative Relief based upon the finding that the application complies with the review criteria for administrative relief applications subject to compliance with the following conditions of approval and technical plan modifications:

Conditions of Approval on Development Plan:

1. SWENT approval of drainage report
2. Colorado Springs Utilities and SWENT acceptance of utility plan.
3. Update the building architecture to better comply with form-based design guidelines which may include;
  - a. Add more awnings to increase depth
  - b. Increase glazing to 25%
  - c. Modulate the façade to create depth and articulation up through the second story

Technical and Informational Modifications to the Development Plan:

1. Gain approval of a revocable permit for all private encroachments into the public right-of-way.
2. Provide clarifying information regarding site drainage and sidewalk connectivity
3. Provide modifications to alleviate any utility and easement conflicts with landscaping.
4. Update site data information to reflect code requirements.