

**DOWNTOWN REVIEW BOARD AGENDA  
DECEMBER 1, 2021**

**STAFF: RYAN TEFERTILLER**

**FILE NO:  
CPC CU 21-00152 – QUASI-JUDICIAL**

**PROJECT: WAHSATCH AND RIO GRANDE APARTMENTS**

**OWNER: WAHSATCH PROPERTIES & THOMAS HACKLE**

**DEVELOPER: GREYSTAR DEVELOPMENT CENTRAL, LLC**

**CONSULTANT: KIMLEY-HORN AND ASSOCIATES, INC.**



**PROJECT SUMMARY:**

1. Project Description: The subject application was submitted to allow construction of a new six-story 207-unit apartment building with 212 off-street parking stalls. The 1.4 acre site is located on the northwest corner of E. Rio Grande St. and S. Wahsatch Ave., is zoned FBZ-T2B (Form-Based Zone – Transition Sector 2B), and is currently occupied by an auto repair building and vehicle storage yard. The project requires use of Density Bonus points to allow a 6-story building in the Transition 2B Sector as well as a Warrant for building envelopes. **(FIGURE 1)**
2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Team's Recommendation: **Approval of the application with technical modifications.**

### **BACKGROUND:**

1. Site Address: 602 and 606 S. Wahsatch St. as well as 322 and 324 E. Rio Grande Ave.
2. Existing Zoning/Land Use: FBZ-T2B (Form-Based Zone – Transition Sector 2B) (**FIGURE 3**)
3. Surrounding Zoning/Land Use:
  - North: FBZ-T2B / commercial uses and residential uses
  - South: PUD / residential, medical office uses
  - East: FBZ-T2B and M1 / commercial and light industrial uses as well as creek and trail
  - West: FBZ-T2B / commercial, office and residential uses
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: Wahsatch Subdivision (2005) and Addition No. 1 to the Town of Colorado Springs (1873) – A replat of the property (Wahsatch Subdivision No. 2) is being reviewed administratively.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site has been developed with a one-story auto repair building (1955) and a vehicle storage yard. The site slopes from west to east with roughly 10 feet of fall from the high point near the southwest corner of the site to the low point near the southeast corner of the site.

**STAKEHOLDER PROCESS AND INVOLVEMENT:** The public notice for this application included the display of posters on the site and 180 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 has received one letter of support from stakeholders regarding the project. The letter of support is included as **FIGURE 4** of this staff report. The site will be posted and postcards mailed prior to the DRB hearing. Any additional formal communications received by Staff just prior to the hearing will be made available at the hearing.

The application was reviewed by all standard City agencies including, Public Works, Traffic Engineering, Colorado Springs Utilities, Water Resource Engineering, Parks and Recreation, and others. All reviewers support the project; any remaining technical concerns are included as Technical Modifications at the end of this report.

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

#### **1. Background**

The subject property is located on the northwest corner of S. Wahsatch Ave. and E. Rio Grande St., totals 1.4 acres in size, and is zoned FBZ-T2B (Form-Based Zone – Transition Sector 2B). The area is a mix of auto-related and light industrial uses, civic uses (US Forest Services offices immediately west), and other residential uses. The site is immediately north of the northern edge of the Lowell redevelopment area where a 62-unit multi-family project is currently under construction. Just over 100 feet north and west of the site, a 277-unit apartment building is just beginning construction; this project is also a Greystar project. Multiple similar apartment projects are planned in the immediate area.

The eastern edge of the Form-Based Zone, what the Experience Downtown Master Plan refers to as “the New South End – a quirky mix of historic and rejuvenated industrial, commercial, and residential properties,” has seen intense interest from multiple residential developers over the last few years. The South Weber and South Wahsatch corridors will have roughly 1,000 apartment units under construction by the end of 2021 with more projects, including the subject project, likely to begin construction in the first half of 2022. While many properties in the area are redeveloping, older residential, office, service, and even light industrial uses are still common in the area. The area has been attractive for redevelopment efforts due in large part to the ability to assemble larger sites, but also due to area's proximity to multiple destinations and employment centers in the south half of Downtown.

## 2. Review Criteria / Design & Development Issues:

### a. Project Details

The proposed project includes the demolition of the existing auto repair building on the site and the construction of a new 6-story, 207-unit apartment building. The project includes 212 off-street parking stalls, 20 of which are immediately west of the building in a surface parking lot while all others are within a two-level parking structure making up much of the basement and ground floors of the proposed building. The project also includes public improvements along both S. Wahsatch Ave. and E. Rio Grande St. as well as a range of private improvements including a roughly 1,700 square foot dog run at the northern corner of the site.

As discussed above, the site has a notable amount of slope compared to most sites within the Downtown Form-Based Zone, particularly along the southern edge of the site where there is roughly 10 feet of fall from the southwestern corner of the site to the southeastern corner of the site. The proposed building takes advantage of that slope with units that include an internal mezzanine level along Wahsatch, and perhaps more importantly, the internal parking structure is flat and has no internal ramping, instead relying on a lower-level entry from the east and an upper-level access from the west.

The proposed project is well positioned to meet most Building Envelope standards in that much of the building is located at the front property lines along S. Wahsatch Ave. and E. Rio Grande St. Due to the irregular triangle shape at the north edge of the site, the building does not extend for the full S. Wahsatch Ave. frontage. Additionally, the building does not extend all the way west to the public alley. The western-most portion of the site is utilized for an underground stormwater facility, surface parking, and some utility-related infrastructure (e.g. generator and electrical vaults).

### b. Form-Based Code

The Downtown Colorado Springs Form-Based Code implements physical standards that result in the development of a pedestrian-friendly, high-density, mixed-use area. New buildings are required to be constructed in close proximity to the sidewalk and building facades must include high levels of glazing to maximize pedestrian interest. Parking requirements are reduced compared to other zone districts but surface lots are required to be located at the rear of the site largely screened from the public realm.

The Downtown Form-Based Zone is divided into a number of Sectors, each of which have specific standards. The subject property is within the Transition 2B Sector, which has the lowest density and building height allowances. While multi-family residential use and apartment buildings are permitted within the Sector, the maximum building height by right is only 4-stories. The intent of this limit is to provide a transition in bulk and scale to traditionally zoned properties on the edge of Downtown. Projects may exceed the 4-story building height by one of two methods: gain approval of adequate density bonus points or gain approval of a building height Warrant. The proposed project is requesting density bonus points based on the range of socially beneficial actions that are incorporated into the project.

The other key standard relative to this project is the Building Envelope standard which requires an apartment building to be located within 10 feet from the side lot lines. 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. As described above, the subject property is triangular shape at the north edge of the site and extending the building to within 10 feet of the northern-most point is challenging. A Building Envelope Warrant is necessary to allow the proposed building to proceed as designed.

### c. Analysis

The proposed project, with 207 apartment units will be a significant step forward in adding more residents to our urban core. Those residents will be more likely to eat, drink and shop downtown

creating a huge benefit to local businesses. Furthermore, urban residents make employers more likely to locate (or stay) downtown as nearby, high-quality housing is extremely desirable to members of the workforce. Additional urban housing opportunities has been one of the primary goals of the Downtown Master Plan for decades. Specifically, the Experience Downtown Master Plan (2016) includes the creation of a “diverse and inclusive place to live, integrated with adjacent neighborhoods” as one of the 8 primary plan goals.

While the project will surely benefit downtown through the creation of significant new housing opportunities, it must still be evaluated using the required Form-Based Code Standards. The proposed building is considered an “apartment building” which is permitted in the T2B Sector. The proposed building is well designed with high levels of glazing and a mix of storefront and stoop frontages to allow adequate privacy to street level residents. Adjacent public spaces along S. Wahsatch Ave. and E. Rio Grande St. will be improved with wide sidewalks, street trees, benches, bike racks, and landscape amenities.

The key standard that deserves attention from the DRB is building height. When the Form-Based Zone was initially drafted, some stakeholders requested height limits at the edges of the zone that would provide a transition from the Central Sector where there is no limit on building height to the surrounding areas outside of the Form-Based Zone where most buildings are one or two stories in height. As such the Transition 1 and Transition 2 Sectors were established on the edges of Downtown, specifically, along the N. Tejon corridor, as well as the northeast and southeast edges of the zone. The subject property is zoned FBZ-T2B, which limits the height of most buildings to 4-stories. However, project proponents can utilize Section 3 of the Code to earn Density Bonus points and increase building height to 6 stories.

As discussed above, Density Bonus points can be earned when a project includes “socially beneficial building elements.” The proposed project includes a wide range of elements that earn more than enough density bonus points to allow a 6-story building; examples include: alley improvements; market rate housing units; high efficiency water heaters; underground parking; and bike storage. In total, the project qualifies for 52 density bonus points where only 5 points are needed for the two additional stories.

Under the current Code, Density Bonus points can only be awarded by the Downtown Review Board. The Board must verify that the required number of Density Bonus actions are reflected on the development plan and that the additional building height is justified. The public hearing is also an opportunity for stakeholders to provide input to the Board whether they are supportive or have concerns about the proposal.

In addition to the granting of the project’s requested Density Bonus Points, the Board must act on the necessary Building Envelope Warrant. Any project that requires relief from a Form-Based 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 Downtown Master Plan?
5. Is the requested Warrant consistent with the City’s Comprehensive Plan?

As discussed above, the shape of the subject property makes it very difficult to meet the maximum side setback at the northeastern corner of the property. Staff finds that the proposed building design extends as far north as is reasonable and makes effective use of the northern triangle for a fenced dog run area. Staff finds that the proposed building design is well aligned with the intent of the Form-Based Code, the design guidelines found in Section 4 of the regulating

plan, and the Downtown Master Plan. The project is also well aligned with the City's Comprehensive Plan. Planning Staff finds that the required Warrant criteria are met and recommends approval of the proposed design.

d. Technical Issues

The development plan for this project has gone through two rounds of City review (initial submittal and one resubmittal). While some technical issues remain, the majority of initial comments have been fully resolved. City Staff is confident that all these issues can be resolved without any major changes to the plan presented to the Downtown Review Board. All required technical modifications that must be addressed prior to final approval are listed below.

3. Conformance with the City Comprehensive Plan:

The proposed apartment project is consistent with a number of provisions within the City's Comprehensive Plan. The new residential units will help establish Downtown as a vibrant neighborhood in addition to the economic and cultural heart of the City. The proposed improvements will transform the subject properties into high density designs with significant public improvements and place-making. This is an outstanding example of an infill project that will benefit the surrounding area as well as the City as a whole. The proposed project is well aligned with nearly every goal of PlanCOS.

4. Conformance with the Area's Master Plan:

The subject property falls within the 2016 Experience Downtown Master Plan. The proposed use, building and density are all well aligned with the Plan. The project adheres to many of the 8 primary plan goals, including: Goal 1 – Economic and Cultural Heart of the Region; Goal 2 – Diverse and Inclusive Place to Live, Integrated with Adjacent Neighborhoods; Goal 4 – A Place for Healthy and Active Lifestyles; Goal 5 – A Walkable and Bike-Friendly Center Connected Through Safe and Accessible Multi-Modal Networks; and Goal 6 – A Leader in Innovative Urban Design and Sustainability.

**STAFF RECOMMENDATION:**

**Item No: 4      CPC DP 21-00152 – WAHSATCH AND RIO GRANDE APARTMENTS**

**Approve** the Wahsatch and Rio Grande Apartments Form-Based Zone development plan with Density Bonus Points to allow a six-story building and a Building Envelope Warrant, based upon the findings that the application includes adequate density bonus provisions and complies with the criteria for granting a Warrant, subject to compliance with the following conditions of approval and technical plan modifications:

Technical and Informational Modifications to the Form-Based Zone Development Plan:

1. Gain acceptance of the project's drainage report and update the development plan (if needed) to reflect consistency with the report.
2. Finalize approval of the necessary revocable permits for the project.
3. Update the Legal description on sheet 1 to accurately reflect the project site.
4. Clarify or correct the parking provided figure on sheet one to reflect the number of stalls provided on site.
5. Provide additional details for the above ground utility infrastructure near the alley access point to ensure that sight visibility is adequate.
6. Complete the grading plan to tie proposed contours into off-site existing contours.
7. Update the bench detail to show a center rail.
8. Modify the landscape plan proposed shrubs at the dog run area to account for minimal solar exposure.
9. Update the labels for the projects water quality and detention facility as required by Stormwater Staff.
10. Update the plan to illustrate new Wahsatch bike lanes as required by the City's Bike Planner.
11. Update the preliminary utility sheet to address CSU staff concerns including retaining wall details, meter locations, and gas main sizing.
12. Revise the plan to clarify and correct property boundary dimensions and easement details as required by the City's Surveyor.