



City of Colorado Springs

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Meeting Minutes - Draft Downtown Review Board

Thursday, June 2, 2022

8:30 AM

Open to the Public
Ph: 720-617-3426 ID: 453 209 693#

How to Watch the Meeting...

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How to Comment on Agenda Items

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<https://rb.gy/u1q75t>

For those who participate by calling in, you will be muted upon entry to the meeting. Once an item has been heard, the Chair will open the public portion of the hearing for those who wish to comment. There is a three (3) minute time limit for each person. In order to speak, you must press *6 on your phone to unmute yourself.

1. Call to Order and Roll Call

Present: 7 - Chair Hahn, Board member Nicklasson, Board member Mikulas, Chair Lord, Board member Kuosman, Board member Friesema and Board member Nolette

Excused: 2 - Vice Chair Raughton and Board member Heggem

2. Approval of the Minutes

[DRB 22-347](#) Minutes for the April 7, 2022 Downtown Review Board meeting.

Presenter:

David Lord, Vice Chair of the Downtown Review Board

Postponed as the minutes are not ready.

3. COMMUNICATIONS

Ryan Tefertiller - Urban Planning Manager

Ryan Tefertiller, Urban Planning Manager

Mr. Tefertiller stated the soft launch for the Downtown Shuttle has been running for approximately the past on Tejon Street every 7 - 10 minutes. Half of the stations are complete and working to finish the last few stations. They hope to have a form ribbon cutting and hard launch in the next few

weeks.

Today in the late afternoon is the formal kickoff for the 2022 Art on the Street program. Some new works throughout downtown for mural sculptures as well as other pieces. This is a great program that brings vibrancy and culture to the downtown.

Mr. Tefertiller recognized Ann Odom who worked closely with the people at A Community Ventures to permit and approve all those installations for this year.

We have a new modified meeting schedule for the rest of 2022. This facility is no longer available to us, so we've had to find an adequate facility with property IT setup to broadcast and record the meetings going forward. Both Planning Commission and the Downtown Review Board are scheduled to move to the Pikes Peak Regional Building Department, or RDC out on International Circle beginning in July. We've held DRB meetings the first Thursday of each month but at RDC Thursdays were already booked, so we've had to move the DRB meetings to the 1st Tuesday of each month. Let us know if you have any questions or concerns about that. A schedule was sent out last week. Ms. Elena Lobato is updating the calendar invite and will send out a finalized one when it is complete. We're doing final testing to make sure the IT and software all works.

We'll also have a new start time for the meetings which is 9:00AM instead of 8:30AM. This allows a bit more time to make sure everything is up and running smoothly.

Ms. Lobato stated if RDC was not ready they will still have their meeting on Thursday in July 7th. Mr. Tefertiller said to keep both the 5th and the 7th and we'll let you know if there will be a meeting. He was fairly certain they will have a meeting but he would keep everyone posted.

4. CONSENT CALENDAR

5. UNFINISHED BUSINESS

6. NEW BUSINESS CALENDAR

[CPC DP
22-00019](#)

A Form-Based Zone Development Plan with Density Bonus provisions and Height and Parking Warrants to allow construction of a 7-story, 214-unit apartment project on 1.31 acres. The site is located on the southwest corner of E. Cimarron St. and S. Weber St., and is zoned FBZ-T2B (Form-Based Zone - Transition Sector 2B)

Presenter:

Ryan Tefertiller, Planning Manager, Urban Planning Division

Attachments: [Cimarron Apartments DRB Staff Report](#)

[Figure 1 - Cimarron Apartments DP](#)

[Figure 2 - Cimarron Apartments Project Statement](#)

[Figure 3 - Cimarron Apartments Zoning Exhibit](#)

[Figure 4 - Cimarron Apartments Stakeholder input](#)

Board Member Disclosures before New Business Item begins:

Board Member Nolette disclosed he owns the Bread and Butter and the Boys Club building which is a block away at Moreno and Nevada but thought he could give a fair and impartial assessment of the project.

Board Member Mikulas disclosed he owns a property catty-corner at Cimarron and Nevada but he too thought he could render a fair and impartial assessment of the project.

City Attorney Lisa O'Boyle stated both statements from the Board Members were sufficient and reasonable and thanked them for their disclosures.

Staff Presentation:

Ryan Tefertiller, Urban Planning Manager, gave a PowerPoint presentation with the history of the site and the scope and intent of this project.

BACKGROUND:

- Site Address: 225 E. Cimarron St.
- Existing Zoning/Land Use: FBZ-T2B (Form-Based Zone - Transition Sector 2B) **(FIGURE 3)**
- Surrounding Zoning/Land Use:
 - North: FBZ-T2B / commercial and lodging uses
 - South: FBZ-T2B / commercial and office uses
 - East: FBZ-T2B / multifamily residential uses (under construction)
 - West: FBZ-COR / commercial and office uses
- PlanCOS Vision: Downtown Activity Center
- Annexation: Town of Colorado Springs (1872)
- Master Plan/Designated Master Plan Land Use: Experience Downtown Master Plan (2016) / General Mixed-Use
- Subdivision: Town of Colorado Springs (1871) - A replat of the property to create one lot is currently being reviewed administratively.
- Zoning Enforcement Action: None
- Physical Characteristics: The site is relatively flat and has frontage on both E. Cimarron St. and S.

Weber St. The site is largely vacant with a few elm trees near the southern portions. The site is currently being used for construction staging for the project immediately east across Weber St.

Highlight of Staff Presentation:

- 7-Story, 214-unit apartment building
- Market rate units
- 214 off-street, structured parking stalls
- Use of Density Bonus to add 5th and 6th floors
- Warrant for building height to add 7th floor
- Warrant for parking related to stall size
- Warrants are consistent with the intent with the Form-Based Code, the Experience Downtown Master Plan and the City's Comprehensive Plan.
- Use of a unique tree planting system to help maintain and increase the long term sustainability of our public street trees.
 - Provider will make sure if the system doesn't work and the sidewalks need replaced they will do that.

Public Notice:

- 120 property properties on two different occasions.
 - Initial internal review
 - Prior to DRB
- Site was posted for internal review and for DRB

Staff Recommendations:**CPC DP 22-00019 - CIMARRON APARTMENTS**

Approve the Cimarron Apartments Form-Based Zone development plan with Density Bonus Points to allow a seven-story building and Warrants for building height and parking stall size, based upon the findings that the application includes adequate density bonus provisions and complies with the criteria for granting Warrants, 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 ensure that the development plan accurately reflects any necessary stormwater details.
2. Gain acceptance of a private maintenance agreement for the tree planting system within the public right-of-way.
3. Gain approval of a revocable permit for all private encroachments into the public right-of-way.
4. Update the revocable permit plan note to specifically list all encroachments covered by the project's revocable permit.

5. Clarify the plan labels and details to document that City standards are met for color, material, and scoring of the pedestrian way.
6. Update the parking plan to document that the necessary number and type of ADA parking stalls are provided.
7. Provide a dog run detail regarding subsurface drainage within the facility.

Questions of Staff:

Board Member Lord asked about parking because it will be relatively dense. Where is guest parking? Greystar's apartment complex is across the street, where does everyone park, and will there be problems on this end of town with all the different functions?

Mr. Tefertiller stated Cimarron does not have on-street parking. It's a four-lane cross section with a center turn lane. Weber has parallel parking along both sides as of today. There are multiple curb cuts along Weber that limit the number of parallel parking stalls. Those curb cuts will both be removed as part of this project so the full length of the Weber frontage will be available for on-street parking. There is also angled public parking on Moreno including a quasi-private lot east of Weber that was built and maintained via a revocable permit from an owner to the east. Mr. Tefertiller believed some of those will be available for guest parking for Greystar and he thought the owners worked out an agreement with Greystar to allow some of those to be used for off peak hours for guest parking. The hope is those coming to visit residents will use transit, micro mobility, or walking to visit people living here. There's the shuttle, and parking garages but they aren't within the immediate area.

Board Member Lord clarified that in the code they don't have to allow for any guest parking in their parking garage, correct? Mr. Tefertiller stated that was correct. The Form-Based Code parking standard is based on the number of residential units, one to one basis.

Board Member Nicklasson asked if the City had received any complaints regarding the ECO Apartments as well as the May in connection with guest parking.

Mr. Tefertiller said he hasn't heard any complaints from adjacent property owners for either of those projects. Planning works closely with the Parking Enterprise as well as property owners and developers to come up with the best solution for parking management.

Board Member Nicklasson stated as an apartment owner in the downtown area they've never received complaints from their residents or their guests about not having designated guest parking areas and from an observation

she regularly saw parking spaces available around the Eco Apartments.

Mr. Tefertiller further added the peak demand for guests would be in the evening when demand for other on-street parking would be reduced and that offset time works well for guest parking.

Applicant Presentation:

Mr. Doug Smith, SVP with Formative, asked Sean Campbell, founder of Formative gave a brief intro about the project and why they chose Colorado Springs.

Highlights of Mr. Sean Campbell's statement:

- First project in Colorado Springs.
- They see themselves as community builders and economic development partners.
- Very active in downtown Denver for over 12 years.
 - Integral in developing the Warehouse District in Denver now called the Rhino Arts District or River North Arts District
- Their projects work to have vitality and vibrance while focusing on the ground place and how it interacts with the neighborhood and being authentic.
- Cimarron Apartments are integrated around an active, outdoor, downtown lifestyle.
- Project is parts and pieces of a greater neighborhood that's starting to take flight.
- This is an opt zone project, so they'll be stewards of the neighborhood alongside them for the next 10 years.

Highlights of Mr. Lupe Cantu presentation:

- Deck provides a more intent of the project as well aesthetics of the project.
- Want a strong architectural edge rooted in the pedestrian experience as well as providing a unique experience for the tenants.
- Working to provide a different aesthetic from the Greystar project
- 214 Apartments
- Apartment types
 - 25% studios
 - 56% one-bedroom
 - Rest are two-bedrooms
- Trying a different take on how they approach the architecture
- Reason for the warrant is to provide additional activation with the lobby space along Weber and Cimarron to add additional square footage for tenant use with no change to exterior
- Trying to introduce a different way of walking that space especially as the pedestrian experience works

- Trying to add a higher sense of nature and the love of nature back into the experience along Cimarron and Weber
- The Height Warrant reasons
 - Double height lobby space
 - Sense of openness for the public and how you're brought into the building
 - Take advantage of two story fitness and conference bases
 - Co-working areas
- Area for added interior and exterior pet experience
 - Artificial turf, fully irrigated to keep clean and free of smells
 - Dog wash area
 - Density bonus
 - Bike and ski storage area
- Amenity area facing toward the West End
 - Not visible from public unless walking the alley

Questions of Applicant:

Board Member Lord thought project was gorgeous but had questions regarding parking, mailman, and deliveries along with employee parking. Mr. Smith stated Mr. Teferiller gave a good explanation of parking around the site with some day, night and weekend shifts that employees and guests can utilize for the day to day operation and where we'd have a lot of the loading. Mail truck can come in the garage, unload, go to the mail room or they can park off Weber or at an adjacent street stall. Same with tenant move in.

Mr. Cantu stated they'll work through any concerns as they come up and discuss the ability to add additional parking on that side of the street once the curb cuts were removed.

Board Member Lord asked if they'd had conversations with City Parking to have two or three unloading spaces and was the Parking Enterprise putting metered parking all around. Mr. Cantu stated Ryan would be able to address metered parking.

Mr. Tefertiller stated he was 99% sure by the time this project and the Greystar project neared completion there will be added parking meters along South Weber where there are none now. The Parking Enterprise is working on a couple of programs for loading and delivery rideshare very short term spaces that could be done two ways. One is an annual permit to allow for what would otherwise be a metered stall for be used for valet or loading. The other way is to have extremely short term meters, 5 - 10 minutes, where you are required to feed the meter with money or an app. The stall could be used by Uber Eats, a delivery person or someone who comes to feed your animals. The Parking Enterprise is willing to work with

developers and property owners to figure out the best way to do this with those adjacent to these projects.

(Audio difficulties at 0:53:20 - question asked but unable to hear what it is about)

Mr. Tefertiller responds to the question by stating they have not required a long term bond or assurance for the system but are requiring a maintenance agreement that will be signed and kept by the City. If the system fails and there's damage or subsidence, sinking of the sidewalk it will be the developers responsibility. Mr. Smith stated the agreement has been drafted, their counsel reviewed and modified it a bit and it's back for review in Mr. Tefertiller's court. Mr. Tefertiller stated finalization and signatures on this is one of the technical modifications at the end of the staff report.

Board Member Hahn asked if quantitatively based on the demand, the units, and specific number of spaces as well as for deliveries if they had any type of numbers. Mr. Smith stated they didn't, but they could follow up with that information. They're the same property manager as the Eco and May so they may have some data and would check with them. Board Member Hahn thought it would be good information if it was available.

Board Member Mikulas stated when the Greystar project was presented to them they had a long discussion about traffic entering and exiting the parking garage. Cimarron is fairly busy street with a traffic light to the west, how will the traffic look with this project going in and out of their garage. Mr. Cantu stated they were very meticulous with the overall design to provide enough stacking within the alley space to allow that slower release on to either Cimarron or Moreno. From the traffic study no concerns were raised related to the number of cars they were providing into the system or their location for their exit points.

Board Member Mikulas asked if the primary entry is by the alley in between Weber and Nevada. Mr. Cantu state it was. Board Member Mikulas asked if they had concerns about backing up traffic, turning right or exiting, turning into the ally space, or turning out of it. Mr. Cantu said he did not, and there were concerns from the traffic study about that either.

Board Member Friesma asked if the alley was one way or two. Mr. Cantu said it was two-way. Mr. Tefertiller confirmed is was a two-way alley and City Traffic Engineering does not have a specific process to restricting access in an alley. If there's a safety issue for the alley then converting it to a one-way alley would be a good solution that could be done in the future. Traffic Engineering reviewed this application same as they did with the

Grey Star project and determine the use of the alley was adequate and the volumes, speeds, and movements needed for this project were reasonable and consistent with what we've seen throughout the rest of Downtown.

Board Member Lord stated he thought further south the alley will run through the car wash, but going north, you'd take a left hand turn onto Cimarron, Cimarron gets a bit of traffic going south down to Moreno now, so with the traffic coming and in and out and going up and down the alley that maybe it should have some attention.

Mr. Tefertiller stated the number of vehicles using this alley will increase significantly with this project when completed. However, this is exactly what we want to use our alleys used for. We want to minimize pedestrian vehicle conflicts and have access points be off alleys. With this project if you use Weber or Cimarron for direct access but then you're increasing the pedestrian vehicle conflict points. You're also affecting the amount of landscaping and streetscape hardscape improvements that can be done because they're now used for drives. This design is what the Form Based Zone advocates for.

Mr. Tefertiller stated regarding the car wash, there is a carwash immediately south/southwest that relies on a piece of property to the east of the ally for their vacuums and drying facility. Appropriate directional signage could help in this area.

Board Member Mikulas as about the type of foliage and trees they'll be using. Mr. Cantu stated their goal is for something native based with the hopes of maintaining a bit of a more lush but also arid keeping in mind the amount of water that's used for those spaces and types of plants. Their biggest concern is making sure they provide the irrigation needed to provide a consistency to maintain growth. They anticipate having some greenery that's year round. They'll have a soil cells system for the trees to help maintain the root system. They'll have also planters.

Board Member Mikulas asked if they'll have any perimeter security. Mr. Smith stated the garage will be fully secured with access via a card reader system. All of the ground plane doors will be card access only and they'll have a guest entry system at the main lobby. Operationally they'll determine when it's open during business hours. During off business house guests will have a type of buzz in system and have the resident down to let them in the building. They'll also have perimeter cameras around the building at all points of entry and some in the garage for incident purposes.

Mr. Cantu stated regarding the benches they've gone through another set of review for those and they're pushing those more toward the public realm

at the corner of Cimarron and Weber with the hope that by maintaining a visual between the lobby space and lighting those benches will be utilized by people walking by, but they won't be right outside the doors of the individual walk-up units.

Board Member Mikulas stated the FBZ doesn't mandate use types at street level but we're getting a lot of use types that have zero business on street level right in downtown. Is there any concerns from you or staff especially when you look at projects directly to the east where there will be hundreds of feet of walkway and no businesses.

Mr. Tefertiller thought that was a great question and he was right the Form Based Code does not mandate street level use, we do allow residential uses at street level. Typically those type of uses are a stop design that has a bit of privacy. But there is generally those units have direct access to the street and sidewalk but he thought it was limited. It's not as if people are coming and going through those units regularly throughout the day, it's limited. Globally their preference is to see a mix of apartment projects with a mixed use project or non-residential project to increase that vibrancy. We are seeing a lot of apartments in the Weber / Wahsatch Corridor and a few non-residential uses. Then as you get some of the higher pedestrian routes to the west in both Nevada and Tejon they are seeing more project that really do have that street level commercial. Whether that be hospitality uses or true mixed uses. Right now they have a project under administrative review at Nevada and Cimarron will be mixed use that will have street level commercial with residential above as well as some projects with similar design along the Tejon Corridor. He thought it was something they will continue to monitor and look for. As more and more residences are established in the Weber / Wahsatch Corridor there will be more demand for non-residential uses for food and beverage or entertainment type uses.

Board Member Kousman asked about the warrant for the reduced size of the parking stalls. The compact vs regular and will that be acceptable to your tenant base. Mr. Cantu stated that width is the standard they're used to working with in Denver and didn't think there were any concerns from the developers side with space being less wide. Mr. Smith stated they have 16 car changing stations and those are mostly compact spots. Mr. Cantu also stated it was only the narrowness they're shrinking not the depth.

Supporters of the project:

None

Opponents:

None

DISCUSSION, MOTION VOTE OF DOWNTOWN REVIEW BOARD:

Board Member Lord stated they should have a conversation with the car wash because they line the cars up in the alley to load them into the material. He also thought parking administration, the apartments, and City Planning needs to be thoughtful on the visitor parking and the future tenant parking there because there is no slush factor in this project

Motion by Vice Chair Lord, seconded by Board member Nicklasson, to approve the Cimarron Apartments Form-Based Zone development plan with Density Bonus Points to allow a seven-story building and Warrants for building height and parking stall size, based upon the findings that the application includes adequate density bonus provisions and complies with the criteria for granting Warrants, subject to compliance with the following conditions of approval and technical plan modifications:

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- 3. Gain approval of a revocable permit for all private encroachments into the public right-of-way.**
- 4. Update the revocable permit plan note to specifically list all encroachments covered by the project's revocable permit.**
- 5. Clarify the plan labels and details to document that City standards are met for color, material, and scoring of the pedestrian way.**
- 6. Update the parking plan to document that the necessary number and type of ADA parking stalls are provided.**
- 7. Provide a dog run detail regarding subsurface drainage within the facility.**

The motion passed by a vote of 7:0:2:0

Aye: 7 - Chair Hahn, Board member Nicklasson, Board member Mikulas, Chair Lord, Board member Kuosman, Board member Friesema and Board member Nolette

7. PRESENTATIONS/UPDATES-None

[DRB 22-346](#) Annual Ethics Training

Presenter:

Lisa O'Boyle, Senior Attorney

Attachments: [DRB Ethics Training Slides](#)
[CODE_OF_ETHICS_coloradospringsco-co-1](#)

Ethics Training by City Attorney Lisa O'Boyle

Purpose of City Code of Ethics:

Honesty, integrity, fair dealing, ethical behavior. Have independent, object judgment in the performance of duties, ensure public confidence.

Applies to elected officials, administrative officers, employees, independent

contractors, volunteers of the City, members of boards, committees, and commissions appointed by the Mayor and/or City Council.

Since the Downtown Review Board is one that is appointed by City Council the Ethics training is required yearly by all members which we discussed in detail on this date, June 2, 2022.

8. Adjourn