

NEW BUSINESS CALENDAR

DOWNTOWN REVIEW BOARD AGENDA

ITEM NO: 6.A.

STAFF: MATTHEW FITZSIMMONS

FILE NO:
AR NV 18-00104 – QUASI-JUDICIAL

PROJECT: HIGH GRADE FOODS JAMAICAN RESTAURANT – 1020 S. TEJON STREET
APPLICANT: CHARLIE MARTIN
OWNER: EVERTON CAMERON



PROJECT SUMMARY:

1. Project Description: The applicant is proposing to open a 1,680 square foot restaurant at 1020 South Tejon Street. The applicant plans on using the kitchen not only for a restaurant, but also for a catering business and a commissary kitchen for two food trucks. Restaurants are a permitted use in the Form-Based Zone – Transition Sector 1 (FBZ – T1) and all other FBZ sectors. While the change of use does not require an application to the Planning Department, the property does not provide sufficient off street parking (section 2.6) for this new use. Therefore, a warrant granting parking relief is necessary to support the proposed use. This 5,000 square foot property is located on the west side of South Tejon Street, mid-block between Mill Street and Las Vegas Street.
2. Applicant's Project Statement: **(FIGURE 1)**
3. Planning & Development Department's Recommendation: **Approval of the application with technical modifications.**

BACKGROUND:

1. Site Addresses: 1020 South Tejon Street
2. Existing Zoning/Land Use: FBZ-T1 (Form-Based Zone – Transition Sector 1) / The site was developed as a single-tenant commercial building **(FIGURE 2)**
3. Surrounding Zoning/Land Use:
North: FBZ-T1 (Form-Based Zone – Transition Sector 1) – Commercial – retail
South: FBZ-T1 (Form-Based Zone – Transition Sector 1) – Commercial – office and retail
East: FBZ-T1 (Form-Based Zone – Transition Sector 1) – Commercial – restaurant and office
West: FBZ-T1 (Form-Based Zone – Transition Sector 1) – Commercial – mini warehouse and community garden
4. Comprehensive Plan/Designated 2020 Land Use: Regional Center
5. Annexation: South End Addition - March 1897
6. Master Plan/ Designated Master Plan Land Use: Mill Street Neighborhood Preservation Plan (2003) / Commercial
7. Subdivision: South End Addition Colorado Springs (1897)
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is level and narrow with a lot dimension of 25' x 200'. The lone 1,680 square foot structure is positioned on the eastern property line; the rear of the property has access to the public alleyway. The existing building is currently a single-tenant, one-story commercial building **(Figure 3).**

STAKEHOLDER PROCESS AND INVOLVEMENT:

One hundred and forty-four (144) post cards were sent to the surrounding property owners to notify them of the proposal shortly after the application was submitted. That notification provided information regarding the proposed project and instructions on how to submit comments. Staff received two (2) formal comments of support for the project and zero (0) comments expressing opposition **(FIGURE 4)**. All applicable City agencies and departments were asked to review and comment. All of their concerns and comments have already been incorporated into the plan or are listed in the required modifications section at the conclusion of this report. The site will be posted and notices will be sent announcing the public hearing prior to the Downtown Review Board meeting.

ANALYSIS OF REVIEW CRITERIA AND MAJOR ISSUES

The proposed project is located on the west side of South Tejon Street, midblock between Mill Street and Las Vegas Street. This section of South Tejon Street is considered one of the southern gateways to downtown Colorado Springs. The applicants have lived and run their food truck business for over a decade in Colorado Springs with the long-term goal to be able to have a restaurant that could also satisfy their catering and food truck kitchen needs. This location will enable High Grade to better serve their customers by centralizing their operations and allowing them to stabilize their long-term costs by owning their own kitchen and not relying on renting expensive commissary kitchen spaces around town.

The proposed site plan (**FIGURE 3**) illustrates the location of the building and the future 10 foot by 20 foot mobile freezer as they relate to the rest of the property. The area to the rear of the lot will be paved in accordance with city code and will be used as employee parking spaces and allow the food trucks to easily access the commissary kitchen. Besides new paint and commercial signage, the applicant does not intend on changing the front façade of the building.

A parking warrant is the only application that is required of the applicant. Of the 5,000 square foot lot, 1,680 square feet is the restaurant, which requires 7 off-street parking spaces (one stall for each 250 square feet of restaurant). Only two legal parking spaces are provided off the alley in the rear of the property because the lot is only 25' wide, which is not wide enough for parking and a legal drive aisle.

All the establishments on both sides of this stretch of South Tejon Street are commercial. Most, if not all, maintain parking on site or in an off-street lot close to their business, so currently there is not a great demand for on street parking in the area. The applicant believes there is sufficient street parking on Tejon Street and neighboring streets to satisfy the parking needs of their proposed restaurant as well as all the other businesses that currently exist on South Tejon Street. **Figure 5**, which was created by the applicant, illustrates that there are thirty-three (33) on street parking spaces available within a short distance (375 ft.) from the restaurant. Staff has measured the same area for street parking and found that the applicant's estimate was for the most part accurate, but they did not count all available parking on Mill Street. The section east of Tejon Street on the south side of the road is able to accommodate six more cars, bringing the total to thirty seven (37) parking spaces within the radius created by the applicant.

Staff has visited the area multiple times in the last few weeks to gauge on street parking demand at different times and have found street parking to be underutilized. In general, Tejon Street was half empty at all times and Mill Street had even more available parking spaces.

If parking needs exceed the capacity of South Tejon Street and/or their customers find it inconvenient to visit their restaurant, the applicant will consider leasing parking spaces at the parking lot at 1012 and 1016 South Tejon Street (marked on Figure 5).

ADA parking will be provided on the street directly in front of 1020 South Tejon Street (**Figure 6**). The City's ADA coordinator and City Engineering have inspected and approved the location of this ADA parking space and the condition of the pavement around it. Approval of this location as an ADA parking space without any alterations was possible due to the wide streets that are flush with the adjacent sidewalks.

One of the overarching principles of the Downtown Form-Based Zone is that individual land uses are less important than the building forms that 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 development will strengthen the South Tejon Corridor by filling in a key gap on the west side of the street. This area of Tejon is gradually being populated by established restaurants such as Montague's, Luigi's Italian Food to the north and a proposed Tiki bar on the corner of Las Vegas and South Tejon. These businesses, combined with the other viable businesses of the area, are making South Tejon a safer and more pedestrian-friendly place to work and visit.

Currently, the Mill Street Neighborhood is drafting a new masterplan for the area that includes the South Tejon Street Corridor. Focus groups and surveys have shown that residents want this commercial stretch to thrive and have new businesses that will beautify and bring people to the neighborhood. The applicant has expressed that they want to be a part of that future vision of the neighborhood.

Per code FBZ code 5.4.3, warrant requests shall be reviewed for substantial compliance with the following criteria:

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

- 5.4.3.3 Is the requested warrant reasonable due to the proposed project's exceptional civic or environmental design?
- 5.4.3.4 Is the requested warrant consistent with the Downtown Master Plan?
- 5.4.3.5 Is the requested warrant consistent with the City's Comprehensive Plan?

After careful consideration, Staff has determined that substantial compliance with the warrant criteria has been met and once the technical modifications described below are addressed, the plan can be approved.

STAFF RECOMMENDATION:

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Approve the proposed parking warrant based on the findings that the warrant criteria found in Section 5.4.3 of the Downtown Colorado Springs Form-Based Code will be substantially met once the following technical modifications are made:

Technical Modifications to the Conditional Use Development Plan:

1. Add the following data and notes to the site plan:
 - a. Include the zoning on the site plan: FBZ-T1 (Form-Based Zone – Transition Sector 1)
 - b. Include "File Number:" before the file number on the bottom right corner
 - c. Make all building dimensions legible at the 11x17 size
 - d. Show dimension of the sidewalk
 - e. Change the phrasing of the site plan's Site Data table. From: "New Walk in Box:" to "Proposed Walk-in Freezer"
 - f. Clarify the size of the existing restaurant as the plan labels it as 1,480 square feet and while the site data section indicates 1,680 square feet.
2. Amend the site plan to include the following elements:
 - a. Place the ADA parking sign on the wall of the building, not a free standing sign
 - b. Include existing bike lane on site plan
 - c. Both official parking spaces in the rear of the property need to be next to the alleyway