



City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

Meeting Minutes - Final Downtown Review Board

Wednesday, May 2, 2018

8:30 AM

City Council Chambers

1. Call to Order

Present: 9 - Aaron Briggs, Stuart Coppedge, Randy Case, Tiffany Colvert, Dot Lischick, Doug Hahn, Kristen Heggem, Jeff Markewich and Shawn Gullixson

2. Approval of the Minutes

2.A. [DRB](#) January 3, 2018 Downtown Review Board Minutes
[18-0168](#)

Presenter:

Stuart Coppedge, Chair, Downtown Review Board

Motion by Colvert, seconded by Gullixson, to approve the January 3, 2018 Downtown Review Board Minutes. The motion passed by a vote of 8:0:1

Aye: 8 - Briggs, Coppedge, Case, Colvert, Lischick, Hahn, Markewich and Gullixson

Absent: 1 - Heggem

2.B. [DRB](#) Minutes for the April 4, 2018 Downtown Review Board hearing
[18-0211](#)

Presenter:

Stuart Coppedge, Chairman of the Downtown Review Board

Postponed until June DRB Meeting

Postponed to the June Downtown Review Board Meeting to allow for completion of the minutes.

3. Communications

Ryan Tefertiller, Urban Planning Manager

Mr. Ryan Tefertiller - June 6 is our next meeting and will possibly have one action item for the meeting.

For work session, we will have information on the FBZ zone and code scrubs, as well as Pike Ride - Downtown Bike Program.

4. CONSENT CALENDAR

4.A. [CPC CU](#) A Conditional Use Development Plan allowing for a 1,819 square foot
[18-00038](#) tenant space within the Windfield Scott Block project to be occupied by a bar. The application also includes the use of a 746 square foot outdoor

patio facing south along E. Moreno Ave. The site is zoned FBZ-CEN (Form-Based Zone - Central Sector) and is located at 60 E. Moreno Ave.

Presenter:

Ryan Tefertiller, Urban Planning Manager

Motion by Case, seconded by Gullixson, to approve the Conditional Use permit based on the finding that the conditional use criteria found in section 7.5.704 of the City Code will be met once the following technical modifications are met:

1. Add the file number (CPC CU 18-00038) to all plan sheets.
2. Clarify the scope of the plan to include the outdoor patio space.
3. Update the warrant note on sheet 1 to reflect the relief that was granted as part of file CPC DP 17-00100.
4. Note on the plan that the site falls within the boundaries of the Experience Downtown Master Plan.
5. Update the public space designs along Moreno to be consistent with recent City approvals

Approval of the Consent Agenda

Motion by Case, seconded by Gullixson, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 8:0:1

Aye: 8 - Briggs, Coppedge, Case, Colvert, Lischick, Hahn, Markewich and Gullixson

Absent: 1 - Heggem

These items will be acted upon as a whole, unless a specific item is called for discussion by a Commissioner or a citizen wishing to address the Planning Commission. (Any items called up for separate consideration shall be acted upon following the Consent Vote.)

5. UNFINISHED BUSINESS

6. NEW BUSINESS CALENDAR

- 6.A. [AR DP 16-00296-A1 MN18](#) An amendment to the Hilton Garden Inn development plan to allow multiple changes to the previously approved building, including: 1) the addition of an 11th floor restaurant through use of the Form-Based Code's Density Bonus provisions; and 2) numerous changes to the building façade. The site is located at 125 North Cascade Avenue.

(Quasi-Judicial)

Presenter:

Ryan Tefertiller, Urban Planning Manager

Staff presentation:

Ryan gave a PowerPoint presentation

Questions:

Board Member Markewich - It doesn't seem like having a 10-story limit in the FBZ is consistent with what the Planning Commission has been encouraged to do for the last six years, which is to increase density, increase urbanization, and infill.

Ryan Tefertiller - Prior to the Form Based Code, much of downtown was zoned C-6, which has a 50-foot maximum height for structures. A fairly small area of C-6 right in the central part of downtown had what was called the high rise overlay. We still do have a high rise overlay in other parts of the City. The high rise overlay allowed a sloping plane to come from the center line of the adjacent streets upward at a certain angle. The building could exceed the maximum height of the base zone as long as the sloping plains were not penetrated. That would allow for a significantly tall building. That's how Plaza of the Rockies, Wells Fargo, and other tall buildings that we have were able to exceed the maximum height of the base zone C-6. The location of the high rise overlay is fairly constrained. It did not span all of downtown inside a small area.

When the Form Based Zone was created in 2008-2009, we did two things,
1) The central sector was created, which has no maximum building height.
2) Outside of the central sector are three different sectors, all of which have maximum building height limits. The Corridor Sector is limited to 10 stories, Transition Sector 2 is limited to 6, and Transition Sector 1 is limited to 4. The idea of that is to prevent a situation where we have a very tall building immediately adjacent or across an alley from properties that might have the R-2 zone, SU zone, or other zones that restrict building heights up to 3-stories. It is to provide a bit of transition from the core of downtown to the areas right outside the Form Based Zone.

Board Member Markewich - If we approve this and they build the elevator shaft up to the 11th floor and the improvements are not made on the 11th floor through an extended time or change of ownership of the property, will this approval be concurrent to whomever owns the property. Will they still be able to add the 11th floor?

Ryan Tefertiller- The approval runs with the land not the ownership. If they implement the rights granted within the development plan, then the

development plan does not expire. The owner could build the elevator core and they'd have an unlimited time to put in the restaurant consistent with the second set of elevations within the plan. Generally speaking, an approved development plan can expire 6 years after approval, but the code reads if you get building permits and you start implementing that plan, that once it is implemented, it doesn't really expire after the fact.

Board Member Markewich - For the area of the 10th floor that cannot be used for the 11th floor, can the owner come back after reinforcing the 10th floor and develop on that?

Ryan Tefertiller - It could be done but would require a submittal of an amendment to the development plan just to show the expansion of the 11th floor use. A minor amendment to a development plan can be approved administratively.

Board Member Markewich - Is the glazing requirement only on the street level floor?

Ryan Tefertiller - The Form Based Code is made up of two primary sections, the Standard in Section 2 and the Design Guidelines in Section 4. Standards are required and design guidelines are encouraged. We have design guidelines that talk about the whole building. As far as the standard, the only area that is regulated is the distance that spans from 18-inches above grade to 10-feet above grade. Within that strip of building façade, for this type of commercial building, we need 60% of that strip to be glass.

Board Member Coppedge - What assurance do we have that bike storage will be retained in perpetuity and won't be turned into a storage after the building is built?

Ryan Tefertiller - I would hope at the time of Certificate of Occupancy that I could work with the building contractors to gain entry and ensure the bike lockers are installed and functional. Long term, it is a part of the development plan, so if 5 or 10 years down the road we are informed the lockers are no longer there, they would technically not be in compliance with the development plan and we would initiate a compliance enforcement.

Board Member Coppedge - Can guests use the bike locker rooms as well?

Ryan Tefertiller - There are street level bike racks out front on Cascade Avenue that guests can use, however if the bike is expensive, as a guest, I would put the bike in my room. Also, the Bike Share program is being initiated that will have a station right across the street in front of the City garage.

Board Member Coppedge - On the elevation, it shows a pretty good sized vent. Is it an air intake or will it be blowing air out and is it noisy? Mr. Tefertiller deferred this question to the applicant when he speaks.

Board Member Case - To be proactive, instead of limiting the 11th floor to the 2700 feet area, can we extend the area in case they later want to develop the rest of the 11th floor?

Ryan Tefertiller - The board can definitely recommend that in the proposed motion, however, if the owner's wanted to do that at a later date, it would not require a Downtown Review Board hearing. It would be addressed administratively as an amendment to the plan.

Attorney Ben Bolinger - Generally, we recommend to not suggest these things at hearings so that any interested party would have sufficient notice to address it.

Board Member Case - I would like to suggest it and be proactive. If we are going to approve an 11th floor, we are approving an 11th floor, not just 2700 square feet of the 11th floor, so I will make that remark on the record later.

Board Member Heggem - In looking at the elevations going from 60% to 57%, it doesn't look like a 3% reduction, it looks like a 50% reduction.

Ryan Tefertiller - The owner may be able to address that. I believe this façade was approved at more than 60% glazing. So the standard is 60%, but this may be 72% glazed. We can verify that during the owner's presentation.

Applicant Presentation:

Mr. Slawek Pietraszek explained they were not going to wait to build the 11th floor restaurant and bar and it will be built out with the rest of the hotel. Mr. Pietraszek explained they only asked for the 2700 square foot because the support for the center of the structure goes all the way down to the ground providing structurally allowing 100 people to be on the roof top in that area.

As to the glazing, the only area we are requesting a reduction for is where the gas meters will be located, which is along the Bijou Street side of the building. The glazing on the Cascade Avenue side stayed the same, but on the Bijou side we added the two doors that hide the gas meter. There is no air coming through the louvers on the door, so there will be no noise.

Ryan Tefertiller clarified on the development plan and the approved glazing on the Bijou side of the building was 72%, so going to 57% is a notable decrease.

Supporters:

Dale Stamp - Mr. Stamp owns the UMB Bank building directly to the south of the new hotel. Mr. Stamp is in favor of the project and putting a restaurant on top only if it is done at the same time the hotel construction is done. There have been numerous issues and violations since the start of construction which has caused strain on the traffic flow in front of the UMB Bank property where our entrances and exits have been blocked at times. With a project this big, these issues will happen, but would like for the restaurant to be built at the same time so as to not go through the same issues again.

Sarah Humbarger, Downtown Partnership - The Downtown Partnership provided a letter of support for this project. Ms. Humbarger reiterated the restaurant will be a great addition while utilizing the western views.

Opponents:

None

Questions of Staff:

Board Member Markewich - Is there something we can add to the motion to say the restaurant shall be built concurrently with the hotel?

Attorney Bolinger - The Planning Commission cannot force someone to build on a specific timeline.

Board Member Markewich - Mr. Markewich requested the developer reassure the board that the restaurant would be built concurrently with the hotel for the record.

Rebuttal:

Mr. Pietraszek assured the board the restaurant will be built when the hotel is built because it would not make any sense to do it later. Mr. Pietraszek said cost wise it makes sense to do them at the same time.

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Board Member Lischick - Ms. Lischick is pleased with the value this project is bringing downtown.

Board Member Briggs - Mr. Briggs said this is a great use of the density bonus concept. In this location an addition of an extra story wouldn't impact the area at all. The glazing is important but the three building entrances along there will still activate that street frontage. Mr. Briggs is in support of all of the applications.

Board Member Colvert - Ms. Colvert is in full support of the project and thinks it is a tremendous asset to downtown having an 11th floor restaurant.

Board Member Hahn - Mr. Hahn is very much in favor of the project. Mr. Hahn mentioned from a practical standpoint to consider moving the bike racks closer to the service elevators to cut down on taking the bikes down hallways.

Board Member Coppedge - Mr. Coppedge congratulated Mr. Pietraszek for providing bike lockers for employees. Mr. Coppedge approves of the project.

Board Member Markewich - Mr. Markewich concurs with other board members with this being a great project and commended the developers for being creative enough to do a lot with such a small space.

Motion by Markewich, seconded by Gullixson, to approve the proposed

amendment to Hilton Garden Inn development plan along with the granting of density bonus points to allow the addition of an 11th story to the building based on the findings that the requirements found in section 3 of the Form-Based Code are met once the following technical modifications are addressed:

1. Add the file number (AR DP 16-00296-A1MN18) to all plan sheets as well as the amendment history box.
2. Clarify the scope of the amendment with clouding and plan notes.
3. Clarify the implications of phasing on the plan's building elevations through plan notes and labels.

The motion passed by a vote of 9:0:0

Aye: 9 - Briggs, Coppedge, Case, Colvert, Lischick, Hahn, Heggem, Markewich and Gullixson

6.B. [CPC R
18-00045](#)

A relief for the Hilton Garden Inn from the Form-Based Code's glazing standards reducing the glazing from the required 60% to 57% on the building façade facing Bijou Street. The site is located at 125 North Cascade Avenue.

(Quasi-Judicial)

Presenter:

Ryan Tefertiller, Urban Planning Manager

Motion by Markewich, seconded by Briggs, to Approve the proposed relief request for the Hilton Garden Inn to allow 57% glazing on the Bijou façade where 60% is the minimum standard based on the findings that the criteria found in Section 7.5.1102 of City Code are met.

The motion passed by a vote of 9:0:0

Aye: 9 - Briggs, Coppedge, Case, Colvert, Lischick, Hahn, Heggem, Markewich and Gullixson

7. Work Session

Downtown Gateway Update - Sarah Humbargar

8. Adjourn