City of Colorado Springs

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

Meeting Minutes - Final
Downtown Review Board

Wednesday, September 5, 2018 | **8:30 AM** | **City Council Chambers**

1. Call to Order

Present: 8 - Doug Hahn, Tiffany Colvert, Randy Case, Aaron Briggs, Stuart Coppedge, Kristen Heggem, Shawn Gullixson and Darsey Nicklasson

Absent: 1 - Jim Raughton

2. Approval of the Minutes

2.A. DRB 18-0326 Minutes for the June 6, 2018 Downtown Review Board Meeting

Presenter:
Stuart Coppedge, Chair, Downtown Review Board

Motion by Briggs, seconded by Gullixson, to approve the Minutes for the June 6, 2018 Downtown Review Board Meeting. The motion passed by a vote of 6:0:1:2

Aye: 6 - Colvert, Briggs, Coppedge, Heggem, Gullixson and Nicklasson

Absent: 1 - Raughton

Abstain: 2 - Hahn and Case

2.B. DRB 18-0450 Minutes for July 11, 2018 Downtown Review Board Meeting

Presenter:
Stuart Coppedge, Chair, Downtown Review Board

3. Communications

Ryan Tefertiller - Urban Planning Manager

Welcome to **Darsey Nicklasson** as a new member of the Downtown Review Board.

3.A. DRB 18-0451 Change the meeting time and date for the October 2018 Downtown Review Board

Presenter:
Ryan Tefertiller, Urban Planning Manager, Planning and

Development

Motion by Briggs, seconded by Case, to approve changing the October Downtown Review Board meeting from October 3, 2018 at 8:30 a.m. to October 2, 2018 at 1:00 p.m. at City Hall located at 107 North Nevada Avenue.. The motion passed by a vote of 8:0:1

Aye: 8 - Hahn, Case, Briggs, Coppedge, Heggem, Gullixson, Nicklasson and Colvert

Absent: 1 - Raughton

4. CONSENT CALENDAR - None

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

5. UNFINISHED BUSINESS - None

6. NEW BUSINESS CALENDAR

6.A. CPC CU 15-00124-A2 MJ18 — A Conditional Use request to allow the Springs Rescue Mission to add 150 new human service shelter beds at 25 West Las Vegas Street. The site is zoned FBZ-COR (Form-Based Zone - Corridor Sector) and is roughly 9 acres in size.

Presenter:
Ryan Tefertiller, Urban Planning Manager, Planning and Community Development

Chair Coppedge disclosed to the board and staff members that the Springs Rescue Mission was a former client, but the previous relationship would not have an influence on his decision.

Board Member Briggs mentioned that his firm is currently working on the Greenway Flats project which is next to the Springs Rescue Mission and related. Attorney Ben Bollinger asked Mr. Briggs if he believed he had a financial interest in the project being presented today. Mr. Briggs said no. Attorney Bolinger then asked if Mr. Briggs could be fair and impartial in the hearing, and Mr. Briggs said he could be impartial.

Board Member Heggem disclosed that she was a landscape architect on the previous expansion of the Springs Rescue Mission landscape architect but does not think it will affect what she thinks or decides. Ryan Tefertiller clarified with Board Member Heggem that she was no longer employed by

Altitude, which was the firm contracted for that landscape architecture. Ms. Heggem said she was no longer employed with Altitude.

Staff presentation:

Ryan Tefertiller presented a PowerPoint discussing the scope of the project at 25 West Las Vegas Street, which is just a portion of the overall Springs Rescue Mission, by adding 150 human service shelter beds to the existing campus.

Andy Phelps, Homelessness Prevention and Response Coordinator, gave a PowerPoint presentation and explained what the point in time count was and the difference between low barrier shelters and high barrier shelters.

Applicant Presentation:

Terry Anderson, Chief Operating Officer of the Springs Rescue Mission, discussed the repurposing of the building at 25 West Las Vegas Street from a warehouse to holding 150 shelter beds. Mr. Anderson explained they have been at or nearly full coming into the fall.

Mr. Anderson informed the board that they are one year into the operation of their resource center. Mr. Anderson said one of the most helpful parts of the resource center is the 22 different partner agency service providers who provide services to the homeless population and who are scattered throughout the city. Mr. Anderson explained the difficulties of traveling to each agency using public transportation since the providers are so spread out.

Mr. Anderson noted that relative to Greenway Flats, Springs Rescue Mission is a financial partner in that project. The property was contributed to Greenway Flats by Springs Rescue Mission, however, Springs Rescue Mission owns less than 1% of the LLC that will be operating it, as well as Springs Rescue Mission will be the contracted service provider that will operate at Greenway Flats. He further explained it is adjacent but not completely independent from the Springs Rescue Mission.

Scott Schuster with Echo Architecture presented a PowerPoint with a detailed scope of the project.

Questions:

Board Member Colvert asked if the exterior portable restrooms back up to the trail side.

Mr. Schuster confirmed that they were on the trail side and explained they will be in a proposed chain link fenced enclosure with two egresses as required. Mr. Schuster said they possibly could be enclosed with an opaque fence with a coating on it if the trail is a concern.

Board Member Case asked if the Conditional Use if for the permanent use or the temporary use.

Mr. Anderson stated they will need to do this for more than this year. They would like a permanent use but right now it's a temporary use.

Mr. Tefertiller explained that the Downtown Review Board has heard and granted approval for single year, and in one case a two year, winter shelter, but this case the application is framed and the staff report is written for permanent approval. As long as the use is implemented and doesn't cease for more than twelve months, Springs Rescue Mission can continue to use the building for the 150 beds for years to come.

Board Member Case asked about storage for the clients and if there was a specific place in the building for them to store their personal belongings. He also mentioned that the beds are not full because there is no accommodations for personal possessions.

Mr. Anderson explained there is a limited amount of storage in that building, but there are other areas that the clients can use for storage as well. Mr. Anderson said possessions and pets are both issues and the Springs Rescue Mission accommodates both.

Board Member Nicklasson asked how many beds will be available for women and what will be the split between men and women beds.

Mr. Anderson answered that it will be a 75/25 split. Mr. Anderson said roughly 70% of the clients experiencing homelessness are men, and roughly 30% women.

Board Member Nicklasson stated there were only two restroom stalls for women and four for men and asked if that was an adequate number of bathrooms for that many people and what are the hours of operation for this facility.

Mr. Anderson explained the Springs Rescue Mission operates twenty-four hours a day, seven days a week, so there is something always going on. The Resource Center is open during the day, typically from 8:00 a.m. to 4:00 p.m. Dinner starts at 4:00 p.m. and runs through five cycles, as there is only room to seat 65 people. The shelter opens at 5:00 p.m., so as people finish dinner they show up at the shelter. After spending the night, the clients start cycling out at 6:30 a.m. into breakfast shifts in the morning. Mr. Anderson stated the heavy use of the restroom is when the Resource Center is open during the day and during meals. These restrooms are only for overnight and will not have the same traffic as the day. Board Member Nicklasson said she asked if there were adequate restrooms specifically due to feces complaints in the neighborhood. Mr. Anderson explained that is not good behavior, however, bathroom facilities at the Springs Rescue Mission are available 24/7 if it is needed.

Board Member Hahn commented the comments from the neighborhood are generally negative and asked if adding the additional beds will get people into the shelter or just attract new people to the shelter.

Mr. Anderson stated that the police don't have the option to force someone to a shelter bed because there isn't one available. If we have 150 beds, that creates the opportunity for the police to enforce the camping issue and people being outside. Right now there is not enough shelter beds available for them to enforce that. Mr. Anderson explained his expectation would be with the availability of extra beds, it would create the opportunity of enforcement and have a positive impact with that issue.

Board Member Hahn said there are some people who cannot function in a crowded are and asked what option they had.

Mr. Anderson explained that was a bigger problem that he can't solve. It is more of an affordable housing shortage. The capacity of the shelter would be significantly reduced if there were more affordable housing or permanent housing programs.

Board Member Case asked for an explanation of what the Continuum of Care (CoC) actually is and how the police get involved.

Mr. Andy Phelps addressed Board Member Case's by stating there was a lot of misunderstanding about what the Continuum of Care actually is and does. Mr. Phelps explained that the Continuum of Care is made up of all the homelessness providers in the area and believed that at least 30 providers are involved.

Board Member Case wanted to know what the CoC was doing about the concerns of the neighbors regarding trash, vehicles being parked for long periods of time, and other concerns. Board Member Case wanted to know how enforcement was taking place.

Mr. Phelps deferred law enforcement questions to Lieutenant Lux, but explained that the providers are all doing different things and that the CoC is trying to coordinate all of those services. Mr. Phelps said that the whole State of Colorado will be implementing a new software system and all agencies involved with that will be able to share information in the hopes of streamlining services in our community. CoC also developed a 10-year plan to end Homelessness.

Lieutenant Mike Lux, Colorado Springs Police Department Homeless Outreach Team (HOT) addressed some of the parking issues. Director Wysocki explained that is a broader question and not related to the conditional use. Lt. Lux added that he was unsure of how many homeless utilized Springs Rescue Mission but did not think most had vehicles. Lt. Lux also said that at any hour, they can bring a homeless person in need to the Springs Rescue Mission and are in support of the expansion.

Mr. Anderson shared that if any of their clients have a vehicle, they are allowed to park on the property and they will continue you that accommodation.

Board Member Shawn Gullixson asked if there were any further initiatives by Springs Rescue Mission to keep the neighborhood engaged.

Mr. Anderson explained they are not unsympathetic to the neighborhood's concerns. It is understood that some of the people leaving the shelter

exhibit undesirable behavior after, but while they are at the shelter, promoting good behavior is encouraged and that is something the shelter will continue to do.

Outreach and participation of the Springs Rescue Mission include:

- Attending Home Owner's Association meetings, however, they are not well attended, and it was mutually agreed upon that the meetings were unproductive
- Two organized clean up days Springs Rescue Mission participated in
- Springs Rescue Mission hosts two annual events for the association for the neighborhood socially (BBQ and Christmas Party)
- Two neighborhood wide clean up days

Mr. Anderson said they will continue trying and doing the best they can.

Board Member Heggem asked for clarity of on how this proposal will help with enforcing the camping and will these beds be adequate. Mr. Phelps explained it is unknown what will be adequate shelter until we have vacant beds.

Supporters:

Alex Armani-Munn expressed the support of the Downtown Partnership.

Opponents:

Shawn Gill believes the Springs Rescue Mission is poisoning the neighborhood. Mr. Gill believes with the addition of the beds, it will increase the problems in the neighborhood. Mr. Gill recommended for mitigation to have permanent public bathrooms to help with the defecation problem.

DISCUSSION AND DECISION OF Downtown Review Board:

Board Member Hahn asked that Mr. Gill's concerns be addressed about attracting more homeless into the neighborhood by adding additional beds.

Mr. Anderson explained that currently, the shelter is full and by adding additional beds, and getting the additional people onto their campus will have a tangible difference in the neighborhood by helping people get the help they need and get them on their way.

Board Member Colvert shared she is optimistic with the additional efforts that are being made. She would also like for Springs Rescue Mission to come back in a year just to give an update and to see what has been done.

Board Member Case said he believes this is a step in the right direction. Having the resource center is very valuable. Board Member Case said he is in support of this project and would also like to have periodic updates.

Board Member Briggs said he agrees with the staff recommendations and that it would be useful to have updates. As far as the criteria, B and C are easy, however, criteria A is looking for a net impact. One impact is more people will be attracted to the neighborhood at night. Board Member Briggs said he is not convinced this will be worse than what it is already and that this problem spreads across the downtown area as well. Adding additional beds can affect the neighborhood in a positive way by cleaning up the camps, giving additional people access to services and helping people move out of this situation. Board Member Briggs believes this will have a broader affect with not only the neighborhood but downtown as well. Board Member Briggs said he will be supporting this application.

Board Member Gullixson shared that in School District 11 alone, there are 98 families known to be homeless. Board Member Gullixson said he will be watching with great interest, the work of the Springs Rescue Mission, Andy Phelps, and our law enforcement to put out initiatives and make efforts to fight that. Board Member Gullixson commended these efforts and looks forward to getting updates on the progress. Board Member Gullixson said he is in support of this application and will be looking for opportunities to help support those efforts.

Board Member Heggem asked for a modification to the Good Neighbor Statement of Cooperation. She would like to see more than two clean ups per year and cited the criteria of impacting the neighborhood. Board Member Heggem also recommended screening for the restrooms that face the trail side whether it is physical or landscaping. Board Member Heggem said with the understanding that the shelter is at capacity now, and if the number of beds are not increased, then it will create a bigger problem than what is there now. Board Member Heggem will be in support of the application.

Board Member Nicklasson said this comes down the value and quality of the neighborhood. Board Member Nicklasson was in agreement to increasing neighborhood cleanups. Some of the comments were why concentrate services in the neighborhood. If they are already coming to the neighborhood and have no access to a bed, it's necessary to increase the capacity and have police enforce the camp ban. Board Member Nicklasson said she would be in support of the application but requested more neighborhood cleanups and continued mitigation on what can be done to not impact the surrounding neighborhood.

Board Member Coppedge stated because he lives downtown and works downtown he has engaged with people and seen the panhandling and behaviors. Board Member Coppedge said he will be in support of the application but would like to add as part of the technical modifications to require an annual update. Also, he would like the Good Neighbor Agreement to be modified to have quarterly cleanups, and definitely screen the restrooms and not with chain link fence.

Board Member Briggs asked Mr. Tefertiller if the update to the homelessness situation is something that should be in the proposed motion or is it something separate?

Mr. Tefertiller said he would not include that as a required condition of approval on this plan, and that the Planning Department could commit to an annual update on the homelessness situation. Board Member Coppedge asked for a commitment from the Springs Rescue Mission for an annual update as well, and Mr. Anderson agreed to giving an annual update.

Board Member Briggs made a motion to approve the conditional use application with the addition of two extra technical modifications.

1. Require opaque fencing for the temporary restrooms
2. Modify the Good Neighbor Agreement to require quarterly clean ups

Before a second to the motion was made, Mr. Tefertiller informed the Board that when the agreement was created a couple of years ago, it was never formally executed. There was hesitancy from the neighborhood association for fear they might not be able to fully commit to some of the requirements. The City also fell into the same position. Mr. Tefertiller

explained he included the document to illustrate the communication coordination between the three parties and that there is willingness between the three parties to continue talking about the Neighborhood Agreement and to move it forward. It is uncertain if the agreement will ever get signed, executed, and implemented. The desire for quarterly clean ups might be something the Springs Rescue Mission might commit to, however, it should not be made a part of the agreement that has not been executed.

Mr. Anderson added that the aspect of the Good Neighbor Agreement would be best suited in the planning process the City is undertaking for the Mill Street Neighborhood. As it relates to the execution of the agreement, Mr. Anderson explained they were unable to get the neighborhood to agree to that agreement, however, the Springs Rescue Mission has been abiding by the agreement just because it is the right thing to do. Organizing the clean ups in the neighborhood have been difficult as well due to lack of cooperation. Mr. Anderson said he thinks even adding two more clean ups will be ineffective largely due to lack of neighborhood participation.

Board Member Coppedge said the most common and repetitive issue that comes before the Downtown Review Board has to do with homelessness, which makes the commitment for annual updates even more important. In many ways, the Board makes decisions on good faith that people are going to do things they say that aren't necessarily written down. Board Member Coppedge asked for the annual updates to be in the meeting minutes as a record.

Board Member Briggs restated his motion minus the requirement for the Good Neighbor Agreement and to keep the technical modification on the opaque screening for the restrooms.

Board Member Case seconded the motion.

Motion by Briggs, seconded by Case, to approve the conditional use based on the findings that the conditional use criteria found in section 7.5.704 of the City Code will be substantially met once the following modifications are made:

Technical modifications to the conditional use plan:
1. Add the updated file number to the bottom corner of each plan sheet
2. Update the data on sheet 1 to clarify the proposed use (human service shelter) and number of beds (150).
3. Add the required Streamside Overlay note regarding channel and buffer

location.
4. Clarify the material and height of the proposed fencing at the south side of the building.
5. Show the required fire lanes around the building perimeter.

In addition the Downtown Review Board requests:
6. Add opaque screening for the portable restrooms.

The motion passed by a vote of 8:0:1

Aye: 8 - Hahn, Colvert, Case, Briggs, Coppedge, Heggem, Gullixson and Nicklasson

Absent: 1 - Raughton

7. Work Session

PlanCOS - Carl Schueler

8. Adjourn