



## Legislation Details (With Text)

**File #:** CPC V 19-00112      **Version:** 3      **Name:**

**Type:** Ordinance      **Status:** Mayor's Office

**File created:** 10/22/2019      **In control:** City Council

**On agenda:** 1/14/2020      **Final action:** 1/14/2020

**Title:** Ordinance No. 19-104 vacating public right-of-way described as the north/south running public alley that connects E. Cache la Poudre St. and E. Dale St. between N. Tejon St. and N. Nevada Ave. within the Town of Colorado Springs Addition No. 1 subdivision plat consisting of 7,998 square feet.

(LEGISLATIVE)

Related Files: CPC CU 19-00111, CPC MP 97-00261-A6MN19

**Presenter:**  
Peter Wysocki, Director, Planning and Community Development Department  
Ryan Tefertiller, Manager, Urban Planning Division

**Sponsors:**

**Indexes:** City for Champions

**Code sections:**

**Attachments:** 1. ORD\_VROW\_RobsonArena, 2. Exhibit A - Robson Arena Vacation LEGAL DESCRIPTION, 3. Exhibit B - Vacation Plat, 4. Signed Ordinance 19-104.pdf

Date	Ver.	Action By	Action	Result
1/14/2020	2	City Council	finally passed	Pass
12/10/2019	2	City Council	approved on first reading	Pass
11/6/2019	1	Downtown Review Board	referred	Pass

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**Summary:**

Owner: Colorado College

Consultant: NES, Inc.

Location: The block bound by N. Tejon St., E. Cache la Poudre St., N. Nevada Ave., and E. Dale St.

The applications under consideration are a Form-Based Zone Conditional Use Development Plan, Right-of-Way Vacation, and a Minor Amendment to the Colorado College Master Plan. All three have been submitted to allow development of a 3,400 seat arena with street-level commercial uses and an attached 324 stall parking garage on a 3.67 acre, FBZ-T2A (Form-Based Zone - Transition Sector 2A) zoned site.

**Background:**

A relatively brief summary of the project's history, details, code standards, and criteria is provided within this memo; a more detailed description can be found within the Downtown Review Board Staff Report.

The subject property is located on the north edge of Downtown and the southern edge of the Colorado College campus. The site is made up of a standard 400' by 400' City block. The site was original platted and developed in the late 1800's as four individual lots; the original lots have gone through various stages of development and configuration over the last 146 years. The College has owned some of the site for decades while other parcels on the block were acquired within the last few years. The site has included a wide range of commercial uses including restaurants, retail and service uses along N. Tejon St., residential uses along E. Dale St., and a number of lodging and institutional uses along N. Nevada Ave. Many of the buildings on the site have recently been demolished in preparation for the new arena.

The Downtown Colorado Springs Form-Based Code (FBC) was adopted by City Council in 2009 after extensive planning, professional consultation, and stakeholder involvement. The FBC requires a Conditional Use permit for "any convention center, arena, or sports stadium, whether indoor or outdoor." The Code indicates that such a review may be necessary due to "the fact that the proposed structure does not adhere to one of the Code's approved building types." The additional public process and decision making process can better account for the unique issues of such a significant project.

In 2013 the City of Colorado Springs initiated the City for Champions effort to utilize over \$120 million awarded by the Colorado Economic Development Commission through the Regional Tourist Act. These funds help support four major projects intended to bring increased tourist revenue to the area. After initial struggles to define and progress the sports and event center project, a concept began to take shape in 2018 to bifurcate the project into two separate but related venues: 1) Robson Arena - the indoor component of the project would be located on the south edge of the Colorado College campus and would serve as the new home arena for the College hockey team; and 2) the Downtown Stadium project located on Cimarron and Sahwach would serve as the new home for the Colorado Springs Switchbacks Football Club. In early November 2019 the Regional Tourism Act Board voted to support sending the Robson Arena land use applications to City Council for approval.

The plan as submitted illustrates the construction of a fully enclosed arena, attached street-level commercial spaces, and an attached four-level parking structure. The total building footprint on the site totals 114,100 square feet. The proposed arena has a maximum seating capacity for a sold out hockey game of 3,407. The parking structure has a maximum capacity of 324 vehicles.

The arena structure is located on the northern portion of the site, spanning nearly the entire 400 foot distance from N. Tejon St. to N. Nevada Ave. The primary spectator entrance to the facility is at the northwest corner of the building near the intersection of N. Tejon St. and E. Cache la Poudre St. A secondary entrance into the building is located on the northeast corner of the building near the

intersection of N. Nevada Ave. and E. Cache la Poudre St. The Tejon-side of the building is to be developed with street-level commercial, office and/or civic uses. These may include deli/restaurant (likely the new home of Wooglin's), College bookstore / merchandise, College health/counseling services, and campus mail. These uses will help increase activity and interest along the Tejon side of the project where walkability and activity are most critical.

The southern portion of the site is largely occupied by the attached parking garage. Vehicular access is achieved via two separate driveways that are accessed from E. Dale St. The parking structure includes four levels and has a capacity of 324 vehicles; the structure is being engineered to support addition of an additional level in the future though a development plan amendment would be necessary prior to that work. The southern edge of the parking structure is roughly 70 feet north of the E. Dale St. right-of-way. The area between the parking structure and the E. Dale St. sidewalk will be developed as a landscaped "green space" and buffer as part of this project. However, the plan does label the area as an area that could be developed in the future for a new building and use creating a more urban design along E. Dale St. Again, an amendment to the development plan would be required for a new building or building addition.

The proposed structures extend fairly close to the public right-of-way along Tejon, Cache la Poudre, and Nevada Ave. This creates a relatively urban design that is expected, and in fact required, within the Downtown Form-Based Zone. Although the north and east side of the project has limited street-level glazing due to the nature of the building and uses within the building along the north and east sides of the ice rink, the west side of the project is well glazed and includes number street-level uses and access points.

The building uses a range of materials that have been chosen to complement many of the buildings on the College's campus to the north and other surrounding structures. The plan calls out the use of brick, wood, metal, and terra cotta to create an interesting and varying mix of materials and colors. The tallest portions of the building are shown with lighter shades of stucco that will minimize the perceived bulk and scale of the project.

In addition to details regarding the proposed building, the plan calls out public space improvements along all four sides of the project. Wide sidewalks, private plazas with colored and stamped concrete, flagstones, new street trees, lighting, seating, bike parking, and landscape beds are shown throughout the project. The proposed improvements should function well both during large events with significant pedestrian volumes as well as day to day use.

The plan also shows street improvements to the adjacent roadways. The removal of numerous driveways allow for an increase in on-street parking on Tejon and Dale. Ride share and shuttle bus drop off areas are designed closest to the building's primary entrance at Tejon and Cache la Poudre to make the use of shared transportation options as easy and convenient as possible.

As described above, the proposed arena doesn't fit cleanly into any of the seven standard "building types" within the Form-Based Code. A conditional use review helps address this issue by providing an additional layer of review and consideration. That said, all Form-Based Code standards were evaluated for the arena using the "civic building" building type. Modest relief was needed on a number of physical standards including: building envelopes, building frontage, block standards, and public space standards. The Downtown Review Board staff report provides more detail and analysis on each of these issues.

The proposed arena requires the vacation of a public alley way in order to move forward. The vacation plat submitted as part of the project illustrates the full vacation of the public alley that runs north/south bisecting the block and connecting E. Cache la Poudre St. to E. Dale St. While the existing alley helps provide access to the internal portions of the block and provide a convenient area for trash and delivery services, the proposed design of the arena and the service area off of N. Nevada Ave. will accommodate those needs. Should City Council approve the proposed ROW vacation, Staff is recommending that public utility and drainage easements be retained in order to protect and service the infrastructure in the area.

A significant topic of consideration for this project are parking and traffic both of which were studied and evaluated within a separate study produced by Felsburg, Holt & Ullevig. The study goes into great detail to estimate the likely traffic increases, parking demand, and parking supply issues for the proposed project at maximum capacity. The study finds that just over 1,200 vehicles will be traveling to the facility specifically for a sold-out hockey game. This is based on a game attendance of 3,407, 238 of which are Colorado College students that will be walking to the game. It is also based on the presumption that 95% non-student attendees will be arriving by vehicle and that each vehicle will average 2.7 people. Lastly, the study indicates that there will be 138 operational staff that arrive via personal vehicles averaging 1.38 people per vehicle. Obviously, the actual number of vehicles arriving to the site for a sold out hockey game may vary based on the number of student attendees, the number of non-student attendees who choose to walk, bike or take advantage of ride-share or transit services, as well as the number of attendees per vehicle.

The study goes into great detail regarding parking resources in the area. Specifically, it documents the availability of 291 existing on-campus parking stalls, as well as 482 additional on-campus stalls within walking distance that will become available with the completion of the project. The study also describes the presence of 407 off-street stalls that serve nearby businesses and offices that the College has negotiated shared use agreements with. Together, those sources provide 1,180 stalls which can be supplemented by additional downtown parking to meet the expected demand for just over 1,200 stalls.

The study also addresses the parking needs for day to day uses (e.g. the street-level commercial uses) as well as smaller C4C events and concludes that the attached 324 stall parking structure is meet the expected demand. It should also be noted that the Form-Based Code requires private off-street parking based on the square footage of specific uses on the site. Given the standard parking ratios in the code and the size and mix of uses on the site, the plan calls out that 215 private, off-street stalls are required; 326 stalls are provided within the attached parking structure which easily meets the minimum code requirement.

Lastly, City Staff has determined that a minor amendment to the 2008 Colorado College Master Plan was necessary to support the project and its associated elements. While the current College Master Plan labels the Robson site as “potential relocated ice arena” and “proposed mixed use district (including parking),” both of which are substantially consistent with the proposed project, the plan also illustrates the retention of multiple buildings on the site (e.g. the 3D Arts building along Cache la Poudre, and the multi-tenant commercial building on the corner of Tejon and Cache la Poudre. Additionally, the planned creation of a 100 stall parking structure to the northwest of the El Pomar Recreation Center and the relocation of the College’s tennis facility to Glen Ave. are not shown on the 2008 Master Plan. The proposed amendment will update all three sites to reflect the new uses.

Staff has closely reviewed the project for consistency with the required conditional use criteria, the

right-of-way vacation criteria, the master plan amendment criteria, the Experience Downtown Master Plan, the Colorado College Master Plan and the City's newly adopted comprehensive plan - PlanCOS. Significant discussion and analysis of the required criteria and applicable plans is found within the Downtown Review Board staff report, but City Council should know that ultimately that Planning Staff has concluded that the necessary criteria are met, that the project is well aligned with the applicable planning documents, and therefore recommends that City Council approve the applications.

**Previous Council Action:**

City Council has approved multiple Master Plans and Master Plan amendments for Colorado College in recent years, including 1997, 2008, and 2015. City Council adopted the Experience Downtown Master Plan in 2016.

On December 10, 2019, this ordinance was passed by City Council with a vote of 6:2:0:1 (Williams and Knight absent, Skorman recused).

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

On November 6, 2019 the Downtown Review Board voted unanimously (7 - 0 with Board members Briggs and Case absent) to approve all three applications. The Board did include two new technical modifications to the Robson Arena Conditional Use Development Plan beyond those that were recommended by Staff:

- Progress to be made on a comprehensive parking plan that addresses neighborhood concerns
- The design of the Nevada facing wall include architectural modifications that engage the community.

The applicant has worked with Staff to address both items and the outcome will be presented to City Council during the hearing.

**Stakeholder Process:**

The stakeholder involvement for this project was significant. Over the last year, the applicant has organized and held 6 large public meetings (5 presentation style meetings and 1 hand-on workshop), met one-on-one with number stakeholder organizations, managed a website relaying information about the project to the public (<https://www.coloradocollege.edu/other/robsonarena/> [<https://www.coloradocollege.edu/%20other/robsonarena/>](https://www.coloradocollege.edu/%20other/robsonarena/)), and sent out at least 6 newsletters and multiple press-releases to interested parties. All of the larger public meetings were video recorded and made available on the project website for those who were not able to attend in person. Hundreds of individuals actively participated in the public dialog process for this project and many, many more were made aware of the project details via the local press, social media, and direct communication from the College.

As with most projects that have such significant public engagement, the details of the plan as it stands today are a result of public input. The area orientation and location on the block changed significantly between the third public meeting in February 2019 and the fourth meeting in March 2019. Additionally, the current plan includes an attached 324 stall parking structure where the

original plan that was discussed early in 2019 had no new off-street parking on the site. These changes, and many more, reflect the College's willingness to listen to stakeholders and make adjustments that will ultimately lead to a better outcome for all interested parties.

In addition to the developers' noteworthy efforts to engage surrounding property owners, businesses, and residents, the City led a traditional neighborhood meeting shortly after the applications were submitted. On Monday, September 9, 2019 roughly 100 people attended the neighborhood meeting to learn about the project details, the standards and criteria that are used to evaluate the project, and the review/approval process that the project is working through. While concerns regarding scale, use, traffic, parking, design, lighting and other issues were expressed by some stakeholders throughout the project, others have communicated strong support for the project and the changes that the College have made during the process.

All formal written comments that were received by Planning Staff during the formal review process for the project are included as **FIGURE 3**. As part of the applicant's resubmittal, a stand-alone "Response to Public Comments" exhibit (**FIGURE 4**) was provided to Staff; that document describes the community engagement process as well as formal responses to many of the most common concerns that were submitted to the City.

Prior to the Downtown Review Board hearing, the site will be posted and postcards will be mailed to surrounding property owners. An email will also be sent to all individuals who have communicated to staff about the project. Those communications will include information on how to review the most recent plans as well as the date, time, and location of the public hearing. Any 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, the Parking Enterprise, the Urban Renewal Authority, and others. All reviews support the project; any remaining technical concerns are included as Technical Modifications at the end of this report.

#### **Alternatives:**

1. Uphold the action of the Downtown Review Board;
2. Modify the decision of the Downtown Review Board;
3. Reverse the action of the Downtown Review Board; or
4. Refer the matter back to the Downtown Review Board for further consideration.

#### **Proposed Motions:**

CPC V 19-00112

Approve the Right-of-Way vacation based on the findings that the vacation criteria found in Section 7.7.402.C. of the City Code are met.

An ordinance vacating public right-of-way described as the north/south running public alley that connects E. Cache la Poudre St. and E. Dale St. between N. Tejon St. and N. Nevada Ave. within the Town of Colorado Springs Addition No. 1 subdivision plat consisting of 7,998 square feet.