



10 E PIKES PEAK AVE – CONDITIONAL USE DEVELOPMENT PLAN

Downtown Review Board - April 2, 2024

Staff Report by Case Planner: Johnny Malpica, AICP



Quick Facts

Applicant

Christy Riggs, AIA – 308 LLC

Property Owner

10 E Pikes Peak LLC

Developer

ARG LLC

Address / Location

10 E. Pikes Peak Ave

TSN(s)

6418214010

Zoning and Overlays

Current: FBZ-CEN

Site Area

1,875 Sq. Ft.

Proposed Land Use

Bar, restaurant, and office

Applicable Code

Form-Based Code

Project Summary

This application proposes renovation of an existing 3,571 sq. ft. 3-story building with a basement level located at 10 E Pikes Peak Ave. This renovation proposes conversion of the existing retail and office uses to restaurant, bar, and office uses. The scope of the renovation includes structural modifications, exterior façade modifications, as well as interior renovations (FIGURE 1). The proposed use of the basement level includes a 1920s art deco themed bar. The 1,975 sq. ft. site is zoned FBZ-CEN (Form-Based Zone Central Sector), and as such, the bar is considered a conditional use within this sector.

File Number	Application Type	Decision Type
FBZN-24-0002	Form-Based Zone Conditional Use	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Town of Colorado Springs	1872
Subdivision	Town of Colorado Springs	1871
Master Plan	Experience Downtown Master Plan	2016
Prior Enforcement Action	N/A	N/A

Site History

- This site was rezoned to FBZ-CEN (Form-Based Zone Central Sector) with the adoption of the Form-Based Code in 2009.
- 10 E Pikes Peak includes a 3-story building that was constructed in 1900, and currently houses a retail store on the first floor with office uses above.
- The building received structural repairs in 1997 and minor interior modifications in 2021. No other relevant building permit history was obtained.

Applicable Code

The subject application is within the boundaries of the Form-Based Zone which requires zoning action within these boundaries to be reviewed under the Form-Based Code. All subsequent references within this report that are made to “the Code” and related sections are references to the Form-Based Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	FBZ-CEN UV	Office Building	None that are applicable
West	FBZ-CEN-HP	Restaurant	HP Overlay for the Cheyenne Building
South	FBZ-CEN	Parking/Bank	N/A
East	FBZ-CEN	Retail/Store	N/A



Zoning Map

Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Internal Review/Prior to Downtown Review Board Public Hearing
Postcard Mailing Radius	1000'
Number of Postcards Mailed	138
Number of Comments Received	None* - At time of staff report draft

Public Engagement

One phone call was received requesting information about the project. The resident was provided with the scope of the application including the uses and was amenable to the conversion of the building.

Timeline of Review

Initial Submittal Date	02/20/2024
Number of Review Cycles	2
Item(s) Ready for Agenda	04/02/2024

Agency Review

Traffic Impact Study

The proposed development does not meet the threshold of peak hour trip generation per the Traffic Engineering Criteria Manual. Therefore, Traffic Impact Study (TIS) is not required for this site.

School District

No comments received.

Parks

No comments received.

SWENT

The project statement will be required to address how the development would meet all City of Colorado Springs Drainage Criteria Manual water quality and potential green infrastructure requirements (if applicable).

Colorado Springs Utilities

Technical comments that require indicating the location of existing utility services and lines remain at this time and will be reviewed administratively.

Form-Based Zone Conditional Use

Summary of Application

The Form-Based Code (FBC) provides the City with a mechanism for regulating development so as to achieve a specific urban form. To accomplish this, the FBC places emphasis on physical form rather than on land use, which assists in the creation of a public realm that is pedestrian friendly juxtaposed by development with a mix of uses. While the intent of the FBC is to regulate form over use, certain uses such as bars require additional consideration and are listed as conditional uses in section 2.5.4 of the FBC. As such, consideration may be given to the dimensions, type, location, function, as well as the impact of these uses on surrounding properties and the public realm.

With the preceding merits considered, this application proposes conversion of an existing building containing both retail and office uses to a mix of restaurant, bar, and office space. The proposed building program includes a basement-level bar use with an approximate gross floor area of 1,628 sq. ft., containing interior bar seating only. While the above ground floors are referenced in both the site plan (Figure 1) and the project statement (Figure 2), the basement floor with the proposed bar use is the sole consideration within the scope of this Form-Based Zone Conditional Use application. Provided that the bar use is to be located below grade, potential negative impacts, such as noise are negligible. Furthermore, surrounding properties include similar and compatible uses with residences all but absent within a 200' buffer distance. An additional point of consideration, which is one of the FBC's intentions, is to guide the development of "lively," and perhaps, distinctive, mixed-uses. Considering this project proposes a mix of unique and interesting amenities, including a basement level "1920s underwater art deco" themed bar that is intended to complement the mix of other uses proposed above grade (Figure 2), that end is achieved.

Application Review Criteria

The Form-Based Code section 2.5.4 (Conditional Uses) refers to former City Code section 7.5.7 as the process that Conditional Use requests located within the form-based zone will be reviewed against.

Chapter 7 Code Section 7.5.704

Staff has provided the required review criteria and a brief analysis of how each criteria is being met with the request.

- A. **Surrounding Neighborhood:** That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.
Staff Analysis: This neighborhood has a variety of similar land uses, including restaurants, retail, and offices. The proposed basement bar would compliment the other proposed uses in the building, which include both a restaurant that includes an entertainment component, as well as offices. Furthermore, the unique qualities of this bar will add to the diversity of the existing mix of land uses.
- B. **Intent Of Zoning Code:** That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.
Staff Analysis: The Form-Based Zone Central Sector comprises the majority of the Downtown and provides the highest building densities. The intended uses for this district include commercial uses such as retail, restaurants, entertainment, and office on the first floor, with offices and residential uses reserved for upper levels. This three story building includes three uses, with a bar, that offers a unique visitor experience on the basement level. As such, this proposal adds to the unique qualities of the downtown experience and will not adversely impact public health, safety, and general welfare.
- C. **Comprehensive Plan:** That the conditional use is consistent with the Comprehensive Plan of the City.
Staff Analysis: The proposed conditional use for a bar conforms to the goals and policies of the City Comprehensive Plan (herein referred to as “PlanCOS”). This project provides a unique new business for the greater vicinity and is a compatible use with the existing mixed-use neighborhood. See the analysis below for more discussion of Plan COS compliance.

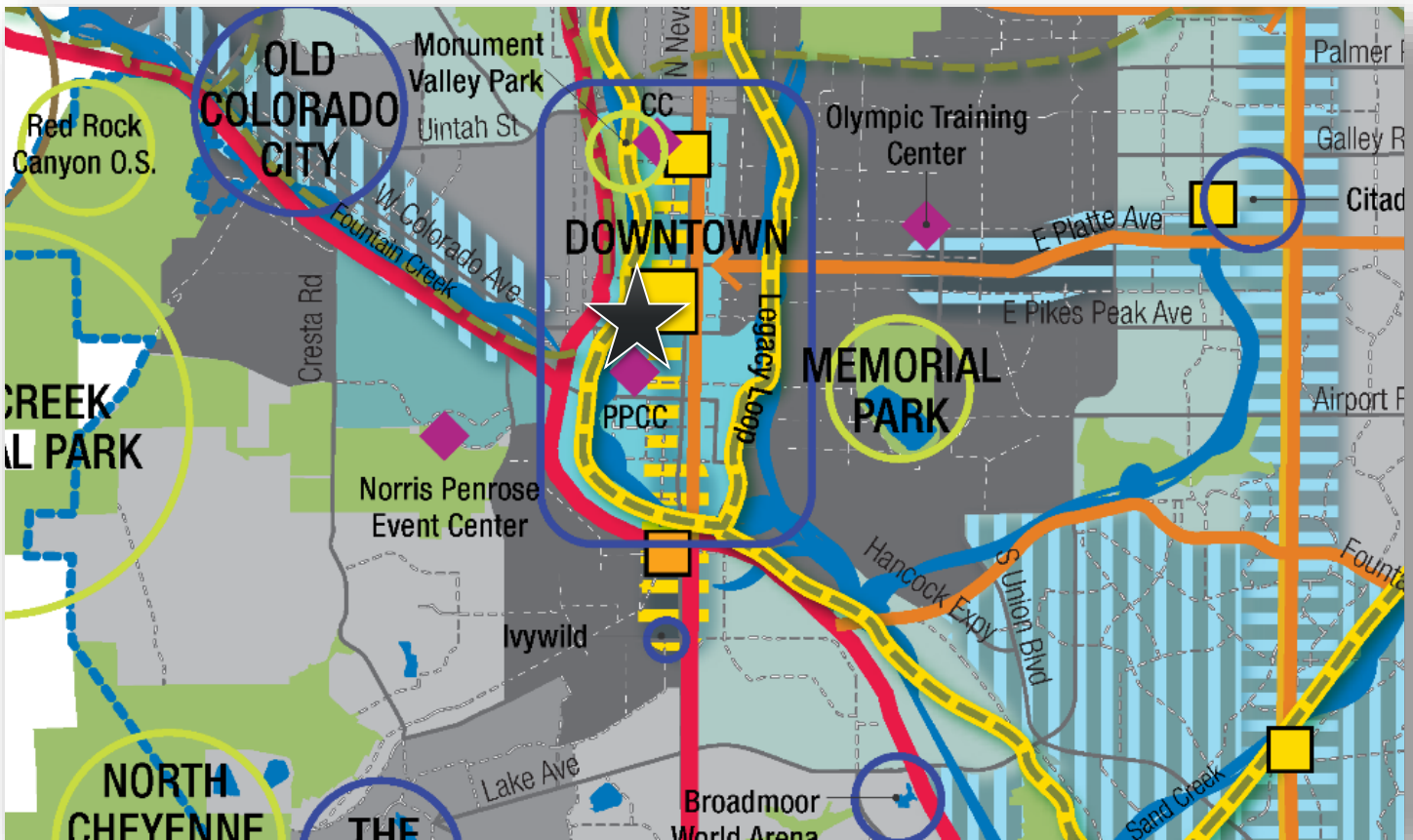
Compliance with Development Standards

This project includes changes to the building’s façade that include upgrades to the glazing and fenestration, achieving 68% glazing along the building’s lower level façade. The use of fully retractable windows creates the sense of an open air environment on the lower level. Additionally, the amenity zone is being activated as an outdoor garden oasis, establishing a stronger connection between the pedestrian environment and the building façade. Other upgrades include 2nd and third floor façade enhancements that modernize the appearance of the building.

Compliance with the Experience Downtown Master Plan.

The Experience Downtown Master Plan recognizes “vibrant, livable” downtowns as an “economic imperative” for cities (Figure 3). Additionally, goal 7 aims to offer visitors an “unforgettable” experience. The location of this project falls within the City Center district, which is described as a “place for reinvention (Figure 3).” This application contains three distinct uses that complement and support its surroundings. Through adaptive reuse and the modernization of an existing building, it further activates a high trafficked area of the City Center, and in doing so, offers a unique menu of dining and entertainment options for both residents of Colorado Springs and visitors. Overall, this project contributes to the advancement of the Downtown’s economic vitality, livability, and unique character and is in alignment with the goals and objectives of the Experience Downtown Master Plan.

PlanCOS Vision



- Majestic Landscapes**
- Parks & Open Space
 - Complete Creeks
 - Primary Trail Network
 - Legacy Loop & Ring the Springs

- Thriving Economy**

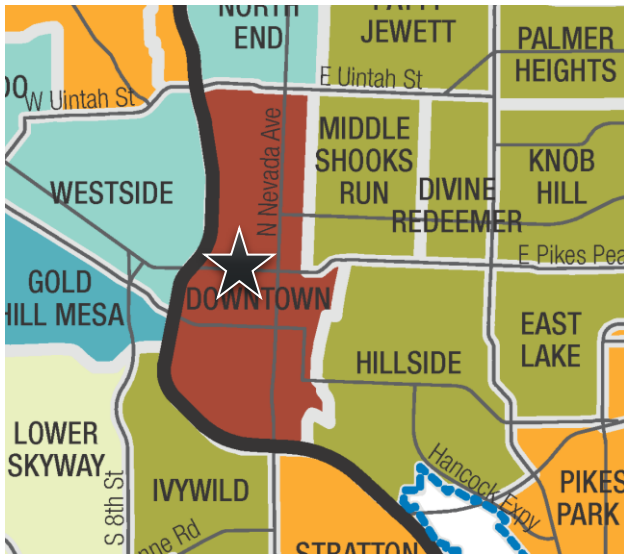
- Renowned Culture**

- Activity Centers**
- Mature/Redeveloping
 - New/Developing
 - Reinvestment Area & Community Hub

- Strong Connections**
- Intercity Corridors
 - City Priority Corridors
 - Smart Corridor
 - Bike Network
 - Park-N-Ride
 - Transit Hub

- Vibrant Neighborhoods**
- Downtown
 - Established Historic Neighborhood
 - Established Traditional Neighborhood
 - Established Suburban Neighborhood
 - Changing Neighborhood
 - Newer Developing Neighborhood
 - Future Neighborhood
 - Airport

Note: This map depicts a unified city boundary, including enclaves of land that have not yet been annexed.



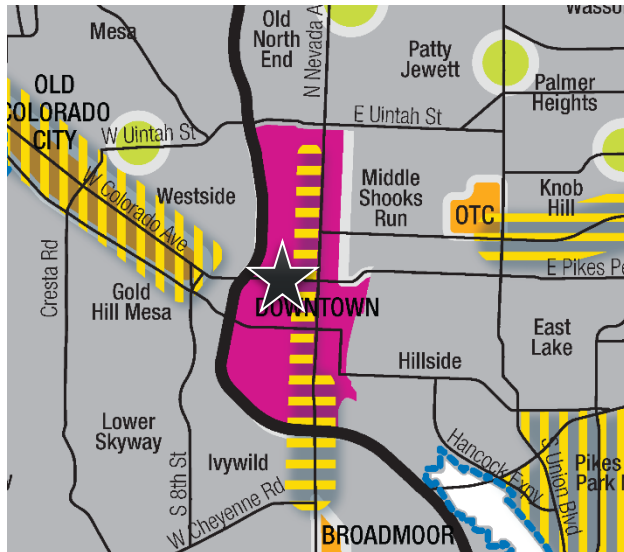
Predominant Typology



Vibrant Neighborhoods

This project site is located within the City's Downtown, which is considered a downtown typology.

- Strategy VN-3.A-6: Where and when applicable, specifically incorporate mixed-use neighborhood building as an outcome tied to the use of urban renewal area designation, public/private partnerships, and other tools and incentives to encourage redevelopment.
- Strategy VN-3.E-2: Encourage vertical mixed-use design in neighborhood focal points along with neighborhood design meant to encourage a sense of community and provide a walkable environment. Vertical developments, where the various uses are "stacked" on top of each other, are typically used in areas with limited space, while larger sites allow those different components to be built next to each other, such as an apartment building adjacent to a grocery store.



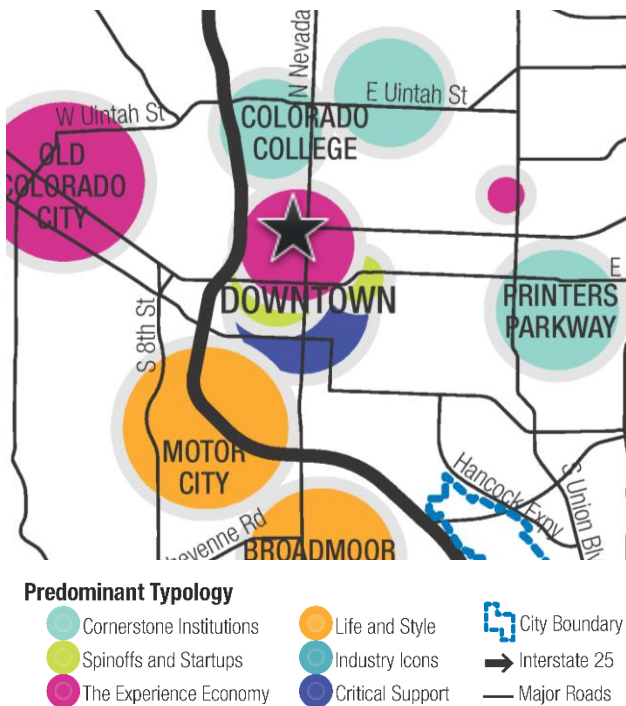
Predominant Typology



Unique Places

This project site falls within the Downtown predominant typology.

- Strategy UP-2.A-4: Actively support ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment.



Thriving Economy

This project site falls within the Downtown and is located within The Experience Economy typology.

- Strategy TE-1.A-3: Prioritize Downtown redevelopment to establish it as the region's employment center, hub of commerce, governing, innovation, tourism, entertainment, art and culture.
- Strategy TE-2.C-1: Prioritize redevelopment and activation in Downtown and other urban activity centers in order to establish or enhance economic development.

Statement of Compliance

FBZN-24-0002

While a few technical modifications still remain, staff finds that these modifications may be reasonably reviewed administratively and can be evaluated within the context of an administrative review. Therefore, after evaluation of the Conditional Use request for the 10 E. Pikes Peak Ave. FBZ Conditional Use, Staff finds that the application meets the review criteria.

REMAINING TECHNICAL MODIFICATIONS:

CSPD (Crime Prevention Officer)	- Security enhancements during construction - Other security-based measures such as signage, video surveillance, landscaping, and lighting
Enumerations	- Clearly indicate the number of building tenants
Utilities	- Label utility lines and locations. - Informational comments
EDRD	- Changes to ROW encroachment to be consistent with the Revocable Permit