

October 15, 2024

Attn: William Gray

City of Colorado Springs
30 S. Nevada Avenue, Ste 710
Colorado Springs, CO 80904

RE: FBZ Conditional Use Development Plan
For 123 and 127 E. Las Animas Street
Colorado Springs, CO

PROJECT STATEMENT

Project Description:

The goal of the project is to convert the existing mixed use office building located at 127 E. Las Animas into a residential childcare facility in support of a Joint Initiatives program to temporarily house youth who are waiting to be placed in permanent housing programs. This facility will have a maximum of 8 beds and the stays are limited to 72 hours. Joint Initiatives will have their offices in the adjacent mixed use office building at 123 E. Las Animas Street, which shares the drive and parking with 127 E. Las Animas Street.

While a new rear exit stairway is required for the use of the building, the front façade will remain the same in support of the existing neighborhood Victorian feel. Because of the new use, a small recreation area is needed for the facility. To meet this need, the rear parking has been rearranged to locate the shared parking and accessible parking to the 123 side of the shared drive and locate one of the required parking spaces to the on-street parking in front of the two buildings.

The minor site revisions for the new rear stairs, parking rearrangement and recreation area do not impact the existing site infrastructure and landscaping already established with the previous land entitlement process.

A cross access agreement is in place for the two properties from the original land entitlement process. A new warrant to allow the use of the on-street parking credit to meet the parking requirements for the new use per the code is requested in the documentation below.

Project Justification

Allowing the new use of this project would continue to enhance the street appearance, functionality and vibrancy intended by the code and to match the already improved street.

- 1.) The surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.*

This project is consistent with the current fabric of the north side of Las Animas Street which encompasses one and two story, wood frame residential buildings in a Victorian style. The new minor remodel of the building is in the rear of the property and will not deter from the existing front streetscape. It will continue to complement the current architectural detailing of the adjacent buildings.

- 2.) *Intent of the 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.*

The conditional use for the project is consistent with the intent and purpose of the code to promote public health, safety and general welfare. The streetscape landscaping, shared parking and screened trash enclosure are consistent with the requirements of the form-based code. The new use is a much needed program in our city and is consistent with the variety of uses encourage by the code. The facility which will work in tandem with the adjacent office of Joint Initiatives will continue to have a business-like energy to the neighborhood. The rearrangement of parking with three spaces on site on one off-site is consistent with the zoning code requirements and allowances. The addition of the recreational area with its planter barriers and fencing addresses the safety of the users. All the improvements have been made to the area behind the buildings to continue the streetscape established to respect the historic building fabric of the neighborhood.

- 3.) *Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.*

The conditional use of the to a residential childcare facility is consistent with the Comprehensive Plan of the City in that it supports the promotion of a mixture of uses that are a part of the transition from the downtown core and urban areas to the surrounding residential neighborhoods.

Issue List

- 1.) *Need to determine whether the use is a Human Services Establishment or a Residential Childcare Facility. If it is a Human Service Establishment a Development Plan Major Amendment will be required. If it is a Residential Childcare Facility, a FBZ Conditional Use Development Plan will be required.*
 - a.) *Per Colorado Revised Statutes, this project will be a Residential Childcare Facility and therefore requires a FBZ Conditional Use Development Plan.*
- 2.) *The parking standard for both Human Services Establishment and Residential Childcare Facility requires 1 parking space per 8 beds. (This facility will have a maximum of 8 beds) An on-street parking credit could be applied but must specifically request with the development plan.*
 - a.) *A warrant for the on- street parking credit is included in this submittal.*
- 3.) *What is the recreation standard for the recreation area? This will need to be determined based on the state license standard and incorporated into the development plan amendment.*
 - a.) *Below are the state requirements.*

1. 7.705.53 OUTDOOR SPACE AND EQUIPMENT [REV. EFF. 10/1/03]

- A. The grounds of the facility shall be maintained in a manner that is free from any hazard to health or safety.
 - 1. *Garbage and rubbish which is stored outside shall be stored securely in noncombustible, covered containers and shall be removed at least once every week or more frequently, if necessary.*
The garbage and rubbish will be stored in noncombustible, covered containers behind a wood trash enclosure and be removed at least once a week.
 - 2. *Garbage and rubbish containers and incinerators, shall be located separate from play areas.*
The trash enclosure is located at the end of the property minimizing it's impact on the recreation area. Due to the limited area of the site with the parking and drive, it is located away from the rear entrance, egress stairs and main recreation area. The containers will be separated from the area by a wood trash enclosure with wood doors.
 - 3. *Fences shall be in good repair.*
Fences will be in good repair.
 - 4. *Areas determined to be unsafe, including steep grades, cliffs, open pits, swimming pools, high-voltage boosters., or high- speed roads, shall be fenced off or have natural barriers to protect children.*
The site does not contain the above unsafe conditions.
 - 5. *Playground equipment shall be so located, installed, and maintained as to ensure the safety of children.*
No playground equipment is planned for this recreation area.
 - B. *A residential facility shall have access to outdoor recreational space and suitable recreational equipment.*
The outdoor recreational space is located directly behind the building, fenced in along two property lines. Suitable recreation equipment will be determined based on the needs of the program.
- 4.) *No HSE can be within 1000' of another HSE. City will check on the accuracy of the data. The applicant needs to survey the area and check with the State on HSE licenses withing 1000'.*
- a.) Research did not find any other Human Service Establishments within 1000 feet of this facility.

WARRANT REVIEW CRITERIA

Warrant Request for 123 and 127 E. Las Animas Street

FBZ Standard to be modified:

2.6 Parking

Allowance Request:

7.4.1005. D On-Street Parking Credit

Request :

To allow for the one on-street parking space of 123 and 127 to be counted in the required parking count. Three parking spaces would be located on the 123 property and include the handicap parking space and access aisle. The remaining one of the four required spaces would be made up from the spaces in front of 127.

The request for the on-street parking credit meets the criteria set forth and listed in 7.4.1005.D and below.

- 1.) *The street segment is one on which the City (for public streets) or the Land Use Plan (for private streets) allows on-street parking;*
- 2.) *The street segment is not one that is subject to residential parking permit restrictions;*
- 3.) *Any on-street parking spaces for which credit is given shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted; and*
- 4.) *On-street parking spaces shall be used for vehicular parking only. No sales, rental, storage, repair, servicing of vehicles, equipment or materials, dismantling, or other activities shall be conducted or located in such areas.*

Is the requested warrant consistent with the intent of the form-based code?

The requested warrant is consistent with the intent of the parking requirements for the form-based code. Shared parking is encouraged, and street parking adds to the street's activity level.

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

The requested warrant is consistent with Section 4 – Design Guidelines as it will reinforce the current architectural vocabulary to the buildings in the immediate surrounding area including a porch feature to create a setback to the building. It will improve public pedestrian access to the buildings.

Is the requested warrant reasonable due to the proposed project's exceptional civic or environmental design?

Not applicable

Is the requested warrant consistent with the Imagine Downtown Master Plan?

Yes, we are fulfilling the goal of providing sufficient parking while simultaneously meeting the urban context of the neighborhood.

Is the requested warrant consistent with the City's Comprehensive Plan?

Yes. New parking and traffic are added efficiently as possible to meet the daily needs of the residents. Connectivity is maintained with the new uses to invigorate the neighborhood.

On behalf of 127 East Las Animas LLC and as the agent in this matter, TDG Architecture requests favorable consideration of this FBZ Conditional Use Development Plan and requested warrants.