CITY OF COLORADO SPRINGS

DOWNTOWN REVIEW BOARD
MEETING AGENDA

WEDNESDAY, May 6, 2015
8:30 A.M.

CITY HALL
COUNCIL CHAMBERS
107 NORTH NEVADA AVENUE
COUNCIL CHAMBERS, SUITE 325
COLORADO SPRINGS, CO 80903

DOWNTOWN REVIEW BOARD MEETING PROCEDURES

The Downtown Review Board will hold their regular meeting on **Wednesday, May 6, 2015 at 8:30 a.m** in the Council Chambers of City Hall located at 107 North Nevada Avenue, Colorado Springs, Colorado 80903.

The Consent Calendar will be acted upon as a whole unless a specific item is called up for discussion by a Board Member, a City staff member, or a citizen wishing to address the Downtown Review Board.

When an item is presented to the Downtown Review Board the following order shall be used:

- City staff presents the item with a recommendation;
- The applicant or the representative of the applicant makes a presentation;
- Supporters of the request are heard;
- Opponents of the item will be heard;
- The applicant has the right of rebuttal;
- Questions from the Board may be directed at any time to the applicant, staff or public to clarify evidence presented in the hearing.

APPEAL INSTRUCTIONS

If you do not agree with a decision of the Downtown Review Board and wish to appeal that decision you must do so by filing an appeal with the City Clerk's Office (located at 30 S. Nevada Avenue, Colorado Springs, CO 80903) no later than ten (10) days after the hearing date. Accordingly any appeal relating to this Downtown Review Board meeting must submitted to the City Clerk by 5pm on:

Monday, May 18, 2015

The appeal letter, along with the required $176 fee, should address specific code and/or regulating plan requirements that were not adequately addressed by the Downtown Review Board. City Council may elect to limit discussion at the appeal hearing to the matters set forth in your appeal letter. Unless a request for postponement is made, City Council will hear the appeal at its next regular meeting occurring at least nineteen (19) days after the Downtown Review Board meeting (Zoning Code Chapter 7.5.906).

DOWNTOWN REVIEW BOARD MEETING AGENDA

1. **APPROVAL OF THE MINUTES** – Minutes from the April 1, 2015 Meeting.

2. **COMMUNICATIONS** – Ryan Tefertiller, Land Use Review Manager

3. **CONSENT CALENDAR –** None

NEW BUSINESS CALENDAR –

ITEM NO.: 4 File NO.: DRB NV 15-00030 (Quasi-Judicial)

A Form-Based Zone sign warrant request submitted by Denise De La Cruz of Empire Signs on behalf of Sam Guadagnoli of Guadagnoli Properties for approval of new signage at the Red Martini. Specifically, a new projecting sign is proposed to be located roughly 8 feet from the existing projecting sign for The Mansion, where City Code prohibits projecting signs from being less than 20 feet from each other. The property is located at 22 N. Tejon Street, is roughly 4,786 square feet in size, is zoned FBZ-CEN (Form-Based Zone – Central Sector), and is located on the West side of N. Tejon Street between E. Kiowa Street and E. Pikes Peak Avenue.

ITEM NO.: 5 File NO.: DRB DP 15-00008 (Quasi-Judicial)

A request by Dwight Cooper on behalf of Cindy Jensen for approval of the Status Symbol Addition Development Plan. The plan illustrates a 2,951 square foot addition to the East side of the existing auto repair building. The property is located at 122 S. Wahsatch Avenue, 322 E. Cucharras Street and 330 E. Cucharras Street, is roughly 0.6 acres in size, is zoned FBZ-CEN (Form-Based Zone – Central Sector), and is located on the Northwest corner of S. Wahsatch Avenue and E. Cucharras Street.

6. **WORK SESSION** – Downtown Residents Coalition “White Paper”

NEW BUSINESS CALENDAR

DOWNTOWN REVIEW BOARD AGENDA

ITEM NO.: 4

STAFF: RYAN TEFERTILLER

FILE NO.:
CPC NV 15-00030 – QUASI-JUDICIAL

PROJECT: **RED MARTINI SIGNAGE**

APPLICANT: **DENISE DE LA CRUZ OF EMPIRE SIGNS**

OWNER: **SAM GUADAGNOLI OF GUADAGNOLI PROPERTIES**

PROJECT SUMMARY:

1. Project Description: This proposal is to allow the installation of a new projecting sign for the Red Martine at 22 N. Tejon St.. While most sign permits can be approved administratively, the proposed sign does not meet the minimum separation requirements between two projecting signs and therefore requires a sign warrant from the Downtown Review Board. The business is located on a 14,214 square foot parcel which is zoned FBZ-CEN (Form-Based Zone – Central Sector) and is located on the west side of N. Tejon St. between E. Pikes Peak Ave. and E. Kiowa St.

2. Applicant's Project Statement: **(FIGURE 1)**

3. Planning & Development Department's Recommendation: **Approval of the application with technical modifications.**

BACKGROUND:

1. Site Addresses: 22 N. Tejon St.
2. Existing Zoning/Land Use: FBZ-CEN (Form-Based Zone – Central Sector) / The site is occupied by an existing bar use. **(FIGURE 2)**
3. Surrounding Zoning/Land Use:
   North: FBZ-CEN (Form-Based Zone – Central Sector) / Commercial, Office and Residential uses
   South: FBZ-CEN (Form-Based Zone – Central Sector) / Commercial and Office uses
   East: FBZ-CEN (Form-Based Zone – Central Sector) / Commercial, Office and Residential uses
   West: FBZ-CEN (Form-Based Zone – Central Sector) / Commercial and Office uses
4. Comprehensive Plan/Designated 2020 Land Use: Regional Center
5. Annexation: Town of Colorado Springs, 1872
6. Master Plan/Designated Master Plan Land Use: Imagine Downtown Master Plan (2009) / Activity Center
7. Subdivisions: Town of Colorado Springs (1871)
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is occupied by an existing bar use.

STAKEHOLDER PROCESS AND INVOLVEMENT:

13 surrounding property owners were notified of the proposal shortly after the application was submitted. That notification provided instructions of how to submit comments along with the date, time and location of the public hearing. Staff received several comments in response to the notification (**FIGURE 3**). Of those comments, two are opposed and eight support the application. All applicable City agencies and departments were asked to review and comment and all concerns are incorporated into the required modifications listed at the conclusion of this report. Prior to the Downtown Review Board hearing, the site will be posted and postcards mailed once again.

ANALYSIS OF REVIEW CRITERIA AND MAJOR ISSUES

The owner of the subject property owns multiple businesses along both sides of N. Tejon St. between E. Pikes Peak Ave. and E. Kiowa St. Those businesses are primarily bar and entertainment uses, but also includes at least one food service / restaurant. The application under review is to allow a new projecting sign for one of the owner's businesses – The Red Martini (**FIGURE 4**).

Commercial signage across Colorado Springs, within the Downtown Form-Based Zone, and for the subject property, is regulated by Chapter 7, Article 4, Part 4 of City Code. In addition to defining permitted and prohibited sign types, the City's sign code sets thresholds for the maximum amount of signage permitted based on the use of the property. The proposed sign type and size are permitted on the subject property, however, the City's sign code includes a provision that prohibits two projecting signs from being less than 20 feet from each other. The obvious intent of this provision is to prevent the owners of adjacent businesses from installing projecting signs that obstruct the view of their neighbor's sign.

The proposed sign is to be located roughly eight feet from the existing projecting sign for The Mansion – the business immediately south of the subject property. The proposed separation is considered reasonable for two reasons: a) the owner of the proposed sign also owns the adjacent sign and business; and b) the two signs are vertically offset (the Mansion sign is significantly higher above grade than the proposed Red Martini sign). Even if one of the two businesses were to be sold to a different entity, the visibility of either sign will not be obstructed by the other.

Any project that requires relief from a standard must gain approval of a warrant by the Downtown Review Board. Warrants are reviewed using the five criteria found in Section 5.4 of the Form-Based Code. The criteria are:

1. Is the requested warrant consistent with the intent of the form-based code?
2. Is the requested warrant, as well as the project as a whole, consistent with Section 4 – Design Guidelines of the form-based code?
3. Is the requested warrant reasonable due to the proposed project's exceptional civic or environmental design?
4. Is the requested warrant consistent with the Imagine Downtown Master Plan?
5. Is the requested warrant consistent with the City's Comprehensive Plan?

The primary intent of the Form-Based Code is focused on creating standards and guidelines for new urban construction; new signage doesn't fall neatly into most of the code's intent direction. However, the code does include the following statement which can be used to evaluate this application: "remove barriers to revitalize downtown." Additionally, the code and its standards and guidelines are "intended to create safe, attractive street-life and pedestrian comfort."

Section 4 of the Form-Based Code provide design guidelines applicable to a wide range of urban issues. Sub-section 4.4 provides specific guidance on signage issues. The following broad statements were utilized to evaluate this request: "Location: signs should be positioned to emphasize or accent building elements such as storefront openings, entrances or architectural elements. An existing building's architecture, especially those over 50 years-old, often provide appropriate locations for signs. Signs should not overpower the façade or cover significant architectural components" and "Alignment: signs should consider the alignment of those already existing on the building and those on neighboring buildings to promote visual order on the block, avoid visual clutter, and enhance legibility."

Section 4.4 also provides specific guidelines on projecting signs, including:

1. No more than one projecting sign per tenant space frontage at the pedestrian level of a building.
2. Projecting signs should be oriented to pedestrians.
3. Projecting signs should reflect the character of each building and business and should be compatible with adjacent signage.
4. Minimum vertical clearance: 11 feet.
5. Maximum projection: 48 inches.
6. Maximum area: 12 square feet
7. Maximum Width: 1 foot
8. Projecting signs are limited to first or second floor. A second or third story tenant with a separate entry door on the street can have a small projecting sign with a maximum area of 6 square feet near the tenant's street entry.

The proposed sign complies with at least 7 of the 8 guidelines. The only one that is unclear is the guideline describing a minimum vertical clearance of 11 feet – the plan doesn't label the vertical clearance, but it is likely less than 11 feet.

After careful consideration, Staff has determined that the required warrant will be in substantial compliance with the required criteria once the technical modifications described at the conclusion of this report are addressed, and therefore the plan should be approved.

STAFF RECOMMENDATION:

ITEM NO.: 4 CPC NV 15-00030 – RED MARTINI SIGNAGE

Approve the proposed sign warrant based on the findings that the warrant criteria found in Section 5.4 of the Downtown Colorado Springs Form-Based Code will be substantially met once the following technical modifications are made:

Technical Modifications to the Warrant Plan:

1. Add the file number to the bottom corner of the plans.
2. Add a note that all unpermitted banners must be removed prior to installation of the proposed sign.
3. Label the minimum vertical clearance of the proposed sign.
4. Modify the site plan to clarify the sign's location relative to the existing balcony and sides of the existing business.
5. Add a note to the plan identifying the site as being zoned FBZ-CEN.

Empire Signs Inc.

3/25/15

We are proposing to manufacture and install business identification signage at 22 N. Tejon, Red Martini. The sign is 36" in diameter and will be mounted in the center of the balcony..

The current code states that signs have to be 20' from each other, however in most every case of signage in the downtown area mainly Tejon the signage existing is closer than 20' in most of the business's. Several of the business's only having 20' of storefront, the current code makes it virtually impossible for a business to have sufficient identification.

It is visually more appealing with the signs installed as they are now on Tejon. If the code were adhered to, it would not be visually appealing and seem offset and confusing to clientelle as to which establishment they were actually going into.

We are proposing that the code match what is and has been existing for many years, that the business owner could place the signage in the area most appealing and identifiable for their clientelle.

Sincerely;

Denise de la Cruz

Denise de la Cruz
Empire Signs

FIGURE 1

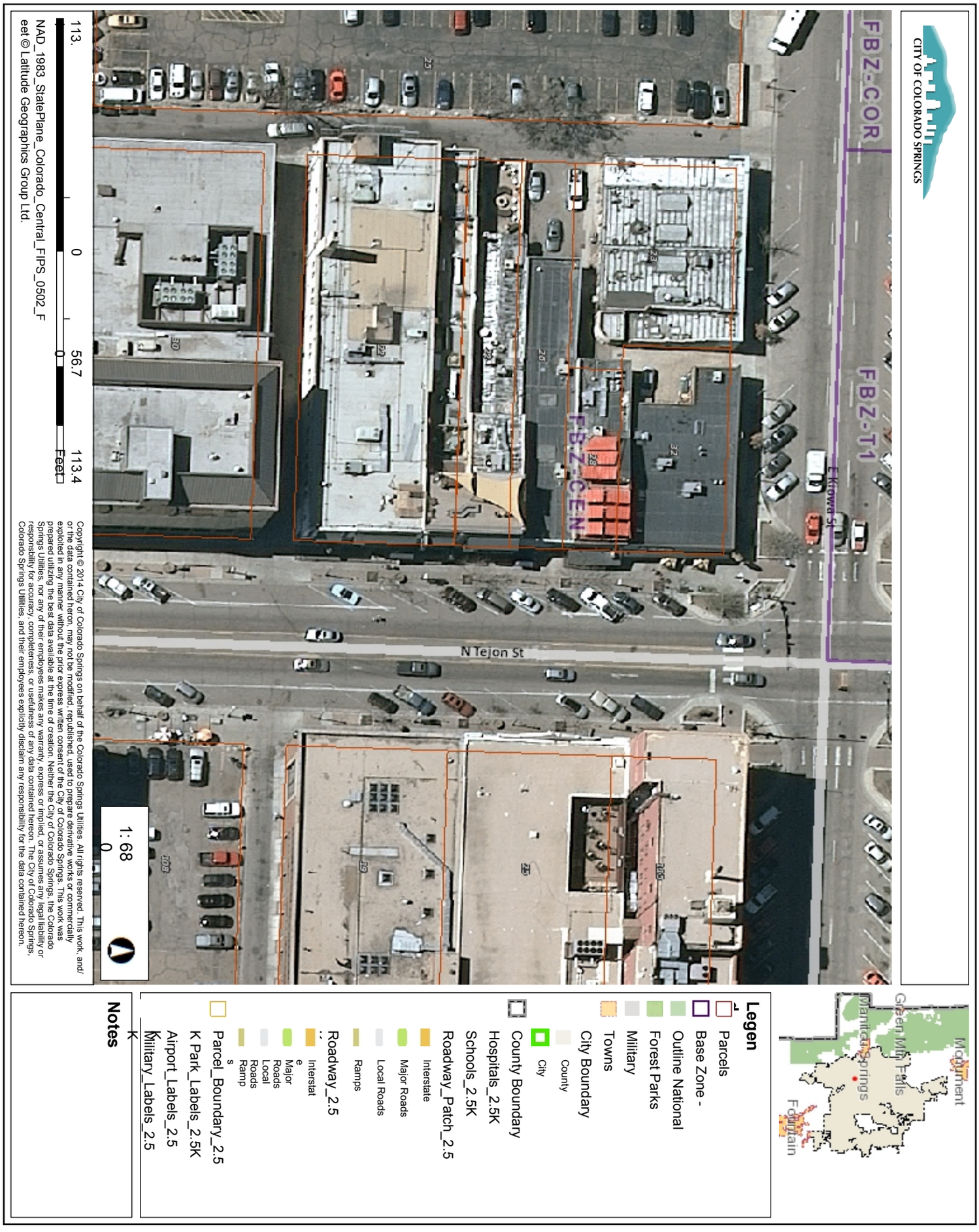
CITY OF COLORADO SPRINGS
FBZ-COR
FBZ-T1
FBZ-CEN
Ekiowa St
N Tejon St
Legen
Parcels
Base Zone -
Outline National
Forest Parks
Military
Towns
City Boundary
County
City
County Boundary
Hospitals_2.5K
Schools_2.5K
Roadway_Patch_2.5
Interstate
Major Roads
Local Roads
Ramps
Roadway_2.5
Interstate
Major Roads
Local Roads
Ramps
Parcel_Boundary_2.5
K Park_Labels_2.5K
Airport_Labels_2.5K
Military_Labels_2.5K
Notes
1: 68
113.4
Feet
NAD_1983_StatePlane_Colorado_Central_FIPS_0502_Feet © Latitude Geographics Group Ltd.
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FIGURE 2

DOWNTOWN
COLORADO SPRINGS
PARTNERSHIP

April 22, 2015

Ryan Tefertiller, Planning Manager
City of Colorado Springs
Land Use Review Division
30 S. Nevada Ave.
Colorado Springs, CO 80903

Dear Mr. Tefertiller,

The purpose of this letter is to express an opinion by Downtown Partnership regarding a request by Denise De La Cruz of Empire Signs on behalf of Sam Guadagnoli of Guadagnoli Properties for approval of new signage at the Red Martini. The property in question is located between Kiowa and E. Pikes Peak.

We have reviewed the signage plans and do not see any concern with the design or placement. We are supportive of the request, particularly knowing that the signage code prevents signage within 20 feet of another sign, where this particular property is within 20 feet of their own sign. Therefore we do not see this as competitive to any other businesses.

Sincerely,

Sarah Harris
Director of Business Development & Economic Vitality
Downtown Partnership of Colorado Springs

Downtown Partnership of Colorado Springs
111 S. Tejon St., Suite 404 ▪ Colorado Springs, CO 80903 ▪ (719) 886-0088 ▪ Fax: (719) 886-0089
www.DowntownCS.com

FIGURE 3

Murphy
Constructors of Colorado Springs, Inc.

April 23, 2015

Ryan Tefertiller, AICP – Planning Manager
City of Colorado Springs
Land Use Review Division via email: tefertiller@springsgov.com

Dear Mr. Tefertiller,

We are the proud owner of the property located at the corner of Pikes Peak and Tejon. We have owned this property since the early 1970's. In addition, I serve on the Downtown Development Board, Downtown Partnership and Art On The Streets.

I have had the opportunity to review the sign proposal for The Red Martini and feel the sign is in good taste, and therefore, in favor of the signs placement.

Please call if there are any questions.

Thanking you in advance,

Charles J. Murphy

2245 Broadway, Colorado Springs, Colorado 80904 • Phone: (719) 475-1634 • Fax: (719) 475-7407
www.murphyconstructors.com

FIGURE 3

Tefertiller, Ryan

From: jerry rutledge <jerryrutledge@me.com>
Sent: Saturday, April 18, 2015 5:23 PM
To: Tefertiller, Ryan
Cc: kathy_guadagnoli@yahoo.com
Subject: Red Martini signage

Mr. Tefertiller,

I can't imagine why anyone could possibly object to the sign designed by Kathy Guadagnoli for the Red Martini. I think it is a very attractive sign and I also would be very hesitant to advise Kathy on the most effective way to identify her business. She is a pro and her years of great success affirm that.

I would add that I greatly appreciate and value what Sam and Kathy do for downtown and for all of Colorado Springs. Can you imagine what our downtown would be like if they weren't there and the block was dark??? One of the core values of our downtown is to be Vibrant and they add to our vibrancy big time!

Thanks for your consideration,

Jerry Rutledge
President
Rutledge's INC

Sent from my iPad

FIGURE 3

Tefertiller, Ryan

From: Lindsey Drago-Livingston <linzdrago@yahoo.com>
Sent: Thursday, April 16, 2015 10:05 PM
To: Tefertiller, Ryan
Subject: red martini sign

This email addresses the issue of the Red Martini business signage downtown. I am a downtown business owner who is in support of allowing Red Martini to place the necessary signage needed. Brian Cortez has discussed the placement of the signage with me and I believe it will be beneficial for the businesses and surrounding establishments.

Sent from Yahoo Mail on Android

FIGURE 3

Tefertiller, Ryan

From: info@beautybar-inc.com
Sent: Thursday, April 16, 2015 2:19 PM
To: Tefertiller, Ryan
Subject: In regards to Red Martini

To whom it may concern Beauty Bar llc does not have a problem with Red Martini adding additional signage to the exterior of their building. In addition a blade sign would add to the character of the block and would help pedestrians distinguish the different business within one single building.

--

Chris Morrison
Action Team Realty
Christhebroker@me.com
7192717051 Cell

FIGURE 3

Tefertiller, Ryan

From: Stephen Smith <sjsmith@academybankco.com>
Sent: Thursday, April 16, 2015 10:38 AM
To: Tefertiller, Ryan
Subject: CPC NV 15-00030

Mr. Tefertiller,

Good morning. I am Commercial Banker and have worked downtown for approximately the past 13 years. My office is currently located at 1 South Tejon.

I have had a chance to review the sign and the request submitted by Sam and Kathy Guadagnoli for the new sign to be located at 22 North Tejon. Personally, I think the sign will be a positive to the street and will provide a modern, classy, look to a great establishment. Given the surrounding businesses and property types I think it "fits" in the neighborhood.

Also, with the limited frontage many of the property owners have in the downtown area exceptions to Code would be necessary to accommodate the various property owners.

All the Best,

Stephen Smith
719-330-7758

CONFIDENTIALITY NOTICE: The content of this e-mail, along with any attachments, is covered by state and federal law governing electronic communications and may contain confidential and legally privileged information. The information is intended only for the use by the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this e-mailed information is strictly prohibited. If you have received this e-mail in error, please contact the sender and delete the e-mail and any attachments from all computers.

FIGURE 3

Tefertiller, Ryan

From: Randy Case <rwcase@crlr.net>
Sent: Thursday, April 16, 2015 9:19 AM
To: Tefertiller, Ryan
Cc: Randy Case
Subject: Red Martini Sign Request CPC NV 15-00030

April 16, 2015

Downtown Review Board
c/o Ryan Tefertiller, Planning Manager
City of Colorado Springs
Land Use Review Division
30 S Nevada Ave.
Colorado Springs, CO 80903

RE: Red Martini Sign Request CPC NV 15-00030

Dear Board Members,

This letter is sent to address the proposed individual sign for the Red Martini. By way of brief additional information, our family has been involved in Downtown Colorado Springs real estate since the 1960s when we started with an office in the 600 block of N. Tejon. In the early 1980s, we moved into the core area when we acquired the building at 102 E Pikes Peak (NE corner of Pikes Peak and Tejon) where we have maintained our main office since. In 1993, we also acquired the buildings at 25 and 31 North Tejon which are now home to major street level businesses known as Cowboys and The Famous. Over the years, we have encouraged and participated in Downtown building and streetscape renovations and improvements. We have served as founding members and participants of the Downtown Partnership and its affiliated Downtown Business Improvement District, Downtown Development Authority, Community Ventures and others.

As part of the renaissance of Downtown Colorado Springs over the last two decades, we have participated in the policy making to provide for streetside cafes and enhancements to the pedestrian experience in Downtown. Our family has supported, and continues to support, efforts to encourage a business friendly environment that will help Downtown be a great place to "live, work, play and stay."

We have reviewed the land use application for Red Martini's individual sign and find that it is consistent with other approved sign requests approved in the area. We encourage your approval of the request.

If you have any questions, please contact me.

Sincerely,

CASE INTERNATIONAL COMPANY
Randle W. Case II
By: Randle W. Case II, President

Address:
CASE INTERNATIONAL COMPANY

FIGURE 3

Tefertiller, Ryan

From: O'Neil, Kevin <Kevin.Oneil@theoneilgroupco.com>
Sent: Wednesday, April 15, 2015 4:03 PM
To: Tefertiller, Ryan
Subject: CPC NV 15-00030

Good Afternoon Ryan,

I'm emailing on behalf of the proposed signage for The Red Martini. I am a resident at Gidding's Lofts located at 101 N Tejon. I am fine with signage and support the approval and agree with you in that the "proposed sign is very well aligned with the goals of the Tejon corridor".

I appreciate your willingness to listen to the residents regarding this matter; if you need to contact me for any reason my information is below.

Sincerely,

Kevin O'Neil

Chief Executive Officer
O'NEIL GROUP COMPANY
6 N. Tejon, Suite 100
Colorado Springs, CO 80903
P: 719.445.5050
F: 719.213.2825

FIGURE 3

Tefertiller, Ryan

From: Craig Bonham <Bonham.Craig@yahoo.com>
Sent: Wednesday, April 15, 2015 3:21 PM
To: Tefertiller, Ryan
Subject: Red Martini Sign

To whom it may concern,

It was recently brought to my attention that a new sign for the Red Martini is planned to be put up in downtown. I also understand that someone is opposed to the posting of a new sign. As a resident of downtown who frequents establishments in the area, I am not at all opposed to a new sign going up. In fact, I welcome the sign and hope that it draws more patrons to local establishments.

C. Bonham II

FIGURE 3

Tefertiller, Ryan

From: Tim ODonnell <tim_odonnell@live.com>
Sent: Monday, April 13, 2015 5:11 AM
To: Tefertiller, Ryan
Cc: Tim ODonnell
Subject: DRC Response to Signage Application CPC NV 15-00030
Attachments: Re: TIME URGENT: by 14 APRIL - Your e-Signature to support DRC Response to Signage Application CPC NV 15-00030; Re: TIME URGENT: by 14 APRIL - Your e-Signature to support DRC Response to Signage Application CPC NV 15-00030; Re: TIME URGENT: by 14 APRIL - Your e-Signature to support DRC Response to Signage Application CPC NV 15-00030; Re: TIME URGENT: by 14 APRIL - Your e-Signature to support DRC Response to Signage Application CPC NV 15-00030; Re: TIME URGENT: by 14 APRIL - Your e-Signature to support DRC Response to Signage Application CPC NV 15-00030; Re: TIME URGENT: by 14 APRIL - Your e-Signature to support DRC Response to Signage Application CPC NV 15-00030

To: The Downtown Review Board / City Planning (Ryan Teffertiller)
From: The Downtown Residents Coalition, who represent downtown residential owners and renters
Subject: CPC NV 15-00030 Signage

The Issue:
The application is for a new projecting sign at 22 N. Tejon to be located roughly 8 feet from an existing projecting sign where City Code prohibits projecting signs from being less than 20 feet from each other.

Our Position:

The Formed-Based Code (FBC) was written to focus on directing high quality urban form primarily by controlling physical form to ensure the aesthetics and compliance to put the vision for downtown Colorado Springs into action. It has many elements but a major part of the FBC is to provide strict guidelines on the aesthetics of downtown. One element is the Design Guidelines (Section 4). This Section tries to find a good compromise between signage and visual clutter. Too much signage leads to visual clutter which is ugly.

This application requests an exemption to those guidelines and therefore would lead to visual clutter. Therefore it is inconsistent not only with the FBC guidelines but with the overall aesthetics of the downtown area. The new signage would not only lead to a visually cluttered streetscape in the North Tejon block where the bars are located – it would also set a precedent that is inconsistent with the FBC.

In summary, the application is:

1. Non-conforming with the FBC,

2. Will lead to visual clutter,

3. Will set a precedent that is inconsistent with the FBC and the vision for the aesthetics of downtown Colorado Springs.

For these reasons, the DRC ***opposes*** this application.

FIGURE 3

Tefertiller, Ryan

From: Tim ODonnell <tim_odonnell@live.com>
Sent: Wednesday, April 08, 2015 10:41 AM
To: Tefertiller, Ryan
Cc: Tim ODonnell
Subject: FW: CPC NV 15-00030
Attachments: CPC NV 15-00030-BSLP.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Ryan,

I believe that the current signage for the Red Martini is sufficient. In that short span between the Mansion and Einstein's there are a lot of signs. It's beginning to look like the Kowloon district in Hong Kong. This is one item clearly in the prevue of the Form Based Cod.

I'm opposed to more sign creepage.

Tim O'Donnell
Downtown Residents Coalition
101 N Tejon #330
Co. Springs, CO 80903
719-442-2337
tim_odonnell@live.com

From: Elliott, Alenna [mailto:aelliott@springsgov.com]
Sent: Friday, April 03, 2015 12:36 PM
To: susan@downtowncs.com; sarah@downtowncs.com; tim_odonnell@live.com; R.A.HOOVER@COMCAST.NET
Subject: CPC NV 15-00030

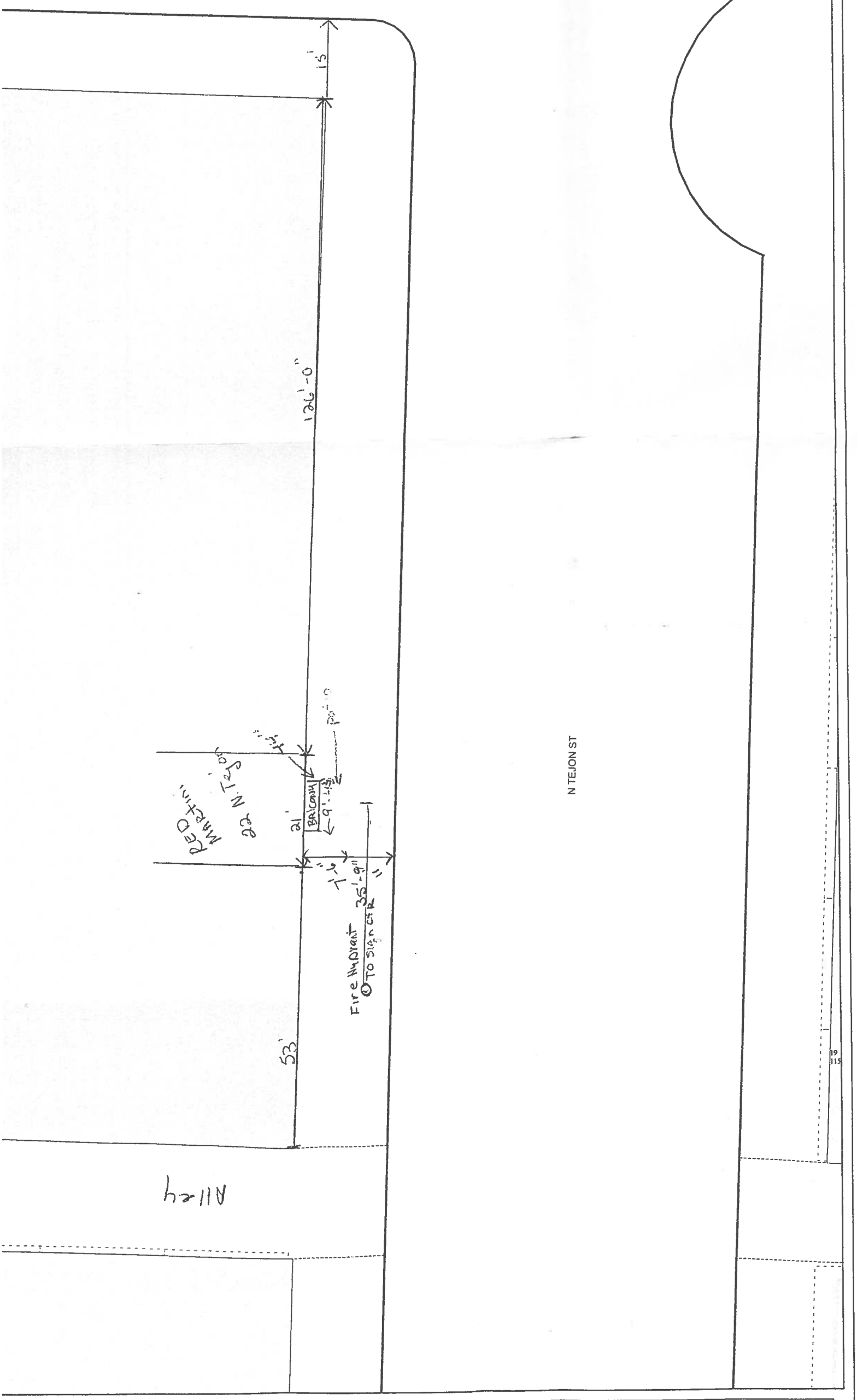
Please find attached the buckslip for the Red Martini Signage. **Comments due by April 15, 2015.** Because you are on the Electronic Buckslip recipient list, you will no longer be receiving hard copies of the buckslip, project statement or plan(s). In order to access the site needed to view the electronic version of the application, project statement and/or plan(s), please follow these steps:

1. Go to http://eoc.springsgov.com/ldrs/
2. Type in the file number.
3. Click "Run Query".
4. Click on the "Document" link next to the Initial Application to view the application and the project statement.
5. Click on the "Document" link next to the drawings that were submitted.

Please provide ANY and ALL comments to the planner, Ryan Tefertiller at rtefertiller@springsgov.com. **Do not reply to this email address.**

Alenna Elliott
Senior Office Specialist
Planning & Development

FIGURE 3



owner
Guadagnoli Properties
2775 Stratton Meadows
Colorado Spgs CO 80906
719-499-4125

Applicant
Empire Signs
1075 Ford St. Ste. 110
Colorado Spgs, CO 80915
719-591-7878

Lot 28, TOG with That PT of Lot 27 Desc By BK 3113-666 BK 81 COSpgs

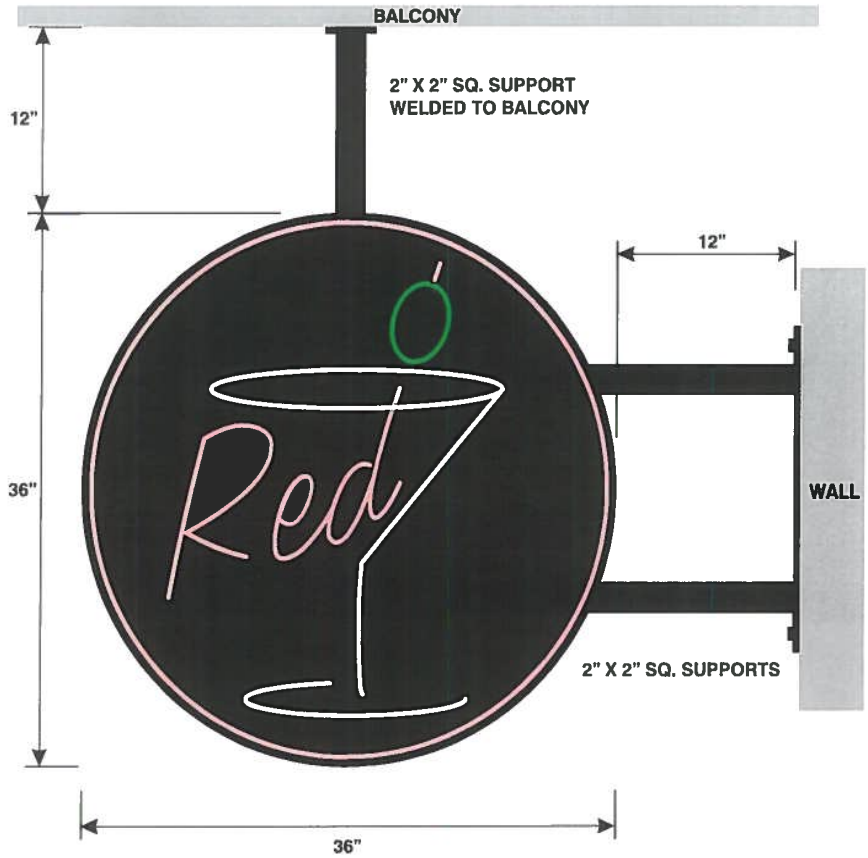
Parcel Public Access Map
22 N Tejon St

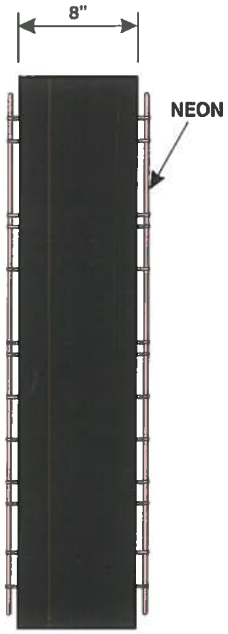
e - NAD83
ey Feet

Lower Left: 3192360, 1365344
Upper Right: 3192760, 1365644

Map ID: 15-010denisedelacruzempiresignsparc1152015

FIGURE 4





END VIEW

NIGHT VIEW

FLAG MOUNTED DOUBLE FACE SKELETON NEON DISPLAY

BLACK ALUMINUM BACKING OVERLAID W/ EXPOSED 10 MM CLEAR RED, GREEN AND WHITE NEON TUBE.
BLACK ALUMINUM RETURN.

PROPOSED LOCATION

PHOTO REPRESENTATION IS FOR POSITION ONLY AND IS NOT TO SCALE
SEE SCALE DRAWING FOR ACTUAL PRODUCTION SIZE

FIGURE 4

FIELD MEASUREMENTS REQUIRED

Empire Signs

An Affiliate of EPNM, INC. ELECTRICAL PRODUCTS COMPANY

THIS DESIGN IS THE EXCLUSIVE PROPERTY OF ELECTRICAL PRODUCTS CO. AND CANNOT BE REPRODUCED EITHER IN WHOLE OR IN PART WITHOUT THEIR WRITTEN CONSENT.

ACTUAL SIZE OF SIGN AND COPY FROM SCALED DRAWING MAY VARY 1-1
COLOR ON THIS PRESENTATION DOES NOT REPRESENT THE EXACT MATERIAL COLOR SPECIFIED. SEE CHART(S) FOR EXACT APPEARANCE OF COLORS SPECIFIED.

TITLE: THE RED MARTINI		
SCALE: 1/2"=1'-0"	DRWG NO: 1214-436	APPROVED FOR PRODUCTION:
SALES: KEVIN GRAY	CUSTOMER APPROVAL:	
DESIGN BY: H. ANG		

NEW BUSINESS CALENDAR

DOWNTOWN REVIEW BOARD AGENDA

ITEM NO.: 5

STAFF: RYAN TEFERTILLER

FILE NO.:
DRB DP 15-00008 – QUASI-JUDICIAL

PROJECT: **STATUS SYMBOL AUTO ADDITION**

APPLICANT: **DWIGHT COOPER**

OWNER: **JENPAC**

PROJECT SUMMARY:

1. Project Description: This proposal is to construct a new two-story, 2,951 square foot addition to the existing auto repair business. The proposed addition utilizes a vacant lot that previously included a residential structure on the property and will replace two of the three existing paint booths on the site with one new, modern paint booth. The site is zoned FBZ-CEN (Form-Based Zone – Central Sector) which requires compliance with the form-based standards included in the Downtown Colorado Springs Regulating Plan. The proposed project requires three Form-Based Zone warrants for relief from the following standards: 1) Section 2.3.3. Building Envelope; 2) Section 2.4 Frontages; and 3) Section 2.8.4. Amenity Zone Design. The project also includes a subdivision plat to establish the property as one platted lot; this application is being processed administratively.

2. Applicant's Project Statement: **(FIGURE 1)**

3. Planning & Development Team's Recommendation: **Approval of the application with technical modifications.**

BACKGROUND:

1. Site Addresses: 322 E. Cucharras St. and 122 S. Wahsatch Ave.
2. Existing Zoning/Land Use: FBZ-CEN (Form-Based Zone – Central Sector) / The site is made up of an existing auto repair business including repair buildings and vehicle storage areas, and a vacant lot that previously included a two-story residential structure. **(FIGURE 2)**
3. Surrounding Zoning/Land Use:
   North: FBZ-CEN (Form-Based Zone – Central Sector) / Office and parking uses
   South: FBZ-T1 (Form-Based Zone – Transition Sector 1) / Office warehouse use
   East: FBZ-CEN (Form-Based Zone – Central Sector) / Office and commercial uses
   West: FBZ-CEN (Form-Based Zone – Central Sector) / Office uses
4. Comprehensive Plan/Designated 2020 Land Use: Regional Center
5. Annexation: Town of Colorado Springs, 1872
6. Master Plan/Designated Master Plan Land Use: Imagine Downtown Master Plan (2009) / Activity Center
7. Subdivisions: Town of Colorado Springs (1871); under review for replat
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is made up of an existing auto repair business including repair buildings and vehicle storage areas, and a vacant lot that previously included a two-story residential structure.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Fifty surrounding property owners were notified of the proposal shortly after the application was submitted. That notification provided instructions of how to review the proposed project as well as how to submit comments to the City. Staff has received two formal comments in response to the original notification and proposal (**FIGURE 3**). Based on City and stakeholder input, the applicant revised the plan to include numerous design improvements. Staff received two comments in response to the revised plans (**FIGURE 4**). All applicable City agencies and departments were asked to review and comment and all concerns are incorporated into the required modifications listed at the conclusion of this report. Prior to the Downtown Review Board hearing, the site will be posted and postcards mailed once again.

ANALYSIS OF REVIEW CRITERIA AND MAJOR ISSUES

The majority of the site includes an existing auto repair business which includes multiple structures, parking areas, and outdoor vehicle storage areas. The remainder of the site included a two story residential building until it was demolished in April 2015; this portion of the site is now vacant.

The existing auto repair business has existed on the site for over 50 years. Although the downtown use standards found in Section 2.5.4. of the Form-Based Code indicate that auto repair (as a principal use) requires approval of a conditional use permit, the presence of the use prior to the adoption of the Form-Based Code allows the City to "presume" approval of the conditional use permit. This provision is utilized by numerous uses downtown that were legally established prior to the adoption of the Form-Based Code; the most common example being bar uses. Numerous site improvements and expansions of the business have been reviewed and approved by the City. Most recently, in 2010 the Downtown Review Board (DRB) approved a 300 square foot addition near the western portion of the E. Cucharras St. frontage; specifically, the DRB approved warrants for building type, glazing and public space deficiencies (**FIGURE 5**).

The Downtown Colorado Springs Form-Based Zone (FBZ) was created to promote urban development patterns in the heart of the City. Quantifiable physical standards were created to require new structures to be located in close proximity to the public right-of-way; surface parking areas are therefore required to be located behind structures and accessed by public alleys or shared driveways. The intent of these standards is to allow high density development that is interesting to the pedestrian and public.

Although many of these goals and principals were discussed prior to the submittal of the application, the initial plans were deficient on numerous issues. The proposed addition was one-story and had very little glazing along its front façade. Although some landscaping and fencing were proposed along S. Wahsatch Ave., the design was more suburban than urban. Staff's review letter critiquing the initial submittal, as well as the stakeholder comments which were forwarded to the property owner and applicant, communicated significant design issues which made support of the project difficult.

Recognizing the goals, objectives, and standards of the FBZ, the applicant and owner worked with Planning Staff to revise the development plan to more closely align with the FBZ standards (**FIGURE 6**). A second story was added to the addition to provide more bulk and mass and to allow mixed office/commercial use opportunities; glazing was increased along the east-facing façade; a four foot high stucco and metal wall replaced the wrought iron fence to help screen parking and stored vehicles; and public space improvements were added to improve pedestrian character.

While significant improvement was made with the revised plan, three form-based warrants are still necessary. As a two-story building, the structure is now considered a "mixed use" building which is a permitted building type in the Central Sector. However, a mixed use building is required to be located adjacent to the public right-of-way with a zero foot front setback. While the proposed two-story building adds much needed bulk and scale to the area, the proposed 55.25 foot front setback along S. Wahsatch is far greater than required by code. Additionally, the FBZ requires that mixed use buildings utilize either a storefront or gallery frontage type, both of which require 60% glazing due to their proximity to the sidewalk. The proposed building addition utilizes a common lawn frontage type, largely due to the building's physical setback. And while mixed use buildings aren't permitted to have a common lawn frontage, it is noteworthy that the minimum glazing requirement of a common lawn frontage (25%) is met with the revised building design.

The third warrant that is required is to allow the improvement of the S. Wahsatch Ave. right-of-way using the "wide" amenity zone design option, which is normally only allowed in the FBZ's transition sectors; Central Sector properties are required to use either the "planter" or "narrow" amenity zone design options. The wide amenity zone design utilizes a roughly eight foot wide planter (i.e. tree-lawn) area whereas the other two amenity zone options use either tree grates or a six foot wide planter design. The proposed amenity zone design is reasonable in this instance as the proposed improvements are simply extending the existing streetscape northward roughly 40 feet.

Any project that requires relief from a standard must gain approval of a warrant by the Downtown Review Board. Warrants are reviewed using the five criteria found in Section 5.4 of the Form-Based Code. The criteria are:

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

2. Is the requested warrant, as well as the project as a whole, consistent with Section 4 – Design Guidelines of the form-based code?
3. Is the requested warrant reasonable due to the proposed project's exceptional civic or environmental design?
4. Is the requested warrant consistent with the Imagine Downtown Master Plan?
5. Is the requested warrant consistent with the City's Comprehensive Plan?

The Form-Based Code emphasizes positive urban design, bulk/scale, and pedestrian interest to improve the character of downtown Colorado Springs. And while the use of properties is deemphasized, it is not ignored. Auto repair uses that existed prior to the adoption of the Form-Based Zone are given legal standing to improve, expand and even rebuild if destroyed. Therefore, while some stakeholders may object to the proposed plan due to the desire to expand an auto repair use and potential compatibility issues with existing or planned projects in the area, the focus of the review should be on the proposed building form.

The applicant attempted to mitigate the site's design deficiencies (largely a setback issue) by adding increased landscaping, adding a four foot high stucco and metal screen wall, and adding pedestrian improvements including two pedestrian benches adjacent to the proposed addition.

There are a number of statements within Section 1 of the Form-Based Code that communicate the intent of the standards. Specifically, the code states that "it is designed to guide the development of a lively, mixed-use, pedestrian-friendly downtown," it is "intended to create safe, attractive street-life and pedestrian comfort," and "remove barriers to revitalize Downtown Colorado Springs." The proposed project is consistent with a number of these goals: it improves the existing streetscape, screens outdoor storage areas, and adds bulk and scale to a currently vacant lot.

Section 4 of the FBC provides a number of design guidelines that must be used to evaluate the second of the five review criteria. Issues such as architectural detail, services, parking, hardscape elements, and others were considered as part of this application. While the proposed project is a significant improvement from the original submittal and has clearly made efforts to incorporate design elements into the project, additional improvements are feasible. For example, the proposed grey stucco façade has minimal detail. A modest corner pilaster and basic wall cap could be improved. And while staff recognizes the reluctance to build a full second story, a trellis or pergola could be added to the rooftop deck area (which does not appear to be accessible all all). That said, Staff believes the proposed improvements are an improvement in the area and exceed the design of many of the adjoining properties.

While the project does not appear to have any exceptional environmental or civic design characteristics, Staff finds that it is consistent with the intent of the Imagine Downtown Master Plan and the City's Comprehensive Plan. Both plans call for ongoing infill investment, supporting increased employment opportunities, mixed-use activity centers, and pedestrian improvements. And while the use of the property, auto repair, could present compatibility concerns with existing and future uses in the area, a number of considerations are important to consider: a) the use has existed on the site for over 50 years; b) the use is treated as if it were a permitted use as it was established legally prior to the adoption of the form-based zone; c) the proposed addition may actually decrease impacts from the existing paint booths; and d) the form-based code emphasizes physical form over internal use.

As described above, the project as submitted does not meet three form-based standards: 1) building envelope, 2) frontage type, and 3) amenity zone design. After careful consideration, Staff has determined that the required warrant criteria are substantially met and once the technical modifications described at the conclusion of this report are addressed, the plan should be approved.

STAFF RECOMMENDATION:

ITEM NO.: 5 CPC DP 15-00008 – Status Symbol Auto Addition

Approve the proposed development plan and three warrants (for relief from building envelope, frontage type, and amenity zone design) based on the findings that the warrant criteria found in Section 5.4 of the Downtown Colorado Springs Form-Based Code will be substantially met once the following technical modifications are made:

Technical Modifications to the Development Plan:

1. Correct the scale bar and produce the site plan at a standardized scale.
2. Correct the plan to list the proposed addition as a “mixed use” building.
3. Clarify the existing lot coverage (with the house demolished) and the proposed lot coverage once the addition is built.
4. Modify the warrant note on sheet 1 to correctly list the warrants as described above.
5. Adjust the site plan to provide consistency with the wall, bench and landscape improvements shown along S. Wahsatch Ave. on the landscape sheet.
6. Provide a building elevation for the north facing façade.
7. Provide the recorded documents for the northern “right-of-way” to verify that placing structures (e.g. trash enclosure) is acceptable.
8. Unless it has been vacated, the northern “right-of-way” should be illustrated on the development plan.

STATEMENT LETTER
BUILDING ADDITION AT 322 CUCHARRAS ST

Project Description:
2400 s.f. addition to existing business Status Symbol Auto Body for the purpose of housing a paint booth and for auto body repair.

Statement:

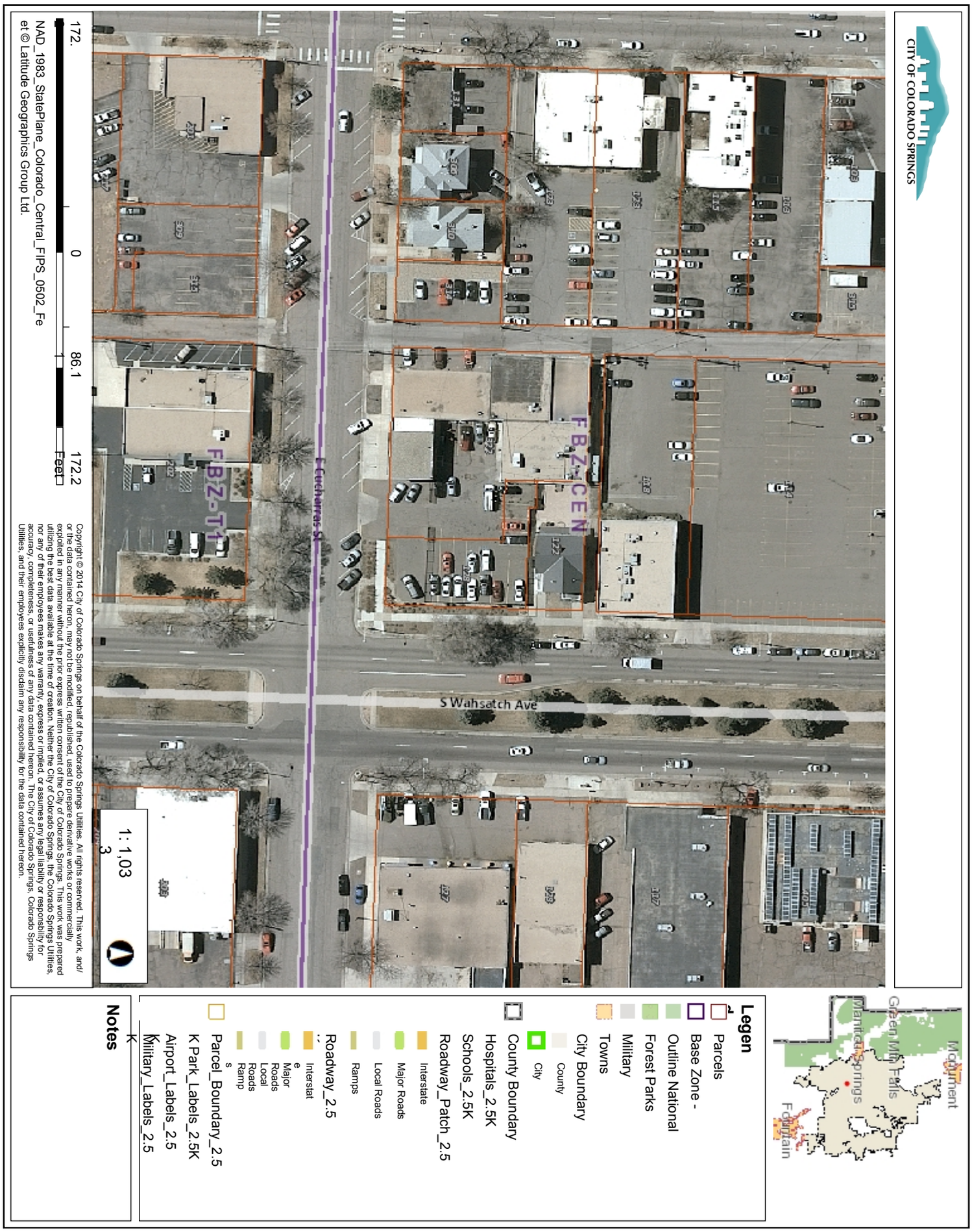
Due to the large demand for their services, Status Symbol needs additional space to meet this demand. The new addition will be attached to the east end of the existing maintenance bays. The 40' X 60' structure will be constructed of CMU walls and precast concrete roof tees to satisfy current codes. The exterior finish will be stucco to match the existing building in design and color.

The project will require a warrant to allow the east elevation of the building to have a front yard setback greater than the requirement of the FBZ zone. The parking lot between the east elevation of the addition and the public sidewalk will be fenced matching the existing lot and be landscaped to match the existing landscaping on the east property line.

The addition will generate an increase in the staff of the company. The use of the building is allowed in the current zone and is consistent with the city's desire to stimulate business in the downtown core. Parking will be accommodated on site even though the property is in the parking exempt zone.

Thank you in advance for your consideration of this project

FIGURE 1


CITY OF COLORADO SPRINGS
S Wahsatch Ave
E Cucharras St
FBZ-CEN
FBZ-T1
1: 1,033
172.3 0 86.1 172.2 Feet
NAD_1983_StatePlane_Colorado_Central_FIPS_0502_Feet © Latitude Geographics Group Ltd.
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Legend
Parcels
Base Zone - Outline National Forest Parks
Military
Towns
City Boundary
County
City
County Boundary
Hospitals_2.5K
Schools_2.5K
Roadway_Patch_2.5
Interstate
Major Roads
Local Roads
Ramps
Roadway_2.5K
Interstate
Major Roads
Local Roads
Ramps
Parcel_Boundary_2.5K
Park_Labels_2.5K
Airport_Labels_2.5K
Military_Labels_2.5K
Notes
Monument
Green Mtn Falls
Manitou Springs
Fountain

FIGURE 2

DOWNTOWN
COLORADO SPRINGS
PARTNERSHIP

March 2, 2015

Ryan Tefertiller, Senior Planner
City of Colorado Springs
Land Use Review Division
30 S. Nevada Ave.
Colorado Springs, CO 80903

Dear Mr. Tefertiller,

The purpose of this letter is to express an opinion by Downtown Partnership regarding a request by Dwight Cooper on behalf of Cindy Jensen for the property located at 122 S. Wahsatch Ave. and continuing to 330 E Cucharras St . The request is for a setback warrant along Wahsatch Avenue to allow construction of additional space and expansion of the existing auto body repair operation.

Status Symbol Auto has shown excellence in growing and expanding its business, while maintaining a clean look on the property within downtown. We appreciate that they have chosen downtown as their home, and can see that their location along with the way they conduct business has led to their success and need to grow. Despite their strong business standing, both the use and the design for the expansion plans are incompatible with the vision set by the Imagine Downtown Master Plan as well as by Form Based Code. Therefore, Downtown Partnership is of the opinion that a warrant should not be permitted.

Understanding that the form based code is "use neutral," there are provisions which require obtaining a conditional use permit, including auto repair as a primary use. In 2008 when Status Symbol built its existing location, the business was not required to obtain a conditional use permit as this was prior to the adoption of the Imagine Downtown Master Plan as well as the Form Based Code, both of which were formally adopted in 2009. It is our understanding that the use is now permitted outright and allows the operation to expand onto newly obtained property without the requirement of a conditional use permit.

Through the property's previous zoning of C-6, the development plan and auto repair use was permitted within what is now defined as the Central Sector of downtown's FBZ. Though the use is legally permitted, the design provisions of the Form Based Code should still be upheld. According to the code Pg. 12 Section 2.2.3, "the central sector was envisioned as being the heart of downtown with the highest building densities both horizontally and vertically … the city's primary goal for the Central Sector is to increase downtown density, create an iconic skyline and establish a high quality pedestrian environment at a street level." Status Symbol Auto is a reputable and

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www.DowntownCS.com

FIGURE 3

successful business, however its location and level of density is inappropriate given the provisions of the newer Form Based Code.

The development plan as presently designed does not satisfy any of the objectives for the central sector. The design does not enhance the pedestrian experience by creating an interesting pedestrian environment or a consistent street wall. The design does not meet any of the frontage standards as outlined in the code. The structural addition is not urban in its setbacks and contains no glazing, though this is neither particularly desired nor appropriate because the addition will contain a paint booth. The project does not establish high density, attribute to an iconic skyline, or create a quality pedestrian experience per the vision of the Central Sector.

Although we appreciate the quality business that Status Symbol Auto conducts within downtown, we unfortunately cannot support a warrant for setback relief as it is not a supported form or use through the Imagine Downtown Master Plan or Form Based Code.

Sincerely,

Sarah Harris
Director of Business Development & Economic Vitality
Downtown Partnership of Colorado Springs

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FIGURE 3

NOR'WOOD

March 11, 2015

City of Colorado Springs
Land Use Review Division
Attn: Mr. Ryan Tefertiller, AICP – Planning Manager &
Downtown Review Board
30 S. Nevada Avenue, Suite 105
Colorado Springs, CO 80903

RE: Status Symbol Auto Repair Paint Booth Building Expansion within the Central Sector of the Form Based Zone

Mr. Tefertiller and members of the Downtown Review Board,

Nor'wood, in partnership with Griffis Blessing, was recently notified of the expansion proposed by Status Symbol Auto Repair for the demolition of an existing home at 122 South Wahsatch Avenue and the addition of an auto paint booth. Nor'wood owns the two parcels directly north of the proposed addition. We respectfully ask the Downtown Review Board (DRB) to decline the request by the applicant to allow the paint booth.

We will be submitting a development plan for 106 and 118 South Wahsatch Avenue, which includes a 170-unit urban apartment development that is currently being designed. Downtown residential projects are highly encouraged forms/uses within the Imagine Downtown Master Plan and the Form Based Zone and achieve the goals and purposes set forth in the governing development plan for Downtown. The proposed paint booth expansion, as a single story industrial use is not a use or building form compatible with this area of Downtown, and is not explicitly permitted within the master plan or Form Based Zone for the Central Sector. Allowing the expansion of low-density industrial uses adjacent to downtown residential will negatively impact our property and run counter to the goals and objectives of the Imagine Downtown Master Plan and Form Based Zone.

While we respect the applicants desire to expand services to their customers, the use of tools (such as warrants) should be used when circumstances not contemplated by Form Based Zone are required to continue progress that achieves the stated goals of the governing master plan. Unfortunately, expanding the paint booth requires several warrants. It is because of the overall contradiction to the goals of creating a vibrant urban environment with dense and diverse living, working, dining and entertainment/cultural places, as well as the technical contradictions that require multiple warrants that we respectfully ask that the applicants request for any approval to move this application forward be denied.

Best Regards,

Christopher S. Jenkins

FIGURE 3

111 South Tejon Street, Suite 222, Colorado Springs, CO 80903 ■ phone 719 593-2600 ■ fax 719 633-0545

President, Nor'wood Development Group
EXHIBIT A: Review of the proposed addition within Form Based Zone

"WHY FORM-BASED CODE? - A new code for the heart of Downtown Colorado Springs"
Enhancing the existing Downtown experience was one of the most important planning decisions made by the City of Colorado Springs and its citizens in recent years. ***Encouraging compact, mixed-use, and pedestrian-friendly revitalization efforts throughout Downtown will create more livable neighborhoods and a healthy vibrant urban place for all to enjoy.*** *As many of the nation's downtowns suffer, a new approach to zoning is expected to play a key role in helping the City of Colorado Springs plan for progress and maintain its unique sense of place. Downtown's Form-Based Code Plan is intended to build upon the success of our urban core and expand the mixture and density of uses to improve Downtown's vibrant pedestrian character. It is a key element in the City's vision to promote economic vitality, sustainable growth, and a better quality of life for all citizens.*

After a review of the proposed plan, it appears a warrant is needed for each of the following violations of the Form Based Zone:

- Building Envelope – 55' Setback provided is considerably more than the 10' maximum required – 2.3.3
- Building Height – minimum two stories in the Central Sector – 2.3.4
- Building Frontage – Even though Common Lawn is the most applicable frontage type, there are elements that need to be included/excluded. The definition states "*A landscaped frontage wherein the façade is set back from the property line (but minimum and maximum setbacks are met). The front yard remains unfenced and is visually continuous with adjacent yards supporting a common landscape.*" – 2.4.1
- Glazing and Fenestration – While the submittal does not appear to include percentages of glazing and fenestration totals for the public facades, a calculation of the proposed elevation shows that the Wahsatch elevation is only 12.7% glazing (108SF of glass block over a total area of 849SF and does not include the parapet), the minimum for any use is 25%. – 2.4.7

Additionally, as the approval body for land-use and planning within the Imagine Downtown Master Plan boundary, each board member of the DRB is asked to answer these questions when evaluating the legitimacy of a warrant request:
5.4.3 Warrant requests shall be reviewed for substantial compliance with the following criteria:

- 5.4.3.1 - Is the requested warrant consistent with the intent of the form-based code? **No**
- 5.4.3.2 - Is the requested warrant, as well as the project as a whole, consistent with Section 4 – Design Guidelines of the form-based code? **No**
- 5.4.3.3 - Is the requested warrant reasonable due to the proposed project's exceptional civic or environmental design? **No**
- 5.4.3.4 - Is the requested warrant consistent with the Downtown Master Plan? **No**
- 5.4.3.5 - Is the requested warrant consistent with the City's Comprehensive Plan? **No**

FIGURE 3

DOWNTOWN
COLORADO SPRINGS
PARTNERSHIP

March 2, 2015

Ryan Tefertiller, Planning Manager
City of Colorado Springs
Land Use Review Division
30 S. Nevada Ave.
Colorado Springs, CO 80903

Dear Mr. Tefertiller,

The purpose of this letter is to express an opinion by Downtown Partnership regarding a request by Dwight Cooper on behalf of Cindy Jensen for the property located at 122 S. Wahsatch Ave. and continuing to 330 E Cucharras St . The request is for the expansion of the existing auto body repair operation and added square footage along Wahsatch Avenue.

The applicant has shown excellence in growing and expanding their business, while maintaining a clean look on the Status Symbol property within downtown. We appreciate that they have chosen downtown as their home, and can see that their central location and ability to conduct good business has led to their success and need to grow.

The development plan as initially designed did not satisfy any of the objectives for the central sector, and we were previously of the opinion that the request should be denied. The applicant has since made significant revisions to the original plan, and the new design is more palatable. While the original design was of poor form and required a multitude of warrants, the applicant has since addressed nearly all initial concerns and has made significant changes, including the addition of landscaping, a screen wall, and a second story to add height and useful space. The new design will additionally address a noxious odor issue currently present with the use of old paint booths.

Understanding that the form based code is “use neutral,” there are provisions which require obtaining a conditional use permit, including auto repair as a primary use. It is our understanding that the use is permitted outright due to its longstanding use as an auto repair facility beyond the life of the FBZ. We have however called into question whether the permitted use allows the operation to expand onto newly obtained property without the requirement of a conditional use permit.

Based on the most recent design, we are of a neutral opinion. This is a strong business in downtown, and the applicant has made significant efforts to conform with the provisions of the form based code, but the use and design do not contribute to the broader development goals within the central sector. According to the form based code Pg. 12 Section 2.2.3, “the central

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FIGURE 4

sector was envisioned as being the heart of downtown with the highest building densities both horizontally and vertically … the city's primary goal for the Central Sector is to increase downtown density, create an iconic skyline and establish a high quality pedestrian environment at a street level."

It is the role of the Downtown Review Board to ensure that new development is harmonious with the vision that has been set forth in both the form based code and the master plan, however market conditions do play a powerful role how the area will develop. The project is harmonious based on the current surroundings, which consists of several other auto repair establishments and several vacant lots and buildings, but is not harmonious with the vision of increased density and an "iconic skyline". We trust that any decision the Downtown Review Board makes regarding the project will be based on sound judgement, and we encourage a robust discussion. We will support the decision made by the board.

Sincerely,

Sarah Harris
Director of Business Development & Economic Vitality
Downtown Partnership of Colorado Springs

Downtown Partnership of Colorado Springs
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FIGURE 4

Tefertiller, Ryan

From: Jeff Finn <JFinn@nor-wood.com>
Sent: Wednesday, April 29, 2015 9:28 AM
To: Tefertiller, Ryan
Cc: Chris Jenkins
Subject: Status Symbol Auto...

Ryan:

As we discussed yesterday, we are not going to be submitting a formal letter in response to the update proposed by Status Symbol Auto. Chris and I met with Cindy Jensen and her team prior to their revised submittal to fully understand their near and long term plans for their business. We will work with Cindy and her team as neighbors to address issues and concerns we still have about their business and various automotive/industrial uses adjacent to our apartment project. While we believe they are doing their best to address the requirements of FBZ, we cannot support the expansion of their automotive business in the Central zone adjacent to our 170 unit urban living project currently being designed.

I trust that your staff report will address the issues that still remain with their plans including:

- Exceeding the setback requirements along Wasatch Ave
- Common Lawn Frontage
- The use of the alley between our two properties
- Mixed-useage now being proposed with the two story element

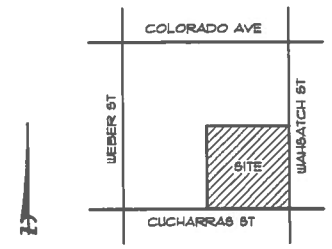
The DRB will ultimately decide on granting the necessary warrants required for approval (or not), and we trust the board will consider the near and long-term implications of their decision to our project, this area of downtown, as well as other areas that are actively being developed.

Thanks for your work on this.

Jeff

Jeff Finn
Project Design Manager
Nor'wood Development Group
111 South Tejon Street, Suite 222
Colorado Springs CO 80903
P: 719.593.2600
C: 719.439.7378

FIGURE 4



VICINITY MAP
NO SCALE

SHEET INDEX:

T1	TITLE SHEET
A1	SITE PLAN/LANDSCAPE PLAN
A2	FLOOR PLAN/ROOF PLAN
A3	ELEVATIONS

PROPERTY OWNERS NAME:	JENPAC (CINDY JENSEN)
ADDRESS:	322 E. CUCHARRAS ST COLO SPRG, CO 80903
TELEPHONE:	(719) 227-1232
APPLICANT'S NAME:	DWIGHT COOPER
APPLICANT'S ADDRESS:	P.O. BOX 7288 COLO SPRG, CO 80933
APPLICANT'S TELEPHONE:	(719) 572-1572
SITE ADDRESSES: EXISTING	322 CUCHARRAS ST. 122 WAHSATCH AVE.
NEW	322 CUCHARRAS ST.
PROPERTY AREA:	0.66 ACRES, 28,627 SF
BUILDING FOOTPRINT:	2,471 SF
TOTAL LOT COVERAGE:	EXISTING 34.8% ADDITION 8.6%

LAND USE REVIEW PLAN NOTES:

I) 'THIS DEVELOPMENT PLAN INCLUDES THE FOLLOWING WARRANTS CONSIDERED BY THE DOWNTOWN REVIEW BOARD: 1) BUILDING TYPE WARRANT TO ALLOW A SMALL COMMERCIAL BUILDING IN THE CENTRAL SECTOR. 2) A BUILDING ENVELOPE WARRANT TO ALLOW AN ADDITION LOCATED 55.25' FROM THE WAHSATCH ST. R.O.W.; AND 3) A 'WIDE' AMENITY ZONE DESIGN IN THE CENTRAL SECTOR.'

II) 'AUTO REPAIR USES TYPICALLY REQUIRE A CONDITIONAL USE IN THE FBZ, BUT AS A USE THAT WAS LEGALLY ESTABLISHED PRIOR TO THE ADOPTION OF THE FBZ, THE USE OF THE SUBJECT PROPERTY IS CONSIDERED PERMITTED PER 7.5.1203.H. OF CITY CODE.'

III) 'A WAIVER OF REPLAT APPLICATION WAS APPROVED AND RECORDED FOR THE SUBJECT IN 2000, HOWEVER, THE SITE IS BEING RE-PLATTED VIA THE STATUS SYMBOL AUTO BODY SUBDIVISION TO ESTABLISH THE SITE AS ONE WHOLE PLATTED LOT.'

IV) 'SIGNAGE IS NOT APPROVED PER THIS PLAN. A SEPARATE SIGN PERMIT IS REQUIRED FOR ALL NEW SIGNAGE PRIOR TO INSTALLATION.'

GENERAL & SITE NOTES:

ENGINEERING TO BE BASED ON LOADS CALCULATED FROM THESE DRAWINGS. ENGINEER TO VARIFY ALL STRUCTURAL MEMBERS AND CONNECTIONS.

VERIFY ALL NEW AND EXISTING DIMENSIONS W/ ARCHITECT

VERIFY ALL HIDDEN ELEMENTS AFTER SELECTED DEMOLITION.
ALL DIMENSIONS OF ADDITION SHALL ALIGN W/ EXISTING EXTERIOR FACE OF BLDG. DIMENSIONS TO THE CENTER OF WINDOWS & DOORS AND FACE OF BLOCK.
DIMENSIONS IN FEET AND INCHES.

CONTRACTOR IS ADVISED TO MINIMIZE THE DISRUPTION OF THE EXISTING LANDSCAPE TO AFFECT THE CONSTRUCTION.
INDIVIDUAL TRADES SHALL REPLACE LANDSCAPE MATERIALS DAMAGED OR DESTROYED BY TRADES CONSTRUCTION ACTIVITIES OR NEGLIGENCE ON THE PART OF THEIR EMPLOYEES AT NO ADDITIONAL COST TO OWNER

TEMPORARY BARRIERS ARE TO BE ERECTED AND MAINTAINED TO PREVENT ACCESS TO OPEN EXCAVATIONS AND HAZARDOUS SITE CONDITIONS.

THE CONTRACTOR IS ADVISED THAT THE SITE SAFETY AND THE ENFORCEMENT OF SITE SAFETY REGULATIONS IS SPECIFICALLY THE CONTRACTOR'S RESPONSIBILITY.

PROVIDE DOCUMENTATION OF CONSTRUCTION (SURVEYS, ETC.) AS REQUIRED BY LOCAL CODE.

GENERAL CONTRACTOR SHALL UNDERTAKE ALL DEMOLITION AND REMOVALS REQUIRED TO AFFECT THE COMPLETE WORK AS DEPICTED IN THE ARCHITECTURAL PLANS.

ALL MATERIALS NOT REINSTALLED IN THE FINISHED CONSTRUCTION SHALL BE SAFELY AND PROPERLY DISPOSED OF OFF SITE

NO CONSTRUCTION MATERIALS ARE TO BE USED AS FILL OF ANY KIND

CONTRACTOR SHALL REMOVE OR RELOCATE PIPES AND CONDUIT AS REQUIRED AND PERMANENTLY CAP THOSE NOT TO BE REUSED . TEMPORARILY CAP THOSE TO BE REUSED.

ALL UTILITY SERVICES SHALL BE PROTECTED OR RELOCATED AS REQUIRED

CONTRACTOR SHALL PROVIDE A WEATHER AND ENTRY PROOF PARTITION TO NEWLY EXPOSED AREAS.

MATERIAL SPECIFICATIONS FOR
STATUS SYMBOL

SOILS: 3,000 PSF

EXCAVATION: Per ARCH Drawings, Compaction 95% modified proctor

CONCRETE: fc = 3,000 psi

REINFORCING: fy = 60 ksi

ROOF INSULATION:
Roof insulation shall be 4" rigid insulation. Rigid insulation shall not contain formaldehyde.

ROOFING: modified bitumen

STRUCTURAL STEEL:
Structural steel for beams and plates shall be ASTM Fy =36 ksi. All bolts to be ASTM 325.
WINDOWS: Aluminum Storefront

FINISHES:
Painting contractor to use a three coat application. Use Pittsburgh epoxy with compatible primer.

ALL LANDSCAPE AND IRRIGATION MAINTENANCE IS TO BE THE RESPONSIBILITY OF THE PROPERTY OWNER, TO INCLUDE THE PUBLIC RIGHT OF WAY (PARKWAY)

EXISTING LEGAL DESCRIPTION:

PARCEL NO. 6418403031, 6418403022, 6418403010
EL PASO COUNTY

LEGAL DESCRIPTION AS FOLLOWS:
W 95.0 FT OF LOTS 9 TO 11 INC, EX N 100.0 FT OF LOT 11, TOG WITH 45 FT OF E 95 FT OF LOT 9, W 45 FT OF E 95 FT OF S 32.5 FT OF LOT 10 BLK 104 COLO SPGS

PART OF LOTS 9 TO 11 INC BLK 104 COLO SPGS AS FLOS, BEG AT SE COR LOT 9, TH W ON S LN SD LOT 9 50 FT, TH N AT RT ANG 82.5 FT, TH W 45 FT, TH N 22.5 FT, TH E 20 FT, TH S 5 FT, TH E LN LOT 11 TH S ALG E LN SD LOTS, 100 FT TO POB

THAT PART OF LOT 11 BLK 104 COLO SPGS AS FOLS BEG AT SE COR LOT 11, TH W ALG S LN SD LOT 75, TH N 5 FT, TH W 20 FT, TH N 35 FT TO A PT 10 FT S OF N LN SD LOT, TH E 55 FT TO A PT ON E LN SD LOT, TH S 40 FT TO POB WITH DRIVEWAY R/W + SUBJECT TO DRIVEWAY EASEMENT AS DESC IN BK 2303-641

NEW PLAT DESCRIPTION:
LOT 1, BLOCK 1, STATUS SYMBOL SUBDIVISION,
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

NEW LEGAL DESCRIPTION:
DATE: January 27, 2015
JOB NO: 14-4635
CLIENT: JENPAC
BY: OLIVER E. WATTS PE-LS

PARCEL A:
That portion of Lot 11 in Block 104 in the City of Colorado Springs, El Paso County, Colorado according to the plat there of recorded in Plat Book A at Page 1, of the records of said County, described as follows: Beginning at the Southeast corner of said Lot 11, 75': thence North at right angles 5': thence West at right angle 20': thence North at right angles 35' to a point 10' South of the North line of said Lot 11: thence East at right angles 55' to a point on the East line of said Lot 11: thence South along the East line of said Lot 11, 40' to the Place of Beginning.

PARCEL B:
Right of way over the North 10 feet of said Lot 11 as described in Quit Claim Deed recorded February 26, 1952in book 1171 at page 362, City of Colorado Springs, El Paso County, Colorado.

PARCEL C:
The West 50' of Lots 9, 10, and the West 50' of the South 40' of Lot 11 in Block 104 in the City of Colorado Springs, El Paso County, Colorado.

PARCEL D:
That portion of Lots 9, 10 and 11 in Block 104 in the City of Colorado Springs, El Paso County, Colorado, described as follows: Beginning on the North line of Cucharras Street at a point 95' Westerly from the Southeast corner of said Block 104: running thence Westerly along Cucharras Street 45': thence Northerly at right angles to said Street, 104': thence Easterly parallel to first course, 45': thence Southerly 140' to the Place of Beginning.

PARCEL E:
The West 45' of the East 95' of Lot 9 and the West 45' of the East 95' of the South 32.5' of Lot 10 in Block 104 in the City of Colorado Springs, El Paso County, Colorado.

PARCEL F:
Parts of Lots 9, 10 and 11 in Block 104 in the City Colorado Springs, El Paso County, Colorado, described as follows: Beginning at the Southeast corner of Lot 9: thence West on the South line of said Lot 9, 50': thence North at right angles 82.5': thence West at right angles 45': thence North at right angles 22.5': thence East at right angles 20': thence South at right angles 5': thence East at right angles 75': to the Southeast corner of said Lot 11: thence South along the East line of said Lots 9, and 10 100' to the Place of Beginning El Paso County, Colorado.

Also known as: Lots 9, 10 and 11, Block 104 Colorado Springs, according to the plat there of recorded in Plat Book A at page 1, in the City of Colorado Springs, El Paso County, Colorado, and containing 0.66 Acres.

CPC DP 15-00008

INTEGRATED DESIGN & CONSTRUCTION

FIGURE 5

STATUS SYMBOL
PAINT BOOTH ADDITION
322 CUCHARRAS, COLORADO SPRINGS, CO. 80903

PROJ. NO. 1PAINT
DRAWN: DEM
CHECKED:
DATE: 04.03.15

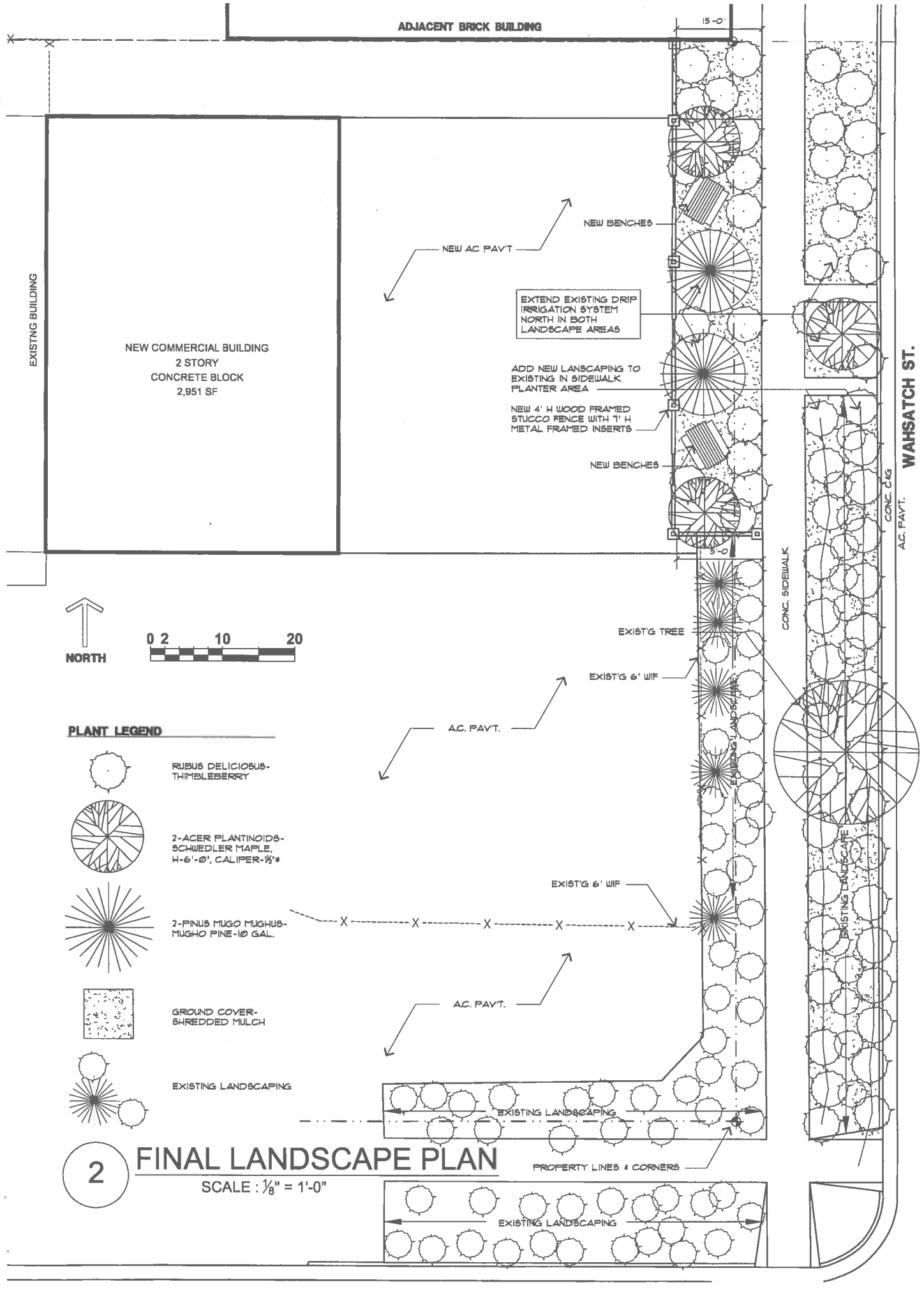
REVISONS:

NO.	CHANGE	DATE
1	RBD	02.20.15
2	CONSULTANTS DETAILS ATTACHED	03.10.15

SHEET TITLE:

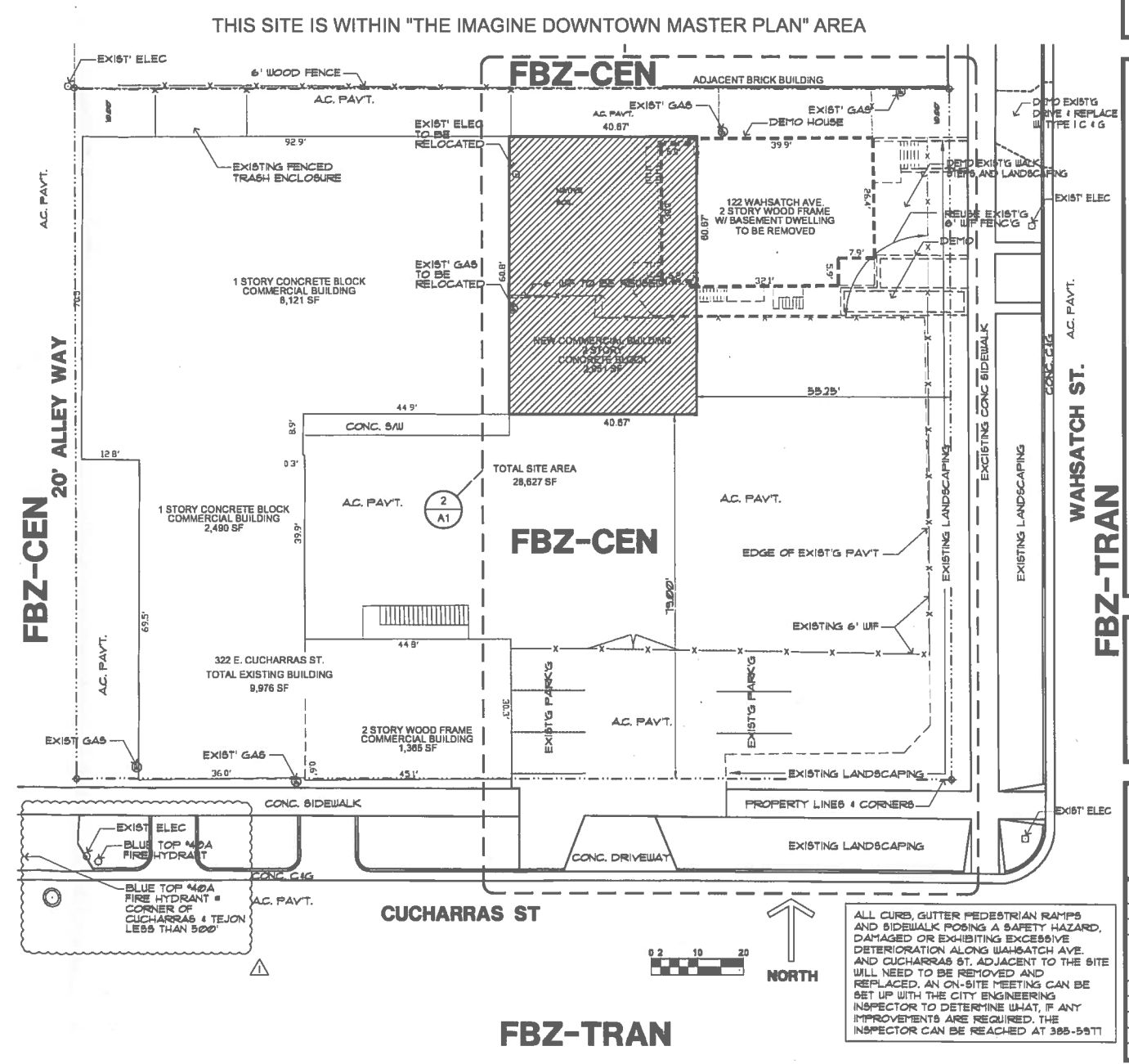
SCALE: As Noted

T1



2 FINAL LANDSCAPE PLAN

SCALE : 1/8" = 1'-0"



ALL CURB, GUTTER PEDESTRIAN RAMPS AND SIDEWALK POSING A SAFETY HAZARD, DAMAGED OR EXHIBITING EXCESSIVE DETERIORATION ALONG WAHSATCH AVE. AND CUCHARRAS ST. ADJACENT TO THE SITE WILL NEED TO BE REMOVED AND REPLACED. AN ON-SITE MEETING CAN BE SET UP WITH THE CITY ENGINEERING INSPECTOR TO DETERMINE WHAT, IF ANY IMPROVEMENTS ARE REQUIRED. THE INSPECTOR CAN BE REACHED AT 385-5977

FBZ-TRAN

1 DEVELOPMENT & SITE PLAN

SCALE : 1/16" = 1'-0"

* EXISTING BUILDING AND ADDITION ARE SMALL COMMERCIAL BUILDINGS.
* NEW ADDITION USES "COMMON LAWN FRONTAGE"
* EXISTING LOT COVERAGE = 34.8%
  ADDITION LOT COVERAGE = 8.6%

CPC DP 15-00008

INTEGRATED DESIGN & CONSTRUCTION

FIGURE 5

STATUS SYMBOL PAINT BOOTH ADDITION

322 CUCHARRAS, COLORADO SPRINGS, CO. 80903

PROJ. NO. 1PAINT
DRAWN: DEM
CHECKED:
DATE: 04.03.15

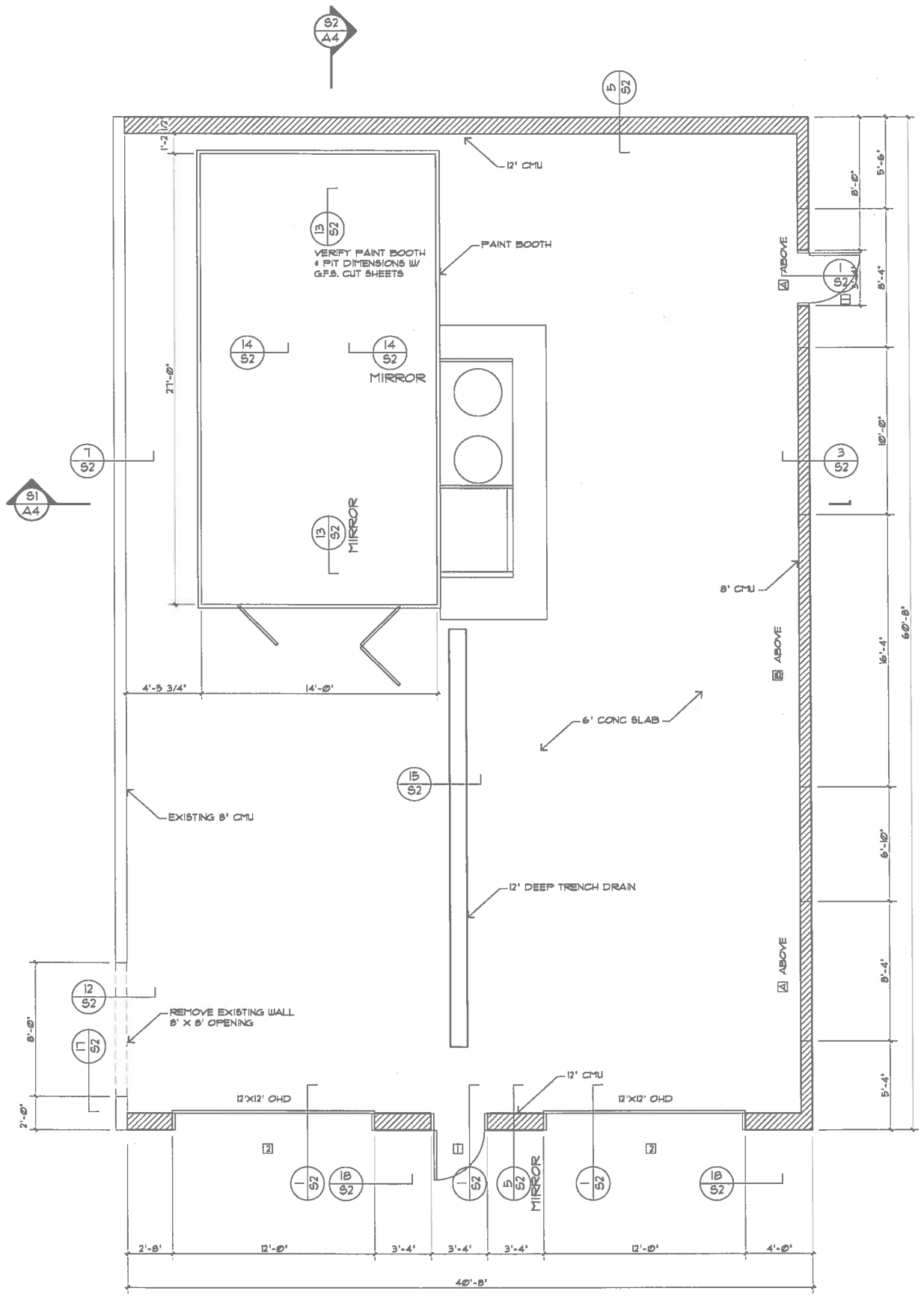
REVISONS:

NO.	CHANGE	DATE
1	RBD	02.20.15
2	CONSULTANTS DETAILS ATTACHED	03.10.15

SHEET TITLE:

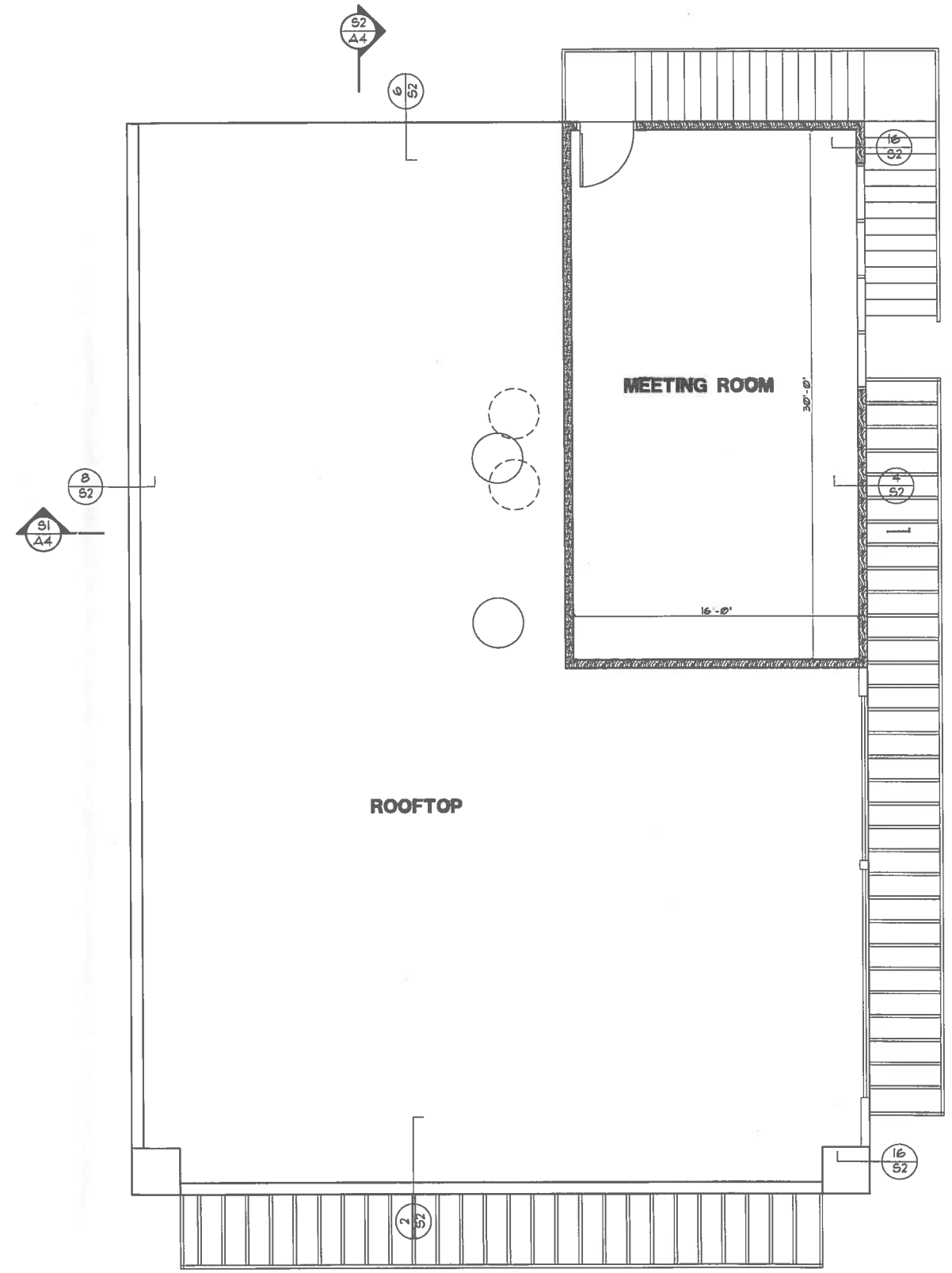
SCALE: As Noted

A1



FLOOR PLAN

SCALE ¼"=1'



SECOND FLOOR PLAN

SCALE ¼"=1'

CPC DP 15-00008

INTEGRATED DESIGN & CONSTRUCTION

STATUS SYMBOL
PAINT BOOTH ADDITION
322 CUCHARRAS, COLORADO SPRINGS, CO. 80903

FIGURE 5

PROJ. NO. 1PAINT
DRAWN: DEM
CHECKED:
DATE: 04.03.15

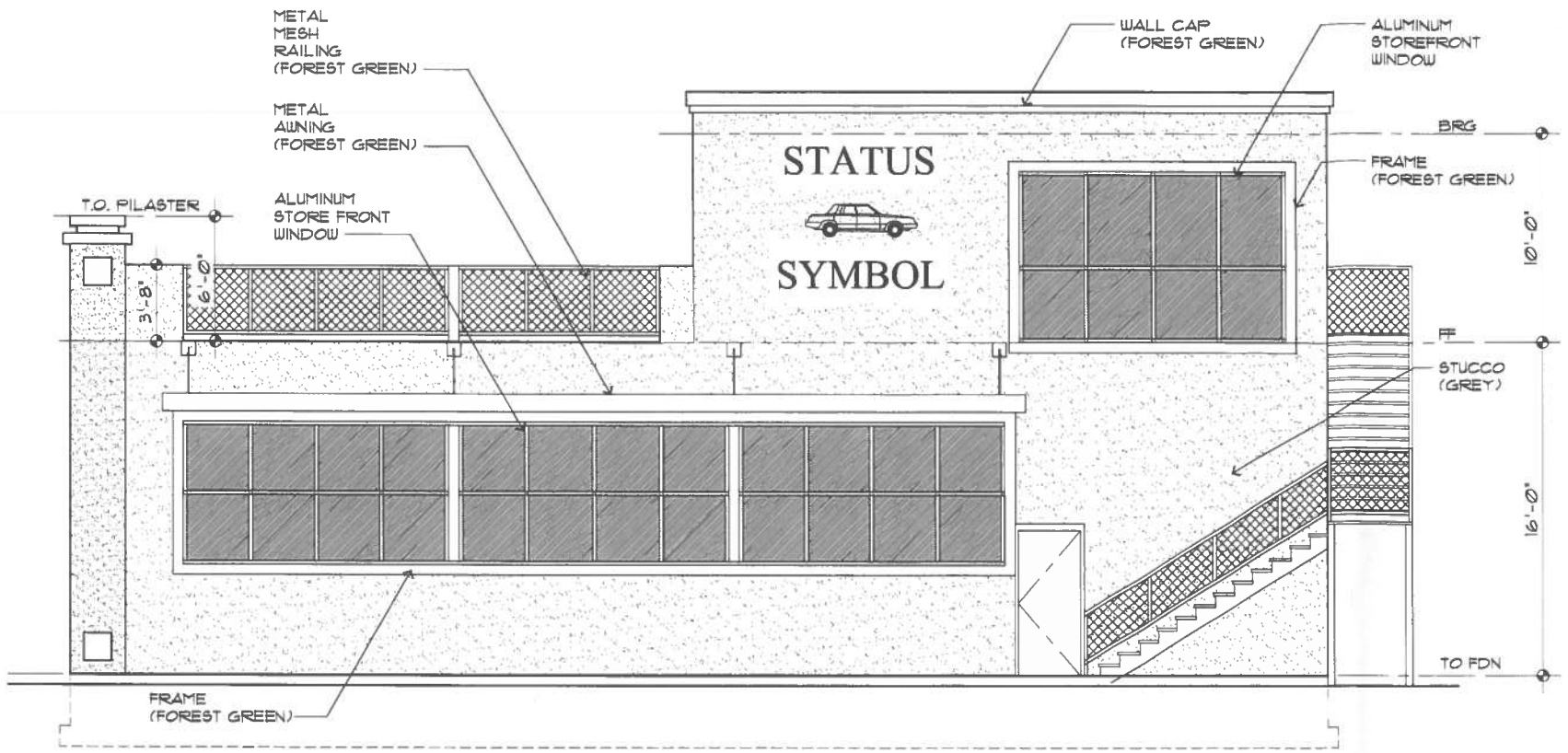
REVISONS:

NO.	CHANGE	DATE
1	RBD	02.20.15
2	CONSULTANTS DETAILS ATTACHED	03.10.15

SHEET TITLE:

SCALE: As Noted

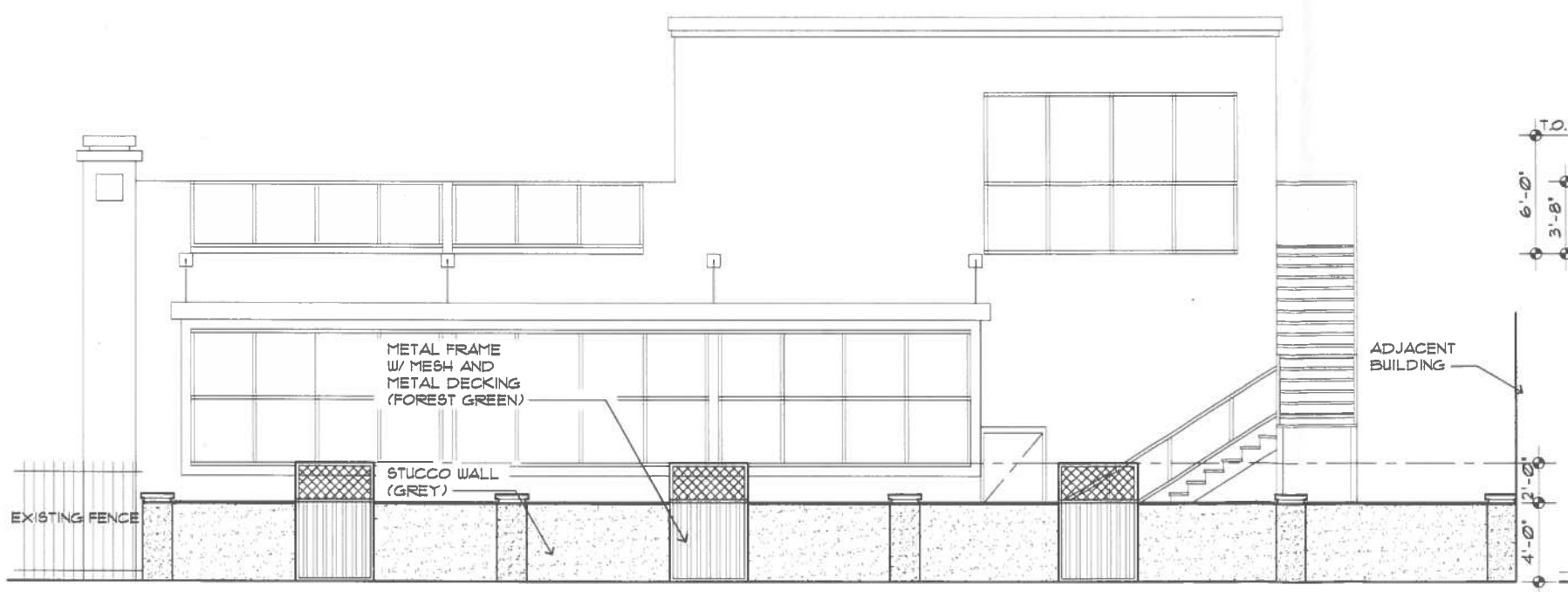
A2



WAHSATCH ELEVATION

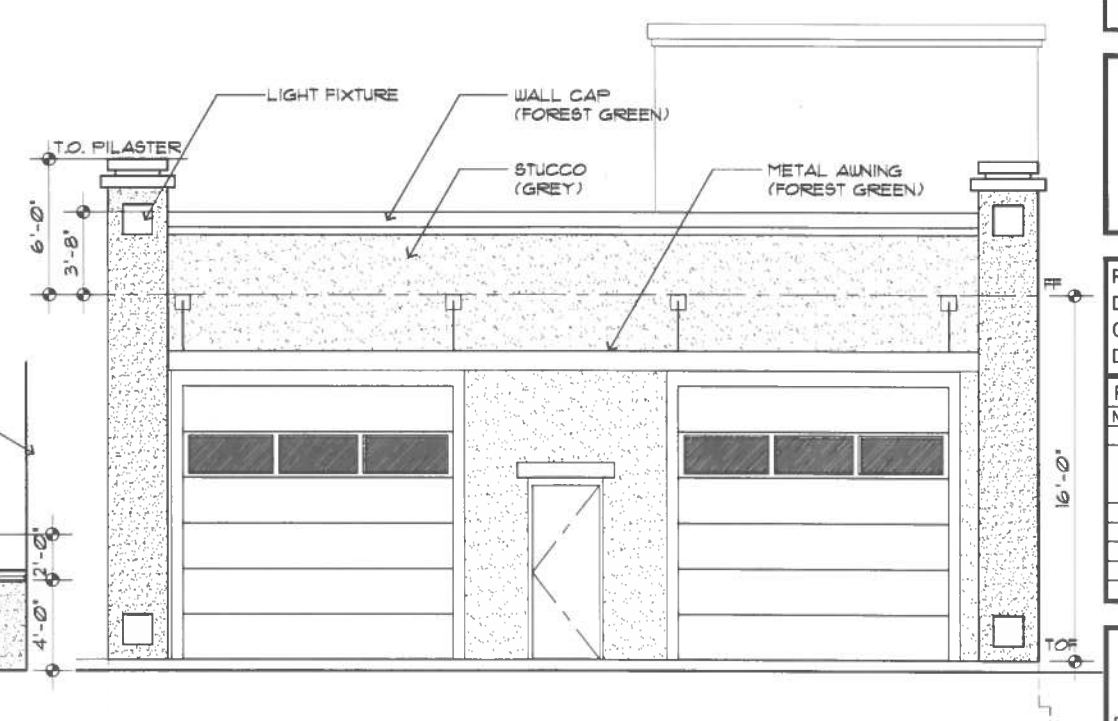
SCALE 1/4" = 1'

TOTAL WALL AREA:
1,306 SF
GLAZING AREA:
376 SF = 28.8% OF WALL AREA



WAHSATCH FENCH ELEVATION

SCALE 1/4" = 1'



CUCHARRAS ELEVATION

SCALE 1/4" = 1'

CPC DP 15-00008

INTEGRATED DESIGN & CONSTRUCTION

FIGURE 5

STATUS SYMBOL
PAINT BOOTH ADDITION
322 CUCHARRAS, COLORADO SPRINGS, CO. 80903

PROJ. NO. 1PAINT
DRAWN: DEM
CHECKED:
DATE: 04.03.15

REVISONS:

NO.	CHANGE	DATE
1	RBD	02.20.15
2	CONSULTANTS DETAILS ATTACHED	03.10.15

SHEET TITLE:

SCALE: As Noted

A3

WORK SESSION

DRC CS

Downtown Residents Coalition of Colorado Springs

Downtown Review Board Paper

April 25th 2015

1 PURPOSE

1.1 The Downtown Residents Coalition (DRC) is submitting this paper to the Downtown Review Board (DRB) as input to the 2015 review of the Downtown Form Based Code (FBC).

1.2 The purpose of this paper is to recommend changes to the Downtown FBC in relation to:

(a) Guidelines on outdoor speakers

(b) Guidelines on rooftop structures, and to

(c) Establish a permanent Downtown Residents Coalition (DRC) seat on the DRB.

2 EXECUTIVE SUMMARY

2.1 Although the FBC has its main focus on the more physical aspects of "regulating development to achieve a specific urban form", its purpose is stated as "the primary regulatory tool to implement the goals of the IDMP is "form-based code" for the heart of Downtown Colorado Springs."

2.2 The FBC has become the Code that is cited in bringing the Vision of Colorado Springs to life when trying to get the right balance between residents developers, businesses and visitors – a 'good neighbor' image for a vibrant Community design.

2.3 As part of the 2015 review process the Downtown Residents Coalition (DRC) would like to propose specific areas to include in the FBC that are not addressed in this current version.

2.4 The DRC recommends that guidelines for outdoor speakers are established to ensure that the FBC addresses both the visual and audible appeal of the downtown area. Audio clutter being as unappealing as visual clutter.

2.5 The DRC also recommends that the FBC include guidelines for rooftop structures to ensure that there development is consistent with the goals of the FBC and the Imagine Downtown Master Plan.

2.6 Finally the DRC seeks representation on the DRB through the establishment of a permanent DRC seta on the DRB with the purpose of bringing a voice for the residents in the heart of the downtown area to the DRB deliberations.

3 RECOMMENDATION

3.1 **It is recommended that the Downtown Review Board resolve:**

(a) TO include guidelines for outdoor speakers in the Form-Based Code,

(b) TO include guidelines for rooftop structures in the Form-based Code, and

(c) TO create a permanent Downtown Residents Coalition seat on the DRB.

4 BACKGROUND

4.1 The DRC understands that the Form-Based Code will undergo a review or "scrub" with the Downtown Review Board (DRB) in 2015.

4.2 As part of this review process the Downtown Residents Coalition (DRC) would like to submit this White Paper to facilitate a discussion with the Downtown Review Board (DRB) with the purpose of bringing a downtown resident's perspective.

4.3 It is through the 2015 Form-Based Code review process that the DRC would like to discuss 2 points which fall clearly within the FBC under the Design Guidelines. Namely:

(a) Guidelines on outdoor speakers

(b) Guidelines on rooftop structures

4.4 The intent is that these points are discussed and ultimately incorporated into the FBC.

4.5 These 2 items reflect the ever changing nature of the heart of downtown and the on-going goal of finding the balance for a more dense community design for the purpose of creating downtown as a desirable place to live, work, learn and play. Bringing to life "A focus on community activity and a place to live. A good neighbor and an image for community design."

4.6 In addition this white paper outlines the case for expanded downtown residents' representation on the DRB.

5 GUIDELINES ON OUTDOOR SPEAKERS AND SOUND SYSTEMS

5.1 "Parallel to the FBC standards is a set of urban design guidelines that communicate direction on those items that are difficult to quantify or secondary to the creation of good urban form. While conformance with the design guidelines is not required for all projects, those proposals that need additional flexibility or are inherently complex may be judged against the design guidelines as a condition of approval.", Page 7, Form Based Code.

5.2 The current Form-Based Code Section 4: Design Guidelines has very clear guidelines around Architectural, Signage, Glazing and Fenestrations and Landscaping through to what forms Public Art can take. Signage for example, has very clear guidelines which incorporate everything from the number of signs, proximity to other signs, colors and graphics, awnings and even lighting.

5.3 These requirements were put in place to create visual appeal for a pedestrian friendly environment that will attract pedestrians whilst reducing the amount of visual pollution, clutter and ugly street frontages that will detract and put people off from coming downtown. However, there is another aspect to creating an appealing pedestrian environment and that is one of noise and sound.

5.4 There has been a proliferation of outdoor speakers in the downtown area and the FBC is silent on outdoor speakers – which are proliferating.

5.5 FBC outdoor speaker guidelines that harmonised outdoor speakers in a manner consistent with outdoor signage guidelines would ensure both a visually and audibly aesthetic environment downtown.

5.6 Detailed recommendations on outdoor speakers are provided in Appendix 1.

6 GUIDELINES ON ROOFTOP STRUCTURES

6.1 Currently, there are no design guidelines or restrictions governing open air and rooftop developments. This lack of regulation regarding commercial, private or residential rooftop developments can have a major adverse impact on the visual appeal of the Downtown area.

6.2 The safety and aesthetics factors will become more and more of an issue as establishments wish to maximize the use of their space and erect temporary rooftop fixtures, which can negate all of the Guidelines currently outlined in favour of unsightly temporary structures devoid of character, historic preservation and visual appeal.

6.3 As an example the DRC draws the DRB's attention to the rooftop spaces located at 28N. Tejon St - Gasoline Alley. Consider Gasoline Alley as an example to demonstrate our point. On many occasions this rooftop has a 10ft high Coors blow-up Beer can on it. This is an example of the developments that take place in the absence of guidelines in the FBC.

6.4 Having unregulated rooftop structures are contradictory to the intent and mandate of the FBC: Section 2.8.4 "The intent of the street landscaping and furnishings standards is to promote an attention to detail, quality, and continuity of practical street elements that encourage a more enjoyable experience for all users of the public realm,.."

6.5 When the FBC was written almost 10 years ago, it was not foreseen that rooftop structures would become such an integral part of the downtown landscape. They have and clear guidelines in the FBC would ensure their integration into a visually appealing downtown.

6.6 We also strongly suggest that current structures be required to adhere to any new regulations and not be grandfathered in.

6.7 In appendix 1 we have provided elements for consideration - this is by no means an exhaustive list of the elements which should be included in the code.

7 DOWNTOWN RESIDENTIAL COALITION REPRESENTATION ON THE DRB

7.1 When the Form Based Code was written in 2006, aside from Shooks Run, there were few organized residential communities that existed in the heart of Downtown.

7.2 Since that time, however, the Colorado Springs downtown block of S. Tejon between Bijou and Kiowa has now 37 Residential lofts worth well over a combine value of $15 million, which house over 70 people in that one block alone. These people call the heart of Downtown Colorado Springs "home" and live there 24/7. These are the people that make up the residential group known as the 'Downtown Residents Coalition' (DRC).

7.3 Through the Form Based Code businesses and residents can work together to provide input into what regulations need to be included to attract more people to live, work and play Downtown.

7.4 It is through the FBC, that the DRC can assist to provide input into the regulations that would not only help developers to continue to invest in the heart of Downtown, but also to provide a perspective on those regulations that would help attract more Residents and businesses as well.

7.5 The DRC actively engage with downtown officials, businesses and boards to bring a downtown residents perspective to the Form Based Code and other downtown and city regulations in order to create and enhance that greater mix of uses for downtown. We actively seek to provide our input and unique perspective into what attracts Residents to live, play and work in a vibrant, mixed use urban area and strive to seek a balance between developers, businesses, city officials and residents as "good neighbors" to ensure a

harmonious relationship exists for all, where businesses and residents can work together to provide input into what regulations need to be in place to attract more people to live, work and play Downtown.

7.6 There are currently several Downtown Partnerships and Committees which represent the businesses which reside in Form-Based Code area, however, none of them have a formal and permanent Residential seat representing the Residents who live in the heart of Downtown area. The DRB is one such Board. It has a wide ranging remit to influence the vibrancy of Downtown.

7.7 Hence the DRC seeks to have a voice on the DRB in order to bring the “live” perspective to the DRB’s role in influencing the on-going development of downtown to bring the Imagine Downtown Master Plan alive.

Appendix 1 Detailed Recommendations

8 DETAILED RECOMMENDATIONS FOR OUTDOOR SPEAKERS:

8.1 New Sections 4.4.4 Outdoor Speakers and Sound Systems

8.2 The Form-Based Code can add considerable structural elements which can effectively reduce the amount of ambient noise associated with Businesses and better reflects the mixed use intent of businesses and residents.

8.3 Areas to include would be exactly the same as Signage. These would include: Location, Alignment, Dimensions and Scale, Size, Allowable wattage (power), Number of speakers, Proximity to Signage and Other Speakers, Distance between speakers, Maximum Wattage/Amplifications, Maximum Projection (sound collaring requirements which direct noise in a particular direction)and Placement, Colours and Material, Graphics, Lighting, and Proximity to other businesses, Proximity to Residences, Long-term , Short-term, or Temporary/Once-off speakers.

(a) All outdoor speakers become a “conditional use” requiring a DRB review first to assess current speakers in the area and proximity to businesses and residential buildings and the impact that it might have on them.

(b) Hours of Limitation: (this may be more code compliance?). Where outdoor speakers currently do exist, all doors and windows should be closed, roof-tops vacated and outdoor speakers are to be turned off by 10pm Sunday – Thursday, and by midnight (00:00) on Friday-Saturday.

(c) No temporary sound systems can be erected without a Conditional Use permit issued by the DRB or the Events Committee.

(d) No temporary or permanent rooftop speakers will be allowed at any time unless a special Conditional Single Use permit is issued by the Colorado Spring Special Events Committee and the DRB.

9 DETAILED RECOMMENDATIONS FOR ROOFTOP STRUCTURES

9.1 Affects FBC 2.4 Frontages and 4.1 Architectural Guidelines.

(a) Permanent Structures Only: No temporary structures should be allowed. Permanent mounted sound-proof, safety glass of 8ft high around the entire perimeter of the roof-top space in accordance and compliant to the city code standards. Order to ensure the safety of people within 4ft of any outside edge of the building and the noise from music/bands.

(b) Aesthetics controls in place: No tents, canvases, temporary structures, tarps, sails or any type of covering that is not permanently fixed. Building code compliance structures should be outlined. Because of the safety issue, all current temporary structures should be forced to be made compliant within a reasonable amount of time after the FBC is updated.

(c) Formal Licensing and Controls: All businesses or residents wanting to erect an outdoor, rooftop area, must go through the DRB for formal license and submit architectural drawings as to the structure. As most buildings downtown buildings are very old, architectural documentation for structural stability should be included in the application.

(d) The additional rooftop sq footage requested would also be a consideration in the total % sq footage on the conditional “Mixed Use”. This new FBC section should be made retroactive to clean up the currently deficient rooftop structures.

(e) d) Limit Outdoor Rooftop Usage: There should be limitations on the usage of outdoor rooftop usage.

10 DETAILED RECOMMENDATIONS FOR A DRC MEMBER ON THE DRB

10.1 The make-up of the DRB would be better balanced with an additional voice from the Residential side of the "mixed use" component. Of the 9 Seats available, 4 Seats are representatives from other business related committees, 2 are FBZ Property owners/developers, 2 are members at large – which are currently developers, and 1x Residential seat for Shooks Run.

10.2 It is recommended that the DRB add an additional DRC Residential Seat with the specific requirements that the holder of the seat is a member of the Downtown Residents Coalition (DRC). This will bring the Residential Seats on the Board to 2 – and bring a downtown Residents perspective to the DRB.

10.3 The primary responsibility of the Residents Seat on the DRB is to have an integrated and detailed overview of Downtown for all of existing and future business and residential activities in how they relate to creating and sustaining a thriving, liveable, safe downtown community that supports the IDMP and FBC from a Residents perspective.