



**DOWNTOWN REVIEW BOARD  
MEETING AGENDA**

**WEDNESDAY, FEBRUARY 4, 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, February 4, 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 be submitted to the City Clerk by 5pm on:

**Tuesday, February 17, 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** - for the October 1, 2014 Downtown Review Board meeting
- 2. COMMUNICATIONS**
  - Selection of the Chair and Vice Chair
- 3. CONSENT CALENDAR** - (No items)
- 4. NEW BUSINESS CALENDAR** –

**File No.: CPC CU 14-00158 (Quasi-Judicial)**

A request by Ryan Lloyd of Echo Architecture on behalf of Mark Vuong of Willamette Capital for approval of the Iron Bird Brewery Expansion conditional use development plan to allow the property to be used for a bar use. The plan illustrates an expansion into the adjacent tenant space to the south of roughly 2,205 square feet of the existing 7,914 square foot building for a craft beer brewery with a new exterior patio along the S. Nevada Ave. frontage. The change of use demands more parking stalls than are available on-site triggering the need for a parking warrant. The existing bar is located at 402 S. Nevada Ave. whereas the proposed expansion will occupy the space addressed as 404 S. Nevada Ave. The total property is roughly 9,500 square feet in size, is zoned FBZ-COR (Form-Based Zone – Corridor Sector) and is located on the southwest corner of S. Nevada Ave. and E. Costilla St.

# NEW BUSINESS CALENDAR

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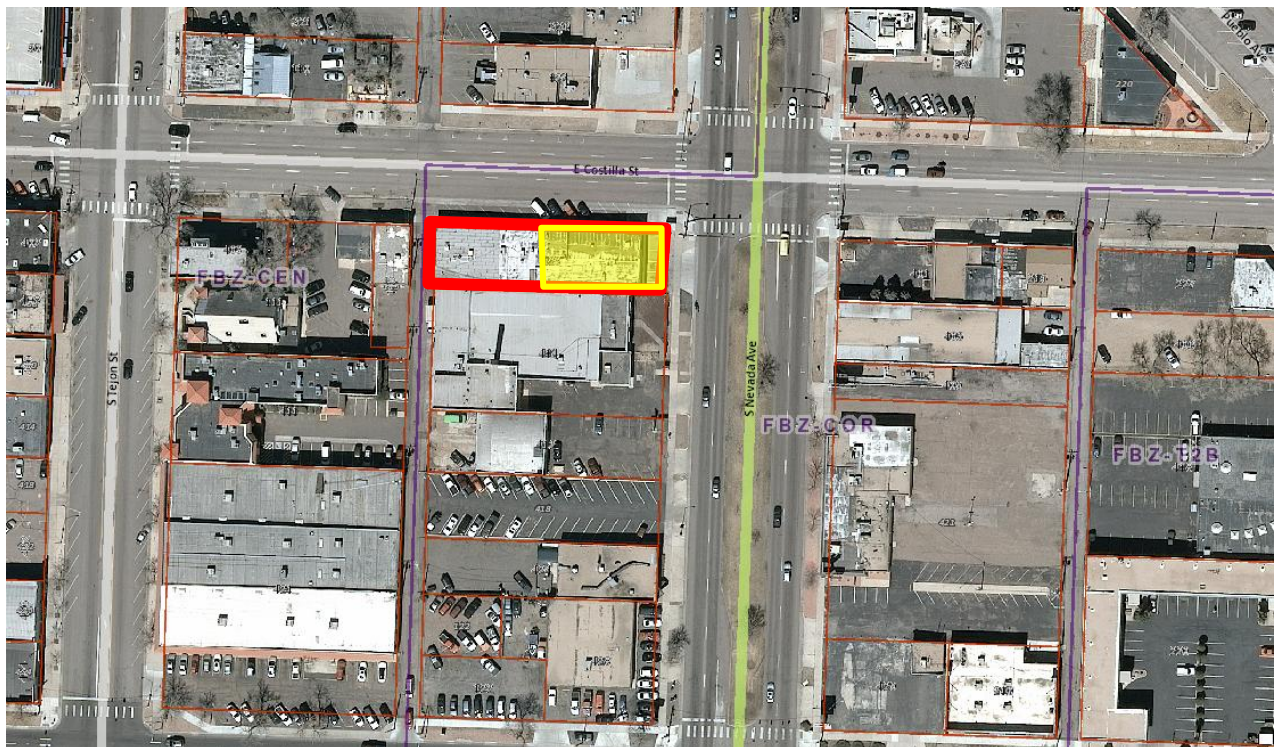
## DOWNTOWN REVIEW BOARD AGENDA

ITEM NO: 4

STAFF: RYAN TEFERTILLER

FILE NO:  
CPC CU 14-00158 – QUASI-JUDICIAL

**PROJECT:** IRON BIRD BREWERY EXPANSION  
**APPLICANT:** RYAN LLOYD OF ECHO ARCHITECTURE  
**OWNER:** MARK VUONG OF WILLAMETTE CAPITAL



### **PROJECT SUMMARY:**

1. Project Description: This proposal is to expand the existing craft brewery (i.e. bar) use into the adjacent retail space which is roughly 2,205 square feet in size and is addressed as 404 S. Nevada Ave. The applicant and the proposed tenant, Iron Bird Brewery, were granted approval of a conditional use permit by the Downtown Review Board in April 2014 to occupy their current space. However, Section 2.5.4 of the Form-Based Code requires approval of a conditional use for any new or expanding bars within the zone. Additionally, the proposed bar use has a higher parking requirement than the previous retail tenant, and due to the lack of any on-site parking, the project also requires a parking warrant. The site is zoned FBZ-COR (Form-Based Zone – Corridor Sector) and is located on the southwest corner of S. Nevada Ave. and E. Costilla 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: 404 S. Nevada Ave.
2. Existing Zoning/Land Use: FBZ-COR (Form-Based Zone – Corridor Sector) / The site is developed with one multi-tenant commercial building **(FIGURE 2)**
3. Surrounding Zoning/Land Use:  
North: FBZ-CEN (Form-Based Zone – Central Sector) / Commercial and Office uses  
South: FBZ-COR (Form-Based Zone – Corridor Sector) / Commercial uses  
East: FBZ-COR (Form-Based Zone – Corridor Sector) / Office and Commercial uses  
West: FBZ-CEN (Form-Based Zone – Central Sector) / Office and Commercial 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 level and developed with one multi-tenant commercial building

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Forty-two surrounding property owners were notified of the proposal shortly after the application was submitted. That notification provided information regarding the proposed project, instructions of how to submit comments, and information about the scheduled public hearing at the Downtown Review Board. Staff received only one formal comment which was submitted by the Downtown Partnership **(FIGURE 3)**. 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.

### **ANALYSIS OF REVIEW CRITERIA AND MAJOR ISSUES**

The proposed project is located on the southwest corner of S. Nevada Ave. and E. Costilla St. The existing bar totals roughly 2,164 square feet in size and occupies the northern of two tenant spaces facing S. Nevada Ave. The current proposal is to expand the bar/brewery into the southern of the two tenant spaces increasing the size of the use to by roughly 2,205 square feet to total just under 4,500 square feet. The application also indicates that a commercial kitchen will be added to the new space allowing the business to serve food to accompany their craft beer selection. The surrounding land uses are primarily commercial and office related, however, a 33-unit apartment building is proposed just south of the subject property. The proposed plan **(FIGURE 4)** illustrates no exterior changes to the building itself, but significant internal upgrades are anticipated. Additionally, the existing 500 square-foot outdoor patio is proposed to be doubled in size spanning the entire frontage of the building and replacing a few existing on-site parking stalls. It should be noted that the existing parking stalls have been determined to be unsafe due to the fact that many users must back into S. Nevada Ave. when exiting the property.

One of the overarching principles of the Downtown Form-Based Zone is that individual land uses are less important than the building forms that establish Downtown's character, architecture and built environment. A healthy downtown is comfortable to pedestrians, and pedestrians are affected more by physical forms, public improvements, traffic speeds, and a consistent street-wall, than they are by the uses which exist behind closed doors. However, there are a select number of uses which, if not properly considered, have the potential to negatively impact surrounding properties and downtown as a whole. One such use is a bar, which is defined as a business which generates more than fifty percent of gross revenue from on-site alcohol sales. While all successful urban areas have bars, the size, type, and perhaps most importantly, location of new bars was determined to deserve case-by-case review by the Downtown Review Board at a public hearing through the conditional use process. This review, including the evaluation of the conditional use review criteria, can be an important step toward ensuring that surrounding properties are not harmed due to problems associated with many late night urban uses.

Specific areas within the Downtown Form-Based Zone have experienced recurring problems with bars and late night bar customers. Littering, fighting, and other criminal activities are a challenge in areas with a high concentration of bar uses. City resources, specifically increased Police presence, are necessary to minimize impacts to the surrounding area and protect innocent residents and customers. However, the proposed expansion of the Iron Bird Brewery is relatively buffered from other bar uses. The nearest bars to the site are the Brickhouse bar at the opposite end of the same block of S. Nevada Ave. as the subject property and the Green Man Taproom which is roughly a block to the east. The proposed specialization in craft beer, the fact that the proposal includes the addition of a commercial kitchen, and the site's distance from any existing bar-related problem areas lead staff to conclude that the proposed use will not negatively impact surrounding properties or Downtown as a whole.

The three criteria that must be considered by the Downtown Review Board in order to grant the requested conditional use permit are:

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.
- B. Intent Of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.
- C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City

As described at the beginning of this report, the proposed project also requires relief from the Downtown Form-Based Code parking standards. The past uses within the building were largely retail which have a relatively modest parking requirement of one stall for every 500 square feet of building space. And while on-site parking stalls are currently present along S. Nevada Ave. the City requested that they be removed due to their unsafe design and orientation. Because the proposed bar use has a higher parking requirement (one stall per every 250 square feet of use area), a parking warrant is necessary. The request for parking relief is largely justified by the relatively small bar/restaurant area and the presence of on-street parking along E. Costilla St. Furthermore, future on-street parking stalls along S. Nevada Ave. will be added once City-supported improvements are completed by the Parking Enterprise in 2015.

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?

As described above, the project as submitted does not meet the required parking standard and requires the granting of a conditional use permit for the proposed bar use. After careful consideration, Staff has determined that the required criteria are met and once the technical modifications described below are addressed, the plan can be approved.

**STAFF RECOMMENDATION:**

**ITEM NO: 4                      DRB CU 14-00158 – IRON BIRD BREWERY EXPANSION**

**Approve** the proposed conditional use development plan and parking warrant based on the findings that the conditional use criteria empowered in Section 2.5.4 and 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 Conditional Use Development Plan:**

1. Add the file number to all plan sheets.
2. Correct the parking summary to state that code would require 11 on-site parking stalls for the proposed use. This is based on 2,205 square feet of internal space plus an additional 500 square feet of external patio seating.
3. Clarify that the existing patio area includes roughly 494 square feet and that the proposed project will add an additional 500 square feet of patio area.
4. Provide additional detail to the proposed patio area and external improvements.



Date: December 09, 2014  
To: City Of Colorado Springs  
Land Use Review Division  
Planning & Community Development Department  
Attn: Ryan Tefertiller, Senior Planner  
Project: Iron Bird Brewery  
Location: 404 South Nevada Avenue  
Colorado Springs, CO

### Project Statement

#### **Project Description:**

The following is a proposal for a new bar and brewery expansion into a currently vacant and renovated 2,205 square building. This proposal includes site improvements including site access patio and landscaping. The proposed hours of operation are as follows: Mon: Closed, Tue: 2pm - 9pm, Wed: 2pm - 9pm, Thur: 2pm - 9pm, Fri: 9pm - 11pm, Sat: Noon - 11pm, Sun: 2pm - 6pm

#### **Project Justification:**

1. *Will the project design be harmonious with the surrounding land uses and neighborhood?*

Yes. The surrounding land uses and neighborhood are quite varied. The properties adjacent to the site vary in use from restaurants, retail and offices. Building footprints are very diverse as well, ranging from small residential to quarter-block office uses. Iron Bird Brewery has occupied the adjacent suite for 4 months and has been well received by the community.

2. *Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?*

Colorado Springs is encouraging this type of commercial infill in the downtown area as IronBird Brewery will be expanding into a vacant portion of a newly rehabilitated building.

3. *Will the structures be located to minimize the impact of their use and bulk on adjacent properties?*

Yes. IronBird Brewery will occupy an existing, vacant building.

4. *Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development?*

No, we feel the influences of our project on the neighborhood, and the influences of the neighborhood on our project, are desirable. The small amount of landscaping area will be thoughtfully considered and result as a benefit the customers of the restaurant and improve the overall street scape.

5. *Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption?*



Yes. The project proposes to eliminate curb cuts and on-site parking along Nevada Avenue which has been a danger to customers of those businesses in the past. This area will be replaced with an outdoor patio designed to enhance the pedestrian zone of Nevada Avenue.

6. *Will all streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?*

N/A

7. *Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic?*

N/A

8. *Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities?*

N/A

9. *Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design?*

Yes. As part of the improvements, the building and building access will be brought up to current Accessibility Code compliance.

10. *Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt?*

Yes. We will be adding an ADA accessible ramp, patio and landscaping on the Nevada side of the building which will reduce the amount of impervious surfaces significantly.

11. *Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles?*

Yes, where necessary. The majority of pedestrian ways will be combined with the sidewalks due to the short distance from off-site parking to building.

12. *Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated in the project design?*

N/A

#### **FORM BASED ZONE - WARRANTS:**

*FBZ Section 2.5.4 Conditional Uses: Bars are considered a Conditional Use throughout the form based code area.*

We are requesting a Warrant to allow for the Conditional Use of a bar/brewery. This brewery is congruent with adjacent uses and we believe will act as a catalyst for new development in this block of South Nevada.

*FBZ Section 2.6 Parking*

We are requesting a Warrant on the parking requirement for our East Costilla frontage as well as our Nevada frontage. As a small bar/brewery on a small corner in an existing building we are limited in our site plan parking arrangements. The bar/brewery is in an urban part of downtown and will be easily and safely accessed by pedestrians and bicyclists with plenty of on-street parking.

Please feel free to contact me anytime with questions and/or comments on this Project Statement.

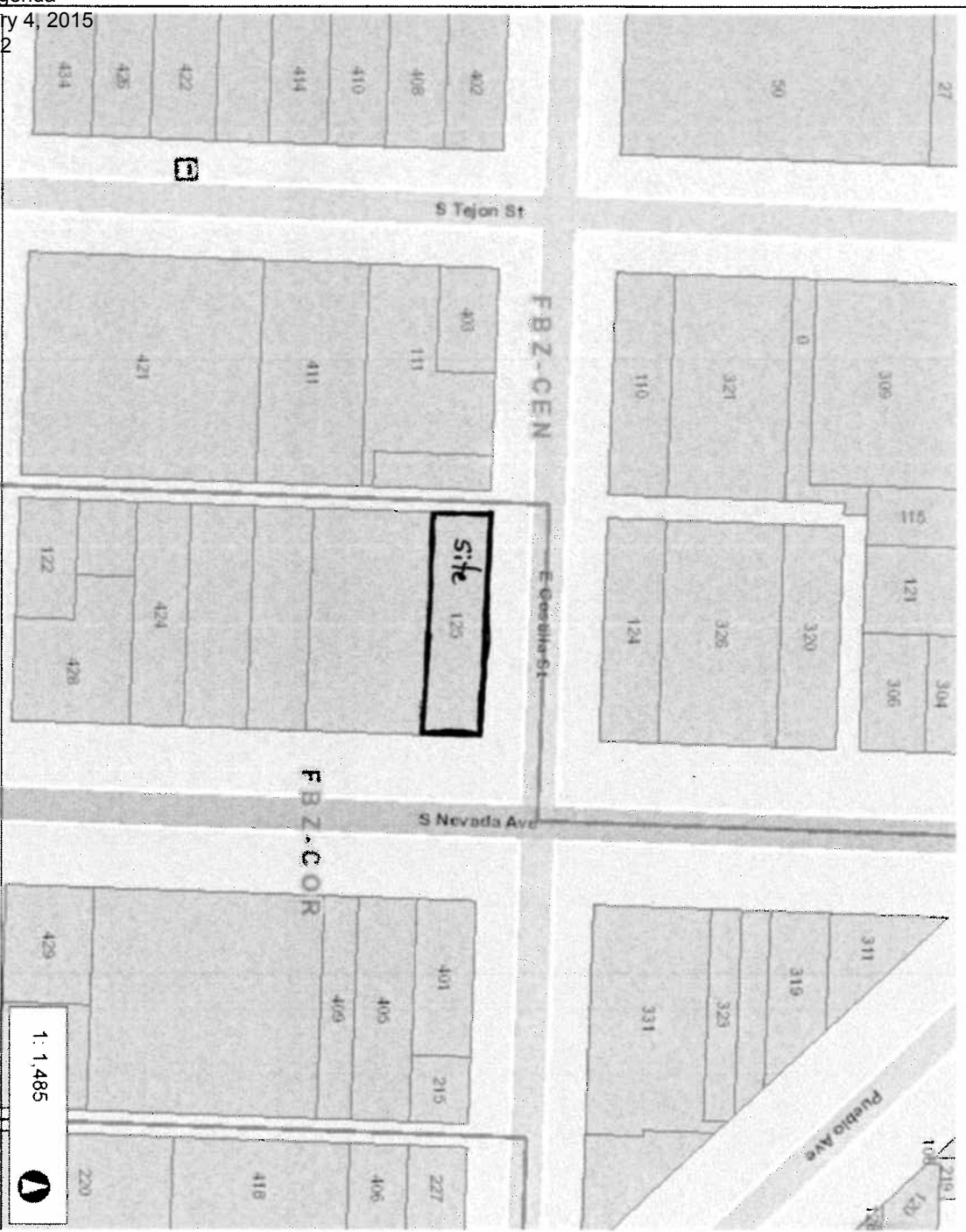
Respectfully,  
Echo Architecture, LLC.

A handwritten signature in black ink, appearing to be 'RL' with a stylized flourish.

by \_\_\_\_\_

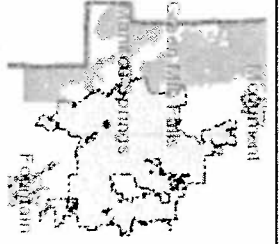
Ryan Lloyd  
Architect





0 123.71 247.4 Feet

1 : 1,485



- Legend**
- Parcels
  - Base Zone - Outline
  - National Forest
  - Parks
  - Military
  - Towns
  - County Boundary
  - Place Labels
  - Bus Stops
  - Hospitals
  - Schools
  - Streets
  - Interstate
  - Major Roads
  - Local Roads
  - Ramps
  - Trails\_Parks
  - Trails\_Urban\_Paved
  - Trails\_Urban\_Gravel
  - Trails\_Urban\_Natural
  - Creeks
  - Railroads
  - Parcels
  - Golf Fairways
  - Streams
  - Parks

**Notes**

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FIGURE 2



January 19, 2015

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

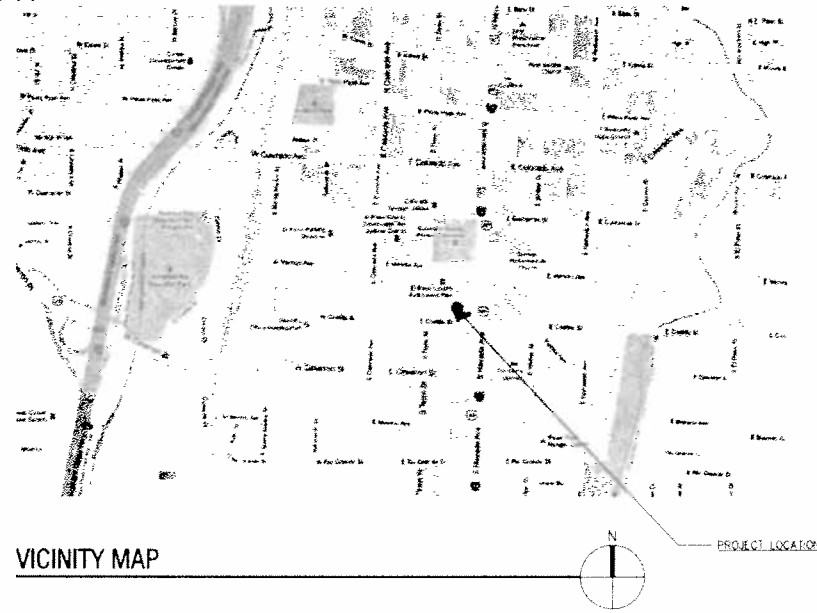
Dear Mr. Tefertiller,

The purpose of this letter is to express an opinion by Downtown Partnership and the Downtown Development Authority regarding Ryan Lloyd of Echo Architecture's request on behalf of Mark Vuong of Willamette Select Mortgage Fund LLC for the property located at 404 S. Nevada Ave. The request is for conditional use as a bar.

In April 2014, the Downtown Partnership issued a letter of support for Iron Bird Brewery and their conditional use as a bar, as well as a parking warrant. Since issuing this opinion, we have seen nothing but success for the business and the surrounding neighborhood. Iron Bird is a wonderful asset to the south end of downtown, and we are pleased to see their growth over such a short period of time. We continue to express our support for Iron Bird Brewery and look forward to their expanded operation.

Sincerely,

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



VICINITY MAP

**PROJECT / ZONING DATA**

ZONE-SECTOR:	FBZ-COR
PROJECT SUMMARY:	BAR/BREWERY EXPANSION INTO A CURRENTLY VACANT 2,205 SQ.FT. BUILDING TO INCLUDE SITE IMPROVEMENTS INCLUDING SITE ACCESS, A PATIO AND LANDSCAPING
PROJECT ADDRESS:	404 SOUTH NEVADA COLORADO SPRINGS, CO 80903
ISL:	641837001
LEGAL DESCRIPTION:	LOT 16, BLK 132 COLO SPOS

EXISTING DEV. PLAN # DRB CU 14-00038

WARRANT:  
A WARRANT HAS BEEN REQUESTED TO MODIFY THE PARKING REQUIREMENTS (SECTION 2.6)

A WARRANT HAS BEEN REQUESTED FOR A CONDITIONAL USE BAR AND BREWERY (2.5.4)

**BUILDING / SITE DATA**

GROSS EXISTING BUILDING AREA:	8,042 SQUARE FEET (NO CHANGE PROPOSED)
INDOOR AREA:	2,205 SQUARE FEET
OUTDOOR AREA:	501 SQUARE FEET
SITE AREA:	9,500 SF (1.218 ACRES)
TOTAL LOT COVERAGE:	84%
BUILDING TYPE:	SMALL COMMERCIAL
NUMBER OF STORIES:	01 (EXISTING)
ENCLOSURE TYPE:	STOREFRONT (EXISTING)
FINISH FLOOR ELEVATION:	N/A (EXISTING)

**PARKING SUMMARY**

REQUIRED: 2,205 SF / 250 = 10 STALLS  
PROVIDED: 0

**SITE PLAN NOTES**

1. INFORMATIONAL ONLY: SIGNAGE IS NOT APPROVED WITH THIS CONCEPT/DEVELOPMENT PLAN
2. FLOOD LIGHTING IS PROHIBITED
3. ALL LIGHTING SHALL BE ARRANGED TO REFLECT AWAY FROM ADJACENT PROPERTIES AND PUBLIC RIGHT-OF-WAYS AND SHALL BE SHIELDED TO CONTAIN ALL DIRECT RAYS ON SITE. ALL LIGHTING FIXTURES SHALL BE FULL SHIELD (OUT-OFF)

**SHEET INDEX**

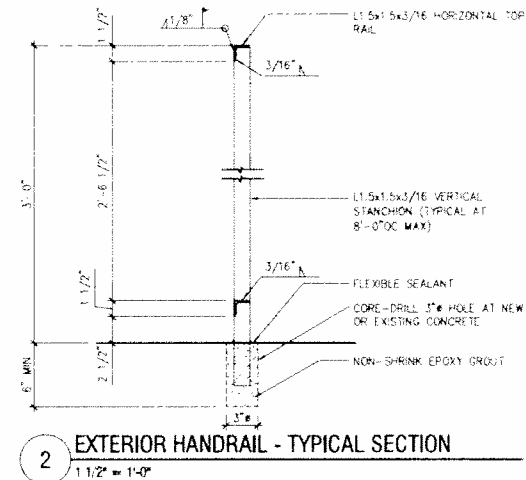
1 OF 1 GENERAL INFORMATION/SITE PLAN

**CONTACTS**

**BUILDING OWNER:** WILLAMETTE CAPITAL MANAGEMENT, LTD.  
116 NE 6th AVE., SUITE 400  
PORTLAND, OR 97232  
CONTACT: MARK WANG  
P: 503.546.4230  
E: mark@willamettecapital.com

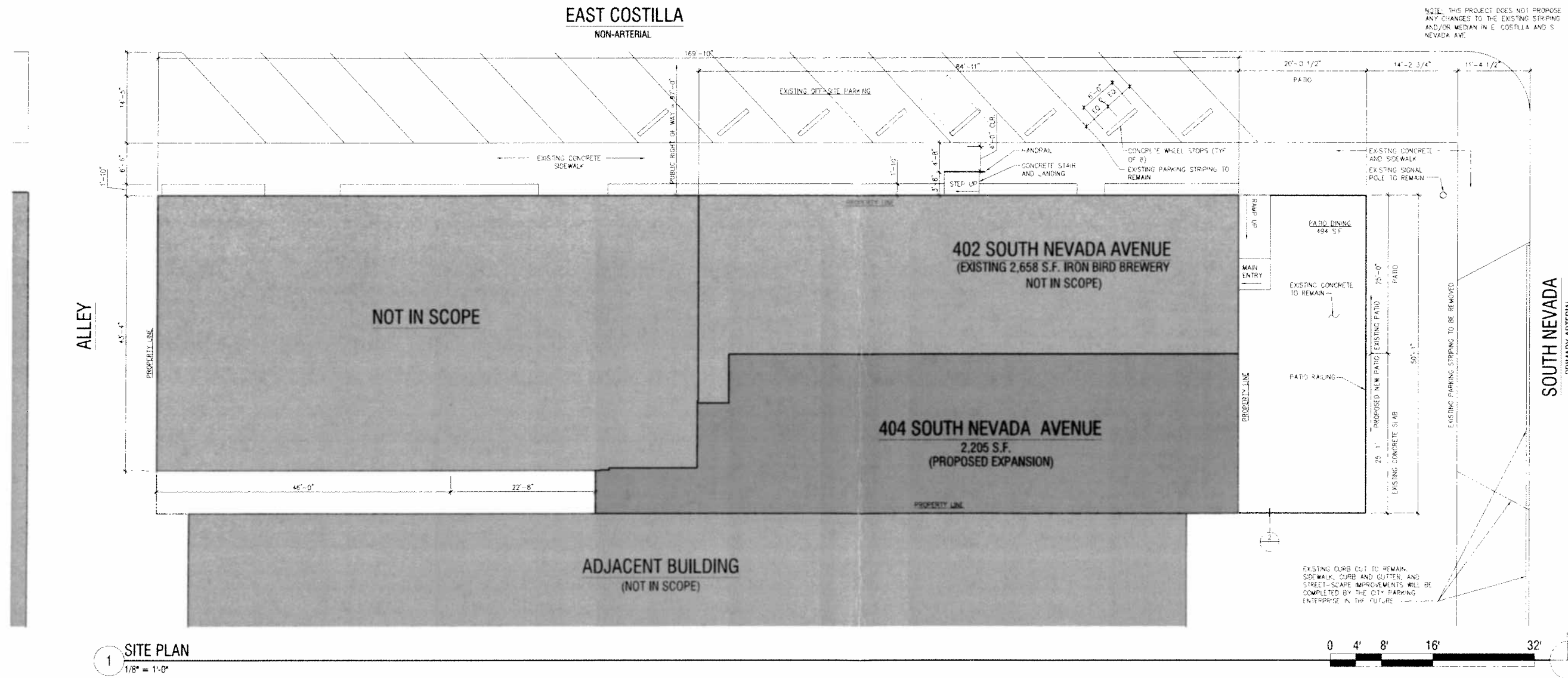
**TENANT:** IRON BIRD BREWERY  
402 SOUTH NEVADA AVE  
COLORADO SPRINGS, CO 80903  
CONTACT: AARON CELUSTIA  
P: 502.301.6902  
E: ironbirdbrewery@gmail.com

**ARCHITECT / APPLICANT:** ECHO ARCHITECTURE  
26 SOUTH TEJON #200  
COLORADO SPRINGS, CO 80904  
CONTACT: RYAN LLOYD  
P: 719.322.1022  
E: ryan@echo-arch.com

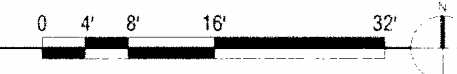


2 EXTERIOR HANDRAIL - TYPICAL SECTION  
1.1/2" = 1'-0"

NOTE: THIS PROJECT DOES NOT PROPOSE ANY CHANGES TO THE EXISTING STRIPING AND/OR MEDIAN IN E. COSTILLA AND S. NEVADA AVE.



1 SITE PLAN  
1/8" = 1'-0"



**IRON BIRD BREWERY**  
404 SOUTH NEVADA  
COLORADO SPRINGS, CO

LUR #: C.U. DEV. PLAN  
TBD



IRON BIRD DATE: 12.09.2014  
COLORADO SPRINGS PROJECT: DEV. PLAN  
DRAWN BY: RCL  
ECHO ARCHITECTURE 202 ECHO AVE  
COLORADO SPRINGS, CO 80904  
WWW.ECHO-ARCH.COM 719.322.1022

FIGURE 4

CONDITIONAL USE DEVELOPMENT PLAN