

COMMISSIONERS: STAN VANDERWERF (CHAIR) CAMI BREMER (VICE-CHAIR) LONGINOS GONZALEZ, JR. HOLLY WILLIAMS CARRIE GEITNER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Board of Adjustment

Kevin Curry, Chair

FROM: Mercedes Rivas, Planner II

Lupe Packman, Engineer I

Craig Dossey, Executive Director

RE: Project File #: BOA-21-003

Project Name: Space Village Shopping Center Sign BOA

Parcel Nos.: 54170-01-001, 54170-01-007, 54170-01-008, and 54170-01-009

OWNER: REPRESENTATIVE:

Space Village Retail LLC	Danny Mientka		
90 S. Cascade Avenue, Suite 1500,	90 S. Cascade Avenue, Suite 1500,		
Colorado Springs, CO 80903	Colorado Springs, CO 80903		

Commissioner District: 4

Board of Adjustment Hearing Date:	6/9/2021

EXECUTIVE SUMMARY

A request by Space Village Retail, LLC, for approval of three-dimensional variances to allow:

- 1. One (1) freestanding sign with an area of 118.85 square feet where 40 square feet is allowed.
- 2. One freestanding sign thirty-two (32) feet in height where thirty (30) feet is the maximum height allowed.
- 3. A second freestanding sign thirty (30) square feet in area where only one (1) freestanding sign is allowed.

The 1.97-acre property is zoned C-1 (Commercial Obsolete) and CAD-O (Commercial Airport District Overlay). The property is located at the southeast corner of the Space

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Village Avenue and Peterson Boulevard intersection and is within Section 17, Township 14 South, Range 65 West of the 6th P.M.

A. REQUEST

A request by Space Village Retail, LLC, for approval of three-dimensional variances to allow:

- 1. One (1) freestanding sign with an area of 118.85 square feet where 40 square feet is allowed.
- 2. One freestanding sign at a height of thirty-two 32 feet where 30 feet is the maximum height allowed.
- 3. A second freestanding sign with an area of 30 square feet where only one (1) freestanding sign is allowed.

B. APPROVAL CRITERIA

Section 5.5.2.B.2.a, Variance to Physical Requirements, of the <u>Land Development</u> <u>Code</u> (2021), states the following:

The Board of Adjustment is authorized to grant variances from the strict application of any physical requirement of this Code which would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the property. Practical difficulties and hardship, in this context, may exist where the legal use of the property is severely restricted due to:

1) The exceptional narrowness, shallowness, or shape of the specific piece of property.

The subject parcels are not configured with exceptional narrowness, shallowness, or in an irregular shape.

2) The exceptional topographic conditions or other extraordinary or exceptional situation or condition of the piece of property.

The lots do not have any exceptional topographic conditions, however, there are topographical constraints due to U.S. Highway 24 being located at a higher elevation than the subject parcel. Additionally, the applicant has stated in the letter of intent that a sign meeting the <u>Code</u> requirements would be difficult to see due to the higher traveling speeds along U.S. Highway 24. The applicant has indicated that a larger and taller monument shopping center sign would increase visibility, thus increasing safety, for those driving on U.S. Highway 24.

The applicant is requesting approval of a second free-standing sign exceeding the area allowance to display gas prices for a convenience store for the same reasons stated above regarding roadway speeds and differences in elevation.

Section 5.5.2.B.2.a, Variance to Physical Requirements, of the <u>Code</u> states the following:

The Board of Adjustment may also grant variances from the strict application of any physical requirement of this Code based upon equitable consideration, finding that the burdens of strict compliance with the zoning requirement(s) significantly exceed the benefits of such compliance for the specific piece of property and;

• The variance provides only reasonably brief, temporary relief; or

If approved, the request for a dimensional variance will provide permanent relief and would not meet this criterion.

• The variance request includes an alternative plan, standards or conditions that substantially and satisfactorily mitigate the anticipated impacts or serve as a reasonably equivalent substitute for current zoning requirements; or

The applicant has not proposed an alternative plan.

• Some other unique or equitable consideration compels that strict compliance not be required.

The applicant has indicated in their letter of intent that the signs are being proposed due to visibility constraints associated with the topography along U.S. Highway 24.

C. BACKGROUND

The 1.97-acre property was created on August 8, 2019 as Lot 1 of the Space Village subdivision. The parcel was zoned A-3 (Agricultural) on May 10, 1942 at the time of the initial implementation of zoning for this portion of El Paso County. The property was rezoned from the A-3 (Agricultural) to the C-1 (Commercial) zoning district in 1956. The C-1 (Commercial) zoning district is currently an obsolete zoning district within the El Paso County Land Development Code (2021).

The subject property is included within an existing commercial shopping center, which was built in 1986. The two (2) proposed signs are to be sited on two vacant pad sites of the shopping center. The existing sign located on the southwest corner of Lot 1 along Peterson Boulevard is permitted and is 26.5 feet tall and 8 feet wide. The applicant is proposing to replace this sign with two (2) new signs along Space Village Avenue to increase visibility to people driving on U.S. Highway 24.

The proposed signage requires approval of a dimensional variance before the Board of Adjustment to allow for a larger and taller sign as well as a second sign. The applicant will need to apply for sign permits to construct the proposed signs if the dimensional variance requests are approved.

D. ALTERNATIVES EXPLORED

There are three alternatives that would not require a dimensional variance request:

- **1.** Construct only one sign meeting the requirements of the <u>Code</u>.
- **2.** Request administrative relief to allow for a sign up to 36-foot tall and 48 square feet in area.
- **3.** Request approval of a master sign plan pursuant to the provisions of the <u>Code</u>, which if approved could allow for a 37.5-foot tall sign with an area of 50 square feet.

E. APPLICABLE RESOLUTIONS

Approval: Resolution 3
Disapproval: Resolution 4

F. LOCATION

North: CR (Commercial Regional)

Single-Family Dwelling
South: RR-2.5 (Residential Rural)

Single-Family Dwelling
Single-Family Dwelling
West: City of Colorado Springs

Single-Family Dwelling

G. SERVICE

1. WATER

Water supply service is provided by Colorado Springs Utilities.

2. WASTEWATER

Wastewater service is provided by Colorado Springs Utilities.

3. EMERGENCY SERVICES

The parcel is located within the Cimarron Hills Fire Protection District. The District was sent a referral and has no outstanding comments.

H. ENGINEERING

1. FLOODPLAIN

FEMA Flood Insurance Rate Map Panel No. 08041C0754G (dated December 7, 2018) shows the property within the Zone X area, which is outside the 100-year floodplain.

2. DRAINAGE AND EROSION

This property is located within the Sand Creek drainage basin (FOFO4000). This is a studied basin with associated drainage basin fees. No platting action is being requested; therefore, no drainage fees are due at this time.

3. TRANSPORTATION

The 2016 El Paso County Major Transportation Corridors Plan Update does not depict roadway improvement projects in the immediate vicinity of the development.

The parcel is located on Space Village Avenue, which is an urban minor arterial road currently maintained by the County. No public improvements are required for this application.

The variance requests are not subject to the El Paso County Road Impact Fee Program (Resolution 19-471), as amended.

I. RECOMMENDED CONDITIONS OF APPROVAL

Should the Board of Adjustment determine that the application is consistent with the criteria for approval of a dimensional variance and that the applicant has met the review and approval criteria for granting variances from the applicable standards, staff recommends the following conditions and notation of approval:

CONDITIONS

1. The approval applies only to the plans as submitted. Any expansion or additions beyond those depicted on the associated site plan may require separate Board of Adjustment application(s) and approval(s) if the development requirements of the applicable zoning district cannot be met.

2. Approval of a sign permit(s) is required prior to construction of the two (2) proposed signs.

NOTATIONS

- Physical variances approved for a proposed structure (except for lot area variances) are valid only if construction of the structure is initiated within twelve (12) months of the date of the Board of Adjustment approval.
- 2. The PCD Director may require a survey, certified by a registered surveyor, licensed in the State of Colorado, depicting the improvement in relationship to the lot lines affected to demonstrate compliance with the approval of the administrative relief.

J. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified nine adjoining property owners on May 18, 2021, for the Board of Adjustment meeting. Responses will be provided at the hearing.

K. ATTACHMENTS

Letter of Intent Vicinity Map Site Plan Elevation Drawings March 16, 2021

El Paso County Planning and Community Development Attn: Board of Adjustment 2880 International Circle Colorado Springs, Colorado

Re: Letter of Intent – Shopping Center Signs, Space Village Shopping Center 6809 – 6829 Space Village Avenue, Colorado Springs, Colorado 80915

Space Village Retail LLC is requesting variance relief from El Paso County Sign Code criteria, based upon the unique physical characteristics of the location of the subject retail development, as it relates to U.S. Highway 24. U.S. Highway 24, at this location, is grade-separated and positioned several hundred feet north of the retail building storefronts making it difficult for visibility of the retailers, especially at the higher rates of speed given the roadway's classification as a highway. A larger and taller monument shopping center sign is necessary to provide adequate visibility, given that these physical constraints are unique to this specific retail location.

For the same reasons and given the property's location off two (2) U.S. Highway 24 exits, the shopping center is well-suited for a fuel/convenience store to accommodate travelers along U.S. Highway 24 and Colorado Highway 94. Accordingly, the applicant is requesting an independent high-profile convenience store/fuel pricing sign to support development of the larger retail pad site within Space Village. The remaining undeveloped pad sites will include signs upon the buildings, once developed.

Description of the request:

- 1.) 118.85 ft² sign area where 40 SF is allowed, setback 25-feet from the adjacent Space Village Roadway as platted in plat no. 7777.
- 2.) A 32-foot high sign where 30-feet is allowed.
- 3.) A request to allow large pad user Convenience Store to have an additional independent 30' free standing monument sign.
 - (ii) Area of Freestanding Signs. 1. General Standards. -Commercial Lot or Parcel Less than 8 Acres in Area: Where the commercial lot or parcel is less than 8 acres in total area, the maximum area of each sign shall be 40 SF.

Attachments:

- YESCO Sign Design Existing Sign and New Sign Design
- Sign Location Exhibits

Ownership:

Space Village Retail LLC Danny Mientka, Manager 90 South Cascade Avenue, Suite 1500 Colorado Springs, Colorado 80903 719.448.4034

View to East on Highway 24



View from Shopping Center Entrance facing North West



View North West from existing signage



El Paso County Parcel Information BOA-21-003 PARCE NAME File Name: 5417001 SPACE VILLAGE RETAIL LL 5417001 SPACE VILLAGE RETAIL LL Zone Map No. _--5417001 SPACE VILLAGE RETAIL LL 5417001 LAFAYETTE SPACE VILLAG Date: May 12, 2021 PANAMINT CT CARL AD AMS PT E-HWY-24-OFF-RAMP EHWY-24 EHWY 24 ON RAMP 24 E-HWY-24 EPLATTE AVE EPLATTE AVE SPACE-VILLAGE-AVE E HWY 24 OFF RAMP COMMAND-VW SITE -PETERSON-RD VANDENBERG ST PETERSON-BLVD PATRICK ST Peterson COLORADO SPRINGS AFB



EXISTING — **PYLON** (BASIS OF BEARINGS) N89'43'09"E 2651.73' SPACE VILLAGE AVENUE (COLORADO HIGHWAY 94) N89'43'09"E 215.38' EXISTING 50' SOUTH R/W 83'-0"+/-POINT OF COMMENMENT POINT OF BEGINNING 1/2" REBAR, RED CAP "MVE LS 37928"— SOUTH R/W BY BK. 1005, PG. 26 -20' U/E AND D/E (EL PASO COUNTY NOTE 9)-VILLAGE 6807 SPACE VILLAGE AVENUE FILING 2 40. OWNER: RAI MANAGEMENT, INC. PARCEL: 5417001003 SUBDIVISION LOT 1 LOT 1 -NAIL & SHINER ON TOP OF CONCRETE BOLLARD (ILLEGIBLE) AREA: 77,077 SQUARE FEET OR 1.769 ACRES N89'44'22"E REC. 216037146 (PARCEL A) UNPLATTED 6809-6829 SPACE VILLAGE AVENUE "113.34° CENTERED ON LOT LINE, CONVEYED BY SEPARATE INSTRUMENT—NOT DEDICATED BY THIS PLAT LOT 2 AREA: 85,635 SQUARE FEET (30' EAST R/W, S OR 1.966 ACRES S89"11'03"W 5.73' N89"16"39"E N53*21'20"E PETERSON OFFICE PROJECT

EXISTING SIGNAGE





Denver 11220 E. 53rd Avenue, Suite 30 Denver, CO 80239 303-375-9933

Colorado Springs 5011 List Drive Colorado Springs, CO 80919 719-385-0103

Isualizing our proposal. Ine original ideaerein are the property of YESCO ermission to copy or revise this drawin an only be obtained thru a written greement with YESCO.

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WWW.yesco.com

CLIENT: SPACE VILLAGE

ADDRESS:

6809-6829 SPACE VILLAGE A

CITY / STATE / ZIP:

COLORADO SPRINGS, CO

ACCOUNT EXECUTIVE:
STEVE HEIECK

DESIGNER:

BRIAN CRIPPIN
ORIGINAL DATE:

01.11.2018

CUSTOMER APPROVAL

Client Signature / Date

Landlord Signature / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICA RUNS OR FINAL ELECTRICAL CONNECTION CHARGES ARE NOT INCLUDED. ILLUMINATE DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

VOLTS AMPS

YESCO IS A UL LISTED SIGN MANUFACTURER

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

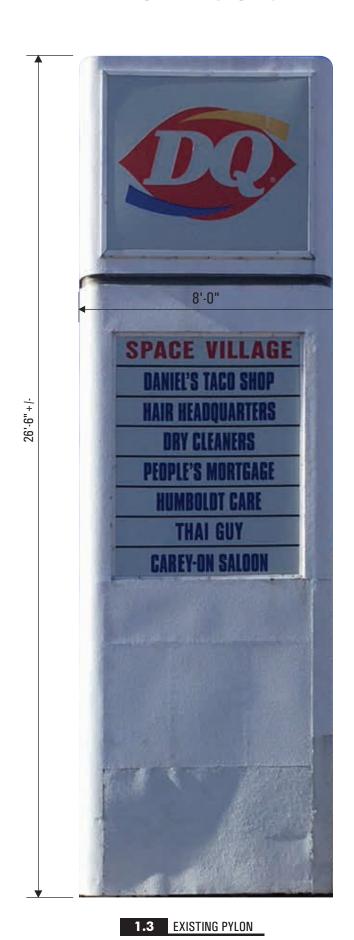
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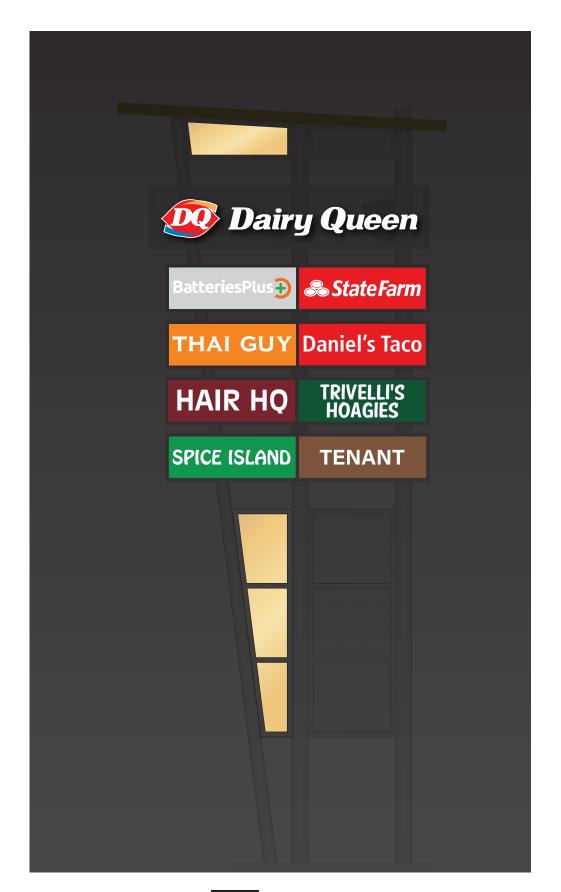
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panel 02.11.21 adjust placement

PAGE OF 3

EXISTING SIGN





1.4 CONCEPTUAL NIGHTVIEW

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SPACE VILLAGE

ADDRESS:

6809-6829 SPACE VILLAGE AVE.

CITY / STATE / ZIP: COLORADO SPRINGS, CO

ACCOUNT EXECUTIVE: STEVE HEIECK

DESIGNER:

BRIAN CRIPPIN

01.11.2018

CUSTOMER APPROVAL

Client Signature / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL CONNECTION
CHARGES ARE NOT INCLUDED. ILLUMINATED
DISPLAYS WILL BE WIRED FOR 120 VOLT POWER
UNLESS OTHERWISE INDICATED.

Landlord Signature / Date

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AMPS

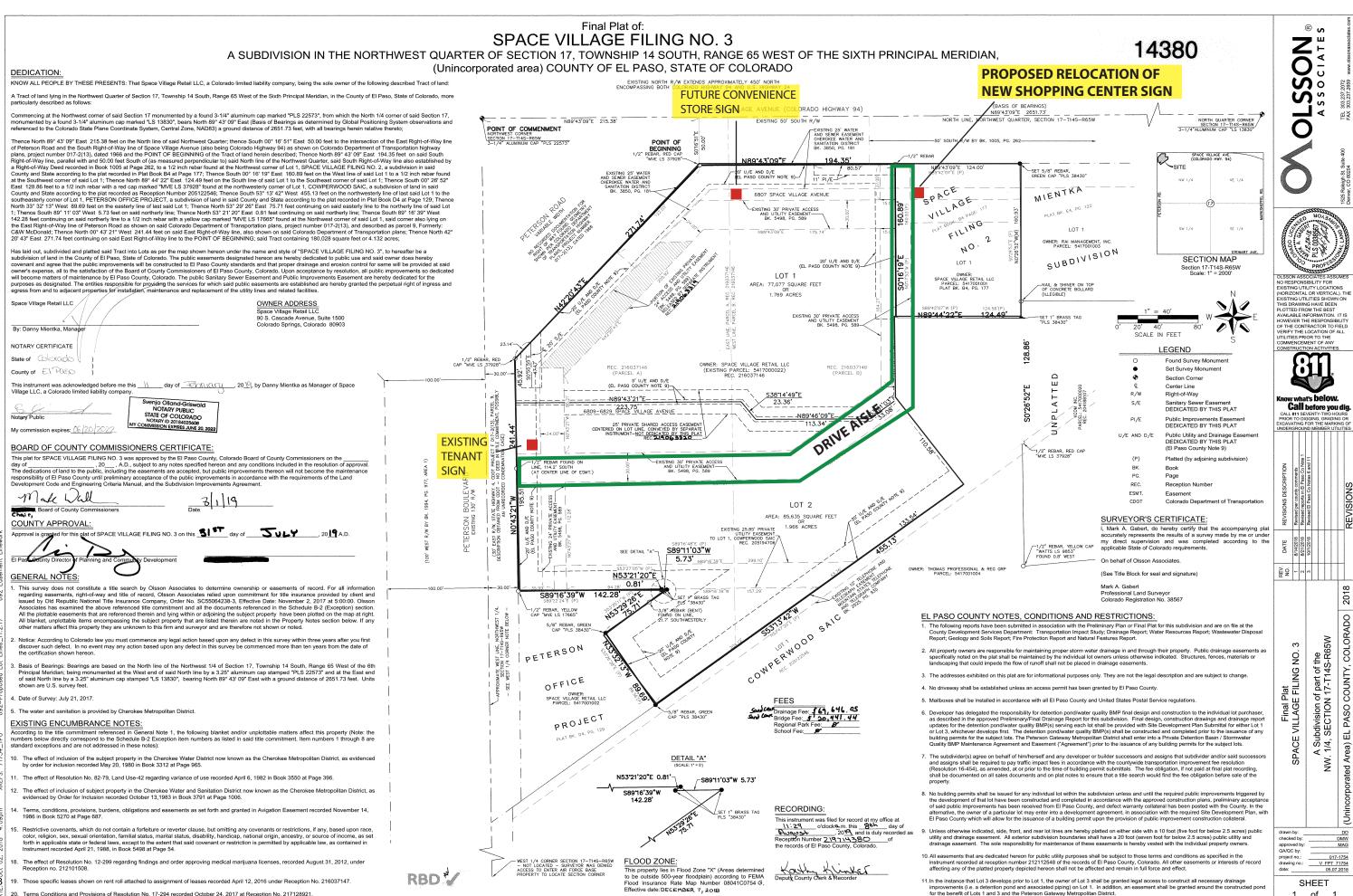


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REVISIONS		
DATE	REVISION	DESIGNER
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01/22/18	add tenant / show existing	
	pylon at relative scale	bc
∆ 02/12/19	value engineer pylon design	bc
4 02/19/19	change to 10" square tube	bc
10/03/19	2 new concepts	bc
£ 12/14/20	new concept	bc
12.17.20	fulls specs	bc
12.29.20	no change	bc
№ 01.06.21	show tenants on nighttviev	v bc
01.19.21	re-order tenant panels	bc
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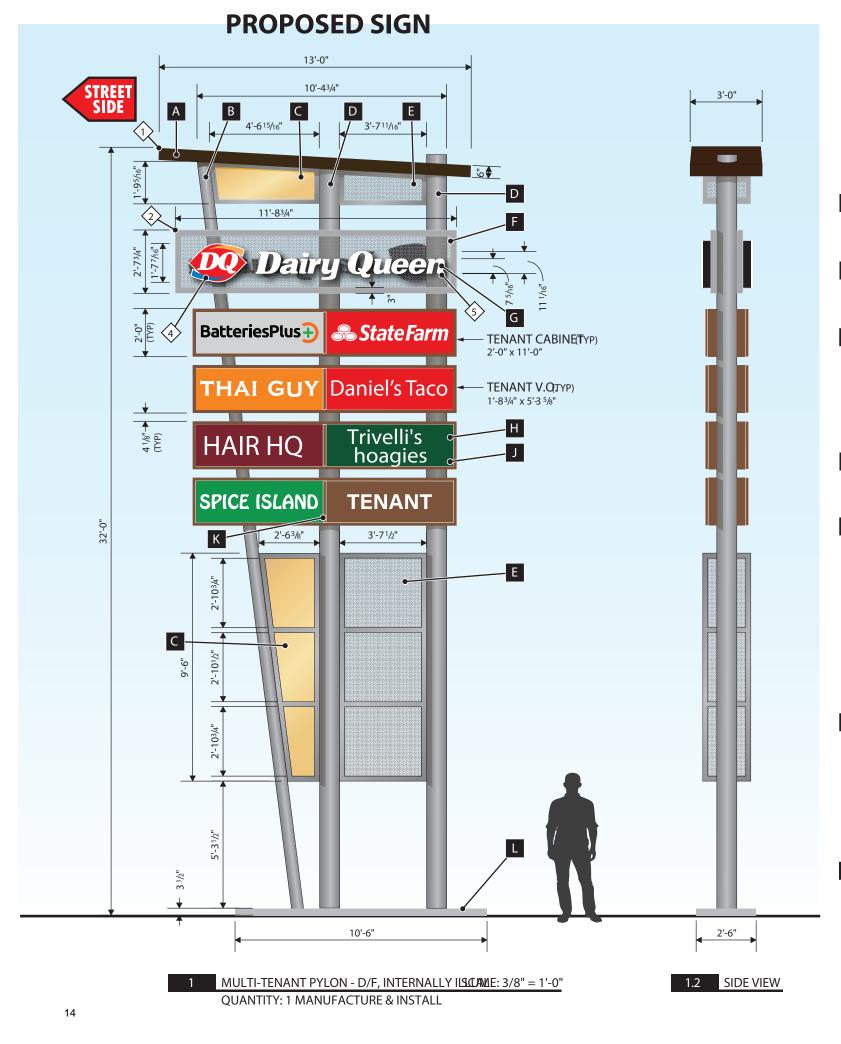
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PAGE 3



20 Terms Conditions and Provisions of Resolution No. 17-294 recorded October 24, 2017 at Reception No. 217128921

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PAINT	SHERWIN WILLIAMS T.B.D.
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VINYL	3M #363022 BLACK
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VINYL	3M #363049BURGUNDY BACKGROUND: HAIR HQ
VINYL	3M #363076 HOLLY GREEN
VINYL	3M #3630156 VIVID GREEN
*****	BACKGROUND: SPICE ISLAND

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Colorado Springs 5011 List Drive Colorado Springs, CO 80919 719-385-0103

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SPACE VILLAGE

ADDRESS: 6809-6829 SPACE VILLAGE A

CITY / STATE / ZIP:

COLORADO SPRINGS, CO

ACCOUNT EXECUTIVE: STEVE HEIECK

DESIGNER:

BRIAN CRIPPIN

01.11.2018

CUSTOMER APPROVAL

Client Signature / Date

Landlord Signature / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL CONNECTION
CHARGES ARE NOT INCLUDED. ILLUMINATED
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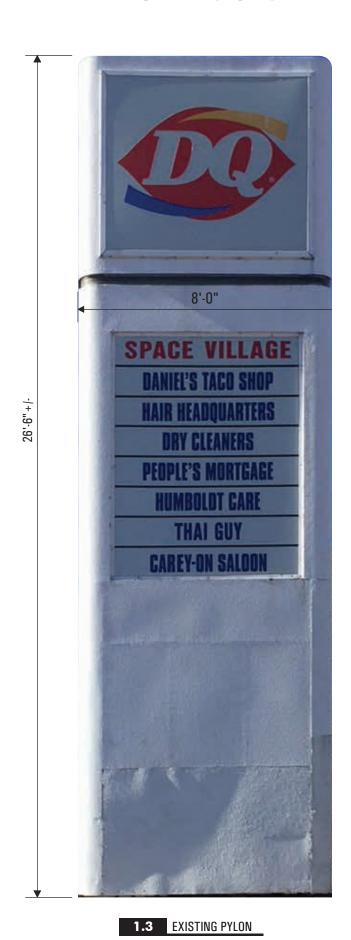
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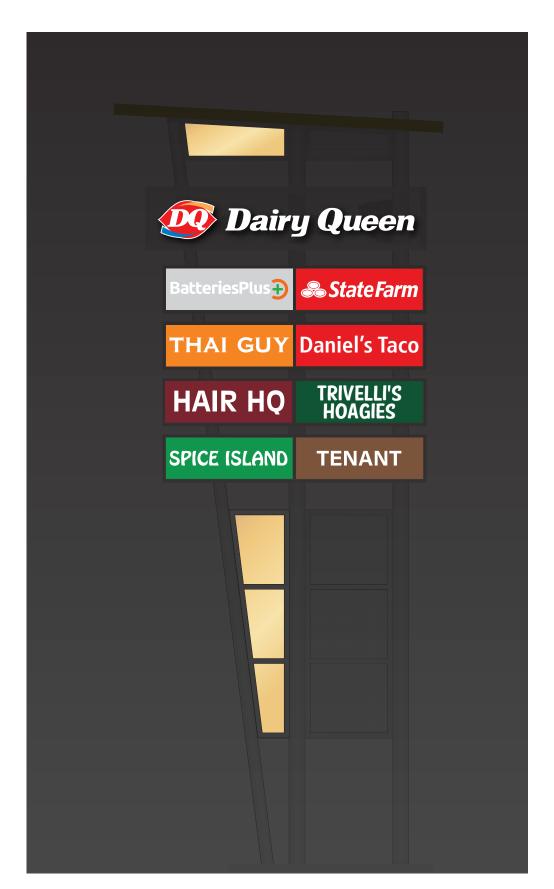
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▲ 10/03/19 2 new concepts		bc
▲ 12/14/20 new concept		bc
12.17.20 fulls specs	bc	
12.29.20 corrected pipe size		bc
01.06.21 show tenants / change of	cabin	ets
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01.19.21 re-order tenant panels		b
1.21.21 update batteries plus lo	go	b
⚠ 01.21.21 no change	bc	
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EXISTING SIGN





1.4 CONCEPTUAL NIGHTVIEW

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Colorado Springs 5011 List Drive Colorado Springs, CO 80919 719-385-0103

www.yesco.com

SPACE VILLAGE

ADDRESS:

6809-6829 SPACE VILLAGE AVE.

CITY / STATE / ZIP: COLORADO SPRINGS, CO

ACCOUNT EXECUTIVE:

STEVE HEIECK

DESIGNER:

BRIAN CRIPPIN

01.11.2018

CUSTOMER APPROVAL

Client Signature / Date

Landlord Signature / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL CONNECTION
CHARGES ARE NOT INCLUDED. ILLUMINATED
DISPLAYS WILL BE WIRED FOR 120 VOLT POWER
UNLESS OTHERWISE INDICATED.

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AMPS



YESCO IS A UL LISTED SIGN MANUFACTURER
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE GOO OF THE NATIONAL ELECTRICAL CODE AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

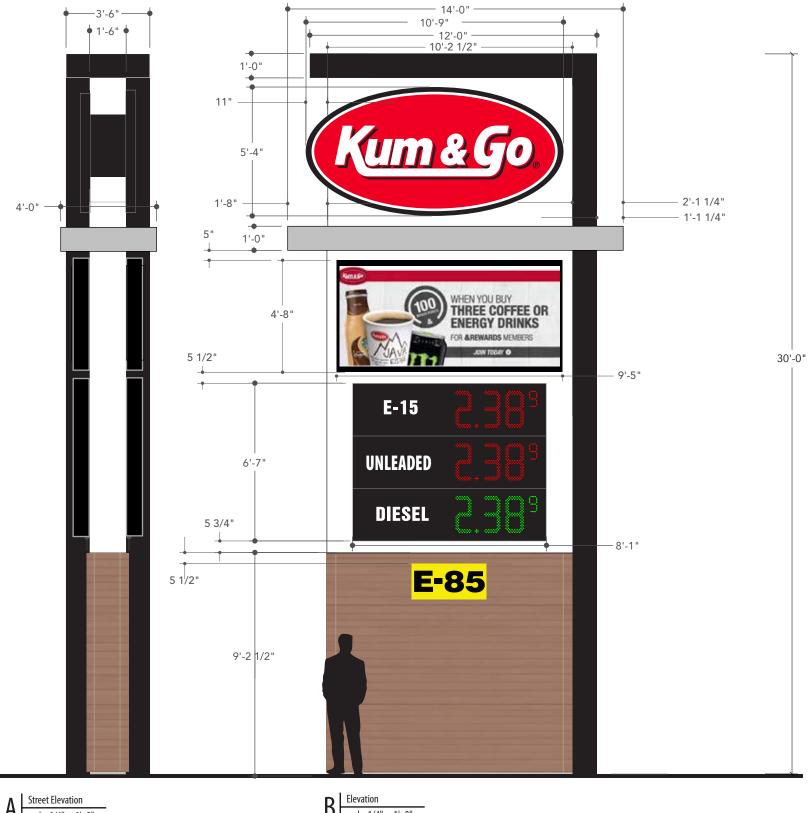
REVISIONS		
DATE	REVISION	DESIGNER
▲ 01/17/18	reduce pylon / revise tenant	s bc
<u> 101/22/18</u>	add tenant / show existing	
	pylon at relative scale	bc
3 02/12/19	value engineer pylon design	bc
A 02/19/19	change to 10" square tube	bc
10/03/19	2 new concepts	bc
£ 12/14/20	new concept	bc
<u> </u>	fulls specs	bc
12.29.20	no change	bc
№ 01.06.21	show tenants on nighttview	v bc
<u>A</u> 01.19.21	re-order tenant panels	bc
<u> </u>	update batteries plus logo	bc
<u>A</u> 01.21.21	no change	bc
<u> </u>	update batteries plus tenant	t
Δ	panel	bc
<u>№</u> 02.11.21	no change	bc
Δ		
Δ		
	DATE	DATE REVISION ↑ 01/17/18 reduce pylon / revise tenant ↑ 01/12/18 add tenant / show existing pylon at relative scale ↑ 02/12/19 value engineer pylon design ↑ 02/12/19 value engineer pylon design ↑ 02/12/19 value engineer pylon design ↑ 10/03/19 2 new concept ↑ 12/12/20 fulls specs ↑ 12.29.20 no change ↑ 10.08.21 show tenants on nighthview ↑ 01.19.21 re-order tenant panels ↑ 01.12.12 update batteries plus logo ↑ 01.12.12 update batteries plus logo ↑ 01.12.12 no change

ART11164 R14

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30' MONUMENT Kum & Go

Space Village



5'-4" x 10'-9" KUM & GO - AREA: 57.3 SQ FT 4'-8 "x 9'-5" FULL COLOR LED DISPLAY - AREA: 43.85 6'7 1/4" X 8'-1" GAS PRICE SIGN - AREA: 52.68 SQ FT 1'-6" x 3'-2" E-85 PLACARD - 4.74 SQ FT **TOTAL SQ. FT - 158.57**

A Street Elevation scale: 1/4" = 1'-0"

LOCATION:

B | Elevation | scale: 1/4" = 1'- 0"



1225 North Lansing Avenue Tulsa, Oklahoma 74106 ph: 918.587.7171 cell: 918.630.0033 web: cnfsigns.com

PROJECT/CLIENT NAME:

SPACE VILLAGE

ACCOUNT EXECUTIVE: TERRY HOWARD DATE OF ORIGINAL DWG:

APRIL 20, 2021

REVISION HISTORY:

04.20.21 REVIEW

SIGN TYPE/DESCRIPTION: 30' MONUMENT SIGN

SHEET NAME: