



Meeting Date: November 9, 2022

## **AGENDA MEMORANDUM**

**To:** Design Review Board

**From:** Brad Boland, AICP, Long Range Project Manager

**Title:** Lot 4A Block 11 Town of Castle Rock per LLA 202093484 0.399 AM/L RLTD  
IMPS Only R0601881  
Town of Castle Rock, County of Douglas, State of Colorado,  
Site Development Plan  
[Perry Street Social]

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### **Executive Summary**

Perry Street Collective, LLC has submitted an application for a site development plan (SDP) for a mini “entertainment district” called Perry Street Social. Perry Street Social is proposed on the 0.399-acre lot at the northeast corner of Perry Street and Fourth Street. The SDP proposes a total of three buildings, two new and one existing, in addition to the existing pavilion on the property. The SDP requires a public hearing before the Design Review Board (DRB), which shall review and decide on the proposal, including a variance request from the minimum sidewalk width on North Perry Street.



Figure 1: Vicinity Map

## **Background**

### **Existing Conditions and Surrounding Uses**

The property is approximately 0.399 acres in size and is located within Downtown Castle Rock at the northeast corner of Perry Street and Fourth Street. There are currently three buildings and a pavilion on the property. A cultural resources survey (Attachment B) has been provided for an in-depth description of the property and its history.

At the north end of the property is an existing two-story 1,700 square-foot residential house (414 Perry Street). Demolition of the house required approval from Town Council, with recommendation from the Historic Preservation Board, as the house was built before 1945. The Historic Preservation Board recommended approval of the demolition on July 6, 2022, and Town Council approved the demolition on September 6, 2022.

In the middle of the property is a covered pavilion that is approximately 5,500 square feet in size. The pavilion previously referred to as the “White Pavilion” and “Rink at the Rock”, has been used as an ice skating rink in the winter for many years. The pavilion will remain and be utilized with this project, including as an ice skating during the winter.

At the corner of Perry and Fourth Street (404 Perry Street), is the Whittier House. The Whittier House was constructed in 1888, is one story, and is currently 988 square feet. The house most recently has been used as a retail shop. While historically significant, the Whittier House is not locally or nationally landmarked. The Whittier House will remain on the property. An existing addition on the north side of the building will be removed and then added on to.

At the southeast corner of the property (411 Fourth Street) is a one-story, 2,508-square-foot cinder block building. The property is currently occupied by Castle Rock Bike & Ski. The building will be demolished to make way for a new building.

To the east of the property are railroad tracks. To the north of the property is a single-story single-family residence. To the east of the property are the historic City Hotel, a two-story unoccupied building, and the five-story Reyn Rock Plaza, a senior housing apartment building. Diagonally to the southwest from the property is a three-story commercial building that includes retail and office. To the south of the property is a two-story commercial building that includes retail, restaurants, and office.

### **Zoning Regulations**

The property is zoned Business/Commercial (B), within the Downtown Overlay District (DOD). The B zone district is the underlying zone district for the property while the DOD, adopted in 2010, is an additional layer of standards for the property. The provisions of the DOD govern over those of the B zone district. The purpose of the DOD is to establish architectural, landscaping, design, building, use, and site development regulations that encourage compatible land uses, ensure higher quality development and function to protect property values, and provide safe and efficient pedestrian and automotive access.

## **Discussion**

### **Proposed Use**

Perry Street Social will consist of three buildings and the existing pavilion. To the north of the pavilion, replacing the residential house will be a craft beer Tap House and kitchen. The Tap House will be 2,754 square feet, one story, and 24 feet 4 inches in height. The Tap House will open up to the pavilion through overhead doors on the south elevation. The existing Whittier House at the corner of Perry and Fourth Streets will be converted into a deli/charcuterie and wine bar. An existing 281 square-foot addition to the north side of the building will be removed and a 616 square-foot glassed-in conservatory will be added in its place. The building will remain one story with a height of 14 feet 7 inches. The new building at the southeast corner of the project will be a 2,914-square-foot, two-story building that will include a third-floor patio that has a service structure. The first floor will consist of “food truck-like” businesses with walk-up orders and pick-up windows. The second floor will consist of seating. The total height of the building will be 28 feet 6 inches. The pavilion will function as a central hub for all the buildings where people can meet and sit together during the warmer months. During the winter, the pavilion will be converted into an ice rink. The existing 6-foot sidewalk along Perry Street will remain. On Fourth Street, the sidewalk will be widened to an 8-foot sidewalk with an additional 2-foot brick curb shy. No on-site parking spaces are required, and none are being proposed. Existing street parking will remain the same.

On the north end of the site, the Tap House’s entrance onto Perry Street (west elevation) is the focal point of the building. The front of the building incorporates a turret with 7-foot windows wrapping around the lower portion encased by brown cement trim with the front door offset. The upper portion of the turret is corrugated metal panels with a burgundy standing seam metal roof. Black metal beams run vertically between a soffit above the windows and a soffit below the roof of the turret. The front part of the building, after the turret, has a burgundy standing seam metal skillion roof with the top edge being on the south side of the building. The eastern side of the building has a flat roof. The south elevation front portion includes three glass overhead doors that open up to the pavilion. The upper portion of the wall created by the roof pitch, above the overhead doors, consists of three windows surrounded by corrugated metal panels. The eastern portion of the south elevation consists of Hardie plank lap siding. The east elevation is the back of the house, and the predominant material is Hardie plank lap siding. The north elevation has three gabled windows within the skillion roof and the predominant material is the Hardie plank lap siding.

In the southwest corner of the site, the Whittier House is a side-gabled building with wood siding, boxed eaves with fascia board and trim, and a composition roof. There is a 281 square-foot shed roof addition on the north side of the building that will be removed. A 616 square-foot glassed-in conservatory will be added in its place. The conservatory will include 5-foot windows that wrap all the way around. Below the windows, the base of the building will be Hardie panels with trim and Hardie trim board. The roof will be a green seam metal roof with a row of skylights. The building will be painted white, with the trim of the windows of the addition painted green to match the roof.

In the southeast corner of the project, a 2,914 square-foot “Container” building will replace the existing cinder block building. The proposed building will be two stories with a third-floor patio that will have a service shed. The building will be constructed together with shipping containers

and metal panels to form a building. The south elevation, facing Fourth Street, is the main façade of the building. The first floor will feature a breezeway that will go through the middle of the first floor opening up to Fourth Street. The first floor will also include several windows that will be used for patrons to order their food and pick it up. An elevator shaft will be on the south side of the building. The second story will be a dining area. The south elevation of the second story is lined with large windows, looking out on Fourth Street. Staircases on the west side and north side of the building will take patrons to the second-floor dining area and the third-floor patio that includes a service shed. The metal panels will be painted in a pattern of colors that include red, green, grey, and black. Some panels will be accented through the use of brown shiplap siding.

### Zoning Allowances

The zoning allows various commercial and residential uses including, but not limited to, office, service, retail, restaurant, public facility, and multi-family residential uses. The proposed mixed-use building is in conformance with the permitted uses described for both the B zone district and the DOD.

### Development Standards

A comparison of the SDP proposal to the Development Standards of the DOD (page 1 of the SDP) illustrates the SDP proposal meets the permitted maximum lot coverage, minimum setbacks, and maximum building setback requirements.

The proposed lot coverage of 85% is under the permitted maximum lot coverage of 100%; and the proposed front setback of 1-foot, a rear setback of 0.9-feet and side yard setbacks of 1.5-feet (west) and 0.5-foot (east) all exceed the permitted minimum setback requirement of 0-feet.

100% of the building facing North Perry Street for both the Tap House and Whittier House are proposed to be within 20 feet of the North Perry Street Right-of-Way (ROW), which meets the required maximum building setback to a public roadway of 0-20 feet for 25% of the building facing a roadway. 58% of the Whittier House and 100% of the container building are proposed to be within 20 feet of the Fourth Street Right-of-Way (ROW), which meets the required maximum building setback to the public roadway of 0-20 feet for 25% of the building facing a roadway.

### Crown Design and Building Height

The Tap House has multiple rooflines including a circular roof on top of a turret, a skillion roof, and a flat roof. The height point of the building is 24 feet 4 inches. The Whittier House has a cross-gabled roof with a maximum height of 14 feet 7 inches. The “Container Building” has a flat roof and the height to the top of the service/bar shed is 28 feet 6 inches. The property is located in the Downtown Core district which has a four-story limit, with a maximum height of 60 feet. All buildings meet these requirements.

### Design Standards

A review of the SDP proposal to the Design Standards of the DOD was performed. The review determined the SDP proposal complies with requirements for window or transparency at the pedestrian level, screening of rooftop equipment, parking, sidewalk, and landscaping, other than the minimum sidewalk width along Perry Street. A variance for the minimum sidewalk

width along Perry Street is being requested with this SDP proposal and is described in more detail further in this report.

The Tap House provides 55.8% and the Whittier House provides 72.5% window or transparency for their main front elevation facing North Perry Street which exceeds the required minimum of 35%. The “Container Building” provides a 45% window or transparency for its main front elevation along Fourth Street, exceeding the minimum of 35%. The Whittier House provides 73.7% transparency along Fourth Street, exceeding the minimum of 30% for a secondary frontage along a street.

Screening of rooftop equipment from all ground perspectives is accomplished using metal and light-colored screening walls, which helps fade the screening walls into the background.

No on-site parking is being proposed with Perry Street Social. The onsite parking requirements for non-residential projects in the Downtown are governed by Section 17.42.080.7 of the CRMC. The property is located in the North Downtown Non-Residential Parking Area. The parking requirement is one (1) parking space per five hundred (500) square feet of new construction. The existing building square footage to be demolished shall be deducted from the new building square footage. The first two thousand (2,000) square feet of new construction are exempt from the parking requirements. The project proposes 7,068 square of new square footage and 5,273 square feet of existing buildings are to be demolished. This is a net increase of 1,795 square feet, which is less than the 2,000-square-foot exemption. Therefore, no on-site parking is required.

A total of 8 existing street trees and 48 shrubs are being provided for the streetscape along North Perry Street. This exceeds the requirements of 7 trees and 35 shrubs. A total of 6 street trees and 39 shrubs are being provided for the streetscape along Fourth Street. This exceeds the requirements of 6 trees and 30 shrubs.

#### *Traffic Impact Analysis and Mitigation*

A Traffic Impact Analysis (TIA) for Perry Street Social was completed in September of 2022. This analysis addressed the capacity, geometry, and intersection control requirements associated with the development entitled “Perry Street Social”. The analysis study area encompasses the North Perry Street intersections with Third Street, Fourth Street, and Fifth Street, as well as the Wilcox Street intersections with Fourth Street and Fifth Street.

Due to its location within the downtown area, an assessment of pedestrian connectivity was evaluated. The proposed development and the adjacent existing facilities will accommodate pedestrians and bicyclists by maintaining existing sidewalks. The sidewalk on the Fourth Street frontage will be replaced with an 8-foot-wide sidewalk with an additional 2-foot-wide brick curb shy. This is consistent with the recommendations of the Downtown Mobility Master Plan. For North Perry Street, due to constraints of the existing skating rink canopy structure and existing steep grades between the Sixth Street curb and the sidewalk, in addition to large mature trees, the applicant has requested a variance from the required 8-foot-wide sidewalk per the Downtown Overlay District to maintain the existing 6-foot-wide sidewalk. Public Works is in support of maintaining this existing 6-foot-wide sidewalk on North Perry Street.

Multiple downtown intersections were evaluated in the analysis with the Level of Service (LOS) through the year 2041. Analysis was conducted for critical AM peak hour and PM peak hour traffic operations for existing traffic conditions, the Year 2023 and Year 2041 background traffic conditions, and Year 2023 and Year 2041 total traffic conditions. Upon build-out, the proposed development has the potential to generate approximately 515 new daily vehicle trips with 12 of those occurring in the morning peak hour and 62 during the afternoon peak hour. The traffic consultant points out that the majority of vehicle trips to/from the proposed development are expected to park off-site and walk to the development area, providing a reduced vehicle trip generation below the 515 new daily trips. The traffic consultant maintains the higher numbers for the calculations to provide conservative analysis conclusions.

Analysis of future traffic conditions indicates that the addition of site-generated traffic is expected to have minimal impact on traffic operations for the existing and surrounding roadway system and intersection control improvements assumed within this analysis. The exception to this is the eastbound left turn on Perry Street and Fourth Street is estimated to have substandard LOS in 2040. The traffic consultant indicates that the intersection control at adjacent intersections will provide gaps in traffic that mitigate the poor LOS for the eastbound left turn at Perry and Fourth Street. In addition, the developer is contributing a pro-rata share of the cost of a mini-roundabout, comparable to the roundabout at 3<sup>rd</sup> Street and Perry Street, for a future roundabout at the intersection of Perry Street and Fourth Street, as mitigation for the substandard LOS at this intersection. The terms of the payment will be included in a Public Improvement Agreement.

#### Utilities

Adequate water, wastewater, storm sewer, and road infrastructure exists or will be provided to serve the project.

### **Notification and Outreach**

#### Public Notice

The applicant mailed public notice of the DRB hearing to all property owners within 500 feet of the property at least 15 days before the DRB hearing date. In addition, Town staff posted public notice signs on the property, published notice of the DRB hearing on the Town's website, and made the application available for review on the Town's Development Activity Map.

#### Neighborhood Meetings

The applicant held a total of three neighborhood meetings. The first neighborhood meeting was conducted in a virtual format on May 17, 2021. The second neighborhood meeting was held virtually on June 2, 2022. The third and final neighborhood meeting is being conducted in a virtual format on November 3, 2022, after the writing of this report. Summaries of the first and second neighborhood meetings are attached. Staff will update the Board on the third neighborhood meeting at the Board public hearing on November 9, 2022.

#### External Referrals

Requests for comments were sent to various local agencies and utility service providers, including Douglas County Government, Douglas County Schools, Colorado Geological Survey, Plum Creek Water Reclamation Authority, CORE (formerly known as IREA), Black Hills

Energy, Xcel Energy, Century Link, and Comcast. Comments received from local agencies and utility service providers were technical in nature and reconciled through the SDP review process.

### **Analysis**

This staff analysis takes into account the representations made in the application and attachments submitted to date.

#### **SDP Review and Approval Criteria and Analysis 17.38.040**

##### **A. Community Vision/Land Use Entitlements**

1. Generally, conforms to the Town's guiding documents that include, but are not limited to, Town Vision, Comprehensive Master Plans, Sub Area Plans, Design Guidelines, Corridor Plans, and any other guiding document so long as the application of such document does not restrict the project's entitle use(s) and density.
2. Complies with existing Intergovernmental Agreements applicable to the development proposed.
3. Complies with any applicable Zoning Overlay Regulations and, if applicable, Skyline/Ridgeline Regulations.
4. Complies with the approved Planned Development Plan and Zoning Regulations.
5. Conforms to the Town's architectural goals by proposing architectural details that incorporate the use of high-quality materials in a unique and varied design, while eliminating monolithic expanses of walls and rooflines through the use of varying planes and architectural projections to ensure a complete 360-degree architectural design.
6. Complies with all other relevant requirements of the CRMC.

*Analysis: The SDP proposal meets these criteria except for the DOD requirement for minimum street width on North Perry Street for which the applicant is requesting a variance based upon the constraints provided in Attachment C. The SDP proposal generally conforms to the Town's Vision and Comprehensive Master Plan and complies with the property's governing zoning, Business/Commercial within the Downtown Overlay District. It also conforms to all other relevant requirements and development standards of the Town's Municipal Code.*

##### **B. Site Layout**

1. Conforms to Chapter 17.50 Residential/Non-Residential Interface of the CRMC.
2. Site design shall be designed to maintain pedestrian and vehicle safety, provide for adequate fire safety, and mitigate impacts upon adjacent properties by ensuring all vehicular, fire, and mitigation regulations contained within the CRMC, including technical criteria, have been met.
3. Provides adequate parking, on-site circulation, and loading by Town regulations.
4. Provides appropriate screening and/or enclosure of outdoor storage of merchandise/materials, loading areas, trash receptacles, mechanical units, site utility equipment, and building-mounted utility hardware.
5. Provides adequate site design to protect major environmental characteristics that would include unique topographic features and significant vegetation where possible.

*Analysis: The SDP proposal meets these criteria. Walkway connections from the adjacent sidewalks to the building entrances are provided. No parking is being proposed on site, which is in conformance with Chapter 17.54.070.C of the CRMC. These improvements allow for safe on-site circulation for pedestrians and vehicles and adequate parking. The SDP proposal also appropriately screens an enclosure for the trash receptacle. The site is not subject to the Residential/Non-Residential Interface Regulations and does not contain unique topographic features or significant vegetation.*

**C. Circulation and Connectivity**

1. Complies with all CRMC and technical criteria associated with circulation and connectivity.
2. Complies with all Fire regulations associated with land development.
3. Provides for pedestrian and bicycle traffic safely and conveniently.
4. Provides for a high level of pedestrian connectivity between neighborhoods, schools, trails/open space, and commercial areas.

*Analysis: The proposed SDP meets these criteria. The proposed site plan provides for internal pedestrian circulation between buildings. The fire department reviewed and approved the plans in accordance with Fire regulations. The 6-foot wide sidewalk is proposed to remain along North Perry Street and an 8-foot wide sidewalk with an additional 2-foot curb shy is proposed along Fourth Street. Each building has a proposed sidewalk connection.*

**D. Services Phasing and Off-site Impact**

1. Complies with any phasing requirements associated with the approved zoning for the property. Provides phased improvements logically and efficiently.
2. Adequate water resources have been conveyed or purchased. Existing or proposed water and wastewater systems can support the proposed development pattern, uses, and density.
3. Existing or proposed stormwater systems can support the development and comply with applicable regulations.
4. Provides adequate consideration for the future extension of streets and utilities to adjacent properties.
5. Identifies and appropriately provides on-site and off-site public improvements to mitigate traffic impacts as required by the CRMC and technical criteria.

*Analysis: The SDP proposal meets these criteria. The SDP proposal provides adequate and efficient utility plans for water, stormwater, and wastewater, which consider the property's existing conditions and also provide necessary ingress and egress improvements.*

**E. Open Space, Public Lands, and Recreation Amenities.**

1. Provides adequate trail systems in terms of internal circulation and appropriate external connections deemed necessary by the Town to achieve connectivity goals.
2. Ensures functional and accessible open space, consistent with the overall open space plan for development, and preserves significant natural features.
3. Ensures appropriate buffering, utilizing open space and/or setbacks to lessen any identified negative impacts.



*Analysis: The proposed SDP meets these criteria. The proposed project will pay impact fees that go towards parks and open space.*

**DOD Review and Approval Criteria and Analysis 17.42.060**

**Development Standards**

The following development standards shall apply within the DOD:

- A. Maximum lot coverage: 100% of lot area.
- B. Minimum side yard: zero feet.
- C. Minimum front yard: zero feet.
- D. Minimum rear yard: zero feet.
- E. Maximum building setback: A minimum of 25% of a building's linear footage facing a public roadway must have a setback of zero to twenty feet with a direct pedestrian connection.
- F. Maximum fence height: ten feet.
- G. Multifamily residential units must each be a minimum of 500-square feet in size and must each have an individual kitchen and individual bathroom.

*Analysis: The SDP proposal meets these criteria.*

**DOD Review and Approval Criteria and Analysis 17.42.070**

**Crown design and building height**

- A. A building's crown design shall be reviewed by and is subject to the approval of the Board based on aesthetic design, conformity with the Downtown Master Plan, and the need to maintain appropriate view sheds. The crown of a building is defined as the area of the structure that is above the top floor and may include angled roofs, decorative elements, towers, and other similar construction.
- B. Maximum building heights within the DOD are regulated as follows:
  1. Building height in the Downtown Core District is limited to four stories, with a maximum height of 60 feet. A building's crown cannot exceed the sixty-foot building height limitation.
  2. Building height in the North or South Districts is limited to six (6) stories, with no maximum height limitation.
- C. A landowner may request one (1) additional floor (with the corresponding increase in building height) in the Downtown Core District, or two (2) additional floors in the North and South Districts through the Board. The Board, at its discretion, may grant an additional floor request after considering the following criteria:
  1. Whether the project will incorporate design elements found in adjacent Landmark structures; and
  2. The impacts of the increased building height on adjacent properties.

*Analysis: The SDP proposal meets this criterion. Each building has a different roof design. The Tap House's varied roofline is a strong design element as it adds interest to the building's silhouette. The Whittier House's roofline is in line with the historical context of the building. The Container Building's flat roof is typical in the commercial Downtown. All three buildings are below the maximum height requirement of four stories and sixty feet. Analysis 17.42.080*

**Design standards**

- A. Before the issuance of a structural building permit within the DOD, all projects must be reviewed by the Board for compliance with the standards outlined in this Section.

- B. All project designs should be based on the Castle Rock Design (see Resolution No. 2003-64) and the Downtown Master Plan (see Resolution No. 2008-38).
1. Window or transparency. The main front elevation shall provide at least thirty-five percent (35%) window or transparency at the pedestrian level. Side elevations that face a public roadway shall provide at least a thirty percent (30%) window or transparency at the pedestrian level. The window or transparency is measured linearly. (For example, a one-hundred-foot long building elevation shall have at least thirty-five percent (35%) transparency in length.) The height of the glass or Plexiglas must be a minimum height of five (5) feet.
  2. Accessory structures. The design of accessory structures should incorporate design elements of the primary structure and should not become a dominant feature on the property.
  3. Rooftop equipment. All rooftop equipment shall be screened from view on all sides visible to the general public, by building parapet walls or other building elements that appear as integral elements of the overall building.
  4. Service station. All service stations will be required to develop the site following a backward service station design. This will require the convenience store to be located along the sidewalk/public roadway with pedestrian connectivity. The gas pump facilities shall be located on the side or rear of the project.
  5. Outdoor storage, repair, rental and servicing areas shall be:
    - a. Set back fifteen (15) feet from the front lot line;
    - b. Screened by an opaque wall or fence with a height of ten (10) feet. An opaque wall or fence must completely screen the property beyond the fence and can include stockade fences or walls. Chain-link fences with slat, cloth, or other similar measures are not considered to be opaque fences. An opaque berm and/or landscaping that provide the equivalent screening as a required opaque fence may be used.
  6. Landscaping. All developments shall adhere to the following landscaping requirements with a focus on the pedestrian space and sidewalk areas. A landscaping plan will be required with all site plans, showing the proposed landscaping for the site. One (1) large canopy tree will be required for every twenty-two (22) linear feet (on center) or one (1) small canopy tree will be required for every fifteen (15) linear feet (on center) of property fronting along a public roadway. The landscaping plan is subject to approval by Castle Rock Water and Public Works Departments. Routine tree maintenance, such as trimming, thinning, watering, and, if necessary, tree replacement may be needed to ensure the quality of the streetscape. The following landscaping provisions include a ratio relationship between the number of plantings required, based upon the number of trees required. All shrubs plants must be a minimum size of five (5) gallons at planting and all flowering perennial plants must be a minimum of one (1) gallon at planting. For every required tree, a corresponding number of plantings or trees, from either Subparagraph a., b., or c., below, will be required for each site plan:
    - a. Shrubs: Five (5) per required tree.
    - b. Perennial plants: Seven (7) per required tree.
    - c. Trees: One (1) per required tree.
  7. Parking Requirements:

- a. Parking requirements for the North Non-Residential Downtown Parking Area, as depicted in Figure 4 shall be as follows:
  - i. One (1) parking space per five hundred (500) square feet of new construction. The first two thousand (2,000) square feet of new non-residential construction shall be exempt from parking requirements. Interior tenant finishes or remodels are exempt from this parking requirement.
  - ii. Existing building square footage shall be excluded from the required parking calculation. Existing building square footage to be demolished shall be deducted from the new building square footage for parking calculations.
  - iii. Hotel use shall comply with off-street parking standards outlined in Chapter 17.54.
- b. Parking requirements for the South Non-Residential Downtown Parking Area shall be in accordance with the requirements set forth in Chapter 17.54.
- c. No on-site parking is allowed on the side of a structure abutting a street, as determined by the Director.
8. Sidewalk requirements: All sidewalks must be designed and built to meet the Town's sidewalk construction and design regulations with a minimum width of eight (8) feet.
  - a. All buildings will be required to have a minimum of one (1) sidewalk connection from a sidewalk located along a public roadway to the entrance of the primary structure.

*Analysis: The SDP proposal meets these criteria except for the minimum sidewalk width on North Perry Street. The applicant is requesting a variance. Guidelines for site design and layout, as well as building design for new commercial and mixed-use projects in the Downtown, are discussed in Chapter 2, page 15, of "Castle Rock Design". The three proposed buildings each have their own distinct architecture. The different architectural styles of the buildings that are all within one property play to the existing eclectic nature of the Downtown.*

*The DRB is to review and decide upon the requested sidewalk width variance. The applicant is requesting the variance to maintain the existing 6-foot sidewalk along North Perry Street due to constraints of the pavilion canopy structure and existing steep grades between the Sixth street curb and the sidewalk. Maintaining the existing sidewalk would allow for the preservation of the mature trees along the existing sidewalk.*

### **Budget Impact**

Development of the property will generate review and impact fees, along with use taxes.

### **Findings**

All staff review comments and external referral comments have been addressed to staff's satisfaction. As such, Town staff finds the Perry Street Social Site Development Plan:

- Generally, conforms with the objectives of the Town Vision and the Comprehensive Master Plan; and

- Meets the zoning requirements of the Business/Commercial District and Downtown Overlay District; and
- Meets the review and approval criteria of the Castle Rock Municipal Code, Chapters 17.38 and 17.50,
- Meets the review and approval criteria of the Castle Rock Municipal Code, Chapter 17.42, and
- Justifies the approval of a variance request for minimum sidewalk width.

### **Recommendation**

Staff recommends approval of the Site Development Plan and the sidewalk width variance.

### **Proposed Motions**

#### **Option 1: Approval of SDP and Variance**

*“Based on the applicable Code criteria that the Board considered, the evidence presented at the hearing, and the staff report, I move to approve (i) the Site Development Plan for “Perry Street Social.” as shown; and (ii) the sidewalk variance to allow North Perry Street to remain at its current width. Further, the Board finds there is no adverse effect on the public’s health, safety, and welfare as it pertains to the requested variance.”*

#### **Option 2: Approval with Conditions**

*“Based on the applicable Code criteria that the Board considered, the evidence presented at the hearing, and the staff report, I move to approve with the Site Development Plan for “Perry Street Social.” as shown; and (ii) the sidewalk variance to allow North Perry Street to remain at its current width. The conditions for approval are as follows: \_\_\_\_\_. (List conditions) Further, the Board finds there is no adverse effect on the public’s health, safety, and welfare as it pertains to the requested variance.”*

#### **Option 3: Denial**

*“Based on the applicable Code criteria that the Board considered, the evidence presented at the hearing, and the staff report, I move to deny (i) the Site Development Plan for “Perry Street Social” as shown; and (ii) the sidewalk variance to allow North Perry Street to remain at its current width; finding that one or more of the following criteria has not been satisfied pursuant to the 17.42.100.B.: \_\_\_\_\_.” (List criteria not met)*

#### **Option 4: Continue item to next hearing (need more information to make a decision)**

*“I move to continue the Site Development Plan for “Perry Street Social” to the next Design Review Board meeting on \_\_\_\_\_, 2022.”*

### **Attachments**

- Attachment A: Site Development Plan
- Attachment B: Historic Cultural Survey
- Attachment C: Landscape Variance Request
- Attachment D: Neighborhood Meeting May 17, 2021
- Attachment E: Neighborhood Meeting June 2, 2021
- Attachment F: Received Public Input