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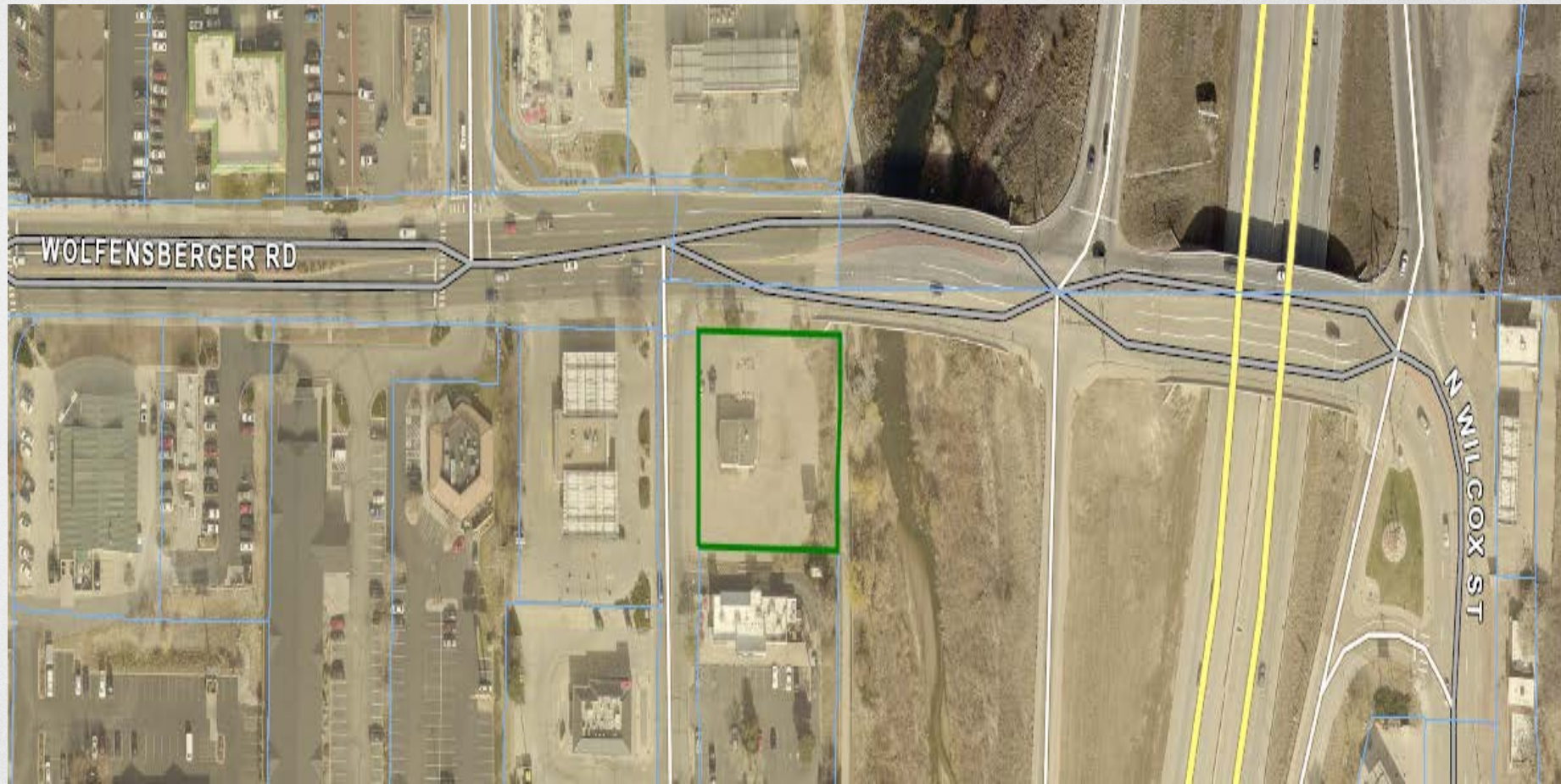
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STARBUCKS REQUEST FOR A SIGN VARIANCE

Board of Adjustment
November 1, 2018



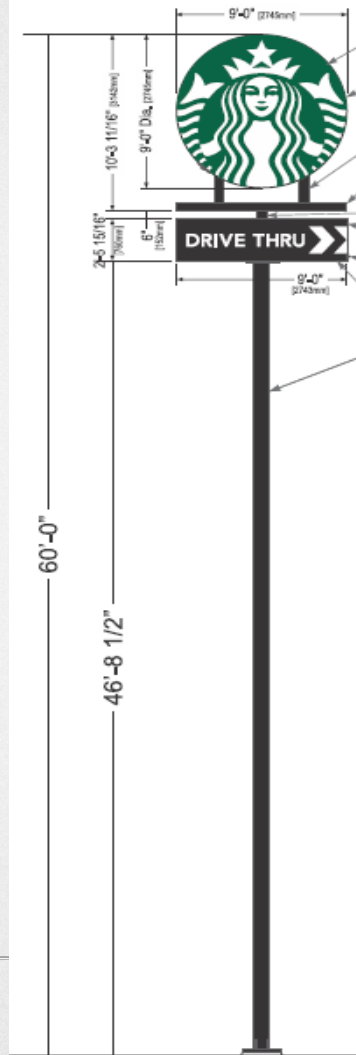
SUBJECT PROPERTY



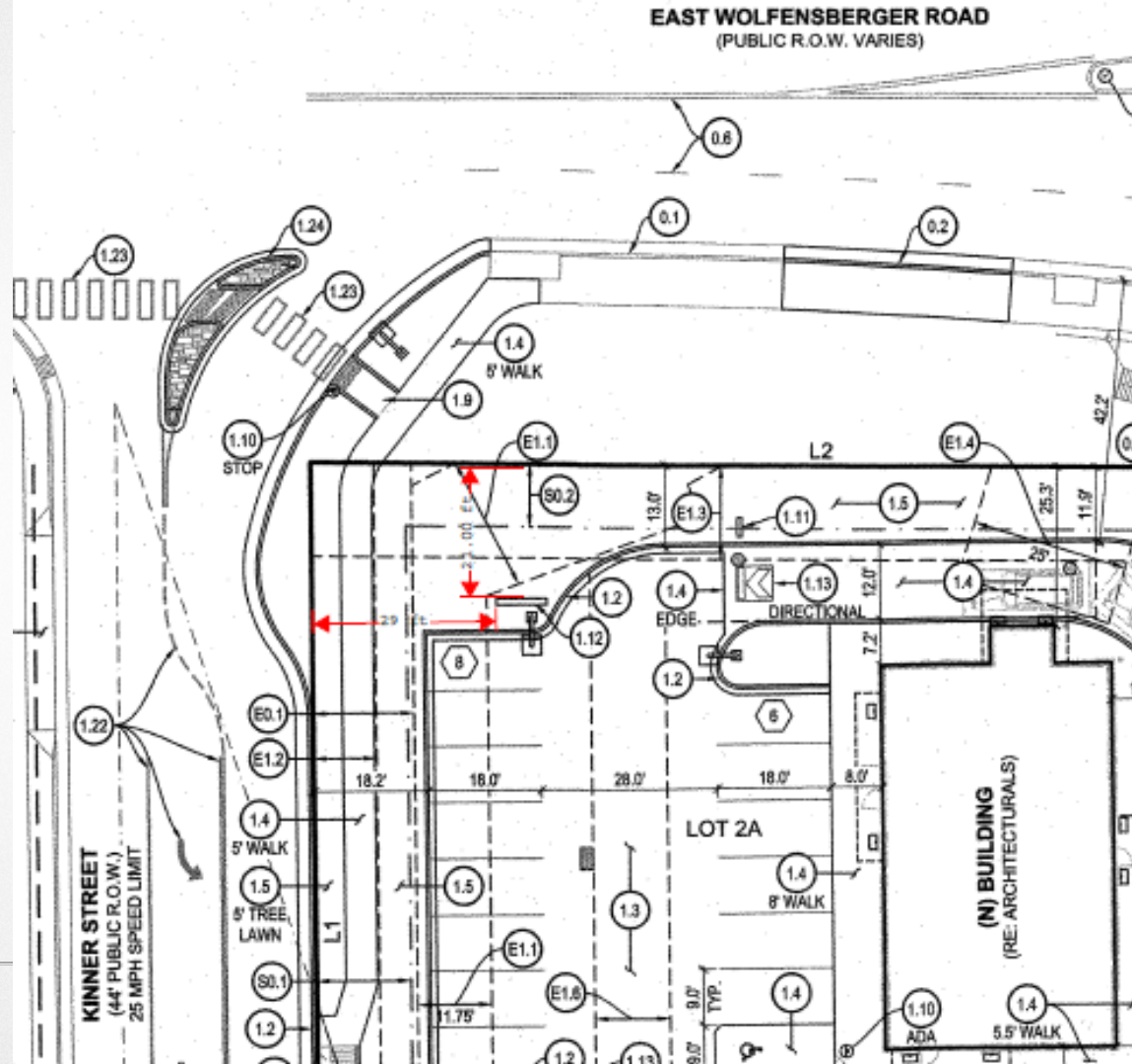
APPROVED STARBUCKS BUILDING



PROPOSED POLE SIGN



Proposed Pole Sign Location and Setback



VARIANCE REQUESTS

Variance Type	Proposed Application	CRMC Requirements	Variance Request
Height	60'	20'	Additional 40' in height
Sign Area	103.5 sq. ft. per side = 207 sq. ft. total	50 sq. ft. per side = 100 sq. ft. total	Additional 107 sq. ft. in sign area
Kinner Street Setback	29'	60'	Reduction of the required setback by 31'
Wolfensburger Road Setback	20'	60'	Reduction of the required setback by 40'

CODE REQUIREMENTS

Section 19.04.077 of the Town Code regulates Legal Nonconforming Freeway-Oriented Business Signs. The Council goal for the code amendment was to eliminate large freeway-oriented signage that exists at the Wolfesnberger Interchange on I-25 finding *“the Town desires to limit the aesthetic impact of large signs directed at interstate travelers by prohibiting future freeway-orientated signs.”*

The Starbucks site is an abandoned gas station that had a Freeway-Oriented business sign. Because the business was closed for more than one hundred and eighty (180) days, in accordance with Town Code, the existing pole sign is considered abandoned and cannot be put back into use.

STAFF FINDINGS

- ***Please reference findings in the staff report for specific details.***
- The criteria for a variance, as listed in Section 17.06.020.B.2 of the Town Code, has not been met.
- The Freeway Oriented Business Sign Code adopted by Town Council was intended to eliminate this type of signage from highway views.
- The applicant has not presented any unique hardship and there is no exceptional topography on the site.
- The applicant was informed of the sign regulations following submittal of a Preliminary Project Application and during review of the formal Site Development Plan Application
- The property is developable under the current Town Codes.
- ***Staff recommends denial of the Starbucks sign variances.***

BOA CONSIDERATIONS

In making its decision on a variance application, the BOA shall consider:

- Are there practical difficulties or unnecessary hardship to the applicant?
- If yes, were the practical difficulties or unnecessary hardship created by the applicant?
- Are there unique physical conditions or does exceptional topography exist on the property?
- If granted, will the sign alter the character of the neighborhood or impair use or development on adjacent property?
- If granted, will the sign create an adverse effect on public health, safety, and welfare or cause harm to adjacent properties.

BOA AUTHORITY

The BOA is required to find all the aforementioned code criteria are met to grant the variance.

- If the BOA approves the variance request to increase sign height, sign area, and reduce sign setback, the proposed Starbucks sign requires final approval by Town Council before construction occurs.
- If the BOA approves the applicant's request for increase in sign height, sign area, and reduce sign setback, it should condition the BOA approval on Town Council's approval.

If the BOA denies the sign variance requests, any appeal will go to District Court, not to Town Council.

PROPOSED MOTIONS

In accordance with criteria stated in the Town of Castle Rock Municipal Code Section 17.06.020, the Board of Adjustment has the following options:

Option 1:

*I move that the Board of Adjustment deny the variances, finding...
(see staff memo)*

Option 2:

*"I move that the Board of Adjustment approve the variances, finding...
(see staff memo)*

Option 3:

*I move that the Board of Adjustment continue this public hearing to the
December 6, 2018 Board of Adjustment public hearing.*



QUESTIONS AND DISCUSSION

STARBUCKS COFFEE #52953

910 Kinner St

Pylon Variance

PROJECT DESCRIPTION

- A pylon at 60' height is necessary to overcome the wide vegetated buffer between the property and interstate.
- Nearby businesses utilize similar-size pylons to overcome this obstacle, which aids customers in navigating to the site.
- Clear visibility of the site location to traveling customers allows drivers to make earlier navigation decisions, and safe maneuvers into the site.
- Strict enforcement of the code would prohibit visibility of the pylon from adjacent right-of-way of I-25.
- The larger pylon size will aid the public by creating easier visibility for drivers attempting to drive to the site location.

AERIAL VIEW



SITE CONSTRAINTS

- 15' FRONT SETBACK ON KINNER ST
- 10' SIDE SETBACK ON WOLFENSBERGER RD.
- There is a 250' wide buffer between I-25 and the property which includes a concrete trail, East Plum Creek, and vegetation.

VIEW FROM I-25 NORTH



SURROUNDING BUSINESSES



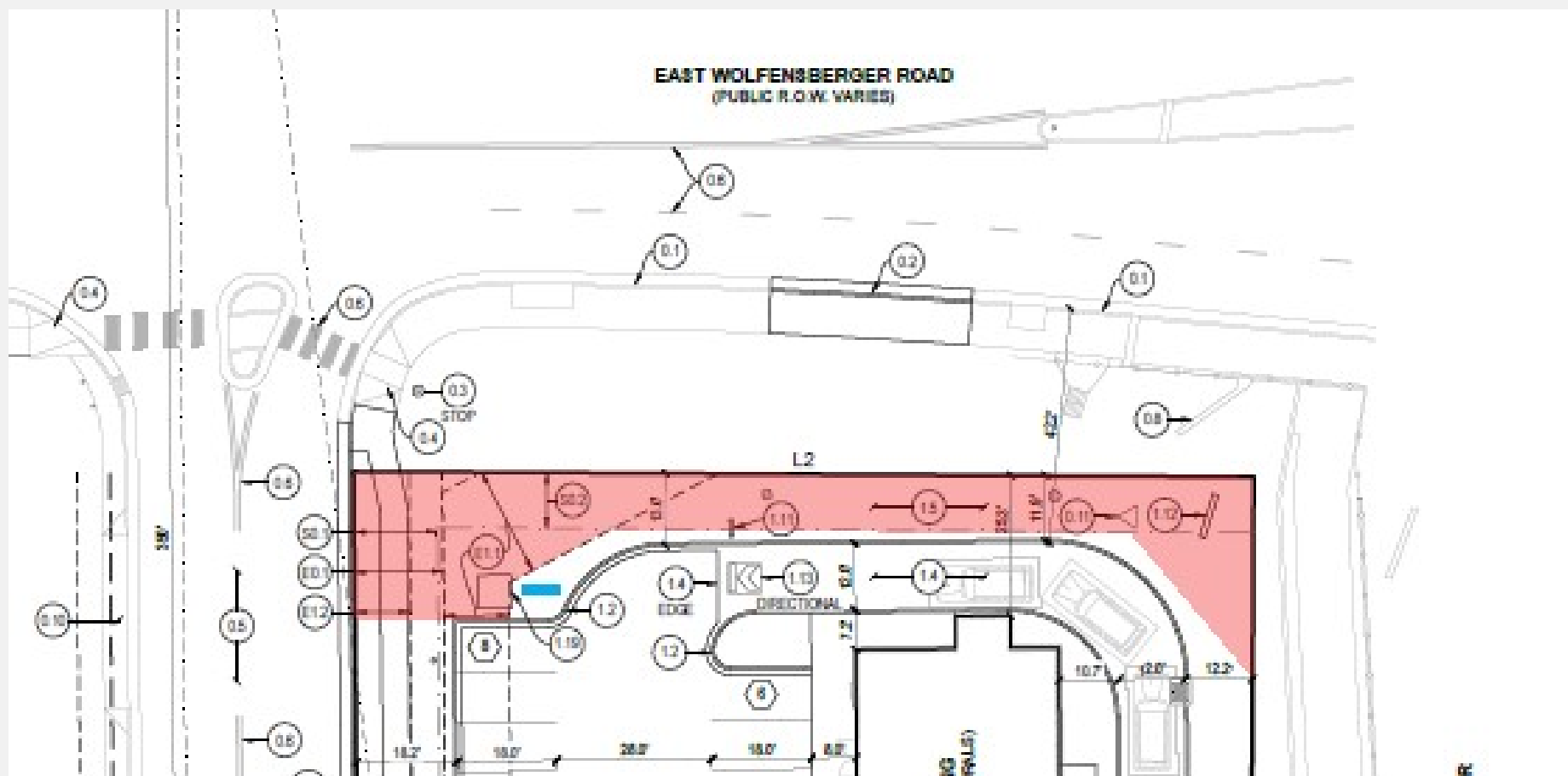
VIEW FROM I-25 SOUTH



VIEW FROM WOLFENSBERGER/KINNER INTERSECTION



EASEMENTS
(PYLON SHOWN IN BLUE)



CODE-ALLOWED PYLON



PREFERRED PYLON

