



Meeting Date: February 24, 2021

## **AGENDA MEMORANDUM**

**To:** Design Review Board

**From:** Julie Kirkpatrick, PLA, ASLA, Long Range Project Manager

**Title:** Lot 1 K.L.N. Subdivision, Town of Castle Rock, County of Douglas, State of Colorado, Site Development Plan  
[Pizza Hut Redevelopment, 340 S. Wilcox St., "Grandmere Plaza"]

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### **Executive Summary**

The property owner of the existing Pizza Hut in downtown, located at 340 S. Wilcox St. **(Attachment A)**, is proposing to demolish the Pizza Hut and build a new, approximately 6,288 square foot building, to be called "Grandmere Plaza." The new building would include a carry-out Pizza Hut and approximately 4,635 square of retail space. The applicant would build the new commercial space in two phases. The proposal includes building the new Pizza Hut carry-out structure first, demolishing the old Pizza Hut, and constructing the retail space.



## **Background**

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

Measuring approximately 0.86 acres or 37,283 square feet, the property includes a Pizza Hut and associated parking. Built around 1977, the existing sit-down restaurant is adjacent to several other commercial uses including retail centers, a Walgreens, Circle K convenience store and gas station, a Wells Fargo Bank, and a future USPS retail facility that is currently under construction.

### **Zoning Regulations**

Zoned B, Business/Commercial, within the Downtown Overlay District (DOD), the property is specifically within the South District of the DOD. For parking requirements, the proposal is within the South Downtown Non-Residential Parking Area.

## **Discussion**

### **Use**

The zoning permits various business and commercial uses including, but not limited to, retail and restaurants. Therefore, the proposed carry-out Pizza Hut and commercial/retail tenant space is permitted.

### **Development Standards**

The proposed Site Development Plan (SDP) complies with all zoning requirements and development standards except for the landscape requirement for street trees. Therefore, the applicant has requested a variance for the Design Review Board's consideration. The application requires five street trees; however, the applicant is proposing four due to site constraints. The data chart on the SDP cover sheet, landscape plan sheet 6, and landscape notes on sheet 7 (**Attachment B**) illustrate the required/permitted standards and those provided with this application.

### **Traffic Impact Analysis and Mitigation**

The Public Works Department, Transportation Planner, reviewed and approved the Traffic Impact Analysis. The analysis demonstrated that the proposed development compared to the existing development would generate a minor change in traffic volume and would not create any negative impacts to the adjacent roadway network.

### **Utilities**

Adequate water, wastewater, storm sewer and road infrastructure exists to serve the property.

## **Notification and Outreach**

### **Public Notice**

Public hearing notice signs were posted on the property on Feb. 9, 2021. Written notice letters were sent to property owners within 500 feet of the property, at least 15 days prior to the public hearings.

Town staff published notice of the Design Review Board public hearing on the Town's website and provided information about the proposal on the Town's *Development Activity* interactive map.

### Neighborhood Meetings

The applicant has held two neighborhood meetings. The first neighborhood meeting was scheduled and noticed for Sept. 22, 2020, while the second neighborhood meeting was scheduled and noticed for Jan. 21, 2021. Due to concerns related to COVID19 and the rapidly changing social distancing, the neighborhood meetings were held remotely via Zoom. Since there was low meeting attendance, the Town Manager waived the third neighborhood meeting requirement.

No members of the public attended the first meeting, two attended the second. The public attendees questioned the proposed uses, proposed cost per square foot for leases, construction timeline, and the traffic study findings. Overall, the attendees were excited for the project and liked the proposed building elevations.

### External Referrals

External referrals were sent to local service providers and Douglas County agencies. There are no outstanding external referral comments.

### Analysis

This independent 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 proposed SDP meets this criterion. It generally conforms to the Town's Vision and Comprehensive Master Plan and complies with the site's governing zoning, B,*

*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 in accordance with 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 proposed SDP meets this criterion. Because this property is within the Downtown Overlay District and is surrounded by properties within the DOD, Chapter 17.50 does not apply, per Chapter 17.42.020. The proposed design not only provides safe pedestrian and vehicular access from S. Wilcox Street and throughout the site, but it also provides more parking spaces than required. The project will screen utilities and mechanical units, with the building's parapet design; and trash receptacles will be enclosed within a wall that matches the building's proposed materials.*

**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 in a safe and convenient manner.
4. Provides for a high level of pedestrian connectivity between neighborhoods, schools, trails/open space and commercial areas.

*Analysis: The proposed SDP meets this criterion. The SDP provides a vehicular entrance into the site and vehicular circulation within the site. The plan also provides pedestrian walkways, including ADA accessible routes, which connect the front door of each unit to the sidewalk along S. Wilcox Street and the ADA parking spaces on the property. The vehicular drive-thru window for the carry-out Pizza Hut is separated from the parking lot and provides adequate vehicle staking for the proposed use since customers will order prior to arriving on-site to pick up their order.*

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

1. Complies with any phasing requirements associated with the approved zoning for the property. Provides phased improvements in a logical and efficient manner.
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 proposed SDP meets this criterion. The SDP provides adequate and efficient utility plans for water, stormwater and wastewater, which considers existing conditions of the site and 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 this criterion since the redevelopment is too small to require 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 proposed SDP meets this criterion.*

**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 approval of the Board based 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 proposed SDP meets this criterion. The proposed building includes a cornice with a galvanized stone cap and cap flashing. The proposed one-story building has a height of 24 feet.*

**DOD Review and Approval Criteria and Analysis 17.42.080**

**Design standards.**

- A. Prior to the issuance of a structural building permit within the DOD, all projects must be reviewed by the Board for compliance with the standards set forth in this Section.
- B. All project design 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 thirty percent (30%) window or transparency at the pedestrian level. The window or transparency is measured in lineal fashion. (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 backwards 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 on 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 set forth 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 proposed SDP meets this criterion. More than the required transparency and parking is proposed while the proposal meets the other requirements. However, the applicant has requested a variance from the landscape requirements, as discussed in further detail below.*

**DOD Review and Approval Criteria and Analysis 17.42.100**  
**Powers and duties of the Design Review Board**

Upon a written finding that, by reason of exceptional shape or topography of a lot or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of the property from a strict enforcement of this Chapter, or an effort to achieve the overall vision and goals of the Downtown Master Plan and/or the Historic Preservation Plan, the Board may grant a variance for the following:

1. Minimum width of lot;
2. Minimum front yard;
3. Minimum side yard;
4. Minimum rear yard;
5. Minimum landscape requirements;
6. Design standards in Section 17.42.080 above;
7. Maximum front yard;
8. Maximum fence height;
9. Outdoor display of merchandise in Section 17.52.150; and
10. Accessory structures and uses.

*Analysis: The applicant has requested a variance from the minimum landscape requirements. Along S. Wilcox Street, the project requires five street trees. Four street trees exist. The applicant has demonstrated that there is not adequate space for an additional street tree due to setback requirements from the sidewalk as well as the proposed water line location and required technical separation between water lines and trees. Additionally, the spatial limitations and pruning requirements would not allow for an additional tree to thrive.*

### **Budget Impact**

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

### **Findings**

All staff review comments and external referral comments have been addressed. Staff found that the proposed Site Development Plan, Amendment No. 1, for Lot 1 K.L.N. Subdivision addresses the following:

- Generally, conforms with the objectives of the Town Vision and the Comprehensive Master Plan,
- Meets the requirements of the B, Business/Commercial, and Downtown Overlay District zoning,
- Meets the review and approval criteria of the Castle Rock Municipal Code, Chapter 17.38 and 17.50,
- Meets the review and approval criteria of the Castle Rock Municipal Code, Chapter 17.42, and
- The landscape variance to allow four trees along S. Wilcox Street is justifiable due to drive curb cuts and existing utility conflicts.



## **Recommendation**

Staff recommends approval of the Site Development Plan and street tree variance as presented.

## **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, Amendment No. 1, for Lot 1 K.L.N. Subdivision as shown; and (ii) the landscape variance to allow four instead of five street trees along S. Wilcox Street. 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 conditions (i) the Site Development Plan, Amendment No. 1, for Lot 1 K.L.N. Subdivision as shown; and (ii) the landscape variance to allow four instead of five street trees along S. Wilcox Street. The conditions for approval are as follows:” (list conditions)*

### **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, Amendment No. 1, for Lot 1 K.L.N. Subdivision as shown; and (ii) the landscape variance to allow four instead of five street trees along S. Wilcox Street, 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 decision)**

*“I move to continue the Site Development Plan, Amendment No. 1, for Lot 1 K.L.N. Subdivision to the next regular Design Review Board meeting on March 10, 2021.”*

## **Attachments**

Attachment A: Vicinity Map

Attachment B: Site Development Plan

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