

EL PASO



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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

BOARD OF ADJUSTMENT

MEETING RESULTS

(Audio and audio/video copies of the meeting are available at the Office of the Clerk/Recorder)

Board of Adjustment (BOA) Meeting
Wednesday, July 14, 2021
El Paso County Planning and Community Development
200 S. Cascade Avenue
Colorado Springs, Colorado

BOA MEMBERS PRESENT AND VOTING: JAY CARLSON, LORELLE DAVIES (VIA REMOTE ACCESS), CHARLES DICKSON, KEITH WOOD (VIA REMOTE ACCESS), AND SEAN LANGLAIS

BOA MEMBERS PRESENT AND NOT VOTING: NONE

STAFF PRESENT: MARK GEBHART (VIA REMOTE ACCESS), NINA RUIZ, ELENA KREBS, PETRA RANGEL, MERCEDES RIVAS, LUPE PACKMAN, AND EL PASO COUNTY ATTORNEY LORI SEAGO

OTHERS ATTENDING: DANNY MIENTKA

BOA MEMBERS ABSENT: KEVIN CURRY AND PAM PALONE

1. Pledge of Allegiance

2. Report Items – Ms. Ruiz

a. The next BOA hearing is August 11, 2021 at 9 a.m.

3. Public Input on Items Not Listed on the Agenda - None

4. Adoption of Minutes of Regular Meeting held June 9, 2021

BOA ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT. (5-0)

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**DIMENSIONAL VARIANCE
SPACE VILLAGE FILING NO. 2 SUBDIVISION**

A request by Space Village Retail, LLC, for approval of a dimensional variance 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 where only one (1) freestanding sign is allowed.

The 1.97-acre property is within the C-1 (Commercial Obsolete) zoning district and is subject to the CAD-O (Commercial Airport District Overlay). The property is located at the southeast corner of the Space Village Avenue and Peterson Boulevard intersection and is within Section 17, Township 14 South, Range 65 West of the 6th P.M. (Parcel Nos. 54170-01-001, 54170-01-007, 54170-01-008, and 54170-01-009) (Commissioner District 4)

Ms. Rivas gave a brief overview of the project and then asked **Ms. Seago** to go over the review criteria for a dimensional variance. **Ms. Rivas** then gave her full presentation.

Mr. Wood – I noticed there is an existing sign, so the proposal is not only to add the two new signs and then remove the existing sign, is that correct?

Mr. Rivas – That is correct. The applicant has indicated they would remove the existing sign and add the two new signs that are part of this request.

Ms. Davies – It appears to be adjacent to Peterson Airforce base. Did the base have any concerns or restrictions about the height due to its proximity.

Ms. Rivas - They did not have any comments about this case. **Ms. Davies** – But they were contacted? **Ms. Rivas** – That is correct.

Mr. Carlson - Will the Dairy Queen sign be rebuilt to look like the rendering presented? **Ms. Rivas** – The applicant is suggesting the new sign will look like the bottom sign (referring to the staff report). **Mr. Carlson** – Is the square footage of the actual names written there or for the entire structure? **Ms. Rivas** – I believe that is just for the signs, but I yield to the applicant.

Ms. Rivas then introduced the applicants' representative, **Danny Mientka** to give their presentation.

Mr. Langlais – Where will the new sign be visible from the highway?

Mr. Mientka – About 25 feet to the east of the driveway.

Mr. Carlson – Will the sign down on Peterson be 30 feet?

Mr. Mientka – No, I am going to guess about 12 feet. **Mr. Carlson** – That isn't part of this variance request, right? **Mr. Mientka** – No, it's just to go ahead and memorialize its existence and make sure you are aware as you look at this variance, that there is yet another sign there.

Mr. Carlson – So we're looking at two new signs today? **Mr. Mientka** – Yes, one to replace the existing sign and then the opportunity for a second sign in the future. There is no intent to install it but as we market that pad, we want to already be in the position that the county has approved the opportunity for that second sign.

Mr. Wood – I understand the two elements to the request of increasing the surface area of the sign to 120 square feet and the request for a future sign but, how did you arrive at 32 feet in height specifically where 30 feet is allowed?

Mr. Mientka – We were under a letter of intent with Kum and Go at the time we filed this application and the 32 foot is what met their specs. **Mr. Wood** – So it's based off design and not a structural requirement to meet the 120 square feet of visible signage, correct? **Mr. Mientka** – Correct. **Mr. Wood** - If we do grant the third part of the request, where we permit a second sign being installed at a future date how do we enforce the size and height requirements and not just opening up to whatever size.

Ms. Rivas – Since the third request is for a second sign, it will have to meet all of the code requirements. So, when they submit a sign permit, we will verify they are within the requirements of the code.

Mr. Carlson – Are we approving the height difference in the second sign today?

Ms. Rivas – Just the presence of the second sign for now. The dimension variance is just for one of the signs.

Mr. Dickson – How far will the new sign be from the existing sign?

Mr. Mientka – Roughly 25 feet from the existing location.

IN FAVOR: NONE
IN OPPOSITION: NONE

DISCUSSION:

Ms. Davies – We have had a few different sign proposals. Generally, the thought was to remain consistent across the county. With this one and the visibility of the overpass. I don't think this one creates a significant hardship or signage pollution in the area. I don't have an issue with this proposal.

Mr. Carlson – I think the main thing for this sign is the visibility for traffic. You can get people there squinting their eyes to see who is on the sign, essentially causing a U-Turn over the bridge. I think having a larger sign there is a service to the community, I think improving the look of the sign is a service to the community and I don't think approving a couple feet in height has a negative impact on anything. Our landscaping criteria is often at odds with our signage at shopping centers. When the trees start growing, they began to interfere with the signage and so I think the more we can get above those issues, the better.

Mr. Wood – Are there any other properties that have different height rules that we can potentially explore that have different provisions, in an effort to stay within the code as much as possible. Again, it's like you all are saying, it seems like its an improvement to the property all around.

Ms. Rivas – There is no such provisions in the code. All of the properties have to meet the same requirements for the code.

BOA ACTION: DAVIES MADE A MOTION/SECONDED BY WOOD TO APPROVE ITEM NO. 5, BOA-21-003, BASED ON USING STANDARD RESOLUTION NO. 3 DUE TO UNIQUE TOPOGRAPHICAL CONDITIONS OF HWY 24 AND THE VARIANCE WILL NOT CAUSE A SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD. APPROVED WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS. THE MOTION PASSED (5-0).

Adjourn

The minutes were approved as presented at the August 11, 2021 hearing.