

**STAFF SUMMARY
JUNE 3rd, 2020 PLANNING AND ZONING COMMISSION
REGULAR MEETING**

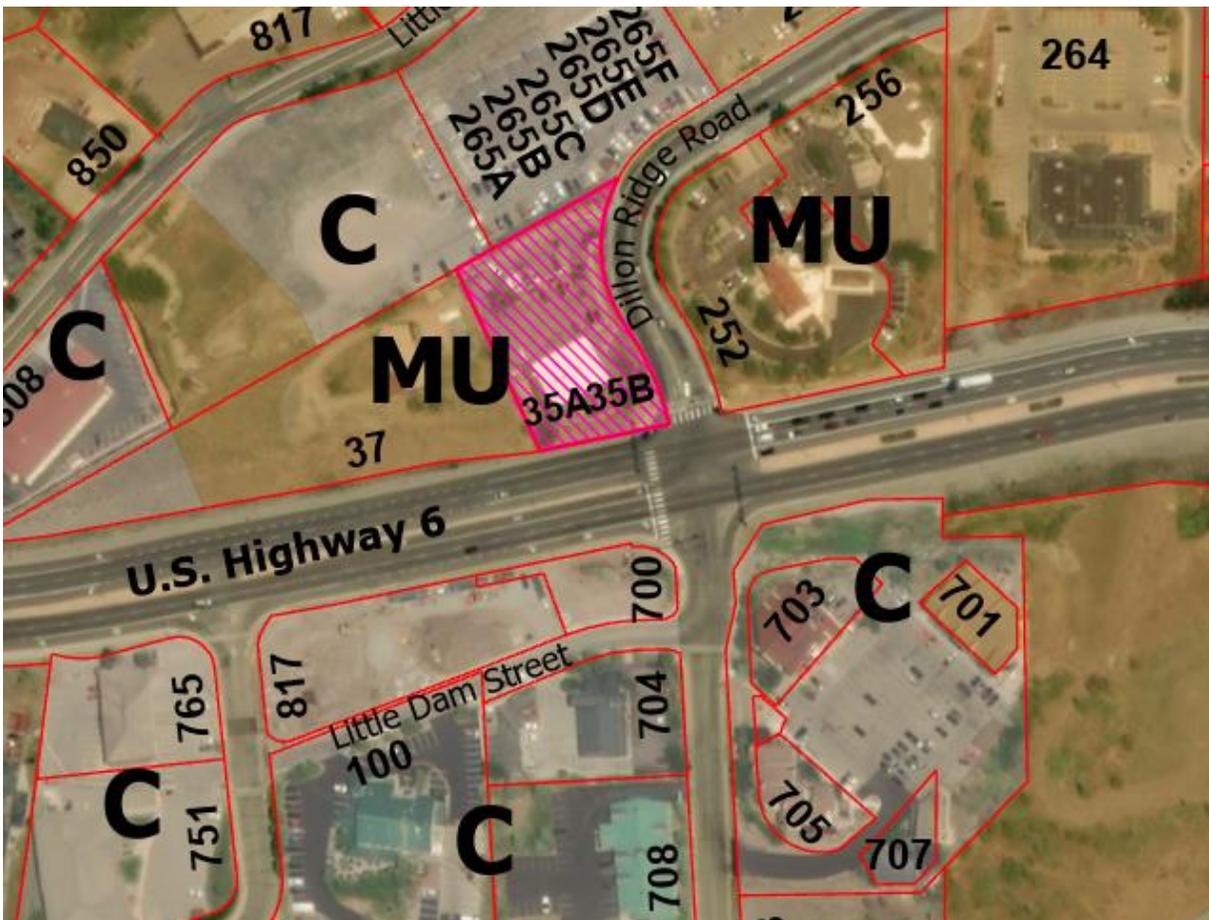
DATE: May 28, 2020

AGENDA ITEM NUMBER: 6

ACTION TO BE CONSIDERED: Consideration of Resolution No. PZ 07-20, Series of 2020:
**A RESOLUTION RECOMMENDING APPROVAL OF A LEVEL IV
DEVELOPMENT APPLICATION FOR A PUD MASTER SIGN PLAN FOR THE
MULTI-TENANT BUILDING AT 35 DILLON RIDGE ROAD.**

(PUBLIC HEARING)

TOPIC: A sign plan with special provisions specific to the multi-tenant building located at 35 Dillon Ridge Road – the Einstein’s and Verizon building – providing for sign installation on the mansard roof architectural feature of the building and adding signs to the front of the building through the PUD Sign Plan approval process.



Site Vicinity and Zoning of the Multi-tenant building at 35 Dillon Ridge Road

BACKGROUND/TIME FRAME:

- October 10, 2019: Preliminary Submittal
- May 5, 2020: Application for PUD Master Sign Plan
- May 7, 2020: Request for Public Hearing by Electronic Participation
- May 21, 2020: Final response to Town comments by the Applicant
- June 3, 2020: Public Hearing of PUD Master Sign Plan Resolution before the Planning and Zoning Commission of the Town of Dillon
- June 16, 2020 Tentative: First Reading of the Ordinance before the Town Council of the Town of Dillon
- July 7, 2020 Tentative: Second Reading of the Ordinance and Public Hearing before the Town Council

EXECUTIVE SUMMARY:

The Applicant:

Cellular Plus, LLC has submitted an application on behalf of the property owners KTIG LLC, SIG LLC, and DONFIG LLC for a Level IV Development Permit application for a Planned Unit Development (“PUD”) Master Sign Plan to provide for signage display criteria that differ from the standard provisions of the Code. The existing signs on the building are located on a mansard roof architectural feature on the building. Since such sign installations are not typically permitted by the Code, a PUD sign plan is required. The Applicant is seeking to update the sign and continue to display it on the mansard roof. The PUD master sign plan also adds new signs to the northern, parking lot side of the building.

Review process & Public Hearing Notice:

Level IV Applications require public hearings before both the Planning and Zoning Commission and the Town Council. Town staff advertised the public hearing in the legal section of newspaper in general circulation in Summit County, posted the site and public notification locations, and sent out a mailing to property owners within three-hundred feet (300’) of the property. The Code requires notification of public hearings not more than fourteen (14) days and not less than seven (7) days prior to the hearing date and the notifications met these dates.

Review and findings by Planning and Zoning Commission:

Section 16-5-130 of the Dillon Municipal Code provides the following review criteria for a PUD application:

Commission action. The Planning and Zoning Commission, after review of the PUD development plan and program under the Level IV development review process shall either recommend approval of the application, with or without modifications and conditions or recommend denial. A recommendation for approval of a PUD shall be based on the following findings:

- a. The proposed development and PUD plan are in substantial conformance with the Comprehensive

Plan. *The Comprehensive plan identifies the location of the subject building as being in the primary commercial area of the Town. The Plan highlights the commercial area as being able to capture business from travelers on I-70 and US Highway 6. A Plan policy in support of economic activity in the Town states, "Strive to provide an economic environment that helps promote, expand, and strengthen existing commercial activities."*

b. The PUD as set forth in the PUD development plan will not have an adverse impact on the surrounding area. The PUD is compatible with the scale, intensity, and type of land uses located on adjacent property. *The PUD Master Sign Plan will not have any adverse impacts on the surrounding area and is compatible with the land use on the neighboring commercial properties.*

c. The proposed benefits offset the proposed exceptions to the underlying zoning district and the subdivision regulations and such exceptions are in the best interest of the public health, safety and welfare. *The PUD Master Sign Plan will improve business recognition and ensures the need for special review and consideration for mansard roof sign installations, such as through a PUD sign plan.*

d. Streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area. *Does not pertain to this application.*

e. The proposed utility and drainage facilities are adequate for the population densities and type of development proposed and will not create a drainage or pollution problem. The timing of installation of utility and drainage facilities will be closely coordinated with development construction and will not create a hardship on residents either within or outside the planned area. *Does not pertain to this application.*

f. The density in the proposed development will not result in the inability on the part of the Town or utility providers to provide public utilities or services to the project. The applicant must furnish to the Town such additional water rights, storage right and treatment capacity in the Joint Sewer Authority wastewater treatment plant as found necessary by the Town to serve the development following build out. The Town shall determine the quantity and quality of water rights required. *Does not pertain to this application.*

Zoning Provisions:

For multi-tenant buildings with tenant spaces of 2500 square feet to 5,000 square feet, the Dillon Municipal Code ("**Code**" or "**DMC**") permits forty (40) square feet of building signage to be used in one (1) or two (2) signs, and a provision for an additional ten (10) square feet for signs in the case where roof overhangs impact sign installation locations. Multi-tenant buildings are also provided seventy-five (75) square feet of signage for building identification (DMC Sec. 16-11-460). The building contains two 2,500 square foot tenant spaces. The total amount of signage provided for by the Code could be one-hundred seventy-five (175) square feet. Roof signs, including mansard roofs, are prohibited with the exception that signs may be allowed for false storefronts or fascia if the sign does not exceed the roofline over the primary walls of the building (DMC Sec. 16-11-60 (6)) An Applicant may request deviations from the Sign Regulations through the PUD process (DMC Sec. 16-5-110).



The existing tenant building signage on the southern side of the building at 35 Dillon Ridge Road

Existing Sign:

The existing master sign plan for the building provides for forty (40) square feet of signage for each tenant to be mounted on the mansard roof on the southern side of the building. Note how the shadow from the eaves of the building and the false windows preclude building mounted signage. The existing master sign plan also permits a freestanding sign with two sign panels, one that is approximately thirty-eight (38) square feet for the western tenant space (Einstein's) and eleven (11) square feet for the eastern tenant space (Verizon – Cellular Plus). The existing were previously approved without regard to the mansard roof prohibition, as the roof may have been interpreted to be a false store front or fascia as opposed to a mansard roof. This PUD master sign plan addresses the mansard roof issue, regardless if it is considered a false mansard roof or not.

Application Summary:

The PUD Master Sign Plan provides for the following signs:

Tenant #1 Eastern Tenant (35A Dillon Ridge Road) Verizon Cellular Plus:

-45 Square Feet of signage on the southern mansard roof in the existing sign location

-15 Square Feet of signage on the northern side of the building mounted on the timber

gable structure in front of the store entrance

Tenant #2 Western Tenant (35B Dillon Ridge Road):

-45 Square Feet of signage on the southern mansard roof in the existing sign location

-15 Square Feet of signage on the northern side of the building mounted on the timber

gable structure in front of the store entrance

Freestanding sign:

Tenant #1: 11 Square Foot Sign Panel

Tenant #2: 38 Square Foot Sign Panel

The total signage requested with the PUD Sign Plan is rounded to be one-hundred sixty-nine square feet (169.0 SF).



Proposed tenant building signage on the northern side of the building at 35 Dillon Ridge Road

The Applicant believes the following about their request:

- Allows for the continued sign installation on the southern side of the building in the current location. This will allow Verizon – Cellular Plus to update their sign to reflect current corporate branding. The current location is the most viable location on that side of the building.
- The addition of signs on the northern, parking lot side of the building improves business identification as customers approach the businesses on south/westbound Dillon Ridge Road.
- Benefits offset the proposed exceptions to the underlying zoning district and the subdivision regulations, and such exceptions are in the best interest of the public health, safety and welfare.

Given the building’s architecture and location the proposed signage fits with the building and the neighborhood. The increased visibility from the northern approach to the building better informs the public of the businesses located in the building, and the signs as located on the southern side of the building are in the most suitable location for the building as designed and configured on the site.

BUDGET IMPACT: None

MOTION FOR APPROVAL:

I move we approve Resolution no. PZ 07-20, Series of 2020.

**ACTION REQUESTED:
MOTION, SECOND, ROLL-CALL VOTE**

Resolutions require affirmative votes from majority of the members present

STAFF MEMBER RESPONSIBLE:
Ned West, Town Planner