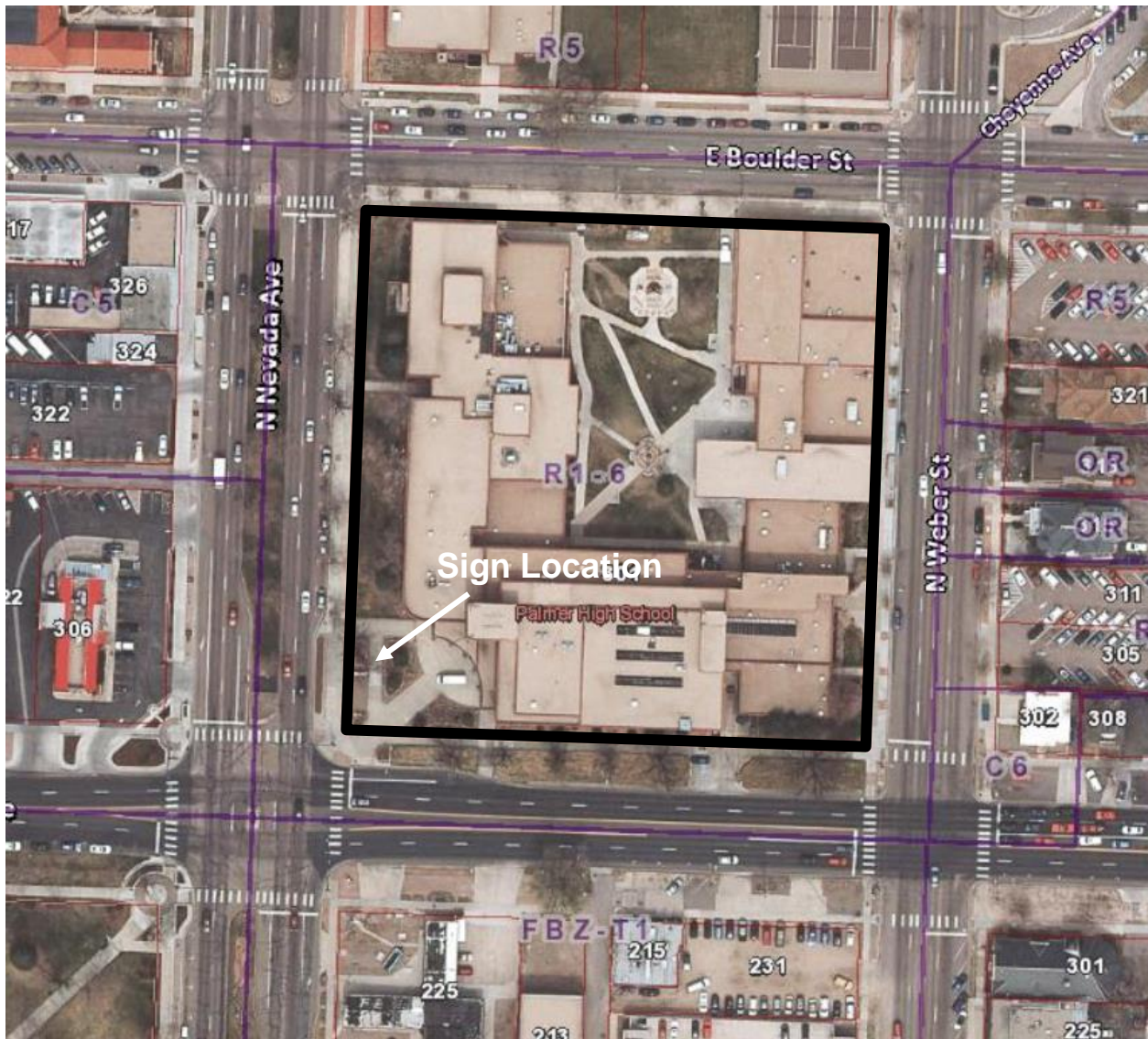


**PLANNING COMMISSION AGENDA**

**STAFF: RYAN TEFERTILLER**

**FILE NO:**  
**CPC UV 18-00039 – QUASI-JUDICIAL**

**PROJECT: PALMER HIGH SCHOOL EMC**  
**APPLICANT: PALMER HIGH SCHOOL STUDENT COUNCIL**  
**OWNER: COLORADO SPRINGS SCHOOL DISTRICT 11**



## **PROJECT SUMMARY:**

1. Project Description: This application was submitted to allow the existing changeable message portion of Palmer High School's identification sign to be replaced with an electronic message center (EMC). The City's sign code only permits EMC's for commercial or office land use types. As a Civic land use type, a Use Variance application is needed to gain approval of the proposed sign upgrades. **(FIGURE 1)** The subject property is located at 301 N. Nevada Ave., is roughly 3.67 acres in size, is zoned R-1-6000 (Single Family Residential), and is located at the northeastern corner of N. Nevada Ave. and E. Platte Ave.
2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the application, subject to modifications.

## **BACKGROUND:**

1. Site Address: 301 N. Nevada Ave.
2. Existing Zoning/Land Use: R-1-6000 / Public High School
3. Surrounding Zoning/Land Use: North: R5 / Public School  
South: FBZ-T1 / Commercial (restaurant) and Civic (YMCA)  
East: C6, OR, R5 / Commercial, Office and Civic uses  
West: FBZ-T2A, C5 / Fast Food, Commercial and Civic uses
4. Comprehensive Plan/Designated 2020 Land Use: Regional Center
5. Annexation: Town of Colorado Springs, 1872
6. Master Plan/Designated Master Plan Land Use: Experience Downtown Master Plan (2016) / Institutional
7. Subdivision: Town of Colorado Springs, 1872
8. Zoning Enforcement Action: There are no current enforcement actions on this site.
9. Physical Characteristics: The property is developed as a public high school with a roughly 185,000 square foot building and exterior public spaces. Many of the properties surrounding the site are also owned and utilized as part of the school campus.

**STAKEHOLDER PROCESS AND INVOLVEMENT**: The public process involved with the review of this application included posting of the site and sending of postcards to roughly 240 property owners within 1,000 feet of the site. Due to scheduling limitations and in order to allow the public hearing to occur at the April Planning Commission meeting, Staff combined the internal review notice with the public hearing notice. As such, the project's postcards and poster included information regarding the request, how to learn more or submit comment, and the date/time/location of the Planning Commission hearing. Staff has only received only one comment from the public; support for the application was submitted by the Downtown Partnership. **(FIGURE 3)**

Staff input is outlined in the following sections of this report. Staff sent plans to a select number of internal and external review agencies for comments including City Traffic, Sign Permitting, and CONO. All comments received from the review agencies are addressed.

## **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. Review Criteria / Design & Development Issues:
  - a. Background

Palmer High School was first established at its current location in Downtown Colorado Springs in 1893. As the City grew, City leaders began funding and construction of the current buildings. The principal school building, which spans from N. Nevada Ave. to N. Weber St. along E. Platte Ave., was completed in 1940. Multiple additions and expansions have occurred on the site over the last 75 years. The school is home to over 1,600 students and has the City's oldest International Baccalaureate (IB) program.

Similar to most schools, Palmer High School has an identification sign located near the school's front entrance at the northeastern corner of N. Nevada Ave. and E. Platte Ave. The sign is approximately four feet by 8 feet in size, has been in place for decades, and includes a traditional changeable message component that can be used to communicate upcoming events and other school related information (**FIGURE 4**). While the existing sign meets basic needs, it has limited functionality for communicating to the public and the student body.

The Palmer High School Student Council has been working for a number of years to raise funds and coordinate resources to upgrade the existing sign to include a modern electronic message center (EMC). This effort culminates with the application of a use variance to the City; it is noteworthy that the application, plans, project statement, and ultimately the presentation to the Planning Commission are all student led with only general oversight from school faculty. Additionally, as a public school, the students and faculty could have chosen to receive the required building permits for the sign through the State of Colorado without approval of a use variance. This approach has been used by a number of other schools within the City. However, all parties agreed that adhering to local regulations and following local approval procedures was important and could provide a valuable learning experience to those involved.

b. Use Variance:

EMCs are permitted in many areas of the City including Downtown. However, the City's sign code bases permitted sign types on the use of the land as opposed to the site's zone district. EMCs are currently only permitted for Commercial or Mixed-Use land use types. As a public school, the subject property falls within the Civic land use type and is therefore not permitted to utilize an EMC without Planning Commission approval of a Use Variance. The genesis of this restriction was based in part on the fact that many Civic uses such as schools and churches are often found within or adjacent to neighborhoods and lower density residential uses. It was generally agreed that EMCs were not compatible with residential neighborhoods due to light and other similar issues.

However, as discussed in the applicant's project statement, Palmer High School is not a typical neighborhood school (**FIGURE 2**). The property is located in Downtown Colorado Springs and the sign is on the corner of two principal arterials. Adjacent land uses are primarily commercial in nature with most prominent neighbor being a fast food restaurant (Carl's Jr.). It should be noted that many of the adjacent uses, include Carl's Jr., are permitted to utilize an EMC and could be approved administratively by City Staff.

The use variance criteria found in Section 7.5.803.B. are listed below and justified for the application under review.

1. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same zone so that a denial of the petition would result in undue property loss;*

The High School property is largely surrounding by commercial uses which are permitted by the City's sign code to have EMCs. The fact that school is considered a Civic use is the only factor that demands the approval of a use variance application. While the school could continue to utilize the manually updated changeable message sign, a new EMC would significant improve their ability to communicate with students and the public. It is also noteworthy that the application could have bypass local approval and received building permits through the State.

2. *That such variance is necessary for the preservation and enjoyment of a property right of the petitioner;*

The proposed EMC is well aligned with the School's role in the community. Schools are often the center of a neighborhood or community. Palmer High School hosts a wide range of events for students and the community as a whole. To best continue this role, the applicant wishes to make use of the modern technology found in a EMC. The number and variety of messages that can be relayed using an EMC greatly exceeds that of a manually updated changeable message center.

3. *That such variance will not be detrimental to the public welfare or convenience nor injurious to the property or improvements of other owners of property.*

The applicant has agreed to adhere to all of the City's EMC standards including limitations on brightness, use of cycling static messages only (no animation), limiting the size of the EMC to 50% of the total sign size, and others. Additionally, the applicant's project statement indicates that the sign will be turned off at night to mitigate any potential concerns of residents to the north. The ability to communicate upcoming events to the community, including nearby businesses, can increase the synergy between the school and surrounding uses. While the volume of vehicles and pedestrians is high in this area, the City's Traffic Engineers have reviewed the request and have found that the sign will not create any new safety concerns.

Staff finds that the proposed application adequately addresses all of the issues raised by the internal review agencies and meets the review criteria as set forth in City Code.

2. Conformance with the City Comprehensive Plan:

The 2020 Land Use Map within the 2001 Comprehensive Plan calls out this area as "Regional Center" which is defined as "large, intensive activity centers that combine the uses of commercial centers and employment centers and serve the city and region as a whole. They often include regional malls or corporate headquarters." The Comprehensive Plan doesn't provide much guidance on issues like EMCs, but there are a few strategies that discuss community character and high quality sign design.

*Strategy CCA 201c: Revise the Sign Ordinance to Reduce Sign Clutter.*

Revise the sign ordinance to reduce the proliferation of signs in commercial zones, particularly in activity centers and along major transportation corridors.

*Strategy CCA 401c: Develop Design Standards and Guidelines for Signage in Activity Centers.*

Develop design standards and guidelines for signage in activity centers, including neighborhood centers, community activity centers, and commercial, employment, and regional centers.

Both of the strategies above are directed at creating or improvement sign regulations and guidelines and not directly applicable to the review of an individual sign request.

3. Conformance with the Area's Master Plan:

The subject property falls within the newly adopted Experience Downtown Master Plan. The plan includes 8 primary goals, none of which directly support the proposed application. However, Goal #1 "Economic and Cultural Heart of the Region" does include the following Action Step: "Form deeper engagement partnerships with Colorado College, Pikes Peak Community College and University of Colorado – Colorado Springs to better connect students with Downtown opportunities for learning, living, shopping, dining, culture, fun and employment." While Palmer High School isn't included by name in this action step, Staff finds that the proposed EMC at the school will help improve engagement between the School's students and other downtown users.

**STAFF RECOMMENDATION:**

**CPC UV 18-00039 – USE VARIANCE**

Approve the use variance for the Palmer High School EMC, based upon the finding that the application complies with the review criteria in City Code Sections 7.5.803.B. and 7.5.502.E, subject to compliance with the following technical and/or informational plan modification:

**Technical and Informational Modifications to the Use Variance Plan:**

1. Add the standard applicant, plan, and site data to the first sheet of the plan documents. This should include: applicant information, owner information, lot size, building size, zoning, file number, project name, etc.
2. Add approximate dimensions to the existing sign as well as the proposed EMC section of the sign.