

DERBY DOWNTOWN DISTRICT

CASE # Z-867-07-09-15

PUD ZONE DOCUMENT AMENDMENT # 2

CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 4

Legal Description

PARCELS OF LAND LOCATED IN THE SOUTH ONE-HALF OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 67 WEST AND THE NORTH ONE-HALF OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 5,
THENCE NORTH 89°39'28" EAST ALONG THE NORTH LINE OF THE
NORTHEAST QUARTER OF SAID SECTION 5 A DISTANCE
OF 801.63 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°06'25" WEST A DISTANCE OF 77.63 TO A POINT;
ON THE WEST RIGHT OF WAY LINE OF NIAGARA ST

THENCE SOUTH 00°22'44" WEST A DISTANCE OF 501.67 TO THE SOUTHEAST CORNER OF BLOCK 2 FIRST ADDITION TO DERBY;

THENCE SOUTH 89°09'37" WEST A DISTANCE OF 670.42 ALONG THE SOUTH LINE OF SAID LOT TO A POINT;

THENCE NORTH 00°00'21" WEST A DISTANCE OF 50.00 TO A POINT;
THENCE SOUTH 89°16'01" WEST A DISTANCE OF 115.01 TO A POINT ON THE EAST RIGHT OF WAY LINE OF MONACO ST;

THENCE NORTH 00°00'21" WEST A DISTANCE OF 18.35 ALONG THE WEST RIGHT OF WAY LINE OF MONACO ST THE FOLLOWING 2
COARSES:

THENCE NORTH 89°27'18" EAST A DISTANCE OF 15.56 TO A POINT;
THENCE NORTH 00°14'48" EAST A DISTANCE OF 176.68 TO A POINT;

THENCE NORTH 89°45'12" WEST A DISTANCE OF 60.60 TO THE WEST RIGHT OF WAY LINE OF MONACO ST AND THE NORTH RIGHT OF
WAY LINE OF EAST 71ST PLACE;

THENCE NORTH 89°48'03" WEST A DISTANCE OF 251.22 ALONG THE NORTH RIGHT OF WAY LINE OF EAST 71ST PLACE TO THE EAST
RIGHT OF WAY LINE OF LOCUST STREET;

THENCE NORTH 00°19'41" EAST A DISTANCE OF 280.86 TO THE SOUTH RIGHT OF WAY LINE OF EAST 72ND AVENUE TO A POINT;

THENCE NORTH 89°45'33" WEST A DISTANCE OF 54.38 TO THE EAST RIGHT OF WAY LINE OF LOCUST STREET.

THENCE SOUTH 89°28'43" WEST A DISTANCE OF 569.49 TO A POINT;
THENCE NORTH 41°31'42" EAST A DISTANCE OF 122.55 TO THE NORTH RIGHT OF WAY LINE OF EAST 72ND AVENUE;

THENCE NORTH 89°59'37" EAST A DISTANCE OF 41.90 TO THE EAST RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY 2,
THENCE ALONG THE NORTH WEST RIGHT OF WAY LINE OF STATE HIGHWAY 2 THE FOLLOWING COURSES AND DISTANCES:

NORTH 43°36'46" EAST A DISTANCE OF 480.00 TO A POINT;
THENCE NORTH 42°08'29" EAST A DISTANCE OF 234.47 TO A POINT;
THENCE NORTH 41°31'29" EAST A DISTANCE OF 976.60 TO A POINT;

THENCE NORTH 40°35'33" EAST A DISTANCE OF 320.65 TO A POINT;

THENCE SOUTH 00°04'06" WEST A DISTANCE OF 178.87 TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST 74TH AVENUE;

THENCE NORTH 89°39'49" EAST A DISTANCE OF 140.00 ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 74TH AVENUE TO A POINT ON
THE SOUTH LINE OF BLOCK 3 HILL 92 SUBDIVISION;

THENCE SOUTH 00°21'01" EAST A DISTANCE OF 150.01 TO A POINT;

THENCE SOUTH 89°39'49" WEST A DISTANCE OF 60.00 TO A POINT;
THENCE SOUTH 00°21'01" EAST A DISTANCE OF 113.50 TO THE NORTH RIGHT OF WAY LINE OF EAST 73RD PLACE;

THENCE NORTH 89°39'50" EAST A DISTANCE OF 130.00 ALONG SAID NORTH LINE TO A POINT;

THENCE SOUTH 00°20'49" WEST A DISTANCE OF 48.00 TO A POINT ON THE SOUTH LINE OF EAST 73RD PLACE WHICH IS THE NORTHEAST
CORNER OF LOT 1 SULLIVAN SUBDIVISION;

THENCE SOUTH 00°09'54" EAST A DISTANCE OF 151.00 TO A POINT ON THE NORTH LINE OF LOS VALIENTES PARK;
THENCE NORTH 89°39'50" EAST A DISTANCE OF 510.00 ALONG SAID NORTH LINE TO THE WEST RIGHT OF WAY LINE OF ONEIDA
STREET;

THENCE SOUTH 00°09'54" EAST A DISTANCE OF 176.00 ALONG SAID WEST RIGHT OF WAY LINE TO THE SOUTH LINE OF LOS VALIENTES
PARK;

THENCE ALONG SAID SOUTH LINE SOUTH 89°39'50" WEST A DISTANCE OF 553.00 TO A POINT;

THENCE SOUTH 00°09'54" EAST A DISTANCE OF 225.25 TO A POINT;

THENCE SOUTH 89°50'06" WEST A DISTANCE OF 82.27 TO A POINT;
THENCE SOUTH 00°20'10" EAST A DISTANCE OF 85.00 TO THE NORTH RIGHT OF WAY LINE OF EAST 72ND PLACE;
THENCE NORTH 89°39'50" EAST A DISTANCE OF 74.87 ALONG THE NORTH RIGHT OF WAY LINE OF EAST 72ND PLACE;

THENCE SOUTH 00°20'10" EAST A DISTANCE OF 50.03 TO THE SOUTH RIGHT OF WAY OF LINE OF EAST 72ND PLACE TO THE NORTHEAST
CORNER OF LOT 6 BLOCK 2 BREWER'S ADDITION TO DERBY;

THENCE SOUTH 00°09'54" EAST A DISTANCE OF 152.47 ALONG THE EAST LINE OF LOT 6 TO THE SOUTH EAST CORNER OF SAID LOT;

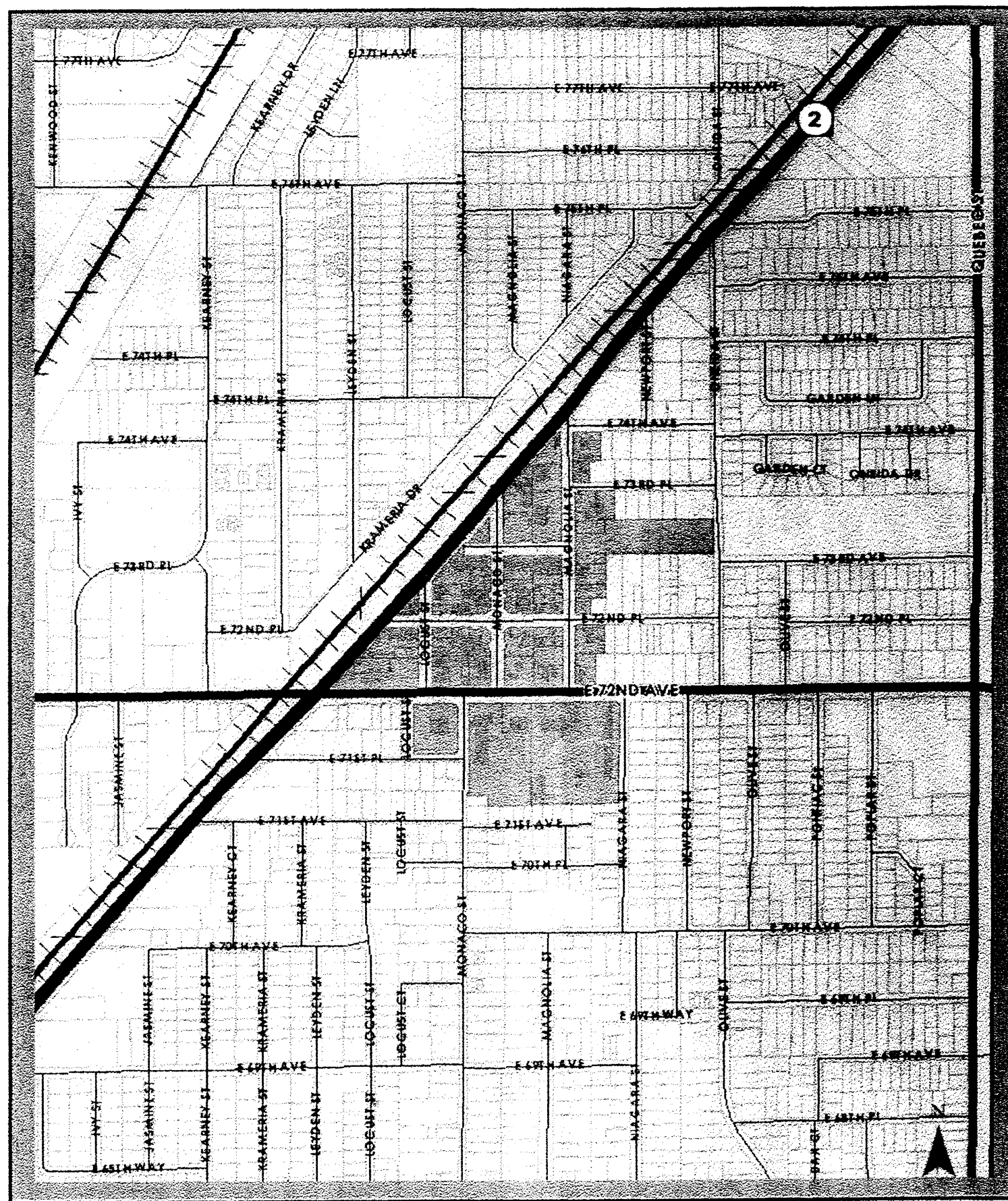
THENCE SOUTH 89°39'50" WEST A DISTANCE OF 50.00 TO THE EAST LINE OF LOT 55 BREWER'S ADDITION TO DERBY;

THENCE SOUTH 00°09'54" EAST A DISTANCE OF 157.53 ALONG THE EAST LINE OF LOT 55 TO THE NORTH RIGHT OF WAY LINE OF EAST
72ND AVENUE;
THENCE NORTH 89°39'50" EAST A DISTANCE OF 125.00 ALONG SAID NORTH RIGHT OF WAY LINE TO A POINT;

THENCE SOUTH 00°06'25" WEST A DISTANCE OF 33.39 TO THE POINT OF BEGINNING;

CONTAINING 43.975 ACRES OR 1915538.80 SQUARE FEET MORE OR LESS.

Vicinity Map



SHEET INDEX

SHEET #	SHEET DESCRIPTION
1	COVER SHEET
2	BOUNDARY MAP
3	STANDARDS & CURRENT LAND USE
4	LAND USE SCHEDULE

Planning Commission Certificate:

APPROVED BY THE CITY OF COMMERCE CITY PLANNING COMMISSION

THIS 8th DAY OF August, 2015

CHAIRPERSON

City Council Certificate:

APPROVED BY THE CITY OF COMMERCE CITY, CITY COUNCIL

THIS 2nd DAY OF February 2015

ATTEST:

CITY CLERK

MAYOR



Adams County Clerk and Recorder's Certificate:

THIS PUD ZONE DOCUMENT WAS FILED FOR RECORD IN THE OFFICE
OF ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO

AT _____ O'CLOCK _____ M., THIS _____

RECEPTION# 2015000067432
08/14/2015 at 12:05:38 PM 1 OF 4
TD Pgs: 0 Doc Type: PUD
Stan Martin, Adams County, CO

COUNTY CLERK AND RECORDER

BY: Deputy Clerk



CITY OF COMMERCE CITY
7887 EAST 60TH AVENUE
COMMERCE CITY, CO 80022
Title: PUD ZONE DOCUMENT AMENDMENT #2
Date Modified: 10.27.14
Drawn By: JD
Checked By: CM Sheet 1 of 4

Reception # _____

DERBY DOWNTOWN DISTRICT

PUD ZONE DOCUMENT

SHEET 2 OF 4

Purpose Statement:

The PUD for the Derby Sub-Area was established to aid in revitalizing this unique and historical section of Commerce City. Drawing on valuable assets, such as El Jardin Restaurant three parks, stable infrastructure, and close proximity to civic uses, the PUD is set forth with a strong base. The Derby area will be improved and enhanced through diversification of retail uses, increased residential density, revitalization of existing buildings, and sustainable development.

Character of the Derby Sub-Area

One of the original railroad towns in the Front Range, Derby ultimately combined with Irondale and Adams City to officially form Commerce City in 1952. It is remembered by many as "Big D" which was thought of as the downtown of the community. It is still often referred to as the heart and soul of Commerce City.

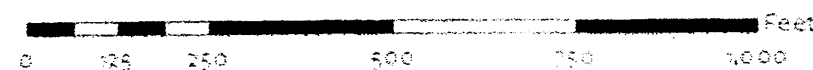
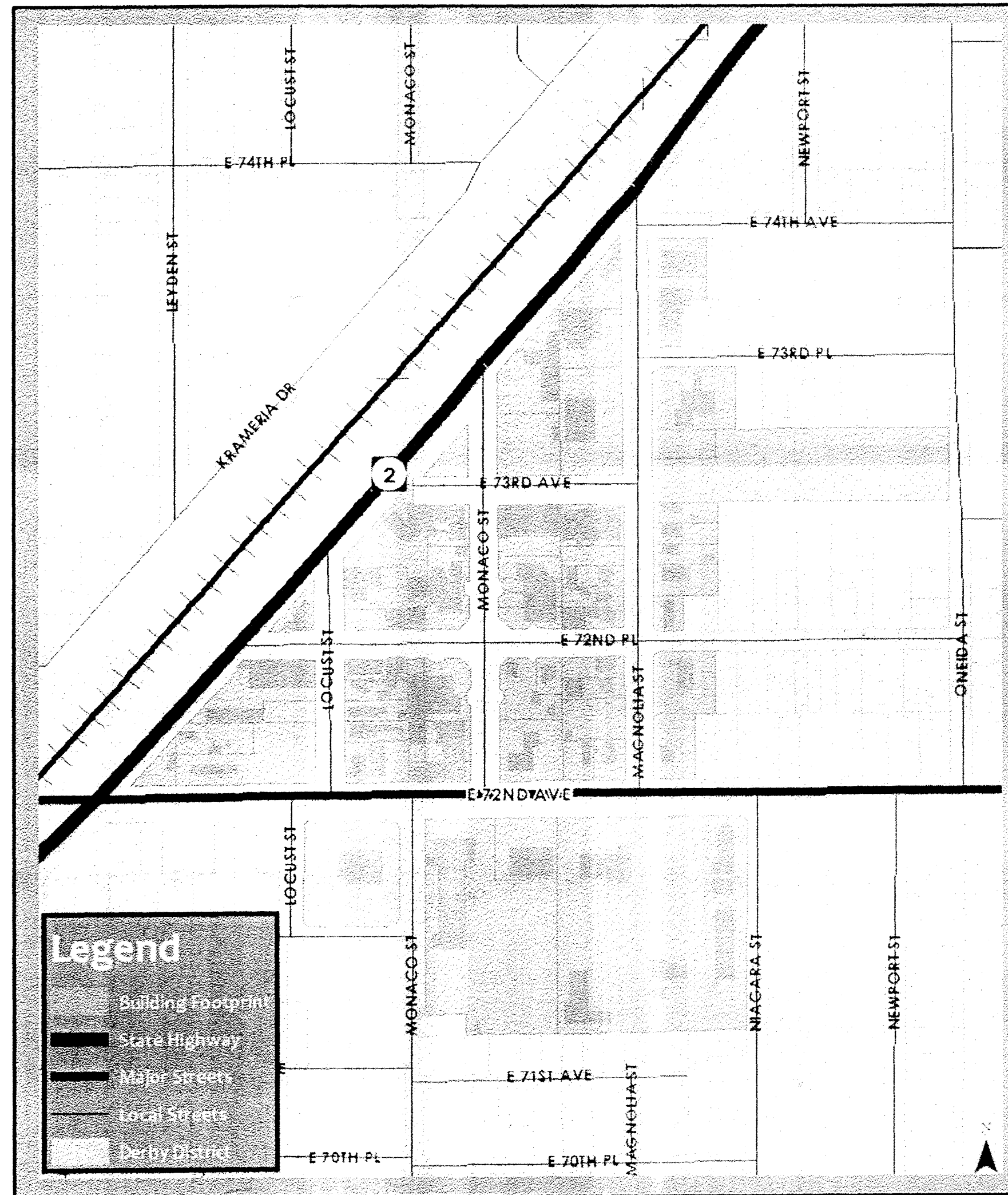
Derby's history reflects a typical small town community. There are 130 individual properties which make up the Derby Sub-Area: 60 residential, three parks, three churches, and 64 commercial properties. The physical layout of the Derby business area is a triangular shape with ample angle parking. The area is configured in such a way that it has the potential to mature and evolve into an innovative and pedestrian oriented community, sustainable in the twenty-first century.

Most of the original buildings which remain in Derby were built between the 1950s and 1970s, and are representative of the various architectural themes which were prevalent during those decades. There is, however, an abundance of buildings in the core of Derby, (in the area of 72nd Place and Monaco Street) which are distinctively illustrative of their 1950s construction.

It is the spirit of this era of architecture, in which the City Council, community, and stakeholders have decided to base Derby's revitalization. The term "Googie" has been adopted to refer to this period style of architecture, art, and signage.

It is not intended for Derby to become overly themed, but rather that Derby preserve and enhance the best aspects of the 1950s era, while also representing and including other complimentary styles and cultures. For example, the restaurant El Jardin is representative of the growing Hispanic culture, which is equally important to the character and preservation of Derby.

Derby Boundary Map



CITY OF COMMERCE CITY	
7887 EAST 60TH AVENUE	
COMMERCE CITY, CO 80022	
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DERBY DOWNTOWN DISTRICT

PUD ZONE DOCUMENT

SHEET 3 OF 4

Incorporation of Derby-Area Design Guidelines and Standards

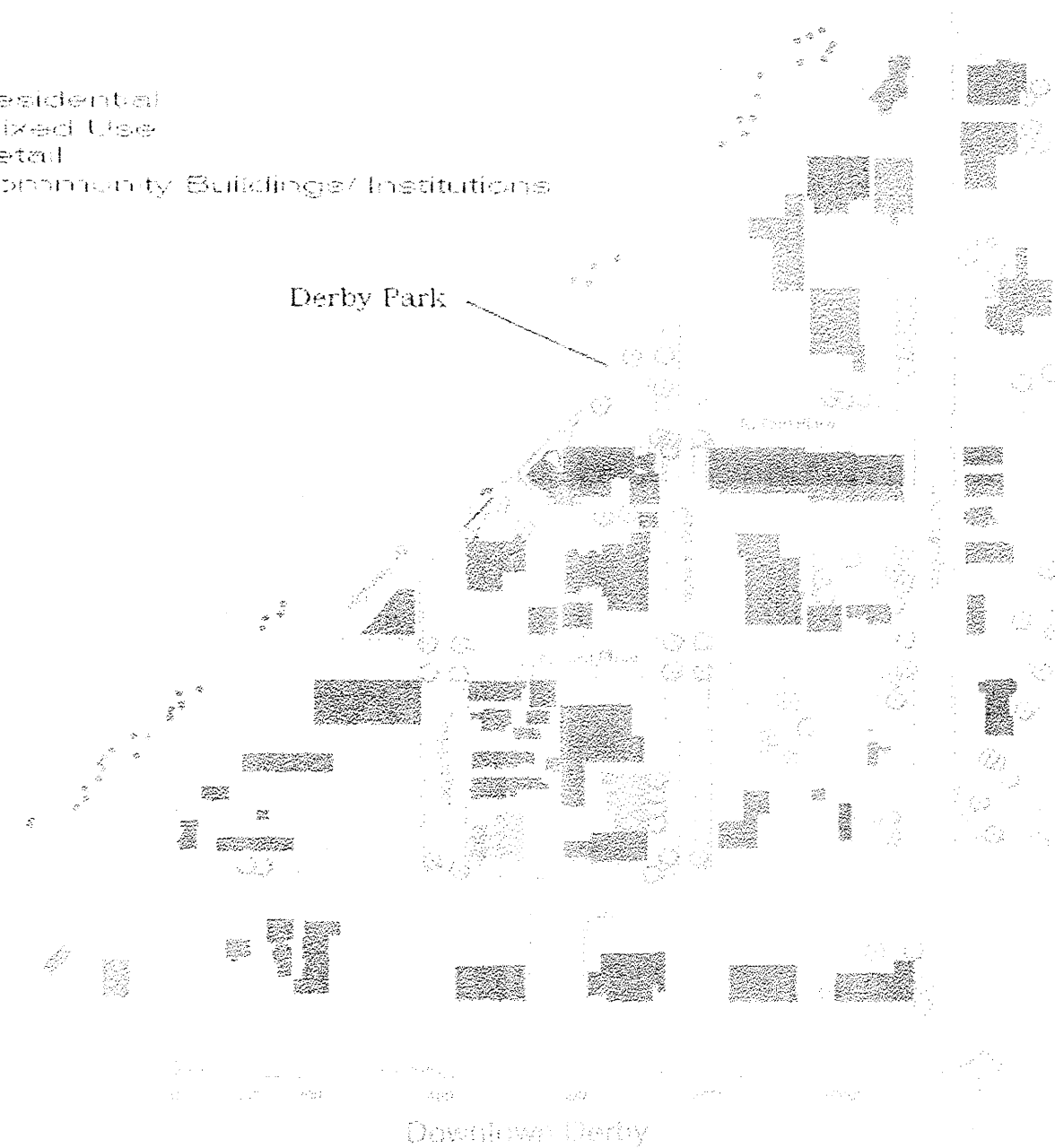
The Derby Sub-Area Design Guidelines and Standards, as adopted by the Council of the City of Commerce City by resolution dated October 1, 2007 are hereby incorporated by reference to this PUD document as amended from time to time administratively.

The following items are included in the Design Guidelines and Standards:

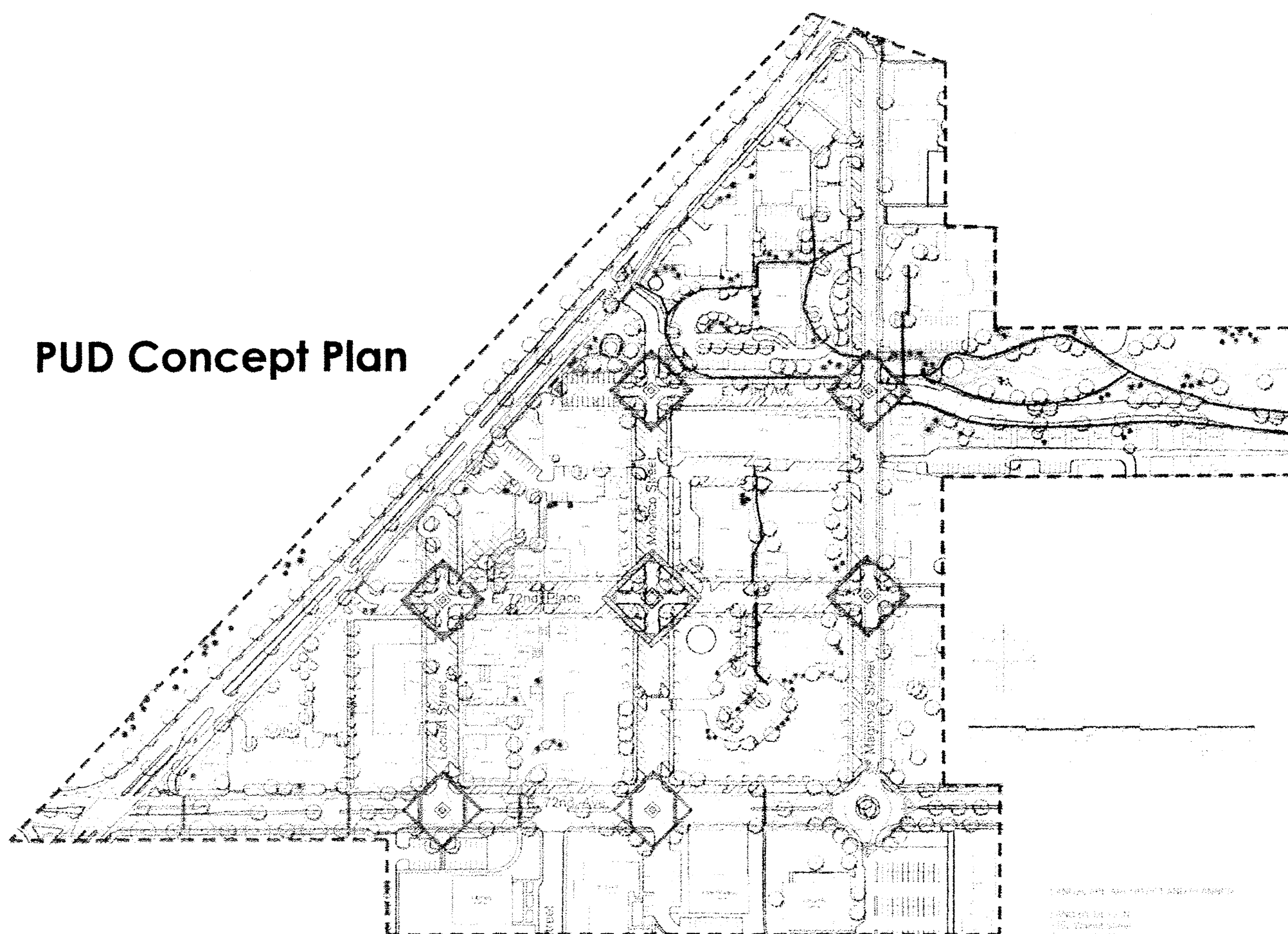
- Design Review Process
- Variances to Guidelines
- Design Guidelines & Goals
- Composition Of Guidelines
- Definitions
- Sustainable Building Design Policy
- Universal Design Policy
- Architecture
- Lot Area Minimum
- Commercial Establishment Size Limits
- Materials
- Colors
- Parking
- Derby's Streets and Sidewalks
- Interconnections
- Bicycle Circulation and Access
- Signage
- Lighting
- Pedestrian Amenities
- Public Art
- Open Space
- Drainage
- Landscaping
- Walls and fence
- Recommended Planting List

Current Land Use

- Residential
- Mixed Use
- Retail
- Community Buildings/ Institutions



PUD Concept Plan



Bulk Standards

Frontage Zones	
Primary Depth (min/max)	0'/5'
Side on Street Depth (min/max)	0'/10'
Build-to:	
Minimum building width, including pedestrian amenities in Primary Frontage Zone	60% Lot Frontage
Minimum building width including pedestrian amenities in a Side on Street Frontage Zone	40% Lot Frontage
Building Height:	
Minimum height	20-feet
Maximum height	2-floors: Blocks 5, 7, 8, 9, 10, 11
	3-floors: Blocks 6, 12
	4-floors: Blocks 1, 2, 4
	5-floors: Block 3

Notes:

1. Buildings and lots that currently have parking lots within the primary and secondary frontage zones shall be considered conforming and shall not be required to meet the frontage zone requirements until New Development occurs.
2. New development that occurs on property with more than 2 street frontages shall be required to meet the frontage zone requirements on a maximum of 2 street frontages.
3. Pedestrian amenities shall include, but not be limited to, sidewalk cafes, patios, plazas, public art displays, and other similar features which activate the space or are generally available for public use.
4. Where utility easements that are located within the Primary or Side on Street Frontage Zones, the frontage zones shall be measured from the back of the utility easement.

CITY OF COMMERCE CITY	
7887 EAST 60TH AVENUE	
COMMERCE CITY, CO 80022	
Title: PUD ZONE DOCUMENT AMENDMENT #1	
Date Modified: 11-05-08	
Drawn By: JAX	
Checked By: CM	Sheet 3 of 4



Allowable Land Uses

Uses are allowed in the Derby Sub-Area in accordance with the use table set out below.

- All existing legal, non-conforming uses at the time of adopting the Design Guidelines and Standards shall (if not permitted by right under the Design Guidelines and Standards) remain as legally non-conforming uses. Exterior Storage is not and has not been a Use by Right in the Derby Sub-Area, and thus cannot be a legal, non-conforming use.
- When a property is left unoccupied for more than 6 months, the owner chooses to redevelop, or there is damage to the property of more than 50% of the replacement value of the property, the PUD land uses and Design Guidelines and Standards will come into effect; subject to Commerce City's Land Development Code provisions on non-conforming uses and structures, as adopted or amended.
- All processing, cleaning, servicing, testing or repair of materials, goods or products shall take place within completely closed buildings, unless otherwise indicated hereinafter.
- For application of the Guidelines and Standards, as opposed to uses, see the Introduction section of the Guidelines and Standards, under heading "Triggering application of Guidelines".
- In the event that a proposed use is not specifically listed in the Land Use Table, the Derby Review Board or the Director of Community Development may determine that such use is allowable and may impose any restriction deemed reasonably necessary to ensure that the intent and purpose of this planned unit development and associated regulations are not negatively impacted.

Land Use Notes

(1) Existing Residences

All existing residences (at time of adoption of Guidelines) will be considered legally non-conforming except for parcel number: 0172132425006 located at 7229 Magnolia Street Commerce City CO 80022, and parcel number: 0172132426004 located at 6641 East 72nd Place Commerce City CO 80022 which are uses by right.

(2) Dwelling Units, Ground Floor

Where housing is to be accommodated on street-level, live/work spaces rather than live-only spaces should be provided. No more than 50 percent of a single street frontage should be occupied by residential uses. This is intended to reserve storefront space for commercial uses and public/institutional uses. It does not limit residential uses above the street level on upper stories, or behind street-level storefronts. There is no minimum or maximum residential density. Density is controlled by the applicable floor area and building height standards.

(3) Exterior Events

Exterior Events includes: amphitheater performance area, antique fair, art exhibits, art fair/crafts, beer festival/ Oktoberfest, book fair, circus, concerts, farmers market fireworks, public, flea market, flower market, food fair, garden show, history exhibit, interactive art, magic shows, model railroad, movies, music fair, open area for rotating activities, partnerships with local cultural institutions, photo exhibits, public market, street artists, street fair, theatre performances, temporary stage, and zoo exhibits.

(4) Parks and Recreation

Parks and Recreation includes: fire pit, life-sized chess board, ice skating rink, interactive play fountain, lawn bowling, multi-media space, open green space, ping-pong, playground/ kids activities, rock climbing wall, rollerblade rental, running path, shuffleboard, story telling, and summer dance floor.

(5) Accessory Structure/Use

Primary use required. An accessory structure shall not be allowed before or without a primary use. Accessory structures shall comply with the setback standards; maximum setback provisions shall not apply. Accessory structures shall comply with the Guidelines. A structure shall not be placed over an easement that prohibits such placement. No structure shall encroach into the public right-of-way. The owner should be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

(6) Drive Through operating as: bank, pharmacy, restaurants, liquor stores

Drive-through windows should be located behind or to the side of the building. Pedestrian circulation routes should be protected from vehicular traffic. Permitted only when accessory to primary commercial "walk-in" use. No more than one such facility on one block, or for a distance of 300 linear feet along the same street frontage, whichever is less.

(7) Food and Beverage Retail Sales

Food and Beverage Retail Sales includes: bagel shop, bakery, cigar shop, coffee shop, convenience store, deli, donut shop, food kiosks, fruit stand, gourmet food, grocery store, ice cream, internet cafe, and tea shop.

(8) Indoor Recreation

Indoor Recreation includes: arcade, bowling alley, climbing wall, movie theater, etc.

(9) Office

Where office use is to be accommodated on the street-level, uses with active foot traffic and display windows will be encouraged.

(10) Parking Structure/Public Parking Lot

Individual surface parking lots shall not exceed a total of 100 parking spaces, or one-half block, whichever is smaller. Larger parking areas shall be in multiple story garages. Parking should be encouraged towards the edges of Derby to encourage walking and more lively land use in the Derby Core.

(11) Retail Sales, General

Retail Sales, General includes: antique shops, boutique clothing, cigar shop, computer store, convenience store, copy shop, currency exchange, pet grooming, pet day care, dry cleaning/laundry, flower shop, grocery store, hair salon/barber, high-end souvenir/gift shop, hobby store, newsstand, office supplies, photo shop, shoe repair, toy store, transit store, and travel agent.

(12) Sidewalk Merchants

Sidewalk Merchants include: food vendors/ kiosks, news kiosks, coffee, ice cream, retail vending carts, and book stalls. Possibility of seasonal license for Derby but food vendors may be subject to additional review.

(13) Sidewalk retail display accessory to interior retail business

Where sidewalk display is limited to cards, plants, gardening/floral products, food, books, newspapers, bicycles, and similar small items for sale or rental to pedestrians (i.e., non-automobile-oriented). Any such permitted display shall maintain sufficient clear and safe pedestrian clearance at all times.

(14) Vehicle Sales, Service and Repair

Parcel number 0172132415001 (7360 Highway 2) and 012132415002 (7350 Highway 2) allows vehicle sales, service and repair as a Conditional Use. A Condition Use Permit must be granted by City Council prior to vehicle sales, service and repair activities occurring on parcel 0172132415001 or 0172132415002. Subject to a maximum of 7,500 sf. Outdoor storage and display for these uses is prohibited unless the use is in a fully enclosed structure.

(15) Artisan

Artisan includes: hand tools and light industrial elements only; i.e. ceramics glass blowing, jewelry, and pottery.

(16) New Co-located, or existing prior to Design Guidelines.

Users should consider installing WiFi components within solar street lamps for direct power.

(17) Brewpub and Microbrewery

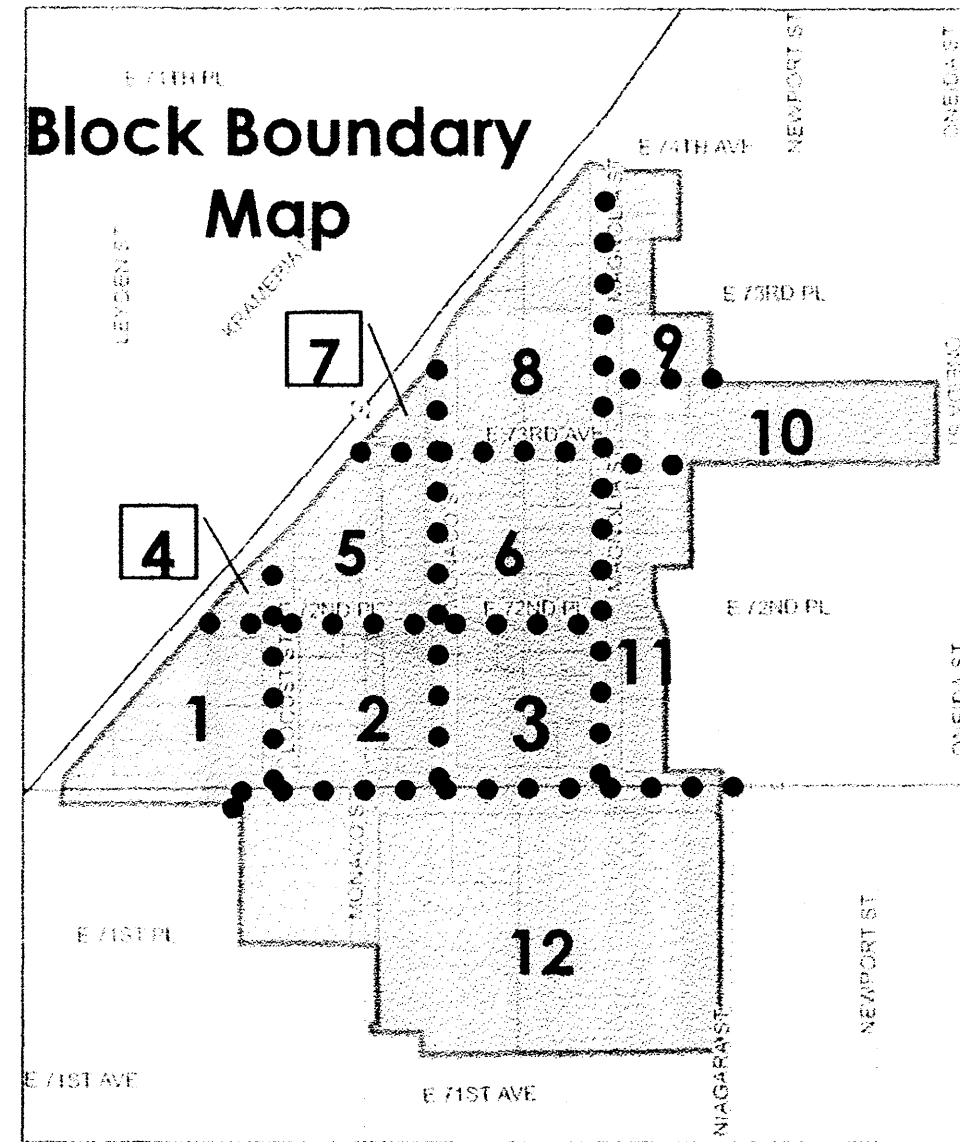
Brewpub means a restaurant that prepares handcrafted beer as an accessory use intended for consumption on premises. Production capacity shall be limited to not more than 5,000 barrel per year. Such accessory use may occupy up to 30% of the gross floor area of the restaurant. Microbrewery mean any establishment where malt liquors are manufactured and packaged on or off premises, manufacturing more than 5,000 but less than 60,000 barrels of malt liquor on its licensed premises each calendar year.

(18) Separation Requirement

The 500-foot separation requirement between a school and an establishment holding a liquor license shall not apply to specifically the Brewpub, beer and wine, hotel and restaurant, and art gallery classes of liquor license.

DERBY DOWNTOWN DISTRICT

PUD ZONE DOCUMENT SHEET 4 OF 4



Land Use Table		R = Use by Right C = Conditional Use X = Not Allowed TUP= Temporary Use Permit** (1) = Note
RESIDENTIAL		
Household		
All Existing Residences (at time of adoption of Guidelines)		Legally non-conforming (1)
Accessory Dwelling Units		R
Artist Live/Work Space, Above Ground Floor		R
Artist Live/Work Space, Ground Floor		R
Dwelling Units, Above Ground Floor		R
Dwelling Units, Ground Floor		C (2)
New Single Family Detached House		X
Multi-Unit (2+ units) Residential		R
Group Living		
Assisted Living		C
Group Home		C
Nursing Home		C
Temporary Overnight Shelter		X
Transitional Residences		X
Transitional Shelters		X
PUBLIC AND CIVIC		
Colleges and Universities		R
Community Garden		R
Community Resource Center		R
Exterior Events including: concerts, fairs, art exhibits, farmers markets		TUP (3)
Fire Station		R
Medical Office/Urgent Care Facility		R
Hospital		C
Library		R
Lodge/Private Club/Event Center		C
Medical Offices/Clinics		R
Museum		R
Parks and Recreation		R (4)
Police Station		R
Postal Service		R
Rehabilitation Services		C
Religious Assembly		R
Restrooms		R
School, Public and Private		R
Visitor Information		R
Utilities and Services, Minor		C
Utilities and Services, Major		C
INDUSTRIAL		
Manufacturing, Production and Industrial Services		
Artisan		R (15)
Manufacturing		X

Land Use Table		R = Use by Right C = Conditional Use X = Not Allowed TUP= Temporary Use Permit** (1) = Note
COMMERCIAL		
Accessory Use and Structure		Primary use required. (5)
Sexually Oriented Business		X
Animal Services		
Sales and Grooming		R
Shelter		C
Veterinary		R
Artist Work/Sales		R
Art Galleries/Studios		R
Ball Bonds		X
Banks		R
Bicycle Sales/Service/Rental		R
Boat Sales/Service/Rental		X
Car Wash		C - Block 1 only X - elsewhere
Contractor Yards		X
Daycare		R
Drive Through operating as: bank, pharmacy, restaurants		C (6)
Drive-through Facility other than those above		X
Eating and Drinking		
Restaurant		R
Brewpub		R (17) (18)
Microbrewery		R (17)
Catering Service		R
Tavern		C
Employment Office - temporary labor		X
Entertainment/Spectator Sports		
Small (1-149 seats)		C
Large (150+ seats)		X
Event Center		C
Outdoor Storage		X
Financial/Accounting Services		R
Food and Beverage Retail Sales		R (7)
Funeral Home		R
Gas Stations		C - Block 1 only X - elsewhere
Hardware Stores		R
Indoor Recreation (i.e. arcade, bowling alley)		R (8)
Liquor Store		C
Locksmith		R
Lodging		
Bed and Breakfast		R
Hotel/Motel		C
Lumber		C - Block 1 only X - elsewhere
Office		R (9)
Parking Structure/Public Parking Lot		C (10)
Pawn Stores		R-Block 4 X - elsewhere
Personal Service (including health clubs and gyms)		R
Repair Service (consumer, including bicycles, shoes)		R
Retail Sales, General		R (11)
Sidewalk Merchants		TUP (12)
Sidewalk retail display accessory to interior retail business		R (13)
Travel Agency		R
Tire Sales for vehicles under 1 1/2 tons		R - Block 1 and 8 only X - elsewhere
Vehicle Rental Storage		X
Vehicle Sales, Service and Repair		C - Block 1 only (14)
Vehicles wrecked or inoperable		X
OTHER		
Wireless Communication Facilities		
New Co-located, or existing prior to Design Guidelines		R (16)
New freestanding (towers)		X

Classification Notes:

* Conditional Use Permit shall go to public hearing.

** TUP applications shall be dealt with administratively by the City.

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