

STAFF REPORT

Derby Review Board

Meeting Date: June 20, 2017

Case Planner: Caitlin Long

Case #: DRB-062-17

Location: 6460 East 73rd Avenue, Commerce City, CO 80022

**Applicant/
Owner:** El Jardin/Ben Martinez
6460 East 73rd Avenue

Request:

1. The applicant is requesting approval of 1 proposed business sign.
2. The applicant is requesting approval of \$4,835 in catalyst funds.

Staff Recommendation: Staff is recommending approval of the proposed sign and catalyst fund request as the proposed signage meets the design principles of the Derby Design Guidelines and the requirements of the Land Development Code.

Current Zone District: PUD (Planned Unit Development District)

Comp Plan Designation: Commercial/Mixed Use

Surroundings

Existing Land Use		Occupant	Zoning
North	Public	Derby Park	PUD
South	Commercial	Ho Mei restaurant	PUD
East	Commercial	American Family Insurance	PUD
West	Right-of-Way	Adjacent to Highway 2	ROW

Background Information

City Council approved PUD zoning for the Derby area in September 2007. The zoning supports the Derby Master Plan by designating the district as a mixed-use commercial district. The PUD boundaries are East 72nd Avenue to the south, Highway 2 to the west, and Magnolia Street to the east. Building improvements, demolition and construction within this geographic area are subject to review by the Derby Review Board.

The subject property is located at the west end of East 73rd Avenue, adjacent to Highway 2. The applicant is the owner of the subject property. The entire lot area is approximately 0.6 acre and contains a single-story commercial building. The commercial building is approximately 7,832-square-foot with building frontage on both Highway 2 and East 73rd Avenue. The subject property is designated as commercial/mixed-use and is legally conforming.

El Jardin has previously received approval from the Derby Review Board for exterior improvements in three separate cases.

- DRB-019-10: Hardscape improvements in the front and rear of the property, and catalyst funds.
- DRB-027-10: Building façade improvements associated with lounge addition, and catalyst funds.
- DRB-036-12: Design changes for lounge addition.

Summary of Applicant's Request

The applicant, Mr. Ben Martinez, is requesting approval to replace the existing sign on the decorative wall along Highway 2. The proposed sign will be individual flat cut aluminum letters with LED illuminated backing to produce a halo lighting effect, with overall dimensions of approximately 11 feet wide and 5 feet tall. The new sign will provide better visibility from Highway 2 both during the day and at night.

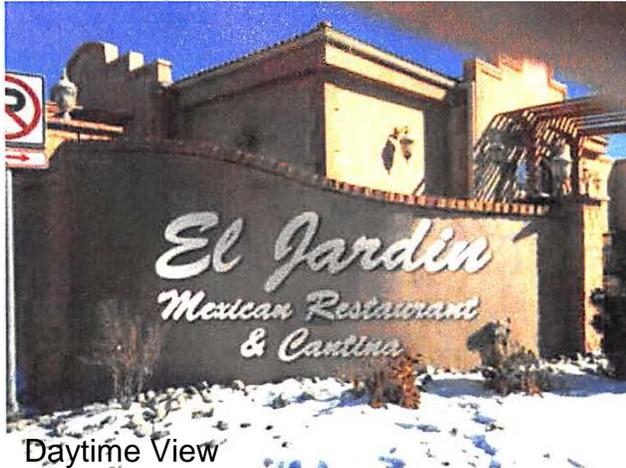
The lettering will use the same script font as the rest of El Jardin's signage for consistency. The existing wall sign along East 73rd Avenue will remain. Below is the current and proposed sign:

Existing Signage:



Facing east along Highway 2

Proposed Signage:



Daytime View



Nighttime View



Staff Analysis

The applicant's request for new individual business signage has been reviewed by staff in conformance with the Derby Sub-Area Master Plan, the Derby Design Guidelines, PUD Zone Document and the Land Development Code (LDC). As part of this analysis, staff reviewed the building history, architectural character of the subject building, and the architectural context of the surrounding buildings and properties in order to establish sufficient detail for design review of the proposed signage.

The requested sign coordinates with the existing sign on the building and helps to more clearly identify the entrance to the parking lot along Highway 2. It includes design elements that are harmonious with the Derby Design Guidelines, such as the script font and LED illumination. Lastly, the applicant is requesting catalyst funds in an amount not to exceed \$4,835 for the proposed signage.

Building History

The subject property is located on a unique corner lot within the Derby Downtown District. Although the property has frontages along both East 73rd Avenue and Highway 2, these streets no longer intersect. According to the Adams County Assessor's records, the subject building was originally constructed in 1945. It underwent a major remodel around 2002, and an addition was constructed in 2012. The building itself is approximately 7,832-square-feet.

Architectural Character

El Jardin was originally designed with a Mexican architectural theme utilizing stucco exterior surfaces, wood accents, and a tile roof. This design reflects the unique character of the restaurant.

Figure 1: Subject Building



Surrounding Properties

The subject building is adjacent to both East 73rd Avenue and Highway 2. The adjacent buildings along East 73rd Avenue were constructed from the 1930s to the 1950s, and display a similar architectural character as the subject building. The nearest building to the south was also built in the 1940s, and was remodeled in 2013 with a more contemporary façade. Figures 2 and 3 show the nearby properties.

Figure 2: Retail businesses to the east



Figure 3: Ho Mei restaurant to the south



There is a variety of architectural styles in Derby that tell the story of commercial development within the district. While the subject building is adjoined by buildings of a similar architectural style, much of the rest of the Derby Downtown District displays more modernist architecture that was prevalent in the subsequent decades of the 1950s through 1970s. This context has been considered by staff and is important to the review of the proposed signage, as well as the unique character of the Derby District as a whole.

In Derby, proposed projects are evaluated by their conformance with applicable guidelines and codes. The Derby Design Guidelines contain design-related criteria to govern how well a project aligns with its goals. The Derby PUD contains the regulations that dictate what land uses are allowed in addition to performance standards for the zoning. Finally, The Commerce City Land Development Code provides the regulating framework for specific development standards that govern physical characteristics of a project before construction or installation. The proposed sign has been reviewed against the approval criteria within the Land Development Code and were found to be in compliance with all applicable standards.

Composition of Derby Design Guidelines

The Derby Design Guidelines utilize standards and principles to determine which design criteria must be followed (standards) and which design criteria is desired, but not required (principles).

Standards: Objective criteria providing specific direction based on the Guideline Goals, used to define issues considered critical to achieving the Guideline Goals. Standards use the term “shall” to indicate that compliance is mandatory unless it can be demonstrated that an acceptable alternative meets one or more of the following conditions:

1. The alternative better achieves the Guideline Goals
2. The Guideline Goals will not be achieved by application of the Standard in the circumstance
3. The effect of other Standards or Principles will be improved by not applying this Standard
4. Unique site factors make the Standard impractical.

Principles: Statements of non-binding policy, explanation or direction to assist the city planning office and applicant with application of standards. Principles use the term “should” to express desired outcomes.

Conformance with the Derby Design Guidelines

The applicant has expressed an interest in wall signage that is in alignment with the Derby Design Guidelines. The proposed signage meets the standards of the Derby Design Guidelines through the use of a script font with exaggerated curves that is reminiscent but not a replica of signage examples from the 1950s. It also matches the signage used elsewhere on the same building for a consistent appearance. Furthermore, the proposed signage accomplishes greater daytime and nighttime business identification for the applicant. Among the various criteria used to analyze new commercial signage in Derby, the applicant’s proposed sign meets the following principles:

- Certain shapes
 - The proposed sign uses a unique script font that aligns with the principles of the Derby Design Guidelines and coordinates with other signage on the building.
 - The proposed sign incorporates LED illumination and aluminum metal materials which are recommended in the Derby Design Guidelines.
- Signs should avoid obscuring architectural details.
 - The proposed sign location is incorporated into the existing hacienda wall, giving it the feel of an architectural feature while providing better identification of the building from adjacent streets. The architectural style of the building continues to be prominently visible from the public right-of-way.
 - While proposed sign is illuminated, there are no residences or other uses in the vicinity that the sign faces, minimizing the potential impact. Making the parking lot entrance more visible, particularly at night, may also increase safety for people travelling along Highway 2.

Derby Design Guidelines -- Goals for this Application:

Goal #3: Enhance Derby’s visibility and identity through:

- **Unique business identification**
- **Adopting consistent and compatible signage**

Goal #4: Revitalize Derby through:

- **Support and promotion of existing businesses and property owners**

Conformance with the Derby PUD Zone Document

The Derby PUD is a custom zoning designation produced specifically for the Derby Downtown District. The zoning establishes a mixed-use zone district comprised of commercial and residential land uses. In addition to establishing the parameters of the Derby Sub Area, the zone document primarily outlines the allowed land uses within the district. Designated on the Derby Master Plan as a commercial/mixed-use property, the applicant's proposed event center is considered a legal, conforming use in Derby.

Final Analysis

The El Jardin site is located at a highly visible corner of Derby and is one of the main attractions of the district. With this in mind, the proposed sign is designed to promote the brand of the restaurant and the Derby theme present in the existing signage on the subject building, and will enhance the aesthetic appeal of this specific location.

City staff concludes that the proposed signage is harmonious with the principles of the Derby Design Guidelines and fulfills the goals of the redevelopment program. Specifically, the proposed sign utilizes a unique font that promotes the goals of the Derby Design Guidelines. The proposed signage is both an improvement to the parking lot entrance and to the Derby Downtown District, as it introduces the 1950s character along the highly visible Highway 2. Finally, the proposed sign represents the work between the applicant and city staff to highlight an existing business in the Derby Downtown District.

As a result, the Planning Division recommends **approval** of the request. However, the Board has several options to choose from in making a decision:

1. The Board can choose to approve the proposed sign design and catalyst funds as presented;
2. The Board can choose not to approve the proposed sign design and catalyst funds;
3. The Board can recommend approval with changes made to the proposed sign design and catalyst fund request and to work with the Planning staff to finalize the approval; or
4. The Board can recommend changes be made to the proposed sign design and ask that the applicant present a modified design to the Board at a subsequent DRB meeting.

Staff Recommendation

Recommended Motion: “Based upon the finding that the application meets the design principles of the Derby Design Guidelines, I move that the Derby Review Board grant approval in case DRB-062-17, a Derby Redevelopment application for the property located at 6460 East 73rd Avenue.”

Recommended Catalyst Fund Motion: “I move that the Derby Review Board approve the use of catalyst funds in an amount not to exceed **\$4835.00** to reimburse the applicant for costs the City determines qualify under the program.”

Advisory: The applicant shall comply with the Land Development Code requirements pertaining to signage and obtain an approved sign permit from the Community Development Department prior to installation of any signage.

Alternative Motions

Approval with Conditions Motion: “Based upon the findings that the application meets the design standards and principles of the Derby Design Guidelines, I move that the Derby Review Board grant approval in case DRB-062-17 subject to conditions and one advisory, a Derby Redevelopment application for the property located at 6460 East 73rd Avenue.”

List conditions

Amended Catalyst Fund Motion: “I move that the Derby Review Board approve an amended amount of catalyst funds in an amount not to exceed \$_____ to reimburse the applicant for costs the City determines qualify under the program.”

Denial Motion: “Based upon the finding that the application does not meet the design standards and principles of the Derby Design Guidelines, I move that the Derby Review Board **deny** case DRB-062-17, a Derby Redevelopment application for the property located at 6460 East 73rd Avenue.”

Denial Catalyst Fund Motion: “I move that the Derby Review Board **deny** the use of catalyst funds.”

Attachments

Please see the following pages for illustrations and plans of the proposed project which include:

- Location within the Derby Downtown District
- Aerial view of site

Location within the Derby Downtown District:



Legend

- Commercial
- Residential
- Mixed-Use
- Institutional
- Green Space

Subject Property

Downtown Derby
Master Plan

Aerial view of site:

