

STAFF REPORT

Derby Review Board

Meeting Date: December 10, 2019

Case Planner: Caitlin Long

Case #: DRB-075-19

Location: 7240 Monaco Street, Commerce City, CO 80022

**Applicant/
Owner:** Joel David Martinez
7240 Monaco Street, Commerce City, CO 80022

Request:

1. The applicant is requesting Derby Review Board approval of exterior deck improvements as the first phase in converting the existing house into a commercial business.
2. The applicant is requesting approval of \$10,733 of Commercial Catalyst Program funds in association with the exterior improvements.

Staff Recommendation:

Staff is recommending approval of the exterior improvements and Catalyst Funds as the proposal 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	Commercial	Multi-tenant retail	PUD
South	Commercial	Eagle Tires	PUD
East	Residential	Single-family detached house	PUD
West	Commercial	Yellow Rose event center	PUD

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 on the east side of Monaco Street along East 72nd Place. The applicant is the owner of the subject property. The entire lot area is 16,404 square-feet and is divided approximately in half, with the northern portion containing a legally non-conforming single-family detached house and the southern portion containing a parking lot that currently serves the adjacent Yellow Rose Event Center, which the applicant also owns. The subject property is designated as commercial/mixed-use.

Landscaping along Monaco Street adjacent to the Yellow Rose parking lot was approved in case DRB-058-16, along with associated catalyst funds, and the vinyl and stone fencing was approved in case DRB-066-17. Both of these projects have been completed.

Summary of Applicant's Request

This project is the first phase in the process to remodel the house into a commercial structure for a coffee shop/eatery business. The applicant is proposing to build a large outdoor deck on the west side of the building, facing Monaco Street, complete with railings, a ramp for accessibility, and a trellis or pergola above the deck to provide outdoor seating and dining space for the business. The proposed deck and railing will be built out of a composite recycled plastic material that looks like wood but is more weather resistant and long lasting. Subsequent phases of the project will include new windows and doors on the west side of the building opening out onto the deck, an addition on the east side of the building, and new exterior siding. There may be additional catalyst fund requests for these future phases in accordance with Derby Review Board policy.

Staff Analysis

The applicant's request for deck improvements has been reviewed 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 history and architectural character of the subject property and the context of the surrounding buildings and properties in order to establish sufficient detail for design review of the proposed improvements.

Property History

The subject property is located on a corner lot within the Derby Downtown District. The applicant is the owner of the adjacent Yellow Rose Event Center, and purchased the subject property in 2016. The house that exists on the site is oriented towards East 72nd Place, although the proposed modifications as part of the conversion to commercial use will reorient the front door to Monaco Street. According to the Adams County Assessors records, the house, formerly owned by Denver Black, was constructed in 1935. The paved parking lot area was completed in 2016 along with the fencing, landscaping, and signage improvements that were approved as part of DRB-058-16.

Figure 1: Subject Property



Surrounding Properties

The subject property is adjacent to the Derby Diamond at Monaco Street and East 72nd Place. While the house on the subject property was built in the 1930s in a traditional architectural style, the surrounding commercial buildings were generally constructed several decades later around the 1950s/1960s in a Modernist architectural style. Figures 2 and 3 show the adjacent buildings to the subject property.

Figure 2: Yellow Rose Event Center to the west



Figure 3: Adjacent in-line commercial center to the north



Architectural Character

The existing house was built in a simple traditional style common for the early to mid-1900s, with horizontal wood siding, a steep pitched roof, and shallow eaves. The applicant's proposed improvements will convert the house into commercial space for a coffee shop or light restaurant, including an addition to the east of the building and opening the west façade with new doors and windows facing onto a large wood-look composite outdoor deck with a pergola.

While much of Derby's core was built in the 1950s, the Derby Sub-Area Plan also states that "Another unifying factor, the predominance of Hispanic culture, has led to a consensus that the Derby Sub-Area also be expressive of this culture, as represented by El Jardin's architectural style, and not be exclusive of other culture." The architectural style of the completed remodel is in line with this cultural influence, and will be compatible with the surrounding architecture through the use of similar blond, tan, and brown masonry colors and texture. Further, the Historic Derby District Survey completed in 2013 does not identify this property as a contributing resource to a potential historic district, and it would not be eligible for the state or national historic registers. Therefore, the impact of the deck and future phases of the remodel on the architectural significance of Derby is minimal despite the age of the structure. The outdoor deck that is the subject of this request will provide a beautiful outdoor space in the heart of Derby where people can gather and visit the new commercial business, spurring additional economic growth and revitalization in the district.

Although the architectural styles throughout Derby vary, the variety tells the story of commercial development over time within the Derby Downtown District, and the proposed deck and future remodel represent the next chapter in that story. This context has been considered by staff and is important to the review of the project 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 improvements have been reviewed against and found to meet the standards of the Land Development Code.

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 Derby Design Guidelines state that improvements to non-1950s era properties shall retain and preserve the historic character of the building, remaining an expression of their time, and conform to the design standards with respect to design, materials, and color. While the proposed remodel will update the exterior of the building to reflect the cultural aesthetic in Derby, the overall historic form of the structure will remain.

Buildings located on corners at street intersections must also emphasize and anchor the corner, providing outdoor spaces that are a key component in the creation of successful people-oriented places. The applicant's proposed deck and pergola will establish an inviting gathering place in the core of Derby while providing enhanced pedestrian connectivity with an accessible ramp and new connection to East 72nd Place. This proposal will bring a great new pedestrian experience to the intersection of East 72nd Place and Monaco Street in accordance with the Pedestrian Amenities section of the Derby Design Guidelines, and will better serve the future business to be located in the remodeled structure.

Finally, the Design Guidelines seek to use high-quality materials for all improvements, including glass, brick, stone, architectural metals, and stucco, with wood architectural accents and landscape features. The applicant proposes to use the Trex recycled plastic composite system, which features a wood appearance with superior weather resistance and durability, with Trex and metal railings.

Derby Design Guidelines -- Goals for this Application:

Goal #2: Re-establish Derby as a destination through:

- **Providing and encouraging healthy daytime and nighttime activities.**
- **A friendlier and safer pedestrian environment.**

Goal #4: Revitalize Derby through:

- **Multi-functional spaces that ensure a variety of uses at different times.**
- **Support and promotion of existing businesses and property owners.**

Goal #7: Transform Derby into a healthy and multi-modal traffic environment, while continuing to support the necessity of the automobile, through:

- **Pedestrian connection improvements to community assets.**
- **Comfortable places to sit and meet.**

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 commercial use of the subject property for a coffee shop or restaurant is a legal and conforming use in Derby.

Final Analysis

When considering new landscape improvements, the nearby architectural character should be complemented and the streetscape should be improved to promote Derby as a walkable mixed-use destination. Based on staff's review, the proposed deck improvements will enhance the pedestrian view of the frontages along Monaco Street and East 72nd Place and create an inviting outdoor space for the future commercial use of the property. The design of the proposed remodel (which will occur in future phases) appears to be in accordance with the Derby Design Guidelines.

The applicant is also requesting catalyst funds in the amount of \$10,733 to help offset part of the cost of the deck and pergola improvements. Although the property contains a house, it has not been used residentially for almost a year, and will be brought up to code for commercial uses in future phases of this project in 2020.

City staff concludes that the proposed improvements are harmonious with the principles of the Derby Design Guidelines and fulfills the goals of the redevelopment program. The wood-look composite deck and pergola with an accessibility ramp will coordinate with the existing enhanced fencing materials on the site and with the proposed exterior remodel of the house. It will also enhance the pedestrian realm and provide economic stimulus at this prominent intersection.

As a result, the Planning Division recommends **approval** of the request, subject to one condition regarding the conversion of the house for commercial uses. However, the Board has several options to choose from in making a decision:

1. The Board can choose to approve the proposed deck improvements;
2. The Board can choose not to approve the proposed deck improvements;
3. The Board can recommend approval with changes to the proposed deck improvements and to work with the Planning staff to finalize the approval; or
4. The Board can recommend changes be made to the proposed deck improvements 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 standards and principles of the Derby Design Guidelines, I move that the Derby Review Board grant approval in case DRB-075-19, a Derby redevelopment application for the property located at 7240 Monaco Street, subject to one advisory:”

Advisory: The applicant shall obtain an approved building permit from the Community Development Department prior to installation of the deck.

Recommended Catalyst Fund Motion: “I move that the Derby Review Board approve the use of catalyst funds in an amount not to exceed **\$10,733.00** to reimburse the applicant for costs the City determines qualify under the program, subject to one condition and one advisory.”

Condition: The applicant shall submit building permits for the remodel of the house into commercial space prior to reimbursement of catalyst funds associated with this request.

Advisory: In accordance with Derby Review Board Policy 2014-1, catalyst funds for façade renovations such as this will expire if the project is not commenced within 6 months and completed within 12 months.

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-075-19 subject to conditions and one advisory, a Derby Redevelopment application for the property located at 7240 Monaco Street.”

List conditions

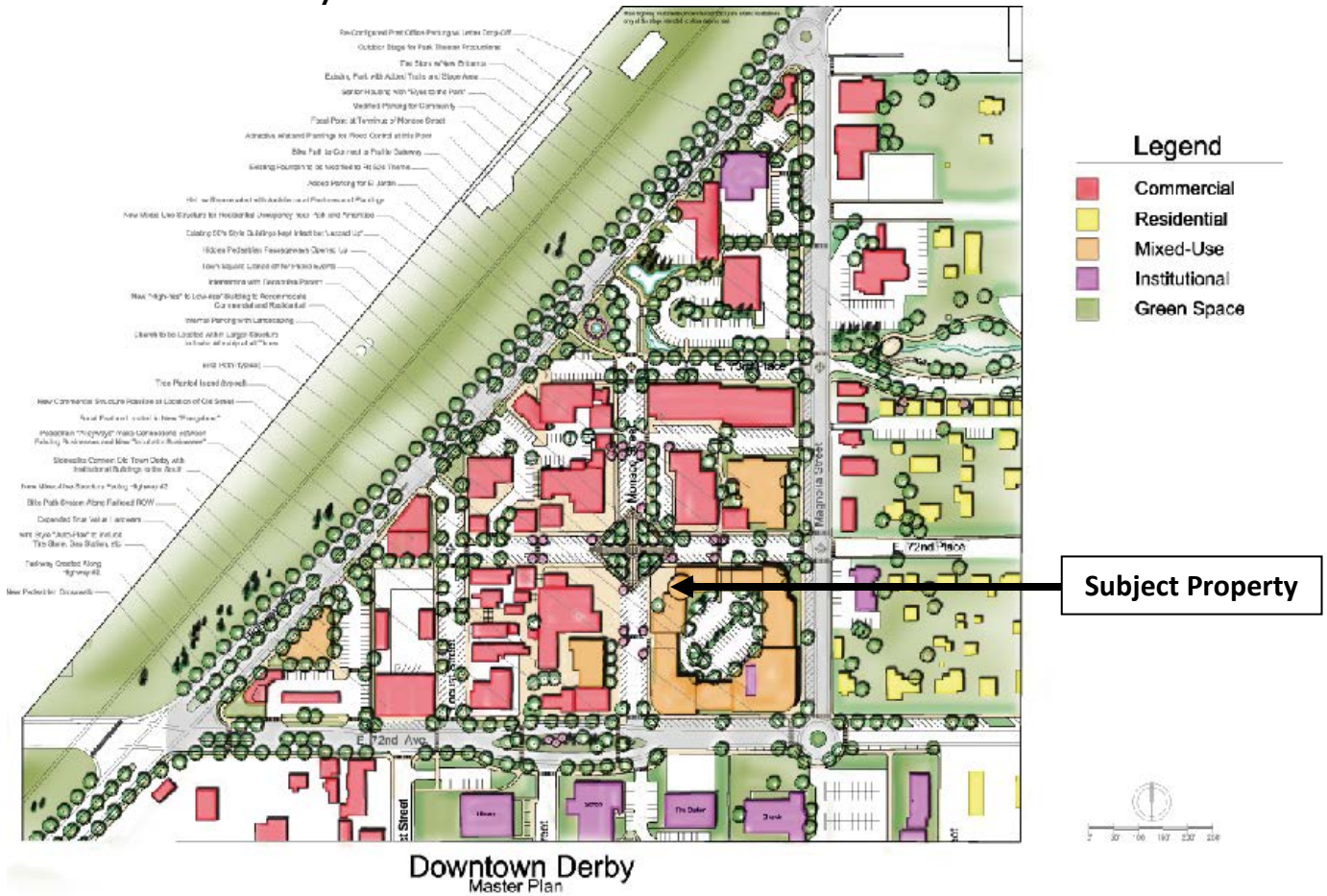
Denial Motion: “Based upon the finding that the application does not meet the design standards and principles of the Derby Design Guidelines, I move that the Derby Review Board **deny** case DRB-075-19, a Derby Redevelopment application for the property located at 7240 Monaco Street.”

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
- Applicant’s project description and drawings

Location within the Derby Downtown District:



Aerial view of site:

