

# STAFF REPORT

## Derby Review Board

<b>Meeting Date:</b>	February 17, 2026	<b>Case Planner:</b>	Terrance Ware
<b>Case #:</b>	DRB25-0001		
<b>Location:</b>	6525 East 72 <sup>nd</sup> Place, Commerce City, CO 80022		
<b>Applicant/ Owner:</b>	Mark Sink 3035 Wyandot Street, Denver, CO 80211		
<b>Request:</b>	1. The applicant requests Derby Review Board approval for window replacement. 2. The applicant requests Derby Review Board approval for \$3,350 of catalyst funds.		
<b>Staff Recommendation:</b>	Staff is recommending approval of the proposed requests as the proposed window replacement meets the design principles of the Derby Design Guidelines.		
<b>Current Zone District:</b>	PUD (Planned Unit Development District)		
<b>Comp Plan Designation:</b>	Commercial/Mixed Use		
<b>Surroundings</b>			
<b>Existing Land Use</b>		<b>Occupant</b>	<b>Zoning</b>
North	Residential	Single-family house	PUD
South	Residential	Single-family house	PUD
East	Commercial	Commerce City Dental Center	PUD
West	Commercial	Strip retail (Small Business Resource Center, Metro PCS, etc.)	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 E. 72<sup>nd</sup> Avenue to the south, Hwy 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 north side of East 72<sup>nd</sup> Place between Monaco Street and Magnolia Street. The entire lot area is approximately 2,763 square feet, and contains a 2,475 square foot brick commercial retail building that was built in 1954. This property was previously owned by the Toedtli family, which operated it for a number of years as an auto parts store. It has been vacant since the mid-2000s, and was purchased in 2017 by the applicant, Mark Sink. The subject property is designated as commercial/mixed-use and is legally conforming.

### Summary of Applicant's Request

The applicant is requesting approval for window replacement on the front of the building and associated catalyst funds. He plans to reuse the original angles 1950s window frames to keep the original historical façade. As an artist and curator, Mr. Sink intends to restore the structure for use as an art studio and non-profit gallery space.

## Staff Analysis

The applicant's request for new windows 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.

### Building History

According to the Adams County Assessor's records, the subject building was constructed in 1954. The building is approximately 2,475 square-feet and was primarily used as an auto parts retail store. It has been vacant for a number of years and fallen into disrepair, including broken and boarded up windows on the front façade. The applicant purchased the subject property earlier this year and intends to restore it to its original character.

### Architectural Character

The subject building's architecture has been influenced by the Modern/International style. These architectural styles are defined by the large use of concrete or masonry. Often this style of architecture was utilized to construct buildings with a focus on function rather than form. This architectural style was prominent across the United States in the 1950s and 60s. The building has several angled parking spaces along East 72<sup>nd</sup> Place, and a narrow sidewalk between the parking and the building. Although the windows and doors are boarded up, the applicant states that the original window frames from the 1950s are intact, and he intends to reuse them with new glass to preserve the appearance and character of the storefront.

Figure 1: Subject Building



### Surrounding Properties

The subject building is located mid-block along East 72<sup>nd</sup> Place. The adjacent buildings are the strip commercial center building which fronts onto Monaco Street and the Commerce City Dental Center building which fronts onto Magnolia Street. The strip commercial building to the west was constructed at a similar time and is built in a nearly identical architectural style as the subject building, but includes a prominent awning on the front. Figure 2 shows the adjacent building to the subject property to the west.

Figure 2: In-line commercial building to the west



To the east, the Commerce City Dental Center building was built in 1991, and does not typify modernist architectural characteristics, but utilizes brick materials that are common throughout Derby. Figure 3 shows the side of the building as viewed from East 72nd Place.

Figure 3: Dental office building to the east



Although the architectural styles throughout the Derby District vary and are not all a match with the subject property, the variety of styles tell the story of commercial development within the Derby Downtown District.

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. Window replacement is not governed by the Land Development Code, but will require a building permit and compliance with applicable building code 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 Derby Design Guidelines require that improvements to buildings with 1950s character retain and preserve the historic character of the building through the design, materials, and color of the proposed improvements. The Design Guidelines also strongly encourage the use of glass as much as possible to allow natural light and visibility into commercial shops.

The proposed windows meet the standards of the Derby Design Guidelines by restoring a boarded-up storefront to its former glory and reusing the original 1950s angled display window frames, which are a unique architectural feature of this property that is characteristic of the time period in which it was built but often lost over time to cheaper vertical windows. The natural light and visibility into the building will bring life and vibrancy back to this abandoned mid-block building.

## **Derby Design Guidelines -- Goals for this Application:**

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

- A friendlier and safer pedestrian environment.

### **Goal #4: Revitalize Derby through:**

- Incorporating a greater variety of land use options.

### **Goal #5: Use the 1950s era as a unifying architectural foundation for greater identity while still encouraging building to be an expression of their individual time, use, and function.**

## **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 art studio/gallery is considered a legal, conforming use in Derby.

## **Final Analysis**

The applicant's new use of the subject property is an incredible opportunity for the Derby Downtown District, introducing an art space and restoring a historic building. The architectural style of the subject building is an excellent example of the modernist architectural style and blonde brick found throughout Derby. When considering new improvements, the detail and character of the individual improvements

should be consistent with the character of the building. Based on staff's review, the proposed windows will not diminish the architectural style of the subject building, but rather enhance the appearance of a boarded-up storefront and breathe new life into this part of the district.

City staff concludes that the proposed improvement is harmonious with the standards of the Derby Design Guidelines and fulfills the goals of the redevelopment program. The proposed windows are both an improvement to the building façade and to the Derby Downtown District.

As a result, the Economic and Community Vitality 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 design as presented;
2. The Board can choose not to approve the proposed design;
3. The Board can recommend approval with changes made to the proposed design and to work with the Planning staff to finalize the approval; or
4. The Board can recommend changes be made to the proposed design and ask that the applicant present a modified version 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 DRB25-0001, a Derby Redevelopment application for the property located at 6525 East 72<sup>nd</sup> Place."

**Recommended Catalyst Fund Motion:** "I move that the Derby Review Board approve the use of catalyst funds in an amount not to exceed \$3,350 to reimburse the applicant for costs the City determines qualify under the program."

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

## 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 DRB25-0001 subject to conditions and one advisory, a Derby Redevelopment application for the property located at 6525 East 72<sup>nd</sup> Place."

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 DRB25-0001, a Derby Redevelopment application for the property located at 6525 East 72<sup>nd</sup> Place."

**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."

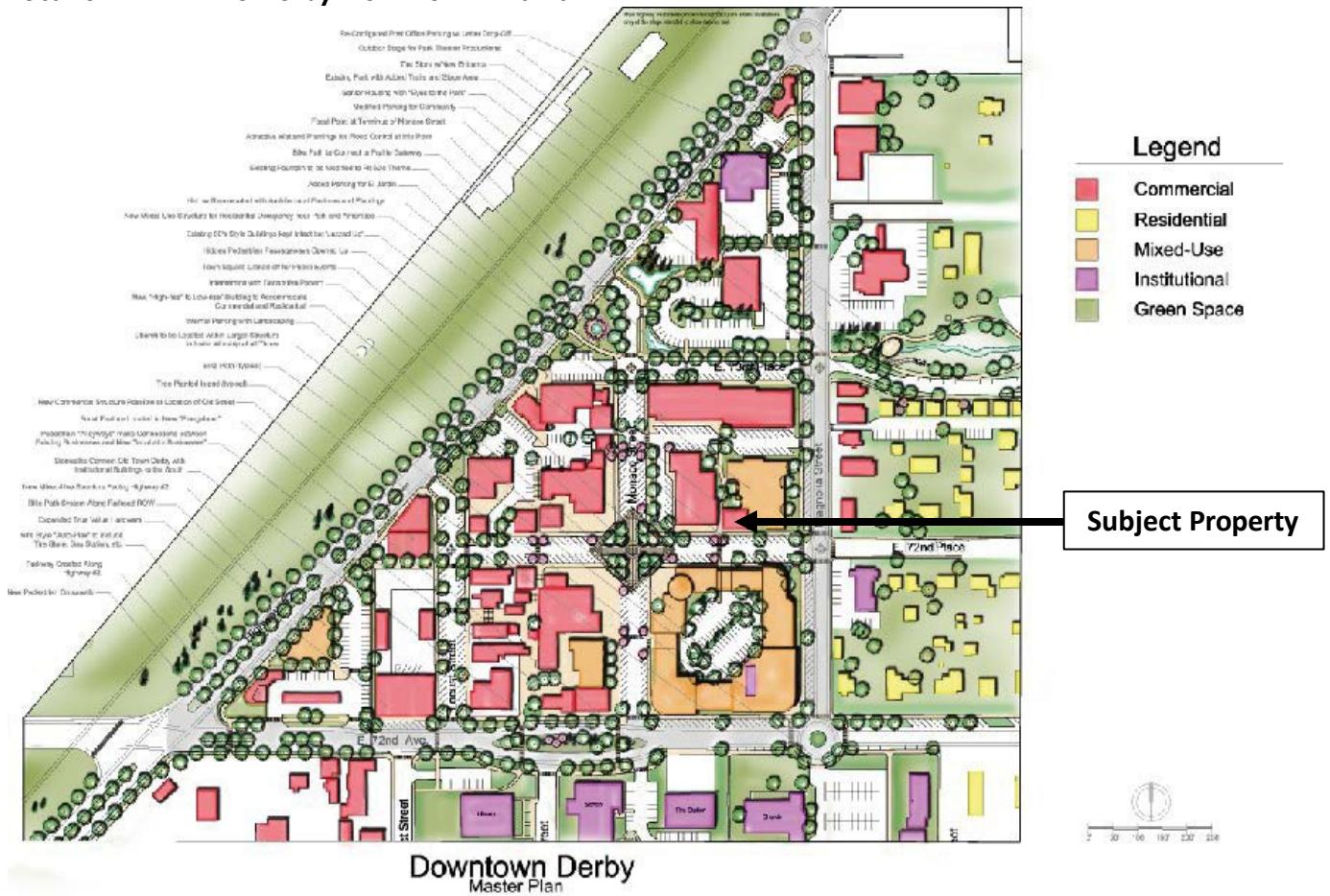
**Denial Catalyst Fund Motion:** "I move that the Derby Review Board deny the use of catalyst funds."

## 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
- Rendering of Proposed Signage on Building
- Photos from inside of the Small Business Resource Center

## Location within the Derby Downtown District:



### **Aerial view of site:**



## **Rendering of Windows on Building:**

