





# STAFF REPORT

## Derby Review Board

**Meeting Date:** November 17, 2015

**Case Planner:** Jared Draper

**Case #:** DRB-053-15

**Location:** 7230 Locust Street, Commerce City, CO 80022

**Applicant/  
Owner:** Brandon Braud DDS, LLC  
7230 Locust Street, Commerce City, CO 80022

**Request:**

1. The applicant is requesting Derby Review Board approval of new construction to add height to an existing building.

**Staff Recommendation:**

Staff is recommending approval of the proposed construction to increase the height of the existing building as the request 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	Commercial businesses	PUD
South	Commercial	Vacant	PUD
East	Commercial	Multi-tenant commercial building	PUD
West	Commercial	Younger Brothers Lumber	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 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 Locust Street between E. 72<sup>nd</sup> Place and E. 72<sup>nd</sup> Avenue. The applicant is the owner of the subject property. The entire lot area is 7,500 square-feet and contains a single story commercial building, constructed in 1945, that is approximately 2,160 square-feet. The building is designated as a commercial/mixed-use building and is legally conforming. The applicant requested approval of a sign in DRB-045-14 along with catalyst fund dollars. Catalyst funds were never issued to the applicant for the approved signage.

### Summary of Applicant's Request

The applicant is requesting to increase the height of the exterior walls and to construct a pitched roof for the subject building. According to the applicant, there are a number of leaks in the existing roof that need to be repaired. The applicant has also expressed interest in the possibility of solar panels on the roof and therefore is proposing a pitched roof rather than the existing flat roof. The overall height of the proposed building will be 23.5-feet. The previously proposed tooth sign will not be placed on the proposed roof and the siding is proposed to be brown to match the adjacent buildings.

## Staff Analysis

The applicant's request for enhancements to the building, including new walls and a pitched roof, 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 construction.

### Building History

The subject property is located on a unique lot within the Derby Downtown District. The applicant is the owner of the subject property and operates a Dentist Office within the building. According to the Adams County Assessors records, the subject building was constructed in 1945 as a commercial building. The building itself is approximately 2,160 square-feet.

### Architectural Character

The subject building's architecture has been influenced by the Mid-Century style. These architectural styles are defined by clean lines and simple design. Often this style of architecture was utilized to construct buildings with a focus on function rather than form. The image in Figure 1 of the subject building clearly shows that the character of the building has only been influenced by the Mid-Century architectural style and does not have much architectural detail that would indicate other styles. This architectural style was prominent across the United States in the 1950s through 70s. To the North and South are buildings that were also constructed with an emphasis on function rather than form although each was built in a different era.

Figure 1



## Surrounding Properties

The subject building is adjacent to Locust Street right-of-way. As previously noted, the adjacent buildings were constructed with a similar emphasis on the function of the buildings. The building to the North was constructed in 1922 (Figure 2) while the building to the South was constructed in 1965 (Figure 3). Neither of the buildings highlights features that were consistent with a more traditional 1950's style as described in the Derby Design Guidelines.

Figure 2



Figure 3



### **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 term “Googie architecture” is a form of modern architecture, a subdivision of futurist architecture influenced by car culture, the Space Age, and the Atomic Age. Originating in Southern California during the late 1940’s and continuing approximately into the mid-1960s, Googie-themed architecture was popular among motels, coffee houses and gas stations. This form of architecture is present throughout the Derby Downtown District, perhaps best exemplified by the former Hi Lo Market (now Save-a-Lot) and became the adopted design theme for the Derby Master Plan and Design Guidelines.

The proposed construction on the building does meet the standards within the Derby Design Guidelines. There are a number of standards and principles for improvements or additions to existing buildings in the Derby District. Among the various criteria used to analyze the request, the applicant's proposal meets the following standards and principles:

- Improvements to buildings not constructed in the 1950's era shall retain and preserve the historic character of the existing building
  - The applicant is increasing the height of the walls and therefore not disrupting the existing nature of the building
- No one material should dominate a building
  - The existing building is constructed of brick and the new walls will have siding that gives relief to the existing material used.

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

##### **Goal #3: Become an Environmental Model through:**

- Environmental design such as renewable energy

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

- Increase building heights

#### **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, Dr. Braud's office is considered a legal, conforming use in Derby.

#### **Compliance with the Land Development Code**

As used City-wide, the Land Development Code (LDC) is utilized as the regulating framework for all proposed projects, signs and development in Derby. Standards pertaining to building height and setback, parking, landscaping, signage, lighting, design, and accessory use is contained in the LDC. Development standards default to the LDC for conformance when not specifically referenced in the Derby Design Guidelines. This project has been evaluated for conformance with the LDC and staff has determined that the applicant is compliant with all applicable LDC requirements. The applicant is eligible to apply for a building permit for the proposed construction if the design is approved by the Board. The proposed construction meets the standards with regards to height and materials within the LDC.

## **Final Analysis**

Dr. Braud's dentist office is a business that serves the Derby District and can generate additional trips to Derby for the services they provide. The applicant is requesting to increase the building height and install a pitched roof on the subject property. The request aligns with all of the applicable standards within the LDC and aligns with the goals, standards, and principles within the Derby Design Guidelines. Increasing the height of buildings specifically noted within the goals of the Derby Design Guidelines as a mechanism for improving existing buildings within the District. The proposed improvements will not only provide for additional height but also repair the leaks in the existing roof. The siding is proposed as a brown to match existing colors of the building to the north and fit into the neighborhood context. Lastly, the applicant is not proposing to install the previously approved tooth sign on the new roof of the subject building.

City staff concludes that the requested construction is harmonious with the Derby Design Guidelines and implements the goal of revitalizing the Derby Downtown District. Through increasing the height of an existing building, the applicant will have the opportunity to install solar panels on

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 construction design as presented;
2. The Board can choose not to approve the proposed construction design;
3. The Board can recommend approval with changes made to the proposed construction design request and to work with the Planning staff to finalize the approval; or
4. The Board can recommend changes be made to the proposed construction 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-053-15, a Derby Redevelopment application for the property located at 7230 Locust Street."

**Advisory:** The applicant shall comply with the Land Development Code requirements pertaining to building additions and obtain a building permit from the Community Development Department prior to any construction.

## 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-053-15 subject to conditions and one advisory, a Derby Redevelopment application for the property located at 7230 Locust Street."

List conditions

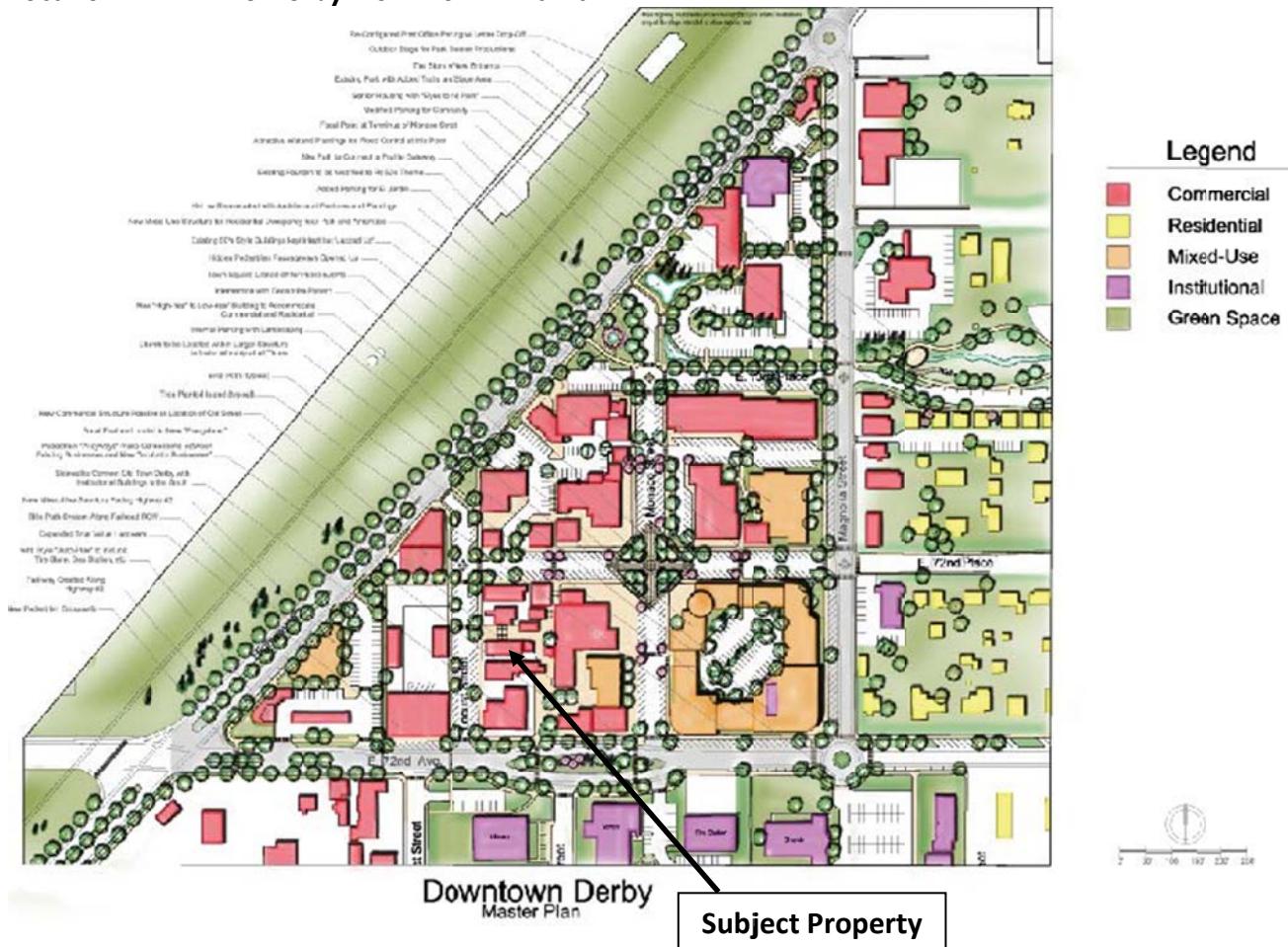
**Denial Motion:** "Based upon the finding that the application does not meet the design standards and principles of the Derby Design Guidelines, I move that the Derby Review Board **deny** case DRB-053-15, a Derby Redevelopment application for the property located at 7230 Locust Street."

## Attachments

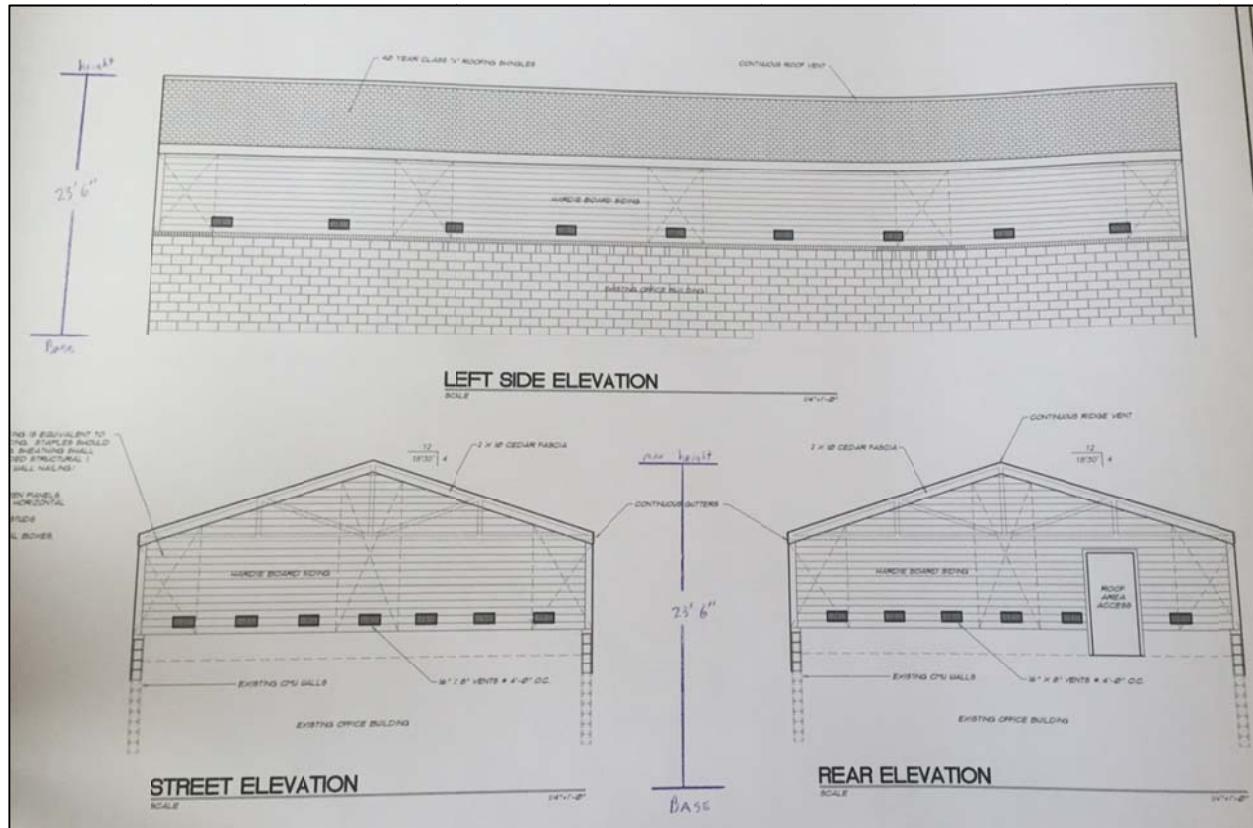
Please see the following pages for illustrations and plans of the proposed project which include:

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

## Location within the Derby Downtown District:



## **Proposed sign design and supports:**



**Aerial view of site:**



