

# STAFF REPORT

## Derby Review Board

**Meeting Date:** September 15, 2015

**Case Planner:** Jared Draper

**Case #:** DRB-051-15

**Location:** 7350 Highway 2, Commerce City, CO 80022

**Applicant/  
Owner:** A Good Shop Inc.  
10750 Irma Drive, Northglenn, CO 80233

**Request:**

1. The applicant is requesting Derby Review Board approval of exterior improvements to the subject property including new paint and garage doors.
2. The applicant is requesting the Derby Review Board approval of \$15,356.65 in catalyst funds.

**Staff Recommendation:** Staff is recommending approval of the proposed improvements and catalyst fund request as the proposed enhancements 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

<u>Existing Land Use</u>		<u>Occupant</u>	<u>Zoning</u>
<b>North</b>	Commercial	Glass and repair	PUD
<b>South</b>	Commercial	Vacant parking lot	PUD
<b>East</b>	Commercial	Key Bank	PUD
<b>West</b>	ROW	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 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 East side of Highway 2 along Monaco Street. The applicant is the potential tenant of the subject property. The entire lot area is 19,602 square-feet and contains a single story service garage building. The building is approximately 7,220 square-feet with building frontage on both Monaco Street and Highway 2. The subject property is designated as commercial/mixed-use and is legally conforming. There is a concurrent Conditional Use Permit case (CU-112-15) being reviewed for the use of the property as an auto body shop. The applicant shall not use this property for auto body repair until the approval of the CUP by City Council. If approved by the Derby Review Board, enhancements to the site prior to the CUP approval will be at the risk of the applicant.

### Summary of Applicant's Request

The applicant is requesting exterior enhancements to the building for his new business within the Derby District. The applicant is proposing new paint on the building along with new garage doors to replace existing doors. The applicant is proposing additional enhancements to the subject property pending the approval of the Conditional Use Permit.

**Proposed Façade:****Staff Analysis**

The applicant's request for enhancements to the building, including paint and new overhead doors, 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. This property was included in the Derby PUD Amendment No. 2 to allow for auto repair through the Conditional Use Permit process.

**Building History**

The subject property is located on a unique lot within the Derby Downtown District. The applicant is the potential tenant of the subject building. According to the Adams County Assessors records, the subject building was constructed in 1971 as a service garage. The building itself is approximately 7,220 square-feet. Prior to the applicant, the subject building has not been used in several years.

**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. This architectural style was prominent across the United States in the 1950s through 70s. To the East and the North are buildings that were constructed within a similar time period with a similar use of materials for some areas.

**Figure 1: Subject Building**



**Surrounding Properties**

The subject building is adjacent to both the Monaco Street and Highway 2 right-of-ways. As previously noted, the adjacent buildings were constructed at a similar time and have some of the same building materials as the subject building. However, Key Bank uses the materials and architectural detail and a more unique and appealing manner than other buildings in the near vicinity. Figures 2 and 3 show the adjacent buildings to the subject property.

Figure 2: Auto Glass Repair to the North



Figure 3: Key Bank 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. Additionally, the subject building is bordered by 2 buildings that were built in the same time period. 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 enhancements have 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 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.

The applicant is requesting enhancements to the façade of the subject building that are in alignment with the Derby Design Guidelines. The proposed enhancements at this time include exterior paint as seen in the proposed façade and new garage doors for the building. These improvements total have been quoted at \$30,713.30 to the applicant. The applicant is requesting the max of 50% reimbursement for these improvements, a total of \$15,356.65. The proposed enhancements bring the existing building into further alignment with the vision and goals of the Derby Sub-Area Master Plan and the Derby Design Guidelines. These documents envision the buildings within the Derby Downtown District to have attractive facades that are well maintained and inviting to visitors. The upgrades to a currently vacant site will dramatically improve the Derby District as a whole and has the potential to increase use of the area through a new business with customers and employees.

Additional site improvements at a future date may include:

- Landscaping
- Fencings
- Awnings

- Additional glass work
- Signage

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

#### **Goal #3: Enhance Derby's visibility and identity through:**

- **Unique business identification**

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

- **Support and promotion of new 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 auto body repair use requires a Conditional Use Permit that is currently being reviewed before the applicant can operate on the site.

### **Final Analysis**

The applicant is proposing significant enhancements to the subject building that has been vacant for several years. Additionally, the applicant continues to work with staff on potential site improvements pending the approval of the Conditional Use Permit. The original purpose of the subject building was a service garage as it was constructed in 1971 and the applicant intends to utilize the structure for such a purpose. The enhancements with paint and new doors create a more attractive site and the change in the doors is appropriate for the proposed use of the site.

The Derby Review Board is responsible for the review of the exterior changes to the building with regards to the catalyst fund request and the Derby Design Guidelines. The change in the color of the building is in alignment with the color palette in the Design Guidelines and the upgrade to the garage doors will replace all of the doors that are in disrepair. The use of the property will be reviewed as part of the Conditional Use Permit by both the Planning Commission and the City Council.

City staff concludes that the proposed enhancements are harmonious with the principles of the Derby Design Guidelines and fulfills the goals of the redevelopment program. Specifically, the enhancements are a sign of reinvestment into a currently vacant building within the Derby District. New businesses will attract additional customers as well as employees to discover all that the District has to offer. Lastly, the application is the first step in the improvements to the site and represents work between Staff and the applicant over the last several months.

As a result, the Planning Division recommends **approval** of the requests. 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-051-15, a Derby Redevelopment application for the property located at 7350 Highway 2.”

**Recommended Catalyst Fund Motion:** “I move that the Derby Review Board approve the use of catalyst funds in an amount not to exceed **\$15,356.65** 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-051-15 subject to conditions and one advisory, a Derby Redevelopment application for the property located at 7350 Highway 2.”

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-051-15, a Derby Redevelopment application for the property located at 7350 Highway 2.”

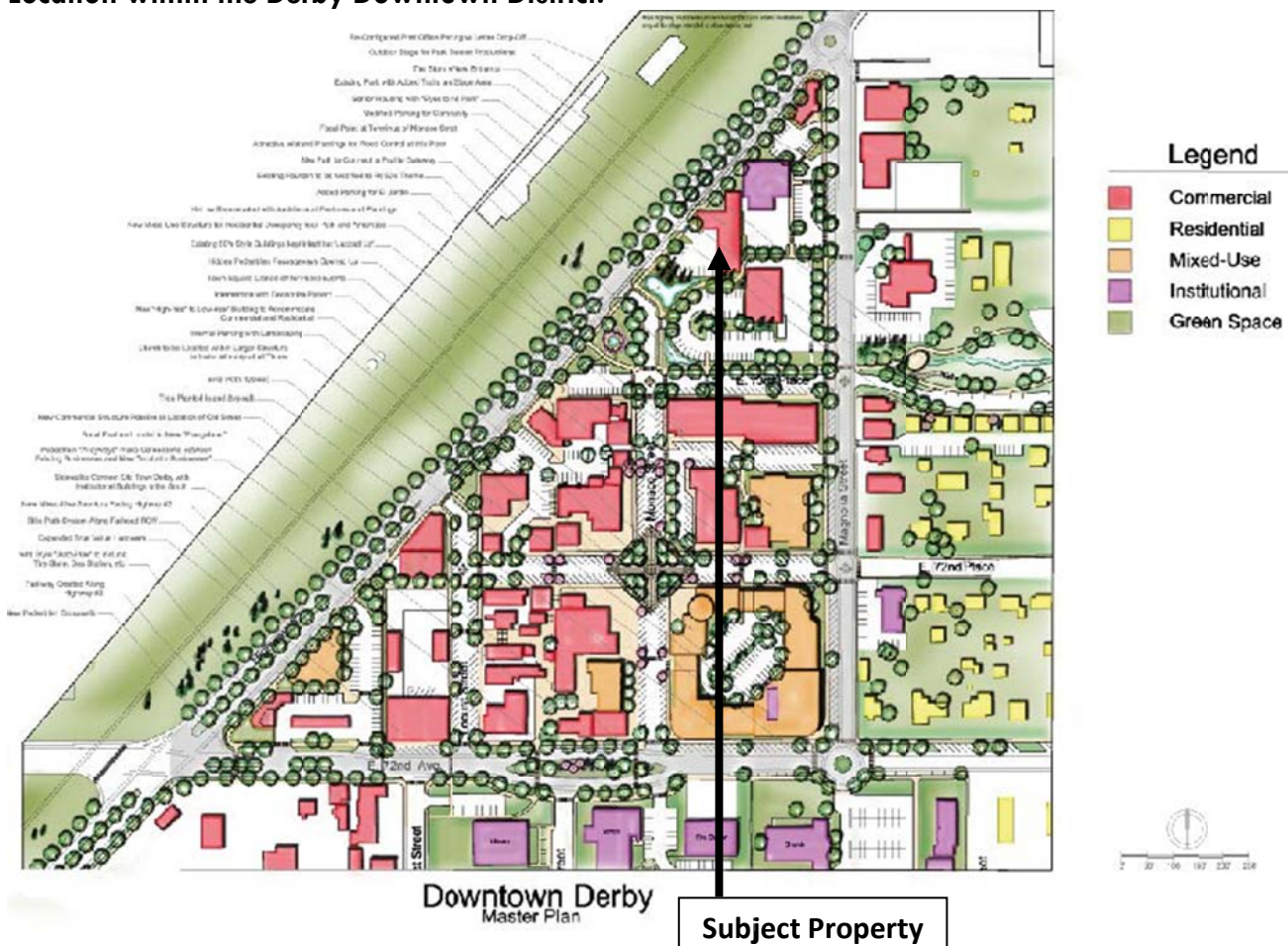
**Denial Catalyst Fund Motion:** “I move that the Derby Review Board **deny** the use of catalyst funds.”

## 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:**





Aerial view of site:

