

# STAFF REPORT

## Derby Review Board

**Meeting Date:** August 16, 2016

**Case Planner:** Caitlin Long

**Case #:** DRB-055-16-16

**Location:** 7390 Highway 2, Commerce City, CO 80022

**Applicant/  
Owner:** Werthwhile Inn, Inc./Beverly VanDeWeghe  
2400 East 121<sup>st</sup> Avenue, Thornton, CO 80241

**Request:** The applicant is requesting Derby Review Board approval of an amendment to the previously approved catalyst funds for new signage, from \$3,402.00 to \$3,663.17 (an additional \$261.17).

**Staff Recommendation:** Staff recommends approval of the proposed amendment to the catalyst fund request for an additional \$261.17 for a total of \$3,663.17.

**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>	Right of Way	Adjacent to Highway 2 and Magnolia Street	ROW
<b>South</b>	Commercial	United States Post Office	PUD
<b>East</b>	Commercial	Joe's Auto Service	PUD
<b>West</b>	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 72<sup>nd</sup> 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 west side of Magnolia Street along Highway 2. The applicant is the owner of the subject property. The entire lot area is approximately .24 of an acre and contains a single-story commercial building. The commercial building is approximately 1,740-square-feet with building frontage on both Highway 2 and Magnolia Street. The subject property is designated as commercial/mixed-use and is legally conforming.

In 2010, through Case DRB-020-10, the applicant received from the Derby Review Board approval for a building remodel, building addition, landscape improvements, and new signage. Although the Board approved these requests, the modifications to the building were never applied for and the approval subsequently lapsed. In April 2016, through case DRB-055-16, the applicant received approval of new signage, along with catalyst funds for the new sign.

### Summary of Applicant's Request

The applicant is requesting to amend the amount of catalyst funds previously granted for the new sign. The cost of the actual work was greater than the amount of the estimate upon which the catalyst fund approval was based. The estimated total cost was \$6,804, with up to \$3,402 eligible for reimbursement through the catalyst fund program. The actual cost of the signage was \$7,326.34.

Therefore, the applicant is requesting approval of additional catalyst funds for half of the difference between the original estimate and the actual amount paid.

The newly installed signage incorporates neon lighting and the 1950's theme found within the Derby Downtown District. The sign faces west towards Highway 2, and is approximately 45.70-square-feet. The previously existing beer sign was not affected by the previous approval. An image of the new sign is shown below:

**New Signage:**



**Staff Analysis**

The Derby Review Board previously concluded that the new signage is harmonious with the principles of the Derby Design Guidelines and fulfills the goals of the redevelopment program. Specifically, the sign utilizes a unique font that promotes the goals of the Derby Design Guidelines. The new signage is both an improvement to the building façade and to the Derby Downtown District, as it represents the 1950s theme. The applicant has stated that the business has received new customers due to the new sign, and that it would not have been possible without the help of the catalyst fund program. The \$3,402 previously approved by the Derby Review Board in case #DRB-055-16 has already been reimbursed to the applicant.

However, the total cost of the new sign exceeded the estimated amount in the original catalyst fund approval. To help offset the additional expense, the applicant is seeking approval of an additional \$261.17 from the catalyst fund, for a total of \$3,663.17. The current balance of the catalyst fund, less funds already allocated for other approved projects, is \$108,872.35.

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 additional catalyst funds as requested; or
2. The Board can choose not to approve the additional catalyst funds.

### Staff Recommendation

**Recommended Catalyst Fund Motion:** “I move that the Derby Review Board approve an amended amount of catalyst funds in an amount not to exceed **\$3,663.17** to reimburse the applicant for costs the City determines qualify under the program.”

### Alternative Motions

**Denial Catalyst Fund Motion:** “I move that the Derby Review Board **deny** the use of additional 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:**

**Subject Property**



**Downtown Derby**  
Master Plan

**Aerial view of site:**

