

STAFF REPORT

Derby Review Board

Meeting Date: September 19, 2017

Case Planner: Jenny Axmacher

Case #: DRB-068-17

Location: 6600 E. 74th Avenue, Commerce City, CO 80022

**Applicant/
Owner:** Jeanie Nuanes King
6641 Colorado Blvd Commerce City, CO 80022

Request:

1. The applicant requests Derby Review Board approval for exterior façade improvements.
2. The applicant requests Derby Review Board approval for \$25,000 of catalyst funds.

Staff Recommendation: Staff is recommending approval of the proposed requests as the proposed exterior façade improvements meet the design principles of the Derby Design Guidelines.

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>
North	Commercial	Dollar General	C-3
South	Commercial	Maranatha Commerce City	PUD
East	Residential	Single-family house	C-1
West	Commercial	Werthwhile Sports Bar	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. 72nd 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 southeast corner of East 74th Avenue and Magnolia Street. The entire lot area is approximately 13,297 square feet, and contains a 2,700 square foot service garage building that was built in 1960 and another 2,400 square foot service garage that was also built in 1960. This property was previously owned by the Trustees of James M/Shirley E Arney, and operated as a vehicle service garage, "Joe's Auto Service" for a number of years. It has been vacant for the past few years, and was purchased last month by the applicant, Jeanie Nuanes King. The subject property is designated as commercial and is legally conforming.

Summary of Applicant's Request

The applicant is requesting approval for exterior façade improvements for both buildings and associated catalyst funds. Her goal is to rent the building to Artists to use as a working space to create fine art. Some of the artist could include painters, photographers, and sculptors. The applicants states "as most know with the ever increasing rents in Denver many artists have been priced out of their once affordable studios. The catalyst fund is helping us keep our budget down thus giving a direct assistance to artists who are desperately looking for this type of space. Our hope is to bring light to the adorable Derby Commerce City District area, and inspire our neighbors. "

The applicant is proposing two phases of improvements to the building. The façade improvements are part of phase 1. The applicant may continue with additional improvements in 2018 as part of phase 2. Phase 2 would include the building graphics, signage, landscaping and an outdoor art piece. She may request additional catalyst funds to continue with phase 2 next year.

Specifically, the applicant states that Phase 1 includes the basic repairs to the existing buildings. All items are on the facade, and landscape improvements list.

Concrete - will include regrading the area around the building so water sheds away from structure. All old concrete will be removed and replaced with new. A side walk around building and a large courtyard on the west side will be added.

Windows - Large retail grade doors with sidelights and transoms will be installed one on the west side one on the north. Exit doors will be replaced with commercial grade metal doors and panic hardware.

Paint Exterior - A more modern tone of grey will be applied to exterior.

Concrete Block and Siding Repairs - will fill in the doors that will be removed.

Exterior Lights - will be added on exterior for safety and beauty. All lights will use LED bulbs.

Staff Analysis

The applicant's request for exterior façade improvements for both buildings on site 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 remodel.

The applicant is proposing to get rid of the parking and instead convert the space into an outdoor patio area and landscape areas. The applicant is also proposing to remove many of the garage doors or replace them with storefront doors and windows. The applicant is also proposing to repaint the entire exterior. Sketches of the proposed improvements can be found at the end of this staff report.

Building History

According to the Adams County Assessor's records, the two adjoining subject buildings were both constructed in 1960. The buildings are approximately 2,700 and 2,400 square-feet respectively and were primarily used as vehicle service garage. It has been vacant for few years and in need of improvements and repair. The applicant purchased the subject property last month year and intends to remodel the exterior of the building to make it attractive and functional as studio and gallery space.

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 western building has a barrel vault ceiling that is worth noting and seen in other buildings in the district. The subject property has several head-in parking spaces along East 74th Avenue and on Magnolia Street, and a narrow sidewalk between the parking and the building.

Figure 1: Subject Building



Surrounding Properties

The subject buildings are located on the southeast corner of East 74th Avenue and Magnolia Street. The adjacent buildings are the Werthwhile Sports Bar, across Magnolia Street to the west which fronts onto Highway 2, the Dollar General across East 74th Avenue to the north that also fronts onto Highway 2, a Single-family house next door on East 74th Avenue and a commercial building housing Maranatha Commerce City to the south which fronts onto Magnolia Street. Both the Werthwhile Sports Bar and Maranatha Commerce City are within the Derby PUD while the Dollar General and Single-family Home are not. The Werthwhile Sports Bar was built in 1933 and the Maranatha building was built in 1969. Neither share strong architectural ties with the subject property.

Figure 2: Werthwhile Sports Bar building to the west



Figure 3: Maranatha Commerce City to the south



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. Façade improvements are not generally 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 other existing buildings that are not of the 1950's style shall retain and preserve the historic character of the building and conform to Design Standards. The design, materials, and color shall be consistent with the architectural style of the structure, and of its Context. The guidelines further state all buildings shall remain an expression of their time.

This proposal specifically meetings the following standards and principles:

- Design shall provide for Human Scale, interest, and variety to promote a Compatible sense of place for people to enjoy.
- Corner building Facades should include a façade of comparable quality in terms of architecture, materials and detailing on both Streets.
- Building forms and Facades should provide an awareness of indoor commercial activity through frequent doors and windows oriented toward public Streets and Open Space.
- Buildings should be supplemented and enhanced with landscaping and flowers in pots or planting beds where appropriate.

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 façade improvements will restore a vacant service garage and give it a new life as home to artist's studios and art galleries. These uses will help draw visitors into Derby and activate the district outside of normal business hours. This is particularly important with the building's location on the perimeter of the district since it can function as an entry to Derby. The proposed improvements will preserve the historic character of the buildings while still maintaining consistency with the design standards and letting visitors know they are entering a space dedicated to the Arts.

Derby Design Guidelines -- Goals for this Application:

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

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

Goal #3: 3. Enhance Derby's visibility and identity

- **Entrance icons**

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 previously used for auto repair. The architectural style of the subject buildings is mainly functional with an interesting roof form on the western structure. When considering new improvements, the detail and character of the individual improvements should be consistent with the character of the building and the district. Based on staff's review, the proposed façade improvements will not diminish the architectural style of the subject building, but rather enhance the appearance of a vacant service garage and provide a vibrant use in 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 façade improvements are both an improvement to the building façade and to the Derby Downtown District.

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 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 DRB-068-17, a Derby Redevelopment application for the property located at 6600 E. 74th Avenue.”

Recommended Catalyst Fund Motion: “I move that the Derby Review Board approve the use of catalyst funds in an amount not to exceed **\$25,000.00** 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 any façade improvements.

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-068-17 subject to conditions and one advisory, a Derby Redevelopment application for the property located at 6600 E. 74th Avenue.”

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-068-17, a Derby Redevelopment application for the property located at 6600 E. 74th Avenue.”

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.”

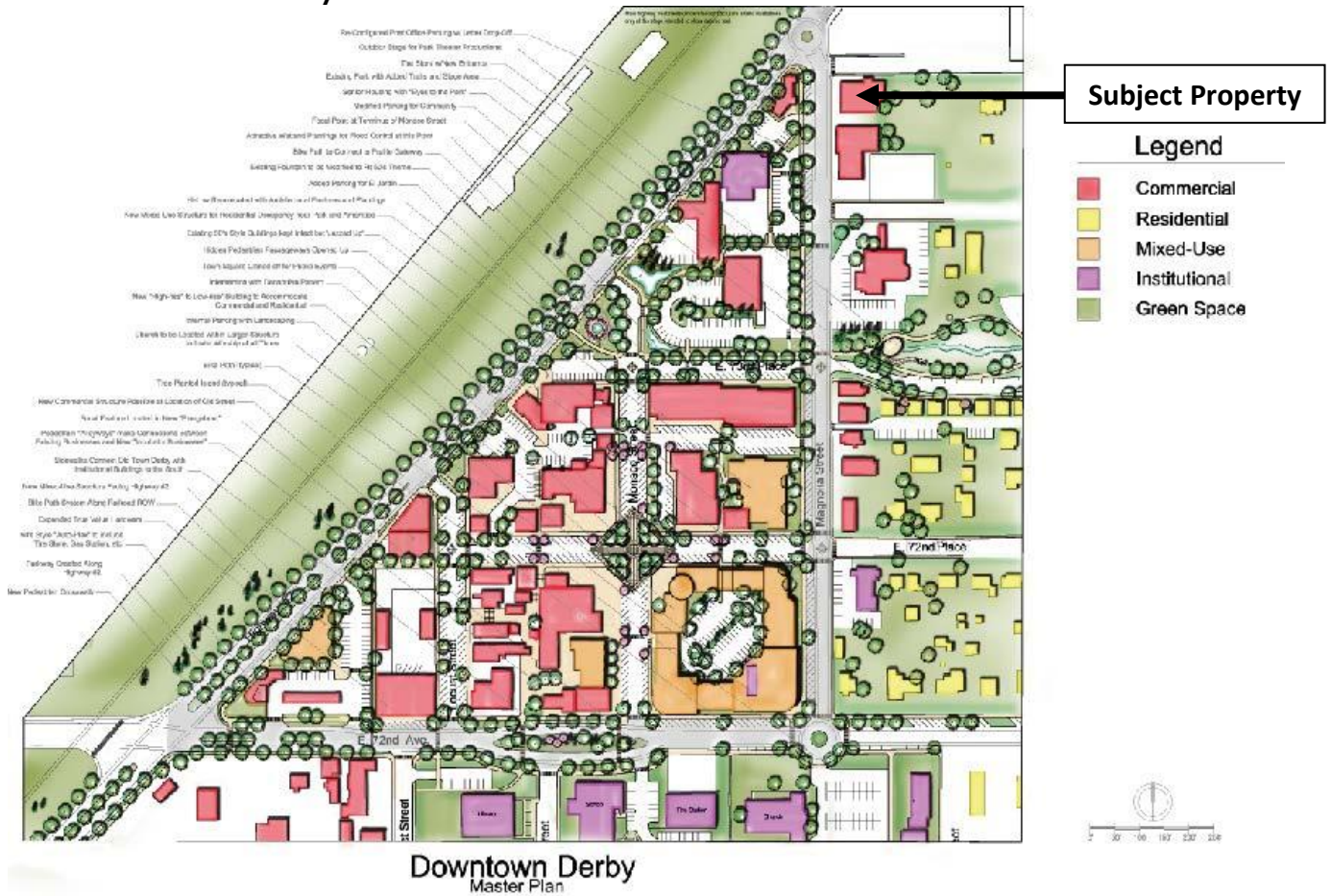
Denial Catalyst Fund Motion: “I move that the Derby Review Board **deny** the use of catalyst funds.”

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
- Sketches of Façade Improvements

Location within the Derby Downtown District:



Aerial view of site:



Sketches of Façade Improvements:

Magnolia Street Art Space



Magnolia Street Art Space

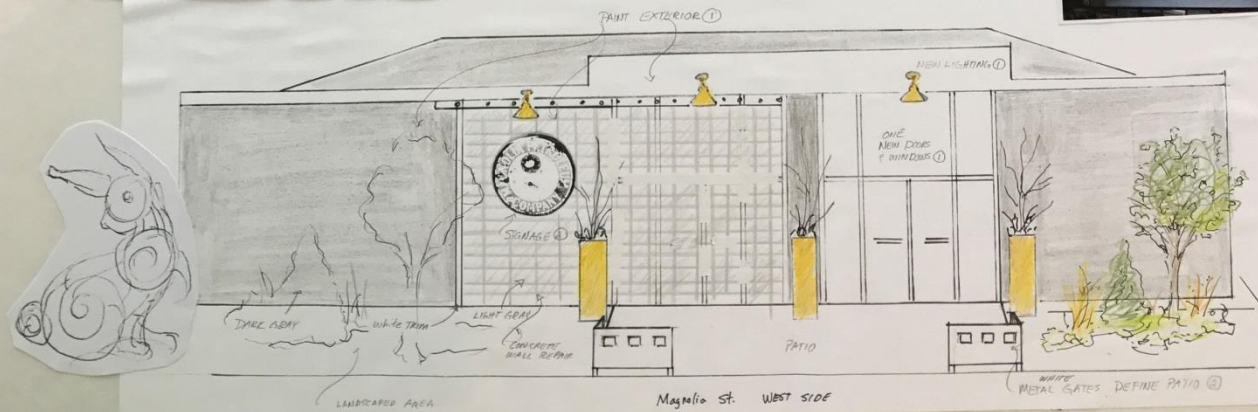


LARGE WINDOWS EXAMPLE



METAL SIGN EXAMPLE

RETAIL WINDOW EXAMPLE



Magnolia St Art Space, LLC

Operation Narrative Phase One

a.) Use and scope of project;

Magnolia St. Art Space is exactly as it states. Our goal is to rent our building to Artists to use as a working space to create fine art. Some of the artist could include painters, photographers, and sculptors. As most know with the ever increasing rents in Denver many artists have been priced out of their once affordable studios. The catalyst fund is helping us keep our budget down thus giving a direct assistance to artists who are desperately looking for this type of space. Our hope is to bring light to the adorable Derby Commerce City District area, and inspire our neighbors.

b.) Budget for the proposed project;

Phase 1 includes the basic repairs to the existing buildings. All items are on the facade, and landscape improvements list.

Concrete - will include regrading the area around the building so water sheds away from structure. All old concrete will be removed and replaced with new. A side walk around building and a large courtyard on the westside will be added.

Windows - Large retail grade doors with sidelights and transoms will be installed one on the west side one on the north. Exit doors will be replaced with commercial grade metal doors and panic hardware.

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Exterior Lights - will be added on exterior for safety and beauty. All lights will use LED bulbs.

Derby 2017 application

Phase 1

Concrete	13,200	Pritchard Concrete
Windows/doors	24,730	Santa Fe Glass
Paint Exterior	4,500	High-level Painting
Concrete & Siding Repairs	9,450	T-Hackbarth Roofing
Exterior lights	2,456	Kellem Electric
	54,336	

c.) Timeline for completion.

Once we have approval we can begin the work immediately.

Completion within 30 days. Weather permitting. On all except windows and doors

Completion Windows and doors 10-12 weeks after approval.

Owner has cash funds and only waiting on the Derby Review Boards approval.

Magnolia St. Art Space, LLC

Operation Narrative Phase Two

a.) Use and scope of project;

Magnolia St. Art Space is exactly as it states. Our goal is rent our building to Artists to use as a working space to create fine art. Some of the artist could include painters, photographers, and sculptors. As most know with the ever increasing rents in Denver many artists have been priced out of once affordable studios. The catalyst fund is helping us keep our budget down thus giving a direct assistance to artists who are desperately looking for this type of space. Our hope is to bring light to the adorable Derby Commerce City District area, and inspire our neighbors.

Phase 2 is the inspiring portion of our project. We would like a portion of the funds to hire artists to create beautiful murals, and a sculpture piece that is whimsical and striking. The location of the buildings has great visibility from south bound Highway 2 . The artistic details are sure to be noticed. The west side of the building will be turned into a beautiful garden patio are where people can gather. Metal area gates will help define the patio area.

b.) Budget for the proposed project;

Phase 2 items are on your landscape and facade improvements list.

Graphics - Beautiful big Magnolia Flower graphics painted by local graffiti artist will help add dimension to the building.

Bunny Sculpture - A large bunny made out of found metal pieces to be commission by a local artist to catch the eye and imagination of the community.

Landscaping - will include trees, ornamental grass, shrubs and ground cover on 3 sides of the building.

Metal Gates - 4" high Decorative metal gates will help define the patio area.

Signage - A vintage metal sign to be designed and installed on west side of building.

Derby 2018 application

Phase 2 projected costs hard estimates pending

Graphics	5,000	
Bunny sculpture	7,000	
Landscape/	5,000	
Metal gates	4,000	
Signage	2,000	23,000 Projected Total

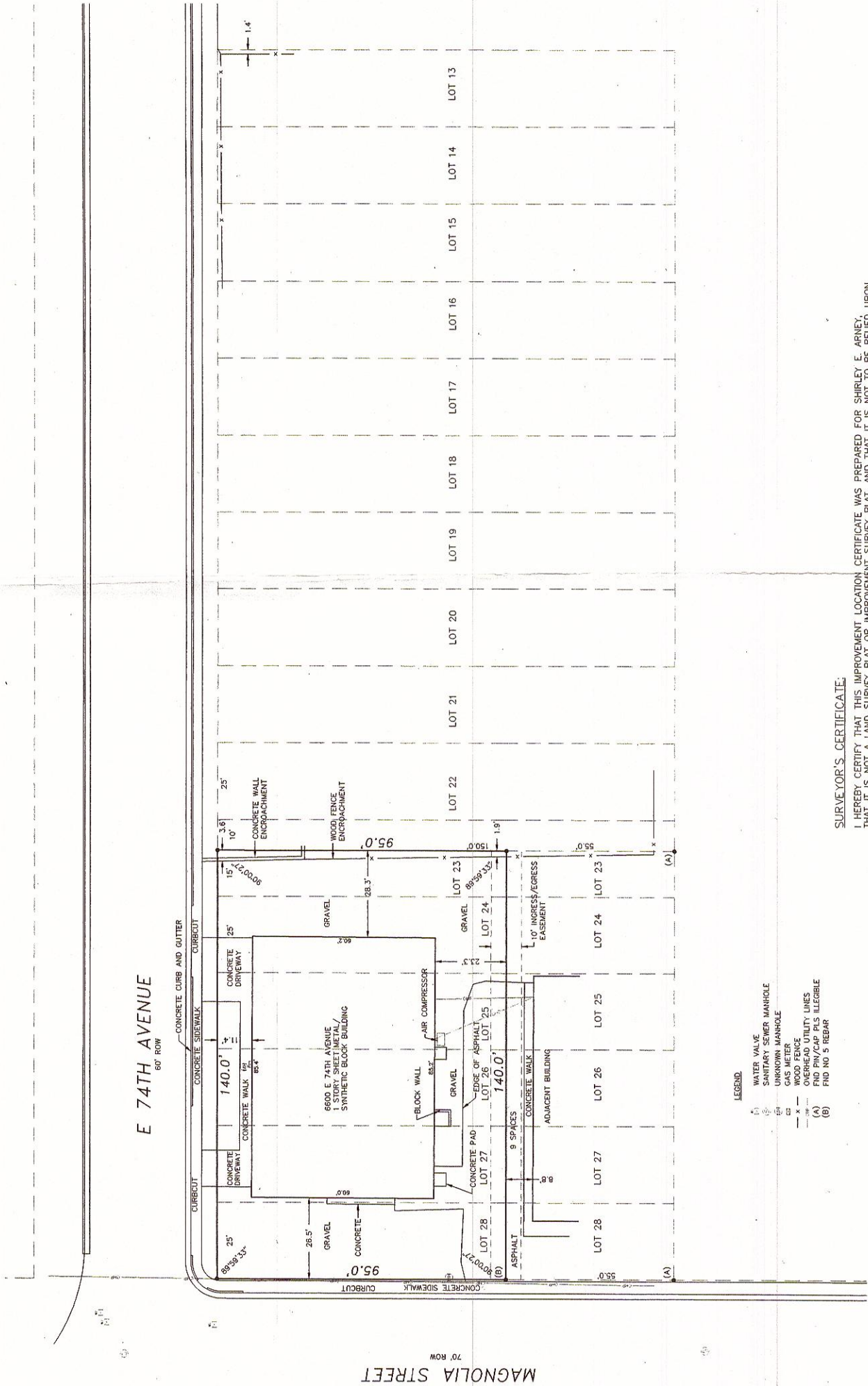
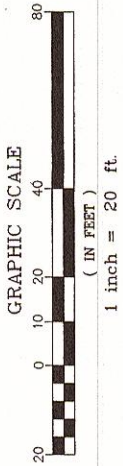
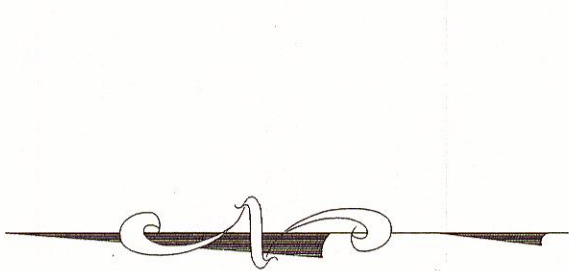
c.) Timeline for completion.

Submission will take place in 2018.

Once we have approval we can began the work immediately. Completion within 30 - 60 days. Weather permitting.

Owner has cash funds and only waiting on the Derby Review Boards approval.

IMPROVEMENT LOCATION CERTIFICATE
A PORTION OF THE SE 1/4 OF SECTION 32, T2S, R67W, OF THE 6TH P.M.
COUNTY OF ADAMS, STATE OF COLORADO



- LEGEND
- WATER VALVE
 - SEWER MANHOLE
 - UNKNOWN MANHOLE
 - WOOD FENCE
 - OVERHEAD UTILITY LINES
 - END PIN/CAP PLS ILLEGIBLE
 - END NO 5 REBAR

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR SHIRLEY E. ARNEY, THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE, 8/18/17, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN THAT THERE ARE NO ENCROACHMENTS, EASEMENTS, OR INTERFERENCES WITH ANY ADJACENT INTERESTS. EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

NOTICE: This Improvement Location Certificate is prepared for the sole purpose of use by the parties stated herein. It is not a Land Survey Plat in accordance with C.R.S. 38-51-100.3 or an Improvement Survey Plat in accordance with C.R.S. 38-51-100.3(2). It does not establish property corners. The true relationship of improvements to the boundary lines can only be determined by a Land Survey or Improvement Survey. The improvements are generally situated as shown, and only apparent improvements and encroachments are noted. Rubino Surveying will not be liable for more than the cost of this Improvement Location Certificate, and then only to the parties specifically shown herein. Acceptance and/or use of the Improvement Location Certificate for any purpose constitutes agreement to all terms stated herein.

NOTICE: ACCORDING TO COLORADO LAW ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS ILC MUST COMMENCE WITHIN THREE (3) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. ANY DEFECT IN THIS ILC BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTE:

AN IMPROVEMENT SURVEY PLAT OR LAND SURVEY PLAT WOULD BE REQUIRED TO CONFIRM THE LOCATION OF THE BOUNDARY LINES SHOWN AND ENCROACHMENTS SHOWN HEREON.

LEGAL DESCRIPTION:

WEST 15 FEET OF LOT 23, AND ALL OF LOTS 24, 25, 26, 27, AND 28, BLOCK 3, HILL 92 SUBDIVISION, COUNTY OF ADAMS, STATE OF COLORADO, EXCEPT THE FOLLOWING DESCRIBED PARCEL: THE SOUTH 55 FEET OF THE WEST 15 FEET OF LOT 23, AND THE SOUTH 55 FEET OF LOTS 24 THROUGH 28, INCLUSIVE, COUNTY OF ADAMS, STATE OF COLORADO



Prepared by:
RUBINO SURVEYING
1000 10TH AVENUE
BOULDER, COLORADO 80301
(303) 464-9515
FAX: (303) 464-7792

DRAWING NO: 17174.DWG	SHEET 1 OF 1
DATE OF SURVEY: 8/17/17	DATE OF DRAWING: 8/18/17
DRAWN BY: BR	PROJECT NO: 17174

- Ground cover
- TREES
- ORNAMENTAL GRASS
- CONCRETE
- SMALL DECORATIVE STONE

SCULPTURE PAD

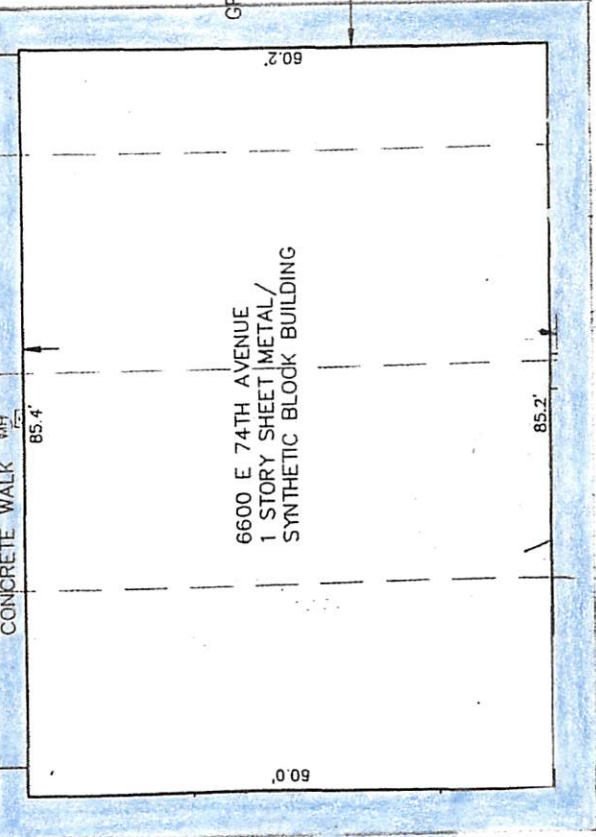
E 74TH AVENUE
60' ROW

CONCRETE CURB AND GUTTER
CURBCUT
CONCRETE SIDEWALK
CURBCUT

CONCRETE DRIVEWAY

CONCRETE WALK

CONCRETE DRIVEWAY



IMPROVEMENT
ENLARGEMENT

CONCRETE WALL
ENCROACHMENT

WOOD FENCE
ENCROACHMENT

GRAVEL

GRAVEL

LOT 22

LOT 23

LOT 24

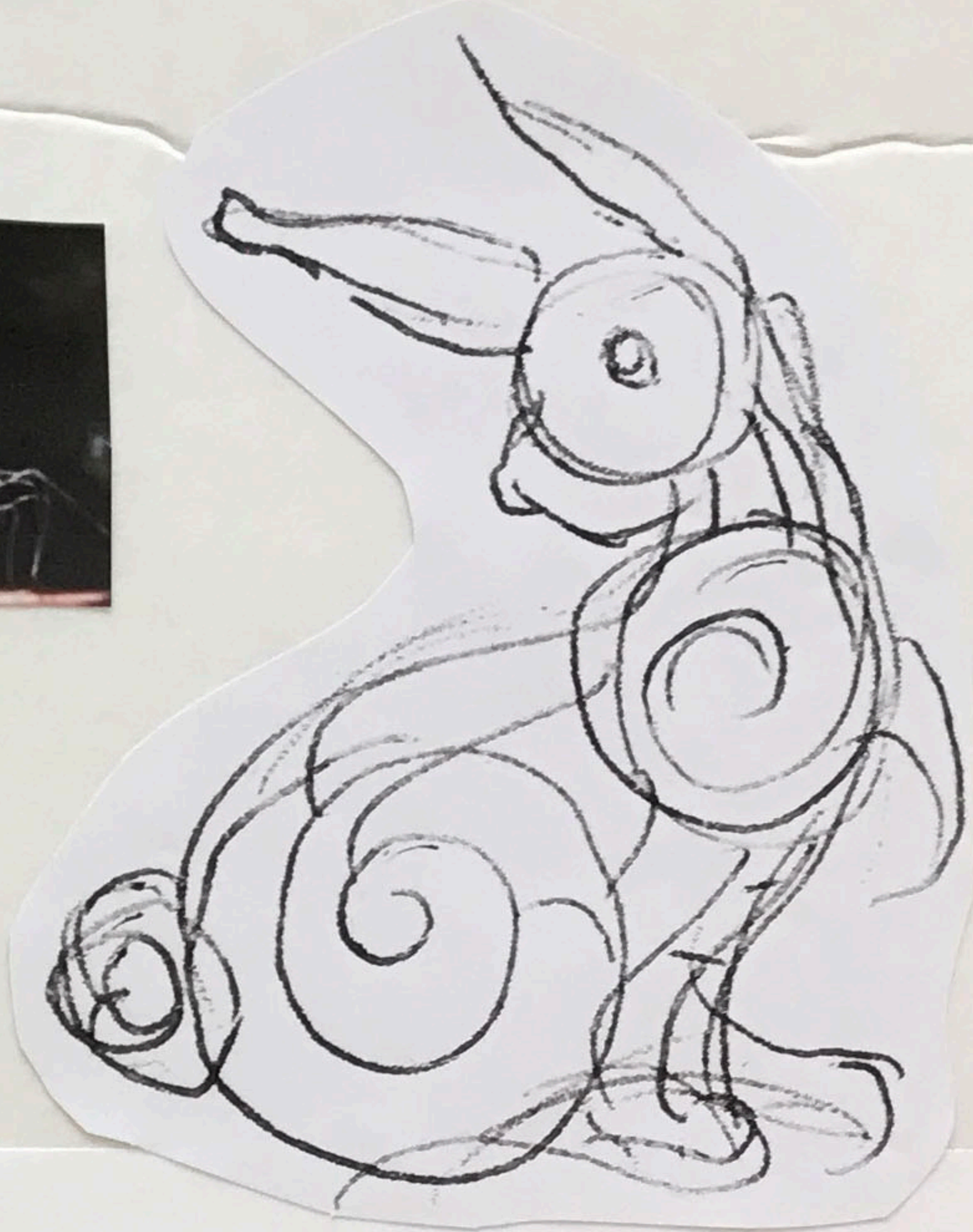
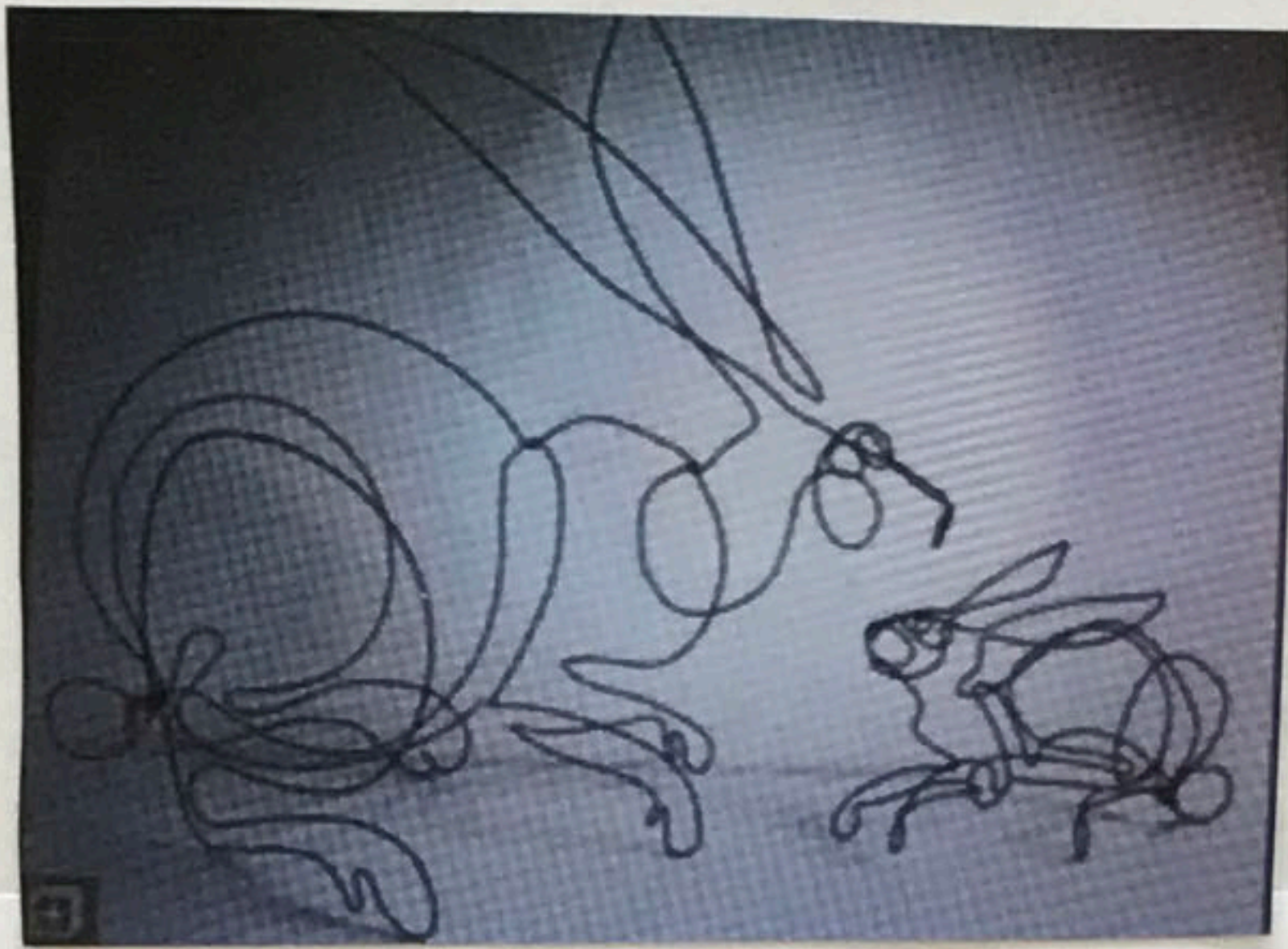
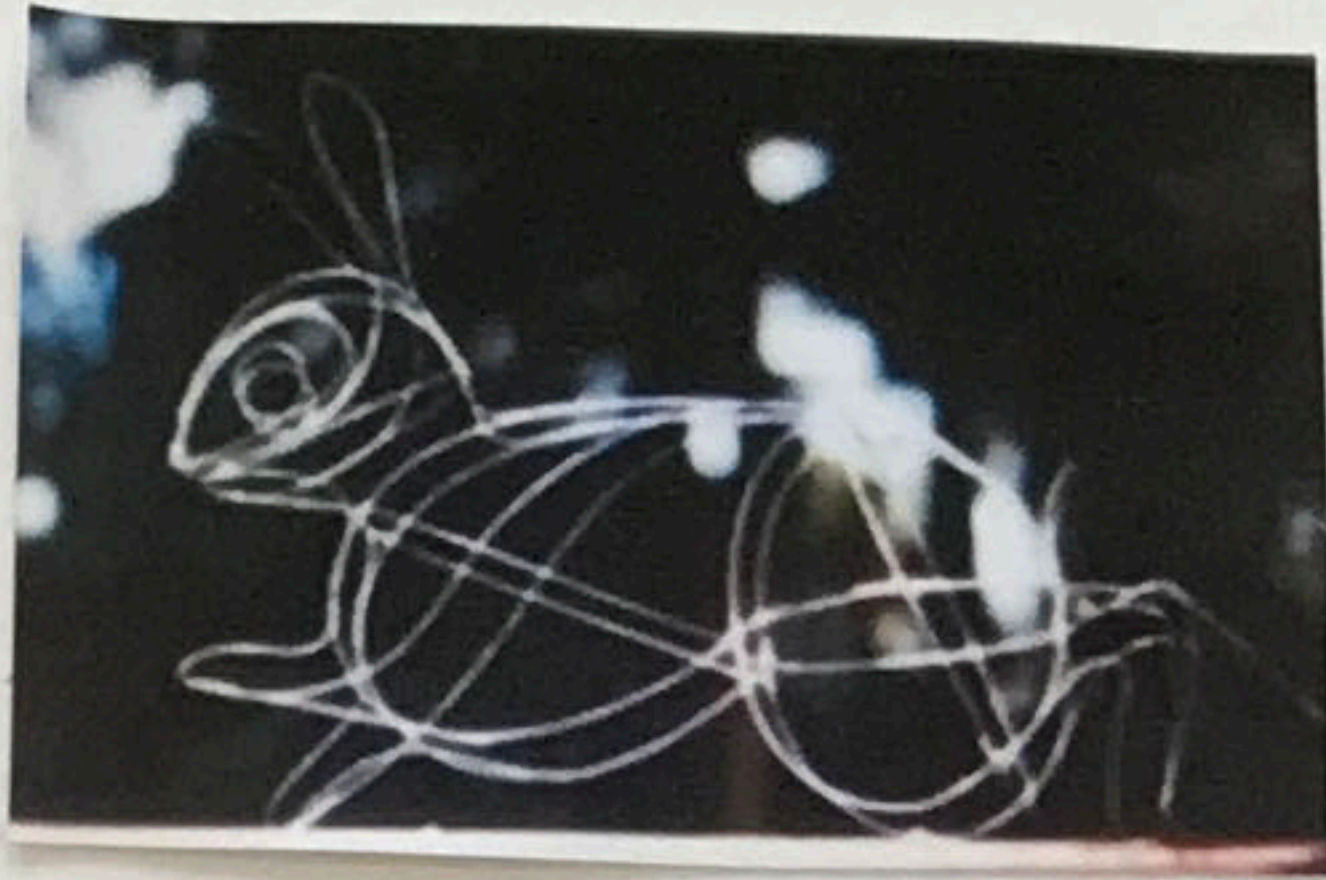
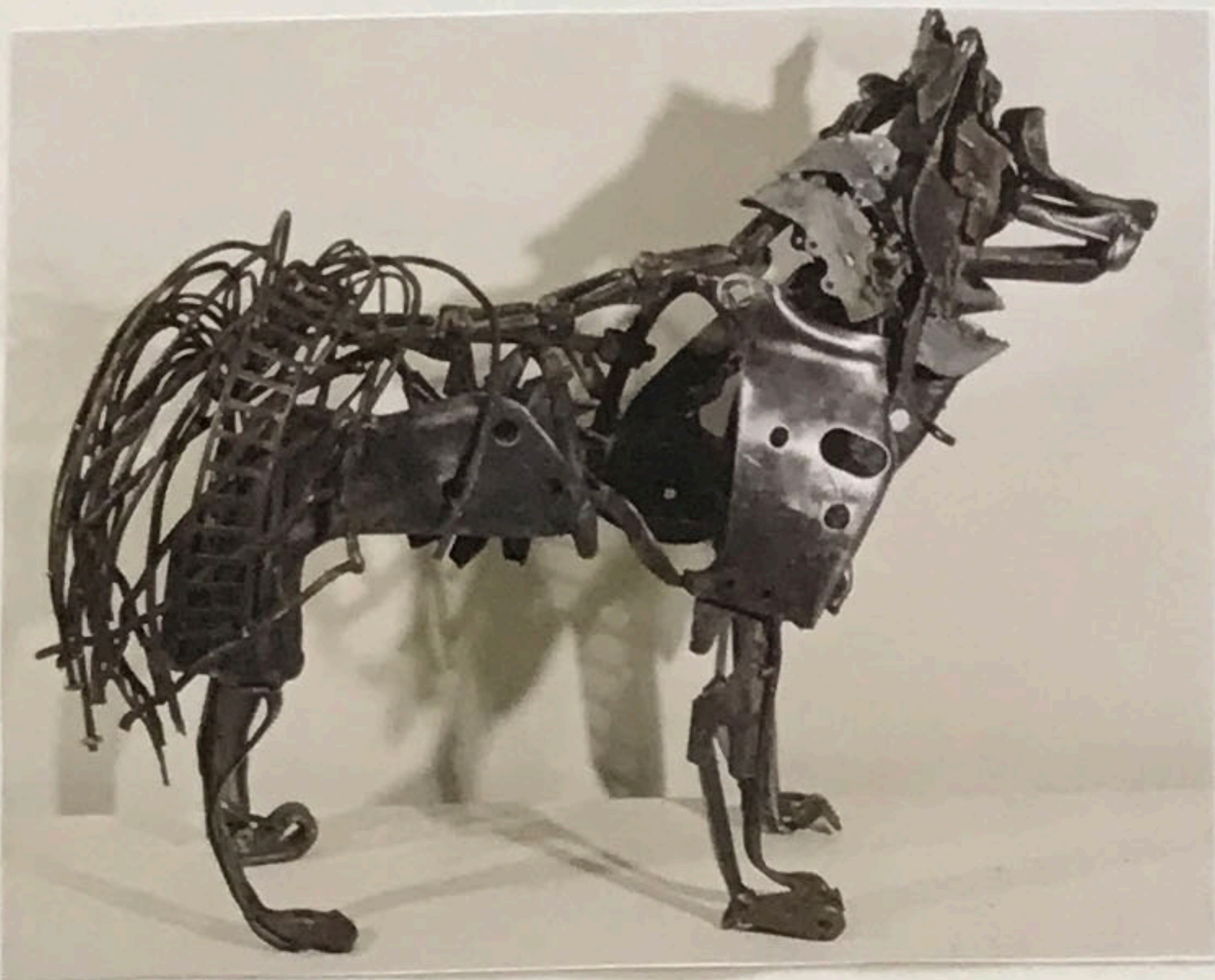
LOT 28

LOT :

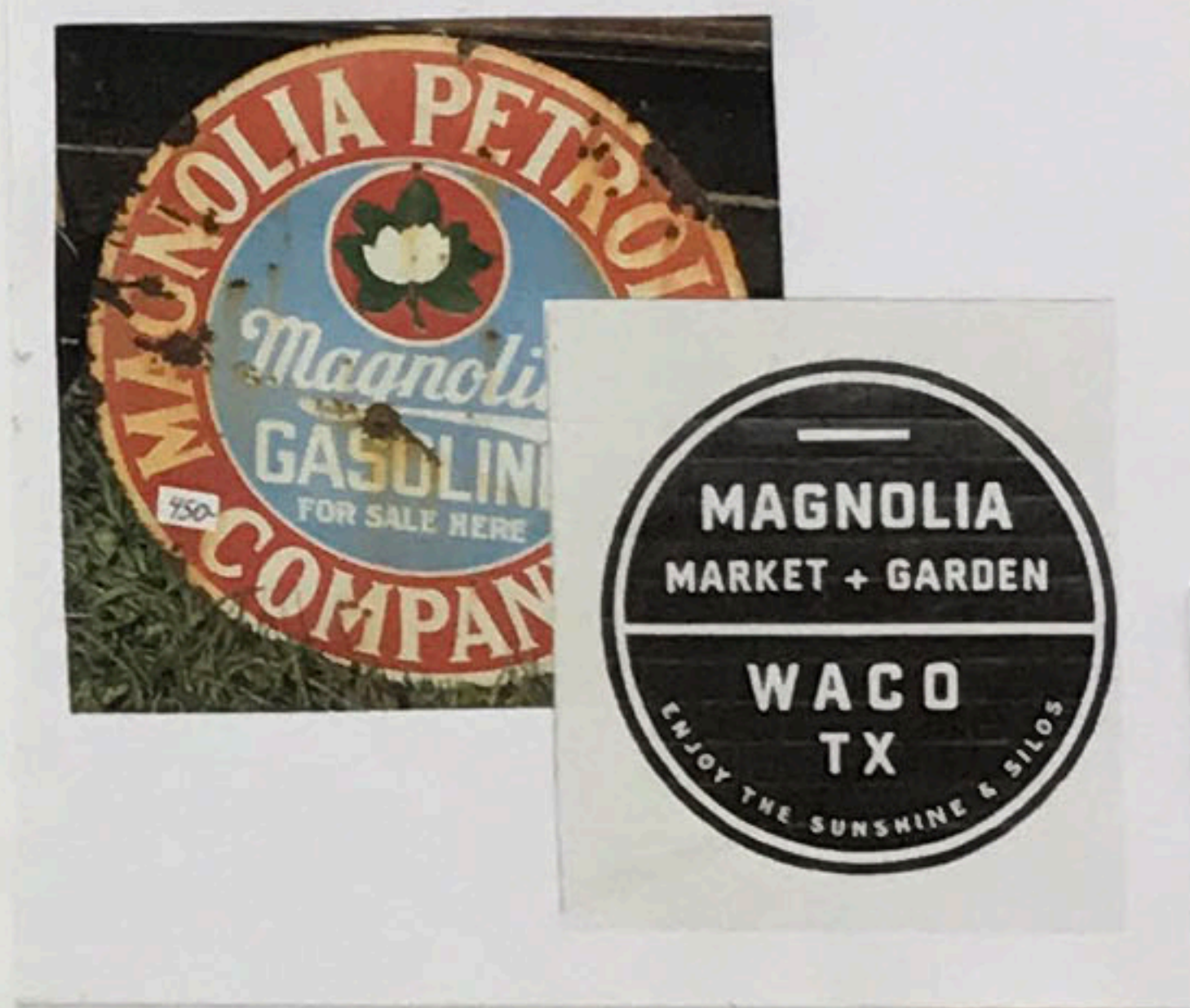
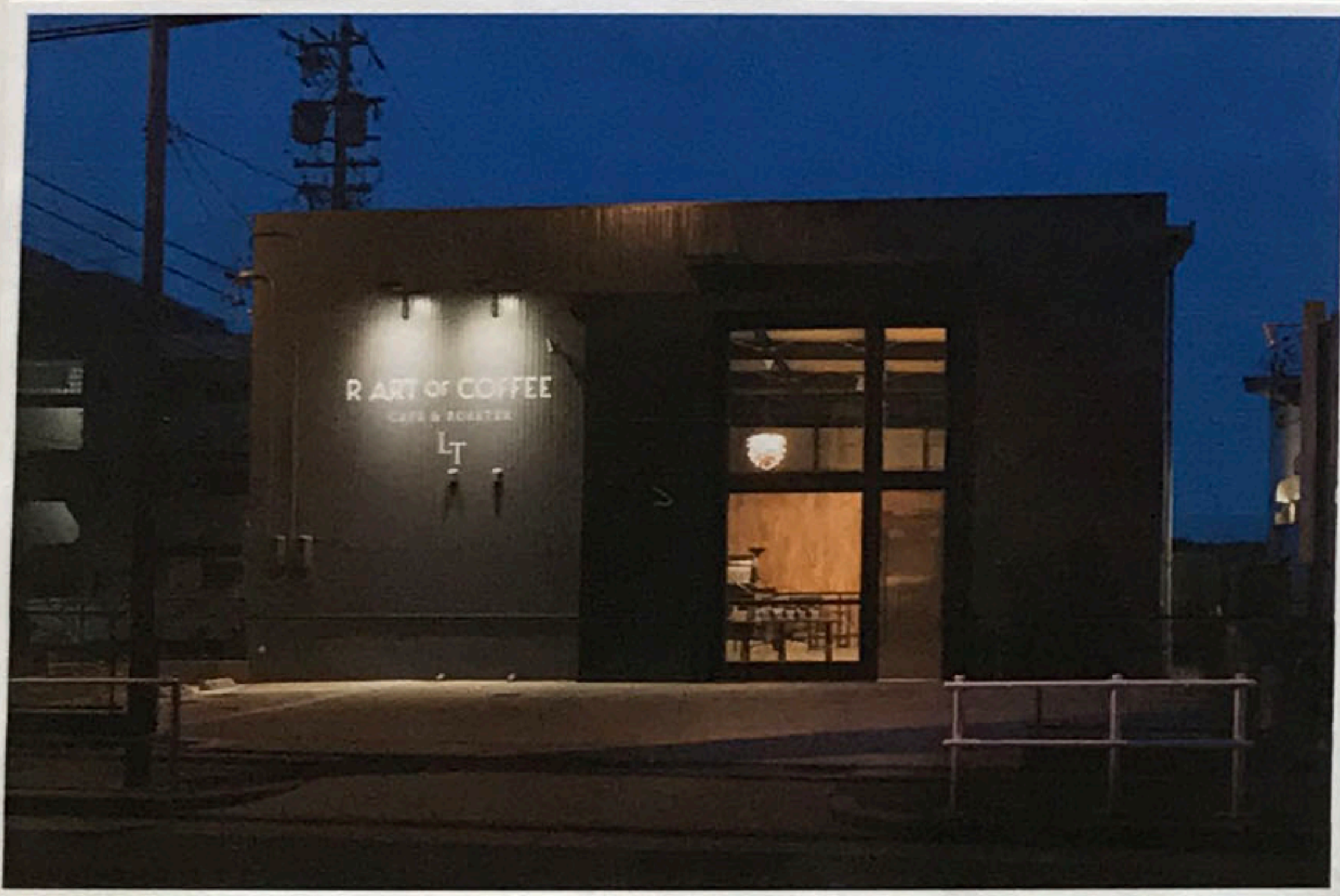
GNOLIA STREET

70' ROW

Magnolia Street Art Space

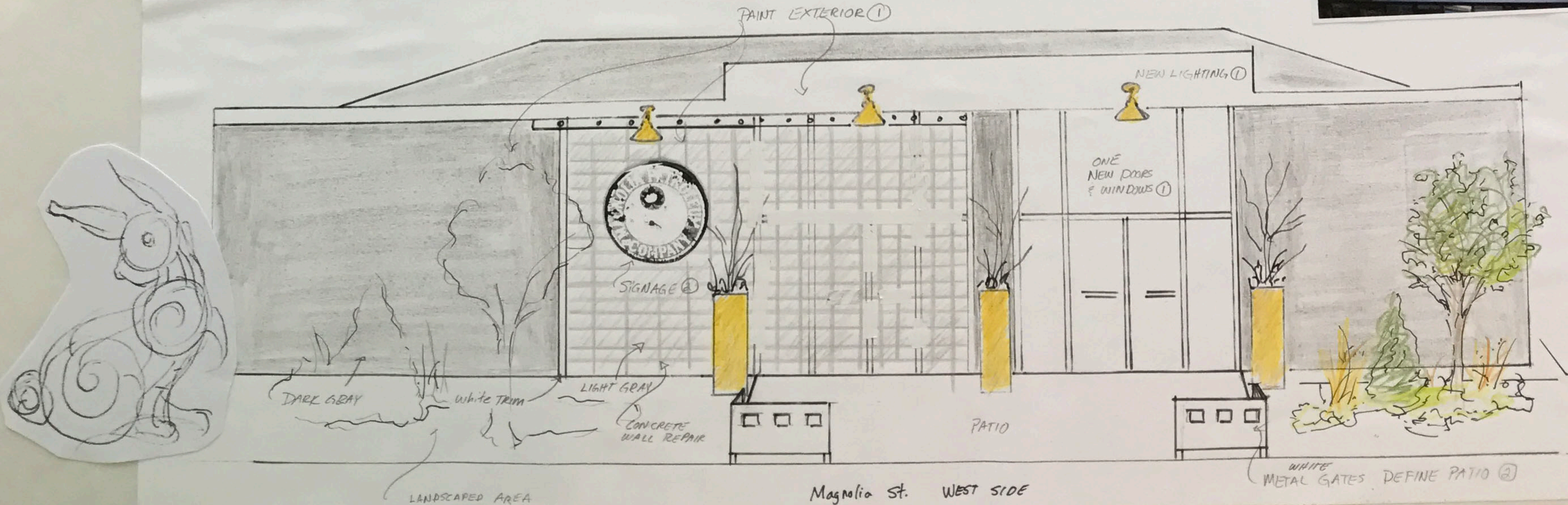


LARGE WINDOWS EXAMPLE

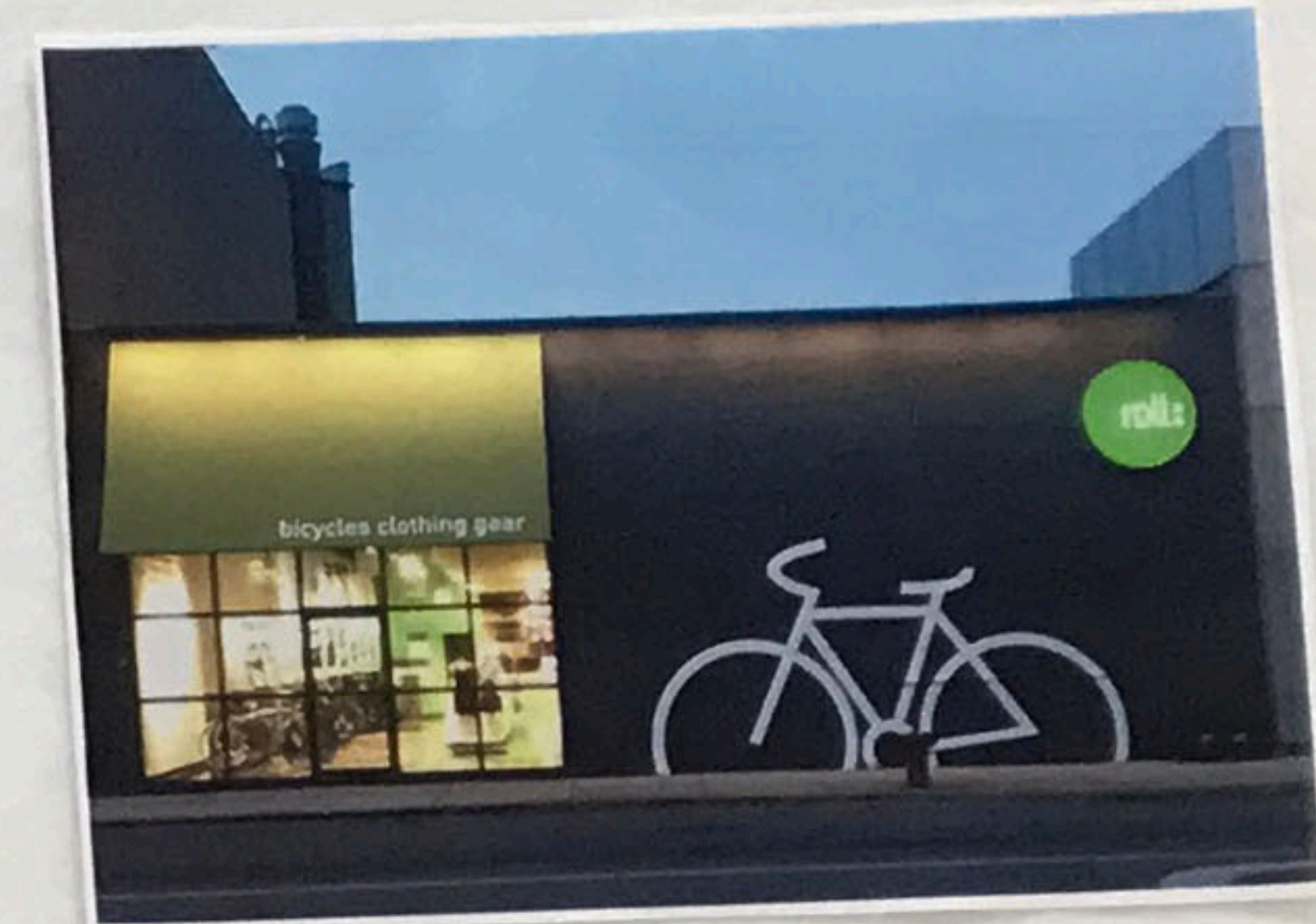
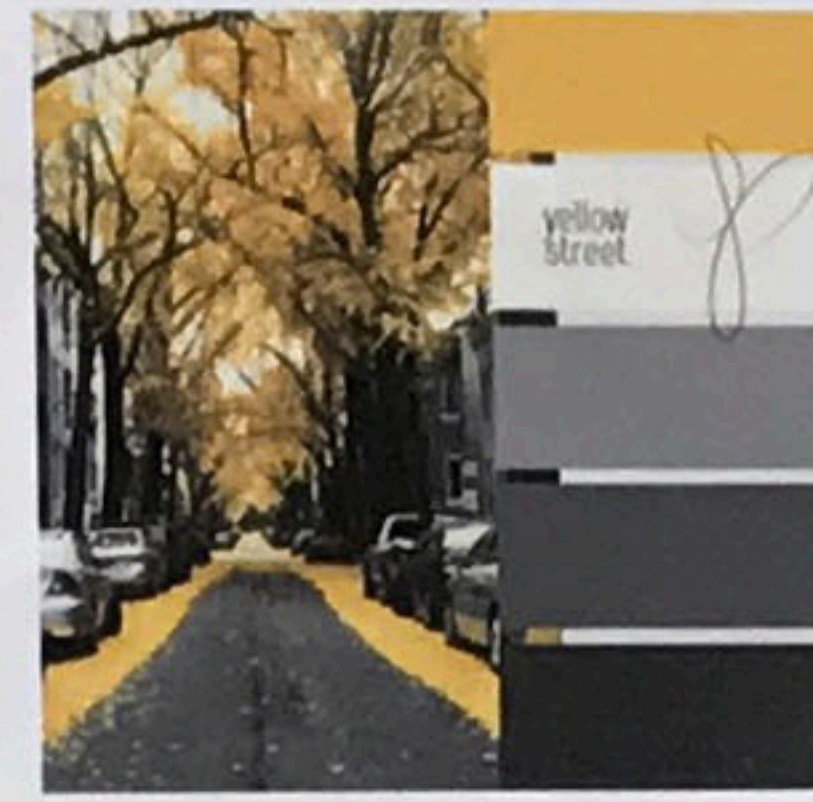
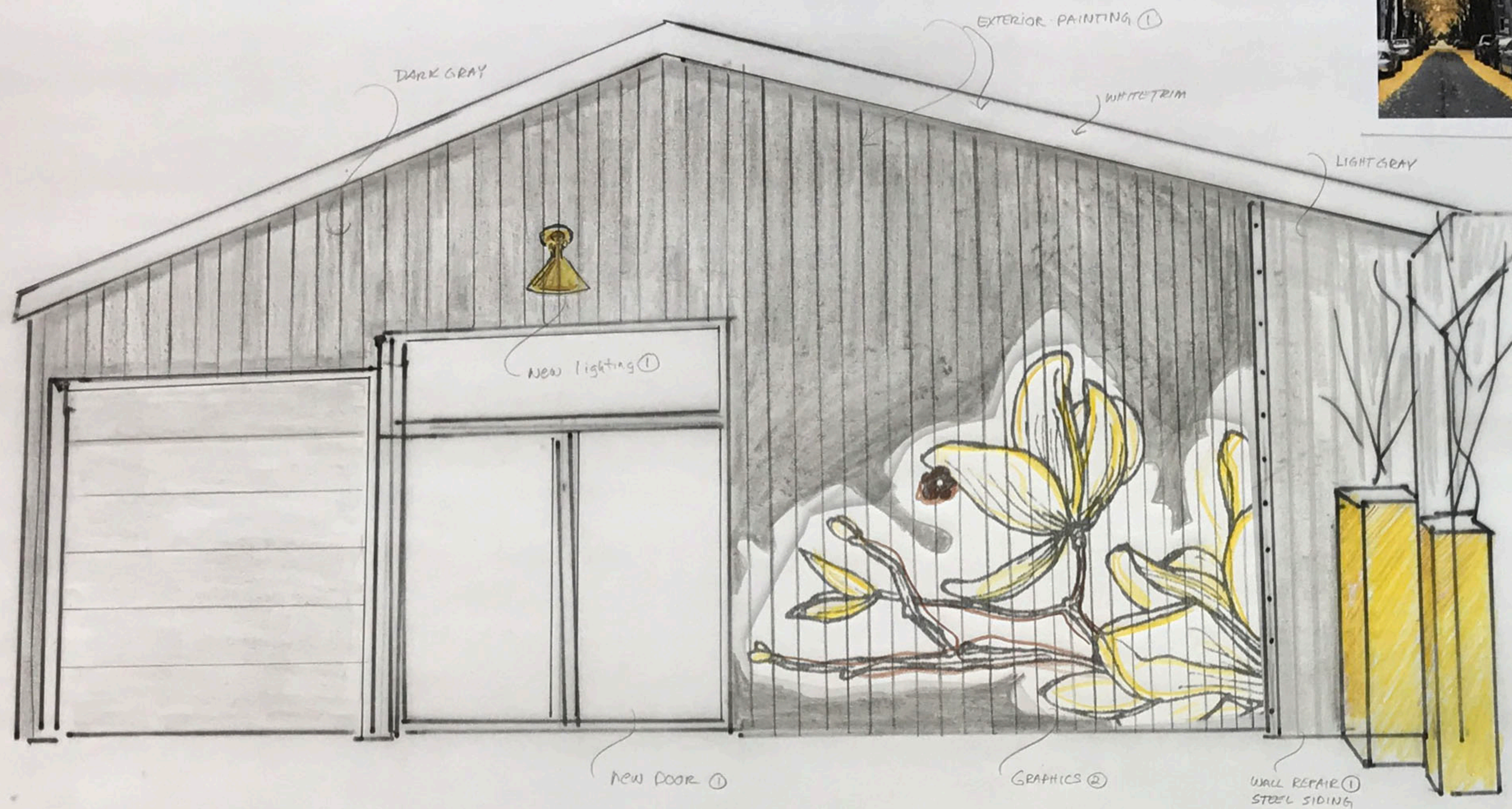


METAL SIGN EXAMPLE

RETAIL WINDOW EXAMPLE



Magnolia Street Art Space



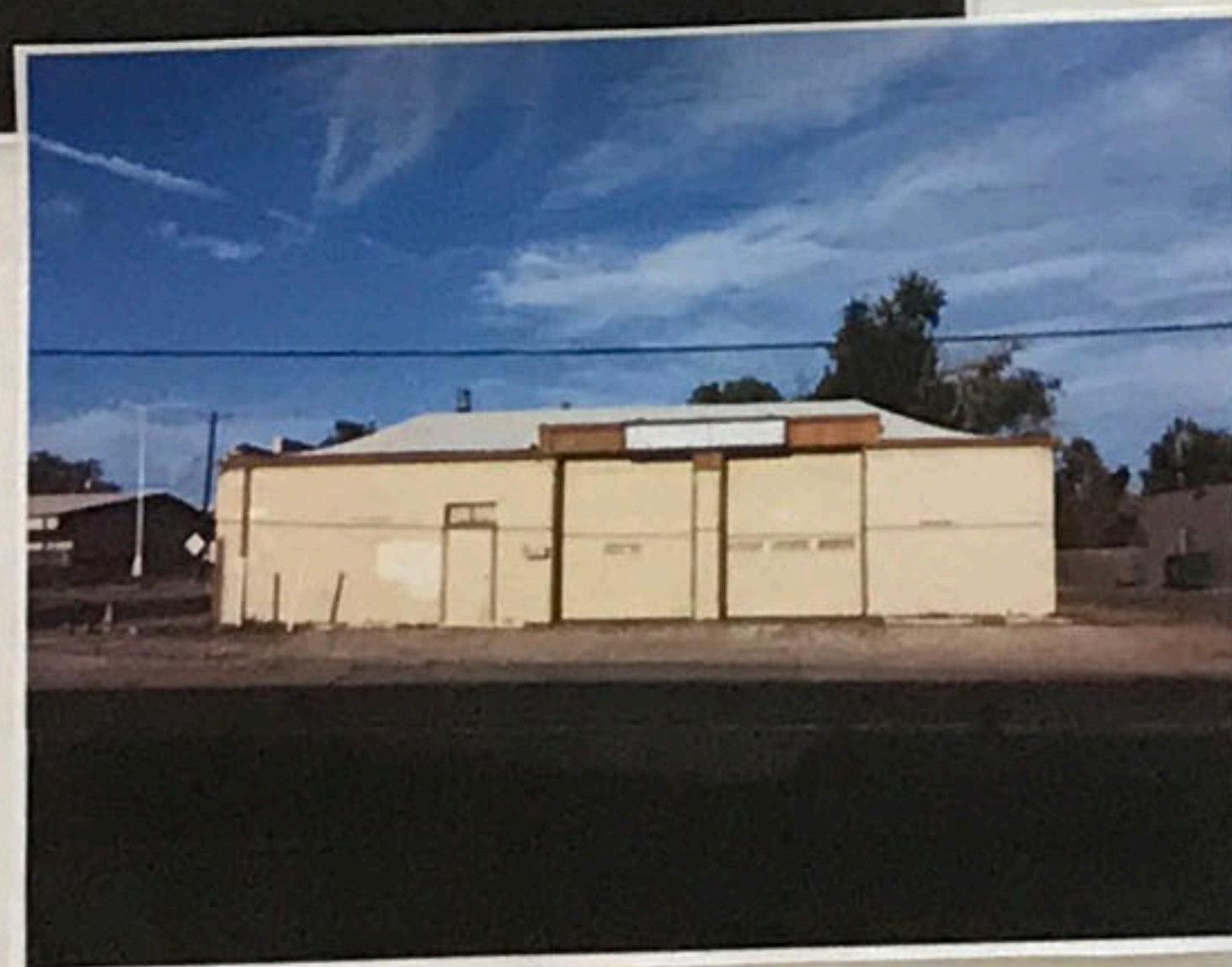
EXAMPLE LARGE GRAPHIC IMPACT



NORTH CONCRETE BUILDING 74th AVE



NORTH STEEL BUILDING 74th AVE



WEST CONCRETE BUILDING MAGNOLIA STREET

