

# STAFF REPORT

## Derby Review Board

**Meeting Date:** December 19, 2017

**Case Planner:** Caitlin Long

**Case #:** DRB-064-17

**Location:** 7220 Locust Street, Commerce City, CO 80022

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

**Request:**

1. Approval of façade design for construction of a new commercial building.
2. Catalyst funds in the amount of \$25,000.

**Staff Recommendation:**

Staff is recommending approval of the façade design and catalyst funds for the proposed new building as the request meets the design principles of the Derby Design Guidelines and the requirements of the Derby PUD Zone Document and 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	Family & Cosmetic Dentistry (applicant's practice)	PUD
<b>South</b>	Commercial	Multi-tenant commercial building	PUD
<b>East</b>	Commercial	Multi-tenant commercial building	PUD
<b>West</b>	Commercial	Vacant lot	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 approximately 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 east side of Locust Street between East 72<sup>nd</sup> Place and East 72<sup>nd</sup> Avenue. The entire lot area is 7,500 square-feet and is currently vacant. It was formerly the site of a dry cleaner, which was demolished and remediated due to environmental concerns. The applicant is the owner of the subject property as well as the property and dental practice adjacent to the north. Derby Review Board approval was previously granted for addition and signage requests by the applicant for that adjacent property.

### Summary of Applicant's Request

The applicant is requesting to construct a new three-story building in order to expand his existing dental practice and provide additional medical office space for lease. His dental practice has grown such that additional space is needed to keep up with the number of patients, and will occupy the ground floor of the new building in addition to the existing adjacent building at 7230 Locust St. The second floor of the new building will be available for lease, and the applicant is seeking a medical office or similar use to occupy the space. The third floor towards the rear of the building consists of a small break room and rooftop patio for the use of building employees. Each of the first two floors is 5,850 square feet, while the third story is 1,400 square foot, altogether containing 13,100 square feet of space. The primary building material is a dark reddish brown brick with tan brick accents at the elevator/stairwell tower, and large horizontally-oriented windows on the front façade. New landscape planters and a bike rack will be added near the main entrance, and the existing on-street parking will be restriped to remove the former driveway entrance. Below is a rendering of the proposed building as viewed from the northwest along Locust Street:



### Staff Analysis

The applicant's request for new building construction 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 architectural context and history of the surrounding buildings and properties in order to determine the compatibility of the proposed new construction.

### Property History

The subject property was formerly developed in the 1958 as a dry cleaner, and was vacant from 2005 until the applicant purchased it in 2015. Due to contamination, the building was demolished and the underlying soil removed in order to prepare for redevelopment.

### Surrounding Properties

The neighboring properties along Locust Street do not display a consistent or distinct architectural style. The buildings were developed during a period ranging from around 1913 to 1963. The applicant's existing dental practice occupies the building to the north, which was originally constructed in 1945 and underwent a second-story addition in 2015. It consists of brick and siding, as shown in the image below:





To the west across Locust Street is Younger Brothers Lumber and a large vacant lot. Younger Brothers is a wood-sided building that was originally built circa 1913, while the vacant lot will hopefully be developed at some point in the future:



The property to the south consists of two multi-tenant office buildings which were built in 1949 and 1963. They front onto East 72<sup>nd</sup> Avenue with parking along Locust Street, and have brick and stucco facades and flat roofs:



To the north of the applicant's existing property are two small commercial buildings, built in 1922. The front building has a pitched roof and large front windows typical of a traditional style:



None of the adjacent buildings highlight features that were consistent with a more traditional 1950's style as described in the Derby Design Guidelines. However, the diversity of architectural styles on this block represents its own unique context that can accommodate greater variety more easily than blocks with a more consistent or uniform appearance.

### **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 aim to preserve and enhance the best aspects of the 1950's era by building upon the existing mid-century Modernist foundation present throughout the Derby Downtown District and the iconic “Googie” elements exemplified by the former Hi Lo Market (now Save-a-Lot). Other architectural styles are allowed for structures not built during this era and should be complementary to the 1950s theme while remaining an expression of their own time period. The context of new improvements is also taken into consideration.

The Derby Design Guidelines include standards and principles for all improvements within the district that are found on pages 21-26. The proposed new construction has been reviewed against these standards as part of the Development Plan for and has been found to meet these standards. Of the various criteria used to analyze the request, some of the key standards are shown below:

- New building facades should refer to the 1950s era in a manner compatible with both their own context and the time that they are built.
  - The proposed building uses red and tan brick and blocky massing reminiscent of the other buildings in Derby. However, it also displays slanted rooflines and a two-story height along the street that clearly identify it as modern construction.
- There shall be diversity between buildings in window size, shape, or patterns that relate to interior functions.
  - The windows in the proposed building include large front display windows with horizontal mullions facing Locust Street to provide a view into and from the main lobby and take advantage of western sun exposure. The sides of the building have smaller windows in each patient treatment room or office to maximize natural light.
- Awnings help establish the perceived liveliness and safety of Derby street life and lend a sense of identity to Derby streets. They also provide a sense of visual neatness and design unity while allowing individual expression and encouraging diversity.
  - An awning covers the main entrance to shelter people from the elements and provide some visual relief on the two-story façade, contributing to the pedestrian-scale street environment.

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

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

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

- Increasing building density;
- Increasing building heights;
- Support and promotion of existing business and property owners.

**Goal #7: Transform Derby into a healthy and multi-modal traffic environment while continuing to support the necessity of the automobile through:**

- Wider sidewalks near buildings;
- Human scale facades directed toward the street;
- Bike racks to promote regular physical activity.

#### **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.

The PUD zone document also dictates the bulk standards of any new development, including setbacks from property lines and height. These standards vary depending on the block within Derby. Generally, denser development is desired along East 72<sup>nd</sup> Avenue, with slightly less dense development to the north and east towards the predominately residential neighborhoods. The following map and table show the different blocks within Derby and their associated bulk standards:



### **Final Analysis**

Dr. Braud's dentist office is a business that serves the Derby District and will generate additional trips to Derby for the services they provide. The proposed new building will allow an expansion of his practice and provide new office space in Derby for medical or similar types of uses, and is a large investment within the district as the first new construction in several decades. This request meets all of the applicable standards within the LDC and aligns with the goals, standards, and principles within the Derby Design Guidelines. New mixed-use construction is a key method to establishing Derby as a destination and attracting new businesses and customers. The proposed brick material, large front windows, awning, and landscaping will contribute to a pedestrian-oriented street environment and fits into the overall neighborhood context.

City staff concludes that the requested construction is harmonious with the Derby Design Guidelines and implements the goal of revitalizing the Derby Downtown District. As a result, the Planning Division recommends **approval** of both the design and catalyst fund requests. 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;
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;
5. The Board can approve the proposed design or a modified design without catalyst funds.



### 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-064-17, a Derby Redevelopment application for the property located at 7220 Locust Street.”

**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 complete the Development Plan and obtain a building permit from the Community Development Department in accordance with the Land Development Code requirements prior to commencing 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-064-17 subject to conditions and one advisory, a Derby Redevelopment application for the property located at 7220 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-064-17, a Derby Redevelopment application for the property located at 7220 Locust Street.”

**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.”

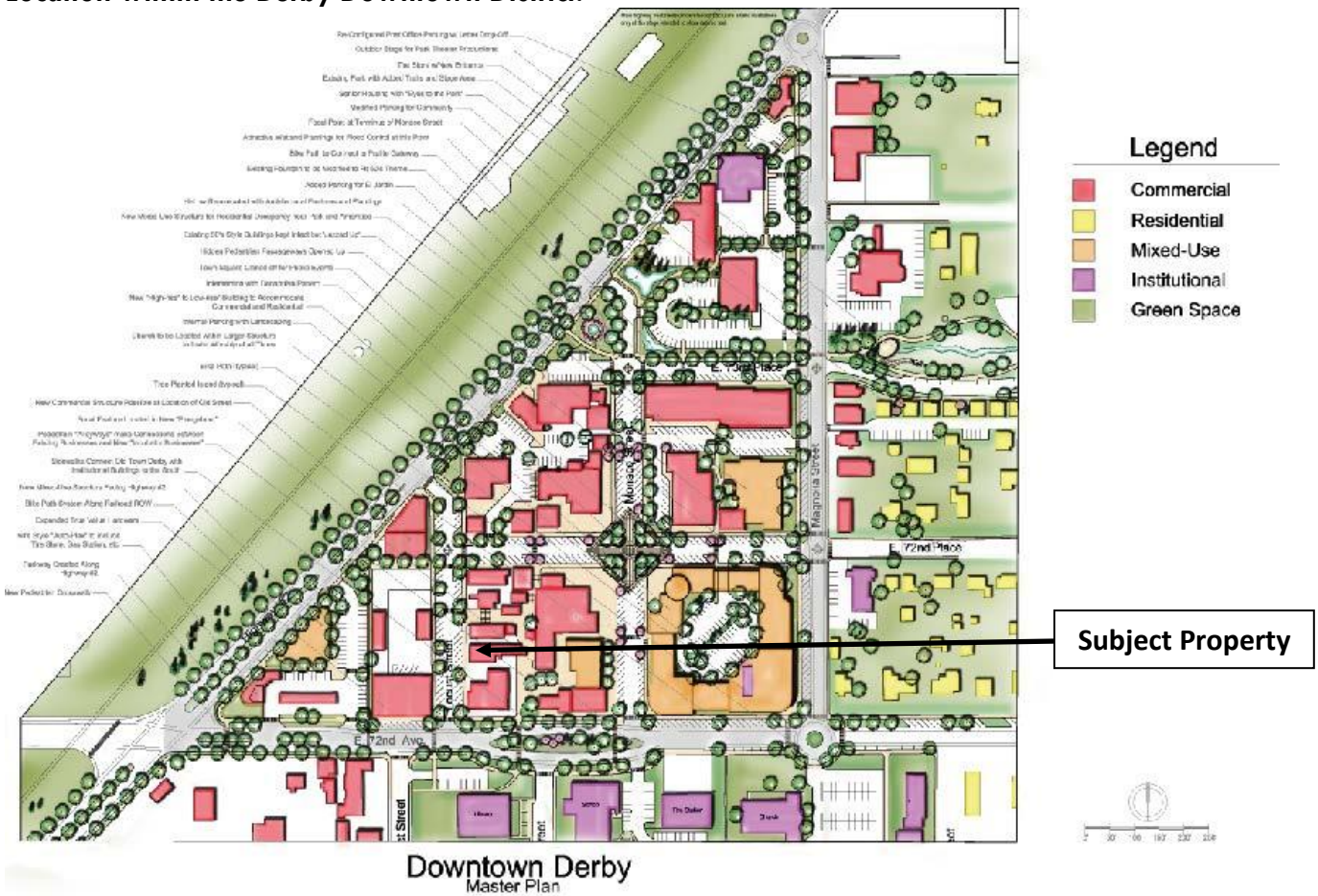
**Denial Catalyst Fund Motion:** “I move that the Derby Review Board **deny** the use of catalyst funds.”

### 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
- Applicant’s Narrative
- Development Plan

**Location within the Derby Downtown District:**



Aerial view of site:

