

STAFF REPORT

Derby Review Board

Meeting Date: April 16th, 2019

Case Planner: Braylan Marin

Case #: DRB-073-19

Location: 6350 East 72nd Place, Commerce City, CO 80022

**Applicant/
Owner:** Trent Younger
10479 Williams St, Northglenn, CO 80233

Request:

1. The applicant is requesting Derby Review Board approval of 1 door replacement
2. The applicant is requesting Derby Review Board approval of \$851.75 in catalyst funds.

Staff Recommendation:

Staff is recommending approval of the proposed door and catalyst fund request as the improvement 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>
North	Commercial	Macon Glass & Mirror, Derby Liquors	PUD
South	Commercial	Save-O-Mat gas station	PUD
East	Commercial	Multi-tenant commercial building	PUD
West	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 approximately East 72nd 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 south side of East 72nd Place between Highway 2 and Locust Street. The applicant is the owner of the subject property. The entire lot area is approximately 35,294 square feet and contains two single-story warehouse buildings for the long-time lumberyard and hardware store business. The primary building is approximately 9,720 square feet with the main entrance on East 72nd Place, facing north. This is where the proposed door replacement is located. The subject property is designated as commercial/mixed-use and is legally non-conforming due to its lumberyard use, which would require a Conditional Use Permit if it were to be rebuilt or expanded.

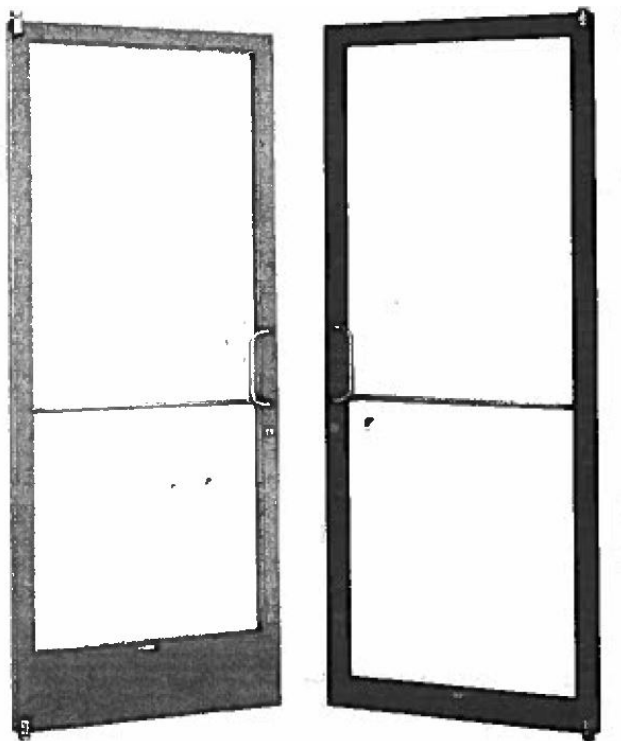
Summary of Applicant's Request

The applicant is requesting to replace and update the storefront door at the northwest corner of the building, at East 72nd Place and Highway 2, along with associated catalyst funds. In May 2018, the applicant was successful in upgrading his storefront window with the assistance of Catalyst funds and now wants to upgrade the front door to his business with a door that would reduce the levels of heat loss currently caused by the current old door.

Existing Door:



Proposed Door:



Staff Analysis

The applicant's request for a new storefront door 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 window.

Building History

According to the Adams County Assessor's records, the subject building was constructed in 1963, and is approximately 9,720-square-feet. However, additional research performed for the Historic Derby District Survey in 2013 revealed that it was actually built circa 1913 as a lumber yard. The use has remained the same since that time.

Architectural Character

The subject building is a large wood-clad warehouse structure with a pitched metal roof, open to the lumber yard on the south side but with few window or door openings facing the adjacent streets. According to the Historic Derby District Survey report, this building is one of six resources that "were simply classified as 'Commercial Type' due to building alterations or lack of architectural features that characterize any particular style of architecture." Based on this evaluation, this property is not considered a contributing resource for a potential Derby historic district. It is also very dissimilar to any other building in Derby, which are predominately brick or stucco.

Figure 1: Subject Building



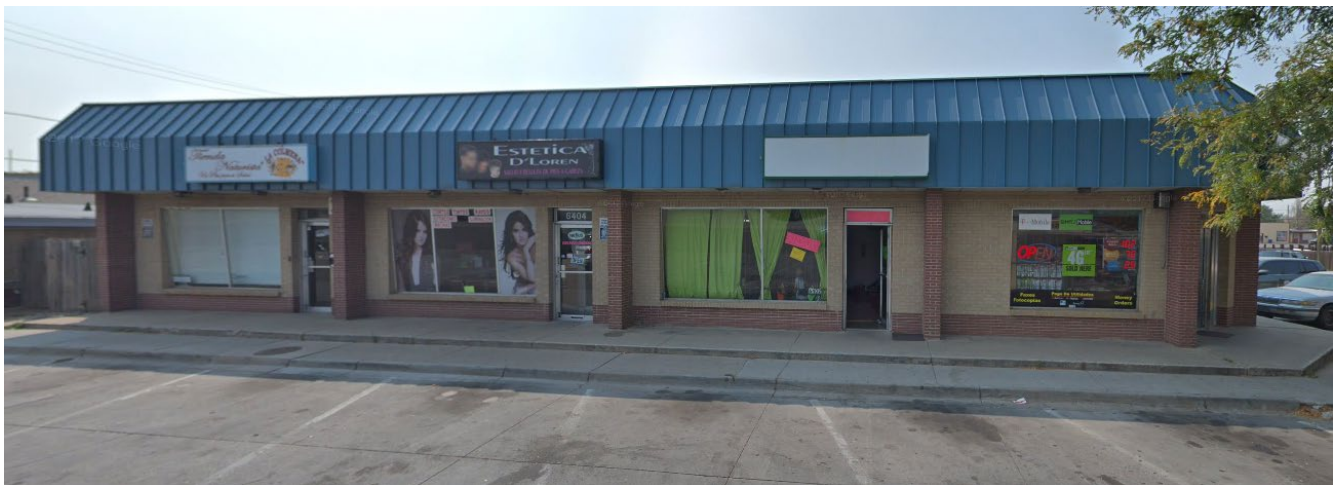
Surrounding Properties

The adjacent buildings were constructed later than the subject building, and display varying architectural style. Figures 2 and 3 show the adjacent buildings to the subject property.

Figure 2: Retail buildings to the north, built in 1945



Figure 3: Multi-tenant commercial strip to the east across Locust Street, built in 1959



Although the architectural styles throughout the Derby District vary and are not all a match with the predominant 1950s Modern/International style, the variety of styles tell the story of commercial development within the Derby Downtown District. The subject building was constructed much earlier than the rest of Derby, which largely developed from the 1940s through the 1960s. This context has been considered by staff and is important to the review of the proposed window, 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 sign has 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 Derby Design Guidelines state that “Improvements to other existing buildings shall retain and preserve the historic character of the building and conform to Design Standards.” Since the subject building was constructed in 1913, it is not required to reflect a 1950s architectural style. Other aspects of the Design Guidelines that apply to all improvements regardless of construction date include that there should be large display windows on the ground floor; street-level windows should be storefront for industrial divided-light with sills; and product display windows shall have a minimum height of four feet. The proposed storefront door is made up of narrow stile aluminum; the frame and glass are made of modern materials for greater energy efficiency.

Derby Design Guidelines -- Goals for this Application:

Goal #4: Revitalize Derby through:

Support and promotion of existing businesses and property owners

Goal #6 Become an environmental model through:

Enhancing Derby’s current ecological, economic, and cultural systems at all scales.

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 existing lumber yard is considered a legal non-conforming use in Derby. The use would require a Conditional Use Permit if it were to be rebuilt or expanded; however, maintenance and repair to the existing structure does not trigger this requirement.

Conformance with the Land Development Code

The Land Development Code does not have specific standards for doors.

Final Analysis

The applicant’s business has been located within the Derby Downtown District for many years and is a service to the residents and users of the area. While the subject building does not reflect the Modern Movement style of architecture typically found within Derby, the proposed replacement door complements and enhances the building with an aluminum frame and insulated glass as a nod to modern styles that also compliments the recently updated window that the applicant upgraded last year.

City staff concludes that the proposed door is harmonious with the principles of the Derby Design Guidelines. It is both an improvement to the site and to the Derby Downtown District as it represents upgrading and reinvestment in the 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 door and catalyst funds as presented;
2. The Board can choose not to approve the proposed door and catalyst funds;
3. The Board can recommend approval with changes made to the proposed door 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 door 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-073-19, a Derby Redevelopment application for the property located at 6350 East 72nd Place.”

Recommended Catalyst Fund Motion: “I move that the Derby Review Board approve the use of catalyst funds in an amount not to exceed **\$851.75** to reimburse the applicant for costs the City determines qualify under the program.”

Advisory: The applicant shall obtain the approval of a building permit from the Community Development Department prior to installation of the new door.

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-073-19 subject to conditions and one advisory, a Derby Redevelopment application for the property located at 6350 East 72nd Place.”

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-073-19, a Derby Redevelopment application for the property located at 6350 East 72nd Place.”

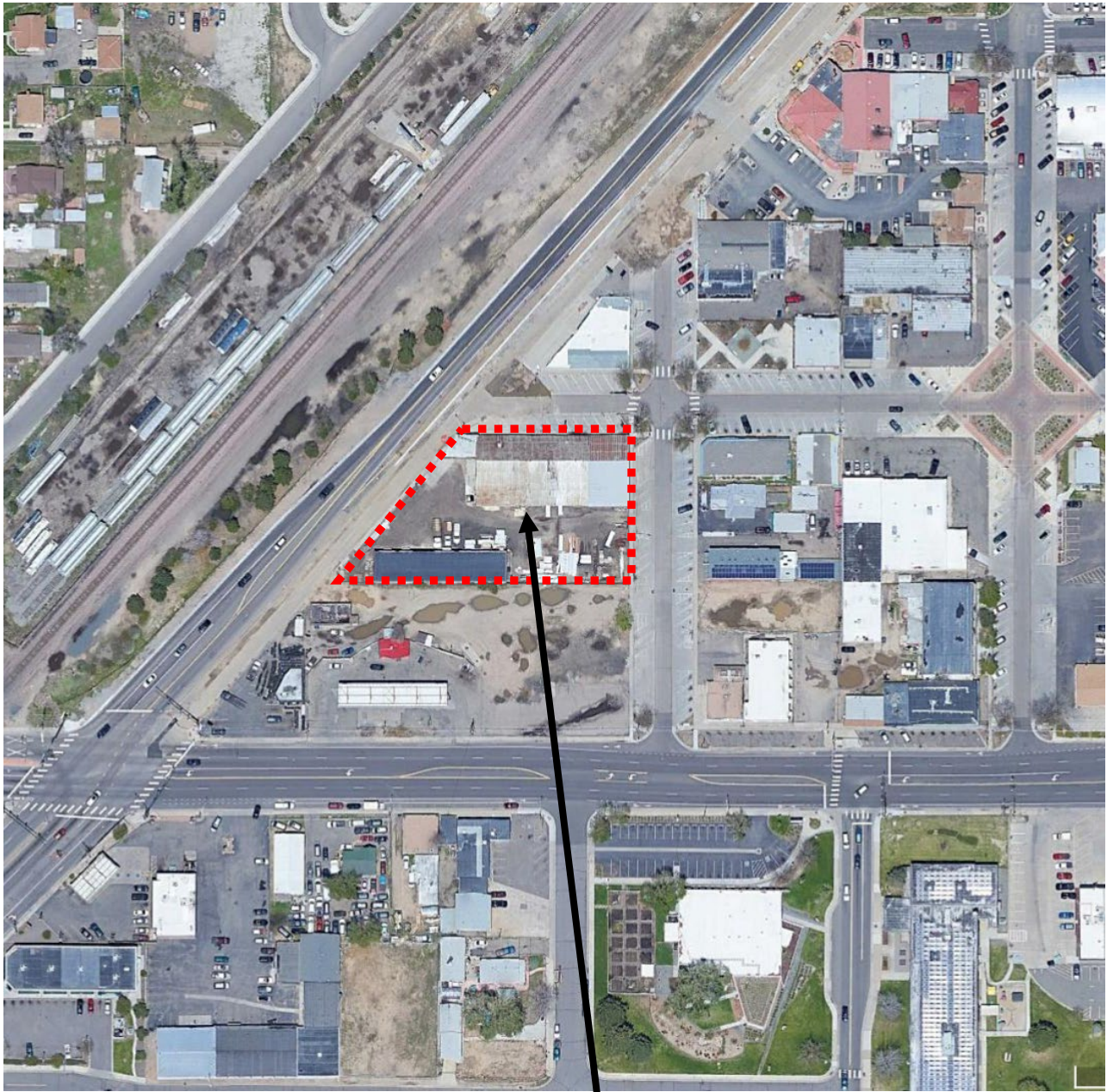
Denial Catalyst Fund Motion: “I move that the Derby Review Board **deny** the use of catalyst funds.”

Attachments

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

- Aerial view of site
- Proposed door

Aerial view of location within the Derby Downtown District:



Subject Property