



Derby Review Board Meeting Agenda

Tuesday April 16,
2024 5:30 p.m.

This meeting will be conducted in person at the Civic Center Conference Room #2108, located at 7887 E 60th Ave Commerce City, CO 80022. The public can access this meeting through the Zoom platform via the internet or phone for public input/testimony or as a witness; pre-registration is required through <https://www.c3gov.com/government/boards-commissions/derby-review-board>, by contacting staff at 303-727-3956, or dbird@c3gov.com. For more information, visit <http://www.c3gov.com/government/city-council/virtual-meetings>. A video of the meeting will be available on YouTube Channel [c3gov.com/video](https://www.youtube.com/c/c3gov).

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

SEPTEMBER 19, 2023

PG. 3

ACTION ITEMS:

1. DRB24-0001: THE APPLICANT IS REQUESTING DERBY REVIEW BOARD APPROVAL OF EXTERIOR IMPROVEMENTS TO THE SUBJECT PROPERTY INCLUDING A NEW OUTDOOR SIGN. AND THE APPLICANT REQUESTS APPROVAL OF A MAXIMUM OF \$1,945.67 IN CATALYST FUNDS. PG. 7

Board Business:

1. Election of the Derby Review Board Chair and Vice-Chair

ADJOURN:

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Commerce City

7887 E. 60th Ave
Commerce City, CO 80022
c3gov.com

Meeting Minutes - Draft

Derby Review Board

Tuesday, September 19, 2023

5:30 PM Commerce City Civic Center, 7887 E. 60th Ave, Commerce City, CO 80022. Zoom Registration Link
[https://c3gov.zoom.us/j/99873857374?](https://c3gov.zoom.us/j/99873857374?pwd=bS9hS3QwMIQ4ekMwSkhnYXA2TWJWdz09)
[pwd=bS9hS3QwMIQ4ekMwSkhnYXA2TWJWdz09](https://c3gov.zoom.us/j/99873857374?pwd=bS9hS3QwMIQ4ekMwSkhnYXA2TWJWdz09)

This meeting will be held in person in the City Conference Room #2108 (location above). There will be general public physical access to this meeting

Call to Order

Meeting was called to order at 5:30pm

Roll Call

Present 3 - Board Member Adan Ramos, Board Member Edwin Flores, and Board Member Jeanie King
Absent 3 - Board Member Yung Hong, Alternate Board Member Craig Kim, and Alternate Board Member Oscar Madera

Pledge of Allegiance

Approval of Minutes:

[Min 23-230](#)

Derby Review Board Meeting Minutes, August 15, 2023

Attachments: [Derby Review Board Meeting Minutes, August 15, 2023](#)

A motion was made by Board Member Flores, seconded by Board Member Ramos, that this Minutes be approved VOTE:

Ayes: 3 - Board Member Ramos, Board Member Flores Board Member Jeanie King

Case(s):

[Pres 23-609](#)

DRB-23-0003: The Applicant is requesting approval of \$13,000.00 of Commercial Catalyst Program Funds for the restoration of the past Present Future Mural located at 7290 Monaco St., Commerce City, CO 80022

Attachments: [Economic Development Staff Report. Past Present Future \(1\)](#)
[Insurance Iris Scadden](#)
[Development Review Application](#)
[Catalyst Request Form](#)
[Artist Estimate Carlos Fresquez](#)
[Artist Estimate Iris Scadden](#)
[Masonry Estimate and Communication](#)
[Insurance Save A Lot](#)
[08. Insurnace Carlos Fresquez](#)

City Planner, Nathan Chavez, introduced case DRB23-0003 with the Commercial Catalyst Program Funds of \$13,000.00 for the restoration of the Past, Present, Future Mural located at 7290 Monaco St. and Economic Specialist, Nancy Flock presented.

The board spoke on the start time of the project and having appropriate number of quotes.

Seeing nobody registered for the meeting or any written comments, Chairperson Flores called for a motion.

Chairperson Flores called for a motion: "I move that the Derby Review Board approve the use of catalyst funds in an amount not to exceed \$13,000.00 for services, supplies and to rent equipment for costs the City determines qualify under the program for the property(s) located at 7290 Monaco St. Commerce City, CO 80022."

Ayes: 3- Board Member Ramos, Board Member Flores, Board Member Jeanie King

Action Items:

None

Board Business:

None

[Pres 23-611](#) Celebrating Boards & Commissions Event Reminder

Attachments: [RSVP Flyer](#)

Staff encouraged Derby Review board to attend

[Pres 23-610](#) Hispanic Heritage Month Celebration

Attachments: [Hispanic Heritage Month Flyer](#)

Staff encouraged Derby Review board to attend

Staff Business:

Traci Ferguson, Parks Planner, presented on Parks and Recreation Master Plan.

Director of Urban Renewal, Bill Aiken, spoke and presented on Reinvesting in Derby.

Adjournment

Meeting called to adjourn at 7:30 pm

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STAFF REPORT

Derby Review Board

Meeting Date: April 9, 2024

Case Planner: Nathan Chavez

Case #: DRB24-0001

Location: 7280 Magnolia Street, Commerce City, CO 80022

**Applicant/
Owner:** Concept Signs & Graphics

Request:

1. The applicant is requesting Derby Review Board approval of exterior improvements to the subject property including a new outdoor sign.
2. The applicant requests approval of a maximum of \$1,945.67 in Catalyst Funds.

Staff Recommendation:

Staff is recommending approval of the request for the proposed improvements and Catalyst funds as the proposal meets the design principles of the Derby Design Guidelines, the requirements of the Land Development Code, and approval criteria for Catalyst Funds.

Current Zone District: PUD (Planned Unit Development District)

Comp Plan Designation: Residential High

Background Information

City Council approved the 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, 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 along the east side of Magnolia St. The entire lot area is 7,846.79 square-feet and contains a single-story commercial building. The commercial building is approximately 820 square-feet with building frontage on Magnolia Street. The subject property is designated as Residential High within the Comprehensive Plan Future Land Use Plan. Within the Derby PUD, both the *Office* and *Financial/Accounting Services* land uses are Use-by-Rights, as such, the property is legally conforming. The proposed occupant is ATAX, a tax preparation business. The building was constructed in 1922. This building has never received catalyst funding.

Summary of Applicant's Request

The applicant is requesting approval of exterior enhancements and \$1,945.67 in Catalyst Funds (Table 1) for a new 12.875 square foot sign (Figure 1).

Table 1: Catalyst Funding Breakdown

Address	7280 Magnolia Street
Quoted Cost	\$3,891.33
Requested	\$1,945.67

Figure 1: Sign Rendering



Staff Analysis

The applicant's request for a new sign has been reviewed by staff and is 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.

Building History

The subject property was originally built as a residence across the street from the primary downtown block by Tipton and Pearl Brewer in 1925, according to The Historic Derby District Survey Report, created by Hoehn Architects. By 1938 the building was one of approximately ten houses within the Brewer's Addition subdivision. Records are unclear as to when the building was converted from a residence to a commercial use. Lastly, the Hoehn Architects Historic Derby District Survey Report identifies this building as "non-contributing" because although present during the period of significance, it does not possess historic integrity for that period or it did not function as a commercial building during the period of significance.

Architectural Character

The subject building is one of three in Derby which reflect the late 19th and Early 20th Century American Movement with some Craftsman/Bungalow features. This architectural style emphasizes low, horizontal lines and a design that becomes a part of its natural setting. The hallmarks of the style, wide projecting eaves and overhanging gables with exposed rafters, and open porches with heavy square porch columns often atop stone bases, give these buildings a sense of solid construction. The building (Figure 1) contains a low-pitched gable and a multi pane window common with Craftsman/Bungalow residences.

Surrounding Properties

The subject building is adjacent to Magnolia Street right-of-way to the west and two other commercial buildings to its north and south (Figures 2 & 3). The adjacent buildings were constructed 20-30 years after the subject buildings for commercial purposes.

<u>Existing Land Use</u>		<u>Occupant</u>	<u>Zoning</u>
North	Commercial	De Paz Insurance Agency & Irene Tax Services	PUD
South	Commercial	State Farm	PUD
East	Residential	Single-family residential	R-3
West	Commercial	Romero Funeral Home	PUD

Figure 2: State Farm Insurance to the south.



Figure 3: De Paz Insurance Agency & Irene Tax Services directly to the north



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 several buildings that match the architectural style. This context has been considered by staff and is important to the review of the proposed sign 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 was reviewed against the approval criteria within the Land Development Code and 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 states that improvements to non-1950s era structures shall retain and preserve the historic character of the building and conform to the design standards. Because the subject building was constructed in 1925, it is not required to reflect a 1950s architectural style. The proposed sign, while modern, does not detract from the building’s architecture or expression of its time, while at the same time fits within the context of the building.

The Derby Design Guidelines also states that “the objective (of signage) is to mix the optimism and style of the 50’s with the sustainability aspects of the modern age to come up with signs that will truly make Derby unique and inviting as a business center and destination.” The following characteristics should be encouraged for individual business signs.

- Materials, configuration, dimensions, and location will be to Scale and in proportion with surrounding buildings.
- Signs should avoid obscuring architectural details.
- Signs should be Contextual with their architectural and urban settings and should compliment and harmonize with their surroundings.
- Lighting on signage should be considerate of residential uses and potential night-time disturbances.

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 property, ATAX offers professional tax preparation and services to the area of Derby.

Conformance with the Land Development Code

The proposed sign has been reviewed for compliance with Article VII of the LDC, and has been found to meet the standards.

Commercial Catalyst Funds Program

The grant program is designed to enhance commercial properties located in Derby through exterior façade renovation, or new or improved signage and landscaping. This public-private partnership provides financial support for exterior improvements that benefit Derby and the public realm by making it safer and more attractive. The goal of the program is to improve existing businesses, while attracting economic development to Derby.

This request will support the applicant business, and will add a sign where one currently does not exist. The new sign will improve awareness of the property as a commercial property in Derby, and improve aesthetics in the public realm. The sign represents investment in Derby.

The Catalyst Fund approval criteria are as follows:

1. The proposal must be listed as an improvement that is eligible for catalyst funds in the Derby Catalyst Program Facts-to-Know publication.
 - a) Signage projects are listed among these projects and staff finds that the sign placement qualifies for catalyst funds under this improvement type.
2. The proposal design must be approved by the Derby Review Board or qualify to be fast tracked per the Derby Sub Area Design Guidelines.
 - a) Staff has described in this report how the proposed sign meets existing design guidelines.
3. The property must have a legally conforming commercial use.
 - a) The business offers services permitted within the Derby PUD.

Final Analysis

ATAX is a new business occupying a previous massage business with only window signage. The subject building reflects the Early 20th Century American Movement with some Craftsman/Bungalow features. While the building is from the 1920's it is not considered a contributing feature to a potential historic district. The proposed sign is viewed as an upgrade to the building, as it brings attention and economic diversity to the Derby sub-area. City staff concludes that the proposed exterior improvements are 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.

Lastly, the sign as proposed is federally trademarked, with the exact font and logo. Requiring changes to the design is not recommended.

As a result, the Planning Division & Economic Development recommends **approval** of the request. However, the Board has many options to choose from in making a decision:

1. The Board can choose to approve the proposed exterior improvement and catalyst funds as presented;
2. The Board can choose not to approve the proposed exterior improvement and catalyst funds;
3. The Board can choose to approve the proposed exterior improvements and not approve the catalyst funds;
4. The Board can recommend approval with changes made to the proposed exterior improvement and catalyst funds and to work with the Planning staff to finalize the approval; or
5. The Board can recommend changes be made to the proposed exterior improvement and catalyst funds 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 DRB24-0001, a Derby Redevelopment application for the property located at 7280 Magnolia Street.”

Recommended Catalyst Fund Motion: “I move that the Derby Review Board approve the use of catalyst funds in an amount not to exceed **\$1,946.00** to reimburse the applicant for costs the City determines qualify under the program.”

Advisory:

- A) In accordance with Derby Review Board Policy 2014-1, catalyst funds for signage, such as this, will expire if the project is not commenced within 3 months and completed within 6 months.
- B) 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

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.”

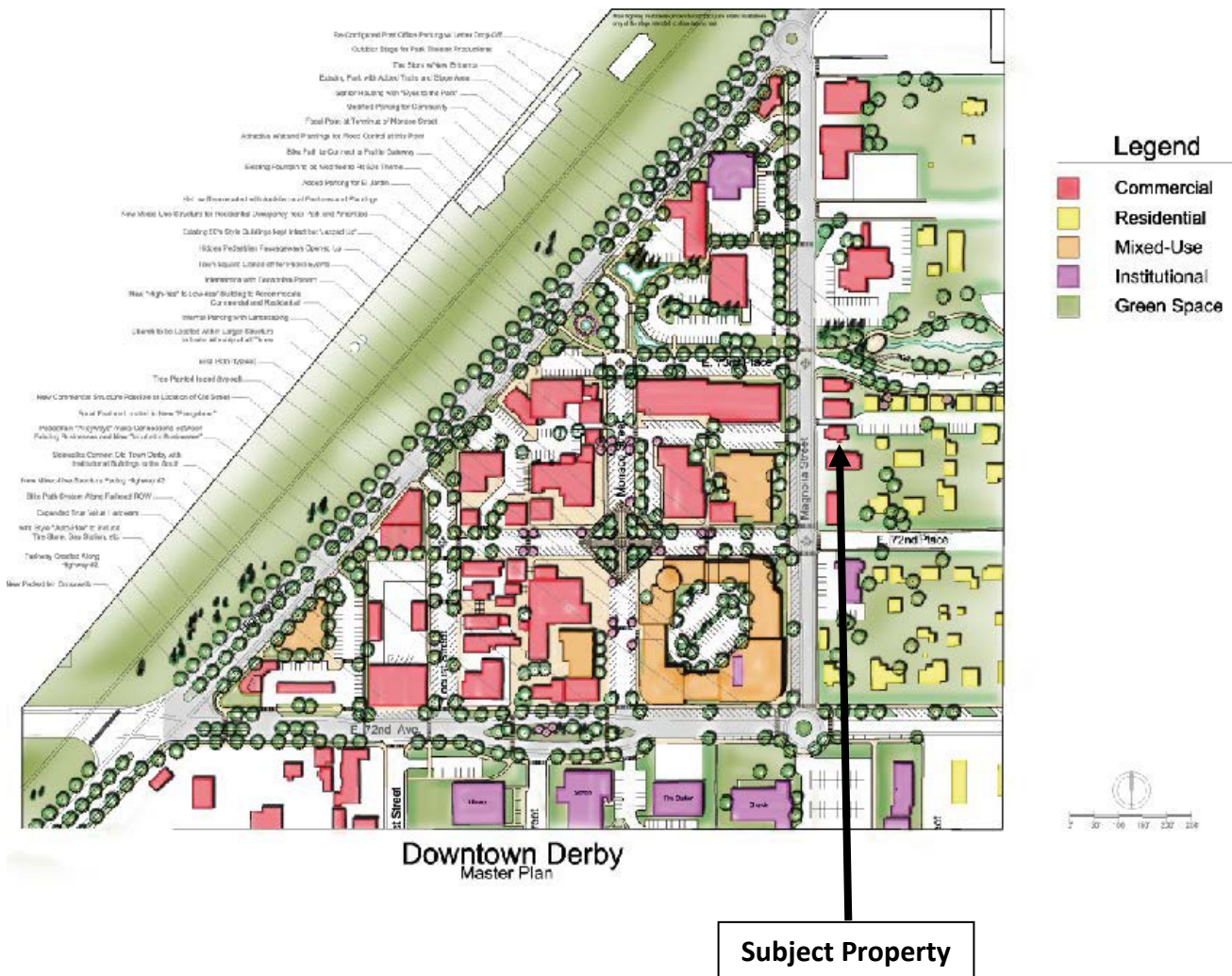
Denial Motion: “Based upon the finding that the application does not meet the design standards and principles of the Derby Design Guidelines, I move that the Derby Review Board **deny** case DRB24-0001, a Derby Redevelopment application for the property located at 7280 Magnolia Street.”

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
- Catalyst Fund Application
- Sign Specifications & Cost Estimates

Location within the Derby Downtown District:



[illegible]

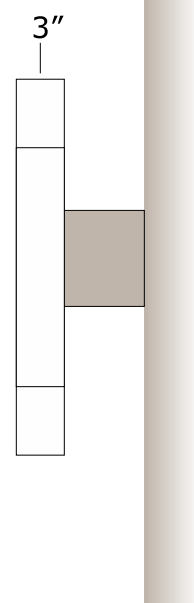


970.221.2627

Fabrication Shop
4518 O St.
Greeley, CO 80631

Sales Office
3307 S. College Ave.
Suite 221
Ft Collins, CO 80525

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SIGN SPECIFICATIONS:

- A** 3" DEEP, FACE-LIT CHANNEL LETTERS W/ RACEWAY
PAINT RACEWAY TO MATCH FASCIA
PAINT RETURNS WHITE
OVERLAY "ATAX" W/ 3M TRANSLUCENT RED FILM
OVERLAY LOGO W/ 3M DIGITAL PRINTED FILM

A R.1	SIGN TYPE:	FACE-LIT CHANNEL LETTERS	SCALE:	1" = 1'-0"
	QUANTITY:	1	JOB TYPE:	FABRICATE & INSTALL
	<input checked="" type="checkbox"/> PROPOSAL DRAWING <input type="checkbox"/> FABRICATION DRAWING			



ILLUMINATED RENDERING



EXISTING CONDITIONS



COMPLETION RENDERING

CLIENT: ATAX - MAGNOLIA

ADDRESS:
7280 Magnolia St,
Commerce City, CO 80022

CUSTOMER APPROVAL:

SALES REP: MATT DESIGNER: JC

PAINT COLORS

P1
P2
P3
P4
P5
P6

FILM COLORS

F1 3M 3630 RED
F2 3M 3630 DIGITAL PRINT
F3
F4
F5
F6

REVISIONS:

R1
R2
R3
R4
R5

JOB #

13239

DATE:

1-17-24

PAGE: 1 OF: 3

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COMPLETION RENDERING

CONCEPT
SIGNS & GRAPHICS
www.conceptsignco.com
3307 S. College Ave. Suite 221
Ft Collins, CO 80525
970.221.2627

SALES REP: MATT DESIGNER: JC

CLIENT: ATAX - MAGNOLIA

ADDRESS:
7280 Magnolia St,
Commerce City, CO 80022

CUSTOMER APPROVAL:

PAINT COLORS	FILM COLORS
P1	F1 3M 3630 RED
P2	F2 3M 3630 DIGITAL PRINT
P3	F3
P4	F4
P5	F5
P6	F6

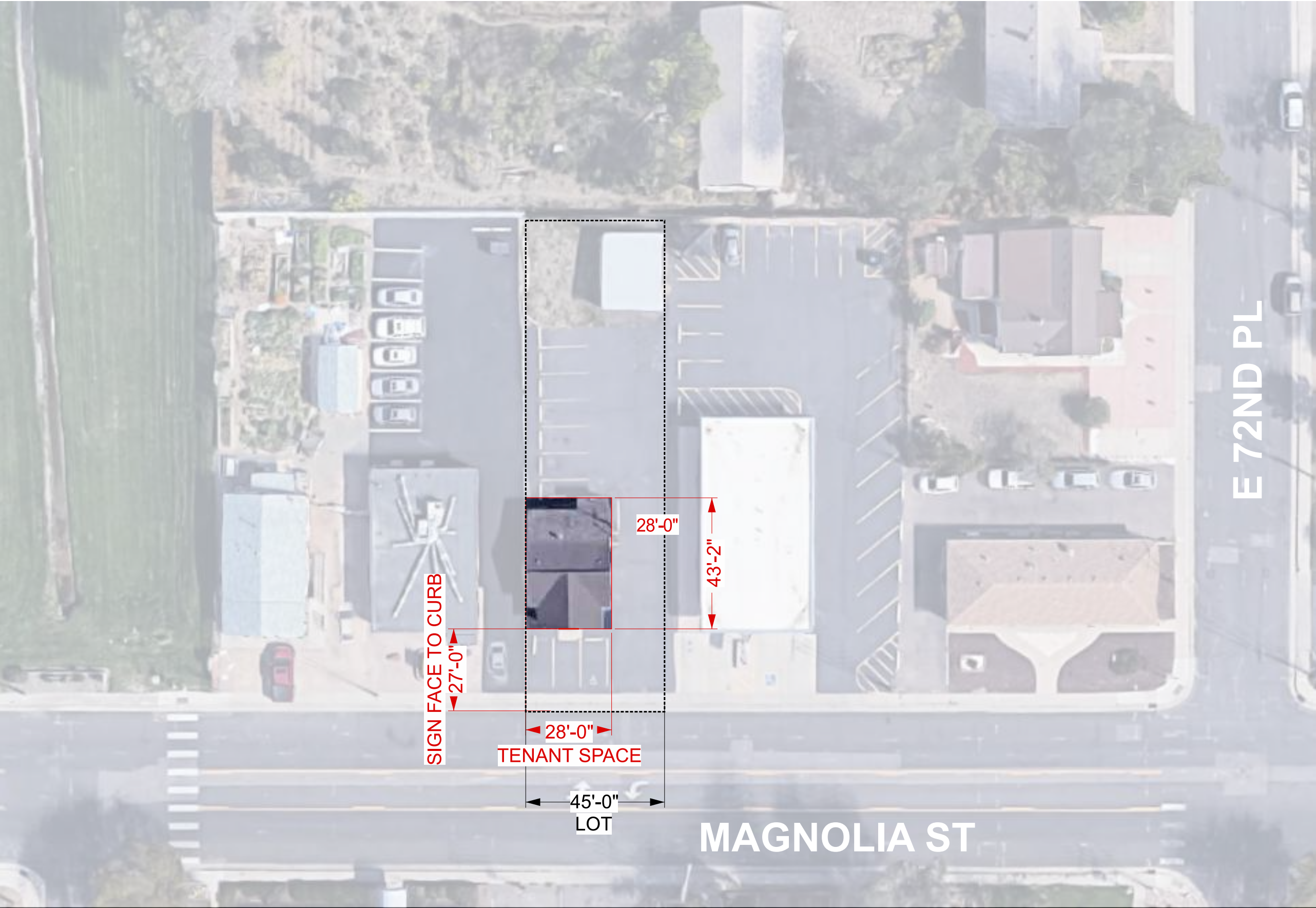
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PAGE: 2 OF: 3

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CLIENT: ATAX - MAGNOLIA

ADDRESS:
7280 Magnolia St,
Commerce City, CO 80022

CUSTOMER APPROVAL:

PAINT COLORS

P1
P2
P3
P4
P5
P6

FILM COLORS

F1 3M 3630 RED
F2 3M 3630 DIGITAL PRINT
F3
F4
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F6

REVISIONS:

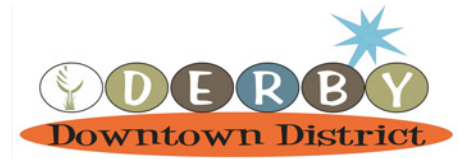
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PAGE: 3 OF: 3

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COMMERCIAL CATALYST PROGRAM REQUEST FORM

ATAX Commerce City

Business Name

Date

7280 Magnolia St

Commerce City

CO

80022

Business Street Address

City

State

Zip Code

720-600-0700

commercecityco@atax.com

Business Phone

Business Fax

Business E-Mail Address

Kimberly Baca

Property Owner/Tenant Name

☐ **Property Owner**

☒ **Tenant**

7280 Magnolia St

Commerce City

CO

80022

Owner/Tenant Street Address

City

State

Zip Code

720-600-0700

commercecityco@atax.com

Owner/Tenant Phone

Owner/Tenant Fax

Owner/Tenant E-Mail Address

Estimate or quote of total project cost (attach estimates): \$ 3891.33

Amount of Catalyst Program fund request*: \$ 1945.67

**Applicant will be reimbursed for no more than 50% of the total completed project cost or an amount approved by the Derby Review Board, whichever is less.*



ACKNOWLEDGMENT OF APPLICATION PROVISIONS

- ☒ I affirm that this project will not be initiated without written commitments and completed contracts with the City of Commerce City.
- ☒ I affirm that this project conforms to all codes, ordinances, and regulations as well as the common design principles established for the Catalyst Program.
- ☒ I affirm that all applicable permits will be obtained for this project and all accompanying inspections will be successfully completed in order to receive reimbursement.
- ☒ I affirm that I am in good standing with the City of Commerce City with respect to taxes, fees, loans, or other financial obligations to the city.
- ☒ I agree that if this project is selected for a grant from the City of Commerce City, photographs of my property may be used in promotional materials for the commercial Catalyst Program.
- ☒ I affirm that the requisite materials are included with this submittal.
- ☒ I understand that in some cases, an architect and/or engineer must prepare documents for building permit approval.
- ☒ I understand that all applicable permits must be obtained, and all accompanying inspections must be successfully completed.
- ☒ I understand that all project-related invoices must be submitted for review at conclusion of the project prior to reimbursement. In addition, approved copies of required city building permits must be submitted as a condition of reimbursement.

Kassandra Everhart Kassandra Everhart
Applicant's Printed Name & Signature

3/20/2024
Date

Commerce City Representative

Date

I understand that all project-related invoices must be submitted for review at conclusion of project prior to reimbursement. In addition, approved copies of required city building, sign, and fence permits must be submitted as a condition of reimbursement.

FOR OFFICE USE ONLY

Date Project Initiated

Date Project Completed

Concept Signs & Graphics
 4518 W O St
 Greeley, CO 80631
 970-221-2627
 accounting@conceptsignco.com
 www.conceptsignco.com



ADDRESS

Atax - Magnolia
 7280 Magnolia St
 Commerce City, CO 80022

SHIP TO

Atax - Magnolia
 7280 Magnolia St
 Commerce City, CO 80022

Estimate 13239

DATE 01/22/2024

JOB #

13239

QTY	DESCRIPTION	RATE	AMOUNT
1	Site Survey, Shop Drawings, Project Management	350.00	350.00
1	Permit Procurement Option	200.00	200.00
1	Raceway mount channel letter set 2'x6'5"	2,470.00	2,470.00T
1	Load, Travel and Install Sign	680.00	680.00
Plus taxes, permit. Primary power by owner. Plus engineering if required by city.			
			Subtotal: 3,700.00
1	2% Credit Card Surcharge	74.00	74.00

Thank you for the opportunity to serve you!

SUBTOTAL

3,774.00

TAX

117.33

NOTICE: To cover the cost of processing a credit or charge card transaction, and pursuant to section 5-2-212., Colorado Revised Statutes, a seller or lessor may impose a processing surcharge in an amount not to exceed 2% of the total payment made for goods or services purchased or leased by use of credit or charge card. A seller or lessor shall not impose a processing surcharge on payments made by use of cash, a check, or a debit card or redemption of a gift card.

TOTAL

\$3,891.33

Thank you for your business!

Quote E984973

Partner Details

Partner ID 226116
Partner Name Concept Signs & Graphics
Contact Name Matt Everhart
Contact Email matt@conceptsignco.com



Letters preview.
Actual colors may vary.

Quote Details

Date Saved April 8, 2024
Quote ID E984973
Job Name ATAX

Common Options

Product Line Fabricated Face Lit
Material Aluminum

Letters

Line 1 \$1,425.60 / Each

Line Text	ATAX
Sets	1
Font	Helvetica Bold
Depth	5"
Height	16"
Color/Finish	White (5687)
Acrylic Insert	Red (2283)
Back Type	Metal Back
Mounting Option	Stud Mount
Install Pattern	Drill Pattern
Lighting Package	Includes Power Supply and 10' Lead Wire
LED Light Color	Red LED

Line 2 \$535.80 / Each

Line Text	O
Sets	1
Font	Helvetica Bold
Depth	5"

Height	24"
Color/Finish	White (5687)
Acrylic Insert	Red (2283)
Back Type	Metal Back
Mounting Option	Stud Mount
Install Pattern	Drill Pattern
Lighting Package	Includes Power Supply and 10' Lead Wire
LED Light Color	Red LED

Letters Price	\$1,961.40
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Price

Net Subtotal	\$1,961.40
Partner Portal Discount (5%)	\$-98.07
Guaranteed Freight	\$134.99

Partner Price (Net) USD	\$1,998.32
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Based on your 40% discount
Tax not included

Suggested Retail Price (List) USD	\$3,493.98
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Quote is valid for 30 days

Freight Details

Freight charges may differ if oversized items can be made in pieces.