

PLANNING AND DEVELOPMENT MEMORANDUM
#10-32

August 26, 2010

TO: Honorable Mayor Joyce Downing and City Council members

FROM: William Simmons, City Manager *WAS*
James Hayes, Director of Planning and Development *JH*

SUBJECT: CR-120 - Northglenn Marketplace Business Incentive

RECOMMENDATION:

Staff recommends approval of the attached Resolution, which, if approved, would authorize the City Manager to waive building permits fees (plan review, permitting, and use tax) to provide direct assistance to the land owner of the Northglenn Marketplace. The resolution, if approved, would provide a maximum incentive of \$15,000 for construction of two new signs at the Marketplace.

BACKGROUND:

On July 28, 2010 and on August 11, 2010, the Northglenn Urban Renewal Authority approved the Northglenn Marketplace Sign Incentive Agreement which provides an incentive in the amount of \$500,000 for the construction of two, on-premise advertising signs. The first sign will be constructed adjacent to 104th Avenue and will be a monument sign similar to the two existing signs in this location. The second sign is a fixed panel and changeable message LED sign adjacent to I-25. Specifications and the operational policy for the LED sign are outlined below and memorialized in the Incentive Agreement.

Sign specifications

- Matrix size: 192 x 384
- Pixel pitch: 20mm
- Dimensions:
 - Total Sign: Height 38'-3" and width 25'-4"
 - LED Sign face: Height 12'-10" and width 25'-4"
 - V-Shaped design
- Software: Venus 1500 (Daktronics)
- Display programmer shall be able to import graphics and logos for major tenants and schedule specific advertising including .jpg and .tif files
- Warranty: 5 Year Gold "Bumper to Bumper" parts warranty, 10 years of support, and optional 9 month Platinum package allows for fixed service costs for first year of ownership.
- Life of LED Sign: Lifetime is equivalent to 100,000 hours (over 11 years of continuous operation, 24/7)

Operational Policy

- Message Hold Time. Each message displayed shall remain static for a minimum of five (5) seconds. The sign shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion.
- Transition Method. The sign shall be limited to static messages only, changed only through dissolve or fade transitions, which may not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pectoral segment of the sign,

including the movement of any illumination or the flashing, scintillating, or varying of light intensity. The transition during between messages shall not exceed one (1) second.

- **Brightness / Luminance.**
 - The sign shall be equipped with dimming technology that automatically varies the brightness of the electronic sign according to ambient light conditions. Specifications require photocell technology permitting the system/sign to sense the intensity of ambient light and adjust the brightness of the display accordingly. Fixed panels shall be backlit with a concealed light source.
 - The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare. Lighting from the message module shall not exceed 500 NIT (candelas per square meter) between dusk and dawn as measured by the equivalent 'Percentage of Maximum Brightness-Nighttime' setting on the applicant's sign controlling software. Applications for sign permits containing an electronic display shall include the manufacturer's specifications and NIT rating. City officials shall have the right to view the programmed specifications of the sign to determine compliance with this agreement and operational policy.
- **Civic Use of the Sign.** Pending CDOT approval (if necessary), the City of Northglenn shall be entitled to advertise on the sign a minimum of ten percent (10%) of the sign's operational hours between 6:00 a.m. to 10:00 p.m. each day.

On August 17, 2010, the Planning Commission unanimously approved an amendment to the Comprehensive Sign Plan for the Marketplace. The sign plan included the operational policy and was included as an exhibit to the NURA Incentive Agreement. On August 18, 2010, Gordon Sign submitted two building permits for the signs at the Marketplace, and staff anticipates the review and approval will be completed within the next week. The main objective is to entitle the property with the appropriate permits to facilitate construction of the sign(s) by November, 2010 in advance of the holiday shopping season.

BUDGET IMPLICATION:

After further analysis, staff has determined there will be a direct impact of \$3,192.05 to the City of Northglenn General Fund if this incentive is approved. Specifically, the City is still responsible for payment of 50% of the total permit fee (permit and plan review) to the City's building services provider (SafeBuilt). Although the contractual agreement with SafeBuilt allows the City to waive fees, fifty percent (50%) of the total fee is still due for services rendered. The City retains 100% of the use tax collected with permits applications, so no additional payment is due to SafeBuilt if these taxes are waived.

The following is a projected breakdown of the fees dues and (proposed to be) waived by the incentive agreement being considered by the City Council:

LED Sign Valuation of Work (including electrical permit): \$443,464
Monument Sign Valuation of Work (including electrical permit): \$61,465
Total Valuation of Work: \$504,929

LED Sign - Permit Fees

Building Permit Fee: \$3,352.15
Plan Review Fee: \$1,788.90
Use Tax: \$8,869.28

Total Fees: \$14,010.33

Monument Sign - Permit Fees

Building Permit Fee: \$792.75

Plan Review Fee: \$450.29

Use Tax: \$1,229.30

STAFF REFERENCE:

If Council members have any questions they may contact James Hayes, Director of Planning and Development at 303-450-8937 or by e-mail at jhayes@northglenn.org.

**AMENDMENT 1
COMPREHENSIVE SIGN PLAN
AUGUST 9, 2010**



THE ATTACHED AMENDMENT 1 TO THE COMPREHENSIVE
SIGN PLAN WAS REVIEWED AND APPROVED BY
THE CITY OF NORTHGLENN PLANNING COMMISSION
ON _____, 2010.

Sonia DiCarlo
PLANNING COMMISSION CHAIRMAN

Travis Reynolds
PLANNING COMMISSION SECRETARY

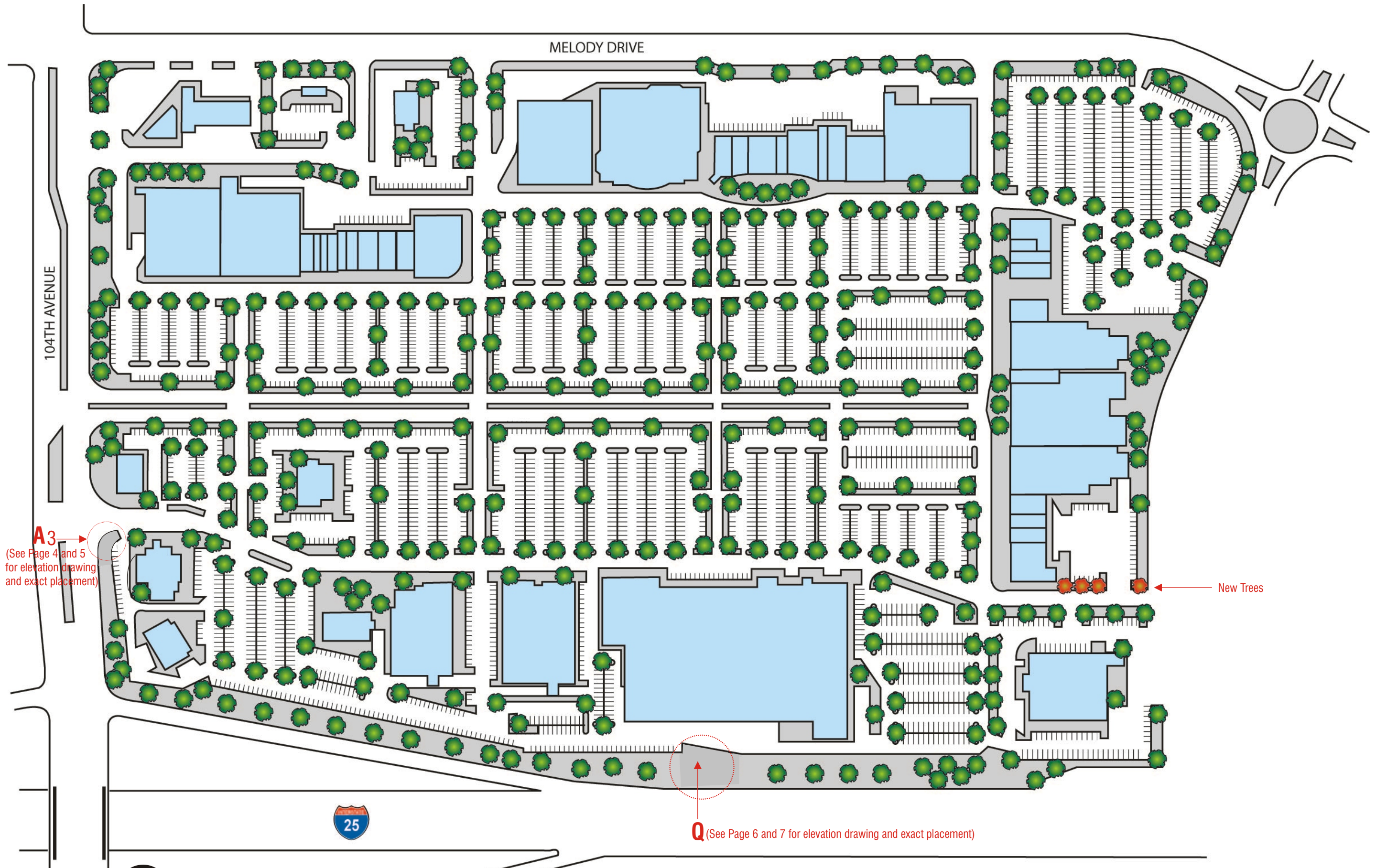
OWNER 1: ELPF Northglenn, LLC

OWNER 2: Panattoni Development Company

OWNER 3: Lowes #0246

TABLE OF CONTENTS

| | |
|---|---------------|
| Northglenn Marketplace Overall Site Plan | Page 1 |
| Amendment 1 Comprehensive Sign Plan | Page 2 |
| Sign “A3” - Joint Identification/Main Entry Sign | Page 2 |
| Sign “Q” Freestanding Highway LED Electronic Message Center | Page 2 |
| Sign “Q” Freestanding Highway LED Electronic Message Center (Continued) | Page 3 |
| Sign “A3” - Joint Identification/Main Entry Sign - Graphic Illustration - Elevation Drawing | Page 4 |
| Sign “A3” - Joint Identification/Main Entry Sign - Graphic Illustration - Location Plan | Page 5 |
| Sign “Q” Freestanding Highway LED Electronic Message Center - Graphic Illustration - Elevation Drawing | Page 6 |
| Sign “Q” Freestanding Highway LED Electronic Message Center - Graphic Illustration - Location Plan | Page 7 |



A3
(See Page 4 and 5
for elevation drawing
and exact placement)

New Trees

Q (See Page 6 and 7 for elevation drawing and exact placement)



NORTHGLENN MARKETPLACE - OVERALL SITE PLAN

Amendment 1 Comprehensive Sign Plan

The purpose of this amendment is to increase and enhance the exposure for existing tenants as well as attract new tenants through an additional Joint Identification/Main Entry Sign(Sign “A3”), and a Freestanding Highway LED Electronic Message Center (Sign “Q”).

Both of the proposed signs will be compatible with the existing Comprehensive Sign Plan.

Sign “A3” - Joint Identification/Main Entry Sign

The new sign will match the two (2) existing signs on 104th Avenue, except there will be fourteen (14) tenant panels on each side of the display.

The sign will be located behind the property line in a grass area in front of Lot 3. A number of site line studies were performed and in order for the sign to be visible to West bound traffic four (4) trees will need to be removed. Four (4) new trees will be planted on the property.

(See graphic illustration)

The sign shall be operated by Owner consistent with the other two existing monument signs; provided that Owner may only charge tenants for the initial costs of installing tenants’ information on the signs and for maintenance costs of the signs.

Owner may not charge tenants additional fees for placement on the signs.

Sign “Q” Freestanding Highway LED Electronic Message Center

The new double faced sign will consist of curved header panels with routed “NORTHGLENN MARKETPLACE” copy backed with plexiglas and internal illumination. The circular logos will be a digital graphic with internal illumination.

The primary feature will be a 12’-10” x 25’-4” full color 20mm LED Electronic Message Center.

The lower portion of the display will consist of six (6) aluminum panels with internal illumination and routed copy for tenant identification. The display will be mounted on a decorative steel tube “fan” structure.

In order to place the sign within the property line and keep the sign out of the drive lane the existing pine trees will need to be removed.

The sign will be centered on the existing 5’ high “MARKETPLACE” letters.

(See graphic illustration)

The LED sign shall be operated by Owner pursuant to the policies set forth below. Upon reasonable advance written notice, City officials shall have the right to view documentation of the Owner, including information related to the programming and calibration of the LED sign, to determine compliance with this Agreement and the operational policy.

1. Message Hold Time.

Each message displayed shall remain static for a minimum of five (5) seconds. The sign shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion.

2. Transition Method.

The sign shall be limited to static messages only, changed only through dissolve or fade transitions, which may not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign including, including the movement of any illumination or the flashing, scintillating, or varying of light intensity. The transition during between messages shall not exceed one (1) second.

3. Brightness / Luminance

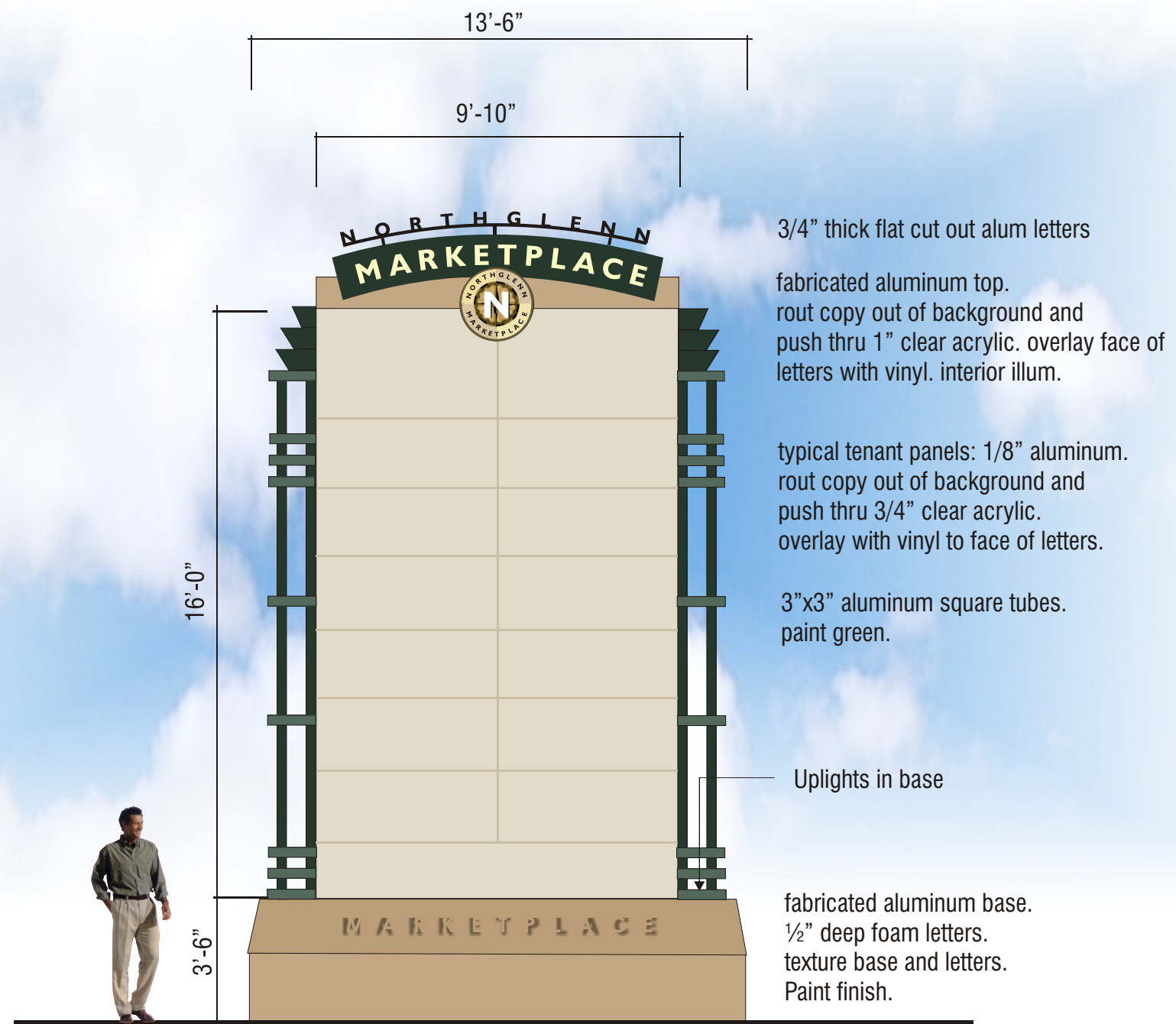
- a. The sign shall be equipped with dimming technology that automatically varies the brightness of the electronic sign according to ambient light conditions. Specifications require photocell technology permitting the system/sign to sense the intensity of ambient light and adjust the brightness of the display accordingly. Fixed panels shall be backlit with a concealed light source.
- b. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or welfare. Lighting from the message module shall not exceed 500 NIT (candelas per square meter) between dusk and dawn as measured by the equivalent 'Percentage of Maximum Brightness-Nighttime' setting on the applicant's sign controlling software. Applications for sign permits containing an electronic display shall include the manufacturer's specifications and NIT rating.

4. Civic Use of the Sign.

Pending CDOT approval (if necessary), the City of Northglenn shall be entitled to advertise on the sign for a minimum of ten percent (10%) of the sign's operational hours between 6:00 a.m. To 10:00 p.m. Each day.

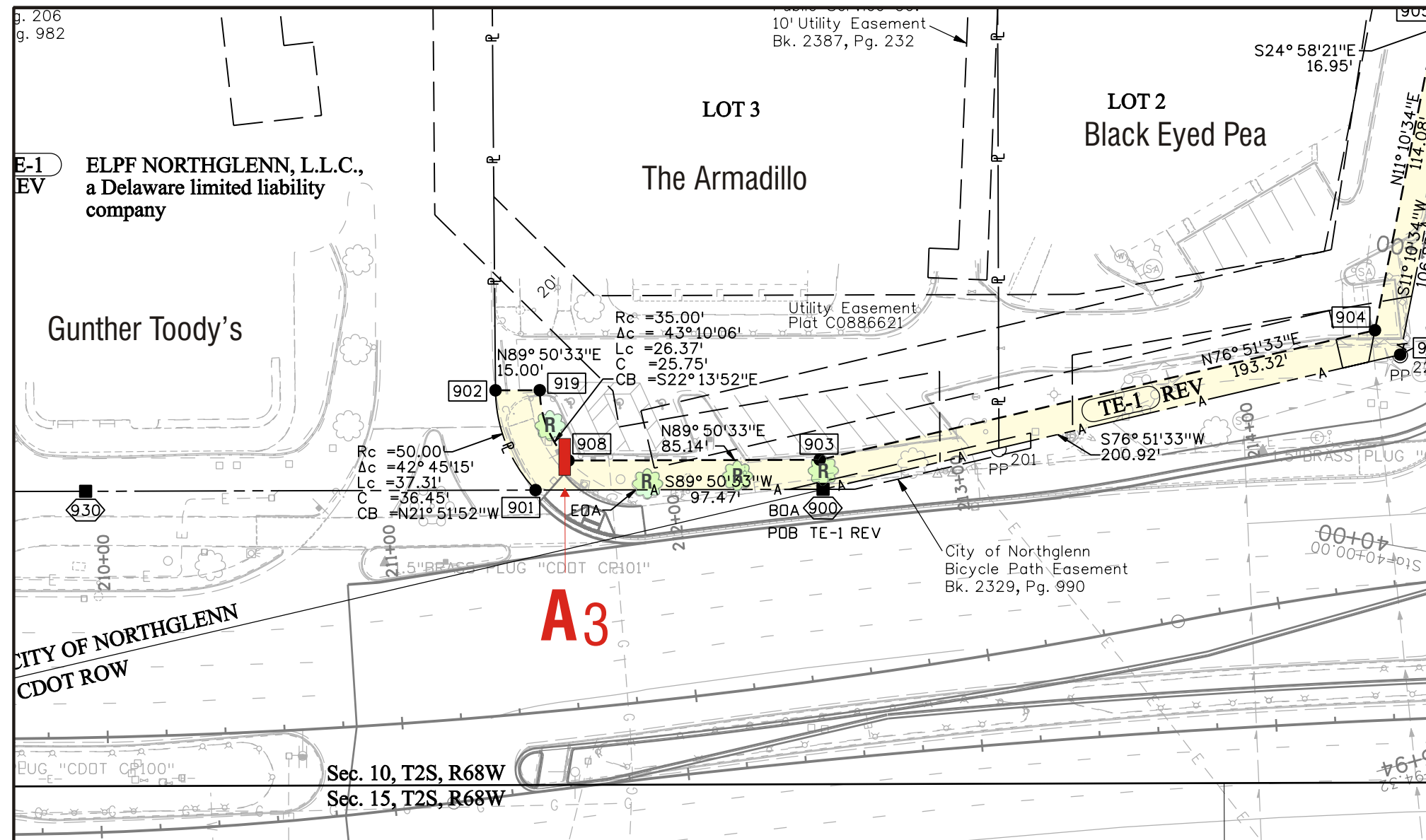
5. Tenant Use.

The LED portion of the sign shall be made available for use by all tenants in the Marketplace. Owner may exclude tenants who fail to share in the maintenance costs of the LED sign and those who are not in good standing with Owner for failing to comply with their lease terms. Owner shall not charge tenants for advertising on the LED portion of the sign, aside from CAM charges related to the maintenance of the sign.



A3 New Joint Identification/Main Entry Sign (TO MATCH EXISTING)

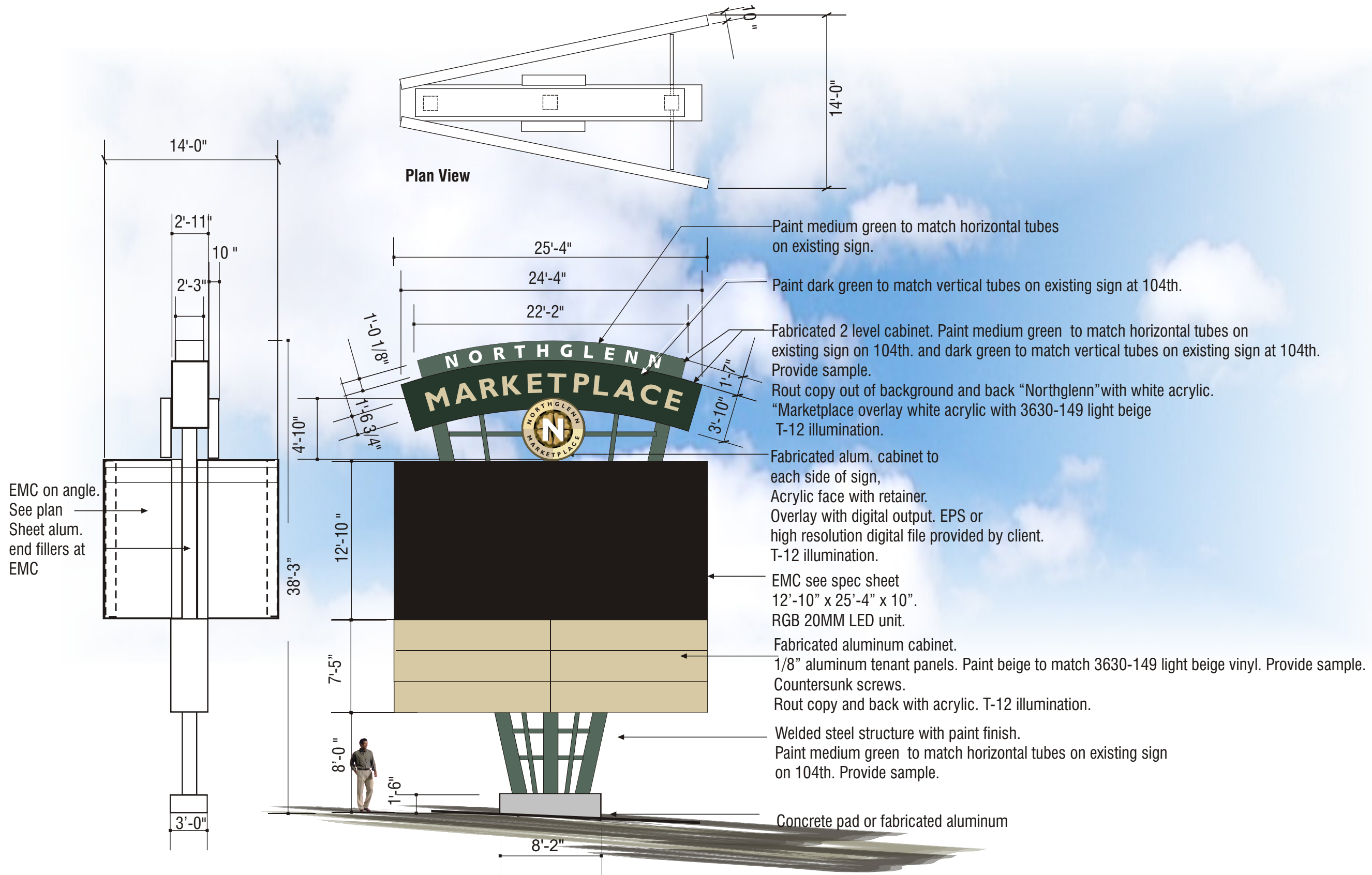
1/4" = 1'-0"

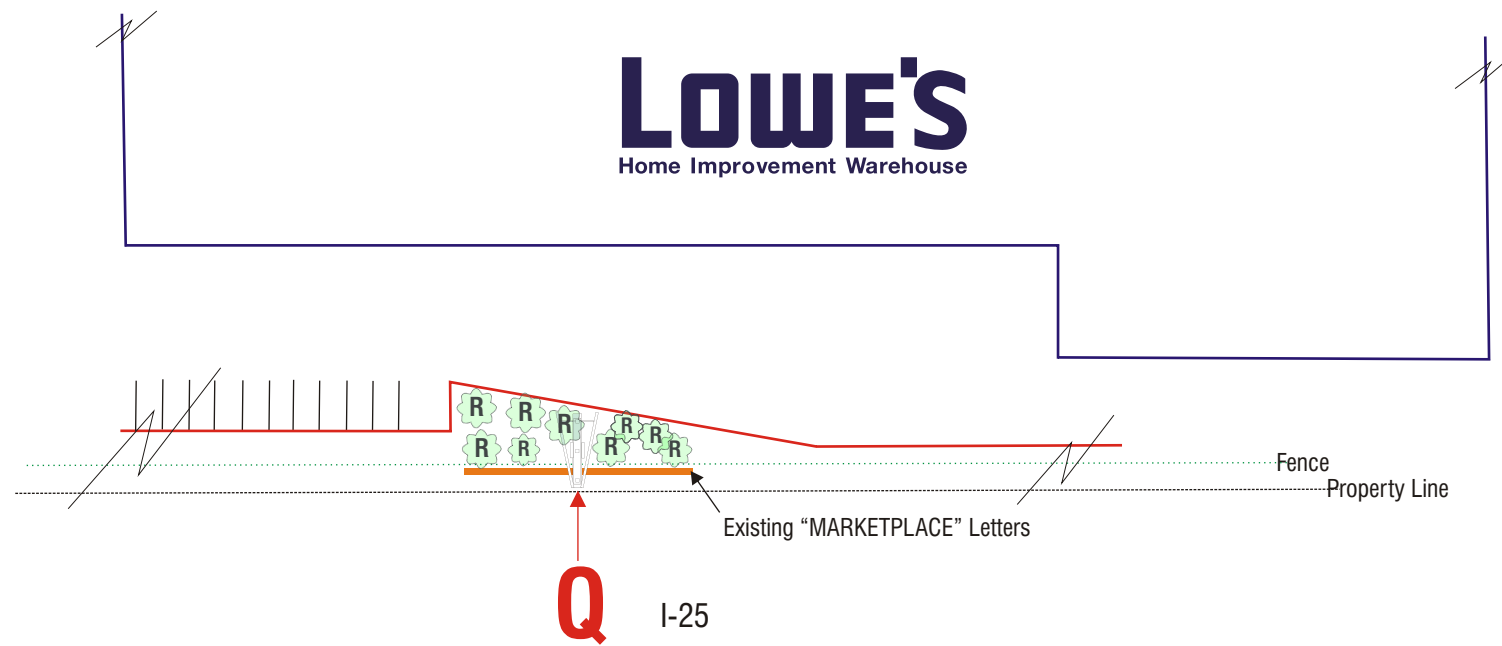


PARTIAL SITE PLAN @ 104th



Denotes the 4 trees to be removed





➔ **PARTIAL SITE PLAN @ I-25**
 APPROXIMATE SCALE: 1/64" = 1'-0"

Trees to be removed

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-120
Series of 2010

Series of 2010

A RESOLUTION APPROVING A BUSINESS INCENTIVE FOR ELPF NORTHGLENN, LLC FOR WAIVERS OF BUILDING PERMIT FEES, PLAN REVIEW FEES AND USE TAX IN AN AMOUNT NOT TO EXCEED \$15,000

WHEREAS, ELPF Northglenn, LLC (“Owner”) owns certain parcels within the Northglenn Marketplace, which the City Council finds provides an important economic base for the City of Northglenn (the “City”);

WHEREAS, the Northglenn Urban Renewal Authority (“NURA”) has entered into an agreement to assist Owner by providing an incentive for Owner to install two new signs (one monument sign adjacent to 104th Avenue and one LED sign adjacent to I-25) promoting businesses at the Marketplace (collectively, the "Signage");

WHEREAS, the Signage is intended to improve promotion of the businesses located within the Marketplace, and increase business to the Marketplace in general;

WHEREAS, the Signage is intended to preserve the public appearance of the Property, by protecting against its deterioration, maintaining a positive business environment in the City, and helping the Marketplace serve as an anchor commercial center to attract other businesses to the City; and

WHEREAS, the City Council desires to assist the Owner in addition to the assistance provided by NURA by waiving building permit fees, plan review fees and use tax in an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) for the Signage as set forth below.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City Council hereby approves a business incentive for ELPF Northglenn, LLC in an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) by waiving building permit fees, plan review fees and use taxes otherwise due for the Signage.

DATED at Northglenn, Colorado, this ____ day of _____, 2010.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney