



**MANITOU SPRINGS
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING MINUTES
January 2, 2019**



I. CALL TO ORDER

The Regular Meeting of the Manitou Springs Historic Preservation Commission was held on Wednesday, January 2, 2019, in Council Chambers at 606 Manitou Avenue. Chairwoman Nichols declared a quorum present and called the meeting to order at 5:59 pm. The following Commissioners attended:

PRESENT: Chair ANN NICHOLS
Vice Chair LISETTE CASEY
Commissioner ROBERT JACKSON
Commissioner TAMMILA WRIGHT
Commissioner JOY PORTER

ABSENT: Commissioner SAMANTHA BELDING (excused)
Commissioner NEALE MINCH (excused)

STAFF: Kimberly Johnson, Planning Director
Michelle Anthony, Senior Planner
Dylan Becker, Planner I

GUESTS: Robert Todd, City Council Liaison

II. APPROVAL OF MINUTES

ITEM 1. October 3, 2018

MOTION:

Commissioner Porter moved to approve the October 3, 2018 Regular Meeting Minutes of the Historic Preservation Commission with the following amendment:

1. Page 4, Line 35: Amend “he” to “she” in reference to Commissioner Wright

SECOND:

Commissioner Jackson seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 4-0. Vice Chair Casey abstained as she was not present for the October Regular Meeting of the Historic Preservation Commission.

III. NOTICE OF COUNCIL ACTION

City Council Liaison, Robert Todd, stated he wanted to provide the Historic Preservation Commission a verbal update on the recent happenings in City Council.

Councilman Todd stated the search for a permanent City Administrator continued and was expected to be occupied in the next six (6) months or so.

Councilman Todd stated, regarding the City's budget, City Council had decided to reduce twenty (20) of the line items which were deemed as discretionary expenses by fifty percent (50%) and it was possible those reductions may have impacted the Historic Preservation Commission for the coming year.

At this time, Chairwoman Nichols explained the public hearing procedures to the audience and asked if any Commissioners had ex parte communications or conflicts of interest to declare. Hearing none, the meeting continued.

IV. UNFINISHED BUSINESS

There was no Unfinished Business to discuss.

V. NEW BUSINESS

ITEM 2. MCAC 1902 – Material Change of Appearance Certification (Exterior Alterations) – 128 Pawnee Avenue – Cindy Duncan, Applicant

Michelle Anthony, Senior Planner, presented the Staff Report dated December 28, 2018.

Hearing no questions for Staff, Chairwoman Nichols invited the Applicant to the podium.

Cindy Duncan, 128 Pawnee Avenue, stated she wanted to put a lighter colored roof on her home because she believed it would help keep her home cooler in the summer.

Ms. Duncan stated the current roof material was a light blue with hints of gray and she would like to put on an asphalt roof in the color of Antique Silver which was a very light colored gray, almost white.

Ms. Duncan stated she also intended to reroof the garage to match the house in reference to the question raised in the Staff Report.

Ms. Duncan also stated her roofing contractor had informed her that darker colored roofs tended to melt the formaldehyde glue used in the OSB decking and roofing materials and a lighter colored roof would last longer due to this fact.

Commissioner Porter inquired if the desire for a lighter roof color had anything to do with aesthetics and matching the house better. Ms. Duncan responded her reasoning was to keep the house cooler in the summer, but felt it would be easier to change the color of the house at a later point in time with the lighter colored roof as she felt this afforded her more options.

Commissioner Wright commented the roof on her house was a black rubber material which had no impact on the temperature of the interior of her house due to the insulation which had been used and inquired if this was something the Applicant had considered as opposed to using the color to keep the house cooler in the summer. Ms. Duncan responded the newer addition to the house was better insulated than the older portion and the addition was also vented.

Commissioner Jackson stated it appeared in the images contained in the Staff Report, the roof on the house and the roof on the garage were different colors. Ms. Anthony responded the roofs were the same color and it was likely the angle in which the image was taken which caused this illusion. Ms. Duncan confirmed the same product was used on both roofs.

Hearing no further questions for, or comment from, the Applicant, Chairwoman Nichols opened the Public Hearing for public comment.

Dale Latty, 511 High Street, stated he felt the proposed roof color seemed like it would fit in with the district and with the surrounding neighbors. Mr. Latty also stated he felt it was best, in cases like these, to just let property owners do what they would like on their own property.

Hearing no further comments or questions from the public, Chairwoman Nichols closed the Public Hearing.

Chairwoman Nichols stated, given the property's location and low angle roof pitch, felt the proposed roof color was fairly compatible with the district and other properties in the area.

Commissioner Porter commented although there were many darker colored roofs in the neighborhood, the roof pitch was low enough that it was difficult to actually even see from the street. Commissioner porter stated she was amenable to the proposed color for those reasons.

Commissioner Wright commented the proposed roof color was only a couple of shades or hues lighter than the current roof which she felt was not likely to be a discernable difference.

MOTION:

Commissioner Wright moved to approve MCAC 1902 for a Material Change of Appearance Certification for exterior alterations to allow the use of Owens Corning Duration Storm Shingles in the color of Antique Silver at 128 Pawnee Avenue with the findings the proposed shingle color was of a shade found in nature, will not make the property any less contributing of a resource to the district, and the roof pitch was low.

SECOND:

Vice Chair Casey seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 5-0.

ITEM 3. MCAC 1901 – Material Change of Appearance Certification (Exterior Alterations) – 61 Grand Avenue – Shemi Shlomo, Applicant

Michelle Anthony, Senior Planner, presented the Staff Report dated December 28, 2018.

Hearing no questions for Staff, Chairwoman Nichols invited the Applicant to the podium.

Chairwoman Nichols inquired what the proposed material for the windows were for the addition.

Shemi Shlomo, 61 Grand Avenue, stated he would install whatever windows the Commission desired, but felt it was best to let his contractor answer this question.

Glenn Brooke of DDD Services, 2150 Academy Circle, Colorado Springs, stated the window material would either be vinyl or fiberglass. Mr. Brooke stated the fiberglass windows were the likely preference as they would last longer than vinyl windows and was preferable to the proposed design.

Hearing no further questions for, or comment from, the Applicant, Chairwoman Nichols opened the Public Hearing for public comment.

Dale Latty, 511 High Street, stated Mr. Shlomo had always done good work and he expected nothing different from this request.

Hearing no further comments or questions from the public, Chairwoman Nichols closed the Public Hearing.

MOTION:

Commissioner Jackson moved to approve MCAC 1901 for a Material Change of Appearance Certification for exterior alterations to allow a second story addition with vinyl or fiberglass windows to be constructed at 61 Grand Avenue with the finding the proposal is compatible in design with the existing home on the property and does not create a greater degree of incompatibility than the existing conditions.

SECOND:

Commissioner Wright seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 5-0.

VI. OTHER BUSINESS

ITEM 4. Information Regarding Letter to City Attorney Regarding Compliance with the Historic Preservation Regulations

Kimberly Johnson, Planning Director, presented the Staff Memorandum dated December 28, 2018.

Ms. Johnson stated the Planning Department was in the process of applying for a Certified Local Government Grant to use as matching funds for a State Historic Fund Grant to perform surveys to determine

which properties in the Historic Districts were contributing resources and which properties were non-contributing resources.

Ms. Johnson stated, ultimately, there would be more robust discussion and recommendations to the Historic Preservation Ordinances as well which would involve the Commission. Michelle Anthony, Senior Planner, commented the Commission would be provided with further information at the following meeting.

Chairwoman Nichols stated she thought it was a good idea to get the properties which were known to be contributing resources onto a map as this would be a big step in the right direction to resolving the issue and the next step would be for the City Attorney to draft a code amendment regarding a process for resolving disagreements and appeals. Chairwoman Nichols commented she hoped the process was inexpensive.

Ms. Johnson commented the fee for filing an Appeal had recently been reduced from half of the application cost with a five hundred dollar (\$500.00) minimum to just half of the application cost without a minimum amount.

Ms. Anthony stated it had also been recommended when there was a disagreement over whether a resource was contributing or non-contributing, there be an informal meeting between Staff, two (2) members of the Commission, and the Applicant as a way of determining the status of the resource. Ms. Anthony commented this would likely catch and resolve ninety-nine percent (99%) of the issues without the matter requiring a full hearing in front of the full Commission to determine the status.

Chairwoman Nichols commented she felt it was a positive exercise to revisit the regulations from time to time and would help improve and clarify the regulations for the public.

ITEM 5. Guidelines Discussion

Chairwoman Nichols stated the Guidelines and the Material Change of Appearance Certification for the lighter roof color heard earlier was likely something the Commission should look into revisiting while looking to update the Guidelines.

Michelle Anthony, Senior Planner, stated the guideline updates may either be handled by a consultant driven process or by Staff and noted when creating the Staff Report for one of the Material Change of Appearance Certifications approved earlier in the meeting, she had come across a guideline which mentioned setbacks in the heading of the guideline, but there was no guideline which followed it up or even mentioned setbacks. Ms. Anthony commented there were likely other instances like this in the Guidelines which the Commission should revisit.

Chairwoman Nichols suggested the Commissioners start making a list of things of this nature found in the Guidelines so when the time comes to perform updates to them, the Commission had a solid place to start.

NON-AGENDA ITEMS FOR DISCUSSION:

Robert Todd, City Council Liaison, distributed a document outlining his discussion and stated he was currently taking the lead to implement a transition of the role of the City Council Liaisons and was interested in changing how this role was to what he termed a “shadow liaison”.

Councilman Todd stated the goal was to improve the efficiency and effectiveness of communication, enhance those lines of communication, and empower volunteers.

Councilman Todd stated the proposed process was to have a Commission or Board Member attend and provide City Council with a quarterly briefing every ninety (90) days, allow Commissioners or Board Members to present to City Council at any time, and to transition away from City Council Liaisons attending all and every meeting in favor of attending when requested or on an item of interest to City Council.

Chairwoman Nichols stated she felt this was an advantageous approach and was a great way to improve communication with City Council.

Commissioner Porter stated this was also a good opportunity for the Commissions to better explain the reasons for their decisions to City Council as a means of reducing the number of decisions which were overturned.

Ms. Anthony stated she agreed and felt it was good to move away from only having Staff represent the Commission and was important for City Council to actually have volunteers from the Commissions and Boards appear before them.

Commissioner Wright commented she felt this was a great idea as well and also felt it would reduce the number of decisions overturned by City Council.

Kimberly Johnson, Planning Director, stated the only time a Board or Commission was not permitted to be interacted with was during an Appeal according to the City Attorney.

Chairwoman Nichols stated the approach was supposed to be to only utilize what was on record without the introduction of new material but felt the City Attorney often allowed Applicants to introduce new information while the Commissions and Boards were not permitted to weigh in on. Chairwoman Nichols commented this was biased and unfair and new information should not be introduced by either side as this often resulted in unfair decisions.

VII. ADJOURNMENT

There being no further business before the Historic Preservation Commission, Chairwoman Nichols adjourned the meeting at 7:07 p.m.

Minutes Prepared by: Dylan Becker, Planner I