



**MANITOU SPRINGS
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING MINUTES
Wednesday, June 6, 2018 at 6:00 pm**



I. CALL TO ORDER and APPROVAL OF THE AGENDA

The Regular Meeting of the Manitou Springs Historic Preservation Commission was held on Wednesday, June 6, 2018, in Council Chambers at 606 Manitou Avenue. Chairwoman Nichols declared a quorum present and called the meeting to order at 5:58 pm. The following Commissioners attended:

PRESENT: Chair ANN NICHOLS
Commissioner ROBERT JACKSON
Commissioner NEALE MINCH
Commissioner TAMMILA WRIGHT
Commissioner SAMANTHA BELDING
Commissioner JOY PORTER

ABSENT: Vice Chair LISETTE CASEY (excused)

STAFF: Michelle Anthony, Senior Planner
Dylan Becker, Planner I

GUESTS: Bob Todd, City Council Liaison

II. APPROVAL OF MINUTES

ITEM 1. April 4, 2018

MOTION:

Commissioner Minch moved to approve the April 4, 2018 Regular Meeting Minutes of the Historic Preservation Commission, as presented.

SECOND:

Commissioner Jackson seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion Passed, 5-0. Commissioner Porter abstained as she was not present for the April 4, 2018 Regular Meeting of the Historic Preservation Commission.

III. NOTICE OF COUNCIL ACTION

ITEM 2. AP 1801 – Material Change of Appearance (Exterior Remodel) – 33 Cherokee Road – Robert and Laura Lewis, Applicants. The Applicants have filed an appeal of the HPC approval at the February 7, 2018 regular meeting. City Council was scheduled to hear the appeal at their April 17, 2018 Regular Meeting. The appeal was granted by City Council, as presented, by a vote of 4-2.

ITEM 3. Review and Recommendation of Rehabilitation Plans for the Spring Street Bridge – Sara Hartley, City of Manitou Springs Hazard Mitigation and Resiliency Manager. City Council heard this request on April 10, 2018 and approved the recommendation of the Historic Preservation Commission, as presented, by a vote of 6-0.

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 4. MMG 1801 – Maintenance Mini-Grant (Retaining Wall Repairs) – 55 Waltham Avenue – Anne and Greg Berman, Applicants

Michelle Anthony, Senior Planner, presented the Staff Report dated June 1, 2018.

Commissioner Belding inquired, regarding the potential use of weep holes, if the intention was to follow the generally established standard of their placement near the bottom of the wall. Ms. Anthony responded the stone mason stated he may install weep holes, but would not know for sure until he began putting the wall back together. Ms. Anthony stated it generally did not make sense to put weep holes at the top of a wall and imagined the weep holes would be located in the first course or two of the lower section of the wall.

Chairwoman Nichols inquired if the stonemason was familiar to Ms. Anthony. Ms. Anthony responded she thought the stone mason had performed work in the City in the past, but she had not personally interacted with him prior to this request.

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

Greg Berman, 55 Waltham Avenue, introduced himself.

Anne Berman, 55 Waltham Avenue, introduced herself and stated the stone mason had a very high rating with the Better Business Bureau. Ms. Berman stated she had received a wide range of bids for the project and the bids were anywhere from \$1,800.00 to \$45,000.00 to either repair the wall or replace it. Ms. Berman stated she had done a lot of research and felt comfortable with the stone mason's abilities.

Chairwoman Nichols inquired if the Applicants were amenable to the recommendations made by Staff. Ms. Berman responded she was.

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

Jane Hart, 108 Crystal Park Road, inquired what color the cement wall would be painted. Ms. Anthony responded the cement wall was not part of this proposal and the City did not have purview over paint color. Ms. Hart commented there was greenstone going down the path. Ms. Anthony responded if the Applicants intended to paint the concrete wall, they should respond to this question. Ms. Berman responded they had no intention of painting the concrete wall as it had not been painted in the time they had resided at the location. Ms. Hart stated it was painted at one point quite some time ago. Ms. Berman responded they would certainly look into painting the cement wall once the retaining wall repairs were completed.

Hearing no further comment from the public, Chairwoman Nichols closed the Public Hearing.

Commissioner Minch commented large projects like this needed a larger grant and he would like to see a larger grant possibility for these types of projects. Chairwoman Nichols commented she felt this was a good idea.

MOTION:

Commissioner Jackson moved to approve MMG 1801 for a Maintenance Mini-Grant Request to repair a retaining wall at 55 Waltham Avenue.

SECOND:

Commissioner Wright seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 6-0.

ITEM 5. MCAC 1804 – Material Change of Appearance Certification (New Construction) – 2 Keithley Place – Jerry Peterson, Architectural Concepts, on behalf of Elizabeth Crawford, Owner

Michelle Anthony, Senior Planner, presented the Staff Report dated June 1, 2018.

Commissioner Belding inquired, regarding the height restrictions, if the intent of the twenty-five foot (25 ft.) height restriction was meant to ensure the historic structures weren't overwhelmed by a larger mass. Ms. Anthony responded in many cases, historic buildings may actually be taller due to steeper roof pitch which was the reason there was some leeway on this restriction in the Historic Districts. Ms. Anthony stated this request was not located immediately adjacent to a historic log cabin which lessened the impact of the mass on surrounding historic structures.

Ms. Anthony stated the Commission needed to look at whether flattening the pitch of the roof would bring the proposed structure into conformance with the Code while still maintaining its overall appearance and, if this could not be successfully achieved, it provided reasoning for granting the extra three feet (3 ft.) of building height.

Commissioner Belding stated building height and mass could be broken up by adding visually permeable surfaces, such as windows or skylights, and inquired if the Commission could do anything to help break up the requested height a bit. Ms. Anthony responded this would be something the Commission could ask the

Applicants to respond to and commented the central vertical gables helped to break up the mass. Ms. Anthony further commented she felt bringing down the pitch of the roof and lowering building heights would be easier to achieve than trying to deal with the height in other ways.

Chairwoman Nichols commented the height restriction was a zoning matter, but the Historic Preservation Commission was permitted to allow the height to be up to five feet (5 ft.) higher for historic appearance purposes.

Commissioner Porter inquired if the Historic Preservation Commission approved a higher building height, would the Planning Commission need to approve the decision. Ms. Anthony responded the Planning Commission would not need to review the additional height if approved by the Historic Preservation Commission unless approving a building of more than thirty feet (30 ft.) in height which would require a Variance.

Ms. Wright commented she had visited the site and had a difficult time determining the visual impacts the height would have on the surrounding neighborhood. Ms. Anthony stated on the Keithley Place side of the building it was one story. Chairwoman Nichols stated the Commission should keep in mind that it was able to approve the extra height if it was critical for the historic appearance of the building. Ms. Anthony commented she had suggested the Applicant provide depictions of how the building would look with a softer roof pitch.

Chairwoman Nichols inquired if there was a revised elevation depicting the softer roof pitch. Ms. Anthony responded she did not know if any existed and the Applicant would need to respond to the matter.

Commissioner Minch stated he had also attempted to do a site visit, but had visited the wrong location and inquired if any of the surrounding properties were taller than twenty-five feet (25 ft.). Ms. Anthony responded none of the surrounding structures were taller than twenty-five feet (25 ft.).

Commissioner Porter inquired if the proposed lighting would be facing downward. Ms. Anthony responded the City generally required lighting shields or downward facing lights.

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

Jerry Peterson, 3750 Penny Point, Colorado Springs, stated this property had gone through a Material Change of Appearance Certification with a previous owner nine years ago which was approved despite there being height issues, just as there were with the new request. Mr. Peterson stated the exterior detail of the proposed house was the same design which had been previously proposed and had done everything he could to ensure the design matched what was expected through the Design Guidelines.

Mr. Peterson stated the building height was directly caused by the slope or pitch of the roof and this was dictated by the design detail. Mr. Peterson stated the ceilings were nine feet (9 ft.) high and felt anything less would be unacceptable in a custom home. Mr. Peterson stated he felt the 6/12 pitch of the roof was modest, reasonable, and was typical of custom homes today.

Mr. Peterson stated there were two elements of the design which could absolutely not be changed. Mr. Peterson stated the first element which could not be altered was the fact the house could not be lowered by changing the pitch to a 5/12 pitch, as requested in the Staff Report, as this would cause the entry portico

gable and the covered deck gable to be compressed which would destroy its appearance. Mr. Peterson stated this would cause these features to become so compressed they would no longer be an acceptable detail and would destroy the appearance of the proposed house. Mr. Peterson stated the second element which could not be altered were the cathedral ceilings as they were one of the most important design features. Mr. Peterson stated lowering the pitch of the roof would completely destroy the feeling upon walking into the house.

Mr. Peterson stated, due to the slope of the lot, only a two-story house could be built on the site with the side facing Keithley Place as one (1) story and two (2) stories on the backside. Mr. Peterson stated there were two frontages to the proposed house because the road wrapped around the property.

Mr. Peterson stated there were not any options regarding lowering the house in any way and felt the property owner would be very unhappy if she had to start over to redesign the proposed residence. Mr. Peterson stated the design of the house was very intentional and the deck located in the back of the house was designed in such a way that it would visually break up the height of the building and made it appear smaller.

Commissioner Minch inquired if these plans were essentially the same plans which had been approved by the Commission nine years (9 yrs.) previously. Mr. Peterson responded the only difference was the floor plan of the interior.

Commissioner Minch inquired of Ms. Anthony if there had been any changes to the Code or Design Guidelines which would cause the Commission to reconsider the height of the building. Ms. Anthony responded the Design Guidelines had been updated since the request first went through this process, but did not think the changes were substantial enough to trigger a difference in this case. Ms. Anthony stated the main thing was that the Historic Preservation Commission's approval only lasted for one (1) year which was why this request was back before the Commission nine (9) years later.

Chairwoman Nichols stated it was her understanding the twenty-five foot (25 ft.) height restriction was established by the Zoning Code and had not changed or been altered in the time since the original request, but the Commission maintained the power to allow an additional five feet (5 ft.) of height beyond this restriction if, and only if, there was a historic feature or element which would be adversely affected by the restriction. Ms. Anthony confirmed this was correct.

Commissioner Porter inquired if this request had any features which warranted the Commission's allowance of the additional height based on the description just given by Chairwoman Nichols. Ms. Anthony responded this was up to the Commission to determine.

Commissioner Wright inquired if the additional height for this request was approved, what would the Commission tell all of the other former applicants who had worked with the Commission to ensure their construction projects did not exceed the height restriction imposed by the Zoning Code. Chairwoman Nichols responded the Commission had allowed construction of buildings with heights exceeding the twenty-five foot (25 ft.) restriction on occasion, but it was up to the Commission to determine whether it was necessary in this case.

Commissioner Belding inquired if any requests had been approved in this subdivision, or surrounding subdivisions, which exceeded the height restriction. Chairwoman Nichols responded there were none approved with the additional height within the Keithley Subdivision to her recollection.

Commissioner Belding commented it appeared, according to the plans, the intention was to be able to look straight through to the back of the property from the front entrance and inquired if this was accurate. Mr. Peterson responded if the floor plan remained open, one would be able to do so, but due to the art feature which broke the view from the front entry to the living area obstructed this. Commissioner Belding inquired if the art feature caused the floor plan to not be as open. Mr. Peterson confirmed.

Commissioner Minch inquired if the front view of the house was the view which would be seen from Keithley Place. Mr. Peterson responded the view Commissioner Minch was referring to was actually the back of the house.

Commissioner Minch inquired if the side view which looked down to Keithley Road would have a full on view of the roof. Chairwoman Nichols responded this was correct based on the north elevation drawings.

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

Jay Pretzer, 5 Keithley Place, stated he was before the Commission five years (5 yrs.) previously and commented he felt there were ways of adjusting the height which had not been discussed. Mr. Pretzer stated if the Commission determined the proposed 6/12 pitch was integral to the design of the building and, since the proposed finished sub floor was above the road height on Keithley Place, the architect could lower the entire building to or below the grade of the road which should alleviate the height issue.

Commissioner Wright inquired if Mr. Pretzer was suggesting the proposed house be sunk into the ground. Mr. Pretzer responded he was suggesting the basement level be dropped by about two feet (2 ft.). Commissioner Wright inquired if this would require new plans to be drawn. Mr. Pretzer responded it would take a different plot plan and grading plan, but the architectural features would remain the same. Mr. Peterson responded if the house was designed in a manner in which one had to step down into it to be at floor level, they would need to deal with the grade. Mr. Pretzer stated this was correct.

Mr. Pretzer stated, in regard to architectural features and the roofline, Mr. Peterson had stated the most important feature to maintain which was critical to the architectural design was the log feature extending over the deck. Mr. Pretzer stated when he had been before the Commission previously for the design of his historic home, he was told the Commission would not even consider the additional height and he was forced to go with a 4/12 roof pitch. Mr. Pretzer stated he thought if the proposed roof pitch for this house was changed to a 5/12 pitch, it would alleviate the height concerns and would maintain the architectural features desired.

Eric Wright, 227 Plainview Place, stated the proposed home was set to be built directly above the location of his property and eleven (11) years previously when the former construction crew had packed up and left, job unfinished, it had caused severe flooding to his property and City-owned open space. Mr. Wright stated he was going to demand that two (2) five-hundred thousand dollar (\$500,000) bonds be put in place; one for a hydrologic and geologic study and one to guarantee the house will be finished. Mr. Wright stated the last time the Eleven Mile construction crew was there, they left the construction unfinished and felt the developers needed to ask the neighbors for their input so as to lessen the impact on those below.

Betty Armstrong, 14 Keithley Road, stated it was her understanding the windows would all be divided lites and commented she felt the deck was a major feature on the north side. Ms. Armstrong inquired if the log siding for the garage was superficial. Ms. Anthony responded this was correct. Mr. Peterson commented the siding was three inches (3 in.) thick.

Doug Edmundson, 7 Keithley Road, stated he was concerned about the height of the structure and commented he had been asked in the past to erect a pole to determine the visual impacts of the proposed building heights on past projects. Mr. Edmundson stated it was within the Planning Department and the Historic Preservation Commission's purview to ask the Applicant to do the same in order to get an on-site visual of the proposed building height.

Mr. Edmundson stated he was also concerned about the drainage of the property because ninety percent (90%) of the runoff coming down Keithley Road ended up on his property due to a series of poorly maintained culverts installed by the previous construction company eleven (11) years prior. Mr. Edmundson stated he had been maintaining the three culverts which were on his side of the road because it behooved him to do so.

Mr. Edmundson stated he would like to see some sort of Home Owners Association involvement with the City to alleviate some of the road and drainage issues in the neighborhood. Mr. Edmundson commented he felt the design of the home was beautiful, but wanted some of the height concerns for the neighbors to be addressed. Mr. Edmundson also commented he understood the apprehension to designing the home in a way in which you would have to step down into it, but felt it would make a big difference for the neighbors.

Mr. Edmundson stated he would like to see some masts erected depicting the roofline from gable point to gable point because he felt the height of this building would have a large impact on the quality of life in the neighborhood.

Hearing no further comment from the public, Chairwoman Nichols closed the Public Hearing.

Chairwoman Nichols stated she would like Mr. Peterson to address the concept that the height issue could be mitigated by lowering the level of the floor a few feet and inquired if this was a practical solution to achieve. Mr. Peterson responded the grade was difficult at the location due to the way the land fell and he had selected the highest point, which was the most logical location, on the site. Mr. Peterson further explained there were no build areas surrounding the site and the proposed building envelope fit within this area and the garage was angled due to the site topography and setback requirements. Mr. Peterson stated there was little choice in regard to the building location and the grade without putting the building down into a hole. Mr. Peterson stated he would need to look at the impacts of lowering the building more closely, but was concerned it may become too involved to do so.

Commissioner Minch inquired if the setback requirements prevented the structure from existing in a different orientation. Mr. Peterson responded they had and the house could not be rotated into another configuration.

Commissioner Wright inquired if Mr. Peterson would be opposed to erecting the masts to show the actual building height on site. Mr. Peterson responded he would work with the contractor to arrange this.

Chairwoman Nichols stated she recalled these masts being set up when this plan was previously approved, but was not certain. Ms. Anthony responded she did not recall the masts being erected during the previous approval.

Commissioner Wright commented this plan, when it was originally approved was her reason for joining the Historic Preservation Commission. Ms. Anthony stated the Commission had asked other properties to erect a mast to get an actual visual of the proposed height and felt there was no issue with the Commission requesting this. Ms. Anthony also commented she felt it would be a good idea for the architect to look into the impacts of lowering the floor a few feet.

Chairwoman Nichols stated she felt it would be beneficial to have a mast erected to determine where the roofline would be and for the architect to look into whether there was any practical way of lowering the height. Mr. Peterson stated he was amenable to this request.

Commissioner Minch stated he felt the pole should have a twenty-five foot (25 ft.) marker on it so the Commission could see the difference in what is required by zoning and the additional height the Commission would be approving.

Chairwoman Nichols commented, if the Applicant was willing, she felt the Commission would have a much better set of tools on which to base their decision. Mr. Peterson stated he would do anything in his power to get this right and did not want to upset or anger anyone in this process.

Commissioner Wright commented, since these plans were originally approved, there have been many other applications which had gone through the Historic Preservation Commission's process and felt it was good to give the neighbors and the applicant a fair vetting.

Chairwoman Nichols stated the guidelines had been updated in the time since this request was first approved and also felt it was a good idea, in fairness to all, this request be looked at thoroughly.

Commissioner Porter inquired if Mr. Peterson had been in contact much with the surrounding neighborhood. Mr. Peterson responded he had sent out letters and information explaining their intent, but other than a hello, there had not been much person-to-person interaction. Commissioner Porter commented it was always a good idea to go out into the neighborhoods and try to make face-to-face contact.

Chairwoman Nichols inquired if this was already on the agenda for the Planning Commission. Ms. Anthony responded the request was going through the Planning Commission in July for a Subdivision Waiver.

MOTION:

Commissioner Minch moved to postpone MCAC 1804 for a Material Change of Appearance Certification to construct a new residence at 2 Keithley Place until the July 12, 2018 Regular Meeting of the Historic Preservation Commission with the directive the Applicant look at options to lower the roof height and to erect two poles depicting the height at twenty-eight feet (28 ft.) and twenty-five feet (25 ft.).

SECOND:

Commissioner Belding seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 6-0.

Commissioner Belding inquired which buildings in the immediate vicinity were actually contributing versus non-contributing. Ms. Anthony responded the only one which was considered contributing was the one with the sod roof.

VI. OTHER BUSINESS

ITEM 4. Planning for Hazards Update – Karen Berchtold

Karen Berchtold, Senior Planner, presented a PowerPoint presentation regarding the First Draft Code Updates to the Zoning and Subdivision Code. Ms. Berchtold stated these changes would not directly impact the Historic Design Guidelines, but she wanted to make the Commission aware of where they may see some changes to the Code relating to Hazard Mitigation and Development Reviews.

Ms. Berchtold stated the City now had a First Draft of the Code updates and had sent out surveys as a means to get feedback from the community and professionals. Ms. Berchtold stated she was continuing her work to determine the real life impacts on Development Review Applications these changes would incur and to refine the Draft Planning Tools. Ms. Berchtold stated her group was working towards the Second Draft of the Code changes and was working with the Colorado Geological Survey to update and improve the City's hazard mapping.

Ms. Berchtold stated the mapping was a great improvement on what the City already had, but the mapping was still not good enough to perform a parcel level assessment of geologic hazards and the Colorado Geological Survey had suggested the City would need more field assessments in order to be able to do this at a parcel level.

Ms. Berchtold stated the other piece her group was working on was the wildfire mapping of the City and the Wildland Urban Interface group felt it was necessary to address wildfire mitigation across the City at varying levels. Ms. Berchtold stated the Fire Department would be performing more detailed risk assessments this summer.

Ms. Berchtold stated there was a working group involved which had identified four (4) key tools important in mitigating the City's hazard risks.

Commissioner Minch inquired if the survey mentioned was the same survey which was sent out in the previous few weeks. Ms. Berchtold confirmed it was.

Ms. Berchtold stated the Code changes affected the Subdivision and Zoning Codes and the group was also working on updating the Fire Protection Plan for the City.

Commissioner Porter stated insurance companies were now requiring property owners to have their homes looked at in terms of meeting their requirements for fire risk and mitigation, and inquired if this was to be anything different in regard to the Fire Protection Plan. Ms. Berchtold responded she had done some

research on this topic and one of the groups she had talked with offered to review the City's new regulations to make sure they were compatible with what insurers were looking for. Ms. Berchtold commented she still felt it was best for property owners to contact their insurer to find out their specific requirements and her group was also working on providing wildfire mitigation guidance for the community to implement on their own properties. Commissioner Minch commented this was good because he knew different insurance companies had different requirements, but as of yet, he had not had an insurance company come by and inspect his property in person. Chairwoman Nichols commented her three (3) properties had all been assessed by her insurance company. Commissioner Minch commented he felt this was likely due to coverage area and presence of certain insurance companies in the region. Ms. Berchtold commented each insurance company had its own policy, criteria, and procedure for looking at and assessing risk. Ms. Anthony commented the insurance companies would not, however, look at the City's maps, Code, or Fire Department assessments because of this.

Chairwoman Nichols inquired if the Fire Department assessments were informational or if they contained requirements to perform certain mitigation tasks on individual properties. Ms. Berchtold responded the current assessments were informational only, but through this process there would be requirements imposed in the assessments for new developments.

Ms. Berchtold stated, in regard to the Subdivision Code changes, if Manitou Springs was a rapidly developing community, there would be a lot of things which could be done, but this was not the reality. Ms. Berchtold stated there were a few small select areas in town which could still be subdivided, but they happened to be located in the peripheries of the City. Ms. Berchtold commented there wasn't likely anything, including the updates to the Subdivision Code, which would change this fact, but the group wanted to address the matter anyway.

Ms. Berchtold stated the Zoning Code Changes provided more opportunity to incorporate natural hazard considerations and the group had decided to make some targeted changes for different zones based on their risk. Ms. Berchtold stated, for example, in the Hillside Low Density Residential Zoning Code changes, the landscape requirements had been updated and improved and there was a new Code section called the Sensitive Lands Protection Standards, as well.

Ms. Berchtold stated, in regard to strengthening the City's Floodplain review process, the group had clarified the review standards and were designed to look at the impacts of proposed construction on the floodplain. Ms. Berchtold stated there was a gap in the current regulations in which a property owner could install a foot bridge without review from the City and the updates were meant to rectify this crack in the regulations. Ms. Berchtold stated the City would also track floodplain permits before they went to the Pikes Peak Regional Building Department and the group had been working with them to iron out the details.

Commissioner Minch inquired how the City's floodplain review would be different from the floodplain review administered by the Pikes Peak Regional Building Department. Ms. Berchtold responded the Pikes Peak Regional Building Department only reviewed development which required a Building Permit and bridges did not trigger this requirement. Ms. Berchtold stated there was a potential for bridges like these which could be disruptive to the floodplain to escape review. Ms. Anthony commented there was no structural review for private bridges even if it happened to be a vehicle bridge and this update would allow the City to have structural standards for these structures. Ms. Anthony commented this would also better ensure these types of constructions obtain a floodplain permit. Chairwoman Nichols inquired if these updates pertained to Chapter 18.10. Ms. Berchtold responded it was actually Chapter 18.06.

Ms. Berchtold stated, in regard to the Sensitive Lands Protection Standards, this would integrate existing parts of the Code for floodplain, wildfire review and mitigation, and geologic hazard identification, review, and mitigation.

Commissioner Minch inquired what would trigger these standards and requirements in the Code. Ms. Anthony responded if there was new construction, it would make sense to, at the very minimum, require an evaluation from a geotechnical engineer whom would be able to write a letter stating whether or not further study was needed.

Commissioner Minch inquired how the wildfire piece would be triggered. Ms. Anthony responded the Fire Department would perform a site visit and provide the City, as well as the property owner, an evaluation of the property and provide recommendations for mitigation.

Ms. Berchtold stated the City would be incorporating some select components of the Wildland Urban Interface Code which would provide guidance in regard to maintenance and mitigation.

Commissioner Minch inquired if this was a recommendation or an enforceable provision. Ms. Berchtold responded she should have referred to them as conditions as opposed to recommendations and the City would enforce those conditions. Ms. Anthony responded the City's enforcement was possible only for things like re-orienting a building or structure, but as far as landscape maintenance, the best the City could do was provide the property owners with the information. Ms. Anthony commented she was not even sure Staff capacity was able to go out and enforce things the way they should be. Commissioner Minch commented this was exactly some of the feedback he had given in the survey which had been sent out. Ms. Berchtold commented the Fire Department was moving forward with their neighborhood-level assessments and were ultimately moving toward assessments for individual properties.

Commissioner Belding inquired how a new homeowner was supposed to know about these stipulations in relation to their own property. Ms. Anthony responded many communities regularly filed documents down at the El Paso County Clerk and Recorder but this was something the City intended to look into. Ms. Anthony also stated the City's property files were open to the public and property owners could come down and look through their file if they wanted to do their due diligence.

Ms. Berchtold stated the geologic hazards piece of the updates essentially updated what the City already had in place and the group was working to determine at what level of applicability the City should implement. Ms. Berchtold stated the more developable sites in the City were scarce and felt the geologic hazards component would only become more pertinent as time went on.

Ms. Berchtold stated there was a section which included landscape plan requirements which applied to Commercially Zoned multi-family dwellings, but did not really reflect the City's interest in sustainability and water conservation. Ms. Berchtold stated, due to this, the group had decided to incorporate some principles and standards to address sustainability and fire mitigation, and had also added a requirement for a five foot (5 ft.) minimum buffer of non-organic material around structures.

Commissioner Minch inquired if this buffer would include landscape timbers and fences. Ms. Berchtold responded it did not and mostly referred to a defensible space running up to the foundation of a structure. Commissioner Minch commented his old house had landscape timbers directly up against it.

Commissioner Porter inquired how the Fire Department came to five feet (5 ft.) as opposed to some other amount. Ms. Berchtold responded she would ask the Fire Department how they came to this number. Commissioner Porter commented she felt this would be a good thing to know.

Chairwoman Nichols inquired the group had followed other similar municipalities standards or not. Ms. Berchtold stated she had a list of cities she would like to explore and Ashland, Oregon had been suggested by one of the consultants as a potentially comparable community. Ms. Berchtold commented there was some flexibility built into the updates and gave the example of the requirement that only fifty percent (50%) of the plants on a property be fire resistant or xeriscaped which allowed the remaining vegetation to be selected per the preferences of the property owner.

Commissioner Minch inquired if there were any plants which were outright disallowed or prohibited, as he was concerned about juniper trees which were highly flammable and prevalent throughout the City. Ms. Berchtold responded junipers were prohibited due to their heavy resin content and stated she thought it was a good idea to include a list of plants/vegetation which were prohibited.

Chairwoman Nichols inquired if these updates only applied to new development. Ms. Berchtold responded this was correct but more specifically pertained to new multi-family developments in the Commercial Zone. Ms. Berchtold stated there was a component in the Sensitive Lands piece which applied to single-family dwelling properties.

Chairwoman Nichols inquired if any of the updates would be applied toward existing developments. Ms. Berchtold responded they did not at this time. Ms. Anthony commented this was unless there was some sort of major renovation and the group was still working to figure out triggering thresholds for these reviews.

Ms. Berchtold stated she felt it was good to include some alternative provisions and criteria should a site be unable to meet them and to require some landscaping for redevelopment sites. Chairwoman Nichols inquired if this was proposed under the updates. Ms. Berchtold responded it was.

Ms. Berchtold stated, in regard to how these changes tied in to a historic context, the structural review for new private bridges would primarily apply to the downtown area, Lovers Lane, and the Ruxton Avenue area which were all part of historic districts within the City. Ms. Berchtold stated the Floodplain Impact requirements may also apply if there was a major redevelopment.

Ms. Berchtold stated she did not think the wildfire mitigation sections would pertain much to the Historic Preservation Commission, but the landscape requirements for redevelopment in the historic districts may.

Ms. Berchtold stated the City's risk profile was rather complex and the City will need to start looking at these requirements and triggers at the individual site level, but wanted to ensure these new regulations did not act as a disincentive. Ms. Berchtold stated, regarding geologic hazards, someone would want to know whether they were located or constructing in a safe zone, the drainage was appropriate, and the foundation design was suitable for the conditions and felt there was a tie in regarding preserving historic structures in some of the districts.

Ms. Berchtold stated some of the feedback she had received from the other advisory boards was to be mindful of how these regulations may affect infill development, better defining the thresholds regarding

standards, to further review disturbance standards on Sensitive Lands to ensure project feasibility, to identify examples of where this may apply for developers, and more clearly defining the cost and benefits associated with these regulations.

Chairwoman Nichols commented Councilman Bob Todd had expressed to her that he felt City Council's reaction to the regulations may extend the time it would take to complete the Planning for Hazards Project. Ms. Berchtold stated she felt his was an accurate assessment. Chairwoman Nichols also commented she felt it was a good idea to think about what regulations would be advisory versus regulatory because this community did not react well to a lot of strong regulatory direction.

Commissioner Minch commented he felt the landscape standards were likely to be emotional and wondered if it would be better to implement the changes in two (2) or more phases or elements. Commissioner Minch inquired if there were other communities which had a wildfire and were going through this process or had already implemented something similar which could be used as an example to demonstrate its value.

Chairwoman Nichols stated it was her understanding that this was a pilot project and this hazard mitigation approach had not been implemented in other communities as of yet. Ms. Anthony responded, while this was true, this did not mean there weren't other communities which had implemented fire mitigation codes and it was just this chief hazard mitigation approach which was a new approach.

Michael Davenport, Interim Planning Director, commented when he lived in Teller County twenty (20) years ago, the county had implemented a number of wildfire mitigation regulations. Chairwoman Nichols asked for clarification that although other communities had implemented specific hazard mitigation approaches, this approach to implement broad, all-encompassing hazard mitigation regulations was a new approach. Ms. Berchtold confirmed this was accurate.

Ms. Berchtold stated in the Lake Isabel area near Pueblo West, there had been a severe fire a couple of years prior and were implementing some requirements themselves, but the size of the lots in the area were much larger and rural than those found in Manitou Springs.

Commissioner Belding suggested that Evergreen, Colorado may be a great example for the City because they had a massive fire there and issue regarding stormwater runoff and flooding.

Commissioner Porter commented she had been in the Big Thompson Flood and if the flood was bad enough there was really nothing anyone could do to protect their property. Commissioner Porter also commented, in regard to fire mitigation, if a fire became hot enough the minimum fire separation distance may not be enough to stop the fire from reaching the structure, but may slow things down enough for an escape to be made. Ms. Anthony commented none of the regulations would prevent a property from befalling victim to natural disasters, but were meant to, at the very least, slow things down.

Ms. Berchtold stated there would be continued outreach regarding these issues and invited the Commissioners to view the webpage.

VII. ADJOURNMENT

There being no further business before the Historic Preservation Commission, Chairwoman Nichols adjourned the meeting at 7:55 p.m.

Minutes Prepared by: Dylan Becker, Planner I