



**MANITOU SPRINGS
HISTORIC PRESERVATION COMMISSION
SPECIAL MEETING MINUTES
Thursday, March 13, 2014 - 7:00 P.M.**

I. CALL TO ORDER AND ELECTION OF OFFICERS

A Special Meeting of the Manitou Springs Historic Preservation Commission was held on Thursday, March 13, 2014, in Council Chambers at 606 Manitou Avenue. Commissioner Wingate called the meeting to order at 7:00pm. The following Commissioners attended:

PRESENT: Commissioner ANN NICHOLS
Commissioner MOLLY WINGATE
Commissioner CYLINDA WALKER
Commissioner NEALE MINCH
Commissioner HILLARY MANNION

ABSENT: Vice Chair ANNE HYDE (excused)
Chair TAMMILA WRIGHT (excused)

STAFF: Michelle Anthony, Planner
Sherri Crowley, Planning Technician

Commissioner Wingate opened the floor for officer nominations.

ITEM 1. Election of CHAIR

MOTION:

Commissioner Nichols moved to nominate Commissioner Hyde as Chair, noting she was currently serving as Vice Chair.

SECOND:

Commissioner Wingate seconded the motion.

DISCUSSION:

There was no discussion regarding the nomination.

VOTE:

Motion passed, 5-0.

ITEM 2. Election of VICE CHAIR

MOTION:

Commissioner Nichols moved to nominate Commissioner Walker as Vice Chair, noting she was the next most senior commissioner currently serving.

SECOND:

Commissioner Wingate seconded the motion.

DISCUSSION:

There was no discussion regarding the nomination.

VOTE:

Motion passed, 5-0.

II. APPROVAL OF MINUTES

ITEM 2. February 5, 2014

MOTION:

Commissioner Nichols moved to approve the February Minutes as presented.

SECOND:

Commissioner Wingate seconded the motion.

DISCUSSION:

There was no discussion regarding the minutes or the motion.

VOTE:

Motion passed, 5-0. (Commissioner Mannion abstained as she was not present at the February meeting.)

III. NOTICE OF COUNCIL ACTION

There was no council action to report.

IV. UNFINISHED BUSINESS

Commissioner Wingate mentioned they commission should talk about retreat at the end of the meeting.

V. NEW BUSINESS

Commissioner Wingate explained the public hearing procedures to the audience and asked if any of the Commissioners had ex parte communications or conflicts of interest to declare. Commissioner Mannion noted that Item 4 was a request by her next door neighbor and asked if she should abstain. The Commission asked if she could be impartial and Commissioner Mannion indicated she could. Commissioner Wingate indicated she did not need to abstain. Hearing no further potential conflicts or ex parte contacts, the meeting continued.

ITEM 4. MCAC 1407 – Material Change of Appearance Certification (Exterior Alteration of Garage) – 1151 Manitou Avenue - Laura Matthews, Applicant.

Planner Michelle Anthony read the staff report dated February 28, 2014.

Commissioner Mannion asked staff if there are any examples of properties with lintels or keystones. Ms. Anthony replied she had not been able to do as much fieldwork as she wanted regarding this, but there were none to her knowledge.

Commissioner Wingate asked the applicant to come forward.

Laura Matthews, 1151 Manitou Avenue, stated an architectural firm redesigned the garage. The original plan had been more extensive, but it became very expensive so she decided to repair the garage instead of completely tear down and rebuild it. Ms. Matthews reviewed her previous projects for incrementally improving the property. In regard to the proposed lintel stones and keystone detail, the Architect suggested something needed to distract the eye from the expanse of the garage doors, so that was the purpose of the keystone. She noted the stones would be the same color and material as the other stonework. Ms. Matthews indicated she wanted to lessen the look of a massive set of garage doors.

Commissioner Minch confirmed the original doors were being reused. Ms. Matthews replied that was the plan.

Commissioner Wingate noted a visual interrupter existed currently in regard to the raised center area in the parapet and the proposed plan appeared to remove this and insert another visual element and, although the new doors would have been attractive, she appreciated the preservation of the original doors.

Commissioner Mannion asked if there was a structural reason why the step in the parapet had to be removed. Ms. Matthews replied the front wall of the garage was structurally unsound and would be removed and rebuilt. Currently the top of the garage wall was capped with rotting timbers.

Commissioner Nichols said she supported the overall project, it was a big improvement, and she did not have a problem with the keystone detail.

Commissioner Mannion asked about the color and size of the stone.

Commissioner Wingate asked the applicant if drawing was inaccurate.

Ms. Matthews stated the drawing had been chopped off and was incorrect; the new parapet would have a stepped detail similar to the current front of the garage.

Commissioner Wingate stated it was unfortunate the Commission was discussing the one element that was unclear in the drawing. She further remarked the proposed lintel design, with the stone and keystone, appeared somewhat redundant given that the new garage wall would still have a stepped parapet.

Ms. Matthews reviewed the reasons and design of the proposed stone detail over the doorframe, noting the stones would be smaller than pictured and in a color similar to the rest of the stonework. So this would be more of a slight pattern change rather than a color change.

Ms. Anthony noted the retention of a stepped parapet, although a bit different in design from the existing, was a common design element for this era of garage and, therefore, a good detail to include. Ms. Anthony held up the drawing of the front of the garage on which she had made changes to the parapet and the lintel stones per the discussion. Ms. Matthews confirmed this better expressed the project intentions.

Ms. Anthony stated staff supported the changes to the proposed design as had been clarified by the applicant.

Commissioner Wingate opened the meeting to public comment. Hearing none, the public hearing was closed.

Commissioner Nichols stated she thought the proposal looked good and she didn't have a problem with the proposed keystone detail.

Commissioner Wingate added it would be important the color of the lintel stones not be very different from the rest of the stonework and the proportion represented in the Staff drawing be as close to reality (or smaller) as possible.

MOTION:

Commissioner Wingate moved to approve MCAC 1407 for exterior alteration of the existing garage structure at 1151 Manitou Avenue, incorporating the amended drawing by Staff and with the understanding the lintel stones would be similar in color to the rest of the stonework, smaller than shown on the original drawing, and with the incorporation of a new stepped parapet on the front of the garage.

SECOND:

Commissioner Nichols seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 5-0.

Commissioner Wingate stated she was grateful to the applicant for preserving what she could of the shape of the garage and contributing to the historic district and thanked her.

ITEM 5. MCAC 1408 – Material Change of Appearance Certification (Demolition and New Construction) – 946 Midland Avenue – Joanne Pearing on behalf of Janelle, Jeffrey, and Judith Pearing, Applicant.

Planner Michelle Anthony read the staff report dated February 28, 2014 and discussed the background of the request, noting it was recommended for approval in February 2013 and the applicant had simply not been able to start the project in time before the MCAC expired. Given the extensive amount of processing previously, Staff had not scheduled another site visit and proposed to review the request in one meeting rather than the normal two meetings.

Commissioner Walker asked why the applicant was back after a year asking for more time. Ms. Anthony suggested the applicant be asked this question.

Joanne Pearing, 109 Pawnee Avenue, stated there was confusion regarding the deadlines and her daughter, who had resided in the house to be demolished, had to move suddenly due to unsafe conditions and just had a baby in January. Given all that was going on, they had missed the deadline for the re-plat and thought the Planning Department was able to administratively extend the demolition approval, which ended up not being the case. So that was why she was reappearing before the Commission.

Commissioner Nichols asked the applicant if she had considered staff's concern about the gable design on the two houses. Mrs. Pearring replied yes, her son found a gable design that included an oval shape and he would be proposing this to Staff, so that was not going to be a problem.

Commissioner Mannion asked about one of the windows and if it was glass block. Ms. Pearring replied it was and in a bathroom area not visible to the street.

Commissioner Wingate opened the meeting for public comment.

Kimberly Perkins, 937 Midland Avenue, stated she lived directly across the street from the property. Her issues were with the new construction proposed as part of the demolition. Ms. Perkins expressed concern over the notion the applicant was "re-applying" and if that was the case everything needed to be looked at with a fresh set of eyes. Some of the biggest concerns had been regarding the impact of the construction on the area, i.e., how will they get materials and equipment in and out, the demolition of the building, and the height variance. Ms. Perkins noted the proposed height variance would put the roof directly in the middle of her living room window and when she looked out her window she would see roof shingles.

Michelle Beckman, 950 Midland Avenue, stated her concern was also with the height and her confusion because she thought the question of a height variance had already been decided but it appeared to be assumed that a 30ft height would be approved. Ms. Beckman questioned the view from the street, from the drawings and felt the house appeared to be two stories from the street, not one. In addition, she was concerned about seeing a big, long house with no windows along the side of the property. Ms. Beckman stated her easterly view of the beautiful sunrise would be gone. She worried that 100% of the truth was not being told. Ms. Beckman stated she was extremely worried about the density issue. There are three small lots and she was worried about the footprint of the gigantic houses on the lots. In summary, she stated the issues are her view, her neighbors' view, and the density.

Commissioner Nichols asked staff to review the planning issues or if there was a height variance. Ms. Anthony replied there had previously been a height variance requested for over 30ft. which was denied by planning commission. She noted the current request did not include a height variance. Changes had been made to reduce the heights of the buildings and the HPC could allow up to a 30ft height accommodating pitched roofs and that was what the request was for.

Commissioner Walker noted the height was specified as 29'11", just less than 30 feet so no variance was needed.

Hearing no further comments, Commissioner Wingate closed the public hearing.

Commissioner Nichols stated the commission had previously gone through many, many meetings and sent the applicant back for additional information. As pointed out, economic feasibility was one of the last pieces in the demolition application and the Commission did accept the report provided as meeting the code requirements for hardship. From her standpoint, nothing had changed since the last time the request was considered and she could not imagine why the commission might come to a different conclusion.

MOTION:

Commissioner Nichols moved to forward a recommendation to City Council for approval of MCAC 1408 for demolition of the existing house at 946 Midland Avenue as requested with the following findings:

- a. The physical work necessary to rehabilitate the structure is possible and therefore not the basis for demolition approval.
- b. An undue economic hardship to the applicant would result from denial of the demolition request.
- c. No feasible alternatives to demolition or mitigation measures are available to the applicant.
- d. The applicant would not enjoy reasonable economic use or return from the property should the demolition be denied.
- e. Although the structure could be returned to a Contributing Status within the Local Historic Preservation District, the extent of economic hardship that would result from denial of the demolition would exceed the historic value of the Resource.
- f. The hardship has not been created by the conduct of the applicant.

Commissioner Nichols further moved to approve the proposed new, residential structure at 946 Midland Avenue with the finding the proposal promotes compatible architectural design of infill structures as called for in the Historic District regulations and with the following conditions:

- 1) The calculated height of the structure is approved as requested at 29'11".
- 2) The materials are approved as specified – stucco shall be sand textured; trim shall not be stucco'd.
- 3) The Applicant shall provide details for the Planning Staff's review and approval prior to issuance of a Manitou Springs Building Permit Application on:
 - Alternative roof shape(s) for either the main gable, the gable over the entry, or both that further differentiates this structure from the home proposed at 948 Midland Avenue.
 - Coloring of any concrete visible from Midland Avenue
 - Top of retaining wall capstones
 - Specifications for windows and doors verifying divided lite grids are applied to the exteriors of all applicable windows

SECOND:

Commissioner Walker seconded the motion.

DISCUSSION:

Commissioner Walker asked who made sure the height did not exceed 29'11". Ms Anthony replied height differences could be difficult to distinguish and suggested a height certificate by a surveyor be required for the new construction.

Commissioner Nichols amended her motion to include the following condition:

- 4) Applicant shall provide the appropriate certification to staff demonstrating the building is within the allowed height.

Commissioner Walker accepted the amendment.

Commissioner Wingate encouraged those present to be good neighbors and monitor the demolition and construction activities.

VOTE:

Motion passed, 5-0

ITEM 6. MCAC 1409 – Material Change of Appearance Certification (New Construction) – 944 Midland Avenue - Joanne Pearing on behalf of Janelle, Jeffrey, and Judith Pearing, Applicants.

Planner Michelle Anthony read the staff report dated February 28, 2014.

Commissioner Minch asked if the windows were different. Ms Anthony stated on all the homes the windows were double hung. Primarily window differences were confined to the street elevations which did show very different windows.

Joanne Pearing, 109 Pawnee Avenue, stated they planned on changing the roof colors so all three houses were different and had already chosen not only different colors, but different styles.

Commissioner Wingate noted changing the roof color and pattern was a great idea as this was one of the biggest expanses of building area.

Ms. Pearing added regarding the windows, they are narrower on the Victorian than the other houses, so there was a significant difference in the width.

Dean Schlotfeldt, 936 Midland Avenue, stated his property was next to this proposed development and there seemed to be some confusion about 944, 946, and 948. 946 was going to be torn down and was in the middle between 944 and 948. Mr. Schlotfeldt stated he was concerned about 944 because it was two stories and asked if the height variance would have to be requested again.

Ms Anthony replied there was no height variance requested or necessary; there was nothing else which needed approval from the Planning Commission for the proposed development of the three lots.

Mr. Schlotfeldt continued, noting some of the Commissioners were present a year earlier when the room was full of neighbors. He stated there was no other two-story house on the block; they were all single story with a walk out basement and the house proposed at 944 Midland was going to be huge.

Commissioner Wingate confirmed Mr. Schlotfeldt was concerned about the mass, scale, and height and Mr. Schlotfeldt replied yes.

Dan Wood, 907 Prospect Place, stated his house was a single story and sat about 28ft below the driveway along the back of the subject property. Mr. Wood stated he was in the construction industry for 39 years and knew how to read plans. He indicated he was not opposed to building a residence on the property, but opposed building a three story home from the back. Mr. Wood noted the back elevation was over 32', not 29'11". He stated the last time he checked the allowed height was 30' and unless that changed the house was above the height restriction on the back elevation. Mr. Wood stated he understood the front was picked, but that was not correct; the highest side of the house should be used. As proposed, the house would sit directly overlooking his backyard. He noted the lot sloped back to his property and stated his concern about the sewer line going through the middle of his backyard. Although it had been lined by the City, he questioned whether it would support another house and encouraged the Commission to look at the situation. Mr. Wood continued his property would be deprived of sun from October to March; the proposal would affect him drastically. He suggested the house be limited to a walkout level with parking in front. Mr. Wood stated the proposed house had five bedrooms and bathrooms and suggested it would become a rental. He strongly encouraged the Commission to take a second look, noting construction would also be an issue expecting trash coming down in his backyard. Mr. Wood strongly opposed the height of the building.

Kim Perkins, 937 Midland Avenue, stated they were good neighbors, each person present, which was why they were there. They wanted what was best for the neighborhood.

Michelle Beckman, 950 Midland Avenue, stated for the record putting three houses on this property was completely inappropriate for the neighborhood. The applicant had options they chose not to take.

Hearing no further comments, Commissioner Wingate closed the public hearing.

Commissioner Mannion asked Staff if the City was, in fact, measuring the height of buildings in a standard, correct way. Ms. Anthony explained building height was measured from an average of the highest and lowest points of grade around the perimeter of the structure as is defined in the Zoning Code.

Commissioner Walker mentioned the previous year former Planning Director Dan Folke did a presentation regarding how the height was determined because there had been a lot of confusion and he wanted everyone to be clear regarding how it was determined and how the code was being interpreted. Commissioner Walker stated the height was a concern for her as well; however we do not always get to choose what our neighbors may or may not do with their properties. She just wanted everyone to understand the Commission went through a very long meeting previously when the height information was discussed.

Commissioner Minch asked how the Commission evaluated density.

Commissioner Nichols stated this was the information provided under mass and scale and the Commission previously found these houses were of an appropriate mass and scale given the characteristics of the neighborhood.

Ms. Anthony stated the Commission does not have control over the configuration of the lots. The overall property met the size requirements for three dwelling units and the setbacks and lot the frontages. Ms. Anthony noted there was not a lot of interpretation involved in the Subdivision Code - if the requirements are met, the City approves the subdivision.

Commissioner Walker agreed the proposed house was large, but she did not feel reducing the home size was her decision to make.

Ms. Anthony added the Commission's purview is really design, with mass and scale as it relates to the design and the surrounding, historic properties.

Commissioner Nichols stated the applicant had gone through a great deal of effort to provide all the information. She also suggested the sewer line could be an issue and recommended giving public works a heads-up.

Ms. Anthony noted Public Services were aware of the subdivision and the Planning Department relied on their feedback and there was no indication of any concern or issue with water or sewer capacity. However, the subdivision had been approved with the condition if public improvements needed to be provided, the applicants would be liable for those costs. Ms. Anthony noted she completely understood the frustration and concerns, but unfortunately there was not a lot the HPC could do regarding the issues being brought up.

MOTION:

Commissioner Nichols moved to approve MCAC 1409 for a new, residential structure at 944 Midland Avenue with the finding the proposal promotes compatible architectural design of infill structures as called for in the Historic District regulations and with the following conditions:

- 1) The calculated height of the structure is approved as requested at 29'11".
- 2) The materials are approved as specified; trim and lap siding shall be smooth textured
- 3) The Applicant shall provide details for the Planning Staff's review and approval prior to issuance of a Manitou Springs Building Permit Application on:
 - color of any concrete visible from Midland Avenue and the roof
 - top of retaining wall capstones
 - specifications for windows/doors verifying divided lite grids are applied to the exterior of all applicable glass
- 4) Applicant shall provide the appropriate certification to staff demonstrating the building is within the allowed height.

SECOND:

Commissioner Wingate seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed, 5-0

ITEM 7. MCAC 1410 – Material Change of Appearance Certification (New Construction) – 948 Midland Avenue - Joanne Pearing on behalf of Janelle, Jeffrey, and Judith Pearing, Applicants.

Planner Michelle Anthony read the Staff Report dated February 28, 2014.

Commissioner Walker asked if there had been any discussion about a carport on the front of this property. Ms Anthony answered there had not.

Commissioner Wingate noted divided lite grids were not included in the packet. Ms. Anthony stated this was information which would need to be provided.

Joanne Pearing, 109 Pawnee Avenue, explained the windows would be ordered through Home Depot but she had been unable to print the information confirming the exterior grids for the meeting. She added they would be specified on the drawings and the grids would be on the outside of the windows.

Commissioner Wingate opened the meeting for public comment.

Kimberly Perkins, 937 Midland Avenue, stated the neighbors did have concerns regarding parking and carports might help limit the parking to two or three cars per family. Ms Anthony stated the drawing showed a driveway for surface parking only.

Ms. Perkins asked about the location of the driveway. Ms. Anthony replied the driveway would be on the east side of the property. It was shown about 20 feet wide so it would be adequate for two cars.

Ms. Perkins expressed her disappointment at the request being called a "re-application" as she felt it should be reviewed as a new application

Dean Schlotfeldt, 936 Midland Avenue, stated he had an issue with timing as it had been a year and a half and the projects were being talked about again. Mr. Schlotfeldt noted there was a pile of stone that had been sitting on the property for over a year. He stated if they were going to tear down the current house and build three houses, then he wanted to see it get done and not take an extended amount of time.

Ms. Perkins requested a timeline for approvals and permits.

Hearing no further comments, Commissioner Wingate closed the public hearing and asked Ms. Anthony to review the project timeline. Ms. Anthony stated the two properties not involving the demolition must pull building permits within one year's timeframe. The property with the demolition would go to the City Council on April 1 and assuming it was reapproved, the applicants would have a year to pull both the demolition and new construction permits. Ms. Anthony noted the Planning Department would not issue the demolition permit without the building permit in order to insure the new construction was actually going to take place vs. just removing the house and the lot sitting vacant.

Commissioner Walker explained to the audience re-approval vs. re-application. She noted the Commission was moving the requests forward because there was no reason to reinvent the wheel and recover ground that had already been covered. She stated she did not look at this as a new application and it was called a reapplication because there wasn't a mechanism for an extension. If nothing had changed in the last year, it would be difficult to come to a different conclusion than was determined previously.

Commissioner Wingate pointed out she thought it was important to have a look after a year because sometimes things do change.

Mr. Schlotfeldt asked, once the permit was pulled, how long it was good for. Ms. Anthony stated she believed the Regional Building Permit was valid as long as there was an inspection every three to six months and the City's permit remained valid as long as the RBD permit was in effect.

MOTION:

Commissioner Walker moved to approve MCAC 1410 for a new, residential structure at 948 Midland Avenue with the finding the proposal promotes compatible architectural design of infill structures as called for in the Historic District regulations and with the following conditions:

- 1) The calculated height of the structure is approved as requested at 29'11".
- 2) The materials are approved as specified; trim and lap siding shall be smooth textured
- 3) The Applicant shall provide details for the Planning Staff's review and approval prior to issuance of a Manitou Springs Building Permit Application on:
 - color of any concrete visible from Midland Avenue and the roof
 - top of retaining wall capstones
 - specifications for windows/doors verifying divided lite grids are applied to the exterior of all applicable glass

- 4) Applicant shall provide the appropriate certification to staff demonstrating the building is within the allowed height.

SECOND:

Commissioner Nichols seconded the motion

DISCUSSION:

There was no discussion.

VOTE:

Motion passed, 5-0.

VI. OTHER BUSINESS

Item 8. Update on Hiring Planning Director

Ms. Anthony reported the new Planning Director, Wade Burkholder, would start the following Monday. She added there was an article about him in the Pikes Peak Bulletin; he had good experience and would hopefully be very involved with the HPC.

Board Retreat –

Ms. Anthony stated she wanted to look at potential dates in June for a board retreat, hoping maybe to get a nice venue with outdoor area. Discussion regarding dates ensued. It looked like either Saturday, June 7 or June 21 were likely dates based on the Commissioner's present. Meeting from 9am to Noon or 1pm was discussed. Ms. Anthony noted she had a list of discussion items and the retreat might need to be broken into two meetings, particular if this wasn't going to be a full day. Ms. Anthony added she would begin working on the agenda, adding she would like to see emphasis on outreach, public education, website, and some other old projects.

Commissioner Wingate announced she was working on a grant for the Heritage Center to engage kids in hands-on projects to learn about local historical figures in the area. Called "History Pockets," it would challenge kids to kids investigate the history and people of Manitou Springs.

Commissioner Mannion announced she could not give the Commissioner the time commitment necessary to be effective and was stepping down, adding she could be an alternate and would like to be involved in any special projects. Ms. Antony asked Commissioner Mannion to write a letter of resignation to the City Clerk so her regular position would be declared vacant and so she could be appointed as an alternate if she desired.

VII. ADJOURNMENT

There being no further business before the Commission, Commissioner Wingate adjourned the meeting at 8:15 p.m.

Minutes submitted by Sherri Crowley, Planning Technician