



MANITOU SPRINGS
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, June 3, 2015 - 7:00 P.M.

I. CALL TO ORDER.

The Regular Meeting of the Manitou Springs Historic Preservation Commission was held on Wednesday, June 3, 2015, in Council Chambers at 606 Manitou Avenue. Chairperson Walker called the meeting to order at 7:00 pm. The following Commissioners attended:

PRESENT: Commissioner ANN NICHOLS
Chair CYLINDA WALKER
Commissioner TAMMILA WRIGHT
Commissioner ANNE HYDE
Commissioner MOLLY WINGATE
Vice Chair NEALE MINCH

ABSENT: None

STAFF: Michelle Anthony, Senior Planner
Sherri Crowley, Planning Technician

I. APPROVAL OF MINUTES

ITEM 1. May 6, 2015

These Minutes were postponed to the July meeting.

II. NOTICE OF COUNCIL ACTION

Councilman Randy Hodges expressed his and City Council's appreciation for what the Commissioners as volunteers do for the City, which would not be what it is today without historic preservation. Councilman Hodges talked about the damage the weather had caused, noting greenstone bridges were taking a beating and the creek had undermined footings of many bridges. He stated retaining walls were sliding off hills and the "W" in the stone WPA carving at the mouth of Williams Canyon had also fallen down. Councilman Hodges related the 7'x7' box culvert under Canon Avenue needed to be replaced and would cost an estimated \$24.3M. There was a lot to keep up with and the City had a lot to take care of and preserve as we all valued the City's assets.

Commissioner Wingate urged City Council to look, especially regarding greenstone walls along the creek, to see where strategic improvements could be made now that might save time and money in the future. She also complimented the Master Plan process and expressed appreciation for the Council's hard work.

Councilman Hodges agreed the Master Plan was important and would qualify the City for more federal funds. He noted the City received grant money for flood recovery employees and was putting a modular trailer at Public Services to house them so they could seek additional grant money and oversee projects. Councilman Hodges asked if the commission wished to relay any information to City Council.

Chairperson Walker felt Commissioner Wingate relayed the feeling of the commissioners.

Planner Michelle Anthony encouraged project funding to include beautification efforts in budgets. Ms. Anthony realized beautification might be a low priority considering saving lives, however the things being done - such as the mitigation project in Williams Canyon - are more than life-saving mechanisms. They are a part of the landscape and can be hard to look at all day every day for residents living in the proximity. Ms. Anthony suggested as the City planned for projects such as the one in Williams Canyon, there should be incorporated into the budget funds which would lessen the visual impacts.

Councilman Hodges asked if Ms. Anthony thought anything could be done at this point to beautify the walls in that project. Ms. Anthony replied it was on her list of things to do, adding many residents had let her know how ugly the walls are.

Commissioner Wingate said she thought about contacting the Concrete Couch to add something to the walls as it was a big, open pallet for them. She also stated, on a positive note, the sound of the creek flowing over the rocks in the bottom of the channel almost drowns out the traffic noise from the highway.

Councilman Hodges again thanked the Commissioners for their time and dedication.

At this time, Chairperson Walker 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.

111. UNFINISHED BUSINESS

ITEM 2. MCAC 1510 - Material Change of Appearance Certification (Extension of Previous Approval) - 112 South Path - Ralph Mendez, Applicant

Senior Planner Michelle Anthony reviewed the memorandum dated March 28, 2014, adding the applicant and his wife currently resided in Chicago and planned to retire here.

There were no questions of staff. Hearing no public comment, Chairperson Walker closed the public hearing.

MOTION:

Commissioner Wingate moved to approve MCAC 1510 to extend the previous approval of MCAC 1417 for a new, residential structure at 112 South Path 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 materials and finishes are approved as specified.
- 2) 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 or pavers visible from South Path
 - color of the roof

- specification of pattern and color for stone material on the house and retaining walls
- retaining wall capstones
- cut-sheets showing the design of exterior lighting shown on the building elevations

3) Unless there are changes proposed to the house plans or amendments to the Design Guidelines that would potentially affect the application, Staff is authorized to extend the current approval up to three, additional years without appearance before the Historic Preservation Commission.

SECOND:

Commissioner Hyde seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed 6-0.

1V. NEW BUSINESS

ITEM 3. MCAC 1509 - Material Change of Appearance Certification (Demolition and New Construction- Initial Meeting) - 1019 Midland Avenue- Rick Hiltman, Applicant

Ms. Anthony reported that the Applicant had requested a postponement to the July meeting.

Commissioner Wingate stated she was concerned the building would be demolished by neglect because all the windows and doors had been removed. Ms. Anthony stated she would contact the applicant and advise him to secure the building against both entry and weather as soon as possible or potentially face a dangerous building citation.

MOTION:

Commissioner Wingate moved to postpone MCAC 1509 to the July meeting with a strong suggestion that the Applicant work closely with the Planning Staff.

SECOND:

Commissioner Minch seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

Motion passed 6-0.

ITEM 4. MCAC 1511 - Material Change of Appearance Certification (Exterior Alteration - After the Fact) - 739 Manitou Avenue - Laura Thomason, Applicant

Senior Planner Michelle Anthony presented the staff report dated May 28, 2015.

Chairperson Walker asked if there were any questions for staff.

Commissioner Wingate asked if the lack of approval held up occupancy. Ms. Anthony replied there is a temporary certificate of occupancy so they can use and inhabit the structure.

Commissioner Wingate expressed the situation was unfortunate all the way around and trying to discover how this happened was beyond pointless. She supported the staff recommendation. Further, Commissioner Wingate expressed concern about a Contractor who did not consider the Planning Department's direction and neglected informing the owner. She suggested a sternly worded letter be sent to the Contractor.

Commissioner Minch stated if he were the owner, he would be going after the contractor.

Ms. Anthony believed there were also extenuating circumstances such as the Foreman of the project quit the job and neglected to tell anyone about his discussions with the Planning Staff; the General Contractor may have been unaware of the issues as well.

Commissioner Wingate stated she disliked after-the-fact reviews because they brought challenges that made it difficult for the Commission to do its job.

Commissioner Minch stated the Commission had discussed previously how to increase awareness when properties change ownership, about the historic district and what comes along with owning a building within the district. He felt there needed to be a way to increase communication because as this type of situation had happened before and it would happen again.

Ms. Anthony felt in some cases, responsibility did fall to the Contractor as many people looked to their Contractor for advice, adding that Staff would continue to try to educate contractors and do the best it could. More dialog with contractors in a larger sense would help.

Chairperson Walker said she touched on this issue in the newsletter and advised people to seek information on the website.

Commissioner Wingate suggested a paper trail of information being sent to the Contractor and/or owner when issues are found would be helpful. Ms. Anthony confirmed the Planning Department kept good records regarding communications.

Chairperson Walker felt some business owners might still not be aware they are in a historic district and of the regulations. She suggested if there was more education the owners could also inform the Contractors they hire.

Hearing no more questions for staff, Chairperson Walker invited the applicant to the podium.

Laura Thomason, 739 Manitou Avenue, said she had no idea what the Contractor had been told or that what was done would be an issue, adding all she knew was she could not touch the windows in the front of the building; she did not realize windows in the back were an issue. Ms. Thomason stated there was a lack of communication. She outlined how she had to appear before the Planning Commission for approval of two apartments. Ms. Thomason stated the project took a long time and she went through three foremen and two contractors and had many issues. Stucco was always her plan for the back of the building because there were so many different materials used. She chose the stucco color to match the brick on the back of the building and, as far as painting the area a darker color, this would be hard for her because of the configuration of the structure. Ms. Thomason said she reused as many materials as possible and could not use the previously existing windows and chose replacements based on cost and availability. Regarding occupancy, she offered she did not have permanent occupancy and the bank had put some assets on hold until she received the final CO. This was a big project that took longer than expected.

Ms. Anthony confirmed with the Applicant she had grids for the windows and asked if they could be put on the outside. Ms. Thomason responded she did have grids, but they were for the inside. She agreed getting grids for the outside of the windows would be easier than getting new windows. Ms. Anthony suggested she might have contact information for a Contractor who had previously made exterior grids for another project.

Commissioner Minch asked about the color of the stucco. Ms. Thomason said she picked the color to blend in with her building and the building next door.

Commissioner Wingate said it looks completely different and not historic from Otoe adding stucco is not a historic material.

Ms. Thomason suggested no one made the connection because other surrounding buildings have stucco. Commissioner Wingate replied the backs of the other buildings could not be seen.

Ms. Anthony replied the Staff would have made that connection much earlier; however the plans presented stated there were no changes proposed for the back of the building. When plans are reviewed and signed off on, what they contain is what is expected. When plans change, those changes should be brought to the Planning Department. In fact, Staff did discuss the changes but that discussion was not relayed, which led to the current situation.

Commissioner Wingate said to paint a darker color would help to mitigate the appearance of the stucco. Ms. Anthony indicated she recommended this because at least the change in the material would be less noticeable. Chairperson Walker suggested chocolate colored stucco would resemble the dark wood the building had.

Ms. Thomason was confused as to where the dark color would begin as the buildings are connected.

Commissioner Minch offered where there were shingles would be where to apply the darker paint as that was the previous dividing line.

Ms. Thomason discussed the cost in time and money she had put into this project. Discussion ensued regarding the darker paint not being for the sake of color but was to help hide the stucco material.

Commissioner Nichols asked Ms. Thomason if a timeframe of two years to conform to the conditions would lessen the financial impact.

Commissioner Wingate requested it be clearly stated for the record, that if the Applicant found the final conditions of approval were untenable, the request could be brought back before the Commission again for further discussion.

Commissioner Nichols asked how Staff would handle the final inspection. Ms. Anthony stated she would issue the final certificate of occupancy contingent upon compliance with HPC's requirements and if for some reason that requirement were not met within the timeframe established by the Commission then there would need to be enforcement action.

Chairperson Walker asked if there was any public comment.

Diana Culp, 325 Clarksley Road, stated she is Ms. Thomason's bookkeeper and helped her through the construction project. Ms. Culp offered she was building a house and her Contractor had to come in and get a business license and received no information from the City but a receipt. She felt a check sheet or brochure would be nice.

Discussion ensued regarding when and how information is provided to Contractors and others. Also, why comments were not provided earlier about what would and would not be appropriate on the back of the building was discussed and it was noted the plans indicated no changes. Commissioner Wingate added the Design Guidelines for the Historic District are on the City's website.

Hearing no further public comment, the public hearing was closed.

Commissioner Nichols stated these situations are always difficult and, as had been expressed previously by Commissioner Wingate, the Commission did not like to deal with after-the-fact issues. She felt there could be an argument made the stucco color blended with the back of the building and with the connected building. She suggested the Commission focus on the external grids for the windows and have that completed as quickly as possible.

MOTION:

Commissioner Nichols moved to approve MCAC 1511 with the finding the proposal is consistent with the purpose of the Historic Preservation Regulations by encouraging and fostering private rehabilitation and ownership (use) of historic properties with the condition that the Applicant is required to install exterior grids on the existing windows so they appear to be divided light units.

SECOND:

Commissioner Hyde seconded the motion.

DISCUSSION:

Chairperson Walker felt the color was an important element to the approval adding paint is not nearly as expensive as a new stucco finish and giving a two-year time to complete is rather long.

Commissioner Wingate said the view of the building the Commission is concerned with is from Otoe, not the view from the alley at the back of the building and she felt the darker color mitigated the material. She stated again, if that proved to be a hardship, the Commission could discuss it again at the Applicant's request. However, for the purpose of the current meeting, she felt something needed to be done with the color of the stucco to make it recede. The Commission should not dictate what the color should be and should also get the exterior window grids installed.

VOTE:

Motion failed, 4-2.

MOTION:

Commissioner Wingate moved to approve MCAC 1511 for an after-the-fact exterior alteration at 739 Manitou Avenue with the following conditions:

- 1) The stucco exterior is allowed to remain, with the caveat it is repainted a dark color to visually recede and blend with the siding materials at 741 Manitou Avenue and the adjacent residential property. Paint color will be reviewed by Planning Staff prior to the application.
- 2) The windows must be fitted with exterior grids to restore some architectural detail/character and visual cohesiveness which has been lost, but not create a situation where interior or exterior finishes have to be altered or significantly disturbed.
- 3) There is a two-year time frame to complete the above requirements.

Commissioner Wingate further found the proposal as outlined above is consistent with the purpose of the Historic Preservation Regulations by encouraging and fostering private rehabilitation and ownership (use) of historic properties.

SECOND:

Chairperson Walker seconded the motion.

DISCUSSION:

There was no further discussion.

VOTE:

Motion passed, 6-0.

VI. OTHER BUSINESS

Commissioner Wingate asked if permits had been acquired for the heavy equipment in the 900 block of Midland Avenue. Ms. Anthony replied they had.

There was a discussion regarding the Fountain place property that was in the paper. Ms. Anthony said the property owner had been in contact with the Planning Department and was working on a demolition packet to present.

Chairperson Walker said she received an email from Karen Berchtold looking for HPC commissioners who might be interested in participating on the Master Plan Steering Committee.

Chairperson Walker announced this would be her final meeting, as she had too many time conflicts between her work and volunteer activities, so she was resigning from the Commission. She thanked everyone for the last three years of her time on the HPC. The Commission members thanked her for her work and participation.

VII. ADJOURNMENT

There being no further business before the Commission, Chairperson Walker adjourned the meeting at 8:39 p.m.

Minutes submitted by Sherri Crowley, Planning Technician