



**MANITOU SPRINGS
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, June 1, 2016**

I. CALL TO ORDER

The Regular Meeting of the Manitou Springs Historic Preservation Commission was held on Wednesday, June 1, 2016, in Council Chambers at 606 Manitou Avenue. Vice Chair Nichols called the meeting to order at 6:02 pm. The following Commissioners attended:

PRESENT: Vice Chair ANN NICHOLS
Commissioner DEB MOORE
Commissioner BOBBY JACKSON
Commissioner LISETTE CASEY
Commissioner ROGER ARMSTRONG

ABSENT: Chair NEALE MINCH (Excused)
Commissioner TAMMILA WRIGHT (Excused)

STAFF: Michelle Anthony, Senior Planner
Wade Burkholder, Director (arrived at 6:36 pm)
Sherri Johnson, Planning Technician

GUESTS: Shelley Cobau, Interim Public Services Director
Ryan Keene, Stormwater Manager
Sara, Flood Recovery Manager
Brad Walters, Streets Foreman
Larry Mitchell, Manitou Springs Fire Dept

II. APPROVAL OF MINUTES

ITEM 1. May 4, 2016

MOTION:
Commissioner Jackson moved to approve the May meeting minutes as presented.

SECOND:
Commissioner Moore seconded the motion.

DISCUSSION:
There was no further discussion

VOTE:
Motion passed, 3-0. Commissioners Armstrong and Casey abstained as they were not present for May meeting.

III. NOTICE OF COUNCIL ACTION

There was no City Council action to report.

At this time, Commissioner 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

ITEM 2. MCAC 1605 - Material Change of Appearance Certification (New Construction) - 0 Cheltenham Road – Dennis and Deborah Johnson, Applicant

MOTION:

Commissioner Armstrong moved to postpone **MCAC 1605** to the July meeting.

SECOND:

Commissioner Jackson seconded the motion.

DISCUSSION:

There was no discussion.

VOTE:

Motion passed, 5-0.

V. NEW BUSINESS

ITEM 3. MCAC 1606 - Material Change of Appearance Certification (Remodel) - 11 Delaware Road – Kendrick and Mary Cowdery, Applicants

Senior Planner Michelle Anthony presented the Staff Memorandum dated May 27, 2016 requesting postponement of MCAC 1606 and noted the Applicant's had contacted her and requested postponement to the August meeting.

MOTION:

Commissioner Casey moved to postpone **MCAC 1606** to the August meeting.

SECOND:

Commissioner Armstrong seconded the motion.

DISCUSSION:

There was no discussion.

VOTE:

Motion passed, 5-0.

ITEM 4. MCAC 1607 - Material Change of Appearance Certification (New Construction) - 119 Lover's Lane – John Wheeler, Wheeler Architecture on behalf of Steve Karr, Applicant

Commissioner Casey stated her husband was working on this project in his capacity as a Realtor; however, she felt she could remain impartial and objective in regard to the request.

Senior Planner Michelle Anthony presented the Staff Report dated May 27, 2016.

Commissioner Nichols asked if there were any questions for Staff. Hearing none, the Applicant was invited to the podium.

John Wheeler, Architect, 1813 Grant Avenue, Colorado Springs, agreed with the Staff recommendations. He stated the rafter tails would be exposed to be consistent with the details in the area. Mr. Wheeler reviewed the floor plans, noting that the intent was to make the building appear to be a large single-family home. There would be two, garage spaces for each unit. The materials selected were representative of houses on Washington and Layette; however colors were selected from a home in Colorado Springs. The siding will be smooth. The metal railing will be 4” above decking and spaced per code with 3/4” square stock for the balusters.

Ms. Anthony asked if the railing would have a metal top and bottom rail. Mr. Wheeler replied it was all metal. He continued that the stone covering the retaining walls would be on the surfaces perpendicular to the side lot line to be at the points most visible to Lovers Lane. He noted the garage doors would have glass upper panels and detail in the Craftsman style.

Commissioner Nichols confirmed that the stone would be from on-site as possible and any new stone would be approved by Staff. Mr. Wheeler stated this was the plan, adding when they begin excavation they would salvage as much stone as possible and any additional stone needed would obtain Staff approval.

Ms. Anthony said if the stone on site was used, approval of that would be a given and she doubted more stone would be needed if they pulled out what they found in the excavation as there were generally a lot of rocks in the local soil.

Commissioner Armstrong asked if there was an exterior lighting plan. Mr. Wheeler replied they did not yet have a plan, but would bring one in for Staff approval.

Commissioner Nichols asked if there were any other questions of the Applicant. Hearing none, the meeting was opened to the public. Hearing no public comments, the Public Hearing was closed.

Commissioner Nichols stated because of the way the building would be sited it mitigated some concerns such a scale, adding it appeared the design, materials, and Staff conditions would deal with any issues. Commissioner Nichols stated she thought it would be a compatible structure in that location.

MOTION:

Commissioner Casey moved to approve MCAC 1607 for construction of a two-unit building at 119 Lovers Lane as proposed and amended by the following conditions:

1. The materials of windows and garage doors shall be provided for Staff review and approval prior to issuance of a Building Permit for the new construction.

2. All windows with divided lights shall have exterior grids in order to not lose this detail to reflection.
3. All clapboard siding and trim shall have a smooth finish (no wood grain).
4. The design(s) and locations of all exterior lighting shall be provided for Staff review and approval prior to issuance of a Building Permit.
5. All areas of concrete visible to Lovers Lane, including areas of foundation over 6” above the grade surrounding the structure shall be identified on the Building Plans and shall clad be in approved stone. New material shall be Staff reviewed and approved.

SECOND:

Commissioner Moore seconded the motion.

DISCUSSION:

There was no discussion.

VOTE:

Motion passed, 5-0.

ITEM 5. MCAC 1608 - Material Change of Appearance Certification (Maintenance Mini-Grant for Repair & Reconstruction of Front Retaining Wall) - 815 Midland Avenue – Randy Harper, Applicant

Senior Planner Michelle Anthony presented the Staff Memorandum dated May 24, 2016.

Commissioner Nichols asked if there were any question for Staff. Hearing none, the Applicant was invited to the podium.

Andy Wells, 139 Clarksley Road, handed out additional photos saying Mr. Harper’s parents had owned the house since 1966 and Mr. Harper had been living Saipan for 22 years and was an archeologist. He noted an interesting fact that Mr. Harper’s father fueled the Enola Gay in Saipan during WWII. Mr. Wells stated the wall had been built at the same time as the house in 1946 and was mainly moss rock from a quarry down by Fort Carson. Mr. Wells continued that it would be a year before Mr. Harper returned to Manitou Springs to retire but he feared the wall would fail. Mr. Wells noted the wall was 36’ long and 70-80” high and was out of plumb by 10” and leaning toward the sidewalk. He pointed out various cracks in the wall.

Mr. Wells asked if there were any larger grants available. Ms. Anthony stated there was nothing from the City, but there were State Tax Credits. However, Mr. Harper would have to be a resident and have a Colorado tax liability. Ms. Anthony said she would get Mr. Wells the application information and the Tax Credits were for 20% of the approved cost of the project.

Mr. Wells stated the stonemason would be Brandon Lee, who had worked on the Library and Congregational Church and was very knowledgeable about masonry work.

Commissioner Nichols inquired, since the wall was not that old, why Mr. Wells thought it was failing. Mr. Wells replied the soil behind the wall was expanding and there were no weep holes for drainage.

Commissioner Nichols asked if there were any further questions for the Applicant. Hearing none, the meeting was opened for public comment.

Theresa Kledzik, 809 Midland Avenue, stated they wanted to be as cooperative as possible in facilitating the implementation of Mr. Harper's plan. She noted Mr. Harper had been very considerate and reviewed the plans with her to be sure there was no impact to her, adjacent retaining wall. Ms. Kledzik stated her wall was bowing out a bit and there was concern Mr. Harper's wall could be affecting her wall.

Hearing no further comments, the Public Hearing was closed.

MOTION:

Commissioner Casey moved to approve **MCAC 1608** with the condition the stonemason would confirm the mortar mixture, color and finish before undertaking the work.

SECOND:

Commissioner Jackson seconded the motion.

DISCUSSION:

There was no discussion.

VOTE:

Motion passed, 5-0.

ITEM 6. MCAC 1609 - Material Change of Appearance Certification (Remodel and New Construction) - 717 Midland Avenue – Christy Riggs on behalf of Eric Heckman, Applicant

Senior Planner Michelle Anthony presented the Staff Report dated May 25, 2016.

Commissioner Nichols referred to the demolition order and that the Regional Building Department (RBD) had expressed concern about the foundation. She asked if that issue would be handled by RBD. Ms. Anthony stated it would and the Applicant had an Engineer looking at the structural issues and the plans would need to incorporate those fixes. This would be required by RBD.

Christy Riggs, 308 N. Chestnut Street, Colorado Springs, introduced the property owner, Eric Heckman. Ms. Riggs said Staff did a comprehensive overview of the project and noted they had retained the same structural engineer the previous owner had used for the design of the framing and the second floor and would continue with this Engineer to ensure the framing was done correctly. Ms. Riggs noted the roof over the one-story portion of the house was also in bad shape and they would be putting in new trusses in that area with a higher heel to help pull the ceiling height inside up a bit. The Engineer would also ensure the foundation was adequate to support the framing.

Commissioner Nichols asked Ms. Riggs if she had any detail on the issues Staff raised. Ms. Riggs noted the elevations showed the intent of the railing but did not call out the actual sizes and details. They would provide the information for Staff review. She and Mr. Heckman would select the lighting and submit that information as well. Ms. Riggs stated the siding will be smooth, the windows would have exterior grids, and they would provide a garage door design for review.

Commissioner Nichols opened the Public Hearing.

Mike Foos, 713 Midland Avenue, stated he was the property owner next door and was concerned with the all the items not addressed in the Staff Report. He was not comfortable with "to be determined" because things kept changing and he had been promised certain actions by Mr. Heckman, but there was nothing in writing. He appreciated the owner working quickly even ahead of any permits but there was nothing in writing to protect his interests. He had been assured they would face his wall to look the same as it had, which was part of the original plans, and they had verbally agreed to this. He saw a different plan and was worried about lighting because his bedroom was 6' from this adjacent house. Mr. Foos stated he would like some protection. He noted there was only 18" of property between the house and his property line and he was concerned with running all their drainage through that area and did not know how they would get all the water through. He felt they needed to keep everything on their own property and was concerned about drainage.

Commissioner Nichols stated Staff would review everything in the report. She asked the Applicant if work currently was going on and asked Staff if there should be work going on. Mr. Foos stated they had been working on the property all day with no supervision. Ms. Anthony replied there should be no work going on and any work that occurred before permits were issued or approvals granted that did not meet the City's or RBDs requirements would be at their risk to remove or fix it. Ms. Anthony noted the HPC reviewed only aesthetic improvements, not drainage or property ownership issues. Ms. Anthony told Mr. Foos Planning Staff would require the restoration of his wall and a drainage plan had been required by Staff. Mr. Foos said he would object to any use of his property and the location of the wall should be questioned. Commissioner Nichols stated the wall on Mr. Foos property was part of current application. Mr. Foos confirmed the placement of the wall was not the HPC's purview and if the wall was not placed were they had agreed, what could he do. Ms. Anthony said the Planning Staff would require and document the things on the subject property and the restoration of his stone wall, but in regard to agreements between Mr. Foos and Mr. Heckman, those were up to the two owners to execute. Commissioner Nichols stated Staff would enforce what the HPC approved.

Hearing no further comments, Commissioner Nichols closed the Public Hearing.

Commissioner Nichols said this property had been an eyesore for a long time and it was in everyone's interest to have it restored, although it had to occur under permits and per requirements.

Eric Heckman, 6787 Sunny Alp Street, Colorado Springs, stated he was not contesting anything Mr. Foos had said. They understand and were not trying to make people unhappy. They wanted to help the neighborhood. He did not know the issues with this project and if he had, they most likely would not have purchased it. Mr. Heckman understood where Mr. Foos was coming from and stated they would do what they could to make Mr. Foos happy.

Commissioner Nichols said it was in everyone's best interest to fix the property and the Commission heard what Mr. Heckman was saying and was in favor of his doing what was presented a way that was responsible and per Staff direction.

MOTION:

Commissioner Casey moved to approve MCAC 1609 for remodeling of the existing, single family home at 717 Midland Avenue as proposed and amended by the following conditions:

1. Siding and trim materials shall be smooth finished.
2. The materials proposed for the deck and porch posts shall be specified.

3. The Applicant shall provide a detail drawing of the proposed deck railings showing that they are traditionally designed with balusters centered between hand and foot-rails and closely spaced.
4. The selected design for the garage door shall be traditionally styled and provided to the Planning Staff for review and approval prior to purchase and installation.
5. All new or reconstructed retaining wall areas shall be clad in stone or manufactured stone as proposed. Mortar shall be integrally colored to blend with the stonework.
6. All concrete steps within the landscape visible from the street shall be colored to the Manitou Springs selected mix, or as approved by the Planning Staff.
7. The driveway shall be either colored concrete, concrete pavers, or asphalt.
8. The design and location of exterior lighting shall be provided for Staff review and approval prior to issuance of any permits for building.

SECOND:

Commissioner Moore seconded the motion.

DISCUSSION:

Commissioner Nichols proposed an additional condition about the wall to be replaced on 713 Midland Avenue. Commissioner Casey and Commissioner Moore agreed to the following amendment:

9. The stone wall previously removed on the 713 Midland Avenue property shall be replaced as agreed to by the owners and per the plans submitted.

VOTE:

Motion passed, 5-0.

VI. OTHER BUSINESS

ITEM 7. Discussion Regarding Preservation Incentives

Director Burkholder said the moratorium for Preservation Incentives had already been extended once and there were only three or four months left in the extension. Mr. Burkholder asked if anyone would be willing to sit on a subcommittee.

Commissioner Nichols asked if a consultant would be brought in. Mr. Burkholder replied no, the Planning Staff would be doing the project internally as the one consultant proposal received came in too high.

Commissioner Nichols said she would be willing to sit on the subcommittee and asked other commissioners if they would be willing, as well. Commissioner Jackson said he would also sit on the subcommittee. Mr. Burkholder stated he would get with both Commissioner Nichols and Commissioner Jackson so they could work on putting an ordinance together.

ITEM 8. Historic Interpretive Plaques – Repair and Replacement

Senior Planner Michelle Anthony said she had gone out with Public Services personnel that day to look at and take notes regarding the plaques. They would be inventorying the stones at Public Service and figuring out what was missing and what would need to be ordered.

Commissioner Nichols asked if there were budgeted funds for this. Mr. Burkholder confirmed there were.

Commissioner Moore asked if this would include the big boulder where the Indian trail ended. Ms. Anthony replied no, this project was just addressing the 30 historic interpretive plaques around the City at different locations and described the plaques.

Commissioner Moore asked if she should come before this board as a citizen to request the lettering be redone on that boulder as it was hard to read. Ms. Anthony said there had been talk about having those letters repainted and she would follow up to see if a volunteer could be found to do that. Ms. Anthony said she anticipated having good progress to report to the Commission by next meeting on the repair and replacement of the historic interpretive plaques.

ITEM 9. Discussion Regarding the Condition of Brooke Street Bridge, Sara Hartley, Hazard Mitigation & Resiliency Manager

Ms. Hartley presented information on the current condition of the Brook Street Bridge and noted the Power Point presentation was given to City Council two weeks earlier. Ms. Hartley reviewed the process in regard to the bridge to date, once it was determined the funds allocated for the approved repair of the bridge were not adequate. Three alternatives were presented to City Council two weeks earlier and Council's direction was to proceed with a plan to remove the Brook Street Bridge and preserve the stone so that it could be used to face a permanent replacement bridge. Ms. Hartley said she followed up with City Council to let them know she would bring this to the HPC to inform the Commission of City Council's direction. She also reported she had a call into the State Historic Preservation Office (SHPO) asking for their input. Don Moore, the City's FEMA representative, indicated since the bridge was a failed structure the SHPO would not weigh in however she did want to get that in writing and she was waiting on that.

Commissioner Nichols asked how long the bridge had been closed. Ms. Hartley replied the bridge had been closed for 13 months.

Commissioner Nichols asked if Ms Hartley had talked to the Commission about the bridge previously. Ms. Hartley said yes, there have been a few discussions. She shared the power point presentation, which included a brief history of the bridge and information regarding previous inspections. Ms. Hartley talked about scour damage and showed photographs of the damage. There were photos of channel wall damage including large cracks and several photos of arch damage, stating some damage was a result of debris. Ms. Hartley said the Engineers stated there was a threat of imminent failure and discussed the impacts of that. Ms. Hartley said there were three repair alternatives identified and were included in the City Council packet. The first option was the arch plate on footers, which was presented to the HPC months ago. The cost of repair at that time was misrepresented and would be significantly higher. The second option was the arch pipe, which was similar in concept to the arch plate however there would be no footers and the lower portion of the pipe would be buried in the streambed. The third option was to remove the Brook Street Bridge, preserve the stone, and build a new bridge across the creek that would be veneer with the preserved stone. She noted, at \$420,000, this would be the most costly option. After reviewing the options, due to the fear of imminent failure, City Council directed her to proceed with the third option.

Commissioner Nichols asked if the basic argument was the bridge was in danger of imminent failure, adding typically the Commission would like to proceed as was done in January where they would hear the

request first since it is a historic structure. Commissioner Nichols said going to Council first was a bit out of the ordinary but she believed the Demolition Ordinance did provide for that if there was an imminent safety issue.

Ms. Anthony advised there were provisions for life safety issues where City Council could authorize demolition without going through the process. Ms. Anthony said the fact the bridge had been sitting for 13 months in the current condition could allow argument about whether this was an emergency or not.

Commissioner Nichols asked Ms. Anthony for clarity, in her opinion, had the provision been triggered so the City could bypass the HPC because the bridge had become a safety issue. Ms. Anthony said she did not think the Hazard Mitigation and Resiliency Staff had intentionally bypassed the process, but if the bridge could qualify as dangerous, then this is what they may have done.

Commissioner Nichols asked if there was a roll for the HPC in the situation. If the decision had already been made under the code and that was something Council could do, she was not sure the HPC weighing in had much value. Ms. Anthony agreed saying she was not sure what the role was for the Commission in the situation. Ms. Anthony stated her concern was this was not the only bridge with these type issues and others had issues to different degrees. Ms. Anthony said there was a report done seven years ago and the City knew the bridge was in bad shape and had not taken steps to keep the current situation from happening. That, to her, was very concerning. Ms. Anthony said steps needed to be taken so the Commission was not having this same conversation over and over again. Once the bridges are gone, they are gone. Her hope was that the bridge would be replicated as much as possible.

Ms. Hartley said it was never their intention to bypass the HPC. When they found out the cost estimate was so high, they were directed to put the information in the Council packet. Ms. Hartley apologized for the way this happened.

Commissioner Nichols stated she felt council should have asked for HPC input before making the decision.

Ms. Hartley noted the City now had a rigorous bridge maintenance program and a priority list and was devising a plan to get maintenance to the bridges. She stated the City was implementing a plan that had been lacking for many years.

Commissioner Nichols said was a very important point to make because clearly that had not been done in the past.

Commissioner Moore asked how old the Brook Street Bridge was. Ms. Hartley said there is no exact date however, it is not green stone. Ms. Anthony said there are some newspaper notations about when the Ruxton Bridges were constructed and she estimated circa 1900.

Ms. Cobau stated everyone should be prepared, because there were many damaged bridges in the City and they would try to address damaged masonry. FEMA had informed the City if we did not do maintenance, we would not be eligible for funding. Ms. Cobau said they were getting estimates for repair and asked if she should bring them to the HPC for review. Ms. Anthony stated the Planning Department could coordinate with Ms. Cobau's Department and would approve general maintenance.

Dale Latty, Manitou Resident, stated he felt the process was lacking in having an SOQ process that awarded a design and build project. He did not feel this was the best way to achieve a desired future outcome that involved public money. Commissioner Nichols stopped Mr. Latty, as he was not speaking about issues that were within the HPCs authority.

Commissioner Nichols felt uncomfortable the issue should have and may still come to the HPC with a formal request for demolition, noting that the City did have a code and a process for demolition and unless there was imminent failure that would be a safety issue for the community, she did not know why the City would not follow the procedure everyone else was asked to follow.

Mr. Burkholder said he did not disagree with Commissioner Nichols statement and did not disagree the bridge was in very bad shape, but he did feel this would set a very dangerous precedent and hoped there would be vote on the agenda item and more public discussion

Commissioner Nichols agreed and stated the Commission should direct Staff to follow the code and present an application for demolition just as the public is asked to do. It seemed to her the City should follow the rules it expects everyone else to follow. Yes, the bridge is in horrible shape but it had been standing in horrible shape for numerous months. If City Council wanted to overrule the Commission, they could but she felt the HPC recommendation back to City Council should be follow the rules, prepare an application, and make a case for why the bridge should be demolished and the HPC would hear it.

Ms. Anthony stated that if Council wanted to invoke the emergency provisions, then they should be done in a formal motion not informal direction.

MOTION:

Commissioner Armstrong moved to recommend to City Council to either take formal action to declare an emergency for immediate reasons of safety and welfare of the community that would necessitate demolition of the Brook Street Bridge, or to follow the process in City Code and prepare an application for HPC consideration and make the case for demolition of the Brook Street Bridge.

SECOND:

Commissioner Moore seconded the motion.

DISCUSSION:

There was no discussion.

VOTE:

Motion passed, 5-0.

VII. ADJOURNMENT

There being no further business before the Commission, Commissioner Nichols adjourned the meeting at 7:53 p.m.

Minutes submitted by Sherri L. Johnson, Planning Technician