



**MANITOU SPRINGS
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING MINUTES
Wednesday, January 6, 2010, 7:00 P.M.**

I. CALL TO ORDER

A Regular Meeting of the Manitou Springs Historic Preservation Commission was held Wednesday, January 6, 2010 in Council Chambers @ 606 Manitou Avenue. Chairwoman Nichols called the meeting to order at 7:00 pm and declared a quorum present. The following were in attendance:

PRESENT: Commissioner CHARLES CASE
Commissioner KAREN CULLEN
Commissioner RANDY HODGES
Commissioner ANNE HYDE
Chairwoman ANN NICHOLS
Vice Chair MOLLY WINGATE
Commissioner TAMMILA WRIGHT

ABSENT: None

GUESTS: None

STAFF: Dan Folke, Planning Director
Michelle Anthony, City Planner
Kari Kilroy, Assistant

ITEM 1. Nomination and Election of Chair

ITEM 2. Nomination and Election of Vice Chair

Kari Kilroy (Planning Assistant) had mistakenly put these items on the January agenda – they should appear on the March agenda.

MOTION:

Commissioner Case moved to postpone Items 1 and 2 until the Regular HPC meeting on March 3, 2010.

SECOND:

Commissioner Hyde seconded the Motion.

DISCUSSION:

None.

VOTE:

Motion passed, 7-0.

II. APPROVAL OF MINUTES

ITEM 3. Minutes from December 2, 2009 Regular Meeting.

MOTION:

Commissioner Cullen moved to accept the Minutes as presented.

SECOND:

Commissioner Wright seconded the motion.

DISCUSSION:

None.

VOTE:

Motion passed, 6-0 (Commissioner Case abstained).

III. NOTICE OF COUNCIL ACTION

Request from Michael Pixley on behalf of Tenzing LLC for Revision of Demolition Order Regarding Residential Structure and Storage Shed Located at 1202 Manitou Avenue (Shady Dell Motel Property). At their December 15, 2009 Regular meeting, City Council voted 4-0 to suspend the demolition order for 45 days with improvements to begin right away and with the conditions that the building would be brought into full compliance with all applicable regulations and the Applicant would report progress to the Planning Director on a weekly basis.

Chairwoman Nichols reviewed the meeting procedures and asked the Commissioners if they had any ex parte contacts or conflicts of interest to declare. Commissioner Case mentioned that he had had a discussion with Todd Liming concerning the property but said he could guarantee that it would not prejudice his decision.

IV. UNFINISHED BUSINESS

ITEM 4. MCAC 0910 – Material Change of Appearance Certification (Demolition and New Parking Structure – Public Hearing) – 1134 Manitou Avenue – Chad Kuzbek (WestWorks Engineering) on behalf of the Manitou Springs Metropolitan Parking District, Applicant.

DISCUSSION REGARDING REQUEST AND PUBLIC COMMENT:

Michelle Anthony (City Planner) presented the Staff Report dated 12/30/09 that recommended demolition with approval of the proposed parking lot.

Commissioner Case asked Ms. Anthony if she believed the HPC could make requirements for a “green zone” near the creek. Ms. Anthony replied no and there was a discussion of the landscape and drainage and whether their use or setting aside of areas was beyond HPC’s purview. Dan Folke (Planning Director) explained that the issue had been discussed with OSAC, PARAB and

FCRC and those groups had submitted written recommendations which would be incorporated into the Conditional Use and Minor Subdivision requests.

Vice Chair Wingate wondered if being in the floodplain was an issue. Mr. Folke replied that parking was allowed in the floodplain.

Vice Chair Wingate wondered about contaminates in the floodplain. Ms. Anthony suggested that there was no way to “flood proof” and that removing the building was seen as a step in the right direction.

Commissioner Case confirmed with Ms. Anthony that there were adequate funds for the projected costs.

Commissioner Hodges wondered what would prevent a multistory structure if the demolition and parking lot were allowed. Ms. Anthony said that nothing would “prevent” a multistory structure from being built but additional construction would need to be approved.

Commissioner Hyde asked if Mr. Folke and Ms. Anthony had met with the neighbors. Mr. Folke explained that Staff did not attend the neighborhood meetings and said that the Applicant could update the HPC as to those meetings.

Chad Kuzbek (WestWorks Engineering), 945 Osage Avenue, addressed how they had dealt with HPC’s concerns from the 12/02/09 meeting saying that the building was still considered non-contributing as had been assessed by a contractor. He said it would take nearly \$850,000 to get the space as it was up to Code and structurally sound. The current owner had approximately \$8/square foot invested so he did not need to do a lot to see a return on his investment. Metro had invested approximately \$80/square foot. Mr. Kuzbek had done an analysis of alternative uses and found that for the simplest use change – industrial use – one could charge about \$12/square foot. For retail/medical, requiring additional improvements, one could charge about \$14/square foot – close to averages in Colorado Springs. Mr. Kuzbek said that the downfall was parking – retail/medical/office would require 50 parking spaces. His point was that it was a huge hurdle to get approved and if they were approved they would not then be able to lease the spaces because they would not have enough parking for customers so they would not be able to compete.

Chairwoman Nichols commented that Mr. Kuzbek had added depth to the analysis.

Mr. Kuzbek spoke about materials saying that they were happy to do colored concrete, their intention was to do seat walls and they were willing to work with Staff and the neighbors for fencing alternatives. He explained the retention pond design saying it was an impermeable membrane and that they were taking OSAC/PARAB comments into serious consideration.

Chairwoman Nichols asked Mr. Kuzbek to talk about the neighborhood meetings. He replied that, although they were not required by HPC, they had had two neighborhood meetings. He detailed some of the neighbor requests and suggestions and mentioned that MSPD preferred an open design because it was easier to patrol.

Commissioner Case wondered if they would still have the finances should environmental mitigation be required. Mr. Kuzbek said he had not read the entire report but knew it touched on

asbestos and the possibility of a leftover underground storage tank – the extent would not be known until they dug it up. He felt that the Metro District would have to speak to the finances, but thought that the worse case scenario would be the tank and that would not skyrocket the price.

Vice Chair Wingate confirmed with Mr. Kuzbek that they were willing to work with Staff to keep the property open on the west side.

Chairwoman Nichols opened the hearing to the public.

John Justin Bailey, 141 Spencer Avenue, apartment 9, showed the Commission on the map where he lived. He said he was against it. He disagreed with Staff that it would not address architectural integrity and he felt it had been rubberstamped. Mr. Bailey said he had been in contact with the Unser Family Museum to get records that showed the Unsers used the building and said that we had to either preserve history or make history. He characterized the building as big and ugly and said he did not much care for it but it made a block between him and Manitou Avenue. Now he would have to deal with asbestos exposure. Mr. Bailey said he was not notified about the meeting and that he went to the neighborhood meeting and spoke against it. Noise, exhaust and people coming back late at night could affect his living there. His rent was dirt cheap so he had no desire to move away.

Chairwoman Nichols encouraged Mr. Bailey to attend the Planning Commission meeting saying that many of his concerns were not HPC's purview. She said that she had also contacted agencies about the Pikes Peak Hill Climb involvement and that the answer was "no – it was further west". Chairwoman Nichols believed there had been an honest effort and they had been unable to conclusively document a historic connection.

Dave Symonds (Metro President), 780 Royal Crown Lane in Colorado Springs, said they had been working on the project – looking for west end parking – for quite awhile and they thought it was a building the City could stand to lose. He said he understood the concept of "missing tooth" but they were in the business of parking – one of the City's biggest concerns. Mr. Symonds said they had talked about issuing "Smart Cards" to immediate neighbors which would give them a legal parking option. He also said they had been flexible and they would go back to the neighbors and work with Staff but they needed to respect property owners' rights. Mr. Symonds finished by saying that they were property owners who represented the district and presented parking solutions in the downtown core.

Seeing and hearing no further comment, Chairwoman Nichols closed the hearing to the public.

Commissioner Cullen asked Mr. Bailey if there were other neighbors with his concerns. He said yes, Cheryl Owater in apartment 7.

Chairwoman Nichols asked the Commission if they were ready to discuss the merits of the request or if they had comments or questions.

Commissioner Case said that he had had concerns coming in to the meeting but felt that parking was an issue and that the District had done a beautiful job designing the project.

Chairwoman Nichols agreed and commented that that they were not recommending demolition of a building with historic significance.

Vice Chair Wingate referred to Staff's condition #3 (regarding fencing along the east and rear of the property) saying she felt that it satisfied Staff's and the Applicant's needs. She also felt that there was a reasonable replacement to the building that was non-contributing.

Commissioner Hodges said he was initially concerned about the Hill Climb history but said it appeared there was no real documentable history.

Vice Chair Wingate, in response to a comment made by Mr. Bailey from the audience, said that even if they found that the Unsers were there every year, the building did not now reflect the history of that era.

Commissioner Wright commented that she thought "use" was out of the scope of the HPC.

MOTION:

Commissioner Case moved to recommend approval of MCAC 0910 for the demolition of the building with the finding that:

The circa 1900-1920 building is noncontributing to the Local and National Register Historic Districts and restoration to a contributing status is not feasible or reasonable. Demolition of this building and the replacement with a parking lot utilizing high-quality design and materials that are consistent with and enhance the character of the District will not have a detrimental impact on the historic or architectural integrity of the surrounding neighborhood or the Historic District as a whole.

In regard to the proposed parking lot development, Commissioner Case moved to approve MCAC 0910 with the following conditions:

- 1) The proposed street walls shall be constructed to match the seat walls in the Downtown and, at a minimum, clad in manufactured greenstone on the sides facing Manitou Avenue and painted per the downtown walls on the parking lot side.
- 2) The Project Engineer shall certify that the proposed storm drain detention area will have no impact on the foundation of the adjacent building on the property to the east of this site.
- 3) Fencing along the east side and rear of the property shall be 3 feet (rear) and up to 6 feet (east side) iron fencing in the design as shown in the application. The Applicant shall work on alternatives to the fencing along the eastern and western property lines to incorporate materials more consistent with fencing in the Historic District and allowing opportunities for light and air to the adjacent property while addressing the privacy needs of these neighbors.
- 4) Colored concrete sidewalk consistent with the City's downtown improvements is required. Staff to review the final color of all materials proposed.

SECOND:

Commissioner Cullen seconded the Motion

DISCUSSION:

Commissioner Hyde wondered if condition #3 should stipulate “all” property lines. Discussion ensued. It was decided to specify the eastern and western property lines.

VOTE:

Motion passed, 7-0.

Mr. Folke explained that the demolition request would be heard by Council during their meeting on February 2. He also said that the Planning Commission met on January 13 and their recommendation regarding the Conditional Use request would also be heard by Council on February 2.

V. NEW BUSINESS

None.

VI. OTHER BUSINESS

ITEM 5. Other.

Ms. Anthony encouraged Commission participation in the upcoming CPI conference.

Mr. Folke told the Commission that Clint Lewis was appealing the HPC’s decision to deny his request. His appeal would be heard by City Council during their January 19 meeting.

VII. ADJOURNMENT

As there was no further business before the Commission, Chairwoman Nichols adjourned the meeting at 8:07 pm.

Minutes submitted by Kari Kilroy