

**LANDMARK PRESERVATION MEETING
REGULAR MEETING**

January 9, 1996

Council Liaison: Gina Janett

Staff Liaison: Joe Frank

SUMMARY OF MEETING: The October 24, 1995 and the November 11, 1995 meeting minutes were approved as submitted. An awning recover was approved for the Tomlin Building at 242 Walnut Street. The stairwell and door installation were conditionally approved for the Police Annex and museum at #11 Old Town Square. A District Designation Process to be included with the East Side/West Side Design Standards and Guidelines was recommended by the Landmark Preservation Commission to be adopted by council. Mr. Bud Frick was appointed liaison to the Downtown Development Authority to help institutionalize their relationship with the LPC. A Community Initiated Development Workshop being organized by the Historic Fort Collins Development Corporation was discussed. They would like to request support from the city and other members of the community to focus a case study on the Northern Hotel.

CALL TO ORDER AND ROLL CALL:

Commission Chairman Jennifer Carpenter called the meeting to order at 5:40 p.m., 281 North College Avenue. Nicole Sneider, Secretary called the roll. Commission members Jennifer Carpenter, Ruth Weatherford, Per Hogestad, Jean Kullman, and Terence Hoaglund were present. James Tanner and Bud Frick were absent. Carol Tunner and Karen McWilliams represented staff.

GUESTS: Fort Collins resident, Jeff Bridges, Todd Lund from Foxfire Property Management Inc., and Kevin Zdenek applicant and owner of Hugs and Kisses attended the meeting.

AGENDA REVIEW: Ms. Tunner added a design review of the material Foxfire Property Management submitted for the stairwell of the Police Substation. The Police Department has plans to move into the space on February 1, 1996.

STAFF REPORTS: Ms. Tunner read a November 28, 1995 letter from the Downtown Development Authority. The DDA suggested to institutionalize the relationship between the LPC and the DDA. They requested that a non-voting liaison attend their board meetings. Ms. Carpenter informed the Commission Mr. Frick had volunteered for the position. The Commission decided to handle this matter in Other Business in the hopes that Mr. Frick might arrive.

COMMISSION MEMBERS' REPORTS: Mr. Hoaglund reported on the Civic Center project meeting. Conceptual plans were scheduled to be reviewed last week, but Mr. Hoagland did not attend the meeting. Ms. Carpenter informed the Commission that a plan of the Civic Center area showed a hotel to be built at the current site of Washington's. Washington's is in an historic building. Ms. Tunner said the building has an historic freight grain elevator. Ms. McWilliams explained that there were two buildings attached and one was torn down. Ms. Tunner said it was designated and then the designation was taken away because they tore down the Myron Akin Building in the front and subsequently altered the front of the building. Ms. Carpenter believes the building is still individually eligible because the front can be restored. The Commission strongly believes the Northern Hotel should serve as the downtown historic hotel. Mr. Hoaglund noted everyone at the Civic Center meetings agreed restoring the Northern Hotel is a good idea but there is little parking around it. Ms. Weatherford said if you build it then the parking will come after. Because the site is in the center of historic Old Town, like hotels in older downtown areas in other communities, parking is not the priority. Ms. Carpenter requested a letter be sent to the Civic Center board from the LPC concerning that efforts for a hotel be targeted for restoring the Northern Hotel instead of building a new hotel in place of an historic building.

Ms. Carpenter also wanted to discuss the unauthorized demolition of the 1907 brick building at 333 East Mountain. According to Gina Janett and John Fischbach, a formal complaint must be issued. Mr. Fischbach said the LPC can make that formal complaint. Mr. Hogestad questioned whether the complaint is taken to the owner or the contractor. Ms. McWilliams will look into what sort of action can be made against the contractor. Ms. Carpenter expressed that the contractor has a license with the city and should be responsible for seeking the proper permits to do the work. Mr. Hogestad also requested to include the contractor in the process of making a formal complaint and issuing penalties.

John Albright called Ms. Carpenter about a Colorado Preservation Inc. legislative breakfast that is given every year to let legislators know how important the gambling funds are to the State Historical Preservation fund. CPI has requested a poster, describing city and county projects funded by the State Historical Fund. Ms. Tunner will work on creating the poster. Ms. Carpenter invited anyone who would like to attend the breakfast on January 26, 1996 at 7:00 a.m. on the second floor of the capital building in Denver.

APPROVAL OF MINUTES: The October 24, 1995 minutes were approved as presented, but the date listed as October 14, 1995 on the agenda for this evening was corrected to read October 24, 1995. The November 11, 1995 minutes were approved as presented.

CURRENT DESIGN REVIEW:

242 Walnut Street, Tomlin Building: Awning Recover

Ms. Tunner presented a color copy portraying the awning recover on the storefront,

showed a slide of the building, and passed out samples of the material to be used for the awning. Kevin Zdenek, owner of Hugs and Kisses, described the store as a gift shop and added that they took the old awning down and had some glass replaced. He would like to add something more colorful and more up to date to the storefront using the colors blue and red. Ms. Tunner pointed out there are a lot of blues and reds in the area. Mr. Zdenek also explained that the landlord has agreed to strip the paint off the building to expose the original brick and sandstone. According to their lease, this work should be completed within the next five months. Ms. Tunner said that stripping the paint has already been approved. Mr. Hogestad questioned why the stripes on the awning are made of vinyl and not cloth. Mr. Zdenek explained that vinyl will not fray like cloth. Ms. Tunner said because the vinyl has a dull finish it will appear like canvas. Mr. Zdenek described the dimensions of the design on the awning as two, four inch blue stripes with six inches of burgundy in between the two stripes. Ms. McWilliams indicated the widths of the stripes on the color copy.

Mr. Hoaglund moved to approve the awning for the 242 Walnut Street, Tomlin Building as indicated, seconded by Ms. Weatherford which passed unanimously.

Police Department Annex, 11 Old Town Square, Suite 50: Stairwell and Exterior Door

Information packets from Foxfire Property Management Inc. were passed out to be reviewed during a short break. Mr. Todd Lund from Foxfire Property Management Inc. presented the design of the stairwell to the Commission. Ms. Tunner began the discussion by explaining she had received these materials this morning. The information included a proposal for the stairwell down to the basement. The stairs will be made out of concrete in a color which matches the color of the sandstone. They are proposing to cut the original sandstone stairs out and are saving them in hopes of one day using them somewhere else in the plaza area. Steel tips with a three inch tread and one inch nosing will be added to the stairs. Mr. Lund is receiving from the factory the colors that the metal can be finished in. He hopes to find a color which matches the concrete stairs or preferably, Old Town Green to match the railing and banister. Ms. Tunner described the proposed metal door as having metal panels on the bottom portion and glass panels on the upper portion. The design is similar to the door which exists, but the proposed door does not have a shim around the edges. Mr. Lund has determined that the existing wood door is not historic and was installed around 1984/1985. Ms. Tunner suggested the existing door may have been made to match the historic door on the ground floor of that side of the building. Mr. Lund prefers a metal door as opposed to a wood door because it would have better wear and would require less maintenance. He also feels that the glass panels would be more inviting and safer because people inside can see who is entering the station. Staff recommends the installation of the proposed metal door. A metal door will take the wear and tear of daily use by the police officers and the estimated 10,000 visitors a year to the museum. The door is not in a very visible location and Mr. Lund added it may be painted. Mr. Hogestad pointed out some discrepancies in the drawings of the stairwell. It was agreed that the bottom landing would be lowered in order to install a taller door. Mr. Lund

explained there are steps which go down inside as you enter, so it is physically impossible to build up in order to install a taller door according to code. He added the proposed door is a little bit wider and taller than the existing door. A French drain will also be installed at the bottom. Mr. Hogestad requested the tread width and height for the proposed stairs. Mr. Lund did not have that information. Mr. Lund believes the measurements of the rise and run to meet code requirements at seven by eleven inches. Mr. Lund expressed there was a concern about the side walls. After adding another foot of area going down they may have to match some of the stone along the side wall. Against the building they believe there is enough stone from the foundation but they do not know how far down the side wall stands. Ms. Carpenter suggested using some of the stones from the steps. Mr. Lund said the stone on the side wall was different, with a more jagged edge. Ms. Tunner described the stone more like a field stone than a cut quarry stone which makes up the steps. She suggested maybe a layer of stone from the steps can be installed along the bottom. Mr. Lund said that if they have to add stones on to the wall at the bottom they will try to match the existing stones.

Ms. Carpenter brought up for discussion the window and door. Mr. Lund assured the Commission that the window will not be moved and explained the dimensions of the door to Mr. Hogestad. The existing opening is 6 feet 6 inches by almost three feet wide and the proposed door is five inches taller and 2.5 to 3 inches wider. Mr. Hogestad questioned why the landing is proposed to be a full foot deeper when the door will only be five inches taller. Ms. Carpenter also questioned why the door is being moved over, as diagramed. The Commission was concerned that the area around the door should be disturbed as little as possible and the same basic door opening should be used. Mr. Lund explained that the contractor is not digging deeper than he needs to and the door way will only be expanded downwards and approximately three inches to the left. Ms. Tunner questioned what the door jamb is made of and Mr. Lund said wood. Ms. Tunner showed slides illustrating the relationship between the door and the window as it exists today. Ms. Carpenter required that the relationship across the top of the door and the window to remain the same. The Commission and Mr. Lund agreed that the drawings were deficient and did not portray the dimensions of the stairwell and the door accurately.

The Commission decided to correct the submittal material and approve it only if certain conditions are met. Mr. Lund expressed the police department is in a rush to occupy the building and they would not disrupt anything more than they have to during the remodeling process. Mr. Hogestad added that the top jamb and the right side of the door will be reserved and the bottom jamb and left side of the door will be extended. In this manner, the recession or inset of the door should remain as it exists today. He also suggested a railing over the window and using tempered glass in order for the window to pass code.

Mr. Hogestad moved to accept this stairway as proposed and that we accept the door installation based on the following: that the head of the door is not disturbed, that the right jamb of the door is not disturbed, that the existing jamb extensions be matched in the new installation, the stairs will not be located any closer to the

window than the existing stairs, and have architectural drawings done to scale and brought to staff. The railings will be round, match the existing railing be painted Old Town Green, and meet code. This motion was seconded by Ms. Weatherford and passed unanimously.

Ms. Carpenter addressed the quality of this submittal and explained to Mr. Lund that the LPC will not be able to approve such poorly submitted materials in the future.

DISCUSSION:

District Designation Process - Karen McWilliams, Preservation Planner

Ms. McWilliams presented the latest version of the "Process for District Designation" which is to be included with the East Side/West Side Design Standards and Guidelines. This document will be submitted to City Council after it meets with LPC's approval. Ms. McWilliams requested input and comments from the LPC on the revised process. An introduction has been added to the newly revised document. Ms. McWilliams described other changes made to the draft document. In the older copy, the survey discussed separately as a two step process. In the latest document, under Step 2 the survey was incorporated back into the process as an option. The only other change was defining what constitutes an individually eligible, contributing, and non-contributing property. It was explained that these classifications involve integrity and significance. One important difference in this document was pointed out by Ms. McWilliams under "Individually Eligible", page 2. A sentence was added, "In rare instances, a structure may have such overwhelming significance that it does not need to retain integrity." Ms. Carpenter explained what they are trying to convey about determining integrity, is that there is a sliding scale and it is relative to significance. Even though a structure exists without much of its integrity it may still be worth saving. Ms. Carpenter thought that under the definition of integrity on page 3 of the revised document, the sentence "Integrity is an absolute quality; historic properties either retain integrity (this is, convey their significance) or they do not." was going to be omitted. Ms. McWilliams explained, integrity is the ability of a property in some manner to convey its historical significance. Ms. Carpenter is concerned that the Council members and the general public will not be clear on the relationship and relevance of integrity and significance when reading through the process. She pointed out that integrity described as an absolute quality will lead people to believe that there are precise characteristics which their property must possess. Ms. Weatherford agrees that residents will get the wrong idea and Ms. McWilliams will delete that statement from the document. There was discussion of what effects major alterations have on the status of an historic building. Ms. Carpenter concluded that she feels integrity should be considered fluid and not absolute. Ms. Tunner added each case should be considered individually.

Ms. Carpenter also addressed the last part of the definition of integrity on page four. It reads "A basic integrity test for a property associated with an important event or person

is whether a historical contemporary would recognize the property as it exists today." Ms. Weatherford presented an example for discussion where the property has changed so much that surely a contemporary looking at it would not recognize it, but for other reasons it is still worth saving. Commission members agreed that changes made to the exterior of this particular property are very reversible. Ms. McWilliams advised the Commission to be careful not to nominate reconstructed buildings. The Commission agreed to take out this sentence from the definition. Ms. Tunner quoted from our own guidelines #1 "Reconstructions of portions of original buildings may be appropriate if sufficient documentation exists to assure that the reconstruction is accurate, and #4 supports that reconstructed buildings are acceptable. Ms. Weatherford added you have to landmark it in order for the owner to apply for incentives to make it possible to reconstruct the property. Ms. Tunner also quoted from the Secretary of the Interior's Standards where #6 says that "...repair or replacement of missing architectural features should be based on accurate duplications of features substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures." The LPC agreed that reconstruction is acceptable when historic elements have been lost. The Windsor Hotel was designated on condition the reconstruction proceed from historic photos.

Ms. McWilliams discussed adding a statement which reflects the Commission's feelings about integrity being inversely proportional to significance. Whereas, the more significance a property has the less integrity it needs. The statement, "The degree of integrity required for local landmark status is relative to a property's significance.", will be added to the document as the very last sentence of the definition of integrity. Ms. McWilliams handed out a flow chart which diagrams the districting process and how it moves through the community and city government. Through this process there is a lot of opportunity for public participation. There are five public meetings, not counting city council meetings, three neighborhood meetings, and three LPC meetings. Mr. Hoaglund had one correction on the flow chart, to reverse time requirements between intensive to non-intensive surveys. Ms. McWilliams said she would note where all the public meetings are on the flow chart to present to council.

Mr. Jeff Bridges addressed the LPC on behalf of his neighborhood. He informed the Commission that sixteen properties in his neighborhood are ready for designation and four hours were spent on a title search for each property. Ms. McWilliams told Mr. Bridges that a title search is not a required part of an intensive level survey. Ms. Tunner added that if the designation is based on a famous person, a title search will often be conducted. Mr. Bridges is excited about the process and has put many hours of work into preparing a presentation for the LPC. There was discussion as to when certain property controls go into effect during the designation process. Mr. Bridges stressed that local properties need protection. Ms. Tunner quoted Fort Collins code Section 14-24, Interim Control. Interpretation of this section will determine when designation begins. Ms. McWilliams will consult with Mr. Paul Eckman as to when the designation process officially begins and when interim control can be exercised. It is believed to begin well into the process, when the LPC holds a public meeting.

Mr. Bridges also had a question about expanding districts to include additional properties. Ms. Tunner explained you must come back to apply for additional designations for adjacent properties. There is no defined process for expanding a district and one should be defined.

Ms. Weatherford moved to recommend the Process for the District Designation to council to be included with the East Side/ West Side Design Standards and Guidelines, seconded by Ms. Kullman which passed unanimously.

OTHER BUSINESS:

Downtown Development Authority

Mr. Frick will be appointed as liaison to the Downtown Development Authority and if he declines someone else will be appointed.

Ms. Weatherford moved to appoint Mr. Bud Frick to be our liaison to Downtown Development Authority contingent on his acceptance, seconded by Ms. Kullman which passed unanimously.

Community Initiated Development Workshop

Ms. Carpenter and Ms. Weatherford are on the board of the Historic Fort Collins Development Corporation. This corporation is going to sponsor a Community Initiated Development Workshop in Fort Collins. They would like to put in a proposal for a mini-grant from the Colorado Historical Society for the Community Development Workshop. The idea behind this workshop comes from Mr. Donald Rypkema an Economic Development Preservationist from the Preservation Leadership Training Institute. Through the support of the National Trust and the Main Street Program case studies are performed to learn more about preservation development. The Historic Fort Collins Development Corp. would like to focus a case study on the Northern Hotel. The owner Bill Starke is being contacted for his cooperation. They would like to involve members from different parts of the community. Ms. Tunner will consult with Mr. Joe Frank to see if the LPC can recommend to Council that funds be appropriated from the Historic Preservation Fund to co-sponsor this Community Development Workshop.

The meeting adjourned at 7:30 p.m.

The minutes were submitted by Nicole Sneider, secretary.

LANDMARK PRESERVATION COMMISSION
Regular Meeting
January 23, 1996
Council Liaison: Gina Janett
Staff Liaison: Joe Frank
Commission Chairperson: Jennifer Carpenter (225-0960)

SUMMARY OF MEETING:The LPC discussed some of their ideas and concerns in response to the Downtown Civic Center plan which included their recommendation for the rehabilitation of the Northern Hotel. The unauthorized demolition of the historic Fort Collins Monument Works, 333 East Mountain Avenue was discussed. A motion was passed to begin legal procedures against the owner. The September 12, 1995 minutes were corrected and November 28, 1995 minutes were accepted as is. The George W. Coffin House, 525 Smith Street was designated as a Local Landmark. Bob Blanchard made a presentation of the revised East Side/West Side Standards and Guidelines and expressed some of the concerns he has heard from the public and City Council. Karen McWilliams also presented the Process for District Designation to be included with the East Side/West Side Design Standards and Guidelines when next presented to Council. The focus of her discussion was to identify where interim control plays into the process and some of the LPC's concerns about placing a hold on work to be done to a property. Leanne Lawrie, City Planner also presented the proposed changes to be made to the Rehabilitation Grant Program. It was decided to change the schedule of the program in the future so project grants will coincide with the construction season. Carol Tunner, Historic Preservation Planner received input from the LPC on the procedure for the Design Assistance Program.

CALL TO ORDER AND ROLL CALL:

Commission Chairperson Jennifer Carpenter called the meeting to order 5:38 p.m., 281 North College Avenue. Nicole Sneider, Secretary called the roll. Commission members Jennifer Carpenter, Ruth Weatherford, Per Hogestad, Jean Kullman, Terence Hoaglund and James Tanner were present. Mr. Bud Frick arrived late. Carol Tunner and Karen McWilliams represented staff.

GUESTS: Leanne Lawrie, Fort Collins City Planner, Bob Blanchard, Current Planning Director, and Jeff Bridges attended the meeting. Greg Hastings represented the owner of the George W. Coffin House, 525 Smith Street.

AGENDA REVIEW: Ms. Tunner added a discussion of the Rehabilitation Grant Program. Ms. Lawrie, City Planner will present the Rehabilitation Grant Program prior to the discussion of the Design Assistance Program. Ms. Tunner also added to Other Business the unauthorized demolition of the Fort Collins Monument Works, 333 East Mountain. Ms. McWilliams added the District Designation Process as the first item to be discussed under Other Discussion Items. Ms. Carpenter requested to reduce the discussion of the Design Assistance Program to twenty to thirty meetings because the material was very organized.

STAFF REPORTS: Ms. McWilliams informed the Commission that copies of the Community Visions and Goals from December 15 will be available at eight different locations in Fort Collins. Mr. Joe Frank will attend the LPC February 13, 1996 meeting and will address questions and comments at that time.

COMMISSION MEMBERS' REPORTS:

Downtown Civic Center

Mr. Hoaglund met with Debra Paserelli January 23, 1996 to discuss the Downtown Civic Center alternatives. Mr. Hoaglund presented the LPC's concerns about a downtown hotel proposed to be located at the Washington's Bar. Mr. Hoaglund suggested preserving the historic building by adding on to it or building around it and tying the hotel to the downtown area. Upon review of the plan and the alternatives, they agreed Washington's is probably not the best location for a downtown hotel. It ignores the city's own plans for a new storm water project and the car wash presently being built. One problem with designating the Northern as the downtown hotel was that it's not big enough. Ms. Carpenter questioned if you could put a six to seven story hotel at the Washington's location along with the other projects planned for that area. Mr. Hoaglund explained the current alternative plans to build the hotel on top of Washington's and on the lot adjacent. The plans illustrate new retail and civic uses in the area which take out the existing car wash and shoe store.

Mr. Hoaglund asked for the LPC's input on the removal of the median at LaPorte and College Avenue. Ms. Tunner thought that there may have been a round about located at that site. Mr. Hoaglund also said that they were proposing to extend the median on Mountain Avenue across College Avenue and take away the diagonal parking along Mountain Avenue. The street car service would be extended to serve commuters and no longer just run for the novelty. There will be another meeting to discuss the plans for the Downtown Civic Center February 8, 1996. Once one plan is decided upon, Ms. Paserelli wants to come into one of the LPC's March meetings. She will contact Ms. Tunner to find out a good time to make a presentation to the Commission.

Ms. Carpenter does not like that the Northern Hotel is not being considered for renovation in order to serve as a downtown hotel. Mr. Hoaglund explained that they are looking for a two to three hundred room hotel. Ms. Tunner believes that the Northern has one hundred ten rooms. Ms. Weatherford explained that the Northern Hotel can still be used as a downtown hotel and then a convention center can also be built. These two establishments have a very different characters. Ms. McWilliams had heard a suggestion to build another hotel at College Avenue and Pine Street and connect it to the Northern. Underground parking could be provided in this case. Mr. Hoaglund suggested keeping the Northern as the downtown hotel and take that same triangular piece and convert it into a nice parking structure. Ms. Tunner stressed that the Northern is Fort Collins last chance for a downtown historic hotel. The Commission agreed every good city has an historic downtown hotel. Ms. Tunner quoted from the Secretary of the Interior's Standard #1 which explained to go back to the closest use as possible. She was concerned that some day the Northern would be gutted out much like Linden's and it would no longer be

recognizable as a hotel. The Flat Iron shape Building is very charming in the inside with rooms with interesting shapes and angles.

APPROVAL OF MINUTES: Ms. Tunner explained that in the September 12, 1995 minutes, there was a correction on page two under "Approval of Minutes" which stated that on the Oceanic House, East Elizabeth, porch lights approval from page five on the July 25, 1995 minutes that Mr. Tanner voted against the submittal. The vote from July was actually unanimous, according to Ms. Tunner because James Tanner did vote for approving the porch lights.

Ms. Weatherford moved to accept the September 9, 1995 minutes as corrected. The motion was seconded by Mr. Hoaglund which passed unanimously. (Yeas:7 and Nays:0)

Ms. Carpenter accepted the November 28, 1995 minutes as submitted.

CURRENT DESIGN REVIEW:

East Side/West Side "Standards and Guidelines for Historic Properties" presented by Bob Blanchard, Current Planning Director

Bob Blanchard presented an update on the East Side/West Side Design Standards and Guidelines. Packets were distributed with copies of the *Standards and Guidelines for Historic Structures* document, included with the East Side/West Side Design Guidelines and Standards proposal. In addition, a matrix was provided which diagramed the proposed changes for zoning amendment options. The matrix includes all the language of the previously proposed standards and then explains what status change has been made to each standard. The standards were proposed to be adopted as a zoning change, edited and referred to the original standard, changed from a standard to a guideline, merged with another idea, or deleted. Mr. Blanchard informed the Commission that City Council had requested last September that the text of the document be simplified and clarified; suggested transferring some of the standards into the zoning code; asked that the LPC develop a district designation process; and requested that Mr. Blanchard organize another public outreach program. Mr. Blanchard said all of council's requests were satisfied.

In addition, Mr. Blanchard created a focus group in which Ms. Jennifer Carpenter and Mr. Bud Frick from the LPC participated. Mr. Jeff Bridges, resident of Fort Collins also participated in the focus group. The focus group discussed the principles and effects of planning and implementing the East Side/West Side Design Standards and Guidelines. People who were adamantly opposed during the adoption process, citizens who were in favor of the document exactly the way it was proposed, and residents who fell in between and could act as mediators between the two sides participated in four meetings in order to review all of the standards. Within their discussions, major concerns addressed alley houses, secondary residential structures, and a sliding scale for minimum lot sizes for building new structures. Mr. Blanchard originally formed the focus group to help determine any initial area of agreement which could be left out of future discussion. He explained that the focus group evolved into a lot more and in the end they were able to

accomplish a comprehensive review of all of the standards and provided information as to what standards could be transferred into the zoning code.

Mr. Blanchard also held two open houses to help gain public input and provide education to residents on the proposed standards and guidelines. Ms. McWilliams attended both open houses, providing information on historic preservation. Nore Winter of Winter and Company, as well as Mitch Haas from Current Planning and Peter Barnes from Zoning, also attended the open houses. Mr. Blanchard kept a log of comments.

A revised set of standards and guidelines and a proposal for changing some of the standards into a more general application by including them in the zoning code was presented to the Planning and Zoning Boards on January 22, 1996. At that meeting, Ms. McWilliams presented the draft Process for District Designation. Mr. Blanchard described the actual documents which were presented; *The Proposed Neighborhood Character Design Guidelines for the East Side/West Side Neighborhoods*, was the original document minus the historic section, with all of the standards converted to guidelines. Those standards converted to zoning codes are referenced. Ms. Carpenter asked how many actually were converted into zoning codes and how many were turned into guidelines. This information is available on the matrix. The document called *Proposed Design Guidelines* did not contain any standards but did have a zoning reference to it. The document called the *Proposed Standards and Guidelines for Historic Properties* is designed to apply to all individually designated properties and structures as well as to any future Landmark Districts. The third item was the *Proposed Changes into The Zoning Code*, which converted standards into the zoning code.

At the Planning and Zoning Board meeting, about dozen members of the public commented. One major issue was alley houses and increasing the minimum lot sizes in the Neighborhood Conservation Zoning Districts. When the Neighborhood Conservation districts were rezoned in 1991, the NCM Zoning District was rezoned from 6,000 to 4,500 square feet, the NCB district from 6,000 to 4,500 square feet, and the NCL remained zoned at 6,000 square feet. So if you had 9,000 square feet, an alley house could be built. It was proposed, as one way to regulate alley houses, to increase the minimum lot size in these zoning districts. For comparison analysis the number of lots that are greater than 10,000 square feet which have the potential for alley houses were compared to the number of lots that still had the potential for alley houses after increasing the minimum lot size. The comparison showed that, by increasing the minimum lot size from 4,500 to 5,000 square feet, the potential for alley houses is reduced by about fifty percent. Mr. Blanchard explained that this is a major change. He explained that the majority of the comments to the Planning and Zoning Board were about this change. At the open houses, some people commented that they do not want alley houses at all. Others believe that alley houses would provide an additional opportunity for affordable housing. Ms. Carpenter asked Mr. Blanchard if there was a variety of comments presented at the January 22, 1996 meeting. He responded in his opinion there was basically a split between those who favored increasing the minimum lot size and those who spoke against increasing the minimum lot size. He felt both sides had good arguments.

At their meeting, the Planning and Zoning Board said that they were not satisfied with the documents. They proposed extending the time line with a sixty day extension to the emergency moratorium ordinance. They would like to see a proposal which more closely approximates the original document. Board members feel that the issues should not just be addressed through the zoning code and that the original document had a more accurate approach to design issues. Mr. Blanchard stated that in the planning profession, design issues are not generally dealt with through the zoning code. The Planning and Zoning Board would like the alternatives brought back to them, including the original document, the zoning as it was proposed, and maybe a compromise with standards dealing with some critical design issues. There was additional talk about creating an alley house task force to debate the issue. One suggestion was to allow only corner lots to have secondary structures. The Planning and Zoning Board voted unanimously to have Mr. Blanchard bring back a proposal in sixty days.

Mr. Blanchard will take the same proposal presented to Planning and Zoning on to the City Council, with the Planning and Zoning Board's recommendation. One option is for Council to adopt this proposal. There will also be an ordinance available to them to continue the emergency ordinance on the minimum lot size for another sixty days and to follow the Planning and Zoning Board's recommendation. Some issues from Mr. Blanchard's staff report will also be presented to council. These issues are minimum lot size; including a basement in measuring the square footage of a building; occupancy and minimum maintenance requirements; and group rentals. Mr. Blanchard commented that these are valid concerns, but not all were part of the original project. Many of these issues do not deal directly with design. Ms. Carpenter asked if the original set of standards and guidelines were going to be proposed to Council as an option. Mr. Blanchard said that he will make sure that Council recognizes that this is still a viable option.

Mr. Blanchard explained that the historic document has not been substantially changed. Ms. McWilliams explained that, according to Mr. Winter, only editing changes and the corrections recommended by the LPC to the May 15, 1995 draft were made to the historic document. Ms. McWilliams noted that the only substantial change to the standards was to add that dormers could be added to a hipped roof structure. Mr. Blanchard explained that the primary difference is that the historic document is now being considered as a separate document. Part of the reason to separate the two documents was to avoid confusion over when the historic standards apply. Ms. Carpenter was assured that the historic piece was going to be adopted as part of the process. Mr. Frick asked if it could be adopted separately. Mr. Blanchard explained it would have to be under a separate ordinance.

Ms. Carpenter noticed many items which have been changed from standards to guidelines. Mr. Blanchard explained that the document for general applications has everything changed to guidelines, but the mandatory parts have been changed to zoning codes. Mr. Tanner asked if new items were added to the zoning code, which was affirmed by Mr. Blanchard. There is a packet of the zoning changes, which will be distributed to the LPC. Mr. Blanchard said they only converted those standards which could be appropriately worded into zoning code. Zoning is more specific. Ms. Carpenter considered zoning to be black and white, unlike standards and

guidelines. Mr. Blanchard provided examples as to what has been converted to zoning. Ms. Carpenter said that the matrix could be a little more explanatory.

Ms. Carpenter asked Mr. Blanchard if he needed a recommendation from the Landmark Preservation Commission. He stated that the LPC had already recommended the Historic part of the document, which has been changed very little, and their previous recommendation is still valid. Ms. Carpenter wanted to know if the LPC's recommendation was being presented with the East Side/West Side documents options on the general design guidelines. Mr. Blanchard explained that their recommendation now only applies to the separate historic document. Similarly, the Planning and Zoning Board does not have the authority to make recommendation on the LPC's ordinance, but they did take testimony.

Mr. Jeff Bridges provided public input. He felt that the Planning and Zoning Board heard a proposal which was very different from what was agreed upon by the focus group. Because of the standards that got converted into the zoning ordinance, design standards related to roof forms, set backs, and alignment with other houses on the block all become a static mandate which applies to houses all over. There can no longer be any differences from block to block or between neighborhoods. Mr. Bridges submitted to the Planning and Zoning Board and to the LPC a diagram of what the proposed zoning ordinance translates into. It shows that you can have massive structures with as much as two times the size of existing buildings on the lot. A change in the minimum lot size eliminates fifty percent of the options for additional houses and leaves very few lots left that can construct alley houses on them. If this happens, then the only option is for people to modify or tear down existing structures to convert them into duplexes and four-plexes, if they are trying to increase the housing density. Mr. Bridges believes that this creates an opportunity for speculation of the less significant houses and does not provide an incentive for people who want to expand their structure while preserving the character of their original house. In the historic districts, contributing structures are reviewed by the historic guidelines and non-contributing structures are review to the proposed document which contains only guidelines. He feels that this can negatively affect the historic neighborhoods. Mr. Bridges stated that the document which is being proposed does not address many of the concerns of the residents. He believes by raising the lot size, preservation efforts are handicapped across the city. According to Mr. Bridges, Planning and Zoning seemed to share the same concerns. Mr. Frick stated that the zoning set backs, other than when they were revised in 1991, are still the same as prior to the proposed document. The map that Mr. Bridges presented illustrates what exists today. Ms. Carpenter said that they are trying to protect the historic areas and provide more protection for the future. Ms. Carpenter stated that under the design standards additional construction is regulated. Mr. Frick explained that the proposed standards address the design but not the area of additional structures. Mr. Blanchard reminded the Commission that whatever proposal gets accepted will not effect the review process. For example, when constructing a duplex, compatibility with the neighborhood is still required. The guidelines in the document were designed to enter into the interpretation of compatibility even though they were not adopted as standards. These guidelines provide valuable information for the home owner. Mr. Blanchard also added that included in the packet was a memorandum from Nore Winter expressing his

concerns about what was left out in the conversion of standards to zoning. Some of Mr. Winter's concerns were similar to Mr. Bridge's concerns.

Mr. Tanner said that because the LPC endorsed the entire document of the East Side/ West Side Design Standards and Guidelines, the Commission believes that the general part of the document would also influence the historic districts in town. He suggested that the LPC look at the three alternative documents and discuss which option the LPC would like to recommend. Mr. Blanchard informed the Commission that the options will be presented to council on February 6, 1996. He will give the LPC commissioners and staff his draft staff report next week for their review. Ms. Weatherford agreed that it is important for the LPC to make a recommendation to Council.

DESIGNATION:

525 Smith Street, George W. Coffin House - David Wilkins, Owner

Mr. Greg Hastings represented the owner, David Wilkins because he was out of town on business. Ms. McWilliams presented this property for Local Landmark Designation and referred to the staff report. This property is architecturally significant because of the vernacular gable and Homestead style. The foundation is made of stone from the Stout quarry. Ms. McWilliams presented photographs of the property. Mr. Hastings added that the balusters were not original. He also presented to the Commission a ticket for the 1882 Larimer County Fair for fifty cents that was found in the closet of the house. The date from when a water tap permit was requested was also part of its history. Ms. Tunner said the style of this home is very similar to the Brown Farm and the Rhodes House. Mr. Hastings met the daughter of the person who lived there in the 1920s.

Mr. Frick moved to accept the Local Landmark Designation for the George W. Coffin House, 525 Smith Street. The motion was seconded by Ms. Weatherford which passed unanimously. (Yeas:7 and Nays:0)

OTHER DISCUSSION ITEMS:

Rehabilitation Grant Program - Ms. Leanne Lawrie, Fort Collins City Planner

Ms. Lawrie presented a handout of the proposed changes to the Rehabilitation Grant Program. This program is being set up as an ordinance. This way it won't have to pass each year as a resolution. The ordinance will establish this as an ongoing program. It will be brought back to the LPC February 13 and will be presented to City Council February 20, 1996. Ms. McWilliams questioned if the LPC can go over all the applications in two meetings. She added that they must be complete applications. Ms. Carpenter asked if legally, subcommittees can be formed to review the applications. Mr. Frick suggested that staff review them as they come in and can provide the LPC with recommendations. Ms. McWilliams will consult with Mr. Eckman and requested that the LPC come up with some criteria. They should consider preservation priority and weigh total project versus money awarded. The Commission discussed problems with timing and the

schedule of the program. Mr. Bridges suggested dealing with the first year differently from ongoing years. In the future, he suggested completing approving the applications by February 28. He added that the construction season begins during the months of March and April. This year it should still be available so the program doesn't have to wait until next year to begin. In the future, solicit applications in November and make decisions in December and January.

Mr. Frick suggested for the applicant to figure out the cost of the project, get drawings for bids, and then present a proposal in order to get the grant. He also added that construction in this area goes all year round. Ms. Carpenter expressed that rehabilitation is what most people want to do. This year the schedule will be acceptable but she would like to see home owners benefit from the construction season in the future according to the ordinance. For this year, applications will be accepted for this February and then again and from then on applications will be accepted in November. The one year extension will only be granted if there is good cause shown as to why that work had not been completed. Ms. Lawrie will look into the best way to proceed.

Mr. Hoaglund moved to institute a resolution for this year and write an ordinance for next year. Ms. Weatherford seconded the motion which passed unanimously. (Yeas:7 and Nays:0)

Design Assistance Program - Carol Tunner, Historic Preservation Planner

A memorandum from Ms. Tunner dated January 19, 1996 on the Design Assistance Program reviewed Ms. Albertson-Clark's suggestions on DAP. Ms. Carpenter suggested discussing these recommendation piece by piece. Ms. Kullman asked what if the work they are doing is to allow the structure to be designated. Ms. Tunner explained that this program serves as an incentive for the designation of residential properties. Ms. Carpenter questioned if the property can be designated subject to the work being done. Mr. Hoaglund reminded the Commission they are only working with \$10,000. He recommended seeing how the program succeeded before offering opportunities to other properties. This also keeps the program simple. Mr. Tanner argued that DAP may serve as an incentive for designation because property owners would realize the program would be available if they were designated. After some discussion the LPC reviewed each item in Ms. Tunner's memo and on Page 8 of Ms. Albertson-Clark's document.

Under #2 Cost to Applicant, choice A no application fee was decided to be implemented. This choice requires less administrative time. Because the design assistance is paid for up front staff will not take the time to see if the project was completed, but they will require that a set of plans be put in the file.

Under #3 Design Assistance-Dollar Amounts Available, Mr. Hoaglund believes that there should be a limit because only \$10,000 are available. There should be a maximum of \$900 worth of funds available, but someone can get three \$250 grants. This section refers to the definitions of minor and major rehabilitations.

Changes were also made to the definitions from Page 8 of Ms. Albertson-Clark's document. Minor projects do not only have to address the secondary buildings. So "that address secondary

building or facade elements " has been deleted form the definition. #3. under definitions of Minor Rehabilitation has been deleted in full. Ms. McWilliams stressed that the house should be the main focus, not street furniture, landscaping, or retaining walls. The word "alteration" has been deleted from the definitions as well because Ms. Tunner feels historic landmarks should not be altered. #3 Under the definition of Major Rehabilitation has also been deleted.

Under #4 Time frame for completion of the project, it was changed to be a one year project with a one year extension.

Under #5 The process, the form is be filled out and signed by staff after the applicant visits with a consultant. The LPC would also like to get a copy of any drawings or plans which are created for the property.

Ms. Carpenter suggested that once a consultant is referred by and paid by the city a copy of their plans for a DAP project should be sent to the city to be filed.

Ms. Tunner suggested that the consultant submit their sketches or plans with their bill.

OTHER BUSINESS:

Demolition of the Fort Collins Monument Works, 333 East Mountain Avenue

Ms. McWilliams spoke with Mr. Felix Lee, Director of Building and Zoning. He explained that the owner can be charged twice the permit fee for demolishing the structure without a permit. The total charge would be \$30.00. An alternative would be to cite him and take him to court. The problem with citing him at this time is that staff is not sure whether he was aware that he needed a permit for the demolition and they do not know who performed the work. The Commission agreed that a thirty dollar penalty would not stop anyone in the future from demolishing a building without a permit. Ms. McWilliams identified the immediate action items as: send another violation notice to the Mountain Avenue property owner because the first one was returned with the wrong address, update building and zoning code procedures for demolition permits to include a final safety cleanup inspection, and send all of the city's licensed contractors information on when it is necessary to get a permit and when it's necessary to come before the Landmark Preservation Commission. Mr. Lee said he would have a draft of that letter available to Ms. McWilliams. Ms. Carpenter expressed concern because so many people hire unlicensed contractors.

In the long-term Mr. Lee recommended looking at that portion of the code that addresses LPC fees. He felt that the up front fee of fifty dollars just to file an application is really steep and a disincentive for people to fill out an application for review of work planned for their property. Ms. McWilliams explained that in practice staff ends up waiving the application fee most of the time. Staff needs to discuss this with Mr. Frank. There is a two hundred dollar fee if the applicant has to go through the whole process to have their property evaluated before a demolition permit could be granted. Again this two hundred dollar fee may be a disincentive. Ms. McWilliams suggested that some time in the future look at these fees to determine if they are

warranted or not. After a building has been demolished there is very little that can be done. The punitive recourse is issuing a court summons for not obtaining a permit but the most that can be done is to request that the owner come in and go through the process retrospectively. Research would have to be done on the building which the property owner just tore down. Ms. Carpenter asked if you can double the two hundred dollar fee as well. Ms. McWilliams will check with Mr. Paul Eckman, Deputy Attorney about that option. She believes it may be part of a different code. The penalty of doubling the permit fee is in the UBC.

Ms. McWilliams stressed education and to see if the penalties can be made stiffer. In this case Ms. Weatherford and Ms. Carpenter agree that the offender was educated and because the penalty is so minute that the owner or the contractor did not seek approval. Gina Janett shared these same concerns with Ms. Carpenter about creating tougher penalties for tearing down an historic building. Ms. Tunner suggested that maybe the owner should designate the Harmony House in exchange for demolishing the Fort Collins Monument Works. Ms. Carpenter suggested a non-consensual designation of the Harmony House because she feels it may be threatened. Commissioners questioned whether a designation would stop a structure from being demolished without a permit. Ms. Tunner said letters should be sent to all designated property owners as part of the education process. Ms. McWilliams asked if there was a further penalty for demolishing a designated building. Mr. Bob Blanchard, Current Planning Director recommended if the process was codified maybe you can charge a stiffer penalty, like one thousand dollars a day. Ms. Tunner quoted from Chapter 14 of the Landmark Preservation ordinance which addressed in section 14-59, violation and penalties and section 115 of the city code which defined a penalty of \$1000 a day. Ms. Weatherford reminded the Commission how important this first case is because it sets a precedent. Mr. Tanner illustrated using examples of speeding and incinerating trash within city limits, that when you don't know the speed limit or the local laws, ignorance is not an excuse. Mr. Frick explained that the owner knows he is within the boundaries of Old Town. Ms. Weatherford feels the owner should come before the LPC. Mr. Tanner suggested that staff start the legal process otherwise the regulations will become worthless and to write an article in the Coloradoan about the demolition.

Mr. Tanner moved for the Landmark Preservation Commission to pursue all available legal avenues of prosecution for the unauthorized demolition of 333 East Mountain Avenue by the owner Thomas Moore. Ms. Weatherford seconded the motion which passed unanimously. (Yeas:7 and Nays:0)

Proposed Process for Local Landmark District Designation in the East Side/West Side Neighborhoods - Karen McWilliams

Ms. McWilliams put up a colored flow chart for the Commission to review which corresponds to the revised Process for District Designation included in this meetings packet. She presented some of the options discussed by Ms. Carpenter, Mr. Eckman, Mr. Frank, and herself in a private meeting. They pointed out a concern to get the process completed within 180 days from the time a hold was placed on the property. Mr. Eckman believed that the hold would begin during step #1, the Initiation of the District Designation Process. In order to maximize the 180 days in which

interim control is activated, Step #5 the soliciting of property owners would be included as part of Step #2 Neighborhood Meetings. From Step #2 Neighborhood Meetings, the process will go right to Step #3 Soliciting Opinions. These two steps would occur almost simultaneously. The Second Neighborhood Meeting was made optional. The old Step #6 was moved up to be Step #5, Additional Neighborhood Meetings. Anywhere that an asterisk appears on the flow chart indicates an opportunity for public input.

The next issue discussed was determining when the 180 days of interim control begins. Interim control begins at Step #1 according to the way that the ordinance is written. The other option is to give specific criteria as to when the process would not apply. Mr. Eckman informed Ms. McWilliams that if this process is adopted it must be followed every time. According to Mr. Eckman the wording of the Landmark Ordinance under the Initiation of Procedure decides where interim control begins as to when an opinion is issued. Ms. McWilliams explained that there are three different points where interim control begins to be decided by the LPC.

Option #1 Whenever the LPC issues an opinion, for example whenever in the opinion of the LPC "a district has merit", interim control is initiated or the process is stopped if no opinion is issued or the designation is rejected. Concrete criteria can help to determine if a proposed district has merit and the process should be continued or halted. Ms. Carpenter questioned if one criteria could be that they need more information. Ms. McWilliams responded then the application is rejected. Ms. Carpenter explained that the same district can not be brought back for consideration for one year. Ms. McWilliams said that the new district can be accepted if it is just slightly different. Mr. Frick questioned why the LPC does not have the option to request more information in order to issue an opinion. Ms. Carpenter pointed out that there may be an eminent threat on a district. For example, eight contiguous houses in a definite historic district, contributing but not individually eligible may be threatened and they would like to put a hold on the properties for the protection of the historic district. Ms. Carpenter would not like to loose the opportunity to protect a district using interim control. Of course this would be a rare instance and would require research from staff. Ms. McWilliams also stated that if a citizen brings in all the documentation on a district and the LPC feels comfortable with the boundaries and research then the process begins and interim control is effective from that point.

Option #2 Interim control begins when the LPC makes a resolution at Step #4, with at least five members present. Because these are districts it will be almost every time a non-consensual designation because not all property owners will be in agreement within the district. Given the LPC has not received back the owner's permission within fifteen days of receiving notice, then, upon affirmative vote of at least five commission members, a resolution can be officially adopted stating that a preliminary investigation by the Commission appears to indicate that the district is eligible for designation.

Option #3 Interim control begins at Step #6, the Public Designation Hearing. The LPC adopts a resolution to make a recommendation to council to designate a local landmark district. This is the only option which does not require to have the Landmark Preservation ordinance opened.

The only other way to avoid opening the ordinance is to create specific criteria as to when the process will not apply. If the code is to be opened then only that section would be opened. The Commission does not support rewriting the code in order to avoid political opposition. Ms. Carpenter said that Option #1 makes sense because the code won't have to be rewritten. If specific criteria is identified then they don't have to follow the procedure over 180 days. Ms. Carpenter asked if there is not enough information provided for the LPC to form an opinion, would this serve as one criteria. To take a vote or to make a decision there must be enough information. Ms. McWilliams explained that Mr. Eckman suggested creating very specific criteria. Section 14 - 12 of the code dictates that an opinion is issued in the form of a vote. Mr. Frick explained that when development is proposed across lot lines the applicant must go through the PUD process which is very lengthy. Ms. McWilliams speculated that prior to receiving the building permit, there can be a non-consensual designation of that district.

Ms. McWilliams suggested scheduling an emergency meeting with Mr. Eckman. Mr. Frick expressed that the LPC would like to be able to begin the 180 days when an opinion among the LPC is reached. This provides more flexibility through the process. Ms. Weatherford agrees that the 180 days begins when an opinion is issued unless specific criteria is met to hold off the onset of the 180 days. For example, not enough information is available to form an opinion. Mr. Hogestad requested that Mr. Eckman look into what sort of flexibility the LPC has with the interim control. Ms. McWilliams reminded the Commission that the political ramifications of putting a 180 day hold on someone's property is not good. The LPC is sensitive to this issue. Ms. Weatherford said that the whole idea was for historic district designations to come out of the neighborhoods and for the program not to be imposed on property owners. But in the case of an eminent threat a non-consensual designation can be implemented. Because of these two possible scenarios it is important to have some flexibility in order to deal with the situation. At this point, resident, Jeff Bridges thanked the Commission for their efforts and for addressing the legal issues.

The meeting adjourned at 9:15 p.m.

Submitted by Nicole Sneider, Secretary.