



Meg Dunn, Chair
Alexandra Wallace, Vice Chair
Michael Bello
Katie Dorn
Kristin Gensmer
Per Hogestad
Kevin Murray
Anne Nelsen
Mollie Simpson

City Council Chambers
City Hall West
300 Laporte Avenue
Fort Collins, Colorado

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Regular Meeting October 17, 2018 Minutes

- **CALL TO ORDER**

Chair Dunn called the meeting to order at 5:33 p.m.

- **ROLL CALL**

PRESENT: Dunn, Wallace, Gensmer, Simpson, Bello, Murray, Nelson
ABSENT: Dorn, Hogestad
STAFF: McWilliams, Bzdek, Yatabe, Schiager

- **AGENDA REVIEW**

No changes to posted agenda.

- **STAFF REPORTS**

Ms. McWilliams reported that the Ross Proving-Up House has been moved to its permanent location at Lee Martinez Farm. There will be a ribbon-cutting ceremony on November 15th at 3:00 pm. Chair Dunn asked if one must pay the entrance fee for the Farm to attend the ribbon-cutting. Ms. McWilliams said she was sure that would not be the case.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

● CONSENT AGENDA

1. 225 SOUTH LOOMIS AVENUE - FINAL DEMOLITION/ALTERATION REVIEW

PROJECT DESCRIPTION: This is a proposal to add a rear, 2-story addition to the residence. The property was determined to be individually eligible as a Fort Collins Landmark.

OWNER/APPLICANT: Karin Boes

Mr. Murray recused himself from the first item due to a conflict of interest.

Ms. Simpson asked if the Applicant had participated in the design assistance program. Ms. McWilliams said the Applicant had been made aware of the program but had not participated.

Ms. Wallace moved that the Landmark Preservation Commission approve the application for final demolition/alteration review for 225 South Loomis Avenue as presented, finding that the applicant has complied with the requirements and purpose of Section 14-72 of the Municipal Code. Ms. Gensmer seconded. The motion passed 7:0.

Mr. Murray rejoined the Commission.

● DISCUSSION AGENDA

2. HISTORIC PRESERVATION CODE DISCUSSION

ITEM DESCRIPTION: This item is to discuss the historic preservation Codes and processes related to the review of Single-Family Dwellings, and the benchmarks that trigger review. Additionally, the LPC will continue its discussion of the criteria for compliance with Land Use Code Section 3.4.7 pertaining to the review of development and new construction.

Staff Report

Ms. McWilliams began her presentation by providing a detailed review of the proposed Code changes, focusing especially on the Non-Consensual Designation process and the Design Review Process.

Ms. Bzdek discussed changes to Land Use Code Section 3.4.7 using a chart to explain the proposed requirements for new construction near historic buildings.

Ms. McWilliams reviewed the proposed changes to the Code relating to Demolition, Neglect and Dangerous Buildings. She talked about improvements to the process for making determinations of eligibility. She emphasized a significant change that eliminate Demolition/Alteration Reviews of non-designated Single-Family Dwellings. She also noted that the role of the Design Review Subcommittee would be re-evaluated and strengthened.

Regarding Demolition by Neglect, Ms. McWilliams noted the maintenance requirements would be extended to include eligible structures. She noted the need for further study on this topic. She explained that the concept of "Imminent Danger" has also been more clearly defined.

Ms. McWilliams reviewed some benchmarks that could be used in identifying historic properties. She stated that the consultant, Clarion, recommended against using benchmarks and the Code Advisory Committee agreed with that position.

Ms. McWilliams posed several questions for the Commission to consider and requested any additional comments.

Public Input

None

Commission Questions and Discussion

Ms. Nelson asked if there was a list of professionals who are qualified to fill out the Colorado Inventory Form. Ms. McWilliams said there is a list of 4-5 in Fort Collins who are recognized as qualified by History Colorado.

Chair Dunn asked if Council could initiate a non-consensual designation. Mr. Yatabe said there is currently no provision for that, but it could be explored.

Chair Dunn asked if there was an option for the Commission to skip the second meeting and make a decision at the first meeting. She explained that having two meetings allows the public the opportunity to participate and allow information to be gathered.

Mr. Murray asked whether there would be an effort by Staff to help property owners more fully understand what work can be done on a designated property. Ms. McWilliams explained that Staff would explain to a homeowner what the process would be to obtain approval. Chair Dunn suggested a flowchart to assist homeowners.

Chair Dunn asked if Conceptual Reviews could be specified in the Code as optional but encouraged. Ms. McWilliams said the benefits of the Conceptual Review would be stressed in handouts, but it would not be prudent to codify.

Chair Dunn asked about how abutting historic properties would be handled differently than other properties in the area of adjacency with regard to new construction near historic buildings. Ms. Bzdek said the standards for compatibility with abutting historic properties were more stringent. Chair Dunn asked how to handle an eclectic mix of styles within the 200-foot boundary. Ms. Bzdek said the design needs to acknowledge a relationship, even subtle, to the existing buildings.

Mr. Murray asked about expanding an area of adjacency to include buildings beyond the 200 feet. Ms. Bzdek explained that would no longer be allowed. Additionally, the Commission would not be deciding the area of adjacency anymore, but rather Staff would make that determination based on the specified guidelines. She added that this makes the process more predicable for Applicants and noted that the historic surveys would be helpful with this.

Mr. Bello asked about 3-dimensionality of materials. Ms. Bzdek explained that has to do with relief and shadow lines.

Ms. Simpson asked about protecting visible historic architecture. Ms. Bzdek said the intent is not to obscure major character-defining features of the building.

Mr. Bello expressed concern about setback requirements that may render a small lot unbuildable, particularly if the side of a historic building cannot be obscured. Ms. Dunn suggested it would be rare to have a major character-defining feature on the side of a building, but if there was, a modification might resolve that. Ms. McWilliams said the Decision Maker should take that into consideration. She pointed out that the Commission would have to agree that it was a defining feature.

Chair Dunn used the jail cell bars on the window in the back of Happy Lucky as an example of an important feature not on the front of a building that should not be obscured.

Ms. Nelson stated that Staff had done a great job with the Codes, particularly the standards for abutting properties. She asked about how the use of quality materials would be addressed. Ms. Bzdek explained that there would be different materials standards in different zone districts. Chair Dunn said she believed the Poudre Garage is diminished by the material next to it, and she would like the new Code to require quality materials to be used when there are abutting historic buildings. This should also apply to historic buildings outside of Downtown.

Mr. Murray agreed about the quality of materials, explaining that was the rationale for wanting to see more brick and less big sheets of metal on the Mountain project.

Ms. Gensmer said the chart is a useful and helpful document, especially the purpose statement for each item.

Ms. Wallace asked whether new construction would only have to be compatible with landmarked properties, or all properties that are 50+ years of age. Ms. Bzdek said it would apply to any designated or eligible property.

Ms. Wallace asked for clarification of what constitutes an abutting property and whether it is just the façade that is relevant. Ms. McWilliams explained that an abutting property would have a shared property line without an alley or other separation, other than a side alley. Chair Dunn asked about a scenario where the same side alley to one property could be the back alley to another, referring to a building at Meldrum and Oak as an example. Chair Dunn suggested changing the language to address these situations. Ms. McWilliams clarified that the historic building is the subject property that determines the side alley.

There was a discussion about what sort of features might be on the side of a building that would need to be preserved. Side entrances were mentioned. Chair Dunn encouraged everyone to be observant about potentially historic buildings that are outside the norm and consider whether this code will work for those in the future.

The Commission discussed whether Demolition/Alteration reviews for non-designated single-family dwellings should be done. Ms. McWilliams said communities that don't have review of single-family dwellings often wish they did, while communities that have had them find that the return on investment of staff time and resources doesn't warrant it. Of the very few communities nationwide that did these reviews at one time, most found it was more beneficial to focus their efforts on education and outreach. Those communities who do these reviews have regulations to back it up.

Mr. Murray expressed concern about discontinuing non-designated single-family dwelling reviews. He commented that the Historic Preservation Department was understaffed and wondered if there are alternative ways to address single-family reviews. Ms. McWilliams said they would continue to look at this and encouraged the Commission to think about it and provide any suggestions.

Chair Dunn suggested that districts are the answer, adding that discontinuing these reviews could free up staff to focus on outreach regarding districts. Mr. Murray agreed, and would like to find new tools, such as overlay districts. Chair Dunn liked the idea of overlay districts since they have less regulation which tends to appeal to homeowners. Ms. Simpson agreed.

In a discussion about Demolition by Neglect, Chair Dunn asked whether homeowners who receive a maintenance notice receive documents about design assistance and other programs. Ms. McWilliams said they have not had staff capacity to develop such documents but hope to in the future. Mr. Murray suggested some maintenance and neglect issues could be reported during the survey process.

Chair Dunn asked the members to weigh in about eliminating non-designated single-family reviews.

Mr. Murray acknowledged that the current system doesn't work, but he would like to see a hybrid solution of some kind.

Ms. Simpson, Ms. Wallace and Ms. Gensmer agreed that eliminating the single-family dwelling reviews made sense because there are better uses of Staff time.

Ms. Nelson said she was conflicted but thinks improving relationships with community and exploring districts would be better use of Staff time than the reviews.

Chair Dunn agrees with eliminating the review and would like to see more emphasis on developing new tools and education.

The members were all in agreement with the Code Advisory Committee that benchmarks do not make sense.

Mr. Murray expressed concern that some people are not aware of the landmark status of a property at the time of purchase. He questioned the lack of full disclosure and thought this should be discovered in a title search. Ms. McWilliams explained that local landmarked properties are recorded and should be noted on the title, although national or state registered properties are not required to be recorded. She also said that the real estate community does not want additional paperwork to be required at closing.

Chair Dunn suggested reaching out to owners of national & state registered properties every 5-10 years about local landmark designation. Ms. McWilliams said they would like to do that if they had sufficient Staff resources.

Ms. Simpson asked whether districts are noted on the title as well. Ms. McWilliams indicated that they were.

Ms. Simpson mentioned that Spradley Barr was not included in the Midtown Plan and wondered whether some level of historic survey should be included in those types of documents. Ms. McWilliams said the new plans do take historic properties into account but explained that including a list of historic properties could be too limiting.

Ms. Gensmer recommended adding language about archaeological finds, citing an example of a recent find in Boulder. Ms. McWilliams said most communities recognize all four of the National Register areas of significance, including architectural, historical, archaeological, and people and events. While our City Codes acknowledge that properties can be designated under all four, the Demolition/Alteration Code exempts archaeological artifacts. Ms. Gensmer indicated she would support changing that part of the Code. Ms. Simpson agreed.

Mr. Murray suggested that Historic Preservation request additional Staff to specialize in education and surveys. Ms. McWilliams briefly explained the BFO (Budgeting for Outcomes) process, and the challenges of getting additional Staff approved. She added that the latest proposed budget might include an additional contractual employee.

● **OTHER BUSINESS**

The Commission did not have any comments about the Work Plan which was listed on the agenda.

Mr. Murray mentioned he would be doing a window workshop in Parker.

Chair Dunn gave an update about the various themes under consideration for the “2019 PastForward Conference” in Denver.

● **ADJOURNMENT**

Chair Dunn adjourned the meeting at 7:40 p.m.

Minutes respectfully submitted by Gretchen Schiager.

Minutes approved by a vote of the Commission on Nov. 14, 2018



Alexandra Wallace, Acting Chair