

ASPEN HISTORIC PRESERVATION COMMISSION
MINUTES NOVEMBER 9, 2011

Vice-chair, Ann Mullins called the meeting to order at 5:00 p.m.
Commissioners in attendance: Jay Maytin, Willis Pember and Brian McNellis. Nora Berko and Jamie McLeod were excused.

Staff present: Jim True, Special Counsel
 Amy Guthrie, Historic Preservation Officer
 Kathy Strickland, Chief Deputy City Clerk

MOTION: Jay moved to approve the minutes of Oct 26; second by Ann. All in favor, motion carried.

320 Lake Avenue – Conceptual Major Development for a Historic Landmark, On-Site relocation, Demolition, Hallam Lake Bluff and Variances – Public Hearing

Rich Carr, architect

Amy said we had two work session and a site visit. This is a landmark lot, 7,000 and some feet along Lake Ave. with a nice Victorian home on it with an existing addition on the side but otherwise the building is fairly original. The application is to remove the non-historic additions, pick the house up and move it to one side of the lot, and build a one story garage element that is linked to the historic house at the front and a taller addition at the back. There are a few bonuses requested. They are asking for setback and a FAR bonus and residential design variances. They also need a Hallam Lake review which is something that would normally go to P&Z but staff said they like to consolidate applications in front of one board when appropriate. HPC is asked to confirm that they are complying with the required setback from the bluff to protect the view around Hallam Lake. In terms of staff suggestions the discussion has been the garage. The overall desire would be to have the variances minimized for the project; that it is thought through so that everything that is awarded to facilitate this addition is appropriate and the most sensitive thing to the building and neighborhood. There is a condition that is noted on the subdivision many years ago that actually says nothing should be built in front of or to the sides of the existing building and they will need to go to council to address that. We are not sure why that condition was put on but we are trying to respect the fact that someone thought there should be minimal additions. Our suggestion was the possibility of making the connector element slightly narrower. There are two garage stalls which we feel are disguised the best they can be but there is also a hallway corridor that is part of the linking element that is four feet

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wide and we made the suggestion in the memo to possibly take that out which means you would give four feet less for a setback variance. The overall width of the project would then be narrower. In general the addition at the back of the site is well done. The elevation in the packet is difficult to read and to tell where the eave lines meet up. There is also a clear story element, a bank of windows above the garage that we weren't sure are in character with the house. We are in support of the on-site relocation and demolition. We feel the bonus needs discussed and it is something that has to be earned and there needs to be a justification why the square footage is given because for the most part it has negative impacts to keep expanding square footage to the house. It needs to be balanced out with benefits that are clear to the public and clear restoration efforts. This house doesn't really need a lot of restoration and it is being moved and there are a lot of variances being requested. The only setback that is of particular concern is the combined side yard setback and they aren't meeting the minimum on either side and they are not meeting the combined by some 15 feet. That is why we are suggesting the corridor be removed.

Rich Carr said instead of a 20 foot combined Sara mentioned 17 feet because of calculations of the slope.

Amy said the lot area is what you use to calculate the setback. The variance needs to be minimized to the greatest extent possible. The idea is to have open space alongside the house and not have the width of the building imposing on the street. There is a residential design standard variance request. There is the requirement that the living area be 5 feet wider than the garage area and the way they designed their building they are 2 ½ feet short of that. The last part of the memo is the Hallam Lake bluff which is straight forward, you must setback all development 15 feet from the top of slope line and lay back all construction from that point at a 45 degree angle and you have to do certain landscape screening and we think they are complying to protect the ACES view. Staff is recommending restudying.

Rich Carr presented a power point. It is a wonderful Victorian and we are working hard to preserve it and save it and move it to a new location. By shifting the house to the right it show cases the historic resource between the ever green trees. A context map was presented on the screens. The Victorian needs some care and repair. A site plan was submitted which includes 2 non-historic additions and the proposal is to remove those additions and shift the historic resource and add onto where it was disturbed

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by the non-historic additions. We haven't found anything about the side porch and we are keeping it since it is historic.

Jay asked about the required setbacks.

Amy said the setbacks are five feet on each side and 20 combined and none of those are being met.

Rich said the addition will line up and will follow the line of the non-historic addition that will be removed. We are not making this a worse condition than exists today. Our combined would be 11.1 feet. We also spent time on minimizing the driveway. There would be no additional cut. There are two paved areas for the car wheels and grass-crete in the center to minimize that there is a second garage bay. We pushed back the connector another two feet and we can move it two more feet. We got creative with the garage door and we are going to find a way that it out swings. The idea is to do a powerful framing of the historic resource.

Rich presented a cross section. The dormers are not touching the historic resource, they are pulled back. The lower roof is covering the stair that is below the upper triangle on the back of the resource.

Discussion: Jay asked Amy what guideline talks about garages being set back from the historic resource.

Amy said the residential design standards states that the garage has to be ten feet back and guideline 10.8 talks about setting things back toward the back of the structure.

Ann asked for clarification of the setbacks. Amy said on each side you have to have at least five feet but one or more of them has to be more than five feet. Amy also pointed out that this is a subdivision.

Ann asked when the additions are taken off how much historic fabric is lost.

Rich: The non-historic addition on the ground floor interacts a little on the roof. We would be exposing more than what exists today and we would have to put new siding on. We are exposing more of the historic façade but not interrupting it anywhere else.

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Jay asked when the addition is taken off are the historic inner walls intact.

Rich said he thinks on the outside of the historic resource the framing is there.

Willis asked if the side setback is a R6 zoning requirement. Amy said yes. Willis asked if there is any compromise to the historic resource. Amy said HPC can give variances for land marked properties. Staff is suggesting that you be thoughtful in minimizing them within reason.

Ann said the house to the south seems so close to the property line and if you push this one over, doesn't the fire department want at least ten feet?

Amy said the building code will rule.

Rich said the house next door would be five feet and has a roof that does something that wouldn't be allowed today. Again, we are four feet to the porch but almost 9.6 to the house so combining that 9.6 plus 5 is 14.6. That is a great point and we would have to meet the building code but I think we are OK.

Willis asked what the existing side yard setback is. Rich said on the north it is 1.5 or something like that and on the other side it is a lot more. On a tapering lot you take the most constraining dimension, is that correct? Amy said you use the worst case scenario.

Rich said given all the constraints and no alley we had to work hard on the garage. Being how things are tricky here we think it is fair and exemplary and we are asking for the 500 foot bonus.

Ann said the residential design guideline says you have to have x plus 5 feet for the façade of the historic resource. It gets muddy because what you perceive as the garage is that single bay garage and if you just look at that you are well within the guideline.

Amy said there is paving and grass-crete in front of that and I am not sure you will realize there is a garage there or not.

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Rich said the historic resource is a fixed width and that is the living space and if it were any other space you would make the living space a few feet wider. The intent is to not have the garage dominate the living space.

Jay asked what is the parking requirement. Amy said probably only one space because they only have one legal parking space on the site right now and there is no garage and there is a driveway and a parking space is 8 ½ by 20 feet long.

Amy said they can really only park one car on-site and that is all they are required to do with the remodel.

Exhibit I – affidavit of public notice.

Vice-chair, Ann Mullins opened the public hearing portion of the agenda item. There were no public comments. The public hearing was closed.

Amy asked Ronnie Marshall if she recalled anything about not being able to build into the setbacks. Ronnie said her attorney didn't show up at the closing so she signed the papers.

Amy clarified that HPC is being asked to approve the plan and council will have to review the subdivision condition.

Ann said we are looking at five issues.
On-site relocation, FAR bonus of 500 square feet, 4 variances, residential design standard variance and the Hallam Lake bluff requirements.

Discussion:

Brian commented that the architect has done a great job considering the challenge of the site. I did express some apprehension at the work session. The most positive component is the possibility of being able to remove some parking from the street. By adding parking on the property that will alleviate some of the issues on the street. Part of preserving the historical integrity of the streetscape is actually trying to de-clutter the amount of automobiles that are along the side. The rehabilitation of the historic resource is commendable. Picking up an historic resource off its foundation and relocating it I always have a difficult time with that and that coupled with widening the amount of visible non-historic component is troubling me. There is a non-historic component right now and we are basically picking

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that up and moving it toward the streetscape and widening the non-conformity of that and by doing so shattering the side yard variances. We are talking 20 feet and we have a fraction of that. I think there was a reason for the subdivision condition of not having anything on the sides. I can't see a compelling justification to support the FAR bonus. Having grass going up to that center piece indicates that there is a garage.

Jay said I disagree with Brian on parking. I love restoring historic structures back to the way they were. When you do take something apart and put it back to the original that is all you get and that is what you proposed. If you are going to move the historic structure nothing should be built next to it at all. The connector should be coming off the back. I don't think it is appropriate to put a two car garage in this house. I'd give you one if you drove past the house to get to it and it was in the back. I can't give you 500 extra square feet to drive a car in there. If you are moving this house forward then the addition has to be behind the house. It is difficult to read the historic structure and there is too much next to it. The bonus is not for a garage. One car with no connector might work. Separate it and be submissive to the historic resource. As far as the side yard setbacks you are all over the property. With the two car garage the program doesn't work. I don't think our historic resource should be jeopardized for someone's convenience because they want to park their car in the house. I can't get to the bonus because of the garage.

Willis said making the resource more present from the public right-of-way is an admirable proposal. I would support relocation. The detailing of the second garage is not intended to have it look like a garage. It is hidden and doesn't look like a two car garage. The connector is sensitive and well done. I would grant the variance for the residential design standard regarding the width. Regarding the FAR I don't have enough background information to comment on it or comment on the requirement in the subdivision agreement.

Ann said it would be nice to understand why that restriction was put in place. We did see studies of trying to bring the garage around back at the work sessions. The street impact was much more than what this does. It was not unusual to move houses around but on the other hand it is unique to have a house in its original location. You have made a lot of progress but it still over powers the historic resource in terms of taking over the entire lot. I support the setback on the north because that was what was there originally but have a hard time with the setback on the south side. I can't support the

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FAR bonus but if the house was staying in the original location and not so over powered by the addition I could look at that. It is a great little house and this is so crammed in that lot.

Jay pointed out that a work session is just a work session and nothing is binding.

Rich Carr explained that they had a good set of work sessions and good comments. Our take was that the majority of the focus was on the two car garage and is it going to work or not. And the flavor was to expose as much as you can of the historic resource. We have made changes. Any design we do will have a side yard setback variances. We have worked extremely hard to make this work.

Brian said he understands why the applicants did what they did but maybe this requires a more modest project.

Bill Guth, developer said they addressed the Hallam lake Bluff.

Ann said she can support what you have with a few changes. I would like to see it get closer to the 20 foot setback. I could see keeping the variance on the north side of the lot because that is where the original house has been. If you have the space I would prefer that it be built out to look like a patio space rather than grass-crete. I can't support the bonus and it doesn't support the requirements. The addition and entire mass over powers the resource and the resource is being moved from its original position on the lot. The treatment of garage and downsizing the entire project and adhering to the required setback on the south need addressed.

Jay asked if they could go into the ground with a basement.

Rich said the note is a hand written note and we thought that it was put there due to the existing trees that are dying and need removed.

Willis asked staff about the connector. Amy said it was her suggestion to eliminate that to reduce the width of the façade on the street without taking away the garage stall. Willis said that would increase the setback to the north also.

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Rich said they looked at that. My hope that would be a notable adjustment that would get us close to the combined setback. We could commit to that if we can get your vote. I've heard everyone's comments on the FAR bonus.

Rich asked Brian for specifics and what it would take to get his support.

Brian said the FAR bonus can be granted if notable historic sites and landscape features are retained. As long as we are picking up the historic resource and moving it I think that condition can never be met. Avoid attaching the garage or car port to the primary structure, 8.3. As long as we have that attached to the house it doesn't meet the guidelines. Maybe we reduce it to a one car garage. 9.1, must be demonstrated that the relocation is the best preservation alternative. 10.8, location in front of the historic structure is inappropriate. I realize you don't have too many options but this is clearly where we are putting another addition to the front of the property but not only the front it is increasing the width of the streetscape.

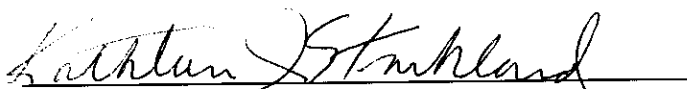
Ann made the motion to continue 320 Lake Ave. to Dec. 14th to restudy the design with comments that we have made; motion second by Jay. All in favor, motion carried 4-0.

Jay suggested the applicant bring what they are going to build. You said there is a basement but it isn't drawn and it confused me. It makes it easier for us to understand if you draw out everything. Smaller, narrower and more submissive.

MOTION: Jay moved to adjourn; second by Ann. All in favor, motion carried. Meeting adjourned at 7:00 p.m.

208 E. Main Street, Salon Tulio – work session

Jim True, Special Counsel said this is a work session and there can be no approvals and the applicant cannot rely on anything that is said by the commission as a whole or by any individual commissioner. There is nothing that can be stated up front that you can rely formally on. Certainly you are trying to get impressions and input and you need to understand that work sessions are not for making final determinations.


Kathleen J. Strickland, Chief Deputy Clerk