

ASPEN HISTORIC PRESERVATION COMMISSION
MINUTES OF DECEMBER 7, 2011

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

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

MOTION: Brian moved to approve Nov. 7th minutes, second by Nora. All in favor, motion carried.

517 & 521 E. Hyman Ave. and the parking lot at the corner of Hunter and Hyman Ave. (Block 95, Lots G,H,I)

Sara said HPC saw a version of this project in September. HPC was asked to review demolition of the Benton building, 521E. Hyman and the building that houses Little Annie's, 517 E. Hyman and the parking lot. The proposal was the construction of a mixed use building that would comprise the three lots that are there now with a full sub-grade garage and offices on the second floor and residential on the third floor and retail on the first floor. On the September meeting HPC took action regarding the requests for demolition and HPC voted against the demolition of the Benton building 4-2 and voted for demolition of the building that houses Little Annie's 5-1. When HPC makes a determination of demolition we are required to notify council so that they have an option to call up HPC's decision. Their review is based on the record which means they are looking to see if HPC abused their jurisdiction. The resolution was called up regarding the demolition of Little Annie's. Around the same time the applicant filed an appeal of HPC's decision. We have council calling up HPC's resolution and we have the applicant filing an appeal of whether or not HPC has jurisdiction. The applicant requested to table their appeal and they filed an application to participate in the Aspen Modern program to volunteer to designate the Benton building and the Little Annie's building.

Sara said HPC is asked to provide council with a recommendation on the importance of the buildings using specific criteria. Sara thanked the applicant for volunteering to participate in the program. We appreciate the change in the application and being willing to talk about the designation of the buildings.

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Sara - Aspen Modern Overview

HPC is asked to determine the importance of these buildings. You are using the designation criteria and the integrity score sheets and the context papers that have been adopted. Because the applicant is asking for benefits that are not typically granted to historic landmarks you are asked to determine whether the project is aligned with the purpose and intent of the preservation program. You are also asked to determine whether the buildings are good, better or best and that is ultimately a product of the integrity score sheets. HPC will forward a recommendation to city council and then city council will have final authority over the designation and negotiation.

Tom Benton was a trained architect of Southern California and he ultimately chose to work for himself and develop his art through silk screen and oil painting and mono types. He is well known for his activist posters and collaboration with Hunter Thompson. As you know there was a book published by an historian Daniel Watkins on his life and his work. Benton moved to Aspen in 1963 and this is the first building he built. He basically phased it and built the first floor; as he got more money progressed to the second and third floor. The first floor was used for gallery and studio space and the second floor was added as the residence for his family and the third floor was built in 1973. The entire building was built mainly by Benton and he used local materials. His style is very eclectic and it is best categorized as organic and he has an Asian influence and uses circles and designs in a symmetrical way. In this case what is interesting is he creates a rectangular volume with the CMU block on either side of the building that sticks out further than the building façade to create a volume that he sets the building into. He exhibits some of the Wrightian tradition with the blurring of the line from inside to outside. He celebrates the natural environment by framing Aspen mountain with circular windows and always making sure you could see through his buildings to something natural and very special. He used natural materials all indicative of the organic Wrightian tradition. He also played with solids and voids. The building has changed a lot over time. Benton sold it in 1975 and after that different uses evolved and the façade changed. Most of the changes are on the first and second floor. The form and massing are all intact. On the integrity score sheet it scored 13 out of 20 points. This score can be increased with the proposed restoration of the complete front façade. Part of conceptual is to remove the rear portion of the building and add a two car garage and office space above it. The Crandall building which he designed is one block to the east and it is being

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renovated with a pent house on the third floor. Benton was known for activism and posters. The Benton building was a gathering space for locals and activists and for artists. Staff finds that the Benton building is extremely important to Aspen's Post War Inventory and we find that all the designation criteria are met, A – E.

Little Annie's

Amy said we have been asked to consider this as a potential voluntary landmark. The architectural style that is most relevant of the Little Annie's building is the Rustic style. Most examples in downtown are free standing such as the fishing cabins and the gazebo. The building itself was built in the 60's and it was a masonry building. In 1972 the restaurant opened and the new façade was applied. Little Annie is an area on the back side of Aspen Mountain, one of Aspen's most important mines. At one point there was discussion of expanding the ski area there. The architecture is more of a vernacular and the interpretation was some kind of rustic style and it is in the core and there are a lot of tourist's connections and examples of the American West. It does not appear to have been altered. With the voluntary designation we are happy that it meets the criteria.

Sara presented a power point on the purpose and intent of the program 26.415.010. Criteria a through e are met. The buildings are located in the historic district where most of the buildings are 19th century. There are only a few remaining examples that clearly convey the sentiments of the 1960's and 70's which was a time when citizens actively defended their small town character and their individualism which we feel is very important to Aspen's identity. Little Annie's represented the romanticized rustic style of the west. The Benton building represented an important gathering place. All the aspects of the purpose and intent are met. The request of HPC is to determine the importance of the buildings to council and they will decide how far to go with the negotiation.

Stan Clauson said they have slides that relate to the restoration of the Benton building. The Aspen Modern program allows us to set the jurisdictional questions aside. As you know we objected to jurisdiction and felt that the presence of these buildings within the historic district did not of itself constitute sufficient jurisdiction because they were not on the list however, through the Aspen Modern program we have the opportunity to request benefits that make the project work. We are fully supportive of designation and the context of the 90 day negotiation period within the land use code

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because it would enable the project to keep the buildings and still move forward with a reasonable development project.

Stan Clauson and John Toya, architect presented a power point on the proposed development.

John Toya said one of the challenges in restoring the Benton building to its original façade was the separation of uses. The previous use was by one single owner. The space on the first floor is best utilized as a retail space and upstairs office space or a studio. It is an amazing space and we intend to restore it to its original condition but it doesn't necessarily continue as a retail space upstairs. Our intention is to separate them and we need to provide an elevator to the second floor. We are proposing to utilize a portion of the Aspen Core lot next door which will have an entrance shared by offices on the Aspen core lot as well as the offices that are for the Benton building. Because you have two different floor heights the elevator has two doors to access the Aspen core and the Benton building. A third floor mezzanine will be accessed by a stair. The flat roof will become a sky light for additional light. The intent is to strip the columns back to their original structural members and sand blast the wood and do the same to the CMU walls. If the brick floors are still there we will reuse them and if we can't we will have to chip out the floor and make it ADA compliance. The only modification to the Benton building is the sky light and because the façade is set back it is our intent to maintain a glazed side light adjacent to the doors and project forward with a bay window which will help bring the merchandise in the retail space closer to the street. On the horizontal door we are proposing some windows that are the same height as the wooden planks. The space inside will resonate with history.

Stan said the rear element on the first floor was partially demolished in 2002 when it was intended to go from a restaurant to a store front use.

John Toya explained that the CMU walls will be exposed.

Sara said staff feels that the windows on the store front should not be pulled forward. We feel the building should be completely restored on the front façade and they should have the flat configuration.

Vice-chair Ann Mullins opened the public hearing portion of the agenda item.

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Junee Kirk thanked the applicant for historically designating the two structures.

Nora applauded the applicant for bringing the project forward and restoring it back to its original state. The synergy of the streetscape with the patio building down the street will be great. My question is about the windows on the restoration. My inclination is to restore the building all the way.

Ann thanked staff for the additional photographs. This is a slam dunk. The criteria for Aspen Modern works for both buildings. Both buildings work with the intent of preservation. I would support designating both buildings.

Jamie said she is happy with the restoration. I am a little concerned about the windows coming forward on the Benton building just because of the shadow line if it was all in one plane. I have no concern with the sky light. It is a good use of space to try and bring more light into the second story. Jamie asked about the door/window.

John said they would like to introduce one or two windows within the door so that you can see people coming and going in and out of the space vs. the solid door. The same amount of wood on the door would be exposed. We would just be replacing the sign with windows.

Jamie requested review of the windows in the door for final.

Brian said he is in support of designation. Bringing the windows forward would energize the streetscape a little more and I am in support of that.

Willis said he supports designation of both the properties. Less than 50% of the original street fabric is intact.

John said the structural frame is there for that double height portion in front. They added a bay but the wall is still there and it is just a matter of removing the stuff that was tacked on.

Ann said it sounds like everyone is for designation and we should move forward with conceptual.

Sara said staff is supportive of conceptual with a few conditions for final review. We recommend that HPC discuss the plate heights of the upper

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floors. The applicant is requesting a height increase from 38 feet to 41 feet which can be granted through commercial design review. The maximum height that could be granted is 42 feet. We do find that 41 feet is appropriate considering the adjacent Benton building is 38.5 feet to the apex. We do have a condition that the module that is closest to the Benton building be set back 40 feet instead of 10 feet which is one of the standards and objectives for commercial design review. That would offer more relief for the Benton building. Another condition for final in addition to the store front windows on the Benton building we are recommending the height of the chimney be reduced or the element eliminated. Overall the mass and scale is consistent with the guidelines.

Stan Clauson and John Toya did a power point on the proposed conceptual. These are three parcels to be merged into one 15,000 square foot parcel. The Benton bldg. and Little Annie's would be designated historic landmarks under Aspen Modern. The Benton bldg. would have exterior and interior restoration and Little Annie's essentially unchanged. The new mixed use building would occupy the 9,000 square foot corner lot which is presently occupied by a commercial parking facility. There is less floor area than permitted by code and we believe the new commercial space would vitalize the block and help Hyman become a more commercial street leading down to the new art museum. Everything is brought forward to the property line and it is substantially a retail space and there is an entrance to the upper floors.

John said the intent is to have the entire Aspen Core project look like one project but still respect the desire to illustrate the difference between the 30 foot modules along Hyman and we have done that clearly on the corner by having an all stone building. We have the same windows continuing and we mixed up the massing a little bit so that contextually it has vibrancy. There is a band at 14 feet for the first floor on the corner of the vacant lot. We stepped back the building façade on Hyman one foot to minimize the perceived setback of the Benton building. The third floor is set back ten feet and on the chimney we can reduce it to five feet tall instead of ten feet and we might be able to push it back slightly.

Stan showed the street elevation and context in relationship to the guidelines. There is a band at 14 feet on the first story that is consistent with the guideline and the second and third story are equal at 12 feet with a cornice element above that. The highest roof point is at 41 feet. Looking at

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Hunter Street there is a 100 foot long façade. There is a substantial recess at the alley. On the back we are incorporating a utility trash area and one garage space of the new structure and a parking garage at the rear of the Benton building and Little Annie's remains as is.

John said on the floor plans we have a potential layout. Only one space is locked in that accesses the third floor and the service areas on the back.

Stan said one of the key things is the corridor and elevator which allows access to the upper floors of the Benton building without intruding an elevator shaft into the Benton building structure. The roof plan includes a roof deck for the new structure which is inset considerably and not visible to the street. Around the area is a green roof approach.

John said regarding the materials our interest is brick with patterns in the bands. The shadow lines would activate the façade. There would be columns for identity on the ground floor of the structure to create something iconic that is recognizable at the street level instead of just having a glass front as you walk past. The color would be a brick in the hue of the Colorado sandstone but in a darker value. On the portions of the third floor that are set back we are proposing to use a zinc cladding with a paneling system. The windows would be of a similar color.

Stan said the ten foot setback aligns with the Benton building. The 40 foot setback I am not entirely clear of the origin of that in terms of our own structures in town. Nori Winter came up with that concept when he was doing the guidelines and why would a third floor module require a 40 foot setback.

Nikos Hecht said when we bought the property we had five lots to develop and when we heard the community's out pour that made me enthusiastic to preserve these. I went to Little Annie's as a kid and I knew Tom Benton. This is an opportunity for a great partnership for all of us. This is our second choice from an economic and architectural standpoint. It is a first choice from a passion point. We have given up a lot of parking etc. to make this work. This building gives respect to other buildings and to the town.

John said the 40 foot setback creates a situation on the second floor where it limits a lot of interior function and economically to make the project viable we are relying on the square footage or leasable footage on the upper most

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level. Pushing that back would really affect the lease ability. We can play with the side wall to minimize how strong it looks.

Stan said we understand that there will be recommendations for further study at final including the setback, chimney and setback of the windows on the Benton building. At this point it would be great to go forward.

Nora asked about what percent of the roof is mechanical?

John said the square footage is about 495. Sara said the code allows the elements to go ten feet above the height of the building as long as they are set back 15 feet from the façade. They would have two 15 foot setbacks because they are on the corner.

Nora asked if it would be possible to lower the floors by one foot to bring the height down a little bit. Is there any chance of a parking garage below grade?

John said they explored that but the ramp would take out a good swath of the first floor. They would need 20 x 75 feet of the first floor for the ramp. The costs didn't add up. Is there some way to make the new building and the Benton building respect each other? Possibly move the building back a little more than ten feet but not 40 feet. Also can the fire place be moved so that it isn't right in front?

John said the fire place has a dual function for the terrace and one for the interior bedroom. We can lower it so that it is just above the guard rail height but we would need a cap and the height would be about five feet. That would be half of the height shown. John also said the elevations in the power point were not the same as in the packet due to revisions. The trash area has also changed.

Ann said in the guidelines it mentions recessed doorways. John said we have pulled them as close to the sidewalk as possible for the retail spaces. Ann said it might be something to look at because it makes for richness and variety as you go along the front of the building. John said he would feel comfortable pushing the center door in but cannot commit to any others.

Vice-chair, Ann Mullins opened the public hearing.

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June Kirk asked why we didn't have a comparison with Boogies behind which repeats a pitched roof like the Benton roof. I was on the task force and Nori Winter and many of us were concerned about the allowance of huge three story buildings on the north side of the block which provides tremendous shade and block the views to the mountains and cause ice dams to be built up in the winter. For that reason the proposal was that any third story would have to be set back 40 feet to allow for views, sun and to eliminate hazards on the streets on Hyman Street. It was brought up that the applicant will lose too much square footage but at Matsuhisa they went way under and it is a spectacular area.

Vice-chair Ann Mullins closed the public hearing portion of the agenda item.

Commissioner member comments:

Jamie said with the top of the Benton building being 38 feet and the new building being 41 feet I actually think stepping it up to the corner shows that we are bowing down to the Benton building as you are moving toward it. I would like to see a context line of the street elevation from both corners. I am a little concerned about the chamfered corner on the lower level with the columns. I'm not sure we are providing enough access. In regards to the 40 foot setback next to the Benton building that entire façade needs to be restudied. The brick wall seems like it is dwarfing the Benton building. The material change might help and I like the idea of stepping back some of the entries to give relief on the main level.

Brian said he is excited to see something on this property. The wall next to the Benton is my concern and what can we do to minimize the impact of that to the Benton building. We don't want the Benton building to look like it is disappearing.

John said he can take some of the surface treatments on Hyman and wrap them back to the Benton building and have architecture vs. a wall. Having a window or something that plays off the same proportions of our windows facing in toward the Benton building will lighten up that wall.

Brian said he doesn't have a problem with the 41 feet. In order to pay homage to the Benton building possibly you could step down the second and third component next to the Benton building as well as step it back. We need some relief for the third story. I also agree with Jamie about the corner

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element and if we can shave off two feet that would be better for the pedestrian.

Willis said he appreciates all the efforts put in on this project. The ground floor head height seems low and squished at the ground floor. There is concern with Nori Winter's guidelines and how they are implemented. The commercial design guidelines need relooked at closely. There is also no dialogue between the new building and historic building and we need a concept that connects with Benton's and the rustic façade of Little Annie's.

Nora said she doesn't think this is best for the community in terms of dialogue with the two buildings as well as how much of a burden falls on the community in saving buildings I am talking about parking, housing and public amenities. A lot of those burdens do fall on the community and that is zoning's fault or a negotiation fault. If we are going to restore the building lets restore it to what it was. I would also like to see a little relief on the corner. The fourth floor creep is also a concern to me. The process isn't perfect but we have to restore a building and respect it in its relationship to what is coming next door to it.

Ann agreed by following the guidelines it is hard to come up with contemporary different architecture. The applicant has done a great job. I agree with Nora that the store front of the Benton building should be restored 100%. The windows should be put back where they originally were. The 41 foot height is fine and restudying the mechanical has already been mentioned. Possibly restudy pulling back that wall more than ten feet so that the Benton building can have a little breathing room. Also restudy the recessed doors. I am not convinced yet that the diagonal corner is necessary.

Brian said he feels there are still questions about scale and mass and he would like the meeting continued.

Staff's recommendation illustrates areas where further work can take place. We have a finite number of issues for restudy and we are willing to work on all of those areas.

Sara said when this project goes to council there needs to be a conceptual approval in place. If HPC is comfortable with the 41 feet with the main concepts of conceptual approval it would be appropriate to have some of

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these conditions approved at final understanding that this is a special project with special circumstances.

Ann said the massing is good and what we are talking about are items that need more detail and things that need restudied without changing the entire project.

Jamie said she doesn't want to push this through as we all need to be in agreement. Brian agreed that this is a very significant project and we need to understand exactly what we are approving.

Willis said there needs to be a narrative about the new construction as it relates to the historic resource.

Sara said the guidelines reflect 19th century traditions not Benton's or Little Annie's architecture.

Stan said the 41 foot height is needed in order to have a descent building. There is not an objection across the board for that. I have heard a number of things for study and we can do that. If it is a question of drafting we can do that for the next meeting.

Sara explained that we need to do first and second reading at Council.

Ann said she feels we are almost there. There are things we can do for articulation but it doesn't affect the entire massing of the project.

Jamie said we are looking at the top floor setback, the corner and also context. I have no context of the other buildings to know how it steps around. If those areas are small changes then hopefully it is something that can be done for the next meeting.

Brian said the step back of the building next to the Benton building is his concern.

Nora said those are all spelled out in their conditions.

John said he thinks they can pull together something on the west wall for the next meeting in order to keep the process going.

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Jamie said she doesn't want to be at final saying it was pushed back two feet instead of ten and then it becomes a big issue.

Stan reiterated that they can restudy that wall. John said he sees things that can be done so that we don't lose the interior space. It is safe to say we are not going to be able to push this back ten or 15 feet.

Nikos said we either want to preserve these buildings and this building works for you or it doesn't which is your prerogative and we want to know that tonight.

Brian said he does want to preserve these buildings but he wants to make sure we aren't creating a situation that is counterproductive to the preservation of the buildings that we are trying to save.

Ann said it is sounding like we are continuing and the biggest issue is the wall.

Stan said they talked about some of the changes that can be done and on the other hand it is essential for the project to move forward on conceptual. We need this together as a package.

John said they could lower the roof in the zone behind the chimney. Ann said she is influenced about the complete turnaround of demolishing the buildings and now preserving one and restoring the other.

MOTION: Ann moved to grant conceptual with the conditions that staff put together and amending #3, instead of requiring the 40 foot setback, restudy that west wall, whether materials, articulation or roof. At final, a study of the corner treatment and recessed doors. Motion second by Nora.

Sara said on the heights you would be approving 14 feet on the first floor and 12 on the second and third floors. Sara also explained window reviews are for final.

Willis said he thinks the first floor should read as the tallest floor.

Amended motion: Ann amended the motion to add that the first floor should read as the tallest floor. Motion second by Nora.

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Sara said there are essentially three resolutions on the table tonight, two for Aspen Modern and one for conceptual.

Jim said they can incorporate all three resolutions in the motion.

Willis said he would ask for a conceptual narrative on the architectural character and how it relates to the historic resource that we are designating. What is the connection between the new construction and the historic resource?

Sara said on page 15 we have all the conditions and the change of #3; a height variation of 41 feet is granted for the new construction; restudy the west wall for review at final. Added condition; that the corner treatment will be restudied at final. Another added condition was to explore the option of recessed doors for final and the first floor should read as the tallest floor.

Jamie said she has more things to add to the motion. We talked about the mechanical on top not looking like a 4th level. If they come back to ten feet of the third floor how does the board feel about that or if they come back with two feet how do you feel about that.

Amended motion; Ann amended the motion to review the mechanical equipment so that it doesn't look like a four story building. Motion second by Nora. Roll call vote: Nora, yes; Jamie, no; Brian, no; Willis, no, Ann, yes. Motion failed 2-3.

Jim said he would recommend that we should continue the meeting until next week and talk to the applicant.

MOTION: Ann moved to continue 517 and 521 E. Hyman until December 14th; second by Brian. All in favor, motion carried.

MOTION: Ann moved to adjourn; second by Brian. All in favor, motion carried.

Meeting adjourned at 8:15 p.m.


Kathleen J. Strickland, Chief Deputy Clerk