

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 p.m. by Chair Giller.

ROLL CALL

Christie Mathews-Leidal
Mike Giller
Dan Schroder

Jim Lamb
Steve Gerard
Lowell Moore - absent

Ron Schuman

APPROVAL OF MINUTES

With the below changes, the April 2, 2019 Planning Commission Minutes were approved.

Ms. Leidal: For the record can we note there are additional findings and conditions that were handed out for the Levy hearing, and that is what we approved.

APPROVAL OF AGENDA

With no changes, the April 10, 2019 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No comments.

PRELIMINARY HEARINGS:

1. Adams/Tillet House (King Residence) Relocation, Addition, Restoration, Garage, Accessory Apartment, and Landmarking (CL), 300 N. French Street, PL-2019-0034

Mr. LaChance presented a proposal to relocate the historic house approximately 5 feet toward the interior of the lot, construct an approximately 100 sq. ft. addition, install a basement and concrete foundation, conduct a full restoration of the house, designate the historic house as a local landmark, relocate the historic secondary structure (cabin) further toward the interior of the lot and conduct a full restoration on it, construct a detached two car garage and accessory apartment with new driveway, expand the existing driveway, and install a new fence and landscaping. Mr. LaChance pointed out that the 2006 cultural resource survey mentions that the date of construction of the shed-roofed extensions to the main gable has not been determined. Based on review of Sanborn maps, staff believes the shed-roofed extensions to the south side of the residence are original, but that the garage is not original and was constructed after 1914. Mr. LaChance also pointed out that staff is reviewing this application under the previous version of the Development Code, it was submitted prior to the February changes.

The following specific questions were asked of the Commission:

1. Does the Commission agree that the existing driveway should be removed, so that this project complies with Policy 18 (Absolute) Parking and the Off Street Parking Regulations?
2. Regarding Priority Design Standard 95 and Design Standard 149, does the Commission agree that the number of windows on the upper level of both the west and south elevation of the accessory apartment should be reduced, or that they should be spaced further apart, and that the windows on the garage/accessory apartment should be revised to be vertically oriented and double hung?
3. Regarding Design Standard 136, does the Commission support the proposal for the existing garage to remain?
4. Does the Commission support the designation of the historic structure as a Local Landmark?
5. Does the Commission agree with the remainder of staff's analysis, and the preliminary point analysis?

Commissioner Questions / Comments:

- Ms. Leidal: For clarification, I know there's 4 historic lots here, but are we taking density and mass calculations based off of 3 lots? (Mr. LaChance: Yes, lot 9 is not being touched other than a fence; we are using lots 10, 11, 12.) Ms. Leidal: Would it be better then to not have any improvements on Lot 9? It's weird to have off-site improvements. (Mr. LaChance: The fence is the only thing being proposed on lot 9, and we don't have to do calculations for that type of development, so that's why the calculations are done this way.) Is the cabin square footage included in the mass calculations? (Mr. LaChance: We did not calculate it and it is 186 sq. ft.) Ms. Leidal: Do we have precedent where we have excluded a structure with walls and a roof because it didn't have windows and doors? (Mr. LaChance: I will look into it.) I appreciate you opening it up and taking a look at the siding. I noticed on the plans it calls out Dutch lap siding on the east elevation. Is that on the structure? I've never seen Dutch in town before and wonder if that's historic. (Mr. LaChance: Maybe Janet can clarify.) I like that we're bringing access to the back, but I'm questioning the right to use the Sherman Street driveway. That driveway is actually in TOB right of way. The way that policy could be interpreted, when those points were awarded they were for shared drives on private property, not in a public right of way. Public alleys come to mind. Should people using alleys be getting positive points? Concerned about setting a precedent. (Mr. LaChance: I think this is a unique situation. In the 80s or 90s the gardens were built. I couldn't find an Encroachment License Agreement for those. The Town was clear it was ROW, but not to be treated as a Town street. It's unique because it's private, in ROW, but not Town maintained. (Ms. Puester: We will look into that, there have been others.)
- Mr. Schroder: About parking, the current curb cut, will it remain? It sounds like the applicant is interested in keeping it even if the Town Engineer isn't supportive of it. (Mr. LaChance: It's for the one car garage that's been there a long time. The applicant wants to access it.) Ms. Leidal: Would it require a variance or would we even allow it? Can we override the Town Engineer? (Mr. LaChance: We want to find out how the Commission feels about it, and take that into consideration.)
- Mr. Gerard: Do we know if the window to the right of the front door was historic? (Mr. LaChance: We don't know for sure, we haven't stated that we are requiring it to be re-introduced. The Sanborn maps say it had a wooden overhang, so it is likely it wasn't originally enclosed and perhaps the window isn't historic.)
- Mr. Giller: Can you speak to the historic vs. non-historic. The pictures make it look substantially historic. It appears based on the Sanborn map that it is in tact and historic. We know some was added later, but probably before 1942, unless you have evidence otherwise. (Mr. LaChance: I agree, we don't know the date of the garage but it could have been prior to 1942.) Would you speak to the moving of the structure and the changing of the relationship between the house and the cabin. (Mr. LaChance: The reason why they're proposing to move them is over concern of potential future expansion of French Street which would be closer to the house. The structures are proposed to be moved the same amount, so the relationship would remain the same.) Mr. Giller: It appears different on the plans, and the relationship appears to change which is important to the integrity. (Mr. LaChance: Staff thinks the moves are in relation to the overall site, and the secondary structure is maintaining the relationship being behind the building, and wouldn't be more exposed. It is proposed to remain relatively the same.) Mr. Giller: Knowing that now, do you think negative one point is reasonable? (Mr. LaChance: Yes, I think the context and relationship has remained the same.)
- Ms. Leidal: Looking at the 1914 Sanborn map, there's a third structure shown. Is that gone? (Mr. LaChance: I think it is the other building, just in a different location. We couldn't find any additional photos than what's in the staff report.)

Ms. Puester: I just want to point out that it's very cut and dry on the points for moving structures.

Janet Sutterley, Architect, Presented:

When the applicants first came to me, they really wanted to restore the interior and take advantage of the density in the basement. Initially they wanted to move the house back as far as possible on the lot. That's because they are concerned that there will be future parallel parking along their side of the street. Thinking the town would want to continue the pattern of parking like on the rest of French Street. There are no immediate plans for that now, but when we did the Brown hotel and stable, there were plans to increase the French Street parking. There is definitely a chance that could happen and it is a valid concern on the owner's part. Thus their request to move the house back on the property. If we did that, we would want to move the cabin further from the house.

We have a lot of photos, and looking at the oldest (Mr. LaChance pulled up oldest available photo). The cultural resource survey history talks about loss of integrity, and I feel strongly that the Cultural Resource Survey is incorrect. It's very clear on the Sanborn maps that the two story shed roof has been there. It's part of the original structure. The house is in good shape and hasn't had things done to it. The garage isn't original, but probably within the period of significance. Right now, the owners use it as a garage. It's very functional. In this LUD, we have other examples of garages even closer to the street. I don't think this is anything out of the ordinary and we don't want to remove it.

I did want to speak for a moment about the moving of historic structures. I know it's a hot button right now, and everyone is very concerned about future downgrades. I want to point out that on the ten projects that were downgraded, there was only one downgraded because of a move and that was the Judge Silverthorn house, which was moved 20 feet. There were two others moved under 5 feet that were not downgraded. I'm bringing this up because I know we are concerned about the future.

The driveway. We started out by having a driveway that came along the north of the property. Parking in the rear means having a long driveway to get there. The existing curb cut is 30 feet wide. We are not adding a new curb cut with this proposal. It was staff and Engineering's idea to combine with the Sherman Street right-of-way and we thought it was a good idea. The curb cut that's 30 feet (on French St.), we would reduce to 12. Clearly we don't want to have the third parking space in the rear. From a logistical standpoint to have to drive through and walk (pointed on the map). We need to keep access to the garage. I would say we're agreeable to do paver strips to lessen the impact, but we need access to the garage.

I would like to discuss the windows on the addition. There's a lot of projects around town that have banks of 3 windows. It's so far from the front of the lot so I don't think it's noticeable, but I'll show you some others I consider precedents (passed out sheets). I would like to maintain the bank in the back. The two other Chapin mentioned are small horizontal windows and we see a lot of those around town too. I think that historically we do have windows that size, and the porch has the same oriented windows.

We don't have to take the fence across lot 9, we would be willing to change that. Ms. Leidal: Or do it later as a Class D.

(Ms. Sutterley passed out photos of the cabin.)

Mr. Giller: Do we think the cabin was this low historically? (Ms. Dyer: No, it's sunk way down. When you walk in you can tell it's down.) Mr. Giller: Historically if it was lower, we shouldn't raise it. It should stay at the same relative height. It doesn't look as tall on the elevations. (Ms. Sutterley: We should do a site visit.) (Ms. Puester: We will do a site visit prior to the next hearing.)

Glen Dyer, Applicant, Presented:

While talking about the cabin, I think the notion of it sinking is actually that the dirt has grown up around the cabin. It's easy to tell there is a lot of dirt built up. House has been in family since the early 70s. We want to make the house livable. We're not proposing to take a small lot and turn it into a massive compound like others on French Street. We feel this plan keeps a beautiful home the same but livable. We are into green space and want to keep it. We also want to restore 3rd existing structure (shed) on the property. We don't want to over develop this lot. We are very far below what we could be asking for and we would like consideration from that perspective.

Ms. Leidal: Janet, is the Dutch lap siding historically accurate? (Ms. Sutterley: The Dutch lap is historic and we do have it here. It's on the Eberlein house and 319 N. French. It's also called covelap siding. It's around town and it is historic.) Ms. Leidal noted that some of the siding shown on the plan doesn't match the material description on the plans, and Ms. Sutterley confirmed it's a mistake in the plans.

Ms. Leidal: We're also closing in the shed on the rear, so we're losing fabric there? Mr. Giller: would you consider in-filling it and leaving the door? (Mr. Dyer: That shed roof area is over 50 years old, but the oldest picture, that bump out is not there. I'm unclear on what the Commission views as historic, because it's old. It's not as old as the rest of the house.)

Mr. Giller: Agree, and that's informative. It's just a note. Did you do the 1981 restoration? (Ms. Dyer: My dad did.)

Mr. Giller opened the hearing for Public Comment.

Lee Edwards, 108 N. French: In the overall context, with the proposed plan, how would that play out with the contributing nature of the structure after it is approved and the work is done? (Mr. Giller: We're hoping that we're improving the integrity at this point.) So it is our hope and desire to keep the structure Contributing? (Mr. Giller: Yes.) Mr. Edwards: I think that will be good to bring up in future staff reports.

Mr. Schroder: Thanks, Chapin, for such a comprehensive report. There's a lot of Design Standards to consider. I'm glad to hear the applicant is looking to restore it. It's not currently passing the point analysis, and you are considering ways to make it work. I'm glad to hear you spoke to the main access to the garage for utilitarian needs and we will need to work through the Absolute Policy. We are bound by the code. I look forward to seeing the future work on that. I appreciate the comment about moving the structures in unison and would support that. Windows are interesting that the oldest photographs show ones that are horizontal. Looking forward to more research on that and appropriateness of horizontal vs. vertical.

Mr. Lamb: I think the garage should remain, I think it was a good approach to getting access to the back of the lot. I'm fine with the windows, as long as they are spaced. I think there is some precedent for horizontal windows in the district. I think with landscaping it would pass the point analysis. Support Landmarking. Looking forward to seeing it again.

Mr. Schuman: The Absolute Policy regarding the driveway, I'm not sure how to solve it. We've got a good proposal but we need to figure it out, and hopefully staff will help us work through it. The windows I agree with Jim that right now they read close, but if separate they would be good. The existing garage, I think it relates to Policy 18 and I think it has a use and does need to stay in place. Right now I support the Landmarking and staff's point analyses.

Mr. Gerard: I'd like to thank Mr. and Mrs. Dyer for taking this on, there aren't many houses that have been in families that long. It think this is a great project but I am going to be critical. I'm not the newest to the commission, but I've voted no on all projects where buildings are moved and have positive points. I believe Policy 24 says you don't move it unless it's fully restored. And I think you have to do that any way. I don't agree with the three positive

points for restoration. Moving it is your choice. I think for precedent you don't get positive points for moving something. The cabin, I'm supportive of one point for moving it. You have to think about keeping the historic orientation. Parking, I don't think we have a way around it and don't have the right to grant a variance. If you keep the front curb cut and keep the garage, you've created two stand alone homes and more density of people using the property. I think it fails the Absolute policy. And Janet, maybe an underground connector. The historic window in front, it looks like there is one but full restoration of all windows is needed. Question 1, the driveway should be removed. 2, I am ok with the windows on the new building as long as they are spaced a little bit. There is precedence for horizontal windows. 3, I don't support the garage to remain. 4, I do support Landmarking. Other than my objection to points getting positive points for restoration when moving the structure, I agree with the analysis.

Ms. Leidal: We all appreciate the improvements, thank you for that. In terms of questions 1 and 3, the garage and driveway. It sounds like the garage could be in the period of significance and I think it's up to the applicant to figure out how to comply with one curb cut. Not saying you have to remove it, if you choose to keep it, I would encourage landscape strips to reduce the hardscape. I don't support positive points for the shared driveway because it's actually in the Town right-of-way, not private property, and I'm concerned with setting a precedent. 2, I agree with staff's window suggestions. 4, I support designation as a Local Landmark. 5, I agree with staff's analysis regarding landscaping and installing windows and doors on cabin to meet 24R for moving the cabin. That includes windows and doors.

Mr. Schuman: Steve, in 24R, would you recommend or advise changing the point analysis under Social Community? You are consistent with your moving comments, and I am just curious if you want to change the point analysis. (Mr. Gerard: No. I think if you are moving the house you have to fix it. Bring it up to the way it was. It's my interpretation.)

Mr. Giller: Thank you for bringing this project. It's great it has been in the family. It's a good rehab. This is a preliminary, so we're here to work together to improve it. 1, the driveway and garage, I think we all agree it's historic. The rehab should be compatible and I urge you to look at the historic garage door and get closer to it. On the accessory apartment windows, there is precedent for horizontal windows on the main residence and it's compatible. If windows are spaced 6 or 7 inches it's acceptable. I would support Landmarking and happy to see the home saved. Design is great overall. Support staff's analysis and points. I think Chapin did a great job and it was great to have such a thorough report from him and as-built plans from Janet.

COMBINED HEARINGS:

1. McCain Subdivision (JL), 12965, 13215, 13217, 13221, 13250 Colorado State Highway 9, PL-2019-0060
Mr. Lott presented a proposal to resubdivide the existing Town-owned McCain property into four parcels. Mr. Lott explained the land exchange with the Summit School District and creating that parcel, along with an access easement. It was pointed out that updated plans were received by staff this morning, and Mr. Lott had the updated plans shown on the monitors.

Commissioner Questions / Comments:

Mr. Gerard: I'd like to see the bike trail easement shown on the plat because it is going to go over or adjacent to the school property. (Mr. Lott: Ok, we will show that on the plat.)

Mr. Giller opened the hearing for Public Comment.

Lee Edwards, 1802 Airport Rd:

I'm encouraged to see the color plans for the 2018 Master Plan Update.

Allen Robertson, 13203 Highway 9:

I'm with the bunkhouse lodge. We are the only residents that adjoin the property. We are excited about the project. I like the statement about the exchange with the school district. They could sell and we could have a Shock Hill right here. It was originally supposed to be an 80 percent open space project. The 30 percent was way under that. The traffic at the circle, there's accidents every single night. We need a yield sign that blinks. This is my opportunity to say we are behind you guys, but the traffic and the environment are concerns. There is a little lake, with snow geese about to hatch goslings. We need to consider it and see the lake stay. It's one of the last pits from the tailings and could be of historic value. We are behind this 100 percent but would like you take the same amount of diligence with this property as others. What we do today is what Breck will look like in 50 years. Thank you.

Ms. Leidal: I support staff analysis. Thank you for reviewing the revisions. I appreciate the public comment. Tonight we are just subdividing the property and we are not talking about the land use, but your comments will be in the record.

Mr. Schroder: I support the proposal and believe it's in compliance.

Mr. Gerard: I think this is a housekeeping matter, and once we show the bike trail easement, we've done what we need to. I like the pond too. (Mr. Robertson: Why isn't the snow pile somewhere else?) Mr. Gerard: The Town Council decided that.

Mr. Schuman: I agree, it's in compliance.

Mr. Lamb: I agree this is a housekeeping motion and it's in compliance and I support.

Mr. Giller: I agree and support.

Mr. Schuman made a motion to approve, seconded by Mr. Schroder. The motion passed 6-0.

OTHER MATTERS:

1. Class D Majors Q1 2019 (Memo Only)
2. Class C Subdivisions Q1 2019 (Memo Only)

Ms. Puester: We did have our first stakeholder meeting today. We will have a few more and hopefully get some good contributions.

ADJOURNMENT:

The meeting was adjourned at 7:18 pm.

Mike Giller, Chair