



TOWN OF CASTLE ROCK
HISTORIC PRESERVATION BOARD
March 4, 2009
Regular Meeting
MINUTES

Time	Item	Note
<u>6:12:55 PM</u>	Call to Order	Chair Dempsey called the meeting to order.
<u>6:13:03 PM</u>	Roll Call	<p>Board Members Present: Shawn Dempsey, Fleta Nockels, Lionel Oberlin, Leann Breitreutz, Dave Hieronymus, Rob Christopher and Fred Edison</p> <p>Board Members Absent: Derald Hoffman</p> <p>Town Council Liaisons Present: Ryan Reilly</p> <p>Staff Members Present: John Olson, Planner I Heather Day, Planning Manager Erin Sweeney, Recording Secretary</p>
<u>6:13:38 PM</u>	Meeting Certification	Ms. Sweeney certified that the meeting had been properly noticed in accordance with the open meetings law.
<u>6:13:50 PM</u>	Demolition Review and Design Review of 210 Front Street	<p>Chair Dempsey moved the approval of the minutes to the end of the meeting. Dave Hieronymus recused himself from the Board in order to present.</p> <p><u>Heather Day:</u> This property is located at 210 Front Street has a request for demolition review.</p> <p><u>John Olson:</u> 210 Front Street is bounded by the Phillip S. Miller House to the south and railroad tracks and Third Street to the north. In 2008, this property, along with three other properties was rezoned planned development to allow office buildings. The existing house was built in 1971. The residence has a low-pitch gable roof and simple façade. It contains 888 sq foot floor plan and a 576 sq foot</p>

garage is located in the rear.

As part of a plan to improve the 200 block of Front Street, DLH Architecture has submitted an application to demolish the garage and existing residence in order to develop a new office and commercial building. The new development will include a new two-story 4,657 sq ft building with a circular tower feature and a front and rear porch. The new construction will incorporate simple forms and simplistic building materials such as wood and stone. The new development will also include a small alley access surface parking lot to service employees at the offices. (References the south elevation from the Phillip S. Miller house on the screen).

The new development remains contextual with Craig and Gould neighborhood where you see some of the basic forms, such as the porches, clapboard siding, windows, and roof forms.

Staff believes that the new development is a significant improvement to the 200 block of Front Street. We believe that it is contextual with the area and we recommend approval of demolition of the house and garage at 210 Front Street.

Heather Day: Any questions to staff before you hear from the applicant?

Chair Dempsey: What type of office space is this going to be?

Dave Hieronymus: This is for Envision Mechanical Engineering.

(6:18:41) Board Member Leann Breitreutz arrives

Fred Edison: What is the age of the house that is going to be demolished and what was there before?

Dave Hieronymus: It was built in 1971 and, yes, it is completely gone.

		<p><u>Chair Dempsey</u>: I think it looks good.</p> <p><u>Rob Christopher</u>: I make a motion that we pass the demolition of 210 Front Street.</p> <p><u>Vice Chair Nockels</u>: Seconded the motion.</p> <p><u>Chair Dempsey</u>: Motion passed 5-0 in favor of demolishing 210 Front Street.</p> <p>6:19:44 Rob Christopher is excused to leave by Chair Dempsey</p>
<p><u>6:20:15</u></p>	<p>522 N. Perry St Design Review</p>	<p><u>John Olson</u>: Thank you Chairman and members of the Board. The purpose of this item is for the Board to take action on a demolition of a house and shed located at 522 N. Perry Street. Perry Street binds the property on the west, on the north by a dirt road and municipal parking lot and by the south by deciduous trees and open lot. It is the last property on the east side before you cross the flyover (going northbound) on Perry Street. The property is not located in a conservation area and is not surrounded by any other structured of historic significance. The house was constructed in 1947 and is currently vacant. The house has lost its sense of place due to commercial construction in the area and conversion of single-family residences to commercial uses, as well as changes along Perry Street including the flyover. There is a small gabled shed located at the rear of the site that was built at the same time as the house. Architecturally, the structure is an example of an early minimal traditional style built in the 1940's. These were an economical choice for housing developments that began appearing immediately after World War II. The structure is also one of two examples of minimal traditional style architecture with rolled asphalt siding. The other example is located at 510 Lewis Street, which is not landmarked, and will be the only remaining example should this building be demolished. This property is not habitable because the interior has been gutted to remove asbestos and has been vacant for a</p>

couple of years now. The building virtually remains unchanged: it displays its original roof, siding, and windows, and has no additions. For these reasons the Colorado Historic Resource Survey indicated that it displays a high level of integrity as it relates to its architecture. The house is deemed eligible for the local register however the register says it is not eligible for the national register. The owner believes that there are no feasible alternatives to demolition; relocation is not seen as an option because of the high cost and the lack of the receiving site. Renovating the residence to a commercial or office use, which the downtown envisions, is not seen as an option because of the building's small size and the cost of the renovations due to the poor condition of the structure. The owner of 522 N. Perry also owns two of the vacant parcels south of the property. Although there are no immediate plans to develop the area the applicant has suggested that in the near future they would like build a larger mixed use commercial development at the site of 522 Perry and on the other vacant sites to the south of the property benefiting the Town. Staff recommends that the Historic Preservation Board approve demolition of the house and shed at 522 N. Perry Street because the structure is no longer located in a truly residential setting as it was originally constructed. The cost of adaptively reusing the structure to a commercial use, which the downtown area envisions, is greatly limited because of its small size and six foot ceiling height. The structure is part of a larger assembly of land so the denial of this structure would greatly limit the development potential of the other sites. The owner does not consent to landmarking the structure and the structure is not part of a conservation area. The applicants are here to answer any questions you may have.

Chair Dempsey: Could the applicants please come forward to the microphone? Please state your name and address for the record.

Nathan Kroeker and my address is 9165 Bell

Flower Way, Highlands Ranch 80126.

Chair Dempsey: Any questions from the Board?

Dave Hieronymus: Why do you want to demolish it now rather than when you start the new development?

Nathan Kroeker: That is just what the homeowner wanted. I'm the general contractor.

Dave Hieronymus: Is the homeowner here?

Nathan Kroeker: No

Dave Hieronymus: You don't know why you want to demolish it now?

Nathan Kroeker: They just want to get it clean right now and then they are going to draw up some plans of what they are going to do in the future. I am only involved at the demolition at this point.

John Olson: The homeowners of the property are out of the country at this time.

Dave Hieronymus: Have they given the Town any indication of what they plan to do with the site?

John Olson: Yes. At a later date they would like to redevelop the site into a larger office commercial development merging the three lots together.

Dave Hieronymus: What was the basis for the decision that there were no adaptive reuse possibilities?

John Olson: We met with the applicant last year and keeping in mind that there is only 800 sq ft of space in the building and the ceiling heights aren't much higher than six feet. The size of the structure limits the potential of creating it into some type of office use.

Dave Hieronymus: I would feel more comfortable demolishing the house if I had a better idea of what was going to happen in the future there. The idea that we're going to demolish it and turn it into a vacant lot is not what the Historic Preservation Board is about.

Leann Breitreutz: They probably think the liability insurance is less on a vacant lot than on a structure.

Fred Edison: When I drove by yesterday I noticed the door had been open. How long has it been vacant?

Nathan Kroeker: I think about two years.

John Olson: When I talked to the owners, to get this structure back to habitable condition, they would have to completely renovate the interior. It has been gutted because it has had asbestos issues. The windows and roof are in poor condition. There is significant cost to renovating the structure.

Chair Dempsey: Is this a rare building style example within the entire state or just within the Town?

John Olson: Two examples that used the asphalt type siding. There are other minimal traditional style homes that were built soon after World War II.

Chair Dempsey: Has a historic resource study been done on this property with fully documented pictures?

John Olson: Yes

Dave Hieronymus: My concerns are that, one: the property owners aren't here and, two: we're tearing it down and we don't know what's happening there, and three: we just want to get it torn down. The most compelling argument that I've heard is that it's a liability. If it is dangerous and a safety issue then I would support that. If you want to tear something down, come to the meeting and

give us an idea, even if it is a concept plan, of what you're thinking of doing there.

Leann Breikreutz: Didn't we do a review on the lots just to the south of the lots here? Is this the same owner?

Dave Hieronymus: No. She sold the lots to someone in Castle Pines.

Chair Dempsey: Is the property owner going to be back in town anytime soon?

John Olson: They travel 3-4 months out of the year.

Dave Hieronymus: What is your schedule for demolition? If we gave you approval when would you proceed?

Nathan Kroeker: It would be a few days. Probably the beginning of next week.

Chair Dempsey: Are you just involved in the demo or will you be involved with any of the construction going forward?

Nathan Kroeker: I would possibly be involved in the construction. I am involved in 3 or 4 other properties they have.

Chair Dempsey: You can't speak to possibly what might be going there?

Nathan Kroeker: I heard something about possibly some multi-family residential or something office commercial.

Fred Edison: Did Judy Hostetler put together the history behind this property?

John Olson: The consultant did.

Fred Edison: Would like to put on record that he would like to see a comprehensive historic record of Perry Street put together by a commission or committee.

Heather Day: It is important for the Board to

		<p>continue with any questions you may have for the applicant's representative or staff and then close the public hearing; deliberate amongst yourselves and then make a motion on the request for demolition.</p> <p><u>Fred Edison</u>: I just feel it's important. I just don't want the history to be forgotten as the street goes down.</p> <p><u>Heather Day</u>: Part of the reason we do the survey is to asses the value of the structure and it's heritage and the folks that lived there at one point and also to document it.</p> <p><u>Chair Dempsey</u>: Any other questions for the applicant? Any other members from the public who wish to address the Board?</p> <p><u>Lucia McConnell</u>: My name is Lucia McConnell. I am a resident of Craig and Gould Neighborhood and a member of the Castle Rock Historical Society. It comes clear to me that we don't have our direction. This is a significant structure. The State has said that this property would be eligible for landmarking. It does have a lot of history. I feel it is premature to make a decision. It deserves a little more research and would be helpful to have the owners here and to have some idea of their development plan. That's all I have to say. Thank you.</p> <p><u>Chair Dempsey</u>: Closes Public Hearing Items.</p>
<p><u>6:42:20PM</u></p>	<p>Board Discussion</p>	<p><u>Dave Hieronymus</u>: It would be prudent as a Historical Preservation Board to talk to the owners a little bit to see what they are planning to do before we allow the demolition to a 1947 residence on Perry Street. We don't say that we don't grant the demolition. I'm saying that maybe we table this until the owner gets back in town and gives us an idea on what they are doing.</p> <p><u>Dave Hieronymus</u>: In looking at this property as an architect, if it literally has 6 foot or 6'8" ceilings in it, you cannot use that for habitable</p>

space. It is against the codes. If we could table it until we could talk with the property owners about what they are planning to do with it.

Fred Edison: Did I read that 6 of the 7 criteria were met by this property?

John Olson: Let me clarify, it's not eligible under the State register. It is, however, under the local Ordinance. Anything over 50 years old is eligible.

Vice Chair Nockels: What happens if this structure still stands there; it is an unattractive nuisance; how long are we going to let it dangle there? There has to be some rights of the property owner that we have to consider. The recommendations here are that this is not something worth fixing up. We are worried about preserving Perry Street and there is still a lot more of Perry Street that is possible to preserve and we need to work on that.

Leann Breitreutz: I don't believe that there is really any use to this building. I don't think anything would be accomplished if we tabled it for a month. It is in disrepair.

Vice Chair Nockels: We are a Historic Preservation Board. I don't think we have a right to judge on the future use of the property as a criteria for whether we save the building or we don't. That is the property owner's choice. Although we would like to, that is not our choice.

Dave Hieronymus: Is this an area that we would review when they come back through when they build?

Heather Day: Mr. Hieronymus, if I could just clarify what the Board will or will not see in the future depends on whether the existing HP Ordinance is in place at the time or whether the new Ordinance that might be adopted is in place. Under the existing Ordinance, you would see a non-binding review for the infill development and under the new one you

would not.

Lionel Oberlin: Of the possible future uses, I don't think any of us would think of it as a place for a residence. It's noisy, it's surrounded by commercial development and the train is in the back and more is being planned. The only possible use is a commercial use.

Dave Hieronymus: Speculating that this property would be turned into a parking lot due the access.

Dave Hieronymus: I move that we recommend demolition of 522 N. Perry Street.

Fred Edison: Seconded the motion

Chair Dempsey: Abstained from the vote stating that he would have preferred to see the property owner here to answer questions.

Motion passed 5-0-1.

Heather Day: We had talked to the owner about attending the meeting last summer. They were waiting for the new Ordinance; they were tired of waiting for the new Ordinance, so we apologize that we couldn't coordinate the timing of the hearing with when they were in the country.

Dave Hieronymus: Were they waiting for the new Ordinance because if the new Ordinance went through they wouldn't have to come talk to us?

John Olson: We had dialogue with these applicants about a year ago and given our current Ordinance which potentially, given our criteria, almost anything is eligible, and the recommendation given to the applicant was to wait until our Ordinance passed the following year to come forward with this. Unfortunately, as you are all aware the Ordinance has been delayed for three months and the applicants are out of the country.

		<p><u>Chair Dempsey</u>: I understand that, but at the same time we're not talking about adding a porch here. I think we should require that the applicant be present whether it's our fault for the delay or theirs, but I think they need to be here if we are talking demos.</p>
<u>6:57:35 PM</u>	Approval of minutes	<p>Motion made by Vice Chair Nockels to approve February 4, 2009 minutes. Seconded by Lionel Oberlin. Vote 6-0 for approval.</p>
<u>6:58:25PM</u>	Town Council Update	<p>None</p>
<u>6:58:34PM</u>	<p>Public Hearing Items Historic Preservation Ordinance Update</p>	<p><u>John Olson</u>: We met again this evening and the discussion centered on conservation areas and the reason they were created. Some of the study team members believe that some of the conservation areas are actually historic districts. We have been trying to explain the differences between a conservation area and a historic district. Two of the members specifically do not see the difference between the two and believe that they should be called historic districts or we should eliminate them altogether.</p> <p><u>Heather Day</u>: The important thing to point out with the expanded HP Study Team is starting to have a broader dialogue than what we had before in terms of economic impacts to the Town, property owner rights versus the greater good. I think it's important for us as the study team to go through the dialogue and to start to walk the new members through the new Ordinance, which is our game plan for the next meeting. It is hard to isolate just certain things that are being said, but there is a lot of dialogue about the conservation areas and about the binding versus the non-binding review. That is where the dialogue has focused for the last two meetings.</p> <p><u>Dave Hieronymus</u>: You're 30 days into your 90-day extension. How are things going?</p> <p><u>Chair Dempsey</u>: We haven't gotten far. We're still explaining what the Historic Preservation</p>

Plan has outlined. We focused on the Ordinance six months ago. The last two meetings have focused on the Historic Preservation Plan and what they don't like about it. If it's going to come to changing the Historic Preservation Plan, that's not why the study team was created and how does that affect the study team going forward? We had the business and residential community involved for over two years to come up with the Historic Preservation Plan and now we seem to be undermining what was set up.

John Olson: Next week we will be getting into the Ordinance and pick out the items of contention and open up some more dialogue.

Dave Hieronymus: John and Heather, do you see the conservation areas going away?

John Olson: I don't want to speculate at this point. We have a couple of people on the study team at this point that want them to go away.

Heather Day: We are still in the dialogue phase but as Shawn points out that one result of the study team could be a recommendation back to Town Council to modify the HP Plan. It wasn't envisioned going into it, but a result of the dialogue is circling back around to some of the fundamental principals that are in the HP Plan itself.

Chair Dempsey: Questions?

Vice Chair Nockels: Yes. We have just voted to demolish a building because it has been allowed to fall apart and become uninhabitable. It was not landmarked and we have not really paid attention to it before. We do have landmarked buildings that are being ignored and are falling into disrepair and they could be proposed for demolition. Is there anything besides the current Ordinances or neighbors complaints that we can do as a Preservation Board to see that landmarked residences or buildings are kept in decent shape?

Heather Day: The existing Code does not have provisions for maintenance for landmarked structures but the proposed new Ordinance does.

Vice Chair Nockels: The proposed one says what?

Heather Day: It requires the property owner to maintain their structure.

Dave Hieronymus: This is something we are considering Town-wide, correct? Not just Historic Preservation.

Council Member Ryan Reilly: That conversation was in the context of health of safety of homes. Currently the Town doesn't have much authority in preventing people from going in.

Dave Hieronymus: We're looking at Town wide not just historical structures.

Vice Chair Nockels: It should be our duty to do something about the historical structures.

Dave Hieronymus: I don't know if our authority has the teeth that the Town Council has.

Vice Chair Nockels: Why bother landmarking and then see it deteriorate and become a public nuisance in front of our eyes?

Heather Day: John and I were looking in the old Code as you all were talking and there is a provision in the existing Code that protects designated landmarks:

Someone that fails to prevent significant deterioration of the exterior of the structure or special feature beyond the condition of the structure is in violation of this Ordinance.

It would be a violation of the Municipal Code so our Code Enforcement Officer as a violation of the Municipal Code would pursue it. The new Ordinance has specific provisions about

		<p>maintenance and demolition without permits.</p> <p><u>Vice Chair Nockels</u>: Does Code Enforcement depend on complaints from citizens?</p> <p><u>Heather Day</u>: Yes.</p> <p><u>Vice Chair Nockels</u>: That's bad if that is what it depends on.</p> <p><u>Heather Day</u>: If we had a registered complaint then we would pursue that as a code violation, yes.</p> <p><u>Chair Dempsey</u>: By bringing it up here at the meeting won't initiate that?</p> <p><u>Heather Day</u>: You all are citizens of the Town; you can call.</p> <p><u>Chair Dempsey</u>: Any more questions on the Ordinance? (None)</p>
<u>7:10:25PM</u>	Board Member Items	None
<u>7:10:31PM</u>	Items from Staff	<p><u>John Olson</u>: Historic neighborhood signs will be going up within the next week. May is Historic Preservation month.</p> <p><u>Fred Edison</u>: Will there be any money to do more?</p> <p><u>John Olson</u>: That's something we'll need to discuss.</p> <p><u>Fred Edison</u>: Will there be one on Perry?</p> <p><u>John Olson</u>: We have four signs; one for Santa Fe Quarry which is going up in Bison Park; one for the Town of New Memphis which is a ghost town and that is going up in Metzler Park; we have one going up in Rhyolite Park for the Town of Douglas; and Founders and that has a lot of geologic history and ranching history on it.</p>
<u>7:12:09PM</u>	Motion to Adjourn	Dave Hieronymus motioned to adjourn the

		meeting. Seconded by Chair Dempsey.
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Minutes approved by the Historic Preservation Board on April 1, 2009, by a vote of _____ in favor of, _____ opposed, with _____ abstention(s).

Shawn Dempsey
Historic Preservation Board Chair

Historic Preservation Board Minutes
March 4, 2009