

**CITY OF BLACK HAWK  
HISTORIC PRESERVATION COMMISSION  
MEETING MINUTES  
TUESDAY, JUNE 6, 2017**

**1) CALL TO ORDER**

The regular meeting of the Historic Preservation Commission was called to order by Chairman Hailey at 2:00 p.m. in the City of Black Hawk Council Chambers, 211 Church Street, Black Hawk, Colorado.

**Commission Members Present:** Lynnette Hailey, Chairman  
Patricia Torres, Vice Chairman  
Tom Gish, Commissioner  
Larry Linker, Commissioner  
Curtis Linder, Commissioner

**Staff Members & Elected Officials Present:** Cynthia Linker, Community Planning & Development Administrator  
Sara Lang, HPC Secretary  
Tyler Lundsgaard, City's new Owner's Representative (NV5)

**Public Present:** None

Chairman Hailey noted for the record that a quorum was present.

**2) CONFLICTS OF INTEREST**

*A. None*

**3) PUBLIC COMMENT**

*A.* Administrator Linker introduced Tyler Lundsgaard, the new Owner's Representative from NV5. She noted that Tyler has experience in architecture, design and field work and she believes he will be a great benefit to the Program. The Commissioners gave him a warm welcome.

**4) APPROVAL OF MINUTES**

*A. HPC Meeting Minutes – May 2 and May 16, 2017*

Chairman Hailey opened this item for approval and requested a motion to approve the meeting minutes from both May 2 and May 16, 2017, as submitted. Commissioner Gish moved to approve the minutes as submitted, and was seconded by Commissioner Linder. There was no discussion and the motion passed unanimously.

**5) CONSENT AGENDA**

*A. None*

## 6) HISTORIC GRANT APPLICATIONS

### A. *Grant Project Updates:*

Administrator Linker provided updates on the current grant projects:

- **Exterior Paint Program** – Five residential properties are in the program this year. Of the 5 bids, 4 were awarded to Aspect Painting & Roofing and 1 was awarded to Gonzales Custom Painting. Temporary Construction Easements and lead abatement will be needed for a few of the properties. The agreements are all being signed. Painting is due to begin in July.
- **211 Horn** – The Bid Walk took place on June 1<sup>st</sup>. Three General Contractors attended. Questions from the contractors are due today. The Bid Opening will take place at 1:00 pm on June 13<sup>th</sup>. The contract will go to City Council for approval on July 12<sup>th</sup> and the contractor would get a Notice to Proceed with construction starting as early as July 14<sup>th</sup>.
- **241 Dubois St.** – The General Contractor, Big Valley Construction has mobilized on-site. The demolition is nearly complete and now they are focused on excavation. They uncovered one unforeseen condition – soil nails behind the addition. A change order was requested and accepted by the City.
- **121 Marchant St.** – The Homeowner of this property needs to discuss the boundary line with their neighbor and either enter into a Boundary Line Agreement or agree to demolish the portion of their garage which is not on their property line.
- **187 Clear Creek St.** – The team did their first site visit on this property on June 1<sup>st</sup>. Though the walls and floors were covered in soot, the bones of the house were found to be in decent condition and the original features of the house (doors, windows, built in shelving, etc) are all still in the home. The City is still trying to obtain all necessary legal paperwork from the applicant and then the project will move forward.
- **195 Clear Creek St.** – An emergency grant was requested when the boiler failed and flooded the structure. Administrator Linker told the applicant that City's Guidelines require that the claim must first be turned into the insurance company and then the applicant would apply for any cost not covered by insurance. He was also told that the boiler must be at least 10 years old to qualify, which it is not. When asked if the boiler had had any maintenance done on it since it was installed, the applicant said it had not. Hearing that his application for an emergency grant was denied, the applicant asked about the appeals process. Administrator Linker told him he has 10 days to submit a letter of appeal to the Clerk's office.

- B. Amend Certificate of Appropriateness Process** – It has been proposed that the process for Homeowners to apply for a Certificate of Appropriateness on their property be amended. Currently Certificate of Appropriateness applications are first reviewed by the HPC which then recommends approval, approval with conditions or denial to City Council and City Council makes the final decision. The amended process would call for:

- a. Staff approval for routine maintenance with no change in exterior appearance of property
- b. HPC approval for “Minor” changes
- c. For “Major” changes, the same process as currently in place (HPC recommendation for approval, approval with conditions or denial to City Council with City Council making the final decision)
- d. In addition, it is also proposed that the associated application fee be waived for residents within the Historic Residential District.

The Commission discussed the proposed changes to the Certificate of Appropriateness process and Chairman Hailey called for a motion to approve the proposed changes on the condition that, if the HPC feels an application deemed “Minor” is determined by them to be “Major”, it will be sent to City Council for approval. Commissioner Gish moved to approve the changes with the aforementioned condition and Commissioner Linder seconded the motion. There was no further discussion and the motion passed unanimously.

## 7) CERTIFICATE OF APPROPRIATENESS

### A. *130 Chase Street – Site Work*

Administrator Linker provided the Commission with a summary of the Staff Report:

The homeowners have submitted an application for a Certificate of Appropriateness for the site work and landscaping at 130 Chase Street. The homeowner is requesting permission to make upgrades to the property by:

- adding a large gravel parking area in the front of the house, as well as on the east side of the property
- installing concrete walkways around the house
- putting in a sodded lawn along the west side
- transplanting lilacs along the east fence
- removing a section of side porch railing
- altering the side porch stair orientation, rotating it 90°
- enclosing any unfenced areas with woven wire fencing

Administrator Linker noted, for the record, that Nathaniel P. Hill, a United States Senator from Colorado and one of the most significant figures in Colorado and American mining history as a pioneer in the smelting industry that settled in Black Hawk, resided at 130 Chase Street.

This property is located in the Historic Residential (HR) zoning district. The purpose of the HR zoning district is to promote the continuance of a single-family neighborhood that preserves the historic character, appearance and ensures that any new development is consistent with the historic appearance and character of the existing residences and neighborhood.

Administrator Linker asked the Commissioners to evaluate the proposal according to the relevant Black Hawk Municipal Code (Section 16-368: Historic Review Process), City of Black Hawk Residential Design Guidelines and the Secretary of the Interior’s Standards and Guidelines for Rehabilitation.

**SITE WORK:**

1. **Fencing:** The applicant proposes to keep the existing white picket fence in place, but to add woven wire fencing to enclose the remaining yard. Administrator Linker posed the discussion question at the end of this section: ***“Is the proposed woven wire fencing compatible with the District?”*** Chairman Hailey noted that it is similar to what was seen historically in the City. Administrator Linker agreed, stating that according to the Residential Design Guidelines, it is considered appropriate.
2. **Landscaping:** The applicant proposes to incorporate both grass and plant into the new landscape design, but also is requesting approval to install a gravel driveway which would cover  $\frac{3}{4}$  of the property’s yard.

Administrator Linker then posed to the Commission the 3 Discussion Questions at the end of this section:

1. ***“Does the quantity of proposed gravel material have a negative impact on the District.”*** Administrator Linker shared a discussion she had with the City’s Historic Preservation Consultant, Deon Wolfenbarger, who was unable to attend the meeting. Ms. Wolfenbarger reviewed the application and felt that the amount of hardscape in the yard would not be consistent with the other “contributing” properties within the Historic District and would not fit within the Residential Design Guidelines. The Commissioners had a brief discussion and agreed with Ms. Wolfenbarger’s assessment that the size of the proposed gravel hardscape area could negatively impact the District.
  2. ***“Is there a compatible ratio between the proposed vegetation and gravel parking area?”*** Chairman Hailey agreed with Ms. Wolfenbarger’s conclusion that the high ratio of hardscape could negatively impact the overall appearance of the historic neighborhood. The Commission unanimously agreed that the gravel hardscape area is too large.
  3. ***“Is there an even balance between the existing vegetation, proposed vegetation and gravel parking area?”*** Commissioner Linder suggested that the ratio of hardscape to softscape be more balanced by adding vegetation (sod, flowers, bushes, etc) to the area in front of the porch in order to showcase the historic house and make it more consistent with surrounding residential properties within the District.
3. **Porches:** The application proposes to alter the side porch by removing the existing handrail and relocating the stairs (rotating 90°)

to access the new concrete walkways. Administrator Linker noted that the Sanborn maps indicate that a side porch existed, but do not show the orientation of the steps. A photo from 2004 shows an enclosed mudroom in the location; sometime after 2004 it was restored back to a side porch. Administrator Linker posed the discussion question at the end of this section: **“Will changing the orientation of the steps or removing the railing on the side porch have a negative impact on the building or District?”** The Commissioners discussed this proposed change and stated that since there is no photographic evidence of the original side porch, the proposed changes would not have a negative impact on the building or the District.

4. Concrete Walkways: The application proposes to add concrete walkways on the front and back sides of the house, as well as from the front gate (at the street) to the back porch and in front of the shed. Sod grass is proposed to be planted only along the eastern portion of the property beside the row of lilac bushes. Administrator Linker posed the discussion question at the end of this section: **“Do the newly proposed concrete walkways (hardscape) have a negative impact on the historic character of the property or affect the overall District?”** The Commissioners reviewed the drawing in Exhibit A which illustrates the proposed new concrete sidewalks and felt it would not have a negative impact on the overall historic character of the District, but did recommend replacing a section of the front concrete walkway with stepping stones and possibly even dyeing the concrete to soften the appearance of the hardscape.

Administrator Linker asked the Historic Preservation Commission to evaluate the application, the comments in the report, and any testimony by staff, consultants, and the applicant. In addition to the discussion question provided at the end of select sections of the report, Administrator Linker noted that the HPC should also consider the questions below:

1. **Will the proposed project substantially improve the visual appearance of the neighborhood, streetscape, or this individual property?** HPC Response: As proposed the visual appearance presents more of a commercial property instead of single-family residential.

2. **Does the proposed project contribute to and enhance the overall character of the City of Black Hawk?** HPC Response: The size of the gravel parking area does not contribute or enhance but distracts from the overall character of the historic residential district. The Commission recommends adding trees to replace those once existing and now removed.

3. **Does the proposed project produce visible results?** HPC Response: The size of the gravel parking area and lack of trees produces a commercial appearance instead of single-family residential.

4. **Will portions of the proposed work be highly visible on the property?** HPC Response: The majority of the project will be highly visible from the public right-of-way.

5. **Will the proposed work promote preservation of the historic character of the City?** HPC Response: As proposed the size of the gravel parking area and lack of vegetation does not promote the historic character of the residential district.

6. **Do any of the proposed treatments negatively impact character-defining features of the site?** HPC Response: As proposed the gravel parking area will have a negative impact on the site.

7. **Does the HPC believe that, after the new site and landscaping improvements, 130 Chase Street will remain “contributing” to the historic character of the National Historic Landmark district? Why or why not?** HPC Response: As proposed the size of the gravel parking area may impact the contributing status.

8. **The Commission should discuss if there is sufficient evidence that the Certificate of Appropriateness application meets the intent of the criteria outlined in Section 16-368 of the Black Hawk Municipal Code, Sections 2 and 3 of the City of Black Hawk Residential Design Guidelines and the Secretary of Interior Standards.** HPC Response: The Commission will propose a “Conditional Approval”.

#### **RECOMMENDATIONS:**

The Historic Preservation Commission found that the proposal, as submitted, negatively impacts the Historic Landmark District. Chairman Hailey asked if there were further questions. Hearing none, she entertained a motion to recommend to the Board of Aldermen **CONDITIONAL APPROVAL** of the Certificate of Appropriateness for site work at 130 Chase Street based on the criteria set forth in the staff report dated May 31, 2017. The Certificate of Appropriateness application for 130 Chase Street will meet the intent of the criteria outlined in the Guide to Programs, Section 16-368 of the Black Hawk Municipal Code, and Sections 2, 3, 4, 5, 6 and 7.4 of the City of Black Hawk Residential Design Guidelines, when the following conditions are met:

1. The ratio of hardscape, gravel parking area and concrete walkways, is reduced as set forth in the recommendation of the Historic Preservation Commission, attached hereto as Exhibit A, and subject to approval by the City’s Historic Preservation Consultant and City Staff; and
2. The ratio of softscape, flowers, plants, shrubs, trees, is increased as set forth in the recommendation of the Historic Preservation Commission, attached hereto as Exhibit A, and subject to approval by the City’s Historic Preservation Consultant and City Staff.

Commissioner Gish moved to conditionally approve the Certificate of Appropriateness and Commissioner Linker seconded the motion. All Commissioners voted in favor of conditional approval of the application as submitted.

#### **8) RECOMMENDATIONS FOR LOCAL HISTORIC DESIGNATION**

*A. None*

#### **9) COMPREHENSIVE PLAN AND/OR OTHER PLANS**

*A. None*

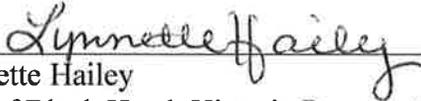
**RECOMMENDED AND APPROVED:**

**BY:**



Sara Lang  
HPC Secretary

**BY:**



Lynnette Hailey  
City of Black Hawk Historic Preservation Commission - Chairman

**BY:**



David D. Spellman, Mayor  
City of Black Hawk Board of Aldermen

**BY:**



Corey Y. Hoffmann  
City of Black Hawk Attorney

## **10) COMMUNITY OUTREACH AND EDUCATION**

### ***A. Annual City-Wide Clean-Up Day Feedback***

The 10<sup>th</sup> Annual City-Wide Clean-Up Day took place on Thursday, May 25, 2017. Participants were asked to provide their feedback on cards that were provided on each table at the end of the event. The feedback was, overall, very positive. Suggestions that were made for improving upon the event will be reviewed for next year's Clean-Up Day.

Chairman Hailey suggested that, in the future, the City schedule Clean-Up Day for the last week of May given the fact that in the last 3 years it has had to be postponed to that week anyway, due to inclement weather. Secretary Lang suggested it could also be moved to the end of June to get the City clean just prior to the large influx of visitors on the 4<sup>th</sup> of July. The Commissioners agreed with both suggestions.

### ***B. "Building Colorado" Workshop Update***

Secretary Lang provided an update on the Fall Workshop scheduled for September 29, 2017. She has created a flyer which still needs to be approved by the Mayor before it can be distributed, advertising the event. She will ask Mark Rodman and Deon Wolfenbarger to help get it sent out to a larger audience. Secretary Lang will be working with the Mayor to identify properties to highlight in the afternoon field work portion of the workshop.

## **11) OTHER BUSINESS**

### ***A. Expiring Terms***

Commissioners whose term on the HPC is due to expire on August 1, 2017 were asked to submit their letters of intent by June 1, 2017. So far Staff has received letters of intent to remain on the HPC from Chairman Hailey and Commissioner Gish. A letter has not yet been received from Vice Chairman Torres. Administrator Linker asked that one be submitted as soon as possible so she can include it in an upcoming City Council packet.

## **12) COMMISSIONER COMMENTS**

### ***A. None***

## **13) ADJOURN**

With no other business, Chairman Hailey requested a motion to adjourn the meeting. Commissioner Linder moved to adjourn the meeting, seconded by Commissioner Gish at 2:57 p.m.