AGENDA

ASPEN HISTORIC PRESERVATION COMMISSION

June 14, 2023

4:30 PM, City Council Chambers - 3rd Floor
427 Rio Grande Place
Aspen, CO 81611

I. ROLL CALL

II. MINUTES

II.A Draft Minutes - 5/10/23 & 5/24/23
minutes.hpc.20230510_DRAFT.docx
minutes.hpc.20230524_DRAFT.docx

III. PUBLIC COMMENTS

IV. COMMISSIONER MEMBER COMMENTS

V. DISCLOSURE OF CONFLICT OF INTEREST

VI. PROJECT MONITORING

VI.A Project monitor list
PROJECT MONITORING.doc

VII. STAFF COMMENTS

VIII. CERTIFICATE OF NO NEGATIVE EFFECT ISSUED

IX. CALL UP REPORTS

X. SUBMIT PUBLIC NOTICE FOR AGENDA ITEMS

XI. OLD BUSINESS

XI.A
205 W. Main Street- Minor Development and Relocation, **PUBLIC HEARING CONTINUED FROM APRIL 26, 2023**

Memo_205 W. Main.pdf
Resolution_205 W. Main.pdf

Exhibit A.1_HP Guidelines Criteria_Staff Findings.pdf
Exhibit A.2_Relocation Criteria_Staff Findings.pdf
Exhibit A.3_GMQS Criteria_Staff Findings.pdf
Exhibit B_New information in response to April 26th hearing.pdf
Exhibit C_Previously Submitted Application.pdf
Exhibit D_April 26 HPC minutes.pdf

XII. NEW BUSINESS

XII.A Presentation of past preservation work- Kirsten Armstrong

XIII. ADJOURN

XIV. NEXT RESOLUTION NUMBER

TYPICAL PROCEEDING FORMAT FOR ALL PUBLIC HEARINGS

(1 Hour, 10 Minutes for each Major Agenda Item)

1. Declaration of Conflicts of Interest (at beginning of agenda)
2. Presentation of proof of legal notice (at beginning of agenda)
3. Applicant presentation (20 minutes)
4. Board questions and clarifications of applicant (5 minutes)
5. Staff presentation (5 minutes)
6. Board questions and clarifications of staff (5 minutes)
7. Public comments (5 minutes total, or 3 minutes/ person or as determined by the Chair)
8. Close public comment portion of hearing
9. Applicant rebuttal/clarification (5 minutes)
10. Staff rebuttal/clarification (5 minutes)

End of fact finding. Chairperson identifies the issues to be discussed.

11. Deliberation by the commission and findings based on criteria commences. No further input from applicant or staff unless invited by the Chair. Staff may ask to be recognized if there is a factual error to be corrected. If the item is to be continued, the Chair may provide a summary of areas to be restudied at their discretion, but the applicant is not to re-start discussion of the case or the board's direction. (20 minutes)
12. Motion

Updated: November 15, 2021

Chairperson Thompson opened the regular meeting of the Aspen Historic Preservation Commission at 4:30pm.

Commissioners in attendance: Peter Fornell, Roger Moyer, Jodi Surfas, Barb Pitchford, Jeffery Halferty and Kara Thompson.

Staff present:
Amy Simon, Planning Director
Kirsten Armstrong, Principal Planner Historic Preservation
Kate Johnson, Assistant City Attorney
Mike Sear, Deputy City Clerk

MINUTES: Mr. Halferty moved to approve the minutes from 4/12/23. Ms. Thompson seconded. Roll call vote: Mr. Fornell, yes; Mr. Moyer, yes; Ms. Surfas, abstained; Ms. Pitchford, abstained; Mr. Halferty, yes; Ms. Thompson, yes. 4-0; motion passes.

PUBLIC COMMENTS: None

COMMISSION MEMBER COMMENTS: Mr. Halferty commented about the site visit to 835 W. Main. He thanked everyone for organizing the tour of the cabin. He was in support of the property's National Landmark designation.

Ms. Thompson said she had listened in to the Ski Town Forum meeting and said it was interesting to hear what other towns are doing.

Ms. Pitchford had visited John Doyle's studio and said that he has a 3D model of town and that after seeing it she wanted to suggest that applicants provide 3D models with their applications and presentations to HPC. She said that it would be very helpful in understanding the mass and scale of projects. Ms. Simon reviewed the submittal requirements for applications and said that they could potentially make them more specific.

There was then some discussion on the potential for additional and more descriptive models of future projects.

Mr. Moyer commented on the large size of the addition on the Pan Abode on the other side of the alley from Ann Mullins house. He said that it was a good example of making sure that HPC sees more context on mass and scale when reviewing projects.

Ms. Simon said that they could organize a van tour of previous HPC projects for the next meeting.

Ms. Johnson reminded the commissioners that they are allowed by Code to request any additional materials from applicants that they feel would help them in their review and decision making.

DISCLOSURE OF CONFLICTS OF INTEREST: None.

PROJECT MONITORING: Before getting into project monitoring, Ms. Simon wanted to take a moment to introduce Ms. Kirsten Armstrong, the new Principal Planner for Historic Preservation. Ms. Armstrong then went over her education and background. The HPC members welcomed her to Aspen.

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Ms. Simon mentioned that Ms. Sanzone's projects would have to be reassigned, as she had resigned from HPC.

STAFF COMMENTS: Ms. Simon commented on the background of the Ski Town Forum and topics that were discussed at the most recent meeting. She also reviewed preservation efforts by other ski towns (Crested Butte & Breckinridge) in the State.

There was then some discussion about 100% affordable housing projects located on historic sites.

835 W. Main Street – National Register Referral Comment

Staff Presentation: Kirsten Armstrong, Principal Planner Historic Preservation

Ms. Armstrong began by introducing the property and the National Register Referral Comment process. She then went over some of the history and characteristics of the cabin design and the surrounding property. She showed several pictures of the cabin and lot, while describing the design. She went on to describe the criterion being used for the nomination and how the property meets Criterion C. Next, she described the options that HPC have, noting that staff recommends that the nomination meets the NRHP eligibility criteria requirements.

There was some discussion and questions about the current roof and its potential future replacement.

All commissioners were in support of the nomination. Ms. Thompson signed the Referral form.

CERTIFICATE OF NO NEGATIVE EFFECT: None.

CALL UP REPORTS: None.

SUBMIT PUBLIC NOTICE FOR AGENDA ITEMS: Ms. Johnson said that she reviewed public notice, and that notice was provided per the code for the agenda item.

OLD BUSINESS: 214 W. Bleeker Street – Minor Development, Relocation and Variation Review – PUBLIC HEARING CONTINUED FROM APRIL 12th.

Ms. Thompson asked about the difference between a variation and a variance. Ms. Johnson said that in the Land Use Code there are certain things that a variance is required for, for example a setback variance. Other things in the code allow a variation to be granted, like a variation to a guideline. Ms. Simon said the variances usually based on a hardship and the normally go to the Board of Adjustment.

Applicant Presentation: Jason Ro – Ro Rockett Design

Mr. Ro began by reviewing items that they had restudied on the project since the last meeting on this. These included the house lift, material conditions of the roof, and more study of the historic shed, it's restoration and ways to give it more significance. He noted that all this would lead into the discussion of a square footage bonus request.

He then showed a few historic photos of the house, highlighting some changes over time. He noted that the original house was sitting slightly above grade and that over time the grade had risen and built up. Next, he showed a current picture of the house, noting that the porch is now only about one step (6-7 inches) above grade. He also showed a proposed rendering of the project that with the lifting of the

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house would allow them to restore the original sandstone base and get multiple steps up to the porch. He described a few of their proposed materials on the historic and non-historic portions of the house. He then presented a picture of a similar project they had completed a few years ago. He went on to present and describe the proposed elevations, highlighting a few features. Next, he described the roof differentiation between the historic asset and existing non-historic addition that they are attempting to achieve, including different roof materials. He reviewed the proposed move of the historic shed to the north to better separate it for the non-historic addition. As they were calculating the FAR, they found that the size of the shed exceeded the non-exempt shed allowance that the code allows for. He noted that, built into their FAR bonus request, is the reduction of a non-historic shed on the side of the addition to the allowable 32 square feet and the FAR that is required to cover the historic shed. He showed a few pictures of the historic shed and noted some if its features and the current damage to the structure. In closing, he said that they hoped that all this shows an earnest effort to improve the historic asset and shed, in order to earn the 175 square foot FAR bonus they are requesting.

Mr. Fornell asked when they thought the non-historic addition was built. Ms. Simon said it was around 1990.

Ms. Thompson said from the shed elevations, it seemed like it was elevated about 6 inches on a slab and wondered if this was done in the past. Ms. Simon said that the 6 inches is the minimum building code requirement and that the shed is currently buried in the ground and moving it will allow it to be set on more level ground.

Ms. Pitchford asked about the process of removing the chimney before raising the house and then how it would be re-built. Mr. Ro said that the strategy is to remove as much of it in one piece as possible. It would be documented with pictures and then rebuild it once the house has been raised and restabilized. Ms. Simon noted that the chimney restoration was a condition in the resolution.

Ms. Thompson asked if the intent is to lift the house and move it, or just to lift it straight up. Mr. Ro said the idea will be to lift it in place.

Ms. Pitchford asked about the existing fence on the property. Mr. Ro showed some pictures of the existing fencing and described the proposal of reducing the height of some of the fencing.

There was some discussion of paint color and questioning of why everything nowadays is painted white.

Staff Presentation: Amy Simon - Planning Director

Ms. Simon started with some history of the project and application. The original idea was just to lift the structure and build a basement under it. After looking at the project more carefully with Mr. Ro a few things came up. These included the historic foundation with steps onto the porch which has been lost and also the historic shed. She showed some pictures of another project that Mr. Ro had worked on, pointing out some of the great features of the restoration. She noted that everything from the last meeting's discussion has been addressed in a very cooperative way by the applicant.

She then reviewed the seven conditions listed in the resolution. These included:

1. The financial security deposit of $45,000.
2. The preservation of the historic exterior materials.
3. Documentation of the chimney and stone foundation in order to authentically reconstruct them.
4. Setback variations for the primary structures.

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5. Floor Area Bonus of 175 square feet to be granted.
6. No stormwater features to be visible in the landscape in the front of the structure.
7. The shed roof must be with corrugated metal or wood shingle if the pitch allows.

Mr. Moyer asked if there was a requirement for the foundation to be one or two cement blocks higher than grade. Ms. Simon said that building code requires 6 inches of clearance off the ground of any wood materials. Referencing the historic shed, Mr. Moyer suggested that they require one block or two above grade. He also suggested that this should be a topic of discussion for HPC in relation to future projects.

Ms. Simon mentioned she had forgotten to include the normal condition of approval, requiring a 12" maintenance border at the perimeter of the historic resources.

Ms. Thompson asked about a landscape plan. Mr. Ro said the owner is looking to do next to nothing in terms of landscaping. It would mostly be a grass lawn.

Mr. Fornell asked Ms. Simon, that if the addition was done in 1990, how come it goes into two separate setbacks. Ms. Simon said she didn't look back at the original approval, but since it went through HPC back then, they could have given setback variations, as the house is where it is.

Ms. Thompson asked that since the shed is being moved from where it has been for a very long time, is there a discussion to be had about moving it so it is not exactly on the property line to allow for drainage and better maintenance. Ms. Simon said it was not something she had discussed with the applicant, but it is something that could be open to HPC's input. Ms. Simon agreed that it should be moved enough to be safe from snowplows, but not so much that it takes away from its historical relationship to the alley.

Mr. Fornell said he liked the shed's orientation at the property line having been there historically but would be open to any suggestions.

PUBLIC COMMENT: None.

BOARD DISCUSSION: Ms. Thompson started by suggesting that when the historic shed is moved that it be placed 6 inches off the property line. Mr. Fornell said he supported that suggestion.

Ms. Thompson noted that they had discussed the relocation criteria in the last meeting, and all generally agreed that the lift and place of the structure was acceptable. She said that while setback variations are not a favorite of the board, the shed would still be further away from setbacks than a garage could be, so she was ok with the proposed variances. She also believed that with the restoration of the shed that the applicant had earned the floor area bonus.

Mr. Fornell wanted to clarify that the bonus was not really an addition of floor area, but rather to account for the different calculation. Mr. Ro said yes that the lifting of the house created a different calculation.

Ms. Johnson noted that the floor area bonus in the resolution was requesting 125 square feet and it was represented at the meeting that it was a 175 square foot request and wanted to clarify the difference. Ms. Simon said that it was an update sent to the board on Tuesday. Ms. Simon said that she had also updated the rear yard setback in the conditions of approval to 4.5 feet from 5 feet, to note the suggestion from the board and could also add the condition of a 12-inch maintenance border. Ms. Thompson said yes to adding that condition.

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MOTION: Ms. Thompson moved to approve the next resolution in the series with the edits and additions that had been made. Mr. Halferty seconded. Roll call vote: Mr. Fornell, yes; Mr. Moyer, yes; Ms. Surfas, yes; Ms. Pitchford, yes; Mr. Halferty, yes; Ms. Thompson, yes. 6-0 vote, motion passes.

Mr. Fornell and Ms. Pitchford were assigned as project monitors for this item.

Mr. Moyer asked if the 12-inch maintenance border was a fixed number. Ms. Simon said that it was not and could be made bigger. Mr. Moyer said he thought it should be at least 2 feet if not 3 feet. He knew it was a lot, but it was needed and better than 12 inches. There was some more discussion about how wide a maintenance border should be to protect the house.

NEW BUSINESS: HPC Awards Selection

Staff Presentation: Amy Simon - Planning Director

Ms. Simon started by reviewing the history of the awards in general and went over the various HPC Awards and some of their history. She then went over the projects up for awards this year and some details of each. These included:

- Resnick Center for Herbert Bayer Studies.
- Boettcher Building - Designation and Rehabilitation
- The Wheeler Opera House Restoration
- 105 East Hallam Street
- 208 East Main Street
- 533 West Hallam Street

The commissioners discussed each project. Ms. Thompson said she would support the Wheeler Opera House Restoration. There was then some discussion about the details of the work completed there. All commissioners were in favor of awarding the Wheeler Opera House Restoration.

ADJOURN: Ms. Thompson motioned to adjourn the regular meeting. Mr. Fornell seconded. All in favor; motion passes.

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Mike Sear, Deputy City Clerk

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Chairperson Thompson opened the regular meeting of the Aspen Historic Preservation Commission at 4:31 PM.

Commissioners in attendance: Peter Fornell, Roger Moyer, Barb Pitchford, Jeffery Halferty and Kara Thompson. Jodi Surfas arrived at 4:34 PM.

Staff present:
Amy Simon, Planning Director
Kirsten Armstrong, Principal Planner Historic Preservation
James R. True, City Attorney
Cindy Klob, Records Manager

MINUTES: Ms. Thompson moved to approve the minutes from 4/26/23. Mr. Halferty seconded. Roll call vote: Mr. Fornell, yes; Ms. Pitchford, abstained; Mr. Halferty, yes; Mr. Moyer, yes; Ms. Thompson, yes for a total of four to zero (4-0) vote; motion passes.

PUBLIC COMMENTS: None

COMMISSION MEMBER COMMENTS: Ms. Pitchford inquired about the status of the interview to fill the available board positions. Mr. True replied Council is reviewing the candidates and estimated the decision will be made in the next couple of Council meetings.

DISCLOSURE OF CONFLICTS OF INTEREST: None.

PROJECT MONITORING:

227 E Bleeker St.

Ms. Simon stated Mr. Halferty is monitoring the project at 227 E Bleeker St which is currently under construction. She noted the Victorian resource was obscured by asbestos shingles. She stated she and Mr. Halferty have reviewed a number of project monitoring changes and visited the site a few times because things were found during the demolition phase. They received a request to add solar panels to the project. The addition of the solar panels on the new addition were approved but she stated the board has historically hesitated to place them on the historic resource due to the visual impact. They asked the applicant to present the requested change to the board.

Ms. Simon stated staff supports the request to add panels to the historic resource because they will not be visible from the street, and it supports sustainability.

She stated she and Mr. Halferty are asking the board to provide direction regarding the request.

Ms. Kim Raymond, Kim Raymond Architecture + Interiors, noted there are letters of support in the packet. She also submitted another letter of support at the meeting from Mr. Antony Cullwick, Koru Limited (refer to Exhibit D in the meeting agenda).

She discussed the applicant and his desire to make this project as sustainable as possible. His goal is to get a LEED Platinum rating for this historic resource and to be able to use this project as a model of historic preservation projects while moving forward with energy efficiencies. She also noted this project aligns with the City's goal for homes to be all electric in the future.

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Ms. Raymond then displayed a picture of the house and pointed out the flat roof with a parapet on the back of the structure. She displayed a drawing showing the proposed location of the panels on the flat roof and the adjoining gabled roof as compared to the street in front of the house. She pointed She stated the panels on the historic structure would provide the more than half of the energy production of all the panels installed on both the historic structure and new addition.

Ms. Raymond then displayed a sun path solar chart depicting the solar exposure in the winter, fall and spring, and the summer.

Shen then displayed 3D renderings of views of the roof, front, and east street level to show the proposed panels will not be visible from the street.

She closed asking the board for their support.

Ms. Thompson asked Mr. Halferty if he supported the request. He responded he initially was not supportive of it because historically the board did not approve of solar panels on historic resources. And he wants to ensure the historic structure could be returned to its prior state before the panels.

Ms. Thompson asked if what type of material will be replacing the roof. Ms. Raymond responded it will be replaced with weathered wood asphalt shingle.

Ms. Thompson asked how they would be attaching the panels. Ms. Raymond stated they wanted to first get approval before spending a lot of time on the method to attach them. She noted other larger cities such as New York City are now allowing solar panels on historic structures.

Ms. Surfas asked if they considered installing the Tesla shingles on the new addition. Ms. Raymond responded they looked into using them and they are not yet available. Ms. Simon stated she also heard they are not yet available.

Ms. Pitchford asked if the panels were not on the historic resource how much would the production be diminished. Ms. Raymond responded the panels on the historic structure provide the majority of the energy production.

Mr. Fornell asked what the useful life of the panels. Mr. Raymond responded she did not know.

Mr. Fornell referenced a historic cabin at 311 Park Ave which has solar shingles installed on it and asked if they considered something like that. Ms. Raymond responded she was not aware of all the options that were considered.

Ms. Thompson stated she does not have any issue with the proposed panels and feels it's great to have them installed. She suggested having a structural engineer write a letter verifying the resource can support the panels without damaging the historic resources and have staff approve of the attachment method.

Ms. Pitchford asked staff if there were any other historic resources with solar panels installed within the city. Ms. Simon responded the only other resource with approval for panels is the Wheeler Opera House. She the board approved very visible panels to be installed and then the City decided not to install the system for now.

Mr. Halferty asked if the power would be used for snowmelt or to just power the home. Ms. Raymond responded it would power the house. She added the percentage of snowmelt is quite small and did not require the panels to be approved.

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Mr. Halferty asked if they considered a pedestal system for the panels. Ms. Raymond responded there is no room available on the property.

Mr. Fornell and Mr. Moyer both stated they support the proposed panels on the historic resource. Ms. Surfas state she also supported the panels. Ms. Pitchford did not support it. Ms. Thompson noted a majority of the board supports the addition of the panels.

Multiple board members asked for staff to look into adding something to the guidelines to cover solar panels on historic structures.

Ms. Thompson asked that nothing be attached to the house for maintenance access. Ms. Raymond confirmed there were no plans to attach anything to the house to maintain the panels.

Ms. Simon asked the applicant to submit a change order that will be reviewed by staff and the project monitor.

STAFF COMMENTS:
Ms. Simon stated the HPC Awards will be at the June 6th Council meeting. They will be awarding the Wheeler Opera House.

Ms. Simon noted social media posts about the process of the Berger Cabin to be placed on the National Register of Historic Places and the beginning of restoration of the Elks Building. It will be the same team that restored the Wheeler Opera House and will be a multi-year project.

CERTIFICATE OF NO NEGATIVE EFFECT: Ms. Simon stated one had been signed for the Golden Horn Building for some repairs and a replacement of a ramp with a lift.

CALL UP REPORTS: None.

SUBMIT PUBLIC NOTICE FOR AGENDA ITEMS: None.

OLD BUSINESS: 205 W. Main St – Minor Development and Relocation Review – CONTINUE PUBLIC HEARING TO JUNE 14TH.

Ms. Thompson moved to continue the hearing to June 14th and was seconded by Mr. Moyer.

Mr. Moyer asked for a session to discuss solar panels and vehicle charging systems and stations. Ms. Simon responded the new code requires new homes to have them in the interior of the structure.

Roll call vote: Ms. Surfas, yes; Mr. Fornell, yes; Ms. Pitchford, yes; Mr. Moyer, yes; Mr. Halferty, yes; Ms. Thompson, yes for a six to zero (6-0) vote, motion passes.

NEW BUSINESS: Mobile Tour of HPC projects

The regular meeting was then adjourned, and the tour will be opened as a work session.

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ADJOURN: Ms. Thompson motioned to adjourn the regular meeting. Ms. Pitchford seconded.

Roll call vote: Mr. Moyer, yes; Mr. Halferty, yes; Ms. Pitchford, yes; Mr. Fornell, yes; Ms. Surfas, yes; Ms. Thompson, yes for a six to zero (6-0) vote, motion passes.

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Cindy Klob, Deputy City Clerk

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HPC PROJECT MONITORS - projects in bold are permitted or under construction

Kara Thompson	**931 Gibson** **300 E. Hyman** **201 E. Main** 333 W. Bleeker **234 W. Francis** Skier's Chalet Steakhouse 423 N. Second **135 E. Cooper** **101 W. Main (Molly Gibson Lodge)** **720 E. Hyman** 304 E. Hopkins **930 King** 312 W. Hyman 520 E. Cooper
Jeff Halferty	**533 W. Hallam** **110 W. Main, Hotel Aspen** **134 E. Bleeker** **300 E. Hyman** **434 E. Cooper, Bidwell** 414-420 E. Cooper, Red Onion/JAS 517 E. Hopkins Lift 1 corridor ski lift support structure **227 E. Bleeker** **211 W. Hopkins** **211 W. Main** **204 S. Galena** 215 E. Hallam 500 E. Durant 413 E. Main
Roger Moyer	**300 W. Main** **227 E. Main** 110 Neale 517 E. Hopkins Skier's Chalet Lodge 202 E. Main 305-307 S. Mill, Grey Lady 320 E. Hyman (Wheeler Opera House, solar panels) 611 W. Main 132 W. Hopkins 500 E. Durant
Jodi Surfas	202 E. Main 305-307 S. Mill, Grey Lady 320 E. Hyman (Wheeler Opera House, solar panels) 611 W. Main 602 E. Hyman
Peter Fornell	304 E. Hopkins **930 King** 233 W. Bleeker 214 W. Bleeker
Barb Pitchford	121 W. Bleeker 312 W. Hyman 132 W. Hopkins 214 W. Bleeker

Need to assign: 209 E. Bleeker, 125 W. Main, Lift One Park

CITY OF ASPEN

MEMORANDUM

TO: Aspen Historic Preservation Commission

FROM: Amy Simon, Planning Director

RE: 205 W. Main Street- Minor Development and Relocation, **PUBLIC HEARING CONTINUED FROM APRIL 26, 2023**

MEETING DATE: June 14, 2023

Applicant/Owner:
Conservation Housing Partners LLC, c/o Michael Brown
605 W. Main Street, Suite 2, Aspen, CO 81611

Representatives:
Haas Land Planning, LLC
420 E. Main Street, Suite 220
Aspen, CO 81711

Location:
Street Address:
205 W. Main Street

Legal Description:
Lots H and I and the East fifteen (15') feet of Lot G, Block 52, City and Townsite of Aspen, Pitkin County, Colorado

Parcel Identification Number:
PID# 2735-124-54-003

Current Zoning & Use:
Mixed Use (MU), Single Family Home with voluntary Accessory Dwelling Unit

Proposed Zoning & Use:
Mixed Use (MU), 100% affordable housing

Summary: The applicant requests Minor Development and Relocation approval on a landmark designated site containing a Victorian era home. The subject resource is to be reduced to its historic footprint, moved northeast onto a full basement, and surrounded by new landscape materials. Non-historic shed and trash enclosures towards the rear of the site are to be demolished. HPC approval of work directly affecting the exterior of the historic home and the site immediately around it is a pre-requisite for Administrative Review of a not yet submitted land use application to convert the existing home to affordable housing and to develop other structures containing affordable housing on the property. This is the first application pursuant to recent code amendments adopted by Council to simplify and advance the creation of more affordable housing units in the City. Staff recommends approval subject to the conditions listed in the proposed resolution.



Figure 1: Subject Property | 205 W. Main Street



Figure 2: Subject Property | View from Main

REQUEST OF THE HISTORIC PRESERVATION COMMISSION:

Pursuant to Growth Management Section 26.470.050.D.3 of the Municipal Code, which establishes a review process when a historic property is to be developed with affordable housing as the sole use, the Applicant is requesting the following approvals from the Historic Preservation Commission:

- Minor Development (Section 26.415.070.D) for exterior alterations to the historic home and landscape on the site, and to remove non-historic additions that have been made to the property, in the form of an expansion on the west side of the historic house, a prefabricated shed and modest trash enclosures.
- Relocation (Section 26.415.090) to move the historic resource onto a new basement.

Following HPC review, Administrative Review will be conducted for determination that the new construction on the site is in compliance with Chapter 26.410, Residential Design Standards; Chapter 26.470, Growth Management; Chapter 26.515, Transportation and Parking Management; Chapter 26.540, Certificates of Affordable Housing Credit, and Chapter 26.710 for the applicable Zone District. The new construction must meet all dimensional standards prescribed within the Mixed-Use (MU) zone district. In addition to those reviews, the Historic Preservation Principal Planner and the Chair of the Historic Preservation Commission, or their assign, must jointly determine compliance with non-flexible design standards listed in the Municipal Code.

BACKGROUND:

205 W. Main Street is a landmarked property located within the Mixed-Use (MU) zone district and the Main Street Historic District. The property contains a Victorian-era single-family dwelling and non-historic shed structures on a 7,500 sq. ft. lot. The dwelling was constructed circa 1890 and moved to its current location in 1949, where the Chisholm family made it their long-time home. The original design and materials of the resource are substantially intact, including wood siding and shingles in the gables, a porch with original decorative features, and a dormer. Much of the outdoor vegetation appears consistent with the historic landscape from the time the cottage was relocated.

UPDATES IN RESPONSE TO HPC DIRECTION AT THE APRIL 26, 2023 HEARING

The public hearing for this review was opened on April 26th. After a full presentation and discussion of the project, HPC voted 3-2 to continue to a later date and to request more information on existing building placement in the surrounding historic district to help the board analyze the appropriateness of the relocation request. The applicant was also asked to restudy the positioning of a lightwell proposed at the southwest corner of the house and a request to include a preservation plan in the conditions of approval was made.

The applicant has submitted new information which is attached as Exhibit B. The previous submittal is Exhibit C. Minutes from the April 26th hearing are found at Exhibit D. The context study that has been provided is very helpful as a factual analysis of development patterns in the district. The applicant has reinforced that there is variety in building positioning throughout the district and that their proposed siting is both consistent with other development and beneficial to the public in that at least two faces of the structure will be preserved with an unobstructed view to passersby. Staff continues to find that setting the resource at the southeast corner and ensuring its preservation as a free-standing building with no additions is an excellent outcome for preservation goals.

In addition to providing additional response to relocation related design guidelines, the applicant has provided information to resolve a number of the conditions of approval proposed by staff in April. Remaining items to be addressed in permit and construction are included in the attached Resolution.

STAFF COMMENTS:
A site plan is provided in the application indicating the general concept for building layout. All new structures must be fully detached and sit at least 10 feet away from the historic home. HPC's purview is restricted to the criteria and guidelines addressed in the exhibits to this memo.

The applicant proposes to place the historic resource prominently at a street intersection, free-standing and exposed to view/public enjoyment on all sides, and in a traditional landscaped setting abutted with grass, planting beds and outdoor living space. Public right-of-way on the east side of the lot is to be converted from head in parking back to a lawn with grass and street trees, which will restore a historic landscape condition that has been lost for many years.

Staff supports the plan to re-position the Victorian. It is not original to this site and there is not a strong historic context on this block-face. The building will have high public visibility and will be among a small group of Victorian homes preserved in Aspen with no addition.

As required by this review process, the applicant must remove non-historic construction and proposes to remove an addition to the house that is well documented to have been made after the house was moved to this site as well as an overframed section of roof on the rear shed pitch. There are no other alterations planned for the resource and also no obvious restoration opportunities, though staff will conduct a site visit with the applicant team. It appears that the front door may not be original and if so, could be replaced with a more period appropriate design.

The applicant also proposes demolition of a clearly non-historic shed and trash enclosures.

This project meets numerous historic preservation and community objectives and will restore and activate a resource in a prominent location. Staff finds the project complies with all criteria and guidelines.

DRC REFERRAL COMMENTS:
The application was referred out to Engineering and Parks. Conditions of approval recommended by those agencies are included in the Resolution.

RECOMMENDATION
Staff recommends the Historic Preservation Commission (HPC) approve this application as described in the proposed Resolution.

ATTACHMENTS:
Resolution #___, Series of 2023
Exhibit A.1 – HP Guidelines Criteria Staff Findings
Exhibit A.2 – Relocation Criteria Staff Findings
Exhibit A.3 – Growth Management Review Criteria Staff Findings
Exhibit B – New information in response to April 26th hearing
Exhibit C – Previously submitted application
Exhibit D – April 26th HPC minutes

RESOLUTION #__, SERIES OF 2023

A RESOLUTION OF THE ASPEN HISTORIC PRESERVATION COMMISSION (HPC) GRANTING MINOR DEVELOPMENT AND RELOCATION APPROVAL FOR THE PROPERTY LOCATED AT 205 W. MAIN STREET, LEGALLY DESCRIBED AS LOTS H AND I AND THE EAST FIFTEEN FEET OF LOT G, BLOCK 51, CITY AND TOWNSITE OF ASPEN, COUNTY OF PITKIN, STATE OF COLORADO

PARCEL ID: 2737-124-54-003

WHEREAS, the Applicant, Conservation Housing Partners LLC, represented by Haas Land Planning, LLC, has requested HPC approval for Minor Development and Relocation; the first of two review steps necessary to develop affordable housing as the only use on the property located at 205 W. Main Street pursuant to Municipal Code Section 26.470.090.D.3, Review of 100% Affordable Housing Development on Designated Sites Containing a Historic Resource; and,

WHEREAS, Section 26.415.070 of the Municipal Code states that "no building or structure shall be erected, constructed, enlarged, altered, repaired, relocated or improved involving a designated historic property or district until plans or sufficient information have been submitted to the Community Development Director and approved in accordance with the procedures established for their review;" and,

WHEREAS, for Minor Development Review, the HPC must review the application, a staff analysis report and the evidence presented at a hearing to determine the project's conformance with the City of Aspen Historic Preservation Design Guidelines per Section 26.415.070.C of the Municipal Code and other applicable Code Sections. The HPC may approve, disapprove, approve with conditions or continue the application to obtain additional information necessary to make a decision to approve or deny; and

WHEREAS, for approval of Relocation, the application shall meet the requirements of Aspen Municipal Code Section 26.415.090.C, Relocation of a Designated Property; and,

WHEREAS, Community Development Department staff reviewed the application for compliance with applicable review standards and recommended approval with conditions; and

WHEREAS, on April 26, 2023, HPC considered the application, the staff memo and public comment and continued the public hearing for more information. On June 14, 2023, HPC found the proposal consistent with the review standards and granted approval with conditions by a vote of X to X (X-X).

NOW, THEREFORE, BE IT RESOLVED:
That HPC hereby approves Minor Development and Relocation as the first of two review steps necessary to develop affordable housing as the only use on the property located at 205 W. Main Street. Before advancing this approval to building permit, the applicant must also secure administrative approval as described at Municipal Code Section 26.470.090.D.3.

Section 1: HPC Conditions of Approval

1. The front walkway to the historic resource is to be gray concrete, brick or rectilinear flagstone. Prior to building permit submittal a sample of paving materials is to be reviewed and approved by staff and monitor.

2. Prior to building permit submittal a final landscape plan shall be reviewed and approved by staff and monitor.
3. The non-historic west addition is approved to be removed from the historic structure and the void infilled with clapboards.
4. The pre-fabricated shed and trash enclosures are approved to be removed from the site.
5. The applicant has committed to retain and repair all exterior materials based on field inspection with historic preservation staff, and at the same inspection must work with historic preservation staff to identify any reasonable restoration actions that can be accomplished. The treatment of exterior features on the resource will be clearly depicted on a "preservation plan" sheet that is required to be part of the building permit submittal.
6. Stormwater management cannot be fully detailed until after the additional allowances on this site are verified, however the site plan represents no visible stormwater features on the subject site surrounding the resource, which is a condition of approval. A fully developed stormwater management plan shall be provided as part of building permit submittal.
7. Any new fence between the historic resource and the street shall be no more than forty-two inches (42") in height and shall have no less than a solid to void ratio of fifty-percent (50%). The design for any proposed fence shall be reviewed and approved by staff and monitor prior to building permit submittal.
8. Once mechanical systems are designed, provide elevations and a roof plan of the historic resource identifying the location of all vents, flues, FDC and strobe, and mechanical equipment for review and approval by staff and monitor prior to building permit submittal. Avoid damage to historic materials and visually intrusive locations.
9. Provide cut sheets of all exterior light fixtures for review and approval by staff and monitor prior to building permit submittal.
10. To relocate the house on the site, the Applicant shall provide a financial security deposit of $30,000 at the time of permit issuance. The submission shall include details on how the relocation will occur. Upon making a determination that the home was successfully placed on the new foundation, staff shall return the deposit to the Applicant.

Section 2: Referral Agency Conditions of Approval

1. The Administrative Review for the full development of the site must include the provision of a compliant Transportation Impact Assessment (TIA).
2. At building permit the following information will be required:

   Utility Plan

   - When a site plan is finalized with the additional structures, the site plan will need to show where a transformer to support the development will be placed. A single phase transformer with a 5x5 vault may be needed. Provide an easement to accommodate the transformer with 3' clear zones surrounding the sides and back of the transformer and 10' clear in the front. Alternatively work with COA Electric Dept to determine available capacity in the transformer in the alley to the west for the full built out site.
   - The water main for this property is on the north side of Main St. A new water service line for this property will require CDOT approval and most likely overnight work. For the full build out if fire suppression is needed a new line will most likely be required. It appears the water service line was installed in 1981 and may be due for an upgrade.

   URMP

   - Applicant will be required to follow the requirements of a major development within the Urban Runoff Management Plan.
3. A floating sidewalk design will be required along First Street where the existing cottonwoods are located.
4. The entire grass area along First Street will need to be irrigated throughout the project.

5. Proposed trees specifying species and diameter along First Street south of the walk to the house will need to be approved by the City Forester.
6. Street trees species and diameter along Main will need to be approved by City Forester.
7. Irrigation of ROW will be required to have a separate zone for trees.

Section 3: Existing Deed Restriction
A voluntary Deed-Restriction encumbers the basement of the historic resource (Reception No. 376974). As part of the Administrative Review, the Applicant shall work with staff to memorialize an approval to release the deed-restriction.

Section 4: Material Representations
All material representations and commitments made by the Applicant pursuant to the development proposal approvals as herein awarded, whether in public hearing or documentation presented before the Community Development Department, the Historic Preservation Commission, or the Aspen City Council are hereby incorporated in such plan development approvals and the same shall be complied with as if fully set forth herein, unless amended by other specific conditions or an authorized authority.

Section 5: Existing Litigation
This Resolution shall not affect any existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided, and the same shall be conducted and concluded under such prior ordinances.

Section 6: Severability
If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.

APPROVED BY THE COMMISSION at its regular meeting on the 14th day of June, 2023.

Approved as to Form:

_____
Katharine Johnson, Assistant City Attorney

Approved as to Content:

_____
Kara Thompson, Chair

ATTEST:

_____
Mike Sear, Deputy City Clerk

26.415.070. Development involving designated historic property or property within a historic district.
No building, structure or landscape shall be erected, constructed, enlarged, altered, repaired, relocated or improved involving a designated historic property or a property located within a Historic District until plans or sufficient information have been submitted to the Community Development Director and approved in accordance with the procedures established for their review. An application for a building permit cannot be submitted without a development order.

26.415.070.C Minor Development

3. The procedures for the review of minor development projects are as follows:
   b) Staff shall review the submittal material and prepare a report that analyzes the project's conformance with the design guidelines and other applicable Land Use Code sections. This report will be transmitted to the HPC with relevant information on the proposed project and a recommendation to approve, disapprove or approve with conditions and the reasons for the recommendation. The HPC will review the application, the report and the evidence presented at the hearing to determine the project's conformance with the City Historic Preservation Design Guidelines.

   c) The HPC shall approve, disapprove, approve with conditions or continue the application to obtain additional information necessary to make a decision to approve or deny. If the application is approved, the HPC shall issue a certificate of appropriateness and the Community Development Director shall issue a development order.

To the extent that this review process requires removal of non-historic additions, the following criteria apply:

26.415.080. Demolition of designated historic properties or properties within a historic district.
It is the intent of this Chapter to preserve the historic and architectural resources that have demonstrated significance to the community. Consequently, no demolition of properties designated on the Aspen Inventory of Historic Landmark Site and Structures or properties within a Historic District will be allowed unless approved by the HPC in accordance with the standards set forth in this Section.

4. The HPC shall review the application, the staff report and hear evidence presented by the property owners, parties of interest and members of the general public to determine if the standards for demolition approval have been met. Demolition shall be approved if it is demonstrated that the application meets any one of the following criteria:

   a) The property has been determined by the City to be an imminent hazard to public safety and the owner/applicant is unable to make the needed repairs in a timely manner,

   b) The structure is not structurally sound despite evidence of the owner's efforts to properly maintain the structure,

   c) The structure cannot practically be moved to another appropriate location in Aspen or

   d) No documentation exists to support or demonstrate that the property has historic, architectural, archaeological, engineering or cultural significance and

Additionally, for approval to demolish, all of the following criteria must be met:

a) The structure does not contribute to the significance of the parcel or Historic District in which it is located and

b) The loss of the building, structure or object would not adversely affect the integrity of the Historic District or its historic, architectural or aesthetic relationship to adjacent designated properties and

c) Demolition of the structure will be inconsequential to the historic preservation needs of the area.

Relevant Historic Preservation Design Guidelines for review of this application:

1.1 All projects shall respect the historic development pattern or context of the block, neighborhood or district.

- Building footprint and location should reinforce the traditional patterns of the neighborhood.
- Allow for some porosity on a site. In a residential project, setback to setback development is typically uncharacteristic of the historic context. Do not design a project which leaves no useful open space visible from the street.

1.5 Maintain the historic hierarchy of spaces.

- Reflect the established progression of public to private spaces from the public sidewalk to a semi-public walkway, to a semi private entry feature, to private spaces.

1.6 Provide a simple walkway running perpendicular from the street to the front entry on residential projects.

- Meandering walkways are not allowed, except where it is needed to avoid a tree or is typical of the period of significance.
- Use paving materials that are similar to those used historically for the building style and install them in the manner that they would have been used historically. For example on an Aspen Victorian landmark set flagstone pavers in sand, rather than in concrete. Light grey concrete, brick or red sandstone are appropriate private walkway materials for most landmarks.
- The width of a new entry sidewalk should generally be three feet or less for residential properties. A wider sidewalk may be appropriate for an AspenModern property.

1.7 Provide positive open space within a project site.

- Ensure that open space on site is meaningful and consolidated into a few large spaces rather than many small unusable areas.
- Open space should be designed to support and complement the historic building.

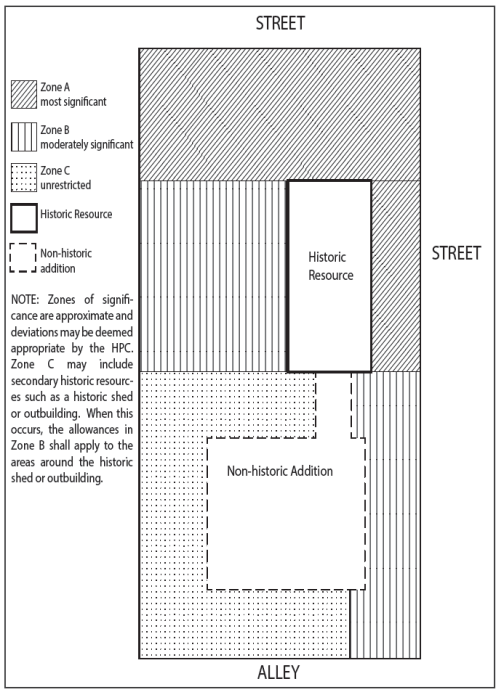
1.8 Consider stormwater quality needs early in the design process.

- When included in the initial planning for a project, stormwater quality facilities can be better integrated into the proposal. All landscape plans presented for HPC review must include at least a preliminary representation of the stormwater design. A more detailed design must be reviewed and approved by Planning and Engineering prior to building permit submittal.

- Site designs and stormwater management should provide positive drainage away from the historic landmark, preserve the use of natural drainage and treatment systems of the site, reduce the generation of additional stormwater runoff, and increase infiltration into the ground. Stormwater facilities and conveyances located in front of a landmark should have minimal visual impact when viewed from the public right of way.
- Refer to City Engineering for additional guidance and requirements.

1.12 Provide an appropriate context for historic structures. See diagram.

- Simplicity and restraint are required. Do not overplant a site, or install a landscape which is overtextured or overly complex in relationship to the historic resource, particularly in Zone A. In Zone A, new planting shall be species that were used historically or species of similar attributes.
- In areas immediately adjacent to the landmark, Zone A and Zone B, plants up 42" in height, sod, and low shrubs are often appropriate.
- Contemporary planting, walls and other features are not appropriate in Zone A. A more contemporary landscape may surround new development or be located in the rear of the property, in Zone C.
- Do not cover areas which were historically unpaved with hard surfaces, except for a limited patio where appropriate.
- Where residential structures are being adapted to commercial use, proposals to alter the landscape will be considered on a case-by-case basis. The residential nature of the building must be honored.
- In the case of a historic landmark lot split, careful consideration should be given so as not to over plant either property, or remove all evidence of the landscape characteristics from before the property was divided.
- Contemporary landscapes that highlight an AspenModern architectural style are encouraged.



2.1 Preserve original building materials.

- Do not remove siding that is in good condition or that can be repaired in place.
- Masonry features that define the overall historic character, such as walls, cornices, pediments, steps and foundations, should be preserved.
- Avoid rebuilding a major portion of an exterior wall that could be repaired in place. Reconstruction may result in a building which no longer retains its historic integrity.
- Original AspenModern materials may be replaced in kind if it has been determined that the weathering detracts from the original design intent or philosoph

3.1 Preserve the functional and decorative features of a historic window.

- Features important to the character of a window include its frame, sash, muntins/mullions, sills, heads, jambs, moldings, operations, and groupings of windows.
- Repair frames and sashes rather than replacing them.
- Preserve the original glass. If original Victorian era glass is broken, consider using restoration glass for the repair.

3.2 Preserve the position, number, and arrangement of historic windows in a building wall.

- Enclosing a historic window is inappropriate.
- Do not change the size of an original window opening.

4.1 Preserve historically significant doors.

- Maintain features important to the character of a historic doorway. These include the door, door frame, screen door, threshold, glass panes, paneling, hardware, detailing, transoms and flanking sidelights.
- Do not change the position and function of original front doors and primary entrances.
- If a secondary entrance must be sealed shut, any work that is done must be reversible so that the door can be used at a later time, if necessary. Also, keep the door in place, in its historic position.
- Previously enclosed original doors should be reopened when possible.

5.1 Preserve an original porch or balcony.

- Replace missing posts and railings when necessary. Match the original proportions, material and spacing of balusters.
- Expanding the size of a historic porch or balcony is inappropriate.

5.5 If new steps are to be added, construct them out of the same primary materials used on the original, and design them to be in scale with the porch or balcony.

- Steps should be located in the original location.
- Step width should relate to the scale of entry doors, spacing between posts, depth of deck, etc.
- Brick, red sandstone, grey concrete, or wood are appropriate materials for steps.

5.6 Avoid adding handrails or guardrails where they did not exist historically, particularly where visible from the street.

- If handrails or guardrails are needed according to building code, keep their design simple in character and different from the historic detailing on the porch or balcony.

6.1 Preserve significant architectural features.

- Repair only those features that are deteriorated.
- Patch, piece-in, splice, or consolidate to repair the existing materials, using recognized preservation methods whenever possible.
- On AspenModern properties, repair is preferred, however, it may be more important to preserve the integrity of the original design intent, such as crisp edges, rather than to retain heavily deteriorated materia

7.1 Preserve the original form of a roof.

- Do not alter the angle of a historic roof. Preserve the orientation and slope of the roof as seen from the street.
- Retain and repair original and decorative roof detailing.
- Where the original roof form has been altered, consider restoration.

7.2 Preserve the original eave depth.

- Overhangs contribute to the scale and detailing of a historic resource.
- AspenModern properties typically have very deep or extremely minimal overhangs that are key character defining features of the architectural style.

10.2 A more recent addition that is not historically significant may be removed.

- For Aspen Victorian properties, HPC generally relies on the 1904 Sanborn Fire Insurance maps to determine which portions of a building are historically significant and must be preserved.
- HPC may insist on the removal of non-historic construction that is considered to be detrimental to the historic resource in any case when preservation benefits or variations are being approved.

12.4 Minimize the visual impacts of utilitarian areas, such as mechanical equipment and trash storage.

- Place mechanical equipment on the ground where it can be screened.
- Mechanical equipment may only be mounted on a building on an alley façade.
- Rooftop mechanical equipment or vents must be grouped together to minimize their visual impact. Where rooftop units are visible, it may be appropriate to provide screening with materials that are compatible with those of the building itself. Use the smallest, low profile units available for the purpose.
- Window air conditioning units are not allowed.
- Minimize the visual impacts of utility connections and service boxes. Group them in a discrete location. Use pedestals when possible, rather than mounting on a historic building.
- Paint mechanical equipment in a neutral color to minimize their appearance by blending with their backgrounds
- In general, mechanical equipment should be vented through the roof, rather than a wall, in a manner that has the least visual impact possible.
- Avoid surface mounted conduit on historic structures.

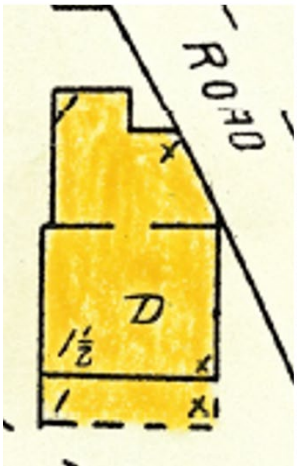
Staff Findings: Guidelines applicable to this review address Site Planning and Landscape, Building Materials, Windows, Doors, Porches, Architectural Details, Roofs and Building Relocation.

To develop this property as multi-family housing, the applicant proposes to site the historic resource prominently at a street intersection, free-standing and exposed to view/public enjoyment on all sides, and in a traditional landscaped setting abutted with grass, planting beds and outdoor living space. The only work before HPC is review of the relocation and siting of the historic structure, its immediate landscape, and any exterior alterations to the resource. New construction is to be reviewed via an administrative

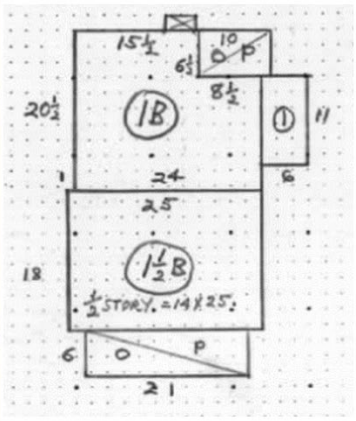
process. The site plan provided in the HPC packet indicates that new development will be fully detached from the historic resource and placed to the rear and side of it.

Staff finds the amount of unbuilt area in the form of front and side setbacks creates the site porosity called for in the design guidelines. In addition, the public right-of-way on the east side of the lot is to be converted from head in parking to a lawn with grass and street trees, which will restore a historic landscape condition that has been lost for many years.

The historic home was moved to this site from the corner of N. Monarch and E. Hallam in 1949. It is unclear when a porch was added to the rear of the house, then enclosed, perhaps when a small addition was made at the southwest corner of the building once the home was placed at 205 W. Main. The progression of the alterations is illustrated below. The applicant intends to demolish the non-historic construction on the west and retain the former porch, which may be historic materials.



1904 Sanborn Map of house in original location

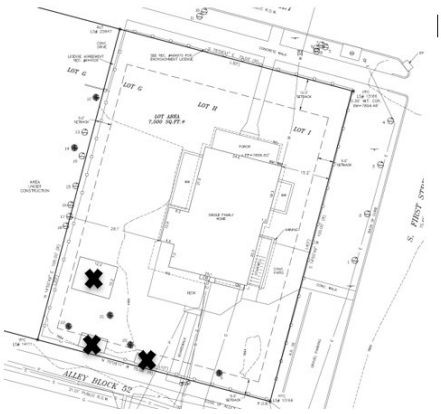


1979 drawing by Assessor. Note open porch at rear and one story side addition



Current plan. Rear porch was enclosed at some time. Applicant plans to remove all of the side addition

The applicant also proposes to demolish a group of small sheds on the site (shown below) that are pre-fabricated or roughly constructed and not related to the history of the subject resource, therefore have no significance and meet all criteria for removal. Staff supports this action.





Making no addition to the historic structure is in keeping with historic preservation goals to minimize alterations directly affecting to a historic resource, and is a threshold requirement for this review process. There are limited instances where this has been achieved in Aspen. The plan to program the historic resource as mandatory occupancy housing will also activate the historic resource in a way that HPC has valued in past discussions. No exterior changes, other than repair and restoration where possible, are proposed. Conditions of approval related to finalized preservation plans and sensitive placement of necessary features such as vents, flues and exterior lights are included in the resolution.

Staff finds that the relevant design guidelines and criteria are met, with conditions, and recommends HPC grant approval.

26.415.090.C. **Standards for the relocation of designated properties.** Relocation for a building, structure or object will be approved if it is determined that it meets any one of the following standards:

1. It is considered a noncontributing element of a historic district and its relocation will not affect the character of the historic district; or
2. It does not contribute to the overall character of the historic district or parcel on which it is located and its relocation will not have an adverse impact on the Historic District or property; or
3. The owner has obtained a certificate of economic hardship; or
4. The relocation activity is demonstrated to be an acceptable preservation method given the character and integrity of the building, structure or object and its move will not adversely affect the integrity of the Historic District in which it was originally located or diminish the historic, architectural or aesthetic relationships of adjacent designated properties; and

Additionally, for approval to relocate all of the following criteria must be met:

1. It has been determined that the building, structure or object is capable of withstanding the physical impacts of relocation;
2. An appropriate receiving site has been identified; and
3. An acceptable plan has been submitted providing for the safe relocation, repair and preservation of the building, structure or object including the provision of the necessary financial security.

Relevant Historic Preservation Design Guidelines for review of this application:

9.2 Proposals to relocate a building will be considered on a case-by-case basis.
- In general, on-site relocation has less of an impact on individual landmark structures than those in a historic district.
- In a district, where numerous adjacent historic structures may exist, the way that buildings were placed on the site historically, and the open yards visible from the street are characteristics that should be respected in new development.
- Provide a figure ground study of the surrounding parcels to demonstrate the effects of a building relocation.
- In some cases, the historic significance of the structure, the context of the site, the construction technique, and the architectural style may make on-site relocation too impactful to be appropriate. It must be demonstrated that on-site relocation is the best preservation alternative in order for approval to be granted.
- If relocation would result in the need to reconstruct a substantial area of the original exterior surface of the building above grade, it is not an appropriate preservation option.

9.3 Site a relocated structure in a position similar to its historic orientation.
- It must face the same direction and have a relatively similar setback. In general, a forward movement, rather than a lateral movement is preferred. HPC will consider setback variations where appropriate.
- A primary structure may not be moved to the rear of the parcel to accommodate a new building in front of it.

- Be aware of potential restrictions against locating buildings too close to mature trees. Consult with the City Forester early in the design process. Do not relocate a building so that it becomes obscured by trees.

9.4 Position a relocated structure at its historic elevation above grade.

- Raising the finished floor of the building slightly above its original elevation is acceptable if needed to address drainage issues. A substantial change in position relative to grade is inappropriate.
- Avoid making design decisions that require code related alterations which could have been avoided. In particular, consider how the relationship to grade could result in non-historic guardrails, etc.

9.5 A new foundation shall appear similar in design and materials to the historic foundation.

- On modest structures, a simple foundation is appropriate. Constructing a stone foundation on a miner's cottage where there is no evidence that one existed historically is out of character and is not allowed.
- Exposed concrete or painted metal flashing are generally appropriate.
- Where a stone or brick foundation existed historically, it must be replicated, ideally using stone salvaged from the original foundation as a veneer. The replacement must be similar in the cut of the stone and design of the mortar joints.
- New AspenModern foundations shall be handled on a case by case basis to ensure preservation of the design intent.

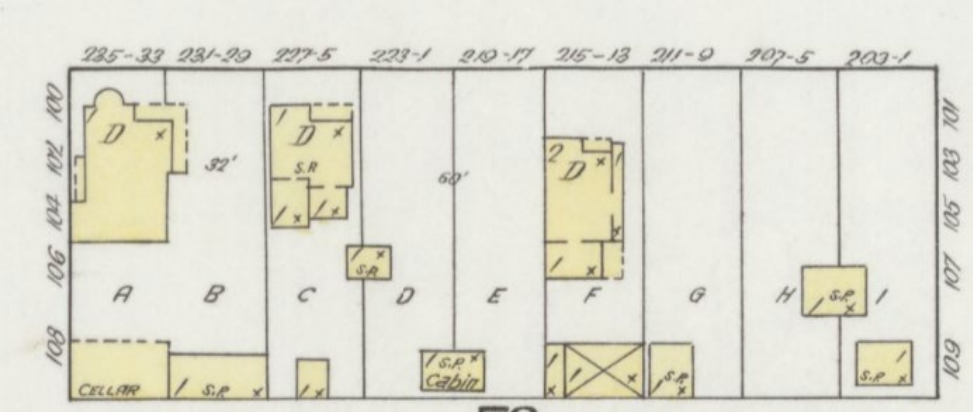
9.6 Minimize the visual impact of lightwells.

- The size of any lightwell that faces a street should be minimized.
- Lightwells must be placed so that they are not immediately adjacent to character defining features, such as front porches.
- Lightwells must be protected with a flat grate, rather than a railing or may not be visible from a street.
- Lightwells that face a street must abut the building foundation and generally may not "float" in the landscape except where they are screened, or on an AspenModern site.

9.7 All relocations of designated structures shall be performed by contractors who specialize in moving historic buildings, or can document adequate experience in successfully relocating such buildings.

- The specific methodology to be used in relocating the structure must be approved by the HPC.
- During the relocation process, panels must be mounted on the exterior of the building to protect existing openings and historic glass. Special care shall be taken to keep from damaging door and window frames and sashes in the process of covering the openings. Significant architectural details may need to be removed and securely stored until restoration.
- The structure is expected to be stored on its original site during the construction process. Proposals for temporary storage on a different parcel will be considered on a case by case basis and may require special conditions of approval.
- A historic resource may not be relocated outside of the City of Aspen.

Staff Findings: The applicant proposes relocation of the existing structure to the front and east setback lines. No variations are requested. The home was relocated to this property from the West End around 1949. Because the house wasn't built on this property, it's positioning on the subject lot can be adjusted without impact to individual integrity, however the patterns of the historic district should be considered. That said, the subject site was only minimally developed in the Victorian era (see lots G, H, and I below) in 1893. By 1904 even these structures were gone. The only original historic house remaining on this blockface is 211 W. Main, pictured on Lot F below. Staff finds that the proposed re-positioning of 205 W. Main does not diminish any historic relationships between adjacent properties.



Staff finds that the proposed on-site relocation of this home is an appropriate preservation outcome because it will provide separation between the historic resource and any future new construction, and will improve the visibility of the historic structure.

The proposed relationship to grade is consistent with the current condition and appears to expose only a minimal foundation. The above grade foundation will be clad with painted metal, a typical detail approved by HPC.

The applicant has restudied and greatly reduced the size of individual lightwells proposed on the west side of the resource, even improving the existing condition seen below.



The applicant has provided their architect's preliminary finding that the historic resource can be safely relocated. Standard conditions of approval regarding confirmation of building movability from an engineer, specific relocation techniques proposed by the housemover, and a security to be held by the City during construction are included in the resolution.

Staff finds that the relocation criteria are met and recommends HPC grant approval.

26.470.090.D.3 Review of 100% Affordable Housing Development on Designated Sites Containing a Historic Resource where the Historic Resource is fully detached from all new construction, and all non-historic additions are to be removed, and no new addition will be made to the historic resource, and all new construction taller than one story is distanced at least 10 feet from the historic resource on all sides.

Development of these properties, when the use is 100% affordable housing, shall be subject to a one step review by the Historic Preservation Commission, for compliance with Section 26.415.070.C, Certificate of appropriateness for a minor development (demolition of non-historic additions and all work directly affecting the historic resource); and Section 26.415.090 Relocation of designated historic properties. All City of Aspen Historic Preservation Design Guidelines applicable to work affecting the historic resource shall apply in addition to the following criteria:

a. HPC may not deny Relocation, but shall determine a siting for the historic structure that best meets the City of Aspen Historic Preservation Design Guidelines while accommodating the allowed development rights for the property. A Conceptual site plan representing the full project must be provided to assist in this review.

   Staff Response: As stated in Exhibit A.2, staff finds the proposed relocation to highlight the resource on the property. Preserving the home as a detached structure with no additions is a successful outcome. The home is not original to the property and therefore its current setbacks do not tell the story of the Victorian era development of the building or Main Street.

b. HPC may grant approval for the historic resource only to be located in the side, rear and front setbacks per Section 26.415.110.C.1.a, Variations. New construction is not permitted to be located in a setback. HPC may allow the new structure to provide no less than six (6) feet as the minimum distance requirement between buildings per Section 26.415.110.C.1.b. Where the historic resource is one story in height, this reduction is only permissible if the new construction permitted to be within six (6) feet of the resource is one story in height for at least ten (10) feet in depth.

   Staff Response: No setback variations are requested.

c. The application must include a detailed summary, in consultation with the Historic Preservation Officer, of all necessary repairs to historic fabric that will be completed during construction including exterior materials, doors and windows. The summary must also identify all opportunities to restore an element of the historic resource to an earlier condition that can be documented through photographs or physical inspection. HPC will prioritize and require up to three (3) of these to be completed during construction. Examples include: re-opening of an enclosed porch, restoration of the original design of a street facing window, and restoration of missing details such as decorative porch trim.

   Staff Response: To date, no specific restoration opportunities have been identified as the resource appears to have few alterations. All historic materials will be identified with staff and are required to be preserved as a condition of approval. An inspection of the interior of the structure after finishes are removed will be required and may identify additional restoration opportunities, up to three of which may be required.

d. As applicable, site development shall be designed so that:

1. A front walkway to the historic resource shall be no wider than the minimum requirement for accessibility, shall run directly from the street to the door unless necessary to avoid a preserved tree, and shall be gray concrete, brick, rectilinear stone or flagstone, to be determined by HPC.
2. Stormwater facilities and conveyances shall be demonstrated to fully integrated with the surrounding landscape palette when viewed from the public right of way.
3. The perimeter of the historic resource shall be entirely bordered by a gravel or small diameter rock planting strip one (1) foot in width to protect from the impacts of landscape planting and watering. No plant material around the historic resource shall have an identified mature height taller than forty-two inches (42”), other than one shrub or tree, placed with the mature size of the species in mind. No hardscape, other than a front walkway, shall be permitted in street-facing yards around the historic resource.
4. Perimeter fences which are considered part of the historic significance of a site shall be retained and repaired and cannot be moved, removed, or inappropriately altered.
5. Any new fence between the historic resource and the street shall be no more than forty-two inches (42”) in height and shall have no less than a solid to void ratio of fifty-percent (50%).

Staff Response: Staff finds these criteria met with conditions included in the restolution, such as a condition of approval that the front walkway shall be gray concrete, brick or rectilinear stone.

Though additional stormwater design development is needed, the application represents no visible stormwater features surrounding the resource, which is a condition of approval.

The application includes the required maintenance border.

The application does not represent a fence, and no historically significant fence exists on the property. If a fence is proposed when this project is developed, the design must be reviewed and approved by staff and monitor and any new fence between the historic resource and the street shall be no more than forty-two inches (42”) in height and shall have no less than a solid to void ratio of fifty-percent (50%).

HAAS LAND PLANNING, LLC
420 E. MAIN STREET, SUITE 220, ASPEN, CO 81611
(970) 309-2773 – MITCH@HLPASPEN.COM

June 2, 2023

Aspen Historic Preservation Commission
c/o Amy Simon, Planning Director
Aspen County Community Development
427 Rio Grande Place, Main Floor
Aspen, CO 81611

RE: Update and Addendum to Proposed On-Site Relocation Application for 205 West Main Street, Aspen, CO

Dear Amy and Historic Preservation Commissioners:

Per staff's direction, the Applicant provides below responses to applicable HPC Design Guidelines and standards, as well as the staff-recommended conditions received in the April 26th, 2023, meeting. The attached plans are referenced in and supplement the narratives provided below.

A. Provide additional information for Guideline 1.1:
All projects shall respect the historic development pattern or context of the block, neighborhood or district.
1. Building footprint and location should reinforce the traditional patterns of the neighborhood.
2. Allow for some porosity on a site. In a residential project, setback to setback development is typically uncharacteristic of the historic context. Do not design a project which leaves no useful open space visible from the street.

B. Applicant Response to Guideline 1.1:

In properly balancing the City's goals relative to historic preservation and the development of affordable housing, the Applicant proposes to locate the restored historic resource prominently at the junction of the minimum front and side yard setback lines closest to the street intersection. Once the non-historic additions have been removed, the relocated and restored resource will be free-standing and exposed to view/public enjoyment on all sides. A simple, traditional landscaped setting will be provided with gravel around building foundation exposures, which exposures will be clad in metal to be reviewed and approved by staff and monitor. Grass, planting beds, and outdoor living spaces will abut

the gravel foundation surround. The walkway to the front porch and entrance will be a simple straight form of approximately 3-feet in width.

At the request of the HPC, the Applicant team has completed an extensive study of front yard setbacks on the subject block, on the neighboring properties of the Mixed-Use Zone District, and throughout the Main Street Historic District (MSHD). The study included an on-the-ground survey of building locations along with a review of the GIS survey. This provided the team an accurate understanding of the observed setback from the Main Street curbline, as property lines are not easily identifiable in real world conditions. The findings of these studies have illustrated a variable pattern along the length of Main Street and no single "urban corridor" type setback created due to uniform facades. Of particular observance, buildings on corner lots without grandfathered head-in parking are located close to the right-of-way and holding the corner of the lots. In the instance of the head-in-parking, these buildings tend to be as close to the right of way beyond the depth of the parking areas as practicable.

Furthermore, the setbacks context study clearly demonstrates that the proposed relocation provides a setback that is highly consistent with that of the adjacent historic resource. The two building faces, exclusive of front porches, would have a distance from the curbline that is only 4-inches different, with the adjacent resource being 29'-10" from the curbline and the proposed relocation setting the subject asset's building face at 29'-6" from the curbline. Zooming a bit further out into the site context, the study shows that the proposed relocation complies fully with the City's codified "Build-to Requirement" (Code Section 26.410.030.B.3, Residential Design Standards) by placing 100% of the historic building façade within 5-feet of the minimum yard setback line along both street frontages. In fact, as the context study shows, the proposed relocation is within 2- or 3-feet of the average front yard setback for all existing structures along the south side of Main Street's 100-400 blocks. That average setback line would run more or less through the center of the relocated asset's front porch. In short, the proposed relocation plan is absolutely consistent with the surrounding neighborhood and Main Street Historic District context, and through that lens, a far more appropriate building placement than the location to which this asset was originally relocated.

The proposed on-site relocation respects the historic development pattern and context of the block and the MSHD. The asset is not original to the site or to the MSHD, and its location on the property has diminished its potential contribution to the District. That is, while on a corner lot, the asset is a relatively small structure that has resided too far back from the Main Street sidewalk to provide any real prominence, detracting from the maximum potential contribution the asset can and should make to the historic character of the District. The proposed relocation will reinforce the traditional patterns of street-front orientation in the MSHD by enhancing the orientations of the front porch and primary facades

relative to and parallel to Main Street and South First Street. Despite its small size, the move of approximately fifteen feet to the northeast will appropriately increase the contribution of this resource by having it prominently anchor the corner.

It is understood that the proposed relocation is intended to accommodate a future application for the development of separate affordable housing structures while harmonizing with the character of the MSHD. The best and most certain way of ensuring maximum porosity on the site is to locate the asset as far into the northeast corner of the property as practicable. Doing so inherently leaves the most possible room for separation from any new structures, thereby maximizing potential porosity around the west and south sides of the asset. The presence of the property lines, minimum setback requirements, and contiguous public rights-of-way serve to ensure that no new development occurs on the north or east sides of the resource.

In addition, the Applicant will restore the traditional streetscape along South First Street by removing the inappropriate head-in parking for replacement with a parkway strip that will include street trees, a detached sidewalk, and simple but beautifying and low-height landscaping between the sidewalk and the historic resource. With the proposed relocation, the Applicant will provide an above-grade separation distance of not less than 10-feet between the historic asset and any detached structures to be developed on the site.

C. Provide additional information for Guideline 9.2:

Proposals to relocate a building will be considered on a case-by-case basis.
1. In general, on-site relocation has less of an impact on individual landmark structures than those in a historic district.
2. In a district, where numerous adjacent historic structures may exist, the way that buildings were placed on the site historically, and the open yards visible from the street are characteristics that should be respected in new development.
3. Provide a figure ground study of the surrounding parcels to demonstrate the effects of a building relocation.
4. In some cases, the historic significance of the structure, the context of the site, the construction technique, and the architectural style may make on-site relocation too impactful to be appropriate. It must be demonstrated that on-site relocation is the best preservation alternative in order for approval to be granted.
5. If relocation would result in the need to reconstruct a substantial area of the original exterior surface of the building above grade, it is not an appropriate preservation option.

D. Applicant Response to Guideline 9.2:

It is important to remember when reading this Guideline that the Code provides that denial of the proposed relocation is not an option. The only question is whether the proposed location on the site is appropriate for the asset, or whether the relocation should be to a different place on the site. At the subject property, the proposed relocation is consistent with both the zoning (i.e., no variations

needed) and the way buildings were placed historically. Because the house was not built on this property but was moved here from a different site, its positioning on the subject lot is not historically significant and can be adjusted without impact to integrity of the asset.

The proposed location at the intersection of the front and east side yard setback lines ensures maximization of open yards visible from the street once the planned buildout of affordable housing on the site is factored in. Placing the historic resource prominently at the corner to anchor the block will serve to enhance the historic character of the block and its place within the District.

While this individual historic structure resides within the MSHD, it is original to neither the site nor the District. In fact, the entire lot was vacant in 1904, and the only original historic house remaining on this block face is 211 West Main Street, which resides next door to the west. Said house remains the only structure immediately adjacent to the subject corner lot and is currently undergoing a renovation and addition to the side and rear portions of the house. Despite the renovations, the historic portion of the 211 West Main house is quite obscured by trees in the front yard. The existing landscaping of the 211 West Main Street property diminishes any historic context or relationship formed by the between the structures on the two properties. Nonetheless, the recently completed setbacks context study clearly demonstrates that the proposed relocation provides a setback that is highly consistent with that of the adjacent historic resource. The two building faces, exclusive of front porches, would have a distance from the curbline that is only 4-inches different, with the adjacent resource being 29'-10" from the curbline and the proposed relocation setting the subject asset's building face at 29'-6" from the curbline. It is likely for these reasons that staff found in their April 26, 2023 memo to the HPC that "*the proposed re-positioning of 205 W. Main does not diminish any historic relationship between adjacent properties.*"

Similarly, staff found that "*the proposed on-site relocation is an appropriate preservation outcome because it will provide [maximum] separation between the historic resource and any future new construction, and will improve the visibility of the historic structure.*" The Applicants fully concur with this staff finding and the finding cited in the previous paragraph, both of which demonstrate consistency with Guideline 9.2 and the codified standards for review of an on-site relocation.

Additionally, as the context study shows, the proposed relocation is within 2- or 3-feet of the average front yard setback for all existing structures along the south side of Main Street's 100-400 blocks. That average setback line would run more or less through the center of the relocated asset's front porch. In short, the proposed relocation plan is absolutely consistent with the surrounding neighborhood and Main Street Historic District context, and through that lens, a far more appropriate building placement than the location to which this asset was originally relocated.

E. Provide additional information for Guideline 1.8:

Consider stormwater quality needs early in the design process.

1. When included in the initial planning for a project, stormwater quality facilities can be better integrated into the proposal. All landscape plans presented for HPC review must include at least a preliminary representation of the stormwater design. A more detailed design must be reviewed and approved by Planning and Engineering prior to building permit submittal.

2. Site designs and stormwater management should provide positive drainage away from the historic landmark, preserve the use of natural drainage and treatment systems of the site, reduce the generation of additional stormwater runoff, and increase infiltration into the ground. Stormwater facilities and conveyances located in front of a landmark should have minimal visual impact when viewed from the public right of way.

3. Refer to City Engineering for additional guidance and requirements.

F. Applicant Response to Guideline 1.8:

The proposed relocation leaves more than ample lot area available for the accommodation of stormwater quality needs. In fact, the current proposal will decrease the amount of impermeable surface on the property through the removal of the non-historic additions and outbuildings. Any further stormwater design planning would be premature at this time.

Instead, when the subsequent administrative review application for the development of additional affordable housing on the lot is prepared, preliminary stormwater quality needs and management improvements will be included in the design submissions. The Applicant understands the goals of ensuring that stormwater management practices appropriately ensure protection of the historic resource while meeting City engineering requirements. Preemptive and thorough feasibility reviews have been conducted by the Applicant's Civil Engineer in coordination with the Engineering Department to verify the ability to meet the guidelines. During that administrative review process, the Applicant will work with staff and the HPC monitor/chair to ensure proper execution of the stormwater management designs in accordance with Guideline 1.8.2.

G. Responses to Conditions of Approval

1. The width of the front walkway and the wood step leading to the Victorian shall be narrowed to approximately three (3) feet. HPC is to determine whether the walkway is to be gray concrete, brick or rectilinear flagstone, and a sample of paving materials is to be reviewed and approved by staff and monitor.

Response: The walkway and step have been revised and are now shown and labeled as permeable pavers of approximately 3-feet in width. The Applicant is

amenable to HPC determining the walkway material and color with samples being provided to staff and monitor for approval prior to installation.

2. Landscaping is to be simplified to avoid obstructing or damaging the resource. A revised plan shall be reviewed and approved by staff and monitor.

Response: The proposed landscape plan has been simplified and clarified to address the concerns of the previous staff memorandum and this recommended condition. As such, this condition is no longer necessary. If necessary to maintain the staff and monitor role in the eventual/final landscape design prior to building permit issuance, the Applicant is okay with that.

3. The historic house foundation exposed to view above finished grade is to be clad with metal flashing, with the detail to be approved by staff and monitor.

Response: This is shown and indicated/labeled on the "proposed" elevation drawings, rendering this condition unnecessary.

4. The footprint of the proposed lightwell at southwest corner of the Victorian shall be reduced or broken into two lightwells without negatively impacting the abutting living spaces. Lightwells around the historic resource shall be covered with grates, not railings. Lightwells and similar features abutting the historic structures shall have a curb height of six (6) inches or less to minimize visual and/or physical impacts to the historic resource.

Response: The proposed plans have been updated to pull the lightwell six inches farther to the south, be decreased in size, and broken into two smaller lightwells. The updated plans also include labels providing that lightwell curb heights will be of less than or equal to 6" and that the lightwells shall include metal grate coverings.

5. The non-historic west addition is approved to be removed from the historic structure and the void infilled with clapboards.

Response: This is shown and indicated/labeled on the "proposed" elevation drawings, rendering this condition unnecessary.

6. The pre-fabricated shed and trash enclosures are approved to be removed from the site.

Response: Condition acknowledged.

7. The applicant has committed to retain and repair all exterior materials based on field inspection with historic preservation staff, and at the same inspection must work with historic preservation staff to identify and up to three restoration actions that will be accomplished. An inspection of the interior of the structure after finishes are removed will be required to ensure accurate representation of the building's history, and may also generate opportunities for restoration (up to three total) that must be completed.

Response: We respectfully submit that this condition should be deleted. That is, we feel it is inappropriate to require that we identify three MORE restoration actions to be accomplished. Code Section 26.470.090.D.3.c. requires identification of three (3) opportunities for restoration and commitment to complete such restoration work. We have already commendably committed to more than the codified requirement of "up to three" restoration actions, and we are not even requesting any floor area bonuses or dimensional variations. For instance, the proposal includes: (1) removal of the inappropriate roof overhang addition from the southwest corner of the structure and restoring the affected areas; (2) removal of the non-historic deck attached to the rear of the asset; (3) removal of the inappropriate addition from the southwest side of the structure and restoring the affected areas; (4) elimination of the non-historic exterior stairway/area well from the side of the resource; (5) providing an improved, permanent foundation that will stabilize the resource without noticeably altering its height above grade; and (6) restoration of the streetscape of S. First Street. While the Applicant continues to represent a commitment to retaining and repairing all exterior materials based on field inspection with historic preservation staff, and to cooperating in identifying and achieving additional restoration efforts that may be identified during the construction process, the Applicant is not comfortable putting a minimum number (i.e., 3, plus the 6 already proposed) of additional restoration opportunities that must be identified and accomplished. It is instead felt that the approval should recognize that the proposal already exceeds the codified requirement that "up to three (3)" restoration efforts be completed during construction.

8. Stormwater management cannot be fully detailed until after the additional allowances on this site are verified, however the site plan represents no visible stormwater features on the subject site surrounding the resource, which is a condition of approval. A fully developed stormwater management plan shall be provided in the application for Administrative Review.

Response: The language of this condition should be slightly revised to recognize that the Administrative Review application will not include a "fully developed" stormwater management plan. Instead, a complete and fully developed plan will be provided with the building permit application, as appropriate. The Administrative Review application will include a conceptual drainage study and stormwater management plan, including identification and depiction of proposed stormwater management facilities.

9. Any new fence between the historic resource and the street shall be no more than forty-two inches (42") in height and shall have no less than a solid to void ratio of fifty-percent (50%).

Response: Condition acknowledged.

10. Once mechanical systems are designed, the architect must provide elevations and a roof plan of the historic resource identifying the location of all vents,

flues, FDC and strobe, and mechanical equipment for review and approval by staff and monitor. Avoid damage to historic materials and visually intrusive locations.

Response: Condition acknowledged.

11. Provide cut sheets of all exterior light fixtures for review and approval by staff and monitor.

Response: Condition acknowledged.

12. To relocate the house on the site, the Applicant shall provide a financial security deposit of $30,000 at the time of permit issuance. The submission shall include details on how the relocation will occur. Upon making a determination that the home was successfully placed on the new foundation, staff shall return the deposit to the Applicant.

Response: Condition acknowledged.

The attached plans also include floor area diagrams provided in response to public comments made during the April 26, 2023, HPC meeting. The diagrams show there is clearly no "addition" being made to the historic structure. Instead, the structure will become smaller above-grade due to removal of the non-historic additions.

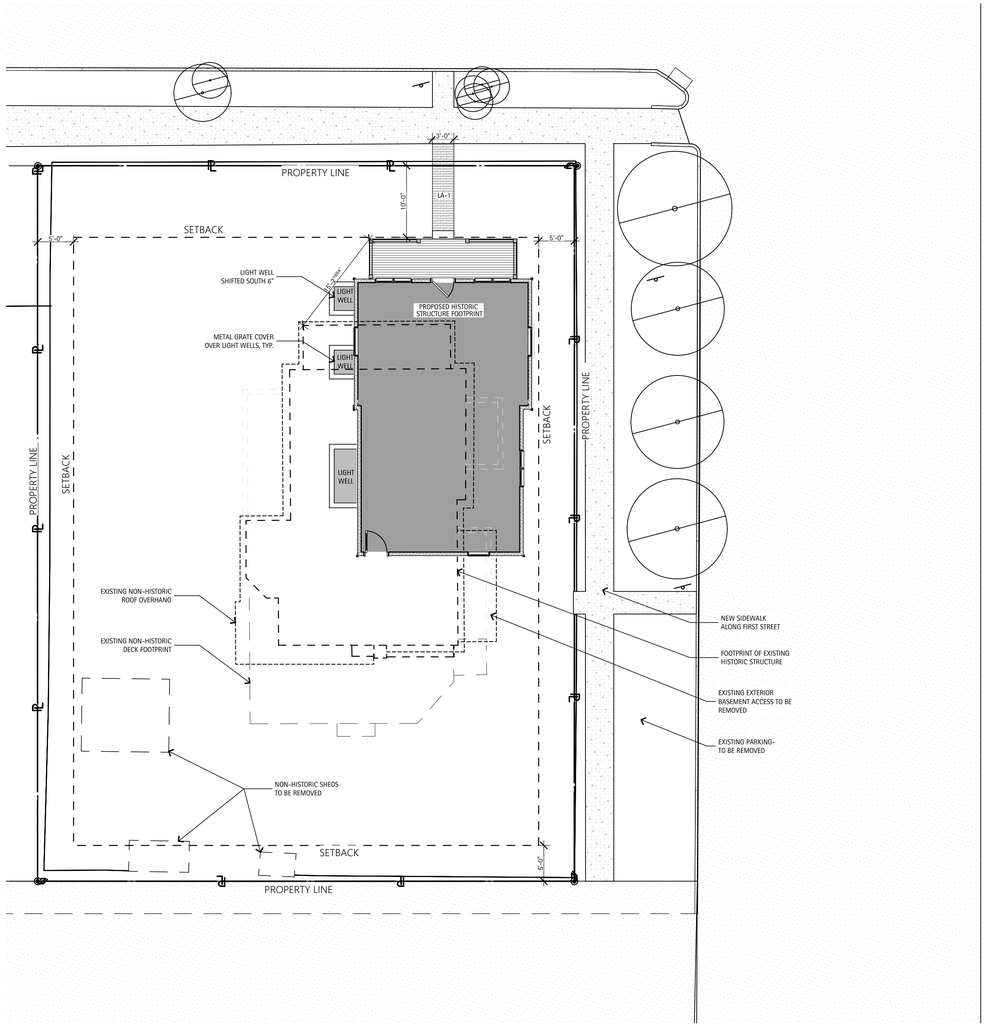
It is hoped that the provided information and responses prove helpful in the review of this application. If you should have any questions or desire any additional information, please do not hesitate to contact me.

Truly yours,
Haas Land Planning, LLC



Mitch Haas
Owner/Manager

LA-1 = 3' WIDE WALKWAY AND STAIR WILL BE GREY CONCRETE, BRICK, OR RECTILINEAR FLAGSTONE WITH SAMPLES TO BE APPROVED BY STAFF AND MONITOR PRIOR TO INSTALLATION



1 SITE PLAN | PROPOSED HISTORIC RELOCATION | 1:10

SCALE: 1" = 10'

N

0 5' 10' 20'

DAVID JOHNSTON ARCHITECTS PC

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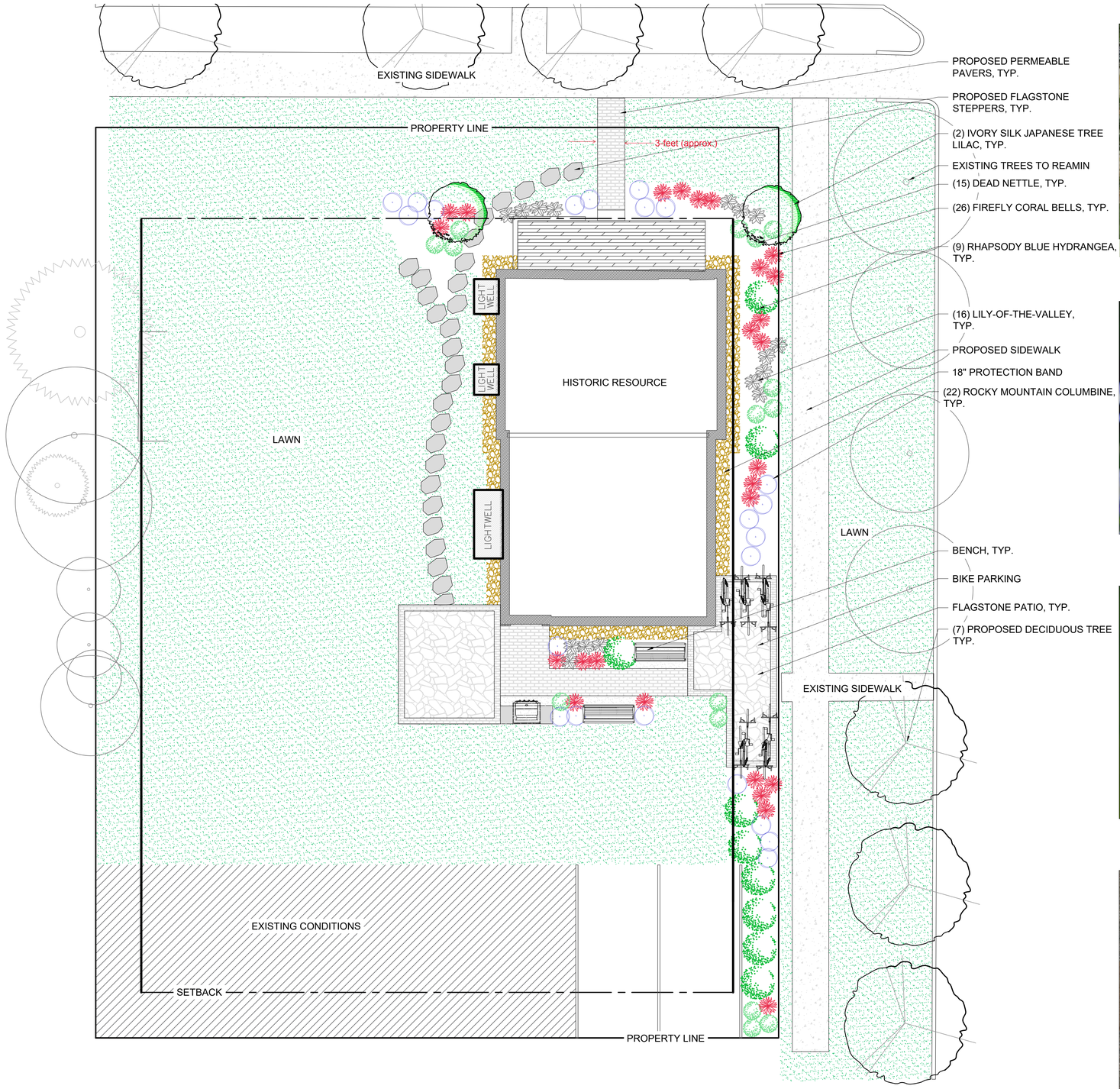
205 WEST MAIN
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DRAWING	ISSUE
DUE DILIGENCE	2021-08-26
CONCEPTUAL	2021-10-21
HPC OPTION B	2022-11-07
HPC-RELOCATION	2023-05-31

SITE PLAN | RELOCATION PLAN | 1:10

PROJECT No: 2125
DRAWN BY: CPF

Sheet No.
A1.03





IVORY SILK JAPANESE TREE LILAC



RHAPSODY BLUE HYDRANGEA



ROCKY MOUNTAIN COLUMBINE



FIREFLY CORAL BELLS



LILY -OF-THE-VALLEY



ORCHID FROST DEAD NETTLE



BELGARD PERMEABLE PAVER



FLAGSTONE STEPPERS & FLAGSTONE PATIO

NORTH

0' 3' 6' 12'

SCALE: 1"= 6'-0"

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landscape architecture . planning . resort design



MAIN STREET VICTORIAN

ADDRESS:
205 W. MAIN ST.
ASPEN, CO 81611

PARCEL #

DATE:
05.31.2023

ISSUE:
FOR PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

DRAWN BY: BAJ CHECKED BY: PSR

HISTORY:

DATE	ISSUE
04.20.2022	HPC
04.26.2023	HPC

DRAFT

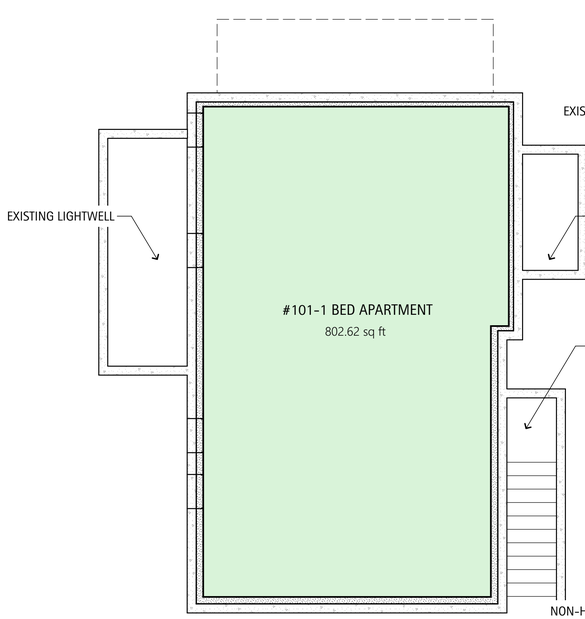
STAMP PER DISCIPLINE

PITKIN COUNTY STAMPS

SHEET TITLE:

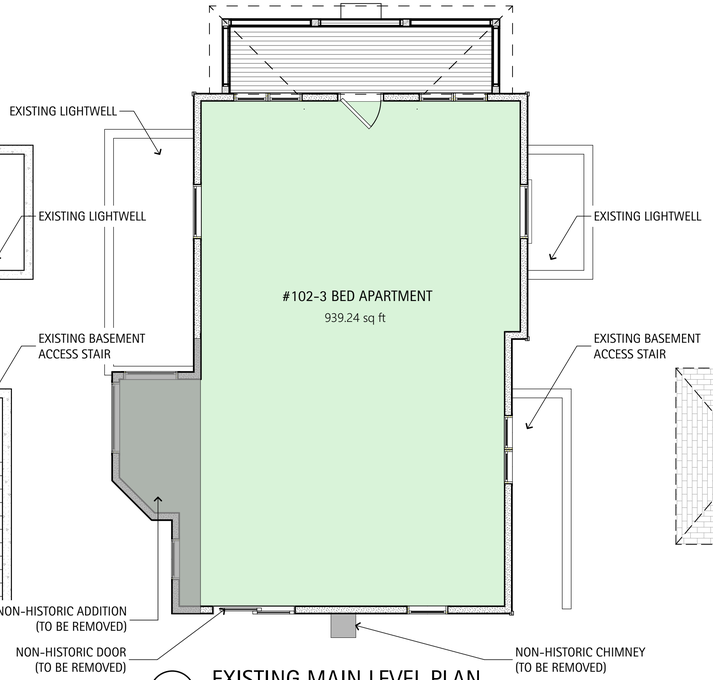
PRELIMINARY SCHEMATIC PLAN

L0.10



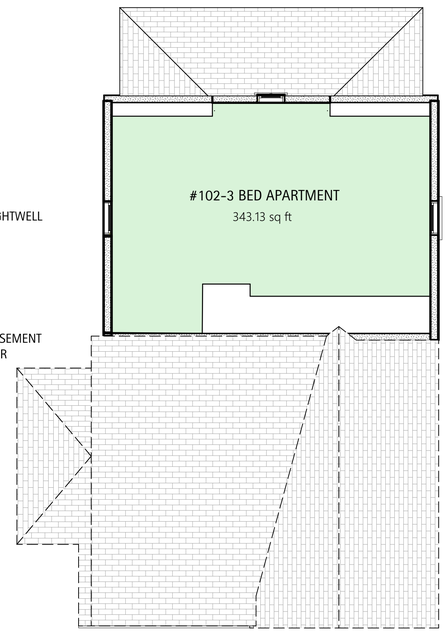
-1 EXISTING BASEMENT PLAN

SCALE: 3/16" = 1'-0"



1 EXISTING MAIN LEVEL PLAN

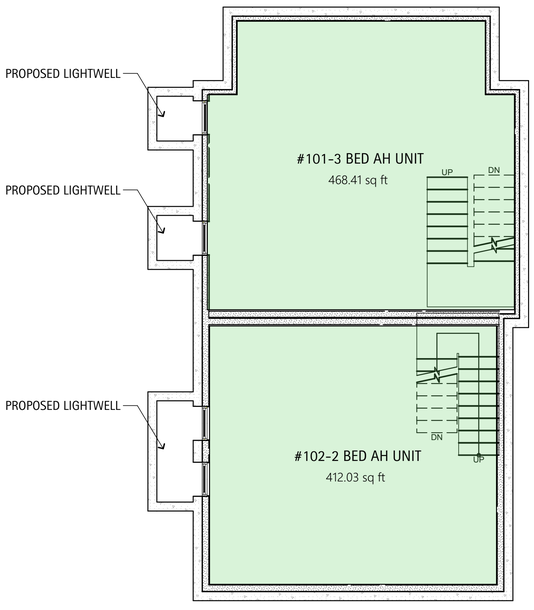
SCALE: 3/16" = 1'-0"



2 EXISTING UPPER LEVEL PLAN

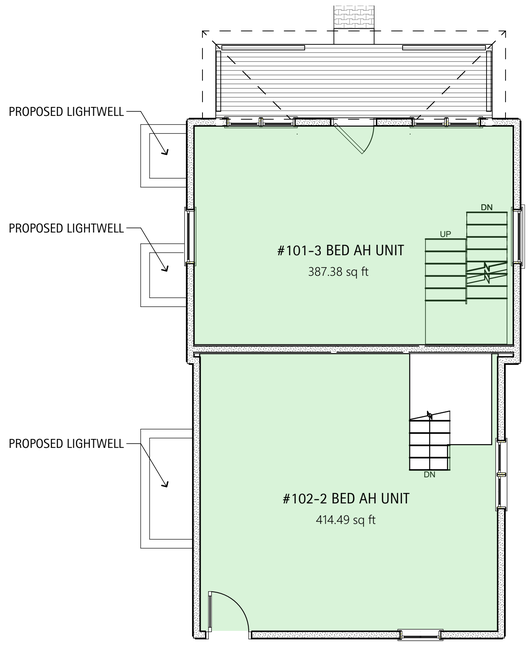
SCALE: 3/16" = 1'-0"

EXISTING VS. PROPOSED NET LIVABLE		
PLAN	LEVEL	AREA
EXISTING		
#101-1 BED APARTMENT	LOWER	802.62
#102-3 BED APARTMENT	MAIN LEVEL	939.24
#102-3 BED APARTMENT	SECOND LEVEL	343.13
		2,084.99 ft²
PROPOSED		
#101-3 BED AH UNIT	LOWER	468.41
#101-3 BED AH UNIT	MAIN LEVEL	387.38
#101-3 BED AH UNIT	SECOND LEVEL	267.03
#102-2 BED AH UNIT	LOWER	412.03
#102-2 BED AH UNIT	MAIN LEVEL	414.49
		1,949.34 ft²



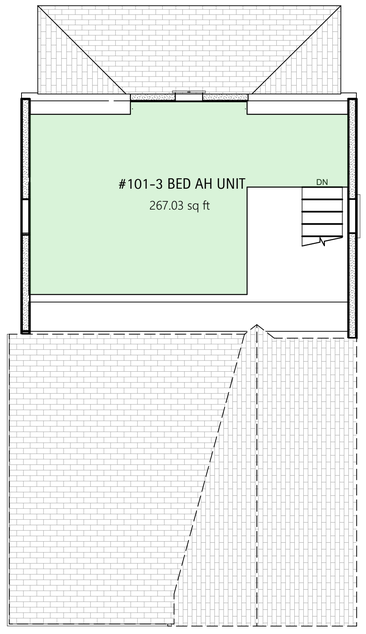
-1. PROPOSED BASEMENT PLAN

SCALE: 3/16" = 1'-0"



1 PROPOSED MAIN LEVEL PLAN

SCALE: 3/16" = 1'-0"



2 PROPOSED UPPER LEVEL PLAN

SCALE: 3/16" = 1'-0"

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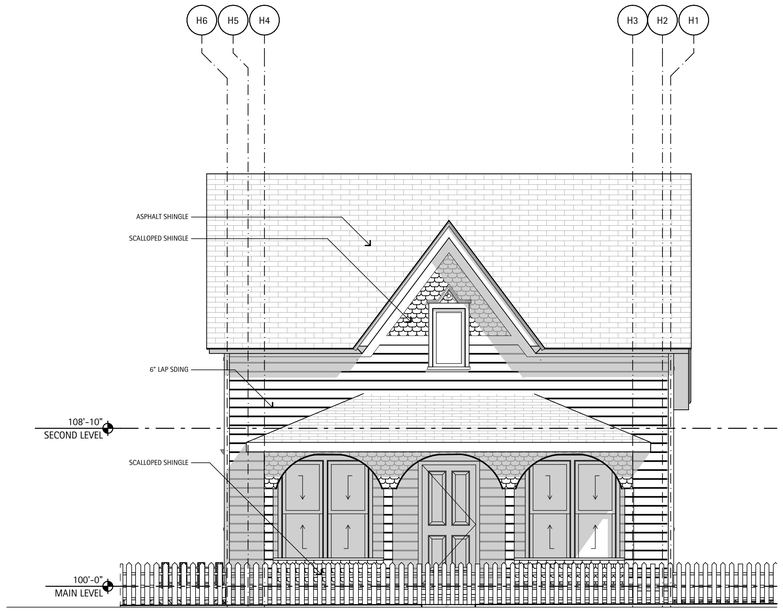
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FLOOR AREA

PROJECT No: 2125
DRAWN BY: CPF

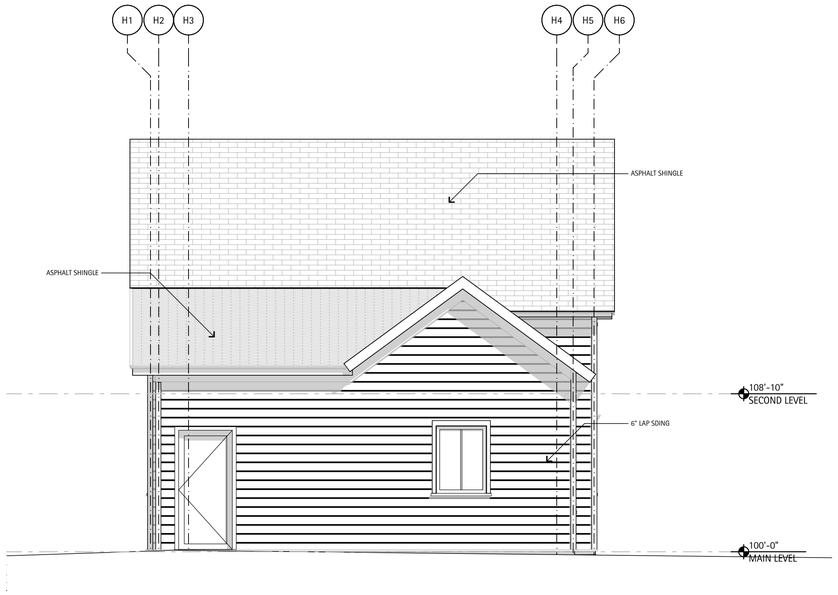
Sheet No.
A1.07



1 NORTH ELEVATION

SCALE: 1/4" = 1'-0"

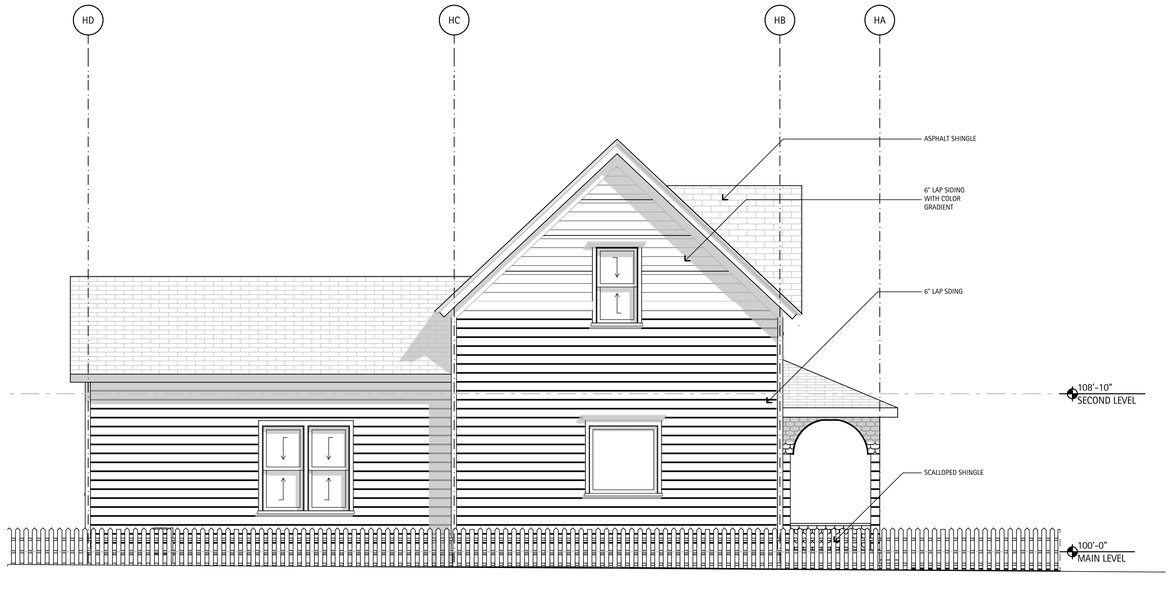
0 2' 4' 8'



3 SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

0 2' 4' 8'



2 EAST ELEVATION

SCALE: 1/4" = 1'-0"

0 2' 4' 8'

DAVID JOHNSTON
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ELEVATIONS

PROJECT No: 2125
DRAWN BY: CPF

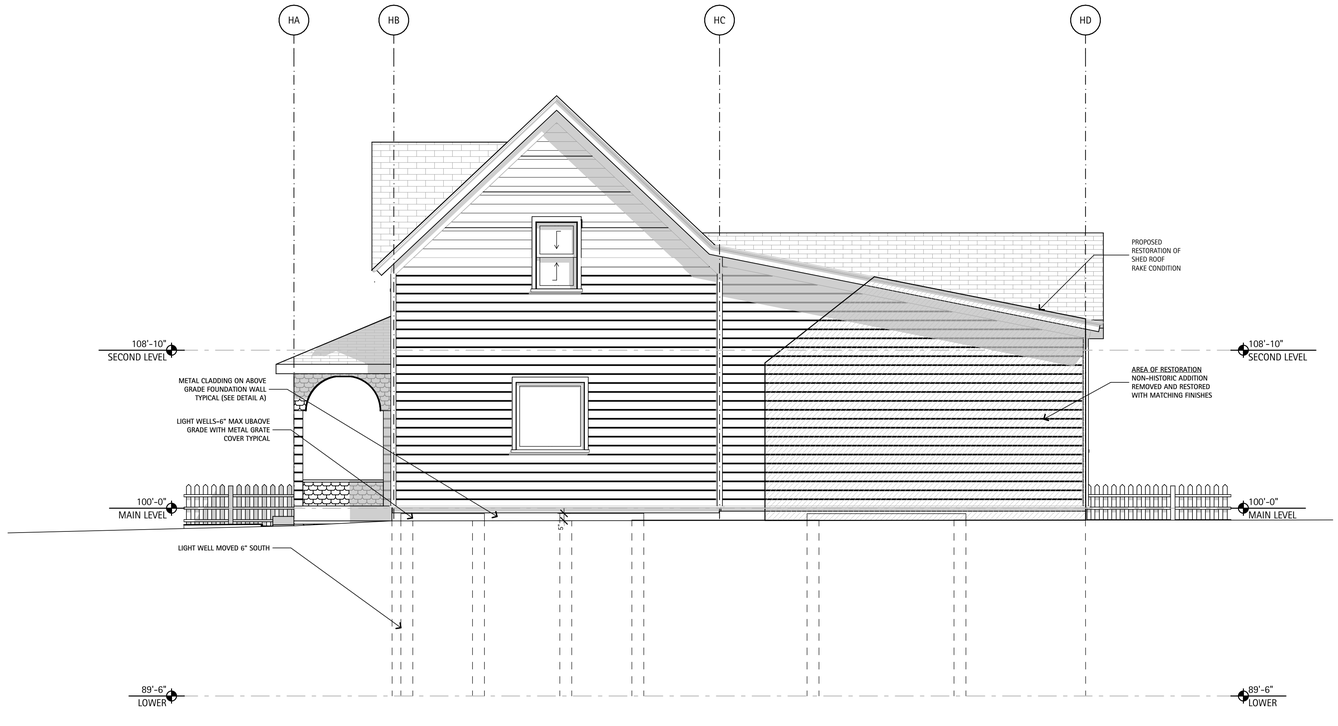
Sheet No.
A3.01



A WATER TABLE & METAL SKIRT DETAIL

SCALE: 1 1/2"= 1'-0"

0 6" 12" 18"



4 WEST ELEVATION

SCALE: 1/4" = 1'-0"

0 2' 4' 8'

DAVID JOHNSTON
ARCHITECTS PC

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HPC OPTION B	2022-11-07
HPC-RELOCATION	2023-05-31

ELEVATIONS

PROJECT No: 2125
DRAWN BY: CPF

Sheet No.
A3.02

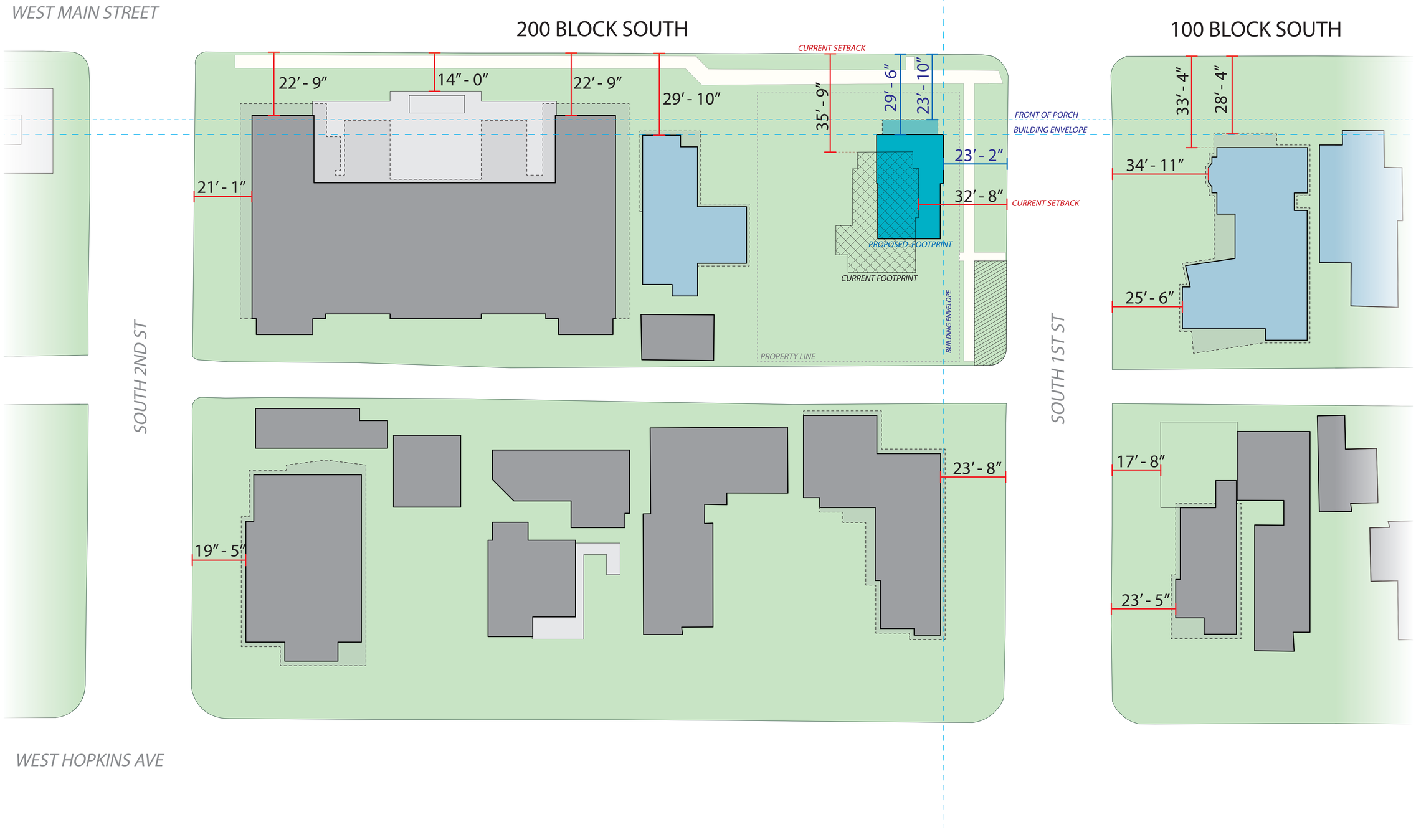
Scale In Feet

0 25 50 100

Main Street Setback Study

205 WEST MAIN

Current Distance From Curb
Proposed Distance From Curb
Proposed Setback Line
Overhang
Parking
Historic Structure



Main Street Setback Study

Scale In Feet

0 25 50 100 200

Current Distance From Curb
Proposed Distance From Curb
Proposed Setback Line
Overhang
Parking
Historic Structure

NORTH 3RD ST
NORTH 2ND ST
NORTH 1ST ST

24′ - 10″
42′ - 6″
35′ - 9″
42′ - 4″
37′ - 2″
42′ - 3″
34′ - 6″
74′ - 10″
44′ - 0″
44′ - 7″

300 BLOCK NORTH

25′ - 6″
21′ - 9″
16′ - 6″
17′ - 1″
12′ - 5″
23′ - 5″
24′ - 6″
23′ - 0″
23′ - 2″
22′ - 11″

200 BLOCK NORTH

20′ - 2″
21′ - 1″
24′ - 1″
20′ - 1″
25′ - 6″
29′ - 8″
34′ - 5″

100 BLOCK NORTH

WEST MAIN STREET

300 BLOCK SOUTH

37′ - 3″
31′ - 9″
20′ - 1″
22′ - 11″
23′ - 8″

200 BLOCK SOUTH

CURRENT SETBACK
PROPOSED SETBACK
22′ - 9″
14″ - 0″
22′ - 9″
29′ - 10″
35′ - 9″
23′ - 10″
21′ - 1″
23′ - 2″
PROPOSED SETBACK
32′ - 8″
CURRENT SETBACK
CURRENT FOOTPRINT
PROPERTY LINE

100 BLOCK SOUTH

33′ - 4″
28′ - 4″
34′ - 11″
25′ - 6″

SOUTH 3RD ST
SOUTH 2ND ST
SOUTH 1ST ST

19″ - 5″
23′ - 8″
17′ - 8″
23′ - 5″

WEST HOPKINS AVE

Scale In Feet

0 50 100 250 500

Main Street Setback Study

HISTORIC DISTRICT BLOCKS 100-700

Building Setback From Curb
Proposed Alignment
Average Setback (100-400 Block South)

Average Setback Distance From Curb
24' - 9"



Land Use Application

City of Aspen Historic Preservation Commission

16 March 2023

Location: 205 W. Main Street, Aspen, CO (PID# 273512454003)



An application for Relocation of an Historic Resource.

Planning Representation:

STAN CLAUSON ASSOCIATES INC
landscape architecture. planning. resort design

Architect:

DJA ARCHITECTS

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PROJECT OVERVIEW

This application is submitted on behalf of Conservation Housing Partners LLC (the "Applicant") for the property located at 205 W Main Street, Aspen, Colorado, PID# 273512454003 (the "Property"). The Property is a 7,500 square foot lot which contains a Victorian era single family home or miner's cottage with accessory dwelling unit. The home was constructed in 1890 and moved to its current location in 1949 from a location just outside the Aspen Townsite. The Property is zoned Mixed-Use (MU) and has landmark designation.

The building consists of 2,226 SF of residential floor area and incorporates two existing residential units, one free-market unit and one deed-restricted accessory dwelling unit. The eventual development of the property would include a 100% affordable residential development. Plans for that development are not fully available at this time.

The intent of this application is to relocate a historic residence that is currently more or less centered on its 7,500 square foot lot. The residence would be moved to a 3,000 square foot portion of the property. This location would feature the historic residence more prominently and provide a location that is more consistent with historic miner's cottages of this size.

The scope of work would include the demolition of a small non-historic addition at the southwest corner of the miner's cottage and re-positioning it on a new foundation at the northeast corner of the Property. A small non-historic shed on the Property would be removed as well. Basement window wells would be expanded to provide additional livability to the subgrade area. No window wells would be located in setbacks. Landscaping will be provided to screen these window wells from the street.

Code requirements, such as setback and height are all met by the proposed relocation. A small amount of additional floor area is added to the structure through the expansion of window wells. On the other hand, a small amount of floor area is removed through the removal of the non-historic addition. The result is a zero net gain in floor area. The window wells for the subgrade area do not increase the bulk and massing of the proposed relocation.

Given the proximity to the commercial core and it location within the Main Street Historic District, we believe that this relocation is uniquely situated to showcase the historic residence. The restoration and preservation of the historic miner's cottage at a prominent corner location preserves an important example of Aspen's historic built environment. The site will be well-landscaped in accordance with Historic Preservation Guidelines, with a protective surround for the historic resource.

Since the property currently consists of two and one-half Townsite lots, moving the historic residence to the area of an original single original Townsite lot is in keeping with the historic siting of these cottages. Streetscape improvements along First Street will include the elimination of an informal parking area currently in the City right-of-way and appropriate street tree plantings.

Sec. 26.415.070(c). - Development involving designated historic property or property within a historic district.

(d) Certificate of appropriateness for minor development.

(1) The review and decision on the issuance of a certificate of appropriateness for major development shall begin with a determination by the Community Development Director that the proposed project constitutes a minor development. A minor development includes one or more of the following activities:

- **a. Expansion or erection of a structure wherein the increase of the floor area of the structure is two hundred and fifty (250) square feet or less or**
- **b. Alterations to a building façade, windows, doors, roof planes or material, exterior wall materials, dormer porch, exterior staircase, balcony or ornamental trim when three (3) or fewer elements are affected and the work does not qualify for a certificate of no negative effect or**
- **c. Erection or installation of a combination or multiples of awning, canopies, mechanical equipment, fencing, signs, accessory features and other attachments to designated properties such that the cumulative impact does not allow for the issuance of a certificate of no negative effect;**
- **d. Alterations that are made to nonhistoric portions of a designated historic property that do not qualify for a certificate of no negative effect; or**
- **e. The erection of street furniture, signs, public art and other visible improvements within designated historic districts of a magnitude or in numbers such that the cumulative impact does not allow for the issuance of a certificate of no negative effect.**

This project meets the criteria for a minor development.

a. No net increase in floor area will result from the relocation. A slight increase in subgrade floor area resulting from expanded window wells will be offset by the removal of non-historic elements.

b. No alterations are proposed for the building façades or any other building elements as described in this subsection.

c. No additional elements such as awnings, canopies, etc. are proposed.

d. Removal of a non-historic addition to the resource will qualify for a certificate of no negative effect.

e. No street furniture, signs, public art or other visible improvements are proposed.

(2) An application for minor development shall include the following:

- **a. The general application information required in Section 26.304.030.**
- **b. Scaled elevations and/or drawings of the proposed work and its relationship to the designated historic buildings, structures, sites and features within its vicinity.**
- **c. An accurate representation of all building materials and finishes to be used in the development.**
- **d. Photographs and other exhibits, as needed, to accurately depict location, extent and design of proposed work.**
- **e. Verification that the proposal complies with Chapter 26.410, Residential design standards or a written request for a variance from any standard that is not being met.**

This application provides a relocation plan and other materials as specified in the Pre-Application Conference Summary dated 23 February 2023. No changes to existing

building materials or finishes are proposed. All residential design standards are met through this proposed relocation.

(3) The procedures for the review of minor development projects are as follows:

a. The Community Development Director will review the application materials and if they are determined to be complete, schedule a public hearing before the HPC. The subject property shall be posted pursuant to Paragraph 26.304.060(e)(3)b.

b. Staff shall review the submittal material and prepare a report that analyzes the project's conformance with the design guidelines and other applicable Land Use Code sections. This report will be transmitted to the HPC with relevant information on the proposed project and a recommendation to approve, disapprove or approve with conditions and the reasons for the recommendation. The HPC will review the application, the report and the evidence presented at the hearing to determine the project's conformance with the City Historic Preservation Design Guidelines.

c. The HPC shall approve, disapprove, approve with conditions or continue the application to obtain additional information necessary to make a decision to approve or deny. If the application is approved, the HPC shall issue a certificate of appropriateness and the Community Development Director shall issue a development order.

d. The HPC decision shall be final unless appealed by the applicant or a landowner within three hundred (300) feet of the subject property in accordance with the procedures set forth in Chapter 26.316.

The procedures for Relocation Review are understood. It is understood that review will be performed by the Historic Preservation Commission.

Chapter 26.415.090 Relocation of designated historic properties

The intent of this Chapter is to preserve designated historic properties in their original locations as much of their significance is embodied in their setting and physical relationship to their surroundings as well as their association with events and people with ties to particular site. However, it is recognized that occasionally the relocation of a property may be appropriate as it provides an alternative to demolition or because it only has a limited impact on the attributes that make it significant.

(a) Application. An application for relocation shall include:

(1) The general application information required in Section 26.304.030.

(2) A written description and/or graphic illustrations of the building, structure or object proposed for relocation.

(3) A written explanation of the type of relocation requested (temporary, on-site or off-site) and justification for the need for relocation.

(4) A written report from a licensed engineer or architect regarding the soundness of the building, structure or object, its ability to withstand the physical move and its rehabilitation needs, once relocated.

(5) A conceptual plan for the receiving site providing preliminary information on the property boundaries, existing improvements and site characteristics and the associated planned improvements.

(6) If the applicant does not own the receiving site, proof from the site's property owner of the willingness to accept the relocated building, structure or object.

(7) Evidence that the applicant has or is seeking the necessary approvals to place the building on the identified receiving site. If the site is outside of the city limits, verification that the building will be preserved on its new site through a formal action of the other jurisdiction or a preservation easement.

(8) Evidence of the financial ability to undertake the safe relocation, preservation and repair of the building, structure or object; site preparation and construction of necessary infrastructure through the posting of bonds or other financial measures deemed appropriate.

(9) Supplementary materials to provide an understanding of the larger context for the relocated property and its impact on adjacent properties, the neighborhood or streetscape.

Graphic illustrations of the building are provided with this application. The relocation will be on-site and provide for possible future development of the Property as affordable housing. Relocation will provide a permanent and improved foundation that will stabilize the historic resource. The architects attest to the soundness of the building and its ability to withstand a physical move and rehabilitation. The plan for the relocation is provided as part of this application. The receiving site is owned by the applicant and is within the jurisdiction of the City of Aspen. The applicant has the financial ability to undertake the safe relocation of the historic resource as well as carrying forward the other aspects of this application. Bonding or other financial instruments may be provided as stipulated in final approval for the project.

The proposed development is in conformance with all zoning parameters for the Mixed-Use zone district and is consistent with other development along Main Street.

(b) Procedures for the review of relocation request.

(1) The Community Development Director shall review the application materials submitted for relocation approval. If they are determined to be complete, the applicant will be notified in writing of this and a public hearing before the HPC shall be scheduled.
(2) Notice for the review of the relocation request shall include publication, posting and mailing pursuant to Section 26.304.060(e)(3) Paragraphs a, b and c.
(3) If the relocation request is part of a major development project, the Community Development Director may consolidate or modify the review process accordingly pursuant to Section 26.304.060(b).
(4) Staff shall review the submittal material and prepare a report that analyzes the project's conformance with the standards for relocation approval set forth below, the City Historic Preservation Design Guidelines and other applicable Land Use Code sections. This report will be transmitted to the HPC with relevant information on the proposed project and a recommendation to continue, approve, disapprove or approve with conditions and the reasons for the recommendation. The HPC will review the application, the report and the evidence presented at the hearing to determine if the standards for relocation have been met.
(5) The HPC shall approve, disapprove, approve with conditions or continue the application to obtain additional information necessary to make a decision to approve or deny.
(6) A resolution of the HPC action will be forwarded to the City Council in accordance with Section 26.415.120 and no relocation will occur until after the thirty (30) day "call up" period of the City Council has expired.

These procedures are understood and appropriate public notice will be provided by the Applicant.

(c) Standards for the relocation of designated properties. Relocation for a building, structure or object will be approved if it is determined that it meets any one of the following standards:

(1) It is considered a noncontributing element of a historic district and its relocation will not affect the character of the historic district; or
(2) It does not contribute to the overall character of the historic district or parcel on which it is located and its relocation will not have an adverse impact on the Historic District or property; or
(3) The owner has obtained a certificate of economic hardship; or

(4) The relocation activity is demonstrated to be an acceptable preservation method given the character and integrity of the building, structure or object and its move will not adversely affect the integrity of the Historic District in which it was originally located or diminish the historic, architectural or aesthetic relationships of adjacent designated properties; and

The relocation activity represents an acceptable preservation method given the character and integrity of the building. Its relocation will bring an historic resource into closer focus as a contributing element to the Main Street Historic District. The relocated property is a contributing element to the Main Street Historic District, but its relocation will not affect or detract from the character of the historic district. This standard has been met.

Additionally, for approval to relocate all of the following criteria must be met:

(1) It has been determined that the building, structure or object is capable of withstanding the physical impacts of relocation;
(2) An appropriate receiving site has been identified; and
(3) An acceptable plan has been submitted providing for the safe relocation, repair and preservation of the building, structure or object including the provision of the necessary financial security.

The architects have determined that the frame structure is capable of withstanding the physical impacts of relocation. The actual relocation site is very close to the structure's existing location. An appropriate plan is provided for the safe relocation, repair, and preservation of the building. Financial security will be provided as required.

(d) Procedures for considering request for relocation of properties under consideration for designation. While it is the intent of this Chapter to preserve properties of demonstrated significance, it is also recognized that all buildings and areas of importance to the general welfare, prosperity and civic pride of its citizenry cannot be identified, evaluated, documented and designated at one time. However, it is important to protect properties which potentially qualify for designation against needless loss until review and hearings can be completed.

(1) No relocation will be permitted for properties under consideration for designation to the Aspen Inventory of Historic Landmark Site and Structures unless relocation approval is issued by the Historic Preservation Commission or City Council.
(2) All properties under consideration for designation and, therefore, subject to the temporary stay of relocation will be identified on a list maintained by the Chief Building Official. Property owners will be notified by registered mail that their property is under consideration for designation and have an opportunity to review all materials compiled at that time to verify accuracy.
(3) These procedures shall apply to any building located within an area under preliminary application for designation from the time the application is filed until the time action is taken on the application by the City Council.
(4) If a public hearing to consider the application for designation is not held by the City Council within six (6) months of the initiation of the stay, the stay will expire. An additional six-month stay period may be approved by City Council in the form of a resolution, at a public hearing, with a showing of good cause.

The proposed relocation of a designated historic resource constitutes a minor application for review by the Historic Preservation Commission.

Sec. 26.710.180. Mixed Use (MU) Zone District

(a) Purpose. The Mixed Use (MU) zone serves as a transition from the more intense commercial areas of the CC and C-1 zones, and the residential and lodging zones surrounding Main Street. By allowing for a mix of commercial and residential uses and smaller-scale development, the Mixed Use zone reflects Aspen's historic character and provides different economic and residential opportunities from more traditional commercial zones. Particularly along Main Street, the Mixed Use zone serves as a buffer from the traffic of Highway 82 while allowing for smaller scale commercial and residential opportunities.

Buildings in the Mixed Use zone consist primarily of commercial, service and office uses on the ground floor, and residential and office uses on upper floors and off of the primary street frontage. Uses in the MU zone should not erode the character of the neighborhood or create excessive impacts to the surrounding residential and lodging zone. Standalone residential uses are permitted on properties as a reflection of the historic residential nature of the zone district.

(b) Permitted uses. The following uses are permitted as of right in the Mixed-Use (MU) Zone District:

(1) On historic landmark properties: Bed and breakfast.
(2) General retail uses.
(3) Specialty retail uses.
(4) Restaurant, bar and entertainment uses.
(5) Service uses.
(6) Office uses.
(7) Lodging.
(8) Arts, cultural, civic and community uses.
(9) Public uses.
(10) Recreational uses.
(11) (Academic uses.
(12) Affordable multi-family residential.
(13) Free-market multi-family housing is permitted in a mixed use building if the housing was legally established (having received a Certificate of Occupancy, Development Order, or applied for a Development Order) prior to Ordinance 29, Series 2016. No new Free-Market Residential Units may be established in mixed-use buildings.
(14) Free-market multi-family residential when a stand-alone use, or in conjunction with affordable multi-family residential.
(15) Single-family residence, Duplex residence, or two (2) detached single-family residences. Accessory dwelling unit in a separate building accessed off the rear of a lot as an accessory use.
(16) Home occupations.
(17) Accessory uses and structures.
(18) Storage accessory to a permitted use.
(19) Vacation rentals. Pursuant to Section 26.575.220.

The proposed relocation will not affect the current residential use of the building. Standalone residential uses are permitted as a reflection of the historic residential nature of the zone district.

(c) Conditional uses. The following uses are permitted as conditional uses in the Mixed-Use (MU) Zone District, subject to the standards and procedures established in Chapter 26.425:

(1) Commercial parking facility, pursuant to Chapter 26.515.
(2) Automobile showroom and dealership.
(3) Formula uses in the Main Street Historic District, subject to the provisions contained in Section 26.425.045.
(4) **Lodge, Boutique**.

Condition use approval is not required for this application.

(d) Dimensional requirements. The following dimensional requirements shall apply to all permitted and conditional uses in the Mixed-Use (MU) Zone District. The dimensional standards and allotments provided in this Section for commercial and mixed-use developments are the maximum allowable for the zone and may not be achieved for all developments. Site constraints, historic resources, on-site mitigation and replacement requirements, and other factors may prevent development from achieving some or all of the maximum allowable dimensional standards.

(1) Minimum Gross Lot Area (square feet): Three thousand (3,000).

The Property consists of a gross lot area of 7,500 SF, so this requirement is met. The relocation area would consist of an area equivalent to an original platted Townsite lot of 3,000 SF.

(2) Minimum Net Lot Area per dwelling unit (square feet):

a. Detached residential dwellings: Four thousand five hundred (4,500). Three thousand (3,000) for historic landmark properties.

b. Duplex dwellings (square feet): Four thousand five hundred (4,500). Three thousand (3,000) for historic landmark properties.

c. All other uses: Not applicable.

The minimum lot area requirement of 3,000 SF for a historic landmark is met.

(3) Minimum lot width (feet): Thirty (30).

This requirement is met. The lot width is seventy-five (75) feet.

(4) Minimum front yard setback (feet): Ten (10), which may be reduced to 5, pursuant to Special Review, Chapter 26.430.

(5) Minimum side yard setback (feet): Five (5).

(6) Minimum rear yard setback (feet): Five (5).

These requirements are met. No reductions are requested.

(7) Minimum utility/trash/recycle area: Pursuant to Chapter 12.06.

A trash/recycling area will be provided meeting all requirements of the Code.

(8) Maximum height:

a. Detached residential and duplex dwellings: Twenty-five (25) feet.

b. All other uses: Twenty-eight (28) feet.

No new construction is proposed that would increase the existing height of the residence, which meets the 28-foot height limit requirement.

(9) Minimum distance between buildings on the lot (feet): Ten (10).

Not applicable, as there are no other buildings on the site. Any future new construction would observe this requirement.

(10) Pedestrian amenity space: Pursuant to Section 26.412 .

Not applicable. Pedestrian amenity space is not required for a 100% residential project.

(11) Floor Area Ratio (FAR):

a. The following FAR schedule applies to uses cumulatively and individually when part of a commercial, lodging, or mixed-use development, as follows:

Use	Maximum *(allowed by right)*	Maximum by special review *(see Subsection 26.430.040(a))*	
		Main Street Historic District	**All Other Locations**
Cumulative total of all uses	1:1	1.25:1	1.5:1
Commercial	1:1	1.25:1	1.5:1
Civic	1:1	1.25:1	1.5:1
Lodging	0.75:1	1:1	1:1
Affordable Housing	No limitation other than cumulative total of all uses		

b. The following FAR schedule applies to affordable housing and free-market residential uses when developed as the only use of the parcel:

1. **Affordable Housing, multi-family housing: Limited to cumulative total outlined in Section 26.710.180(d)(11)a, above.**
2. **Free-market, affordable housing: 0.5:1, which may be increased to 0.75:1 if affordable housing floor area equal to one hundred percent (100%) of the free-market residential floor area is developed on the same parcel.**

For an affordable housing project, this 7,500 SF property would carry a maximum floor area ratio of 1:1 or 7,500 SF by right. With Special Review, as provided in the Land Use Code, the floor area ratio may be increased to 1.25:1. This would provide an allowable floor area of 9,587.5 SF.

However, the proposed floor area in this application is unchanged and no request for additional floor area is included here.

c. The following FAR schedule applies to single-family and duplex uses when developed as the only use of the parcel:

1. **Detached residential and duplex dwellings established prior to the adoption of Ordinance No. 7, Series of 2005: One hundred percent (100%) of the allowable floor area of an equivalent-sized lot located in the R-6 Zone District. (See R-6 Zone District.) Receipt of a development order shall constitute the date the use was established. Replacement after demolition shall not effect a new establishment date for the purposes of this Section. City historic transferable development rights shall not permit additional floor area for detached residential and duplex dwellings.**
2. **Detached residential and duplex dwellings established after the adoption of Ordinance No. 7, Series of 2005: Eighty percent (80%) of the allowable floor area of an equivalent-sized lot located in the R-6 Zone District. (See R-6 Zone District.) City historic transferable development rights shall not permit additional floor area for detached residential and duplex dwellings.**

Not applicable to this application.

(12) Maximum multi-family residential dwelling unit size (square feet):

- **a. Category 1-7 Affordable multi-family housing: No limitation.**
- **b. Resident Occupied Affordable multi-family housing: Individual units shall be limited to two thousand (2,000) square feet of net livable area.**
- **c. Free-Market multi-family housing: Individual units shall be limited to two thousand (2,000) square feet of net livable area. Combination of Free-Market residential units is permitted, but subject to the net livable size limitations herein, as well as other provisions of this Title.**
- **d. Expansions Allowed: Notwithstanding the above, individual multi-family unit sizes may be increased by extinguishing Historic Transferable Development Right Certificates ("certificate" or "certificates"), subject to the following:**
  1. **The transfer ratio is five hundred (500) square feet of net livable area for each certificate that is extinguished.**
  2. **The additional square footage accrued may be applied to multiple units. However, the maximum individual unit size attainable by transferring development rights is two thousand five hundred (2,500) square feet of net livable area (i.e., no more than five hundred (500) additional square feet may be applied per unit).**
  3. **This incentive applies only to individual unit size. Transferring development rights does not allow an increase in the Floor Area Ratio (FAR) of the lot or the use.**

There is no limitation to unit size for affordable multi-family housing. The existing residential structure is fully conforming to these requirements.

(13) Commercial/residential ratio: When development includes mixed-uses, the total residential net livable area shall be no greater than one hundred fifty percent (150%) the total commercial net leasable and lodging net livable area located on the same parcel.

Not applicable.

(e) Compliance with City of Aspen Charter. Any property located east of Castle Creek that was in the Mixed-Use (MU) zone district on January 1, 2015, is subject to the provisions of Article XIII Section 13.14, Voter authorization of certain land use approvals, of the City of Aspen Charter.

Not applicable at this location.

CITY OF ASPEN COMMUNITY DEVELOPMENT DEPARTMENT

LAND USE APPLICATION

Project Name and Address: 205 W. Main Street HPC Minor Development

Parcel ID # (REQUIRED) 273512454003

APPLICANT:

Name: Conservation Housing Partners LLC

Address: 605 W. Main St. Suite 2, Aspen, CO 81611

Phone #: 970-544-4196 email: harris@haymax.com

REPRESENTATIVE:

Name: Clauson Rawley Associates, Inc.

Address: 400 W. Main St., Suite 203, Aspen, CO 81611

Phone#: 970-925-2323 email: stan@cra-designplanning.com

Description: Existing and Proposed Conditions

205 W. Main Street is a 7,500 SF lot which contains an existing Victorian miner's cottage and associated ADU. The miner's cottage was moved to the site in 1949. Proposed development includes relocation of the miner's cottage and eventual new construction to develop nine deed restricted affordable housing units.

Review: Administrative or Board Review

HPC

Required Land Use Review(s):

Minor Development and Relocation

Growth Management Quota System (GMQS) required fields:

Net Leasable square footage 0 SF **Lodge Pillows** 0 **Free Market dwelling units** 0

Affordable Housing dwelling units 2 **Essential Public Facility square footage** 0 SF

Have you included the following?

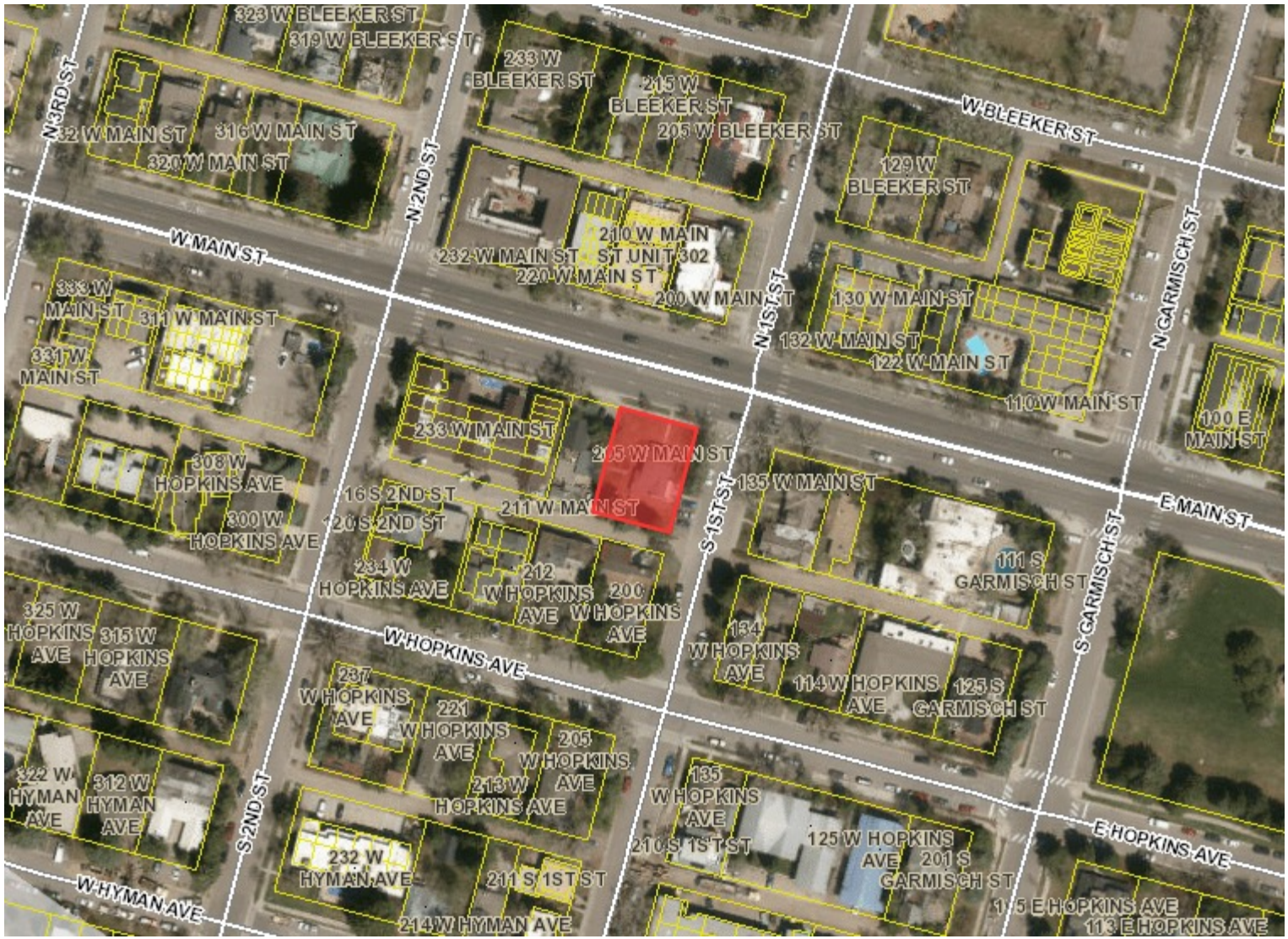
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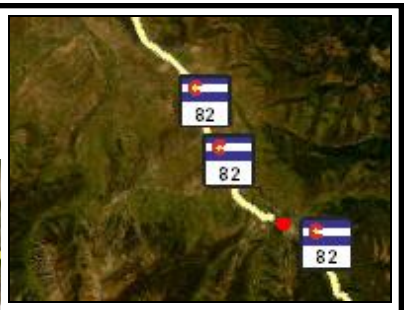
[X] **Pre-Application Conference Summary**
[X] **Signed Fee Agreement**
[X] **HOA Compliance form**
[X] **All items listed in checklist on PreApplication Conference Summary**

Pitkin Maps & More

Pitkin Maps & More

Map Created on 3:09 PM 03/16/23 at http://www.pitkinmapsandmore.com





Legend

- State Highway
- Road Centerline 4K
  - Primary Road
  - Secondary Road
  - Service Road
- Full Address
- Parcel Boundary
- Rivers and Creeks
  - Continuous
  - Intermittent
- River, Lake or Pond
- Town Boundary
- Federal Land Boundary
  - BLM
  - State of Colorado
  - USFS

Notes

389.4 0 194.68 389.4 Feet

1: 2,336

WGS_1984_Web_Mercator_Auxiliary_Sphere

THIS MAP IS FOR INFORMATIONAL PURPOSES. Pitkin County GIS makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content represented.

Pitkin County Parcel Report

Parcel ID: 273512454003
Report Created: 3/16/2023 3:37:41 PM



Property Information

Address (Assessor's Records)	205 W MAIN ST
Address (GIS Points)	205 W MAIN ST
Account	R000276
Owner	CONSERVATION HOUSING PARTNERS LLC
Owner Address	605 W MAIN ST #2 ASPEN, CO 81611
GIS Parcel Size	7405.2 Sq. Feet
Jurisdiction	Aspen
Township, Range, Section	T:10, R:85, S:12

Assessor's Information

Land Use Category	1112: Residential-Single Family Residence
Legal Description	Subdivision: CITY AND TOWNSITE OF ASPEN Block: 52 Lot: H AND:- Lot: I & E 15' OF LOT G
Improvements	2226 Sq. Feet

Services

Sewer System	Aspen Consolidated Sanitation District
Water District	City of Aspen Water Service Area
Fire District	Aspen Fire Protection District
School District	Aspen School District No. 1 (RE)
Library District	Pitkin County Library

Boundaries

Caucus	Not within a Caucus Area
Master Plan Area	AACP
Zone District	No Zoning District on this parcel
Zone District Overlays	No Zoning Overlay on this parcel
Historic District	Main Street Historic District

Watershed Drainage	Woody Creek-Roaring Fork River
Watershed Subbasin	Brush Creek-Roaring Fork River

Tax Information

Authority	Mill Levy	Amount
PITKIN COUNTY GENERAL FND	2.422	$510.35
COUNTY TV/FM TRANSLATOR	0.287	$60.48
COUNTY ROAD & BRIDGE	0.177	$37.30
COUNTY HUMAN SERVICES	0.065	$13.70
HEALTHY COMMUNITY FUND	0.956	$201.45
ASPEN AMBULANCE DISTRICT	0.501	$105.57
OPEN SPACE & TRAILS	3.75	$790.20
PITKIN COUNTY LIBRARY	1.436	$302.59
CITY OF ASPEN	5.093	$1,073.20
ASPEN FIRE PROTECTION	2.638	$555.88
ASPEN CONSOLIDATED SANITA	0.094	$19.81
ASPEN VALLEY HOSPITAL	2.297	$484.02
ROARING FORK TRANSP AUTH	2.65	$558.41
ASPEN SCHOOL DISTRICT	8.844	$1,863.62
COLORADO MTN COLLEGE	4.013	$845.62
COLORADO RIVER WATER CONS	0.502	$105.78
ASPEN HISTORIC PARK & REC	0.3	$63.22
Total	36.025	$7,591.20

Voting Information

Voting Precinct	2
State House District	57
State Senate District	5
Board of County Commissioners District(s)	1
U.S. House of Representatives District	3

Public Amenities

Parks Nearby (1/2 Mile)	Wagner Park, Pioneer Park, Hillyard Park, Triangle Park, Koch Lumber Park, Wheeler Park, Conner Memorial Park, Clapper Park, Francis Whitaker Park, Veterans Park, Paepcke Park, Yellow Brick School Park, Willoughby ParK, Library Plaza, Armstrong AKA Crash Point, Lift One A Park, Rio Grande Skate Park, Rio Grande Park, John Denver Sanctuary, Newbury Park, Cooper Park, Hyman Park, Silver Circle Ice Rink, Mary B
Trails Nearby (1/2 Mile)	Hunter Creek Extension, Racetrack, Villas, W Hallam St, S Seventh St, Trueman , Recycle Center, Rio Grande Park, Summit St Cutoff , Post Office, E Hallam St, Courthouse, Ajax - Little Cloud connector, John Denver Sanctuary, Puppy Smith, Red Mountain Rd, E Hopkins Ave, Little Cloud, Scotties, Midland Trail , W Hopkins Ave, Ajax, Aspen Mountain Rd, Bergman, Rio Grande, Marolt, Top of Mill Crossover, Trueman, Red Brick, Music Tent, Midland - 3rd St, Lone Pine, W Hopkins Path
Open Spaces Nearby (1/2 Mile)	Hallam Lake, Reeder, Mill Street Parcel, Little Cloud, Marolt Ranch, Little Cloud Park, Jenny Adair Park, Center Lode Mining Claim, Barbee

Documents

Parcel	273512454003
Address	205 W MAIN ST
Retired Parcel	No Retired

Disclaimer

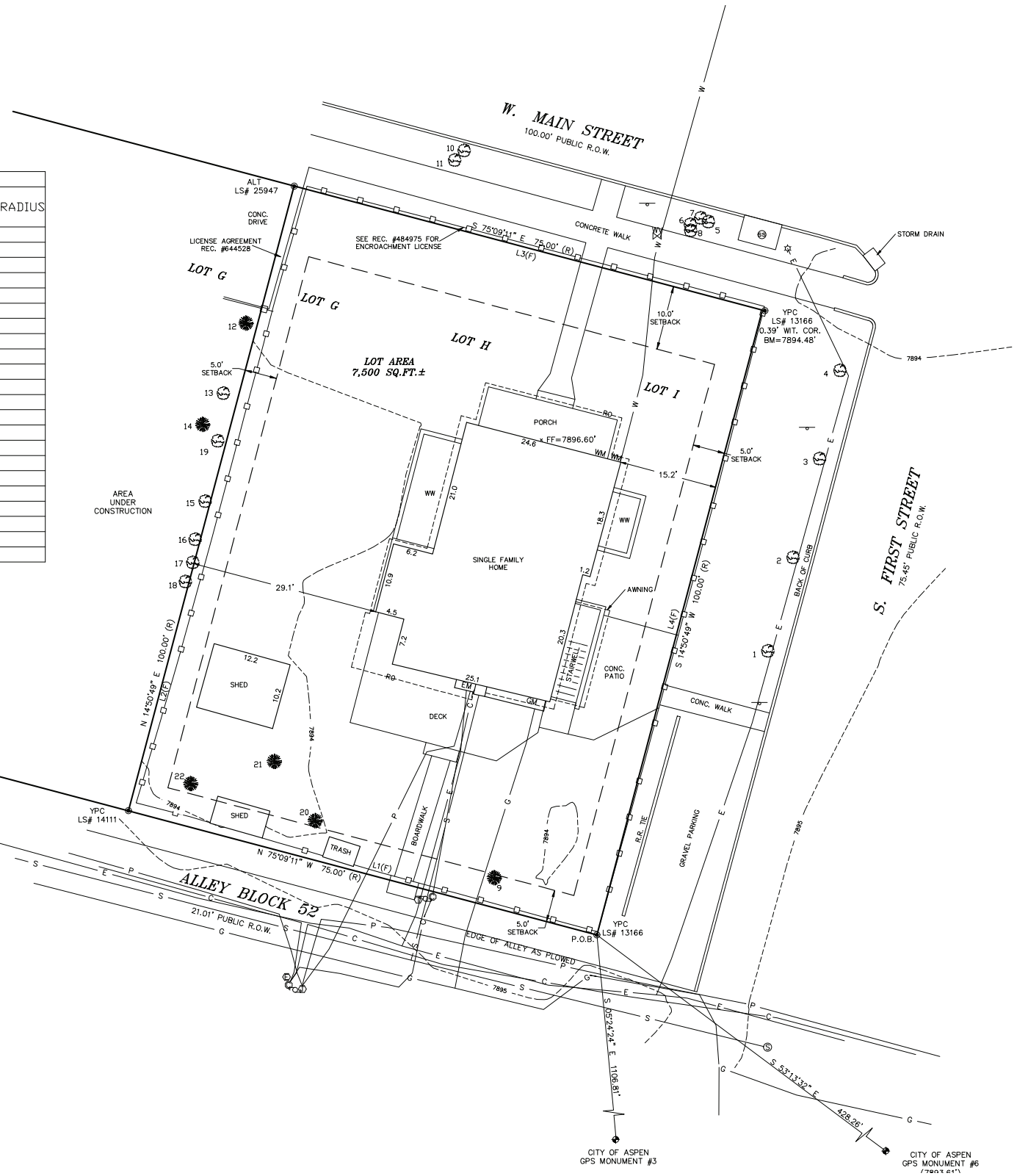
Pitkin County GIS presents the information and data on this report as a service to the public. Every effort has been made to ensure that the information and data contained in the report is accurate, but the accuracy may change. The information maintained by the County may not be complete as to mineral estate ownership and that information should be determined by separate legal and property analysis.

Pitkin County GIS makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content at this site or at other sites to which we link. Assessing accuracy and reliability of information and data is the sole responsibility of the user. The user understands he or she is solely responsible and liable for use, modification, or distribution of any information or data obtained on this web site.

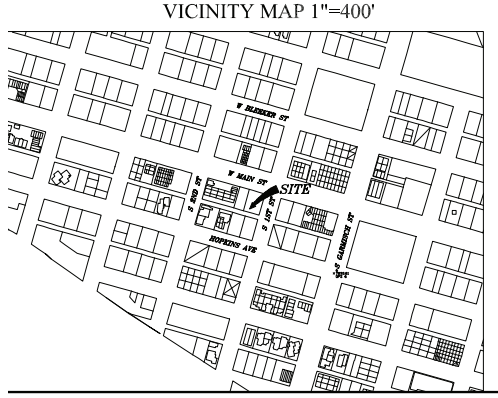
Data is presented in WGS 1984 Web Mercator. Size, shape, measurement and overlay of features may be distorted. In some cases, multiple results could be valid; for example, Zoning. In other cases, a parcel may cross over the boundary of more than one data area, for example, multiple Precincts. Visit the Pitkin County GIS Department at http://www.pitkinmapsandmore.com

CITY OF ASPEN
IMPROVEMENT SURVEY PLAT
LOTS H & I & THE E. 15' OF LOT G, BLOCK 52
CITY AND TOWNSITE OF ASPEN
PITKIN COUNTY, COLORADO

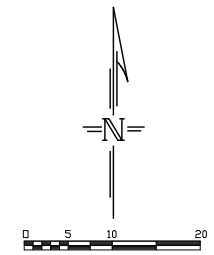
TREE TABLE			
TREE ID#	TREE TYPE	TRUNK DIAMETER	DRIP LINE RADIUS
1	DECIDUOUS	16"	14'
2	DECIDUOUS	13"	13'
3	DECIDUOUS	14"	13'
4	DECIDUOUS	16"	16'
5	DECIDUOUS	8"	5'
6	DECIDUOUS	7"	5'
7	DECIDUOUS	8"	5'
8	DECIDUOUS	8"	5'
9	EVERGREEN	15"	11'
10	DECIDUOUS	9"	5'
11	DECIDUOUS	9"	8'
12	EVERGREEN	14"	14'
13	DECIDUOUS	10"	15'
14	EVERGREEN	4"	6'
15	DECIDUOUS	8"	7'
16	DECIDUOUS	8"	7'
17	DECIDUOUS	7"	6'
18	DECIDUOUS	8"	11'
19	DECIDUOUS	10"	15'
20	EVERGREEN	19"	13'
21	EVERGREEN	18"	12'
22	EVERGREEN	12"	9'



VICINITY MAP 1"=400'



1 SITE PLAN | EXISTING | 1:10
SCALE: 1" = 1'-0"



NOTES

1) LEGAL DESCRIPTION:
LOTS H AND I AND THE EAST FIFTEEN (15') FEET OF LOT G, BLOCK 52, CITY AND TOWNSITE OF ASPEN, PITKIN COUNTY, COLORADO.

2) BASIS OF BEARING:
BEARINGS BASED ON THE WEST LINE OF LOT H, BLOCK 52 ACCORDING TO THE OFFICIAL 1959 CITY OF ASPEN MAP RECORDED AS RECEPTION NO. 109023. BEING A BEARING OF N 75°09'11"W BETWEEN A FOUND #5 REBAR AND 1¼" YPC LS# 13166 AT THE S.E. PROPERTY CORNER AND A FOUND #5 REBAR AND 1¼" YPC LS# 14111 AT THE S.W. PROPERTY CORNER.

3) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR. TITLE INFORMATION RELIED UPON FOR THE PREPARATION OF THIS SURVEY FURNISHED BY ATTORNEYS TITLE INSURANCE AGENCY OF ASPEN, LLC, COMMITMENT NO. 21004842, DATED JULY 19, 2021. IF AN EXCEPTION IS NOT SHOWN HEREON, IT EITHER DOES NOT AFFECT THE PARCEL, NOT A SURVEY MATTER OR IS NOT PLOTTABLE.

4) UNIT OF MEASUREMENT FOR THIS SURVEY IS THE U.S. SURVEY FOOT.

5) POSTED ADDRESS IS 205 W. MAIN STREET

6) THIS PROPERTY IS ZONED MIXED-USE (MU). SETBACKS SHOWN HEREON.

7) ACCORDING TO FIRM MAP 0897C0354E, DATED AUGUST 15, 2019, SAID LOT IS CONSIDERED TO BE IN ZONE X AND OUTSIDE THE 500 YEAR FLOOD PLAIN.

8) DISTANCE TO NEAREST INTERSECTING STREET: 64 FT±.

9) ELEVATIONS BASED UPON CITY OF ASPEN GPS MONUMENT #6 (7893.61' NAVD 1988 DATUM). BENCHMARK= 7894.48' AT N.E. WITNESS CORNER. CONTOUR INTERVAL IS 1(ONE) FOOT.

10) UNDERGROUND UTILITIES LOCATED BY OTHERS AND MAY BE APPROXIMATE.

11) 2+ FEET SNOW ON GROUND AT TIME OF SURVEY.

LEGEND

◉	INDICATES FOUND MONUMENT AS DESCRIBED.		
YPC	1¼" YELLOW PLASTIC CAP ON #5 REBAR		
ALT	1½" ALUMINUM TAG		
	(R) RECORD		(F) FIELD
WM	WATER METER		CUT UTILITY POLE
EM	ELECTRIC METER		LIGHT POLE
GM	GAS METER		WATER VALVE
RO	ROOF OVERHANG		SIGN
WW	WINDOW WELL	SS	STORM SEWER MANHOLE
FF	FINISHED FLOOR	S	SEWER MANHOLE
BM	BENCHMARK		
E	ELECTRIC RISER		FENCE LINE
T	TELEPHONE RISER	P	BURIED TELEPHONE LINE
C	CABLE RISER	G	BURIED GAS LINE
		C	BURIED CABLE LINE
	DECIDUOUS TREE	E	BURIED ELECTRICAL LINE
	EVERGREEN TREE	W	BURIED WATER LINE
		S	BURIED SEWER LINE

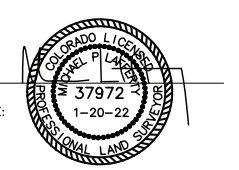
LINE	BEARING	DISTANCE
L1	N 75°09'11" W	74.82'
L2	N 14°57'26" E	99.96'
L3	S 75°10'53" E	74.63'
L4	S 14°50'49" W	100.00'

SURVEYOR'S CERTIFICATE

I, MICHAEL P. LAFFERTY, HEREBY CERTIFY THAT THIS MAP ACCURATELY DEPICTS AN IMPROVEMENT SURVEY PLAT PERFORMED UNDER MY SUPERVISION ON 01/2022 OF THE ABOVE DESCRIBED PARCEL OF LAND. THE LOCATION AND DIMENSIONS OF ALL IMPROVEMENTS, EASEMENTS, RIGHTS-OF-WAY IN EVIDENCE OR KNOWN TO ME AND ENCROACHMENTS BY OR ON THESE PREMISES ARE ACCURATELY SHOWN. ERROR OF CLOSURE IS LESS THAN 1/15,000.

MICHAEL P. LAFFERTY PLS. # 37972

DATE:



ASPEN SURVEY
WWW.ASPENSURVEY.NET
210 S. Galena St. #2F Aspen, CO 81611
970.925.3616 contact@aspensurvey.net

DATE SURVEYED: 01/2022
DATE REVISED:
FILE NO: 2107124
CLIENT: HAYMAX CAPITAL LLC

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DAVID JOHNSTON ARCHITECTS PC
119 South Spring St.
Suite 203
Aspen, CO 81611
TEL 970-925-3444
FAX 970-920-2186

All ideas, designs, arrangements and plans indicated or represented by this drawing are owned by and are the property of David Johnston Architects, PC and developed for use and in conjunction with the specified project. None of the ideas, designs, arrangements or plans shall be used by or disclosed for any purpose whatsoever without the written authorization of David Johnston Architects, PC.

205 WEST MAIN
AFFORDABLE HOUSING
205 WEST MAIN | ASPEN CO

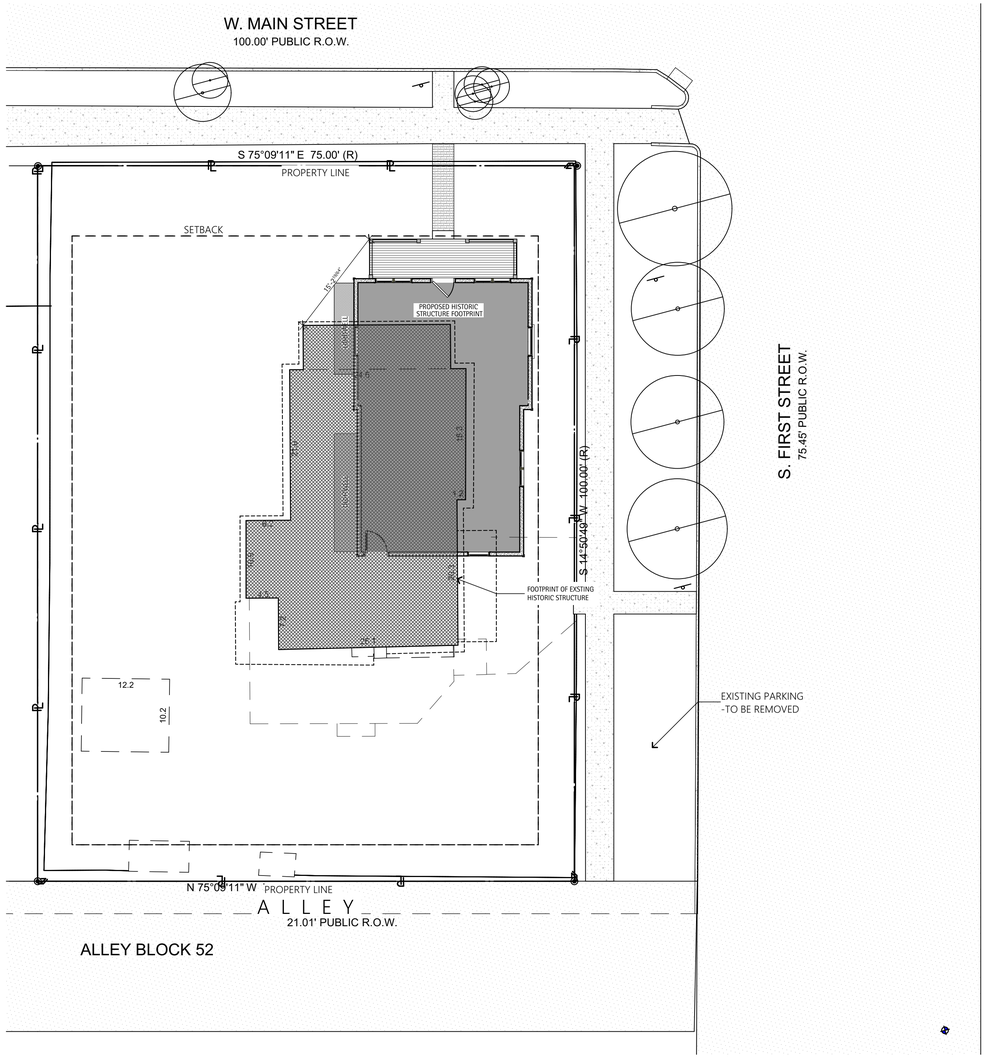
DRAWING	ISSUE
DUE DILIGENCE	2021-08-26
CONCEPTUAL	2021-10-21
HPC APPLICATION	2022-05-12

SITE PLAN | EXISTING | 1:10

PROJECT No2125
DRAWN BY:CPF

Sheet No.
A1.01

0 1/2" 1" 2"



1 SITE PLAN | PROPOSED HISTORIC RELOCATION | 1:10

SCALE: 1" = 10'

N

0 5' 10' 20'

DAVID JOHNSTON
ARCHITECTS PC

119 South Spring St.
Suite 203
Aspen, CO 81611
TEL 970-925-3444
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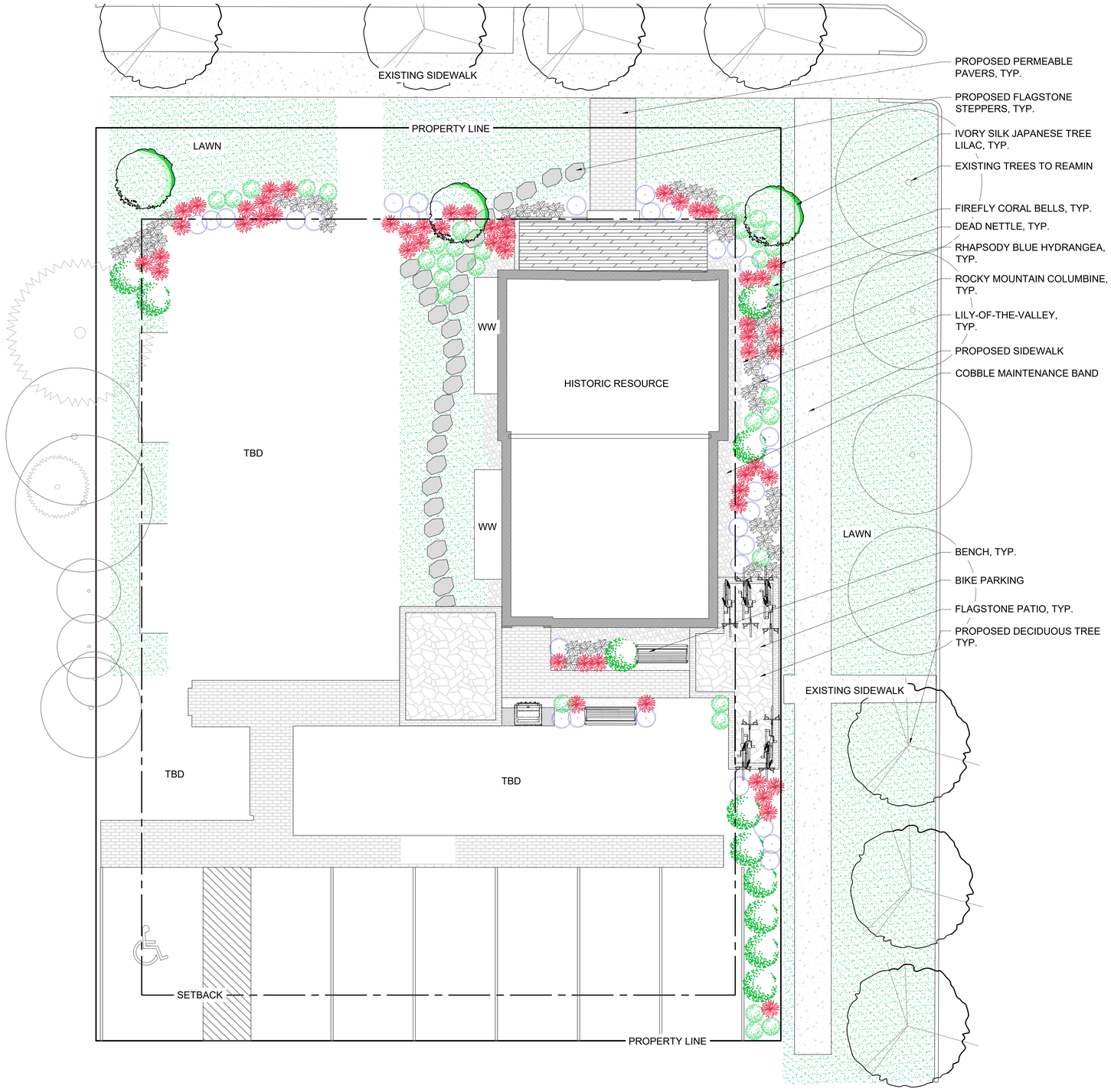
205 WEST MAIN
AFFORDABLE HOUSING
205 WEST MAIN | ASPEN CO

DRAWING	ISSUE
DUE DILIGENCE	2021-08-26
CONCEPTUAL	2021-10-21
HPC OPTION B	2022-11-07
HPC-RELOCATION	2023-03-10

SITE PLAN | RELOCATION PLAN | 1:10

PROJECT No: 2125
DRAWN BY: CPF

Sheet No.
A1.03





IVORY SILK JAPANESE TREE LILAC



RHAPSODY BLUE HYDRANGEA



ROCKY MOUNTAIN COLUMBINE



FIREFLY CORAL BELLS



LILY -OF-THE-VALLEY



ORCHID FROST DEAD NETTLE



BELGARD PERMEABLE PAVER



FLAGSTONE STEPPERS & FLAGSTONE PATIO

NORTH

0' 3' 6' 12'

SCALE: 1"= 6'-0"

©CLAUSON RAWLEY ASSOCIATES, INC 2023

CLAUSON RAWLEY ASSOCIATES INC
landscape architecture . planning . resort design



MAIN STREET VICTORIAN

ADDRESS:
205 W. MAIN ST.
ASPEN, CO 81611

PARCEL #

DATE:
10.24.2022

ISSUE:
FOR PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

DRAWN BY: BAJ CHECKED BY: PSR

HISTORY:

DATE	ISSUE
04.20.2022	HPC

DRAFT

STAMP PER DISCIPLINE

PITKIN COUNTY STAMPS

SHEET TITLE:

PRELIMINARY SCHEMATIC PLAN

L0.10

DJARCHITECTS

119 South Spring Street | Suite 203 | Aspen, CO
T 970.925.3444 C 517.881.5046
www.djarchitects.com

MEMORANDUM

DATE May 20, 2022
BY D. Brian Beazley
TO Stan Clauson
CC

PROJECT 205 West Main Street Affordable Housing
SUBJECT Historic Structure Relocation Assessment

COMMENTS

This letter serves as a document to confirm the proposed relocation and improvements to the existing structure at 205 West Main Street in Aspen, CO. The proposed design is intending the house to be lifted from the existing basement foundation and relocated to the NE corner of the lot. The home was built in 1890 and moved from the west end of Aspen to this site in 1949. The existing residence is a two-story gable framed structure with a single story shed roof structure to the south. The structure will be set on a new basement foundation, shored and gutted to incorporate the new proposed floorplans. The roof structure will have to be brought up to current structural code. Based upon observations, the existing structure appears to be sound and should be able to withstand the move to the new location. The move should be conducted by a qualified building moving company that is experienced in moving similar historic structures. This review was based upon visual observations only.

Regards,

D. Brian Beazley

D. Brian Beazley, Architect-AIA

CITY OF ASPEN COMMUNITY DEVELOPMENT DEPARTMENT

Agreement to Pay Application Fees

An agreement between the City of Aspen ("City") and

Please type or print in all caps

Address of Property: 205 W. Main Street

Property Owner Name: Conservation Housing Partners LLC Representative Name (if different from Property Owner): Michael Brown

Billing Name and Address - Send Bills to:

605 W. Main St., Suite 2, Aspen, CO 61611

Contact info for billing: e-mail: harris@haymax.com Phone: 970-544-4196

I understand that the City has adopted, via Ordinance No. 20, Series of 2020, review fees for Land Use applications, and payment of these fees is a condition precedent to determining application completeness. I understand that as the property owner, I am responsible for paying all fees for this development application.

For flat fees and referral fees: I agree to pay the following fees for the services indicated. I understand that these flat fees are non-refundable.

$. 975 flat fee for Parks. $._____ flat fee for _____

$._____ flat fee for _____. $._____ flat fee for _____

For deposit cases only: The City and I understand that because of the size, nature, or scope of the proposed project, it is not possible at this time to know the full extent or total costs involved in processing the application. I understand that additional costs over and above the deposit may accrue. I understand and agree that it is impracticable for City staff to complete processing, review, and presentation of sufficient information to enable legally required findings to be made for project consideration unless invoices are paid in full.

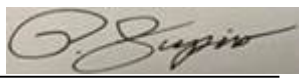
The City and I understand and agree that invoices sent by the City to the above listed billing address and not returned to the City shall be considered by the City as being received by me. I agree to remit payment within 30 days of presentation of an invoice by the City for such services.

I have read, understood, and agree to the Land Use Review Fee Policy, including consequences for non-payment. I agree to pay the following initial deposit amounts for the specified hours of staff time. I understand that payment of a deposit does not render an application complete or compliant with approval criteria. If actual recorded costs exceed the initial deposit, I agree to pay additional monthly billings to the City to reimburse the City for processing my application at the hourly rates hereinafter stated.

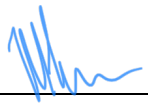
$ 0 deposit for N/A hours of Community Development Department staff time. ~~Additional time above the deposit amount will be billed at **$325.00 per hour.**~~ 100% fee waived for 100% affordable housing project.

$ 325 deposit for 1 hours of Engineering Department staff time. Additional time above the deposit amount will be billed at **$325.00 per hour**.

City of Aspen:



Phillip Supino, AICP
Community Development Director

Signature: 

PRINT Name: Michael Brown

Title: Manager

City Use:
Fees Due: $_____ Received $_____
Case #_____

Michael Brown, Manager
Conservation Housing Partners LLC
605 W. Main St., Suite 2
Aspen, CO 81611
970-544-4196

16 March 2023

Mr. Kevin Rayes, Planner
Community Development Department
City of Aspen
427 Rio Grand Place
Aspen, CO 81611

Re: Authorization to Submit Land Use Application / Minor Development and Relocation

Dear Mr. Rayes:

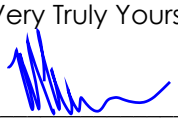
This letter is to certify that I, Michael Brown, Manager of Conservation Housing Partners LLC, owner of the property located at 205 W. Main Street, give Clauson Rawley Associates, Inc. and its staff permission to represent us in discussions with the City of Aspen regarding applications for this property. If you should have any questions regarding this matter, please contact me.

If you should have any questions regarding this matter, please do not hesitate to contact me.

Their contact information is as follows:

Stan Clauson, FAICP, ASLA
Clauson Rawley Associates, Inc.
400 E. Main Street, Suite 203
Aspen, CO 81611
Tel 970-925-2323 (o)
Tel 970-274-3265 (c)
Fax 970-920-1628
stan@cra-designplanning.com

Very Truly Yours,



Michael Brown, Manager

Conservation Housing Partners LLC

Homeowner Association Compliance Policy

All land use applications within the City of Aspen are required to include a Homeowner Association Compliance Form (this form) certifying that the scope of work included in the land use application complies with all applicable covenants and homeowner association policies. The certification must be *signed by the property owner or Attorney representing the property owner*.

Property Owner ("I"):	Name: Conservation Housing Partners, LLC	
	Email: michael@haymax.com	Phone No.: 970-544-4196
Address of Property: (subject of application)	205 W. Main Street Aspen, CO 81611	

I certify as follows: (pick one)

☒ This property is not subject to a homeowner association or other form of private covenant.

☐ This property is subject to a homeowner association or private covenant, and the improvements proposed in this land use application do not require approval by the homeowners association or covenant beneficiary.

☐ This property is subject to a homeowners association or private covenant and the improvements proposed in this land use application have been approved by the homeowners association or covenant beneficiary.

I understand this policy and I understand the City of Aspen does not interpret, enforce, or manage the applicability, meaning or effect of private covenants or homeowner association rules or bylaws. I understand that this document is a public document.

Owner signature: _____ Date: 16 March 2023

Owner printed name: Michael Brown, Manager

or,

Attorney signature: _____ Date: _____

Attorney printed name: _____

First American Title™	ALTA Commitment for Title Insurance
	ISSUED BY **First American Title Insurance Company**
Commitment	

COMMITMENT FOR TITLE INSURANCE

Issued By

FIRST AMERICAN TITLE INSURANCE COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, ***First American Title Insurance Company***, a Colorado Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

First American Title Insurance Company

Dennis J. Gilmore
President

Jeffrey S. Robinson
Secretary

If this jacket was created electronically, it constitutes an original document.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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COMMITMENT CONDITIONS

1. DEFINITIONS

(a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.

(b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.

(c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.

(d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.

(e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.

(f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.

(g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.

(h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

(a) the Notice;

(b) the Commitment to Issue Policy;

(c) the Commitment Conditions;

(d) Schedule A;

(e) Schedule B, Part I—Requirements;

(f) Schedule B, Part II—Exceptions; and

(g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

(a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:

(i) comply with the Schedule B, Part I—Requirements;

(ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or

(iii) acquire the Title or create the Mortgage covered by this Commitment.

(b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.

(c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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(d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
(e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
(f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
(g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

(a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
(b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
(c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
(d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
(e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
(f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is $2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at http://www.alta.org/arbitration.

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Schedule A

Transaction Identification Data for reference only:

Issuing Agent: Winter Van Alstine
Issuing Office: Attorneys Title Insurance Agency of Aspen, LLC
Issuing Office's ALTA® Registry ID: 1019587
Loan ID No.:
Commitment No.: 21004842
Issuing Office File No.: 21004842
Property Address: 205 West Main Street, Aspen, CO 81611

SCHEDULE A

1. Commitment Date: October 8, 2021 at 07:45 AM

2. Policy or Policies to be issued:

	Amount	Premium
A. ALTA Owners Policy (06/17/06)	$5,500,000.00	$9,545.00
Proposed Insured: Conservation Housing Partners LLC, a Colorado limited liability company		
Certificate of Taxes Due		$25.00
Endorsements:		
CO-110.1 (Delete 1, 2, 3, 4)		$75.00
Additional Charges:		$0
Total		$9,645.00

3. The estate or interest in the land described or referred to in this Commitment is Fee simple.

4. The Title is, at the Commitment Date, vested in:

   Karen C. Stevenson and Heather M. Chisholm

5. The land referred to in the Commitment is described as follows:

   SEE EXHIBIT A ATTACHED HERETO

   For informational purposes only, the property address is: 205 West Main Street, Aspen, CO 81611.

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AMERICAN LAND TITLE ASSOCIATION

Attorneys Title Insurance Agency of Aspen, LLC

By: _____
Winter Van Alstine
Authorized Officer or Agent

FOR INFORMATION PURPOSED OR SERVICES IN CONNECTION WITH THIS COMMITMENT, CONTACT: Attorneys Title Insurance Agency of Aspen, LLC, 715 West Main Street, Suite 202, Aspen, CO 81611, Phone: 970 925-7328, Fax: 970 925-7348.

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Schedule BI & BII

Commitment No: 21004842

SCHEDULE B, PART I

Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

2. Pay the agreed amount for the estate or interest to be insured.

3. Pay the premiums, fees, and charges for the Policy to the Company.

4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

5. Payment of all taxes and assessments now due and payable as shown on a certificate of taxes due from the County Treasurer or the County Treasurer's Authorized Agent.

6. Evidence that all assessments for common expenses, if any, have been paid.

7. Final Affidavit and Agreement executed by Owners and/or Purchasers must be provided to the Company

8. Special Warranty Deed must be sufficient to convey the fee simple estate or interest in the land described or referred to herein, from Karen C. Stevenson and Heather M. Chisholm to Conservation Housing Partners LLC, a Colorado limited liability company, the proposed insured, Schedule A, item 2A. NOTE: C.R.S. Section 38-35-109(2) required that a notation of the purchaser's legal address, (not necessarily the same as the property address) be included on the face of the Deed to be recorded.

9. Release of the Deed of Trust from Edith S. Chisholm, Karen H. Chisholm, and Heather M. Chisholm, to the Public Trustee of Pitkin County for the benefit of Norwest Mortgage Inc., to secure an indebtedness in the principal sum of $144,000, and any other amounts and/obligations secured thereby, dated January 6, 1999 and recorded January 19, 1999 as Reception No. 426731.

10. Record a Statement of Authority to provide prima facie evidence of existence of Conservation Housing Partners LLC, a Colorado limited liability company, an entity capable of holding property, and the name of the person authorized to execute instruments affecting title to real property as authorized by C.R.S. Section 38-30-172.

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Schedule BI & BII (Cont.)

11. Certificate of Good Standing from the Colorado Secretary of State for Conservation Housing Partners LLC, a Colorado limited liability company.

12. A copy of the properly signed and executed Operating Agreement if written, for Conservation Housing Partners LLC, a Colorado limited liability company, to be submitted to the Company for review.

13. Improvement Survey Plat sufficient in form, content and certification acceptable to the Company. Exception will be taken to adverse matters disclosed thereby.

14. Receipt by the Company of the appropriate Lease Affidavit indemnifying the Company against any existing leases or tenancies, and any and all parties claiming by, through or under said lessees.

15. This Title Commitment is subject to underwriter approval.

Commitment No.: 21004842

SCHEDULE B, PART II

Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

2. Easements, or claims of easements, not shown by the Public Records.

3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct land survey and inspection of the Land would disclose, and which are not shown by the Public Records.

4. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.

5. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

   Note: Exception number 5. will be removed from the policy provided the Company conducts the closing and settlement service for the transaction identified in the commitment

6. Any and all unpaid taxes, assessments and unredeemed tax sales.

   NOTE: This exception will not appear on the final title policy upon payments of taxes and premiums.

7. Intentionally deleted.

8. Any water rights, claims of title to water, in, on or under the Land.

9. Taxes and assessments for the year 2021, and subsequent years, a lien not yet due or payable.

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10. "That no title shall be hereby acquired to any mine of gold, silver, cinnabar or copper, or to any valid mining claim or possession held under existing laws" as described in the Deed dated January 3, 1888, and recorded January 8, 1888 in Book 59 at Page 243 as Reception No. 021983.

11. Reservations and exceptions specified under the Act authorizing the issuance of the Patent for the City and Townsite of Aspen, recorded March 1, 1897, in Book 139 at Page 216 as Reception No. 060156.

12. Any and all notes, easements and recitals as disclosed on the Official Map of the City of Aspen recorded December 16, 1959, as Reception No. 109023.

13. Terms, conditions, provisions, agreements and obligations specified under Ordinance No. 6 (series of 1959, An Ordinance Accepting a Map Entitled "Official Map of the City of Aspen, Pitkin County, State of Colorado," as the Official Map of the City of Aspen: Providing for Dedication of all Streets and Alleys, Except Such Streets and Alleys Heretofore Vacated; And Providing for the Filing of Said Map, Field Notes, and Supplemental Plats with the Clerk and Recorder for Pitkin County, dated November 2, 1959, and recorded December 18, 1959, in Book 189 at Page 354 as Reception No. 109043; and any and all notes, easements and recitals as disclosed on the Willets Map recorded November 12, 1969 in Plat Book 4 at Page 27 as Reception No. 137902.

14. Terms, conditions, provisions, agreements and obligations specified under the Accessory Dwelling Unit Deed Restriction dated November 2, 1994, recorded December 6, 1994, in Book 768 at Page 781, as Reception No. 376974.

15. Intentionally deleted.

16. Terms, conditions, provisions, agreements and obligations specified under the Revocable Encroachment Licenses recorded July 7, 2003, as Reception Nos. 484973, 484974, and 484975.

17. Terms, conditions, provisions, agreements and obligations specified under the License Agreement dated January, 2018, recorded January 18, 2018, as Reception No. 644528.

18. Any loss or damage due to the following matters as disclosed on the Improvement Survey Plat, provided by Aspen Survey, dated July 28, 2021, as File No. 2107124:

    1. Encroachment of the Concrete Drive onto the Land from the adjacent property to the West.
    2. Any right, title, interest or claims of interest based upon the fence lines not corresponding to the property lines.
    3. Boardwalk encroachment into Block 52 alley.

19. Any existing leases or tenancies, and any and all parties claiming by, through or under said lessees.

    NOTE: Upon receipt of a Lease Affidavit from Seller, this exception will not appear on the final title policy.

Exhibit A

File No.: 21004842

The Land referred to herein below is situated in the County of Pitkin, State of Colorado, and is described as follows:

Lots H and I and the East fifteen (15') feet of Lot G, Block 52, CITY AND TOWNSITE OF ASPEN, Pitkin County, Colorado.



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DISCLOSURE STATEMENT

Pursuant to C.R.S. 30-10-406(3)(a) all documents received for recording or filing in the Clerk and Recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half of an inch. The Clerk and Recorder will refuse to record or file any document that does not conform to the requirements of this section.

NOTE: If this transaction includes a sale of the property and the price exceeds $100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. 39-22-604.5 (Nonresident withholding).

NOTE: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title insurance company shall be responsible to the proposed insured(s) subject to the terms and conditions of the title commitment, other than the effective date of the title commitment, for all matters which appear of record prior to the time of recording whenever the title insurance company, or its agent, conducts the closing and settlement service that is in conjunction with its issuance of an owner's policy of title insurance and is responsible for the recording and filing of legal documents resulting from the transaction which was closed.

Pursuant to C.R.S. 10-11-122, the company will not issue its owner's policy or owner's policies of title insurance contemplated by this commitment until it has been provided a Certificate of Taxes due or other equivalent documentation from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary.

The subject property may be located in a special taxing district. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent. Information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

NOTE: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

- **A. That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and**
- **B. That such mineral estate may include the right to enter and use the property without the surface owner's permission.**

NOTE: Pursuant to Colorado Division of Insurance Regulations 8-1-2, Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- **A. The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.**
- **B. No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.**
- **C. The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.**
- **D. The Company must receive payment of the appropriate premium.**
- **E. If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium, fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.**

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

NOTE: Pursuant to C.R.S. 38-35-125(2) no person or entity that provides closing and settlement services for a real estate transaction shall disburse funds as a part of such services until those funds have been received and are available for immediate withdrawal as a matter of right.

NOTE: C.R.S. 39-14-102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee.

NOTE: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

NOTE: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of an ALTA Closing Protection Letter which may, upon request, be provided to certain parties to the transaction identified in the commitment.

Nothing herein contained will be deemed to obligate the company to provide any of the coverages referred to herein unless the above conditions are fully satisfied.



ATTORNEYS TITLE INSURANCE AGENCY OF ASPEN, LLC
715 West Main Street, Suite 202
Aspen, CO 81611

Attorneys Title Insurance Agency of Aspen, LLC

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V. of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through it affiliates, from sharing non-public personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of ***Attorneys Title Insurance Agency of Aspen, LLC.***

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on application or other forms.
- Information about your transactions we secure from out files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customer to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

First American Title™

Privacy Notice

Effective: November 1, 2019

Notice Last Updated: November 1, 2019

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information. This Privacy Notice applies to information we receive from you offline only, as well as from third parties. For more information about our privacy practices, please visit https://www.firstam.com/privacy-policy/index.html. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

What Type Of Information Do We Collect About You? We collect both **personal** and **non-personal information** about and from you. **Personal information** is non-public information that can be used to directly or indirectly identify or contact you. **Non-personal information** is any other type of information.

How Do We Collect Your Information? We collect your **personal** and **non-personal information**: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your personal information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. We may use your **non-personal information** for any purpose.

How Do We Share Your Personal Information? We do not sell your **personal information** to nonaffiliated third parties. We will only share your **personal information**, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. If you have any questions about how First American shares your **personal information**, you may contact us at dataprivacy@firstam.com or toll free at 1-866-718-0097.

How Do We Secure Your Personal Information? The security of your **personal information** is important to us. That is why we take commercially reasonable steps to make sure your **personal information** is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your **personal information**.

How Long Do We Keep Your Personal Information? We keep your **personal information** for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your **personal information**. In accordance with applicable law, your controls and choices. You can learn more about your choices, and exercise these controls and choices, by sending an email to dataprivacy@firstam.com or toll free at 1-866-718-0097.

International Jurisdictions: Our Products are hosted and offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your **personal information** to us in the US, and you consent to that transfer and use of your **personal information** in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE**.

Contact Us dataprivacy@firstam.com or toll free at 1-866-718-0097.

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For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of **personal information** we have collected about or from you; (2) the categories of sources from which the **personal information** was collected; (3) the business or commercial purpose for such collection and/or disclosure of your personal information; (4) the categories of third parties with whom we have shared your **personal information**; and (5) the specific pieces of your **personal information** we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097 and submitting written proof of such authorization to dataprivacy@firstam.com.

Right of Deletion. You also have a right to request that we delete the **personal information** we have collected from you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097 and submitting written proof of such authorization to dataprivacy@firstam.com.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right to Opt-Out. We do not sell your personal information to third parties, and do not plan to do so in the future.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any away if you choose to exercise your rights under the CCPA.

Collection Notice. The following is a list of the categories of personal information we may have collected about California residents in the twelve months preceding the date this Privacy Notice was last updated, including the business or commercial purpose for said collection, the categories of sources from which we may have collected the personal information, and the categories of third parties with whom we may have shared the personal information:

Categories of Personal Information Collected	The categories of personal information we have collected include, but may not be limited to: real name; signature; alias; SSN; physical characteristics or description, including protected characteristics under federal or state law; address; telephone number; passport number; driver's license number; state identification card number; IP address; policy number; file number; employment history; bank account number; credit card number; debit card number; financial account numbers; commercial information; internet or other electronic network activity; geolocation data; audio and visual information; professional or employment information; and inferences drawn from the above categories to create a profile about a consumer.
Categories of Sources	Categories of sources from which we've collected **personal information** include, but may not be limited to: the consumer directly; public records; governmental entities; non-affiliated third parties; social media networks; affiliated third parties
Business Purpose for Collection	The business purposes for which we've collected **personal information** include, but may not be limited to: completing a transaction for our Products; verifying eligibility for employment; facilitating employment; performing services on behalf of affiliated and non-affiliated third parties; debugging to identify and repair errors that impair existing intended functionality on our Websites, Applications, or Products; protecting against malicious, deceptive, fraudulent, or illegal activity

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Categories of Third Parties Shared	The categories of third parties with whom we've shared **personal information** include, but may not be limited to: advertising networks; internet service providers; data analytics providers; service providers; government entities; operating systems and platforms; social media networks; non-affiliated third parties; affiliated third parties

Categories of Personal Information We Have Sold In The Past Year. We have not sold any personal information of California residents to any third party in the twelve months preceding the date this Privacy Notice was last updated.

Categories of Personal Information Disclosed For A Business Purpose In The Past Year. The following is a list of the categories of **personal information** of California residents we may have disclosed for a business purpose in the 12 months preceding the date this Privacy Notice was last updated: The categories of personal information we have collected include, but may not be limited to: real name; signature; alias; SSN; physical characteristics or description, including protected characteristics under federal or state law; address; telephone number; passport number; driver's license number; state identification card number; IP address; policy number; file number; employment history; bank account number; credit card number; debit card number; financial account numbers; commercial information; internet or other electronic network activity; geolocation data; audio and visual information; professional or employment information; and inferences drawn from the above categories to create a profile about a consumer.

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Pitkin County Mailing List of 300 Feet Radius
From Parcel: 273512454003 on 03/16/2023

Instructions:

This document contains a Mailing List formatted to be printed on Avery 5160 Labels. If printing, DO NOT "fit to page" or "shrink oversized pages." This will manipulate the margins such that they no longer line up on the labels sheet. Print actual size.

Disclaimer:

Pitkin County GIS presents the information and data on this web site as a service to the public. Every effort has been made to ensure that the information and data contained in this electronic system is accurate, but the accuracy may change. The information maintained by the County may not be complete as to mineral estate ownership and that information should be determined by separate legal and property analysis.

Pitkin County GIS makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content at this site or at other sites to which we link. Assessing accuracy and reliability of information and data is the sole responsibility of the user. The user understands he or she is solely responsible and liable for use, modification, or distribution of any information or data obtained on this web site.

http://www.pitkinmapsandmore.com

121 W BLEEKER LLC
121 W BLEEKER ST
ASPEN, CO 81611

132 W MAIN LLC
1615 CALIFORNIA ST # 707
DENVER, CO 80202

135 HOPKINS LTD
12400 HWY 71 W #350-371
AUSTIN, TX 78738

211 WEST MAIN LLC
323 W MAIN ST
ASPEN, CO 81611

212 WEST HOPKINS LLC
212 W HOPKINS AVE
ASPEN, CO 81611

220 WEST MAIN PARTNERS LLC
220 WEST MAIN ST STE 105
ASPEN, CO 81611

220 WEST MAIN STREET LLC
201 CASTLE RIDGE
ASPEN, CO 81611

220 WMAC LLC
PO BOX 8346
ASPEN, CO 81612

233 W BLEEKER LOTS ABC LLC
501 RIO GRANDE PL #204
ASPEN, CO 81611

235 W HOPKINS B LLC
250 S OCEAN BLVD # 14A
BOCA RATON, FL 33432

2401 BLAKE LLC
1615 CALIFORNIA ST # 707
DENVER, CO 80202

AJAX VIEW COMMERCIAL/NORTH STAR OFF
132 W MAIN ST
ASPEN, CO 81611

AML 103 LLC
605 W MAIN ST #2
ASPEN, CO 81611

AML 309 LLC
605 W MAIN ST #2
ASPEN, CO 81611

ASPEN CONDOS ASSOC
COMMON AREA
311 W MAIN ST
ASPEN, CO 81611

ASPEN HOMEOWNERS ASSOCIATION
311 W MAIN ST
ASPEN, CO 81611

ASPEN MAIN OFFICE CONDO ASSOC
220 W MAIN ST
ASPEN, CO 81611

ASPEN MEDICAL CENTER CONDO ASSOC
COMMON AREA
W MAIN ST
ASPEN, CO 81611

ASPEN MOUNTAIN LODGE UNIT 301 LLC
PO BOX 401
CONSHOHOCKEN, PA 19428

ASPEN SCHOOL DISTRICT #1
0235 HIGH SCHOOL RD
ASPEN, CO 81611

ASPEN SKIING COMPANY LLC
PO BOX 1248
ASPEN, CO 81612

ASPEN/PITKIN COUNTY HOUSING AUTHORIT
18 TRUSCOTT PL
ASPEN, CO 81611

BERGHOFF KRISTIN TRUST
9112 WALNUT GROVE DR
INDIANAPOLIS, IN 46236

BERGHOFF MICHAEL R TRUST
9112 WALNUT GROVE DR
INDIANAPOLIS, IN 46236

BETA PROPERTIES LLC
1609 E HARMONY RD
FORT COLLINS, CO 80525

BLEEKER LLC
111 PINNACLE CT
CARBONDALE, CO 81623

BLUEGREEN VACATIONS UNLIMITED INC
4960 CONFERENCE WY N #100
BOCA RATON, FL 33431

BROWDE KRISTEN PRATA
888 BISCAYNE BLVD #2401
MIAMI, FL 33132

CHOOKASZIAN DENNIS
1100 MICHIGAN AVE
WILMETTE, IL 60091

CRAWFORD ALBERT
201 SOLAR ST
SYRACUSE, NY 13204

DEAN FAMILY LTD PTSHP LLP
590 DELLWOOD AVE
BOULDER, CO 80301

DHM FAMILY TRST
2288 PEACHTREE RD, NW #12
ATLANTA, GA 30309

DIMITRIUS RALLI TRUST
530 S LAKE AVE #433
PASADENA, CA 91101

ELKMAX LLC
605 W MAIN ST #2
ASPEN, CO 81611

FCB LLC
525 SHIELD O RD
SNOWMASS, CO 816549102

FISH EILEEN
546 14TH ST
BOULDER, CO 80302

GARET CONDO ASSOC
400 E MAIN ST #2
ASPEN, CO 81611

GARMISCH LODGING LLC
605 W MAIN ST #2
ASPEN, CO 81611

GIBSON RESIDENCES LLC
605 W MAIN ST #2
ASPEN, CO 81611

GILDENHORN MICHAEL S
5008 BALTON RD
BETHESDA, MD 20816

GLICKMAN ADAM
644 FERNANDEZ JUNCOS AVE #301
DISTRICT VIEW PLAZA MIRAMAR
SAN JUAN PUERTO RICO 00907-3122,

GROVER FREDRICK W & PAULA J
725 BRIGHTWATERG BLVD NE
ST PETERSBURG, FL 337043717

GUNN ROBERT W FAMILY TRST
409 OCEAN AVE
MARBLEHEAD, MA 01945

GUNNING JANINE L
PO BOX 11705
ASPEN, CO 81612

GUNNING RALPH
PO BOX 11912
ASPEN, CO 81612

HARRISON MARK N
546 14TH ST
BOULDER, CO 80302

HAYMAX LODGING LLC
605 W MAIN ST #2
ASPEN, CO 81611

HITE ANGELA R FAMILY TRUST
PO BOX 155
WOODY CREEK, CO 81656

HITE HENRY HARRIS REVOC TRUST
PO BOX 155
WOODY CREEK, CO 81656

HOLTZMAN L BART & PATRICIA G
2 SURREY CT
RANCHO MIRAGE, CA 92270

HOTEL ASPEN CONDO ASSOC
COMMON AREA
110 W MAIN ST
ASPEN, CO 81611

INNSBRUCK CONDO ASSOC
233 W MAIN ST
ASPEN, CO 81611

JACOBY FAMILY LP
3383 OCEAN DR
VERO BEACH, FL 32963

JES 2002 GRANTOR TRUST
221 N STARWOOD DR
ASPEN, CO 81611

JLR QPRT TRUST
355 MARQUESA DR
CORAL GABLES, FL 33156

JOBLON MATTHEW
43 COVINGTON CT
ENGLEWOOD, CO 80013

KETTELKAMP FAM LIV TRUST
2126 N ELIZABETH ST
PUEBLO, CO 81003

KING LOUISE CONDO ASSOC
600 E HOPKINS AVE #203
ASPEN, CO 81611

KMGS REV TRUST
3880 JACKSON ST
SAN FRANCISCO, CA 94118

MARTIN SCOTT M
PO BOX 51
ASPEN, CO 81611

MELTON DAVID
135 W MAIN ST #A
ASPEN, CO 81611

MORGAN DONALD
2288 PEACHTREE RD, NW #12
ATLANTA, GA 30309

MOUNTAIN LODGE HOLDINGS LLC
605 W MAIN ST #2
ASPEN, CO 81611

NORTH STAR LODGE LLC
633 24 RD
GRAND JUNCTION, CO 81505

NORTHSTAR OFFICE BUILDING CONDO ASS
COMMON AREA
122 W MAIN ST
ASPEN, CO 81611

PAN ABODE CONDO ASSOC
211 W HOPKINS AVE
ASPEN, CO 81611

PESIKOFF DAVID
1811 NORTH BLVD
HOUSTON, TX 77098

RESIDENCES AT THE LITTLE NELL CONDO A
501 E DEAN ST
ASPEN, CO 81611

RILEY AMY CLARK
129 W BLEEKER ST
ASPEN, CO 81611

SAND KATHERINE M
PO BOX 51
ASPEN, CO 81612

SEVEN SEAS INVESTMENT LLC
1120 MICHIGAN AVE
WILMETTE, IL 60091

SHADOW MOUNTAIN DUPLEX CONDO ASSO
COMMON AREA
W HOPKINS AVE
ASPEN, CO 81611

SHIELD JULIET E
221 N STARWOOD DR
ASPEN, CO 81611

SPERAW ENDEAVORS LLC
PO BOX 6575
SNOWMASS VILLAGE, CO 81615

SUREFOOT LC
1500 KEARNS BLVD #110
PARK CITY, UT 84060

TARADA LLC
1902 CAMPUS COMMONS DR #415
RESTON, VA 201911530

TEMPKINS HARRY & VIVIAN
605 LINCOLN RD #301
MIAMI BEACH, FL 33139

TIMBERLINE BANK
649 MARKET ST
GRAND JUNCTION, CO 815054300

TWIN COASTS LTD
433 PLAZA REAL #275
BOCA RATON, FL 33432

TYROL APARTMENTS LLC
200 W MAIN ST
ASPEN, CO 81611

TYROLEAN LODGE LLC
200 W MAIN ST
ASPEN, CO 81611

UTE HOUSING LLC
210 S GALENA ST
ASPEN, CO 81611

VALLEY EXCHANGE PROPERTIES LLC
122 W MAIN ST
ASPEN, CO 81611

VTF 220 LLC
113 VALLEY CT
BASALT, CO 81621

WEST HOPKINS LLC
PO BOX 61510
POTOMAC, MD 20859

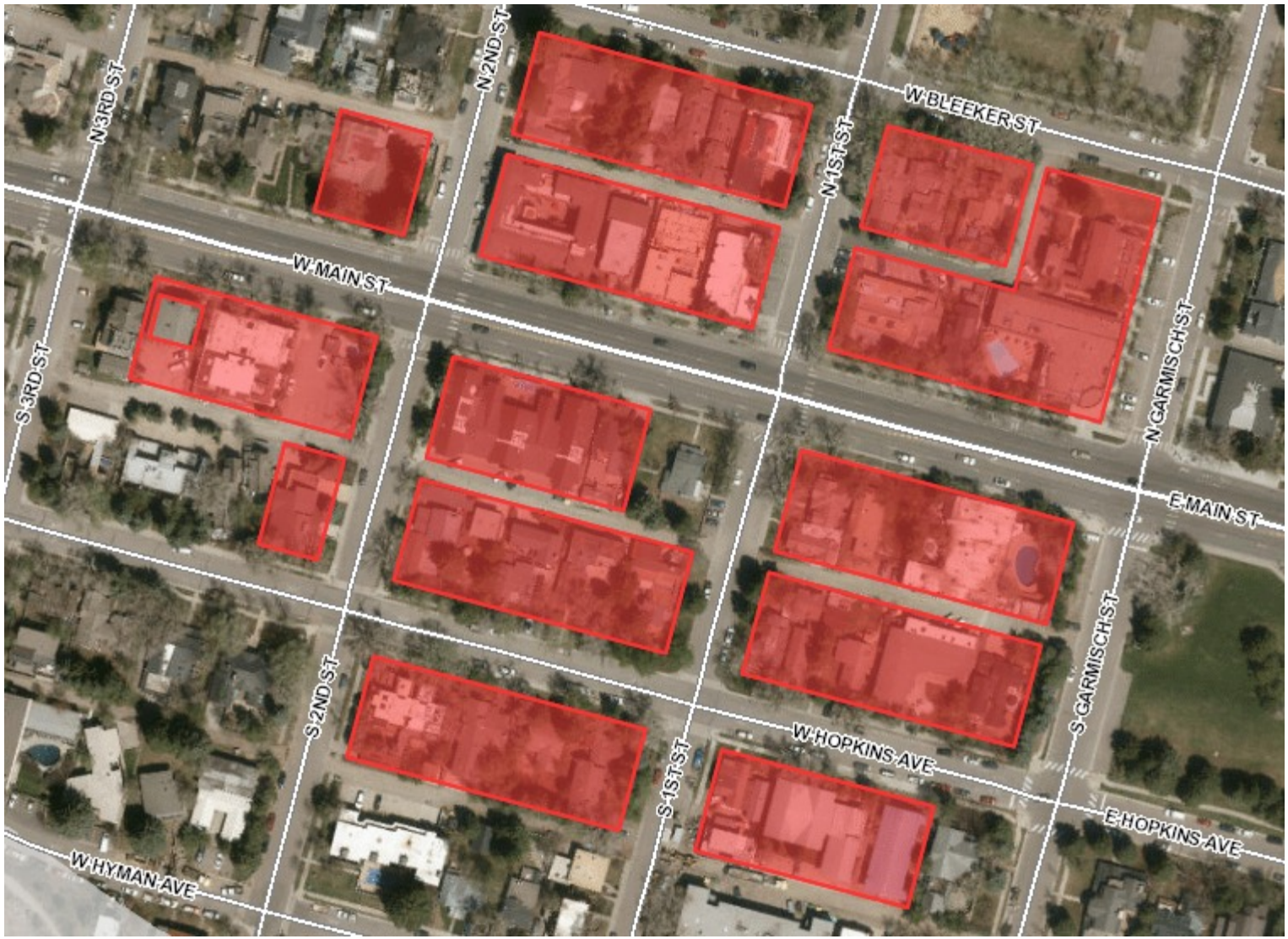
WEST SIDE CONDO ASSOC
234 W HOPKINS AVE
ASPEN, CO 81611

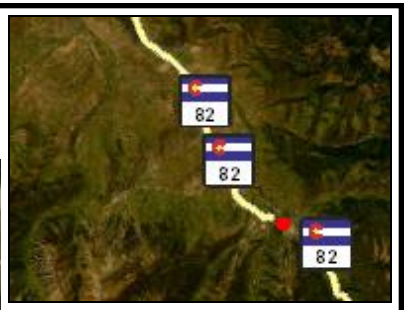
WINER CAROL G
6740 SELKIRK DR
BETHESDA , MD 20817

Pitkin Maps & More

Pitkin Maps & More

Map Created on 2:58 PM 03/16/23 at http://www.pitkinmapsandmore.com





Legend

- State Highway
- Road Centerline 4K
  - Primary Road
  - Secondary Road
  - Service Road
- Rivers and Creeks
  - Continuous
  - Intermittent
- River, Lake or Pond
- Town Boundary
- Federal Land Boundary
  - BLM
  - State of Colorado
  - USFS

Notes

400.0 0 200.00 400.0 Feet

1: 2,400

WGS_1984_Web_Mercator_Auxiliary_Sphere

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CITY OF ASPEN

PRE-APPLICATION CONFERENCE SUMMARY

DATE: February 23, 2023

PLANNER: Kevin Rayes | kevin.rayes@cityofaspen.com | 970.429.2797

PROJECT NAME AND ADDRESS: 205 W. Main Street | Affordable Housing Development | Development Associated with the Historic Resource

PARCEL ID# 2735-124-54-003

REPRESENTATIVE: Stan Clauson | stan@cra-designplanning.com

DESCRIPTION: The subject property is located within the Mixed-Use (MU) zone district and the Main Street Historic District. The property is improved with a designated landmark Victorian-era single family dwelling. The resource was constructed circa 1890 and relocated to its current location in 1949.

The Applicant is interested in restoring the historic resource and developing multiple onsite affordable housing units, within three separate structures – the historic resource and two new detached buildings. The dwellings consist of one, two, and three-bedroom units. The units are intended to generate certificates of affordable housing credits as they are not required for mitigation purposes. Based on preliminary conversations, the units appear to meet minimal size and configuration requirements.

Pursuant to Land Use Code Section 26.470.090.d.3, when one hundred percent affordable housing is proposed on a designated site containing a resource, a one-step review at HPC followed by an administrative review may be pursued if the following conditions are met: (1) the resource is fully detached from all new construction, (2) all non-historic additions are removed, (3) any new construction taller than one story is distanced at least ten feet from the resource,[1] and (4) all dimensional standards including but not limited to setbacks, Floor Area Ratio, and height as prescribed within the MU zone district are met.

This pre-application sets forth the review process required at the Historic Preservation Commission for work impacting the historic resource.

HPC shall determine compliance with the following:

1. **Land Use Code Section 26.415.070.c, *Certificate of Appropriateness for a Minor Development***
   HPC shall review the work associated with demolition of non-historic additions and all work directly affecting the historic resource.
2. **Land Use Code Section 26.415.090, *Relocation of Designated Historic Properties***
   - HPC may not deny Relocation but shall determine a siting for the historic structure that best meets the City of Aspen Historic Preservation Design Guidelines while accommodating the allowed development rights for the property. A conceptual site plan representing the full project may be provided to assist with this review.
   - Relocation may be granted for a resource within a front, rear, or side setback. New construction may not be located within a setback.
   - In consultation with the Historic Preservation Officer, the application must include a detailed summary of repairs to historic fabric to be completed during construction, including exterior materials, doors, and windows. The summary must also identify opportunities to restore an element of the historic resource from an earlier condition that can be documented through photographs or

1. A minimum of six feet may be granted between the historic resource and new buildings if new construction is limited to one-story in height.

physical inspection. HPC may prioritize and require up to three of these to be completed during construction.

- Site development shall incorporate the following (as applicable):
    - A front walkway to the historic resource (no wider than the minimum required for accessibility), that runs directly from the street to the door unless necessary to avoid a preserved tree. The walkway may consist of gray concrete, brick, rectilinear stone, or flagstone (as determined by HPC).
    - Stormwater facilities and conveyances fully integrate with surrounding landscape when viewed from the public right-of-way.
    - The perimeter of the historic resource is bordered by gravel or a small diameter rock planting strip one foot in width to protect from water. Plant material around the historic resource cannot have an identified mature height taller than 42 inches (other than one shrub or tree, placed with the mature size of the species in mind). Hardscape cannot be in street facing yards around the historic resource (excluding the front walkway).
    - Historically significant perimeter fences should be retained and repaired and cannot be moved, removed, or inappropriately altered.
    - New fences between the historic resource and the street shall not exceed 42 inches in height and include a solid to void ratio of at least 50 percent.

RELEVANT LAND USE CODE SECTIONS:

Section Number	Section Title
26.304	Common Development Review Procedures
26.415.070.c	Certificate of Appropriateness for a Minor Development
26.415.090	Relocation of Designated Historic Properties
26.710.180	Mixed Use (MU) Zone District

For your convenience – links to the Land Use Application, the Land Use Code, and the Historic Preservation Guidelines are below:

Land Use Application | Land Use Code | Historic Preservation Guidelines

REVIEW BY: Community Development staff for complete application and content
Engineering and Parks for referral comments
HPC for determinations

PUBLIC HEARING: Yes**,** Historic Preservation Commission

PLANNING FEES: $0 **|** Applications submitted for new projects that are 100 percent affordable housing are eligible for a 100 percent fee waiver of Planning Review Fees

REFERRAL FEES: Engineering – $325 (additional hours may be billed as needed)**.**
Parks - $975 Flat Fee

TOTAL DEPOSIT: **$1,300**

APPLICATION CHECKLIST – PLEASE EMAIL APPLICATION TO: kevin.rayes@aspen.gov

- ☐ Completed Land Use Application and signed Fee Agreement (these documents are linked above).
- ☐ HOA Compliance form (included in link above).
- ☐ Pre-application Conference Summary (this document).
- ☐ An 8 1/2 " by 11" vicinity map locating the parcel within the City of Aspen.
- ☐ Street address and legal description of the parcel on which development is proposed to occur, consisting of a current certificate from a title insurance company, an ownership and encumbrance report, or attorney licensed to practice in the State of Colorado, listing the names of all owners of the property, and all mortgages, judgments, liens, easements, contracts and agreements affecting the parcel, and demonstrating the owner's right to apply for the Development Application. The purpose of this requirement is to show that the Applicant has the authority to apply for a Land Use Case.
- ☐ Site improvement survey showing all existing conditions, including topography and vegetation, certified by a registered land surveyor, licensed in the state of Colorado.
- ☐ Applicant's name, address, and phone number, within a letter signed by Applicant stating the name, address and phone number of the representative authorized to act on behalf of the applicant.
- ☐ A written description of the proposal and an explanation in written, graphic, or model form of how the proposed development complies with the review standards relevant to the development application.
- ☐ An accurate representation of all building materials and finishes to be used in the development. Please include relevant cut-sheets for all materials for review.
- ☐ Existing and proposed site plans showing setbacks, property boundaries and the extent of the building relocation. On the proposed site plan, provide details responsive to the review requirements, such as identifying the front walkway, fencing, landscaping around the resource, and stormwater mitigation.
- ☐ Supplemental materials to provide a visual description of the context surrounding the designated historic property including photographs and other exhibits, as needed, to accurately depict location and extent of proposed work.
- ☐ A written report from a licensed engineer or architect regarding the soundness of the miner's cottage to be relocated and an explanation of the relocation plan.
- ☐ Evidence of the financial ability to undertake the safe relocation, preservation, and repair of the miner's cottage through the posting of bonds or other financial measures deemed appropriate.
- ☐ Optional: A conceptual site plan representing the full project may be provided to assist with this review.

DISCLAIMER:

The foregoing summary is advisory in nature only and is not binding on the City. The summary is based on current zoning, which is subject to change in the future, and upon factual representations that may or may not be accurate. The summary does not create a legal or vested right.

Land Use Application Supplement

City of Aspen Historic Preservation Commission

20 April 2023

Location: 205 W. Main Street, Aspen, CO (PID# 273512454003)



Supplement to an Application for Historic Resource Relocation to provide Affordable Housing.

Planning Representation:

CLAUSON RAWLEY ASSOCIATES INC
landscape architecture.planning.resort design

Architect:

DJA ARCHITECTS

Summary

As requested, the applicant is providing existing floor plans of the historic residence located at 205 W. Main Street. We are also providing the proposed elevations of the historic resource. The existing elevations are unchanged with the exception of the removal of a non-historic addition at the rear southeast corner of the structure. We are also providing photographs of the non-historic shed that is also requested for removal.

The applicant is committed to repair and retain all exterior materials based on field inspection with historic preservation staff. The applicant is also committed to identify and complete up to three restoration actions, based on field inspection by historic preservation staff. One of these actions will be the removal of the non-historic addition and restoring the original building exterior envelope. Others may be determined by field inspection.

A landscape restoration to the existing right-of-way along First Street will include the removal of head-in off street gravel parking. This would be replaced by a sidewalk and landscaped parkway with street trees as designated by the Parks Department. Any replacement parking would be provided off of the alley adjacent to the property.

Contents

1. Existing floor plans
2. Existing photo and proposed elevation
3. Photographs of the non-historic shed to be removed.

DAVID JOHNSTON ARCHITECTS

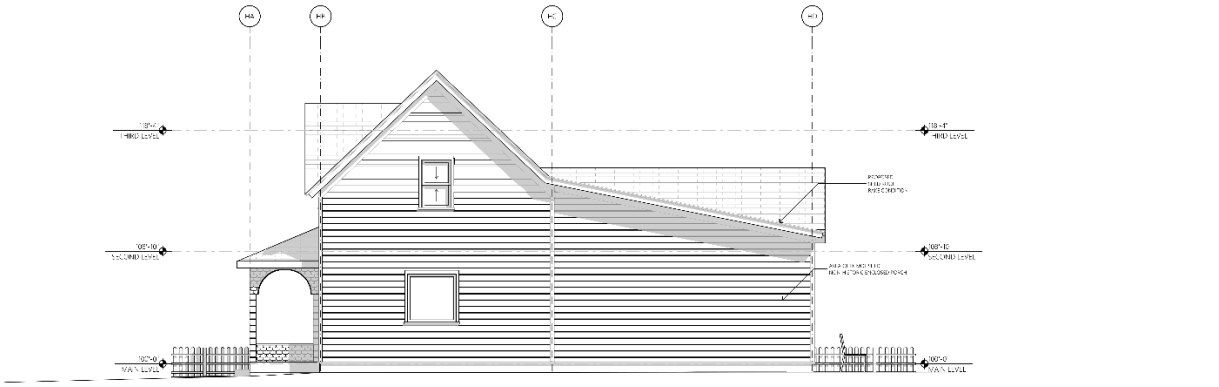
205 WEST MAIN
AFFORDABLE HOUSING
205 WEST MAIN | ASPEN CO

A1.05

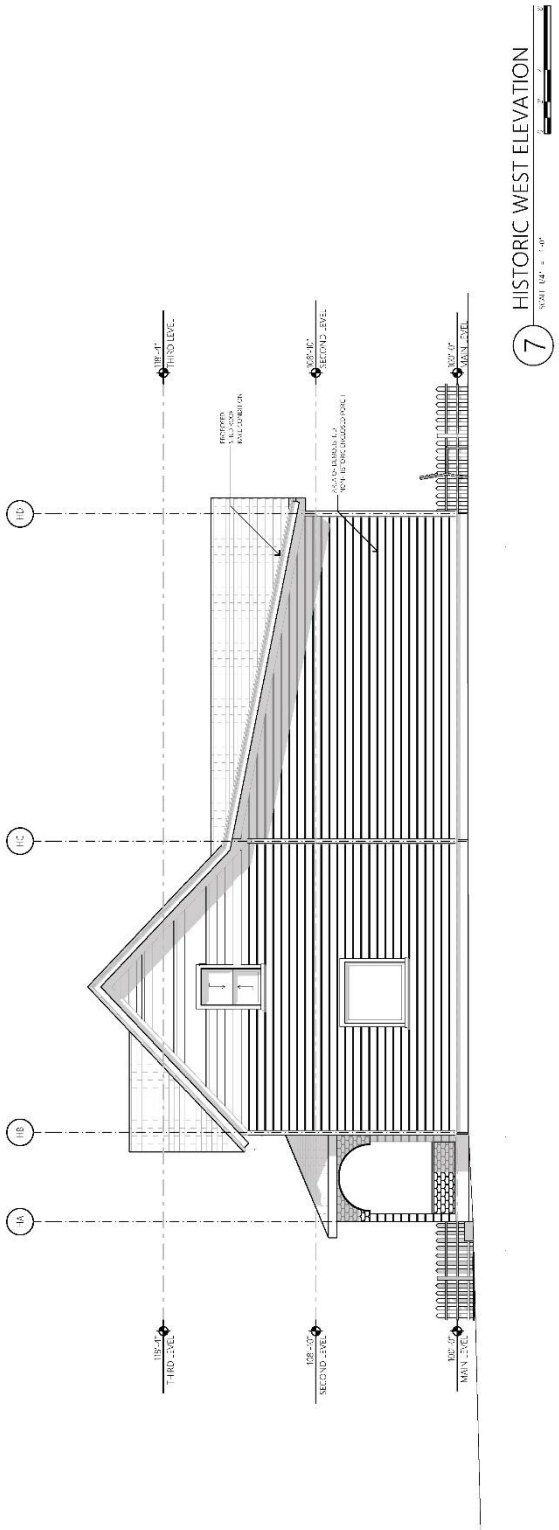
1 EXISTING FLOOR PLANS

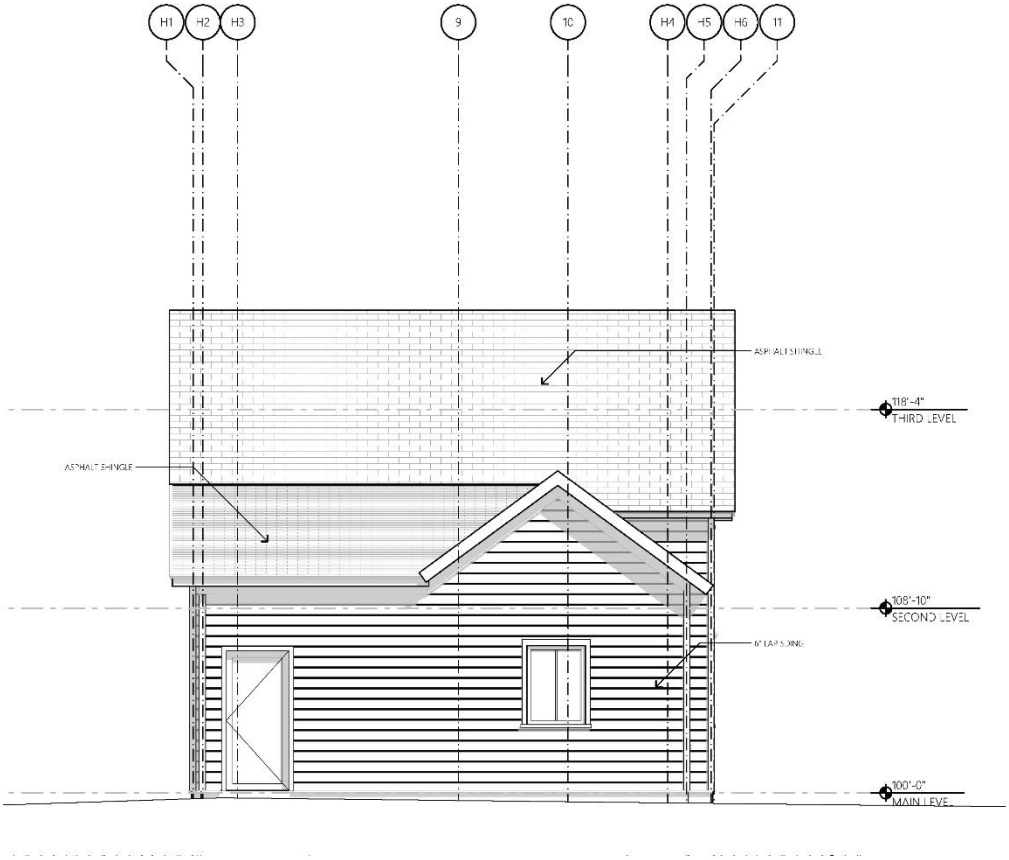






7 HISTORIC WEST ELEVATION


7 HISTORIC WEST ELEVATION



8 PARTIAL SOUTH ELEVATION

SCALE: 1/4" = 1'-0"









Chairperson Thompson opened the regular meeting of the Aspen Historic Preservation Commission at 4:30pm.

Commissioners in attendance: Peter Fornell, Roger Moyer, Jodi Surfas, Jeffery Halferty and Kara Thompson.

Commissioners not in attendance: Ms. Pitchford

Staff present:
Amy Simon, Planning Director
PJ Murray, Civil Engineer I
Sarah Roy, Red Brick Council of the Arts Director
Ben Anderson, Deputy Director of Community Development
Kate Johnson, Assistant City Attorney
Mike Sear, Deputy City Clerk

MINUTES: None.

PUBLIC COMMENTS:

Mr. David Scruggs commented on his repeated requests for HPC to hold hybrid meetings. He noted that there were many other people who would appreciate the ability to attend virtually or in person. He mentioned that he had appeared in front of City Council with this request and will continue to do so. He said that the City Council holds fully hybrid meetings and has complete transparency.

Ms. Marsha Dowler supported Mr. Scruggs comments and request for hybrid meetings.

COMMISSION MEMBER COMMENTS:

Ms. Thompson said she didn't believe there was a member of HPC that didn't support having hybrid meetings.

Mr. Moyer agreed with Mr. Scruggs and thought in the modern age holding hybrid meetings should be possible.

Mr. Halferty echoed some of the concerns regarding holding hybrid meetings, but acknowledged it was a staffing issue. He saw why it could be frustrating, as City Council holds hybrids meetings, but he recognized that it was the board's current protocol, and he stands by staff's direction on it. He also noted that it was nice to see some construction happening on the Main St. Bakery site.

Mr. Fornell addressed the public comments and hoped that they hesitate to use the word transparency when speaking to City Council and staff as he did not believe that this Board is trying to do anything that is less than transparent. He thought it was more of a topic of public comment availability rather than transparency.

DISCLOSURE OF CONFLICTS OF INTEREST: None.

PROJECT MONITORING: Ms. Thompson asked Ms. Simon if they needed to reassign any of Ms. Sanzone's project, as she had resigned from the Commission. Ms. Simon said she would need to reassign

a few projects that Ms. Sanzone was the sole monitor on but would be reaching out to Commissioners soon.

CERTIFICATE OF NO NEGATIVE EFFECT: Ms. Simon stated that she had approved two certificates of no negative effect. One for 530 W. Hallam where a lightwell was requested on the interior of the property. The other was for 332 W. Main to add a new ADA ramp onto the porch.

STAFF COMMENTS: Ms. Johnson wanted to commend Ms. Simon as today marks her 30th year with the City of Aspen. There was a big round of applause.

Ms. Simon reiterated that Ms. Sanzone had resigned her seat on HPC due to too many commitments. She then noted that on May 5th there will be a site visit to 835 W. Main St. as it is being considered for the National Registry of Historic Places.

She also wanted to make sure HPC was aware that staff is getting close to issuing permits for a number of projects along Cooper Avenue from the Restoration Hardware building, to the other end of the block. The entire length of the block besides Aspen Sports is about to go under renovation. Since there is limited access to the sites, construction fencing will be installed on the length of the north side of the mall to allow construction vehicles access.

Summary of City Council approval for Temporary Art downtown:

Ms. Roy started by introducing herself and Ms. Murray and described the project itself. It is a public art project set to be installed in June and is a partnership with the Aspen Ideas Festival. It will be a pavement art mural. Similar projects have been shown to improve pedestrian safety and can enhance the neighborhood. It will also be a community-based project, with members of the public invited to help create the mural. She then went over the details of the installation at Mill and Hyman.

Mr. Halferty asked about the project's duration. Ms. Roy said the expectation is for it to last into the winter, but it is based on traffic and snowplow activity. Ms. Murray stated that the proposed paint is low toxicity and lead free.

Ms. Surfas said she thought it was a great idea and was excited to see it.

Mr. Fornell said he didn't buy into it and while they say it will add to pedestrian safety, they are creating something for a driver of a vehicle to look at instead of traffic and for pedestrians to stop in the middle of the road and get their picture taken. He thought this would actually be a traffic generator. He then asked how long the impact to parking spaces and pedestrian access would be during the installation. Ms. Roy said it should be about 4-5 hours on Saturday, June 24th and then from about 8am to 6pm on Sunday, June 25th.

CALL UP REPORTS: None.

SUBMIT PUBLIC NOTICE FOR AGENDA ITEMS: Ms. Johnson said that she reviewed public notice, and that notice was provided per the code for agenda item.

NEW BUSINESS: 205 W. Main Street- Minor Development and Relocation, PUBLIC HEARING

Ms. Johnson went over the history regarding this project. She noted that an application came before HPC for this property several months ago. That particular application has been withdrawn. She wanted

to advise the members that now there is a new application and their decisions should be based on the information presented in the new application and public comment related to the new application. She cautioned against using information that may have been gained in a prior application to make decisions regarding the new application. She noted that the new application was submitted under a new provision in the Land Use Code and the applicant is entitled to request a review under those procedures.

Applicant Presentation: Stan Clauson, Clauson Rawley Associates

Mr. Clauson began by going over some of the background of the project including the original location of the building and the relocation to its current location in 1949. He noted that it sits on an approximately 7,500 square foot a lot which is effectively 2.5 townsite lots. It was purchased in 2021 in order to pursue an affordable housing project. He also noted that one of City Council's goals is affordable housing. Next, he went over the details of the relocation of the historic asset on the lot and noted that no variances are required, and it is fully in compliance with setback requirements. He then showed site plans showing the current location and then the proposed relocation to the NE corner of the property. The relocation will reduce the asset's footprint to one historic townsite lot. He detailed the removal of non-historic additions and sheds on the property and noted that no additional floor area is part of this request. He stated that all Historic Preservation Guidelines are met, and all Zoning setback requirements are met.

He went over the floor plan detailing the non-historic additions that are planned to be removed. He showed a few pictures of the non-historic shed and trash enclosure that will also be removed.

Next, he went over in detail the conditions included in the resolution and the applicant's responses to each of the conditions. In this he detailed dividing the proposed lightwell on the Northwest corner of the historic resource and he described the landscape plan.

He finished by stating they believe that they have met all the conditions of approval and that this would be a benefit to the City and the community by supporting an eventual affordable housing application and by the restoration of a historic Victorian in a highly visible location.

Ms. Thompson asked about the location of the proposed fence and if the intent was for it to be on the property line, to which Mr. Clauson said yes, it would be on the property line.

Staff Presentation: Amy Simon - Planning Director

Ms. Simon started by reviewing the process that is in front of HPC. She went over the new section of Growth Management Code that facilitated this review. For this project to come before HPC staff had to make sure that the historic resource would be fully detached from any new construction, that all non-historic additions on the resource would be removed and no new additions would be added to the resource. The historic structure would also need a 10-foot buffer around it.

She said it was important to note that under the new Land Use Code HPC, in their review of the relocation, may not deny the relocation, but shall determine the location of the historic resource that best meets the City's Historic Preservation Design Guidelines while accommodating the allowed development rights of the property.

She then went over the two review steps in the process. This hearing is the first step, and the second step is an administrative review of another application that would go over transportation mitigation, affordable housing credits, zoning requirements with no variance requests, and a limited design review conducted by herself and Ms. Thompson.

She noted one of the successes of this project and why it was created is that it places the historic resource as a free-standing building, prominently located at the corner of the site. The are few examples in town where the preservation of a historic resource with no future additions has been secured.

Next, she went over the details of each condition included in the resolution. She said that staff supports the project and find that the scope of work meets the guidelines and criteria in front of HPC.

Ms. Thompson asked why a full preservation plan was not required or included. Ms. Simon mentioned it is usually something that HPC requires, and it could be added to the resolution.

Mr. Halferty asked about the guidelines related to the relocation that staff is looking at in their recommendation. Ms. Simon detailed the criteria needed to be met, highlighting Criteria #4 and went over staff's reasoning.

PUBLIC COMMENT: Mr. David Scruggs asked if the basement was proposed to be expanded. Ms. Simon said that the existing basement will be fully demolished and new basement, limited to the footprint of the historic resource is proposed. Mr. Clauson said that the new basement would be structurally necessary to be under the entire footprint but was not sure if that would be an expansion.

Mr. Scruggs said he asked the question because the new procedure does not allow any additions to be added. He claimed that the new basement would expand the square footage and thus be an addition. Next, he provided each of the HPC members a few handouts (added to packet as Exhibit C) that provide an overview of his comments. He then spoke to the idea of balance. Balance between the preservation of a historic resource and affordable housing. He said that he thought the reason for the relocation of the historic resource was to build nine affordable housing units, consisting of 22 bedrooms and 7 parking spaces. He said he wanted any affordable housing to be livable and to respect the historic resource. He did not think this project accomplishes those things. He asked that the proposed movement of the historic resource to 10 feet from the property line be adjusted to 17 feet from the property line. He also commented on other historic resources surrounding this project and their relative setback distances. He expressed his concerns about the drainage on the site.

Ms. Marsha Dowler asked for the slide showing the site plan of the current location and proposed relocation of the historic resource be displayed again. She then went on to comment that the historic is being shoehorned with the relocation. She asked that this project be focused on protecting the historic resource and the proposed relocation of the resource contradicts this. She also noted the traditional setbacks that exist on neighboring historic properties.

Mr. Clauson responded to the public comments by addressing the proposed location and clarified distances from the sidewalks and setbacks. He said that bringing the resource forward to the front setback is in line with the concept of build to lines. He invited Mr. Brian Beasley from DJ architects to address the comments regarding the proposed new basement. Mr. Beasley noted that the removal of the non-historic additions would be about a wash with any additional square footage of the new basement. Mr. Clauson said the clear intent was that there would not be a visible addition that affected the historic resource.

Mr. Fornell asked if there was additional City right of way space between the edge of the sidewalk and the lot line. Mr. Clauson said yes.

Ms. Thompson asked Ms. Simon if in their review of the foundation that any below grade work must conform with the code whether it expands the basement or not. Ms. Simon said there is a section of the design guidelines that addresses additions, and it is very directed to above grade construction.

Ms. Johnson further clarified the design guideline regarding additions and noted the language talks about additions and not additional square footage.

Mr. Fornell asked that if any additions, above or below grade are proposed in the future that are conforming to setbacks that HPC would not see it. Ms. Simon stated that there will not be an opportunity to make an addition to this structure in the future which is what facilitated this process.

Mr. Halferty asked about the additional floor area created in the basement and if it complies with the new code changes in this application. Ms. Simon again stated that in the design guidelines it was never the intent to consider a basement as an addition in this process. She further explained that if there was some way to add loft space inside the existing structure it would not be considered an addition, even though it is adding floor area.

Ms. Thompson invited Mr. Scruggs to provide additional comments. Mr. Scruggs read the section of the new code related to this process, noting that all non-historic additions must be removed, and that no new addition will be made to the historic resource. He again claimed that the additional basement space is an addition.

Mr. Clauson responded saying that the foundation being proposed is not the historic resource. The historic resource is what is visible above grade, and the resource is what HPC is charged with protecting.

BOARD DISCUSSION: Ms. Thompson started the board discussion by reviewing the items before the Board. She went on to provide her thoughts. She wanted the requirement of a full preservation plan be added to the resolution and she thought the front lightwell should not be on the same plane as the front wall of the resource. She also thought that more information regarding floor area and the basement will need to be addressed during the staff review to verify conformance with the Land Use Code. She believed that this does meet their criteria for relocation because this is not the original location of the resource, and she is ok with the relocation. She then clarified her thoughts regarding the lightwell location.

Mr. Fornell noted that he was ok with the relocation and Ms. Thompson's request that a full preservation plan be included in the resolution.

Ms. Surfas commented that while the resource was moved to this lot and is not in its historic location, it has been in the current location for approximately 70 years. She was not in support of the relocation. She was ok with it moving, but thought it was going too far in both directions. She did think they should have a full preservation plan.

Mr. Halferty said he was fully in favor of affordable housing. He said he understood the new code provisions and that HPC needs to comply with what is in front of them. He understood the applicants' and neighbors' concerns and hoped that there was a happy medium to be reached. He referenced the relocation guidelines and agreed with Ms. Surfas that they can approve the movement, but it depends

on how far. He agreed that a preservation plan should be required and with Ms. Thompson's thoughts on the lightwell location. He also said that adding housing will always have an effect on open space and transportation and parking and that there is some room for give and take on this. He also agreed with Ms. Surfas again and thought there could be a compromise on the relocation.

Mr. Moyer started by reviewing some of the history of other projects, some that included the addition of affordable housing. In this he described the Paepcke estate and 834 W. Hallam. He admitted that he voted in favor of the affordable housing project at 834 W. Hallam but thought that once complete HPC totally blew it with the Poppies project at that address. He went on to explain more of his thoughts on that project and the loss, in his mind, of the historic resource there. He noted the dilemma between historic preservation and affordable housing. He thought that the applicant and the City staff have deceived and been disrespectful to this board. He was disappointed that a two-person administrative review can take place here and said that he was very disappointed in the City government and staff. He thought they might as well dissolve the HPC. He said they should vote no on this and throw it in Council's face. He wanted to know if employee housing is going to take precedence over historic preservation.

Ms. Thompson responded to Mr. Moyer's comments saying that she had participated in almost every meeting related to this code adjustment and was the only HPC member present. City Council's direction to staff was to remove HPC's purview on most of these items.

Mr. Anderson asked Chairperson Thompson to address some commissioner comments. He said he respected the commissioner's position on this but reminded them that they had a very robust and open conversation with HPC about this exact process and why they were doing it. He said they would not have gone to City Council without a recommendation from HPC about the process. He wanted to put on the record that they had received support from HPC on this.

Mr. Moyer wanted to note that in those meetings he had commented that conceptually he liked the idea and was mainly thinking of a situation regarding a historic piece of land and not a historic piece of land with a historic house on it. He stated that Council needs to look at this as it is a very distressing situation.

Mr. Fornell said he had paid very close attention to all the discussions preceding the new code adoption. He reminded the members that they have, in the past, approved the relocation of a historic resource from its original location to the setback lines in order to facilitate affordable housing, setting a precedent here. He thought the applicant has an appropriate relocation plan that gives the historic resource prominence next to the street but not in the setbacks and urged the board to approve the relocation as proposed.

Ms. Thompson said she heard Mr. Moyer's comments, but they cannot relitigate the code with this application. She did think there was an opportunity to discuss it further with Council. She wanted to confirm that Ms. Surfas and Mr. Halferty did not support the proposed relocation and wanted to understand what they would be in support of.

Mr. Halferty said he hadn't seen the streetscape or contextual information and just thought it was pushed as a chess move to plan for the next move.

Mr. Moyer concurred with Mr. Halferty.

Ms. Thompson said, knowing that three members agree that the relocation is too far forward, she wanted to be able to provide the applicant with some specific information on what they would like to see to move forward.

MOTION: Mr. Fornell moved to approve the resolution with the addition of the preservation plan to the existing conditions. Ms. Thompson seconded with the addition of the movement of the lightwell. **Roll call vote:** Mr. Fornell, yes; Mr. Moyer, no; Ms. Surfas, no; Mr. Halferty, no; Ms. Thompson, yes. **2-3 vote**, motion does not pass.

Ms. Johnson reminded the members that HPC cannot deny relocation but can determine an appropriate setting for the historic structure that best meets the historic preservation guidelines.

Ms. Thompson said she had heard and could support Mr. Halferty's request to see more context.

There was further discussion about the request of the applicant to restudy the siting of the relocation and present it in relation to the context of Main St. Mr. Halferty agreed with the request for a restudy and said the siting needs to be consistent with the Main St. district, not just this historic lot.

Ms. Surfas agreed with Mr. Halferty regarding the context of the district.

Ms. Johnson asked if the board was suggesting a motion for continuance.

Mr. Clauson said he was not clear what the point of a continuance was. He asked if the board was planning on deliberating on the question of what they would accept. Ms. Johnson said she understood that the board was requesting more information to better understand what the context is and maybe some reconsideration based upon the comments that have been heard.

Ms. Thompson tried to clarify what she had heard from some of the members. She said they are looking for contextual studies of the neighborhood and the Main St. historic district showing the relationships to surrounding structures. She thought it was an appropriate ask for more context to be provided to help make their decisions.

Mr. Clauson said they could provide more context. He also wanted to point out that zoning provides for a 10-foot setback and any non-historic building on Main St. could be built at this 10-foot setback. He said that if this historic resource were to be pushed back further for some reason it could find itself setback further than the surrounding buildings and receding in prominence and character.

Mr. Fornell stated that the farther they push the resource back the less prominence it has.

Mr. Halferty motioned to continue this item to May 24th at 4:30pm to provide more contextual language as far as the Main St. historic district that helps the board understand the relocation and addressing Ms. Thompson's concerns regarding the placement of the lightwell. Ms. Thompson seconded. **Roll call vote:** Mr. Fornell, no; Mr. Moyer, no; Ms. Surfas, yes; Mr. Halferty, yes; Ms. Thompson, yes. **3-2 vote**, motion passes.

ADJOURN: Ms. Thompson motioned to adjourn the regular meeting. Mr. Moyer seconded. All in favor; motion passes.

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Mike Sear, Deputy City Clerk