



OLD NORTH END
NEIGHBORHOOD

November 14, 2020

City of Colorado Springs Historic Preservation Board Members,

The City Council adopted, on final reading at its October 9, 2000 meeting an ordinance creating the North End Historic Preservation Overlay Zone and ostensibly the associated North End Historic Preservation Overlay Zone Design Standards.

Yet, we all recently learned the City Attorney has concluded that the Design Standards had not been approved by City Council at that meeting. The agenda materials and City staff report for the ordinance creating the North End Overlay Zone included a specific recommendation of approval of the Design Standards along with approval of the Overlay Zone. But, apparently due to an oversight, the ordinance itself did not include language approving the Design Standards.

This discovery is problematic for all the parties involved in preserving the general historical and architectural character of the Historic Preservation Overlay Zone. Yet, most important, without design standards, it is very difficult for you to fulfill your duties and obligations in reviewing and considering applications for a report of acceptability. How can one objectively review and assess the extent to which a proposed project in the Overlay Zone is acceptable from a historic preservation perspective if there are no specific standards against which the proposed project can be evaluated?

Formal and duly adopted Design Standards are essential to maintaining the integrity of decisions by the Board regarding reports of acceptability. Without City Council adopted Design Standards, as required by the City's Historic Preservation ordinance, reports of acceptability decisions by the Board could be considered arbitrary and subject to challenge.

But there are other likely consequences of not having approved Design Standards in place. Without formal and adopted Design Standards, the City of Colorado Springs' current Certified Local Government (CLG) status with the State Historic Preservation Office could be in jeopardy. The following link will take you to the History Colorado webpage describing the CLG program and the many benefits and advantages to cities having CLG status:

<https://www.historycolorado.org/certified-local-governments>.

A condition of maintaining CLG status is to have approved design standards and criteria that are consistent with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. Loss of CLG status would result in the loss of historic preservation funding opportunities to the City and the Board and a diminished voice and role in historic preservation efforts in the region.

However, ONEN, the Historic Preservation Alliance, and other supporters of historic preservation in the City believe there is a simple solution to this problem. Sections 7.5.1601 and 7.5.1602 of the City Code (the City's Historic Preservation Ordinance) specify that the Design Standards should be adopted by City Council resolution. Accordingly, ONEN has drafted and attached to this letter a proposed resolution that re-affirms approval of the North End Design Standards.

For over 19 years, essentially every interested party involved in the operation and administration of the Colorado Springs Historic Preservation Board had assumed the Design Standards had been properly approved by City Council for use by the Board as criteria in its consideration of applications for reports of acceptability.

Included with the attached resolution are letters from many of the original participants in the development and approval of the Overlay Zone as well as former Historic Preservation Board members. Those letters attest to the fact that everyone had believed the Design Standards were approved at the October 2000 City Council meeting.

Also attached is a short history and background of the extensive process, steps, and endless hours of community effort that went into the preparation of the North End Historic Preservation Overlay Zone and design guidelines. The attachment also contains a description of the CLG program. We would also encourage you to visit the City's webpage containing many valuable and informative historic preservation documents and resources that were generated by those past civic efforts. (<https://coloradosprings.gov/planning-and-development/page/historic-preservation-board-review>).

As pointed out in the attached letters, the solution to this problem is rather simple and straightforward. City Council's consideration and adoption of the attached resolution at the earliest convenience is recommended by those who have had experience with implementation of the Design Standards over the years.

We believe resolving this problem cannot wait and that time is of the essence. As described above, we believe the Board cannot properly fulfill its design review and report of acceptability responsibilities without approved Design Standards. Also, the City's CLG status is likely in jeopardy right now. This matter needs to be cleaned up as soon as possible and without haste.

We urge you to consider, discuss, and debate the content of the attached resolution re-affirming the North End Design Standards and hope that you will recommend it for City Council adoption at an upcoming City Council meeting in January.

Sincerely,



Pat Doyle
Chair
ONEN Historic Preservation Committee

Enclosures (4)

ATTACHMENT 1

Proposed City Council Resolution

RESOLUTION ___-20

A RESOLUTION RE-AFFIRMING APPROVAL OF THE NORTH END HISTORIC PRESERVATION OVERLAY ZONE DESIGN STANDARDS TO ESTABLISH CRITERIA FOR USE BY THE CITY OF COLORADO SPRINGS HISTORIC PRESERVATION BOARD IN ITS CONSIDERATION OF APPLICATIONS FOR A REPORT OF ACCEPTABILITY FOR CONSTRUCTION, ALTERATION, DEMOLITION OR RELOCATION OF REAL PROPERTY WITHIN THE NORTH END HISTORIC PRESERVATION OVERLAY ZONE.

WHEREAS, Section 7.5.1601 B.10 of the City Code provides that the City of Colorado Springs Historic Preservation Board is to develop and recommend for City Council adoption design standards which are written statements to be used by the Board as criteria in its consideration of an application for a report of acceptability for properties with HP historic preservation overlay zoning; and

WHEREAS, the Historic Preservation Board, at its July 17, 2000 meeting, unanimously recommended City Council approval of the North End Historic Preservation Overlay Zone and the Design Standards with the City Planning Commission also recommending the same at its August 2, 2000 meeting; and

WHEREAS, the Colorado Springs City Council adopted, on final reading at its October 9, 2000 meeting an ordinance creating the North End Historic Preservation Overlay Zone and ostensibly the associated North End Historic Preservation Overlay Zone Design Standards; and

WHEREAS, all the agenda materials and City staff report for the October 9, 2000 agenda item for the ordinance creating the North End Historic Preservation Overlay Zone included specific recommendation of approval of the Design Standards along with approval of the Overlay Zone but due to a clerical mistake the ordinance itself did not include language approving the Design Standards; and

WHEREAS, subsequent to the October 9, 2000 creation of the North End Historic Preservation Overlay Zone the City Council, City staff, the Colorado Springs Historic Preservation Board and the Old North End Neighborhood Association have operated for over nineteen years assuming the Design Standards had been approved by City Council at its October 9, 2000 meeting; and

WHEREAS, since October 9, 2000 the Colorado Springs Historic Preservation Board has diligently utilized, applied, and cited applicable sections and provisions of the Design Standards in all of its decisions regarding applications for a report of acceptability for construction, alteration, demolition or relocation of real property in the North End Historic Preservation Overlay Zone; and

WHEREAS, for over 19 years owners of property within the North End Historic Preservation Overlay Zone have submitted applications for reports of acceptability assuming the Design standards were duly adopted and effective and similarly accepted decisions by the Historic Preservation Board that utilized and specifically cited the Design Standards as the basis of those decisions; and

WHEREAS, for over 19 years persons purchasing property within the Old North End Historic Preservation Overlay District made those purchases with the understanding that their property would be subject to and protected by the North End Historic Preservation Overlay Zone Design Standards; and

WHEREAS, the City's Historic Preservation General Application form has long required that all applications for a report of acceptability must address how the proposed project meets the pertinent North End Design Standards; and

WHEREAS, the Historic Preservation Board Review page on the City of Colorado Springs website has long stated that "The North End Design Standards, which were adopted by City Council, are which requests (for a report of acceptability) are reviewed against" with that statement followed by an internet hyperlink to a copy of the North End Historic Preservation Overlay Zone Design Standards; and

WHEREAS, without design standards as criteria, the Historic Preservation Board cannot fulfill its duties and obligations, as defined in Section 7.5.1605 of the City Code, regarding its review and consideration of applications for a report of acceptability for construction, alteration, demolition or relocation of real property in the North End Historic Preservation Overlay Zone.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City Council hereby re-affirms the attached North End Historic Preservation Overlay Zone Design Standards (Attachment 1) for use by the Colorado Springs HP Board as criteria in its consideration of an application for a

report of acceptability for properties within the North End Historic Preservation Overlay Zone as provided in Section 7.5.1605 of the City Code.

Dated at Colorado Springs, Colorado this ____ day of ____, 2020.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

NORTH END HISTORIC PRESERVATION OVERLAY ZONE DESIGN STANDARDS

PREAMBLE: The following preservation standards are intended to guide the decisions of the Colorado Springs Historic Preservation Board in the implementation of the Historic Preservation Overlay Zone for the North End Historic District, under the terms of the Colorado Springs Historic Preservation Ordinance. The Old North End Neighborhood is one of the best preserved historically and architecturally significant residential areas in the state and its historic integrity should be preserved for its current and future residents.

It is desirable that certain issues are clarified so their intent is easily understood. The following are presented to accomplish that clarification.

- The design standards apply only to work affecting the exterior of the properties that requires a permit issued by the Pikes Peak Regional Building Department.
- Maintenance of historic structures is preferable to repair, and repair is preferable to replacement, both for individual features and the entire structure.
- When replacement is unavoidable, the replacement features should reflect the material being replaced with regard to composition, design, texture, features, size, scale, and proportions that convey the visual appearance of the original.
- Principal structures and outbuildings that contribute to the historic character of the district should not be demolished except where loss of significant portions of the structure, resulting from such incidents as fire or natural disaster, has occurred.
- It is preferable that large lots, historically associated with an individual property, should not be subdivided. Should subdivision occur, new structures would be subject to these design standards.
- Original materials should be preserved. For example, new siding, either of vinyl or aluminum, should not be applied over original wood shingles or clapboard. Similarly, original siding should not be covered by stucco. Unpainted brick should remain unpainted. Painted brick, however, should not be subjected to methods of paint removal, such as sandblasting, that are destructive to masonry.
- Traditional designs, practices and materials should be used for both repair and new construction. Where traditional designs, practices and materials are unfeasible, modern design, practices and materials may be used. For example, certain types of asphalt shingles may be an appropriate alternative to a wood roof that needs replacement.
- Original windows that are inefficient are better addressed by low-profile, ventilating interior storm windows than by replacement of the windows.
- Repair or replacement of non-original elements will not trigger a requirement that the elements be returned to their original appearance.

- Rehabilitation of one portion of a structure will not trigger a requirement that separate portions be returned to their original appearance.
- Additions to a property should be located to the rear of the principal structure. If limited by lot size, rooftop additions may be appropriate, and should be designed to minimize the visual impact from the street.
- Construction of new buildings should be compatible in terms of materials, detailing and design with the surrounding buildings that contribute to the historic character of the North End Historic District.
- Preserving vacant lots which historically have been linked by ownership and landscaping to the adjacent house and lot is strongly preferred; however, if they are to be developed, new structures on these lots will be subject to these standards in keeping with the size and style of the architecture of neighboring structures.

DESIGN STANDARDS

A. Areawide Standards:

1. Maintain the concentration of late nineteenth and early twentieth century buildings with a similarity in use, scale, character and setting which visually defines the historic district. (Please refer to the North End Historic District Design Guidelines, by Deborah Edge Abele and J. Mark Nelson.)
2. Maintain the visual integrity of the North End Historic District.
3. Maintain the distribution of housing types, and their associated physical characteristics that divide the district into visually distinct subareas. (see Figure 1.)
4. Preserve the views of the mountains to the west, which traditionally have been visible from public right-of-ways within the district.
5. The historic pattern of the grid of avenues, streets and rectangular blocks, bisected by alleys and including landscaped center medians, should be maintained throughout the district.
6. Maintain and enhance the formal entrances to individual properties as defined by sidewalks and steps to the raised porches and entrances.
7. Maintain the visual appearance of the district as a neighborhood of historic single family homes.
8. Maintain the high quality of construction, materials and design, which has historically distinguished the area.
9. Preserve the historically significant housing types, including the estates, mansions and grand homes, which distinguish the North End from other neighborhoods of the community. Housing contributing to the historic character of the District should not be

demolished except in cases where health and safety is at risk or where loss of significant portions of the structure due to natural disaster or fire has occurred.

10. Preserve the historic outbuildings that retain integrity and contribute to the district's character as a historic neighborhood. Outbuildings contributing to the historic character of the District should not be demolished except in cases where health and safety is at risk or where loss of significant portions of the structure due to natural disaster or fire has occurred.

B. District Standards:

1. The physical features common to the historic buildings of the district shall be the main guide for appropriate new construction, alteration and rehabilitation within the historic district.
2. Building materials used in new construction and rehabilitation of existing buildings should be similar in size, composition, quality and appearance to that used historically. These include, for example, plaster, wood, stonework, masonry, metalwork, outdoor fixtures, gingerbread ornamentation and undereave brackets. For roofing materials, metal, clay tile, wood and certain types of asphalt shingles are appropriate.
3. Mixes and proportions of building materials, such as exterior siding, window glass and decorative trim, should coincide with the building's style of architecture.
4. Preserve the original roofline visible from the front street. The roofline of new additions should reflect the original roofline. New skylights and rooftop mechanical or service equipment, such as solar collectors or air conditioners, should not be visible from the front street.
5. A variety of traditional roof shapes are appropriate within the historic district, providing the roof slope is medium to high. Roofs with a rise of less than 6:12 are inappropriate for the district.
6. Maintain the horizontal alignment patterns created by the repetition of common building elements including front gable roofs, front corner windows and first floor porch roofs.
7. Outbuildings should be subordinate in size and appearance to the main house and located on the rear portions of lots.
8. Maintain the historic pattern of automobile uses to the rear of the lot. Utilize access from the front of the lots only when access to the rear is impossible.
9. Maintain the orientation of the front facade facing the main street on which it sits.
10. Maintain the pattern of distinctive, formal entrances that distinguishes historic buildings within the district.
11. Maintain the prominence of the front facade relative to the rest of the building.elevation of the houses.

13. Maintain the important components of historic porch construction including a first floor porch roof, supported by single or groups of columns, posts or piers, with a perimeter railing. Three dimensional balusters, moldings and decorative trim should be preserved or restored.
14. Preserve significant windows, including those with such features as stained, beveled or leaded glass, distinctive patterns or curves.
15. Minimize the impact of new additions to buildings. Additions and alterations should be compatible in size, scale and appearance with the main building and neighboring buildings.

C. Subarea Standards

1. Wood - Cascade Subarea:

- a. Maintain the lot widths of 50 + feet that create the wide and distinctive spacing between buildings in this subarea.
- b. Maintain the deep front yard setbacks of 20 to 30 feet for the houses on the north/south streets and the varied front yard setbacks of 10 to 20 feet for the east/west streets.
- c. Maintain the pattern of varying side yard setbacks of buildings that range from 5 to 20+ feet and differ in size from one another.
- d. Where established, maintain the existing pattern of wide building widths relative to building depths, which distinguish the estates of the subarea.
- e. Preserve the large 5,000 to 10,000 square foot houses that are unique to this subarea.
- f. To maintain the historic pattern of building that distinguishes this subarea, buildings on large lots should be two and two and a half stories in height and up to 40 feet high.
- g. Maintain the visual pattern created by the irregular plans and massing of houses in the subarea.
- h. The rich pattern and assortment of exterior ornamentation should be preserved and continued as part of the building tradition of the subarea.
- j. Maintain the distinctive types and collections of outbuildings that distinguish estates and mansions of the subarea.

2. Nevada - Tejon Subarea:

- a. Maintain the wide lot widths of 50 feet and uniform pattern of spacing between buildings in this subarea.

- b. Maintain the uniform front setbacks of buildings and the alignment of facades, which occurs on the north/south streets and the varied front yard setbacks of 7 to 22 feet on the east/west streets within this subarea.
- c. Maintain the variety of side yard setbacks of buildings, ranging from under 5 to 15 feet, and the pattern of smaller setbacks on the north side and larger setbacks/yards on the southern side of the houses.
- d. Maintain the pattern of narrow facade width relative to building depths.
- e. Maintain the typical range of building sizes of the houses from 2,000 to 6,000 square feet.
- f. Maintain building heights of one and a half to two and half stories and up to 40 feet high.

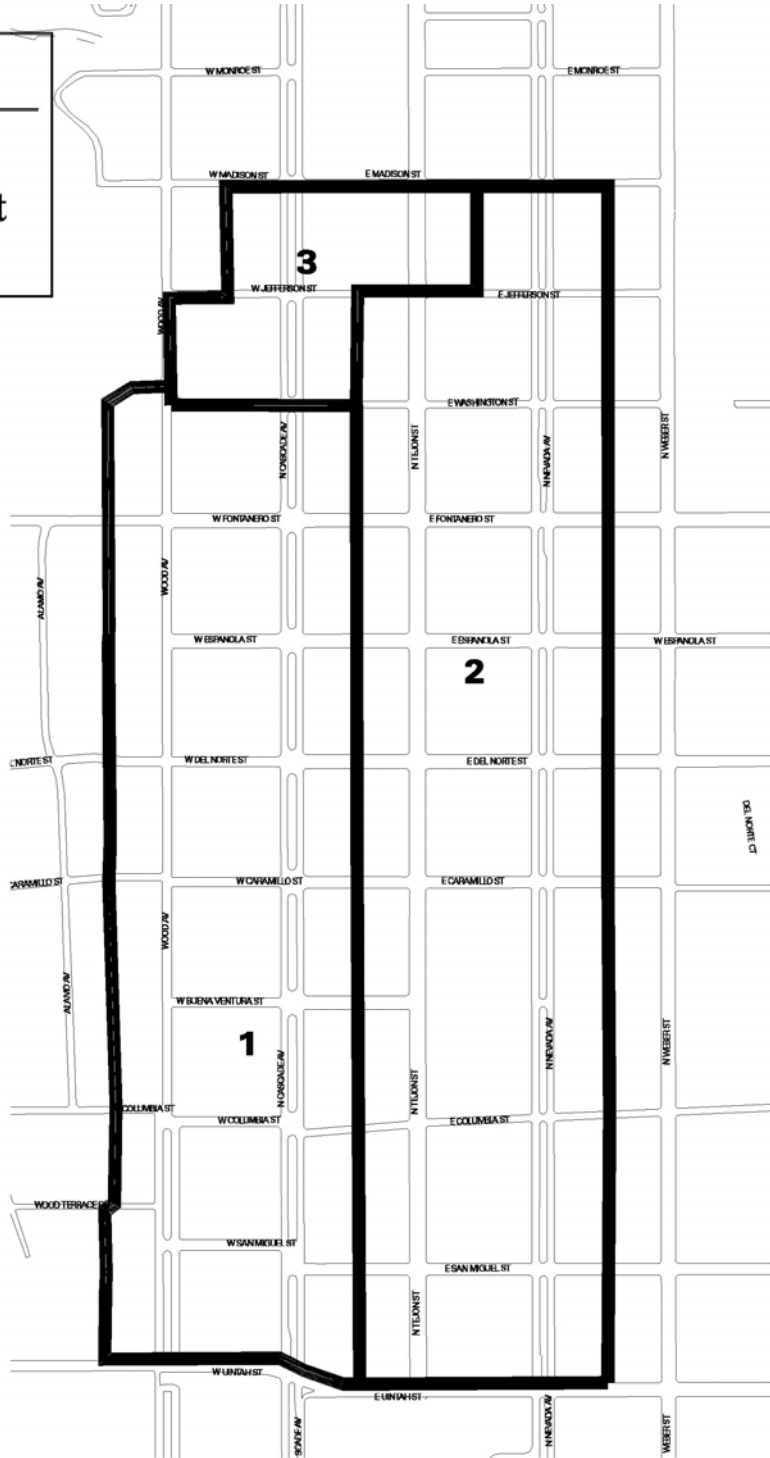
3. Northern Area:

- a. Maintain the typical lot widths of 50 feet along the north and south streets and the uniform spacing of buildings that occur along blocks.
- b. Maintain the uniform front setbacks of buildings and the alignment of facades, which occurs on the north/south streets and the varied front yard setbacks of 7 to 18 feet on the east/west streets within this subarea.
- c. Maintain the relatively narrow spacing that occurs between buildings, ranging from 0 to 10 feet, and the patterns of smaller setbacks on the northern side of structures and larger setbacks/yards on the southern side of houses.
- d. Maintain the typical range of building house sizes of 1,000 to 2,500 square feet.
- e. Maintain building heights of one and one and a half stories and up to 30 feet high.
- f. Maintain the predominance of cottages and bungalows and the distinctive detailing and architectural features of these styles of historic homes in the area.

NORTH END

Historic Preservation Overlay Zone District District Subareas

- 1 Cascade/
Wood Corridor**
- 2 Nevada/Tejon
Corridor**
- 3 Northern Area**



ATTACHMENT 2

History/Background of Historic Preservation Efforts

HISTORY/BACKGROUND

The Historic Preservation Board's DECEMBER 2020 MEETING

Background:

Historic Preservation Ordinance

The Historic Preservation Ordinance was written by the City Attorney's Office in 1987. The Historic Resources Advisory Board in 1987 had generated a draft Ordinance that was approved at first reading by City Council; concerned property owners appeared before Council and sought to a) quash it or b) delay as long as possible. Council directed the City Attorney's Office to rewrite the draft relying on the recommendations of a subsequent citizen committee known as the Historic Preservation Ordinance Working Committee. After twelve meetings, a recommendation to approve it mostly in the current form was forwarded to Council in the Fall of 1988.

The 1988 Preservation Ordinance is an enabling ordinance, it did not designate any landmarks or generate any design standards. The first set of North End Design Standards was developed by the Historic Preservation Board and staff in consultation with the North End Neighborhood Assn around 1990. After the first initiation of overlay zoning for the North End Neighborhood and by the Historic Preservation Board, interim Design Standards went into effect, and applications for a Report of Acceptability were reviewed according to the written design standards, about a dozen in all. The initial effort to approve the Historic Preservation Overlay Zone for the North End subsequently failed by a 4-3 vote in Council.

Design Guidelines

The North End Historic District Design Guidelines were written by ex-Colorado Springs City Planner Deborah Edge Abele and Mark Nelson A.I.A., a local architect in 1989. In the preface (pg.7) three important components are noted: 1) These guidelines "are based on historic surveys and the process of evaluating and designating historic resources." 2) "Education is the primary goal of this document." The guidelines focus on the "physical features of the neighborhood and buildings, both collectively and individually, which manifest those historic influences and contribute to the North End's identity today." 3) In the interest of community-wide understanding, it is hoped that "this knowledge will encourage and assist in the preservation of one of the community's most valuable assets."

Although not quite the complete document, this is the City's link to the Design Guidelines:
<https://coloradosprings.gov/sites/default/files/planning/northend.pdf>

HISTORY/BACKGROUND
The Historic Preservation Board's
DECEMBER 2020 MEETING

Design Standards

The first set of North End Design Standards was developed by the Historic Preservation Board and staff in consultation with the North End Neighborhood Assn. around 1990. The standards were extracted from the North End Design Guidelines, the City-commissioned effort that was authored by Mark Nelson A.I.A and ex-City Planner, Deborah Edge Abele. While structured by the Design Guidelines, the Design Standards are specific standards solely associated with Regional Building permits intended for design review for Reports of Acceptability. North End Design Guidelines—examples would be the mention of “grass lawns and fences.”

When ONEN chose to reinitiate the effort (chaired by Pat Doyle) in 2000, the Draft Standards were analyzed and changes were made. The Historic Preservation Board intended the Design Standards to be the tool for informing property owners of what was important, and to enable consistent review of applications for Reports of Acceptability.

This is the City's link to the Design Standards. Click on “Plans and Documents”: [North End Design Standards](#)

HISTORY/BACKGROUND
The Historic Preservation Board's
DECEMBER 2020 MEETING

Old North End Neighborhood (ONEN) Seeks Overlay Zoning – 2000:

Public Process

This public process took a year and required the ONEN Overlay Zoning Committee to work with Tim Scanlon and the City's Historic Preservation Board (HPB). Once a survey mailed to homeowners in the historic district identified initial support for the initiative, the public process began. It followed a process the Historic Preservation Board provided. As mentioned under "Design Standards" above, the committee took part with the HPB to revisit and make changes to the standards. At this time, the district was put under the interim Design Standards.

Neighborhood historic district outreach during the public process

- mailings to homeowners,
- a City-initiated public meeting,
- 3 neighborhood informational coffees,
- several mailings to homeowners that gave an overview of the initiative and answers to most frequently asked questions,
- ONEN newsletter informational articles and updates,
- Outreach and presentations about the initiative to CONO, Downtown Partnership, and individual neighborhood associations in our area,
- yard signs placed within the neighborhood,
- phone contacts to answer questions,
- follow-up contacts after the City mailed its Consent post cards for homeowner response (a vote for/against).

Results: 64% of property owners returned the postcards, and a majority of owners (not just responders) consented to the overlay.

82% homeowners expressed consent

18% expressed dissent

0% expressed no opinion

Postcards mailed - 657; postcards undeliverable – 1; responses received – 417; owners expressing consent – 340; owners expressing dissent – 75; owners expressing no opinion – 2.

HISTORY/BACKGROUND

The Historic Preservation Board's DECEMBER 2020 MEETING

Continuation of the Process

From the HPB, the initiative went before the Colorado Springs Planning Commission, where the proposed Zone and Draft Design Standards were approved by a vote of 4 to 1 and forwarded to the Colorado Springs City Council. The North End National Register Historic District was put under overlay zoning on the second reading by City Council in October 2000. (See Annual Report below.)

As this initiative went from the City's Historic Preservation Board, to Colorado Springs Planning Commission and to Colorado Springs City Council, the Design Standards were included for adoption in the presentations. Citing the standards was a requirement for approvals for Reports of Acceptability and cited by both homeowners and Historic Preservation Board members for approximately 18 years.

What went wrong?

The Colorado Springs Preservation Planner has informed us the Design Standards were not codified in 2000. There apparently was an error in either neglecting to pass the Design Standards by resolution at the October 2000 City Council meeting, or if a resolution was passed, it was not recorded. This was overlooked by the City Attorney at the time. The minutes are very spare, not comprehensive. In fact, we learned recently that the tape recorder had stopped working. The City failed to legally adopt the North End Design Standards. This failed the property owners, the neighborhood organization, and the dozens of volunteers that strove to achieve the HP overlay zone.

At present, the design review process:

Although the Historic Preservation Board was recently told they may refer to the Design Standards, they must cite compliance to the four criteria below to grant a Report of Acceptability. These four criteria were actually written to identify the goals of the Design Standards, and provide a tool to evaluate how well the Standards achieve that goal. They are not design standards and are wholly inadequate to use in evaluating an application for a Report of Acceptability. They provide a property owner no information on how to properly rehabilitate/restore historic structures, or how the Historic Preservation Board will regard desired building plans.

1. The effect of the proposed work upon the general historical and/or architectural character of the historic preservation overlay zone.
2. The architectural style, arrangement, texture and materials of existing and proposed structures and their relation to the structures in the historic preservation overlay zone.
3. The effects of the proposed work in creating, changing or destroying the exterior architectural features of the structure upon which such work is to be done.
4. The effect of the proposed work upon the protection, enhancement, perpetuation and use of the historic preservation overlay zone.

HISTORY/BACKGROUND
The Historic Preservation Board's
DECEMBER 2020 MEETING

Certified Local Government Status:

Colorado Springs is a Certified Local Government (CLG)

As such, the City is required to submit an annual report to the Colorado Historic Preservation Office. Approval of the Overlay Zone and Design Standards was included in the 2002 Annual Report to state that the North End District of approximately 223 acres and 644 contributing properties composed a new district. The City's report included this statement: "The North End Historic District Design Standards (Attachments 1) were developed by the Historic Preservation board with public input and approved by City Council on October 10, 2000. Administrative review procedures for staff review and approval of certain items (Attachment 2) were developed by the Historic Preservation Board with public input and approved on October 2, 2000."

Certified Local Government status benefits and obligations, in brief

<https://www.historycolorado.org/certified-local-governments>

One of the most important CLG benefits are the availability of grants, which are a dedicated source of funding for historic preservation activities. While the grants are competitive, they do not require a cash match from the City. A CLG grant provided \$33,000 for the 2003-04 Downtown Survey. This resulted in 176 inventory forms and three walking tours, which are still available and used. This kind of activity benefits the City and helps maintain its CLG status.

It has been suggested that the North End Design Standards are old and need to be re-examined. A CLG grant could provide funding for such an effort, provided the City remains an active Certified Local Government. This can be accomplished by having City Council approve the Design Standards by Resolution.

Certified Local Government (CLG) Handbook

<https://www.historycolorado.org/certified-local-governments> To the left, click on "Certifying Your Local Government" to view the more complete handbook.

Please go to page 4. On this page it mentions criteria of importance: The requirement for a local ordinance was enacted by the City in 1991, but the requirement for "Standards, criteria and procedures for review of alterations, demolitions or new construction" is a requirement the City reaffirm and codify.

To avoid putting its Certified Local Status in Jeopardy:

The Old North End Neighborhood Board is asking the Historic Preservation Board to send forward to the Colorado Springs City Council its approval to reaffirm the Design Standards by resolution for use in the design review process for Reports of Acceptability by the Historic Preservation Board.

ATTACHMENT 3

Presentation Slides
Historic Preservation Board
December 7, 2020

Old North End Neighborhood

Re-Affirmation of North End Historic Preservation Overlay Zone Design Standards

Colorado Springs Historic Preservation Board

December 7, 2020



◆ **OLD NORTH END** ◆
NEIGHBORHOOD

Definition of Issue

- At its October 9, 2000 meeting, City Council adopted an ordinance that created the North End Historic Preservation Overlay Zone and ostensibly the associated North End Historic Preservation Overlay Zone Design Standards.
- Yet, the City Attorney has concluded that the Design Standards had not been approved by City Council at its October 9, 2000 meeting.
- Without adopted design standards:
 - a. the Historic Preservation Board cannot fulfill its duties and obligations, as defined in Section 7.5.1605 of the City Code
 - b. Colorado Springs's current Certified Local Government (CLG) status with the State Historic Preservation Office is in jeopardy

Genesis and History of North End Design Standards

- **1988 – City Council adoption of Historic Preservation Ordinance**
- **1989 – North End Historic District Design Guidelines published**
- **1990 – Interim North End Design Standards first used**
- **7/17/2000 – Historic Preservation Board approval (5-0) of North End Overlay Zone and design standards**
- **8/3/2000 – City Planning Commission approval (4-1) of North End Overlay Zone and design standards**
- **10/9/2000 – City Council approval (6-1) of North End Overlay Zone**
- **February 2016 – “Old North End Neighborhood Interpretive Guide” published**

Flawed Approval of Design Standards in Oct. 2000

- **The HP Board, at its July 17, 2000 meeting, unanimously recommended City Council approval of the North End Historic Preservation Overlay Zone and the Design Standards**
- **The City Planning Commission also recommending the same at its August 2, 2000 meeting.**
- **The agenda materials and City staff report for the October 9, 2000 City Council agenda item for the ordinance creating the North End Historic Preservation Overlay Zone included specific recommendation of approval of the Design Standards along with specific recommendation of approval of the Overlay Zone.**
- **But due to an oversight, the Motion for approval did not reference the Design Standards.**

Subsequent Use of North End Design Standards (2000-2019)

- **For over 19 years, all parties involved in the administration of the Historic Preservation Board had assumed the Design Standards had been properly approved by City Council for use by the Board as criteria in its consideration of applications for reports of acceptability (ROA).**
- **Since October 9, 2000 the HP Board has diligently utilized, applied, and cited applicable sections and provisions of the Design Standards in all of its decisions regarding applications for a report of acceptability (ROA).**

Subsequent Use of North End Design Standards (2000-2019) (cont.)

For over 19 years:

- **Homeowners in the Overlay Zone** have submitted applications for ROAs assuming the Design standards were duly adopted and effective
- **Homeowners in the Overlay Zone** similarly accepted decisions by the Historic Preservation Board that utilized and specifically cited the Design Standards as the basis of those decisions
- **Persons purchasing property in the Overlay Zone** made those purchases with the understanding that their property would be subject to and protected by the North End Historic Preservation Overlay Zone Design Standards
- **The City of Colorado Springs** officially reported to the **State Historic Preservation Office** that the required Design Standards were in place

Subsequent Use of North End Design Standards (2000-2019) (cont.)

- The City's Historic Preservation General Application form has long required that all applications for an ROA address how the proposed project meets the pertinent North End Design Standards.
- The Historic Preservation Board Review page on the City of Colorado Springs website has long stated that:

“The North End Design Standards, which were adopted by City Council, are which requests (for a report of acceptability) are reviewed against” ***

**** Statement followed by an internet hyperlink to a copy of the North End Historic Preservation Overlay Zone Design Standards*

Consequences of Not Having Approved Design Standards

Without adopted design standards:

- 1. The Historic Preservation Board cannot fulfill its duties and obligations, as defined in Section 7.5.1605 of the City Code, in reviewing applications for an ROA.**
 - How can the Board objectively review and assess the extent to which a proposed project in the Overlay Zone is acceptable from a historic preservation perspective if there are no specific standards against which the proposed project can be evaluated?
- 2. Colorado Springs's current Certified Local Government (CLG) status with the State Historic Preservation Office is in jeopardy**

Consequences of Not Having Approved Design Standards (cont.)

Section 7.5.1605

4 Criteria in considering an application for ROA:

- 1. The effect of the proposed work upon the general historical and/or architectural character of the historic preservation overlay zone.**
- 2. The architectural style, arrangement, texture and materials of existing and proposed structures, and their relation to the structures in the historic preservation overlay zone.**
- 3. The effects of the proposed work in creating, changing or destroying the exterior architectural features of the structure upon which such work is to be done.**
- 4. The effect of the proposed work upon the protection, enhancement, perpetuation and use of the historic preservation overlay zone.**

Consequences of Not Having Approved Design Standards (cont.)

- The 4 general criteria in Section 7.5.1605 are not a substitute for the Design Standards. The criteria do not work alone. They can only be used and applied in tandem with a set of Design Standards.
- Application of the 4 criteria cannot be done in an objective manner without the context provided by the Design Standards. The Design Standards “inform” the 4 criteria.
- The City Planning staff understand this and have recommended that the Board simply use the Design Standards as unapproved general guidelines when applying the 4 criteria. But that is not a viable option since...

Consequences of Not Having Approved Design Standards (cont.)

Without formal and adopted Design Standards:

- 1. ROA decisions by the Board could rightfully be considered arbitrary and capricious.**
- 2. Increased likelihood of appeals to City Council.**
- 3. In the extreme, could result in an unfavorable outcome for both the City and the Historic Preservation Overlay Zone if ever contested via a C.R.C.P. 106 (a)(4) filing**

Consequences of Not Having Approved Design Standards (cont.)

Without formal and adopted Design Standards, Colorado Springs's current Certified Local Government (CLG) status with the State Historic Preservation Office could be in jeopardy.

- The City's local government certification agreement with the State Historic Preservation Office requires the City to:

“Adhere to requirements outlined in the Colorado Certified Local Government Handbook issued by the State Historic Preservation Office.”

- The CLG Handbook (page 4) requires certified local governments to have approved “Standards, criteria, and procedures for review of alteration, demolitions, or new construction. They must be consistent with the Secretary of the Interior's standards and Guidelines for Archaeology and Historic Preservation.”

Consequences of Not Having Approved Design Standards (cont.)

CLG Status allows the City of Colorado Springs:

- 1. A formal role in the National Register of Historic Places process.**
- 2. Exclusive Funding Opportunities**
 - a) CLGs may apply annually for no-match grants from a designated CLG-only fund.**
 - b) Local landmarks designated by CLGs are eligible for Colorado's state historic preservation income tax credit and grants from the History Colorado State Historical Fund.**
- 3. CLGs may participate in the review of State Tax Credit Projects for residential properties.**

Loss of CLG status would result in the loss of historic preservation funding opportunities and a diminished role in leading historic preservation efforts in the region.

There is a Relatively Simple Solution

- ✓ **Sections 7.5.1601 and 7.5.1602 of the City Code (the City's Historic Preservation Ordinance) specify that the Design Standards are to be adopted by City Council resolution.**
- ✓ **Accordingly, ONEN and the HPA have drafted a simple resolution that reaffirms approval of the North End Design Standards that all involved parties believed had been duly adopted by City Council when the North End Overlay Zone was approved back in October 2000.**
- ✓ **Adoption of such a resolution cleans up this administrative and legal mess.**
- ✓ **One of the responsibilities of the Historic Preservation Board, as defined in 7.5.1601(10), is to “recommend for Council adoption design standards to establish criteria for use by the Board in the consideration of an application for a report of acceptability for properties with HP historic preservation overlay zoning.**

Resolving this Problem Can't Wait

- In response to the proposed resolution offered by ONEN and the HPA, the City Planning staff have suggested an extensive process to develop new Design Standards. The process would run concurrent with RetoolCOS.
- Resolving this problem can't wait for a process that may run months or years.
 - The Board cannot properly fulfill its design review and ROA responsibilities without approved Design Standards.
 - The City's CLG status is likely in jeopardy right now.

This matter needs to be cleaned up as soon as possible and without haste.

A Future Review of the Design Standards Should Occur

- **A review and evaluation of the the Design Standards is very much supported, based on 20 years of experience with the existing set.**
- **A preservation professional should be hired to prepare a factually-based analysis of 20 years of use and prepare recommendations. ONEN and the HPA are ready to assist the Board with seeking a CLG sub-grant to pay for it.**
- **But, the existing Design Standards need to first be re-affirmed to solve the immediate problem, enabling the City to apply for a CLG sub-grant**

Proposed Process and Calendar for Re-Affirmation of Design Standards

1/4/21	HP Board Meeting	Public comment regarding proposed Resolution Board Recommendation to City Council
1/11/21	City Council Work session	Presentation of proposed Resolution Review of HP Board recommendation
1/26/21	City Council Meeting	Formal consideration of Resolution

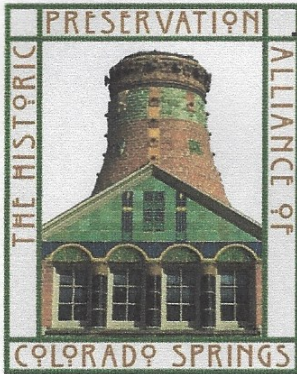


Conclusions

- **Without adopted design standards:**
 - a. **the Historic Preservation Board cannot fulfill its duties and obligations**
 - b. **Colorado Springs's current Certified Local Government (CLG) status with the State Historic Preservation Office is in jeopardy**
- **ONEN and the HPA respectfully ask the HP Board to take the steps necessary to re-affirm the existing Design Standards as soon as possible.**
- **The best solution to the problem is a simple City Council resolution that re-affirms approval of the North End Design Standards.**

ATTACHMENT 4

Letters of Support of the Resolution Re-affirming Approval of the Design Standards



November 13, 2020

Dutch Schulz
President
Old North End Neighborhood

2020 Board of Directors

Officers

Tim Boddington
President

Roxanne Eflin
Vice President

Justin Hutchcraft
Secretary

Gary Conover
Treasurer

Board Members

Ann Brock
Deb Darrow
Tamara Estes
Patricia Doyle
John Haney
Jeffery Long
Eric Metzger
Al Rohr

Past Presidents

Joyce Stivers
David S. Prince
Michael Collins

Directors Emeritus

Nancy I. Brown
Betty Jo Cardona
Charles J. Murphy
Sherry L. Neese

Dear Mr. Schulz:

The Historic Preservation Alliance of Colorado Springs has actively observed the historic preservation efforts of our community for 21 years. Since investing our treasury and our leadership's time in the creation of HistoricCOS – the preservation master plan which was unanimously adopted by City Council in December of 2019 - our Board of Directors has been focusing our leadership and advocacy efforts on seeing that the goals and action matrix timeline for achieving those goals is supported by our City. The HPA is, therefore, a highly interested third party to the Old North End Neighborhood's drive to have the Design Standards of the Historic Overlay Zone reaffirmed.

We recognize the importance of having the Design Standards for the many reasons expressed within the supporting documents provided by ONEN. We further recognize that as the HPA is a recognized Section 106 reviewer, the failure to adopt the Design Standards likely puts the City's important federal/state CLG status in jeopardy.

We thank the Old North End for their scholarship and dedication to preservation and offer our continuing support.

Sincerely,

Tim Boddington
President of the Board of Directors
Historic Preservation Alliance of Colorado Springs

September 22, 2020

Members of City Council:

As chair of the ONEN Overlay Zoning Committee and one of many who worked countless hours with the City, its Historic Preservation Board and neighbors during the public process to bring overlay zoning to the North End National Register Historic District, I request that the Colorado Springs City Council reaffirm the Design Standards as those standards used by the City's Historic Preservation Board for approval of Reports of Acceptability for RDB permits in the North End Historic District.

In the summer of 2000, the City's Historic Preservation Board approved the updated Design Standards and Planning Commission approved and included the Design Standards in their recommendation to City Council that overlay zoning be approved. The North End National Register Historic District was placed under the Overlay Zoning Ordinance by a vote of the Colorado Springs City Council on September 26 (a meeting I attended) and October 10, 2000.

Recently I was told that the Design Standards, used for 19 years, standards cited when I was on the City's Historic Preservation Board (2002-2007), were not included within the approval for overlay zoning for the North End. At the time of these council meetings, (as reflected in the minutes) there was no discussion or contention regarding the Design Standards, even though they were included in Tim Scanlon's overview to council and staff recommendation for approval. The fact that the standards were not included as part of the motion to approve overlay zoning for this district was an oversight by the city, one which went unnoticed by Planning, City Council, and the City Attorney, an oversight that we ask you to correct now.

Of importance, too, is a state requirement: The City agreed to use design standards as a basis for local zoning decisions in the Certified Local Agreement with the State of Colorado's Historical Society, now History Colorado. Failure to do so violates that agreement. The city's Certified Local Government (CLG) status depends on fulfilling such requirements. Maintaining CLG status is critical for the City's use of the Tax Credits, with over \$1 million issued by the City's Historic Preservation Board. It is also crucial that standards for approval of Reports of Acceptability provide specific information to owners who seek approvals. This increases uniformity of decision-making. Since 1991, when the first Design Standards were generated by the City, many people have worked to write and update the Design Standards, which fulfill these requirements.

7.5.1605-C "Board Proposal of Proposed Work" addresses the procedure by which the Historic Preservation Board's approved project is submitted to the Regional Building Official to request a permit. This section includes the requirement for the Historic Preservation Board to reconsider its Report of Acceptability for a project if it will "defeat the purpose of this Zoning Code." The four criteria referenced within this section for the Historic Preservation Board's reconsideration are referenced principles on how to apply the standards. They are not the Design Standards, but are being used as standards. This is not the intention of the ordinance.

In closing, I am requesting that the City Attorney's office be directed to prepare a resolution by the next City Council meeting for a vote by council to reaffirm the Design Standards for Reports of Acceptability. If reaffirmed, I encourage Planning to provide an educational seminar on the Design Standards for the City's Historic Preservation Board and extend this invitation to Old North End neighbors and other members of the public. Former Historic Preservation Board members might be asked to attend as part of a Q and A.

Respectfully,
Patricia (Pat) Doyle

Emily Murawski

2330 Wood Avenue
Colorado Springs, CO 80907

murawskiemily@yahoo.com
voice (719) 578-8772
cell (719) 205-1313

September 17, 2020

Members of the Colorado Springs City Council
107 North Nevada Avenue, #300
Colorado Springs, CO 80903

RE: Use of Design Standards by Historic Preservation Board

Dear Members of the City Council:

I urge the City Council to reaffirm the use of the established Design Standards for the Historic Preservation Board to use when evaluating a Report of Acceptability.

As a long-time resident of the Old North End Neighborhood, I am distressed to learn that the Historic Preservation Board is not using the Design Standards established some years ago when the neighborhood came under Overlay Zoning.

For several years I served on the committee to establish the Overlay Zoning and the accompanying Design Standards for this historic neighborhood. Neighborhood residents have felt secure in the knowledge that there is established guidance to assist the Historic Preservation Board to make sure the architectural integrity of our period homes is respected.

My daughter and her family now live in the ONEN community and one reason they decided to reside here is the respect for the historical nature of our homes. Please don't let that respect be diminished by not using the established guidelines. They work!

Thank you for hearing me out and for doing the hard work of making Colorado Springs a fine city to live in.

Sincerely,

Emily Murawski

Emily Murawski

September 18, 2020

Colorado Springs City Council

Dear Members of the Colorado Springs City Council

My purpose in writing is to strongly support The Old North End Neighborhood's request that Colorado Springs City Council reaffirm the adoption of the Design Standards used by the City's Historic Preservation Board to evaluate each Report of Acceptability.

I enjoyed serving as a Commissioner on the Colorado Springs Historic Preservation Board and Minor Work Committee from 2014 to 2017. Applicable Design Standards review by the owner/applicant for their project is a required part of the narrative for all Reports of Acceptability and also serves as an objective basis for the formal review by Historic Preservation Board Commissioners. Design standards must be an integral part of the process to achieve adequate and fair review.

Thank you in advance for your consideration of this important request,



Charles A. Martin

September 22, 2020

Colorado Springs City Council
107 N. Nevada Ave. #300
Colorado Springs, CO 80903

Dear Council Members,

I am writing this letter in support of the request for a resolution to adopt the Old North End Historic Preservation Design Standards as the criteria for the evaluation of applications for Reports of Acceptability by the Historic Preservation Board. I am an Architectural Historian with over 15 years of experience in the field of Historic Preservation and the co-author of the book *Exploring the Old North End Neighborhood of Colorado Springs-A Guide to its History and Architecture*. I also wrote the National Register nomination for the boundary increase of the Old North End Historic District in 2015, and served as Vice Chair of the Colorado Springs Historic Preservation Board in 2013-14.

The Old North End neighborhood is the most intact collection of turn-of-the-century residential buildings in Colorado Springs and is notable for retaining a high degree of architectural integrity. This is due in large part to the Historic Preservation Overlay Zone ordinance and the guidance of the Old North End Historic Preservation Design Standards. It has recently come to my attention that the Historic Preservation Board is no longer required to use these design standards to evaluate applications, as it has for over 19 years. Instead, the board has been instructed to use four brief, vague, and subjective criteria from the Historic Preservation Ordinance. In my opinion, these criteria were never intended to be comprehensive design standards and are completely inadequate as a guide for board members and property owners.

Comprehensive design standards not only assist Historic Preservation Boards in making informed, objective decisions, they also help property owners in the planning and design process. During my term on the Historic Preservation Board, we were required to apply the Old North End Historic Preservation Design Standards in the review of all applications, and to cite the applicable standard in the explanation of our decision. Although several board members had limited experience in historic preservation, the standards provided specific guidance such that those decisions could be made confidently and impartially, and property owners could be assured that the decisions were not arbitrary or capricious.

Design standards provide direction, create objectivity and predictability, and are an essential component of the design review process. I respectfully request the council to approve the resolution to adopt the Old North End Historic Preservation Design Standards.

Sincerely,
Jennifer Lovell

September 21, 2020

Justin Hutchcraft
2810 Illinois Avenue
Colorado Springs, CO 80907

Colorado Springs City Council,

I proudly served on the city of Colorado Springs' Historic Preservation Board (HPB) for six years from 2014 to 2020. I was also a member of the Historic Preservation Board's Minor Works Committee, when it was active during this time, and I was the board chair from May 2019 to May 2020. I have a Master in Historic Preservation from Georgia State University and have volunteered for various preservation causes, projects, and activities since moving back to Colorado Springs in 2012.

Having the knowledge, experience and understanding of how a Certified Local Government (CLG) and Historic Preservation Commission or Board are supposed to work and operate, it was very frustrating serving on the HPB for those six years. The HPB was never given the tools and support to do its intended job. During my two terms, we went through six different city planning staff people, always getting the new hire. It was like starting over each time as the new planning staff person appointed to us had to learn the very basics of how to support an HPB. Whenever the HPB had an idea to promote preservation in Colorado Springs, we were rarely supported by planning staff in our endeavors. I never felt fully supported as an HPB member, and other board members who had less of a background in preservation often struggled to understand the process. Little to no training was offered to new board members and the planning staff person appointed to us did not often have the knowledge or time to support the board.

I understand that budgets are tight, but there is no way the HPB can function successfully with two planning staff devoting only 10% of their time to historic preservation. The planning department needs to have at least one employee fully devoted to preservation needs and the HPB for at least 50% of their time. For example, HistoricCOS will be a year old this December, but no steps have been taken to support the action matrix within the plan. I do not think anything has been done to even advertise or promote HistoricCOS. It is impossible to carry out the action items to fulfill the goals of the plan without sufficient staff to collaborate and support the HPB.

I fully support the Old North End Neighborhood's request that Colorado Springs City Council reaffirm the adoption of the Design Standards used by the City's Historic Preservation Board to evaluate each Report of Acceptability. There are so many things that could be done to support the HPB and historic preservation in Colorado Springs. This request is a step in the right direction to assist HPB members, planning staff and applicants to better understand the application process. It will make it easier to understand and adhere to the preservation ordinance overall.

Kind Regards,



Justin Hutchcraft

September 22, 2020

Colorado Springs City Council
107 North Nevada Ave., #300
Colorado Springs, CO 80903

Re: Historic Preservation Board use of Design Standards

Honorable Council Members:

My husband and I have lived in the Old North End for twenty years. We moved here because this neighborhood still reflects the sense of community and family focus and importance of history that we experienced growing up in South Carolina in the 1950s. Because we are aware of the value to a city of maintaining the integrity of historic neighborhoods (Charleston, Savannah, Wilmington, Beaufort, Georgetown), we request that Colorado Springs City Council reaffirm the adoption of the Design Standards to be used by the City's Historic Preservation Board to evaluate each Report of Acceptability.

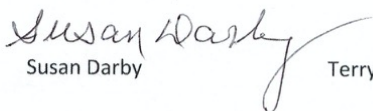
The four criteria that the City is currently asking Board members to use for property changes within the Historic Overlay Zone appear open to subjectivity and influence of personal preferences. We believe when the remodeled elements of a house in the Old North End are not consistent with the scale or style of neighboring houses and the resulting changes make the house look like it belongs somewhere else, the review process has failed our community and our city. Using historic property design standards as a benchmark and honoring the three distinct home styles and their subareas within the Old North End – Estate/Mansion, Grand Home and Cottage/Bungalow - should make the approval process more transparent and more easily understood by all participants.

We have been through the Historic Preservation Board process twice in the early 2000s, once for a change requesting a bay window to be added to our home on North Nevada Avenue and again for a more significant change raising the roofline on our current home on North Tejon Street. Neither time was the process arduous or complicated as, working with our contractors, we made certain that our proposed changes were consistent with Design Standards and that our renovations did not look like outliers when compared with similarly styled homes in our immediate area.

The benefits of having homeowners and Board members use a common handbook of design standards are many - time is saved when everyone knows the rules; money is saved when there is minimal to no re-work; Board decisions are not variable based on changing membership or members' individual preferences; and the historic integrity of a valued community is maintained.

Thank you in advance for your consideration of our views, and thank you for your service to our City.

Sincerely,


Susan Darby


Terry Darby

To: City Council of Colorado Springs

City Hall

September 16, 2020

In 1999 I received a telephoned request from Pat Doyle to serve on the Historic Preservation Overlay Zone committee of the Old North End Neighborhood. As a former president of the Old North End (1976-1980) during the period the Old North End National Register Historic District was initiated, I was most willing to serve on the committee.

A major part of the committee's work was to update and make final revisions to the Design Standards for the Old North End Historic Preservation Overlay Zone. Thanks to a grant from the state historical society, the Design Standards had been recently reviewed and updated by the City Council in 1995. I remember clearly committee discussion of the various details of the Design Standards such as materials to be used and the shape and trim of windows, doorways, etc.

It was the common assumption as we did this work that the Design Standards would be applied to new construction in the Old North End (including remodeling) by the Historic Preservation Board of the City.

In support of this project, I wrote a short history of the Old North End that was included in the supporting materials urging the adoption of the HP Overlay Zone.

It was clear to me at the time that the existence of the Old North End Historic Preservation Overlay Zone would be meaningless if the Design Standards were not enforced on new construction by the city's Historic Preservation Board. City Council should reaffirm or readopt the Design Standards.

Thank you for your consideration of this matter.

Robert D. Loevy

1712 N. Tejon Street

Old North End

August 23, 2020

TO: Members of Colorado Springs City Council
Colorado Springs Historic Preservation Staff

FROM: Nancy I. Brown, 1127 North Prospect Street, Colorado Springs, CO

RE: 15 West Del Norte

I am writing as a past multi-term member of the COS Historic Preservation Board where I also served as Chair of the Historic Preservation Board. Included in those duties was participation on the Minor Work Committee.

I am professionally concerned with the lack of process in reviewing applications and not following the Department of Interior Design Standards. In my experience, members of the Historic Preservation Committee were dedicated to following such Standards. We were all extensively trained by our HP staff member, Mr. Tim Scanlon, and took our responsibilities and commitment to the charge seriously.

The role of the Minor Works Committee was to review all applications in accordance with the Design Standards, researching all aspects of the application. The comprehensive process gave the homeowner a checklist to better prepare his/her project and the time to present and fully answer questions without either the homeowner or committee members feeling rushed.

Once the research was concluded and the appropriate Standards cited, a Report of Acceptability was produced and filed. The Report of Acceptability included citations. If perchance, there was a need to appeal the Minor Work decision, the application and Report were forwarded to the full Board for further review; but such a full Board review was rare because of the deep dive review by the Minor Works Committee.

Because all applications were reviewed based on the City Council adopted Design Standards, all members of the discussion, both committee members and homeowners, felt positive about the process. I encourage the continued use of the Design Standards by the Minor Works Committee.

September 20, 2020

Colorado Springs City Council
107 N Nevada Avenue Suite 300
Colorado Springs, CO 80903

Re: North End Historic Preservation Overlay Zone Design Standards

Dear Council Members:

Twenty years ago, as a member of City Planning, I staffed the effort to generate the North End Historic Preservation Overlay Zone (HPOZ). It was created by a 7-1 Council vote following a sustained effort by property owners, preceded by the generation of their own Council-approved neighborhood master plan, which recommended overlay zoning. It has recently become apparent that due to municipal negligence in 2000 the current HPOZ is unenforceable. However, the HPOZ remains intact. The purpose of this letter is to urge you to rectify this mistake immediately by adopting the North End Design Standards by resolution as the mechanism to implement the HPOZ.

With input from property owners, the Standards were generated to define criteria for evaluating intended building permit work. They were designed to help maintain the high level of architectural and historic significance of the neighborhood. They were structured to inform the neighbors and direct the members of the Historic Preservation Board in its reviews. As documented by staff write-up, recommendations and meeting minutes, it is clear that City Planning endorsed the HPOZ and intended for it and the Design Standards to be approved concurrently. Each step was taken with guidance from the City Attorney's office, which authored the Historic Preservation Overlay Zone enabling ordinance in 1987.

On September 26, 2000, at the conclusion of staff presentation to City Council, I recommended approval of the HPOZ and the Design Standards. Councilmember Guman subsequently made a motion to approve the HPOZ but it did not reference the Design Standards. I did not notice the omission. Neither did the Planning Director, nor the City Attorney. This was a mistake. Responsible public employees acknowledge their mistakes and correct them. While no longer employed, I feel responsible and thus am writing to help correct this mistake.

Leaving the mistake uncorrected denies both City Council's intent and renders useless the HPOZ initiated and supported by the North End property owners. That effort, involving 15 months, included 7 neighborhood meetings, not including discussion at the Annual Meeting, three coffees, and a neighborhood mailing to all property owners. The high degree of neighborhood awareness is verified by the 63.5% rate of return of postcards expressing owners' opinion of the zone change. Over half identified support for the zone change.

With proper management and reliance on the Historic Preservation Board, administration of the HPOZ in the North End is minimal. Between 2000 and my departure in 2009, reviews averaged 38 items per year; about a third were administratively approved upon receipt. For Minor Work Committee items, the average length of time between an application for a Report of Acceptability and a Committee decision was 10 days.

Citizens are entitled to responsible zoning administration. Please do not allow this circumstance to continue. Should you desire any information on the generation of the 1987 enabling ordinance or the North End HPOZ, I would be happy to respond.

Sincerely,

Tim Scanlon
1716 N Corona St
Colorado Springs, CO 80907

To The Members of City Council:

46 years ago my husband and I purchased our home in the Old North End Neighborhood at 1513 Alamo Avenue. I became involved with the North End Homeowners' Association (now called ONEN) in 1981 and served in various positions on the board from 1981-1990. These positions included president and zoning chairman. I made many appearances before City Planning Commission and City Council—so many appearances that one of the Commissioners suggested that the Homeowners' Association should develop a Master Plan in order to help us protect our neighborhood. The North End Homeowners' Association did just that and the Old North End Master Plan was adopted in 1990 and passed as a city ordinance in 1991. By 1991 I was serving on City Planning Commission and continued serving on the commission until 1997. I then served on the homeowners' board as vice-president and president from 1999 -2006. Therefore, I was very involved and aware of what was happening with the Old North End Homeowners' efforts concerning the North End Design Guidelines (1989), The North End Design Standards which were developed for the 1991 Overlay Zone effort, the Old North End Master Plan and then when the Design Standards resolution was passed when the North End National Register was put under the Overlay Zone Ordinance in 2000.

We are now being told by City Planning, 20 year later, that the Historic Preservation Board does not have to site the standards for Reports of Acceptability. I am shocked that no one told us of this finding during all the years that I have been involved with presentations to City Planning Commission, presentations to City Council and attending meetings of these two groups concerning Historic Preservation Board requests. Therefore, I firmly support the ONEN request: **“The Old North End Neighborhood requests that Colorado Springs City Council reaffirm the adoption of the Design Standards used by the City’s Historic Preservation Board to evaluate each Report of Acceptability.”** Without supporting the Report of Acceptability historic preservation in Colorado Springs is severely endangered.

Elizabeth Bevington

September 19, 2020

Colorado Springs City Council
City Administration Building
30 North Nevada Avenue
Colorado Springs, CO 80903

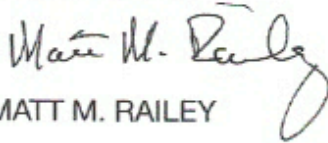
Re: Historic Preservation Ordinance

Dear Mayor and Members of the City Council:

On behalf of the Old North End Neighborhood, we request that the Colorado Springs City Council reaffirm the adoption of the Design Standards used by the City's Historic Preservation Board to evaluate each Report of Acceptability.

I was Chairman of the City Council Historic Preservation Ordinance Working Committee between 1987 and 1989.

Sincerely yours,

A handwritten signature in cursive script that reads "Matt M. Railey". The signature is written in dark ink and is positioned above the printed name.

MATT M. RAILEY



August 24 , 2000

Colorado Springs City Council
City Administration Building
30 North Nevada Avenue
Colorado Springs, CO 80903

Re: Historic Preservation Ordinance

Dear Mayor and Members of the City Council:

I write to remind you of what some of you may not know. The Historic Preservation Ordinance was developed by a committee appointed by City Council following an initial showing of significant opposition when the first version of the Ordinance was proposed. The Committee consisted of Zane Bowers, Chuck Brown, Chuck Murphy, B.J. Fett, Jr., Daphne Greenwood, Dean Ibsen, Renee Rabinowitz, Matt Railey, Judy Rice-Jones, Thayer Tutt, Jr., and Joe Waples. The Committee began meeting on Wednesday mornings at 7:00 a.m. on December 10, 1987, and met until September 28, 1988, during which time it had twelve meetings. The purpose of the Committee was to determine whether a compromise could be reached among the concerned groups and parties represented, and an ordinance recommended to the City Council.

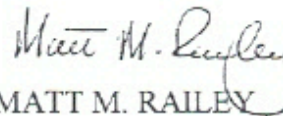
All members worked intensively on the project and considered nearly every position stated by individuals or groups. The minutes of the meetings document this fact. In the end, the present ordinance was recommended to City Council and passed. I had a unique opportunity to consider all of the positions and arguments of those concerned as I was elected by the other members to chair the Committee. I think it is fair to state that, in the end, we believed that we had reached a compromise resulting in an historic preservation ordinance suitable for, and acceptable to, the citizens of Colorado Springs. It should be noted that many of the members of the Committee represented groups which, at the outset, opposed any ordinance at all.

I have pointed this out because it is my experience that when an issue such as overlay zoning for the Old North End comes before the Historic Preservation Board, the Planning Commission, and the City Council, there is inevitably a suggestion that the ordinance be modified. While I have no particular disagreement with modifying the ordinance, I think it is worth pointing out to the members of these various governing bodies that the ordinance was born of an extensive effort on the part of a committee representing diverse segments of the community who reached a reasonable compromise.

The terms of the ordinance were well deliberated and carefully thought out by all concerned. Amendments without such thought and effort might not prove, in the long run, to serve the interests of the community or historic preservation. Rather than take such steps, the City Council might be better advised to pass the overlay zone with a commitment to keep a close eye on its operation. I suggest this because the ordinance has never really had an opportunity to function because no overlay zone has ever been designated. I think it would be apparent over a reasonable period of time that it is what the committee thought – a reasonable, balanced law tailored to the community of Colorado Springs.

In any event, I wanted you to have this historic perspective of the Historic Preservation Ordinance as you approach this vote.

Sincerely yours,

A handwritten signature in cursive script that reads "Matt M. Railey". The signature is written in dark ink and is positioned above the printed name.

MATT M. RAILEY

MMR:kah

Culbert B. Laney
11499 Lakewood Lane
Fairfax Station VA 22039
September 20, 2020
703-543-4643

City Council
107 N. Nevada Ave # 300
Colorado Springs, CO 80903

Dear Council Members:

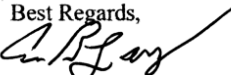
I was asked to write this letter by a long serving member of the Historic Preservation Review Board, Ms. Pat Doyle. When I lived in the Old North End, I had the pleasure to serve with Ms. Doyle on the neighborhood committee that successfully advocated for Historic Preservation Overlay Zoning. As part of my duties on the committee, I helped to write a detailed set of Design Standards for the Old North End Historic Preservation Overlay Zoning.

Ms. Doyle informs me that, due to an error either in the original council motion, or in the record keeping, that the Design Standards were not included as part of the Old North End Historic Preservation Overlay Zoning. As a remedy, it has been suggested that general guidance may be used, instead of the Design Standards, in approving modifications to historic homes in the Old North End.

In my experience, Historic Overlay Zoning is almost always implemented using a detailed set of Design Standards. With only general guidance, the chances of homeowners feeling that they have been treated unfairly during the approval process, and filing lawsuits accordingly, have traditionally skyrocketed. The current Design Standards were drawn up in consultation with several attorneys who lived in the Old North End, including Randolph Karsh, as well as city attorneys. Long experience in historic districts across the county has shown that Design Standards, such as those adopted for the Old North End, offer a sense of predictability and objectivity, which reduces the chances of grievances and lawsuits.

With a track record of almost 20 years, the current Design Standards for the Old North End appear to have worked. The signature of every city – the thing by which it is best remembered – is its downtown. While not everyone visits the residential parts of downtown, those who do typically report finding it a memorable and inspiring experience, provided the distinctive historic houses and landscaping have been well preserved. I can certainly say that my periodic visits to the Old North End offer me the greatest pleasure. The Old North End still rates as one of the finest and best preserved historic districts in the county. This is something the entire city can be proud of. The Old North End Historic Overlay Zoning and the Associated Design Standards have clearly played a key role in this success.

I hope the Colorado Springs City Council will consider a routine motion reaffirming that the Design Standards are a part of the Historic Preservation Overlay Zoning for the Old North End.

Best Regards,

Culbert B. Laney