

RESOLUTION #6, SERIES OF 2022

**A RESOLUTION OF THE ASPEN HISTORIC PRESERVATION COMMISSION (HPC)
GRANTING CONCEPTUAL MAJOR DEVELOPMENT REVIEW AND SETBACK
VARIATIONS FOR THE PROPERTY LOCATED AT 312 W HYMAN AVE BLOCK 46,
LOT P AND LOT: Q, CITY AND TOWNSITE OF ASPEN, COLORADO**

PARCEL ID: 2735-124-64-006

WHEREAS, the applicant, POWEDERDAYSKIING LLC, represented by Jeffrey Woodruff of Cloud Hill Design LLC, has requested HPC approval for Conceptual Major Development and Setback Variation for the property located at 312 W. Hyman, Block 46, Lot P and Lot Q, City and Townsite of Aspen, Colorado; 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 Conceptual Major 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.D.3.b.2 and 3 of the Municipal Code and other applicable Code Sections. As a historic landmark, the site is exempt from Residential Design Standards review. 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 Setback Variations, the applicant shall meet the requirements of Aspen Municipal Code Section 26.415.110.C, Setback Variations; and

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

WHEREAS, HPC reviewed the project on January 26, and April 26, 2022. HPC considered the application, the staff memo and public comment, and found the proposal consistent with the review standards and granted approval with conditions by a unanimous vote of **7-0**.

NOW, THEREFORE, BE IT RESOLVED: That HPC hereby approves Conceptual Major Development, and Setback Variations for 312 W. Hyman, Block 46, Lot P and - Lot: Q, City and Townsite of Aspen, CO as follows:



RECEPTION#: 689025, R: \$23.00, D: \$0.00
DOC CODE: RESOLUTION
Pg 1 of 3, 07/18/2022 at 02:36:02 PM
Ingrid K. Grueter, Pitkin County, CO

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Section 1: Conceptual Major Development, and Setback Variations.

HPC hereby approves Conceptual Major Development and Setback Variations with the following conditions:

1. Provide detailed drainage, utility, and landscape plans including final location of the proposed drain basins, and relationship of the utility paths to the trees and driplines to demonstrate that they do not conflict with remaining trees and hedges. Applicant will need to continue to work with all relevant City Departments regarding stormwater mitigation and site drainage.
2. Provide a detailed Roof Plan demonstrating location of gutters downspouts snow clips, vents, mechanical, and all other roof penetrations for Final Review.
3. Provide a detailed Preservation Plan including documentation of existing conditions and investigation of historic materials, and proposed restoration/treatments. This document will first be reviewed by staff and monitor prior to building permit submission but will be considered an iterative document that helps guide restoration efforts.
4. Provide specifications for the chimney, including height, location and all other details to staff and monitor prior to Final Review, and are also subject to review at Final Review
5. All skylights shall have sufficient shading to eliminate light pollution to other neighboring properties.
6. Provide details on the garage overhangs and window elements for Final Review.
7. Provide details and a plan for all new window layouts and proportions for all new windows to be reviewed for context and consistency with the existing windows on the main residence at Final Review.
8. The proposed combined side yard setback variance of 7.9' is granted for the property to accommodate the location of the non-conforming historic structure, and will not be allowed to accommodate any other structures.
9. A development application for a Final Development Plan shall be submitted within one (1) year of the date of approval of a Conceptual Development Plan. Failure to file such an application within this time period shall render null and void the approval of the Conceptual Development Plan. The Historic Preservation Commission may, at its sole discretion and for good cause shown, grant a one-time extension of the expiration date for a Conceptual Development Plan approval for up to six (6) months provided a request for extension is received no less than thirty (30) days prior to the expiration date.

Section 2: 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 3: 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 4: 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 27th day of April, 2022.

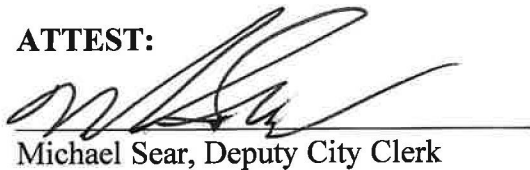
Approved as to Form:


Katharine Johnson, Assistant City Attorney

Approved as to Content:


Kara Thompson, Chair

ATTEST:


Michael Sear, Deputy City Clerk