

AGENDA

ASPEN PLANNING & ZONING COMMISSION

December 18, 2019

4:30 PM, Sister Cities Meeting Room
130 S Galena Street, Aspen



I.SITE VISIT

II.ROLL CALL

III.COMMENTS

IV.MINUTES

- IV.A. Draft Minutes 12/3/2019
[minutes.apz20191203.pdf](#)

V.DECLARATION OF CONFLICT OF INTEREST

VI.PUBLIC HEARINGS

- VI.A. 835 E. Durant- Residential Design Standard Variation for Garage Placement
[835 E. Durant_Memo.pdf](#)
[835 E. Durant_Resolution.docx](#)
[Exhibit A_835 E. Durant Review Criteria.docx](#)
[Exhibit B_Application.pdf](#)

VII.OTHER BUSINESS

- VII.A. Wireless Facility Design Standards
[PandZ memo_12_18_wireless.pdf](#)
[Exhibit A_Design list_12_18.pdf](#)

VIII.BOARD REPORTS

IX.ADJOURN

Typical Proceeding Format for All Public Hearings

- 1) Conflicts of Interest (handled at beginning of agenda)
- 2) Provide proof of legal notice (affidavit of notice for PH)

- 3) Staff presentation
- 4) Board questions and clarifications of staff
- 5) Applicant presentation
- 6) Board questions and clarifications of applicant
- 7) Public comments
- 8) Board questions and clarifications relating to public comments
- 9) Close public comment portion of bearing
- 10) Staff rebuttal/clarification of evidence presented by applicant and public comment
- 11) Applicant rebuttal/clarification

End of fact finding.

Deliberation by the commission commences.

No further interaction between commission and staff, applicant or public

- 12) Chairperson identified the issues to be discussed among commissioners.
- 13) Discussion between commissioners*
- 14) Motion*

*Make sure the discussion and motion includes what criteria are met or not met.

CODE OF CONDUCT FOR CITIZEN COMMENTS DURING CITY OF ASPEN PLANNING AND ZONING COMMISSION MEETINGS:

Planning and Zoning Commission meetings shall be conducted in a fair and impartial manner. Citizen comments shall respect the need for civility for effective public discussion of issues.

Citizen comments regarding any matter not on the agenda will be allowed during the designated time on the agenda and may be disallowed at other times during the meeting.

Those wishing to address the Commission on any matter not on the agenda will be allowed a three-minute presentation per speaker. This “three minute rule” shall also be applicable to citizens wishing to address the Commission during the public comment portion of public hearings for agenda items.

The Chair or presiding officer retains the discretion to allow or disallow public comment on any agenda item that is not designated as a public hearing.

All citizen comments should be directed to the Commission, and not to individual members of the public.

Defamatory or abusive remarks, shouting, threats of violence or profanity are OUT OF ORDER and will not be tolerated. Persons violating these policies may be asked to terminate their comments. In the event of repeated violations or refusal to abide by these policies or directives, the Chair or presiding officer has authority to request the individual to leave the meeting or direct a peace officer to remove the individual from the Commission meeting.

Revised July 8th, 2019

**Aspen Planning and Zoning Commission
December 3, 2019**

Chairperson McKnight called the meeting to order at 4:35 PM.

Commissioners in attendance: Spencer McKnight, Teraissa McGovern, Scott Marcoux, James Marcus, Brittanie Rockhill, Ryan Walterscheid, Ruth Carver, Don Love
Absent: Rally Dupps

Staff present:

Jeannine Stickle, Records Manager
Andrea Bryan, Assistant City Attorney
Mike Kraemer, Interim Deputy Planning Director
Ben Anderson, Planner

STAFF COMMENTS

Mr. Kraemer stated that the December 17th P&Z meeting has been canceled and moved to the December 18th date due to a conflict with City Council Meeting. There will be two hearings. One will be a land use hearing and the other will be a small cell update. He asked if anyone wants an update on small cell from Mr. Anderson now.

Mr. Love asked for an update.

Mr. Anderson stated that this Small Cell project is in response to changes in FCC rules and State of Colorado Rules about the use of the right-of-way by the telecommunications industry. The City has hired the engineering firm HR Green to help with design guidelines. Staff is starting to draft a document. The City has been engaged in a public outreach effort to talk to people. Most of the people who have shown up and commented are people who are concerned about health issues and the new 5G technology. Qualitatively, staff have had really good conversations with the public. The next step in process is drafting the set of design guidelines. On the 18th, staff will come with a short set of slides to introduce the topic and what their thinking has been. They also will present a bulleted list with some of the design parameters they're landing on, just to get feedback. Staff will be talking to HPC as well. They're going to take the boards' feedback to City Council in January. From that, if everybody says that sounds good and makes sense, staff will have a finalized set of design guidelines and some changes to the land use code some time in mid to late February. Staff will be asking for a formal recommendation sometime in February with the hope that it all gets adopted prior to right-of-way opening in the spring. The City has already received applications from AT&T. Before there are more, staff would like to have these design guidelines in place. The Commission's input will be really helpful.

Mr. Kraemer stated that there are land use items scheduled for the month of January. January 7th, there will be one land use item. That meeting, the Commission will also need to elect a chair and vice chair. He suggested that they add an item onto this meeting's agenda to discuss potential candidates. The land use code does state that the chair can be re-elected but is silent to the vice chair being re-elected. He will check on that.

COMMISSIONER COMMENTS

None.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

Mr. Marcoux voted to approve the minutes from November 19th, 2019. Mr. Walterscheid seconded. All in favor, motion carried.

DECLARATION OF CONFLICT OF INTEREST

Mr. Dupps had previously recused himself from attending the meeting due to a conflict of interest. He was not present at the meeting.

PUBLIC HEARING

Mountain Chalet Lodge – Elevator Extension Insubstantial Amendment to a Planned Development, Commercial Design Review

Mr. Anderson introduced himself as a planner with the City. He stated that there are only two reviews that apply to the project. Those are Commercial Design Review and an Insubstantial PD Amendment Review. He stated that Mountain Chalet Enterprises is the applicant and Mr. Bacheldor is the president of Mountain Chalet Enterprises. He will be making a change to that part of the resolution to make that more clear. He introduced Scott Smith from Charles Cunniffe Architects as the representative.

He stated that the proposed project is the extension in height of a proposed elevator by one story to provide direct access to a lounge and common area on the top floor. He showed the location of the Mountain Chalet Lodge on a map on the slide. This elevator is on the front façade of Mountain Chalet Lodge on Dean Street, facing the entrance to the St Regis. The applicant can say more to the importance of this project to the functioning of the building, but there was a major addition renovation and Planned Development established for the Mountain Chalet in the early 2000s. There was an existing elevator there, the additions were made, and the elevator remained unchanged at that time. The elevator didn't make it up to the new top floor. He showed the existing configuration on a rendering on the slide. It's confusing for guests and requires navigation that's perhaps unnecessary. This would extend the elevator to provide access to the top floor and add a little floor area, but well within the allowable floor area for the Planned Development.

Mr. Anderson showed an image of the proposed elevator compared to the existing. He stated that the new elevator extension is proposed to be consistent with the height of the roof of the existing lounge space. The maximum height in the Planned Development is 51 feet and the land use code allows for an additional five feet for elevator overruns. This is well within the height limits that the land use code allows for the elevator tower.

Mr. Anderson showed the south elevation looking from the entrance of the St Regis. He stated that one of the important review criteria for design guidelines is around materiality. There's going to be an effort to match existing stucco and paint color, bring the window and shutters in consistency with the windows that are below, make timber and roof beams consistent, fashion materials consistent, and shingled roofing consistent with the rest of the facility.

Mr. Anderson showed renderings of the existing conditions. He stated that there is an addition of mass and height on the south elevation. This project is in the mid-ground of the Wheeler view plane and that allows these kind of things to get exemptions from view plane review. There's also a requirement that it sets back an additional 20 feet from the property line. Under those conditions, staff determined that it

was exempt from view plane review. He showed an image on the slide from in front of the Wheeler and showed that you can't really see the top of the Mountain Chalet.

He stated that Commercial Design Review is primarily related to materiality. Architectural character that's consistent with the mountain base. Staff finds that, in both cases, both architectural character and materiality, it's meeting the list of review criteria. He included the comprehensive list of those in the packet as an exhibit to the memo. If this building was being designed today, staff would probably not want this elevator as the defining part of the front façade of the building, but as an existing feature, the elevator is being incorporated nicely into the project.

Mr. McKnight entered the meeting at 4:47 pm.

Mr. Anderson stated that this property is subject to a Planned Development. Any changes of any significance are required to go through the amendment process. In this case, this is an Insubstantial Amendment. If it was being done by itself, it would be an administrative process, but it was combined with a Commercial Design Review for P&Z consideration. To meet the criteria, the change has to be consistent with the use and character of the development. Staff found that to be true. The changes do not significantly alter original representation. There are no changes to dimensional requirements or allowed heights or floor areas. Staff is recommending approval of both of these reviews and the extension of the elevator. With that, Mr. Anderson turned the hearing over to commissioner questions.

Mr. Love asked why the elevator was not put in when they did the remodel.

Mr. Bacheldor stated that the elevator was built when the St Regis was built. There was no fourth or fifth floor at that time. Robert Melville put in four floors. There is no discernable reason why they didn't extend the elevator then. They are due for a modernization to go digital on the elevators, so it's a good time to do it all.

Ms. Carver asked if the front façade is really in the back of the building.

Mr. Anderson stated that there are two access points to the lodge. But it is the back.

Ms. Rockhill asked if there are any other items in the 2001 approval on top of the elevator that they're considering doing.

Seeing no further questions, Ms. McGovern turned the hearing over to the applicant presentation.

Mr. Smith stated that what Mr. Anderson showed was a good description of what they're trying to do with the minimal addition to the top level. Currently, people have to get off the elevator on the outside, enter on the floor below and go back into the building to get to the lift which goes to the level below. It's a roundabout way of trying to get someone up there who can't use the stairs. That's the reason for this project. The only other thing to add is, in terms of the massing for the extension up to the top floor with the elevator shaft, the applicants are trying to keep that as small as possible. The height is dictated by the minimum overrun by the elevator company. They are allowing for a minimal roof structure and trying to keep the roof slope matching the other roof slopes on the property. They are trying to make it fit as well as they can and provide a badly needed service for the public meeting room that is heavily used.

A man from the public seating stated that this is one of the most heavily used spaces in town for public meetings. It is affordable. Credit goes to the ownership of Mountain Chalet for being that kind of community partner.

Ms. McGovern turned the meeting over to commissioner questions.

Ms. Carver stated that she has noticed that there is sometimes a tent over the back patio. She asked if they are planning to put a roof over that.

Mr. Bacheldor stated that they are not planning on it.

Ms. McGovern asked if there are any more questions for the applicant. Seeing none, she turned the meeting over to public comment.

PUBLIC COMMENT

None.

Commission Discussion

Ms. Carver stated that she thinks it's a great idea and really needed.

Mr. Marcoux stated that he agrees.

Mr. Anderson stated that the resolution will be amended to give clarity to ownership and applicant.

Mr. Waltersheid motioned to approve Resolution 13 with the staff change. Ms. Rockhill seconded. All commissioners voted to approve Resolution 13.

OTHER BUSINESS

Mr. Kraemer stated that he thought they might want to have discussion about election of chair and vice chair coming up in January since there are eight P&Z members here.

Mr. Marcoux stated that he would like to see Mr. McKnight and Ms. McGovern be re-elected.

Ms. Carver asked for clarification on the purpose of this discussion.

Mr. Kraemer stated that this would only be a discussion about if Mr. McKnight and Ms. McGovern would like to continue in their roles or if there is a desire for a change. There is no decision point at this meeting.

Mr. Marcus asked if Mr. McKnight and Ms. McGovern if they would want to stay.

Mr. McKnight and Ms. McGovern stated that they would love to continue.

Mr. Kraemer stated that he forgot to follow up on the Com Dev Director interviews. He stated that Ms. McGovern could not make it so Mr. Dupps will be attending.

ADJOURN

Mr. McKnight motioned to adjourn the meeting at 5:04 PM. Ms. Carver seconded. All in favor, motion carried.

Jeannine Stickle
Records Manager

DRAFT

TO: Planning & Zoning Commission
FROM: Kevin Rayes, Planner
THRU: Mike Kraemer, Senior Planner
RE: 835 E. Durant- RDS Variation for *Garage Placement*
MEETING DATE: December 18, 2019

APPLICANT:

Tory Thomas, 835 E. Durant St.

REPRESENTATIVE:

Kim Raymond, Kim Raymond Architects

LOCATION:

Aspen Townhouses East; 835 E. Durant St. Aspen, CO 81611

CURRENT ZONING:

Residential Multi-Family (R/MF)

SUMMARY:

The applicant is requesting a variation from the *Garage Placement* Residential Design Standard to construct a street-facing covered carport along Dean Street.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission deny the request for a variation from the *Garage Placement* Residential Design Standard.



Figure 1: Vicinity Map



Figure 2: Street View- Looking North from Dean Street

REQUEST OF THE PLANNING AND ZONING COMMISSION:

The Applicant is requesting the following approval from the Planning and Zoning Commission: Residential Design Standards Variation (Section 26.410.020.C, Variations): To grant a variation of the *Garage Placement* standard to construct a street-facing covered carport along Dean Street. Applications that do not comply with the standards contained in the Residential Design section of the code, in which an applicant is applying for a variation, require approval by the Planning and Zoning Commission. The Planning and Zoning Commission can approve, approve with conditions, or deny an application after considering a recommendation by the Community Development Director based on the standards outlined in section 26.410.020.C, Variation Review Standards.

BACKGROUND:

835 E. Durant is a townhome complex located within Residential Multi-Family (R/MF) Zone District and within the Infill Area. The lot is 15,000-square feet and has frontage with three streets- Durant Street to the North, West End Street to the East, and Dean Street to the South. There are two buildings on the property, located perpendicular to each other. The buildings house 11 units, all of which are accessed from Dean Street.

The applicant plans to construct a carport along Dean Street over the existing parking area. The proposed location is between the street and the principal buildings, requiring a variation from the *Garage Placement* (Non-flexible) Residential Design Standard. As a non-flexible standard, no Alternative Compliance is permitted. The applicant is seeking a Residential Design Standard variation pursuant to Section 26.410.020.C, Variations.

Additionally, the proposed work may impact some mudflow patterns as a mudflow boundary crosses this area. Prior to issuing a building permit, the applicant will need to coordinate with the Engineering Department regarding potential impacts to mudflow.

REVIEWS:

Staff Comment:

An application requesting a variation from the Residential Design Standards shall demonstrate and the Planning and Zoning Commission shall find that the variation, if granted would: 1. Provide an alternative design approach that meets the overall intent of the standard as indicated in the intent statement for that standard as well as the general intent statements in Section 26.410.010.A1-3; or 2. Be clearly necessary for reasons of fairness related to unusual site-specific constraints.

The general intent statement of the Residential Design Standard code section states that buildings should “Connect to the Street” by establishing “a visual and/or physical connection between residences and streets and other public areas. The area between the street and the front of a residential building is a transition between the public realm of the neighborhood and the private realm of a dwelling. This transition can strongly impact the human experience of the street. Improve the street experience for pedestrians and vehicles by establishing physical and visual relationships between streets, and residential buildings located along street.” Consistent with the general intent statement, the Garage Placement Residential Design Standard requires the front-most supporting column of a carport be set back at least ten feet further from the street than the front façade of the principal building. The intent of the standard is to “ensure garages are subordinate to the principal building for properties that feature driveway and garage access directly from the street. Buildings should seek to locate garages behind principal buildings so that the front façade of the principal building is highlighted.”

All of the subject residential units are accessed via Dean Street, with Six of the eleven entries oriented towards Dean Street; the other five are oriented towards the courtyard, which is accessed via Dean Street. Most of the buildings’ fenestration relates to Dean Street. Conversely, the building facades’ facing Durant Street and West End Street contain few connecting elements relating to those streets; none of the residential entries are oriented

towards either street and fenestration is limited compared to the fenestration facing Dean Street (See Figures 3-5).

It is worth noting that although traffic patterns along Dean Street may vary from neighboring corridors, it is still considered a street. Pursuant to the Residential Design Standards, a street is defined as “a way or thoroughfare, other than an alley, containing a public access easement and intended for vehicular traffic. The term street shall include the entire area within a right-of-way. Street shall also include private streets and vehicular access easements serving more than 1 parcel.” Dean Street provides vehicular access to several condominiums within this single block. Given these facts, staff is recommending denial of this request.



Figure 3: Street View- Looking South from Durant Street



Figure 4: Street View- Looking West from West End Street



Figure 5: Street View- Looking Northeast from Dean Street

RECOMMENDATION:

Community Development staff recommends the Planning and Zoning Commission deny the request for a variation from the *Garage Placement* Residential Design Standard as the proposal places a carport between the street and the principal buildings’ - disrupting any connection between the buildings’ and the street.

PROPOSED MOTION:

The resolution is written in the affirmative, approving the request. If the Commission supports staff’s recommendation, a motion to deny, as suggested below should be used.

“I move to *deny* the request for Variation from the *Garage Placement* Residential Design Standard.”

ATTACHMENTS:

Exhibit A- Residential Design Standards Review Criteria

Exhibit B- Application

**RESOLUTION NO. 14
(SERIES OF 2019)**

**A RESOLUTION OF THE ASPEN PLANNING AND ZONING COMMISSION
APPROVING A RESIDENTIAL DESIGN STANDARD VARIATION FOR A
PROPERTY LEGALLY DESCRIBED AS COMMON AREA, ASPEN TOWNHOUSES
“EAST” CONDOMINIUMS, ACCORDING TO THE MAP THEREOF RECORDED
OCTOBER 20, 1965 IN PLAT BOOK 3 AT PAGE 49, AND FIRST AMENDMENT
THERETO RECORDED JULY 9, 1982 IN PLAT BOOK 13 AT PAGE 70 AND AS
FURTHER DEFINED AND DESCRIBED IN THE CONDOMINIUM DECLARATION
FOR ASPEN TOWNHOUSES “EAST” CONDOMINIUMS RECORDED OCTOBER 20,
1965 IN BOOK 216 AT PAGE 260. COUNTY OF PITKIN, STATE OF COLORADO.**

Parcel No. 2737-182-58-802

WHEREAS, the Community Development Department received an application from Tory Thomas, Aspen Townhomes East HOA President, 835 E. Durant Street, Aspen, CO 81611, requesting approval for a Residential Design Standard Variation for the property at 835 E. Durant Street; and,

WHEREAS, the Community Development Department Staff reviewed the application for compliance with the applicable review standards; and,

WHEREAS, upon review of the application and the applicable Land Use Code standards, the Community Development Director recommended denial of Residential Design Standard Variation; and,

WHEREAS, the City of Aspen Planning and Zoning Commission reviewed and considered the development proposal under the applicable provisions of the Municipal Code as identified herein, reviewed and considered the recommendation of the Community Development Director, and took and considered public comment at a duly noticed public hearing on December 18, 2019; and,

WHEREAS, the City of Aspen Planning and Zoning Commission finds that the development proposal meets the applicable review criteria and that the approval of the request is consistent with the goals and objectives of the Land Use Code; and,

WHEREAS, the City of Aspen Planning and Zoning Commission finds that this Resolution furthers and is necessary for the promotion of public health, safety, and welfare; and,

WHEREAS, the Planning and Zoning Commission approves Resolution 14, Series of 2019, by a X to X (X-X) vote, granting approval of the Residential Design Standard Variation as identified herein.

NOW, THEREFORE BE IT RESOLVED by the Aspen Planning and Zoning Commission:

Section 1: Residential Design Standard Variation

Pursuant to the procedures and standards set forth in Title 26 of the Aspen Municipal Code, the Planning and Zoning Commission hereby approves the request for a Residential Design Standard variation to install a carport along Dean Street, covering 10 of the 11 existing parking spaces (Chapter 26.410.020.C, Variations), varying from the Garage Placement standard. All other dimensional standards including height and setbacks shall be met.

Section 2: Engineering Standards

The approved structure will comply with all Engineering standards, and will not negatively impact mudflow, drainage or snow removal in the area. The structure will be reviewed by Engineering prior to issuing a building permit.

Section 3:

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 Planning and Zoning Commission, are hereby incorporated in such site development approvals and the same shall be complied with as if fully set forth herein, unless amended by an authorized entity.

Section 4:

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 5:

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 meeting on December 18, 2019.

APPROVED AS TO FORM:

Andrea Bryan, Assistant City Attorney

ATTEST:

Jeannine Stickle, Records Manager

Exhibits:

Exhibit A: Approved Site Plan

**PLANNING AND ZONING
COMMISSION:**

Spencer McKnight, Chair

Exhibit A: Approved Site Plan

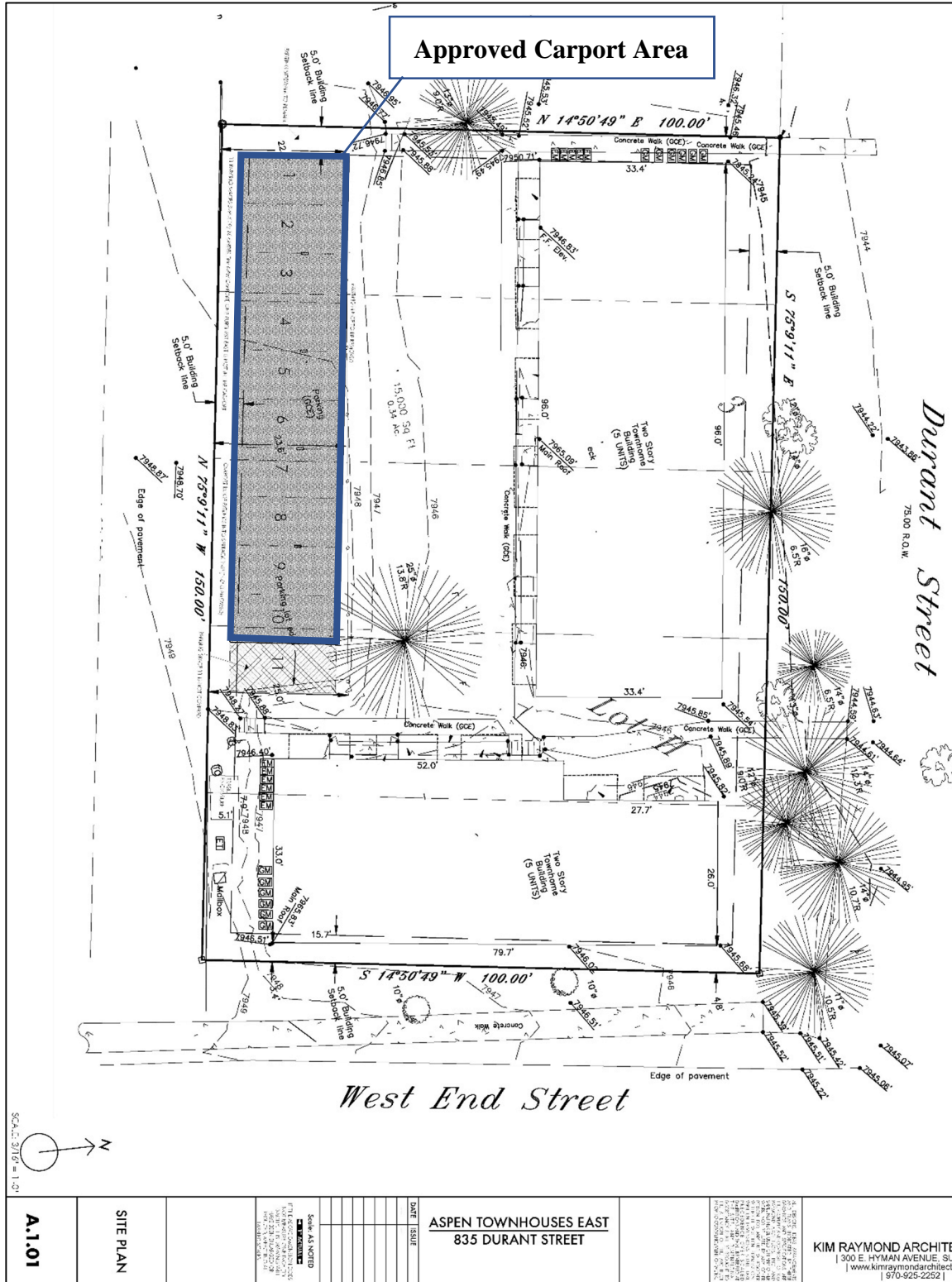


Exhibit A
Residential Design Standards Review Criteria

Section 26.410.020.D, Residential Design Standard Variation Review Standards. An application requesting a variation from the Residential Design Standards shall demonstrate and the deciding board shall find that the variation, if granted would: 1. Provide an alternative design approach that meets the overall intent of the standard as indicated in the intent statement for that standard, as well as the general intent statements in Section 26.410.010.A.1-3; or

1. Provide an alternative design approach that meets the overall intent of the standard as indicated in the intent statement for that standard, as well as the general intent statements in Section 26.410.010.A.1-3; or

Staff Response: The intent of the Garage Placement standard is to ensure that garages are subordinate to the principal building for properties that feature driveway and garage access directly from the street. Garages should be located behind principal buildings so that the front façade of the principal building is highlighted. The intent of the Garage Placement Standard is consistent with the Residential Design Standard general intent statement of "Connecting to the Street," which aims to establish "a visual and/or physical connection between residences and streets and other public areas. The area between the street and the front of a residential building is a transition between the public realm of the neighborhood and the private realm of a dwelling. This transition can strongly impact the human experience of the street." The building facades oriented towards Dean street contain the most prominent street-connecting elements of all the building facades, including unit entrances and fenestration. Granting a variation to construct a carport between these building facades and Dean street would obstruct any visual or physical connection that the building currently has with Dean Street.

Staff finds this criterion not met.

2. Be clearly necessary for reasons of fairness related to unusual site-specific constraints.

Staff Response: The Garage Placement standard was written for properties that have alley access. 835 E. Durant is located on a lot with no alley access. Instead, the property has frontage with three different streets on three different sides. While each street maintains varying traffic volumes and patterns, each is considered a street. Dean Street may support the lowest traffic volumes of all three streets, but it is the only street that maintains a significant visual connection with the dwelling units. It is important to maintain this connection as it strongly impacts the human experience of the street. A lack of alley access is not considered an unusual circumstance or site-specific constraint that is unique to a parcel. Many other properties in Aspen do not have alley access and are still required to comply with design standards. There are no site-specific constraints or unusual circumstances that would prevent the applicant from complying with this standard. Staff finds this criterion not met.

GMC (Aspen)
(check ht)



CITY OF ASPEN

PRE-APPLICATION CONFERENCE SUMMARY

DATE: February 8, 2019

PLANNER: Sarah Yoon, 920.5144

PROJECT NAME AND ADDRESS: 835 E. Durant, Aspen Townhouses East

PARCEL ID# 2737-182-58-802 (Common Area) & 2737-182-58-015 through 2737-182-58-025 (Units 1 - 11)

REPRESENTATIVE: Andrew Skewes, Tory Thomas, and Nathalie Crick

DESCRIPTION:

835 East Durant is a multi-family residential building with 11 condominiumized units in the Residential Multi-Family (RMF) zone district on a 15,000 sf lot. The complex consists of two structures that are perpendicular to each other with six units in one building and five units in the other. The front entrances to all of the units are oriented towards East Dean Street, which is considered the front yard for this property. Currently there are 11 on-site surface parking spaces and the current condition of the two buildings and the parking spaces are existing non-conformities related to the Residential Design Standards (RDS) for multi-family residential development.

SPEAK w/ HAILEY re: mudflow

The applicant is interested in constructing a covered carport over the existing 11 surface parking spaces. Based on the current location of the existing spaces, the proposed location for the covered carport does not meet the *Garage Placement* design standard. This is a non-flexible standard which requires the frontmost supporting column of a carport to be set back at least ten (10) feet further from the street than the front façade of the principal building (Section 26.410.040.B.3). The applicant will need to seek a variation from this standard by the Planning and Zoning Commission.

The proposed carport will need to meet all dimensional requirements per underlying zoning including setbacks and floor area.

Additional city standards may need to be met inclusive of issues such as Engineering excavation and changes to drainage patterns with the proposed carport. Staff does advise that the applicant meet with the other relevant city departments such as Parks, Engineering and Environmental Health to discuss possible compliance requirements related to this scope of work.

Section 26.410.020.D: Variation Review Standards SETBACK:

An application requesting a variation from the Residential Design Standards shall demonstrate and the deciding board shall find that the variation, if granted would:

1. Provide an alternative design approach that meets the overall intent of the standard as indicated in the intent statement for that standard, as well as the general intent statements in Section 26.410.010.A.1-3; or
2. Be clearly necessary for reasons of fairness related to unusual site-specific constraints.

RDS- Placement of carport - it's not 10'

zoning IS NOT CHANGING -

Following are the relevant sections of the Municipal Code and details on how to move forward.

RELEVANT LAND USE CODE SECTIONS:

<u>Section Number</u>	<u>Section Title</u>
26.304	Common Development Review Procedures
26.410	Residential Design Standards
26.410.020.C	Variations
26.575.020	Calculations and Measurements
26.710.090	Residential Multi-Family (RMF)

For your convenience - links to the Land Use Application and Land Use Code are below:

Land Use Application

Land Use Code

REVIEW BY:

- Staff for completeness of application.
- Planning and Zoning Commission for review.

REQUIRED LAND USE REVIEW(S):

- Residential Design Standards - Variations

PUBLIC HEARING:

- Yes, at Planning and Zoning Commission

NEIGHBORHOOD OUTREACH:

- No

PLANNING FEES: \$3,250 for ten (10) hours of staff review time.

REFERRAL FEES: \$325/hour Engineering; \$975 (flat fee) Parks; \$975 (flat fee) Environmental Health.

$3250 + 975 + 975 = 5200$

TOTAL DEPOSIT: ~~\$5,525~~ (additional/lesser planning hours are billed/refunded at a rate of \$325/hour; additional engineering hours over the deposit are billed at a rate of \$325/hour).

Posting & mailing? Yes

APPLICATION CHECKLIST - These items should first be submitted in one paper copy.

- Completed Land Use Application and signed Fee Agreement.
- Pre-application Conference Summary (this document).
- Street address and legal description of the parcel on which development is proposed to occur, consisting of a current (no older than 6 months) 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.
- Applicant's name, address and telephone number in a letter signed by the applicant that states the name, address and telephone number of the representative authorized to act on behalf of the applicant.

- HOA letter from authorized individual giving consent to the land use application, and letter of authorization for a representative to act on behalf of the applicant, if applicable.
- HOA Compliance form (Attached to Application).
- An 8 1/2" by 11" vicinity map locating the parcel within the City of Aspen.
- A site improvement survey (no older than a year from submittal) including topography and vegetation showing the current status of the parcel certified by a registered land surveyor by licensed in the State of Colorado.
- 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 and relevant land use approvals associated with the property.
- A proposed site plan.
- Completed copy of the Residential Design Standard checklist:
<https://www.cityofaspen.com/DocumentCenter/View/1696/RDS-Application-Packet---MF>

*Bon or
Garrett*

Once the application is deemed complete by staff, the following items will then need to be submitted:

- Total deposit for review of the application.
- A digital copy of the application provided in pdf file format.
- 2 copies of the complete application packet and drawings.

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.

10/19

<u>Date</u>	<u>Customer</u>	<u>Receipt #</u>	<u>Permit Number</u>	<u>Cat Cd</u>	<u>Fee Cd</u>	<u>Amount</u>	<u>On Account</u>
9/30/2019	31361 TORY THOMAS	00047563	0082.2019.ASLU	131041	plhf	3,250.00	0.00
		00047563	0082.2019.ASLU	63056	erf	325.00	0.00
		00047563	0082.2019.ASLU	251210	ehrf	975.00	0.00
		00047563	0082.2019.ASLU	551397	prf	975.00	0.00
		Date Total:				5,525.00	0.00

Summary of Fees

<u>Cat Cd</u>	<u>Category Description</u>	<u>Fee Code</u>	<u>Fee Description</u>	<u>Receipt</u>	<u>On Account</u>
131041	Deposit 131041	plhf	Planning Hourly Fees	3,250.00	0.00
251210	EH 2512105	ehrf	Environ Health Referral Fee	975.00	0.00
551397	Park Land Use Rvw 551397	prf	Parks Referral Fee	975.00	0.00
63056	Eng Land Use Review Fee	erf	Eng Referral Fee	325.00	0.00
				5,525.00	0.00

Summary of Categories

<u>Cat Cd</u>	<u>Category Description</u>	<u>Receipt</u>	<u>On Account</u>
131041	Deposit 131041	3,250.00	0.00
251210	EH 2512105	975.00	0.00
551397	Park Land Use Rvw 551397	975.00	0.00
63056	Eng Land Use Review Fee	325.00	0.00
		5,525.00	0.00

Summary of Dates

<u>Dates</u>	<u>Receipt</u>	<u>On Account</u>
9/30/2019	5,525.00	0.00
	5,525.00	0.00

CITY OF ASPEN COMMUNITY DEVELOPMENT DEPARTMENT

COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL LAND USE PACKET



Attached is an Application for review of Development that requires Land Use Review pursuant to The City of Aspen Land Use Code: Included in this package are the following attachments:

1. **Development Application Fee Policy, Fee Schedule and Agreement to Pay Application Fees Form**
2. **Land Use Application Form**
3. **Dimensional Requirements Form (if required)**
4. **HOA Compliance Form**
5. **Development Review Procedure**

All Application are reviewed based on the criteria established in Title 26 of the Aspen Municipal Code. Title 26 of the Aspen Municipal Code is available at the City Clerk's Office on the second floor of City Hall and on the internet at www.cityofaspen.com, City Departments, City Clerk, Municipal Code, and search Title 26.

We require all applicants to hold a Pre-Application Conference with a Planner in the Community Development Department so that the requirements for submitting a complete application can be fully described. This meeting can happen in person or by phone or e-mail. Also, depending upon the complexity of the development proposed, submitting one copy of the development application to the Case Planner to determine accuracy, inefficiencies, or redundancies can reduce the overall cost of materials and Staff time.

Please recognize that review of these materials does not substitute for a complete review of the Aspen Land Use Regulations. While this application package attempts to summarize the key provisions of the Code as they apply to your type of development, it cannot possibly replicate the detail or the scope of the Code. If you have questions which are not answered by the materials in this package, we suggest that you contact the staff member assigned to your case, contact Planner of the Day, or consult the applicable sections of the Aspen Land Use Code.

Land Use Review Fee Policy

The City of Aspen has established a review fee policy for the processing of land use applications. A flat fee or deposit is collected for land use applications based on the type of application submitted.

A flat fee is collected by Community Development for applications which normally take a minimal and predictable amount of staff time to process. Review fees for other City Departments reviewing the application (referral departments) will also be collected when necessary. Flat fees are cumulative – meaning an application with multiple flat fees must be pay the sum of those flat fee. Flat fees are not refundable.

A review fee deposit is collected by Community Development when more extensive staff time is required. Actual staff time spent will be charged against the deposit. Various City staff may also charge their time spent on the case in addition to the case planner. Deposit amount may be reduces if, in the opinion of the Community Development Director, the project is expected to take significantly less time to process than the deposit indicates. A determination on the deposit amount shall be made during the pre-application conference by the case planner. Hourly billing shall still apply.

All applications must include an [Agreement to Pay Application Fees](#). One payment including the deposit for Planning and referral agency fees must be submitted with each land use application, made payable to the City of Aspen. Applications will not be accepted for processing without the required fee.

The Community Development Department shall keep an accurate record of the actual time required for the processing of a land use application requiring a deposit. The City can provide a summary report of fees due at the applicant's request. The applicant will be billed for the additional costs incurred by the City when the processing of an application by the Community Development Department takes more time or expense than is covered by the deposit. Any direct costs attributable to a project review shall be billed to the applicant with no additional administrative charge. In the event the processing of an application takes less time than provided for by the deposit, the department shall refund the unused portion of the deposited fee to the applicant. Fees shall be due regardless of whether an applicant receives approval.

Unless otherwise combined by the Director for simplicity of billing, all applications for conceptual, final and recordation of approval documents shall be handled as individual cases for the purpose of billing. Upon conceptual approval all billing shall be reconciled and past due invoices shall be paid prior to the Director accepting an application for final review. Final review shall require a new deposit at the rate in effect at the time of final submission. Upon final approval all billing shall be again reconciled prior to the Director accepting an application for review of technical documents for recordation.

The Community Development Director may cease processing of a land use application for which an unpaid invoice is 30 or more days past due. Unpaid invoices of 90 days or more past due may be assessed a late fee of 1.7% per month. An unpaid invoice of 120 days or more may be subject to additional actions as may be assigned by the Municipal Court Judge. All payment information is public domain.

All invoices shall be paid prior to issuance of a Development Order or recordation of development agreements and plats. The City will not accept a building permit for a property until all invoices are paid in full. For permits already accepted, and unpaid invoice of 90 days or more days may result in cessation of building permit processing or issuance of a stop work order until full payment is made.

The property owner of record is the party responsible for payment of all costs associated with a land use application for the property. Any secondary agreement between a property owner and an applicant representing the owner (e.g. a contract purchaser) regarding payment of fees is solely between those private parties.

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: 835 E Durant Street

Property Owner Name: Aspen Townhouses East Representative Name (if different from Property Owner) Tory Thomas, president

Billing Name and Address - Send Bills to:
Tory Thomas, 835 E Durant Street, Unit 1, Aspen, CO

Contact info for billing: e-mail: tory@torythomas.net Phone: 970-948-1341

I understand that the City has adopted, via Ordinance No. 30, Series of 2017, 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 that 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.

\$._____ flat fee for _____ . \$._____ 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 mailed 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.

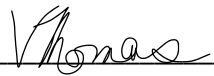
I have read, understood, and agree to the Land Use Review Fee Policy including consequences for no-payment. I agree to pay the following initial deposit amounts for the specified hours of staff time. I understand that payment of a deposit does not render an application complete or compliant with approval criteria. If actual recorded costs exceed the initial deposit, I agree to pay additional monthly billings to the City to reimburse the City for the processing of my application at the hourly rates hereinafter stated.

\$ _____ deposit for _____ hours of Community Development Department staff time. Additional time above the deposit amount will be billed at **\$325.00 per hour**.

\$ 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:

Jessica Garrow, AICP
Community Development Director

Signature: 

PRINT Name: Tory Thomas

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

Title: President of HOA

CITY OF ASPEN COMMUNITY DEVELOPMENT DEPARTMENT

LAND USE APPLICATION

Project Name and Address: Aspen Townhouses East 835 E Durant Street, Aspen

Parcel ID # (REQUIRED) 2737-182-58-802 (common space)

APPLICANT:

Name: Tory Thomas, president of Aspen Townhouses East

Address: 835 E Durant Street, Unit 1, Aspen

Phone #: 970-948-1341 email: tory@torythomas.net

REPRESENTATIVE:

Name: Kim Raymond, Kim Raymond Architects + Interiors

Address: 418 E Cooper Street, Suite 201, Aspen

Phone#: 970-925-2252 email: kim@krai.us

Description: Existing and Proposed Conditions

Townhouse complex consisting of 2 buildings, housing 11 units wants to construct a simple carport for 10 of the 11 owners. This carport will cover the existing parking along Dean Street (alley).

Review: Administrative or Board Review
P&Z

Required Land Use Review(s):
RDS variance for location of garage/carport

Growth Management Quota System (GMQS) required fields: N/A

Net Leasable square footage _____ Lodge Pillows _____ Free Market dwelling units _____

Affordable Housing dwelling units _____ Essential Public Facility square footage _____

Have you included the following?

FEES DUE: \$ \$5535.00

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

CITY OF ASPEN COMMUNITY DEVELOPMENT DEPARTMENT

DIMENSIONAL REQUIREMENTS FORM

Complete only if required by the PreApplication checklist

Project and Location 835 E Durant,
Aspen Townhouses East

Applicant: Tory Thomas, president of HOA

Zone District: RMF Gross Lot Area: 15,000 SF Net Lot Area: 15,000 SF

**Please refer to section 26.575.020 for information on how to calculate Net Lot Area

Please fill out all relevant dimensions

Single Family and Duplex Residential

	<u>Existing</u>	<u>Allowed</u>	<u>Proposed</u>
1) Floor Area (square feet)			
2) Maximum Height			
3) Front Setback			
4) Rear Setback			
5) Side Setbacks			
6) Combined Side Setbacks			
7) % Site Coverage			
8) Minimum distance between buildings			
Proposed % of demolition _____			

Multi-family Residential

	<u>Existing</u>	<u>Allowed</u>	<u>Proposed</u>
1) Number of Units			11
2) Parcel Density (see 26.710.090.C.10)			2737-182-58-802 (common space)
3) FAR (Floor Area Ratio)			1:1.25
4) Floor Area (square feet)			18,750
4) Maximum Height			32'
5) Front Setback			5'
6) Rear Setback			5'
7) Side Setbacks			5'
Proposed % of demolition _____			NONE

The townhouses are not changing... we want to add a carport of 10 spaces of 166.25 SQ FT each = 1662.5 Sq FT Lodge

Commercial

Proposed Use(s) _____

	<u>Existing</u>	<u>Allowed</u>	<u>Proposed</u>
1) FAR (Floor Area Ratio)			
2) Floor Area (square feet)			
3) Maximum Height			
4) Off-Street Parking Spaces			
5) Second Tier (square feet)			
6) Pedestrian Amenity (square feet)			
Proposed % of demolition _____			

Additional Use(s) _____

	<u>Existing</u>	<u>Allowed</u>	<u>Proposed</u>
1) FAR (Floor Area Ratio)			
2) Floor Area (square feet)			
3) Maximum Height			
4) Free Market Residential(square feet)			
4) Front setback			
5) Rear setback			
6) Side setbacks			
7) Off-Street Parking Spaces			
8) Pedestrian Amenity (square feet)			
Proposed % of demolition _____			

Existing non-conformities or encroachments:

Variations requested:



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 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: _____	
	Email: _____	Phone No.: _____
Address of Property: (subject of application) _____		

I certify as follows: (pick one)

- This property is not subject to a homeowners association or other form of private covenant.

- This property is subject to a homeowners 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: _____

Owner printed name: _____

or,

Attorney signature: _____ date: _____

Attorney printed name: _____

CITY OF ASPEN COMMUNITY DEVELOPMENT DEPARTMENT

DEVELOPMENT REVIEW PROCEDURE

1. **Attend pre-application conference.** During this one-on-one meeting, staff will determine the review process which applies to your development proposal and will identify the materials necessary to review your application.
2. **Submit Development Application.** Based on your pre-application meeting, you should respond to the application package and submit the requested number of copies of the complete application and the application and the appropriate processing fee to the Community Development Department.
3. **Determination of Completeness.** Within five working days of the date of your submission, staff will review the application, and will notify you in writing whether the application is complete or if additional materials are required. Please be aware that the purpose of the completeness review is to determine whether or not the information you have submitted is adequate to review the request, and not whether the information is sufficient to obtain approval.
4. **Staff Review of Development Application.** Once your application is determined to be complete, it will be reviews by the staff for compliance with the applicable standards of the Code. During the staff review stage, the application will be referred to other agencies for comments. The Planner assigned to your case or the agency may contact you if additional information is needed or if problems are identified. A memo will be written by the staff member for signature by the Community Development Director. The memo will explain whether your application complies with the Code and will list any conditions which should apply if the application is to be approved.

Final approval of any Development Application which amends a recorded document, such as a plat, agreement or deed restriction, will require the applicant to prepare an amended version of that document for review and approval by staff. Staff will provide the applicant with the applicable contents for the revised plat, while the City Attorney is normally in charge of the form for recorded agreements and deed restrictions. We suggest that you not go to the trouble or expense of preparing these documents until the staff has determined that your application is eligible for the requested amendment or exemption.

5. **Board Review of Application.** If a public hearing is required for the land use action that you are requesting, then the Planning Staff will schedule a hearing date for the application upon determination that the Application is complete. The hearing(s) will be scheduled before the appropriate reviewing board(s). The applicant will be required to nail notice (one copy provided by the Community Development Department) to property owners within 30 feet of the subject property and post notice (sign available at the Community Development Department) of the public hearing on the site at least fifteen (15) days prior to the hearing date (please see Attachment 6 for instructions). The Planning Staff will publish notice of the hearing in the paper for land use requests that require publication.

The Planning Staff will then formulate a recommendation on the land use request and draft a memo to the reviewing board(s). Staff will supply the Applicant with a copy of the Planning Staff's memo approximately 5 days prior to the hearing. The public hearing(s) will take place before the appropriate review boards. Public Hearings include a presentation by the Planning Staff, a presentation by the Applicant (optional), consideration of public comment, and the reviewing board's questions and decision.

(Continued on next page)

CITY OF ASPEN COMMUNITY DEVELOPMENT DEPARTMENT

6. **Issuance of Development Order.** If the land use review is approved, then the Planning Staff will issue a Development Order which allows the Applicant to proceed into Building Permit Application.

7. **Receipt of Building Permit.** Once you have received a copy of the signed staff approval, you may proceed to building permit review. During this time, your project will be examined for its compliance with the Uniform Building Code. It will also be checked for compliance with applicable provisions of the Land Use Regulations which were not reviewed in detail during the one step review (this might include a check of floor area ratios, setbacks, parking, open space and the like). Fees for water, sewer, parks and employee housing will be collected if due. Any document required to be recorded, such as a plat, deed restriction or agreement, will be reviewed and recorded before a Building Permit is submitted.

Pitkin County Assessor

Parcel Detail Information

[Assessor Property Search](#) |
 [Assessor Subset Query](#) |
 [Assessor Sales Search](#)
[Clerk & Recorder Reception Search](#) |
 [Treasurer Tax Search Search](#)
[GIS Map](#) |
 [GIS Help](#)

[Basic Building Characteristics](#) |
 [Value Summary](#)

[Parcel Detail](#) |
 [Value Detail](#) |
 [Sales Detail](#) |
 [Residential/Commercial Improvement Detail](#)
[Owner Detail](#) |
 [Land Detail](#) |
 [Photographs](#)

Tax Area	Account Number	Parcel Number	Property Type	2018 Mill Levy
056	R000087	273718258015	CONDO	36.467

Primary Owner Name and Address

THOMAS VICTORIA
835 E DURANT AVE #1
ASPEN, CO 81611

[Additional Owner Detail](#)

Legal Description

Subdivision: ASPEN TOWNHOUSES EAST Unit: 1
--

Location

Physical Address:	835 E DURANT AVE ASPEN
Subdivision:	ASPEN TOWNHOUSES EAST
Land Acres:	
Land Sq Ft:	0

2019 Property Value Summary

	Actual Value	Assessed Value
Land:	0	0
Improvements:	1,255,300	89,750
Total:	1,255,300	89,750

Sale Date:	6/15/2005
Sale Price:	735,000

[Additional Sales Detail](#)

Basic Building Characteristics

Number of Residential Buildings:	1
Number of Comm/Ind Buildings:	0

Residential Building Occurrence 0 Characteristics	
MULTI LEVELS AREA:	986
Total Heated Area:	986
Actual Year Built:	1965
Bedrooms:	3
Baths:	2
Finish Quality:	VERY GOOD
Location Rating:	GOOD
Neighborhood:	ASPEN THOUSES EAST
Super Nbhd:	ASPEN CONDOS

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[Assessor Database Search Options](#)

[Assessor Home Page](#)

[Pitkin County Home Page](#)

The Pitkin County Assessor's Offices make every effort to collect and maintain accurate data. However, Good Turns Software and the Pitkin County Assessor's Offices are unable to warrant any of the

information herein contained.

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Database & Web Design by [Good Turns Software](#).

Tory Thomas, President
Homeowner's Association
Aspen Townhouses East
835 E Durant Street
Aspen, CO 81611

Sept. 7, 2019

To Whom It May Concern:

We have granted Kim Raymond of Kim Raymond Architects, Inc authority to represent us, the Homeowners of Aspen Townhouses East, as we go through the Residential Design Standards variance procedure.

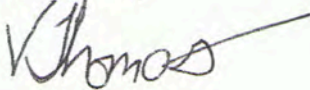
Our property is located at 835 E Durant Street in Aspen. I, Tory Thomas am the president of the HOA. I can be contacted at tory@torythomas.net or 970-948-1341.

Kim can be found at:
Kim Raymond Architects, Inc
418 E Cooper Street, Suite 201
Aspen, CO 81611

Her contact is
kim@krai.us
970-925-2252

Thank you.

Best regards,



Tory Thomas
President
Aspen Townhouses East



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 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: <u>ASPEN TOWN HOUSES EAST</u>
	Email: <u>TOPY@TOPYTHOMAS.NET</u> Phone No.: <u>970-948-1341</u>
Address of Property: (subject of application)	<u>835 E DURANT ASPEN, CO 81611</u>

I certify as follows: (pick one)

- This property is not subject to a homeowners association or other form of private covenant.
- This property is subject to a homeowners 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: Victoria Thomas date: 8/13/19

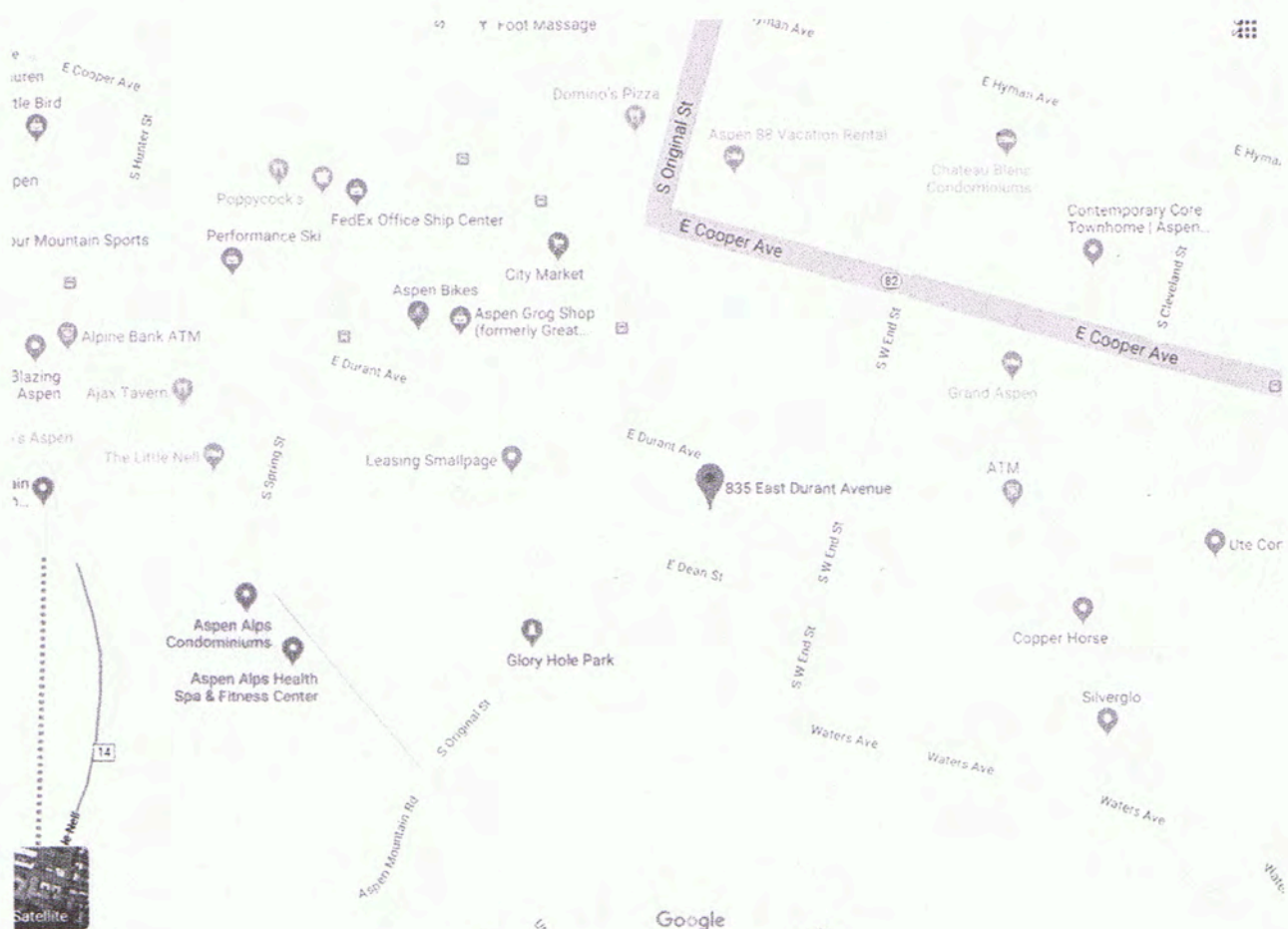
Owner printed name: VICTORIA THOMAS HOA President

or,

Attorney signature: _____ date: _____

Attorney printed name: _____

VICINITY MAP
ASPEN TOWNHOUSES EAST



835 E DURANT STREET
Parcel ID: 2737-182-58-802



September 24, 2019
Sara Yoon, Planner
City of Aspen Community Development Department
130 S Galena Street, 3rd Floor
Aspen, CO 81611

RE: 835 E. Durant Street, RDS Variance
Summary Letter
Aspen, Colorado
Parcel ID: 2737-182-58-802 (common space)

Dear Sara,

Thank you for your time and assistance with this application to go through the RDS variance process for the Garage Placement Design Standard, for a desired covered carport for an 11 unit townhouse complex. Currently the complex has 11 paved parking spaces adjacent to Dean Street with a nice yard between the parking and the buildings.

There are two buildings on the property, which are perpendicular to each other; 6 of the units have front doors that face Dean Street, the other 5 units face West; toward the other building and the yard. The address to this complex is Durant Street, the larger, more publicly used street. Dean Street is basically a named alley.

This block has an unusual situation in that it is between two 'streets'; so does not have an alley; and this is what has put us in the position to ask for the variance from the RDS standard of putting the garage behind the front facade of the building. Please see the attached Site plan, along with the following information requested in your pre-application conference summary letter.

RELEVANT LAND USE CODE SECTIONS

SECTION 26.304

1. Please see attached letter of authorization from Tory Thomas, the President of the 835 E. Durant Street, Aspen Townhouses East Homeowner's Association; granting Kim Raymond Architecture + Interiors, authority to act on their behalf throughout this process.
2. Please see the attached Vicinity Map

3. Please see the attached Title Insurance, Schedule A & B for proof of ownership for Tory Thomas, the President of the HOA.
4. Please see attached Site Plan and Survey; showing the existing buildings and parking and the proposed carport.
5. We will post and mail the appropriate notices for the meeting with the P&Z. The names and addresses of the neighbors within 300' is attached.
6. Please also find attached all the forms for this Land Use Application.
7. Please see below, the description and summary of all requested information pertaining to the Land Use Code sections in regard to the proposed development and the RDS Garage Placement Design Standard.

Additionally, please find a copy of the Pre-application Conference Summary sheet, attached at the end of this packet of information. This application package includes all requested documents as outlined by Sara Yoon.

SECTION 26.410

Residential Design Standards. Since the building is not changing with this application, the only Design Standards we are discussing here are the Garage Access and Garage Placement Design Standard. These are both Non-flexible design standards.

Garage Access:

This standard requires that a garage or in our case a carport, be located off of an alley, if one is available. This property is located between two streets; Dean and Durant. Durant is the one to the north of the parcel and is the more commonly used by the public and has far more car and pedestrian traffic. Dean is to the south and serves the local residents for the one block that it exists on the East side of town. It is from Dean Street that the residents of 835 E Durant access their current parking and their front doors. Since an alley doesn't exist in our case, but Dean street serves as an alley, we feel that we comply with this standard.

Garage Placement, Intent:

This standard seeks to prevent large expanses of unarticulated facades close to the street and ensure garages are subordinate to the principal building for properties that feature driveway and garage access directly from the street. Buildings should seek to locate garages behind principal buildings so that the front façade of the principal building is highlighted. Where locating the garage behind the front façade of the principal building is not feasible or required, designs should minimize the presence of garage doors as viewed from the street. This standard is important in all areas of the city where alley access is not an option.

As seen above, we do not have an "alley" from which to access the parking or carport. Since the townhouses are already constructed at the north side of the lot, there is no way to put the parking /carport behind. We cannot meet the second option of a side loaded garage either, as we need to accommodate 11 parking spaces; which currently run parallel with Dean Street. This is the same scenario with the townhouses to the west of us; their parking is also off of Dean Street.

This creates a conundrum for these home owners, since the property was developed long before the Residential Design Standards were adopted. Interestingly, the developer placed the parking behind the building, as the address for this property is Durant. So this standard was met as far as the "letter of the standard" goes.... the parking / carport is behind the principal building; hiding it from the view of pedestrians and traffic on Durant.

Looking at a map of Aspen, Dean Street breaks the pattern of streets and alleys as compared to Hopkins, Hyman and Cooper Streets, which all have alleys between them; Dean Street is in the location of an alley and was used as such by most of the other buildings on the block. This is where all the trash enclosures and electrical transformers are located; things that one would find in an alley. See attached photos.

The structure as designed, will be very minimal, having one row of structural columns down the 'middle' of the structure with the roof cantilevering in both directions. This will not create a large expanse of garage doors or a solid facade; it will just cover the existing parking. The carport will actually improve the appearance of the street, lessening the feel of a parking lot between the two properties on the north side of Dean.

SECTION 26.410.020.C Variations

The applicant has followed the process as outlined; posting and mailing will be done in preparation for the presentation to the Planning and Zoning Commission.

SECTION 26.410.020.D Variation Review Standards

The two options for variation as outlined here are:

1. Present an alternate design that meets the intent. We feel like our property meets this intent, as viewed from Durant Street. Since the building is addressed 835 E Durant, the parking is behind the principal building as viewed from Durant.
2. In fairness to the home owners of this property, the fact that there is no alley access because there are two 'streets' on the property, we feel that this is a very reasonable and fair request to be granted the variation from this standard.

Additionally, the Residential Design Standards were adopted long after the development was constructed; this new RDS rule is really a down-zoning in the case of this property.

SECTION 26.575.020 Calculations and Measurements and
SECTION 26.710.090 Residential Multi-family Zone

This parcel is in the RMF zone district. The allowable floor area is 1.25:1 on a 15,000 sq ft. parcel ($15,000 \times 1.25 = 18,750$ sq ft).

The part of this section that applies to this application is the floor area for a carport. Each unit is allowed 250 sq. ft. of Floor Area for garage or carport that is exempt from Floor area calculations. There are 11 units in the complex, thus: $11 \text{ spaces} \times 250 = 2772$ allowable sq ft for the carport, exempt from FAR.

This carport will have spaces that are 8'-9" x 19' each, (166.25 sq ft each) $10 \times 166.25 = 1662.5$ sq ft of carport. The carport only covers 10 cars. There are 11 spaces.

The setbacks for yards:

Front: 5'

Rear: 5'

Side: 5' (no combined requirement)

In summary, the desire of the owners of this lot is to cover the existing parking with a simple roof to keep the sun and snow off of their cars. The parking has been in this location since the lot was developed, and this one Residential Design Standard is creating a stumbling block because the property has a major street on the north and a street that serves as an alley, with the name Dean Street, to the south. The parcel was developed to hide the parking from Durant, the street to which the address is tied. We believe that this RDS, creates a "down-zoning" scenario for the homeowners, because there are "streets" on both sides of the parcel, so no way to hide parking from both of them. The fact that Dean Street is in the location of an alley and serves as an alley for these two blocks on the East side of town, should not preclude these homeowners from having a carport.

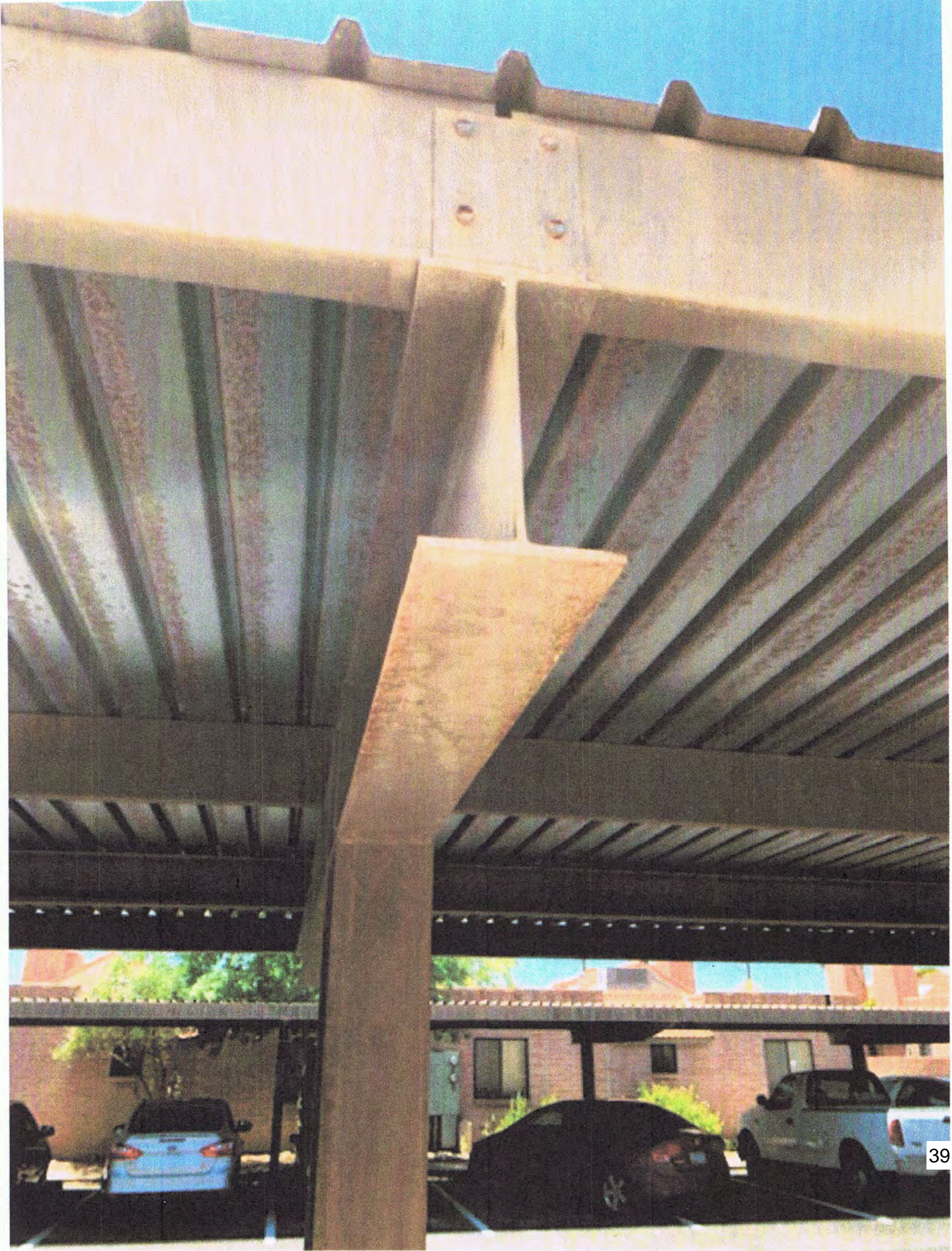
We feel it is a fair request to be exempt from this RDS guideline due to the unusual "two streets - no alley" situation, and the homeowners should be allowed to cover their existing parking with a streamlined carport.

Thank you so much for your help and consideration of this matter. Please feel free to contact myself or my office at 970-925-2252 or kim@krai.us. We look forward to working on another project with you.

Warmest Regards,

Kim Raymond

Kim Raymond Architecture + Interiors
418 E Cooper Street, Suite 201
Aspen, CO 81611











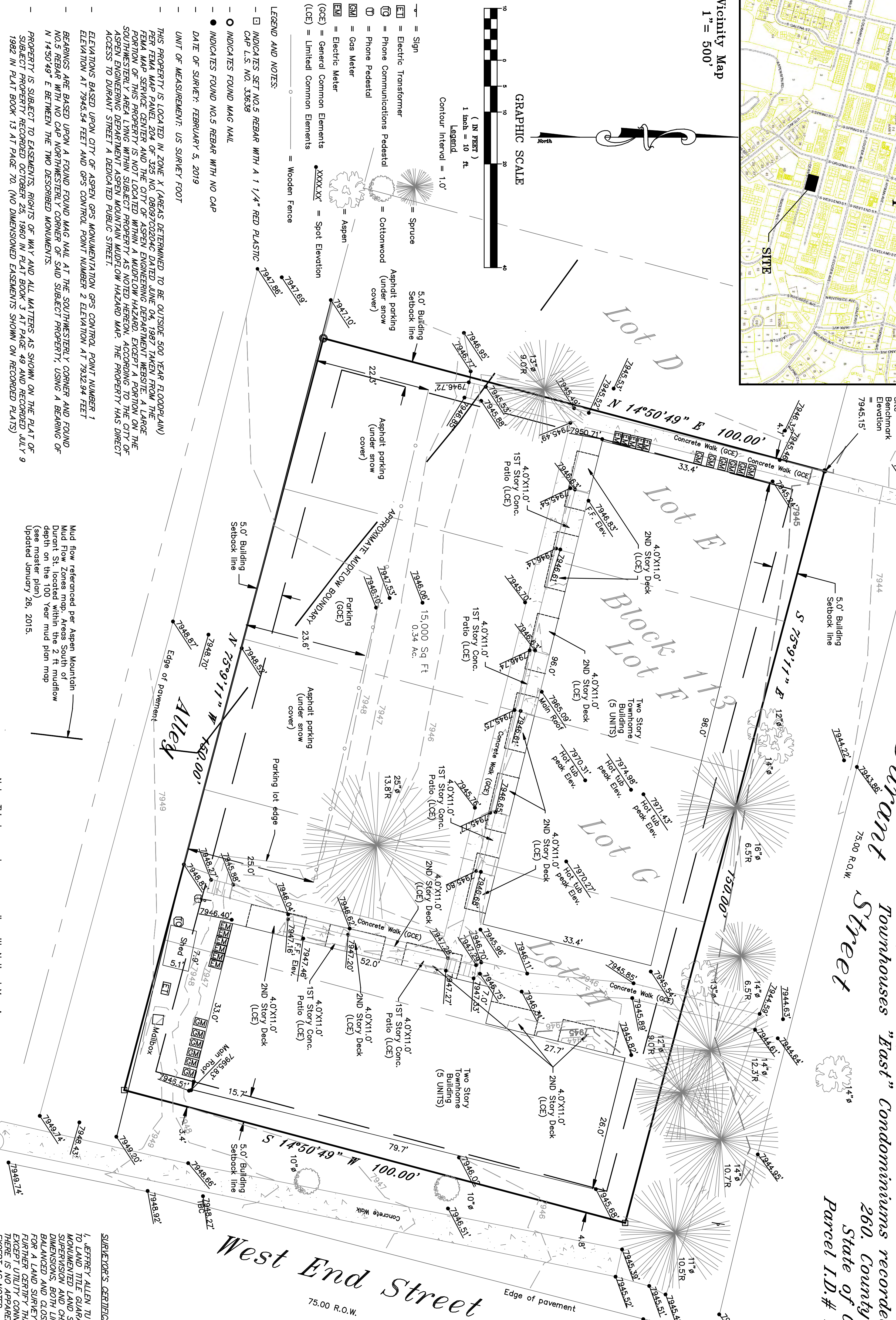
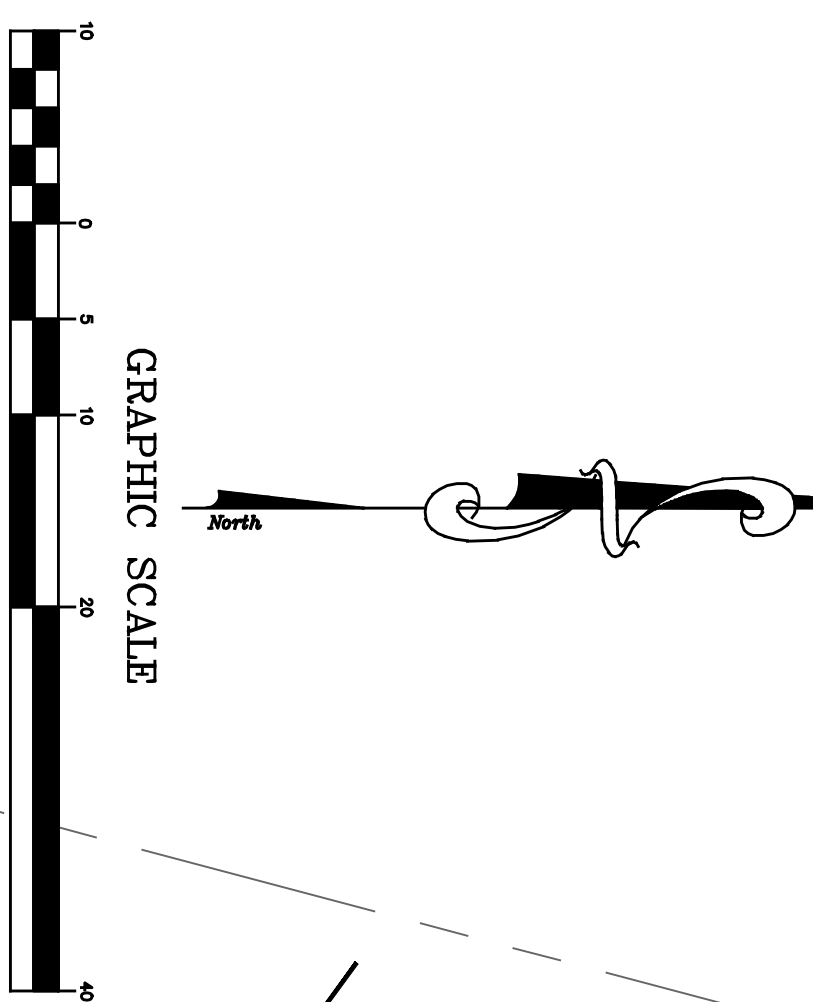


IMPROVEMENT SURVEY PLAT

Common Area, Aspen Townhouses "East" Condominiums, according to the Map thereof recorded October 20, 1965 in Plat Book 3 at Page 49, and first Amendment thereto Recorded July 9, 1982 in Plat Book 13 at Page 70 and as further defined and described in the Condominium declaration for Aspen Townhouses "East" Condominiums recorded October 20, 1965 in Book 216 at Page 260. County of Pitkin, State of Colorado.
Parcel I.D.# 273718258802



Vicinity Map
1" = 500'



COMMON AREA, ASPEN TOWNHOUSES "EAST" CONDOMINIUMS, ACCORDING TO THE MAP THEREOF RECORDED AS PLAT BOOK 3 AT PAGE 49 AND FIRST AMENDMENT THEREOF RECORDED JULY 9, 1982 IN PLAT BOOK 13 AT PAGE 70 AND AS FURTHER DEFINED AND DESCRIBED IN THE CONDOMINIUM DECLARATION FOR ASPEN TOWNHOUSES "EAST" CONDOMINIUMS RECORDED OCTOBER 20, 1965 IN BOOK 216 AT PAGE 260. COUNTY OF PITKIN, STATE OF COLORADO.

THIS PROPERTY IS SUBJECT TO THE FOLLOWING EXCEPTIONS PER SAID TITLE COMMITMENT NO. BARE2010024 & ANY AND ALL MINERAL RIGHTS RETAINED IN INSTRUMENTS RECORDED MAY 29, 1991 IN BOOK 93 AT PAGE 121, AND RECORDED APRIL 28, 1991 IN BOOK 98 AT PAGE 500, AND RECORDED FEBRUARY 18, 1991 IN BOOK 100, AT PAGE 306, 81 (Could affect subject property - no dimensions for exhibit provided) (As shown hereon)

9. CONDOMINIUM DECLARATIONS, WHICH DO NOT CONTAIN A FORTFEITURE OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OR (B) RELATES TO HANDICAP, BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS, AS CONTAINED IN INSTRUMENT RECORDED OCTOBER 20, 1965, IN BOOK 216 AT PAGE 260. (Affects subject property - no dimensions for exhibit provided) (As shown hereon)

10. PROVISIONS OF BY-LAWS RECORDED OCTOBER 20, 1965 IN BOOK 216 AT PAGE 289 (Could affect subject property - no dimensions for exhibit provided) (As shown hereon)

11. TERMS, CONDITIONS AND PROVISIONS OF ARTICLES OF INCORPORATION RECORDED OCTOBER 20, 1965 IN BOOK 216 AT PAGE 276. (Could affect subject property - no dimensions for exhibit provided) (As shown hereon)

12. EASEMENTS, RIGHTS OF WAY AND ALL MATTERS AS SHOWN ON THE PLAT OF SUBJECT PROPERTY RECORDED OCTOBER 25, 1982 IN PLAT BOOK 3 AT PAGE 49 AND RECORDED JULY 9, 1982 IN PLAT BOOK 13 AT PAGE 70.

13. (As shown hereon) PROVISIONS AND OBLIGATIONS OF EASEMENTS GRANTED TO COMCAST OF COLORADO/FLORIDA INC. RECORDED AUGUST 4, 2011 AS RECFLOW NO. 58167. (Could affect subject property - no dimensions for exhibit provided) (As shown hereon)

14. ANY AND ALL INTERESTS OF THE OWNERS OF INDIVIDUAL CONDOMINIUM UNITS, DEEDS OF TRUST, MORTGAGES, LIENS, JUDGMENTS OR ANY OTHER OUTSTANDING OBLIGATIONS ASSOCIATED WITH THE INDIVIDUAL UNIT OWNERSHIP OF THE ASPEN TOWNHOUSES EAST CONDOMINIUM ASSOCIATION (Could affect subject property - no dimensions for exhibit provided) (As shown hereon)

SURVEYOR'S CERTIFICATE:

I, JEFFREY ALLEN TUTTLE, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY TO LAND TITLE GUARANTEE COMPANY THAT THIS IMPROVEMENT SURVEY PLAT WAS PREPARED FROM AN ACTUAL MONUMENTED LAND SURVEY OF THE PROPERTY CORNER MONUMENTS, BOTH FOUND AND KNOWN, UNDER MY DIRECT SUPERVISION AND CHECKING, THAT IT IS CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE, AND THAT ALL DIMENSIONS, BEARINGS AND ANGLES WERE DETERMINED BY AN ACCURATE CONVENTIONAL SURVEYING METHOD WHICH PROVIDED ADEQUATE CHECKS AND BALANCES. I HAVE REVIEWED THE CURRENT ACQUISITION RECORDS AND HAVE FURTHER CERTIFY THAT THE ABOVE DESCRIBED PARCEL ON THIS DATE (JANUARY 11, 2016) IS UNENCUMBERED EXCEPT UTILITY CONDUCTIONS ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

JEFFREY ALLEN TUTTLE L.S. 33638 DATE _____

Note: This topographic map complies with National Map Accuracy Standards for topographic maps. Where checked 90% of points should be within 1/2 the contour interval and well defined points should be plotted within 1/50' of their true position. Critical design should be based upon spot elevations, please contact Tuttle Surveying Services for this spot elevation information.

Mud flow referenced per Aspen Mountain Mud Flow Zones near Areas South of Durant St. located within the 2 ft mudflow depth on the 100 Year mud flow map (see master plan)
Updated January 26, 2015.

- INDICATES SET NO.5 REBAR WITH A 1 1/4" RED PLASTIC CAP L.S. NO. 33638
- INDICATES FOUND MAG MAIL
- INDICATES FOUND NO.5 REBAR WITH NO CAP
- DATE OF SURVEY: FEBRUARY 5, 2019
- UNIT OF MEASUREMENT: US SURVEY FOOT
- THIS PROPERTY IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN) PER FEMA MAP PANEL 204 OF 325 NO. 0807020204C DATED JUNE 04, 1987 TAKEN FROM THE FEMA MAP SERVICE CENTER AND THE CITY OF ASPEN ENGINEERING DEPARTMENT WEBSITE. A LARGE PORTION OF THIS PROPERTY IS NOT LOCATED WITHIN A MUDFLOW HAZARD, EXCEPT A PORTION ON THE SOUTHWESTERLY AREA LYING WITHIN SUBJECT PROPERTY AS NOTED HEREON, ACCORDING TO THE CITY OF ASPEN ENGINEERING DEPARTMENT ASPEN MOUNTAIN MUDFLOW HAZARD MAP. THE PROPERTY HAS DIRECT ACCESS TO DURANT STREET A DEDICATED PUBLIC STREET.
- ELEVATIONS BASED UPON CITY OF ASPEN GPS MONUMENTATION GPS CONTROL POINT NUMBER 1 ELEVATION AT 7945.54 FEET AND GPS CONTROL POINT NUMBER 2 ELEVATION AT 7932.94 FEET
- BEARINGS ARE BASED UPON A FOUND FOUND MAG MAIL AT THE SOUTHWESTERLY CORNER AND FOUND NO.5 REBAR WITH NO CAP NORTHWESTERLY CORNER OF SAID SUBJECT PROPERTY, USING A BEARING OF N 14°50'49" E BETWEEN THE TWO DESCRIBED MONUMENTS
- PROPERTY IS SUBJECT TO EASEMENTS, RIGHTS OF WAY AND ALL MATTERS AS SHOWN ON THE PLAT OF SUBJECT PROPERTY RECORDED OCTOBER 25, 1980 IN PLAT BOOK 3 AT PAGE 49 AND RECORDED JULY 9, 1982 IN PLAT BOOK 13 AT PAGE 70. (NO DIMENSIONED EASEMENTS SHOWN ON RECORDED PLATS)
- THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY THIS SURVEYOR TO DETERMINE OWNERSHIP OR TO DISCOVER EASEMENTS OR OTHER ENCUMBRANCES OF RECORD. ALL INFORMATION PERTAINING TO OWNERSHIP, EASEMENTS OR OTHER ENCUMBRANCES OF RECORD HAS BEEN TAKEN FROM LAND TITLE GUARANTEE COMPANY TITLE COMMITMENT DATED DECEMBER 14, 2018 AS ORDER NO. BARE2010024.3
- BUILDING SETBACK INFORMATION REFERENCED FROM THE CITY OF ASPEN LAND USE CODE FRONT BUILDING SETBACK = 5.0'; SIDE/YARD BUILDING SETBACK = 5.0' AND REAR BUILDING SETBACK LINE = 5.0'
- DUE TO SNOW COVER AT THE TIME OF THIS SURVEY SOME IMPROVEMENTS MAY NOT BE SHOWN.

TUTTLE SURVEYING SERVICES
923 Cooper Avenue
Glenwood Springs, Colorado 81601
(970) 928-9708 (FAX 947-9007)
Email: jalt@tss-us.com

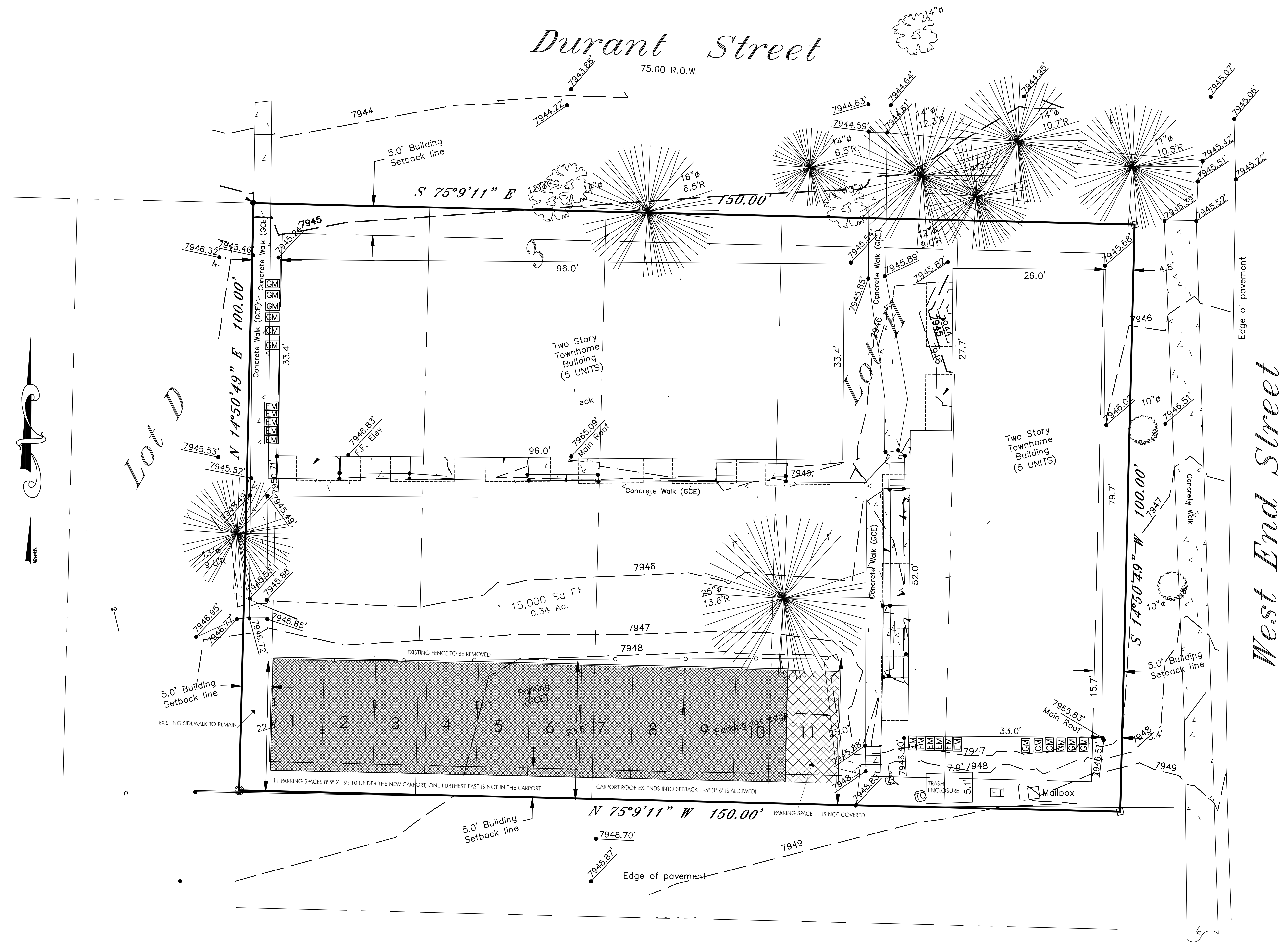


IMPROVEMENT SURVEY MAP

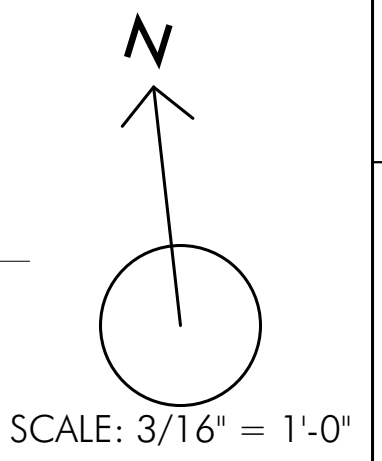
835 EAST DURANT AVENUE
ASPEN, COLORADO 81611

Date: 02/11/2019
Z:\2019\ASPENTOWN\HOMESTEAD_835durant.dwg
John109025

Durant Street



1 SITE PLAN
SCALE: 1/8" = 1'-0"



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

KIM RAYMOND ARCHITECTS, INC.
300 E. HYMAN AVENUE, SUITE 100
www.kimraymondarchitects.com
970-925-2252

ALL DESIGNS, IDEAS, ARRANGEMENTS AND PLANS INDICATED BY THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF KIM RAYMOND ARCHITECTS, INC. AND SHALL NEITHER BE USED BY ANY OTHER PERSON FOR ANY USE WHATSOEVER WITHOUT WRITTEN PERMISSION. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED AT THE SITE. ANY DIMENSIONAL DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO COMMENCEMENT OF WORK.

ASPEN TOWNHOUSES EAST
835 DURANT STREET

DATE	ISSUE
..	..

Scale: AS NOTED
-1" ACTUAL-
IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

SITE PLAN

A.1.01

GENERAL STRUCTURAL NOTES

(APPLY UNLESS NOTED OTHERWISE ON DRAWINGS)

BUILDING CODE:

2012 EDITION OF THE INTERNATIONAL BUILDING CODE.

LOADS:

THE LOADS (NOT INCLUDING ROOF DEAD LOAD) ON THIS STRUCTURE ARE FROM WIND, DOWNWARD WIND DESIGN LOAD = 14.0 PSF (C&G), 13.3 PSF (MFRS), UPWARD WIND DESIGN LOAD = 14.2 PSF (C&G), 13.3 PSF (MFRS). ROOF DEAD LOAD = ACTUAL WEIGHT OF MEMBERS:
DECK = 7 PSF
PURLIN = 4.2 PLF
BEAM AND COLUMN = 8.3 PLF

LATERAL:

WIND
3 SECOND WIND GUST = 105 MPH.
WIND RISK CATEGORY I
WIND SURFACE C.

SEISMIC:

SEISMIC IMPORTANCE FACTOR = 1.0.
SEISMIC DESIGN CATEGORY A, B, C, OR D.
BASIC SEISMIC-FORCE RESISTING SYSTEM = CANTILEVERED COLUMN SYSTEMS DETAILED TO CONFORM TO THE REQUIREMENTS FOR INTERMEDIATE STEEL MOMENT FRAMES.
RESPONSE MODIFICATION FACTOR (R) = 1.50.
ANALYSIS PROCEDURE USED = EQUIVALENT LATERAL FORCE PROCEDURE.

FOUNDATIONS:

CAISSON FOOTING DESIGNS ARE BASED ON IBC SECTION 1806, CLASS 3 SOILS. THE ALLOWABLE LATERAL BEARING PRESSURE MAY BE MULTIPLIED BY 2.0 PER IBC SECTION 1806.3.4. THE CAISSON FOOTINGS ARE DESIGNED AS UNCONSTRAINED (SECTION 1807.3.2.2, EQUATION 18-3) WHERE PLACED IN CONCRETE AREA AND AS UNCONSTRAINED (CZERNAK) WHEN NOT PLACED IN CONCRETE AREAS. USE AVERAGE OF CONSTRAINED AND UNCONSTRAINED WHEN IN ASPHALT AREAS. CAISSONS BEAR A MINIMUM OF 4 FEET BELOW EXISTING GRADE.

SPREAD FOOTING DESIGNS ARE BASED ON IBC SECTION 1806, CLASS 5 SOILS. SPREAD FOOTINGS SHALL BEAR ON FIRM, UNDISTURBED SOIL 2 FEET MINIMUM BELOW ADJACENT EXISTING GRADE. DESIGN SOIL BEARING VALUE = 1500 PSF.

CONCRETE:

SPECIFIED 28 DAY COMPRESSIVE STRENGTH f'_c :
FOUNDATIONS ----- 2,500 PSI

GENERAL:

ALL CAST-IN-PLACE CONCRETE CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE ACI. MECHANICALLY MIXED ALL CONCRETE WHEN PLACED UNLESS NOTED OTHERWISE. ADMIXTURES CONTAINING CHLORIDES SHALL NOT BE USED. NO OTHER ADMIXTURES PERMITTED WITHOUT APPROVAL. FOR CONCRETE WITHOUT PLASTICIZER, MAXIMUM SLUMP 4 1/2" AT POINT OF PLACEMENT U.N.O. IF PLASTICIZER IS USED, A HIGHER FINAL SLUMP MAY BE ALLOWED UPON STRUCTURAL ENGINEER'S APPROVAL.

FOR REINFORCING INFORMATION, SEE REINFORCING SECTION OF G.S.N., PLANS, AND DETAILS UNLESS NOTED OTHERWISE ON THE DRAWINGS. THE EMBEDMENT OF CONDUITS, PIPES, SLEEVES, ETC. OF ANY MATERIAL SHALL NOT BE PERMITTED WITHIN ANY CONCRETE STRUCTURAL ELEMENT WITHOUT THE WRITTEN APPROVAL OF THE STRUCTURAL ENGINEER.

FLY ASH SHALL BE LIMITED TO 30% OF TOTAL CEMENTITIOUS MATERIALS BY WEIGHT. FLY ASH SHALL BE INCLUDED IN THE CALCULATION OF THE WATER/CEMENT (W/C) RATIO. W/C SHALL NOT EXCEED .50.

TEST DATA FOR EACH CONCRETE MIX SHALL BE SUBMITTED FOR REVIEW PER CHAPTER 5 OF ACI 318. REFERENCE FIGURE R5.3 FOR SUBMITTAL REQUIREMENTS AND OPTIONS. CONCRETE MIX DESIGNS THAT ARE SUBMITTED WITHOUT THE APPROPRIATE TEST DATA CANNOT BE REVIEWED.

IT IS ACCEPTABLE AND INTENDED TO USE EARTH CUTS FOR THE CAISSON FOOTING AND SPREAD FOOTING. THE FOOTING DESIGNS INDICATED ON THIS SHEET DO NOT APPLY IF THE EARTH CUTS ARE UNSTABLE AND/OR DO NOT STAND ON THEIR OWN.

THE FOOTINGS INDICATED ON THIS SHEET DO NOT APPLY WHERE ORGANIC FILL MATERIALS EXIST. CONCRETE SHALL BE ADEQUATELY VIBRATED AROUND EMBEDDED STEEL COLUMNS TO ENSURE THE CONCRETE HAS COMPLETELY SURROUNDED THE STEEL COLUMN AND TO ENSURE THE CONCRETE AT THE INSIDE OF THE STEEL COLUMN HAS RISEN TO THE LEVEL OF THE CONCRETE IN THE REMAINDER OF THE CAISSON.

IT IS ACCEPTABLE FOR CONCRETE TO FREE FALL INTO FOOTINGS.

REINFORCING:

ALL REINFORCING PER CRS SPECIFICATIONS AND HANDBOOK. ASTM A615 ($F_y = 60$ KSI / GRADE 60) DEFORMED BARS FOR ALL BARS. WHERE SHOWN ON DRAWINGS ALL GRADE 60 REINFORCING TO BE WELDED SHALL BE ASTM A706. NO WELDING OR TACK WELDING OF REINFORCING BARS ALLOWED WITHOUT PRIOR REVIEW OF PROCEDURE WITH THE STRUCTURAL ENGINEER. LATEST ACI CODE AND DETAILING MANUAL APPLY. CLEAR CONCRETE COVERAGES AS FOLLOWS:

CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH ----- 3"
EXPOSED TO EARTH OR WEATHER ----- 2"
#5 AND SMALLER ----- 1 1/2"

ALL OTHER PER LATEST EDITION OF ACI 318

ALL REINFORCING SHALL BE SECURED TO ENSURE PROPER CLEARANCES. SUPPORT OF FOUNDATION REINFORCING MUST PROVIDE ISOLATION FROM MOISTURE/CORROSION BY USE OF A PLASTIC OR CONCRETE CHAIR. DUCT-TAPE COVERED REINFORCING IS NOT AN ACCEPTABLE CHAIR.

ALL DIMENSIONS REFERRED IN DRAWINGS AS "CLEAR" SHALL BE FROM FACE OF STRUCTURE TO EDGE OF REINFORCING, AND SHALL NOT BE LESS THAN STATED, NOR GREATER THAN "CLEAR" DIMENSION PLUS 3/8". ALL OTHERS SHALL BE PLUS OR MINUS 1/4" TYPICAL UNLESS NOTED OTHERWISE.

FIELD BENDING OR STRAIGHTENING OF DEFORMED BARS SHALL BE LIMITED TO #5 BARS AND SMALLER AND SHALL BE FIELD BENT OR STRAIGHTENED ONLY ONCE. ANY BEND SHALL BE LIMITED TO 90 DEGREES. IF FIELD BENDING OR STRAIGHTENING OF #6 BARS OR LARGER IS REQUIRED, OR IF A SECOND BEND IS REQUIRED FOR #5 BARS AND SMALLER, HEAT SHALL BE APPLIED FOR BENDING OR STRAIGHTENING. CONTRACTOR SHALL SUBMIT PROCEDURE FOR APPLYING HEAT TO ENGINEER FOR REVIEW AND APPROVAL PRIOR TO BENDING OR STRAIGHTENING BARS.

STRUCTURAL STEEL:

GENERAL:

ALL CONSTRUCTION PER LATEST AISC HANDBOOK.

WELDING:

UNLESS NOTED OTHERWISE, ALL WELDS PER LATEST EDITION OF THE AWS STANDARDS. ALL WELDING SHALL BE PERFORMED BY WELDERS HOLDING VALID CERTIFICATES AND HAVING CURRENT EXPERIENCE IN THE TYPE OF WELD SHOWN ON THE DRAWINGS OR NOTES. CERTIFICATES SHALL BE THOSE ISSUED BY AN ACCEPTED TESTING AGENCY. ALL WELDING DONE BY E70 SERIES LOW HYDROGEN RODS UNLESS NOTED OTHERWISE. FOR GRADE 60 REINFORCING BARS, USE EPO SERIES. THESE DRAWINGS DO NOT DISTINGUISH BETWEEN SHOP AND FIELD WELDS; THE CONTRACTOR MAY SHOP WELD OR FIELD WELD AT THEIR DISCRETION. SHOP WELDS AND FIELD WELDS SHALL BE SHOWN ON THE SHOP DRAWINGS SUBMITTED FOR REVIEW.

ALL FULL (COMPLETE) PENETRATION WELDS SHALL BE TESTED AND CERTIFIED BY AN INDEPENDENT TESTING LABORATORY.

STEEL ROOF DECKING:

GENERAL:

ALL STEEL DECK SHALL BE MANUFACTURED AND ERECTED IN ACCORDANCE WITH LATEST EDITION OF THE AMERICAN IRON AND STEEL INSTITUTE "SPECIFICATIONS FOR THE DESIGN OF COLD-FORMED STEEL STRUCTURAL MEMBERS". STEEL DECK SHALL BEAR ON SUPPORTS A MINIMUM OF 2 INCHES. ENDS OF SHEETS MUST BE LAPPED A MINIMUM OF 2 INCHES OVER SUPPORTS.

STEEL DECKING/SCREW FASTENERS:
ALL STEEL SCREWS SHALL BE IN ACCORDANCE WITH AISI-GENERAL AND AISI-NAS. MINIMUM NOMINAL TENSILE STRENGTH = 2900 LB. MINIMUM NOMINAL SHEAR STRENGTH = 1962 LB.

1. STEEL DECK TO RUN CONTINUOUS OVER MINIMUM TWO SPANS.
2. MINIMUM SPACING OF SCREWS SHALL NOT BE LESS THAN 3 TIMES THE NOMINAL DIAMETER.
3. THE HEAD OF THE SCREW OR WASHER SHALL HAVE A DIAMETER, DW, OF NOT LESS THAN 5/16" WASHERS SHALL BE AT LEAST 0.05" THICK.
4. SEE DETAIL 1 FOR SCREW PATTERN ATTACHING ROOF DECK TO BEAMS AND/OR PURLINS.

TABLE:
SCREW NUMBER DESIGNATION | 8 | 10 | (12-14) | 14
NOMINAL DIAMETER | 0.164" | 0.190" | 0.216" | 0.250"

COLD FORMED STRUCTURAL STEEL FRAMING:

GENERAL:

ALL COLD FORMED STEEL COMPONENTS INDICATED ON THE STRUCTURAL DRAWINGS SHALL BE FABRICATED AND ERECTED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND IN ACCORDANCE WITH THE LATEST EDITION OF "SPECIFICATIONS FOR THE DESIGN OF COLD-FORMED STEEL STRUCTURAL MEMBERS" BY THE AISI.

LIGHT GAUGE STRUCTURAL STEEL FRAMING (PURLINS, BEAMS AND COLUMNS):
ALL STRUCTURAL STEEL FRAMING MATERIAL AND ITS ERECTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN IRON AND STEEL INSTITUTE "SPECIFICATIONS FOR THE DESIGN OF COLD FORMED STEEL STRUCTURAL MEMBER".
ALL WELDING TO BE PERFORMED BY WELDERS HOLDING A VALID CERTIFICATE AND HAVING CURRENT EXPERIENCE IN LIGHT GAUGE STEEL. CERTIFICATES SHALL BE ISSUED BY AN ACCEPTED TESTING AGENCY. DO NOT DRILL, NOTCH, OR MODIFY MEMBERS WITHOUT PRIOR APPROVAL OF THE STRUCTURAL ENGINEER. ALL WELDING TO BE PERFORMED IN AN APPROVED FABRICATOR'S SHOP.
STRUCTURAL STEEL MEMBERS ARE FURNISHED TO A SPECIFIED MIN $F_y = 55$ KSI. THE GRADE AND THE ASTM SPECIFICATION NUMBER OR OTHER SPECIFICATION DESIGNATION SHALL BE INDICATED BY PAINTING, DECAL, TAGGING OR OTHER SUITABLE MEANS ON EACH BUNDLE OF FABRICATED ELEMENTS.

MATERIAL THICKNESS COMPARISON TABLE

MILS	GAGE NO.	MIN DELIVERED THICKNESS	DESIGN THICKNESS
12	30	0.0120"	0.0126"
14	29	0.0132"	0.0139"
16	28	0.0174"	0.0183"
33	20	0.0336"	0.0354"
43	18	0.0447"	0.0470"
54	16	0.0561"	0.0590"
66	14	0.0713"	0.0750"
99	12	0.0998"	0.1050"
118	10	0.1283"	0.1350"
150	9	0.1430"	0.1500"

GENERAL NOTES:

THE STRUCTURAL CONSTRUCTION DOCUMENTS REPRESENT THE FINISHED STRUCTURE. THE CONTRACTOR SHALL PROVIDE ALL MEASURES NECESSARY TO PROTECT THE STRUCTURE DURING CONSTRUCTION. MEASURES SHALL INCLUDE, BUT NOT BE LIMITED TO, BRACING, SHORING FOR LOADS DUE TO CONSTRUCTION EQUIPMENT, ETC. THE STRUCTURAL ENGINEER OF RECORD SHALL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S MEANS, METHODS, TECHNIQUES, SEQUENCES FOR PROCEDURE OF CONSTRUCTION, OR THE SAFETY PRECAUTIONS AND THE PROGRAMS INCIDENT THERETO (NOR SHALL OBSERVATION VISITS TO THE SITE INCLUDE INSPECTION OF THESE ITEMS).
WHERE REFERENCE IS MADE TO VARIOUS TEST STANDARDS FOR MATERIALS, SUCH STANDARDS SHALL BE THE LATEST EDITION AND/OR ADDENDA. ANY ENGINEERING DESIGN, PROVIDED BY OTHERS AND SUBMITTED FOR REVIEW, SHALL BEAR THE SEAL OF A REGISTERED ENGINEER RECOGNIZED BY THE BUILDING CODE JURISDICTION OF THIS PROJECT.
NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL STRUCTURAL NOTES AND TYPICAL DETAILS. WHERE NO DETAILS ARE SHOWN, CONSTRUCTION SHALL CONFORM TO SIMILAR WORK ON THE PROJECT, AND/OR AS PROVIDED FOR IN THE CONTRACT DOCUMENTS. WHERE DISCREPANCIES OCCUR BETWEEN PLANS, DETAILS, GENERAL STRUCTURAL NOTES AND SPECIFICATIONS, THE GREATER REQUIREMENTS SHALL GOVERN.
CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS WITH ARCHITECTURAL DRAWINGS PRIOR TO START OF CONSTRUCTION. RESOLVE ANY DISCREPANCY WITH THE ARCHITECT. ESTABLISH AND VERIFY ALL OPENINGS AND INSERTS FOR ARCHITECTURAL, CIVIL, MECHANICAL, PLUMBING AND ELECTRICAL ITEMS WITH THE APPROPRIATE TRADE DRAWINGS AND SUBCONTRACTORS PRIOR TO CONSTRUCTION.
TYPICAL DETAILS MAY NOT NECESSARILY BE CUT ON PLANS, BUT APPLY UNLESS NOTED OTHERWISE.
CONSTRUCTION MATERIALS SHALL BE SPREAD OUT IF PLACED ON FRAMED CONSTRUCTION. LOAD SHALL NOT EXCEED THE DESIGN LIVE LOAD PER SQUARE FOOT.
OPTIONS ARE FOR CONTRACTOR'S CONVENIENCE. IF AN OPTION IS CHOSEN, CONTRACTOR SHALL BE RESPONSIBLE FOR ALL NECESSARY CHANGES, APPROVALS AND THE COORDINATION OF THE WORK WITH ALL RELATED TRADES AND SUPPLIERS.

CONTRACTOR OPTION: 24" SQUARE "TOP" OF CAISSON DUE TO SAW CUTTING ASPHALT TO ALLOW DRILLING OF FOOTING.

AT ASPHALT AREAS USE 20" DIA CONCRETE CAISSON 4'-0" DEEP. EXTEND COLUMN 3'-0" INTO CAISSON. NO REINFORCING BARS REQUIRED AT ASPHALT AREAS. FOR INSTALLATION IN DIRT AREAS, SEE DETAIL 4.

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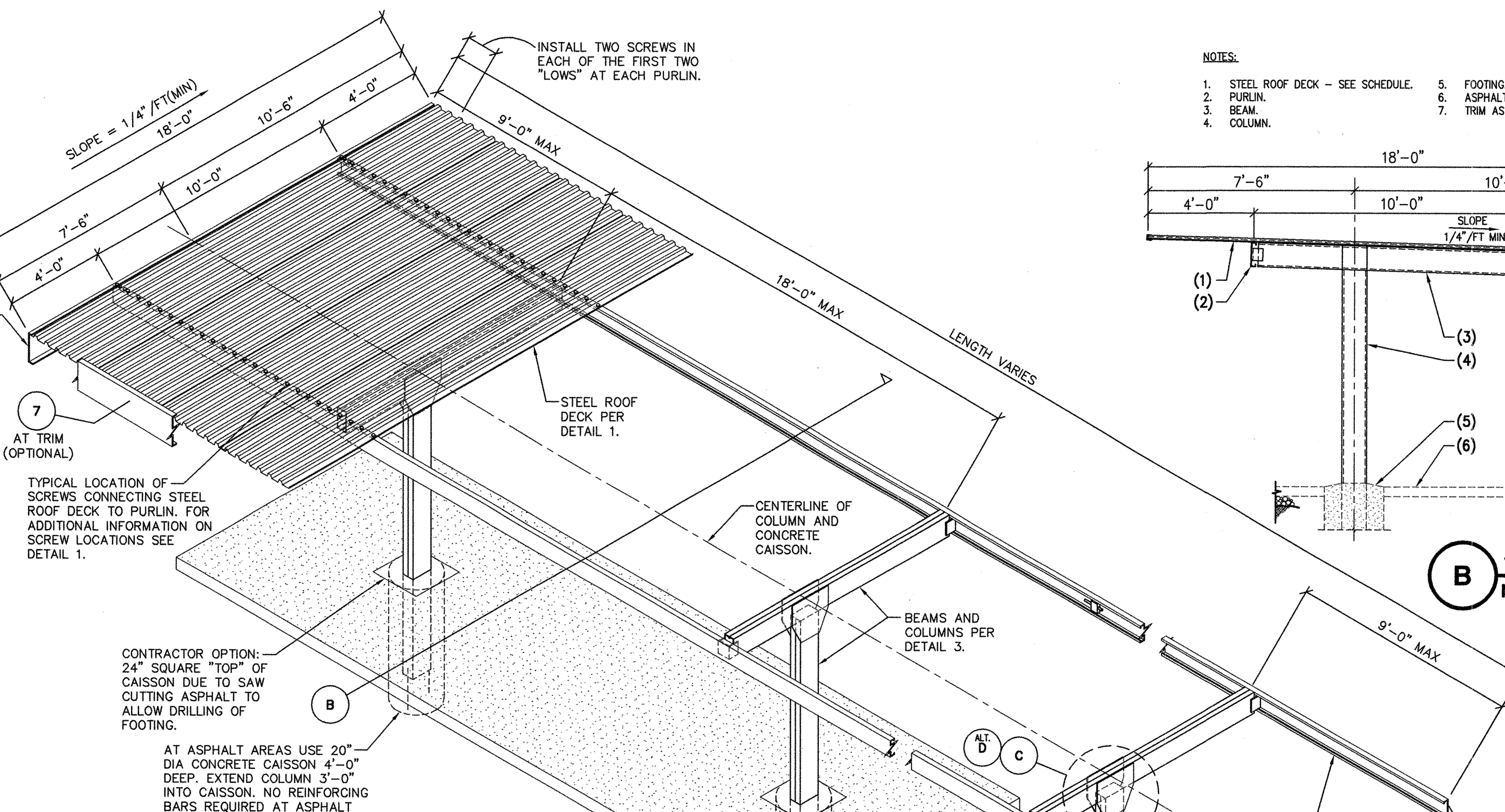
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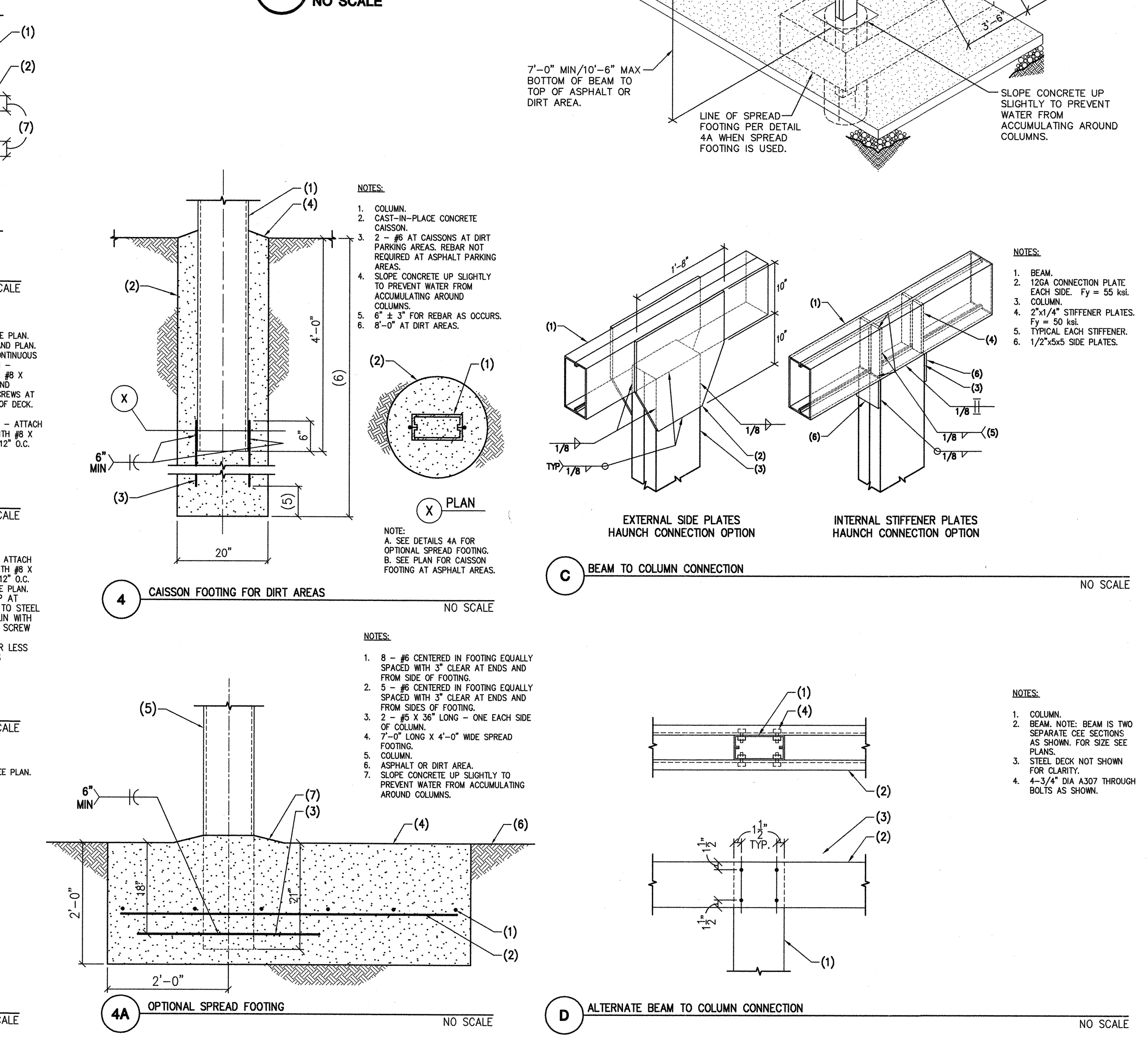
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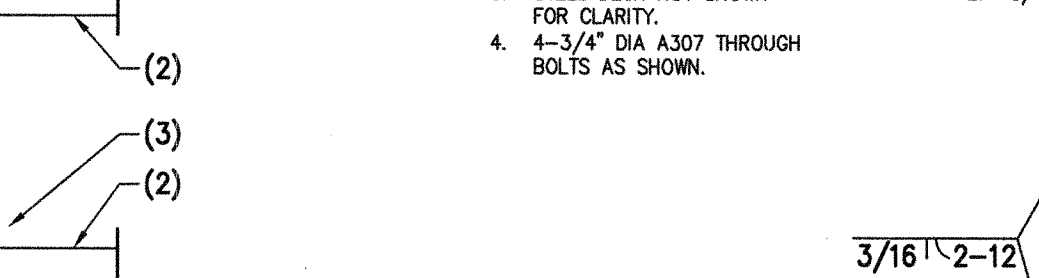
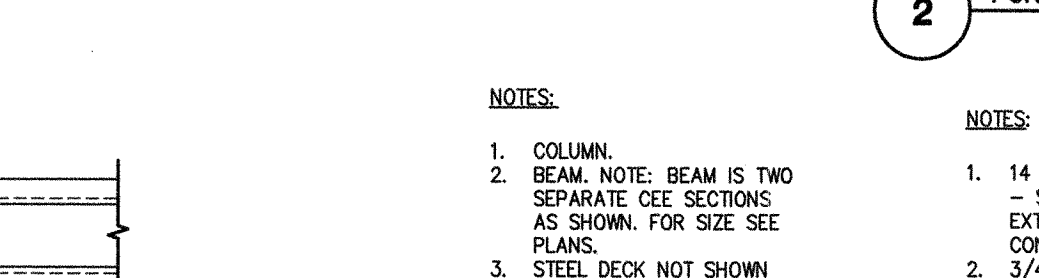
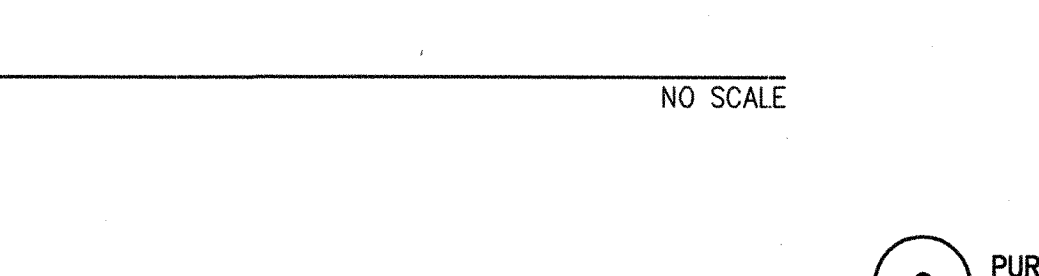
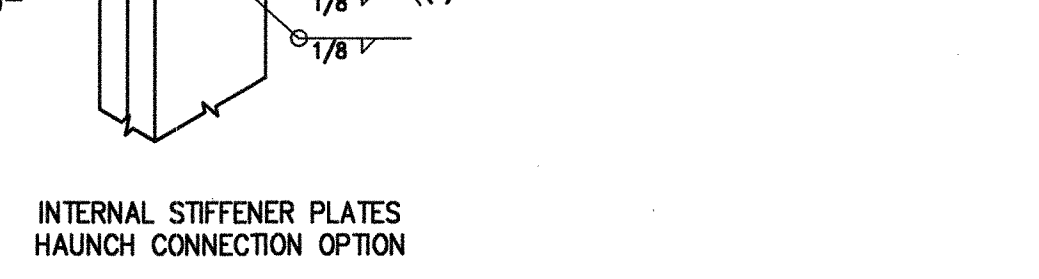
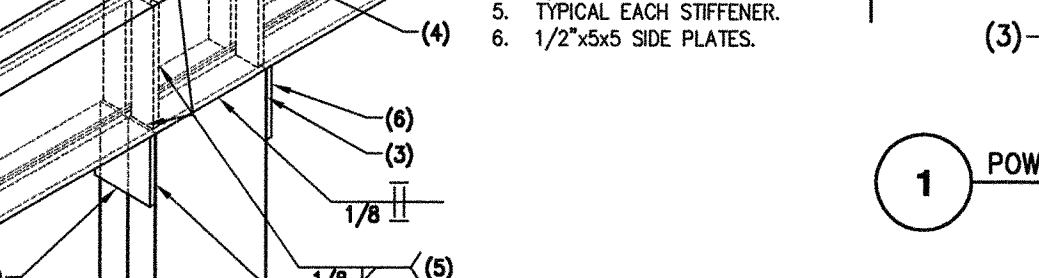
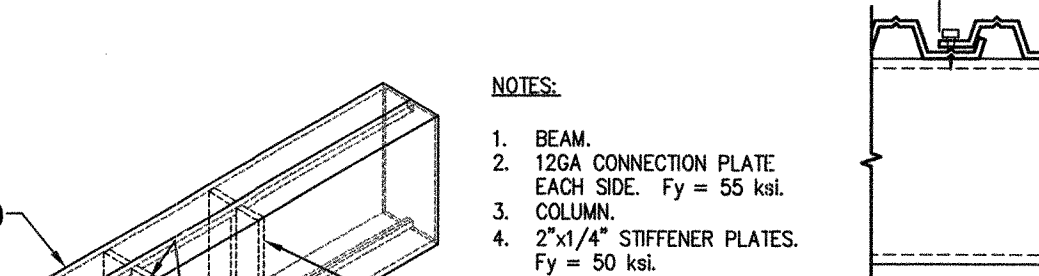
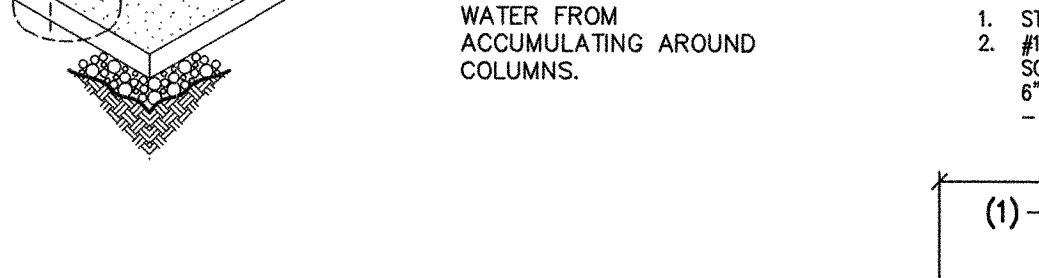
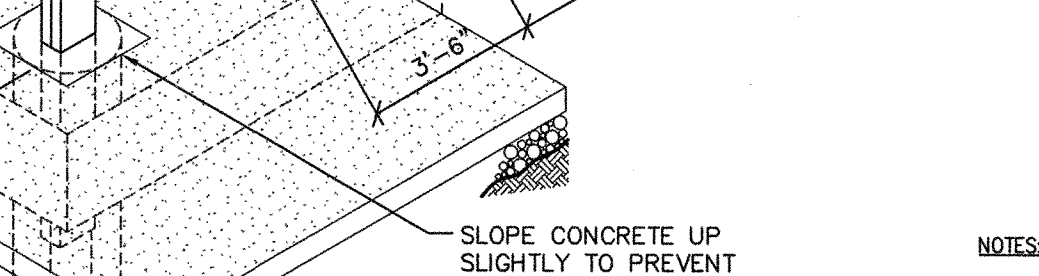
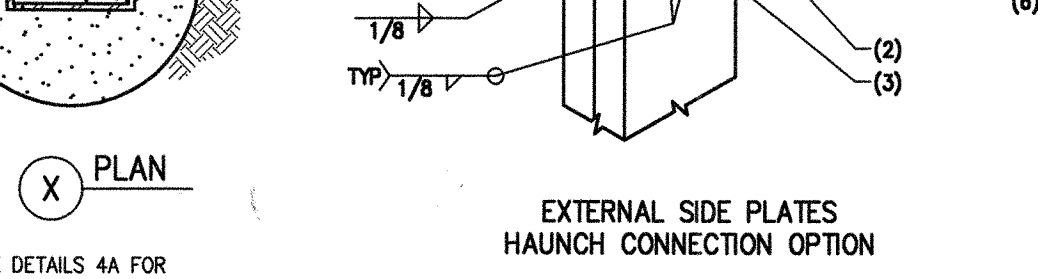
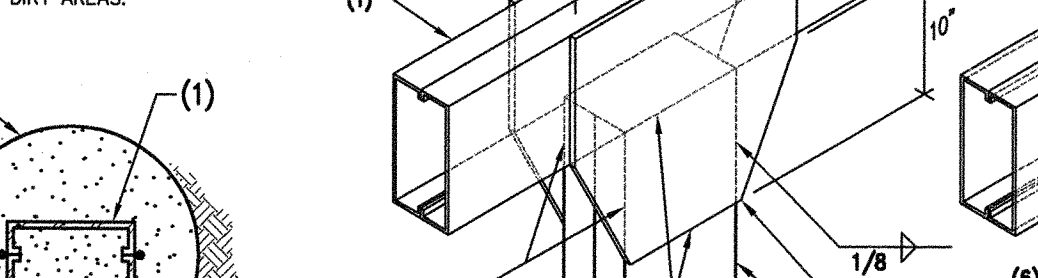
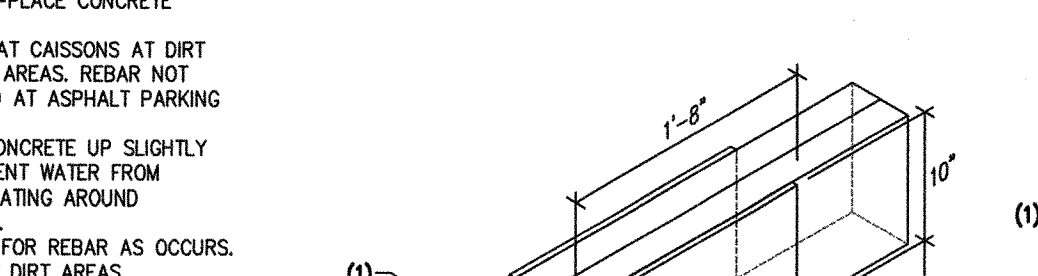
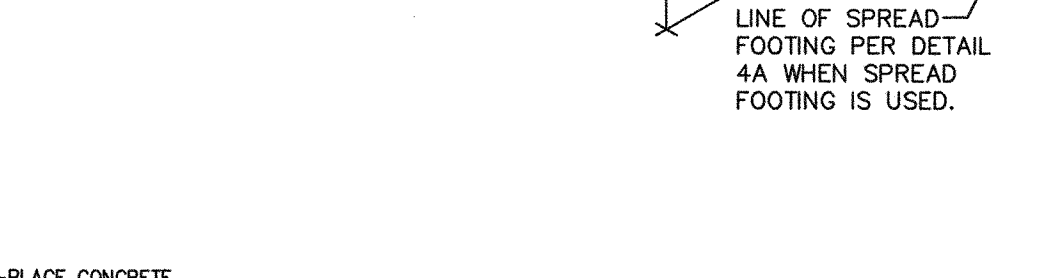
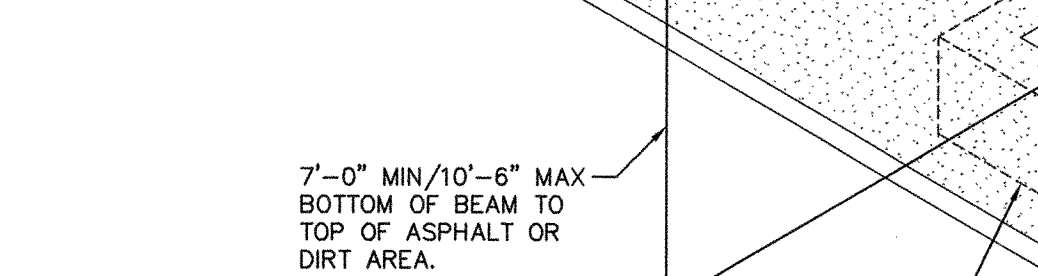
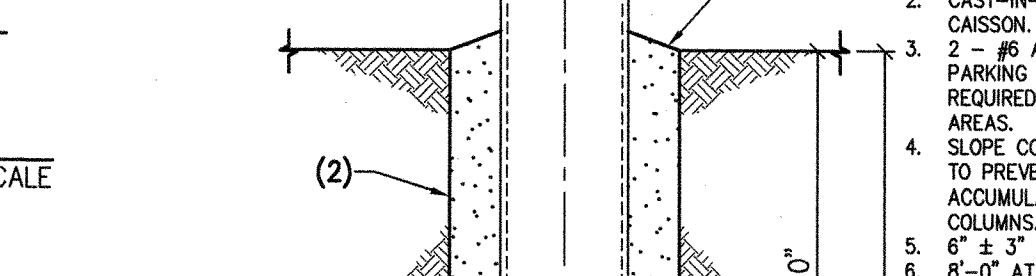
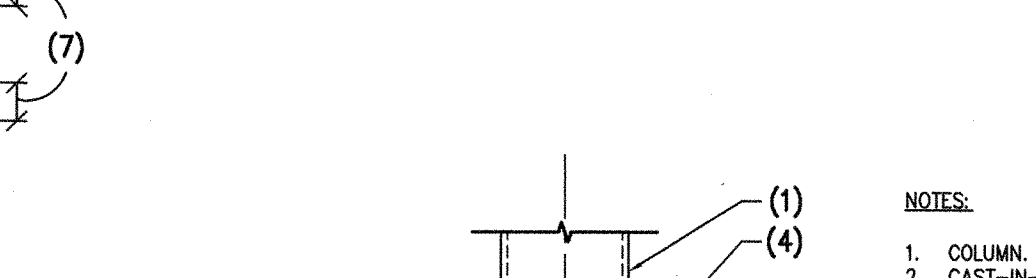
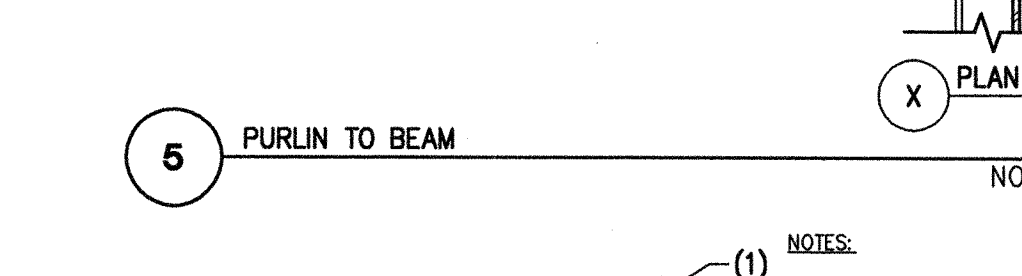
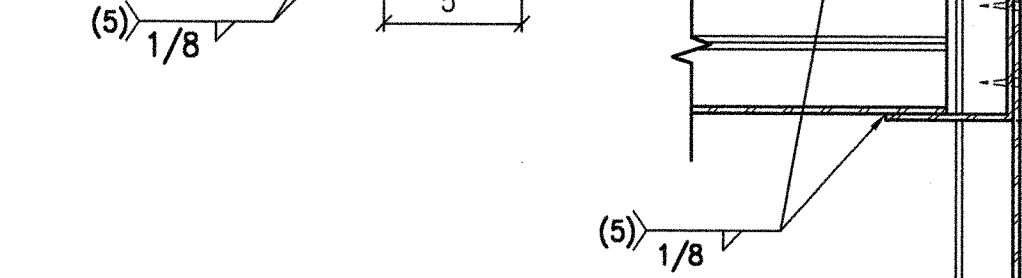
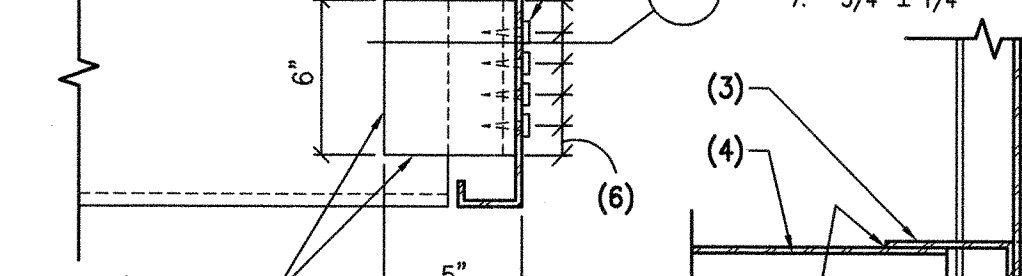
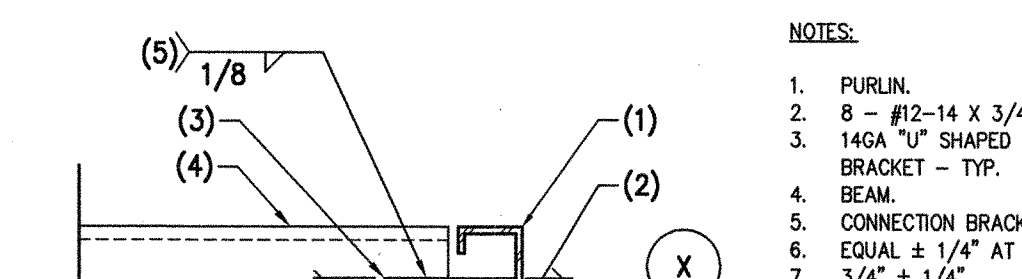
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SEMI-CANT ISOMETRIC PLAN



- NOTES:
- STEEL ROOF DECK - SEE SCHEDULE.
 - PURLIN.
 - BEAM.
 - COLUMN.
 - FOOTING.
 - ASPHALT AREA OR DIRT.
 - TRIM AS OCCURS.





MEMORANDUM

TO: City of Aspen Planning and Zoning Commission

FROM: Ben Anderson, Planner II

THROUGH: Mike Kraemer, Senior Planner

MEMO DATE: December 12, 2019

MEETING DATE: December 18, 2019

RE: Wireless Facilities Design Standards – Discussion Item

REQUEST OF THE COMMISSION:

At the meeting on December 18th, staff will provide a brief presentation on the technological innovations and corresponding rule changes related to wireless telecommunication facilities. The City of Aspen has already responded to these changes with an amendment to the Land Use Code, the creation of a new application procedures for wireless facilities, and a basic set of design requirements.

Earlier this year, City Council approved a contract with HRGreen, an engineering firm with expertise in the telecommunications realm, to assist City staff in the creation of a more robust set of design standards for wireless facilities, particularly those that are defined as “small cells.” The City of Aspen has long established rules for telecommunications facilities located on private property. But we had no basis on which to evaluate small cell facilities that are now allowed by right in City right-of-way, due to changes to state and federal regulation.

As part of this presentation on the 18th, P&Z will be asked to review and make comment on the attached document. (Exhibit A). The document is an itemized list of proposed design and process elements that staff has identified through public outreach efforts, consultation with HRGreen, and analysis of the current state and federal regulations that have created limits on local authority to regulate. P&Z comments on this document (along with comments from HPC) will be presented to City Council during a work session on January 21, as decisions will be made related to the final design standards. P&Z’s comments on the list will not be part of a formal resolution of support at this point – but will serve to inform Council’s eventual direction to staff.

In February, staff will return to P&Z with a draft of the final design standards document and a proposed amendment to the Land Use Code that will incorporate the design standards into the LUC. It will be at that stage in the process that P&Z will be asked for a formal recommendation of support.

Exhibit A – Proposed items for Wireless Design Standards

Aspen Wireless Design Standards - Recommended Elements

***These are recommendations to be considered by HPC, P&Z, and City Council before being included in the draft design standards document.

These ideas result from a combination of three sources of information:

- Public Engagement efforts and corresponding feedback
- City of Aspen staff expertise
- HRGreen - Wireless consultant expertise

Preferred installations for all wireless facilities - in order of preference

- 1) Co-located on the rooftop of private property
- 2) Co-located on the rooftop of a City of Aspen building
- 3) New facility on the rooftop of private property
- 4) New facility on the rooftop of a City of Aspen building
- 5) Co-located on an already established or future small cell facility in the right of way.
- 6) New small cell facility established on the site and in replacement of an existing City of Aspen street light and including an attached luminaire or contained within the structure of existing or redesigned traffic signals, with cooperation of CDOT.
- 7) New stand-alone facility in a new location - this may or may not include a luminaire

Small Cell specific

Height

Small Cell facilities within the City of Aspen's Right of Way are limited to 25 feet in height.

Minimum Distance between facilities

Small cell facilities shall not be located closer than 600 feet from any wireless facility that has the same provider's equipment attached to it.

Pole Design

Small cell facilities shall have a fluted pattern on the shaft of the facility - in reference to the existing street light design.

Pole Diameter

Small cell facilities shall be contained in a pole with a base diameter of no more than 18 inches. The maximum diameter indicated shall extend no more than four (4) feet from the point of attachment. Above the base, the diameter of the pole shall be reduced from this maximum before terminating with the antenna facility.

Antenna Dimensions and Color

Antenna and related shroud at the top of the facility are limited to three (3) cubic feet in volume. The antenna and shroud shall be painted to match the related pole.

Caisson Design (the underground concrete foundation and conduit connection)

HRGreen is working with City of Aspen Engineering and Utilities to define caisson standards.

Pole Color

The small cell facility shall be painted to match Aspen's existing street lights. The color is identified as " _____ "; from the common federal paint selection number _____.

Electric Meter

The City strongly encourages site operators to use flat-rate electric service when it would eliminate the need for a meter. If, however required by utility provider, a related electric meter shall not be contained within or adjacent to the small cell facility but will instead be located proximate to the transformer or underground with other related equipment.

Luminaire Design

Luminaires attached to small cell wireless facilities shall have the following characteristics:

- a. A LED, "hockey puck" design
- b. The fixture shall be of the following dimensions and have the following light quality:
Recommended fixture - Manufacturer/Product number
- c. The fixture shall be mounted at a height that is consistent with best practices and requirements in street lighting design
- d. The fixture shall be painted to match the pole to which it is attached.
- e. The fixture shall be designed to be modular - in that it could be easily replaced with an alternative fixture in the future.
- f. The fixture shall comply with City of Aspen B.U.G. Standards.
- g. The fixture shall be dark sky compliant.

Concealment of related equipment

All equipment related to small cell facilities shall be located within the facility's pole structure or in an underground vault. Beyond the antenna, related shroud, and luminaire, no equipment may be attached to the exterior of the pole.

Prohibition on above ground electrical or fiber optic cable connections

All related cabling shall connect to the small cell facility underground. Above ground connections to the facility are prohibited.

Engineering Requirements

Small Cell facilities and their installation shall be compliant with City of Aspen Engineering Standards and Right of Way permit requirements.

Other Utility Requirements

Small Cell facilities shall have an on/off switch that is accessible to City of Aspen Utilities and Holy Cross Energy employees for use during emergencies, maintenance to the small cell facility or attached luminaire, or adjacent tree trimming or other similar activity.

HRGreen will work with City of Aspen Engineering and Utilities to identify any other requirements that would fit under the utilities and engineering sections.

Prohibited Locations

Relationship to Designated Historic Properties and Districts

No small cell facilities are allowed in the right-of-way adjacent to any street facing façade of these iconic Aspen buildings:

- Wheeler Opera House
- Elks' Building
- Independence Building
- Pitkin County Courthouse
- Hotel Jerome
- City Hall (Armory Building)
- St. Mary's Church
- Sardy House

No small cell facilities are allowed in the Aspen Pedestrian Malls. These areas are described as Hyman and Cooper Avenues between Mill and Galena Streets, and Mill Street between Copper and Hyman Avenues.

Relationship to Designated Mountain View Planes

No small cell facilities are allowed in the foreground of a designated Mountain View Plane. See Aspen Land Use Code 26.435 for the identification of these areas.

Relationship to designated Open Space

No small cell facilities are allowed in the right-of-way adjacent to any designated Open Space parcels.

NIER Reporting Requirements

Certification of compliance with applicable FCC regulations, which includes a non-ionizing electromagnetic radiation (NIER) report for the small cell facility equipment type and model endorsed by a radiofrequency engineer licensed in the State of Colorado, including a certification that the small cell facility complies with all radiation and electromagnetic standards. The report shall specify approach distances to the general public and occupational workers at the ground and antenna centerline levels. The report shall include instructions regarding powering off the equipment or contact information for a person who can power off the equipment.

Notice Requirements - at complete application

At the issuance of a completeness letter for an application for a new, small cell facility installation, the following procedures for public notice will be followed by the applicant:

Within 15 days of the completeness letter being issued, the following notice materials are required:

1) A 24x36 poster will be placed at the location of the proposed facility. The poster will include the following information:

- A photo simulation of the proposed facility.
- A brief description of the type of equipment and RF signal that is emitting from the facility
- Contact information for the applicant.
- Contact information for city staff.

2) A mailed notice to all property owners within 300 feet of the proposed facility. The mailed notice will include the information required by the on-site poster - and shall additionally include text that better explains what a small cell facility is. (See example from Denver).

3) Newspaper Notice - City of Aspen Community Development will facilitate.

4) Location information shall be provided so that City of Aspen GIS can update the location in a layer on Map Aspen identifying Existing and Pending Wireless facilities

City of Aspen Community Development Department will assist the applicant in the provision of notice. Any delays in the provision of necessary materials for public notice by the applicant will result in a hard stop on the shot clock tolling. All costs associated with the issuance of public notice shall be the responsibility of the applicant.