

MEMORANDUM

June 4th, 2014

TO: Landmarks Board

FROM: Lesli Ellis, Comprehensive Planning Manager
Marcy Cameron, Historic Preservation Planner
James Hewat, Senior Historic Preservation Planner
Angela Smelker, Historic Preservation Intern

SUBJECT: Review of Pool Guidelines in Boulder's Historic Districts
and on individually landmarked properties.

PURPOSE:

The purpose of this item is for the Board to review the proposed administrative regulations/revisions to the General Design Guidelines to address pools and, if appropriate, amend the General Design Guidelines. If the Board chooses to amend the guidelines, staff will start rulemaking process per *Rulemaking*, Chapter 1-4, of the Boulder Revised Code for the Board's consideration at the July 2, 2014 Landmarks Board meeting. *See Attachment A: Proposed Pool Design Guidelines.*

BACKGROUND:

- In 1990, the Landmarks Board adopted the *Secretary of the Interior's Standards for Rehabilitation* as the basis for guidance on proposed alterations to historic properties.
- District-specific design guidelines have been developed for seven of Boulder's ten historic districts.
- In 2003, the Landmarks Board developed and adopted the General Design Guidelines to expand the *Standards* and bring focus to Boulder's unique historic context and resources.
- The General Design Guidelines were revised in 2007 to address window replacement and restoration and energy efficiency.
- In the fall of 2013, a subcommittee of the Landmarks Board formed to develop pool design guidelines.
- On Dec. 4, 2013, the Landmarks Board preliminarily reviewed and commented on draft pool design guidelines.
- On Apr 2, 2014, the Landmarks Board again commented on the draft

guideline revisions but requested that all members of the Board be present to consider the efficacy of rulemaking process per *Rulemaking*, Chapter 1-4, of the Boulder Revised Code.

- The City Attorney's Office has reviewed the guidelines as to form and legality.
- If the Board chooses to move forward with the Pool Guidelines, a copy of the proposed revision will be filed at with the City's Central Records Department on and published in the Boulder Daily Camera prior to formal adoption per *Rulemaking*, Chapter 1-4, of the Boulder Revised Code.

PUBLIC COMMENT

An informational postcard soliciting feedback was mailed to all individually designated properties and those located within historic districts. Of the 1,600 postcards mailed, eight responses were received. Five responses were from residents in the Mapleton Hill Historic District and generally opposed adding pool guidelines, citing that it may encourage pool applications. Three responses from residents of the Highland Lawn Historic District were received; all strongly opposed pools in the historic district. A representative from Historic Boulder, Inc. spoke at the Apr. 2, 2014 meeting and reported that the Preservation Committee considered the changes to be too broad and overly restrictive. *See Attachment B: Public Comment*

MAPLETON HILL

- J. Kabili, Mapleton Hill, opposed to adding pool guidelines/opposed to pools (proposed guidelines are too lenient, may encourage pools, should not be allowed.)
- E. Araphiles, opposes changes to the design guidelines/opposed to pools
- J. Wong, Mapleton Hill, opposed to changing the guidelines; in support of pools (should focus on other issues)
- C. Carlise, Mapleton Hill, asked her comments re: 401 Pine be included; she spoke in opposition of the LAC application for a swimming pool at the Feb. 6, 2013 Landmarks Board meeting.
- B. Schweiger, Mapleton Hill, pools and other modern features should be allowed

HIGHLAND LAWN

- P. Sheets, Highland Lawn, opposed to swimming pools (anachronistic)
- F. Sheets, Highland Lawn, opposed to swimming pools (does not add to the historic value of the neighborhood)

- E. English, Mapleton Hill, opposed to swimming pools (detract from historic character; rules reasonable if they are already allowed)

HISTORIC BOULDER

Wording too broad, overly restrictive; i.e. side yard pools may be appropriate, especially with proper screening (moderate visibility okay).

NEXT STEPS:

If the Landmarks Board considers it appropriate, staff will start rulemaking process per *Rulemaking*, Chapter 1-4, of the Boulder Revised Code for the Board's consideration at the July 2, 2014 Landmarks Board meeting.

ATTACHMENTS:

- A: Proposed amendments to the General Design Guidelines
- B: Public Comment

CITY OF BOULDER

**General Design Guidelines for Boulder's Historic Districts and Individual Landmarks
Proposed Pool Design Guidelines – DRAFT
February 2014**

The following design guidelines are proposed to be added to Section 2. Site Design of the General Design Guidelines.

2.7 Pools

Pools reflect contemporary lifestyles and were not traditionally part of the fabric of historic districts during their periods of significance. The following guidelines are designed to minimize the potential impact that pools may have on the historic character of the site and/or the district as a whole.

Pool design, including associated paving, patios, structures and/or mechanical equipment, should be sensitive to and compatible with the overall historic character of the property and/or of the district as a whole. Although the impact of contemporary site features or equipment such as pools and associated features can often be diminished through careful siting and screening, in some cases it may be so detrimental to the character of the site or the streetscape that such construction may be inappropriate.

a. General

- a. Pools and associated features should be located in an inconspicuous location so as not to be visible from a public right-of-way.
- b. Pools and associated features should not obscure the view of or negatively impact any contributing buildings or features on the site.
- c. Above-ground pools are not appropriate; in-ground pools should be designed to be unobtrusive.

b. Siting

- a. Pools should be constructed in rear yards only and are inappropriate in side yards or front yards.
- b. On corner lots, pools should be located at the portion of the rear yard farthest from the public rights-of-way. It may not be possible to locate a pool on a corner lot in a way that is not visible from a public right-of-way.
- c. Design and locate pools so as to allow for future removal without damage to the historic property.
- d. Preserve a back yard area when locating the pool, maintaining the approximate proportion of built mass to open space on the property.

c. Fencing and Screening

- a. Fences, including required security fencing, will be reviewed as part of the overall project and should be consistent with the General Design Guidelines and applicable district-specific design guidelines.
- b. Chain link fencing is inappropriate.
- c. Vegetative screening should be indicated on project landscape plans and should be maintained.

d. Materials & Colors

- a. Patios and decks surrounding the pool should be of natural materials (such as wood, stone, brick).
- b. Pool finishes and colors (including interior liner, tile, & pool covers) should be subdued.

e. Lighting

- a. Lighting for swimming pools should be low intensity and beneath the surface of the water or at ground level

f. Grading

- a. Grading modifications will be reviewed as part of the overall project and should meet the General Design Guidelines and applicable district-specific design guidelines.

g. Paving, decks, patios

- a. Paving, decks, and patios surrounding the pool area will be reviewed as part of the overall project and should be consistent with the General Design Guidelines and applicable district-specific design guidelines.
- b. Paving and patios surrounding the pool should be limited in dimension and permeable.

h. Pool & Spa Mechanical Equipment

- a. Mechanical equipment should be located inconspicuously so as not to be visible from the public right-of-way.
- b. Mechanical equipment should be located at ground level and shall be screened through fencing or landscape screening. Landscape screening should be indicated on project plans and maintained.

Attachment B: Public Comment Received February to April 2014

Cameron, Marcy

From: Hewat, James
Sent: Friday, March 21, 2014 8:15 AM
To: landmarksboard
Subject: FW: Swimming pools in our historically designated neighborhood

See below.

From: Payson Sheets [REDACTED]
Sent: Thursday, March 20, 2014 9:00 PM
To: Hewat, James
Subject: Swimming pools in our historically designated neighborhood

Dear James,

Please by means of this message receive my hearty opposition to anyone constructing a swimming pool in our Highland Lawn historically designated neighborhood. We worked for almost two decades to get solid support for the design guidelines, to maintain the historical integrity of our neighborhood. Our houses were largely completed by the late 1890s, and a swimming pool would be an outrageous anachronistic insertion. It has no place in our neighborhood. There are numerous swimming pools in Boulder that are accessible to all families in our neighborhood, and they should use them.

Please convey my opposition to all interested stakeholders. I will oppose this with everything I have, as I value and respect the historic districting in our community.

Best regards,

Payson Sheets, 520 Marine St. Boulder. 303-444-3037.

Cameron, Marcy

From: Hewat, James
Sent: Friday, March 21, 2014 8:16 AM
To: landmarksboard
Subject: FW: Swimming pools on Mapleton Hill

See below.

From: Eric English [REDACTED]
Sent: Thursday, March 20, 2014 6:01 PM
To: Hewat, James
Subject: Swimming pools on Mapleton Hill

Hello James –

I personally do not favor allowing swimming pools in a historic neighborhood. There is no shortage of places to live where a swimming pool is fine and will not detract from the historic character of a neighborhood. Doing your part to respect that, and forgoing having a pool if you choose to live on Mapleton Hill, seems like a modest sacrifice.

Maybe pools are already allowed (I see one or two on Google Earth) and these rules will restrict their intrusiveness. If this is the case, the rules look reasonable.

Thanks,
Eric English

Cameron, Marcy

From: Hewat, James
Sent: Friday, March 21, 2014 10:12 AM
To: landmarksboard
Subject: FW: Swim Pools

See below.

From: leni arapkiles [REDACTED]
Sent: Friday, March 21, 2014 10:11 AM
To: Hewat, James
Subject: Swim Pools

Dear James Hewat,

I recently received notification about possible changes to the General Design Guidelines with regards to swimming pools in historic neighborhoods. I would appreciate no changes made, for the slippery slope becomes increasingly steep with each alteration to the guidelines. As it is, so many wonderful and beautiful historic properties are altered in such ways as to significantly change the neighborhoods. Pools would feel very suburban, no matter how tasteful the design.

So please, hold firm with your standards. I SO appreciate all you have accomplished in our town. I stroll the neighborhood daily and find it all so special. It is one of my favorite ways to pass time.

Sincerely,
Eleni Arapkiles

Cameron, Marcy

From: Hewat, James
Sent: Tuesday, March 25, 2014 8:29 AM
To: landmarksboard
Subject: FW: Landmarks and pools

See below.

J

From: Billy Schweiger [REDACTED]
Sent: Tuesday, March 25, 2014 8:09 AM
To: Hewat, James
Subject: Landmarks and pools

Dear James

I appreciate the recent query asking for input on landmarks policy regarding swimming pools.

I'll assume the unspoken perspective you all have is that you will (continue to?) deny these in neighborhoods like mine.

Yes, please do not allow these. We don't need any of these horrible and so so modern things around here. I'm sure that the historical residents of my neighborhood would have never wanted the luxury of a swimming pool! How horrible!

And please continue to disallow allow things (like pools) based on your and landmarks board members personal opinions. Because really, you all do know best... deep down, you know that this is true. And please make sure these rules are not written down (or are but that you don't follow your own rules in application) and that the choices you make for homeowners in neighborhoods (where you don't live) are inconsistent and not based on existing precedent. That way, if I ever want a swimming pool on my property I'll be sure to be completely befuddled by its denial even though there is one at my neighbors house just up the street that I can see from my front door. And anyway, that darn thing just ruins my historical throwback walks I take in my neighborhood in my circa 1924 costumes. But maybe that's just me?... because on these walks, I also get confused by these things called "cars"... I thought those were not really part of the proper historical context around here - cant you do something about that?

And by the way, thanks for approving the two nice, interesting, contemporary designed homes, again just up the street from me. But I sure thought that flat roofs, unpainted/non-lapped wood siding (and even some metal siding!), non-traditional window layouts (gasp, facing the street even!) and, horror upon horror, METAL ROOFS were not allowed in my neighborhood. Huh... I must have been confused by that? Maybe the two houses that were there before these

two nice new homes were non contributing and thus not held to the same hysterical standard?
Oh, wait...

But really, I can only hope that if you all choose to disallow things like swimming pools, especially if these actions on your part are not clearly conveyed to my neighbors and are inconsistently and arbitrarily applied, that someone rich enough to want a swimming pool - but denied of this simple and inconsequential choice on their property - will also be rich enough to successfully sue landmarks and finally change the way you all do business!

Respectfully,
Billy Schweiger

Cameron, Marcy

From: Hewat, James
Sent: Tuesday, March 25, 2014 9:01 AM
To: landmarksboard
Subject: FW: Landmarks and pools

See below.

J

From: Billy Schweiger [REDACTED]
Sent: Tuesday, March 25, 2014 8:43 AM
To: Hewat, James
Subject: Re: Landmarks and pools

You bet James. Glad to help. Please forward my letter on to the landmarks board, the planning board, city council, the Daily Camera... really anyone you can think of that needs to hear about this important first world problem - I mean swimming pools? Oh my god... but what if they are those "temporary" non buried types of pools? But what is "temporary", really? What if it is only buried half way? What about slip n' slides? Aren't those really just super shallow (and slippery!) pools? What if they are in place for more than the time period that you all think defines "temporary"? And slip n slides are also that really bright yellow color that apparently doesn't belong here (oh wait, the house next to mine is really bright yellow... and there is one around the corner that is really bright purple... and that one on Maxwell street... what is that one called? oh... the "Maxwell House"... isn't it the namesake house of the street that I grew up on?... its like a really cool and awesomely bright neon green...) So does that mean bright yellow slip n slides, as temporary and really shallow pools will be allowed?

Hopefully you get my point... :)

billy

On Tue, Mar 25, 2014 at 8:28 AM, Hewat, James <HewatJ@bouldercolorado.gov> wrote:

Dear Billy,

Thanks for your comments. I will forward on to the Landmarks Board in advance of its discussion of the draft design guidelines scheduled for April 2nd.

Please let me know if you have questions or need more information.

Cameron, Marcy

From: Cameron, Marcy
Sent: Thursday, March 27, 2014 3:43 PM
To: landmarksboard
Subject: FW: Comments on proposed swimming pool guidelines II

See below re: Proposed Pool Design Guidelines

-----Original Message-----

From: Jan Kabili [REDACTED]
Sent: Thursday, March 27, 2014 3:42 PM
To: Cameron, Marcy
Subject: Comments on proposed swimming pool guidelines II

Hi Marcy:

I am writing to express my views as a long-time resident of the Mapleton Historic District against the proposed change to guidelines for swimming pools. My concern is that the Proposed Pool Design Guidelines-March 2014 are far too lenient and by their very existence, where there were no guidelines on this subject before, will encourage the construction of swimming pools in this precious district. It is clear that there is not historic precedent for swimming pools in this area and that they are inconsistent with the special character of Mapleton Hill as a historic district. The historic nature of this special area is so fragile and tenuous as modern civilization encroaches on it, that we should not encourage its demise by allowing big projects like swimming pools to be built here.

I have lived in the same home on Ninth Street between Mapleton and Maxwell since 1994. I have seen the neighborhood changing with construction project after construction project, increased traffic, the demise of trees, and the conversion of homes into multiple rental units. It's important to stop this incremental change, and one way to do that in my opinion is to start with the big things -- like digging large pits in yards, filling them with water, and lighting them with lights that will be seen throughout the neighborhood.

The proposed regulations imply that it is OK to build swimming pools in this neighborhood. I think swimming pool construction should not be allowed at all, because a swimming pool absolutely does not conform to historic values and is just too big a project to be hidden from view from our wonderful alleys, from our sidewalks, and from neighbors' properties like mine.

I am particularly concerned because this not just a theoretical matter. I happen to know that there have been several applications for and approvals of private swimming pool construction projects in the Mapleton Historic District in the last few years. I worry that more applications will come on the heels of these successful applications until the mass of swimming pools changes the character of the neighborhood forever. This means lots of new construction and big changes that will have an undeniable impact on space, light, noise, and atmosphere of this neighborhood. None of this is consistent with preserving the fragile environment of our historic district which we so dearly love and want to protect.

I very much appreciate you and the board listening to my concerns. I am not an habitual complainer, but I do feel strongly about this matter as a longtime resident of the wonderful Mapleton Historic District.

Best,
Jan Kabili

Cameron, Marcy

From: Hewat, James
Sent: Wednesday, April 02, 2014 8:34 AM
To: landmarksboard
Subject: FW: Boulder Historic District Guideline Changes

See below.

From: Fran Sheets [REDACTED]
Sent: Wednesday, April 02, 2014 8:29 AM
To: Hewat, James
Subject: Boulder Historic District Guideline Changes

Dear James -

I am out of the country but was told about the card you sent requesting changes in the historic district to include swimming pools in our neighborhood.

After so many years of working to create an historic district we finally have a partial one in our neighborhood. Partial, I say, because this district is severely limited in its ability to maintain the historic significance due to the compromises we made when developing the existing guidelines. For this reason, I am opposed to making huge changes in the guidelines that serve only to chip away at the purpose of having a district. If families need swimming pools, they probably should live elsewhere where pools are more appropriate. This proposal serves only to weaken the purpose of preservation and does not add to the historic value of the neighborhood.

I realize this is late but, as I wrote, I am out of the country working and communication at times is difficult. I hope you can include my input nonetheless.

Thank you for your time.
Sincerely,
Fran Sheets
520 Marine St.
Boulder, CO 80302