



**CITY OF RIFLE
PLANNING COMMISSION & HISTORIC
PRESERVATION BOARD REGULAR MEETING
PUBLIC HEARING**

**October 29th, 2024
Rifle City Hall – Council Chambers**

Workshop

6:00 PM Discussion of Historic Preservation Board duties and procedures.

Discussion of the proposed GRIT Façade Grant Program.

Discussion of vacant regular seat for P&Z Commission.

Regular Meeting

7:00 PM Convene Regular Planning Commission

7:01 PM Roll Call

7:02 PM Approve Minutes from the September Planning Commission Meeting

7:05 PM **PUBLIC HEARING – Landmark Alteration Certificate – 2024-042**

Request the Historic Preservation Board to consider a Landmark Alteration Certificate for the Fulton Garage located at 127, 129 & 131 W 3rd Street.

7:30 PM Consider Rescheduling the Regularly Scheduled Planning Commission Meeting for November and December

7:45 PM Member Comments and Adjournment

The order and times of agenda items listed above are approximate and intended as a guideline for



the Planning Commissioners.

Next Regular Planning Commission Meeting scheduled to be on November 26th, 2024

ACCESSIBILITY STATEMENT

The City of Rifle values full inclusion and access for all our facilities, programs, activities, and services. We are pleased to provide meaningful accommodations to comply with the Americans with Disabilities Act (ADA) and reasonably provide translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids, and services. To request special assistance, call Administrative Assistant Stephanie Craig at (970) 665-6491 or email scraig@rifleco.org. Please allow 48 hours for your requests to be met.

La Ciudad de Rifle valora la plena inclusión y acceso para todas nuestras instalaciones, programas, actividades y servicios. Nos complace proporcionar alojamientos significativos para cumplir con la Ley de Estados Unidos con Discapacidades (ADA) y proporcionar razonablemente traducciones, interpretaciones, modificaciones, adaptaciones, formatos alternativos, ayudas auxiliares y servicios. Para solicitar asistencia especial, llame a la City Clerk Alexis Ramírez al 970-665-6405 o envíe un correo electrónico a aramirez@rifleco.org. Por favor, permita 48 horas para que se atiendan sus solicitudes.

ARTICLE XIV Historic Preservation

Sec. 16-14-10. Purpose.

- (a) The purpose of this Article is to promote the public health, safety and welfare through:
 - (1) The protection and preservation of the City's historic and cultural heritage, as embodied in designated historic landmarks and districts, by appropriate regulations;
 - (2) The enhancement of property values and the stabilization of historic neighborhoods;
 - (3) The increase of economic and financial benefits through the City's attractions to tourists and visitors; and
 - (4) The provision of educational opportunities to increase public appreciation of the City's unique heritage.
- (b) The intention of this Article is to create a method to draw a reasonable balance between private property rights and the public interest in preserving the City's unique historic character by ensuring that demolition of, moving or alterations to properties of historic value shall be carefully considered for impact to the property's contribution to the City's heritage. (Prior code 17.15.010)

Sec. 16-14-20. Historic Preservation Board established.

- (a) In addition to its other duties, Planning Commission shall act as an Historic Preservation Board; and, in this capacity, shall have responsibility for matters of historical preservation as set forth in this Article. In addition, the Downtown Development Authority, in cooperation with the Planning Commission, shall have responsibility for certain aspects of the encouragement of historic preservation.
- (b) When acting as the Historic Preservation Board, the Planning Commission shall:
 - (1) Adopt criteria for review of historic resources and for review of proposals to alter, demolish or move designated resources.
 - (2) Conduct surveys of historic areas for the purpose of defining those of historic significance, and setting priorities upon the importance of identified historic areas.
 - (3) Review resources nominated for designation as either an historic landmark or historic district and recommend that the City Council designate by ordinance those resources qualifying for such designation.
 - (4) Review and make decisions on any application for alterations to a designated historic landmark or historic district.
 - (5) Review and make decisions on any application for moving or demolishing an historic landmark.
 - (6) Advise the City Council on matters related to preserving the historic character of the City.
- (c) In cooperation with the Historic Preservation Board, the Downtown Development Authority shall:
 - (1) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse, including nomination to the National Register of Historic Places.
 - (2) Develop and assist in public education programs, including but not limited to walking tours, brochures, a marker program for historic properties, lectures and conferences.

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- (3) Actively pursue financial assistance for preservation-related programs. (Prior code 17.15.020; Ord. 4 §1, 2005)

Sec. 16-14-30. Designation of landmarks and historic districts.

- (a) Pursuant to the procedures hereinafter set forth in this Article, the City Council may, by ordinance:
 - (1) Designate as a landmark an individual structure or other feature or an integrated group of structures and features on a single lot or site having a special historical or architectural value, and designate a landmark site for each landmark.
 - (2) Designate as an historic district an area containing a number of structures having a special historical or architectural value.
- (b) Each such designating ordinance shall include a description of the characteristics of the landmark or historic district which justify its designation and a description of the particular features that should be preserved, and shall include a legal description of the location and boundaries of the landmark site or historic district. The designating ordinance may also indicate alterations which would have a significant impact upon, or be potentially detrimental to, the landmark site or historic district. Any such designation shall be in furtherance of and in conformance with the purposes and standards of this Article.
- (c) The property included in any such designation shall be subject to the controls and standards set forth in this Article, and be eligible for such incentive programs as may be developed by the Historic Preservation Board.
- (d) A nomination for designating a structure or district for preservation may be made only by the property owners, by petition to the Historic Preservation Board. The nomination for designation shall include a brief statement which sets forth the historic nature of the building and evidence that the petition document is signed by all of the property owners. The Historic Preservation Board shall review the proposal to ensure that the proposed designation conforms with this Article.
 - (1) The Historic Preservation Board shall hold a public meeting on the proposal no more than sixty (60) days after the filing of the application.
 - (2) The Historic Preservation Board shall review the petition for conformance with the established criteria for designation and with the purposes of this Article. Within thirty (30) days after the conclusion of the public meeting, but in no event more than sixty (60) days after the meeting date first set, unless otherwise mutually agreed by the Historic Preservation Board and the petitioners, the Historic Preservation Board shall refer the petition to the City Council, together with a copy of its report and a recommendation that the City Council either approve, modify and approve or disapprove the petition. (Prior code 17.15.030; Ord. 4 §1, 2005)

Sec. 16-14-40. Proceedings by City Council.

The City Council will review the petition upon completion of the Historic Preservation Board's review and recommendation. The City Council review shall follow the procedures set forth in Article V, Division 4 of this Chapter. The City Clerk shall record with the County Clerk and Recorder all ordinances designating historic landmarks or districts. (Prior code 17.15.040)

Sec. 16-14-50. Revocation of designation.

- (a) If a building or special feature on a designated landmark site was lawfully removed or demolished, the owner may apply to the Historic Preservation Board for a revocation of the designation.

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- (b) The Historic Preservation Board shall revoke a landmark designation if, after following the procedures prescribed by this Article, it determines that, without the demolished building or feature, the site as a whole no longer meets the purposes and standards this Article and the Historic Preservation Board's review standards for designation.
 - (c) Revocation of a designation is final. Upon the Historic Preservation Board's decision to revoke a designation, the Planning Department shall cause to be prepared an ordinance including the legal description of the affected property stating notice of the revocation, and schedule the item for City Council review as described herein. Upon adoption by the City Council, the ordinance shall be recorded. (Prior code 17.15.050; Ord. 4 §1, 2005)

Sec. 16-14-60. Landmark alteration certificate.

- (a) No person shall carry out or permit to be carried out on a designated landmark site or in a designated historic district any new construction, alteration, removal or demolition of a building or other designated feature without first obtaining a landmark alteration certificate for the proposed work under this Section, as well as any other permits required by this Code or other ordinances of the City.
- (b) The Planning Department shall maintain a current record of all designated landmark sites, historic districts and pending designations. If the Building Department receives an application for a permit to carry out any new construction, alteration, removal or demolition of a building or other designated feature on a landmark site in an historic district or in an area for which designation proceedings are pending, the Building Department shall promptly forward such permit application to the Planning Department. (Prior code 17.15.060)

Sec. 16-14-70. Construction on proposed landmark site or in proposed district.

No person shall receive a permit to construct, alter, remove or demolish any structure or other feature on a proposed landmark site or in a proposed historic district after the date an application has been filed to initiate the designation of such landmark site or district. No such permit application filed after such date will be approved while proceedings are pending on such designation. (Prior code 17.15.070)

Sec. 16-14-80. Landmark alteration certificate application and staff review.

An owner of property designated as a landmark or located in an historic district may apply for a landmark alteration certificate, including all information that the Historic Preservation Board determines is necessary to consider the application, including without limitation, plans and specifications showing the proposed exterior appearance with texture, materials and architectural design and detail, and the names and addresses of the abutting property owners. The review of this matter shall be handled as a Planning Commission review, as set out in Article V, Division 3 of this Chapter. (Prior code 17.15.080; Ord. 4 §1, 2005)

Sec. 16-14-90. Exemption for unsafe or dangerous buildings.

Nothing in this Article shall be construed to prevent any measure of construction, alteration, removal or demolition necessary to correct the unsafe or dangerous condition of any structure, other feature or parts thereof where such condition is declared unsafe or dangerous by the Building Department, Planning Department or Fire Department and where the proposed measures have been declared necessary by the City Manager to correct the condition, as long as only such work that is absolutely necessary to correct the condition is performed. Any temporary measures may be taken without first obtaining a landmark alteration certificate under this Article, but a certificate is required for permanent alteration, removal or demolition. (Prior code 17.15.090; Ord. 4 §1, 2005)

Sec. 16-14-100. Property maintenance required.

The City Council intends to preserve from deliberate or inadvertent neglect the exterior portions of designated landmarks and all interior portions thereof whose maintenance is necessary to prevent deterioration of any exterior portion. No owner, lessee or occupant of any landmark shall fail to prevent significant deterioration of the exterior of the structure or special feature beyond the condition of the structure on the effective date of the designating ordinance. (Prior code 17.15.100)

Sec. 16-14-110. Recognition of structures of merit.

The Historic Preservation Board may approve a list of structures of historical or architectural merit that have not been designated as landmarks and are not situated in designated historic districts, to which the Historic Preservation Board may add from time to time, in order to recognize and encourage the protection, enhancement and use of such structures. However, nothing in this Article shall be construed to impose any regulations or controls upon, or to provide incentives or awards to, structures of merit solely because they are included on the list. (Prior code 17.15.110; Ord. 4 §1, 2005)

Sec. 16-14-120. Enforcement.

Violations of this Article are punished as provided in Sections 16-1-150 and 16-1-160 of this Chapter. (Prior code 17.15.120; Ord. 11 §2, 2006)

Greater Rifle Improvement Team Façade Improvement Grant Program

Help enhance Rifle and apply for the Greater Rifle Improvement Team Façade Grant Program. Financial assistance is available to business and property owners who wish to make exterior improvements to commercial building within the City of Rifle City Limits.

The GRIT Façade Improvement Program is to enhance and preserve the unique character of Rifle, improve the economic vitality and marketability of Rifle, and creates an inviting environment that will encourage visitors to stay for extended periods of time.

Grant funding available

Any owner of a commercial building within Rifle city limits can use grant funds for improvements made to building facades that are visible to the public from the street or sidewalk.

The applicant must provide a minimum 25% match to any amount awarded. This grant is eligible for projects up to \$50,000 (\$40,000 GRIT match and \$10,000 Owner match). Less than a 25% owner match may be considered due to great community benefit. Grant applications will be considered by the Greater Rifle Improvement Team Advisory Board for action recommendation to Rifle City Council. Rifle City Council has final say in all GRIT grant programs.

Eligible Improvements

Only improvements made to building facades visible to the public from the street or sidewalk are eligible.

All façade improvements must comply with City of Rifle municipal code, design guidelines, and xxx in addition to all necessary land use and/or permit approvals.

- Restoration and cleaning of masonry, including brick, stone and concrete. Power washing is discouraged as a method to cleaning brick on any building receiving grant funding.
- Repair or replacement of windows. If windows are the original, historic windows, repair is preferred.

- Lighting attached to the building that accentuates signage and other significant architectural details of the building. All lighting will be reviewed on case-by-case basis to ensure it complements the building façade.
- Restoration and repair of original architectural details of the building, such as cornice and window details.
- Removal of inappropriate façade materials.
- Installation or repair of awnings.
- Repair of doors or replace of doors where it is found the proposed door complements the building façade.
- Painting or appearance changes. The color should take into consideration of the surrounding buildings and character the Rifle. Painting or changing/covering over the brick is discouraged. Public art murals may be considered depending on design, scale, and how it improves the façade.
- Architectural design assistance may be available for commercial buildings in the downtown area.

Building permit fees and other administrative fees may be required by the City are not eligible for grant funding.

Applications are reviewed by the GRIT Advisory Board on a rolling basis and based on funding availability. Upon the grant award, projects must be completed within 180 days of issuance of building permit, unless it received and extension approval from the GRIT Advisory Board.

Preference will be given to projects that have a high visible impact on a public street and projects that seek to restore architecturally significant features of a building. The following criteria will be considered by the GRIT Advisory Board when reviewing grant applications.

- Compliance with Rifle municipal code and design standards.
- Instances where an immediate renovation would stop serious deterioration of the building's façade, or where architecturally significant features contribution to the building's character are in danger of being lost.
- Project would restore historic features of the building; if historic features can be restored, features that are being removed or alter should have high degree of aesthetic appeal and be complementary to the surrounding buildings.
- Projects involving buildings with vacant or underutilized spaces where the overall marketability of the building would be improved.
- Applications that demonstrate the applicant's capacity to complete the project.

Additional Grant Requirements

The applicant shall comply with all applicable provisions of the City of Rifle Municipal Code and the International Building Codes enforced the City. By submitting a façade Program Application, the applicant agrees to allow obtain all required building permits prior to starting work on the project.

How to Proceed

1. Schedule a pre-application meeting or site visit by emailing three available meeting times to Kim Burner, GRIT Manager. During this meeting, you will discuss the proposed project and any requirements.
2. Complete the online application. Your application must include:
 - Architectural renderings, site plans, and/or other visual representations of the proposed improvements. For paint, a paint sample of the proposed color should be provided.
 - Detailed project narrative
 - Photos of all sides of the building façade for which grant funding is being requested.
 - Two estimates/bids from contractors
 - The property owner shall submit proof of ownership of the building.
 - Applicants must complete a review with City of Rifle Planning
3. Applicant has the option of presenting the project to the GRIT Advisory Board
4. The GRIT Advisory Board will make an action recommendation to Rifle City Council who has the final authorization of award or denial.



REGULAR PLANNING COMMISSION MEETING & BOARD OF ADJUSTMENT

September 24th, 2024

Chair Marantino led the Planning Commission and audience in the Pledge of Allegiance.
Meeting initiated at 7:01 p.m.

MEMBERS PRESENT AT ROLL CALL

Present: Marantino, Caldwell, Carter, Rogers, Karzhova, Villasenor, Steffen, Rodas

Absent: Dow

Commissioner Marantino moved to **EXCUSE** *Commissioner Dow* from the September 24th, 2024, meeting. *Commissioner Steffen* seconded the motion. The motion **CARRIED** with all votes in favor.

Commissioner Karzhova will be a voting member.

OTHERS PRESENT: Senior Planner Geir Sverdrup, City Manager Patrick Waller, City Attorney Lawrence Bond, Administrative Assistant Stephanie Craig, Jeff Johnson

APPROVAL OF MINUTES

Commissioner Caldwell moved to **APPROVE** the August 27th, 2024, Regular Planning Meeting Minutes. *Commissioner Rogers* seconded the motion and the motion **CARRIED** with all votes in favor.

RESIGNATION OF COMMISSIONER VILLASENOR :

Planning Commission accepted resignation for commissioner Teronna Villasenor and presented her with a plaque of service.

2024-029 – MINOR SKETCH PLAN/PRELIMINARY PLAN - SCALZO RANCH

Request approval of a Minor Sketch/Preliminary Subdivision Plan to split one lot into two lots.
The location is 1159 Munro Avenue.

The applicant presenting for the Minor Sketch Plan/Preliminary Plan 2024-029

Chair Marantino Confirmed Public Notice

Chair Marantino Called the Applicant: *Jeff Johnson*

STAFF REPORT

Senior Planner Geir Sverdrup shared the staff report.

APPLICANT PRESENTATION

Jeff Johnson requests approval of a Minor Sketch/Preliminary Subdivision to split one lot into two lots. The location is 1159 Munro Avenue. Scalzo Ranch final plat was approved on September 19, 2019. Lot 5 is the largest of the platted lots and borders Whiteriver Avenue as well as Munro Avenue. The applicant wishes to split off half of the property into its own lot so that it may be sold separately. Both proposed lots will access Munro Ave, one by “flag” lot design.

PUBLIC COMMENTS

Chair Marantino opened the public hearing and asked if anyone in the audience wished to comment on the agenda item, there was no audience present. Chair Marantino closed public portion.

COMMISSION DISCUSSION

There was a discussion between Staff, Applicant, and Commissioners.

Chair Marantino asked for a motion.

Commissioner Carter moved to **APPROVE** Minor Sketch/Preliminary Plan 2024-029 for Scalzo Ranch Lot 5 Split with all staff conditions.

Commissioner Steffen seconded the motion. The motions **CARRIED** with the following vote:

ROLL CALL: YES: Marantino, Caldwell, Carter, Rogers, Steffen, Rodas, Karzhova
NO:

COMMENTS AND ADJOURNMENT -7:29 P.M.

Dustin Marantino, Chairman

Date

Stephanie Craig, Administrative Assistant

Date

** A complete recording of the Meeting is available through the City of Rifle’s website**

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



MEMORANDUM

TO: City of Rifle Planning and Zoning Commission acting as the Historic Preservation Board

FROM: Geir H. Sverdrup, Senior Planner

DATE: September 24, 2024

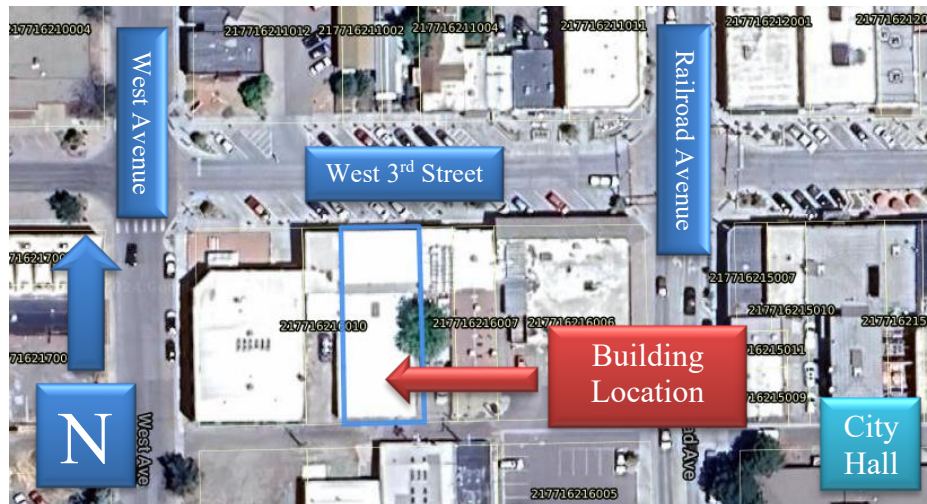
SUBJECT: Planning Commission / Historic Preservation Board, Interpretation of Prohibited Architectural Style / Alteration of Historic Landmark in Central Business District – Historic Core

Background

On August 19, 2020, the Rifle City Council adopted Ordinance No. 8 of Series 2020, designation Fulton Garage, 127, 129 & 131 West 3rd Street, as a Historic Landmark at the request of the current owner and applicant Mark Dyson. Mr. Dyson recently requested staff input regarding the application of a vinyl overlay over the first-floor level of the building located within these addresses. The overlay is proposed to be a vinyl sepia photograph of cowboys on horseback. As part of his initial application, he submitted two variants. The first variant would include covering the windows as well as the bricks. The second variant covered only the bricks. Planning Department staff met and felt that the proposal fell under the Prohibited Architecture Style section of the CBD – Historic Core Guidelines. Under Article XIV Historic Preservation, Sec. 16-14-80, Landmark Alteration Certificate application and staff review shall be handled as a Planning and Zoning Commission review, as set out in Article V, Division 3 of this Chapter.

The applicant has appealed staff’s interpretation to the City of Rifle Planning Commission for their review and determination.

Vicinity Map



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The applicant leases to three businesses within the building. The applicant has provided his basis for this request and his analysis refuting staff’s findings, this information has been included as part of the Commission packet. The applicant has presented to the Downtown Development Authority, and they will align with the decision of the P&Z Commission (letter attached). The applicant states that the cowboy picture as a sepia tone is reserved and adds character to the downtown. The photograph is from a locally based photographer and will create interest in the downtown drawing people in. Mr. Dyson has included photos of other downtown businesses that he feels are also “bold”.

Code Analysis

Division 2 - Historic Core Sub-District

Sec. 16-18-210. - Purpose.

The Historic Core sub-district represents the historic and cultural center of the community. The purpose of the sub-district is to preserve and restore the character and scale of most historic buildings and to promote complementary infill development and a high-quality, pedestrian-oriented environment.

- (4) General design characteristics. To maintain the City's historic and cultural integrity, the design of new development and modifications to existing development should be thoughtfully designed to complement the key historic design elements of this sub-district. This includes brick as the primary building material and large, ground-floor storefront windows that contribute to the pedestrian-oriented character. Although the design of buildings should reflect the traditional characteristics of the sub-district, opportunities should be sought to incorporate energy-efficient elements as well.

- (7) Project review criteria. The City will evaluate proposed projects in the Historic Core based on the following considerations in addition to all of the other standards contained in Section 16-18-1260 of this Article:
 - a. Does the project enhance the Historic Core as the cultural center of the community and/or complement existing cultural amenities (e.g., historic theater, the museum and the historic post office)?
 - b. Does the project contribute to and enhance the western small-town charm of the Historic Core?
 - c. Does the project help preserve and sensitively restore historic buildings?
 - d. Does the project help preserve and restore the City's historic building pattern with complementary infill development?
 - e. Do the intensity, scale and overall design of the project enhance the pedestrian friendliness of this area?
 - f. Does the project preserve and complement historically representative structures?

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After reviewing the Rifle Municipal Code the applicant has indicated that they believe the proposed photographic overlay is understated and will create interest in the streetscape along West 3rd Street.. Staff found the proposed architectural style to be bold, the appropriate code is located in the table below:

Sec. 16-18-240. Building design standards.

The building design standards listed in Table 16-18-240 shall apply to all projects located within the Historic Core sub-district.

<i>Building Design Element</i>	<i>Required</i>	<i>Preferred</i>	<i>Discouraged</i>	<i>Prohibited</i>
(a) Architectural style	<ul style="list-style-type: none"> •Preservation and restoration of High-Priority Preservation Sites consistent with preservation standards in the CBD Glossary •Consistent on all exposed sides •Additions in same or complementary style as existing building •Pre-manufactured buildings shall meet all requirements of and be similar to conventional buildings in function and appearance; including foundations, facades, architecture and interiors 	<ul style="list-style-type: none"> •Preservation and restoration of all other historic buildings consistent with preservation standards in the CBD Glossary •Single stylistic approach •Styles historically common to downtown Rifle •Simplified, nonstylistic designs conforming to sub-district rhythms, forms and proportions 	<ul style="list-style-type: none"> •One-story buildings •Replication of a former building in the City •Multiple styles on a single building •Styles emphasizing exaggerated references to historic details (e.g., Post-modern) •Styles emphasizing unarticulated facades •Contemporary Folk styles •Neo styles •Nonstylistic designs not conforming to sub-district rhythms, forms and proportions 	<ul style="list-style-type: none"> •Franchise architecture •Replication of existing building in the City •Styles predominate in other regions not indicative of Western Colorado •Bold, stylistic expression

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Building Design Element	Required	Preferred	Discouraged	Prohibited
(d) Fenestration and transparency	<ul style="list-style-type: none"> •Window types and sizes consistent with architectural style •Primary street first floor facade min. 60% transparent •Primary street upper floor facade min. 25% transparent •Secondary street first floor facade min. 50% transparent •Secondary street upper floor facade min. 15% transparent 	<ul style="list-style-type: none"> •Continuous storefront windows facing streets •Harmonizing rhythm of upper and lower windows •Upper floor vertical windows •Upper floor pronounced sills and lintels •Upper floor recessed or framed windows •Upper floor double hung windows •Upper floor divided glass windows 	<ul style="list-style-type: none"> •False windows •Upper floor horizontal banded windows •Upper floor windows either not framed or not recessed •Upper floor undivided or fixed glass windows •Sliding or awning windows •Glass block other than on transoms •Unfinished aluminum window frames 	<ul style="list-style-type: none"> •Reflective/ mirrored glass •Heavily tinted glass on first floor facing a street •Jalousie windows facing a street •Upper floor facade more than 50% transparent
(e) Detailing, materials and colors	<ul style="list-style-type: none"> •Consistent with architectural style •Min. 40% coverage with brick on primary facade •Additions consistent with existing building •Exposed gutters and downspouts finished consistent with architectural style 	<ul style="list-style-type: none"> •Greater than 40% coverage with brick on all exposed walls •Chiseled face CMU or stone as accent •Local, recycled and natural materials •Three-dimensional details (vs. 	<ul style="list-style-type: none"> •Stucco coverage greater than 30% on street facade or greater than 50% on any other facade •Excessive ornamentation •Applied details •Nonmodular stone •Domed awnings •Backlit awnings 	<ul style="list-style-type: none"> •Use of any of the following as siding on the first floor primary facade or on more than 10% of any other facade: <ul style="list-style-type: none"> □Barn siding/ plywood/

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<i>Building Design Element</i>	<i>Required</i>	<i>Preferred</i>	<i>Discouraged</i>	<i>Prohibited</i>
	<ul style="list-style-type: none"> •Flashing and protruding stacks finished consistent with architectural style •Revocable license for ROW encroachments 	<ul style="list-style-type: none"> applied) •Colors consistent with architectural style •Historic and earth tone colors for brick •Color scheme with max. of 3 colors 	<ul style="list-style-type: none"> •Color schemes with more than 5 colors •Brightly colored sloped roofs •Painting natural brick in good condition •Wall or window unit coolers/heaters on street facade 	<ul style="list-style-type: none"> T-111 <input type="checkbox"/> Cedar shakes <input type="checkbox"/> Concrete block, panels or poured concrete <input type="checkbox"/> Corrugated and prefabricated metal panels <input type="checkbox"/> Glass <input type="checkbox"/> Logs <input type="checkbox"/> Non-native stone (e.g., granite) <input type="checkbox"/> Timbers <input type="checkbox"/> Vinyl and aluminum siding •Bright florescent colors •Burglar bars and security gates not on alleys

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Existing Elevation



Proposed Elevation (includes windows)



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The applicant submitted a second elevation alternative for staff's initial analysis that excluded covering the windows.

Proposed Elevation (excluding windows)



Questions regarding signage from the DDA were mentioned in the initial request to staff. The businesses use window signs on their doors and hanging signs over the sidewalk, therefore signage will not be an issue.

STAFF COMMENTS

After reviewing the documents submitted by the applicant, staff determined that the vinyl overlay application falls under the Prohibited Architectural Style category within the Building Design Element. Additionally, staff believes that the proposed overlay does not meet the standards outlined in ***Division 2 - Historic Core Sub-District, Section 16-18-210. - Purpose (7), subsections a-f.***

Staff is concerned that the request does not align with the historical character of Downtown Rifle or the Building Design Standards. According to Section (d) on Fenestration and Transparency, the code requires that the primary street façade maintain a minimum of 60% transparency and prohibits heavily tinted glass on the ground floor facing the street. The vinyl overlay will obscure the existing windows, leaving only the doors transparent; while this does not involve actual tinting, it creates a similar effect to heavy tinting.

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Furthermore, in Section (e) Detailing, Materials, and Colors, the application raises additional concerns regarding the requirement for a minimum of 40% brick on the primary facade. The vinyl overlay will make the existing brick façade indistinguishable as brick.

As the building has been designated as a historic landmark (August 19, 2020), the Planning and Zoning Commission acting as the Historic Preservation Board is empowered to review and make decisions on any application for alterations for a designated historic landmark. As staff reviewed and found the request does not meet the requirements of the CBD Historic Core and that the Planning and Zoning Commission is the appropriate reviewing body, staff has proposed the following three (3) options.

PLANNING COMMISSION OPTIONS

The Rifle Municipal Code (Section 16-18-1010) outlines the options available to the Commission, acting as the Historic Preservation Board, for approving this request. Option 1 aligns more closely with design standards, while Option 2 is less compliant. Staff continues to recommend Option 3.

Option 1

Planning Commission finds that the proposed overlay, minus the window overlay, complies with the architectural guidelines from Sec. 16-18-240. Building design standards and is not a Prohibited Architectural Style and approve a Landmark Alteration Certificate.

Option 2

Planning Commission finds that the proposed overlay, including windows, complies with the architectural guidelines from Sec. 16-18-240. Building design standards and is not a Prohibited Architectural Style and approve a Landmark Alteration Certificate.

Option 3

Staff recommends that the Planning Commission finds that the proposed overlay does not comply with the architectural guidelines from Sec. 16-18-240. Building design standards and is a Prohibited Architectural Style and deny a Landmark Alteration Certificate.

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LAND USE APPLICATION FORM

Application Type (check all that apply):

- Amended Plat
- Annexation
- Conditional Use
- Final Plat
- Floodplain Development
- Lot line dissolution
- Other (description): Vinyl application to at-grade, 3rd Street building facade
- Lot line Rearrangement
- Minor Subdivision Sketch Plan
- Outside City Water/Sewer
- Preliminary Subdivision Plan
- Sketch Subdivision Plan
- Sketch – Preliminary Subdivision Plan
- Site Plan
- Text Amendment
- Vacation – Easement / Right-of-Way
- Zoning Variance
- Zoning Map Amendment
- GIS System Integration

Brief Description of Application(s)

We would like to apply a vinyl reproduction of a 100-yr old photograph of 12 cowboys to the section of the building at 125-131 West 3rd Street. The areas to be covered is ugly bricks added when the original glass storefront glass was removed some 50 to 70 years ago. It is cost prohibitive to replace the original storefront.

Property Information

Owner(s) (Name): DYCO Holdings LLC

Property Address: 125, 127, 129 & 131 West 3rd Street, Rifle, CO

Parcel ID number: R361879/217716216009

Legal Description (*attach additional sheet if necessary*): Section:16 Tnshp:6 Rng: 93 Subdivision: ORIGINAL TWNSTE.. RIFLE Block: M Lot: 19 AND:- Lot: 20 & THE W 3' OF LOT 18 6625 SQUARE FEET

Access to Property: From any of the noted addresses

Instructions for Submittal

- **Original applications with original signatures must be provided.**
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications **will not be accepted** and will delay processing.
- Initially, one copy of each document may be submitted to the Planning Department for review. When the documents are deemed adequate, additional copies as required by the Planning Department shall be submitted.
- All documents, plans, plats, etc. shall be no larger than 8 1/2" x 14" in size or folded to that or a smaller size.
- The property owner **must** fill out the Owner Affidavit in presence of notary.

STAFF USE ONLY

Pre-app conference: _____(date)

Application received: _____(date)

Application complete: _____(date)

Case Number: _____

Fees: _____

Case Name: _____

Deposits: _____

Paid: _____(date)

Referrals sent _____(date)

Project Team Information (fill in all that apply) (add additional sheets if needed):

Property Owner(s) Name: Mark Dyson Phone: 303.810.6805

Company: DYCO Holdings LLC Fax: _____

Address 79 Lookout Mountain Circle, Golden, CO 80401 Email: mdyson@dycodiv.com

Authorized Rep. Name: Mark Dyson Phone: _____

Company: _____ Fax: _____

Address _____ Email: _____

Engineer/Designer(s) Name: None Phone: _____

Company: _____ Fax: _____

Address: _____ Email: _____

Billable Party: Owner Representative Engineer

The Billable Party, by signing below, hereby agrees to reimburse the City the actual costs to the City for engineering, surveying, and legal services rendered in connection with the review of the Application. The Billable Party shall also reimburse the City for the cost of making any corrections or additions to the master copy of the official City map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. The Billable Party agrees that interest shall be imposed at rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the City and in the event the City is forced to pursue collection of any amounts due and unpaid, the City shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

NOT RELEVANT TO THIS REQUEST

Company (printed)

Contact Name (printed)

Address

Email

Phone

Fax

Signature

Type of Identification

County of _____)

State of _____)

Sworn to and subscribed before me this _____ day
of _____, _____
(fill in month) (fill in year)

By _____
(Contact name printed)

Witness my hand and official seal.

Notary Public

My Commission expires _____

Notary Seal

Disclosure of Property Ownership

- If owner is an individual, indicate name exactly as it appears on the deed.
- If owner is a corporation, partnership, limited partnership, or other business entity, name principals on a separate page. Please include the articles of organization, partnership agreement, etc., as applicable.
- If owner is a land trust, name beneficiaries on a separate page.
- If applicant is a lessee, indicate the owner(s) on a separate page.
- If applicant is a contract purchaser, attach a copy of the contract, and indicate the owner(s) on a separate page.

Please provide the name(s), mailing address(es), street address(es), and phone number(s) for all owners.

Property Owner Affidavit

I/We, DYCO Holdings LLC; Mark Dyson, managing member, being first duly sworn, depose and state under penalties of perjury that I am (we are) the owner(s) of the property described herein and which is the subject of the application and proposed hearings; that all answers provided to the questions in this application, and all sketches, data, and all other supplementary matter attached hereto and made part of this application, are honest and true to the best of my (our) knowledge and belief. I (we) understand that this application must be complete and accurate prior to a hearing being scheduled. I (we) authorize City staff to visit the site as necessary for proper review of this application. I (we) further acknowledge that until paid, ALL LAND USE APPLICATION FEES, INCLUDING FEES FOR PROFESSIONAL REVIEW SERVICES, SHALL BECOME AND REMAIN A FIRST AND PERPETUAL LIEN ON OR AGAINST THE SUBJECT PREMISES PURSUANT TO RMC §16-1-60(e).

(If there are any special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of the person(s) who can provide access to the site.)

Name (printed) – Mark Dyson

Name (printed) _____

Address – 79 Lookout Mtn Cir., Golden, CO 80401

Address _____

Phone – 303.810.6805

Phone _____

Fax _____

Fax _____

Signature _____

Signature _____

Type of Identification _____

County of Jefferson

State of Colorado

Sworn to and subscribed before me this 11th day

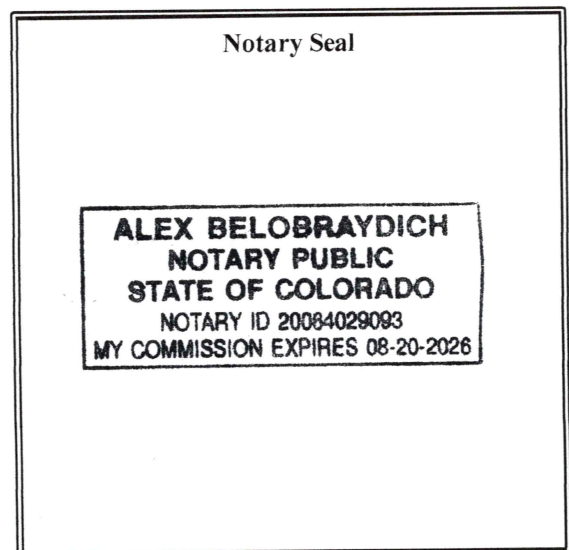
of September, 2024
(fill in month) (fill in year)

By Mark Dyson
(name printed)

Witness my hand and official seal

Notary Public _____

My Commission expires: 08/20/2026



Authorized Representative

NOT RELEVANT TO THIS REQUEST

I/We (Owners name) _____ authorize
(Representative name) _____ to act
as my/our representative in any manner regarding this application, to answer questions and to represent me/us at any
meeting and public hearing(s) which may be held on this application.

*NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to
keep the owner(s) adequately informed as to the status of the application.*

Property Owner (Name printed)

Representative (Name printed)

Company (Name printed)

Company (Name printed)

Address (printed)

Address (printed)

Phone w/Area Code (printed)

Phone w/Area Code (printed)

e-Mail Address (printed)

e-Mail Address (printed)

Fax w/Area Code (printed)

Fax w/Area Code (printed)

Signature

Signature

Type of Identification

County of _____)

State of _____)

Sworn to and subscribed before me this _____ day

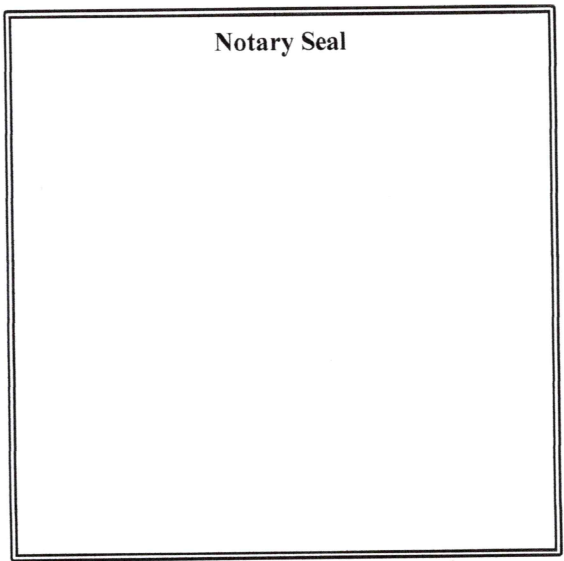
of _____, _____
(fill in month) (fill in year)

By _____
(name printed)

Witness my hand and official seal.

Notary Public

My Commission expires: _____



STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

E-RECORDED
THIS DOCUMENT WAS RECORDED _____

1. This Statement of Authority relates to an entity¹ named
DYCO HOLDINGS LLC, A COLORADO LIMITED LIABILITY COMPANY
2. The type of entity is a:

<input type="checkbox"/> Corporation	<input type="checkbox"/> Registered Limited Liability Partnership
<input type="checkbox"/> Nonprofit Corporation	<input type="checkbox"/> Registered Limited Liability Limited Partnership
<input checked="" type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Limited Partnership Association
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Government or Governmental Subdivision or Agency
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Trust
<input type="checkbox"/>	
3. The entity is formed under the laws of **COLORADO**
4. The mailing address for the entity is **795 MCINTYRE STREET, SUITE 205, GOLDEN, CO 80401**
5. The name/position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is
A Mark Dyson, Managing Member
6. The authority of the foregoing person(s) to bind the entity: is limited as follows: **AS PER THE OPERATING AGREEMENT**
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

(Signature and Notary Acknowledgement on Second Page)

¹This form should not be used unless the entity is capable of holding title to real property.

²The absence of any limitation shall be prima facie evidence that no such limitation exists.

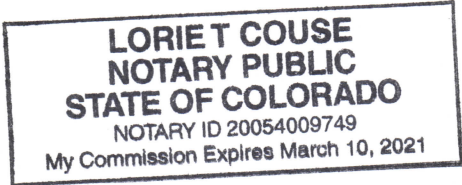
³The statement of authority must be recorded to obtain the benefits of the statute.



Executed this 15 day of December 2017

DYCO HOLDINGS LLC, A COLORADO LIMITED LIABILITY COMPANY

By: [Signature] Managing Member
Print Name: A. Mark Dyson
Title: Managing Member



State of CO)
County of Lafayette)ss

The foregoing instrument was acknowledged before me on this 15 day of December 2017
by A Mark Dyson AS Managing Member OF DYCO HOLDINGS LLC,
A COLORADO LIMITED LIABILITY COMPANY

Witness my hand and official seal.
My Commission expires 3-10-21

[Signature]
Notary Public

WHEN RECORDED RETURN TO:

Attn:

As Is



As Proposed



Hi Geir,

As we discussed, I am requesting the city Planning and Zoning Commission (P&Z) rule on my request to add the "12 cowboys" picture to my building as below.

I am appealing to P&Z because the planning staff has denied my application for the reason shown in an excerpt below from the design section of the city ordinance. This ordinance seems to relate more to architecture than paint color or other short-lived exterior wall treatments like vinyl pictures. In addition, the following are my common sense points for its approval:

1. The DDA supports (letter is attached) the picture on my building.
2. Vinyl is like paint and has a relatively short life-span
3. The cowboy image is rather reserved in content and neither politically nor racially exclusive. You can say that Cowboys are BOLD, but these guys are being calm, although I would admit, that "Cowboy Stare" can be intimidating, LOL.
4. I would also say that a "Sepia Tone" photograph is not BOLD, when compared to bright imposing colors on some other buildings. Many downtown Rifle buildings could be in violation of this planning staff's interpretation of the ordinance and would include the whale on West Avenue, which I love; the historic society building with multiple pictures, and some of the bright colored buildings throughout downtown including the orange Mexican restaurant (see the attached pictures).
5. The cowboy picture adds to the character of downtown, showing the type of pioneering people who founded the area.
6. The picture creates interest. It will have some people telling their friends about it, e.g., which cowboy, horse or hat is your favorite, potentially bringing consumers to the west end of the old downtown where they will see the businesses in that less traveled section, and maybe stop-in for some pirogues and craft beer, central American baked goods and coffee, or jewelry repairs or purchases for their loved one. They will also see a dental hygiene practice in my building at-grade, Don's Lock and Vacuum next door, and Farm Bureau Insurance. Advertising and events are great to create synergy and exposure, but word of mouth is equally important. This will create that person-to-person advertising for the area.
7. Signage for the building tenants does not change. Tenants currently have door front and hanging signage and will have after the picture is placed. Moreover, when telling consumers how to get to their business they will say it's in the "cowboy building" west of Railroad, between One Jeweler and Dons Lock and Vacuum shop.
8. My biggest commercial tenant fronting 3rd is Farm Bureau Insurance. This would seem to be consistent with aspects of their business theme and is reinforced when you look at their interior decor.
9. Lastly, the Rifle based photographer was made famous by this and many other early area pictures.

Please let me know if I can provide any other documents to include with my submittal.

Thank you,



272 **Sec.16-18-240: Building Design Standards**

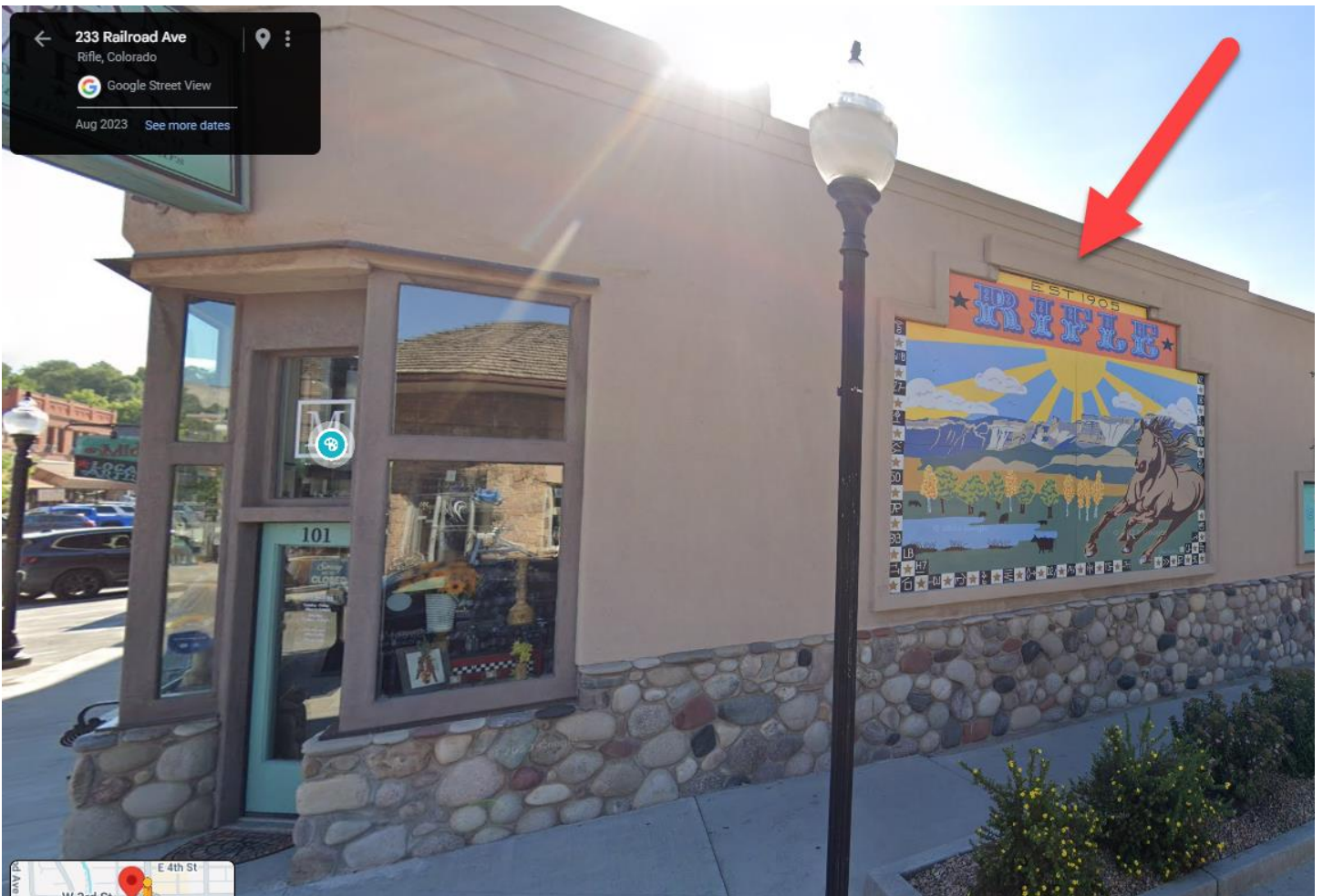
273 The building design standards listed in Table 16-18-240 shall apply to all projects located within the
 274 Historic Core sub-district. See Division 6 of the CBD Glossary for illustrations and definitions of the
 275 concepts and terms used in the Table.

Table 16-18-240

Building Design Element	Required	Preferred	Discouraged	Prohibited
(a) Architectural Style	<ul style="list-style-type: none"> • Preservation and restoration of High-Priority Preservation Sites consistent with preservation standards in the CBD Glossary • Consistent on all exposed sides • Additions in same or complementary style as existing building • Pre-manufactured buildings shall meet all requirements of and be similar to conventional buildings in function and appearance; including foundations, facades, architecture, and interiors. 	<ul style="list-style-type: none"> • Preservation and restoration of all other historic buildings consistent with preservation standards in the CBD Glossary • Single stylistic approach • Styles historically common to downtown Rifle • Simplified, non-stylistic designs conforming to sub-district rhythms, forms and proportions 	<ul style="list-style-type: none"> • One-story buildings • Replication of a former building in Rifle • Multiple styles on a single building • Styles emphasizing exaggerated references to historic details (e.g., Post-modern) • Styles emphasizing unarticulated facades • Contemporary Folk styles • Neo styles • Non-stylistic designs not conforming to sub-district rhythms, forms and proportions 	<ul style="list-style-type: none"> • Franchise architecture • Replication of existing building in Rifle • Styles predominate in other regions not indicative of Western Colorado • Bold, stylistic expression
(b) Façade and Articulation	<ul style="list-style-type: none"> • Facades facing streets with recess, offset, or pilaster at least 1' in depth or projection every 40' • Rectangular footprint • Rectilinear and simple 	<ul style="list-style-type: none"> • Non-corner buildings with symmetrical primary façade • Corner buildings oriented to intersection • Large building facades broken up to be 	<ul style="list-style-type: none"> • Angular or curved walls as dominate or repetitive element • Overly complex geometry • Clearly disruptive to rhythm on block 	<ul style="list-style-type: none"> • Greater than 40% unarticulated wall plane on any façade

Existing BOLD buildings in the Central Business District









Mark Dyson, Broker, CCIM, MAI
DYCO Diversified Inc.
795 McIntyre Street, Suite 205
Golden, CO 80401
303-810-6805
mdyson@dycodiv.com



**DOWNTOWN
DEVELOPMENT
AUTHORITY**

RIFLE, COLORADO

September 6, 2024

Rifle Planning & Zoning Commission
City of Rifle
202 Railroad Ave.
Rifle, Colorado 81650

RE: Disposition of Cowboy Photographic Mural on Fulton Garage Building.

Dear Planning & Zoning Commission,

The Rifle DDA was formed in 1986, supported by downtown business owners, to serve as a vehicle for planning and improving the central business district with storefront improvement programs, signage programs and general downtown improvements to enhance the pedestrian experience.

Members of the DDA participated in the Historic Core Building Design Standards at the time it was revised in the mid to late 2000's for the City of Rifle Comprehensive Plan.

The DDA Board would support the implementation of the Cowboy Photographic Mural on the front of the Fulton Garage building owned by Mark Dyson, if the Planning and Zoning Commission decides it qualifies for a variance from the design standards, established in the mid 2000's.

We support the business owner to go through the process and their right to revise their building. DDA will align with the decision of Planning & Zoning Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Stewart", with a large, stylized flourish at the end.

Larry Stewart, President
Rifle Downtown Development Authority



Google



Google

Helen Rogers <hrinteriordesign@msn.com>

To: You

Flag signs and on their doors, same as they have now. That does not change

un 8/11/2024 11:25 AM

Hi Mark,

The reaction from the DDA Board was mixed. Some wondered where the businesses would put their logo/signage. I did mention the flag signs. Others liked the images and would draw attention to the building with people stopping to take pictures.

We did have a short Strategic Planning session after the meeting, with board members wanting more of a 'vibe' to the downtown. Any impressions you have would be appreciated.

~Helen

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 8
SERIES OF 2020**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO DEISGNATING
THE FULTON GARAGE BUILDING AS A HISTORIC LANDMARK.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, the City Council finds that protection of the City’s historic and cultural heritage enhances property values, stabilizes historic neighborhoods, increases economic and financial benefits through the attraction to tourists, and provides educational opportunities; and

WHEREAS, Chapter 16, Article XIV of the City of Rifle Municipal Code (the “Code”) provides for the designation of historic landmarks withing the City upon fulfillment of certain criteria contained therein; and

WHEREAS, the owner of the Fulton Garage property has petitioned for and supports the designation of the building as a Historic Landmark; and

WHEREAS, the City’s Downtown Development Authority has recommended designation by the City Council of the Fulton Garage Building as a Historic Landmark; and

WHEREAS, pursuant to Code Section 16-14-20, on June 30, 2020 the Planning Commission acting as the City Historic Preservation recommended designation by the City Council of the Fulton Garage Building as a Historic Landmark; and

WHEREAS, the City Council finds and determines that designation of the Fulton Garage Building as a Historic Landmark is in the best interest of the public health, safety and welfare of the citizens of Rifle.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The foregoing recitals are incorporated by reference as findings and determinations of the City Council.
2. The City Council hereby designates the Fulton Garage Building, located at 127, 129, and 131 W. 3rd Street, Rifle, Colorado, Parcel No. R361879 as a Historic Landmark pursuant to Chapter 16, Article 14 of the Rifle Municipal Code.

INTRODUCED on August 5, 2020 read by title, passed on first reading, and ordered

published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado on August 19, 2020, passed without amendment, approved, and ordered published in full as required by the Charter.

DATED this _____ day of _____, 2020.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk