



**DENVER**  
THE MILE HIGH CITY

**LANDMARK PRESERVATION COMMISSION**  
**MEETING ACTIVITY SUMMARY (Not intended to be verbatim minutes)**  
**Tuesday, December 15, 2009 at 1:00 p.m.**  
**MEETING LOCATION – 201 W. COLFAX, RM. 4.F.6**

**Members Present:** Chaired by Carla McConnell, James Bershof, Barbara Gibson, Ronald Roybal, Christopher Meza, Stephen Leonard, Edward Shalkey and Martin Goldstein

**Absent:** Dennis Humphries

**Staff Present:** Jeremy Wells, George Gause, Judy Blake, Kerry Buckey and Savannah Jameson

Chair called meeting to order at 1:10 p.m.

**I. Review and Approval of Minutes**

**Motion by: R. Roybal, I move that we approve the minutes of August 18, 2009**

**Second by: C. Meza**

**Vote: Unanimous in favor, motion carries.**

**Motion by: C. Meza, I move that we approve the minutes of August 18, 2009**

**Second by: R. Roybal**

**Vote: Unanimous in favor, motion carries.**

**II. Applications for State Income Tax Credit**

**Motion by: C. Meza, I move that we approve the applications for Colorado Tax Credit for this date.**

**Second by: S. Leonard**

**Vote: Unanimous in favor, motion carries.**

**III. Public Hearings**

**Periods of Significance**

**Presenter – Savanna Jameson**

Presently only 35 of the 48 Historic Districts in Denver have official periods of significance. It wasn't until 2000, with Alamo Placita Historic District #36 that periods of significance began to be routinely included in the designating ordinance.

It is important to establish a period of significance for all historic districts that are under the design review purview of the Landmark Preservation Commission (LPC). This period of significance identifies the time frame for which the district was established and aids in establishing a more predictable and comprehensive design review process for the applicant and for the LPC.

**Purpose:**

- It defines and clarifies the time frame for which the district was established
- It specifically sets a date *before* which all buildings constructed will be considered “contributing” unless significantly altered.

**Results:** (predictability and certainty)

- Immediately clarifies for applicant the building status when considering potential additions and alterations
- Immediate clarifies for applicant if demolition can be considered
- Can direct design review in terms of administrative approval vs. full LPC review.

**Impact on design review:**

- With *contributing structures* the design review focuses on the actual building and the impact of the proposed work on the building’s integrity and character. It is important that the original mass, form, and character defining features of the *structure* are protected and retained.
- With *non-contributing structures* design review is focused primarily on retaining the character defining features of the *district*. Hence the Commission will approve demolition of non-contributing structures in a district – however it is subject to approval of a replacement structure that reinforces the character defining features of the district.

The following five districts are being proposed as below:

**Historic District:**

**Period of Significance:**

D-1	Larimer Square Historic District	Prior to and including 1915
D-3	9 <sup>th</sup> Street Park Historic District	Prior to and including 1930
D-7	Smith’s Ditch Historic District	Prior to and including 1870
D-11	Old Highland Business Historic District	Prior to and including 1895
D-23	East Park Place Historic District	Prior to and including 1920
D-22	Wyman Historic District	Prior to and including 1955

Staff recommends to approve the proposal as submitted, forwarding it to City Council with a recommendation for approval, citing as findings of fact the staff memo dated December 15, 2009 and public testimony.

**Board discussion**

No comments

**Motion by: S. Leonard, I move that we approve the staff recommendations and recommend that these Periods of Significance be forwarded to City Council citing the findings of the staff report.**

**Second by: J. Bershof**

**Vote: Unanimous in favor, motion carries.**

#### **IV. Design Review**

##### **1. #377-09 2531 Washington St.**

###### **Staff Presentation - George Gause**

Currently this is a vacant lot in the Welton Street Commercial Corridor. This property is a saw tooth edge of the district which has little or no context.

The proposal is to construct a single family structure with attached garage on an irregularly shaped corner lot. It is designed as a contemporary structure which corresponds to neighboring structures. (This lot interacts mostly with the rear facades of structures on 26th street and Welton Street) The one-story structures height and materials are found in most surrounding structures. Siding is hard coat stucco, windows are wood, and the flat roof (rubber membrane) will be hidden by a shallow parapet wall.

Staff recommends the approval of the infill construction.

###### **Applicants presentation**

Bill Kraemer, property owner - I have lived at this address for many years. The zoning is currently B4 and we propose a single story house which is small and fits the lot.

###### **Board discussion**

Comments were made that this is a neat project and that it seems to fit well on the lot.

**Motion by: B. Gibson, Project #377-09, 2531 Washington St., I move that we approve the project as presented based on the comments made by staff recommendations and that the size fits and also with any details to come back to staff.**

**Second by: C. Meza**

**Vote: Unanimous in favor, motion carries.**

##### **2. #381-09 2835 W. 35<sup>th</sup> Ave.**

###### **Staff Presentation - George Gause**

Existing minimal traditional style structure and is a contributing resource to the Potter Highlands Historic District. The owner is proposing a second floor and rear addition to the 900 sq.ft. structure. The second floor addition is designed to read like a typical dormer for this period of architecture and is confined to the midpoint of the structure toward the rear. The existing form of the front façade is maintained. The rear addition is completely confined behind the main structure and is inset on each side to maintain subordination to the main structure.

Staff recommends the approval of the addition construction.

###### **Applicants presentation**

Bill Gallipo, property owner – When we acquired this property we noticed that the roof was ready to collapse. The rear of the house has an addition and I am not sure when that was put on. We are gutting the house and updating all plumbing and electrical. Structurally it is in excellent condition.

**Board discussion**

Comments were that the applicant has done a good job. Questions were asked about why the applicant chose not to have the roof look the same as it currently has a hipped roof.

**Motion by: M. Goldstein, Project #381-09, 2735 W. 35<sup>th</sup> Ave., I would move to approve the addition construction based on the staff recommendations and that the addition is subordinate to the structure and contained to the rear with details to be returned to staff.**

**Second by: R. Roybal**

**Vote: Unanimous in favor, motion carries.**

**3. Project #217-09 650 Fillmore St.**

**Presenter – George Gause**

Existing bungalow style structure and is a contributing resource to the East Seventh Avenue Historic District. The owner is proposing a second floor and rear addition to the existing 1435 sq.ft. structure. The second floor addition is designed to include elements of a dormer for this period of architecture and is similar to what has been previously approved on neighboring structures. The rear and side addition is completely confined to the rear and is subordinate to the main structure. This area of Fillmore has had four second floor additions approved in the past. Three of those additions are the neighboring structures to either side of this structure and the property directly across the street (640, 652 & 653 Fillmore). The additions are a large supplement to this structure in both square feet and size, but are in keeping with other second floor additions recently constructed in the area.

The applicant is also requesting to reconfigure the existing front porch of the structure from a central entry to a side entry. The guidelines do not recommend this type of change.

Staff recommends the approval this addition construction.

**Applicants presentation**

Gwendolyn Wheeler, Jordan Architects – The existing residence is 1,400 sf and is ninety (90) years old. The owner desires to bring it up to modern standards and amenities.

**Board discussion**

Discussion focused on the windows, front entry and the fact that the porch is such an important characteristic. One comment was hoping that the applicant could leave something of the original façade. Favor was expressed of leaving the door in the center. A re-study was suggested with the concerns about the porch, front façade and the door.

**Motion by: M. Goldstein, Project #217-09, 650 Fillmore St., I move that this project be conditionally approved on the basis of staff recommendations and that additions minimal impact to the existing structure and that the rear addition is contained to the rear of the structure, with the caveat that the kitchen window that faces the front of the property be re-studied and re-submitted to the LPC for approval and I further move that we deny the porch reconstruction because the original front porch is not sufficiently preserved.**

**Second by: R. Roybal**

**Vote: Unanimous in favor, motion carries.**

### **3. Project #370-09 550 Lafayette St.**

#### **Presenter – Savannah Jameson**

This project is for the demolition of a contributing one-car garage. Staff is requesting approval of the demolition of the contributing garage. Details of replacement structure will go to staff for approval.

**Applicants presentation** - No applicant attending.

#### **Board discussion**

No discussion.

**Motion by: R. Roybal, Project #370-09, 550 Lafayette St., I move that we approve demolition of this garage structure upon the condition that replacement design is approved by staff.**

**Second by: E. Shalkey**

**Vote: Unanimous in favor, motion carries.**

### **VI. Discussion items**

#### **1. Thematic Historic Districts**

##### **Presenter – Savannah Jameson**

A thematic district is one in which the properties share themes, trends, and patterns of history. The thematic district is organized by a thematic context and property type. Two examples we could have are one would be a residential development and this would be for example the early transit and street car suburbs and two modern design, for example a lot of the homes in University Park are beautiful and this would be a way to preserve those without trying to designate the entire neighborhood.

Some of the advantages have been that it is easier for staff because they are no longer reviewing buildings that are non-contributing, because every building in a Thematic District would be considered contributing.

Other benefits are that it provides neighborhoods that have had significant redevelopment such as pop tops and scrapes with a means of protecting remaining historic resources even when a typical historic district is not appropriate. Examples would include Hilltop, Park Hill, Washington Park, University Park, Platt Park, etc.

It provides neighborhoods that have significant political opposition to designation with a tool to protect deserving properties without creating a no-win situation at City Council.

It would acknowledge the methodology already utilized in the National register Multiple Property Submission. It allows for a broader perspective on how resources are related.

It minimizes the use of individual landmark designation tool to protect resources that may meet one of the three categories of significances, being architecture, history, or geography. Examples would be the Amter house and also the Joshel house.

It would reduce the potential for opposition because only contributing structures would be listed in the designation.

So this is something that I wanted to present to you for your thought and input.

## **Board discussion**

Questions that were discussed:

What about non-contributing and a Thematic district would no longer have that concern as all structures within would be contributing.

Could this blanket Denver? The answer is yes.

A comment was made that the “Cookie Chip” district is an example of this.

Could some opt in at a later time, and reply was yes.

## **2. Ordinance changes for Chapter 30**

### **Presenter – Jeremy Wells**

Kerry Buckey, City Attorney, has prepared a set of changes to Chapter 30 of the Landmark ordinance with input from staff and from the Landmark Preservation Commission retreat on October 13, 2009.

### **Staff Review:**

These changes to Chapter 30 can be grouped into four general categories:

- Allows fees to be set by the manager of CPD Adds a requirement for a Certificate of Appropriateness (COA) upon approval of a permit. This will bring the city of Denver into alignment with commonly accepted practice across the country. In addition, it will make it easier for citizens as well as other city staff to determine if a project has received Landmark approval. COA’s will be good for three years after issuance.
- LDDRB appeals will now go straight to judicial review.
- Miscellaneous changes to correct errors and add clarity in areas such as staff review and City Council and Planning Board involvement.

A summary of the changes is as follows:

### **Section 30-4: Designating structures and districts for preservation**

1. **30-4 (2):** Directing staff to conduct a preliminary investigation of landmark nominations instead of the commission; requiring owner to be notified of any activity if the owner is not the applicant; applicant can have nominations be considered by the commission over objections of staff.
2. **30-4 (3):** Added additional language describing the commission’s role in determining that a landmark nomination is complete before scheduling a hearing.
3. **30-4 (4):** Language setting fees has been removed to allow the manager of CPD to set these fees.
4. **30-4 (6):** Directs Planning Board to deliver a recommendation to City Council instead of the commission; failure of the Planning Board to act on a landmark nomination by the time of the City Council will be treated the same as an approval by the Planning Board.

### **Section 30-5: Procedure to amend or rescind designations**

1. **30-5:** Requires that applications to rescind a designation or change the boundary of a designation be sent to City Council with the commission’s approval.

### **Section 30-6: Construction/demolition authorization**

1. **30-6 (1)(c):** Replaces the static fee of \$250 for a non-historic certificate with a fee that can be set by the manager of CPD.
2. **30-6 (5):** Indicates that the commission has the authority to require that certain applications or projects cannot be administratively approved.

3. **30-6 (5)(d):** Requires a Certificate of Appropriateness (COA) to be issued upon approval of a permit; requires certificate to be displayed in a manner similar to a building permit; COA's are good for three years.
4. **30-6 (7):** Correction of error: changes the home of building inspection from the department of public works to CPD.

**Section 30-9: Enforcement**

1. **30-9 (3):** Corrects error in referencing an obsolete chapter.
2. **30-9 (4):** Adds more specific reference to the Colorado Rules of Civil Procedure.

**Section 30-13 (new): Fees to accompany applications and reviews**

1. **30-13:** New section authorizes the manager of CPD to set fees.

**Section 30-48: Design and demolition review**

1. **30-48 (8):** Adds requirement for a Certificate of Appropriateness.
2. **30-48 (9):** LDDRDB appeals move directly to judicial review instead of going to the LPC.

The staff recommendation is to approve the changes to Chapter 30 as submitted, forwarding it to City Council with a recommendation for approval, citing as findings of fact the staff memo dated December 15, 2009.

**Board discussion**

There was discussion regarding the fees, and fees have not been changed since the early 1970's. Savannah reviewed charges through out the country and Landmarks fees seem to be about in the middle. Kerry Buckey stated that the bottom line on all fees is that fees can only reflect the cost of doing business. Kerry went on to say that any if a recommendation for change is made it shall be forwarded to City Council for council consideration.

Further discussion was regarding the Landmark fund and the expenses that are paid from the fund. Some of these expenses are the cost of plaques, postings and surveys as well as educational and conference expenses.

**Motion by: S. Leonard, I move that for the proposed ordinance changes to Chapter 30 as submitted, be forwarded to City Council with the exception of the fee schedule, citing as findings of fact the staff memo dated December 15, 2009**

**Second by: M. Goldstein**

**Vote: Unanimous in favor, motion carries.**

Meeting adjourned,  
Submitted by:

Judith Blake