



DENVER
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LANDMARK PRESERVATION COMMISSION
MEETING MINUTES

Tuesday, January 15, 2008 at 1:00 p.m.
MEETING LOCATION – 201 W. COLFAX, RM. 4.F.6

Members Present: Chairwoman Carla McConnell, Barbara Gibson, Dennis Humphries, James Bershof, Ronald Roybal, Christopher Meza, Stephen Leonard, and Edward Shalkey
Absent: Alice Jennison
Staff Present: Everett Shigeta, Christie Murata, Kerry Buckey, (City Attorney,) and Judy Blake

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

I. Review And Approval of Minutes

Motion by: S. Leonard , Move to approve minutes of meeting on December 18, 2007
Second by: C. Meza
Vote: Unanimous in favor, motion carries.

Chair opened Public Hearing at 1:15 p.m.

- II. Public Hearings – Appeal Demonstrating Economic Hardship
1. **Steel Building, 600-616 16th Street**
Applicant/Owner – Evan Makowsvky

Staff Presentation:

E. Shigeta – Today’s presentation is different than what had submitted. This has to do with replacing the windows which the Landmark Commission at an earlier decision had requested that the windows be rehabilitated. The commission is aware that we have reached a mutual and beneficial agreement, because I had sent out an earlier staff report. This won’t be official until the Landmark Commission makes a decision about the replacement windows. What I will present today, is this alternate solution. Replacing historic windows is always a difficult decision, because the design guidelines say that historic windows should be preserved when ever feasible, and whenever replacement is necessary, match it as closely as possible and retain the position type and grouping of windows especially in significant facades. The basic elements of windows are their operation, proportion, number of divisions, and their dimensions of the frames. The approval of the replacement of these windows will not set a precedent because it addresses the special provision of this specific project. If approved, the outcome will be unique and important. A significant historic building in downtown Denver will be restored. Greenprint Denver will be served. The LPC will demonstrate its willingness to understand and be flexible in its deliberations and we all benefit in having this beautiful terra cotta building occupied again. The pivoting window operation of the existing windows will be retained in the new windows. If the existing windows are rehabilitated they would not be allowed to operate and the historic operation would be lost. This is an in-kind replacement. The new windows are re-created from the Merrill Hoyt Architect original drawings. All elements will match the original size, profile and function while meeting the requirements of energy efficiency and sustainability. The mechanisms for the pivoting function are in the head of the mullion and it raises the window before allowing it to pivot. The top weather stripping goes up and into the head mullions when the window is raised. The existing hardware will be restored and reused. This proposal provides the opportunity to replace the non-historic double hung windows on the Welton St. façade with historically accurate pivoting windows restoring that elevation to its original appearance. With an approval of this proposal the owner will officially withdraw their appeal.

C. McConnell – Do the commissioners have any questions for Everett?

R. Roybal – I have one question for clarification. The only proposal that is being presented to the Commission is to layout the profiles of the existing historic windows be maintained as operable with the pivot functioning is which one, the custom design, and everything else is a fixed window, is that right?

E. Shigeta – They looked at other options, and they don't work when set into the context. If you put a window in there, like the other one that operated, and if it didn't line up and it would be something that the staff certainly couldn't recommend approving, but the tall window with the transom on it is the one that we are calling the custom window.

C. McConnell – I am curious about the weight of the restored pivoting window, it has been brought up as issue and I assume that the weight is due to using the insulated glass?

E. Shigeta – Either insulated glass or putting another layer of glass on there.

C. McConnell – How has that weight issue been dealt with on the proposed window?

E. Shigeta – It has the unique mechanism that is up in the horizontal mullion on top between the window and the transom, and that mechanism can handle that weight. When you take the handle at the bottom of the window, flip it over, it raises the window up and actually goes up partially into that mullion and the weather stripping goes up inside that also which free's up so that can handle that kind of weight.

C. McConnell – Is that mechanism something that comes with the new custom windows and not the restored windows?

E. Shigetta – Right

C. McConnell – We are not in the public hearing but we have two people who wanted to make comments; Representative's from the National Trust and Historic Denver.

Owner/Applicant's Presentation

Evan Makovsky - 1400 Glenarm Place, 201, Denver, CO 80202

I am the managing member of the LLC that is going to restore the Steel/Fontius building. I want to thank the commissioners for allowing us to appear here today. I specifically want to share thanks with Everett Shigeta, who has helped us move from what seemingly were really, totally opposite points of view, and being able to discuss and understand better where both of us were coming from. I want to thank all the people on my team who really went to such great lengths to do what I told you I was going to try to do when I sat here in September, and that was to find a window that was going to be identical to the existing window that would open like the existing window and at the same time meet the sound evaluations, the energy issues, maintenance issues of what the future world seems to be about and of what would allow us to be able to operate in the future in a way that there is enough savings that you could continue to maintain the building. And you were correct, the best thing we had up until very recently was that other window, which when I saw it I said to my team, "That is not what I told the commissioners and it isn't the right window". But the cost of that window and the cost of the others were exactly the same. We did find this custom window builder who built it off the original plans and it came in last Wednesday. It allowed us to find a solution here, and I am hoping out of what was a difficult last few months, that this becomes a potential basis to bring these two potentially opposing public policy issues of both preservation and conservation in a way that we can all live together and do something that is for the future generations. Thank you.

C. McConnell – Are there any questions for Mr. Makovsky? Beginning now we will now allow Jim Lindberg of the National Trust and Steve Turner of Historic Denver, to speak.

J. Lindberg – National Trust - Thank you for the opportunity to speak with you. We have followed this closely with much interest. Most of us believe in maintaining and restoring historic windows. Every case is very different. We are compelled with the concept presented here; that is using the original appearance, wood, hardware, and matching frames. We think this is a good solution.

Steve Turner – Historic Denver – Everyone knew for years that this building was an eyesore. We are pleased that Evan has decided to restore this structure. This is a discussion of balance. You have already approved the restoration of the terra cotta, and you have already approved replacement of about 70% of the windows, and now the discussion is for the remaining 30%. We have been meeting with the National Trust and once we saw the proposed windows, we were very pleased. Modern needs for maintenance and sustainability issues sometimes dictate different solutions than what would be what called perhaps for preservation. I know there are concerns about establishing a precedent, but your establishing a precedent with this job setting a really high standard in terms of windows that match the original function and utilizing the original hardware. We really appreciate the efforts of Everett and both teams and hope that you will support this effort.

Commission discussion

J. Bershof – This was a painful four months for a lot of people, it seems to be positive and it was worth it. I think this project and the city will benefit from the solutions.

C. McConnell – If there were a motion to accept this proposal, it would be proper to base it on the first four points of Everett’s preservation perspective as being the point that a motion keeps it in the spirit and the letter of the Secretary of Standards suggestion. This proposal is unique and with their following the original design, the in-kind replacement; it maintains the operation which is very unique and restores the existing hardware, that those are the proper basis for approval if we do decide to move that direction.

R. Roybal – I noticed the talk of conflict of preservation and energy conservation and I have always thought that those two ideas can work together. I think the collaboration that took place proves that they can work together and that solution can be reached. I think this is a good approach, and I think the process that we went through is a good one. At the end of the day, I still think that preservation and energy conservation can exist and work together.

Motion by: S. Leonard, for Project 256-07, 600-616 16th Street, we move to approve for replacement of the windows with the custom windows mentioned in the Staff Report, Items 1-4; and that the solution allows a situation in which the windows would be more consistent than they had previously been.

Second by: B. Gibson

Vote: Unanimous, motion carries.

E. Makovsky – Thank you very much, and I can’t tell you how much I am pleased to do exactly what I think everybody said “no pain, no gain”, and I think that this is a gain for all of us. With this motion I would like to withdraw my request for the hearing that was to take place today. Again, thank you.

Councilwoman Carla Madison – These pivoted windows are visible from the street and they will contribute to everyone’s enjoyment of the building, so I felt it was important. No building is more energy conservative than those buildings that usually have thick walls and are usually very good buildings except for the windows, and I hope that in the future we can move preservation into the new century.

III. Design Review

1. **Project 466-07, 595 High St.**

Staff Report

C. Murata – This structure is located very far back on the site, which made it very limiting on what they could do with it, in order to even add on to it in the back creates some zoning issues and will go to the Board of Adjustments. In the district there are a lot of attached as well as detached garages, and this property going with the attached garage along 6th Ave. is very successful as a buffer for noise. Even though it doesn’t look it, it is a very small house and this is a very appropriate addition. I still have some questions which I’m hoping that Bob is going to address in terms of details and particularly how that plane will be addressed.

Applicants Presentation

Robert Hickman - Baer and Hickman Architects

Dallas Peterson – Owner’s son, representing owner who is out of the Country. – I am the son of the folks who are wanting to do this project. I wish to read a letter from my parents.

“We apologize for not being there, and we want to thank our son for representing us today. This house was meant to be a middle class home. When this house was found for us, we were in Perth, Australia. We acquired the house and it does need a lot of TLC and a lot of re-hab work.”

R. Hickman – We have talked extensively about this 1700 sq. ft. house. It is a 1 ½ story structure. The client’s needs involved some 6th Ave. noise buffer. The addition would be about 740 sq. ft. in total. One of reasons that we have to build to the rear, also presents a zoning concern. This house is setback 38’ while the neighbors are setback 22’ The house would be about 2,500 sq. ft. with the attached garage. I have additional details asked for by Chris and will pass them around. In the photo’s you will see the stone quoins work at the corner. The quoins work stays and the addition is setback 8’ from the façade. One reason for not wanting to setback any further is that the kitchen expands into other spaces. We are trying to not disturb the dining room window.

R. Roybal - You are using a different kind of brick, will it be complementary?

R. Hickman – We cannot find brick like this anymore and hope to find a brick close in size and color. I would be happy to bring in samples.

D. Humphries – The garage doesn’t work for me. I know it is within the setback. You have done a marvelous job with the house addition, but not the garage.

R. Hickman – The primary goal was to maximize the south yard and to create a sound barrier for 6th Ave.

J. Bershof – I agree with your placing and think the buffering aspects for 6th Ave. are valid. I am concerned with the mansard roof.

R. Hickman – This garage design came from the existing garage. It has a sloped roof.

B. Gibson – Any thought of using the flat part of the garage roof as a deck?

R. Hickman – No, that would be a zoning issue.

D. Humphries – I don’t think the mansard roof is the right approach. I would like to see more elegance using clues from the existing house. I think there is a better way.

R. Roybal – I agree that it detracts from the house. I would suggest that you look for a different direction.

Motion by: D. Humphries , For Project 466-07, 595 High St., we request a restudy on the garage addition and approval of the residence structure and request a return to the LPC and that the material samples be submitted as well. Citing the guidelines, Section 4, item 3.

Second by: B. Gibson

Vote: Unanimous, motion carries

R. Hickman – I could use some clarification, and have applied for zoning to be heard in mid March. We will not pick samples until the owner returns for the Zoning hearing.

D. Humphries – Chris Murata could sign off on the materials.

2. Project 319-07, 1200 Race St.

Continued from 12-04-07

Applicant – Tom Zavadil, The Architecture Studio, LLC – We were asked to restudy and look at the east wall. We have brought it forward and used 4” brick veneer. We have brought it forward and dropped it down and felt that it better reflected the existing wall. The eaves and ridge line tend to line up. The budget of the client can not allow all brick, so we thought the 4” brick veneer would work well. We brought a 4” profile, sample of channel, rustic wood siding that we proposed.

D. Humphries – What about the French doors?

T. Zavadil – The last sheet shows a simulated, divided lite for the French doors.

C. McConnell – I think overall it is a really nice project.

D. Humphries – Great project, great job. It makes sense at the back of the house. I am fine with it.

Motion by: J. Bershoff, Project 319-07, 1208 Race St., we move to approve this project as presented.

Second by: B. Gibson

Vote: Unanimous, motion carries.

IV. Designations

Epiphany Episcopal Church, 100 Colorado Blvd.

Father Stace T. Tafoya - Rector

Boyd Berryman – Applicant

Staff Presentation

A. Gilbertson – The commission will determine if this application is complete and meets the criteria and if it should go to a Public Hearing. The application was prepared and submitted by Boyd Berryman on behalf of the Epiphany Episcopal Church. In the staff's opinion the application met the criteria for designation in all three categories', being history, architecture and geography. The period of significance was determined to be from 1941 through 1960. The church was built in 1941 and an addition, which is considered to be contributing, was built in 1960. In terms of the criteria, it met Historical Importance, criteria 1C for it's association with a group of persons who had influence in society, that being the Episcopal Church. Architectural importance to be the work of a recognized architect master builder, and in this case it is two architects, Arthur S. Axton, who designed the 1941 church, and this addition was done by Walter H. Simon, in 1960. And geographical importance, 3A, this has a prominent location. I think it is important to mention there was an addition in 1960 which did alter the size of the church and to some extent, its look. However, the use of cast concrete panels and the exposed aggregate, would be considered a defining feature of the church today. There have been some windows replaced over the years, but that has not destroyed the integrity of the church. The staff recommendation is to schedule the Public Hearing at the LPC meeting on February 19, 2008, noting that the application is complete and does meet of the criteria for designation.

B. Berryman – The interior is so great with the ceiling paintings by Gerald Schnackenberg. His grandfather came from Germany in 1918 and is an artist. We have been consistent in the interior and it has only had 5 priests.

Father S. Tafoya – The Parish was established in 1891. Something like this can really speak to the longevity of the church.

B. Berryman – One of its members was Mable Hughes, and you may see her name, as she was a donor to numerous projects in the city. She was and still is a heavy donor to the Denver Dumb Friends League. Father Russell was also a large donor.

C. McConnell – Maybe there is no record of this, but when this architect and design was selected; was it at all controversial?

B. Berryman – I don't think it was. Father Russell was a rather dynamic individual, and knowing what we know of him, I would guess that he is best remembered as what Father Russell wanted, Father Russell got. He had no opposition.

J. Bershoff – To build this modern design in 1941 and to use pre-cast concrete was a really early use of that material in our area.

R. Roybal – It is one of the few deco buildings that you see in Denver.

Motion by: B. Gibson, Epiphany Episcopal Church, 100 Colorado Blvd., motion to set Public Hearing for designation of this structure on February 19, 2008.

Second by: E. Shalkey

Vote: Unanimous, motion carries. one abstained

V. Other Business

1. Ordinance change for non-residential use above 85' in LoDo Historic District

E. Shigeta – This is a condition that we ran into in lower downtown, with an addition onto the Sugar Building and the ordinance states that you can put a penthouse on that building but it has to be residential, and this building is completely commercial. It has a beautiful old elevator, and if you put residential on the penthouse you would have to have a whole entry and a different elevator, they proposed an ordinance change that would be for the whole district, but actually there is only one other building it could effect and that is the Volker building.

B. Gibson – Having been through 5 years of the neighborhood organization change, we were very concerned in lower downtown that residential was the biggest push and catalyst to make that 24 x 7 neighborhood. Any time we talked about things where you could add additional height which a lot of people were uncomfortable with as they wanted make sure that the balance was kept. We wanted to encourage more residential.

Public Comment

Jason Newcomer - Urban Villages, Inc.

Nick Koncilja Urban Villages, Inc.

N. Koncilja - We ran into this with the Sugar building and don't believe that this proposed language change is adverse to encouraging residential growth for downtown and we are very much in support of it. We think that the building is fully commercial and historic, so we thought it was worth it and we spoke to all groups, LODONA, Lodo, Inc., residents and the Downtown Partnership, and they agreed with us. We see it as a small cleanup in the ordinance.

E. Shigeta – The Lower Downtown board reviewed this and they sent a recommendation for approval and going forward, the final decision would be made by City Council. It is at the point now where we would have to have your approval and recommendation.

B. Gibson - Based on the fact that it has a limited impact, with only one other building having the potential, I think this is an alright change. Having been actively involved in that neighborhood for the past 16 years, and spent a lot of time watching those buildings, I think it is perfectly appropriate for the Sugar Building. If it had been something that would have effected more buildings, then I don't think it would have made it this far. It is important in the evolution of Lower Downtown to encourage mixed use.

Motion by: D. Humphries, I move that we recommend to the City Council the revisions to the Ordinance consistent to proposal 30-48.

Second by: B. Gibson

Vote: Unanimous, motion carries.

VI. Applications for State Income Tax Credit

Motion by: B. Gibson, move to approve the applications for both preliminary and final tax credits.

Second by: S. Leonard

Vote: Unanimous, motion carries.

VII. Chairs Time

1. Retreat discussion

Board discussion to have retreat on a work night, possibly April 22, 2008, time would be 4-7 p.m..

Location may be at Oz Architecture or the Four Mile Historic Park. The LDDRБ would like to meet with the LPC to become more familiar with all.

2. Windows Task Force

J. Bershof – Dennis and I would like to represent the LPC, and I have passed out to you a list of interested groups. Chris Murata will be our staff person, and Steve Turner has expressed interest.

There are also three Council persons who are interested in working with this task force. As well as Charlie Brown and Carla Madison have shown some interested. Tyler Gibbs will be speaking to Peter Park about representation. also, perhaps Dan Corson.

C. McConnell – Other interested people are Chris Jones, Architect and Tom Cohen suggested by Chris Jones.

J. Bershof – Perhaps we could meet monthly on the second Tuesday at Oz Architecture. After the first meeting, we will know better about a time frame. We may possibly meet every two months.

D. Humphries – We may want to have a builder and/or developer involved.

B. Gibson – You need to quickly establish the goal/product or something for a handout, like guidelines for the public. We need a pro-active, educational tool.

J. Bershof – My sense in doing this was so that in the future the Commission could better follow the Secretary of Standards and better understand conservation.

C. McConnell – This may need to be a 2 step goal.

- 1) Create a decision tree, to give a basis for making decisions.
- 2) Set up an outreach for this information.

B. Gibson – We talk about sustainability and the reality is that we don't always have the same definition to work with.

J. Bershof – Performance issues and how we value those. Acoustics is also an important issue.

C. Murata – There are 72 letters going out to all window replacement companies in the Denver area telling them that is acceptable.

J. Bershof – We could have the first meeting on February 12, 2008.

End of Task Force discussion

Meeting adjourned

Respectfully submitted by: Judy Blake