



DENVER
THE MILE HIGH CITY

Community Planning and Development
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Landmark Preservation

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LANDMARK PRESERVATION COMMISSION
MEETING MINUTES

Tuesday, February 17, 2009 at 1:00 p.m.
MEETING LOCATION – 201 W. COLFAX, RM. 4.F.6

Members Present: Chaired by Dennis Humphries, Carla McConnell, James Bershof, Barbara Gibson, Ronald Roybal, Stephen Leonard

Absent: Edward Shalkey and Chris Meza

Staff Present: Steve Oliver, Greg Savage, Fran Mishler, George Gause, Tyler Gibbs, Kerry Buckey (City Attorney,) Judy Blake, and Savannah Jameson

Chair called meeting to order at 1:05 p.m.

I. Review And Approval of Minutes

Motion by: C. McConnell, I move to approve the minutes of January 3, 2009 as amended.
Second by: S. Leonard
Vote: Unanimous in favor, motion carries.

II. Applications for State Income Tax Credit

Motion by: S. Leonard, move to approve the Tax Credits for 2371 Clermont St. as presented.
Second by: R. Roybal
Vote: Unanimous in favor, motion carries.

III. Design Review

1. **Project #140-08 1575 Welton St. (Sage Bldg)**
Staff Presentation

G. Savage - We have a request for a projecting sign for the American National Bank. This is the first sign that has come in and it does meet all of the requirements for a vital sign. This sign is internally lit. The sign is in a B5 zone area, and I felt that since this is a Landmark building I felt that the LPC should be the body to approve the design.

Barry Gilbert, Ness, LLC – I am just here to answer any questions you may have.

Board Discussion

- Questions asked to verify the type of lighting, and it will be internally lit with just the letters AMB.
- Verification that this sign meets all of the vital sign criteria was established.

Motion by: B. Gibson, for Project #140-08, 1575 Welton St. the Sage Building, I move that we approve this sign project as presented as it does meet the vital sign criteria and fits within the plan for signage on the building that has been previously approved; and for additional signs on this particular building that fit into the previously approved plan, we give staff the ability to approve them administratively.

Second by: C. McConnell
Vote: Unanimous in favor, motion carries.

2. Project #11-09 2658 Stout St.

S. Jameson – This is a contributing structure to the Curtis Park D Historic District. The applicant has replaced four (4) windows with vinyl windows. These windows were installed without obtaining a building permit or a Design Review application approval.

Applicants Presentation

Mihael Padilla, son of property owner – We never had any intent to circumvent the process. We have had this house in the family for fifty-two (52) years. I have been in the building industry doing remodeling. So, I did receive bids from two (2) companies, one which was on the Tom Martino list. Those were for vinyl windows. The mitigating factor was for cost, and they still spent \$2,500 on those windows. Late in 1979 or 1980, the city sponsored the refurbishment program for windows that were in need of repair or replacement of windows with aluminum sliders, and the wooden windows were not salvageable. The aluminum sliders were replaced but the front windows were maintained as double hung, and we kept the arch. We did not tear out functional quality wood windows. My understanding is to never downgrade, and we significantly upgraded from single pane and aluminum sliders to thermal pane, to maintenance windows. We have experienced our third burglary in five years. They tore off one of the grates; we filled out the police report and we were just trying to close up the holes and put in windows that could have a security system installed. I took off one of the sliders, and if you look at the front of the house, and the lower window hadn't worked in many years. We never wanted to ugly up the house, but the alarm company couldn't install the alarm otherwise, so we put in what was needed for the alarm system.

Board Discussion

- It was established that the district was formed in 1993.
- If it is a contributing structure then original wood windows if at all possible should be kept. If they were beyond repair then they would have been allowed replacement with wood or clad windows. In this situation the commission would expect replacement with wood or clad.
- We have never approved vinyl windows.
- It was suggested that the only compromise would be to replace the lower windows.

Motion by: C. McConnell, Project #11-09, 2658 Stout St., I move that the lower front window (primary façade) with the arch would be replaced by a wood or wood clad product and the other windows located on secondary or rear façade in question although they do not meet guidelines because they did replace windows that were also don't meet current guidelines that we allow those to remain at this time and the replacement of the lower windows be done within one (1) year and that the approval of the design by staff.

Second by: R. Roybal

Vote: Unanimous in favor, motion carries.

3. Project #293-08 3122-3124 Osceola St.

Staff Presentation

I didn't provide a staff report. Mr. Burbano came in last September with a proposal that was a bit rough and in the process it had complications with the roof design. We asked that he come back with and consider some other things, specifically making it a product of its own time. I used the new addition as being subordinate to the original structure. We felt that the first go around stronger detailing was crucial to height and identifying the original structure had been compromised by being covered over with the location of the addition. In this addition, I think they have met all the stipulations that staff laid down in terms of subordinate structure that was to the rear of the existing structure. We are here with this form that you can see, and in terms of deliberation there desire is to have a full and complete review to kind of outline some things that at our meeting 3 or 4 weeks ago of what it would take for a full approval. They submitted drawings at the 11th hour and some of those things that I just picked up so along those lines we are recommending approval and that details come to staff specifically in terms of the replacement windows on the original structure and then the windows on the new portion of this development. The second thing was that they were noted as vinyl windows, and I guess that I wasn't clear that vinyl windows would not be acceptable. The other thing was that the drawing don't delineate where the lap siding is. The existing dormer is to be replaced with siding.

Applicants Presentation

Carlos Burbano, owner - It will be a year in June since we have tried to do something with the house. I have numerous calls complaining that they hear people walking through the house at night and are afraid that it could become a crack house and be bad for the neighborhood. I am requesting that if you can approve soon before something happens in that house.

Board Discussion

- Discussion took place regarding the form with suggestions that it would be nice to lower the ridge and make it more subordinate. The applicant has preserved the whole form and mass of the existing structure and the streetscape is a good thing.
- Favorable comments were made about the way it preserves of the façade and the streetscape character.
- Concern was expressed about approving much more because of inconsistencies with the drawings and that the details that are typical could be reviewed by staff.

Motion by: C. McConnell, Project #293-08, 3122-3124 Osceola St., I move that we approve this project for mass and form and general approach with the final details for materials, windows, finishes to return to staff.

Second by: B. Gibson

Vote: Unanimous in favor, motion carries.

4. Project #17-09 3209 W. Fairview Pl.

Staff Presentation

S. Oliver – In your submittal I have included photos of the house that were taken at the time of the designation. There are some photographs that were taken by staff and also a detail of the eve that shows staff’s interpretation of what the original condition was more like. The reason that I included that is that there was a disagreement between the applicant and myself regarding what was the existing historical roof form and the proposed or partial construction looked like. This project was stopped in the middle of the construction project and the applicant was asked to make a submittal to Landmark for approval.

The proposal is in three (3) parts:

1. Alter the eave and ridge elevations of the major-portion pitched roof; modify the eave/fascia profile.
2. Add a turret where there had historically been one.
3. Change the roofing material from asphalt shingles to metal.

The staff recommendations are:

1. Deny: Retain the original roof eave profile and maintain the original eave and ridge of the pitched roof sections and the flat portions.
2. Deny: Restore the turret in accordance with the original design or maintain the flat roof without a turret per the roof design at the time of designation.
3. Approve with conditions: Metal roofing material and design to be reviewed by staff
4. Conditions:
 - 1) the Commission review and approve the completed construction of the pitched/flat roof,
 - 2) the Commission review and approve construction documents of the turret design,
 - 3) the Commission review and approve the completed turret (or flat roof), and,
 - 4) all work be completed within 6 months.

We have had a bit of exchange with the applicant regarding this work and the fact that it was not an approved project by Landmark and the fact that it was not pre-reviewed by the building permit side. I feel that the conditions are necessary in order to ensure that the full intents of the commission are carried out.

Applicants Presentation

Keith Painter, property owner/applicant – The initial permit was issued in September, 2008. I was told that it is for “like for like” and what I was doing was correct. The permit #08114433 was a 1R permit. When three (3) people came out to my house they told me that I pulled the correct permit. Our review is concerned with the historic structure. I thought that I complied with what I thought I was doing. I am doing all of the work by myself and I didn’t think that it was a big thing to correct the problems that were causing rain leakage. The assumption was “like for like” and re-building was correcting the initial problems of failure on the roof, so all the roof joints are going back just as it was only beefed up in the places that need to be corrected and other places that had failed. That roof originally was a metal roof on top, so the real problem is that there is a central area on the top that is 14.5’ and it is flat and it should have been designed with some kind of minimal hip structure one it like the mansard roof in the example that I gave you. When I purchased the house in 1987 there was rough damage that someone tried to correct and even the ceilings and walls in there had an acoustical wall at 8’ height. When we purchased it water would flow through that ceiling and that has to be corrected more permanently. The center section of is 14’ x 20’ and all of the roof joists connect to that. In order to rebuild that in a safe way was to put a new center structure on the top of that so I had to remove the rest of that and go around. I didn’t think that it was a big deal and I don’t think anyone that I have talked to finds that a difference in height when we are rehabilitating the original trim that is on there that come out you wouldn’t even notice that.

Board Discussion

There was general discussion regarding the following:

- The actual allowance of work by the permit.
- The removal of the contributing characteristics of the structure.
- Concern about when it was decided to put the turret back on the house.
- Requests to explain the choice to build up to a higher roof.
- Talk about the fact that a professional architect should have been hired to accomplish what the applicant wanted to do.
- Discussion that this seems to have gone out of control and that there may now be structural issues.

Since Mr. Painter mentioned that maybe he should choose to demolish, he was told that it was his choice to apply for demolition or go forward with new plans.

Motion by: R. Roybal, Project #17-09, 3209 W. Fairview Pl, I recommend that we retain the original roof profile per the staff recommendations and that we adopt those recommendations.

Second by: C. McConnell

Vote: Unanimous in favor, motion carries.

V. **Information Items**

K. Buckey – The hearing for the Appeal of the Bell Park project will be scheduled for March 17, 2009.

Meeting adjourned

Judy Blake