

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2022

COUNCIL BILL NO. CB21-1526
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

ABILL

For an ordinance designating 555 East 8th Avenue as a structure for preservation.

WHEREAS, pursuant to Section 30-4, Denver Revised Municipal Code, the Landmark Preservation Commission has transmitted to the Council a proposed designation of a structure for preservation; and

WHEREAS, based upon evidence received by the Landmark Preservation Commission at a hearing on December 7, 2021, the staff report, and evidence received at the hearing before City Council on February 7, 2022, the structure at 555 East 8th Avenue meets the criteria for designation as a structure for preservation as set out in Section 30-3, Denver Revised Municipal Code, as amended, by maintaining its integrity, being more than 30 years old, and meeting the criteria in the following three categories from Section 30-3(3):

b. Having direct and substantial association with a recognized person or group of persons who had influence on society;

The property at 555 East 8th Avenue has direct and substantial association with three generations of the Charles Nelson and Elizabeth Arms Hart Family, as well as Emma Fellows and Peter McCourt, recognized persons who had influence on Denver and Colorado society. These early residents lived in the house at 555 East 8th Avenue from 1898 until 1915. The Hart family built the home and resided there from 1898 to 1909. Emma McCourt purchased the property from the Harts in 1909 and lived there with her husband Peter McCourt until her death in 1912. Peter continued living there until 1915 when the property was sold again.

Charles Hart, a Colorado pioneer originally from Connecticut, became an accomplished medical doctor in the field of gynecology in part while residing at 555 East 8th Avenue. During his medical tenure, he served as the president of the State Board of Medical Examiners. He married Elizabeth Arms in the 1870s and together they had two children: Richard and Francis. Their son, Richard Huson Hart, would go on to practice law in Denver and Colorado after studying at Harvard University and the University of Denver. Richard was an attorney for the Colorado Fuel and Iron Company in 1903 – the same year John D. Rockefeller purchased the company – until 1909. The Colorado Fuel and Iron Company played a pivotal role in the history of American labor relations and the industrialization of the West.

1 Richard Hart was the recorded owner of 555 East 8th Avenue from 1898 to 1909. In 1903, he married
2 Elizabeth Jerome, daughter of eminent Colorado financier John Lathrop Jerome, and the two settled at
3 555 East 8th Avenue with Richard's parents. They had two children while living there: John and
4 Stephen. Stephen would go on to co-found one of Colorado's largest and most influential law firms:
5 Holland & Hart. He was Colorado's first State Historic Preservation Officer, among other accolades.
6 Upon selling 555 East 8th Avenue in late 1909, Richard Hart and his family relocated to 729 East 8th
7 Avenue (since demolished) and his parents moved to 914 Ogden Street. The 555 East 8th Avenue
8 property was sold to Emma Fellows McCourt. Shortly after the sale, Richard Hart was elected secretary
9 of Colorado Fuel and Iron, at age 34; this was a notable accomplishment. Elizabeth Jerome would later
10 become a key figure in the creation of the Denver Symphony Orchestra.

11 From 1909 until she died in 1912, Emma McCourt owned the house at 555 East 8th Avenue. She was
12 known as an excellent businesswoman and a well-respected socialite who aided many impoverished
13 individuals and families. Her second husband, Peter McCourt, was brother to the infamous Baby Doe
14 Tabor, the second wife of the "Silver King" Horace Tabor. Emma and Peter resided together at 555
15 East 8th Avenue. Prior to moving to Denver, Emma helped her father manage his successful Springfield
16 Wagon Company in Missouri, at one point as director of the company. In the 1912 Denver Post article
17 following her death, she was acknowledged for her leadership and entrepreneurial spirit that drove her
18 interest and significant involvement in the management of Denver's Broadway and Tabor Grand Opera
19 House theaters.

20 Peter McCourt was best known as the prominent theater manager of the world-famous Tabor Grand
21 Opera House and Broadway Theater in Denver. Peter and Horace Tabor's relationship led to McCourt
22 managing the Tabor Grand Opera House and building his legacy by becoming one of the most
23 successful theater managers in the country and growing the performing arts in Denver at the turn of the
24 20th Century. He devised the Silver Circuit that booked the same acts on consecutive nights in cities
25 across the West and West Coast. During the time the McCourts owned and resided at 555 East 8th
26 Avenue, Peter was expanding his circuit. Started in 1886, the Silver Circuit eventually lost traction and
27 was retired around 1915, after nearly 30 years of success.

28 *c. Embodying distinctive visible characteristics of an architectural style or type;*

29 The house at 555 East 8th Avenue embodies the distinctive visible characteristics of the Classical
30 Revival (or Neo-Classical) architectural style, popular in the United States from 1895-1950. The
31 primary structure was built in 1898 and designed by Denver architects Varian and Sterner. The
32 Classical Revival style is distinguished from other contemporary revival styles by its use of

1 symmetrical facades with central entries, full-height porches supported by classical columns and the
2 use of classical details such as broken pediments, dentilled cornices and balustrades.

3 The house at 555 East 8th Avenue also exemplifies the Classical Revival style with its dramatic front
4 porch which dominates the front façade of the primary structure. The porch is supported by paired
5 Ionic columns and features a decorative balustrade on the second level. The overhanging eaves
6 feature a dentil course and frieze band underneath the cornice. A side addition carries across many
7 of these character-defining features, including the balustrade, cornice, and dentil course. The 1911
8 carriage house was designed by the Denver firm Sterner and Williamson, Sterner's subsequent
9 architectural firm, and also exemplifies the Classical Revival Style.

10 *f. Representing an established and familiar feature of the neighborhood, community, or*
11 *contemporary city, due to its prominent location or physical characteristics;*

12 The house at 555 East 8th Avenue is an established and familiar feature of the Capitol Hill
13 Neighborhood due to its prominent location and physical characteristics. Constructed in 1898, during
14 Capitol Hill's initial heyday, the property represents over 120 years of Capitol Hill history and
15 evolution. Additionally, its prominent location facing onto and elevated above East 8th Avenue,
16 coupled with its sizeable massing, scale and architectural features, make it a familiar and orienting
17 feature of the neighborhood.

18 The high-style architecture and construction materials of the house at 555 East 8th Avenue reflect
19 the wealth on Capitol Hill in the late 1800s. It was constructed during the early development of the
20 Emery's Capitol Hill Addition, one of two houses standing on Pearl Street between 8th and 9th
21 Avenues from 1903 and 1904. The other single-unit residence no longer stands, leaving 555 East
22 8th Avenue as the oldest surviving structure on the block between 8th and 9th Avenues and Pearl
23 and Pennsylvania Streets. Over time, most single-unit structures and properties were replaced by
24 tall, multi-unit structures, which now primarily surround 555 East 8th Avenue. The exception is the
25 property directly to the north and on the south side of 8th Avenue, across from the house at 555 East
26 8th Avenue, where the 1923 John Porter House, 1921 Malo House, and 1908 Cheesman-Boettcher
27 (Governor's) Mansion, are preserved as Denver Landmarks.

28 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
29 **DENVER:**

30 **Section 1.** That based upon the analysis referenced above, and the evidence received at the
31 public hearings, certain property at 555 East 8th Avenue, and legally described as follows, together with

1 all improvements situated and located thereon, be and the same is hereby designated as a structure
2 for preservation:

3 LOTS 18 TO 21, INCLUSIVE, BLOCK 13,
4 EMERYS CAPITOL HILL ADDITION AND
5 LOT 18, BLOCK 13, ARLINGTON HEIGHTS ADDITION
6 TO THE CITY AND COUNTY OF DENVER,
7 STATE OF COLORADO.

8
9 **Section 2.** The effect of this designation may enhance the value of the property and of the
10 structure, but may delay or require denial of building permits found unacceptable by the Landmark
11 Preservation Commission under the criteria contained in the Design Guidelines for Historic Structures
12 and Districts and Section 30-6 of the Denver Revised Municipal Code.

13 **Section 3.** This ordinance shall be recorded among the records of the Clerk and Recorder of
14 the City and County of Denver.

15 COMMITTEE APPROVAL DATE: December 21, 2021
16 MAYOR-COUNCIL DATE: December 28, 2021 by Consent
17 PASSED BY THE COUNCIL: _____

18 _____ - PRESIDENT
19 APPROVED: _____ - MAYOR _____
20 ATTEST: _____ - CLERK AND RECORDER,
21 EX-OFFICIO CLERK OF THE
22 CITY AND COUNTY OF DENVER

23 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

24 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: January 6, 2022

25 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
26 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
27 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
28 §3.2.6 of the Charter.

29 Kristin M. Bronson, Denver City Attorney

30 BY: _____, Assistant City Attorney DATE: _____