

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2020

COUNCIL BILL NO. CB19-1364
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance designating 4431 East 26th Avenue as a structure for**
7 **preservation.**

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

11 **WHEREAS**, based upon evidence received by the Landmark Preservation Commission at a
12 hearing on December 3, 2019, the staff report, and evidence received at the hearing before City Council
13 on January 27, 2020, the structure at 4431 East 26th Avenue meets the criteria for designation as a
14 structure for preservation as set out in Section 30-3, Denver Revised Municipal Code, as amended, by
15 maintaining its historical and physical integrity, relating to a historic context or theme, and meeting the
16 criteria in the following three categories:

17 (1) History.

18 *c. Having direct and substantial association with a person or group of persons who had*
19 *influence on society;*

20 The property at 4431 East 26th Avenue has direct and substantial association as the residence of three
21 persons who had influence on society: Charles Marble Kittredge, Charles Ginsberg and William "Bill"
22 Forrest. The first, Charles Marble Kittredge, resided in the house with his extended family between
23 1911 and 1915. Kittredge gained wealth in banking and real estate, developing such property as the
24 Kittredge Building in downtown Denver and the now-demolished Kittredge Castle in Denver's Montclair
25 neighborhood. Kittredge suffered financially from the 1893 Silver Crash and sold the castle in 1904.
26 He continued his real estate development in the early 1900s with the Park Hill Heights Realty Company.
27 The company platted the blocks on Clermont Street between 26th Avenue and 28th Avenue, of which
28 the property at 4431 East 26th Avenue was a part. Kittredge would continue his real estate ventures in
29 other east Denver neighborhoods including Montclair and East Colfax, and built several more houses
30 designed to treat tuberculosis, like 4431 East 26th Avenue.

31 In 1920, Denver attorney Charles Ginsberg purchased the property and lived there until 1929. Ginsberg
32 earned a law degree from the University of Denver and while living at 4431 East 26th Avenue was
33 embroiled in the racial politics that dominated Denver and Colorado at the time. Specifically, he actively
34 opposed the influence of the Ku Klux Klan on local and state politics. Ginsberg, who was Jewish,

1 debated Klan supporter Reverend William Oeschger, minister of Denver’s Highlands Christian Church,
2 at the University of Colorado in May 1924. The well-attended debate is considered by some to be the
3 single most successful anti-Klan event in Colorado and contributed to the downfall of the white-
4 supremacist hate group in Colorado.

5 Lastly, William “Bill” Forrest, renowned Colorado mountaineer and inventor of mountaineering
6 equipment, owned and resided in the house from 1971 to 1998. Until 1985, he operated Forrest
7 Mountaineering Ltd, inventing and selling technical mountaineering gear that advanced the sport. One
8 of his most well-known inventions is the Denali snowshoe, invented during his residency at 4431 East
9 26th Avenue. Mountain Safety Research (MSR) bought the design rights and it became the company’s
10 best-selling snowshoe. Forrest was eventually hired by MSR as the manager of Research &
11 Development. At the time of his retirement from MSR in 2010, he had over 100 products on the market
12 and 17 patents to his credit. Many of his inventions and achievements occurred while he lived at 4431
13 East 26th Avenue.

14 (2) Architecture.

15 a. *Embodying distinguishing characteristics of an architectural style or type;*

16 The primary structure at 4431 East 26th Avenue embodies distinguishing characteristics of the
17 Mission Revival style with Craftsman style elements. The curvilinear-shaped gables and string
18 course illustrate the Mission Revival style while the exposed rafter ends, knee braces at eaves,
19 overhanging eaves and divided upper window lights illustrate the Craftsman style.

20 The structure is also a representative example of a “tuberculosis home.” When the structure was
21 built in 1911, tuberculosis was still a national pandemic and Colorado’s climate conducive to natural
22 treatment of the disease. The characteristic feature of such structures is the sleeping or “cure” porch
23 where patients could take in the fresh air. All the bedrooms in this structure, located on the west
24 end, open directly onto an enclosed “porch” with 15 large windows.

25 (3) Geography.

26 a. *Having a prominent location or being an established, familiar, and orienting visual*
27 *feature of the contemporary city;*

28 The structure is prominently located on a large parcel consisting of four lots at 26th Avenue and
29 Clermont Street. It is one of a few houses along 26th Avenue in Park Hill with its façade facing 26th
30 Avenue, a well-traveled collector street, as opposed to facing the side street as most houses in the
31 neighborhood are situated. The Mission Revival style architecture, unique in Denver, lends to the
32 prominence of the property.

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

3 **Section 1.** That based upon the analysis referenced above, and the evidence received at the
4 public hearings, certain property at 4431 East 26th Avenue, and legally described as follows, together
5 with all improvements situated and located thereon, be and the same is hereby designated as a
6 structure for preservation:

7 Lots 25 to 28, Inclusive,
8 Block 2,
9 2nd Addition to Park Hill Heights,
10 City and County of Denver,
11 State of Colorado.

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

16 **Section 3.** The period of significance for the structure is established as being from 1911-
17 1915, 1920-1929, and 1971-1988.

18 **Section 4.** This ordinance shall be recorded among the records of the Clerk and Recorder of
19 the City and County of Denver.

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1 COMMITTEE APPROVAL DATE: January 7, 2020

2 MAYOR-COUNCIL DATE: January 14, 2020

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

10 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: January 16, 2020

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 §3.2.6 of the Charter.

15 Kristin M. Bronson, Denver City Attorney

16 BY:  _____, Assistant City Attorney DATE: Jan 14, 2020 _____