

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2021

COUNCIL BILL NO. CB21-1365
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance designating the East Seventh Avenue Historic District-Steele**
7 **Street Extension as a district for 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 district for
10 preservation; and

11 **WHEREAS**, the Planning Board has recommended approval of the same; and

12 **WHEREAS**, based upon evidence received by the Landmark Preservation Commission at a
13 hearing on November 2, 2021, the staff report, and evidence received at the hearing before City Council
14 on December 13, 2021, the East Seventh Avenue Historic District – Steele Street Extension (“District”)
15 meets the criteria for designation as a district for preservation as set out in Section 30-3, Denver
16 Revised Municipal Code, as amended, by maintaining its integrity, being more than 30 years old, and
17 meeting the criteria in the following three categories from Section 30-3(3):

18 *a. Having direct association with a significant historical event or with the historical*
19 *development of the city, state, or nation;*

20 The District, located in the Congress Park Neighborhood, is significant for its close association
21 with the City Beautiful movement and with the development of the East Seventh Avenue Parkway,
22 which runs between the two blocks of the proposed district. The City Beautiful movement was a
23 philosophy of urban planning and design that emphasized grand public buildings, curated public spaces
24 and the incorporation of green space throughout the city. The goal of the City Beautiful movement was
25 to instill civic pride and encourage moral virtue among all citizens.

26 The City Beautiful era in Denver began in 1904 with the election of Mayor Robert Speer and
27 extended through the 1920s. Inspired by what he saw at the 1893 Columbian Exposition, Mayor Speer’s
28 vision included developing an extensive park and parkway system modeled on the City Beautiful
29 movement. This included beautifying Cherry Creek, constructing Civic Center, and establishing the
30 network of parks connected by boulevards and greenways. The homes in the proposed district were
31 constructed between 1914 and 1924, when the City Beautiful movement was in full swing in Denver.

1 Part of the City Beautiful movement included the creation of pastoral parks and parkways
2 throughout Denver, including the East Seventh Avenue Parkway. The western section of the East
3 Seventh Avenue Parkway was constructed between 1912 and 1914 – predating many of the homes in
4 the district but serving as an enticing amenity for future development. Since its implementation, the
5 Parkway has been the focal point of the neighborhood. The shift in the parkway’s design as it meets
6 the proposed district at Steele Street is notable, making these blocks geographically significant as a
7 marker between the older, more high style part of East Seventh Avenue Parkway and the newer section
8 where bungalows and other, more modest, housing styles flourished. The newer section of the East
9 Seventh Avenue Parkway was designed by Saco Rink DeBoer – a well-known landscape designer in
10 Denver. DeBoer’s approach to landscape design emphasized the use of local planting materials, water
11 conservation and low-impact changes to the existing landscape.

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

14 The District is also significant for its direct and substantial association with Judge Raymond D.
15 Jones, who owned and lived at 780 Steele Street for over 40 years. Judge Jones was a well-known
16 personality on Steele Street, who played an active role in the Civil Rights Movement in Denver, was a
17 notable attorney and judge, and was the first African American to serve on the appellate court in
18 Colorado. Judge Jones originally rented the house at 780 Steele Street and eventually purchased the
19 building in 1977.

20 Born in Pueblo, Colorado, Jones studied political science at Colorado College, one of only five
21 African American students in attendance in 1964. After graduating from Colorado College, Jones went
22 on to earn a law degree from Harvard University in 1971. He then worked in New York City on Wall
23 Street but returned to Denver to clerk for the Chief Justice of the Colorado Supreme Court, Justice
24 Pringle. He was appointed as a trial judge for the Denver County Court, where he served for two years
25 before serving nine years on the Denver District Court and two years as the Chief Justice of the Aurora
26 Municipal Court. In 1988 he was appointed an Associate Judge of the Colorado Court of Appeals, the
27 first African American judge to hold such a position. He remained in this post for fifteen years and
28 authored over 1,400 opinions.

29 Later in his life, Judge Jones taught at Colorado College (his alma mater) and Metro State
30 University. He helped form the Sam Cary Association of Black Attorneys, and Cleo Parker Robinson
31 Dance Theatre.

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

1 The homes in the proposed district embody the Craftsman architectural style, with 16 out of 19
2 structures exhibiting distinguishing characteristics of the style. Defining features of the Craftsman
3 Style include low-pitched gabled or hipped roofs, wide, overhanging eaves, often with exposed rafter
4 tails, ridge beams, or knee braces, and full- or partial-width porches with substantial square or
5 tapered piers supporting the porch roof. The bungalows in the proposed district were constructed
6 between 1914 and 1924, at the height of the style's popularity in Denver. The only homes not built
7 in the bungalow style include one Foursquare and one Central Passage Double Pile, but these two
8 homes were built within the period of significance, and their brick construction and setbacks blend
9 neatly with their Bungalow neighbors. There is one building that is considered non-contributing to
10 the district: 716 Steele Street was constructed in the Craftsmen Style, however, a fire in the 1980s
11 required extensive remodeling, which impacted the integrity of the original design.

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

14 **Section 1.** That based upon the analysis referenced above, and the evidence received at the
15 public hearings, certain property, herein called the East Seventh Avenue Historic District-Steele Street
16 Extension ("District"), and legally described as follows, together with all improvements situated and
17 located thereon, be and the same is hereby designated as a district for preservation:

18 Lots 1-20 and the north half of lot 21 except the rear 6 feet of said lots,
19 Block 332,
20 Capitol Avenue Subdivision Third Filing,
21 City and County of Denver,
22 State of Colorado.

23 AND

24 Lots 6-22 except the rear 6 feet of said lots,
25 Block 342,
26 Capitol Avenue Subdivision Third Filing,
27 City and County of Denver,
28 State of Colorado.

29 Together with the adjoining public rights-of-way but only to the centerline thereof.

30 **Section 2.** The Landmark Preservation Commission shall utilize the Design Guidelines for
31 Denver Landmark Structures & Districts in conducting design review for projects in the District. The
32 Landmark Preservation Commission may adopt further district-specific guidelines utilizing the
33 application for landmark district status, the Design Guidelines for Denver Landmark Structures &
34 Districts and Chapter 30, Denver Revised Municipal Code (Landmark Preservation) in formulating said

1 district-specific guidelines. Such district-specific guidelines must be adopted in open session of the
2 Commission by an affirmative vote of five members of the Commission.

3 **Section 3.** The effect of this designation may enhance the value of the property and of the
4 structure, but may delay or require denial of building or zoning permits found unacceptable by the
5 Landmark Preservation Commission under the criteria contained in the Design Guidelines for Historic
6 Structures and Districts and Section 30-6 of the Denver Revised Municipal Code.

7 **Section 4.** The period of significance for the District is established as being from 1912-1990.

8 **Section 5.** All primary structures in the District shall be considered contributing structures to
9 the District, except for the primary structure at 716 Steele Street; all other structures in the District shall
10 be considered noncontributing structures.

11 **Section 6.** This ordinance will be recorded among the records of the Clerk and Recorder of
12 the City and County of Denver.

13 **Section 7. Effective Date.**

14 a. This ordinance takes effect upon final publication (the “Effective Date”), and imposes
15 the design review requirements of D.R.M.C. Sec. 30-6(4) – (6.5) (“Landmark Design Review”) on all
16 applications for permits listed in D.R.M.C. Sec 30-6(3)(a), (c), and (d) (“Permits”) for development in
17 the District that have not received approval as of the Effective Date, except as specified below.

18 b. Notwithstanding subsection 1 of this Section 7, if an applicant for a Permit complies
19 with the following conditions, then Landmark Design Review shall not apply to any application for a
20 Permit:

21 1. The applicant has submitted to the Department of Community Planning and
22 Development a Permit application no later than the Effective Date; and

23 2. Neither the applicant nor the department requests any changes to the
24 application after the Effective Date.

25 c. Notwithstanding subsection 1 of this Section 7, if an applicant for a site development plan
26 complies with the following conditions, then Landmark Design Review shall not apply to any application
27 for a site development plan and the associated building and zoning permits issued in conformance with
28 the approved site development plan:

29 1. The applicant has submitted to the Department of Community Planning and
30 Development a formal site development plan application no later than the Effective Date; and

1 2. The formal site development application is approved by the Effective Date.

2 d. Notwithstanding subsection 1 of this Section 7, if an applicant for a building permit for
3 window replacement submitted after the Effective Date provides evidence to Community Planning and
4 Development that a window has been ordered prior to the Effective Date, then Landmark Design
5 Review shall not apply to the application for building permit for window replacement for any window
6 ordered prior to the Effective Date.

7

8 COMMITTEE APPROVAL DATE: November 30, 2021

9 MAYOR-COUNCIL DATE: n/a

10 PASSED BY THE COUNCIL: _____

11 _____ - PRESIDENT

12 APPROVED: _____ - MAYOR _____

13 ATTEST: _____ - CLERK AND RECORDER,
14 EX-OFFICIO CLERK OF THE
15 CITY AND COUNTY OF DENVER

16 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

17 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: December 2, 2021

18 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
19 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
20 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
21 §3.2.6 of the Charter.

22 Kristin M. Bronson, Denver City Attorney

23 BY: _____, Assistant City Attorney DATE: _____