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March 23, 2020

City and County of Denver
Department of Community Planning and Development
Landmark Preservation
200 West Colfax Avenue, Dept. 205
Denver, Colorado 80202
Attn: Kara Hahn

Re: 123 Speer Boulevard

To Whom It May Concern:

As Vice President and General Manager of Denver7 KMGH-TV (“**Denver7**”), I write on behalf of almost 200 employees of our station in opposition to the recent application (the “**Application**”) filed by Bradley Cameron, David Lynn Wise, and Michael Henry (collectively, the “**Applicants**”) seeking historic landmark designation of Denver7’s studio and offices located at 123 East Speer Boulevard (the “**Denver7 Building**”). For the reasons discussed below, the Denver7 Building lacks historic merit. If approved, it would unduly harm Denver7’s growth and journalistic service to the community, impair positive growth and redevelopment at a key gateway to Downtown Denver, and impose challenging restrictions and costs on the building’s reuse. Applied here, landmark designation is simply the wrong tool.

Background

About Denver7 and the Denver7 Building. Denver7 has long contributed local news reporting to the Denver region. Although we began broadcasting in 1952, due to growth in Denver and our station, we relocated to the Denver7 Building—which was purpose-designed and built to house our studios and office—in 1969. Since 2011, we have been owned by the E.W. Scripps Company (“**Scripps**”).

A combination of technological changes, societal shifts, and other developments have posed well-publicized challenges for local news organizations like ours. Many local newspapers, radio and television stations have been forced to cut staff or have ceased to exist altogether. Despite these challenges, I am proud to report that Denver7 has actually grown—even through the COVID-19 pandemic—and currently employs nearly 200 diverse Denver-area residents, in positions that, on average, pay more than the median household income for our city.

Although Denver7 employees do not have to grapple with layoffs or consolidation, we do face the challenge of working in an antiquated building with high operating costs that we have outgrown. The Denver7 Building was purpose-built to serve the needs of a 1970s television studio, before the advent of the technology, connectedness, and collaboration that define the industry today. Media in 2021 is barely recognizable from that of the 1970s, and it is continuing to evolve. In turn, the buildings that house television stations have changed. Instead of operating in towers with small floorplates and isolated departments, most modern television stations operate one or two-story buildings that foster teamwork and allow complex, multi-faceted operations to function seamlessly. This format not only offers a more collaborative process, but also preserves the opportunity for evolution and expansion. These modern facilities also operate at a much lower cost. In contrast, the current Denver7 Building has the highest operating costs of any studio in the entire Scripps news organization. Although it is already challenging for us to perform our work in this outdated building, designating this purpose-built TV studio as a historic landmark would pose a much greater challenge, as it would place significant restrictions and procedural

requirements on our—or any future owner’s—ability to make needed modifications to the structure to accommodate our business or that of another user.

In light of these challenges, Denver7 decided to explore relocating to more modern studios and offices that would allow us to grow, keep up with technological change, and continue to provide high-quality journalism to the community well into the future. Denver7 believes in the importance of being centrally-located in the community it serves, even despite the high cost of real estate in Denver. The proceeds of our sale of the Denver7 Building and the surrounding property (the “Property”) will support our ability to obtain other centrally-located property for our new home.

Our Proposed Sale of the Denver7 Building and Prospective Redevelopment. We have not gone about the sale of the Denver7 Building and our Property lightly. Beginning in 2019 we began consulting with prospective purchasers of our Property. As a member of the Denver community, we wanted to ensure that the buyer of our Property would put it to use in a way that benefits the community. In our consultations with prospective buyers, we found that every potential buyer intended to demolish the Denver7 Building and build anew. As the current structure was purpose-built for a television studio in 1969—with few windows, opaque walls, an insular and non-collaborative layout, and costly and inefficient building systems—this finding is unsurprising. What’s more, given the demand for residential dwelling units in Denver and a soft market for office and retail, prospective buyers were all interested in our Property for primarily residential uses.

Eventually, Denver7 agreed to sell to Property Markets Group (“PMG”), a highly respected developer of mixed-use projects in urban neighborhoods through the United States—including projects that have involved repurposing existing structures. In our view, PMG brings the vision, sensitivity to design, and community orientation that a property such as ours deserves. Moreover, PMG will allow us to lease back the Denver7 Building to continue to operate our station while we search for and relocate to new studios.

With PMG, we consulted the Denver architecture firm of Shears Adkins Rockmore Architects (“SAR”)—another firm with significant preservation and adaptive reuse experience—on redevelopment opportunities on our Property, including the possibility of repurposing the Denver7 Building or incorporating it into a new structure. Even with their collective, extensive experience in adaptive reuse, PMG and SAR have concluded that such repurposing or incorporation is not feasible, for a variety of reasons. From a physical standpoint, the existing stairways, elevator shafts, exterior skin, slab cores, and mechanical, electrical, and low voltage systems would need to be reconfigured or replaced, and a sprinkler system would need to be added, in order to bring the Denver7 Building up to current building codes. These requirements add significant cost to any reuse of the building, such that our Property would be greatly reduced in value.

In many ways, it is the Denver7 Building’s very design characteristics that make it a challenging prospect for reuse. The building’s lack of large windows makes it unsuitable for residential or other uses. Moreover, the building is set back from the street by a concrete plaza, such that it occupies a significant portion of the Property. Many aspects of the Denver7 Building do not conform to the current Denver Zoning Code, which requires pedestrian-oriented design, with buildings located adjacent to the street and design elements intended to enhance the public realm. Our Property’s location at the high-traffic intersection of Speer Boulevard and Lincoln Street, and its location proximate to the Cherry Creek path, demands the type of development that will activate the street, better achieve the City’s non-vehicular mobility goals, meet the significant need for housing in Denver, and feature innovative, appealing design. The existing structure is unfortunately lacking in all of these qualities, and its preservation would raise the cost of putting the Property to more productive use.

Our Application for a Certificate of Demolition Eligibility. With PMG on board, Denver7 moved toward closing on the Property and finding its next home. Understanding that our legacy lies in our archives and the news stories on which we have reported—and not in the Denver7 Building—we filed for a Certificate of Demolition Eligibility to support PMG in an efficient sale. Shortly thereafter, we learned that the Applicants intended to file an Application to designate the Denver7 Building as a landmark. We participated in the mediation process required pursuant to Chapter 30 of the Denver Revised Municipal Code (the “Landmark Ordinance”) and conveyed our story to the Applicants. Beyond the required mediation, and under no obligation to do so, we drafted a good neighbor agreement term sheet that, if agreed to, would have created a process for community voice and engagement throughout the redevelopment process. We also held a design charrette with the Applicants and other representatives where we discussed the challenges with the existing building and other, larger challenges designation would impose on the Property. Despite our efforts to find compromise, to our great disappointment, the Applicants did not respond to our offer of the good neighbor agreement and instead chose to file the present Application.

Denver 7’s Position on the Application

Denver7 opposes the Application. First, the Application fails to establish that the Denver7 Building meets the designation criteria set forth in the Landmark Ordinance. Further, the Application's approval would undermine our employees' ability to continue our work in Denver. Finally, we believe that designation of this building is the wrong tool to achieve the City's goals, and approval of the Application would undermine the credibility and laudable goals of landmark preservation in Denver.

The Merits of the Application. Upon learning of the Applicants' intent to file the Application, Denver7 went about further researching the history of the Denver7 Building, to more fully understand its historical merit. We engaged a nationally-respected historic preservation consultant, Heritage Consulting Group ("**Heritage**") of Philadelphia, to evaluate this history. Heritage's report is attached to this letter as **Exhibit A**.

As the Heritage report details, the Denver7 Building lacks sufficient historical or architectural merit to warrant designation. As noted above and in the report, it was purpose-built at low cost to house a 1970s television station. It is not a good example of Brutalist architecture, despite containing some elements of the style. There are much finer examples of the Brutalist style in and around Denver (see **Exhibit B** for a list of other Brutalist structures in Denver). In many cases, these examples of the style are not owned and operated by private businesses, and remain publicly-accessible for the public's use and enjoyment. The building has not won any architectural awards or been widely celebrated for its design. As the Heritage report notes, William A. Wolfe, a partner at the firm responsible for its design, has stated: "*we don't give a hoot about the consistency of our style. What we do care about is the appropriateness of each building's character to its user and site.*" Our building is no longer appropriate for us, its users, or its site. What's more, consistent with our ethic that good journalism is not about the journalist him- or herself but is instead about the stories that we cover, history has not been made in the Denver7 Building. Denver7's contributions to history are in our archives, where the stories of people and events in Denver are saved for posterity.

The Denver7 Building's historical merit and eligibility for designation is underscored by the publicly-announced intentions of the Applicants. Applicant Michael Henry recently told *BusinessDen* that "Our main goal is not necessarily to landmark the building, because that does bring a lot of conditions, but rather to find an adaptive reuse for the tower." See Thomas Gounley, *Station GM Speaks Out as Landmark Application Filed for Denver7 Building*, *BusinessDen* (Feb. 23, 2021). This statement simply underscores the fact that landmark designation is the wrong tool in this circumstance.

Impact of Designation on Denver 7. As the Applicants acknowledge, landmark designation places many conditions on any redevelopment of a building. When these conditions are placed on a truly historic property, they may increase its value. However, when placed on a building that is not historic or otherwise significant, they serve merely to restrict redevelopment and can dramatically reduce the property's value. If the Denver7 Building is designated, it will undermine the value of the Property and the viability of our growth plans while making continued operation or reuse of the Denver7 Building more difficult. Anticipated impacts of designation of the Denver7 Building on our operations include:

- Potential operational impacts at critical junctures. The maintenance and service approval requirements resulting from designation may be appropriate for some businesses. In contrast, Denver7 is a 24-hour business operation, which necessitates housing critical infrastructure in the Denver7 Building. The time associated with City landmark staff reviews of critical mechanical or electrical repairs—even under the timelines for "quick" or other administrative reviews—could result in a loss of signal to our viewers and have a dramatic impact to our business and to viewers' ability to receive local news. Furthermore, we must have the ability to make immediate modifications to our Property in order to respond to the security needs of our employees; as has been highlighted in recent news stories, journalists find themselves under increasing security threats. These challenges are detailed in the letter, from our lead risk management officer, attached here as **Exhibit C**.
- Reduced value of the Property, limiting Denver7's options for relocation to another central location in Denver. The Denver7 Building's location on the Property makes development of other portions of the Property challenging, and the restrictions placed on the Denver7 Building due to landmark status will make reuse exceptionally costly.
- A longer lead time—or even worse, inability—to sell the Denver7 Building, delaying our station's ability to relocate to a new space. Denver7 has an immediate need for updated, larger studios and offices, and the delay associated with any designation would be highly detrimental.
- Inability to grow our operations. Denver7 has been growing and intends to continue growing, hiring employees, and advancing our technology, all in service of providing local news coverage to the Denver community. Whether

we are forced to remain in our current building due to an inability to sell, or if we cannot achieve the full value of our Property, our ability to continue our work will be harmed.

We cannot over-emphasize the negative impact that designation will have on us as a news organization.

Impact of Designation on Denver. Not only would designation of the Denver7 Building present challenges for Denver7, we believe that it would undermine the landmark process and several important City goals.

Through its Comprehensive Plan and Blueprint Denver, the City envisions the Property as a lively, pedestrian-oriented area with mixed-use development. Specifically, Blueprint Denver designates the Property within a “community center” future place and an “urban center” neighborhood context. Under these designations, the area should include a mix of uses, with multi-unit residential development in mixed use buildings, open spaces that promote interaction, and pedestrian enhancements. In furtherance of the recommendations of Blueprint Denver, the Urban Center Mixed Use Twelve zone district (the “**C-MX-12 District**”) in which the Property is located requires buildings to be built to within ten feet of the street right-of-way, prohibits surface parking between the building and the street, and requires transparency and street level activation.

Contrary to the recommendations of Blueprint Denver and the requirements of new buildings in the C-MX-12 District, in its current state, the Denver7 Building does not provide a mix of uses, provides no street activation, is not inviting, and takes no advantage of its location proximate to the Cherry Creek path. The fortress-like appearance and inaccessibility of the Denver7 Building are, in fact, contrary to the principles set forth in Blueprint. Adaptive reuse of the building would not change these attributes. As already discussed, it is nearly impossible to repurpose the existing Denver7 Building, making the only sensible occupant a 1970s-era television studio. Even if the interior could be repurposed, designation would impose conditions limiting any exterior alterations. As nearby properties are redeveloped with active, pedestrian-oriented, mixed-use buildings, a landmarked Denver7 Building would remain in a prime location as an uninviting, dark, non-functional, and historically and culturally insignificant tower.

In addition, designation of the Denver7 Building would demonstrate a significant derogation of Denver7’s private property rights while undermining the credibility of the City’s landmark preservation process. Since its establishment, the landmark designation process has preserved a number of worthy buildings that have had critical roles in Denver’s physical and cultural landscape, such as the Molly Brown House, Union Station, and the Brown Palace Hotel. We at Denver7 believe that preservation of buildings with architectural, historical, geographic or cultural significance is crucially important, especially in a rapidly growing city. However, as further articulated in the Heritage report, the Denver7 Building is not one of these buildings. Suggesting that this building belongs in the same category as true Denver icons dilutes the legitimacy and importance of landmark preservation. Although the Denver7 Building has some Brutalist elements, it is not anywhere close to being one of the best examples of Brutalism in our community—and many of those examples are already in public hands and accessible to the public. Further, agreeing with the proposition that this building is prominent due to its location sets an unintended precedent for the designation of any building simply because it is on Speer Boulevard or in an area “surprisingly open and free of other buildings.” These are not the messages that a city should be sending to its business community, its media organizations, or its citizens.

Only in the rarest of circumstances has the City approved landmark designations of properties over the objections of their owners. Taking into account its questionable quality as a Brutalist structure, its purpose-built design and logistical challenges, and the devastating impact on our operations from designation, it is clear to us that landmark designation is not the appropriate tool to respond to community interest in the prospective redevelopment of our Property.

Conclusion

In this case, the Applicants themselves admit to using the process “not necessarily to landmark the building . . . but rather to find an adaptive reuse for the tower,” describing it as “essentially Denverites deciding how their city should look.” These statements reflect both a recognition that the building lacks true merit as a landmark and an intent to use the designation process as a tactic to influence redevelopment. Yet there are many other means for citizens to influence development, such as through exercising their First Amendment rights—rights that we at Denver7 hold dearly—by communicating with their elected representatives to seek thoughtful changes to zoning or other laws. The landmark designation process is time- and resource-intensive and, when employed properly, important and honorable. However, designation of the Denver7 Building, against our will, would undermine the City’s charge to preserve true local landmarks, and put us at Denver7 in a very difficult position.

We respectfully request that the Landmark Preservation Commission—or as necessary, the City Council—deny the Application.

Kind regards,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Dean Littleton
Vice President and General Manager
Denver7

March 22, 2021

To: The Landmark Commission of the City and County of Denver and Denver City Council
Regarding: Adverse impacts of the Landmark Preservation review process on KMGH

To whom it may concern,

I write you as the lead for risk management, business continuity and physical security for KMGH, Channel 7 in Denver. After reviewing the impacts of the proposed landmark designation on our building at 123 Speer Blvd., I believe that designation of this structure would pose a risk to our operations. KMGH operates a 24/7 television station and, as such, has systems and processes in place to support the "always on" nature of our business. The review processes required of designated structures pursuant to Chapter 30 of the Denver Revised Municipal Code could have significant adverse effects on our ability to serve our Denver viewers with critical news, which is a requirement of our FCC license, as well as the safety and wellbeing of our staff. Below, I highlight two examples of how these processes could impact our business.

Acute Incident Response

Our business hinges on our ability to provide an uninterrupted television signal to our viewers for our news services and other programming. Providing this signal requires sophisticated technical equipment, servers and communication devices supported by critical power and cooling systems, as well as back-up systems in the event our primary systems experience a disruption. We maintain employees and support vendors on call on a 24/7 basis to respond to disruptions. Such disruptions can include, for example, failure of our back-up power systems during a blackout, failure of our STL/microwave transmission systems, or failure of our critical infrastructure cooling systems. These disruptions often require replacement of existing, exterior building-mounted equipment—and may even require new building penetrations to be made at time-of-incident.

Even to the extent these disruption responses would fall within the "Quick Review" process provided for certain improvements under the Landmark Ordinance, the response timeline would be a burden on our operations and could result in a loss of signal to either or both of our over-the-air and network-connected viewers. Should such a delay occur during a major news event such as a natural or man-made disaster, we would not be able to serve our viewers and fulfill our mission. The loss in revenue and reputational impact of such a disruption could have a significant, long-term impact on our business. Across the industry, in cases where TV stations went off-air due to technical issues, they were considered to have failed their community and many never recovered their prior standing.

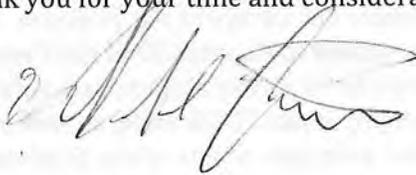
Future Security Infrastructure Planning

While we have always faced risk to our staff and facilities, that risk has greatly increased in recent years. As a result, we are constantly reviewing and implementing security precautions for our facilities. The landmark designation of our building could prevent us—or at least delay us—from taking necessary precautions as threats increase. Examples of improvements that may be required include replacing the first-floor lobby glass with opaque panels, reinforcing the property perimeter fence, or placing a fence around the

building itself. Absent designation, only the latter of these ideas would need a permit, and even then, there would be fewer restrictions on us. With a historic designation, improvements like these would potentially require discretionary approval from the Landmark Preservation Commission, and could be turned down due of their impact on the building's architectural integrity.

Both of the topics discussed above are examples of how landmark designation would seriously impact KMGH's business. Given the constantly-changing nature of our business, there are likely many other ways that landmark designation could affect us. These potential—and even unknown—impacts on our business simply underscore the fact that a permanent and inflexible landmark designation is not a good fit for this building and presents a serious threat to the very business this building was purposely built for.

Thank you for your time and consideration, sincerely,

A handwritten signature in black ink, appearing to read "Mike Epstein", written in a cursive style.

Mike Epstein
Vice President, Risk Management & Business Continuity
The E.W. Scripps Company

Evaluation of Proposed Landmark Designation of Denver7 (KMGH) Television Studios

123 E. Speer Boulevard, Denver, Colorado



Prepared by:

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March 22, 2021



EXECUTIVE SUMMARY

Scripps Media, the parent of KMGH Denver7 (“Denver7”) is the owner of the KMGH Studio building located at 123 East Speer Boulevard (the “Denver7 Building”) and previously known as the KLZ Radio and TV Studios. On November 24, 2020, Denver7 filed an application for a certificate of Non-Historic Status with the City and County of Denver (the “City”).

In response to Denver7’s application, the City of Denver Landmark Preservation Staff (“Staff”) issued a Determination of Eligibility on December 18, 2020 (the “Staff Report”). In its findings, the Staff Report states that the Denver7 building was capable of meeting four of the City’s ten criteria for landmark eligibility (Criteria a, c, f, and g), and required posting of notice of the application on the subject property. On January 8, 2021, three individuals filed a Notice of Intent to File a Designation Application extending the period within which they could file an application asking the City to designate the Denver7 Building a landmark against the wishes of Denver7. On February 18, 2021, the same individuals filed their Application for Individual Structure Landmark Designation (“Landmark Designation Application”). In their Landmark Application, the proponents assert that the Denver7 Building meets an additional two criteria (adding Criteria b and d, to the four Staff indicated).

To better understand the associated issues and values, Heritage Consulting Group, a national historic preservation firm, was retained by Denver7 to assess the property’s historic merit and eligibility for designation under the applicable criteria.

In completing its assessment, Heritage has concluded that the Denver7 Building does not meet any of the ten landmark eligibility criteria set forth in Chapter 30 of the Denver Revised Municipal Code. The following report details each of the ten criteria and provides the factual basis and reasoning supporting Heritage’s conclusion.

With regard to the six criteria the Staff Report and Landmark Designation Application identified, Heritage has come to the following conclusions:

Criterion a: It has a direct association with a significant historic event or with the historical development of the city, state, or nation.

- **Criterion a is not met.** Heritage did not find any historically significant event directly associated with the Denver7 property. As a radio and television news studio and broadcasting station, the journalists at Denver7 have reported on numerous historic events. These events, however, were only documented by the station. The station and its journalists themselves are not the history, but only bring those stories to the community. It is a key ethos of journalism that the reporter and the news outlet are not the news. They are only a conduit for the news to the community. Denver7 has adhered to this ethos throughout its history, and the location and the Denver7 Building itself are not associated with any significant historic event. Furthermore, when considering any particular historic

event reported by KLZ/KMGH/Denver7, Denver residents would likely recall their own location and the source (car radio, family room television, or the television at their workplace or local bar), not the Denver7 Building.

KLZ/KMGH/Denver7 was also neither the first station TV to be developed in Denver nor was its purpose-built studio the first of its kind in Denver. Therefore, neither was unique in the development of the City or the local broadcast industry.

Criterion b: It has direct and substantial association with a recognized person or group of persons who had influence on society.

- **Criterion b is not met.** Well-known individuals have played important roles in the growth of KLZ, KMGH, and Denver7 as a local television studio. Oftentimes, however, these significant individuals were not alive or working for the station during its time at the Denver7 Building. Pioneers in Colorado broadcasting, such as Dr. William Reynolds, Jr., for example, died in 1931, long before the station aired its first television broadcast. Television personalities, such as Fred Dravaland, Fae Taylor, and Carl Akers, all either left the station prior to construction of the Denver7 Building, or did not attain significant influence on society. In the Landmark Designation Application, the proponents assert that the Denver7 Building under Criterion b for its association with Hugh B. Terry. Undoubtedly, Terry achieved great success throughout his highly-regarded career, which resulted in various achievement awards. Terry began with KLZ in 1953, leaving the company in 1973 after its call sign switched to KMGH. Terry's association with the Denver7 Building, therefore, amounts to only a few short years of his career. Though instrumental in the growth of KLZ, Terry's association is best represented in buildings that no longer remain extant.

Criterion c: It embodies the distinctive visible characteristics of an architectural style or type.

- **Criterion c is not met.** Denver is home to a number of excellent examples of Brutalist architecture, which is characterized by poured-in-place concrete construction and massive size for its setting. The William C. Muchow Federal Reserve Building on the 16th Street Mall, the Colorado Education Association, the Denver Police Headquarters, and the I.M. Pei Tower are all excellent and intact examples of the style, well-preserved and in locations where they are easily observed by the public. Some of these examples are even accessible to the public. The Denver7 Building, however, is simply a second-rate example of the Brutalist style, containing only elements of its characteristics.

The Denver7 building incorporates a mix of styles rather than a serves as a true example of Brutalism. This purpose-built building was designed and built by high-volume firms that prioritized speed and cost-efficiency. Both the local aggregate and the use of pre-cast panels were chosen, not as a design feature, but as a way to speed construction and minimize costs. In the mid-1960s, exposed aggregate was the most popular surface finish in pre-cast panels, as evidenced by other buildings in Denver from that era. Further, the

façade elements were not poured in place, as in true Brutalist structures, but were instead pre-cast off-site.

The architects responsible for the design were under no illusion that the Denver7 Building was a model of Brutalism. In fact, William A. Wolfe, a partner at the firm responsible for its design, has stated: “we don’t give a hoot about the consistency of our style. What we do care about is the appropriateness of each building’s character to its user and site.”¹ The Denver7 Building is no longer appropriate for its users or location in the City.

Because of modern building regulations, many of the features of the Denver 7 Building would need to be modified for any current use. These alterations would likely result in substantial loss of integrity. Finally, the prominent TV screens atop the five-story portion of the building are recent additions and already dilute integrity of design.

Criterion d: It is a significant example of the work of a recognized architect or master builder.

- **Criterion d is not met.** In our research, Heritage did not locate any buildings associated with the firm of Fulmer & Bowers, or Fulmer, Bowers & Wolfe, that were listed in the National Register of Historic Places. The firm is best described as prolific builders, with their body of work encompassing a wide variety of industries. Through their own admission, they designed their buildings with function in mind, rather than designing to a particular style. The Landmark Designation Application additionally identifies the N.G. Petry Construction Company as a master builder. Although the construction firm is responsible for constructing some very well-known buildings, it is very uncommon for buildings to be designated as the work of a master builder. This largely relates to the fact that builders merely execute plans, rather than design.

Criterion f: It represents an established and familiar features of the neighborhood, community, or contemporary city due to its prominent location or physical characteristics.

- **Criterion f is not met.** Despite high traffic on Speer Boulevard, the Denver7 Building is located on the outskirts of downtown and is in an area that has undergone extensive redevelopment from the mid-century through the present day. The Denver7 Building is not a prominent feature of Denver’s skyline, and the building’s design and materials are not unique to, or even unique within, Denver. The physical characteristics of the Denver7 Building are addressed elsewhere in this report, but as relevant here the most prominent elevations, those facing Speer Boulevard, have been altered over time. Alterations to the elevations include the installation of signage and television screens at the southeastern and southwestern elevations, the installation of landscape features and fencing along

¹ “Office Profile, Fulmer Bowers and Wolfe, Architects,” *Architecture New Jersey*, Jan/Feb/Mar 1984.

Lincoln Street and Speer Boulevard, the installation of bollards at Speer Boulevard entrances, installation of logos at storefront entrance windows, and the installation of protective film at storefront entrance windows.

Criterion g: It promotes understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity.

- **Criterion G is not met.** As mentioned above, the Denver 7 Building is not a good example of Brutalism, though Denver does have a number of intact Brutalist buildings. These other examples of the Brutalist style are also closer to central downtown and of a higher quality and visibility than the Denver7 Building. The construction method – pre-cast panels affixed to a core infrastructure – was a very common method at the time of construction, and the color choice is mirror in other buildings downtown.

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1. PROBLEM STATEMENT

In December 2020, Denver7 filed an Application for Certificate of Non-Historic Status for the Denver7 Building, also known as the KMGH radio and television station, at 123 Speer Boulevard. Denver7 plans to sell the subject property, comprising of 2.3-acres, for redevelopment. At the time of application the Denver7 Building, completed in 1969, had no historic designation and while 50-years old, it is not commonly recognized as having architectural or historical significance.

Subsequent to receipt of the Application for Certificate of Non-Historic Status on December 18, 2020, Staff issued a memo finding the Denver7 Building “has potential for designation” based on its association with the historical development of Denver, its architectural style, its position as a prominent and familiar neighborhood feature, and because it promotes understanding and appreciation of the urban environment by means of distinctive physical characteristics. These conclusions parallel the City’s Landmark Designation Criteria a, c, f, and g. On January 8, 2021, three individuals filed a Notice of Intent to File a Designation Application. This extended the period within which these individuals could file an Application asking the City to designate the Denver7 Building as a landmark against the wishes of its owner. On February 18, 2021, the same individuals filed their Application for Individual Structure Landmark Designation. The Landmark Designation Application largely follows the Staff Report. Though the proponents asserted that the Denver7 Building met two additional landmark criteria.

In order to understand the relative historic merits of the Denver7 Building, Denver7 retained Heritage Consulting Group to independently research the history of the building and to analyze its historic and architectural values against the Denver Criteria for Landmark Designation.

2. HERITAGE CONSULTING GROUP

Heritage is a national firm that assists the owners and developers of older and historic buildings in understanding the relative significance of their resources, navigating the regulatory redevelopment processes, and securing financial opportunities from federal, state and local incentives. Our firm is staffed by seasoned historic preservation professionals who meet the Professional Qualifications Standards under the category of *Historic Architecture and Architectural History* in the Secretary of the Interior's Standards and Guidelines, *Code of Federal Regulations, 36 CFR Part 61*.

Since founding in 1982, Heritage has completed projects across the country, totaling billions in construction. We routinely provide a due diligence analysis, detailing the history, integrity and historic parameters for a site. In its 39 years, Heritage has prepared over 300 National Register Nominations, arguably more than any other entity in the country. Working in the private sector, the firm has helped developers secure federal, state, and local financial incentives. Heritage also handles surveys, both reconnaissance and intensive, as well as completes building documentation in anticipation of demolition; these reports are typically done to the standards of the Historic American Building Survey. Finally, the firm provides guidance for public entities in understanding and navigating relevant historic preservation laws.

Our client base is national and broad. It includes private developers, not-for-profit organizations, colleges and universities, as well as federal, state and local governments.

Our services include:

- Owner representation and agency negotiations
- Historic rehabilitation tax credit certification
- National Register nominations
- Older and historic building due diligence and strategic planning
- Strategic design feasibility and guidance
- Regulatory compliance
- Historic resource policy analysis and guidance
- Historic building documentation and HABS reports

3. EXISTING AND PREVIOUS HISTORIC DESIGNATION STATUS

The first step in evaluating a property as a cultural resource, or as historically/architecturally significant, is to determine whether it has been previously designated.

The Denver7 Building is not currently designated a Denver Landmark, nor has it been previously designated or included in any Denver Historic District. The Denver7 Building is also not listed in the National Register of Historic Places, either individually or as part of an historic district, and it is not listed in the Colorado State Register of Historic Places, either individually or as part of an historic district.

The Denver7 Building has no historic designation.

4. CITY OF DENVER LANDMARK PRESERVATION CODE AND DESIGNATION CRITERIA

Denver’s landmark preservation code is found in Chapter 30 – Landmark Preservation of the Code of Ordinances.

Purpose: Section 30-1 outlines the purpose and policy of landmark preservation, which is “in the interest of the prosperity, civic pride and general welfare of the people.” Designation of resources is intended to preserve buildings that “reflect outstanding elements of the city’s cultural, artistic, social, economic, political, architectural, historic or other heritage.”

Specifically, the landmark designation is set aside for buildings that:

- Foster civic pride in the beauty and accomplishments of the past;
- Stabilize or improve the aesthetic and economic vitality and values of such structures;
- Protect and enhance the city’s attraction to tourists and visitors;
- Promote the education, stimulation, and welfare of the people of the city;
- Promote good urban design; and
- Promote continued private ownership and utilization of such buildings

Designation Criteria: Specific to the designation of individual resources, the criteria for evaluation are detailed in Section 30-3:

A structure or district may be designated for preservation if, due to its significance, it meets the criteria listed in subsections (1), (2) and (3) below:

(1) The structure or district maintains its integrity;

(2) The structure or district is more than thirty (30) years old, or is of exceptional importance; and

(3) The structure or district meets at least three (3) of the following ten (10) criteria:

a. It has a direct association with a significant historic event or with the historical development of the city, state, or nation;

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

c. It embodies the distinctive visible characteristics of an architectural style or type;

d. It is a significant example of the work of a recognized architect or master builder;

e. It contains elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement;

f. It represents an established and familiar feature of the neighborhood, community, or contemporary city, due to its prominent location or physical characteristics;

g. It promotes understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity;

h. It represents an era of culture or heritage that allows an understanding of how the site was used by past generations;

i. It is a physical attribute of a neighborhood, community, or the city that is a source of pride or cultural understanding; or

j. It is associated with social movements, institutions, or patterns of growth or change that contributed significantly to the culture of the neighborhood, community, city, state, or nation.

Owner Consent: Unlike the National Register of Historic Places and landmark designation codes in many other communities, Denver allows for adversarial designation, e.g., the designation of a property as historic against the wishes and interests of the property owner. The City also does not provide any compensation or benefits to an owner whose property is designated against its will. The process does, however, burden a property owner with additional regulatory responsibilities and costs. There are also no state or federal incentives for Denver Landmarks, except those undergoing substantial rehabilitation.

5. ANALYSIS OF LANDMARK DESIGNATION OF THE DENVER7 BUILDING

On December 18, 2020, Denver Landmark Preservation Staff issued a memo finding the Denver7 Building to be eligible for listing as a Denver Landmark. The Staff Report asserts that the Denver7 Building has sufficient integrity to convey historic values (Code 30-3.1), is more than 30 years old (Code 30-3.2), and exceeds the minimum requirement of three designation criteria (Code 30-3.3).

On February 18, 2021, three Denver residents submitted an Application for Individual Structure Landmark Designation. In their application, the proponents asserted that the Denver7 Building was significant under designation criteria a, b, c, d, f, and g, as stipulated in Code 30-3.3.

Heritage Consulting has reviewed both the Staff Report and Landmark Designation Application and offers the following findings:

Integrity (30-3.1): The Staff Report asserts that the building has not been significantly altered and retains integrity. This may be true, though one notable alteration to the exterior is evident in the two extremely large television screens mounted on the Speer Boulevard elevations. The two screens were installed in November 2016 and replaced the original “7 News” signage and digital clocks. The Staff Report discusses that the interior program of the building is reflected on the building’s exterior. The interior of the building has been continually updated over the years and no longer reflects the original design.

Building Age (30-3.2): The Denver7 Building was built in 1969.

Designation criteria (30-3.3): The Staff Report suggests that the subject building meets four of the ten designation criteria (Criteria a, c, f, and g). While the Landmark Designation Application suggests that the Denver7 Building meets six of the ten designation criteria (Criteria a, b, c, d, f, and g). Heritage has reviewed both the Staff Report and Landmark Designation Application and undertaken appropriate research to assess these suggestions. It is Heritage’s conclusion that the findings of both Staff and the proponents are not supported by sufficient contextual analysis and appropriate documentation to justify such a finding under any of the six designation criteria.

Each of the ten designation criteria, including those the Staff Report and Landmark Designation Application did not reference, are discussed below, including a summary of the Staff Report’s findings, the assertions of the Landmark Designation Application, and Heritage’s analysis.

Designation Criterion a: It has a direct association with a significant historic event or with the historical development of the city, state, or nation.

Staff Analysis: The Staff Report states that “123 Speer Boulevard has potential for designation as it has *direct association with a significant historic event or with the historical development of the city, state, or nation.*” In their review, Staff indicated that the building has been home to the

KLZ/KMGH/Denver7 news station since its construction in 1969, while the overall site has been in use as a media outlet since 1953. The Staff Report asserts that the potential eligibility of the building under this criterion is based on its growth from a radio station to one of Denver's most prominent TV news stations. As the Staff Report puts it, "The studio building itself represents [the shift from radio to television], flaunting the preeminence of television as a news source in the second half of the 20th century."

Proponent's Analysis: The Landmark Designation Application asserted that the Denver7 Building was significant for association with the "historical development of the television communications industry in Denver." The proponent's view largely mirrored that of the Staff Report.

Heritage's Analysis: Heritage does not agree with either the Staff Report or Landmark Designation Application's evaluations of eligibility under criterion a. This criterion lists two distinct ways in which a building can be determined eligible. First, through direct association with a significant historic event of the city, state, or nation; and second, through direct association with the historical development of the city, state, or nation. In determining any significance based around these two options, it is important to identify on which level the building potentially holds significance. The Staff Report does not directly identify if the building is significant at the local, state, or national level. Since the building functions as a local news affiliate, however, it can be inferred that Staff believes the building to hold local significance.

Based on Heritage's research, the subject property itself has not been directly associated with any specific significant historic event. The Staff Report also does not identify any specific, significant event associated with the building. As a radio and television news studio/broadcasting center, the journalists in the building have reported on numerous historic events. However, all those events were only documented by the station and its employees. The station was not the location where the significant event took place. It is a key ethos of journalism that the report and the outlet are not the news. They are only a conduit for bringing the news to the community. Denver7 has adhered to this ethos throughout its history. In remembering the events covered by the station, people generally do not recall what news station they were watching or listening to. Rather, for those defining moments (i.e. the Challenger Explosion or 9/11, to name a few) we are reminded of the locations we were in, the people we were with, and our reactions to those events. The news station, as it should, plays only the role of documenting these events. As such, the building is not significant for its association with any significant historic event.

The Staff Report also asserts that the building represents the 20th century growth of television out of radio in the mid-20th century period. Prior to 1952, Denver did not have a television station, making it one of the largest cities in the United States without one. This was due to the FCC's freeze on television licenses, which began in 1948. In the early-1950s, Colorado Senator Edwin Johnson championed the cause to make Denver the first city to receive an FCC license post-

freeze. In July 1952, KFEL-TV, now KWGN-TV channel 2, aired as the first television station in the city. Like KLZ, KFEL began in the early-20th century as a radio station; the radio station exists today as KKSE. The second station to air in the City was KBTB, now KUSA channel 9. KLZ-TV (now Denver7), then the local CBS affiliate, followed these two other stations in 1953 as the third station in the City. Understanding the beginnings of television history in Denver, KLZ/KMGH may have been a part of the growth of the industry but the Denver7 Building lacks significance of being the City's first, or even second, station.

The Staff Report also states that the studio's upgrade to a purpose-built studio was another reflection of the growth of the television industry. The Staff Report, however, also recognizes that the subject building was not Denver's first purpose-built radio/television studio. In the early years of television in Denver, each of the local stations repurposed existing buildings to serve as their offices/studios. For example, KLZ was located in a former Packard/Studebaker dealership, while KFEL utilized a former brick warehouse and KBTB was housed in a former auto dealership. In 1959, ten years prior to the subject building's construction, KOA-TV constructed its own two-story purpose-built studio located at 1044 Lincoln Street. That building still exists and houses KCNC-TV channel 4, the current CBS affiliate. Similar to the subject building, KOA's new studio was designed in the Modern Movement, representative of the New Formalist style of architecture.

Denver7/KMGH was not the first television station to air in the City. Similarly its move to a purpose-built office/studio in 1969 was not the first example of the growing need for purpose-built studios for the expanding television news industry. In fact, as the Staff Report recognizes, Denver7 was not Denver's first purpose-built radio/television studio. KOA-TV constructed its own purpose-built studio in 1959, ten years before the Denver7 Building. As such, the subject building falls short of significance under Criterion a.

Conclusion: This criterion is not met.

Designation Criterion b: It has direct and substantial association with a recognized person or group of persons who had influence on society.

Staff Analysis: Staff did not conclude that the Denver7 Building was eligible for having direct and substantial association with a recognized person or group of persons who had influence on society.

Proponent's Analysis: The Landmark Designation Application asserted that the Denver7 Building is significant for its association with Hugh B. Terry, "a highly influential leader within the local and national broadcast company from 1941 until 1972."

Heritage's Analysis: Heritage agrees with Staff Report's assessment, but disagrees with the Landmark Designation Application's assessment of eligibility under Criterion b. Although

significant and well-known individuals were associated with the broadcast company throughout its history, these individuals were either not directly associated with the subject building or were not determined to have had a profound influence on society or history. For example, KLZ's founder, Dr. William D. Reynolds, Jr., was a pioneer in Colorado broadcasting history. Dr. Reynolds, however, died in 1931, prior to the advent of KLV-TV and the construction of the Denver7 Building. A second example is found in the television personalities that graced the public's televisions on a daily and nightly basis. Carl Akers, an anchor at Channel 7, was one such personality. Akers, however, retired from KLZ prior to construction of the subject property. Fred Dravaland and Fae Taylor, the stars of the popular kids show Fred & Fae, maintained both a morning and afternoon show.² The two never amassed a viewership outside of the Denver metropolitan area. Though noteworthy for their contributions to the growth of television in the mid-20th century period, research did not show that either had broader influence on society. Another example would be Hugh B. Terry, who lead KLZ from its first broadcast in 1953. By the conclusion of his career, Terry had amassed numerous achievement awards for his work at KLZ and demanded the utmost respect from peers in the broadcast industry.³ Terry stepped down from his position with KLZ following their sale to McGraw-Hill and name change to KMGH in 1973. Terry's body of work, however, largely predates the construction of the Denver7 Building in 1969. Though he did spend the final three years of his career with KLZ in the building, his prominence in the Denver and Colorado broadcasting sphere primarily occurred within the confines of their earlier converted garage building. Hugh Terry's importance to the local television and radio broadcasting industry is unquestionable. Since his career largely predates the construction of the Denver7 Building, however, the basis for listing under Criterion b appears to be unfounded. His association with the building is limited.

Conclusion: This criterion is not met.

Designation Criterion c: It embodies the distinctive visible characteristics of an architectural style or type.

Staff Analysis: The Staff Report states that the subject building is “potentially significant as it *embodies the distinctive visible characteristics of an architectural style or type.*” As an example of the Brutalist style of architecture, the Staff Report states that “123 Speer Boulevard’s Brutalist style is clearly evidenced in its dramatic massing, detailing and materiality, and in its organization around the interior program.” The Staff Report describes the building, noting that it is comprised of three sections: the “five-story octagonal office tower, the first-story stair or utility tower, and two-story studio.” The Staff Report asserts that the contrasts between building sections and materials and colors not only provide visual characteristics of the style, but also

² “The History of Television in Denver.”

³ “Hugh B. Terry,” in *32,000 Hours a Year*, Time Life Broadcast, worldradiohistory.com, accessed March 18, 2021.

indicate the interior uses of the building. The Staff Report concluded that the building “clearly embodies the visible characteristics of the Brutalist Style.”

Proponent’s Analysis: The Landmark Designation Application concurs with the Staff Report and argues that the Denver7 Building is significant under Criterion c as a “rare and distinctive example of mid-century Brutalist architecture in downtown Denver.” The application continues to state that “the KLZ Communications Center is outstanding for its strong adherence to Brutalist principles, unique form, and extensive use of Colorado Red Rock.”

Heritage’s Analysis: Heritage does not agree with either the Staff Report or Landmark Designation Application’s evaluations of eligibility under Criterion c. In our professional opinion, the term Brutalism can only be tangentially applied to the Denver7 Building. The building, therefore, is not an exceptional or rare example of the style and there are far more exceptional examples in the City. At best, the Denver7 Building can be described as containing elements of Brutalism. The Denver7 Building lacks the central design elements of the style, including: monumental first floor; deeply inset small windows; and poured-in-place concrete as the primary building material.

Characteristics of Brutalism include: unadorned, flat, exposed poured-in-place concrete exteriors; windows that exist as holes in the wall, rather than continuations of the exterior’s skin; repeating patterns in the design; weighty massiveness; and, landscaped plazas. Brutalist buildings are most often associated with government buildings, such as offices, banks, and municipal buildings. As noted in the Staff Report, there are some characteristics of Brutalism that are evident in the Denver7 Building. These elements include portions of the exposed concrete structure, punched windows, and the overall massing of the building. However, the Denver7 Building is not an exceptional example of Brutalism. First and foremost, the firm that designed the building indicated that they did not give credence to specific architectural styles. As explained by William A. Wolfe, a partner at the firm: “Frankly, we don’t give a hoot about the consistency of our style. What we do care about is the appropriateness of each building’s character to its user and site.”⁴ In this context, the building’s lack of discipline with respect to true Brutalism is obvious. Pre-cast panels serve as the primary exterior element of the building, as opposed to the traditional, exposed rough poured-in-place concrete found on the majority of true Brutalist structures. Furthermore, the application of concrete fins at the mechanical penthouse as decorative elements is plainly contrary to the fundamentals of Brutalist style, which avoids ornamentation.

Beyond the use of architectural pre-cast panels and ornamentation at the roof, additional departures from true Brutalism exist in the fenestration and use of a plaza. The fenestration of the Denver7 Building does feature recessed windows that are set within concrete frames. But the

⁴ “Office Profile, Fulmer Bowers and Wolfe, Architects,” *Architecture New Jersey*, Jan/Feb/Mar 1984.

windows are the predominant feature of their respective elevations, detracting from the concrete's typical superiority as a visual aspect. Further, the recessed segments are not well defined, resulting in larger glazing than what is found in true Brutalist designs. An accurate example of this is found in the Charleston Navy Yard's Engineering Management Building, which was listed in the National Register of Historic Places for its architectural significance as an example of the Brutalist style. The Engineering Management Building features a similar fenestration pattern to the Denver7 Building, but its windows are deeply recessed and smaller in comparison. This design element from the renowned architecture firm of Lyles, Bissett, Carlisle & Wolf allows the poured-in-place concrete to remain the prominent visual component of each elevation (see Figure 1). The size of the Denver7 Building's fenestration draws attention away from the concrete, reading almost as a curtain wall.



Figure 1: Engineering Management Building, Charleston Navy Yard, North Charleston, SC. The Engineering Management Building features small, deeply recessed windows at all four elevations. The size and recession of the windows allows the building's poured-in-place concrete to remain the primary character-defining-feature at the exterior.

Another character-defining feature of Brutalism is the use of a plaza, sometimes landscaped, and sometimes incorporated into the masonry design. First and foremost, the landscaped segments of the Denver7 Building are not original to the building (see Figure 6 below). When completed, the Denver7 Building did not contain any landscaped components only hardscape features surrounding the primary entrance. Further, the existing plaza area at the Denver7 Building is small and ill-defined. The building's location on the site, paired with fencing that encloses the

recessed first floor level and a lack of designed landscaping, which is limited to planting beds and street trees, detract from a defined plaza area surrounding the base of the building and detract further from any Brutalist characteristics.

In the Landmark Designation Application, the proponents argue the building's design illustrates the form follows function dictate of many Modern Movement styles. The architects of the Denver7 Building acknowledged that their work was not designed to a particular style, but was intended to function to the client's desires. In the case of the Denver7 Building, however, the form follows function mantra diminishes the overall quality of design of the building. One major component of this being the stair tower at the north elevation. The stair towers incorporation as a separate building section diminishes the value of Fulmer & Bowers' octagonal shape. Had the stair tower been incorporated into the core of the building, it would have resulted in a true octagonal form. This also detracts from the geometric designs that are common in Brutalist buildings.

As a final note on the design of the building, the recessed first floor speaks to the architectural failures of this building as a Brutalist design. In successful Brutalist buildings, the first-floor level, or base the building, is generally a monumental space set in a "podium design." In the Denver7 Building, the podium is squat, similar to the overall building. As such, the architects missed an opportunity to enhance the overall height and massing, as well as the monumentality of the building. Exceptional examples of the podium design applied to Brutalist buildings can be seen in Boston's City Hall and the J. Edgar Hoover Building in Washington, D.C., both of which expand outward and upward where Denver7 Building falls short (see Figures 2 and 3 below).



Figure 2: Boston City Hall, Boston, MA. Considered one of the most well-known examples of Brutalist architecture in the country, Boston's City Hall features a prominent raised first floor level in the podium design. Additionally, the building's use of protruding concrete segments and protruding concrete columns are identifiable in Denver's Muchow Federal Reserve Building.



Figure 3: J. Edgar Hoover Building, Washington, D.C. The J. Edgar Hoover Building also contains an enlarged first floor level that follows the podium design model. Further, the building's massing illustrates design principles of the style, particularly as they pertained to government buildings.

In comparison with other local examples of Brutalism, the Denver7 Building also falls short in the category of excellence. Denver is home to a number of excellent Brutalist designs. The City adopted modernist architecture on a large scale as it rapidly developed in the post-World War II era. From the late-1950s through early-1970s, in particular, Brutalist structures were increasingly popular within the City. The most prominent and well-known Brutalist structures in the City include The William C. Muchow Federal Reserve Building, the Colorado Education Association, the Denver Police Headquarters, and the I.M. Pei Tower. Each displays the characteristics of true Brutalism as highlighted by Staff in their evaluation of the Denver7 Building. Each of these buildings showcases its concrete frame as the primary building material in a strict, block-shaped, weighty mass that in many cases encompasses a full city block. The Federal Reserve Building, for example, was constructed in 1968 by its namesake, a well-known and preeminent architect. Muchow's design is emphasized in its use of protruding concrete columns and its block-shape, which denote the strength and stability that Daniel Moynihan called for in federal buildings of this era. In addition, the building contains minimal fenestration, which is recessed behind the protruding concrete segments, and is set back within its property giving way to a lawn that surrounds the building on three sides (see Figure 4 below). In the Designation Landmark Application, the proponents assert that the Federal Reserve Building is more New Formalist than Brutalist in style, despite their affirmation that it is one of the most noteworthy examples of Brutalism in Denver. Heritage does not agree with this assessment. As noted, The Federal Reserve Building features many of the design principals of Brutalism, which the Denver7 Building hides behind its pre-cast panel elevations. Additionally, the Federal Reserve Building contains many similarities to Boston City Hall, evident in the building's form and protruding concrete segments. It remains one of Denver's preeminent examples of Brutalism.



Figure 4: William C. Muchow Federal Reserve Building, Denver, CO. The Muchow Federal Reserve Building is similar in design to Boston's City Hall, featuring a podium design, complete with protruding concrete segments at the cornice line and protruding concrete structural columns.

The I.M. Pei Tower, also known as the Sheraton Denver Downtown Hotel, is perhaps the closest comparable example in design to the Denver7 Building. Similar to Muchow's Federal Reserve Building, the I.M. Pei Tower was designed by another well-known and preeminent architect. Constructed in 1959, the building is recognized as the first example of the use of architectural pre-cast wall panels in the United States.⁵ Pei's design sets the panels within a 90 degree angle corner section that allows for maximum space at interior, while also maintaining the block-like geometric shape of Brutalist structures. Pei contrasted the paneled sections with fenestration dominant elevations (see Figure 5 below). Similar to the Denver7 Building, these elevations contain recessed window openings within concrete frames. However, the striking difference is Pei's ability to utilize different sizes of window openings to highlight the fact that the windows are punched into the wall as opposed to a part of it. Although the I.M. Pei Tower and Denver7 Building are different heights, shapes, and color, the two buildings contain many similarities in their design approach. Pei's finished product, however, stands out in comparison to the Denver7 Building due to the renowned architect's ability to showcase a highly artistic design within a cost-effective building type. As such, the I.M. Pei Tower is one of the preeminent examples of the Brutalist style in Denver.

⁵ Aldo Cossutta, "From Precast Concrete to Integral Architecture," *Progressive Architecture*, Oct. 1966, p. 196.

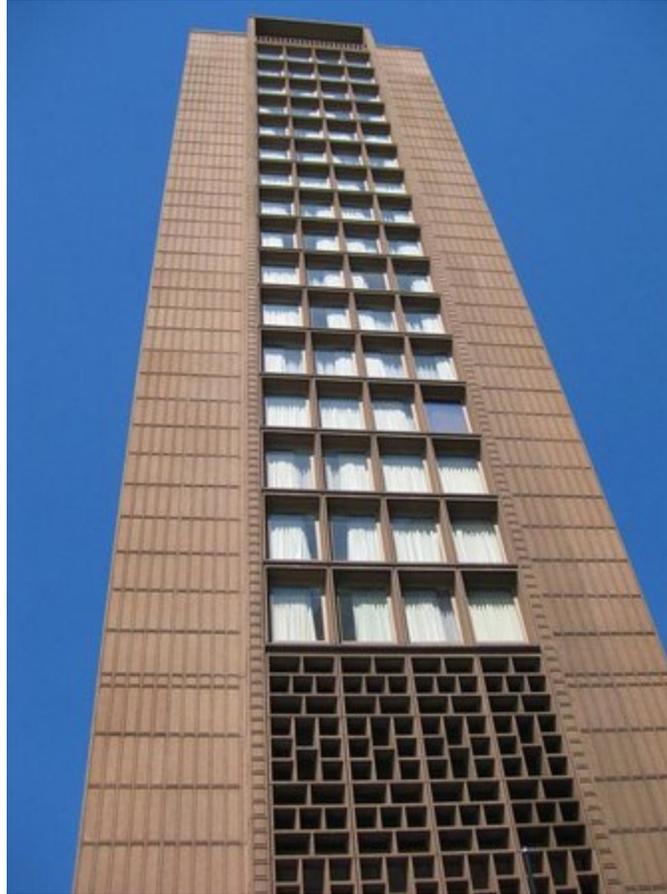


Figure 5: I.M. Pei Tower, Denver, CO. I.M. Pei Tower is recognized as the country's first building to use architectural pre-cast panels, noticeable in the four corner segments of the building. I.M. Pei's design also features deeply recessed windows that adhere to Brutalism's punched window principle.

The Staff Report also mentions that the materiality and use of red rock aggregate play an integral role in the Denver7 Building's potential significance. The Denver7 Building does utilize local red stone to bring color to the exterior. This stone is offset by the exposed grey concrete color of the building's structure. However, the Colorado red rock aggregate, alongside the use of pre-cast panels, was chosen not as a design feature, but as a way to minimize construction costs for the station. Again, the architects of the Denver7 Building were concerned only with the practical applications of their customers. Furthermore, by the mid-1960s, exposed aggregate was the most popular surface finish for pre-cast panels, as evidenced by the I.M. Pei Tower. The large amount of aggregate commonly used in the Denver area at that time was sourced from local stone quarries. Local material extraction, therefore, was one way in which to save on costs. The Denver7 Building remains a secondary example of the style in the City, with more prominent examples that may be worthy of a Denver landmark designation.

Finally, as a purpose-built design, the Denver7 Building was constructed to serve a specific purpose on the interior. The Staff Report identifies each of these purposes. The Staff Report does

not, however, address the difficulties in preserving purpose-built structures such as this one. This may seem a secondary concern for Staff, but it is extremely important to Denver7 in determining the economic implications of preservation. As Denver7 explained in its application, changes in building code requirements and the desirability of modern open streetscapes make maintaining the building for its intended purpose impractical, if not impossible. Similar to the changes in the industry that necessitated the construction of the subject building in 1969, continued changes in how news is delivered have necessitated the need for the present-day Denver7 to consolidate and realign. As such, continued use or use by a separate news station is not feasible. Preserving the Denver7 Building would require alterations for use by a different industry and to meet modern requirements and code. These alterations would likely result in a complete loss of the building's integrity. New window openings would be required in both the five-story portion and the two-story studio, which is presently completely fenestrationless. Any new window openings would violate the Secretary of Interior's *Standards for Rehabilitation*. In addition, the interior circulation and floor plan would need to be radically altered, resulting in further loss of integrity.

Conclusion: This criterion is not met.

Designation Criterion d: It is a significant example of a work by a recognized architect or master builder.

Staff Analysis: The Staff Report does not conclude that the Denver7 Building is eligible as a significant example of a work by a recognized architect or master builder.

Proponent's Analysis: The Landmark Designation Application asserts that the Denver7 Building is significant under Criterion d, stating the building "is an outstanding example of the work of the architecture firm Fulmer & Bowers." The application continues to explain that the firm is "nationally recognized for its expertise in the design of television studios across the United State."

Heritage's Analysis: Heritage agrees with Staff's assessment, but disagrees with the Landmark Designation Application's assessment of eligibility under Criterion d. The building was designed by Raymond Bowers of the firm of Fulmer & Bowers, later Fulmer, Bowers & Wolfe. The firm was founded in 1950 in Princeton, New Jersey and was responsible for many corporate campuses throughout the northeastern United States.⁶ As noted in the Staff Report, the firm also found a niche market designing purpose-built radio/television stations on a fast and low cost production basis. In addition to KLZ, the firm designed stations in Boston, Massachusetts, Hartford, Connecticut, Baltimore, Maryland, Atlanta, Georgia, and Memphis, Tennessee.⁷ The

⁶ "Office Profile, Fulmer Bowers and Wolfe, Architects," *Architecture New Jersey*, Jan/Feb/Mar 1984.

⁷ Donald V. West, "Television Station Design," *Television*, Vol. XXI, No. 6, June 1964.

Hartford station was demolished in 2008.⁸ Although the firm has a large resume of work, none of their buildings are currently listed in the National Register of Historic Places. The firm's designers were not adherents of one particular architectural style. In an interview for a profile in *Architecture new jersey*, principal designer William A. Wolfe said, "Frankly, we don't give a hoot about the consistency of our style. What we do care about is the appropriateness of each building's character to its user and site."⁹ Fulmer & Bowers are best described as "prolific builders," designing buildings for a variety of purposes. In the Landmark Designation Application, the proponents assert that the architect's are nationally recognized for their design of television studios. This is largely unsupported, with the sole recognition being a shared award that went to numerous architects and planners for the master plan design in Hartford, Connecticut's Constitution Plaza, of which one of their stations was a part of. The Staff Report's assertion that the firm found a niche market in television studio design, is perhaps the most accurate way to place it. Simply because they designed studios in various cities across the country does not mean that they were notable on a national scale. Additionally, the firm is best described as designing purpose-built buildings for their clients on a quick and cost-efficient basis, regardless of style. The Denver7 Building at 123 Speer Boulevard is one example of this practice.

The Landmark Designation Application also asserts that the Denver7 Building is significant as the work of a master building, N.G. Petry Construction Company. It is highly unusual to designate a building for its association with a building. As a well-regarded construction company, N.G. Petry built many building in Denver. They did not, however, design these buildings. As such their impact on the project was simply related to building to a set of plans.

Conclusion: This criterion is not met.

Designation Criterion e: It contains elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement.

Staff Analysis: The Staff Report did not conclude that the Denver7 Building was eligible for containing elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement.

Proponent's Analysis: The Landmark Designation Application did not conclude that the Denver7 Building was eligible under Criterion e.

Heritage's Analysis: Heritage agrees with both the Staff and proponent's assessment of Criterion e. The Denver7 Building is a loosely interpreted design which includes elements of

⁸ Mike Messina, "Constitution Plaza in Hartford – A History of Its Development," *Connecticut Historical Society*, Nov. 4, 2014.

⁹ "Office Profile, Fulmer Bowers and Wolfe, Architects," *Architecture New Jersey*, Jan/Feb/Mar 1984.

various styles popular at the time and was constructed using the methods common at the time. By 1969, Brutalist architecture was reaching the end of its era of prominence, which is typically defined as the 1950s through early-1970s. As noted in the Criterion c analysis, Denver has numerous examples of true Brutalist architecture, many of which are prominently located in the city's downtown core. In addition, the architect's use of pre-cast panels was not unique at the time of construction. Architectural pre-cast concrete panels had been utilized for more than a decade prior to construction of the Denver7 Building. In fact, what is considered to be the first architecturally significant example of the incorporation of architectural pre-cast wall panels is actually located in downtown Denver. When it was constructed in 1959, the I.M. Pei Tower "represented the first fully consistent use of concrete in the U.S.: a precast skin enclosing a concrete structure."¹⁰ The I.M. Pei Tower is not listed as a Denver landmark. Finally, the Colorado red rock aggregate, which gives the Denver7 Building its red color, is not entirely unique to the building. In 1965, professionals recognized that exposed aggregate was the most popular surface finish in precast panels.¹¹ Although up until the mid-1970s most aggregate used in the Denver metropolitan area was produced from sand and gravel, crushed stone quarries in the vicinity of the City were in production at the time of the building's construction.¹² The red rock, therefore, was a locally sourced crushed stone aggregate similar to aggregate found on many other buildings constructed in Denver at this time.

Conclusion: This criterion is not met.

Designation Criterion f: It represents an established and familiar features of the neighborhood, community, or contemporary city due to its prominent location or physical characteristics.

Staff Analysis: The Staff Report states that the subject building has "potential for designation due to *its prominent location or physical characteristics, and representation of an established and familiar feature of the neighborhood, community, or contemporary city.*" The Staff Report asserts that the building is potentially significant under this criterion for its location along Speer Boulevard, paired with the building's materiality and color, its overall mass, and television screens on the fenestrationless elevations.

Proponent's Analysis: The Landmark Designation Application asserts that the Denver7 Building is significant under Criterion f. Specifically, the proponents claim that the location and design of the building presents "an indelible visual image when viewed from multiple

¹⁰ Aldo Cossutta, "From Precast Concrete to Integral Architecture," *Progressive Architecture*, Oct. 1966, p. 196.

¹¹ Grace Meloy, "Architectural Precast Concrete Wall Panels: Their Technological Evolution, Significance, and Preservation," University of Pennsylvania, Graduate Program in Historic Preservation, Thesis, 2016, p. 82.

¹² David R. Wilburn and William H. Langer, "Preliminary Report on Aggregate Use and Permitting Along the Colorado Front Range," U.S. Department of the Interior, U.S. Geological Survey.

directions,” and that “the KLZ Communications Center is significant as an established and familiar feature of downtown Denver.”

Heritage’s Analysis: Heritage does not agree with either the Staff Report or Landmark Designation Application’s evaluations of eligibility under Criterion f. The Denver7 Building is located adjacent to Speer Boulevard, a prominent thoroughfare that typically sees roughly 30,000 commuters monthly, as reported in various traffic studies.¹³

Despite its location on Speer Boulevard, the Denver7 Building is on the outskirts of downtown Denver, in an area that has undergone extensive redevelopment from the mid-century through the present day. As a result, it is incorrect to assert that the building is located downtown. In addition, the Denver7 Building does not prominently feature into Denver’s skyline. Furthermore, claiming prominence for any building simply because it sits along Speer Boulevard, or any other high-traffic corridor would set the unintended precedent for future landmark designation of any and all buildings there, thwarting some of the City’s most significant redevelopment opportunities.

As noted in our analysis of Criterion c, the Denver7 Building’s design and materiality are not unique in or to Denver. There are numerous examples of mid-century and Brutalist buildings in downtown Denver, many of which are superior examples of their style and are located in far more prominent and more easily accessible locations.

The Staff Report also cites the contrasting colors of the red rock with the grey concrete. However, this coloration is only minimally visible to fast-moving passerby on Speer Boulevard. The exposed grey concrete surfaces are limited to a thin layer that separates the eight sides of the five-story portion, and the recessed first floor level. The building is predominantly red and the grey concrete strips are meant to distinguish the octagonal elevations more so than distinguish between colors. Due to street trees and the setback placement of the building, the exposed concrete at the first level is only visible to those stopped at the Speer Boulevard and Lincoln Street intersection and does not activate or provide pedestrian orientation to the otherwise vehicle-dominated intersection. As noted in the Criterion c evaluation, the architect’s inability to capitalize on the building’s podium design affects both the visibility of the concrete base and the monumentality of the building along Speer Boulevard. As for the massing of the building, there are numerous other examples of large structures along Speer Boulevard, including the modern residential structure to the south at the intersection of Speer Boulevard and Grant Street.

Finally, the Staff Report states that the TV screens atop the five-story portion’s Speer Boulevard-facing elevations “have served as an eye-catching reminder of the importance of a local news station to the community.” These extremely large television screens are clearly a result of very

¹³ Denver Regional Council or Governments, Regional Traffic Counts, <https://experience.arcgis.com/experience/dfd764dab6b142d0b2b0f92e6a9bee63>

recent technology and were not installed at Denver7 until November 2016. Historically, such screens were not even possible, much less used at KLZ. As evidenced in 1969 photographs of the Denver7 Building, these main elevations were blank and void of any signage (see Figure 6 below). In 1998, the station's logo and a digital clock were installed at the location of the TV screens and later replaced by the screens. As such, the screens are not historic, do not increase the historic value of the building, and, in fact, detract from its architectural integrity.



Figure 6: 1969 View of Denver7 Building, Source: The KLZ Stations Year in Review - 1969! Upon opening in 1969, the Denver7 Building did not feature exterior signage on any of its elevation. Additionally, the building did not contain landscaping or fencing along Speer Boulevard and Lincoln Street.

Conclusion: This criterion is not met.

Designation Criterion g: It promotes understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity.

Staff Analysis: The Staff Report states that the subject building is “potentially significant because it *promotes understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity.*” The Staff Report asserts that the building is a “rare

example of the style within the City and County of Denver, and one that clearly reflects its Colorado setting.”

Proponent’s Analysis: The Landmark Designation Application asserts that the Denver7 Building is significant under Criterion g. In the application, the proponents claim that the building is “a rare example of mid-century Brutalist architecture, artfully adapted to reflect its location along Colorado’s Front Range, and a rare surviving example of a purpose-built television radio broadcast building.”

Heritage’s Analysis: Heritage does not agree with either the Staff Report or Landmark Designation Application’s evaluations of eligibility under criterion g. As noted in our analysis of Criterion c, this is not a rare example of Brutalism, and true Brutalist buildings are not rare in Denver and Denver County. Below are incomplete lists of Brutalist building in Denver and the greater Denver-Aurora-Lakewood, Colorado Metropolitan Statistical Area. Similar to the subject building, not every building on the two lists are pure Brutalist structures. Some include elements of additional Modern Movement styles, while others adhere more closely to the tenants of Brutalism.

Brutalism in the City of Denver

- William C. Muchow Federal Reserve Building at 1020 16th St. Mall
- I.M. Pei Tower at 1550 Court Pl.
- The Colorado Education Association Building at 1500 Grant St.
- The Denver Police Headquarters at 1331 Cherokee St.
- The United Airlines Pilot Training Center at 7500 E 35th Ave.
- Oneida Tower Office Suites at 2121 S. Oneida St.
- Clyfford Still Museum at 1250 Bannock St.
- Boettcher Memorial Tropical Conservatory at 1007 York St.
- Cherry Creek Corporate Center at 4500 Cherry Creek Dr.
- Denver Fire Station at 2575 Federal Blvd.

Brutalism in Denver-Aurora-Lakewood, CO Metropolitan Statistical Area

- Arapahoe Community College in Littleton
- Altura Plaza and Medical Center of Aurora North in Aurora
- The Centennial Building in Centennial
- The Waste Management Building in Greenwood Village
- Kendrick Lakes Elementary School in Lakewood

The Staff Report further relies on the supposed rarity of the Brutalist style within the City, stating that there are “even fewer with this building’s characteristic exposed cast-in-place

concrete structure, dramatic overhang, and distinctive geometric design.” At the time of the Denver7 Building’s construction, cast-in-place concrete was a very common construction method. Again, the Muchow Federal Reserve Building again serves as an excellent comparison to the subject building. Not only does the Muchow Federal Reserve Building feature an exposed cast-in-place concrete structure, but it also features a precast overhang that results in recessed lower levels. In addition, Brutalist buildings as a whole often feature defined geometric shapes. Most are done in square or rectangular plan, the Denver7 Building is technically designed in an Octagonal form. It has been asserted that the form itself is unique. In fact, the building does not even contain a true-octagonal form, since the stair tower connecting the two building sections breaks the final elevation. Superior examples of this form include the stairs at the core of the building, allowing for a true octagonal shape to serve as a primary character-defining feature. This example serves as yet another in how the building’s overall design is lacking. Further, by the end of the Brutalist period, in the early-1970s, there was a trend in using additional geometric forms, such as circles, triangles, and others. Excellent examples of this exists in Bertrand Goldberg’s St. Joseph’s Hospital in Tacoma, Washington, Roche Dinkeloo & Associates’ College Life Insurance Company of America headquarters in Indianapolis, Indiana, among others. Regardless of any other merits it may have, the Denver7 Building is simply a second-rate example of the Brutalist style.

The Staff Report also states that the use of colored concrete is less common in Denver. Although many true Brutalist structures throughout the City do maintain the dominant exposed gray concrete color, this is not universally true. The Oneida Office Tower Suites, located on South Oneida Street, contains a very similar red coloring of its exterior concrete. Although the Oneida Office Tower Suites was constructed after the Denver7 Building, this use of red rock aggregate indicates that it is not unique or rare within the City’s built environment. One additional example of the use of red rock in Colorado exists in I.M. Pei’s NCAR Mesa Laboratory in Boulder, which is commonly recognized as one of the finest examples of Brutalism in the state.

In addition to many similar components of the Staff Report, the Landmark Designation Application states that the Denver7 Building is a rare example of a purpose-built television and radio broadcast building. The application, however, also admits that additional, examples of purpose-built television and radio broadcast buildings, such as the 1959 Channel 4 building on Lincoln Street, are also still extant. Further, directly across the Cherry Creek from the Denver7 Building are the KWGN Building, NBC’s 9News Building, both of which are purpose-built television and radio broadcast buildings.

Conclusion: This criterion is not met.

Designation Criterion h: It represents an era of culture or heritage that allows an understanding of how the site was used by past generations.

Staff Analysis: Staff did not conclude that the building was eligible as a representation of an era of culture or heritage that allows an understanding of how the site was used by past generations.

Proponent's Analysis: The Landmark Designation Application did not conclude that the Denver7 Building was eligible under Criterion h.

Heritage's Analysis: Heritage agrees with both the Staff Report and proponent's assessment of Criterion h. Although the building was constructed for and remains in use as a radio and television studio, this criterion does not apply to the Denver7 Building. The criterion is meant to be applied to sites that relate to our history and prehistory, meaning that the site has yielded or may be likely to yield information that explains how Native Americans or early settlers lived, either through archaeological findings or architecture.

Conclusion: This criterion is not met.

Designation Criterion i: It is a physical attribute of a neighborhood, community, or the city that is a source of pride or cultural understanding.

Staff Analysis: The Staff Report did not conclude that the building was eligible as a physical attribute of a neighborhood, community, or the city that is a source of pride or cultural understanding.

Proponent's Analysis: The Landmark Designation Application did not conclude that the Denver7 Building was eligible under Criterion i.

Heritage's Analysis: Heritage agrees with both the Staff Report and proponent's assessment of Criterion i. As described in our findings for Criteria a and c, the building is not significant, either historically or architecturally. Additionally, as noted in our findings on Criterion f, the building is not considered to be an established feature within the City. As such, it does not serve as a physical attribute to the neighborhood, community or city. Furthermore, no historically significant events, which would have resulted in its being a source of pride or cultural understanding, actually took place at the Denver7 Building.

Conclusion: This criterion is not met.

Designation Criterion j: It is associated with social movements, institutions, or patterns of growth or change that contributed significantly to the culture of the neighborhood, community, city, state, or nation.

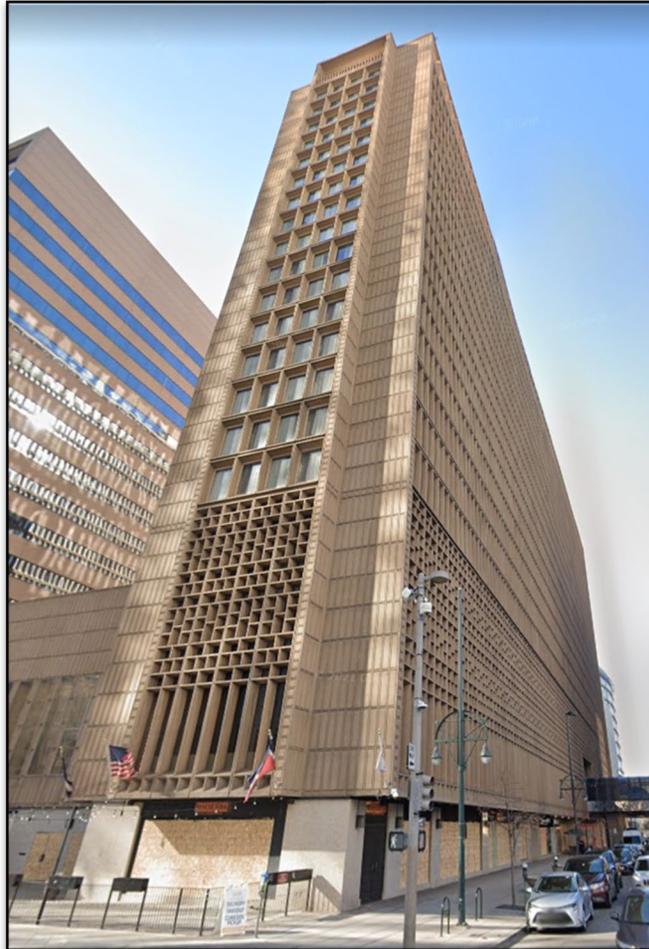
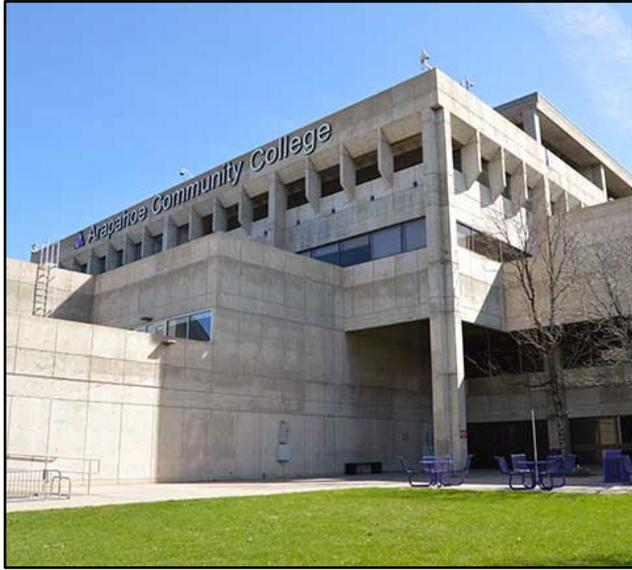
Staff Analysis: Staff did not conclude that the building was eligible for its association with social movements, institutions, or patterns of growth or change that contributed significantly to the culture of the neighborhood, community, city, state, or nation.

Proponent's Analysis: The Landmark Designation Application did not conclude that the Denver7 Building was eligible under Criterion j.

Heritage's Analysis: Heritage agrees with both the Staff Report and proponent's assessment of Criterion j. Similar to our findings on Criterion a, research did not indicate that any significant historical events, including social movements, that contributed significantly to the culture of Denver were associated with the Denver7 Building. As a news outlet, the Denver7 Building served as a conduit through which significant events were report, and not the location at which they occurred. Denver7's vast library includes records of the numerous important events KLZ, KMGH, and Denver7 have covered. That library will be preserved after Denver7 leaves this site. However, none of those important events actually occurred in the Denver 7 Building or at the 123 Speer Boulevard site.

Conclusion: This criterion is not met.

Brutalist Architecture in Denver and Colorado



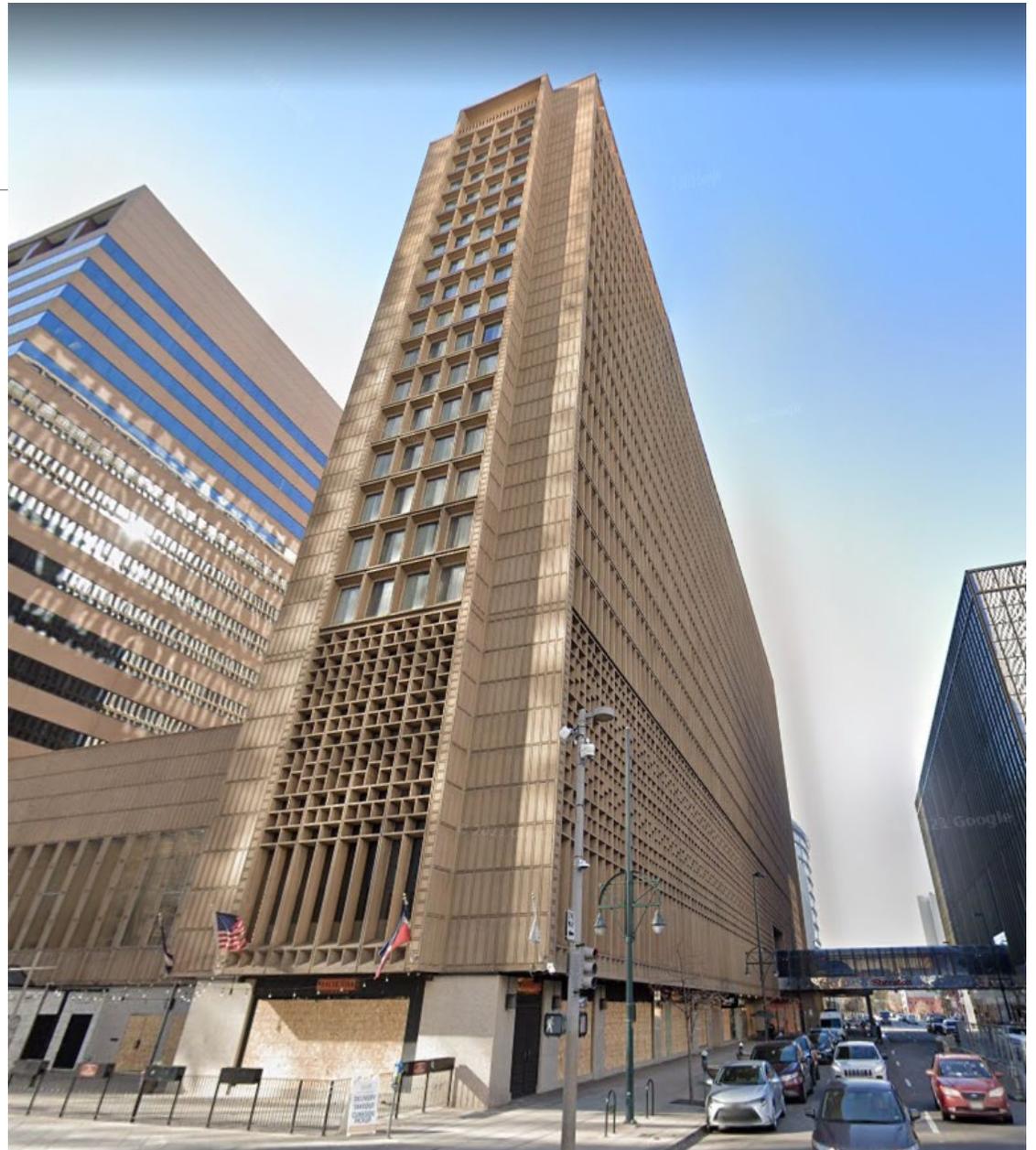
William C. Muchow Federal Reserve Building

- 1020 16th St. Mall, Denver
- Constructed: 1968
- Original Use: Federal Reserve Bank
- Current Use: Bank and Museum
- Elements of Brutalism:
 - Exposed Concrete Columns
 - Recessed Windows
 - Minimal Fenestration
 - Monumental First-Floor
 - Landscaped Plaza



I.M. Pei Tower

- 1550 Court Place, Denver
- Constructed: 1959
- Original Use: Hotel
- Current Use: Hotel
- Elements of Brutalism:
 - Exposed Concrete
 - Pre-Cast Concrete Panels
 - Deeply Recessed Windows
 - Monumental Lower-Floors



Denver Police Headquarters

- 1331 Cherokee St., Denver
- Constructed: 1977
- Original Use: Police Department
- Current Use: Police Department
- Elements of Brutalism:
 - Deeply-Inset Fenestration
 - Weighty Massiveness
 - Block Form
 - Monumental First-Floor
 - Lack of Engagement with Surroundings



Colorado Education Association Building

- 1500 Grant St., Denver
- Constructed: 1964
- Original Use: Bank
 - Originally, Silver State Savings and Loan Association Building
- Current Use: Office
- Elements of Brutalism:
 - Podium Design
 - Block Form
 - Recessed Fenestration
 - Exposed Concrete



Pathology Building, Colorado State University

- Fort Collins, CO
- Constructed: c. 1970s
- Original Use: Classroom/Lab
- Current Use: Classroom/Lab
- Elements of Brutalism:
 - Deeply Recessed Windows
 - Exposed Concrete
 - Block Form
 - Weighty Massiveness



Mesa Laboratory, NCAR

- Boulder, CO
- Constructed: 1967
- Original Use: Laboratory
- Current Use: Laboratory
- Elements of Brutalism:
 - Exposed Concrete
 - Minimal Fenestration
 - Deeply Recessed Windows
 - Monolithic Appearance



Arapahoe Community College

- Littleton, CO
- Constructed: c. 1970s
- Original Use: College
- Current Use: College
- Elements of Brutalism:
 - Exposed Concrete
 - Weighty Massiveness
 - Block Form
 - Minimal Fenestration

