

## Evaluation of Proposed Landmark Designation of Carmen Court Condominiums

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## EXECUTIVE SUMMARY

In March, the seven owners of the Carmen Court Condominiums filed a certificate of demolition eligibility application with the City of Denver. The impetus was a proposal from the developer Hines to build a senior living community in accordance with the property's current five-story height limit and development standards as established by Denver's Zoning Code. In reviewing the application, the City Landmark staff stated the property has potential for designation as a Denver Landmark. On May 26<sup>th</sup>, in opposition to the property owners' consent and desire, three city residents filed a Landmark Application. That application stated that the Carmen Court Condominiums should be designated a city landmark based on Criteria 3, 4, 6 and 7 in the Denver Revised Municipal Code. In order to understand the relative historic merits, Hines and the Carmen Court homeowners then hired Heritage Consulting Group, a Portland-based national historic preservation firm, to assess the landmark application.

As detailed in this assessment, Heritage has concluded that Carmen Court does not meet any of the designation criteria. Specifically,

- **Criterion 3** states that the property embodies the distinctive visible characteristics of an architectural style or type. The proponents offer the Carmen Court Condominiums as “a significant example of the Pueblo Revival style combined with Spanish Revival or Eclectic architectural embellishments.” They acknowledge that the style is a blending but suggest that this is a Denver tradition.

Heritage finds this stylistic attribution is at best weak, if not inappropriate. Burt Rhoads himself called the property “Spanish.” The cultural and artistic roots of Pueblo Revival and Spanish Revival or Eclectic styles are fundamentally at odds. Equally at odds with both is the prominent use of steel sash windows, inappropriate to both styles. Base aspects of siting and organization are entirely wrong, but do demonstrate that the designer did not approach his work in the Beaux Arts tradition but more with the eyes of a real estate developer. Put another way, the project was driven by perceived consumer desires, not architecture style.

As an example of the Pueblo Revival style, there is more wrong than right with Carmen Court. Illustrative is the absence of vigas in the design. These are best understood as projecting wood rafters. Vigas are considered to be a defining and fundamental element of the style. Yet, Carmen Court is absent this feature. Carmen Court does have clay tile shed roofs over all the windows; common to the Spanish-related styles, however it is entirely inappropriate for a Pueblo Revival building.

It need also be recognized that in our current time of greater cultural awareness, the “blending” proponents suggest should be celebrated represents cultural appropriation by a well-to-do Anglo merging a style with roots in an indigenous culture with stylistic pieces from the conquerors of that culture.

Finally, a word on the assertion that the blending of these styles should be acceptable as a Denver custom. The relevant criterion is that the building embodies “an architectural style,” not reflects a collection of styles or mashing of elements. Theoretically, it would be possible to have a local expression of a derivative style, but no scholarly support was provided in the application and it is hard to fathom two core styles more at odds with one another.

At the end of the day, Criterion 3 is about finding and honoring an exemplary example of a particular architectural style. Carmen Court is not.

- **Criterion 4** states that a property should be a significant example of a work by a recognized architect or master builder. The proponents cite Carmen Court Condominiums as the design work of Burt Lee Rhoads and assert that Burt Lee Rhoads is a master architect. They offer that Rhoads’ body of work spanned industrial, single-family residential, and apartment building design in the United States and Great Britain. They also speculate that Rhoads likely was involved in the design of buildings at the Gates Rubber Complex and of his father’s house. Heritage could not find any evidence that Burt Rhoads received training as an architect or that he was ever licensed as one. It is known that he referred to himself not as an architect, but an “originator” and “real estate operator.” The only professional association he belonged to was the American Society of Mechanical Engineers.

Specific to Carmen Court, the property was developed shortly after Rhoads returned from wintering in Havana. He was issued a building permit on June 25, 1925 and four months later the building was opened. The cost was \$25,000 (\$366,000 in 2020 dollars). Rhoads sold the property in January as part of a liquidation of assets after which he would abandon his wife and family, moving first to the east coast and then to England.

Rhoads is only known to be formally associated with three buildings, though his role in each is not well known. In 1917, he was charged by his brother-in-law, Charles Gates, to design a rooftop garden for the employees of the Gates Rubber Company. The buildings Rhoads was involved with are:

- *500 S. Ogden Street* (Denver, 1920). 2,224-square-foot single family 3-bedroom house on a 15,900-square-foot parcel. It is thought that the house was built for his personal residence. Rhoads himself as “originator.” He sold the property in 1925.
- *Carmen Court* (Denver, 1925). A six-unit apartment building on a 29,462 square-foot lot. Rhoads is self-identified as “originator.”
- *Pine Grange Flats* (Bournemouth, UK; 1936): A 7-story apartment building on an approximately 1-acre site. A promotional post-card identifies Rhoads as “Arch: Mr. Burt Lee Rhoads, M.E., C.E. (U.S.A.).”

Finally, it is important to note that Rhoads has never been identified in any profession publication or database as a notable architect.

There is nothing in the historic record or his body of work that demonstrates that Rhoads was a “recognized architect” or that he should be considered as such.

- **Criterion 6** states that the property should represent an established and familiar feature of the neighborhood, community, or contemporary city due to its prominent location or physical characteristics. The applicants suggest that the property meets this criterion by virtue of its architecture and prominent location, suggesting that it could be considered a “gateway.” Further, they cite the property as having a “communal feel” suggestive of a small village. Heritage notes that the property is obscured from the north by the design of the Hungarian Freedom Park, that historically, Emerson Street terminated at 1<sup>st</sup> Street at what was then Arlington Park, and that vehicular traffic runs in the contrary direction to create a “gateway.” Heritage also notes that the organization of Carmen Court does not create a communal, small village feel, but that each unit has a separate, independent entry and the site is void of communal spaces.
- **Criterion 7** states the property “promotes understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity.” The proponents argue that Carmen Court fulfills this by virtue of its architectural style, by being a rare example of the bungalow court building type, and for its prescient design in flood control. Supporting discussion did not offer substantive documentation backing their statements. As to architectural style, as discussed above, the building is a blend of contradictory stylistic elements. As to the bungalow court discussion, the property has never before been argued as an example of this building type; further, Heritage notes the enterprise was not initially successful, and that the application does not explain how this assertion connects to promoting an “understanding or appreciation of the urban form.” As to the flood control design discussion, the applicants provide no factual basis for this assertion and Heritage could not find any connection between the property’s design and flood control.

Simply put, the weight of this designation lies upon the applicant’s work. The application is long on assertion but for the most part the value statements are not supported by either documentation or analysis. Needless to say, their lack of evidence is particularly alarming given the gravity of this owner-opposed designation. Given the designation would incur a significant regulatory burden, but does not receive any benefits, this application should be scrutinized and there should be a basis required of any and all assertions. Based on the record as presented, and as complemented by Heritage’s own research and analysis, it does not appear that Carmen Court meets any of the Designation Criteria in Section 30-3. Further, when viewed through the lens of the policy goals of Chapter 30, designation would not advance those goals in any specific or general way, but potentially negatively affect the execution of other Comprehensive Plan and community planning goals.

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## **1. PROBLEM STATEMENT**

In March, a certificate of demolition eligibility application was filed with the City and County of Denver. The impetus was a proposal from the developer Hines to build a senior living community in accordance with the property's current five-story height limit and development standards as established by Denver's Zoning Code. At the time of application, Carmen Court, built in 1925, had no historic designation and while old, was not recognized as being a "historic" property. On March 24<sup>th</sup>, the City's Landmark Preservation staff reported that this property "had potential for designation" based on its architectural style, as a work of a master architect, as a product of significant innovation, and as a prominent and familiar neighborhood feature. These conclusions parallel the City's Landmark Designation Criteria c, d, e and f. Subsequently, in late May, in opposition to the property owners' consent and desire, a Denver Landmark Application was filed. This application was based on three of the same criteria (c, d, and f), but the applicants opted against filing under criterion e for filing under criterion g.

In order to understand the relative historic merits of Carmen Court, Hines and the property owners hired 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. Heritage has completed several projects in the Denver area; most recently, the Colburn Hotel and First Avenue Hotel, but perhaps most notably working with Sage Hospitality in the transformation of Union Station.

## 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*.

The firm was founded in 1982 by current President/CEO John Tess. Since that time, Heritage has established a reputation for being a strident advocate for their clients, for having a facile understanding of the rules and regulations relating to older and historic buildings, and for effectively navigating the agencies responsible for implementing preservation programs. Increasingly, Heritage has established a niche for “out-of-the-box” projects where preservation program guidelines apply, yet are not clear in their application. This is most apparent in the application of sustainable development principles to older buildings.

Heritage has completed projects across the country, totaling more than \$3 billion in construction. We routinely provide a due diligence analysis, detailing the history, integrity and historic parameters for a site. In its 31 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. CURRENT AND PREVIOUS HISTORIC DESIGNATIONS AND IDENTIFICATIONS**

The first logical step in evaluating a property as a cultural resource is to understand whether it has been previously designated.

For the record, Carmen Court is not currently designated a Denver Landmark, nor is it included in any Denver Historic District. It is also not listed in the National Register of Historic Places, either individually or as part of a district. It is not on the Colorado State Register of Historic Places, either individually or as part of a district.



#### 4. CITY OF DENVER LANDMARK PRESERVATION CODE AND DESIGNATION CRITERIA

Denver's landmark preservation code is found in Chapter 30 of the Denver Revised Municipal Code.

**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.” Specifically to the designation of an individual resource, the intent is to preserve structures which “reflect outstanding elements of the city's cultural, artistic, social, economic, political, architectural, historic or other heritage: They are to:

- 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 for the education, stimulation and welfare of the people of the city;
- Promote good urban design;
- Promote continued private ownership and utilization of such buildings

**Designation Criteria:** Specific to the designation of individual resources, the criteria for evaluating resources is 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 communities, Denver allows for a property to be designated contrary to the wishes of the property owner. The city also does not provide any compensatory benefit to those owners whose property is designated against their consent. It does, however, burden the property owners with additional regulatory responsibilities and costs.

## 5. REVIEW OF THE LANDMARK DESIGNATION APPLICATION FOR 900 E. 1<sup>ST</sup> AVENUE, SUBMITTED MAY 26, 2020

On May 26, 2020, a landmark designation application for 900 E. 1<sup>st</sup> Avenue was filed with the City by three City residents unaffiliated with the property. That application asserts that Carmen Court Condominiums has sufficient integrity to convey historic values (Code 30-3.1), is more than 30 years old (Code 30-3.2), and meets designation criteria 3, 4, 6 and 7.<sup>1</sup>

Heritage Consulting has reviewed the application and offers the following findings:

General: The Carmen Court Condominiums actually consist of two structures, the apartment complex of six units, and a separate 5 car garage built circa 1937. The application references the garage but is silent as to whether it is intended to be included in the designation as a contributing or noncontributing resource.

Integrity (30-1): The applicants detail alterations on page 12 of their application. In general terms, the building is intact with only moderate exterior changes. There have been modifications at the rear to accommodate automobiles; though built in 1925, Carmen Court did not include any accommodation for parking. The landscape has evolved over time. **This criterion is met.**

Building Age (30-2): Carmen Court was built in 1925. It is more than 30 years old. **This criterion is met.**

Designation criteria 1, 2, 5, 8, 9, 10: The applicants do not suggest that Carmen Court Apartments meets designation criteria 1, 2, 5, 8, 9, and 10. For the record, Heritage concurs with this assessment. Specifically,

1. *It has a direct association with a significant historic event or with the historical development of the city, state, or nation.* There are no facts, documentation or historic context that demonstrates Carmen Court has a direct association with any significant historic event, or with the historical development of the city. **This criterion is not met.**
2. *It has direct and substantial association with a recognized person or group of persons who had influence on society.* There are no facts, documentation or historic context that demonstrates Carmen Court is associated with a recognized person or group of persons who had influence on society. **This criterion is not met.**
5. *It contains elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement.* There is no historical or contemporary evidence that Carmen Court contains elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement. **This criterion is not met.**

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<sup>1</sup> For unknown reasons, the Denver Landmark Designation Applications identifies the designation criteria in 30.3. as 1 through 7, rather than the code citation of a through j.

8. *It represents an era of culture or heritage that allows an understanding of how the site was used by past generations.* The development of Carmen Court removed all vestiges of prior occupancy. The site today cannot convey any understanding of how the site was used by past generations. **This criterion is not met.**
9. *It is a physical attribute of a neighborhood, community, or the city that is a source of pride or cultural understanding.* There is nothing in the historic or contemporary record that documents Carmen Court as a source of pride or cultural understanding, or that it represents a source of pride for the neighborhood, community or city. **This criterion is not met.**
10. *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.* There are no facts, documentation or historic context that demonstrates that Carmen Court has association with social movements, institutions, or patterns of growth or change that contribute to the culture of the neighborhood or city. **This criterion is not met.**

Designation criteria 3, 4, 6, 7: The applicants assert that Carmen Court does meet Denver Landmark Designation Criteria 3, 4, 6 and 7, and therefore by meeting three or more criteria should be designated an individual Denver Landmark. Heritage has reviewed the application and, as appropriate, completed additional research to assess these assertions. It is Heritage's conclusion that the application's assertions are not supported by sufficient contextual analysis and appropriate documentation to justify the claims on any of the four designation criteria. Each designation criteria is discussed below individually, including both a summary of the proponent's argument and Heritage's analysis.

**Designation Criterion 3: It embodies the distinctive visible characteristics of an architectural style or type.**

**Proponent's Argument:** Proponents cite Carmen Court as “a significant example of the Pueblo Revival style combined with Spanish Revival or Eclectic architectural embellishments.” Their discussion is detailed on page 4 of the designation application.

The proponents note that Carmen Court has the following characteristics of the Pueblo Revival style: “flat roof with parapet wall above, soft corners that are blunted or have rounded edges, stucco wall surfaces with textured or battered finish, a multi-storied communal structure of many rectangular rooms with a stepped-back roof line, and straight headed windows.”

They also note that Carmen Court has “multiple external doorways and straight-headed windows” representative of the Spanish Revival style. They also note red-tile clay shed roofs at projecting windows and entries, typical of the Spanish Eclectic style.

In their analysis, they acknowledge that Carmen Court represents a blending of styles but offers that “Denver architecture has a tradition of blending styles and Carmen Court’s design reflects this tradition as well.”

**Heritage's Analysis:** Designation criterion 3 is that a building **embodies the distinctive visible characteristics of an architectural style or type**. The fundamental point of this criteria is whether the building is a good representation of a specific style or building type. The criteria is not about categorizing building pieces and elements by style, but rather, whether the building holistically is a true embodiment of the style.

The applicants clearly state that Carmen Court does not embody the distinctive visible characteristics of an architectural style. Rather, they acknowledge that Carmen Court is a blend of stylistic elements that include Pueblo Revival, Spanish Revival, and Spanish Eclectic. They state that this blending should be acceptable under Criterion 3 because blending styles is a Denver tradition.

Blending Styles: Beyond the assertion, the application does not explain how “blended styles” should be acceptable under Criterion 3. Certainly, it is feasible for there to be a Denver-specific variant of a style or a local variant of combined style. But the applicants do not make that case. Rather the application suggests that there is a blending of many styles generally in the city. They do not suggest a specific local variant of the style. Specific to this criteria, the question then is how the Denver blending can be distinguished from that of other cities, and what is the scholarly basis for understanding and evaluating this blending. Fundamentally, is the design a style or merely a general mashing?

Stylistic Attribution: The applicant’s overall analysis on this criterion is presumptive. A proper architectural stylistic analysis begins with identifying the scholarly basis for the style attribution. Style attribution is an interpretation. Not all architectural historians agree and the purpose of style publications often vary widely in quality and substance. A solid example of this can be

found comparing the variation between say Marcus Whiffen's American Architecture Since 1780, John J-G Blumenson's Identifying American Architecture, and Virginia and Lee McAlester's A Field Guide to American Houses. Specific to Carmen Court, the proponents offer "Spanish Eclectic" as one of the style pieces, drawing from McAlester's work, yet neither the National Register of Historic Places nor History Colorado include "Spanish Eclectic" in their architectural style guides.

Stylistic attribution is also based on the historic context of the building; its place in time. Specific to stylistic example, the best examples emanate from a project that employs a Beaux Arts approach, where design is the driving force. Particularly for commercial projects in the 1920s, development was mostly driven by a backdrop of entrepreneurs relying on leveraged mortgages and other people's money to capitalize on surging demand. Much as downtown experienced a surge of speculative commercial style office buildings with stylistic decoration, residential architecture was driven by demand and marketing. The construction of Carmen Court is one of an estimated 200 apartment buildings constructed in this era and likely largely conceived on what the developer thought would succeed.

Carmen Court as Pueblo Revival Architecture: As the proponents state, Carmen Court is a blend of styles. They do however state that it is predominately Pueblo Revival, citing Spanish Revival and Spanish Eclectic elements as embellishments.

Fundamentally, as discussed below, the building's design is a clash of culture and a conflict of stylistic elements. First and foremost, much like the commercial style office buildings of the era, Carmen Court is best understood as a low-rise garden style apartment with ersatz exotic detailing for marketability. Rather than integrate the building with the parcel, as in the Beaux Arts tradition, the building is set along the east property line and alleyway. The south side is set off the property line to provide vehicle access to a garage at the southeast. Both of these sides then are treated in a largely utilitarian fashion. Clad in painted stucco, the sides are flat. Windows are steel sash in square openings with brick sills. Select windows have a shed-roof clad in red clay tile.

The front yard is square, flat and was originally covered only with turf, with a later addition of half dozen mature trees. There is a slight set back from the street at the west and north. The two building faces are essentially mirror images. The front sides of the building are again clad in painted stucco. Windows are steel sash in rectangular openings with brick sills. Windows and some doors have a red-clay tile shed elements above the head, visually a dominant feature. Second floor windows at the center also have a wrought iron balconettes. The building wall on both the north and west is stepped forward moving toward the crux of the two wings, then recessed at the center. Units are also slightly stepped up.

History Colorado described the Pueblo style as popular between 1905 and 1940. It describes the style as an imitation of Native American pueblos of the southwest. McAlester mentions the style attempts to imitate hand-finishes. Marcus Whiffen refers to the style as "massive-looking" and notes its special feature is a projecting roof beam, or viga. In better examples, they are also accompanied by longer projections (canales) serving as rainwater gutters. Roofs are flat and

where there is more than one story, the stepped-up roof of the Indian community house may be imitated. A veranda with wood posts is a common feature. Cladding attempts to appear as adobe with walls with blunt angles and irregularly rounded parapets. Walls slope inwardly. Color was earth-tone. Windows were deep-set, square and often featured hewn-wood lintels. Form is typically asymmetrical. In the superior examples, the building styling extends to siting and landscaping.

As a Pueblo Revival style building, Carmen Court is mostly wrong. The overall ambiance is to be hand-hewn. At Carmen Court, the overall feel is finished. The siting is traditional urban with a garden apartment feel. The setting is landscaped and commercial. The stucco cladding is roughcast but not battered. It does not have the uneven face expected of a pueblo-style stucco finish. The building is void of the stylistically defining characteristic vigas and canales. The multi-light steel sash windows are simply not appropriate either in the plane of the window, the steel sash material or the multi-light form. The brick sills are also inappropriate. The Pueblo Revival window would rather read as a rounded edged punched opening lacking defined head and sill with a hewn wood frame. The red clay tile sheds and wrought iron balconettes also are not appropriate for the style, fundamentally a clash of disparate cultures. Building edges at Carmen Court generally are sharp and wall pitch is straight, again not typical of the Pueblo Revival style. The roof is flat but again the parapet is more rectilinear and absent of the rounded edges. The massing is reminiscent of the style, though the symmetrical organization is not.

The specific blending of Pueblo Revival elements with Spanish Revival and Spanish Eclectic elements is particularly unfortunate, reflecting a degree of cultural obliviousness. The “blending” proponents suggest should be celebrated represents cultural appropriation by an well-to-do Anglo merging a style with roots in an indigenous culture with stylistic pieces from the conquerors of that culture. While cultural appropriation was not uncommon in the 1920s, it need recognized for what it is and certainly not celebrated.

Contemporary Publications: Carmen Court was identified as “Spanish” or “Spanish type bungalow” architecture in promotional advertisements in 1925 and 1926. In an era of commercial projects that promoted the exotic, had the design inspiration been “Pueblo Revival,” it more likely than not would have been advertised as such.

Modern Literature: Thomas J. Noel and Barbara S. Norgren’s 1987 Denver: The City Beautiful and its Architects, 1893-1941 discusses the building development in Denver for the first half of the 20<sup>th</sup> century, following on Richard Brettell’s Historic Denver: The Architects and the Architecture, 1858-1893. As part of that publication, the authors discuss residential architecture of the era within the context of some 24 styles. Among the styles they include and describe is the Pueblo Revival style, offering examples of the Wight House and two smaller houses on Jackson Street. Carmen Court is not discussed in the Pueblo Revival section of the book, but a photograph of the building is included in their discussion about apartments. The building itself is not discussed. The authors ascribe its style as Pueblo Revival. Given the brief mention of the building, the stylistic attribution is more likely aspirational. Certainly, it was not a substantive stylistic evaluation and the authors did not present the building within an assessment of how Carmen Court was or was not a superior example of the style.

**Conclusion:** Contemporary advertisements by the developer cited Carmen Court as “Spanish.” The applicants offer that it is a “blending” of the Pueblo Revival, Spanish Revival and Spanish Eclectic styles, the second two having a fundamentally different and somewhat contradictory cultural and artistic bases than the first. The applicants suggest that “blending” is a Denver tradition, but offer neither a context for the statement or clarity as to how this simply isn’t a mashing of disparate architectural elements. A close examination of Pueblo Revival design elements against the apartment building illustrates that it has only nominally Pueblo Revival elements, is missing key ingredients of the style, prominently features Spanish Revival elements and is best understood as a mashing of modern materials with pieces drawn from varying styles thought at the time to be “Spanish.” Carmen Court does not embody the distinctive visible characteristics of any specific architectural style or type. **This criterion is not met.**



## Summary Comparison of Pueblo Revival Features and Carmen Court

Below is a list of typical Pueblo Revival Style Elements. The more elements that are present, obviously, the better the building is at representing the style. Apart from its stepped roof, Carmen Court is singularly absent of features expected in a Pueblo Revival style building.

Building Element	As Found in a Superior Example of the Pueblo Revival Style	Present in Carmen Court	Comment
Siting	Central	No	Carmen Court is inappropriately located at the perimeter
Massing	Organic; evolutionary	No	Pueblo structures appear as though built over time; Carmen Court is clearly a point in time project.
Organization	Asymmetrical	No	Carmen Court is symmetrically organized around a NW-SE axis
Feel	Hand-hewn; hand-made	No	Carmen Court has the appearance of a commercially finished product
Cladding	Battered stucco	No	Carmen Court has roughcast stucco which does not represent the same values
Walls	Typically, walls slope inward	No	Carmen Court walls are plumb.
Decoration	Vigas (projecting wood beams); Canales (extended projecting wood gutters)	No	Vigas are a fundamental character-defining element of the Pueblo Revival Style; Carmen Court does not have either vigas or canals.
Doors	Board and Batten	No	Carmen Court has full glazing multilight doors
Window Openings	Rectilinear; deep set with rounded edges; the four edges are similar with neither decorative head nor sill.	No	Carmen Court window openings are rectilinear but the window plane is shallow and the edges sharp. Windows have a projecting tile shed element and brick sill.
Windows	Wood sash in wood frame; often hewn frame, windows are casement or double hung with limited divisions	No	Carmen Court windows are multilight steel sash.
Roof	Flat and stepped	Yes	Carmen Court has a flat, stepped roof
Parapet	Moderate height with rounded edges	No	Carmen Court has a shallow parapet with sharp edges.

**Designation Criterion 4: It is a significant example of a work by a recognized architect or master builder.**

**Proponent's Argument:** Proponents cite Carmen Court Condominiums as the design work of Burt Lee Rhoads and further that Burt Lee Rhoads is a master architect. Their discussion is detailed on pages 4-7 of the designation application. Paraphrasing, the proponents contend that Rhoads' body of work spanned industrial, single-family residential, and apartment building design in the United States and Great Britain. They note that he began a drafting career in Denver before moving to Utah, then Montana, and back to Colorado. Rhoads then joined the Gates Rubber Company in 1917, where he worked until 1925, rising to the rank of Chief Engineer.

As for Rhoads' body of work, the proponents cite the rooftop garden on Gates' factory number 4. They note that Gates was listed as the contractor on the 1919 building permit associated with the Gates Rubber Company complex, implying that Rhoads was responsible for the design. They also reference Rhoads' house at 500 S. Ogden Street, and suggest that Rhoads "likely" had a hand in designing his parents' 1922 residence at 2750 E. 7<sup>th</sup> Avenue. The last work identified by the proponents was the Pine Grange Flats, constructed in East Cliff, Bournemouth, England.

**Heritage's Analysis:** Designation criterion 4 is that the building is a **significant example of a work by a recognized architect or master builder**. The salient elements of this criteria are that the building was designed by a recognized architect and that the building is a significant representation of their body of work.

The applicant fails to demonstrate the Rhoads was a recognized architect or master builder, or that this was a significant work. Their discussion of his career and work is both speculative, slight and somewhat misleading.

Biography of Burt Lee Rhoads: The proponents provide a summary of Burt Lee Rhoads' life but also omit parts while discussing Rhoads' relatives. Rhoads was born in Denver in 1877. His father, Harry F. Rhoads, was a successful businessman and land-owner. With his brother, Harry Rhoads was the owner and proprietor of Rhoads Brothers' Hardware at 775-77 Santa Fe located on the ground floor of the two-story "Rhoads Block" building. At the time, he lived at 1220 Logan Street and owned a significant amount of land in the 600 and 700 blocks of that street. His father would later build the family home at 1330 Logan where the family was raised. Burt Lee was the second of four children. His older brother was Harry M. Rhoads, who became a distinguished newspaper photographer. His younger sister, Hazel Rhoads, would later marry Charles Gates and serve as his partner in the development of the Gates Rubber Company.

City directories first identify the adult Burt Rhoads at the age of 20 working as a "draughtsman." The job of a draughtsman is to produce technical drawings. These are not specific to architecture; typically any industry involved in machining or production would also hire a draughtsman. He learned his craft at the Victor Fuel Company, a Colorado coal mining company. In 1904, he married Geraldine Schmucker.

Beginning in 1907, Rhoads left Denver to work as a draughtsman for the Utah L & R Company in Salt Lake City, then to the Portland Cement Company in Ogden, and finally to the Boston & Montana Mining Company. In 1910, he joined architect W. E. Donovan to form the firm “Donovan & Rhoads.” Shortly after, he joined the Great Falls contractor firm, J. O. Ness, and then in 1914, the Rhoads Construction Company. There are no known Rhoads-designed or constructed buildings in Utah or Montana. During this time in Montana, he had one daughter with Geraldine.

After 1915, but by the beginning of World War I, Rhoads had returned to Denver. The proponents offer that Rhoads traveled with his family to see the San Diego Panama-Exposition in 1916 which celebrated Spanish Revival architecture. It was in that year that Rhoads married his second wife, Blanche (though still married to his first wife in Great Falls; he would divorce his first wife in 1920).

During this time, his younger sister married Charles Gates. Gates would acquire the fledgling Colorado Tire & Leather Company in 1911 and develop it into a significant Denver-based manufacturing enterprise. In 1914, the company moved to its new facilities at 999 Broadway. In 1917, it became the International Rubber Company and then in 1919 to the Gates Rubber Company. Upon Burt’s return to Denver, his brother-in-law hired him first as manager, then engineer and eventually chief engineer by 1925. It was in 1917 that Gates charged him with designing the rooftop garden as a place for employee recreation and relaxation. During the war, Rhoads traveled around the country to inspect the equipment at other tire and rubber manufacturing facilities and to attend conferences in Chicago and New York. In 1921, he became a member of the American Society of Mechanical Engineers.

By 1920, the company had added a new warehouse, machine shop, and factory space. Based on Rhoads name being on the permit as the contractor, the proponents suggest that Rhoads was responsible for the designs of these facilities or at least the construction. As chief engineer of the burgeoning tire factory during this era, a complex employing nearly 9,000, it is hard to conceive that Rhoads was handling either design or construction.

During this same time, while still working for his brother-in-law, Rhoads built the house at 500 S. Ogden Street. It is unknown the extent to which he was responsible for the design. In a 1925 advertisement to sell the property, Rhoads refers to himself as the “originator.” This was also the time when Rhoads’ father moved to the house at 2750 E. 7<sup>th</sup> Avenue. The proponents speculate that Rhoads was involved with that design, but do not provide any facts to support the claim.

Beginning in 1925, Rhoads begins a period of socialized wanderlust. In the winter of 1924-25, he went to Latin America, spending time in Colombia and returning by way of Cuba. It was shortly upon his return that work commenced on Carmen Court. On June 25, 1925, Rhoads was issued a building permit. The estimated costs for the building was \$25,000 (\$366,000 in 2020 dollars). The complex opened four months later in October, 1925. Rhoads again defined his role as “originator.”

In August 1925, while Carmen Court was under construction, Rhoads put the house at 500 S. Ogden on the market. Four months later, he also sold Carmen Court. At this point, he abandoned his second wife and children and moved to New York City, providing no financial support to the family. In 1929, Rhoads' wife sued for divorce and custody for desertion. For his part, Rhoads traveled on first to London and then to Cardiff, Wales. There he met and married his third wife, Mabel Nance Thomas. Over the next several years, Rhoads cruised the Atlantic on an annual basis, often with his new wife, while residing mostly in London. During this time, he was known to be responsible for only one project, Pine Grange Flats, an apartment building which involved the demolition of original Pine Grange estate in Bournemouth, replacing it with a 7-story apartment building. The proponents suggest that Rhoads had an ongoing working relationship with the contractor, Cowlin & Sons, but this is the only property he is known to be associated with.

By 1940, Rhoads returned to Denver with his new family including two children, living in a modest bungalow at 235 S. Corona Street. Shortly after returning, he left by himself to live in Washington, D.C., working for the Defense Plant Corporation subsidiary of the Reconstruction Finance Corporation. As the war concluded, Rhoads moved to Baton Rouge, Louisiana. During this time, his only "work" product was a 1948 proposed 54-unit cooperative residential building by "Burt Lee Rhoads and Associates, Coordinator." There is no evidence that the complex was built and, subsequently, he was sued by his landlord for canceling his office lease. Then, by 1954, Rhoads moved to Houston where he passed away in January 1964.

Professional Affiliations: There is no evidence that Burt Rhoads ever received formal architectural training, either in an academic setting (e.g., degree program) or as an apprentice. Mr. Rhoads was never licensed as an architect, nor was he involved in any professional architectural associations, such as the American Institute of Architects (AIA). In his lifetime, Rhoads joined only one professional organization, the American Society of Mechanical Engineers.

The historic record indicates that, when given the opportunity, he did not refer to himself as an architect. In news advertisements for 500 S. Ogden Street and Carmen Court, Rhoads calls himself "originator." In a 1935 report of his then daughter's birth, he identifies his profession as "engineer and real estate operator."

In the Professional Literature: Burt Rhoads has never been identified as a professional architect. He is not included in any architectural database, such as that of the AIA. He is not identified in any professional biographical dictionary such as that authored by Henry Withey and Elsie Rathborn Withey. He is not identified in any statewide database, such as History Colorado's "Field Guide to Colorado's Historic Architecture & Engineering" or in "Architects of Colorado-Biographical Series." Finally, he is not identified in architectural history publications, such as Denver-based publications The City Beautiful and its Architects, 1893-1941 by Noel and Norgren or the Denver Foundation for Architecture's Guide to Denver Architecture.

Body of Work: Burt Rhoads' professional lifetime spanned roughly five decades. In that time, three buildings are documented to be associated with him. These are listed below in chronological order:

- *500 S. Ogden Street* (Denver, 1920). 2,224-square-foot single family 3-bedroom house on a 15,900-square-foot parcel. It is thought that the house was built for his personal residence. Rhoads himself as “originator”. He sold the property in 1925.
- *Carmen Court* (Denver, 1925). A six-unit apartment building on a 29,462 square foot lot. He is self-identified as “originator”
- *Pine Grange Flats* (Bournemouth, UK; 1936): 7-story apartment building on an approximately 1 acre site. A promotional post-card identifies Rhoads as “Arch: Mr. Burt Lee Rhoads, M.E., C.E. (U.S.A.)

**Conclusion:** The applicants have not established Rhoads' as a bona fide recognized architect. He did not identify himself as an architect. He was not licensed as an architect. He has not been recognized in either contemporary or professional literature as an architect. Specific to Carmen Court, he did not identify himself as the architect, but as the “originator.” Rhoads is neither architect nor master builder. **This criterion is not met.**

**Designation Criterion 6: It represents an established and familiar features of the neighborhood, community, or contemporary city due to its prominent location or physical characteristics.**

Proponent's Argument: Proponents discussion of this criterion is on pages 7-8 of the application. They offer that Carmen Court Condominiums is a distinctive feature of the Speer Neighborhood due to its architectural style and “prominent” location. The proponents suggest it may be conceived as a “gateway” to the district. To support this, they cite its adjacency to Hungarian Freedom Park and its visibility from Speer Boulevard. They also cite the building’s setback as suggestive of a park-like atmosphere and its architecture creating a “communal feel” which creates the impression of a “small village.”



*Google Screenshot looking South from Speer Boulevard toward Carmen Court*

**Heritage's Analysis:** Loosely interpreted, designation criterion 6 speaks to a building being a neighborhood landmark, a building that is well known in the community, a place of orientation, or a building that might serve as a point of reference for directions. This criterion could be addressed by relying on historic literature using the property as a point of geographic reference. Neighborhood planning documents would also be a resource. Certainly, to address prominence, a view or sightline analysis would be essential. Unfortunately, in addressing this criterion, the applicants have relied only on unsubstantiated assertions.

Visibility from Speer Boulevard: The applicants discuss Carmen Court in the context of proximity to Speer Boulevard and its visibility to passing traffic on that high-volume parkway. At its closest, Carmen Court Apartments is roughly a football field from Speer Boulevard across the Hungarian Freedom Park. In that view, at the west is the Hungarian Freedom Monument, prominently sited and landscaped to draw the eye. To the south and east is a stand of trees; as

described by the Cultural Landscape Foundation, the landscape here is “enclosed by DeBoer’s dense plantings of pine, spruce, and fir.” Specific to the issue of visibility, if you drive along Speer Boulevard, Carmen Court is not visible. It is hidden behind Hungarian Freedom Park and the mature trees sited in that park. It is also hidden behind the mature trees which are growing in front of the building. Add in traffic conditions, it is hard to assert that Carmen Court is readily visible from Speer Boulevard.



*Google Screenshot looking Southeast from the intersection of 1<sup>st</sup> Avenue and Emerson Street*

General Visibility/Prominent Location/Gateway: The applicants suggest that Carmen Court in some sense may be considered a “gateway” to the neighborhood. Carmen Court is located at the southeast corner of Emerson Street and 1<sup>st</sup> Avenue. Emerson Street is a one-way arterial with traffic flowing from south to north. In this location, 1<sup>st</sup> Avenue runs west from Speer Boulevard. It is a secondary local street with one lane of traffic in each direction. There is no west bound access from Speer onto 1<sup>st</sup> Street. Thus, from the perspective of street traffic, Carmen Court is at the wrong place to be a gateway.

As the site and architecture, the site is largely obscured. It has mature street trees along 1<sup>st</sup> and a half dozen or more mature trees at the northeast courtyard. Even from the perimeter sidewalk, it is challenging to see the structure in its complete form. For the most part, the building is not visible.



The immediate surrounding area is a mix of single-family houses, low-rise, mid-rise, and high-rise apartments of varying character and vintage. In this context and with its limited visibility from the street and sidewalk, the apartments do not stand out as a singularly distinct resource but rather more of an array of mostly multi-family residential buildings. It does not look either communal, or suggestive of a “small village.”

The Historic Setting: It is worth noting that at the time of construction in 1925, land use was significantly less dense. The surrounding neighborhood was predominately one-story single-family houses. The parcels to the east and south were mostly vacant. Even as late as the 1950s, the immediate neighborhood was predominately single-family houses or duplexes with considerable vacant developable land. It wasn't until the 1970s when Emerson Street connected north to Clarkson that the neighborhood became more densely developed.

It is also worth noting that at the time of construction, Arlington Park (the predecessor to the Hungarian Freedom Park) ran from Clarkson Street on the west (which no longer exists) to Speer on the east. Emerson Street terminated at 1<sup>st</sup> Avenue at the park's south border; it did not connect to Speer Boulevard.

In the Literature: It is important to note that resource studies for Speer Boulevard and West Washington Park Neighborhood have not cited Carmen Court Condominiums as an important resource. It has not been featured in any historic tours or heritage tourism write-ups of the city or the neighborhood.

Carmen Court Apartments and the Hungarian Freedom Park: Finally, it is notable that, given the design opportunity of developing a parcel across the street from a park, the building's design effectively ignores the park, leaving most units with no visual connection.

**Conclusion:** Prior to this application, there is no record of anyone citing Carmen Court as an established and familiar feature either in the immediate neighborhood, dominated by Speer Boulevard and the Hungarian Freedom Park, or in the larger West Washington Park neighborhood. Mature tree coverage largely shrouds the property from the street. Traffic access is either in the wrong direction or along a quiet residential street. It is not prominent or uniquely distinguishable in the setting. It does not serve as a gateway or point of reference. **This criterion is not met.**



**Designation Criterion 7: It promotes understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity.**

Proponent's Argument: Proponents discussion of this criterion is on page 8-9 of the report. They offer that Carmen Court Condominiums meets this criterion in three ways:

- As a rare example of Pueblo Revival architecture;
- As a rare example of the Bungalow Court in Denver;
- Finally, as a historic design solution to mitigate potential water damage from Cherry Creek flooding.

**Heritage's Analysis:** This criterion largely focuses on architecture as a device for promoting the environment. Unlike the other criteria, which are largely passive, this criterion has an active verb component, a charge to not simply be an example or product, but to promote understanding and appreciation through its design. Typically, this criterion might be addressed through planning or similar studies suggesting historic precedents for best practices, or in histories themselves as a "prototypical" example. Unfortunately, again, the applicant's justification is just a series of unsubstantiated assertions.

Architecture Style: The applicants state that Carmen Court meets Criterion 7 in part because it is a rare, perhaps solitary example of the Pueblo Revival style in an apartment building. The stylistic deficiencies of Carmen Court are addressed under our discussion of Criterion 3. As the applicants' themselves state, the design of Carmen Court is a "blending" of Pueblo Revival, Spanish Revival and Spanish Eclectic styles, a mashing of styles fundamentally contradictory in their heritage and values. Equally telling, in their discussion of Criterion 7, the applicants also state that Carmen Court is an important example of the Bungalow Court apartment form. In making this statement, they further undercut, or further qualify, even their understanding of Carmen Court as a representation of style – acknowledging that stylistic elements were applied to a building form rather than the stylistic aspects being the driving force of the design. Fundamentally, this is the difference between the Beaux Arts School of architecture and architecture as art as opposed to architecture as a part of a real estate venture.

Equally to the point, the applicants do not explain how the architectural styling of Carmen Court meets the criterion and "promotes understanding and appreciation of the urban environment." As mentioned, Criterion 7 is different from other criteria in that it is based on an action verb. Simply "being" is not sufficient to meet the criterion. Yet, the proponents offer nothing in terms of the lessons Carmen Court offers. This absence of lessons is echoed by city planning documents which are void of any discussion relying on Carmen Court as an illustration of a particular element, circumstance or value in the city or neighborhood.

Bungalow Court: The proponents offer that Carmen Court is an example of the Bungalow Court building type and in this way promotes an appreciation of the urban environment. Certainly, the issue of how a city houses its residents is an important historic context, one which is enormously complicated and represented in a vast array of housing forms defined by class, economics, gender, social mores, ethnic bonds, family size, personal stability, and more. Unfortunately, the applicants do not delve into this question. Rather, they cite a Pasadena National Register nomination first listed 34 years ago and assert that Carmen Court fits their understanding of this concept. In making this statement, they offer that a successful bungalow court provided a neighborhood identity within a larger neighborhood, supported by features such as gardens and porches. Yet, Carmen Court does not engender community. It is a relatively small complex with only six units. Each resident has their own access and there is no particular device whereby tenants would meet each other and form a community. The landscaping is outward looking, formal and passive in design with multiple walkways to individual units. The complex is absent communal spaces. There are no gardens. Only some of the six units have a porch, those being walled off for personal use.

One particular oddity about Carmen Court is that although developed in the Roaring 1920's era of the automobile, the complex ignored the automobile entirely. Tenants were left to park on the street and walk the 50 to 100 feet to their units. It was not until the 1930s that this problem was addressed.

It need also be pointed out that Carmen Court was not successful, despite being built in the middle of a period of great expansion. Carmen Court opened in October 1925 with 4, 5 and 6 room units. Five weeks later, ownership was still advertising six units in the Denver Post. Six months later, it was still at 50% vacancy and rents were dropped by as much as a third. Nearly a year later, two of the six units were still vacant and ownership was attempting to lease units as furnished apartments.

Finally, as with style, the applicants do not explain how Carmen Court meets the criterion and "promotes understanding and appreciation of the urban environment." Again, Criterion 7 is based on an action verb. Yet, the proponents offer nothing in terms of the lessons Carmen Court as a bungalow offers.

Flood Control: The applicants offer that Carmen Court is a good example of flood control in building design. The specific notion is that the building sits on a raised lawn. They offer no documentation that flood control was actually considered in the design process, or that it actually works. Further, Carmen Court has basements. It also need be noted that water damage from flooding is only one component; equally damaging is water percolating up through sewer pipe. There is no evidence presented that Carmen Court has been cited as a best practice for flood protection/mitigation design, probably because there is no basis for this assertion.

In the Literature: There is no known example of Carmen Court Apartments being cited, used or suggested in the understanding and appreciation of the urban environment.

**Conclusion:** Prior to this application, there is no record of anyone using Carmen Court Condominiums in conveying an understanding or appreciation of the urban environment. By the applicants' own statement, the architecture style is "blended." Prior to this application, it has never been cited as an example of a Bungalow Court apartment complex and it does not express the design values of a Bungalow Court apartment. The suggestion that Carmen Court is an early example of flood control is nonsensical. **This criterion is not met.**

## 6. SUMMARY AND CONCLUSION

In March, a certificate of demolition eligibility application was filed with the City and County of Denver. The impetus was a proposal from developer Hines to build a senior living community in accordance with the property's current five-story height limit and development standards as established by Denver's Zoning Code. In reviewing the application, the City Landmark staff stated that the property has potential for designation as a Denver Landmark. On May 26<sup>th</sup>, in opposition to the property owners' consent and desire, three city residents filed a Landmark Application. That application states that the Carmen Court Condominiums should be designated a city landmark based on Criteria 3, 4, 6 and 7. To better understand the associated values, Hines and the property owners then hired Heritage Consulting Group, a Portland based national historic preservation firm, to assess the landmark application.

In completing this assessment, Heritage has concluded that Carmen Court did not meet any of the designation criteria. Specifically,

- **Criterion 3 states that the property embodies the distinctive visible characteristics of an architectural style or type.** The proponents offer that Carmen Court is "a significant example of the Pueblo Revival style combined with Spanish Revival or Eclectic architectural embellishments." They acknowledge that the style is a blending but suggest that this is a Denver tradition.

Heritage finds that the stylistic attribution is at best weak, if not inappropriate. Burt Rhoads himself called the property "Spanish." The cultural and artistic roots of Pueblo Revival and Spanish Revival or Eclectic styles are fundamentally at odds. Equally at odds with both is the prominent use of steel sash windows, inappropriate to both styles. Base aspects of siting and organization are entirely wrong, but do demonstrate that the designer did not approach his work in the Beaux Arts tradition but more with the eyes of a real estate developer. Put another way, the project was driven by perceived consumer desires, not architecture style.

As an example of the Pueblo Revival style, there is more wrong than right with Carmen Court. Illustrative is the absence of vigas in the design. These are best understood as projecting wood rafters. Vigas are considered to be a defining and fundamental element of the style. Yet, Carmen Court is absent this feature. Carmen Court does have clay tile shed roofs over all the windows; common to the Spanish-related styles, it is entirely inapposite for a Pueblo Revival building.

It need also be recognized that in our current time of greater cultural awareness, the "blending" proponents suggest should be celebrated represents cultural appropriation by a well-to-do Anglo merging a style with roots in an indigenous culture with stylistic pieces from the conquerors of that culture.

Finally, a word on the assertion that the blending of these styles should be acceptable as a Denver tradition. The relevant criterion is that the building embodies "an architectural

style,” not reflects a collection of styles or a mashing of elements. Theoretically, it would be possible to have a local expression of a derivative style, but no scholarly support was provided in the supplication and it is hard to fathom two core styles more at odds with one another.

At the end of the day, Criterion 3 is about finding and honoring an exemplary example of a particular architectural style. It would be wrong to celebrate Carmen Court in this context.

- **Criterion 4 states that a property should be a significant example of a work by a recognized architect or master builder.** The proponents cite Carmen Court as the design work of Burt Lee Rhoads and assert that Burt Lee Rhoads is a master architect. They offer that Rhoads’ body of work spanned industrial, single-family residential, and apartment building design in the United States and Great Britain. They also speculate that Rhoads likely was involved in the design of buildings at the Gates Rubber Complex and of his father’s house. Heritage could not find any evidence that Burt Rhoads received training as an architect or that he was ever licensed as one. It is known that he referred to himself not as architect, but “originator” and “real estate operator.” The only professional association he belonged to was the American Society of Mechanical Engineers.

Specific to Carmen Court, the property was developed shortly after Rhoads returned from wintering in Havana. He was issued a building permit on June 25, 1925 and four months later the building was opened. The cost was \$25,000 (\$366,000 in 2020 dollars). Rhoads sold the property in January 1926 as part of a liquidation of asset, after which he would abandon his wife and family, moving first to the east coast and then to England.

Rhoads’ body of work is documented to be limited to three buildings. In 1917, he was charged by his brother-in-law, Charles Gates, to design a rooftop garden for the employees of the Gates Rubber Company. The buildings Rhoads was involved with are:

- *500 S. Ogden Street* (Denver, 1920). A 2,224-square-foot single family 3-bedroom house on a 15,900-square-foot parcel. It is thought that the house was built for his personal residence. Rhoads himself as “originator”. He sold the property in 1925.
- *Carmen Court* (Denver, 1925). A six-unit apartment building on a 29,462 square-foot lot. He is self-identified as “originator”
- *Pine Grange Flats* (Bournemouth, UK; 1936): 7-story apartment building on an approximately 1-acre site. A promotional post-card identifies Rhoads as “Arch: Mr. Burt Lee Rhoads, M.E., C.E. (U.S.A.)”

Finally, it is important to note that Rhoads has never been identified in any profession publication or database as a notable architect.

There is nothing in the historic record or his body of work that demonstrates that Rhoads was a “recognized architect” or that he should be considered as such.

- **Criterion 6 states that the property should represent an established and familiar features of the neighborhood, community, or contemporary city due to its prominent location or physical characteristics.** The applicants suggest that the property meets this criterion by virtue of its architecture and prominent location, and suggest that it could be considered a “gateway.” Further, they cite the property as having a “communal feel” suggestive of a small village. Heritage notes that the property is obscured from the north by the design of the Hungarian Freedom Park, that historically, Emerson Street terminated at 1<sup>st</sup> Street at what was then Arlington Park, and that vehicular traffic runs in the contrary direction to create a “gateway.” Heritage also notes that the organization of Carmen Court does not create a communal, small village feel, but that each unit has a separate, independent entry and the site is void of communal spaces.
- **Criterion 7 states that the property should “promotes understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity.”** The proponents argue that Carmen Court fulfilled this by virtue of its architectural style, by being a rare example of the bungalow court building type, and for its prescient design in flood control. Heritage found that the supporting discussion did not offer substantive documentation in support of their statements. As to architectural style, as discussed above, the building is a blend of contradictory stylistic elements. As to the bungalow court discussion, Heritage notes that the property has never before been argued as an example of this building type, notes that the enterprise was not initially successful, and that the application does not explain how this assertion connects to promoting an understanding or appreciation of the urban form. As to the flood control design discussion, the applicants provide no factual basis for the assertion and Heritage could not find any connection between the property’s design and flood control.

The weight of designation lies upon the applicants’ work. The application is long on assertion but for the most part the value statements are not supported by either documentation or analysis. Given the designation would incur a significant regulatory burden against the wishes of the property owners, but does not convey any balancing benefits, this application should be scrutinized and there should be a basis required of any and all assertions. Based on the record as present, and as complemented by Heritage’s own research and analysis, it does not appear that Carmen Court meets any of the Designation Criteria in Section 30-3. Further, when viewed through the lens of the policy goals of Chapter 30, designation would not advance those goals in any specific or general way, but potentially negatively affects the accomplishment of other Comprehensive Plan and Community Planning goals.