

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB22-1673
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance designating 1618 East 38th Avenue as a structure for**
7 **preservation.**

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

11 **WHEREAS**, based upon evidence received by the Landmark Preservation Commission at a
12 hearing on December 6, 2022, the staff report, and evidence received at the hearing before City Council
13 on February 13, 2023, the structure at 1618 East 38th Avenue (the "Structure") meets the criteria for
14 designation as a structure for preservation as set out in Section 30-3, Denver Revised Municipal Code,
15 as amended, by maintaining its integrity, being more than 30 years old, and meeting the criteria in the
16 following three categories from Section 30-3(3):

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

19 The Structure is associated with the development of the city, and more specifically the Cole
20 neighborhood and the large number of Swedish, as well other European, immigrants that resided in the
21 area. Many of the Swedish immigrants who came to the United States found industrial and railroad jobs
22 in the West, including places like Colorado. A main reason for the development of neighborhood was
23 its close proximity to various industrial-type work options. The new arrivals typically built vernacular
24 worker and utilitarian style houses. The Swedish immigrants also established churches in their
25 neighborhood and within walking distance of their residences. The utilitarian focus of this Structure
26 mirrors the economics of the community and reflects the worker's own housing.

27 As a church embedded within the neighborhood, the Structure's use reflected the makeup of the
28 community. The Structure was initially built to serve the Swedish immigrants of Cole and did so through
29 the 1950s, while the Swedish community resided in the neighborhood. However, the Structure's
30 ownership and the church's congregation changed with the demographic changes of the neighborhood.
31 As the Latinx population grew within the neighborhood, it became the Spanish Seventh Day Adventist
32 Church. The Structure later became the Rising Star Baptist Church, a primarily Black congregation, that

1 reflected the high African American population in the neighborhood. The 1970s brought increased
2 vacancy rates to many of Denver’s central neighborhoods, including Cole. As fewer people resided in
3 the area, there may have been less need for a church to serve congregants in the neighborhood. After
4 Rising Star moved to a new location, they sold it to a private owner, who converted the Structure into a
5 residence. The Structure represents the origins of the neighborhood through the area’s shifts, trends,
6 and changes into the present era.

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

8 The Structure embodies the visible characteristics of vernacular Gothic church architecture.
9 The Structure was built as a mission church serving the working-class immigrants of the Cole
10 neighborhood, and its simple architecture reflects that. The Structure is a vernacular building with a
11 few important details that denote it as a church. The notable features include the flared eaves,
12 cosmetic buttresses, vestibule, and the arched vent/window in the gable end. The side buttresses
13 and arched, pointed window are reminiscent of more formal church Gothic architecture. The
14 simplified architectural details may also reflect a Lutheran tradition, which eschews the iconography
15 that is often seen in other Christian faiths. The basic rectangular form with a front vestibule, gable
16 roof, with windows and buttresses along the side elevations is also seen in other churches built by
17 other Swedish immigrants who lived in the West. Considering the Structure’s functional purpose of
18 serving the Swedish Evangelical Lutheran Church mission and residents of a working-class
19 neighborhood, it was a simple vernacular Gothic church design representing the neighborhood it
20 served.

21 *g. Promoting understanding and appreciation of the urban environment by means of*
22 *distinctive physical characteristics or rarity;*

23 The Structure promotes an understanding and appreciation of the urban environment by
24 means of distinctive physical characteristics and rarity. The Structure is a rare example of a working-
25 class vernacular church that retains good integrity. While many vernacular buildings are altered,
26 covered up, or demolished as insignificant, the Structure remains, embedded within the
27 neighborhood. The Structure still stands with its intact historic architectural features. The Structure
28 continues to represent Cole’s working-class origins, its initial history as a Swedish church, and its
29 evolution over time reflecting the neighborhood’s changing demographics. Working-class
30 neighborhoods, housing, and buildings often were meant to be functional. While it does not have the
31 same features as churches of the high style, the Structure brings its own appreciation to the
32 development of the neighborhood and the congregation it served.

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

3 **Section 1.** That based upon the analysis referenced above, and the evidence received at the
4 public hearings, certain property at 1618 East 38th Avenue, and legally described as follows, together
5 with all improvements situated and located thereon, be and the same is hereby designated as a
6 structure for preservation:

7 The easterly 32' -5" of lot 1 and the north half of lot 2, block 12, Provident Park,
8 City and County of Denver,
9 State of Colorado.

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

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

16 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: January 3, 2023

2 MAYOR-COUNCIL DATE: January 10, 2023

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

10 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: January 12, 2023

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 §3.2.6 of the Charter.

15 Kerry Tipper, Denver City Attorney

16 BY: _____, Assistant City Attorney DATE: _____