

Landmark Preservation Ordinance Update Task Force
Meeting #6 – September 11, 2018 – Summary

Present: Mark Bowman, Tania Salgado, Jeff Pearson, Will Baker, Amy Cole, Rosemary Stoffel, John Olson (for Annie Levinsky), Adam Harding, Councilwoman Robin Kniech, Scott Chomiak

Staff: Jenn Cappeto, Kara Hahn, Becca Dierschow, Krystal Marquez, Jenny Buddenborg

Meeting Objectives:

- Explore Ways to Preserve Culturally Significant Places
- Continue to Explore Ways to Encourage Pro-Active Designation
- Review Minor Changes to the Ordinance (Housekeeping Items)

I. Culture – Staff Presentation

Cultural heritage and preserving the diverse history of the City

At the beginning of the ordinance update, the task force indicated that preserving neighborhood character and the diverse history of the city are of primary importance. Staff have looked at other cities, looking for new ways to capture a larger picture of Denver’s history.

Cultural heritage programs in the US: Primarily San Francisco and San Antonio; they looked to international models, including Australia’s Burra Charter

The Burra Charter (updated in 2013) defines culture as:

- 1.1 Place means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.
- 1.2 Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values or different individuals or groups.

National Parks Service:

Culture, is understood to mean the traditions, beliefs, practices, lifeways, arts, crafts, and social institutions of any community, be it an Indian tribe, a local ethnic group, or the people of the nation as a whole. In 1998, the NPS introduced Traditional Cultural Properties as listing designation primarily for Native American and Native Hawaiian tribes and their significant sites.

San Antonio:

Cultural significance is evaluated by identifying and assessing heritage values associated with a site. Values, as identified in the Burra Charter, are organized in categories of aesthetics, historic, scientific and social values. Values are determined through research, engagement with community, and primary information gathered through site visits.

San Antonio recognizes that cultural resources makes San Antonio unique, are a shared resource, can be layered, are tangible and intangible. Understanding a place and assessing its cultural heritage is an important part of planning/decision making.

Example: Legacy Corridors - Lower Military Road, Lower Immigrant Road, El Paso Road, Old Highway 90 - one road that has had several different uses and has differing significance to different communities. Uses a similar legacy business model - preservation on a different scale - not necessarily tied to one building.

San Francisco:

Social and cultural heritage resources, both tangible and intangible, help define the beliefs, customs, and practices of a particular community. Such social and cultural heritage resources include buildings and monuments as well as businesses, institutions, organizations, events and traditional arts, crafts, and practices. They are rooted in the community's history and/or are important in maintaining its identity.

Have created Cultural Heritage Districts: Districts are primarily identified by the activities that occur within them; No selection criteria, but are nominations by Mayor or Council; Three such districts exist: Japantown, Calle 24 Latino Cultural District and SOMA Pilipinas - Filipino Cultural Heritage District; Program is managed by: Housing and Community Development, Economic and Workforce Development, Planning Department and Arts Commission (as needed)

Preservation is not the goal, fighting displacement is the goal, preservation of communities in place; Develop strategies for sustaining the living cultures of places

Creation of Historic Contexts:

- LGBTQ History
- Latino Heritage
- African American History (in progress, 5 year process)
- Filipino
- Japantown
- Chinatown

Historic Contexts are well-researched documents that explore the diverse history and culture of the city, identify key property types, and provide recommendations for the evaluation of properties that should be preserved throughout the city; Did not change their criteria

Other Cities

Many cities integrated the word 'culture' or 'cultural history' into their criteria - Philadelphia, Washington DC, San Antonio, Dallas, etc.

How does Denver do it?

Must have integrity and meet at least one criterion in two of the three following categories:

History

1. Have direct association with the historical development of the city, state or nation;
2. Be the site of a significant historic event; or
3. Have direct & substantial association with a person or group of persons who had influence on society

Architecture

1. Embody distinguishing characteristics of an architectural style or type;
2. Be the significant work of a recognized architect or master builder;
3. Contain elements of architectural design...which represent a significant innovation;
4. Portray the environment of a group of people or physical development of an area in an era of history characterized by a distinctive architectural style

Geography

1. Have a prominent location or be an established, familiar and orienting visual feature of the contemporary city;
2. Promote understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity;
3. Make a special contribution to Denver's distinctive character

Examples:

- R&R Bar - One of the oldest operating gay bars in Denver; Directly on Colfax; Is identifiable by its sign; Is not architecturally significant; Would not meet current criteria
- Mariposa St Terrace - home to leaders of Denver's Chicano movement but no clear architectural style or geographical significance

Options:

- Insert phrase about cultural heritage to existing criteria
- Add new criteria
- Add new category
- Rename and revise geography
- Remove categories
- Combination of the above

II. Culture – Task Force Discussion

Q: What about Colfax itself? Colfax is Denver. It represents Denver. What if you did a district - could you capture these pieces through a district?

A: Yes, but could not landmark individual properties

- This is exciting, important and timely
- Our criteria should be broader
- San Francisco is getting to something important
- In the case of R&R, we ought to make it easy to keep the sign – it's iconic
- Criteria should be amended; We are not truly representing the city; One example among our existing designations for Latino heritage is completely inadequate
- Corridors with signs that fit into a pattern – that's significant

Q: Would it be possible to do a non-contiguous district, a thematic district?

A: Denver does have one (Downtown Denver), but we tend not to do non-contiguous districts

- We should be looking at events and time periods that tell the story of Denver - signs, or typology of building (courtyard hotel, etc), environment
- We need to look at bigger, historic story - political, social justice, economic
- It seems that San Francisco is working to preserve a way of life which is more contemporary rather than historic

Q: Does a building need to keep the use that makes it culturally significant?

A: Some programs do require the use to be same, including NPS Traditional Cultural Program

- Culture should be a part of the conversation, but San Fran's Cultural Heritage District program is not a historic preservation program, so it goes beyond what the landmark ordinance is for
- Important to let the market dictate use
- We do need something to protect signs - letting them preserve and restore signs off-site
- San Francisco's program is not about place - it is about people and culture

Q: In San Francisco, one of their goals is preventing displacement; If we look at areas of vulnerability in Denver, would expanding the criteria capture those areas?

A: Expanding the criteria wouldn't prevent displacement, but it could help preserve the buildings that are important to the community

- We should partner with the Anti-Displacement Network and the efforts in Denver's Office of Economic Development
- Business is discussed less often, but is an important aspect of the conversation
- We should be looking for places where is there a cultural connection to the buildings and where we can we keep people from being displaced; For example, the Denver Indian Center - the community doesn't want the building but they do want to stay in place
- Chuck's barber shop on Tennyson is another example of a culturally significant use
- Zoning should direct development to utilize historic patterns or buildings elements

- You might not be able make Chuck's stay (he's ninety) but are there iconic elements; Harder to require similar use
 - Another example – Morrison Road where the color scheme and materials are important; Hard to keep something culturally significant and dynamic without being overly prescriptive
 - Can't force someone to continue a business
- Q: Legacy businesses - how do other cities deal with businesses that aren't the exact same person/use?
- A: Not clear; Staff will look into it
- NY and DC Main Streets programs focus on targeting a certain type of business that a neighborhood needs to be successful and they recruit uses to buildings
 - Each neighborhood may require different uses which reflects their culture – NY identified shoe repair
 - Culture is important - everyone agrees that it's important – but the details matter – have to keep from overstepping and eliminating flexibility
 - Getting rid of the categories may be a good solution; The current categories are aimed at dead white guys
 - Stripping the categories could make it a little easier to designate a wide array of buildings
 - Need to explore the unintended consequences of adding criteria; We could have designations that don't make sense
 - Having some aspects of culture may be good but including culture on par with the historic elements may not make sense
 - Culture makes sense as a separate category with its own set of criteria
 - Traditional Cultural Properties are not a designation criteria on their own - the site needs to be on the National Register first, before it gets a TCP designation; It's an add-on, not its own category
 - Culture could be added without making it a separate criteria
 - San Francisco uses the broad contexts and themes to help guide designations; Provides information on the diversity of San Francisco, identifies property types, etc.
 - We need to think about how we define culture; It can vary from person to person
 - It can be a part of the history category
 - If a separate category, we would need to see specific criteria in that category
 - If we remove the categories, we may lose a depth to designations; It's the most significant buildings/places that can meet two of three
 - Keeping the categories makes it difficult to get a broader reach of society in our designations; We may gain a depth in diversity of sites instead
 - Integrate it into the existing criteria is better than adding new criteria
 - Want to make sure you don't have two criteria that are the exact same in different categories; That makes it too easy to qualify for two categories, which is all you need
 - Culture suggests that it has to be a continuing practice; If it's no longer in practice, it becomes history
 - A cultural protection program is something to think about
 - Task force should test new criteria/categories and use real buildings as examples to see how it would work – examine what would make the Mariposa house eligible

III. How to Encourage Designation: Sorting the Ideas and Identifying the most Promising Options

The task force members' view of the most promising options includes the following:

- Technical Assistance for Homeowners removes a disincentive to designation
- Easing open space and parking requirements for designated properties
- Technical assistance
- A more robust technical assistance - a staff person dedicated to technical assistance
- Parking and loading requirements
- Density is preservation's ally – ADUs are important
- Making it easier to preserve and restore historic signage
- ADU

- Construction materials program
- Fee waivers would be important
- Density and dwelling units – an important benefit to homeowners

IV. Housekeeping

The task force supported all of the modifications:

- Clarifying day counting – begins day after the application is submitted
- Clarify that only historic districts go to Planning Board while a single property designation does not
- Revise references to the title of the Director of Community Planning and Development
- Remove internal notification to planning board staff and to City Council
- Remove notification through the Notification in *Daily Journal*
- Remove the redundant filing with the Clerk and Recorder

V. Observer Comments

- Cultural history is important – as the city changes rapidly, much of our cultural history is being lost