

**LANDMARK PRESERVATION COMMISSION**  
**Regular Meeting**  
**July 11, 1995**  
**Council Liaison: Gina Janett**  
**Staff Liaison: Joe Frank**  
**Commission Chairperson: Jennifer Carpenter (226-0960)**

**SUMMARY OF MEETING: Jacob and Marjorie Strauss appeared before the Commission for a reconsideration of their request for the variance of their windows. Materials were distributed and a discussion was held regarding the East Side/West Side Design Guidelines.**

Commission Chair, Jennifer called the meeting to order at 281 North College Avenue. Jennifer Carpenter called the roll. Commission members present were Jennifer Carpenter, Ruth Weatherford, Jean Kullman, Terence Hoaglund, W. J. (Bud) Frick, Per Hogestad, and James Tanner. Joe Frank and Karen McWilliams represented staff.

**GUESTS:** Jacob and Marjorie Strauss, building owners of 221-227 Jefferson Street.

**AGENDA REVIEW:** None

**STAFF REPORT:** None

**COMMISSION MEMBERS' REPORTS:** None

**APPROVAL OF MINUTES:**

The May 9, 1995 minutes were accepted as submitted.

With regard to the May 23, 1995 minutes, Mr Frick questioned that on page 8 under the third paragraph of the Strauss window issue, in the last three lines, it discusses the windows that will be installed. Mr. Hoaglund also stated that he did not understand what was being said. Ms. McWilliams stated that Ms. Tunner meant that double-glazed would be acceptable, comma. Also, windows with a different profile would not be acceptable, so the motion should read, "Double-glazed would be acceptable, with a different profile not being acceptable. The May 23 minutes were accepted as revised.

**CURRENT DESIGN REVIEW:**

Jacob and Marjorie Strauss appeared before the Commission for a reconsideration of their request for the variance of their windows.

Ms. McWilliams gave the background of the issue as follows: Mr. and Mrs. Strauss received approval in August 1994 to replace seven second floor original windows on the front facade of 221-227 Jefferson Street. The work began in November, but the new windows did not match the size of the original window openings as shown by verbal descriptions and site elevations on the original application. They were installed two feet short of the original openings. A transom wood panel was placed above each window to fill in the space. Staff issued a notice of violation for not following the approved application. On May 23, 1995, the LPC heard an appeal by the applicant and made the decision to sustain the previous staff decision and to direct staff to enforce the Code violation. The applicant now asks for reconsideration of the request for variance on these front windows because of extenuating circumstances.

Six foot five and one-quarter inch windows were recorded by the applicant as the original window size. Staff accepted the written description on the application and also the August 4, 1994 telephone assurance of the applicant that six foot , five inch windows would almost exactly fit the historical openings. Staff notes from the phone conversation are available for review. All of the information written under conditions of approval was written at the same time by staff. Six foot high windows were installed when the actual window openings are close to eight feet. The smaller stock windows required altering the spaces with filler materials. The size and shape of the original upper story windows was not maintained.

Staff believes that there is a substantial financial hardship for the applicant complying with the LPC's decision and that some mitigation is to be required by the spirit and purpose of the Landmark ordinance. Staff recommends that the applicant replace the boarded up sections of the windows with glass in a narrow, inconspicuous "A" frame style transom. This is also the advice of James Stratis, Historic Preservation Specialist at the Colorado Historic Society. It is important to note that the window replacements are not in an irreversible position. They can be corrected in the future. The installed windows, although not historically correct, do not seriously compromise the general historical and/or architectural character of the landmark or landmark district. The decision of the LPC should not be construed as setting a precedent, but be based on individual facts concerning this specific case.

**Motion by Weatherford and second by Frick that the LPC accept Staff's recommendation with the provision that the Strausses return with scale drawings and details of the framing that will go into the window space. A friendly amendment by Frick was added that the profile and vinyl-clad finish be the same as the windows installed below and that the glazing be thermopane. A roll call vote was taken with six "yes" votes. Mr. Frick cast the sole "no" vote.**

The above motion was rescinded and a new motion was made to include deadline dates.

**Motion by Tanner an second by Hoaglund that the LPC accept Staff's recommendation with the provision that the Strausses return with scale drawings and details of the framing that will go into the window space. A friendly amendment by Frick was added that the profile and vinyl-clad finish be the same as the windows installed below and that the glazing be thermopane with the plans submitted by August 29, 1995 and the work completed by October 31, 1995. A roll call vote was taken with six "yes" votes. Mr. Frick cast the sole "no" vote.**

## **OTHER BUSINESS:**

### East Side/West Side Design Guidelines

Karen McWilliams distributed materials regarding the East Side/West Side Design Guidelines. Additional information was given regarding the incentives. Ms McWilliams explained that the most substansive change from previous material is under the definition of contributing and non-contributing. Originally we had wording that a building that retained its integrity would be individually eligible. Jennifer Carpenter brought up the fact that the intent of the LPC was to say that a building that retained its integrity and was pristine or high style, or was a very good example would be individually eligible. Then buildings which maintain integrity, but were not exceptional, would be considered contributing structures. The definitions were changed to reflect these changes.

Mr. Frank questioned when the final draft would be available. Ms McWilliams stated that a final draft would be available after the LPC talks to the Council and any recommendations from those discussions were incorporated into the document.

Mr. Frick questioned the fact that there was no provision for rehab grants or availability of funding. Ms. McWilliams stated that all guidelines are predicated on the fact that all Federal and State funding would be continued. A discussion was held as to whether or not exact wording would need to be included. Mr. Frank stated that the Manager's recommended budget has \$80,000 allocated to continue the grant program and the Design Assistance program. Mr. Frank suggested adding the word "future" to define funding to indicate the ongoing nature of funding and to state it would be available later this year.

Mr. Frank led a discussion about plaques and certificates. He stated that the HRPP mentions exterior plaquing. At this point plaquing is not budgeted, but it would be something to consider for the future.

Ms. McWilliams explained about the presentation of the East Side/West Side Design Guidelines to Council. Bob Blanchard, Current Planning Director, will make a ten minute

presentation. Nore Winter, consultant, will then give a ten minute slide presentation. Ms. Carpenter will fill in any gaps or questions that are not covered by Mr. Blanchard and Mr. Winter. Mr. Frank asked Ms. Carpenter to explain some of the changes in the context as to why the LPC is recommending them. Since the LPC is more involved in the preservation issues of the city, they are able to recognize issues that may have been overlooked by others and to fully explain the mis-information that has been published.

Ms. Carpenter explained that the guidelines would put all the information before the public so that the people in the neighborhoods would be fully advised whether or not they would even want to be a district. Costs, impacts, ordinance changes, etc. would be explained fully in advance. However, before presenting the plan to Council, the LPC will have to review the finished document at a LPC meeting and vote to recommend the document to Council.

Meeting adjourned.