BY AUTHORITY

ORDINANCE NO. 53

SERIES OF 1990

COUNCIL BILL NO. 42

COMMITTEE OF REFERENCE:
Parks & Recreation,
Zoning & Planning

A B I L L

FOR AN ORDINANCE DESIGNATING THE CITY PARK PAVILION AND ITS SURROUNDING ENVIRONS, LOCATED IN CITY PARK AS A DISTRICT FOR PRESERVATION.

WHEREAS, the Preservation Commission has transmitted to the Council a proposed designation of a structure for preservation; and

WHEREAS, the Planning Board has approved the same; and

WHEREAS, the district, consisting of the City Park Pavilion, and its surrounding environs, located in City Park, has character, interest and value, as part of the development, heritage and cultural characteristic of the City; is identified with persons and groups of persons who had some influence on society; exemplifies the cultural, political, economic, social and historic heritage of the community; portrays the environment of a group of people in an era of history characterized by a distinctive architectural style; is the work of architects and master builders whose individual work has influenced the development of the City; is part of a park and should be developed and preserved according to a plan based on a historical, cultural and architectural motif;

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

Section 1. That certain property described as follows, together with all improvements situated and located thereon, be and the same is hereby designated as a District for Preservation:

A tract or parcel of land located in Section 36, Township 3 South, Range 68 West, of the 6th Principal Meridian, a part of City Park, City and County of Denver, State of Colorado, more particularly described as follows: Commencing at a Maltese Cross located at the Southwest corner of Steele Street and 17th Avenue (this cross was set some seventy years ago when the land corners still existed; the working line crosses were set by City and County of Denver surveying crews); thence Northeasterly on a deflection angle to the right of 09 degree 01' 46", a distance of 534.12 feet

to the TRUE POINT OF BEGINNING; thence NORTH on a deflection angle to the left of 09 degree 00' 30", across City Park Lake, a distance of 920.02 feet to a point; thence Southwesterly with an interior angle of 82 degree 04' 31", a distance of 959.26 feet to a point; thence SOUTH with an interior angle of 97 degree 54' 53", a distance of 787.94 feet to a point; thence EAST with an interior angle of 89 degree 59' 57", a distance of 949.96 feet to the Point of Beginning. Contains in all 811,315 square feet, 18.6252 acres, more or less.

Section 2. Design Review Process. Any proposal to alter, add to, demolish or construct any improvement within the district, including paving, will be reviewed by the Denver Landmark Preservation Commission according to the provisions of the Landmark Preservation Ordinance (Chapter 30). This applies to proposals initiated by both public and private entities. The Landmark Commission will hold a public hearing to review any proposal for changes within the district. Notification of the hearing will be sent to all registered neighborhood organizations within 200 feet of City Park and the City Park Golf Course, the Department of Parks and Recreation, the occupants of the Pavilion, the Zoo, and the Museum of Natural History in advance of the hearing date. The building will be posted 15 days in advance of the hearing date giving time, date and location of the hearing and a brief description of the proposed changes. The Commission will consider:

1. The "Design Guidelines for the City Park Pavilion Historic District."
2. All plans, drawings and photographs as may be submitted by the applicant, and information presented at a public hearing concerning the proposed work.
3. The criteria used in the original designation of the district.
4. The historical and architectural style, the general design, arrangement, texture, materials and color of the building or structure in question or its appurtenant fixtures; the relationship of such features to similar features of the other buildings within the district and the position of the building, structure, park or open space in relation to public right-of-way and to other buildings and structures in the district.
5. The effects of the proposed work upon the characteristics of the district which cause it to possess a special character or special historical or aesthetic interest or value.
6. Whether denial of the request will involve substantial hardship to the applicant.

7. Whether granting of the request would act to the substantial detriment of the public welfare and would be contrary to the purposes and intent of the Preservation Ordinance.

Review by the Commission of proposed work can occur at any stage in the development, and it is strongly recommended that the proposal be reviewed in the early planning stages, at the design/development stage and when construction documents are in process.

Section 3. Design Guidelines.

1. Urban Design Elements Objectives	Guidelines
Maintain the overall design integrity of the Pavilion and adjacent components as a unit.	The main Pavilion structure, the bandshell structure, the lake edge, the existing parking area, the Sopris Garden and the road and path system must be considered as a unit and treated collectively and not as individual elements. Design considerations of particular importance include: * The axial relationship of the Pavilion, the bandshell and the Sopris Gardens. * The open space between the Pavilion and the bandshell. Any proposed change within the Pavilion Historic District must be evaluated as to its effect within the District and on the surrounding greenspace areas.
Maintain the prominence of the Pavilion structure in the viewshed from the west side of the Museum of Natural History toward the downtown skyline and mountains beyond. Consider broader park and neighborhood impacts.	The Pavilion structure should not be reduced in architectural importance nor obscured by any means. Any proposed change to the Pavilion structure must consider impacts on the historic design integrity of City Park as a whole, including the Zoo and the Museum of

Natural History, and the surrounding neighborhoods.

2. Building Elements Objectives

Maintain the essential architectural character of the existing Pavilion structure.

Guidelines

Any enlargement of the existing structure should be avoided.

Any proposed change to the Pavilion should recognize the following design features of the existing structure:

1) The overall horizontal massing, including such components as its roof form, slope and organization.

2) The vertical elements, including the two-story center portion and stair tower elements.

3) The building's fenestration, particularly the east and west facades.

4) The sense of the structure as a Pavilion, with simple voids.

5) The color and texture of exterior materials.

6) The corner elements which anchor the ends of the north and south wings.

7) The architectural detail, including roof facia, railings, metal tile roof, and ceramic tile.

Consider the public use of Pavilion facility.

The design should reflect the historic notion of the Pavilion as a shelter and provide public access for such elements as public restrooms, meeting areas and concession space.

Maintain the essential character of the existing bandshell structure but modify existing elements which are architecturally inconsistent.

Any proposed change to the bandshell structure should recognize the following design features of the existing structure:

1) The basic proportions, massing and roof shape and slope.

* Remove the service shed.

2) The color, texture and materials.

* The roof should be reroofed with metal tile to match the Pavilion roof.

3) The architectural detail.

The concession dock area should allow for greater access to the lake edge for park use. The existing concession facility should be more architecturally compatible with the Pavilion.

The design of the concession facility should better reflect the design character of the Pavilion and bandshell in terms of its form, structure material and color. Before any reconstruction, the existing facility should be studied for historic significance and documented architecturally to provide an accurate historic record.

3. Landscape Elements Objective

Preserve and enhance the park-like setting around the Pavilion.

Guidelines

Provide people-scaled landscape features but protect view zone from east side.

Landscape the area between the Pavilion and the bandshell as a gracious setting for Park visitors gathering at the Pavilion for rest or special functions.

Use consistent and historic landscape elements to unify the Pavilion, bandstand, deck and concession uses. Landscaping around the Pavilion should be kept simple and well maintained.

Minimize conflicts between bicycles, park visitors, vehicles and official visitors at east side of Pavilion.

	Amenities such as public phone booths, restroom facilities, picnic shelters, drinking fountains, pedestrian lighting and benches are encouraged but should be consistent with the park-like setting and compatible with the design of other elements.
	Elements such as parking lot lighting, building security lighting and trash containers must be compatible with the historic design of the District.
Maintain and improve the Pavilion District landscape in a manner consistent with the historic design, City Beautiful elements, and scale of City Park.	Redefine the historic meadows. Transplant if needed.
	Do not block view of the Pavilion from the east.
	Select plant species, paving materials and park furnishings appropriate to the historic era and image of City Park.
	Eliminate unused parking areas such as the south parking lot. Avoid increasing or expanding paved and/or parking areas.
	Rehabilitate the staircase leading down to Duck Lake.
Minimize the impacts of vehicular parking areas and vehicular circulation on the Pavilion Historic District.	Screen the parking areas from pedestrian areas and the scenic view zone across the lake with appropriate landscape materials.
	Design vehicular access and circulation to minimize conflicts with other park uses, such as children's play areas and athletic fields, and surrounding neighborhoods.

Use landscape features to provide for visitor enjoyment, comfort, safety, accessibility and water conservation.	Maximize people visibility for safety. Avoid thick shrub beds. Provide handicap access to the Pavilion, lavatory, concession area, water fountain, and the lake edge. Utilize water conserving plant materials, landscape design and irrigation techniques where ever possible while maintaining the historic forest and meadow design concept.
Maintain the essential character of the Sopris Gardens.	The design of the Sopris Gardens should be maintained as a formal, classical garden. Elements of this design include: * Over all formal geometry * Axial relationship between the center of the Pavilion, the center of the garden, the center of the sundial and the center of the sculpture beyond. * Overall symmetry with the Pavilion and within the garden itself. The pedestrian connection between the Sopris Gardens and the Pavilion should be maintained.

PASSED By the Council January 29, 1990

Cathy L. Donahue - President

APPROVED: Federico Peña - Mayor Feb 2 1990

ATTEST: [signature] Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver

PUBLISHED IN The Daily Journal JAN. 26, 1990 Feb. 5, 1990

PREPARED By: Landmark Preservation Commission January 17, 1990

REVIEWED By: Patricia Wilks - City Attorney 1/17 1990

SPONSORED By Council Member(s):

The Daily Journal

No. _____

F.W. DODGE DIVISION
McGraw-Hill Information Systems Company
A Division of McGraw-Hill Inc

Publisher's Affidavit

STATE OF COLORADO,
City and County of Denver } ss.

I, Carole Thurnau of the City and County of Denver, State of Colorado, being duly sworn, upon oath say that I am the legal editor of The Daily Journal, that I have personal knowledge of all the facts set forth in this affidavit, that said The Daily Journal is a public daily newspaper of general circulation having its principal office and place of business situated in said City and County of Denver, that said The Daily Journal is printed and published daily except Saturdays, Sundays and legal holidays, that said The Daily Journal is a daily newspaper within the meaning of the act of the General Assembly of the State of Colorado, approved April 7 1921, and entitled, "An Act Concerning Legal Notices, Advertisements and Publications, and the Fees of Printers and Publishers Thereof, and to Repeal All Acts and Parts of Acts in Conflict with the Provisions of This Act" and as amended by an act of said General Assembly, entitled, "An Act to Amend An Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers Thereof and to Repeal All Acts and Parts of Acts in conflict with the Provisions of this Act'," approved March 30, 1923, and as amended by an act of said General Assembly, approved May 18, 1931 entitled, "An Act to Amend Section 4 of Chapter 139, Session Laws of Colorado, 1923, Relating to Legal Notices and Advertisements," which said Act took effect on and after the first day of January, 1932, and as amended by an act of said General Assembly, entitled, "An Act to Amend Chapter 139 of the Session Laws of 1923 Relating to Legal Notices and Advertisements, to Define Newspapers Qualified to Publish Legal Notices and Advertisements and the Fees of Printers and Publishers Thereof, and to Provide That the Costs of Such Legal Notices and Advertisements Shall Be Taxed as Fees," approved March 5, 1935, and as amended by an act of said General Assembly entitled, "An Act Relating to Legal Notices and Advertisements and Amending Section 1, of Chapter 113, Session Laws of 1931," approved March 25, 1935, and "An Act to Amend and as Amended by the General Assembly concerning 'Rates for Legal Publications,' 109-1-7 C R S 1963 as amended, approved May 22, 1971, and effective January 1, 1972" That said newspaper had, prior to January 1, 1936, and has ever since said date, been admitted to the United States Mails as second class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, that said newspaper is printed and published in whole in said City and County of Denver and has a general circulation therein, that said newspaper has been so printed and published as a public daily newspaper of general circulation in said City and County of Denver, uninterruptedly and continuously during the period of more than fifty-two consecutive weeks next prior to the first issue thereof containing the annexed legal notice and advertisement, that said legal notice and advertisement was published daily except Saturdays, Sundays and legal holidays in the regular edition of said newspaper for

One ~~consecutive~~ days, that the first publication of said legal notice and advertisement appeared in the regular edition of said

newspaper on the 5th day of February A D 1990, that the last publication of said legal notice and advertisement appeared in the regular edition of said newspaper on the

5th day of February A D 1990,

and that therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of said above-mentioned acts of the General Assembly of the State of Colorado

Carole Thurnau

Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me, a Notary Public this 5th day of February A D 1990

Witness my hand and notarial seal

Roger E. Parnell
Notary Public

101 University Blvd. #260
Denver, Colorado 80206

11/82 5M FORM #DJ-1

My Commission Expires Dec. 18, 1993

300

ORDINANCE NO. 53, SERIES OF 1990
COUNCIL BILL NO. 42, SERIES OF 1990

A bill for an ordinance designating the City Park Pavilion and its surrounding environs, located in City Park as a District for Preservation.
(PARKS & RECREATION, ZONING & PLANNING)
Designation recommended by Preservation Commission and approved by Planning Board. District includes the City Park Pavilion, Sopris Gardens west of the Pavilion, the bandshell structure, and the fountain in City Park Lake. District design guidelines are included for the Pavilion, bandshell, lake edge, existing parking, Sopris Gardens, and the road and path systems, which must all be considered as a unit and treated collectively. The full text of this ordinance is available in pamphlet form in the City Clerk's Office, Room 281, City and County Building.
Passed by the Denver City Council on January 29, 1990.
Published in The Daily Journal February 5, 1990

300

The Daily Journal

No. _____

F.W. DODGE DIVISION
McGraw-Hill Information Systems Company
A Division of McGraw-Hill Inc.

Publisher's Affidavit

STATE OF COLORADO
City and County of Denver } ss.

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One ~~consecutive~~ days, that the first publication of said legal notice and advertisement appeared in the regular edition of said

newspaper on the 26th day of

January A.D. 19 90; that the last publication of said legal notice and advertisement appeared in the regular edition of said newspaper on the

26th day of

January AD 19 90;

and that, therefore, said legal notice and advertisement was duly published in a newspaper duly qualified for that purpose within the meaning of said above-mentioned acts of the General Assembly of the State of Colorado

Carole Thurnau

Subscribed and sworn to, at the City and County of Denver, State of Colorado, before me, a Notary Public, this 26th day of

January AD 19 90

Witness my hand and notarial seal

Roger E. Parsell
Notary Public
101 University Blvd. #260
Denver, Colorado 80206

11/82 5M FORM #DJ-1

My Commission Expires Dec. 18, 1993

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COUNCIL BILL NO. 42, SERIES OF 1990

A bill for an ordinance designating the City Park Pavilion and its surrounding environs, located in City Park as a District for Preservation. (PARKS & RECREATION, ZONING & PLANNING)

Designation recommended by Preservation Commission and approved by Planning Board. District includes the City Park Pavilion, Sopris Gardens west of the Pavilion, the bandshell structure, and the fountain in City Park Lake. District design guidelines are included for the Pavilion bandshell, lake edge, existing parking, Sopris Gardens, and the road and path systems, which must all be considered as a unit and treated collectively. **Public hearing 1-29-90.** The full text of this bill is available in pamphlet form in the City Clerk's Office, Room 261, City and County Building.

Published in The Daily Journal January 26, 1990 300

C.B. #42 Series 1990

The Color People

RESTORATION GRAPHICS

SMART BUT NOT WISE.

To the Editor,

As a homeowner in South City Park and having recieved a letter from the Parks Department announcing a community meeting on new plans for City Park, I went to the meeting at East Highlast Thursday. I was aghast to find Mrs. Etter informing 300 of us the decision had already beenmade to move the Parks Department Offices into the Pavillion at City Park- plans have already been drawn, and the situation was irreversible unless we chose to go to court or appeal to the Mayor. The meeting revealed a thin cloaking over the Department's paternalistic and most cavalier attitude toward the public. We were surprised considering the Etter's fine reputation.

Mrs. Etter gave us a lot of reasons for the decisions- a lot of smart ideas. Combine the budgets to move and also renovate the pavillion- Smart Idea! Put the department in a city owned building- Smart idea! Letthe department's presence help encourage the fix up of neglected monuments; be a further deterance to social problems (although no longer a real major problem in City Park); tie the Parks Department's image to the City's premier park-All smart ideas. Smart, but not wise.

Well over a hundred years ago this park was laid out as were the city's subsequent parks to be a place where urban dwellers could go to get a respite- and island of tranquility and nature where people could step out of the hustle of streetlife and rusticate, ruminate, excercise, and socialize. Still today you see this park used at all hours for the same things. Here you see people looking at the stars, watching the sunset, picnicing, and strolling. Remember strolling- the leisurely walk to enjoy the quiet, the trees, the wildlife, conversation, and the like? The purpose and need for City Park has not changed in these hundred years.

Putting an office building smack in the middle of this park with all its attendent traffic will destroy the abience of City Park forever. Communter traffic mornings, evenings, and lunchtimes, people getting permits, making deliveries, doing official business, will all be speeding right through the middleof the park dividing and Balkanizing it. On top of this experience tells us that expansion is a foregone conclusion no matter how many toothless historical covenents are created.

Continued-

James Martin 1546 Williams St. Suite 201 Denver, CO 80218 303/388-8686

Public office is a public trust, Mrs. Etter. Our park has been a public trust for over a hundred years. We have pictures of families gathering , walking, and relaxing in City Park in 1890. We could take the same photos today. It is incumbent upon you, Mrs. Etter, and the administration, to see that we leave as our legacy a City Park in which people will be doing the same things in 2090. Wisdom is smartness that will last over time.

Sincerely,

James Martin

This letter was not printed by either paper. Is there a news black out?

CITY AND COUNTY OF DENVER

FEDERICO PEÑA
Mayor

DEPARTMENT OF LAW
STEPHEN H. KAPLAN
CITY ATTORNEY

OFFICE OF CITY ATTORNEY
ROOM 353
CITY AND COUNTY BUILDING
DENVER, COLORADO 80202
PHONE (303) 575-2665

January 17, 1990

MEMORANDUM

TO: Hon. Cathy Donohue
President
Denver City Council

FROM: Stephen H. Kaplan
City Attorney

BY: Robert M. Kelly
Assistant City Attorney

SUBJECT: Ordinance designating the City Park Pavilion and its surrounding environs, located in City Park as a district for preservation.

Attached hereto is a Bill for an Ordinance designating the City Park Pavilion and its surrounding environs, located in City Park as a district for preservation.

Pursuant to Section 13-12, of the Revised Municipal Code, this proposed ordinance has been reviewed by the Office of the City Attorney. We find no irregularity in form, and we have no legal objection to this proposed ordinance.

This Bill was prepared by the Landmark Preservation Commission. It was discussed and authorized for filing at the Mayor-Council meeting of Tuesday, January 17, 1990.

attachments

mv

COUNCIL REC'D.
18 JAN 90 9:22

ORDINANCE NO. 53 Series 1990

Council Bill No. 42 Series 1990

Meeting Date 1/22 1990

Read by Title, referred to Committee

on PARKS, RECREATION

ZONING, PLANNING

Committee report adopted/~~failed.~~

Council Bill ordered published:

Meeting Date Jan. 22, 1990

Council Bill passed/~~defeated~~ by the City Council:

Meeting Date Jan. 29, 1990

VETOED: _____ 19___

- ☐ Sustained
- ☐ Overruled
- ☐ No Action Taken

C/R 46 Rev. 1/87)

ORDINANCE