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| <b>8. Project #227-05 501 Marion Street</b><br>Driving Park H.D.<br>Applicant – Mark Rudnicki<br>Property Owner–Judith & James Tochihara | <b>Residence<br/>Addition</b><br>(Shed & Patio) |
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III. Designations

Reports & Recommendations by Sheila Doll

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| <b>A. Bell Park Dedesignation</b><br>Lower Downtown H.D.<br>Property Owner/Applicant – City & County of Denver<br>Proposal to remove Block 44 East Denver and Block 242 West<br>Denver from the Lower Downtown Historic District | <b>Preliminary Investigation</b> |
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**Presentation by E. Shigeta:**

There has been a little change. It's important to set the Public Hearing as it gives us time to get the public notices out. We ask that you set the Public Hearing for September 20, 2005. We plan to present you with all the information. We continue to research anything that would help you to make a decision.

**Discussion:**

- M. Urbina: The research has to continue.  
S. McCarthy: I don't think we have enough information.  
S. Leonard: Why not set the Public Hearing after we get all the information?  
E. Shigeta: The timing. There are deadlines for the 20<sup>th</sup> of September. If there's not enough information then, you can continue it. E. Schlosser: If we're not interested in the proposal aren't we just waiting longer?  
S. McCarthy: Wouldn't we want a Public Hearing anyway?  
E. Shigeta: You have to have one.  
E. Schlosser: Who has final approval?  
S. McCarthy: The City.  
D. Cohen: Sometimes applications don't get that far.  
E. Schlosser: Why do we have to have a Public Hearing?  
E. Shigeta: Because you have to move forward.  
E. Schlosser: On an incomplete application?  
S. McCarthy: Can we schedule it to be first?  
E. Shigeta: If there are no other Public Hearings already scheduled, otherwise right after.  
E. Schlosser: I think we're spending a lot of time on something I don't think should go forward.  
E. Shigeta: We want to get enough information to you so you can go forward.  
S. McCarthy: MY concern is that if there's nothing to justify the boundary here, what justifies other district boundaries? We're looking at one parcel in a vacuum.  
S. Leonard: What if we don't set a Public Hearing? We've yet to set a Public Hearing for the Hilltop application.  
E. Shigeta: Park Hill's in committee. You decide what you want to do today. What's the harm in not holding this up?  
S. Leonard: It may not be suitable for a Public Hearing.  
E. Shigeta: Your job is to forward this to City Council.  
E. Shigeta: That doesn't change the process. We're going to develop more information for you and get it to you two weeks before the Public Hearing.  
S. Leonard: Then we'll have to go to the Public Hearing anyway.  
E. Shigeta: It's the process. The ordinance says:

The designation of a structure or district for preservation may be amended or rescinded in the same manner as the original designation was made under the provisions of section 30-4 of this chapter; provided however, in the event a structure for preservation has been demolished or moved from the designated site, then the rescission of designation may be made by ordinance without following the procedures set forth in said section 30-4; provided further that an amendment to a designating ordinance shall not require a public hearing if said amendment does not change the area encompassed by the district or structure for preservation.

Preliminary investigation, then Public Hearing, then review by the Planning Board, another Public Hearing, findings and recommendations, and forward to City Council, who will take action on the matter.

**Motion by D. Humphries: to set the Public Hearing for the Dedesignation of Bell Park for Tuesday September 20, 2005**

**Second by J. Bershof**

**Vote: D. Cohen, J. Bershof, S. Goldblatt, S. McCarthy, and C. McConnell, in favor, S. Leonard, E. Schlosser, and D. Humphries opposed, Motion carries, Public Hearing set.**

D. Cohen: I voted for this because we can always continue the Public Hearing.

E. Schlosser: We're not asking for more information, we're disinterested.

S. McCarthy: I don't have enough information to go either way.

E. Schlosser: We're opening a can of worms.

S. Leonard: I hope the additional information gives us alternatives short of de-listing. I don't think anyone doesn't like the project. It's the precedent of chopping blocks out of districts.

E. Shigeta: You have responsibilities. Whether you make a decision today or a year from now you have the authority to say no.

D. Cohen: If we don't set a Public Hearing it can't go to City Council. Right?

E. Shigeta: I'm not sure.

S. McCarthy: it should be clear that whatever's in our packets, that's what we're to consider, including a complete review of the file. The City didn't file this using the normal process. The City hasn't followed its own procedures. The City should be made to follow the law. Otherwise I'm uncomfortable with this.

D. Cohen: Will there be other information?

E. Shigeta: Anything we can gather.

D. Cohen: On the project and on the zoning?

E. Shigeta: Yes. But that's not part of your decision.

S. McCarthy: Does that block belong in the district or not? It's there now.

S. Goldblatt: You could look at it as a view corridor.

S. McCarthy: as open space.

E. Schlosser: As the site of the old City Hall.

**Bell Park Addendum:**

D. Cohen summarized a letter from the LoDo District Inc.:

1. Speer Boulevard is an oasis in downtown,
2. The City is willing to kook at development,
3. There's an opportunity to finish the edge, and
4. The vision must include the whole area.

**Discussion:**

J. Bershof: A PUD makes sense.

S. McCarthy: I'd like the opportunity to sit down with Staff and go through the LoDo designation file to see how the boundaries were determined.

E. Schlosser: Do we want to air that information?

S. McCarthy: it could impact all of our districts. We have to base our decisions on the guidelines. The file should be looked at.

V. Applications for State Income Tax Credit  
Reports & Recommendations by Preservation Staff

A. Applications for Preliminary Approval

1. Layne Residence