

MEMORANDUM

December 5, 2014

TO: Landmarks Board

FROM: Lesli Ellis, Comprehensive Planning Manager
Debra Kalish, Senior Assistant City Attorney
James Hewat, Senior Historic Preservation Planner
Marcy Cameron, Historic Preservation Planner
Angela Smelker, Historic Preservation Intern

SUBJECT: Public hearing and consideration of the proposed designation of the property at 445 College Ave. as an individual local historic landmark per Section 9-11-5 of the Boulder Revised Code 1981 (HIS2014-00085).

STATISTICS:

1. Site: 445 College Ave.
2. Date of Construction: 1963
3. Zoning: RL-1 (Residential Low)
4. Lot Size: 38,488 sq. ft.
5. Owner: George and Stephanie Stark
6. Applicant: Landmarks Board

STAFF RECOMMENDATION:

Staff recommends the Landmarks Board disapprove the proposed individual local historic landmark designation for the property at 445 College Ave. for the following reasons:

- The applicant has diligently explored alternatives to demolition of the buildings as suggested in § 9-11-23(h), B.R.C. 1981, including consensual landmark designation, construction of an addition to the house, modification of the house in a manner that would not require demolition review, and relocating the house. Through the exploration of alternatives to demolition, the owners have determined that preserving the existing building does not meet their goal of providing an accessible house and maximizing economic support for their differently abled son.
- In this instance, the owners' interest in their property includes providing a home for their son that meets his needs.

- Landmarking the property over the owners' objection, in this instance, does not draw a reasonable balance between private property rights and the public interest and is inconsistent with the intent of § 9-11-1(b), B.R.C. 1981.
- The Landmarks Board has rarely recommended landmark designation over an owner's objection and then only for properties that meet the criteria for designation at a very high level.

This disapproval would be subject to call up by City Council within 45 days of the Landmarks Board's decision. If the City Council chooses not review the decision, a demolition permit will issue as the stay-of-demolition expired on Oct. 23, 2014. However, staff will require HABS Level documentation including photographs and measured drawings of the building prior to issuance of a building permit.

RECOMMENDED MOTION:

I move that the Landmarks Board disapprove the designation of the property at 445 College Ave. as an individual local historic landmark, finding that although, pursuant to Sec. 9-11-1(a), B.R.C. 1981, the proposal would protect, enhance, and perpetuate a building of the city reminiscent of past eras, events, and persons, it does not meet the legislative intent of Section 9-11-1(b) in that approving the application would not draw a reasonable balance between private property rights and the public interest. I further move that the Landmarks Board adopt this staff memorandum as findings of the Board, order staff to issue the demolition permit and recommend that prior to issuance of the demolition permit, staff require the applicant to submit to CP&S staff for recording with Carnegie Library:

1. *A site plan showing the location of all existing improvements on the subject property;*
2. *Measured elevation drawings of all faces of the buildings depicting existing conditions, fully annotated with architectural details and materials indicated on the plans; and*
3. *Black and white medium format archival quality photographs of all exterior elevations.*

SUMMARY:

- On Oct. 1, 2014, the Landmarks Board voted to initiate landmark designation for the property located at 445 College Ave. (3-2, M. Gerwing and K. Remley opposed) The purpose of this review is for the Board to determine whether the proposed designation of the property at 445 College Ave. conforms with the purposes and standards of Sections 9-11-1, *Purpose and Legislative Intent*, and 9-11-2, *City Council May Designate Landmarks and Historic Districts*, of the Boulder Revised Code 1981.
- On Mar. 26, 2014, the Community Planning and Sustainability Department received a application to demolish the house at 445 College Ave. Staff referred the application to

the Landmarks Board for a public hearing, finding there was “probable cause to believe that the building may be eligible for designation as an individual landmark.”

- On June 4, 2014, the Landmarks Board imposed a stay-of-demolition for a period of up to 180 days in order to seek alternatives to the demolition.
- During the stay-of-demolition, staff met with the applicant on several occasions to discuss alternatives to the demolition of the buildings, including landmark designation, constructing an addition to the house, modifying the house in a manner that would not require demolition review, relocation of the house and combination of the lots through a lot-line elimination. The owner conducted several site visits and undertook a Pre-Application review to identify site constraints and opportunities. As stated in the analysis section of this memo, none of these options were considered feasible, as it is the owners’ goal to have a universally accessible house and to maximize future economic support for their son. *See Attachments D and F: Materials from the owners and their architect.*
- Staff finds that the property has architectural and historic significance and may be eligible for individual landmark designation pursuant to Section 9-11-1(a) B.R.C. However, staff also finds that, in this case, designation over the owner’s objection would be inconsistent with Section 9-11-1(b) of the historic preservation ordinance. City Council made clear in Section 9-11-1(b) that the city “does not intend to preserve every old building in the city but instead to draw a reasonable balance between private property rights and the public interest in preserving the city’s cultural, historic and architectural heritage by ensuring that demolition of buildings and structures important to that heritage will be carefully weighed with other alternatives....”
- In this instance, the owners’ interest in their property includes the ability to provide their son with a universally accessible home.
- Staff is concerned that the designation of a building that does not meet a high standard of significance over the owners’ objection would not represent a reasonable balance of private property rights with the public’s interest in preserving the City’s cultural, historic, and architectural heritage.
- Staff recommends that the Board find that the designation of the house at 445 College Ave. does not conform to the purposes and standards of the historic preservation ordinance and deny the application, adopting this staff memorandum as findings of the Board.

PROPERTY DESCRIPTION:

The one-story frame and brick house at 445 College Ave. features a low-pitch front gable roof with wide, overhanging eaves, exposed rafters and open-gable carport with exposed trusses and simple square, wooden column supports. The façade of the house is clad in wooden board-and-batten siding that is painted blue with single, square casement window located at the gable end. The slope of the roof extends west, creating

an asymmetrical building mass. Three sliding glass doors are located on the east end of this elevation with a 6' high fence with wooden posts and fiberglass cladding extending from the southeast corner of the house to the southeast corner of the carport and along the east and west sides of the carport. The east and west walls are of brick construction and run perpendicular to the steeply north sloping lot.



Figure 1. The map above correctly shows the property at 445 College Ave.

The map in prior staff memoranda incorrectly depicts the property encompassing Lots 11, 12 and 13 of the Kecoughtan Hills Subdivision. This was due to an error in the GIS software, which does not differentiate between lots if the property has been historically owned by a single owner. Lots 12 and 13 are legally separate lots and do not contain any buildings; the house at 445 College Ave. (Lot 11) is situated on a 12,031 sq. ft. lot. The only property to be considered by the Board in this hearing is the structure on the property at 445 College Ave. See Attachment C: Original Plans.

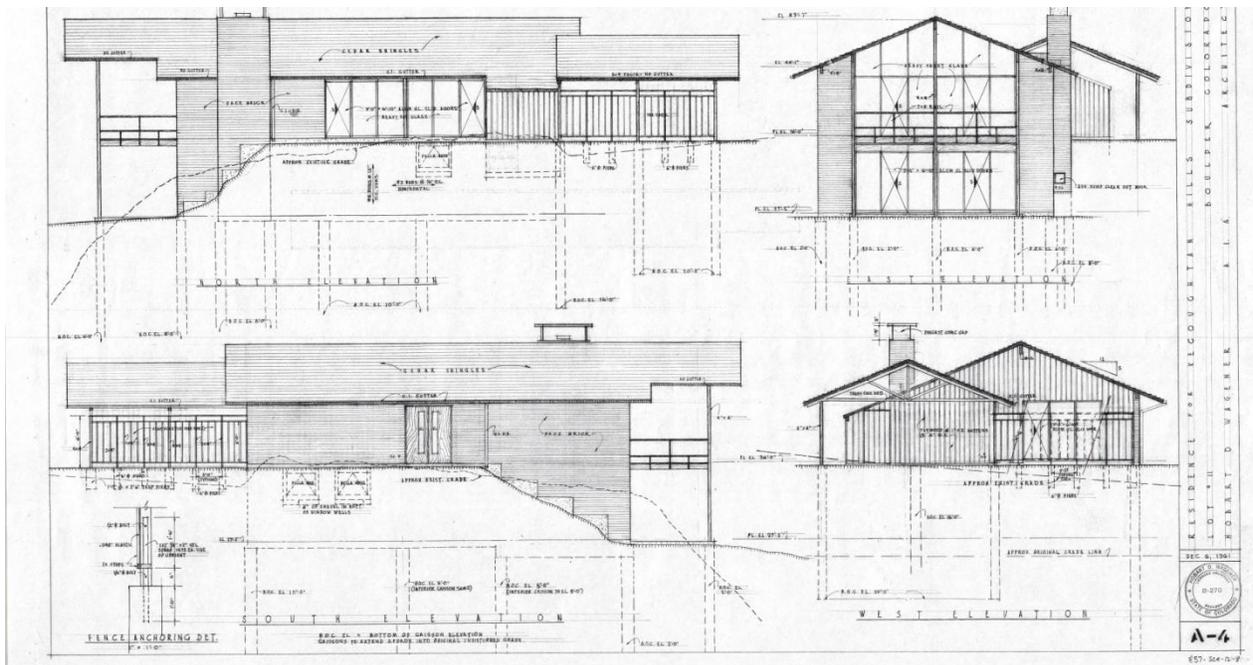


Figure 2. Original drawings showing house designed for Lot 11, Kecoughtan Hills Subdivision, 1961.

In October 2014, staff was notified that the original plans for the house at 445 College Ave. were located at the Carnegie Branch Library for Local History. The plans are signed by Hobart Wagener and show that, with the exception of a single, square casement window on the façade (which was added at an unknown date), the house was constructed per Wagener’s drawings and remains largely intact from its 1963 date of construction.

Hobart Wagener is recognized as a prominent modernist architect who practiced in Boulder from 1950 until his death in 1985. He worked with James M. Hunter prior to launching his own firm in 1953. Over the course of his career, he designed over two hundred public and private buildings including St. John’s Episcopal Chapel, First Methodist Sanctuary, Fairview High School, Presbyterian Manor Apartments, Fruehauf Garden Center, and the First National Bank. He also designed the University of Colorado Kittredge Dormitories and Williams Village. The Labrot House (819 6th St.) and the Green Shield Insurance Building (900 28th St.) are among his best known buildings and both are designated as individual landmarks.

The owners require universal accessibility in and around the house, which will require ramping, an accessible parking space and an elevator to provide access between the two stories. The building, in its current configuration, is not accessible: the roof of the carport is too low to accommodate an ADA van; the concrete slab of the carport is sloped, creating a hazardous condition in inclement weather; the path to the main entrance (east elevation) is narrow and uneven; and the deck on the east side is raised. Schemes for the

construction of an addition at the south or east elevations have been explored, but constructing in these locations would likely require continuing the two-story configuration where a one level floor plan is desired to achieve the accessibility required by the Americans with Disabilities Act inside and around the house.

CRITERIA FOR THE BOARD’S DECISION:

Section 9-11-5(c) *Public Hearing Before the Landmarks Board*, of the historic preservation ordinance specifies that in their review of an application for local landmark designation, “the landmarks board shall determine whether the proposed designation conforms with the purposes and standards in Sections 9-11-1 *Legislative Intent*, and 9-11-2 *City Council May Designate Landmarks and Historic Districts*”.

ANALYSIS OF LANDMARK CRITERIA:

9-11-1: *Legislative Intent* states:

- (a) The purpose of this chapter is to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the city reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this chapter to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the city’s living heritage.
- (b) The City Council does not intend by this chapter to preserve every old building in the city but instead to draw a reasonable balance between private property rights and the public interest in preserving the city’s cultural, historic, and architectural heritage by ensuring that demolition of buildings and structures important to that heritage will be carefully weighed with other alternatives and that alterations to such buildings and structures and new construction will respect the character of each such setting, not by imitating surrounding structures, but by being compatible with them.
- (c) The City Council intends that in reviewing applications for alterations to and new construction on landmarks or structures in a historic district, the Landmarks Preservation Advisory Board shall follow relevant city policies, including, without limitation, energy-efficient design, access for the disabled, and creative approaches to renovation.

9-11-2: *City Council may Designate Landmarks and Historic Districts* states:

- (a) Pursuant to the procedures in this chapter the City Council may by ordinance:
 - (1) Designate as a landmark an individual building or other feature or an integrated group of structures or features on a single lot or site having a special character and historical, architectural, or aesthetic interest or value and designate a landmark site for each landmark;
 - (2) Designate as a historic district a contiguous area containing a number of sites, buildings, structures or features having a special character and historical, architectural, or aesthetic interest or value and constituting a distinct section of the city;
 - (3) Designate as a discontinuous historic district a collection of sites, buildings, structures, or features which are contained in two or more geographically separate areas, having a special character and historical, architectural, or aesthetic interest or value that are united together by historical, architectural, or aesthetic characteristics; and
 - (4) Amend designations to add features or property to or from the site or district.
- (b) Upon designation, the property included in any such designation is subject to all the requirements of this code and other ordinances of the city.

To assist in the interpretation of the historic preservation ordinance, the Landmarks Board has adopted significance criteria to use when evaluating applications for individual landmarks. The criteria are included in *Attachment A: Significance Criteria*.

The board may approve, approve with modifications, or disapprove the application. Findings must be adopted within 45 days of the hearing date. Should the board disapprove the application, the board must notify City Council of that action within 30 days of the hearing date. City Council may call up a decision disapproving a designation. Should an application be disapproved, the same application may not be submitted for a period of one year.

If the board finds that the proposed designation conforms to Sections 9-11-1 and 9-11-2, B.R.C. 1981, it shall adopt specific findings and conclusions approving or modifying and approving the application. If the board approves the proposed designation, the application will be forwarded to City Council (within 45 days) for a public hearing. The public hearing before City Council must be held within 100 days of the Landmark Board's decision recommending designation.

ANALYSIS:

Staff's analysis is based on the criteria for review provided below.

- A. Does the proposed application protect, enhance, and perpetuate buildings, sites, and areas of the city reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past?*

Staff finds that the proposed application would perpetuate a building and site of the city reminiscent of past eras and persons important in local history. Staff considers that the application may meet the historic and architectural criteria for individual landmark designation as outlined below, which was adopted to assist in the interpretation of this section of the ordinance:

HISTORIC SIGNIFICANCE:

Summary: The house located at 445 College Ave. meets historic significance under criteria 1, 2 and 3.

Date of Construction: 1963

Elaboration: The building permit and tax assessor card indicate the building was constructed in 1963.

- 2. Association with Persons or Events:** William and Elizabeth Kellogg

Elaboration: William and Elizabeth Kellogg owned the property from the time of the house's construction in 1963 until 2014. William was a renowned scientist and Betty an influential in early childhood education.

- 3. Development of the Community:** Kecoughtan Hills

Elaboration: The Kecoughtan Hills subdivision was platted in 1961 by Henry Vincent Ellwood, Lelia Weymouth Ellwood, William Weymouth Ellwood and Margaret B. Ellwood. Penfold Realty was the exclusive agent for the Kecoughtan Hills development, and local Modernist architect Hobart Wagener was commissioned to design ten houses, ranging from \$20,000 to \$40,000. The simple "chalet-style" houses were individually designed to integrate into the dramatic sites, and were unified through the use of low gables, wide, overhanging eaves, porches and exposed beams. For unknown reasons, only three of the ten houses were developed by Penfold Realty. In total, ten houses were constructed between 1963 and 1974, including the Damman and McConnell Houses (450 and 460 College Ave.), designed by Modernist architect Charles Haertling. Kecoughtan Hills is an intact example of a notable mid-century development that retains much of its original character.

4. Recognition by Authorities: None observed.

Elaboration: This building was not included in the 2000 *Survey of Modern Architectural Structures in Boulder 1947-1977*. It is unclear why the buildings in this subdivision were not included in this study. The survey states that it identifies “sixty-six of the most significant buildings of the [1947-1977] period.” Hobart Wagener is recognized as a one of Boulder’s preeminent architects of the Post-WWII period in Boulder and designed over 200 buildings. Of the 66 buildings examined in the survey, 10 were designed by Wagener, two of which have been designated as individual landmarks.

ARCHITECTURAL SIGNIFICANCE:

Summary: The house located at 445 College Ave. meets architectural significance under criteria 1 and 2.

1. Recognized Period or Style: Modern

Elaboration: The house is an example of mid-twentieth century simple architectural design with “chalet” elements, including gable roof with overhanging eaves, board-and-batten siding, exposed beams and large windows. The prominence of the carport on the otherwise unadorned façade exemplifies the importance of the automobile in mid-century residential design. The house is closed to the street and opens to the north with expansive plate glass and balcony. The open design of the house is consciously integrated into its site.

2. Architect or Builder of Prominence: Hobart Wagener

Elaboration: The house was designed by local architect Hobart Wagener (see figure 2). The Kecoughtan Hills subdivision, platted in 1961, was initially intended to be developed exclusively by the Penrose Realty Company. Hobart Wagner designed ten “Chalet-style” houses to integrate into the site. Three of the houses were completed (including 445 College Avenue), and the rest of the lots were sold individually. Wagener practiced architecture in Boulder from 1950 until 1985. Wagener designed over two hundred public and private buildings including St. John's Episcopal Chapel, First Methodist Sanctuary, Fairview High School and Presbyterian Manor Apartments. The Green-Shield Insurance Building and LaBrot House are designated as local landmarks.

3. Artistic Merit: While the house was built according to drawings by Hobart Wagener, it is one of his simplest and least distinguished house designs.

4. Example of the Uncommon: None observed.

5. Indigenous Qualities: None observed.

B. Does the proposed application develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize neighborhoods, promote tourist trade and interest, and foster knowledge of the City's living heritage?

Staff finds that the proposed application would maintain an appropriate setting and environment for the building. However, the two lots to the east are not included in the application and could be developed without review by the Historic Preservation program, potentially changing the setting of the subject property. Staff does not consider that landmark designation of 445 College Avenue would significantly stabilize the neighborhood.

ENVIRONMENTAL SIGNIFICANCE:

Summary: The house located at 445 College Ave. meets environmental significance under criteria 1, 2 and 5.

1. **Site Characteristics:** The lot features mature landscaping, including large Pine trees.
 2. **Compatibility with Site:** The buildings in the Kecoughtan Hills subdivision were designed to blend into the rugged hillside and take advantage of scenic views. The house at 445 College Ave. is carefully integrated into the steep slope of the site.
 3. **Geographic Importance:** None observed.
 4. **Environmental Appropriateness:** The property is complementary to its surroundings and is consciously situated on the steeply sloped lot.
 5. **Area Integrity:** The Kecoughtan Hills subdivision was platted in 1961 and retains much of its original character. The houses, each consciously designed to integrate into the dramatic sites, create a harmonious character with abundant mature vegetation.
- C. Does the proposed application draw a reasonable balance between private property rights and the public interest in preserving the City's cultural, historic, and architectural heritage by ensuring that demolition of buildings and structures important to that heritage will be carefully weighed with other alternatives?**

While the house at 445 College Avenue is an interesting representative example of mid-century modern architecture and possesses architectural, historic and environmental significance, it cannot be recognized among Wagener's best designs. The relative

simplicity of design and lack of distinctive architectural elements usually associated with Hobart Wagener do not distinguish the house as one of the architect's more sophisticated or successful buildings.

During the course of the stay-of-demolition the owner has explored alternatives to demolishing the house and making the building accessible for their son who suffers from a major disability. The challenges associated with this situation have led the owners to conclude that providing accessibility so their son so he can age in place at 445 College Avenue takes precedence over the possibility of preserving the house. See Attachments D and F: Materials from the Owners and their Architect.

There has been limited public support for the landmark designation of the property. Seven neighbors in the immediate neighborhood have spoken against the designation of this property, both in written form and at public hearings. A letter dated November 19th, 2014, from the Board of Directors of Historic Boulder, Inc. opposes the proposal, finding that the significance of this property does not justify landmarking over the owners' objection. No public comment has been received supporting landmark designation over the owner's objections. See Attachment G: Public Comment.

In the history of the historic preservation program, individual landmark designations over the owner's objection have occurred very rarely.

Of the 168 designated individual landmarks since 1980 (1974 to 1979 records do not clearly identify the initiator), 157 were initiated by the property owner. Four were initiated by Historic Boulder, one by the Modern Architecture Preservation League (Bandshell), and six by the Landmarks Preservation Advisory Board. Of these designations, five are known to have been over the owner's objection:

1980: 2032 14th Street – Boulder Theater
1990: 646 Pearl St – Arnett-Fullen House
1998: 1949 Pearl Street – Campbell Grocery
2007: 1936 Mapleton Avenue – Frakes House
2007: 3231 11th Street – Chambers Cottage

Given this, staff does not consider that initiating landmark designation over the owner's objection represents a "reasonable balance between private property rights and the public interest." Staff considers that the initiation of landmark designation for this property would be inappropriate and that, in this circumstance, designation of the property would not meet the legislative intent of balancing private property rights and the public interest as stated in 9-11-1, "Legislative Intent," B.R.C. 1981.

FINDINGS

The Landmarks Board finds, that, although the property does meet the significance criteria for landmark designation, the relative simplicity of design and lack of distinctive architectural elements usually associated with Hobart Wagener's buildings do not distinguish the house as one of the architect's more sophisticated or successful buildings. Likewise, in this case, the historic and environmental significance of the property is not so high as to outweigh the owners' interest in their property and providing an accessible home for their son.

Based upon this information, the application and evidence presented, the proposed designation would not be consistent with the purposes and standards of the Historic Preservation Ordinance in that it would not draw a reasonable balance between private property rights and the public interest in preserving the City's cultural, historic, and architectural heritage (9-11-1(b), B.R.C. 1981).

ATTACHMENTS:

- A: Significance Criteria for Individual Landmarks
- B: Tax Assessor Card
- C: Original Plans for 445 College Ave., 1961
- D: Current Photographs
- E: Letter from the Starks
- F: Materials from Stephen Sparn
- G: Public Comment Received Oct. 1 to Nov. 21

Attachment A: Significance Criteria for Individual Landmarks

SIGNIFICANCE CRITERIA

Individual Landmark

September 1975

On September 6, 1975, the City Council adopted Ordinance #4000 providing procedures for the designation of Landmarks and Historic Districts in the City of Boulder. The purpose of the ordinance is the preservation of the City's permitted cultural, historic, and architectural heritage. The Landmarks Board is permitted by the ordinance to adopt rules and regulations as it deems necessary for its own organization and procedures. The following Significance Criteria have been adopted by the board to help evaluate each potential designation in a consistent and equitable manner.

Historic Significance

The place (building, site, area) should show character, interest or value as part of the development, heritage, or cultural characteristics of the community, state or nation; be the site of a historic, or prehistoric event that had an effect upon society; or exemplify the cultural, political, economic, or social heritage of the community.

Date of Construction: This area of consideration places particular importance on the age of the structure.

Association with Historical Persons or Events: This association could be national, state, or local.

Distinction in the Development of the Community of Boulder: This is most applicable to an institution (religious, educational, civic, etc) or business structure, though in some cases residences might qualify. It stresses the importance of preserving those places which demonstrate the growth during different time spans in the history of Boulder, in order to maintain an awareness of our cultural, economic, social or political heritage.

Recognition by Authorities: If it is recognized by Historic Boulder, Inc. the Boulder Historical Society, local historians (Barker, Crossen, Frink, Gladden, Paddock, Schooland, etc), State Historical Society, The Improvement of Boulder, Colorado by F.L. Olmsted, or others in published form as having historic interest and value.

Other, if applicable.

Architectural Significance

The place should embody those distinguishing characteristics of an architectural type specimen, a good example of the common; be the work of an architect or master builder, known nationally, state-wide, or locally, and perhaps whose work has influenced later development; contain

elements of architectural design, detail, materials or craftsmanship which represent a significant innovation; or be a fine example of the uncommon.

Recognized Period/Style: It should exemplify specific elements of an architectural period/style, i.e.: Victorian, Revival styles, such as described by *Historic American Building Survey Criteria*, *Gingerbread Age* (Maass), *76 Boulder Homes* (Barkar), *The History of Architectural Style* (Marcus/Wiffin), *Architecture in San Francisco* (Gebhard et al), *History of Architecture* (Fletcher), *Architecture/Colorado*, and any other published source of universal or local analysis of a style.

Architect or Builder of Prominence: A good example of the work of an architect or builder who is recognized for expertise in his field nationally, state-wide, or locally.

Artistic Merit: A skillful integration of design, material, and color which is of excellent visual quality and/or demonstrates superior craftsmanship.

Example of the Uncommon: Elements of architectural design, details, or craftsmanship that are representative of a significant innovation.

Indigenous Qualities: A style or material that is particularly associated with the Boulder area.

Other, if applicable.

Environmental Significance

The place should enhance the variety, interest, and sense of identity of the community by the protection of the unique natural and man-made environment.

Site Characteristics: It should be of high quality in terms of planned or natural vegetation.

Compatibility with Site: Consideration will be given to scale, massing placement, or other qualities of design with respect to its site.

Geographic Importance: Due to its unique location or singular physical characteristics, it represents an established and familiar visual feature of the community.

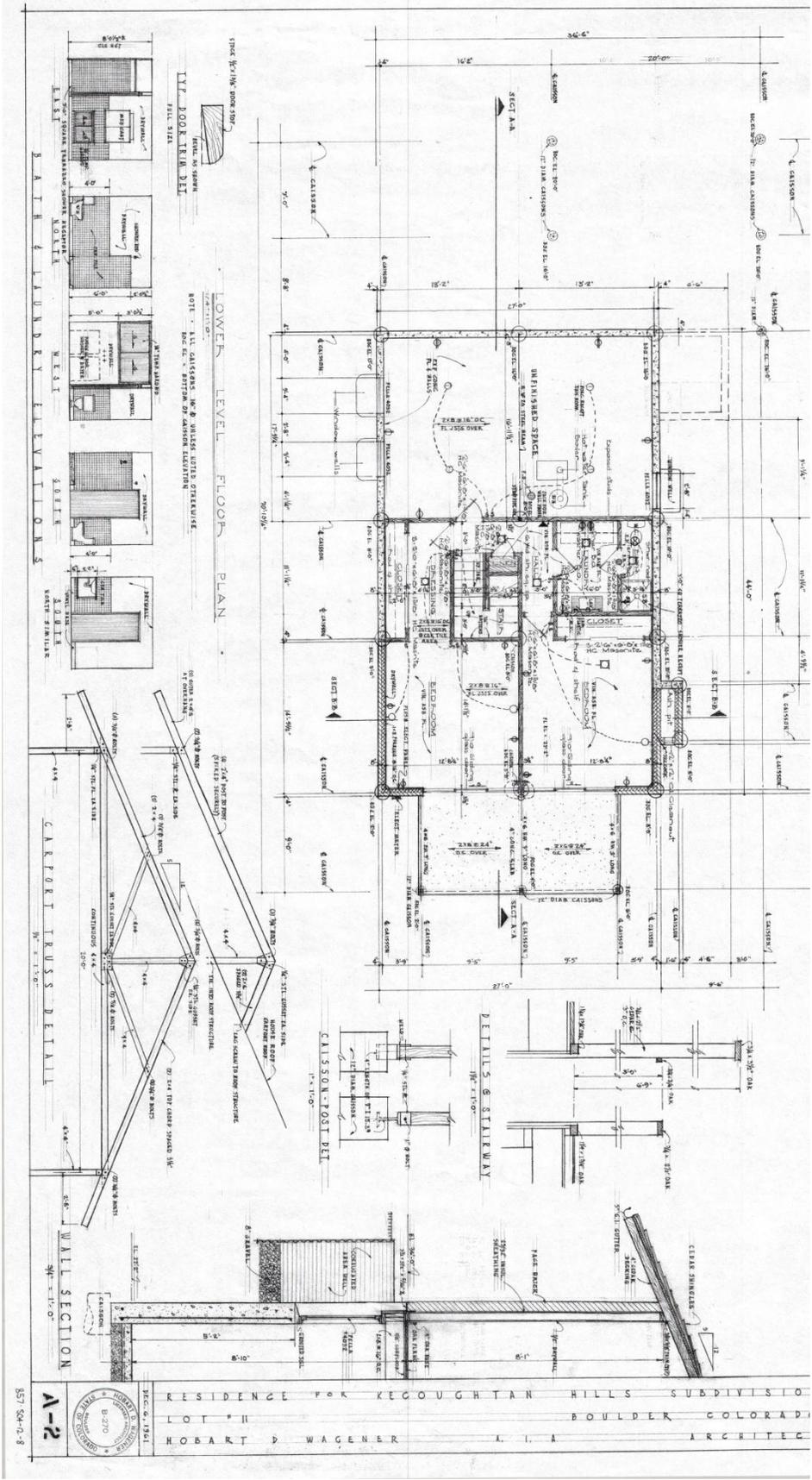
Environmental Appropriateness: The surroundings are complementary and/or it is situated in a manner particularly suited to its function.

Area Integrity: Places which provide historical, architectural, or environmental importance and continuity of an existing condition, although taken singularly or out of context might not qualify under other criteria.

Attachment B: Tax Assessor Card



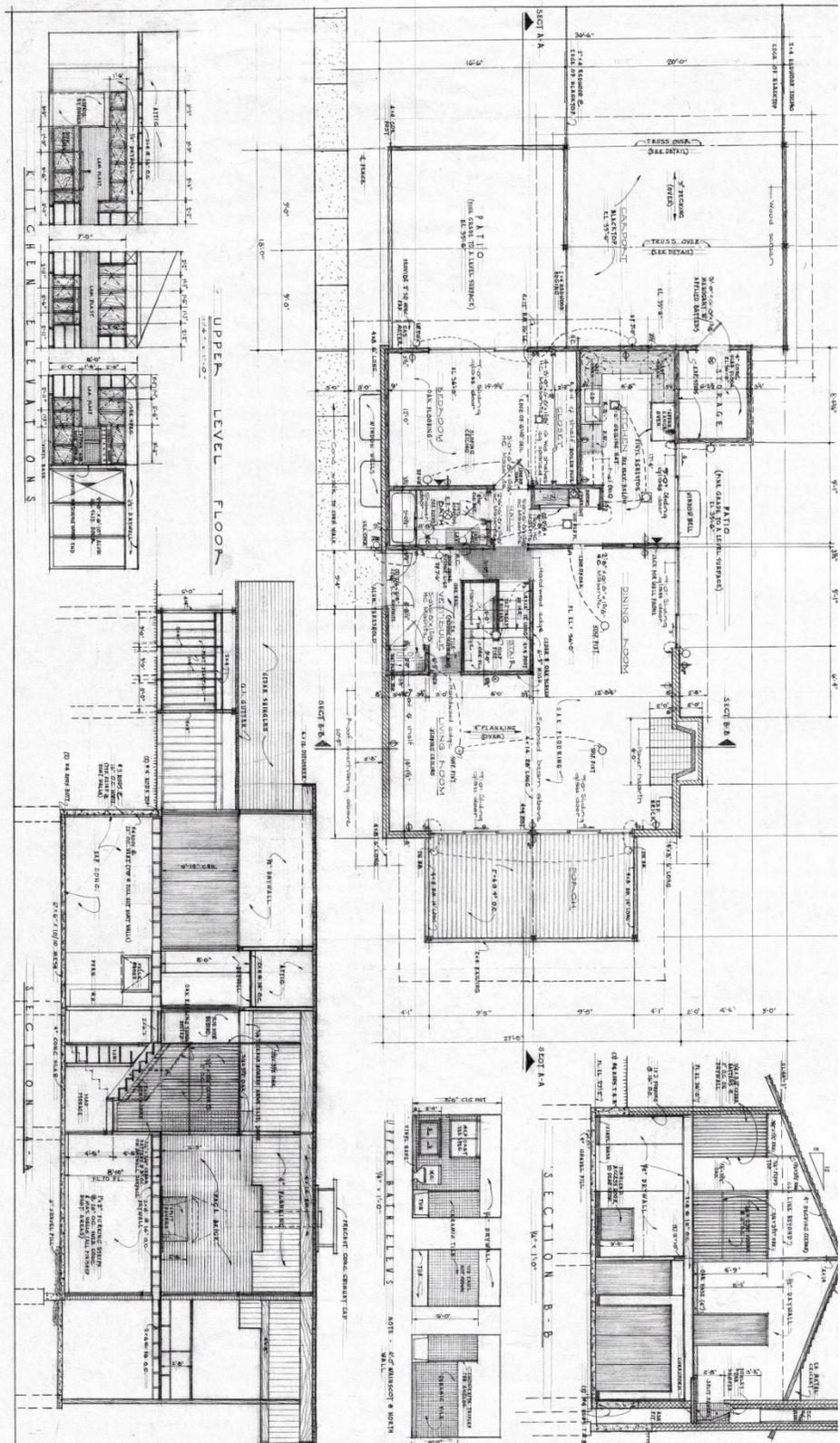
Tax Assessor Card Photograph, 445 College Ave., 1963.



557 54-2-8



RESIDENCE FOR KEOUGHTAN HILLS SUBDIVISION
 LOT #11 BOULDER COLORADO
 HOBART V. WACNER ARCHITECT



RESIDENCE FOR KECOUGHTAN HILLS SUBDIVISION
 LOT # 11 BOULDER COLORADO
 HOBART D WAGNER ARCHITECT

A-3

SEC. 6-1981

0-270

REGISTERED ARCHITECT

Attachment D: Current Photographs



445 College Ave., South façade, 2014.



445 College Ave., West elevation, 2014.



445 College Ave., East elevation, 2014.



445 College Ave., North elevation, 2014.



445 College Ave., Non-historic accessory building 2014.

Attachment E: Letter from the Starks dated Nov. 17, 2014

Building and ADA Assessment

Stark Residence - 445 College

11/17/2014

Client Program

Our client, Alex Stark, is a young man who is an artist. Because of his disabilities, he requires a single level home that will accommodate his physical and visual impairments and assist in his everyday living needs including studio space for the creation of his artwork. Alex also requires a full time, live-in caregiver. The caregiver's housing needs must be met in this house and provide privacy/autonomy between the two parties.

Site access needs to include parking garage for the caregiver and an ADA accessible van space for Alex.

Summary Conclusion

The building in question, located at 445 College, is inadequate in meeting standards necessary to make the structure habitable given the specific needs of the homeowners. We have come to several definitive conclusions regarding the site and its rigid physical limitations:

Conclusion 1: The existing structure does not and cannot meet ADA accessibility standards, a requirement that is imperative to the safety and livability of the home in light of the client's special needs.

Conclusion 2: An attempt at retrofitting the existing structure to accommodate the client's needs would mean fundamentally altering or removing aspects of the home that carry perceived 'historic value', thus eliminating the perceived 'value' in question.

Conclusion 3: The building has severe structural deficiencies as conveyed by the engineer's report. Bringing the existing structure up to approved structural standards would require that the entirety of the foundation and slabs be re-supported or removed and replaced completely. The costs to do so are significant.

Conclusion 4: The building has no insulation in the walls or roof. In order to preserve the "historic" exterior and to meet City required energy standards would require a 2nd internal structure to be built *within* the existing structure. When combined with the necessary structural remediation, renovating this structure is simply cost prohibitive and provides an undue hardship on the owners if required to do so.

Site Accessibility

- | | |
|--|---|
| Carport cannot be made ADA accessible. | <ul style="list-style-type: none"> • The existing vertical clearance at the front truss of the carport is not sufficient for an ADA accessible van parking area. • Because the paving at the existing carport has experienced significant settlement, the grading at this area will need to be reworked, resulting in a further reduction in vertical clearance below the truss. |
| Existing carport is hazardous. | <ul style="list-style-type: none"> • The condition of the existing paving and driveway at the carport is very poor with the drainage collecting near the house and creating a very hazardous situation in cold weather conditions. |
| Only one curb cut is allowed on a property. | <ul style="list-style-type: none"> • A second garage is necessary to accommodate the required ADA van parking. There is only one location available on the property for this parking if the existing house is to remain. • The second garage will require another curb cut on the property doubling the amount of impervious surface visible from the road, as well as removing some of the mature vegetation in the front yard of the house. |
| The carport is rendered useless. | <ul style="list-style-type: none"> • Per Boulder Land Use Code 9-9-5 Site Access Control Section (c)(6), the code requires 100 linear feet of lot frontage for multiple access points to be allowed. This property does not have this required length along the street. • The minimum required spacing between curb cuts cannot be met with this property. |
| A large, street-facing garage demeans the landmarked structure. | <ul style="list-style-type: none"> • A second garage will have to be built to accommodate a van accessible space as well as the care giver's car <u>and</u> the existing curb cut/drive will need to be removed. • The natural grade of the site at the location of the new garage drops off approximately 4.5'. This will require the elevation at the new garage to be raised above the existing grade in order to maintain a level transition into the existing house, resulting in an unsightly retaining wall at the southeastern corner of the property. • The mass of the garage will appear very large because of the lower grades at this location of the site. • The mass of the new garage will block the entire east side of the existing house from view as you drive up the street. • The circulation from the new garage is required to be directly into the house and not subject to weather and slip conditions as exists at the existing carport location. |
| Removal of deteriorating fiberglass fencing is necessary. | <ul style="list-style-type: none"> • The east portion of the existing fencing at the enclosed patio adjacent to the existing carport will need to be removed in order to build the garage. • The only available pedestrian entry into the house from the street is through the existing enclosed patio to the right of the existing carport since the new garage takes up the remaining frontage of the property. • A portion of the existing deteriorating fiberglass fencing will need to be removed to accommodate the new entry. • This will relocate the "historic front door" of the house. |
| Path to entry is damaged and not ADA compliant. | <ul style="list-style-type: none"> • The existing path from the sidewalk to the house is damaged and hazardous to individuals with mobility and visual impairments. It will need to be rebuilt to the new entry according to ADA requirements. |

Existing House Layout

Existing house does not meet Client's requirement to have everything on one floor due to visual impairments.

- We initially tried to retain the original location of the main floor bedroom since it relates directly to the fenced in patio next to the carport. Physical constraints of the structure and stair location made it impossible to fit an accessible bedroom, bathroom and closet in this area. And the location of the new garage required the entry to pass through this area.
- Relocating the bedroom to the front west corner of the house requires an addition in the same location of the house where the kitchen was expanded in the past.
- With the resulting locations of the garage and bedroom, the circulation within the house is awkward and inefficient and requires traveling through rooms to get to other rooms and would be considered bad design in a new house.
- Studio space for Alex cannot be accommodated on the main level of the house because of insufficient space and the inefficient circulation within the house. It is forced to be located on the lower level which is not acceptable for our client due to his visual impairment and would cause a great deal of hardship in performing his daily activities.
- Locating the studio at the lower level would also eliminate the only space available for the care giver's living space.

Required Energy and Structural Upgrades

Cost of upgrades is exorbitant.

Cost of upgrades is exorbitant (continued)

- In order to meet the structural and energy code requirements for the remodel of this house, the following work needs to be done.
- Framing added to the inside of the house to accommodate and appropriate depth of insulation. (The main living space of the house is double wythe masonry and has no wall framing for installation of insulation.)
 - Support added to strengthen the existing framing to accommodate the weight of the new framing, the insulation and the finish material especially in the living/dining area.
 - Install rigid insulation against the concrete walls in the basement followed with installing a framed 2x4 wall filled with insulation.
 - Replace the windows and doors throughout.
 - Slab replacement at lower level due to differential settlement.
 - Insulation added below the slab in the basement area where slab needs to be replaced.

Stephen Sparn Architects, PC



Stephen Sparn, AIA
Principle Architect

November 19th, 2014

Job # 14155

Stephen Sparr Architects
1731 15th St. #250
Boulder, CO 80302

Re: **445 College Ave**
Follow Up Structural Review

At your request, a representative of our office visited the subject structure once again on November 3rd 2014, accompanied by yourself. The purpose for this visual observation was to review the newly exposed structural elements and assess its current structural performance, pending code upgrades, and recommend corresponding remediation efforts.

Description

This 1963 single story residence with full walkout basement appears to be constructed with 4x6 T&G decking and ½" nominal Celotex fiber sheathing for insulation at the roof, supported on 4x post and beam construction, with conventional 2x4 @ 16" o.c. framed exterior walls sheathed with ½" nominal Celotex fiber sheathing, with 2x8 @ 16" o.c. floor joist system with a central North South steel and wood beam, with 2x 4 @ 16" o.c. bearing wall system on each side of the stairs. The front door faces East for general description purposes. An 8" concrete wall bearing on 16" diameter shallow piers embedded 5'-0" into native materials were discovered while reviewing the original construction documents.

There has also been a remodel that occurred some time ago, where the original 8'-4 x 6'-6 +/- storage area accessed from the carport, was converted into an expanded kitchen. A 4'-0 +/- long x 45 degree portion of floor was also added to the North edge of the storage area. This small triangular portion of floor was framed with 2x6 joist on grade, and framed over a portion of the basement window well.

Observations / Comments / Remediation

It is our understanding that the general goal of the residence is to remodel the current structure to accommodate handicap access, as well as conform to current energy and building codes. Based on our understanding of these codes, and pending architectural modifications, the following structural remediation will be necessary as follows:

- The current 4x6 double T&G planking, assumed to be Western Cedar, as noted in the original construction documents, is only rated for 43 psf total load. Based on new energy requirements, 2x8 @ 24" o.c. framing with sprayed in closed cell polyurethane insulation may be required below the existing decking pending exact requirements from the HERS rater. This additional dead load applied to the existing 4x6 planking creates an overstress condition of around 19% and would require some type of remediation. The 2x8 framing concept would need to be actually increased to 2x10's @ 24" o.c. , such that the 2x10's would clear span from the ridge to the exterior wall. The 4x6 planking would then simply be non structural.
- Based on design wind loads, the current exterior walls sheathed with 1/2" Celotex will now need to be reinforced with 7/16" OSB sheathing applied to the inside face of the exterior walls and nailed w/ 10d's 4" o.c. at the panel perimeter, and 12" o.c. in the fields. A HDU4-SDS2.5 post installed hold down will also be required at the ends of the 4'-0" portions of shear walls with a 5/8" diameter all thread anchor set in 3/4" diameter x 10" deep holes with Simpson SET epoxy at (4) locations along the South wall.
- The North gable end wall consist of trapazoid fixed glass two sides of the king post, and fixed glass two sides of the sliding glass door. Based on our analysis, the installed king post and horizontal mullions are undersized for current design wind loads, and will most likely need to be removed and replaced with 5x2x1/4 structural steel tube elements with steel plate connections top and bottom.
- The 2x4 rake walls on the South wall are platform framed at 8'-0+/- and infilled with cripple studs above. This condition creates a hinge point in the wall and will need to be remediated with full height 2x6 king studs @ 16" o.c. and additional studs at jamb locations.
- The North wall consists of two double wythe masonry walls, x 4' long on the East and West ends with the veneer exposed on the interior and exterior. A new 2x4/6 wall will be required for insulation purposes and overall lateral stability. This wall will also serve as a new shear wall to satisfy lateral wind design. HDU4-SDS2.5 hold downs at (4) locations, (ends of the shear walls) will be required with 9'-0" long 5/8" diameter all thread set in 3/4" diameter x 10" deep holes in the concrete wall at the walkout foundation wall below.

- The 2x8 @ 16" o.c. floor joist in the main floor, spanning 12'-9" does not meet today's L/480 deflection criteria, and will need to be remediated with additional 2x8 joist @ 16" o.c.
- The exterior deck consist of 2x6 joist @ 24" o.c. and span 9'-6+/-". Based on today's design standards, the deck framing will need to be removed and replaced with new 2x8 @ 16" o.c. with a 4x10 beam on the West and East edge and at mid span. New 6x6 posts full height are also suggested to carry design vertical and lateral loads.
- Deck handrails and guardrails will need to be removed and replaced to satisfy current codes and minimal safety standards.

Based on visual observations of the exposed structural elements, as well as review of a vertical elevation survey of the main and basement floors, there appears to be several general areas of structural concern. These areas of concern, and possible remediation efforts are as follows:

- General site grading and drainage flows from the street North towards the South East rear wall of the garage. This grading condition appears to have saturated the soils behind the South foundation wall. This drainage condition appears to have caused around 11" +/- of grade settlement along the South East concrete wall. A drainage system and or sump pit was not observed at the site. Increased hydrostatic pressure appears to have caused some minor wall rotation and interior/exterior concrete wall cracking as noted on the Southwest, and East walls. This wall rotation will need to be stabilized with possible full height C4x5.4 angles connected to the side of the joist or blocking with expansion anchors to the concrete wall at the base, thus bracing the wall rotation with the floor diaphragm. This brace may need to be installed @ 32" o.c. along the East and West walls where there are signs of wall cracking, and along the South wall where there is inward rotation of the top of the wall. The grading along the South wall in the covered garage area will also need to be removed and replaced, with it being properly backfilled and compacted, creating positive drainage away from the foundation elements.
- Water moisture intrusion was also noted on the inside face of the South, East and West foundation walls as noted by visual signs of efflorescence. In general we feel that site grading and drainage will need to be significantly modified to work water around the structure to the North. These cracks will need to be sealed with epoxy and or a water sealer. An interior French drain system may also want to be

installed on the inside face of the concrete walls, below the slab, and sloped to a sump pit, and pumped out to a drain flowing to the North, down the hill.

- There exists a 1/4" wide crack in the South East corner of the top of the foundation wall outside face, which appears to be a result of lateral top of wall rotation as well. In our opinion the C4 channels bolted to joist as noted above, will brace the top of wall, and minimize further rotation.
- The 4x6 T&G decking appears to be deflecting/settling along the West wall at the fireplace. The ledger condition may be failing, and the nailed connections are opening up 3/8" +/- along the South end. This decking/masonry wall bearing condition will need to be reinforced by shoring it up, and installing an L6x4x⁵/₁₆ L.L.V. angle with expansion anchors to the masonry and SDS screws for the angle down into the decking. The roof cricket behind the masonry fireplace will need to be removed to facilitate the ledger installation, and then re-installed.
- The masonry fireplace has roughly a 12" square portion of the rear firebrick that is failing and may indicate water moisture intrusion or excessive fire heat damage. We suggest that this general area is opened up for further review by our office. This may require remediation to the cap, and also the firebrick.
- In general, the basement partitions are built directly on the slab. We suggest that these partitions are remodeled with a minimum 2" floating partition slip joint, and or gap to allow for potential slab movement.
- The vertical elevation survey indicates that the East foundation wall has settled roughly 1" near the door, and 3/4" @ the North East corner. There are corresponding signs of stair steps cracks in the brick veneer just South of the door, and appears to correspond and give merit to the concept that the North East foundation wall has settled beyond normal expectations of a pier foundations system. We suggest that the East wall is underpinned with helical piers or micropiles at three locations along the East wall, within 3'-0" of the existing piers. This wall will need to be jacked up level 1" +/-.
- The East wall of the stairs appears to be a 2x4 @ 16" o.c. bearing wall sitting directly on the 4" slab on grade. The elevation survey indicates that the Northeast corner of the landing has settled 1-1/8" down from the North West corner of the landing. No formal foundation elements were noted on the original construction documents at his location. We suggest that two new helical piers and or micropiles be installed below the East wall of the stairs, at each end of the opening, as required to support the 2x6 @ 16" o.c. shallow floor system at the entry. A new floor beam of (2) 9 1/2" LVL beam will be required between these columns.

- In general there appears to be a significant crack 1/8" +/- in the floor slab running East West, at the East edge of the stair landing. A vertical elevation survey of the slab indicates that the North East and North West rooms have around 1 3/4" of slab settlement measured in the center of the rooms. There appears to be less settlement along the Northern edge indicating that it may be pinned or connected to the shallow concrete grade beam. This settlement could be a result of inadequate compaction of imported fill, and or possible settlement caused by inadequate drainage around the structure. We suggest that the French drain system be installed as noted above to eliminate this potential water source, and we also suggest that this portion of the slab be remove and replaced on properly compacted materials. A Geotechnical engineer will need to be hired to evaluate these soils conditions and determine the amount of fill to be removed and re compacted. Other alternatives due exist, however input from the Geotechnical engineer will be required to review these options.

Conclusion

In general the structure appears to have several significant structural code upgrades items to satisfy new energy standards, as well as new building department codes that have changed since the building was constructed. Reworking the entire roof structure, reinforcing the exterior walls to resist lateral in plane and out of plane wind loads, and reinforcing the floor and deck systems will be required. There are also numerous structural abnormalities associated with the remodel of the structure, as well as failing backfill, retaining walls rotation issues, existing pier settlement, interior slab on grade settlement, and water moisture intrusion issues that will need to be remediated to regain a reasonable level of performance and functionality, and goals to satisfy handicapped access.

Please contact our office if you have any questions regarding this general review or any additional structural concerns or architectural modifications that may require additional structural review.

Sincerely
GEBAU, INC



Paul Gallagher, P.E.,

PJG/pg

Attachment G: Public Comment Received Oct. 1 to Nov. 21, 2014

Inger Barron
430 College Ave.
Boulder, CO 80302

October 30, 2014

Members of the Landmarks Board
James Hewat & Marcy Cameron
1777 Broadway
Boulder, CO 80302

I support the new owner's request to demolish the house at 445 College Avenue. Although this house might be the work of Hobart Wagener, it is not a good example and is in very poor condition. It would not be cost effective to restore it.

Please do not landmark this house against the wishes of the owners and the neighbors.

I plan to attend the December 3 meeting to voice this opinion.

Thank you for your consideration,

Inger Barron

Robert Barron
430 College Ave.
Boulder, CO 80302

October 30, 2014

Members of the Landmarks Board,
James Hewat & Marcy Cameron
1777 Broadway
Boulder, CO 80302

I have lived diagonally across the street from 445 College since 1993. As a long term resident of Boulder (since 1975), a long term member of the neighborhood, and a long term resident of a similar house, I feel somewhat uniquely qualified to comment about the 445 College house and its significance to our neighborhood and Boulder in general. I **oppose** forcing a landmark designation on 445 College for the following reasons:

- (1) The existing house is in very poor condition just as our house was when I purchased it in 1993. Energy efficiency, accessibility, and even basic safety features like bedroom egress are not up to current codes and standards. I know from personal experience how long and costly a process it is to take an old poorly built house and work to re-make it into something that is up to modern standards. After 15 years of projects, we still have lots of areas with single pane windows, two prong outlets, stairs too steep for code, and insufficient insulation. It is unrealistic to ask the Starks to bring 445 College up to current standards.
- (2) I have seen no evidence that 445 College was designed by Hobart Wagener. Even if it was shown to a Hobie Wagener house, it is not a landmark. Wagener designed over 200 buildings according to his obituary. Of that body of work, 445 College is not iconic and certainly does not represent his best work. Landmarks should be real landmarks: unique and something to be treasured, not just another mediocre example of a large body of work.
- (3) The Kelloggs (former residents of 445 College) were wonderful neighbors and delightful people. That said, they were not unique members of the community. I have worked at NCAR for 36 years and continue to marvel at the wonderful scientists that inhabit the halls of NCAR, as well as NOAA, NIST, and CU. William Kellogg was certainly a very accomplished scientist, but in no way unique amongst the large scientific community in Boulder. It is unreasonable to landmark houses in Boulder just because a scientist lived there. There is no need to preserve 445 College on the basis that Will Kellogg lived there.
- (4) Neither the neighbors nor the owners want 445 College to be designated as a historic landmark. The city should have a serious, compelling, outstanding, gigantic reason to force a landmark designation on a property against the wishes of the owners and neighbors. No such reason exists for 445 College.

Please do not landmark 445 College.

Sincerely,

Robert Barron

Members of the Landmarks Board, James Hewat & Marcy Cameron,

I attended the public meeting of the Landmarks Board on Oct. 1 and addressed the board regarding the decision to demolish or designate the house at 445 College Ave. as historically significant. I spoke at this meeting, making the points noted in my letter to the board of Sept. 9, 2014, reaffirming my opposition to historic designation and support for allowing the Stark family to proceed with demolition of the house. In this letter I again reaffirm this position for the reasons noted earlier:

(1) The existing house is very poor condition and is of dubious historical value – if it is indeed the work of Hobart Wagener, it is not one of his better designs, as pointed out by the Landmarks staff researcher. Moreover, it has been modified in the course of the years and thus is no longer in its original state.

(2) The Starks' plan to provide housing for themselves and their disabled son is reasonable, modest and quite in keeping with the character of the existing neighborhood with its mix of earlier and more modern structures, all of which blend into the mountain backdrop. The Starks have tried, unsuccessfully, to develop plans that would modify the existing house to fit their needs.

(3) If unable to proceed with their building plans the Stark family may be forced to sell the property. Possible future investors in this property, which includes three building sites, may pursue much greater housing density or building mass, which would negatively impact the area. Incorporating the existing structure into a massive mega-mansion and calling it a remodel would hardly be a desirable outcome.

(4) At a neighborhood gathering in August, no one voiced opposition to the Starks' plans, including demolition of the existing house. Indeed, several neighbors appeared at the Sept. 3 meeting of the Landmarks Board to voice their support of their plans. The Kellogg heirs have not expressed opposition to demolition.

Again we feel that it is time to move on, that the Landmarks Board should follow the recommendations of their staff to allow demolition. Just because a structure is old does not mean it is worth preserving, and, as noted by Mr. Gerwing, only in exceptional cases should historical designation override the wishes of the property owner and his/her neighbors. A prompt decision of the Landmarks Board to permit demolition of the 445 College house would help the Stark family and be in the interest of all concerned. Note that I plan to attend and speak at the public meeting on Dec. 3.

Sincerely yours,

Eileen Kintsch

A hard copy of this email, signed by the following neighbors, was sent to the board by regular mail:

Eileen Walter Kintsch - 435 College Ave.

Gretchen & Neil King - 415 College Ave.

Robert Thompson - 410 College Ave.

October 31, 2014

Dear Landmarks Board members and staff,

I am writing as a neighbor, a concerned citizen and someone who for many years has supported historic preservation efforts in Boulder. I believe that time has long past for you to lift the demolition stay on the house at 445 College Ave.

I believe that the Starks and their architect have shown cooperative diligence in working with the staff to find a compromise short of demolition, but no solution has been found. So, on the one hand you have an owner not will to voluntarily landmark the house.

On the other hand, you have a property of little architectural distinction and in poor condition. Sure it's part of a subdivision designed by Hobart Wagener and in the "general chalet pattern" that was envisioned at the time. He may actually be the architect of record. Fortunately, there are many great examples of Wagener's architecture in Boulder – this just isn't one.

Were the owner willing, it would be an appropriate landmarked house. However, there is a long tradition of rarely landmarking properties without the owner's agreement. In this case, it seems over-reaching to force a designation and remarkably un-strategic. The building is simply not that significant, nor is it a good example of Wagener's elegant style. Lifting the stay is the recommendation of staff. I believe to proceed to landmark the house would damage Boulder's preservation program.

In closing, I wish to make an additional point. The Starks applied for a demolition permit in March. The process of determining the future of the house should not take 8 months. It is unfair and inconsiderate to the owners, and it hurts the reputation of the preservation program. Please review the process and find a way to commit to a much shorter time frame for your decisions.

Best regards,

Susan Osborne
525 College Ave.
Boulder, CO 80302
susanna.osborne@gmail.com



November 19, 2014

Subject: 445 College Avenue, Proposed Landmark Designation

Dear Members of the Landmarks Board,

The Board of Directors of Historic Boulder acknowledges the significant efforts that Stephanie, George, and Alex Stark along with their architect, Stephen Sparr, have taken to explore alternatives to demolition of 445 College Avenue.

Historic Boulder's Board of Directors discussed at length the upcoming designation hearing for the property. The board reviewed the individual landmark criteria relating to the historic, architectural, and environmental significance of the property.

The consensus of the board was that to designate over an owner's objections, the results of the evaluation of the property must present a compelling case of meeting the individual landmark criteria at a high level.

In the board's judgment, this property fails to rise to that level of significance. Therefore, the board voted unanimously to recommend that the Landmarks Board oppose the designation 445 College Avenue as an individual landmark over the owner's objection.

Sincerely,

A rectangular box containing a handwritten signature in cursive script that reads "Abby Daniels".

Abby Daniels
Executive Director

**1123 Spruce Street
Boulder, CO 80302**