

**FAILED**

**COUNCIL BILL NO. 4217**

**ORDINANCE NO. 2517**

**ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 17.08 - HISTORIC PRESERVATION DISTRICT OF THE CITY OF MANITOU SPRINGS MUNICIPAL CODE REGARDING INCLUSION OF THE HIAWATHA GARDENS PROPERTY AT 10 OLD MANS TRAIL WITHIN THE LOCAL DISTRICT BOUNDARIES**

**WHEREAS,** the Manitou Springs Historic Preservation Commission held a public hearing on May 3, 2017, regarding a petition from a local resident requesting the Hiawatha Gardens property be included in the Manitou Springs Local Historic Preservation District boundaries; and

**WHEREAS,** after reviewing the district boundary amendment requirements and information on the history of the building, it's historic and archeological integrity, and the criteria stated in 17.04.040.B.1-5 for designation of historic districts, the Manitou Springs Historic Preservation Commission found the property at 10 Old Man's Trail met the requirements and recommended City Council approve an Ordinance including this property in the Local Historic Preservation District; and

**WHEREAS,** the Manitou Springs City Council has heard the recommendation of the Historic Preservation Commission and reviewed the information documenting and supporting the inclusion of the property into the Historic District and concurs with the Commission's finding and recommendation.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:**

**Section 1:** The property at 10 Old Mans Trail as described in Section 2 of this Ordinance is found to have the following characteristics and key features, which should be preserved:

Characteristics and Key Features:

Existing Materials and Design Features dating to the period of building significance ca. 1890-1920, including original rooflines, building dimensions, stone fireplace, half walls, window and door openings as exist or for which evidence is found, the Queen trusses in the dance pavilion, and the original dancefloor(s) in the building.

**Section 2:** The property to be included in the Historic District boundaries is assigned Tax Parcel Number **7405426002** and can be located on **Attachment A, a map of location of the property**, and is further described as follows:

LOTS 16 TO 19 INC, PART OF LOT 20 AS FOLS, BEG AT PT ON ELY LN 8.4 FT NLY FROM SE COR OF LOT 17, TH SLY ALG ELY LN OF LOTS 17 TO 19 INC TO SE COR OF LOT 19, ALG SLY LN OF LOT 20 ELY 12.4 FT, TH NLY ON STRAIGHT LN TO POB, TRACT ADJ TO LOT 19 AS FOLS, BEG AT SW COR OF SD LOT, TH NELY ALG S LN OF SD LOT 75.8 FT, ANG R 171<04' SWLY 73.5 FT, TH NWLY 12 FT TO POB LOT 15 EX PART AS FOLS, BEG AT NE COR OF SD LOT, TH S ALG E LN OF SD LOT 5.2 FT, ANG R 98<21' WLY 5.6 FT TO PT OF CUR, TH ON A CUR TO L WHOSE C/A IS 40<25' + RAD OF 119.06 FT AN ARC DIST OF 83.53 FT TO PT OF TANG, TH ON TANG LN 47.2 FT M/L TO INTSEC WITH W LN OF SD LOT, TH N 54 FT ON SD W LN, TH ALG CUR + NLY LN OF SD LOT 86.8 FT TO POB ALBRECHTS SUB OF LOT 1 OF BLK N MANITOU SPGS

**Section 3:** The building known as Hiawatha Gardens located on the above-described property shall be designated as a Contributing Resource, noting that the building has been significantly altered but original materials and features are still present within the structure and restoration and rehabilitation can restore its appearance.

**Section 4:** If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 5:** This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.