Applicant Presentation to Historic Preservation Commission July 20, 2022

Appeal to Landmark Eligibility

PRESENTED BY JEFFREY CULLERS, ATTORNEY FOR H AND H PROPERTIES LLC JULY 20, 2022

Presentation Outline

- 1. Basic history of H and H Properties ownership.
- II. Basic legal framework.
- III. Appellant position on "significance" criteria.
- IV. Appellant position on "integrity" criteria.
- Comparison to another historic Mexican restaurant.
- VI. Comparison to other landmarked restaurants in Colorado.
- VII. Conclusion.

H and H Properties, LLC Ownership

- Purchased in Summer 2020 (beginning of pandemic).
- Asher Haun longtime customer, purchased through this entity to keep the restaurant going in the face of challenges.





Legal Framework

- ► A historic survey has been done as part of Raising Cane's development application.
- Staff determined 1802 N. College is "eligible" for designation as a Fort Collins landmark under the applicable criteria. Property owner (H and H Properties LLC) has appealed to the LPC.
- Standard of review de novo?
- Two questions to answer under the Code:
 - ▶ Is there "significance," under at least one of the four standards?
 - ▶ Is there "integrity", based on a set of 7 factors.

Significance – the Standard

- (1) Events. Resources may be determined to be significant if they are associated with events that have made a recognizable contribution to the broad patterns of the history of the community, State or Nation. A resource can be associated with either, or both, of two (2) types of events:
 - a. A specific event marking an important moment in Fort Collins prehistory or history; and/or
 - b. A pattern of events or a historic trend that made a recognizable contribution to the development of the community, State or Nation.

Significance – Staff Finding

- Staff summary –staff determined eligible under the "pattern of events" option or "historic trend" for these reasons:
 - 1. Focuses on the history of the restaurant itself, the recipes, and the history of the Perez family.
 - 2. Suggests that the family overcame institutional racism as an obstacle to business ownership.
 - 3. Notes that Pobre Pancho's was a long-lived restaurant, but there is another Mexican restaurant that has been there even longer (El Burrito).
 - 4. Suggests that the "second" Mexican restaurant in the area (in addition to El Burrito) was a sign of migration of Latinx residents to north of the Poudre River.
 - 1. Note: El Burrito is not actually north of the Poudre.

- ▶ Recall: the resource has to be "associated" with a "pattern of events" or "historic trend" that made a recognizable contribution to the broad patterns of the history of the community, State or Nation.
 - 1. Staff did not directly identify any specific "pattern of events" or "historic trend."
 - 2. The only "historic trends" that could be gleaned from the report are:
 - General migration of Latinx people to the City, State, and Nation.
 - Institutionalized racism against Latinx people in Fort Collins, and
 - Settlement of Latinx people north of the Poudre River because of gentrification.

▶ Is Pobre Pancho's "associated" with the trend of general migration of Latinx people to the City, State, and Nation?

▶ Is Pobre Pancho's "associated" with institutionalized racism against Latinx people in Fort Collins?

▶ Is Pobre Pancho's "associated" with settlement of Latinx people north of the Poudre River because of gentrification?

Integrity – the Standard

- Integrity is "the ability of a site, structure, object, or district to be able to convey its significance."
- Based on seven factors.

Integrity – Staff Finding

- There is integrity because of the following:
 - 1. Front of the building is generally the same as 1976 photograph, except that monument sign is now gone.
 - 2. 1992 rear addition is compatible with the original.
 - 3. Two stained glass windows (sombrero and roses).
 - 4. Carved wood entrance door.
 - 5. 2010 colorful wall signs.

1976 Photograph



- Recall: the "historic trends" that support a significance finding all relate to Mexican or Latinx-specific matters, such as migration and racism.
- Recall: Integrity is "the ability of a site, structure, object, or district to be able to convey its significance."
- ▶ Is there any integrity?







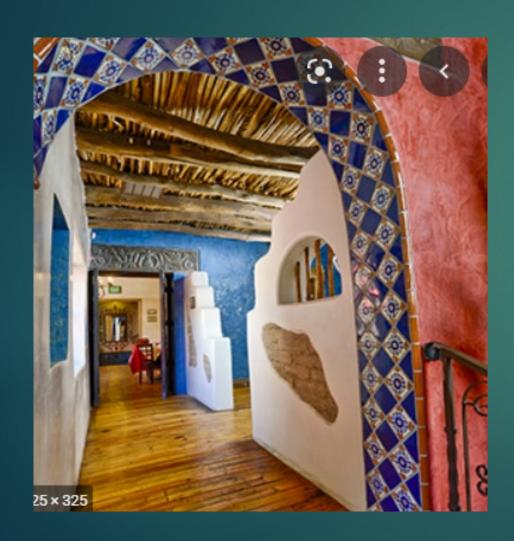


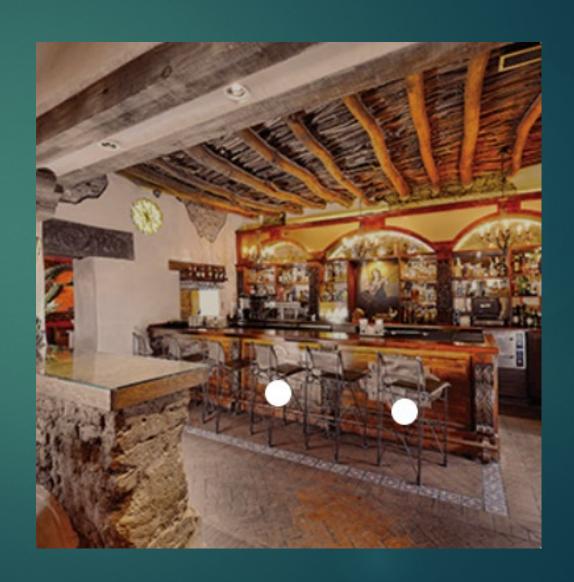


La Posta de la Mesilla – New Mexico



La Posta de Mesilla – New Mexico







Other Historic Restaurants in Colorado – Bastien's Restaurant



Other Historic Restaurants in Colorado – Bastien's Restaurant





Other Historic Restaurants in Colorado – White Spot Restaurant



The Eagle and Child Pub

- > Located in Oxford, England.
- > Site of the "Inklings" writer group.
- Most famous members include C.S. Lewis and J.R.R. Tolkien.



Conclusion

▶ Pobre Pancho's significance and legacy is not about the building, and the building does not reflect it.

