



**TO:** Denver City Council  
**FROM:** Scott Robinson, Senior City Planner  
**DATE:** April 5, 2018  
**RE:** Official Zoning Map Amendment Application #2017I-00118

## Staff Report and Recommendation

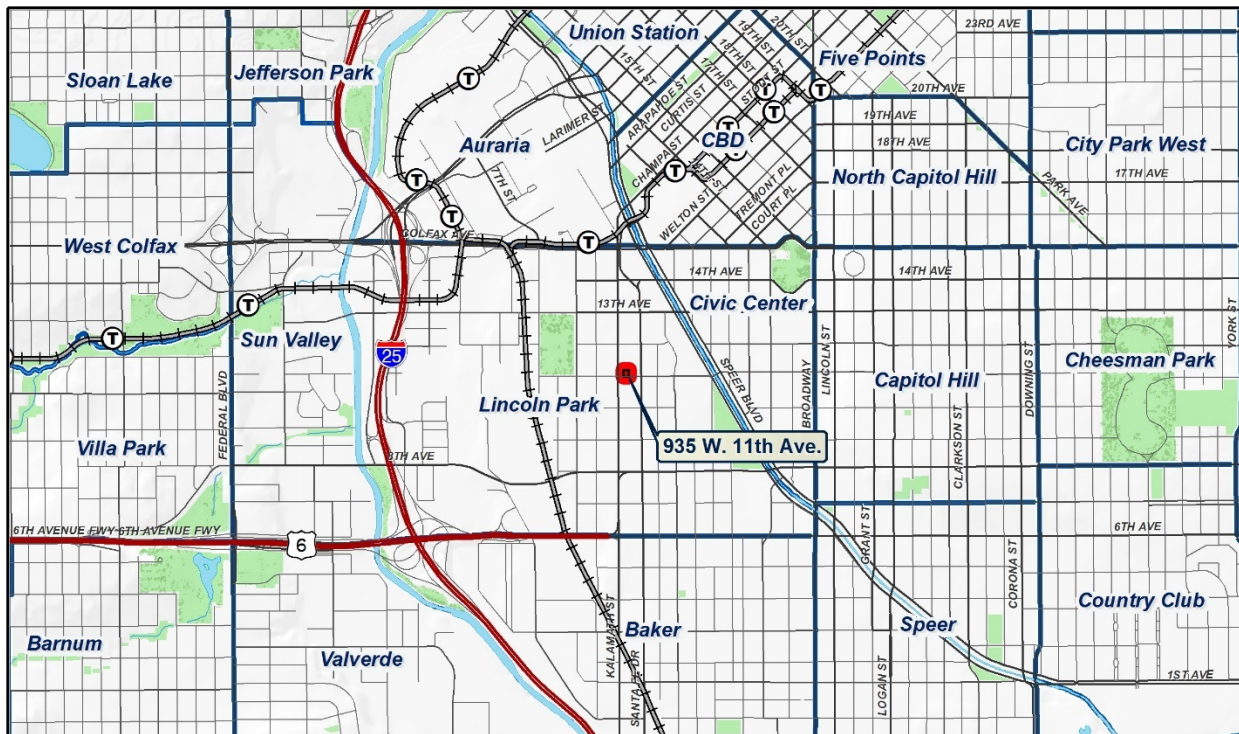
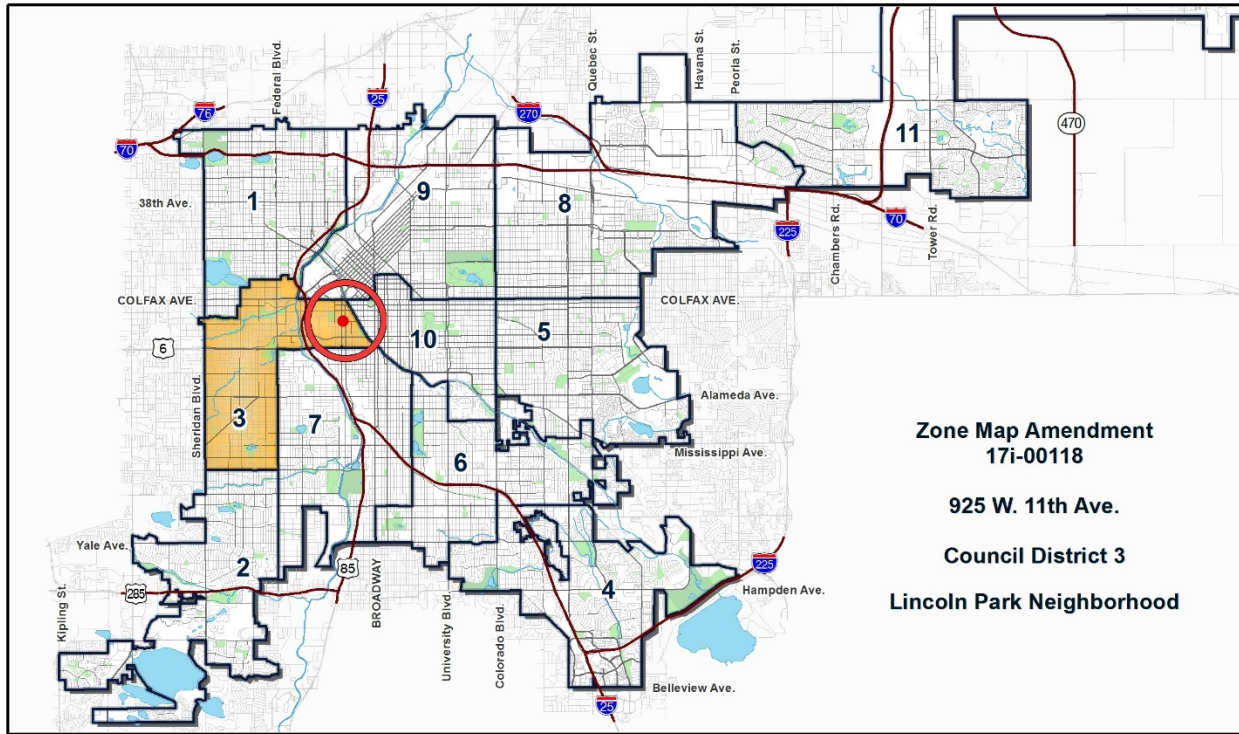
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2017I-00118.

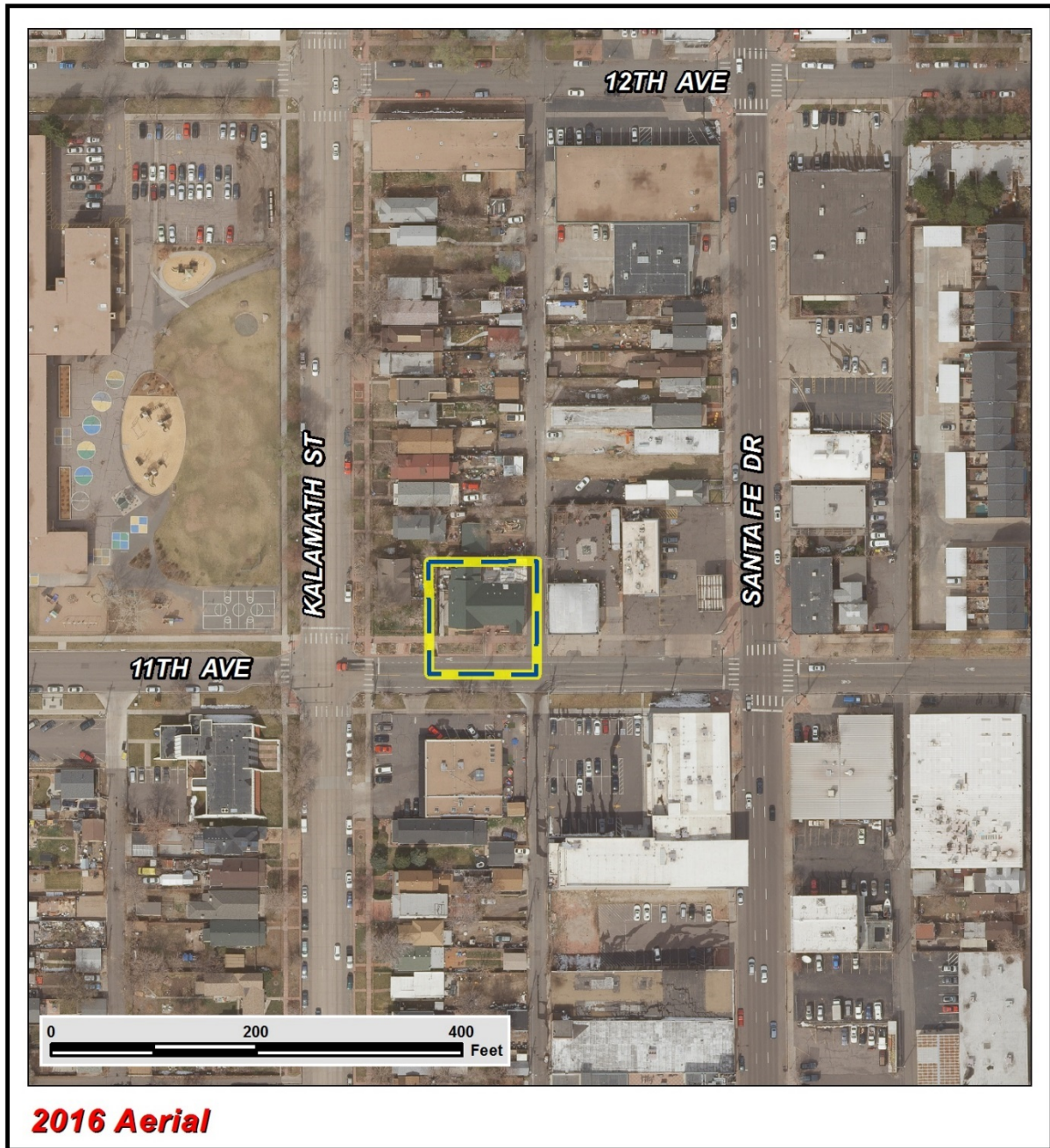
## Request for Rezoning

|                                |  |
|--------------------------------|--|
| Address:                       | 935 W. 11 <sup>th</sup> Avenue   |
| Neighborhood/Council District: | Lincoln Park / Council District 3  |
| RNOs:                          | Santa Fe Drive Redevelopment Corporation; Inter-Neighborhood Cooperation (INC); La Alma / Lincoln Park Neighborhood Association; Denver Neighborhood Association, Inc.; La Alma Neighborhood Association; Upper Santa Fe Neighbors |
| Area of Property:              | 6,560 square feet  |
| Current Zoning:                | U-RH-2.5   |
| Proposed Zoning:               | U-MX-2x  |
| Property Owner(s):             | Scum of the Earth Church   |
| Owner Representative:          | Jesse Heilmann   |

## Summary of Rezoning Request

- The property is in the Lincoln Park neighborhood on 11<sup>th</sup> Ave. between Kalamath St. and Santa Fe Dr.
- There is currently a one-story brick church building that is home to Scum of the Earth Church on the site. Religious assembly uses are allowed with limitations in the existing U-RH-2.5 zoning.
- The applicant is requesting the map amendment to allow retail sales on the property in addition to the religious assembly use.
- The **U-MX-2x** (Urban Neighborhood, Mixed Use, 2 story) zone district is intended to provide safe, active, and pedestrian-scaled diverse areas in established residential neighborhoods. The “x” indicates that allowed uses are more limited than in the U-MX-2 zone district. Further details of the zone districts can be found in Article 5 of the Denver Zoning Code (DZC).





### Existing Context

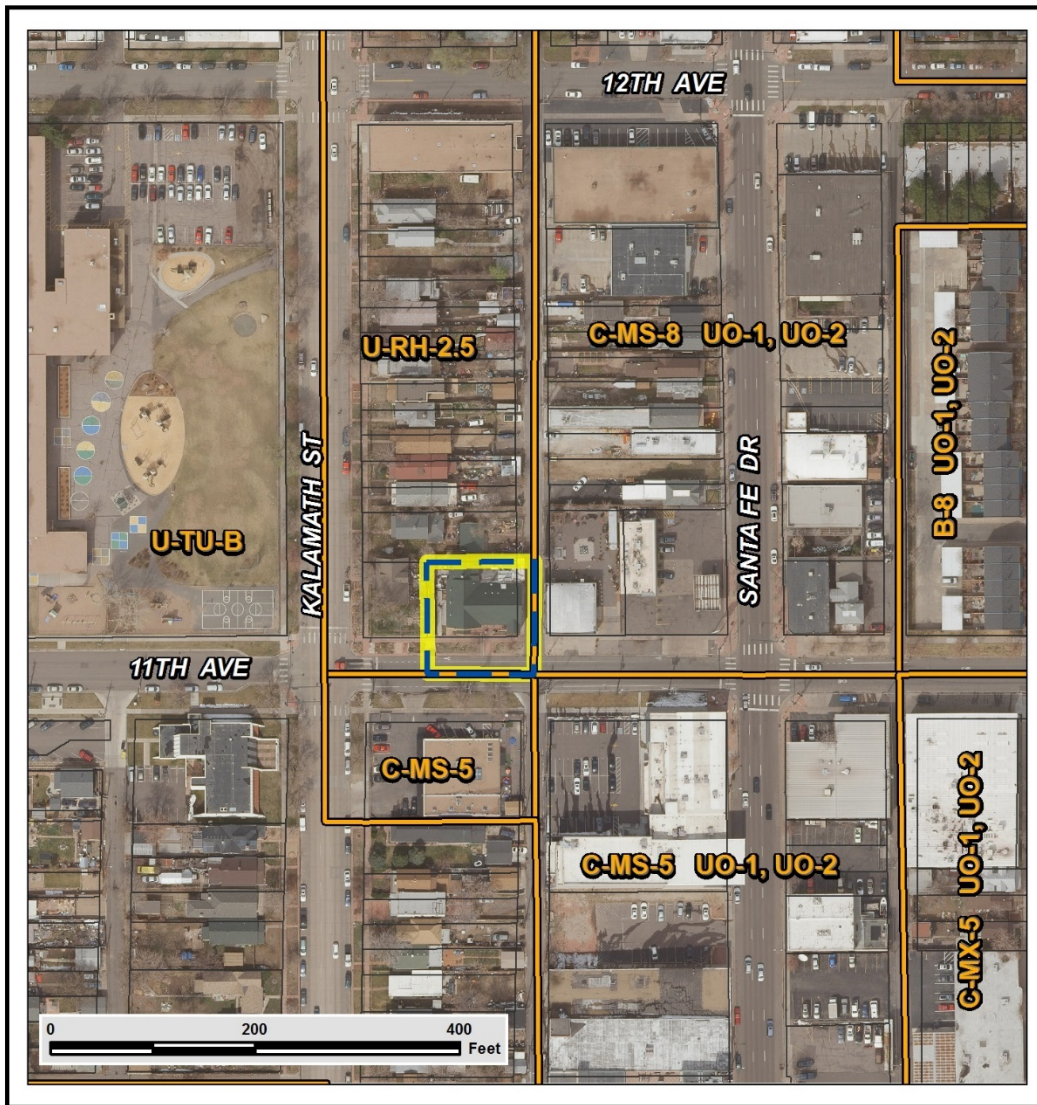
The subject property is in a neighborhood with a variety of residential types. The residential development closest to the property is primarily single-unit with some two-unit and multi-unit mixed in, and the Santa Fe Dr. commercial corridor is immediately to the east of the property. East of Santa Fe Dr. are townhomes and high-rise apartments. Two blocks to the west is the mixed-use Mariposa District development. There is bus service on Santa Fe Dr./Kalamath St. and the 10<sup>th</sup> & Osage light rail station is

about a quarter mile to the west. There are bike lanes on 11<sup>th</sup> Ave. that connect to the Cherry Creek Trail at Speer Blvd. Greenlee Elementary School is a block to the west and West High School is about three blocks southeast. Lincoln Park and the La Alma Recreation Center are two blocks west and Sunken Gardens Park is four blocks east. The Colorado Ballet is across 11<sup>th</sup> Ave. at Santa Fe Dr.

The following table summarizes the existing context proximate to the subject site:

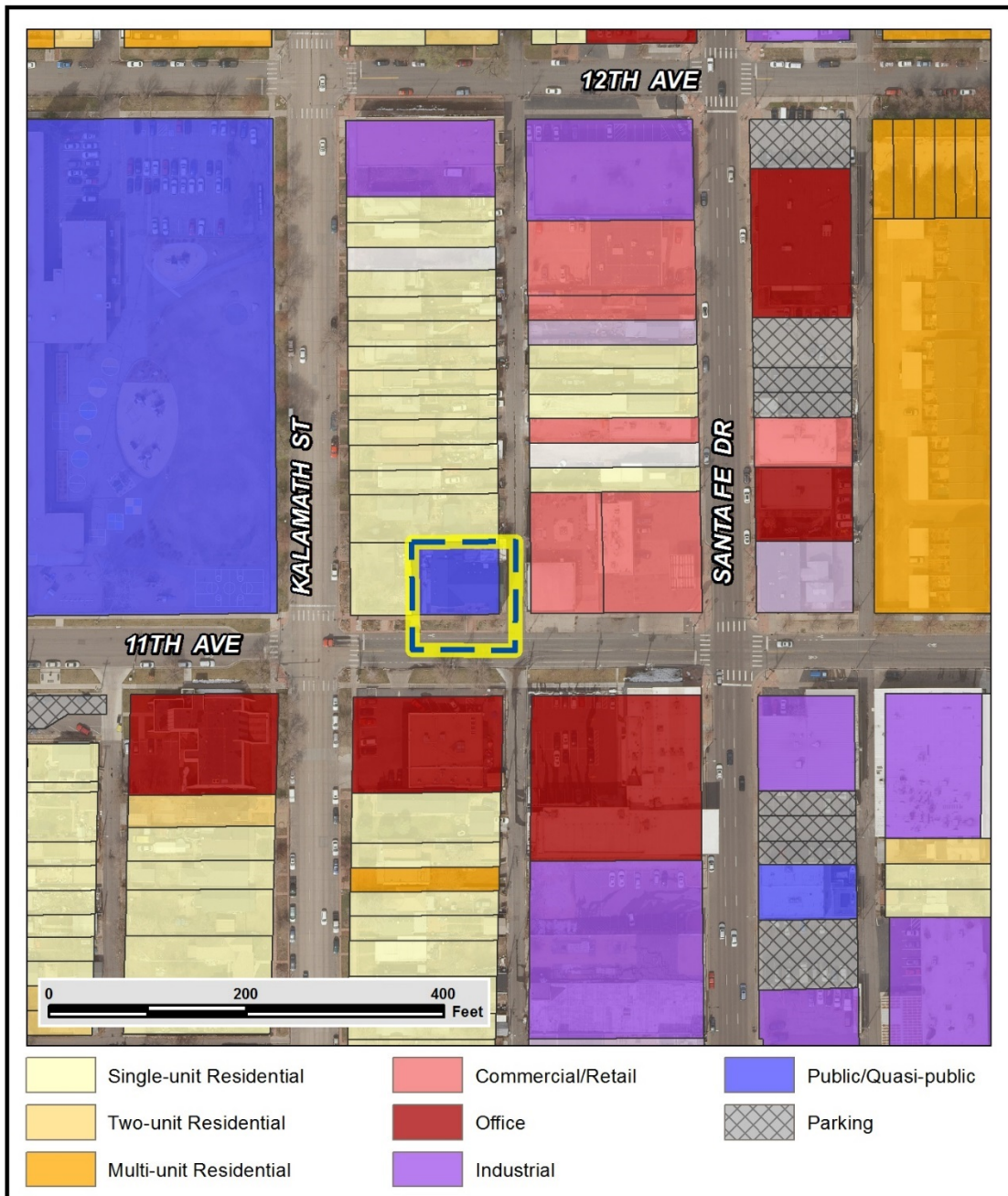
|       | Existing Zoning    | Existing Land Use | Existing Building Form/Scale                                       | Existing Block, Lot, Street Pattern  |
|-------|--------------------|-------------------|--|--|
| Site  | U-RH-2.5           | Church            | 1-story brick church building                                      | Generally regular grid of streets interrupted to the east by Speer Blvd./Cherry Creek, to the west by railroad tracks, and to the north by the Auraria Campus. Santa Fe Dr. and Kalamath St. form a one-way couplet. Block sizes and shapes are generally consistent and rectangular. Vehicular parking to the side or rear of buildings (alley access). |
| North | U-RH-2.5           | Residential       | 1-2 story single-unit homes  |  |
| South | C-MS-5             | Daycare           | 1-story brick/stucco commercial building with parking in front     |  |
| East  | C-MS-8, UO-1, UO-2 | Retail            | 1-story stucco retail building and a gas station/convenience store |  |
| West  | U-RH-2.5           | Residential       | 2-story brick single-unit home                                     |  |

### 1. Existing Zoning



The U-RH-2.5 zone district allows residential structures in a variety of building forms up to two-and-a-half stories and 35 feet tall. Structures are generally required to have primary street setbacks consistent with existing structures on the block and five foot side interior and side street setbacks. Allowed uses are mostly limited to civic uses and single unit, two unit, and multi-unit dwellings with one parking space required per unit. Religious assembly uses are allowed subject to the limitation that other primary uses and all accessory uses end by 11 pm. See DZC Section 11.3.10. For additional details of the zone district, see DZC Section 5.2.2.

## 2. Existing Land Use Map



### 3. Existing Building Form and Scale



**Site** – from 11<sup>th</sup> Ave.



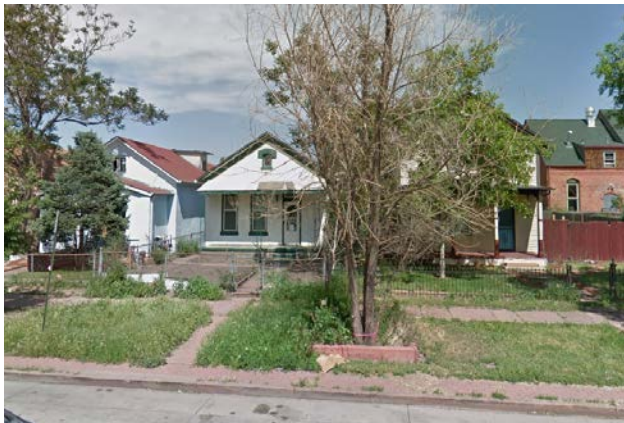
**East** – at 11<sup>th</sup> Ave. & Santa Fe Dr.



**South** – from 11<sup>th</sup> Ave.



**West** – at 11<sup>th</sup> Ave. & Kalamath St.



**North** – from Kalamath St.

Source: Google Maps

## Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

**Asset Management:** Approved – no comments.

**Department of Public Health and Environment:** Approved – see comments:

Notes. The Denver Department of Environmental Health (DEH) concurs with the rezoning request.

- General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.
- Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).
- Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

**Development Services – Project Coordination:** Approved – no comments.

**Public Works – City Surveyor:** Approved – see comments:

In the records of the City and County of Denver Recorder's office under reception number 2008096712 the description:

PARCEL A:

THE EAST 87.5 FEET OF LOTS 18 THROUGH 20, BLOCK 20, HUNT'S ADDITION TO DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL B:



THOSE EASEMENT RIGHTS AS SET FORTH IN DECLARATION OF EASEMENT RECORDED JUNE 10, 2002 UNDER RECETPTION NO. 2002103870, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

also known as street number 935 WEST 11TH AVENUE DENVER CO 80204

Public Review Process

|   | Date     |
|---|----------|
| CPD informational notice of receipt of the rezoning application to all affected members of City Council and registered neighborhood organizations:  | 10/23/17 |
| Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council and registered neighborhood organizations:                           | 1/22/18  |
| Planning Board voted 8 to 1 at the public hearing to recommend approval to City Council:  | 2/7/18   |
| CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting: | 2/12/18  |
| Land Use, Transportation and Infrastructure Committee of the City Council review:   | 2/27/18  |
| Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:                             | 3/19/18  |
| City Council Public Hearing:  | 4/9/18   |

- **Registered Neighborhood Organizations (RNOs)**
  - La Alma-Lincoln Park Neighborhood Association, a registered neighborhood organization, submitted a letter supporting the application.
- **Other Public Comment**
  - To date, no other comment letters have been received.

## Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

### **DZC Section 12.4.10.7**

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

### **DZC Section 12.4.10.8**

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

## **1. Consistency with Adopted Plans**

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- La Alma/Lincoln Park Neighborhood Plan (2010)

### **Denver Comprehensive Plan 2000**

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

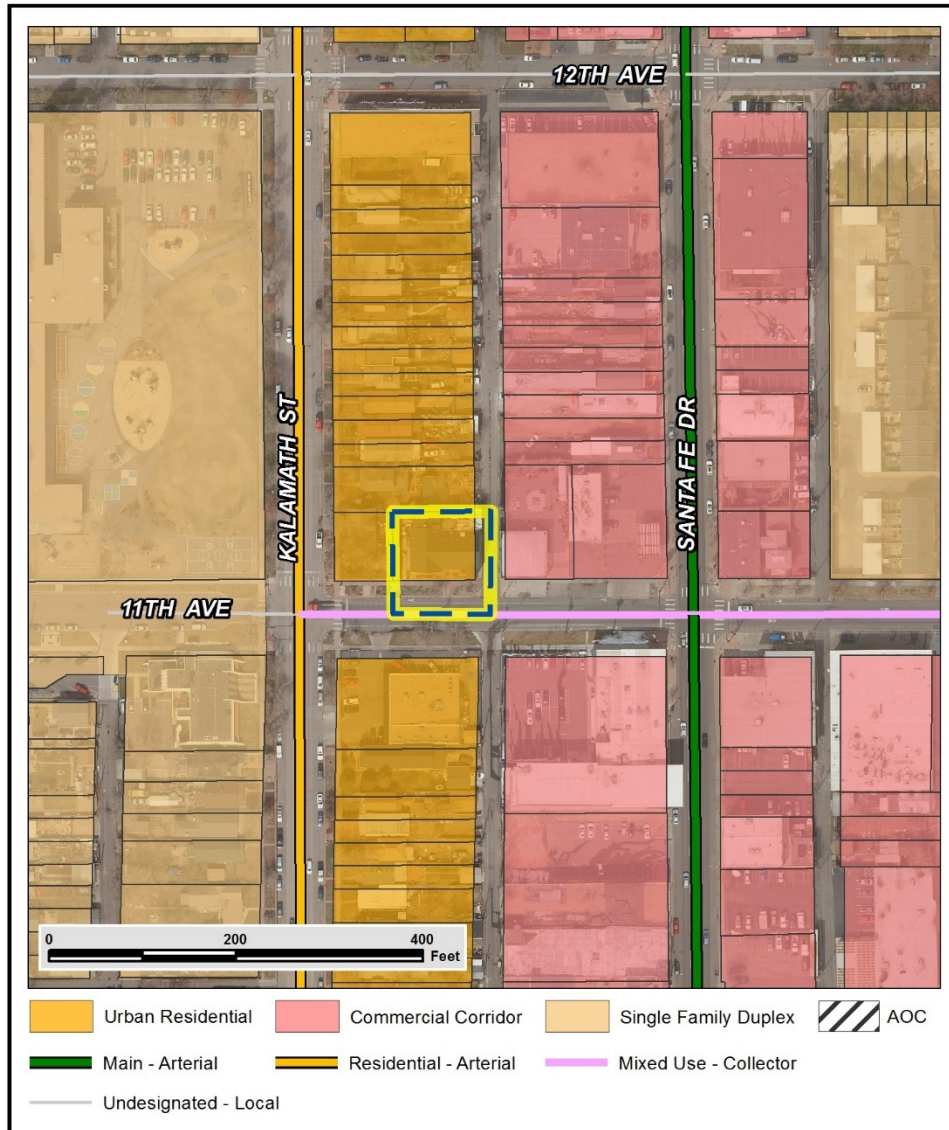
- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.*
- Land Use Strategy 3-D – *Identify and enhance existing focal points in neighborhoods, and encourage the development of such focal points where none exist.*
- Mobility Strategy 4-E – *Continue to promote mixed-use development, which enables people to live near work, retail, and services.*
- Economic Activity Strategy 5-A – *Support development of neighborhood business centers that serve adjacent residential areas in existing neighborhoods and new neighborhoods within development areas.*
- Neighborhoods Strategy 1-C – *Strengthen the sense of place in each neighborhood with adequate and well-designed public-realm facilities such as branch libraries, recreation centers, fire stations, neighborhood businesses and retail areas. Continue to help activate neighborhood-based facilities such as places of worship and schools. Continue City support for public art and historic preservation as a focus for neighborhood identity and pride.*

The proposed map amendment would enable mixed-use development at an infill location where services and infrastructure are already in place. The proposed zoning would allow development that could strengthen the adjacent commercial corridor, a neighborhood business center, while transitioning to the surrounding residential area. The rezoning is consistent with the recommendations of the Denver Comprehensive Plan.

### Blueprint Denver

According to the Blueprint Denver Plan Map, this site has a concept land use of Urban Residential and is located in an Area of Stability.

### Future Land Use



According to Blueprint Denver, Urban Residential areas are “higher density and primarily residential but may include a noteworthy number of complementary commercial uses. New housing tends to be in mid- to high-rise structures, and there is a greater housing base than employment base” (p. 41). They are also “primarily residential with moderate levels of small-scale commercial use” (p. 65). The proposed U-MX-2x zone district would allow small, neighborhood-serving commercial uses and moderate-density residential uses at a scale compatible with the surrounding neighborhood. The

map amendment would allow for an appropriate mix of commercial uses in the Urban Residential area, consistent with the future land use recommendation of Blueprint Denver.

### **Area of Change / Area of Stability**

Blueprint Denver designates the subject property as in an Area of Stability. According to the plan, “the goal for Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment” (p. 120). The proposed U-MX-2x zoning would allow expanded uses on the site compatible with the surrounding development, and any redevelopment of the site would be consistent with the existing neighborhood character.

### **Street Classifications**

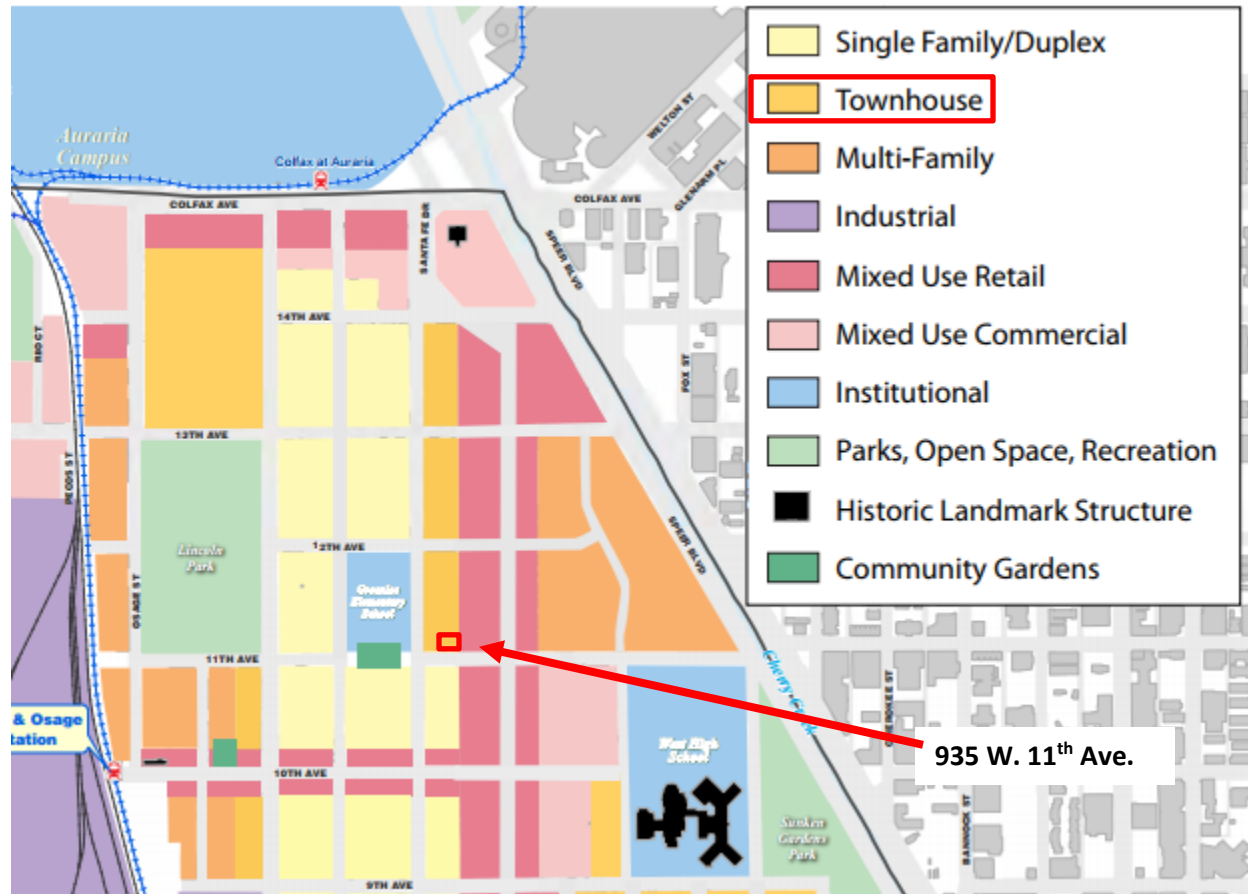
Blueprint Denver classifies 11<sup>th</sup> Ave. as a Mixed-Use Collector, which “are located in high-intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity” (p. 57). Collector streets “are designed to provide a greater balance between mobility and land access within residential, commercial, and industrial areas” (p. 51). The proposed U-MX-2x zoning would allow for low-scale mixed-use development appropriate for the Mixed-Use Collector designation. The proposed map amendment is consistent with the Blueprint Denver recommendations for future land use, street type, and Areas of Stability.

### **La Alma/Lincoln Park Neighborhood Plan**

The La Alma/Lincoln Park Neighborhood Plan was adopted by City Council in 2010 and includes recommendations for the subject property. The property is in the Residential Character Area, with a goal that “stability is improved within existing residential areas, and supported by zoning within established residential character areas” (p. 15). Additional residential goals include “valued neighborhood attributes are preserved; enhanced character of the residential area and quality of life for residents; the current residential density in Areas of Stability are maintained; existing nonconforming uses in the residential area are removed; a diverse population is supported by providing support services such as childcare facilities, transit, and a variety of housing opportunities” (p. 15).

More specific to the subject property, the plan recommends to “implement a rowhouse zoning district on the west [*sic*] side of Kalamath up to two and a half stories from 11<sup>th</sup> to 14<sup>th</sup> Avenue to recognize current conditions and promote a better transition from the main street corridor to the residential neighborhood (e.g. U-RH-2.5)” (p. 46). A related mobility goal for the Residential Character Area is for “neighborhood development that supports increased transit ridership and reduced automobile dependency” (p. 46).

The Framework Plan indicates the desired land use for the subject property is “Townhouse” (p. 23). Land Use and Urban Design recommendations include to “apply appropriate small lot residential zoning in residential Areas of Stability to maintain the character of the neighborhood while allowing moderate infill and density” (p. 22); “encourage a mixture of uses that assume the availability of neighborhood services and amenities that reinforce the role, identity, and needs of the neighborhood, as appropriate to the subarea” (p. 24); and “applicants proposing a zoning change to a more intense or different uses must substantially mitigate negative impacts on existing uses and demonstrate that new projects substantially further the neighborhood goals and vision” (p. 24). The recommended building height for the subject property is “up to 3 stories” (p. 25).



*La Alma/Lincoln Park Neighborhood Plan Framework Plan*

The proposed U-MX-2x zone district would allow for additional neighborhood-serving uses or residential development at a scale appropriate to the Residential Character Area. The maximum building height in the U-MX-2x is two stories and 35 feet. The existing U-RH-2.5 allows a maximum building height of 35 feet as well. The plan calls for mitigation of impacts from zoning changes or more intense uses, which the U-MX-2x zone district has built in, as it is intended to be embedded in existing residential areas. While the proposed rezoning would not maintain purely residential zoning, it would maintain the existing neighborhood fabric considering the subject site is not residential and has historically been a church. The proposed U-MX-2x zoning would allow mixed-use development that supports alternative transit modes and reduces reliance on automobiles by providing moderate-density housing or neighborhood services and amenities.

The proposed rezoning would allow additional services and amenities for the neighborhood, or redevelopment of the property at a compatible scale and character. The U-MX-2x zone district is not perfectly in line with some plan goals relating to maintaining residential, specifically U-RH-2.5, zoning. However, considering the location of the subject property – adjacent to the Santa Fe commercial corridor – and its existing non-residential use, the proposed map amendment is consistent with the overall goals and recommendations of the La Alma/Lincoln Park Neighborhood Plan.

## **2. Uniformity of District Regulations and Restrictions**

The proposed rezoning to U-MX-2x would result in the uniform application of zone district building form, use and design regulations.

## **3. Public Health, Safety and General Welfare**

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the city's adopted land use plan. The proposed rezoning would also allow additional uses on the subject property, providing for neighborhood-serving amenities. The limitations and restrictions in the proposed U-MX-2x would ensure the health, safety, and welfare of the surrounding neighbors are protected.

## **4. Justifying Circumstance**

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." There has been significant redevelopment in the Lincoln Park neighborhood, including the Mariposa District and along Santa Fe Dr., such as the Colorado Ballet building. The proposed rezoning would provide uses and development to serve increased population in the neighborhood, increased activity along Santa Fe Dr., and as a transition between the two. The changes in the surrounding area justify the proposed rezoning.

## **5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements**

The requested U-MX-2x zone district is within the Urban Neighborhood Context. The neighborhood context generally consists of single-unit and two-unit residential uses with embedded small-scale multi-unit residential and commercial areas (DZC, Division 5.1). The current zone district, U-RH-2.5, is also within the Urban Neighborhood Context. The neighborhood surrounding the subject property matches the description of the Urban Neighborhood Context and the proposed U-MX-2x zoning would allow development consistent with that description.

According to the zone district intent stated in the Denver Zoning Code, the U-MX-2x district "applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses" (DZC Section 5.2.3.2.B). The subject property is one parcel embedded in an existing neighborhood along a collector street. The proposed U-MX-2x zoning would allow low-scale buildings and uses consistent with the purpose and intent of the zone district.

## **Attachments**

1. Application
2. La Alma-Lincoln Park Neighborhood Association Letter

## Zone Map Amendment (Rezoning) - Application

| PROPERTY OWNER INFORMATION*  |  | PROPERTY OWNER(S) REPRESENTATIVE**   |  |
|--|--|--|--|
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION   |  | <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION   |  |
| Property Owner Name  |  | Representative Name  |  |
| Address  |  | Address  |  |
| City, State, Zip   |  | City, State, Zip   |  |
| Telephone  |  | Telephone  |  |
| Email  |  | Email  |  |
| <p><b>*If More Than One Property Owner:</b><br/>           All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>  |  | <p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p> |  |
| <p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p> |  |  |  |
| SUBJECT PROPERTY INFORMATION   |  |  |  |
| Location (address and/or boundary description):  |  |  |  |
| Assessor's Parcel Numbers:   |  |  |  |
| Area in Acres or Square Feet:  |  |  |  |
| Current Zone District(s):  |  |  |  |
| PROPOSAL   |  |  |  |
| Proposed Zone District:  |  |  |  |

| REVIEW CRITERIA   |  |
|---|--|
| <p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>                                     | <p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>   |
| <p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p> | <p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p> |

## REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria

## ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:



**PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION**

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

| Property Owner Name(s)<br>(please type or print legibly) | Property Address<br>City, State, Zip<br>Phone<br>Email                                      | Property Owner Interest % of the Area of the Zone Lots to Be Rezoned | Please sign below as an indication of your consent to the above certification statement | Date     | Indicate the type of ownership documentation provided:<br>(A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved | Has the owner authorized a representative in writing?<br>(YES/NO) |
|--|---|--|---|----------|---|---|
| <b>EXAMPLE</b><br>John Alan Smith and<br>Josie Q. Smith  | 123 Sesame Street<br>Denver, CO 80202<br>(303) 555-5555<br>sample@sample.gov                | 100%   | <i>John Alan Smith</i><br><i>Josie Q. Smith</i>   | 01/01/12 | (A)   | YES   |
| SCUM OF THE<br>EARTH CHURCH                              | 935 W 11TH AVE<br>DENVER, CO 80205<br>(303) 902.1751<br>JESSE BLACH AND WHITE<br>@GMAIL.COM | 100%   | <i>[Signature]</i>  | 10/15/17 | (B)   | YES   |
|  |   |  |   |          |   |   |
|  |   |  |   |          |   |   |
|  |   |  |   |          |   |   |
|  |   |  |   |          |   |   |
|  |   |  |   |          |   |   |

Last updated: February 22, 2017

 Return completed form to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

 720-865-2974 • [rezoning@denvergov.org](mailto:rezoning@denvergov.org)



Scum of the Earth Church  
935 W 11<sup>th</sup> Ave  
Denver, CO 80204

August 15, 2017

SUBJECT: PROPERTY OWNER REPRESENTATIVE WRITTEN AUTHORIZATION

To Whom It May Concern:

Scum of the Earth Church, Inc., the owner of 935 W 11<sup>th</sup> Avenue, Denver, CO 80204 hereby gives Jesse Heilmann written authorization to act on their behalf in regards to the Zone Map Amendment (Rezoning) process for:  
935 W 11<sup>th</sup> Ave  
Denver, CO 80204

Scum of the Earth Church Council (by quorum of four members)

A handwritten signature in black ink, appearing to read "Jesse Heilmann".

Jesse Heilmann  
Council Member

A handwritten signature in black ink, appearing to read "Lindsay Blackstone".

Lindsay Blackstone  
Council Member

A handwritten signature in black ink, appearing to read "Tyler Warner".

Tyler Warner  
Council Member

A handwritten signature in black ink, appearing to read "Scarlet Wetherby".

Scarlet Wetherby  
Council Member



**For this Record...**

- Filing history and documents
- Trade names
- Get a certificate of good standing
- File a form
- Subscribe to email notification
- Unsubscribe from email notification

- Business Home
- Business Information
- Business Search

FAQs, Glossary and Information

## Summary

| Details                                 |   |                       |                       |
|---|---|-----------------------|-----------------------|
| <b>Name</b>                             | SCUM OF THE EARTH CHURCH                        |                       |                       |
| <b>Status</b>                           | Good Standing                                   | <b>Formation date</b> | 02/04/2002            |
| <b>ID number</b>                        | 20021026940                                     | <b>Form</b>           | Nonprofit Corporation |
| <b>Periodic report month</b>            | October   | <b>Jurisdiction</b>   | Colorado              |
| <b>Principal office street address</b>  | 935 W 11th Ave, DENVER, CO 80204, United States |                       |                       |
| <b>Principal office mailing address</b> | n/a   |                       |                       |

| Registered Agent       |   |
|------------------------|---|
| <b>Name</b>            | JESSE WAYNE HEILMANN                                |
| <b>Street address</b>  | 3531 MILWAUKEE ST., DENVER, CO 80205, United States |
| <b>Mailing address</b> | n/a   |

- [Filing history and documents](#)
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STATE DOCUMENTARY FEE
Date: July 02, 2008
\$ 62.50

WARRANTY DEED

THIS DEED, Made on this day of July 02, 2008, between
LONNIE E. HANZON AND TERRY G. KOEPESEL

of the County of and State of COLORADO, the Grantor(s), and
SCUM OF THE EARTH CHURCH, A COLORADO NON-PROFIT CORPORATION

whose legal address is : P. O. BOX 101808 DENVER, CO 80205
of the CITY AND County of DENVER and State of COLORADO, the Grantee(s):

WITNESS, That the Grantor(s), for and in consideration of the sum of ( \$625,000.00 )
\*\*\* Six Hundred Twenty Five Thousand and 00/100 \*\*\* DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these
presents does grant, bargain, sell, convey and confirm unto the Grantee(s), his heirs and assigns forever, all the
real property, together with improvements, if any, situate, lying and being in the CITY AND County of
DENVER and State of Colorado, described as follows:

PARCEL A:
THE EAST 87.5 FEET OF LOTS 18 THROUGH 20, BLOCK 20, HUNT'S ADDITION TO DENVER, CITY AND
COUNTY OF DENVER, STATE OF COLORADO.

PARCEL B:
THOSE EASEMENT RIGHTS AS SET FORTH IN DECLARATION OF EASEMENT RECORDED JUNE 10, 2002
UNDER RECEPTION NO. 2002103870, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

also known as street number 935 WEST 11TH AVENUE DENVER CO 80204

TOGETHER with all and singular and hereditaments and appurtenances thereto belonging, or in anywise appertaining
and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right
title interest, claim and demand whatsoever of the Grantor(s), either in law or equity, of, in and to the above bargained
premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with appurtenances, unto the Grantee(s),
his heirs and assigns forever. The Grantor(s), for himself, his heirs and personal representatives, does covenant, grant,
bargain, and agree to and with the Grantee(s), his heirs and assigns, that at the time of the ensembling and delivery
of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible
estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain,
sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other
grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever,
Subject to general taxes for the year 2008 and those specific Exceptions described by reference to recorded documents as
reflected in the Title Documents accepted by Grantee(s) in accordance with Section 8a (Title Review) of the Contract to
Buy and Sell Real Estate relating to the above described property; distribution utility easements (including cable TV);
those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual
knowledge and which were accepted by Grantee(s) in accordance with Section 8b (Matters not Shown by the Public Records) and
Section 8c (Survey Review) of the Contract to Buy and Sell Real Estate relating to the above described real property;
inclusion of the Property within any special tax district; and, the benefits and burdens of any recorded declaration and
party wall agreements, if any and other NONE

The Grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable
possession of the Grantee(s), his heirs and assigns, against all and every person or persons lawfully claiming the whole
or any part thereof. The singular number shall include the plural, and the plural the singular, and the use of any gender
shall be applicable to all genders.

IN WITNESS WHEREOF the Grantor(s) has executed this deed on the date set forth above.

By: Lonnie E. Hanzon by Dee Chirafisi as Attorney in Fact
LONNIE E. HANZON, By: Dee Chirafisi as Attorney in
Fact

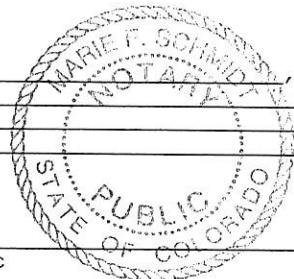
By: Terry G. Koepsel by Dee Chirafisi as Attorney in Fact
TERRY G. KOEPESEL, By: Dee Chirafisi as Attorney in
Fact

STATE OF COLORADO )
CITY AND County of DENVER ) ss.

The foregoing instrument was acknowledged before me on this day of July 02, 2008
by DEE CHIRAFISI AS ATTORNEY IN FACT FOR LONNIE E. HANZON AND TERRY G. KOEPESEL

My commission expires 1/7/2010
Witness my hand and official seal.

Marie F. Schmidt
Notary Public



Name and Address of Person Creating Newly Created Legal Description ( 38-35-106.5, C.R.S.)

Escrow# WK70216293
Title# K70216293

When Recorded Return to: SCUM OF THE EARTH CHURCH, A COLORADO NON-PROFIT
CORPORATION
P. O. BOX 101808 DENVER, CO 80205

Form 84 08/29/04 WD1 WARRANTY DEED (Photographic)

{6602497}



Scum of the Earth Church  
935 W 11<sup>th</sup> Ave  
Denver, CO 80204  
[www.scumoftheearth.net](http://www.scumoftheearth.net)

### Legal Description

THE EAST 87.5 FEET OF LOTS 18 THROUGH 20, BLOCK 20, HUNT'S ADDITION TO DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



Scum of the Earth Church  
935 W 11<sup>th</sup> Ave  
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## **12.4.10.7 General Review Criteria Applicable to All Zone Map Amendments**

### **A. Consistency with Adopted Plans**

The proposed official map amendment is consistent with the City's adopted plans (Denver 2000, Blueprint Denver, and the La Alma/Lincoln Park Plan therein) and furthers the intents of those plans. All three plans indicate our location to be on the edge of the Santa Fe Commercial Corridor and urban residential areas. Changing the zoning of our property to *Mixed Use* (U-MX-2x) conforms us most to those plans while serving as a clever buffer between the residential and commercial areas.

Blueprint Denver and the Denver 2000 Plan call for a "number of noteworthy commercial uses" in urban residential areas and higher traffic and employment in mixed use areas. The La Alma/Lincoln Park Plan bids the development of mixed uses in commercial areas. Rezoning 935 W 11<sup>th</sup> Ave to UMX-2X furthers *all* of those intents. Our building will retain its two current uses: quasi-public gathering (church) and residence but add an internally portable roller derby shop which will neatly further the desired development of all three plans.

Though our 125-year-old building is not registered as a historic building, it is *virtually* historic and sees to the reclamation and redevelopment of longstanding "architectural heritage" mentioned in Denver 2000 while providing an elegant, architecturally natural transition from commerce to residence.

Denver 2000 also calls for transit-oriented development of an attractive mix of housing, retail, entertainment, and commercial development near transit stops. With the 10<sup>th</sup> & Osage Lightrail stop less than half a mile away and 11<sup>th</sup> Ave being the bike lane that feeds it, this rezoning sees to that end as well.

### **B. Uniformity of District Regulations and Restrictions**

The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts. Low impact commercial rezoning is proposed.

The outside of building will have minimal changes: signage and a different door are the only foreseen exterior modifications.

### **C. Public Health, Safety and General Welfare**

The proposed official map amendment furthers the public health, safety and general welfare of the City. The proposed rezoning poses no health, safety, crime or environmental hazards to the neighborhood.

The proposed rezoning will provide a desired and needed service to a particular population in Denver. Specifically, our church intends to open a roller derby shop. The greater Denver area has a comparatively large number (nationally and even globally speaking) of participants in the sport of roller derby and currently no retail shop within 50 miles.

## **12.4.10.8 Additional Review Criteria for Non-Legislative Rezoning**

### **A. Justifying Circumstances**

The neighborhood surrounding 935 W 11<sup>th</sup> Ave has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.

The proposed rezoning is justified by changing circumstances in the La Alma/ Lincoln Park neighborhood. Due to nearby redevelopment and growth of Santa Fe Arts District and 10th and Osage Station, the property's surrounding area have become more commercial in nature.

Our property also lies within both the Quarter Mile Buffer of the Speer Blvd Enhanced Transit Corridor and the Half Mile Buffer of the 10th and Osage Station. With a bike lane running next to our property, proximity to the lightrail station, and being in the middle of RTD Bus Route 1, we are accessible by a variety of transportation.

### **B. Consistency with Neighborhood Context Description, Zone District Purpose, and Intent Statements**

The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed zone district.

The neighborhood context is already mixed use, commercial and residential.



**LA ALMA**  
**LINCOLN PARK**  
**NEIGHBORHOOD ASSOCIATION**

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Subject: Letter of support for zoning change at  
935 W 11<sup>th</sup> Ave for a derby supplies shop

November 6, 2017

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To Whom It May Concern:

The La Alma-Lincoln Park Neighborhood Association (LA-LPNA) is writing this letter of full support for the rezoning of the property at 935 W. 11<sup>th</sup> Ave to allow for the Scum of the Earth church to open a retail roller derby supplies shop.

LA-LPNA heard a presentation by Mr. Jesse Heilmann, Ms. Jessi Heilmann and one of the derby participants about their concept and the community need for this establishment.

Residents in the community expressed enthusiasm for this project and its goals for strengthening a community in need. Neighbors living near the current location also added that Scum of the Earth has been a good neighbor and we appreciate their presence and their service in and to our neighborhood.

After discussion, it was moved and unanimously passed that we express our support by writing a letter of support for this project. If you have any further questions or need further information, please feel free to contact us directly.

Sincerely,



Christine Sprague, President

La Alma/Lincoln Park Neighborhood Association

[lincolnparkneighbors@gmail.com](mailto:lincolnparkneighbors@gmail.com)

LPNA is a registered neighborhood organization. We strive to represent the interests of and build relationships between our ~6600 residents as well as business owners, students, and community stakeholders, and to share the pride in our sense of place. Our neighborhood extends from Colfax to W 6th Ave and the Platte river (I-25) to Speer Boulevard.