



To: Denver City Council, Albus Brooks President
From: Kara Hahn, Senior City Planner, Community Planning & Development (CPD)
Date: June 22, 2017
RE: Amendment for the Designation of 1940-1946 West 33rd Avenue

Staff Recommendation:

Based on the findings of the Landmark Preservation Commission (LPC) that the application meets the criteria for the amendment of a designated structure, as set out in Section 30-4 and 30-5 of the Denver Revised Municipal Code, Landmark Preservation staff in Community Planning and Development Department recommends approval of this application.

Landmark Preservation Commission Motion:

I move to recommend approval, when forwarded to City Council, for the amendment of the designated structure at 1940-1946 West 33rd Avenue, application #2017L-001, in order to amend the boundaries of the structure for preservation, based on History Criterion 1c and Architecture Criterion 1a, citing as findings of fact for this recommendation the application form, public testimony, and the May 9, 2017 staff report.

Request for Amendment to a Designated Structure:

Application: #2017L-001
Address: 1940-1946 West 33rd Avenue and 3252 Tejon Street
Zoning: C-MX-5; OU-1, OU-2 (former B-4)
Council: #1, Rafael Espinoza
Blueprint Denver: Area of change
Applicant/Owner: Andre Couvillion/Elmer Wayne Steinhall, Jr.
Legal Description: The East 75 feet of Lots 1 to 4, Wheeler’s Resubdivision of part of Lot 2 and all of Lots 3 and 4, Block 3, H. Witter’s North Denver Addition, City and County of Denver, State of Colorado

Case Summary:

On November 1, 1995, the property at 1940-1946 West 33rd Avenue (Lots 1-4, Block 3, H. Witters North Denver Addition, Wheelers Re-subdivision) was designated as a structure for preservation. This existing landmark is a ca. 1895 two-story apartment building, with an associated empty lot, which since designation has served as a garden, held a non-contributing garage, and currently is a partially paved parking lot. Located near the corner of 33rd Avenue and Tejon Street (originally known as Wanless and Goss), the apartment building was historically associated with an adjacent mixed-use grocery store and apartment building, which was demolished in the 1980s and is now the empty lot. Based on Sanborn maps, the now demolished multi-use structure was built to the lot line and did not have a setback. The historic maps do not show any associated landscape features or related objects (please see excerpts from Sanborn maps, figures 5 and 6).

In the 1890s, Linus Cole, an Italian immigrant constructed both buildings; he continued to operate both for the next two decades. Based on Assessor Records, Frank DeRose purchased the buildings from the Cole family in 1919. According to the original designation application, the grocery store continued to operate until the 1950s and was then used for a variety of businesses. It remained in the DeRose family until 1956, followed by a series of shorter-term owners. The mixed-use grocery store and apartment building was condemned and demolished in the 1980s.

In 1988, Elmer Wayne Steinhall, Jr. purchased Lots 1-4 (please see figure 4). The apartment building and the entire parcel was designated as an Individual Denver Landmark in 1995. In general, nationwide preservation policy calls for buildings in urban areas to designate the entire parcel that was historically

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associated with the property, which may be the reason why the entire parcel for this property was locally designated; however, there is no data to confirm.

After designation, in 2004, a non-contributing garage was constructed. Mr. Steinhall applied to the Landmark Preservation Commission for a Zone Lot Amendment, which the LPC reviewed and recommended approval for on April 10, 2015. And, on March 4, 2016 the LPC approved the owner-requested demolition of the non-contributing garage.

On April 13, 2017, Andre Couvillion and Elmer Wayne Steinhall, Jr. submitted a Landmark Boundary Amendment application for the designated landmark, 1940-1946 West 33rd Avenue, to CPD. The application proposes to amend the boundary of the existing landmark structure, which would reduce the boundary to the extant structure and correspond to the new zone lots (please see figure 7 and legal descriptions below).

Landmark Staff performed an investigation and found the application to be complete and to meet Denver landmark designation criteria. As such, staff set a public hearing for the May 16, 2017 Landmark Preservation Commission meeting. At the public hearing, the LPC found that the application met the criteria and recommended approval to City Council. On June 6, 2017, the Land Use, Transportation, and Infrastructure Committee voted to forward the case to the full City Council. At first reading, Denver City Council ordered the bill published and set the public hearing for June 26, 2017.

Comprehensive Plan 2000, Blueprint Denver, and Highland Neighborhood Plan

The comprehensive plan envisioned Denver in 2020 as vibrant, with well-preserved and appropriately used structures, representing every era of the city's history. It included strategies (Legacies, 1-C) that "Preserve Denver's architectural and design legacies while allowing new ones to evolve."

This property is in an Area of Change in Blueprint Denver. However, within an Area of Change, the strategies in Blueprint Denver address compatibility between existing and new development as well as reuse of older buildings and historic preservation.

The Highland Neighborhood Plan, approved in 1986, focuses on the maintenance, upkeep, and rehabilitation of existing structures. While historic preservation is not a major component of the plan, it is discussed. And, the need to preserve historic structures and to ensure that new development is compatible in scale and character is noted in the priority action summary.

Designation Criteria and Evaluation, Chapter 30, Denver Revised Municipal Code (DRMC):

According to Chapter 30-5, the designation of a structure for preservation may be amended in the same manner as the original designation was made, under section 30-4. And, the application shall be forwarded to City Council with the LPC's recommendation.

To meet landmark designation criteria, in accordance with Chapter 30-3, Denver Revised Municipal Code, a property must be more than 30 years old....and meet the following criteria:

1. Maintain its physical and historical integrity
2. Meet one designation criteria in two or more of the following categories:
 - History
 - Architecture
 - Geography
3. Relate to a historic context or theme

Historic and Physical Integrity:

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Chapter 30, DRMC requires that a landmark designated property maintain its historic and physical integrity, defined as “the ability of a structure...to convey its historic and architectural significance...recognized as belonging to its particular time and place in Denver’s history.” The seven qualities that define integrity are location, design, materials, workmanship, setting, feeling and association.

The LPC found that the existing apartment structure retains a high degree of integrity. Although the setting has been somewhat altered by the changes and growth in the surrounding area, the property is still in an urban residential neighborhood and in the same location; retaining both integrity of location and setting. While there have been modifications to the attached “carriage house” on the west side of the structure, the overall integrity of design, materials, and workmanship are readily apparent. The continued use as a residence helps retain a strong sense of feeling and association.

As with the apartment building, the adjacent lot retains its historic location. However, since the historic building was demolished, it no longer retains integrity of design, material, workmanship, setting, feeling, or association.

Criteria Evaluation:

The LPC found that the apartment building continued to meet History Criterion 1c and Architecture Criterion 2a, as noted in the original designation. However, since the adjacent lot no longer retained integrity it did not meet any landmark criteria.

1. Historical Significance

To have historical significance, the structure or district shall be thirty (30) or more years old or have extraordinary importance to the historical development of Denver, and shall:

c) Have direct and substantial association with a person or group of persons who had influence on society;

The apartment building is associated with both Linus C. Cole, who was the original owner of the apartment building and the mixed-use grocery store/apartment building, and Frank DeRose, a subsequent owner. As noted in the original designation, Cole was a Denver pioneer. In 1919, Frank DeRose purchased both buildings in what was then “Little Italy,” and the buildings had rumored (but unsubstantiated) ties to the mafia. The DeRose family continued to own the buildings until 1956. The apartment building is associated with both long-term owners as well as with the growing Highlands at the turn of the century and then the Little Italy area of Denver.

The adjacent lot, with no extant building, can no longer convey its association with Cole, DeRose, the Highlands neighborhood, or the Little Italy community.

2. Architectural Significance

To have architectural importance, the structure or district shall have design quality and integrity, and shall:

a) Embody distinguishing characteristics of an architectural style or type;

As stated in the original designation, the existing apartment building is an example of Victorian eclectic style in the North Denver area. It contains neo-classical elements such as wreath and swag as well as Tuscan columns. It is also a good example of rental housing in the late 1800’s to early 1900’s. The character-defining features of the building are evident and the building is still significant for its architectural style.

The adjacent lot, with no extant building or associated features, can no longer convey its association with any architectural style. The existing parking space and fence are not architecturally significant.

Relate to a Historic Context/Theme:

The LPC found that the structure relates to a historic context and theme, as a late-nineteenth century, apartment building that reflects the development and growth of the Highlands and Denver during the early boom years. The structure retains sufficient integrity to convey its significance under both history and geography. The lot, since it does not retain integrity, does not relate to a historic context or theme.

Boundary:

The designation application proposes to amend the existing boundary, the legal descriptions are:

Existing Landmark Boundary

Lots 1 to 4 inclusive, Block 3, H. Witters North Denver Addition, Wheelers Re-subdivision.

Proposed Landmark Boundary 1940 – 1946 West 33rd Ave

The East 75 feet of Lots 1 to 4, Wheeler’s Resubdivision of part of Lot 2 and all of Lots 3 and 4, Block 3, H. Witter’s North Denver Addition, City and County of Denver, State of Colorado

Proposed area to be removed from existing Landmark Boundary (3252 Tejon St)

The West 50 feet of Lots 1 to 4, Wheeler’s Resubdivision of part of Lot 2 and all of Lots 3 and 4, Block 3, H. Witter’s North Denver Addition, City and County of Denver, State of Colorado

Notifications:

Community Planning & Development has met or exceeded all posting and notification requirements delineated in Chapter 12 (Article III, Section 12-96) and Chapter 30 of the DRMC. Landmark preservation staff has kept the owner/applicant informed of key hearings, meetings, and dates related to this case.

The notifications include:

1. *Posting Signage for Landmark Preservation Commission Hearing*
2. *Owner Notifications and Letters*
3. *City Council, Planning Board, Building Inspection Notifications*
4. *Registered Neighborhood Organizations*
 - United Northside Neighborhood
 - Inter-Neighborhood Cooperation (INC)
 - Denver Neighborhood Association, Inc.
 - Highland United Neighbors, Inc.

Attachments Provided by CPD:

- Amendment for the Designation of 1940-1946 West 33rd Avenue application
- LPC Public Hearing meeting record
- 1995 Landmark Designation Application and Ordinance



Figure 1. 1940-1946 West 33rd Ave, apartment building and attached “carriage house”



Figure 2. 1940-1946 West 33rd Ave, rear of “carriage house” and apartment building

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Figure 3. Empty lot with parking, “carriage house” and apartment building in background



Figure 4. Existing Denver Landmark noted in red (Lots 1-4, Block 3, H. Witters North Denver Addition, Wheelers Re-subdivision)

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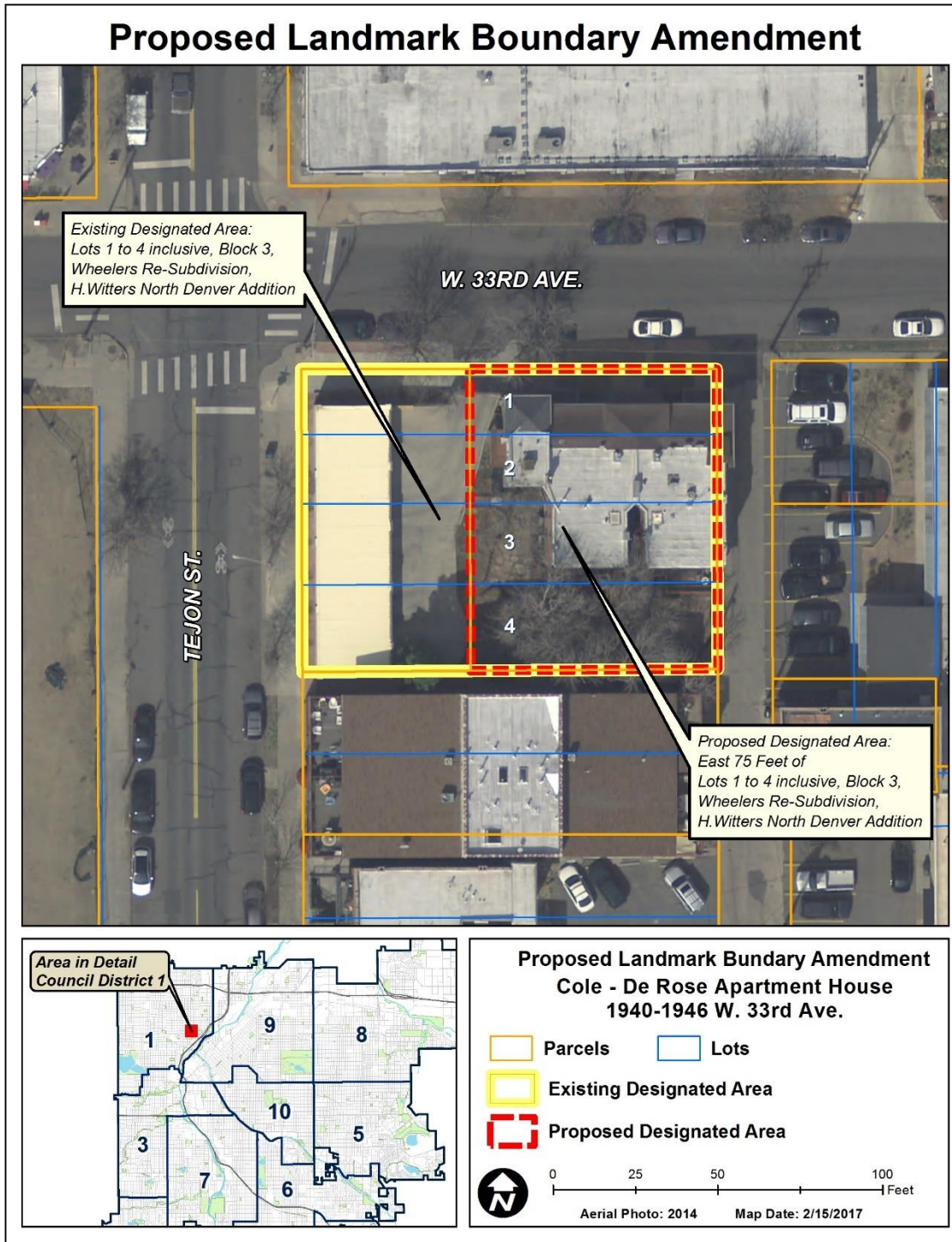


Figure 7. Map of proposed boundary amendment