

DENVER LANDMARK PRESERVATION COMMISSION APPLICATION
FOR
BOUNDARY AMENDMENT

1. Name of Property

Historic Name: Cole Apartment Building
Current Name: 1940-1946 W. 33rd Ave AND 3252 Tejon Street (Vacant Lot)

2. Location

Address: 1940-1946 W. 33rd Ave AND 3252 Tejon Street

Legal Description of Proposed Amended Boundary: 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.

3. Owner Information

Name: Elmer Wayne Steinhall, Jr.
Address: 1944 W. 33rd Avenue, Denver
Phone: 303-359-2090
Email: wsteinhall@gmail.com
Authors: Andre Couvillion, RealArchitecture LTD

4. Applicant/Contact Person

Name: Andre Couvillion, RealArchitecture LTD
Address: 2899 N. Speer Blvd., #102, Denver, CO 80211
Phone: 303-477-5550 (office) 202-607-5757 (cell)
Email: andre@realarchitecture.com

5. General Data

Date of Construction: Apartment Building - 1895
Source of Information: Original LPC Application (Lot Index Abstract)
Number, Type, and Date of Construction of Outbuildings: N/A
Source of Information: N/A

Approximate Lot Size and Acreage: 1940-1946 W. 33rd Ave. – 6870 square feet
3252 Tejon Street – 4580 square feet

Source of Information: Improvement Survey Plat, AAA Surveying, Dated 10-7-16

Architect: Unknown
Source of Information: N/A

Builder: Unknown
Source of Information: N/A

Original Use: Multi-Family Residence
Source of Information: Original LPC Application

Present Use: Multi-Family Residence
Source of Information: Owner

Previous Field Documentation: Denver Landmark Preservation Commission - DLM251
Denver Ordinance No. 902 – Series of 1995 – Council Bill No. 904

National Register Status and Date: Recorded in 1982 as 5DV.358.64 – Found eligible as contributing to a possible historic district.

PHOTOGRAPHS

Photographs of the historic structure, **the Cole Apartment Building at 1940-1946 W. 33rd Ave:**



North Elevation of the Cole Apartment Building



East Elevation of the Cole Apartment Building



West Elevation of the Cole Apartment Building



South Elevation of the Cole Apartment Building

Photographs of the Vacant Zone Lot at 3252 Tejon Street:



Northwest Corner Elevation



Northeast Corner Elevation



Southwest Corner Elevation



Southeast Corner Elevation

6. Statement of Significance

Explain how the structure meets at least one of the criterion in at least two of the categories.

Category 1: History

Original Criterion For Designation:

“C. Have a direct and substantial association with a person or group of persons who had influence on society.”

Linus C. Cole, the original owner of the apartment building and the grocery store (condemned and demolished in the 1980’s), started his business at the busy intersection of Wanless and Goss (now 33rd and Tejon). He was a Denver pioneer, and the grocery was the only one for several miles.

In the early 1910’s Frank DeRose purchased both buildings in what was then “Little Italy”, and the building had rumored (but unsubstantiated) ties to the mafia.

Impact of Boundary Amendment on the LPC-designated Cole Apartment Building:

The direct and substantial association for the Cole Apartment Building to both Mr. Cole and Mr. DeRose are not compromised in any way by this proposed Boundary Amendment. The existing structure will continue to exemplify the history of the Little Italy area of newly growing Denver near the turn of the century, and will continue to be “a testament to the ethnic diversity of the Highland area, both past and present” (from original LPC Application – DLM 251).

Current Significance to 3252 Tejon Street Zone Lot:

The vacant lot has no ties to either Mr. Cole or Mr. DeRose. The original grocery was condemned and razed in the 1980’s due to safety concerns. The communal garden (mentioned in the original designation) that was established using bricks from the grocery was replaced with a non-contributing garage structure, which has now been removed. No historical association of any significance whatsoever remains for the 3252 Tejon Street Zone Lot.

Category 2: Architecture

Original Criterion For Designation:

“A. Embody distinguishing characteristics of an architectural style or type.”

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 and Tuscan columns and is a good example of rental housing in the late 1800’s to early 1900’s. The layout of the building is in itself unique. Each unit has at least two bedrooms, a large kitchen, a parlor, and a dining room.

Impact on the LPC-designated Cole Apartment Building:

The distinguishing characteristics of the Cole Apartment Building have been well-preserved throughout the years, and the LPC designation has helped to maintain them. The structure itself, as well as the details such as “the original metal and copper wreath and swag”, the Tuscan columns, and even the remaining original interior woodwork and tile continue to embody the architectural style for which the structure originally received Landmark status. These features are not compromised in any way by this proposed Boundary Amendment.

Current Significance to 3252 Tejon Street Zone Lot:

The vacant lot has no distinguishing characteristics of an architectural style or type. It is currently paved concrete, crushed stone, and a newly-erected 4’ cedar fence.

Category 3: Geography

Original Criterion For Designation:

Not used for original designation.

7. Architectural Description

Cole Apartment Building

a. Concisely describe the structure and its surrounds. Include building size, shape, # stories, materials, style and site terrain.

The Landmarked structure is a two-story, four-unit apartment building with original brick façade on all sides. The building presents to 33rd Avenue, with minimal setbacks to the street frontage. Each unit entrance is framed with columns supporting a medium-pitch shingled roof. The sides of the building are brick as well, with original arched window openings and low brick parapets hiding a sloped roof. The rear of the building has individual wood framed decks for each of the units, along with staircases for egress. The yard in the rear of the building contains some mature trees and minimal landscaping. The proposed Boundary Amendment would not affect these elements.

b. Architectural description including mention of major features, uncommon or unique design features, ancillary structures, and important landscape or site features. Also describe interior spaces with extraordinary design features (if any).

As stated in the original LPC application from 1995, the Cole Apartment Building is a “good example of rental housing in the late 1800’s to early 1900’s.” Built in an eclectic Victorian style, the most prominent architectural features are the Tuscan columns that present to 33rd Avenue, as well as the neo-classical wreath and swag metal detailing below the roofline. The proposed Boundary Amendment would not affect these elements.

c. Describe character defining features; identify the key visual aspects that make up the character of this building.

The key visual aspects of the Apartment Building are the Tuscan columns at the entries, the metal detailing below the roofline, the arched window openings. The entries to the two center units are covered by a second story rounded balcony which adds a unique feature to the front façade of the building as well. The proposed Boundary Amendment would not affect these elements.

d. Describe location and setting including physical context and relationship to neighborhood and other historic structures.

Located near the corner of 33rd Avenue and Tejon Street, in the 1890's "Wanless and Goss was a busy intersection", and North Denver was growing rapidly. The Cole Apartment Building presents to 33rd Avenue with minimal setbacks, and an alley directly abuts the property on the East side. To the West, the grocery was razed in 1980's due to safety concerns, and the non-contributing garage structure was demolished in 2016. The neighborhood has experienced rapid development in recent years, and the majority of structures on both 33rd Avenue and Tejon Street reflect a more modern take on residential architecture.

e. Describe major alterations to the exterior of the structure and dates of major alterations if known. Describe any plans to alter the exterior.

The only major known alteration to the exterior occurred at the West side of the building, known as the carriage house (The carriage house can be seen in the "North Elevation of the Cole Apartment Building" picture on the right side, with the arched doorway at the bottom and gray stucco at the top). When the grocery store was condemned and demolished in the 1980's, the carriage house was also in a state of disrepair. Although the arched doorway is likely an original part of the design, "the carriage house was rebuilt not in the original design, but in a flattering stucco." (*per the original LPC application*). There are no plans to alter the exterior, though the current owner will need to do some extensive repairs to the existing roof.

f. Include a statement describing how the building currently conveys its historic integrity. For example, does it retain its original design, materials, location, workmanship, setting, historic associations and feeling?

Location – The location of the Cole Apartment Building is a key component to understanding the integrity of the structure: Its ties to early Denver living and the growth of Highland during the 1890's reflects a key component of its integrity as it relates to both the Cole and DeRose families and later the development of the "Little Italy" neighborhood.

Design: Given the preserved aspects of the architecture, majority of the building reflects the intention of design integrity from its 1895 construction. The major components, such as massing, rooflines, and fenestration combine with the detailing in the columns, brickwork, and metal detailing to preserve the integrity of both its historic function and aesthetics.

Setting: As this particular structure is Landmarked individually and not part of a Historic District, the setting and surroundings have changed greatly throughout the years. However, 33rd and Tejon is still a notable intersection within the Highlands neighborhood, as it was in the 1890's when Cole decided it would be a good location for an Apartment Building (and the since-demolished grocery store).

Materials: The Cole Apartment Building maintains a great deal of the physical elements and original materials which give it significance. The original red brick combines with the columns and detailing to accurately reflect the intentions of the original design and the technologies available. Many of the interiors still contain original woodwork and mantles, tilework, and flooring.

Workmanship: While the building does not have any particularly unusual or sophisticated workmanship, it retains excellent integrity of workmanship.

Feeling: Given its continuous use as rental housing, the Cole Apartment Building still very much retains the aesthetic and historic sense of the period of time in which it was constructed. The interior “layout of the building is in itself unique, the space and features. Each unit has at least two bedrooms, a large kitchen, a parlor and a dining room.” The interiors combine with the well-preserved façade to convey the feeling of its original intent.

Association: The association with the Cole and DeRose families, as well as with the growth of early North Denver remains very much intact. The Cole Apartment Building will continue to represent these Denver pioneers and the city they helped to establish.

3252 Tejon Zone Lot

- a. This Zone Lot is currently vacant, with a small 4’ cedar fence on the North and West sides.
- b. No major design features, ancillary structures, or landscape/site features.
- c. No defining features or visual aspects.
- d. Located at the corner of 33rd and Tejon, adjacent to landmarked Cole Apartment Building.
- e. Historic Grocery was razed in 1980’s. Non-contributing garage demolished in 2016.
- f. Vacant lot does not convey historic integrity in any of the aforementioned categories.

8. History of the Structure and Its Associations

Cole Apartment Building

a. Describe the history of the structure and its associations with important individuals, groups, events, or historical trends.

As previously mentioned, the Apartment Building was constructed in 1895 by Linus C. Cole. He chose this location because it was a busy intersection and provided good exposure to the adjacent Grocery Store. The DeRose family purchased the building twenty years later and owned it through a period of growth within “Little Italy” and reflected the diversity of the neighborhood. This historic association will not be adversely effected by the proposed Boundary Amendment.

b. Describe significant historical associations including why this structure has direct association with the individual, group, event, or historical trend.

The Cole Apartment Building was constructed as four rental residences by the Cole family, adjacent to the since-demolished grocery store. Per the original LPC application, “Linus was a Denver pioneer. At the time he started his business, North Denver was growing. However his was the only grocery store for several miles.”

“With its location in what was ‘Little Italy’, the owners and renters were a testament to the ethnic diversity of the Highland area, both past and present.” In the early 1910’s, Frank DeRose purchased the grocery store and the apartment building. Both buildings had rumored ties to the Italian Mafia, something with the DeRose family denied. This historic association will not be adversely effected by the proposed Boundary Amendment.

c. Describe other structures that have similar associations and the relationship/comparison of this of this structure to other structures.

As this is an individually Landmarked building, and due to the progression of development in the neighborhood, there are few structures nearby with similar histories or associations. The nearby Edward L. Fox House (Ord. 901) and Alexander Cowie House (Ord. 900) were both built in the same neighborhood during a similar time period, as were several of the churches in the neighborhood.

3252 Tejon Zone Lot

a. Although this was the original site of Linus Cole’s grocery store, no connection between that original structure and the current zone lot remains. The store was condemned and razed in the 1980’s due to safety concerns, and a non-contributing garage structure was built in its place. The garage structure was demolished (Demolition approved by LPC) in 2016.

b. There is no historic association between the vacant lot and any important individuals, groups, events, or historical trends.

c. The current vacant lot is similar in size (4580 square feet) to other non-historic lots in the neighborhood. This current zone lot “follows the established and historic neighborhood pattern of lot division” (from letter issued by Jennifer Cappeto of Landmark Staff on 4/10/15).

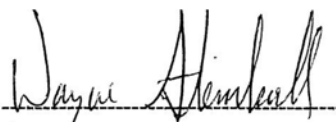
9. Owner Consent to Boundary Amendment

I/We, the undersigned, acting as the owner(s) of the property described in this application for landmark designation (boundary amendment) do, hereby, give my consent to the designation of this structure as a Structure for Preservation.

I understand that this designation transfers with the title of the property should the property be sold, or if legal or beneficial title is otherwise transferred.

Owner: (print) Wayne Steinhall

Date: 3/30/17

Owner: (sign) 

Date: 3/30/17

EXHIBIT A – BACKGROUND INFORMATION

1940 W. 33rd Ave and 3252 Tejon St

PREFACE

The Cole Apartment Building was originally designated for Landmark status through an application filed by Elmer Wayne Steinhall, Jr., in 1995. Mr. Steinhall was the building owner at the time: He was seeking to preserve the structure while also hoping that Landmark status might help with the costs involved with much-needed maintenance and renovation of the unique structure. Mr. Steinhall attests that he believed he was designating the structure itself for Landmark status – he was not aware that the designation would cover the entire Zone Lot upon which the structure sits.

Twenty-two years later, Mr. Steinhall is still the owner of the building, as well as one of its residents. He has been meticulous in his repair and maintenance of the structure, and the Cole Apartment Building continues to exemplify the positive influence that Landmark designation can have in a rapidly changing neighborhood.

However, recent circumstances have forced Mr. Steinhall to seek this boundary amendment for the land adjacent to the structure. The roof of the Cole Apartment Building is in need of repairs estimated at \$100,000, and many other maintenance and repair issues have arisen on the 125-year-old building.

In an effort to address these issues, Mr. Steinhall is seeking to amend the boundaries of the designation (DLM 251) that he filed himself 22 years ago. This boundary amendment will preserve the integrity of the designated structure while also serving as the next step to provide some financial assistance needed to keep the Cole Apartment Building in suitable condition for many years to come.

PREVIOUS LPC INTERACTION RELATED TO BOUNDARY AMENDMENT

On April 7, 2015, the Denver Landmark Preservation Commission recommended approval of a Zone Lot Amendment proposal to divide the existing single lot into two lots, preserving the Cole Apartment Building on one lot while establishing a separate zone lot *“that follows the established and historic neighborhood pattern of lot division”* (from letter issued by Jennifer Cappeto of Landmark Preservation staff on 4/10/15). This recommendation is attached as **Exhibit B**.

On May 19, 2015, an address was requested for the proposed new Zone Lot. The request was processed and the address of 3252 Tejon Street was assigned to the proposed new Zone Lot.

On August 17, 2015, we were informed by the Beverly Benson of Development Services – Zoning that our application for Zone Lot Amendment could not be processed because the resulting “new” Zone Lot would contain a secondary structure (a garage) without a primary structure. We were informed that the existing (non-contributing) garage would need to be demolished before our Zone Lot Amendment could be approved.

On March 4, 2016, Denver Landmark Preservation issued a “Certificate of Appropriateness” for the “Demolition of a one-story garage.” This certificate is attached as **Exhibit D**.

On November 21, 2016, Denver Zoning approved and recorded (#2016162393) the Zone Lot Amendment, officially making the vacant lot at 3252 Tejon Street a legal individual Zone Lot in Denver.

INTENT OF BOUNDARY AMENDMENT

The Cole Apartment Building addressed at 1940-1946 W. 33rd Avenue is now a separate Zone Lot and Assessor Parcel from the Vacant Lot at 3252 Tejon Street. Currently both properties are designated as individual landmarks under DLM 251 from 1995.

Given the status of 3252 Tejon Street as a Vacant, LPC-approved, individual Zone Lot, we request that the boundary of the original designation to 1940-1946 W. 33rd Avenue (the Cole Apartment Building) be amended to preserve the existing contributing apartment structure but to exclude this separate Zone Lot from LPC designation.



DENVER
THE MILE HIGH CITY

Community Planning and Development
Denver Landmark Preservation

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April 10, 2015

David Berton, AIA
Real Architecture Ltd.
2899 N. Speer Blvd #102
Denver, CO 80211

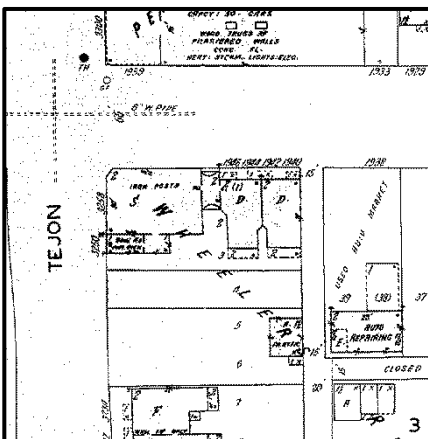
Subject: 1940-1944 W. 33rd Avenue Zone Lot Amendment

The Denver Landmark Preservation Commission at their April 7, 2015 meeting recommended approval of your Zone Lot Amendment proposal (dividing the existing single lot into two lots). Our basis is that the proposal would create a zone lot that follows the established and historic neighborhood pattern of lot division.

If further assistance or information is needed on this or any other project, please contact our office. Thank you.

Sincerely,

Jennifer Cappeto
Landmark Preservation staff
City and County of Denver



1929 Sanborn Fire Insurance map

IMPROVEMENT SURVEY PLAT

LOCATED IN THE NW 1/4 OF SECTION 28, T.3S, R.68 W, OF THE 6TH P.M.,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

Legal Description Provided:(BY CLIENT)

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.

(AKA-1940-44 W. 33RD AVE.)

Standard Notes:

1. Notice: According to Colorado Law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

2. Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a Class Two (2) Misdemeanor pursuant to the Colorado Revised Statute 18-4-508.

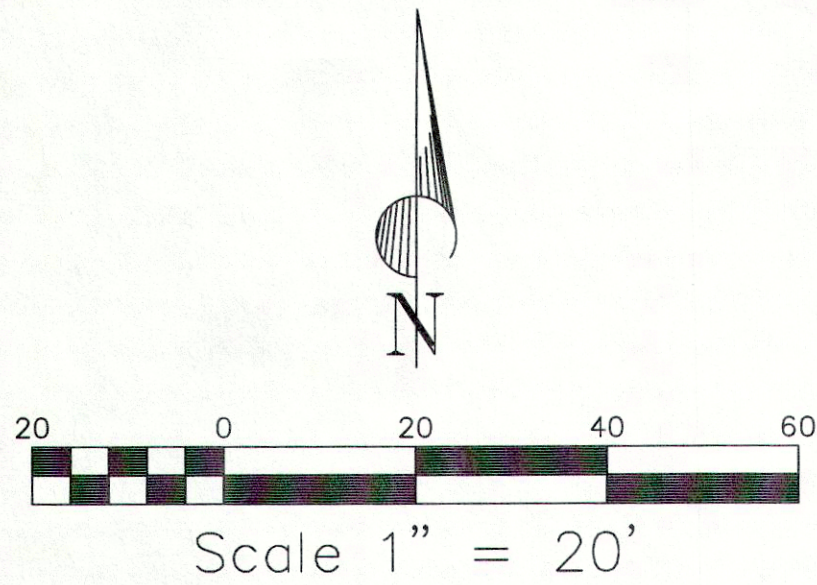
3. This survey does not constitute a title search by AAA Surveying Land Consultants, LLC to determine ownership or easements of record. For all information regarding easements, right-of-way or title of record, AAA Surveying Land Consultants, LLC relied upon recorded plat and information supplied by client.

4. Distances on this LAND SURVEY PLAT are expressed in U.S. survey feet and decimals thereof. A U.S. survey foot is defined exactly as 1200/3937 meters.

Surveyor's Certificate:

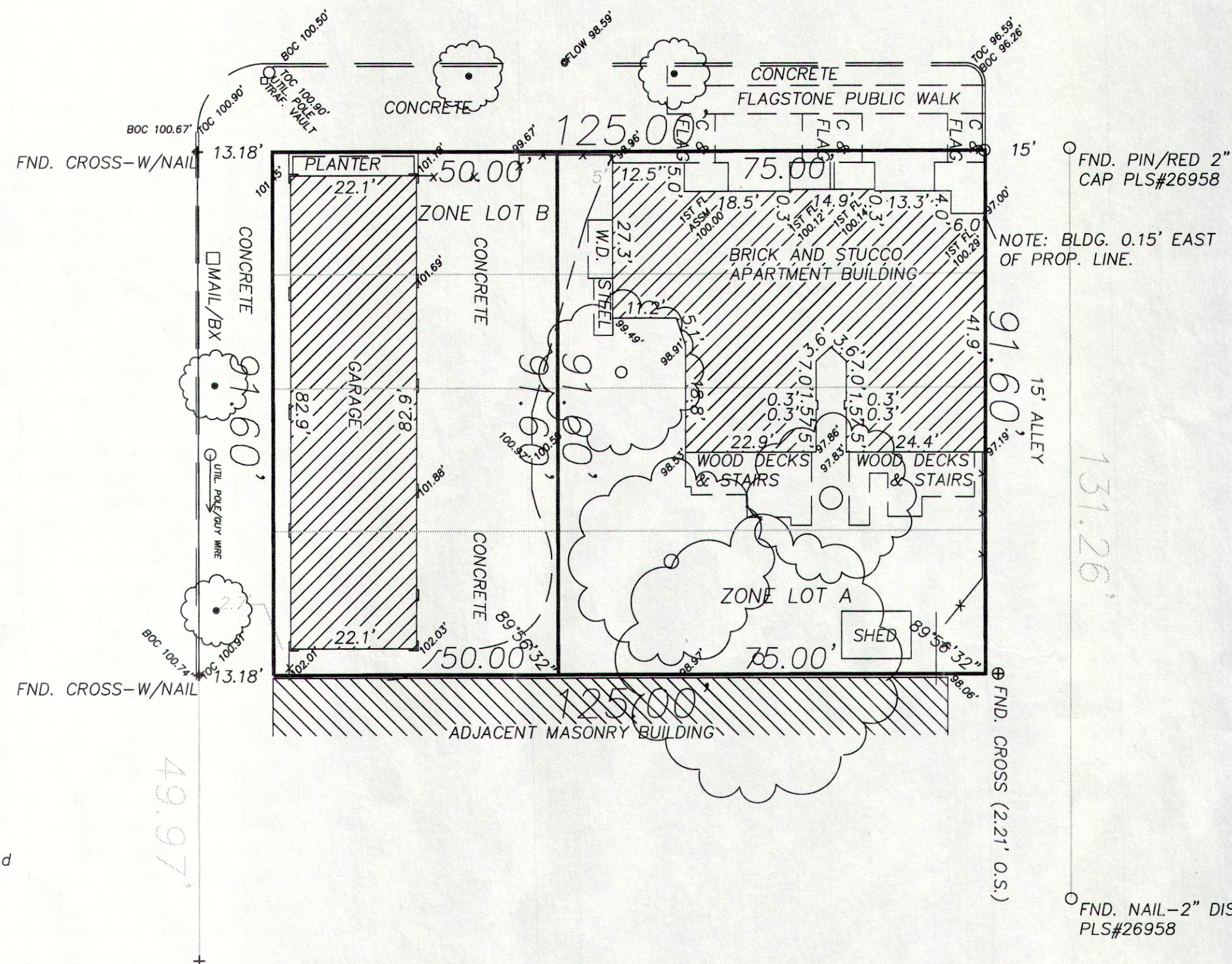
I, Richard E. Heinz, a Professional Land Surveyor registered in the State of Colorado, do hereby certify that the survey represented by this plat was made directly under my supervision, and that to the best of my knowledge and belief, this plat accurately represents said Survey.

Richard E. Heinz
Richard E. Heinz, P.L.S. #16116
PROFESSIONAL LAND SURVEYOR



W. 33RD AVE. (66')

TEJON ST. (66')



New Legal Descriptions:

Zone Lot A:

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.

(AKA-1940-44 W. 33RD AVE.)

Zone Lot B:

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.

(AKA-GARAGE)

Legend

- ⊕ FND. CROSS-SET NAIL/1" BRASS TAG PLS#16116
- + FND. CROSS
- SET NAIL/1" BRASS TAG PLS#16116 OR AS NOTED
- #5 REBAR

Indexing Statement:

Deposited this ___ Day of _____ 2015 At ___ M. In Book ___ of the County Surveyors Land Survey/Right of Way Surveys at Page(s) _____, Reception Number _____

AAA SURVEYING LAND CONSULTANTS, LLC. PROFESSIONAL LAND SURVEYOR'S P.O. BOX 2016 ELIZABETH, CO 80107 PHONE (303) 519-7015 FAX (303) 940-4927	Date: 11/13/14
	REV: 10/30/15
	JOB#14-2002



DENVER LANDMARK PRESERVATION Certificate of Appropriateness

Denver Landmark Preservation grants a Certificate of Appropriateness based on submitted plans for the following:

PROPERTY LOCATION: Street Address: 1940-1946 W 33rd Avenue
District: Cole-Derose Apartment House, Individual Landmark

NAME OF APPLICANT: RealArchitecture / UnRealConstruction

Project Scope (only as described in specifications below):

Demolition of a one-story garage.

Project Specifications

Approved Demolition (in plan view): one-story garage located on west edge of the property.

PROJECT SPECIFICATIONS:

Note: This certificate is written in conjunction with and referencing submitted approved plans. These conditions supersede any contradictory notes or schedules found on project drawings.

General Notes

1. This Certificate is VOID if the approved plans are altered from the landmark approved plans.
2. Items not listed in project scope on this certificate have not been reviewed. Any changes or additions require further review.
3. Work to be accomplished in accordance with submitted plans. Any deviation from the plans is to be submitted to staff prior to construction.
4. All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with submitted plans at the responsibility of the applicant. Inaccuracies or differences should be reported to LPC staff prior to commencement.
5. Work to be accomplished in accordance with all applicable zoning regulations and building codes, or Board of Adjustment decision. This Certificate does not constitute or recommend a hardship for purposes of zoning review.
6. Further permits and approvals may be required. This Certificate signifies review and issuance of the Certificate based on the Landmark Preservation regulations and guidelines. No other city, state, or federal review and approval should be assumed or implied by this Certificate of Appropriateness.
7. This Certificate MUST be submitted with the entire landmark submittal document set for permit review.

Demolition

8. Demolition is to be minimal and limited to the one-story garage located on the western property line.

NOTICE

***** POST ON SITE WITH BUILDING PERMIT *****

Any substitution or deviation from the reviewed work requires further review by Denver Landmark Preservation staff **PRIOR** to work being undertaken. The work items contained above are in accordance with Landmark Preservation Commission or Lower Downtown Review Board decision, Chapter 30 Denver Revised Municipal Code, the Secretary of the Interior's Standards for Rehabilitation, Design Guidelines for Denver Landmark Structures & Districts, or Design Guidelines for Lower Downtown Historic District and are NOT applicable beyond the unique facts and circumstances of this particular application and submitted plans. This permit becomes invalid THREE years after issue date. Expired permits must be reissued by staff prior to work being undertaken.

THIS IS NOT A BUILDING PERMIT

No work can begin without the appropriate review and permit approval by City and County of Denver Development Services. Present this certificate and approved plans to Denver Development Services staff when submitting an application for building or zoning review.

4 March 2016

Kara Hahn; Staff

Date