



## Zone Map Amendment (Rezoning) - Application

<b>PROPERTY OWNER INFORMATION*</b>		<b>PROPERTY OWNER(S) REPRESENTATIVE**</b>	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Marley and Alex Withrow; see below for 2nd address	Representative Name	
Address	4525 N Yates Street	Address	
City, State, Zip	Denver, CO 80212	City, State, Zip	
Telephone	540-454-1429	Telephone	
Email	marley.withrow@gmail.com	Email	
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
		***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
<b>SUBJECT PROPERTY INFORMATION</b>			
Location (address):	4525 N Yates St, Denver, CO. 80212 4517 N Yates St, Denver, CO. 80212		
Assessor's Parcel Numbers:	0219207017000, 0219207016000		
Area in Acres or Square Feet:	4390sf		
Current Zone District(s):	U-SU-C1		
<b>PROPOSAL</b>			
Proposed Zone District:	U-SU-A1		
<b>PRE-APPLICATION INFORMATION</b>			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> <b>Yes - State the contact name &amp; meeting date</b> <u>Fran Penafiel 1-12-21</u> <input type="checkbox"/> <b>No - Describe why not (in outreach attachment, see bottom of p. 3)</b>		
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> <b>Yes - if yes, state date and method</b> <u>Amanda Sandoval, email, 12-23-2020</u> <input type="checkbox"/> <b>No - if no, describe why not (in outreach attachment, see bottom of p. 3)</b>		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> <b>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.</b></p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its' own subsection.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b></p> <hr/>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> <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.</b></p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</b></p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box <b>and</b> include a section in the review criteria narrative attachment.</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 of 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 checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</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>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> <b>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.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

**REQUIRED ATTACHMENTS**

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. 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.
- Review Criteria Narratives. See page 2 for details.

**ADDITIONAL ATTACHMENTS (IF APPLICABLE)**

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- Written narrative explaining reason for the request** (optional)
- Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged )
- Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- Written Authorization to Represent Property Owner(s)** (if applicable)
- Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.)
- Other Attachments.** Please describe below.

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

We, the undersigned represent that we are the owner(s) 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) (please type or print legibly)	Property Address City, State, Zip Phone 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: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith Josie Q. Smith</i>	01/12/20	(A)	YES
Marley and Alex Withrow	4525 N Yates St Denver, CO 80212 540-454-1429 marley.withrow@gmail.com	100	<i>[Signature]</i> Marley W	8/18/21	A	YES
Paul Nagy and Sharon Peterson	4517 N Yates St Denver, CO 80212 303-880-8588 paulnr@comcast.net	100	<i>[Signature]</i> Paul J. Nagy	8/29/21 8/29/21	A	YES
						YES
						YES

# 4517 N YATES ST

<b>Owner</b>	PETERSON,SHARON ANN NAGY,PAUL J 4517 YATES ST DENVER, CO 80212-2518
<b>Schedule Number</b>	02192-07-016-000
<b>Legal Description</b>	BERKELEY 02192 B39 L29 & N/2 OF L28
<b>Property Type</b>	SFR Grade B
<b>Tax District</b>	DENVER

**Print Summary**

Property Description			
<b>Style:</b>	15: 2 STORY	<b>Building Sqr. Foot:</b>	2207
<b>Bedrooms:</b>	3	<b>Baths Full/Half:</b>	2/1
<b>Effective Year Built:</b>	2018	<b>Basement/Finish:</b>	1148/0
<b>Lot Size:</b>	4,390	<b>Zoned As:</b>	U-SU-C1

**Note:** Valuation zoning may be different from City's new zoning code.

Current Year			
	Actual	Assessed	Exempt
Land		\$297,900	\$21,300 \$0
Improvements		\$755,700	\$54,030
<b>Total</b>		<b>\$1,053,600</b>	<b>\$75,330</b>

Prior Year			
	Actual	Assessed	Exempt
Land		\$255,400	\$18,260 \$0
Improvements		\$667,900	\$47,760
<b>Total</b>		<b>\$923,300</b>	<b>\$66,020</b>

**Real Estates Property Taxes for current tax year**

**System Upgrade Underway:**

Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy \* 74..195 \*

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	<b>Installment 1 (Feb 28 Feb 29 in Leap Years)</b>	<b>Installment 2 (Jun 15)</b>	<b>Full Payment (Due Apr 30)</b>
<b>Date Paid</b>	2/28/2021	6/15/2021	
<b>Original Tax Levy</b>	\$2,449.17	\$2,449.19	\$4,898.36
<b>Liens/Fees</b>	\$0.00	\$0.00	\$0.00
<b>Interest</b>	\$0.00	\$0.00	\$0.00
<b>Paid</b>	\$2,449.17	\$2,449.19	\$4,898.36
<b>Due</b>	\$0.00	\$0.00	\$0.00

**Additional Information**

**Note:** If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

<b>Additional Assessment ⓘ</b>	N	<b>Prior Year Delinquency ⓘ</b>	N
<b>Additional Owner(s) ⓘ</b>	Y		
<b>Adjustments ⓘ</b>	N	<b>Sewer/Storm Drainage Liens ⓘ</b>	N
<b>Local Improvement Assessment ⓘ</b>	N	<b>Tax Lien Sale ⓘ</b>	N
<b>Maintenance District ⓘ</b>	N	<b>Treasurer's Deed ⓘ</b>	N
<b>Pending Local Improvement ⓘ</b>	N		

Real estate property taxes paid for prior tax year: **\$4,761.10**

**Assessed Value for the current tax year**

<b>Assessed Land</b>	\$18,260.00	<b>Assessed Improvements</b>	\$47,760.00
<b>Exemption</b>	\$0.00	<b>Total Assessed Value</b>	\$66,020.00

# 4525 N YATES ST

<b>Owner</b>	WITHROW,MARLEY WITHROW,ALEX 4525 YATES ST DENVER, CO 80212-2518
<b>Schedule Number</b>	02192-07-017-000
<b>Legal Description</b>	BERKELEY 02192 B39 L30 & S/2 OF L31
<b>Property Type</b>	SFR Grade C
<b>Tax District</b>	DENVER

**Print Summary**

Property Description			
<b>Style:</b>	13: 1 STORY	<b>Building Sqr. Foot:</b>	692
<b>Bedrooms:</b>	1	<b>Baths Full/Half:</b>	1/0
<b>Effective Year Built:</b>	1925	<b>Basement/Finish:</b>	454/0
<b>Lot Size:</b>	4,390	<b>Zoned As:</b>	U-SU-C1

**Note:** Valuation zoning may be different from City's new zoning code.

Current Year			
	Actual	Assessed	Exempt
Land		\$297,900	\$21,300 \$0
Improvements		\$119,900	\$8,570
<b>Total</b>		<b>\$417,800</b>	<b>\$29,870</b>

Prior Year			
	Actual	Assessed	Exempt
Land		\$255,400	\$18,260 \$0
Improvements		\$182,600	\$13,060
<b>Total</b>		<b>\$438,000</b>	<b>\$31,320</b>

**Real Estates Property Taxes for current tax year**

**System Upgrade Underway:**

Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy \* 74..195 \*

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	<b>Installment 1 (Feb 28 Feb 29 in Leap Years)</b>	<b>Installment 2 (Jun 15)</b>	<b>Full Payment (Due Apr 30)</b>
<b>Date Paid</b>	4/16/2021	4/16/2021	4/16/2021
<b>Original Tax Levy</b>	\$1,161.89	\$1,161.89	\$2,323.78
<b>Liens/Fees</b>	\$0.00	\$0.00	\$0.00
<b>Interest</b>	\$0.00	\$0.00	\$0.00
<b>Paid</b>	\$1,161.89	\$1,161.89	\$2,323.78
<b>Due</b>	\$0.00	\$0.00	\$0.00

**Additional Information**

**Note:** If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

<b>Additional Assessment ⓘ</b>	N	<b>Prior Year Delinquency ⓘ</b>	N
<b>Additional Owner(s) ⓘ</b>	Y		
<b>Adjustments ⓘ</b>	N	<b>Sewer/Storm Drainage Liens ⓘ</b>	N
<b>Local Improvement Assessment ⓘ</b>	N	<b>Tax Lien Sale ⓘ</b>	N
<b>Maintenance District ⓘ</b>	N	<b>Treasurer's Deed ⓘ</b>	N
<b>Pending Local Improvement ⓘ</b>	N		

Real estate property taxes paid for prior tax year: **\$2,258.67**

**Assessed Value for the current tax year**

<b>Assessed Land</b>	\$18,260.00	<b>Assessed Improvements</b>	\$13,060.00
<b>Exemption</b>	\$0.00	<b>Total Assessed Value</b>	\$31,320.00



The project goal is to add an Accessory Dwelling Unit to the rear of the property for the purpose of additional living/work space for us (the owners) and eventual home for my mother, when needed. We love the character of our 1925 bungalow and would prefer to not change the existing original home. We have noticed the trend for the undersized lots in our neighborhood is to scrape the home and rebuild a large home in its place.

We have met with Fran Peñafiel a few times in the past six months. We have worked with her on a pre-application meeting for the rezoning back in January.

We have also reached out to Amanda Sandoval's office and worked directly with Naomi Grunditz who has recommended we seek a rezoning. We are currently in U-SU-C1, which is zoned for Accessory Dwelling Units on a minimum lot size of 5,500sf. While our lot is currently zoned U-SU-C1, it is undersized at 4390sf. By rezoning to U-SU-A1 it will allow us to build an Accessory Dwelling Unit that will adhere to all the same setback, bulk plane, building form, lot coverage, code and zoning requirements of the City of Denver for the existing neighborhood zoning. On the immediate block is an ADU built at 4567 N Yates Street; additionally an ADU built at 4495 N Meade St on an undersized lot such as ours.

Lastly, we have notified our RNO (BRUN) of our plan to rezone and have full support of our surrounding neighbors. In discussion of this with our neighbors, the owners at 4517 N Yates Street have decided they would like to join our application to be rezoned, as well.

We would love to preserve our beautiful bungalow. Thank you for your consideration in helping us do so.

Marley and Alex Withrow

## Statement of Compliance with General Review Criteria (DZC § 12.4.10.7)

This application proposes to rezone the approximately 0.10-acre property located at 4525 N Yates Street and the approximately 0.10-acre property located at 4517 N Yates Street (the “Properties”) from U-SU-C1 to U-SU-A1 to facilitate use of the Properties that is consistent with the recommendations in the adopted Plans.

The Properties are located in the Berkeley neighborhood on the west side of N Yates Street, north of W 45th Avenue. Today the Properties are zoned U-SU-C1, a residential zone district allowing urban houses with a minimum zone lot area of 5,500 square feet and Accessory Dwelling Units. Existing context surrounding the Properties include: U-SU-C1. Located within ½ mile from RTD existing bus route and ⅔ mile to Medium-capacity transit corridor along 38th Avenue, both of which connect riders to Downtown Denver. There is a dedicated bike lane along W 46th Avenue.

This map amendment requests to rezone the Properties to the U-SU-A1 zone district. This zone district is a single-unit district that would allow the Properties to have an ADU on a minimum lot size of 3,000 square feet. This zoning is otherwise identical to the current zoning. The successful rezoning will blend in with, support, and sustain the existing residential character of the neighborhood. The proposed map amendment would enable modest growth in an appropriate scale and form while diversifying the housing stock that the City needs.

### 1. Consistency with Adopted Plans

The following adopted plans apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- *Blueprint Denver* (2019)
- Housing an Inclusive Denver (2018)

#### Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted Denver Comprehensive Plan 2040 strategies, including:

##### Equitable, Affordable and Inclusive

- Goal 2, Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28). The current (U-SU-C1) and proposed U-SU-A1 allows for an additional dwelling unit that is accessory to the primary single-unit dwelling use and introduces a new housing type to a largely single unit residential neighborhood.
- Goal 2, Strategy D – Increase the development of senior-friendly and family-friendly housing, including units with multiple bedrooms in multifamily developments (p. 28). ADUs are commonly used to house additional family members or allow seniors to age in

place. These arrangements can offer cost savings and emotional/psychological benefits for families.

- Goal 4, Strategy C – Incentivize the reuse of existing smaller and affordable homes (p. 29). ADUs can increase density while maintaining a neighborhood’s character and avoiding impacts to the primary residence. In addition, the financial support of an ADU can help homeowners resist pressures to sell to developers who would replace modest homes with larger, more expensive single-family development.

## **Environmentally Resilient**

- Goal 8, Strategy A – Promote infill development where infrastructure and services are already in place (p. 54). The proposed map amendment will allow an additional housing unit on the site of an existing single-family home where infrastructure and services such as water, stormwater, and transit already exist. This allows Denver to grow responsibly and promotes land conservation.

## **Blueprint Denver**

*Blueprint Denver* was adopted in 2019 as a supplement to Comprehensive Plan 2040 and establishes an integrated framework for the city’s land use and transportation decisions. There are four key components of *Blueprint Denver* that apply to this rezoning application:

1. Neighborhood Context
2. Place Type
3. Plan Policies and Strategies
4. Equity Concepts

## **Blueprint Denver Urban Neighborhood Context**

In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject site is shown on the context map as Urban neighborhood context. The description is used to guide appropriate zone districts (p. 66).

The Urban neighborhood context predominantly contains “small, multi-unit residential and low intensity mixed-use buildings ... embedded in single-unit and two-unit residential areas. Block patterns are a regular grid with consistent alley access.” (p. 222). U-SU-A1 is a residential zone district within the Urban neighborhood context that is “intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context.” “The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms .... Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street” (DZC 5.2.2.1).

U-SU-A1 is consistent with the Blueprint future neighborhood context of Urban because it will promote the residential character by allowing single-unit residential uses with a low-scale accessory dwelling unit that will be compatible with the existing residential area.

### **Blueprint Denver Low Residential Places**

The subject site is designated within a Low Residential future place on the *Blueprint Denver* Future Places map. This place is “predominantly single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible,” and “buildings are generally up to 2.5 stories in height” (p. 214). U-SU-A1 is a single-unit residential district that allows for an additional dwelling unit accessory to an established single-family home, which is consistent with the Low Residential future place description. The current and proposed zone districts allow the Urban House building form, which has a maximum height of 2.5 stories and is consistent with the future places map.

### **Blueprint Denver Street Types**

In *Blueprint Denver*, street types work in conjunction with future places to evaluate the appropriateness of the intensity of the adjacent development (p.67). Most streets within the proposed rezoning area are classified in *Blueprint Denver* as local or residential collector streets. Local streets are “most often characterized by residential uses [and] provide the lowest degree of through travel but the highest degree of property access” (p. 154). Residential Collectors “are in between a local street and an arterial street; they collect movement from local streets and convey it to arterial streets” (p. 154). *Blueprint Denver* describes residential streets as those with “primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback. The depth of the setback varies by neighborhood context” (p. 160). The proposed map amendments to U-SU-A1 is consistent with these street types as it will continue to allow low-intensity residential uses along these streets and does not modify front setback requirements.

### **Blueprint Denver Growth Strategy**

*Blueprint Denver's* growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject properties are part of the “All other areas of the city” growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). This growth area is “mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed map amendments to U-SU-A1 will allow low-intensity growth by allowing an accessory dwelling unit.

### **Housing an Inclusive Denver (2018)**

Adopted in 2018, Housing an Inclusive Denver was not adopted as a supplement to Denver Comprehensive Plan 2040 but was still adopted by City Council and can be considered relevant to the review criteria for this map amendment. The Plan includes citywide guidance for using *Blueprint Denver* to reduce regulatory barriers to development of accessory dwelling units. The following plan goals are applicable to the proposed rezonings:

*Legislative and Regulatory Priorities, Recommendation 2:* Expand and strengthen land-use regulations for affordable and mixed-income housing. Through *Blueprint Denver* and supplemental implementation actions such as zoning modifications, the City should support land-use regulations that incentivize affordable and mixed-use housing, including expanding the development of accessory dwelling units (p. 9).

## 2. Uniformity of District Regulations and Restrictions

The proposed rezonings to U-SU-A1 will result in the uniform application of zone district building form, use and design regulations. The request to rezone from U-SU-C1 to U-SU-A1 is a minor zoning adjustment that will keep the lot consistent with the uniformity of the U-SU district regulations, restrictions & descriptions. Any improvements to the properties would still fall under the current district's codes, standards and regulations of the U-SU district.

## 3. Public Health, Safety and General Welfare

The proposed official map amendments further the public health, safety, and general welfare of the City through implementation of the city's adopted land use plan which recommends "the expansion of accessory dwelling units throughout all residential areas" (p. 84 of *Blueprint Denver*). The proposed rezonings would also provide the benefit of an additional housing unit that is integrated into the surrounding neighborhood. In addition, increasing access to ADUs as tools for financial stability and family cohesion can promote health and wellbeing by reducing stress-related health complications and increasing economic security. This also increases density in a highly walkable neighborhood with close access to three neighborhood parks, as well as business off of 44th Ave, Tennyson St, and Lowell Blvd.

## Blueprint Denver Strategies

*Blueprint Denver* includes additional recommendations that are relevant for this proposed text and map amendments.

### **Land Use & Built Form, Housing, Policy 4:**

- This policy recommends "Diversify[ing] housing choice through the expansion of accessory dwelling units throughout all residential areas" (p. 84), which is consistent with both the text and map amendments.

- The policy includes several strategies for integrating accessory dwelling units, including using “an inclusive community input process to respond to unique considerations in different parts of the city” and “identify[ing] strategies to reduce involuntary displacement” (p. 84).

## 1. CRITERION DZC § 12.4.10.8.A - Justifying Circumstances - One of the following circumstances exists:

*Blueprint Denver* DZC Section 12.4.10.8.A.4, “Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such a change may include: Changed or changing conditions in a particular area, or in the city generally; or a city adopted plan; or that the city adopted the Denver Zoning Code and the Property retained Former Chapter 59 zoning.”

Echoing the comments above, *Blueprint Denver* specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. The plan was adopted after the date of approval of the existing zone district.

## 2. CRITERION DZC § 12.4.10.8.B - Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements:

The Urban Neighborhood context is characterized by single and two unit residential units that are typically the Urban House building form and located along local and residential arterial streets. The proposed map amendments would keep the lots within the Urban Neighborhood context and would be in keeping with the current neighborhood that has Accessory Dwelling Units throughout the neighborhood.

This general purpose of this residential district is to “promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood. The building form standards, design standards, and uses work together to promote desirable residential areas. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment” (DZC 5.2.2.1). The specific intent of the U-SU-A1 zone district is “a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a consistent pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context” (DZC 5.2.2.2 A). This ensures new development that contributes positively to the established character of the neighborhood.

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18th August 2021

To Whom it May Concern,

We, the residents of 4517 Yates and neighbors to Alex and Marley Withrow of 4525 Yates Street, offer our full support to their request to the City and County of Denver to build an accessory dwelling unit (ADU).

We firmly believe that if Denver wants to stay on track with the integration of higher-density city planning, ADUs are an effective way to do so. In addition, to adding additional dwelling spaces allowing the city to grow, ADUs allow the overall look and feel of a neighborhood to stay consistent as the houses don't need to be scraped, but instead, the additional unit can be modeled to match the existing structure.

We stand behind the concept of the ADU for the neighborhood in general, and provide our full consent and support to build one at 4525 Yates St. Doing so allows Denver to continue to grow into one of the country's foremost cities.

Sincerely,

**Paul Nagy & Sharon Peterson**

4517 Yates St.  
Denver, CO 80212  
(303) 880-8588  
paulnr@comcast.net



Marley Withrow &lt;marley.withrow@gmail.com&gt;

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**Fwd: Backyard ADU**

1 message

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**Brittany Esquivel** <bnesquivel03@gmail.com>  
To: Marley.withrow@gmail.com

Thu, Aug 19, 2021 at 7:26 AM

Good Morning Marley-

Reaching out to you regarding your desire to build an ADU on your property in your backyard. I think that this is a fabulous idea. You and I have spoken multiple times about the fact that we love the charm of this neighborhood and would prefer to see the older, smaller, quaint little homes within it kept up and preserved. Building an ADU allows you to accomplish all of those things.

Having the ADU will allow you and Alex to keep your home the way it is and also continue to grow more usable space on your property without disrupting its charm, or our view across the street!

Updating your property in this way will also make it more appealing if you ever choose to re - sell. The added space will be a great addition! The fact that you are zoned for an ADU but simply need a bigger lot size seems a bit harsh if you are looking to make great use out of the property that you own. Seems to me that it should be yours to do with as you wish.

You have our full support and I look forward to seeing how it turns out.

Sincerely,

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**Brittany Harvey**  
[Bnesquivel03@gmail.com](mailto:Bnesquivel03@gmail.com)  
**919-608-8351**

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**Brittany Harvey**  
[Bnesquivel03@gmail.com](mailto:Bnesquivel03@gmail.com)  
**919-608-8351**





Marley Withrow &lt;marley.withrow@gmail.com&gt;

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**Withrow Rezoning Support**

1 message

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**Nancy Thompson** <nltonthego@hotmail.com>  
To: Marley Withrow <marley.withrow@gmail.com>

Fri, Aug 20, 2021 at 2:50 PM

To Whom it May Concern,

I live next door to Marley and Alex Withrow at [4533 Yates Street](#). The Withrow's recently approached me about their desire to rezone their property and build an ADU for personal use. I fully support this request and have no issues with them rezoning their land to do so.

Thanks,

**NANCY THOMPSON**  
[4533 Yates St. Denver, CO 80212](#)  
303.868.5099



Marley Withrow &lt;marley.withrow@gmail.com&gt;

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**Rezoning for current U-SU-C1**

2 messages

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**Marley Withrow** <marley.withrow@gmail.com>  
To: brunzoning@gmail.com

Fri, Dec 25, 2020 at 7:30 AM

Good morning! My husband and I own our home in Berkeley and it is zoned U-SU-C1 so it already allows ADU's. However, our plot doesn't meet the minimum lot size. I have been working with Naomi Grunditz in city council for District 1 who recommended we get our lot rezoned for U-SU-A1 as our lot is 4300sf. I wanted to reach out to see if there is anything else I should be aware of or any tips you may have for me in this process. We have a few direct neighbors interested in the same thing so we will likely add them to the rezoning application.

Merry Christmas and happy holidays!

-Marley

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**BRUN Zoning & Planning (ZAP)** <brunzoning@gmail.com>  
To: Marley Withrow <marley.withrow@gmail.com>

Wed, Jan 6, 2021 at 12:56 PM

Marley

Thanks for reaching out. BRUN is a 100% volunteer run Residential Neighborhood Organization (RNO). BRUN board meetings are always on the 3rd Tuesday of the month. There is an open mic section where new development can be discussed. Go to our website at <https://berkeleyregisneighbors.org/meetings-events-happy-hours/> Please feel free to join us at the next one. If you aren't already a member of BRUN, please join. Membership is currently free.

We've been getting quite a few similar applications for properties within our boundary. Usually they have single ownership.

However, there's a group of houses near 46th and Lowell that are putting a package together for 9 properties.

BRUN, through its zoning and planning (ZAP), has started to get the word out about these types of zoning changes. After a formal notification of application is received from the city, we have been dropping off letters to neighbors within 200' of the subject property. We solicit feedback on the proposed change and offer it to the city as a formal statement from BRUN. We don't typically state an opinion but reserve the right to do so if there are serious concerns from those surveyed.

Please feel free to give me a call to discuss the BRUN process or to get some perspective on the city's process.

Jeff Stine  
3035962726  
BRUN ZAP

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