



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	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		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.	
SUBJECT PROPERTY INFORMATION			
Location (address):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
PRE-APPLICATION INFORMATION			
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 type="checkbox"/> Yes - State the contact name & meeting date _____ <input type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)	
Did you contact the City Council District Office regarding this application ?		<input type="checkbox"/> Yes - if yes, state date and method _____ <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)	

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</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 a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how 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>2. Blueprint Denver</p> <p>In this section of the attachment, describe how 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>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</p> <hr/>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</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>In the review criteria narrative attachment, please provide an additional section describing how 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 and include a section in the review criteria narrative attachment.</p>	<p>Justifying Circumstances - One of the following circumstances exists:</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 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="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-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 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>In the review criteria narrative attachment, please provide a separate section describing how 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.



REZONING GUIDE

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION						
<p>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.</p>						
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)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
Cathy Loftus	4583 N Yates Street Denver, CO 80212	100%	Cathy Loftus <small>Digital Signer: Cathy Loftus DN: C=US, E=cathyloftus77@gmail.com, OU=Cathy Loftus Date: 2023.06.29 17:44:14 -06:00</small>	7/3/23	B	YES NO
						YES NO
						YES NO
						YES NO

Legal Description for 4583 North Yates Street:

LOTS 43 TO 45, BLOCK 39, BLOCKS 1 TO 40 BOTH INCLUSIVE "BERKELEY", CITY OF DENVER, COUNTY OF DENVER, STATE OF COLORADO.

WHEN RECORDED RETURN TO:
Sell Now Colorado, LLC
4590 Wolff Street
Denver, CO 80212



First American Title™

File Number: 5506-4059761

WARRANTY DEED

THIS DEED, Made this 5th day of June, 2023, between **Hugo Davis Vardaman** of the City and County of Denver and State of Colorado, grantor, and **Sell Now Colorado, LLC, a Colorado limited liability company** whose legal address is 4590 Wolff Street, Denver, CO 80212 of the City and County of Denver and State of Colorado, grantee:

WITNESSETH, That the grantor, for and in consideration of the sum of **SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$700,000.00)**, 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, his heirs, successors and assigns forever, in severalty, all the real property, together with improvements, if any, situate, lying and being in the City and County of Denver, State of Colorado, described as follows:

LOTS 43 TO 45, BLOCK 39, BLOCKS 1 TO 40 BOTH INCLUSIVE "BERKELEY", CITY AND COUNTY OF DENVER, STATE OF COLORADO.

also known by street and number as: **4583 North Yates Street, Denver, CO 80212**

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and remainders, rents, issues and profits thereof; and all the estate, right, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

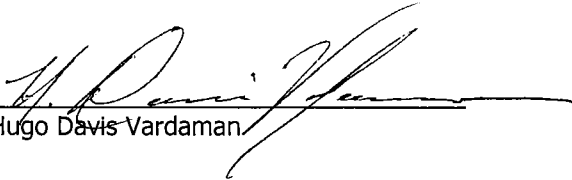
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing 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 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, and except general taxes for the current year and subsequent years, and subject to statutory exceptions.

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee, 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, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, The grantor has executed this deed on the date set forth above.

Doc Fee: \$70.00


Hugo Davis Vardaman

State of **Colorado**

County of **Denver**

The foregoing instrument was acknowledged to before me this 5th day of June, 2023 by **Hugo Davis Vardaman**.

Witness my hand and official seal.
My commission expires: **27 July 2023**


Notary Public

KEVIN M. BYRNE
NOTARY PUBLIC
STATE OF COLORADO
Notary ID 19974009212
My Commission Expires July 27, 2026



Colorado Secretary of State
 Date and Time: 01/10/2006 06:27 PM
 Entity Id: 20061017199
 Document number: 20061017199

Document processing fee
 If document is filed on paper \$125.00
 If document is filed electronically \$ 25.00
 Fees & forms/cover sheets
 are subject to change.

To file electronically, access instructions
 for this form/cover sheet and other
 information or print copies of filed
 documents, visit www.sos.state.co.us
 and select Business Center.

Paper documents must be typewritten or machine printed.

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Organization

filed pursuant to §7-90-301, et seq. and §7-80-204 of the Colorado Revised Statutes (C.R.S)

1. Entity name:

Sell Now Colorado, LLC

(The name of a limited liability company must contain the term or abbreviation "limited liability company", "ltd. liability company", "limited liability co.", "ltd. liability co.", "limited", "llc", "L.L.c.", or "ltd." §7-90-601, C.R.S.)

2. Use of Restricted Words (if any of these terms are contained in an entity name, true name of an entity, trade name or trademark stated in this document, mark the applicable box):

- "bank" or "trust" or any derivative thereof
- "credit union" "savings and loan"
- "insurance", "casualty", "mutual", or "surety"

3. Principal office street address:

411 Balsa Dr

(Street name and number)

Castle Rock CO 80104

(City)

(State)

(Postal/Zip Code)

United States

(Province - if applicable)

(Country - if not US)

4. Principal office mailing address (if different from above):

(Street name and number or Post Office Box information)

(City)

(State)

(Postal/Zip Code)

(Province - if applicable)

(Country - if not US)

5. Registered agent name (if an individual):

Loftus

James

B

(Last)

(First)

(Middle)

(Suffix)

OR (if a business organization):

6. The person identified above as registered agent has consented to being so appointed.

7. Registered agent street address:

411 Balsa Dr

(Street name and number)

Castle Rock CO 80104

(City)

(State)

(Postal/Zip Code)

8. Registered agent mailing address
(if different from above):

(Street name and number or Post Office Box information)

(City) (State) (Postal/Zip Code)

(Province - if applicable) (Country - if not US)

9. Name(s) and mailing address(es)
of person(s) forming the limited
liability company:

(if an individual)

Loftus James B
(Last) (First) (Middle) (Suffix)

OR (if a business organization)

411 Balsa Dr

(Street name and number or Post Office Box information)

Castle Rock CO 80104
(City) (State) (Postal/Zip Code)

(Province - if applicable) (Country - if not US)

(if an individual)

(Last) (First) (Middle) (Suffix)

OR (if a business organization)

(Street name and number or Post Office Box information)

(City) (State) (Postal/Zip Code)

(Province - if applicable) (Country - if not US)

(if an individual)

(Last) (First) (Middle) (Suffix)

OR (if a business organization)

(Street name and number or Post Office Box information)

(City) (State) (Postal/Zip Code)

(Province - if applicable) (Country - if not US)

(If more than three persons are forming the limited liability company, mark this box and include an attachment stating the true names and mailing addresses of all additional persons forming the limited liability company)

10. The management of the limited liability company is vested in managers
OR is vested in the members

11. There is at least one member of the limited liability company.

Sell Now Colorado, LLC

4590 Wolff Street
Denver, CO 80212

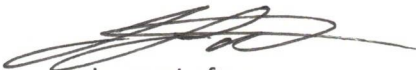
June 13, 2023

To Whom it May Concern,

I am the sole owner of Sell Now Colorado, LLC. I authorize Cathy Loftus to represent Sell Now Colorado in matters involving the City and County of Denver regarding the property located at 4583 Yates Street, Denver, CO 80212.

Please feel free to contact me with any questions or concerns.

Thanks,



James Loftus
Owner
Sell Now Colorado, LLC
sellnowcolorado@yahoo.com
303-522-4819

Rezoning Review Criteria Narratives

1. Denver Comprehensive Plan 2040

VISION ELEMENT -EQUITABLE, AFFORDABLE AND INCLUSIVE

- *GOAL 1 - Ensure all Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities. STRATEGY A - Increase development of housing units close to transit and mixed-use developments.*
- The Berkeley neighborhood is beloved for its walkability to Tennyson Street which provides restaurants, retail, multi-unit housing and office space. Allowing Berkeley to be able to promote density in a manner that supports and does not compromise the neighborhood allows more people to have easy access to this vibrant area. By reducing the distance between amenities, services, and public transportation, it becomes more convenient for residents to access daily necessities without relying heavily on private vehicles. This aligns with the plan's aim of improving transportation options and reducing reliance on cars, promoting sustainability, and reducing traffic congestion. We would like to be rezoned to U-SU-AI in order to split the current lot into (2) equal lots to develop (2) homes. Smaller lot sizes resulting from splitting this lot will contribute to the walkability of the Berkeley neighborhood.
- *GOAL 2 - Build housing as a continuum to serve residents across a range of incomes, ages and needs. STRATEGY A - Create a greater mix of housing options in every neighborhood for all individuals and families.*
- By re-zoning and then splitting this lot we would be able to attract a wider variety of people to this redevelopment. Each new home would likely be around 3,500 sqft with a detached garage and ADU above the garage. Smaller homes appeal to both younger families and older couples alike. The ADU would allow multi-generational families to stay intact or could provide a younger family with additional income allowing them to be in the Berkeley neighborhood. If we are unable to re-zone and split the lot it would likely be developed with a single 6,000 sqft home, pool and garage. This home would also be at a much higher price point. With a higher price point and larger square footage there will be a smaller pool of people this will appeal to or who will be able to afford the home. By splitting the lot, we would be able to accommodate a greater number of residents within the existing Berkeley neighborhood and support the plan's objective of providing more diverse and affordable housing options.

VISION ELEMENTS: ENVIRONMENTALLY RESILIENT

- *GOAL 8 - Clean our soils, conserve land and grow responsibly. STRATEGY A - Promote infill development where infrastructure and services are already in place.*
- Rezoning to allow for the splitting of this lot will help increase housing density and promote more compact, efficient land use. It will also allow us to maximize the utilization of existing infrastructure and services by allowing for denser development within the urban fabric. This can help concentrate resources and reduce the need for extending infrastructure further into the suburban areas. Smaller homes, which we would be building if we are able to rezone and split the lot, are also more energy efficient than larger homes.

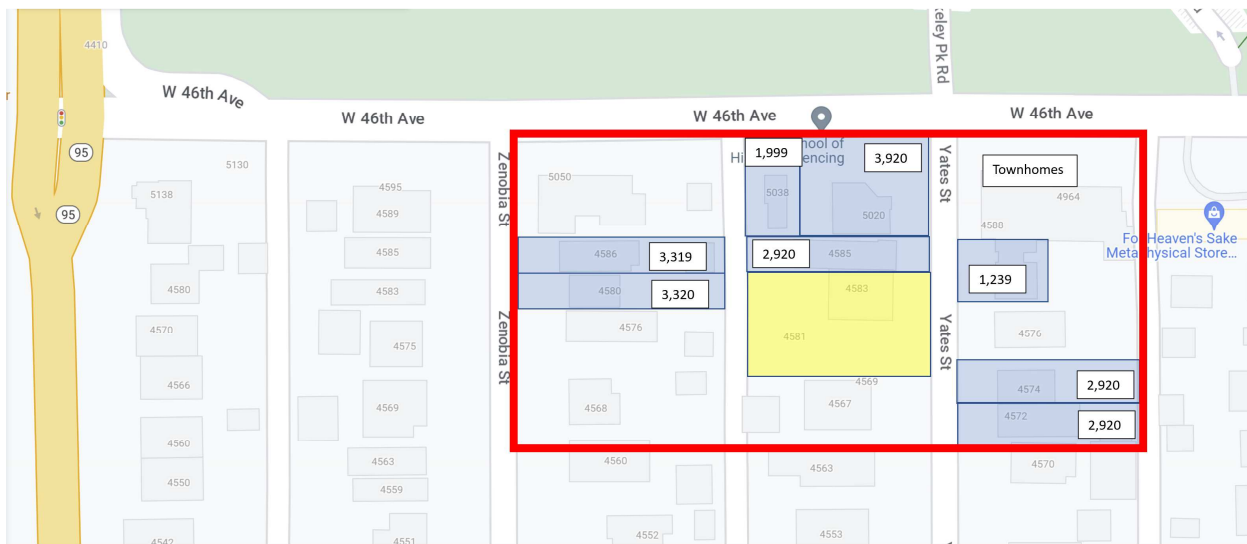
- *GOAL 8 - Clean our soils, conserve land and grow responsibly. STRATEGY B - Encourage mixed-use communities where residents can live, work and play in their own neighborhoods.*
- The Berkeley neighborhood is beloved for its walkability to Tennyson Street which provides restaurants, retail, multi-unit housing and office space. Allowing Berkeley to be able to promote density in a manner that supports and does not compromise the neighborhood allows more people to have easy access to this vibrant area. By reducing the distance between amenities, services, and public transportation, it becomes more convenient for residents to access daily necessities without relying heavily on private vehicles. This aligns with the plan's aim of improving transportation options and reducing reliance on cars, promoting sustainability, and reducing traffic congestion.

2. BluePrint Denver

Future Neighborhood Context - Urban

We are requesting to re-zone the current 8,770 sq ft lot from U-SU-C1 to U-SU-A1 which would then allow us to split this lot into (2) equal lots of 4,385 sq ft and develop a single-family home on each new lot. The 4,385 sqft lots would not be out of context in the neighborhood. Currently 48% of the lots in the surrounding area fall below the minimum lot size required (5,550 sqft) of the current zoning. While Berkeley has seen considerable development in the last few years there are still many smaller lots sizes. Our current lot size puts us squarely in the minority as only 4% of the lots in this area are larger than 7,000 sqft. Re-zoning and infilling this current single lot with two homes would be a better use of the land and allow it to be sized more appropriately based on the context of surrounding homes. The new lots would blend in seamlessly with the existing fabric of the Berkeley neighborhood and not go against the definition of an Urban Neighborhood as found in BluePrint Denver.

This snapshot shows 4583 Yates (in yellow) and the immediate surrounding lots. Of the 13 single family lots (in red) only 5 of these (3 are located on Zenobia and only share an alley with our home) are at 5,550 sqft. If we were able to split our lot to (2) 4,385 sqft lots, we would be closer in size to all our surrounding neighbors and lots.

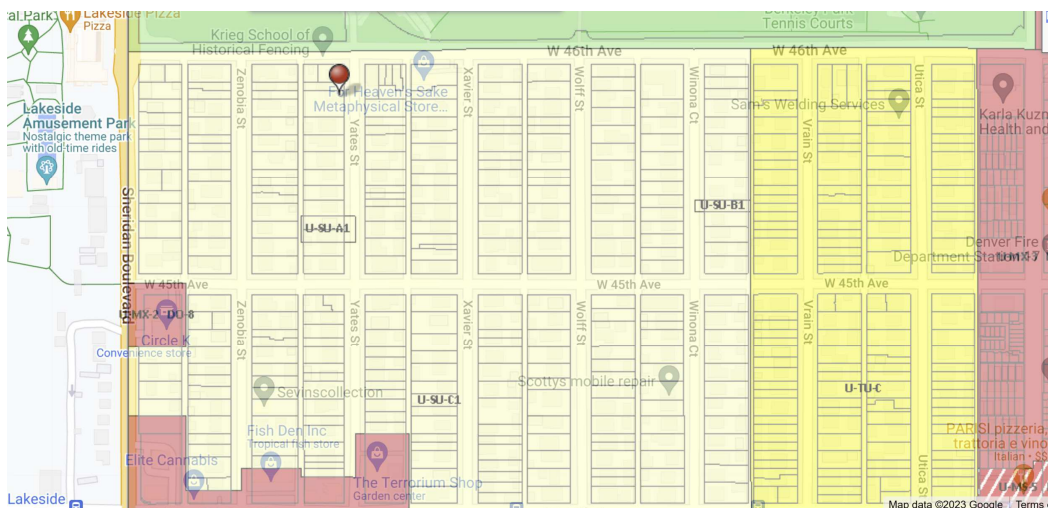
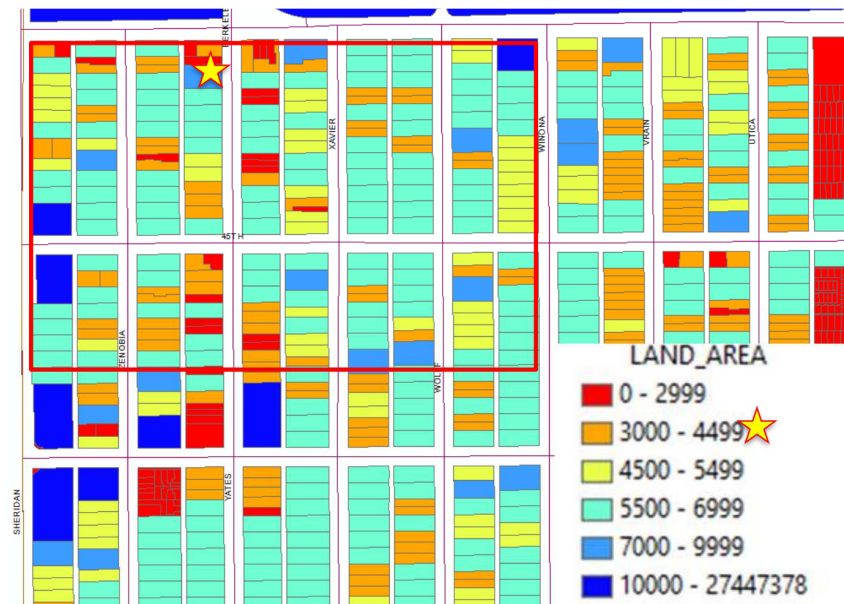


Future Place – Low

Changing the zoning to allow for a split of this lot would not change the fact that these would still remain single-family homes at 2.5 stories. The 4,385 sqft lots would not be out of context in the neighborhood. Currently 48% of the lots in the surrounding area fall below the minimum lot size required (5,550 sqft) of the current zoning. There is precedence in the neighborhood, on this block of Yates, of U-SU-A1 zoned lots. See below snapshots.

Color	Lot Size	# of lots	Total Lots in Area Shown	Percentage of Zoning Area	Meets current zoning minimum	Notes
Red	0 - 2,999	20	223	8.97%	NO	
Orange	3,000 - 4,499	52	223	23.32%	NO	
Neon Green	4,500 - 5,499	35	223	15.70%	NO	Where the (2) new lots would fall
Aqua	5,500 - 6,699	106	223	47.53%	YES	
Dark Blue	7,000 - 9,999	7	223	3.14%	YES	Where the current lot falls.
Purple	10,000 +	3	223	1.35%	YES	All commercial properties - NO homes

*Total percentage of lots that fall BELOW the zoning requirement of 5,500sqft is 47.99%



Future Growth –

Splitting the lot and building (2) smaller homes verses (1) large home helps promote density. While rezoning and splitting one lot will not solve this issue it will allow us to take one step in the right direction of allowing for growth within the neighborhood while still protecting the vibrancy and character of the Berkeley neighborhood.

3. Public Health, Safety and General Welfare

The requested rezoning furthers the following for the city:

- **Public Health –** Smaller lot sizes resulting from splitting can contribute to the creation of walkable neighborhoods. By reducing the distance between amenities, services, and public transportation, it becomes more convenient for residents to access daily necessities without relying heavily on private vehicles. This aligns with the plan's aim of improving transportation options and reducing reliance on cars, promoting sustainability and reducing traffic congestion.
- **Safety –** Smaller lot sizes can promote public safety by creating better neighborhood cohesion. When properties are more reasonably sized, it allows for a greater concentration of residents in a smaller area, fostering a sense of community and neighborly interactions. Close-knit communities often exhibit higher levels of social cohesion and collective vigilance, thereby enhancing public safety.
- **General Welfare -** Splitting a lot can contribute to the general welfare of a city in several ways:
 - **Increased housing availability:** This increases the housing supply within the city, providing more options for residents and potentially addressing housing shortages. It can help accommodate population growth and promote housing affordability.
 - **Urban infill and efficient land use:** Subdividing larger lots can promote urban infill. This helps utilize existing infrastructure, such as roads, utilities, and public services, more efficiently. By making efficient use of available land, lot subdivision can reduce urban sprawl and preserve green spaces outside the city.
 - **Diverse housing options:** Subdividing lots allows for a variety of housing options creating diversity that can cater to different income levels, lifestyles, and household sizes, promoting inclusivity and meeting the diverse housing needs of the city's residents.
 - **Enhanced tax base:** When lots are subdivided and developed, it can increase the property tax base of the city. More properties mean more tax revenue for the local government, which can be allocated towards public services, infrastructure improvements, and community development projects. This additional revenue can benefit the overall welfare of the city's residents.

4. Justifying Circumstances

Since the zoning of the Berkeley neighborhood as U-SU-C1 Denver has gone through substantial changes, population growth being the most impactful. Due to the massive growth, there is a shortage of housing. To reduce sprawl and make the most of resources already available increasing the density of the city is important. Neighborhood zoning laws and regulations should be revisited to allow the urban neighborhoods to make better use of land. By rezoning this lot and being able to split it we will be able

to, in a very small way, help with density. The change Denver has seen is that the city neighborhoods are becoming less diverse. Increased housing prices have forced people out of city neighborhoods and limited opportunities for home ownership. By rezoning this lot and splitting it into 2 lots we would be able to provide two more affordable homes. While providing (2) homes in the \$1.25 million range is still higher than average for the city it does allow more people to be able to think about living in the neighborhood than if we developed the lot as is and built one single \$2.8 million home. Splitting the lot and building (2) smaller homes verses (1) large home helps promote two very important factors – density and affordability. While re-zoning and splitting one lot will not solve these issues it will allow us to take one step in the right direction while still protecting the vibrancy and character of the Berkely neighborhood and Denver as a whole.

5. Neighborhood Context, Purpose and Intent

Below we outline we how the rezoning aligns with:

- a) The proposed district neighborhood context description - We are proposing a change from U-SU-C1 to U-SU-A1. If we were able to rezone to this district we would split the lot and have (2) 4,385 sqft lots each at 32.5 feet wide. This would exceed the minimums required in this district, 3,000 sqft lots at 25 feet. While this district allows for the shallowest setback and highest lot coverage in the Urban Neighborhood Context this would not apply to our lot. At a new lot width of 32.5 feet, per lot, we would still have the same setback requirements and lot coverage restrictions that the single lot, at 50 feet (minimum for our current zoning), is required to meet.

SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH	All U-SU, TU, RH Districts			
	30' or Less	Greater than 30' and up to 40'	Greater than 40' and less than 75'	75' or Greater
F Primary Street (min)	Calculated per Sec. 13.1.5.9			
G Side Street (min)	3'	5'	5'	7.5'
H Side Interior (min)	3'	3' min one side/ 10' min combined	5'	10'
I Rear, alley/no alley (min)	12'/20'	12'/20'	12'/20'	12'/20'
Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%

- b) The general purpose statement – We believe that our request to rezone and split this lot will still allow these new homes and lots to align with the regulations and character outlined in the Urban Neighborhood Context. Our request does not change the building forms allowed.

Urban (U-) Neighborhood Context Zone Districts		Building Forms											
		Suburban House	Urban House	Duplex	Tandem House	Row House	Garden Court	Town House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Shopfront
Max Number of Primary Structures per Zone Lot*		1	1	1	2	No Maximum							
RESIDENTIAL ZONE DISTRICTS													
Single Unit (SU)	U-SU-A, -B, -C, -E, -H		■		●								
	U-SU-A1, B1, C1, E1, H1		■		●								
Two Unit (TU)	U-SU-A2, -B2, -C2		■	□	□								
	U-TU-B, -C		■	■									
Row House (RH)	U-TU-B2		■	■	■	□							
	U-RH-2.5		■	■	■	■							
	U-RH-3A		■	■	■	■		□					

These lots would align with the standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms where the narrow part of the building orients to the street and access is from alley loaded garages. Our current lots size is an outlier in the Berkeley neighborhood. Re-zoning and splitting the lot would make the size more in line with the surrounding lots and more consistent with the neighborhood. ADUs are allowed in the current zoning and zoning change requested. By making the requested zoning change the new homes would still enforce the desired development patterns and would better encourage affordable housing.

- c) The specific intent – Splitting this lot would mean each new lot would have 37.25’ of width instead of the single lot width of 75’. This decrease means that the new homes would NOT have any additional ability for added height. They would be capped at 30’/17’, which is the height for the majority of homes in the Berkeley neighborhood. If the current lots was developed as is we would be able to go to a height of 35’ due to the lot width. The number of stories, bulk plane, and parking will not change based on the revised zoning request.

URBAN HOUSE

	U-SU-A, A1, A2	U-SU-B, B1, B2	U-SU-C U-SU-C1	U-SU-E U-SU-E1	U-SU-H U-SU-H1	U-RH-2.5 U-RH-3A
HEIGHT	U-TU-B, B2	U-TU-C	U-SU-C2	U-SU-E1	U-SU-H1	U-RH-3A
Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1	2.5/1	2.5/1	2.5/1	3/1	2.5/1
A/B Feet, front 65% / rear 35% of zone lot depth (max)	30’/17’	30’/17’	30’/17’	30’/17’	30’/17’	30’/17’
Feet, front 65% of zone lot depth, permitted height increase	1’ for every 5’ increase in Zone Lot width over 50’ up to a maximum height of 35’					
Feet, rear 35% of zone lot depth, permitted height increase	1’ for every 3’ increase in side setback up to a maximum height of 19’					
C/D Bulk Plane Vertical Height at Side Interior and Side Street zone lot line in front 65% / rear 35% of Zone Lot Depth	17’/10’	17’/10’	17’/10’	17’/10’	17’/10’	17’/10’
Bulk Plane Slope from Side Interior and Side Street zone lot line	45°	45°	45°	45°	45°	45°

A 37.5’ lot and a 75’ lot both still have a total side interior setback requirement of 10’. The only difference is the 37.5’ lot could have a minimum of 3’ on one side, all other setback requirements are the same.

SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH	All U-SU, TU, RH Districts			
	30’ or Less	Greater than 30’ and up to 40’	Greater than 40’ and less than 75’	75’ or Greater
F Primary Street (min)		Calculated per Sec. 13.1.5.9		
G Side Street (min)	3’	5’	5’	7.5’
H Side Interior (min)	3’	3’ min one side/ 10’ min combined	5’	10’
I Rear, alley/no alley (min)	12’/20’	12’/20’	12’/20’	12’/20’
Building Coverage per Zone Lot, including all accessory structures (max)	50%	37.5%	37.5%	37.5%
PARKING BY ZONE LOT WIDTH				
Parking and Drive Lot Coverage in Primary Street Setback (max)	Maximum 16-foot wide measured parallel to the Primary Street zone lot line for any length, or 33% of the zone lot area within the Primary Street setback, whichever is greater			
Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 5.3.7.6)			

Outreach Documentation

- To City Council district office(s), Registered Neighborhood Organizations (RNOs) – all of these organizations were reached out to via email. Please see below for snapshots of all email strings, as they stand today. The letter found on the last page of this document was attached to each of these emails.
 - Berkeley Regis United Neighbors

The screenshot shows an email client window with the following content:

RE: Notice of re-zoning 4583 N Yates Street

From: cathyloftus77@gmail.com
To: 'BRUN Zoning & Planning (ZAP)'
Cc: brunbrd@gmail.com


Hi Bill –

Thank you for the quick response. Yes, I have reached out to Sandoval's office, via email, and to all the surrounding neighbors, via letter by mail. We have not yet started the planning process as we are 4-6 months out just an approval to get this rezoned and then also need to get a ZLAM to split the lot. I believe the intent will be to do small ADUs over the garage for each property, but again we have not done any preliminary block plans for the property. We would likely start that process in a few months if the initial meetings and approval process seems to be going smoothly. I have already had two meetings with Community Planning and Development regarding rezoning and splitting the lot. Both meetings seemed positive, but we have a long way to go in making our case and getting final approval to rezone and split the lot.

Please let me know if there are other questions. As I stated in the letter, we live two streets away from the project and have a vested interest in Berkeley.

Thanks!

Cathy Loftus, Owner
303.956.6206



From: BRUN Zoning & Planning (ZAP) <brunzoning@gmail.com>
Sent: Tuesday, May 30, 2023 1:05 PM
To: cathyloftus77@gmail.com
Cc: brunbrd@gmail.com
Subject: Re: Notice of re-zoning 4583 N Yates Street

Cathy - thank you for contacting Berkeley Regis United Neighbors (BRUN) regarding your plans for 4583 Yates. I have a couple of questions - have you contacted Melissa Horn with CW Sandoval's office? She may have some advice on how to proceed. Are you planning ADUs with the smaller primary structures? Do you have any concept plans yet, or is it too early in the process? Also, have you, or are you planning to, contact adjacent neighbors regarding your plans?

I will be forwarding your letter on to members of the BRUN Zoning and Planning Committee - we may invite you to a future ZAP meeting.

Thanks again for reaching out to BRUN.

Sincerely,


Bill Killam
Chair, BRUN Zoning and Planning Committee

On Sun, May 28, 2023 at 3:23 PM <cathyloftus77@gmail.com> wrote:

Please find attached a letter stating our intent to work with the City of Denver to re-zone to lot located at 4583 N Yates Street, Denver, CO 80212.

Thanks!

Cathy Loftus, Owner
303.956.6206



The screenshot also shows the Windows taskbar at the bottom with the date 6/12/2023 and time 11:25 AM.

o Inter-Neighborhood Cooperation (INC) – no response received

Notice of re-zoning 4583 N Yates Street

cathyloftus77@gmail.com
To: president@denverinc.org; execcomm@denverinc.com

You forwarded this message on 5/28/2023 3:34 PM.

Re-zoning Letter_4583 Yates Street.pdf
83 KB

Please find attached a letter stating our intent to work with the City of Denver to re-zone to lot located at 4583 N Yates Street, Denver, CO 80212.

Thanks!

Cathy Loftus, Owner
303.956.6206

o Strong Denver – no response received

Notice of re-zoning 4583 N Yates Street

cathyloftus77@gmail.com
To: denvervoters@gmail.com

You forwarded this message on 5/28/2023 3:34 PM.

Re-zoning Letter_4583 Yates Street.pdf
83 KB

Please find attached a letter stating our intent to work with the City of Denver to re-zone to lot located at 4583 N Yates Street, Denver, CO 80212.

Thanks!

Cathy Loftus, Owner
303.956.6206

o City Council at Large – no responses received

Notice of re-zoning 4583 N Yates Street - Message (H...)

File Message Help BLUEBEAM

Ignore Delete Archive Reply Reply Forward Junk Delete Archive Reply Reply Forward Reply & Delete Create New Move Mark Follow Read Immersive Translate Zoom Create PDF Change Settings Select Folders Bluebeam

611 Pompano 4583 Yates Street To Manager Team Email Reply & Delete Create New Move Mark Follow Read Immersive Translate Zoom Create PDF Change Settings Select Folders Bluebeam

Notice of re-zoning 4583 N Yates Street


cathyloftus77@gmail.com
To: districtone@denvergov.org; amanda.sandoval@denvergov.org

Re-zoning Letter_4583 Yates Street.pdf
83 KB

Please find attached a letter stating our intent to work with the City of Denver to re-zone to lot located at 4583 N Yates Street, Denver, CO 80212.

Thanks!

Cathy Loftus, Owner
303.956.6206



75°F High UV 1:56 PM 6/12/2023

Notice of re-zoning 4583 N Yates Street - Message (H...)

File Message Help BLUEBEAM

Ignore Delete Archive Reply Reply Forward Junk Delete Archive Reply Reply Forward Reply & Delete Create New Move Mark Follow Read Immersive Translate Zoom Create PDF Change Settings Select Folders Bluebeam

611 Pompano 4583 Yates Street To Manager Team Email Reply & Delete Create New Move Mark Follow Read Immersive Translate Zoom Create PDF Change Settings Select Folders Bluebeam

Notice of re-zoning 4583 N Yates Street


cathyloftus77@gmail.com
To: kniechatlarge@denvergov.org; ortegaatlarge@denvergov.org

Re-zoning Letter_4583 Yates Street.pdf
83 KB

Please find attached a letter stating our intent to work with the City of Denver to re-zone to lot located at 4583 N Yates Street, Denver, CO 80212.

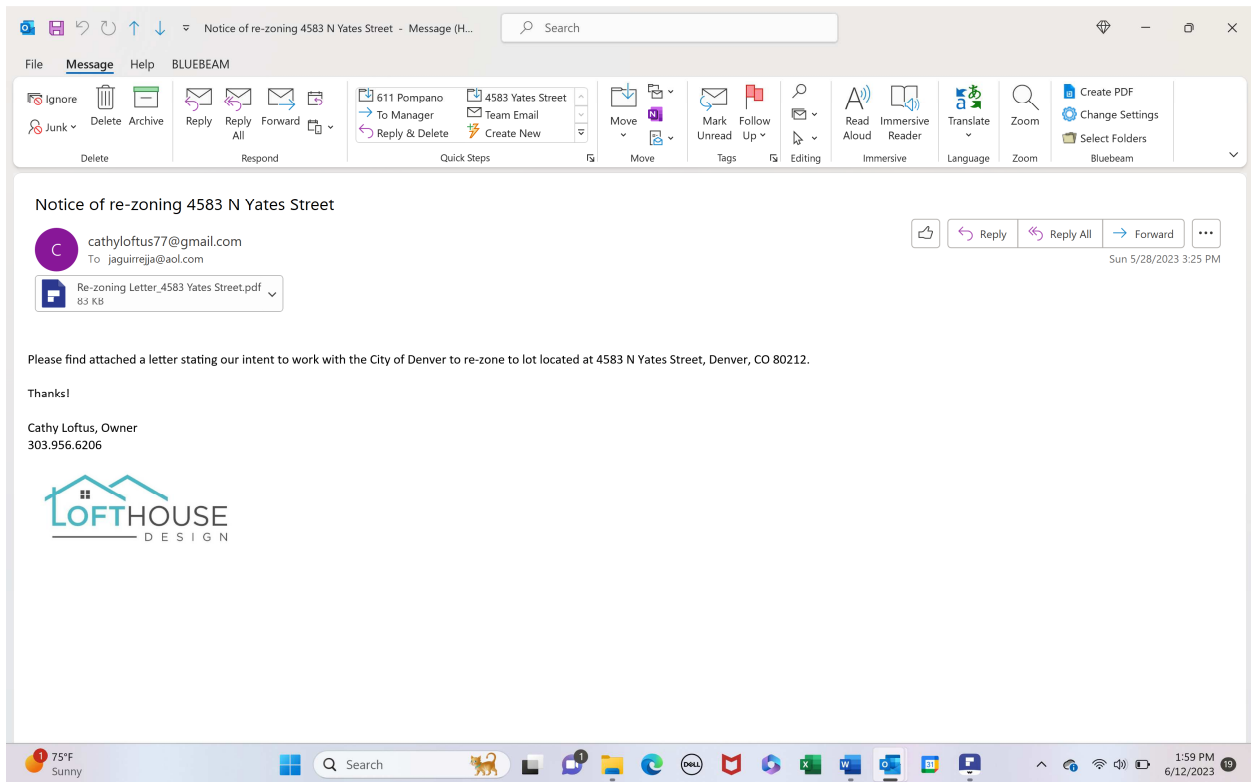
Thanks!

Cathy Loftus, Owner
303.956.6206



Industry Event Event Brief 1:57 PM 6/12/2023

o Unite North Metro Denver



- To neighbors of 4583 N Yates Street – all of these owners were reached out to by letter via USPS. Please see below for everyone contacted. The letter found on the last page of this document was what was sent out to each owner. At the time of this application no responses were received from anyone below.
 - o Jamie and Edward Armijo
5020 WS 46th Avenue
Denver, CO 80212
 - o Friends Brothers Trust
4585 Yates Street
Denver, CO 80212
 - o Charles Sayre
4567 Yates Street
Denver, CO 80212
 - o Rosiena Torrez
4563 Yates Street
Denver, CO 80212
 - o Margaret Carol Dixon
4588 Yates Street
Denver, CO 80212

- Chad and Julia Morgan
541 Somerset Drive
Golden, CO 80401
- Sabrina Salazar
4574 Yates Street
Denver, CO 80212
- Lee and Lori Hakim
3920 Garrison Street
Wheat Ridge, CO 80033



May 28, 2023

To Whom It May Concern –

We are under contract to close on 4583 N Yates Street in the Berkeley neighborhood of Denver. It is our intent to redevelop the lot. This letter is to inform you that we are starting the process with the City of Denver to re-zone the lot. We are requesting to re-zone the current 8,770 sq ft lot from U-SU-C1 to U-SU-A1 which would then allow us to split this lot into (2) equal lots of 4,385 sq ft and develop a single-family home on each new lot. The existing home and two sheds are in disrepair and will be demolished.

The current lot size is large and out of context with the neighborhood and surrounding lots. Splitting this lot into two single-family home lots allows this project to better embrace the neighborhood and city goals. The smaller lots will still fit well within the context of the existing neighborhood lot sizes and will promote density without compromising the character of the neighborhood. Building two single family homes, rather than one larger home with an ADU, will allow us to keep the home prices more affordable as well.

Our intent is to build two thoughtful and well-designed homes that fit within the character of the Berkeley neighborhood. My husband and I have over 40 years of combined experience in residential development and design. We also live in the Berkeley neighborhood, on the corner of Wolff and 46th in a home we designed and built. We love all that makes our neighborhood such a wonderful community. This project is a way for us to continue to support planned growth in Berkeley with considerate and contextual development.

We would appreciate your support in our process of re-zoning this lot with the city. If you have time, we would love to hear from you with your support or any concerns you may have with the re-zoning.

Thank you,

Cathy Loftus
LoftHouse Design

Written narrative explaining reason for the request

We are requesting a rezoning of 4583 Yates Street in order to split the lot and develop (2) homes instead of one home on the current lot. We believe the development of two homes will align the lot size and homes better within the current context of the neighborhood. It would also improve density and affordability within the Berkeley neighborhood and produce two smaller more energy efficient homes. The current lot size is out of context for the neighborhood which means a new home built on the current lot will also be larger than anything on the street. Rezoning and splitting the lot would keep the charming character of the Berkeley neighborhood intact.

Because of the timeframe required for rezoning, designing, permitting, and building the owner is likely two years out from having a finished product. From a personal risk standpoint the owner/developer of the lot feels more comfortable with the price points and salability on (2) smaller lots versus developing the lot as is with (1) large home.

The owner/developer of this lot lives in the Berkeley neighborhood at 4590 Wolff Street, a home they designed and built. They are invested in doing the right thing for the neighborhood and helping to maintain the character and vibrancy for which it is known. Their current home is a great example of the quality of design they would be adhering to on this new project.