



**TO:** Denver City Council  
**FROM:** Theresa Lucero, Senior City Planner  
**DATE:** December 12, 2019  
**RE:** Official Zoning Map Amendment Application #2019I-00111

### Staff Report and Recommendation

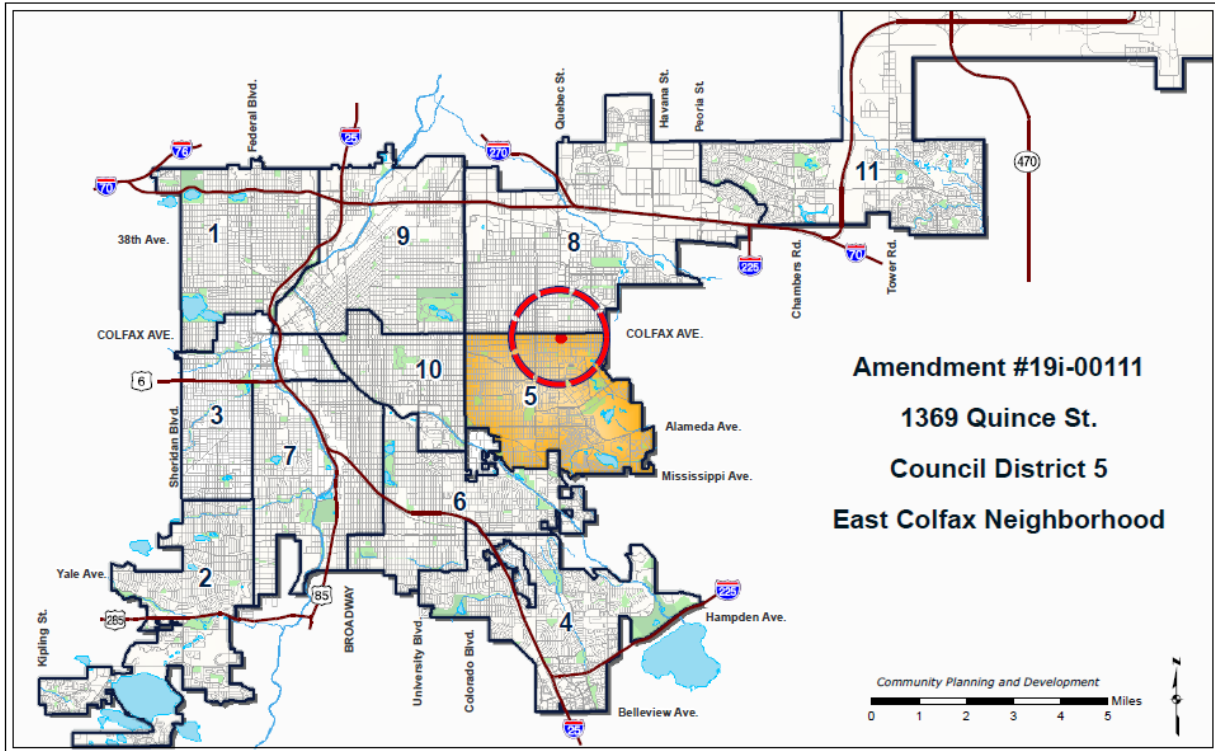
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2019I-00111.

### Request for Rezoning

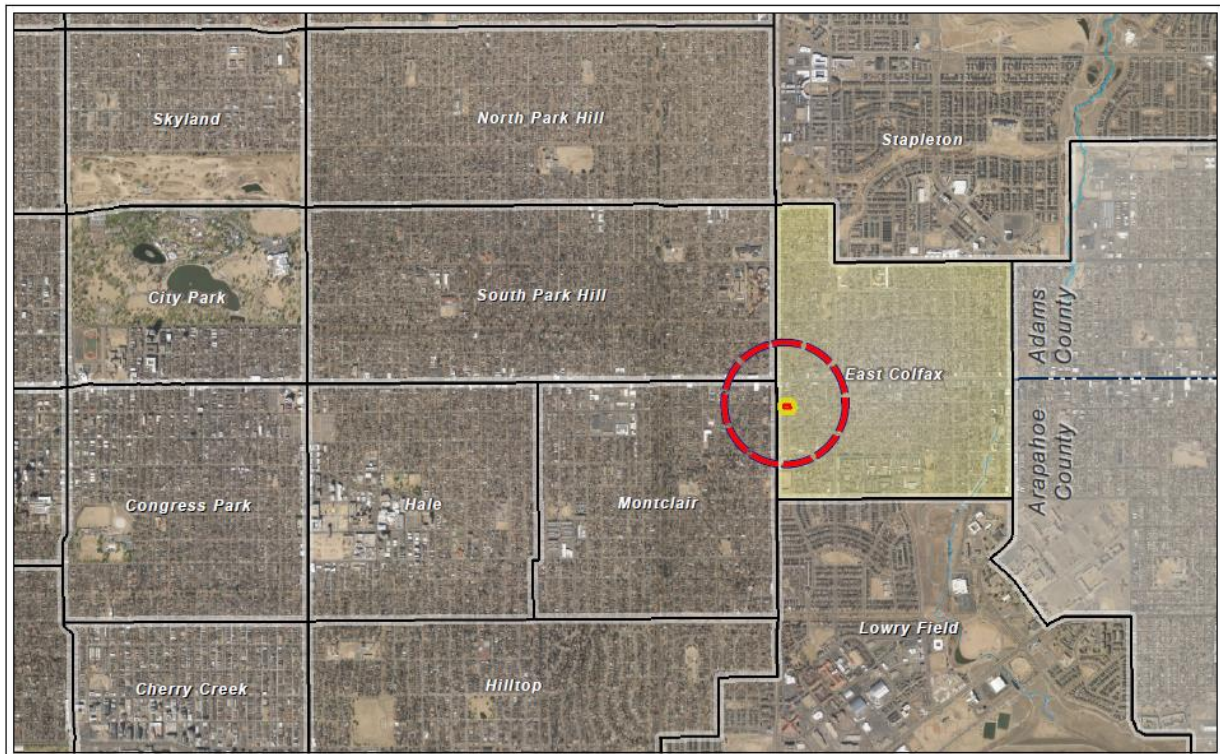
Address: 1369 Quince Street  
Neighborhood/Council District: East Colfax / Council District 5  
RNOs: Fax Partnership, East Side RNO, East Colfax Neighborhood Association, Historic Montclair Community Association, Inc., Inter-Neighborhood Cooperation  
Area of Property: 6,500 square feet or 0.15 acres  
Current Zoning: E-SU-Dx  
Proposed Zoning: E-SU-D1x  
Property Owner(s): Jerry Saltzman

### Summary of Rezoning Request

- The proposed rezoning is in Council District 5 in the East Colfax Neighborhood. The subject property is 6,500 square feet on Quince Street on the southwest corner of 14<sup>th</sup> Avenue and Quince Street.
- There is a one-story, single-unit residential building and a single-car garage on the site. The house was built in 1952. The applicant is applying for a rezoning to allow an accessory dwelling unit on the property.
- The E-SU-D1x zone district is Urban **E**dge, **S**ingle-**U**nit, **D1x** (6,000 square foot minimum zone lot area allowing accessory dwelling units and suburban and urban houses). It is intended for the Urban Edge Neighborhood Context, which is primarily single-unit and two-unit residential uses. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow accessory dwelling units, including a detached accessory dwelling unit in the rear yard. Further details of the zone district can be found in Article 4 of the Denver Zoning Code (DZC).



Map Date: October 2, 2019



## Existing Context



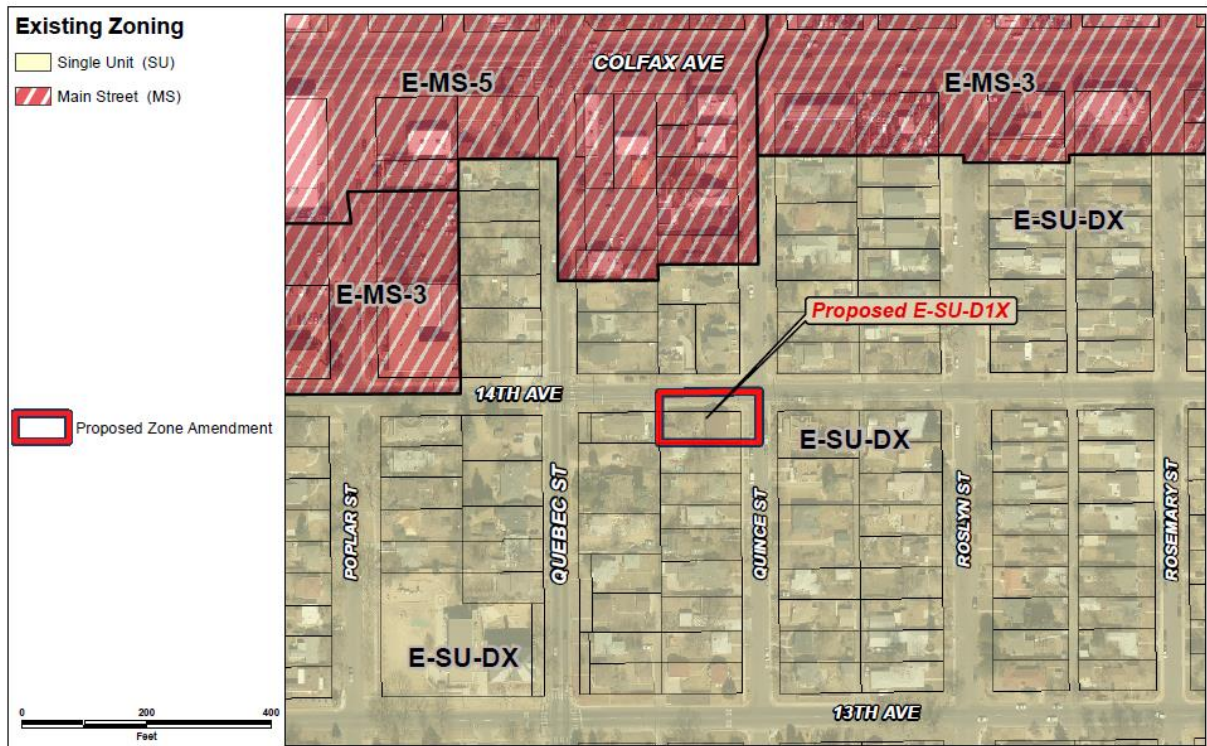
Map Date: October 2, 2019

The subject property is in the East Colfax statistical neighborhood, which has primarily single-unit residential uses transitioning to two- and multi-unit residential adjacent to commercial/retail, industrial, office, and mixed use land uses along East Colfax Avenue. There is a pattern of rectangular blocks shaped by a street grid pattern. The subject property is one block south of East Colfax Avenue. Nearby bus stops include a stop for the route 73 on Quebec Street with a 30 minute headway and routes 15 and 15L on East Colfax Avenue with 15 minute headways. The subject property is three blocks northeast of Denison Park, and Paddington Station Preschool and St. Luke's Episcopal Church are both less than a block to the west.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	E-SU-Dx	Single-unit residential	1-story residential building with moderate setback	Generally regular grid of streets; Block sizes and shapes are consistent and rectangular. Vehicle parking to the side or rear of buildings (no alley access).
North	E-SU-Dx	Single-unit residential	2-story residential building with moderate setback	
South	E-SU-Dx	Single-unit residential	1-story residential building with moderate setback	
East	E-SU-Dx	Single-unit residential	2-story residential building with moderate setback	
West	E-SU-Dx	Single-unit residential	1-story residential building with moderate setback	

### 1. Existing Zoning

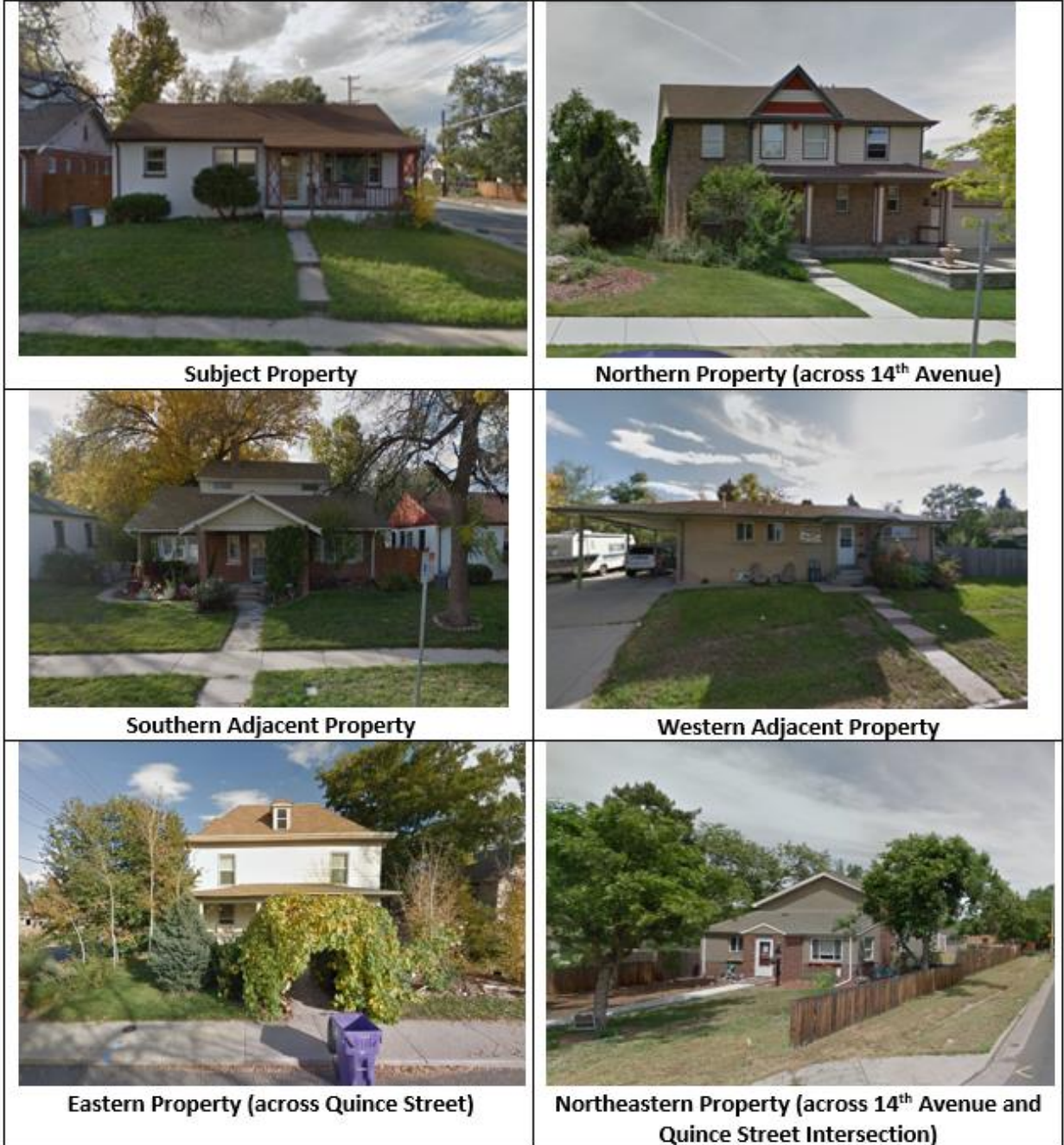


The subject site is currently zoned E-SU-Dx. E-SU-Dx is a single-unit residential district. The district allows both the suburban house and urban house primary building forms with a maximum height of 30 to 35 feet. Minimum zone lot width is 50 feet wide, and minimum zone lot area is 6,000 square feet.

## 2. Existing Land Use Map



### 3. Existing Building Form and Scale



*All images are from Google Maps.*

## Proposed Zoning

The E-SU-D1x zone district has a 6,000 square foot minimum zone lot area allowing suburban and urban houses. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow accessory dwelling units, including a detached accessory dwelling unit in the rear yard. Further details of the zone district can be found in Article 4 of the Denver Zoning Code (DZC).

The building forms allowed in the existing zone district and the proposed zone district are summarized below.

	Allowed Building Forms
<b>Existing Zone District: E-SU-Dx</b>	<ul style="list-style-type: none"> <li>• Primary Building Forms: Suburban House and Urban House.</li> <li>• Accessory Building Forms: Detached Garage, Other Detached Accessory Structure</li> </ul>
<b>Proposed Zone District: E-SU-D1x</b>	<ul style="list-style-type: none"> <li>• Primary Building Forms: Suburban House and Urban House.</li> <li>• Accessory Building Forms: Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structure</li> </ul>

## Summary of City Agency Referral Comments

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

**Assessor:** Approved – No Response

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

**Denver Public Schools:** Approved – No Response

**Department of Public Health and Environmental Health:** Approved – DDPHE concurs with the rezoning and has no information to suggest that current environmental conditions would impact the proposed rezoning.

**General Notes:** Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DDPHE suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state and local regulations.

The Denver Air Pollution Control Ordinance (Chapter 4- Denver Revised Municipal Code) specifies that contractors shall take reasonable measures to prevent particulate matter from becoming airborne and to prevent the visible discharge of fugitive particulate emissions beyond the property on which the emissions originate. The measures taken must be effective in the

control of fugitive particulate emissions at all times on the site, including periods of inactivity such as evenings, weekends, and holidays.

Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

**Scope & Limitations:** DDPHE performed a limited search for information known to DDPHE regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

**Parks and Recreation:** Approved – No response.

**Public Works – ROW - City Surveyor:** Approved – No comments.

**Development Services - Transportation:** Approve – No response.

**Development Services – Wastewater:** Approved - No response.

**Development Services – Project Coordination:** Approved – No response.

**Development Services – Fire Prevention:** Approved – No response.



**Public Review Process**

	<b>Date</b>
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>09/05/2019</b>
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>09/30/19</b>
Planning Board public hearing:	<b>10/16/19</b>
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	<b>10/22/19</b>
Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward (tentative):	<b>11/05/19</b>
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	<b>11/24/19</b>
City Council Public Hearing (tentative):	<b>12/16/19</b>

- **Registered Neighborhood Organizations (RNOs)**  
 To date, staff has received one letter of support from the Ease Colfax Neighborhood association, a Registered Neighborhood Organization. By a vote of 17-0 to support the application the Association stated that “accessory dwelling units can be an important component of a development plan that protects diversity and works against undue displacement of residents.”
- **Other Public Comment**  
 To date staff has received one comment letter opposing the rezoning and one in favor of the rezoning. The writer in opposition warns that the ADU will diminish the livability enjoyment and property values of adjacent homes by disrupting the lives of adjacent homeowners. The writer also objects to the expansion of paved parking that will lead to

excessive stormwater runoff from the property. The applicant proposes to build an ADU in the back yard which is adjacent to the garage and carport of the two adjacent properties thus minimizing disruption of adjacent property owners. See the attached letter.

The writer in favor of the rezoning cites that the gentrification and displacement he's witnessed in the area and believes application meets the review criteria. The writer believes ADUs help relieve the pressure to replace small homes in the neighborhood with larger homes. See the attached letter.

### **Criteria for Review / Staff Evaluation**

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

#### **DZC Section 12.4.10.7**

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

#### **DZC Section 12.4.10.8**

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

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

The following adopted plans currently apply to this property:

- Denver Comprehensive Plan 2040
- Blueprint Denver (2019)
- East Montclair/East Colfax Neighborhood Plan (1994)
- 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 1, Strategy A – *Increase development of housing units close to transit and mixed-use developments (p.28).*
- 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).*
- Equitable, Affordable and Inclusive, Goal 3, Strategy B – *Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit (p.28).*
- Strong and Authentic Neighborhoods Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population (p.34).*
- Strong and Authentic Neighborhoods Goal 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p.34).*

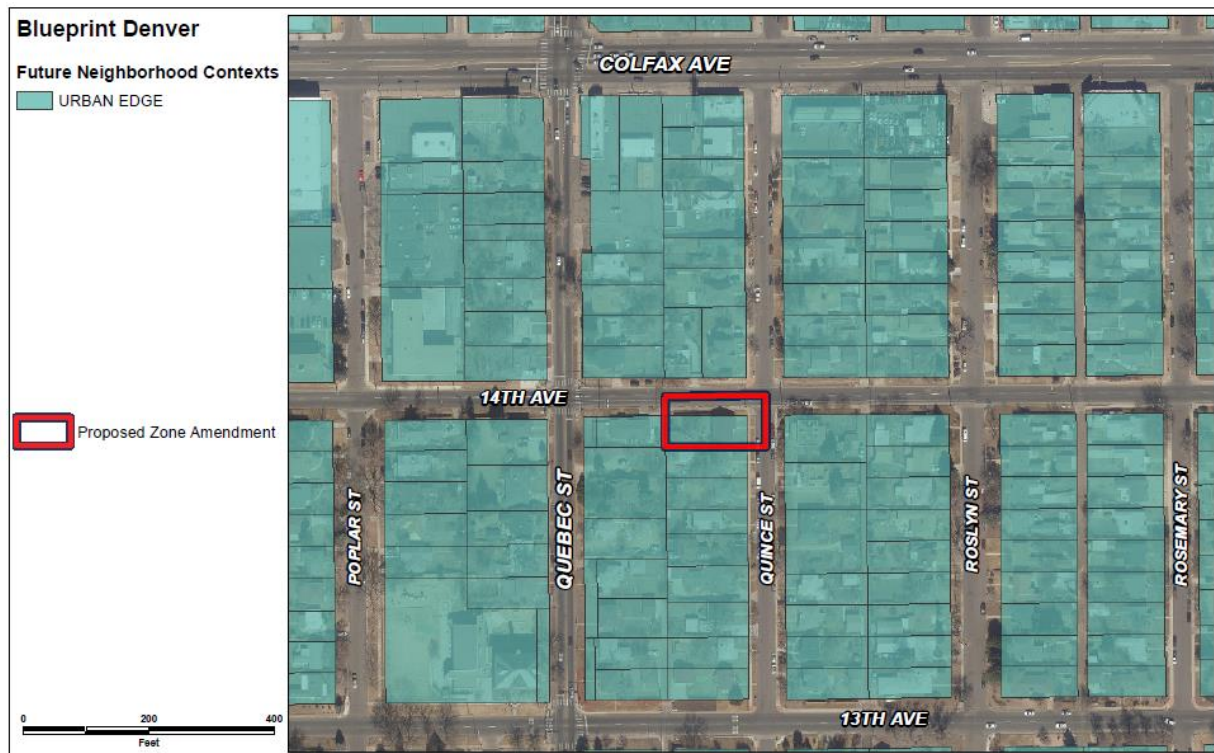
- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p.54).

The proposed zone district will enable increased development at a location where infrastructure, including transit service, is already in place. The requested E-SU-D1x broadens the mix of housing options in this neighborhood by introducing the accessory dwelling unit while remaining low-impact and compatible with the neighborhood. Therefore, the rezoning is consistent with Denver Comprehensive Plan 2040 recommendations.

### ***Blueprint Denver (2019)***

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. Blueprint Denver identifies the subject property as part of a Low Residential place within the Urban Edge Neighborhood Context and provides guidance from the future growth strategy for the city.

### **Blueprint Denver Future Neighborhood Context**

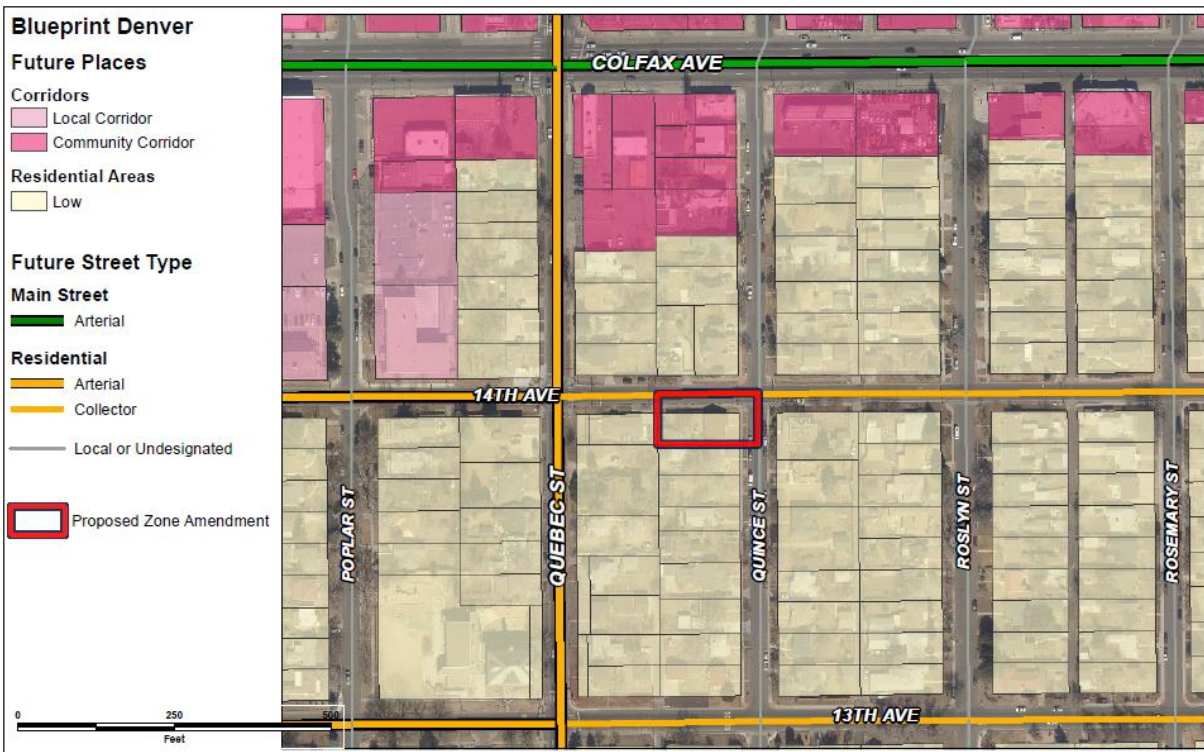


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The subject property is within the Urban Edge Context. These areas “are predominantly residential and tend to act as a transition between urban and suburban areas” (p. 205). “Residential areas generally are single-unit and two-unit uses, with some low-scale multi-unit embedded throughout” (p. 206). The proposed E-SU-D1x is within the Urban Edge

Neighborhood Context, which is “*primarily single-unit and two-unit residential uses*” (Section 4.1.1, DZC). The proposed zone district allows single-unit residential uses with an accessory dwelling unit. Therefore this request is consistent with the Blueprint Denver Future Neighborhood Context plan direction.

### **Blueprint Denver Future Places**



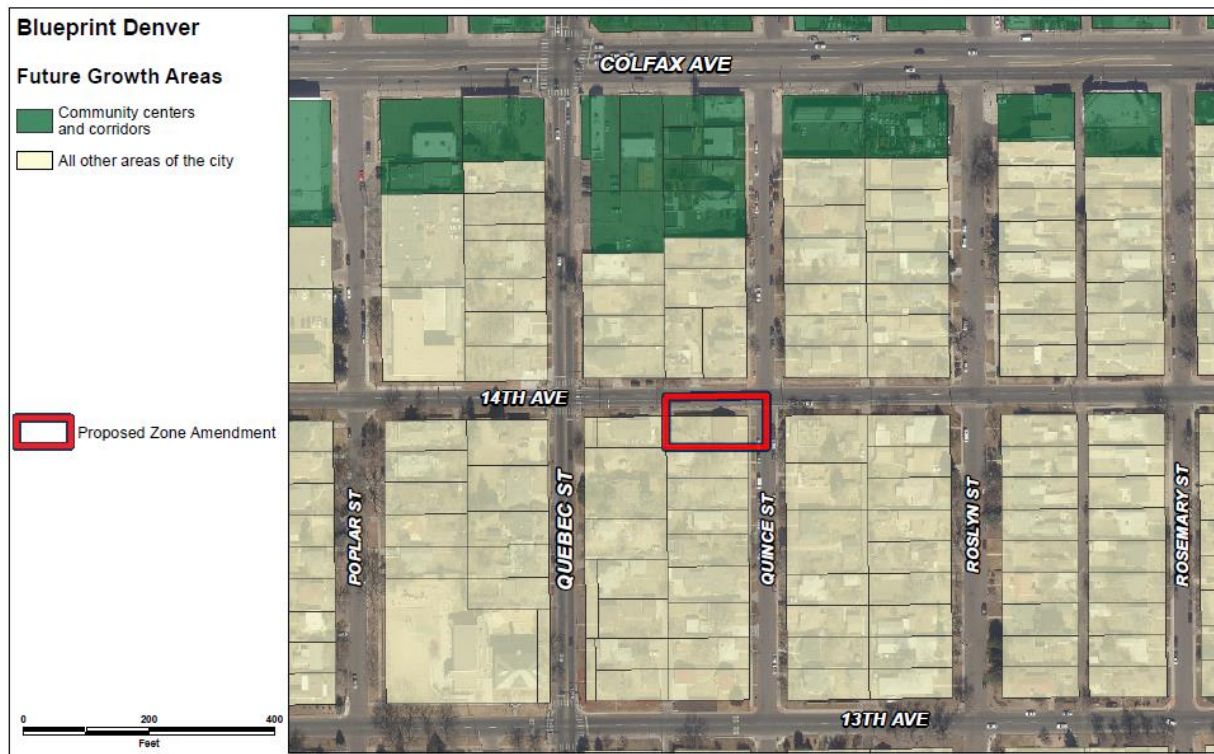
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Low Residential areas are “*predominately single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible... Buildings are generally up to 2.5 stories in height*” (p. 214). The Land Use & Built Form: Housing section also includes Policy 04, which is to “*Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas*” (p. 84). Strategy E specifically references how this policy applies to rezoning, stating, “*A citywide approach to enable ADUs is preferred. Until a holistic approach is in place, individual rezonings to enable ADUs in all residential areas, especially where proximate to transit, are appropriate. Unless there is a neighborhood plan supporting ADUs, rezonings should be small in area in order to minimize impacts to the surrounding residential area*” (p. 84). The proposed E-SU-D1x allows single-unit residential uses with an accessory dwelling unit. The subject property is proximate to transit and is a small area. Therefore, the proposed rezoning is consistent with the *Blueprint Denver Future Places* plan direction.

## Street Types

*Blueprint Denver 2019* classifies Quince Street as an undesignated local street, which “can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses” (p. 161). 14<sup>th</sup> Avenue is a Residential Collector. Collector streets “collect movement from local streets and convey it to arterial streets” (p. 154). Quebec Street is a Residential Arterial. Arterials “are designed for the highest amount of through movement and the lowest degree of property access” (p. 154). Residential streets primarily serve “residential uses, but may also include schools, civic uses, parks, small retail notes, and other similar uses” (p. 160). The subject property is at the intersection of a local street and a residential collector street, and it is within a block of two arterial streets. Therefore the single-unit residential uses with an accessory dwelling unit is consistent with the *Blueprint Denver* street type plan direction.

## Growth Strategy



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The subject property is part of a Low Residential area, which is classified as “All other areas of the city” in *Blueprint Denver*. These areas are projected to account for 10 percent of jobs and 20 percent of new households in the city by 2040. The proposed rezoning will provide one additional housing unit, which is an appropriate change given these growth goals. Therefore this rezoning is consistent with the *Blueprint Denver* Future Growth Areas plan direction.

### ***East Montclair/East Colfax Neighborhood Plan (1994)***

The East Montclair/East Colfax Neighborhood Plan was adopted by City Council in 1994, and the plan area includes the subject property. The plan covers several broad topics, including a vision and recommendations for each topic. One element of the land use and zoning vision is “*Protection of the residential character of the neighborhood*” (p. 28). The proposed E-SU-D1x zone district, which differs from the current and surrounding zoning only in that it allows an accessory dwelling unit, maintains this low-intensity, residential character.

An element of the housing vision is “*Sound management and a mix of income levels in rental single family homes and apartments*” (p. 55). Because an accessory dwelling unit cannot be sold separately from the primary residential unit, proposed rezoning enables what is likely to be a rental unit. Housing policy H-6 includes a recommendation to “*encourage homeowners to add on additions and modernize single family homes*” (p. 57). The proposed rezoning enables an accessory dwelling unit, which can be an addition to the original house for an attached accessory dwelling unit or a separate structure for a detached accessory unit.

The proposed E-SU-D1x zone district retains the existing zoning standards in the area and adds only the ability to build an Accessory dwelling unit. This preserves the existing neighborhood character and allows homeowners to add to and modernize their homes in conformance with the East Montclair/East Colfax Neighborhood Plan.

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

Adopted in 2018, the Housing an Inclusive Denver plan was not adopted as a supplement to the Comprehensive Plan but can be considered an “adopted plan” for this map amendment review criterion when relevant. The Plan includes citywide guidance for using Blueprint Denver to reduce regulatory barriers to development of accessory dwelling units; however, some of its recommendations can be applied to individual map amendments that propose allowing an accessory dwelling unit. In this case, the following plan goals are applicable:

- 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).
- Attainable Homeownership, Recommendation 1: “*Promote programs that help households maintain their existing homes. The City and its partners should target existing homeowner rehabilitation programs to residents in vulnerable neighborhoods, promote financial literacy education for prospective and existing homeowners, and promote the development of accessory dwelling units as a wealth-building tool for low and moderate-income homeowners*” (p. 14).

The proposed map amendment to E-SU-D1x is consistent with these Housing an Inclusive Denver recommendations because it will expand the availability and allow the development of an accessory dwelling unit at this location.

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

The proposed rezoning to E-SU-D1x will result in the uniform application of zone district building form, use and design regulations.

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

The proposed official map amendment furthers the public health, safety, and general welfare of the City through implementation of the city's adopted land use plans. The proposed rezoning would also facilitate increased housing density near a mix of uses and transit.

## **4. Justifying Circumstance**

The application identifies several changed or changing conditions as the Justifying Circumstance under 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 change may include: (a.) Changed or changing conditions in a particular area, or in the city generally; or, (b.) A City adopted plan...*"

Recent changes in the area cited in the application include the Phoenix on the Fax at 7171 E. Colfax Avenue built in 2011, the purchase and rezoning of 8315 E Colfax Avenue, 1500 Valentia Street, and 7900 E Colfax Avenue by Denver Economic Development & Opportunity, and general reinvestment in the area including neighborhood businesses such as Quince Essential Coffee at 1447 Quince Street and Pablo's Coffee at 7701 E. Colfax Avenue. These changes provide additional services and retail, and the proposed E-SU-D1x zone district would allow additional housing options within walking distance of these new services. Therefore, the proposed map amendment is justified to recognize the changed character of the area.

Additionally, the city adopted *Blueprint Denver* in 2019 and *Housing an Inclusive Denver*, a five-year housing plan to guide housing policy, strategy and investment priorities, in 2018. As noted earlier in this staff report, *Housing an Inclusive Denver* and *Blueprint Denver* include specific direction recommending accessory dwelling units as a form of affordable housing and housing variety. Therefore, the adoption of these plans is an appropriate supporting justifying circumstance for this proposed rezoning.

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

The requested E-SU-D1x district is within the Urban Edge Neighborhood Context, which is primarily single-unit and two-unit residential uses with small-scale multi-unit residential uses and commercial areas embedded in residential areas. Buildings are generally low in scale, and residential buildings typically have consistent moderate to deep front setbacks. There typically is a regular pattern of block shapes surrounded by orthogonal streets within a grid (DZC 4.1). The subject site is in an area that reflects these characteristics. Therefore, the proposed rezoning to E-SU-D1x is consistent with the neighborhood context description.

The general purpose of the Urban Edge residential districts is to "*promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context...The*

*building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the varied patterns of suburban and urban house forms*" (DZC 4.2.2.1). The proposed E-SU-D1x district would allow for compatible infill development fitting with the character of the surrounding residential neighborhood. Therefore, it is consistent with the Urban Edge Residential District purpose statement.

The specific intent of the E-SU-D1x district is "*single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard*" (DZC 4.2.2.2.F). The subject site is 6,500 square feet and there is a pattern in the immediate area of detached accessory structures. Therefore, the proposed map amendment is consistent with the E-SU-D1x intent.

#### **Attachments**

1. Application
2. Legal Description
3. Comment Letters (3)



## Zone Map Amendment (Rezoning) - Application

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



# REZONING GUIDE

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REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> 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. Please provide an attachment describing the justifying circumstance.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<p><input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input type="checkbox"/> Proof of Ownership Document(s)</p> <p><input type="checkbox"/> Review Criteria, as identified above</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input type="checkbox"/> Written Authorization to Represent Property Owner(s)</p> <p><input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity</p>	
Please list any additional attachments:	



# REZONING GUIDE

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

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

Property Owner Name(s) (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 or deed of trust, (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</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
			<i>Jerry Saltzman</i>			

Last updated: May 24, 2018

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

201 W. Colfax Ave., Dept. 205  
Denver, CO 80202  
720-865-2974 • [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

## I. INTRODUCTION

This Official Map Amendment is a request to rezone 1369 N. Quince St. from E-SU-Dx to E-SU-D1x. The existing zone district is E-SU-Dx. Section 4.2.2.2.D describes the subject property's current zone district classification as "E-SU-Dx is a single unit district allowing suburban and urban houses with a minimum zone lot area of 6,000 square feet." Section 4.2.2.2.F describes the subject property's proposed zone district as "E-SU-D1x is a single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard."

The purpose of the proposed Official Map Amendment is to allow an accessory dwelling unit (ADU) to be constructed in the subject property's back yard. The Denver metro region, in particular the City and County of Denver, faces an unprecedented demand for housing due to a natural population increase coupled with continuing strong immigration. This demand for housing has placed upward pressure on the values for Denver's housing stock and land. The subject property is 6,500 square feet with an existing house and a detached 354 square foot garage. The subject property's existing condition represents the development pattern of its block and the greater East Colfax statistical neighborhood, which is small homes on large lots. As a homeowner, with my current zone district classification, I have two options: 1) I can demolish the house and build a much larger house or 2) I can expand the house to a larger building envelope and from one (1) story to two and a half (2.5) stories. The proposed Official Map Amendment would allow me to build a living space that will be used by my family, friends, or as a means to help solve Denver's affordable housing crisis. A central goal of this Official Map Amendment is to introduce additional housing in an area of the City that can support it due to its location and access to employment centers and regional mass transit.

In reviewing the drafts of Comprehensive Plan 2040 and Blueprint Denver 2019, it is apparent that, like me, many Denverites appreciate the form, mass, and scale of our current houses and neighborhoods. We want new development to match the existing fabric of our neighborhoods while understanding Denver's important role in meeting our City's housing needs. Hence my request for this Official Map Amendment to change the current zone district classification to allow for one (1) additional accessory dwelling unit in my large backyard. An accessory dwelling unit would add to the City's housing stock while allowing me to continue to preserve my existing home as it is without the need to demolish and rebuild it or complete a large addition to it preserving the materials, labor, and energy that were expended to build it. The accessory dwelling unit could be provided to my aging parent or rented to allow me to continue to live in the home while meeting a small part of the City's demand for more housing stock.

**1245 Quince St. Has Already Been Rezoned**

Since City Council recently approved the rezoning of my neighbor's home so that he can build an ADU at 1245 Quince St. (just 1 block south of my home) on July 8, 2019, this Official Map Amendment should also be adopted for the following reasons:

1. The subject property is 1 block closer than 1245 Quince St. is to Colfax. The East Area Plan calls for "higher density along Colfax in exchange for affordable units." Accessory Dwelling Units are, by definition, affordable because they help homeowners (and their families) remain in their homes. It is much more affordable for me to build an ADU for my aging Mom than it is to place her in a long term assisted living facility.
2. Since the subject property sits on a corner lot and has 14<sup>th</sup> Avenue, as opposed to a neighboring house to the north (which is the case with 1245 Quince St), the impact, if any, from increased density from the accessory dwelling unit, would be much less because I have a street, and not neighbors, to the north.
3. The additional housing unit will be placed in an area that the East Area Plan identifies as requiring more density to use the bus rapid transit system to get to and from downtown and the Anschutz Medical Campus.
4. I have already taken steps to create three additional off street parking spots in my backyard. Since increased density can increase the need for more parking spots, I will reduce the size of my large backyard to make room for three additional off street parking spots.

The City and County of Denver and the East Colfax neighborhood have experienced significant changes since the subject property's zone district classification was approved on June 25, 2010. Taken together with these changes, the adoption of Comprehensive Plan 2040, Blueprint Denver (2019), Housing An Inclusive Denver and the East Area Plan further recognize the need for more and different housing types, such as this Official Map Amendment's proposed accessory dwelling unit.

**II. CONSISTENCY WITH ADOPTED PLANS****A. Introduction**

Four (4) adopted plans apply to 1369 N. Quince St. The applicable plans are the East Montclair/East Colfax Neighborhood Plan (1994), Blueprint Denver (2019), Comprehensive Plan 2040, and Housing An Inclusive Denver (2017). These Plans were established as the City's future vision and this Official Map Amendment will show consistency with the goals and strategies of each of these Plans. (This Official Map Amendment application will only address the pending East Area Neighborhood Plan's draft version since that is all that is available at this time). This Official Map Amendment

Application addresses and uses terminology from the Denver Moves: Transit Plan. While the Plan will not be adopted, its information about transit service is relevant to the review of this Application.

B. East Montclair/East Colfax Neighborhood Plan

Generally, the East Montclair/East Colfax Neighborhood was focused on the coming redevelopment of the Lowry and Stapleton neighborhoods and the redevelopment of the East Colfax Avenue corridor. The subject property is near the Lowry and Stapleton neighborhoods. This Official Map Amendment will analyze the Plan's framework as it relates to the proposed request.

1. Land Use and Zoning Vision (Page 28)

- *“Protection of the residential character of the neighborhood.”*

This Official Map Amendment supports the protection of the residential character of the neighborhood. The allowance of an accessory dwelling unit at the subject property maintains the overall low-density character of the East Colfax neighborhood. The East Colfax neighborhood, while predominantly detached single family housing, contains small and large apartment complexes, quadplexes, triplexes, and duplexes. Two small, detached single homes on a single zone lot is an existing example of slightly higher density near the subject property.

1188 Quince St. (Figure 1), approximately two city blocks from the subject property, has contained two small, single family homes since their construction as kit homes in 1910 (Denver County Assessor records). This configuration has been maintained even as the greater Kensington subdivision developed in the late 1940s and early 1950s as small, single-family homes on large lots. This proposed housing type is already exists in the neighborhood and this Official Map Amendment's proposed zone district, E-SU-D1x, is consistent with this vision element and protects the residential character of the neighborhood.



Figure 1: 1188 Quince St. (Two Small Houses on a Single Lot)

## 2. Transportation Vision (Page 36)

- “Quiet local residential streets.”

The City block for 1369 Quince St. is bounded by Quebec Street to the west, 14th Avenue to the north, Quince Street to the east, and 13th Avenue to the south. Quince Street is an undesignated local street. Quebec Street and 14th Avenue are designated as resident arterial streets.

This Official Map Amendment, if approved, will maintain the “quiet local residential streets” vision element. Quince Street is a quiet residential street and will remain so if the Official Map Amendment is approved. The City’s accessory dwelling units mandate that access must be shared with the primary residence. If this Official Map Amendment is approved, I will reduce my backyard by 500 feet to create 3 new, off street, parking spaces. These new parking spaces enable the accessory dwelling unit to comply with the Building Form standards.

- “Convenient RTD bus transit service to all areas of the neighborhood.”

The subject property is within the quarter mile buffer of Quebec Street’s Speed and Reliability Corridor as designated by Denver Moves: Transit Plan Figure 4-2 (Page 4-12). Quebec Street’s RTD Route 73, a regional route connecting to light rail in

Stapleton, and the Denver Tech Center, are within a City block of the subject property. RTD Route 10, along East 11th Avenue, which is partially served by a Speed and Reliability Corridor as designated by Denver Moves: Transit Plan Figure 4-2 (Page 4-12), a commuter route between East Aurora and Downtown Denver, is two City blocks from the subject property. The RTD Routes 15L and 15 regional routes along East Colfax Avenue, designated by Denver Moves: Transit Plan Figure 4-2 (Page 4-12) as a High Capacity Transit Corridor, and home to the future Colfax Bus Rapid Transit are only a block away from the subject property. If this Official Map Amendment is approved, the accessory dwelling unit will be within a convenient walking distance of major transit routes.

- “A neighborhood friendly to walking and bicycling.”

The subject property hosts an attached sidewalk that is frequently used by residents who enjoy walking to the nearby Lowry Open Space and Denison Park. Bicyclists often use Quince Street to enjoy the amenities of the Lowry neighborhood. The City’s proposed reconstruction project of Quebec Street will further enhance the transit, bicycle, and walking opportunities for subject property’s City block.

### 3. Housing Vision (Page 55)

- “A strong and vital residential neighborhood.”

The proposed Official Map Amendment supports “a strong and vital residential neighborhood.” By allowing an accessory dwelling unit to be constructed in the subject property’s rear yard, this Official Map Amendment will reinforce the strong and vital aspects of the existing residential neighborhood by making the retention of the existing primary economically feasible in its current form, mass, and scale. As Blueprint Denver (2019) and my own conversations with my neighbors have shown, there is a strong desire to retain existing housing stock. An accessory dwelling unit will also put additional “eyes on the street” on the subject property’s driveway, contributing to this Official Map Amendment’s consistency with a strong and vital residential neighborhood.

- “Sound management and a mix of income levels in rental single family homes and apartments.”

This Application is consistent with this vision element because it provides an additional housing opportunity in the East Colfax statistical neighborhood. As a housing unit for family members or a rental housing unit, the addition of this accessory dwelling unit will further this vision element’s goal of a mix of income levels.

- “Renovated and well-maintained housing.”

I have recently renovated the subject property’s primary residence, which contributes to a strong and vital neighborhood. The construction of an accessory dwelling unit is consistent with the Plan’s vision element to promote renovated and



well-maintained housing. The intent is for the accessory dwelling unit to mimic the existing primary residence's form, mass, and scale, and architectural style. The existing primary residence is a ranch style home made from stucco. The garage is made out of cinder block and stucco.

#### 4. Housing Policies (Page 56)

- "H-1. Encourage home ownership and purchase of single homes by families and person will live in the homes."

As previously discussed, the proposed Official Map Amendment is consistent with this Housing Policy because the ability to build an accessory dwelling unit on the subject property will encourage my continued ownership of the subject property and my ability to maintain the subject property. In Denver, and nationwide, accessory dwelling units have been shown to support the ability of homeowners to remain in their homes. Further, the City's use limitations for accessory dwelling units in Section 11.8.2 (see attached Exhibit B) require that either the primary dwelling unit or the accessory dwelling unit be the "owner's legal and permanent residence." If approved, the referenced use limitations require consistency with this Housing Policy because they require the owner to reside on the subject property.

- "H-6. Familiarize residents with housing programs such as single family rehab loans, emergency home repair, and low interest loan programs for first time homebuyers. Encourage homeowners to add on additions and modernize single family homes. Utilize bank home equity loans, FHA Title One loans, FHA 203(k) loans, and other loan programs for rehabilitating and completing home upgrades."

If approved, the proposed Official Map Amendment will allow me to obtain a construction loan to build the accessory dwelling unit. Without the appropriate zone district, E-SU-D1x, a lender will not issue a construction loan to build the accessory dwelling unit.

I have utilized a home equity loan to improve the existing primary residence. The potential income from the accessory dwelling unit will allow me to repay the loan for the accessory dwelling unit and my existing home equity loan. This Housing Policy also encourages additions and the modernization of single family homes. While an accessory dwelling unit is not an addition, because of its accessory nature to a primary residence, the approval of this Official Map Amendment is consistent with this Housing Policy's goal to encourage reinvestment in the neighborhood's existing single-family housing stock. The approval of this Official Map Amendment is consistent with this Housing Policy's goal to enable homeowners to improve their homes as part of the overall vision for a strong and vital neighborhood.

## 5. Public Safety and Crime Prevention (Page 61)

- “Increased sense of safety within the neighborhood.”

This Official Map Amendment is consistent with this Public Safety and Crime Prevention vision element because the construction of an accessory dwelling unit adjacent to the subject property will put additional “eyes on the street.” My neighbors have told me about theft from their garages and their backyards. By increasing density, the accessory dwelling unit in the subject property’s rear yard will help reduce crimes of opportunity because of the presence of additional residents.

- “Reduced crime and 100% participation in the Neighborhood Watch Program.”

As previously discussed, increased “eyes on the street” will make the neighborhood safer via the construction of the proposed accessory dwelling unit.

C. Blueprint Denver (2019)Introduction

Blueprint Denver is the City’s newly adopted Land Use and Transportation Plan. This Plan recognizes the changes the City has experienced in the last 17 years and lays out an ambition vision to successfully accommodate the City’s future growth. As part of its vision, the City recognizes the importance of the need for a mix of housing choices Citywide in response to increased population growth.

The Plan understands Denver’s important role in meeting the region’s growth while recommending smart growth strategies where the City’s existing growth is prepared to accommodate it. The Plan, by incorporating many of Housing An Inclusive Denver’s housing strategies, offers strong encouragement of this Official Map Amendment due to its plan guidance on accessory dwelling units. This Guidance encourages the allowance of accessory dwelling units, especially in areas of the City most at risk to involuntary displacement and near City designated Speed and Reliability and High Capacity Transit Corridors, such as this proposed Official Map Amendment.

1. Page 82, Housing Policy 3: “Incentivize the reuse of existing smaller and affordable homes.”

This Official Map Amendment is an example of this Housing Policy. The existing smaller and affordable home is approximately 1120 square feet. Denver Moves: Transit Plan Figure 3-5 (Page 3-26) shows the subject property is within the quarter mile buffer of Quebec Street, which the Plan designates as a Speed and Reliability Corridor. The subject property is also near the transit routes on East Colfax Avenue, designated by the Plan as a High Capacity Transit Corridor, and East 11th Avenue, designated by the Plan as a Speed and Reliability Transit Corridor. The allowance of an accessory

dwelling unit at the subject property incentivizes the reuse of an existing smaller and affordable house by allowing a second unit to be constructed in the rear yard. The allowance of this unit removes the incentive to demolish and replace the existing home with a new, larger home.

- Housing Strategy A, “Study and implement zoning tools to incentivize the preservation of smaller, more affordable housing options. An example would be to allow the owner of an existing home to add an additional unit if the existing structure is preserved.”

While these zoning tools do not currently exist, this Official Map Amendment is an interesting case study of the Housing Strategy’s example. While the proposed rezoning does not require the existing primary residence to be retained, it is the intent of the Applicant to retain the existing primary residence. Further, the approval of this Official Map Amendment incentivizes the Applicant and any future property owners to retain the existing primary residence through the allowance of an additional accessory unit because the highest and best use of the property is no longer a very large home but will now be two smaller units. This Official Map Amendment can serve as a case study for the proposed example and how, in exchange for a small amount of additional density, the property owner could be required to build an accessory dwelling unit that is reflective of the surrounding structures’ form, mass, and scale creating an important context sensitive outcome for the neighborhood.

2. Page 84, Housing Policy 4, “Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.”

This Official Map Amendment is an example of this Housing Policy. The subject property’s current zone district classification contains a prohibition on accessory dwelling units. This prohibition restricts the ability to expand housing choices on the subject property and incentivizes the existing home to be demolished and rebuilt to its maximum square footage. The addition of an accessory dwelling unit for the subject property will allow for the existing small, affordable home with its current form, mass, and scale to be preserved and a similarly small accessory unit to be constructed in the backyard. As previously discussed, the nearby property at 1188 Quince St. is an historic example of two small homes on one zone lot as part of the surrounding neighborhood’s larger mix of low to medium intensity residential and commercial zone districts and land uses (See Figures 2-6). This Official Map Amendment’s proposed retention of the existing home along with the addition of a small accessory unit meets the intent of this Housing Policy.



Figure 2: 1445-1447 Quince St. (Quince Essential Coffee and Sprightly Escapes)



Figure 3: 1461 Quince St. (Residential Duplex)



Figure 6: 1100 Block Syracuse St. (Commercial Property Center)



Figure 6: 1100 Block Syracuse St. (Neighborhood Retail Center)

- Strategy E: “A citywide approach to enable ADUs (accessory dwelling units) is preferred. Until a holistic approach is in place, individual rezonings to enable ADUs in all residential areas, especially where adjacent to transit, are appropriate. Unless there is a neighborhood plan supporting ADUs, these rezonings should be small in area in order to minimize impacts to the surrounding residential area.”

This Official Map Amendment is an example of this Housing Strategy. A holistic approach for the allowance of accessory dwelling units is not currently in place nor will that approach be in place for some time. This Housing Strategy provides strong plan support to this Official Map Amendment. As previously discussed, this Official Map Amendment is within one-quarter mile of a Speed and Reliability Transit Corridor along Quebec Street and is also within one-half mile of a High Capacity Transit Corridor, East Colfax Avenue.

The Denver Moves: Transit Plan states, “By 2040, the goal is for 75% of households and 75% of jobs in Denver to be within one-quarter mile of the FTN (Frequent Transit Network)... and one-half mile from an enhanced BRT or rail stop or station... (Page 3-24).” The proposed expansion of Quebec Street and the City’s \$55 million investment in Colfax Avenue Bus Rapid Transit show that the proposed accessory dwelling unit is adjacent to nearby Transit Corridors as envisioned by the Denver Moves: Transit Plan, which supports this Housing Strategy. This Official Map Amendment is for a single property, which will minimize its impact to the surrounding residential area in support of this Housing Strategy.

3. Page 84, Housing Policy 5, “Remove barriers to constructing accessory dwelling units and create context-sensitive form standards.”

This Official Map Amendment is an example of this Housing Policy because its approval will remove an existing regulatory barrier to constructing accessory dwelling units. The rezoning of the subject property from E-SU-Dx to E-SU-D1x will remove the prohibition on the construction of an accessory dwelling unit, which supports this Housing Policy. In addition, the City’s current accessory dwelling unit building form for the E-SU-D1x zone district (see attached Exhibit A) provides an important baseline for reviewing bodies—City Council and Planning Board—as well as the public to understand the allowed form, mass, and scale of accessory dwelling units in the E-SU-D1x zone district.

- Strategy C, “Revise detached ADU (accessory dwelling unit) form standards to be more context-sensitive, including standards for height, mass, and setbacks.”

While this Official Map Amendment does not revise the building form standards for accessory dwelling units, the Applicant’s intent is to create an accessory dwelling unit in keeping with the existing neighborhood and its structures form, mass, and scale. The existing City block mostly contains one story structures. The proposed accessory

dwelling unit will be one story and built out of the same materials as the subject property's primary residence. The proposed development outcome for the accessory dwelling unit exemplifies this Housing Strategy and can be a model for its future outcomes.

4. Page 142, The Future Places Map designates the subject property as a low intensity residential area.

Page 149 describes low intensity residential areas' Land Use/Built Form as, "Predominantly one-and two-unit though many areas are mostly one-unit. Includes Accessory Dwelling Units. In some contexts, some higher-intensity residential uses may be mixed throughout. Neighborhood-serving retail may be found in some key locations. Buildings are predominantly low-scale houses and duplexes. Setbacks and lot coverages vary across neighborhood contexts."

This Official Map Amendment is consistent and supported by Blueprint Denver's Future Places Map's designation of the subject property as a low intensity residential area. Low intensity residential areas specifically include accessory dwelling units. The approval of this Official Map Amendment maintains the subject property and surrounding neighborhood as a low intensity residential area while accommodating a small increase in density. The existing primary residence and proposed accessory dwelling unit will be low-scale in nature.

- Page 149 describes low intensity residential areas' Mobility as, "Access is mostly from local streets, and there may be less choice of multimodal networks. Available walksheds and bikesheds vary based on neighborhood context."

This Official Map Amendment is consistent with the low intensity residential areas' Mobility because the subject property abuts a local street. Its mobility is increased due to the presence of a driveway connected to 14th Avenue and its location on a City block bounded by two residential arterial streets, Quebec Street and 14th Avenue. The subject property's location within a quarter mile of the Quebec Street Safety and Reliability Transit Corridor and within a half mile of the East Colfax Avenue High Capacity Transit Corridor provides the subject property with an excellent choice of multimodal networks. The subject property has average to above average walksheds and bikesheds relative to available sidewalk and bicycle infrastructure.

- Page 149 describes low intensity residential areas' Quality of Life Infrastructure as, "A wide range of designated parks and recreational amenities are prevalent. Nature based, active and passive recreational opportunities are all common. Access to outdoor amenities varies depending on context."

This Official Map Amendment is consistent with the low intensity residential areas' Quality of Life Infrastructure. The subject property enjoys easy access to several

designated parks including Denison Park at East 11th Avenue and Quebec Street, Crescent Park at Roslyn Street and East 8th Avenue, and the Lowry Open Space at Uinta Way and East 11th Avenue. Taken together with its close proximity to employment opportunities and neighborhood-serving and regional retail, the subject property has appropriate quality of life infrastructure to support an accessory dwelling unit.

#### D. Comprehensive Plan 2040

##### Introduction

Comprehensive Plan 2040 lays out the City’s overarching planning vision for the next 20 years. This Vision contains elements, goals, and strategies that support the proposed Official Map Amendment.

The Plan’s guidance encourages an expansion and mix of housing opportunities by leveraging the City’s investments in infrastructure to encourage growth in areas of the City where current and proposed infrastructure can successfully accommodate it. The proposed Official Map Amendment is supported by Comprehensive Plan 2040 because it assists the City in meeting the Plan’s vision elements, goals, and strategies.

#### I. Vision Elements: Equitable, Affordable, and Inclusive

- A. Page 18, Goal 1.1, “Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.”

The proposed Official Map Amendment furthers Plan Goal 1.1 because the allowance for accessory dwelling unit will ensure that future residents of the subject property have safe, convenient and affordable access to basic services and a variety of amenities. The subject property is in close proximity to the Quebec Street and East 11th Avenue Speed and Reliability and East Colfax Avenue High Capacity Transit Corridors. The subject property’s excellent access to mass transit ensures that current and future residents will have easy access to basic services and a variety of amenities. The subject property is also in close proximity to the neighborhood/regional centers in the Stapleton and Lowry neighborhoods. Finally, the subject property is in close proximity to several neighborhood parks and open space including the Lowry Open Space and Denison and Montclair Parks. The proposed Official Map Amendment assists the City in achieving this Plan Goal by providing an additional housing unit near basic services and amenities.

- B. Page 18, Goal 1.2, “Support housing as a continuum to serve residents across a range of needs, ages and needs.”

The proposed Official Map Amendment furthers Plan Goal 1.2 because this application assists the City to meet this Goal. This proposal supports the expansion of housing types and opportunities because it allows the subject property to build an



additional, small scale dwelling unit. This housing unit will provide an affordable housing unit either as a rental unit or a housing unit for aging family members. The majority of the City's new housing built in the last 10 years has been geared towards the City's high-income housing needs both in single and multi-family residential development. The addition of an accessory dwelling unit at the subject property supports the retention of the existing primary residence, which fits in well with its surrounding form, mass, and scale of the neighborhood.

- I. Page 28, Goal 2, Strategy A, "Create a greater mix of housing options throughout the City for all individuals and families."

The proposed Official Map Amendment furthers this Strategy because this Official Map Amendment will allow for a mix of housing options where currently only single-family housing is allowed.

1188 Quince St. is an early example of two small homes on the same zone lot that predated the City's zoning regulations. The City's zoning regulations, prior to the adoption of the Denver Zoning Code, encouraged the separation of land uses and their accompanying zone districts.

This Plan Strategy encourages the surrounding neighborhood's historic development pattern of low to medium intensity residential and commercial zone districts and land uses. The proposed Official Map Amendment embraces this Strategy by recognizing the need for a mix of housing options for all of Denver's citizens.

- C. Page 28, Goal 3, "Develop housing that is affordable to residents of all income levels."

The proposed Official Map Amendment furthers Plan Goal 3 because this proposal assists the City in achieving this Goal. This proposal will allow the addition of one new affordable housing unit to the City's housing stock. Moreover, the allowance for an accessory dwelling unit on the subject property will help maintain the affordability of the subject property and decrease the pressure on the existing primary residence to be redeveloped into a larger residence. Through the allowance of an accessory dwelling unit and the retention of the existing primary residence, current and new affordable housing will be maintained and expanded.

- I. Page 28, Goal 3, Strategy B, "Use land use regulations that incentivize the private development of affordable and mixed-income housing."

The proposed Official Map Amendment furthers Strategy A because it supports land regulations that incentivize private development of affordable and mixed-income housing. Blueprint Denver encourages accessory dwelling units as a mechanism to introduce affordability and a mix of incomes in existing low density, single family neighborhoods. This Official Map Amendment proposes to allow a small-scale expansion of the subject property. If this application is approved, the newly constructed accessory dwelling unit will offer affordable and mixed-income housing and will allow

for either renters or family members of the owner of the primary residence to live in a neighborhood where they may have been unable to live without this proposed housing unit.

D. Page 28, Goal 4, “Preserve existing affordable housing.”

The proposed Official Map Amendment furthers Goal 4 by directly addressing the retention of an existing affordable single-family housing unit. Instead of the redevelopment of the existing single-family housing unit into a larger single-family housing unit. The addition of an accessory dwelling unit on the subject property will allow for the support, upkeep, and maintenance of the existing primary residence while helping to preserve its affordability. Blueprint Denver speaks directly to this issue as a reason to encourage accessory dwelling units throughout the City.

E. Page 28, Goal 5, “Reduce the involuntary displacement of residents and businesses.”

The proposed Official Map Amendment furthers this Goal because this proposal will assist the current and future property owner’s risk to involuntary displacement. Rising property values and their associated property tax increases, in addition to the escalating cost to maintain the property, are contributors to involuntary displacement. Blueprint Denver, as well as many City planning and policy initiatives, recognize the East Colfax neighborhood as highly vulnerable to displacement. As the neighborhood changes as public infrastructure and private development increases, the current and existing pressures on the East Colfax neighborhood will increase in tandem. The allowance for an accessory dwelling unit, and more broadly the larger neighborhood in future Official Map Amendment applications and planning efforts, will help address the current and future pressures on the neighborhood to gentrify. Involuntary displacement puts particular pressure on low and middle income Denverites and the allowance for accessory dwelling units will assist current residents to remain in the City.

I. Page 28, Goal 5, Strategy B, “Stabilize residents and businesses at risk of displacement through programs and policies that help them to stay in their existing community.”

The proposed Official Map Amendment furthers this Strategy because the request for an accessory dwelling unit will stabilize current and future property owners and help them stay in their existing community. The allowance of an accessory dwelling unit incentivizes the retention of the existing primary residence which is more affordable than the larger houses that are currently allowed in the existing current zone district. Smaller homes assist individual properties at the micro-level and the neighborhood at a macro-level to stabilize allowing residents to avoid displacement. As previously discussed, Blueprint Denver, as well as other City planning and policy initiatives, recognize that the East Colfax neighborhood is particularly vulnerable to displacement.

## F. Housing An Inclusive Denver

### Introduction

In February 2018, the Denver City Council passed a 5-year plan to address the City's housing goals and priorities. Housing An Inclusive Denver emphasized the role of accessory dwelling units to combat displacement and provided needed affordable housing. The Plan also recognizes the role of accessory dwelling units in wealth building for low and moderate income Denverites. The Plan broadly encouraged the City to not only re-examine its regulatory approach to accessory dwelling units but also the City's commitment to take an active role in the promotion of accessory dwelling units in existing neighborhoods vulnerable to displacement and gentrification. This Plan provides an important blueprint to encourage accessory dwelling units as a means to achieve and maintain attainable homeownership.

In addition, the Plan recognizes the importance of accessory dwelling units as Denverites desire multi-generational housing so that the City's families can not only remain together but remain in the City for the long term. Housing An Inclusive Denver contains many goals and policies that show the City's support for the proposed official map amendment.

I. Page 8, Legislative and Regulatory Priorities, "*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."

The proposed Official Map Amendment assists the City's achievement of this Priority by allowing a zoning modification to expand the development of an accessory dwelling unit on the subject property. This Priority specifically states that the City should support regulations that expand the development of accessory dwelling unit. The approval of this proposed Official Map Amendment will assist the City in meeting this priority to expand the development of accessory dwelling units where they are not currently allowed, especially in the East Colfax neighborhood, which the Plan identifies as a neighborhood vulnerable to involuntary displacement and gentrification.

II. Page 10, Attainable Homeownership, "*Promote programs that help families maintain their existing homes.* The City and its partners should target existing homeowner rehabilitation programs to residents in vulnerable neighborhoods, promote financial literacy education for prospective and existing homeowners, and promote the development of accessory dwelling units as a wealth-building tool for low and moderate-income homeowners."

The proposed Official Map Amendment assists the City in achieving this Goal because it promotes the ability of families to maintain their existing homes through the allowance of an accessory dwelling unit. This Goal recognizes that the development of accessory dwelling units is an important wealth-building tool to allow low and

moderate-income homeowners to maintain and stay in their homes. The proposed Official Map Amendment will allow the current and future owners of the subject property to maintain and stay in their home while receiving additional income that will help achieve this Goal.

III. Page 26, *Expand and strengthen land use regulations for affordable and mixed-income housing*, “These ideas focused around three key areas that could be supported in *Blueprint Denver*, the City’s long-range land use and transportation plan and part of Denveright: 1) streamlining and facilitating the development of accessory dwelling units as a tool for affordability and to stabilize residents at risk of displacement...”

The proposed Official Map Amendment assists the City in achieving this Goal because it streamlines and facilitates the development of an accessory dwelling unit on the subject property.

The proposed accessory dwelling unit will be a key tool for the subject property’s long-term affordability and assists the current and future owners of the subject property who are at risk of displacement. The East Colfax neighborhood remains an important affordable single-family neighborhood for Denver residents. The allowance of an accessory dwelling unit on the subject property and future applications will assist the City in realizing this Goal. The Plan specifically calls upon the City to utilize accessory dwelling units to combat displacement and gentrification, and the proposed Official Map Amendment furthers the purpose and intent of this Goal.

IV. Page 51, Key Action 3, “Promote development of accessory dwelling units as a wealth building tool for low and moderate-income homeowners in vulnerable neighborhoods and to support intergenerational households.”

The proposed Official Map Amendment furthers this Goal because the Plan, as well as other City plans such as *Blueprint Denver*, recognizes the vulnerable nature of the East Colfax neighborhood to displacement and gentrification. The Plan understands that accessory dwelling units can serve as wealth building tools to not only support the property owners who build them but to allow property owners to utilize accessory dwelling units to accommodate intergenerational households. As Colorado’s population grays and requires care and assistance from other generations, accessory dwelling units provide an important component for independence for Denverites to age in place in the care of their families. The rising costs of health care and long term care make accessory dwelling units an important mechanism for households to retain wealth to care for their larger intergenerational households. The proposed Official Map Amendment furthers the goals of wealth building and intergenerational households through the allowance of an accessory dwelling unit.

V. Pages 51-52, *Promote programs that help families maintain their existing homes*. “Recognizing the potential for ADUs to stabilize low and moderate-income families at risk of becoming displaced from their existing homes due to rising prices, the City and partners are developing programs aimed at providing financial tools,

streamlined permitting, and property management support to promote development of ADUs.”

The proposed Official Map Amendment recognizes the potential of an accessory dwelling unit to combat displacement due to the rising prices of their homes and the impacts of rising property taxes on existing homeowners who are vulnerable to displacement. This Goal shows the City’s commitment to assisting individual homeowners to maintain their residences in Denver by assisting them to obtain accessory dwelling units. The Plan recognizes the City’s commitment to citizens through the overarching goal to allow accessory dwelling units. The proposed Official Map Amendment will allow an accessory dwelling unit thereby assisting the City in achieving this goal by encouraging homeowners to remain in their homes through this additional but limited density. Moreover, this Official Map Amendment supports the long-term vision to maintain smaller homes that are more affordable in exchange for some additional density to support the retention of existing smaller homes.

G. East Area Neighborhood Plan (Currently in Drafting Stage)

The East Planning Area (which includes East Colfax, where the subject property is located) is experiencing some significant changes, such as plans to add Bus Rapid Transit (BRT) and affordable housing along Colfax Avenue.

Here are a few of the overall recommendations of The East Area Neighborhood Plan:

- **Encourage development of ADUs in all residential areas**, in forms that address neighborhood context.
- Create new affordable housing near transit and amenities. Preserve housing affordability and stabilize residents at risk of displacement.
- Allow higher density along Colfax in exchange for affordable units or community-benefiting space.
- Ensure new development is family-friendly and expand housing options for non-traditional households, including seniors and group living.
- Expand diversity of housing types & affordability in all neighborhoods
- Encourage more “missing middle” types such as du/tri/fourplexes and townhouses, that are compatible and at affordable price points.
- Ensure new development is family-friendly and expand housing options for non-traditional households, including seniors and group living.
- Develop more permanent, supportive housing that wraps in services such as health care, child care, and workforce.

As previously discussed, the proposed Official Map Amendment is consistent with the East Area Neighborhood Plan because the ability to build an accessory dwelling unit on the subject property will encourage my continued ownership of the subject property and my ability to maintain the subject property. In Denver, and nationwide, accessory dwelling units have been shown to support the ability of homeowners to remain in their homes.

Since the East Area Plan encourages the development of “supportive housing” and to “expand housing options for non-traditional households,” what is more supportive than having me care for my aging parent in my backyard ADU? The development of an ADU in my backyard is the specific housing option that the East Area Plan recommends.

The proposed Official Map Amendment therefore, is consistent with the East Area Neighborhood Plan because the subject property is only 1 block from Colfax, which requires density to use the bus rapid transit system to get to and from downtown and the Anschutz Medical Campus.

### **III. UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTIONS**

The proposed Official Map Amendment is consistent with the uniformity of the E-SU-D1x’s district regulations and restrictions because the current and future property improvements will be constructed according to the E-SU-D1x zone district’s building forms and its current and future uses will be regulated and restricted through the proposed zone districts permitted, limited, and unpermitted uses. The proposed Official Map Amendment will therefore result in the uniform application of the E-SU-D1x zone district because this zone district’s building and design standards and uses will be consistently applied as they are to all other zone lots in the City with the same zone district.

### **IV. PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE**

The proposed Official Map Amendment furthers the City’s public health, safety, and general welfare because the subject property is close to existing transportation infrastructure. The subject property’s location is located within a quarter mile of the Quebec Street’s Speed and Reliability Transit Corridor and within a half mile of the East Colfax Avenue High Capacity and East 11th Avenue Speed and Reliability Transit Corridors, and near other major regional transit routes, allowing for current and future residents to enjoy a healthier lifestyle by walking to and from transit. The subject property’s location near neighborhood and regional services also contributes to the quality of life for its current and future residents. The property will also support nearby employment centers in the Lowry and Stapleton neighborhoods. The proposed Official Map Amendment is consistent with the City’s adopted zoning regulations and restrictions because it furthers public health, safety, and general welfare for all its citizens.

### **IV. JUSTIFYING CIRCUMSTANCES**

- A. Justifying Circumstance 1: A justifying circumstance for this Official Map Amendment are changing conditions in the neighborhood and the City generally since June 25, 2010, when the subject property’s current zone district classification, E-SU-Dx, was adopted.

Since the adoption of the subject property's zone district classification, the neighborhood has changed and continues to change because of redevelopment and the City's planned infrastructure and transit projects. Phoenix on the Fax, at 7171 E. Colfax Ave., was built in 2011 representing coming changes that continue to evolve in the East Colfax neighborhood. The City and County of Denver Office of Economic Development recently purchased the properties at 8315 E. Colfax Avenue and 1500 N. Valentia St. and 7900 E. Colfax Avenue and recently rezoned them from E-MS-3 to E-MS-5. The City's purchase and rezoning of these properties was to catalyze their redevelopment as affordable housing. The City's involvement will help continue the trend begun by Phoenix on the Fax. In addition, the City secured the closure of the Saturday's strip club, at 8315 E. Colfax Avenue, to support the neighborhood's renaissance. Neighborhood businesses, such as Quince Essential Coffee at 1447 Quince St. and Pablo's Coffee at 7701 E. Colfax Avenue represent the reinvestment in not only the greater E. Colfax Avenue commercial corridor but the reinvestment happening in the neighborhood's existing housing stock. Residents and investors have made significant improvements in the neighborhood's existing homes supporting the overall renaissance taking place in the East Colfax neighborhood. The opening of Stanley Marketplace just over the Denver/Aurora border shows the continued changing nature of the greater neighborhood providing an important gathering place for not only Aurora residents but East Denver residents as well. Continued investment and redevelopment of the adjacent Lowry and Stapleton neighborhoods, including the construction of Lucky's Market at Lowry Blvd. and Quebec Street and the continued residential and commercial build out of east Stapleton, compliment the East Colfax neighborhood's changed and changing conditions.

The City and County of Denver has experienced tremendous change since the adoption of the Denver Zoning Code and the subject property's subsequent rezoning into the Denver Zoning Code. In the last 8 years, the City has added over 100,000 new residents (Denver Post, March 22, 2018). Downtown Denver's workforce alone has grown by 17% to 130,227 jobs in the last 8 years (Downtown Denver Partnership). The accelerated rate of growth for populations and jobs that the City experienced since the adoption of the subject property's zone district classification serves as a justifying circumstance for this rezoning. The approval of this rezoning will result in the addition of one additional housing unit in a City that is in desperate need for more housing, especially near job centers and major transit corridors. The development of new job centers in the nearby Lowry and Stapleton neighborhoods in Denver, the construction of the new Veteran's Hospital in Aurora, and the subject property's proximity to Downtown make it an ideal candidate to provide an additional housing unit. The subject property's location within a quarter mile of the Quebec Street Speed and Reliability Transit Corridor and within a half mile of the East Colfax Avenue High Capacity and East 11th Avenue Speed and Reliability Transit Corridors shows this Application meets the Denver Moves: Transit Plan's goal of high quality transit access for 75% of Denver residents and jobs by 2040 (Page 3-24). The

2017 City bond election provided an important \$55 million investment in the Colfax Avenue Bus Rapid Transit (BRT) route. This Route will provide an enhanced, faster transit experience to current and future neighborhood residents, as well as Denver’s citizens, providing an enhanced mode of transportation from the subject property to Downtown. The subject property is approximately 2 City blocks from the planned Quebec Street and Colfax Avenue transit stop for the Colfax Avenue Bus Rapid Transit route.

- B. Justifying Circumstance 2: A justifying circumstance for this rezoning is the adoption of Blueprint Denver, Comprehensive Plan 2040, and Housing An Inclusive Denver.

The adoption of Blueprint Denver, Comprehensive Plan 2040, and Housing An Inclusive Denver provide a strong justifying circumstance for this rezoning. Taken together, the Plans provide significant plan support for additional housing of all types. While the Plans have been previously analyzed by this Official Map Amendment, Blueprint Denver (Page 56) has specific plan support for this Official Map Amendment request, “A citywide approach to enable ADUs (accessory dwelling units) is preferred. Until a holistic approach is in place, individual rezonings to enable ADUs in all residential areas, especially when adjacent to transit, are appropriate. These rezonings should be small in area in order to minimize impacts to the surrounding residential areas.” The proposed rezoning is an example of this plan guidance because the rezoning is within a quarter mile of the Quebec Street Speed and Reliability Transit Corridor and within one half mile of the East Colfax Avenue High Capacity and East 11th Avenue Speed and Reliability Transit Corridors and is small in area. Taken together, these Plans offer strong general support to the expansion of housing opportunities, especially affordable housing, on a Citywide basis. The adoption of these Plans serves as a justifying circumstance for this rezoning.

- C. 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.
1. The description of the Urban Edge Neighborhood Context is outlined in Division 4.1 and analyzed in this Section.
    - A. *Section 4.1.1, General Character, “The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. The Urban Edge Neighborhood Context is primarily single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House and Suburban House building forms. Multi-unit building forms are typically the Row House, Garden Court, Town House or Apartment building forms embedded with other residential uses. Commercial buildings are typically the Shopfront and General building forms that typically contain a single type of use. Single and two-unit residential uses are*



*primarily located along local and residential arterial streets. Multi-unit residential and commercial uses are located along local streets, arterials, and main streets.”*

The proposed Official Map Amendment is consistent with the General Character of the Urban Edge Neighborhood Context because the existing neighborhood is a mix of elements from both the Urban and Suburban Neighborhood Contexts.

This part of the East Colfax statistical neighborhood contains some City blocks with dedicated public alleys, while some City blocks contain no alleys at all or private alleys. The neighborhood is characterized by mostly consistent Primary Street setbacks.

Small-scale to medium scale residential and commercial zone districts exist in the surrounding neighborhood, including existing multi-family housing at East 11th Avenue and Roslyn Street and a small neighborhood commercial center at the northeast corner of East 11th Avenue and Syracuse Street. Most single-unit residential structures contain elements of the Urban House and Suburban Housing building forms, even though the majority of the neighborhood’s housing stock was constructed prior to the adoption of building forms in the Denver Zoning Code, as adopted in 2010. Single and two-unit residential uses are primarily located along local and residential arterial streets, as evidenced by the subject property’s City block. The neighborhood’s mix of housing stock is interspersed among a variety of street types. The neighborhood context for the proposed Official Map Amendment is consistent with description of the Urban Edge Neighborhood Context’s General Character per the above referenced section and was a significant contributing factor to this Official Map Amendment’s proposed zone district, E-SU-D1x.

- B. *Section 4.1.2, Street, Block, Access Patterns, “The Urban Edge Neighborhood Context consists of a regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid. Orthogonal streets provide connection and a mixed presence of alleys.*

*Block sizes and shapes are consistent and include attached, detached and non-existent sidewalks, treelawns where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback.”*

The proposed Official Map Amendment is consistent with the Urban Edge Neighborhood Context’s Street, Block, and Access Pattern. The subject property’s City block and surrounding neighborhood show a mostly consistent regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid. The subject property’s City block is more consistent with an Urban Neighborhood Context in an orthogonal grid though the surrounding neighborhood is more consistent with infill development that responded to the existing subdivision plat and opportunities to develop new single-family homes on regular and irregular shaped zone lots. There is a mixed presence of alleys,

which is consistent with Urban Edge Neighborhood Context. Block sizes and shapes are typically consistent with the Urban Edge Neighborhood Context and show the original subdivision as the driving force in the development of the neighborhood and its street and alley pattern. The surrounding neighborhood shows a mix of attached and non-existent sidewalks. The surrounding neighborhood has no tree lawns, however, most of the neighborhood's single-family homes provide landscaping on the front setback. The proposed Official Map Amendment's zone district, E-SU-D1x, is consistent with the neighborhood's existing street, block, and access pattern.

- C. *Section 4.1.3, Building Placement and Location, "Single-, two-unit and multi-unit residential buildings typically have consistent moderate to deep front setbacks. Building orientation along a block face may be inconsistent or consistent. Commercial buildings typically have consistent orientation and front setbacks deep enough to allow for a mix of landscaping and some parking."*

The residential buildings of the subject property's block and surrounding neighborhood have consistent moderate to deep front setbacks. Building orientations along the subject property's block and face block are consistent as are the building placements on the City blocks to the immediate north and south. The face block to the immediate east of the subject property has inconsistent setbacks that represent an inconsistent build out over that block's build out. The proposed Official Map Amendment is consistent with the Urban Edge Neighborhood Context's building placement and location.

- D. *Section 4.1.4, Building Height, "The Urban Edge Neighborhood Context is characterized by low scale buildings except for some mid-rise commercial and mixed use structures, particularly at nodes or along arterial streets."*

The subject property's City block and surrounding neighborhood is characterized by predominantly one and one-half story single family residential structures. At nodes and along arterial streets, this building height is maintained. The subject property's building height, its City block, and surrounding neighborhood are consistent with the Urban Edge Neighborhood's building height.

- E. *Section 4.1.5, Mobility, "There is reliance on the automobile with some pedestrian and bicycle activity and low to medium level of access to the multi-modal transportation system."*

The subject property's City block and surrounding neighborhood do rely on the automobile to access essential services such as groceries, neighborhood and regional serving retail, and other services. However, the revitalization of the East Colfax Avenue corridor and the neighborhood's existing commercial nodes, as well as the redevelopment of the Lowry and Stapleton neighborhoods provide the neighborhood with important access to services and amenities. In addition,

the presence of major regional transit routes allows for the neighborhood to attain the level of transit service seen in the City's Urban Neighborhood context neighborhoods. The proposed Official Map Amendment is consistent with the Urban Neighborhood Context's mobility.

2. The proposed Official Map Amendment is consistent with the stated purpose and intent of the proposed zone district as described in the following analysis.
  - A. Section 4.2.2.1 contains the general purpose of the Urban Edge Neighborhood Context's Residential Districts:
    1. Section 4.2.2.1.A: *"The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Edge 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 proposed Official Map Amendment promotes and protects the subject property's residential neighborhood because, while the proposed zone district allows an accessory dwelling unit in the rear yard, this zone district maintains the existing scale and density of the surrounding neighborhood. The proposed zone district allows for an accessory dwelling unit that will not detract from the overall image and character of the residential neighborhood, which shows the proposed Official Map Amendment's consistency with this general purpose statement.

2. Section 4.2.2.1.B: *"The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the varied pattern of suburban and urban house forms. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the two unit and row house districts promote existing and future patterns of lower scale multi unit building forms that typically address the street in the same manner as an urban house building form."*

The proposed Official Map Amendment's zone district promotes desirable residential areas through its employment of building form standards, design standards, and uses to provide a harmonious outcome for the City's Urban Edge neighborhoods. The standards of the proposed zone district accommodate the existing neighborhood's varied pattern of housing stock that closely align with the suburban and urban house building forms. Lot coverage in the existing neighborhood is relatively low in keeping with this general purpose statement. The subject property's City block and surrounding neighborhood's single-family homes address their adjoining Primary Streets. The proposed Official Map Amendment is therefore consistent with this general purpose statement because

the proposed zone district matches this existing neighborhood pattern and context.

3. Section 4.2.2.1.C: *“These standards recognize common residential characteristics within the Urban Edge Neighborhood Context but accommodate variation by providing eight Residential Zone Districts.”*

The proposed Official Map Amendment recognizes this general purpose statement’s common residential characteristics through its harmonious building form and design standards and allowed uses and their limitations. The proposed E-SU-D1x zone district accommodates the neighborhood’s current and existing variation of multiple housing types and building configurations and therefore the proposed Official Map Amendment is consistent with this general purpose statement.

4. Section 4.2.2.1.D: *“The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment.”*

The proposed Official Map Amendment provides certainty to the current and future property owners of the subject property about the limits of what is allowed in a residentially-zoned area. The proposed zone district, E-SU-D1x, is consistent with the neighborhood’s current housing types and the subject property’s current zone district except the new zone district will allow for the construction of an accessory dwelling unit in the rear yard. The regulations of the E-SU-D1x zone district support the surrounding neighborhood’s mix of low to medium intensity residential and commercial zone districts and land uses, while accommodating the desired reinvestment by the East Montclair/East Colfax Neighborhood Plan’s vision. Therefore, the proposed Official Map Amendment is consistent with this general purpose statement.

- B. *Specific Intent, Single Unit D1x, (E-SU-D1x), “E-SU-D1x is a single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard.”*

The proposed Official Map Amendment is consistent with the specific intent of the Single Unit D1x (E-SU-D1x) because this zone district allows for the requested accessory dwelling unit, which is not allowed in the subject property’s current zone district, E-SU-Dx. The subject property’s zone lot is 6,500 square feet, which exceeds the proposed zone district’s minimum zone lot area of 6,000 square feet. The subject property, setback and lot coverage standards match the subject property’s existing front and side yards. In addition, the subject property has an expansive rear yard

which can accommodate the allowable building footprint for the proposed accessory dwelling unit. Therefore, the proposed Official Map Amendment is consistent with the E-SU-D1x zone district's specific intent.

**Legal Description**

L 35 & 36 BLK 16 KENSINGTON

**Legal Description**

Lots 35 and 36, Block 16,  
KENSINGTON,  
City and County of Denver,  
State of Colorado

**From:** [awbarbour@aol.com](mailto:awbarbour@aol.com)  
**To:** [Lucero, Theresa - CPD City Planner Senior](mailto:Theresa.Lucero@denvergov.org)  
**Subject:** Re: [EXTERNAL] Quince St  
**Date:** Thursday, September 19, 2019 7:49:17 PM  
**Attachments:** [image001.png](#)

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Yes, please. Anne

On a message dated 9/19/2019 2:36:27 PM Mountain Standard Time, [Theresa.Lucero@denvergov.org](mailto:Theresa.Lucero@denvergov.org) writes:

Anne,

If this gets scheduled for Planning Board do you want your comments to go to them?



**Theresa Lucero** | Senior City Planner  
Community Planning and Development | City and County of Denver  
[Theresa.Lucero@denvergov.org](mailto:Theresa.Lucero@denvergov.org)

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**From:** [awbarbour@aol.com](mailto:awbarbour@aol.com) <[awbarbour@aol.com](mailto:awbarbour@aol.com)>  
**Sent:** Monday, September 16, 2019 11:34 AM  
**To:** Lucero, Theresa - CPD City Planner Senior <[Theresa.Lucero@denvergov.org](mailto:Theresa.Lucero@denvergov.org)>  
**Subject:** Re: [EXTERNAL] Quince St

Theresa,

This should be denied. Whether this is a one-story, or two-story ADU, it will diminish the liveability, enjoyment, and property values of each of the adjacent homes.

Suppose to reach the ADU, a renter has to walk under the bedroom windows of the original home or if adjacent homes. A couple has an argument, dogs start to bark, sleep is disrupted. ADUs will disrupt the lives of all adjacent homeowners.

Where will the occupant(s) of the ADU park? On the street that may already be taxed with vehicles? On a new paved driveway in the lawn of the standing home? This will lead to accessive run-off that the neighborhood's storm water drainage system cannot handle.

This should be denied.

Anne Callison

In a message dated 9/16/2019 11:12:43 AM Mountain Standard Time, [Theresa.Lucero@denvergov.org](mailto:Theresa.Lucero@denvergov.org) writes:

Anne,

The property owner at 1369 Quince proposes to get his zoning changed to build an Accessory Dwelling Unit.



**Theresa Lucero** | Senior City Planner  
Community Planning and Development | City and County of Denver  
[Theresa.Lucero@denvergov.org](mailto:Theresa.Lucero@denvergov.org)

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**From:** [awbarbour@aol.com](mailto:awbarbour@aol.com) <[awbarbour@aol.com](mailto:awbarbour@aol.com)>  
**Sent:** Saturday, September 14, 2019 10:50 AM  
**To:** Lucero, Theresa - CPD City Planner Senior <[Theresa.Lucero@denvergov.org](mailto:Theresa.Lucero@denvergov.org)>  
**Subject:** [EXTERNAL] Quince St

Theresa, what is the proposed new use at the rezoning in the 1300 block of Quince please? Anne

## **The East Colfax Neighborhood Association**

October 16, 2019

City and County of Denver  
Community Planning and Development  
201 W. Colfax Avenue, Dept. 201  
Denver, CO 80202

RE: Letter of Support for Rezoning Case for 1369 Quince, Denver, CO 80220

Dear CPD,

Please treat this as a letter of support from a "Party in Interest".

The East Colfax Neighborhood Association (ECNA) is a Registered Neighborhood Organization. Our boundaries are East 11<sup>th</sup> Avenue to East 23<sup>rd</sup> Avenue between Quebec Street and Syracuse Street and East 11<sup>th</sup> Avenue to Montview Blvd between Syracuse Street and Yosemite Street. Approximately 11500 total residences and businesses.

The grounds of support submitted by The East Colfax Neighborhood Association and qualifications to make it are as follows:

1. 1369 Quince is within the boundaries of The East Colfax Neighborhood Association. This gives The East Colfax Neighborhood Association and its members justification to support the rezoning.
2. The East Colfax Neighborhood Association had unanimous support for this rezoning at its October 15, 2019, meeting, with 17 voting in favor, 0 (zero) not in favor, and 0 (zero) abstaining.
3. The East Colfax Neighborhood Association agrees that accessory dwelling units can be an important component of a development plan that protects diversity and works against undue displacement of residents.

Sincerely,

Tim Roberts, President  
The East Colfax Neighborhood Association  
PO Box 201273  
Denver, CO 80220  
[Eastcolfaxneighborhood.org](http://Eastcolfaxneighborhood.org)

**From:** [Steve E](#)  
**To:** [Lucero, Theresa - CPD City Planner Senior](#)  
**Subject:** [EXTERNAL] 1369 Quince St. Rezoning Comments  
**Date:** Wednesday, November 13, 2019 6:36:35 PM

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Dear Ms. Lucero—

Good afternoon. I would like to comment on Mr. Saltzmann's application. I submit my comments as a citizen of Denver and a property owner in the 1200 block of Quince Street, the block immediately south of Mr. Saltzmann's property. My comments do not reflect the thoughts and opinions of my employer, and I am not speaking in any official capacity I hold.

I would like to offer my strong support for this application. I believe the application meets the review criteria and specifically meets the Blueprint Denver 2019 goals of breaking down barriers to increase accessibility to ADUs on a citywide basis but in making the rezoning process more accessible to the average citizen in Denver.

I have been active in my neighborhood as well as pursued a similar rezoning for my own property which was approved by City Council in early July. The East Colfax neighborhood faces tremendous pressure from gentrification and displacement to grow and change that has been well documented in City studies and by my own observations. I have witnessed the strong support for the concept for ADUs in the East Colfax neighborhood, and the East Colfax RNO's support for this application validates my own observations of support for ADUs in the neighborhood.

It is my sincere hope that the City follows the recommendations of Blueprint Denver and Housing an Inclusive Denver as soon as possible to make ADUs easier to build and available to all neighborhoods citywide. I believe ADUs will relieve the pressure on my East Colfax neighborhood to lose its small homes on large lots to be replaced by much larger homes. My concern has already played out near the northeast corner of Verbena Street and 13th Avenue and at the southwest corner of Valentia Street and Montview Boulevard. Large single family homes that are nearly double the price of the average East Colfax single family home, largely due to their size and new condition, show a pattern I feel is likely to continue if we do not have tools such as ADUs to provide the gentle density we need. We will see small homes scraped and replaced with larger homes as has happened in the nearby Montclair and Mayfair neighborhoods.

Growth and change are coming and have already come to the East Colfax neighborhood. We, as a neighborhood, can either take an active role in shaping that growth and change or that growth and change will shape us. I encourage City Council to approve Mr. Saltzmann's application and others like it to encourage more homeworkers to stay in their neighborhoods and provide the additional housing we need.

Please include my comments in any staff report and correspondence for this application.

Sincerely,  
Steve Elkins  
1245 Quince St.