



**TO:** Planning Board  
**FROM:** Liz Weigle, Rezoning Planning Supervisor  
**DATE:** July 12, 2023  
**RE:** Official Zoning Map Amendment Application #2022I-00229

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2022I-00229.

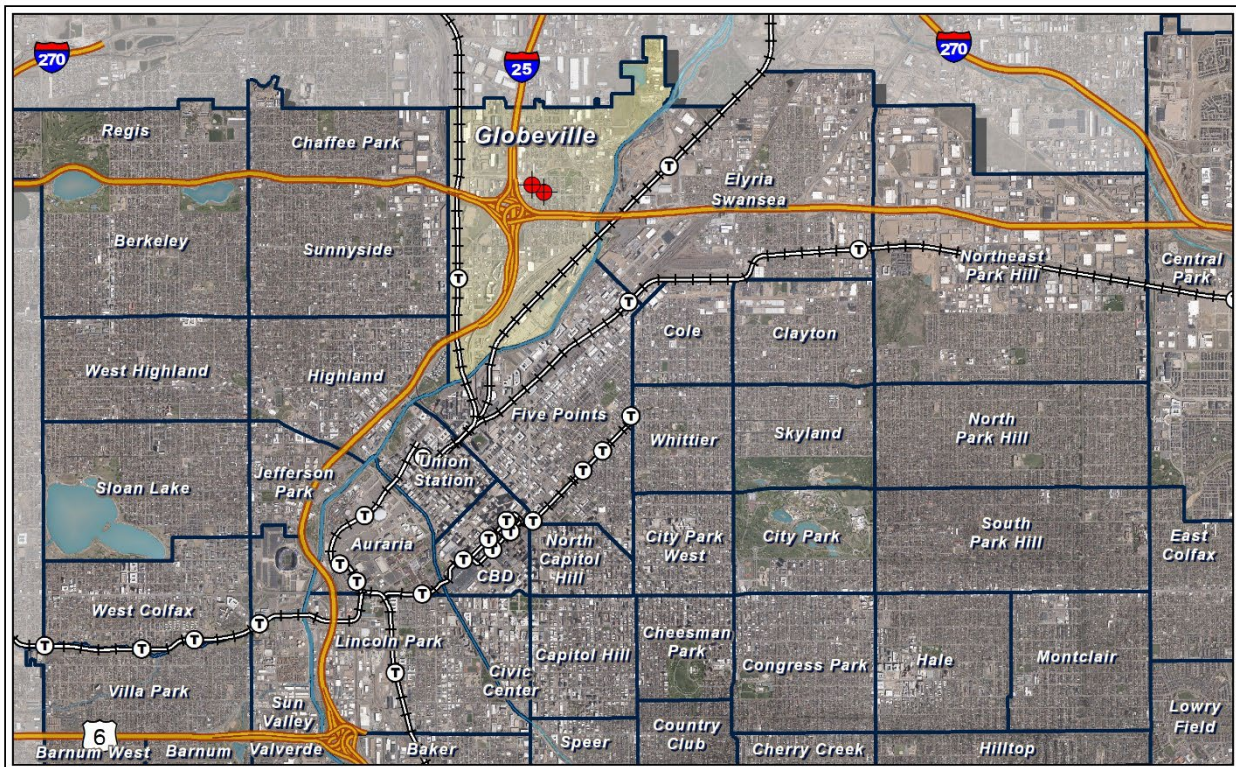
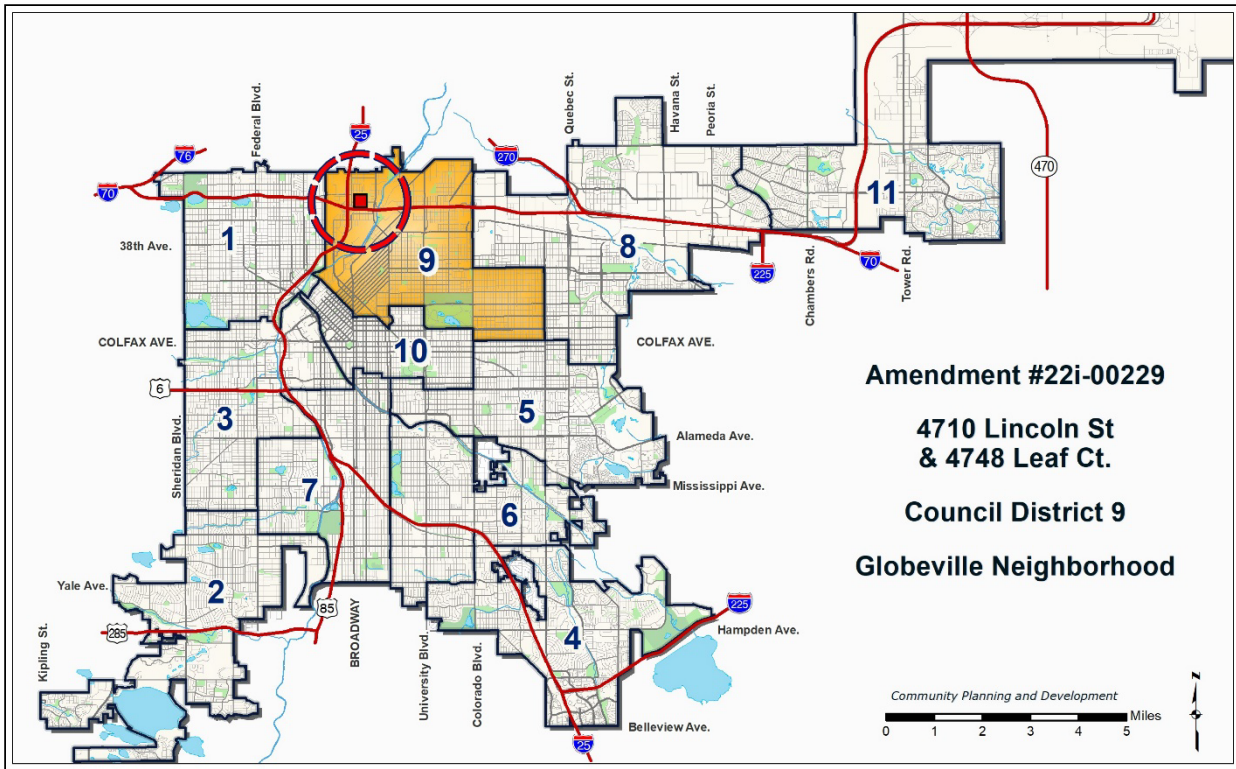
### Request for Rezoning

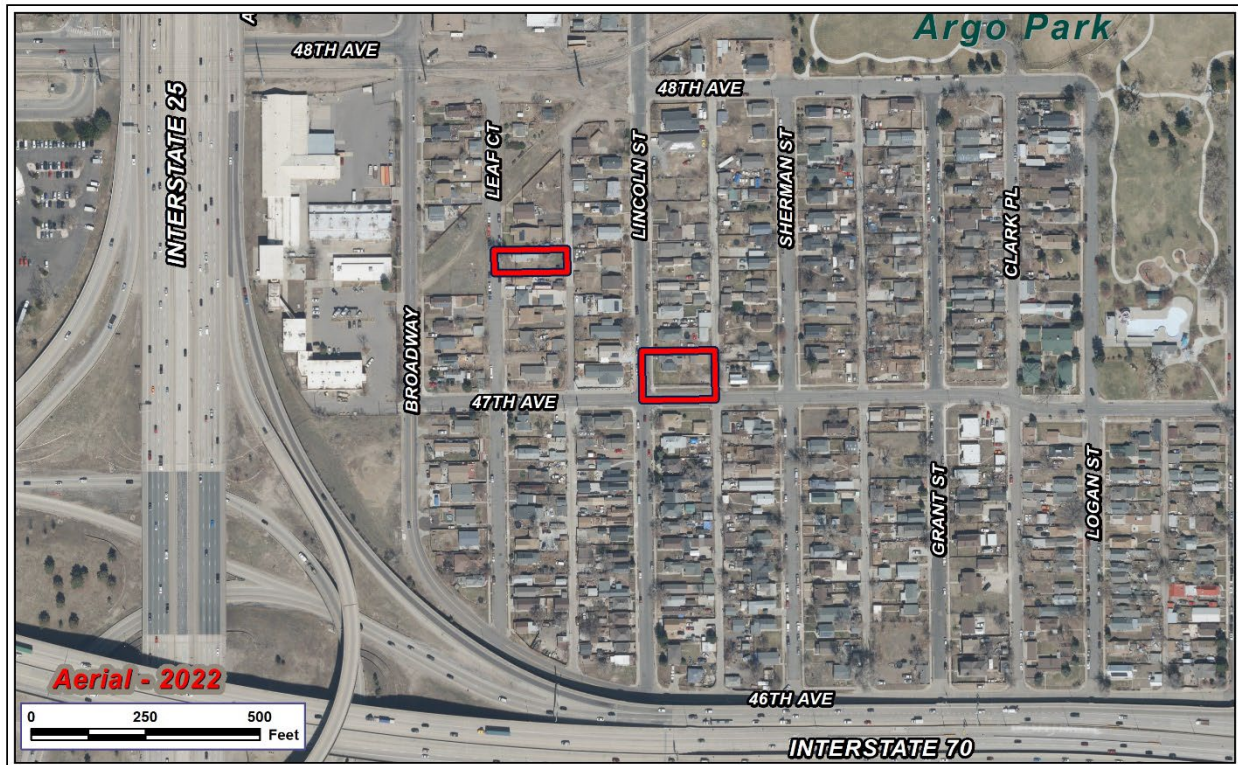
Address: 4710 North Lincoln Street & 4748 North Leaf Court  
Neighborhood/Council District: Globeville / Council District 9 (CdeBaca)  
RNOs: Denver North Business Association, Globeville Civic Partners, Reclaim the Eastside, Unite North Metro Denver, Strong Denver, United community Action Network, and Inter-Neighborhood cooperation (INC)  
Area of Property: 15,650 square feet or 0.36 acres  
Current Zoning: E-SU-D  
Proposed Zoning: U-TU-C  
Property Owner(s): Habitat for Humanity Metro Denver  
Owner Representative: Councilwoman Candi CdeBaca

### Summary of Rezoning Request

- The subject properties are located in the Globeville neighborhood between 47<sup>th</sup> Avenue and 48<sup>th</sup> Avenue east of N Broadway.
- Both subject properties— at 4710 North Lincoln Street and at 4748 North Leaf Court—are currently occupied by single-unit residences.
- Both properties will be deed-restricted for affordable housing through the Colorado Community Land Trust-Denver and Habitat for Humanity of Metro Denver.
- The proposed U-TU-C, Urbane, Two-Unit, C (5,500 square feet minimum zone lot size) zone district is intended for application in the Urban Neighborhood Context which is characterized primarily by single- and two-unit uses on smaller lots. Duplex, Tandem House, Urban House and Detached Accessory Dwelling Units building forms are allowed in this zone district. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 5 of the Denver Zoning Code (DZC).

## Existing Context





The subject properties are located in the Globeville statistical neighborhood, which is characterized primarily by single-unit residential uses. Argo Park is in close proximity to the subject properties. Interstate 70 is located a block and a half to the south, and Interstate 25 is two to three blocks to the west. Industrial uses are prominent along North Broadway one block to the west. Generally, there is a pattern of rectangular blocks in a street grid pattern with alley access. RTD Bus Route 8 runs along N. Lincoln St. with 1-hour headways. There is a bike lane on East 47<sup>th</sup> Avenue starting at Lincoln St and continuing to the east.

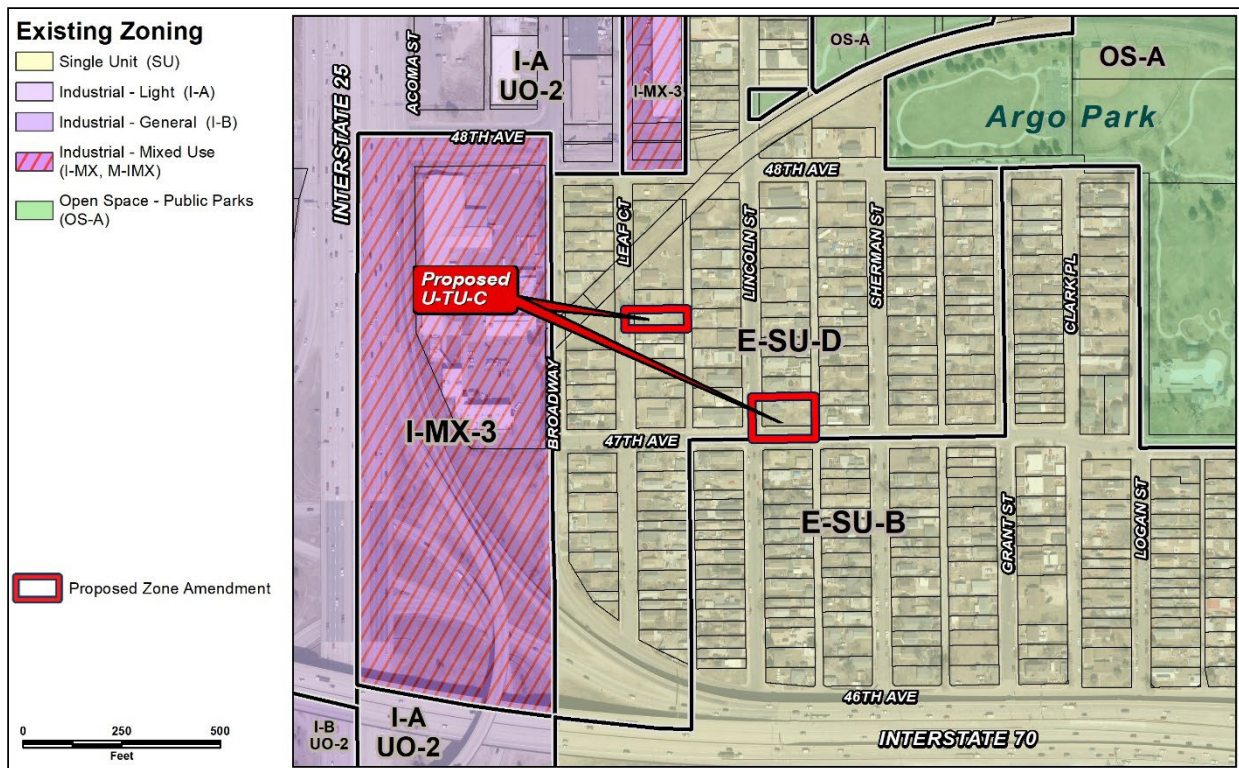
The following table summarizes the existing context proximate to the N Lincoln St site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	E-SU-D	Single-unit Residential	1-story House with large setback and detached sidewalk.	Block sizes and shapes are generally consistent and rectangular. Detached sidewalks and existing alleys are present.
North	E-SU-D	Single-unit Residential	1-story House with large setback and detached sidewalk.	
South	E-SU-B	Single-unit Residential	1-story House with large setback and detached sidewalk.	
East	E-SU-D	Single-unit Residential	1-story House with large setback and detached sidewalk.	
West	E-SU-D	Single-unit Residential	1-story House with large setback and detached sidewalk.	

The following table summarizes the existing context proximate to the N Leaf Ct site:

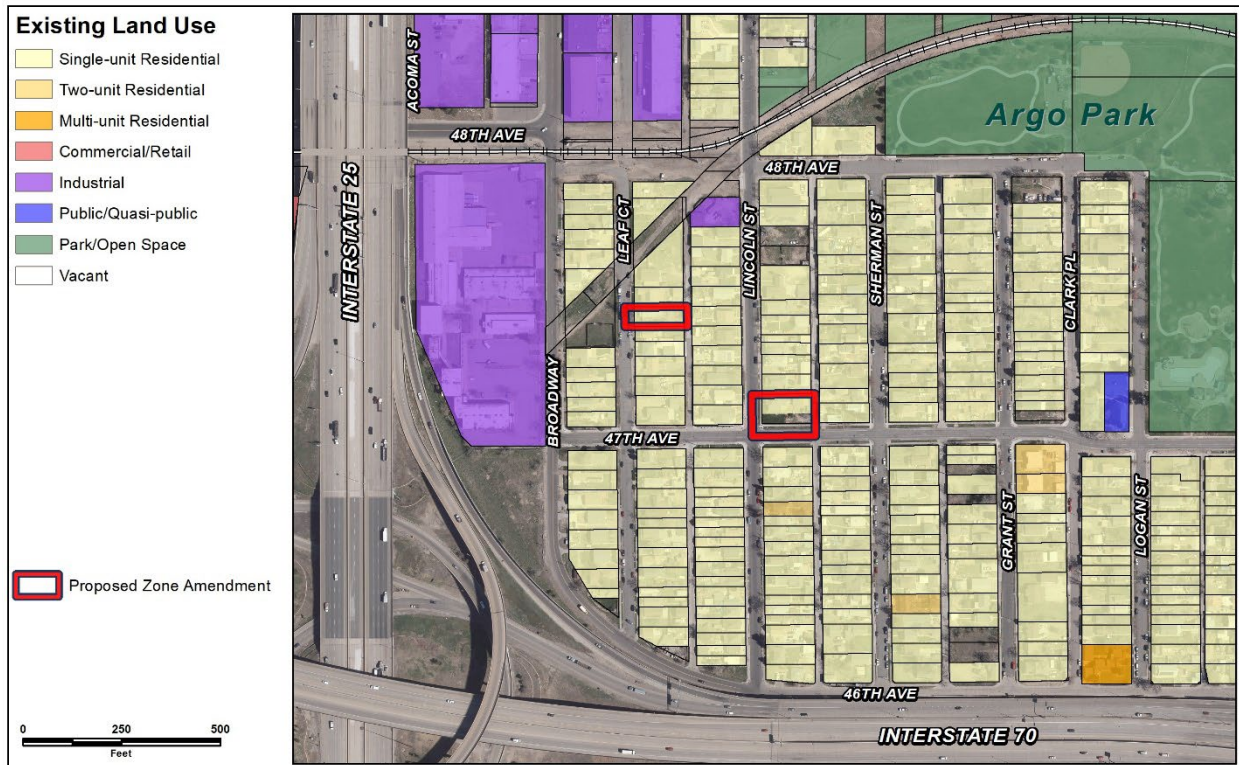
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	E-SU-D	Single-unit Residential	1-story House with large setback and no sidewalk.	Block sizes and shapes are consistent and rectangular other than the diagonal ROW north of subject site. Attached sidewalks (with some missing) and existing alleys are present.
North	E-SU-D	Single-unit Residential	1-story House with large setback and attached sidewalk.	
South	E-SU-D	Single-unit Residential	1-story House with large setback and attached sidewalk.	
East	E-SU-D	Single-unit Residential	1-story House with large setback and attached sidewalk.	
West	E-SU-D	Vacant	Vacant property	

### 1. Existing Zoning



Both properties are zoned E-SU-D. The E-SU-D zone district is a single-unit residential district allowing the Urban House primary building form on a minimum zone lot of 6,000 square feet. The maximum allowed height is 2.5 stories or 30 to 35 feet. Additionally, the Urban House form allows for a maximum of 1 story or 17 feet to 19 feet in the rear 35% of the zone lot. E-SU-D allows two accessory structure forms: Detached Garage and Other Detached Accessory Structure with a maximum height of 15 to 17 feet. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context.

## 2. Existing Land Use Map



**3. Existing Building Form and Scale (Source for all photos: Google Maps)**



4710 N Lincoln St looking east from Lincoln St



View of the property to the west of 4710 N Lincoln St, looking west from Lincoln St



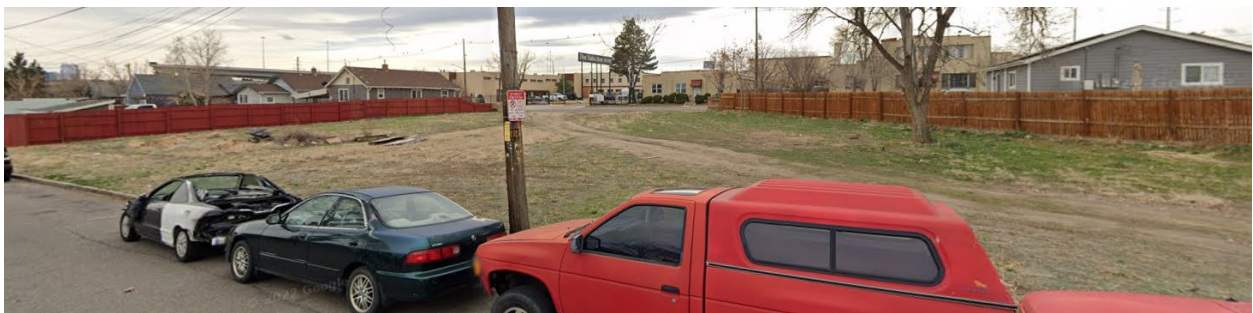
View of the property to the south of 4710 N Lincoln St, looking south from East 47<sup>th</sup> Avenue



4748 N Leaf Ct looking east from Leaf Ct



View of properties to the north of 4748 N Leaf Ct, looking east from Leaf Ct



Vacant property across the street from 4748 N Leaf Ct, looking west from Leaf Ct



View of properties to the east of 4748 N Leaf Ct, looking west from Lincoln St

#### 4. Affordable Housing

Concurrent with the rezoning, Habitat for Humanity Metro Denver is working with the city to formalize an affordable housing agreement. Commitments include 100% of income-restricted ownership units (IRU's) at up to 80% of the Area Median Income (AMI) for a covenant length of 99 years. The agreement is for two 2-bedroom and two 3-bedroom units.

#### Proposed Zoning

U-TU-C is a two-unit residential zone district with a minimum zone lot size of 5,500 square feet allowing the urban house, detached accessory dwelling unit, duplex and tandem house building forms. Compared to the E-SU-D zone district, U-SU-C has a slightly smaller minimum zone lot size requirement and introduces two-unit dwellings in the duplex and tandem house building forms. The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	E-SU-D (Existing)	U-TU-C (Proposed)
Primary Building Forms Allowed	Urban House	Urban House, Duplex, Tandem House
Maximum Height in Stories/Feet, Front 65% of Zone Lot	2.5 stories / 30 feet	2.5 stories / 30 feet
Maximum Height in Stories/Feet, Rear 35% of Zone Lot	1 story / 17 feet	1 story / 17 feet
Zone Lot Size (Min.)	6,000 square feet	4,500/5,500* square feet
Zone Lot Width (Min.)	50 feet	35/50** feet
Side Interior Setback (Min.)	Varies by lot width	Varies by lot width
Rear Alley / No Alley (Min.)	12 feet / 20 feet	12 feet / 20 feet***
Building Coverage per Zone Lot including all accessory structures (Max.), not including exceptions	Varies by lot width	Varies by lot width
Detached Accessory Building Forms Allowed	Detached Garage, Other Detached Accessory Structures	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures

\*4,500 square feet is the minimum for an urban house; 5,500 square feet is the minimum for a duplex or tandem house

\*\* 35 feet for an urban house; 50 feet for a duplex or tandem house

\*\*\* Calculated based on lot depth for tandem house building form



## **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 comments.

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

**Denver Public Schools:** Approved – No response.

**Department of Public Health and Environment:** Approved – Approve Rezoning Only—Will require additional information at site plan review.

Denver Department of Public Health & Environment - Division of Environmental Quality (EQ) is aware that the properties are within the Asarco, Inc. (Globe Plant) Superfund/Natural Resources Damages (NRD) Site Boundary. Metal and refining operations took place at the Globe Plant site from 1886 to 2006. Historical operations contaminated soil, sediment, groundwater and surface water with metals and other chemicals. Site characterization and cleanup took place under a series of agreements between the state of Colorado and ASARCO. Soil sampling at 4710 Lincoln St. identified levels of lead, above removal action levels; remediation at the property was completed in 1996. Soil sampling at 4847 Leaf Ct. identified all analytes were below cleanup action levels; remediation was not required.

EQ does not guarantee approval of any proposed development project at this site by providing a response to this Official Map Amendment Referral Agency Review Request. Future development is subject to existing land use controls and other environmental requirements in accordance with applicable local, state, and federal environmental regulations and statutes. EQ recommends the Property Owner conduct an environmental site assessment to determine the potential presence, nature, and extent of possible contamination on the site and to identify specific cleanup needs associated with future development. EQ may have additional information about localized potential environmental concerns at the site. However, providing such information about a specific site is beyond the scope of these zoning application comments.

**Denver Parks and Recreation:** Approved – No comment.

**Transportation & Infrastructure - City Surveyor:** Approve rezoning only

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

**Development Services – Wastewater:** Approved—No comment.

**Development Services – Project Coordination:** Approve Rezoning Only – Will require additional information at site plan review

4710 N Lincoln St

- Tandem house allowed in the zone district, appears to meet minimum zone lot size and width requirements
- Tandem structure #1 (existing) minimum 5' side interior setback required (survey shows 3.3') therefore applicant must demonstrate Compliant structure with building permit application
- Future Tandem house #2 must demonstrate compliance with all building form requirements
- 4748 Leaf
- Tandem house allowed in the zone district, appears to meet minimum zone lot size and width requirements
- Tandem structure #1 (existing) minimum 5' side interior setback required (survey shows 3.6') therefore applicant must demonstrate Compliant structure with building permit application

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

**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>3/28/2023</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>7/4/2023</b>
Planning Board Public Hearing:	<b>7/19/2023</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>8/1/2023 (tentative)</b>
Land Use, Transportation and Infrastructure Committee of the City Council:	<b>8/15/2023 (tentative)</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>9/4/2023 (tentative)</b>
City Council Public Hearing:	<b>9/25/2023 (tentative)</b>

- **Registered Neighborhood Organizations (RNOs)**
  - To date, staff has received one comment from a Registered Neighborhood Organization. The GES Coalition submitted a letter of support which is included in the application.
- **Other Public Comment**
  - To date, staff has not received any comments from neighboring property owners.

## **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 apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)
- Globeville Neighborhood Plan (2016)
- Housing an Inclusive Denver (2018)

### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would preserve two housing units and allow for two additional housing units, one on each property, within an established neighborhood, consistent with the following strategies in the Equitable, Affordable and Inclusive vision element:

- 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).

The proposed rezoning would allow infill development appropriate for the surrounding neighborhood that broadens the range of housing types available, consistent with the following strategy in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population* (p. 34).

Similarly, the land use pattern detailed in the previous paragraph is also consistent with the following strategies in the Environmentally Resilient vision element:

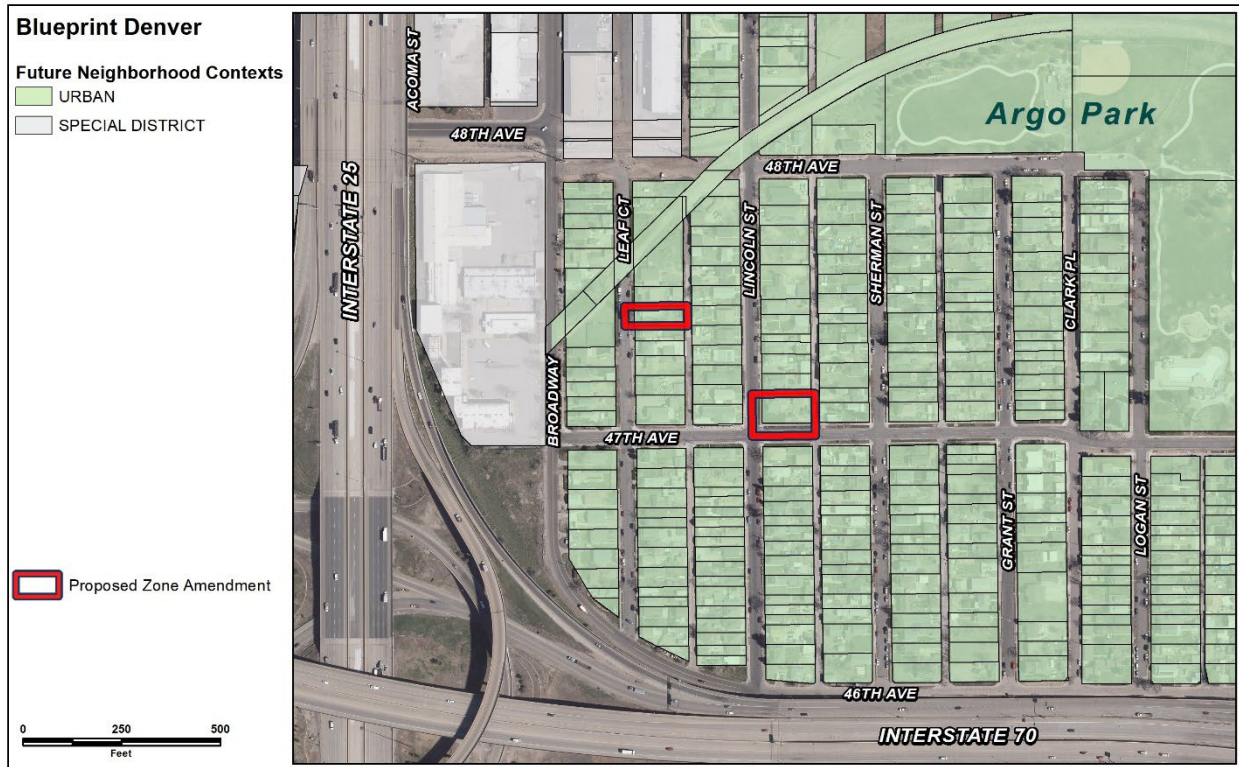
- Environmentally Resilient Goal 8, Strategy A - *Promote infill development where infrastructure and services are already in place* (p. 54).

The requested map amendment will preserve two existing residential units and allow two additional residential units at an infill location where infrastructure is already in place. The requested zone district enables a building form and use which can provide residents with a mixture of housing types. Therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

### ***Blueprint Denver***

*Blueprint Denver* was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a Residential Low place within the Urban Neighborhood Context and provides guidance from the future growth strategy for the city.

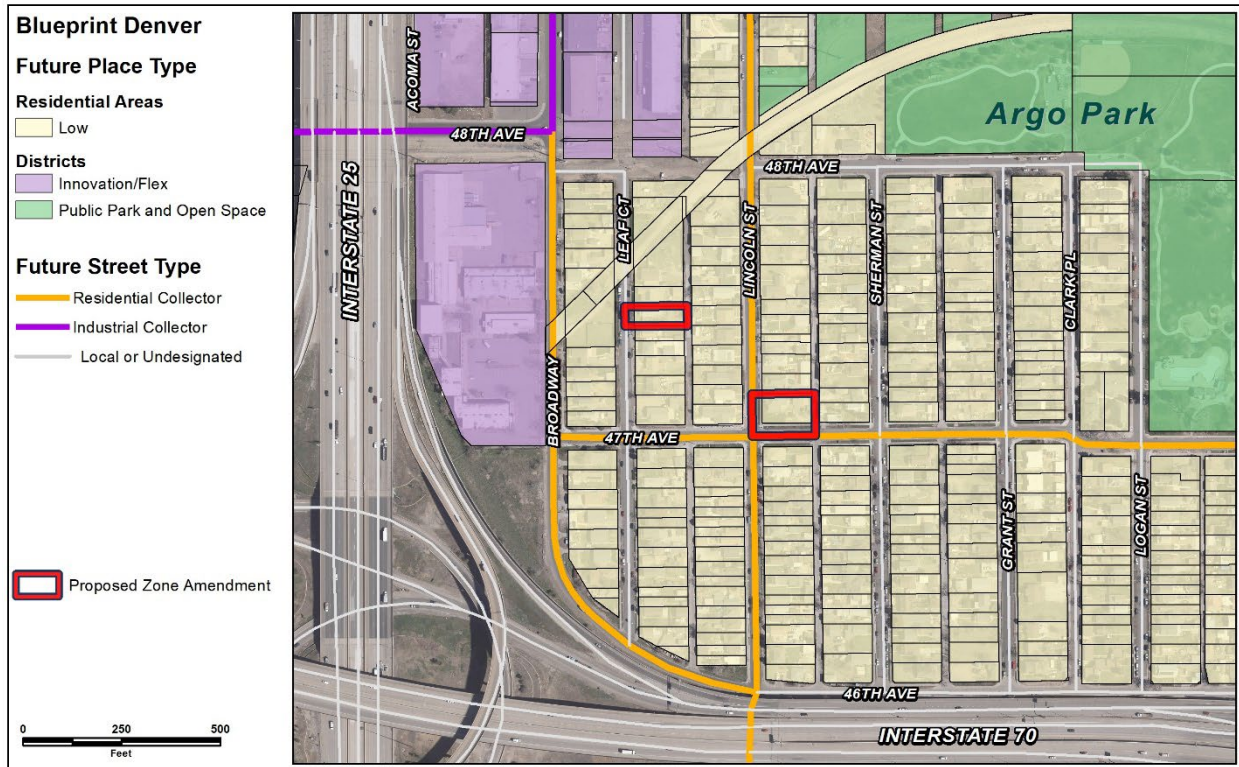
***Blueprint Denver Future Neighborhood Context***



In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject site is shown on the context map as the Urban neighborhood context, the description of which is used to guide appropriate zone districts (p. 66). The Urban neighborhood context is described as “small multi-unit residential and mixed-use areas typically embedded in 1-unit and 2-unit residential areas” with “good walkability with short, predictable blocks.” (p. 136).

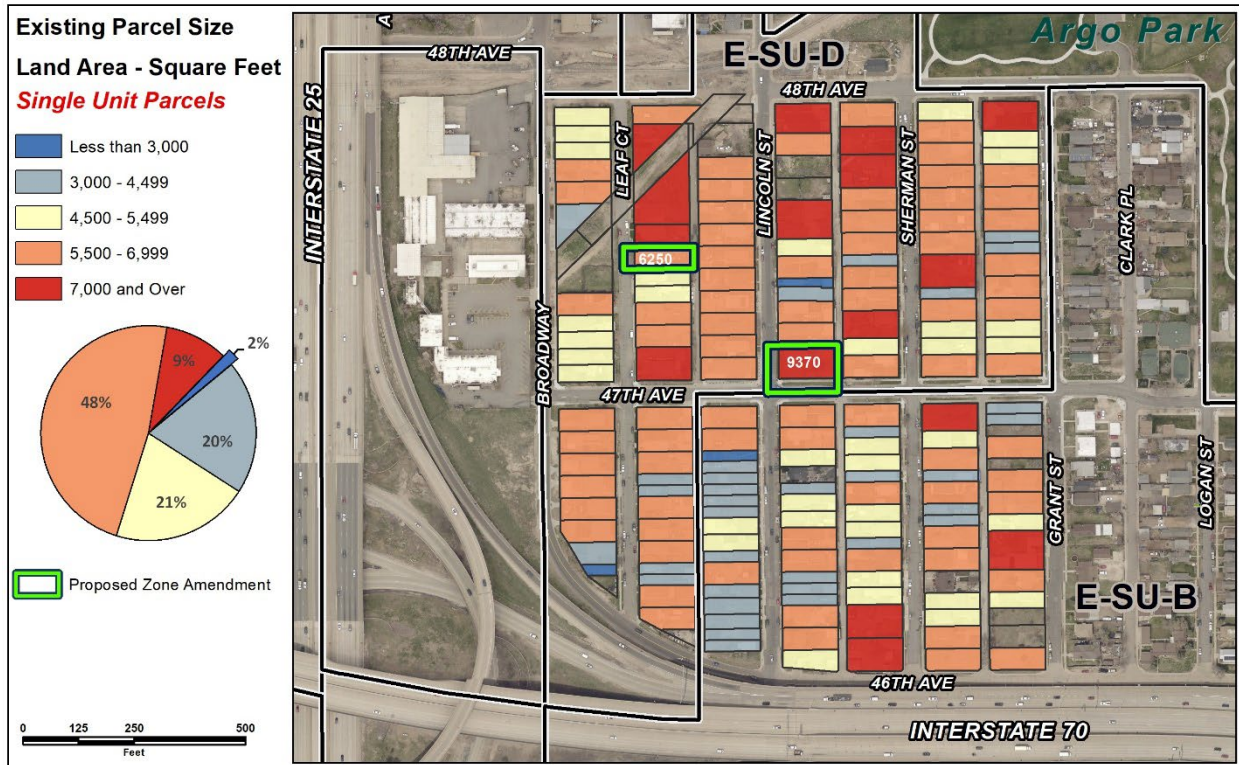
U-TU-C is a zone district within the Urban neighborhood context and is “intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context” and “the building form standards, design standards and uses work together to promote desirable residential areas” (DZC 5.2.2.1). U-TU-C is consistent with the Blueprint future neighborhood context of Urban because it will promote the residential character by allowing two-unit residential uses with a low-scale residential and it that will be compatible with the existing residential area.

***Blueprint Denver Future Places***



The subject site is designated within a Low Residential future place type on the *Blueprint Denver* Future Places map. This place type is “predominately single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible,” and “building heights are generally up to 2.5 stories in height” (p. 230). U-TU-C is a two-unit residential district on lots that are a minimum of 5,500 square feet. This will promote the residential character of the neighborhood by allowing low-scale two-unit residential uses that will be compatible with the existing residential area, which is consistent with the Low Residential future place type description.

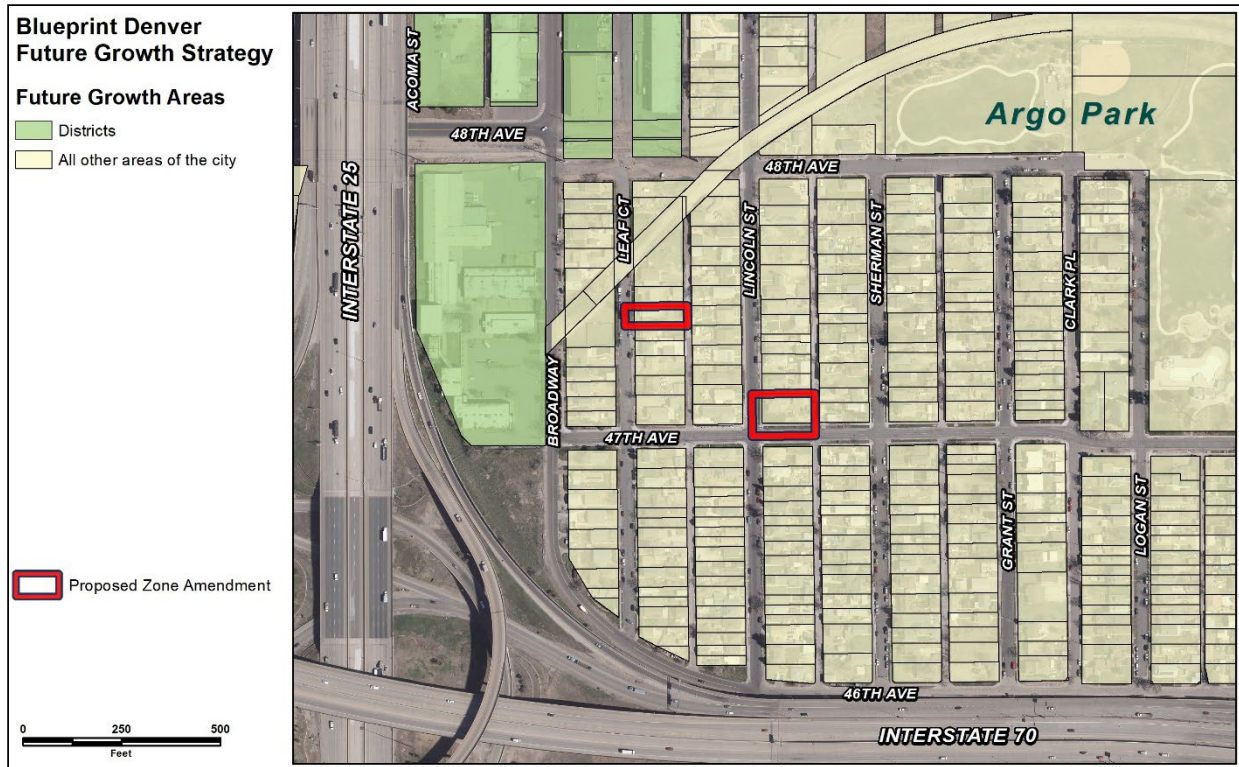
Additionally, *Blueprint Denver* gives further guidance when a request is made to change the minimum lot size. *Blueprint Denver* states that, “the appropriateness of the request depends upon the existing character and applicable adopted neighborhood plan guidance” (p. 231). There is an existing pattern of smaller lots, consistent with a minimum zone lot size of 5,500 square feet, in the surrounding blocks (see map below). As set forth in the *Globeville Neighborhood Plan* section below, there is adopted small area plan guidance that supports a future district with a minimum zone lot size of 5,500 square feet, which is consistent with the U-TU-C district. Therefore, rezoning to U-TU-C is consistent with the existing character of smaller lots and the neighborhood plan.



**Blueprint Denver Street Types**

In *Blueprint Denver*, street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies N Leaf Ct as a Local or Undesignated street. “Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses” (p. 155). N Lincoln St and E 47<sup>th</sup> Ave are classified as a Residential Collectors. Collector streets “collect movement from local streets and convey it to arterial streets” (p. 154). The proposed U-TU-C district is an appropriate use and intensity adjacent to both local and residential collector streets.

**Blueprint Denver Growth Strategy**



*Blueprint Denver's* growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the "All other areas of the city" growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). This growth area is "mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods" (p. 49). The proposed map amendment to U-TU-C is consistent with the growth strategy because it will allow low-intensity growth to the number of households in this area by allowing two additional units.

**Additional Applicable Strategies**

The proposed rezoning is also consistent with the following strategies from *Blueprint Denver*:

- Land Use & Built Form – Housing Goal 2: *Diversify housing options by exploring opportunities to integrate missing middle housing into low and low-medium residential areas* (p. 82).
- Land Use & Built Form – Housing Goal 2: *Integrate missing middle housing into low and low-medium residential areas, especially those that score low in housing diversity. This allowance should advance goals for affordability, such as including a requirement to provide affordability in exchange for increased density* (p. 82).
- Land Use & Built Form - Housing Goal 3: *Incentivize the preservation and reuse of existing smaller and affordable homes* (p. 83).



This rezoning to a two-unit zone district will have minimal impacts on the character of the surrounding neighborhood and is consistent with Blueprint Denver recommendations. Additionally, the rezoning of the subject property will preserve existing units and provide additional affordable missing middle housing options for residents in the neighborhood. The proposed map amendment is therefore consistent with the above strategies.

### **Blueprint Denver Equity Concepts**

Blueprint Denver organizes recommendations around three equity concepts: improving access to opportunity; reducing vulnerability to displacement; and expanding housing and jobs diversity. While these concepts are consistently used to evaluate large area rezonings, CPD has expanded analysis of these concepts to also apply to rezonings in NEST neighborhoods. As the subject property is within the Globeville statistical neighborhood, an equity analysis is applicable to this rezoning application.

#### **Access to Opportunity**

Globeville is indicated as an area with less access to opportunity, defined as access to basic goods, services and amenities to improve quality-of-life. While the proposed allowance of a two-unit residential development does not directly increase access to opportunity, an increase in residents may increase the likelihood that more goods, services and amenities will locate in the commercial and mixed-use zoned areas of the neighborhood.

#### **Vulnerability to Displacement**

Globeville is indicated as an area with high vulnerability to displacement. The neighborhood has lower education rates, lower median household incomes and a lower percentage of owner-occupied units than the Denver average. The proposed rezoning to allow for residential development and intended to offer affordable for-sale units, will provide opportunities for home ownership and help keep existing residents in the neighborhood.

#### **Housing Diversity**

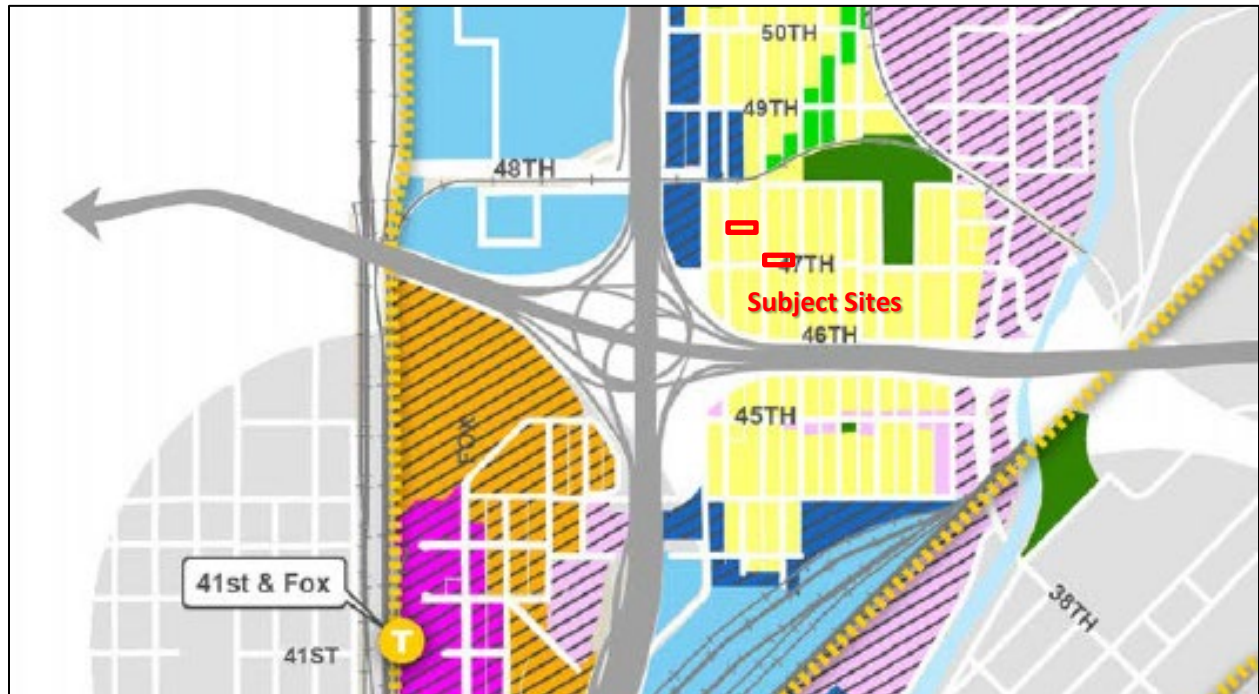
Globeville is indicated as an area with moderate housing diversity. Adding missing middle housing is a strategy to add needed housing diversity. The neighborhood lacks in housing developments containing 2 to 19 units and does not offer a diversity of housing costs when compared to the Denver average. The proposed rezoning will help diversify the housing stock and encourage of mix of development types available for ownership.

#### **Jobs Diversity**

Globeville has a mix of jobs that skew higher in innovation than the city average, primarily located along N. Washington St. The proposed rezoning of a residential zone district will not have a direct impact on job diversity in the neighborhood, but it may help lower-income families to live and work in the area.

**Globeville Neighborhood Plan (2016)**

The Globeville Neighborhood Plan identifies the subject properties as part of the Residential Neighborhood Core, within an area stability and with a land use recommendation of single-family with ADUs with a building height of 2.5 stories. These designations suggest that the subject properties should remain residential in use and at a similar development intensity.



- /// Areas of Change
- Land Use Concept**
- Transit Oriented Development
- Mixed Use
- Industrial Mixed Use
- Single Family with ADU
- Urban Residential
- Employment
- Industrial
- Campus



Additionally, the Globeville Neighborhood Plan includes the following policies that are specific to the residential neighborhood core and support the proposed U-TU-C zone district's urban context and smaller lot size:

- **E1. Update the Neighborhood Context:** *The Denver Zoning Code's Urban Neighborhood Context, as opposed to the currently mapped Urban Edge Context, better reflects the use of alleys, limiting or prohibiting curb cuts for street access, and the continuation of detached sidewalks where possible (p. 86).*
- **E2. Tailor Minimum Zone Lot Sizes:** *In areas where the existing zoning requires a 6,000 square foot minimum zone lot size, a future zone district should have a 5,500 square foot zone lot minimum (p. 86).*

The Globeville Neighborhood Plan also includes the following strategy that suggests that a two-unit residential district can be appropriate in the Single Family with ADUs concept land use guidance:

- **B.1 Maintain Stability in the Residential Neighborhood Core Character Area:** *In areas identified with Single Family with ADUs Concept Land Use, maintain the current mix of low scale*

*residential building forms consisting predominantly of single unit dwellings with occasional duplexes or multi-unit structures (p. 34).*

And finally, the following recommendation suggests that this specific rezoning, which facilitates the preservation and construction of a total of four affordable units in partnership with Habitat for Humanity, is an appropriate location for one of the occasional duplexes mentioned in strategy B.1:

- **B14D. Build More Housing Units:** *Support the efforts of organizations such as Habitat for Humanity, Denver Housing Authority, and other affordable housing providers in building new homes within Globeville.*
  - *Ensure that new affordable housing construction in Globeville’s Residential Neighborhood Core Character Area reflects the character of the surrounding neighborhood.*
  - *Pursue opportunities for adaptive reuse of existing buildings as an affordable housing strategy for the neighborhood. (p. 46)*

The proposed U-TU-C zone district would facilitate both the preservation of two existing affordable housing units as well as the construction of an additional two affordable units in partnership with Habitat for Humanity. The maximum allowed height of 2.5 stories is consistent with the plan’s height recommendations, and the Urban context complies with the plan’s goal of shifting the area into Urban context zoning. The proposed rezoning would facilitate residential investment in the neighborhood, increasing the supply of available housing, consistent with the policies and goals of the Globeville Neighborhood Plan.

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

Housing an Inclusive Denver is not adopted as a supplement to the Comprehensive Plan, but the plan was adopted by City Council in 2018. Core goals of the plan include creating affordable housing in vulnerable areas and in areas of opportunity, preserving affordability and housing quality, promoting equitable and accessible housing, and stabilizing residents at risk of involuntary displacement (p. 7). The proposed rezoning is consistent with many of the Housing and Inclusive Denver recommendations, including:

- Section 4. Recommendation 2 (p. 47) “Expand and strengthen land use regulations for affordable and mixed-income housing... Other forms of multi-unit residential housing development can increase overall housing supply and provide more affordable housing options for low and moderate-income households in Denver. Examples might include duplexes, fourplexes, rowhomes or cohousing options.... The City should encourage the development of these “missing middle” development types throughout Denver neighborhoods to provide residents with a diversity of housing choices through specific zoning and land use recommendations in Blueprint Denver.” (p.48)
- Section 5. Recommendation 3: Explore tools to promote long-term affordability of housing, including land trusts, throughout Denver communities...and... ways to utilize a land trust model to address the unique needs of vulnerable neighborhoods” (p.65-66)

Tierra Colectiva is a Community Land Trust based in the Globeville Elyria and Swansea neighborhoods. Habitat for Humanity Metro Denver, the current owner of the two properties, will develop the properties. When the resulting homes are sold to qualified buyers, the land will enter into the Colorado Community Land Trust portfolio of properties being held for Tierra Colectiva. Therefore, the proposed rezoning is both an affordable housing strategy as well as a neighborhood-led strategy for a Community Land Trust. The rezoning application included as Attachment 1 includes the Affordable Housing Plan agreement with HOST that commits Habit for Humanity to provide a total of four for-sale residential units (100% of the units on the two properties) at up to 80% of the Area Median Income (AMI) for a covenant length of 99 years. The agreement is for two 2-bedroom and two 3-bedroom units.

The proposed rezoning and associated affordable housing agreement will enable the development of new affordable housing on the site. As stated previously, the concurrent development agreement commits this site to the provision of affordable housing. Given this commitment, the proposed rezoning would facilitate additional affordable housing opportunities in a vulnerable neighborhood consistent with the goals and strategies of Housing an Inclusive Denver and helps to strengthen the application’s consistency with adopted plans.

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

The proposed rezoning to U-TU-C 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 through implementation of the city’s adopted land use plans. The proposed rezoning would also facilitate increased housing density near services and amenities and promote a walkable, urban neighborhood within walking distance to public transit (RTD Route 8). By adding additional affordable homes within the neighborhood residential core, residents are able to have safe living conditions that support their wellbeing by paying only 30% of their income on housing, building their equity, and not having to worry about being displaced.

As part of a Community Land Trust, these units enable residents to stay in the neighborhood, living close to family, work, school, services and destinations in their community, which can reduce greenhouse gas emissions. The units each have yards, trees, raised garden beds, and new and efficient appliances and windows that reduce inefficient uses of energy and improve air quality.

In addition, the Community Land Trust, Tierra Colectiva, serves as a steward both to the land, and the families that live on the land to steward the property for affordability of a safe home in good condition and stability/wellbeing of the homeowners. By increasing units in the Community Land Trust, the trust also increases capacity to be able to steward other parcels of land and intends to green small parcels for the community in the short-term future. In the long term, depending on the vision and planning work in the community, the Community Land Trust is stewarding increased services, food access, local retail, non-profits, and ongoing affordable housing throughout the GES neighborhoods. Tierra Colectiva is part of a large rental project that will also be a pipeline to homeownership opportunities in Globeville so that people can stay in the neighborhood now, and in the future. Tierra Colectiva is run by its members, who are neighbors that live in the Globeville neighborhood or the Elyria and Swansea neighborhood.

#### **4. Justifying Circumstance**

Changed or changing conditions in the area and city adopted plans serve as the Justifying Circumstances 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 a change may include: Changed or changing conditions in a particular area, or in the city generally; or, a city adopted plan...."

The Globeville neighborhood has seen significant change over the last few years, including significant public and private investment and an increasing vulnerability to displacement. In addition, the city adopted the Globeville Neighborhood Plan in 2016 and Blueprint Denver in 2019, which included new plan direction for the subject property to allow more types of housing, to enable new housing built through partnership with Habitat for Humanity, and to change the zoning context to Urban and reduce the minimum required lot size. The combination of changes in the neighborhood and new neighborhood plan direction justifies the proposed rezoning with the map amendment to U-TU-C being in the public interest.

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

The requested U-TU-C zone district is within the Urban Neighborhood Context. The neighborhood context is "primarily single-unit and two-unit residential uses" and "single-unit residential structures are typically the Urban House building form" (DZC, Division 5.1). These areas consist of a "regular pattern of block shapes surrounded by an orthogonal street grid" (DZC, Division 5.1). The Globeville neighborhood consists of mostly single-unit residential uses in rectangular blocks, and the Globeville Neighborhood Plan states that the Urban Neighborhood Context is the appropriate context for this area. The proposed rezoning to U-TU-C is consistent with the neighborhood context description.

Denver Zoning Code Section 5.2.2 states the general purpose of the Residential zone districts as “promot[ing] and protect [ing] residential neighborhoods within the character of the Urban Neighborhood context... The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms where the narrow part of the building orients to the street and access is from alley loaded garages. Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. The standards of the two unit and row house districts promote existing and future patterns of lower scale multi-unit building forms that address the street in the same manner as an urban house building form.” This is consistent with the U-TU-C district as it allows for a two and a half story urban house, duplex, or tandem house and will protect the character of the residential areas in the Urban neighborhood context.

The specific intent of the U-TU-C zone district is “allows up to two units on a minimum zone lot area of 5,500 square feet. Urban houses are also allowed on certain smaller Zone Lots. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms.” (DZC 5.2.2.2.P). The proposed zone district recognizes the subject site’s existing condition, the surrounding context, and the desired lot size as specified in the Globeville Neighborhood Plan, fulfilling this Specific Intent statement.

## **Attachments**

1. Application + Affordable Housing Covenant