



TO: Denver City Council
FROM: Jason Morrison, AICP, Senior City Planner
DATE: March 4th, 2021
RE: Official Zoning Map Amendment #2020I-00137

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2020-00137.

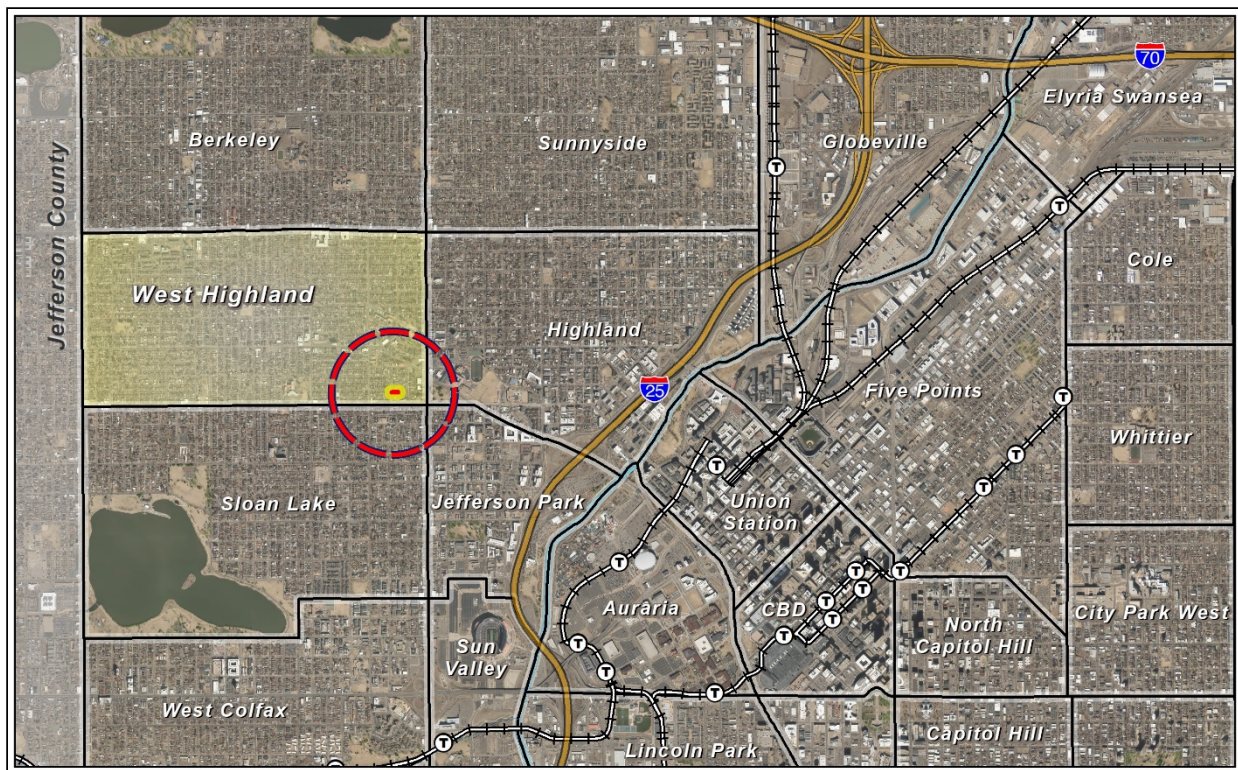
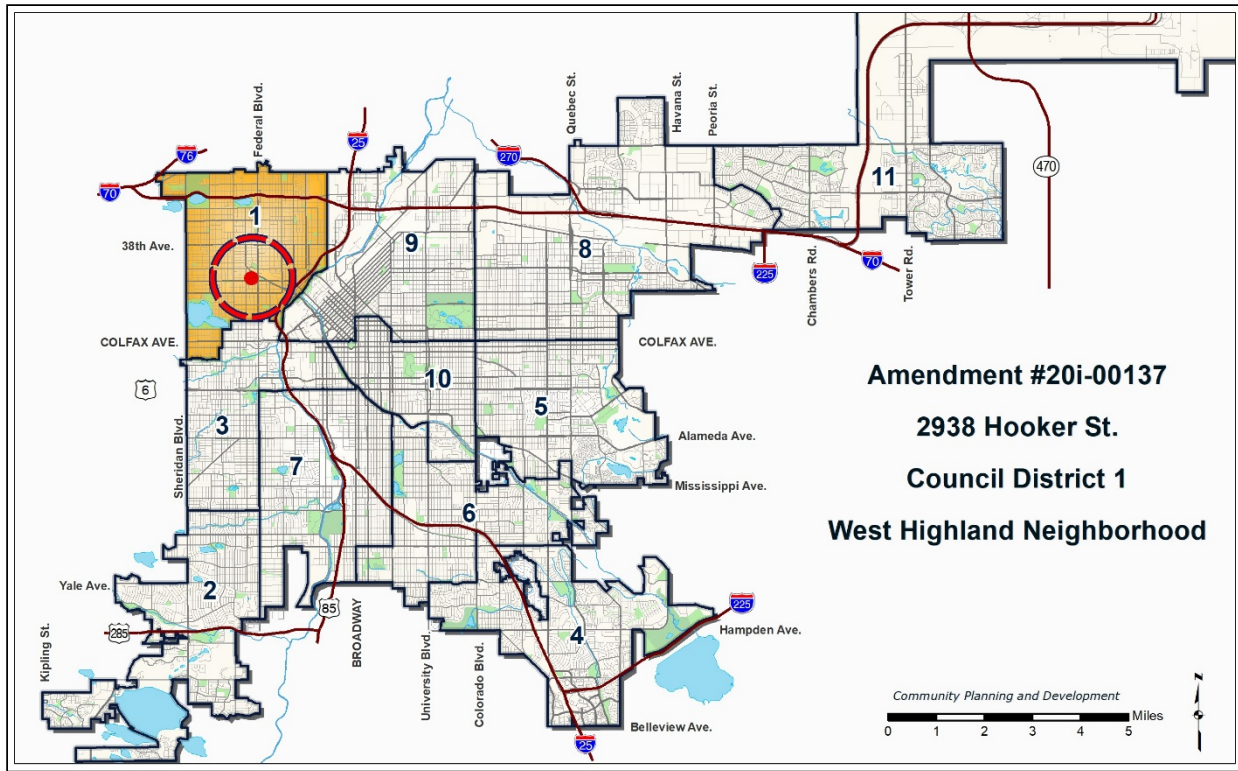
Request for Rezoning

Address: 2938 Hooker Street
Neighborhood/Council District: West Highland Neighborhood /
Council District 1
RNOs: Inter Neighborhood Cooperation (INC); Federal Boulevard
Corridor Improvement Partnership; West Highland
Neighborhood Association
Area of Property: 4,690 square feet or .10 acres
Current Zoning: U-SU-A
Proposed Zoning: U-SU-A1
Property Owner(s): Elizabeth McGehee and Nicholas Hopson

Summary of Rezoning Request

- The subject property contains a single-unit home built in 1884 and is located on North Hooker Street between West 29th Avenue and West 31st Avenue in the West Highland Neighborhood.
- The property owner is proposing to rezone the property to build an accessory dwelling unit.
- The proposed **U-SU-A1, Urban, Single-Unit, A1** (3,000 square feet minimum zone lot size allowing accessory dwelling units (ADUs)), zone district is intended for use in the Urban Neighborhood Context which is characterized by single-unit and two-unit uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit structures in the zone district are in the Urban House building form. The Urban House building form maximum height is 30 to 35 feet in the front 65% of the zone lot, 17 feet in the rear 35% of the zone lot and 24 feet for an ADU. Further details of the zone district can be found in Article 5 of the Denver Zoning Code.

Existing Context

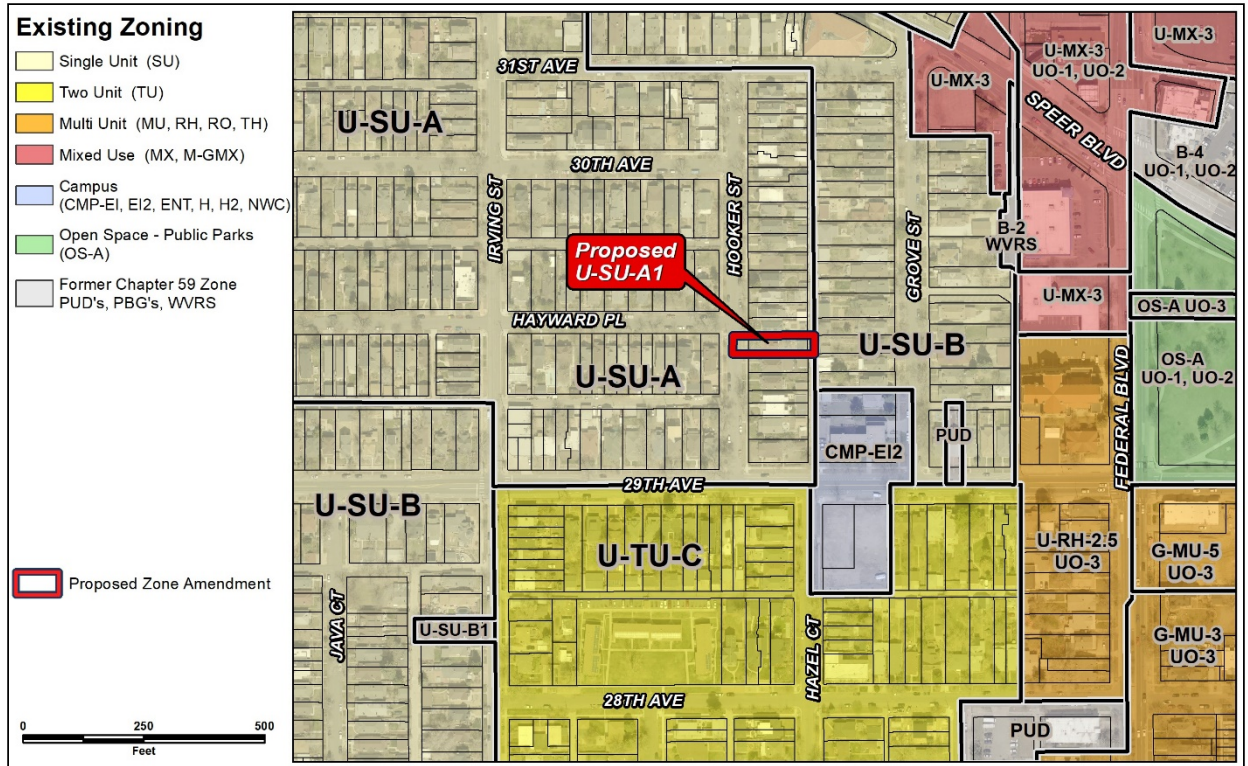


The subject property is in the West Highland statistical neighborhood which is characterized primarily by single-unit residential uses with a small number of two and multi-unit uses scattered throughout. Generally, there is a pattern of rectangular blocks in a street grid pattern with alley access. The subject site is two blocks west of Federal Boulevard and one block north of West 29th Avenue. The Regional Transportation District (RTD) Bus Route 31 runs along Federal Boulevard, directly east of the subject property with a 15-minute headway. Viking Park and North High School are less than ¼ mile east of the subject property.

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

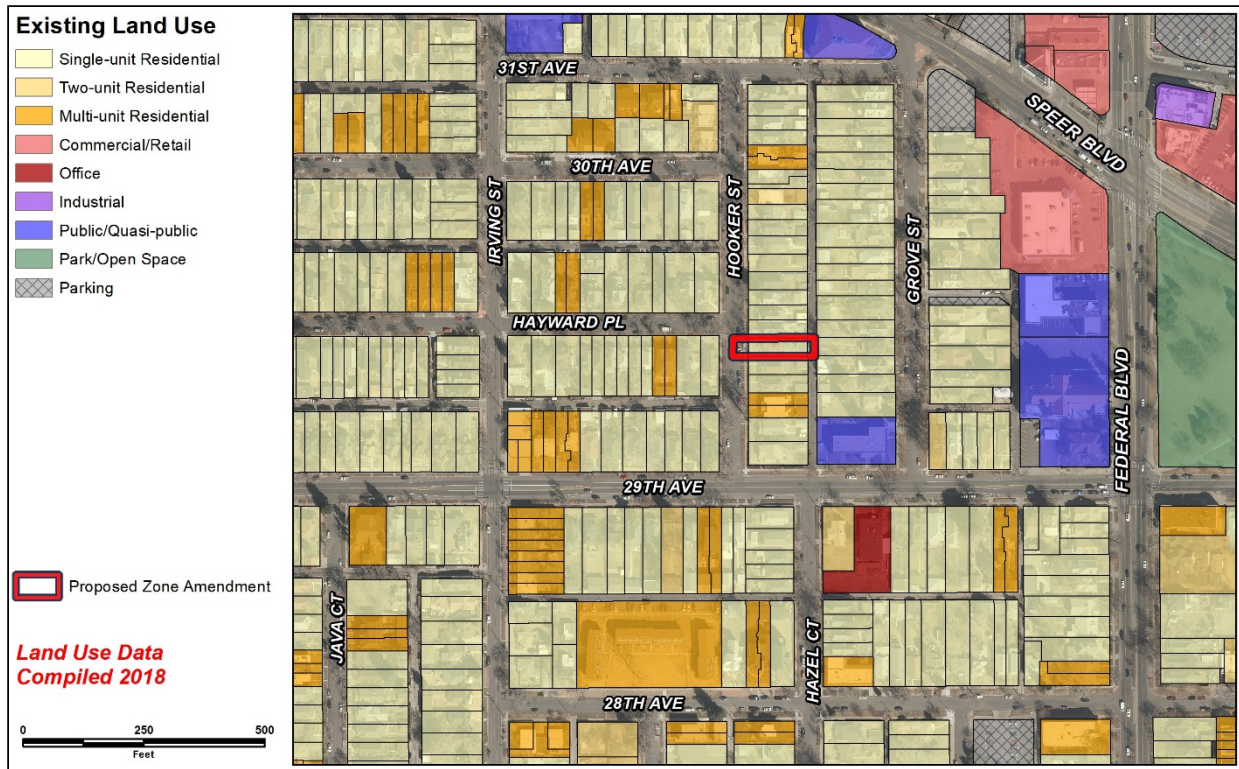
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Property	U-SU-A	Single-unit Residential	1 1/2-story house with typical moderate setbacks	Block sizes and shapes are consistent and rectangular and shaped by a grid street pattern. Detached sidewalks with tree lawns and existing alleys. Garages are typically accessed from the rear though street access is occasionally found.
North	U-SU-A	Single-unit Residential	1 1/2-story house with typical moderate setbacks	
South	U-SU-A	Single-unit Residential	1 1/2-story house with typical moderate setbacks	
East	U-SU-B	Single-unit Residential	1 1/2-story house with typical moderate setbacks	
West	U-SU-A	Single-unit Residential	1 1/2-story house with typical moderate setbacks	

1. Existing Zoning

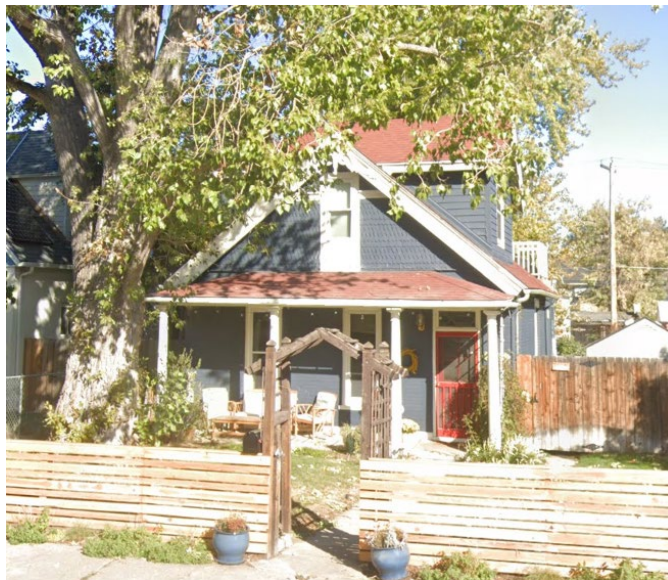


The U-SU-A zone district is a single-unit district allowing only the Urban House primary building form on a minimum zone lot size of 3,000 square feet. The maximum allowed height is 2.5 stories or 30 to 35 feet in the front 65% of the zone lot, and 1 story and 17 feet in the rear 35% of the zone lot. The Detached Accessory Dwelling Unit building form allows a maximum height of 24 feet. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context.

2. Existing Land Use Map



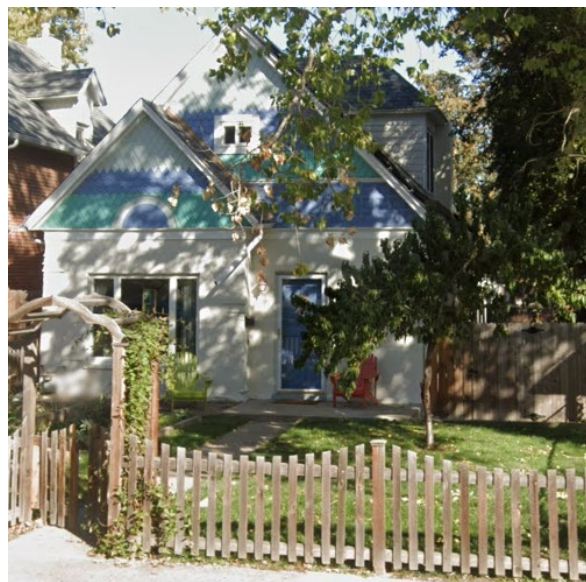
3. Existing Building Form and Scale (Images obtained from Google Maps)



View of subject property looking east from North Hooker Street



View of single-unit home to the south of subject property looking east from North Hooker Street



View of single-unit home to the north of subject property looking east from North Hooker Street



View of single-unit home to the west of subject property looking southwest from West Hayward Place.



View of single-unit home to the east of subject property looking west from North Grove Street.

Proposed Zoning

The U-SU-A1 is a single unit zoning district that allows only an Urban House primary building form on zone lots measuring at least 3,000 square feet. A variety of residential and civic land uses are allowed. For the Detached Accessory Dwelling Unit building form, the maximum height is 1.5 stories or 24 feet. A bulk plane that raises 10 feet vertically from the side interior or side street zone lot line, then slopes 45° applies to the DADU building form. For this building form there is also an exemption from the 37.5% building coverage standard allowing the lesser of 50%, or 500 square feet. For zone lots 6,000 square feet or less the DADU building footprint may be a maximum of 650 square feet.

Design Standards	U-SU-A (Existing)	U-SU-A1 (Proposed)
Primary Building Forms Allowed	Urban House	Urban House
Height in Stories / Feet, Front 65% of Zone Lot (max)	2.5 stories / 30 feet	2.5 stories / 30 feet
Height in Stories / Feet, Rear 35% of Zone Lot (max)	1 story /17 feet	1 story /17 feet
DADU Height in Stories / Feet	1.5 stories/ 24 feet max.	1.5 stories/ 24 feet max.
Zone Lot Size (Min.)	3,000 SF	3,000 SF
Zone Lot Width (Min.)	25 feet	25 feet
Primary Street Block Sensitive Setback Required / If not (Min.)	Yes / 20 feet	Yes / 20 feet
Side Street Setback (Min.) *	5 feet	5 feet
Side Interior Setback (Min.) *	3 feet	3 feet
Rear Setback, 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	37.5%	37.5%
Detached Accessory Building Forms Allowed	Detached Garage, Other Detached Accessory Structures	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures

*Based on subject property width of 38 feet

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 Environment: Approved – No Response

Denver Parks and Recreation: Approved – No Response

Public Works – R.O.W.- City Surveyor: Approved – See Comments Below

1. Approved Legal Description: Lot 10, and the South Half (1/2) of Lot 11, Block 2, Ashland Heights, City and County of Denver, State of Colorado.

Development Services – Project Coordination: Approved – No Response

Development Services - Fire Protection: Approved – No Comments

Development Services – Transportation: Approved – No Response

Development Services- Wastewater: Approved – No Response

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	11/10/2020
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:	1/5/2021
Planning Board voted unanimously to recommend approval:	1/20/2021
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:	1/15/2021
Land Use, Transportation and Infrastructure Committee of the City Council:	1/26/2021
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:	2/15/2021
City Council Public Hearing:	3/8/2021

- **Registered Neighborhood Organizations (RNOs):** To date, staff has received no comment letters from Registered Neighborhood Organizations.
- **Other Public Comment:** To date, staff has received no other public comment letters.

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)*

Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies.

U-SU-A1 allows for an additional dwelling unit that is accessory to the primary single-unit dwelling use and introduces a new housing type to a largely single-unit residential neighborhood. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs than the single-unit homes that currently are found throughout the West Highland neighborhood. Therefore, this rezoning is consistent with the following strategy:

- Equitable, Affordable and Inclusive Goal 2, Strategy A – “*Create a greater mix of housing options in every neighborhood for all individuals and families*” (p. 28).

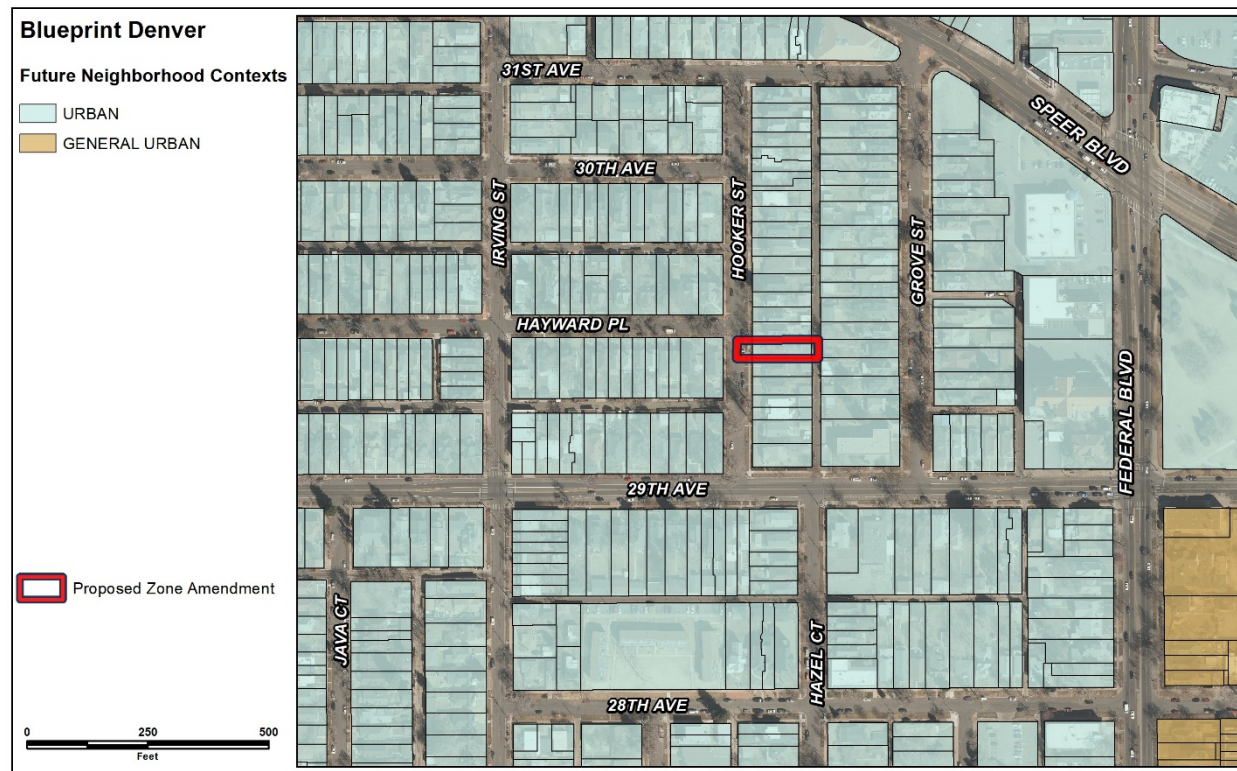
The proposed map amendment will allow an additional housing unit on the site of an existing single-unit home where infrastructure and services such as water, stormwater, and transit already exist. This allows Denver to grow responsibly and promotes land conservation. Therefore, the rezoning is consistent with the following strategy:

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

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 Low Residential place within the Urban Neighborhood Context and provides guidance on the future growth strategy for the city.

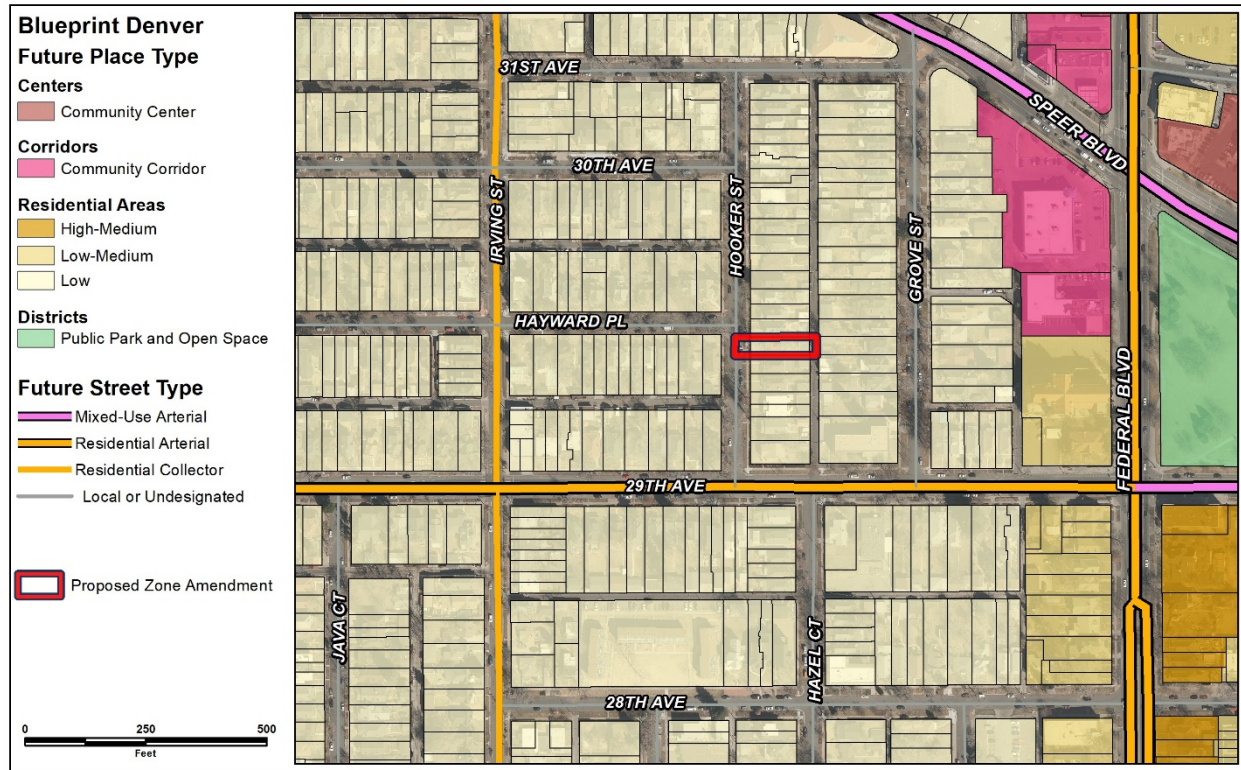
Blueprint Denver Future Neighborhood Context



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 containing “small multi-unit residential and low-intensity mixed-use buildings typically embedded in single-unit and two-unit residential areas” with grid block patterns and alley access (p. 222).

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

Blueprint Denver Future Places



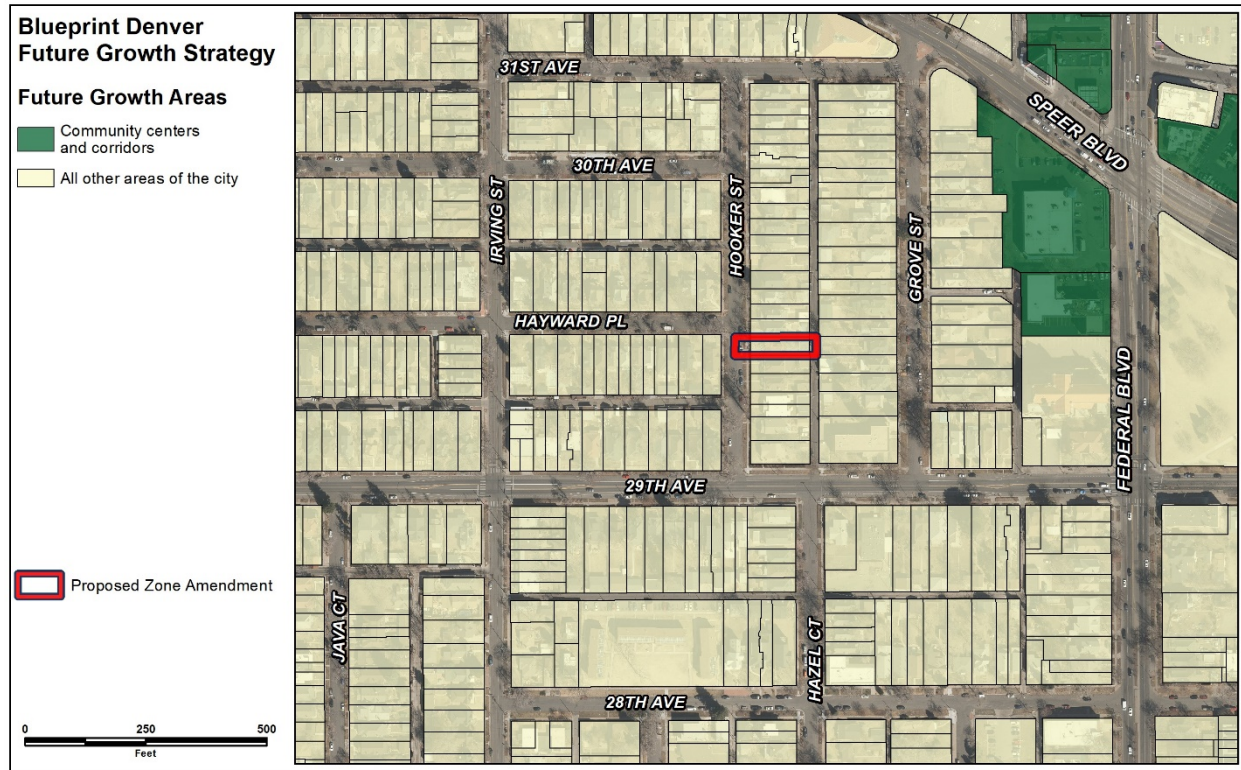
The subject site is designated within a Residential Low future place type on the *Blueprint Denver* Future Places map. This place type is “predominately single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible,” and “building heights are generally up to 2.5 stories in height” (p. 230).

U-SU-A1 is a single unit residential district that allows for an additional dwelling unit accessory to an established single-family home, which is consistent with the Low Residential future place type description. It allows the Urban House primary building form, which has a maximum height of 2.5 stories. These standards are consistent with the Residential Low place type.

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 North Hooker St. 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). The proposed U-SU-A1 district is consistent with this description because it allows for residential and some civic uses, and includes modest primary street setbacks.

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-SU-A1 will allow low-intensity growth to the number of households in this area by allowing an accessory dwelling unit.

Other Applicable *Blueprint Denver* Policy Recommendations and Strategies

Blueprint Denver provides recommendations related to rezoning to allow for Accessory Dwelling Units (ADUs). Land Use & Built Form Housing Policy 4, Strategy E. says "A citywide approach to enable ADUs is preferred. Until a holistic approach is in place, individual rezonings to enable ADUs in all residential areas, specifically 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). In this case, the requested rezoning is a single lot in a residential area within a few blocks of a bus stop for RTD Route 31. This rezoning to an ADU zone district will have minimal impacts on the surrounding neighborhood and is consistent with *Blueprint Denver* recommendations.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-SU-A1 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 plan which recommends "the expansion of accessory dwelling units throughout all residential areas" (p. 84). The proposed rezoning would also provide the benefit of an additional housing unit that is compatibly integrated into the surrounding neighborhood.

4. Justifying Circumstance

The application identifies the adoption of *Blueprint Denver* 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 as degree that the proposed rezoning is in the public interest. Such a change may include: Changed or changing conditions in a particular area, or in the city generally; or a city adopted plan; or that the city adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning."

As discussed above, *Blueprint Denver* specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. This plan was adopted after the date of approval of the existing zoning district. Therefore, this is an appropriate justifying circumstance for the proposed rezoning.

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

The requested U-SU-A1 zone district is within the Urban Neighborhood Context. The neighborhood context is "primarily characterized by 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" and "a consistent presence of alleys" (DZC, Division 5.1). The West Highland neighborhood consists of mostly single and two-unit residential uses in rectangular blocks with alley access. The proposed rezoning to U-SU-A1 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." It accommodates one and two and a half story urban house forms oriented towards the street in the single unit districts. The application to rezone to U-SU-A1 in this location is consistent with the above general purpose statement because the rezoning allows lower scale single-unit and accessory dwelling units and building form standards consistent with the desired development pattern of the area.

The specific intent of the U-SU-A1 zone district is as follows, “U-SU-A1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25-foot-wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A but allowing a detached accessory dwelling unit building form in the rear yard” (DZC Section 5.2.2.2.B). The subject lot is in an area where urban houses exist and are permitted with a typical lot pattern of lots at least 25 feet wide. The adopted plan direction recommends allowing detached accessory dwelling units. Therefore, rezoning this site would be consistent with the specific intent of the zone district.

Attachments

1. Application



Accessory Dwelling Unit 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>*If More Than One Property Owner: 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>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</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 (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):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
PRE-APPLICATION INFORMATION			
Did you have a pre-application meeting with Development Services Residential Team?		<input type="checkbox"/> Yes - if yes, state the meeting date _____ <input type="checkbox"/> No - if no, describe why not	
Did you contact the City Council District Office regarding this application?		<input type="checkbox"/> Yes - if yes, state date and method _____ <input type="checkbox"/> No - if no, describe why not (in outreach attachment)	

REVIEW CRITERIA - AFFIRM THE PROPOSED ADU REZONING COMPLIES WITH THE CRITERIA BELOW BY CHECKING THE BOX NEXT TO EACH CRITERION

<p>General Review Criteria: The proposal must comply with all of the general review criteria. (Check box to the right to affirm) 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.</p> <p>Denver Comprehensive Plan 2040 The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:</p> <ul style="list-style-type: none"> • Goal 2, Strategy A. Equitable, Affordable and Inclusive – "Create a greater mix of housing options in every neighborhood for all individuals and families" (p. 28). The proposed zone district allows for an additional dwelling unit that is accessory to the primary single-unit dwelling use. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs compatible with the single-unit neighborhoods. • Goal 8, Strategy A. Environmentally Resilient - "Promote infill development where infrastructure and services are already in place" (p. 54). The proposed map amendment will allow an additional housing unit on the site of an existing home where infrastructure and services such as water, stormwater, and streets already exist. This allows Denver to grow responsibly and promotes land conservation. <p>Blueprint Denver The proposed map amendment is consistent with the applicable neighborhood context, places, street type, and strategies in <i>Blueprint Denver</i>, including:</p> <ul style="list-style-type: none"> • Policy 4, Strategy E - Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. <p>Neighborhood/ Small Area Plan (list all, if applicable): _____</p> <p>Housing an Inclusive Denver The proposed map amendment is consistent with <i>Housing an Inclusive Denver</i>, including: 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).</p>
<p>General Review Criteria: The proposal must comply with all of the general review criteria. (Check boxes to affirm) DZC Sec. 12.4.10.7</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>The proposed map amendment furthers the public health, safety, and general welfare of the city through implementation of the city's adopted plan, including <i>Blueprint Denver</i> which recommends "the expansion of accessory dwelling units throughout all residential areas" (<i>Blueprint Denver</i>, p. 84).</p>

<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria. (Check boxes to affirm.) DZC Sec. 12.4.10.8</p>	<p><input type="checkbox"/> Justifying Circumstances - One of the following circumstances exists: 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> <ul style="list-style-type: none"> a. Changed or changing conditions in a particular area, or in the city generally; or, b. A City adopted plan; or c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. <p>The proposed map amendment application identifies the adoption of <i>Blueprint Denver</i> as the Justifying Circumstance. As discussed above, <i>Blueprint Denver</i> specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. The plan was adopted after the date of approval of the existing zone districts. Therefore, this is an appropriate justifying circumstance for the proposed rezoning.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>The proposed map amendment is consistent with the neighborhood context description, stated purpose and intent of the proposed _____ Zone District.</p>
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REQUIRED ATTACHMENTS

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

- Legal Description (required to be separate attachment in Microsoft Word document format.)
- Proof of Ownership Document (e.g. Assessor’s record, property deed, etc.)

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Please check boxes identifying additional attachments provided with this application (note that more information may be required. Please confirm with your pre-application/case manager planner prior to submittal.):

- Written Narrative Explaining Project
- Site Plan/ Drawings (if available)
- Narrative describing any outreach to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors.
- Written Authorization to Represent Property Owner(s) (if applicable)
- Individual Authorization to Sign on Behalf of a Corporate Entity (e.g. if the deed of the subject property lists an LLC/trust as owner, this is document is required.)

Please list any other additional attachments:

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
<i>Elizabeth McGehee</i> <i>Nicholas Hopson</i>	<i>2938 Hooker St.</i> <i>Denver, CO 80211</i> <i>207.651.3789</i> <i>lizz.mcgehee09@gmail.com</i>	<i>100%</i>	<i>EMcGehee</i> <i>N Hopson</i>	<i>6/15/20</i>	<i>A</i>	<i>N/A</i> <i>YES</i> <i>NO</i> <i>(owner)</i>

Original Note and Deed of Trust Returned to: Dave LaRose/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152
WHEN RECORDED RETURN TO: Cenlar FSB C/O Nationwide Title Clearing, Inc. 2100 Alt. 19 North Palm Harbor, FL 34683
Prepared/Received by: Cenlar FSB C/O Nationwide Title Clearing, Inc. 2100 Alt. 19 North Palm Harbor, FL 34683

REQUEST FOR FULL / PARTIAL
RELEASE OF DEED OF TRUST AND RELEASE BY HOLDER OF THE EVIDENCE OF DEBT WITHOUT PRODUCTION OF EVIDENCE OF DEBT PURSUANT TO §38-39-102 (1) (a) AND (3), COLORADO REVISED STATUTES
Dated on 08/20/20 (MM/DD/YYYY) Date
ELIZABETH MCGEHEE AND NICHOLAS HOPSON Original Grantor (Borrower)
2938 HOOKER ST DENVER CO 80211 DENVER, CO 80211 Current Address of Original Grantor, Assuming Party, or Current Owner
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR DIAMOND RESIDENTIAL MORTGAGE CORPORATION, ITS SUCCESSORS AND ASSIGNS Original Beneficiary (Lender)
06/08/2018 Date of Deed of Trust
06/12/2018 Date of Recording
DENVER County Reception # 2018071963 Recording Information
County Rept. No. and/or Film No. and/or Book/Page No. and/or Torrens Reg. No.

TO THE PUBLIC TRUSTEE OF DENVER COUNTY (The County of the Public Trustee who is the appropriate grantee to whom the above Deed of Trust should grant an interest in the property described in the Deed of Trust.)
PLEASE EXECUTE AND RECORD A RELEASE OF THE DEED OF TRUST DESCRIBED ABOVE. The indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied in regard to the property encumbered by the Deed of Trust as described therein as to a full release or, in the event of a partial release, only that portion of the real property described as:
(IF NO LEGAL DESCRIPTION IS LISTED THIS WILL BE DEEMED A FULL RELEASE.)
Pursuant to § 38-39-102 (3), Colorado Revised Statutes, in support of this Request for Release of Deed of Trust, the undersigned, as the holder of the evidence of debt secured by the Deed of Trust described above, or a Title Insurance Company authorized to request the release of a Deed of Trust pursuant to § 38-39-102 (3) (c), Colorado Revised Statutes, in lieu of the production or exhibition of the original evidence of debt with this Request for Release, certifies as follows:
1. The purpose of the Deed of Trust has been fully or partially satisfied.
2. The original evidence of debt is not being exhibited or produced herewith.
3. It is one of the following entities (check applicable box):
a. The holder of the original evidence of debt that is a qualified holder, as specified in § 38-39-102 (3) (a), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee for any and all damages, costs, liabilities, and reasonable attorney fees incurred as a result of the action of the Public Trustee taken in accordance with this Request for Release;
b. The holder of the evidence of debt requesting the release of a Deed of Trust without producing or exhibiting the original evidence of debt that delivers to the Public Trustee a Corporate Surety Bond as specified in § 38-39-102 (3) (b), Colorado Revised Statutes; or
c. A Title Insurance Company licensed and qualified in Colorado, as specified in § 38-39-102 (3) (c), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee pursuant to statute as a result of the action of the Public Trustee taken in accordance with this Request for Release and that caused the indebtedness secured by the Deed of Trust to be satisfied in full, or in the case of a Partial Release, to the extent required by the holder of the indebtedness.

AMERIHOM MORTGAGE COMPANY, LLC C/O CENLAR FSB, 425 PHILLIPS BOULEVARD EWING, NJ 08618
Name and Address of the Current Holder of the Evidence of Debt Secured by Deed of Trust (Lender)
or name and address of the Title Insurance Company Authorized to Request the Release of a Deed of Trust
Melissa Siegel Vice President and Assistant Secretary C/O CENLAR FSB, 425 PHILLIPS BOULEVARD

Name, Title and Address of Officer, Agent, or Attorney of Current Holder
Melissa Siegel
Melissa Siegel
Vice President and Assistant Secretary

STATE OF NEW JERSEY COUNTY OF MERCER
The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization on 08/20/2020 (MM/DD/YYYY), by Melissa Siegel as Vice President and Assistant Secretary of AMERIHOM MORTGAGE COMPANY, LLC, who, as such Vice President and Assistant Secretary being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

Sharon Lyons
Sharon Lyons
Notary Public - STATE OF NEW JERSEY
Commission expires: 09/01/2020
SHARON LYONS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires September 1, 2020
ID# 2399936

RELEASE OF DEED OF TRUST
WHEREAS, the Grantor(s) named above, by Deed of Trust, granted certain real property described in the Deed of Trust to the Public Trustee of the County referenced above, in the State of Colorado, to be held in trust to secure the payment of the indebtedness referred to therein; and
WHEREAS, the indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied according to the written request of the holder of the evidence of debt or Title Insurance Company authorized to request the release of the Deed of Trust;
NOW THEREFORE, in consideration of the premises and the payment of the statutory sum, receipt of which is hereby acknowledged, I, as the Public Trustee in the County named above, do hereby fully and absolutely release, cancel and forever discharge the Deed of Trust or that portion of the real property described above in the Deed of Trust, together with all privileges and appurtenances thereto belonging.



Paul Jones Public Trustee
Leroy Eddie Gurrola Deputy Public Trustee
Leroy Eddie Gurrola August 24, 2020

Loan Number 0108972811 CENRC 415016058 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) AMERIHOM MORTGAGE C C5 MIN 100907427201588222 MERS PHONE 1-888-872-6377 MERS Mailing Address: P.O. Box 2026, Flint, MI 48501-2026 T192008-05:26:49 [C-1] RCNCO5



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Legal Description of Project

To Whom this may concern,

Please allow this memorandum to serve as the legal description of the standard rezoning application for 2938 Hooker St. Denver, CO 80211 from a current zone district of U-SU-A to a proposed zone district of U-SU-A1.

Following the pre-application meeting with Associate City Planner, Francisca Peñafiel, of the Development Services Residential Office; we identified that we meet the criteria and support the goals of Adopted City Plans; Denver Comprehensive Plan 2040, BluePrint Denver as well as Housing an Inclusive Denver.

The property meets the required criteria and is consistent with the neighborhood context and zone district purpose and intent as outlined below.

Referencing Section 5.2.2 Urban Residential Districts

5.2.2.1 General Purpose

- A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.
- 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 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 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.

Referencing 5.2.2.2 Specific Intent

- A. The Single Unit A1 (U-SU-A1) is a single unit district allowing urban houses with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25-foot wide lots. This district requires the shallowest setbacks and allows the highest coverage in the Urban Neighborhood Context.
- B. Single Unit A1 (U-SU-A1) is a single unit district and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25-foot-wide lots. This district requires the shallowest setbacks and allows the highest coverage in the Urban Neighborhood Context. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A but allowing a detached accessory dwelling unit building form in the rear yard.

Written Narrative Explaining Project

Seeking to rezone our current structure from U-SU-A to U-SU-A1.

The existing garage (built 2011) had been converted prior to our purchase of the home in June 2018. We (similar to the previous owners) use the space as a secondary living area, bedroom for friends and family coming into town, and would like to list the space as a short term rental.

Meeting the requirements of the 3,000 sf with a property size of 4,690 sf, our single-unit residential home in the West Highlands Neighborhood, our district also requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context.

We also align with the city's following adopted plans:

- Comprehensive Plan 2040
 - Supporting the Equitable, Affordable and Inclusive Goal 2, Strategy A of creating a greater mix of housing options in the neighborhood for all individuals and families.
 - Also meeting the Climate Environmentally Resilient Goal 8, Strategy A to promote infill development where infrastructure and services are already in place (we do not need any construction to modify the existing structures)
- BluePrint Denver 2019
 - Diversifying housing choice through the expansion of accessory dwelling units throughout all residential areas. Our ADU will add variety to the housing stock in low density residential neighborhood without significantly changing the existing area.
- Housing an Inclusive Denver (2018-2033)
 - Streamlining and facilitating the development of accessory dwelling units as a tool for affordability and to stabilize residents at risk of displacement.

Narrative Describing Outreach

Outreach was done to the following parties, notating the dates and method of communication.

Group	Contact	Date of Outreach	Method of Communication
District 1 Councilwoman Amanda Sandoval	Naomi R. Grunditz, CC City Council Aide District 1	9.20.2020	Email correspondence
Inter-Neighborhood Cooperation	Loretta Koehler, INC Chair	9.20.2020	Email, responded stating the umbrella organization does not take positions on specific neighborhood issues, but notified nonetheless.
West Highland Neighborhood Association	Trevor Greco	9.20.2020	Email
Federal Boulevard Corridor Improvement Partnership	ifiglus@gmail.com	9.20.2020	Email
Direct & Surrounding Neighbors		8.24.2020 - 9.24.2020	In person notification of application status and brief description of process and timeline.

While some email correspondences went unanswered, Council Aide Grunditz was extremely helpful in further direction and recommendations.

In speaking with neighbors, we are fortunate to be in a very close and tight-knit neighborhood. They all wished us the best of luck in the process, and joked that they would get first dibs in using the space as an ADU with family coming in from out of town. Again, we very thankful to be in such a supportive neighborhood.