



365 South Kearney Street

Request: From E-SU-Dx to E-SU-D1x

Date: 02.20.2024

Presenter: Justin Montgomery

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria



Request: from E-SU-Dx to E-SU-D1x



- Rezone from E-SU-Dx to E-SU-D1x
- Requesting rezoning to build an accessory dwelling unit.

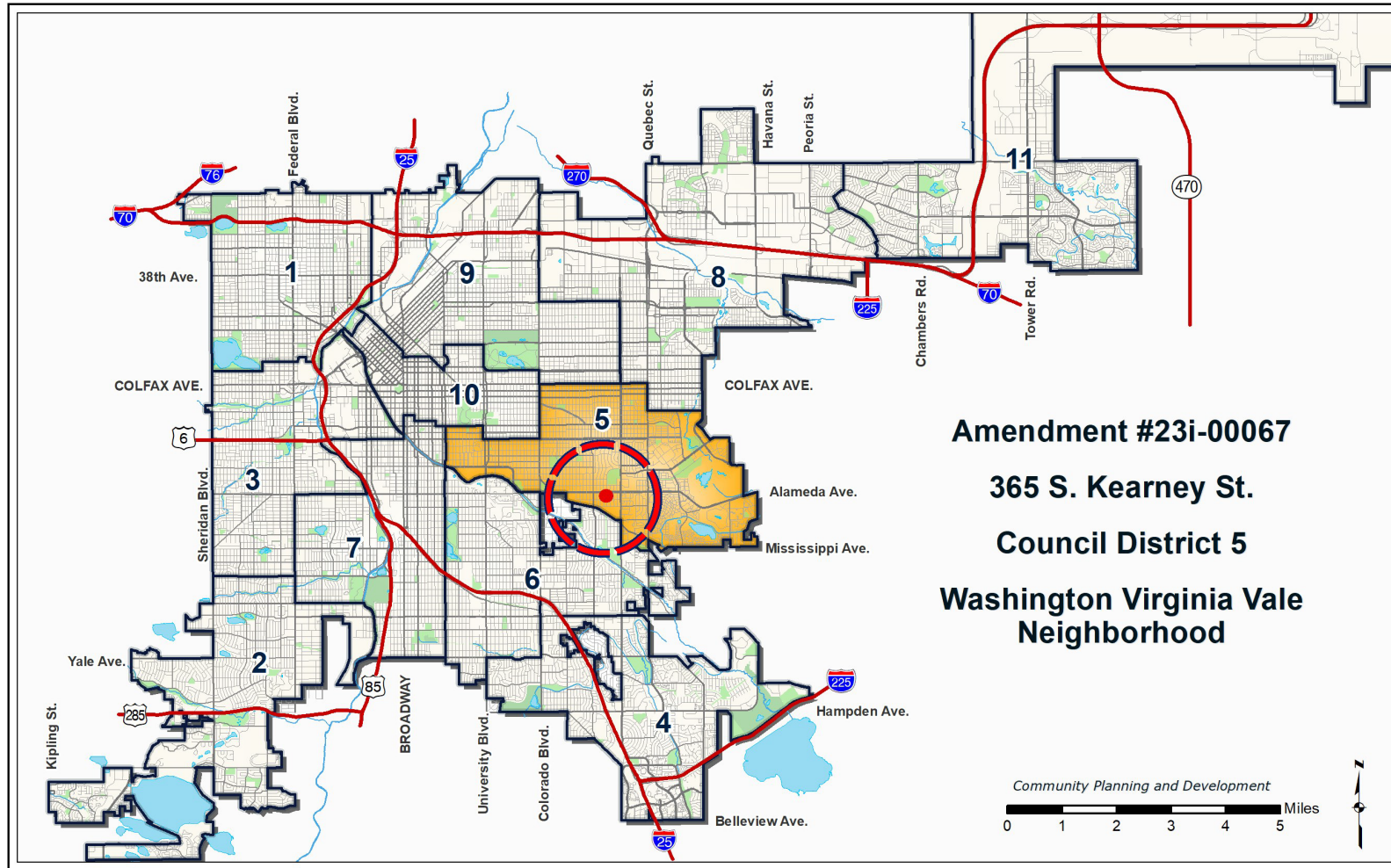
Reminder: Approval of a rezoning is not approval of a proposed specific development project

Presentation Agenda

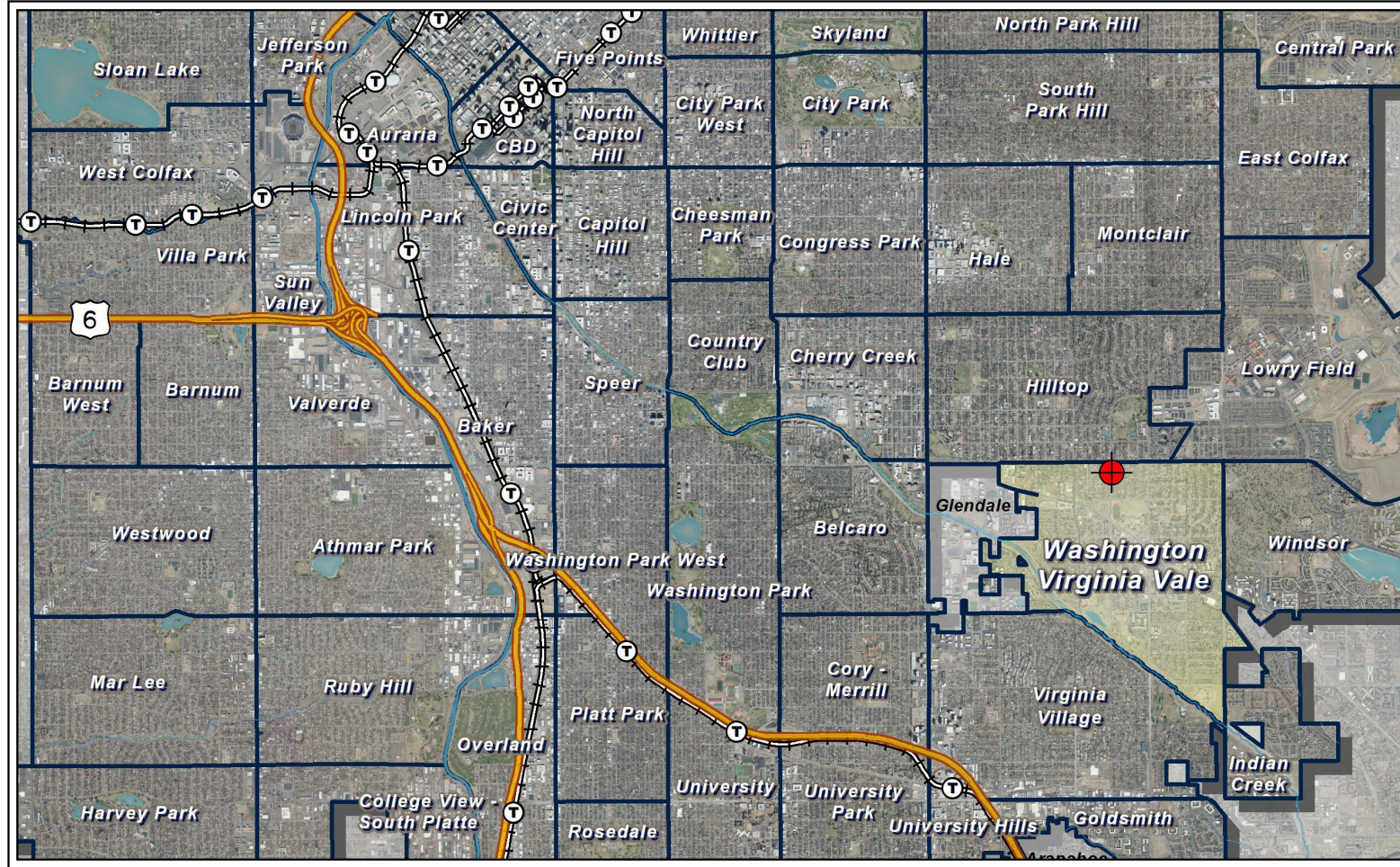
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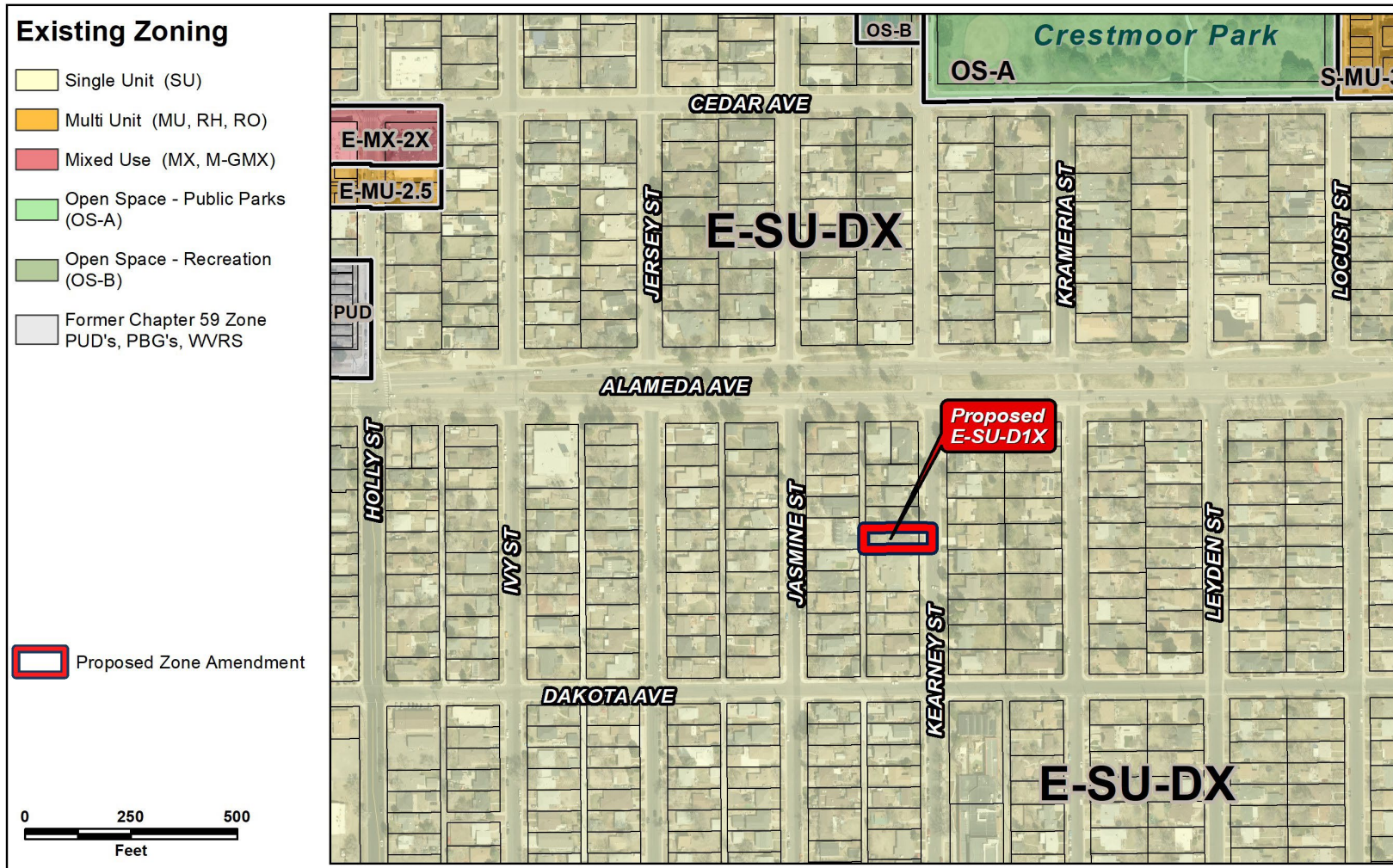
Council District 5 – Councilwoman Sawyer



Neighborhood – Washington Virginia Vale



Existing Context – Zoning

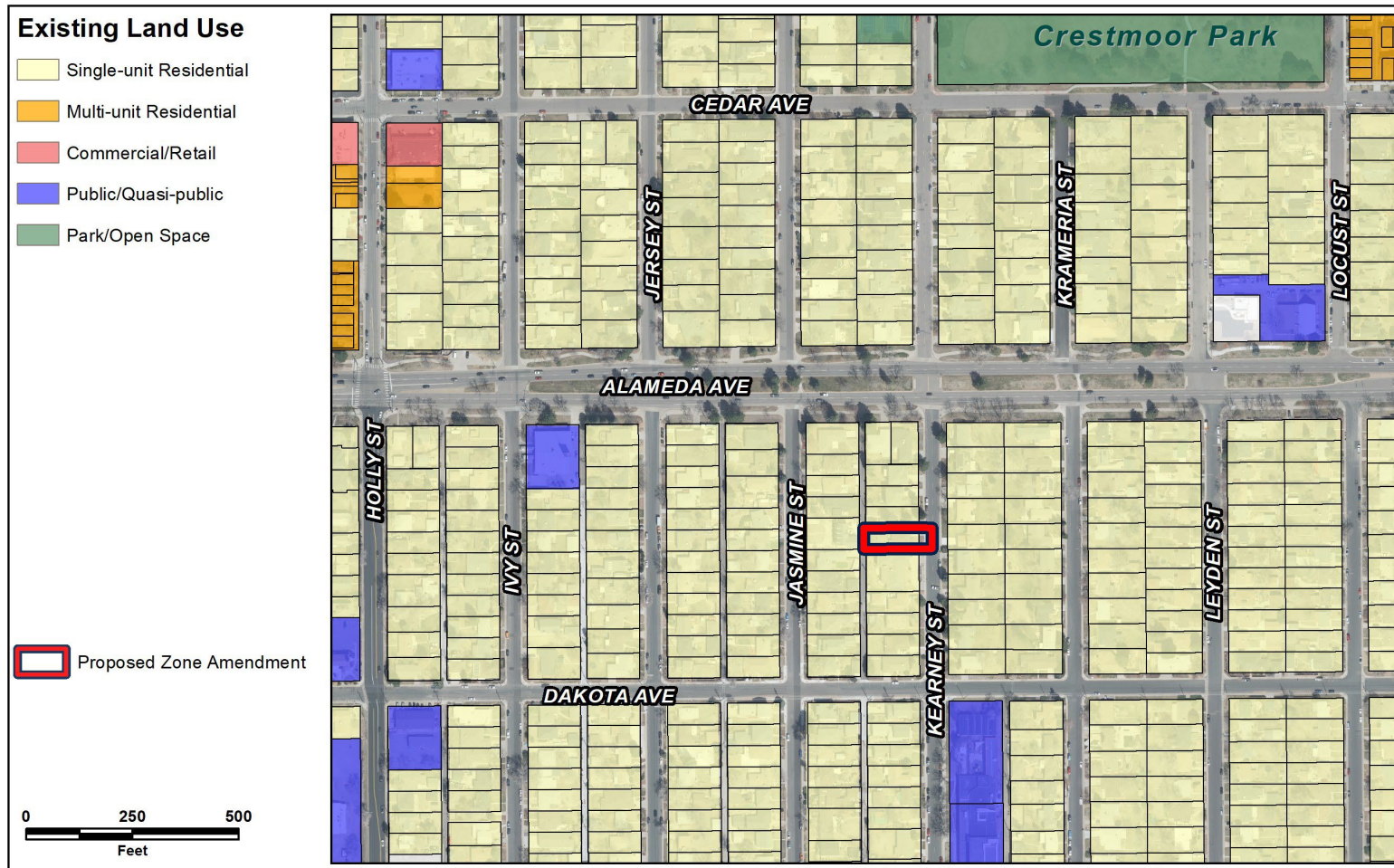


E-SU-Dx

Adjacent to:

- E-SU-Dx

Existing Context – Land Use

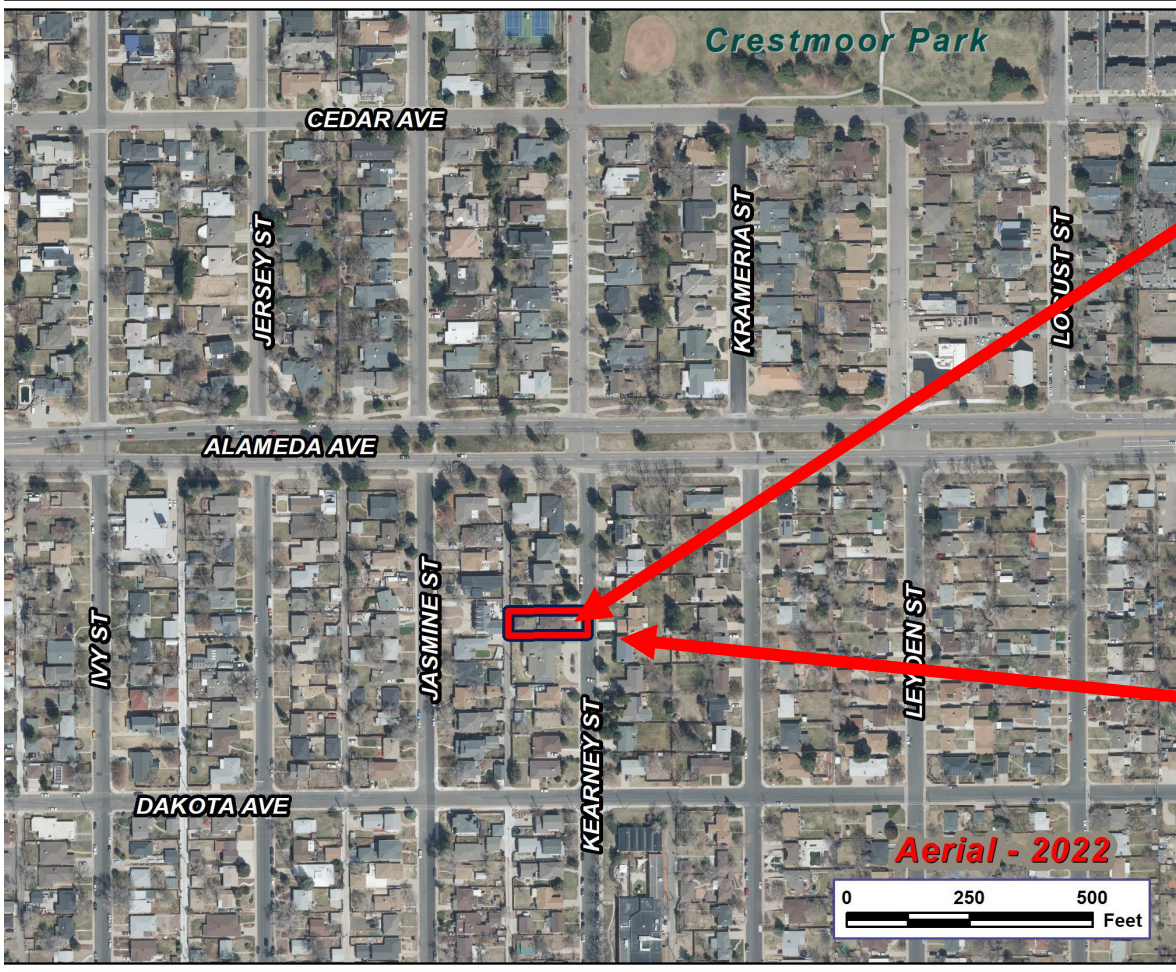


Single-unit Residential

Adjacent to:

- Single-Unit Residential

Existing Context – Building Form/Scale



Agenda

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Process

- Informational Notice: 11/3/23
- Planning Board Notice: 1/23/24
- Planning Board Public Hearing: 2/7/24
- **LUTI Committee: 2/20/24**
- City Council Public Hearing: 4/1/24 (tentative)

Public Comments

- No comment letters from RNOs.
- Staff received one email in opposition.

Planning Board

- Planning Board held a hearing on this item on 2/7/2024
- The board voted unanimously to recommend approval

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Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*
- *Near Southeast Area Plan (2023)*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

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

Comprehensive Plan 2040

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



Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Near Southeast Area Plan (2023)*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

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

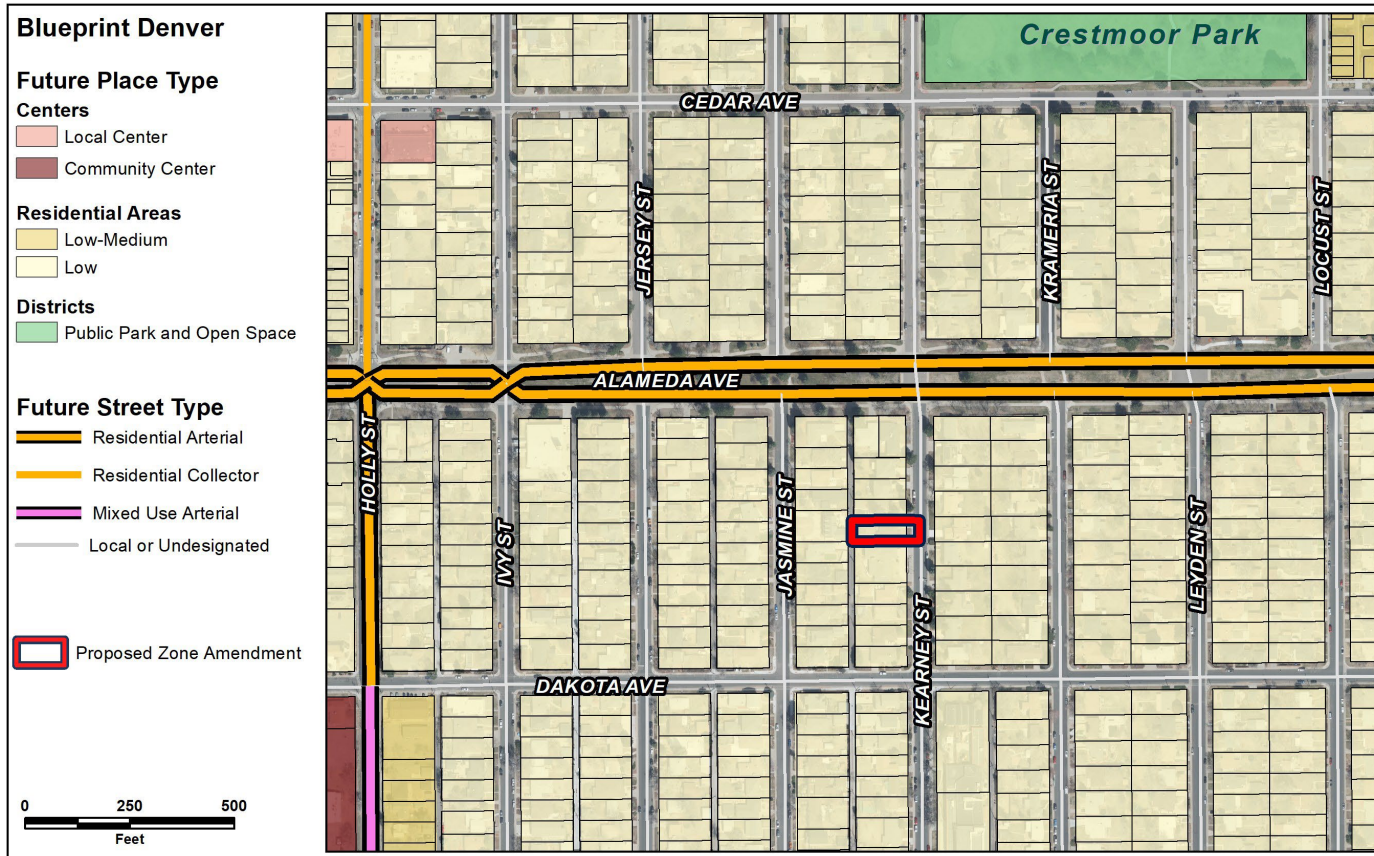
Blueprint Denver 2019



Neighborhood Context: Urban Edge

- Single- and two- unit residential areas. Commercial and mixed-use development tends to be found along the main corridors bordering traditional residential areas.
- Block patterns are generally a mix of suburban and urban elements.

Blueprint Denver 2019



Future Place: Low Residential

- 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.

Future Street Type: Local

Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

Blueprint Denver 2019

Housing Policy 4 Strategy E

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 ADU's, rezonings should be small in area in order to minimize impacts to the surrounding residential area. (p. 84)

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Near Southeast Area Plan (2023)*

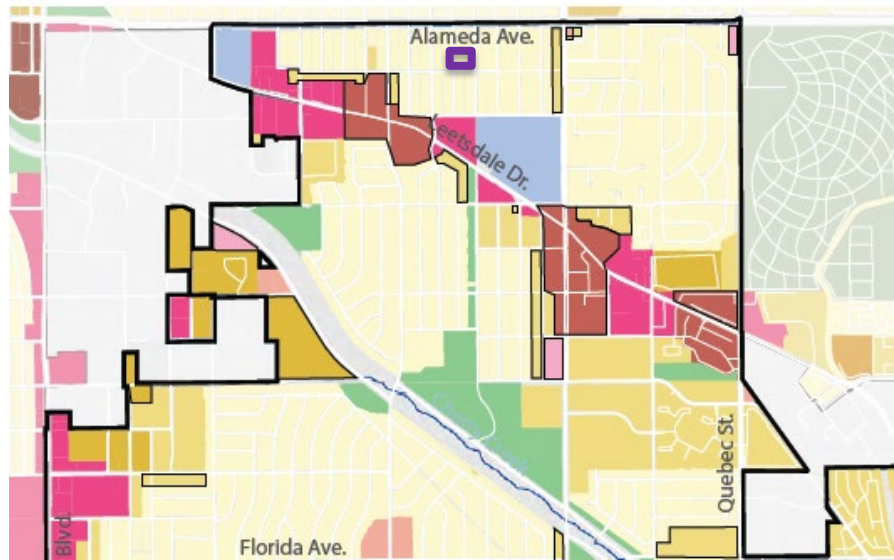
2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

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

Near Southeast Area Plan



Future Place: Residential Low
Predominantly single and two-unit building forms on small to medium-sized lots. **Accessory dwelling units are appropriate and can be integrated where compatible (p.35)**

Land Use Policy LU-8. Provide additional housing options, promote preservation and prevent involuntary displacement in Residential Low places by allowing duplexes in appropriate locations and under appropriate conditions and **by allowing accessory dwelling units.**

B. ADUs – Consistent with adopted citywide policies in Blueprint Denver and in coordination with citywide efforts, support the addition of affordable and compatible accessory dwelling units (ADUs) in Near Southeast.

3. Until a uniform citywide approach to ADU development is complete, **support neighborhood wide and individual rezonings to allow ADUs where prohibited.**

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
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4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
 - A City adopted plan
 - CPD finds this criterion is met because *Blueprint Denver* and the *Southeast Area Plan* support the request
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
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3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

CPD Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends that the Land Use, Transportation and Infrastructure Committee move Application #2023i-00067 forward for consideration by the full City Council.

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent