

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 checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Michael Lofgren and Katherine Anderson	Representative Name	Collin C. Kemberlin / Kemberlin Architecture
Address	4690 N. Clay Street	Address	8200 S. Quebec St, Suite A3-143
City, State, Zip	Denver, CO 80211	City, State, Zip	Centennial, CO 80112
Telephone	720-525-1374	Telephone	720-226-3458
Email	mikelof.ecs@gmail.com	Email	collin@kemberlinarchitecture.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
SUBJECT PROPERTY INFORMATION			
Location (address):		4690 N. Clay Street, Denver CO 80211	
Assessor's Parcel Numbers:		02201-13-001-000	
Area in Acres or Square Feet:		6,250	
Current Zone District(s):		U-SU-C, CO-7	
PROPOSAL			
Proposed Zone District:		U-SU-C1, CO-7	
PRE-APPLICATION INFORMATION			
Did you receive and review the slide deck: "Constructing an Accessory Dwelling Unit"?		<input checked="" type="checkbox"/> Yes - I have received and reviewed this information <input type="checkbox"/> No - I have not received these slides	
Did you contact the City Council District Office regarding this application ?		<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>2/24/2023 via email</u> <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 checked="" 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): <u>Sunnyside / Sunnyside Neighborhood Plan (1992)</u></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 checked="" 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 checked="" 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>

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<p>Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria.</p> <p>(Check boxes to affirm.)</p> <p>DZC Sec. 12.4.10.8</p>	<p><input checked="" 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 checked="" 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 <u>U-SU-C1,CO-7</u> 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 of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- ☒ Proof of Ownership Document (e.g. Assessor's record, property deed, etc). Proof of ownership for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.

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:

None

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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
Michael Lofgren Katherin Anderson	4690 N. Clay St Denver, CO 80211	100%	<i>Mike Lofgren</i> <i>Kate Anderson</i>	3-2-23	Assessor's Record	YES



Date: March 2, 2023

RE: 4690 N. Clay Street – Rezoning Narrative – U-SU-C, CO-7 to U-SU-C1, CO-7

Thank you for consideration of this rezoning application. The following narrative describes the existing conditions, the proposed design and outlines the basis of our rezoning request.

4690 N. Clay Street is a corner lot at the southeast intersection of West 47th Avenue and North Clay Street in the Sunnyside neighborhood. The existing lot measures 125 feet by 50 feet and gently slopes from the front lot line along Clay down to the public alley along the east. The property is fenced and minimally landscaped. Built improvements are located in the rear third of the site. Both Clay and W. 47th are local residential streets.

There currently exists a one-story, 700 sf single family residence located along the rear lot line. This original wood-framed home was constructed in 1947 and appears to have generally conformed to development regulations in effect at the time. However, the existing house is non-compliant with regard to setbacks, its location at the rear rather than within the front half of the site, and the lack of pedestrian access from the front of the property. The only other structure on the site – a detached shed – was removed by the owners in 2022. Immediately north of the existing house is a small planter bed adjoining the attached sidewalk. Immediately south is a concrete parking pad with vehicular access from the alley.

The property is a conforming zone lot of 125' x 50' (6,250 sf) and is currently zoned U-SU-C, CO-7. This zone district allows for a variety of residential building forms including Urban House, Suburban House and Tandem House with bulk plane and height limits generally allowing for a two to two-and-a half story primary residence. A variety of attached and detached non-residential accessory uses are also allowed in the district, up to one story.

The owners wish to redevelop the property under zone district U-SU-C1, CO-7 in order to construct a new, larger primary residence that will better serve the needs of their growing family in tandem with a new detached accessory dwelling unit and garage providing valuable additional living space and covered parking. The proposed design is “use-by-right” and will better conform to all applicable regulations of the new zone district. This includes:

1. Proper location of the primary and accessory structures on the site,
2. Conformance to setbacks and property boundaries,
3. Provision for pedestrian access from the front sidewalk,
4. Improved architectural character.

In addition, the owners wish to time a rezoning approval with anticipated approval of Denver's ADU Overlay regulations.

This type of rezoning has ample precedence in the Sunnyside neighborhood, particularly on corner lots owned by families looking to grow while maintaining Denver residency. Reasons to use rezoning as a tool to expand the allowed residential uses on a property include adding more children, taking on an older family member, and the like.

Beyond this justifying social and economic circumstance, the rezoning of individual properties to U-SU-C1, CO-7 has proven to be consistent with residential district regulations, neighborhood context, and zone district purpose and intent. This includes the reinforcement of regular block patterns, the predominance of street facing single and two-family residences, and the use of alleys to access parking and to serve accessory uses.

The proposed rezoning is also consistent with several of the adopted Denver Comprehensive Plan and Blueprint Denver goals and strategies including:

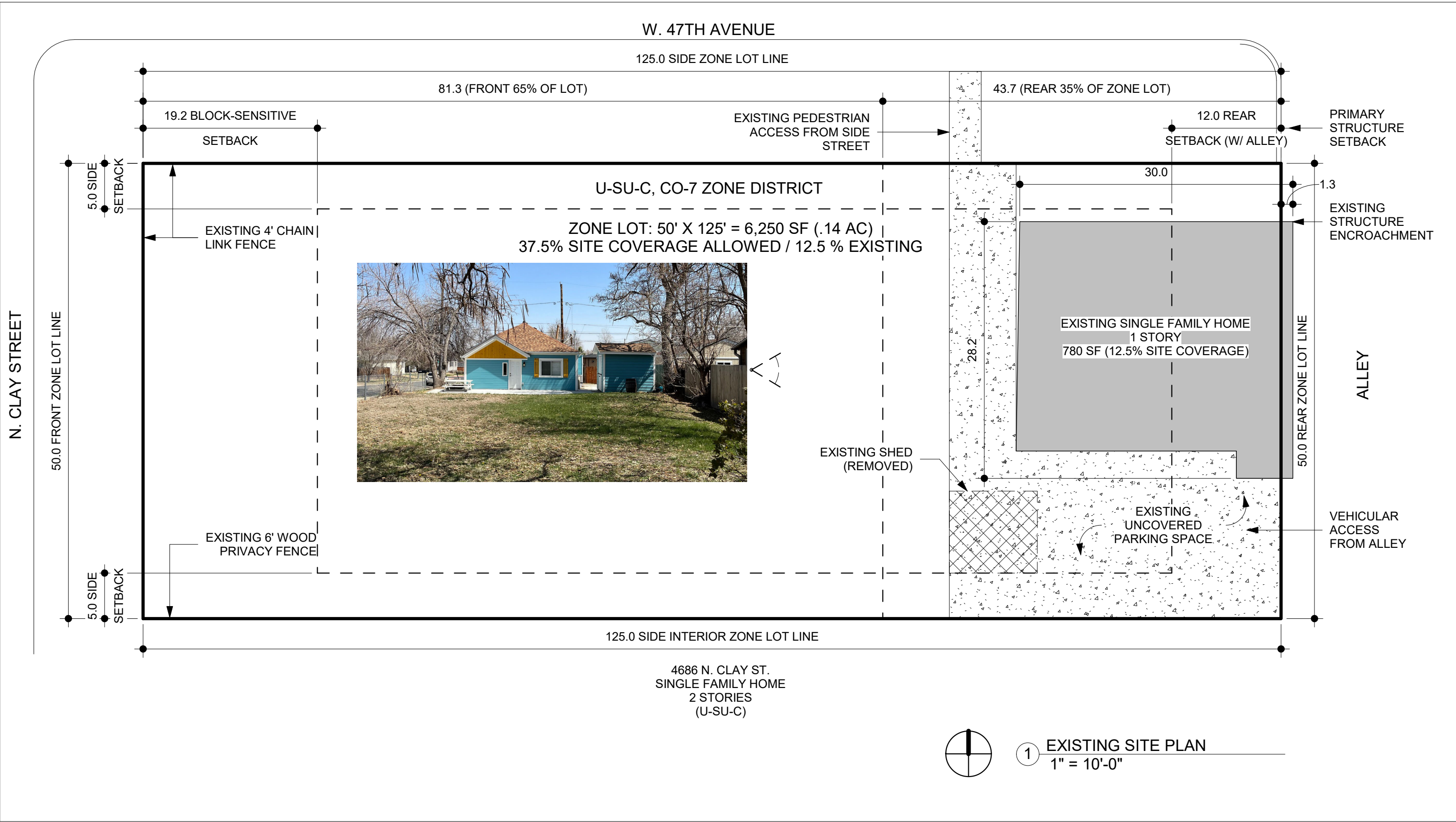
- Equitable, Affordable and Inclusive Goal 2, Strategy A – “Create a greater mix of housing options in every neighborhood for all individuals and families.”
- Environmentally Resilient Goal 8, Strategy A – “Promote infill development where infrastructure and services are already in place.”
- Future Neighborhood Context – “Embedding small, multi-unit residential within typically single and two-unit residential areas...”
- Future Place Type, Residential (Low) – “Predominantly single and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated ... buildings are generally up to 2.5 stories in height ...”
- Growth Areas Strategy – “Other areas of the city are still expected to see some growth, however more limited ...”
- Land Use & Built Form Housing Policy 4, Strategy E – “Diversify housing choice through the expansion of accessory housing units throughout all residential areas ...” and “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.”

Thank you again and we look forward to working with you on this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Collin C. Kemberlin". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

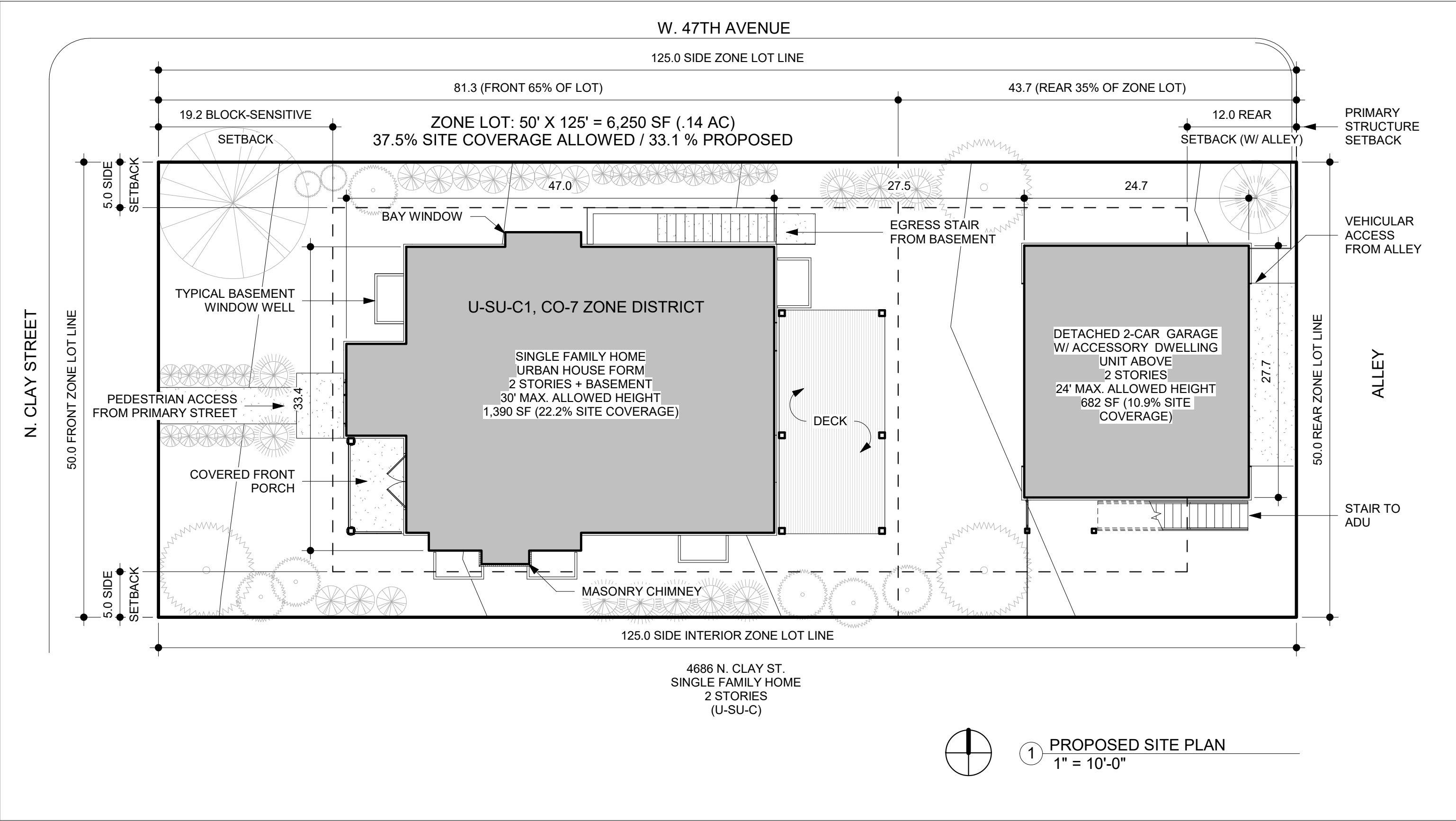
Collin C. Kemberlin, AIA



Lofgren | Anderson Residence

4690 N. Clay St. Denver, CO 80211

March 2, 2023



Letter of Authorization

To whom it may concern,

We the owners of 4690 N Clay Street (Mike Lofgren and Katie Anderson) authorize Collin Kemberlin and Kemberlin Architecture LLC to apply for and act on any matters related to rezoning our property. If there are any questions on this matter please call Mike Lofgren (owner) at 720-525-1374.

Michael Lofgren Date - 2-28-23

Katie Anderson Date - 2-28-23

Outreach Relating to the Rezoning of 4690 N Clay

- **Sunnyside RNO meeting earlier in 2022.** This was before hiring Kemberlin Architecture, therefore I did have not drawings. I did explain the project over Google Earth and there was support for our project. I will schedule another meeting with them so I can update the committee with a site plan and renderings
- **Email to Councilwomen Amanda Sandoval's office on 2-24-23.** We have not received a response yet, just the automatic reply saying they are dealing with a high volume of emails currently. We hope to receive a reply in March.
- **Outreach to Neighbors (August 2022) .** We have had conversations with our neighbors at 4686 Clay Street and 4707 Clay Street about our project. They have given their support verbally.

Denver Property Taxation and Assessment System

[↩ New Search](#)

4690 N CLAY ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
LOFGREN,MICHAEL ANDERSON,KATHERINE 2835 24TH AVE APT301 DENVER, CO 80211-4863	02201-13-001-000	HOMERS ADDITION B2 L1 & 2	SFR Grade C, D, or E, w/RK	DENVER

Summary	Property Map	Assessed Values	Assessment Protest	Taxes	Neighborhood Sales	Chain of Title
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Chain Of Title Records

Reception Number	Reception Date	Instrument	Sale Date	Sale Price	Grantor	Grantee
2020028896	2/27/2020	WD	2/24/2020	\$343,000	MONTOYA,DOREEN	LOFGREN,MICHAEL
2019003226	1/9/2019	SW	1/5/2019	\$410,000	BOCHENEK,DAVID R	MONTOYA,DOREEN
2018060067	5/22/2018	WD	5/14/2018	\$370,000	MONTOYA,DOREEN F	BOCHENEK,DAVID R