

Rezoning Application Page 1 of 4

# **Zone Map Amendment (Rezoning) - Application**

PROPERTY OWNER INFORMATION*			PROPERTY OWNER(S) REPRESENTATIVE**			
■ CHECK IF POINT OF CONTACT FOR APPLICATION					☐ CHECK IF POINT OF CO	CONTACT FOR APPLICATION
Property Owner Name	Nathan Kibler-Silengo				Representative Name	
Address	2162 S. Grant St.				Address	
City, State, Zip	Denver, CO, 80210				City, State, Zip	
Telephone	970-389-8646				Telephone	
Email	nkiblers@gmail.com				Email	
*All standard zone map amendment applications must be initiate by owners (or authorized representatives) of at least 51% of the totarea of the zone lots subject to the rezoning. See page 4.		ed tal		**Property owner shall prov sentative to act on his/her b	vide a written letter authorizing the reprebehalf.	
SUBJECT PROPERTY INFORMATION						
Location (address):		2162	2162 S. Grant St., Denver, CO, 80210			
Assessor's Parcel Numbers:		05272	09-00	07-	-000	
Area in Acres or Square Feet:		6,000	SF			
Current Zone District(s):		U-SI	U-SU-C			
PROPOSAL						
Proposed Zone District:		U-TI	U-TU-B			
PRE-APPLICATION I	NFORMATION					
I Planning Services did you have a concept or a pre-appli- I		<ul> <li>Yes - State the contact name &amp; meeting date</li> <li>No - Describe why not (in outreach attachment, see bottom of p. 3)</li> </ul>				
Did you contact the City C this application ?	ouncil District Office regarding		Conducted Zoom meeting with Councilman Kashman 'es - if yes, state date and method 12/3/20 No - if no, describe why not (in outreach attachment, see bottom of			



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#### **REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)** Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide a review criteria narrative attachment describing **how** the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection. General Review Criteria 1. Denver Comprehensive Plan 2040 DZC Sec. 12.4.10.7.A Check box to affirm and In this section of the attachment, describe **how** the proposed map amendment is consistent with *Denver* include sections in the Comprehensive Plan 2040's a) equity goals, b) climate goals, and c) any other applicable goals/strategies. review criteria narrative attachment 2. Blueprint Denver In this section of the attachment, describe **how** the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in Blueprint Denver. 3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable): Evans Station Area Plan Uniformity of District Regulations and Restrictions: The proposed official map amendment results in General Review Criteria: regulations and restrictions that are uniform for each kind of building throughout each district having DZC Sec. 12.4.10.7. B & C the same classification and bearing the same symbol or designation on the official map, but the regula-Check boxes to the right tions in one district may differ from those in other districts. to affirm and include a section in the review Public Health, Safety and General Welfare: The proposed official map amendment furthers the public criteria for Public Health, health, safety, and general welfare of the City. Safety and General Welfare narrative attach-In the review criteria narrative attachment, please provide an additional section describing $\mathbf{how}$ the requested rezoning ment. furthers the public health, safety and general welfare of the City. Justifying Circumstances - One of the following circumstances exists: The existing zoning of the land was the result of an error; The existing zoning of the land was based on a mistake of fact; The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage; Review Criteria for Non-Since the date of the approval of the existing Zone District, there has been a change to such a degree that the Legislative Rezonings: proposed rezoning is in the public interest. Such change may include: DZC Sec. 12.4.10.8 a. Changed or changing conditions in a particular area, or in the city generally; or, For Justifying Circumb. A City adopted plan; or stances, check box and c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. include a section in the review criteria narrative ☐ It is in the public interest to encourage a departure from the existing zoning through application of suppleattachment. mental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code. For Neighborhood Context, Purpose and In the review criteria narrative attachment, please provide an additional section describing the selected justifying Intent, check box and circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. include a section in the Contact your pre-application case manager if you have questions. review criteria narrative attachment. 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. In the review criteria narrative attachment, please provide a separate section describing **how** the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.

Return completed form and attachments to rezoning@denvergov.org



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RE	QUIRED ATTACHMENTS
Plea	se check boxes below to affirm the following <b>required</b> attachments are submitted with this rezoning application:
<b>7</b>	Legal Description of subject property(s). <b>Submit as a separate Microsoft Word document.</b> View guidelines at: <a href="https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html">https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html</a>
<b>₹</b>	Proof of ownership document 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.
<b>✓</b>	Review Criteria Narratives. See page 2 for details.
AD	DITIONAL ATTACHMENTS (IF APPLICABLE)
	itional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this apation.
1	Written narrative explaining reason for the request (optional)
	<b>Outreach documentation attachment(s)</b> . Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged )
	<b>Letters of Support.</b> If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
	Written Authorization to Represent Property Owner(s) (if applicable)
	<b>Individual Authorization to Sign on Behalf of a Corporate Entity</b> (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this is document is required.)
<b>√</b>	Other Attachments. Please describe below.
Ιh	ave not met with Development Service because at this point, I am only interested in rezoning the property.



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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 In- terest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification state- ment	Date	Indicate the type of owner- ship documen- tation provided: (A) Assessor's record, (B) war- ranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner autho- rized a represen- tative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	John Alan Smith Josie O. Smith	01/12/20	(A)	YES
Nathan Kibler-Silengo	2162 S. Grant St Denver, CO 80209 970-389-8646	100%	Nathan Kibler-Kibler-Silengo Date: 2020.12.07 14:02:08-08'00'	12/07/20	(A)	NO
						YES
						YES
						YES

Return completed form and attachments to rezoning@denvergov.org

### 2162 S GRANT ST

Owner KIBLER-SILENGO,NATHAN

2162 S GRANT ST DENVER , CO 80210-4426

**Schedule Number** 05272-09-007-000

**Legal Description** L 15 & N 23FT OF L 16 BLK 4 LAWNDALE

Property Type RESIDENTIAL

Tax District DENV

#### **Print Summary**

Bedrooms:	3	Baths Full/Half:	1/0
			170
Effective Year Built:	1923	Basement/Finish:	487/0
Lot Size:	6,000	Zoned As:	U-SU-C

Current Year			
Actual Assessed Exempt			
Land	\$343,800	\$24,580	\$0
Improvements	\$78,500	\$5,610	
Total	\$422,300	\$30,190	

Prior Year			
Actual Assessed Exempt			
Land	\$343,800	\$24,580	\$0
Improvements	\$78,500	\$5,610	
Total	\$422,300	\$30,190	

#### Real Estates Property Taxes for current tax year

Mill Levy \* 72.116 \*
Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

The property tax system is undergoing an upgrade and the most recent tax assessment data is unavailable at this time. Please contact 311 if you need immediate assistance.

#### **Additional Information**

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

Additional Assessment •	N Prior Year Delinquency •	N
Additional Owner(s)	N Scheduled to be Paid by Mortgage Company 6	N
Adjustments 6	N Sewer/Storm Drainage Liens •	N
Local Improvement Assessment ①	N Tax Lien Sale 🚯	N
Maintenance District •	N Treasurer's Deed <b>6</b>	N
Pending Local Improvement •	N	

Real estate property taxes paid for prior tax year: \$1,838.97

#### Assessed Value for the current tax year

Assessed Land	\$24,580.00	Assessed Improvements	\$5,610.00
Exemption	\$0.00	Total Assessed Value	\$30,190.00

### **Property Legal Description:**

LOTS 15 AND THE NORTH 23 FEET OF LOT 16, BLOCK 4,
LAWNDALE,
CITY AND COUNTY OF DENVER,
STATE OF COLORADO

#### **General Review Criteria – Section 12.4.10.7**

As described in the following narrative, this Application complies with all three of the Code's general review criteria:

- Consistency with adopted plans
- II. Uniformity of district regulations and restrictions
- III. Public health, safety and general welfare

#### I. Consistency with Adopted Plans

The Code requires that all map amendment applications be consistent with the City and County of Denver's adopted plans. The following plans are applicable to the Property:

- A. Comprehensive Plan 2040
- B. Blueprint Denver 2019
- C. Evans Station Area Plan

#### A. Comprehensive Plan 2040

This Application is consistent with the following Vision Elements identified in Denver's Comprehensive Plan 2040:

- Equitable, Affordable, and Inclusive
- Strong and Authentic Neighborhoods
- Environmentally Resilient

Regarding the Equitable, Affordable Vision Element, this application is consistent with Goal 1, Strategy A, 'Increase development of housing units close to transit and mixed-use developments (pg. 28) and Goal 2 Strategy A, 'Create a greater mix of housing options in every neighborhood for all individuals and families (pg. 28) because the revised zoning will provide an increase in housing units close to Evans Station and the mixed-use developments along the S. Broadway corridor. Additionally, the U-TU-B zoning amendment will add diversity amongst the U-SU-B properties found on S. Grant St and in the Rosedale Neighborhood.

Regarding the Strong and Authentic Neighborhoods Element, this application is consistent with Goal 1, Strategy B, 'Ensure neighborhoods offer a mix of housing types and services for a diverse population' (pg. 34), and Strategy D 'Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities' (pg. 34), because while the U-TU-B zoning amendment will add diversity amongst the U-SU-B properties on the east-side of S. Grant St, it will also compliment the existing duplex and multifamily units found on west-side of S. Grant St (See property shown on **Figure 1-1**).

Regarding the Environmentally Resilient Vision Element, this application is consistent with Goal 8, Strategy A, 'Promote infill development where infrastructure and services are already in place' (pg. 54), because the proposed zoning amendment will not require new services, as they are already in place serving the existing home on the property.

Figure 1-1



#### B. Blueprint Denver 2019

As identified in *Blueprint Denver 2019*, the property at 2162 S. Grant St is in the Urban Future Neighborhood Context (pg. 139) and considered a Low Residential Area Future Place (pg. 225) consisting of 'predominately single- and two- uses on small or medium lots' (pg. 231). As such, it is 'appropriate to allow smaller lot sizes than the existing zone district if there is an established pattern in the surrounding blocks of smaller lots with similar uses' (pg. 231). The property at 2162 S. Grant St, as shown on the Existing Land Use Map in **Figure 1-1**, is accordingly larger than the multi-unit residential lots located directly across the street (U-TU-B). The Multi Unit properties across the street are mainly duplexes which, when associated with the other Multi-unit properties in the surrounding blocks, establish a clear pattern of smaller lots with similar uses.

Additionally, *Blueprint Denver 2019* gives specific guidance for applying the Low Residential future place to proposed rezonings. Specifically, "when a rezoning request is made to change the zoning to allow two-unit uses, the appropriateness of the request depends upon adopted small area plan guidance, neighborhood input, and existing zoning patterns" (pg. 231). *Blueprint Denver 2019* also provides that a property's growth strategy designation and street type designation are also applicable to rezoning applications (pg. 67).

This Application is requesting a zone map amendment from U-SU-C to U-TU-B; a zone district that would allow two-unit uses on the Property. According to *Blueprint Denver 2019*, the appropriateness depends on:

- a. Small area plan guidance
- b. Neighborhood input
- c. Existing zoning patterns
- d. Growth strategy designation
- e. Street type designations

#### a. Small Area Plan Guidance

This Application is consistent with **the Evans Station Area Plan** because it would increase the housing variety and density within close proximity to the Evans RTD Light Rail Station (further explained in Section C below).

#### b. Neighborhood Input

Before the submittal of the Application, I created a petition for neighbors to sign and indicate their support or opposition for the proposed zoning amendment. I set out with the intent of speaking to every resident that lives within 200' of my property on S. Grant St. All in all, I approached about 25 residences on 10/24/20. However, some did not answer because they were either not home, did not care for solicitation during an election, or did not want to answer due to the current pandemic. Those that did not answer on 10/24/20, I returned on 10/25/20 in attempt to solicit feedback. Ultimately, I was able to connect with fourteen neighbors. Thirteen neighbors support the proposed zone map amendment, while just one opposes. Those that were comfortable with signing their name are included in the attached petition, while those that were not, are indicated as such.

Additionally, I have consulted with City Councilman, Paul Kashmann, via Zoom on 12/3/20 and he was able to drive the neighborhood.

Lastly, I spoke with Tom Montoya, the head of the Rosedale Harvard Gulch Neighborhood Association, on 12/6/20. He states the Association has taken the policy position not to oppose the rezoning of single-unit properties to two-unit properties because they acknowledge it as a trend and it is the direction the neighborhood is going.

#### c. Existing Zoning Patterns

This Application is consistent with the existing zoning patterns due to its proximity to other properties located in the U-TU-B zone district and because there are other duplexes and two-unit uses located within the Property's U-SU-C zone district. The map below shows the Existing Land Use Map and the Property's proximity to other multi-unit uses. As shown with the red diamond, the property is across the street from many multi-use properties, adjacent to a multi-use property across the alley to the east, and is close to other various multi-use properties along the eastside of Grant St. It is also important to note the property next door, at 2160 S. Grant St, recently had its zone map amended from U-SU-C to U-TU-B, as shown in the Existing Zoning Map, **Figure 1-1**.

#### d. Growth Strategy Designation

Per *Blueprint Denver 2019*, the property is in the 'All other areas of the city' Future Growth Area (pg. 50), an area projecting a 20% increase in new households by 2040. Consistent with the strategy described in *Blueprint Denver 2019*, this zone map amendment will add one additional housing unit of density to help support the projected housing demand increase.

#### e. Street Type Designation

This Application proposes to maintain the Properties existing residential land use. It is therefore consistent with the street type designated in *Blueprint Denver 2019* because Main Street Arterials

(Evans) are specifically identified as serving a mix of uses, including residential, and Local Streets (Grant) are "most often characterized by residential uses."

In conclusion of Section B, this Application is consistent with *Blueprint Denver 2019* because it embraces the Evans Station Area plan, there is neighborhood support, and it is consistent with the existing zoning patterns, growth patterns, and street type designation.

#### C. Evans Station Area Plan

According to the *Evans Station Area Plan*, the plan is to "be used to guide decisions regarding public and private investment within ½ of the Evans light rail station" (pg ix). As shown as a yellow star in **Figure 2-2**, the Property is located within ½ mile of the Evans RTD Light Rail Station and therefore falls under the guidance of the *Evans Station Area Plan*.

A vision of the *Evans Station Area Plan* is to create "vibrant, sustainable communities with a diverse mix of land use at various densities within a 10-minute walk, or about a half-mile" of the Evans Station. (pg.ix). The land use recommendations described in the Plan seek to reinforce this vision and "support transit by having sufficient residential densities and mix of uses to reduce walking distances between residences and other destinations such as neighborhood retail, services, parks, and transit." (pg. 12). Furthermore, Land Use Recommendation 4a specifically recommends: "increase the supply of housing including for sale and rental housing of varying types and at a variety of price points." (pg. 17). Additionally, while the Property does not appear on the Land Use Plan shown on pg. 13, it is located just one block east of the Urban Residential District, and thus, it can be considered appropriate to apply the Urban Residential goals to the Property. As such, Recommendation 1c "encourages a mix of low and medium-density housing types including single-family houses, accessory dwelling units (ADU's), duplexes and row houses." (pg. 15).

By allowing the zoning to change from single-family to duplex, this Application would be encouraging the mix of housing types in the area located within ½ mile radius of Evans Station, therefore remaining consistent with the *Evans Station Area Plan*.

Figure 2-2



Source: Evans Station Area Plan

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

This Application satisfies Code § 12.4.10.7.B because the Property meets the regulations and restrictions for two-unit residential uses within the U-TU-B Zone District. Specifically, the 6,000 SF property is larger than the minimum 4,500 SF required for two units.

#### III. Public Health, Safety and General Welfare

This Application will further the public health, safety and general welfare of the City by implementing the goals and objectives of the *Denver Comprehensive Plan 2040* and *Blueprint Denver 2019* and by increasing the available housing in the midst of a housing shortage in the City.

#### Additional Review Criteria – Section 12.4.10.8

Code § 12.4.10.8 also requires that non-legislative rezonings meet the following additional criteria:

- A. Justifying circumstances
- B. Consistency with neighborhood context description, zone district purpose and intent statements

#### A. Justifying Circumstances

This Application satisfies the justifying circumstances (Code § 12.4.10.8.A.4) because of the overall population growth of the City and the increase in development surrounding the Evans RTD Light Rail Station. Specifically, the steady population growth in the City has created a need "in the city generally" for additional density and a variety of housing types, while the significant redevelopment and reinvestment in the area surrounding the Property since it was rezoned in 2010 proves the particular area has changed to such a degree that this Application is in the public interest.

Not only does *Blueprint Denver 2019* support this by identifying 20% growth in new households by 2040, but it also provides specific guidance on proposed rezoning requests and hence, acts as a justifying circumstance. As such, it states "When a rezoning request is made to change zoning to allow two-units uses, the appropriateness of the request depends upon adopted small area guidance, neighborhood input, and existing zoning patterns" (pg. 215), and "When a rezoning request is made to change the zoning to allow smaller lots for multiple properties in the area, the appropriateness of the request depends upon the existing character and applicable adopted neighborhood plan guidance." (pg. 215). As previously described in this application (refer to Section B. *Blueprint Denver 2019)*, the proposed Zone Map Amendment is consistent with the small area guidance, existing zoning patterns, character of applicable neighborhood plan guidance, and there is proven support through neighborhood input.

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

The Application is consistent with the Urban Neighborhood Context because it proposes a zone district that allows single-unit and two-unit residential uses. The Application is also consistent with the U-TU-B Zone District purpose and intent because the Property meets the minimum lot size requirement for up to two-units under the duplex and tandem house building forms.

#### Conclusion

As the foregoing explains, this Application satisfies the Code's requirements identified in Section 12.4.10.7 and Section 12.4.10.8. Accordingly, I respectfully request approval of this Application. Please do not hesitate to contact me with questions, concerns or to discuss further.

### SURVEY TAKEN 10/24-10/25 2020

### U-SU-C to U-TU-B Zoning Addendum

Petition for:

### 2162 S. Grant St.

Denver, CO 80210

Resident Name	Signature	Support	Oppose
DID NOT LISH TO SIGN	4	$\boxtimes$	
Maria Wellborn	Warh Well	文	
	S16H		X
Seaton Lycan S	Benth	K	
	Sign	X	
Sjeger	h	H	
DIS NOT LISH UTS	Significant	X	
Anthony Miles	Melles	X	
	170		
Androdelvag	An nosk	X	
5)		a graphic Minimum and	
Mighel R Sut			
Onara Konners	_	$\boxtimes$	
	DID NOT LISH TO SIGN  Maria Wellborn  DID NOT WISH TO  Seaton Lycan  DID NOT WISH TO  Sieger  DID NOT WISH TO  Anthony Miles	Name  Signature  DID NOT WISH TO SIGN  Maria Wellborn  DID NOT WISH TO SIGN  Seaton Lycan  Seaton Lycan  Sieger  DID NOT WISH TO SIGN  Sieger  DID NOT WISH TO SIGN  Anthony Miles  Miles  Miles  Miles  Miles  Miles	Name  Signature  Support  DID NOT WISH TO SIGN  Marka Wellborn  DIO NOT WISH TO SIGN  Seaton Lycan  Sieger  DID NOT WISH TO SIGN  Anthony Miles  Andrea Lugg  Myhal R Land

# SURVEY TAKEN 10/24-10/25 2020

### U-SU-C to U-TU-B Zoning Addendum

Petition for:

### 2162 S. Grant St.

Denver, CO 80210

Grant St. Address		ident ame	Signature	Support Oppose
2143	Mound	Jestmorpland	Mark	
2145		,		
2147	Joe Curt	55 byler	Min	
2161	( m V-	THE IN C		
2162	NATHAN SIC	Failm S		
	MATHAM >10	24410	8	
Single-unit	ent, Culturar  Residential  Residential  esidential  Epace  m. Utilities	Broadway Evansus A	A Parties of the state of the s	