

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Christian Overbey	Representative Name	
Address	1055 Locust Street	Address	
City, State, Zip	Denver, CO 80220	City, State, Zip	
Telephone	303-995-1081	Telephone	
Email	christianoverbey@gmail.com	Email	
<p><b>*If More Than One Property Owner:</b>            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><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></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 1055 (N) Locust St., L 29 & 30 & S 1/2 OF RESERVED STRIP N OF & ADJ L 30 BLK 7 PORTER & RAYMONDS MONTCLAIR			
Location (address and/or boundary description):	1055 (N) Locust St., L 29 & 30 & S 1/2 OF RESERVED STRIP N OF & ADJ L 30 BLK 7 PORTER & RAYMONDS MONTCLAIR		
Assessor's Parcel Numbers:	06053-02-013-000		
Area in Acres or Square Feet:	8,220 SF or approximately 0.19 Acres		
Current Zone District(s):	E-SU-Dx		
PROPOSAL E-SU-D1x			
Proposed Zone District:	E-SU-D1x		



REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria 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. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</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>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The existing zoning of the land was the result of an error.</li> <li><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</li> <li><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</li> <li><input checked="" type="checkbox"/> 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:             <ul style="list-style-type: none"> <li>a. Changed or changing conditions in a particular area, or in the city generally; or</li> <li>b. A City adopted plan; or</li> <li>c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</li> </ul> </li> <li><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental 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. Please provide an attachment describing the justifying circumstance.</li> </ul> <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. Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input checked="" type="checkbox"/> Proof of Ownership Document(s) <input checked="" type="checkbox"/> Review Criteria, as identified above	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<input type="checkbox"/> Written Authorization to Represent Property Owner(s) <input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity	
Please list any additional attachments:	



## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners 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)
<b>EXAMPLE</b> 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
Christian Overbey	1055 Locust Street Denver, Co 80220 303-995-1081 christianoverbey@gmail.com	100%	<i>Christian Overbey</i>	JUNE 23 2020	(A)	YES

# 1055 N LOCUST ST

<b>Owner</b>	OVERBEY,CHRISTIAN D 1055 LOCUST ST DENVER , CO 80220-4642
<b>Schedule Number</b>	06053-02-013-000
<b>Legal Description</b>	L 29 & 30 & S 1/2 OF RESERVED STRIP N OF & ADJ L 30 BLK 7 PORTER & RAYMONDS MONTCLAIR
<b>Property Type</b>	RESIDENTIAL
<b>Tax District</b>	DENV

**Print Summary**

Property Description			
<b>Style:</b>	ONE-STORY	<b>Building Sqr. Foot:</b>	1068
<b>Bedrooms:</b>	2	<b>Baths Full/Half:</b>	1/0
<b>Effective Year Built:</b>	1947	<b>Basement/Finish:</b>	512/256
<b>Lot Size:</b>	8,220	<b>Zoned As:</b>	E-SU-DX

**Note:** Valuation zoning may be different from City's new zoning code.

Current Year			
	Actual	Assessed	Exempt
Land		\$458,600	\$32,790 \$0
Improvements		\$14,100	\$1,010
<b>Total</b>		<b>\$472,700</b>	<b>\$33,800</b>

Prior Year			
	Actual	Assessed	Exempt
Land		\$458,600	\$32,790 \$0
Improvements		\$14,100	\$1,010
<b>Total</b>		<b>\$472,700</b>	<b>\$33,800</b>

## Real Estates Property Taxes for current tax year

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

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
<b>Date Paid</b>	2/21/2020	6/10/2020	
<b>Original Tax Levy</b>	\$1,218.77	\$1,218.75	\$2,437.52
<b>Liens/Fees</b>	\$0.00	\$0.00	\$0.00
<b>Interest</b>	\$0.00	\$0.00	\$0.00
<b>Paid</b>	\$1,218.77	\$1,218.75	\$2,437.52
<b>Due</b>	\$0.00	\$0.00	\$0.00

## 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.

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

Real estate property taxes paid for prior tax year: **\$2,261.38**

## Assessed Value for the current tax year

<b>Assessed Land</b>	\$32,790.00	<b>Assessed Improvements</b>	\$1,010.00
<b>Exemption</b>	\$0.00	<b>Total Assessed Value</b>	\$33,800.00

## Rezoning Application Support Documentation

Address: 1055 Locust Street, Denver CO 80220

Assessor's Parcel Number: 06053-02-013-000

Legal description per City Surveyor:

Lots 29 & 30, Block 7, and the South one half of the reserved strip North of adjoining Lot 30, Block 7, Porter Raymond's Montclair, an addition to the Town of Montclair, City and County of Denver, State of Colorado.

## Review Criteria

Consistency with Adopted Plans

Comprehensive Plan 2040

Equitable, Affordable and Inclusive Goal 2 Strategy A: Create greater mix of housing options in **every** neighborhood for all individuals and families (pg. 28) - Proposal would enable **greater diversity** of an ADU, smaller than the currently allowed single family, in addition to the currently allowed single family use.

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** (pg. 28) - Proposed ADU, in addition to the existing single family use, would be **developed privately** and would provide an smaller, additional residence than currently exists. **Site is 1/2 block from number 10 bus line and 4 blocks from the Colfax bus line.**

Strong and Authentic Neighborhoods Goal 1, Strategy B: Ensure neighborhoods offer a **mix of housing types and services for a diverse population** (p.34). This proposal is to allow for an ADU in a neighborhood with very few, if any ADU residences, **enabling a diverse mix.**

Strong and Authentic Neighborhoods Goal 1 , Strategy D Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p.34). Proposal is to rezone for **infill redevelopment** of an existing site, that aligns with evolving neighborhood scale and forms. The neighborhood is evolving from post-world war II single story forms to 2-story modern construction. This site is 3 blocks from Mayfair village center and 3 blocks from the 10 th & Jasmine shopping center, offering 2 large grocery stores and numerous neighborhood services. The slight **increase in neighborhood population increase viability for those businesses.** Proposal would conform with current Denver zoning code forms, street activation, access, etc.

Environmentally Resilient Goal 8, Strategy A Promote infill development where infrastructure and services are already in place (p. 54). This rezone proposes redeveloping an existing developed site, reusing and improving existing infrastructure, as necessary. **Public sidewalks, street trees, public street, water, power, sanitary sewer and gas lines will all remain as is, except for capacity adjustments.**

Blueprint Denver (2019)

#### Blueprint Denver Adopted Designations:

Future Neighborhood Context – Urban Edge  
Future Places: Low, Residential  
Future Growth Areas: All Other Areas of the City  
Locus Street: Local or Undesignated

Blueprint Denver Recommendations (p84, 04 and 05) – Our rezoning request specifically addresses these 2 recommendations in neighborhood context sensitive way. We currently anticipate requesting an attached ADU since the parcel is only accessed from the street (no alley). This envisions a single building from the street, rather than 2 separate buildings, because of the street-only access.

Neighborhood Context - (Future) Urban Edge (Same as current) The proposal is **only to allow an additional residence** in the existing neighborhood residential context. Neighboring parcels and this parcel access from the street. Parcels across the street and on some nearby blocks have alleys.

Place – Site will remain residential, in use and character. Proposal is **only to allow an additional residence**. The allowed building forms, height, number of stories, setbacks, and lot access will remain and match neighboring parcels. These are a mix of single and 2.5 story buildings as the neighborhood evolves. The large lot allows for perceived scale to remain essentially unchanged.

Growth Strategy – This parcel is within walking distance of Mayfair town center and the 8<sup>th</sup> and Colorado redevelopment. It is also 1/2 block from number 10 bus line and 4 blocks from the Colfax bus line. These areas will grow and this slightly higher density will enable that in a walkable way.

Street Type – This proposal supports the current and proposed future use as local street.

#### East Area Plan (Draft March 20, 2020)

Policy L6 (p39 east Area plan draft review) – This policy recommendation reinforces Blueprint Denver recommendations. Our proposal envisions a single building from the street, rather than 2 separate buildings, because of the street-only access. Our intention is to create 2 residences rather than a huge single family building that is currently allowed. This could easily be an 8 bedroom house, that is not in character with the neighborhood.

#### **Uniformity of District Regulations**

Proposal is to change zoning to realign with adopted and proposed plans. Proposed use, allowed building forms, height, number of stories, setbacks, and lot access will continue uniformity rather than create conflict.

#### **Public Health, Safety and General Welfare**

Proposal aligns with Public Health, Safety and General Welfare concerns by closely aligning with adopted and proposed plans and zonings. Proposal allows for more people to live in walkable neighborhood with transit access.

#### **Justifying Circumstances**

City adopted plans have identified helpful changes, making the rezoning beneficial to the public interest. These changes are outlined and detailed in the Comprehensive Plan 2040, Blueprint Denver and the proposed East Area Plan.

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

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.

Neighborhood Context - This proposed rezoning aligns with the neighborhood context as a 2-unit use (primary plus ADU) in a primarily single-unit and two-unit residential use context, as an urban house form, on a local residential street. The existing lot is typical for the context and will not change with this proposal, for the street grid, sidewalk, setback, trees required parking, or required building orientation. The proposed building scale for height, width, lot coverage aligns with existing buildings and in context.

This proposal involves no change to public transport mobility. This proposal does include potential for higher residential density. This density is controlled by Denver Zoning Code, allowing an accessory dwelling unit in addition to the current primary dwelling unit.

Zone District Purpose – This proposed rezoning does not change the allowed building forms, that will remain in alignment with the current zone district purpose. This lot is larger than the minimum lot size and allowing an accessory dwelling unit will not change alignment with the zone district purpose.

Intent – The proposed rezoning is to simply allow an accessory dwelling unit in addition to the currently allowed primary residence. This lot is an 8,000 sf lot and the minimum lot size for current and proposed zoning is 6,000 sf. This additional lot area allows the ADU to be less impactful on the site, for height, width, bulk, etc.