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www.denvergov.org/CPD

TO: Denver Planning Board
FROM: Francisca Penafiel, Associate City Planner
DATE: November 24, 2020
RE: Official Zoning Map Amendment Application #2020I-00049

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2020I-00049.

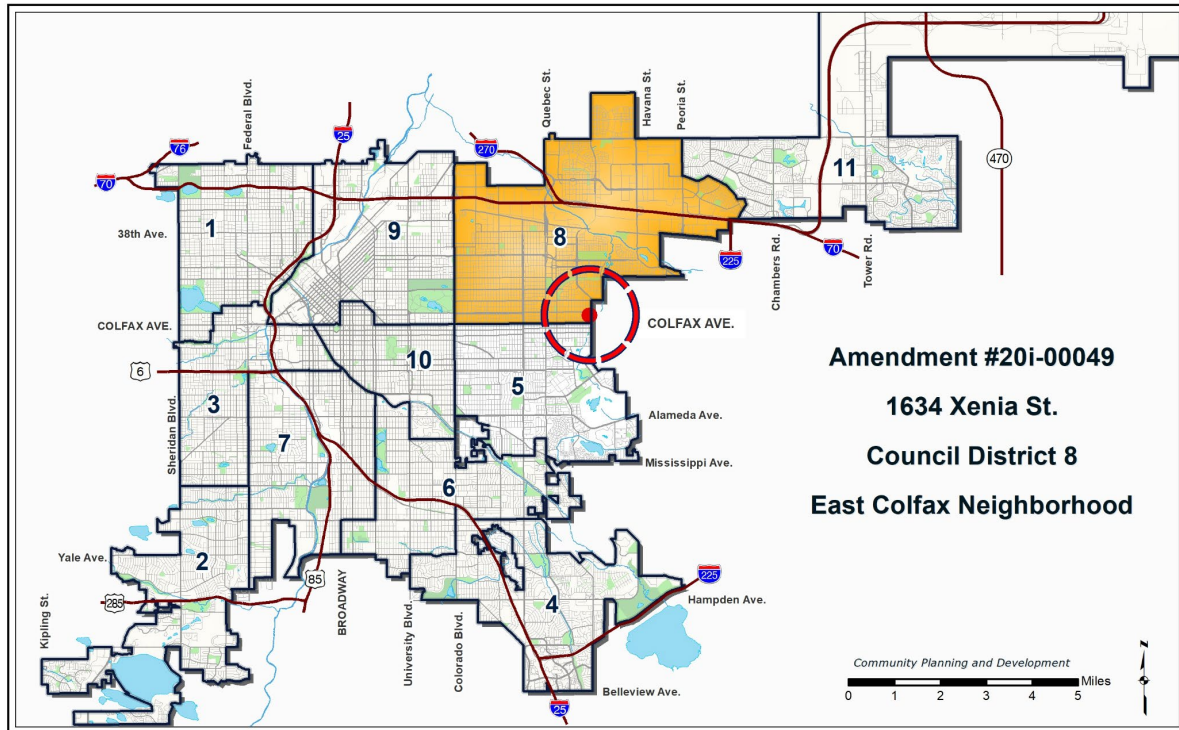
Request for Rezoning

Address: 1634 Xenia Street
Neighborhood/Council District: East Colfax/ Council District 8
RNOs: Northeast Denver Friends and Neighbors (NEDFANS), East Colfax Neighborhood Association, Opportunity Corridor Coalition of United Residents, Fax Partnership, Inter-Neighborhood cooperation (INC)
Area of Property: 6,250 square feet or 0.15 acres
Current Zoning: E-SU-Dx
Proposed Zoning: E-SU-D1x
Property Owner(s): Hernan Loza & Kim Cato
Owner Representative: None

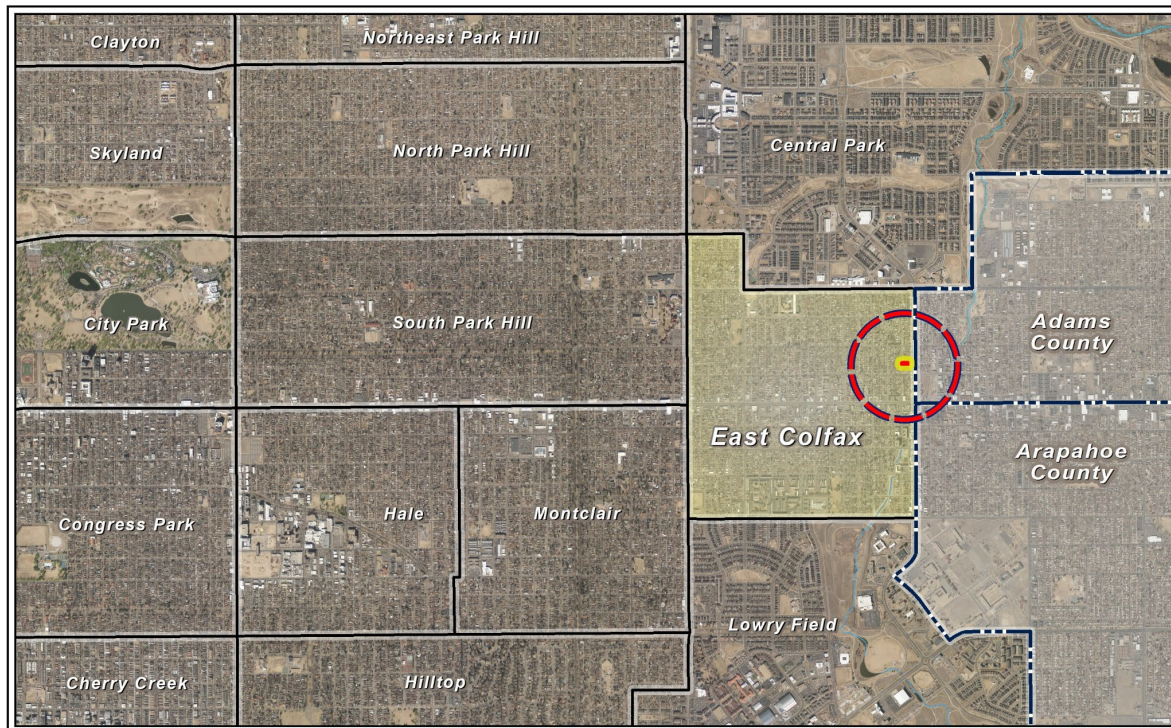
Summary of Rezoning Request

- The subject property contains a single-unit dwelling built in 1947 and is located between 16th and 17th Avenue along Xenia Street, only one block west from the City limit with Adams County.
- The property owner is proposing to rezone the property to build an accessory dwelling unit.
- The proposed E-SU-D1x, Urban **E**dge, **S**ingle-**U**nit, **D1x** district allows suburban houses, urban houses and detached accessory dwelling units in the rear yard with a minimum zone lot area of 6,000 square feet. The district is intended for use in the Urban Edge Neighborhood Context, which is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. The Urban Edge Neighborhood Context is primarily single-unit and two-unit residential uses. Single-unit residential structures are typically the Urban House and Suburban House building forms. The maximum height of the Urban House building form is 30 to 35 feet for the front 65% of the zone lot and 17 to 19 feet in the rear 35% of the zone lot while the maximum height of the Suburban House building form is 30 to 35 feet. The Detached Accessory Dwelling Unit form can be a maximum height of 24 feet. Single and two-unit residential uses are primarily located along local and residential arterial streets. Further details of the requested zone district(s) can be found in the proposed zone district section of the staff report (below) and in Article 4 of the Denver Zoning Code (DZC).

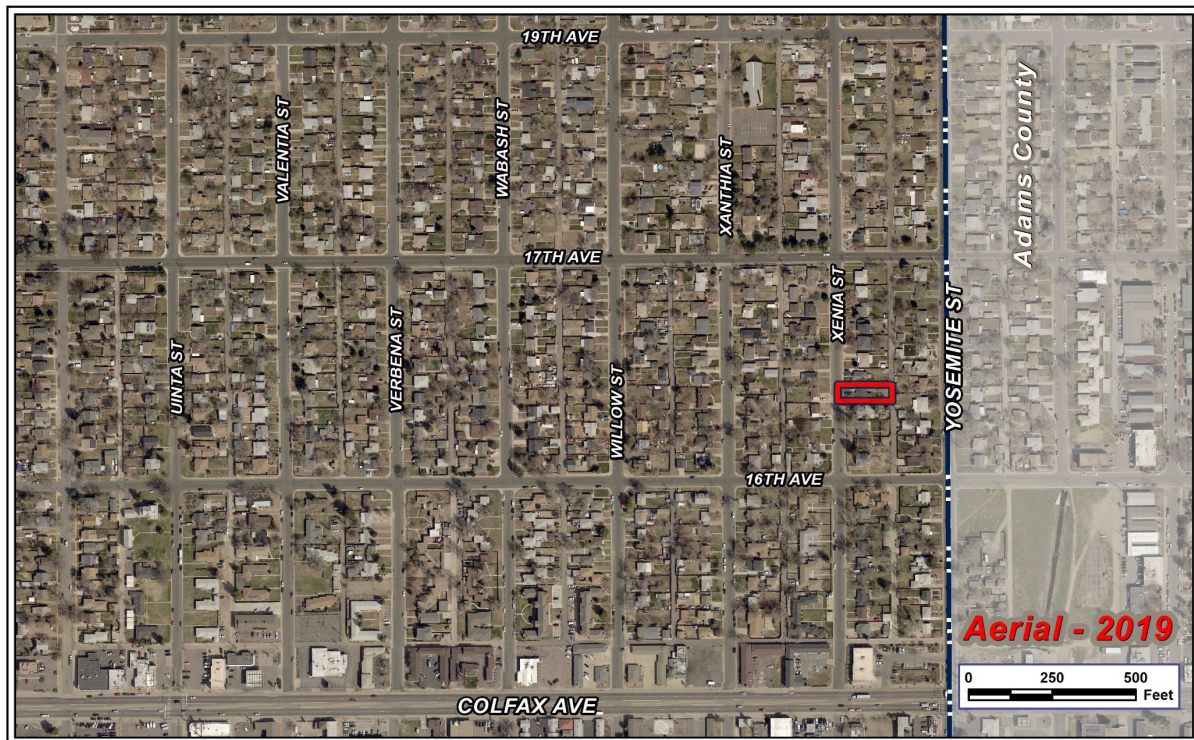
City Location



Neighborhood Location – East Colfax Neighborhood



Existing Context



The subject property is in the East Colfax Neighborhood, which is characterized primarily by single-unit and two-unit residential uses with multi-unit residential uses, commercial and mix-use uses along East Colfax. Generally, there is a pattern of rectangular blocks in a street grid pattern with alley access. The subject property is only one block west from Yosemite Street, the City limit with Adams County and the City of Aurora. The property is only a block and a half from the bus stop for bus route 15 and 15L, on East Colfax Avenue. A bike lane traverses 17th Avenue only half block to the north.

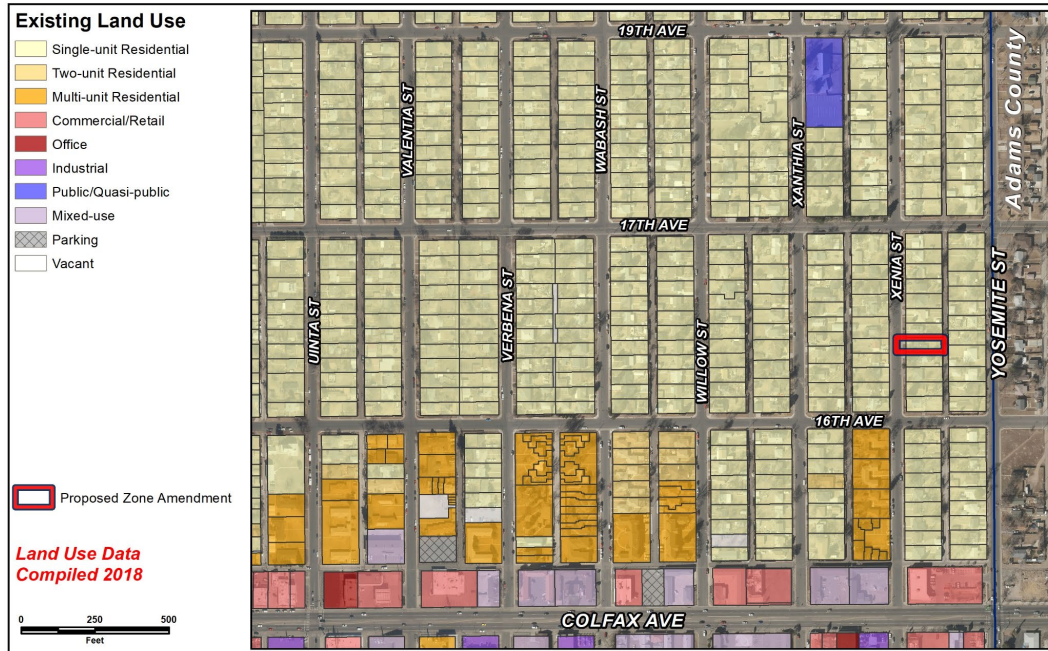
The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	E-SU-Dx	Single-unit Residential	1-story Residence	Generally regular grid of streets; Block sizes and shapes are consistent and rectangular with alleys. Garages are rear, side and front loaded with On-Street vehicle parking. Sidewalks are generally attached
North	E-SU-Dx	Single-unit Residential	1-story Residence	
South	E-SU-Dx	Single-unit Residential	1-story Residence	
East	E-SU-Dx	Single-unit Residential	1-story Residence	
West	E-SU-Dx	Row House	1-story Residence	

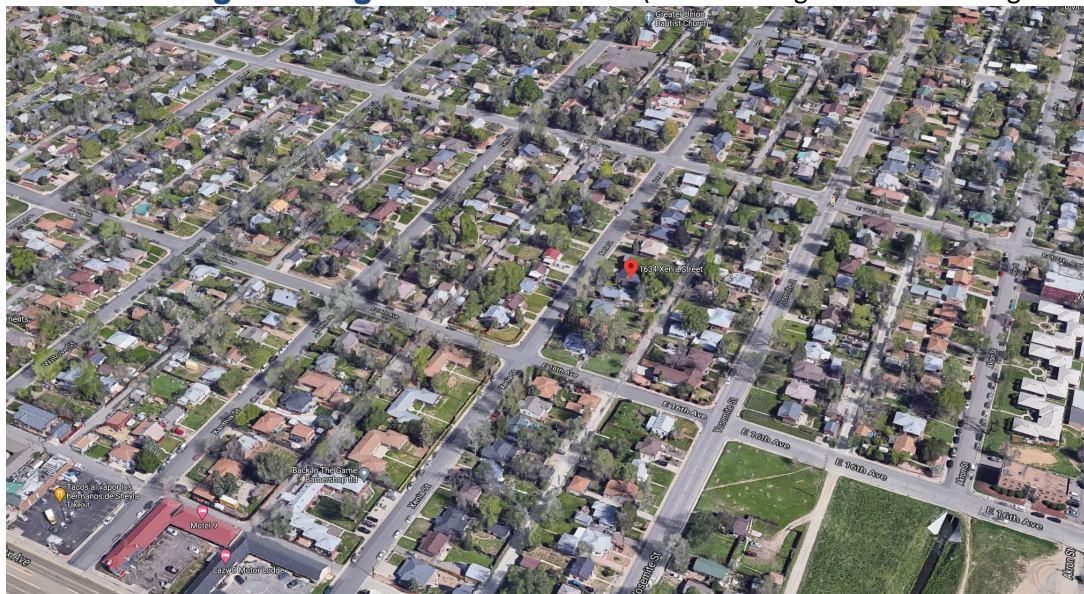
2. East Area Plan

The site is located in the planning area for the pending East Area Plan. City Council is tentatively scheduled to hold a public hearing on the plan on November 9, before the tentative date of November 30 for the hearing on this rezoning. As such, this staff report includes analysis evaluating the proposed rezoning against both the plans adopted as of the date of this report, and the latest draft of the East Area Plan.

3. Existing Land Use Map



4. Existing Building Form and Scale (source: Google Earth and Google Maps)



Aerial view of the site.



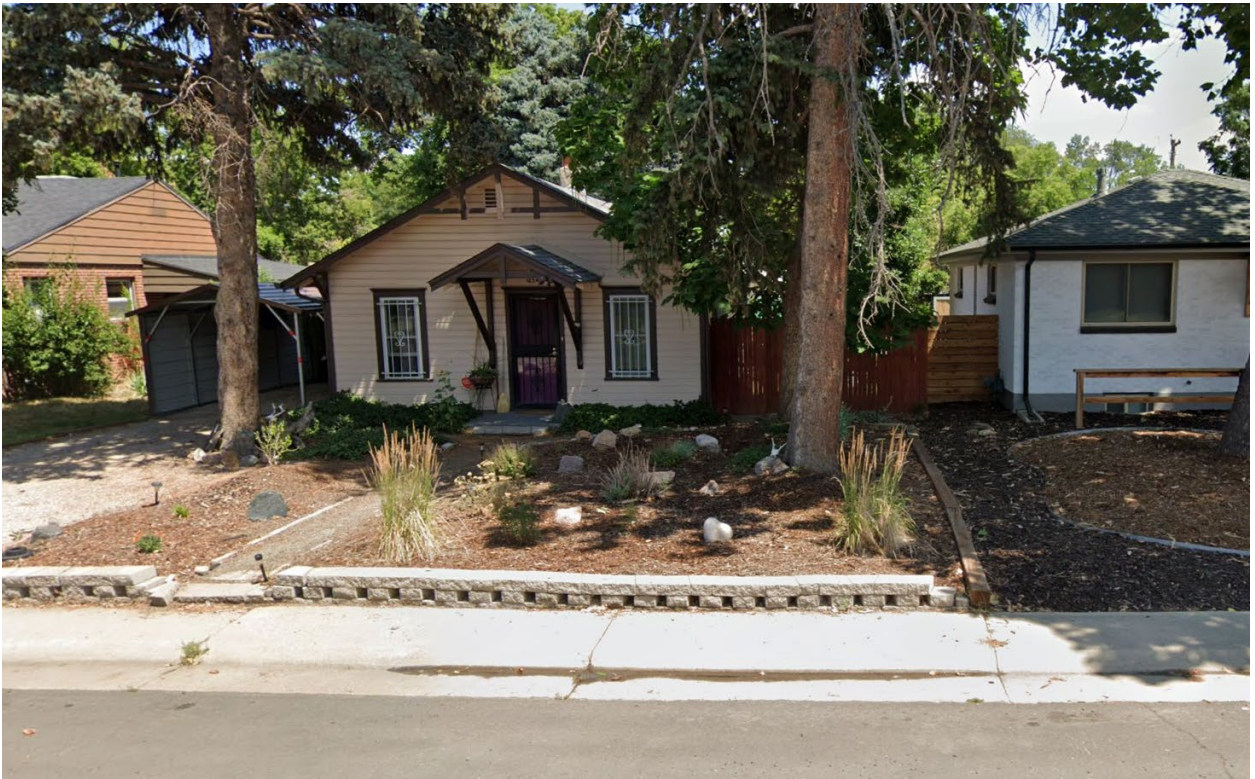
View of property looking east.



View of the property to the north, looking east.



View of the property to the east.



View of the property to the south, looking east.

Proposed Zoning

The applicant is requesting to rezone to E-SU-D1x, which allows the Suburban House and Urban House building forms on a zone lot with a minimum area of 6,000 square feet. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. The E-SU-D1x district also permits the accessory dwelling unit use and Detached Accessory Dwelling Unit (DADU) building form, to be located in the rear 35 percent of the lot, in addition to a variety of residential and civic uses permitted in the E-SU-Dx district. The Detached Accessory Dwelling Unit building form has a maximum height of 1.5 stories or 24 feet. A bulk plane that rises 10 feet vertically from the side interior or side street zone lot line, then slopes 45 degrees, also applies to the DADU building form. This form allows an exemption from the 37.5% building coverage standard, allowing the lesser of 50% or 500 square feet. For zone lots greater than 6,000 square feet and up to 7,000 square feet the ADU building footprint may be a maximum of 864 square feet. The district does not require any off-street vehicular parking for single-unit dwellings, but if provided, parking for the DADU must be accessed from the alley; street access is allowed when no alley is present.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	E-SU-Dx (Existing)	E-SU-D1x (Proposed)
Primary Building Forms Allowed	Urban House; Suburban House	Urban House; Suburban House
Maximum Height in Stories/Feet, Front 65% of Zone Lot*	2.5 stories / 30 feet to 35 feet	2.5 stories / 30 to 35 feet
Maximum Height in Stories/Feet, Rear 35% of Zone Lot*	Urban House: 1 story / 19 feet Suburban House: 2.5 stories / 30 to 35 feet	Urban House: 1 story / 19 feet Suburban House: 2.5 stories / 30 to 35 feet
DADU Maximum Height in Stories / Feet	DADUs not permitted	1.5 stories / 24 feet
Zone Lot Size (Min.)	6,000 square feet	6,000 square feet
Zone Lot Width (Min.)	50 feet	50 feet
Primary Street Block Sensitive Setback Required / If not	Yes / 20 feet	Yes / 20 feet
Side Street Setback (Min.) *	5 feet	5 feet
Side Interior Setback (Min.) *	5 feet	5 feet
Rear Setback, Alley / No Alley	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 with width of 50 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.

Development Services-Fire: Approved – No Response

Denver Public Schools: Approved – No Response.

Development Services - Project Coordination: Approved – No Response.

Development Services - Transportation: Approve – No response

Development Services - Wastewater: Approved – No Response

Parks and Recreation: Approved – No Response

Public Health and Environment: Approved – No Comments.

Public Works – City Surveyor: Approved – No Comments.

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:	7/21/2020
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:	9/14/2020
Planning Board public hearing (recommended approval)	9/30/2020
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:	10/6/2020
Land Use, Transportation and Infrastructure Committee of the City Council:	10/20/2020

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:	11/09/2020
City Council Public Hearing:	11/30/2020

- **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 comment letters from the public.

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)*
- *Housing an Inclusive Denver (2018)*

The following adopted plan currently applies to this property if the rezoning is approved prior to the adoption of the East Area Plan (anticipated November 9, 2020)

- *East Montclair/East Colfax Neighborhood Plan (1994)*

If the proposed map amendment is approved by City Council after the adoption of the East Area Plan (anticipated November 9, 2020), the following plan would apply instead:

- *East Area Plan (2020)*

Denver Comprehensive Plan 2040

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

E-SU-D1x 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-family neighborhood. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs compatible with the single-unit homes that currently dominate the East Colfax neighborhood.

- Strong and Authentic Neighborhoods Goal 1, Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 34).

The proposed rezoning would allow infill development appropriate for the surrounding neighborhood that broadens the range of housing types available.

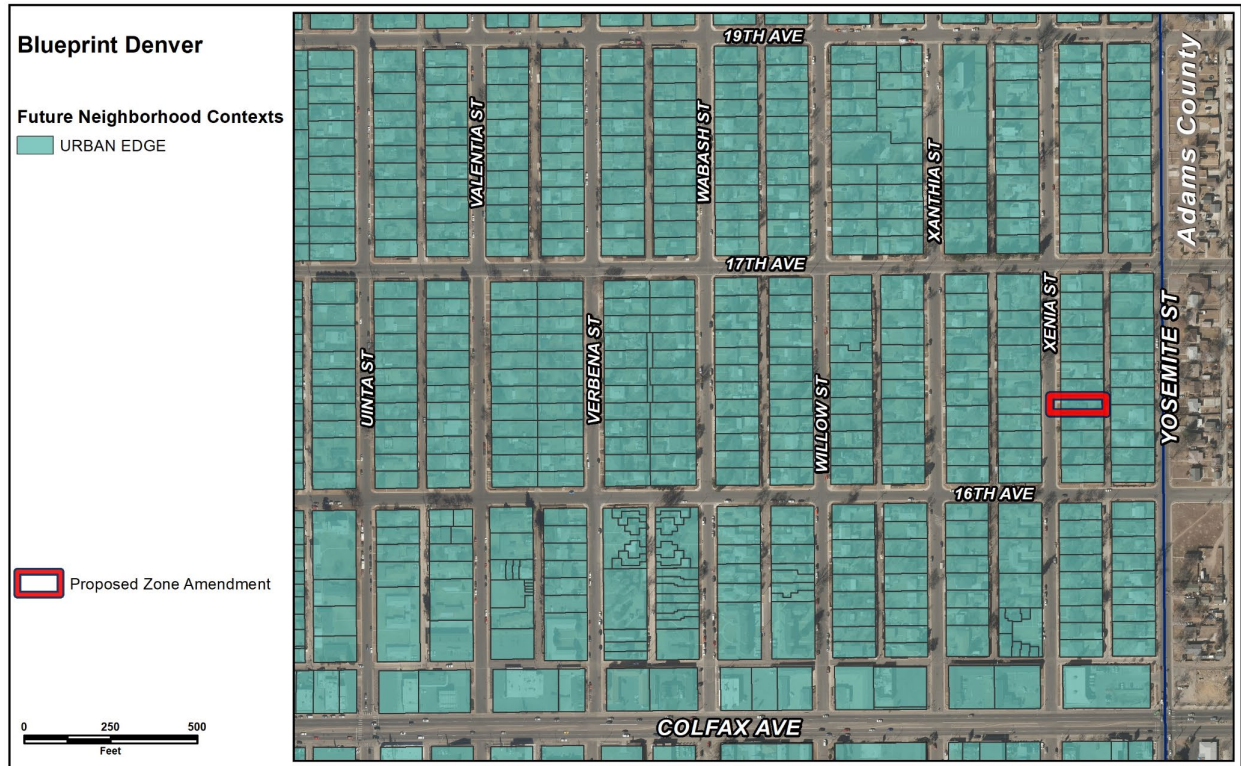
- Environmentally Resilient Goal 8, Strategy A – Promote infill development where infrastructure and services are already in place (p. 54).

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.

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 Edge Neighborhood Context and provides guidance on the future growth strategy for the city.

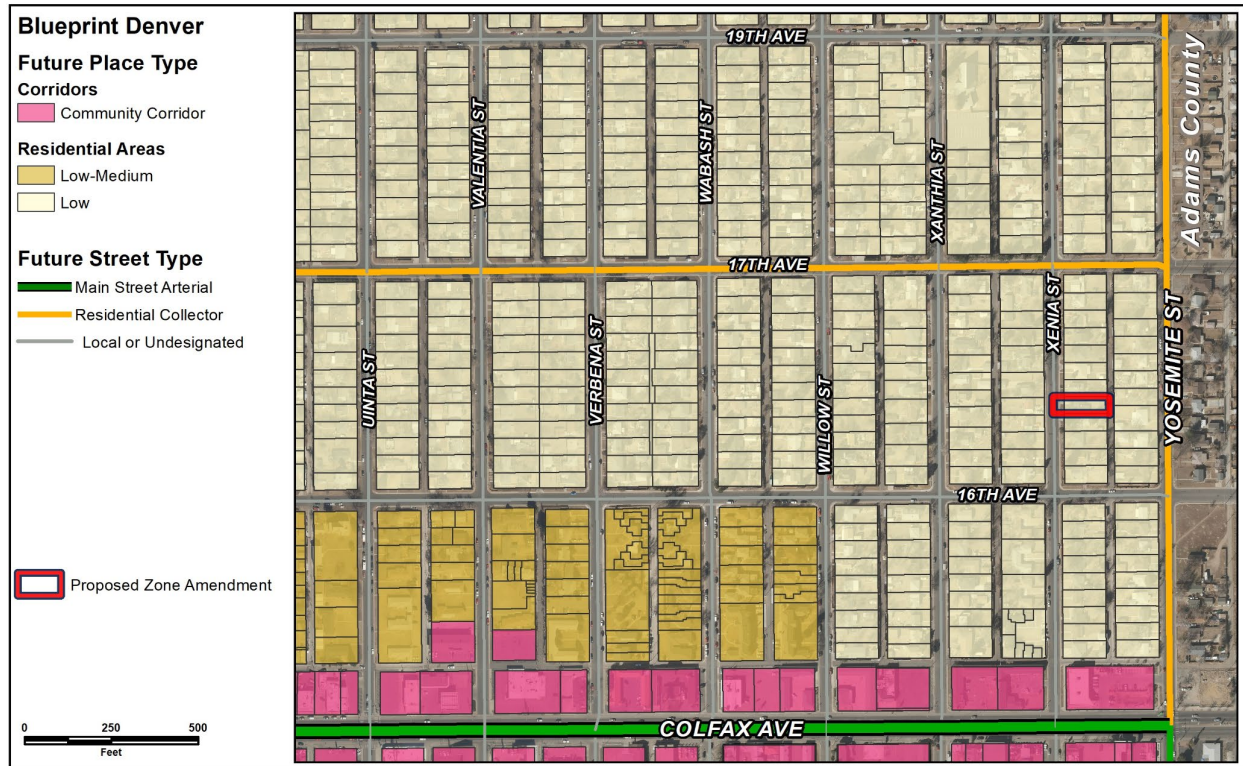
Blueprint Denver Future Neighborhood Context



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 property is shown on the context map as an Urban Edge Neighborhood Context, the description of which is used to guide appropriate zone districts (p. 66). *Blueprint Denver* describes the Urban Edge neighborhood context as follows: “Residential areas generally are single-unit and two-unit uses, with some low-scale multi-unit embedded throughout. Commercial nodes are generally found along key corridors or at intersections. Block patterns are generally a mix of suburban and urban elements—streets may be rectangular or curved and alleys are sometimes present. Multi-unit buildings and commercial nodes are generally low-scale” (p. 206).

E-SU-D1x is a zone district within the Urban Edge Neighborhood Context and is intended “to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context” and “the building form standards, design standards and uses work together to promote desirable residential areas” (DZC 4.2.2.1). E-SU-D1x is consistent with *Blueprint Denver’s* future neighborhood context of Urban Edge because it will promote the residential character of the neighborhood by allowing a small-scale ADU that will be compatible with the existing residential area.

Blueprint Denver Future Places

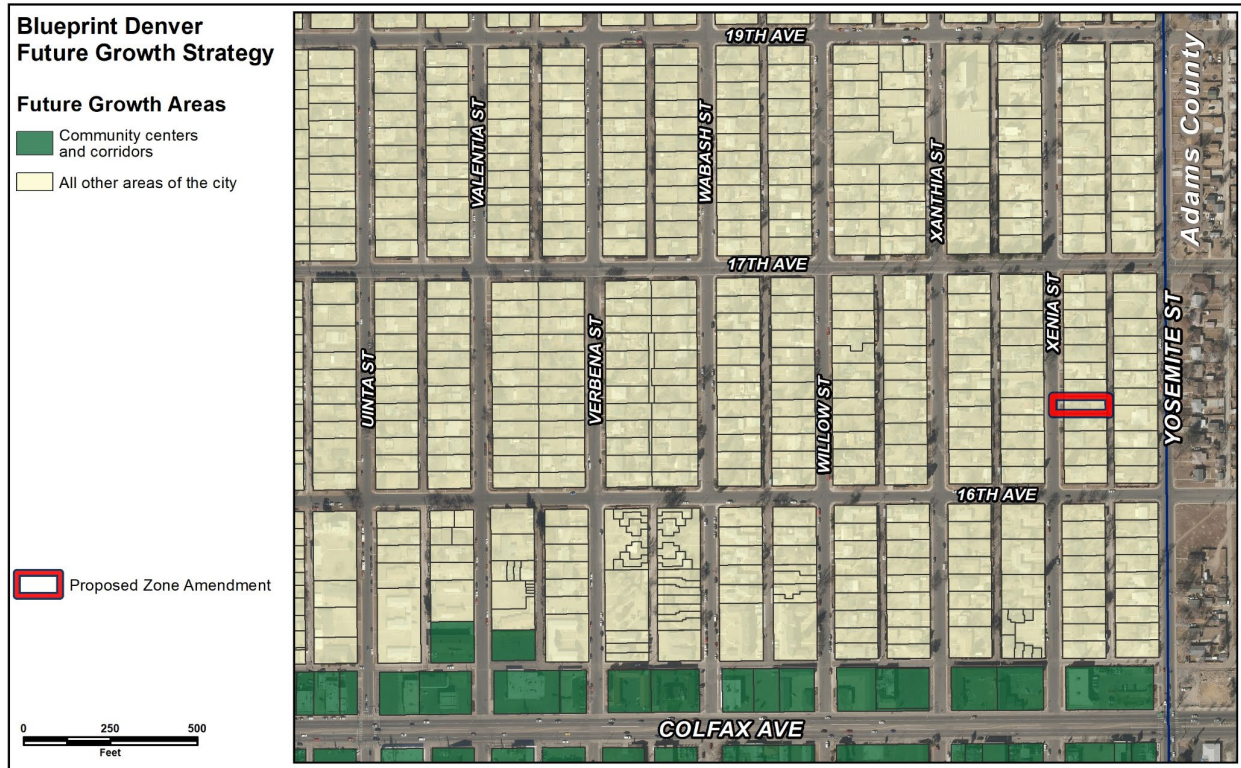


Within the Urban Edge Neighborhood Context, the subject property is categorized as a Residential Low Future Place with a land use and built form defined by *Blueprint Denver* as “predominately single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible. Some civic and institutional uses are compatibly integrated throughout and limited mixed-use can occur along arterial and collector streets, as well as where commercial uses have been already established. Vacant institutional uses on corners or select sites may be appropriate locations to introduce additional residential intensity. Low to medium building coverage. Buildings are generally up to 2.5 stories in height” (p. 214). The proposed E-SU-D1x zone district allowing a 1.5-story detached ADU on the rear of a small lot is compatible with this Future Place type.

Blueprint Denver Street Types

In *Blueprint Denver*, Future Street Types work in concert with the Future Places to evaluate the appropriate intensity of adjacent development (p. 67). *Blueprint Denver* classifies Xenia Street as a Local or Undesignated Future Street Type, which “can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses.” (p. 161). The proposed E-SU-D1x district is consistent with this street type because it allows for residential and some civic uses.

Blueprint Denver 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 contains "mostly residential areas with embedded local centers and corridors (that) take a smaller amount of growth intended to strengthen the existing character of our neighborhoods" (p. 49). The proposed E-SU-D1x zone district allowing an ADU is appropriate in this growth area as it will minimally contribute to development intensity in the neighborhood while maintaining the area's single-family residential character.

Blueprint Denver Strategies

Blueprint Denver provides recommendations related to rezoning to allow for ADUs.

- 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 ADUs, rezonings should be small in area in order to minimize impacts to the surrounding residential area" (p. 84).
- Housing Policy 5: "Remove barriers to constructing accessory dwelling units and create context-sensitive form standards." (p. 84).

In this case, the requested rezoning is a single lot in a residential area less than two blocks from a bus route. This rezoning to an ADU zone district will have minimal impacts on the character of the

surrounding neighborhood and is consistent with Blueprint Denver recommendations. In addition, the rezoning of the subject property will remove the prohibition on the construction of an accessory dwelling unit.

Housing an Inclusive Denver (2018)

Adopted in 2018, *Housing an Inclusive Denver* was not adopted as a supplement to *Denver Comprehensive Plan 2040* but was still adopted by City Council and can be considered relevant to the review criteria for this map amendment. The Plan includes citywide guidance for using *Blueprint Denver* to reduce regulatory barriers to development of accessory dwelling units; however, some of its recommendations can be applied to individual map amendments that propose allowing an accessory dwelling unit. For this case, the following plan goals are applicable:

Legislative and Regulatory Priorities, Recommendation 2: “Expand and strengthen land-use regulations for affordable and mixed-income housing. Through *Blueprint Denver* and supplemental implementation actions such as zoning modifications, the City should support land-use regulations that incentivize affordable and mixed-use housing, including expanding the development of accessory dwelling units.”

The proposed map amendment to E-SU-D1x is consistent with this *Housing an Inclusive Denver* recommendation because it will expand the availability and allow the development of an accessory dwelling unit at this site.

East Montclair/East Colfax Neighborhood Plan (1994)

The East Montclair/East Colfax Neighborhood Plan was adopted by City Council in 1994, and the plan area includes the subject property. The plan covers several broad topics, including a vision and recommendations for each topic. One element of the land use and zoning vision is “Protection of the residential character of the neighborhood” (p. 28). The proposed E-SU-D1x zone district, which differs from the current and surrounding zoning only in that it allows an accessory dwelling unit, maintains this low-intensity, residential character.

An element of the housing vision is “Sound management and a mix of income levels in rental single-family homes and apartments” (p. 55). Because an accessory dwelling unit cannot be sold separately from the primary residential unit, proposed rezoning enables what is likely to be a rental unit. Housing policy H-6 includes a recommendation to “encourage homeowners to add on additions and modernize single family homes” (p. 57). The proposed rezoning enables an accessory dwelling unit, which can be an addition to the original house for an attached accessory dwelling unit or a separate structure for a detached accessory unit.

The proposed E-SU-D1x zone district retains the existing zoning standards in the area and adds only the ability to build an accessory dwelling unit. This preserves the existing neighborhood character and allows homeowners to add to and modernize their homes in conformance with the East Montclair/East Colfax Neighborhood Plan.

East Central Area Plan

Although not yet adopted by City Council, the East Area Plan is anticipated to be adopted by City Council by the time this map amendment will be at council for public hearing, therefore it is relevant to this request. The proposed rezoning was reviewed for consistency with the September 3 Planning Board review draft of the East Area Plan. If the draft plan is adopted, it will replace the East Montclair/East Colfax Neighborhood Plan.

The East Area Plan designates the subject property Urban Edge future neighborhood context and Low Residential Single Unit future place, the definitions of which are consistent with Blueprint Denver described above (p. 27). The recommended maximum building height for the property is 2.5 stories (p. 32). The plan also includes several relevant recommendations, including Policy L6: “Ensure East area neighborhoods are inclusive places by thoughtfully integrating compatibly-designed missing middle housing and accessory dwelling units (ADUs) in appropriate locations” (p. 39).

The proposed E-SU-D1x zone district would allow for the development of an accessory dwelling unit and that is consistent with the Urban Edge future neighborhood context and Low Residential future place, as described above. The proposed rezoning would contribute to the preservation of the neighborhood’s existing character while allowing compatible new construction and uses, consistent with the recommendations of the East Area Plan.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to E-SU-D1x 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. The building form standards and allowed uses of the proposed zone district promote compatibility with the building forms and uses allowed in the surrounding area.

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. 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.

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

The requested E-SU-D1x zone district is within the Urban Edge Neighborhood Context, which “is primarily single-unit and two-unit residential uses” and “single-unit residential structures are typically the Urban House and Suburban House building forms” (DZC, Division 4.1). This context “consists of a regular pattern of block shapes” and “a mixed presence of alleys” (DZC, Division 4.1). The East Colfax neighborhood consists mostly of single-unit residential uses in rectangular blocks with alley access. The proposed rezoning to E-SU-D1x is consistent with the neighborhood context description.

The specific intent of the E-SU-D1x zone district “is a single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard” (DZC Section 4.2.2.2.F.). The subject property at 1634 Xenia Street contains a single-unit dwelling on a lot of 6,250 square feet. Adopted plans recommend allowing detached accessory dwelling units and limited growth in this area compatible with the existing character. Therefore, rezoning this site would be consistent with the specific intent of the zone district.

Attachments

1. Application
2. Legal description

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	Hernan Loza & Kim Cato	Representative Name	
Address	1634 Xenia St	Address	
City, State, Zip	Denver, CO 80220	City, State, Zip	
Telephone	303-669-0781	Telephone	
Email	cato5280@gmail.com	Email	
*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.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
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.			
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.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	1634 XENIA ST.		
Assessor's Parcel Numbers:	0133414008000		
Area in Acres or Square Feet:	6,250 SF		
Current Zone District(s):	E-SU-DX		
PROPOSAL			
Proposed Zone District:	E-SU-D1x		

REVIEW CRITERIA

General Review Criteria: The proposal must comply with all of the general review criteria
DZC Sec. 12.4.10.7

- 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.
- 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.
- Public Health, Safety and General Welfare:** The proposed official map amendment furthers the public health, safety, and general welfare of the City.

Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria
DZC Sec. 12.4.10.8

- 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 on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.
 - 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:
 - 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.
 - 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.
 - 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.

REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria, as identified above

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- 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)
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
Hernan Loza and Kim Cato	1634 Xenia St Denver, CO 80220 303-669-0781 cato5280@gmail.com	100%	<i>H. Loza</i> <i>K. Cato</i>	6.1.20	(A)	NO

Zone Map Amendment Application -- 1634 N. Xenia Street

Introduction

The intent of this application is to rezone 1634 N. Xenia Street from the current E-SU-Dx to the proposed E-SU-D1x, and with this change accommodate the need for an Additional Dwelling Unit (ADU). This rezoning would not require demolition or the redevelopment of the site, and the character of the neighborhood would be preserved. Per DZC Sec 4.2.2.2 both residential districts, E-SU-Dx and E-SU-D1x, are typically of a zone lot area of 6,250 square feet and allow for suburban and urban houses, with the difference being that E-SU-D1x allows for an accessory dwelling unit in the rear yard.

The city of Denver currently has a high demand for housing, thus property value, mortgages, and rents have been rising up. The property owner seeks to help with the current housing crisis by contributing with one affordable living space. The proposed map amendment will allow an ADU to be constructed in the backyard of the property which would help satisfy the demand for affordable housing in the Denver metro area, a demand which was not anticipated at the time of the current City's Plan adoption and at the time of the approval of the current Zone District. Not only would this ADU be a more affordable housing option than a typical single family home, it would also make living in Denver a better experience due to this property's proximity to public transportation, schools and public amenities. This would help the renter and me as the landlord offset some of the rising costs of living in this city.

This ADU would be in line with many of the recently adopted plans and their recommendations for a more affordable, more diverse housing option while simultaneously maintaining the character of the East Montclair/East Colfax neighborhood. Once amended, the property will continue to be consistent with the adopted city plans such as the Comprehensive Plan 2040, Blueprint Denver, Housing an Inclusive Denver Plan, and the East Montclair/East Colfax neighborhood Plans.

General Review Criteria: Consistency with Adopted Plans

1) Consistency with Comprehensive Plan 2040

According to the Comprehensive Plan 2040, the City of Denver will become more equitable, affordable and inclusive (Goal 2 & 3, pg. 28) by granting landowners the opportunity to build a greater (but reasonable) variety of spaces that will help with affordable housing. In Goal 1 (pg. 34), the Comprehensive Plan also envisions strong authentic neighborhoods by allowing development of diverse housing types and amenities that will be consistent with the surrounding context. Goal 8 (pg.54) explains that the development is encouraged to take place in a setting in which existing structure is present already.

2) Consistency with Blueprint Denver

Blueprint Denver (pg 66-67) describes how the plan applies to rezoning. The new proposed zone district should be consistent with the neighborhood context, the place, and street type. The proposed zone district shall not stand out among the surrounding neighborhood and

not vary at the lot level (pg. 205). The place needs to comply with the places map and descriptions envisioned to take place in the designated zones. The encompassing street type needs to be taken into consideration and be appropriate for the designation of the proposed district zone. The current and surrounding code implies that the land be used as residential low level structures (pg 214).

3) Consistency with Housing an Inclusive Denver

In Housing an Inclusive Denver Plan, Section 4 explains how there is an increasing need of affordable housing in Denver which may be addressed (Recommendation 2) by using the City's Preservation Ordinance, using land to provide affordable housing development, create a consistent plan for areas that will be designated as affordable housing, and finally protect renters rights (create rental registry).

The proposed map amendment will help the city of Denver to develop a housing project that will provide affordable housing. The Detached Accessory Dwelling unit in this lot will provide a person with affordable housing, just as the Inclusive Denver Plan envisions, therefore it is in the public interest that this map amendment is passed.

4) Consistency with East Montclair/East Colfax Neighborhood

The East Montclair/East Colfax neighborhood seeks to use the land as predominantly residential spaces encouraged to be owned, renovated, and well kept in order to improve the physical appearance of the neighborhood.

The proposed map amendment will comply with The Comprehensive Plan 2040, Blueprint Denver, and the East Montclair/East Colfax Neighborhood Plan(1994). The amendment will allow for the development of a Detached Accessory Dwelling which is a diverse housing type that will be more affordable. It will be located in the rear yard of an already developed area. The ADU will be constructed with a similar manner and material as the primary structure. This will be the single exclusive change to the property and it will only make it and its surrounding neighborhood more appealing.

Uniformity of District Regulations and Restrictions

The proposed map amendment will continue to conform to the uniformity of the District Regulation and Restrictions because all development will comply with E-SU-D1x Zoning Regulations and Restrictions.

Public Health, Safety and General Welfare

The proposal for this map amendment will enable the property owner to increase public health, safety and general welfare by allowing the contribution of an affordable ADU in a great location.

Justifying Circumstances: Change in A City Adopted Plan

On page 84, the city adopted plan: Blueprint Denver recommends that Denver diversifies the housing choices by allowing more ADU's to be built in residential areas. Additional Dwelling Units are a great option because they provide affordable housing in residential areas that are in

convenient proximity without drastically changing the neighborhoods' character. Blueprint Denver mentions that eventually, a citywide approach to allow ADUs will be in place, however for the time being, individual rezoning to enable ADUs are appropriate, as long as they do not impact the surrounding areas.

The proposed map amendment will enact the plans in Blueprint Denver. 1634 Xenia St is a convenient location to place an ADU that will provide affordable housing to its future residents. Since the surrounding area is still zoned E-SU-DX, there will be little to no change to the surrounding areas, therefore the zoning amendment would not be a concern, but rather a benefit.

Consistency with Description of Applicable Neighborhood

The context is categorized (by Article 4, Division 4.1) mostly as urban edge, therefore the surrounding areas are organized by orthogonal streets and are predominantly used for cars and bikes. The blocks consist of mostly low level residential single unit or double unit properties along the streets and mid-rise commercial or mixed use properties along the main streets. The context is sub-categorized (Section 4.2.2) as a residential district, therefore it seeks to protect and promote desirable residential areas. The lots in this zone vary in size but usually have low lot coverage (greater setbacks and yard space).

If the proposed map amendment is approved, the context will remain consistent with the previous zone district designation, with the exception of allowing an Detached Accessory Dwelling which will be located in the rear yard. The lot will continue to have a low lot coverage, because the ADU will not occupy a large part of the lot.

LEGAL DESCRIPTION -- 1634 N. Xenia Street, Denver, CO 80220

BELLAIRE 01334 Block 1, Lots 15 & 16
City and County of Denver, State of Colorado

1634 N XENIA ST

Owner LOZA,HERNAN R
CATO,KIM L
1634 XENIA ST
DENVER , CO 80220-2240

Schedule Number 01334-14-008-000

Legal Description BELLAIRE 01334 B1 L15 & 16

Property Type RESIDENTIAL

Tax District DENV

Print Summary

Property Description

Style:	ONE-STORY	Building Sqr. Foot:	850
Bedrooms:	2	Baths Full/Half:	1/0
Effective Year Built:	1947	Basement/Finish:	0/0
Lot Size:	6,250	Zoned As:	E-SU-DX

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

Current Year

	Actual	Assessed	Exempt
Land		\$140,600	\$10,050 \$0
Improvements		\$143,500	\$10,260
Total		\$284,100	\$20,310

Prior Year

	Actual	Assessed	Exempt
Land		\$140,600	\$10,050 \$0
Improvements		\$143,500	\$10,260
Total		\$284,100	\$20,310

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)
Date Paid			
Original Tax Levy	\$732.35	\$732.33	\$1,464.68
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$14.65	\$0.00	\$29.30
Paid	\$0.00	\$0.00	\$0.00
Due	\$747.00	\$732.33	\$1,493.98

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) ⓘ	Y	Scheduled to be Paid by Mortgage Company ⓘ	N
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

Real estate property taxes paid for prior tax year: **\$1,383.29**

Assessed Value for the current tax year

Assessed Land	\$10,050.00	Assessed Improvements	\$10,260.00
Exemption	\$0.00	Total Assessed Value	\$20,310.00