



TO: Denver City Council
FROM: Francisca Penafiel, Associate City Planner
DATE: December 30, 2021
RE: Official Zoning Map Amendment Application #2021I-00195

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2021I-00195.

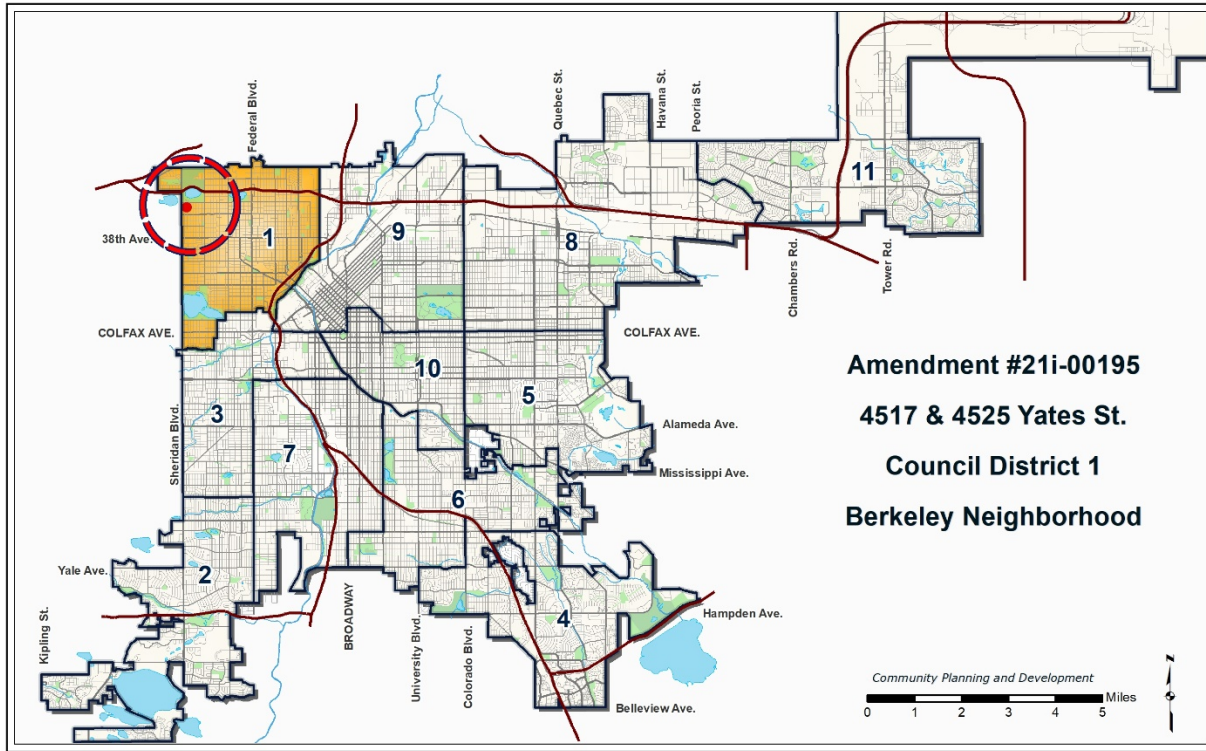
Request for Rezoning

Address: 4517 & 4525 North Yates Street
Neighborhood/Council District: Berkeley / Council District 1 – Amanda Sandoval
RNOs: Berkeley Regis United Neighbors, Unite North Metro Denver, Denver for ALL, District 1 Neighborhood Coalition, Inc., West Tennyson Founders, Inter-Neighborhood Cooperation (INC)
Area of Properties: 4,390 + 4,390 = 8,780 square feet or 0.2 acres
Current Zoning: U-SU-C1
Proposed Zoning: U-SU-A1
Property Owner(s): Marley & Alex Withrow, Sharon Peterson & Paul Nagy
Owner Representative: Marley Withrow

Summary of Rezoning Request

- These two properties came together for rezoning given the similarities of the sites. They abut one another on a side interior lot line, and the research shows they have very similar contexts and conditions. The applicants were made aware of the benefits and risks of bundling the sites into one application. While it will save resources, if one of the subject properties requesting to be rezoned was to be denied, the other property would also be denied.
- The property at 4525 North Yates Street was built in 1925 and the one at 4517 North Yates Street was built in 2018. The property owners are proposing to rezone their properties to a district with a smaller minimum zone lot size to build a detached accessory dwelling unit. While an attached accessory dwelling unit is allowed under the existing zoning, a detached accessory dwelling unit is not allowed in the existing zoning because the zone lots are smaller than the minimum 5,500 square feet required in the U-SU-C1 zone district.
- The proposed U-SU-A1, **Urban, Single-Unit, A1** (3,000 square feet minimum zone lot size allowing accessory dwelling units (ADUs)), zone district is intended for use in the Urban Neighborhood Context which is characterized by single-unit and two-unit uses. Single-unit residential uses are typically located along local and arterial streets and structures are usually the Urban House building form. 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.

City Location



Neighborhood Location – Berkeley Neighborhood



Existing Context

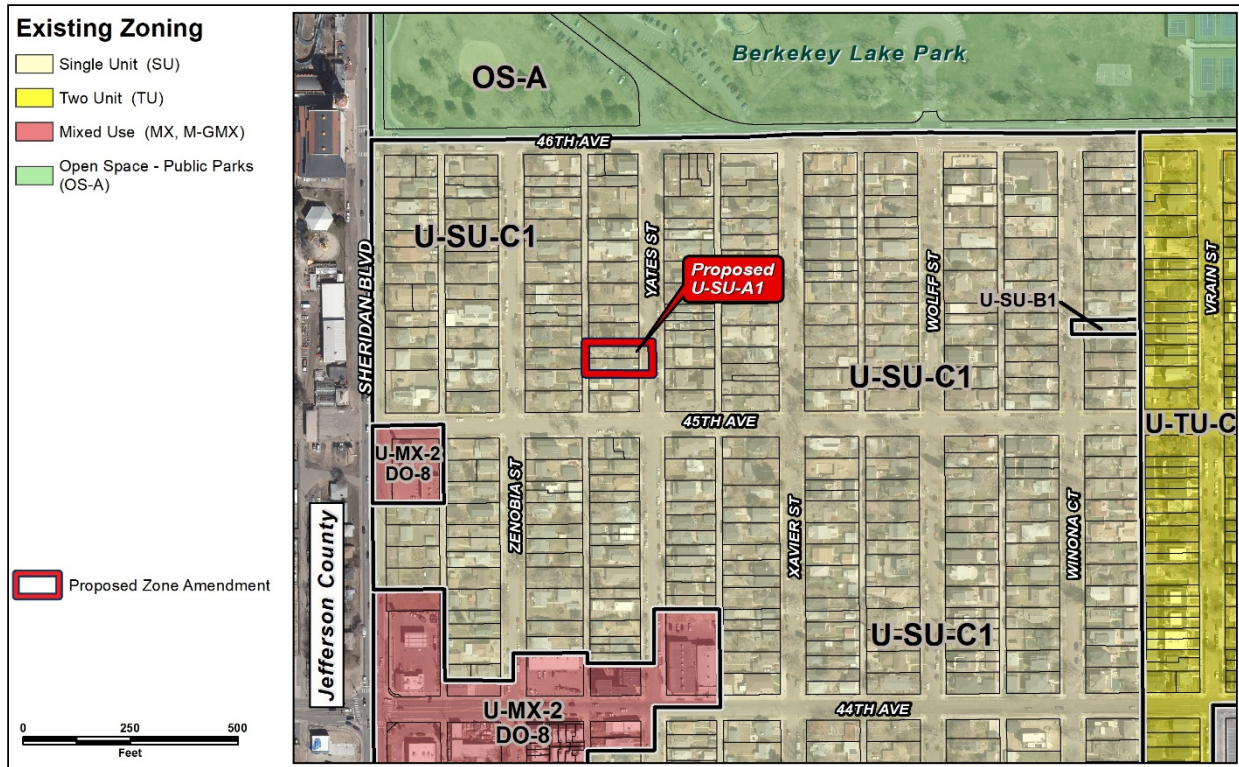


The subject property is in the Berkeley neighborhood, which is characterized primarily by single-unit and two-unit residential uses with a corridor of mixed-use and commercial uses along North Sheridan Boulevard, West 44th Avenue and North Tennyson Street. Generally, there is a pattern of rectangular blocks in a street grid pattern with alley access. The subject property is between West 46th and 45th avenues and is 0.5 miles south from I-70. It is also a block and a half north from West 44th Avenue where RTD bus route 44 travels. A buffered bike lane traverses West 46th Avenue, one half block to the north of the property.

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

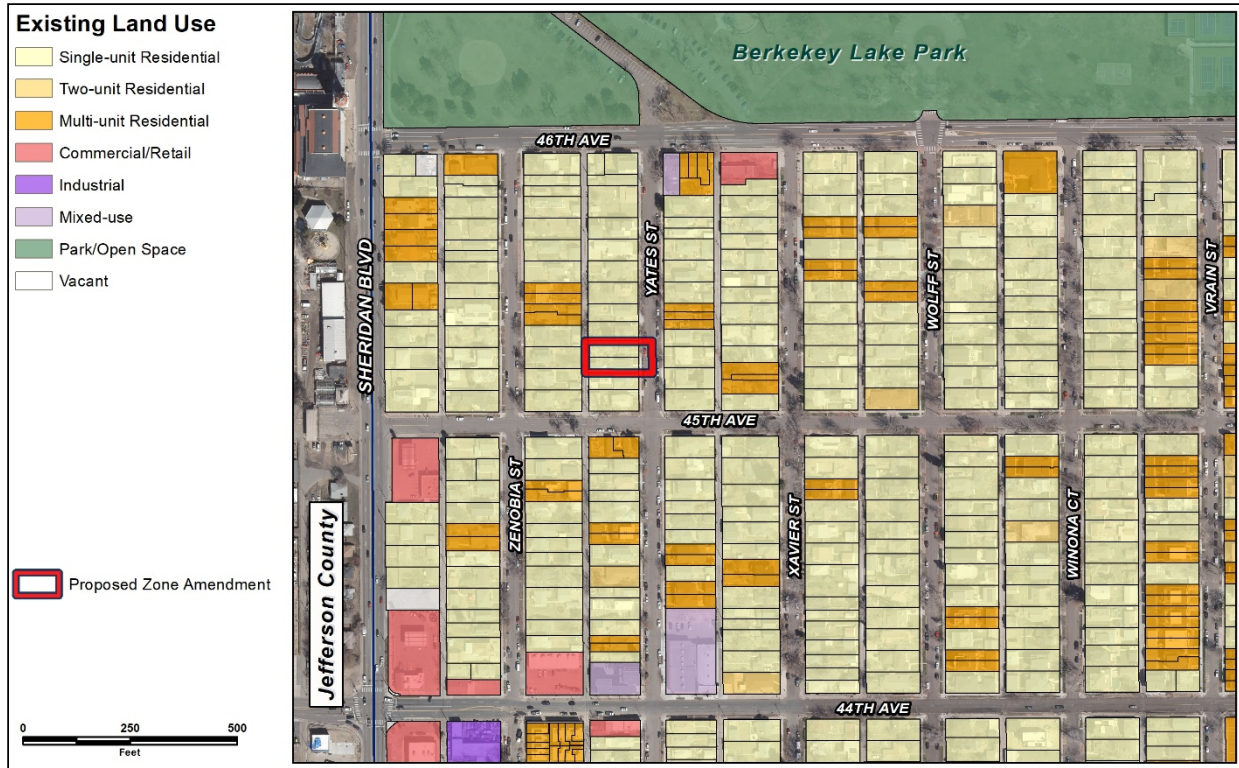
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
4525 N Yates St	U-SU-C1	Single-unit Residential	1-story bungalow with detached garage and alley access	Block sizes and shapes are consistent and rectangular. Detached sidewalks with tree lawns and existing alleys. Garages and on-street vehicle parking.
4517 N Yates St	U-SU-C1	Single-unit Residential	2-story house with detached garage and alley access	
North	U-SU-C1	Single-unit Residential	1-story bungalow with driveway at the north of the property	
South	U-SU-C1	Single-unit Residential	1-story bungalow with detached garage and alley access	
East	U-SU-C1	Single-unit Residential	1-story bungalow with detached garage and alley access	
West	U-SU-B1	Single-unit Residential	1-story bungalow	

1. Existing Zoning



The U-SU-C1 zone district is a single-unit residential district with a minimum zone lot size of 5,500 square feet and allows the Urban House primary building form and the Accessory Dwelling Unit use and building form. The maximum allowed height is 2.5 stories or 30 to 35 feet in the front 65% of the zone lot, 1 story and 17 feet to 19 feet in the rear 35% of the zone lot. It allows three accessory structure forms: Detached Accessory Dwelling Unit, Detached Garage, and Other Detached Accessory Structure. The maximum height for a Detached Accessory Dwelling Unit is 24 feet and requires a minimum zone lot size of 5,500 square feet to be constructed. For all other permitted accessory structures, the maximum height is 17 feet and there is no zone lot size minimum. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context.

2. Existing Land Use Map



3. Existing Building Form and Scale (all images from Google Maps)



Subject Sites - View of both subject properties, looking west.



North - View of the property to the north of 4525 North Yates Street, looking west.



South – View of the property to the south of 4517 North Yates Street, looking west.



East - View of the property to the east across North Yates Street, looking east.



West – View of the property to the west across the alley on North Zenobia Street, looking east.

Proposed Zoning

U-SU-A1 is a single-unit zone district with a minimum zone lot size of 3,000 square feet, allowing only the Urban House primary building form. A variety of residential and civic uses are permitted as primary uses in the U-SU-A1 district. Compared to the U-SU-C1 district, U-SU-A1 allows the Detached Accessory Dwelling Unit (DADU) building form on a smaller zone lot with a minimum of 3,000 square feet. The Detached Accessory Dwelling Unit building form has a maximum height of 1.5 stories or 24 feet. A bulk plane that raises 10 feet vertically from the side interior or side street zone lot line, then slopes 45 degrees applies to the DADU building form. This form also allows an exemption from the 37.5% building coverage standard allowing the lesser of 50% or 500 square feet. The subject site has a lot size of 4,390 square feet, allowing a maximum building footprint of 650 square feet for the DADU.

The primary building forms and relevant standards of the detached accessory dwelling unit accessory building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	U-SU-C1 (Existing)	U-SU-A1 (Proposed)
Primary Building Forms Allowed	Urban House	Urban House
Maximum Height in Stories/Feet, Front 65% of Zone Lot*	2.5 stories / 30 feet	2.5 stories / 30 feet
Maximum Height in Stories/Feet, Rear 35% of Zone Lot*	1 story / 17 feet	1 story / 17 feet
DADU Maximum Heights in Stories / Feet	1.5 stories / 24 feet	1.5 stories / 24 feet
Zone Lot Size (Min.) for both Urban House and DADU	5,500 square feet	3,000 square feet
Minimum Zone Lot Width (Min.)	50 feet	25 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 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 Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures

*Based on subject properties with width of 35 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.

Denver Public Schools: Approved – No Response.

Department of Public Health and Environment: Approved – No Comments.

Denver Parks and Recreation: Approved – No Comments.

Public Works – R.O.W. - City Surveyor: Approved – No Comments:
Approved Legal description

4525 N Yates St
Denver, CO 80212

LOT 30 AND THE SOUTH 1/2 OF LOT 31, BLOCK 39, BLOCKS 1 to 40, BOTH INCLUSIVE, BERKELEY, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

4517 N Yates Street
Denver, CO 80212

LOT 29 AND THE NORTH 1/2 OF LOT 28, BLOCK 39, BLOCKS 1 to 40, BOTH INCLUSIVE, BERKELEY, CITY AND COUNTY OF DENVER, STATE OF COLORADO

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approved – No See Comments Below.

There is no objection to the rezone. Upon rezoning applicant will need to obtain a building permit. Independent sanitary service lines may be required, historical drainage paths must be maintained. Approval of this rezone on behalf of Wastewater does not state, or imply, public storm/sanitary infrastructure can, or cannot, support the proposed zoning. Commitment to serve proposed structure will be based on permit issuance.

Development Services – Project Coordination: Approved – No Comments.

Development Services – Fire Prevention: 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:	09/23/2021
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:	11/01/2021
Planning Board Public Hearing: (Recommended for approval on consent agenda)	11/17/2021
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:	11/09/2021
Land Use, Transportation and Infrastructure Committee of the City Council:	11/23/2021
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 (tentative):	12/13/2021
City Council Public Hearing:	01/03/2022

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has received no comment letters from Registered Neighborhood Organizations.
- **Other Public Comment**
 - To date, staff has received five public comment letters in support of the request. They all state their strong support of ADUs in general and also in this particular location to help add living space for the applicants while keeping with the neighborhood character.

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)

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).

U-SU-A1 allows for an additional detached 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 than the single-unit homes that currently dominate the Berkeley 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.

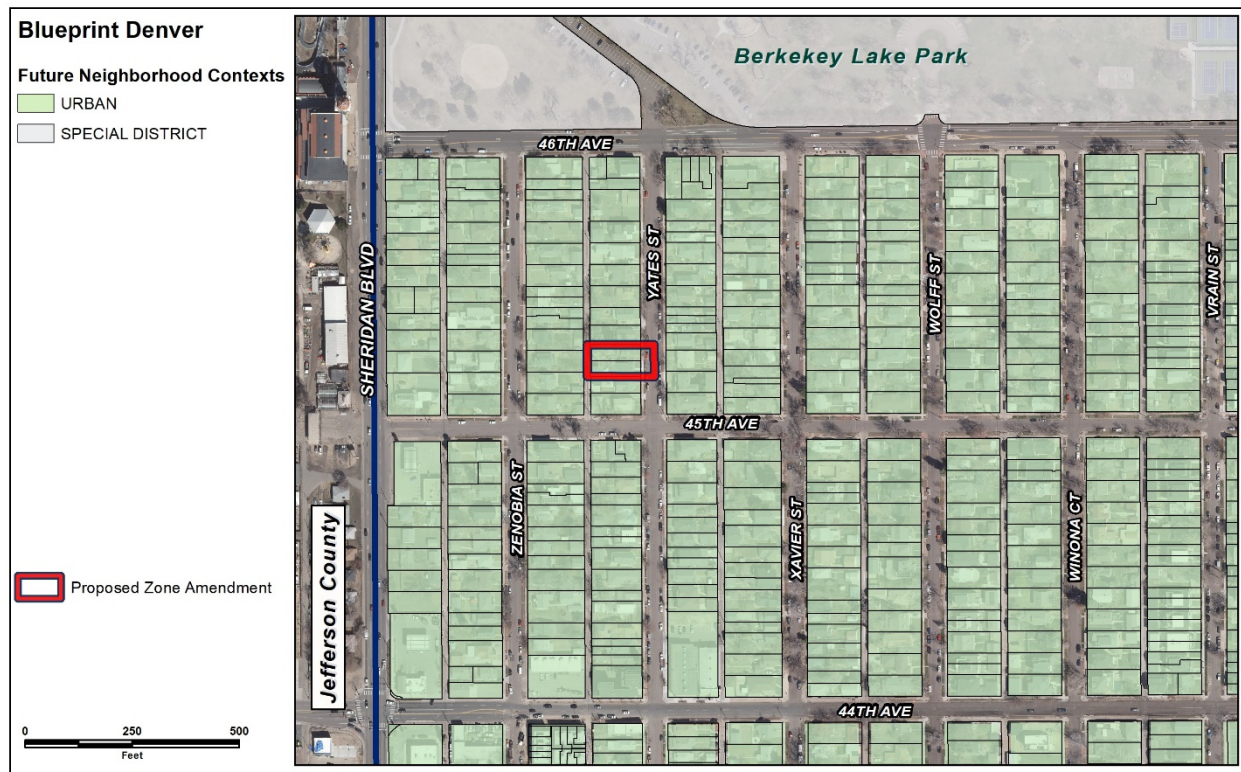
- Environmentally Resilient Goal 8, Strategy A – Promote infill development where infrastructure and services are already in place (p. 54).

The proposed map amendment will allow an additional detached housing unit on each site of the existing single-unit homes where infrastructure and services such as water, stormwater, and transit already exist. This allows Denver to grow responsibly and promotes land conservation.

Blueprint Denver

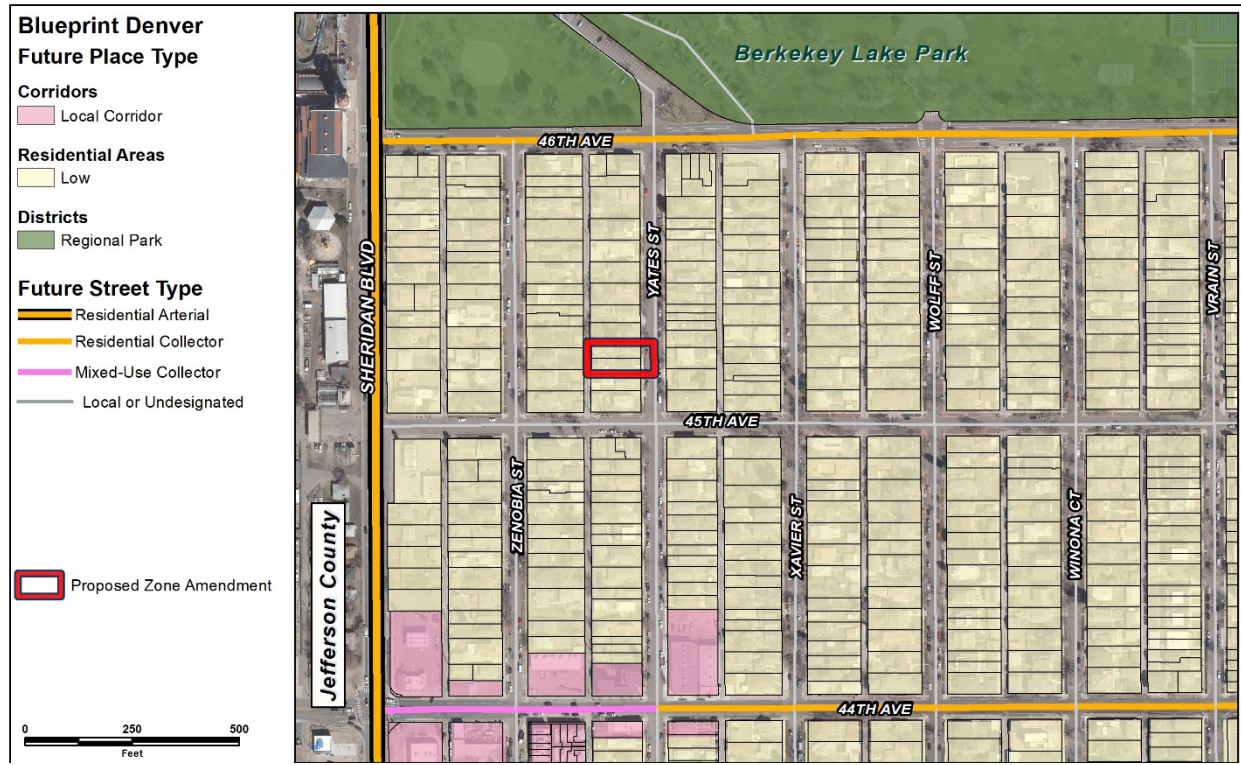
Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city’s land use and transportation decisions. *Blueprint Denver* identifies the subject properties as part of a Low Residential place within the Urban Neighborhood Context and provides guidance on the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context



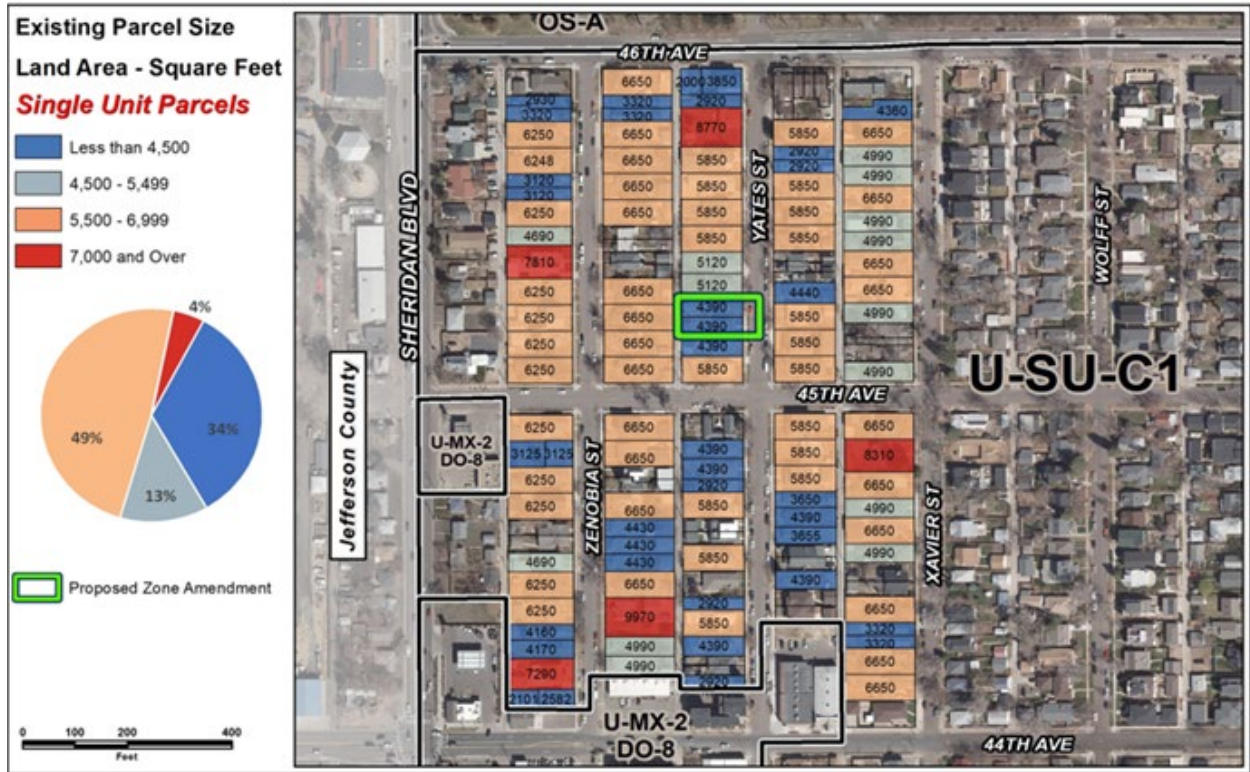
In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject sites are shown on the context map as Urban neighborhood context, the description of which is used to guide appropriate zone districts (p. 66). The Urban neighborhood context is described as containing “small multi-unit residential and low-intensity mixed-use buildings typically embedded in single-unit and two-unit residential areas” with grid block patterns and alley access (p. 222). U-SU-A1 is a zone district within the Urban neighborhood context and is “intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context” and “the building form standards, design standards and uses work together to promote desirable residential areas” (DZC 5.2.2.1). U-SU-A1 is consistent with the *Blueprint Denver* future Urban neighborhood context because it will promote the residential character by allowing single-unit residential uses with a low-scale accessory dwelling unit that will be compatible with the existing residential area.

Blueprint Denver Future Places



The subject sites are designated within a Low Residential future place type on the *Blueprint Denver Future Places* map. This place type is “predominately single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible,” and “building heights are generally up to 2.5 stories in height” (p. 230). U-SU-A1 is a single-unit residential district that allows for an additional dwelling unit accessory to a primary single-unit residential use, which is consistent with the Low Residential future place type description. It allows the Urban House building form, which has a maximum height of 2.5 stories, also consistent with the future places map.

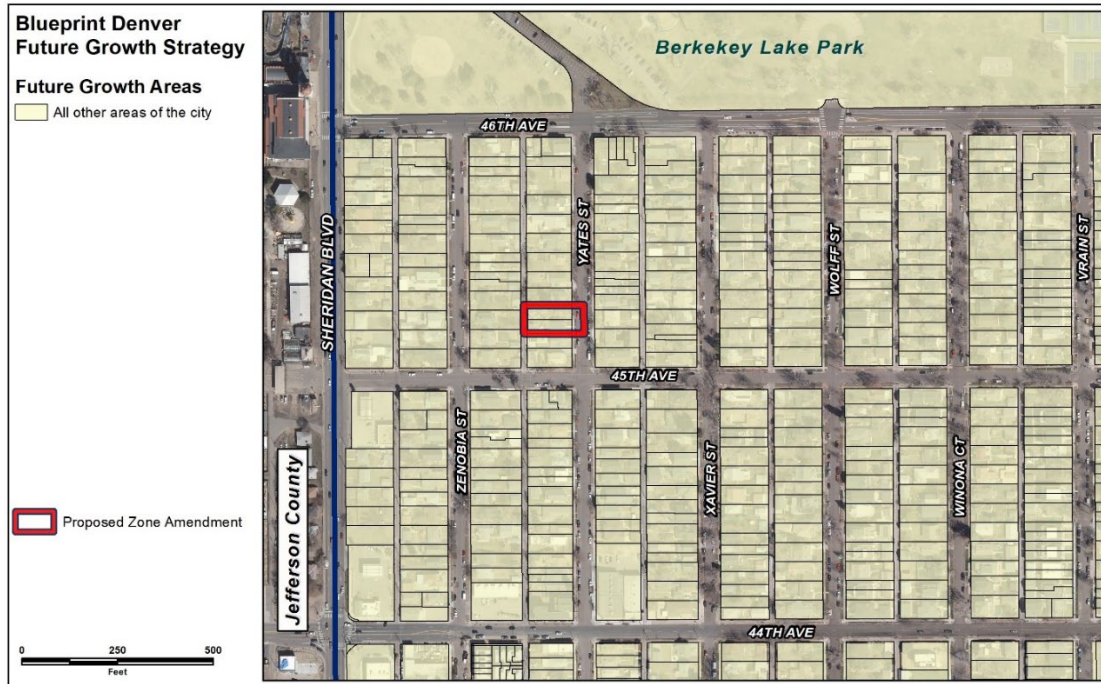
Additionally, the applicants are proposing to rezone from U-SU-C1 with a minimum zone lot size of 5,500 square feet and minimum zone lot width of 50 feet to a district with a smaller lot size, U-SU-A1, with a minimum zone lot size of 3,000 square feet and minimum zone lot width of 25 feet. *Blueprint Denver* provides guidance for these situations stating, “it is only 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 that would be consistent with the zone district request” (p. 231). While 50% of the lots in the block where the subject property sites are located have a lot size consistent with the U-SU-C1 district, the other 50% of the sites are smaller. The blocks to the east, west and south show that a considerable proportion of the single-unit residential uses are located on lots that are 4,500 square feet or smaller, more consistent with the U-SU-A1 lot size, and under the 5,500 square feet minimum required by U-SU-C1. Therefore, the applicants’ proposal to rezone to a district with a smaller lot size is consistent with the future places map and *Blueprint* guidance for applying the Low Residential future place type.



Blueprint Denver Street Types

In *Blueprint Denver*, street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies North Yates Street as Local or Undesignated street. “Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses” (p. 155). The proposed U-SU-A1 zone district is consistent with this description 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 properties are 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). These growth areas are “mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed map amendment to U-SU-A1 will strengthen the existing character of the residential neighborhood by allowing a zone district that is more consistent with the size of the zone lot and the average lot size of the area. It will also allow for low-intensity growth to the number of households in this area by allowing the development of a detached accessory dwelling unit on each site.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-SU-A1 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 “smaller lot sizes than the existing zone district if there is an established pattern in the surrounding blocks of smaller lots with similar uses” (p. 231). The proposed rezoning would also provide the benefit of two additional housing units that are detached from the single-unit homes and compatibly integrated into the surrounding neighborhood.

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, according to *Blueprint Denver* it is appropriate to rezone to a district with a smaller lot size than the current district if a pattern of smaller lots with similar uses exists in the surrounding blocks. This plan was adopted after the date of approval of the existing zoning district. 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 U-SU-A1 zone district is within the Urban Neighborhood Context. The neighborhood context is “primarily characterized by single-unit and two-unit residential uses” and “single-unit residential structures are typically the Urban House building form” (DZC, Division 5.1). These areas consist of “regular pattern of block shapes” and “a consistent presence of alleys” (DZC, Division 5.1). The Berkeley neighborhood consists of mostly single and two-unit residential uses in rectangular blocks with alley access. The proposed rezoning to U-SU-A1 is consistent with the neighborhood context description.

The general purpose of residential zone districts in this context is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context (DZC Section 5.2.2.1). The building form standards, design standards, and uses work together to promote desirable residential areas. Common residential characteristics are recognized but variation is accommodated. The proposed U-SU-A1 district is consistent with the context description and the zone district general purpose because it will help preserve the existing single-unit use, form, and streetscape of the immediate area while allowing a small-scale ADU in the rear yard.

The specific intent of the U-SU-A1 zone district is “a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a consistent pattern of 25-foot-wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A but allowing a detached accessory dwelling unit building form in the rear yard” (DZC 5.2.2.2.B.) The subject sites at 4525 & 4517 North Yates Street are 4,390 square feet each with a width of 35 feet. Therefore, rezoning this site to U-SU-A1 is consistent with the specific intent of the zone district.

Attachments

1. Application
2. Public Comment Letters



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	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Marley and Alex Withrow; see below for 2nd address	Representative Name	
Address	4525 N Yates Street	Address	
City, State, Zip	Denver, CO 80212	City, State, Zip	
Telephone	540-454-1429	Telephone	
Email	marley.withrow@gmail.com	Email	
*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.	
		***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):	4525 N Yates St, Denver, CO. 80212 4517 N Yates St, Denver, CO. 80212		
Assessor's Parcel Numbers:	0219207017000, 0219207016000		
Area in Acres or Square Feet:	4390sf		
Current Zone District(s):	U-SU-C1		
PROPOSAL			
Proposed Zone District:	U-SU-A1		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> Yes - State the contact name & meeting date <u>Fran Penafiel 1-12-21</u> <input type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)		
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>Amanda Sandoval, email, 12-23-2020</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</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>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.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p>2. Blueprint Denver</p> <p>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 <i>Blueprint Denver</i>.</p> <p>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</p> <hr/>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</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>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> 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;</p> <p><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:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><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.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</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>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.</p>

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 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.
- Review Criteria Narratives. See page 2 for details.

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- Written narrative explaining reason for the request** (optional)
- Outreach documentation attachment(s).** 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)
- Letters of Support.** 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)
- Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.)
- Other Attachments.** Please describe below.

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 Josie Q. Smith</i>	01/12/20	(A)	YES
Marley and Alex Withrow	4525 N Yates St Denver, CO 80212 540-454-1429 marley.withrow@gmail.com	100	<i>[Signature]</i> Marley W	8/18/21	A	YES
Paul Nagy and Sharon Peterson	4517 N Yates St Denver, CO 80212 303-880-8588 paulnr@comcast.net	100	<i>[Signature]</i> Paul J. Nagy	8/29/21 8/29/21	A	YES
						YES
						YES

4517 N YATES ST

Owner	PETERSON,SHARON ANN NAGY,PAUL J 4517 YATES ST DENVER, CO 80212-2518
Schedule Number	02192-07-016-000
Legal Description	BERKELEY 02192 B39 L29 & N/2 OF L28
Property Type	SFR Grade B
Tax District	DENVER

Print Summary

Property Description			
Style:	15: 2 STORY	Building Sqr. Foot:	2207
Bedrooms:	3	Baths Full/Half:	2/1
Effective Year Built:	2018	Basement/Finish:	1148/0
Lot Size:	4,390	Zoned As:	U-SU-C1

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

Current Year			
	Actual	Assessed	Exempt
Land		\$297,900	\$21,300 \$0
Improvements		\$755,700	\$54,030
Total		\$1,053,600	\$75,330

Prior Year			
	Actual	Assessed	Exempt
Land		\$255,400	\$18,260 \$0
Improvements		\$667,900	\$47,760
Total		\$923,300	\$66,020

Real Estates Property Taxes for current tax year

System Upgrade Underway:

Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy * 74..195 *

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	2/28/2021	6/15/2021	
Original Tax Levy	\$2,449.17	\$2,449.19	\$4,898.36
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$2,449.17	\$2,449.19	\$4,898.36
Due	\$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.

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	Y		
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: **\$4,761.10**

Assessed Value for the current tax year

Assessed Land	\$18,260.00	Assessed Improvements	\$47,760.00
Exemption	\$0.00	Total Assessed Value	\$66,020.00

4525 N YATES ST

Owner	WITHROW,MARLEY WITHROW,ALEX 4525 YATES ST DENVER, CO 80212-2518
Schedule Number	02192-07-017-000
Legal Description	BERKELEY 02192 B39 L30 & S/2 OF L31
Property Type	SFR Grade C
Tax District	DENVER

Print Summary

Property Description			
Style:	13: 1 STORY	Building Sqr. Foot:	692
Bedrooms:	1	Baths Full/Half:	1/0
Effective Year Built:	1925	Basement/Finish:	454/0
Lot Size:	4,390	Zoned As:	U-SU-C1

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

Current Year				
	Actual	Assessed	Exempt	
Land		\$297,900	\$21,300	\$0
Improvements		\$119,900	\$8,570	
Total		\$417,800	\$29,870	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$255,400	\$18,260	\$0
Improvements		\$182,600	\$13,060	
Total		\$438,000	\$31,320	

Real Estates Property Taxes for current tax year

System Upgrade Underway:

Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy * 74..195 *

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	4/16/2021	4/16/2021	4/16/2021
Original Tax Levy	\$1,161.89	\$1,161.89	\$2,323.78
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$1,161.89	\$1,161.89	\$2,323.78
Due	\$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.

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	Y		
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: **\$2,258.67**

Assessed Value for the current tax year

Assessed Land	\$18,260.00	Assessed Improvements	\$13,060.00
Exemption	\$0.00	Total Assessed Value	\$31,320.00

The project goal is to add an Accessory Dwelling Unit to the rear of the property for the purpose of additional living/work space for us (the owners) and eventual home for my mother, when needed. We love the character of our 1925 bungalow and would prefer to not change the existing original home. We have noticed the trend for the undersized lots in our neighborhood is to scrape the home and rebuild a large home in its place.

We have met with Fran Peñafiel a few times in the past six months. We have worked with her on a pre-application meeting for the rezoning back in January.

We have also reached out to Amanda Sandoval's office and worked directly with Naomi Grunditz who has recommended we seek a rezoning. We are currently in U-SU-C1, which is zoned for Accessory Dwelling Units on a minimum lot size of 5,500sf. While our lot is currently zoned U-SU-C1, it is undersized at 4390sf. By rezoning to U-SU-A1 it will allow us to build an Accessory Dwelling Unit that will adhere to all the same setback, bulk plane, building form, lot coverage, code and zoning requirements of the City of Denver for the existing neighborhood zoning. On the immediate block is an ADU built at 4567 N Yates Street; additionally an ADU built at 4495 N Meade St on an undersized lot such as ours.

Lastly, we have notified our RNO (BRUN) of our plan to rezone and have full support of our surrounding neighbors. In discussion of this with our neighbors, the owners at 4517 N Yates Street have decided they would like to join our application to be rezoned, as well.

We would love to preserve our beautiful bungalow. Thank you for your consideration in helping us do so.

Marley and Alex Withrow

Statement of Compliance with General Review Criteria (DZC § 12.4.10.7)

This application proposes to rezone the approximately 0.10-acre property located at 4525 N Yates Street and the approximately 0.10-acre property located at 4517 N Yates Street (the “Properties”) from U-SU-C1 to U-SU-A1 to facilitate use of the Properties that is consistent with the recommendations in the adopted Plans.

The Properties are located in the Berkeley neighborhood on the west side of N Yates Street, north of W 45th Avenue. Today the Properties are zoned U-SU-C1, a residential zone district allowing urban houses with a minimum zone lot area of 5,500 square feet and Accessory Dwelling Units. Existing context surrounding the Properties include: U-SU-C1. Located within ½ mile from RTD existing bus route and ⅔ mile to Medium-capacity transit corridor along 38th Avenue, both of which connect riders to Downtown Denver. There is a dedicated bike lane along W 46th Avenue.

This map amendment requests to rezone the Properties to the U-SU-A1 zone district. This zone district is a single-unit district that would allow the Properties to have an ADU on a minimum lot size of 3,000 square feet. This zoning is otherwise identical to the current zoning. The successful rezoning will blend in with, support, and sustain the existing residential character of the neighborhood. The proposed map amendment would enable modest growth in an appropriate scale and form while diversifying the housing stock that the City needs.

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)

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). The current (U-SU-C1) and proposed U-SU-A1 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 unit residential neighborhood.
- Goal 2, Strategy D – Increase the development of senior-friendly and family-friendly housing, including units with multiple bedrooms in multifamily developments (p. 28). ADUs are commonly used to house additional family members or allow seniors to age in

place. These arrangements can offer cost savings and emotional/psychological benefits for families.

- Goal 4, Strategy C – Incentivize the reuse of existing smaller and affordable homes (p. 29). ADUs can increase density while maintaining a neighborhood’s character and avoiding impacts to the primary residence. In addition, the financial support of an ADU can help homeowners resist pressures to sell to developers who would replace modest homes with larger, more expensive single-family development.

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 single-family home where infrastructure and services such as water, stormwater, and transit 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. There are four key components of *Blueprint Denver* that apply to this rezoning application:

1. Neighborhood Context
2. Place Type
3. Plan Policies and Strategies
4. Equity Concepts

Blueprint Denver Urban 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 site is shown on the context map as Urban neighborhood context. The description is used to guide appropriate zone districts (p. 66).

The Urban neighborhood context predominantly contains “small, multi-unit residential and low intensity mixed-use buildings ... embedded in single-unit and two-unit residential areas. Block patterns are a regular grid with consistent alley access.” (p. 222). U-SU-A1 is a residential zone district within the Urban neighborhood context that is “intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context.” “The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street” (DZC 5.2.2.1).

U-SU-A1 is consistent with the Blueprint future neighborhood context of Urban because it will promote the residential character by allowing single-unit residential uses with a low-scale accessory dwelling unit that will be compatible with the existing residential area.

Blueprint Denver Low Residential Places

The subject site is designated within a Low Residential future place on the *Blueprint Denver* Future Places map. This place is “predominantly single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible,” and “buildings are generally up to 2.5 stories in height” (p. 214). U-SU-A1 is a single-unit residential district that allows for an additional dwelling unit accessory to an established single-family home, which is consistent with the Low Residential future place description. The current and proposed zone districts allow the Urban House building form, which has a maximum height of 2.5 stories and is consistent with the future places map.

Blueprint Denver Street Types

In *Blueprint Denver*, street types work in conjunction with future places to evaluate the appropriateness of the intensity of the adjacent development (p.67). Most streets within the proposed rezoning area are classified in *Blueprint Denver* as local or residential collector streets. Local streets are “most often characterized by residential uses [and] provide the lowest degree of through travel but the highest degree of property access” (p. 154). Residential Collectors “are in between a local street and an arterial street; they collect movement from local streets and convey it to arterial streets” (p. 154). *Blueprint Denver* describes residential streets as those with “primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback. The depth of the setback varies by neighborhood context” (p. 160). The proposed map amendments to U-SU-A1 is consistent with these street types as it will continue to allow low-intensity residential uses along these streets and does not modify front setback requirements.

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 properties are 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 is “mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed map amendments to U-SU-A1 will allow low-intensity growth by allowing 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. The following plan goals are applicable to the proposed rezonings:

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 (p. 9).

2. Uniformity of District Regulations and Restrictions

The proposed rezonings to U-SU-A1 will result in the uniform application of zone district building form, use and design regulations. The request to rezone from U-SU-C1 to U-SU-A1 is a minor zoning adjustment that will keep the lot consistent with the uniformity of the U-SU district regulations, restrictions & descriptions. Any improvements to the properties would still fall under the current district's codes, standards and regulations of the U-SU district.

3. Public Health, Safety and General Welfare

The proposed official map amendments further 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 of *Blueprint Denver*). The proposed rezonings would also provide the benefit of an additional housing unit that is integrated into the surrounding neighborhood. In addition, increasing access to ADUs as tools for financial stability and family cohesion can promote health and wellbeing by reducing stress-related health complications and increasing economic security. This also increases density in a highly walkable neighborhood with close access to three neighborhood parks, as well as business off of 44th Ave, Tennyson St, and Lowell Blvd.

Blueprint Denver Strategies

Blueprint Denver includes additional recommendations that are relevant for this proposed text and map amendments.

Land Use & Built Form, Housing, Policy 4:

- This policy recommends "Diversify[ing] housing choice through the expansion of accessory dwelling units throughout all residential areas" (p. 84), which is consistent with both the text and map amendments.

- The policy includes several strategies for integrating accessory dwelling units, including using “an inclusive community input process to respond to unique considerations in different parts of the city” and “identify[ing] strategies to reduce involuntary displacement” (p. 84).

1. CRITERION DZC § 12.4.10.8.A - Justifying Circumstances - One of the following circumstances exists:

Blueprint Denver 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 a 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.”

Echoing the comments 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 district.

2. CRITERION DZC § 12.4.10.8.B - Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements:

The Urban Neighborhood context is characterized by single and two unit residential units that are typically the Urban House building form and located along local and residential arterial streets. The proposed map amendments would keep the lots within the Urban Neighborhood context and would be in keeping with the current neighborhood that has Accessory Dwelling Units throughout the neighborhood.

This general purpose of this residential district is to “promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood. The building form standards, design standards, and uses work together to promote desirable residential areas. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment” (DZC 5.2.2.1). The specific intent of the U-SU-A1 zone district is “a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a consistent pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context” (DZC 5.2.2.2 A). This ensures new development that contributes positively to the established character of the neighborhood.

18th August 2021

To Whom it May Concern,

We, the residents of 4517 Yates and neighbors to Alex and Marley Withrow of 4525 Yates Street, offer our full support to their request to the City and County of Denver to build an accessory dwelling unit (ADU).

We firmly believe that if Denver wants to stay on track with the integration of higher-density city planning, ADUs are an effective way to do so. In addition, to adding additional dwelling spaces allowing the city to grow, ADUs allow the overall look and feel of a neighborhood to stay consistent as the houses don't need to be scraped, but instead, the additional unit can be modeled to match the existing structure.

We stand behind the concept of the ADU for the neighborhood in general, and provide our full consent and support to build one at 4525 Yates St. Doing so allows Denver to continue to grow into one of the country's foremost cities.

Sincerely,

Paul Nagy & Sharon Peterson

4517 Yates St.
Denver, CO 80212
(303) 880-8588
paulnr@comcast.net



Marley Withrow <marley.withrow@gmail.com>

Fwd: Backyard ADU

1 message

Brittany Esquivel <bnesquivel03@gmail.com>
To: Marley.withrow@gmail.com

Thu, Aug 19, 2021 at 7:26 AM

Good Morning Marley-

Reaching out to you regarding your desire to build an ADU on your property in your backyard. I think that this is a fabulous idea. You and I have spoken multiple times about the fact that we love the charm of this neighborhood and would prefer to see the older, smaller, quaint little homes within it kept up and preserved. Building an ADU allows you to accomplish all of those things.

Having the ADU will allow you and Alex to keep your home the way it is and also continue to grow more usable space on your property without disrupting its charm, or our view across the street!

Updating your property in this way will also make it more appealing if you ever choose to re - sell. The added space will be a great addition! The fact that you are zoned for an ADU but simply need a bigger lot size seems a bit harsh if you are looking to make great use out of the property that you own. Seems to me that it should be yours to do with as you wish.

You have our full support and I look forward to seeing how it turns out.

Sincerely,

--

Brittany Harvey
[Bnesquivel03@gmail.com](mailto:bnesquivel03@gmail.com)
919-608-8351

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Brittany Harvey
[Bnesquivel03@gmail.com](mailto:bnesquivel03@gmail.com)
919-608-8351



Marley Withrow <marley.withrow@gmail.com>

Withrow Rezoning Support

1 message

Nancy Thompson <nltonthego@hotmail.com>
To: Marley Withrow <marley.withrow@gmail.com>

Fri, Aug 20, 2021 at 2:50 PM

To Whom it May Concern,

I live next door to Marley and Alex Withrow at [4533 Yates Street](#). The Withrow's recently approached me about their desire to rezone their property and build an ADU for personal use. I fully support this request and have no issues with them rezoning their land to do so.

Thanks,

NANCY THOMPSON
[4533 Yates St. Denver, CO 80212](#)
303.868.5099



Marley Withrow <marley.withrow@gmail.com>

Rezoning for current U-SU-C1

2 messages

Marley Withrow <marley.withrow@gmail.com>
To: brunzoning@gmail.com

Fri, Dec 25, 2020 at 7:30 AM

Good morning! My husband and I own our home in Berkeley and it is zoned U-SU-C1 so it already allows ADU's. However, our plot doesn't meet the minimum lot size. I have been working with Naomi Grunditz in city council for District 1 who recommended we get our lot rezoned for U-SU-A1 as our lot is 4300sf. I wanted to reach out to see if there is anything else I should be aware of or any tips you may have for me in this process. We have a few direct neighbors interested in the same thing so we will likely add them to the rezoning application.

Merry Christmas and happy holidays!

-Marley

BRUN Zoning & Planning (ZAP) <brunzoning@gmail.com>
To: Marley Withrow <marley.withrow@gmail.com>

Wed, Jan 6, 2021 at 12:56 PM

Marley

Thanks for reaching out. BRUN is a 100% volunteer run Residential Neighborhood Organization (RNO). BRUN board meetings are always on the 3rd Tuesday of the month. There is an open mic section where new development can be discussed. Go to our website at <https://berkeleyregisneighbors.org/meetings-events-happy-hours/> Please feel free to join us at the next one. If you aren't already a member of BRUN, please join. Membership is currently free.

We've been getting quite a few similar applications for properties within our boundary. Usually they have single ownership.

However, there's a group of houses near 46th and Lowell that are putting a package together for 9 properties.

BRUN, through its zoning and planning (ZAP), has started to get the word out about these types of zoning changes. After a formal notification of application is received from the city, we have been dropping off letters to neighbors within 200' of the subject property. We solicit feedback on the proposed change and offer it to the city as a formal statement from BRUN. We don't typically state an opinion but reserve the right to do so if there are serious concerns from those surveyed.

Please feel free to give me a call to discuss the BRUN process or to get some perspective on the city's process.

Jeff Stine
3035962726
BRUN ZAP

[Quoted text hidden]



Marley Withrow <marley.withrow@gmail.com>

Yay for ADUs!

1 message

Shelley Conger <shelley.conger@compass.com>
To: Marley Withrow <marley.withrow@gmail.com>

Fri, Sep 3, 2021 at 3:58 PM

Marley,

I am thrilled to hear you are seeking to build an ADU in order to add additional living space to your place! This makes so much more sense to me than knocking down your home to build bigger or remodeling/'popping the top' to add more space.

We are losing so much of the original character of our neighborhood from scrapes and rebuilds or remodels that don't attempt to match the surrounding architecture. Once these homes, these pieces of history, are knocked down they simply don't come back. Adding an ADU on the back of a property where most homes generally have a garage already is an ideal solution. I would go so far to say that all new garages being built should be encouraged to have ADUs to help with the shortfall of housing in the Denver area.

As our neighborhood evolves, I hope to see more ADUs pop up. I understand you have some hoops to jump through to get one built at your place. I hope the zoning board or any other decision makers will see that you have a large lot to work with and an ideal location in a neighborhood where several other neighbors have been able to build these.

Best of luck with your project!

Shelley Conger
Broker Associate, Hive Homes Group
[4471 Yates St, Denver, CO 80212](#)
m: 303.638.9808



Marley Withrow <marley.withrow@gmail.com>

small change

Neala Harper <nealabird@gmail.com>
To: Marley Withrow <marley.withrow@gmail.com>

Wed, Sep 1, 2021 at 11:59 AM

To Whom it May Concern

My husband and I are the owners of [4250 Zenobia St, Denver CO 80212](#). Our neighborhood's current zoning (U-SU-C1) only allows for an ADU on lot sizes of 5500 sf or larger, which does not allow many of the homes in our area to have ADUs. We are in strong favor of Marley and Alex Withrow's rezoning request to U-SU-A1, to allow for lot sizes of 3000 sf or larger to have an ADU. With the continued rise in cost of living, as well as extreme price spikes in home prices, we feel strongly that allowing for ADUs is critical in supporting Denver residents. We also believe in maintaining the aesthetic and relatively historic feel of the neighborhood which is lost when folks raze & build new homes to establish more room for themselves.

We appreciate your consideration in this important matter.

Neala and Devin Harper
Owners of [4520 Zenobia St., Denver, CO, 80212](#)

[Quoted text hidden]

--

Warmly,
Neala Harper OTR/L
Pediatric Occupational Therapist
Babybird OT LLC



-Honor the space between no longer and not yet-
-Nancy Levin



Marley Withrow <marley.withrow@gmail.com>

Support for Marley Withrow's Rezoning Application

margaret lea <margaretlea@gmail.com>

Wed, Sep 1, 2021 at 3:47 PM

To: Marley Withrow <marley.withrow@gmail.com>

To Whom It Concerns,

I'm writing to express my support for Marley and Alex's desire to rezone their property to enable them more flexible housing options, including that of an accessory dwelling unit (ADU). I own property at [4526 Zenobia St, Denver, CO 80212](#), which is located west across the alley way and slightly north of Marley and Alex's house.

If you have any questions, please contact me at (303) 949-1585.

Thank you,
Margaret (Maggie) Lea

--

~ shift happens ~