



**TO:** Denver City Council  
**FROM:** Libby Kaiser, AICP, Senior City Planner  
**DATE:** August 20, 2020  
**RE:** Official Zoning Map Amendment Application #2019I-00190

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2019I-00190.

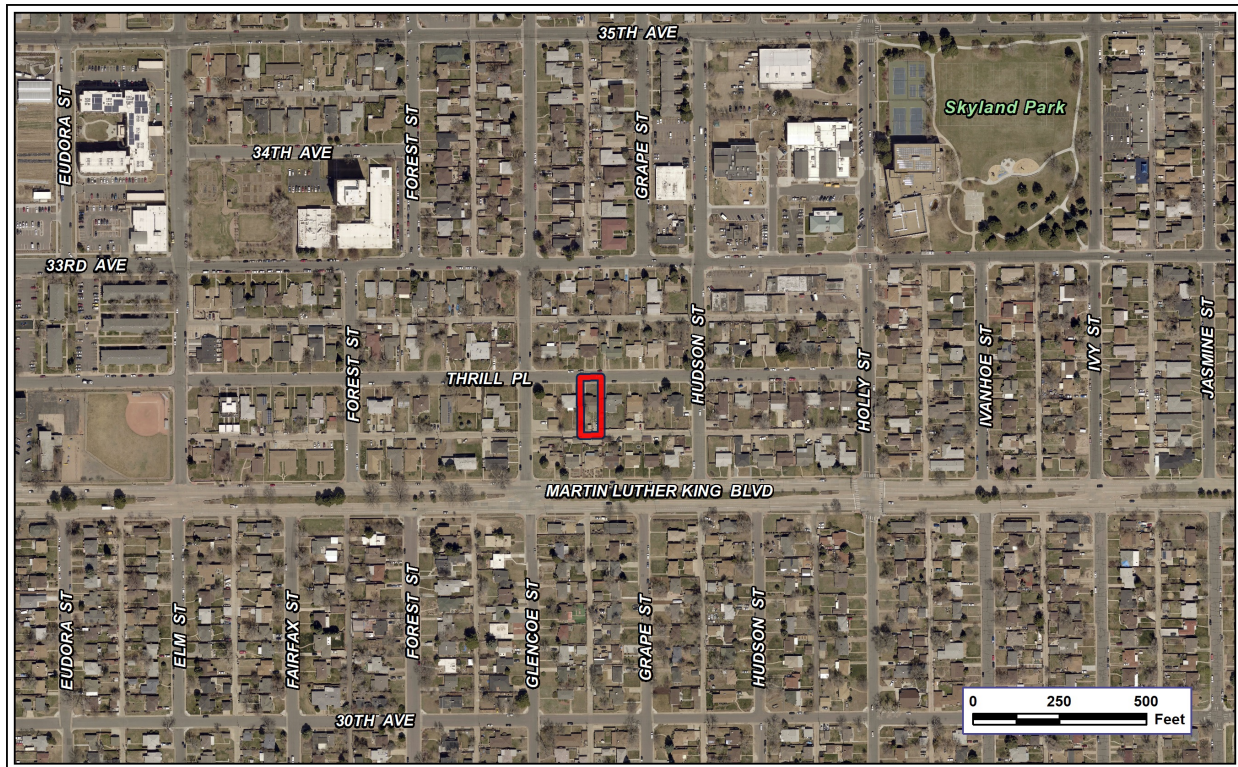
### Request for Rezoning

Address: 5320 E. Thrill Place  
Neighborhood/Council District: Northeast Park Hill / Council District 8  
RNOs: City Park Friends and Neighbors (CPFAN), Greater Park Hill Community, Inc., Northeast Denver Friends and Neighbors (NEDFANS), Opportunity Corridor Coalition of United Residents, Denver Arts and Culture Initiative, Northeast Park Hill Coalition (NEPHC), Inter-Neighborhood Cooperation (INC)  
Area of Property: 7,250 sq ft square feet or 0.17 acres  
Current Zoning: E-SU-Dx  
Proposed Zoning: E-SU-D1x  
Property Owner(s): Quibian Salazar-Moreno  
Owner Representative: None

### Summary of Rezoning Request

- The subject property contains a single-story, single-unit dwelling originally built in 1952. The property is located between Glencoe and Hudson streets on East Thrill Place, north of Martin Luther King Boulevard.
- The property owner is proposing to rezone the property to build an accessory dwelling unit.
- The proposed E-SU-D1x, Urban **Edge**, **Single-Unit**, **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 percent of the zone lot and 17 to 19 feet in the rear 35 percent 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).

**Existing Context**



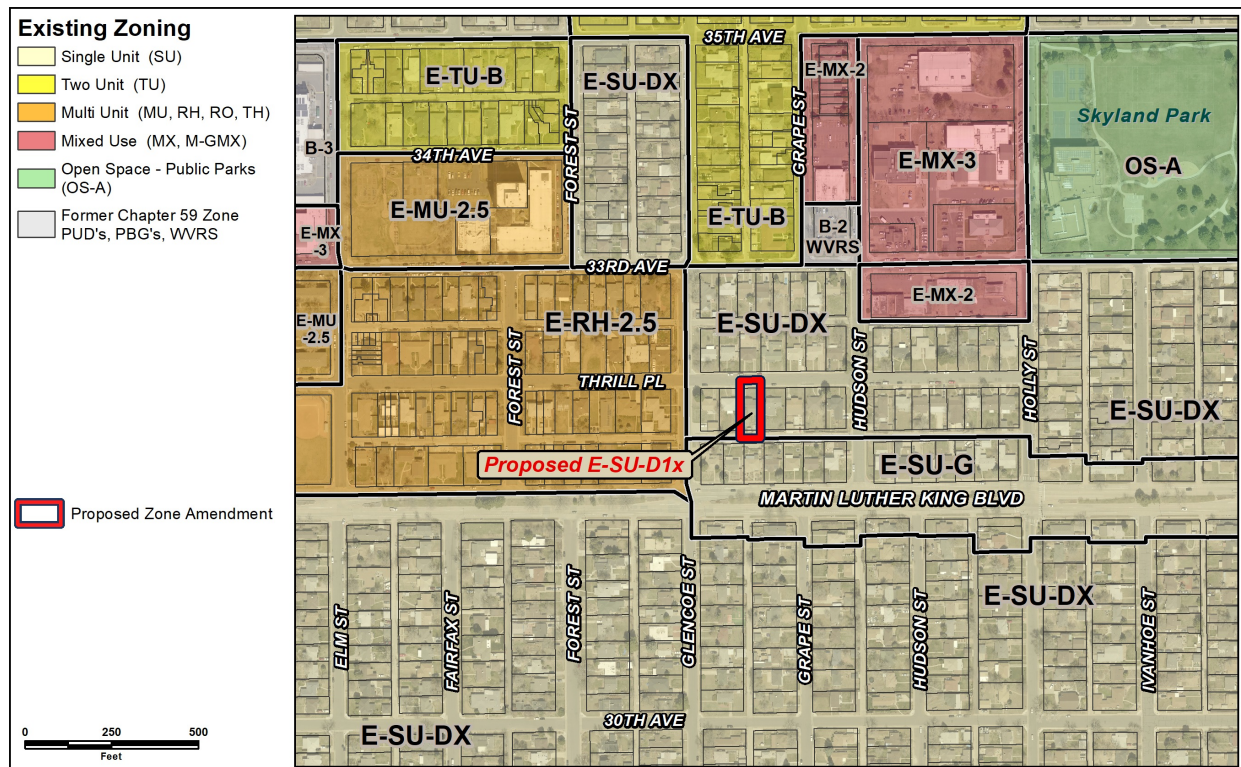
The subject property is in the Northeast Park Hill statistical neighborhood, which is characterized by a diverse mix of uses including single-unit, two-unit, and multi-unit residential, commercial/retail, industrial, and public/quasi-public. Several parks and services are within one mile of the subject property, including the City of Axum Park, Skyland Park, the Park Hill Golf Course, the Park Hill Family Health Center, the Dahlia Campus for Health and Well-Being, Hiawatha Davis Jr Recreation Center, Pauline Robinson Library, a post office, schools, churches, and restaurants. The property is less than one-quarter mile from two bus routes, including Route 43 on Martin Luther King Boulevard and Route 34, which runs along Bruce Randolph, 34<sup>th</sup> and 35<sup>th</sup> avenues and Holly Street. A bike lane traverses Martin Luther King Boulevard one block to the south.

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	In general, a regular grid of streets with the Martin Luther King Boulevard Parkway to the south. Residential block sizes and shapes are orthogonally
North	E-SU-Dx	Single-unit Residential	1-story Residence	
South	E-SU-G	Single-unit Residential	1-story Residence	

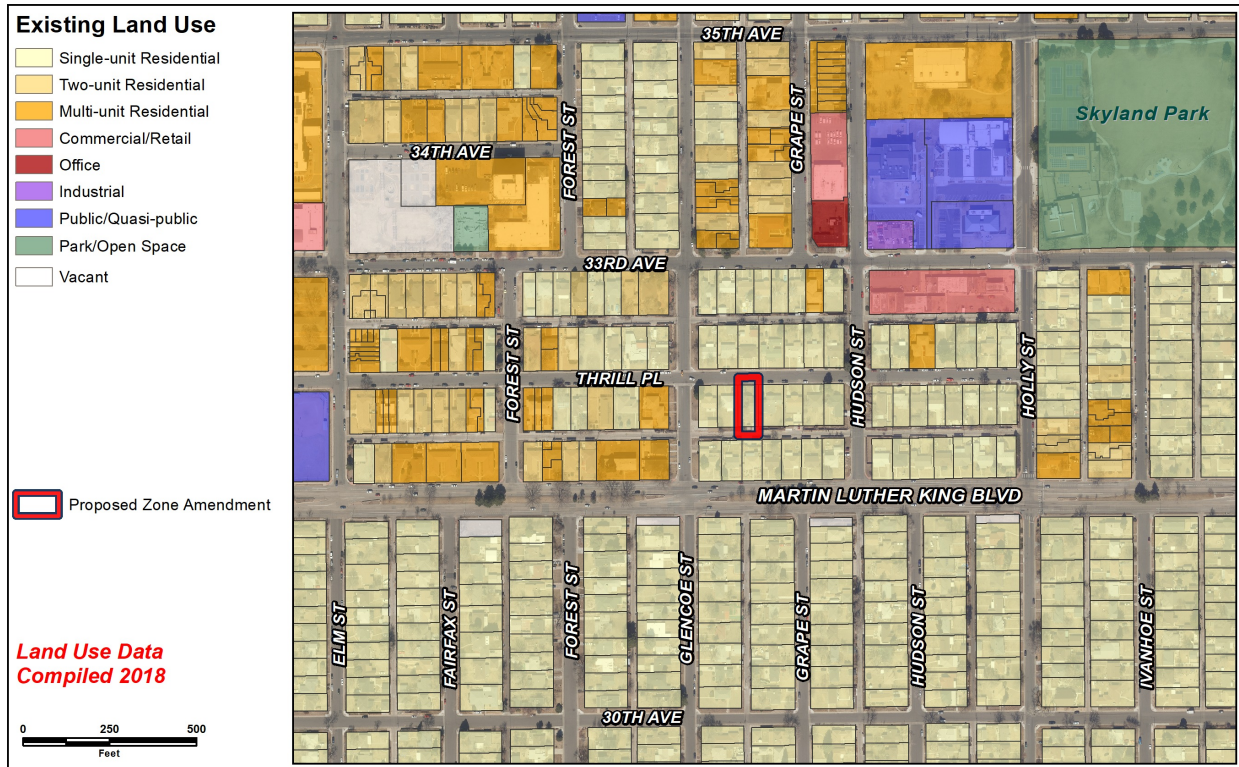
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
East	E-SU-Dx	Single-unit Residential	1-story Residence	oriented east/west and north/south with alleys. Garages are rear, side and front loaded with on-street vehicular parking. Industrial super blocks exist to the north Sidewalks are generally attached.
West	E-SU-Dx	Single-unit Residential	1-story Residence	

### 1. Existing Zoning

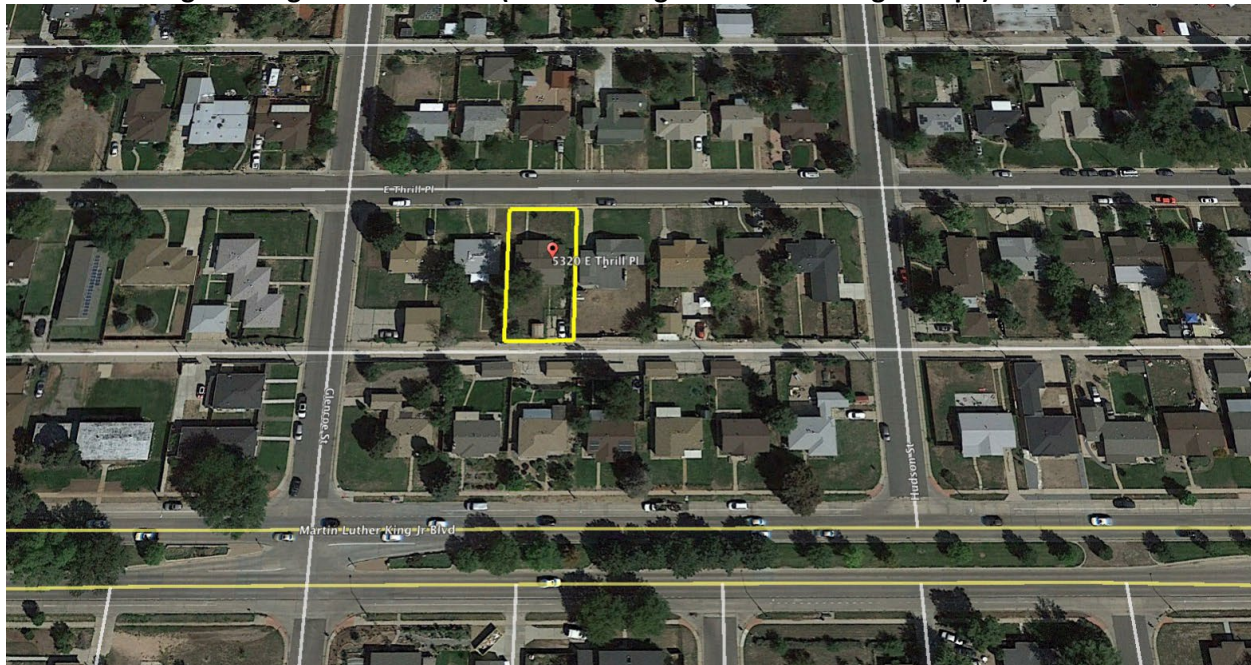


The E-SU-Dx is a single unit district allowing Suburban and Urban House primary building forms on a minimum zone lot area of 6,000 square feet and a minimum width of 50 feet. The maximum allowed height of the Urban House building form is 30 to 35 feet for the front 65 percent of the zone lot and 17 to 19 feet in the rear 35 percent of the zone lot while the maximum height of the Suburban House building form is 30 to 35 feet. For both building forms, the maximum building coverage per zone lot, including all accessory structures, is 37.5 percent with allowed exceptions. The district allows two accessory structure forms: Detached Garage and Other Detached Accessory Structure with a maximum height of 15 to 17 feet. No vehicular parking is required for single-unit dwellings.

## 2. Existing Land Use Map



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



Aerial view of the site looking north.



View of property looking south (center) and properties to the east and west.



View of properties to the north, looking north.



View of properties to the south, looking north.

### **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 DADU 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 building form allows an exemption from the 37.5 percent building coverage standard, allowing the lesser of 50 percent or 500 square feet. For zone lots greater than 7,000 square feet the DADU building footprint may be a maximum of 1,000 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.

<b>Design Standards</b>	E-SU-Dx (Existing)	E-SU-D1x (Proposed)
Primary Building Forms Allowed	Urban House; Suburban House	Urban House; Suburban House
Height in Stories / Feet, Front 65% of Zone Lot (max.)	2.5 stories / 30 to 35 feet	2.5 stories / 30 to 35 feet
Height in Stories / Feet, Rear 35% of Zone Lot (max.)	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
Height in Stories / Feet, Detached Accessory Dwelling Unit, (max.)	1.5 stories / 24 feet	1.5 stories / 24 feet
Bulk Plane Vertical Height / Slope	Urban House: 17' in front 65%, 10' in rear 35% of zone lot / 45 degrees at side interior and side street zone lot line Suburban House: 10 feet / 45 degrees at side interior and side street zone lot line	Urban House: 17' in front 65%, 10' in rear 35% of zone lot / 45 degrees at side interior and side street zone lot line Suburban House: 10 feet / 45 degrees at side interior and side street zone lot line
Zone Lot Size (Min.)	6,000 SF	6,000 SF
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

### **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 comments.

**Asset Management:** Approved – no comments.

**Denver Public Schools:** Approved – no comments.

**Department of Public Health and Environment:** Approved – see comments below:

*Notes:* DDPHE concurs with the request and is not aware of environmental concerns on this site that should be considered for this rezoning.

*General Notes:* Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DDPHE suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state and local regulations.

The Denver Air Pollution Control Ordinance (Chapter 4 – Denver Revised Municipal Code) specifies that contractors shall take reasonable measures to prevent particulate matter from becoming airborne and to prevent the visible discharge of fugitive particulate emissions beyond the property on which the emissions originate. The measures taken must always be effective in the control of fugitive particulate emissions on the site, including periods of inactivity such as evenings, weekends, and holidays.

Denver's Noise Ordinance (Chapter 36 – Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing rezoning may change the acoustic environment but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks.

Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

*Scope & Limitations:* DDPHE performed a limited search for information known to DDPHE regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions

for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

**Denver Parks and Recreation:** Approved – no comments.

**Public Works – R.O.W. - City Surveyor:** Approved – no comments.

**Development Services – Project Coordination:** Approved – no comments.

**Development Services – Fire Protection:** Approved – no comments.

**Development Services – Transportation:** Approved – see comments below:

DES Transportation approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering, ROW dedication to the City, access changes, traffic studies and/or right of way improvements. The extent of the required design and improvements will be determined once this property begins the redevelopment process. The results of any traffic studies may require the construction of off-site mitigation or may limit the proposed density of the project.

**Development Services – Wastewater:** Approved – 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.

**Public Review Process**

	<b>Date</b>
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>5/1/2020</b>
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:	<b>6/2/2020</b>
Planning Board public hearing (voted unanimously to recommend approval):	<b>6/17/2020</b>
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:	<b>6/30/2020</b>
Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward:	<b>7/14/2020</b>



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:	<b>8/3/2020</b>
City Council Public Hearing:	<b>8/24/2020</b>

- **Registered Neighborhood Organizations (RNOs)**
  - To date, staff has received no comment letters from Registered Neighborhood Organizations.
- **Other Public Comment**
  - To date, staff has received one public comment in support of the rezoning, stating an ADU will add to the existing housing diversity in the neighborhood.

**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)*
- *Park Hill Neighborhood Plan (2000)*
- *Housing an Inclusive Denver (2018)*

**Denver Comprehensive Plan 2040**

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would allow for an additional housing option near transit and a mix of uses within an established neighborhood, consistent with the following strategies in the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive: Goal 1, Strategy A – Increase development of units close to transit and mixed-use developments (p. 28).

- 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).

The proposed rezoning would allow infill development appropriate for the surrounding neighborhood that broadens the range of housing types available, consistent with the following strategy in the Strong and Authentic Neighborhoods vision element:

- 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 for compatible infill development in an established neighborhood, consistent with the following strategy from the Environmentally Resilient vision element:

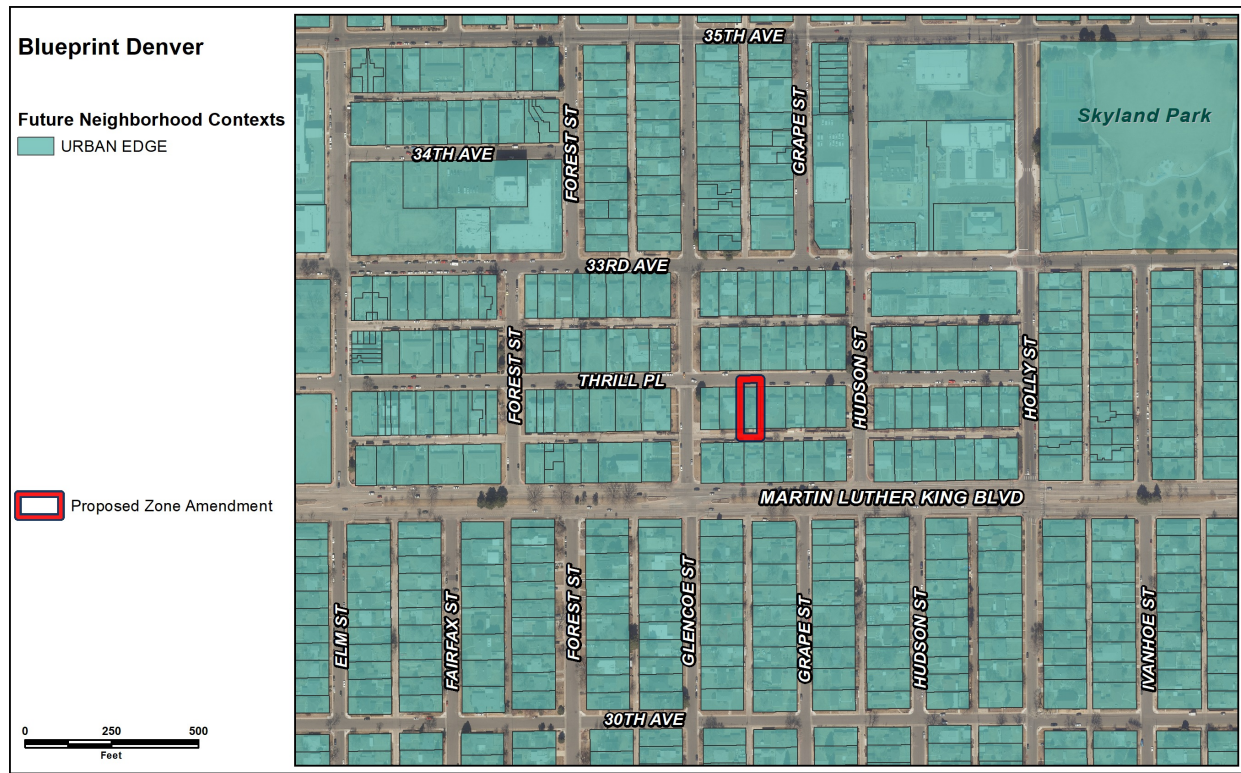
- Environmentally Resilient: Goal 8, Strategy A – Promote infill development where infrastructure and services are already in place (p. 54).

In summary, the proposed E-SU-D1x zone district is consistent with the goals of *Comprehensive Plan 2040*.

### ***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 Residential Low place within the Urban Edge Neighborhood Context and provides guidance on the future growth strategy for the city.

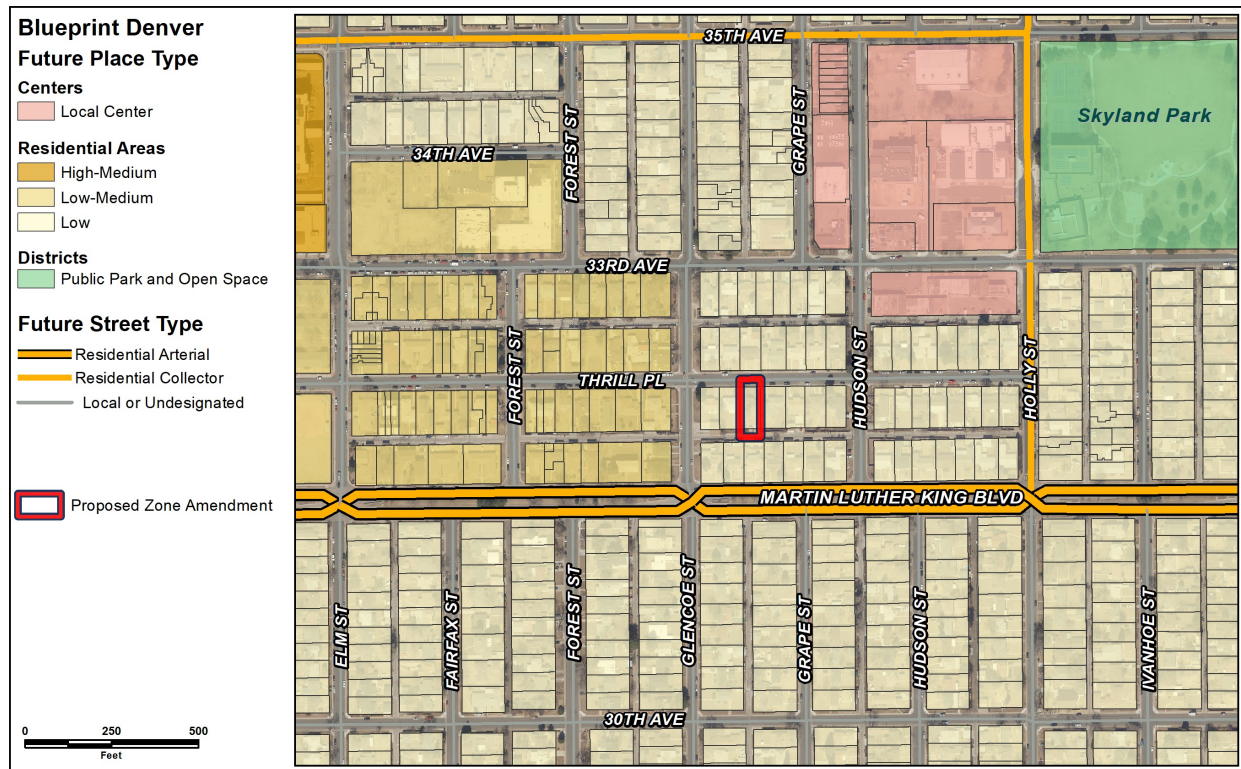
***Blueprint Denver Future Neighborhood Context***



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 land use and built form of 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 and Streets**



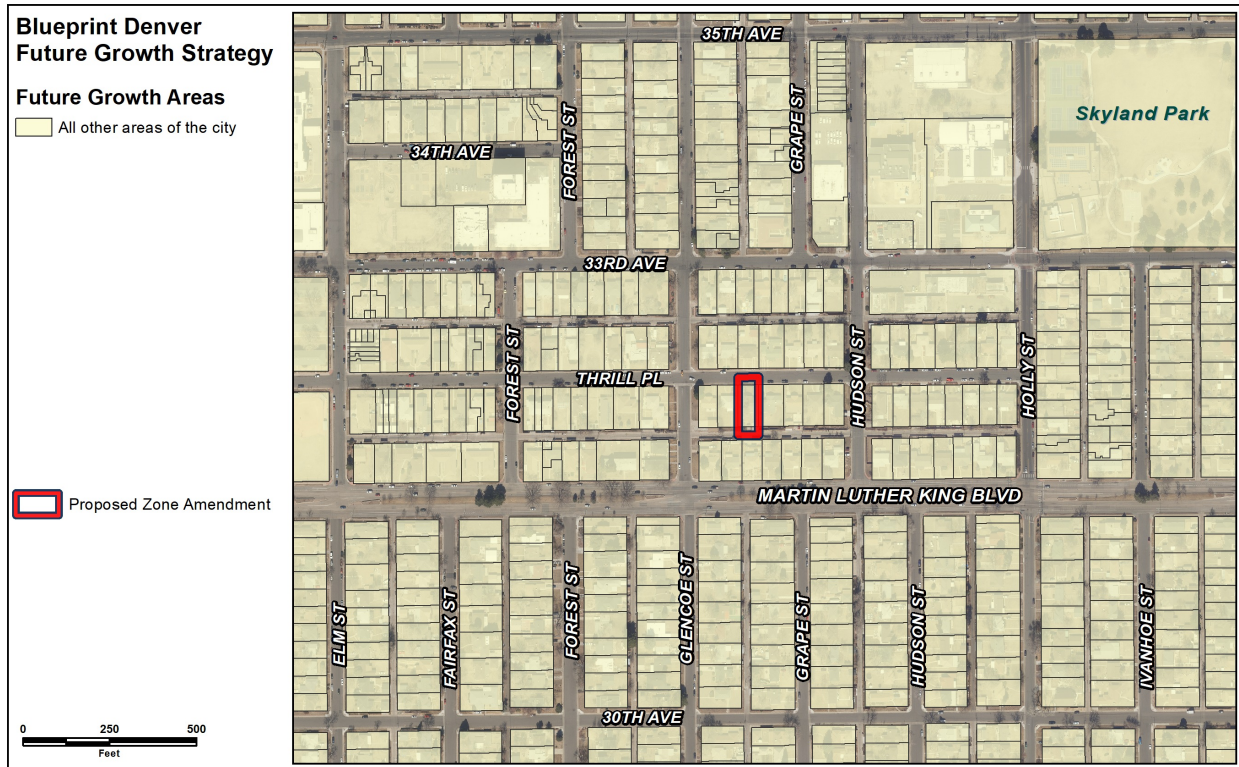
**Future Places**

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.

**Future 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 Thrill Place 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* supports rezonings to allow for ADU's via two key policies:

- **Land Use and Built Form, 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).
- **Land Use and Built Form: 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 one-quarter mile from two bus routes. 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.

**Small Area Plan: Park Hill Neighborhood Plan**

The request meets the following goal and recommendation from the *Park Hill Neighborhood Plan*:

- **Land Use and Zoning Goal:** “Maintain the existing integrity of the residential character of Park Hill. Assure that continued growth and development in Park Hill results in a balanced and compatible mix of housing types and densities.” (p. 32).
- **Land Use and Zoning Action Recommendation 3:** “Create and maintain a mix of housing types and sizes that are attractive and affordable to a diversity of ages, incomes, household types, sizes, cultural and ethnic backgrounds.” (p. 33).

The proposed ADU would maintain the existing integrity of Northeast Park Hill and increase the mix of housing options in the neighborhood, which is comprised of single-unit, two-unit, and multi-unit dwellings.

***Housing an Inclusive Denver***

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 ADUs, and the proposed rezoning helps implement the following plan goals:

- **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.”
- **Attainable Homeownership, Recommendation 1:** “Promote programs that help households maintain their existing homes. The City and its partners should target existing homeowner rehabilitation programs to residents in vulnerable neighborhoods, promote financial literacy education for prospective and existing homeowners, and promote the development of accessory dwelling units as a wealth-building tool for low and moderate-income homeowners.”

**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 rezoning furthers the public health, safety, and general welfare of the City by allowing a moderate level of reinvestment in the area consistent with the desired character and recommendations of the city's adopted land use plans. The proposed rezoning would also facilitate minimal increased housing density near transit and a mix of uses.

### **4. Justifying Circumstance**

Per the DZC Section 12.4.10.8, City Council may approve a rezoning if it meets one of several Justifying Circumstances, which include the following circumstance applicable to this particular request: "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."

Since the approval of the existing E-SU-Dx zone district, the City has adopted the *Comprehensive Plan 2040*, *Blueprint Denver*, and *Housing an Inclusive Denver*. As stated throughout this report, the proposed rezoning meets the intent of these plans and is in the public interest; 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 Northeast Park Hill neighborhood consists mostly of single-unit and two-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 5320 East Thrill Place contains a single-unit dwelling on a lot of 7,250 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. Public Comment

## 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	Quibian Salazar-Moreno	Representative Name	
Address	5320 E. Thrill Pl	Address	
City, State, Zip	Denver, CO. 80207	City, State, Zip	
Telephone	303.847.6901	Telephone	
Email	qsalazar@gmail.com	Email	
<p><b>*If More Than One Property Owner:</b>            All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	5320 E. Thrill Pl Denver, Co. 80207		
Assessor's Parcel Numbers:	0130121020000		
Area in Acres or Square Feet:	7,250 square feet (0.17 acres)		
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	<input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.  <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.  <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.
Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria  DZC Sec. 12.4.10.8	<b>Justifying Circumstances - One of the following circumstances exists:</b> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage. <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: 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. <input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code. Please provide an attachment describing the justifying circumstance.  <input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input checked="" type="checkbox"/> Proof of Ownership Document(s) <input checked="" type="checkbox"/> Review Criteria, as identified above	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<input type="checkbox"/> Written Authorization to Represent Property Owner(s) <input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity	
Please list any additional attachments:	



# REZONING GUIDE

Rezoning Application Page 3 of 3

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

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Quibian Salazar-Moreno and Letitia Salazar Monk	5320 E. Thrill Pl Denver, Co. 80207 303.847.6901 qsalazar@gmail.com	100%	<i>Quibian Salazar-Moreno</i> <i>Letitia Salazar Monk</i>	11/17/2019		No

**The West 14 feet of Lot 26, all of Lot 27 and the East 19 feet of Lot 28, Block 8,  
San Rafael**

**City and County of Denver, State of Colorado.**

**Also known by street address as: 5320 E. Thrill Pl, Denver, CO 80207**

**SPECIAL WARRANTY DEED**

State Doc Fee: \$0.00  
Recording Fee: \$0.00

THIS DEED is dated the 15<sup>th</sup> day of September, 2018, and is made between  
(whether one, or more than one),

Quiblan Salazar-Moreno

the "Grantor" of the County of Denver and State of Colorado and

Quiblan Salazar-Moreno and Letitia Salazar Monk

(whether one, or more than one), the "Grantee", whose legal address is 5320 East Thrill Place, Denver, CO 80207 of the County of Denver and State of Colorado .

WITNESS, that the Grantor, for and in consideration of the sum of , the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together with any improvements thereon, located in the City and County of Denver and State of Colorado described as follows:

The West 14 feet of Lot 26, all of Lot 27 and the East 19 feet of Lot 28, Block 8,  
SAN RAFAEL,  
City and County of Denver, State of Colorado.

also known by street address as: 5320 East Thrill Place, Denver, CO 80207

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever, The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to:

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

[Signature]  
Quiblan Salazar-Moreno

State of Colorado  
County of

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of September, 2018 by  
Quiblan Salazar-Moreno .

[Signature]  
Notary Public: State of Colorado  
My Commission Expires: July 27, 2020

VIVIAN M BEANUM  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20004021991  
MY COMMISSION EXPIRES JULY 27, 2020

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## I. INTRODUCTION

This Official Map Amendment is a request to rezone 5320 E. Thrill Pl from E-SU-Dx to E-SU-D1x. The existing zone district is E-SU-Dx. Section 4.2.2.2.D describes the subject property's current zone district classification as "E-SU-Dx is a single unit district allowing suburban and urban houses with a minimum zone lot area of 6,000 square feet." Section 4.2.2.2.F describes the subject property's proposed zone district as "E-SU-D1x 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."

The purpose of the proposed Official Map Amendment is to allow an accessory dwelling unit to be constructed in the subject property's back yard. The Denver metro region, in particular the City and County of Denver, faces an unprecedented demand for housing due to a natural population increase coupled with continuing strong in-migration. This demand for housing has placed upward pressure on the values for Denver's housing stock and land. The subject property is large (7,250 square feet) with an existing house. The subject property's existing condition represents the development pattern of its block and the greater Northeast Park Hill neighborhood which is small homes on large lots. As a homeowner, with my current zone district classification, I have two options: 1) I can demolish the house and build a much larger house or 2) I can expand the house to a larger building envelope and from one (1) story to two and a half (2.5) stories. There was already an addition built to the home. The proposed Official Map Amendment would allow me to build an accessory dwelling unit in my backyard that would be in keeping with my block's and neighborhood's existing form, mass, and scale. A central goal of this Official Map Amendment is to introduce additional housing in an area of the City that can support it due to its location and access to employment centers and regional mass transit.

In reviewing the drafts of Comprehensive Plan 2040 and Blueprint Denver 2019, it is apparent that, like me, many Denverites appreciate the form, mass, and scale of our current houses and neighborhoods. We want new development to match the existing fabric of our neighborhoods while understanding Denver's important role in meeting our City's housing needs. Hence my request for this Official Map Amendment to change the current zone district classification to allow for one (1) additional accessory dwelling unit in my large backyard. An accessory dwelling unit would add to the City's housing stock while allowing me to continue to preserve my existing home as it is without the need to demolish and rebuild it or complete another addition to it preserving the materials, labor, and energy that were expended to build it. The accessory dwelling unit could be provided to my family members or rented to allow me to continue to live in the home while meeting a small part of the City's demand for more housing stock.

The City and County of Denver and the Northeast Park Hill neighborhood have experienced significant changes since the subject property's zone district classification was approved on

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June 25, 2010. Taken together with these changes, the adoption of Comprehensive Plan 2040, Blueprint Denver (2019), and The Park Hill Neighborhood Plan further recognize the need for more and different housing types such as this Official Map Amendment's proposed accessory dwelling unit.

## II. CONSISTENCY WITH ADOPTED PLANS

### A. Introduction

Three (3) adopted plans apply to 5320 E. Thrill Pl. The applicable plans are Blueprint Denver (2019), Comprehensive Plan 2040, and The Park Hill Neighborhood Plan (2000). These Plans were established as the City's future vision and this Official Map Amendment will show consistency with the goals and strategies of each of these Plans.

### B. Blueprint Denver (2019)

#### Introduction

Blueprint Denver is the City's newly adopted Land Use and Transportation Plan. This Plan recognizes the changes the City has experienced in the last 17 years and lays out an ambition vision to successfully accommodate the City's future growth. As part of its vision, the City recognizes the importance of the need for a mix of housing choices Citywide in response to increased population growth.

The Plan understands Denver's important role in meeting the region's growth while recommending smart growth strategies where the City's existing growth is prepared to accommodate it. The Plan, by incorporating many of Housing An Inclusive Denver's housing strategies, offers strong encouragement of this Official Map Amendment due to its plan guidance on accessory dwelling units. This Guidance encourages the allowance of accessory dwelling units, especially in areas of the City most at risk to involuntary displacement and near City designated Speed and Reliability and High Capacity Transit Corridors, such as this proposed Official Map Amendment.

1. Page 82, Housing Policy 3: "Incentivize the reuse of existing smaller and affordable homes."

This Official Map Amendment is an example of this Housing Policy. The existing smaller and affordable home is approximately 1,493 square feet. The allowance of an accessory dwelling unit at the subject property incentivizes the reuse of an existing smaller and affordable house by allowing a second unit to be constructed in the rear yard. The allowance of this unit removes the incentive to demolish and replace the existing home with a new, larger home.

- Housing Strategy A, "Study and implement zoning tools to incentivize the preservation of smaller, more affordable housing options. An example would be to

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allow the owner of an existing home to add an additional unit if the existing structure is preserved.”

While these zoning tools do not currently exist, this Official Map Amendment is an interesting case study of the Housing Strategy’s example. While the proposed rezoning does not require the existing primary residence to be retained, it is the intent of the Applicant to retain the existing primary residence. Further, the approval of this Official Map Amendment incentivizes the Applicant and any future property owners to retain the existing primary residence through the allowance of an additional accessory unit because the highest and best use of the property is no longer a very large home but will now be two smaller units. This Official Map Amendment can serve as a case study for the proposed example and how, in exchange for a small amount of additional density, the property owner could be required to build an accessory dwelling unit that is reflective of the surrounding structures’ form, mass, and scale creating an important context sensitive outcome for the neighborhood.

2. Page 84, Housing Policy 4, “Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.”

This Official Map Amendment is an example of this Housing Policy. The subject property’s current zone district classification contains a prohibition on accessory dwelling units. This prohibition restricts the ability to expand housing choices on the subject property and incentivizes the existing home to be demolished and rebuilt to its maximum square footage. The addition of an accessory dwelling unit for the subject property will allow for the existing small, affordable home with its current form, mass, and scale to be preserved and a similarly small accessory unit to be constructed in the backyard. This Official Map Amendment’s proposed retention of the existing home along with the addition of a small accessory unit meets the intent of this Housing Policy.

- Strategy E: “A citywide approach to enable ADUs (accessory dwelling units) is preferred. Until a holistic approach is in place, individual rezonings to enable ADUs in all residential areas, especially where adjacent to transit, are appropriate. Unless there is a neighborhood plan supporting ADUs, these rezonings should be small in area in order to minimize impacts to the surrounding residential area.”

This Official Map Amendment is an example of this Housing Strategy. A holistic approach for the allowance of accessory dwelling units is not currently in place nor will that approach be in place for some time. This Housing Strategy provides strong plan support to this Official Map Amendment. This Official Map Amendment is for a single property, which will minimize its impact to the surrounding residential area in support of this Housing Strategy.

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3. Page 84, Housing Policy 5, “Remove barriers to constructing accessory dwelling units and create context-sensitive form standards.”

This Official Map Amendment is an example of this Housing Policy because its approval will remove an existing regulatory barrier to constructing accessory dwelling units. The rezoning of the subject property from E-SU-Dx to E-SU-D1x will remove the prohibition on the construction of an accessory dwelling unit, which supports this Housing Policy. In addition, the City’s current accessory dwelling unit building form for the E-SU-D1x zone district provides an important baseline for reviewing bodies—City Council and Planning Board—as well as the public to understand the allowed form, mass, and scale of accessory dwelling units in the E-SU-D1x zone district.

- Strategy C, “Revise detached ADU (accessory dwelling unit) form standards to be more context-sensitive, including standards for height, mass, and setbacks.”

While this Official Map Amendment does not revise the building form standards for accessory dwelling units, the Applicant’s intent is to build an accessory dwelling unit in keeping with the existing neighborhood and its structures form, mass, and scale. The existing City block contains one story structures. The proposed accessory dwelling unit will be one story and built out of the same materials as the subject property’s primary residence. The proposed development outcome for the accessory dwelling unit exemplifies this Housing Strategy and can be a model for its future outcomes.

4. Page 142, The Future Places Map designates the subject property as a low intensity residential area.

Page 149 describes low intensity residential areas’ Land Use/Built Form as, “Predominantly one-and two-unit though many areas are mostly one-unit. Includes Accessory Dwelling Units. In some contexts, some higher-intensity residential uses may be mixed throughout. Neighborhood-serving retail may be found in some key locations. Buildings are predominantly low-scale houses and duplexes. Setbacks and lot coverages vary across neighborhood contexts.”

This Official Map Amendment is consistent and supported by Blueprint Denver’s Future Places Map’s designation of the subject property as a low intensity residential area. Low intensity residential areas specifically include accessory dwelling units. The approval of this Official Map Amendment maintains the subject property and surrounding neighborhood as a low intensity residential area while accommodating a small increase in density. The existing primary residence and proposed accessory dwelling unit will be low-scale in nature.

- Page 149 describes low intensity residential areas’ Mobility as, “Access is mostly from local streets, and there may be less choice of multimodal networks. Available walksheds and bikesheds vary based on neighborhood context.”



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This Official Map Amendment is consistent with the low intensity residential areas' Mobility because the subject property abuts a local street. Its mobility is increased due to the presence of a public alley connected to Glencoe St and Hudson St. and its location on a City block bounded by two arterial streets, E. Thrill Pl and Martin Luther King, Jr. Blvd. The subject property has average to above average walksheds and bikesheds relative to available sidewalk and bicycle infrastructure.

### C. Comprehensive Plan 2040

#### Introduction

Comprehensive Plan 2040 lays out the City's overarching planning vision for the next 20 years. This Vision contains elements, goals, and strategies that support the proposed Official Map Amendment.

The Plan's guidance encourages an expansion and mix of housing opportunities by leveraging the City's investments in infrastructure to encourage growth in areas of the City where current and proposed infrastructure can successfully accommodate it. The proposed Official Map Amendment is supported by Comprehensive Plan 2040 because it assists the City in meeting the Plan's vision elements, goals, and strategies.

#### I. Vision Elements: Equitable, Affordable, and Inclusive

- A. Page 18, Goal 1.1, "Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities."

The proposed Official Map Amendment furthers Plan Goal 1.1 because the allowance for accessory dwelling unit will ensure that future residents of the subject property have safe, convenient and affordable access to basic services and a variety of amenities. The subject property's excellent access to mass transit, less than a block away from the Martin Luther King, Jr. Blvd RTD routes, ensures that current and future residents will have easy access to basic services and a variety of amenities. The subject property is also in close proximity to the neighborhood/regional centers such as the Pauline Robinson Denver Public Library, Hiawatha Davis Denver Rec Center, the Nancy P. Anschutz Center, the Quebec Square Retail Center, and the Stapleton and Lowry neighborhoods. Finally, the subject property is in close proximity to several neighborhood parks including Skyland Park and Axum City Park. The proposed Official Map Amendment assists the City in achieving this Plan Goal by providing an additional housing unit near basic services and amenities.

- B. Page 18, Goal 1.2, "Support housing as a continuum to serve residents across a range of needs, ages and needs."

The proposed Official Map Amendment furthers Plan Goal 1.2 because this application assists the City to meet this Goal. This proposal supports the expansion of

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housing types and opportunities because it allows the subject property to build an additional, small scale dwelling unit. This housing unit will provide an affordable housing unit either as a rental unit or a housing unit for aging family members. The majority of the City's new housing built in the last 10 years has been geared towards the City's high-income housing needs both in single and multi-family residential development. The addition of an accessory dwelling unit at the subject property allows for not only a new dwelling unit to be built but incentives the retention of the existing primary residence, which fits in well with its surrounding form, mass, and scale of the neighborhood.

C. Page 28, Goal 2, Strategy A, "Create a greater mix of housing options throughout the City for all individuals and families."

The proposed Official Map Amendment further this Strategy because this Official Map Amendment will allow for a mix of housing options where currently only single-family housing is allowed. The City's zoning regulations, prior to the adoption of the Denver Zoning Code, encouraged the separation of land uses and their accompanying zone districts.

This Plan Strategy encourages the surrounding neighborhood's historic development pattern of low to medium intensity residential and commercial zone districts and land uses. The proposed Official Map Amendment embraces this Strategy by recognizing the need for a mix of housing options for all of Denver's citizens.

D. Page 28, Goal 3, "Develop housing that is affordable to residents of all income levels."

The proposed Official Map Amendment furthers Plan Goal 3 because this proposal assists the City in achieving this Goal. This proposal will allow the addition of one new affordable housing unit to the City's housing stock. Moreover, the allowance for an accessory dwelling unit on the subject property will help maintain the affordability of the subject property and decrease the pressure on the existing primary residence to be redeveloped into a larger residence. Through the allowance of an accessory dwelling unit and the retention of the existing primary residence, current and new affordable housing will be maintained and expanded.

D. Page 28, Goal 3, Strategy B, "Use land use regulations that incentivize the private development of affordable and mixed-income housing."

The proposed Official Map Amendment furthers Strategy A because it supports land regulations that incentivize private development of affordable and mixed-income housing. Blueprint Denver encourages accessory dwelling units as a mechanism to introduce affordability and a mix of incomes in existing low density, single family neighborhoods. This Official Map Amendment proposes to allow a small-scale expansion of the subject property's. If this application is approved the newly constructed accessory dwelling unit will offer affordable and mixed-income housing

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and will allow for either renters or family members of the owner of the primary residence to live in a neighborhood where they may have been unable to live without this proposed housing unit.

E. Page 28, Goal 4, “Preserve existing affordable housing.”

The proposed Official Map Amendment furthers Goal 4 by directly addressing the retention of an existing affordable single-family housing unit. Instead of the redevelopment of the existing single-family housing unit into a larger single-family housing unit. The addition of an accessory dwelling unit on the subject property will allow for the support, upkeep, and maintenance of the existing primary residence while helping to preserve its affordability. Blueprint Denver speaks directly to this issue as a reason to encourage accessory dwelling units throughout the City.

F. Page 28, Goal 5, “Reduce the involuntary displacement of residents and businesses.”

The proposed Official Map Amendment furthers this Goal because this proposal will assist the current and future property owner’s risk to involuntary displacement. Rising property values and their associated property tax increases, in addition to the escalating cost to maintain the property, are contributors to involuntary displacement. Blueprint Denver, as well as many City planning and policy initiatives, recognize the Northeast Park Hill neighborhood as highly vulnerable to displacement. As the neighborhood changes as public infrastructure and private development increases, the current and existing pressures on the Northeast Park Hill neighborhood will increase in tandem. The allowance for an accessory dwelling unit, and more broadly the larger neighborhood in future Official Map Amendment applications and planning efforts, will help address the current and future pressures on the neighborhood to gentrify. Involuntary displacement puts particular pressure on low and middle income Denverites and the allowance for accessory dwelling units will assist current residents to remain in the City.

G. Page 28, Goal 5, Strategy B, “Stabilize residents and businesses at risk of displacement through programs and policies that help them to stay in their existing community.”

The proposed Official Map Amendment furthers this Strategy because the request for an accessory dwelling unit will stabilize current and future property owners and help them stay in their existing community. The allowance of an accessory dwelling unit incentivizes the retention of the existing primary residence which is affordable than the larger houses which are currently allowed in the existing current zone district. Smaller homes assist individual properties at the micro-level and the neighborhood at a macro-level to stabilize allowing residents to avoid displacement. As previously discussed, Blueprint Denver, as well as other City planning and policy initiatives, recognize that the Northeast Park Hill neighborhood is particularly vulnerable to displacement.

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## D. Park Hill Neighborhood Plan

### Introduction

The plan, developed in 2000, serves as an official guide for the community and the rest of the city as to how Park Hill envisions community-building, the neighborhood's physical and economic development, the delivery of services, and the overall improvement of the Park Hill community. The plan, approved by Denver's City Council, serves as a guide for making decisions about the neighborhood.

Page 32, Land Use, Goals, "Maintain the existing integrity of the residential character of Park Hill. Assure that continued growth and development in Park Hill results in a balanced and compatible mix of housing types and densities."

The proposed Official Map Amendment supports this goal by maintaining the integrity of the original structure of the property by not demolishing the house and instead building an accessory dwelling unit, adding to the development goal of balanced and compatible mix of housing types.

Page 33, Land Use, Action Recommendations, "Create and maintain a mix of housing types and sizes that are attractive and affordable to a diversity of ages, incomes, household types, sizes, cultural and ethnic backgrounds."

The proposed Official Map Amendment supports this action recommendation by allowing the creation of an accessory dwelling unit, adding to the mix of housing types to the Northeast Park Hill neighborhood.

### **III. UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTIONS**

The proposed Official Map Amendment is consistent with the uniformity of the E-SU-D1x's district regulations and restrictions because the current and future property improvements will be constructed according to the E-SU-D1x zone district's building forms and its current and future uses will be regulated and restricted through the proposed zone districts permitted, limited, and unpermitted uses. The proposed Official Map Amendment will therefore result in the uniform application of the E-SU-D1x zone district because this zone district's building and design standards and uses will be consistently applied as they are to all other zone lots in the City with the same zone district.

### **IV. PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE**

The proposed Official Map Amendment furthers the City's public health, safety, and general welfare because the subject property is close to existing transportation infrastructure. The subject property's location is located near major regional transit routes, allowing for current and future residents to enjoy a healthier lifestyle by walking to and from transit. The subject property's location near neighborhood and regional services also

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contributes to the quality of life for its current and future residents. The will also support nearby employment centers in the Quebec Square Retail Center and Stapleton neighborhood. The proposed Official Map Amendment is consistent with the City's adopted zoning regulations and restrictions because it furthers public health, safety, and general welfare for all its citizens.

#### **IV. JUSTIFYING CIRCUMSTANCES**

- A. Justifying Circumstance 1: A justifying circumstance for this Official Map Amendment are changing conditions in the neighborhood and the City generally since June 25, 2010, when the subject property's current zone district classification, E-SU-Dx, was adopted.

The City and County of Denver has experienced tremendous change since the adoption of the Denver Zoning Code and the subject property's subsequent rezoning into the Denver Zoning Code. In the last 8 years, the City has added over 100,000 new residents (Denver Post, March 22, 2018). Downtown Denver's workforce alone has grown by 17% to 130,227 jobs in the last 8 years (Downtown Denver Partnership). The accelerated rate of growth for populations and jobs that the City experienced since the adoption of the subject property's zone district classification serves as a justifying circumstance for this rezoning. The approval of this rezoning will result in the addition of one additional housing unit in a City that is in desperate need for more housing especially near job centers and major transit corridors. The development of new job centers in the nearby Lowry and Stapleton neighborhoods in Denver, the construction of the new Veteran's Hospital in Aurora, and the subject property's proximity to Downtown make it an ideal candidate to provide an additional housing unit.

- B. Justifying Circumstance 2: A justifying circumstance for this rezoning is the adoption of Blueprint Denver, Comprehensive Plan 2040, and the Park Hill Neighborhood Plan.

The adoption of Blueprint Denver, Comprehensive Plan 2040, and Park Hill Neighborhood Plan provide a strong justifying circumstance for this rezoning. Taken together, the Plans provide significant plan support for additional housing of all types. While the Plans have been previously analyzed by this Official Map Amendment, Blueprint Denver (Page 56) has specific plan support for this Official Map Amendment request, "A citywide approach to enable ADUs (accessory dwelling units) is preferred. Until a holistic approach is in place, individual rezonings to enable ADUs in all residential areas, especially when adjacent to transit, are appropriate. These rezonings should be small in area in order to minimize impacts to the surrounding residential areas." Taken together, these Plans offer strong general support to the expansion of housing opportunities, especially affordable housing, on a Citywide basis. The adoption of these Plans serves as a justifying circumstance for this rezoning.

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C. 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.

1. The description of the Urban Edge Neighborhood Context is outlined in Division 4.1 and analyzed in this Section.

A. *Section 4.1.1, General Character, "The Urban Edge Neighborhood Context 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. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House and Suburban House building forms. Multi-unit building forms are typically the Row House, Garden Court, Town House or Apartment building forms embedded with other residential uses. Commercial buildings are typically the Shopfront and General building forms that typically contain a single type of use. Single and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential and commercial uses are located along local streets, arterials, and main streets."*

The proposed Official Map Amendment is consistent with the General Character of the Urban Edge Neighborhood Context because the existing neighborhood is a mix of elements from both the Urban and Suburban Neighborhood Contexts.

This part of the Northeast Park Hill neighborhood contains some City blocks with dedicated public alleys while some City blocks contain no alleys at all or private alleys. The neighborhood is characterized by mostly consistent Primary Street setbacks.

The neighborhood context for the proposed Official Map Amendment is consistent with description of the Urban Edge Neighborhood Context's General Character per the above referenced section and was a significant contributing factor to this Official Map Amendment's proposed zone district, E-SU-D1x.

B. *Section 4.1.2, Street, Block, Access Patterns, "The Urban Edge Neighborhood Context consists of a regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid. Orthogonal streets provide connection and a mixed presence of alleys.*

*Block sizes and shapes are consistent and include attached, detached and non-existent sidewalks, treelawns where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback."*

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The proposed Official Map Amendment is consistent with the Urban Edge Neighborhood Context's Street, Block, and Access Pattern. The subject property's City block and surrounding neighborhood show a mostly consistent regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid. The subject property's City block is more consistent with an Urban Neighborhood Context in an orthogonal grid though the surrounding neighborhood is more consistent with infill development that responded to the existing subdivision plat and opportunities to develop new single-family homes on regular and irregular shaped zone lots. There is a mixed presence of alleys, which is consistent with Urban Edge Neighborhood Context. Block sizes and shapes are typically consistent with the Urban Edge Neighborhood Context and show the original subdivision as the driving force in the development of the neighborhood and its street and alley pattern. The surrounding neighborhood shows a mix of attached and non-existent sidewalks. The surrounding neighborhood has no tree lawns, however, most of the neighborhood's single-family homes provide landscaping on the front setback. The proposed Official Map Amendment's zone district, E-SU-D1x, is consistent with the neighborhood's existing street, block, and access pattern.

- C. *Section 4.1.3, Building Placement and Location, "Single-, two-unit and multi-unit residential buildings typically have consistent moderate to deep front setbacks. Building orientation along a block face may be inconsistent or consistent. Commercial buildings typically have consistent orientation and front setbacks deep enough to allow for a mix of landscaping and some parking."*

The residential buildings of the subject property's block and surrounding neighborhood have consistent moderate to deep front setbacks. Building orientations along the subject property's block and face block are consistent as are the building placements on the City blocks to the immediate north and south. The face block to the immediate east of the subject property has inconsistent setbacks that represent an inconsistent build out over that block's build out. The proposed Official Map Amendment is consistent with the Urban Edge Neighborhood Context's building placement and location.

- D. *Section 4.1.4, Building Height, "The Urban Edge Neighborhood Context is characterized by low scale buildings except for some mid-rise commercial and mixed use structures, particularly at nodes or along arterial streets."*

The subject property's City block and surrounding neighborhood is characterized by predominantly one and one-half story single family residential structures. At nodes and along arterial streets, this building height is maintained. The subject property's building height, its City block, and surrounding neighborhood are consistent with the Urban Edge Neighborhood's building height.

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- E. *Section 4.1.5, Mobility, “There is reliance on the automobile with some pedestrian and bicycle activity and low to medium level of access to the multi-modal transportation system.”*

The subject property’s City block and surrounding neighborhood do rely on the automobile to access essential services such as groceries, neighborhood and regional serving retail, and other services. However, the revitalization of the area and the neighborhood’s existing commercial nodes, as well as the redevelopment of the Stapleton neighborhoods provide the neighborhood with important access to services and amenities. In addition, the presence of major regional transit routes allows for the neighborhood to attain the level of transit service seen in the City’s Urban Neighborhood context neighborhoods. The proposed Official Map Amendment is consistent with the Urban Neighborhood Context’s mobility.

2. The proposed Official Map Amendment is consistent with the stated purpose and intent of the proposed zone district as described in the following analysis.

- A. Section 4.2.2.1 contains the general purpose of the Urban Edge Neighborhood Context’s Residential Districts:

1. *Section 4.2.2.1.A: “The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Edge 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 proposed Official Map Amendment promotes and protects the subject property’s residential neighborhood because, while the proposed zone district allows an accessory dwelling unit in the rear yard, this zone district maintains the existing scale and density of the surrounding neighborhood. The proposed zone district allows for an accessory dwelling unit that will not detract from the overall image and character of the residential neighborhood, which shows the proposed Official Map Amendment’s consistency with this general purpose statement.

2. *Section 4.2.2.1.B: “The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the varied pattern of suburban and urban house forms. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the two unit and row house districts promote existing and future patterns of lower scale multi unit building forms that typically address the street in the same manner as an urban house building form.”*



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The proposed Official Map Amendment's zone district promotes desirable residential areas through its employment of building form standards, design standards, and uses to provide a harmonious outcome for the City's Urban Edge neighborhoods. The standards of the proposed zone district accommodate the existing neighborhood's varied pattern of housing stock that closely align with the suburban and urban house building forms. Lot coverage in the existing neighborhood is relatively low in keeping with this general purpose statement. The subject property's City block and surrounding neighborhood's single-family homes address their adjoining Primary Streets. The proposed Official Map Amendment is therefore consistent with this general purpose statement because the proposed zone district matches this existing neighborhood pattern and context.

3. Section 4.2.2.1.C: *"These standards recognize common residential characteristics within the Urban Edge Neighborhood Context but accommodate variation by providing eight Residential Zone Districts."*

The proposed Official Map Amendment recognizes this general purpose statement's common residential characteristics through its harmonious building form and design standards and allowed uses and their limitations. The proposed E-SU-D1x zone district accommodates the neighborhood's current and existing variation of multiple housing types and building configurations and therefore the proposed Official Map Amendment is consistent with this general purpose statement.

4. Section 4.2.2.1.D: *"The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment."*

The proposed Official Map Amendment provides certainty to the current and future property owners of the subject property about the limits of what is allowed in a residentially-zoned area. The proposed zone district, E-SU-D1x, is consistent with the neighborhood's current housing types and the subject property's current zone district except the new zone district will allow for the construction of an accessory dwelling unit in the rear yard. The regulations of the E-SU-D1x zone district support the surrounding neighborhood's mix of low to medium intensity residential and commercial zone districts and land uses. Therefore, the proposed Official Map Amendment is consistent with this general purpose statement.

- B. *Specific Intent, Single Unit D1x, (E-SU-D1x), "E-SU-D1x is a single unit district allowing suburban houses, urban houses and detached accessory dwelling units"*

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*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.”*

The proposed Official Map Amendment is consistent with the specific intent of the Single Unit D1x (E-SU-D1x) because this zone district allows for the requested accessory dwelling unit, which is not allowed in the subject property’s current zone district, E-SU-Dx. The subject property’s zone lot is 7,250 square feet which exceeds the proposed zone district’s minimum zone lot area of 6,000 square feet. The subject property The setback and lot coverage standards match the subject property’s existing front and side yards. In addition, the subject property has an expansive rear yard which can accommodate the allowable building footprint for the proposed accessory dwelling unit. Therefore, the proposed Official Map Amendment is consistent with the E-SU-D1x zone district’s specific intent.

**From:** [Emily Sandoval](#)  
**To:** [Kaiser, Libby - CPD CE0429 City Planner Senior](#)  
**Subject:** [EXTERNAL] Support for 5320 Thrill rezoning  
**Date:** Monday, August 3, 2020 12:56:27 PM

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Hi Libby,

I live three houses down from the proposed re-zoning at 5320 E. Thrill Pl. I support the re-zoning and am pleased that the owner would like to add an ADU on the property. Our neighborhood already has a good variety of single-family homes like mine, du-, tri- and four-plexes, and apartments, so I think this change is certainly in-line with the neighborhood and can help with housing affordability.

Thanks for your work with the city!  
Emily Sandoval  
Denver Renter  
5350 E Thrill Pl, Denver, CO 80207