



TO: Denver City Council
FROM: Francisca Penafiel, Associate City Planner
DATE: November 24, 2020
RE: Official Zoning Map Amendment Application #2020I-00041

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2020I-00041.

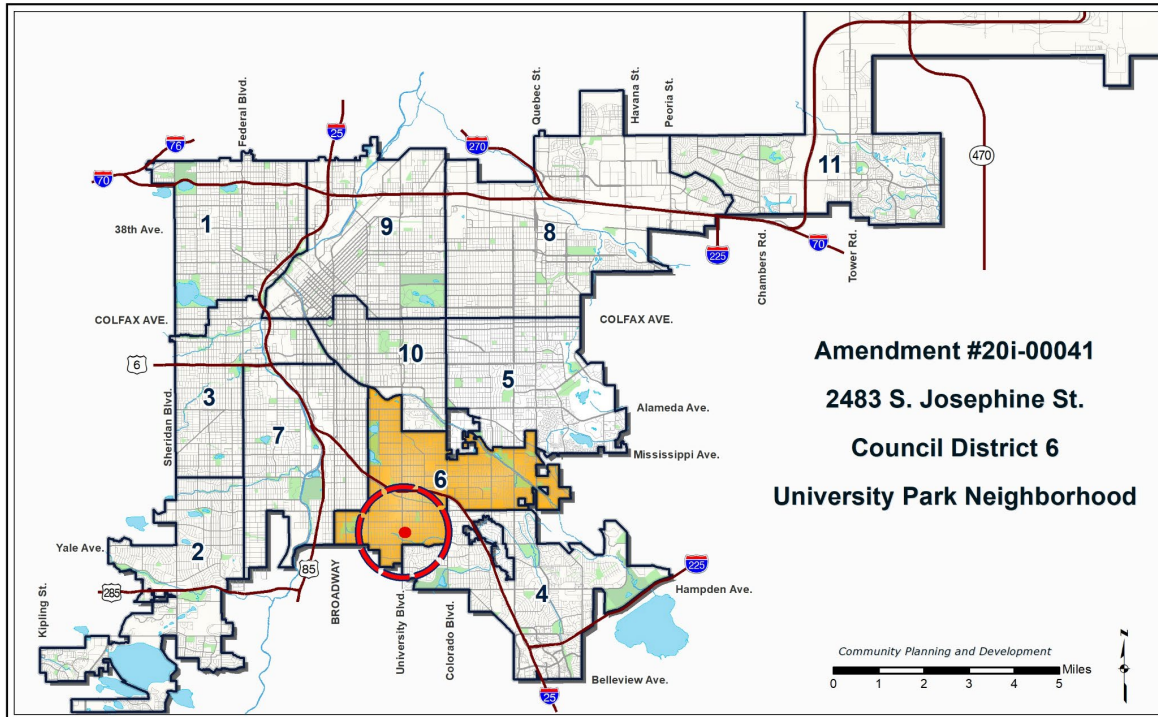
Request for Rezoning

Address:	2483 S Josephine Street
Neighborhood/Council District:	University Park / Council District 6
RNOs:	Southside Unified, University Park Community Council, Inter-Neighborhood cooperation (INC)
Area of Property:	7,500 square feet or 0.17 acres
Current Zoning:	U-SU-C
Proposed Zoning:	U-SU-C1
Property Owner(s):	Jason & Kimberley Monden
Owner Representative:	None

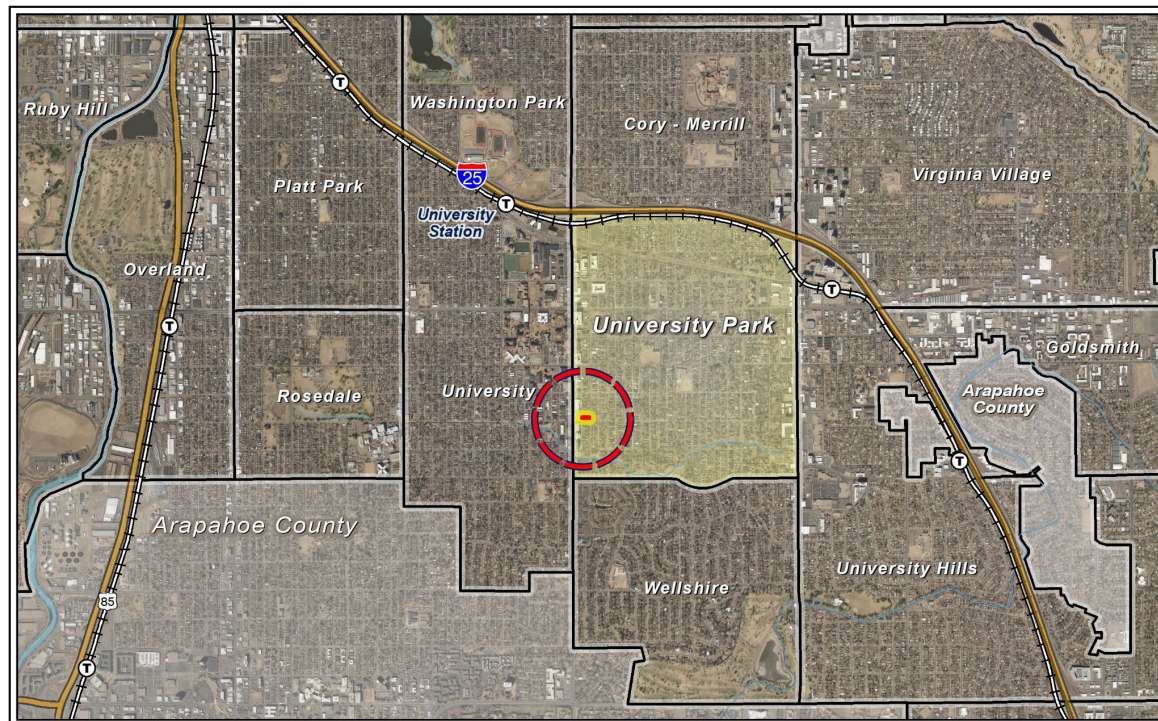
Summary of Rezoning Request

- The subject property contains a single-unit dwelling built in 2014 and is located a block east from the University of Denver, between E Wesley Avenue and E Harvard Ave, along S Josephine Street.
- The property owner is proposing to rezone the property to build an accessory dwelling unit
- The proposed U-SU-C1, Urbane, Single-Unit, C1 (5,500 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, 17 to 19 feet in the rear 35% of the zone lot. The Detached Accessory Dwelling Unit form can be a maximum height of 24 feet. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 5 of the Denver Zoning Code (DZC).

City Location



Neighborhood Location – University Park Neighborhood



Existing Context



The subject property is in the University Park Neighborhood, which is characterized primarily by single-unit and two-unit residential, with some multi-unit and mix-use along University Boulevard and Colorado Boulevard. Generally, there is a pattern of rectangular blocks in a street grid pattern with alley access. The subject property is between Wesley Avenue and Harvard Avenue, and is only 1 block east from University Boulevard where there is a bus stop for bus route 24.

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	U-SU-C	Single-unit Residential	2-story Residence	Generally regular grid of streets; Block sizes and shapes are consistent and rectangular. Detached sidewalks with tree lawns and existing alleys. Garages and on-street vehicle parking.
North	U-SU-C	Single-unit Residential	2-story Residence	
South	U-SU-C	Single-unit Residential	1-story Residence	
East	U-SU-C	Single-unit Residential	2-story Residence	
West	G-RX-5	Mixed-use	5-story Residential Mixed Use	

2. Existing Land Use Map



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



Aerial view of the site.



View of property looking east.



View of the property to the north, looking west.



View of the property to the west.



View of the property to the south, looking West.

Proposed Zoning

The U-SU-C1 is a single unit zone district with a minimum zone lot of 5,500 square feet that allows only an Urban House primary building form. A variety of residential and civic uses are permitted as primary uses in the U-SU-C1 district. Compared to the U-SU-C district, U-SU-C1 introduces the accessory dwelling unit use and Detached Accessory Dwelling Unit (DADU) building form. 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 also 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 7,500 square feet, allowing a maximum building footprint of 1,000 square feet for the DADU.

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

Design Standards	U-SU-C (Existing)	U-SU-C1 (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 Height in Stories / Feet	DADUs not permitted	1.5 stories / 24 feet
Zone Lot Size (Min.)	5,500 square feet	5,500 square feet
Minimum Zone Lot Width (Min.)	50 feet	50 feet
Primary Street Block Sensitive Setback Required / If not	Yes / 20 feet	Yes / 20 feet
Side Street Setback (Min.) *	5 feet	5 feet
Side Interior Setback (Min.) *	5 feet	5 feet
Rear Setback, Alley / No Alley	12 feet / 20 feet	12 feet / 20 feet
Building Coverage per Zone Lot including all accessory structures (Max.), not including exceptions	37.5 %	37.5%
Detached Accessory Building Forms Allowed	Detached Garage, Other Detached Accessory Structures	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures

*Based on subject property with width of 50 feet

Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Assessor: Approved – No Response.

Asset Management: Approved – No Response.

Development Services-Fire: Approved – No Comments.

Denver Public Schools: Approved – No Response.

Development Services - Project Coordination: Approved – No Response.

Development Services - Transportation: Approve – No Response.

Development Services - Wastewater: Approved – See Comments Below
 Development of an accessory dwelling unit will require coordination with the SUDP (Sewer Use & Drainage Permit) group about how the ADU will connect to the sanitary sewer. Consult with Kerwin Nance for specific details about what will be required. His email is Kerwin.Nance@denvergov.org.

Parks and Recreation: Approved – No Response.

Public Health and Environment: Approved – No Comments.

Public Works – City Surveyor: Approved – No Comments.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	7/21/2020
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	9/14/2020
Planning Board public hearing (recommended approval)	9/30/2020
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	10/6/2020
Land Use, Transportation and Infrastructure Committee of the City Council:	10/20/2020

Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	11/9/2020
City Council Public Hearing:	11/30/2020

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has received 1 letter of support from the Registered Neighborhood Organizations.
- **Other Public Comment**
 - To date, staff has received three letters from the public supporting the rezoning mostly given that it backs into a 5-story residential building.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)
- Housing an Inclusive Denver (2018)
- University Park Neighborhood Plan

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-C1 allows for an additional dwelling unit that is accessory to the primary single-unit dwelling use and introduces a new housing type to a largely single-family neighborhood. Accessory dwelling units

can provide housing for individuals or families with different incomes, ages, and needs compatible with the single-unit homes that currently dominate the University Park neighborhood.

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

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

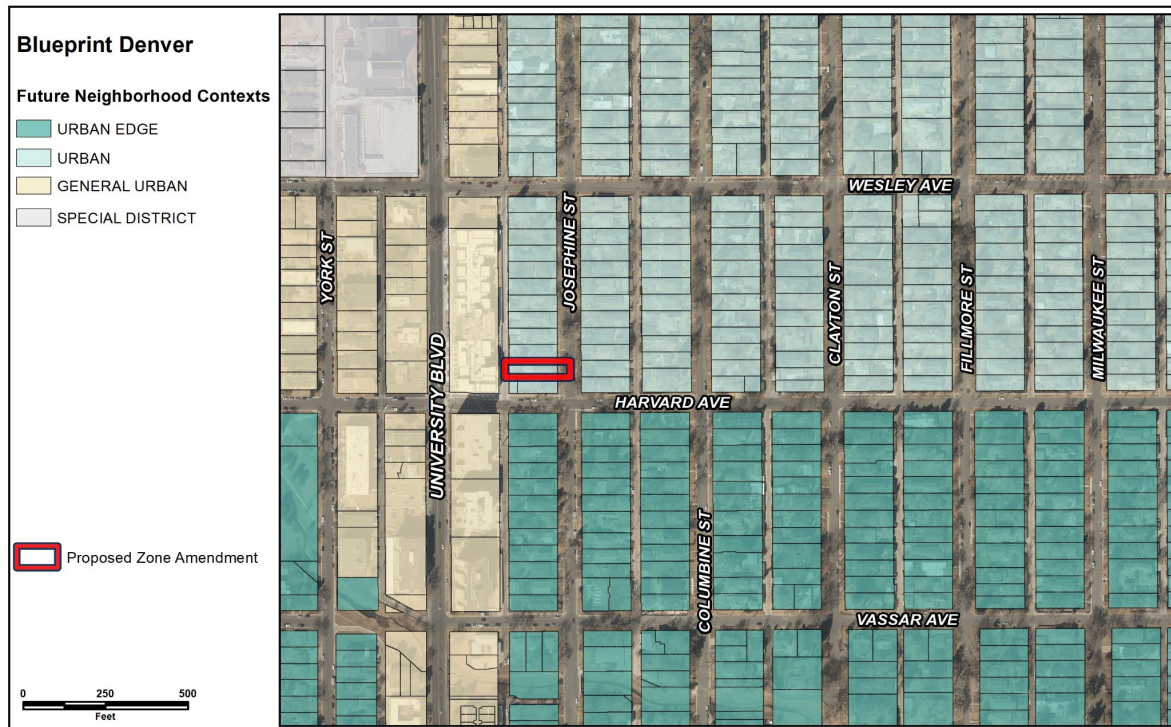
- Environmentally Resilient Goal 8, Strategy A – Promote infill development where infrastructure and services are already in place (p. 54).

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

Blueprint Denver

Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a Low Residential place within the Urban 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 site is 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-C1 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-C1 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 Future Places

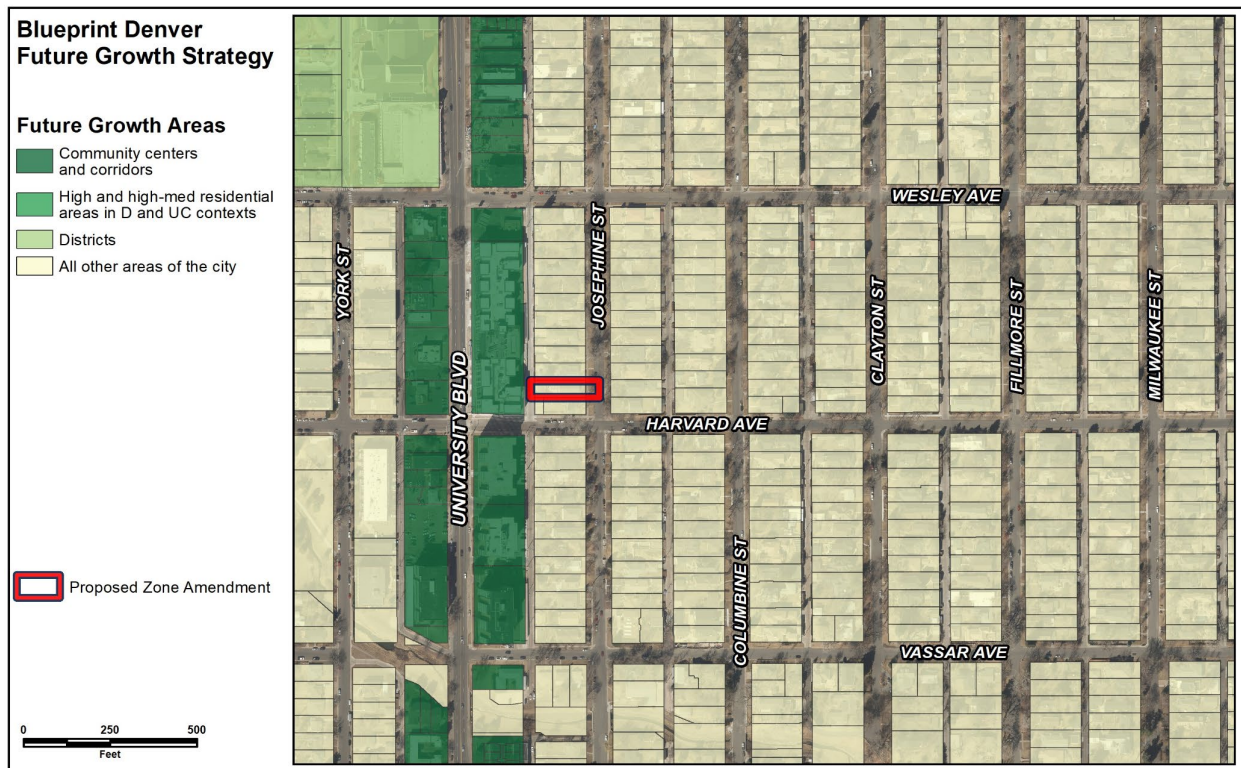


The subject site is designated within a Low Residential future place type on the *Blueprint Denver* Future Places map. This place type is “predominately single and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible,” and “building heights are generally up to 2.5 stories in height” (p. 230). The U-SU-C1 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 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.

Blueprint Denver Street Types

In *Blueprint Denver*, Future Street Types work in concert with the Future Places to evaluate the appropriate intensity of adjacent development (p. 67). *Blueprint Denver* classifies Josephine Street as a Local or Undesignated Future Street Type, which “can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses.” (p. 161). The proposed U-SU-C1 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 U-SU-C1 zone district allowing an ADU is appropriate in this growth area as it will minimally contribute to development intensity in the neighborhood while maintaining the area’s single-family residential character.

Blueprint Denver Strategies

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

- Housing Policy 4 Strategy E: “A citywide approach to enable ADUs is preferred. Until a holistic approach is in place, individual rezonings to enable ADUs in all residential areas, specifically

where proximate to transit, are appropriate. Unless there is a neighborhood plan supporting ADUs, rezonings should be small in area in order to minimize impacts to the surrounding residential area” (p. 84).

- Housing Policy 5: “Remove barriers to constructing accessory dwelling units and create context-sensitive form standards.” (p. 84).

In this case, the requested rezoning is a single lot in a residential area less than 500 feet from a bus route. This rezoning to an ADU zone district will have minimal impacts on the character of the surrounding neighborhood and is consistent with Blueprint Denver recommendations. In addition, the rezoning of the subject property will remove the prohibition on the construction of an accessory dwelling unit.

Housing an Inclusive Denver (2018)

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

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

The proposed map amendment to U-SU-C1 is consistent with these *Housing an Inclusive Denver* recommendations because it will expand the availability and allow the development of an accessory dwelling unit at this site.

University Park Neighborhood Plan (2008)

The University Park Neighborhood Plan was adopted by Denver City Council in 2008 and applies to the subject site. The format of the University Park Neighborhood Plan includes general framework plan recommendations that apply throughout the planning area as well as subarea recommendations that apply in smaller subareas.

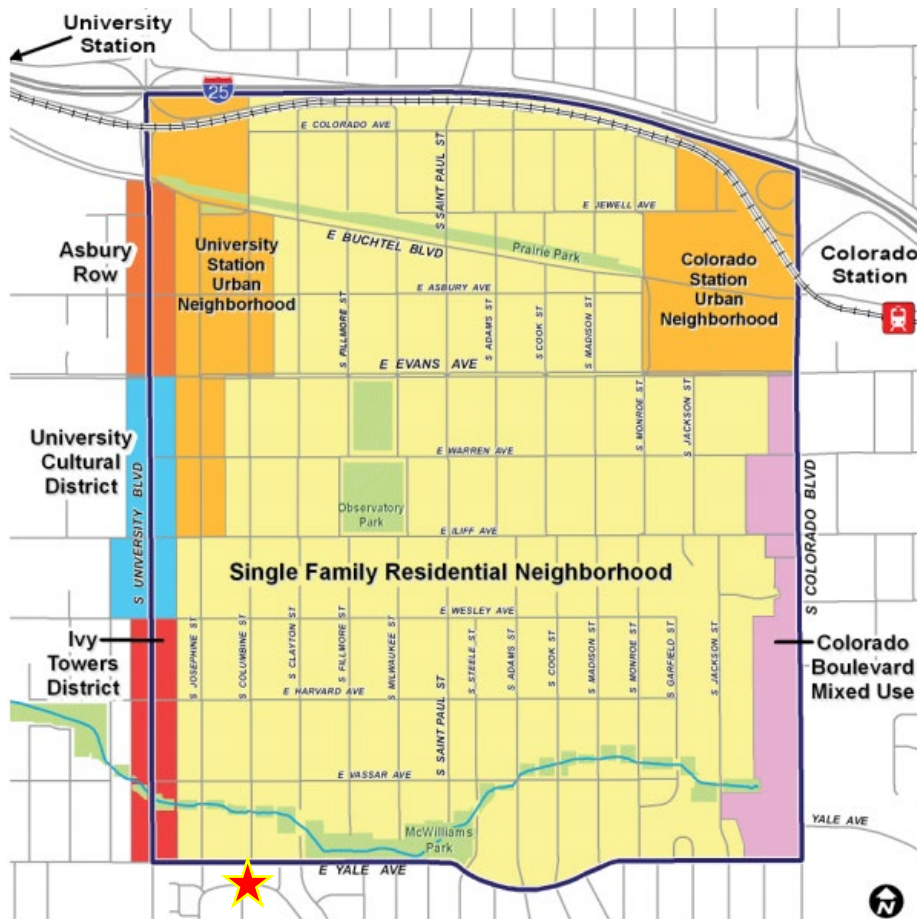
General Framework

The overarching theme of the University Park Neighborhood Plan is to create and nurture a community that accommodates a wide variety of uses and people in an environment that enhances the quality of life for residents and the vitality businesses (p.51). Urban Design & Land Use goals in the plan address the elements of existing community structure, public spaces (including building form, orientation and character) and articulate desired future land use and development patterns. The proposed rezoning to U-SU-C1 is consistent with the following Urban Design & Land Use Goals:

- Goal 2: Residential Neighborhood Character Stability: Preserve the single-family nature of University Park’s residential neighborhood and respect the urban design and the architectural character of established and preferred residential forms.
- Goal 4: Diverse Housing Options in Appropriate Locations: Diversify the mix of housing types near transit amenities to allow residents to age in place, live without the daily use of a car and accommodate the housing needs of empty-nesters, students, young professionals and families.

Subarea Recommendations

- The University Park Neighborhood Plan also organizes the neighborhood into subareas and provides recommendations for each of these smaller neighborhood areas. The subject site is in the Single-Family Residential Neighborhood subarea which is described as having predominately single-family homes with occasional duplexes interspersed. Buildings of one to two stories in height characterize the prevailing degree of development (p.63).



The intent of the U-SU-C1 zone 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 (DZC 5.2.2.1). Therefore, this rezoning is consistent with the general framework of the University Park Neighborhood Plan.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-SU-C1 will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the city through implementation of the city's adopted land use plan which recommends "the expansion of accessory dwelling units throughout all residential areas" (p. 84). The proposed rezoning would also provide the benefit of an additional housing unit that is compatibly integrated into the surrounding neighborhood. The building form standards and allowed uses of the proposed zone district promote compatibility with the building forms and uses allowed in the surrounding area.

4. Justifying Circumstance

The application identifies the adoption of *Blueprint Denver* as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "Since the date of the approval of the existing Zone District, there has been a change to such as degree that the proposed rezoning is in the public interest. Such a change may include: Changed or changing conditions in a particular area, or in the city generally; or a city adopted plan; or that the city adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning."

As discussed above, *Blueprint Denver* specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. The plan was adopted after the date of approval of the existing zone districts. Therefore, this is an appropriate justifying circumstance for the proposed rezoning.

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

The requested U-SU-C1 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 University Park neighborhood consists of mostly single and two-unit residential uses in rectangular blocks with alley access. The proposed rezoning to U-SU-C1 is consistent with the neighborhood context description.

The specific intent of the U-SU-C1 zone district is "a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 5,500 square feet. Blocks typically have a consistent pattern of 50-foot-wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-C but allowing a detached accessory dwelling unit building form in the rear yard" (DZC 5.2.2.2.H.) The subject site is in an area where Urban houses and 50-foot wide lots are

common. The site at 2483 S Josephine Street is 7,500 square feet with a width of 50 feet. The adopted plan direction recommends allowing detached accessory dwelling units. Therefore, rezoning this site would be consistent with the specific intent of the zone district.

Attachments

1. Application
2. Legal Description
3. Letters of support from the public and RNO



REZONING GUIDE

Accessory Dwelling Unit Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Jason Monden	Representative Name	
Address	2483 S Josephine St	Address	
City, State, Zip	Denver, CO, 80210	City, State, Zip	
Telephone	816-651-6781	Telephone	
Email	jmonden@hotmail.com	Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</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):	2483 S Josephine St, Denver, CO 80210		
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:	7,500 sf		
Current Zone District(s):	District 6, U-SU-C		
PROPOSAL			
Proposed Zone District:	District 6, U-SU-C1		
PRE-APPLICATION INFORMATION			
Did you have a pre-application meeting with Development Services Residential Team?	<input checked="" type="checkbox"/> Yes - if yes, state the meeting date <u>March 25, 2020</u> <input type="checkbox"/> No - if no, describe why not		
Did you contact the City Council District Office regarding this application?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>June 15, 2020, phone and email.</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment)		

REVIEW CRITERIA - AFFIRM THE PROPOSED ADU REZONING COMPLIES WITH THE CRITERIA BELOW BY CHECKING THE BOX NEXT TO EACH CRITERION

<p>General Review Criteria: The proposal must comply with all of the general review criteria. (Check box to the right to affirm) DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Denver Comprehensive Plan 2040 The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:</p> <ul style="list-style-type: none"> • Goal 2, Strategy A. Equitable, Affordable and Inclusive – "Create a greater mix of housing options in every neighborhood for all individuals and families" (p. 28). The proposed zone district allows for an additional 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 compatible with the single-unit neighborhoods. • Goal 8, Strategy A. Environmentally Resilient - "Promote infill development where infrastructure and services are already in place" (p. 54). The proposed map amendment will allow an additional housing unit on the site of an existing home where infrastructure and services such as water, stormwater, and streets already exist. This allows Denver to grow responsibly and promotes land conservation. <p>Blueprint Denver The proposed map amendment is consistent with the applicable neighborhood context, places, street type, and strategies in <i>Blueprint Denver</i>, including:</p> <ul style="list-style-type: none"> • Policy 4, Strategy E - Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. <p style="text-align: right;">University Park</p> <p>Neighborhood/ Small Area Plan (list all, if applicable): _____</p> <p>Housing an Inclusive Denver The proposed map amendment is consistent with <i>Housing an Inclusive Denver</i>, including: 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" (p. 14).</p>
<p>General Review Criteria: The proposal must comply with all of the general review criteria. (Check boxes to affirm) DZC Sec. 12.4.10.7</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>The proposed map amendment furthers the public health, safety, and general welfare of the city through implementation of the city's adopted plan, including <i>Blueprint Denver</i> which recommends "the expansion of accessory dwelling units throughout all residential areas" (<i>Blueprint Denver</i>, p. 84).</p>

<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria.</p> <p>(Check boxes to affirm.)</p> <p>DZC Sec. 12.4.10.8</p>	<p><input checked="" type="checkbox"/> Justifying Circumstances - One of the following circumstances exists: 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="margin-left: 40px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="margin-left: 40px;">b. A City adopted plan; or</p> <p style="margin-left: 40px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p>The proposed map amendment application identifies the adoption of <i>Blueprint Denver</i> as the Justifying Circumstance. As discussed above, <i>Blueprint Denver</i> specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. The plan was adopted after the date of approval of the existing zone districts. Therefore, this is an appropriate justifying circumstance for the proposed rezoning.</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>The proposed map amendment is consistent with the neighborhood context description, stated purpose and intent of the proposed <u>District 6</u> Zone District.</p>
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REQUIRED ATTACHMENTS

Please check boxes below to affirm the following required attachments are submitted with this rezoning application:

- Legal Description (required to be separate attachment in Microsoft Word document format.)
- Proof of Ownership Document (e.g. Assessor's record, property deed, etc.)

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Please check boxes identifying additional attachments provided with this application (note that more information may be required. Please confirm with your pre-application/case manager planner prior to submittal.):

- Written Narrative Explaining Project
- Site Plan/ Drawings (if available)
- Narrative describing any outreach to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors.
- 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 an LLC/trust as owner, this is document is required.)

Please list any other additional attachments:

Pre-Application powerpoint with supporting information.

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</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Jason Monden and Kimberley Monden	2483 S Josephine St Denver, CO 80210 (816)651-6781 jmonden@hotmail.com	100	<i>J. Monden</i> <i>K. Monden</i>	06/15/20	B	YES



State Documentary Fee
 Date: September 07, 2016
 \$ 136.00

Special Warranty Deed
 (Pursuant to 38-30-115 C.R.S.)

THIS DEED, made on **September 07, 2016** by **2483 S. JOSEPHINE, LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantor(s), of the **CITY AND** County of **DENVER** and State of **COLORADO** for the consideration of **(\$1,360,000.00) *** One Million Three Hundred Sixty Thousand and 00/100 ***** dollars in hand paid, hereby sells and conveys to **JASON MONDEN AND KIMBERLEY MONDEN** Grantee(s), as Joint Tenants whose street address is **2483 SOUTH JOSEPHINE STREET DENVER, CO 80210, CITY AND** County of **DENVER**, and State of **COLORADO**, the following real property in the **CITY AND** County of **Denver**, and State of Colorado, to wit:

LOTS 27 AND 28, BLOCK 8, ILIFF'S UNIVERSITY ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.
 also known by street and number as: **2483 SOUTH JOSEPHINE STREET DENVER CO 80210**

with all its appurtenances and warrants the title against all persons claiming under the Grantor(s), subject to *general taxes for the year 2016 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matter (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.3) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusion of the Property within any special tax district; any special assessment if the improvements were not installed as of the date of Buyer's signature on the Contract to Buy and Sell Real Estate, whether assessed prior to or after Closing; and other*

2483 S. JOSEPHINE, LLC, A COLORADO LIMITED LIABILITY COMPANY




TRENT HUBBARD, MEMBER

State of **COLORADO**)
) ss.
 County of **JEFFERSON**)

EMIE Y WATTERS
NOTARY PUBLIC
STATE OF COLORADO
 NOTARY ID 20124082509
 My Commission Expires January 11, 2017

The foregoing instrument was acknowledged before me on this day of **September 07, 2016**
 by **TRENT HUBBARD, MEMBER, 2483 S. JOSEPHINE, LLC, A COLORADO LIMITED LIABILITY COMPANY**

Witness my hand and official seal.
 My commission expires 1-11-17



 Notary Public

When Recorded Return to: **JASON MONDEN AND KIMBERLEY MONDEN**
2483 SOUTH JOSEPHINE STREET DENVER, CO 80210

E-RECORDED
 THIS DOCUMENT WAS RECORDED *9/9/16*



LOTS 27 AND 28, BLOCK 8, ILIFF'S UNIVERSITY ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO

**CITY AND COUNTY OF DENVER, COLORADO
REGISTERED NEIGHBORHOOD ORGANIZATION
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to rezoning@denvergov.org. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2974.

Application Number	#2020I-00041
Location	2483 S Josephine St
Registered Neighborhood Organization Name	University Park Community Council
Registered Contact Name	Candace Kristensson
Contact Address	PO Box 102407 Denver, CO 80250
Contact E-Mail Address	president@upcc.us
Date Submitted	9/29/2020

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on , with members in attendance.

With a total of members voting,

voted to support (or to not oppose) the application;

voted to oppose the application; and

voted to abstain on the issue.

It is therefore resolved, with a total of members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

Application #

Comments: The University Park RNO Board voted 9-0, by email as allowed in the Bylaws, to support this rezoning. There was unanimous support by the board for an ADU at this specific location with three strongly supporting ADU implementation more broadly throughout the neighborhood. The presence of the five-story apartment building (the result of a contested rezoning) behind the property was a factor in the decision for the other six. An ADU for this property, across the alley from G-RX-5, will provide a visual buffer from the five-story structure structure recently constructed. An ADU, especially along boundaries such as this one, fits with the neighborhood. Further support of proposed ADUs on other properties in University Park will be reviewed on a location-by-location basis. The application was well done citing Denver's plans.

From: [Webb, Andrew - CPD City Planner Senior](#)
To: [Penafiel Vial, Maria F. - CPD City Planner Associate](#)
Subject: FW: [EXTERNAL] RE: Proposed rezoning at 2483 S Josephine St U-SU-C to U-SU-C1 to allow an Accessory Dwelling Unit
Date: Tuesday, September 15, 2020 2:48:22 PM
Attachments: [image001.png](#)

FYI



DENVER
THE MILE HIGH CITY

Andrew Webb | Senior City Planner

Community Planning and Development | City and County of Denver

p: (720)865-2973 | andrew.webb@denvergov.org

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From: LIZABETH NETZEL <freshink@comcast.net>
Sent: Tuesday, September 15, 2020 2:30 PM
To: BILL WINN <bill_winn@msn.com>; Patrick Cashen <pc@cashenarchitect.com>; Candace Kristensson <candace.kristensson@gmail.com>
Cc: Jeanne Tubb <jeanne.tubb@gmail.com>; john rogala <johnrogala@sbcglobal.net>; Nick Cohen <ngcohen@gmail.com>; Sandy VanCleave <sandrajoanvc@gmail.com>; rosemary stoffel <rosemary.stoffel@gmail.com>; Mark Kristensson <mkristensson@mac.com>; Dana Strand O'Connor <dana@euphoriafit.com>; Chesney Johnson <chesney.randolph@gmail.com>; Tyler Kiggins <tjkiggins@gmail.com>; Cate Humby <catehumby@gmail.com>; Derek Pimm <derek.pimm@gmail.com>; Richard Holmes Anderson <rholmesanderson@earthlink.net>; Linda Hanselman <llhanselman@mac.com>; Tony Hurd <tonyhurd@gmail.com>; Ryan Zorn <ryan.e.zorn@gmail.com>; Drew Hunter <UPDURep@upcc.us>; Debbie Harrington <harrington.denver@outlook.com>; Kylee Glaser <kyleebell@gmail.com>; Steven Hick <steven.hick@du.edu>; Traci Samaras <traci@samaras.us>; Jennifer Engleby <jbroderickengleby@gmail.com>; Janet Bardwell <jkbardwell@gmail.com>; Webb, Andrew - CPD City Planner Senior <Andrew.Webb@denvergov.org>
Subject: [EXTERNAL] RE: Proposed rezoning at 2483 S Josephine St U-SU-C to U-SU-C1 to allow an Accessory Dwelling Unit

I agree in this instance.

Liz

Lizbeth Netzel

Fresh Ink

freshink@comcast.net

(o.) (720) 524-1177

(c.) (303) 947-3373

On 09/15/2020 11:26 AM BILL WINN <bill_winn@msn.com> wrote:

Pat and Candace

Debbie makes a good case for supporting the application. In consideration that there is no neighbor residence in the rear to impact and with support of the immediate neighbor to the North, I support the application in this specific instance.

Bill Winn

From: Patrick Cashen [<mailto:pc@cashenarchitect.com>]

Sent: Tuesday, September 15, 2020 10:19 AM

To: Candace Kristensson

Cc: Jeanne Tubb; john rogala; Nick Cohen; Sandy VanCleave; rosemary stoffel; Mark Kristensson; Dana Strand O'Connor; Chesney Johnson; Tyler Kiggins; Bill Winn; Cate Humby; Derek Pimm; Richard Holmes Anderson; Lizabeth Netzel; Linda Hanselman; Tony Hurd; Ryan Zorn; Drew Hunter; Debbie Harrington; Kylee Glaser; Steven Hick; Traci Samaras; Jennifer Engleby; Janet Bardwell; Webb, Andrew - CPD City Planner Senior

Subject: Proposed rezoning at 2483 S Josephine St U-SU-C to U-SU-C1 to allow an Accessory Dwelling Unit

Hi,

Here is the application from the property owner, please review. The zone change from U-SU-C to U-SU-C1 makes the ADU an allowable use. Currently there is no zoning in UP that allow ADUs.

Page 2 lists the principal justifications for this request. The recently adopted Denver Comprehensive Plan 2040 encourages the construction of ADUs plus the other city initiatives noted.

As you consider this, keep, in mind:

- our recent rezoning eliminated two-story structures in the back of a lot as this ADU will be
- this property shares the alley with the apartment building recently constructed on University

Also note there was no RNO outreach by the applicant.

Call or reply if you have any questions. Please send comments by next Wednesday the 23rd and then a vote by email on our position. A video meeting can be held if there is sufficient interest for group discussion.

Thanks,

Pat

303.759.0650

From: [Planningboard - CPD](#)
To: [Penafiel Vial, Maria F. - CPD City Planner Associate](#)
Subject: FW: Denver's Planning Board Comment Form #13296190
Date: Wednesday, September 23, 2020 12:25:57 PM

I've just posted staff report so let's save this for the additional comment email that I'll send to the board on Friday.

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>
Sent: Wednesday, September 23, 2020 12:13 PM
To: Planningboard - CPD <planningboard2@denvergov.org>
Subject: Denver's Planning Board Comment Form #13296190



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Deborah J Harrington
Address	2477 S JOSEPHINE ST
City	Denver
State	Colorado
ZIP code	80210
Email	harrington.denver@outlook.com
Agenda item you are commenting	Rezoning

on:

Address of rezoning 2483 S Josephine St

Case number 20201-00041

Would you like to express support for or opposition to the project? Strong support

Your comment: We live next door to the property in question. Behind our properties (across the alley) is a 70' high apartment building which was not there when we purchased our properties (ours and our neighbor's.) Building the proposed ADU will not adversely affect our home or neighborhood in any way. We support the application for rezoning.

This email was sent to planning.board@denvergov.org as a result of a form being completed.
[Click here](#) to report unwanted email.



From: [Adams, Libbie - CPD City Planner Associate](#)
To: [Webb, Andrew - CPD City Planner Senior](#)
Cc: [Penafiel Vial, Maria F. - CPD City Planner Associate](#)
Subject: RE: Proposed rezoning at 2483 S Josephine St U-SU-C to U-SU-C1 to allow an Accessory Dwelling Unit
Date: Tuesday, September 15, 2020 2:14:34 PM
Attachments: [image001.png](#)

Hi Andrew,

Sorry for my slow response! As far as I'm aware, I'm not handling assignments for ADU rezonings, but I am doing pre-app assignments! It looks like Fran has this rezoning though. I've copied her!

Cheers,

Libbie

From: Webb, Andrew - CPD City Planner Senior <Andrew.Webb@denvergov.org>
Sent: Tuesday, September 15, 2020 11:27 AM
To: Adams, Libbie - CPD City Planner Associate <Libbie.Adams@denvergov.org>
Subject: FW: Proposed rezoning at 2483 S Josephine St U-SU-C to U-SU-C1 to allow an Accessory Dwelling Unit

Hi! Hope you are doing well. Do I have it right that you are handling assignments for ADU rezonings? If so, can you tell me who is working on the one referenced below so I can loop them into the thread or forward this input?

Thanks!
Andrew



Andrew Webb | Senior City Planner
Community Planning and Development | City and County of Denver
p: (720)865-2973 | andrew.webb@denvergov.org
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From: Debbie Harrington <harrington.denver@outlook.com>
Sent: Tuesday, September 15, 2020 11:04 AM
To: Patrick Cashen <pc@cashenarchitect.com>; Candace Kristensson <candace.kristensson@gmail.com>
Cc: Jeanne Tubb <jeanne.tubb@gmail.com>; john rogala <johnrogala@sbcglobal.net>; Nick Cohen <ngcohen@gmail.com>; Sandy VanCleave <sandrajoanvc@gmail.com>; rosemary stoffel <rosemary.stoffel@gmail.com>; Mark Kristensson <mkristsensson@mac.com>; Dana Strand O'Connor <dana@euphoriafit.com>; Chesney Johnson <chesney.randolph@gmail.com>; Tyler Kiggins <tjkiggins@gmail.com>; Bill Winn <bill_winn@msn.com>; Cate Humby <catehumby@gmail.com>; Derek Pimm <derek.pimm@gmail.com>; Richard Holmes Anderson <rholmesanderson@earthlink.net>; Lizabeth Netzel <freshink@comcast.net>; Linda Hanselman

<llhanselman@mac.com>; Tony Hurd <tonyhurd@gmail.com>; Ryan Zorn <ryan.e.zorn@gmail.com>; Drew Hunter <UPDURep@upcc.us>; Kylee Glaser <kyleebell@gmail.com>; Steven Hick <steven.hick@du.edu>; Traci Samaras <traci@samaras.us>; Jennifer Engleby <jbroderickengleby@gmail.com>; Janet Bardwell <jkbardwell@gmail.com>; Webb, Andrew - CPD City Planner Senior <Andrew.Webb@denvergov.org>

Subject: [EXTERNAL] Re: Proposed rezoning at 2483 S Josephine St U-SU-C to U-SU-C1 to allow an Accessory Dwelling Unit

This is my next door neighbor, and I **support the application for a 2nd story ADU** along the west side of the 2400 block of South Josephine. We back up to the new 70' high mega apartment building on the 2400 block of South University, which is an eyesore at best. Erecting a 2nd story ADU above the garage mitigates the view of the apartment building which we fought vigorously to oppose. Additionally, it isn't blocking anyone's view to anything; the apartment building behind us is.

I vigorously support this application with the caveat that it not set an overall precedent for the neighborhood. Again, the mitigating circumstance is the building directly across the alley.

Debbie Harrington
2477 S Josephine St

P.S. This neighbor has had his children (ages 7 and 12 at the time) verbally heckled in inappropriate ways by apartment tenants yelling down from the rooftop who can see right into our backyards. Another reason why I support the application: to create a visual barrier to the backyards.

From: Patrick Cashen <pc@cashenarchitect.com>
Sent: Tuesday, September 15, 2020 10:18 AM
To: Candace Kristensson <candace.kristensson@gmail.com>
Cc: Jeanne Tubb <jeanne.tubb@gmail.com>; John Rogala <johnrogala@sbcglobal.net>; Nick Cohen <ngcohen@gmail.com>; Sandy VanCleave <sandrajoanvc@gmail.com>; Rosemary Stoffel <rosemary.stoffel@gmail.com>; Mark Kristensson <mkristsensson@mac.com>; Dana Strand O'Connor <dana@euphoriafit.com>; Chesney Johnson <chesney.randolph@gmail.com>; Tyler Kiggins <tjkiggins@gmail.com>; Bill Winn <bill_winn@msn.com>; Cate Humby <catehumby@gmail.com>; Derek Pimm <derek.pimm@gmail.com>; Richard Holmes Anderson <rholmesanderson@earthlink.net>; Lizabeth Netzel <freshink@comcast.net>; Linda Hanselman <llhanselman@mac.com>; Tony Hurd <tonyhurd@gmail.com>; Ryan Zorn <ryan.e.zorn@gmail.com>; Drew Hunter <UPDURep@upcc.us>; Debbie Harrington <harrington.denver@outlook.com>; Kylee Glaser <kyleebell@gmail.com>; Steven Hick <steven.hick@du.edu>; Traci Samaras <traci@samaras.us>; Jennifer Engleby <jbroderickengleby@gmail.com>; Janet Bardwell <jkbardwell@gmail.com>; Webb, Andrew - CPD

City Planner Senior <Andrew.Webb@denvergov.org>

Subject: Proposed rezoning at 2483 S Josephine St U-SU-C to U-SU-C1 to allow an Accessory Dwelling Unit

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Also note there was no RNO outreach by the applicant.

Call or reply if you have any questions. Please send comments by next Wednesday the 23rd and then a vote by email on our position. A video meeting can be held if there is sufficient interest for group discussion.

Thanks,

Pat

303.759.0650