

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Hernan Loza & Kim Cato	Representative Name	
Address	1634 Xenia St	Address	
City, State, Zip	Denver, CO 80220	City, State, Zip	
Telephone	303-669-0781	Telephone	
Email	cato5280@gmail.com	Email	
*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.			
If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	1634 XENIA ST.		
Assessor's Parcel Numbers:	0133414008000		
Area in Acres or Square Feet:	6,250 SF		
Current Zone District(s):	E-SU-DX		
PROPOSAL			
Proposed Zone District:	E-SU-D1x		

REVIEW CRITERIA

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

- Consistency with Adopted Plans:** The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.
Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.
- Uniformity of District Regulations and Restrictions:** The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.
- Public Health, Safety and General Welfare:** The proposed official map amendment furthers the public health, safety, and general welfare of the City.

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

- Justifying Circumstances - One of the following circumstances exists:**
- The existing zoning of the land was the result of an error.
 - The existing zoning of the land was based on a mistake of fact.
 - The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.
 - Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:
 - a. Changed or changing conditions in a particular area, or in the city generally; or,
 - b. A City adopted plan; or
 - c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.
 - It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.
Please provide an attachment describing the justifying circumstance.
 - The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.
Please provide an attachment describing how the above criterion is met.

REQUIRED ATTACHMENTS

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

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

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Hernan Loza and Kim Cato	1634 Xenia St Denver, CO 80220 303-669-0781 cato5280@gmail.com	100%	<i>H. Loza</i> <i>K. Cato</i>	6.1.20	(A)	NO

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

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

1634 N XENIA ST

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

Schedule Number 01334-14-008-000

Legal Description BELLAIRE 01334 B1 L15 & 16

Property Type RESIDENTIAL

Tax District DENV

Print Summary

Property Description

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

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

Current Year

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

Prior Year

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

Real Estates Property Taxes for current tax year

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

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid			
Original Tax Levy	\$732.35	\$732.33	\$1,464.68
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$14.65	\$0.00	\$29.30
Paid	\$0.00	\$0.00	\$0.00
Due	\$747.00	\$732.33	\$1,493.98

Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

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

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

Assessed Value for the current tax year

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

Zone Map Amendment Application -- 1634 N. Xenia Street

Introduction

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

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

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

General Review Criteria: Consistency with Adopted Plans

1) Consistency with Comprehensive Plan 2040

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

2) Consistency with Blueprint Denver

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

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

3) Consistency with Housing an Inclusive Denver

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

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

4) Consistency with East Montclair/East Colfax Neighborhood

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

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

Uniformity of District Regulations and Restrictions

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

Public Health, Safety and General Welfare

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

Justifying Circumstances: Change in A City Adopted Plan

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

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

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

Consistency with Description of Applicable Neighborhood

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

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