



TO: Denver City Council – Land Use, Transportation, and Infrastructure Committee
FROM: Matthew Bossler, Senior City Planner – Urban Design
DATE: March 28, 2024
RE: Official Zoning Map Amendment Application #2023I-00205

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends that the Land Use, Transportation, and Infrastructure Committee **move Application #2023I-00205 forward** for consideration by the full City Council.

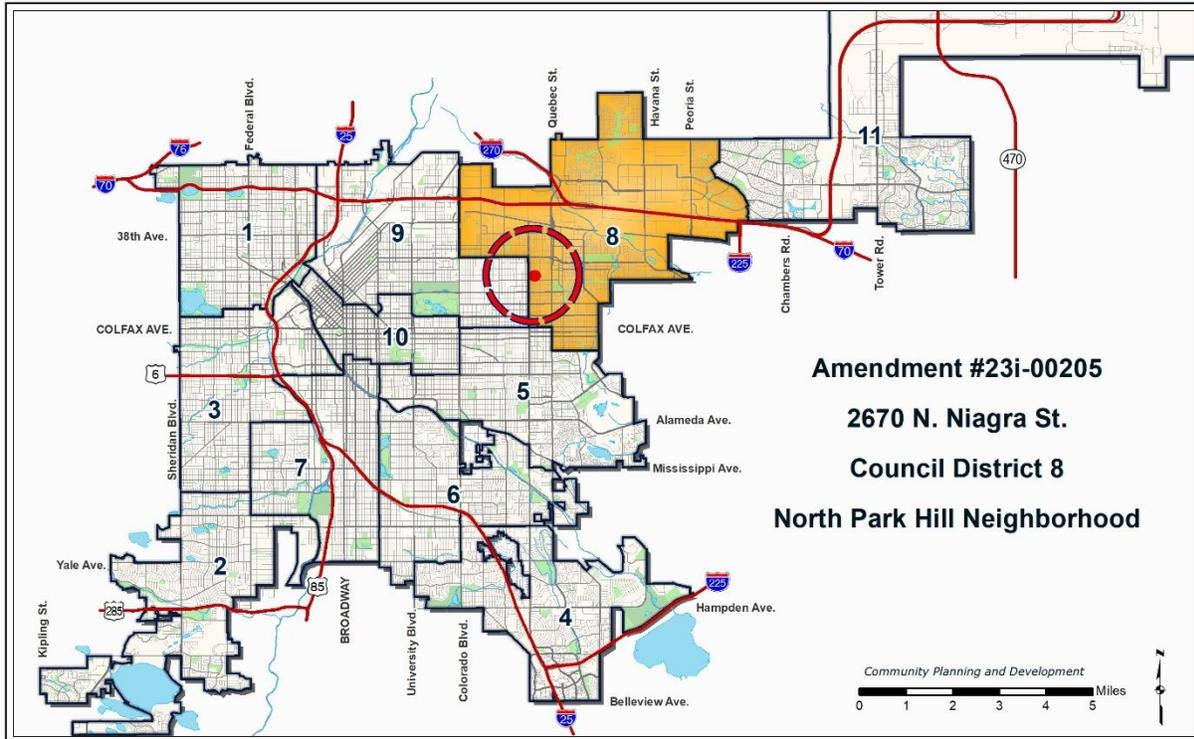
Request for Rezoning

Address: 2670 N Niagara St.
Neighborhood/Council District: North Park Hill Neighborhood
Council District 8 – Shontel Lewis
RNOs: Inter-Neighborhood Cooperation (INC), Greater Park Hill Community, Inc., Opportunity Corridor Coalition of United Residents, East Denver Residents Council, Strong Denver, East Denver United Neighbors
Area of Property: 7,500 square feet or 0.17 acres
Current Zoning: E-SU-DX
Proposed Zoning: E-SU-D1X
Property Owner(s): Joshua John Krueger

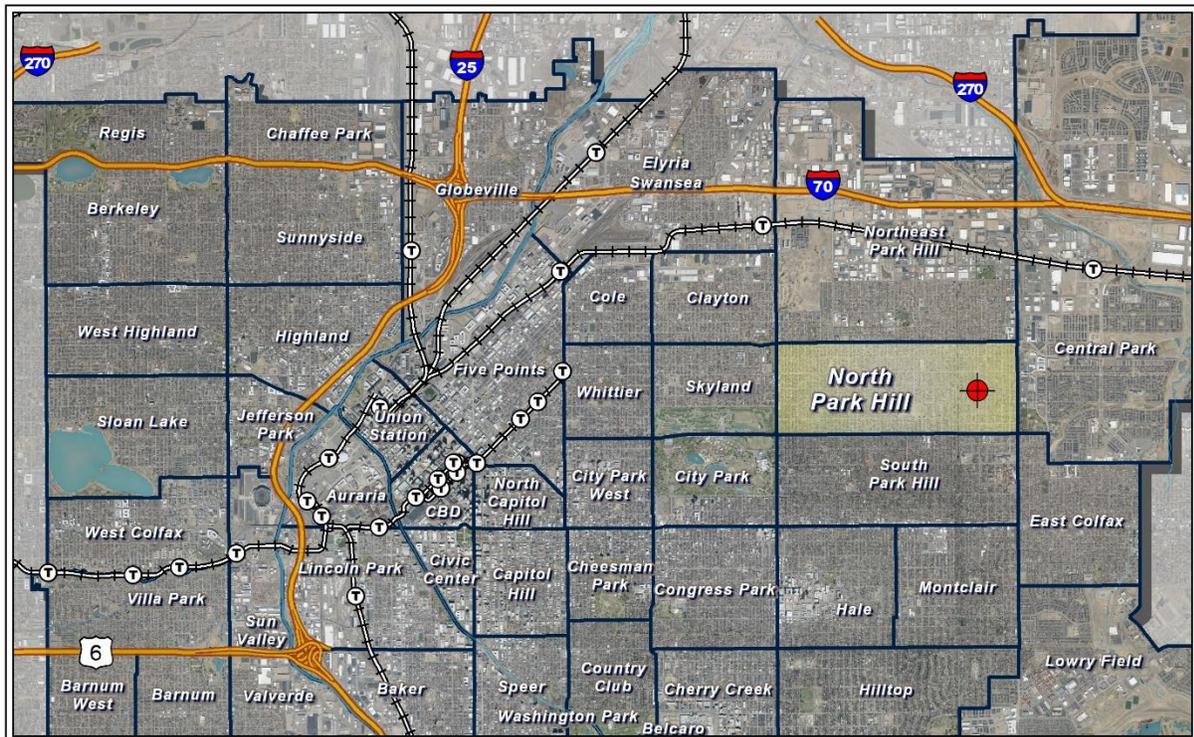
Summary of Rezoning Request

- The subject property contains a single-family home built in 1948 and is located on the east side of North Niagara Street, between East 26th Avenue and East 28th Avenue.
- The property owner is proposing to rezone the property to allow for suburban houses, urban houses and accessory dwelling units (ADU).
- The proposed E-SU-D1X, Urban Edge, Single-Unit, D1X (6,000 square feet minimum zone lot size allowing accessory dwelling units (ADUs)) zone district is intended for use in the Urban Edge Neighborhood Context which is primarily characterized by 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 Suburban House building form is 30 to 35 feet for the front 65% of the zone lot and the rear 35% of the zone lot, depending on zone lot width. The maximum height of the Urban House building form is 30 to 35 feet for the front 65% of the zone lot, and 17 to 19 feet in the rear 35% of the zone lot, depending on zone lot width. The Detached Accessory Dwelling Unit form can be a maximum height of 17 feet if 1-story or 24 feet if 2-story. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 4 of the Denver Zoning Code (DZC).

City Location



Neighborhood Location



1. Existing Context



The subject property is located on the east side of the North Park Hill statistical neighborhood. In its interior, this part of the North Park Hill neighborhood is characterized mostly by single-unit dwellings and, to a lesser extent, institutional uses. Commercial, multi-unit dwellings, and some institutional and open space uses occur on the east side of North Quebec Street, six block to the east. A cluster of neighborhood-serving commercial and duplexes occurs along Oneida Street from East 23rd Ave and East 22nd Ave, approximately six blocks to the south-southeast.

RTD Bus Route 65 runs north-south along North Monaco Street Parkway one block to the west, with stops an eighth of a mile away. RTD Bus Routes 28 runs east-west along East 29th Avenue two blocks to the north, with stops about a quarter of a mile away. Route 20 runs east-west along East 23rd Avenue three blocks to the south, with stops about a quarter of a mile away.

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 brick-clad house with pedestrian and vehicular access on N. Niagara St. and only pedestrian alley access	Generally regular grid of streets. Block sizes and shapes are consistent and rectangular with alleys. Attached sidewalks, few street trees and existing
North	E-SU-Dx	Single-unit Residential	1-story brick-clad house with pedestrian and vehicular access on N. Niagara St. and only pedestrian access on alley	
South	E-SU-Dx	Single-unit Residential	1-story siding-clad house with pedestrian access and attached garage with vehicular	

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
			access on N. Niagara St. and pedestrian access on alley	alleys. Attached and detached garages and on-street vehicle parking.
East	E-SU-Dx	Single-unit Residential	1-story brick-clad houses with pedestrian access, and attached garage with vehicular access from N. Newport St. and pedestrian access on alley	
West	E-SU-Dx	Single-unit Residential	1 story brick-clad houses with pedestrian access and attached garage with vehicular access along N. Niagara St. and pedestrian access on alley	

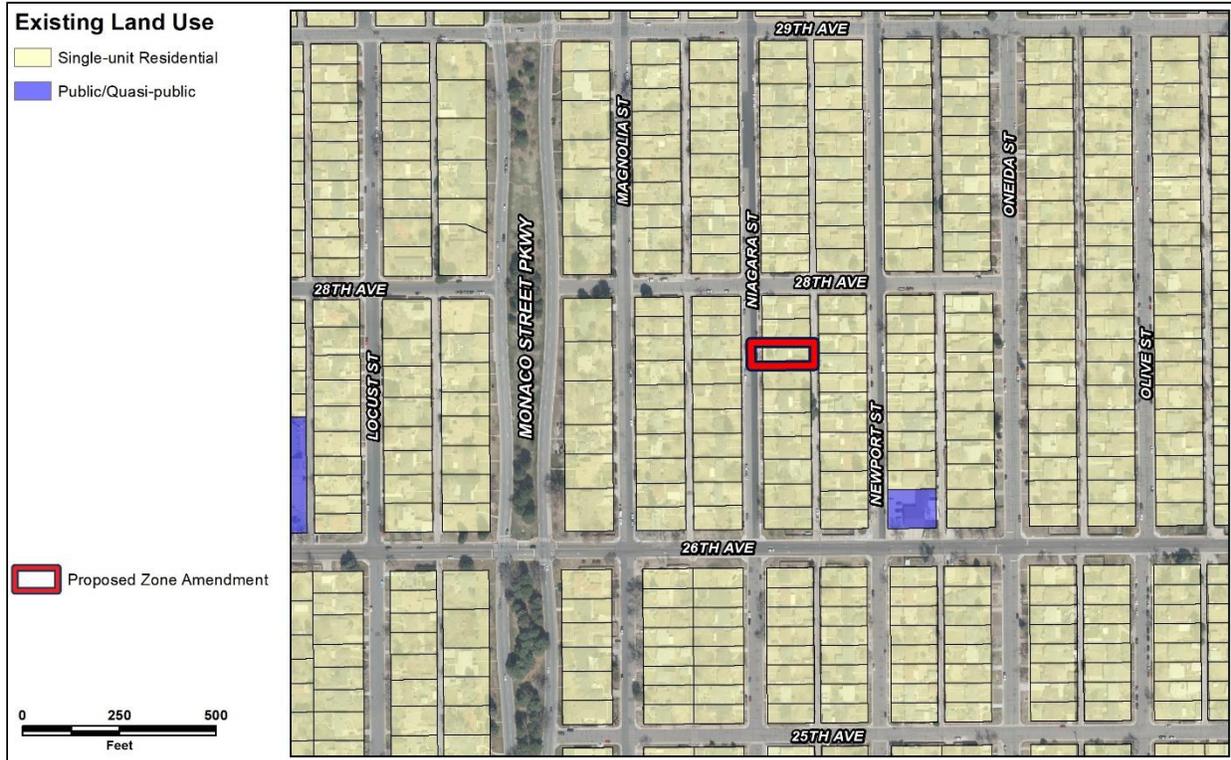
2. Existing Zoning



The existing zoning on the subject property is E-SU-Dx (Urban Edge, Single-Unit, Dx). E-SU-Dx is a single-unit district allowing the Suburban House and Urban House primary building forms on a minimum zone lot of 6,000 square feet. The Suburban House building form allows a maximum height of 2.5 stories or 30 to 35 feet across the zone lot. The Urban House building form allows a maximum allowed height is 2.5 stories or 30 to 35 feet in the front 65% of the zone lot, and a maximum of 1 story or 17 to 19 feet in the rear 35% of the zone lot. E-SU-Dx allows two accessory structure form: Detached Garage (with a maximum height of 17') and Other Detached Accessory Structures (with a maximum height of 15'). The

intent of the district is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context.

3. Existing Land Use Map



4. Existing Building Form and Scale (All images from Google Maps)



Subject Site - View of the subject property, looking east (On N. Niagara St.)

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North - View of the property to the north, looking east (On N. Niagara St.)



South - View of property to the south, looking east (on N. Niagara St.).



East - View of properties to the east, looking west (On N. Newport St.).



West – View of the properties to the west, looking west (On N. Niagara St.).

Proposed Zoning

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. A variety of residential and civic, public, and institutional uses are permitted as primary uses in the E-SU-D1x district. The district allows the Detached Accessory Dwelling Unit, Detached Garage, and Other Detached Accessory Structures as detached accessory building forms. The Detached Accessory Dwelling Unit (DADU) building form has a maximum height of 2 stories or 24 feet. A bulk plane applies to the DADU building form that rises 10 feet vertically from the side interior or side street zone lot line, then slopes 45 degrees until the maximum height is reached.

This form also allows an exemption from the 37.5% building coverage standard, allowing 50% of the building footprint of the DADU to be excluded up to a maximum of 500 square feet. The subject site has a lot size of 7,500 square feet, allowing a maximum gross floor area of 1000 square feet for an ADU.

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

Design Standards	E-SU-Dx (Existing)	E-SU-D1x (Proposed)
Primary Building Forms Allowed	Suburban House, Urban House	Suburban House, Urban House
Maximum Height in Stories/Feet, Front 65% of Zone Lot	2.5 story / 30-35 feet	2.5 stories / 30-35 feet
Maximum Height in Stories/Feet, Rear 35% of Zone Lot	2.5 story / 30-35 feet (Suburban House) 1 story / 17 feet (Urban House)	2.5 story / 30-35 feet (Suburban House) 1 story / 17 feet (Urban House)
Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line in front 65% / rear 35% of zone lot depth	10 feet / 10 feet (Suburban House) 17 feet / 10 feet (Urban House)	10 feet / 10 feet (Suburban House) 17 feet / 10 feet (Urban House)
DADU Maximum Heights in Stories / Feet	N/A	2 stories / 24 feet
Zone Lot Size (Min.)	6,000 square feet	6,000 square feet
Zone Lot Width (Min.)	50 feet	50 feet
Primary Street Block Sensitive Setback Required / If not (Min.)	Yes (Suburban House) Yes / 20 feet (Urban House)	Yes (Suburban House) Yes / 20 feet (Urban House)
Side Interior Setback (Min.)	5 feet *	5 feet *
Rear Alley / No Alley (Min.)	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 width of 60 feet

Summary of City Agency Referral Comments

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

Assessor: Approved – No Response.

Asset Management: Approved – No Comments.

Denver Public Schools: Approved – No Response.

Development Services - Fire: Approved – No Comments.

Development Services – Project Coordination: Approve Rezoning Only - Will require additional information at Site Plan Review

- 1) Future development is subject to zoning and building permit review and approval prior to construction beginning. Projects with two units or less will be reviewed by the Residential Team.
- 2) Future development on the site will need to comply with the chosen building form standards for the new zone district.

Development Services - Transportation: Approved – No Response.

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. Commitment to serve proposed ADU will be based on permit issuance.

Parks and Recreation: Approved – No Comments.

Department of Transportation & Infrastructure – City Surveyor: Approved – See Comments Below.

Recommend revising legal description to be identical with legal description in most recent vesting instrument in chain of title. A revised .docx file is attached. *[NOTE: Applicant approved of Case Manager making this correction. This correction has been incorporated into the revised rezoning application associated with this report.]*

Public Health and Environment: Approve Rezoning Only - Will require additional information at Site Plan Review.

The Denver Department of Public Health and Environment, Environmental Quality Division (EQD) performed a limited search for environmental information regarding environmental conditions at the Site. This review was not intended to conform to the ASTM standard practice for environmental site assessments, nor was it designed to identify all potential environmental conditions. The EQD provides

no representations or warranties regarding the accuracy, reliability, or completeness of the information provided. This review was not intended to assess environmental conditions for any property interest dedication or grant. Nor does this review constitute an approval or action by the EQD concerning any property dedication or grant associated with the project.

EQD is not aware of environmental concerns that would affect the proposed rezoning. Although EQD is not aware of contaminated environmental media (soil, soil vapor, or groundwater) at the project Site, undocumented contamination could be encountered during ground-disturbing activities. If encountered, contaminated environmental media or underground storage tanks should be properly managed in accordance with applicable regulations.

EQD does not guarantee approval of any proposed development project at this Site by providing a response to this Official Map Amendment Referral Agency Review Request. Future development is subject to existing land use controls and other environmental requirements in accordance with applicable local, state, and federal environmental regulations and statutes. EQD recommends the Property Owner conduct an environmental site assessment to determine the potential presence, nature, and extent of possible contamination on the site and to identify specific cleanup needs associated with future development. EQD may have additional information about localized potential environmental concerns at the site. However, providing such information about a specific site is beyond the scope of these zoning application 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:	01/22/2024
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:	03/05/2024
Planning Board Public Hearing:	03/20/2024
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:	03/19/2024
Land Use, Transportation and Infrastructure Committee of the City Council:	04/02/2024
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:	4/22/2024 (tentative)
City Council Public Hearing:	05/13/2024 (tentative)

Public Outreach and Input

- **Registered Neighborhood Organizations (RNOs)**
 As of the date of this report, staff has not received any written comment from an RNO pertaining to this application.

- **Other Public Comment**
 As of the date of this report, staff has not received any written comment from the public.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

The following adopted plans apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)
- Park Hill 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 1 Strategy A – “Increase development of housing 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).

E-SU-D1x allows for an additional dwelling unit that is accessory to the primary single-unit dwelling use and introduces a new housing type to a largely single-unit neighborhood. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs compatible with the single-unit homes that characterize much of the North Park Hill 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 additional housing units on the site of a single-unit home on a block 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 Residential Low future place within the Urban Edge future neighborhood context and provides guidance on the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context

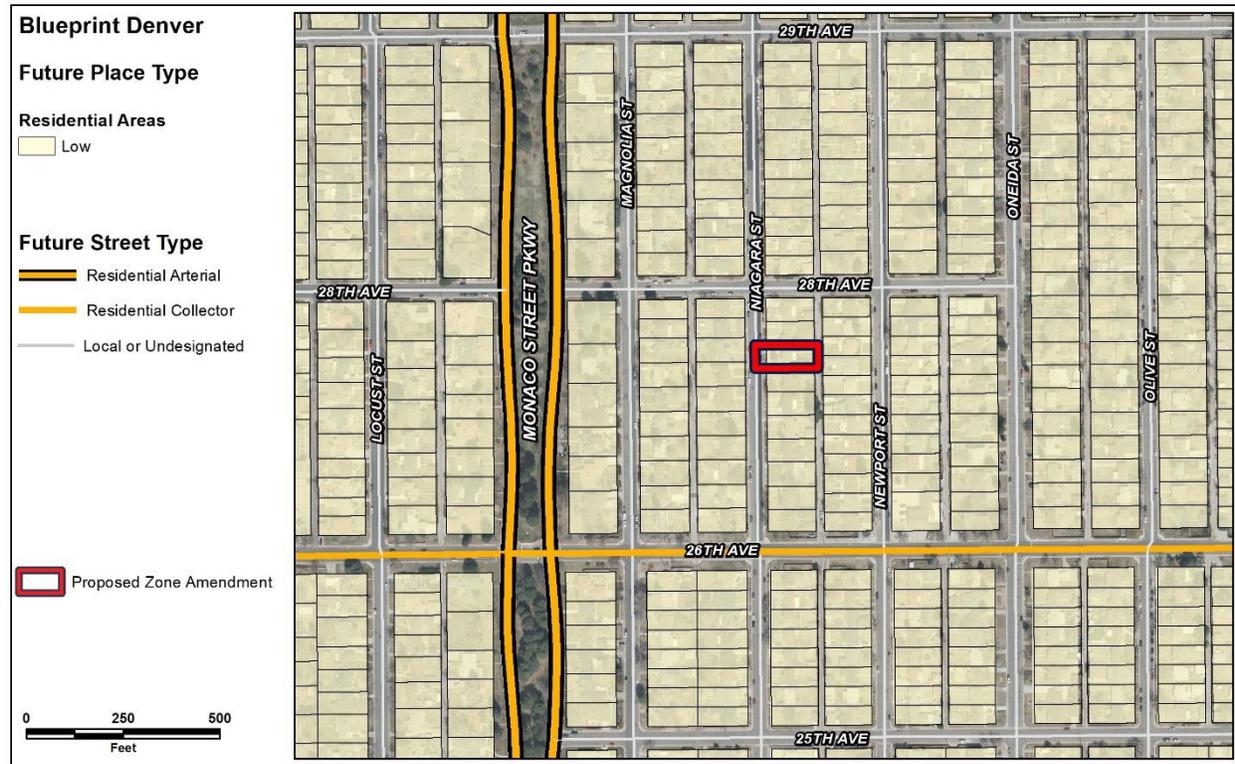


In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject site is shown on the context map as the Urban Edge neighborhood context, the description of which is used to guide appropriate zone districts (p. 66). The Urban Edge neighborhood context is described as possessing “good walkability with short, predictable blocks,” with “commercial developments designed around single-occupancy vehicles” and containing homes that “are typically low-scale single- and two-unit residential with some small scale multi-unit residential.” (p. 205).

E-SU-D1x is a zone district within the Urban Edge neighborhood context in the Denver Zoning Code. The Urban Edge residential zone districts are intended to “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 Section 4.2.2.1). The proposed E-SU-D1x zone district is consistent with the *Blueprint Denver* future neighborhood context of Urban Edge because it will promote the residential character by allowing single-unit residential uses with low-scale accessory dwelling units that will be compatible with the existing residential area.

Blueprint Denver Future Place



The subject site is designated within a Low Residential future place on the *Blueprint Denver* Future Places map. This place type is “Predominately single- and two-unit uses on small or medium lots.” In addition, “Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible.” Lastly, “building[s] heights are generally up to 2.5 stories in height” (p. 214). E-SU-D1x is a single-unit residential district that allows for an additional dwelling unit accessory to a single-unit home, consistent with the Low Residential future place description. It allows the Suburban House and Urban House primary building forms which have a maximum height of 2.5 stories, also consistent with the future places map.

Blueprint Denver Future Street Types

In *Blueprint Denver*, future street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies North Niagara Street as Local or Undesignated, which is “most often characterized by residential uses.” (p. 161). The proposed E-SU-D1x district is consistent with this description because it allows primarily for residential 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 is “mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed map amendment to E-SU-D1x will allow low-intensity growth to the number of households in this area by allowing an accessory dwelling unit and is therefore consistent with the growth strategy.

Blueprint Denver Strategies

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

- 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).

In this case, the requested rezoning is a single lot in a residential area within walking distance of multiple bus routes. This rezoning to an ADU zone district will have minimal impacts on the surrounding neighborhood and is consistent with *Blueprint Denver* recommendations.

Park Hill Neighborhood Plan

Park Hill Neighborhood Plan was adopted in 1999 in concert with Denver's *Comprehensive Plan 2000* and establishes an integrated framework for land use based on former Chapter 59 zoning.

- Land Use and zoning Goal: "Initiate zoning amendments and policies to protect the single-family residential character in Park Hill (p. 34)".
- **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).

In this case, the requested rezoning to allow for ADUs would do so via context-sensitive ADU form and use standards developed particularly for Single Unit districts in the Urban Edge context.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to E-SU-D1x will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the city through implementation of the city's adopted land use plan which recommends "the expansion of accessory dwelling units throughout all residential areas" (*Blueprint Denver* p. 84). The proposed rezoning would also provide the benefit of additional housing units that are compatibly integrated into the surrounding neighborhood. Additionally, the rezoning would bring a new type of housing unit to a largely single-unit residential area, which will increase housing diversity in the North Park Hill 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 *Comprehensive Plan 2040* and *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 diversifying housing choice through the expansion of accessory dwelling units throughout all residential areas. The plan was adopted after the date of approval of the existing zone district. 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. The neighborhood context “is primarily single-unit and two-unit residential Uses.” Furthermore, “small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas” Furthermore, “Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas” and “Single-unit residential structures are typically the Urban House and Suburban House building form.” (DZC, Section 4.1.1). These areas consist of a “regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid” (DZC, Section 4.1.2). This area of the North Park Hill neighborhood consists of mostly single-unit residential uses in rectangular blocks. The proposed rezoning to E-SU-D1x is consistent with the neighborhood context description.

Denver Zoning Code Section 4.2.2 states the general purpose of the Residential zone districts as “promot[ing] and protect[ing] residential neighborhoods within the character of the Urban Edge Neighborhood context.”(DZC Section 4.2.2.1) It “accommodate[s] the varied pattern of suburban and urban house forms,” and “While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space.” This is consistent with the E-SU-D1x district as it allows for a two and a half story urban house or suburban house and will protect the character of the residential areas in the Urban Edge neighborhood context.

The specific intent of the E-SU-D1x zone district is “E-SU-D1x is a single unit district allowing suburban houses and urban houses with a minimum zone lot area of 6,000 square feet and accessory dwelling units. 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.H).

This site is surrounded on four sides by similar residential development, in an area where adopted plan guidance calls for single-unit residential uses with accessory dwelling units. Therefore, this proposed rezoning is consistent with the specific intent of the E-SU-D1x zone district.

Attachments

1. Application

Accessory Dwelling Unit 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	Joshua John Krueger	Representative Name	Dan Horvat
Address	2670 Niagara Street	Address	3210 S. Birch Street
City, State, Zip	Denver, CO 80207	City, State, Zip	Denver, CO 80222
Telephone	303-356-5077	Telephone	303-523-3030
Email	jkrueger@a-1chipseal.com	Email	dan@horvatarch.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
SUBJECT PROPERTY INFORMATION			
Location (address):	2670 Niagara Street Denver, CO 80207		
Assessor's Parcel Numbers:	01294-27-003-000		
Area in Acres or Square Feet:	7,500 sf		
Current Zone District(s):	E-SU-DX		
PROPOSAL			
Proposed Zone District:	E-SU-D1X		
PRE-APPLICATION INFORMATION			
Did you receive and review the slide deck: "Constructing an Accessory Dwelling Unit"?	<input checked="" type="checkbox"/> Yes - I have received and reviewed this information <input type="checkbox"/> No - I have not received these slides		
Did you contact the City Council District Office regarding this application?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>Multiple dates see packet</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>Neighborhood/ Small Area Plan (list all, if applicable): <u>Park Hill Neighborhood Plan</u></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 Blueprint Denver 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 Rezonings: 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> <ul style="list-style-type: none"> 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. <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 E-SU-D1X 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 of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of Ownership Document (e.g. Assessor’s record, property deed, etc). Proof of ownership 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.

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:

Packet Contents

- 1). Neighbor letters of support
- 2). RNO outreach e-mails
- 3). Councilperson Shontel M. Lewis

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith Josie Q. Smith</i>	01/01/12	(A)	YES
Joshua John Krueger	2670 Niagara Street Denver, CO 80207 303-356-5077 jkrueger@a-1chipseal.com	100%	<i>Josh Krueger</i>	11/21/23	(B)	NO

2670 Niagara Street Project Narrative

I am requesting the consideration of an ADU Rezoning for 2670 Niagara Street in the Park Hill neighborhood of Denver.

The property is currently zoned E-SU-DX and we would like to rezone the property to E-SU-D1X. I am the owner of the property and have been living at this address as my primary residence since 2012.

The proposed ADU would be a two-story structure with a 650 sf to 700 sf two-bedroom accessory dwelling unit built above a new garage. The ADU/garage would be constructed in the northeast corner of the property with a concrete foundation and a wood frame structure. Access to the ADU would be along the north property line from Niagara Street via a concrete sidewalk and a stair integrated into the structure allowing access to the second floor.

The ADU would contain two-bedrooms, one bathroom, a kitchen, dining and living as well as storage areas within the proposed 650 sf to 700 sf area of the accessory dwelling unit.

We would also like to expand and remodel the existing single family residence. We hope to build the ADU / garage first and live in new two-bedroom unit while we expand and remodel our existing residence. Once the complete, we will move out of the ADU making it available for someone to live. And hopefully in the process help address housing issues here in Denver in a very tangible manner.

We look forward to discussing our project and answering any questions you may have.

Lots 6 and 7 and the South 5 feet of Lot 5 and the North 5 feet of Lot 8, Block 9, Strayer and Shepard's Park Hill, City and County of Denver, State of Colorado

Bill of Sale

KNOW ALL MEN BY THESE PRESENTS, That

Lois M. Hart

of the City and County of **Denver**, in the State of **COLORADO**, of the first part, for and in consideration of Ten Dollars and other valuable consideration to them in hand paid at or before the ensembling or delivery of these presents by

Joshua John Krueger,

of the City and County of **Denver** in the State of **COLORADO**, of the second part, the receipt whereof is hereby acknowledged, have bargained and sold, and by these presents do grant and convey unto said parties of the second part, their executors, administrators, successors or assigns, the following property, goods and chattels, to wit:

(1) **Fixtures.** If attached to the Property on the date of contract: lighting, heating, plumbing, ventilating, and air conditioning fixtures, TV antennas, inside telephone wiring and connecting blocks/jacks, plants, mirrors, floor coverings, intercom systems, built-in kitchen appliances, sprinkler systems and controls; built in vacuum systems (including accessories), and garage door openers including N/a remote controls. and **Refrigerator, Stove/Oven, Microwave, Dishwasher, Washer, Dryer and all window coverings as in use and place including curtains and curtain rods.**

(2) **Other Inclusions.** If on the Property whether attached or not on the date of this contract: storm windows, storm doors, window and porch shades, awnings, blinds, screens, window coverings, curtain rods, drapery rods, fireplace inserts, fireplace screens, fireplace grates, heating stoves, storage sheds and all keys. Check applicable box(es) if included, **Water Softeners**, **Smoke/Fire Detectors**, **Security Systems**, **Satellite Systems** (including satellite dishes and accessories); and N/a

The following attached fixtures are **EXCLUDED** from this sale: N/a

located at **2670 Niagara St, Denver, CO 80207**

TO HAVE AND TO HOLD the same unto the said parties of the second part, their executors, administrators, successors or assigns, forever. And said parties of the first part, for themselves, their heirs, executors, administrators, successors or assigns, covenant and agree to and with the parties of the second part, their executors, administrators, successors or assigns to **WARRANT** and **DEFEND** the sale of said property, goods and chattels, hereby made unto said parties of the second part, their executors, administrators, successors or assigns against all and every person or persons whomsoever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals this **December 18, 2012**

Signed, Sealed and Delivered in the Presence of

SELLER:



Lois M. Hart

STATE OF **COLORADO**
COUNTY OF **DENVER**

} **SS:**

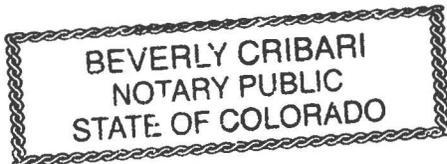
The foregoing instrument was acknowledged before me this **December 18, 2012**
By: **Lois M. Hart**

Witness my hand and official seal.



Notary Public

My Commission expires: 11/3/14



WARRANTY DEED

THIS DEED, Made this **December 18, 2012** between

Lois M. Hart

of the City and County of Denver, State of Colorado, grantor and

Joshua John Krueger

whose legal address is: **2670 Niagara St, Denver, CO 80207**

of the City and County of **Denver**, State of Colorado, grantee(s).

WITNESSETH, That the grantor for and in consideration of the sum of **TWO HUNDRED THIRTY-TWO THOUSAND FIVE HUNDRED DOLLARS AND NO/100'S (\$232,500.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the City and County of **Denver**, and State of **COLORADO**, described as follows::

Lots 6 and 7 and the South 5 feet of Lot 5 and the North 5 feet of Lot 8,
Block 9,
Strayer and Shepard's Park Hill,
City and County of Denver,
State of Colorado

also known by street and number as **2670 Niagara St, Denver, CO 80207**

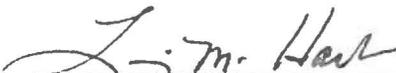
TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either 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, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, **except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8a (Title Review), of the contract dated November 9, 2012, between the parties.**

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

SELLER:



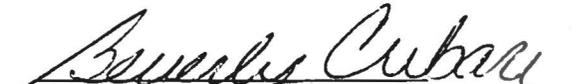
Lois M. Hart

STATE OF COLORADO
COUNTY OF denver

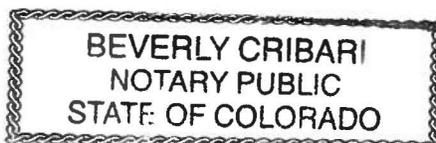
}SS:

The foregoing instrument was acknowledged before me this **December 18, 2012**, by **Lois M. Hart**

Witness my Hand and Official Seal
My Commission expires: *11/3/14*



Notary Public



2670 Niagara Street Project Outreach Process

We have been living at this address as our primary residence since 2012 and in that time have gotten to know many of our neighbors on our street as well as our neighbors across the shared alley.

Our outreach process was informal to start and then became ordered and formal focusing on our neighbors, then expanding to the neighborhood and eventually to the neighborhood organization and our Council representative.

As noted above, we started our outreach informally. Roughly a year ago, we began by talking to our immediate adjacent neighbors, asking what they thought about the idea and if they had any concerns and input. With the input of our immediate neighbors, we expanded the informal conversations to include more neighbors across the street and down the block. We found the neighbors to be generally supportive of the idea of an ADU.

The next step in our outreach process was to begin the formal portion by contact Community Planning and Development. We scheduled the initial pre-application meeting on 1/25/23 and received a great deal of helpful information including contacts for the Registered Neighborhood Organizations (RNO) and our City Council representative. We conducted a subsequent follow-up pre-application meeting on 11/1/23 as an update as over six months had lapsed since the first meeting.

Our first formal point of contact was with Councilwoman Shontel Lewis via e-mail and a subsequent video conference call. We discussed the informal conversations with our neighbors and our plans for contacting the RNO's. We promised to keep her up to date with the conversations with the RNO's and have subsequently provide e-mail updates regarding the neighbors and the RNO's. We have attached copies of the e-mails with Councilwoman Lewis.

With this formal application we will no longer be sending e-mail updates to Councilwoman Lewis.

Our second formal outreach was to the RNO's . We had contacted the East Denver Residents Council, Greater Park Hill Community, Inc. and

InterNeighborhood Cooperation. We subsequently set-up video conference calls to introduce the project and the intention to seek an ADU rezoning of the property. Our discussions with the RNO's were productive and informative. We have provided copies of the e-mails with the RNO's

Lastly, we circled back to our neighbors. We visited with them individually to update them on our progress and to request their signature on a letter of support in favor of the ADU Rezoning. We have attached copies of the sixteen (16) letters of support from our neighbors to this application.

We look forward to discussing our project and answering any questions you may have.

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

We have found we have out grown our home and cannot imagine selling and moving. As such, we would like to change the zoning to allow for on our property to allow for an accessory dwelling unit to be built above a new garage along the alley. The change would be from the current E-SU-D1 to the E-SU-D1X zone district will allow for the accessory dwelling unit.

In order to make this change, we are applying for rezoning to the E-SU-D1X zone district and we are asking for your support of the rezoning. Please sign and return this letter.

Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Frank Wentworth

Signature: 

Date: 10/23/2023

Address: 2685 Niagara St
Denver CO 80207

E-mail: FrankJWentworth@msn.com

Please return to:

Josh Kruger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

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In order to make this change, we are applying for rezoning to the E-SU-D1X zone district and we are asking for your support of the rezoning. Please sign and return this letter.

Thank you!

Chandra and Josh Kruger

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: *Beth Fox Williams*

Signature: *Beth Fox Williams*

Date: *10/17/2023*

Address: *2801 Newport St.
Denver, CO 80207*

E-mail: *bethanyfoxnz@gmail.com*

Please return to
Josh Kruger 2670 Niagara Street, Denver, CO 80207

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: *Stephanie Tilk*

Signature: *[Handwritten Signature]*

Date: *10/14/23*

Address: *2801 Niagara St Denver, CO 80207*

E-mail: *shalboth@yahoo.com*

Please return to:
Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: MICHELLE O'MALLEY

Signature: 

Date: 10.14.23

Address: 2650 NIAGARA ST
DENVER, CO 80207

E-mail: MICHELLE L CASTANEDA @ GMAIL . COM

Please return to:
Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: RICHARD KOLEZAR

Signature: 

Date: 10.14.2023

Address: 2690 NIAGARA STREET
DENVER CO 80207

E-mail: CAMERONKOWE@gmail.com

Please return to:
Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

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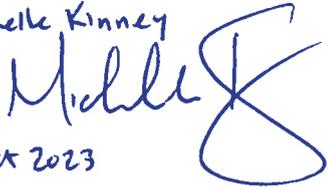
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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Michelle Kinney

Signature: 

Date: 14 Oct 2023

Address: 2675 Newport St
Denver, CO 80207

E-mail: c.michellekinney@gmail.com

Please return to:

Josh Kruger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

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In order to make this change, we are applying for rezoning to the E-SU-D1X zone district and we are asking for your support of the rezoning. Please sign and return this letter.

Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Keith Johnson

Signature: 

Date: 10-14-23

Address: 2655 Newport

E-mail: WNSKJ@outlook.com

Please return to:

Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Pejmon Pourriahi

Signature: 

Date: 10/14/2023

Address: 2661 Newport St.
Denver, CO 80207

E-mail: ~~thepej~~ pejmonp@gmail.com

Please return to:
Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

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In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Kevin Hatch

Signature: 

Date: 10-14-2023

Address: 2670 Niagara St
Denver, CO 80207

E-mail: denverrks@gmail.com

Please return to:

Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Steven Coursey

Signature: 

Date: 10/13/23

Address: 2660 Niagara St. Denver, CO

E-mail: stevencoursey@yahoo.com

Please return to:
Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Dennis McGeen
Signature: 
Date: 10/13/2023
Address: 2640 NIAGARA St.
Denver Co 80207
E-mail: djmcgeein@gmail.com

Please return to:
Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

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I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name:

Signature:

Date:

Address:

E-mail:

Please return to:

Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Deborah Wangerin
Deborah Wangerin
13 Oct 2023
2665 Niagara St
Denver
deborahwangerin@yahoo.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

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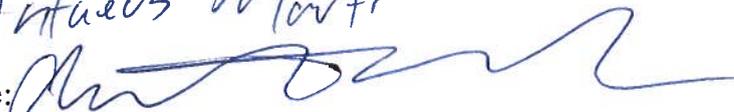
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Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Antueus Martin

Signature: 

Date: 11/01/23

Address: 20009 Newport

E-mail:

Please return to:
Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

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In order to make this change, we are applying for rezoning to the E-SU-D1X zone district and we are asking for your support of the rezoning. Please sign and return this letter.

Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: Robin Bresnehan

Signature: 

Date: 11/6/23

Address:

2695 Newport St. Denver, CO 80207

E-mail: bellaart.rs5@gmail.com

Please return to:

Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

Neighborhood Support Letter Proposed E-SU-D1X Zoning Map Revision

2670 Niagara Street, Denver, CO

In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

We have found we have out grown our home and cannot imagine selling and moving. As such, we would like to change the zoning to allow for on our property to allow for an accessory dwelling unit to be built above a new garage along the alley. The change would be from the current E-SU-D1 to the E-SU-D1X zone district will allow for the accessory dwelling unit.

In order to make this change, we are applying for rezoning to the E-SU-D1X zone district and we are asking for your support of the rezoning. Please sign and return this letter.

Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name:

Lucille JACKSON

Signature:

Lucille Jackson

Date:

11/10/23

Address:

2680 Niagara Denver, CO 80207

E-mail:

Please return to:

Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh_krueger@hotmail.com

**Neighborhood Support Letter
Proposed E-SU-D1X Zoning Map
Revision**

2670 Niagara Street, Denver, CO

In 2012, my wife and I purchased our home here at 2670 Niagara Street and we have lived here the last ten years. We have made lifelong friends of our neighbors and enjoy every aspect of our neighborhood.

We have found we have out grown our home and cannot imagine selling and moving. As such, we would like to change the zoning to allow for on our property to allow for an accessory dwelling unit to be built above a new garage along the alley. The change would be from the current E-SU-D1 to the E-SU-D1X zone district will allow for the accessory dwelling unit.

In order to make this change, we are applying for rezoning to the E-SU-D1X zone district and we are asking for your support of the rezoning. Please sign and return this letter.

Thank you!

Chanda and Josh Krueger (303-356-5077)

I support the E-SU-DX1 rezoning application for 2670 Niagara Street, Denver, CO 80207.

Name: *Wilverlyn Harris*

Signature: *Wilverlyn Harris*

Date: *11/10/2023*

Address: *2687 Niagara St
Denver Co. 80207*

E-mail: *wilcrick55@gmail.com*

Please return to:

Josh Krueger 2670 Niagara Street, Denver, CO 80207 or josh.krueger@hotmail.com

Re: Proposed ADU for 2670 Niagara

josh krueger <josh_krueger@hotmail.com>

Tue 11/7/2023 6:48 PM

To:KKH <kkhdowntown@gmail.com>

Cc:Dan Horvat <dan@horvatarch.com>

Thank you for your response! Please see responses below in red. I would be happy to answer any addition questions you many have. Does OCCUR support or have any opposition to the construction of ADUs in our neighborhood? I am also curious of the organization's experience with the impacts the ADUs have had on the community, both positive and negative. If you have any other insight on our proposed project, I would greatly appreciate it.

Thank you so much,
Josh Krueger
2670 Niagara St

Mr. Krueger,

Is the main residence currently a rental property?

This is our permanent residence.

Do you intend to use the main residence as a rental property?

We do not intend to use the main residence as a rental property.

Is the proposed ADU intended as a rental property?

The ADU will initially be used to live in while we do construction on the main residence(6-8 months). Once that is complete the ADU will be used for family members or a long term rental property.

What do your neighbors who are in opposition say about your proposal?

WE have yet to find any opposition. We have discussed our intentions with 19 of the 20 neighbors within close proximity to our property. All have signed support letters except one person who doesn't have authority to sign since they are a renter. Another neighbor has not been able to be reached after multiple attempts.

Where will the proposed ADU access be, alley or street?

Access will be from the alley. ADU will be on top of newly proposed garage.

What were Councilwoman Lewis' thoughts?

In general, Shontel said she supports ADUs but wanted to be neutral on the record since she is the voice of many others. She had no opposition towards the project and was curious of the support we have from the neighborhood. We have been keeping her updated on the progress and support we have received from the neighborhood. We have also talked to many other RNOs and have seen no opposition.

What percentage of your property will remain undeveloped?

Our lot is around 7500 SF and with the house and ADU/Garage we will have around 2750 SF developed by buildings. So, we will have developed around 37 percent of the property with structures.

In addition to population increase, what other impact will your proposed ADU have on the immediate neighbors to the East, North, and South?

I don't see a huge impact beside the population increase of 1-2 people living in the ADU. This may include an additional vehicle parked on the street that we don't already have. Our streets in our neighborhood are wide and are not occupied as much as other streets in Park Hill. At this point I don't see the extra vehicle being an issue but it could affect parking years later if neighborhood occupancy becomes denser. The neighbors to the north and east of us may have a little more shade added to their property. Both those neighbors support our construction of an ADU.

Thank you.
OCCUR

On Tue, Nov 7, 2023 at 9:35 AM josh krueger <josh_krueger@hotmail.com> wrote:
Donna,

I am reaching out to see if you received my last email regarding a ADU we are planning on building at our home in Park Hill. I would love to discuss with you our plans and hopefully gain support for our project.

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

From: josh krueger <josh_krueger@hotmail.com>

Sent: Monday, October 2, 2023 9:42 PM

To: kkhdowntown@gmail.com <kkhdowntown@gmail.com>;

donnagarnett50@gmail.com <donnagarnett50@gmail.com>

Cc: Dan Horvat <dan@horvatarch.com>

Subject: Proposed ADU for 2670 Niagara

Donna,

I am reaching out to your RNO regarding an Accessory Dwelling Unit that my wife and I are hoping to build in our back yard at 2670 Niagara St in Denver.

We have the support from a great majority of our neighbors and have discussed this with Council Member Shontel Lewis. We are currently in our community out-reach phase and I wanted to reach out to you to see if you have any questions or thoughts on this project we are hoping to achieve. We had completed a pre-application with the Community Planning and Development and I have attached for your reference. We are also planning a large-scale remodel of our house and are hoping to be able to live in the ADU during construction of the remodel.

If possible, I would like to meet with you, discuss our plans and hopefully gain support for our ADU.

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

Re: Proposed ADU for 2670 Niagara

josh krueger <josh_krueger@hotmail.com>

Tue 11/7/2023 4:31 PM

To: president@denverinc.org <president@denverinc.org>; execcomm@denverinc.org <execcomm@denverinc.org>
Cc: Dan Horvat <dan@horvatarch.com>

 1 attachments (5 MB)

2023I-00205 2670 N Niagara St PreApp.pdf;

Keith,

I am reaching out to see if you received my last email regarding a ADU we are planning on building at our home in Park Hill. I would love to discuss with you our plans and hopefully gain support for our project.

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

From: josh krueger <josh_krueger@hotmail.com>

Sent: Monday, October 2, 2023 9:43 PM

To: president@denverinc.org <president@denverinc.org>; execcomm@denverinc.org <execcomm@denverinc.org>

Cc: Dan Horvat <dan@horvatarch.com>

Subject: Proposed ADU for 2670 Niagara

Keith,

I am reaching out to your RNO regarding an Accessory Dwelling Unit that my wife and I are hoping to build in our back yard at 2670 Niagara St in Denver.

We have the support from a great majority of our neighbors and have discussed this with Council Member Shontel Lewis. We are currently in our community out-reach phase and I wanted to reach out to you to see if you have any questions or thoughts on this project we are hoping to achieve. We had completed a pre-application with the Community Planning and Development and I have attached for your reference. We are also planning a large-scale remodel of our house and are hoping to be able to live in the ADU during construction of the remodel.

If possible, I would like to meet with you, discuss our plans and hopefully gain support for our ADU

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

Re: Proposed ADU for 2670 Niagara

josh krueger <josh_krueger@hotmail.com>

Tue 11/7/2023 4:20 PM

To: ParadyAtLarge@denvergov.org <ParadyAtLarge@denvergov.org>; G-Gutierrez.atlarge@denvergov.org <G-Gutierrez.atlarge@denvergov.org>

📎 1 attachments (5 MB)

2023I-00205 2670 N Niagara St PreApp.pdf;

Hello,

I am reaching out to see if you received my last email regarding a ADU we are planning on building at our home in Park Hill. I would love to discuss with you are plans and hopefully gain support for our project.

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

From: josh krueger <josh_krueger@hotmail.com>

Sent: Monday, October 2, 2023 9:48 PM

To: ParadyAtLarge@denvergov.org <ParadyAtLarge@denvergov.org>; G-Gutierrez.atlarge@denvergov.org <G-Gutierrez.atlarge@denvergov.org>

Cc: Dan Horvat <dan@horvatarch.com>

Subject: Proposed ADU for 2670 Niagara

I am reaching out to your RNO regarding an Accessory Dwelling Unit that my wife and I are hoping to build in our back yard at 2670 Niagara St in Denver.

We have the support from a great majority of our neighbors and have discussed this with Council Member Shontel Lewis. We are currently in our community out-reach phase and I wanted to reach out to you to see if you have any questions or thoughts on this project we are hoping to achieve. We had completed a pre-application with the Community Planning and Development and I have attached for your reference. We are also planning a large-scale remodel of our house and are hoping to be able to live in the ADU during construction of the remodel.

If possible, I would like to meet with you, discuss our plans and hopefully gain support for our ADU

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

Re: Proposed ADU for 2670 Niagara

josh krueger <josh_krueger@hotmail.com>

Tue 11/7/2023 4:38 PM

To: DenverVoters@gmail.com <DenverVoters@gmail.com>

John,

I am reaching out to see if you received my last email regarding a ADU we are planning on building at our home in Park Hill. I would love to discuss with you our plans and hopefully gain support for our project.

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

From: josh krueger

Sent: Monday, October 2, 2023 9:40 PM

To: DenverVoters@gmail.com <DenverVoters@gmail.com>

Cc: Dan Horvat <dan@horvatarch.com>

Subject: Proposed ADU for 2670 Niagara

John,

I am reaching out to your RNO regarding an Accessory Dwelling Unit that my wife and I are hoping to build in our back yard at 2670 Niagara St in Denver.

We have the support from a great majority of our neighbors and have discussed this with Council Member Shontel Lewis. We are currently in our community out-reach phase and I wanted to reach out to you to see if you have any questions or thoughts on this project we are hoping to achieve. We had completed a pre-application with the Community Planning and Development and I have attached for your reference. We are also planning a large-scale remodel of our house and are hoping to be able to live in the ADU during construction of the remodel.

If possible, I would like to meet with you, discuss our plans and hopefully gain support for our ADU

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

Re: Proposed ADU for 2670 Niagara

josh krueger <josh_krueger@hotmail.com>

Tue 11/7/2023 4:00 PM

To: Ms LaMone <lamone4denver8@gmail.com>

Cc: Dan Horvat <dan@horvatarch.com>

LaMone,

I appreciate our conversations yesterday and your insight on the neighborhood. Awesome to hear you grew up in the same block we live on. All the info on ADUs you gave me will be helpful as we go forward in the process. Please feel free to reach out to me if you have any questions going forward. If the ADU gets completed, I will try keep you in the loop on cost and process for your own future project.

Sincerely,

Josh Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

From: Ms LaMone <lamone4denver8@gmail.com>

Sent: Saturday, October 21, 2023 1:07 AM

To: josh krueger <josh_krueger@hotmail.com>

Cc: Dan Horvat <dan@horvatarch.com>

Subject: Re: Proposed ADU for 2670 Niagara

Hi Josh,

I received your email and finally had a chance to read it in depth. I grew up on that street @2600 Niagara. A WWII elder who lived across the street from us @"2601" back in the 60's, was one of the developers of Niagara St.

So, yes, i am curious about your project and how it fits in the neighborhood and the effect on affordability. Feel free to reach out in the near future.

V/R

LaMone Noles

President, East Denver Residents Council

720-988-4433

On Fri, Oct 6, 2023, 9:46 AM josh krueger <josh_krueger@hotmail.com> wrote:

Lamone,

I was curious if you have seen my email regarding our plans to build an ADU. I look forward to hearing from you.

Thank you,
Josh Krueger
2670 Niagara St

From: josh krueger <josh_krueger@hotmail.com>
Sent: Monday, October 2, 2023 9:45 PM
To: lamone4denver8@gmail.com <lamone4denver8@gmail.com>
Cc: Dan Horvat <dan@horvatarch.com>
Subject: Proposed ADU for 2670 Niagara

Lamone,

I am reaching out to your RNO regarding an Accessory Dwelling Unit that my wife and I are hoping to build in our back yard at 2670 Niagara St in Denver.

We have the support from a great majority of our neighbors and have discussed this with Council Member Shontel Lewis. We are currently in our community out-reach phase and I wanted to reach out to you to see if you have any questions or thoughts on this project we are hoping to achieve. We had completed a pre-application with the Community Planning and Development and I have attached for your reference. We are also planning a large-scale remodel of our house and are hoping to be able to live in the ADU during construction of the remodel.

If possible, I would like to meet with you, discuss our plans and hopefully gain support for our ADU

***Sincerely,
Josh and Chanda Krueger
2670 Niagara St
303-356-5077
josh_krueger@hotmail.com***

Re: Proposed ADU for 2670 Niagara

josh krueger <josh_krueger@hotmail.com>

Fri 10/6/2023 3:52 PM

To:GPHC Board Chair <chair@greaterparkhill.org>

Cc:Dan Horvat <dan@horvatarch.com>

Shane/Amy,

Thanks for taking your time today to meet with me regarding our plans to build an ADU. All the information was very helpful.

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

From: GPHC Board Chair <chair@greaterparkhill.org>

Sent: Monday, October 2, 2023 10:16 PM

To: josh krueger <josh_krueger@hotmail.com>

Cc: Amy Harris <harrisamyc@gmail.com>; Dan Horvat <dan@horvatarch.com>; director@greaterparkhill.org <director@greaterparkhill.org>

Subject: Re: Proposed ADU for 2670 Niagara

Hi Josh and Changa,

I would be happy to meet with you and discuss your proposed ADU and zoning change.

If you are asking for a letter of support from the GPHC, Inc., that would have to be voted on and approved by GPHC board. To get the letter of support from the GPHC you would need to make a presentation at a community and board meeting. In this presentation you should be able to show your proposed plan, outreach conducted to neighbors, and any letters of support you may have received from those neighbors. Our next community and board meeting is on November 2nd at our building at 2823 Fairfax street.

I am happy to discuss our requirements in more detail if you want to meet in person or virtual? You can reach me at this email address or at 720-252-9190. Also I am including our Land Use Committee Chair, Amy Harris on this email as well.

Thank

On Mon, Oct 2, 2023 at 3:45 PM josh krueger <josh_krueger@hotmail.com> wrote:

Lori,

I am reaching out to your RNO regarding an Accessory Dwelling Unit that my wife and I are hoping to build in our back yard at [2670 Niagara St](#) in Denver.

We have the support from a great majority of our neighbors and have discussed this with Council Member Shontel Lewis. We are currently in our community out-reach phase and I wanted to reach out to you to see if you have any questions or thoughts on this project we are hoping to achieve. We had completed a pre-application with the Community Planning and Development and I have attached for your reference. We are also planning a large-scale remodel of our house and are hoping to be able to live in the ADU during construction of the remodel.

If possible, I would like to meet with you, discuss our plans and hopefully gain support for our ADU

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

Re: Proposed ADU for 2670 Niagara

GPHC Board Chair <chair@greaterparkhill.org>

Mon 10/2/2023 10:16 PM

To: josh krueger <josh_krueger@hotmail.com>

Cc: Amy Harris <harrisamyc@gmail.com>; Dan Horvat <dan@horvatarch.com>; director@greaterparkhill.org <director@greaterparkhill.org>

Hi Josh and Changa,

I would be happy to meet with you and discuss your proposed ADU and zoning change.

If you are asking for a letter of support from the GPHC, Inc., that would have to be voted on and approved by GPHC board. To get the letter of support from the GPHC you would need to make a presentation at a community and board meeting. In this presentation you should be able to show your proposed plan, outreach conducted to neighbors, and any letters of support you may have received from those neighbors. Our next community and board meeting is on November 2nd at our building at 2823 Fairfax street.

I am happy to discuss our requirements in more detail if you want to meet in person or virtual? You can reach me at this email address or at 720-252-9190. Also I am including our Land Use Committee Chair, Amy Harris on this email as well.

Thank

On Mon, Oct 2, 2023 at 3:45 PM josh krueger <josh_krueger@hotmail.com> wrote:

Lori,

I am reaching out to your RNO regarding an Accessory Dwelling Unit that my wife and I are hoping to build in our back yard at [2670 Niagara St](#) in Denver.

We have the support from a great majority of our neighbors and have discussed this with Council Member Shontel Lewis. We are currently in our community out-reach phase and I wanted to reach out to you to see if you have any questions or thoughts on this project we are hoping to achieve. We had completed a pre-application with the Community Planning and Development and I have attached for your reference. We are also planning a large-scale remodel of our house and are hoping to be able to live in the ADU during construction of the remodel.

If possible, I would like to meet with you, discuss our plans and hopefully gain support for our ADU

Sincerely,

Josh and Chanda Krueger

2670 Niagara St

303-356-5077

josh_krueger@hotmail.com

Josh Krueger

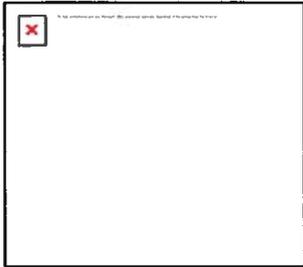
From: Wedgeworth, Ashlee - CC YA2245 City Council Aide
<Ashlee.Wedgeworth@denvergov.org> on behalf of City Council District 8 <District8@denvergov.org>
Sent: Friday, November 3, 2023 2:04 PM
To: Josh Krueger
Subject: Re: Pre-application meeting links - 2670 N Niagara St

Hi Josh,

Thank you so much for the update. I will be sure to share with the team. Have a great weekend.

In service,

The District 8 Team



The D8 Team

Councilwoman Shontel M. Lewis

720-337-8888 | district8@denvergov.org

From: Josh Krueger <jkrueger@a-1chipseal.com>
Sent: Thursday, November 2, 2023 5:16 PM
To: City Council District 8 <District8@denvergov.org>
Subject: [EXTERNAL] RE: Pre-application meeting links - 2670 N Niagara St

Shontel,

I just wanted to update you on our progress for the ADU we are hoping to put in at 2670 Niagara St. We will now be putting in a Rezoning application with the city. Below are some of the progress updates we have. I appreciate the time you took to meet with me earlier this year. Hope you have a great upcoming holiday.

1. Met with City Pre Planning again last week. They highly encouraged ADUs.
2. We have got signatures from most the neighbors within our area, and I have seen no resistance.
3. I have also done outreach to the RNOs and met with The Greater Park Hill Community, INC.

Thanks,

Josh Krueger
Vice President
A-1 Chipseal Co. & Rocky Mountain Pavement

303-356-5077 (cell)
720-540-8262 (direct)
303-464-9261 (fax)
jkrueger@a-1chipseal.com
<http://www.a-1chipseal.com>
<http://www.asphaltrepair.com>



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From: Josh Krueger
Sent: Tuesday, August 1, 2023 12:55 PM
To: Shontel Lewis <denverdistrict8@gmail.com>; yallknowshontel@gmail.com
Cc: Dan Horvat <dan@horvatarch.com>
Subject: FW: Pre-application meeting links - 2670 N Niagara St

Shontel,

Thanks for meeting with Dan and myself last week about the ADU rezoning I am planning to build. Attached is the information we received from the Denver Preplanning Department. If you have any additional suggestions beyond what we discussed last week we would appreciate it! Once again thanks for your time and best of luck with your new position.

Josh Krueger
Vice President
A-1 Chipseal Co. & Rocky Mountain Pavement
303-356-5077 (cell)
720-540-8262 (direct)
303-464-9261 (fax)
jkrueger@a-1chipseal.com
<http://www.a-1chipseal.com>
<http://www.asphaltrepair.com>



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From: Bennouna, Chelsea - CPD CE0371 City Planner Associate <Chelsea.Bennouna@denvergov.org>
Sent: Wednesday, January 25, 2023 10:59 AM
To: Josh Krueger <jkrueger@a-1chipseal.com>; dan@horvatarch.com
Cc: Clauson, Fritz - CPD CE0371 City Planner Associate <Fritz.Clauson@denvergov.org>
Subject: Pre-application meeting links - 2670 N Niagara St

Hi Josh and Dan,

Thank you for meeting with us today to review the preliminary findings for your rezoning pre-application request for 2670 N Niagara St. A PDF version of the presentation is attached for your reference. I included all the links to the things we talked about in our meeting, and am awaiting a response from the team about the exact addresses that we notice – I hope to follow up with more information on that soon.

Link to the Comprehensive Plan:

[https://www.denvergov.org/content/dam/denvergov/Portals/Denverright/documents/comp-plan/Denver Comprehensive Plan 2040.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/Denverright/documents/comp-plan/Denver%20Comprehensive%20Plan%202040.pdf)

Link to Blueprint Denver:

[https://www.denvergov.org/media/denvergov/cpd/blueprintdenver/Blueprint Denver.pdf](https://www.denvergov.org/media/denvergov/cpd/blueprintdenver/Blueprint%20Denver.pdf)

Link to the Zoning Code:

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Community-Planning-and-Development/Denver-Zoning-Code>

City Council Members

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Denver-City-Council/Council-Members>

Information on how to submit your complete application:

<https://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/rezoning-map-amendments.html>

ADU Rezoning Application Form:

[https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/rezoning/ADU Standard Rezoning Application.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/rezoning/ADU%20Standard%20Rezoning%20Application.pdf)

ADUs in Denver project:

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Community-Planning-and-Development/Denver-Zoning-Code/Text-Amendments/ADUs-in-Denver>

Link to presentation on constructing ADUs:

https://www.denvergov.org/files/assets/public/community-planning-and-development/documents/zoning/text-amendments/adus-in-denver/constructing_an_adu_denvercpd.pdf

Please let me know if you have any questions as you are completing your application.

Best,
Chelsea

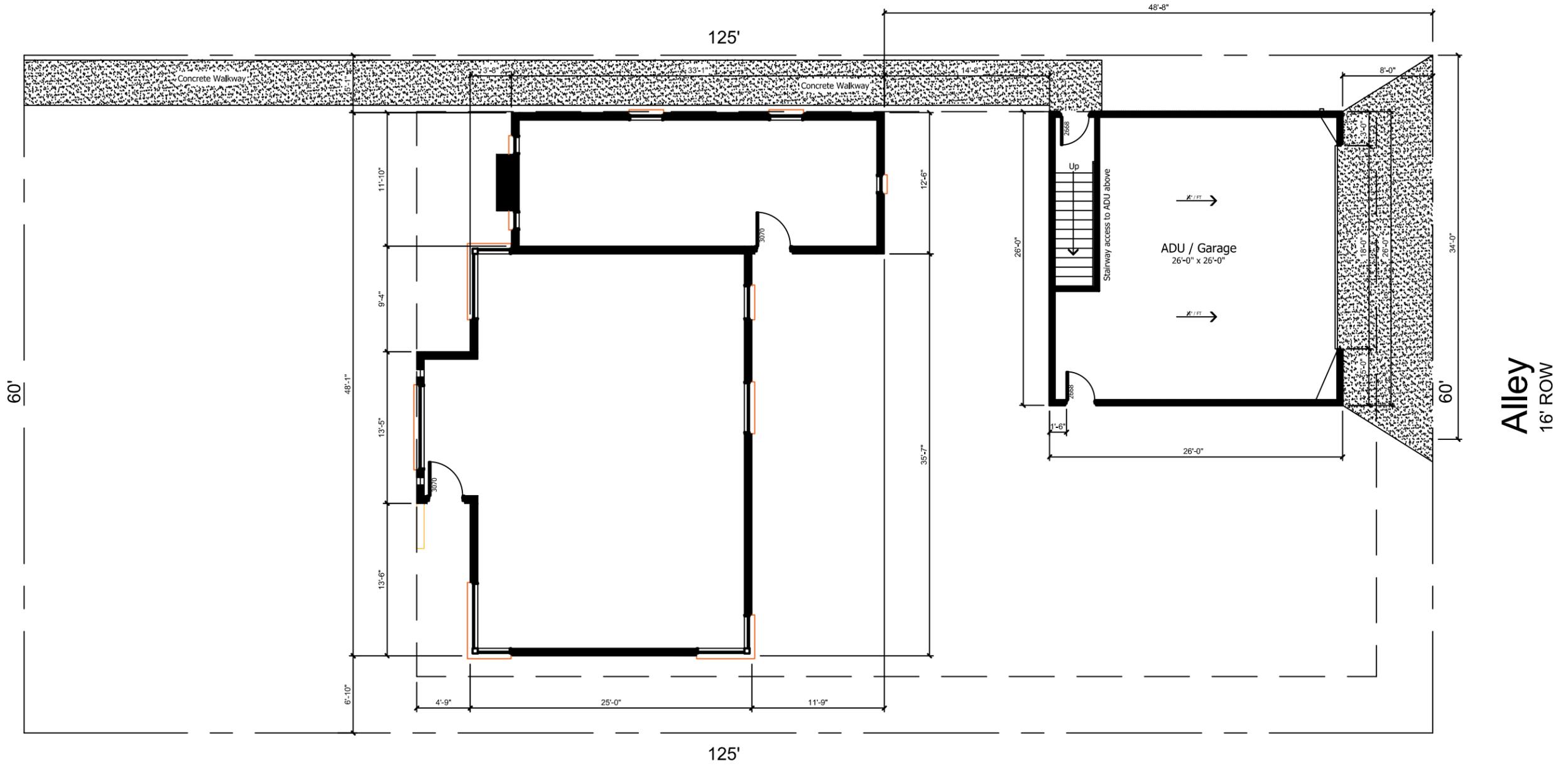


DENVER
THE MILE HIGH CITY

Chelsea Bennouna, AICP | Associate City Planner
Community Planning and Development | City and County of Denver
[Pronouns](#) | She/Her/Hers
phone: (720) 865-2594 | chelsea.bennouna@denvergov.org

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Niagara Street
60' ROW



1 Architectural Site Plan

