



**TO:** Denver City Council  
**FROM:** Francisca Peñafiel, Senior City Planner  
**DATE:** December 1, 2022  
**RE:** Official Zoning Map Amendment Application #2022I-00086

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2022I-00086.

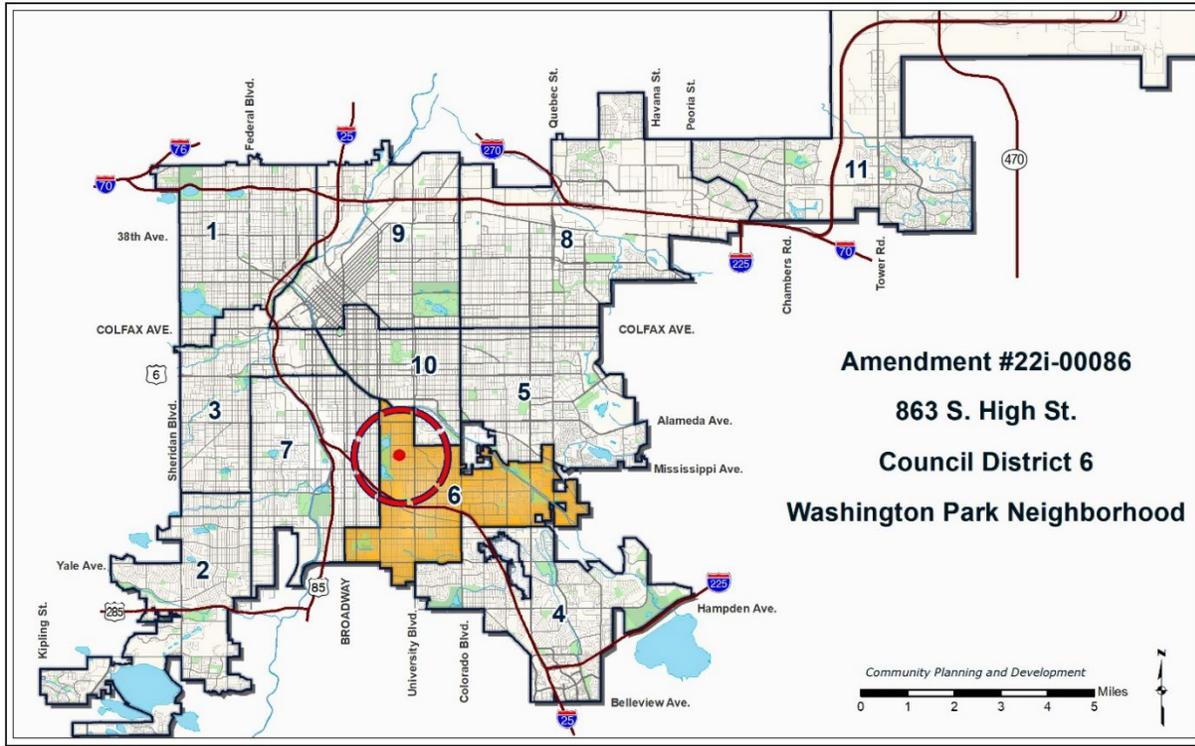
### Request for Rezoning

Address:	863 S High Street
Neighborhood/Council District:	Washington Park / Council District 6 – Paul Kashmann Inc., Inter-Neighborhood Cooperation (INC), Friends and Neighbors of Washington Park, Washington Park East Neighborhood Association, Strong Denver
RNOs:	
Area of Property:	4,690 square feet or .1 acres
Current Zoning:	U-SU-C
Proposed Zoning:	U-SU-B1
Property Owner(s):	Ewa Marie Long
Property Representative:	Cody Kopecky

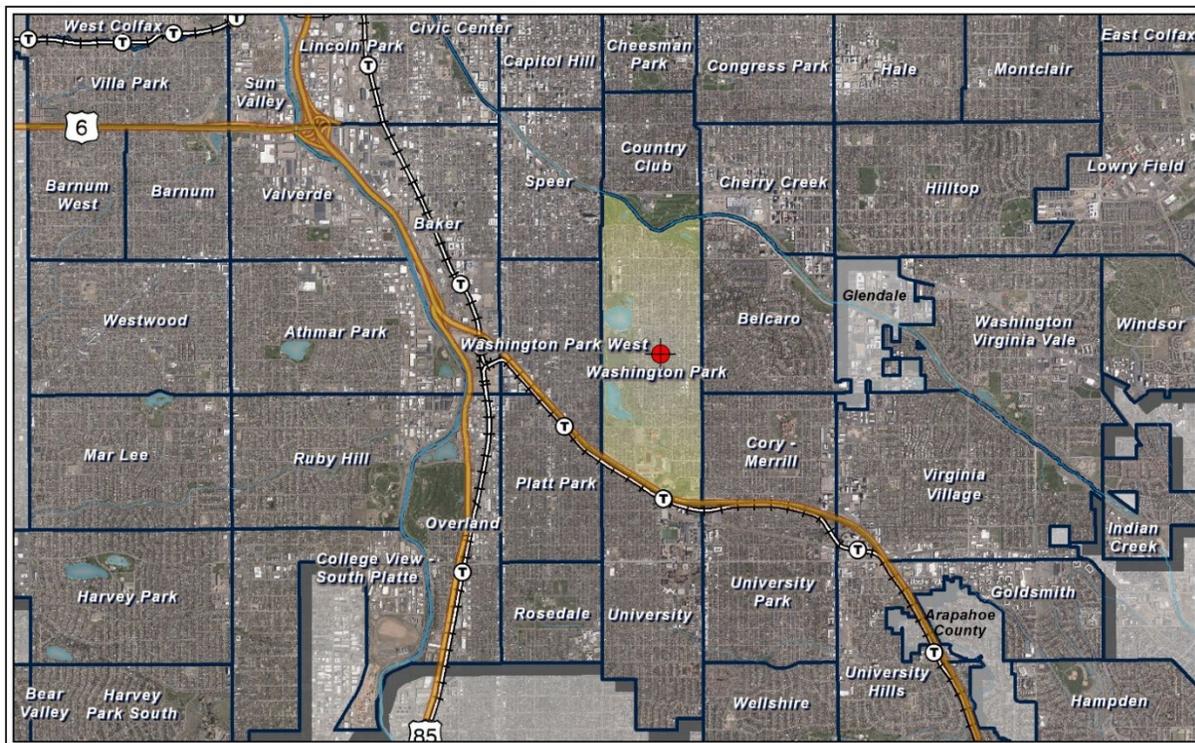
### Summary of Rezoning Request

- The subject property contains a single-unit home built in 1922 located between East Ohio Avenue and East Kentucky Avenue, along South High Street.
- The property owner is proposing to rezone the property to a district with a smaller minimum zone lot size that would allow an accessory dwelling unit (ADU). The proposed U-SU-B1, **U**rban, **S**ingle-**U**nit, **B1** district allows urban houses and detached accessory dwelling units in the rear yard with a minimum zone lot area of 4,500 square feet. The zone district is intended for use in the Urban Neighborhood Context which is characterized by single-unit and two-unit uses. Single-unit residential uses are typically located along local and residential arterial streets and structures are usually the Urban House building form. The maximum height of the Urban House building form is 30 to 35 feet for the front 65% of the zone lot, 17 to 19 feet in the rear 35% of the zone lot. The Detached Accessory Dwelling Unit building form can be a maximum height of 24 feet. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 5 of the Denver Zoning Code (DZC).

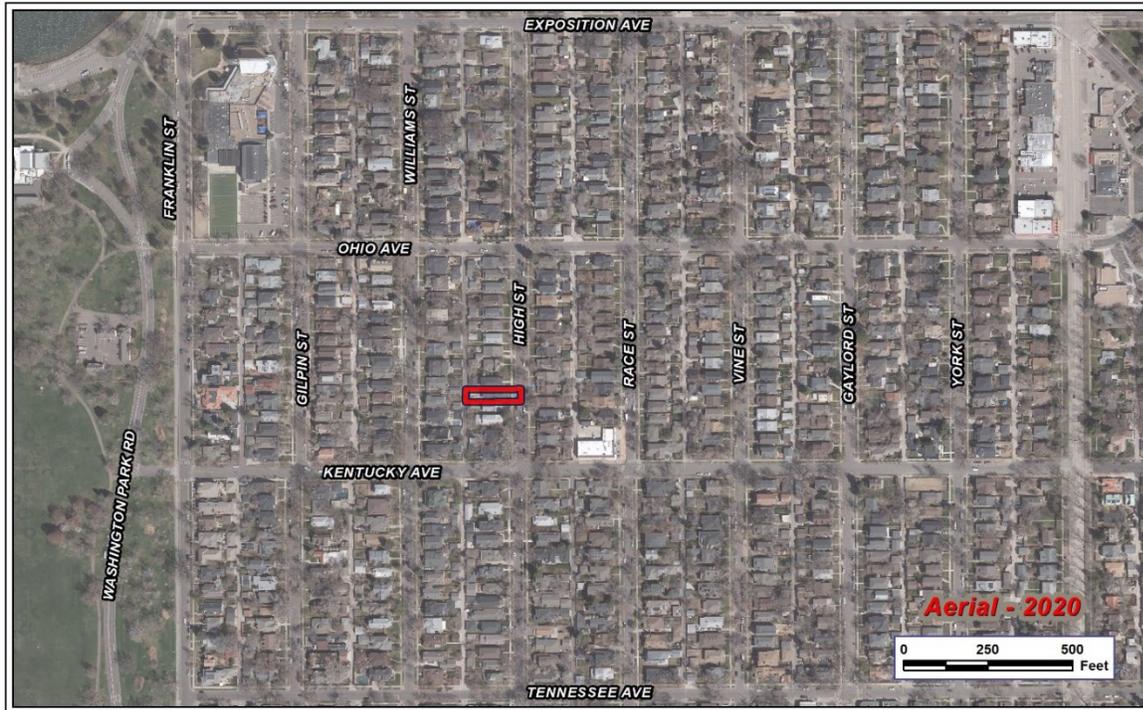
### City Location



### Neighborhood Location – Washington Park



## 1. Existing Context

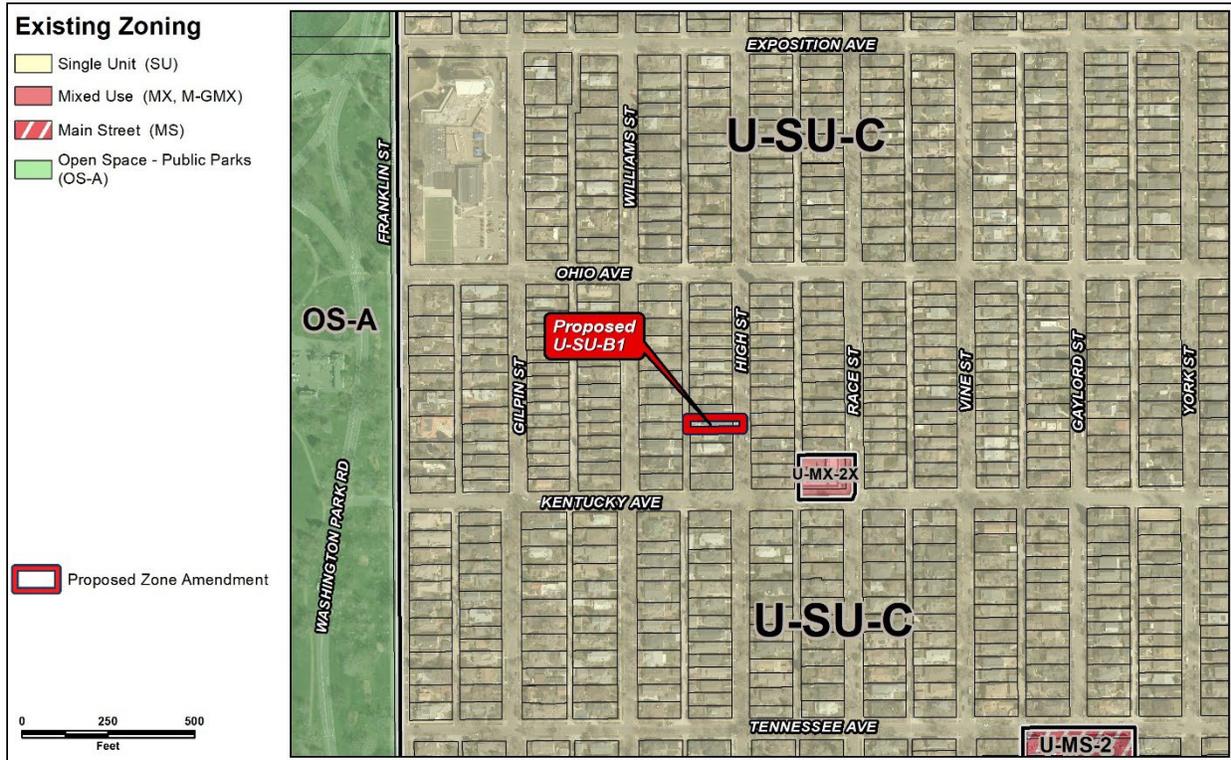


The subject property is in the Washington Park statistical neighborhood, which is characterized mostly by single-unit residential uses and some neighborhood serving commercial/retail uses along South Gaylord Street. Generally, there is a pattern of rectangular blocks in a street grid pattern with alley access. The subject property is located two and one-half blocks east of Washington Park and 4 blocks north from the Denver South High School campus that serves the neighborhood. RTD bus route 11 runs east-west on East Louisiana Avenue, .5 miles south of the site, with a 30-minute headway. On South University Boulevard .3 miles east of the site, RTD bus route 24 runs north-south with a 60-minute headway.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	U-SU-C	Single-unit Residential	1-story brick bungalow with detached garage.	Generally regular grid of streets; Block sizes and shapes are consistent and rectangular. Detached sidewalks with tree lawns and existing alleys. Garages and on-street vehicle parking.
North	U-SU-C	Single-unit Residential	2-story brick house with detached garage.	
South	U-SU-C	Single-unit Residential	1-story brick bungalow with detached garage.	
East	U-SU-C	Single-unit Residential	1- story brick bungalow with detached garage and parking area on the alley.	
West	U-SU-C	Single-unit Residential	2-story house with detached garage.	

## 2. Existing Zoning



The U-SU-C zone district is a single-unit district allowing only the Urban House primary building form on a minimum zone lot of 5,500 square feet. The maximum allowed height is 2.5 stories or 30 to 35 feet in the front 65% of the zone lot, 1 story and 17 to 19 feet in the rear 35% of the zone lot. It allows two accessory structure forms: Detached Garage and Other Detached Accessory Structure with a maximum height of 15 to 17 feet. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban 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 west.



**North** - View of the properties to the north.



**South** - View of the properties to the south.



**East** - View of the properties to the east across South High Street.



**West** - View of the properties to the west (across the alley).

## Proposed Zoning

U-SU-B1 is a single-unit zone district with a minimum zone lot size of 4,500 square feet that allows only an Urban House primary building form. A variety of residential and civic uses are permitted as primary uses in the U-SU-B1 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 1.5 stories or 24 feet. A bulk plane that raises 10 feet vertically from the side interior or side street zone lot line, then slopes 45 degrees also applies to the DADU building form. This form also allows an exemption from the 37.5% building coverage standard, allowing 50% of the building footprint of the DADU to be excluded up to a maximum of 500 square feet. At 4,690 square feet, the subject property is more than the 4,500 square feet minimum zone lot size of the requested U-SU-B1.

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

Design Standards	U-SU-C (Existing)	U-SU-B1 (Proposed)
Primary Building Forms Allowed	Urban House	Urban House
Maximum Height in Stories/Feet, Front 65% of Zone Lot	2.5 stories / 30-35 feet	2.5 stories / 30-35 feet
Maximum Height in Stories/Feet, Rear 35% of Zone Lot	1 story / 17-19 feet	1 story / 17-19 feet
DADU Maximum Height in Stories/Feet	DADUs not permitted	1.5 stories / 24 feet
Zone Lot (Min.)	5,500 square feet	4,500 square feet
Zone Lot Width (Min.)	50 feet	35 feet
Primary Street Block Sensitive Setback Required / If not	Yes / 20 feet	Yes / 20 feet
Side Street Setback (Min.)*	5 feet	5 feet
Side Interior Setback (Min.)*	3' min one side/ 10' min combined	3' min one side/ 10' min combined
Rear Alley / No Alley	12 feet / 20 feet	12 feet / 20 feet
DADU Rear Setback	DADUs not permitted	5 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 37.5 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.

**Development Services - Fire:** Approved – No Response.

**Denver Public Schools:** Approved – No Response.

**Development Services - Project Coordination:** Approved – No Response.

**Development Services - Transportation:** Approved – No Response.

**Development Services - Wastewater:** Approved – No Response.

**Parks and Recreation:** Approved – No Comments.

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

Denver Department of Public Health & Environment - Division of Environmental Quality (EQ) 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. EQ 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. EQ 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 Works – City Surveyor:** Approved – No Comments.

**Public Review Process**

	<b>Date</b>
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>08/02/2022</b>
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>09/20/2022</b>
Planning Board Public Hearing: (Recommended approval on consent agenda)	<b>10/05/2022</b>
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	<b>10/04/2022</b>
Land Use, Transportation and Infrastructure Committee of the City Council:	<b>10/18/2022</b>
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	<b>11/14/2022</b>
City Council Public Hearing:	<b>12/05/2022</b>

**Registered Neighborhood Organizations (RNOs)**

- To date, staff has not received one letter of opposition from the East Washington Park Neighborhood Organization. The RNO believes that the rezoning is not consistent with the review criteria and will bring more density and cars parked on the streets in this neighborhood

**Other Public Comment**

- To Staff also received a comment letter in support of the rezoning but asking the applicant to commit to certain design standards and ample rear setbacks.  
 As a reminder, at the rezoning stage, we are only looking the review criteria and the appropriateness of the zoning request. After the rezoning is approved, the property owner will have to go through the site development plan process where the design will be reviewed. The Denver Zoning Code specifies different rear and side setbacks depending on the district and zone lot size. In this case the ADU would have to comply with a minimum setback of 5 ft to the alley and 5 ft setback to the side.

## **Criteria for Review / Staff Evaluation**

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

### **DZC Section 12.4.10.7**

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

### **DZC Section 12.4.10.8**

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

## **1. Consistency with Adopted Plans**

The following adopted plans apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)

### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, including:

- Equitable, Affordable and Inclusive Goal 2, Strategy A – “Create a greater mix of housing options in every neighborhood for all individuals and families” (p. 28).

U-SU-B1 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 most of the Washington Park neighborhood.

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

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

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

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

### **Blueprint Denver**

*Blueprint Denver* was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city’s land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a Low Residential future place within the Urban 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 Urban neighborhood context, the description of which is used to guide appropriate zone districts (p. 66). The Urban neighborhood context is described as containing “small multi-unit residential and low-intensity mixed-use buildings typically embedded in single-unit and two-unit residential areas” with grid block patterns and alley access (p. 222).

U-SU-B1 is a zone district within the Urban neighborhood context in the Denver Zoning Code. The Urban residential zone districts are “intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context” and “the building form standards, design standards and uses work together to promote desirable residential areas” (DZC 5.2.2.1). U-SU-B1 is consistent with the *Blueprint Denver* future neighborhood context of Urban because it will promote the residential character by allowing single-unit residential uses with a low-scale accessory dwelling unit that will be compatible with the existing residential area.

### **Blueprint Denver Future Place**



The subject site is designated within a Low Residential future place on the *Blueprint Denver* Future Place map. This place type is “predominately single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible,” and “building heights are generally up to 2.5 stories in height” (p. 230). U-SU-B1 is a single-unit residential zone district that allows for an additional dwelling unit accessory to a primary single-unit residential use, which is consistent with the Low Residential future place description. It allows the Urban House building form, which has a maximum height of 2.5 stories, also consistent with the Future Place designation.

### **Blueprint Denver Future Street Types**

In *Blueprint Denver*, street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies South High Street as Local or Undesignated Future Street Type, which are designated as “can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses” (p. 161). The proposed U-SU-B1 district is consistent with this description because it allows for primarily 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 U-SU-B1 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.

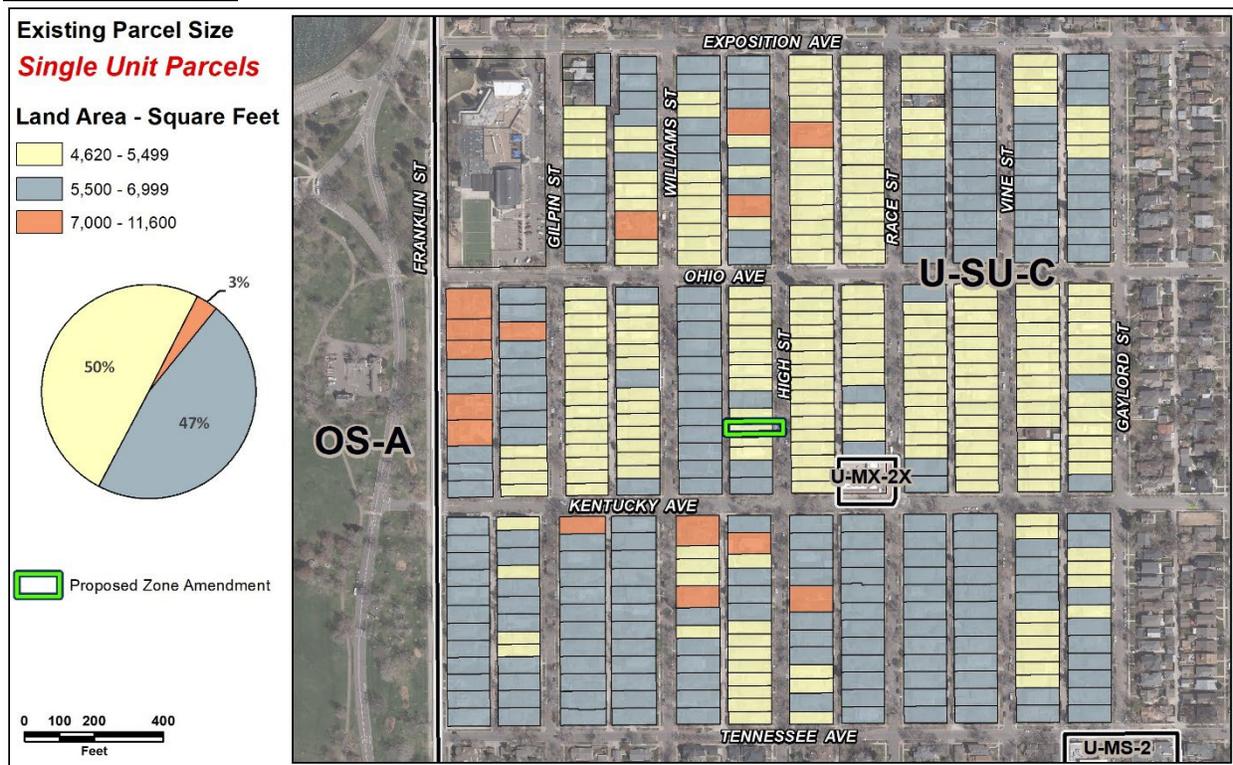
**Blueprint Denver Lot Size Guidance for Rezoning**

The applicant is proposing to rezone from U-SU-C with a minimum zone lot size of 5,500 square feet to U-SU-B1 with a minimum zone lot size of 4,500 square feet. *Blueprint Denver* provides guidance for these situations stating, “it is only appropriate to allow smaller lot sizes than the existing zone district if there is an established pattern in the surrounding blocks of smaller lots with similar uses that would be consistent with the zone district request” (p. 231).

Most of the single-unit residential lots contained in the same block as the subject property have a lot sizes smaller than 5,500 square feet, which is consistent with U-SU-B1. The block to the east is made up entirely of lots that are smaller than 5,500 square feet. While not as prominent, the block to the north and the block to the south of the subject site also show a pattern of lots that are smaller 5,500 square feet. The block to the west is consistent with U-SU-C, made up entirely of lot sizes that are greater than 5,500 square feet, but the neighborhood overall shows a pattern of smaller lot sizes that is more consistent with U-SU-B.

Therefore, there is a pattern of single-unit residential smaller lot sizes in the surrounding blocks and the applicants’ proposal of a district with a smaller lot size is consistent with the future places map and *Blueprint Denver* guidance for applying the Low Residential future place.

**Parcel Size Analysis**



### **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 located 5 blocks from frequent bus routes and a about a mile away from an RTD light rail station. This rezoning to an ADU zone district will have minimal impacts on the surrounding neighborhood and is consistent with *Blueprint Denver* recommendations.

## **2. Uniformity of District Regulations and Restrictions**

The proposed rezoning to U-SU-B1 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 an additional housing unit that is compatibly integrated into the surrounding neighborhood.

## **4. Justifying Circumstance**

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

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

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

The requested U-SU-B1 zone district is within the Urban Neighborhood Context. The neighborhood context is “primarily characterized by single-unit and two-unit residential uses” and “single-unit residential structures are typically the Urban House building form” (DZC, Section 5.1.1). This area consists of a “regular pattern of block shapes” and “a consistent presence of alleys” (DZC, Section 5.1.2). The Washington Park neighborhood consists of mostly single and two-unit residential uses in rectangular blocks with alley access. The proposed rezoning to U-SU-B1 is consistent with the neighborhood context description.

The general purpose of residential zone districts in this context is to “promote and protect residential neighborhoods within the character of the Urban Neighborhood Context” (DZC Section 5.2.2.1.A). “The building form standards, design standards, and uses work together to promote desirable residential areas” (DZC Section 5.2.2.1.B). Common residential characteristics are recognized but variation is accommodated. The proposed U-SU-B1 district is consistent with the context description and the zone district general purpose because it will help preserve the existing single-unit use, form, and streetscape of the immediate area while allowing small-scale ADUs in rear yards.

The specific intent of the U-SU-B1 zone district is “a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 4,500 square feet. Blocks typically have a consistent pattern of 37.5-foot-wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-B but allowing a detached accessory dwelling unit building form in the rear yard” (DZC Section 5.2.2.2.E.). The site at 863 South High Street is 4,690 square feet with a width of 37.5 feet. The adopted plan direction recommends allowing smaller lot sizes where a pattern of smaller lot sizes already exists. Therefore, rezoning this site would be consistent with the specific intent of the zone district.

### **Attachments**

1. Application
2. Comment letters

## Accessory Dwelling Unit Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Ewa Long	Representative Name	Cody Kopecky - desibl Studio
Address	863 South High Street	Address	955 24th Street
City, State, Zip	Denver, CO 80209	City, State, Zip	Denver, CO 80205
Telephone		Telephone	
Email	ewa@me.com	Email	cody@desiblstudio.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):		863 South High Street, Denver CO 80209	
Assessor's Parcel Numbers:		05144-09-017-000	
Area in Acres or Square Feet:		4,690 square feet	
Current Zone District(s):		U-SU-C	
PROPOSAL			
Proposed Zone District:		U-SU-B1	
PRE-APPLICATION INFORMATION			
Did you have a pre-application meeting with Development Services Residential Team?		<input checked="" type="checkbox"/> <b>Yes - if yes, state the meeting date</b> <u>4/20/2022</u> <input type="checkbox"/> <b>No - if no, describe why not</b> _____	
Did you contact the City Council District Office regarding this application?		<input checked="" type="checkbox"/> <b>Yes - if yes, state date and method</b> <u>6/14/2022 - In Person @ the property</u> <input type="checkbox"/> <b>No - if no, describe why not (in outreach attachment)</b> _____	

**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"/> <b>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.</b></p> <p><b>Denver Comprehensive Plan 2040</b> The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:</p> <ul style="list-style-type: none"> <li>• <b>Goal 2, Strategy A. Equitable, Affordable and Inclusive</b> – "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.</li> <li>• <b>Goal 8, Strategy A. Environmentally Resilient</b> - "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.</li> </ul> <p><b>Blueprint Denver</b> 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"> <li>• <b>Policy 4, Strategy E - Diversify housing choice</b> through the expansion of accessory dwelling units throughout all residential areas.</li> </ul> <p>Neighborhood/ Small Area Plan (list all, if applicable): <u>Washington Park East</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"/> <b>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.</b></p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</b></p> <p>The proposed map amendment furthers the public health, safety, and general welfare of the city through implementation of the city's adopted plan, including <i>Blueprint Denver</i> which recommends "the expansion of accessory dwelling units throughout all residential areas" (<i>Blueprint Denver</i>, p. 84).</p>

<p>Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria. (Check boxes to affirm.) DZC Sec. 12.4.10.8</p>	<p><input checked="" type="checkbox"/> <b>Justifying Circumstances - One of the following circumstances exists:</b> 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"> <li>a. Changed or changing conditions in a particular area, or in the city generally; or,</li> <li>b. A City adopted plan; or</li> <li>c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</li> </ul> <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"/> <b>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.</b></p> <p>The proposed map amendment is consistent with the neighborhood context description, stated purpose and intent of the proposed <u>U-SU-B1</u> Zone District.</p>
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**REQUIRED ATTACHMENTS**

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

- Legal Description 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:

### 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)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Ewa Long	863 S High St Denver, CO 80209 720.261.0126 ewa@me.com	100%	 <small>Ewa Marie Long (Jul 18, 2022 16:53 MDT)</small>	07.18.2022	(A)	No

# 863 S HIGH ST

<b>Owner</b>	LONG,EWA MARIE 863 S HIGH ST DENVER, CO 80209-4548
<b>Schedule Number</b>	05144-09-017-000
<b>Legal Description</b>	L 32 & S1/2 OF L 33 BLK 14 BOHMS SUB 2ND FLG
<b>Property Type</b>	SFR Grade B
<b>Tax District</b>	DENVER

**Print Summary**

Property Description			
<b>Style:</b>	13: 1 STORY	<b>Building Sqr. Foot:</b>	1128
<b>Bedrooms:</b>	3	<b>Baths Full/Half:</b>	2/0
<b>Effective Year Built:</b>	1922	<b>Basement/Finish:</b>	1128/1072
<b>Lot Size:</b>	4,690	<b>Zoned As:</b>	U-SU-C

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

Current Year			
	Actual	Assessed	Exempt
Land		\$686,600	\$47,720 \$0
Improvements		\$79,300	\$5,510
<b>Total</b>		<b>\$765,900</b>	<b>\$53,230</b>

Prior Year			
	Actual	Assessed	Exempt
Land		\$686,600	\$49,090 \$0
Improvements		\$79,300	\$5,670
<b>Total</b>		<b>\$765,900</b>	<b>\$54,760</b>

## Real Estates Property Taxes for current tax year

### System Upgrade Underway:

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

Mill Levy \* 74..618 \*

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

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid	2/15/2022	5/26/2022	
Original Tax Levy	\$2,043.05	\$2,043.05	\$4,086.10
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$2,043.05	\$2,043.05	\$4,086.10
Due	\$0.00	\$0.00	\$0.00

## Additional Information

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

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	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: **\$4,192.02**

## Assessed Value for the current tax year

Assessed Land	\$49,090.00	Assessed Improvements	\$5,670.00
Exemption	\$0.00	Total Assessed Value	\$54,760.00

To Whom It May Concern,

I hereby authorize the following person(s) to act as my agent to submit forms, documents, and/or permit applications and generally act on my behalf as it relates to the rezoning of the property listed below.

Building Address: 863 S High St  
Denver, CO 80209

Name of Authorized Agent: Cody Kopecky, Desibl LLC  
Address of Authorized Agents: 955 24<sup>th</sup> St, Denver, CO 80205  
Agent's telephone: 720.429.7607  
Agent's email: [cody@desiblstudio.com](mailto:cody@desiblstudio.com)

Owner's name: Ewa Long  
Owner's mailing address: 863 S High St  
Denver CO 80209  
Owner's telephone: 720-261-0126  
Owner's email: [ewa@me.com](mailto:ewa@me.com)

  
EWA MARIE LONG (Aug 17, 2022 21:37 MDT)

Signed: Ewa M. Long

Aug 17, 2022

Date

# Authorization of Agent

Final Audit Report

2022-08-18

Created:	2022-08-17
By:	Desibl Studio (cody@desiblstudio.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAgd-puGRGWm2tbjgka9o70T8viEJ4v5z

## "Authorization of Agent" History

-  Document created by Desibl Studio (cody@desiblstudio.com)  
2022-08-17 - 5:00:25 PM GMT- IP address: 174.51.231.124
-  Document emailed to ewa@me.com for signature  
2022-08-17 - 5:00:52 PM GMT
-  Email viewed by ewa@me.com  
2022-08-18 - 3:36:20 AM GMT- IP address: 172.226.137.28
-  Signer ewa@me.com entered name at signing as EWA MARIE LONG  
2022-08-18 - 3:37:04 AM GMT- IP address: 174.51.232.214
-  Document e-signed by EWA MARIE LONG (ewa@me.com)  
Signature Date: 2022-08-18 - 3:37:06 AM GMT - Time Source: server- IP address: 174.51.232.214
-  Agreement completed.  
2022-08-18 - 3:37:06 AM GMT

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

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

Application Number	20221-0086
Location	863 S High Street
Registered Neighborhood Organization Name	East Washington Park
Registered Contact Name	Tim McHugh
Contact Address	1112 South Gilpin St
Contact E-Mail Address	tam28602gmail.com
Date Submitted	10/3/2022

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

was held on  , with  members in attendance.

With a total of  members voting,

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

voted to oppose the application; and

voted to abstain on the issue.

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

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

Application #

Comments: The RNO was not in receipt of the notification of the re-zoning request - see email - it does not reflect the recipients. In order to respond to the re-zoning request the members "met" thru email correspondence.

Is the rezoning consistent with adopted plans?  
 No, the zoning code that was adopted and effective June 25, 2010 and amended thru February 23, 2020 reflects that the applicants neighborhood is majority U-SU-C and this will be U-SU-B  
 While it may be consistent with Blueprint Denver, it is not consistent with the adopted Zoning Code. CPD should be straightforward about their codes and policies. If they want to change the zoning of our neighborhood or have changed the zoning of our neighborhood, they need to make their

Comments that cut off from RNO comment letter:

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Does the rezoning further public health, safety and welfare?

No, the additional space is usually used for the applicant's family only having no effect on public, health, safety and welfare. Also the addition of more cars parked on the street adds to safety issues for families with small children. Are there circumstances that justify the rezoning None – this is a push on the part of the city to densify our neighborhood.

Is the rezoning consistent with the neighborhood context?

No, Section 5.1.1 GENERAL CHARACTER The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House building form. Multi-unit building forms typically include the Row House building form embedded with other residential form types.

Does the rezoning align with the zone district's purpose and intent?

No, this changes the intent of a single-family zoning. This change affects neighbors that purposefully bought into a single-family neighborhood.

Would it result in consistent regulations for each property with the same zoning designation citywide?  
We need further clarification from the City. CPD should be straightforward about their codes and policies. If they want to change the zoning of our neighborhood or have changed the zoning of our neighborhood, they need to make their position clear and allow the neighborhood to vote on this change.

# Planning Board Comments



Submission date: 4 October 2022, 10:44AM  
Receipt number: 295  
Related form version: 2

## Your information

Name	Lisa Morris
Address or neighborhood	872 S Williams St
ZIP code	80209
Email	l.j.morris@comcast.net

## Agenda item you are commenting on

Rezoning

## Rezoning

Address of rezoning	863 S High Street
Case number	20221-00086

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application

Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project you would like to comment on

## Submit your comments

Would you like to express support or opposition to the project? **Moderate support**

Your comment:

**Greetings Planning Board:**

I am writing regarding application 2022I-000)86 Rezoning request for ADU at 863 S. High Street.

My husband and I are across the alley neighbors, and are directly behind the subject site at 872 S Williams St.

I reached out to the applicant and her agent. I did hear back from the agent, but not from my neighbor, which was a little disappointing since we are neighbors in close proximity. The agent loosely answered my questions, but did not make any commitments pending the rezoning.

As a Planner myself, I have no objection to ADUs in general. I feel that they will help create very limited socio-economic diversity, and reduce sprawl. I do not share in the belief that there will be an explosion of ADUs, as they are expensive to build, and not everyone fancies them. I do believe they also allow folks to create an additional income source while easing the Denver housing crisis, if only infinitesimally.

However, I do ask that my neighbor commit on record, and that the rezoning, if approved by the Board, be made contingent upon owner or future owners designing the ADU to insure maximum privacy to adjacent and alley neighbors. The applicant's proposed ADU would look straight into my backyard. I recommend contingencies for highly placed, short horizontal windows, and no balcony on second story of ADU. I also request that contingencies include ample setback from alley property line to allow other neighbor to pull out of their garage.

Thank you for your time and consideration. Lisa Morris

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.