

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION* <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		PROPERTY OWNER(S) REPRESENTATIVE** <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
*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. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?		<input type="checkbox"/> Yes - State the contact name & meeting date _____ <input type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)	
Did you contact the City Council District Office regarding this application ?		<input type="checkbox"/> Yes - if yes, state date and method _____ <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)	

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>	<p><input 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>Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p>2. Blueprint Denver</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</p> <hr/>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input 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 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>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 40px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 40px;">b. A City adopted plan; or</p> <p style="padding-left: 40px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input 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>In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

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 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.
- ☐ Review Criteria Narratives. See page 2 for details.




ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- ☐ **Written narrative explaining reason for the request** (optional)
- ☐ **Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged)
- ☐ **Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- ☐ **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 a corporate entity such as an LLC as the owner, this document is required.)
- ☐ **Other Attachments.** Please describe below.

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
Annalee James Zaga Design Group	3630 W 32nd Ave #2 Denver, CO 80211	100%	Annalee James <small>Digitally signed by Annalee James Date: 2023.05.05 11:41:50 -0600</small>	5/5/23	B	YES
						YES
						YES
						YES



May 5, 2023

RE: Rezoning Application for 2801 W Archer

To Whom it May Concern:

We are an architectural firm based out of Northwest Denver with a client at the address of 2801 W Archer Place. The property is currently a large vacant corner lot, as the residential structure formerly on the lot has already been razed. Our clients want to develop the property into two duplexes with detached garages and requests a zoning to allow up to 4 units. Current zoning would allow duplexes IF there was an existing structure. For this reason, we are proposing to change the zoning of this lot from E-SU-DX1 to E-TU-C.

Blueprint Denver:

Our proposal coincides with *Blueprint Denver: A Land Use and Transportation Plan (2019)*, where they reference future growth strategies, stating "certain future places are anticipated to take on more jobs and housing than others, but all areas of Denver are expected to evolve. A rezoning in an area planned for less growth may still be appropriate, as smaller-scale growth and reinvestment should be occurring in these areas as well" (page 66) and "...In some contexts, some higher-intensity residential uses may be mixed throughout" (page 148). *Blueprint Denver* also states that the growth area strategy includes "directing growth to key centers, corridors and high-density residential areas that align with transportation options." When applying residential "low" guidance to proposed rezonings, *Blueprint* states "a departure from the established zoning pattern may be appropriate if the intent is to set a new pattern for the area, as expressed by an adopted small area plan or significant neighborhood input", which the West Area Plan directly addresses for locations like this lot. Additionally, *Blueprint Denver* states the following:

Urban Edge Future Context:

- "Small, multi-unit residential... areas are typically embedded in 1-unit and 2-unit residential areas."
- "When a rezoning request is made to change the zoning to allow two-unit uses, the appropriateness of the request depends upon adopted small area plan guidance, neighborhood input, and existing zoning patterns." The adoption of the West Area Plan means this lot is an ideal fit for this rezone request, and we are in the process of obtaining neighborhood input by contacting all relevant Registered Neighborhood Organizations, as well as Council offices.

Low Residential Future Places Concept:

- "Predominantly single and 2-unit uses on smaller lots... Duplexes are appropriate and can be thoughtfully integrated where compatible."
- "Select sites may be appropriate locations to introduce additional residential intensity," citing corner lots specifically.

Comprehensive Plan 2040:

- According to Denver's Comprehensive Plan 2040's outline to make Denver equitable, affordable and inclusive, the 2nd goal "to build housing as a continuum to serve residents across a range of incomes, ages and needs," Strategy A outlines the need to "create a greater mix of housing options in every neighborhood for all individuals and families." This rezone directly correlates with this goal, by offering housing for multiple families near transportation and the nearby business corridor of Federal Boulevard and W Alameda.
- In this same section of the Comprehensive Plan, Goal 3 includes Strategy B, which states the opportunity to "use land use regulations to enable and encourage the private development of affordable, missing middle and mixed income housing, especially where close to transit." These duplexes would allow our client to develop additional missing middle housing near transit.
- Additionally, Goal 1 for Strong and Authentic Neighborhoods includes Strategy D, stating the need to "encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities."

According to the newly adopted West Area Plan, this area meets the following criteria:

- The Plan, under "Housing Options" policy L5, Strategy A states the recommendation that expanding "missing middle" housing in targeted locations should include the following: "Allow low-medium 'missing middle' housing (e.g., duplex, fourplex) on corner lots and/ or near transit, parks/open spaces, gulches, and schools." This requested rezone directly implements this guidance by offering additional missing middle housing options on a corner lot near transit and the nearby central business corridor along Federal Boulevard and West Alameda.

Uniformity with District Regulations:

- The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout all E-TU-C zone districts in the City.

Public Health Safety and General Welfare:

This lot's accessibility to local transportation corridors and its corner location makes it an ideal candidate for the zoning of E-TU-C. As such, the design of the buildings will consider the potential impact on local traffic patterns, public transportation and emergency services. A duplex on this lot would help diversify housing options and generate enough density to support transit and locally serving commercial amenities. As of April 2022, the median single family home listing price in Denver was \$680,000, while the median sale price for attached homes was \$440,000. This disparity in home pricing only highlights our local affordability issues, and lots like 2801 W Archer help a much wider swath of home buyers. Because of the increased need for missing middle housing in the city overall, and this area's newly adopted West Area Plan, this lot is an ideal candidate for the proposed zone district.

Justifying Circumstances:

In Section 12.4.10.8. A addressing rezones, the Zoning Code states that justifying circumstances includes that "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: ...b. A City adopted plan..." Based on the corner location and size of the lot, this is a prime candidate within the new West Area Plan guidance for missing middle expansion and preservation, and fits the criteria for targeted locations based on its accessibility to nearby transit. This falls under the rezoning applicability for Denver "because of changed or changing conditions in a particular area or in the city generally, to rezone an area to implement adopted plans, or to change the regulations and restrictions of an area as reasonably necessary to promote the public health, safety or general welfare."

Consistency with the applicable neighborhood context and stated intent and purpose of the proposed Zone District:

As this property is already zoned as Urban Edge, it complies with the neighborhood context's general character of "single and two-unit residential uses... located along local streets, arterials and main streets." The design of duplexes in this location complies with the proposed zoning's stated intent of "two units on a minimum zone lot area of 5,500 square feet," with a current lot size of 12,200 square feet. Additionally, the design will follow the general purpose of this zone district to maintain the "the standards of the two unit and row house districts to promote existing and future patterns of lower scale multi-unit building forms that typically address the street in the same manner as an urban house building form."

We believe that this lot is a great fit for the proposed rezone because of its location and proximity to various transportation corridors, the size and corner location of the existing lot, and the lot's consistency with the surrounding zone districts, and where diverse housing needs should be addressed to provide "missing



middle” housing options. By these metrics, we also believe it contributes to the public health, safety and general welfare of the city by providing additional housing choices. We intend to design the duplexes with respect to surrounding neighborhood context and forms in their architectural style. We will work in close collaboration with our clients to ensure that the proposed development aligns with the City’s regulations while enhancing the local community’s character and identity.

We completed an initial Pre-Application meeting with Valerie Herrera from the Community Planning and Development Department for the City of Denver on Wednesday June 15th, 2022. We met again with Rob Haigh from the Community Planning and Development Department for the City of Denver on April 18th, 2023 to renew our application following the adoption of the West Area Plan.

On April 27, 2023, we emailed the following RNO’s and City Council offices to notify them of our intent for rezoning:

1. Inter-Neighborhood Cooperation (INC)
2. Far East Center
3. Valverde Neighborhood Association
4. Southwest Vida
5. Strong Denver
6. Council District 7 - Jolon Clark
7. Council District at Large - Debbie Ortega + Robin Kneich

We are currently in the process of receiving their responses for the consideration of the requested Rezone.

Please feel free to reach out with any questions or additional documentation required. Thank you for your consideration.

Sincerely,

Sandra K. Thompson, AIA, NCARB
Zaga Design Group, Inc.
3630 W 32nd Ave #2
Denver, CO 80211
skt@zagadesigngroup.com

Schafer | Thomas, PC
4 Garden Center, Suite 200
Broomfield, CO 80020



QUIT CLAIM DEED

THIS DEED, Made this 5th day of August, 2010 between

HAROLD A. SCHAFFER, JR.

of the County of Broomfield and State of Colorado, grantor, and

2801 WEST ARCHER PLACE, LLC

whose legal address is 26 Garden Center, Broomfield, Colorado 80020, of the County of Broomfield and State of Colorado, grantee. See the "Statement of Authority" recorded contemporaneously with this deed for information required by Section 38-30-172(2) C.R.S.

WITNESSETH, That the grantor, for and in consideration of the sum of TEN DOLLARS (\$10) DOLLARS the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold, conveyed and QUIT CLAIMED, and by these presents does remise, release, sell, convey and QUIT CLAIM unto the grantee, heirs, successors and assigns, forever, the right, title, interest, claim and demand which the grantors have in and to the real property, together with improvements, if any, situate, lying and being in the County of Denver, and State of Colorado, described as follows:

Lots 43 - 46 both inclusive, Blk 6, First Addition to south
Denver, City and County of Denver, State of Colorado.

also known by street and number as: 2801 West Archer Place, Denver, Colorado 80219

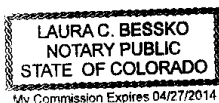
TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the grantor, either in law or equity, to the only proper use, benefit and behoof of the grantee, heirs and assigns forever.

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

HAROLD A. SCHAFFER, JR., Grantor

STATE OF COLORADO)
COUNTY OF Broomfield) ss.

The foregoing instrument was acknowledged before me this 5th day of August, 2010, by Harold A. Schaffer, Jr., whose address is 26 Garden Center, Broomfield, Colorado 80020.



My commission expires 4/27/14.

Notary Public

**RESOLUTION BY UNANIMOUS WRITTEN CONSENT
OF THE MEMBERS OF
2801 W ARCHER PLACE, LLC, A Colorado Limited Liability Company
IN LIEU OF A MEETING**

The undersigned, constituting all of the Members of said company (the "Company"), and pursuant to the laws of the State of Colorado and the Operating Agreement of said Company, do hereby resolve without a meeting by our unanimous written consent:

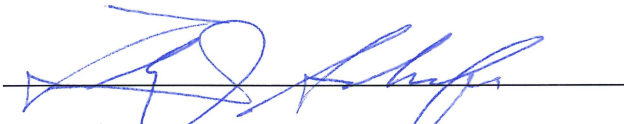
Whereas, membership of the Company is vested in the undersigned irrevocable trusts, and;

Whereas, Harold A. Schafer, who was the initial Manager, President, and all of the appointed officers of the Company, was deceased on May 23, 2020, and;

Whereas, the current Members of the Company by this Resolution hereby appoint the successor and current Manager and President to act for and on behalf of the Company.

RESOLVED, that Timothy J. Schafer, conducting business at 4 Garden Center, Ste 200, Broomfield, CO, is hereby appointed as Manager and President of the Company, effective January 1, 2023.

ACCEPTANCE OF APPOINTMENT:



The undersigned, being all of the Members of this Company, adopt these resolutions by their unanimous written consent upon their signatures below, or on one or more counterparts all of which taken together shall constitute the same document.

MEMBERS:

DATE: 1-1-2023

Schafer Family IRT Share f/b/o Kathryn Varnon dtd 1-1-21


By: Timothy J Schafer, CoTrustee

Schafer Family IRT Share f/b/o Mark G. Schafer dtd 1-1-21


By: Timothy J Schafer, CoTrustee

Schafer Family IRT Share f/b/o Kathryn Varnon dtd 1-1-21


By: Timothy J Schafer, CoTrustee

Schafer Family IRT Share f/b/o Mark G. Schafer dtd 1-1-21


By: Timothy J Schafer, CoTrustee



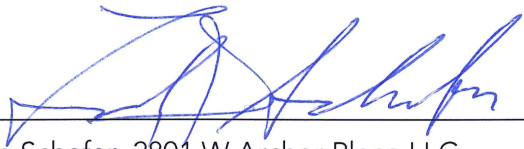
May 9, 2023

RE: Rezoning Application for 2801 W Archer Place

To Whom it May Concern-

We, 2801 W Archer Place LLC, the owners of the property located at 2801 W Archer Place in Denver, Colorado authorize Zaga Design Group to act as our agent for all submittals at the City and County of Denver.

Sincerely,



Tim Schafer, 2801 W Archer Place LLC
Manager & President

5-8-2023
Date



April 27, 2023

RE: Rezoning Application for 2801 W Archer Place

Attn: John Inzina - Strong Denver

To Whom it May Concern:

We are an architectural firm based out of Northwest Denver with a client at the address of 2801 W Archer Place. The property is currently a large vacant corner lot, as the residential structure formerly on the lot has already been razed. Our clients want to develop the property into two duplexes with detached garages and requests a zoning to allow up to 4 units. Current zoning would allow duplexes IF there was an existing structure. For this reason, we are proposing to change the zoning of this lot from E-SU-DX to E-TU-C. We initially completed a Pre-Application meeting with Valerie Herrera from the Community Planning and Development Department for the City of Denver on Wednesday June 15th, 2022, and a more recent meeting with Rob Haigh with the City of Denver on April 18th, 2023 following the newly adopted West Area Plan, and the city was favorable to our request. As part of our efforts to be a good neighbor, we wanted to notify you of our intent for the rezoning of this property. We believe that adding two duplexes to this property helps address the needs of the growing city of Denver to diversify housing choices. The duplexes would be consistent with the density on several surrounding lots, and the residences located around the neighboring West Bar Val Wood park. We hope you will agree and support our request.

Our proposal coincides with *Blueprint Denver: A Land Use and Transportation Plan (2019)*, where they reference future growth strategies, stating "certain future places are anticipated to take on more jobs and housing than others, but all areas of Denver are expected to evolve. A rezoning in an area planned for less growth may still be appropriate, as smaller-scale growth and reinvestment should be occurring in these areas as well" (page 66) and "...In some contexts, some higher-intensity residential uses may be mixed throughout" (page 148). *Blueprint Denver* also states that the growth area strategy includes "directing growth to key centers, corridors and high-density residential areas that align with transportation options." Additionally, *Blueprint Denver* states the following:

Future Context:

- "Small, multi-unit residential... areas are typically embedded in 1-unit and 2-unit residential areas"

Future Places Concept:

- "Predominantly single and 2-unit uses on smaller lots... Duplexes are appropriate and can be thoughtfully integrated where compatible."

Zaga Design Group • ☎ 303-437-8622
3630 W 32nd Ave #2
Denver, CO 80211



- "Select sites may be appropriate locations to introduce additional residential intensity," citing corner lots specifically.

According to the newly adopted West Area Plan, this area meets the following criteria:

- This location is noted as an Opportunity Area, indicating it is ideal for Missing Middle Expansion and Preservation
- The Plan, under "Housing Options" policy L5, Strategy A states the recommendation that expanding "missing middle" housing in targeted locations should include the following: "Allow low-medium 'missing middle' housing (e.g., duplex, fourplex) on corner lots and/ or near transit, parks/open spaces, gulches, and schools."

We believe that this lot is a great fit for the proposed rezone because of its location and proximity to various transportation corridors, the size and corner location of the existing lot, and the lot's consistency with the surrounding zone districts, and where diverse housing needs should be addressed to provide "missing middle" housing options. We intend to design the duplexes with respect to surrounding neighborhood context and forms in their architectural style.

We are in the process of reaching out to various Registered Neighborhood Organizations in the area, along with the neighbors immediately adjacent to the property. We have been asked to provide written support (email is acceptable) from the RNOs. We would value any letters to the city with support from you, and welcome any feedback you may have for us regarding this proposal.

Please use the following email for written support: anna@zagadesigngroup.com

The current property owners, Tim Schafer and Kathy Varnon, may also reach out to you for further discussion about this development.

Thank you for your time in reviewing our letter. We hope to hear from you soon!

Sincerely,

Sandra K. Thompson, AIA
Owner | Principal Architect
Zaga Design Group, Inc.