

**REZONING GUIDE**

Rezoning Application Page 1 of 4

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
☒ CHECK IF POINT OF CONTACT FOR APPLICATION		☐ CHECK IF POINT OF CONTACT FOR APPLICATION	
☐ CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		☐ CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Monique Maciel	Representative Name	
Address	22238 E 45th Place,	Address	
City, State, Zip	Aurora, CO, 80019	City, State, Zip	
Telephone	720.550.1212	Telephone	
Email	moniqueamaciell@gmail.com	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):	3701 W 9th Ave, Denver CO 80204		
Assessor's Parcel Numbers:	0506503005000		
Area in Acres or Square Feet:	6240		
Current Zone District(s):	E-SU-D1		
PROPOSAL			
Proposed Zone District:	E-RH-2.5		
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?	☒ Yes - State the contact name & meeting date <u>5.3.2023 - Chelsea Bennouna</u> ☐ No - Describe why not (in outreach attachment, see bottom of p. 3)		
Did you contact the City Council District Office regarding this application?	☒ Yes - if yes, state date and method <u>No Response</u> ☐ No - if no, describe why not (in outreach attachment, see bottom of p. 3)		

REZONING GUIDE

Re zoning Application Page 2 of 4

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

General Review Criteria DZC Sec. 12.4.10.7.A Check box to affirm and include sections in the review criteria narrative attachment	☒ Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide 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. 1. Denver Comprehensive Plan 2040 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. 2. Blueprint Denver 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>. 3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable): <u>Denver Comprehensive Plan 2040, Blueprint Denver and the West Area Plan</u>
General Review Criteria: DZC Sec. 12.4.10.7. B & C Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.	☒ Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts. ☒ Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City. 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.
Review Criteria for Non-Legislative Rezonings: DZC Sec. 12.4.10.8 For Justifying Circumstances, check box and include a section in the review criteria narrative attachment. For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.	Justifying Circumstances - One of the following circumstances exists: ☐ The existing zoning of the land was the result of an error; ☐ The existing zoning of the land was based on a mistake of fact; ☐ The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage; ☒ Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: a. Changed or changing conditions in a particular area, or in the city generally; or, b. A City adopted plan; or c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. ☐ It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code. 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. ☒ 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. 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.

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.

REZONING GUIDE

Rezoning Application Page 4 of 4

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
Monique Maciel	22238e 45th Place, Aurora CO 80019	100%	<i>Monique Maciel</i>	Owner	A	YES NO
						YES
						YES
						YES

1. Written Narrative..... Exhibit A
2. Community Outreach Documentation..... Exhibit B
3. Consistency with Adopted City Plans (DZC 12.4.10.7 (A,B & C))..... Exhibit C
4. Equity Brief..... Exhibit D
5. Proof of Ownership.....Exhibit E

Exhibit A – Written Narrative

I was born and raised in Denver, and I grew up in Westwood. The property discussed in this request was my grandmother's home. I visited frequently and spent a lot of time in Villa Park, Barnum and Westwood. When my grandmother passed none of our family's members took it upon themselves to take care of the home and the property became a location for transients. My uncle was living in the home with no running water or electricity until he was removed from the property due to health concerns. I was coming by to check on him and found the property abandoned and behind in taxes.

The property is in dire condition and the best option for both residents and the community is a complete overhaul of it. The request to the City and County of Denver to Rezone the current property from E-SU-D1 to E-RH-2.5 is in the best interest of the community. It will address the missing middle type housing and offer additional housing. The proposed change will maintain the neighborhood context and character while providing opportunity for growth.

This request follows the direction of all three plans that have been adopted by the city of Denver: The Comprehensive plan 2040, Blue Print Denver 2019 and the West Area Plan. This request is in the best interest of the Villa Park Neighborhood as it will provide additional housing in a neighborhood and city that is in high demand, while keeping its neighborhood context and character.

Exhibit B – Community Outreach

June 20th, 2023

Attn: ~~Benjamin Colman~~
~~3701 W 9th Ave, Denver, CO 80204~~

RE: 3701 W 9th Ave, Denver CO 80204 Rezoning Request

Dear Neighbor,

I am reaching out to you to inform you of my rezoning request to the City and County of Denver. I have requested the city to change the current zoning from E-SUD1 to E-Rh-2.5. Based on the current situation of the home and needed availability of middle type housing I believe this development will be of great value to the neighborhood. I grew up in Denver and this was my grandmother's home. The property is in dire need of demolition and needs to be rebuilt, I would like to provide additional housing for residents to build memories as I did as a child.

This request follows guidance provided by the Denver City Council approved measure in both the Comprehensive Plan 2040, Blueprint Denver, and the West Area Plan.

It is my hope that you will support the effort in this re-zone and this letter serves as notice of the plans to pursue this objective.

Regards,


Monique A Maciel
3701 W 9th Ave Denver, CO 80204

Other Community Outreach

City Council Outreach May 17th - I also sent an email to City Council and did not hear back.

RNO Outreach – I also sent an email to Jaime Aguilar- the Villa Park Neighborhood Contact @ Villaparkdenver@gmail.com and did not hear back.

★ Bookmarks New Tab Google Local Data Center... Weekly Customer... Box | Login Western Union ~... News | WULife United Wholesale... Personal Folder » Other Bookmarks

Subject: Rezoning 3701 W 9th Ave, Denver CO

? Monique Maciel <moniqueamaciell@gmail.com>
to villaparkdenver

Mon, Jun 12, 9:38 PM

You are viewing an attached message. Gmail can't verify the authenticity of attached messages.

①

Jaime Aguilar,

My grandmother lived in Villa park for all of her life and we grew up on 9th and Meade. Since her passing the house was abandoned and had not been taken care of by my uncles. I stepped in and brought up the house up to date in terms of taxes, however throughout the years the home has deteriorated and became inhabitable. Given I am from Denver, and spent most of my time in Westwood along with Villa Park I decided to take the property and begin the rezoning process to an Urban Edge development with row homes. I have begun the application process and wanted to reach out to local community organizations to communicate my plan for the home. The updated zoning will allow for that lot to provide future homes for other families to build memories. I would like to include the community and ensure I am inclusive. Thank you so much for your time and I look forward to hearing from you.



Monique A Maciel

Exhibit C – Description of Consistency with Adopted City Plans
(DZC 12.4.10.7 (A,B & C))

General Review Criteria DZC Sec. 12.4.10.7.A

This proposed zoning request amendment is consistent with the Denver Comprehensive Plan 2040, Blueprint Denver (2019) and the recently adopted West Area Plan (2023).

1. Denver Comprehensive Plan 2040

The rezoning request is consistent with many of the adopted Denver Comprehensive Plan 2040 strategies including the: Equitable, Affordable and Inclusion, Strong and Authentic Neighborhoods, and the Environmentally Resilient visions element.

The proposed rezoning request would allow for additional housing within an established neighborhood and would be consistent with the strategies in the Equitable, Affordable, and inclusion vision element.

Goal 1 strategy A- Increase development of housing units close to transit and mixed-use developments.

Goal 2, strategy A - Create a greater mix of housing options in every neighborhood for all individuals and families (p. 29).

Goal 2, strategy B - Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options (p.29).

The proposed Rezoning would also be consistent with the strategy in the Strong and Authentic Neighborhoods.

Goal 1, Strategy B - Strong and Authentic Neighborhoods Goal 1, Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 35).

Goal 1, Strategy C Ensure neighborhoods are safe, accessible and well-connected for all modes (p.34).

Goal 1, Strategy D. Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities (p. 34).

Goal 8, Strategy C. Ensure neighborhood plan recommendations are consistent with the local vision and with the 2040 comprehensive plan (p. 34).

This rezoning application also suits the Environmentally Resilient section of the plan.

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

Goal 8, Strategy B. Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54).

2. Denver Blueprint 2019

Blueprint Denver 2019 was added as a supplement to the Comprehensive Plan 2040, and it provides the foundation for citywide policies and recommendations related to land use, transportation, design and growth (p.4)

Blueprint Denver is organized by neighborhood contexts, and it is used to help understand characteristics of each neighborhood and sets a context-based approach to set guidelines for character compatible development (P. 69).

Blueprint Denver Future Neighborhood Context

In Blueprint Denver it describes the Urban edge context as follows “The urban edge context contains many single- and two-unit residential areas. Commercial and mixed-use development tends to be found along the main corridors bordering traditional residential areas, with some larger center development. (p.104) The land use and built form is also described as “Residential areas generally are single-unit and two unit uses, with some low-scale multi-unit embedded throughout. Commercial nodes are generally found along key corridors or at intersections. Block patterns are generally a mix of suburban and urban elements—streets may be rectangular or curved and alleys are sometimes present. Multi-unit buildings and commercial nodes are generally low scale.”

A Zoning of E-RH-2.5 is consistent with Blueprint Denver’s future neighborhood context of Urban Edge because it will promote the residential character of the neighborhood by allowing a low scale multi-unit residential building that will match the existing character of the neighborhood.

Blueprint Denver Future Places – Low Medium Residential

A Mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed-use along arterial and collector streets and at some intersections. Vacant institutional uses on corners or select sites may be appropriate locations to introduce additional residential intensity. Buildings are generally 3 stories or less in height. When occurring, single- and two-unit residential uses are typically in the urban house form (pg. 217), given the request is for a E-RH-2.5 it is consistent with the adopted plans.

Blueprint Growth Strategy

The growth strategy map is version of the future places map. It shows the aspiration for distributing future growth in Denver. The subject property is within the “All other areas of the city” section and is anticipated to have approximately ten percent of new employment growth and approximately twenty percent of new housing growth (p.51). This growth area contains “mostly residential areas with embedded local centers and corridors (that) take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed E-RH-2.5 is appropriate in this growth area as it will minimally contribute to development intensity in the neighborhood while maintaining the area’s residential character. Thus, the proposed rezoning is consistent with the Blueprint Denver growth strategy.

Additional Applicable Strategies

Land Use and Built Form – Housing Goal 2- Diversify housing options by exploring opportunities to integrate missing middle housing into low and low/medium residential areas (p. 82). The “missing middle” refers to housing types that fall between high-density and single-unit houses, including duplexes, fourplexes, row homes, townhomes and cottage housing (p.82)

Land Use and Built Form – Housing Goal 2- Integrate missing middle housing into low and low-medium residential areas, especially those that score low in Housing Diversity. Allowing 2- to 4-unit structures, tandem houses, and/or smaller minimum lot sizes in locations where slightly higher density may be appropriate.

The proposed rezoning request will be consistent with the current neighborhood character and feel. It will also offer additional housing in the middle housing option for residents. The request is consistent with Blueprint Denver and its recommendations.

3. West Neighborhood Planning Initiative – West Area Plan

The West Area Plan is the small area plan for the neighborhoods of West Colfax, Villa Park, Sun Valley, Barnum, Barnum West, and Valverde. Throughout the plan the area within the six neighborhoods of the West Area Plan boundaries is also commonly referred as the West Area or West. The plan provides a vision and policy guidance for land use, urban design, housing, mobility, parks, the local economy, and many other topics for the next 20 years (p.2).

The zoning change also offers consistency in the quality-of-life recommendation for the West Area Plan.

Parks, Trails, and Open Space – Q12 Access to Parks, Open Spaces, and Facilities Increase and improve accessibility to existing community parks, open spaces, and recreational facilities for all users. Living within walking, rolling, or biking distance of outdoor recreational opportunities can positively impact overall health outcomes by encouraging physical activity, time in nature, and providing places to interact with members of the community (p.52).

The proposed rezoning will offer additional housing units' access to the local Joseph P Martinez Park and the Lakewood Dry Gulch Park as it falls within an 8 min walk from the subject property.

Environmental Resiliency – Q4 - Continue to prioritize areas of West to convert. water-intensive turf grass to adaptive, drought tolerant landscapes that reduce water use, provide increased wildlife habitat, increase shade, and educational opportunities (p.63). The rezoning of the subject property will reduce the overall grass footprint that currently sits on the lot requiring much less water than today.

Mobility M1-A– Currently the subject property does not offer a sidewalk that is pedestrian friendly given that the property was built long ago and has never had a public sidewalk available. Thus, the request for rezoning suits with the West Area Plan Goal **M1- Sidewalks** (p.130) as 8th Ave is a priority location and is where the subject property is located.

The subject property is within the Urban Edge Neighborhood contexts and is primarily a single- and two-unit residential context with some embedded small scale, multi-unit development. Most blocks have alleys, and most sidewalks are attached to the curb (p.168).

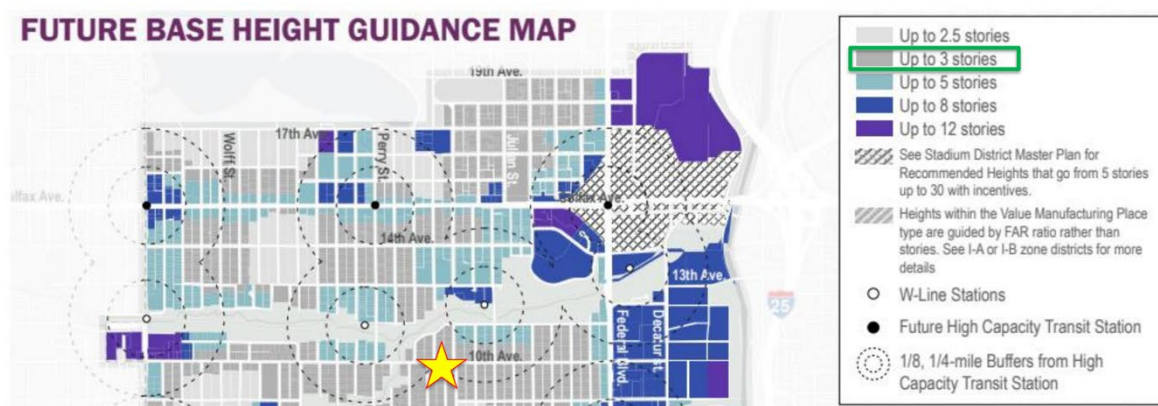
The proposed rezoning to E-RH-2.5 is also consistent with the land use and built form category in the West Area Plan.

Housing Options/Design & Landmark Preservation L5-A Small Scale Multi-Unit Housing options Expand “missing middle” housing in targeted locations. The following should be considered:
1. allow low-medium “missing middle” housing (e.g., duplex, fourplex) on corner lots and/ or near transit, parks/open spaces, gulches, and schools). (p.190). “Missing middle” housing refers

to homes such as duplexes, triplexes, rowhomes, and similar neighborhood housing options that fall “in the middle” between single unit and small multi-unit apartment buildings.” (p.191).

Providing diversified housing options can help accommodate households of varying income levels and lifestyles. In West, single-unit homes are the predominate use in low residential areas, and other types of housing options are limited. Residents expressed a desire to see diverse housing options permitted in their neighborhood and would like to see these housing options provided in targeted locations (i.e., near parks and schools) in a manner that respects existing neighborhood contexts. (p. 190). The rezoning of this property will allow for more diverse use housing since it will offer the missing middle housing.

Review Criteria: Consistency with Adopted Plans



Housing Options/Design & Landmark Preservation – L7 - Neighborhood-Compatible and Accessible Housing

New construction in residential areas can sometimes be misaligned with neighborhood context due to the greater mass and scale of new buildings in contrast to older buildings. Modifying zoning requirements such as setbacks, building coverage, and building height can help ensure new buildings and additions make good neighbors and fit in with the established context and scale of the surrounding neighborhood. Incorporating universal design principles and visit ability standards into the Denver Zoning Code could help to ensure that all forms of housing are accessible to all residents (P.193). The proposed rezoning would ensure that the property is in line with the current character of the neighborhood and is consistent with the future plans of the area.

Review Criteria: Consistency with Adopted Plans

RECOMMENDATIONS

HOUSING OPTIONS/DESIGN & LANDMARK PRESERVATION

L7

POLICY

Neighborhood-Compatible and Accessible Housing

Work with neighborhoods within low and low medium residential areas composed primarily of single-unit, duplex, and row house structures to ensure that zoning tools help new construction fit into the neighborhood and meet the needs of all residents.

BACKGROUND

New construction in residential areas can sometimes be misaligned with neighborhood context due to the greater mass and scale of new buildings in contrast to older buildings. Modifying zoning requirements such as setbacks, building coverage, and building height can help ensure new buildings and additions make good neighbors and fit in with the established context and scale of the surrounding neighborhood. Incorporating universal design principles and visitability standards into the Denver Zoning Code could help to ensure that all forms of housing are accessible to all residents, regardless of whether or not they have a disability.

- D. To fully realize the vision for Residential Low-Medium areas, create new 3 story residential zone districts for the Urban and Urban Edge contexts.
1. The new districts should address how to properly incorporate low to mid-scale multi-unit residential building forms alongside single-unit and two-unit building forms.
 2. Until such time that the new 3 story districts are created, 2.5 story zoning is appropriate in low-medium residential places.

The rezoning to E-RH-2.5 is also consistent with the Economy and Housing Section of the West Area Plan.

Economy and Housing – E2 - Affordable housing Diversity

Economy and Housing – E3 – Overall Housing Diversity

RECOMMENDATIONS

HOUSING AFFORDABILITY

E2

POLICY

Affordable Housing Diversity

Explore strategies so affordable housing is available everywhere by implementing approaches that promote a diversity of affordable housing options within all neighborhoods and new development.

E3

POLICY

Overall Housing Diversity

Expand diversity of housing types and affordability to support households of different sizes, ages, and incomes in all neighborhoods.

The proposed rezoning would also meet this request as it would add in the missing middle housing that is often referred to in the West Area Plan.

The request also meets **strategy E3 – B.** “Integrate accessory dwelling units (ADUs) and missing middle housing (See Policy “L5” in locations with strategies that promote affordability and wealth-building for low- and moderate-income residents P.217).

General Review Criteria: DZC Sec. 12.4.10.7. B & C Uniformity of District Regulations and Restrictions:

The requested rezoning of the subject property results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same designation on the official map, but the regulations in one district may differ from those in other districts.

Development of the property will result in uniformity of E-RH-2.5 district regulations and restrictions.

Requested Zone District – E-RH-2.5

Urban Edge (E-) Neighborhood Context Zone Districts		Building Forms											
		Suburban House	Urban House	Duplex	Tandem House	Row House	Garden Court	Town House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Shopfront
Max Number of Primary Structures Per Zone Lot		1*	1*	1*	2	No Maximum							
RESIDENTIAL ZONE DISTRICTS													
Single Unit (SU)	E-SU-A, -B, -D		■		●								
	E-SU-B1, -D1		■		●								
	E-SU-Dx, -G	■	■		●								
	E-SU-D1x, -G1	■	■		●								
Two Unit (TU)	E-TU-B, -C		■	■	■								
Row House (RH)	E-RH-2.5	■	■	■	■	■							
Multi Unit (MU)	E-MU-2.5	■	■	■	■		■	■	■				
COMMERCIAL MIXED USE ZONE DISTRICTS													
Residential Mixed Use (RX)	E-RX-3, -5							■					■
Commercial Corridor (CC)	E-CC-3, -3x									□	□	■	
Mixed Use (MX)	E-MX-2x							■				■	■
	E-MX-2, -2A, 3, 3A							■		□	□	■	■
Main Street (MS)	E-MS-2x							■					■
	E-MS-2, -3, -5							■		□	□		■

■ = Allowed □ = Allowed subject to geographic limitations

● = Tandem House building form allowed subject to exception stated in Section 1.2.3.5.B

*See Section 1.2.3.5 for exceptions

2

In current E-SU-D1 Zone District:

E-SU-D1 is a single unit district allowing only urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet.

Urban Edge (E-) Neighborhood Context Zone Districts		Max Number of Detached Accessory Structures per Zone Lot	Building Forms			
			Detached Accessory Dwelling Unit	Detached Garage	Other Detached Accessory Structures	Detached Accessory Structures
Single Unit (SU)	E-SU-A, -B, -D, -G	no max*		■	■	
	E-SU-B1, -D1, -G1	no max*	■	■	■	
	E-SU-Dx	no max*		■	■	
	E-SU-D1x	no max*	■	■	■	
Two Unit (TU)	E-TU-B, -C	no max*	■	■	■	
Row House (RH)	E-RH-2.5	no max*	■	■	■	
Multi Unit (MU)	E-MU-2.5	no max*	■	■	■	
Residential Mixed Use (RX)	E-RX-3, -5	no max*				■
Commercial Corridor (CC)	E-CC-3, -3x	no max				■
Mixed Use (MX)	E-MX-2x	no max				■
	E-MX-2, -2A, 3, 3A	no max				■
Main Street (MS)	E-MS-2x	no max				■
	E-MS-2, -3, -5	no max				■

■ = Allowed □ = Allowed subject to limitations *One per dwelling unit for structures with vehicle access doors, See Section 1.2.3.5

In requested E-RH-2.5 Zone District:

E-RH-2.5 is a multi-unit district and allows suburban house, urban house, detached accessory dwelling unit, duplex, tandem house and row house building forms up to two and a half stories in height.

REVIEW CRITERION DZC 12.4.10.7.C. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety and general welfare of the city. The adoption of this map amendment will further the public health, safety and general welfare of the city by bringing the property in line with current building codes and guidelines the city has laid out in Comprehensive Plan 2040, Blueprint Denver and the West Area Plan. It also addresses many of the needs within the area and fills in the middle housing void.

Justifying Circumstances Since the date of the approval of the existing Zone District

Since the date of the approval of the existing Zone District there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:

a) Changed or changing conditions in a particular area, or in the city generally; or,

b) A City adopted plan; or,

c) That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

In this instance the request to rezone the subject property suits best with option b. Denver has adopted three city plans which are justifying circumstances for the requested change. 1. The Denver Comprehensive Plan 2040, 2. Blueprint Denver 2019 and 3. The West Area Plan 2023.

The subject property is located at 3701 W 9th Ave and we are requesting to change the current E-SU-D1 zoning to E-Rh-2.5 which is consistent with all three of the city's plans. This home is in the Villa Park Neighborhood and is located within ½ of a mile of the Knox Street Light rail Station. These Light rail stations that have been installed throughout the neighborhood have created a change in the area and thus requires a rezone to update the subject property to support the needs of the surrounding infrastructure and address the missing middle housing gaps.

An update to the E-RH-2.5 zoning will allow for increased density housing while providing access to local parks and access to the multimodal transportation goals for this area. This will provide residents more access to resources and opportunities given the convenient access to the transportation options. The approval of this request will help stimulate growth while maintaining the character of the neighborhood.

REVIEW CRITERION DZC 12.4.10.8.B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements.

The request of E-Rh-2.5 is Consistent with Neighborhood Context, Zone District Purpose and Intent of the neighborhood. The general character of the neighborhood is characterized by mixed elements from both Urban and Suburban Neighborhood contexts. The Urban Edge context is primarily made of single unit and two-unit residential uses. There are small scale multi-unit residential uses and those are primarily Row Houses, Town houses or Garden court embedded with other residential uses.

Section 4.2.2.1 Defines the general purpose as follows:

The intent of the residential district in the Urban Edge context is to promote and protect the character of the residential neighborhood. These regulations allow for some multi-unit districts, but not to the extent that it detracts from the overall neighborhood context and image.

The building form standards, design standards and uses work together to promote the desirable residential areas. The standards of the two unit and row houses districts promote existing and future patterns of lower scale multi-unit building that address the street in the same manner as an urban house building form. These regulations are intended to reinforce the desired development patterns in the existing neighborhood context while accommodating reinvestment.

The proposed development will tie in with the neighborhood context and character. The proposed change to E-RH-2.5 will follow setback, location, and general character guidelines. Blueprint Denver, Denver Comprehensive Plan 2040 and the West Area Plan make plans for infill development in the Villa Park Neighborhood. This rezoning will also address the missing middle use housing. Thus, the proposed rezoning to E-RH-2.5 zoning designation is in line with both of all of these and the proposed map amendment is consistent with neighborhood context, and stated purpose of intents.

Review Criteria: Consistency with Neighborhood Context, Zone District Purpose and Intent Statement

DIVISION 4.1 NEIGHBORHOOD CONTEXT DESCRIPTION



SECTION 4.1.1 GENERAL CHARACTER
The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. The Urban Edge Neighborhood Context is primarily single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial uses are typically embedded in residential areas. Single-unit residential structures are typically the Urban House and Suburban House building forms. Multi-unit building forms are typically the Row House, Garden Court, Town House or Apartment building forms embedded with other residential uses. Commercial buildings are typically the Shopfront and General building forms that typically contain a single type of use. Single and two-unit residential uses are generally located along local and residential arterial streets. Multi-unit residential and commercial uses are located along local streets, arterials, and main streets.

SECTION 4.1.2 STREET, BLOCK AND ACCESS PATTERNS
The Urban Edge Neighborhood Context consists of a regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid. Orthogonal streets provide connection and a mixed presence of alleys. Block ends and shapes are consistent and include attached, detached and row-oriented sidewalks, frontways where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback.

SECTION 4.1.3 BUILDING PLACEMENT AND LOCATION
Single, two-unit and multi-unit residential buildings typically have consistent moderate to deep front setbacks. Building orientation along a block face may be inconsistent or consistent. Commercial buildings typically have consistent orientation and front setbacks deep enough to allow for a mix of landscaping and some parking.

SECTION 4.1.4 BUILDING HEIGHT
The Urban Edge Neighborhood Context is characterized by low scale buildings except for some mid-rise commercial and mixed-use structures, particularly at nodes or along arterial streets.

SECTION 4.1.5 MOBILITY
There is reliance on the automobile with some pedestrian and bicycle activity and low to medium level of access.

SECTION 4.2.2 RESIDENTIAL DISTRICTS (E-SU-A, -B, -B1, -D, -DX, -D1, -D1x, -G, -G1, E-TU-B, -C, E-RH-2.5, E-MU-2.5)

4.2.2.1 General Purpose

- A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.
 - B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the varied pattern of suburban and urban house forms. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the two unit and row house districts 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.
 - C. These standards recognize common residential characteristics within the Urban Edge Neighborhood Context but accommodate variation by providing eight Residential Zone Districts.
 - D. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment.
- L. Row House 2.5 (E-RH-2.5)**
E-RH-2.5 is a multi unit district and allows suburban house, urban house, detached accessory dwelling unit, duplex, tandem house and row house building forms up to two and a half stories in height.

Exhibit D – Equity Brief

Overview

What is equity?

Equity is when everyone, regardless of who they are or where they come from, has the opportunity to thrive. Where there is equity, a person's identity does not determine their outcome. The city's vision is for every resident to live in a complete neighborhood with access to jobs, amenities and services so that all Denverites – regardless of their race, ability, income, age, gender, etc. – can thrive.

New development projects can impact equity for an area through factors such as access to open space, access to and the mix of jobs, and housing choices. Each rezoning and/or Large Development Review (LDR) proposal provides an opportunity to understand how one project can improve, or at least not increase, existing inequities.

How do we measure equity?

Equity is measured using three concepts from Blueprint Denver: Access to Opportunity; Vulnerability to Displacement; and Housing and Jobs Diversity. Each equity concept is measured using multiple metrics. For example, Access to Opportunity measures several indicators that reflect the city's goal for all neighborhoods to have equitable access to a high quality of life, including access to transit, fresh food, and open space.

How to read equity scores

Each equity concept is given a scoring metric from most equitable to least equitable. Below is an interpretation of the scoring metrics:

Access to Opportunity - measures an area's access to opportunity through Social Determinants of Health (percent of population who are high school graduates and percent of families below the poverty line), Built Environment (access to fresh food and open space), Access to Healthcare, Child Obesity, Life Expectancy, Access to Transit, and Access to Centers and Corridors



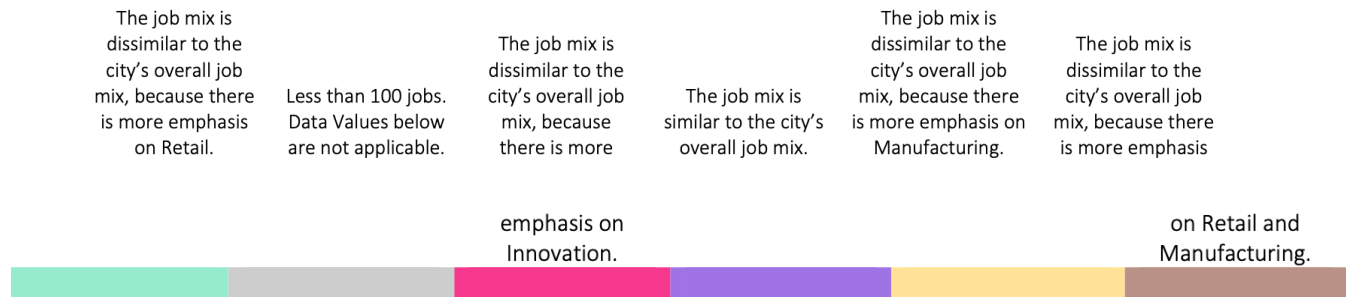
Vulnerability to Displacement – measures and area's vulnerability to displacement through Educational Attainment, Rental Occupancy, and Median Household Income



Housing Diversity – measures the diversity of housing stock for an area compared to the city. This includes Missing Middle Housing, Diversity of Bedroom Count Per Unit, Ratio of Owners to Renters, Housing Costs, and Income Restricted Units



Job Diversity – measures two key factors related to the availability and variety of employment options: (1) Jobs density: the amount of jobs in different parts of the city, depicted by the intensity of color and measures as jobs per acre; and (2) Jobs diversity: The mix of jobs in different parts of the city. The mix of jobs is depicted by different colors:



Why do we measure equity?

Identifying issues of inequity in a specific area helps identify opportunities for new development to reduce those inequities. By specifically addressing the low-scoring metrics, we can improve the equity for the community around the site and throughout the entire city. Below is an equity analysis specific to this site. It highlights lower scores. Staff has provided potential considerations for improving the identified inequities. Please note that these are suggested examples and applicant is expected to provide a broader set of solutions through the Equity Menu provided as an attachment to this document.

Site Equity Analysis

The Equity Analysis below includes 1) equity considerations for the site from adopted plans; 2) scores for specific *Blueprint Denver* equity measures; and 3) initial recommendations for the applicant to consider at the time of development review. This list is not meant to be an exclusive or exhaustive list, and coordination of agreed-upon equity improvements will be an iterative process between the applicant team and the city. Staff has carefully considered and

identified equity concerns specific to the site. The planning and equity context for the 3701 W 9th Ave is summarized below.

ACCESS TO OPPORTUNITY - Creating more equitable access to quality-of-life amenities, health and education.

This report is for parcel: 0506503005000

The site area's average score is: 3.444444

The site area's lowest scores in the following categories: Access to Fresh Foods

These specific metrics are defined below, along with considerations that align with the goals of Blueprint Denver. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

Built Environment3

Social Determinants of Health	Access to Parks	Access to Fresh Food	Access to Healthcare	Child Obesity	Life Expectancy	Access to Transit	Access to Centers and Corridors
Score2	5	1	3	2	3	5	4.333333
Less Equitable	Most Equitable	Least Equitable	Somewhat Equitable	Less Equitable	Somewhat Equitable	Most Access to Transit	More Access to Centers and Corridors

Metric	Score	Description	Examples of Considerations for Improvement
Social Determinants of Health	2 Less Equitable	Measured by a) % of high school graduates or the equivalent for those 25 years of age or older and b) percent of families below 9.02% of the Federal Poverty Line.	Commit to incorporate affordable childcare uses into future on-site development
Access to Parks	5 Most Equitable	Measured by % of living units within .5 miles walk to a park or an open space 99.59% of households live within .5 mile walk of a park.	Commit to provide publicly accessible open space above and beyond the 10% requirement for sites 5+ acres (higher quantity)
Access to Fresh Food	1 Least Equitable	Measured by % of living units within .5 miles walk to a full service grocery store. 0% of households live within .5 walk of a full service grocery store.	Commit to provide fresh food uses on-site such as: community garden, local market, produce boxes or full-service grocery
Access to Healthcare	3 Somewhat Equitable	Access to Health Services - such as clinics, prenatal services, and more. 95.113438% of women received prenatal care during pregnancy.	Conduct a healthcare site gap/market analysis to determine whether future partnership with a regional care facility, satellite offices or urgent care facilities might be appropriate
Child Obesity	2 Less Equitable	Child Obesity measure % of children in the area that are overweight/obese. 0% of children and youth are obese.	Commit to provide additional publicly accessible open space and/or open space features friendly to children such as playgrounds
Life Expectancy	3 Somewhat Equitable	Life expectancy (in years): 78.5	
Access to Transit	5 Most Access to Transit		Commit to provide subsidized Eco passes Commit to an off-site improvement that addresses pedestrian or bicycle connectivity
Access to Centers and Corridors	4.333333 More Access to Centers and Corridors		Commit to mixed-use development on-site with a focus on commercial, retail and community uses that are needed in the area

REDUCING VULNERABILITY TO DISPLACEMENT - Stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

For Vulnerability to Involuntary Displacement, the area's score is 2 out of 3.

This means that the area is considered Vulnerable to Displacement.

Specific metrics are defined below, along with considerations that align with the goals of Blueprint Denver. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

	Educational Attainment	Rental Occupancy	Median Household Income
Score	1	0	1
	Vulnerable	Not Vulnerable	Vulnerable

Metric	Score	Description	Examples of Considerations for Improvement
Educational Attainment	1 Vulnerable	25-year olds and older without a college degree: 65% Citywide Average: 47.5%	Commit to provide on-site income-restricted units for the most vulnerable populations (below 30% AMI, veterans, disabled etc.) with associated service providers (Family Tree or similar) Commit to provide on-site job training or education for neighborhood residents Commit to dedicate land to the city for affordable housing
Rental Occupancy	0 Not Vulnerable	Percent Renter-occupied: 35.4% Citywide Average: 50.43%	Commit to provide on-site income restricted ownership units with a preference for those units to people who already live or recently lived in the neighborhood Commit to targeted outreach for on-site jobs
Median Household Income	1 Vulnerable	\$65,227 Citywide: \$78,177	Commit to provide on-site job training or education for neighborhood residents Commit to incorporating access to affordable childcare options on-site

EXPANDING HOUSING DIVERSITY - providing a better and more inclusive range of housing in all neighborhoods.

For Housing Diversity, this area's score is 1 out of 5.

The following areas scored the lowest: Missing Middle Housing, Owners to Renters, Housing Costs, Income Restricted Units

Specific metrics are defined below, along with considerations that align with the goals of Blueprint Denver. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

	Missing Middle	Diversity of Bedroom Count Per Unit	Owners to Renters	Housing Costs	Income Restricted Units
Score	0	1	0	0	0
	Not Diverse	Diverse	Not Diverse	Not Diverse	Not Diverse

Metric	Score	Description	Examples of Considerations for Improvement
Missing Middle	0 Not Diverse	Percent Housing with 2-19 units: 6.245408% Citywide: 19% If an area had over 20% middle density housing units, it was considered "diverse", if it was less than 20% middle density it was considered "not diverse."	Commit to provide missing housing typologies on-site (2-19 unit formats), affordable to households between 80-120% AMI
Diversity of Bedroom Count Per Unit	1 Diverse	Ratio: 1.1776 Mix Type: Mixed Measured by comparing the number of housing units with 0-2 bedrooms to the number of units with 3 or more bedrooms	Commit to provide units with 3 or more bedrooms on-site, especially for income-restricted units
Owners to Renters	0 Not Diverse	Owned: 64.626866% Rented: 35.373134% Denver Owners: 49.58% Denver Renters: 50.42%	Commit to provide income-restricted units that are ownership or rental depending on identified need
Housing Costs	0 Not Diverse	Mix Type: High The ratio of (a) housing units affordable to households earning up to 80% if the city's median income to (b) housing units affordable to households earning over 120% of the city's median income.	Commit to alternative options to reduce housing costs, such as participation in a community land trust
Income Restricted Units	0 Not Diverse	Income Restricted Units: 0 Citywide Average Income Restricted Units: 146 per Census Tract	Commit to provide income-restricted units on-site which will fill in the AMI levels not being met in the census tract

EXPANDING JOB DIVERSITY - providing a better and more inclusive range of employment options in all neighborhoods.

Less than 100 jobs. Data Values below are not applicable.

Specific metrics are defined below, along with considerations that align with the goals of Blueprint Denver. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

Score	Retail	Innovation	Manufacturing
	100%	0%	0%
	Citywide Average: 56.7%	Citywide Average: 35%	Citywide Average: 10%

Metric	Score	Description	Examples of Considerations for Improvement
Total Jobs	7 Jobs	Total Jobs per Acre: 0.103957	Commit to provide on-site jobs, ideally with targeted outreach to specific communities
Retail	7 Jobs 100%	is greater than the citywide Retail average of 52.7% Retail Jobs per Acre:	Commit to provide below-market commercial space for small businesses, nonprofits, incubator space, cultural uses or community-serving enterprises
Innovation	0 Jobs 0%	is less than the citywide Innovation average of 37.3% Innovation Jobs per Acre:	Commit to provide on-site jobs of a certain type to help balance mix of jobs in the area
Manufacturing	0 Jobs 0%	is less than the citywide Manufacturing average of 10% Manufacturing Jobs per Acre:	Create or contribute to a mentoring program at a local high school Fund a secondary education program (grants to online education or technical school for local residents and/or on-site employees)

Next Steps

The West area is part of a dynamic system of components that are forever evolving. *Blueprint Denver* establishes a framework for equitable planning across Denver. By incorporating equity into planning, neighborhoods such as those in West can achieve Blueprint Denver's vision of creating dynamic, inclusive, and complete neighborhoods.

Actions

- In response to the equity analysis provided by staff above, applicant will need to address the identified equity gaps by completing the Equity Response. The Equity Response follows below.**
- The applicant may refer to the Equity Menu, also below, for ideas about how to respond to equity gaps identified for this site.**

EQUITY RESPONSE:

Please provide a response that details how the proposed zoned district will either advance Blueprint Denver's equity concepts or, at a minimum, prevent further inequitable scores in the immediate and surrounding area. For suggestions, refer to the attached menu of strategies document.

ACCESS TO OPPORTUNITY - Creating more equitable access to quality-of-life amenities, health, and education.

Response from Applicant

Social Determinants of Health - The proposed rezoning will provide more housing on the lot and will offer enough rooms for families and with proximity to the park.

Access to Parks - The rezoning of this property will add additional middle housing with proximity to Jose P Martinez Park and the Lakewood/Dry Gulch Park.

Access to Fresh Food- Cannot address due to residential zoning limitations.

Access to Healthcare- Cannot address due to residential zoning limitations.

Child Obesity- proposed location is within close proximity to the park it should help promote outdoor activities for children and adults to ensure movement and help fight obesity as the proposed building structure will include enough room for families.

Life Expectancy – N/A

Access to Transit – the proposed zoning change is within proximity to the Knox station, adding row homes will allow more residents access to the station.

Access to Centers and corridors – There is currently no sidewalk and pedestrians are required to go through the grassy areas, development will lead to updated pathways.

REDUCING VULNERABILITY TO DISPLACEMENT – Stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

Response from Applicant

Educational Attainment – Cowell Elementary School is 0.7 Miles from the property. Barnum recreation center is 1M away. The proposed E-RH-2 will allow access to more family's vs a single-family home.

Rental Occupancy – Applicant is considering both rental and sale options.

Median Household Income - Applicants will do their best to hire neighborhood contractors and workers.

EXPANDING HOUSING DIVERSITY - providing a better and more inclusive range of housing in all neighborhoods.

Response from Applicant

Missing Middle Housing – The proposed zoning will be adding in the middle missing housing. The addition of the E-RH-2 Homes will allow for more families to move into the neighborhood promoting growth while keeping the neighborhood context and character.

Diversity of Bedroom Count Per Unit - The proposed zoning will include at least three bedrooms per unit.

Owners to Renters - Applicant will strongly consider a mix of rental and ownership opportunities.

Income Restricted Units - Will consider income units.

EXPANDING JOB DIVERSITY - providing a better and more inclusive range of employment options in all neighborhoods.

Response from Applicant

N/A

Exhibit E – Proof of Ownership



2022099230
Page: 1 of 1
D \$0.00

When Recorded, Mail to:
Krista Beauchamp, Esq.
Law Office of Alexandra White, P.C.
12625 E. Euclid Dr.
Centennial, CO 80111

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, dated JULY 26th, 2022, is made between Catherine Maciel, Personal Representative of the Estate of Rose Mary Salas, as the "Grantor" (who was appointed on October 8, 2021) and Monique Maciel, having a legal address of 22238 E. 45th Ave., Aurora CO 80019, as the "Grantee."

WITNESS, that the Grantor, for and in consideration of the sum of ten dollars and zero cents, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell, and quitclaim unto Grantee and the Grantee's heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with improvements, if any, situate, lying and being in the County of Denver, State of Colorado, described as follows:

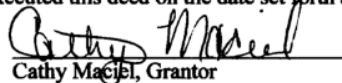
Lots 33 and 34, Block 3,
WINDSOR,
According to the recorded Plat thereof,
City and County of Denver,
State of Colorado.

With an address of: 3701 W. 9th Ave., Denver, CO 80204

FAMILY TRANSFER- NOT A SALE

TO HAVE AND TO HOLD the same, together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, 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 unto the Grantees, their heirs and assigns forever.

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


Cathy Maciel, Grantor

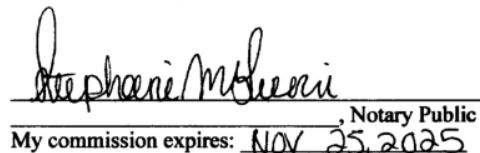
STATE OF COLORADO)

COUNTY OF Denver) ss.

The foregoing instrument was acknowledged before me on July 26, 2022, by Cathy Maciel, as Personal Representative of the Estate of Rose Mary Salas, as Grantor.

Witness my hand and official seal.

STEPHANIE M GUERIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134071881
MY COMMISSION EXPIRES NOVEMBER 25, 2025


Notary Public
My commission expires: NOV 25, 2025

3701 W 9TH AVE

Owner MACIEL, MONIQUE
22238 E 45TH PL
AURORA, CO 80019-3623

Schedule Number 05065-03-005-000

Legal Description L 33 & 34 BLK 3 WINDSOR

Property Type SFR Grade D or E

Tax District DENVER

Chain Of Title Records

Reception Number 2022099230

Reception Date 7/26/2022

Instrument PR

Sale Date 7/26/2022

Sale Price \$10

Grantor SALAS, ROSE

Grantee MACIEL, MONIQUE

Reception Number 2022116919

Reception Date 9/6/2022

Instrument DC

Sale Date 1/9/2000

Sale Price \$0