



TO: Denver City Council, Land Use, Transportation and Infrastructure Committee
FROM: Theresa Lucero, Senior City Planner
DATE: August 15, 2019
RE: Official Zoning Map Amendment Application #2018I-00143

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2018I-00143.

Request for Rezoning

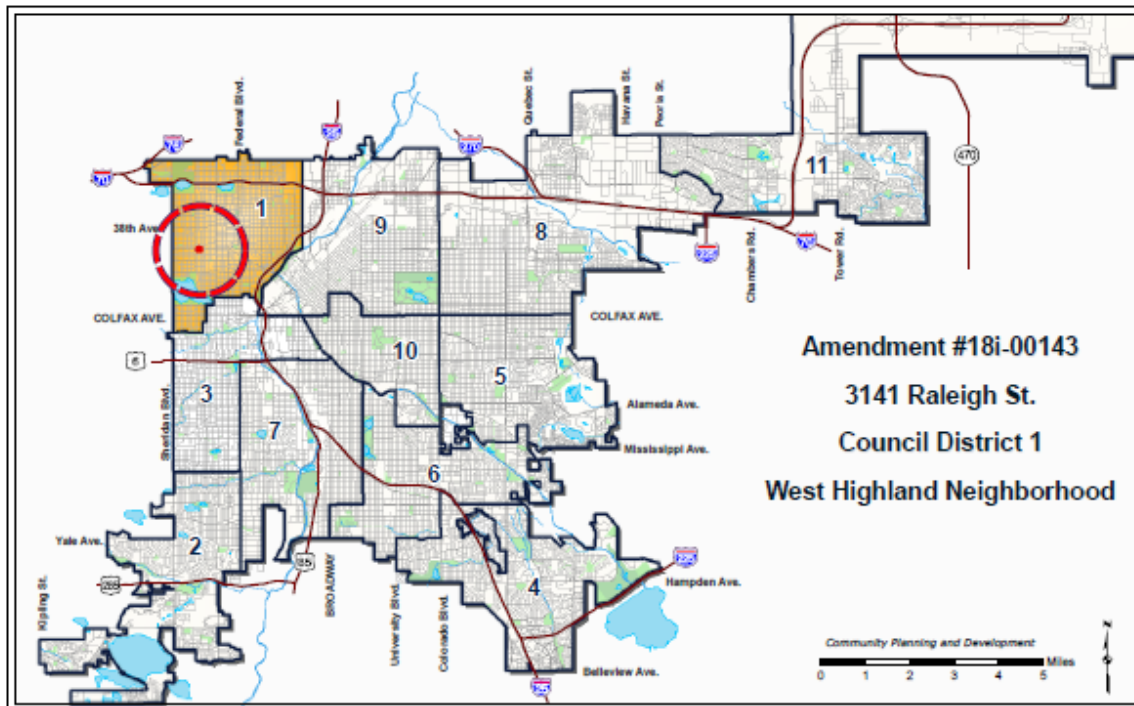
Address: 3141 Raleigh Street
Neighborhood/Council District: West Highland Neighborhood / Council District 1
RNOs: West Highland Neighborhood Association; Inter-Neighborhood Cooperation (INC)
Area of Property: 6,350 square feet or 0.15 acres
Current Zoning: U-SU-A
Proposed Zoning: U-SU-A1
Property Owner(s): Richard and Kara Kerr
Owner Representative: None

Summary of Rezoning Request

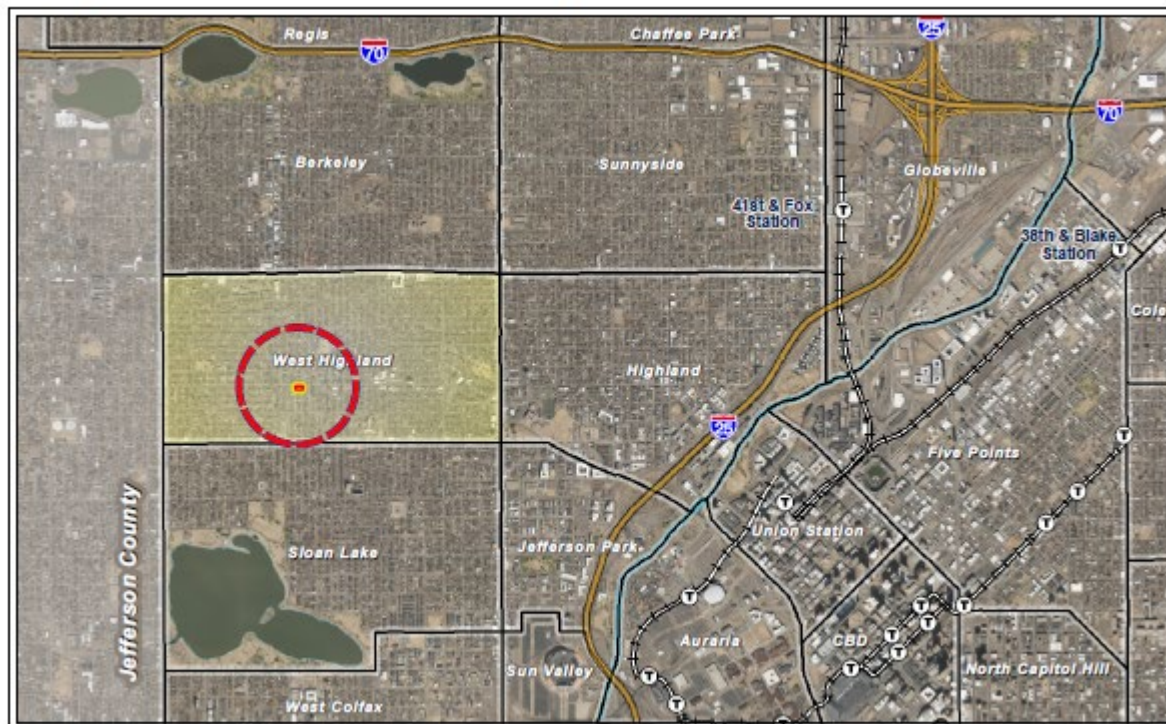
- The subject property contains a single family home built in 1925 and is located at the southwest corner of West 32nd Avenue and Raleigh Street.
- The property owner is proposing to rezone the property to build an accessory dwelling unit.
- The proposed **U-SU-A1, Urban, Single-Unit, A1** (3,000 square feet minimum zone lot size allowing accessory dwelling units (ADUs)), zone district is intended for use in the Urban Neighborhood Context which is characterized by single-unit and two-unit uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit structures in the zone district are in the Urban House building form. The Urban House building form maximum height is 30 to 35 feet in the front 65% of the zone lot, 17 feet in the rear 35% of the zone lot and 24 feet for an ADU. Further details of the zone district can be found in Article 5 of the Denver Zoning Code.

Planning Services
Community Planning and Development
201 W. Colfax Ave., Dept. 205 | Denver, CO 80202
www.denvergov.org/CPD
p. 720.865.2983

City Location



Neighborhood Location - West Highland



1. Existing Context

Aerial - 2018



Map Date: July 2, 2019

The subject property is on the southwest corner of West 32nd Avenue and Raleigh Street. In the general vicinity are:

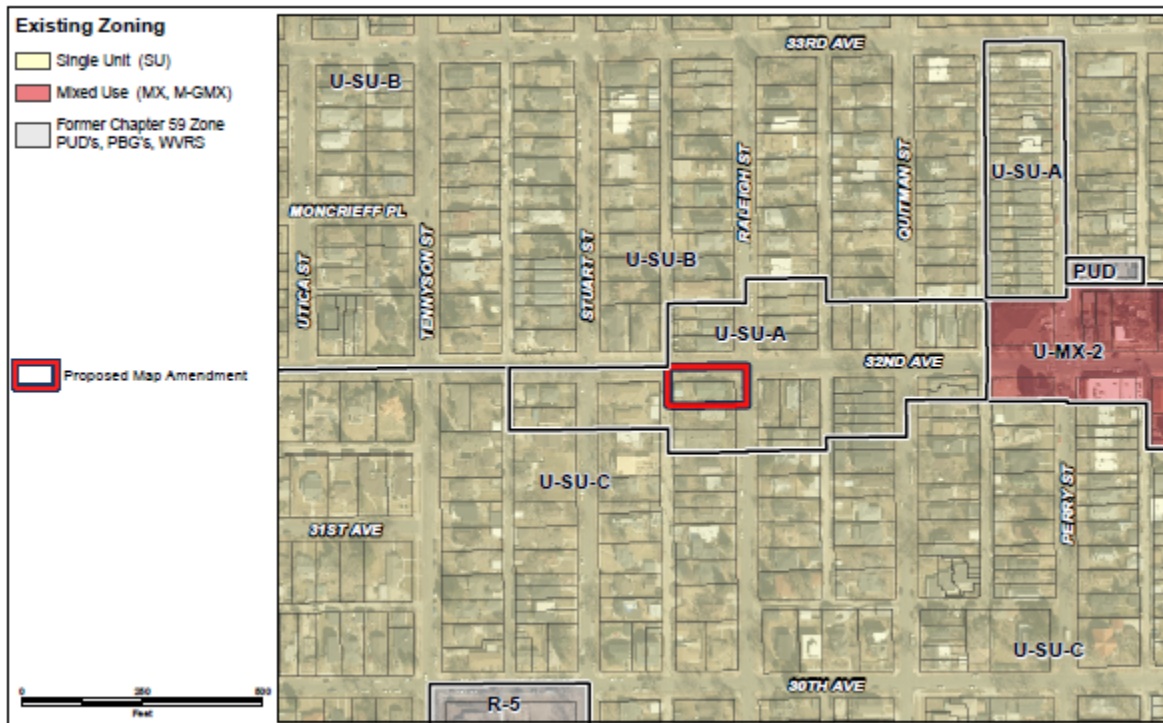
- Edison Elementary School – 1 1/2 blocks north;
- Sloan's Lake Park – 4 blocks south
- Woodbury Branch Library and Highland Park – 10 blocks east,
- Pferdesteller Park – 5 blocks west;
- Historic Elitch Gardens Theater – 7 blocks northwest;
- 32nd Avenue Commercial – 2 blocks east.

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-A	Single-unit Residential	1 1/2-story Residence	Block sizes and shapes are consistent and rectangular and shaped by a grid street pattern. Detached sidewalks with tree lawns and existing alleys. Garages and on-street vehicle parking.
North	U-SU-A	Single-unit Residential	1-story Residence	
South	U-SU-A	Single-unit Residential	1-story Residence	
East	U-SU-A	Single-unit Residential	1-story Residence	
West	U-SU-A	Multiple – Unit Residential	1-story Residences (5)	

2. Existing Zoning

Existing Zoning



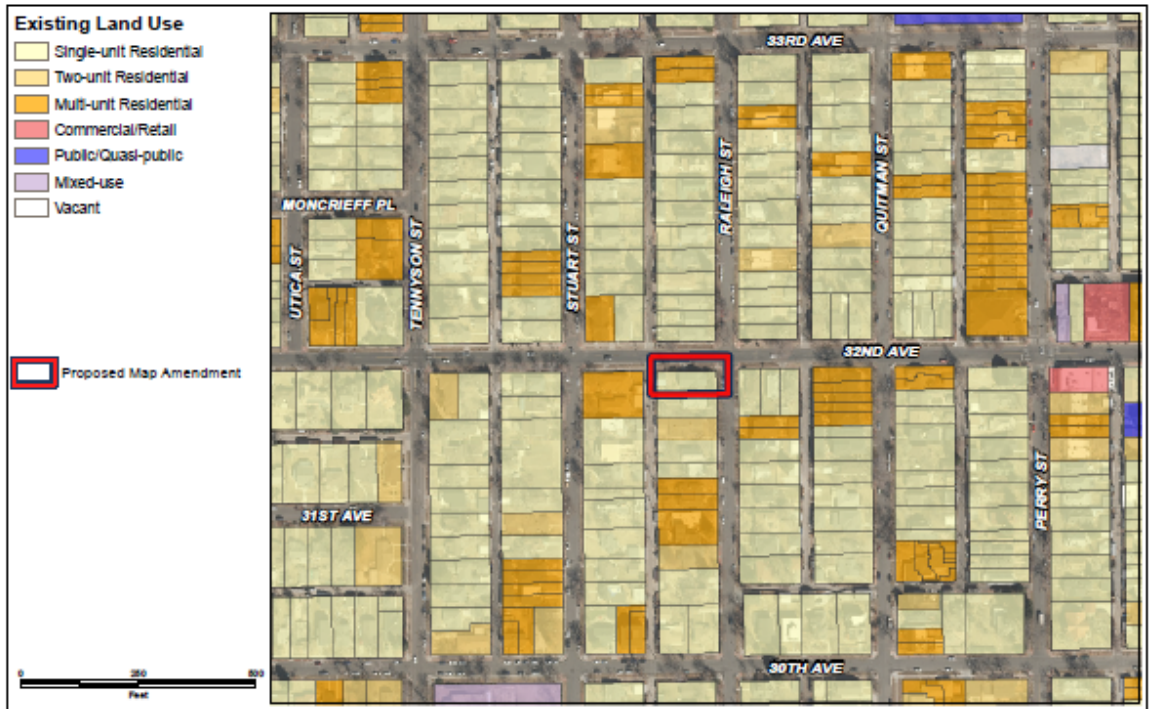
Map Date: July 2, 2019

Urban (U) Neighborhood Context Zone District		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							
Single Unit (SU)	U-SU-A		■										

■ = Allowed *See Section 1.2.3.5 for exceptions

The U-SU-A zone district is a single-unit district allowing only the Urban House primary building form on a minimum 3,000 square feet zone lot. 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 feet in the rear 35% of the zone lot. The Detached Accessory Dwelling Unit building form allows a maximum height of 24 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 Existing Land Use



Map Date: July 2, 2019

Land Use Data Compiled 2018

4. Existing Building Form and Scale



Photo source: Google Maps

Proposed Zoning

The U-SU-A1 is a single unit zoning district that allows only an Urban House primary building form on zone lots measuring at least 3,000 square feet. A variety of residential and civic land uses are allowed. For the Detached Accessory Dwelling Unit building form the maximum height is 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° applies to the DADU building form. For this building form there is also an exemption from the 37.5% building coverage standard allowing the lesser of 50%, or 500 square feet. For zone lots 6,000 square feet or less the ADU building footprint may be a maximum of 650 square feet.

Design Standards	U-SU-A (Existing)	U-SU-A1 (Proposed)
Primary Building Forms Allowed	Urban House	Urban House
Stories / Feet Front 65% of Zone Lot	2.5 stories / 30 feet	2.5 stories / 30 feet
Stories / Feet Rear 35% of Zone Lot	1 story /17 feet	1 story /17 feet
ADU Stories / Heights	1.5 stories/ 24 feet max.	1.5 stories/ 24 feet max.
Zone Lot (Min.)	3,000 SF	3,000 SF
Zone Lot Width (Min.)	25 feet	25 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.) *	5 feet	5 feet
Rear Alley / No Alley	12 feet / 20 feet	12 feet / 20 feet
Building Coverage per Zone Lot including all accessory structures (Max.), not including exceptions	37.5%	37.5%
Detached Accessory Building Forms Allowed	Detached Garage, Other Detached Accessory Structures	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures

*Based on subject property width of 50 feet

Summary of City Agency Referral Comments

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

Assessor: Approved – No Response.

Asset Management: Approved – No Comments.

Denver Public Schools: Approved – No Response.

Department of Public Health and Environment: Approved, see comments below. Notes. DDPHE concurs with the rezoning and has no information to suggest that current environmental conditions would impact the proposed rezoning.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DDPHE suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state and local regulations.

The Denver Air Pollution Control Ordinance (Chapter 4- Denver Revised Municipal Code) specifies that contractors shall take reasonable measures to prevent particulate matter from becoming airborne and to prevent the visible discharge of fugitive particulate emissions beyond the property on which the emissions originate. The measures taken must be effective in the control of fugitive particulate emissions at all times on the site, including periods of inactivity such as evenings, weekends, and holidays.

Denver's Noise Ordinance (Chapter 36--Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am--9pm (Mon--Fri) and 8am--5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

Scope & Limitations: DEH performed a limited search for information known to DDPHE regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Development Services – Fire Prevention: 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 Response.

Public Works – City Surveyor: - Approved – See comments below.

LOTS 47 AND 48, BLOCK 2, CORNFORTH HEIGHTS,
CITY AND COUNTY OF DENVER,
STATE OF COLORADO

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	05/10/19
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:	07/22/19
Planning Board public hearing, on consent agenda and unanimous vote (6-0) to recommend approval:	08/07/19
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:	08/06/19
Land Use, Transportation and Infrastructure Committee of the City Council:	08/20/19
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:	09/15/19 (Tentative)
City Council Public Hearing:	10/07/19 (Tentative)

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has received no comment letters from Registered Neighborhood Organizations.
- **Other Public Comment**
 - To date, staff has received no other public comment letters.

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*
- *Blueprint Denver (2019)*
- *Housing an Inclusive Denver (2018)*

The proposed map amendment will enable the addition of an Accessory Dwelling Unit where services and infrastructure are already in place, where the new unit will be in character with the area and where a discreet increase in density is desired. The proposed zone district matches the same 30 feet maximum allowed building height in the existing zoning and the adjacent neighborhood. The proposal offers an opportunity to add moderate density in a location that serves as a transition between commercial land uses to the east and the single- family neighborhood to the west.

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the *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).
- Strong and Authentic Neighborhoods Goal 1, Strategy B – “*Ensure neighborhoods offer a mix of housing types and services for a diverse population*” (p.34).
- Strong and Authentic Neighborhoods Goal 1, Strategy D – “*Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities*” (p.34).
- Environmentally Resilient Goal 8, Strategy A – “*Promote infill development where infrastructure and services are already in place*” (p.54).

The proposed map amendment will enable increased development at an infill location where infrastructure is already in place. The requested U-SU-A1 zone district broadens the mix of housing options allowing residents a diversity of housing choice that is in character with the existing neighborhood. Therefore the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

Blueprint Denver (2019)

Blueprint Denver identifies the subject property as within the Urban Neighborhood Context, part of a Low Residential place type and on the Growth Strategy map within “All other areas of the city.”

Blueprint Denver 2019 also recommends specific actions on rezoning requests to enable accessory dwelling units. Land Use & Built Form: Housing Policy 4 states, “*Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas*”. According to *Blueprint Denver*, “*Accessory dwelling units (ADUs) can add variety to the housing stock in low density residential*

neighborhoods without significantly changing the existing character.” The following two strategies apply to this rezoning application:

- 04.A. “Study and implement allowances for ADUs – including those attached and detached from the primary home – in all neighborhood contexts and residential zone districts”; and
- 04.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, especially where adjacent to transit, are appropriate” (p. 84).

The subject application is an individual rezoning to enable an ADU in a residential area, so it is consistent with this adopted plan direction.

Future Neighborhood Context

Blueprint Denver 2019, as well as the Denver Zoning Code, are organized by neighborhood contexts. A context-based approach sets guidelines for character-compatible development. On the Blueprint Denver context map the subject property is within an Urban Neighborhood Context. These areas contain small multi-unit and mixed-use areas typically embedded in 1-unit and 2-unit residential areas, with regular block patterns (p. 136). The Urban context has a high degree of walkability with good access to transit.

Blueprint Denver Future Neighborhood Contexts



Map Date: July 2, 2019

The proposed U-SU-A1 zone district is an Urban zone district and is *“intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. The building form standards, design standards and uses work together to promote desirable residential areas. Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent*

front and side yard. There are single-unit districts that allow accessory dwelling units in the rear yard, maintaining the single unit character at the street. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment” (p. 5.2-1 & 2). The zoning standards within the U-SU-A1 zone district that allow a low-scale accessory dwelling unit structure that will be compatible with the existing residential area, and consistent with the Blueprint Denver urban context.

Future Places

Blueprint Denver Future Places and Streets



Map Date: July 2, 2019

On the Blueprint Denver Future Places map the subject property is within a Low Residential future place. Per Blueprint Denver “Future places are an organizational system that describes the desired character of an area. Future places work together to promote complete neighborhoods for the residents living within or near each of them. Each place expresses itself differently depending on which neighborhood context it is located within.” Residential areas have a predominantly residential land use but “are supported by a variety of embedded uses needed for a complete neighborhood including schools, recreation and nodes of commercial/retail uses” (p. 141). Per Blueprint Denver Low Residential areas in the Urban Context are “Predominately single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible. Buildings are generally up to 2.5 stories. Vehicle access is typically from alleys” (p. 230). The U-SU-A1 zone district allows the Urban House building form with an accessory dwelling unit and a maximum height of 2.5 stories, or up to 30-35 feet, in the front 65% of the zone lot and 1 to 1.5 stories, or 17 to 24 feet in the rear 35% of the zone lot. These standards are in conformance with the residential low Urban place type.

Street Types

Blueprint Denver 2019 classifies Raleigh Street as Local or Undesignated street and 32nd Avenue as a Residential Collector street. *Blueprint Denver* states, “Local streets are designed for the highest degree of property access and the lowest amount of through movement” (p. 161). Collector streets collect movement from local streets and convey it to arterial streets, and for Residential Collectors like 32nd Avenue, they have “Primarily residential uses, but may include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback” (p. 160). The proposed U-SU-A1 district allows primarily residential and civic uses and includes modest primary street setbacks. Therefore, it is consistent with the Urban residential collector and local street types at this site.

Growth Strategy

Blueprint Denver Future Growth Strategy



The subject property is on the Growth Strategy map within “All other areas of the city.” These types of places are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). “The remaining growth areas are smaller but still play a key role in meeting the diversity of new jobs and housing needed for our dynamic city. Higher intensity residential areas near downtown, mid-scale housing in innovation/flex districts and low-scale greenfield residential all contribute to Denver’s future housing stock. The remaining parts of Denver, 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). This site is located within the “remaining parts of

Denver”. The proposed map amendment to U-SU-A1 will allow low-intensity growth in a residential low place where it is in character with the existing area.

Housing an Inclusive Denver (2018)

Adopted in 2018, the *Housing an Inclusive Denver* plan was not adopted as a supplement to the Comprehensive Plan but can be considered an “adopted plan” for this map amendment review criterion when relevant. *The Plan* includes citywide guidance for using Blueprint Denver to reduce regulatory barriers to development of accessory dwelling units; however, some of its recommendations can be applied to individual map amendments that propose allowing an accessory dwelling unit. In this case, the following plan goals are applicable:

Legislative and Regulatory Priorities, Recommendation 2: *“Expand and strengthen land-use regulations for affordable and mixed-income housing. Through Blueprint Denver and supplemental implementation actions such as zoning modifications, the City should support land-use regulations that incentivize affordable and mixed-use housing, including expanding the development of accessory dwelling units.”*

Attainable Homeownership, Recommendation 1: *“Promote programs that help households maintain their existing homes. The City and its partners should target existing homeowner rehabilitation programs to residents in vulnerable neighborhoods, promote financial literacy education for prospective and existing homeowners, and promote the development of accessory dwelling units as a wealth-building tool for low and moderate-income homeowners.”*

The proposed map amendment to U-SU-A1 is consistent with these *Housing an Inclusive Denver* recommendations because it will expand the availability and allow the development of an accessory dwelling unit at this location.

The proposed rezoning to U-SU-A1 of the subject property complies with these recommendations because the proposed addition of an accessory dwelling unit will add to the mix of residential housing types in the area, will add a low-scale development that is in character with the adjacent neighborhood and will conform with the neighborhood context, maximum building height and minimum zone lot size recommendations in the existing zoning.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-SU-A1 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 by allowing a moderate level of reinvestment in the area consistent with the desired character and by implementing the city’s adopted land use plans.

4. Justifying Circumstance

The application identifies the adoption of Blueprint Denver 2019 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 a degree that the proposed rezoning is in the public interest. Such 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.”

The adoption of *Blueprint Denver 2019*, which specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas, justifies the rezoning request. Changed conditions is an appropriate justifying circumstance for the proposed rezoning.

5. Consistency with Neighborhoods Context Description, Zone District Purpose and Intent Statements

The zoning standards in the proposed zone district are based upon the Urban Neighborhood context (DZC Division 5.1). This context is characterized by single-unit and two-unit uses. Small-scale multi-unit and commercial areas are embedded in residential areas. Single-unit structures in the zone district are the Urban House form, and multi-unit building forms in the context typically include the row house form embedded with other residential form types. The character of surrounding area and the recommended neighborhood context both make the proposed rezoning to U-SU-A1 consistent with the neighborhood context description.

The Urban residential zone districts are *“intended 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. The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms where the narrow part of the building orients to the street and access is from alley loaded garages. Lot sizes are generally consistent within the area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are districts that allow accessory dwelling units in the rear yard, maintaining the single unit character at the street” (DZC Section 5.2.2.1.B). “These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment” (DZC Section 5.2.2.1.D).* The application to rezone to U-SU-A1 in this location is consistent with the above general purpose statement because the rezoning allows lower scale single-unit and accessory dwelling units and building form standards consistent with the desired development pattern of the area.

The specific intent of the U-SU-A1 zone district is as follows, “U-SU-A1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A but allowing a detached accessory dwelling unit building form in the rear yard” (DZC Section 5.2.2.2.B). The subject lot is in an area where urban houses exist and are permitted with a typical lot pattern of lots at least 25 feet wide. The adopted plan direction recommends allowing detached accessory dwelling units. Therefore rezoning this site would be consistent with the specific intent of the zone district.

Attachments

1. Application
2. Legal Description



Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Richard and Kara Kerr	Representative Name	
Address	3141 N Raleigh St	Address	
City, State, Zip	Denver, CO 80212	City, State, Zip	
Telephone	720 272-6864	Telephone	
Email	rikerr21@gmail.com	Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>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.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	3141 N Raleigh St. Den		
Assessor's Parcel Numbers:	02304-07-023-000		
Area in Acres or Square Feet:	6350 sqft or .15 Acres		
Current Zone District(s):	U-SU-A		
PROPOSAL			
Proposed Zone District:	U-SU-A1		



REZONING GUIDE

Rezoning Application Page 2 of 3

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</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 on 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 checked="" 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="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-left: 20px;">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. Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<p><input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria, as identified above</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input type="checkbox"/> Written Authorization to Represent Property Owner(s)</p> <p><input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity</p>	
Please list any additional attachments:	

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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Richard I. Kerr and Kara P. Kerr	3141 N. Raleigh St Denver, CO 80212 rikerr21@gmail.com	100%	<i>Richard I. Kerr</i> <i>Kara P. Kerr</i>	04/22/2019	A	No

2018I-00143 3141 N Raleigh St. Denver CO 80212

Consistency with Adapted Plans: The proposed official map amendment is consistent with the City's adopted plans.

The proposed zoning amendment of 3141 N. Raleigh St. is consistent with the Blueprint Denver 2019, Public Review Draft 2, 1/7/2019. Recommendations, Land Use and Built Form Housing Page 82. My proposed amendment is consistent with all eight recommendations listed.

Point 1. Revise city regulations to respond to the demands of Denver's unique and modern housing needs. My request for a rezoning is consistent with and a real life response to the city revising its regulations to respond to the demands of Denver's unique housing needs.

Point 2. Diversify housing options by exploring opportunities to integrate missing middle housing into low- and low-medium residential areas. Approving my rezoning request will create a multigenerational living opportunity.

Point 3. Incentivize the preservation and reuse of existing smaller and affordable homes. My home was built in 1925. It is a typical Denver Bungalow. It is a small and modest home. Approving my rezoning request will help preserve my modest and affordable Denver Bungalow.

Point 4. Diversify housing choices through the expansion of accessory dwelling units throughout all residential areas. Obviously allowing an ADU where they have not been allowed will diversify housing choices in my neighborhood.

Point 5. Remove barriers to constructing accessory dwelling units and create context-sensitive form standards. My property is on a corner lot and is large enough to accommodate an ADU if it were permitted.

Point 6. Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities. The north side of my home is bordered by 32nd Avenue. 32nd Avenue is a traffic collector. It is also the route of RTD's East and West bound 32. There is an east bound/down town bus stop on my block. The west bound bus stop is on the block just west of me. Allowing an ADU on properties along public transportation corridors will help preserve the character and charm of the West Highlands.

Point 7. Expand family friendly housing throughout the city. My proposed rezoning will create a multigenerational family housing opportunity. As covered in points 2 and 3, my proposed amendment will assure the preservation of my home as it currently exists. It will also create a one bedroom, one bath dwelling unit. A situation perfect for a family with a working adult child or an aging parent.

Point 8. Capture 80 percent of new housing growth in regional centers, community centers and corridors, high intensity residential areas, greenfield residential areas and certain districts. My home is just six blocks from the West Highlands business district at 32nd and Lowell. Allowing my proposed amendment which is both on a transportation corridor and near a community center would help achieve this 80 percent goal.

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.

The proposed amendment of my current zoning of U-SU-A to U-SU-A1 is only a minor zoning adjustment. The current zoning allows for accessory buildings of which the majority are garages. Additionally my lot size of 6,350 or .15 acres exceeds the minimum requirement for an ADU. My current home built on a hill has the appearance of a two story home. I have a walkout basement on the north side of my house. My vision for the garage with an apartment on top would be considered a one and a half story home and would complement the main house. My complete vision is for the roof line of my ADU to match the four gables of my Denver Bungalow. The gables would also serve as dormers for windows. Finally there are already non-conforming ADUs both to the south, down the alley, and to the north across 32nd Avenue. The addition of this proposed ADU would pair up nicely with the existing ADUs.

Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety and general welfare of the city.

The proposed amendment of my current zoning would further the public health, safety and general welfare of the city by providing an additional and affordable unit of housing where there was only one unit of housing.

- *My vision for this ADU is to have a full time tenant living in this studio apartment. I can only speculate at this point, but Edison Elementary, and the Tennyson Center for Children walking distance from this location. I would give preference to any qualified, prospective tenant who desired to live in the neighborhood where they worked.*
- *At this time the current garage that occupies the space only accommodates one car. At any point in time my car and my son's truck compete for parking on the street. This Additional Dwelling Unit would provide parking for three cars, alleviating potential parking congestion at 32nd and Raleigh.*
- *As mentioned previously this additional dwelling unit is located on a major bus route. Depending upon the tenant, an additional car might not even be necessary.*
- *Finally and perhaps most importantly the business owners of the businesses at 32nd and Lowell and at 38th and Tennyson would not object to having another customer or two living in the neighborhood. Nor would they object to having more available street parking.*

Justifying circumstances; 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 a 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 Chapter 59 zoning.

I think my proposed amendment to my current zoning is justified best with option b.

With the adoption of Blueprint Denver 2019 and its stated noble goal of, "increasing the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities," succinctly communicates my justification.

- my home's proximity to public transportation,
- its location on 32nd Avenue, a traffic collecting corridor,
- its proximity to the West Highlands business district,
- It is only three blocks to Edison Elementary School and
- It is just six blocks to Sloan's Lake Park

Additionally the infrastructure required for an additional unit of housing in my neighborhood already exists. Having another resident using the existing infrastructure just increases the City's return on investment.

Finally allowing my wife and me to make this substantial investment in our property will allow us to participate in Denver's growth and prosperity.

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.

The West Highlands is an "Urban" neighborhood as defined by Article 5 of the Denver Zoning Code, June 2010. Urban neighborhoods are characterized by single-unit and two unit residential areas. While there are multiple single family homes in my neighborhood, there are also many multi-unit properties as well. Currently there are two duplexes on my block. There is a four-plex directly across the alley from me. There is also a non-conforming ADU in the alley south of my home and one in the next block just north of my home. I can assure you that allowing my proposed amendment would be entirely consistent with the existing neighborhood context.

As stated previously my home is currently zoned U-SU-A, Single Unit A. Such a zoning requires a minimum lot area of 3,000 square feet. Such lots are typically 25 feet wide. My lot is 6,350 square feet and is over 50 feet wide.

The zoning I am seeking is U-SU-A1, Single Unit A1, allowing an urban house and a detached accessory dwelling unit. Such zoning also requires a minimum zone lot area of 3,000 square feet with a 25 foot width.

Considering my lot is over twice the minimum area for U-SU-A1 a variance from the code will not be necessary.

These minimum requirements can be found in Article 5.2.2.2 Specific Intent, of the Denver Zoning Code. I cut and pasted them here for your convenience.

A. Single Unit A (U-SU-A) U-SU-A is a single unit district allowing urban houses with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context.

B. Single Unit A1 (U-SU-A1) U-SU-A1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A but allowing a detached accessory dwelling unit building form in the rear yard.

Legal Description

LTS 47 & 48 BLK 2 CORNFORTH HEIGHTS
Schedule 02304-07-023-000
Zoned U-SU-A

Proof of Ownership

Property Tax Statement
2017 Real Estate Tax Due in 2018, Parcel ID 02304-07-023-000

City and County of Denver
 TREASURY DIVISION
 PO BOX 17420
 DENVER CO 80217-0420

PROPERTY TAX STATEMENT

IMPORTANT: SEE REVERSE SIDE

TEL 720-913-9300 WWW.DENVERGOV.ORG/TREASURY

THIS STATEMENT IS FOR PROPERTY TAX ON THE PROPERTY SHOWN BELOW TO BE COLLECTED ON BEHALF OF THE DENVER PUBLIC SCHOOLS AND THE CITY AND COUNTY OF DENVER.

SITE ADDRESS 3141 RALEIGH ST		PARCEL ID 02304-07-023-000	
LEGAL DESCRIPTION OF PERSONAL PROPERTY LOCATION LTS 47 & 48 BLK 2 CORNFORTH HEIGHTS		CODE 2018008	TYPE DC
		SEQUENCE NUMBER 42,260	
		MORT CODE J6	LOAN NUMBER 69038804
02304-07-023-000 KERR, KARA P & RICHARD IRA 3141 RALEIGH ST DENVER CO 80212-1473		NOTE 2017 REAL ESTATE TAX DUE IN 2018. FIGURES GOOD UNTIL: 02/28/2018 TO BE PAID BY MORTGAGE COMPANY	
TAXING ENTITY	MILL LEVY (\$ PER THOUSAND OF ASSESSED VALUE)	TAX AMOUNT	
SCHOOL GENERAL FUND	38.594000	1,431.45	
SCHOOL BOND FUND	9.650000	357.92	
CAPITAL MAINTENANCE	2.526000	93.69	
SOCIAL SERVICES *	3.380000	125.36	
CITY BOND FUND *	8.433000	312.78	
POLICE PENSION *	1.413000	52.41	
FIRE PENSION *	1.185000	43.95	
URBAN DRAINAGE/FLOOD CONTROL *	0.557000	20.66	
AFFORDABLE HOUSING *	0.442000	16.39	
DEVELOPMENTALLY DISABLED	1.010000	37.47	
GENERAL FUND, DENVER *	9.944000	368.82	
TOTAL LEVY	77.134000		
* NOTE: INCLUDES TEMPORARY MILL LEVY RATE REDUCTION.		NOTE: 63% OF THESE TAXES ARE DETERMINED BY AND COLLECTED FOR THE DENVER PUBLIC SCHOOLS.	
Your School District No. 1 General Fund Mill Levy would have been without State aid.		64.315 mills	
ACTUAL VALUATION		515,100	
ASSESSED VALUATION		37,090	
EXEMPTIONS		0	
NET VALUATION		37,090	
DUE FEB 28 FIRST HALF TAX AND FEES		DUE JUNE 15 SECOND HALF TAX AND FEES	
\$ 1,430.45		\$ 1,430.45	
Make Check Payable to: Manager of Finance	DUE APRIL 30 TOTAL TAX \$	2,860.90	

DETACH HERE AND RETURN BOTTOM PORTION WITH YOUR PAYMENT -- RETAIN TOP PORTION FOR YOUR RECORDS

PROPERTY TAX STATEMENT

2017 REAL ESTATE TAX DUE IN 2018.

RETURN TO:
 TREASURY DIVISION
 PO BOX 17420
 DENVER CO 80217-0420

Make payment for only one of the exact amounts. No partial payments may be made.
 Please include PARCEL ID Number on face of check and/or any correspondence.

2

Check here if receipt other than the cancelled check is desired.

PAYABLE ONLINE AT: WWW.DENVERGOV.ORG/TREASURY BY CHECK TO: MANAGER OF FINANCE	PARCEL ID 02304-07-023-000	ALT KEY 0907197
	If paid after due date contact us for correct amounts due	Due June 15 SECOND HALF TAX AND FEES \$ 1,430.45

KERR, KARA P & RICHARD IRA

RE 2017 DC 00 0907197 00 0000000000 00000000 02 0000143045 20180622 9

DETACH HERE AND RETURN BOTTOM PORTION WITH YOUR PAYMENT -- RETAIN TOP PORTION FOR YOUR RECORDS



WASTEWATER MANAGEMENT DIVISION
CITY AND COUNTY OF DENVER
P.O. Box 17827
Denver, Colorado 80217
Customer Service: 303-446-3500



24/4813 KERR, KARA & RICHARD
OR CURRENT OWNER
3141 N RALEIGH ST
DENVER CO 80212-1473

E-billing is here!
Sign up today to receive future invoices
electronically.

Go to www.pocketgov.com/stormbill

INVOICE
SEMI-ANNUAL STORM DRAINAGE SERVICE

INVOICE DATE	September 12, 2018
SERVICE ADDRESS	3141 RALEIGH ST DENVER, CO
BILL PERIOD	09/22/18 - 03/21/19

ACCOUNT NUMBER	02304-07-023-000
IMPERVIOUS AREA SQ. FT.	2,444
PARCEL AREA SQ. FT	6,350
RATIO	0.38
RATE/100 SQ. FT.	4.64
PREVIOUS BALANCE	0.00
CURRENT CHARGES	56.70
TOTAL DUE	56.70

Use this information to pay online at
www.denvergov.org/stormpay
PLEASE NOTE: Non-Payment may result in a lien filed
against the property served

New! Pay your Semi-Annual Storm Drainage Service bill in 1, 2, or 3 Installments.
Use the coupons below to remit payments.

Detach here and return bottom portion with your payment - retain top portion for your records.

WASTEWATER MANAGEMENT DIVISION

Customer Service: 303-446-3500

3	Account Number	02304-07-023-000
	Service Address	3141 RALEIGH ST DENVER, CO
	Impervious Area	2,444
	3rd Installment Due: 12/21/18	18.90

SEMI-ANNUAL STORM DRAINAGE SERVICE

REMIT TO:
MANAGER OF FINANCE
P.O. BOX 17827
DENVER, CO 80217
www.denvergov.org/stormpay



Detach here and return bottom portion with your payment - retain top portion for your records.

WASTEWATER MANAGEMENT DIVISION

Customer Service: 303-446-3500

2	Account Number	02304-07-023-000
	Service Address	3141 RALEIGH ST DENVER, CO
	Impervious Area	2,444
	2nd Installment Due: 11/21/18	18.90

SEMI-ANNUAL STORM DRAINAGE SERVICE

REMIT TO:
MANAGER OF FINANCE
P.O. BOX 17827
DENVER, CO 80217
www.denvergov.org/stormpay



Detach here and return bottom portion with your payment - retain top portion for your records.

WASTEWATER MANAGEMENT DIVISION

Customer Service: 303-446-3500

1	Account Number	02304-07-023-000
	Service Address	3141 RALEIGH ST DENVER, CO
	Impervious Area	2,444
	1st Installment Due: 10/22/18	18.90
	Or Pay In Full By: 10/22/18	56.70

SEMI-ANNUAL STORM DRAINAGE SERVICE

REMIT TO:
MANAGER OF FINANCE
P.O. BOX 17827
DENVER, CO 80217
www.denvergov.org/stormpay



2018I-00143 3141 N Raleigh St. Denver CO 80212
Rick and Kara Kerr

Legal Description

LTS 47 & 48 BLK 2 CORNFORTH HEIGHTS
Schedule 02304-07-023-000
Zoned U-SU-A