



TO: Denver City Council
FROM: Libbie Adams, Associate City Planner
DATE: June 3, 2021
RE: Official Zoning Map Amendment Application #2020I-00083

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2020I-00083.

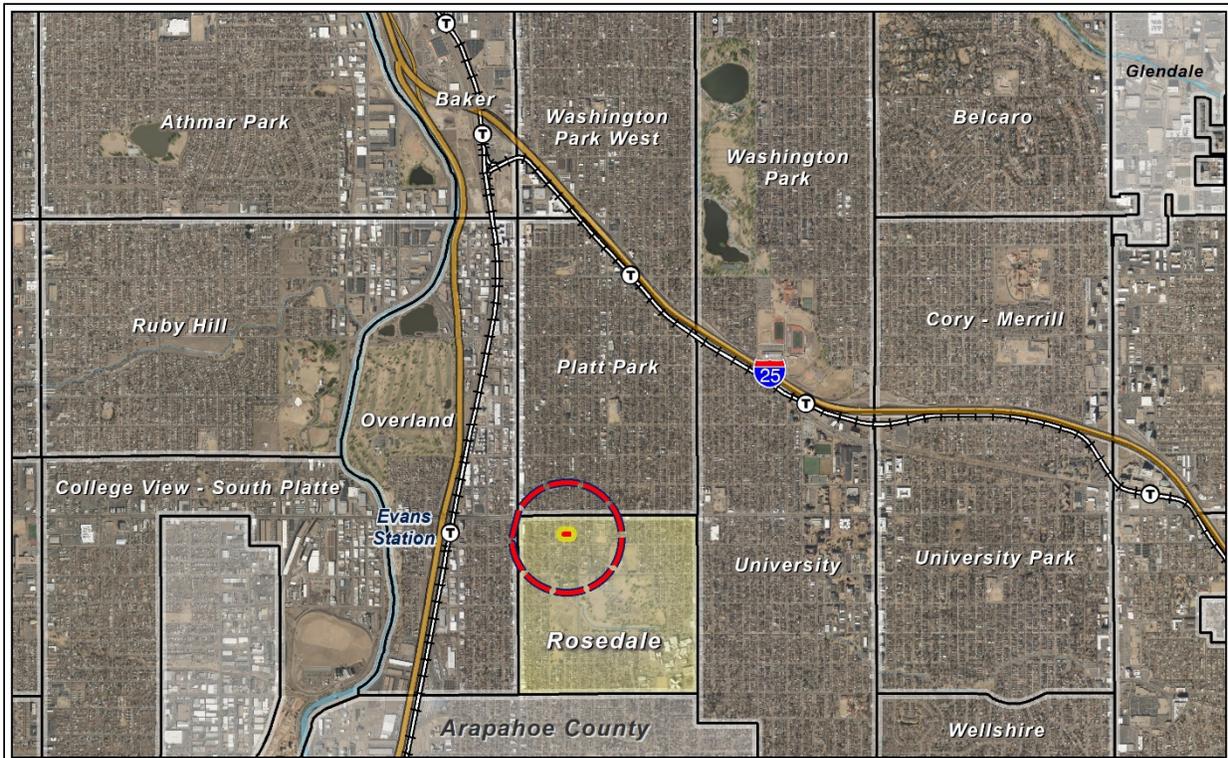
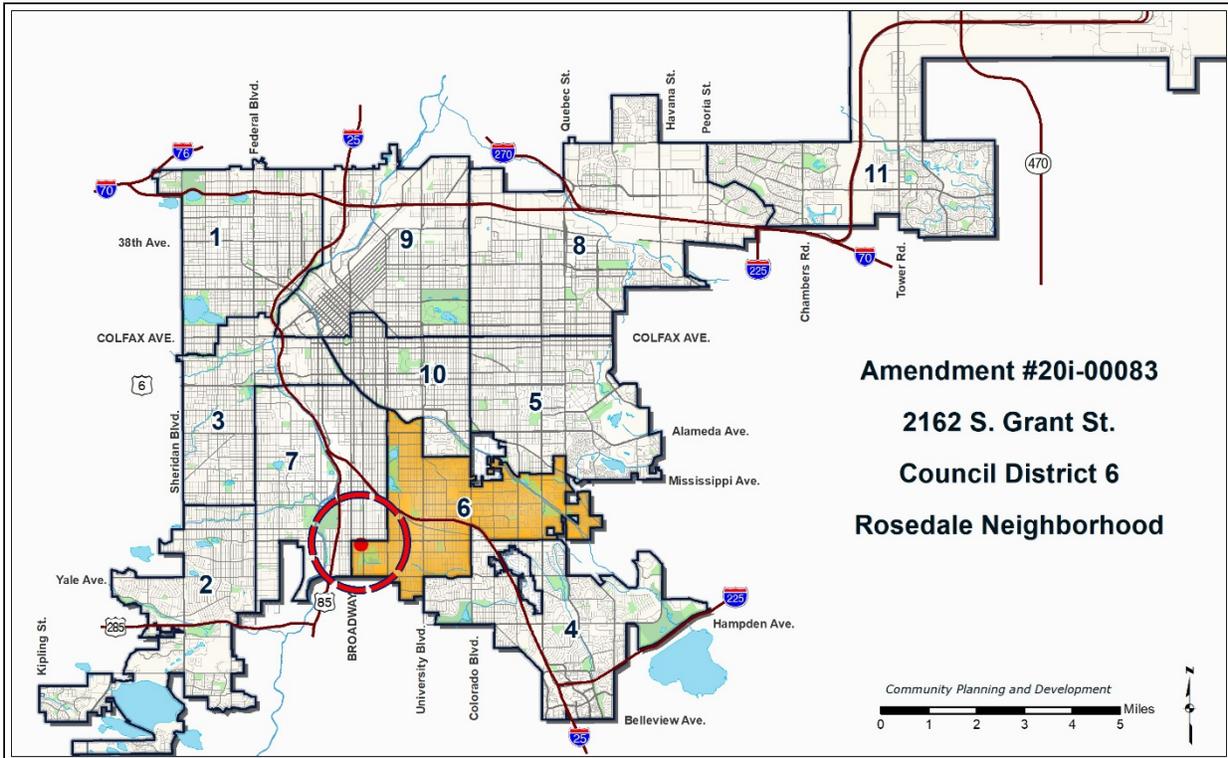
Request for Rezoning

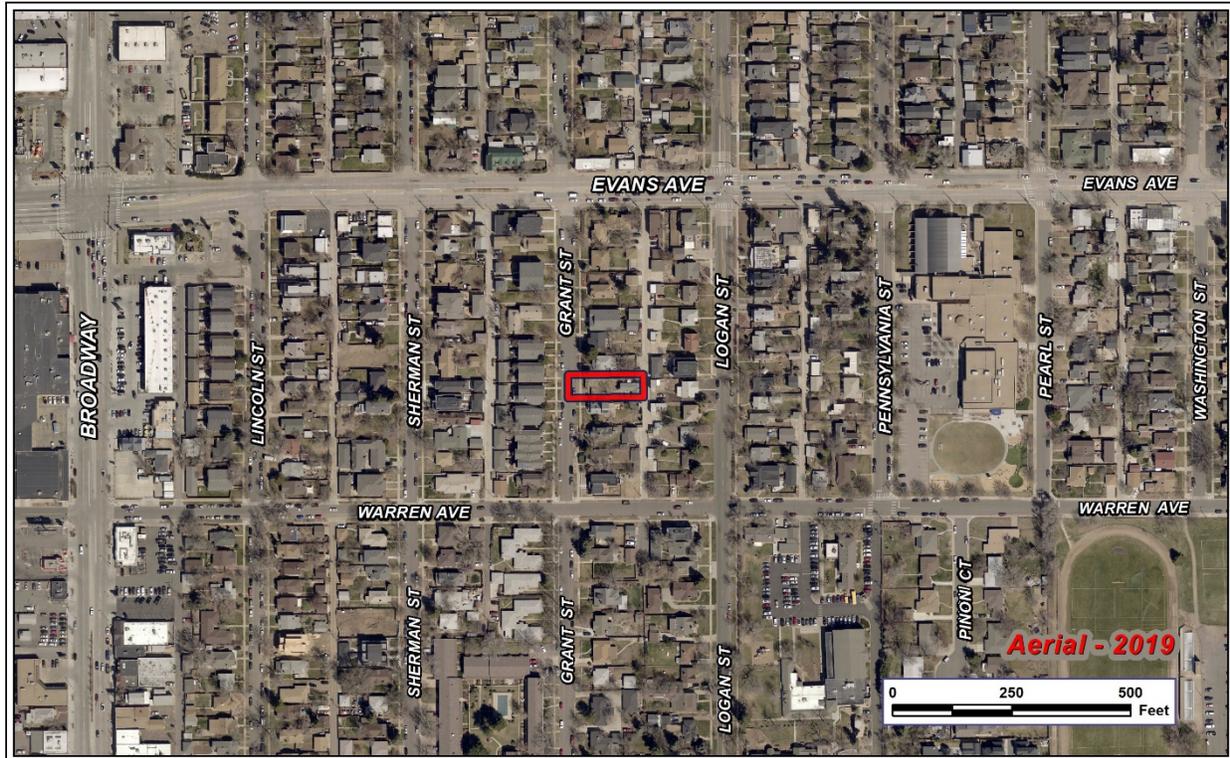
Address: 2162 S. Grant Street
Neighborhood/Council District: Rosedale Neighborhood / Council District 6
RNOs: Rosedale Harvard Gulch Neighborhood Association; Inter-Neighborhood Cooperation (INC)
Area of Property: 6,000 square feet or 0.14 acres
Current Zoning: U-SU-C
Proposed Zoning: U-TU-B
Property Owner(s): Nathan Kibler-Silengo

Summary of Rezoning Request

- The property is located in the Rosedale neighborhood on the east side of South Grant Street between East Evans Avenue and East Warren Avenue.
- The subject property contains a single story, single-unit house.
- The applicant is requesting this rezoning to have more flexibility to construct a duplex on the property in conformance with the existing pattern and context of the neighborhood.
- The requested U-TU-B (urban context, two unit) zone district allows up to two units on a minimum zone lot area of 4,500 square feet. Urban houses are also allowed on certain smaller zone lots. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms. Further details of the U-TU-B zone district can be found in Article 5 of the Denver Zoning Code (DZC).
- The site is currently zoned U-SU-C (urban context, single unit) which is a single-unit district allowing urban houses with a minimum zone lot area of 5,500 square feet. Blocks typically have a consistent pattern of 50-foot-wide lots.

Existing Context





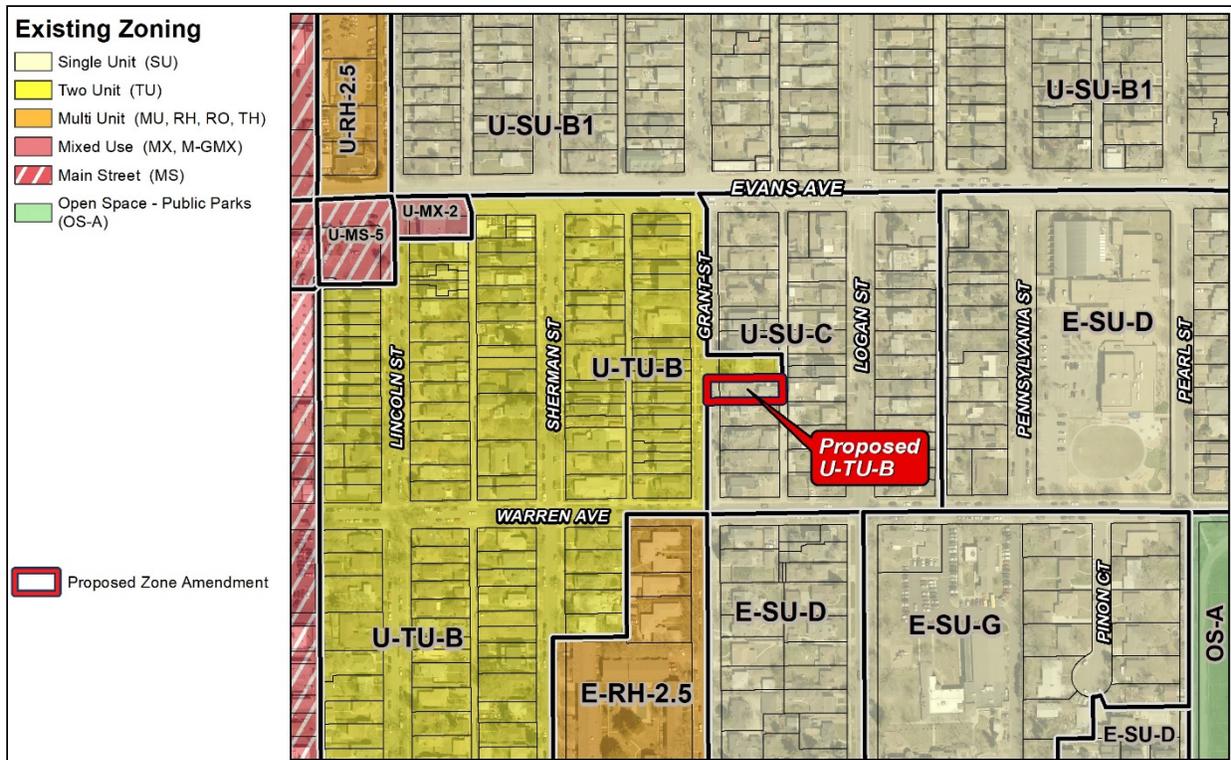
The subject property is located in the Rosedale Neighborhood on South Grant Street between East Warren Avenue to the south and East Evans Avenue to the north. The area is primarily composed of single-unit and two-unit residential buildings, with mostly single-unit uses on the east side of South Grant and two-unit uses on the west side.

Harvard Gulch Park is less than two blocks southeast of the subject property and the Rosedale Community Garden/Rosedale Park is two blocks south. The subject property is located less than ¼ mile from commercial, retail, and mixed uses along Broadway to the west and is approximately one mile from the University of Denver campus. Evans Avenue, identified as a high-capacity transit corridor, sits less than a block away to the north. Additionally, this site is within the ½ mile radius from the Evans light rail station. The application is requesting the U-TU-B zone district, which is consistent with the surrounding zone districts, specifically, across South Grant Street to the west, and is indicative of the changing character in the area.

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

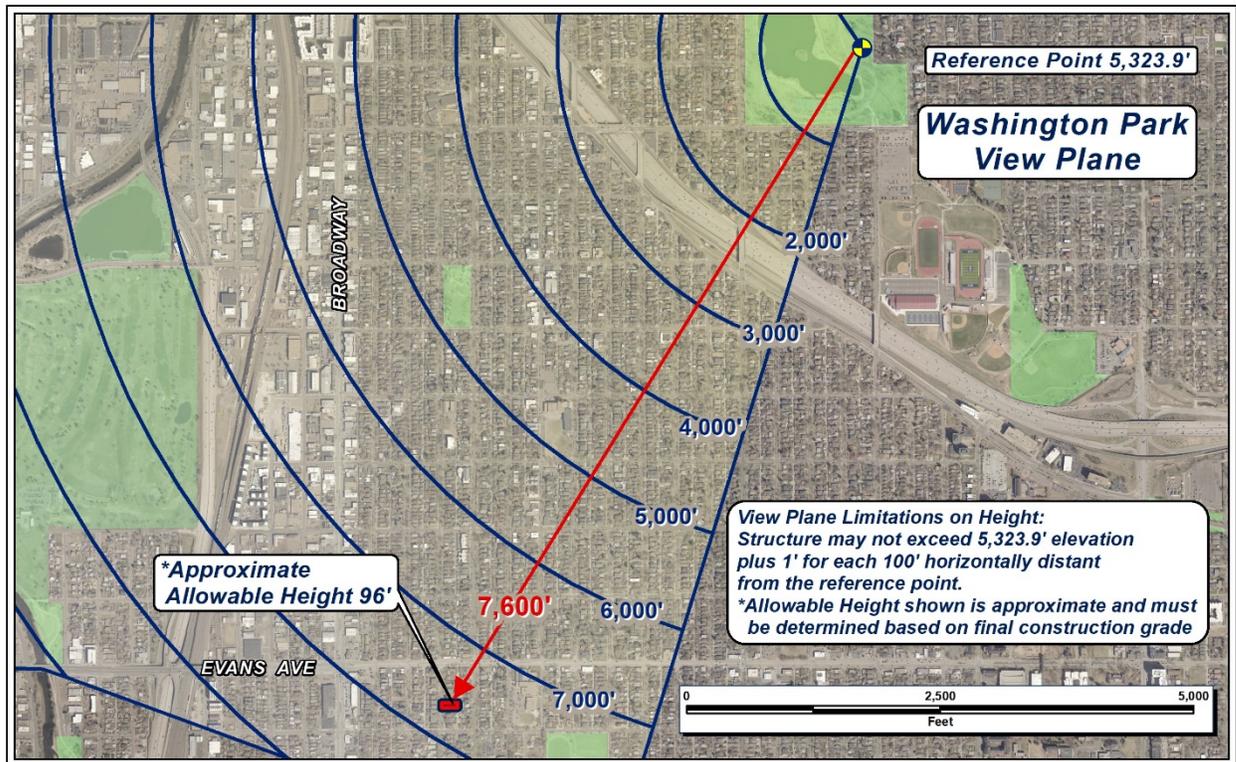
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	U-SU-C	Single-Unit Residential	1-story house that is setback towards the rear of the property	Generally regular grid of streets. Block sizes and shapes are consistent and rectangular. Vehicle parking to the rear of buildings (alley access) and on-street.
North	U-TU-B	Single-Unit Residential	1-story bungalow house with moderate setbacks	
South	U-SU-C	Single-Unit Residential	2-story house with moderate setbacks from the primary street	
East	U-SU-C	Single-Unit Residential	1-story brick house with moderate setbacks from the primary street	
West	U-TU-B	Two-Unit Residential	2-story duplex with moderate setbacks from the primary street	

1. Existing Zoning



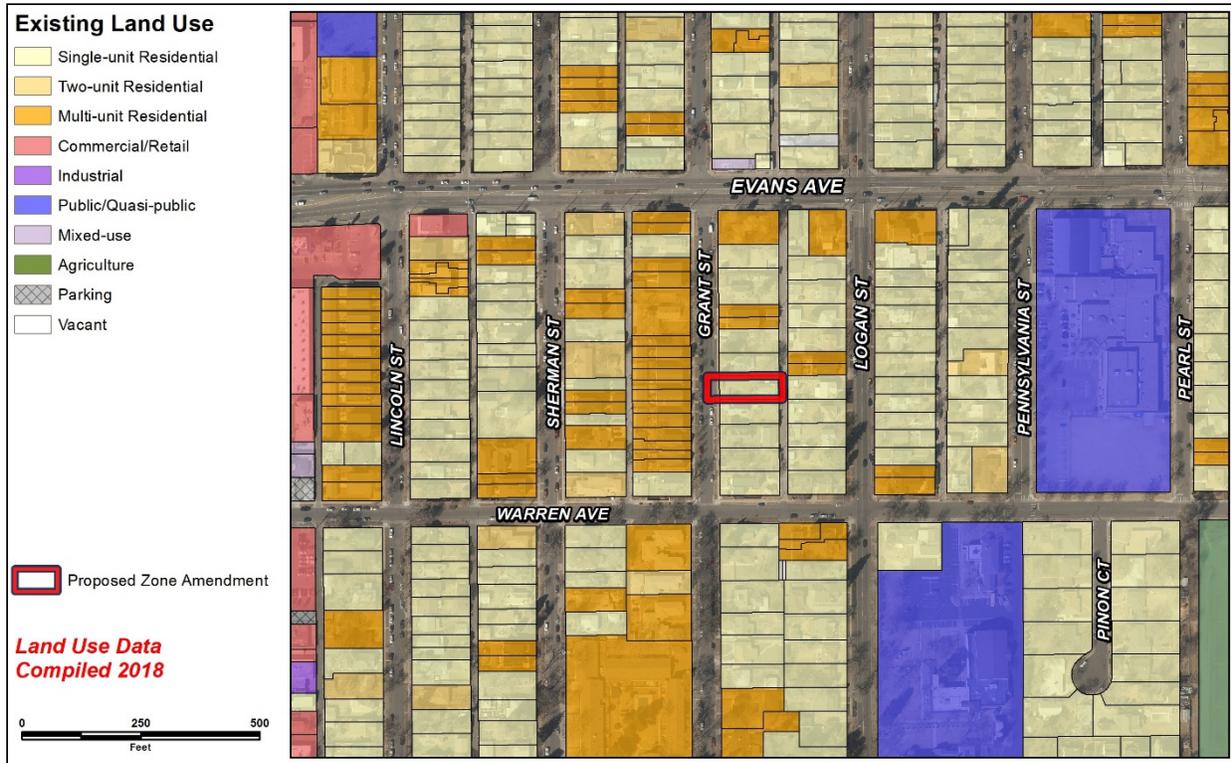
The existing U-SU-C zoning is a residential zone district that allows urban houses with minimum zone lots of 5,500 square feet. The intent of the single-unit residential districts is to promote and protect the character of residential neighborhoods within the Urban Neighborhood Context. The applicant's desire is to rezone the property in alignment with those properties directly to the west, north, and throughout the neighborhood. To the west across South Grant Street and directly to the north, the U-TU-B zone district allows single-unit and two-unit dwellings along with compatible civic and public uses in urban house, tandem house, and duplex primary building forms.

2. View Plane



The subject property is within the boundaries of the *Washington Park View Plane*. The intent of this view plane is to preserve the view of the Rocky Mountains (west of the subject property) from Washington Park (northeast of the subject property). No part of any structure within the view plane may exceed an elevation of 5,414 feet above mean sea level. Therefore, the site is subject to a maximum height restriction of 95-98 feet. However, the proposed zone district of U-TU-B has a much lower maximum height of 30' to 35' for primary structures and would not exceed the existing view plane.

3. Existing Land Use Map



4. Existing Building Form and Scale (All images are from Google Street View.)



Subject property facing east from South Grant Street.



Single-unit residential north of the subject property, facing east from South Grant Street.



Single-unit residential south of the subject property, facing east from South Grant Street.



Two-story duplex west of the subject site, facing west from South Grant Street.



Single-story home east (across the alley) of the subject site, facing west from South Logan Street.

Proposed Zoning

The requested U-TU-B zone district allows up to two units in either the Duplex or Tandem House building forms on a minimum zone lot area of 4,500 square feet. Urban House building forms are also allowed on certain smaller zone lots. The zone district has a maximum height of 30' to 35' with allowable height exceptions. The minimum primary street setback for all the above building forms is based on a block sensitive setback. Where a block sensitive setback does not exist, this setback is 20'. Minimum vehicle parking requirements in the U-TU-B zone district are the same as the minimum vehicle parking requirements in the existing U-SU-C zone district. For additional details of the requested zone district, see Denver Zoning Code Article 5.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized here:

Design Standards	Existing U-SU-C	Proposed U-TU-B
Primary Building Forms Allowed	Urban House	Urban House, Duplex, Tandem House
Height in Stories / Feet (max)	2.5 stories / 30' front 65%; 1 story / 17' rear 35%	2.5 stories / 30' front 65%; 1 story / 17' rear 35% for Urban House and Duplex building form, 2.5 stories / 30' front 65% and 24' rear 35% for Tandem House building form
Primary Street Build-To Percentages (min)	N/A	N/A
Primary Street Build-To Ranges	N/A	N/A
Minimum Zone Lot Size/Width	5,500 sf	3,000- 4,500 sf**
Primary Street Setbacks (min)	20'*	20'*
Building Coverages (max)	37.5%	33%-50%***

*where block sensitive setback does not apply

**standard varies between building forms

***standard varies between zone lot width and building forms

Summary of City Agency Referral Comments

As part of the Denver Zoning Code 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 Response

Denver Public Schools: Approved – No Response

Department of Public Health and Environment: Approved – No Response

Denver Parks and Recreation: Approved – No Comments

Transportation & Infrastructure – R.O.W.- City Surveyor: Approved – No Comments

Development Services – Project Coordination: Approved – No Comments

Development Services - Fire Protection: Approved – No Response

Development Services – Transportation: Approved – See Comments Below

Development Services - Wastewater: Approved – No Comments

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	1/22/21
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:	3/23/21
Planning Board public hearing (voted unanimously to recommend approval on consent):	4/7/21
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered	4/5/21

neighborhood organizations, at least ten working days before the meeting:	
Land Use, Transportation and Infrastructure Committee of the City Council:	4/20/21
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:	5/17/21
City Council Public Hearing:	6/7/21

- **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 currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Evans Station Area Plan (2009)*

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies. The following strategies apply from the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 1, Strategy A – *Increase development of housing units close to transit and mixed-use developments (p. 28).*
- Equitable, Affordable and Inclusive Goal 2, Strategy A – *Create a greater mix of housing options in every neighborhood (p. 28).*

The proposed U-TU-B zoning would allow development that would increase the diversity and supply of housing in the area and increase the development of housing units close to transit (Broadway, Evans Avenue and Evans Light Rail Station) and commercial corridors (Broadway and Evans Avenue). It is therefore consistent with the above strategies.

Similarly, the following strategies apply from the Strong and Authentic Neighborhoods vision element:

- 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).

In addition to adding to the diversity of housing types and building forms, the proposed map amendment would allow for infill development on the site that is consistent with the character of the neighborhood. It is therefore consistent with the above strategies.

Finally, the following strategies apply from the Environmentally Resilient vision element:

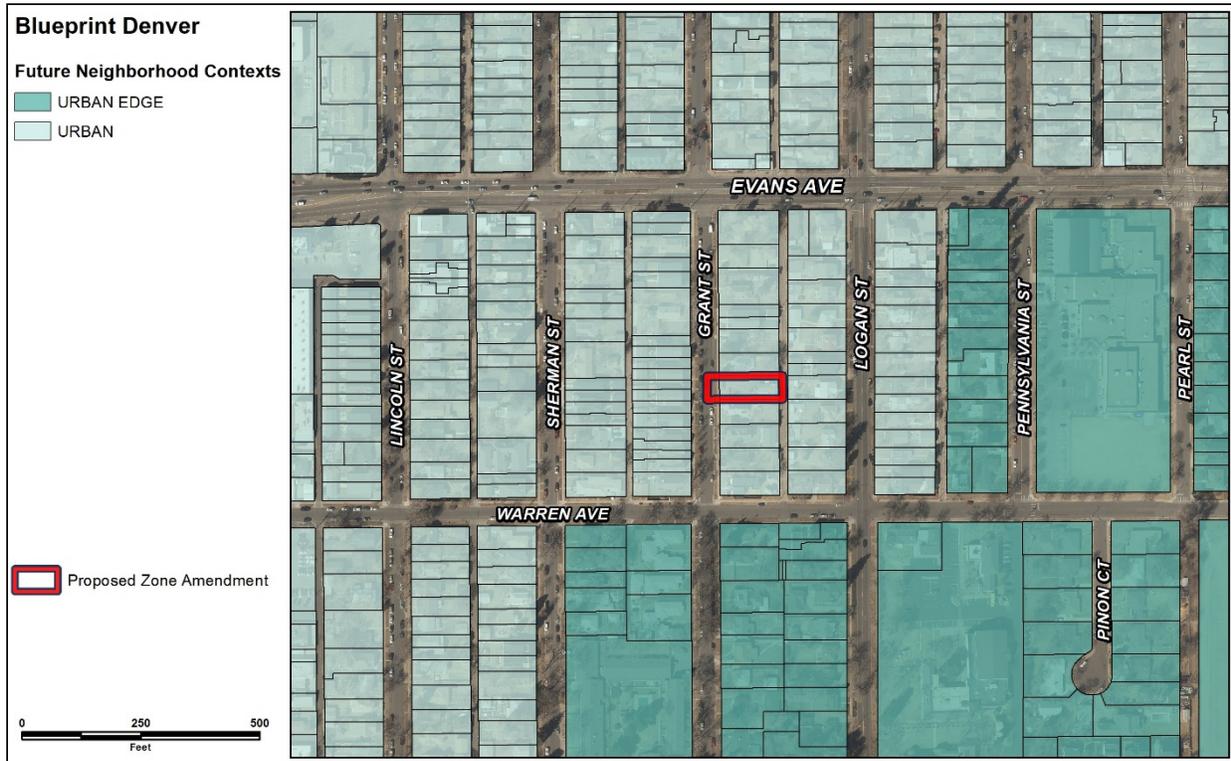
- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p. 54).
- Environmentally Resilient Goal 8, Strategy C – *Focus growth by transit stations and along high- and medium-capacity transit corridors* (p. 54).

The proposed map amendment is in an area where services and infrastructure are already in place. Similarly, the proposal focuses growth close to high-capacity transit as it's within a half mile of the RTD Evans Station. Therefore, the proposal is consistent with the strategies of the Environmentally Resilient vision element in *Comprehensive Plan 2040*.

Blueprint Denver

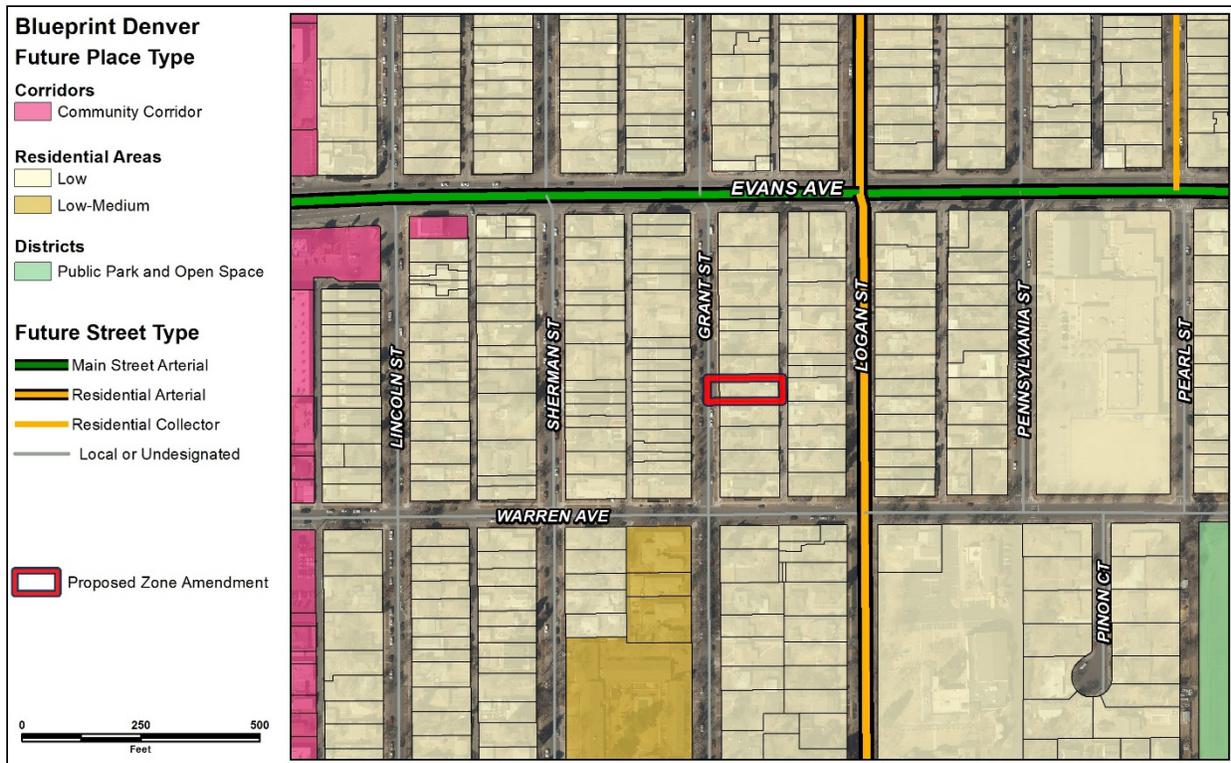
Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a "Low Residential" area within the Urban Neighborhood Context and provides guidance from the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context



In *Blueprint Denver*, future neighborhood contexts are used to help understand differences in things like land use and built form and mobility options at a higher scale, between neighborhoods. The requested rezoning is shown on the context map above as the Urban Neighborhood Context. “The urban neighborhood context is widely distributed throughout the city. Homes vary from multi-unit developments to compact single-unit homes. Development in this context should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity...These areas offer access to neighboring areas and commercial nodes, with some small mixed-use nodes within the neighborhood.” (p. 221). The proposed U-TU-B zone district is a residential zone district within the Urban context in the Denver Zoning Code. The standards of the two-unit districts “promote existing and future patterns of lower scale multi-unit building forms that address the street in the same manner as an urban house building form” (DZC 5.2.2.1). These standards recognize common residential characteristics within the Urban Neighborhood Context and 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. The proposed U-TU-B zone district is sensitive and compatible to the existing neighborhood character of single and two-unit homes within the urban context and offers residents a diversity of housing options close to transit and commercial corridors, as well as a large educational institution, which is appropriate and consistent with *Blueprint Denver*.

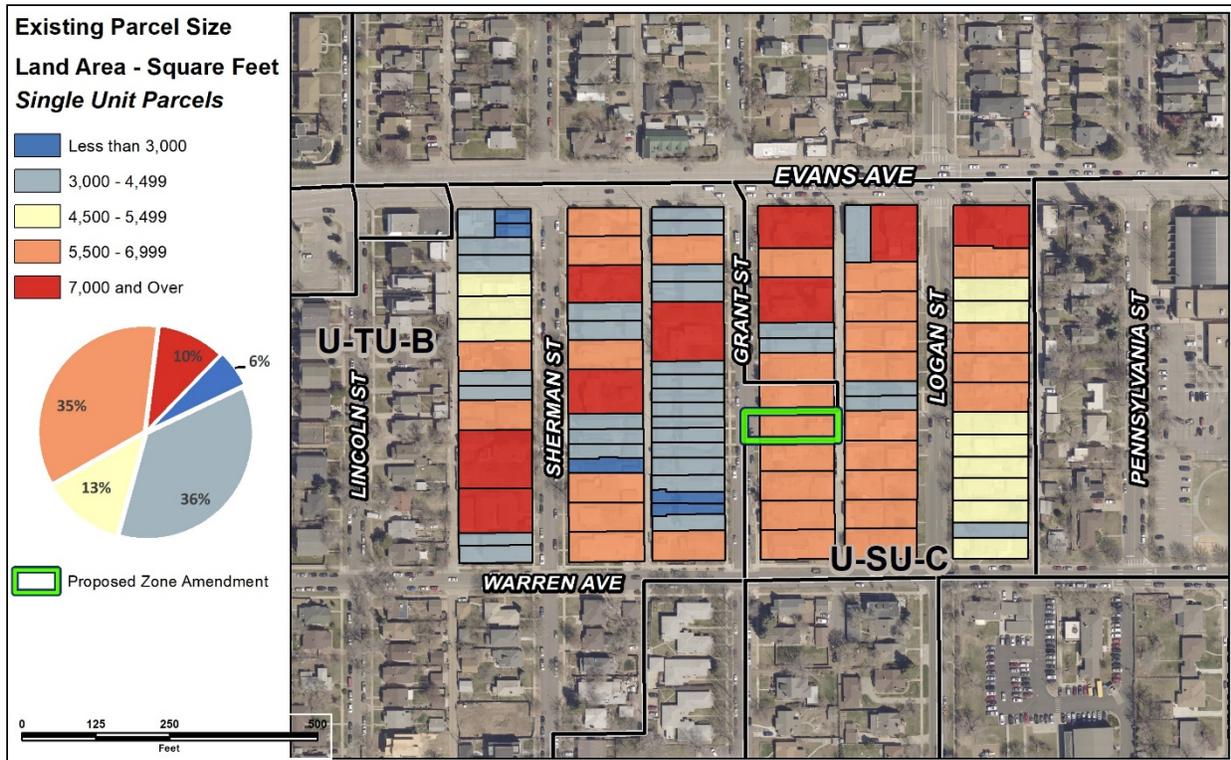
Blueprint Denver Future Places



The Future Places Map shows the subject property as part of a “Low Residential” place type within the Urban Context. *Blueprint Denver* describes these areas as, “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 in height” (p. 230). The U-TU-B zone district is a two -unit district allowing the Urban House, Duplex and Tandem House primary building forms which is consistent with this future place designation. The residential emphasis and the 2.5-story heights of the proposed U-TU-B zone district is consistent with this plan direction as well.

Additionally, *Blueprint Denver* gives further guidance when a request is made to change the zoning from single-unit to two-unit. *Blueprint Denver* states that, “the appropriateness of the request depends upon adopted small area plan guidance, neighborhood input, and existing zoning patterns. A departure from the established zoning pattern may be appropriate if the intent is to set a new pattern for the area, as expressed by an adopted small area plan or significant neighborhood input” (p. 231). As set forth in the *Evans Station Area Plan* section below, there is adopted small area plan guidance that supports urban residential uses enabled by this zoning. As a part of the rezoning application, the applicant submitted a petition which included ten neighbors offering support for the rezoning with one opposed. Significant neighborhood input also informed the adoption of the small area plan. There is an existing zoning pattern of U-TU-B across South Grant Street to the west of this site but not in other directions. However, on balance, the request for U-TU-B is consistent with these *Blueprint Denver* recommendations.

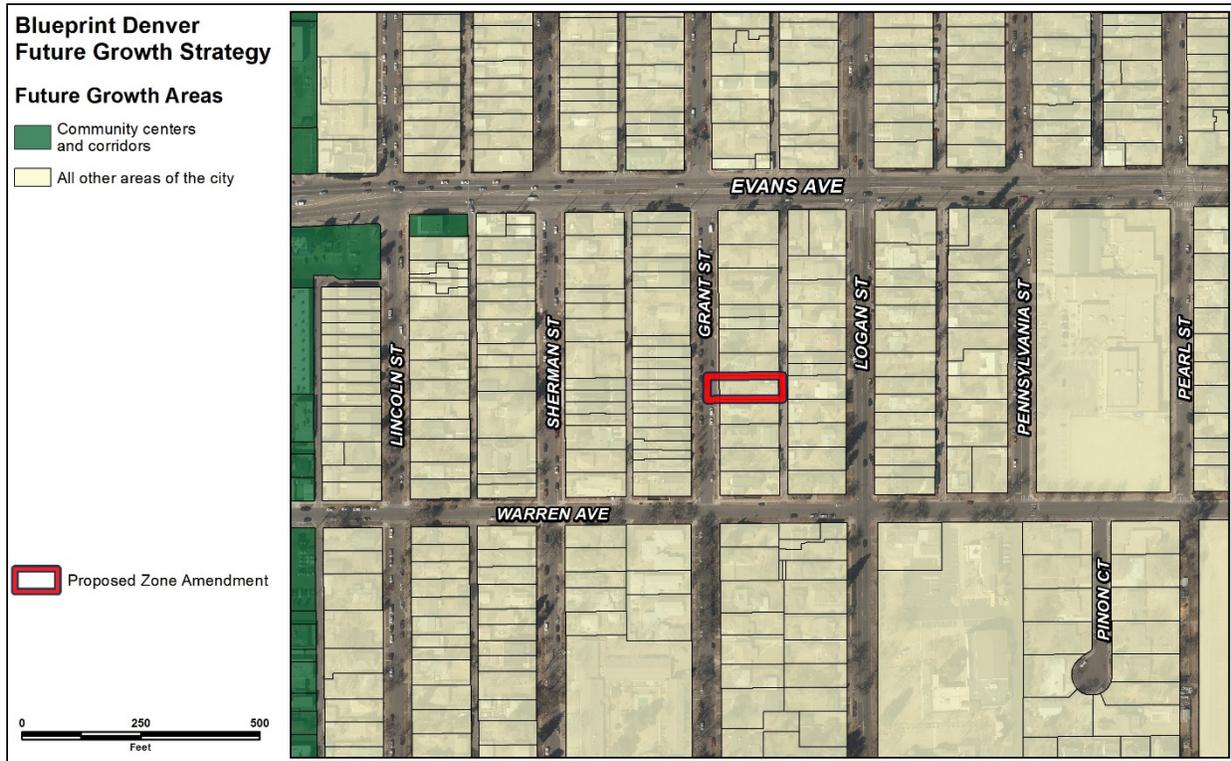
For applicant-driven requests that are individual sites or small assemblages, such as this request, typically a rezoning is only appropriate to allow smaller lot sizes than the existing zone district if there is an established pattern in the surrounding blocks of smaller lots with similar uses that would be consistent with the zone district request (p. 231) As discussed, the subject property is directly across the street from an established pattern of a U-TU-B zone district and, on balance, a consistent pattern of smaller lot sizes can be found in surrounding blocks, within the U-TU-B and the U-SU-C zone districts.



Street Types

In *Blueprint Denver*, street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies South Grant Street as an undesignated local street. Local streets “are designed for the highest degree of property access and the lowest amount of through movement” (p. 154). The proposed U-TU-B district is consistent with this plan direction for this location as, “single- and two-unit residential uses are primarily located along local and residential arterial streets” (DZC 5.1.1).

Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is located within "All other areas of the city, which are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040" (p. 51). The proposed map amendment to U-TU-B will allow for housing growth consistent with the growth strategy.

Evans Station Area Plan

In addition, although the subject property is not within the boundaries of some maps in the adopted *Evans Station Area Plan (2009)*, it is within one-half mile from the Evans Station, which includes it within the planning area (p. 4). One of the goals of the Evans Station Area Plan is to "maintain residential character of surrounding communities and encourage development of a full range of housing types and housing price points" (p. 10). It also recommends to "increase the supply of housing including for sale and rental housing of varying types and at a variety of price points" (p. 17). One of the implementation strategies of the plan is to "rezone or support rezoning applications within the Evans Station Area to allow for a future mixed-use neighborhood and residential development aligning with this Plan's Vision and recommendations. New zoning districts should promote diverse housing choice integrated with employment and shopping opportunities" (p. 45).

According to the text of the plan, this site is located within the Urban Residential area. The plan provides the following guidance for the Urban Residential area (p. 15):

“1c. Urban Residential – This land use is consistent with the Urban Residential designation in Blueprint Denver, but recommends less intensity and lower building heights (1-2 1/2 stories) than mixed use residential, to complement the existing neighborhood context. It encourages a mix of low and medium-density housing types including single family houses, accessory dwelling units (ADUs), duplexes and row houses. New development should reflect the existing character - small single-family lots (4,500 sf minimum), medium lot coverage, shallow to moderate setbacks, detached sidewalks with tree lawns and garages/parking accessed from the alley. Commercial uses to serve daily needs may be supported on arterials, such as Evans. Urban Residential land use applies to the following areas:

- Rosedale Neighborhood - between Evans and Harvard and between the alley east of Broadway and Logan”

Evans Station Area Land Use Plan (2009)



LEGEND			
	Mixed-Use - Main Street		Transit Station
	Mixed-Use Residential		Plaza/Pedestrian Bridge
	Urban Residential		Station Tower/Vertical Pedestrian Connection
	Single Family-Duplex		SW Corridor
	Single Family		Bicycle/Pedestrian Bridge
			Existing Parks
			Transit Parking

Evans Station Area (2009)



The proposed map amendment would allow an increase in density that is compatible with the surrounding area and near the Broadway and the Evans commercial corridors, facilitating the creation of the mixed-use neighborhood recommended in the plan. The U-TU-B zone district would allow single-unit and two-unit houses of the scale and on the minimum lot size recommended by the plan, increasing the supply and variety housing in the neighborhood. The proposed rezoning is consistent with the recommendations of the Evans Station Area Plan.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-TU-B 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, primarily through implementation of the city's adopted land use plans as detailed above. In addition, the proposed map amendment would improve public health and welfare by allowing more residents to live within easy walking distance of transit along Evans Avenue, Broadway, and the Evans Light Rail Station. The proposal will also maintain compatible scale and intensity in terms of allowed mix of uses and allowed building scale.

4. Justifying Circumstance

The application identifies several changed or changing conditions 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 changes or changing conditions in a particular area, or in the city generally." Specifically, the steady population growth in the City has created a need "in the city generally" for additional density and a variety of housing types. Additionally, the trends of the City and visions in the adopted plans focus on adding additional housing density around transit stations. There has been multi-unit residential redevelopment and reinvestment in the Evans Station Area. Furthermore, there has been ample redevelopment and reinvestment surrounding the subject property including along East Evans Avenue and South Broadway.

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

The requested U-TU-B zone district is within the Urban Neighborhood Context. The neighborhood context generally consists of single-unit and two-unit residential uses in a regular block pattern with consistent alleys (DZC, Division 5.1). The current zone district, U-SU-C, is also within the Urban Neighborhood Context. This portion of the Rosedale neighborhood fits the description of an Urban neighborhood as described above. The proposed rezoning to U-TU-B would allow development consistent with the neighborhood context description.

The purpose of the residential zone districts within the Urban Neighborhood Context is "to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context." More specifically, "the standards of the two unit and rowhouse districts promote existing and future patterns of lower scale multi-unit building forms that address the street in the same manner as an urban house building form" (DZC Section 5.2.2.1). The proposed U-TU-B zoning would allow development consistent with the desired character for the surrounding residential neighborhood and with the purpose and intent of the zone district.

Finally, the specific intent of the U-TU-B district “allows up to two units on a minimum zone lot area of 4,500 square feet” (DZC 5.2.2.2.N). Permitted building forms include the urban house, detached accessory dwelling units, duplex, and tandem house building forms. The subject property has a zone lot of 6,000 square feet, above the minimum 4,500 square feet.

Attachments

1. Application



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	Nathan Kibler-Silengo	Representative Name	
Address	2162 S. Grant St.	Address	
City, State, Zip	Denver, CO, 80210	City, State, Zip	
Telephone	970-389-8646	Telephone	
Email	nkiblers@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.	
SUBJECT PROPERTY INFORMATION			
Location (address):	2162 S. Grant St., Denver, CO, 80210		
Assessor's Parcel Numbers:	05272-09-007-000		
Area in Acres or Square Feet:	6,000 SF		
Current Zone District(s):	U-SU-C		
PROPOSAL			
Proposed Zone District:	U-TU-B		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input type="checkbox"/> Yes - State the contact name & meeting date _____ <input checked="" type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)		
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <small>Conducted Zoom meeting with Councilman Kashmann on 12/3/20</small> _____  <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p>2. Blueprint Denver</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable): Evans Station Area Plan</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input 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>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input 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="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-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.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>



REQUIRED ATTACHMENTS

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

- Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- Review Criteria Narratives. See page 2 for details.

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

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

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

I have not met with Development Service because at this point, I am only interested in rezoning the property.

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
Nathan Kibler-Silengo	2162 S. Grant St Denver, CO 80209 970-389-8646	100%	Nathan Kibler- Silengo  <small>Digitally signed by Nathan Kibler- Silengo Date: 2020.12.07 14:02:08 -08'00'</small>	12/07/20	(A)	NO n/a
						YES
						YES
						YES

2162 S GRANT ST

Owner	KIBLER-SILENGO,NATHAN 2162 S GRANT ST DENVER , CO 80210-4426
Schedule Number	05272-09-007-000
Legal Description	L 15 & N 23FT OF L 16 BLK 4 LAWNDALE
Property Type	RESIDENTIAL
Tax District	DENV

Print Summary

Property Description			
Style:	13	Building Sqr. Foot:	960
Bedrooms:	3	Baths Full/Half:	1/0
Effective Year Built:	1923	Basement/Finish:	487/0
Lot Size:	6,000	Zoned As:	U-SU-C

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

Current Year				
	Actual	Assessed	Exempt	
Land		\$343,800	\$24,580	\$0
Improvements		\$78,500	\$5,610	
Total		\$422,300	\$30,190	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$343,800	\$24,580	\$0
Improvements		\$78,500	\$5,610	
Total		\$422,300	\$30,190	

Real Estates Property Taxes for current tax year

Mill Levy * **72.116** *

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

The property tax system is undergoing an upgrade and the most recent tax assessment data is unavailable at this time. Please contact 311 if you need immediate assistance.

Additional Information

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

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	N	Scheduled to be Paid by Mortgage Company ⓘ	N
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

Real estate property taxes paid for prior tax year: **\$1,838.97**

Assessed Value for the current tax year

Assessed Land	\$24,580.00	Assessed Improvements	\$5,610.00
Exemption	\$0.00	Total Assessed Value	\$30,190.00

Property Legal Description:

LOTS 15 AND THE NORTH 23 FEET OF LOT 16, BLOCK 4,
LAWNDALE,
CITY AND COUNTY OF DENVER,
STATE OF COLORADO

General Review Criteria – Section 12.4.10.7

As described in the following narrative, this Application complies with all three of the Code’s general review criteria:

- I. Consistency with adopted plans
- II. Uniformity of district regulations and restrictions
- III. Public health, safety and general welfare

I. Consistency with Adopted Plans

The Code requires that all map amendment applications be consistent with the City and County of Denver’s adopted plans. The following plans are applicable to the Property:

- A. Comprehensive Plan 2040
- B. Blueprint Denver 2019
- C. Evans Station Area Plan

A. Comprehensive Plan 2040

This Application is consistent with the following Vision Elements identified in Denver’s Comprehensive Plan 2040:

- Equitable, Affordable, and Inclusive
- Strong and Authentic Neighborhoods
- Environmentally Resilient

Regarding the Equitable, Affordable Vision Element, this application is consistent with Goal 1, Strategy A, ‘Increase development of housing units close to transit and mixed-use developments (pg. 28) and Goal 2 Strategy A, ‘Create a greater mix of housing options in every neighborhood for all individuals and families (pg. 28) because the revised zoning will provide an increase in housing units close to Evans Station and the mixed-use developments along the S. Broadway corridor. Additionally, the U-TU-B zoning amendment will add diversity amongst the U-SU-B properties found on S. Grant St and in the Rosedale Neighborhood.

Regarding the Strong and Authentic Neighborhoods Element, this application is consistent with Goal 1, Strategy B, ‘Ensure neighborhoods offer a mix of housing types and services for a diverse population’ (pg. 34), and Strategy D ‘Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities’ (pg. 34), because while the U-TU-B zoning amendment will add diversity amongst the U-SU-B properties on the east-side of S. Grant St, it will also compliment the existing duplex and multifamily units found on west-side of S. Grant St (See property shown on **Figure 1-1**).

Regarding the Environmentally Resilient Vision Element, this application is consistent with Goal 8, Strategy A, ‘Promote infill development where infrastructure and services are already in place’ (pg. 54), because the proposed zoning amendment will not require new services, as they are already in place serving the existing home on the property.

Figure 1-1



B. *Blueprint Denver 2019*

As identified in *Blueprint Denver 2019*, the property at 2162 S. Grant St is in the Urban Future Neighborhood Context (pg. 139) and considered a Low Residential Area Future Place (pg. 225) consisting of ‘predominately single- and two- uses on small or medium lots’ (pg. 231). As such, it is ‘appropriate to allow smaller lot sizes than the existing zone district if there is an established pattern in the surrounding blocks of smaller lots with similar uses’ (pg. 231). The property at 2162 S. Grant St, as shown on the Existing Land Use Map in **Figure 1-1**, is accordingly larger than the multi-unit residential lots located directly across the street (U-TU-B). The Multi Unit properties across the street are mainly duplexes which, when associated with the other Multi-unit properties in the surrounding blocks, establish a clear pattern of smaller lots with similar uses.

Additionally, *Blueprint Denver 2019* gives specific guidance for applying the Low Residential future place to proposed rezonings. Specifically, “when a rezoning request is made to change the zoning to allow two-unit uses, the appropriateness of the request depends upon adopted small area plan guidance, neighborhood input, and existing zoning patterns” (pg. 231). *Blueprint Denver 2019* also provides that a property’s growth strategy designation and street type designation are also applicable to rezoning applications (pg. 67).

This Application is requesting a zone map amendment from U-SU-C to U-TU-B; a zone district that would allow two-unit uses on the Property. According to *Blueprint Denver 2019*, the appropriateness depends on:

- a. Small area plan guidance
- b. Neighborhood input
- c. Existing zoning patterns
- d. Growth strategy designation
- e. Street type designations

a. Small Area Plan Guidance

This Application is consistent with **the Evans Station Area Plan** because it would increase the housing variety and density within close proximity to the Evans RTD Light Rail Station (further explained in Section C below).

b. Neighborhood Input

Before the submittal of the Application, I created a petition for neighbors to sign and indicate their support or opposition for the proposed zoning amendment. I set out with the intent of speaking to every resident that lives within 200' of my property on S. Grant St. All in all, I approached about 25 residences on 10/24/20. However, some did not answer because they were either not home, did not care for solicitation during an election, or did not want to answer due to the current pandemic. Those that did not answer on 10/24/20, I returned on 10/25/20 in attempt to solicit feedback. Ultimately, I was able to connect with fourteen neighbors. Thirteen neighbors support the proposed zone map amendment, while just one opposes. Those that were comfortable with signing their name are included in the attached petition, while those that were not, are indicated as such.

Additionally, I have consulted with City Councilman, Paul Kashmann, via Zoom on 12/3/20 and he was able to drive the neighborhood.

Lastly, I spoke with Tom Montoya, the head of the Rosedale Harvard Gulch Neighborhood Association, on 12/6/20. He states the Association has taken the policy position not to oppose the rezoning of single-unit properties to two-unit properties because they acknowledge it as a trend and it is the direction the neighborhood is going.

c. Existing Zoning Patterns

This Application is consistent with the existing zoning patterns due to its proximity to other properties located in the U-TU-B zone district and because there are other duplexes and two-unit uses located within the Property's U-SU-C zone district. The map below shows the Existing Land Use Map and the Property's proximity to other multi-unit uses. As shown with the red diamond, the property is across the street from many multi-use properties, adjacent to a multi-use property across the alley to the east, and is close to other various multi-use properties along the eastside of Grant St. It is also important to note the property next door, at 2160 S. Grant St, recently had its zone map amended from U-SU-C to U-TU-B, as shown in the Existing Zoning Map, **Figure 1-1**.

d. Growth Strategy Designation

Per *Blueprint Denver 2019*, the property is in the 'All other areas of the city' Future Growth Area (pg. 50), an area projecting a 20% increase in new households by 2040. Consistent with the strategy described in *Blueprint Denver 2019*, this zone map amendment will add one additional housing unit of density to help support the projected housing demand increase.

e. Street Type Designation

This Application proposes to maintain the Properties existing residential land use. It is therefore consistent with the street type designated in *Blueprint Denver 2019* because Main Street Arterials

(Evans) are specifically identified as serving a mix of uses, including residential, and Local Streets (Grant) are “most often characterized by residential uses.”

In conclusion of Section B, this Application is consistent with *Blueprint Denver 2019* because it embraces the Evans Station Area plan, there is neighborhood support, and it is consistent with the existing zoning patterns, growth patterns, and street type designation.

C. Evans Station Area Plan

According to the *Evans Station Area Plan*, the plan is to “be used to guide decisions regarding public and private investment within ½ of the Evans light rail station”(pg ix). As shown as a yellow star in **Figure 2-2**, the Property is located within ½ mile of the Evans RTD Light Rail Station and therefore falls under the guidance of the *Evans Station Area Plan*.

A vision of the *Evans Station Area Plan* is to create “vibrant, sustainable communities with a diverse mix of land use at various densities within a 10-minute walk, or about a half-mile” of the Evans Station. (pg.ix). The land use recommendations described in the Plan seek to reinforce this vision and “support transit by having sufficient residential densities and mix of uses to reduce walking distances between residences and other destinations such as neighborhood retail, services, parks, and transit.” (pg. 12). Furthermore, Land Use Recommendation 4a specifically recommends: “increase the supply of housing including for sale and rental housing of varying types and at a variety of price points.” (pg. 17). Additionally, while the Property does not appear on the Land Use Plan shown on pg. 13, it is located just one block east of the Urban Residential District, and thus, it can be considered appropriate to apply the Urban Residential goals to the Property. As such, Recommendation 1c “encourages a mix of low and medium-density housing types including single-family houses, accessory dwelling units (ADU’s), duplexes and row houses.” (pg. 15).

By allowing the zoning to change from single-family to duplex, this Application would be encouraging the mix of housing types in the area located within ½ mile radius of Evans Station, therefore remaining consistent with the *Evans Station Area Plan*.

Additional Review Criteria – Section 12.4.10.8

Code § 12.4.10.8 also requires that non-legislative rezonings meet the following additional criteria:

- A. Justifying circumstances
- B. Consistency with neighborhood context description, zone district purpose and intent statements

A. Justifying Circumstances

This Application satisfies the justifying circumstances (Code § 12.4.10.8.A.4) because of the overall population growth of the City and the increase in development surrounding the Evans RTD Light Rail Station. Specifically, the steady population growth in the City has created a need “in the city generally” for additional density and a variety of housing types, while the significant redevelopment and reinvestment in the area surrounding the Property since it was rezoned in 2010 proves the particular area has changed to such a degree that this Application is in the public interest.

Not only does *Blueprint Denver 2019* support this by identifying 20% growth in new households by 2040, but it also provides specific guidance on proposed rezoning requests and hence, acts as a justifying circumstance. As such, it states “When a rezoning request is made to change zoning to allow two-units uses, the appropriateness of the request depends upon adopted small area guidance, neighborhood input, and existing zoning patterns” (pg. 215), and “When a rezoning request is made to change the zoning to allow smaller lots for multiple properties in the area, the appropriateness of the request depends upon the existing character and applicable adopted neighborhood plan guidance.” (pg. 215). As previously described in this application (refer to Section B. *Blueprint Denver 2019*), the proposed Zone Map Amendment is consistent with the small area guidance, existing zoning patterns, character of applicable neighborhood plan guidance, and there is proven support through neighborhood input.

B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

The Application is consistent with the Urban Neighborhood Context because it proposes a zone district that allows single-unit and two-unit residential uses. The Application is also consistent with the U-TU-B Zone District purpose and intent because the Property meets the minimum lot size requirement for up to two-units under the duplex and tandem house building forms.

Conclusion

As the foregoing explains, this Application satisfies the Code’s requirements identified in Section 12.4.10.7 and Section 12.4.10.8. Accordingly, I respectfully request approval of this Application. Please do not hesitate to contact me with questions, concerns or to discuss further.

SURVEY TAKEN
10/24-10/25 2020

U-SU-C to U-TU-B
Zoning Addendum

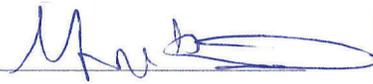
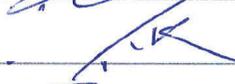
Petition for:
2162 S. Grant St.
Denver, CO
80210

Grant St. Address	Resident Name	Signature	Support	Oppose
2131			<input type="checkbox"/>	<input type="checkbox"/>
2133	DID NOT WISH TO SIGN		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2135			<input type="checkbox"/>	<input type="checkbox"/>
2137	Marta Wellborn	Marta Wellborn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2138	DID NOT WISH TO SIGN		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2140			<input type="checkbox"/>	<input type="checkbox"/>
2141	Seaton Lycan	Seaton Lycan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2146	DID NOT WISH TO SIGN		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2150			<input type="checkbox"/>	<input type="checkbox"/>
2164	Siegau	Siegau	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2174	DID NOT WISH TO SIGN		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2182	Anthony Miles	Anthony Miles	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2188			<input type="checkbox"/>	<input type="checkbox"/>
2160			<input type="checkbox"/>	<input type="checkbox"/>
2163	Andreas Evagg	Andreas Evagg	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2165			<input type="checkbox"/>	<input type="checkbox"/>
2167	Michael R. Good	Michael R. Good	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2171			<input type="checkbox"/>	<input type="checkbox"/>
2173	Onana Kourdy	Onana Kourdy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2175			<input type="checkbox"/>	<input type="checkbox"/>

SURVEY TAKEN
10/24-10/25 2020

U-SU-C to U-TU-B
Zoning Addendum

Petition for:
2162 S. Grant St.
Denver, CO
80210

Grant St. Address	Resident Name	Signature	Support	Oppose
2143	Megan Westmoreland		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2145			<input type="checkbox"/>	<input type="checkbox"/>
2147	Joe Curtis-Lusher		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2161	Courtney C		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2162	NATHAN SLEMMO		<input checked="" type="checkbox"/>	<input type="checkbox"/>

