



**TO:** Denver City Council  
**FROM:** Libby Kaiser, AICP, Senior City Planner  
**DATE:** August 13, 2020  
**RE:** Official Zoning Map Amendment Application #2020I-00002

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2020I-00002.

### Request for Rezoning

Address: 1925 Olive Street  
Neighborhood/Council District: South Park Hill / Council District 8  
RNOs: Northeast Denver Friends and Neighbors (NEDFANS),  
Opportunity Corridor Coalition of United Residents, Fax  
Partnership, Denver Arts and Culture Initiative, Greater Park Hill  
Community, Inc., Inter-Neighborhood Cooperation (INC)  
Area of Property: 6860 sq ft square feet or 0.16 acres  
Current Zoning: E-SU-Dx  
Proposed Zoning: E-SU-D1x  
Property Owner(s): Shawn Hann  
Owner Representative: None

### Summary of Rezoning Request

- The subject property contains a two-story, single-unit dwelling originally built in 1948, though it appears to have undergone an upper-story addition in recent years. The property is located between Montview Boulevard and E. 19<sup>th</sup> Avenue on Olive Street.
- The property owner is proposing to rezone the property to build an accessory dwelling unit.
- The proposed E-SU-D1x, Urban Edge, Single-Unit, D1x district allows suburban houses, urban houses and detached accessory dwelling units in the rear yard with a minimum zone lot area of 6,000 square feet. The district is intended for use in the Urban Edge Neighborhood Context, which is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. The Urban Edge Neighborhood Context is primarily single-unit and two-unit residential uses. Single-unit residential structures are typically the Urban House and Suburban House building forms. The maximum height of the Urban House building form is 30 to 35 feet for the front 65% of the zone lot and 17 to 19 feet in the rear 35% of the zone lot while the maximum height of the Suburban House building form is 30 to 35 feet. The Detached Accessory Dwelling Unit form can be a maximum height of 24 feet. Single and two-unit residential uses are primarily located along local and residential arterial streets. Further details of the requested zone district(s) can be found in the proposed zone district section of the staff report (below) and in Article 4 of the Denver Zoning Code (DZC).

**Existing Context**



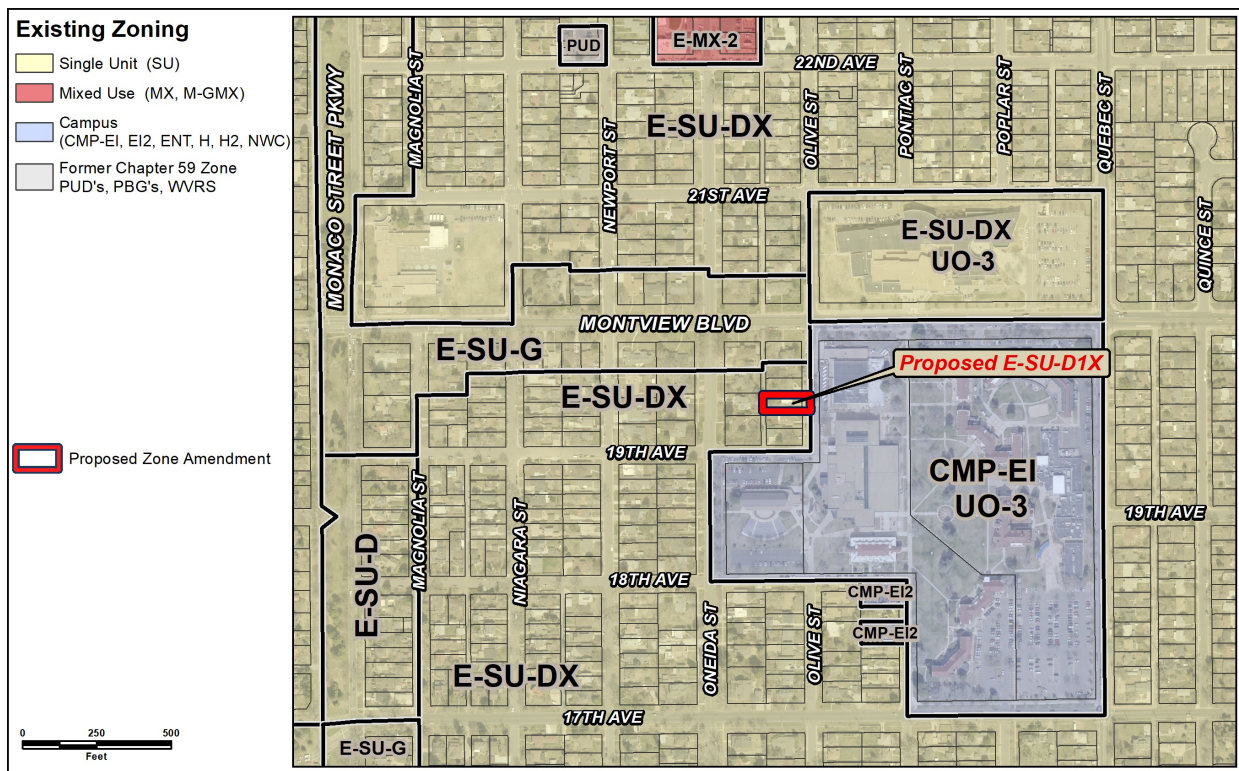
The subject property is in the South Park Hill statistical neighborhood, which is characterized primarily by single-unit residential uses with several public/quasi-public uses in the vicinity, including Johnson and Wales University immediately to the east, Denver School of the Arts to the northeast, and Odyssey School of Denver to the northwest. A mixed-use node is focused on Oneida Street between 22<sup>nd</sup> and 23<sup>rd</sup> avenues and the Colfax Avenue commercial corridor forms the neighborhood’s southern boundary. The property is less than one-half mile from four bus routes, including Route 20 on 23<sup>rd</sup> Avenue, Route 73 on Quebec Street, Route 65 on Monaco Parkway, and routes 15 and 15L on Colfax Avenue. A bike lane traverses Montview Boulevard one block to the north.

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	E-SU-Dx	Single-unit Residential	2-story Residence	In general, a regular grid of streets with the Montview Boulevard Parkway to the north. Block sizes and shapes are orthogonally oriented north/south
North	E-SU-Dx	Single-unit Residential	1-story Residence	
South	E-SU-Dx	Single-unit Residential	1-story Residence	

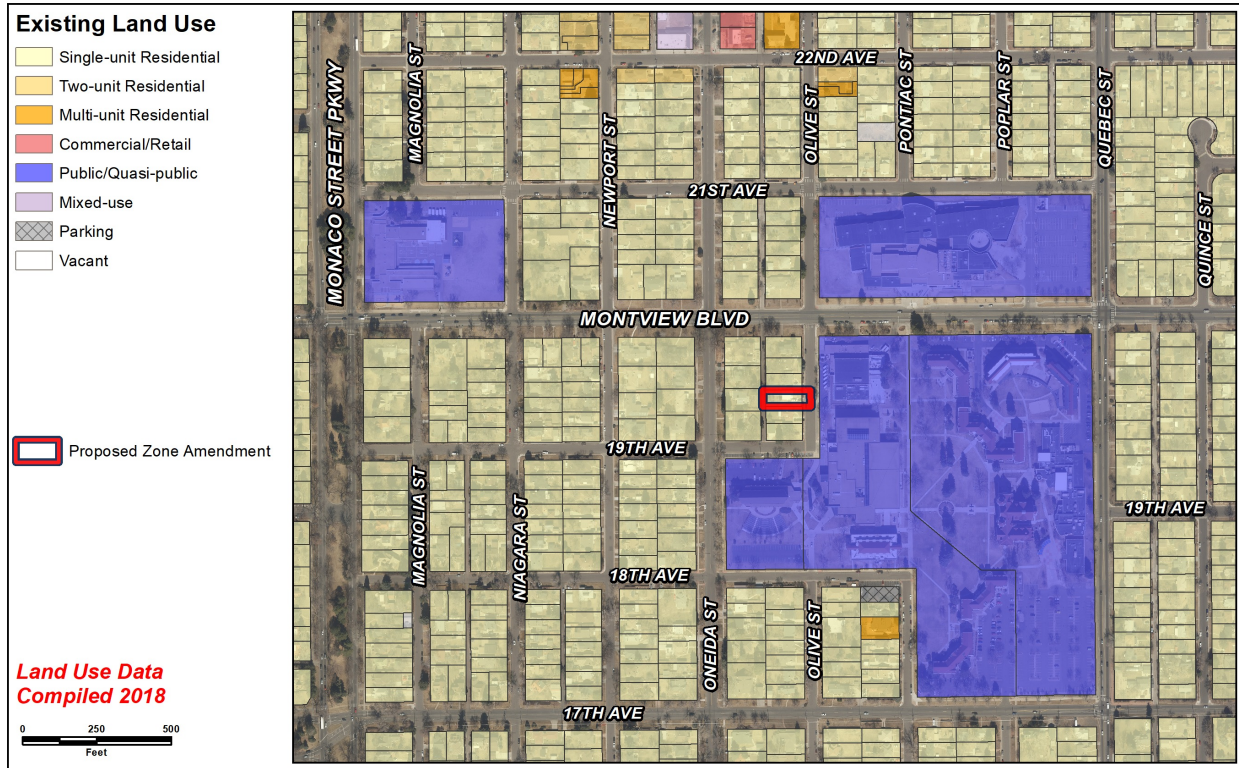
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
East	E-SU-Dx	Public/Quasi-public (Johnson and Wales University)	1-story Residence	with alleys. Garages are rear, side and front loaded with on-street vehicular parking. Sidewalks are generally attached.
West	E-SU-Dx	Single-unit Residential	2-story Residence	

### 1. Existing Zoning



The E-SU-Dx is a single unit district allowing Suburban and Urban House primary building forms on a minimum zone lot area of 6,000 square feet and a minimum zone lot width of 50 feet. The maximum allowed height of the Urban House building form is 30 to 35 feet for the front 65% of the zone lot and 17 to 19 feet in the rear 35% of the zone lot while the maximum height of the Suburban House building form is 30 to 35 feet. For both building forms, the maximum building coverage per zone lot, including accessory structures, is 37.5%, with allowed exceptions. The district allows two accessory structure building forms: Detached Garage and Other Detached Accessory Structure with a maximum height of 15 to 17 feet. No vehicular parking is required for single-unit dwellings.

## 2. Existing Land Use Map



## 3. Existing Building Form and Scale (source: Google Earth and Google Maps)



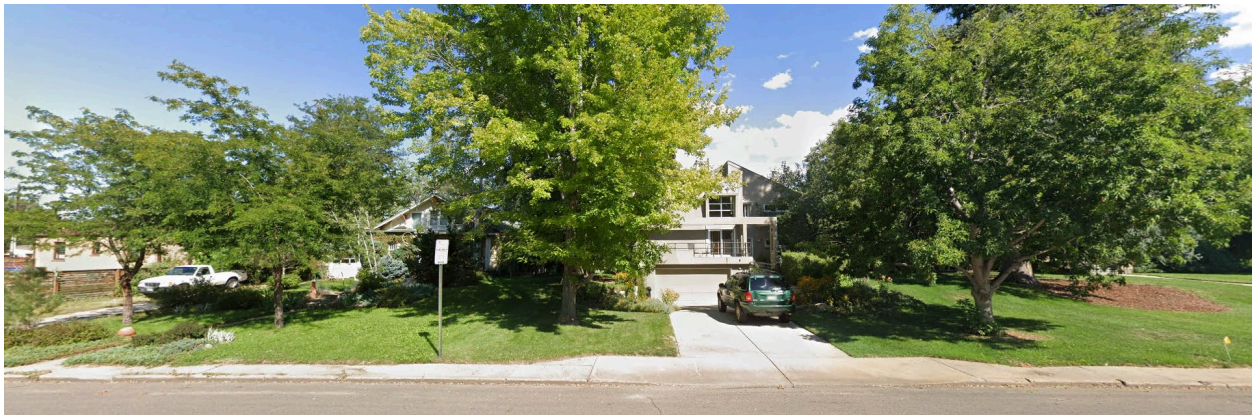
Aerial view of the site looking north.



View of property looking west (white house) and properties to the south and north.



View of the property to the east, looking east.



View of the property behind the alley to the west, looking east (the dominant structure is 1914 Oneida Street).

### **Proposed Zoning**

The applicant is requesting to rezone to E-SU-D1x, which allows the Suburban House and Urban House building forms on a zone lot with a minimum area of 6,000 square feet. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood

Context. The E-SU-D1x district also permits the accessory dwelling unit use and Detached Accessory Dwelling Unit (DADU) building form, to be located in the rear 35 percent of the lot, in addition to a variety of residential and civic uses permitted in the E-SU-Dx district. The Detached Accessory Dwelling Unit building form has a maximum height of 1.5 stories or 24 feet. A bulk plane that rises 10 feet vertically from the side interior or side street zone lot line, then slopes 45 degrees, also applies to the DADU building form. This form allows an exemption from the 37.5% building coverage standard, allowing the lesser of 50% or 500 square feet. For zone lots greater than 6,000 square feet and up to 7,000 square feet the ADU building footprint may be a maximum of 864 square feet. The district does not require any off-street vehicular parking for single-unit dwellings, but if provided, parking for the DADU must be accessed from the alley; street access is allowed when no alley is present.

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

<b>Design Standards</b>	<b>E-SU-Dx (Existing)</b>	<b>E-SU-D1x (Proposed)</b>
Primary Building Forms Allowed	Urban House; Suburban House	Urban House; Suburban House
Height in Stories / Feet, Front 65% of Zone Lot (max.)	2.5 stories / 30 to 35 feet	2.5 stories / 30 to 35 feet
Height in Stories / Feet, Rear 35% of Zone Lot (max.)	Urban House: 1 story / 19 feet Suburban House: 2.5 stories / 30 to 35 feet	Urban House: 1 story / 19 feet Suburban House: 2.5 stories / 30 to 35 feet
Height in Stories / Feet, Detached Accessory Dwelling Unit, (max.)	1.5 stories / 24 feet	1.5 stories / 24 feet
Bulk Plane Vertical Height / Slope	Urban House: 17' in front 65%, 10' in rear 35% of zone lot / 45 degrees at side interior and side street zone lot line Suburban House: 10 feet / 45 degrees at side interior and side street zone lot line	Urban House: 17' in front 65%, 10' in rear 35% of zone lot / 45 degrees at side interior and side street zone lot line Suburban House: 10 feet / 45 degrees at side interior and side street zone lot line
Zone Lot Size (Min.)	6,000 SF	6,000 SF
Zone Lot Width (Min.)	50 feet	50 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 Setback, 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

### 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 comments.

**Asset Management:** Approved – no comments.

**Denver Public Schools:** Approved – no comments.

**Department of Public Health and Environment:** Approved – see comments below:

*Notes:* DDPHE concurs with the request and is not aware of environmental concerns on this site that should be considered for this 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 always be effective in the control of fugitive particulate emissions 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 rezoning 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:* DDPHE 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.

**Denver Parks and Recreation:** Approved – no comments.

**Public Works – R.O.W. - City Surveyor:** Approved – see comments below:

Approve rezoning only; will require additional information at Site Plan Review.

**Development Services – Project Coordination:** Approved – see comments below:

Please note that, because the proposed rezoning is to allow an accessory dwelling unit (ADU), if the rezoning application is approved by City Council, the Applicant will work with the Residential Permitting Section to apply and receive approval for building and zoning permits to construct the ADU.

The Applicant is also highly encouraged to review the ADU Building Form standards in Sec. 4.3.4.5.A, which have been included with these comments as an attachment, for better understanding about the siting, size, setback, etc., requirements to build the ADU. Please contact the Residential Permitting Section with any questions or concerns.

The Residential Permitting Section can be reached at [residentialpermits@denvergov.org](mailto:residentialpermits@denvergov.org) or 720-865-2710.

**Development Services – Fire Protection:** Approved – no comments.

**Development Services – Transportation:** Approved – no comments.

**Development Services – Wastewater:** Approved – see comments below:

Contact [Wastewaterpermits@Denvergov.org](mailto:Wastewaterpermits@Denvergov.org) to discuss sanitary service line options given the Denver public main is in Olive Street. Stormwater must be discharged in a manner and quantity to do no more harm than previous. A Sewer Use and Drainage Permit will be required.

Approval of this rezone on behalf of Wastewater does not state, or imply, public storm/sanitary infrastructure can, or cannot, support the proposed zoning.



**Public Review Process**

	<b>Date</b>
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>4/1/2020</b>
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>6/2/2020</b>
Planning Board public hearing (voted unanimously to recommend approval):	<b>6/17/2020</b>
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	<b>6/18/2020</b>
Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward:	<b>6/30/2020</b>
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	<b>7/27/2020</b>
City Council Public Hearing:	<b>8/17/2020</b>

- **Registered Neighborhood Organizations (RNOs)**
  - To date, staff has received no comment letters from Registered Neighborhood Organizations.
- **Other Public Comment**
  - To date, Frances Koehn, the property owner of 1914 Oneida Street to the west of the subject property, has submitted two comment letters opposing the rezoning because they fear it will negatively impact the neighborhood character. The applicant has contacted Frances to share their design intent for the ADU, and these communications are attached to this report.

**Criteria for Review / Staff Evaluation**

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

**DZC Section 12.4.10.7**

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

**DZC Section 12.4.10.8**

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

## 1. Consistency with Adopted Plans

The following adopted plans apply to this application:

- *Denver Comprehensive Plan 2040* (2019)
- *Blueprint Denver* (2019)
- *Park Hill Neighborhood Plan* (2000)
- *Housing an Inclusive Denver* (2018)

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

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would allow for an additional housing option near transit and a mix of uses within an established neighborhood, consistent with the following strategies in the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive: Goal 1, Strategy A – Increase development of 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 for all individuals and families (p. 28).
- Equitable, Affordable and Inclusive: Goal 3, Strategy B – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit (p. 28).

The proposed rezoning would allow infill development appropriate for the surrounding neighborhood that broadens the range of housing types available, consistent with the following strategy in 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).

The proposed rezoning would allow for compatible infill development in an established neighborhood, consistent with the following strategy 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).

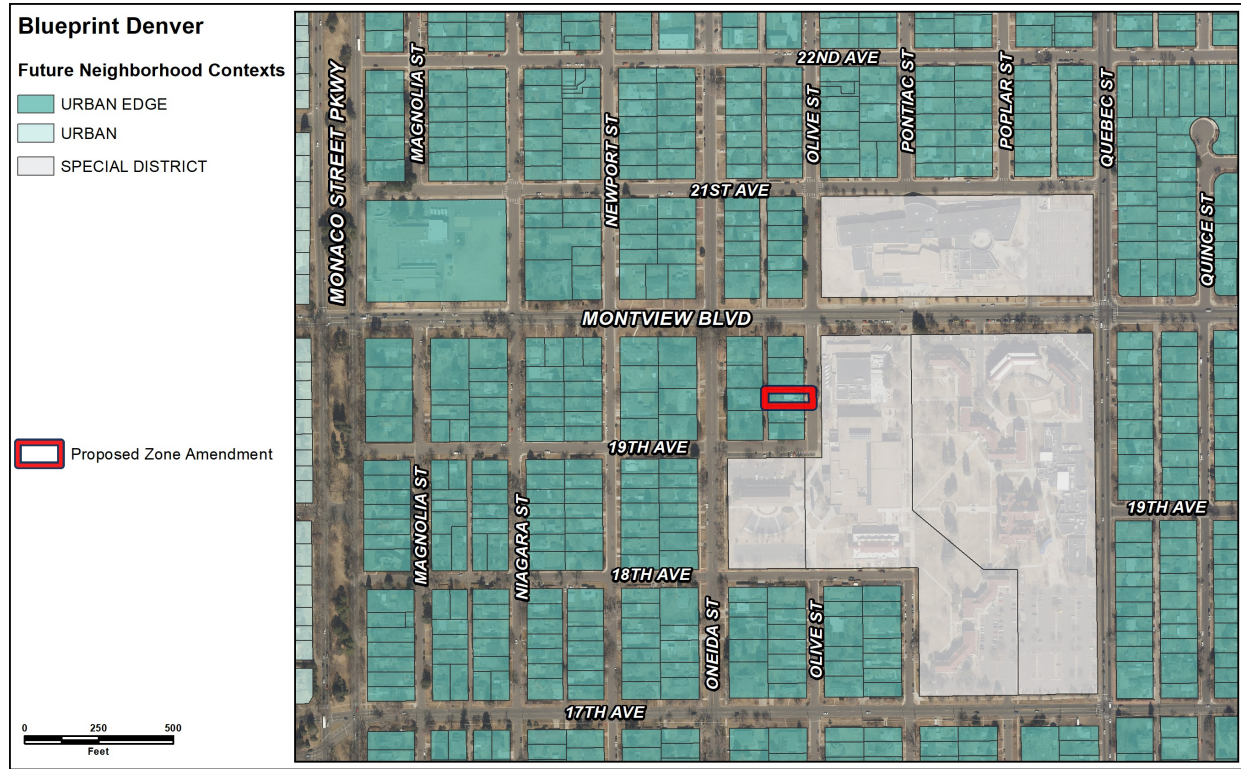
In summary, the proposed E-SU-D1x zone district is consistent with the goals of *Comprehensive Plan 2040*.

### ***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 Residential Low place within the Urban Edge Neighborhood Context and provides guidance on the future growth strategy for the city.

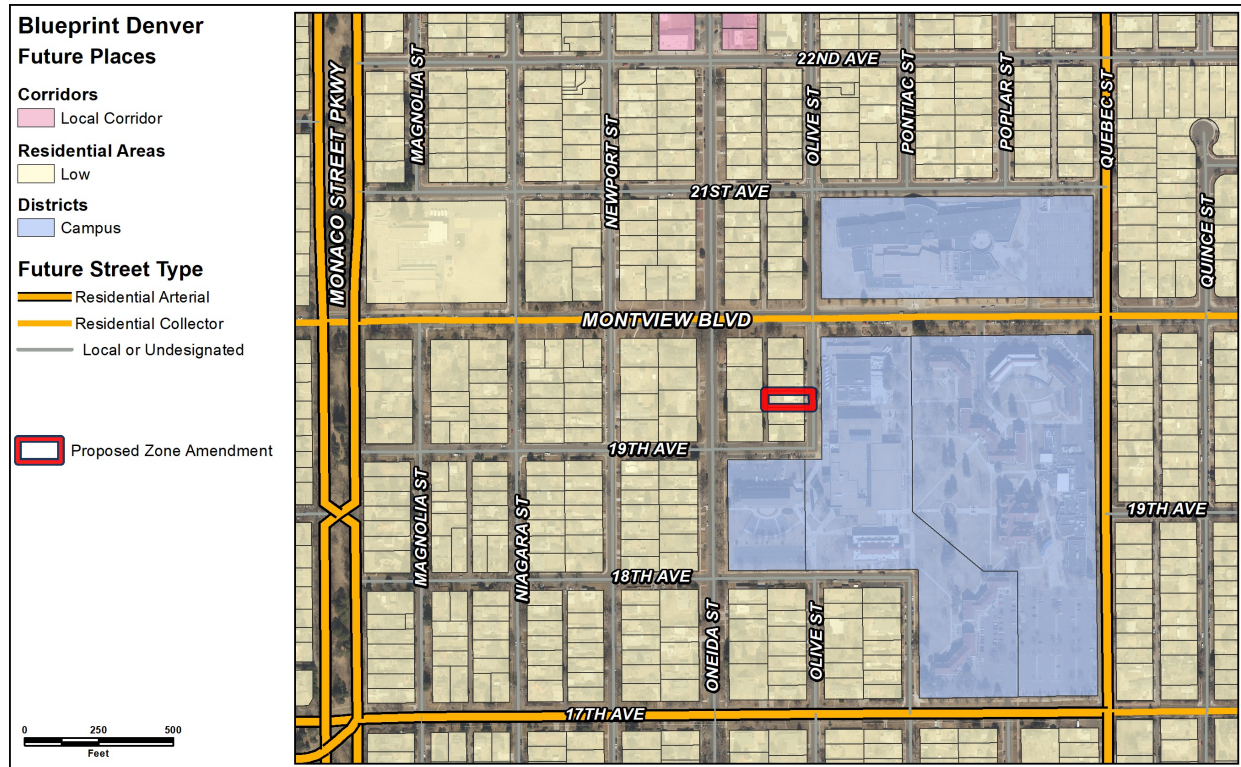
**Blueprint Denver Future Neighborhood Context**



In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject property is shown on the context map as an Urban Edge Neighborhood Context, the description of which is used to guide appropriate zone districts (p. 66). *Blueprint Denver* describes the Urban Edge neighborhood context as follows: “Residential areas generally are single-unit and two-unit uses, with some low-scale multi-unit embedded throughout. Commercial nodes are generally found along key corridors or at intersections. Block patterns are generally a mix of suburban and urban elements—streets may be rectangular or curved and alleys are sometimes present. Multi-unit buildings and commercial nodes are generally low-scale” (p. 206).

E-SU-D1x is a zone district within the Urban Edge Neighborhood Context and is intended “to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context” and “the building form standards, design standards and uses work together to promote desirable residential areas” (DZC 4.2.2.1). E-SU-D1x is consistent with *Blueprint Denver’s* future neighborhood context of Urban Edge because it will promote the residential character of the neighborhood by allowing a small-scale ADU that will be compatible with the existing residential area.

**Blueprint Denver Future Places and Streets**



**Future Places**

Within the Urban Edge Neighborhood Context, the subject property is categorized as a Residential Low Future Place with a land use and built form defined by *Blueprint Denver* as “predominately single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible. Some civic and institutional uses are compatibly integrated throughout and limited mixed-use can occur along arterial and collector streets, as well as where commercial uses have been already established. Vacant institutional uses on corners or select sites may be appropriate locations to introduce additional residential intensity. Low to medium building coverage. Buildings are generally up to 2.5 stories in height” (p. 214). The proposed E-SU-D1x zone district allowing a 1.5-story detached ADU on the rear of a small lot is compatible with this Future Place type.

**Future Street Types**

In *Blueprint Denver*, Future Street Types work in concert with the Future Places to evaluate the appropriate intensity of adjacent development (p. 67). *Blueprint Denver* classifies Olive Street as a Local or Undesignated Future Street Type, which “can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses.” (p. 161). The proposed E-SU-D1x district is consistent with this street type because it allows for residential and some civic uses.

**Blueprint Denver Growth Strategy**



*Blueprint Denver's* growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the "All other areas of the city" growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). This growth area contains "mostly residential areas with embedded local centers and corridors (that) take a smaller amount of growth intended to strengthen the existing character of our neighborhoods" (p. 49). The proposed E-SU-D1x zone district allowing an ADU is appropriate in this growth area as it will minimally contribute to development intensity in the neighborhood while maintaining the area's single-family residential character.

**Blueprint Denver Strategies**

*Blueprint Denver* supports rezonings to allow for ADU's via two key policies:

- **Land Use and Built Form, Housing Policy 4, Strategy E:** "A citywide approach to enable ADU's is preferred. Until a holistic approach is in place, individual rezonings to enable ADU's in all residential areas, specifically where proximate to transit, are appropriate. Unless there is a neighborhood plan supporting ADU's, rezonings should be small in area in order to minimize impacts to the surrounding residential area." (p. 84).
- **Land Use and Built Form: Housing Policy 5:** "Remove barriers to constructing accessory dwelling units and create context-sensitive form standards." (p. 84).

In this case, the requested rezoning is a single lot in a residential area less than one-half mile from four bus routes. This rezoning to an ADU zone district will have minimal impacts on the character of the surrounding neighborhood and is consistent with Blueprint Denver recommendations. In addition, the rezoning of the subject property will remove the prohibition on the construction of an accessory dwelling unit.

**Small Area Plan: Park Hill Neighborhood Plan**

The request meets the following goal and recommendation from the *Park Hill Neighborhood Plan*:

- **Land Use and Zoning Goal:** “Maintain the existing integrity of the residential character of Park Hill. Assure that continued growth and development in Park Hill results in a balanced and compatible mix of housing types and densities.” (p. 32).
- **Land Use and Zoning Action Recommendation 3:** “Create and maintain a mix of housing types and sizes that are attractive and affordable to a diversity of ages, incomes, household types, sizes, cultural and ethnic backgrounds.” (p. 33).

The proposed ADU would maintain the existing integrity of Park Hill and increase the mix of housing options in the neighborhood, which is predominately comprised of single-unit homes.

***Housing an Inclusive Denver***

Adopted in 2018, *Housing an Inclusive Denver* was not adopted as a supplement to *Denver Comprehensive Plan 2040* but was still adopted by City Council and can be considered relevant to the review criteria for this map amendment. The plan includes citywide guidance for using *Blueprint Denver* to reduce regulatory barriers to development of ADUs, and the proposed rezoning helps implement the following plan goals:

- **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.”

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

The proposed rezoning to E-SU-D1x will result in the uniform application of zone district building form, use and design regulations.

**3. Public Health, Safety and General Welfare**

The proposed rezoning 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 recommendations

of the city's adopted land use plans. The proposed rezoning would also facilitate minimally increased housing density near transit. The building form standards and allowed uses of the proposed zone district promote compatibility with the building forms and uses allowed in the surrounding area.

#### **4. Justifying Circumstance**

Per the DZC Section 12.4.10.8, City Council may approve a rezoning if it meets one of several Justifying Circumstances, which include the following circumstance applicable to this particular request: "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: 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."

Since the approval of the existing E-SU-Dx zone district, the City has adopted the *Comprehensive Plan 2040*, *Blueprint Denver*, and *Housing an Inclusive Denver*. As stated throughout this report, the proposed rezoning meets the intent of these plans and is in the public interest; therefore, this is an appropriate justifying circumstance for the proposed rezoning.

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

The requested E-SU-D1x zone district is within the Urban Edge Neighborhood Context, which "is primarily single-unit and two-unit residential uses" and "single-unit residential structures are typically the Urban House and Suburban House building forms" (DZC, Division 4.1). This context "consists of a regular pattern of block shapes" and "a mixed presence of alleys" (DZC, Division 4.1). The Park Hill neighborhood consists mostly of single-unit residential uses in rectangular blocks with alley access. The proposed rezoning to E-SU-D1x is consistent with the neighborhood context description.

The specific intent of the E-SU-D1x zone district "is a single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard" (DZC Section 4.2.2.2.F.). The subject property at 1925 Olive Street contains a single-unit dwelling on a lot of 6,860 square feet. Adopted plans recommend allowing detached accessory dwelling units and limited growth in this area compatible with the existing character. Therefore, rezoning this site would be consistent with the specific intent of the zone district.

#### **Attachments**

1. Application
2. Comments

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p><b>*If More Than One Property Owner:</b>            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><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></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):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			



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 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 type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>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><b>Justifying Circumstances - One of the following circumstances exists:</b></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 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 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 type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input type="checkbox"/> Proof of Ownership Document(s)</p> <p><input 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)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
Shawn Jolie Hann	1925 N. Olive Street Denver, CO 80220 303-249-8181 denverhann@comcast.net	100%	<i>Shawn Jolie Hann</i>	03/19/20	A	no

## ***Hann Legal Description***

**Owner:**

HANN, SHAWN JOLIE  
1925 OLIVE ST  
DENVER , CO 80220-1847

**Schedule Number:** 01324-02-009-000

**Legal Description:**

Lot 21 and the North 12.5 feet of Lot 20, and the South 18.75 feet of Lot 22, except the rear 8 feet of said Lots, Block 4, Montrose, City and County of Denver, State of Colorado

**Property Type:** RESIDENTIAL

**Tax District:** DENV

**Property Description**

Style: Two Story

Bedrooms: 4

Effective Year Built: 1948

Lot Size: 6860

Mill Levy: 72,116

Building Sqr Foot: 2176

Baths Full/Half: 3/0

Basement/Finish: 0/0

Zoned As: E-SU-DX

Document Type: WD

**Schedule Number:** 0132402009000

**Zoning**

**Zone District:** E-SU-DX

**Neighborhood:** South Park Hill

**Subdivision:** Montrose

**Historic Landmark District:** No

**Individual Historic Landmark:** No

**Enterprise Zone:** Yes

**Floodplain Designation:** Zone: X

**Floodway:** No

Surrounding Zoning:

•E-SU-G

•CMP EI UO-3

•E-SU-DX UO-3

•CMP-EI2

Land Use: Single-Unit Residential

Surrounding Land Uses: •Public/Quasi-public

# 1925 N OLIVE ST

<b>Owner</b>	HANN,SHAWN JOLIE 1925 OLIVE ST DENVER , CO 80220-1847
<b>Schedule Number</b>	01324-02-009-000
<b>Legal Description</b>	MONTROSE 01324 B4 L21 & N 12.5FT OF L20 & S 18.75FT OF L22 EXC REAR 8FT TO CITY
<b>Property Type</b>	RESIDENTIAL
<b>Tax District</b>	DENV

**Print Summary**

Property Description			
<b>Style:</b>	TWO-STORY	<b>Building Sqr. Foot:</b>	2176
<b>Bedrooms:</b>	4	<b>Baths Full/Half:</b>	3/0
<b>Effective Year Built:</b>	1948	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	6,860	<b>Zoned As:</b>	E-SU-DX

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

Current Year			
Actual	Assessed	Exempt	
Land		\$267,700	\$19,140 \$0
Improvements		\$335,100	\$23,960
<b>Total</b>		<b>\$602,800</b>	<b>\$43,100</b>

Prior Year			
Actual	Assessed	Exempt	
Land		\$133,800	\$9,630 \$0
Improvements		\$223,400	\$16,090
<b>Total</b>		<b>\$357,200</b>	<b>\$25,720</b>

## Real Estates Property Taxes for current tax year

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

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
<b>Date Paid</b>			
<b>Original Tax Levy</b>	\$1,554.11	\$1,554.09	\$3,108.20
<b>Liens/Fees</b>	\$0.00	\$0.00	\$0.00
<b>Interest</b>	\$0.00	\$0.00	\$0.00
<b>Paid</b>	\$0.00	\$0.00	\$0.00
<b>Due</b>	\$1,554.11	\$1,554.09	\$3,108.20

## 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.

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

Real estate property taxes paid for prior tax year: **\$1,989.82**

## Assessed Value for the current tax year

<b>Assessed Land</b>	\$19,140.00	<b>Assessed Improvements</b>	\$23,960.00
<b>Exemption</b>	\$0.00	<b>Total Assessed Value</b>	\$43,100.00

## INTRODUCTION

This Official Map Amendment is a request to rezone 1925 N. Olive Street from E-SU-Dx to E-SU-D1x. The existing zone district is E-SU-Dx. Section 4.2.2.2.D describes our property's current zone district classification as "E-SU-Dx is a single unit district allowing suburban and urban houses with a minimum zone lot area of 6,000 square feet." Section 4.2.2.2.F describes our property's proposed zone district as "E-SU-D1x is a single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard." The purpose of the proposed Official Map Amendment is to allow an accessory dwelling unit (ADU) to be constructed in our property's back yard. The Denver metro region, in particular the City and County of Denver, faces an unprecedented demand for housing due to a natural population increase coupled with continuing strong immigration. This demand for housing has placed upward pressure on the values for Denver's housing stock and land. Our property is 6,860 square feet with an existing house and a detached 440 square foot garage.

Our property's existing condition represents the development pattern of its block and the greater Park Hill statistical neighborhood, which is small homes on large lots.

The proposed Official Map Amendment would allow me to build a living space that will be used by my family, friends, or as a means to help solve Denver's affordable housing crisis. A central goal of this Official Map Amendment is to introduce additional housing in an area of

the City that can support it due to its location and access to employment centers and regional mass transit. An ADU on our property will allow my elderly parents who currently reside in the Montclair neighborhood to move to our lot where I can assist them on a daily basis and allow them to remain a part of this community.

In reviewing the drafts of Comprehensive Plan 2040 and Blueprint Denver 2019, it seems like most Denverites want to stay in the neighborhoods that they have grown up in or lived in for quite some time. They do not want to move out into suburbs, but love the city of Denver and want to make their current neighborhood work for their growing family. We want new development to match the existing fabric of our neighborhoods while understanding Denver's important role in meeting our City's housing needs. My parents own a four-bedroom house in Montclair which is the adjacent neighborhood south of my own. We have a large lot that we could create a handicapped accessible ADU that will allow my parents to live on our lot and stay in the community in which they have come to love.

This is my request for this Official Map Amendment to change the current zone district classification to allow for one (1) additional accessory dwelling unit in my large backyard built on top of an existing two-car garage- which we would rebuild to insure it has the proper supports necessary to support the second story. An accessory dwelling unit would add to the City's housing stock while allowing me and my parents to continue to live in this community.





area to go to that school. We are also across the street from Johnson and Wales University. There are not many housing options for college students within walking distance of the campus.

However, for the next decade this ADU will be used as a handicapped accessible alternative to a nursing home for my 85-year-old parents and then for my husband's 70-year old mother moving here from AZ.

Allowing A.D.U. development at 1925 Olive St would create a greater mix of housing options in every neighborhood for all individuals and families. Presently housing options in my neighborhood are very limited. Not everyone needs a three-bedroom, two bath house and the accompanying expense. I suggest that allowing an A.D.U. at 1925 Olive St addresses a dearth of housing for students, singles and working individuals.

*Equitable, Affordable and Inclusive*

### **Goal 3**

**Strategy B:** *Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit (pg. 28).*

**o Compliance:** We are middle class Denverites. We have popped the top to my 1947 bungalow that I purchased in 2003 as a single teacher. I have existed on a very limited budget moving from single teacher to single mom of an adopted daughter, to now a married mom with three kids-hence the popped top. Adding this ADU helps another family be in the heart of the city, within 15 minutes of downtown, but in walking and biking distance from parks and Stapleton area amenities.

*Strong and Authentic Neighborhoods***Goal 1**

**Strategy B:** *Ensure neighborhoods offer a mix of housing types and services for a diverse population (p.34)*

**o Compliance:** My parents live six-blocks away in the Montclair neighborhood. They are valued members of their community, still attending church at Trinity Methodist, my mother is a part of arts groups and swims at the National Jewish Hospital. We want to create a handicapped accessible ADU in our backyard so their lives are easier. We can check on them morning, afternoon, and evening. We can help by bringing dinner to them nightly and do their shopping for them with ease. Keeping my parents in this community adds to the diverse population. Having my children stay connected to their older grandparents and learning from their generation is very important.

The proposed A.D.U for 1925 Olive St. would offer a mix of housing serving a more diverse population. In my neighborhood you have either lived here a long time or you bought one of the older houses and have done a scrape and build for close to a million dollars. This is a very narrow slice of residents and a far cry from a diverse population. Housing choices and availability are often if not always driven by affordability and allowing A.D.U. development in my neighborhood would ensure a more diverse population as it becomes more affordable.

*Strong and Authentic Neighborhoods*

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

**o Compliance:** The zone map amendment for 1925 Olive St is consistent with the surrounding neighborhood. The existing neighborhood and those immediately surrounding are well-established, vibrant and among the most desirable in central Denver. Homes vary from low-rise and mid-rise multi-unit to single-unit homes, from early 20th Century Mansions to compact single-unit homes. Construction of new housing has occurred consistently, from the earliest days to the neighborhoods development to the present, offering a wide range of styles. The Accessory Dwelling Unit proposed for 1925 Olive St, is an exceptional opportunity to provide a housing gem. Conversion of an existing garage into a handicapped accessible apartment with its inherently small living space suggests that it will be occupied by a single person or a couple, who might not otherwise be able to find or afford a home in this exceptional neighborhood, and not many housing options are completely designed with ADA standards in place. Our style of home is modern so we are attempting to duplicate the style and have a fresh contemporary design inside to make the home a place in which the occupants will be proud to live.

### *Strong and Authentic Neighborhoods*

#### **Goal 1**

**Strategy A:** *Build a network of well connected, vibrant, mixed use centers and corridors (D. 34)*

**o Compliance:** It is beyond the scope of this proposed Accessory Dwelling Unit to add to the existing network of “well-connected, vibrant, mixed use centers and corridors”. Its objective, however, is to afford the opportunity to access this existing network to a person or couple who might otherwise not be able to.

*Environmentally Resilient***Goal 8**

**Strategy A:** *Promote infill development where infrastructure and services are already in place.*

*(p.54)*

**o Compliance:** The proposed ADU is consistent with the strategy mentioned above. All utilities and infrastructure are already in place. The ADU build could happen with no outward change to the neighborhood except to add a great addition to the housing stock.

Park Hill sits between Northfield/Stapleton and Lowry and is only a 15-minute drive to downtown. The entire neighborhood is well-served by designated bike routes, and offers easy access to RTD transit lines. There is an RTD stop one block up on Quebec, two blocks over on 23<sup>rd</sup>, and 4 blocks over on Colfax. There is a park and ride light rail to DIA within a mile drive.

The neighborhood allows convenient access to Safeway, King Soopers, Trader Joes and soon Sprouts markets, each of which anchors collections of smaller neighborhood shops. A wide range of many restaurants at all price points similarly is close by – Oneida Park is a simple two-block stroll. Outstanding parks and sights are close by: City Park, all the Stapleton parks, the Denver Zoo as well as the Nature and Science Museum are a short bike ride from our doors.

*Environmentally Resilient*

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

**o Compliance:** Park Hill is a close jump to DIA, close to downtown- we can make it almost to anywhere in the Denver metro area in 20-30 minutes. Neseled between the powerhouse neighborhoods of Northfield, Stapleton, Aurora, and City Park, makes it one of Denver's most desirable neighborhoods, offering a myriad of existing opportunities to live, work

and play in the neighborhood and in the neighborhoods immediately adjacent. There are employment opportunities in all these areas as well as along Colfax. Johnson and Wales University is literally across the street from our home making that an attainable education or career opportunity as well.

## **Blueprint Denver (2019)**

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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 place within the Urban Edge Neighborhood Context and provides guidance from the future growth strategy for the city.

### **Future Neighborhood Context**

#### **Urban Edge**

*“The urban edge context areas are predominately residential and tend to act as a transition between urban and suburban areas. Homes in this context are typically low-scale single-and two-unit residential with some small-scale multi-unit residential. Commercial and mixed-use development in this context tends to be found along the main corridors bordering traditional residential areas, with some larger center development.”*

**o Compliance:** Most of the houses available for sale in this neighborhood are between \$500 and a million dollars stopping many from settling here vs. the suburbs. There is a beautiful development in our neighborhood, Oneida Park, offering restaurants and social opportunities within a walking distance. We are definitely urban edge as it takes about 20-30 minutes to really get anywhere in Denver- downtown, DIA, suburbs. We’d love to keep our parents in this area and not have them suffer in a nursing home complex as neither want that.

The Blueprint Denver describes urban context as small multi –unit residential and mixed-use areas are typically embedded in single unit and two-unit residential areas. Block patterns are generally regular with a mix of alley access. Buildings are lower scale and closer to the street.

The current zoning of E-SU-Dx falls under the “Urban” neighborhood as described above. The proposed zoning change to E-SU-D1x, also falls under “Urban” which remains consistent with Future Neighborhood Context. The proposed garage conversion to an A.D.U has a footprint of 864 sq.ft. Access will be via the service alley with a parking space dedicated off the alley as well. No setback or bulk plane variances are necessary as the building already exists.

*“The urban edge context offers good walkability with short, predictable blocks. Many existing commercial developments in urban edge were established with the rise of the automobile and, as a result, are designed around single-occupancy vehicles. As these areas redevelop, they will be adapted to be more pedestrian-friendly, with buildings oriented to the public realm instead of parking lots.” (Pg. 205)*

**o Compliance:** While we are in a great neighborhood for walking to many areas – from the Oneida Park to restaurants on Colfax to a short bike ride to Stapleton town center. My parents are now moving to needing accessibility hence our plan to use an elevator in the ADU and build it to ADA standards for the handicapped accessible bathroom and kitchen. Planning for the day one or both may need to be in a wheelchair. We are building a covered carport on the alley next to the door for parking their one vehicle which will have easy access to the elevator and stairs up to the ADU. For other tenants down the road, we are within blocks of Quebec and Colfax- RTD is extremely accessible.

### **Low Residential**

*Predominately single-and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible. Some civic and*

*institutional uses are compatibly integrated throughout and limited mixed-use can occur along arterial and collector streets, as well as where commercial uses have been already established. Vacant institutional uses on corners or select sites may be appropriate locations to introduce additional residential intensity. Low to medium buildings coverage. Building are generally up to 2.5 stories in height.*

**o Compliance:** There are no open lots in our neighborhood to build new housing. Our lot is large and the use of our backyard is nice for family gatherings and can house an apartment easily. The plan for the ADU is to match our home in style and color and not to exceed 24’ high.

Excerpt from: *Blueprint Denver (2019) pp. 84*

**04** .....

Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.

**GOALS: 1**

*Accessory dwelling units (ADUs) can add variety to the housing stock in low density residential neighborhoods without significantly changing the existing character. As Denver allows ADUs throughout the city, it is important to understand impacts in areas vulnerable to displacement.*

- A.** Study and implement allowances for ADUs—including those attached and detached from the primary home—in all neighborhood contexts and residential zone districts. Use an inclusive community input process to respond to unique considerations in different parts of the city.
- B.** Identify strategies to prevent involuntary displacement—especially in areas that score high for Vulnerability to Displacement—in conjunction with expanding the allowance for ADUs.
- C.** Study and implement a citywide program to expand access to ADUs as a wealth-building tool for low- and moderate-income homeowners.
- D.** Study and implement incentives or requirements for income-restricted ADUs, so they are more likely to provide affordable housing options, and tools to encourage the use of ADUs for long-term housing options, rather than short term rentals.
- 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 proximate to transit, are appropriate. Unless there is a neighborhood plan supporting ADUs, rezonings should be small in area in order to minimize impacts to the surrounding residential area.

**05** .....

Remove barriers to constructing accessory dwelling units and create context-sensitive form standards.

**GOALS: 1, 6**

*The zoning code already allows ADUs in some areas of the city. ADUs can be attached to the main home, such as a basement unit, or detached. ADUs offer a housing option for residents looking for something smaller than a home, such as seniors who want to age in place. There are opportunities to remove barriers—especially since the cost of constructing a detached ADU is high—and to better calibrate form standards for detached ADUs by neighborhood context.*

- A.** Evaluate existing barriers to ADU permitting and construction and revise codes and/or fees to remove or lessen barriers for homeowners. Consider programs and resources to help reduce barriers to ADUs for homeowners, especially in neighborhoods that score high in Reducing Vulnerability to Displacement.
- B.** Revise the zoning code to allow ADUs as accessory to more uses than only single-unit homes.
- C.** Revise detached ADU form standards to be more context-sensitive, including standards for height, mass and setbacks.
- D.** Establish context-specific patterns or templates to facilitate the approval process of detached ADUs.



Staying connected to the style in our main home is priority to designing the ADU. We can add to the housing stock in a very desired neighborhood. Keeping our elderly parents as part of the community connects to involuntary displacement from our neighborhoods who are in the lower income range the older they are. Looking into nursing homes they would need to pay almost \$8000 per month to move into one. This will not be a sustainable plan over time.

I do know that ADU's are popular in the Stapleton area only a mile away from our home. It just makes sense for us to add this living area to our lot to house our parents in their last home keeping them connected to our family and our community on a daily basis.

## **Recommendations**

### **Land use and built form: Housing**

*#4 Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. (p.84)*

*#4 A citywide approach to enable ADU's is preferred. Until a holistic approach is in place, individual rezoning's to enable ADU's in all residential areas, especially where proximate to transit, are appropriate. Unless there is a neighborhood plan supporting ADU's, rezoning should be small in order to minimize impacts to the surrounding residential area. (p.84)*

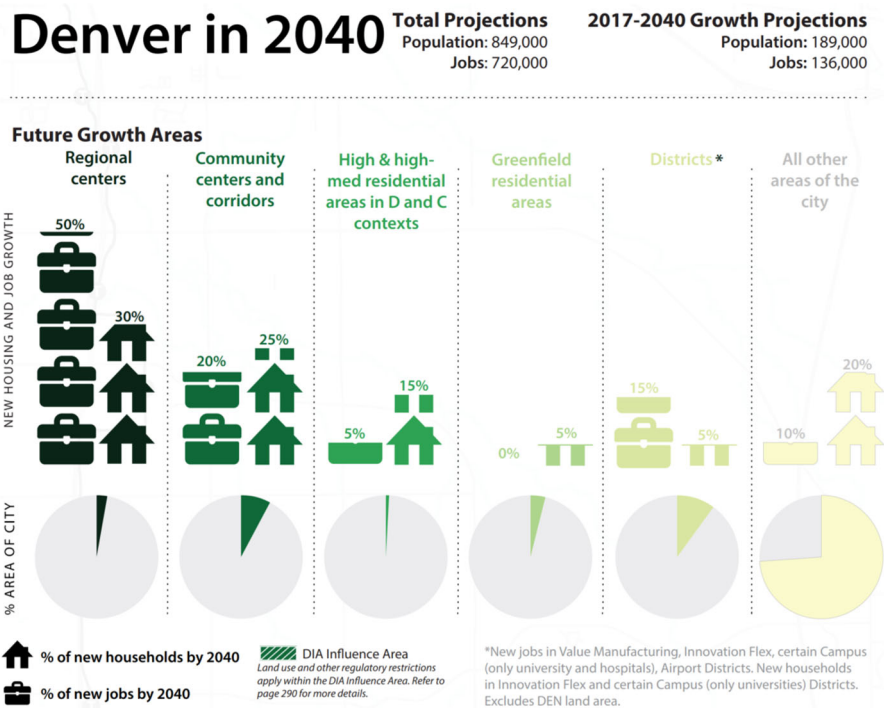
**o Compliance:** The zone map amendment is consistent with the recommendations suggested above. This rezoning would help bring A.D.U's to all residential areas. Hopefully this application and others like it would encourage the city to adopt an all-encompassing approach to A.D.U. development. Currently only 25% of the city is zoned for A.D.U.'s. This rezoning is small in size involving my property only. This process is one of a lot of steps, money, and time.

If an citywide initiative on ADU’s were launched it would allow for more affordable ways to stay in the city and contribute to the Denver community by a more diverse population.

**Growth Areas Strategy**

*The updated Blueprint Denver 2019 provides a more nuanced way to handle growth, directing growth to key centers, corridors and high-density residential areas that align with transportation options.*

o **Compliance:** Most growth is guided to regional centers, community centers and corridors, select districts and higher intensity residential areas. Other areas of the city are still expected to see some, more limited, growth. Our ADU would be adding an affordable housing unit in a high-density residential neighborhood close to public transportation. This zone map amendment is consistent with Growth Area Strategies. My garage converting into an ADU will bring limited growth to my neighborhood by adding an additional housing unit.



## **Housing an Inclusive Denver Recommendations**

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**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” (p. 9).*

**o Compliance:** The Accessory Dwelling Unit proposed for 1925 Olive Street conforms to all objectives of Housing an Inclusive Denver. It is an exceptional opportunity to provide a low-cost housing gem. Like fitting into the Comprehensive Plan 2040 – Adding an affordable and handicapped accessible unit to our neighborhood is exciting as nothing like this exists on our block. The house next door to us just was sold for \$430,000 – it is a two-bedroom, one bath 1210 sq foot house. Our plan is to build a two-bedroom handicapped accessible unit at 864 sq feet. Our family members will be living there without any rent or cost. We are trying to also install solar panels to keep the electrical bill at zero for the tenants as well.

## 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” (p. 14).*

**o Compliance:** Our parents own a four-bedroom home six blocks from us currently. They can no longer take care of all that property or the size of their home. Keeping them in their own “home” by creating a smaller unit for them in our backyard is huge. Allowing them to maintain their own home- not a nursing facility- is very important to all of us. Giving them the independence in this final stage of life.

The proposed map amendment to E-SU-D1x 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.

• *Section 4: Legislative and Regulatory Strategies – Please note #1 and #2 below:*

### **Recommendation 2: Expand and strengthen land use regulations for affordable and mixed-income housing.**

During the public engagement process for this plan, stakeholders shared their ideas about ways that the City could strengthen land-use regulations to both support affordable housing projects and more broadly increase diversity of housing types throughout Denver. These ideas focused around three key areas that could be supported in *Blueprint Denver*, the City’s long-range land-use and transportation plan and part of Denveright: 1) streamlining and facilitating the development of accessory dwelling units as a tool for affordability and to stabilize residents at risk of displacement; 2) promoting a diversity of residential development types throughout Denver neighborhoods, including density as a tool to increase housing supply and introduce affordability; and 3) creating a package of development incentives that support affordable housing projects and promote the development of more mixed-income projects citywide.

**Park Hill Neighborhood Plan (2000):**

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**Park Hill vision for the future is to preserve and enhance the positive qualities that make the neighborhood a unique place to live, work, learn, and play.**

*•Preserve and continue to build on the image of a vibrant community that celebrates diversity of people in ages, income, ethnic and cultural heritage.*

**o Compliance:** Allowing us to build an ADU will preserve our diversity keeping my 84-year-old parents in the community. They are active in their church and art organizations. Both of my parents are retired teachers, my mother is still part of the DAG- Denver Arts Guild. Their income is varied as ours is. Once our family is done with the usage of the ADU we are hoping that students from Johnson and Wales may rent it to offer an affordable option to live in the neighborhood they go to school in and can commute by foot releasing the need for more traffic in the neighborhood and less pollution.

*• Continue to build a sustainable neighborhood that values quality of life, environment and talented people.*

**o Compliance:** My parents still give endlessly to the people around them. Sustaining their lives in connection to our family illustrates the quality of life that the Park Hill plan talks about. The art that my mother still produces also upholds the talented people that Park Hill craves.

Once it becomes more of a rental, we hope to bring talented students and/or families of students from Denver School of the Arts to the neighborhood.

•*Maintain the existing integrity of the residential character of Park Hill. Assure that continued growth and development in Park Hill results in a balanced and compatible mix of housing types and densities.*

**o Compliance:** An ADU is a mix of housing types. We will follow the residential character of our existing neighborhood. Our ADU will not be taller than our current home. We will seek to match the current face of our home.

### **Action Recommendations- LZ-3**

*Create and maintain a mix of housing types and sizes that are attractive and affordable to a diversity of ages, incomes, household types, sizes, cultural and ethnic backgrounds.*

**o Compliance:** Our ADU fits perfectly into this action item- this is creating a mix of housing type/size and it helps to keep a diversity of ages, incomes, household type in this neighborhood vs. relocating elsewhere.

*A goal of the plan: Reduce crime in Park Hill so residents feel safe in their homes, on neighborhood streets and in their open spaces.*

**o Compliance:** We have noted that the alley behind our home tends to be a hangout for youth and they tend to drink/smoke there. We think the addition of a home facing the alley with a carport facing the alley will reduce the hangout location and rid our alley of these potential problems. Visibility with windows overlooking the alley will help contain crime.

*Improve lighting on neighborhood streets, alleys and open spaces.*

**o Compliance:** Having the carport on the alley, we will improve the lighting of the entire area.

These plans were established as the City’s future vision and this Official Map Amendment will show consistency with the goals and strategies of each of these Plans.

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

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*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.*

**o Compliance:** The proposed rezoning to E-SU-D1x will result in the uniform application of zone district building form, use and design regulations.

### **Further Public Health, Safety and Welfare**

*The proposed official map amendment furthers the public health, safety and general welfare of the City.*

**o Compliance:** My zone map amendment will contribute to the public health safety and welfare- in all that I have said above I feel like adding an affordable option in a highly desirable location is a win/win for all. The fact that for the next decade we hope to provide handicapped accessible living for my elderly parents to keep them a thriving part of the Denver community should speak to the council members. My mother’s greatest fear in life is to be forgotten and discarded. By having them move in our backyard we will enrich each other’s lives on a daily basis and my children can have a deeper connection to both of my parents. We live in a great neighborhood close to the city but not too close. We enjoy great amenities, convenient shopping in Stapleton and Northfield, recreation at Central Park Rec Center, bike paths and close distances to City Park, the zoo, and the Nature and Science Museum, education (DSA, Johnson and Wales, Park Hill Elementary), transportation RTD and Light Rail to DIA within a mile, all within walking/biking distance of my proposed ADU.

I love my neighborhood and feel very safe here. Many people would like to move into this neighborhood but skyrocketing prices make that not possible. According to Zillow, the median house price for 80220 is \$568,102. My sister who is also a public-school teacher in Denver cannot afford to move into my neighborhood. Consider her or a policeman or nurse who might want to live and work in my neighborhood, they could find buying a house beyond their reach at those prices. Most people myself included could never afford to buy in Park Hill today. This is just one example of where my zone map amendment would benefit the public.

We hope that if our application is approved then that will help the city move towards releasing some of the hoops it takes to build an ADU and this will help create ripple effects of more approved zone map amendments. Other homeowners with a lot of equity and little retirement could use the homes that they worked all their lives to pay off to help subsidize their retirement. Or like us, have their parents move to their property. I have a friend at 12<sup>th</sup> and Rosemary who is waiting to see how our application goes before applying for her own to bring her elderly parents to her neighborhood from Greeley. They cannot afford the move otherwise. All of these things would contribute to people's financial security which in turn keeps people safe. This zone map amendment would further the health, safety and welfare of my family and I propose that if it benefits my family it benefits the neighborhood.



### **Justifying Circumstances**

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

- a) Changed or changing conditions in a particular area, or in the city generally; or,
- b) **A City adopted plan**; or,
- c) That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

**o Compliance:** Since starting this application process Denver has adopted an updated Blueprint Denver. Throughout this revised version the city encourages ADU development through all neighborhoods. This would lead me to believe that my zone map amendment is in fact justified by the updated Blueprint Denver. An excellent opportunity to put the plan in action and a chance to establish a pattern for other homeowners to follow as well.

### **Consistency with Neighborhood Context, Zone District Purpose and Intent**

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*Article 4:*

*Urban Edge (E-) Neighborhood Context*

**o Compliance:** The requested E-SU-D1x district is within the Urban Edge Neighborhood Context, which is primarily single-unit and two-unit residential uses with small-scale multi-unit residential uses and commercial areas embedded in residential areas. Buildings are generally low in scale, and residential buildings typically have consistent moderate to deep front setbacks. There typically is a regular pattern of block shapes surrounded by orthogonal streets within a grid (DZC 4.1). The subject site is in an area that reflects these characteristics. Therefore, the proposed rezoning to E-SU-D1x is consistent with the neighborhood context description.

The general purpose of the Urban Edge residential districts is to “promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context...The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the varied patters of suburban and urban house forms” (DZC 4.2.2.1).

**o Compliance:** The proposed E-SU-D1x district would allow for compatible infill development fitting with the character of the surrounding residential neighborhood. Therefore, it is consistent with the Urban Edge Residential District purpose statement.

The specific intent of the E-SU-D1x district is “single unit district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard” (DZC 4.2.2.2.F).

**o Compliance:** The subject site is 6,500 square feet and there is a pattern in the immediate area of detached accessory structures. Therefore, the proposed map amendment is consistent with the E-SUD1x intent.

**From:** [Frances Koehn](#)  
**To:** [Kaiser, Libby - CPD CE0429 City Planner Senior](#)  
**Subject:** [EXTERNAL] Rezoning application 20201-00002 - 1925 Olive Street  
**Date:** Wednesday, April 15, 2020 3:53:58 PM

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Ms. Libby Kaiser,  
Senior City Planner,  
Planning & Development,  
City of Denver.

Dear Ms. Kaiser,  
I received notice about the above rezoning application for 1925 Olive Street.  
This property is in Park Hill where there is currently a lot of concern about proposed zoning changes.  
I live at 1914 Oneida Street which is zoned E-SU-Dx. 1925 Olive Street is across the alley from me.

I strongly object to any zoning variance being permitted as that would set a bad precedent and it could pave the way for all kinds of multiple use permits being allowed. I have lived here for 35 years and fear approving this variance would jeopardize the character of the neighborhood which is important to me.

I would appreciate you looking into this matter.

Sincerely,

Frances R Koehn

From: Hann, Shawn <[Shawn\\_Hann@dpsk12.org](mailto:Shawn_Hann@dpsk12.org)>  
Sent: Tuesday, May 5, 2020 8:32 PM  
To: [frances.koehn619@gmail.com](mailto:frances.koehn619@gmail.com)  
Subject: Handicapped accessible garage apartment

Hello Frances~

It seems unreal that we have lived across the alley from each other for over 18 years and really haven't spoken very much. We received a note from Libby Kaiser with the city that you object to our application for the rezoning of our lot to build a handicapped accessible ADU for my 84-year-old parents in our back yard. We wanted to take a moment to clarify our intentions and answer any questions you may have.

My parents are both retired teachers- one an English professor and one an art teacher. They currently live in their own four-bedroom home seven blocks south of us on Olive Street in the Montclair neighborhood. They are both in good health, except my mother has neuropathy which caused all the nerves in her feet to die so she cannot walk well. They both have been amazing members of their community and want to stay in a home and not a nursing facility. Currently my mother cannot climb the stairs to her bedroom and has been living on the lower level for the past 6 months separate from my father. We would like to make this apartment in the same footprint of our current garage. The outer design would match our current home in style. There would be windows facing the alley, but the entrance to the unit would be on the side. There would also be covered parking for one car. We would have an indoor elevator at the side entrance as well and everything would be built for a wheelchair.

My husband's mother who is 72 just moved to Denver as well. So upon vacancy by my parents, the idea is that then she would move in there too.

My hope is to keep my parents close to our family as well as being able to check on them in the mornings when we are all getting ready for school and bring them home cooked meals at night. As well as grocery shop for them. We have been doing that now with the lockdown- and it is a lot to bundle everything up, get in the car, cross Colfax and get back to the family at dinner time.

In this changing time we know that Park Hill will change along with the face of Denver. There is a new East Area Plan that covers our neighborhood. The three main aims of the plan are to:

1. Preserve housing affordability
2. Stabilize residents at risk of displacement
3. Expand diversity of housing types by encouraging "missing middle" units such as ADUs (accessory dwelling units) and duplexes. (To ensure new development is family-friendly and expand housing options for non-traditional households, including seniors and group living).

As well as the Blueprint Denver 2040 is pushing for the same ideas.

We love this neighborhood and want to preserve the family atmosphere. We would be very careful if after both of our parents pass on who we would allow to live in this unit as they share our yard and look into our home. I work right across Montview at the Denver School of the Arts and love walking to school with my daughter who is in 6th grade there. So moving has never crossed our mind.

The houses on the north side of us and the south side are all rental properties, however they are family focused as well.

We think that with the entrance on the alley it would increase security of the alley as we plan to install a camera system for security of my parents.

We have found many young people using the alley as a place to drink and do drugs which is of great concern to us. They leave a lot of trash and we feel are a security risk to our children. Therefore the idea of a full entrance with security will deter this from happening in the future.

If you have other questions about the plan for the ADU, please contact us and we would love to work together to make this a happy process for all involved. :) Maybe when the ban is lifted we can have a face to face chat over the wall in the alley. Hope you are weathering this unusual moment in time well. Our kids are ready to get out there and do stuff! Also, please let us know if you need anything.

Thank you!!

Shawn Hann and Joel Cooner

Mrs. Shawn Hann

Director of Theatre

Chair of Theatre Department

Denver School of the Arts

7111 Montview Blvd.

Denver, CO 80220

720-424-1809

303-325-4549

fax 720-424-1845

[https://urldefense.com/v3/http://www.dsatheatre.org;!!M87Ej6RJKlw!FgC2wYVzXn9v9QvMJzqjRHZGGrzeeEd\\_xN8lr3rVWZG12xJoe80R5ehFSYPQdxiapFFK-w\\$](https://urldefense.com/v3/http://www.dsatheatre.org;!!M87Ej6RJKlw!FgC2wYVzXn9v9QvMJzqjRHZGGrzeeEd_xN8lr3rVWZG12xJoe80R5ehFSYPQdxiapFFK-w$)

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From: Frances Koehn [frances.koehn619@gmail.com]  
Sent: Thursday, May 07, 2020 7:08 PM  
To: Hann, Shawn  
Subject: [EXT] RE: Handicapped accessible garage apartment

Dear Shawn & Joel,

Thank you for your email which is very informative. It is indeed unfortunate that we haven't got to know one another before now! Your intentions for your parents are very commendable but I have to explain my situation and feelings about it.

35 years ago my husband and I were looking for a lot on which to build. My late husband was an architect and dreamt about building his own dream house.

Our search took us all over the city and was a long one. We had narrowed our search down specifically to an area that was then zoned R-O (single family dwelling) as that seemed an ideal situation in which to raise our family. We loved Park Hill and our dream came true.

Now we are in the midst of trying to retain the current zoning in Park Hill and I'm sure you are aware of proposed changes that most residents are opposed to.

So from my perspective allowing a zoning variance for one application could pave the way for all kinds of multi-use permits being allowed. And I am most concerned about jeopardizing the character of the neighborhood.

You must understand that this is in no way personal. If we weren't in challenging times right now I would say "bring your plans and renderings over to my garden and let's see exactly how this is going to affect what I look out on". Perhaps we can even try doing that at a distance.

Regards,

Frances Koehn

May 27, 2020

Greetings Frances -

I hope this note finds you well. During shelter-in-place we have celebrated 4 of the 5 of our birthdays. Our youngest, Sihan, is now 12. Nathan is now 14. and Madison is 17 and will be a senior! My how things change. During this time our desire to have my parents here has increased. They are doing a good job at staying safe as 84-year-olds - but they are isolated & lonely. I think if they were here in an AOU we could sit on the deck and they could sit in their room at a safe distance and be connected to our family. I think if this whole situation has taught me/us anything, it is how important home & families are to us.

Thank you for your email explaining your reservations. I understand where you are coming from. What you would see from your back yard would actually match our existing house - it would be white stucco with two main windows facing your house. The front of our house includes a natural wood fence to the very small deck off our master suite. We would use the same type of wood to create a carport to the south of the garage/apt. unit. It would be horizontal. We are hoping to add a horizontal side fence this summer between the house on our south side too. Thereby connecting the design of the main house with the "Nana suite!"

in the front yard ←

I stood in the alley this weekend and tried to imagine the difference between what we have now and what we have planned from your point of view. I believe that 1) it will look a lot better! and 2) it will blend in so much better with our existing house. It will be white on white with the same black framed windows. It will look cleaner and neater. The garage I have now was built to match the tan brick of the old house and seems out of place now.

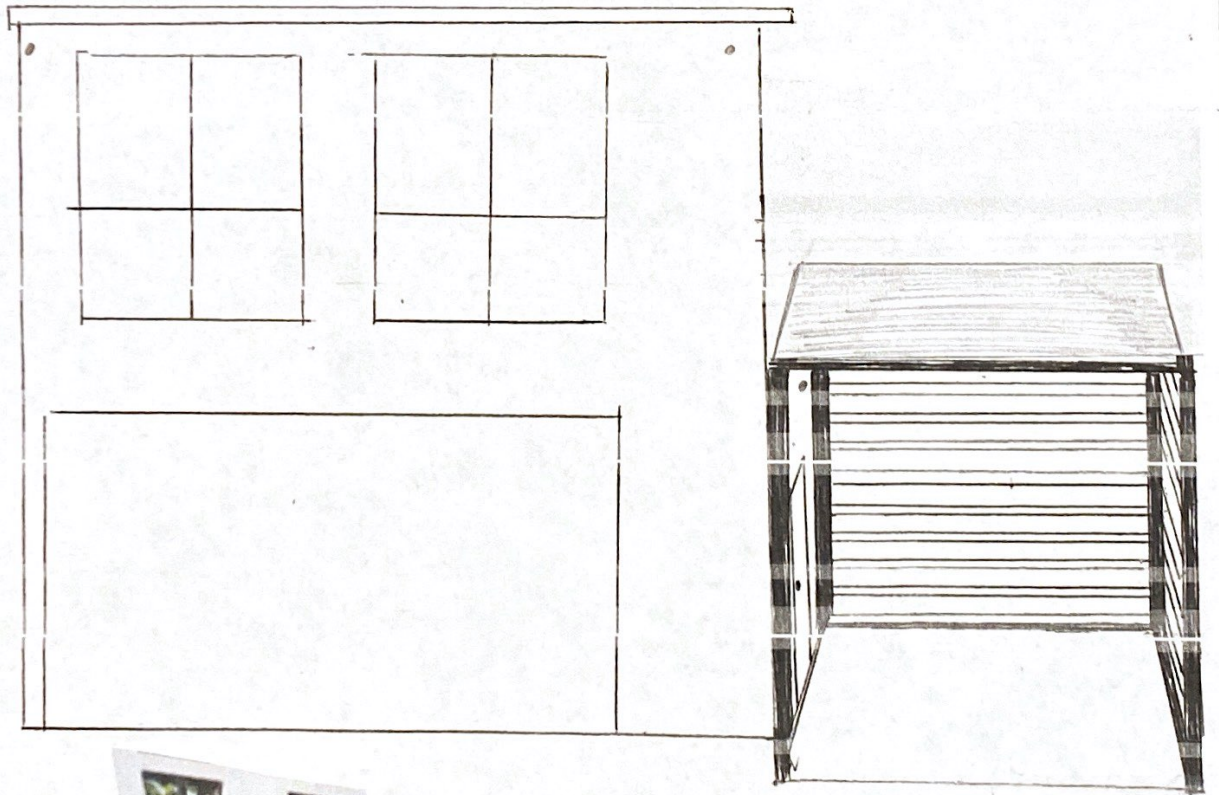
Having to have a carport to the side also will help us maintain the alley even more than we have in the past. My dad is a talker & makes friends wherever he goes - I think you'd gain a great friend in him as well.

Our little block on this side of the neighborhood is already very different from the Oneida side. Our driveway aligns with the Johnson & Wales Wildcat Center and we often have buses parked in front of our house & lots of college traffic. We have rental properties on both sides of us as well. I think having a place to keep our family together - keeping our older generation with us - increases the value of our home & neighborhood.

I'm including a drawing my husband made of our ideas. We welcome your feedback. My daughter was making cookies for my parents & we decided to share with you.  
Thank you for your time! Shawn & Ann 1925 Olive St



Our plan for our "NanaSuite." ☺



• = security cameras



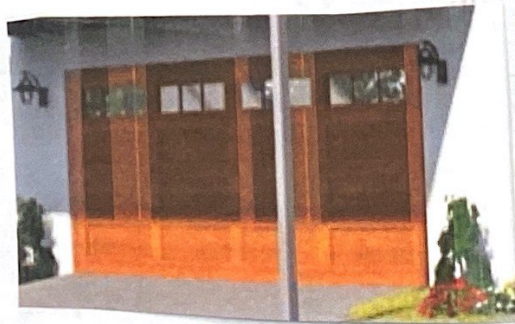
Example of the white stucco with matching black trim windows of our house.

Coloring idea



WEST VIEW  
1925 OLIVEST.

This is an example of the type of garage door we'd like to install.



The coloring of this wood, would match the horizontal wood of the carport.



**From:** [SHAWN HANN](#)  
**To:** [Kaiser, Libby - CPD CE0429 City Planner Senior](#)  
**Subject:** [EXTERNAL] Fwd: FW: [EXT] New building  
**Date:** Tuesday, June 9, 2020 9:28:50 AM

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Morning Libby!

Here's the latest communication between Frances and us. THANK YOU!

Shawn

----- Original Message -----

From: SHAWN HANN <[denverhann@comcast.net](mailto:denverhann@comcast.net)>  
To: [frances.koehn619@gmail.com](mailto:frances.koehn619@gmail.com), [Joel Cooner <joel.cooner@gmail.com>](mailto:Joel.Cooner@gmail.com)  
Date: June 9, 2020 at 9:27 AM  
Subject: Fwd: FW: [EXT] New building

Good Morning Frances-  
Hope you are surviving this rain!

I'm happy to answer your questions. :)

1. Where exactly will everything be situated? Is the 2 story structure going to be where the Garage is currently? YES, we will extend the garage towards our deck to give a few more feet to add a workshop space in the lower level, otherwise, it will be in the same footprint.
2. If you are going to have a garage door on the ground level does that mean you will still be using it as garage underneath? YES, we will still have a 2 car garage underneath.
3. Will you be removing the tree to accommodate the carport? Not in the plans to remove them, however, we lost a huge limb in this storm and parts of the trees are dying so they may be lost naturally.
4. What setback will there be from the alley? It will probably be the same- we will check current codes/requirements and follow those.
5. Have you given any thought about moving the windows so they don't look out at an alley? No - because natural light is very important to my parents- but the plan will be to have blinds on them.  
As far as a covenant goes, we feel that is unnecessary. We have two sets of parents in Denver, our own three children, and twelve nieces and nephews all almost college age. Currently the plan is not to rent. However, all the houses on our side of the street are rentals. If it ever came to that possibility, we would not want to limit ourselves. If we ever had a renter we

would be extremely careful as to who we would rent to as the property has windows that can look into our house and shares our yard. With it being build handicapped accessible it might provide housing to someone with specific needs down the road who is not related but connected to us.

Hope you have a great day!  
Shawn

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**From:** Frances Koehn <frances.koehn619@gmail.com>  
**Date:** Sunday, June 7, 2020 at 10:25 AM  
**To:** "Hann, Shawn" <Shawn\_Hann@dpsk12.org>  
**Subject:** [EXT] New building

Dear Shawn,

Thank you for your letter with the cookies. How sweet of your daughter! Your house is certainly very quiet considering you have 3 teenagers living there!

In order to respond I have some questions for you since there is no site plan.

1. Where exactly will everything be situated? Is the 2 storey structure going to be where the  
  
Garage is currently?
2. If you are going to have a garage door on the ground level does that mean you will still be using it as  
  
garage underneath?
3. Will you be removing the tree to accommodate the carport?
4. What setback will there be from the alley?
5. Have you given any thought about moving the windows so they don't look out at an alley?

Since I have reservations about the ultimate use of this structure I would ask that you provide a covenant for the property stating that this structure will be used solely by family members. This is easy for an attorney to accomplish.

I look forward to your response.

Frances Koehn

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**From:** [Frances Koehn](#)  
**To:** [Hartman, Leya - CC YA2245 City Council Aide](#)  
**Subject:** [EXTERNAL] Rezoning of 1925 Olive Street  
**Date:** Wednesday, June 10, 2020 4:37:28 PM

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Christopher Herndon  
City Councilman  
District 8  
4685 Peoria Street, Ste. 245  
Denver, CO. 80239

Dear Councilman Herndon,

I live in your district in East Park Hill, and am writing about a neighbor's application to rezone their property at 1925 Olive Street. I live directly across the alley at 1914 Oneida Street. They want to rezone their property from E-SU-DX to E-SU-D1x. They would build a 2 storey structure on the alley that would look directly into my back yard.

I strongly oppose the rezoning for two reasons.

- 1) It would pave the way for more multi use permits being approved which would jeopardize the character of the neighborhood.
- 2) The structure would look directly into my back yard and I wouldn't have privacy.

I have lived in this neighborhood for 35 years and before settling here my husband and I searched for a long time to find a property zoned "single family" in which to raise our children.

Thank you for your consideration to this matter.

Sincerely,  
Frances Koehn  
303-322-2269