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TO: Land Use, Transportation, and Infrastructure Committee of the Denver City Council
FROM: Scott Robinson, Senior City Planner
DATE: March 29, 2018
RE: Official Zoning Map Amendment Application #2017I-00103

Staff Report and Recommendation

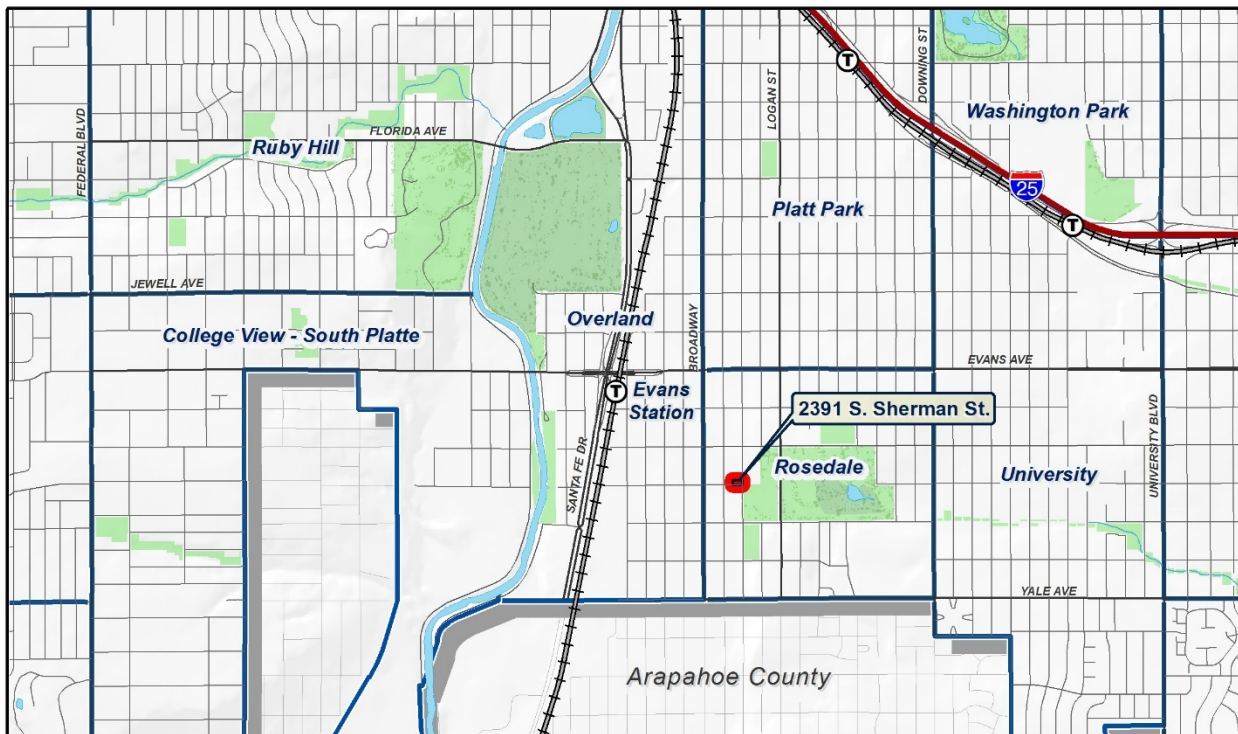
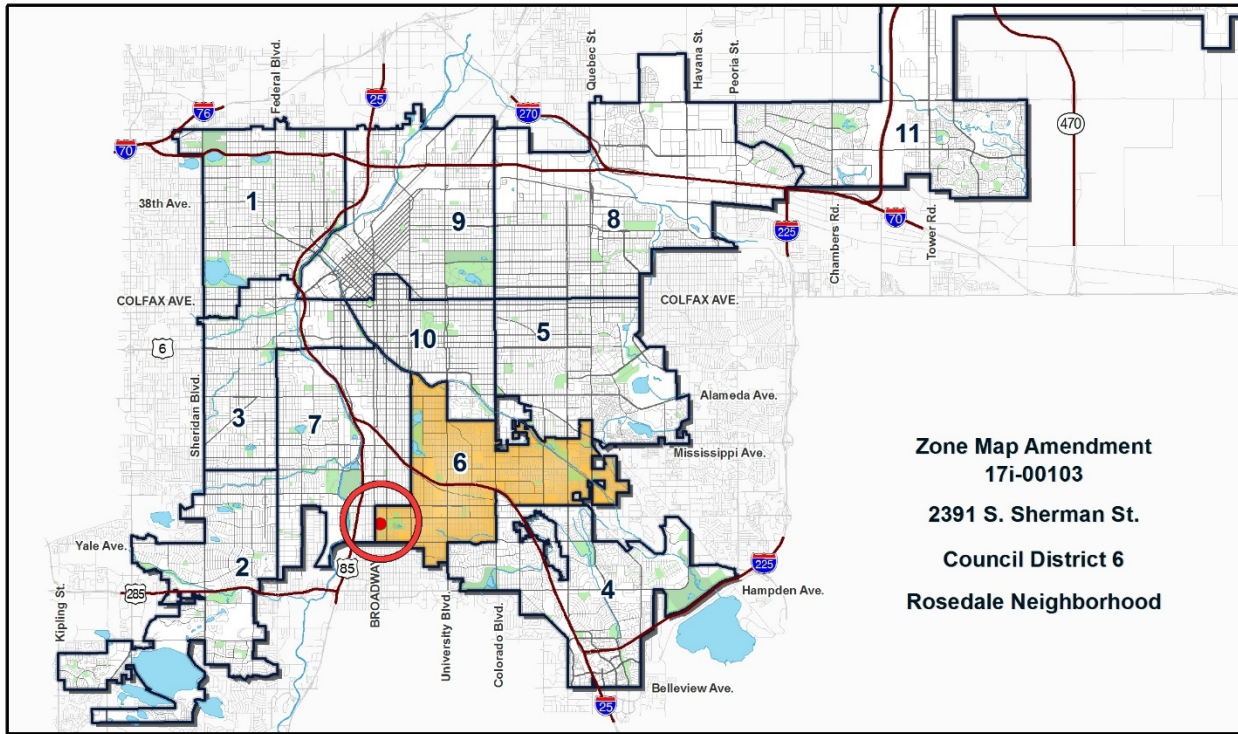
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2017I-00103.

Request for Rezoning

Address:	2391 S. Sherman St.
Neighborhood/Council District:	Rosedale / Council District 6
RNOs:	Rosewood Harvard Gulch Neighborhood Organization; Inter-Neighborhood Cooperation (INC)
Area of Property:	6,250 square feet
Current Zoning:	U-SU-B1
Proposed Zoning:	U-TU-B
Property Owner(s):	William Cryer
Owner Representative:	N/A

Summary of Rezoning Request

- The property is in the Rosedale neighborhood at the corner of S. Sherman St. and Wesley Ave.
- There is currently a one-story, brick, single-unit house with a detached garage on the property. Single-unit houses and accessory dwelling units are allowed in the existing U-SU-B1 zoning.
- The applicant is requesting the rezoning to build a duplex on the property.
- The **U-TU-B** (**U**rbane Neighborhood, **T**wo-**U**nit, **4,500** square foot minimum lot size) zone district is intended to promote and protect residential neighborhoods. The U-TU-B zone district allows the urban house, duplex, and tandem house primary building forms. The urban house form is allowed on lots as small as 3,000 square feet. Further details of the zone districts can be found in Article 5 of the Denver Zoning Code (DZC).





Existing Context

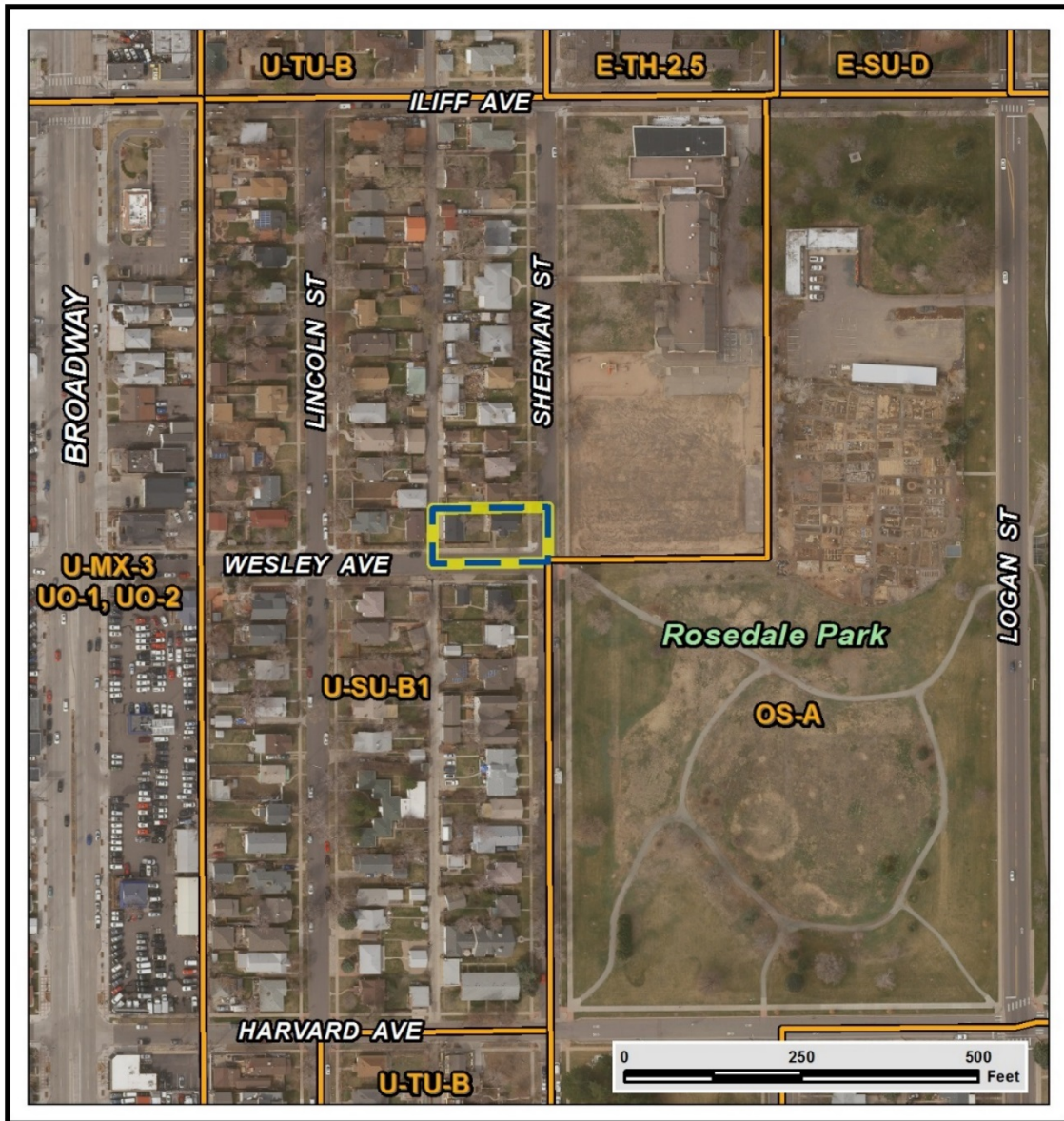
The subject property is at the corner of S. Sherman St. and Wesley Ave., across the street from the now-vacant Rosedale School and Rosedale Park. City of Kunming Park is one block south and Harvard Gulch Park and Golf Course are two blocks east. The surrounding residential area is predominantly single-unit, with some two-unit and multi-unit properties scattered throughout. The South Broadway commercial corridor is two blocks to the west, with a wide range of uses. The city border with Englewood is three

blocks to the south. There is bus service on Broadway, on Evans Ave. three blocks north, and on Yale Ave., three blocks south. The property is about one-half mile from Evans Station, served by the C and D light rail lines.

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-B1	Single-unit residential	1-story brick house, detached garage	Generally regular grid of streets; Wesley Ave. interrupted east of Sherman St. by parks. Block sizes and shapes are consistent and rectangular. Vehicle parking to the side or rear of buildings (alley access).
North	U-SU-B1	Single-unit residential	1-story brick houses, detached garages	
South	U-SU-B1	Single-unit residential	1-story houses, detached garages	
East	U-SU-B1; OS-A	Vacant school building, park	2-story school building set back far from the street, playground, and park	
West	U-SU-B1	Single-unit residential	1-story houses, detached garages	

1. Existing Zoning

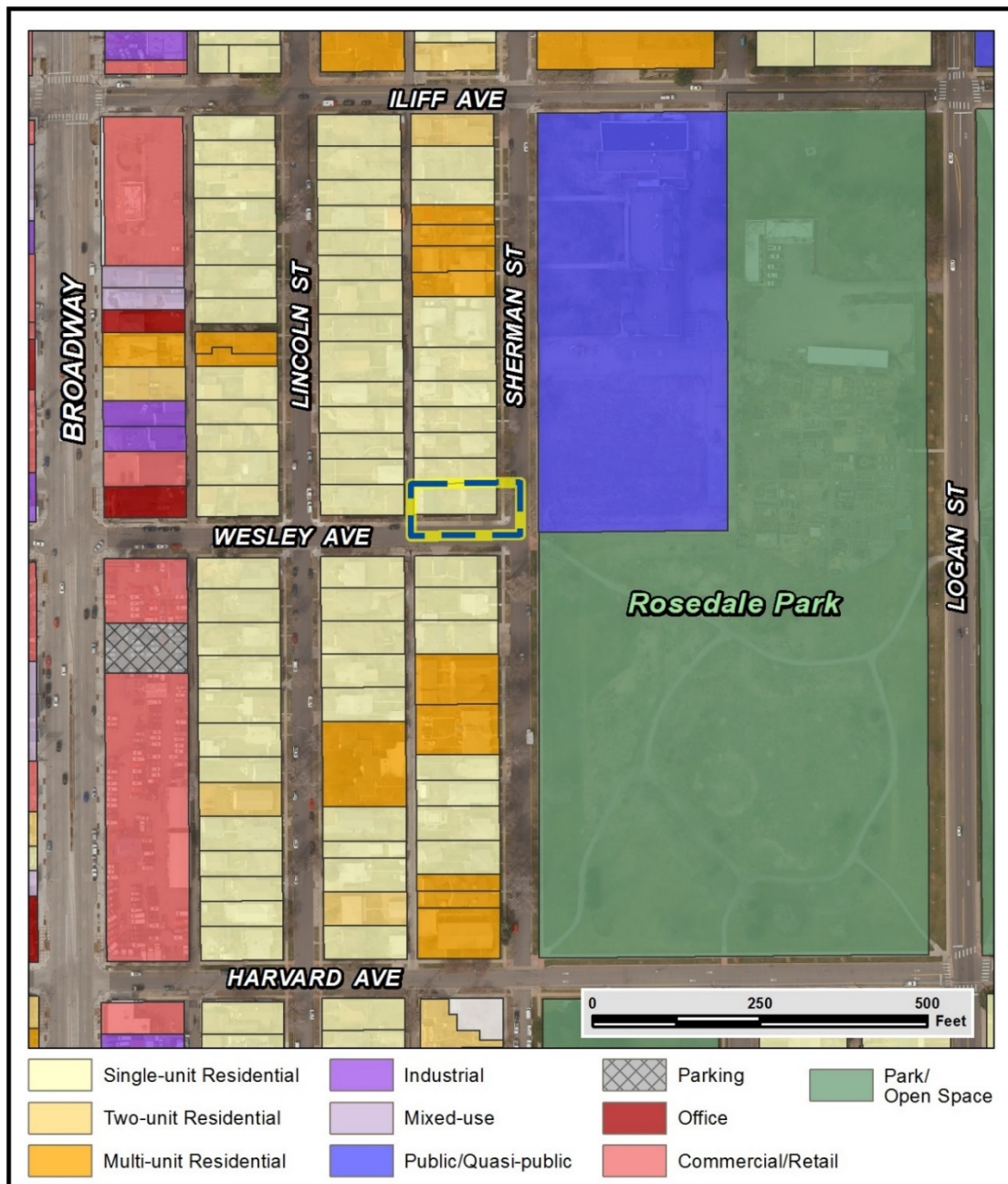


The current U-SU-B1 zone district is single-unit zoning in the Urban Neighborhood context. It allows the Urban House primary building form on minimum lot sizes of 4,500 square feet. The maximum allowed height for primary structures is 30 to 35 feet, and setback requirements are three to ten feet on the sides and twelve to twenty feet on the rear. Front setbacks are block sensitive, depending on the setbacks of surrounding structures. There is no minimum parking requirement for residential uses. Detached Accessory Dwelling Units are allowed and may be up to 24 feet tall, must be located in the rear 35% of the lot, set back five feet on the sides and rear, and cannot be larger than 1,000 square feet. For additional details of the zone district, see DZC Article 5.

2. View Planes

The subject property is covered by the State Home Park View Plane, which protects views of the mountains from Harvard Gulch Park. The view plane limits heights on the property to approximately 55 feet, greater than the 35 feet allowed by the existing and proposed zoning.

3. Existing Land Use Map



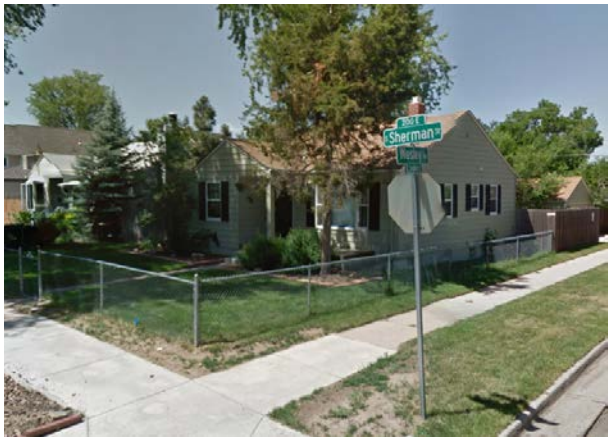
4. Existing Building Form and Scale



Site – from S. Sherman St. & Wesley Ave.



North – from S. Sherman St.



South – from S. Sherman St. & Wesley Ave.



West – from S. Lincoln St. & Wesley Ave.



East – from S. Sherman St. & Wesley Ave.

Source: Google Maps

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:

Asset Management: Approved – No comments.

Public Health and Environment: Approved – See comments:

Notes. DDPHE is not aware of environmental concerns on the property and concurs with the rezoning request.

- 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, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.
- If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state and local regulations.
- The Denver Air Pollution Control Ordinance (Chapter 4- Denver Revised Municipal Code) specifies that contractors shall take reasonable measures to prevent particulate matter from becoming airborne and to prevent the visible discharge of fugitive particulate emissions beyond the property on which the emissions originate. The measures taken must be effective in the control of fugitive particulate emissions at all times on the site, including periods of inactivity such as evenings, weekends, and holidays.
- Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).
- Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Development Services – Transportation: Approved – See comments:

DES Transportation approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering, ROW dedication to the City, access changes, traffic studies and/or right of way improvements. The extent of the required design and improvements will be determined once this property begins the redevelopment process. The results of any traffic studies may require the construction of off-site mitigation or may limit the proposed density of the project.

Public Works – City Surveyor: Approved – No comments.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council and registered neighborhood organizations:	1/16/18
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 and registered neighborhood organizations:	3/5/18
Planning Board voted 9-0 to recommend approval of the map amendment:	3/21/18
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 (tentative):	3/19/18
Land Use, Transportation and Infrastructure Committee review:	4/3/18
Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative):	4/20/18
City Council Public Hearing (tentative):	5/14/18

- **Registered Neighborhood Organizations (RNOs)**
 - To date, no comments from RNOs have been received.

- **Other Public Comment**
 - One member of the public spoke at the Planning Board public hearing.
 - To date, no other comments have been received.

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 property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Evans Station Area Plan (2009)

Denver Comprehensive Plan 2000

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

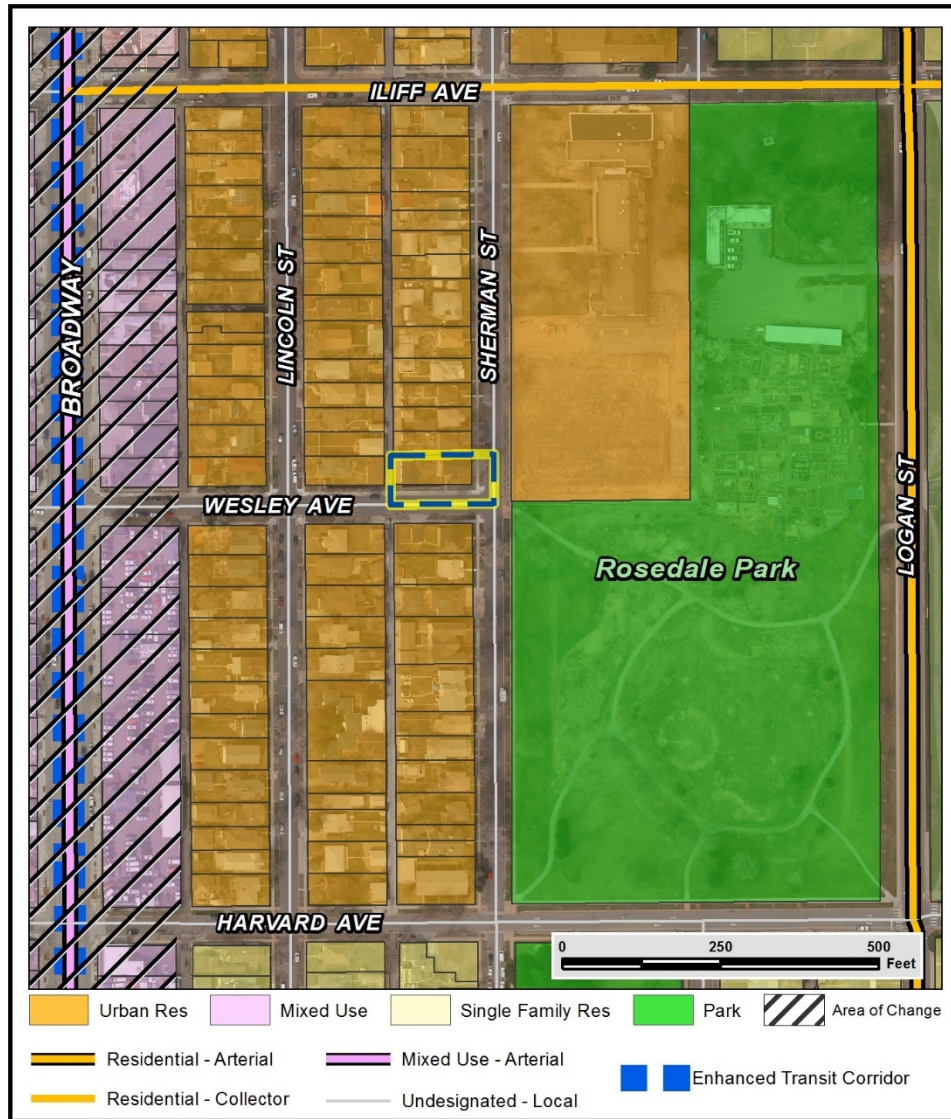
- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods; creating more density at transit nodes.*
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.*
- Legacies Strategy 3-A – *Identify areas in which increased density and new uses are desirable and can be accommodated.*
- Neighborhoods Strategy 1-E – *Modify land-use regulations to ensure flexibility to accommodate changing demographics and lifestyles. Allow, and in some places encourage, a diverse mix of housing types and affordable units, essential services, recreation, business and employment, home-based businesses, schools, transportation, and open space networks.*

The proposed map amendment would allow additional density compatible with the existing neighborhood in an area where services and infrastructure are already in place. The proposed U-TU-B zoning would allow development that would increase the diversity and supply of housing in the area, consistent with the recommendations of Denver Comprehensive Plan 2000.

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Urban Residential and is located in an Area of Stability.

Future Land Use



Blueprint Denver defines Urban Residential areas as “higher density and primarily residential” (p. 41). It also states “a mixture of housing types is present, including historic single-family houses, townhouses, small multi-family apartments and sometimes high-rise residential structures” (p. 42). The plan also calls for a density between 20 and 100 units per acre in Urban Residential areas (p. 64). The proposed U-TU-B zone district would allow duplex development at a density of approximately 20 units per acre, adding to the mixture of housing types in the area. The proposed map amendment is consistent with the future land use recommendation of the plan.

Area of Change / Area of Stability

As noted, the site is in an Area of Stability. According to Blueprint Denver, “the goal for Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment.” The proposed U-TU-B zone district would allow redevelopment of the subject property at an increased density, compatible with the mixture of residential types already found in the neighborhood and consistent with the plan recommendation.

Street Classifications

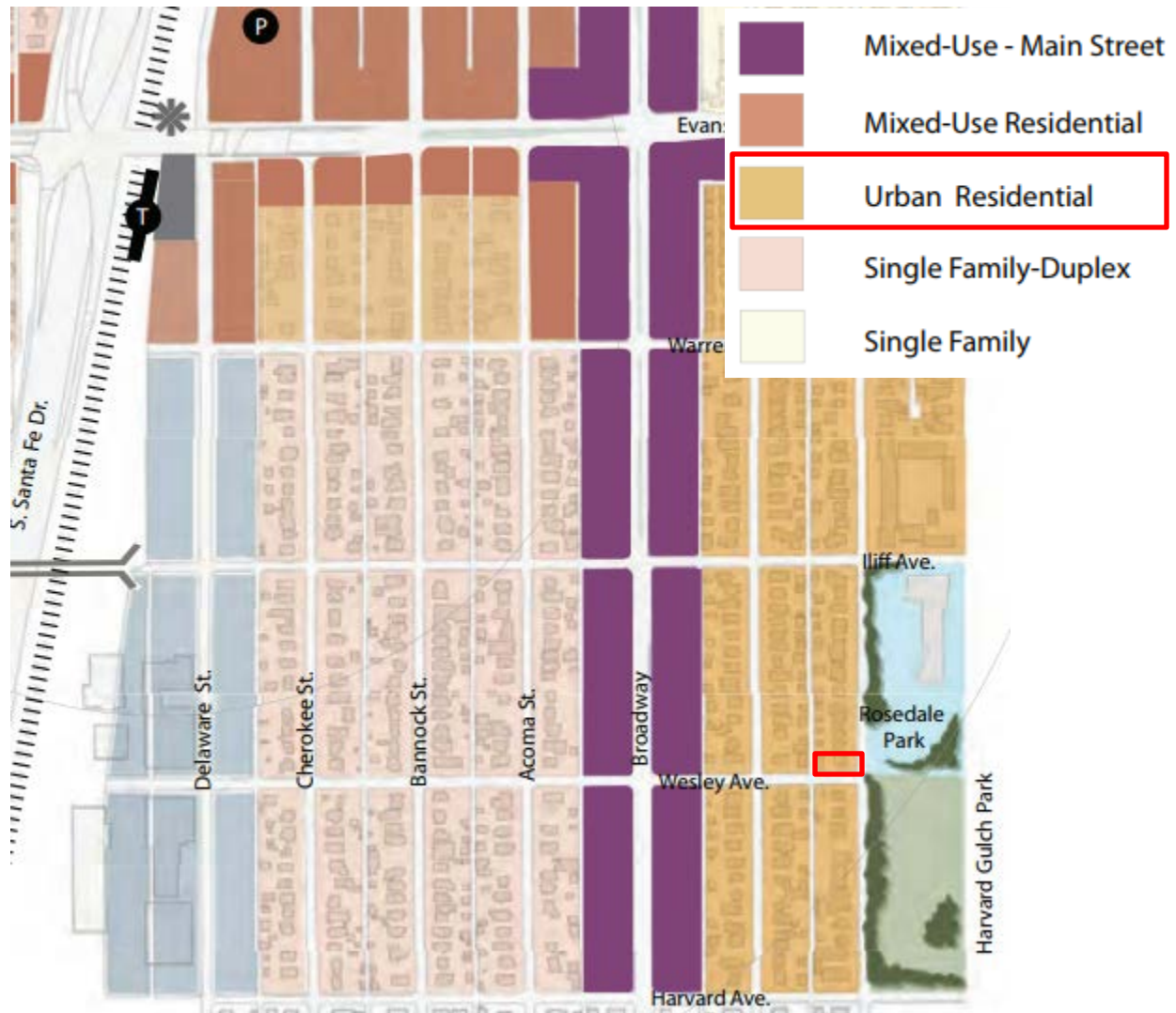
Blueprint Denver classifies both S. Sherman St. and Wesley Ave. as Undesignated Local streets. The plan describes Undesignated Local streets as “tailored more to providing local access. Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets” (p. 51). Development under the proposed U-TU-B zone district would be at a scale appropriate for local streets. The subject property is also in an area well served by nearby arterial and collector streets. The proposed map amendment is consistent with the Blueprint Denver recommendations for future land use, street type, and Areas of Stability.

Evans Station Area Plan

The Evans Station Area Plan was adopted by City Council in 2009 and includes recommendations for the subject property. The property is designated Urban Residential in the Land Use Plan, which is defined as “consistent with the Urban Residential designation in Blueprint Denver, but recommends less intensity and lower building heights (1-2½ stories) than mixed use residential, to complement the existing neighborhood context” (p. 15). The plan recommends “a mix of low and medium-density housing types including single-family houses, accessory dwelling units (ADUs), duplexes and row houses” (p. 41). It also recommends minimum lot sizes of 4,500 square feet (p. 41).

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).

The proposed map amendment would allow an increase in density that is compatible with the surrounding area and near the Broadway commercial corridor, 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 and accessory dwelling units of the scale recommended by the plan, increasing the supply and variety housing in the neighborhood. The proposed rezoning is consistent with the recommendations for the Evans Station Area Plan.



Evans Station Area Plan Land Use Plan

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-TU-B would 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 plan. The proposed rezoning would facilitate the provision of additional housing, enhancing the welfare of the area.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, “The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.” The property is near the Broadway commercial corridor, which is continuing to see investment in reinvestment, including significant streetscape improvements made in the last few years. There has also been additional residential development in the Evans Station area, such that it is in the public interest to allow additional density at the subject site compatible with the changed character of the area.

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-B1, is also within the Urban Neighborhood Context. 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 zone district purpose stated in the Denver Zoning Code is “to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context” and “two unit and row house districts promote existing and future patterns of lower scale multi unit building forms” (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.

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	William Cryer	Representative Name	
Address	2391 South Sherman St.	Address	
City, State, Zip	Denver, CO 80210	City, State, Zip	
Telephone	303-378-7930	Telephone	
Email	wcryer13@gmail.com	Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	2391 S Sherman St, Denver, CO 80210		
Assessor's Parcel Numbers:	0527501014000		
Area in Acres or Square Feet:	6,250 sq. ft.		
Current Zone District(s):	U-SU-B1		
PROPOSAL			
Proposed Zone District:	U-TU-B		

REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</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>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>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:

<input checked="" type="checkbox"/>	Legal Description (required to be attached in Microsoft Word document format)
<input checked="" type="checkbox"/>	Proof of Ownership Document(s)
<input checked="" type="checkbox"/>	Review Criteria

ADDITIONAL ATTACHMENTS

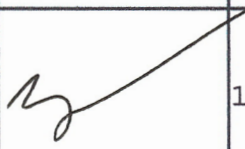
Please identify any additional attachments provided with this application:

<input type="checkbox"/>	Written Authorization to Represent Property Owner(s)
<input type="checkbox"/>	Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
William Cryer	2391 S Sherman St Denver, CO 80210 303-378-7930 wcryer13@gmail.com	100%		12/29/17	(A)	No

Last updated: February 22, 2017

Return completed form to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
720-865-2974 • rezoning@denvergov.org

2391 S Sherman St. Legal Description

Lots 25 and 26, Block 19, Rosedale, City and County of Denver, State of Colorado.

2391 S SHERMAN ST

Owner	CRYER, WILLIAM T JR 2391 S SHERMAN ST DENVER, CO 80210-5004
Schedule Number	0527501014000
Legal Description	L 25 & 26 BLK 19 ROSEDALE
Property Type	RESIDENTIAL
Tax District	DENV

Property Description			
Style:	ONE-STORY	Building Sqr. Foot:	853
Bedrooms:	2	Baths Full/Half:	2/0
Effective Year Built:	1920	Basement/Finish:	853/0
Lot Size:	6,250	Zoned As:	U-SU-B1

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

Current Year			
Actual	Assessed	Exempt	
Land			\$0
Improvements			\$0
Total	\$388,000	\$27,940	

Prior Year			
Actual	Assessed	Exempt	
Land			\$0
Improvements			\$0
Total	\$342,300	\$27,240	

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)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)

Feb 29 in Leap Years)

Date Paid			1/21/2017
Original Tax Levy	\$1,110.67	\$1,110.67	\$2,221.34
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$1,110.67	\$1,110.67	\$2,221.34
Due	\$0.00	\$0.00	\$0.00

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: **\$2,128.18**

Assessed Value for the current tax year

Assessed Land	\$21,130.00	Assessed Improvements	\$6,110.00
Exemption	\$0.00	Total Assessed Value	\$27,240.00

General Review Criteria:

Applicable plans reviewed for our proposed rezoning of 2391 South Sherman Street were: (1) Comprehensive Plan 2000, (2) Blueprint Denver: A Land Use and Transportation Plan, and (3) Evans Station Area Plan. All of the above call for the lot and its surrounding areas to be higher density and a mix of housing types.

The proposed map amendment would not change the Urban Residential character of the area, because the 2391 South Sherman lot is already surrounded by a diverse set of lots including building and zoning types as follows:

- Public/Quasi-public
- Single-unit residential
- Two-unit
- Multi-unit
- Park/Open Space
- Commercial/Retail

In conjunction, by being within ½ mile of the Evans Station, 2391 South Sherman is adjacent to the South Broadway Area of Change and aligned with the TOD (Transit Oriented Development) to encourage development of a full range of housing types and housing price points.

Consistency with Adopted Plans:

Denver's *Comprehensive Plan 2000* identifies a set of broad guiding principles that unite to form a coherent and compelling vision of a livable city. The proposed rezoning to U-TU-B is consistent with many Denver Comprehensive Plan 2000 strategies, including:

1. Stewardship of Resources (2F) (pg. 39)
 - Promoting infill development within Denver at sites where services and infrastructure are already in place.
 - Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.
 - Creating more density at transit nodes.
2. Residential Neighborhoods and Business Centers (3B) (pg. 60)
 - Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.
3. A City of Neighborhoods (1F) (pg. 15)
 - Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility. Continue to foster integrity and livability of neighborhoods.

The Comprehensive Plan 2000 is supported by the two plans discussed below, and pertains more specifically to 2391 S Sherman St.

The Blueprint Denver: A Land Use and Transportation Plan states 2391 S Sherman St. as in a "Area of Stability" (pg. 21) and also as "Urban Residential" (pg. 35). These characteristics support maintaining the existing character of the neighborhood while also accommodating for

some development or redevelopment. It also supports higher population density and the use of mid to high rise structures for housing accomplished through the use of a variety of housing types. The proposed rezoning to U-TU-B is consistent with the adopted Blueprint Denver plan.

The *Evans Station Area Plan* defines its vision as a, “Transit-oriented development (TOD) creates vibrant, sustainable communities with a diverse mix of land uses at various densities within a 10-minute walk, or about a half-mile, of a transit station” (pg. ix). Supporting this vision, the plan has defined these relevant opportunities and goals:

1. “A strong market for residential development along transit lines and a community that supports a variety of housing types will translate into a supply of diverse housing options within the station area.” (pg. 9)
2. “Maintain residential character of surrounding communities and encourage development of a full range of housing types and housing price points.” (pg. 10)
3. “Encourage environmentally sustainable or “green” building construction and the use of quality materials to create buildings of lasting value.” (pg. 10)

In order to support these initiatives, the plan sets forth Land Use and Urban Design

Recommendation 1: Residential Opportunities and Form, specifically:

1. “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:
 - a. Rosedale Neighborhood - between Evans and Harvard and between the alley east of Broadway and Logan” (pg. 15)

2391 S Sherman Street is within a half-mile of the Evans Station. The proposed rezoning to U-TU-B is consistent with the adopted Evans Station Area Plan.

Uniformity of District Regulations:

The proposed rezoning to U-TU-B would result in the uniform application of zone district building form, use, and design regulations, including setbacks. Additionally, the rezoning request would result in the uniform application of Denver Zoning Code zoning standards on urban residential two-unit lots consistent with the surrounding context, and meet diverse housing type goals listed in various Denver and neighborhood plans.

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 including Comprehensive Plan 2000, Blueprint Denver, and the Evans Station Area Plan. Additionally, as stated in the application, reasonable and diverse housing types and prices are a goal of all

applicable plans and supports citywide transportation development plans like the Evans Light Rail Station.

Justifying Circumstances:

Changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4. The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.

The proposed amendment seeks to allow the lot to be rezoned to allow for the construction of the duplex building form. The South Platte & Evans (including Rosedale) area has a long history of being a diverse and community focused area of metro Denver. The mid-density mix of residential, multi-family, and small commercial pockets is one of the defining features of the neighborhood. We believe that what we are proposing is not only consistent with the aforementioned plans, but enhances the neighborhood.

Being within the ½ mile from the Evans Light Rail Station only further drives the implementation of the Evans Station Plan per goal of “Acknowledge the unique character in residential areas surrounding the Evans Station and maintain this character while supporting diverse housing types.” (pg. x)

Overall changes are evidenced by the revitalization of the area surrounding the Evans Street Station, with a focus on the Evans Street and South Broadway intersection as a key node in the transit oriented development (less than ½ mile from 2391 South Sherman Street). There has also been heavy development and reinvestment all along South Broadway and recent multi-family construction in area. With this changing character of the neighborhood, the proposed redevelopment of the subject property is appropriate and in line with the neighborhood development.

Consistency with the Neighborhood Context Description, Zone District Purpose and Intent Statements:

Neighborhood Context Description:

The proposed U-TU-B zone district is consistent with the Urban Neighborhood Context. The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House building form. Multi-unit building forms typically include the Row House building form embedded with other residential form types. Commercial buildings are typically the Shop front and General building forms that may contain a mixture of uses within the same building. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are located along local streets, residential and mixed use arterials, and main

streets. Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets. (DZC Section 5.1.1)

Zone District Purpose and Intent:

According to DZC 5.2.2.1, the intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.

The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms where the narrow part of the building orients to the street and access is from alley loaded garages. Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. The standards of the two unit and row house 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.

Two Unit B (U-TU-B) 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.

The proposed rezoning is consistent with the Urban Neighborhood context and the stated purpose and intent of the proposed zone district.