



TO: Denver City Council
FROM: Francisca Penafiel, Senior City Planner
DATE: June 16, 2022
RE: Official Zoning Map Amendment Application #2022I-00016

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2022I-00016.

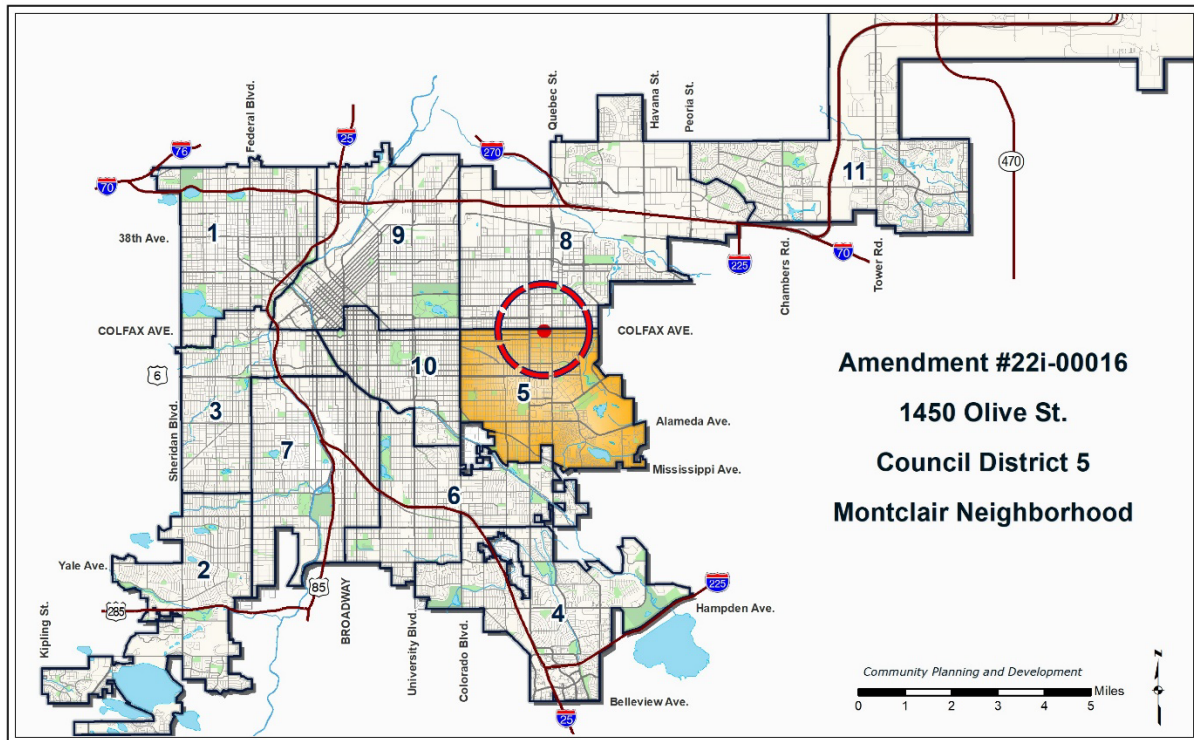
Request for Rezoning

Address:	1450 North Olive Street
Neighborhood/Council District:	Montclair/ Council District 5 – Amanda Sawyer
RNOs:	Inter-Neighborhood Cooperation (INC), Historic Montclair Community Association, Inc. (HMCAI)
Area of Property:	6,100 square feet or ~0.14 acres
Current Zoning:	E-SU-Dx
Proposed Zoning:	E-SU-D1x
Property Owner(s):	RJC Residential Trust
Owner Representative:	Sayre Brennan

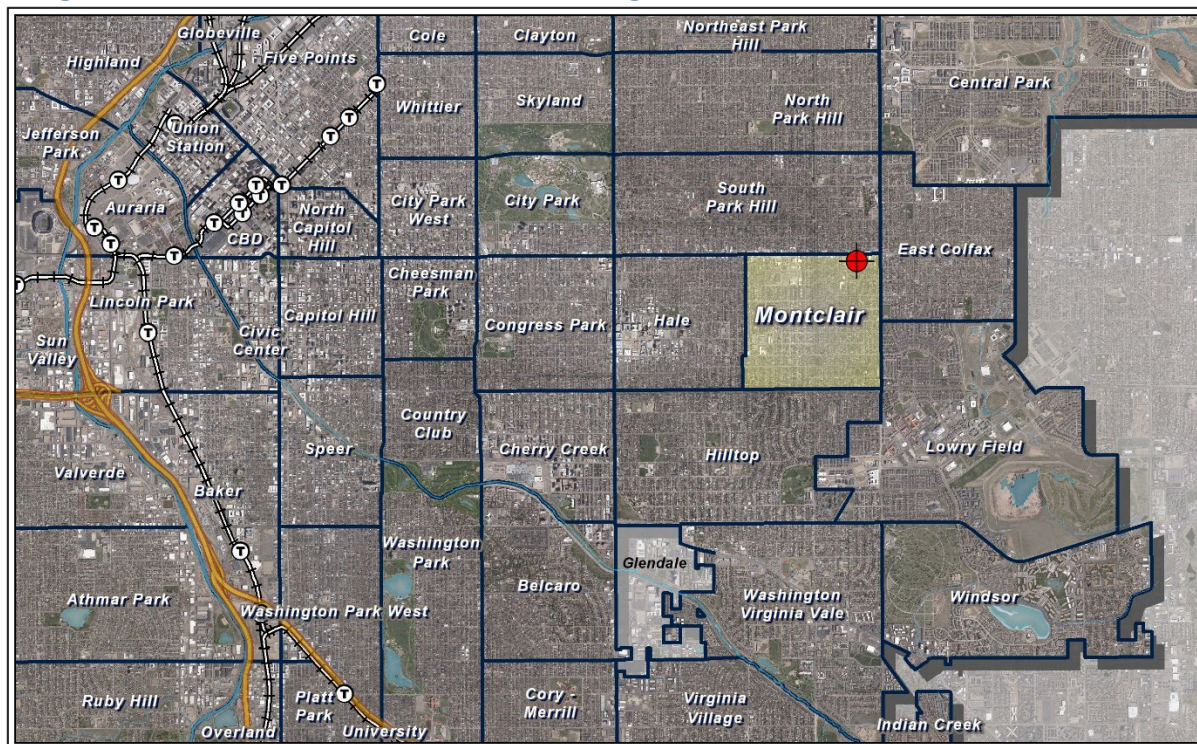
Summary of Rezoning Request

- The subject property contains a single-story, single-unit dwelling built in 1942 and is located between East Colfax Avenue and East 14th Avenue, along North Olive Street.
- The property owner is proposing to rezone the property to allow an accessory dwelling unit (ADU).
- 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. Single and two-unit residential uses are primarily located along local and residential arterial streets. 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. 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).

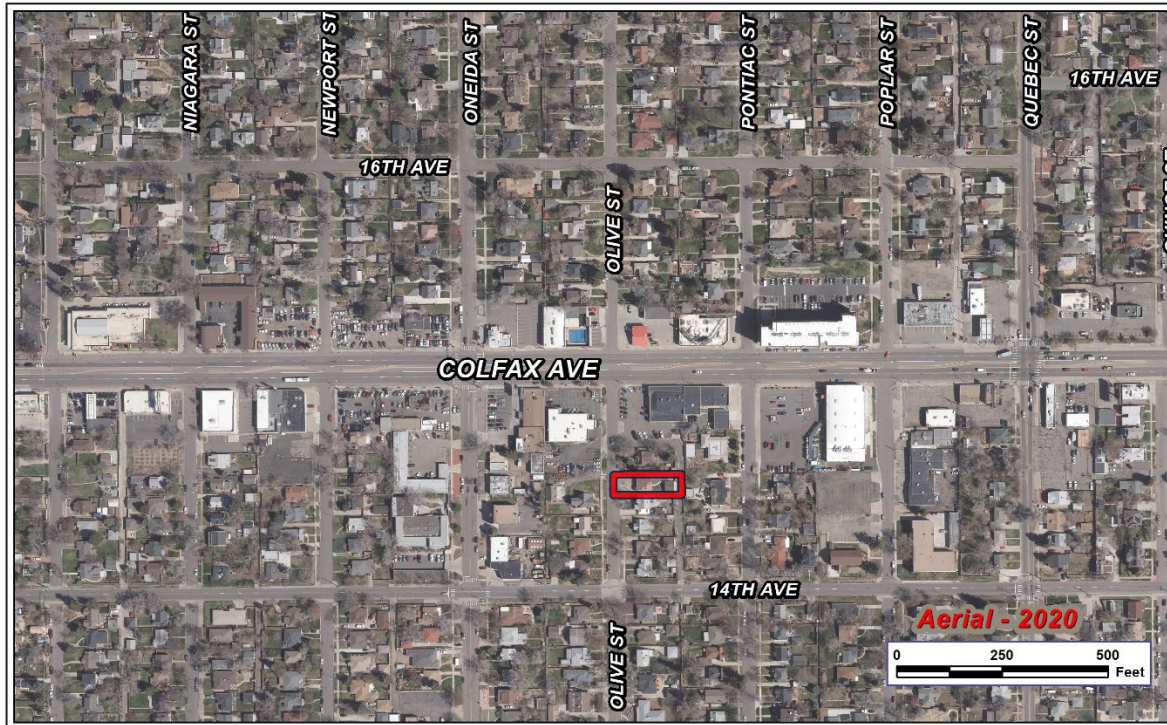
City Location



Neighborhood Location – Montclair Neighborhood



Existing Context

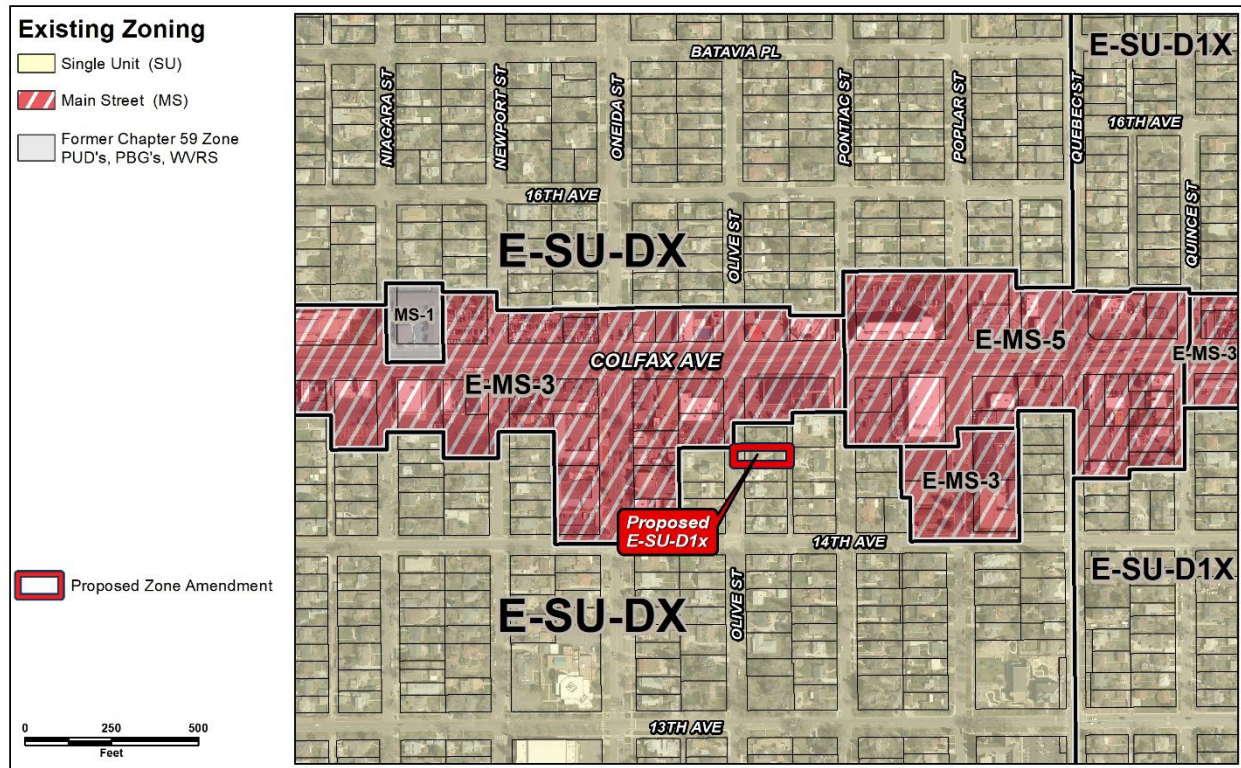


The subject property is in the Montclair statistical neighborhood, which is characterized by predominately single-unit residential uses with embedded two-unit residential, multi-unit residential, commercial/retail, industrial, office, mixed use land uses and public/quasi-public uses along East Colfax Avenue. There is a pattern of rectangular blocks in a street grid pattern with alley access. The subject property is located one half block south of East Colfax Avenue and nearby bus stops include a stop for route 73 on North Quebec Street with 30 minute headways and routes 15 and 15L on East Colfax Avenue with 15 minute headways. The subject property is two blocks northeast of Montclair Park and one block northwest from St. James Elementary School.

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	1-story house with detached garage in the rear. No sidewalk	Generally regular grid of streets; Block sizes and shapes are consistent and rectangular with alleys. Garages are rear, side and front loaded with On-Street vehicle parking. No Sidewalk on part of the existing block.
North	E-SU-Dx	Single-unit Residential	1-story house with alley access. No sidewalk	
South	E-SU-Dx	Single-unit Residential	1-story house with driveway and carport on North Olive Street. No sidewalk	
East	E-SU-Dx	Single-unit Residential	1-story duplex with driveway on North Pontiac Street	
West	E-SU-Dx	Multi-unit Residential	2-story Victorian house with driveway on North Olive Street and no alley	

1. Existing Zoning



E-SU-Dx is a single-unit residential zone 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 across the entire zone lot. 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 dwelling uses.

2. Existing Land Use Map



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



View of the subject property looking east.



View of the property to the north, looking southeast.



View of the property to the south, looking east.



View of the property to the west (across the alley), looking west.

Proposed Zoning

The applicant is requesting to rezone to E-SU-D1x, which allows the Suburban House and Urban House primary 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 allows for the same uses and building forms as the current E-SU-Dx district, with the addition of the accessory dwelling unit use and Detached Accessory Dwelling Unit (DADU) building form, to be located in the rear 35 percent of the lot. 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 or accessory dwelling units, but if provided, parking for the DADU must be accessed from the alley; street access is allowed when no alley is present.

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

Design Standards	E-SU-Dx (Existing)	E-SU-D1x (Proposed)
Primary Building Forms Allowed	Urban House; Suburban House	Urban House; Suburban House
Maximum Height in Stories/Feet, Front 65% of Zone Lot*	2.5 stories / 30 feet	2.5 stories / 30
Maximum Height in Stories/Feet, Rear 35% of Zone Lot*	Urban House: 1 story / 19 feet Suburban House: 2.5 stories / 30 feet	Urban House: 1 story / 19 feet Suburban House: 2.5 stories / 30 feet
DADU Maximum Height in Stories / Feet	DADUs not permitted	1.5 stories / 24 feet
Zone Lot Size (Min.)	6,000 square feet	6,000 square feet
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
Primary Structure Rear Setback, Alley / No Alley	12 feet / 20 feet	12 feet / 20 feet
DADU Rear Setback	DADUs not permitted	5 feet
Building Coverage per Zone Lot including all accessory structures (Max.), not including exceptions	37.5 %	37.5%
Detached Accessory Building Forms Allowed	Detached Garage, Other Detached Accessory Structures	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures

*Based on subject property width of 50 feet

Summary of City Agency Referral Comments

Assessor: Approved – No Response.

Asset Management: Approved – No Comments.

Denver Public Schools: Approved – No Response.

Development Services - Fire: Approved – No Response.

Development Services – Project Coordination: Approved – Will require additional information at Site Plan Review

1) Construction of any modifications to the existing building or of a new building will require zoning and building permit review and approval. Permits will be processed through the Residential Review group.

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approved – See Comments Below.

DS Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

Parks and Recreation: Approved – No Comments.

Public Health and Environment: Approved – No Comments.

Department of Transportation & Infrastructure – 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, registered neighborhood organizations, and property owners:	02/14/2022
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:	04/05/2022
Planning Board public hearing:	04/20/2022
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:	04/19/2022
Land Use, Transportation and Infrastructure Committee of the City Council:	05/03/2022
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:	05/16/2022
City Council Public Hearing:	06/20/2022

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has not received comment letters from Registered Neighborhood Organizations.
- **Other Public Comment**
 - To date, staff has received one letter of support from the public, stating that Denver needs more housing and this rezoning will allow for an extra home in this neighborhood.

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)
- East Area Plan (2020)

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, including:

- Equitable, Affordable and Inclusive Goal 2, Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).

E-SU-D1x allows for an additional dwelling unit that is accessory to the primary single-unit dwelling use and introduces a new housing type to a largely single-unit neighborhood. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs compatible with the single-unit homes that characterize most of the Montclair neighborhood.

- 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 infill development appropriate for the surrounding neighborhood that broadens the range of housing types available.

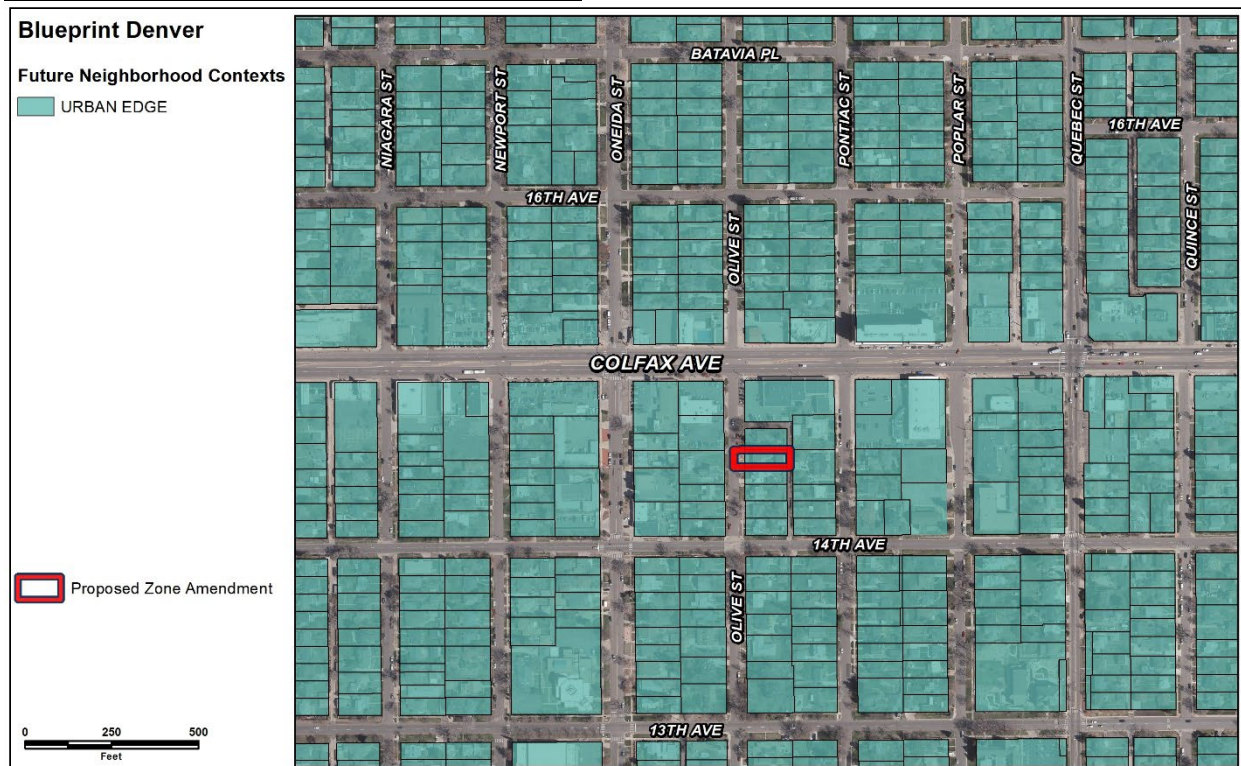
- Environmentally Resilient Goal 8, Strategy A – Promote infill development where infrastructure and services are already in place (p. 54).

The proposed map amendment will allow an additional housing unit on the site of an existing home where infrastructure and services such as water, stormwater, and streets already exist. This allows Denver to grow responsibly and promotes land conservation.

Blueprint Denver

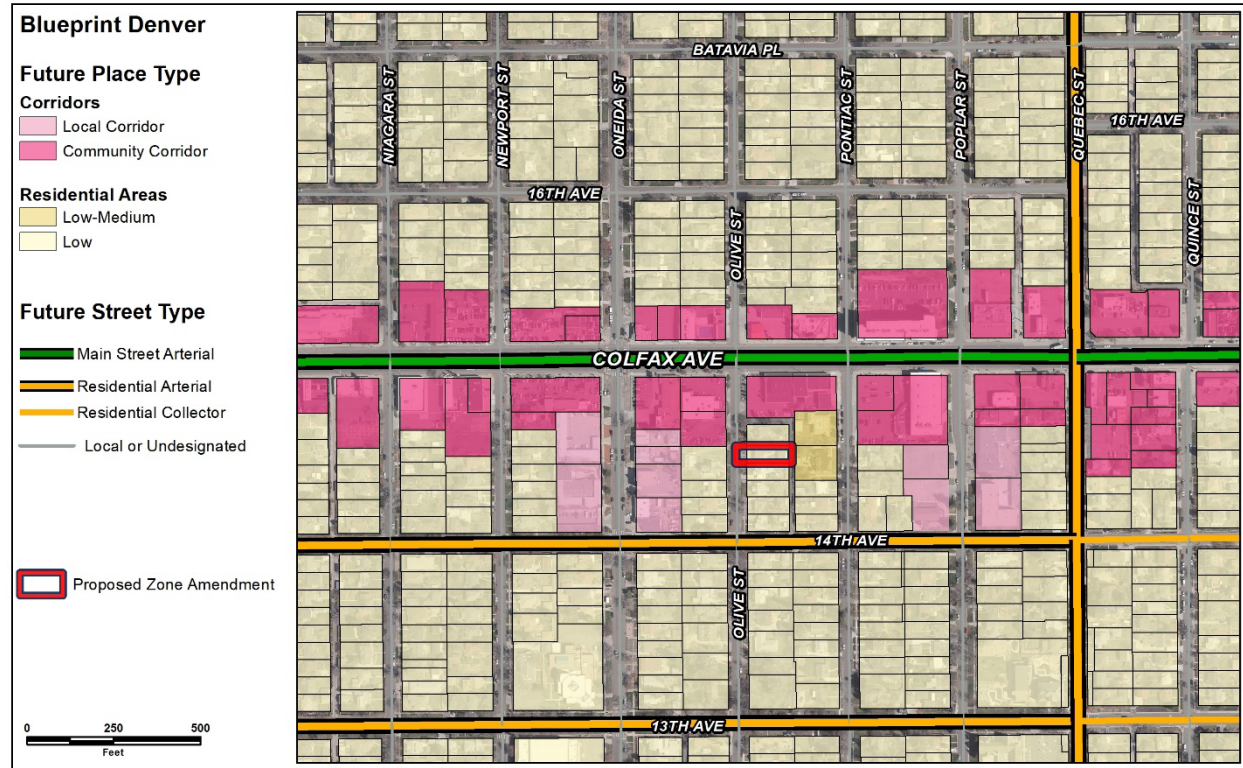
Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a Low Residential future place within the Urban Edge future neighborhood 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 in the Denver Zoning Code. The Urban Edge residential zone districts are 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 single-unit residential uses and a small-scale ADU that will be compatible with the existing residential area.

Blueprint Denver Future Place

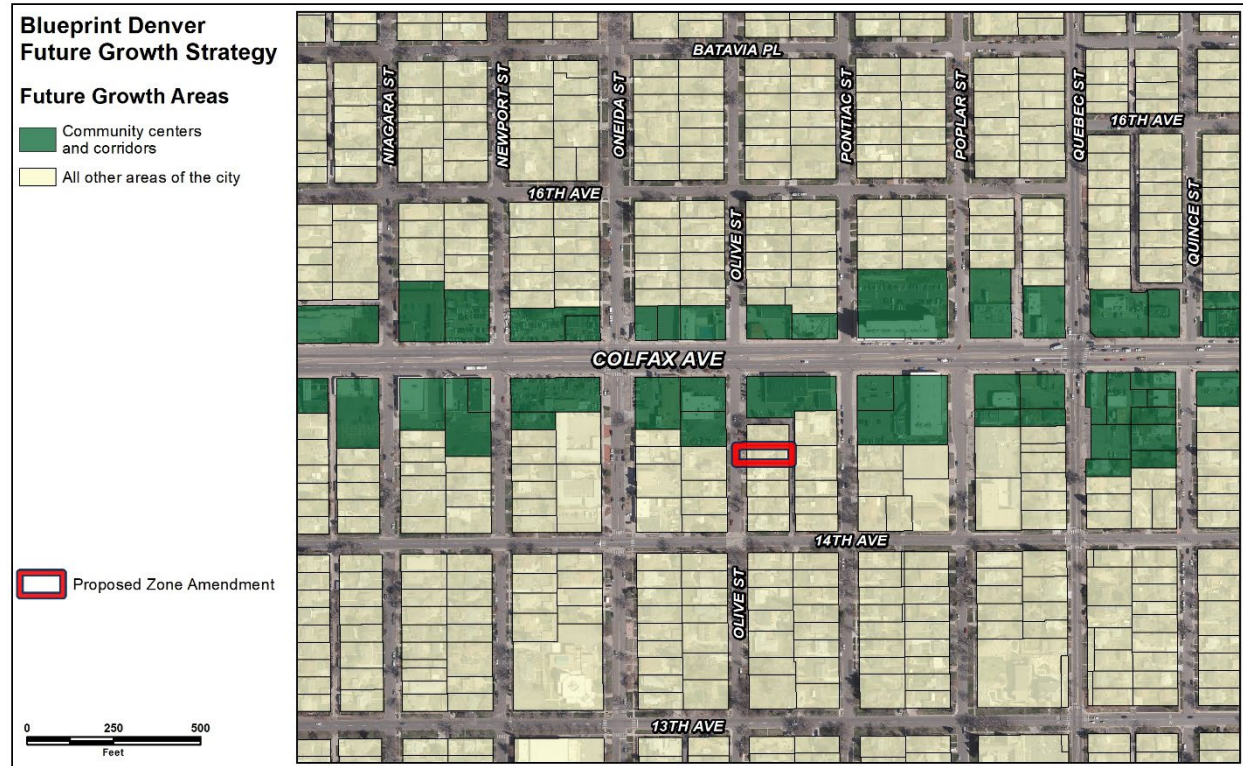


Within the Urban Edge Neighborhood Context, the subject property is categorized as a Residential Low Future Place with a land use and built form defined by *Blueprint Denver* as “predominately single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible. 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 designation.

Blueprint Denver 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 North 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 primarily residential 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 which would allow 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-unit residential character.

Blueprint Denver Strategies

Blueprint Denver provides additional recommendations related to rezoning to allow for ADUs.

- Housing Policy 4 Strategy 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, specifically 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" (p. 84).

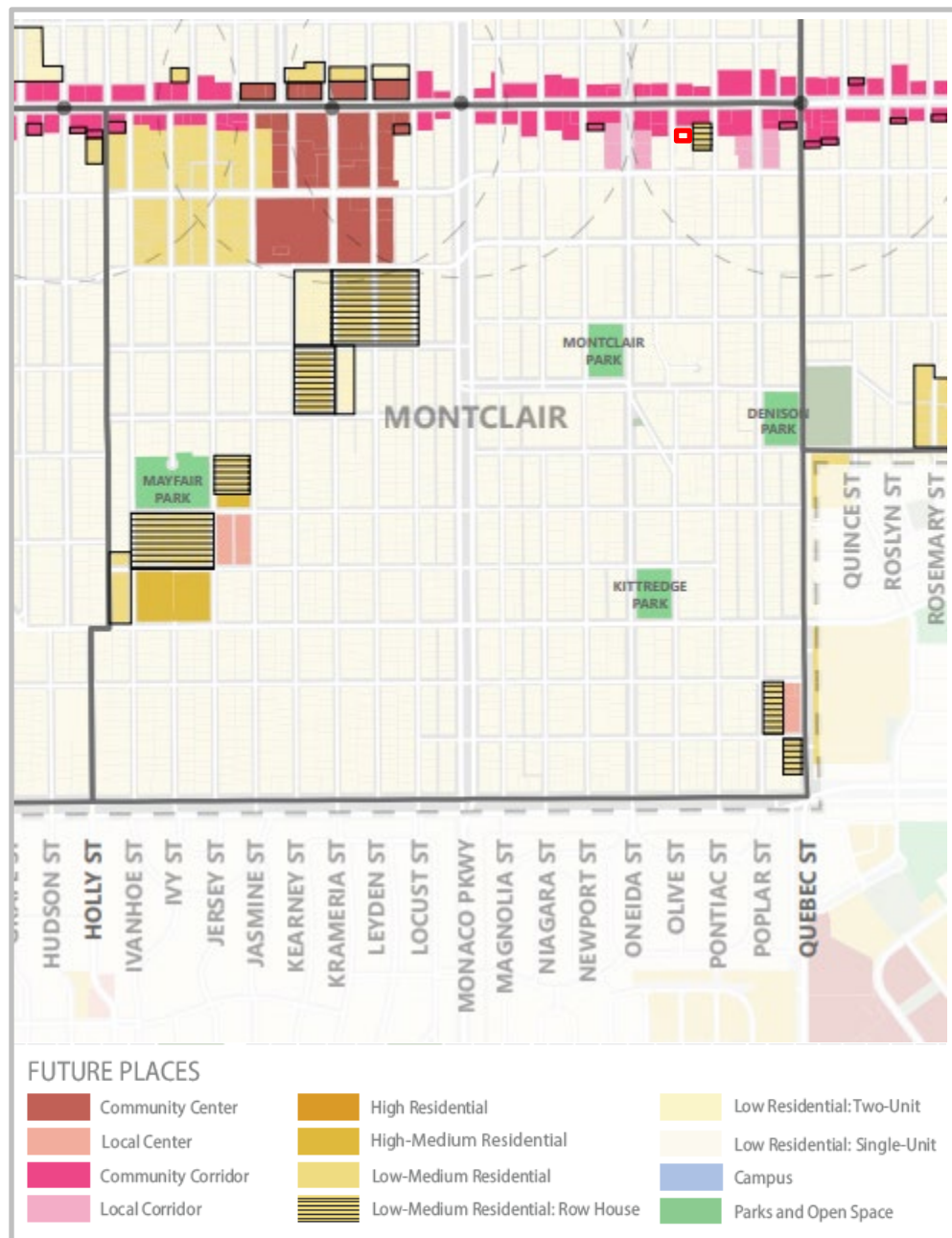
In this case, the requested rezoning is a single zone lot in a residential area, within one block of an RTD bus route. This rezoning to an ADU zone district will have minimal impacts on the character of the surrounding neighborhood and is consistent with *Blueprint Denver* recommendations.

East Area Plan (2020)

The *East Area Plan*, adopted in 2020, updates the guidance in Comprehensive Plan 2040 and Blueprint Denver. Within the *East Area Plan*, the subject property is within the Urban Edge Neighborhood Context, is in the Low Residential: Single-Unit future place type and is recommended for a maximum building height of 2.5 stories.



The East Area Plan designates the subject property as within the Urban Edge Neighborhood Context and describes the context as “primarily single and two-unit residential with some small-scale multi-unit residential, particularly close to Colfax Avenue and near the 9th and Colorado node” (p. 25). The proposed E-SU-D1x district will allow single-unit development with an accessory dwelling unit in conformance with the Urban Edge Neighborhood Context.



The *East Area Plan* designates the subject property as within the Low Residential: Single-Unit future place. The plan recommends this subcategory “in areas where single-unit homes with accessory dwelling units are appropriate” (p. 27). Land Use and Built Form policy L6 states that East Area neighborhoods should be inclusive places that integrate missing middle housing and accessory dwelling units (p. 39). The E-SU-D1x zone district allows for a single-unit residential use with an additional dwelling unit accessory to the primary single-unit use. Therefore, the proposed E-SU-D1x zone district is consistent with the Low Residential: Single-Unit place description.

Within the *East Area Plan* the growth strategy for the subject property is “all other areas of the city.” The plan states that “the area is expected to grow by up to 4,840 additional housing units and up to 3,090 in new jobs over the next 20 years” (p. 35). The E-SU-D1x zone district will allow limited growth consistent with the growth anticipated in the *East Area Plan*.

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 official map amendment furthers the public health, safety, and general welfare of the city through implementation of the city’s adopted land use plan (*Blueprint Denver* p.84) which recommends “the expansion of accessory dwelling units throughout all residential areas”. The proposed rezoning would provide the benefit of an additional housing unit that is compatibly integrated into the surrounding neighborhood. Additionally, the rezoning would bring a new type of housing unit to a largely single-unit residential area, which will increase housing diversity in the Montclair neighborhood. 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 Circumstances

The application identifies the adoption of *Blueprint Denver* as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, “Since the date of the approval of the existing Zone District, there has been a change to such as 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.”

As discussed above, *Blueprint Denver* and the *East Area Plan* specifically recommend the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. These plans were adopted after the date of approval of the existing zone district. 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, Section 4.1.1). This context “consists of a regular pattern of block shapes” and “a mixed presence of alleys” (DZC, Section 4.1.2). The residential area of the Montclair 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 general purpose of residential zone districts in this context is “to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context” (DZC Section 4.2.2.1.A). “The building form standards, design standards, and uses work together to promote desirable residential areas” (DZC Section 4.2.2.1.B). Common residential characteristics are recognized but variation is accommodated. The proposed E-SU-D1x district is consistent with the context description and the zone district general purpose because it will help preserve the existing single-unit use, form, and streetscape of the immediate area while allowing a small-scale ADU in the rear yard.

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 1450 North Olive Street contains a single unit dwelling on a lot of 6,100 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 requested zone district.

Attachments

1. Application
2. Comment Letter

Accessory Dwelling Unit Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	RJC Residential Trust	Representative Name	Sayre Brennan
Address	1450 Olive St	Address	3074 S Columbine St.
City, State, Zip	Denver, CO 80220	City, State, Zip	Denver, CA 80210
Telephone		Telephone	720.34.2542
Email	rglorso@gmail.com	Email	sayrebb@gmail.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
SUBJECT PROPERTY INFORMATION			
Location (address):		1450 N Olive St	
Assessor's Parcel Numbers:		06051-03-003-000	
Area in Acres or Square Feet:		6,100 sq ft	
Current Zone District(s):		E-SU-DX	
PROPOSAL			
Proposed Zone District:		E-SU-D1X for Accessory Dwelling Unit	
PRE-APPLICATION INFORMATION			
Did you have a pre-application meeting with Development Services Residential Team?		<input checked="" type="checkbox"/> Yes - if yes, state the meeting date <u>Thur. 01-27-2022</u> <input type="checkbox"/> No - if no, describe why not _____	
Did you contact the City Council District Office regarding this application?		<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>1/27/2022 via email</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment) _____	

REVIEW CRITERIA - AFFIRM THE PROPOSED ADU REZONING COMPLIES WITH THE CRITERIA BELOW BY CHECKING THE BOX NEXT TO EACH CRITERION

<p>General Review Criteria: The proposal must comply with all of the general review criteria. (Check box to the right to affirm) 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>Denver Comprehensive Plan 2040 The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:</p> <ul style="list-style-type: none"> • Goal 2, Strategy A. Equitable, Affordable and Inclusive – “Create a greater mix of housing options in every neighborhood for all individuals and families” (p. 28). The proposed zone district allows for an additional dwelling unit that is accessory to the primary single-unit dwelling use. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs compatible with the single-unit neighborhoods. • Goal 8, Strategy A. Environmentally Resilient - “Promote infill development where infrastructure and services are already in place” (p. 54). The proposed map amendment will allow an additional housing unit on the site of an existing home where infrastructure and services such as water, stormwater, and streets already exist. This allows Denver to grow responsibly and promotes land conservation. <p>Blueprint Denver The proposed map amendment is consistent with the applicable neighborhood context, places, street type, and strategies in <i>Blueprint Denver</i>, including:</p> <ul style="list-style-type: none"> • Policy 4, Strategy E - Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. <p>Neighborhood/ Small Area Plan (list all, if applicable): <u>East Area Plan (2020)</u></p>
<p>General Review Criteria: The proposal must comply with all of the general review criteria. (Check boxes to affirm) DZC Sec. 12.4.10.7</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>The proposed map amendment furthers the public health, safety, and general welfare of the city through implementation of the city's adopted plan, including Blueprint Denver which recommends “the expansion of accessory dwelling units throughout all residential areas” (<i>Blueprint Denver</i>, p. 84).</p>

REZONING GUIDE

ADU Rezoning Application Page 3 of 4

Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria. (Check boxes to affirm.) DZC Sec. 12.4.10.8	<input checked="" type="checkbox"/> Justifying Circumstances - One of the following circumstances exists: 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: <div style="background-color: yellow; padding: 2px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</div> <div style="background-color: yellow; padding: 2px;">b. A City adopted plan; or</div> c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. The proposed map amendment application identifies the adoption of <i>Blueprint Denver</i> as the Justifying Circumstance. As discussed above, <i>Blueprint Denver</i> specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. The plan was adopted after the date of approval of the existing zone districts. Therefore, this is an appropriate justifying circumstance for the proposed rezoning.
	<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. The proposed map amendment is consistent with the neighborhood context description, stated purpose and intent of the proposed <u>E-SU-D1x</u> Zone District.

REQUIRED ATTACHMENTS

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

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

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Please check boxes identifying additional attachments provided with this application (note that more information may be required. Please confirm with your pre-application/case manager planner prior to submittal.):

- ☒ Written Narrative Explaining Project
- ☐ Site Plan/ Drawings (if available) N/A
- ☒ Narrative describing any outreach to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors.
- ☒ Written Authorization to Represent Property Owner(s) (if applicable)
- ☒ Individual Authorization to Sign on Behalf of a Corporate Entity (e.g. if the deed of the subject property lists an LLC/trust as owner, this is document is required.)

Please list any other additional attachments:

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
RJC Residential Trust	1450 N Olive St Denver, CO 80220 rglorso@gmail.com	100%	<i>RJ glorso</i>	01/28/2022	B	YES

Brennan Development Services, Inc.

City and County of Denver
Community Planning and Development
Planning Services
Via Email: rezoning@denvergov.org

Date: 01/28/2022

Sayre Brennan, AICP, PMP, REALTOR
Brennan Development Services, Inc.
sayrebb@gmail.com
1+ 720.347.2542

RE: Written Narrative for ADU Zone Map Amendment - 1450 Olive St.

Good afternoon,

My name is Sayre Brennan and I represent the property owner who is requesting the proposed rezoning for the property located at 1450 Olive St., Denver, CO 80220. We are requesting to rezone the subject property from E-SU-Dx to E-SU-D1x in order to:

1. align with the City Council's adopted citywide plans Comp. Plan 2040 (2019), Blueprint Denver (2019) and NPI's East Area Plan (2020), and
2. expand the permitted uses under E-SU-D1x to eventually allow for an Accessory Dwelling Unit (ADU).

I met with CPD – Planning Services staff, Maria Francisca Peñafiel, on 01/27/2022 to review staff's findings for the required Pre-Application meeting. Based on staff's input and our own research, we are seeking to move forward with the proposed rezoning based on the following justifying circumstances:

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

- **a. Changed or changing conditions in a particular area, or in the city generally.**
 - On a macro level, Denver was “one of just 14 cities nationwide to add more than 100,000 new residents between 2010 and 2020. The city's population grew about 20% in the last decade, adding about 115,000 new residents to bring the population to 715,000” (Bradbury, 2021). Additionally, Denver's housing market inventory has hit an all-time low (McKee, 2022). This rezoning would allow the owner, and future owners, to add more cost-effective units at a micro-level.
 - On a micro level, Councilwoman Sawyer recently passed a legislative rezoning that rezoned the surrounding blocks to E-SU-D1x. While the subject property was not included in that rezoning, we feel confident the property in question is very similar to those rezoned.

In conclusion, the subject property's proximity to E Colfax Ave. (and the changes that have occurred there, e.g., RTD's transit stops, New Projects) and Council's neighboring legislative rezoning, we feel confident that conditions have changed in this area and the city in general.

Brennan Development Services, Inc.

- b. **A City adopted plan:**
 - Comprehensive Plan 2040, Blueprint Denver and the newly adopted East Ara Plan all provide plan support and language that strengthens the case for a rezoning to allow for an ADU at the subject site.

Public Outreach Narrative:

On the afternoon of 01/27/2022, I contacted the following organizations by and through email. Documentation of those emails are attached to this application and a list of those organization is provided below.

- *Denver City Council:*
 - Councilwoman Amanda Sawyer (District 5).
 - Councilwoman Robin Kniech (At-Large).
 - Councilwoman Debbie Ortega (At-Large).
- *City and County of Denver – CPD – Development Services:*
 - Residential Permitting team at ResidentialPermits@denvergov.org
- *Register Neighborhood Organizations:*
 - INC
 - Historic Montclair Community Association, Inc.
 - Denver For ALL.

To date, we have not received a response from the organizations above, but we will continue to work with them when necessary.

References:

Bradbury, S., & Burness, A. (2021, August 13). *A growing, more diverse Colorado: 9 key takeaways from new census data*. The Denver Post. <https://www.denverpost.com/2021/08/13/colorado-census-data-population-growth/#:~:text=Denver%20added%20more%20than%2015%2C000,bring%20the%20population%20to%2015%2C000>.

McKee, B. S. (2022, January 5). *Denver housing market inventory hits all-time low, 11,175 fewer homes available for purchase than norm*. OutThere Colorado. https://www.outtherecolorado.com/news/denver-housing-market-inventory-hits-all-time-low-11-175-fewer-homes-available-for-purchase/article_14986aac-6e5d-11ec-8ac2-e7c0d455a134.html#:~:text=When%20the%20pandemic%20hit%2C%20another,2%2C541%20available%20a%20year%20prior

Brennan Development Services, Inc.

Attachments

Required Attachments:

- Accessory Dwelling Unit Zone Map Amendment (Rezoning) – Application.
- Legal Description of the subject property.
- Proof of Ownership – Special Warranty Deed.

Additional Attachments:

- Written Authorization to Represent Property Owner.
- Individual Authorization to Sign on Behalf of a Corporate Entity – Statement of Authority.
- Email Correspondence
 - Denver City Council
 - City and County of Denver – CPD – Development Services – Residential Team
 - RNOs



2019041562

Page: 1 of 1

04/05/2019 02:47 PM
City & County of Denver
Electronically Recorded

R \$13.00

WD

D \$35.50

SPECIAL WARRANTY DEED

THIS DEED, Made this 4th day of April, 2019 between

Jean Arsenault

of the City and County of Denver and State of COLORADO, grantor(s), and

RJC Residential Trust dated March 15th, 2019

whose legal address is 1450 Olive Street, Denver, CO 80220

the City and County of Denver, State of Colorado, grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of Three Hundred Fifty-Five Thousand Dollars and No/100's (\$355,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the City and County of Denver, State of COLORADO, described as follows:

Lot 5, Except the East 8 feet, Block 27, Montclair,
City and County of Denver, State of Colorado.

Doc Fee
\$ 35.50

also known by street and number as 1450 Olive Street, Denver, CO 80220-2943

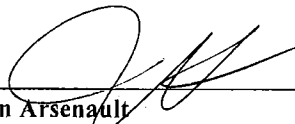
TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

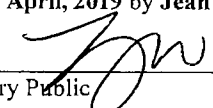
SELLER:



Jean Arsenault

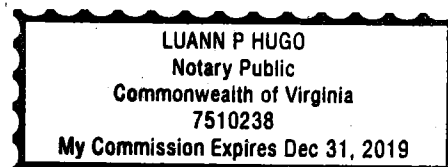
STATE OF : Virginia } ss:
COUNTY OF : Arlington

The foregoing instrument was acknowledged before me this 4th day of April, 2019 by Jean Arsenault



Notary Public

Witness my hand and official seal.

My Commission expires: 12/31/2019

From:
RJC Residential Trust dated March 15, 2019
Roosevelt James Carmine Glorso, trustee
700 Colorado Blvd #187
Denver CO 80206

To
Ms. Fran Peñafiel, Planning Services
Community Planning and Development
201 West Colfax Avenue
Denver CO 80202

Date: 28 January 2022

Subject: Authorization Letter

Dear Ms. Peñafiel:

I, Roosevelt James Carmine Glorso aka RJ Carmine Glorso as sole trustee for the RJC Residential Trust dated March 15, 2019, hereby authorize my agent, **Sayre Brennan and Brennan Development Services Inc.**, to conduct all activities regarding my rezoning application for **1450 Olive St Denver CO 80206** and fill the forms and sign all the documents on my behalf. I grant him permission to claim my check and all documents related to the land from your office on my behalf. The scope of this authorization letter includes identity proofs for identification purposes.

This letter of authorization will be in effect from 01 January 2022 to 01 January 2023. If you have any questions, feel free to contact me for any further clarification needed.

Sincerely,



Roosevelt James Carmine Glorso, Trustee

STATEMENT OF AUTHORITY

The following Revocable Trust Agreement ("Trust"), formed under the laws of the State of Colorado, is the subject of this Statement:

RJC Residential Trust Dated March 15, 2019.

1. The Trust is a revocable trust agreement in existence and created under the laws of the State of Colorado. The Trust has not been revoked, modified, or amended in any manner that would cause the representations contained herein to be incorrect.
2. The Trustee is Roosevelt James Carmine Glorso, whose mailing address is

RJC Residential Trust
700 Colorado Blvd. #187
Denver, CO 80206
3. The Trustee of the Trust, as sole trustee, has the authority to sign or otherwise authenticate according to all the powers required to purchase, convey, encumber, or otherwise affect title to real property.

Dated March 15, 2019.



Roosevelt James Carmine Glorso, Trustee

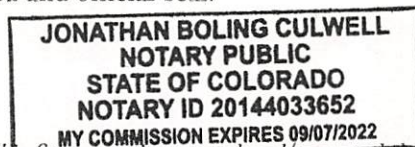
STATE OF COLORADO)

CITY AND COUNTY OF DENVER)

) ss.
)

The foregoing Certificate of Trust was subscribed and sworn to before me on March 15, 2019, by Roosevelt James Carmine Glorso, as Trustee of the RJC Residential Trust.

Witness my hand and official seal.


Notary Public

This Statement is executed and/or recorded pursuant to the provisions of C.R.S. 38-30-172.

STATEMENT OF AUTHORITY
RJC RESIDENTIAL TRUST DATED MARCH 15, 2019

CERTIFICATE OF TRUST

The following Revocable Trust Agreement ("Trust"), formed under the laws of the State of Colorado, is the subject of this Statement: **RJC Residential Trust Dated March 15, 2019.**

1. The Trust is a revocable trust agreement in existence and created under the laws of the State of Colorado on March 15, 2019. The Trust has not been revoked, modified, or amended in any manner that would cause the representations contained herein to be incorrect.

b) The Settlor is Roosevelt James Carmine Glorso.

c) The Trustee is Roosevelt James Carmine Glorso, whose mailing address is

**RJC Residential Trust
700 Colorado Blvd. #187
Denver, CO 80206**

d) The Trustee of the Trust, as sole trustee, has the authority to sign or otherwise authenticate according to all the powers set forth below:

- a. To purchase, hold, retain, encumber, or otherwise affect title to real property;
- b. To administer the trust estate, specifically, to hold, retain, invest, reinvest, and manage real property without limitation by statute or rule of law;
- c. To employ attorneys, accountants, investment advisors, custodians of trust property, and other agents or assistants as deemed advisable; and
- d. To exercise those powers set forth in the Colorado Fiduciary Powers Act, as amended.

5. The Trust is revocable by the Settlor, Roosevelt James Carmine Glorso, if done in writing.

6. The signatory to this Certificate of Trust is the current-acting Trustee of the Trust and declare that the foregoing statements are true and correct, under penalty of perjury.

Dated March 15, 2019.



Roosevelt James Carmine Glorso, Trustee

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing Certificate of Trust was subscribed and sworn to before me on March 15, 2019, by Roosevelt James Carmine Glorso, as Trustee of the RJC Residential Trust.

Witness my hand and official seal.


Notary Public

This Statement is executed and/or recorded pursuant to the provisions of C.R.S. 15-5-1013.

CERTIFICATE OF TRUST
RJC RESIDENTIAL TRUST DATED MARCH 15, 2019



Sayre Brennan <sayrebb@gmail.com>

Public Outreach: Rezoning 1450 N Olive St., Denver, CO 80220-2943 from E-SU-Dx to E-SU-D1x

2 messages

Sayre Brennan <sayrebb@gmail.com>

Thu, Jan 27, 2022 at 5:14 PM

To: denvercouncil5@denvergov.org, KniechAtLarge@denvergov.org, ortegaatl原因@denvergov.org

Bcc: RJ Carmine Glorso <rglorso@gmail.com>

Good morning Councilpersons,

This email serves as a notice that the property owner located at *1450 N Olive St., Denver, CO 80220-2943* is seeking to rezone their property from E-SU-Dx to E-SU-D1x. The owner is seeking the proposed rezoning in order to:

1. align with the City Council's adopted citywide plans - Comprehensive Plan 2040 (2040), Blueprint Denver (2019), and the East Area Plan (2020), and
2. eventually expand the permitted uses under the E-SU-D1x zone district to allow for an Accessory Dwelling Unit (ADU).

After completing the required pre-application review with Community Planning and Development (CPD) staff today (01/27/2022), we feel confident that our rezoning request meets the zoning map amendment requirements as outlined in the Denver Zoning Code and will be moving forward with the rezoning processes. Therefore, we wanted to reach out to you.

As a certified city planner (and former CPD staff member), the owner and I strongly believe in stakeholder input, so in addition to reaching out to you, the owner and I will also be reaching out to the following parties:

1. Registered Neighborhood Organizations (RNO's):
 1. INC.
 2. Historic Montclair Community Association, Inc.
 3. Denver For ALL.
2. adjoining neighbors, and
3. any other interested parties not identified above that you would like to suggest.

I know that you cannot discuss the merits of the proposed rezoning. However, we would be happy to take any input you may have about the proposed rezoning. If you have any questions or comments for me, my contact information is listed below. Thank you for your time, consideration, and public service.

Best regards,

--

Sayre B. Brennan, AICP, PMP, REALTOR®

Cell: 1+ 720.347.2542

Email: sayrebb@gmail.com

License No.: FA.100089147

[KELLER WILLIAMS DTC](#)

6300 S SYRACUSE WAY STE 150

CENTENNIAL, CO 80111-6786

[Facebook](#)[Instagram](#)[LinkedIn](#)

Sayre Brennan <sayrebb@gmail.com>
2022I-00016

Thu, Jan 27, 2022 at 5:16 PM



Sayre Brennan <sayrebb@gmail.com>

CPD Staff Outreach: Rezoning 1450 N Olive St., Denver, CO 80220-2943 from E-SU-Dx to E-SU-D1x

1 message

Sayre Brennan <sayrebb@gmail.com>

Thu, Jan 27, 2022 at 5:14 PM

To: ResidentialPermits@denvergov.org

Bcc: RJ Carmine Glorso <rglorso@gmail.com>

Good morning,

This email serves as a notice that the property owner located at *1450 N Olive St., Denver, CO 80220-2943* is seeking to rezone their property from E-SU-Dx to E-SU-D1x. After completing the required rezoning pre-application review with Community Planning and Development (CPD) - Planning Services staff today (01/27/2022), we feel confident that our rezoning request meets the applicable zoning map amendment requirements as outlined in the Denver Zoning Code. Therefore, we wanted to reach out to you and determine the future constructability of an ADU under the proposed E-SU-D1x zone district.

While the owner is not looking for a concurrent building permit review to coincide with the proposed rezoning, we did want to reach out to you because it was implied/suggested by CPD - Planning Services staff and the rezoning application. Additionally, we wanted to better understand the site development requirements for an ADU under the proposed E-SU-D1x zone district.

If you have any questions for me, have any pertinent information for me, or would like for me to attend a pre-application meeting on behalf of the owner, my contact information is listed below. Thank you for your time and consideration.

Best regards,

--

Sayre B. Brennan, AICP, PMP, REALTOR®

Cell: 1+ 720.347.2542

Email: sayrebb@gmail.com

License No.: FA.100089147

[KELLER WILLIAMS DTC](#)

6300 S SYRACUSE WAY STE 150

CENTENNIAL, CO 80111-6786

[Facebook](#)

[Instagram](#)

[LinkedIn](#)



Sayre Brennan <sayrebb@gmail.com>

Public Outreach: Rezoning 1450 N Olive St., Denver, CO 80220-2943 from E-SU-Dx to E-SU-D1x

1 message

Sayre Brennan <sayrebb@gmail.com>

Thu, Jan 27, 2022 at 5:14 PM

To: president@denverinc.org, excomm@denverinc.org, baxterj.jb15@gmail.com, caroshea@msn.com, info@denver4all.org, president@denver4all.org
 Bcc: RJ Carmine Glorso <rglorso@gmail.com>

Hello,

This email serves as a notice that the property owner located at *1450 N Olive St., Denver, CO 80220-2943* is seeking to rezone their property from E-SU-Dx to E-SU-D1x. The property owner is seeking this rezoning in order to:

1. align with the City Council's adopted citywide plans Comp. Plan 2040 (2019), Blueprint Denver (2019) and NPI's East Area Plan (2020), and
2. expand the permitted uses under E-SU-D1x to eventually allow for an Accessory Dwelling Unit (ADU).

After completing the required pre-application review with Community Planning and Development (CPD) staff today (01/27/2022), we feel confident that our rezoning request meets the applicable zoning map amendment requirements as outlined in the Denver Zoning Code. Therefore, we wanted to reach out to you, our neighborhood RNOs. Please note that the proposed zone district of E-SU-D1x is very similar to the current zone district of E-SU-Dx. However, the E-SU-D1x would allow an ADU as an approved use on the property.

Please note that a rezoning approval is not the same as an approval for permitting and building an ADU. The permitting and building of an ADU would potentially occur *after* the rezoning and the owner is not seeking to build an ADU in the immediate future.

As the owner's representative, I will be discussing this proposed rezoning with the following stakeholders:

1. Registered Neighborhood Organizations (RNO's)
 1. INC.
 2. Historic Montclair Community Association, Inc.
 3. Denver For ALL.
2. City Councilperson Amanda Sawyer who represents City Council District 5,
3. At-large City Council members (Councilpersons Kniech and Ortega),
4. adjoining neighbors, and
5. any other interested parties not identified above that you would like to suggest.

We look forward to engaging you on this rezoning and if possible, **request a letter of support from your RNO to coincide with our rezoning application.** If you have any questions for me, would like more information, or would like for me to attend one of your RNO meetings to discuss the proposed rezoning further, my contact information is listed below.

Best regards,

--

Sayre B. Brennan, AICP, PMP, REALTOR®

Cell: 1+ 720.347.2542

Email: sayrebb@gmail.com

License No.: FA.100089147

KELLER WILLIAMS DTC

6300 S SYRACUSE WAY STE 150

CENTENNIAL, CO 80111-6786

[Facebook](#)[Instagram](#)[LinkedIn](#)

2022I-00016

Planning Board Comments



Submission date: 15 April 2022, 10:36AM
Receipt number: 187
Related form version: 2

Your information

Name	Nic Shipley
Address or neighborhood	University Neighborhood
ZIP code	80210
Email	nicholas.shipley@gmail.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	1450 Olive St
Case number	#2022I-00016

Draft plan

Plan area or neighborhood

Proposed text amendment

Project name

Historic district application

Name of proposed historic district

Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

DURA Renewal Plan

Address of renewal project

Name of project

Other

Name of project you would like to comment on

Submit your comments

Would you like to express support or opposition to the project?

Strong support

Your comment:

Denver needs more housing. To not allow this ADU is to not allow a neighbor to have a home.

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.