

Planning Board Comments



Submitted on	4 September 2023, 10:49PM
Receipt number	566
Related form version	3

Your information

Name	Bryan DeBono
Address or neighborhood	4534 Yates Street
ZIP code	80212
Email	bryan.a.debono@gmail.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	4583 N Yates Street
Case number	#2023I-00102

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 opposition

Your comment:

Please see attached document (Application #2023I-00102 - 4583 North Yates Street - Opposition) for details regarding this opposition to Application #2023I-00102 for rezoning of 4583 North Yates Street, Denver, CO 80212.

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.

[Application 2023I-00102 - 4583 North Yates Street - Opposition.pdf](#)

Dear Denver Planning Board,

This letter pertains to rezoning proposal application #2023I-00102 by Sell Now Colorado, LLC for 4583 North Yates street, Denver, CO 80212 from U-SU-C1 to U-SU-A1. I own and live in a home on Yates street about 300 feet away from 4583 North Yates, and this rezoning proposal would have a daily quality of life impact for both my family and the other families living on our street. The current zoning of U-SU-C1 for 4583 North Yates Street was made by this board without mistake or error, as part of the City and County of Denver's adopted comprehensive zoning map for Denver NW036. **The rezoning proposal for 4583 North Yates street should be denied for reasons including the following.**

- The proposed zone change by Sell Now Colorado, LLC for 4583 North Yates street constitutes a single residential lot rezoning petition that is inconsistent with the zoning of the vast majority (>99%) of other residential lots in the neighborhood. The current 4538 North Yates Street zoning (U-SU-C1) is consistent with the zoning of the majority of other residential lots in Denver NW_036, on streets west of Vrain street. This single residential lot rezone request by Sell Now Colorado LLC for 4583 North Yates street would confer special benefits on the individual property owner that is not enjoyed by the other owners of similar properties in the neighborhood.**

As is seen in the NW_036 Zoning Map, the Berkeley neighborhood, for streets west of Tennyson street, is overwhelmingly and nearly consistently zoned as U-SU-C1 or U-TU-C for residential homes. The neighborhood includes in addition a couple mixed-use districts (U-MX-2/3-DO-8) that enable operation of a few commercial establishments including a coffee shop, bars, a hair salon, and a sushi restaurant.

One can clearly see from the map that the U-SU-A1 zoning sought by Sell Now Colorado, LLC for 4583 North Yates Street constitutes is not consistent with the zoning of the vast majority of homes in the neighborhood. West of Tennyson Street, NW_036 consists of 319 U-SU-C1 residential lots, 146 U-TU-C1 residential lots, 1 U-SU-B1 residential lots, 2 adjacent U-SU-A1 residential lots, as well as the previously mentioned mixed-use districts and one R-2 block. Residential zoning in NW_036 for streets west of Vrain street, including 4583 North Yates street, is nearly completely and consistently zoned as U-SU-C1.



Denver NW036 Map: 4583 North Yates street is shown in blue box. Note that the vast majority of residential lots in the vicinity of 4583 North Yates street are zoned as U-SU-C1

2. **The 4583 North Yates street lot zoning of U-SU-C1 is already consistent with Adopted Plans including the Denver Comprehensive Plan 2040 (2019) and Blueprint Denver (2019), and unlike the U-SU-A1 rezoning proposed, maintaining the current U-SU-C1 zoning achieves both consistency with the Adopted Plans as well as consistency with the zoning of other residential homes in the neighborhood.**

The U-SU-C1 zoning of 4583 North Yates street already permits the construction of a accessory dwelling unit (ADU) on this site to complement a primary housing unit, a status currently allowed by only about 31% of all properties in Denver. The U-SU-C1 zoning also allows the owner of 4583 North Yates street to pursue a lot split to two U-SU-C1 lots, which would allow an additional housing unit on the site that can provide housing for families of different incomes, ages, and needs. This is consistent with the Denver Comprehensive Plan 2040 (2019) and Blueprint Denver (2019)

Denver Comprehensive Plan 2040

The current U-SU-C1 zoning of 4583 North Yates is consistent with many of the adopted Denver Comprehensive Plan 2040 strategies, including:

- Equitable, Affordable, and Inclusive Goal 1 – Ensure all Denver residents have a safe, convenient, and affordable access to basic services and a variety of amenities.
 - Strategy A – Increase development of housing units close to transit and mixed-use developments (p 28).
- Equitable, Affordable and Inclusive Goal 2 – Build housing as a continuum to serve residents across a range of incomes, ages, and needs.
 - Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).
- Environmentally Resilient Goal 8 – Clean our soils, conserve land and grow responsibly.
 - Strategy A – Promote infill development where infrastructure and services are already in place (p.54).

Blueprint Denver:

The current U-SU-C1 zoning of 4583 North Yates is consistent with the Blueprint Denver future Urban Neighborhood Context:

- 4583 North Yates street is shown in context maps as Urban Neighborhood Context, the description of which is used to guide appropriate zone districts. U-SU-C1 is consistent with the Blueprint Denver future Urban Neighborhood Context because it will promote the residential character of the neighborhood by allowing a single-unit residential use with a low-scale accessory dwelling unit that will be compatible and consistent with the larger U-SU-C1 zoned residential area.
- 4583 North Yates street is designed within a Low Residential future place on the Blueprint Denver Future Place map. U-SU-C1 is a single-unit residential district that allows for an additional dwelling unit accessory to a primary single-unit residential use, which is consistent with the Low Residential future place description.
- Blueprint Denver classifies North Yates Street as Local or Undesignated Future Street Type, which are designed as “Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses”. The current U-SU-C1 zone district is consistent with this description as it allows for residential and some civic uses.
- Blueprint Denver’s growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver. 4583 North Yates street is included as an “All

other areas of the city” growth area. Maintaining the current zoning of U-CU-C1 will strengthen the character of the residential neighborhood by allowing growth while maintaining consistent zoning. It will allow for low-intensity growth to the number of households in the area by allowing the development of a detached accessory dwelling unit to the primary residence, or by allowing Sell Now Colorado, LLC to pursue lot split of 4583 North Yates street to two U-SU-C1 lots of a consistent size with other U-SU-C1 lots in the neighborhood. The existing zoning is therefore consistent with the growth strategy.

The redevelopment application by Sell Now Colorado LLC states that “If we are unable to re-zone and split the lot it would likely be developed with a single 6,000 sq foot home, pool and garage” As demonstrated in this letter, the existing zoning of U-SU-C1 already enables Sell Now Colorado to pursue multiple site re-development routes for 4583 North Yates that forward the objectives of Blueprint Denver and the Comprehensive Plan 2040, including adding an ADU to the primary home on the site, or by splitting the site into two separate lots. The future owners and/or residents of these properties will also enjoy highly accessible and affordable access to swimming facilities without the need or expense of a private pool, thanks to Denver city-run recreational facilities. Specifically, there are two public pools less than 2 minutes walk from the front door of 4583 North Yates Street, at the Denver city-run Scheitler Recreation Center, which offers year-round pool access at a highly affordable cost to any Denver resident including the future owners and/or residents of 4583 North Yates Street.

We strongly encourage the Planning Board to consider the above and to reject the re-zoning of 4583 North Yates Street from U-SU-C1 to U-SU-A1 in order to maintain consistency in neighborhood zoning while achieving the goals set forward by Blueprint Denver and the Comprehensive Plan 2040, and to prevent bestowing special benefits on an individual property owner that are not enjoyed by other neighborhood property owners in the neighborhood.

Planning Board Comments



Submitted on	5 September 2023, 6:58PM
Receipt number	567
Related form version	3

Your information

Name	Molly McMorrow
Address or neighborhood	4585 Yates st
ZIP code	80212
Email	Molly_mcmorrow@yahoo.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	4583 North Yates street
Case number	2023i- 00102

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 your would like to comment on

Submit your comments

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

Strong opposition

Your comment:

I am not in favor of the rezoning of 4583 Yates street. The last thing I want is for another investor to come in and build 2 houses with additional ADU's over the garage and try to say that its affordable housing which it will not be with a sale price starting at 1 million. I also do not think that the other option of an even larger house with a pool (proposed 6000 square foot house) is any better if not worse and would not even fit in this neighborhood- it sounds ridiculous. Neither option is good and or fair in my opinion especially for this of us who have older homes and want the street to look and feel like the Highlands I fell in love with 15 years ago. I think its awful that I have to take time away from my family to leave a comment (which seems like my only option) which may not even be read or heard. These investors have taken over the highlands and I don't want Yates street to be ruined by building or shall say packing in more house so that these investors make more money with the tag line that they are helping build homes for those who need them. I just think its awful and they do not have my support

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.

Planning Board Comments



Submitted on	5 September 2023, 9:45PM
Receipt number	568
Related form version	3

Your information

Name	Sarah Angello
Address or neighborhood	4534 yates st
ZIP code	80212
Email	sarah.angello@outlook.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	4583 Yates Street
Case number	2023I-00102

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

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Name of project

Other

Name of project your would like to comment on

Submit your comments

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

Strong opposition

Your comment:

Dear Denver Planning Board,

This letter pertains to the rezoning proposal by Sell Now Colorado of 4583 Yates Street, Denver, CO 80212 from U-SU-C1 to U-SU-A1. I am strongly opposed to this proposal. As a homeowner and neighbor to the proposed site, it is clear that this proposal does not fit the character of the neighborhood, does not qualify under the rezoning criteria published by this board, and does not achieve the goals articulated by the Blueprint Denver plan. The current zoning is accurate and is consistent with the broader zoning throughout the area. Altering the zoning of this propoertyy would be incongruous.

The rezoning proposal for 4583 Yates St should be denied for the following reasons:

The proposed zone change by Sell Now Colorado LLC for 4583 Yates street constitutes a single residential lot rezoning petition inconsistent with the zoning of the vast majority (>99%) of other residential lots in the neighborhood. The current 4538 Yates zoning of U-SU-C1 is consistent with the zoning of the vast majority of other residential lots in Denver NW_036 west of Vrain street. This spot re-zone request by Sell Now Colorado LLC for 4583 Yates street would confer special benefits on the individual property owner not enjoyed by other owners of similar properties in the neighborhood. The neighborhood is almost exclusively U-SU-C1: there is no compelling reason to grant the developer's petition.

The 4583 Yates zoning already allows for multiple development opportunities. A lot split is already permitted, and an ADU to complement a primary housing unit is already permitted. These options are correctly zoned and they can provide housing for families of different incomes, ages, and needs. This is consistent with the Denver Comprehensive Plan 2040 (2019), Blueprint Denver (2019), and the Denver Comprehensive Plan 2040.

In the redevelopment application, Sell Colorado noted that if they cannot "rezone and split the lot" - which is an exaggerated, as they can already

split the lot under current zoning, they will build a single family home with a pool and garage. As you are well aware, they have multiple development paths available to them, including constructing a home with an ADU or two separate lots. And while I can't imagine who would want a backyard pool when they are less than one block from the two excellent pools at Scheitler, the "large house with pool" development plan is one of many options permitted to Sell Colorado. There is no compelling reason to rezone this property: rezoning doesn't fit precedent, local character, or solve for any unique scenario. The developer already can split this into two lots for two houses.

I strongly encourage the Planning Board to reject the re-zoning of 4583 Yates Street from U-SU-C1 to U-SU-A1 so as to maintain consistency in neighborhood zoning while achieving the goals set forward by Blueprint Denver and the Comprehensive Plan 2040. It would be incorrect for the commission to grant special benefits on an individual property owner that are not enjoyed by other neighborhood property owners in the neighborhood.

Thank you for your consideration.

Sincerely,
Sarah Angello

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.

Planning Board Comments



Submitted on	5 September 2023, 10:17PM
Receipt number	569
Related form version	3

Your information

Name	Charlie Sayre
Address or neighborhood	4567 N Yates Street
ZIP code	80212
Email	charlie.t.sayre@gmail.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	4583 N Yates Street
Case number	23i-00102

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 your would like to comment on

Submit your comments

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

Moderate opposition

Your comment:

We live next door to the proposed re-zoning. We are concerned that the intent is to build two separate homes on the single lot (potentially each with its own ADU). If so, we worry that the addition of two oversized homes with ADUs squished between us and our other long-term neighbor will leave very little space between each house. We have spoken to many of our neighbors, and they too are concerned about two large homes with ADUs fitting on this single lot. If the plan is for developers to maximize profits by not only building one large home on the lot, but two with ADUs, we think this will be an unfortunate outcome for us, the block, and our neighbors.

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.

Planning Board Comments



Submitted on	6 September 2023, 3:01PM
Receipt number	571
Related form version	3

Your information

Name	Jane Thomas
Address or neighborhood	4569 Yates Street
ZIP code	80212
Email	jayn.thomas@gmail.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	4583 North Yates Street
Case number	2023I-00102

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 opposition

Your comment:

I live in an ADU right next to the proposed re-zoning, and will be looking down or right out at whatever is built on this lot. I would much prefer one single family home so that there is a little more space in between us, but I also don't think the single family home needs to be 6,000 square feet (as proposed) in this neighborhood, even on this size of a lot. Having some space between neighbors is essential, and I am worried that we will all be living on top of each other if there are multiple homes and ADUs on this lot, or a 6,000 square foot home with an ADU.

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