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# 1628-30 S Ogden Street

Request: U-SU-C to U-TU-C

Date: 1/14/2025

Presenter: Fritz Clauson, AICP

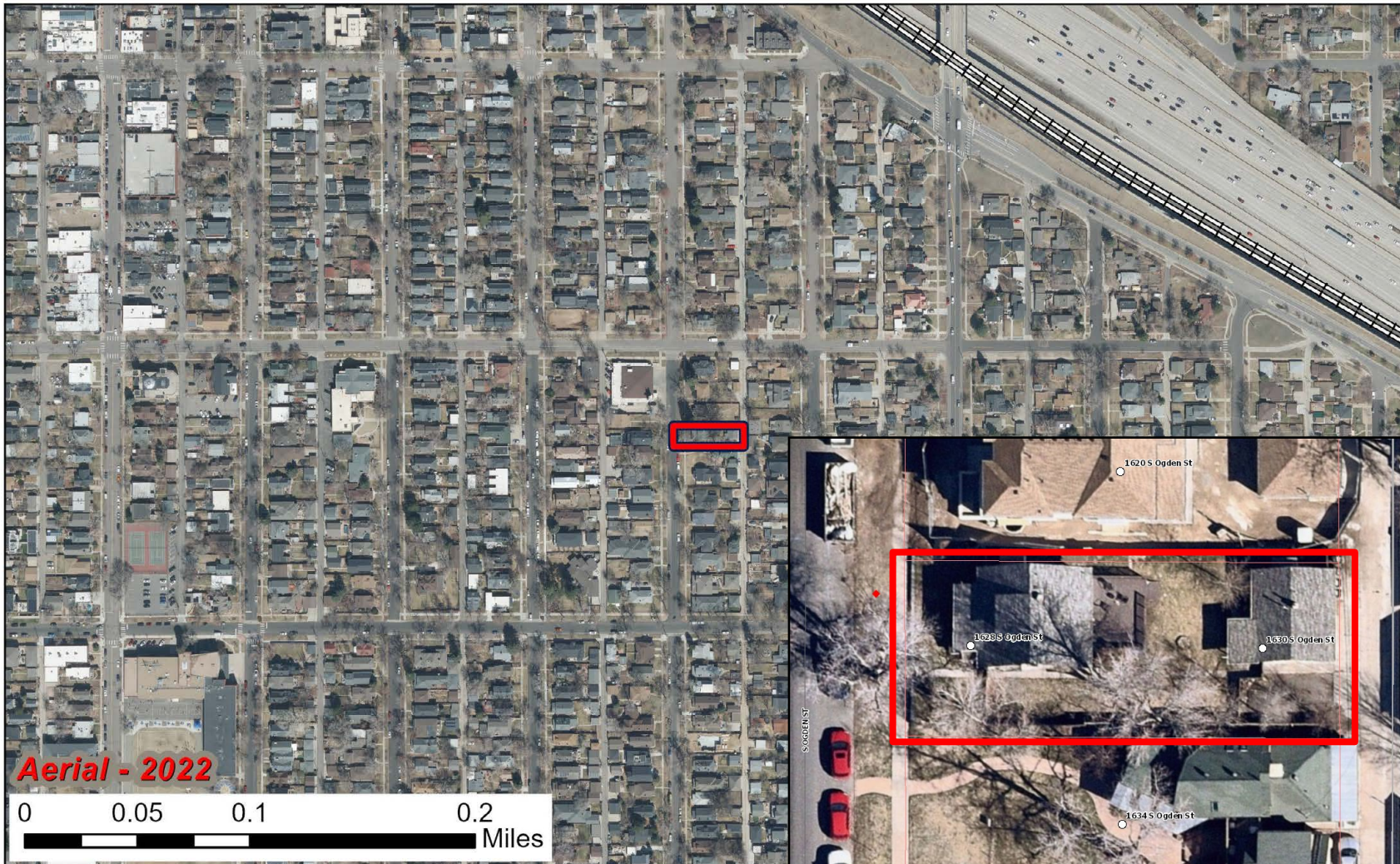
# Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria
- Recommendation



# Request

- 6,240 sq ft (0.14 acres)
- Rezone from U-SU-C to U-TU-C
- Currently two separate units located on the same parcel (1628 and 1630)
- Requesting rezoning to allow two-unit uses and demo and build a new duplex



# Agenda

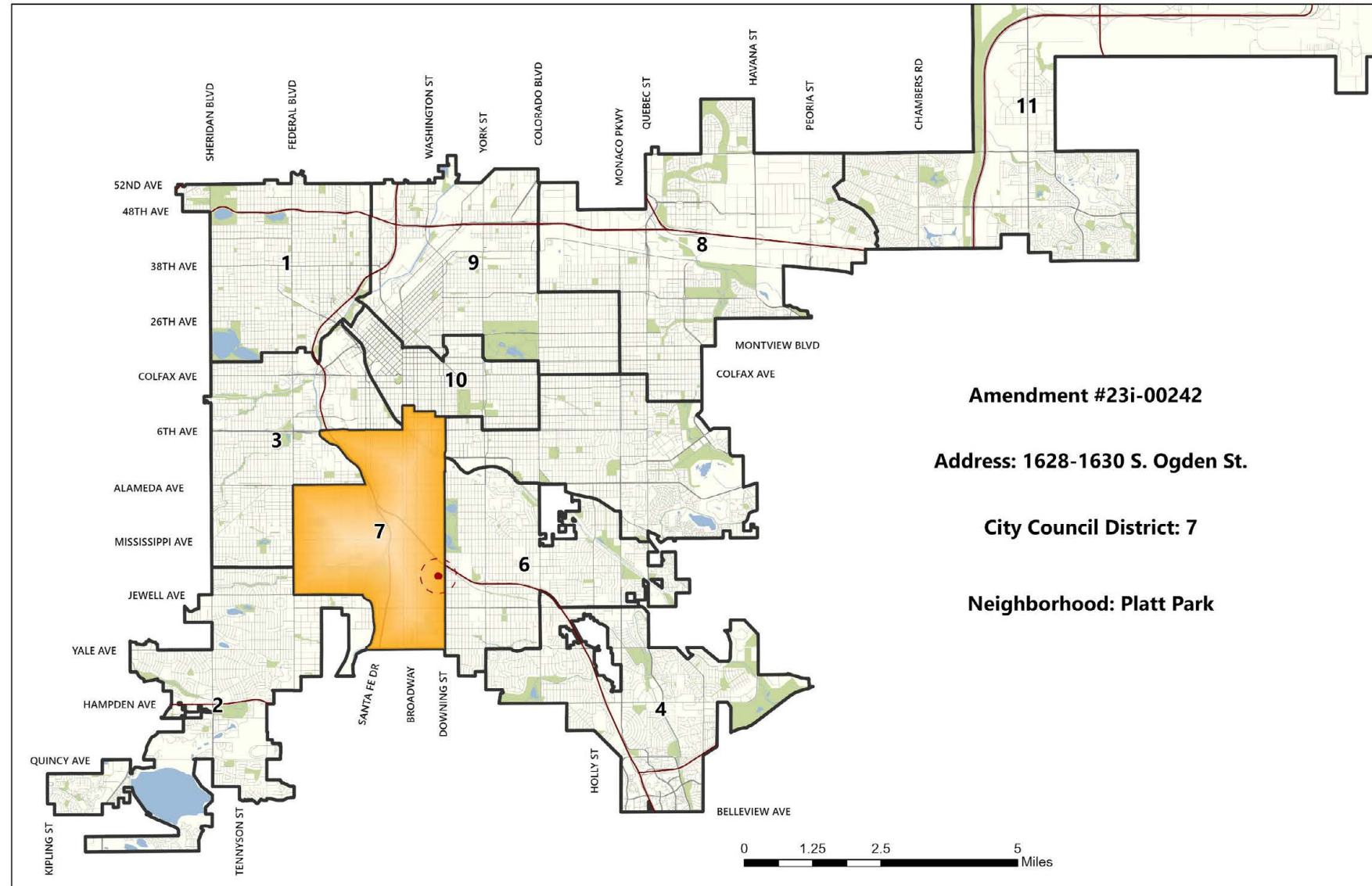
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# Location

## Council District 7

Council Member  
Flor Alvidrez



**Amendment #23i-00242**

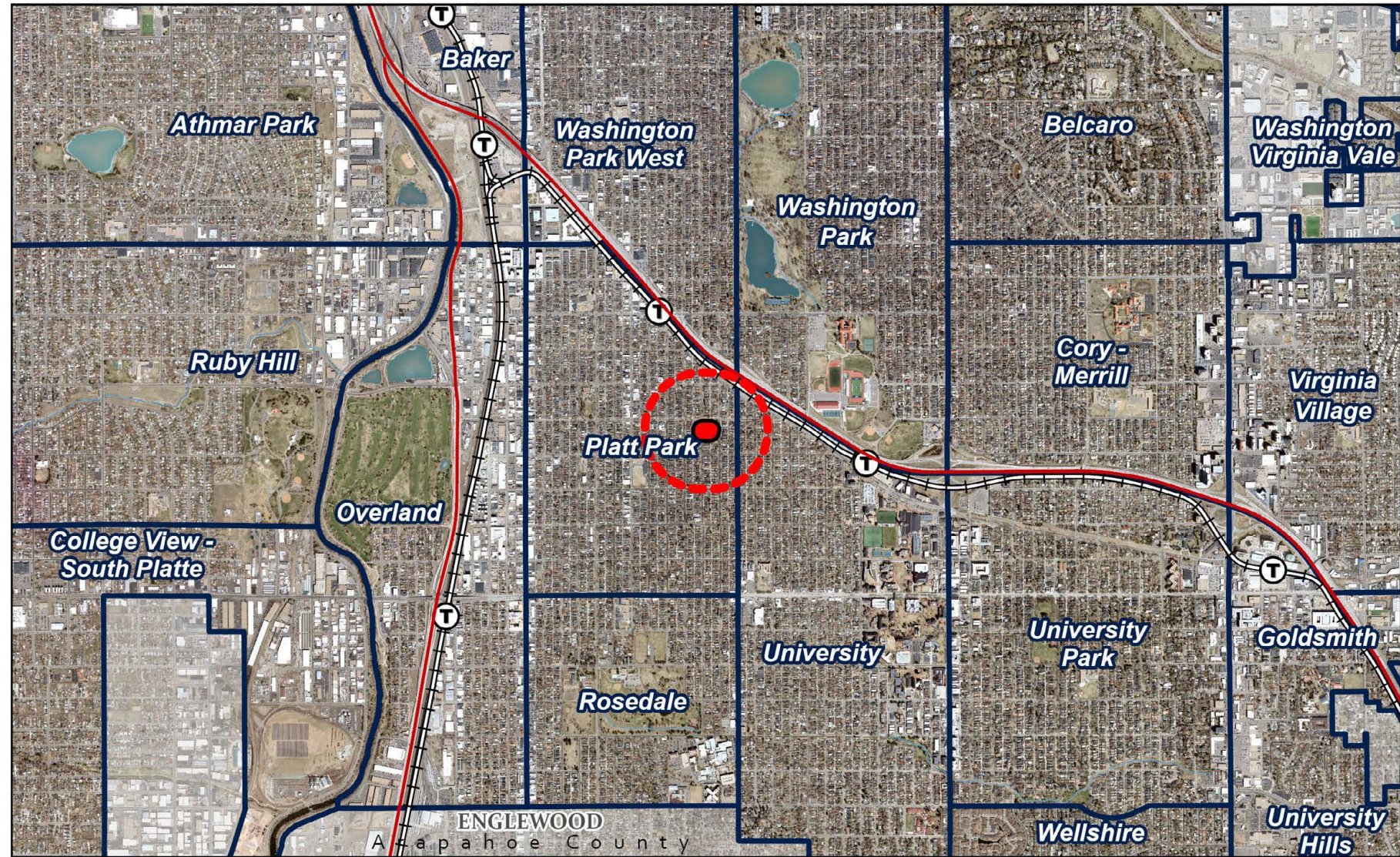
**Address: 1628-1630 S. Ogden St.**

**City Council District: 7**

**Neighborhood: Platt Park**

# Location

Statistical  
Neighborhood:  
Platt Park

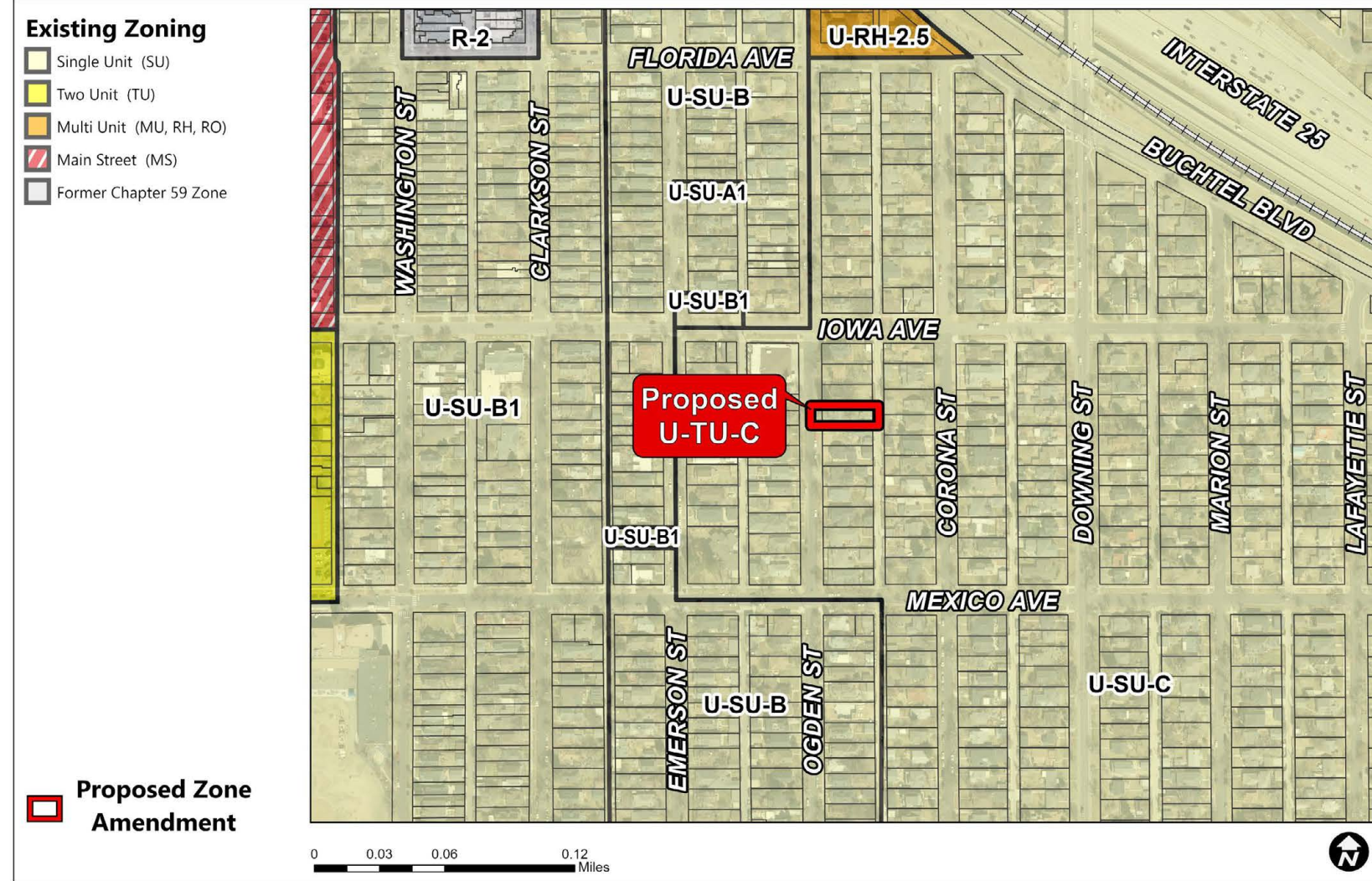


# Existing Zoning: U-SU-C

## Surrounding Zoning:

- U-SU-C
- U-SU-B
- U-SU-B1

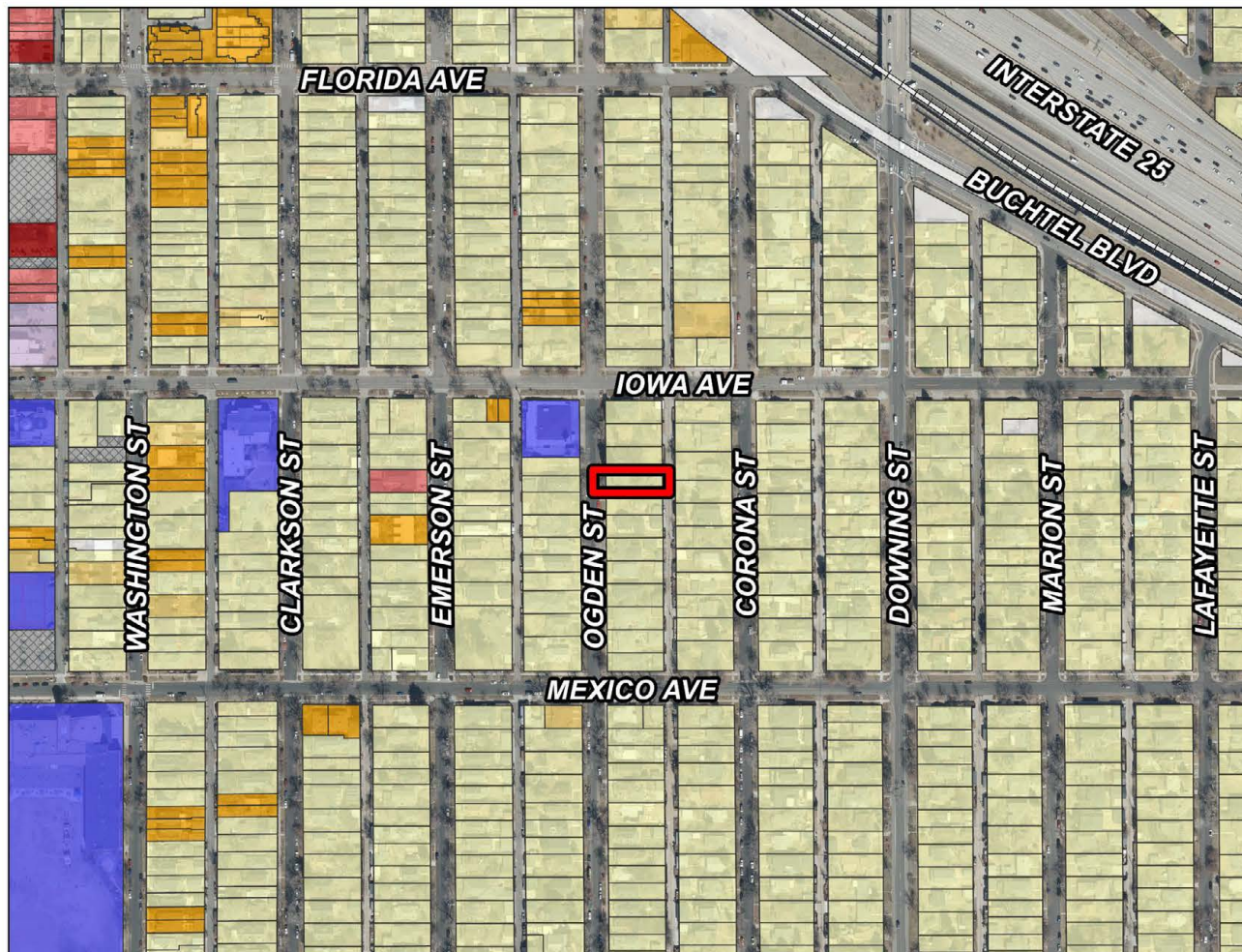
Located within  
Washington Park  
Viewplane



# Existing Land Use: Single Unit

## Existing Land Use

- Single-unit Residential
- Two-unit Residential
- Multi-unit Residential
- Commercial/Retail
- Office
- Public/Quasi-public
- Mixed-use
- Parking
- Vacant



 Proposed Zone Amendment

0 0.03 0.07 0.13 Miles

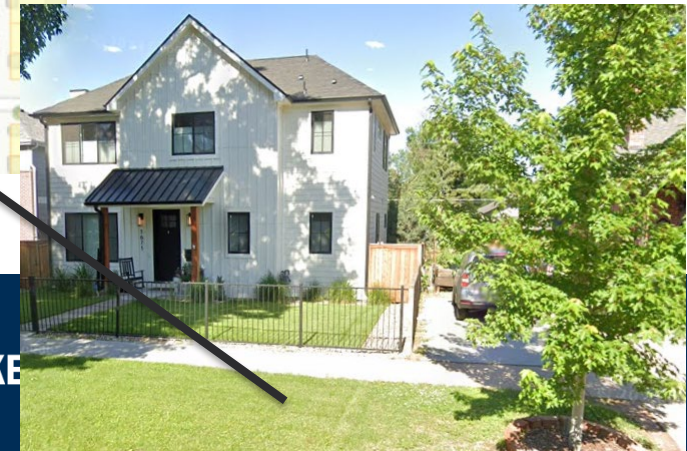
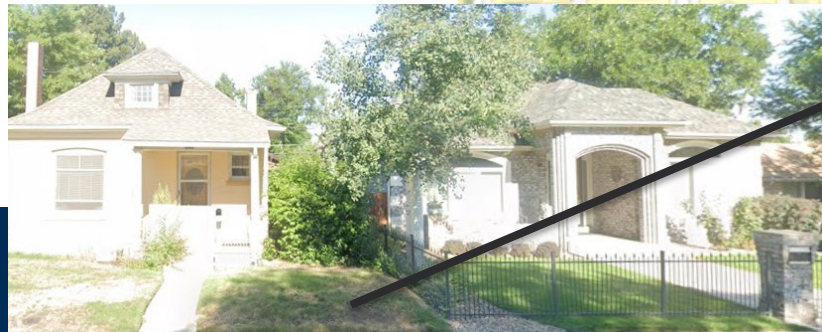


## Surrounding Uses:

- Single Unit Residential
- Public/Quasi-Public
- Two Unit Residential
- Multi-Unit Residential



# Existing Context: Building Form/Scale



# Existing Conditions Information

## Zoning Compliance Letter:

Our records indicate that the primary use on the referenced property contains two legal Conforming Single-unit Dwellings.

The primary use structures are legal Non-Conforming structures.

- The existing primary use structure can be rebuilt to its current configuration in the event of Involuntary damage or destruction.
- Voluntarily Demolition shall be reconstructed only in compliance with all applicable zone district standards.
- Any reconstruction would be subject to review procedures and timelines in place at the time of submittal.
- No building form has been assigned, neither is accessory
- OK as is but can renovate, not demolish

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# Process

- Informational Notice: 8/6/2024
- Planning Board Notice: 10/22/2024
- Planning Board Public Hearing: 11/06/2024
  - Voted 5-1 in favor of recommending approval (see Document of Deliberation in packet)
- **LUTI Committee: 1/14/2025**
- City Council Public Hearing: 02/24/2025

# Public Comments

- To date, staff has received:
  - Comments in support from 30 people (21 letters).
  - Comments in opposition from 42 people (37 letters).
- Comments in opposition expressed concern about traffic, provision of street parking (with consideration of restricted parking around nearby fire station), and difficulty or disruption of alley access by neighboring property owners, and potential change of neighborhood character. Comments in support expressed personal support of the applicants, and general support for the application and two-unit use on the property.
- Following the Planning Board hearing on 11/6/2024, applicants elected to delay their originally scheduled LUTI committee date to pursue mediation with neighbors. An initial mediation meeting was held the first week of January, and the process is ongoing.

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# Denver Zoning Code Map Amendment Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

See *DZC 12.4.10.7, 12.4.10.8*

# Review Criteria

## 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*

## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

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



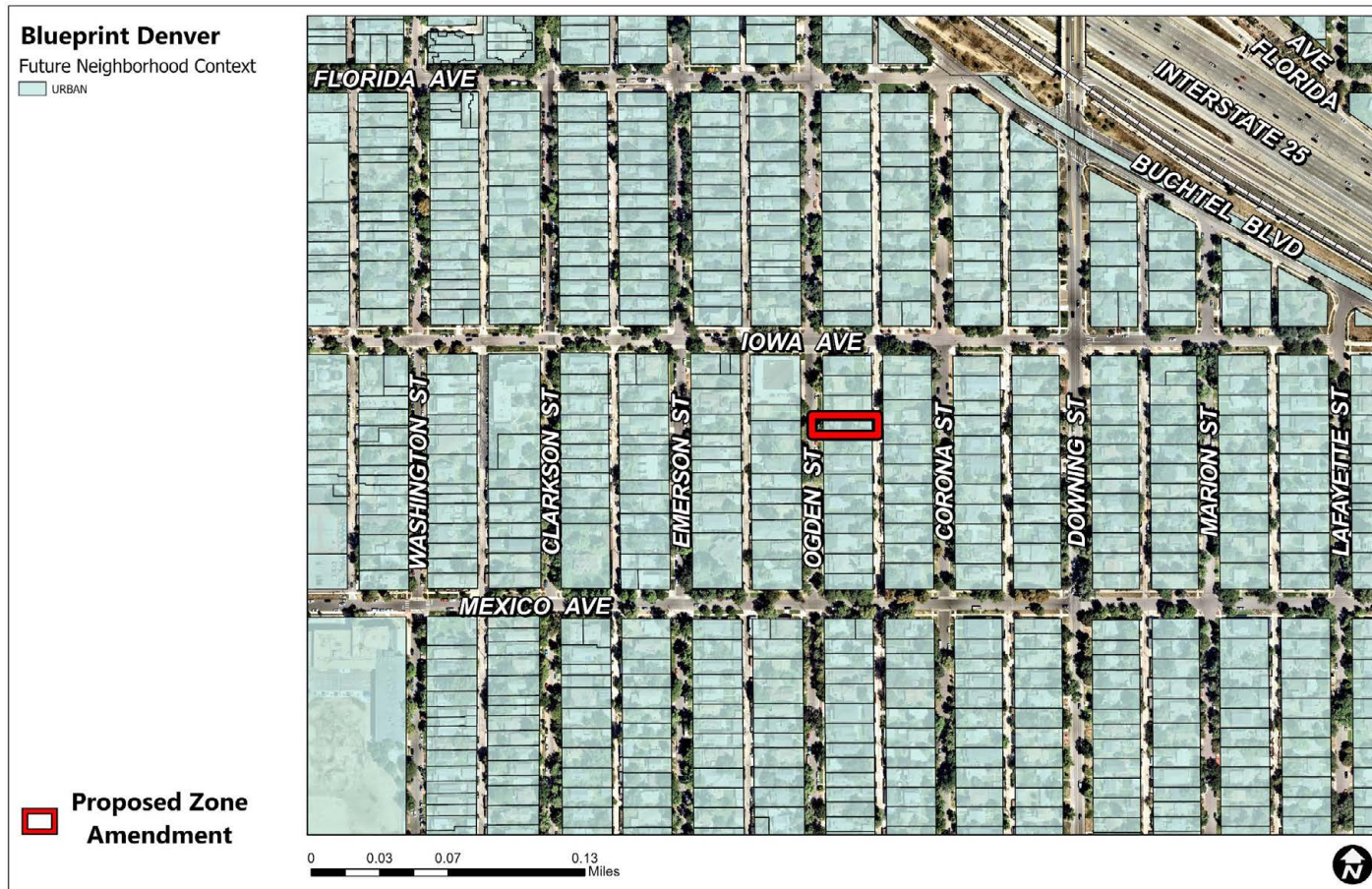
# Review Criteria: Consistency with Adopted Plans

## Comprehensive Plan 2040

- *Equitable, Affordable and Inclusive, Goal 2 Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families*
- *Strong and Authentic Neighborhoods Goal 1, Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 34).*
- *Strong and Authentic Neighborhoods Goal 1, Strategy D – Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p. 34).*
- *Environmentally Resilient Goal 8, Strategy A- Promote infill development where infrastructure and services are already in place (p.54).*



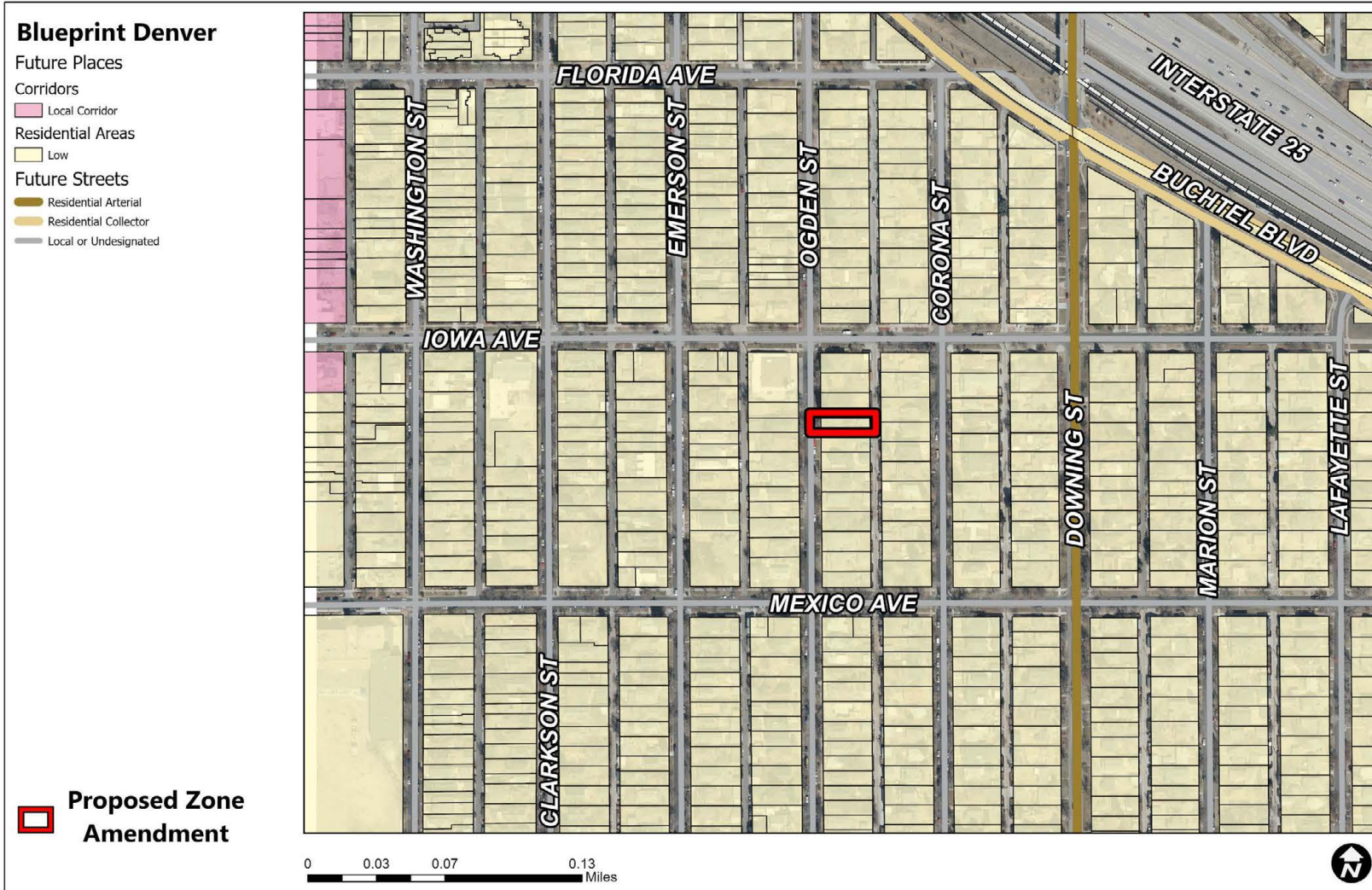
# Consistency with Adopted Plans: Blueprint Denver



**Future Neighborhood Context: Urban**  
The urban neighborhood context is widely distributed throughout the city. Homes vary from multi-unit developments to compact single-unit homes. Development in this context should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity. Residents living in this context have access to varied transit options and amenities.

The urban context is walkable due to a predictable street grid in residential areas and the availability of transit and dedicated bike lanes. These areas offer access to neighboring areas and commercial nodes, with some small mixed-use nodes within the neighborhood.

# Consistency with Adopted Plans: Blueprint Denver



**Future Place: Residential Low**  
Predominantly one- and two-unit, though many areas are mostly one-unit. Includes Accessory Dwelling Units. In some contexts, some higher-intensity residential uses may be mixed throughout. Neighborhood-serving retail may be found in some key locations. Buildings are predominantly low-scale houses and duplexes. Setbacks and lot coverage vary across neighborhood contexts. *Buildings are typically up to 2.5 stories in height.*

# Blueprint Denver

## Applying Residential “Low” Guidance to Proposed Rezoning

This section provides guidance for evaluating potential rezoning, or map amendment requests, in low residential areas. Although the description of the low residential places includes both single-unit and two-unit uses, **two-unit uses are not appropriate in all low areas.**

### Uses

When a rezoning request is made to change the zoning to allow two-unit uses, the appropriateness of the request depends upon **adopted small area plan guidance, neighborhood input, and existing zoning patterns.** A departure from the established zoning pattern may be appropriate **if the intent is to set a new pattern for the area,** as expressed by an adopted small area plan or significant neighborhood input.

### Minimum Lot Size

In the Denver Zoning Code single-unit and two-unit zone districts are regulated based on minimum lot size. Different zone districts have different required minimums to build allowed building forms, such as the urban house or duplex forms. When a rezoning request is made to change the zoning to allow smaller lots for multiple properties in an area, **the appropriateness of the request depends upon the existing character and applicable adopted neighborhood plan guidance.** For applicant-driven requests that are individual sites or small assemblages, typically it is **only appropriate to allow smaller lot sizes than the existing zone district if there is an established pattern in the surrounding blocks of smaller lots** with similar uses that would be consistent with the zone district request. A departure from the established lot pattern may be appropriate if the request includes a larger area, generally greater than one block, and the intent is to set a new pattern for the area, as expressed by an adopted small area plan or significant neighborhood input.

# Zoning Code Review Criteria

## 1. Consistency with Adopted Plans

- Comprehensive Plan 2040
- Blueprint Denver: A Land Use and Transportation Plan (2019)
- Small Area Plans
- Others, as applicable: e.g., General Development Plan

## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

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

# Zoning Code Review Criteria

## 1. Consistency with Adopted Plans

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# Review Criteria: 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; or,
- b. A City adopted plan; or
- c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

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# Consistency with Neighborhood Context, Purpose, and Intent Statement

## Context – General Character

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. [...] Single- and two-unit residential uses are primarily located along local and residential arterial streets.

## Intent – Two Unit C (U-TU-C)

U-TU-C allows up to two units on a minimum zone lot area of 5,500 square feet and accessory dwelling units. 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.

## Purpose – Residential Districts

The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. [...] The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the 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. [...] 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.

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# Recommendation

CPD recommends **denial**, based on finding all review criteria have **not** been met:

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent