Community Planning and Development

Planning Services



201 W. Colfax Ave., Dept. 205 Denver, CO 80202 p: 720.865.2915 f: 720.865.3052 www.denvergov.org/CPD

TO: Denver City Council

FROM: Libbie Adams, AICP, Associate City Planner

DATE: January 28, 2021

RE: Official Zoning Map Amendment Application #2020I-00147

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2020I-00147.

Request for Rezoning

Address: 4144 Hooker St.

Neighborhood/Council District: Berkeley / Council District 1

RNOs: Berkeley Regis United Neighbors, Federal Boulevard Corridor

Improvement Partnership, Harkness Heights Neighborhood Association, and Inter-Neighborhood cooperation (INC)

Area of Property: 6,250 square feet or 0.14 acres

Current Zoning: U-SU-C Proposed Zoning: U-SU-C1

Property Owner(s): Christine Roe and Benjamin Cornish

Owner Representative: none

Summary of Rezoning Request

- The subject property contains a single unit home built in 1912 and is located between W. 41st Ave. and W. 42nd Ave. along Hooker St.
- The property owner is proposing to rezone the property to build an accessory dwelling unit.
- The proposed U-SU-C1, <u>U</u>rban, <u>Single-U</u>nit, <u>C1</u> (5,500 square feet minimum zone lot size allowing accessory dwelling units (ADUs)) zone district is intended for use in the Urban Neighborhood Context which is characterized by single-unit and two-unit uses. Single-unit residential uses are typically located along local and arterial streets and structures are usually the Urban House building form. 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. The Detached Accessory Dwelling Unit form can be a maximum height of 24 feet. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 5 of the Denver Zoning Code (DZC).



Existing Context



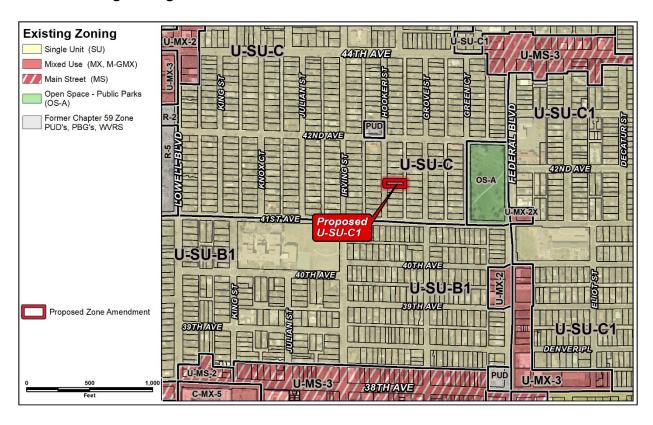
The subject property is in the Berkeley statistical neighborhood, which is characterized primarily by single-unit residential uses with a small number of two and multi-unit uses scatter throughout. Generally, there is a pattern of rectangular blocks in a street grid pattern with alley access. The subject site is three blocks west of Federal Blvd. and one block north of W. 41st Ave. Bus Route 44 runs along 44th Ave., directly north of the site with a one-hour headway. Bus Route 31 runs along Federal Blvd., directly east of the site with a 15-minute headway.

The following table summarizes the existing context proximate to the subject site:

The following table sufficiency 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-C	Single-unit Residential	1 -story Residence	Block sizes and shapes are consistent and	
North	U-SU-C	Single-unit Residential	1-story Residence	rectangular. Detached sidewalks with tree lawns and existing	
South	U-SU-C	Single-unit Residential	2-story Residence	alleys. Garages and on-street vehicle	
East	U-SU-C	Single-unit Residential	1-story Residence	parking.	

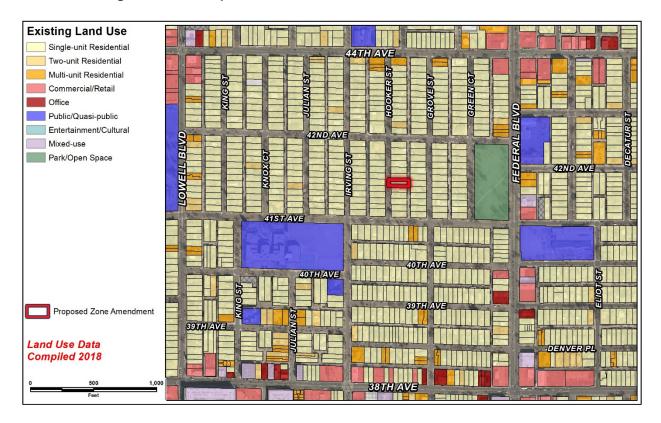
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
West	U-SU-C	Single-unit Residential	1-story Residence	

1. Existing Zoning



The U-SU-C zone district is a single-unit district allowing only the Urban House primary building form on a minimum zone lot of 5,500 square feet. The maximum allowed height is 2.5 stories or 30 to 35 feet in the front 65% of the zone lot, 1 story and 17 feet to 19 feet in the rear 35% of the zone lot. It allows two accessory structure forms: Detached Garage and Other Detached Accessory Structure with a maximum height of 15 to 17 feet. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context.

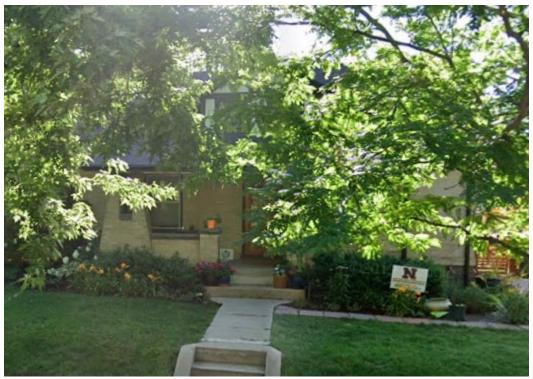
2. Existing Land Use Map



3. Existing Building Form and Scale (Source for all photos: Google Maps)



Aerial view of the site, looking east.



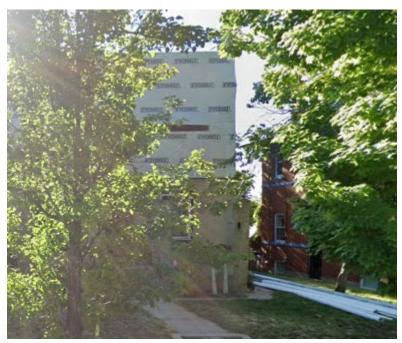
View of property looking east.



View of the property to the north looking east.



View of the property to the west across Hooker St., looking west.



View of the property to the south, looking east.



View of the property to the east across the alley, looking west.

Proposed Zoning

The U-SU-C1 is a single unit zone district with a minimum zone lot size of 5,500 square feet that allows only the Urban House primary building form. A variety of residential and civic uses are permitted as primary uses in the U-SU-C1 district. Compared to the U-SU-C district, U-SU-C1 introduces the accessory dwelling unit use and Detached Accessory Dwelling Unit (DADU) building form. 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 applies to the DADU building form. This form also allows an exemption from the 37.5% building coverage standard allowing the lesser of 50% or 500 square feet. The subject site has a lot size of 6,250 square feet, allowing a maximum building footprint of 864 square feet for the DADU.

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

Design Standards	U-SU-C (Existing)	U-SU-C1 (Proposed)
Primary Building Forms Allowed	Urban House	Urban House
Maximum Height in Stories/Feet, Front	2.5 stories / 35 feet	2.5 stories / 35 feet
65% of Zone Lot*		
Maximum Height in Stories/Feet, Rear	1 story / 17 feet	1 story / 17 feet
35% of Zone Lot*		
DADU Maximum Heights in Stories /	DADUs not permitted	1.5 stories / 24 feet
Feet		
Zone Lot Size (Min.)	5,500 square feet	5,500 square feet
Zone Lot Width (Min.)	35 feet	35 feet

Design Standards	U-SU-C (Existing)	U-SU-C1 (Proposed)
Primary Street Block Sensitive Setback	Yes / 20 feet	Yes / 20 feet
Required / If not		
Side Interior Setback (Min.) *	5 feet	5 feet
Rear Alley / No Alley	12 feet / 20 feet	12 feet / 20 feet
Building Coverage per Zone Lot including	37.5 %	37.5%
all accessory structures (Max.), not		
including exceptions		
Detached Accessory Building Forms	Detached Garage, Other	Detached Accessory
Allowed	Detached Accessory	Dwelling Unit,
	Structures	Detached Garage,
		Other Detached
		Accessory Structures

^{*}Based on subject property with width of approx. 49.5 feet

Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Assessor: Approved – No response.

Asset Management: Approved – No comments.

Denver Public Schools: Approved – No response.

Department of Public Health and Environment: Approved – No comments

Denver Parks and Recreation: Approved – No comments.

Public Works – R.O.W. - City Surveyor: Approved – No comments.

Development Services - Transportation: Approved – No comments.

Development Services – Wastewater: Approved – No response.

Development Services – Project Coordination: Approved – No comments.

Development Services – Fire Prevention: Approved – No response.

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:	10/6/2020
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:	11/18/2020
Planning Board public hearing (Planning Board unanimously recommended approval of the rezoning):	12/2/2020
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:	12/1/2020
Land Use, Transportation and Infrastructure Committee of the City Council:	12/15/2020
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:	1/11/2021
City Council Public Hearing:	2/1/2021

Registered Neighborhood Organizations (RNOs)

To date, staff has one comment from the Berkeley Regis United Neighbors, Inc. (BRUN) Registered Neighborhood Organization. BRUN, in collaboration with the Harkness Heights Neighborhood Association, reached out to neighbors in the vicinity of the proposed rezoning. They received feedback from 21 of the 44 letters sent out. Eight neighbors support the rezoning and thirteen oppose.

Other Public Comment

- To date, staff has received five public comments in opposition to the request. The neighboring property owners are concerned that allowing ADUs would contribute to parking problems in the area, lead to an increase in rents, put a strain on existing infrastructure, and loss of cohesion in the neighborhood.
- Additionally, staff received one public comment in support of the request.

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
- 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)

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).

U-SU-C1 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 residential neighborhood. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs than the single-unit homes that currently dominate the Berkeley neighborhood.

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

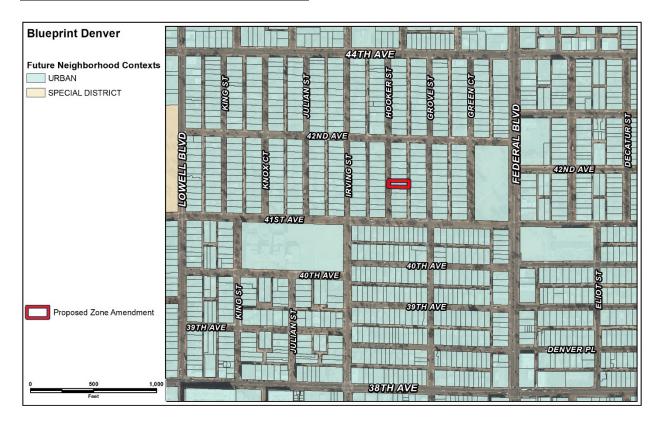
The proposed map amendment will allow an additional housing unit on the site of an existing single-unit home where infrastructure and services such as water, stormwater, and transit already exist. This allows Denver to grow responsibly and promotes land conservation.

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

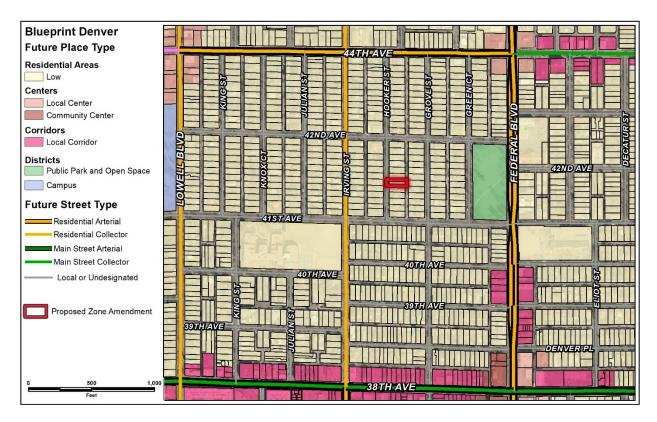
the subject property as part of a Low Residential place within the Urban Neighborhood Context and provides guidance on the future growth strategy for the city.

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 site is shown on the context map as the Urban neighborhood context, the description of which is used to guide appropriate zone districts (p. 66). The Urban neighborhood context is described as containing "small multi-unit residential and low-intensity mixed-use buildings typically embedded in single-unit and two-unit residential areas" with grid block patterns and alley access (p. 222). U-SU-C1 is a zone district within the Urban neighborhood context and is "intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context" and "the building form standards, design standards and uses work together to promote desirable residential areas" (DZC 5.2.2.1). U-SU-C1 is consistent with the Blueprint future neighborhood context of Urban because it will promote the residential character by allowing single-unit residential uses with a low-scale accessory dwelling unit that will be compatible with the existing residential area.

Blueprint Denver Future Places

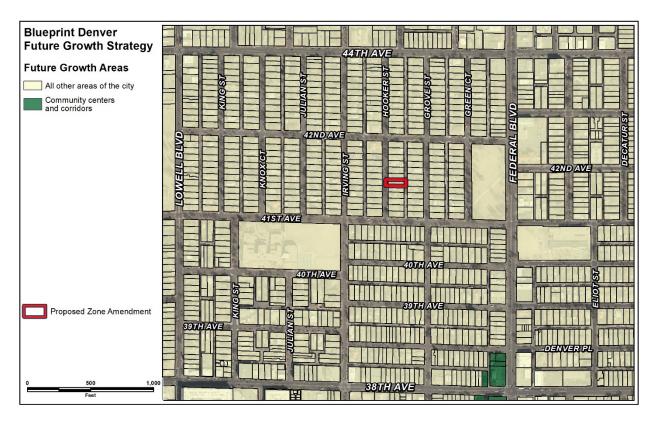


The subject site is designated within a Low Residential future place type on the *Blueprint Denver* Future Places map. This place type is "predominately single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible," and "building heights are generally up to 2.5 stories in height" (p. 230). U-SU-C1 is a single unit residential district that allows for an additional dwelling unit accessory to an established single-family home, which is consistent with the Low Residential future place type description. It allows the Urban House primary building form, which has a maximum height of 2.5 stories, also consistent with the future places map.

Blueprint Denver Street Types

In *Blueprint Denver*, street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies Hooker St. as a Local or Undesignated street. "Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses" (p. 155). The proposed U-SU-C1 district is consistent with this description because it allows for residential and some civic uses.

Blueprint Denver Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the "All other areas of the city" growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). This growth area is "mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods" (p. 49). The proposed map amendment to U-SU-C1 will allow low-intensity growth to the number of households in this area by allowing an accessory dwelling unit.

Blueprint Denver Strategies

Blueprint Denver provides recommendations related to rezoning to allow for ADUs. Land Use & Built Form Housing Policy 4, Strategy E. says "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 lot in a residential area within a few blocks of a bus stop for RTD Routes 31 and 44. This rezoning to an ADU zone district will have minimal impacts on the surrounding neighborhood and is consistent with Blueprint Denver recommendations.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-SU-C1 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 which recommends "the expansion of accessory dwelling units throughout all residential areas" (p. 84). The proposed rezoning would also provide the benefit of an additional housing unit that is compatibly integrated into the surrounding neighborhood.

4. Justifying Circumstance

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* specifically recommends the city diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. This plan was adopted after the date of approval of the existing zoning 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 U-SU-C1 zone district is within the Urban Neighborhood Context. The neighborhood context is "primarily characterized by single-unit and two-unit residential uses" and "single-unit residential structures are typically the Urban House building form" (DZC, Division 5.1). These areas consist of a "regular pattern of block shapes" and "a consistent presence of alleys" (DZC, Division 5.1). The Berkeley neighborhood consists of mostly single and two-unit residential uses in rectangular blocks with alley access. The proposed rezoning to U-SU-C1 is consistent with the neighborhood context description.

Denver Zoning Code Section 5.2.2 states the general purpose of the Residential zone districts as "promot[ing] and protect [ing] residential neighborhoods within the character of the Urban Neighborhood context." It accommodates one and two and a half story urban house forms oriented towards the street in the single unit districts. This is consistent with the U-SU-C1 district as it allows for a two and a half story urban house and will protect the character of the residential areas in the Urban neighborhood context.

The specific intent of the U-SU-C1 zone district is "a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 5,500 square feet. Blocks typically have a consistent pattern of 50-foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-C but allowing a detached accessory dwelling unit building form in the rear yard" (DZC 5.2.2.2.H.) The subject site is in an area where Urban houses 50-foot wide lots are common. The site at 4144 Hooker St. is 6,250 square feet with a width of just under 50 feet. The adopted plan direction recommends allowing detached accessory dwelling units. Therefore, rezoning this site would be consistent with the specific intent of the zone district.

Attachments

- 1. Application
- 2. RNO Comment
- 3. Public Comments



ADU Rezoning Application Page 1 of 4

Accessory Dwelling Unit Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER	INFORMATION*		PROPERTY OWNE	R(S) REPRESENTATIVE**
☐ CHECK IF POINT OF	CONTACT FOR APPLICATION		☐ CHECK IF POINT O	F CONTACT FOR APPLICATION
Property Owner Name	Benjamin Cornish Chris	stine Roe	Representative Name	
Address	4144 Hooker St		Address	
City, State, Zip	Denver, CO 80211		City, State, Zip	
Telephone	720-840-4938		Telephone	
Email	jumpcut_us@yahoo.	com	Email	
by all the owners of at leas	nendment applications shall be i st 51% of the total area of the zo oplication, or their representative	ne lots	**Property owner shall provide a written letter authorizing the repr sentative to act on his/her behalf.	
Please attach Proof of Ow Warranty deed, or (c) Title	nership acceptable to the Mana policy or commitment dated no	ger for each pr earlier than 6	roperty owner signing the 0 days prior to applicatior	application, such as (a) Assessor's Record, (b) a date.
If the owner is a corporate board resolutions authorize	entity, proof of authorization fozing the signer, bylaws, a Statem	or an individua nent of Authori	I to sign on behalf of the c ity, or other legal docume	organization is required. This can include nts as approved by the City Attorney's Office.
SUBJECT PROPERT	Y INFORMATION			
Location (address):		4144 Hooker St Denver, CO80211		
Assessor's Parcel Numbers	5:	022031400	07000	
Area in Acres or Square Fe	et:	6250 sq ft or .14 acres		
Current Zone District(s):		U-SU-C		
PROPOSAL				
Proposed Zone District:		U-SU-C1		
PRE-APPLICATION I	NFORMATION			
Did you have a pre-application meeting with Development Services Residential Team?		Yes - if y	yes, state the meeting da o, describe why not	09/09/2020
Did you contact the City C ing this application ?	Council District Office regard-		yes, state date and methoo, describe why not (in o	

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ADU Rezoning Application Page 2 of 4

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

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.

Denver Comprehensive Plan 2040

The proposed map amendment is consistent with the strategies in the adopted Denver Comprehensive Plan 2040, including:

- 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.

general review criteria.
(Check box to the right to affirm)

DZC Sec. 12.4.10.7

General Review Crite-

ria: The proposal must comply with all of the

Blueprint Denver

The proposed map amendment is consistent with the applicable neighborhood context, places, street type, and strategies in *Blueprint Denver*, including:

• Policy 4, Strategy E - Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.

Neighborhood/Small Area Plan (list all, if applicable): __

Housing an Inclusive Denver

The proposed map amendment is consistent with *Housing an Inclusive Denve*r, including:

Attainable Homeownership, Recommendation 1: "Promote programs that help households maintain their existing homes. The City and its partners should target existing homeowner rehabilitation programs to residents in vulnerable neighborhoods, promote financial literacy education for prospective and existing homeowners, and promote the development of accessory dwelling units as a wealth-building tool for low and moderate-income homeowners" (p. 14).

General Review Criteria: The proposal must comply with all of the general review criteria.

(Check boxes to affirm)

DZC Sec. 12.4.10.7

- 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.
- ✓ Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.

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" (*Blueprint Denver*, p. 84).

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ADU Rezoning Application Page 3 of 4

	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,
Additional Review Cri-	b. A City adopted plan; or
teria for Non-Legislative Rezonings: The proposal must comply with both	c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.
of the additional review criteria. (Check boxes to affirm.)	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.
DZC Sec. 12.4.10.8	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 Zone District.
REQUIRED ATTACHI	MENTS
Please check boxes below	to affirm the following required attachments are submitted with this rezoning application:
	quired to be separate attachment in Microsoft Word document format.) ocument (e.g. Assessor's record, property deed, etc.)
ADDITIONAL ATTAC	CHMENTS (IF APPLICABLE)
Please check boxes identif confirm with your pre-app	ying additional attachments provided with this application (note that more information may be required. Please lication/case manager planner prior to submittal.):
☐ Written Authorization	f available) any outreach to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. to Represent Property Owner(s) (if applicable) ion 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
Please list any other additi	onal attachments:
	Document showing consistency

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ADU Rezoning Application Page 4 of 4

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 In- terest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification state- ment	Date	Indicate the type of owner-ship documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner au- thorized a represen- tative 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%	John Alan Smith Jesie O. Smith	01/01/12	(A)	YES
Benjamin P Cornish of Control Live Christine L Christine L	4144 Hookerst	100%	Afiles	09/09/20	(A)	70
	720 840-493	8				

Last updated: June 9, 2020

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

LEGAL DESCRIPTION:

LOTS 13 and 14, BLOCK 3, HARKNESS HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO

4144 N HOOKER ST

Owner ROE, CHRISTINE L &

> CORNISH, BENJAMIN P 4144 HOOKER ST

DENVER, CO 80211-1622

Schedule Number 02203-14-007-000

Legal Description HARKNESS HEIGHTS 02203 B3 L13 & 14

Property Type RESIDENTIAL

Tax District DENV

Property Description

Print Summary

•	,	•		

Style:	ONE-STORY	Building Sqr. Foot:	1720
Bedrooms:	3	Baths Full/Half:	2/1
Effective Year Built:	1912	Basement/Finish:	449/307
Lot Size:	6,250	Zoned As:	U-SU-C

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

Current	Year
---------	------

Actual Assessed Exempt			
Land	\$421,600	\$30,140 \$	0
Improvements	\$208,500	\$14,910	

Total \$630,100 \$45,050

Prior Year			
Actual Assessed Exempt			
Land	\$421,600	\$30,140	\$0
Improvements	\$208,500	\$14,910	
Total	\$630,100	\$45,050	

Real Estates Property Taxes for current tax year

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

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid	2/21/2020	6/10/2020	
Original Tax Levy	\$1,624.41	\$1,624.41	\$3,248.82
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$1,624.41	\$1,624.41	\$3,248.82
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, c

Additional Assessment • • • • • • • • • • • • • • • • • • •	N Prior Year Delinquency •	N
Additional Owner(s)	Y Scheduled to be Paid by Mortgage Company •	Y
Adjustments 6	N Sewer/Storm Drainage Liens (1)	N
Local Improvement Assessment •	N Tax Lien Sale 1	N
Maintenance District •	N Treasurer¹s Deed ⊕	N
Pending Local Improvement 6	N	

Real estate property taxes paid for prior tax year: \$3,209.87

Assessed Value for the current tax year

Assessed Land	\$30,140.00	Assessed Improvements	\$14,910.00
Exemption	\$0.00	Total Assessed Value	\$45,050.00

Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans.

The proposed zoning amendment of 4144 N. Hooker St. is consistent with the Blueprint Denver 2019, Public Review Draft 2, 1/7/2019. Recommendations, Land Use and Built Form Housing Page 82. Our proposed amendment is consistent with all eight recommendations listed.

Point 1. Revise city regulations to respond to the demands of Denver's unique and modern housing needs. Our request for a rezoning is consisting with and a real life response to the city revising its regulations to respond to the demands of Denver's unique housing needs.

Point 2. Diversify housing options by exploring opportunities it integrates missing middle housing into low- and low-medium residential areas. Approving our rezoning request will create a multigenerational living opportunity.

Point 3. Incentivize the preservation and reuse of existing smaller and affordable Homes. Our home was built in 1912. It is a typical Denver Bungalow. It is a small and modest home. Approving our rezoning request will help preserve our modest and affordable Denver Bungalow.

Point 4. Diversify housing choices through the expansion of accessory dwelling units throughout all residential areas. Obviously allowing an ADU where they have not been allowed will diversify housing choices in our neighborhood.

Point 5. Remove barriers to constructing accessory dwelling units and create contextsensitive form standards. Our property currently has a two story garage that could be converted into an ADU if it were permitted.

Point 6. Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities. Our home is three blocks from 38th avenue. 38th Avenue is a traffic collector. It is also two blocks from 44th Avenue the route of RTD's East and West bound 44. There is an eastbound down town bus stop two blocks from our home. Allowing an ADU on properties adjacent to public transportation corridors will help preserve the character and charm of Harkness Heights.

Point 7. Expand family friendly housing throughout the city. Our proposed rezoning will create a multigenerational family housing opportunity. As covered in points 2 and 3, our proposed amendment will assure the preservation of our home as it currently exists. It will also create a one bedroom, one bath dwelling unit. A situation perfect for a family with a working adult child or an aging parent.

Point 8. Capture 80 percent of new housing growth in regional centers, community centers and corridors, high intensity residential areas, greenfield residential areas and certain districts. Our home is just three blocks from the 38th avenue business district and

three block from the Federal Boulevard business district. Allowing our proposed amendment which is both on a transportation corridor and near a community center would help achieve this 80 percent goal.

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.

The proposed amendment of our current zoning of U-SU-C to U-SU-C1 is only a minor zoning adjustment. The current zoning allows for accessory buildings of which the majority are garages. Additionally our lot size of 6,250 or .14 acres exceeds the minimum requirement for an ADU. Our vision for the garage with an apartment on top would be considered a one and a half story home and would complement the main house. Our complete vision is for the roof line of our ADU to match the gables and brickwork of our Denver Bungalow. Finally there are already non-conforming ADUs both down the alley and to the West. The addition of this proposed ADU would pair up nicely with the existing ADUs.

Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety and general welfare of the city. The proposed amendment of our current zoning would further the public health, safety and general welfare of the city by providing an additional and affordable unit of housing where there was only one unit of housing.

- •Our vision for this ADU is to have a full time tenant living in this studio apartment. Skinner Middle School and Columbian Elementary are within walking distance from this location. I would give preference to any qualified, prospective tenant who desired to live in the neighborhood where they worked.
- As mentioned previously this additional dwelling unit is located on a major bus route. Depending upon the tenant, an additional car might not even be necessary.
- •-Finally and perhaps most importantly the business owners of the businesses at 32nd and Lowell and at 38th and Tennyson-would not object to having another customer or two living in the neighborhood. Nor would they object to having more available street parking.

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 a 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 Chapter 59 zoning.

We think our proposed amendment to our current zoning is justified best with option b.

With the adoption of Blueprint Denver 2019 and its stated noble goal of, "Increasing the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities," succinctly communicates our justification.

- our home's proximity to public transportation,
- its location between 38th and 44th Avenue, a traffic collecting corridor,
- its proximity to the Tennyson business district,
- It is only two blocks to Skinner Middle School
- It is only four blocks to Columbian Elementary School
- It is just six blocks to Rocky Mountain Lake Park

Additionally the infrastructure required for an additional unit of housing in our neighborhood already exists. Having another resident using the existing infrastructure just increases the City's return on investment.

Finally allowing us to make this substantial investment in our property will allow us to participate in Denver's growth and prosperity.

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.

Harkness Heights is an "Urban" neighborhood as defined by Article 5 of the Denver Zoning Code, June 2010. Urban neighborhoods are characterized by single-unit and two unit residential areas. While there are multiple single family homes in our Neighborhood, there are also many multi-unit properties as well. There are multiple duplexes on 41st ave. There is also a non-conforming ADU in the alley north of our home and two more to the West our home. I can assure you that allowing our proposed amendment would be entirely consistent with the existing neighborhood context. As stated previously our home is currently zoned U-SU-C, Single Unit C. Such a zoning requires a minimum lot area of 5,500 square feet. Such lots are typically 50 feet wide. Our lot is 6,250 square feet and 50 feet wide.

The zoning we're seeking is U-SU-C1, Single Unit C1, allowing an urban house and a detached accessory dwelling unit. Such zoning also requires a minimum zone lot area of 5,500 square feet with a 50 foot width.

Considering our lot fits these criteria a variance from the code will not be necessary. These minimum requirements can be found in Article 5.2.2.2 Specific Intent, of the Denver Zoning Code. I cut and pasted them here for your convenience.

A. Single Unit C (U-SU-C) U-SU-C is a single unit district allowing urban houses with a minimum zone lot area of 5,500 square feet. Blocks typically have a consistent pattern of 50 foot wide lots.

B. Single Unit C1 (U-SU-C1) U-SU-C1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 5,500 square feet. Blocks typically have a consistent pattern of 50 foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-C but allowing a detached accessory dwelling unit building form in the rear yard.

Our vision is to turn our existing two story garage into an ADU. The ADU would consist of a 400 square foot apartment on top with an office and storage on the lower floor. The garage was built in 1912 and had the top popped in 1921 according to records we found at the Denver Public Library. In preparation for rezoning we have met with Councilwoman Sandoval, contacted The Harkness Heights, HUNI, and Federal Blvd Business District RNO's. We have also contacted our neighbors within 200 feet of us via registered mail.

Berkeley Regis United Neighbors, Inc 4949 Lowell Blvd, Denver CO 80221 BerkeleyRegisNeighbors.org

BRUN
Berkeley Regis United Neighbors

November 23, 2020

To: Libbie Adams,
Associate City Planner
City and County of Denver
201 W Colfax Ave, Denver, CO 80202

Re: Case No. #2020I-00147 - 4144 Hooker St.

To: Members of the Denver Planning Board



The referenced property at 4144 Hooker St. is located within the overlapping boundaries of Berkeley Regis United Neighbors (BRUN) and Harkness Height Neighborhood Association (HHNA). Both are Registered Neighborhood Organizations (RNOs) that are located in Council Dist. 1, City of Denver. BRUN's borders are Federal Blvd to the east, Sheridan Blvd to the west, West 38th Ave to the South, and West 52nd Ave. to the north.

The BRUN Zoning and Planning (ZAP) Committee in collaboration with HHNA organized an outreach effort to contact neighbors in the vicinity of the applicant property. The intent was to notify constituents of the application to rezone and to solicit feedback from those that may be affected by the change.

On October 29, 2020, members of HHNA delivered packages to the forty-four (44) property owners located within a 200 ft radius of the property referenced above. Packages included a notification statement for the proposed rezone from U-SU-C to U-SU-C1. In addition, a response form was included which asked the question, "Do you support or oppose the application to rezone the property at this location for the purpose of constructing an Accessory Dwelling Unit?"

Findings of outreach for the proposed Map Amendment (Rezoning) at 4144 Hooker St.: Twenty-one (21) of forty-four (44) responses were received by mail and electronically. Eight (8) SUPPORT, (13) Thirteen OPPOSE.

This letter of findings is distributed cooperatively by HHNA and BRUN.

Sincerely,

Jeffrey Stine Berkeley Regis United Neighbors Chair, Zoning & Planning Committee Roberta Andersen Harkness Heights Neighborhood Association President

CC: Berkeley Regis United Neighbors Board of Directors Harkness Heights Neighborhood Association From: Mollie O"Brien

To: Adams, Libbie - CPD City Planner Associate
Subject: [EXTERNAL] 4144 Hooker ADU Rezoning
Date: Thursday, November 19, 2020 1:33:30 PM

Dear Ms. Adams,

I'm a homeowner at 4221 Irving Street in the same neighborhood as the property at 4144 Hooker Street requesting ADU zoning, and I would like to comment on this request.

Most of my block (4200 N. Irving) is currently composed of single family homes occupied by the owners. However, we do have a duplex and 3 single family homes that are rentals and are occupied by either a single tenant or, in the case of two of the homes, multi-tenants, all of whom own cars. All of these single family houses that are being rented offer no parking other than street parking. (This is, I believe, due mostly to the fact that the absentee landlords use the garages as storage.) And, I expect the house across the street from me to become a rental shortly. If and when that happens, there will be 9 cars belonging to the immediate 4 houses (2 owner occupied and 2 rentals) surrounding just my house parking every day on the street. For my husband and me, fortunately this does not present a problem, as we only own one car that we park in our garage - not on the street. However, for everyone else up and down the street there is a daily shuffling of cars jockeying for parking spaces.

I happen to be writing this from Los Angeles where I'm visiting my older daughter and her family who live in one of the busiest neighborhoods in the city. Houses here are chockablock with all kinds of ADU type add-ons or garages turned into living spaces which are rented monthly as apartments for either single tenants or families. While I have no idea how the City of Los Angeles' zoning regulations compare to Denver's, in LA parking is abysmal and the rents are high. If the City of Denver begins to approve more and more zoning requests for ADUs, I truly believe (as it is in Los Angeles) that they will only serve to further increase the rents that landlords can set and will further make buying a home in Denver unaffordable for nearly anyone but people making well over 6 figures a year.

My family has lived in our house for nearly 31 years and in North Denver proper for over 36 years. I realize that growth is inevitable and that we all want a vibrant yet viable city that is concerned about all of its citizens regardless of their income. However, we need more affordable housing in Denver. Not more ADUs. I kindly ask you to deny this request for rezoning 4144 Hooker Street.

Sincerely, Mollie O'Brien 4221 Irving Street Denver, CO 80211 From:Tippetts, Heidi L. - CPD Ops CoordTo:Adams, Libbie - CPD City Planner AssociateCc:Morrison, Jason P. - CPD City Planner Senior

Subject: FW: [EXTERNAL] application #ADU application 2019I-00147 4144 Hooker St

Date: Wednesday, November 25, 2020 12:31:58 PM

Libbie.

I sent the below to Jason but he is casemanaging a different Hooker St. application. Apologies for the mix up.

Heidi

From: Rezoning - CPD

Sent: Wednesday, November 25, 2020 7:20 AM

To: Morrison, Jason P. - CPD City Planner Senior < Jason. Morrison@denvergov.org> **Subject:** FW: [EXTERNAL] application #ADU application 2019I-00147 4144 Hooker St

From: Pauline Williams <pwilli@rocketmail.com>
Sent: Tuesday, November 24, 2020 5:12 AM
To: Rezoning - CPD Rezoning@denvergov.org>

Subject: [EXTERNAL] application #ADU application 2019I-00147 4144 Hooker St

Hi

While I appreciate the request for rezoning to allow an ADU addition, I have concerns about the pressure and stress that these additions would put on our old infrastructure (plumbing, sewer, electrical). Parking and traffic are already current concerns, and I believe

ADU's will add more stress to these two challenges as well.

Thank you.

Sent from Yahoo Mail for iPhone

From: <u>Planningboard - CPD</u>

To: Adams, Libbie - CPD City Planner Associate

Subject: FW: Denver"s Planning Board Comment Form #13452678

Date: Tuesday, December 1, 2020 8:32:21 PM

I'll forward this to PB before the noon cutoff tomorrow. Sorry, my new laptop hasn't been properly populating all of the inboxes and I'm just seeing this.

Heidi

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>

Sent: Tuesday, December 1, 2020 4:07 PM

To: Planningboard - CPD <planningboard2@denvergov.org> **Subject:** Denver's Planning Board Comment Form #13452678



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Rodney Gustafson
Address	4128 Hooker Street
City	Denver
State	Colorado
ZIP code	80211
Email	RGustafson@CaseCommercial.com
Agenda item you	Rezoning

are commenting on: Address of 4144 Hooker Street rezoning Case number 20201-00147 Would you like to Strong opposition express support for or opposition to the project? Your comment: Accessory Dwelling Units (ADU's) are currently a trend in cities where affordable housing is a rarity. The Units are considered by many to be the panacea to the high cost of housing. ADU's are no less costly than single family homes. People talk about the ADU helping to pay off a mortgage, yes it can help pay off the 2nd mortgage used to pay to build the ADU. Proponents of ADU's don't mention the parking density created by additional adult drivers, they don't mention the density of additional trash and recycling bins in the already cluttered alleys. Proponents don't discuss the loss of privacy, the loss of community, the loss of the long term cohesive neighborhood. The owner of 4144 Hooker Street has 4 cars, 3 adult drivers, and no garage access. They use 3 trash bins which they do not remove from the alley between pick ups. Their current garage structure has no accessible bay doors and the building is structurally inadequate to support the ADU. They need to replace their backyard with a parking platform to accommodate the ADU tenant's vehicles otherwise there will be 6 cars at one house. Hooker Street cannot provide the space or parking needed to support another family. If you have an 4144 Hooker ADU Rejection.pdf (3753k) 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.

From: <u>Planningboard - CPD</u>

To: Adams, Libbie - CPD City Planner Associate

Subject: FW: Denver"s Planning Board Comment Form #13451295

Date: Tuesday, December 1, 2020 8:32:30 PM

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>

Sent: Tuesday, December 1, 2020 10:41 AM

To: Planningboard - CPD <planningboard2@denvergov.org> **Subject:** Denver's Planning Board Comment Form #13451295



on:

Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Paula Lundquist
Address	4182 Hooker Street, , 4144 Hooker St
City	Denver
State	Colorado
ZIP code	80211
Email	pslundquist@yahoo.com
Agenda item you are commenting	Rezoning

Address of rezoning	4144 Hooker St
Case number	Map Amendment #2020I-00147
Would you like to express support for or opposition to the project?	Strong opposition

Your comment:

I respectfully oppose this proposed rezoning for the following reasons:

- 1. The idea that ADUs will provide Affordable Housing is absurd. While they will provide housing, it will not in all likelihood be affordable. For anyone who has been in a Home Depot or Lowe's in the past 6 months you know that the cost of materials lumber, concrete, drywall, etc. has gone up considerably. Rents would have to be set at a price point necessary for the property owner to cover the cost of construction, or even interior finishes as would likely be needed in this particular case. This means rents might be a bit less due to the size of the unit, but unlikely less on a square foot basis. A property owner is simply not going to build an ADU in order to lose money. If anything, a property owner is going to want to cover their constructions costs along with some profit each month.
- 2. The owners of this property currently have thre family members living in the SFD and have 3 vehicles. There is only one parking space for these vehicles that is off the street, meaning there are already 2 vehicles requiring space on the street to park. If the ADU is rented to one person at least one additional parking space on the street would be needed; if rented to 2 people, in all likelihood 2 additional parking spaces on the street will be needed. Behind my home there is a small 1-bedroom "alley house" along with the larger SFD on the property. There is one covered (carport) space on the property and no garage. There seems to a competition between the property owner and the renter of the alley house as to who gets to park in the carport, with the loser trying to park in the alley next to the structure without obstructing other traffic. This is equally as obnoxious as not being able to find on-street parking. ADUs will only exacerbate these situations.

Thank you kindly for considering these comments.

From: <u>Planningboard - CPD</u>

To: Adams, Libbie - CPD City Planner Associate

Subject: FW: Denver"s Planning Board Comment Form #13453269

Date: Wednesday, December 2, 2020 8:55:49 AM

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>

Sent: Tuesday, December 1, 2020 8:49 PM

To: Planningboard - CPD <planningboard2@denvergov.org> **Subject:** Denver's Planning Board Comment Form #13453269



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Stephen Benchik
Address	1974 S University Blvd, #7
City	Denver
State	Colorado
ZIP code	80210
Email	stevebenchik@gmail.com
Agenda item you are commenting on:	Rezoning

Address of rezoning	4144 Hooker St
Case number	2020I-00147
Would you like to express support for or opposition to the project?	Strong support
Your comment:	I strongly support the proposed rezoning of this property to allow the owner to build an ADU because Denver is in desperate need of more housing to counter the rising cost of living and homelessness problem. Allowing property owners to build ADUs on their property is a big step in the right direction in building more housing to these ends.

This email was sent to $\frac{planning.board@denvergov.org}{Click\ here}\ to\ report\ unwanted\ email.$



From: <u>Planningboard - CPD</u>

To: Adams, Libbie - CPD City Planner Associate

Subject: FW: Denver's Planning Board Comment Form #13455139

Date: Wednesday, December 2, 2020 11:16:02 AM

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>

Sent: Wednesday, December 2, 2020 10:46 AM

To: Planningboard - CPD <planningboard2@denvergov.org> **Subject:** Denver's Planning Board Comment Form #13455139



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Reed Weimer
Address	4185 Hooker Street
City	Denver
State	Colorado
ZIP code	80211
Email	reedweimer@me.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	4144 Hooker St.

Case number	20201-00147
Would you like to express support for or opposition to the project?	Strong opposition
Your comment:	Our neighbors may have the best of intentions, but once they move on, we'll have a nonconforming rental property in the middle of the block. This is a problem for the stability and continuity of the neighborhood.

This email was sent to $\frac{planning.board@denvergov.org}{Click\ here}\ to\ report\ unwanted\ email.$

