COMMUNITY PLANNING & DEVELOPMENT



REZONING GUIDE

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	ame Lauren Mosenthal & Simon Tar				Representative Name	Bruce O'Donnell - STABOARD Realty Group
Address	3428 W Moncrieff Place				Address	1115 Acoma Street Ste. 107
City, State, Zip	Denver, CO 80211			-	City, State, Zip	Denver, CO 80204
Telephone	415-533-4153			-	Telephone	720-441-3310
Email	lauren.mosenthal@gmail.com				Email	bodonnell@starboardrealtygroup.com
*All standard zone map amendment applications must be by owners (or authorized representatives) of at least 51% of area of the zone lots subject to the rezoning. See page 4.			**Property owner shall provide a written letter he total sentative to act on his/her behalf.			provide a written letter authorizing the repre- er behalf.
SUBJECT PROPERTY	INFORMATION					
Location (address):		3428 W Moncrieff Place, Denver CO 80211				
Assessor's Parcel Numbers:		0229229007000				
Area in Acres or Square Feet:		4,625sf approx. 0.106 acres				
Current Zone District(s):		U-SU-A				
PROPOSAL						
Proposed Zone District:		USUA1				
PRE-APPLICATION I	NFORMATION					
Did you have a pre-application meeting with Develop- ment Services Residential Team?					4/15/2021	
Did you contact the City Council District Office regard- ing this application ?			 Yes - if yes, state date and method 4/29 - Virtual No - if no, describe why not (in outreach attachment) 		0u <u> </u>	

Return completed form to rezoning@denvergov.org

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June 4, 2021 \$1000 pd CC



REZONING GUIDE

ADU Rezoning Application Page 2 of 4

REVIEW CRITERIA - NEXT TO EACH CRITERIO	AFFIRM THE PROPOSED ADU REZONING COMPLIES WITH THE CRITERIA BELOW BY CHECKING THE BOX ON
	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.
General Review Crite- ria: The proposal must comply with all of the general review criteria. (Check box to the right to affirm) DZC Sec. 12.4.10.7	 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. 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): none
General Review Crite- ria: The proposal must comply with all of the general review criteria.	 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
(Check boxes to affirm) DZC Sec. 12.4.10.7	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" (<i>Blueprint Denver</i> , p. 84).

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REZONING GUIDE

ADU Rezoning Application Page 3 of 4

Additional Review Cri- teria 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	 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: 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. 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. M 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 proposedU-SU-A1Zone District.
REQUIRED ATTACH	MENTS
Please check boxes below	to affirm the following required attachments are submitted with this rezoning application:
org/content/denverg Proof of Ownership D cation, such as (a) Ass tion date. If the owne	subject property(s). Submit as a separate Microsoft Word document. View guidelines at: https://www.denvergov. iov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html Document (e.g. Assessor's record, property deed, etc). Proof of ownership for each property owner signing the appli- sessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to applica- er is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This solutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City
ADDITIONAL ATTAC	CHMENTS (IF APPLICABLE)
	fying additional attachments provided with this application (note that more information may be required. Please plication/case manager planner prior to submittal.):
 Written Authorization Individual Authorizat document is required 	f available) any outreach to City Council office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. n 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 1.)
Please list any other additi	onal attachments:
Please see Exhibits A-E	

Last updated: November 10, 2020

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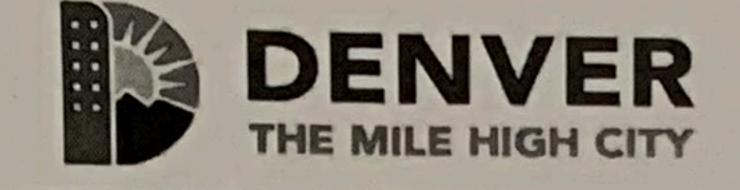
COMMUNITY PLANNING & DEVELOPMENT

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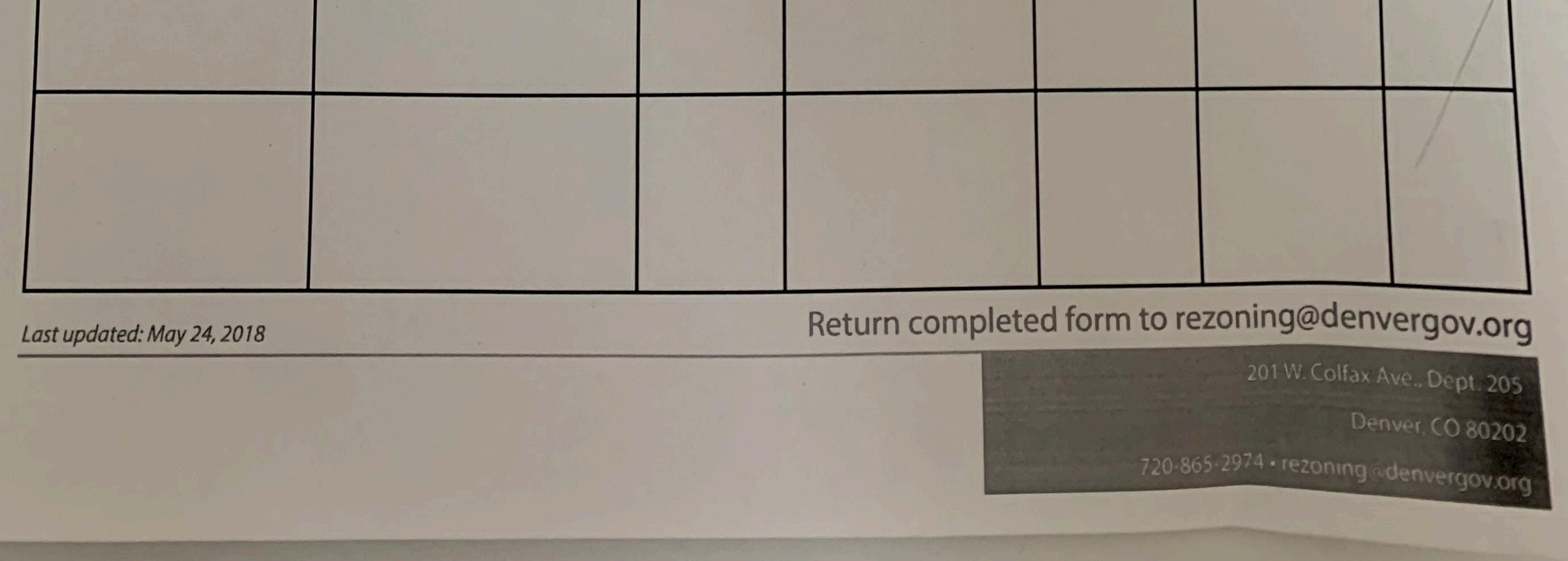
Rezoning Application Page 3 of 3

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

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate.



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	(A) Assessor's record, (B) war- ranty deed or deed of trust, (C) title policy	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 Q. Smith	01/01/12	(A)	YES
/losenthal	3428 W Moncrieff Place Denver, Co 80211 (415)533 - 4153 lauren.mosenthal@gmail .com	100%	Lan Mart	04/r2/21	A	YES
	3428 W Moncrieff Place Denver, Co 80211 (914) 450 - 8029	100%	MA	-04/12/21	A	YES



List of Exhibits

Exhibit A:	Property Legal Description
Exhibit B:	Description of Consistency with Adopted City Plans (DRMC 12.4.10.7 (A, B & C))
Exhibit C:	Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.8 (A&B))
Exhibit D:	Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative
Exhibit E:	Proof of Ownership, Assessors Record

EXHIBIT A

Property Legal Description

Legal Description

3428 West Moncrieff Place

LOTS 8 AND WEST ½ OF LOT 7, BLOCK 57, SECOND FILING OF A PORTION OF HIGHLAND PARK, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

EXHIBIT B

Description of Consistency with Adopted City Plans

<u>Exhibit B</u>

Statement of Compliance with General Review Criteria (DZC § 12.4.10.7)

This application proposes to rezone the approximately 0.11-acre properties located at 3428 West Moncrieff Place from U-SU-A to U-SU-A1 (the "Property") to facilitate use of the Property that is consistent with the recommendations in the adopted Plans.

The Property is located in the West Highland neighborhood on the south side of W Moncrieff Place, West of Lowell Blvd. Today the Property is zoned U-SU-A a residential zone district allowing urban houses with a minimum zone lot area of 3,000 square feet. Existing context surrounding the Property include: U-SU-A, G-MU-8, U-MS-3, and U-MS-5. Located within ½ mile RTD transit routes including Federal Blvd which is a designated by Blueprint Denver as a High Capacity Transit Corridor and RTD route 32 along 32nd Avenue which connects riders to Downtown Denver and Union Station. There are dedicated bike lanes within a ¼ mile on 29th, 32nd, 35th, Irving and Perry. Denver as a city has been experiencing exponential growth, these changes have resulted in the need to rezone the Property to meet community wants and needs.

The map amendment requests to rezone the Property to the U-SU-A1 Zone District. This zone district is a single unit district that would allow the Property to have an accessory dwelling unit (ADU). This zoning is otherwise identical to the zoning today. The successful rezoning will blend in with, support, and sustain the existing residential character of the neighborhood. The proposed map amendment would enable modest growth in an appropriate scale and form while diversifying the housing stock that the City needs.

REVIEW CRITERION DZC § 12.4.10.7. A – Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans.

This proposed map amendment is consistent with the Denver Comprehensive Plan 2040, Blueprint Denver (2019), Housing an Inclusive Denver (2018).

The proposed map amendment is consistent with many objectives of Denver Comprehensive Plan 2040 including:

VISION ELEMENTS: STRONG AND AUTHENTIC NEIGHBORHOODS GOAL 1: Create a city of complete neighborhoods.

STRATEGIES:

- > Ensure neighborhoods offer a mix of housing types and services for a diverse population.
- Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.

VISION ELEMENTS: EQUITABLE, AFFORDABLE, AND INCLUSIVE

GOAL 1: Ensure all of Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities.

STRATEGIES:

> Increase development of housing units close to transit and mixed-use developments.

GOAL 2: Build housing as a continuum to serve residents across a range of incomes, ages, and needs.

STRATEGIES:

Create a greater mix of housing options in every neighborhood for all individuals and families.

VISION ELEMENTS: ENVIORMENTALLY RESILIENT

GOAL 8: Clean our soils, conserve land and grow responsibly. *STRATEGIES*

- > Promote infill development here infrastructure and services are already in place.
- **Focus growth by transit stations and along high- and medium-capacity transit corridors.**

The proposed U-SU-A1 zone district allows for an additional dwelling unit that is accessory to the primary single-family use and introduces a new housing type to a largely single-family neighborhood. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs than the single-family homes that are found in much of the West Highland neighborhood. The proposed U-SU-A1 zoning would allow development at an intensity consistent with the surrounding neighborhood that would increase the diversity and supply of housing in the area. In addition, the proposed map amendment would allow additional building forms compatible with the existing neighborhood. The proposed map amendment will allow for modest density 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. The proposed map amendment is in an area where services and amenities are already in place along 32nd Avenue and focuses growth close to a High-Capacity Transit Corridor - Federal Blvd. Therefore, the proposal is consistent with multiple strategies of the vision elements in *Comprehensive Plan 2040*.

The proposed map amendment is consistent with the objectives of Blueprint Denver 2019 including:

The **Blueprint Denver** *Place* designation for the subject property is *Low Residential* in an *Urban* neighborhood context.

Urban neighborhoods are described as:

"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." (BPD pg. 221)

Urban Low Residential Land use and Built Form:

"Predominately single- and two-unit uses on smaller lots. **Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible.** Some civic and institutional uses are compatibly integrated throughout and limited mixed-use can occur along arterial and collector streets, as well as where commercial uses have been already established. Vacant institutional uses on corners or select sites may be appropriate locations to introduce additional residential intensity. Medium building coverage. Buildings are generally up to 2.5 stories in height." (BPD pg. 230)

Growth Strategy for this area is designated as:

All other areas of the city: 10% of new jobs and 20% of new households.

Street Type for the Property is designated as:

Local: *"Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses." (BPD pg. 160)*

The proposed U-SU-A1 zone district is an appropriate district that compliments the characteristics of Urban neighborhoods and complies with the vision of a Low Residential area. It will appeal to the desired single-unit uses while introducing modest density through the allowance of an ADU. This zoning is otherwise identical to the zoning today. This zone district appeals to the City's growth strategy, allowing the development of an ADU is a low-intensity approach that will add to the housing stock. This zone district complies with the local street type and character through its residential uses. In addition, the multiple RTD bus routes nearby along with bike friendly routes and dedicated lanes, makes the Property an excellent multi modal accessible location ensuring that residents have access to transit and amenities.

Blueprint Denver Recommendations – Land Use and Built Form: Housing:

4. Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas. (BPD pg. 82)

Study and implement allowances for ADUs – including those attached and detached from the primary home – in all neighborhood contexts and residential zone districts"

➤ "A citywide approach to enable ADUs is preferred. Until a holistic approach is in place individual rezonings to enable ADUs in all residential areas, especially where adjacent 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."

The proposed U-SU-A1 zone district directly addresses the recommendations in Blueprint Denver. It adds to and diversifies the housing stock. The zoning standards within the U-SU-A1 zone district allow a low-scale accessory dwelling unit structure that will be compatible with the existing residential area, and consistent with the Blueprint Denver Urban context.

An Equitable City:

"While all of the vision elements are essential to Blueprint Denver, equity is especially important to the community. In recent years, Denver's economic strength and population growth have benefited many, but not all. Today Blueprint Denver is integrating equity into planning in ways that Blueprint Denver 2002 did not. Without accounting and adjusting for important equity considerations, the forces of change acting on our city will prevent it from achieving its vision for inclusive, complete neighborhoods." (BPD pg. 30)

Equity Concept: Expanding Housing and Jobs Diversity - *providing a better and more inclusive range of housing and employment options in all neighborhoods.*

The Importance of Housing and Jobs Diversity

"The vision of an inclusive Denver relies on a diverse range of residents, businesses and employees. Areas that become too homogeneous and exclusive threaten that vision by reducing or eliminating choice for anyone but the most affluent and privileged. A lack of housing options at various sizes and prices often means certain populations—including families, the elderly and people with disabilities—are not able to live in neighborhoods of their choice. Increasing the range of housing and job options will also advance the important goal to maintain and increase racial, ethnic and socioeconomic diversity in Denver's neighborhoods. Certain housing types, such as attainable homeownership, can help build wealth and improve economic mobility for Denver residents. It is the desire of many residents and stakeholders for all neighborhoods to accommodate some level of growth and to incorporate a greater variety of housing and employment options. If done right, this can enable more inclusive and diverse communities." (BPD pg. 40)

The U-SU-A1 zone district will open the property to allow an ADU, which is not offered in the current zone district. While zoning predominantly addresses land uses and building form, it is important to understand the relationship between a property's zoning and how its uses effects the community in both character and accessibility to basic needs such as housing and employment. This includes accessibility to amenities such as transit, parks/open space, healthcare, walkability/ bike-ability to a local center, local corridor, community corridor and regional center from the future places map. This zone district would allow for a low-intensity development in an appropriate location. It will modestly introduce a new housing option in an area that is predominantly single-unit homes. It is valuable to the neighborhood and the City that a U-SU-A1 zoning introduces more housing opportunities to the area than what is offed in the zoning today.

The proposed map amendment is consistent with the objectives of Housing an Inclusive Denver (2018) including:

Legislative and Regulatory Priorities:

Recommendation 2: *Expand and strengthen land-use regulations for affordable and mixed-income housing.*

- "Through Blueprint Denver and supplemental implementation actions such as zoning modifications, the City should support land-use regulations that incentivize affordable and mixed-use housing, including expanding the development of accessory dwelling units." (HAID pg. 9)
- Key Actions: Encourage development of a mix of residential development types throughout Denver neighborhoods that provide residents with a diversity of housing choices (including price, size, and tenure of housing options) through specific zoning and land use recommendations in Blueprint Denver. (HAID pg. 50)

The proposed rezoning to U-SU-A1 is consistent with the recommendations of the Housing an Inclusive Denver Plan. The allowance for an accessory dwelling unit will add to the mix of residential housing types in the area that is in character with the neighborhood. It will conform with the neighborhood context, building height and zone lot size recommendations in the existing zoning.

REVIEW CRITERION DZC § 12.4.10.7.B – 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.

Future development of the Property will result in uniformity of U-SU-A1 district regulations and restrictions.

REVIEW CRITERION DZC § 12.4.10.7.C – 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 will further the public health, safety, and general welfare of the City by facilitating the improvement and development of the Property as desired by the City's adopted plan.

EXHIBIT C

Description of Justifying Circumstances and Neighborhood Context

Exhibit C

Statement of Compliance of Additional Review Criteria for Non-Legislative Rezonings (DZC § 12.10.8)

CRITERION DZC § 12.4.10.8.A - 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: 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."

Justifying circumstances for rezoning 3428 West Moncrieff Place include:

- 1. Changed or changing conditions in a particular area, or in the city generally
- 2. A city adopted plan

The .11 acre Property is in a residentially dense neighborhood consisting of predominantly single unit homes. In Denver, hundreds of new housing units have been delivered in recent years and more are on the way. This growing population has called for not only an increase of housing units but for a variety of housing options as well. As an Urban Residential neighborhood outside of downtown, this area will continue to be a desirable neighborhood to live in and will need to be able to provide options for the diverse population.

The adoption of Blueprint Denver in 2019 has introduced new land use recommendations and strategies to address Denver's growing population. Blueprint specifically recommends diversifying the housing stock through the allowance of accessory dwelling units throughout all residential areas. Blueprint Denver also recommends adding additional housing in areas near transit, services, and amenities.

CRITERION DZC § 12.4.10.8.B – 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.

U-SU-A1 is a single unit district in the Urban neighborhood context and which is characterized by the Denver Zoning Code as "single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House building form. Multi-unit building forms typically include the Row House building form embedded with other residential form types. Single- and two-unit residential uses are primarily located along local and residential arterial streets" (DZC 5.1.1). The proposed map amendment is consistent with surrounding building forms and is appropriate for the street type the Property is located on, therefore in character to the Urban neighborhood context.

This general purpose of this residential district is to "promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood. The building form standards, design standards, and uses work together to promote desirable residential areas. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment" (DZC 5.2.2.1). The specific intent of the U-SU-A1 zone district is "a single unit district

allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a consistent pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context" (DZC 5.2.2.2 A). This ensures new development that contributes positively to established character of the neighborhood.

Today, the immediate neighborhood context around the Property is a mix of Residential and Main Street zoning. The proposed U-SU-A1 zone district of the Property will further embrace the residential character of the West Highland through modest density. It will uphold the purpose of a residential district in an Urban neighborhood context by reinforcing the desired development patterns while accommodating reinvestment.

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.

EXHIBIT D

Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative

LAUREN MOSENTHAL SIMON TARANTO 3428 W MONCRIEFF PLACE DENVER CO 80211

April 6, 2021

Mr. Bruce O'Donnell STARBOARD Realty Group, LLC 1115 Acoma Street, Suite 107 Denver, CO 80204 bodonnell@starboardrealtygroup.com 720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent Lauren Mosenthal and Simon Taranto for the purpose of submitting and processing the rezoning application for the property owned by Lauren Mosenthal and Simon Taranto located at 3428 W Moncrieff Place in Denver, CO.

Sincerely,

Lauren Mosenthal

Simon Taranto

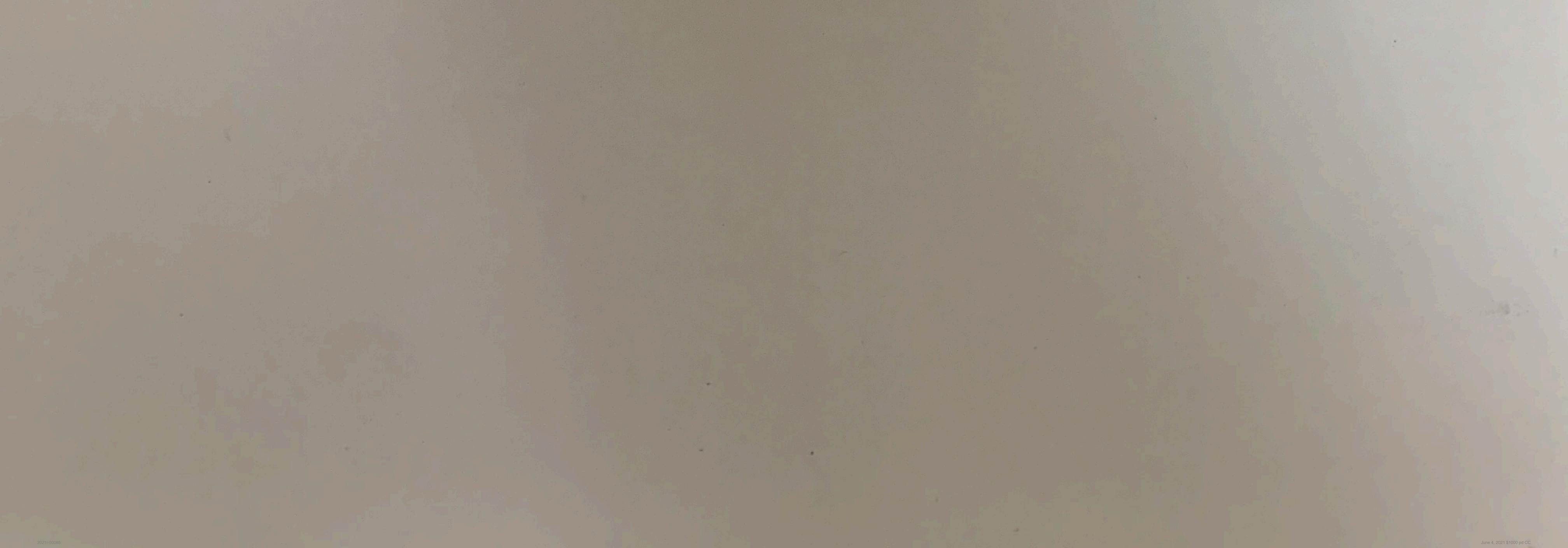


EXHIBIT E

Proof of Ownership, Assessors Record

3428 W MONCRIEFF PL

Owner	MOSENTHAL,LAUREN TARANTO,SIMON 3428 W MONCRIEFF PL DENVER, CO 80211-3162
Schedule Number	02292-29-007-000
Legal Description	L 8 & W 1/2 OF L 7 BLK 57 2ND FLG OF A PTN OF HIGHLAND PARK
Property Type	SFR Grade C, D, or E, w/RK
Tax District	DENVER

Print Summary

Style:	2 STORY	Building Sqr. Foot:	2295
Bedrooms:	3	Baths Full/Half:	2/0
Effective Year Built:	1908	Basement/Finish:	643/386
Lot Size:	4,625	Zoned As:	U-SU-A

1/4