



TO: City Council
FROM: Edson Ibañez, Senior City Planner
DATE: February 19, 2026
RE: Official Zoning Map Amendment Application #2025I-00037 (2025-REZONE-0000021)

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2025I-00037 (2025-REZONE-0000021).

Request for Rezoning

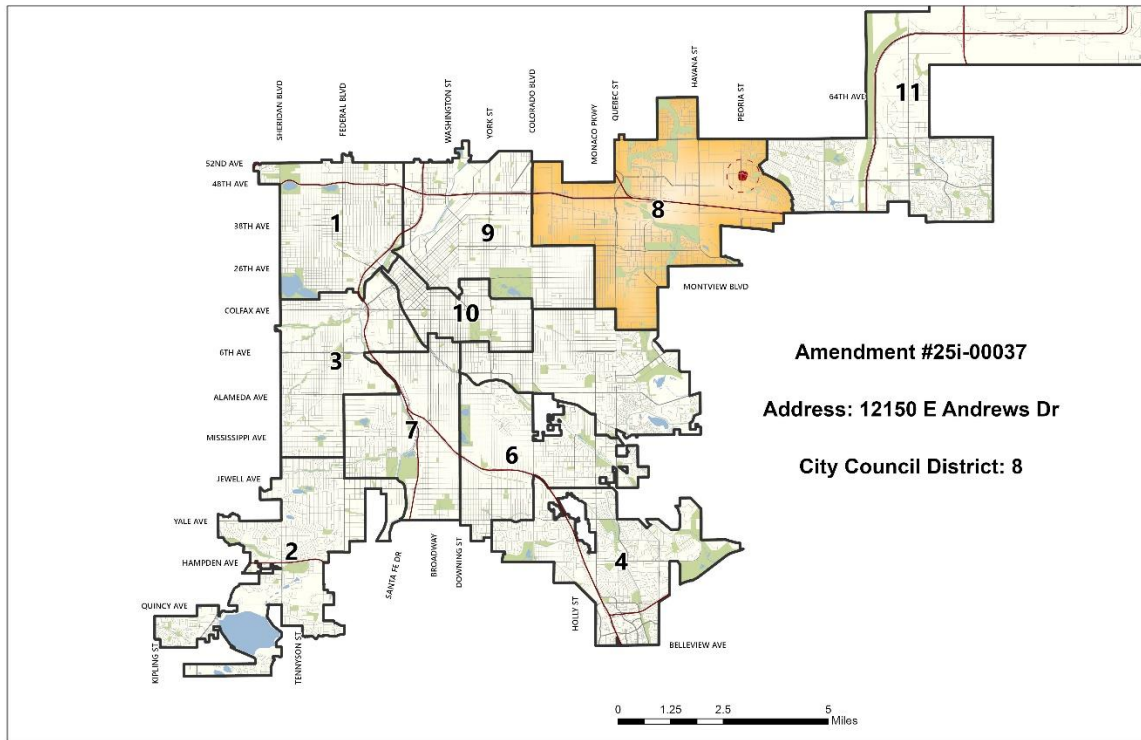
Address: 12150 E Andrews Drive
Neighborhood/Council District: Montbello / Council District 8, Council Member Lewis
RNOs: Inter-Neighborhood Cooperation (INC), Montbello
Neighborhood Improvement Association, Montbello 2020,
Opportunity Corridor Coalition of United Residents, and Vecinos de Montbello

Area of Property: 149,000 square feet or 3.4 acres
Current Zoning: S-MU-3
Proposed Zoning: S-MX-3
Property Owner(s): Open Arms Assisted Living
Owner Representative: Peter Hynes – Synergy-RE LLC.

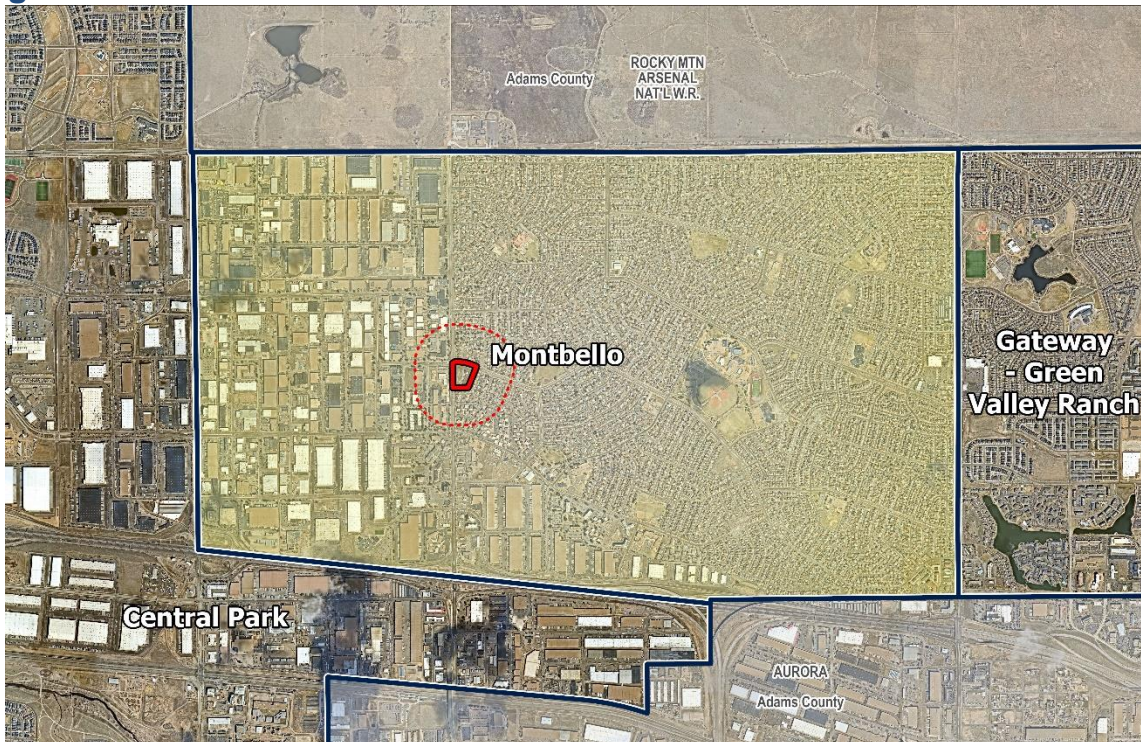
Summary of Rezoning Request

- The subject property is an existing Residential Care facility (assisted living) located in the Montbello neighborhood on the southeast corner of North Peoria Street and East Andrews Drive.
- A Planning Board public hearing for this rezoning was held on November 19th, 2025. However, due to a noticing error, the public hearing at Planning Board is being held again on January 7th, 2026.
- The applicant is requesting this rezoning to allow for the expansion of the assisted living facility (to allow for Residential Care type 3 or 4), the current zoning only allows for Residential Care type 1 and 2.
- The site is currently zoned S-MU-3 (suburban context, multi-unit up to 3 stories) which is a multi-unit district allowing suburban houses, duplexes, row houses, and apartments, up to 3 stories in height, and detached accessory dwelling units.
- The proposed S-MX-3, (Suburban, Mixed Use, 3 Story Maximum Height) are intended for use in the Suburban Neighborhood Context. These areas are intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods. Further details of the S-MX-3 zone district can be found in Article 3 of the Denver Zoning Code (DZC).

Existing Context



Neighborhood Location



1. Existing Context



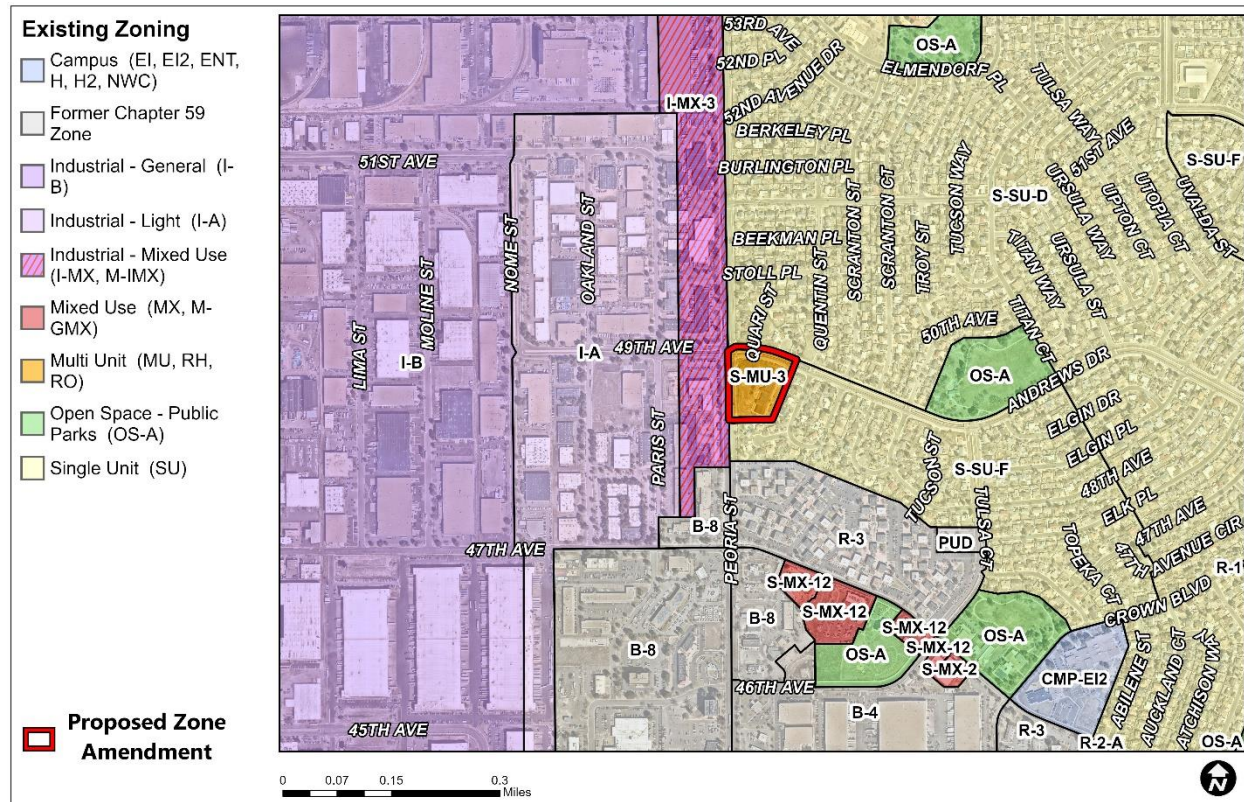
The subject property is in the Montbello statistical neighborhood, which is characterized primarily by single-unit and multi-unit residential with some commercial uses along main corridors. Generally, there is a pattern of irregular blocks with curvilinear streets with no alley access. To the west of the subject site is industrial properties. The subject site is accessible by North Peoria Street and East Andrews Drive. The site is served by RTD Route 121, with 15-minute headway, which has a stop on the corner of North Peoria Street and East Andrews Drive. Additionally, Silverman Park is 0.2 miles east, and Montbello Branch Public Library is 0.5 miles away of the subject site.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	S-MU-3	Mixed Use	1-story brick building with access off E. Andrews Drive.	Generally irregular grid of streets. Block sizes and shapes are inconsistent with large non-residential blocks. Vehicle parking between the building and the street.
North	S-SU-D	Single-Unit Residential / Public-Quasi Public (Union Chapel Missionary Baptist Church)	1 to 2-story houses with access off N. Quari Street. An existing 1 story church with access off N. Quari Street.	

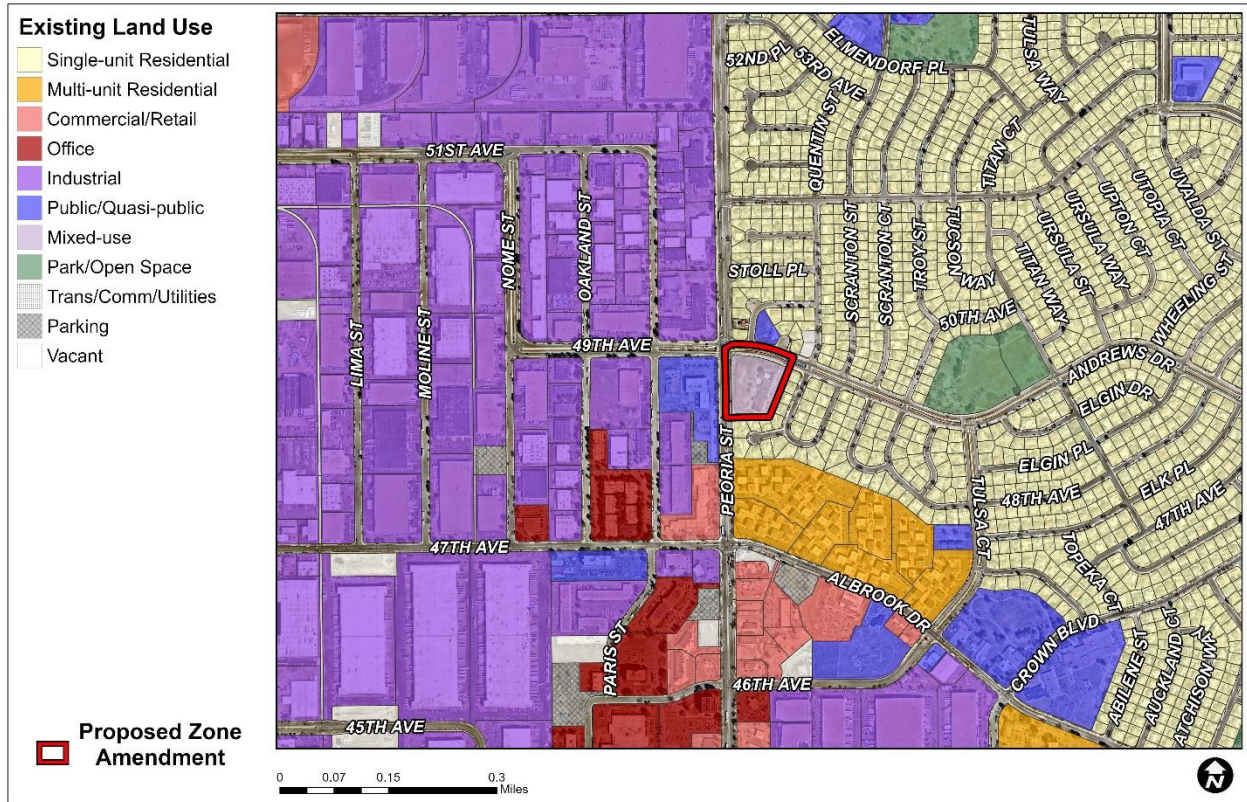
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
South	S-SU-F	Single-Unit Residential	1 to 2-story houses with access off E. 48 th Avenue.	
East	S-SU-F	Single-Unit Residential	1 to 2-story houses with access off N. Quentin Street.	
West	I-MX-3	Public/Quasi Public (Monarch Montessori of Denver)	2-story building with surface parking lot and access off 49 th Avenue.	

2. Existing Zoning



The existing zoning on the subject site is S-MU-3, which is a multi-unit district in the Suburban Neighborhood context. It allows suburban houses duplexes, row houses, and apartments, up to 3 stories in height, and detached accessory dwelling units. The maximum allowed height for primary structures is 3 stories/40 feet. Primary street setbacks are block sensitive, depending on the setbacks of nearby structures. For additional details of the zone district, see DZC Article 3.

3. Existing Land Use Map



4. Existing Building Form and Scale (images from Google Maps)



View of subject property looking south from East Andrews Drive.



View of subject property looking east from North Peoria Street.



View of a religious institution and single-family residences to the north of the subject site, looking north from East Andrews Drive.



View of single-family residences to the east of the subject site, looking west from North Quentin Street.



View of Monarch Montessori of Denver to the west of the subject site, looking south from East 49th Avenue.

Proposed Zoning

The applicant is requesting to rezone the subject site to S-MX-3 which is a mixed-use zone district allowing the Drive Thru Services, Drive Thru Restaurant, General, and Shopfront primary building forms. The requested S-MX-3 allows a mix of uses. A variety of residential uses are permitted, and office uses are permitted (with limitations for dental or medical offices). Some uses within the Retail Sales, Service & Repair use category, such as Food Sales or Market and Retail Sales, Service & Repair are permitted. Within the use category of Vehicle / Equipment Sales, Rentals, Service & Repair, an Automobile Emissions Inspection Facility is permitted without limitations. Automobile Services, Light, which include a gas station, are permitted with limitations. For additional details of the requested zone district, see DZC Article 3.

The requested S-MX-3 zone district has a maximum height in feet of 45' with allowable exceptions. The minimum primary street front setback is 0'. Side interior setbacks are 0' except adjacent to a protected district, where they are 10'. The rear setback adjacent to a protected district such as at this location, is 10' where there is no alley.

For additional details of the requested zone district, see DZC Sections 3.2.4, 3.3 and 3.4.

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

Design Standards	S-MU-3	S-MX-3 (Proposed)
Primary Building Forms Allowed	Suburban hose, Duplex, Row House, and Apartment	Drive Thru Services; Drive Thru Restaurant*; General; Shopfront

Stories/Heights (max) or FAR	3/40'	3/45'
Primary Build-To Percentages (min)	50%	N/A (Drive Thru Services); 50% (Drive Thru Restaurant, General**); 75% (Shopfront)
Primary Build-To Ranges	0'/80'	N/A (Drive Thru Services); 0'-80' (Drive Thru Restaurant, General**), 0'/5' (Shopfront)
Primary Setbacks (min)	10'	0'
Surface Parking between building Primary Street/Side Street	Allowed/ Allowed	Allowed/Allowed
Building Coverages	N/A	N/A
Transparency, Primary Street	30%	40% (Drive Thrus, General); 60% (Shopfront)
Pedestrian Access, Primary Street	25%	Pedestrian Connection (Drive Thrus, General); Entrance (Shopfront)

**The second option for the build-to for General building form is 50% within 0'/150' of the primary street.

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 Response.

Denver Public Schools: Approved – No Response.

Development Services - Fire: Approved – No Response.

Development Services – Project Coordination: Approve Rezoning Only - Will require additional information at Site Plan Review:

Site has a Protected District to east and south which is not separated by a street or alley ROW. Enhanced Setbacks and Upper story setbacks will apply per building form tables

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approved – No Response.

Parks and Recreation: Approved – No Response.

Public Health and Environment: Approved – No Comments.

Department of Transportation & Infrastructure – City Surveyor: Approved. No Comments.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	9/8/2025
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:	12/23/2025
<p style="text-align: center;">Planning Board Public Hearing:</p> <p>(a Planning Board public hearing was originally held on November 19th 2025. Due to a noticing error, the public hearing at Planning Board is being held again on January 7th, 2026.)</p> <p>Planning Board approved Unanimously</p>	1/7/2026
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 (10) working days before the meeting:	1/3/2026
Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward:	1/13/2026
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:	2/3/2026
City Council Public Hearing:	2/23/2026

- **Public Outreach and Input**

- **Registered Neighborhood Organizations (RNOs)**

To date, staff received a letter of support from the Montbello 2020 Registered Neighborhood Organization. The letter states that the proposed rezoning and subsequent development meets the goals of the Far Northeast Area Plan and will allow for the expansion of the assisted care facility.

- **General Public Comments**

To date, staff has received three comment letters regarding this rezoning, all of which are in support. Two of the letters were submitted by local businesses or organizations—the Colorado Council of Churches and Innovage. One letter includes

19 signatures collected during the applicant's community meeting on July 25, 2025.
Copies of all letters of support are included as attachments to the staff report.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7, 12.4.10.8 and 12.4.10.9 as follows:

1. Consistency with Adopted Plans
2. Public Interest
3. 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)
- Far Northeast Area Plan (2019)

Denver Comprehensive Plan 2040

The requested map amendment will enable mixed-use development at an infill location where supportive housing can be possible at the site. The following goals and strategies in the Equitable, Affordable and Inclusive vision element are relevant to the proposed rezoning:

- **Equitable, Affordable and Inclusive** Goal 2, Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families.
- **Equitable, Affordable and Inclusive** Goal 2, Strategy B – Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options.
- **Equitable, Affordable and Inclusive** Goal 8, Strategy B – Partner with organizations to develop permanent and transitional housing affordable to very low-income populations.
- **Equitable, Affordable and Inclusive** Goal 8, Strategy C – Ensure that city regulations enable a range of flexible housing options to meet the needs of those experiencing or transitioning out of homelessness.

The following goals and strategies in the Strong and Authentic Neighborhoods vision element are relevant to the proposed rezoning:

- **Strong and Authentic Neighborhoods** Goal 1, Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population

The following goal and strategy in the Environmentally Resilient vision element are relevant to the proposed rezoning:

- **Environmentally Resilient** Goal 7, Strategy C – Prioritize the reuse of existing buildings and explore incentives to salvage or reuse materials from demolished structures.

The proposed S-MX-3 district allows a variety of uses on a single lot, which allows Denver to grow responsibly and allows for transition to the residential area to the east and south.

Blueprint Denver (2019)

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 Residential Low Medium place type within the Suburban Neighborhood Context and provides guidance on the future growth strategy for the city.

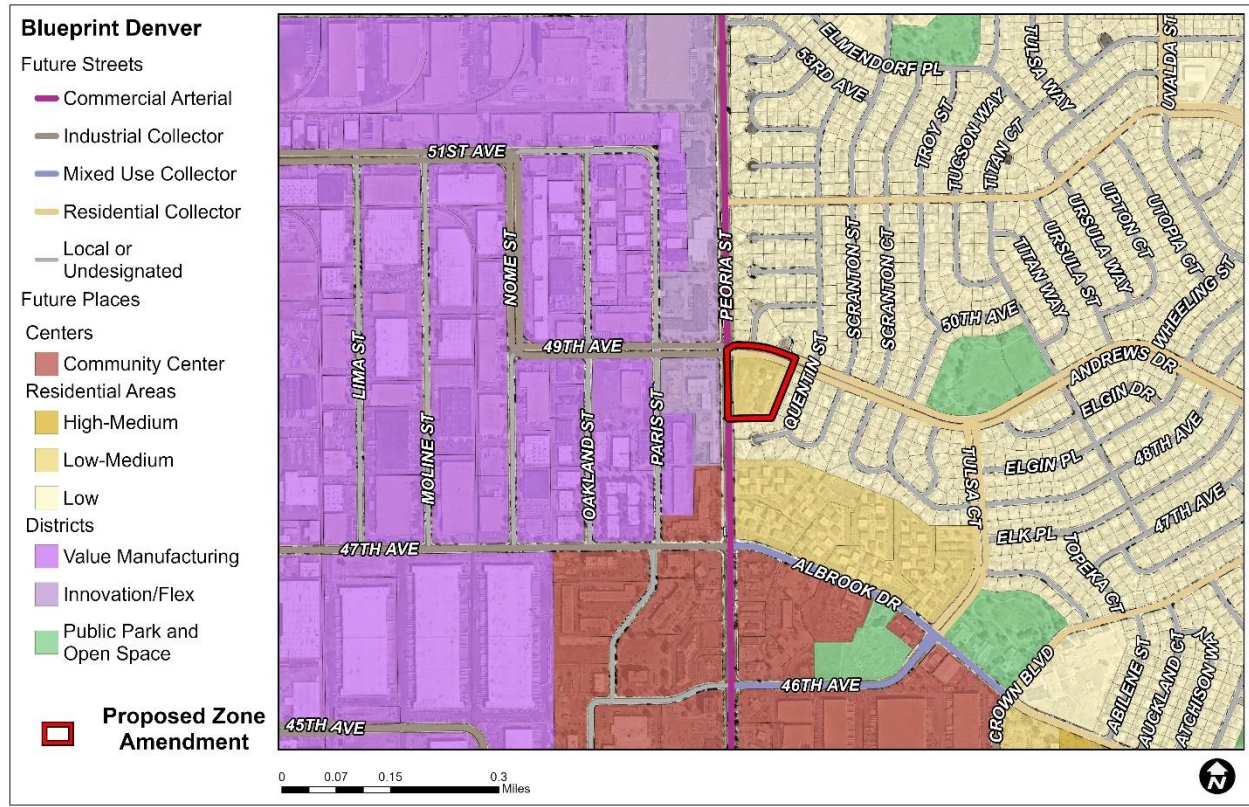
Blueprint Denver Future Neighborhood Context



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 Suburban neighborhood context, the description of which is used to guide appropriate zone districts (p. 66). The Suburban neighborhood context is described as a “range of uses from single-unit and multi-unit residential to commercial corridors and centers” with irregular block patterns with curvilinear streets (p. 136). Suburban areas are also “walkable and bikeable with access to transit but still mostly reliant on cars” (p. 136). S-MX-3 is a zone district within the Suburban neighborhood context and is “intended to promote safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city’s neighborhoods” (DZC 3.2.4.1). S-MX-3 is consistent with the Blueprint future neighborhood

context of Suburban because they will promote areas that can be accessed by pedestrians, bikes, and transit while also providing vehicular access.

Blueprint Denver Future Places



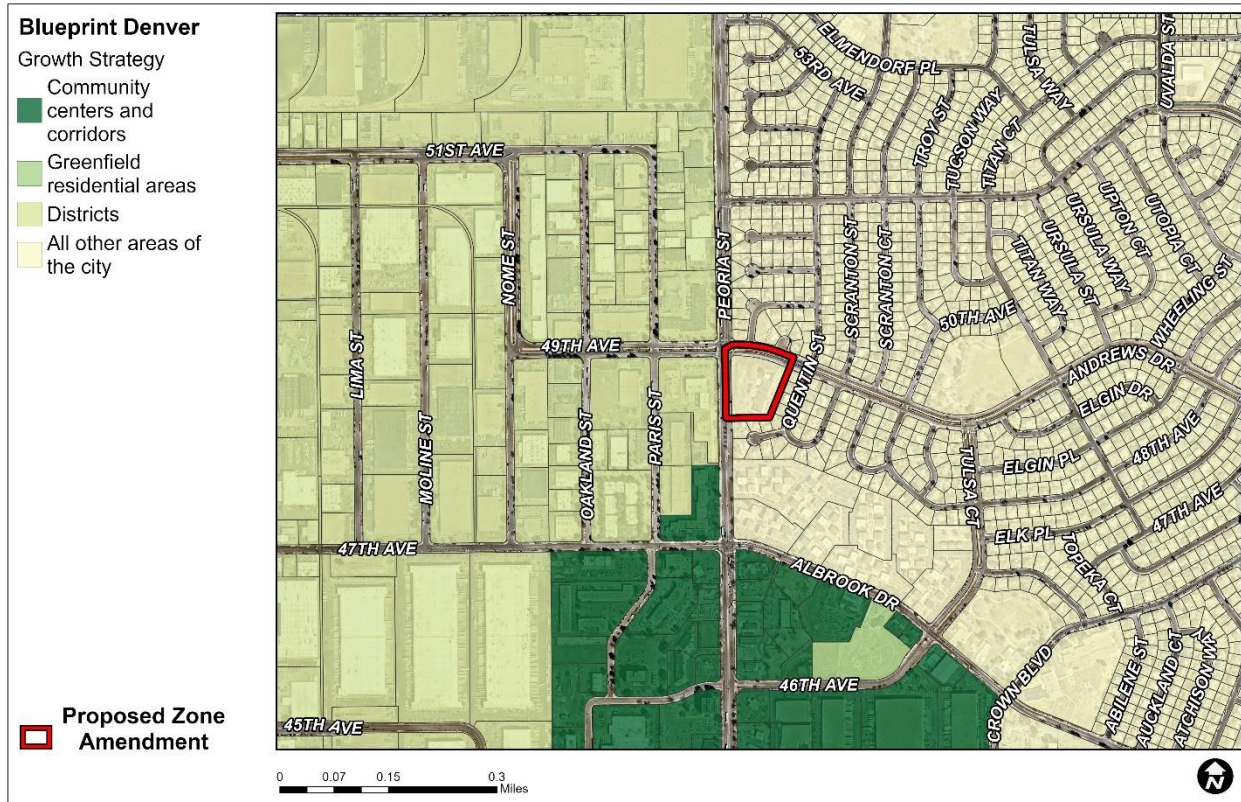
The subject site is designated within a Low Medium future place type on the *Blueprint Denver* Future Places map. This place type is described as a “Mix of low- to mid-scale multi-unit residential options. Small scale multi-unit buildings are interspersed between single and two-unit residential. Limited mixed-use along some arterial and collector streets and some intersections...Buildings are generally 3 stories or less in height” (p. 200). S-MX-3 is a mixed use district which allows for office, commercial, and residential uses and a maximum height of 3 stories. Therefore, the proposed S-MX-3 zone district is consistent with the Residential Low Medium Blueprint Denver Future Places plan direction.

Future Street Types

In *Blueprint Denver*, street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies Andrews Drive as a Residential Collector Street. Residential Collector streets, “collect movement from local streets and convey it to arterial streets (p.154)”. These streets contain primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. *Blueprint Denver* classifies Peoria Avenue a Commercial Arterial Street. A Commercial arterial “typically contain commercial uses including shopping centers, auto services and offices. Buildings are often set back with onsite parking”

(p. 159). S-MX-3 is mixed use district which allows for office, commercial, and residential uses and a maximum height of 3 stories, therefore the proposed rezoning is consistent with the street type.

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, which are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040" (p. 51). The proposed map amendment to S-MX-3 will enable compatible growth for this location.

Equity

The proposed rezoning is also consistent with the following strategies from *Blueprint Denver*:

- Land Use & Built Form – Housing Goal 2: Diversify housing options by exploring opportunities to integrate missing middle housing into low and low-medium residential areas (p. 82).
- Land Use & Built Form: Housing Policy 6: Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities (p.85)

This rezoning allows for additional housing-built forms and expansion of residential care uses in this Low-Medium Residential Future Place and is consistent with *Blueprint Denver* recommendations.

Climate

This rezoning supports the city’s goals to reduce climate impacts by enabling additional housing near transit and amenities. Because transportation options are available and employment are walkable, which can reduce greenhouse gas emissions from transportation. Also, multi-unit buildings are more energy efficient than low density residential development types. This energy efficiency will advance Denver’s goals to reduce greenhouse gas emissions from buildings, which contribute to a warming climate.

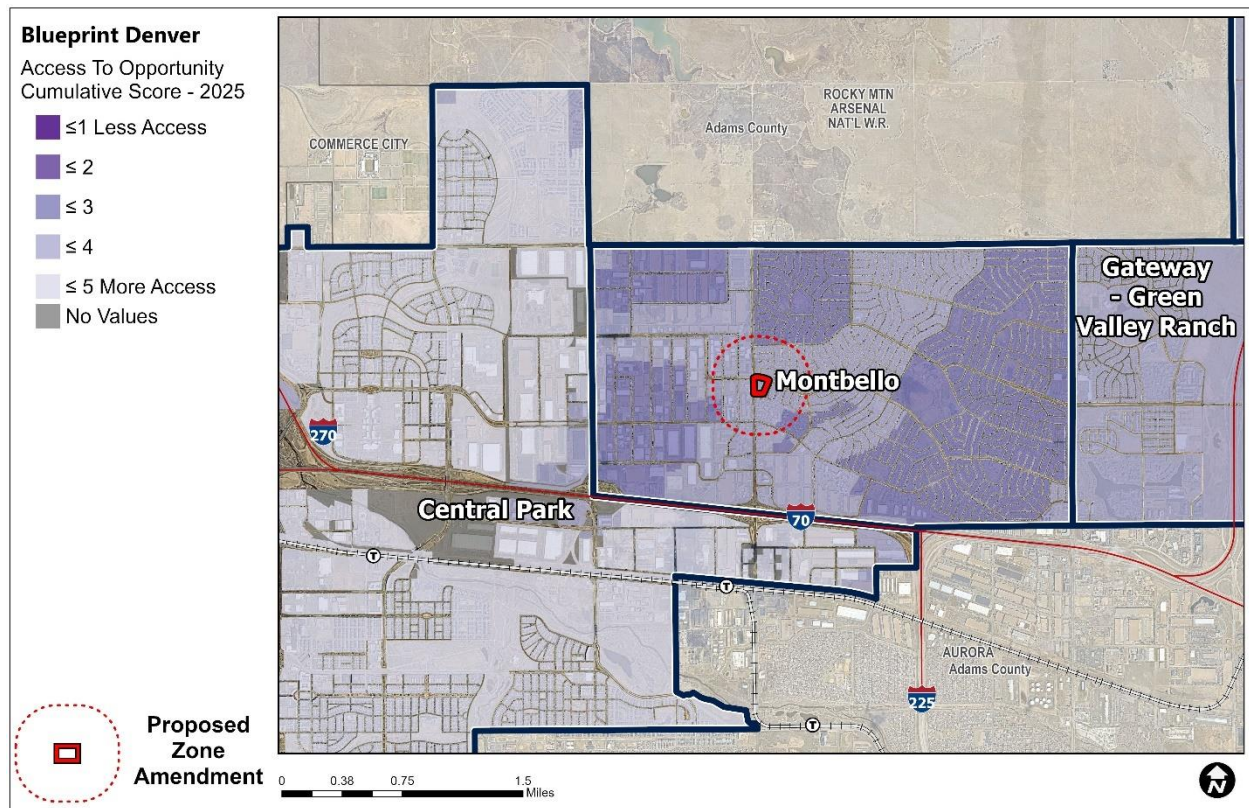
Based on these policies, the proposed rezoning is consistent with *Blueprint Denver*.

Blueprint Denver Equity Concepts

Blueprint Denver contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that helps inform implementation actions through large rezonings along with other implementation actions.

I. Access to Opportunity

The access to opportunity score is a composite of the neighborhood equity index developed by Denver’s Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. This equity concept helps the city consider if it’s making progress towards achieving the vision for complete neighborhoods citywide

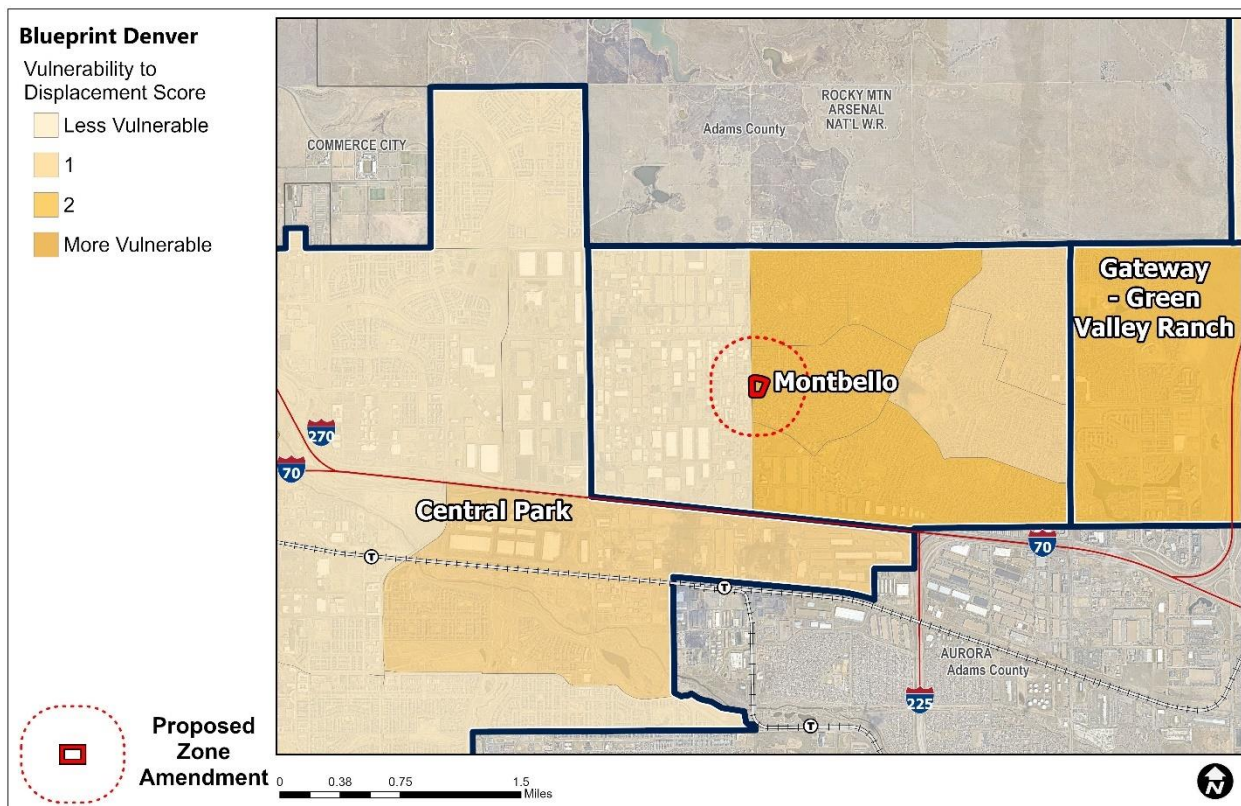


The subject property is in an area with moderate access to opportunity, scoring a 3.16. The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver’s Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. Access to opportunity helps us to consider if we are making progress towards achieving the vision for complete neighborhoods across the city. The subject area is less equitable than Denver when it comes to access to fresh foods and healthcare. These scores are related to a higher-than-average percentage of children with obesity.

The proposed district will allow for a mix of uses, thereby increasing the opportunity for access to retail, housing and services in an area. The property owner has noted their intentions to help address this measure through supportive services that are integral to the residential care use that is planned to expand for the site.

II. Vulnerability to Involuntary Displacement

The basis for measuring vulnerability to involuntary displacement is the vulnerability to displacement index development by the Denver Economic Development and Opportunity Office (now the Department of Housing Stability). This combines U.S. Census data from median household income, percent of renter-occupied units, and percent of residents with less than a college degree.

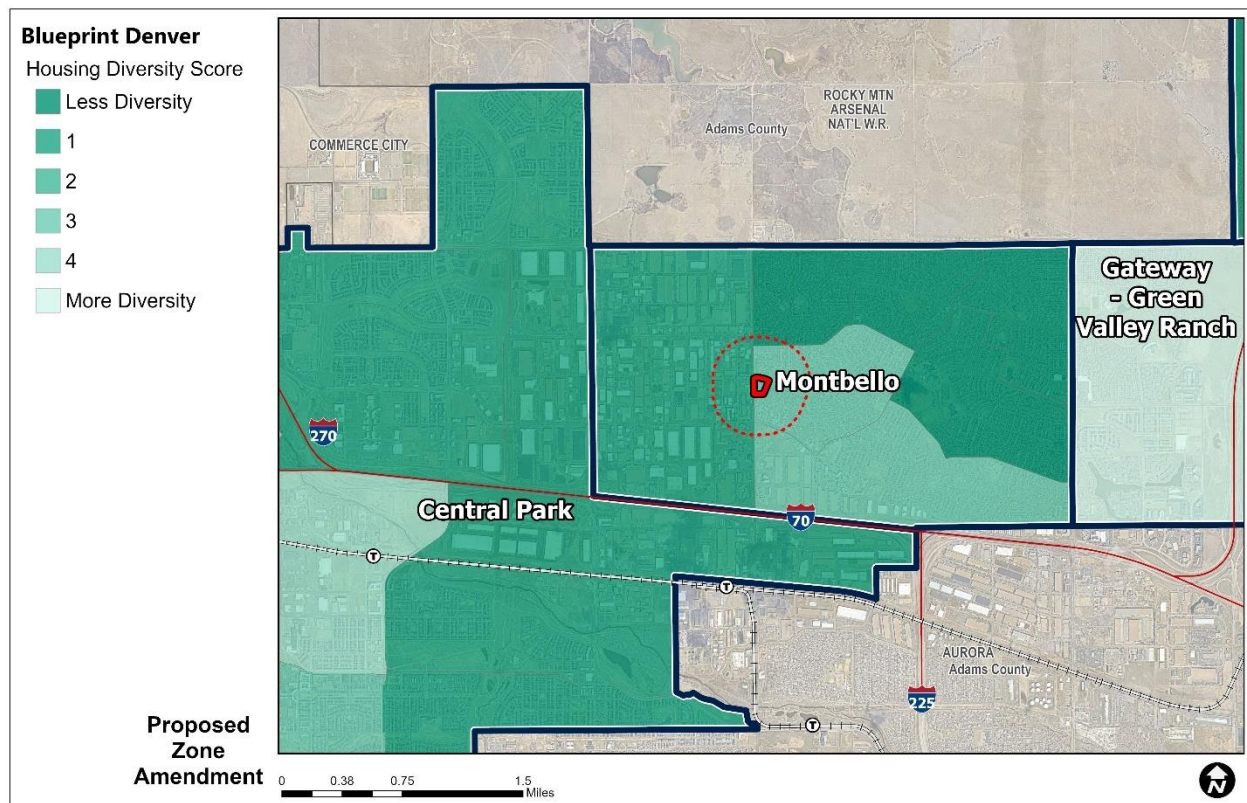


The subject property is in an area that has moderate vulnerability to involuntary displacement, scoring a 2. The basis for measuring vulnerability to involuntary displacement is through the vulnerability to displacement index developed by Denver’s Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree. The subject area scored as vulnerable to displacement in 2 of the three categories. In areas with high vulnerability to involuntary displacement, it is important to increase affordable housing options, including residential care facilities, so that residents of all income levels can continue to live in these neighborhoods.

The proposed district will allow for a mix of uses, including multi-unit residential, which will increase housing opportunities in the area. As discussed earlier in the report, the rezoning will expand residential care services, assisted living, to low-income earners.

III. Expanding Housing and Jobs Diversity

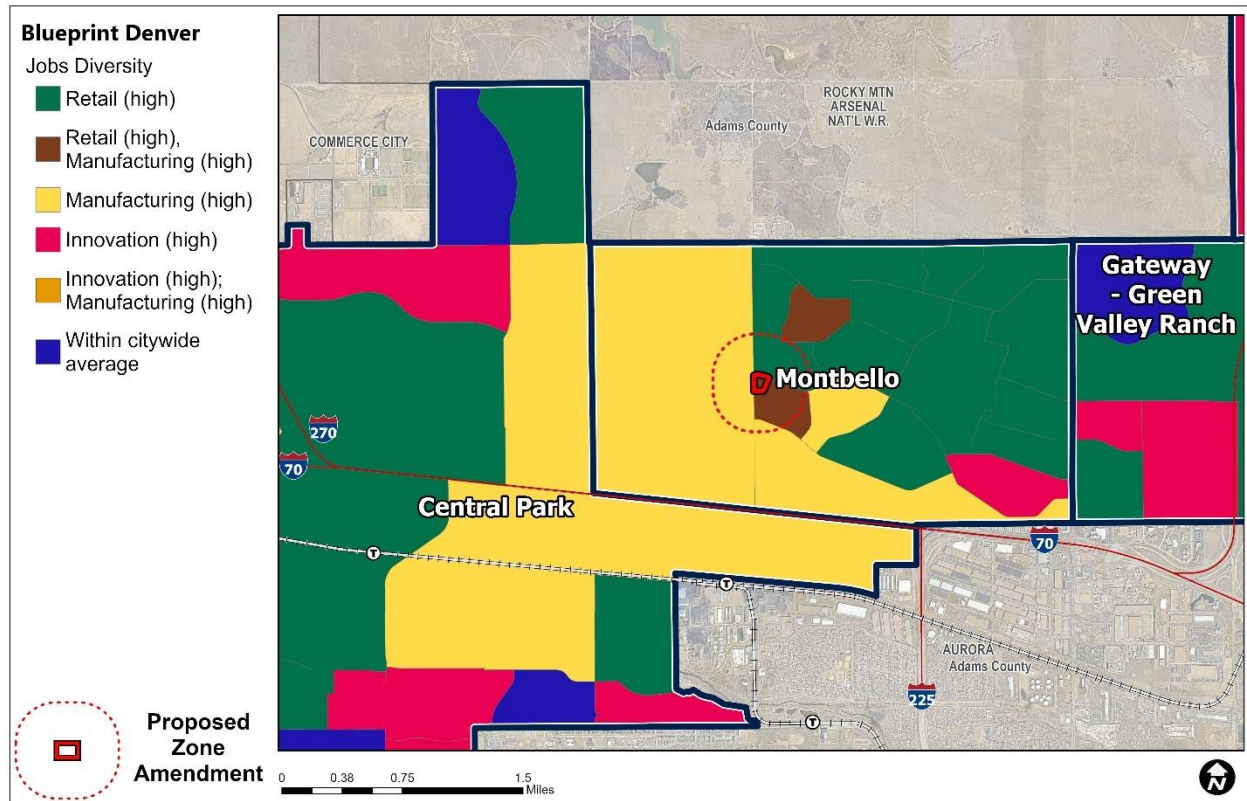
The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership versus rental, housing costs, and the number of income-restricted units.



The subject property is in an area that has moderate housing diversity. The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted

units. The subject area is not diverse in terms of the housing cost and income restricted units. In areas with a moderate level of housing diversity it is important to increase the number of affordable housing units alongside natural growth in market-rate housing.

The proposed zone district will allow for mix of uses, including multi-unit residential, which will increase housing opportunities in the area. As discussed earlier in the report, the rezoning will expand residential care services, assisted living, to low-income earners.



The map above shows the mix of jobs in areas of the city (dominant industry depicted by color). The area which the subject property is within has a mix of jobs similar to the city's overall mix of job types. The proposed zone district allows for various commercial, office, and retail jobs and increasing access to a range of many quality jobs enables people of different incomes and education levels to find employment and wealth-building opportunities.

With a greater emphasis on manufacturing jobs in the Montbello neighborhood, the subject property has a mix of jobs that is dissimilar to the city's overall mix of job types. The proposed zone district also allows for a mix of uses, including residential and retails, that provides the opportunity to contribute to diversifying jobs in the area.

Although the rezoning is not consistent with the future place type, it is consistent with the neighborhood context, street type, and policies that promote the expansion of services for low-income resident. Therefore, the proposed rezoning is consistent with the recommendations found in Blueprint.

Small Area Plan: *Far Northeast Area Plan (2019)*

The *Far Northeast Area Plan* contains a framework plan for the entire plan area and recommendations for smaller neighborhood areas. Within the *Far Northeast Area Plan* the subject property is within the Suburban Neighborhood Context, is in a Low Medium future place, and is recommended for a maximum building height of 3 stories. See the Future Places map, and the Recommended Maximum Building Heights Maps below.

The Far Northeast Area Plan designates the subject property as within the Suburban Neighborhood context, which is “largely single-unit, but can also include higher intensity residential. Commercial development is focused along main corridors and centers bordering residential areas. Although this context is more auto-oriented than others, there should still be quality multimodal connectivity” (p. 31). The proposed S-MX-3 district will allow mixed-use, expended residential care uses and commercial development along North Peoria Avenue.



The *Far Northeast Area Plan* designates the subject property as within a Low Medium future place. The plan describes centers as “Mix of low- to mid-scale residential options including small multi-unit buildings, row houses, and single and two-unit residential” (p. 35). The plan recommends heights up to 3 stories in height. Additionally, LU.22.1a. Promote citywide affordable housing programs in the far northeast which states “prioritize sites near employment centers, transit and multimodal networks” (p. 67). To the west of the site there is industrial zoning which is an employment hub for the residential neighborhood to the east. The proposed rezoning will expand affordable assisted living units on a currently underutilized portion of site that current has assisted living units. Furthermore, the S-MX-3 zone district proposed along North Peoria Avenue is intended to promote safe, active, pedestrian-scaled areas with building form standards that balance the importance of street presence and the provision of adequate parking. Additionally, the plan promotes increase access to health services, reducing

vulnerability to displacement, expanding housing and jobs diversity and increase the options of affordable housing. The applicant intends to increase their assisted living facility to house more guest with incomes that are 50% the area medium income (AMI). The proposed S-MX-3 zone district is consistent with the surrounding area and will help expand services and residential care uses.

2. Public Interest

The proposed official map amendment furthers the public interest, primarily through implementation of the city's adopted land use plans as detailed above. The proposal will also maintain compatible scale and intensity in terms of allowed mix of residential uses and allowed building scale.

The proposed rezoning would also facilitate increased housing density near services and amenities and promote a walkable, urban neighborhood within walking distance to public transit. The concurrent affordable housing plan will ensure the site provides on-site income restricted units.

3. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

The requested S-MX-3 zone districts is within the Suburban Neighborhood Context. This neighborhood context is "characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks" and "commercial buildings are typically separated from residential and consist of Shopfront and General forms" (DZC, Division 3.1.1). These areas consist of "an irregular pattern of block shapes surrounded by curvilinear streets within a modified non-existent grid, with cul-de-sacs and typically no alleys" (DZC, Section 3.2.1). The proposed rezoning to S-MX-3 is consistent with the neighborhood context description.

Denver Zoning Code Section 3.2.4 states the general purpose of the Mixed-Use zone districts as "promot[ing] safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city's neighborhoods." These districts are also "intended to ensure new development contributes positively to established residential neighborhoods and character and improves the transition between commercial development and adjacent residential neighborhoods" (DZC, Section 3.2.4). The proposed S-MX-3 will create a more pedestrian-oriented mixed-use environment for future development along North Peoria Avenue.

The specific intent of the S-MX-3 zone district "applies to areas or intersection served primarily by local or collector streets where a building scale of 1 to 3 stories is desired" (DZC 3.2.4.2.D). The subject site is in an area served by collector and arterial streets where buildings up to 3 stories is desired in the *Far Northeast Area Plan*. Therefore, rezoning this site would be consistent with the specific intent of the zone district.

Attachments

1. Application
2. Public Comment Letters