



TO: Denver City Council
FROM: Abner Ramos Salcedo, Associate City Planner
DATE: May 29, 2025
RE: Official Zoning Map Amendment Application #2024I-00052

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends that City Council **approve** Application #2024i-00052.

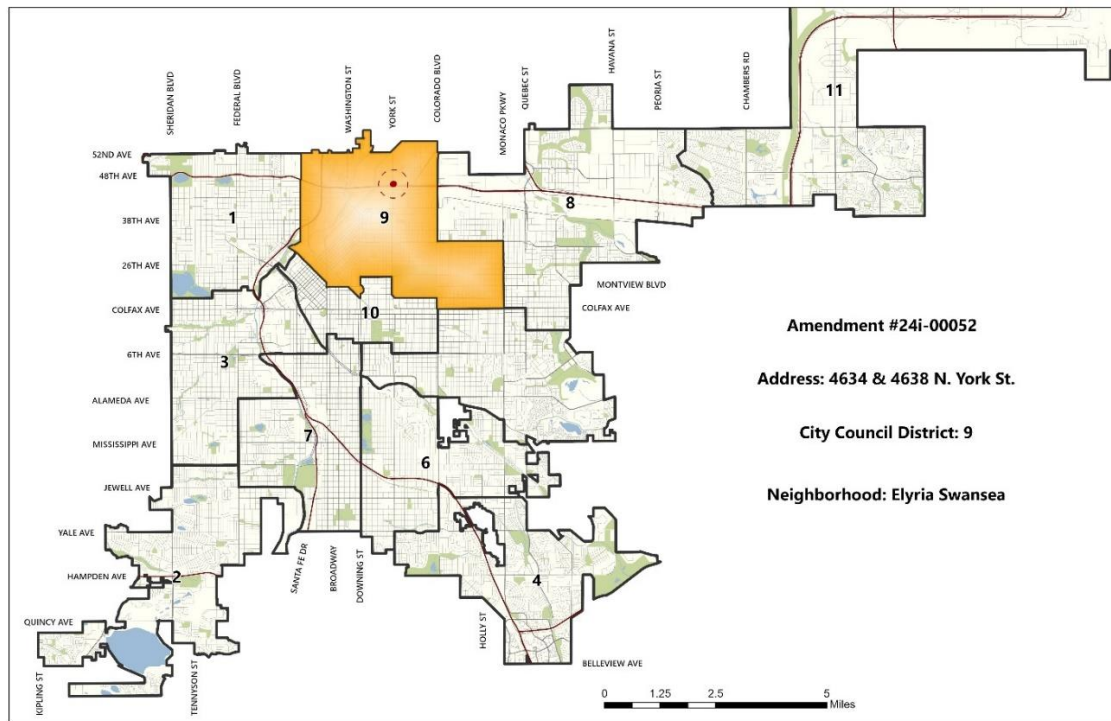
Request for Rezoning

Address: 4634 & 4638 North York Street
Neighborhood/Council District and CM: Elyria Swansea / Council District 9
RNOs: United Community Action Network Inc.; Elyria Swansea
Neighborhood Association; Inter-Neighborhood Cooperation
(INC); Denver North Business Association; Opportunity Corridor
Coalition of United Residents
Area of Property: 7,800 square feet or 0.18 acres
Current Zoning: E-TU-B
Proposed Zoning: U-RH-2.5
Property Owner(s): Solid Ground Rentals, LLC
Owner Representative: Andy Olree

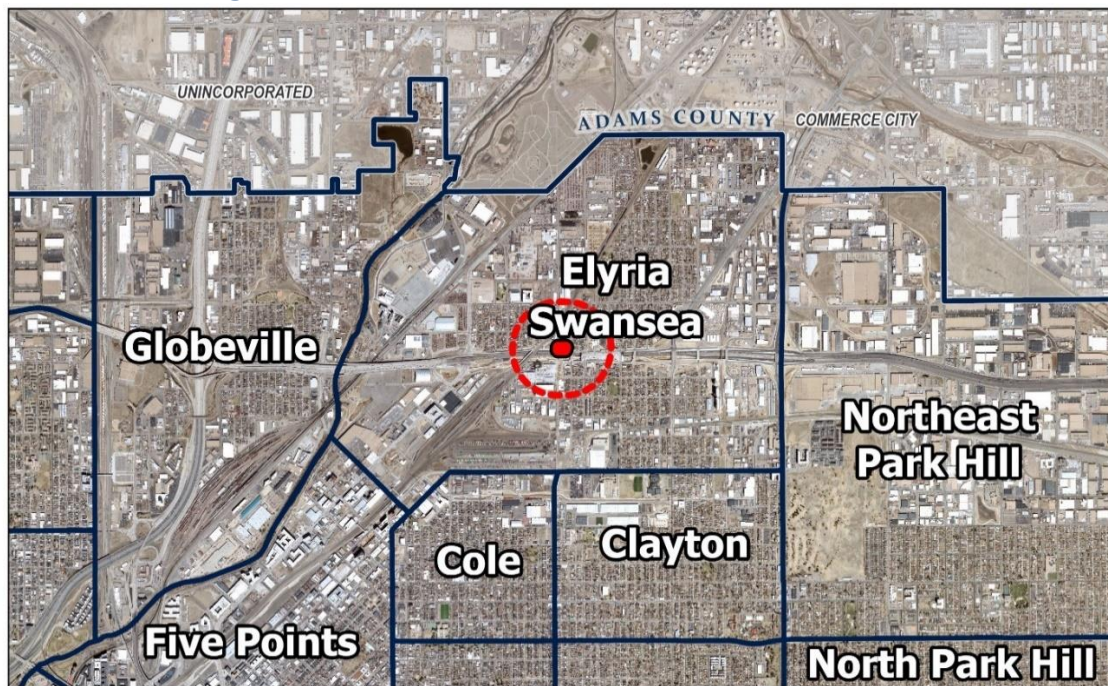
Summary of Rezoning Request

- The subject properties are in the Elyria Swansea neighborhood at the corner of North York Street and East 46th Avenue. The sites are currently vacant and have been since the expansion of Interstate 70.
- The property owner is proposing to rezone the properties to allow for the development of 5 to 6 rowhomes.
- The **U-RH-2.5** (**U**rban Neighborhood, **R**ow **H**ouse, **2.5** story) zone district allows the primary building forms that include urban house, duplex, tandem house, and row house. The maximum height of the allowed primary building forms ranges from 30 to 35 feet for the front 65% of the zone lot and 17 to 24 feet in the rear 35% of the zone lot. The Detached Accessory Dwelling Unit form can be a maximum height of 24 feet. This district is intended for use in the Urban Neighborhood Context, which is characterized by single and two-unit uses and allows for some multi-unit districts. Further details of the zone district can be found in the proposed zone district of this staff report (below) and in Article 5 of the Denver Zoning Code.

Council District



Statistical Neighborhood



Existing Context



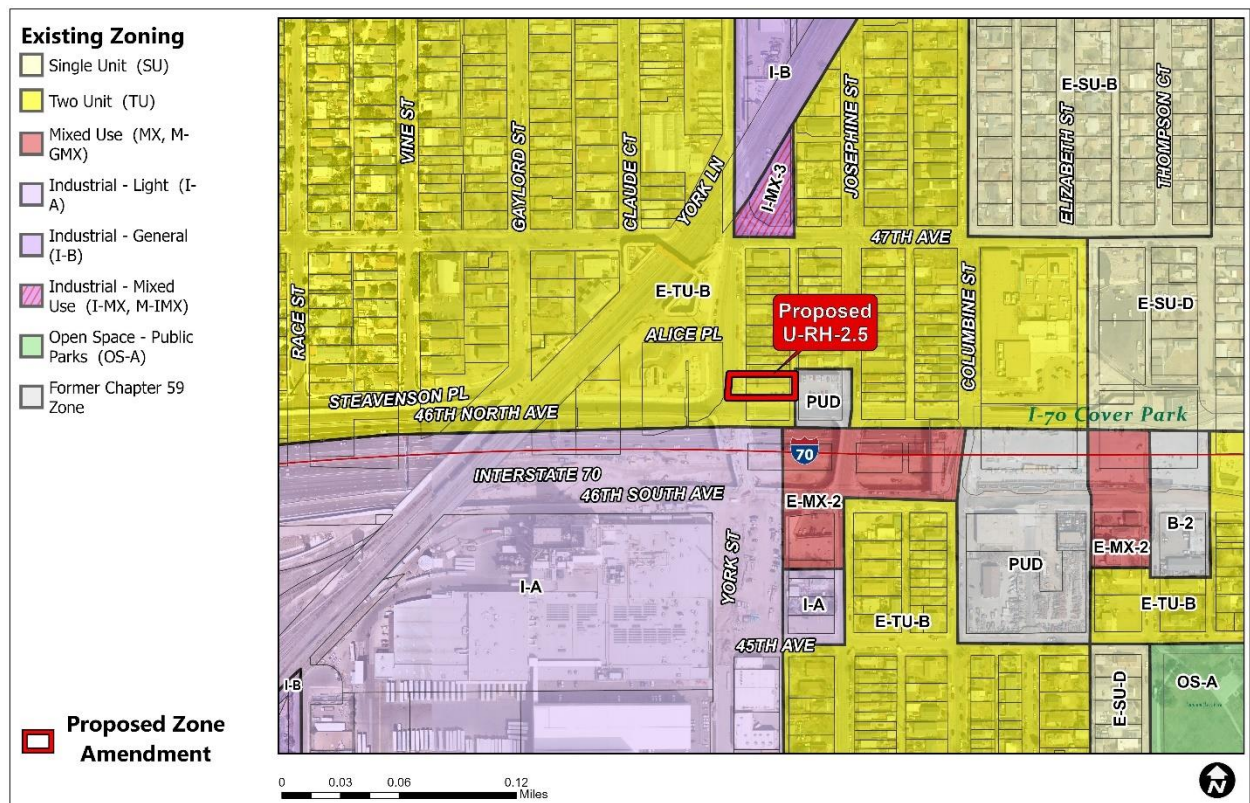
The subject properties are located within the Elyria Swansea statistical neighborhood, at the intersection of North York Street and East 46th North Avenue. Of note in this aerial image of the subject properties is that the aerial image presents the real configuration of the block with the subject properties as corner lots, which differs from the following GIS maps that have the subject sites located mid-block. The reason for this difference in the maps is a result of the Interstate-70 expansion which has not yet been included into the city's GIS maps. The subject sites are two blocks (less than a 1/4 mile) west from Swansea Elementary School and the Central-70 Cover Park. Across Interstate-70, at the intersection of East 46th South Avenue and North Josephine Street there is a small mixed-use node that includes restaurants and other services.

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	E-TU-B	Vacant	Vacant lot with no buildings	Block sizes and shapes are consistent and rectangular and shaped by a grid street pattern. However, Interstate-70 acts as a division between the subject property and the
North	E-TU-B	Single-unit Residential	1-story wood-framed house with narrow front yard.	
South	I-A; E-MX-2; E-TU-B	ROW/Road	Interstate-70	

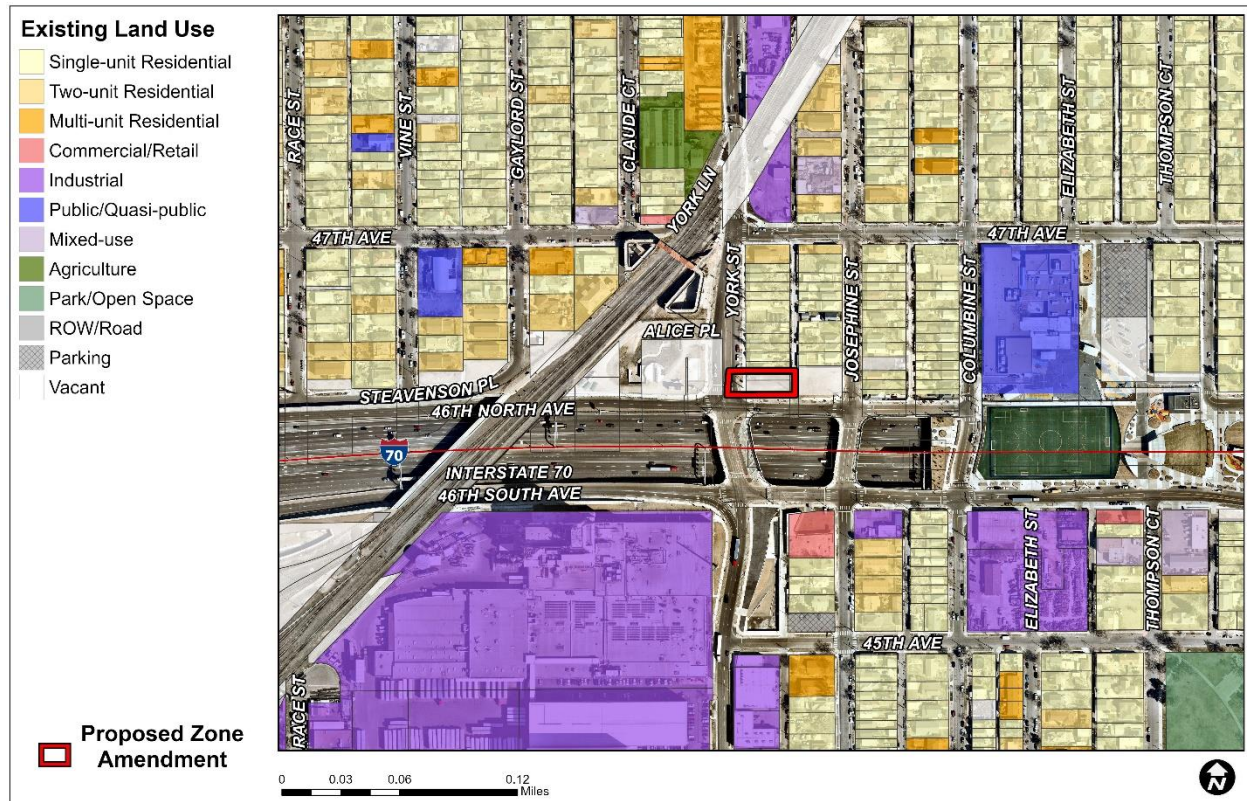
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
East	PUD 335	Vacant	Vacant lot with no buildings	remainder of the established grid. Mostly detached sidewalks exists. Driveways with front-loaded garages are present and alleys exist on most blocks.
West	E-TU-B	Vacant	Property is fenced off with some utility boxes but largely vacant	

Existing Zoning



The existing zoning on the subject property is E-TU-B. This is a two-unit zone district in the Urban Edge neighborhood context allowing the urban house, duplex, and tandem house forms with a minimum zone lot area of 4,500 square feet and minimum zone lot width of 35 feet. The subject property is surrounded by E-TU-B zoning to the north, east and west, and with light industrial and industrial mixed-use zoning to the south along the Union Pacific and RTD A-Line railroad tracks.

Existing Land Use Map



Existing Building Form and Scale (Source: Google Maps)



Site - Aerial view, showing the subject sites in the red box, looking southwest.



Site – View of the subject sites from North York Street looking west.



North – View of the properties to the north of the subject sites, looking north on York Street.



East – View of the property to the west of the subject sites, looking west from North York Street.



South – View looking south from the intersection of North York Street and East 46th North Avenue.

Proposed Zoning

U-RH-2.5 Zone District

The applicant is requesting to rezone the subject sites to U-RH-2.5, which allows the Urban House, Duplex, Tandem House and Row House primary building forms. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. The U-RH-2.5 district also permits the accessory dwelling unit use and Detached Accessory Dwelling Unit (DADU) building form, to be located in the rear 35 percent of the lot, only allowed as accessory to a primary single-unit residential use. The DADU building form has a maximum height of 2 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, also applies to the DADU building form. This form allows an exemption from the 37.5 percent building coverage standard, allowing the lesser of 50 percent or 500 square feet. For zone lots greater than 7,000 square feet, the ADU building footprint may be a maximum of 1,000 square feet. The district does not require any off-street vehicular parking for single-unit dwellings, but if provided, parking for the DADU must be accessed from the alley; street access is allowed when no alley is present. The minimum parking requirement for a dwelling, multi-unit residential use is one space per unit.

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

Design Standards	E-TU-B (Existing)	U-RH-2.5 (Proposed)
Primary Building Forms Allowed	Urban House, Duplex, Tandem House	Urban House, Duplex, Tandem House, Row House
Height in Stories / Feet, Front 65% of Zone Lot, Urban House, (max.)	2.5 stories / 30 feet	2.5 stories / 35 feet**
Height in Stories / Feet, Rear 35% of Zone Lot, Urban House, (max.)	1 story / 17 feet	2.5 stories / 24 feet**
Height in Stories / Feet, Detached Accessory Dwelling Unit, (max.)	2 stories / 24 feet	2 stories / 24 feet
Zone Lot Size (min.)	4,500 sf	6,000 sf**
Primary Setbacks (min)	Yes / 20 feet	Yes / 20 feet
Building Coverages	37.5%	N/A

**Standard varies between building forms

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

Department of Transportation and Infrastructure - City Surveyor: Approved- See Comments Below
Approved. First line of description has 2 commas after “Lot 17”, please remove one.

Development Services - Transportation: Approved- No Response

Development Services – Wastewater: Approved- No Response

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

- 1) Development of more than two residential units will trigger the Concept and SDP formal application process. The SDP will need to be approved before building permits and zoning permits can be issued.
- 2) Building and zoning permits need to be issued prior to construction beginning on the property.
- 3) It is strongly recommended to submit for concept review concurrently with the rezoning application to verify that the proposed development is feasible on the property as intended. The determination of Primary / Side Streets through the concept phase can impact the ability to place Rowhomes on the property.

Development Services – Fire Prevention: Approve Rezoning Only – Will require additional information at Site Plan Review

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:	9/9/2025
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, property owners, and tenants:	2/18/2025
Planning Board Public Hearing	3/5/2025
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:	3/7/2025
Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward:	4/8/2025
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: (tentative)	5/12/2025
City Council Public Hearing (tentative):	6/2/2025

Public Outreach and Input

The applicant conducted engagement prior to submitting the application. The engagement is documented as part of the attached application. This effort included emails being sent to Registered Neighborhood Organizations to review proposal for the property as well as meeting with the council member that reinforced the need to speak with the Registered Neighborhood Organizations.

- **Registered Neighborhood Organizations (RNOs)**
 As of the date of this report, staff has received a copy of an email interaction between the applicant and Tierra Colectiva stating that they do not oppose this rezoning. A more detailed summary of this interaction is included in the attached outreach document.
- **General Public Comments**
 As of the date of this report, staff has not received written public comments pertaining to this application.

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. Public Interest
1. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2040* (2019)
- *Blueprint Denver* (2019)
- *Elyria & Swansea Neighborhoods Plan* (2015)

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would allow for an additional housing unit within an established neighborhood, consistent with the following strategies in the Equitable, Affordable and Inclusive vision element:

- 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).
- Equitable, Affordable and Inclusive Goal 3, Strategy D- Increase the development of senior-friendly and family friendly housing, including units with multiple bedrooms in multi-family development (p. 28).

The proposed rezoning would allow infill development appropriate for the surrounding neighborhood that broadens the range of housing types available, consistent with the following strategy in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy D – Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p. 34).

Similarly, the land use pattern detailed in the previous paragraph is also consistent with the following strategies in the Environmentally Resilient vision element:

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

The requested map amendment will allow additional residential units at an infill location where infrastructure is already in place. The requested zone district enables building forms which can provide

residents with a mixture of housing types. Therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

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 Regional Center place within the Urban Center Neighborhood Context and provides guidance from the future growth strategy for the city.

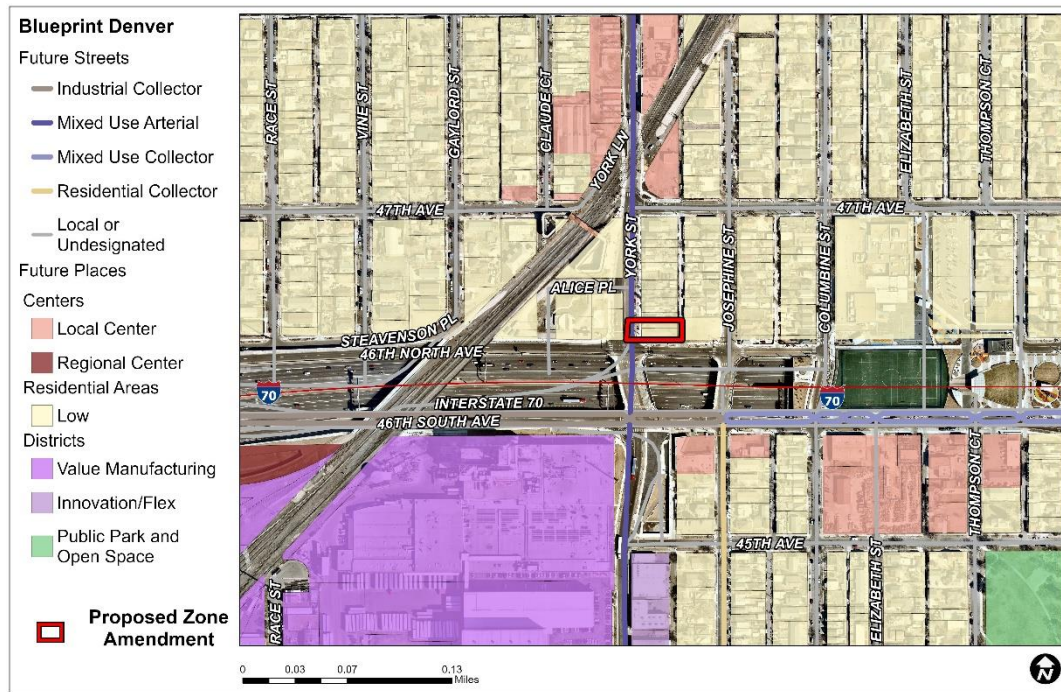
Blueprint Denver Future Neighborhood Context



The subject property is shown on the context map as an Urban Neighborhood Context, the description of which is used to guide appropriate zone districts. “Small multi-unit residential and low-intensity mixed-use buildings are typically embedded in single-unit and two-unit residential areas. Block patterns are a regular grid with consistent alley access. Where they occur, multi-unit buildings are low scale. Mixed-use buildings are sited in a pedestrian-friendly manner near the street” (p. 222).

U-RH-2.5 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 Section 5.2.2.1). U-RH-2.5 is consistent with *Blueprint Denver’s* future neighborhood context of Urban because it will promote the residential character of the neighborhood by allowing a low-scale multi-unit residential building that will be compatible with the existing residential area.

Blueprint Denver Future Places



Within the Urban Neighborhood Context, the subject property is categorized as a Residential Low Future Place with a land use and built form defined by *Blueprint Denver* as “predominately single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible... Low to medium building coverage. Buildings are generally up to 2.5 stories in height” (p. 214). Additionally, *Blueprint Denver* states “some higher-intensity residential uses may be mixed throughout” (p. 148). Since the expansion of Interstate-70, the properties have become corner lots that are vacant and can now serve as appropriate areas to thoughtfully integrate higher-intensity residential uses as a transition to Interstate-70. The proposed U-RH-2.5 zone district, allowing multiple building forms up to 2.5 stories in height on a medium lot, is compatible with this Future Place type.

Blueprint Street Types

In *Blueprint Denver*, Future Street Types work in concert with the Future Places to evaluate the appropriate intensity of adjacent development (p. 67). *Blueprint Denver* classifies North York Street as Mixed- Arterial, which can have, “varied mix of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage with a shallow front setback” (p. 159). *Blueprint Denver* classifies East 46th North Avenue as Local or Undesignated Future Street Types, which “can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses” (p. 161). The proposed U-RH-2.5 district is consistent with this street type because it allows for residential uses only.

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 percent of new housing growth and 10 percent of new employment growth by 2040 (p. 51). This growth area contains "mostly residential areas with embedded local centers and corridors (that) take a smaller amount of growth intended to strengthen the existing character of our neighborhoods" (p. 49). The proposed U-RH-2.5 zone district is appropriate in this growth area as it will minimally contribute to development intensity in the neighborhood while maintaining the area's single-unit residential character. Therefore, the proposed rezoning is consistent with the *Blueprint Denver* growth strategy.

Equity

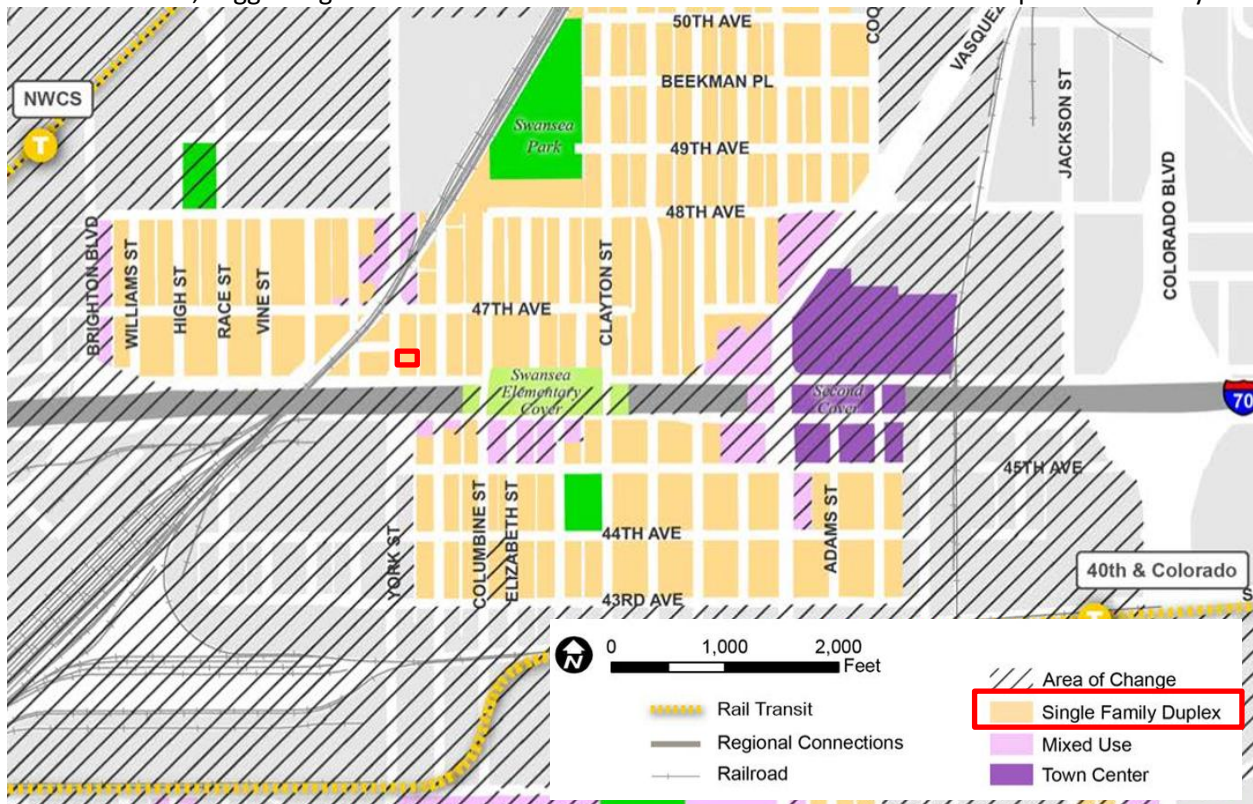
"Because the data available to measure the **equity** concepts is not available at the parcel-level scale, and they are intended to show patterns across large areas, they cannot be effectively applied to small-scale rezonings. (p. 67)" However, smaller rezonings can still implement policies and strategies related to equity. This small-scale rezoning supports elements of Land Use & Built Form: Housing Policy 02, "*Diversify housing options by exploring opportunities to integrate missing middle housing into low and low-medium residential areas* (p. 82)," by improving access to the supply of diverse housing options. Considering the impact that the expansion of Interstate-70 had on the housing stock in the neighborhood, the rezoning facilitates more diverse building forms in the housing stock.

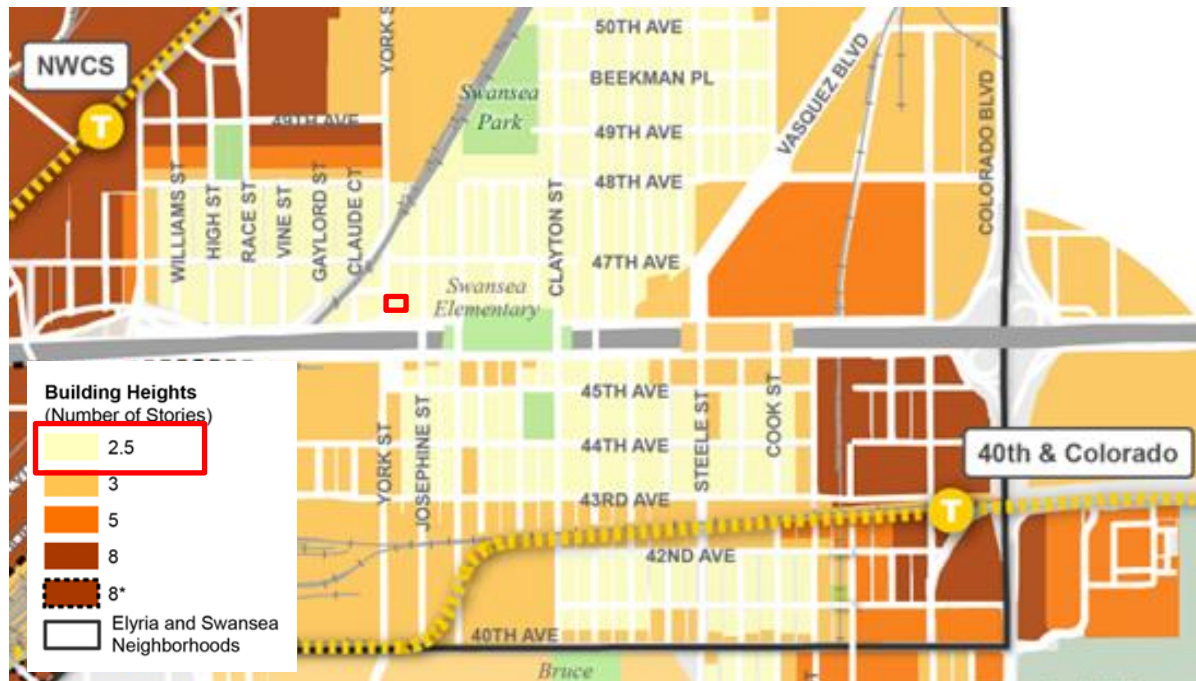
Climate

This rezoning supports the city's goals to reduce climate impacts by enabling additional housing on a vacant lot where infrastructure already exists. Because many transportation options are available such as the A and N Lines less than a mile from this site, the Art District Connector, and Bus Route 48, these areas are less auto-dependent, which can reduce greenhouse gas emissions from transportation. Also, multi-unit buildings, if constructed on this site, 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.

Small Area Plan: Elyria and Swansea Neighborhoods Plan

This neighborhood plan was adopted by City Council in 2015 and applies to the subject property. It designates the subject property as being within an Area of Stability (a concept used in *Blueprint Denver* prior to the 2019 update) that is intended to maintain the character of an area while accommodating some new development and redevelopment. The site is mapped as a single-family duplex concept land use with a maximum building height of 2.5 stories. The subject property is also within the traditional residential area, suggesting it should remain residential in use and at a similar development intensity.





The request is consistent with several *Elyria and Swansea Neighborhoods Plan* policies, including:

- Establish a Balance Land Use Strategy Recommendations, B.2 Establish a Strong Compilation of Land Uses That Balances the Needs of Residents, Commerce, and Industry: Single Family Duplex residential areas are moderately dense areas that are primarily residential. There is a mixture of housing types, including single-family houses, duplexes, rowhouses, and small apartment buildings (p. 26).
- Establish a Balance Land Use Strategy Recommendations, B.3 Increase Housing Choices: Encourage investment in new housing to expand the total number of residences and to provide for a diversity of housing types to bring more people of all ages and income levels into the neighborhood (p. 29).
- Establish a Balance Land Use Strategy Recommendations, B.8 Establish maximum building heights to support a variety of land uses and community places. Accommodate infill development in vacant or underutilized areas (p. 30).
- Traditional Residential Areas: Reverse the trend of a declining population and expand housing throughout the neighborhood (p. 88).
- E.1 Update the Neighborhood Context as the Denver Zoning Code's Urban Neighborhood Context, as opposed to the currently mapped Urban Edge Context, better reflects the use of alley, limiting or prohibiting curb cuts for street access, and the continuation of detached sidewalks where possible (p 88).
- E.2 Encourage Investment in Residential Areas of Stability: Explore opportunities to introduce building forms, consistent with the single-family duplex land designation, such as accessory dwelling units, duplex or tandem houses and rowhouses (p. 88).

The proposed U-RH-2.5 zone district would allow for the opportunity to introduce additional building forms, increasing the variety of housing types in the neighborhood, consistent with the recommendations of the *Elyria Swansea Neighborhood Plan*. The maximum allowed height of 2.5 stories is consistent with the plan's height recommendations, and the Urban context complies with the plan's goal of shifting the area into Urban context zoning. While *Blueprint Denver* describes the future place type as low residential, the purpose of small area plans is to refine strategies for specific areas. The *Elyria & Swansea Neighborhoods Plan* specifically calls for accommodation of infill development in vacant lots and also provides refinement for specific housing types that fit in the low residential future places designated as "Single Family Duplex." The plan states that the "Single Family Duplex" areas are moderately dense areas with a mixture of housing types, which specifically includes the row house building form. While the rezoning does not directly further recommendations for housing affordable to all incomes, it will facilitate broader building forms and housing opportunities in the neighborhood. Therefore, the rezoning furthers the policies and goals of the *Elyria & Swansea Neighborhoods Plan*.

2. Public Interest

The proposed official map amendment furthers the public health, safety, and general welfare through implementation of the city's adopted land use plans. 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. Additionally, this property has been vacant since the expansion of Interstate-70 and is an opportunity to provide more housing in an area that lost housing due to the expansion.

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

The proposed U-RH-2.5 zone district is within the Urban Neighborhood Context. The neighborhood context generally consists of primarily single-unit and two-unit residential uses, and small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. The Urban Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid, providing a pattern of pedestrian and vehicular connections and a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback. Residential buildings typically have consistent, moderate front setbacks, shallow side setbacks and consistent orientation. The Urban Neighborhood Context is characterized by low-scale buildings except for some mid-rise commercial and mixed-use structures, particularly at nodes or along arterial streets. There is a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system (DZC, Division 5.1). It is appropriate to apply zoning within the Urban Neighborhood Context at this location through the adopted plan vision described earlier as well as the existing context. The proposed rezoning to U-RH-2.5 will enable development that is consistent with the neighborhood context description.

According to DZC 5.2.2.1.A, the general purpose of the Residential zone districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. The building form standards, design standards, and uses work together to promote desirable residential

areas. Lot sizes are consistent within an area, and lot coverage is typically medium to high accommodating a consistent front and side yard. The standards of the two unit and row house districts promote existing and future patterns of lower scale multi-unit building forms that address the street in the same manner as an urban house building form. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment. The rezoning to U-RH-2.5 is consistent with the zone district general purpose and recognizes the existing residential context.

Specifically, U-RH-2.5 is a multi-unit district that allows up to a two and a half story rowhouse building form. It also allows the urban house, detached accessory dwelling unit, duplex, and tandem house building forms. The proposed zone district recognizes both the subject site's existing condition and surrounding context, fulfilling this Specific Intent statement.

Attachments

1. Neighbor Outreach