



TO: South Platte River Committee
FROM: Justin Montgomery, Senior City Planner
DATE: September 4, 2025
RE: Official Zoning Map Amendment Application #2024I-00145

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends that the South Platte River Committee move Application #2024I-00145 forward for consideration by the full City Council.

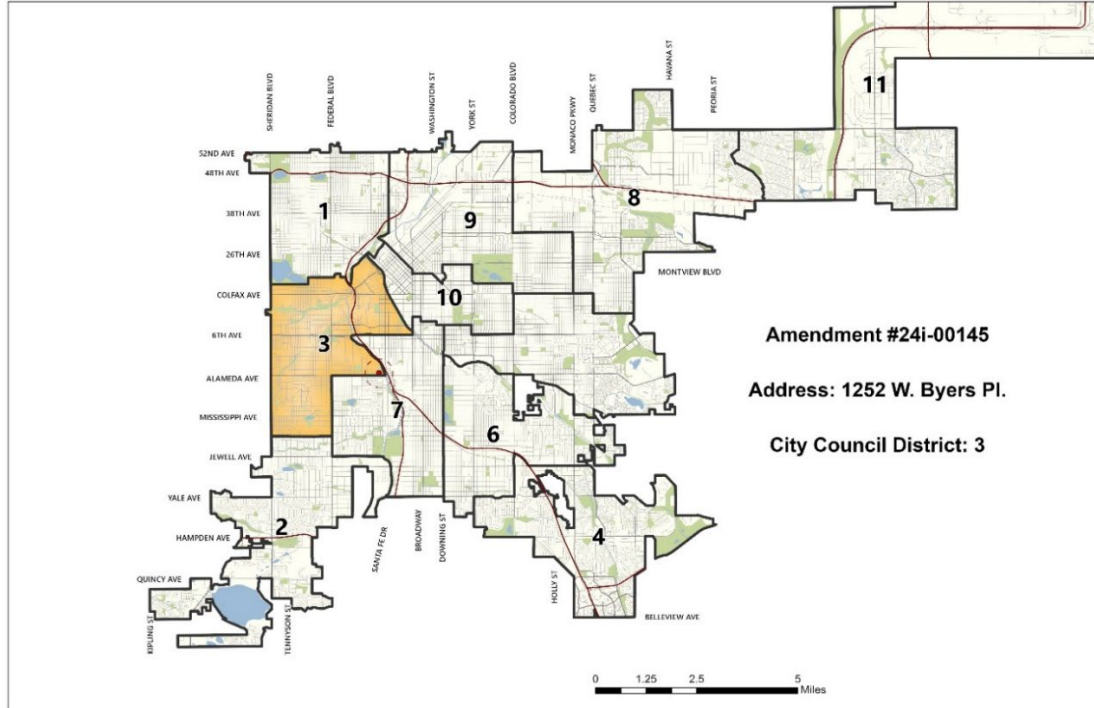
Request for Rezoning

| | |
|--------------------------------|---|
| Address: | 1252 W. Byers Place |
| Neighborhood/Council District: | Valverde/Council District 3 – Jamie Torres |
| RNOs: | Valverde Neighborhood Association Athmar Park Neighborhood Association Inter-Neighborhood Cooperation (INC) |
| Area of Property: | 7,810 square feet |
| Current Zoning: | E-TU-B |
| Proposed Zoning: | I-MX-3 with waivers |
| Property Owner(s): | Byers Place Partners, LLC |
| Owner Representative: | Mark Homlish |

Summary of Rezoning Request

- The subject property is vacant and located in the Valverde statistical neighborhood, on the south side of West Byers Place and east of South Navajo Street.
- There are no existing buildings on this site; it's currently being used to store recreational vans.
- The requested I-MX-3 district stands for Industrial Neighborhood Context – **Mixed Use – 3** stories maximum height. The mixed use zone district accommodate a variety of industrial, commercial, civic, and residential uses, and the proposed waivers require industrial land uses on the Street Level.
- The intent of the waivers is to ensure that the site is not developed with only residential uses, because the property is within the Sun Valley Manufacturing Preservation Area.
- Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 9 of the Denver Zoning Code (DZC).

City Location



Neighborhood Location - Valverde



1. Existing Context

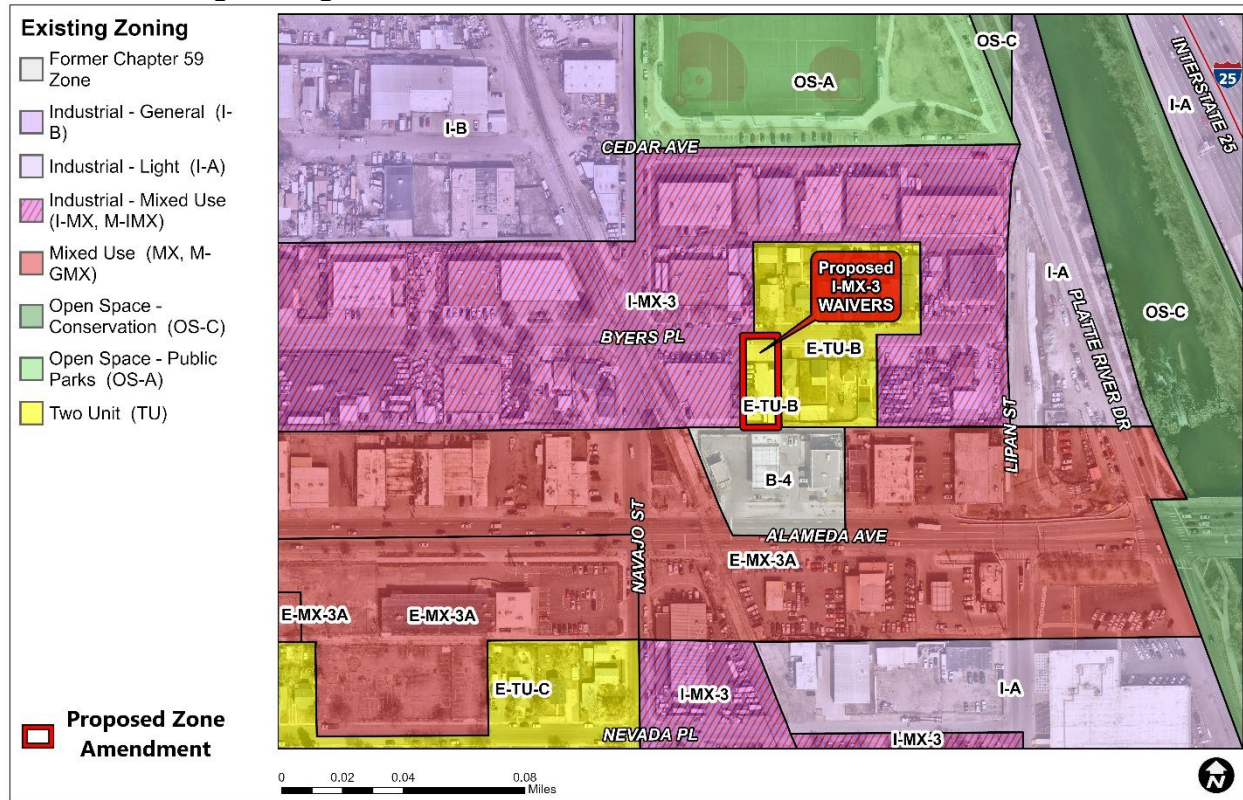


The subject property is located in the southeast area of the Valverde neighborhood, adjacent to a small pocket of residential uses within an otherwise industrial/nonresidential area. The property is one block away from Valverde Park (north), Alameda Avenue (south) and the South Platte River (east). There are RTD bus stops for routes 3 and 4 along Alameda Avenue.

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 | No existing building | Generally regular grid of streets; |
| North | E-TU-B I-MX-3 | Single-unit residential & Industrial | Urban house, one story and Industrial building, one story | BNSF railroad intersects the western edge of the block diagonally from northwest to southeast; |
| South | B-4 UO-1 UO-2 | Commercial/Retail | Gas station/c-store, one story and Office, two stories | |
| East | E-TU-B | Single-unit residential | Urban house, one and two stories | Vehicle parking on and off-street (alley access). |
| West | I-MX-3 | Industrial | Industrial building, two-stories | |

2. Existing Zoning



The current E-TU-B zone district stands for Urban Edge, Two-Unit B. This zone district is a two unit district allowing urban houses, duplexes, tandem houses, and detached accessory dwelling units with a minimum zone lot area of 4,500 square feet. Building heights for the allowed forms are restricted to 30-35 feet. Setbacks range depending upon the building form but generally have side setbacks of three feet and rear setbacks of 12 feet (five feet for tandem form). Bulk plane requirements apply at the side interior zone lot line. Allowed uses are single, two, and multi-unit dwellings and various nonresidential uses. For additional details of the zone district, see DZC Article 4.

3. Existing Land Use Map



4. Existing Building Form and Scale



1. View of subject property looking south from West Byers Place.



2. View of adjacent properties to the east, looking southeast from the subject property.



3. View of subject property and adjacent property to the west, looking southwest from the subject property.



4. View of the properties across the street from the subject property, looking northwest on West Byers Place.



5. View of the properties across the street from the subject property, looking northeast on West Byers Place.

Proposed Zoning

The applicant is requesting to rezone to I-MX-3 with waivers, which stands for Industrial Neighborhood Context –Mixed Use – 3 stories maximum height. I-MX-3 applies to industrially-dominated areas served primarily by local or collector streets with a maximum building height of 3 stories (DZC 9.1.2.1.A.2). The Mixed-Use zone districts accommodate a variety of industrial, commercial, civic and residential uses and encourage affordable housing. (DZC 9.1.2.1.A.1.c). Further details of the proposed base zone district can be found in Article 9 of the Denver Zoning Code (DZC).

The proposed waivers are as follows:

Waive the right to all primary Permitted Uses in Denver Zoning Code Section 9.1.9.5, for the Street Level, except for Permitted Uses in the Industrial, Manufacturing, & Wholesale Primary Use Classification. The only accessory uses allowed at Street Level shall be those accessory to a primary nonresidential use.

The intent of the waivers is to ensure that the site is not developed with only residential uses, because the property is within the Sun Valley Manufacturing Preservation Area. More details on that designation are to follow in the Criteria to Review/Staff Evaluations section.

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

| Design Standards | E-TU-B (Existing) | I-MX-3 with waivers (Proposed) |
|------------------------------------|---------------------------------------|--------------------------------|
| Primary Building Forms Allowed | Urban House Duplex Tandem House | General Industrial |
| Stories/Heights (max) | 2.5/35' | 3/45' |
| Primary Build-To Percentages (min) | N/A | 50%* |
| Primary Build-To Ranges | 5' to 15'* | 0' to 10'* |
| Minimum Zone Lot Size/Width | 35' | N/A |
| Primary Setbacks (min) | 20' | 0' to 10'* |
| Building Coverages | 45-60%* | 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 Response

Department of Transportation and Infrastructure - City Surveyor: Approved – No Comments

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) Future development involving non-residential uses and /or the development of more than 2 dwelling units will require a Concept Plan review and formal Site Development Plan process. The formal SDP will need to be reviewed prior to submitting for any building permits.
- 2) It is strongly encouraged to submit for a Concept plan review while you seek the rezoning approval to confirm that the proposed development is feasible on the property and that the zone district sought will work for the proposed development.
- 3) The rezoning would need to be approved by City Council prior to any SDP approval as the SDP would be based on the proposed zone district.

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: | 2/6/25 |
| 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: | 8/19/25 |
| Planning Board public hearing – Recommend Approval 9-0 | 9/3/25 |
| CPD written notice of the South Platte River Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten (10) working days before the meeting: | 8/26/25 |
| South Platte River Committee of the City Council moved the bill forward: | 9/10/25 |
| 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: | 9/29/25* |
| City Council Public Hearing: | 10/20/25* |

* Anticipated date, subject to change

- **Public Outreach and Input**

The applicant conducted engagement prior to submitting the application. The engagement is documented as part of the attached application.

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has not received any comments from RNOs.
- **General Public Comments**
 - To date, staff received two emails from the public that are attached to this staff report. One was from a nearby property owner stating opposition to the request and expressing concerns about the future use of the property. Staff called to clarify the request and West Area Plan guidance, and the citizen is less opposed but does not want to see a junkyard or parking lot on this property, as his email states. The other citizen had questions about the waivers and concerns about parking.
- **Planning Board Public Hearing**
 - There were no public comments made at the hearing.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC Section 12.4.10.7, as follows:

DZC Section 12.4.10.7

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 property:

- *Denver Comprehensive Plan 2040* (2019)
- *Blueprint Denver* (2019)
- *West Area Plan* (2023)

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 map amendment would allow for compatible infill development in an established neighborhood and near transit, consistent with the following strategy from 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 proposed rezoning would allow for additional housing options near transit within an established neighborhood, consistent with the following strategy in the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 2, Strategy B – Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).

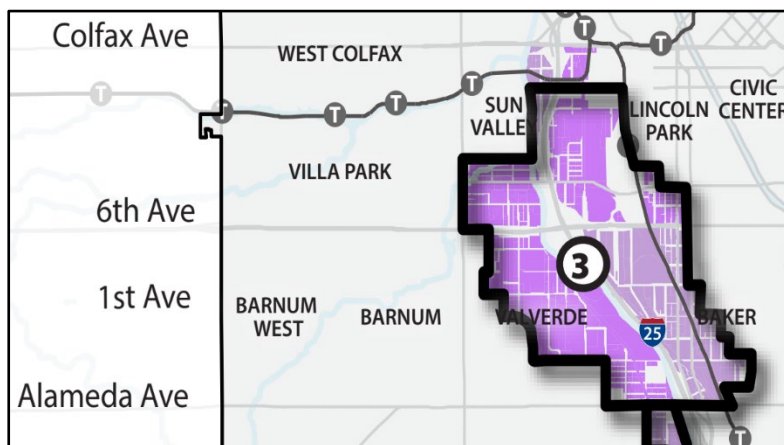
Blueprint Denver

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 Innovation Flex place within a Special District neighborhood context and provides guidance for the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context



In Blueprint Denver, future neighborhood contexts are used to help understand differences in things like land use and built form and mobility options at a higher scale, between neighborhoods. The subject property is in a Special District neighborhood context. The neighborhood context map and description help guide appropriate zone districts (p. 66). The Districts are described as “Areas with a specially designed purpose, such as education campuses, civic centers or manufacturing areas.” (p. 137).



Boundaries of the Sun Valley Manufacturing Preservation Area from Blueprint Denver

In this case, the subject property is within one of the eight Manufacturing Preservation Areas identified by Blueprint Denver. *Sun Valley*: A district with both innovation/flex and value manufacturing bisected by the consolidated main line freight corridor and I-25 in the Sun Valley, Valverde, Lincoln Park and Baker neighborhoods (pg. 289). The proposed I-MX-3 with waivers zone district is consistent with the future neighborhood context

because it ensures industrial use of the property at an appropriate scale and supports innovation/flex uses.

Blueprint Denver Future Places



The subject site is within an Innovation/Flex future place type on the *Blueprint Denver* Future Places map. This future place type is a subcategory of the Districts neighborhood context. It's important to note that for all the Districts, "Although they have a strong primary purpose, these places can also be mixed-use and offer a diverse range of amenities and complementary services to support the district's primary function". "Assembly facilities, labs, small logistics and warehousing, local food catering, tech firms, value manufacturing and related offices uses are found in these areas. Residential uses are compatible. Multi-tenant buildings are common" (151). The proposed I-MX-3 with waivers zone district can enable a small mixed-use building with industrial uses on the street level and residential uses above, which is consistent with the Innovation/Flex future place 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 "Districts" growth area. These areas anticipate experiencing around 15% of new employment growth and 5% of new housing growth by 2040 (p. 51). "Districts, including university and hospital campuses, the airport and value manufacturing areas, add a broad range of job opportunities". It is also stated that these areas could provide "mid-scale housing in innovation/flex districts" to "contribute to Denver's future housing stock" (p. 49).

Blueprint Denver Street Types

In *Blueprint Denver*, street types work with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies West Byers Place and South Navajo Street as Local streets. "Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses." (p.161). The subject site is also one block from Alameda Avenue which is a Mixed Use Arterial. The proposed I-MX-3 district with waivers is consistent with these descriptions as industrial uses are primarily located along or in proximity to highway or arterial streets" (DZC Section 9.1.1).

Blueprint Denver Strategies

Blueprint Denver provides additional guidance related to manufacturing areas:

Land Use & Built Form: Economics, Policy 3

Preserve high-value manufacturing areas and allow low-value manufacturing areas to transition to higher intensity uses.

Strategy A: Preserve the high-value manufacturing districts mapped as "manufacturing preservation areas" in Chapter 5. To help preserve these areas, residential uses should be prohibited in the heavy production and value manufacturing districts. Residential uses are appropriate in the innovation/flex districts (pg. 91).

The subject property is small site within an innovation/flex future place type. Residential uses are appropriate, and the proposed zoning is consistent with this guidance and the site's designation within the Sun Valley Manufacturing Preservation Area.

Equity

The proposed rezoning provides the entitlements for a currently vacant site, within the Sun Valley Manufacturing Preservation Area, to develop into *Blueprint Denver's* description of an Innovation/Flex future place. Future development at this site is guaranteed to provide industrial, manufacturing or wholesale uses on the street level because of the proposed waivers and can also include housing.

Climate

This rezoning supports the city's goals to reduce climate impacts by enabling potential mixed-use development near the Alameda corridor. Because many transportation options are available, these areas are less auto-dependent, which can reduce greenhouse gas emissions from transportation. Also, mixed-use 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.

Small Area Plan: West Area Plan

The West Area Plan was adopted by City Council on March 28, 2023, and applies to the subject property. The plan provides a vision and policy guidance for land use, urban design, housing, mobility, parks, the local economy, and many other topics for the next 20 years. The plan covers the area roughly between Sheridan Boulevard and the South Platte River, and between 19th Avenue and Alameda Avenue in west Denver (pg. 2). The Economy and Housing chapter provides policies and strategies relevant to this proposed rezoning within the *Economic Vitality – Places* and *Economic Vitality - People* sections.

Policy E8: Preserve and expand the employment base of the existing West Area Manufacturing Districts (i.e., Heavy Production and Value Manufacturing), while improving the built and natural environment for adjacent residential uses and the promotion of sustainable development.

Strategy B. As low density or underutilized properties within the industrial area (e.g., surface parking lots, truck storage facilities) redevelop, accommodate and encourage higher intensity uses that are specifically industrial in nature (pg. 220).

Policy E11: Promote employment opportunities for local area residents of all skill and education levels.

Strategy A. Encourage industrial growth that provides job opportunities for the city's residents and maintains the city's fiscal viability by maintaining and attracting new uses that provide local job opportunities for West Area residents (pg. 226).

The subject property is underutilized, vacant, and currently being used as a recreational van storage lot. Higher intensity uses are encouraged here and the proposed waiver language ensures industrial, manufacturing, and wholesale primary uses on the Street Level for this site. The potential for job opportunities is greater with the proposed waiver language included, because the I-MX-3 zone district allows solely residential uses and doesn't require industrial uses.

There are also specific recommendations for the Valverde neighborhood.

Policy V-1: Promote compatible transitions from industrial to commercial and residential land uses.
Strategy A. Support rezoning to an I-MX zone district within the Innovation Flex district.

The subject property is within the Innovation Flex district on the Summary of Valverde Recommendations map on page 287. I-MX zone districts are supported for the subject property. The proposed waiver language balances this specific support with the economic policies above and the recommendations from *Blueprint Denver*.

2. Public Interest

The proposed official map amendment furthers the public interest through implementation of the city's adopted land use plans on a currently vacant lot. In addition to providing industrial uses, the proposed rezoning could also provide the benefit of additional housing that can be compatibly integrated into the Valverde neighborhood.

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

The requested zone district is within the Industrial Neighborhood Context which generally consists of areas of light industrial, heavy industrial and general industrial areas, as well as areas subject to transitions from industrial to mixed-use. (DZC 9.1.1). The request of a zone district to the Industrial Context is appropriate for this site, adjacent to the same base zone district (I-MX-3).

Within the Industrial context, Mixed-Use Zone Districts accommodate a variety of industrial, commercial, civic and residential uses and encourage affordable housing (DZC 9.1.2.1.A.1.c). The purpose of the Mixed-Use Zone Districts is appropriate for a site in this area comprised of both industrial and residential uses.

The I-MX-3 district applies to industrially-dominated areas served primarily by local or collector streets with a maximum building height of 3 stories. The requested rezoning is consistent with the neighborhood context description, zone district purpose and intent, as the requested zoning is intended to provide for mixed-use development.

Rezoning Application #2024I-00145
1252 W. Byers Place
September 4, 2025
Page 17

Attachments

1. Application
2. Public Comments