



**TO:** Denver Planning Board  
**FROM:** Edson Ibañez, Senior City Planner  
**DATE:** December 31<sup>st</sup>, 2025  
**RE:** Official Zoning Map Amendment Application 2025-REZONE-00000030

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application 2025-REZONE-00000030.

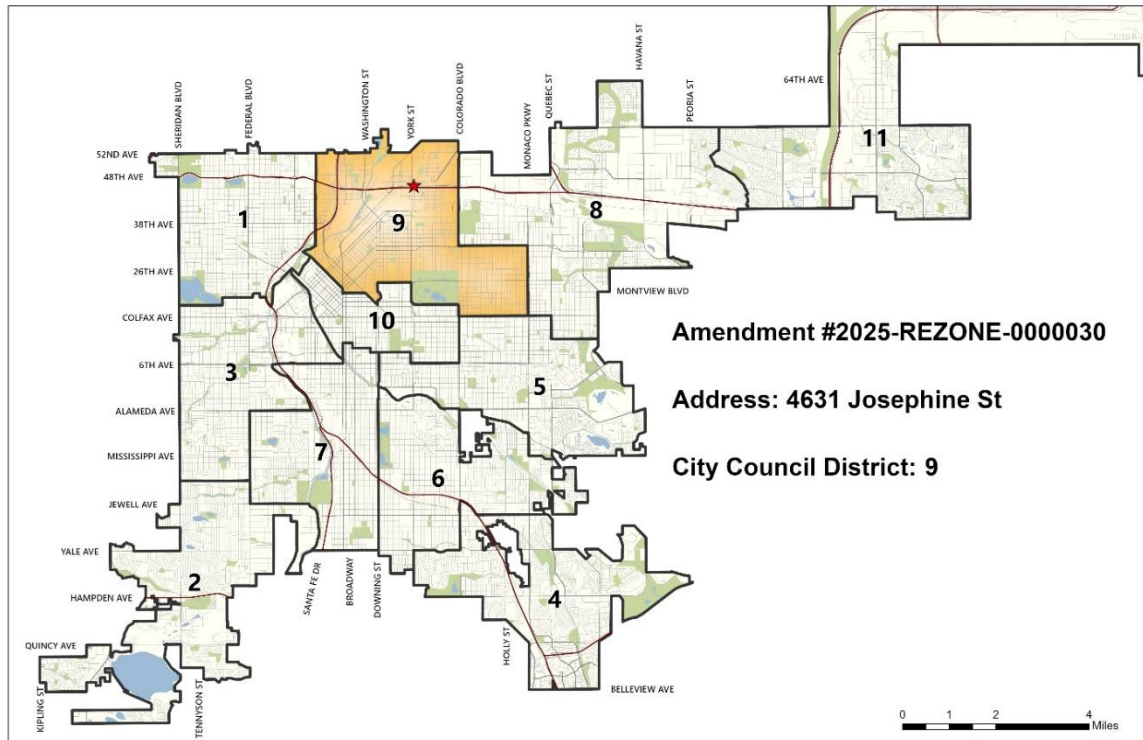
### Request for Rezoning

Address:	4631 N. Josephine Street
Neighborhood/Council District:	Elyria Swansea / Council District 9, Council Member Watson
RNOs:	Inter-Neighborhood Cooperation (INC), Elyria Swansea Neighborhood Association, Denver North Business Association, Opportunity Corridor Coalition of United Residents, and United Community Action Network
Area of Property:	16,500 square feet or 0.38 acres
Current Zoning:	PUD 335
Proposed Zoning:	U-RH-2.5
Property Owner(s):	Habitat for Humanity of Metro Denver
Owner Representative:	Council Member Darrell Watson

### Summary of Rezoning Request

- The subject property is in the Elyria Swansea neighborhood at the corner of North Josephine Street and East 46<sup>th</sup> Avenue. The site is currently vacant and has been since the expansion of Interstate 70.
- The property owner, Habitat for Humanity, is proposing to rezone the properties to allow for the development of 4 rowhomes which will be deed-restricted for affordable housing through the Colorado Community Land Trust-Denver and Habitat for Humanity of Metro Denver.
- The **U-RH-2.5** (**U**rbane 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 residential 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.

## Existing Context



## Neighborhood Location

### Neighborhoods

Neighborhood



Proposed Zone Amendment





## Existing Context



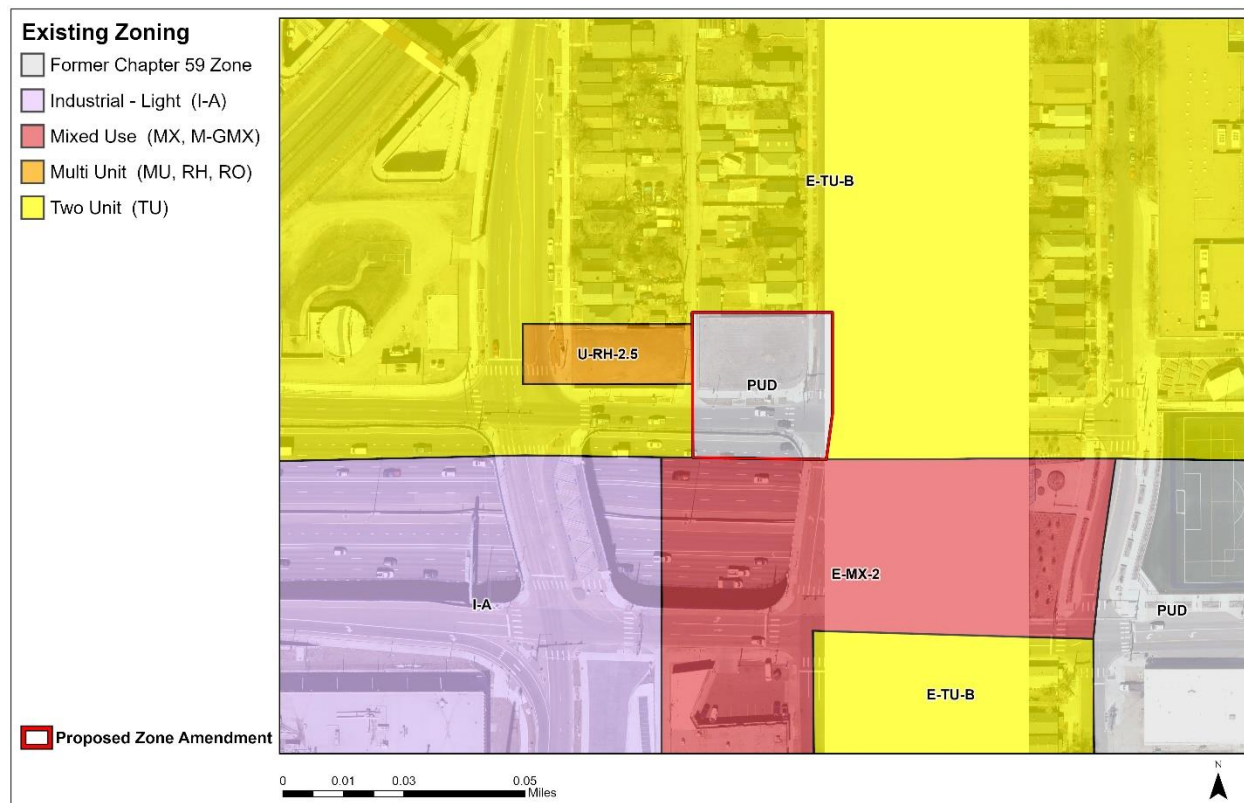
The subject properties are located within the Elyria Swansea statistical neighborhood, at the intersection of North Josephine Street and East 46<sup>th</sup> North Avenue. Of note in this aerial image of the subject properties is that the aerial image presents the real configuration of the block with 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 46<sup>th</sup> 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	PUD 335	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
North	E-TU-B	Single-unit Residential	1-story wood-framed house with narrow front yard.	

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
South	E-MX-2	ROW/Road	Interstate-70	division between the subject property and the remainder of the established grid. Mostly detached sidewalks exist. Driveways with front-loaded garages are present and alleys exist on most blocks.
East	E-TU-B	Single Family Residences	1-story wood-framed house with narrow front yard.	
West	U-RH-2.5	Vacant	Vacant lot with no buildings	

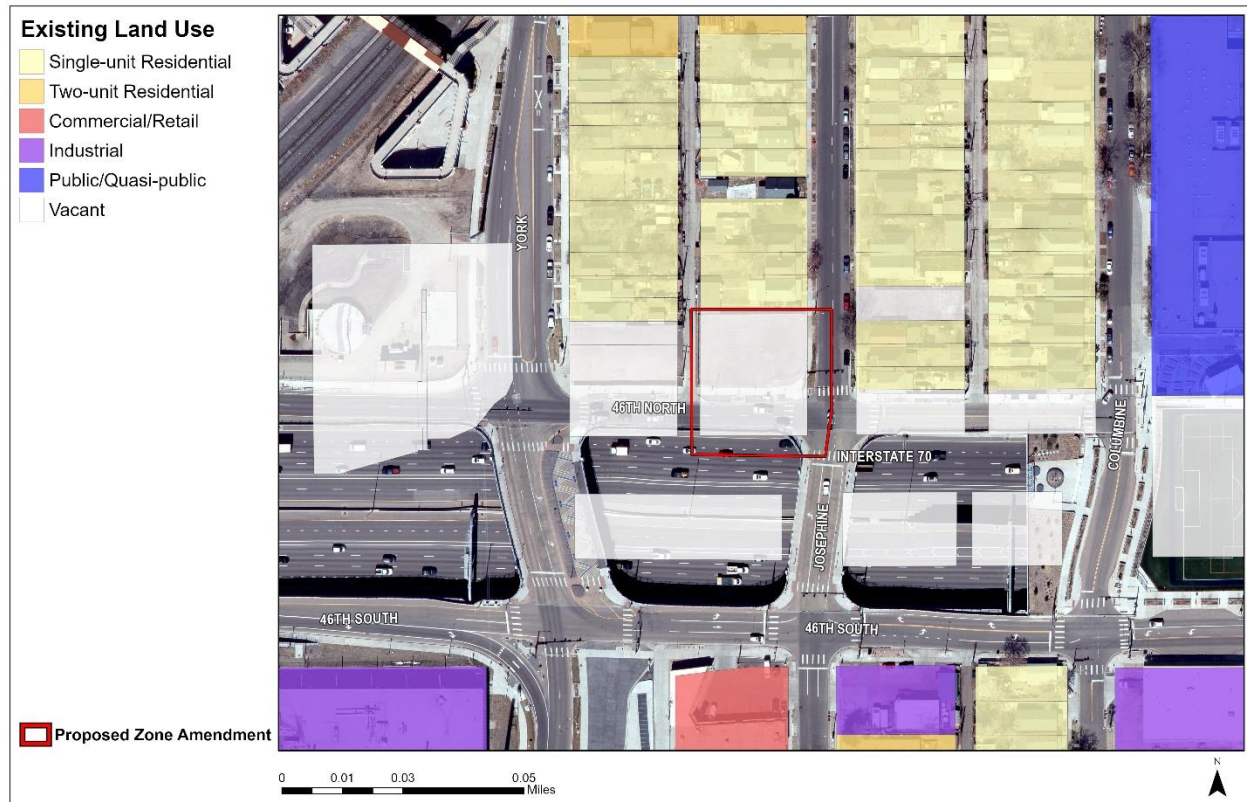
## 1. Existing Zoning



The subject site is currently zoned PUD 335 which was established in 1993 and is a custom zone district from Former Chapter 59 zoning that allows for an auto sale and repair shop with B-2 uses. A maximum building height of two stories or 35 feet applies to the subject site and the Maximum Gross Floor Area for the proposed uses can't exceed 3,000 square feet. Additional information on PUD 335 can be found attached to this staff report.



## 2. Existing Land Use Map



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



View of subject property looking west on North Josephine Street.



View of single-family homes to the north of the subject site, looking west from North Josephine Street.



View of single-family homes to the north of the subject site, looking west from North Josephine Street.



View of I-70 to the south of the subject site, looking southwest from North Josephine Street.





View of single-family residences and vacant land to the west of the subject site, looking east of North York Street.

#### **4. Affordable Housing**

GES Coalition's Tierra Colectiva Community Land Trust will develop 4 affordable homeownership units on this site. All Tierra Colectiva homeownership units are income-restricted at up to 80% of the Area Median Income (AMI). This income restriction is enforced through a renewable and inheritable 99-year land lease by Tierra Colectiva. Should this project receive HOST funding, this income restriction will be further enforced through a restrictive covenant with the City of Denver.

#### **Proposed Zoning**

##### U-RH-2.5 Zone District

The applicant is requesting to rezone the subject site 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 primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	PUD 335	U-RH-2.5 (Proposed)
Primary Building Forms Allowed	N/A	Urban House, Duplex, Tandem House, Row House
Height in Stories / Feet, Front 65% of Zone Lot, Urban House, (max.)	2 stories / 30 feet	2.5 stories / 35 feet**
Height in Stories / Feet, Rear 35% of Zone Lot, Urban House, (max.)	N/A	2.5 stories / 24 feet**
Height in Stories / Feet, Detached Accessory Dwelling Unit, (max.)	N/A	2 stories / 24 feet
Zone Lot Size (min.)	N/A	6,000 sf**
Primary Setbacks (min.)	12 feet	Yes / 20 feet
Building Coverages	18.18%	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 Response.

**Denver Public Schools:** Approved – No Response.

**Department of Housing Stability:** Approved – No Comments.

**Development Services - Fire:** Approved – No Comments.

**Development Services – Project Coordination:** Approved – No Comments.

**Development Services - Transportation:** Approved – Comment.

**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:** Approve Rezoning Only - Will require additional information at Site Plan Review. Provided legal description is a truncated version from the Assessor's website. See attached deed for the full legal description. Note: Most recent vesting deed also



includes a metes & bounds description, but for REZONE ONLY, the Lot and Block description can be used for simplicity.

## 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:	<b>11/25/2025</b>
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:	<b>12/23/2025</b>
Planning Board Public Hearing:	<b>1/7/2026</b>
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:	<b>1/17/2026 (tentative)</b>
CPH Committee of the City Council:	<b>1/27/2026 (tentative)</b>
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:	<b>2/19/2026 (tentative)</b>
City Council Public Hearing:	<b>3/9/2026 (tentative)</b>

- **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 the 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)**

To date, staff has received one letter of support from the Elyria Swansea RNO. The letter highlights affordable housing, consistency with adopted plan, and neighborhood support. The letter is attached to the staff report.

- **General Public Comments**

To date, staff has received 22 comment letters in support. The support includes the support for affordable housing, consistency with plan guidance, diversity of housing option and homeownership. The comments have been added to this 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)
- Elyria and 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 affordable housing units 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.
- **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 3, Strategy B – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.

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 B – Ensure neighborhoods offer a mix of housing types and services for a diverse population
- **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.*

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

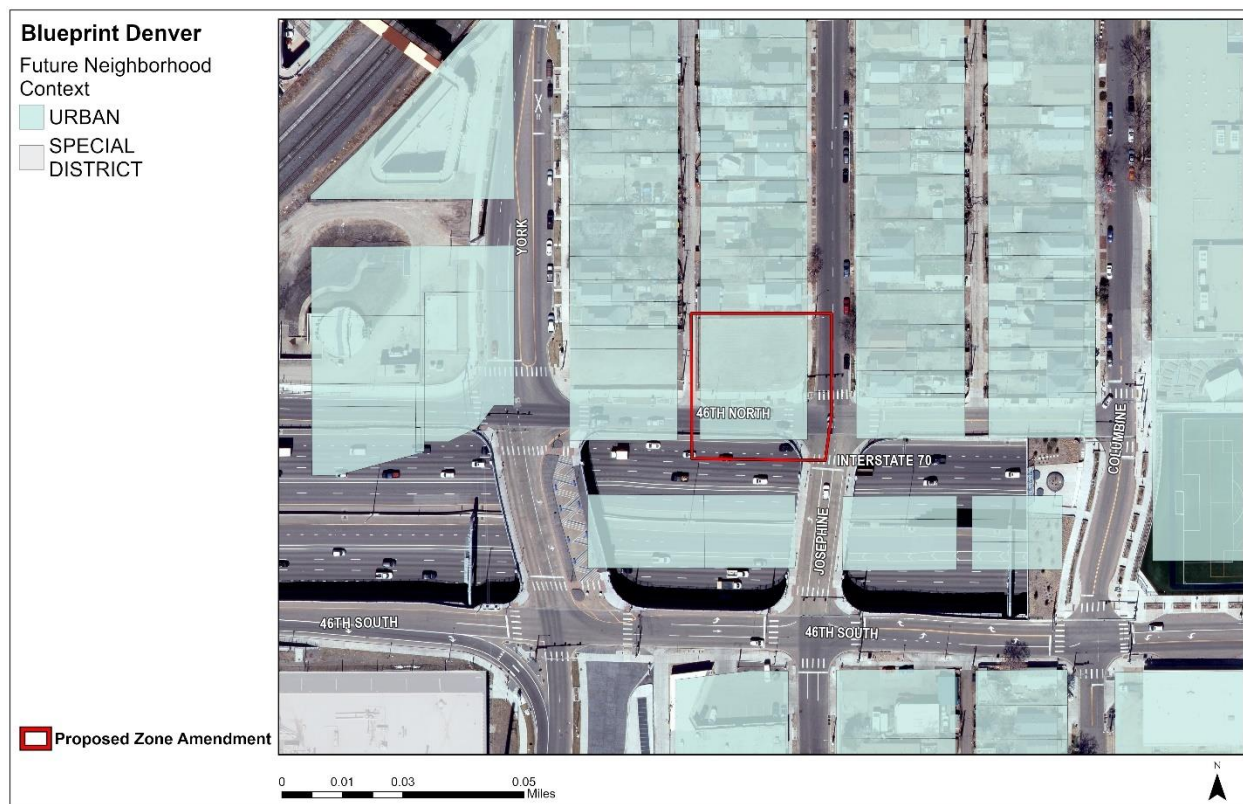
- **Environmentally Resilient** Goal 8, Strategy C – *Promote infill development where infrastructure and services are already in place*

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

### **Blueprint Denver Future Neighborhood Context**

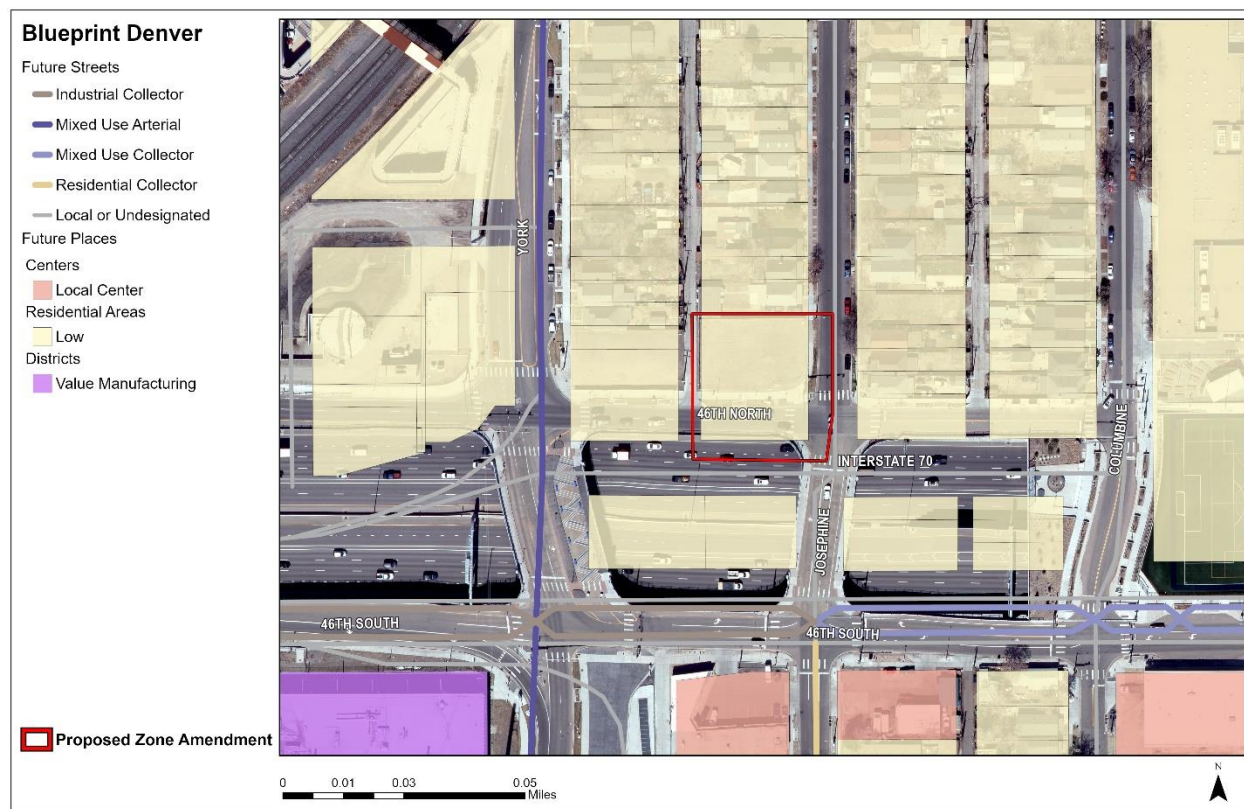


The subject property is shown on the context map as an Urban Neighborhood Context, the description of which is used to guide appropriate zone districts. “Small multi-unit residential and low-intensity mixed-use buildings are typically embedded in single-unit and two-unit residential areas. Block patterns 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**

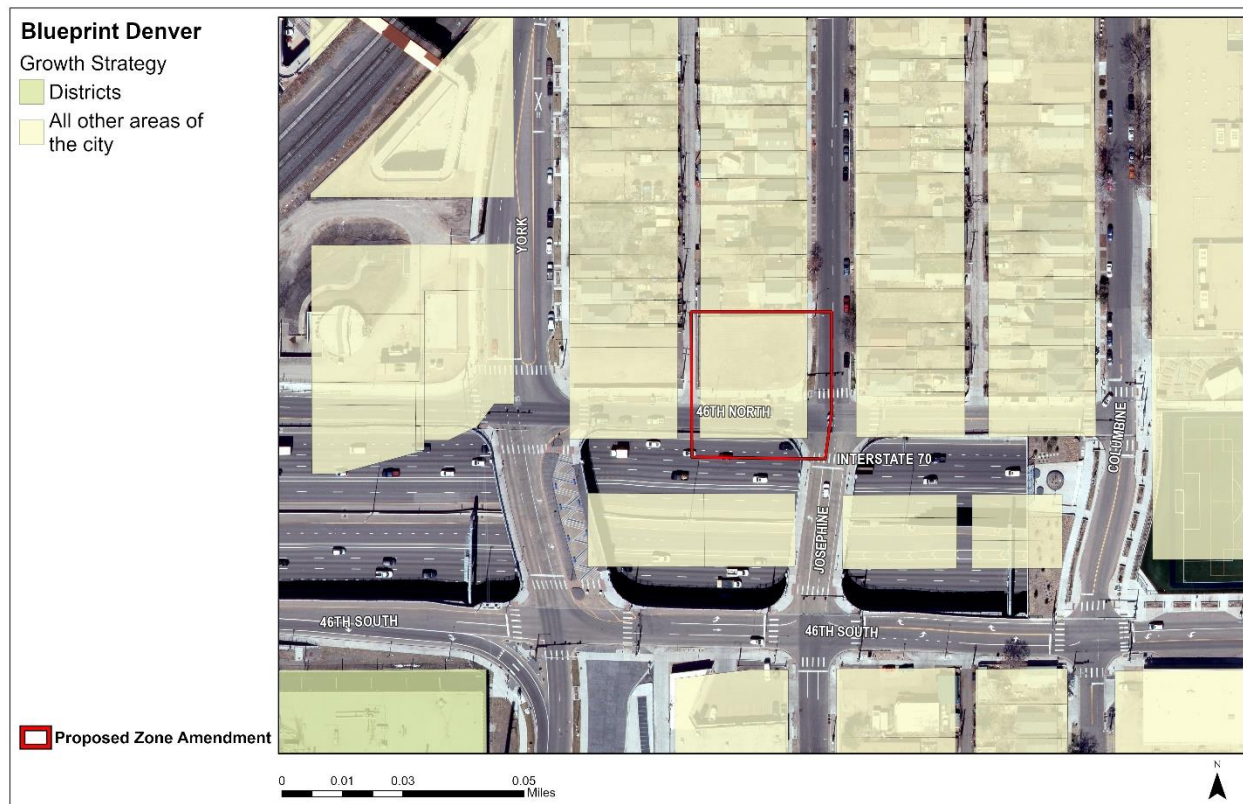


Within the Urban Neighborhood Context, the subject property is categorized as a Residential Low Future Place with a land use and built form defined by *Blueprint Denver* as “predominately single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can 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 46<sup>th</sup> North Avenue and North Josephine Street 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.

*Blueprint Denver* provides recommendations related to properties that retained zoning from the Former Chapter 59 zoning code. Land Use & Built Form: General Policy 3, Strategy B, says, “Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code” (p. 73). That same policy also speaks to custom zoning such as PUDs; Strategy B says, “Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area” (p. 73). Therefore, the proposed rezoning to come from custom zoning under Former Chapter 59 to a standard zone district such as U-RH-2.5 under the DZC is consistent with *Blueprint Denver*.

### ***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 affordable units in this Low Residential Future Place and is consistent with *Blueprint Denver* recommendations.

### ***Climate***

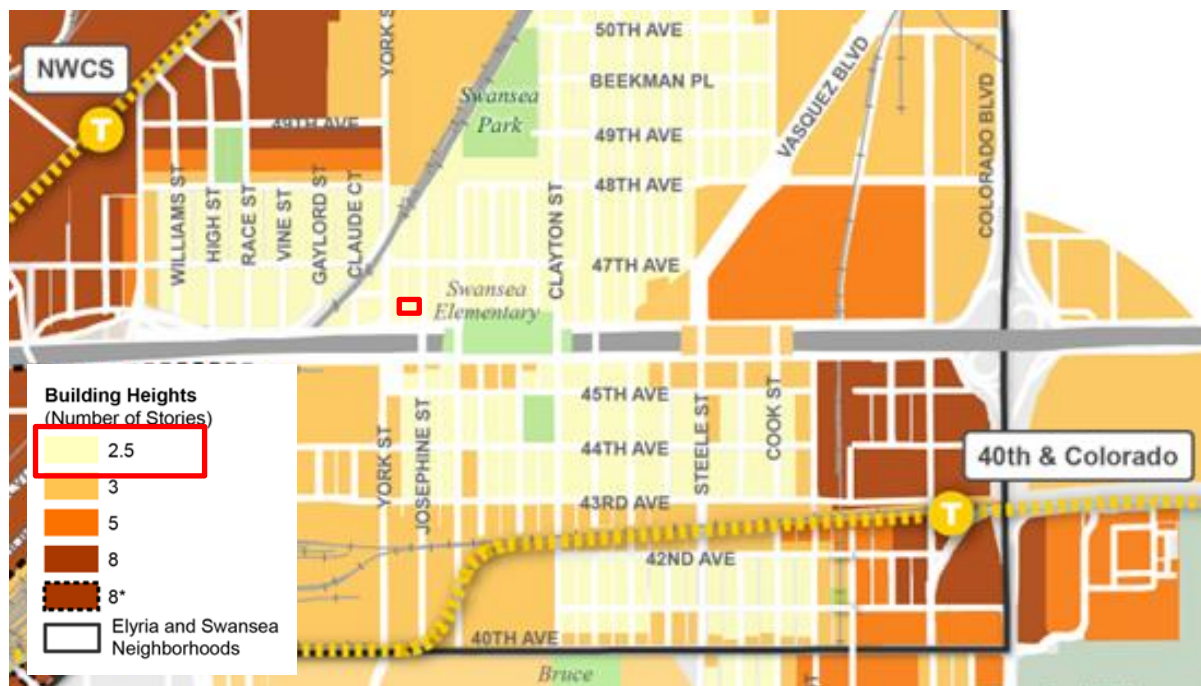
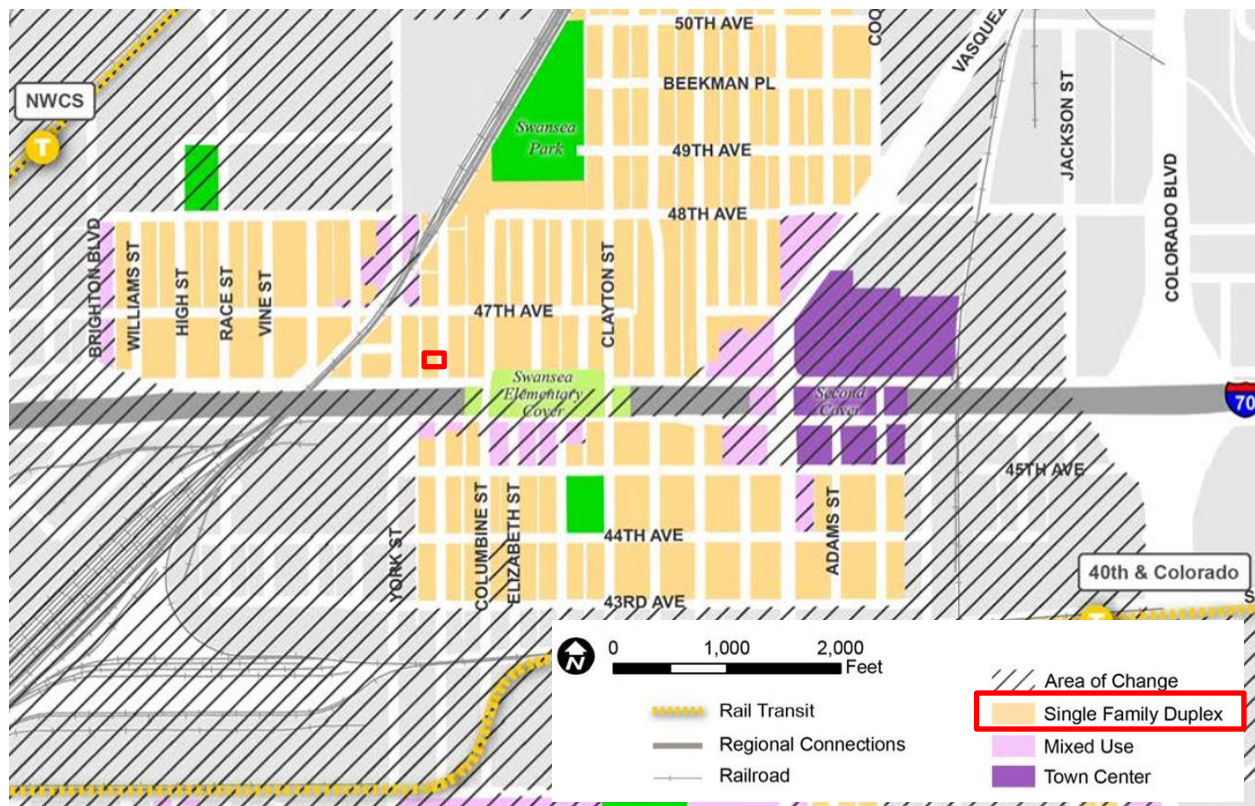
This rezoning supports the city’s goals to reduce climate impacts by enabling additional housing near transit and amenities. The availability of transportation options and walkable access to employment can help reduce transportation-related greenhouse gas emissions. Also, multi-unit buildings are more 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.

Although the rezoning is not entirely consistent with the future place type, it is consistent with the neighborhood context, street type, and policies that promote affordable units for low-income residents. Therefore, the proposed rezoning is consistent with the recommendations found in *Blueprint Denver*.

### **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 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 directly further recommendations for housing affordable units, 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 interest 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. Application
2. Public Comment Letters