



TO: Denver City Council
FROM: Fran Penafiel, Principal City Planner
DATE: July 9, 2026
RE: Official Zoning Map Amendment Application 2026-REZONE-0000004

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application 2026-REZONE-0000004.

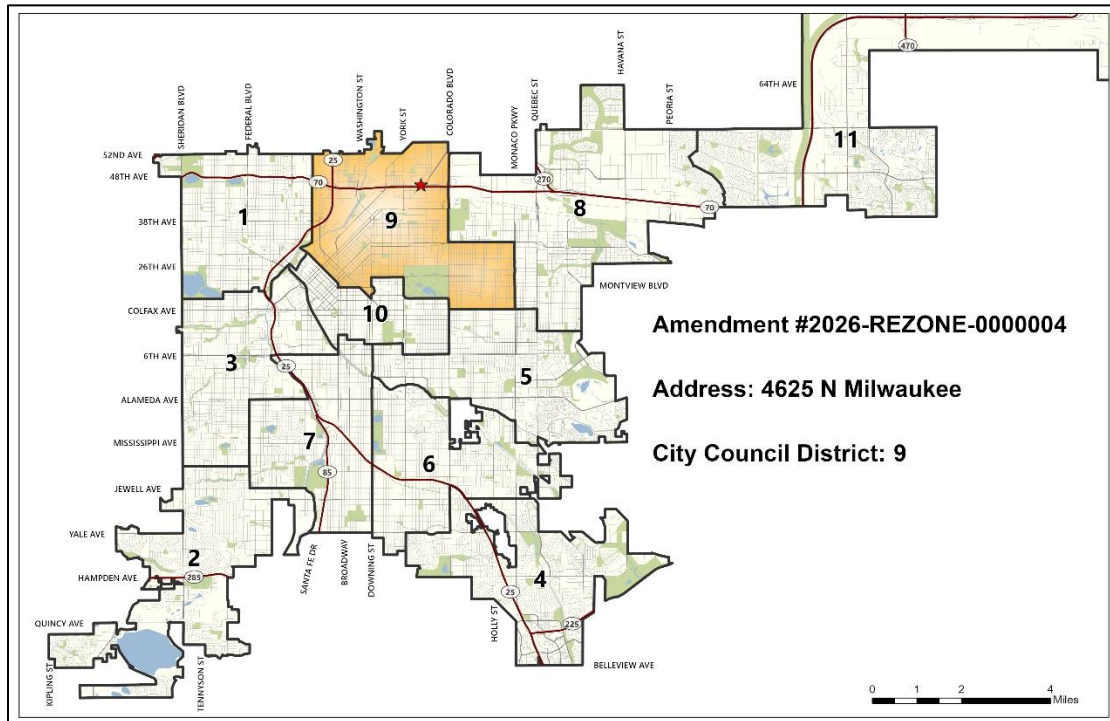
Request for Rezoning

Address:	4625 North Milwaukee 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:	4,625 square feet
Current Zoning:	E-SU-D
Proposed Zoning:	U-TU-B
Property Owner(s):	Habitat for Humanity of Metro Denver – Tierra Colectiva Community Land Trust
Owner Representative:	Council Member Darrell Watson

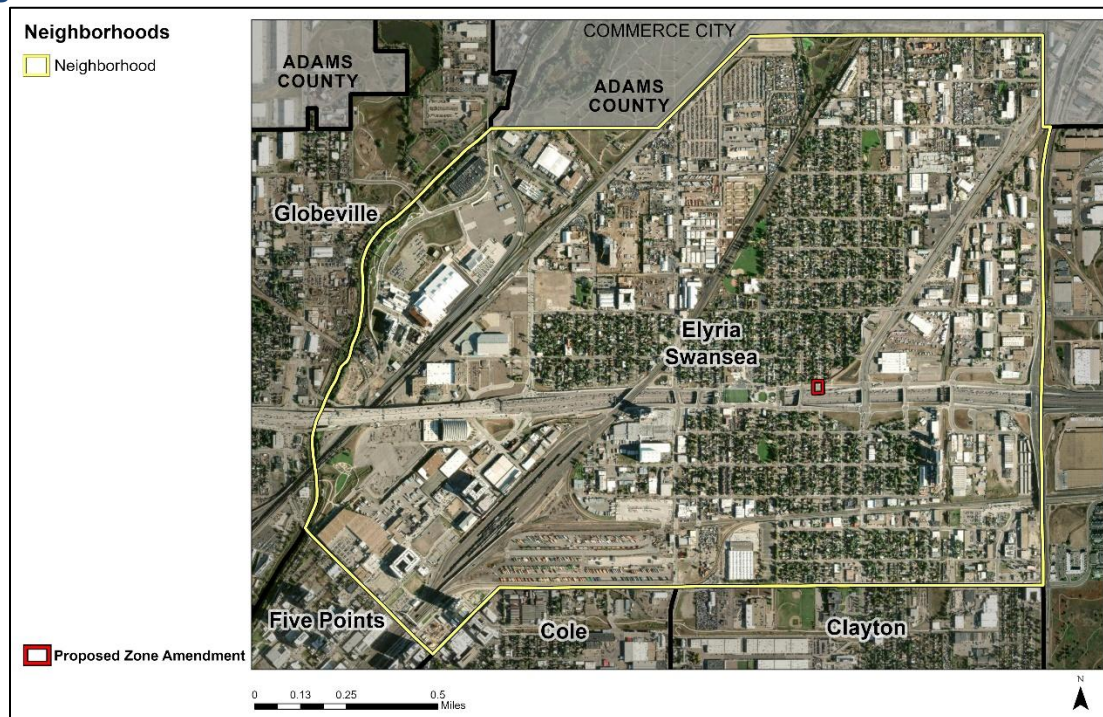
Summary of Rezoning Request

- The subject property is in the Elyria Swansea neighborhood at the corner of North Milwaukee Street and East 46th 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 property to allow for the development of tandem home which will be deed-restricted for affordable housing through Tierra Colectiva Community Land Trust and Habitat for Humanity of Metro Denver.
- The **U-TU-B** (**U**rbane Neighborhood, **T**wo **U**nit, **B** minimum zone lot 4,500 square feet) zone district allows the primary building forms that include urban house, duplex, and tandem 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



Existing Context



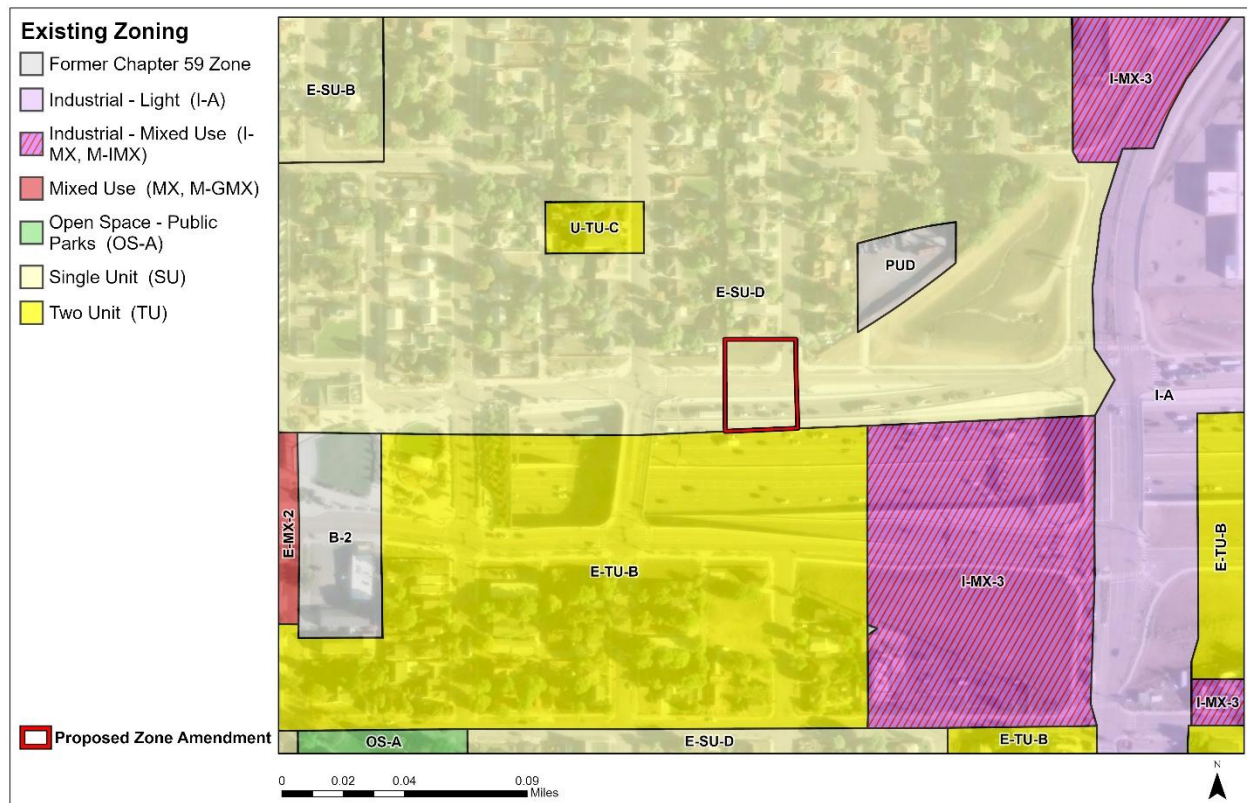
The subject property is located within the Elyria Swansea statistical neighborhood, at the intersection of North Milwaukee Street and East 46th North Avenue. The subject site is two blocks (less than a ¼ mile) east of Swansea Elementary School and the Central-70 Cover Park. Across Interstate-70, at the intersection of East 46th South Avenue and North Josephine Street there is a small mixed-use node that includes restaurants and other services. The property is also with ¼ mile of the 44 and 48 bus routes.

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-SU-D	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 remainder of the established grid. Mostly detached sidewalks exist. Driveways with front-loaded
North	E-SU-D	Single-unit Residential	1-story house with a driveway and alley access.	
South	E-SU-D	ROW/Road	Interstate-70	
East	E-SU-D	Single Family Residences	1-story house with narrow front yard.	

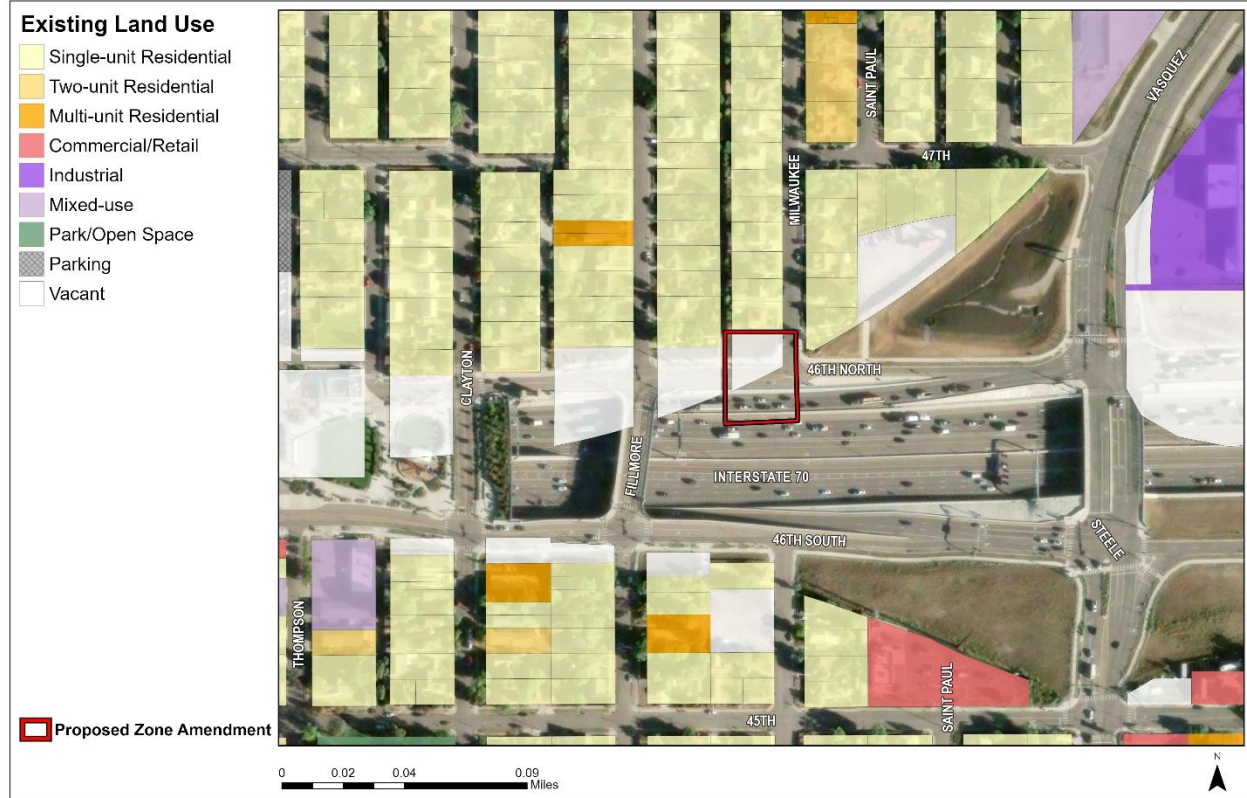
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
West	E-SU-D	Vacant	1-story house with narrow front yard.	garages are present and alleys exist on most blocks.

1. Existing Zoning

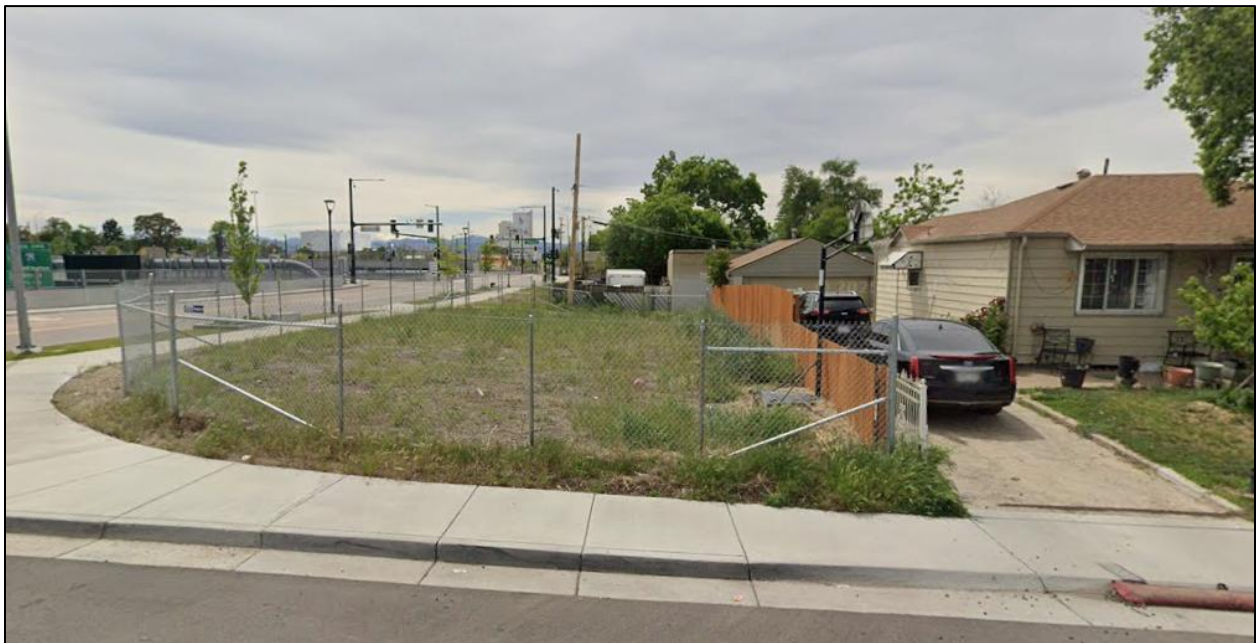


The subject site is zoned E-SU-D, which is a single unit district allowing only the urban house primary building form with a minimum zone lot area of 6,000 square feet. Building heights are distinguished between the front and rear portions of the zone lots to address height transitions to surrounding properties. The surrounding properties are all also zoned E-SU-D.

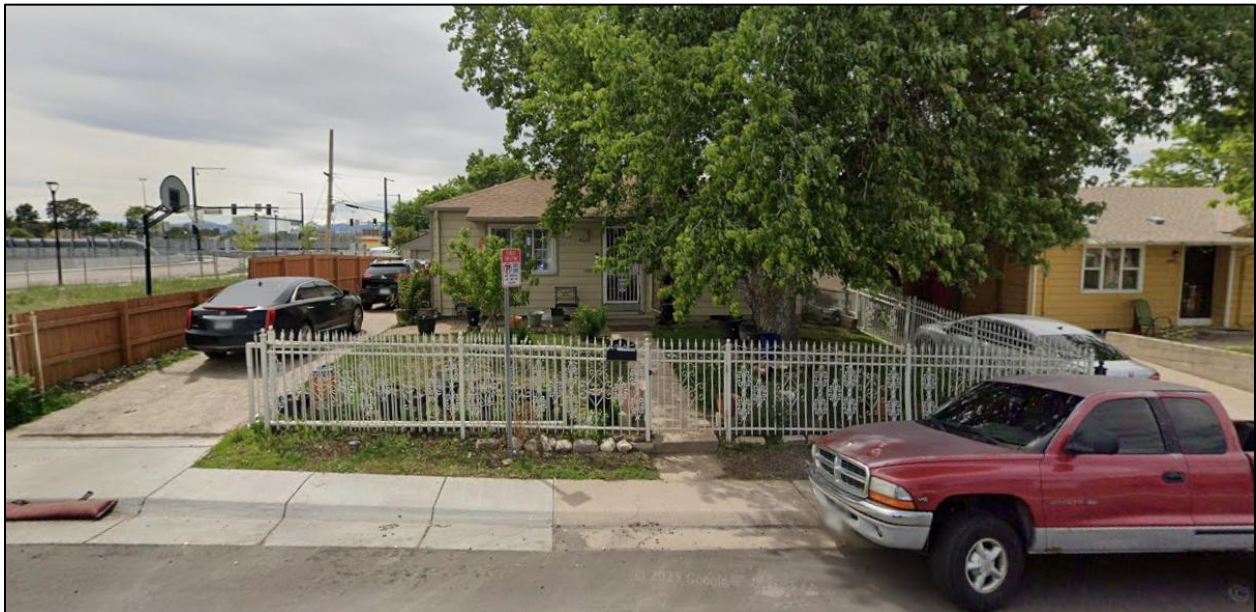
2. Existing Land Use Map



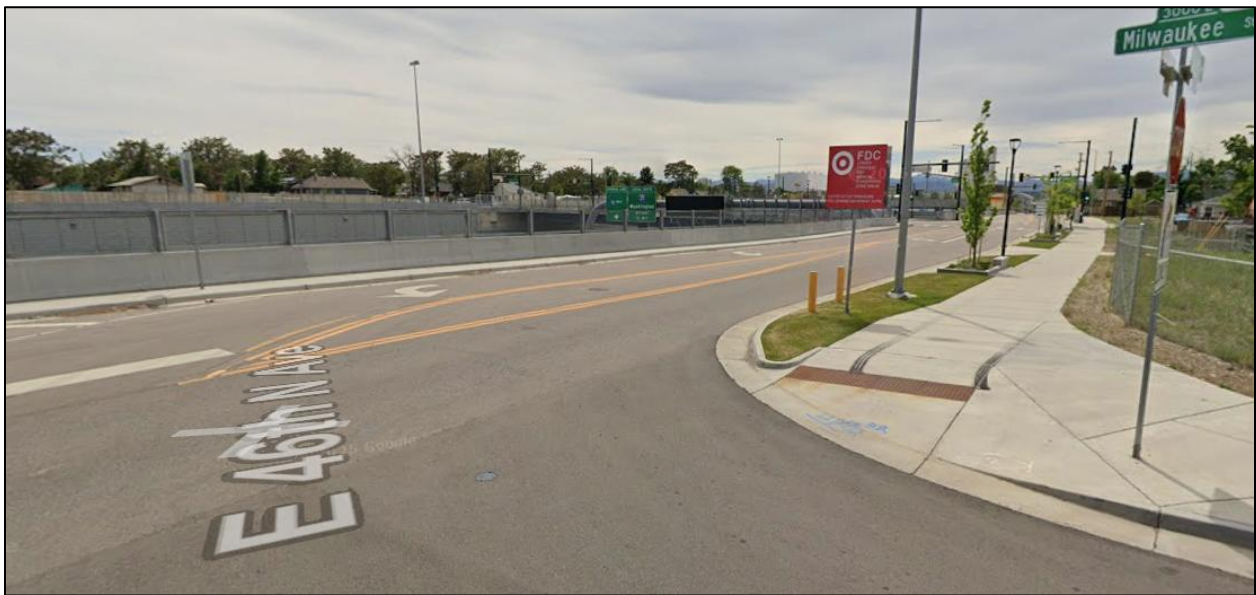
3. Existing Building Form and Scale (images from Google Maps)



View of subject property looking west on North Milwaukee Street.



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



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



View of single-unit residences to the west of the subject site, looking east on North Fillmore Street.

4. Affordable Housing

Habitat for Humanity of Metro Denver and the Tierra Colectiva Community Land Trust will develop two 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-TU-B Zone District

The applicant is requesting to rezone the subject site to U-TU-B, which allows the Urban House, Duplex, Tandem 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-TU-B 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	E-SU-D (Existing)	U-TU-B (Proposed)
Primary Building Forms Allowed	Urban House	Urban House, Duplex, Tandem House
Maximum Height in Stories/Feet, Front 65% of Zone Lot	2.5 stories / 30 feet to 35 feet	2.5 stories / 30 feet - 35 feet
Maximum Height in Stories/Feet, Rear 35% of Zone Lot	1 story / 17-19 feet	1 story / 17-19 feet
DADU Maximum Heights in Stories / Feet	24 feet	24 feet
Zone Lot Size (Min.)	6,000 square feet	3,000/4,500* square feet
Minimum Zone Lot Width (Min.)	50 feet	25/35** feet
Primary Street Block Sensitive Setback Required / If not	Yes / 20 feet	Yes / 20 feet
Side Street Setback (Min.)	5 feet	5 feet
Side Interior Setback (Min.)	5 feet	5 feet
Rear Alley / No Alley	12 feet / 20 feet	12 feet / 20 feet
DADU rear setback Alley / No Alley	5 feet / 12 feet	5 feet / 12 feet
Building Coverage per Zone Lot including all accessory structures (Max.), not including exceptions	45%	45%-60% dependent on lot width
Detached Accessory Building Forms Allowed	Detached Accessory Dwelling Unit, General Detached Structure, Minor Detached Structure	Detached Accessory Dwelling Unit, General Detached Structure, Minor Detached Structure

*4,500 square feet is the minimum for an urban house; 5,500 square feet is the minimum for a duplex or tandem house

**25 feet for an urban house; 35 feet for a duplex or tandem house

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 Response.

Development Services - Fire: Approved – Response.

Development Services – Project Coordination: Approved – No Response.

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approved – No Response.

Parks and Recreation: Approved – No Response.

Public Health and Environment: Approved – No Response.

Department of Transportation & Infrastructure – City Surveyor: Approved 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:	3/25/2026
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:	4/21/2026
Planning Board Public Hearing:	5/6/2026
CPD written notice of the Community Planning and Housing Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten (10) working days before the meeting (tentative):	5/26/2026
Community Planning and Housing Committee of the City Council (tentative):	6/9/2026
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 (tentative):	6/22/2026
City Council Public Hearing (tentative):	7/13/2026

- **Planning Board**
Planning Board voted to unanimously recommend approval.

- **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 presentations at RNO meetings, door-to-door outreach along Milwaukee, and flyers distributed to nearby stores.

- **Registered Neighborhood Organizations (RNOs)**

The applicant received a letter of support from the Elyria Swansea RNO.

- **General Public Comments**

To date, the applicant has collected signatures from over 40 neighbors in support of the application. The neighbors indicate support for affordable housing, clean-up of environmental hazards, and providing a diversity of housing options. The petition and signatures 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 Neighborhood Context and provides guidance from the future growth strategy for the city. Due to zone districts extending to the centerline of public right of way, the following maps from *Blueprint Denver* show the rezoning extending into I-70. The portions of the right of way that includes I-70 has a different Neighborhood Context and Future Place designation than subject property. However, the subject property line ends at East 46th North Avenue.

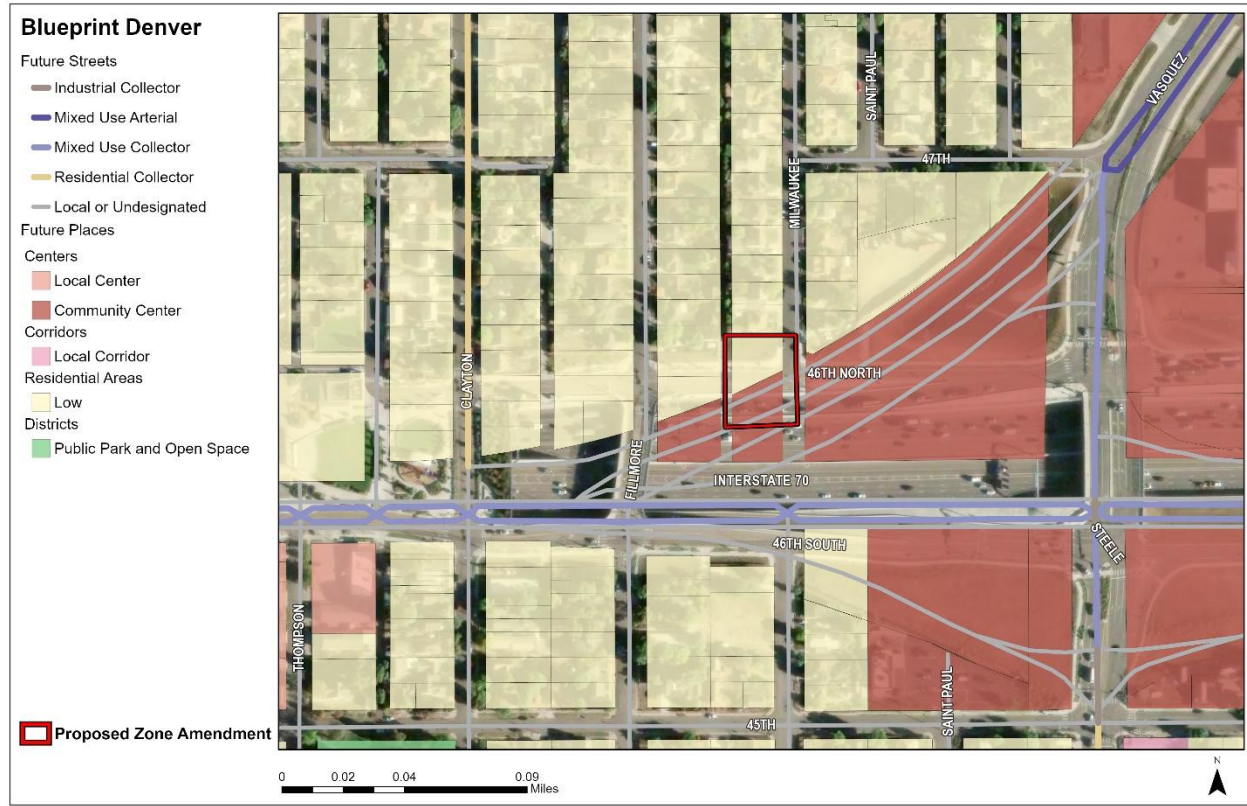
Blueprint Denver Future Neighborhood Context



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-TU-B 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-TU-B 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 two-unit residential building that will be compatible with the existing residential area.

Blueprint Denver Future Places

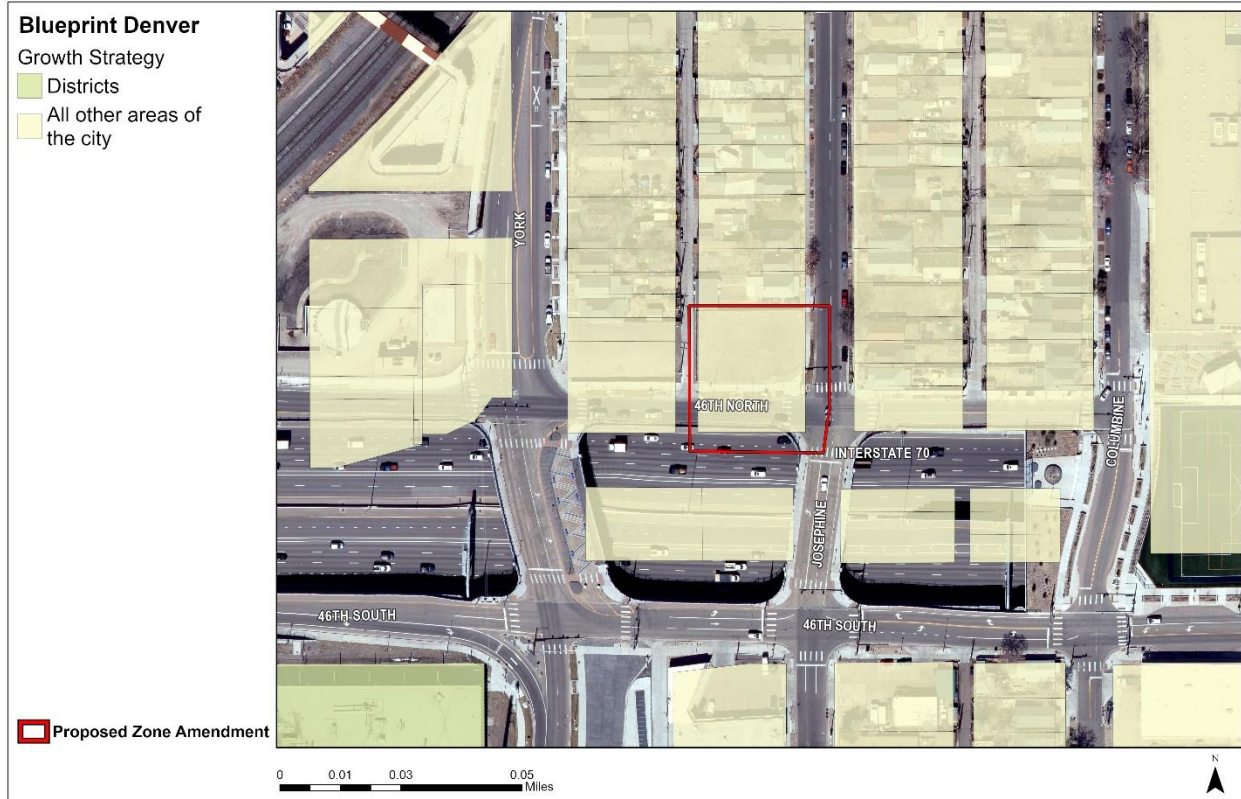


Within the Urban Neighborhood Context, the subject property is categorized as a Residential Low Future Place with a land use and built form defined by *Blueprint Denver* as “predominately single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can 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 subject property has become a corner lot that is vacant and can now serve as appropriate areas to thoughtfully integrate higher-intensity residential uses as a transition to Interstate-70. The proposed U-TU-B zone district, allowing multiple building forms up to 2.5 stories in height on a small 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 East 46th North Avenue and North Milwaukee 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-TU-B 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-TU-B 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

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.

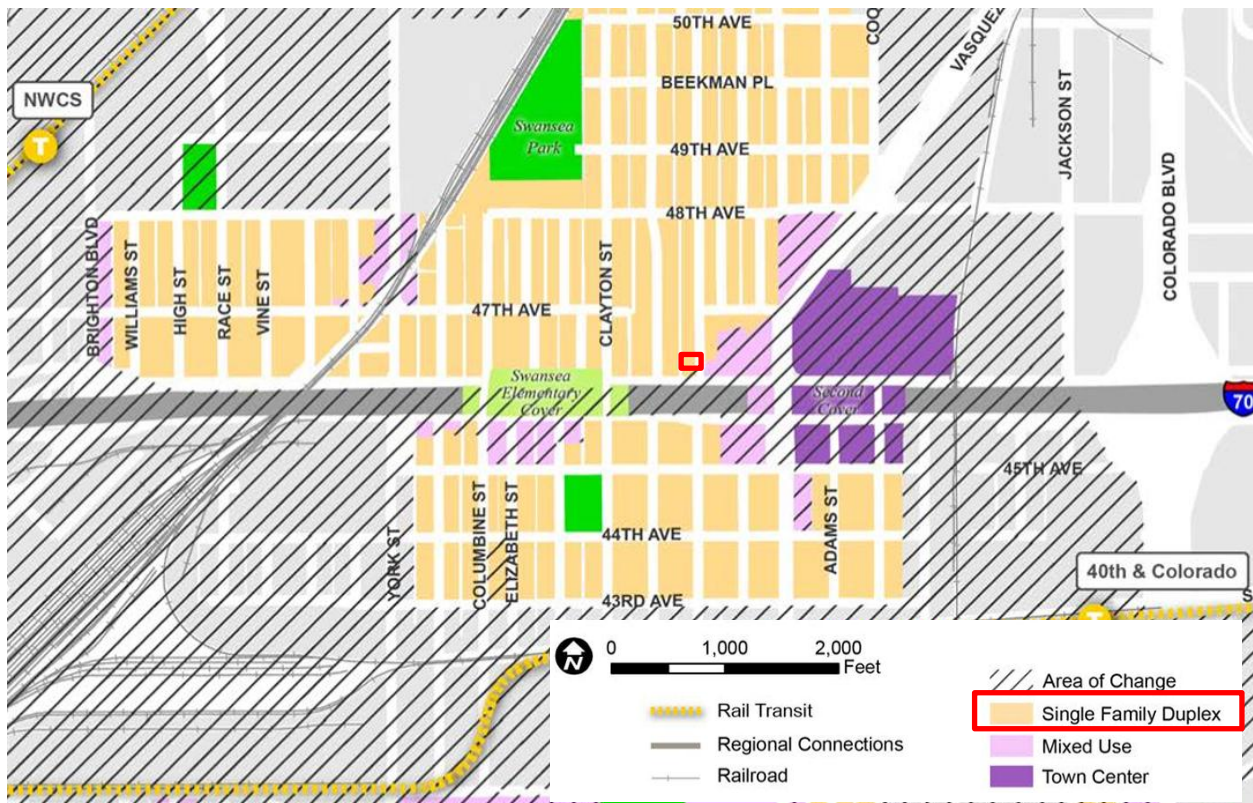
Climate

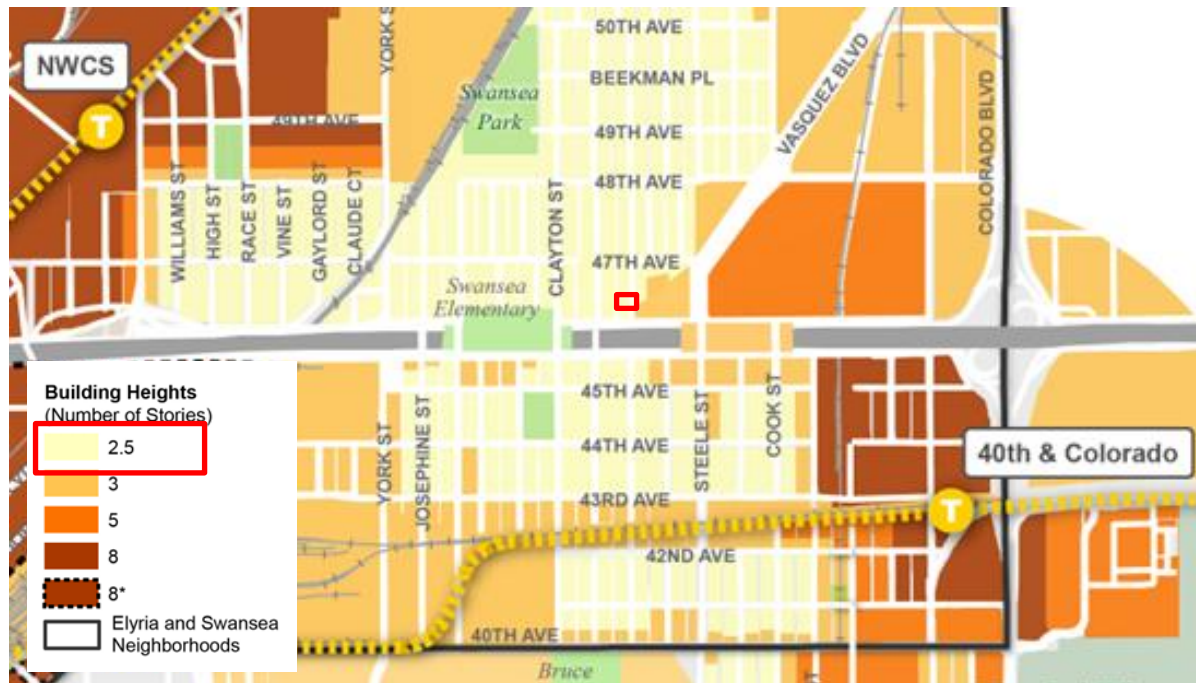
This rezoning supports the city's goals to reduce climate impacts by enabling additional housing near transit and amenities. The availability of transportation options and walkable access to employment can help reduce transportation-related greenhouse gas emissions. Also, multi-unit buildings are more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

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-TU-B 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 duplex, tandem home and 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 of 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-TU-B 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-TU-B 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 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 district allows the urban house, detached accessory dwelling unit, and duplex building forms. (DZC Section 5.2.2.2).

The U-TU-B zone district's specific intent is to allow up to two units on a minimum zone lot area of 4,500 square feet. It also allows the urban house, detached accessory dwelling unit, and duplex 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. Outreach documentation