



TO: Denver Planning Board
FROM: Ryan Winterberg-Lipp, AICP, Senior City Planner
DATE: March 30, 2016
RE: Official Zoning Map Amendment Application #2015I-00131
I-25 and Broadway Station Area (Multiple Addresses)
Rezoning from T-MU-30 with waivers and conditions UO-1 to C-MX-16, C-MX-12, C-MS-12, and C-RX-8

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I-00131 for a rezoning from T-MU-30 with waivers and conditions (“W/C”) UO-1 to C-MX-16, C-MX-12, C-MS-12, and C-RX-8.

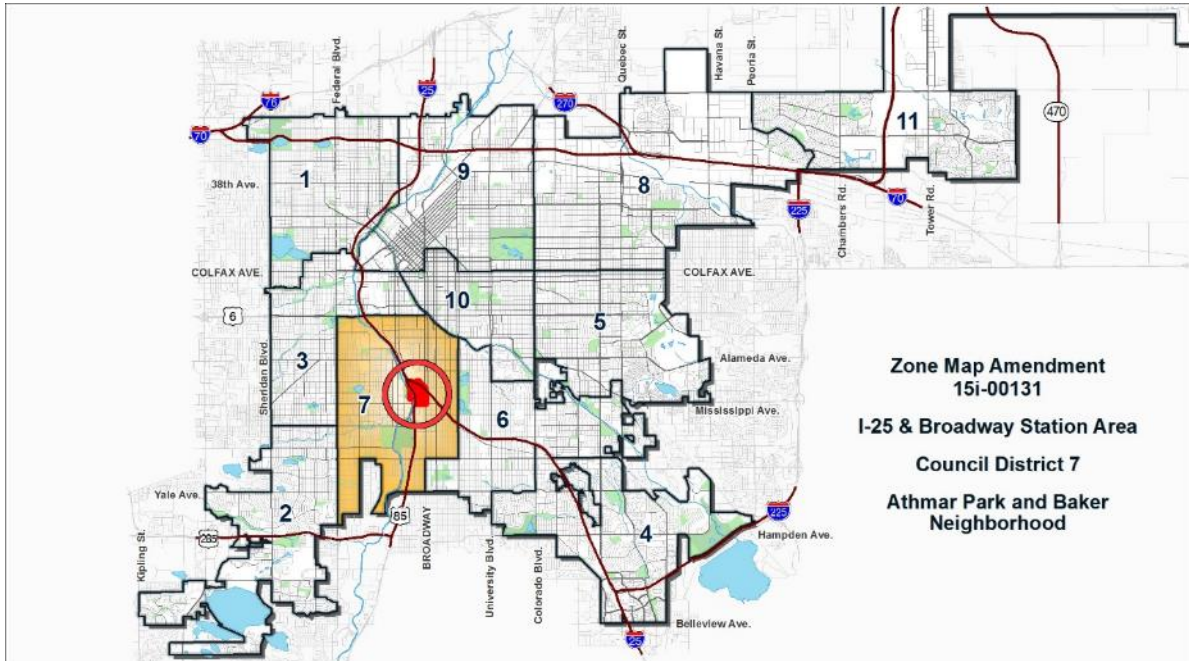
Request for Rezoning

Application:	#2015I-00131
Address:	Multiple addresses on 800-1000 blocks S. Broadway, 301 W. Mississippi Ave., 700 S. Santa Fe Dr., 925 S. Santa Fe Dr., 711 S. Cherokee St., 501 W. Ohio Ave., 510 W. Tennessee Ave., and 99 W. Kentucky Ave.
Neighborhood/Council District:	Baker and Athmar Park / Council District 7
RNOs:	Athmar Park Neighborhood Association; Baker Broadway Merchants Association; Baker Historic Neighborhood Association; Broadway Partnership; Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation; Overland Park Neighborhood Association; Platt Park People’s Association; Ruby Hill-Godsman Neighborhood Association; West Washington Park Neighborhood Association
Area of Property:	58.49 acres
Current Zoning:	T-MU-30 W/C UO-1
Proposed Zoning:	C-MX-16, C-MX-12, C-MS-12, and C-RX-8
Property Owner(s):	Broadway Station Partners (BSP), Regional Transportation District (RTD), City and County of Denver (CCD), Colorado Department of Transportation (CDOT)
Owner Representative:	CRL Associates – Rachel Prestige (on behalf of BSP and RTD)

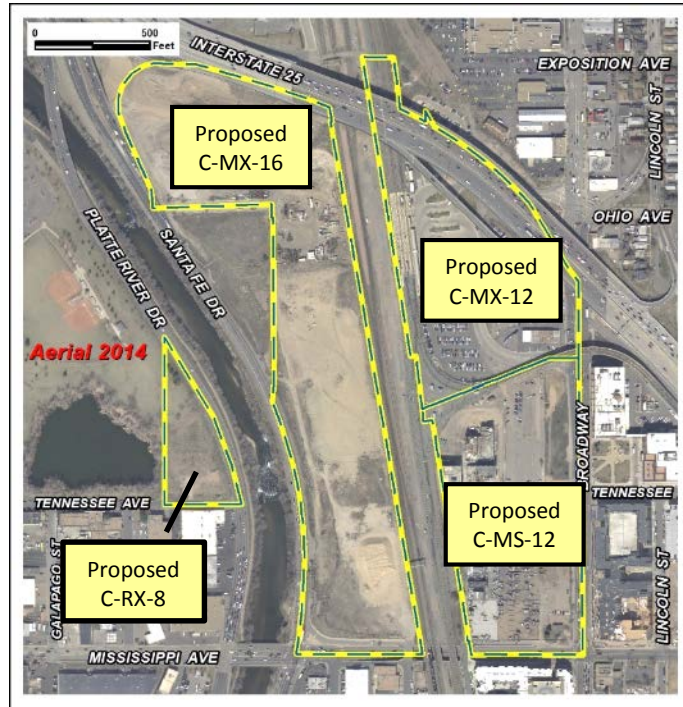
Summary of Rezoning Request

- The subject property is located in the Baker and Athmar Park Statistical Neighborhoods, generally bound by S. Broadway, W. Mississippi Ave., S. Platte River Dr., and Interstate 25. The

roughly 58.5 acre site is split by the Consolidated Main Line (CML), South Platte River, and S. Santa Fe Dr./S. Platte River Dr. couplet. A portion of the site was formerly occupied by the Gates Rubber Factory, demolished in 2015. The site is comprised of 27 ownership parcels, and is currently owned by multiple private and public entities including Broadway Station Partners, RTD, CCD, and CDOT. It is currently comprised of large, vacant, formerly industrial sites; the I-25 and Broadway light rail station and infrastructure; RTD bus bays; one small, one-story automobile service structure; and surface parking.



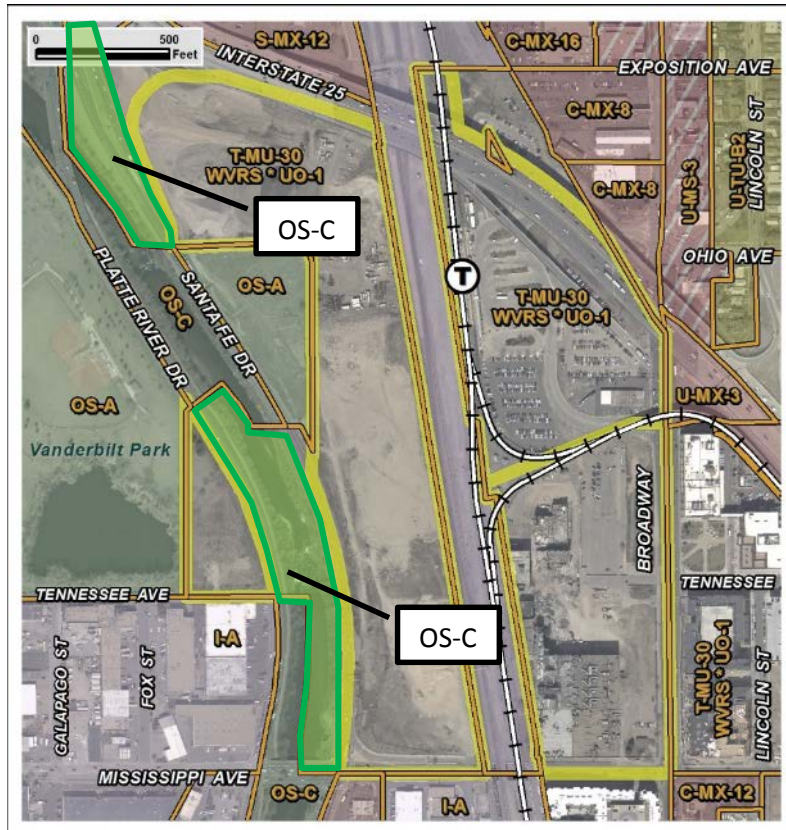
- The site is currently zoned T-MU-30 with waivers and conditions with the UO-1 Adult Use Overlay. T-MU-30 is a Former Chapter 59 zone district.
- The property owners are requesting a rezoning to C-MX-16, C-MX-12, C-MS-12, and C-RX-8 in order to change the mix of uses allowed across the site and facilitate redevelopment. The rezoning request proposes to remove the UO-1 Adult Use Overlay. Though a rezoning request does not approve a specific development or permit a specific use, the property owners' intent through this rezoning is to facilitate mixed-use development.
- The requested C-MX-16 and C-MX-12 zone districts are in the Urban Center context, allowing Mixed uses and form, generally up to 16 and 12 stories in height, respectively. The requested C-MS-12 zone district is in the Urban Center context, allowing Main Street uses and form, generally up to 12 stories in height. The requested C-RX-8 zone district is in the Urban Center context, allowing predominately Residential Mixed uses, generally up to 8 stories in height. However, the Washington Park View Plane will ultimately regulate maximum building height at the site. Further details of the zone district can be found in Article 7 of the Denver Zoning Code (DZC).
- BSP and RTD are co-applicants in this map amendment application with 94% ownership of the subject area, fulfilling the minimum 51% land ownership necessary to initiate a map amendment application. CCD and CDOT have acknowledged the rezoning of their respective properties in this map amendment application.



Rezoning of the South Platte River Right of Way

The adoption of the Denver Zoning Code in 2010 introduced several new zone districts within the Open Space Context. The Open Space Conservation District (OS-C) was created to, “allow for conservation of open space and natural areas, regardless of ownership, which are not intended for development. Limited passive recreation is allowed, and only limited structures incidental to and supportive of the conservation purpose of the Zone District, such as visitor’s/educational center, are allowed” (DZC Sec 9.3.2.1.C). During the accompanying Citywide legislative rezoning, the OS-C zone district was mapped along the South Platte River right of way throughout the City to protect the river corridor. Areas with custom zoning, including waivers and conditions, were excluded from this application of OS-C. Portions

of the existing T-MU-30 W/C UO-1 zoning extend into the South Platte River right of way, and therefore, OS-C zoning was not applied in these areas.



Through the proposed map amendment, the OS-C zone district will be applied to the South Platte River corridor in areas where it does not exist today, as shown to the left. As stated in DZC 1.3.3.2.C.2, zone district boundary lines are extended to the center of adjacent street or alley rights of way. The C-MX-16 and C-RX-8 zone districts proposed by this map amendment application will therefore be applied to the centerline of adjacent rights of way, S. Platte River Dr. and S. Santa Fe Drive, at this location. Through the language in DZC 1.3.3.2.C.2 that clarifies the application of zone district boundaries on adjacent rights of way, the existing OS-C zoning along the South Platte River right of way will be applied to the corresponding centerline of the S. Platte River Dr. and S. Santa Fe Dr. rights of way to meet the C-MX-16

and C-RX-8 zone district boundary lines. As the South Platte River corridor is City right of way and not privately-owned real property, a map amendment application is not required to apply the OS-C zone district to the applicable area. Should City Council consider the map amendment, the requested ordinance language will define this area to be rezoned to OS-C by excluding the proposed map amendment geography from the original T-MU-30 W/C legal description from the 2003 rezoning.

Existing Context

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	T-MU-30 W/C UO-1	Vacant, light rail station and infrastructure, bus bays, auto	Light rail station canopy, one-story structure, improved and unimproved surface parking areas	Site is generally vacant with superblocks and little street grid presence.

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
		services, surface parking		<p>However, block sizes and shapes are consistently oblong to the east of S. Broadway NS south of W. Mississippi Ave.</p> <p>Industrial sites are generally large, and alleys are not present.</p> <p>The street pattern is interrupted by Interstate 25, the CML, South Platte River, and S. Santa Fe/S. Platte River Dr. couplet.</p>
North	C-MX-16 UO-2 and UO-1, C-MX-8 UO-1, UO-2	Commercial, retail, office, industrial, surface parking	Generally large, one-story commercial, retail, industrial, and office structures with surface parking in an auto-oriented configuration	
South	T-MU-30 W/C UO-1, I-A UO-2	Mixed use, multifamily, industrial, commercial	Mid-rise mixed use structure, low scale industrial and commercial	
East	T-MU-30 W/C, U-MX-3 UO-1 UO-2	Office, commercial, multifamily	Mid-rise multifamily and office buildings generally oriented towards S. Broadway	
West	OS-A, OS-C, I-A UO-2	Park, South Platte River corridor, industrial	Open space and low-scale industrial uses with parking between the building and the street	

The site surrounds the I-25 and Broadway station, and is generally bound by S. Broadway, W. Mississippi Ave., S. Platte River Dr., and Interstate 25. The site is largely vacant, and is further divided by the CML, South Platte River, and S. Santa Fe Dr./S. Platte River Dr. couplet.

The immediately surrounding area is auto-oriented retail, industrial, commercial, and open space with some more recent mixed-use residential redevelopment and scattered office. Building heights are low to mid-scale, and there is substantial surface parking. Vanderbilt Park East and Vanderbilt Park West, both designated City parks, flank the South Platte River. Vanderbilt Park East is unimproved and inaccessible, and Vanderbilt Park West is improved with various facilities. The South Platte River Trail can be accessed at W. Mississippi Ave. and Johnson Habitat Park.

Despite the low-scale, auto-oriented immediate context and substantial vacant property, the boundaries of the rezoning site contain one light rail station, the I-25 and Broadway Station, and the Alameda Station is less than 2,000 feet away. The C, D, E, F, and H lines serve these stations, and several express and local bus routes offer some of the best transit accessibility in the RTD system. Large vacant properties offer a substantial transit-oriented redevelopment opportunity adjacent to this station.

1. General Development Plan

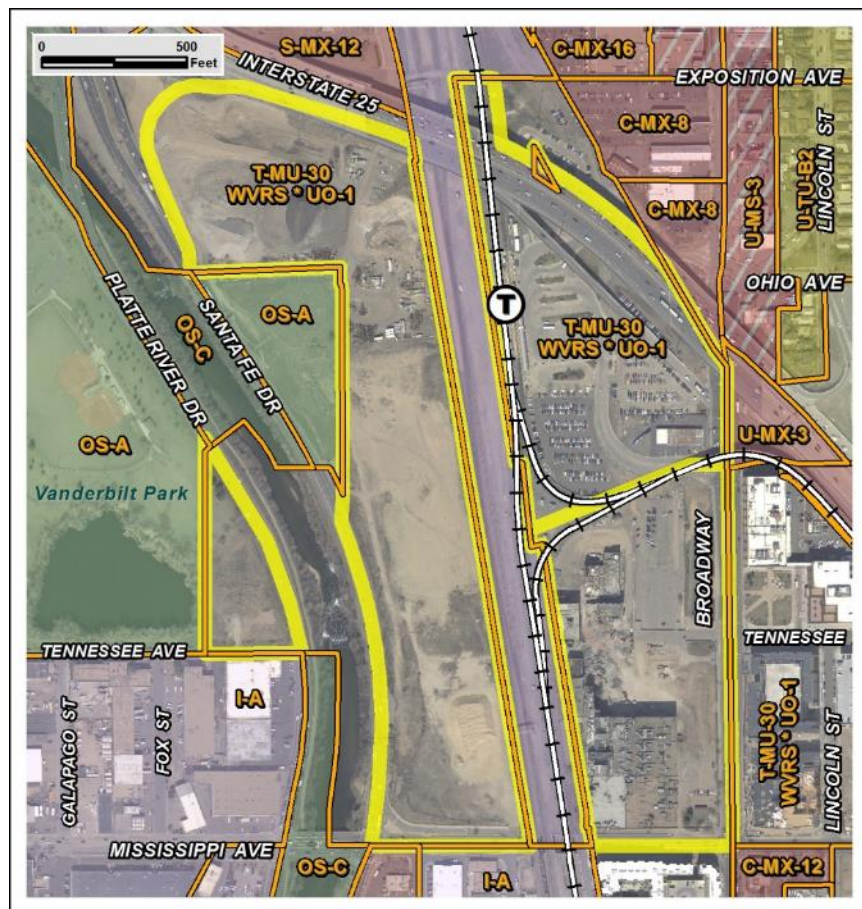
The *Cherokee Redevelopment of the Former Gates Rubber Factory General Development Plan (GDP)* currently applies to the subject site. The GDP was approved in 2009 and required by the T-MU-30

zoning along with an infrastructure masterplan. The GDP was intended to guide the redevelopment of the former Gates Rubber Factory site at the I-25 and Broadway Station into a transit-oriented development with a density and mix of uses necessary to create a thriving urban environment. The GDP area is approximately 69 acres and is generally located south of Interstate 25, west of S. Broadway, along W. Mississippi Ave., and along the South Platte River. The GDP contemplates new multimodal street connections, pedestrian and bicycle bridges and trails, open space, and a range of mixed uses create a new urban district.

However, the majority of the site was not redeveloped under the *Cherokee/Gates GDP*, and a new property owner is exploring the best approach to facilitate redevelopment of the property. Accordingly, it is anticipated that the *Cherokee/Gates GDP* will be repealed, and it will no longer apply to the subject property. As such, per the City Attorney's Office, the *Cherokee/Gates GDP* will not be used to guide redevelopment of the site, and it will not be used for further consistency analysis of the proposed rezoning.

2. Existing Zoning

The site is currently zoned T-MU-30 W/C UO-1. T-MU-30 is a Former Chapter 59 zone district intended for areas near transit stations where a mix of uses in a pedestrian-friendly environment is desired. The district controls building massing through a maximum gross floor area of 5:1. Maximum height in the T-MU-30 zone district is 220 feet, further regulated by the maximum gross floor area. However, the T-MU-30 zoning standards do not include build-to requirements, transparency requirements, pedestrian entrance requirements, active street level use requirements, or standards regulating the location of surface parking. The waivers and conditions currently applied to the existing



zoning were established for a specific redevelopment concept and are further delineated by sub-areas. Regarding the immediate station area, the W/C waive the reduction of Off-Street Parking Spaces; specify

a different process for the Special Plan for Shared Parking; and waive the ability to allocate off-street parking across the entire GDP area. Permitted uses are limited for the portion of the site adjacent to Vanderbilt Park West on W. Tennessee Ave., permitting civic, community, and select retail uses to address the park. Conditions include the requirement for an Infrastructure Master Plan along with the GDP; and allow the Transportation Expansion (T-REX) project and I-25 improvements to proceed prior to the approval of the GDP.

The UO-1 Adult Use Overlay permits adult uses with distance requirements from protected uses and zone districts and spacing requirements from other adult uses. No adult uses exist on the subject site.

3. View Planes

The Washington Park View Plane applies to the subject property. It originates in Washington Park and is intended to protect and preserve panoramic views of the mountains. The View Plane specifies maximum heights for all structures. The maximum heights increase with distance from the Washington Park origin point. The Washington Park View Plane allows structures, including permitted height exceptions, with maximum heights no greater than an estimated 111-169 feet across the subject site. Accordingly, while the requested C-MX-16, C-MX-12, C-MS-12, and C-RX-8 zone districts permit structures ranging from 110' to 200', the View Plane will ultimately regulate building height.

4. Urban Design Standards and Guidelines

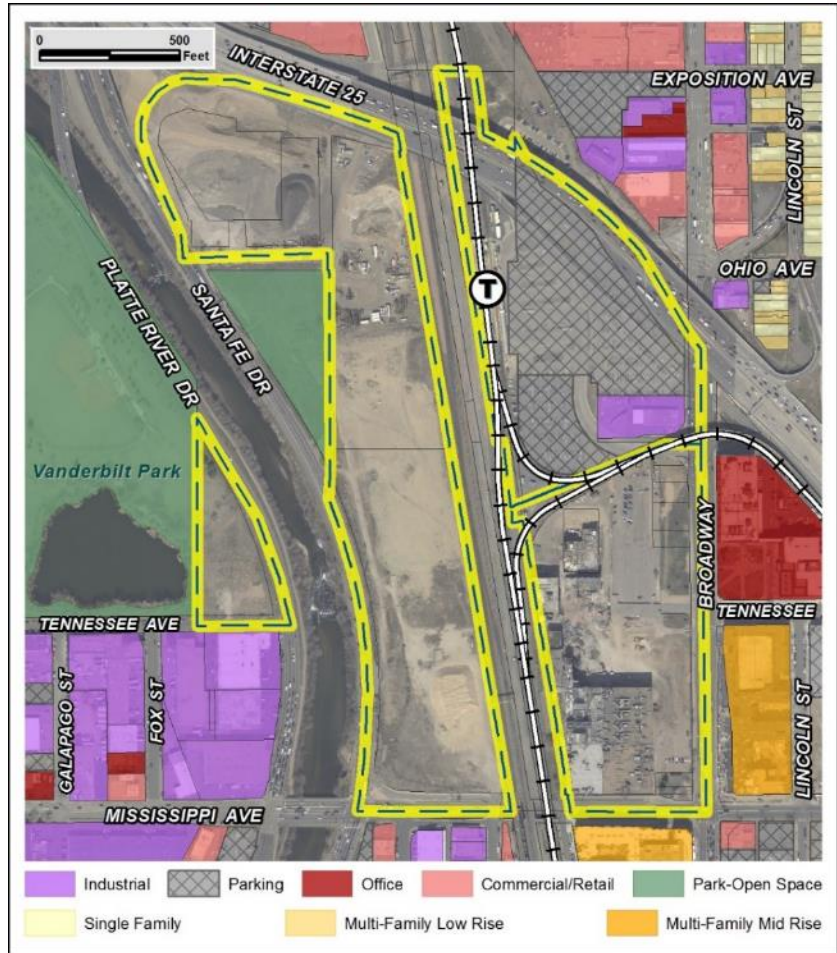
The *Cherokee Redevelopment of the Former Gates Rubber Factory Urban Design Standards and Guidelines* (UDSG) (2005) apply to the subject site, coterminous with the boundaries of the General Development Plan described above. The adoption of urban design standards and guidelines is required for GDPs with T-MU-30 zoning.

The *Cherokee Redevelopment of the Former Gates Rubber Factory Urban Design Standards and Guidelines* are intended to create a mixed-use, transit-oriented community that maximizes transit benefits and connects to established neighborhoods. The UDSG regulate site elements, including vehicular circulation and pedestrian-oriented use areas; building design elements including building mass and form, material, entries, and fenestration; and parks and plazas to include expanded streetscapes. The UDSG also utilize a Sub-Area approach with six distinct Sub-Areas with a unique mix of land uses and character. Design review under the UDSG is conducted by CPD staff with City Council and RNO notification after the submission of Schematic Design for public review.

However, the majority of the subject site was not redeveloped under the *Cherokee Redevelopment of the Former Gates Rubber Factory Urban Design Standards and Guidelines*, and a new property owner is proposing amended UDSG for a distinct redevelopment concept for the area to the south of Interstate 25. Accordingly, it is anticipated that the *Cherokee Redevelopment of the Former Gates Rubber Factory Urban Design Standards and Guidelines* will be substantially amended, and they will no longer apply to the subject property in their current form. As such, the UDSG as currently adopted will not be used to guide redevelopment of the site.

5. Existing Land Use Map

As seen in the Existing Land Use Map on the following page, the subject site is largely vacant with the I-25 and Broadway station light rail platform, one small auto services structure, and surface parking. The site is split by the CML, symbolized as transportation use. Vanderbilt Park East and West are located to the west. The area to the north includes commercial, retail, and office uses with scattered smaller warehousing and retail uses. Similar large retail and commercial properties are also located to the north and west of the CML. Multifamily, office, mixed use and commercial properties orient to S. Broadway to the south and east, and medium to large industrial properties are located to the south and west.



6. Existing Building Form and Scale



Subject site looking south from light rail flyover (east of the CML)



Subject site looking north towards light rail flyover (east of the CML)



Subject site at light rail flyover (east of CML)



Subject site at light rail platform (east of CML)



Subject site looking north from W. Mississippi Ave (west of the CML)



Subject site looking north from W. Tennessee Ave (west of S. Platte River Dr.)



Four-story office to the east of the subject site on S. Broadway



Four-story multifamily to the east of the subject site on S. Broadway and E. Mississippi Ave.



One-story restaurant to the south of the site on S. Santa Fe Dr. and W. Mississippi Ave.



Two-story warehouse to the south of the site on W. Tennessee Ave.

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:

Asset Management: Approved – No Comments

Development Services – Project Coordination: Approved – No Comments

Denver Fire Department: Approved – No Comments

Development Services – Wastewater: Approved – No Comments

Parks and Recreation: Approved – See Comments Below

The application characterizes the parcel adjacent to Vanderbilt West as currently blueprint Denver area of change on page 13, this will not be the case until the station area plan is adopted. (Note: this comment has been addressed in application revisions)

Public Works – City Surveyor: Approved – See Comments Below

Approved based on legal descriptions received after review initiated. Approved legal descriptions emailed to Ryan Winterberg-Lipp 3/3/16 @ 6:37AM. (Note: these approved legal descriptions have been included in the application)

Environmental Health: Approved –See Comments:

Notes. DEH concurs with the proposed zoning change.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas (and volatile organic compounds) intrusion into buildings, DEH suggests installation of radon mitigation systems or comparable mitigation system to protect indoor air quality in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Development Services – Transportation: Approved – No Comments

Denver Public Schools: Approved – See Comments Below

Due to the volume of housing units that are planned for this development, it is likely that future residents would create an enrollment impact on Denver Public Schools by increasing the student age population in this area. Currently, the nearby schools that serve this area are at or overcapacity with little to no ability to serve any additional future residents. It is imperative that a funding solution be created to support the very likely scenario where a capital expansion of a nearby school is needed to meet enrollment growth

Public Review Process

- CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations (RNOs) on February 17, 2016.
- The property was legally posted for a period of 15 days announcing the April 6, 2016, Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.
- Following the Neighborhoods and Planning Committee review, the rezoning application is typically referred to the full City Council for final action at a public hearing.
- The RNOs identified on page 1 were notified of this application. At the time of this staff report, one letter of support from the Platt Park People's Association has been received.

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. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. 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 2000*
- *Blueprint Denver (2002)*
- *I-25 and Broadway Station Area Plan (2016)*

Denver Comprehensive Plan 2000

Denver's *Comprehensive Plan 2000* identifies a set of broad guiding principles that unite to form a coherent and compelling vision of a livable city. The C-MX-16, C-MX-12, C-MS-12, and C-RX-8 map amendment proposal is consistent with these "Vision[s] of Success" through the enabling of compact, mixed-use, pedestrian-oriented development at an appropriate location:

Compact development ■ Compact urban centers will meet the needs of 21st-century living while reinforcing the valued characteristics of Denver's neighborhoods. Development and redevelopment of urban centers presents opportunities to concentrate population and land uses within a limited geographic space. Compact development will improve neighborhood

cohesion, reduce urban sprawl and connect residents more directly to services and amenities within their immediate living environment. (pg. 55)

Density and diversity ■ Exciting new mixed-use and pedestrian-oriented areas will develop, offering a higher concentration of housing, retail, services, employment and transportation, all within walking distance. (pg. 96)

The proposal is consistent with many *Denver Comprehensive Plan 2000* strategies, including:

- **Environmental Sustainability Strategy 2-F** – *Conserve land by: promoting infill development with Denver at sites where services and infrastructure are already in place. Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods. Creating more density at transit nodes. Encouraging the redevelopment of brownfields* (pg. 39-40)
- **Environmental Sustainability Strategy 4-A** – *Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work.* (pg. 41)
- **Land Use Strategy 3-B** – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.* (pg. 60)
- **Land Use Strategy 4-A** - *Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.* (pg. 60)
- **Mobility Strategy 4-E** – *Continue to promote mixed-use development, which enables people to live near work, retail and services.* (pg. 78)
- **Denver’s Legacies Strategy 3-A** – *Identify areas in which increased density and new uses are desirable and can be accommodated.* (pg. 99)

The proposed map amendment will enable mixed-use development at an infill, brownfield location where services and infrastructure are already provided and where transit-oriented development investment is taking place with close proximity to two light rail stations, consistent with *Comprehensive Plan 2000*. The C-MX-16, C-MX-12, C-MS-12, and C-RX-8 zone districts allow an intensity and mix of uses appropriate for this transit-oriented development infill development. The rezoning is consistent with these Plan recommendations.

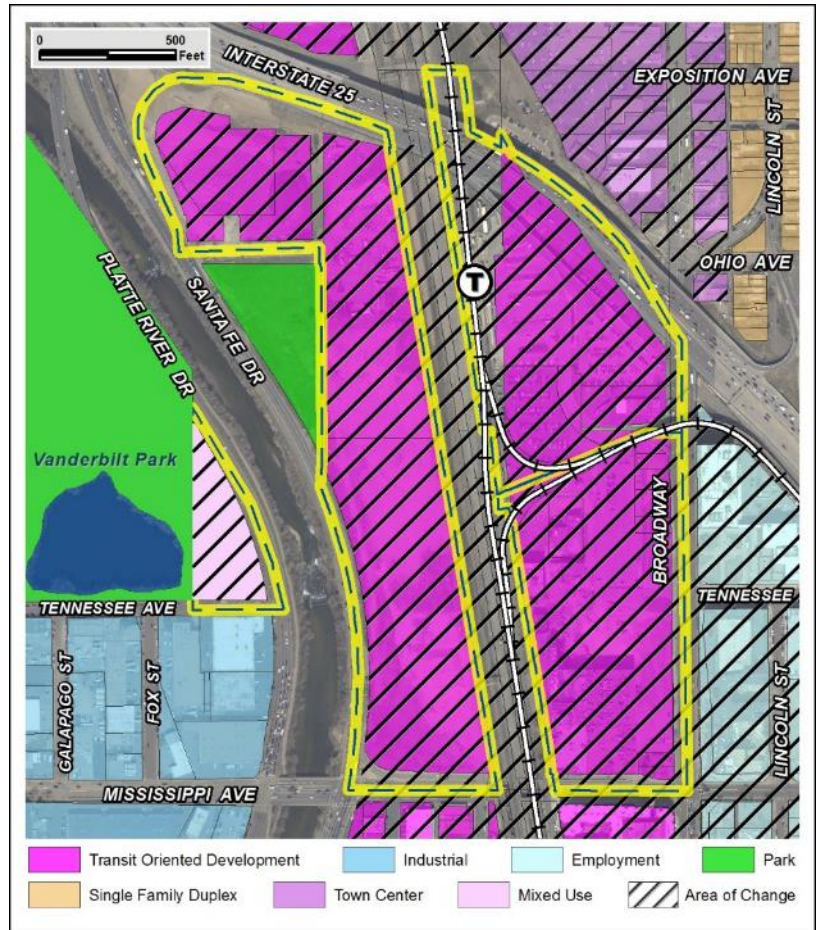
Blueprint Denver

According to *Blueprint Denver* as updated by the *I-25 and Broadway Station Area Plan*, if adopted, the subject site has both a Transit Oriented Development and Mixed-Use concept land use recommendation and is located within an Area of Change.

Future Land Use

According to *Blueprint Denver*, the site is designated with two concept land use categories: Transit-Oriented Development (TOD) and Mixed Use. The area designated as TOD is generally to the east of the South Platte River, and the area designated as Mixed-Use is to the west of the River and adjacent to Vanderbilt Park West, as seen in the map to the right.

As stated in *Blueprint Denver*, Transit-Oriented Development offers an alternative to traditional development patterns by providing housing, services, and employment opportunities for a diverse population in a pedestrian and transit-oriented configuration. These areas include compact, mid to high-density, mixed use development with urban design treatments to improve character and create a sense of place. Multimodal access is high, and these areas have a reduced emphasis on auto parking. Lowered parking requirements, shared parking, parking structures near but not necessarily at stations, and replacement of surface lots with structured parking are strategies recommended for TOD Areas. Additionally, *Blueprint Denver* also notes that TOD areas have a high degree of connectivity between the station area and surrounding neighborhoods (pg. 44).



Specifically, the requested C-MX-16, C-MX-12, and C-MS-12 zone districts are within this Transit-Oriented Development concept land use area. The proposed map amendment supports the *Blueprint Denver* TOD concept land use designation by allowing for a mix of uses at intensities sufficient enough to catalyze the alternative development patterns envisioned by *Blueprint Denver*. The General building form within the C-MX zone districts includes build-to, transparency, entrance, and Street Level active use standards and prohibits the location of surface parking between the building and the primary and side streets, implementing the design recommendations stated in *Blueprint Denver* for a pedestrian-friendly TOD. The Shopfront form within the C-MS-12 zone district provides additionally heightened build-to, both percentage and range, and transparency

standards for both primary and side streets to create visual relationships between the station area and surrounding neighborhoods along South Broadway and West Mississippi. The current FAR-based T-MU-30 W/C UO-1 does not fulfill these *Blueprint Denver* recommendations.

Regarding Mixed Use concept land use areas, *Blueprint Denver* states that these areas have sizable employment bases as well as housing with higher intensities than other residential areas. Land uses are not necessarily mixed within a building, development, or block, but are within walking distance of each other (pg. 41). The requested C-RX-8 zone district supports the *Blueprint Denver* Mixed Use concept land use designation by allowing higher density residential uses, while also allowing a limited number and square footage of complementary commercial uses. The General form within the C-RX zone districts includes build-to, transparency, entrance, and upper story setback standards and prohibits the location of surface parking between the building and the primary and side streets, implementing the recommendations for a vibrant, mixed use district as stated in *Blueprint Denver*. The current T-MU-30 W/C UO-1 highly limits permitted uses through waivers within this Mixed Use concept land use area and does not compel a vibrant, pedestrian-oriented environment through design standards.

Area of Change / Area of Stability

The entirety of the subject site is within an Area of Change, and the former Gates site is specifically identified as a Transit-Oriented Development Area of Change. *Blueprint Denver* states that, "This largely out-moded industrial site holds the potential for high-density housing, employment, and publicly accessible open space. Proximity to major transportation facilities, the Platte River, adjacent residential, industrial and South Broadway commercial areas creates a perfect blend of uses and access to develop a model TOD" (pg. 137). In general, "the goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips." Areas of Change provide Denver with the opportunity to focus growth in a way that benefits the City as a whole (pg. 127).

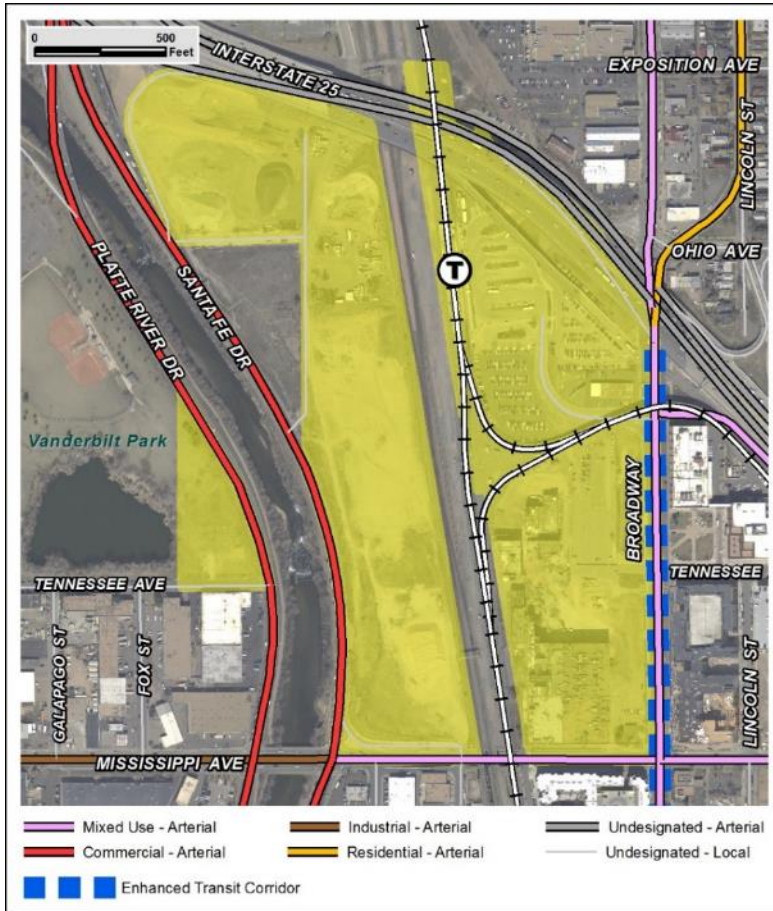
The rezoning application is consistent with the *Blueprint Denver* Area of Change recommendations by allowing for higher intensity, mixed-use, redevelopment at an appropriate, transit-oriented location, improving access to jobs, housing, and services.

Street Classifications

The subject site is bound by several *Blueprint Denver* street classifications including: Mixed Use Arterial on S. Broadway and W. Mississippi Ave.; Commercial Arterial on S. Platte River Dr. and S Santa Fe Dr.; and Undesignated Local on W Tennessee Ave.

Regarding S. Broadway and W. Mississippi Ave., arterial streets are "designed to provide a high degree of mobility and generally serve longer vehicle trips to, from and within urban areas" (pg. 51). According to *Blueprint Denver*, Mixed Use Streets are "located in high-intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity" and are "attractive for pedestrians and bicyclists because of landscaped medians and tree lawns" (pg. 57). The C-MX-12 and C-MS-12 zone districts proposed for the subject site along these streets are appropriate zone

districts for this mixed-use, higher-capacity street classification through the allowance of higher intensity, mixed-use development coupled with the pedestrian-oriented design standards contemplated in *Blueprint Denver*.



Additionally, *Blueprint Denver* recognizes S. Broadway is an Enhanced Transit Corridor (ETC) as shown in the map to the left. ETCs are identified as priorities for increased transit ridership, improved service, and efficiency supported through the creation of more intensive, mixed-use development (pg. 26, 99). The requested C-MX-12 and C-MS-12 zone districts are consistent with the Enhanced Transit Corridor recommendation to support quality multimodal transportation through appropriate development.

Regarding Platte River Dr. and S Santa Fe Dr., similarly, arterial streets are “designed to provide a high degree of mobility and generally serve longer vehicle trips to, from, and within urban areas” (pg. 51). Commercial Streets have historically been highly auto-oriented and tend to discourage walking and bicycling. They are

designed to balance traffic mobility with access to nearby businesses, often with multiple lanes divided by a landscaped median (pg. 58). The C-MX-16 and C-RX-8 zone districts proposed along these corridors are appropriate zone districts for this commercially-oriented, higher-capacity street context through the allowance of a mix of uses. While Commercial Streets have historically seen auto-oriented development patterns, the C-MX-16 and C-RX-8 zone districts are appropriate for this transit-oriented location where redevelopment has the potential to transform the surrounding transportation context. Additionally, the Undesignated Local designation for West Tennessee is appropriate for the requested adjacent C-RX-8 zone district by providing primarily local access to the site.

Small Area Plan: I-25 and Broadway Station Area Plan

The *I-25 and Broadway Station Area Plan* was approved by the Planning Board on March 2, 2016. At the time of this staff report, the *I-25 and Broadway Station Area Plan* is scheduled for adoption by the City Council in on April 4, 2016. The *I-25 and Broadway Station Area Plan* supersedes previously adopted plans for the subject site including the *Baker Neighborhood Plan*, *Broadway Corridor Transportation and Urban Design Study*, and *Athmar Park Neighborhood Perimeter Plan*. As such, these overlapping small area plans will not be used in the following consistency analysis.

The subject site is located within the Core Station Area defined as the land “closest to the station platform that will likely redevelop in the near future and has the greatest impact on the future character of the I-25 and Broadway Station Area” (pg. 6). The Plan sets forth an overarching goal to “create a Connected, Resilient, Vibrant and Transformative Multi-Modal Hub that reknits the Station Area into the fabric of the City” and confirms the Urban Center context for the station area (pg. 22).

The proposed rezoning is consistent with numerous recommendations with specific points of alignment:

RESILIENT 1.1: Expand office employment opportunities: *Target more of the office-focused uses near the I-25 overpass where they are highly visible from the freeway (pg. 44).*

The requested C-MX-16 and C-MX-12 zone districts will encourage high-density office uses at this appropriate location.

RESILIENT 1.3: Address the need for commercial services: *Maintain continuous active edges along S. Broadway to strengthen its identity as one of the City’s primary commercial corridors (pg. 45).*

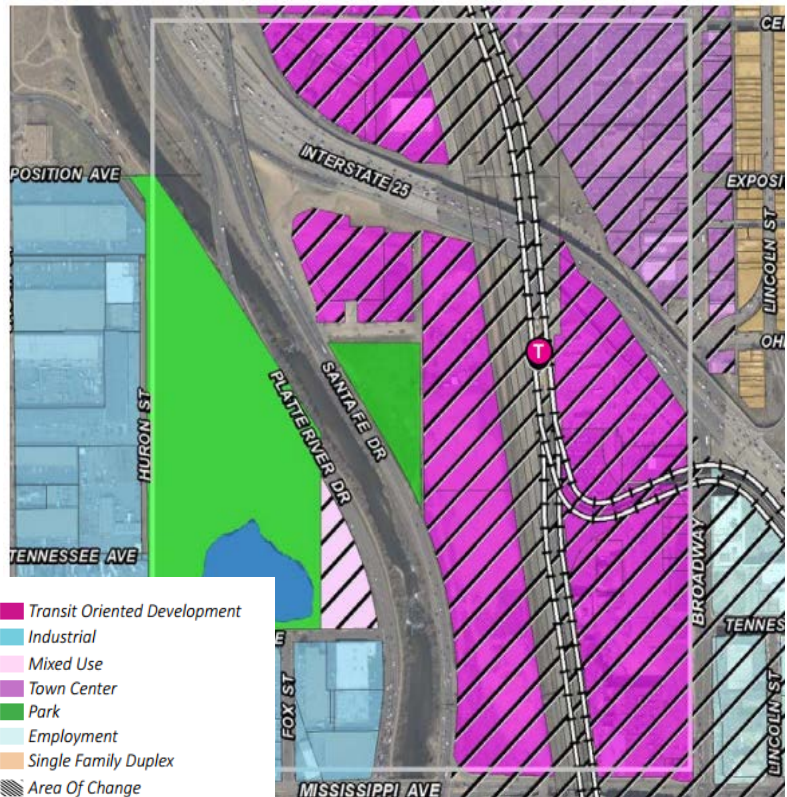
The requested C-MS-12 zone district’s Shopfront form includes build-to, transparency, entrance, and Street Level active use standards to strengthen the S. Broadway corridor at this particular location. The current T-MU-30 W/C UO-1 zoning does not implement this recommendation through form or design standards.

RESILIENT 1.6: Create a framework that is phaseable: *Create a phaseable and flexible physical framework; Respond to the market as it evolves over time with flexibility in the overall land use mix; Support the economic resiliency of the Station Area and surrounding neighborhoods with a strong mix of land uses (pg. 44).*

The requested C-MX-16, C-MX-12, C-MS-12, and C-RX-8 zone districts provide a flexible regulatory framework for the station area to redevelop with a mix of uses in multiple phases over the 20-year plan horizon. The current T-MU-30 W/C UO-1 zoning does not provide the desired mixed-use flexibility across the entirety of the site. Additionally, Former Chapter 59 zone district standards, including the current T-MU-30 zoning, cannot be updated and therefore cannot take advantage of process and standard improvements that provide necessary responsiveness for a multi-phase redevelopment area.

Overall, the VIBRANT recommendation to *Promote Urban Center Densities* recommends that, “The Station Area should include a vertical and horizontal mix of land uses including office, residential, commercial, and industrial along with a range of plazas and open spaces to achieve the vision of an 18-hour, mixed-use district. Higher density, mixed-use buildings should be concentrated near the station to create activity throughout the day, activate the street and public spaces, and provide a social energy to the district” (pg. 54). The proposed C-MX-16, C-MX-12, C-MS-12, and C-RX-8 zone districts are consistent with this overall station area recommendation to promote a mix of uses with the highest intensities concentrated near the station. The proposed rezoning is consistent with additional recommendations from the *I-25 and Broadway Station Area Plan* including:

Blueprint Denver Concept Land Use



VIBRANT 1.1: Encourage a variety of uses to activate the Station Area, as shown on the Concept Land Use Map.

The requested C-MX-16, C-MX-12 and C-MS-12 zone districts are consistent with the concept land use recommendation of Transit Oriented Development described as, areas that “provide housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access,” by allowing for the recommended mix of uses and intensities (pg. 55). The requested C-RX-8 zone district is consistent with the applicable Mixed Use concept land use designation by introducing an appropriate mix of permitted uses. As stated in the *I-25 and Broadway Station Area Plan*, “These areas have both a sizable employment base as well as a variety of mid to high density housing options. Intensity is higher in mixed-use areas than in predominantly residential areas. Land uses may be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is important within these areas, with residential and non-residential uses always within walking distance of one another” (pg 55).

The *I-25 and Broadway Station Area Plan* also offers a “Refined Land Use Framework” that provides land use guidance specific to the station area. While the Refined Land Use Framework is conceptual only and



does not allocate specific land uses or intensities, the proposed rezoning advances its recommendations through a flexible regulatory structure. The Transit Oriented Development: Residential and Transit Oriented Development: Office land use categories are enabled by the requested C-MX-16, C-MX-12, and C-MS-12 zone districts. Additionally, the proposed C-RX-8 zone district advances the Park Serving Mixed Use designation by allowing an appropriate mix and intensity of complementary, neighborhood-oriented commercial and residential land uses to activate Vanderbilt Park West. The Plan defines such uses as “pedestrian oriented, neighborhood-serving retail and commercial, high- to mid-density housing options, and employment uses” (pg 56).

Proposed Building Heights



VIBRANT 1.2: Incorporate higher densities near the station: Design buildings to range from five to sixteen stories tall while respecting the established Washington Park view plane; Focus density at the station platform to create an urban environment and encourage transit ridership; Consider mid-rise, mixed-use buildings near Vanderbilt Park West to provide opportunities for residential uses and greater park activation.

As illustrated in the Proposed Building Heights map and described in specific sub-recommendations above, the proposed map amendment to C-MX-16, C-MX-12, C-MS-12, and C-RX-8 is consistent with the *I-25 and Broadway Station Area Plan's* building height recommendations. Additionally, the Washington Park View Plane will ultimately regulate the

permitted maximum structure height as discussed previously, likely falling below the maximum building height recommendations in some areas of the subject site.

Key urban design recommendations for the subject site also include Building Frontages—*Buildings are built at or near the property line. High-quality, attractive architecture and building materials should be used*— and Active Edges—*Buildings are built at or near the property line, and include transparent facades, pedestrian entries and quality architecture. Uses intended to activate the ground floor should be included and may include retail and commercial uses, offices, community rooms, and exercise facilities*—along significant corridors.

The proposed C-MX-16, C-MX-12, C-MS-12, and C-RX-8 zone districts' building form standards include Street Level active use requirements, pedestrian entrance requirements, transparency requirements, and build-to standards to implement these recommendations, while the current zone district standards do not compel these outcomes.

The requested C-MX-16, C-MX-12, C-MS-12, and C-RX-8 zone districts are consistent with the recommendations of the *I-25 and Broadway Station Area Plan*.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-MX-16, C-MX-12, C-MS-12, and C-RX-8 will result in the uniform application of zone district building form, use, and design regulations. Additionally, the rezoning request will result in the uniform application of Denver Zoning Code zoning standards across multiple properties under various ownerships to facilitate redevelopment of the I-25 and Broadway station area.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the City's adopted land use plans including *Comprehensive Plan 2000*, *Blueprint Denver*, and the *I-25 and Broadway Station Area Plan*.



4. Justifying Circumstance

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, “the land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.”

Several changed or changing conditions apply to the site and surrounding area. As discussed above, several adopted plan recommendations state that redevelopment of the area is desired and recognize that the character of the area is evolving into a transit-oriented area. The 2016 adoption of the *I-25 and Broadway Station Area Plan* will not only confirm 20 years of previous Citywide policies, but will provide specific direction to guide the redevelopment of the station area at a finer scale. The current T-MU-30 W/C UO-1 zoning was approved without the policy guidance provided by such a community-driven small area plan. Additionally, individual redevelopment projects occurring in the Denver Design District area to the north and along S. Broadway are also signaling an evolution in the surrounding environs, the long-term progression from vacancy and underutilization to transit-oriented development envisioned by multiple City policies and adopted plans.

At the site scale, a portion of the subject property experienced a change in conditions when ownership was transferred from the Gates Rubber Company to a private development entity. Currently vacant, the new ownership represents a substantial changed condition that allows for the pedestrian and transit-oriented development envisioned by multiple adopted plans.

Additionally, the adoption of the Denver Zoning Code in 2010 introduced new tools to implement the vision of adopted City plans not available at the time of the site’s previous rezoning in 2003. As described earlier, the current T-MU-30 W/C UO-1 zoning is deficient in compelling the transit- and pedestrian-oriented vibrant character articulated by newly adopted plans.

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

Neighborhood Context Description

The proposed C-MX-16, C-MX-12, C-MS-12, and C-RX-8 zone districts are within the Urban Center Neighborhood Context. The neighborhood context generally consists of multi-unit residential and mixed-use commercial strips and commercial centers. The Urban Center 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. Buildings typically have consistent orientation and shallow setbacks with parking at the rear or side of a building. The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. There are also high levels of pedestrian and bicycle use with the greatest access to the multimodal transportation system (DZC, Division 7.1). It is appropriate to apply zoning within the Urban Center Neighborhood Context at this location through the adopted plan vision described earlier as well as the multimodal transportation context. The proposed rezoning to C-MX-16 will lead to development that is consistent with the neighborhood context description.

Zone District Purpose and Intent

According to DZC 7.2.2.1.A, the general purpose of the C-MX zone districts is to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge. The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods. District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods. C-MX districts are intended for broad application at the neighborhood scale. The rezoning to C-MX-16 and C-MX-12 is consistent with the zone district general purpose, and resulting development will be consistent with the general purpose statement through the application of the C-MX-16 and C-MX-12 zone district standards.

C-MX-16 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 16 stories is desired. The portion of the subject site where C-MX-16 is proposed is along S. Santa Fe Dr., classified as an arterial. Additionally, adopted plans identify this site as appropriate for 16-story development, and the C-MX-16 zone district fulfills this requirement coupled with the Washington Park View Plane. The street classifications and desired building heights in this area are consistent with this intent statement.

C-MX-12 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 12 stories is desired. The portion of the subject site where C-MX-12 is proposed has the most contextual relationship to S. Broadway., classified as an arterial. Additionally, adopted plans identify this site as appropriate for 12-story development, and the C-MX-12 zone district fulfills this requirement coupled with the Washington Park View Plane. The street classifications and desired building heights in this area are consistent with this intent statement.

According to DZC 7.2.4.1.A, the general purpose of the C-MS zone districts is to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge. The Main Street Zone Districts are intended to enhance the convenience, ease, and enjoyment of transit, walking, shopping, and public gathering along the city's commercial streets. Main Street Zone Districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets, and in the Urban Center Neighborhood Context, the Main Street Zone Districts should be applied where active Street Level retail is desired. The rezoning to C-MS-12 is consistent with the zone district general purpose, and resulting development will be consistent with the general purpose statement through the application of the C-MS-12 zone district standards.

C-MS-12 applies primarily to arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 12 stories is desired. The portion of the subject site where C-MS-12 is proposed is along S. Broadway., classified as an arterial. Additionally, adopted plans identify this site as appropriate for 12-story development with specific guidance to maintain continuous active edges along S. Broadway to strengthen its identity as one of the City's primary commercial corridors, and the C-MS-12 zone district fulfills this requirement coupled with the

Washington Park View Plane. The street classifications, adopted plan guidance for urban design strategies, and desired building heights in this area are consistent with this intent statement.

According to DZC 7.2.3.1.A, the general purpose of the C-RX zone districts is to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm. The Residential Mixed Use Zone Districts are intended to enhance the convenience, ease, and enjoyment of transit, walking, shopping, and public gathering within and around the city's residential neighborhoods while positively contributing to established residential neighborhoods. The Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. The rezoning to C-RX-8 is consistent with the zone district general purpose, and resulting development will be consistent with the general purpose statement through the application of the C-RX-8 zone district standards.

The C-RX-8 specifically applies to residentially-dominated areas served primarily by collector or arterial streets where a building scale of 2 to 8 stories is desired. S. Platte River Dr. adjacent to the subject site is classified as an arterial, and adopted plans identify this site as appropriate for eight-story development. Adopted plans additionally call for the implementation of park-serving mixed uses, and the proposed C-RX-8 zone district introduces neighborhood-scaled commercial uses with primarily residential uses to activate adjacent Vanderbilt Park West. The street classifications, desired building heights, and desired land uses in this area are consistent with this intent statement.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at multiple addresses on 800-1000 blocks S. Broadway, 301 W. Mississippi Ave., 700 S. Santa Fe Dr., 925 S. Santa Fe Dr., 711 S. Cherokee St., 501 W. Ohio Ave., 510 W. Tennessee Ave., and 99 W. Kentucky Ave. (#2015I-00131) to the C-MX-16, C-MX-12, C-MS-12, and C-RX-8 zone districts meets the requisite review criteria. Accordingly, staff recommends approval of the rezoning.

Attachments

1. Application
2. Current T-MU-30 W/C Ordinance 468-2003
3. Letter of support

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.
	<input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.
	<input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage. <input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area. <input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code. Please provide an attachment describing the justifying circumstance.
	<input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.
	<p>REQUIRED ATTACHMENTS</p> <p>Please ensure the following required attachments are submitted with this application:</p> <input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input type="checkbox"/> Proof of Ownership Document(s) <input type="checkbox"/> Review Criteria
<p>ADDITIONAL ATTACHMENTS</p> <p>Please identify any additional attachments provided with this application:</p> <input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
<p>Please list any additional attachments:</p> 	

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION						
<p>We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.</p>						
Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith Josie Q. Smith</i>	01/01/12	(A)	NO
Daniel L Jacobs Broadway Station Partners	1821 Blake St 3C Denver, Co 80202 720-635-5007 djacobs@frontierem.com	71.6%	<i>[Signature]</i>	1/7/16	D	Yes
David A. Genova RTD	1600 Blake St. Denver, CO 80202 303-899-2300 DAVID.GENOVA.RTD@DENVER.COM	22.3%	<i>[Signature]</i>	1-13-16	D	yes
City & county of Denver		0.8%				
CDOT		5.3%				

Last updated: February 4, 2013

Return completed form to rezoning@denvergov.org

February 8, 2016

Addendum Pages to the proposed Official Zone Map Amendment Application for:

Schedule Numbers: 05155-03-028-000; 05155-03-025-000; 05155-03-029-000; 05155-03-027-000; 05155-03-026-000;
05154-00-002-000; 05155-00-061-000; 05155-00-066-000; 05155-00-067-000; 05155-01-012-000; 05155-02-005-000;
05155-03-012-000; 05155-04-005-000; 05155-06-013-000; 05155-06-014-000; 05155-06-016-000; 05155-00-006-000;
05155-00-055-000; 05155-00-056-000; 05155-02-004-000; 05155-00-064-000; 05155-00-065-000; 05155-00-059-000;
05155-00-062-000; 05155-03-023-000; 05155-03-022-000; 05155-00-063-000

Property Owner(s):

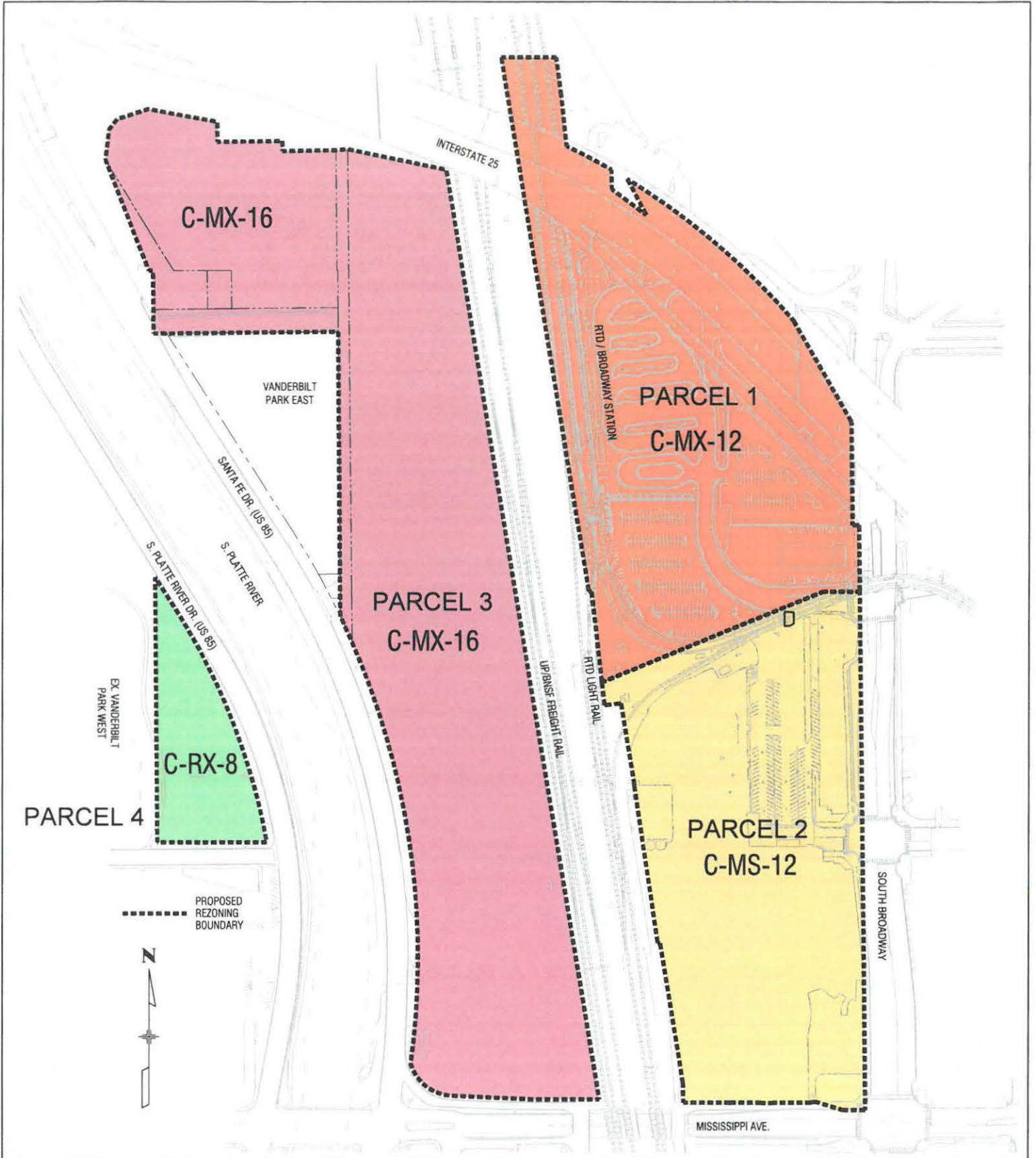
Broadway Station Partners
Regional Transportation District
City and County of Denver
Colorado Department of Transportation

Proposed Zoning:

Parcel 1: C-MX-12
Parcel 2: C-MS-12
Parcel 3: C-MX-16
Parcel 4: C-RX-8

Authorized Representative:

Rachel Prestidge
CRL Associates
1660 Lincoln Street, #1800
Denver, CO 80264
303-592-5467
rprestidge@crlassociates.com



REZONING AREA

BROADWAY STATION

February 2015

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PROPOSED MAP AMENDMENT SUMMARY

The proposed Map Amendment seeks to rezone the property from T-MU-30 W/C UO-1 with waivers to the following zone districts:

Parcel 1: C-MX-12

Parcel 2: C-MS-12

Parcel 3: C-MX-16

Parcel 4: C-RX-8

The proposed Map Amendment also seeks to remove the UO-1 Adult Use Overlay.

Section 12.4.10.7 of the Denver Zoning Code authorizes Denver City Council to approve an official map amendment if the proposed rezoning meets the following criteria:

1. Consistency with Adopted Plans

"The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of the adoption of the City's plan."

2. Uniformity of District Regulations and Restrictions

"The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts."

3. Public Health, Safety, and Welfare

"The proposed official map amendment furthers the public health, safety and general welfare of the City."

For the reasons set forth in Exhibit A, the proposed rezoning is consistent with these criteria.

EXHIBIT A: REVIEW CRITERIA

GENERAL REVIEW CRITERIA

Consistency with Adopted Plans

The proposed map amendment is consistent with the City's five review criteria and all adopted plans.

1. **Denver Comprehensive Plan 2000**
2. **Blueprint Denver**
3. **I-25 & Broadway Station Area Plan**

Denver Comprehensive Plan 2000

The proposed rezoning of the site at Broadway Station from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 is consistent with the Denver Comprehensive Plan 2000.

The *italicized text* signals an excerpt from the Plan. The language that follows is used to detail how the proposed map amendment is consistent with the goals of the Plan.

Key elements of the Plan 2000 visions for success include:

- *Congruency of land use and zoning: "...a built environment with greater overall urban design integrity, stronger connections among urban centers, and a richer and more diverse mix of uses within geographically proximate areas."*
- *Compact development: "...improve[d] neighborhood cohesion, reduce[d] urban sprawl and residents more directly connect[ed] to services and amenities within their immediate living environment."*
- *Mobility: "...residents will enjoy a greater variety of convenient transportation options and alternative mobility choices."*
- *Preservation of urban legacies: "...ongoing development and maintenance of the parks and parkways system, preservation of historic resources, and quality urban design consistent with Denver's traditional character."*
Denver Comprehensive Plan 2000, page 55

The proposed rezoning to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 will support all of the Plan's visions for success. The proposed rezoning has been undertaken in collaboration with multiple city agencies, neighborhood groups, businesses, and other stakeholders. The proposed rezoning will allow for the creation of a built environment at Broadway Station with great overall urban design integrity. It will promote stronger connections among urban centers by laying the groundwork for increased pedestrian connectivity and unprecedented access to the light rail and bus lines that stop at Broadway Station. The density contemplated by the C-MX-12, C-MS-12, C-MX-16, and C-RX-8 Zone Districts supports the vision of compact development in improving neighborhood cohesion, especially across Baker, Athmar Park, Wash Park West, Platt Park, and Overland, and in reducing urban sprawl. The proposed rezoning will also allow future residents to be directly connected to services and amenities within their immediate living environment. The innovative multimodal community envisioned through this rezoning will encourage residents to enjoy a great variety of convenient transportation options and alternative mobility choices.

The Plan Calls for Diverse Housing Options

- *"Encourage development of housing that meets the increasingly diverse needs of Denver's present and future residents in the Citywide Land Use and Transportation Plan."* *Denver Comprehensive Plan 2000, page 58*
- *"The increasing need for a broader array of housing options requires a more diverse mix of residential types that are both affordable and complementary to neighborhood character."* *Denver Comprehensive Plan 2000, page 92*

The proposed rezoning to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 will establish a framework for a unique live-work development, unlike any other development in Denver. The proposed rezoning will facilitate increased availability of housing stock near mass transit and an expanded variety of housing options. The unique mix of allowable uses, both

residential and commercial, at this Transit Oriented Development will encourage development of housing that meets the increasingly diverse need of Denver's present and future residents. C-MX-12, C-MS-12, C-MX-16, and C-RX-8 allows for a range of building types and building heights in support of the Denver Comprehensive Plan 2000's call for diverse housing options. For these reasons, the proposed rezoning is consistent with the Denver Comprehensive Plan 2000.

The Plan Addresses a Need for Greater Connectivity, Access to Transit, and Multi-Modal Communities

- *"In addition to reducing vehicular traffic, existing bus corridors and new regional transit corridors offer opportunities to shape transit-oriented, mixed-use developments, which encourage neighborhood self-sufficiency." Denver Comprehensive Plan 2000, page 33*
- *"Ensure that land-use policies and decisions support a variety of mobility choices, including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities." – Denver Comprehensive Plan 2000, page 60*
- *"In new development and redevelopment areas that include transit stations, transit-oriented development can support other goals of Plan 2000, including neighborhood revitalization, local business development, affordable housing and attractive public amenities." Denver Comprehensive Plan 2000, page 73*
- *"Transit-oriented development will become standard for development and redevelopment, and neighborhoods served by transit stations will enjoy popular appeal for their character and convenience." Denver Comprehensive Plan 2000, page 74*
- *"Create more convenient connections between different modes of transportation, as in pedestrian to transit, bus to light rail, or bike to transit." – Denver Comprehensive Plan 2000, page 76*
- *"Promote transit-oriented development (TOD) as an urban design framework for urban centers and development areas. Development at transit stations should provide both higher ridership to the transit system and viability and walkability in the area." – Denver Comprehensive Plan 2000, page 77*
- *"Determine the potential for transit-oriented development at public transit stations, and encourage such opportunities whenever possible." Denver Comprehensive Plan 2000, page 79*
- *"Promote convenient public transit for the community, including buses, light rail and other alternatives to single-occupancy vehicles." – Denver Comprehensive Plan 2000, page 41*

The Denver Comprehensive Plan 2000 created strong directives around transit and articulated that land use policies should support those objectives. The rezoning at Broadway Station, from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 will allow for residences, office space, retail, parks, and public space at one of Denver's transit hubs. This rezoning will facilitate a more walkable environment along South Broadway and a mixed-use community next to transit. The rezoning will enable diverse mobility options for potential future residents, and will be one step in the direction of shifting a city overly structured to accommodate automobiles. The rezoning will open the door for a pedestrian-friendly, mass transit-friendly site. This existing bus corridor and regional transit corridors offer an opportunity to shape transit-oriented, mixed-use developments, which encourage neighborhood self-sufficiency.

The rezoning for this site supports the Plan's assertion that transit-oriented development will become standard for development and redevelopment, and neighborhoods served by transit stations will enjoy popular appeal for their character and convenience.

The rezoning of this site promotes the reduction of reliance on the automobile and supports safe and convenient access and accommodation of pedestrians and transit riders. It promotes convenient public transit for the community, including buses, light rail, and other alternatives to single-occupancy vehicles. This rezoning strongly reinforces the Plan's call for pedestrian-friendly communities, and is therefore consistent with this aspect of the Denver Comprehensive Plan 2000.

The Plan Addresses a Need for Sustainable Development and Conservation of Land

- *"Encourage redevelopment of vacant, underutilized and environmentally compromised land known as brownfields." Denver Comprehensive Plan 2000, page 39*

- *“Conserve land by... Promoting infill development within Denver at sites where services and infrastructure are already in place.” – Denver Comprehensive Plan 2000, page 39*
- *“Conserve land by... Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.” – Denver Comprehensive Plan 2000, page 39*
- *“Conserve land by... Creating more density at transit nodes.” – Denver Comprehensive Plan 2000, page 39*
- *“Conserve land by... Encouraging the redevelopment of brownfields.” – Denver Comprehensive Plan 2000, page 39*
- *“Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work.” Denver Comprehensive Plan 2000, page 41*
- *“Compact urban centers will meet the needs of 21st-century living while reinforcing the valued characteristics of Denver’s neighborhoods. Development and redevelopment of urban centers present opportunities to concentrate population and land uses within a limited geographic space. Compact development will improve neighborhood cohesion, reduce urban sprawl and connect residents more directly to services and amenities within their immediate living environment.” – Denver Comprehensive Plan 2000, page 55*
- *“Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.” – Denver Comprehensive Plan 2000, page 60*

The rezoning of this site to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 is consistent with these sections of the Denver Comprehensive Plan 2000. The proposed rezoning encourages the redevelopment of vacant, underutilized and environmentally compromised land known as a brownfield. The land at this site was occupied by Gates Rubber Company factories for most of the 20th century and has required extensive environmental clean-up as a brownfield. Redevelopment of this brownfield, made possible through the proposed rezoning, is consistent with the Plan. Further, this proposed zoning will encourage the conservation of land by promoting infill development within Denver at sites where services and infrastructure are already in place. While much of the infrastructure within the site is missing, it is located along Broadway, Santa Fe, and I-25 and flanked by neighborhoods on all sides. It is located at a transit station serving five light rail lines and four major bus routes.

This proposed rezoning will also encourage the conservation of land through enabling the design of a mixed-use community. It will enable a reduction in sprawl, so that residents can live, work and play within their own neighborhoods. The proposed rezoning will allow for more density at a transit node and will encourage the redevelopment of a brownfield. The proposed rezoning will maintain existing connections while promoting the development of new connections among open space areas within Denver. As part of the compact urban center, this site presents an opportunity to concentrate population and land uses within a limited geographic space. The type of compact development contemplated by the C-MX-12, C-MS-12, C-MX-16, and C-RX-8 Zone Districts will improve neighborhood cohesion, reduce urban sprawl, and connect residents more directly to services and amenities within their immediate living environment.

While the proposed rezoning will facilitate a dense, urban, transit-oriented development, it will as the same time support the ongoing development and maintenance of the parks and parkways system, specifically Vanderbilt Park East, Vanderbilt Park West, and the South Platte River. The rezoning will also respect the Washington Park view plane and the downtown and mountain views associated with it.

For all of these reasons, the rezoning of this site to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 is consistent with the Denver Comprehensive Plan 2000.

Blueprint Denver

The proposed rezoning of the site at Broadway Station from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 is consistent with Blueprint Denver. Specifically, the rezoning is consistent with Blueprint’s Overarching Plan

Recommendations, as well as the recommendations for Areas of Change, Concept Land Use, Street Classifications and Enhanced Transit Corridors.

The *italicized text* signals an excerpt from Blueprint. The language that follows is used to detail how the proposed map amendment is consistent with the goals of Blueprint.

Overarching Plan Recommendations

“Blueprint Denver anticipates several key outcomes of this integrated approach to planning for the future:

- *Enhanced transportation system connectivity — strong links between and among transit, bicycle and pedestrian routes — promotes the use of multiple modes of transportation.*
- *Appropriately located and attractive density stimulates positive change and development in areas with strong links to transit.*
- *Attractive streetscape, people-friendly amenities and mixed uses transform auto-dominated streets into lively, active corridors that support the needs of transit users and encourages people to walk.*
- *A diversity of housing in terms of size, type and cost provides a range of housing options and prices throughout the community.*
- *Residential areas are located near employment centers, thus creating more job opportunities across the city.”*
Blueprint Denver, page 18

The rezoning at Broadway Station, from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 is consistent with the overarching plan recommendations in Blueprint Denver. The proposed rezoning will enable enhanced transportation system connectivity — strong links between and among transit and pedestrian routes. The density contemplated by the proposed zoning is appropriately located at the Broadway & I-25 light rail station, encouraging positive change and development in an area with strong links to transit. The building form and street-level activation requirements in the C-MS-12 Zone District encourage an attractive streetscape, people-friendly amenities, and mixed uses in order to transform auto-dominated streets into lively, active corridors that support the needs of transit users and encourages people to walk. The variety of zone districts on the site promotes a diversity of housing in terms of size, type, and cost. The proposed mixed use zone districts allow for commercial, as well as residential uses on the site, encouraging job opportunities near residential areas. The proposed zone districts allow for the type of commercial development that could provide jobs to residents and promote Denver as a national business center. For these reasons, the proposed rezoning is consistent with Blueprint Denver.

Concept Land Use and Street Classifications

Blueprint Denver identifies Parcels 1, 2, and 3 to be rezoned as a Transit Oriented Development and Area of Change.

Transit Oriented Development (TOD):

“Transit-Oriented Development (TOD)

Transit-oriented developments are distinctly different because these land uses have a direct correlation to the function of a mass transit system. These development sites are located at stations or stops along bus or rail lines within a mass transit network. Transit-oriented developments offer an alternative to traditional development patterns by providing housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access. Some key attributes of TOD commonly include:

- *A balanced mix of uses (residential, retail, office, entertainment, public facilities and others)*
- *Compact, mid- to high-density development*
- *Close proximity to transit, emphasizing a pedestrian-friendly and attractive pedestrian environment*
- *Multi-modal transportation connections (rail, bus, bicycle, pedestrian and others)*
- *Attractive, multi-story buildings facing the station and adjacent streets*
- *A variety of housing types and prices, including affordable housing opportunities*
- *Access to open space and recreational amenities*

- *A high degree of connectivity between station area and surrounding neighborhoods.” Blueprint, page 44*

Area of Change:

“Strategies for addressing areas of change:

- *Compatibility between existing and new development*
- *Pedestrian and transit supportive design and development standards*
- *Mixed land uses*
- *Infill and redevelop vacant and underused properties*
- *Multi-modal streets*
- *Transit service and transit access*
- *Adequate parks and open space, especially where density is increased*
- *Diversity of housing type, size, and cost.” Blueprint Denver, page 23*

The proposed rezoning at from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, and C-MX-16 is consistent with the Transit Oriented Concept Land Use and Area of Change designation in Blueprint Denver. The proposed rezoning allows for a balanced mix of uses; compact, mid- to high-density development; close proximity to transit with an emphasis on pedestrian-friendly environment; multi-modal transportation connections; multi-story buildings facing the station and adjacent streets; a variety of housing stock near mass transit; access to open space and recreational amenities; and a high degree of connectivity between station area and surrounding neighborhoods. For these reasons, this rezoning is consistent with a Transit Oriented Development Concept Land Use in Blueprint Denver. The proposed rezoning is also consistent with the Area of Change designation in Blueprint Denver as it will facilitate compatibility between existing and new development, pedestrian and transit supportive design and development standards, mixed land uses, infill and redevelop vacant and underused properties, multi-modal streets, transit service and transit access, adequate parks and open space, and diversity of housing type, size, and cost.

Rezoning the Gates Transit Oriented Development to C-MX-12, C-MS-12, and C-MX-16 is consistent with Blueprint’s strategies for addressing areas of change. Bordered by Broadway to the east and I-25 to the north, the site is intersected by Mississippi, Tennessee, and Santa Fe. The surrounding area is currently a mix of industrial, commercial, residential, and park uses; this proposed rezoning and the future development would be compatible with existing development and uses. The Mixed Use and Main Street Zone Districts designated in this proposed rezoning contemplates mixed land uses, and the infill and redevelopment of a vacant and underused property. Further, the intent with both the Mixed Use and Main Street Zone Districts is to spur not only residential development, but economic activity as well. For these reasons, this proposed rezoning is consistent with Blueprint Denver.

“These areas have a sizable employment base as well as housing. Intensity is higher in mixed-use areas than in other residential areas. Land uses are not necessarily mixed in each building or development or even within each block. But within the neighborhood, residential and non-residential uses are within walking distance of one another. The proportion of residential to commercial uses varies considerably from one mixed-use district to another.” Blueprint Denver, page 41

The proposed zoning classifications of C-MX-12, C-MS-12, and C-MX-16 will create the opportunity for a sizable employment base at the site, in addition to housing. The intensity will be higher in this mixed-use area as opposed to other residential areas. Residential and non-residential uses will be within walking distance of one another. For these reasons, the proposed rezoning is consistent with Blueprint Denver.

“The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips. Areas of Change are parts of the city where most people agree that development or redevelopment would be beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, a high priority will be providing housing opportunities for existing residents. A major goal is to

increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop... Areas of Change provide Denver with the opportunity to focus growth in a way that benefits the city as a whole. Future residents and workers in these areas will have excellent access to efficient forms of transportation that include walking, biking, buses and light rail. However, redevelopment in these areas does more than just reduce the potential traffic congestion in the city. New development can improve the economic base, provide jobs, and enhance the visual quality of buildings, streets and neighborhoods, thereby positively affecting the quality of life in both the Areas of Change and in the surrounding neighborhoods.” Blueprint Denver, page 127

The proposed rezoning to C-MX-12, C-MS-12, and C-MX-16 will help channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. The proposed rezoning will allow for mixed-use development next to a major transit hub. The Mixed Use and Main Street Zone Districts will allow for both residential and commercial uses on-site, while the direct connection with mass transit at Broadway Station will improve access to jobs, housing, and services across the Metro Area. As an area of change, the Gates Transit Oriented Development is a part of the city where most people agree development would be beneficial. For these reasons, the proposed rezoning is consistent with Blueprint Denver.

“Gates Light Rail Station Area (I-25/Broadway) – TOD

The Gates TOD lies at the intersection of the Southeast, Southwest and Central Corridor light-rail lines. This largely out-moded industrial site holds the potential for high-density housing, employment, and publicly accessible open space. Proximity to major transportation facilities, the Platte River, adjacent residential, industrial and South Broadway commercial areas creates a perfect blend of uses and access to develop a model TOD.” Blueprint Denver, page 137

The proposed rezoning to C-MX-12, C-MS-12, and C-MX-16 will capitalize on the potential at the Gates TOD and allow for exactly the sort of high-density housing, employment, and publically accessible open space called for by Blueprint Denver. Consequently, the proposed rezoning is consistent with Blueprint.

Blueprint Denver identifies Parcel 4 as Industrial and an Area of Stability.

Industrial:

“As manufacturing and shipment have become more sophisticated, the need for heavy industrial areas adjacent to rail has lessened. Some of these older areas have historic buildings that are suitable for conversion to office and residential, a notable trend in LoDo and the Ballpark District. Others have the potential to be more diverse employment areas. Warehousing remains a viable use with high demand for trucking. Active industrial areas require access to major arterials or interstates. Heavy rail facilities also are often adjacent to industrial districts. Streets in these districts must be able to accommodate heavy trucks. Special attention to design, screening and buffering is necessary where industrial districts abut districts that include residential use. Examples of this form of development include the I-70 and South Platte River corridors.” Blueprint Denver, page 40

Area of Stability:

“These areas represent the bulk of the residential portions of the city and employment areas not designated as Areas of Change. Preserving and revitalizing neighborhood character has been a prevailing concern throughout the planning process. The need to direct and manage the location, type and intensity of future development is balanced by an equally strong desire to preserve those areas of the city with an established character. Within Areas of Stability there may be places such as stagnant commercial centers where reinvestment would be desirable to make the area an asset to and supportive of the surrounding neighborhood. Generally, Areas of Stability face two types of concerns: character preservation and reinvestment.” Blueprint Denver, page 23

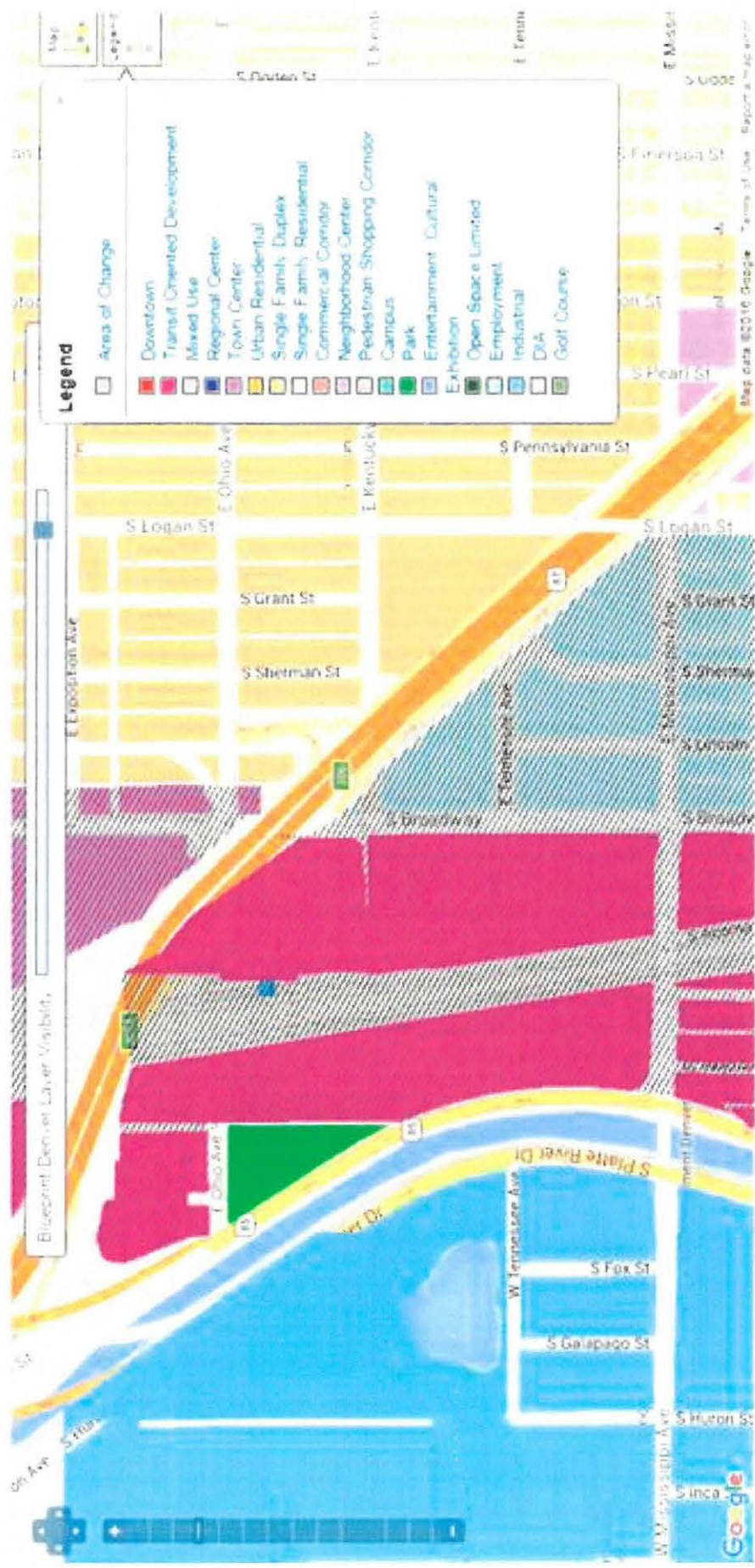
Reinvestment:

“Other parts of the city have experienced a different set of circumstances. These areas demonstrate stability through a high home occupancy rate, yet are threatened by inadequate or deteriorating infrastructure (unpaved alleys and a lack of curbs or gutters), land-use conflicts such as those between industrial and residential uses, or a lack of basic services such as grocery stores. These areas need stabilization through reinvestment.” Blueprint Denver, page 24

The proposed rezoning at from T-MU-30 W/C UO-1 to C-RX-8 is consistent with the Industrial Concept Land Use and Area of Stability designation in Blueprint Denver. The need for heavy industrial in this area has lessened and Blueprint Denver calls for special attention in areas where industrial districts abut districts that include residential use, such as Parcel 4. Further, Parcel 4 fits the description of an Area of Stability that needs reinvestment. The neighborhood west of Santa Fe Drive has a high home occupancy rate, yet is threatened by inadequate or deteriorating infrastructure, land-use conflict between industrial and residential uses, and a lack of basic services such as grocery stores. This rezoning will encourage stabilization through the enablement of reinvestment.

See map on the following page entitled “Blueprint Denver Concept Land Use Map”.

Blueprint Denver Concept Land Use and Area of Change Map



Street Classifications:

“South Broadway – commercial corridor

South Broadway is envisioned as a revitalized commercial corridor where areas of pedestrian activity occur at key intersections. Adjacent urban residential and mixed-use development helps to activate Broadway businesses. A key node at Evans Avenue serves the additional purpose of putting residents and activity within walking distance of the Evans transit station. Antique Row is a unique destination. There is also the potential for creating some pedestrian shopping segments similar to First Avenue and Broadway.” Blueprint Denver, page 140

Creating the opportunity for a mixed-use development, the proposed rezoning to C-MX-12, C-MS-12, and C-MX-16 will help to activate Broadway businesses and will create the opportunity for more pedestrian shopping experiences along that corridor. Specifically, the proposed rezoning to C-MS-12 on Parcel 2 will enable an improved pedestrian experience along South Broadway. The current zoning of T-MU-30 W/C UO-1 does not achieve the design recommendations for this corridor. Further, T-MU-30 does not include form or active use standards. Under current zoning, many things could potentially develop along Broadway that are in contrast to the vision called for by Blueprint. C-MS zoning, on the other hand, calls for specific design and building form standards, in addition to ground floor activation and transparency requirements. Under C-MS-12, Parcel 2 will enable the development vision for the Broadway corridor. For these reasons, the proposed rezoning is consistent with Blueprint.

South Broadway and West Mississippi (between I-25 and Santa Fe) are defined by Blueprint Denver as Mixed-Use Arterials. The proposed C-MS-12 and C-MX-12 along South Broadway and West Mississippi allow for the type of mixed-use development called for along mixed-use arterials.

South Broadway is also designated by Blueprint Denver as an Enhanced Transit Corridor. Blueprint Denver recommends increasing multimodal capacity and quality along enhanced transit corridors. The proposed zoning will encourage mixed-use development and improved connectivity along South Broadway.

Santa Fe Drive and South Platte River Drive are designated by Blueprint Denver as Commercial Arterials. The proposed C-MX-16 along Santa Fe Drive and South Platte River Drive allows for the type of commercial and retail development contemplated by Blueprint Denver along commercial arterials.

West Tennessee is an Undesignated Local in Blueprint Denver. The proposed C-RX-8 zoning along West Tennessee allows for the type of development contemplated by Blueprint Denver along undesignated local streets by providing local access to individual sites.

For all of the reasons discussed above, the proposed rezoning is consistent with Blueprint Denver.

I-25 & Broadway Station Area Plan

The proposed rezoning of the site at Broadway Station from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 is consistent with the I-25 and Broadway Station Area Plan.

The *italicized text* signals an excerpt from the Station Area Plan. The language that follows is used to detail how the proposed map amendment is consistent with the goals of the Station Area Plan.

"Vision for I-25 and Broadway Station

The I-25 and Broadway Station Area Plan creates a Connected, Resilient, Vibrant and Transformative Multi-Modal Hub that reknits the Station Area into the fabric of the City." I-25 and Broadway Station Area Plan, page 22

"Land Use Framework

Blueprint Denver identifies I-25 and Broadway Station as an Area of Change and recommends TOD Mixed Use in the vicinity of the station. The LAND USE FRAMEWORK furthers Blueprint Denver's thinking by recommending a sub-set of TOD land uses based upon market analysis, physical site characteristics, and input from property owners and the community." I-25 and Broadway Station Area Plan, page 27

"Create a "Midtown" office location by encouraging a high-density office uses near the station to capitalize on visibility and multi-modal access." I-25 and Broadway Station Area Plan, page 27

"Encourage a mix of residential, office, civic and public plazas immediately adjacent to the station to encourage 18-hour activity." I-25 and Broadway Station Area Plan, page 27

"Encourage high-density mixed-use residential within walking distance of the transit station that includes a range of unit sizes and price points that promote a healthy lifestyle." I-25 and Broadway Station Area Plan, page 27

The proposed rezoning allows for a mixed-use, multi-modal Transit Oriented Development. The proposed rezoning of Parcel 3 to C-MX-16 is consistent with the Station Area Plan's call for high density office use near the station and a mix of residential, office, civic and public plazas immediately adjacent to the station. The proposed rezoning of Parcel 1 to C-MX-12 and Parcel 2 to C-MS-12 will encourage high density mixed-use residential within walking distance of the transit station, with a range of unit sizes and price points. For these reasons, the proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

Vision for I-25 and Broadway Station: CONNECTED

"S. Broadway is an urban commercial corridor that stretches from Downtown to Douglas County. This Plan recommends continuing the commercial character of S. Broadway between Center Avenue and Mississippi Avenue by creating a pedestrian scale street environment. This is achieved by placing buildings at the property line and active street edge with a mix of active ground floor uses, quality architecture and transparent facades along S. Broadway." I-25 and Broadway Station Area Plan, page 30

The proposed C-MS-12 Zone District requires a pedestrian scale street environment, with a mix of active ground floor uses, quality architecture and transparent facades. Therefore, this proposed rezoning is consistent with the I-25 and Broadway Station Area Plan. The proposed C-MX-12 District also requires a pedestrian scale street environment, with a mix of active ground floor uses, quality architecture and transparent facades. Therefore, this proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

Vision for I-25 and Broadway Station: RESILIENT

"A RESILIENT Broadway Station exemplifies best practices for urban infill, brownfield redevelopment and transit oriented design. A RESILIENT I-25 and Broadway Station is envisioned as a dense, mixed-use, transit oriented community.

Redevelopment of this Station Area should establish a local and national precedent for the transformation of former industrial property into a sustainable urban development of the future. This Plan provides recommendations intended to guide urban infill, brownfield redevelopment and transit oriented design by promoting economic resiliency, environmental sustainability and social sustainability for the Station Area.” I-25 and Broadway Station Area Plan, page 42

The rezoning at Broadway Station, from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 enables a dense, mixed-use, transit-oriented community. The proposed rezoning allows for urban infill and brownfield redevelopment at Broadway Station. The proposed rezoning is therefore consistent with the I-25 and Broadway Station Area Plan.

“Promote Economic Resiliency

- *Expand office employment opportunities.” I-25 and Broadway Station Area Plan, page 44*

The proposed C-MX-12, C-MS-12, and C-MX-16 Zone Districts contemplate various mixed uses, including office space. Therefore, the proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

“Promote Environmental Sustainability

- *Promote alternative transportation and mass transit.” I-25 and Broadway Station Area Plan, page 46*

By enabling the potential of development next to Broadway Station, which will promote alternative transportation and mass transit, the proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

“Enhance Social Sustainability

- *Create healthy communities*
- *Increase access to housing.*
- *Increase access to jobs.*
- *Strengthen outreach on development projects.*
- *Empower RNO’s to champion improvements near the station.” I-25 and Broadway Station Area Plan, page 50*

The proposed C-MX-12, C-MS-12, C-MX-16, and C-RX-8 zoning will encourage social sustainability at the site. This zoning facilitates increased access to both housing and jobs, on-site and off. The proposed Zone Districts will allow for a mix of uses that supports office use. Through the rezoning process, the ownership group has sought the input and insight of the Registered Neighborhood Organizations (RNOs) from the five surrounding neighborhoods. The proposed zoning will enable a vibrant, active, multi-modal community with walkable access to healthy food, mass transit, bike trails, public and civic spaces, and parks and recreation. In addition, the proximity to Broadway Station will afford residents an even greater access to amenities across the metro area. For these reasons, the proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

Vision for I-25 and Broadway Station: VIBRANT

“A VIBRANT Broadway Station is an 18-hour, mixed-use district that is the heart and gathering place for adjacent neighborhoods as well as a regional destination.” I-25 and Broadway Station Area Plan, page 52

“I-25 and Broadway Station is poised to become a new epicenter of culture and activity in the city and region. The Station Area Plan identifies strategies and recommendations to create an 18-hour mixed-use district that will become the heart and gathering place for the surrounding neighborhoods and a regional destination. This plan moves the station beyond its current utilitarian function of a transfer station to a vibrant new urban center along the already lively South Broadway corridor. It should be redeveloped as an exemplary urban, transit oriented community that elevates urban and

architectural excellence in Denver and nationwide, while respecting the history, culture and needs of the existing community.” I-25 and Broadway Station Area Plan, page 52

The proposed rezoning to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 will lay the framework for an 18-hour, mixed-use district that is the heart and gathering place for adjacent neighborhoods as well as a regional destination. The proposed Zone Districts allow for an integral mix of office, residential, and retail uses that would make the site vibrant throughout the day and evening. The proposed rezoning will allow the site to be developed as an exemplary urban, transit-oriented community. Therefore, the proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

“Promote Urban Center Densities

- *Encourage a variety of uses to activate the Station Area.*
- *Incorporate higher densities near the station.” I-25 and Broadway Station Area Plan, page 57*

The proposed C-MX-12, C-MS-12, C-MX-16, and C-RX-8 zoning allows for a variety of uses to activate the Station Area. Additionally, each proposed zoning allows for higher densities. Therefore, the proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

Blueprint Denver Concept Land Use

“Transit Oriented Development

Transit-Oriented Developments have land uses with a direct correlation to the function of a mass transit system. These development sites are typically located within a half mile walking distance of stations or stops along mass transit lines, especially rail lines. Transit-Oriented Developments provide housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access.” I-25 and Broadway Station Area Plan, page 55

The proposed rezoning from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, and C-MX-16 is consistent with the Blueprint Denver Concept Land Use in the I-25 and Broadway Station Area Plan. This proposed rezoning will allow for Transit Oriented Development. The proposed Zone Districts will allow for a development site within a half mile walking distance of the I-25 and Broadway light rail station and will enable housing, services, and employment opportunities. Therefore, this proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

“Mixed Use

These areas have both a sizable employment base as well as a variety of mid to high density housing options. Intensity is higher in mixed-use areas than in predominantly residential areas. Land uses may be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is important within these areas, with residential and non-residential uses always within walking distance of one another.” I-25 and Broadway Station Area Plan, page 55

The proposed rezoning from T-MU-30 W/C UO-1 to C-RX-8 is consistent with the Blueprint Denver Concept Land Use in the I-25 and Broadway Station Area Plan. This proposed rezoning will allow for a variety of mid to high density housing options, while also allowing residential-serving mixed use. Therefore, this proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

“Incorporate higher densities near the station.

- *Design buildings to range from five to sixteen stories tall, while respecting the established Washington Park view plane.*
- *Focus density at the station platform to create an urban environment and encourage transit ridership.*
- *Encourage taller office buildings near the interstate to capitalize on visibility.” I-25 and Broadway Station Area Plan, page 57*

The rezoning at Broadway Station, from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, C-MX-16, and C-RX-8, will allow for density at the station and near the interstate. The proposed rezonings of C-MX-12 on Parcel 1 and C-MS-12 on Parcel 2 allow for building heights up to 12 stories. The proposed C-MX-16 rezoning on Parcel 3 allows for building heights up to 16 stories. Each of these zoning heights is consistent with the building height map in the I-25 and Broadway Station Area Plan pictured above. For these reasons, the proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

"Shape urban form to create a human scale environment.

Create a compact development pattern with small blocks and building frontages that spatially define public streets and open spaces.

- *Incorporate a variety of building heights and form to create an interesting urban environment.*
- *Front streets, parks and public plazas with buildings to create a sense of enclosure in the public realm.*
- *Encourage active edges promote "eyes-on-the-street" by providing transparent facades and active ground floor uses.*
- *Consider public views to mountains when locating buildings and public plazas.*
- *Incorporate upper story building setbacks, where appropriate along special streets, to minimize the canyon affect and allow solar access at the street level.*
- *Make pedestrian entries to parking structures obvious and easy to find.*
- *Locate vehicular access to parking structures along non-primary streetsI-25 and Broadway Station Area Plan, page 58*

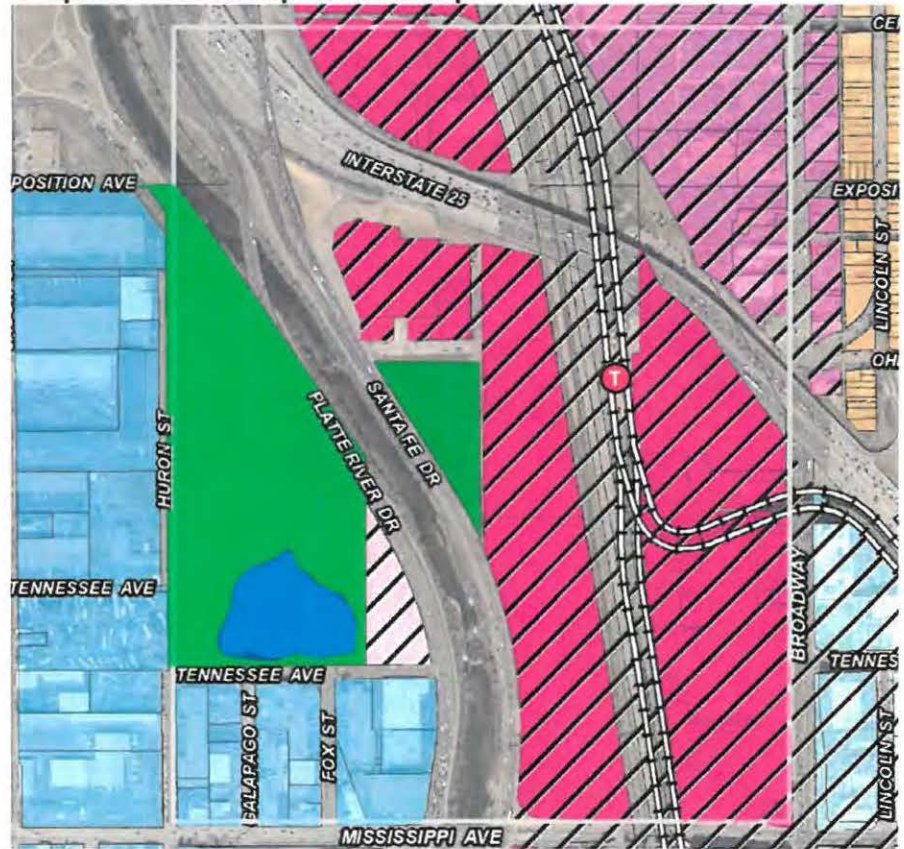
The proposed C-MX-12, C-MS-12, C-MX-16, and C-RX-8 rezoning will facilitate a compact development pattern with small blocks and building frontages that spatially define public streets and open spaces. The high capacity for density will lend the site to a variety of building heights and building forms to create an interesting urban environment. The Zone Districts require active edges with transparent facades and active ground floor uses. Along primary streets, the ground floor will be required to be wrapped with active uses. The Zone Districts incorporate requirements for upper story building setbacks, where appropriate. Therefore, the proposed rezoning is consistent with the I-25 and Broadway Station Area Plan.

For all these reasons, the proposed rezoning from T-MU-30 W/C UO-1 to C-MX-12, C-MS-12, C-MX-16, and C-RX-8 is consistent with the I-25 and Broadway Station Area Plan.

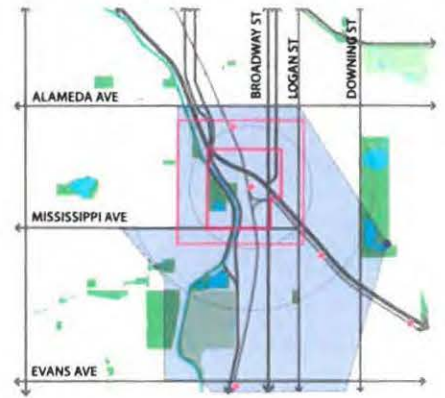
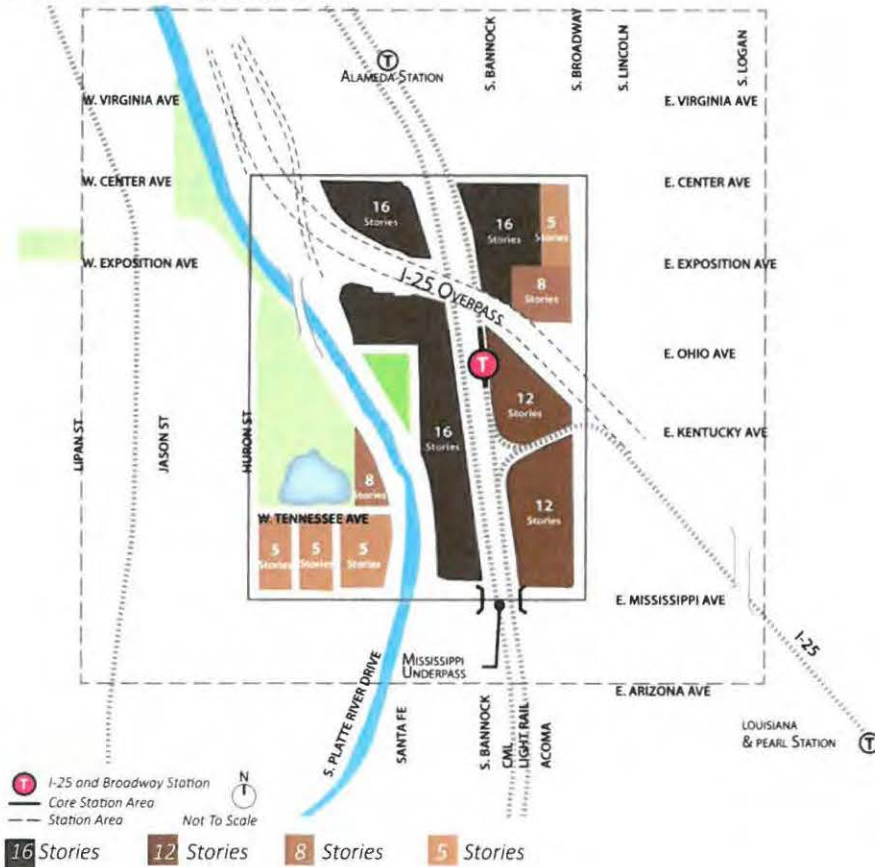
Blueprint Denver Concept Land Use Map

The future concept land use map in Blueprint Denver depicts TOD, Park and Industrial uses in the Core Station Area.

- Transit Oriented Development
 - Industrial
 - Mixed Use
 - Town Center
 - Park
 - Employment
 - Single Family Duplex
 - Area Of Change
- T I-25 and Broadway Station
T Core Station Area
N Not To Scale



Proposed Building Heights



Washington Park View Plane Diagram
(purple tone denotes view plane)

Note: Building Heights subject to Washington Park View Plane covers the entire Station Area and provides greater certainty of heights on a building by building basis. Refer to Washington Park Neighborhood Plan for view plane details.

Map Amendment: Broadway Station: Addendum & Exhibits

Uniformity of District Regulations and Restrictions

The proposed rezoning will result in uniformity of District regulations and restrictions in accordance with Section 12.4.10.7(B) of the Zoning Code.

Map Amendment: Broadway Station: Addendum & Exhibits

Public Health, Safety and General Welfare

The proposed official map amendment is an implementation of Denver Comprehensive Plan 2000, Blueprint Denver, and the Broadway & I-25 Station Area Plan and therefore furthers the public health, safety and general welfare of the City.

ADDITIONAL REVIEW CRITERIA

The proposed map amendment is consistent with both of the City's additional review criteria.

1. **Justifying Circumstances**
2. **Consistency with Applicable Neighborhood Context and with Stated Purpose and Intent of Proposed Zone District**

Description of Justifying Circumstances

The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.

The land and its surroundings have changed to such a degree that it is in the public interest to encourage a redevelopment of the area for the following reasons: a) the land is under new ownership with a new redevelopment concept; b) Broadway Station serves as a transportation hub for the city; c) the land was part of an extensive public planning process, which resulted in a Station Area Plan; d) a rezoning will bring the land into the new 2010 Denver Zoning Code.

a. The land is under new ownership with a new redevelopment concept

Charles Gates, Sr. purchased the Colorado Tire and Leather Company in 1911, and by 1919 there were three buildings on the Gates site on the northwest corner of South Broadway and Mississippi Avenue. The Gates Company site was Denver's largest industrial plant at the time. Over the years, the plants housed various manufacturing ventures, but by 1991, Gates Rubber Company had moved all manufacturing and distribution operations to plants throughout both the United States and the world. For the next 23 years, the factory sat vacant. In 2001, Cherokee Denver purchased the site and the current T-MU-30 W/C UO-1 zoning was adopted in 2003, under old Chapter 59 zoning, in line with Cherokee Denver's development plans for the site. Due to combination of environmental remediation issues and the aftermath of the 2008 economic crisis, the Cherokee deal died and Gates reacquired the site in 2009. In 2014, Frontier Renewal purchased the site to finish remediation and cleanup, as well as prepared the site for vertical development. As part of that preparation, a new redevelopment concept is now in place.

b. Broadway Station serves as a transportation hub for the city

In 2003, the I-25 and Broadway Light Rail Station opened shortly after the T-MU-30 W/C UO-1 zoning was approved. That station is now served by five light rail lines and four major bus lines, making it a transportation hub for the city. The importance of Transit Oriented Development, and the significance of this station in particular, was not fully realized at the time. This land that surrounds the I-25 and Broadway Station and opens up a significant opportunity for urban transit oriented development. The site is located between two significant residential neighborhoods to the east and west. However, the existing land uses (primarily industrial and vacant land in proximity to the station) and regional transportation networks (I-25, S. Platte River Drive, Santa Fe, CML and light rail) isolate the existing station from the adjacent neighborhoods.

c. The land was part of an extensive public planning process, which resulted in a Station Area Plan

Recognizing the importance of this site, the City, in partnership with the ownership group, initiated a collaborative community process to create a comprehensive Area Plan that would guide all future development on the site. As part of the process for drafting the I-25 and Broadway Station Area Plan, a steering committee was convened to inform the language of the plan. That steering group included representatives from Registered Neighborhood Organizations, public and nonprofit agencies and business improvement districts, as well as city council members, property owners and business owners. The Steering Committee met six times throughout the planning process. In addition to the Steering Committee meetings, the City hosted three public workshops to garner insight and comments from the community.

Map Amendment: Broadway Station: Addendum & Exhibits

Knowing that the development of a site this large, next to a major light rail station, would require synergy between all City departments, a technical working group was assembled as well. The technical working group comprised of a variety of City departments, state agencies, and quasi-governmental organizations advised on the technical aspects of the plan. Representatives from the ownership group also met with all six adjacent neighborhood groups.

When the current T-MU-30 W/C UO-1 zoning was approved, it was approved without a community-adopted vision from a Small Area Plan. Small Area Plans allow neighborhood, local business, and community input into the development of that area. In contrast, the requested zone districts are guided by the Broadway & I-25 Station Area Plan. The requested zone districts reflect the changed condition of a recently adopted Small Area Plan.

d. A rezoning will bring the land into the new 2010 Denver Zoning Code

The current zoning of T-MU-30 W/C UO-1 was enacted in 2003 under old Chapter 59 zoning. The adoption of the Denver Zoning Code in 2010 introduced new tools to implement the City's vision, tools unavailable under the current zone district. The form and context-based approach recognizes urban centers like the I-25 and Broadway Station while T-MU-30 standards do not.

Consistency with Applicable Neighborhood Context and with Stated Purpose and Intent of Proposed Zone District

The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.

a. Urban Neighborhood Context

The C-MX-16, C-MX-12, C-MS-12, and C-RX-8 Zone Districts are part of the Urban Center Neighborhood Context. Section 7.1 of the Zoning Code describes the Urban Center Neighborhood context as follows.

GENERAL CHARACTER

The Urban Center Neighborhood Context consists of multi-unit residential and mixed use commercial strips and commercial centers. Multi-unit buildings are typically Rowhouse, Courtyard Apartment and Apartment forms. Commercial buildings are typically Live-Work, Shopfront, and General Commercial forms. Multi-unit residential uses are primarily located along residential collector, mixed use arterial, and local streets. Commercial uses are primarily located along main and mixed-use arterial streets. Zoning Code, Section 7.1.1.

Broadway Station is intended as a mixed use community with a wide variety of housing types as well as retail and office opportunities. The proposed C-MX-16, C-MX-12, and C-MS-12 Zone Districts will allow for Live-Work, Shopfront, and General Commercial forms located primarily along main and mixed-use arterial streets, in addition to multi-unit residential units located primarily along residential collector, mixed use arterial, and local streets. Residential units will typically be Rowhouse, Courtyard Apartment, and Apartment forms.

BUILDING PLACEMENT AND LOCATION

All buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building. Zoning Code, Section 7.1.3

The C-MX-16, C-MX-12, C-MS-12, and C-RX-8 Zone Districts all contain build to requirements, limit setbacks, and require parking to be located at the rear of buildings.

BUILDING HEIGHT

The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. Lower scale structures are typically found in areas transitioning to a less dense urban neighborhood. Zoning Code, Section 7.1.4.

The C-MX-16, C-MX-12, C-MS-12, and C-RX-8 Zone Districts will be located near the Broadway Station to promote a dense urban character. The C-MX-16 Zone District will allow for buildings of up to 16 stories. The C-MX-12 Zone District will allow for buildings up to 12 stories. The C-MS-12 Zone District will allow for buildings up to 12 stories. The C-RX-8 Zone District will allow for residential buildings up to 8 stories.

MOBILITY

There are high levels of pedestrian and bicycle use with the greatest access to multimodal transportation system. Zoning Code, Section 7.1.4.

The C-MX-16, C-MX-12, C-MS-12, and C-RX-8 Zone Districts include design requirements that promote pedestrian and bicycle use. These include ground floor activation requirements, prohibition of parking in front of buildings, and front or side door pedestrian entrances. All of these requirements will promote high levels of pedestrian and bicycle use. In addition, the site connects to five light rail lines and four major bus lines, connecting it to downtown and other parts of Denver.

b. Stated Purpose and Intent of Mixed Use Zones

DZC 7.2.2.1 - General Purpose

The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and shopfront building forms that clearly define and activate the public street edge.

The proposed C-MX-16 and C-MX-12 Zone Districts will promote safe, active and pedestrian scaled, diverse areas, consistent with this stated purpose.

The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods.

The proposed C-MX-16 and C-MX-12 Districts will enhance the convenience, ease and enjoyment of transit, walking, shopping, and public gathering within and around the city's neighborhoods through creation of a multi-modal, live-work community. The Zone Districts will provide areas for people to gather, areas for people to shop, and unprecedented access to transit at Broadway Station, consistent with this stated purpose.

The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

The proposed C-MX-16 and C-MX-12 Zone Districts will allow for connection of the adjacent neighborhoods to each other and improve bicycle and pedestrian connectivity throughout the area and to Broadway Station. The Zone Districts will encourage improvement of the transition between commercial development and adjacent residential neighborhoods by allowing for a walkable, live-work community, close to transit and actively programmed, consistent with this stated purpose.

Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for broader application at the neighborhood scale.

The proposed C-MX-16 and C-MX-12 Zone Districts is intended as a mixed, diverse neighborhood, consistent with this stated purpose.

In the Urban Center Neighborhood Context, the Mixed Use Zone Districts require the same level of pedestrian enhancements as the Main Street Zone Districts. In the Urban Center Neighborhood Context, the primary difference between the Mixed Use Zone Districts and the Main Street Zone Districts is Main Street districts mandate shopfront buildings at the street edge.

The proposed zoning is consistent with this stated purpose.

Mixed use buildings have a shallow front setback range. The build-to requirements are high.

The proposed C-MX-16 and C-MX-12 Zone Districts require shallow front setbacks and high build-to requirements.

DZC 7.2.2.2 - Specific Intent

Map Amendment: Broadway Station: Addendum & Exhibits

Mixed Use – 12 (C-MX-12) C-MX-12 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 12 stories is desired.

The proposed C-MX-12 Zone District is consistent with this specific intent as Parcel 1 is intended as an area served primarily by major arterial streets where a building scale of up to 12 stories is desired.

Mixed Use – 16 (C-MX-16) C-MX-16 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 16 stories is desired.

The proposed C-MX-16 Zone District is consistent with this specific intent as Parcel 3 is intended as an area served primarily by major arterial streets where a building scale of up to 16 stories is desired.

c. Stated Purpose and Intent of Main Street Zones

DZC 7.2.4.1 - General Purpose

The Main Street Zone Districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge.

The proposed C-MS-12 Zone District will promote safe, active, and pedestrian-scaled commercial streets through the use of shopfront and row house building forms that clearly define and activate the public street edge, consistent with this stated purpose.

The Main Street Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.

The proposed C-MS-12 Zone District will enhance the convenience, ease and enjoyment of transit, walking, shopping, and public gathering within and around the city's neighborhoods through creation of a multi-modal, live-work community. The Zone Districts will allow for areas for people to gather, areas for people to shop, and unprecedented access to transit at Broadway Station, consistent with this stated purpose.

The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

The proposed C-MS-12 Zone District will allow the adjacent neighborhoods to connect with each other and improve bicycle and pedestrian connectivity throughout the area and to Broadway Station. The Zone Districts will enable the improvement of the transition between commercial development and adjacent residential neighborhoods by facilitating a walkable, live-work community, close to transit and actively programmed, consistent with this stated purpose.

Main Street Zone Districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.

The proposed C-MS-12 Zone District will be applied linearly along an entire block face of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver), consistent with this stated purpose.

In the Urban Center Neighborhood Context, the Main Street Zone Districts should be applied where active Street Level retail is desired.

Active Street Level retail is desired for Parcel 2, and therefore the C-MS-12 Zone District is consistent with this stated purpose.

In the Urban Center Neighborhood Context, the Main Street Zone Districts may also be embedded within a larger commercial shopping center or mixed-use area to promote Street Level retail activity.

The proposed C-MS-12 Zone District will be imbedded into a mixed-use area to promote Street Level retail activity, consistent with this stated purpose.

Main Street buildings have a shallow front setback range. The build-to requirements are high.

The proposed C-MS-12 Zone District requires shallow front setbacks and high build-to requirements, consistent with this stated purpose.

DZC 7.2.4.2 - Specific Intent

Main Street 12 (C-MS-12) C-MS-12 applies primarily to arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 12 stories is desired.

The proposed C-MS-12 Zone District is consistent with this specific intent as Parcel 2 is located along an arterial street corridor and is intended to be embedded in a mixed-use area, where a building scale of up to 12 stories is desired.

d. Stated Purpose and Intent of Residential Mixed Use Zones

DZC 7.2.3.1 - General Purpose

The Residential Mixed Use Zone Districts are intended to promote safe, active, and pedestrian scaled, diverse areas through the use of building forms that clearly define and activate the public realm.

The proposed C-RX-8 Zone District will promote safe, active, and pedestrian scaled, diverse areas through the use of building forms that clearly define and activate the public realm

The Residential Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods.

The proposed C-RX-8 Zone District will enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around one of the city's residential neighborhoods.

The Residential Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

The proposed C-RX-8 Zone District will help ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses.

The proposed C-RX-8 Zone District will accommodate residential uses.

Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance.

The proposed C-RX-8 Zone District allows for commercial uses that are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance.

Buildings in a Residential Mixed Use district can have Street Level retail uses, but upper stories are reserved exclusively for housing or lodging accommodation uses.

The proposed C-RX-8 Zone District will allow for Street Level retail uses, but reserve upper stories for housing or lodging accommodation uses.

DZC 7.2.3.2 - Specific Intent

Residential Mixed Use 8 (C-RX-8) C-RX-8 applies to residentially-dominated areas served primarily by collector or arterial streets where a building scale of 2 to 8 stories is desired.

The proposed C-RX-8 Zone District is consistent with this specific intent as Parcel 4 Is located in a residentially-dominated area served by primarily collector and arterial streets where a building scale of up to 8 stories is desired.

EXHIBIT B: LEGAL DESCRIPTIONS

PARCEL 1: Legal Description

ZONE AREA C-MX-12

A parcel of land situated in the Southwest Quarter of Section 15, Township 4 South, Range 68 West of the 6th Principle Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

BASIS OF BEARINGS: Bearings are based upon the East line of the Southwest quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented by a 3.25-inch brass cap stamped "Griener Eng, quarter, 15/22, LS 19611, 1986" in a monument box at the South quarter corner; a recovered and accepted stone with notch set 1 foot deep in a range box at the center quarter corner; and is assumed to bear North 00° 44' 35" West.

COMMENCING at the center quarter corner of said Section 15;

THENCE South 89° 59' 00" West a distance of 791.50 feet along the North line of the Southwest quarter of said Section 15 to the Northeast corner of Parcel No. TK 5155-00-006 Rev. 3, recorded at Reception No. 9400092231 in the records of the Office of the Clerk and Recorder, City and County of Denver, Colorado, and the West line of a parcel described in the Land Survey Plat recorded in Book 96 at Page 192, Reception No. 2014855 in the Denver County Surveyor's Land Survey / Right-of-Way Surveys, being the **POINT OF BEGINNING**;

THENCE along the West line of that parcel described in Book 96 at Page 192 a non-tangent curve to the right having a radius of 1883.65 feet, a central angle of 02° 47' 22" and an arc length of 91.71 feet. The chord of said curve bears South 07° 39' 45" East a distance of 91.70 feet;

THENCE South 06° 16' 03" East a distance of 129.75 feet along the West line of that parcel described in Book 96 at Page 192;

THENCE along the South line of that parcel described in Book 96 at Page 192 a non-tangent curve to the right having a radius of 1735.06 feet, a central angle of 04° 10' 54" and an arc length of 126.63 feet. The chord of said curve bears South 62° 26' 21" East a distance of 126.60 feet to the East line of Parcel No. TK 5155-00-006 Rev. 3, recorded at Reception No. 9400092231 and the West line of Parcel No. 809 described in Book 8011, Page 551, recorded March 15, 1957 in said Clerk and Recorder's Office;

THENCE South 00° 45' 57" East a distance of 48.44 feet along the East one-half of the Northeast one-quarter of the Southwest one-quarter of said Section 15 and the East line of Parcel No. TK 5155-00-0006 Rev. 3 and the West line of said Parcel No. 809 to a point on the North line of a parcel of land described in Book 2182 at Page 294, Reception No. 14795 in said Clerk and Recorder's Office;

THENCE South 53° 34' 57" East a distance of 106.96 feet along the South line of Parcel No. 809 and the North line of the parcel of land described in Book 2182 at Page 294 to a point on the West line of Parcel No. TK 5155-00-041 Rev. 1, recorded at Reception No. 9400092231;

THENCE North 28° 20' 57" West a distance of 101.53 feet along the East line of Parcel No. 809 and the Westerly line of Parcel No. TK 5155-00-041 Rev. 1 to the South line of that parcel described in Book 96 at Page 192;

THENCE along the South line of that parcel described in Book 96 at Page 192 a non-tangent curve to the right having a radius of 1735.06 feet, a central angle of 18° 00' 16" and an arc length of 545.22 feet. The chord of said curve bears South 49° 52' 19" East a distance of 542.98 feet to a point on the East line of Parcel No. TK 5155-00-041 Rev. 1;

ZONE AREA C-MX-12

THENCE South 29° 54' 44" East a distance of 290.57 feet along the Easterly line of Parcel No. TK 5155-00-041 Rev. 1 to the Northwest corner of a parcel of land recorded at Reception No. 2001124391;

THENCE South 29° 54' 44" East a distance of 32.83 feet along the North line of said parcel recorded at Reception No. 2001124391 to the Westerly Right-of-Way line of South Broadway as recorded in Ordinance 97, series of 1898;

THENCE South 00° 44' 42" East a distance of 392.29 feet along the Westerly Right-of-Way line of South Broadway;

THENCE departing the Westerly Right-of-Way line of South Broadway, North 89° 58' 26" West a distance of 90.58 feet;

THENCE South 67° 48' 02" West a distance of 595.45 feet to the Easterly Right-of-Way line of the Regional Transportation District (RTD) Southwest light rail corridor;

THENCE along said Easterly RTD line North 06° 37' 52" West a distance of 227.00 feet to the Southerly line of the North Half of the Southwest Quarter of Section 15;

THENCE along said Southerly line North 89° 58' 27" West a distance of 6.85 feet to a point on the Easterly line of RTD;

THENCE along said Easterly Line North 09° 25' 50" West a distance of 1,341.07 feet to the Northerly line of the Southwest quarter of said Section 15 and the North line of parcel TK 5155-00-006 Rev. 3;

THENCE North 89° 59' 00" East a distance of 136.02 feet along the North line of the Southwest quarter of said Section 15 and the North line of parcel TK 5155-00-006 Rev. 3 to the **POINT OF BEGINNING**.

Said parcel contains 735,418 square feet, or 16.883 acres more or less.

ZONE AREA C-MX-12

I, Eric R. White, a duly registered Land Surveyor under the laws of the State of Colorado, do hereby certify that this legal description for zoning purposes was prepared by me or under my direct supervision and that it is correct to the best of my knowledge and belief. It is not to be construed, nor does it represent a monumented land survey.



Eric R. White
Colorado Professional Land Surveyor, License Number 38278
February 23, 2016

NV5, Inc.
1975 Research Pkwy., Suite 165
Colorado Springs, CO 80902
(719) 268-8500

SOUTH BROADWAY

North 00° 44' 35" West

Point of Commencement

C 1/4 COR. SECTION 15
FOUND STONE W/
CHISELED NOTCH IN
RANGE BOX

BASIS OF BEARINGS
EAST LINE SOUTHWEST QUARTER SECTION 15

PARCEL CONTAINS 735,418 SQUARE FEET OR 16,883 ACRES.
NOTE: This exhibit does not represent a monumented survey.
It is intended only to depict the attached description.

Northwest 1/4 Section 15
Northeast 1/4 Southwest 1/4 Section 15

Land Survey Plat
Book 96 Page 192
Reception No. 2014855

R=1735.06'
Δ=18°00'16"
L=545.22'
CB=S49°52'19"E
CD=542.98'

South 89° 59' 00" West
791.50'

R=1735.06'
Δ=4°10'54"
L=126.63'
CB=S62°26'21"E
CD=126.60'

Parcel No. 809
Book 8011 Page 551
Reception No. 31754
Colorado Dept. of Transportation

S53°34'57"E
106.96'

S00°45'57"E
48.44'

Parcel No. TK 5155-00-006 Rev. 3
Reception No. 9400092231
Regional Transportation District

N89°59'00"E
136.02'

Point of Beginning

N09°25'50"W
1341.07'

Regional Transportation District
Union Pacific Railroad

50' ROW DEDICATION PER EDGERTON PLAC
ENGR. BOOK 19 PAGE 37
BOOK 5 PAGE 41 (ARAP. CO. RECORDS)

ALLEY VACATED PER ORD. 23-1

Reception No. 201411795
Broadway Station
Partners, LLC

Reception No. 200100049
CDOT

Reception No. 2001124391
CDOT

1325 S Colorado Blvd
Book 2182 Page 294
Reception No. 14795
Regional Transportation District

Gates Rubber Parcel 1
Reception No. 200100049
Colorado Dept of
Transportation

Westerly line of the East 1/2 of the Northeast 1/4 of
the Southwest 1/4, Section 15 T4S, R68W

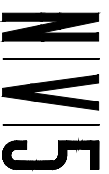
N89°58'27"W
6.85'

N06°37'52"W

C-MX-12 ZONE AREA

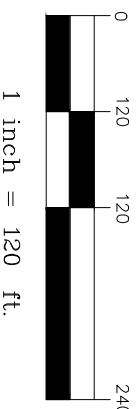
Prepared for: Broadway Station Partners
February 23, 2016

NV5, Inc. Project Number 223515-00008



BEYOND ENGINEERING
1975 RESEARCH PKWY, SUITE 165
COLORADO SPRINGS, CO 80920
TEL: (719) 268-8500

BASIS OF BEARINGS: Bearings are based upon the East line of the Southwest quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented by a 3.25-inch brass cap stamped "Griener Eng, 1/4, 15/22, LS 19611, 1986" in a monument box at the South quarter corner; a recovered and accepted stone with notch set 1 foot deep in a range box at the center quarter corner; and is assumed to bear North 00°44'35" West.



PARCEL 2: Legal Description

ZONE AREA C-MS-12

A parcel of land situated in the Southwest Quarter of Section 15, Township 4 South, Range 68 West of the 6th Principle Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

BASIS OF BEARINGS: Bearings are based upon the East line of the Southwest quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented by a 3.25-inch brass cap stamped "Griener Eng, quarter, 15/22, LS 19611, 1986" in a monument box at the South quarter corner; a recovered and accepted stone with notch set 1 foot deep in a range box at the center quarter corner; and is assumed to bear North 00°44'35" West.

COMMENCING at the South quarter corner of said Section 15;

THENCE North 51 °35' 20" West a distance of 64.48 feet to the intersection of the Westerly Right-of-Way line of South Broadway as recorded in Ordinance 97, series of 1898 and the Northerly Right-of-Way line of West Mississippi Avenue, being the **POINT OF BEGINNING**;

THENCE along said Northerly Right-of-Way of West Mississippi avenue the following twelve (12) courses:

1. North 89° 55' 51" West a distance of 57.01 feet;
2. North 73° 36' 26" West a distance of 71.15 feet;
3. South 80° 45' 15" West a distance of 15.21 feet;
4. North 89° 55' 51" West a distance of 91.10 feet;
5. South 00° 04' 09" West a distance of 1.10 feet;
6. North 89° 55' 51" West a distance of 27.90 feet;
7. North 00° 04' 09" East a distance of 1.10 feet;
8. North 89° 55' 51" West a distance of 78.30 feet;
9. South 00° 04' 09" West a distance of 1.20 feet;
10. North 89° 55' 51" West a distance of 2.00 feet;
11. North 00° 04' 09" East a distance of 1.20 feet;
12. North 89°55' 51" West a distance of 114.60 feet to the Easterly Right-of-Way line of the Regional Transportation District (RTD) Southwest light rail corridor;

THENCE along said RTD Easterly Right-of-Way, the following eight (8) courses;

1. North 00° 43' 15" West a distance of 46.66 feet plus or minus;
2. North 09° 23' 47" West a distance of 353.19 feet;
3. North 88° 55' 23" West a distance of 5.80 feet;
4. North 08° 40' 40" West a distance of 395.70 feet;
5. South 89° 56' 47" East a distance of 0.75 feet;
6. North 09° 23' 47" West a distance of 204.97 feet to the Southerly line of a parcel of land described in Quit Claim Deed, Exhibit "C", at Reception Number 9400000231;
7. South 83° 22' 08" West a distance of 41.55 feet;
8. North 06° 37' 52" West a distance of 57.25 feet;

THENCE departing said RTD Easterly Right-of-Way North 67° 48' 02" East a distance of 595.45 feet;

THENCE South 89° 58' 26" East a distance of 90.58 feet to the Westerly Right-of-Way of said South Broadway;

ZONE AREA C-MS-12

THENCE South 00° 44' 35" East a distance of 1,283.81 feet along said Westerly Right-of-Way, and also along the East line extended and the East line of Lot 1, Block 1, First Addition to the Edgerton Place, recorded April 12, 1890 in Book 9 at Page 42 of the Arapahoe County Records, the East line and the East line extended of Block 1 of Edgerton Place, recorded May 24, 1888 in Book 5 at Page 41 of the Arapahoe County Records, and the East line of Block 1, Lawrence's Broadway Addition, recorded February 16, 1888 in Book 5 at Page 10 of the Arapahoe County Records, to the Southeast corner of said Block 1, Lawrence's Broadway Addition to the **POINT OF BEGINNING**.

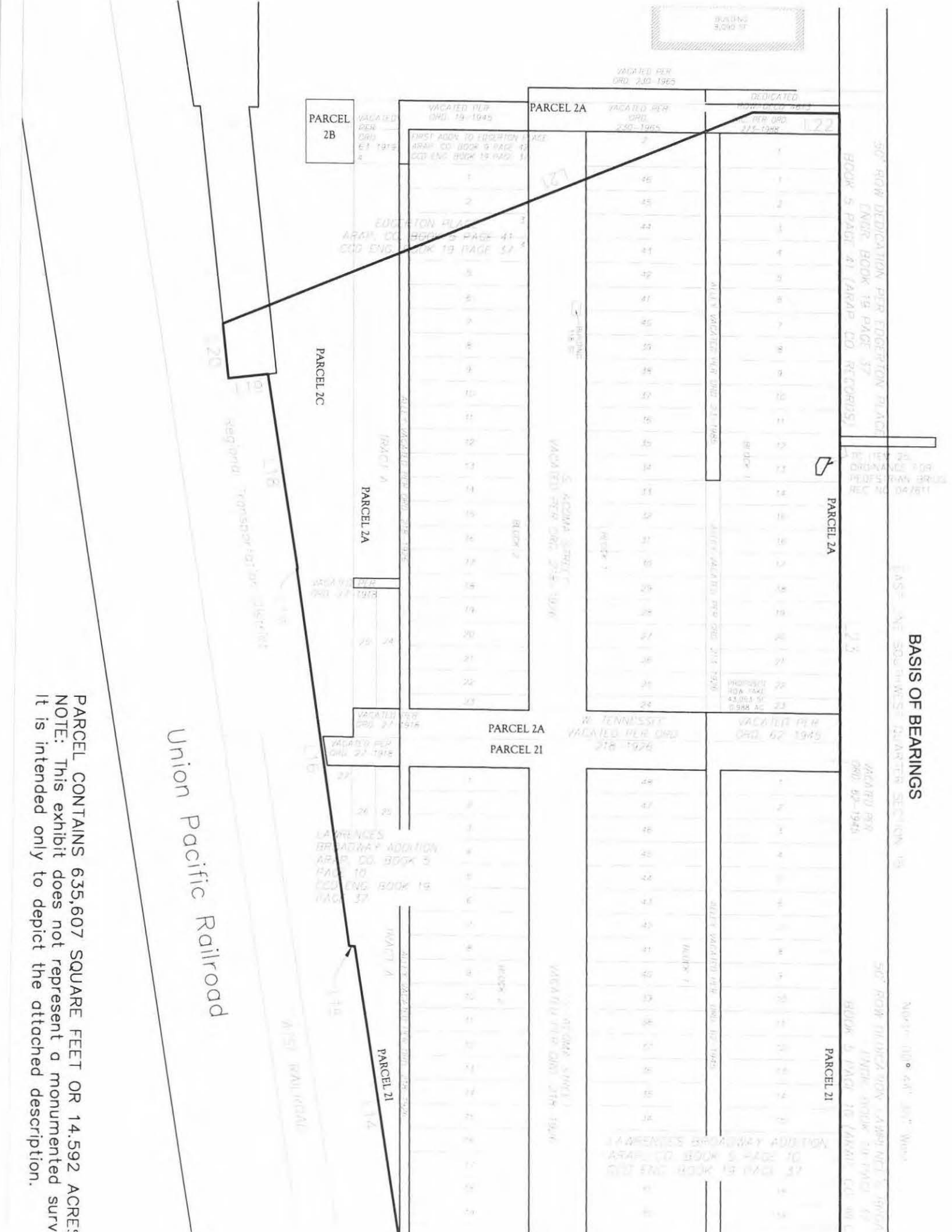
Said parcel contains 635,613 square feet, or 14.592 acres more or less.

I, Eric R. White, a duly registered Land Surveyor under the laws of the State of Colorado, do hereby certify that this legal description was prepared by me or under my direct supervision and that it is correct to the best of my knowledge and belief. It is not to be construed, nor does it represent a monumented land survey.



Eric R. White
Colorado Professional Land Surveyor, License Number 38278
January 26, 2016

NV5, Inc.
1975 Research Pkwy., Suite 165
Colorado Springs, CO 80902
(719) 268-8500



BASIS OF BEARINGS

50' FROM DEDICATION PER EDGERTON PLACED
 ENGR. BOOK 19 PAGE 37
 BOOK 5 PAGE 41 (ARAP CO. RECORDS)

50' FROM DEDICATION PER EDGERTON PLACED
 ENGR. BOOK 19 PAGE 37
 BOOK 5 PAGE 41 (ARAP CO. RECORDS)

50' FROM DEDICATION PER EDGERTON PLACED
 ENGR. BOOK 19 PAGE 37
 BOOK 5 PAGE 41 (ARAP CO. RECORDS)

POINT	BEARING	DISTANCE
1	S 89° 58' 12" E	1.22
2	S 89° 58' 12" E	1.22
3	S 89° 58' 12" E	1.22
4	S 89° 58' 12" E	1.22
5	S 89° 58' 12" E	1.22
6	S 89° 58' 12" E	1.22
7	S 89° 58' 12" E	1.22
8	S 89° 58' 12" E	1.22
9	S 89° 58' 12" E	1.22
10	S 89° 58' 12" E	1.22
11	S 89° 58' 12" E	1.22
12	S 89° 58' 12" E	1.22
13	S 89° 58' 12" E	1.22
14	S 89° 58' 12" E	1.22
15	S 89° 58' 12" E	1.22
16	S 89° 58' 12" E	1.22
17	S 89° 58' 12" E	1.22
18	S 89° 58' 12" E	1.22
19	S 89° 58' 12" E	1.22
20	S 89° 58' 12" E	1.22
21	S 89° 58' 12" E	1.22
22	S 89° 58' 12" E	1.22
23	S 89° 58' 12" E	1.22
24	S 89° 58' 12" E	1.22

PARCEL CONTAINS 635,607 SQUARE FEET OR 14.592 ACRES;
 NOTE: This exhibit does not represent a monumented survey
 It is intended only to depict the attached description.

Union Pacific Railroad

EXHIBIT B

This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

Line Table		
Line #	Length	Bearing
11	57.01	N89° 55' 51"W
12	71.75	N73° 38' 26"W
13	15.21	S80° 45' 15"W
14	91.70	N89° 55' 51"W
15	1.10	S0° 04' 09"W
16	27.00	N89° 55' 51"W
17	1.10	N0° 04' 05"E
18	75.30	N83° 55' 51"W
19	1.28	S0° 04' 09"W
20	2.00	N89° 55' 51"W
21	1.29	N0° 04' 09"E
22	114.60	N89° 55' 51"W
23	46.66	N0° 41' 15"W
24	65.33	N9° 23' 47"W
25	5.80	N88° 55' 23"W
26	355.70	N8° 40' 40"W
27	0.75	S89° 56' 47"E
28	204.97	N9° 23' 47"W
29	41.55	S83° 22' 08"W
30	57.25	N6° 37' 52"W
31	595.45	N57° 48' 02"E
32	50.58	S69° 58' 26"E
33	1283.81	S0° 44' 35"E



Zone Area C-MS-12

SW1/4 Section 15, 14S, R68W of the 6th R.M.

PAGE NUMBER

2

PAGES

PARCEL 3: Legal Description

ZONE AREA C-MX-16 PARCEL 1
LEGAL DESCRIPTION

A portion of land situated in the Southwest one-quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being all of parcels 4A and 4B as shown in special warranty deed of record at Reception Number 2001213022, records of the recorder's office, City and County of Denver, Colorado, and a portion of that parcel of land conveyed to the City and County of Denver in Deed Number 1238 of record in Book 2758 at Page 0162, and being all of that parcel of land conveyed to the City and County of Denver in Deed Number 4336 of record in Book 6006 at Page 0036, and being a portion of that parcel of land conveyed to the City and County of Denver in Deed Number 4336 of record in Book 6006 at Page 0035, and being a portion of that parcel of land conveyed to the City and County of Denver in Deed Number 1344 of record in Book 3501 at Page 0520, records of the Recorder's Office, City and County of Denver, being more particularly described as follows;

BASIS OF BEARINGS: The East line of the Southwest one-quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, being monumented at the center corner by a recovered stone with a notch cut in the top in a range box, and at the South one-quarter corner by a 3-1/2" brass cap marked "Greiner Eng, 1/4, 15/22, LS 19611, 1986" in a range box, calculated to bear South 00° 44' 42" East with all bearings relative thereto.

COMMENCING at said center 1/4 corner of section 15;

THENCE South 80° 14' 03" West across said Southwest one-quarter of Section 15, a distance of 1,358.04 feet to the intersection of the West line of South Cherokee Street (Right-of-Way varies) as shown on the recorded plat of Vanderbilt Park of record in Book 19 at Page 36 and the Southerly line of the City and County of Denver, Department of Public Works "Valley Highway Dedication Map Unit No. 5" of record at Ordinance No. 3, Series 1962, being the **POINT OF BEGINNING**;

THENCE the following three (3) courses along said Westerly line of South Cherokee Street;

1. South 00° 32' 55" East a distance of 298.00 feet;
2. North 89° 57' 43" East a distance of 1.90 feet;
3. South 00° 37' 45" East a distance of 91.90 feet to the intersection of said Westerly Right-of-Way line of South Cherokee Street and the Northerly Right-of-Way line of West Ohio Avenue (60 foot Right-of-way) as shown on the recorded plat of Vanderbilt Park of record in Book 19 at Page 36;

THENCE South 89° 23' 59" West along said Northerly Right-of-Way line of West Ohio Avenue a distance of 265.00 feet to the intersection of said Northerly Right-of-way line of West Ohio Avenue and the Easterly Right-of-way line of South Elati Street (60 foot Right-of-Way) as shown on the recorded plat of Vanderbilt Park of record in Book 19 at Page 36;

THENCE North 00° 37' 15" West along the Easterly Right-of-Way line of said South Elati Street a distance of 94.50 feet to the Northwest corner of Lot 21, Block 1 of said Vanderbilt Park;

ZONE AREA C-MX-16 PARCEL 1
LEGAL DESCRIPTION

THENCE South 89° 49' 48" West a distance of 60.21 feet along the North line of South Elati Street to the Northeast corner of Lot 28, Block 2 of said Vanderbilt Park;

THENCE South 00° 44' 37" East, a distance of 94.97 feet along the Westerly Right-of-Way line of S. Elati Street and the Easterly line of Lots 25, 26, 27 and 28, Block 2 of said Vanderbilt Park to North Right-of-Way line of West Ohio Ave;

THENCE along said North Right-of-Way line of West Ohio Avenue South 89° 15' 24" West, a distance of 135.02 feet to the Southeast corner of Lot 24, Block 2 as platted in Vanderbilt Park, in Book 9 at Page 24, Aapahoe County records, and to the Easterly line of Ordinance No. 3, Series 1962, Valley Highway Dedication map, Unit No. 5;

THENCE the following four (4) courses along said Easterly line of Ordinance No. 3, Series 1962, Valley Highway Dedication Map, Unit No. 5;

1. North 00° 44' 33" West along the East line of Lots 21 through 24 inclusive of said Block 2 of Vanderbilt Park, a distance of 96.32 feet to the South line of Sylvester (excepted) as platted in said Vanderbilt Park;
2. South 89° 49' 48" West along said South line of Sylvester (excepted) a distance of 10.60 feet to the Southwest corner of said Sylvester (excepted);
3. North 00° 14' 09" West along the West line of said Sylvester (excepted) a distance of 0.33 feet to the Southeast corner of Lot 20, Block 2 of said Vanderbilt Park;
4. North 21° 30' 21" West a distance of 294.47 feet to the South line of Lot 9 in said Block 2 of Vanderbilt Park (from whence the Southwest corner of said Lot 9 lies Westerly 20.00 feet) and to a Westerly corner of that parcel of land conveyed as Parcel 4A to Cherokee Denver, LLC by deed recorded at Reception Number 2001213022;

THENCE the following eight (8) courses along said Southerly line of the City and County of Denver, Department of Public Works "Valley Highway Dedication Map Unit No. 5":

1. North 06° 51' 16" East, a distance of 75.63 feet;
2. North 37° 59' 29" East, a distance of 31.96 feet;
3. North 71° 38' 52" East, a distance of 81.77 feet;
4. South 79° 44' 48" East, a distance of 174.83 feet;
5. South 00° 32' 55" East, a distance of 50.00 feet;
6. North 89° 06' 52" East, a distance of 161.99 feet;
7. South 00° 32' 55" East, a distance of 25.00 feet;
8. North 89° 06' 52" East, a distance of 133.00 feet to the **POINT OF BEGINNING.**

ZONE AREA C-MX-16 PARCEL 1
LEGAL DESCRIPTION

Parcel 4A contains an area of 135,334 square feet, or 3.107 acres, more or less.

Parcel 4B contains an area of 64,200 square feet, or 1.474 acres, more or less.

Parcel Hockey Stick contains an area of 21,378 square feet or 0.491 acres, more or less.

Parcels 4A, 4B & Hockey Stick contain a combined area of 220,912 square feet, or 5.071 acres, more or less.

I, Eric R. White, a duly registered Land Surveyor under the laws of the State of Colorado, do hereby certify that this legal description was prepared by me or under my direct supervision and that it is correct to the best of my knowledge and belief. It is not to be construed, nor does it represent a monumented land survey.



Eric R. White
Colorado Professional Land Surveyor, License Number 38278
January 26, 2016

NV5, Inc.
1975 Research Pkwy., Suite 165
Colorado Springs, CO 80902
Tel: (719) 268-8500

EXHIBIT B

This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

Northwest 1/4 Section 15

Northwest 1/4 Southwest 1/4 Section 15

ORDINANCE NO. 3, SERIES 1962
VALLEY HIGHWAY DEDICATION
MAP UNIT NO. 5



BASIS OF BEARINGS: The East line of the Southwest one-quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, being monumented at the center corner by a recovered stone with a notch cut in the top in a range box, and at the South one-quarter corner by a 3-1/2" brass cap marked "Greiner Eng, 1/4, 15/22, LS 19611, 1986" in a range box, calculated to bear South 00° 44' 42" East with all bearings relative thereto.



1 inch = 100 ft.



1975 RESEARCH PKWY, STE 165 COLORADO SPRINGS, CO
719.268.8500 TEL 719.268.9100 FAX WWW.NV5.COM

Zone Area C-MX-16 Parcel 1
NW 1/4 SW1/4 Section 15, T4S, R68W of the 6th P.M.

Prepared for: Broadway Station Partners

Date: Jan. 26, 2016

PAGE NUMBER

1

1 PAGES

JOB NUMBER
223515-0008

ZONE AREA C-MX-16 PARCEL 2
LEGAL DESCRIPTION

A portion of land situated in the Southwest one-quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being all of parcels 3A and 3B as shown in special warranty deed of record at Reception Number 2001213022, records of the recorder's office, City and County of Denver, Colorado, being more particularly described as follows:

BASIS OF BEARINGS: The East line of the Southwest one-quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, being monumented at the center corner by a recovered stone with a notch cut in the top in a range box, and at the South one-quarter corner by a 3-1/2" brass cap marked "Greiner Eng, 1/4, 15/22, LS 19611, 1986" in a range box, calculated to bear South 00° 44' 42" East with all bearings relative thereto.

COMMENCING at said South one-quarter corner of Section 15;

THENCE North 84° 44' 30" West across said Southwest one-quarter of Section 15, a distance of 717.63 feet to the intersection of the West line of the Consolidated Main Line (CML) and the Northeast corner of that parcel of land conveyed to the City and County of Denver of record in Book 2901 at Page 267, and the **POINT OF BEGINNING**;

THENCE North 89° 55' 50" West along the North line of said parcel of record in Book 2901 at Page 267 a distance of 165.78 feet to the Easterly corner of that parcel of land conveyed to the City and County of Denver of record at Reception Number 046238;

THENCE the following two (2) courses along the Northerly line of said parcel of record at Reception Number 046238:

1. North 87° 24' 10" West a distance of 201.90 feet to a point of curvature;
2. Along the arc of a non-tangent curve to the right whose center bears North 02° 28' 17" East, having a radius of 111.90 feet, a central angle of 70° 12' 31", and an arc length of 137.12 feet to a point of reverse curvature;

THENCE along the arc of a curve to the left parallel to, and 100 feet easterly of the east line of the official channel of the South Platte River of record at Ordinance 117, Series 1910, whose center bears North 82° 14' 10" West, having a radius of 1943.49 feet, a central angle of 31° 28' 34" and an arc length of 1,067.68 feet to a point on the Easterly Right-of-Way line of S. Cherokee Street (right-of-way varies) as shown on the recorded plat of Vanderbilt Park of record in Book 19 at Page 36;

THENCE North 00° 37' 45" West along said Easterly line of South Cherokee Street a distance of 1,222.28 feet to the Southerly line of the City and County of Denver, Department of Public Works "Valley Highway Dedication Map Unit No. 5" of record at Ordinance No. 3, Series 1962;

THENCE South 78° 08' 56" East along said Southerly line of the "Valley Highway Dedication Map Unit No. 5" a distance of 251.18 feet to said Westerly line of the CML;

THENCE South 09° 27' 07" East along said Westerly line of the CML a distance of 2,334.25 feet to the **POINT OF BEGINNING**.

ZONE AREA C-MX-16 PARCEL 2
LEGAL DESCRIPTION

Parcel 3A contains an area of 347,242 square feet, or 7.972 acres, more or less.

Parcel 3B contains an area of 498,391 square feet, or 11.441 acres, more or less.

Parcels 3A and 3B contain a combined area of 845,633 square feet, or 19.413 acres, more or less.

I, Eric R. White, a duly registered Land Surveyor under the laws of the State of Colorado, do hereby certify that this legal description was prepared by me or under my direct supervision and that it is correct to the best of my knowledge and belief. It is not to be construed, nor does it represent a monumented land survey.

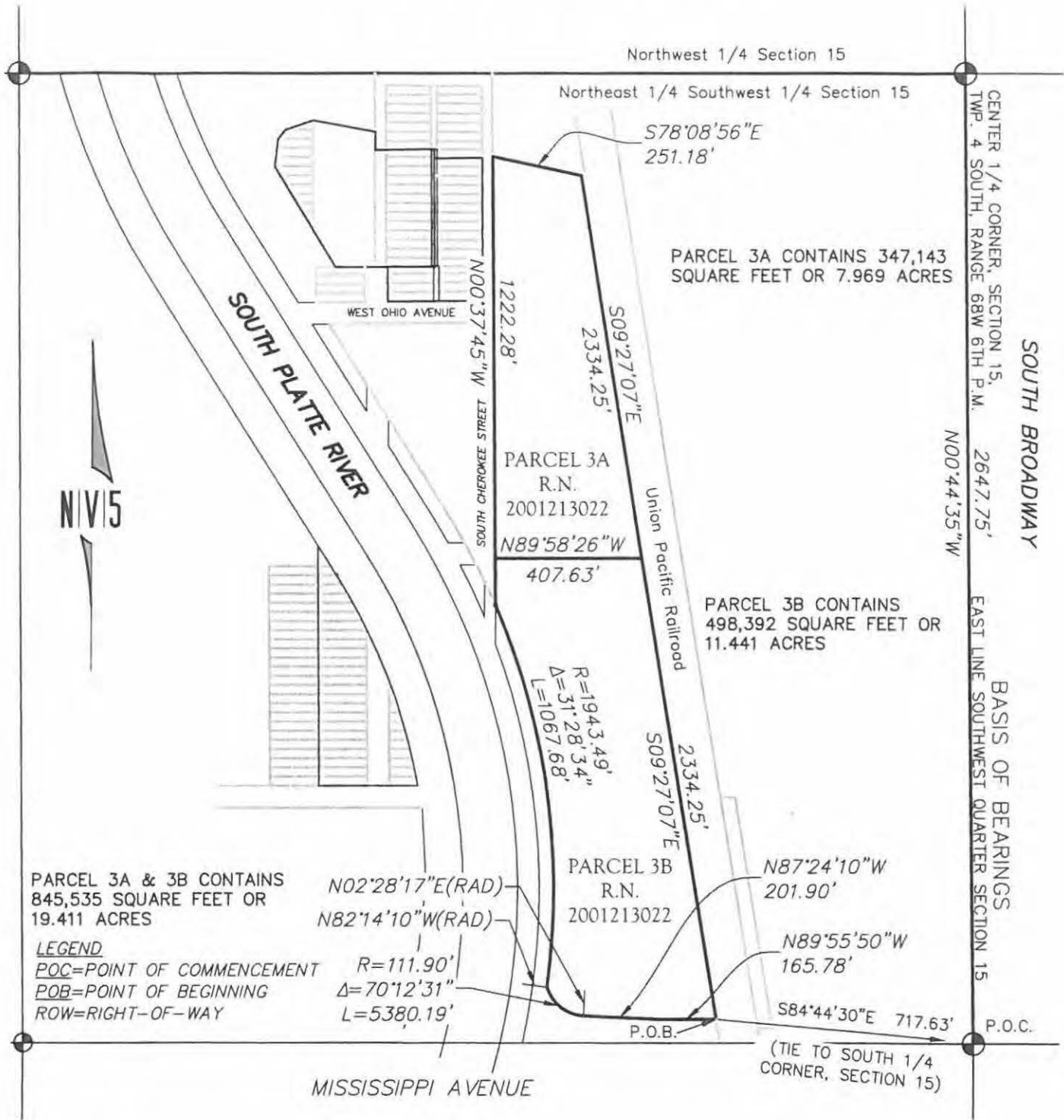


Eric R. White
Colorado Professional Land Surveyor, License Number 38278
January 25, 2016

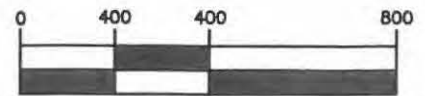
NV5, Inc.
1975 Research Pkwy., Suite 165
Colorado Springs, CO 80902
Tel: (719) 268-8500

EXHIBIT B

This exhibit does not represent a monumented survey. It is intended only to depict the attached description.



BASIS OF BEARINGS: The East line of the Southwest one-quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, being monumented at the center corner by a recovered stone with a notch cut in the top in a range box, and at the South one-quarter corner by a 3-1/2" brass cap marked "Greiner Eng, 1/4, 15/22, LS 19611, 1986" in a range box, calculated to bear South 00° 44' 42" East with all bearings relative thereto.



1 inch = 400 ft.

NIV5

BEYOND ENGINEERING

1975 RESEARCH PKWY, STE 165 COLORADO SPRINGS, CO
 719.268.8500 TEL 719.268.9100 FAX WWW.NIV5.COM

Zone Area C-MX-16 Parcel 2

NE 1/4 SW1/4 Section 15, T4S, R68W of the 6th P.M.

Prepared for: Broadway Station Partners

Date: Jan. 25, 2016

PAGE NUMBER

1

1 PAGES

JOB NUMBER
 223515-00008

PARCEL 4: Legal Description

ZONE AREA C-RX-8

A parcel of land situated in the Southwest Quarter of Section 15, Township 4 South, Range 68 West of the 6th Principle Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

BEGINNING at the intersection of the Westerly Right-of-Way line of South Platte River Drive and the Northerly Right-of-Way line of West Tennessee Avenue, whence the South quarter corner of said Section 15 bears South 65°30'49" East a distance of 1694.60 feet;

THENCE North 89°55'51" West along said Northerly Right-of-Way line of West Tennessee Avenue a distance of 273.50 feet;

THENCE departing said northerly Right-of-Way line North 00°30'50" West a distance of 656.35 feet to said Westerly Right-of-Way line of South Platte River Drive;

THENCE South 32°45'00" East along said Westerly South Platte River Drive Right-of-Way line a distance of 96.12 feet;

THENCE 623.05 feet along the arc of a non-tangent curve to the right, through a central angle of 22°24'09", having a radius of 1593.49 feet, whence the initial radial bears South 57°14'59" West, to the **POINT OF BEGINNING**.

BASIS OF BEARINGS: Bearings are based upon the East line of the Southwest quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented by a 3.25-inch brass cap stamped "Griener Eng, 1/4, 15/22, LS 19611, 1986" in a monument box at the South quarter corner; a recovered and accepted stone with notch set 1 foot deep in a range box at the center quarter corner; and is assumed to bear North 00°44'35" West.

Said parcel contains 108,082 square feet or 2.481 acres, more or less.

I, Eric R. White, a duly registered Land Surveyor under the laws of the State of Colorado, do hereby certify that this legal description was prepared by me or under my direct supervision and that it is correct to the best of my knowledge and belief. It is not to be construed, nor does it represent a monumented land survey.



Eric R. White
Colorado Professional Land Surveyor, License Number 38278
January 26, 2016

NV5, Inc.
1975 Research Pkwy., Suite 165
Colorado Springs, CO 80902
(719) 268-8500

EXHIBIT B

This exhibit does not represent a monumented survey. It is intended only to depict the attached description.

N|V|5



BASIS OF BEARINGS: Bearings are based upon the East line of the Southwest quarter of Section 15, Township 4 South, Range 68 West of the 6th Principal Meridian, as monumented by a 3.25-inch brass cap stamped "Griener Eng. 1/4, 15/22, LS 19611, 1986" in a monument box at the South quarter corner; a recovered and accepted stone with notch set 1 foot deep in a range box at the center quarter corner; and is assumed to bear North $00^{\circ}44'35''$ West.



1 inch = 120 ft.

N|V|5
BEYOND ENGINEERING

1975 RESEARCH PKWY, SUITE 165, COLORADO SPRINGS, CO
719.268.8500 (P) 719.268.8100 (FAX) WWW.NV5.COM

Zone Area C-RX-8

SW 1/4 Section 15, T4S, R68W of the 6th P.M.

Prepared for: Broadway Station Partners

Date: Jan 26, 2016

DATE: 1/26/16

1

PAGE 5

JOB NUMBER
223515-0000E

EXHIBIT C: PROOF OF OWNERSHIP



filed
E-RECORDED

THIS DOCUMENT WAS RECORDED _____

REAL PROPERTY TRANSFER DECLARATION - (TD-1000)

GENERAL INFORMATION

Purpose: The Real Property Transfer Declaration provides essential information to the county assessor to help ensure fair and uniform assessments for all property for property tax purposes. Refer to 39-14-102(4), Colorado Revised Statutes (C.R.S.).

Requirements: All conveyance documents (deeds) subject to the documentary fee submitted to the county clerk and recorder for recordation must be accompanied by a Real Property Transfer Declaration. This declaration must be completed and signed by the grantor (seller) or grantee (buyer). Refer to 39-14-102(1)(a), C.R.S.

Penalty for Noncompliance: Whenever a Real Property Transfer Declaration does not accompany the deed, the clerk and recorder notifies the county assessor who will send a notice to the buyer requesting that the declaration be returned within thirty days after the notice is mailed.

If the completed Real Property Transfer Declaration is not returned to the county assessor within the 30 days of notice, the assessor may impose a penalty of \$25.00 or .025% (.00025) of the sales price, whichever is greater. This penalty may be imposed for any subsequent year that the buyer fails to submit the declaration until the property is sold. Refer to 39-14-102(1)(b), C.R.S.

Confidentiality: The assessor is required to make the Real Property Transfer Declaration available for inspection to the buyer. However, it is only available to the seller if the seller filed the declaration. Information derived from the Real Property Transfer Declaration is available to any taxpayer or any agent of such taxpayer subject to confidentiality requirements as provided by law. 39-5-121.5, C.R.S. and 39-13-102(5)(c), C.R.S.

1. Address and/or legal description of the real property sold: Please do not use P.O. Box numbers
SEE ATTACHED "EXHIBIT A"

 2. Type of Property purchased: Single Family Residential Townhome Condominium Multi-Unit Res
 Commercial Industrial Agricultural Mixed Use Vacant Land Other _____
 3. Date of Closing: September 12, 2014
Date of Contract if different than date of closing: June 16, 2014
 4. Total sale price: Including all real and personal property. \$28,500,000.00
 5. Was any personal property included in the transaction? Personal property would include, but not limited to, carpeting, draperies, free standing appliances, equipment, inventory, furniture. If the personal property is not listed, the entire purchase price will be assumed to be for the real property as per 39-13-102, C.R.S.
 Yes No If yes, approximate value \$ NOMINAL Describe: EQUIPMENT
 6. Did the total sales price include a trade or exchange of additional real or personal property? If yes, give the approximate value of the goods or services as of the date of closing.
 Yes No If yes, value \$ _____
If yes, does this transaction involve a trade under IRS Code Section 1031? Yes No
 7. Was 100% interest in the real property purchased? Mark "no" if only a partial interest is being purchased.
 Yes No If no, interest purchased: _____ %
 8. Is this a transaction among related parties? Indicate whether the buyer or seller are related. Related parties include persons within the same family, business affiliates, or affiliated corporations.
 Yes No
 9. Check any of the following that apply to the condition of the improvements at the time of purchase:
 New Excellent Good Average Fair Poor Salvage
- If the property is financed, please complete the following:
10. Total amount financed: \$30,000,000.00
 11. Type of financing: (Check all that apply)
 New Assumed Seller Third Party Combination; Explain _____



REAL PROPERTY TRANSFER DECLARATION - (TD-1000)

GENERAL INFORMATION

Purpose: The Real Property Transfer Declaration provides essential information to the county assessor to help ensure fair and uniform assessments for all property for property tax purposes. Refer to 39-14-102(4), Colorado Revised Statutes (C.R.S.).

Requirements: All conveyance documents (deeds) subject to the documentary fee submitted to the county clerk and recorder for recordation must be accompanied by a Real Property Transfer Declaration. This declaration must be completed and signed by the grantor (seller) or grantee (buyer). Refer to 39-14-102(1)(a), C.R.S.

Penalty for Noncompliance: Whenever a Real Property Transfer Declaration does not accompany the deed, the clerk and recorder notifies the county assessor who will send a notice to the buyer requesting that the declaration be returned within thirty days after the notice is mailed.

If the completed Real Property Transfer Declaration is not returned to the county assessor within the 30 days of notice, the assessor may impose a penalty of \$25.00 or .025% (.00025) of the sales price, whichever is greater. This penalty may be imposed for any subsequent year that the buyer fails to submit the declaration until the property is sold. Refer to 39-14-102(1)(b), C.R.S.

Confidentiality: The assessor is required to make the Real Property Transfer Declaration available for inspection to the buyer. However, it is only available to the seller if the seller filed the declaration. Information derived from the Real Property Transfer Declaration is available to any taxpayer or any agent of such taxpayer subject to confidentiality requirements as provided by law. 39-5-121.5, C.R.S. and 39-13-102(5)(c), C.R.S.

1. Address and/or legal description of the real property sold: Please do not use P.O. Box numbers
SEE ATTACHED "EXHIBIT A"

2. Type of Property purchased: [] Single Family Residential [] Townhome [] Condominium [] Multi-Unit Res
[] Commercial [X] Industrial [] Agricultural [] Mixed Use [] Vacant Land [] Other

3. Date of Closing: September 12, 2014
Date of Contract if different than date of closing: June 16, 2014

4. Total sale price: Including all real and personal property. \$28,500,000.00

5. Was any personal property included in the transaction? Personal property would include, but not limited to, carpeting, draperies, free standing appliances, equipment, inventory, furniture. If the personal property is not listed, the entire purchase price will be assumed to be for the real property as per 39-13-102, C.R.S.
[X] Yes [] No If yes, approximate value \$ NOMINAL Describe: EQUIPMENT

6. Did the total sales price include a trade or exchange of additional real or personal property? If yes, give the approximate value of the goods or services as of the date of closing.
[] Yes [X] No If yes, value \$
If yes, does this transaction involve a trade under IRS Code Section 1031? [] Yes [X] No

7. Was 100% interest in the real property purchased? Mark "no" if only a partial interest is being purchased.
[X] Yes [] No If no, interest purchased: %

8. Is this a transaction among related parties? Indicate whether the buyer or seller are related. Related parties include persons within the same family, business affiliates, or affiliated corporations.
[] Yes [X] No

9. Check any of the following that apply to the condition of the improvements at the time of purchase:
[] New [] Excellent [] Good [] Average [X] Fair [] Poor [X] Salvage

If the property is financed, please complete the following:

10. Total amount financed: \$30,000,000.00

11. Type of financing: (Check all that apply)
[X] New [] Assumed [] Seller [X] Third Party [] Combination; Explain

12. Terms:

Variable; Starting interest rate	%	_____
<input checked="" type="checkbox"/> Fixed; Interest rate	12.00%	_____
Length of time	2 years	_____
Balloon Payment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, amount \$30,000,000.00 Due Date _____

13. Please explain any special terms, seller concessions, or financing and any other information that would help the assessor understand the terms of sale.

For properties other than residential (Residential is defined as: single family detached, townhomes, apartments, and condominiums) please complete questions 14-16 if applicable. Otherwise, skip to #17 to complete.

14. Did the purchase price include a franchise or license fee? Yes No
If yes, franchise or license fee value? _____

15. Did the purchase price involve an installment land contract? Yes No
If yes, date of contract: _____

16. If this was a vacant land sale, was an on-site inspection of the property conducted by the buyer prior to the closing?
 Yes No

Remarks: Please include any additional information concerning the sale you may feel is important.

N/A

17. Signed on this day of September 12, 2014

Have at least one of the parties to the transaction sign the document, and include an address and a daytime phone number.

Signature of Grantee (Buyer) or Grantor (Seller)

BROADWAY STATION PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: FRONTIER RENEWAL LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS MANAGER



ERIC WILLIAMS, CHIEF EXECUTIVE OFFICER

18. All future correspondence (tax bills, property valuations, etc.) regarding this property should be mailed to:

BROADWAY STATION PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

1821 BLAKE STREET, SUITE 3C DENVER, CO 80202

Phone: _____

EXHIBIT A

PARCEL 2A:

ALL OF EDGERTON PLACE AND FIRST ADDITION TO EDGERTON PLACE, CITY AND COUNTY OF DENVER, STATE OF COLORADO, TOGETHER WITH ALL OF THE ALLEYS AND STREETS DEDICATED THEREON AND LATER VACATED, EXCEPT THE PORTIONS DEDICATED AS BROADWAY ON SAID PLATS.

EXCEPT ANY PART OF THE ABOVE DESCRIBED PARCEL LYING WITHIN THE LAND DESCRIBED IN RULE AND ORDER RECORDED OCTOBER 1, 2004 UNDER RECEPTION NO. 2004205973.

PARCEL 2C:

THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15;
THENCE EAST 50 FEET;
THENCE SOUTH 66 FEET;
THENCE EAST 50 FEET;
THENCE SOUTH 594 FEET TO THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4;
THENCE WEST 30 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE RIGHT OF WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, FORMERLY THE DENVER & SANTA FE RAILWAY COMPANY;
THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE TO THE WEST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4;
THENCE NORTH ON SAID WEST LINE TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO REGIONAL TRANSPORTATION DISTRICT BY QUIT CLAIM DEED RECORDED JANUARY 3, 1994 UNDER RECEPTION NO. 9400000231.

EXCEPT ANY PART OF THE ABOVE DESCRIBED PARCEL LYING WITHIN THE LAND DESCRIBED IN RULE AND ORDER RECORDED OCTOBER 1, 2004 UNDER RECEPTION NO. 2004205973.

PARCEL 2E:

A PORTION OF THE EAST HALF OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID EAST HALF OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15;
THENCE NORTHERLY ALONG THE WEST LINE OF SAID EAST HALF 240 FEET;
THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF 260 FEET;
THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF SAID EAST HALF 240 FEET;
THENCE WESTERLY ALONG THE SOUTH LINE OF SAID EAST HALF 260 FEET TO THE POINT OF BEGINNING.

EXCEPT ANY PART OF THE ABOVE DESCRIBED PARCEL LYING WITHIN THE LAND DESCRIBED IN RULE AND ORDER RECORDED OCTOBER 1, 2004 UNDER RECEPTION NO. 2004205973.

PARCEL 2F:

A PORTION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO,

DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID EAST 1/2, 260 FEET TO THE TRUE POINT OF BEGINNING, WHICH IS AT THE SOUTHEAST CORNER OF A CERTAIN PARCEL OF LAND PREVIOUSLY CONVEYED BY THE E. BURKHARDT & SONS STEEL & IRON WORKS CO. TO THE GATES RUBBER CO. BY DEED DATED OCTOBER 26, 1939, RECORDED IN BOOK 5349 AT PAGE 581 OF THE RECORDS IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID PARCEL PREVIOUSLY CONVEYED, 212 FEET TO A POINT; THENCE EASTERLY PARALLEL TO THE SOUTH LINE OF SAID EAST 1/2, 24 FEET TO A POINT; THENCE SOUTHERLY PARALLEL TO THE EAST LINE OF SAID PARCEL PREVIOUSLY CONVEYED 212 FEET TO A POINT ON THE SOUTH LINE OF SAID EAST 1/2; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID EAST 1/2, 24 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2G:

A PORTION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF WEST KENTUCKY AVENUE AND THE WEST LINE OF SOUTH BROADWAY, SAID POINT BEING 15 FEET NORTH AND 50 FEET WEST OF THE SOUTHEAST CORNER OF SAID EAST 1/2 NORTHEAST 1/4 SOUTHWEST 1/4 OF SECTION 15; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID EAST 1/2 A DISTANCE OF 293.34 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID EAST 1/2 A DISTANCE OF 150 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID EAST 1/2 A DISTANCE OF 30 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED IN BOOK 5721 AT PAGE 294; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID EAST 1/2 A DISTANCE OF 150 FEET TO THE NORTH LINE OF WEST KENTUCKY AVENUE; THENCE EAST ALONG THE NORTH LINE OF WEST KENTUCKY AVENUE A DISTANCE OF 30 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, TOGETHER WITH THAT PORTION OF WEST KENTUCKY AVENUE, AS VACATED BY ORDINANCE RECORDED SEPTEMBER 9, 1965 IN BOOK 9489 AT PAGE 237 LYING SOUTHERLY OF AND ADJACENT TO SAID LAND.

EXCEPT THAT PORTION OF SAID VACATED WEST KENTUCKY AVENUE LYING WITHIN THE PLAT OF FIRST ADDITION TO EDGERTON PLACE.

PARCEL 2H:

A PORTION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF WEST KENTUCKY AVENUE AND THE WEST LINE OF SOUTH BROADWAY, SAID POINT BEING 15 FEET NORTH AND 50 FEET WEST OF THE SOUTHEAST CORNER OF SAID EAST 1/2 NORTHEAST 1/4 SOUTHWEST 1/4 OF SECTION 15; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID EAST 1/2 A DISTANCE OF 293.34 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID EAST 1/2 A DISTANCE OF 170 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID EAST 1/2 A DISTANCE OF 293.34 FEET, MORE OR LESS, TO THE WEST LINE OF SOUTH BROADWAY; THENCE SOUTH ALONG THE WEST LINE OF SOUTH BROADWAY A DISTANCE OF 170 FEET TO THE POINT OF BEGINNING, TOGETHER WITH THAT PORTION OF WEST KENTUCKY AVENUE LYING SOUTH OF AND ADJACENT TO SAID LAND, AS VACATED BY ORDINANCES RECORDED SEPTEMBER 9, 1965 IN BOOK 9489 AT PAGE 237 AND MAY 16, 1988 UNDER RECEPTION NO. R-88-0266740.

EXCEPT THAT PORTION OF SAID VACATED WEST KENTUCKY AVENUE LYING WITHIN THE PLAT OF FIRST ADDITION TO EDGERTON PLACE.

ALSO EXCEPT THAT PORTION OF SAID LAND CONVEYED TO BURKHARDT STEEL COMPANY BY DEED RECORDED JULY 24, 1961 IN BOOK 8708 AT PAGE 92.

EXCEPT ANY PART OF THE ABOVE DESCRIBED PARCEL LYING WITHIN THE LAND DESCRIBED IN RULE AND ORDER RECORDED OCTOBER 1, 2004 UNDER RECEPTION NO. 2004205973.

PARCEL 2I:

LOTS 1 THROUGH 48, INCLUSIVE, BLOCK 1 AND LOTS 1 THROUGH 27, INCLUSIVE, AND TRACT OR LOT "A", BLOCK 2, ALL IN LAWRENCE'S BROADWAY ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO; TOGETHER WITH THOSE PORTIONS OF W. TENNESSEE AVENUE, S. ACOMA STREET (FORMERLY SO. 15TH STREET) AND THE ALLEYS IN SAID BLOCKS 1 AND 2, AS DEDICATED ON SAID PLAT OF LAWRENCE'S BROADWAY ADDITION AND VACATED BY ORDINANCES RECORDED MARCH 10, 1919 IN BOOK 2871 AT PAGE 65, DECEMBER 2, 1926 IN BOOK 3943 AT PAGE 271, OCTOBER 31, 1945 IN BOOK 5965 AT PAGE 215, AUGUST 8, 1960 IN BOOK 8549 AT PAGE 358 AND FEBRUARY 4, 1985 UNDER RECEPTION NO. 072263.

EXCEPT THOSE PORTIONS OF SAID LAND CONVEYED TO CITY AND COUNTY OF DENVER BY DEEDS RECORDED AUGUST 23, 1982 IN BOOK 2642 AT PAGE 291 AND SEPTEMBER 6, 1983 IN BOOK 2901 AT PAGE 267.

PARCEL 2J:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FIFTEEN (15), TOWNSHIP FOUR SOUTH (T4S), RANGE SIXTY-EIGHT WEST (68W) OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF WEST MISSISSIPPI AVENUE AND A LINE PARALLEL WITH AND FIFTY (50) FEET NORTHEASTERLY FROM, MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF THE MAIN TRACK OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, AS THE SAME IS NOW LOCATED AND CONSTRUCTED OVER AND ACROSS SAID SECTION FIFTEEN (15); THENCE NORTHWESTERLY AND PARALLEL WITH THE CENTERLINE OF SAID MAIN TRACK A DISTANCE OF SIXTEEN AND FIVE TENTHS (16.5) FEET, MORE OR LESS, TO THE POINT OF BEGINNING OF THE METES AND BOUNDS OF TRACT OR PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUING ON THE LAST DESCRIBED COURSE A DISTANCE OF FORTY-EIGHT (48) FEET, TO A POINT; THENCE LEFT ONE HUNDRED SEVENTY-ONE (171) DEGREES, FIFTY-FIVE (55) MINUTES FROM LAST DESCRIBED COURSE PRODUCED, A DISTANCE OF FORTY-SEVEN AND FIVE-TENTHS (47.5) FEET, TO A POINT, SAID POINT BEING FORTY-THREE AND THIRTY-TWO HUNDREDTHS (43.32) FEET NORTHEASTERLY FROM, MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF SAID MAIN TRACK, AT RAILWAY ENGINEER'S STATION 5890 PLUS 59.7 FEET; THENCE LEFT EIGHTY-NINE (89) DEGREES, FORTY-EIGHT (48) MINUTES FROM LAST DESCRIBED COURSE PRODUCED, A DISTANCE OF SIX AND SEVENTY-FIVE HUNDREDTHS (6.75) FEET TO THE POINT OF BEGINNING.

AND FURTHER EXCEPTING ANY PART OF THE ABOVE DESCRIBED PARCELS LYING WITHIN THE LAND DESCRIBED IN RESOLUTION RECORDED NOVEMBER 14, 2007 UNDER RECEPTION NO. 2007176861.

SAID PARCELS 2A, 2C, 2E, 2F, 2G, 2H, 2I AND 2J COMBINED ARE ALSO DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED WITHIN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS:

BEARINGS ARE BASED UPON THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, AS MONUMENTED BY A 3.25-INCH BRASS CAP STAMPED "GRIENER ENG, 1/4, 15/22, LS 19611, 1986" IN A MONUMENT BOX AND STONE WITH NOTCH SET 1 FOOT DEEP IN A RANGE BOX AND IS ASSUMED TO BEAR NORTH 00°44'35" WEST.

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15;

THENCE NORTH 51°35'20" WEST A DISTANCE OF 64.48 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH BROADWAY AND THE NORTHERLY RIGHT-OF-WAY LINE OF WEST MISSISSIPPI AVENUE, ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY OF WEST MISSISSIPPI AVENUE THE FOLLOWING TWELVE (12) COURSES:

- 1) NORTH 89°55'50" WEST A DISTANCE OF 57.01 FEET;
- 2) NORTH 73°36'25" WEST A DISTANCE OF 71.15 FEET;
- 3) SOUTH 80°45'16" WEST A DISTANCE OF 15.21 FEET;
- 4) NORTH 89°55'50" WEST A DISTANCE OF 91.10 FEET;
- 5) SOUTH 00°04'10" WEST A DISTANCE OF 1.10 FEET;
- 6) NORTH 89°55'50" WEST A DISTANCE OF 27.90 FEET;
- 7) NORTH 00°04'10" EAST A DISTANCE OF 1.10 FEET;
- 8) NORTH 89°55'50" WEST A DISTANCE OF 78.30 FEET;
- 9) SOUTH 00°04'10" WEST A DISTANCE OF 1.20 FEET;
- 10) NORTH 89°55'50" WEST A DISTANCE OF 2.00 FEET;
- 11) NORTH 00°04'10" EAST A DISTANCE OF 1.20 FEET;
- 12) NORTH 89°55'50" WEST A DISTANCE OF 114.18 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE REGIONAL TRANSPORTATION DISTRICT (RTD);

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF THE REGIONAL TRANSPORTATION DISTRICT (RTD) NORTH 01°18'44" WEST A DISTANCE OF 46.31 FEET;
THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 09°23'47" WEST A DISTANCE OF 824.16 FEET TO THE SOUTHERLY CORNER OF A PARCEL DESCRIBED AT RECEPTION NO. 0200100049, RECORDED SEPTEMBER 17, 2001, IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO;

THENCE ALONG THE SOUTH AND EAST LINES OF SAID PARCEL DESCRIBED AT RECEPTION NO. 0200100049, THE FOLLOWING SIX (6) COURSES:

- 1) 211.97 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, AT A CENTRAL ANGLE OF 48°34'44", HAVING A RADIUS OF 250.00 FEET, WHENCE THE INITIAL RADIAL BEARS SOUTH 77°55'54" EAST;
- 2) NORTH 60°38'50" EAST A DISTANCE OF 205.31 FEET;
- 3) NORTH 22°12'01" WEST A DISTANCE OF 61.11 FEET;
- 4) NORTH 67°48'00" EAST A DISTANCE OF 74.33 FEET TO POINT "A";
- 5) 322.85 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, AT A CENTRAL ANGLE OF 82°23'42", HAVING A RADIUS OF 224.50 FEET, WHENCE THE INITIAL RADIAL BEARS NORTH 09°27'43" EAST;
- 6) NORTH 01°51'24" EAST A DISTANCE OF 66.99 FEET TO THE NORTH LINE OF A PARCEL OF LAND DESCRIBED AS "PARCEL 2E" BY DEED AT RECEPTION NO. 2009115337, RECORDED OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO;

THENCE SOUTH 89°58'27" EAST ALONG THE NORTH LINE OF SAID "PARCEL 2E" A DISTANCE OF 61.72 FEET;
THENCE SOUTH 00°41'16" EAST ALONG THE EAST LINE OF SAID "PARCEL 2E" A DISTANCE OF 28.00 FEET TO THE NORTH LINE OF A PARCEL OF LAND DESCRIBED AS "PARCEL 2F" BY SAID DEED;
THENCE SOUTH 89°58'27" EAST ALONG SAID NORTH LINE OF "PARCEL 2F" A DISTANCE OF 24.00 FEET;
THENCE SOUTH 00°41'16" EAST A DISTANCE OF 46.98 FEET TO THE NORTH LINE OF A PARCEL OF LAND DESCRIBED AS "PARCEL 2G" BY SAID DEED;
THENCE SOUTH 89°58'27" EAST ALONG SAID NORTH LINE OF "PARCEL 2G" AND ITS EXTENSION A DISTANCE OF 306.65 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF SOUTH BROADWAY;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SOUTH BROADWAY THE FOLLOWING NINE (9) COURSES:

- 1) SOUTH 00°44'37" EAST A DISTANCE OF 95.57 FEET;
- 2) SOUTH 40°55'55" WEST A DISTANCE OF 52.75 FEET;
- 3) SOUTH 87°15'10" WEST A DISTANCE OF 113.73 FEET;
- 4) SOUTH 78°31'03" WEST A DISTANCE OF 21.43 FEET;
- 5) SOUTH 43°09'22" WEST A DISTANCE OF 6.82 FEET;
- 6) SOUTH 89°58'26" EAST A DISTANCE OF 50.53 FEET;
- 7) SOUTH 00°44'35" EAST A DISTANCE OF 15.00 FEET;
- 8) SOUTH 89°58'26" EAST A DISTANCE OF 140.01 FEET;
- 9) SOUTH 00°44'36" EAST A DISTANCE OF 84.39 FEET TO THE EASTERLY LINE OF A PARCEL OF LAND DESCRIBED AS PERMANENT EASEMENT PE-615B IN RULE AND ORDER RECORDED AT RECEPTION NO. 200405973;

THENCE ALONG THE EASTERLY, NORTHERLY AND WESTERLY LINE OF SAID PARCEL OF LAND DESCRIBED AS PERMANENT EASEMENT PE-615B RECORDED AT RECEPTION NO. 2004205973, RECORDS OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, THE FOLLOWING FIVE (5) COURSES:

- 1) NORTH 00°50'34" WEST A DISTANCE OF 4.60 FEET TO A POINT OF TANGENCY;

2) 36.04 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 23.00 FEET, THROUGH A CENTRAL ANGLE OF 89°46'29", TO A POINT OF TANGENCY;
3) SOUTH 89°36'28" WEST A DISTANCE OF 26.58 FEET;
4) SOUTH 46°29'43" EAST A DISTANCE OF 59.24 FEET;
5) SOUTH 03°12'30" EAST A DISTANCE OF 164.24 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF SOUTH BROADWAY;

THENCE SOUTH 00°44'35" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 1021.65 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT SAID POINT "A";

THENCE NORTH 82°14'05" EAST A DISTANCE OF 39.29 FEET TO THE POINT OF BEGINNING;

THENCE THE FOLLOWING FIVE (5) COURSES:

- 1) SOUTH 88°19'59" EAST A DISTANCE OF 23.02 FEET;
- 2) SOUTH 00°42'20" EAST A DISTANCE OF 28.56 FEET;
- 3) SOUTH 60°38'50" WEST A DISTANCE OF 11.75 FEET;
- 4) NORTH 89°23'56" WEST A DISTANCE OF 12.69 FEET;
- 5) NORTH 00°42'20" WEST A DISTANCE OF 34.86 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS LEGAL DESCRIPTION PREPARED BY:

LYLE G. BISSEGGER, P.L.S. NO. 38038

FOR AND ON BEHALF OF:

NV/5 BEYOND ENGINEERING

8000 S. CHESTER, STE. 200

CENTENNIAL, CO 80112

303.220.6449

PARCEL 3A:

THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4;

THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4, 1322.36 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4;

THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4, 420 FEET, MORE OR LESS, TO THE WEST LINE OF THE RIGHT OF WAY OF THE D. & R.G.W.R.R. 25 FEET WESTERLY, AT RIGHT ANGLES FROM THE CENTER OF THE MOST WESTERLY TRACK OF THE D & RGW RAILROAD;

THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE 25 FEET WESTERLY FROM AND PARALLEL WITH SAID TRACT, 1340 FEET MORE OR LESS TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4;

THENCE WEST ALONG SAID NORTH LINE, 202.7 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO, BY INSTRUMENT RECORDED MAY 1, 1957 IN BOOK 8032 AT PAGE 222.

PARCEL 3B:

THAT PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4), 107 FEET SOUTH OF THE NORTHWEST (NW) CORNER OF SAID SOUTHEAST QUARTER (SE 1/4), SOUTHWEST QUARTER (SW 1/4);

THENCE SOUTH 25.72 FEET TO A POINT ON THE EASTERLY LINE OF SOUTH SANTA FE DRIVE;

THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SOUTH SANTA FE DRIVE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1733.49 FEET, A DISTANCE OF 1170 FEET TO THE POINT OF INTERSECTION OF SAID LINE WITH THE NORTH LINE OF WEST MISSISSIPPI AVENUE;

THENCE EAST ALONG SAID NORTH LINE OF WEST MISSISSIPPI AVENUE, A DISTANCE OF 493.12 FEET TO THE

INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF THE DENVER & RIO GRANDE WESTERN RAILWAY RIGHT-OF-WAY;
THENCE NORTHWESTERLY ALONG THE SAID WESTERLY LINE OF THE DENVER & RIO GRANDE WESTERN RAILWAY RIGHT OF WAY, A DISTANCE OF 1192.6 FEET;
THENCE WEST AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4), SOUTHWEST QUARTER (SW 1/4), A DISTANCE OF 246 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE WEST LINE OF THE DENVER & RIO GRANDE RAILWAY RIGHT OF WAY CROSSES THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4;
THENCE WEST ON SAID NORTH LINE, 408 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4;
THENCE SOUTH ON THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 107 FEET TO A POINT;
THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 410 FEET TO THE WESTERLY LINE OF SAID DENVER & RIO GRANDE RAILWAY RIGHT OF WAY;
THENCE NORTH ALONG SAID WESTERLY LINE, TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID LAND CONVEYED TO CITY AND COUNTY OF DENVER BY DEED RECORDED SEPTEMBER 6, 1983 IN BOOK 2901 AT PAGE 267.

ALSO EXCEPT THAT PORTION OF SAID LAND CONVEYED TO STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, BY INSTRUMENT RECORDED MARCH 27, 1986 UNDER RECEPTION NO. 046238.

SAID PARCELS 3A AND 3B COMBINED ARE ALSO DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED WITHIN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS:

BEARINGS ARE BASED UPON THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, AS MONUMENTED BY A 3.25-INCH BRASS CAP STAMPED "GRIENER ENG, 1/4, 15/22, LS 19611, 1986" IN A MONUMENT BOX AND STONE WITH NOTCH SET 1 FOOT DEEP IN A RANGE BOX AND IS ASSUMED TO BEAR NORTH 00°44'35" WEST.

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD AND THE NORTHERLY RIGHT-OF-WAY LINE OF WEST MISSISSIPPI AVENUE, WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 15 BEARS SOUTH 84°44'30" EAST A DISTANCE OF 717.63 FEET;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH SANTA FE DRIVE THE FOLLOWING FOUR (4) COURSES:
1) NORTH 89°55'50" WEST A DISTANCE OF 165.78 FEET;
2) NORTH 87°24'10" WEST A DISTANCE OF 201.90 FEET;
3) 137.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 70°12'31", HAVING A RADIUS OF 111.90 FEET, WHENCE THE INITIAL RADIAL BEARS NORTH 02°28'17" EAST;
4) 1067.68 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 31°28'34", HAVING A RADIUS OF 1943.49 FEET, WHENCE THE INITIAL RADIAL BEARS NORTH 82°14'10" WEST, TO THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH CHEROKEE STREET;

THENCE NORTH 00°37'45" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SOUTH CHEROKEE STREET A DISTANCE OF 1222.28 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 25;
THENCE SOUTH 78°08'56" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 25 A DISTANCE OF 251.18 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;
THENCE SOUTH 09°27'07" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD A DISTANCE OF 2334.25 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS LEGAL DESCRIPTION PREPARED BY:
LYLE G. BISSEGER, P.L.S. NO. 38038
FOR AND ON BEHALF OF:
N/V/5 BEYOND ENGINEERING
8000 S. CHESTER, STE. 200

GENTENNIAL, CO 80112
303.220.6449

PARCEL 4A:

ALL OF LOTS 8 THROUGH 20, INCLUSIVE, BLOCK 1, SYLVESTER'S ADDITION TO VANDERBILT PARK AND ALL OF VACATED SOUTH ELATI STREET LYING ADJACENT TO AND WEST THEREOF AND PART OF LOTS 5 THROUGH 16, INCLUSIVE, BLOCK 2, VANDERBILT PARK AND A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO-WIT:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 20 IN SAID BLOCK 1, SYLVESTER'S ADDITION TO VANDERBILT PARK; THENCE NORTH ALONG THE EAST LINE OF LOTS 20 TO 8, INCLUSIVE, IN SAID BLOCK 1, A DISTANCE OF 320.93 FEET TO THE NORTHEAST CORNER OF LOT 8 IN SAID BLOCK 1; THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 8 AND THE SAME EXTENDED WEST, A DISTANCE OF 155.0 FEET TO INTERSECT THE WEST LINE OF VACATED SOUTH ELATI STREET; THENCE NORTH, ALONG THE WEST LINE OF VACATED SOUTH ELATI STREET, A DISTANCE OF 50.0 FEET; THENCE NORTH 79 DEGREES 51 MINUTES 50 SECONDS WEST, A DISTANCE OF 173.7 FEET TO THE NORTHEAST CORNER OF LOT 5 IN SAID BLOCK 2, VANDERBILT PARK; THENCE SOUTH 72 DEGREES 15 MINUTES 10 SECONDS WEST, A DISTANCE OF 82.0 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 5, WHICH IS 50.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 38 DEGREES 39 MINUTES 40 SECONDS WEST, A DISTANCE OF 32.0 FEET TO A POINT ON THE SOUTH LINE OF LOT 6 IN SAID BLOCK 2, VANDERBILT PARK, WHICH IS 30.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 6; THENCE SOUTH 07 DEGREES 35 MINUTES 40 SECONDS WEST, A DISTANCE OF 75.67 FEET TO A POINT ON THE SOUTH LINE OF LOT 9, IN SAID BLOCK 2, VANDERBILT PARK, WHICH IS 20.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 9; THENCE SOUTH 32 DEGREES 28 MINUTES 05 SECONDS EAST TO THE SOUTHEAST CORNER OF LOT 16 IN SAID BLOCK 2, VANDERBILT PARK; THENCE SOUTH 32 DEGREES 45 MINUTES EAST TO THE NORTH LINE OF LOT 28 IN SAID BLOCK 2, VANDERBILT PARK; THENCE SOUTH 89 DEGREES 09 MINUTES EAST ALONG THE NORTH LINE OF SAID LOT 28, ALONG SAID LINE EXTENDED AND ALONG THE SOUTH LINE OF LOT 20, BLOCK 1, SYLVESTER ADDITION TO VANDERBILT PARK A DISTANCE OF 259 FEET MORE OR LESS TO THE POINT OF BEGINNING, TOGETHER WITH THE WEST ONE-HALF OF THE VACATED ALLEY ADJACENT TO THE EAST LINE OF LOTS 8 THROUGH 20, BLOCK 1, SYLVESTER'S ADDITION TO VANDERBILT PARK, AS VACATED BY ORDINANCE #522, SERIES OF 1982, RECORDED SEPTEMBER 27, 1982 IN BOOK 2661 AT PAGE 377.

PARCEL 4B:

LOTS 21 THROUGH 28, INCLUSIVE, BLOCK 1, VANDERBILT PARK, CITY AND COUNTY OF DENVER, STATE OF COLORADO;

AND

LOTS 21 THROUGH 32, INCLUSIVE, BLOCK 1, SYLVESTER'S ADDITION TO VANDERBILT PARK, CITY AND COUNTY OF DENVER, STATE OF COLORADO, TOGETHER WITH THE EAST ONE-HALF OF THE VACATED ALLEY ADJACENT TO THE WEST LINE OF SAID LOTS, AS VACATED BY ORDINANCE #522, SERIES OF 1982, RECORDED SEPTEMBER 27, 1982 IN BOOK 2661 AT PAGE 377.

SAID PARCELS 4A AND 4B COMBINED ARE ALSO DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED WITHIN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS:

BEARINGS ARE BASED UPON THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, AS MONUMENTED BY A 3.25-INCH BRASS CAP STAMPED "GRIENER ENG, 1/4, 15/22, LS 19611, 1986" IN A MONUMENT BOX AND STONE WITH NOTCH SET 1 FOOT DEEP IN A RANGE BOX AND IS ASSUMED TO BEAR NORTH 00°44'35" WEST.

BEGINNING AT THE INTERSECTION OF SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 25 AND THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH CHEROKEE STREET, WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 15 BEARS SOUTH 29°35'44" EAST A DISTANCE OF 2779.71 FEET;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 00°32'55" EAST A DISTANCE OF 298.00 FEET;
- 2) NORTH 89°57'43" EAST A DISTANCE OF 1.90 FEET;
- 3) SOUTH 00°37'45" EAST A DISTANCE OF 91.90 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WEST OHIO STREET;

THENCE SOUTH 89°23'59" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 265.00 FEET TO THE WEST LINE OF BLOCK 1 OF VANDERBILT PARK RECORDED AT ENGINEERING BOOK 19 AT PAGE 36, RECORDS OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO;

THENCE ALONG SAID WEST LINE OF BLOCK 1 OF VANDERBILT PARK NORTH 00°37'15" WEST A DISTANCE OF 94.50 FEET TO THE SOUTH LINE OF LOT 20 OF BLOCK 1 OF SYLVESTER'S ADDITION TO VANDERBILT PARK RECORDED AT ENGINEERING BOOK 19 AT PAGE 36, RECORDS OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO; THENCE DEPARTING SAID WEST LINE OF BLOCK 1 OF VANDERBILT PARK SOUTH 89°49'48" WEST A DISTANCE OF 143.63 FEET;

THENCE NORTH 32°00'28" WEST A DISTANCE OF 118.10 FEET TO THE SOUTHEAST CORNER OF LOT 16 OF BLOCK 2 OF SAID VANDERBILT PARK;

THENCE NORTH 31°43'33" WEST A DISTANCE OF 204.53 FEET TO THE SOUTH LINE OF LOT 9 OF SAID BLOCK 2 OF VANDERBILT PARK;

THENCE NORTH 06°51'16" EAST A DISTANCE OF 75.63 FEET TO THE SOUTH LINE OF LOT 6 OF SAID BLOCK 2 OF VANDERBILT PARK;

THENCE NORTH 37°59'29" EAST A DISTANCE OF 31.96 FEET TO THE SOUTH LINE OF LOT 5 OF SAID BLOCK 2 OF VANDERBILT PARK;

THENCE NORTH 71°38'52" EAST A DISTANCE OF 81.77 FEET TO THE NORTHEAST CORNER OF SAID LOT 5 OF BLOCK 2 OF VANDERBILT PARK;

THENCE SOUTH 79°44'48" EAST A DISTANCE OF 174.83 FEET TO A POINT ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH ELATI, VACATED PER ORDINANCE 17, SERIES 1946, 50.00 FEET NORTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 8 OF SAID BLOCK 1 OF SYLVESTER'S ADDITION TO VANDERBILT PARK; THENCE SOUTH 00°32'55" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 50.00 FEET TO SAID WESTERLY EXTENSION OF THE NORTH LINE OF LOT 8;

THENCE NORTH 89°06'52" EAST ALONG SAID WESTERLY EXTENSION OF THE NORTH LINE OF LOT 8 AND THE NORTH LINE OF SAID LOT 8 AND ITS EASTERLY EXTENSION A DISTANCE OF 161.99 FEET;

THENCE SOUTH 00°32'55" EAST A DISTANCE OF 25.00 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 32 OF SAID BLOCK 1 OF SYLVESTER'S ADDITION TO VANDERBILT PARK;

THENCE NORTH 89°06'52" EAST ALONG SAID WESTERLY EXTENSION OF LOT 32 AND THE NORTH LINE OF SAID LOT 32 A DISTANCE OF 133.00 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS LEGAL DESCRIPTION PREPARED BY:

LYLE G. BISSEGER, P.L.S. NO. 38038

FOR AND ON BEHALF OF:

N/V/S BEYOND ENGINEERING

8000 S. CHESTER, STE. 200

CENTENNIAL, CO 80112

303.220.6449

PARCEL 7:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF WEST TENNESSEE AVENUE, 700.6 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 15 AND 825 FEET EAST OF THE WEST LINE OF SAID SECTION 15, SAID POINT BEING THE CENTER OF THE SOUTH LINE OF BLOCK 10, VANDERBILT PARK, NOW VACATED, AS SHOWN UPON THE RECORDED MAP THEREOF IN BOOK 9, PAGE 24 OF THE RECORDER'S OFFICE OF THE CITY AND COUNTY OF DENVER;

THENCE NORTH ALONG SAID CENTERLINE OF BLOCK 10 EXTENDED TO THE SOUTHWESTERLY LINE OF THE OFFICIAL CHANNEL OF THE SOUTH PLATTE RIVER, AS ESTABLISHED BY ORDINANCE NO. 117 OF THE SERIES OF 1910 OF THE CITY AND COUNTY OF DENVER;

THENCE SOUTHEASTERLY ALONG THE SAID SOUTHWESTERLY LINE OF SAID OFFICIAL CHANNEL TO THE NORTH LINE OF WEST TENNESSEE AVENUE;

THENCE WEST ON SAID NORTH LINE OF WEST TENNESSEE AVENUE TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO CITY AND COUNTY OF DENVER BY DEED RECORDED AUGUST 7, 1958 IN

BOOK 8225 AT PAGE 152.

SAID PARCEL 7 IS ALSO DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED WITHIN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS:

BEARINGS ARE BASED UPON THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, AS MONUMENTED BY A 3.25-INCH BRASS CAP STAMPED "GRJENER ENG, 1/4, 15/22, LS 19611, 1986" IN A MONUMENT BOX AND STONE WITH NOTCH SET 1 FOOT DEEP IN A RANGE BOX AND IS ASSUMED TO BEAR NORTH 00°44'35" WEST.

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH PLATTE RIVER DRIVE AND THE NORTHERLY RIGHT-OF-WAY LINE OF WEST TENNESSEE AVENUE, WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 15 BEARS SOUTH 65°30'49" EAST A DISTANCE OF 1694.60 FEET;

THENCE NORTH 89°55'51" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 273.50 FEET;
THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 00°30'50" WEST A DISTANCE OF 656.35 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE;
THENCE SOUTH 32°45'00" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 96.12 FEET;
THENCE 623.05 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 22°24'09", HAVING A RADIUS OF 1593.49 FEET, WHENCE THE INITIAL RADIAL BEARS SOUTH 57°14'59" WEST, TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS LEGAL DESCRIPTION PREPARED BY:

LYLE G. BISSEGER, P.L.S. NO. 38038

FOR AND ON BEHALF OF:

N/V/S BEYOND ENGINEERING

8000 S. CHESTER, STE. 200

CENTENNIAL, CO 80112

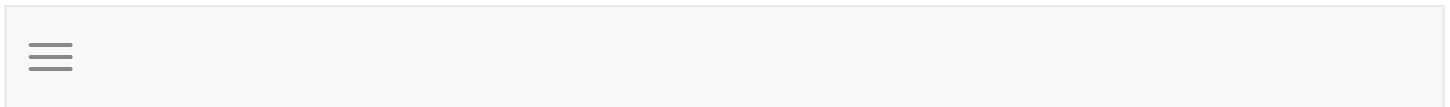
303.220.6449

Denver Property Taxation and Assessment System

[New Search](#)

99 W KENTUCKY AVE

Owner	Schedule Number	Legal Description	Property Type	Tax District
REGIONAL TRANSPORTATION 1600 BLAKE ST DENVER , CO 80202-1324	0515500049000	15/4/68 BEG SE COR SW/4 NE/4 SW/4 TH W 67.68FT N09.2551W 1341.31FT E 271.57FT S 326.94 FT S 306.25FT S06.4607E 42.69 FT W 34.52FT S 335FT E 30FT S 312.36FT TPOB	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

Assessment

Actual Value Year:	2015	Actual Value:	\$3,217,500
	More		

Property

Year Built:	0	Square Footage:	0
More			

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

Denver Property Taxation and Assessment System

[New Search](#)

801 S BROADWAY ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
REGIONAL TRANSPORTATION 1600 BLAKE ST DENVER , CO 80202-1324	0515500065000	T4 R68 S15 SW/4 DIF RCP #93-00155214 EXHIBIT A-2 EXC DIF RCP #92-0031774 & EXC DIF RCP # 2001-124391 RCD 7/31/01 *	INDUSTRIAL, MISC IMPS	DENV



[Property Summary](#)

[Property Map](#)

Assessment

Actual Value Year: **2015** **Actual Value:** **\$2,329,900**
[More](#)

Property

Year Built: **0** **Square Footage:** **0**
[More](#)

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

Denver Property Taxation and Assessment System

[New Search](#)

875 S BROADWAY ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
REGIONAL TRANSPORTATION 1600 BLAKE ST DENVER , CO 80202-1324	0515500064000	T4 R68 S15 SW/4 DIF BOOK 2182-294 RCD 7/1/80 EXC PT DIFRCP #2001-124391 RCD 7/31/2001*	INDUSTRIAL, MISC IMPS	443B



Property Summary

[Property Map](#)

Assessment

Actual Value Year: 2015 Actual Value: \$4,695,800 [More](#)

Property

Year Built: 0 Square Footage: 0 [More](#)

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

EXHIBIT D: AUTHORIZATION LETTERS

January 7, 2016

City & County of Denver
Community Planning and Development
Rezoning/Map Amendments
201 W. Colfax Ave., Dept. 201
Denver, CO 80202

To Whom It May Concern:

This letter is to serve as authorization for CRL Associates, Inc. to act on behalf of RTD and submit the Zone Map Amendment for the former Gates Rubber Company property located at approximately Interstate 25 & Broadway (to the northeast) and Santa Fe Drive & Mississippi (to the southwest).

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Genova", is positioned above the typed name.

David A. Genova
Interim General Manager and CEO
Regional Transportation District

RTD Bylaws provide required proof of signatory authority for Dave Genova as General Manager to consent to the rezoning application. The full RTD Bylaws are available in the digital version of the rezoning application at denvergov.org/rezoning

**BYLAWS
OF THE
REGIONAL TRANSPORTATION DISTRICT**

**ADOPTED JANUARY 15, 1970
AMENDED THROUGH JULY, 2004
AMENDED THROUGH FEBRUARY, 2005
AMENDED THROUGH FEBRUARY, 2007
AMENDED THROUGH FEBRUARY, 2008
AMENDED THROUGH FEBRUARY, 2010
AMENDED THROUGH AUGUST, 2012**



January 7, 2016

City & County of Denver
Community Planning and Development
Rezoning/Map Amendments
201 W. Colfax Ave., Dept. 201
Denver, CO 80202

To Whom It May Concern:

This letter is to serve as authorization for CRL Associates, Inc. to act on behalf of Broadway Station Partners and submit the Zone Map Amendment for the former Gates Rubber Company property located at approximately Interstate 25 & Broadway (to the northeast) and Santa Fe Drive & Mississippi (to the southwest).

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Jacobs", with a long horizontal flourish extending to the right.

Daniel L. Jacobs
President-Frontier Renewal
Manager- Broadway Station Partners.

LIMITED LIABILITY COMPANY AGREEMENT
OF
BROADWAY STATION PARTNERS, LLC
a Delaware Limited Liability Company

THIS LIMITED LIABILITY COMPANY AGREEMENT (this "Agreement") of Broadway Station Partners, LLC, a Delaware limited liability company, is effective as of the 22nd day of August, 2014, by and among Frontier Renewal LLC, a Delaware limited liability company ("Frontier") as a Member and Manager, and those other Persons that have subscribed for Membership Units in the Company and whose subscription has been accepted by the Company.

RECITALS:

A. The Members have formed a Delaware limited liability company under the name and style of "Broadway Station Partners, LLC" (the "Company") in order to engage in the business of acquiring property consisting of approximately forty (40) acres of raw land, formerly the site of the Gates Manufacturing headquarters facilities, situated approximately two and a half (2.5) miles south of downtown Denver, Colorado (the "Property"), marketing the Property for sale, contracting for the Environmental Remediation of the Property, and selling the Property for development.

B. The Members desire to appoint Frontier (the "Manager") to act as the Manager of the Company.

Michael B. Hancock
Mayor



City and County of Denver

OFFICE OF THE MAYOR
CITY AND COUNTY BUILDING
DENVER, CO 80202-5390
TELEPHONE: (720) 865-9090 • FAX: (720) 865-8787
TTY/ TTD: (720) 865-9010

January 29, 2016

Members of City Council—

Please let this letter serve as confirmation that my administration is aware of the proposed rezoning of the City and County-owned property located at 510 West Ohio Avenue by CRL Associates.

The rezoning of the 510 West Ohio Avenue site is an opportunity to bring the property into the modern Denver Zoning Code while implementing the community's vision established by the *I-25 and Broadway Station Area Plan* and adopted by the Denver City Council. This step will align regulations with our vision for this critical redevelopment site.

The City and County of Denver is committed to delivering a smart, livable city, and transit oriented development opportunities like the I-25 and Broadway Station will greatly improve livability for the residents and businesses of this neighborhood. The rezoning of the 510 West Ohio Avenue site from T-MU-30/Waivers and Conditions/UO-1 to the C-MX-16 zone district will catalyze private investment in the challenged area and provide new opportunities to surrounding communities.

We look forward to creating transformative opportunities throughout Denver and are excited for the future of the I-25 and Broadway Station area.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Hancock", with a long horizontal line extending to the right.

Michael B. Hancock
Mayor



COLORADO
Department of Transportation
Region 1 Right of Way

March 15, 2016

City & County of Denver
Community Planning and Development
Rezoning/Map Amendments
201 West Colfax Avenue, Department 201
Denver, Colorado 80202

To Whom It May Concern:

The Colorado Department of Transportation (“CDOT”) has been notified of the proposed rezoning request to the City and County of Denver by CRL Associates which include parcel numbers 05155-00-059-000, 05155-03-023-000, 05155-03-022-000, 05155-00-062-000, 05155-00-060-000, and 05155-00-063-000. These parcels are titled under the Department of Transportation, State of Colorado. The rezoning request is to bring these properties into the modern Denver Zoning Code while implementing the community’s vision established by the *I-25 and Broadway Station Area Plan* and adopted by the Denver City Council.

It is generally the policy of the Department not to participate, support or oppose rezoning requests prepared by municipalities or private parties which include parcels that were acquired for right of way or transportation purposes. For parcels such as these that are converted into real property, CDOT understands that the property would then be reassigned to the zoning classification of the surrounding area.

This letter serves as confirmation that CDOT is aware of the proposed rezoning request of the above subject parcels, and takes no position on the subsequent determination of the zoning classification.

If you have any questions, or wish to discuss this further, please feel free to contact me at the number below.

Sincerely,

Irving P. Mallo
Region 1 Property Manager



1
2
3 **BY AUTHORITY**

4 ORDINANCE NO. 468(03)
5 SERIES OF 2003
6 *Effective Date: 6/20/03*

COUNCIL BILL NO. 386(03) *S*
7 COMMITTEE OF REFERENCE:
8 *Transit Oriented Planning (TOP)*

9 **A BILL**

10 For an ordinance relating to zoning, changing the zoning classification for a
11 specifically described area, generally bounded by Interstate-25, South
12 Broadway Street, West Arizona Avenue, West Mississippi Avenue, Santa Fe
13 Drive and West Exposition Avenue, reciting certain waivers proposed by the
14 owner for the zoning classification, reciting certain reasonable conditions
15 approved by the owner for the zoning classification and providing for a
16 recordation of this ordinance.

17 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

18 **Section 1.** That upon consideration of a change in the zoning classification of the land area
19 hereinafter described, Council finds:

20 1. That the land area hereinafter described is presently classified as O-1, I-1 and I-2;

21 2. That the owner proposes that the land area hereinafter described be changed to T-MU-30
22 with reasonable waivers and with reasonable conditions it has approved;

23 3. That in its application the owner has represented that if the zoning classification is
24 changed pursuant to its application, the owner will and hereby does:

25 (i) Waive the right on Parcel 5 to use or occupy the subject property or to use, occupy,
26 or erect thereon any structure or structures designed, erected, altered, used or occupied for all uses
27 by right and uses by special review in the T-MU-30 Zone District as identified in Section 59-303 of
28 the Denver Revised Municipal Code [Section 59-430.03(1) (1950 Code, as amended)] except for the
29 following uses:

- 30 (a) Arts, entertainment, recreation, institutions: [Civic Uses]
31 Community or senior center or recreational facility;
32 Library;
33 Museums, or other special purpose cultural institutions ;
34 Office for park purposes [see Office: nondental, nonmedical L66];
35 Parks, public, open space, associated buildings;
36 Postal facility, neighborhood;
37 Recreation services, indoor;
Recreation services, outdoor; and
School, elementary or secondary.

1 (b) Retail, Service, Office: [Commercial Uses]

2 Animal care, kennel, cattery; and

3 Eating place.

4 (ii) Waive the reduction of parking spaces for Parcel 6 under Section 59-316(1) of the
5 Denver Revised Municipal Code [Section 59-430.14(1) (1950 Code, as amended)] for "Reduction of
6 Parking Spaces".

7 (iii) Waive Section 59-316(2) of the Denver Revised Municipal Code [Section 59-
8 430.14(2) (1950 Code)] for "Special plan for shared parking" for Parcel 6 and instead shall comply
9 with the following:

10 *Special plan for shared parking.* The Zoning Administrator may authorize a different
11 location for the required parking spaces through a special plan for shared parking. Approval of a
12 special plan for shared parking shall be subject to the following standards:

13 (1) *Location.* Shared off-street parking spaces shall be located no further than six
14 hundred (600) feet from all the buildings and uses they are intended to serve. The separation shall
15 be measured perpendicularly from the nearest point of the buildings or uses to the nearest point of
16 the zone lot containing the shared off-street parking spaces.

17 (2) *Shared parking analysis.* A parking analysis acceptable to the zoning
18 administrator shall be submitted which clearly establishes that uses will make use of the shared
19 spaces at different times of the day, week, month, or year. The study shall:

20 (a) Address the intensity and type of activities, the composition of uses; hours
21 of operation of the uses; the rate of turnover for proposed shared spaces; distances of shared
22 parking spaces from the uses they serve; availability of embedded on-street parking spaces in the
23 public rights-of-way; and the anticipated peak parking and traffic loads for the site; and

24 (b) Consider the availability of transit facilities and modes of available transit
25 serving the site including both public and private transit (e.g., car and vanpooling).

26 (3) *Disabled parking.* The number of spaces required for persons with disabilities
27 shall not be reduced.

28 ~~(4) *Applications, how made and contents.* All applications for approval of a special~~
29 ~~plan for shared parking hereunder shall be filed with the department of zoning administration by the~~
30 ~~owners of the entire land area to be included within the special plan, and the owners of all structures~~
31 ~~then existing on such land area; shall contain sufficient evidence to establish to the satisfaction of the~~
32 ~~department that the applicants are the owners of the designated land and structures; shall contain~~
33 ~~such information and representations required by this subsection or deemed necessary by the~~

1 department, and shall include plans showing the following details:

2 (a) The location of the uses by right or structures for which off-street parking
3 space is required;

4 (b) The location of off-street parking spaces; and

5 (c) A landscape plan as required by Section 59-585(11) of the Denver
6 Revised Municipal Code [Section 59-585(10) (1950 Code, as amended)] (use and maintenance of
7 off-street parking space; landscape plan).

8 (5) *Review of application.* All applications hereunder shall be reviewed by the
9 zoning administrator and either approved, approved with conditions or denied.

10 (6) *Approved plan registered and recorded.* Upon approval of a special plan
11 hereunder, a copy of such plan shall be registered among the records of the department of zoning
12 administration and a copy of such plan, or such other record thereof as deemed proper by the
13 department shall be recorded by the department of zoning administration with the Denver clerk and
14 recorder.

15 (7) *Effect of registered and recorded special plan.* All special plans registered and
16 recorded hereunder shall run with the land, be binding upon the applicants for such special plans,
17 their successors and assigns, and shall restrict and limit the use and operation of all land and
18 structures included within such special plan to all conditions and limitations specified in such plan
19 and the approval thereof. No zoning use permits shall be issued unless such uses comply with all the
20 conditions and limitations of the approved special plan.

21 (8) *Amendment of registered and recorded special plans.* All special plans
22 registered and recorded hereunder may be amended pursuant to the same procedure and subject to
23 the same limitations and requirements by which such plans were approved, registered and recorded.

24 (9) *Withdrawal of registered and recorded special plans.* Upon application to the
25 department of zoning administration by the owners of the entire land area included within any special
26 plan registered and recorded hereunder, and the owners of any structures then existing thereon any
27 such plan may be withdrawn, either partially or completely, from registration and released from
28 recording if all uses, land and structures remaining under such plan can be made to comply with all
29 conditions and limitations of the plan and all uses by right, land and structures withdrawn from such
30 plan can be made to comply with all regulations established by this chapter 59 and unrelated to any
31 special plan. Upon approval of the withdrawal of an application hereunder, the department of zoning
32 administration shall register among its records and record with Denver clerk and recorder an
33 appropriate certificate of such withdrawal.

1
2 (iv) Waive Section 59-316(3) of the Denver Revised Municipal Code [Section 59-
3 430.14(3) (1950 Code, as amended)] for "Required off-street parking spaces" for Parcel 6 and
4 instead all uses shall provide at least the number of off-street parking spaces set forth in the
5 "Required Off-Street Parking Amount by Use" chart of Section 59-316(3) of the Denver Revised
6 Municipal Code. All off-street parking spaces hereinafter required shall be designed in accordance
7 with the dimensions set out in chart no. 1, off-street parking, which chart follows section 59-595. In
8 a T-MU-30 district with an approved GDP, parking may be provided on a GDP-area wide basis,
9 rather than on a zone lot basis.

10 The "Required Off-Street Parking Amount by Use" chart of Section 59-316(3) of the Denver
11 Revised Municipal Code shall remain in full force and effect.

12 4. That the owner approves and agrees, as reasonable conditions to the requested change
13 in zoning classifications related to the development, operation and maintenance of the land area
14 hereinafter described:

15 (i) That the owner shall file a General Development Plan (GDP) pursuant to Section 59-
16 314 of the Denver Revised Municipal Code [Section 59-430.12 (1950 Code)]. In addition, the GDP
17 shall contain a regional infrastructure plan describing generally on- and off-site facilities and
18 improvements related to the property described in Section 2. The GDP and accompanying regional
19 infrastructure plan shall also examine possible infrastructure needs for the entire former Gates
20 Rubber Company site (generally bounded by I-25, Arizona Avenue, West Arizona Avenue, South
21 Fox Street and West Exposition Avenue). The scope and contents of the regional infrastructure plan
22 shall contain development phasing scenarios and potential financing mechanisms for the
23 ~~implementation of the regional infrastructure plan as well as other matters discussed as part of the~~
24 GDP pre-application conference. Nothing herein shall require the participation of any individual or
25 entity other than the owner of the property described in Section 2 and the City in the formulation of
26 the regional infrastructure plan for the entire former Gates Rubber Company site. Approval by the
27 City of the GDP and accompanying regional infrastructure plan shall be done in accordance with the
28 ~~T-MU-30 zone district requirements. The approved GDP and accompanying regional infrastructure~~
29 plan shall be used in the development process as provided for in the T-MU-30 zone district and other
30 City regulations.

31 (ii) Infrastructure improvements directly related to the TREX and I-25 Over
32 Broadway Projects constructed by the Regional Transportation District, the Colorado Department
33 of Transportation, other TREX partners or their contractors that are scheduled to be completed by

1 December 31, 2006, may proceed prior to GDP approval.

2 **Section 2.** That the zoning classification of the land area in the City and County of Denver
3 described as follows or included within the following boundaries shall be and hereby is changed from
4 O-1, I-1 and I-2 to T-MU-30 with certain waivers which waivers are set forth in Subsection 3 of
5 Section 1 hereof and with certain reasonable conditions approved by the owner which reasonable
6 conditions are set forth in Subsection 4 of Section 1 hereof:

7 **PARCEL "1"**

8
9 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE
10 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY
11 DESCRIBED AS FOLLOWS:

12
13 COMMENCING AT THE CENTER-SOUTH ONE SIXTEENTH CORNER OF SAID SECTION 15; THENCE ALONG THE SOUTHERLY
14 LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15 N89 58'27"W A DISTANCE OF 50.00 FEET TO
15 A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH BROADWAY STREET AS RECORDED IN ORDINANCE 97, SERIES
16 OF 1898; THENCE S 00 44'36" E, ALONG SAID WESTERLY RIGHT-OF-WAY, AND ALSO ALONG THE EAST LINE EXTENDED AND
17 THE EAST LINE OF LOT 1, BLOCK 1, FIRST ADDITION TO EDGERTON PLACE, RECORDED APRIL 12, 1890 IN BOOK 9 AT PAGE
18 42 OF THE ARAPAHOE COUNTY RECORDS, THE EAST LINE AND THE EAST LINE EXTENDED OF BLOCK 1 OF EDGERTON
19 PLACE, RECORDED MAY 24, 1888 IN BOOK 5 AT PAGE 41 OF THE ARAPAHOE COUNTY RECORDS, AND THE EAST LINE OF
20 BLOCK 1, LAWRENCE'S BROADWAY ADDITION, RECORDED FEBRUARY 16, 1888 IN BOOK 5 AT PAGE 10 OF THE ARAPAHOE
21 COUNTY RECORDS, A DISTANCE OF 1283.70 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 1, LAWRENCE'S
22 BROADWAY ADDITION; THENCE N 89 55'51" W, ALONG THE SOUTH LINE OF SAID BLOCK 1, LAWRENCE'S BROADWAY
23 ADDITION, A DISTANCE OF 57.01 FEET TO THE EASTERNMOST CORNER OF A PARCEL OF LAND DESCRIBED IN BOOK 2642
24 AT PAGE 291 OF THE CITY AND COUNTY OF DENVER RECORDS; THENCE N 73 36'26" W, ALONG THE NORTHERLY LINE OF
25 SAID PARCEL, A DISTANCE OF 71.15 FEET TO THE NORTHERNMOST CORNER OF SAID PARCEL; THENCE S 80 45'15" W, A
26 DISTANCE OF 15.21 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN BOOK 2901 AT PAGE 267 OF
27 THE CITY AND COUNTY OF DENVER RECORDS; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING NINE (9)
28 COURSES:

- 29
- 30 1. N 89 55'51" W, A DISTANCE OF 91.10 FEET;
- 31 2. THENCE S 00 04'09" W, A DISTANCE OF 1.10 FEET;
- 32 3. THENCE N 89 55'51" W, A DISTANCE OF 27.90 FEET;
- 33 4. THENCE N 00 04'09" E, A DISTANCE OF 1.10 FEET;
- 34 5. THENCE N 89 55'51" W, A DISTANCE OF 78.30 FEET;
- 35 6. THENCE S 00 04'09" W, A DISTANCE OF 1.20 FEET;
- 36 7. THENCE N 89 55'51" W, A DISTANCE OF 2.00 FEET;
- 37 8. THENCE N 00 04'09" E, A DISTANCE OF 1.20 FEET;
- 38 9. THENCE N 89 55'51" W, A DISTANCE OF 114.61 FEET PLUS OR MINUS TO THE EASTERLY RIGHT-OF-WAY
- 39 LINE OF THE REGIONAL TRANSPORTATION DISTRICT SOUTHWEST LIGHTRAIL CORRIDOR;
- 40

41 THENCE ALONG SAID EASTERLY RIGHT OF WAY, THE FOLLOWING SIX (6) COURSES:

- 42
- 43 1. N 00 43'15" W, A DISTANCE OF 46.66 FEET PLUS OR MINUS;
- 44 2. THENCE N 09 23'47" W, A DISTANCE OF 353.19 FEET;
- 45 3. THENCE N 88 55'23" W, A DISTANCE OF 5.80 FEET;
- 46 4. THENCE N 08 40'40" W, A DISTANCE OF 395.70 FEET;
- 47 5. THENCE S 89 56'47" E, A DISTANCE OF 0.75 FEET;
- 48 6. THENCE N09 23'47"W, A DISTANCE OF 204.97 FEET TO THE SOUTHERLY LINE OF A PARCEL OF LAND
- 49 DESCRIBED IN A QUIT CLAIM DEED, EXHIBIT "C", AT RECEPTION NUMBER 9400000231;
- 50

51 THENCE ALONG SAID SOUTHERLY LINE N83 22'08"E A DISTANCE OF 8.96 FEET TO THE EASTERLY LINE OF SAID PARCEL;
52 THENCE ALONG SAID EASTERLY LINE N6 37'52"W A DISTANCE OF 278.37 FEET TO THE SOUTHERLY LINE OF THE NORTH
53 HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE ALONG SAID SOUTHERLY LINE S89 58'27"E A DISTANCE
54 OF 9.99 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST
55 QUARTER OF SAID SECTION 15, SAID POINT ALSO BEING A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND
56 DESCRIBED IN A QUIT CLAIM DEED, EXHIBIT "A-3", RECORDED AT RECEPTION NUMBER 9300155214; THENCE ALONG SAID
57 EASTERLY LINE ALSO BEING THE WESTERLY LINE OF

58

1 THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 N00 41'16"W
2 A DISTANCE OF 240.00 FEET TO A PARCEL OF LAND DESCRIBED AT RECEPTION NUMBER 8000104795; THENCE ALONG SAID
3 PARCEL THE FOLLOWING FIVE (5) COURSES:
4

- 5 1. S89°58'27"E PARALLEL WITH THE SOUTHERLY LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF
- 6 THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 260.43 FEET;
- 7 2. THENCE S00°41'16"E PARALLEL WITH THE WESTERLY LINE OF THE EAST HALF OF THE NORTHEAST
- 8 QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 28.00 FEET;
- 9 3. THENCE S89°58'27"E PARALLEL WITH THE SOUTHERLY LINE OF THE EAST HALF OF THE NORTHEAST
- 10 QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 24.00 FEET;
- 11 4. THENCE S00°41'16"E PARALLEL WITH THE WESTERLY LINE OF THE EAST HALF OF THE NORTHEAST
- 12 QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 46.98 FEET;
- 13 5. THENCE S89°58'27"E PARALLEL WITH THE SOUTHERLY LINE OF THE EAST HALF OF THE NORTHEAST
- 14 QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 322.66 FEET TO THE
- 15 WESTERLY RIGHT-OF-WAY LINE OF SOUTH BROADWAY STREET AS ESTABLISHED BY ORDINANCE 97,
- 16 SERIES 1898;
- 17

18 THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE S00 44'44"E A DISTANCE OF 165.38 FEET TO THE POINT OF
19 BEGINNING.

20
21 SAID PARCEL CONTAINS 807,412 SQUARE FEET OR 18.536 ACRES MORE OR LESS.

22 BASIS OF BEARINGS

23
24 THE SOUTHERLY LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 15, BEARING N89 58'27"W.

25
26
27 AND

28
29
30 PARCEL "2"

31
32 A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE
33 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY
34 DESCRIBED AS FOLLOWS:
35

36 COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 22, FROM WHICH THE NORTHWEST CORNER OF SAID
37 SECTION 22 BEARS N 89 55'51" W, 2634.40 FEET; THENCE S 00 05'30" E, ALONG THE EAST LINE OF THE NORTHWEST QUARTER
38 OF SAID SECTION 22, A DISTANCE OF 81.62 FEET; THENCE N 89 54'30" W, A DISTANCE OF 50.00 FEET TO A POINT ON THE
39 WEST RIGHT OF WAY OF SOUTH BROADWAY STREET AS RECORDED IN ORDINANCE 97, SERIES OF 1898, AND THE EAST
40 LINE OF BLOCK 3, JEROME'S BROADWAY SUBDIVISION 2ND FILING, PLAT RECORDED MARCH 16, 1888 IN BOOK 5 AT PAGE
41 18 OF THE ARAPAHOE COUNTY RECORDS, SAID POINT BEING THE POINT OF BEGINNING; THENCE S 00 05'30" W, ALONG
42 SAID WESTERLY RIGHT OF WAY AND SAID EAST LINE, A DISTANCE OF 554.40 FEET TO THE SOUTHEAST CORNER OF SAID
43 BLOCK 3; THENCE N 89 55'51" W, ALONG THE SOUTH LINE OF SAID BLOCK 3 AND THE NORTH RIGHT OF WAY OF ARIZONA
44 AVENUE, AS DEDICATED BY THE SAID PLAT OF JEROME'S BROADWAY SUBDIVISION 2ND FILING, AND SAID LINES
45 EXTENDED, A DISTANCE OF 326.00 FEET TO THE WEST RIGHT OF WAY OF SOUTH ACOMA STREET AS DEDICATED BY SAID
46 PLAT; THENCE S 00 05'30" W, ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 37.19 FEET TO THE EASTERLY RIGHT OF
47 WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD AND THE WESTERLY LINE OF BLOCK 1 OF SAID JEROME'S
48 BROADWAY SUBDIVISION 2ND FILING; THENCE N 09 25'10" W, ALONG SAID EASTERLY RIGHT OF WAY AND SAID WESTERLY
49 LINE, A DISTANCE OF 631.87 FEET TO THE SOUTHERLY LINE OF A PARCEL OF LAND RECORDED IN BOOK 2820 AT PAGE
50 106 OF THE CITY AND COUNTY OF DENVER RECORDS; THENCE S 89 05'06" E, ALONG SAID SOUTHERLY LINE AND
51 ALONG THE SOUTHERLY LINE OF A PARCEL OF LAND RECORDED IN BOOK 2901 AT PAGE 267 OF THE CITY AND COUNTY
52 OF DENVER RECORDS, A DISTANCE OF 205.83 FEET; THENCE S 89 55'51" E, CONTINUING ALONG SAID SOUTHERLY LINE, A
53 DISTANCE OF 76.60 FEET; THENCE S 44 56'02" E, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 9.90 FEET;
54 THENCE S 89 55'51" E, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 119.69 FEET; THENCE S 44 31'33" E,
55 CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 30.33 FEET TO THE POINT OF BEGINNING.

56
57 CONTAINING 221,348 SQUARE FEET OR 5.081 ACRES MORE OR LESS.

58 BASIS OF BEARINGS:

59
60
61 THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH
62 PRINCIPAL MERIDIAN WAS FOUND TO BEAR N 89 55'51" W, BY A REAL TIME KINEMATIC (RTK) GLOBAL POSITIONING
63 SYSTEM (GPS) SURVEY PERFORMED BY ZYLSTRA BAKER SURVEYING, INC. IN FEBRUARY, 2002.

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AND

PARCEL "3"

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 15, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 15 BEARS N 89 58'59" E, 2623.74 FEET; THENCE N 89 58'59" E, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 817.58 FEET; THENCE S 00 01'01" E, A DISTANCE OF 128.30 FEET TO THE NORTHEAST CORNER OF LOT 5, BLOCK 2, VANDERBILT PARK AS RECORDED FEBRUARY 14, 1890 IN BOOK 9 AT PAGE 24 OF THE ARAPAHOE COUNTY RECORDS AND THE SOUTHERLY LINE OF THE VALLEY HIGHWAY RIGHT OF WAY, AS RECORDED BY ORDINANCE 3, SERIES OF 1962 OF THE CITY AND COUNTY OF DENVER, SAID POINT BEING THE POINT OF BEGINNING; THENCE S 79 44'48" E, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 174.83 FEET TO A POINT ON THE WEST LINE OF THAT PORTION OF ELATI STREET VACATED BY ORDINANCE 17, SERIES OF 1946 OF THE CITY AND COUNTY OF DENVER; THENCE S 00 32'56" E, ALONG SAID WEST LINE AND SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 50.00 FEET TO A POINT WHERE THE NORTH LINE EXTENDED WESTERLY OF LOT 8, BLOCK 1, SYLVESTER'S ADDITION TO VANDERBILT PARK RECORDED MAY 14, 1890 IN BOOK 10 AT PAGE 3 OF THE ARAPAHOE COUNTY RECORDS INTERSECTS SAID WEST LINE; THENCE N 89 06'51" E, ALONG SAID NORTH LINE EXTENDED, SAID NORTH LINE AND SAID NORTH LINE EXTENDED EASTERLY AND SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 169.99 FEET TO THE NORTHWEST CORNER OF LOT 33, BLOCK 1 OF SAID SYLVESTER'S ADDITION TO VANDERBILT PARK; THENCE S 00 32'56" E, ALONG THE WEST LINE OF SAID LOT 33 AND SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 25.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 33; THENCE N 89 06'51" E, ALONG THE SOUTH LINE OF SAID LOT 33 AND SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 125.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 33, SAID CORNER BEING ON THE WESTERLY RIGHT OF WAY OF SOUTH CHEROKEE STREET AS DEDICATED BY THE PLAT OF SAID SYLVESTER'S ADDITION TO VANDERBILT PARK; THENCE S 00 32'56" E, ALONG THE EAST LINE OF SAID BLOCK 1 AND THE SAID WEST RIGHT OF WAY OF SOUTH CHEROKEE STREET, A DISTANCE OF 298.00 FEET TO A POINT ON THE NORTH LINE OF LOT 28, BLOCK 1 OF SAID VANDERBILT PARK; THENCE N 89 57'42" E, ALONG SAID NORTH LINE AND THE NORTHERLY RIGHT OF WAY OF SAID SOUTH CHEROKEE STREET, A DISTANCE OF 1.90 FEET TO THE NORTHEAST CORNER OF SAID LOT 28; THENCE S 00 37'46" E, ALONG THE EAST LINE OF SAID BLOCK 1, VANDERBILT PARK AND THE WEST RIGHT OF WAY OF SOUTH CHEROKEE STREET AS DEDICATED BY THE PLAT OF SAID VANDERBILT PARK, A DISTANCE OF 91.90 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 1; THENCE S 89 23'58" W, ALONG THE SOUTH LINE OF SAID BLOCK 1 AND THE NORTH RIGHT OF WAY OF WEST OHIO AVENUE AS DEDICATED BY SAID PLAT OF VANDERBILT PARK, A DISTANCE OF 265.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 1; THENCE N 00 37'15" W, ALONG THE WEST LINE OF SAID BLOCK 1 AND THE EAST LINE OF SOUTH ELATI STREET AS DEDICATED BY SAID PLAT OF VANDERBILT PARK, A DISTANCE OF 94.50 FEET TO THE NORTHWEST CORNER OF LOT 21, BLOCK 1, VANDERBILT PARK, SAID CORNER BEING ON THE SOUTH LINE OF LOT 20, BLOCK 1, SYLVESTER'S ADDITION TO VANDERBILT PARK; THENCE S 89 49'47" W, ALONG THE SOUTH LINE OF SAID LOT 20, SAID SOUTH LINE EXTENDED, AND THE NORTH LINE OF LOT 28, BLOCK 2, VANDERBILT PARK, A DISTANCE OF 143.63 FEET TO THE NORTHEASTERLY RIGHT OF WAY OF SAID VALLEY HIGHWAY, RECORDED IN ORDINANCE 3, SERIES OF 1962; THENCE N 32 00'29" W, DEPARTING SAID NORTH LINE AND ALONG SAID NORTHEASTERLY RIGHT OF WAY, A DISTANCE OF 118.10 FEET

AND

PARCEL "3"

TO THE SOUTHEAST CORNER OF LOT 16, BLOCK 2, VANDERBILT PARK; THENCE N 31 43'34" W, ALONG SAID NORTHEASTERLY RIGHT OF WAY, A DISTANCE OF 204.53 FEET TO A POINT ON THE NORTH LINE OF LOT 10, BLOCK 2, VANDERBILT PARK; THENCE N 06 51'15" E, ALONG SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 75.63 FEET TO A POINT ON THE NORTH LINE OF LOT 7, BLOCK 2, VANDERBILT PARK; THENCE N 37 59'29" E, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 31.96 FEET TO A POINT ON THE NORTH LINE OF LOT 6, BLOCK 2, VANDERBILT PARK; THENCE N 71 38'51" E, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE

1 OF 81.77 FEET TO THE POINT OF BEGINNING.

2
3 CONTAINING 199,734 SQUARE FEET OR 4.585 ACRES MORE OR LESS.

4
5 **BASIS OF BEARINGS:**

6
7 THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE
8 6TH PRINCIPAL MERIDIAN WAS FOUND TO BEAR N 89 58'59" E, BY A REAL TIME KINEMATIC (RTK) GLOBAL
9 POSITIONING SYSTEM (GPS) SURVEY PERFORMED BY ZYLSTRA BAKER SURVEYING, INC. IN FEBRUARY, 2002.

10
11 **AND**

12
13 **PARCEL "4"**

14
15 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE
16 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY
17 DESCRIBED AS FOLLOWS:

18
19 COMMENCING AT THE SOUTH 1/16 CORNER OF SECTIONS 15 AND 16, FROM WHICH THE SOUTHWEST CORNER OF SAID
20 SECTION 15 BEARS S 00 30'54" E, 1321.81 FEET; THENCE S 89 58'51" E, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE
21 SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 1314.59 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY
22 OF SOUTH CHEROKEE STREET AS DEDICATED BY THE PLAT OF VANDERBILT PARK RECORDED FEBRUARY 14, 1890 IN
23 BOOK 9 AT PAGE 24 OF THE ARAPAHOE COUNTY RECORDS; THENCE N 00 37'46" W, ALONG SAID EASTERLY RIGHT OF WAY,
24 A DISTANCE OF 1095.58 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DEEDED TO THE COLORADO
25 DEPARTMENT OF TRANSPORTATION IN BOOK 8032 AT PAGE 222 OF THE CITY AND COUNTY OF DENVER RECORDS;
26 THENCE S 78 08'57" E, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 251.18 FEET TO THE SOUTHEAST CORNER
27 OF SAID PARCEL, AND A POINT ON THE WESTERLY RIGHT OF WAY OF THE DENVER AND RIO GRANDE WESTERN
28 RAILROAD; THENCE S 09 27'08" E, ALONG SAID WESTERLY RIGHT OF WAY, A DISTANCE OF 1058.43 FEET TO THE SAID
29 SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST CORNER; THENCE CONTINUING S 09 27'08" E, ALONG SAID
30 WESTERLY RIGHT OF WAY, A DISTANCE OF 1275.82 FEET TO THE NORTHERLY LINE OF A PARCEL OF LAND RECORDED IN
31 BOOK 2901 AT PAGE 267 OF THE CITY AND COUNTY OF DENVER RECORDS; THENCE N 89 55'51" W, ALONG SAID
32 NORTHERLY LINE, A DISTANCE OF 165.78 FEET; THENCE N 87 24'11" W, ALONG THE NORTHERLY LINE OF A PARCEL OF
33 LAND RECORDED UNDER RECEPTION NO. 046238 OF THE CITY AND COUNTY OF DENVER RECORDS, A DISTANCE OF 201.90
34 FEET TO A POINT OF NON-TANGENT CURVE; THENCE CONTINUING ALONG SAID NORTHERLY LINE AND THE ARC OF A
35 CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 70 12'31", A RADIUS OF 111.90 FEET, A CHORD WHICH BEARS N 52
36 25'29" W, 128.70 FEET, AN ARC DISTANCE OF 137.12 FEET TO THE EASTERLY RIGHT OF WAY OF SOUTH SANTA FE DRIVE,
37 DEDICATED BY ORDINANCE 23, SERIES OF 1911 OF THE CITY AND COUNTY OF DENVER RECORDS AND A POINT OF NON-
38 TANGENT CURVE; THENCE ALONG SAID EASTERLY RIGHT OF WAY AND ALONG THE ARC OF A CURVE TO THE LEFT
39 HAVING A CENTRAL ANGLE OF 31 28'34", A RADIUS OF 1943.49 FEET, A CHORD WHICH BEARS N 07 58'28" W, 1054.30 FEET,
40 AN ARC DISTANCE OF 1067.68 FEET TO A NON-TANGENT LINE; THENCE N 00 37'46" W, A DISTANCE OF 126.70 FEET TO THE
41 POINT OF BEGINNING.

42
43 CONTAINING 845,535 SQUARE FEET OR 19.411 ACRES MORE OR LESS.

44
45 **BASIS OF BEARINGS:**

46
47 THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH,
48 RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN WAS FOUND TO BEAR S 00 30'54" E BY A REAL TIME KINEMATIC (RTK)
49 GLOBAL POSITIONING SYSTEM (GPS) SURVEY PERFORMED BY ZYLSTRA BAKER SURVEYING, INC. IN FEBRUARY, 2002.

50
51 **AND**

52
53 **PARCEL "5"**

54
55 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68
56 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE
57 PARTICULARLY DESCRIBED AS FOLLOWS:

58
59 COMMENCING AT THE SOUTH 1/16 CORNER OF SECTIONS 15 AND 16, FROM WHICH THE SOUTHWEST CORNER
60 OF SAID SECTION 15 BEARS S 00 30'54" E, 1321.81 FEET; THENCE S 89 58'51" E, ALONG THE NORTH LINE OF THE
61 SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 825.06 FEET TO THE POINT OF

1 BEGINNING; THENCE N 00 30'51" W, A DISTANCE OF 34.46 FEET TO THE SOUTHWESTERLY RIGHT OF WAY OF
2 SOUTH PLATTE RIVER DRIVE AS RECORDED AUGUST 7, 1958 IN BOOK 8225 AT PAGE 152 OF THE CITY AND
3 COUNTY OF DENVER RECORDS; THENCE S 32 45'00" E, ALONG SAID SOUTHWESTERLY RIGHT OF WAY, A
4 DISTANCE OF 96.13 FEET TO A POINT OF CURVE; THENCE CONTINUING ALONG SAID SOUTHWESTERLY RIGHT
5 OF WAY AND ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22 24'08", A RADIUS
6 OF 1593.49 FEET, A CHORD WHICH BEARS S 21 32'57" E, 619.08 FEET, AN ARC DISTANCE OF 623.04 FEET TO THE
7 NORTHERLY RIGHT OF WAY OF WEST TENNESSEE AVENUE AS DEDICATED BY THE PLAT OF VANDERBILT
8 PARK RECORDED FEBRUARY 14, 1890 IN BOOK 9 AT PAGE 24 OF THE ARAPAHOE COUNTY RECORDS, SAID
9 RIGHT OF WAY BEING A NON-TANGENT LINE; THENCE N 89 55'52" W, ALONG SAID NORTHERLY RIGHT OF
10 WAY, A DISTANCE OF 273.50 FEET TO THE CENTERLINE OF THE VACATED BLOCK 10 OF VANDERBILT PARK;
11 THENCE N 00 30'51" W, DEPARTING SAID NORTHERLY RIGHT OF WAY AND ALONG SAID CENTERLINE AND
12 SAID CENTERLINE EXTENDED, A DISTANCE OF 621.89 FEET TO THE POINT OF BEGINNING.

13
14 CONTAINING 108,083 SQUARE FEET OR 2.481 ACRES MORE OR LESS.

15
16 **BASIS OF BEARINGS**

17
18 THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4
19 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN WAS FOUND TO BEAR S 00 30'54" E BY A REAL
20 TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) SURVEY PERFORMED BY ZYLSTRA BAKER
21 SURVEYING, INC. IN FEBRUARY, 2002.

22
23
24 **AND**

25
26 **PARCEL "6"**

27
28 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68
29 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE
30 PARTICULARLY DESCRIBED AS FOLLOWS:

31
32 COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE
33 SOUTHWEST QUARTER OF SAID SECTION 15, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE
34 ALONG THE SOUTHERLY LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15 N89
35 58'27"W A DISTANCE OF 9.99 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT
36 RECEPTION NUMBER 940000231, EXHIBIT "C", CITY AND COUNTY OF DENVER RECORDS; THENCE ALONG
37 SAID EASTERLY LINE S6 37'52"E A DISTANCE OF 278.37 FEET TO THE SOUTHERLY LINE OF SAID PARCEL;
38 THENCE ALONG SAID SOUTHERLY LINE S83 22'08"W A DISTANCE OF 11.57 FEET TO THE SOUTHERLY LINE OF A
39 ~~PARCEL OF LAND RECORDED AT RECEPTION NUMBER 9400069994, EXHIBIT "B", CITY AND COUNTY OF~~
40 DENVER RECORDS; THENCE ALONG SAID SOUTHERLY LINE S83 22'08"W A DISTANCE OF 38.93 FEET TO THE
41 WESTERLY LINE OF SAID PARCEL; THENCE ALONG SAID WESTERLY LINE N6 37'52"W A DISTANCE OF 284.27
42 FEET TO THE SOUTHERLY LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15;
43 THENCE ALONG SAID SOUTHERLY LINE N89 58'27"W A DISTANCE OF 6.85 FEET TO A POINT ON THE EASTERLY
44 LINE OF THE LANDS OWNED BY THE ATCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY; THENCE
45 ALONG SAID EASTERLY LINE N9 25'50"W A DISTANCE OF 1341.16 FEET TO THE NORTHERLY LINE OF THE
46 SOUTHWEST QUARTER OF SAID SECTION 15; THENCE ALONG SAID NORTHERLY LINE N89 59'05"E A DISTANCE
47 OF 353.72 FEET TO A PARCEL OF LAND RECORDED AT RECEPTION NUMBER 9300155214, EXHIBIT "A-2", CITY
48 ~~AND COUNTY OF DENVER RECORDS; THENCE ALONG SAID PARCEL S29 54'48"E A DISTANCE OF 1041.75 FEET~~
49 TO A POINT ON THE WESTERLY LINE OF CDOT PARCEL 605, ESTABLISHED UNDER CDOT DESIGN PROJECT IM
50 0252-315, DESIGN SUB-ACCOUNT 12194, SAID WESTERLY LINE BEING 66.00 FEET WESTERLY OF AND PARALLEL
51 WITH THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE ALONG SAID CDOT
52 PARCEL S00 44'44"E A DISTANCE OF 255.48 FEET TO A PARCEL OF LAND RECORDED AT RECEPTION NUMBER
53 8000104795 CITY AND COUNTY OF DENVER RECORDS; THENCE ALONG SAID PARCEL OF LAND THE
54 FOLLOWING FIVE (5) COURSES:

- 55
56 1. N89°58'27"W PARALLEL WITH THE SOUTHERLY LINE OF THE EAST HALF OF THE NORTHEAST
57 QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 306.66 FEET;
58 2. THENCE N00°41'16"W PARALLEL WITH THE WESTERLY LINE OF THE EAST HALF OF THE

1 NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF
2 46.98 FEET;
3 3. THENCE N89°58'27"W PARALLEL WITH THE SOUTHERLY LINE OF THE EAST HALF OF THE
4 NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF
5 24.00 FEET;
6 4. THENCE N00°41'16"W PARALLEL WITH THE WESTERLY LINE OF THE EAST HALF OF THE
7 NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF
8 28.00 FEET;
9 5. THENCE N89°58'27"W PARALLEL WITH THE SOUTHERLY LINE OF THE EAST HALF OF THE
10 NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF
11 260.43 FEET TO THE EASTERLY LINE OF A PARCEL OF LAND DESCRIBED IN A QUIT CLAIM
12 DEED, EXHIBIT "A-3", AT RECEPTION NUMBER 9300155214, SAID EASTERLY LINE ALSO BEING
13 THE WESTERLY LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST
14 QUARTER OF SAID SECTION 15;

15
16 THENCE ALONG SAID EASTERLY LINE S00 41'16"E A DISTANCE OF 240.00 FEET TO THE POINT OF BEGINNING.

17
18 EXCEPT THE FOLLOWING PARCEL

19
20 **EXCEPTION PARCEL**

21
22 A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST
23 QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND
24 COUNTY OF DENVER, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

25
26 COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE
27 SOUTHWEST QUARTER OF SAID SECTION 15; THENCE N00°41'16"W ALONG THE WESTERLY LINE OF THE EAST
28 HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF
29 996.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°41'16"W ALONG THE WESTERLY LINE OF
30 THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 N00
31 41'16"W A DISTANCE OF 97.43 FEET; THENCE S28°27'51"E A DISTANCE OF 183.05 FEET; THENCE N53°34'57"W A
32 DISTANCE OF 106.96 FEET TO THE POINT OF BEGINNING;

33
34 SAID EXCEPTION PARCEL CONTAINS 4,156 SQUARE FEET OR 0.095 ACRES MORE OR LESS.

35
36 ZONING PARCEL "6" CONTAINS A NET AREA OF 668,572 SQUARE FEET OR 15.348 ACRES MORE OR LESS.

37
38 **BASIS OF BEARINGS**

39
40 ~~THE SOUTHERLY LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 15, BEARING N89~~
41 ~~58'27"W.~~

42
43
44 in addition thereto those portions of all abutting public rights-of-way, but only to the
45 centerline thereof, which are immediately adjacent to the aforesaid specifically
46 described area.

47
48 ~~**Section 3.** That the foregoing change in zoning classification is based upon the representation by~~
49 ~~the owner that it will waive those certain rights available to it, and, in lieu thereof, agrees to certain~~
50 ~~limitations which limitations are set forth in Subsections 3 of Section 1 hereof, and is also based~~
51 ~~upon reasonable conditions approved by the said owner which reasonable conditions are set forth in~~
52 ~~Subsection 4 of Section 1 hereof; and no permit shall be issued except in strict compliance with the~~
53 ~~aforesaid waivers and the aforesaid reasonable conditions. Said waivers and said reasonable~~

1 conditions shall be binding upon all successors and assigns of said owners, who along with said
2 owners shall be deemed to have waived all objections as to the constitutionality of the aforesaid
3 waivers and the aforesaid reasonable conditions.

4 **Section 4.** That this ordinance shall be recorded by the Department of Zoning Administration
5 among the records of the Clerk and Recorder of the City and County of Denver.

6 PASSED BY THE COUNCIL _____ 2003
7 _____ - PRESIDENT

8 APPROVED: _____ - MAYOR _____ 2003

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER

12
13 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2003 _____ 2003

14 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY *KA* 5/6/03

15 REVIEWED BY: *[Signature]* - CITY ATTORNEY *5/14* 2003

16 SPONSORED BY COUNCIL MEMBER(S) _____



PLATT PARK
PEOPLE'S ASSOCIATION
3PA.ORG

March 25, 2016

Councilman Jolon Clark
District Council 7
1437 Bannock Street
Denver, CO 80202

Re: Approval of I-25 & Broadway Station Area Plan

Dear Councilman Clark:

The Platt Park People's Association ("**3PA**") is a registered neighborhood organization representing nearly 3,000 homes and the businesses in the Platt Park Neighborhood bounded by Broadway on the West, Downing on the East, Evans on the South and I-25 and Mississippi on the North. Charles Knight, a member of our Committee for Responsible Development ("**CFRD**") represented 3PA on the I-25 & Broadway Station Area Plan (the "**Plan**") Steering Committee. Throughout the planning CFRD and our Board were kept abreast of the process and progress. We provided comments on the draft Plan in February, 2016; many of which were incorporated into the final version of the Plan which was approved by the Denver Planning Board in March; which approval we supported at the hearing.

We believe the final Plan represents the view of the residents and business owners who are members of our organization. We very much appreciate all the hard work of city staff from Community Planning and Development the fact that everyone from the city worked hard to ensure that the ideas of all the stakeholders were fairly considered and represented in the final Plan. We support the Plan, including the proposed rezoning from T-MU-30 as set forth in the Rezoning Application filed by Broadway Station Partners.

Sincerely,

Platt Park People's Association

Nick Weidner, President