



TO: Denver City Council, Neighborhoods and Planning Committee
FROM: Theresa Lucero, Senior City Planner
DATE: March 31, 2016
RE: Official Zoning Map Amendment Application #2015I-00130
4800 Race Street
Rezoning from I-B / UO-2 to C-MX-3; C-MX-5; C-MX-8

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, staff recommends that Planning Board recommend *approval* to City Council for map amendment application #2015I-00130 for a rezoning from I-B / UO-2 to C-MX-3; C-MX-5; C-MX-8.

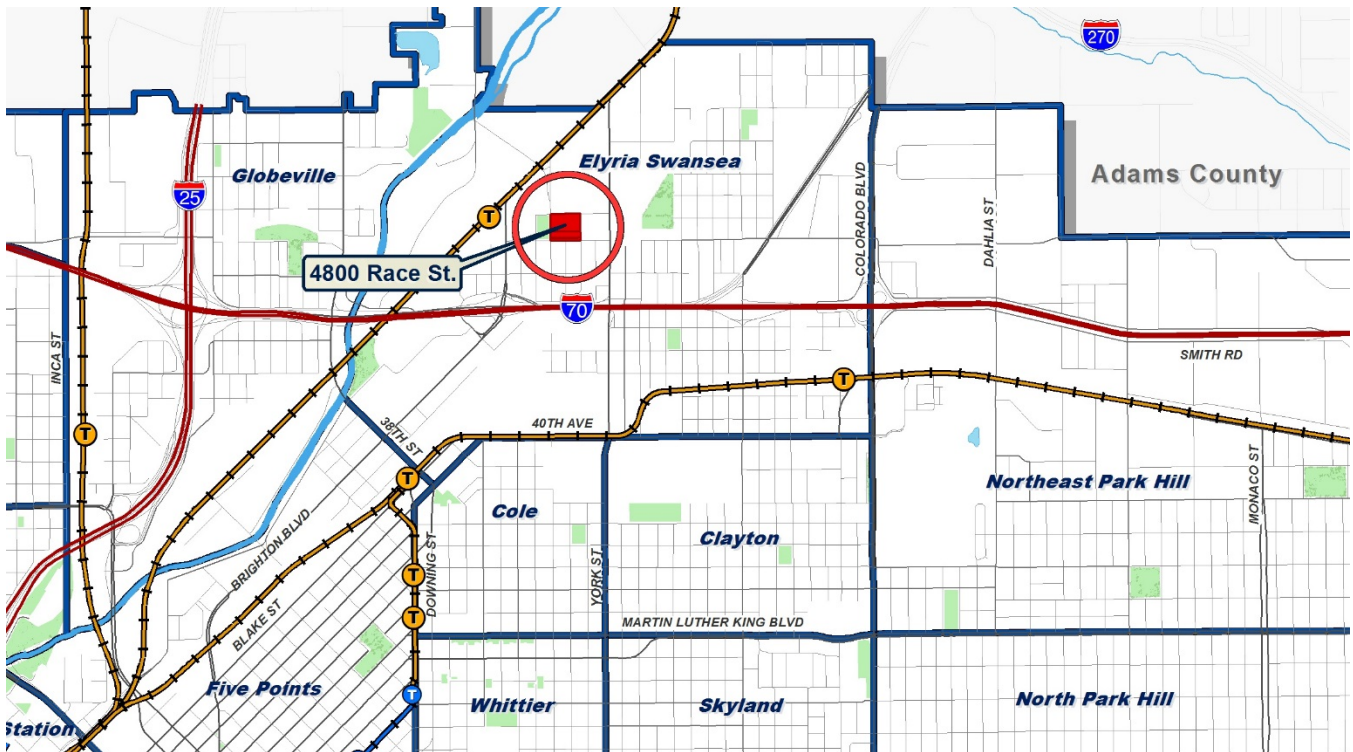
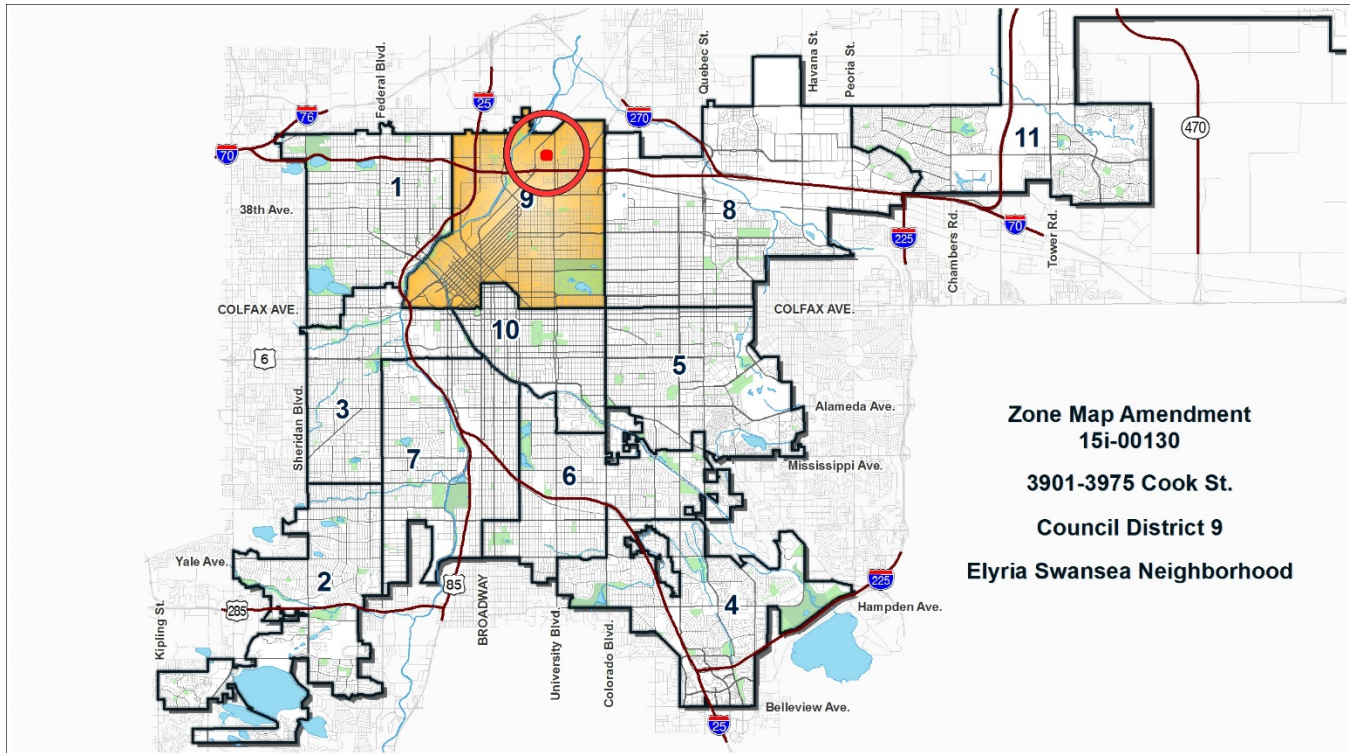
Request for Rezoning

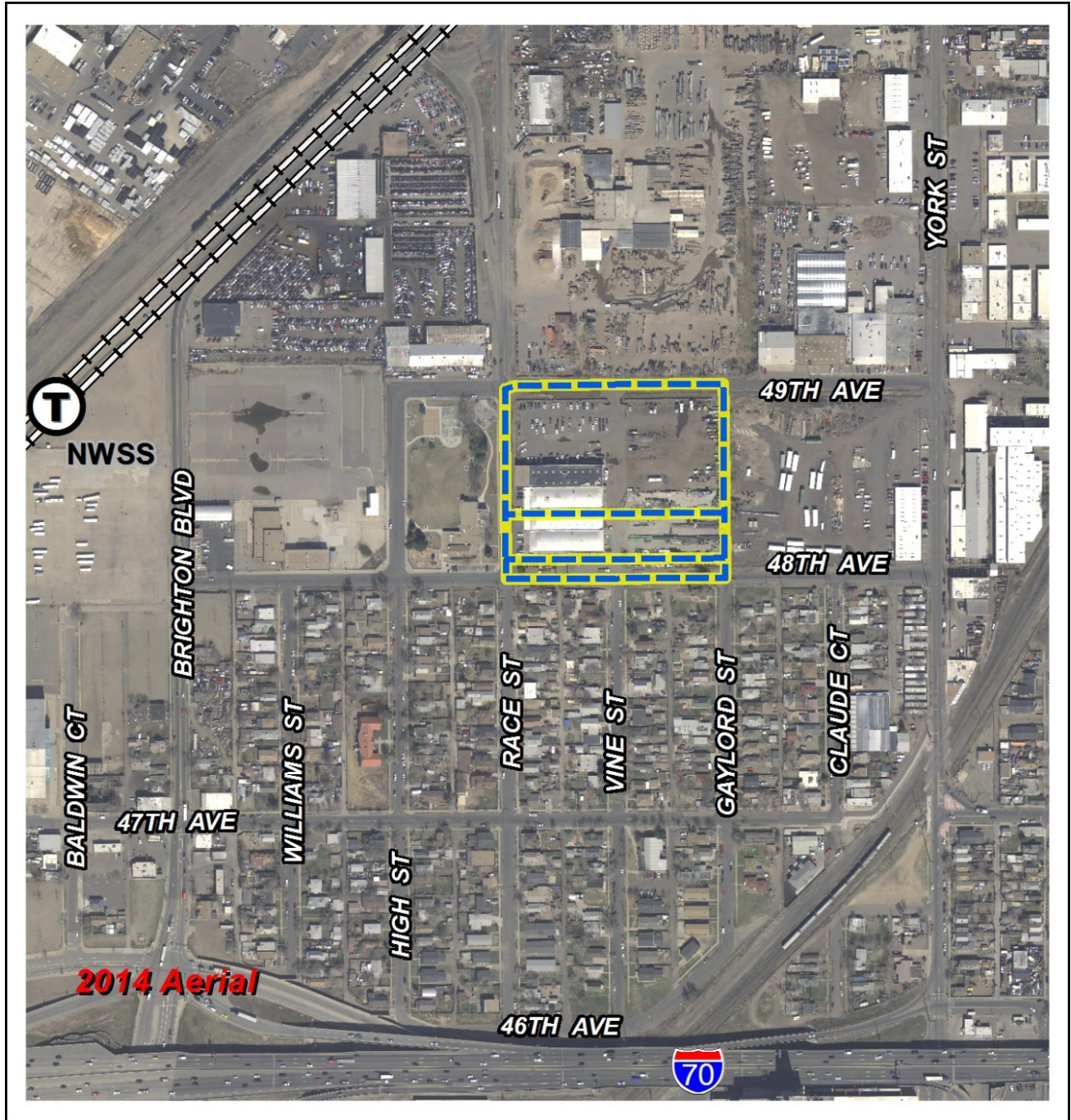
Application:	2015I-00130
Address:	4800 Race Street
Neighborhood/Council District:	Elyria Swansea / City Council District 9
RNOs:	Cross Community Coalition; Elyria Swansea/Globeville Business Association, United Community Action Network Inc.; Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation
Area of Property:	264,220 SF square feet or 6.07 acres
Current Zoning:	I-B / UO-2
Proposed Zoning:	C-MX-3; C-MX-5; C-MX-8
Property Owner(s):	48Race, LLC
Owner Representative:	Yael Nyholm

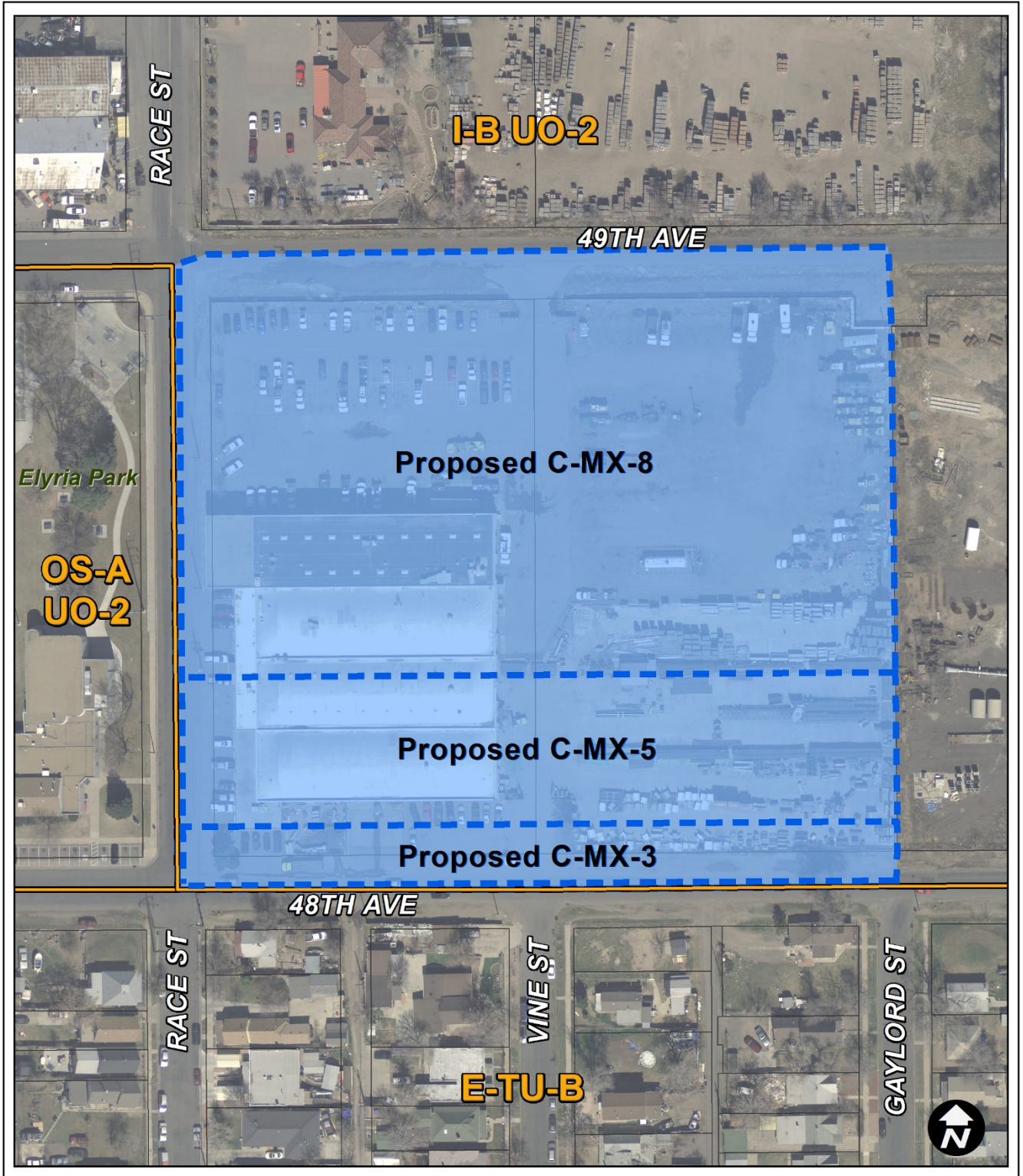
Summary of Rezoning Request

- The subject property has two parcels with a warehouse on the western parcel and an outdoor storage yard on the eastern parcel.
- The property owner proposes to rezone the subject property to redevelop the entire property with a mixture of land uses including primarily residential near the National Western Center Transit Station, and industrial mixed use land uses beyond the station area.
- The proposed variation in height is designed to transition both uses from existing lower scale established residential areas to the new higher density redevelopment.

The proposed **C-MX-3**, **C-MX-5**, and **C-MX-8** (Urban **C**enter, **M**ixed Use, with **3**, **5** and **8**–story height limits) zone districts are proposed to be arranged with the 3-story height (maximum 45 feet) on the closest 25 feet to 48th Avenue, then the 5-story height (maximum 70 feet) on the next 125 feet of the block and finally the 8-story height (maximum 110 feet) on the remaining 315 feet of the block closest to 49th Avenue. The C-MX 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 C-MX zone districts are focused on creating mixed diverse neighborhoods while ensuring that new development contributes positively to established neighborhoods. Further details of the zone districts can be found in Article 7 of the Denver Zoning Code (DZC).







Existing Context

The subject property is located in northeast Denver in the Elyria Swansea Statistical Neighborhood. The property is in the center portion of the neighborhood. Surrounding the subject site are:

- North Brighton Boulevard and National Western Center 2 blocks north and west
- Planned National Western Transit Station within ½ mile north and west
- Forney Museum of Transportation 5 blocks southwest
- Riverside Cemetery 3 blocks north
- Interstate 70 2 blocks south
- North York Street 4 blocks east

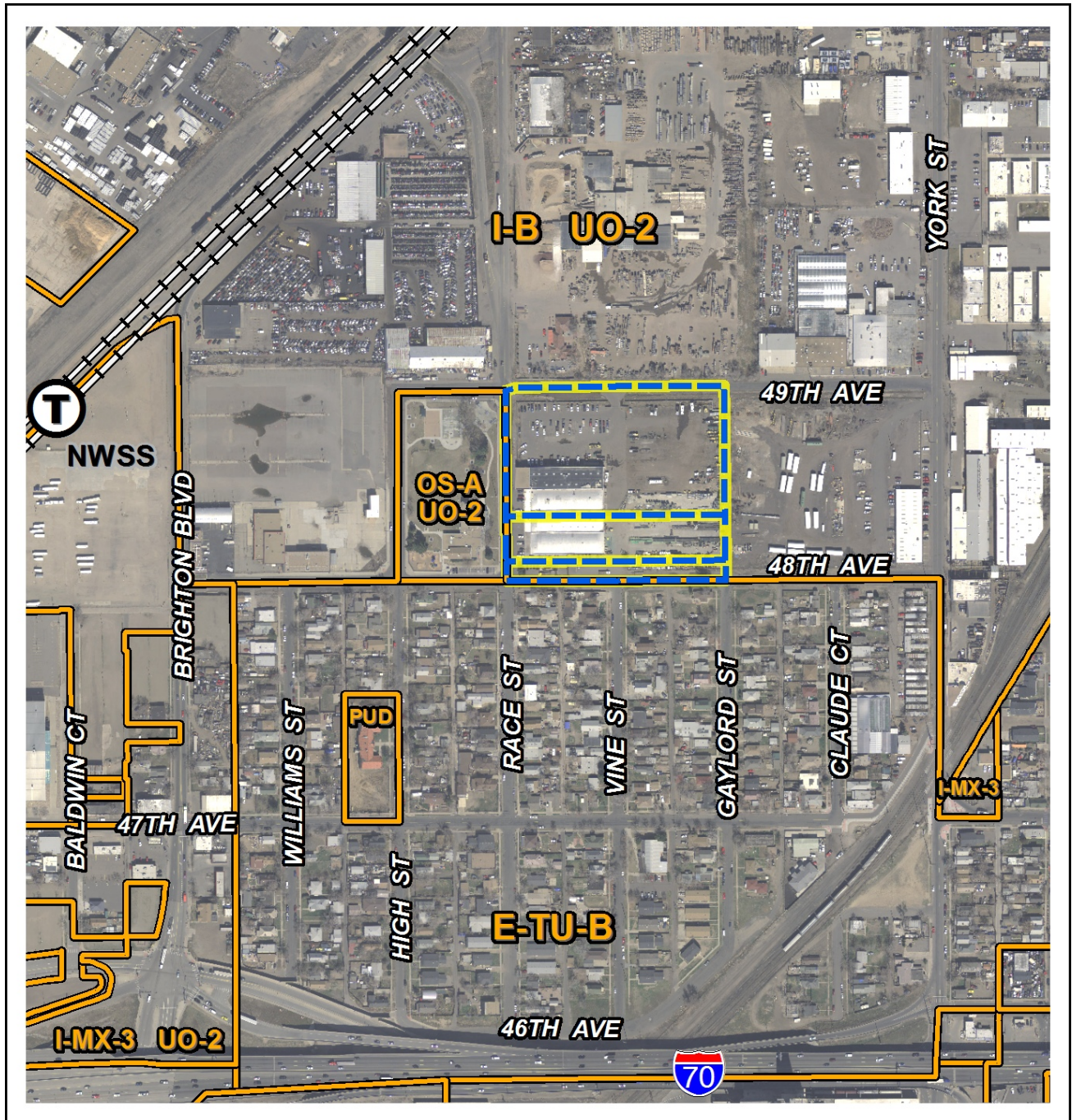
Area parks include Elyria Park and Johnson Recreation Center adjacent to the subject property on the west, and Swansea Park and Recreation Center 6 blocks east. Area schools include Swansea Elementary School located at 47th and Columbine Street, and Bruce Randolph School located at 40th and Steele Street. The Valdez-Perry Library is located at 47th & Vine Street.

The physical context of the neighborhood is a mixture of traditional street grid with rectilinear blocks with alleys and larger super blocks of various sizes and shapes associated with industrial land uses. Sidewalks are generally detached with tree lawns separating the sidewalk.

The following table summarizes the existing context adjacent to the subject site:

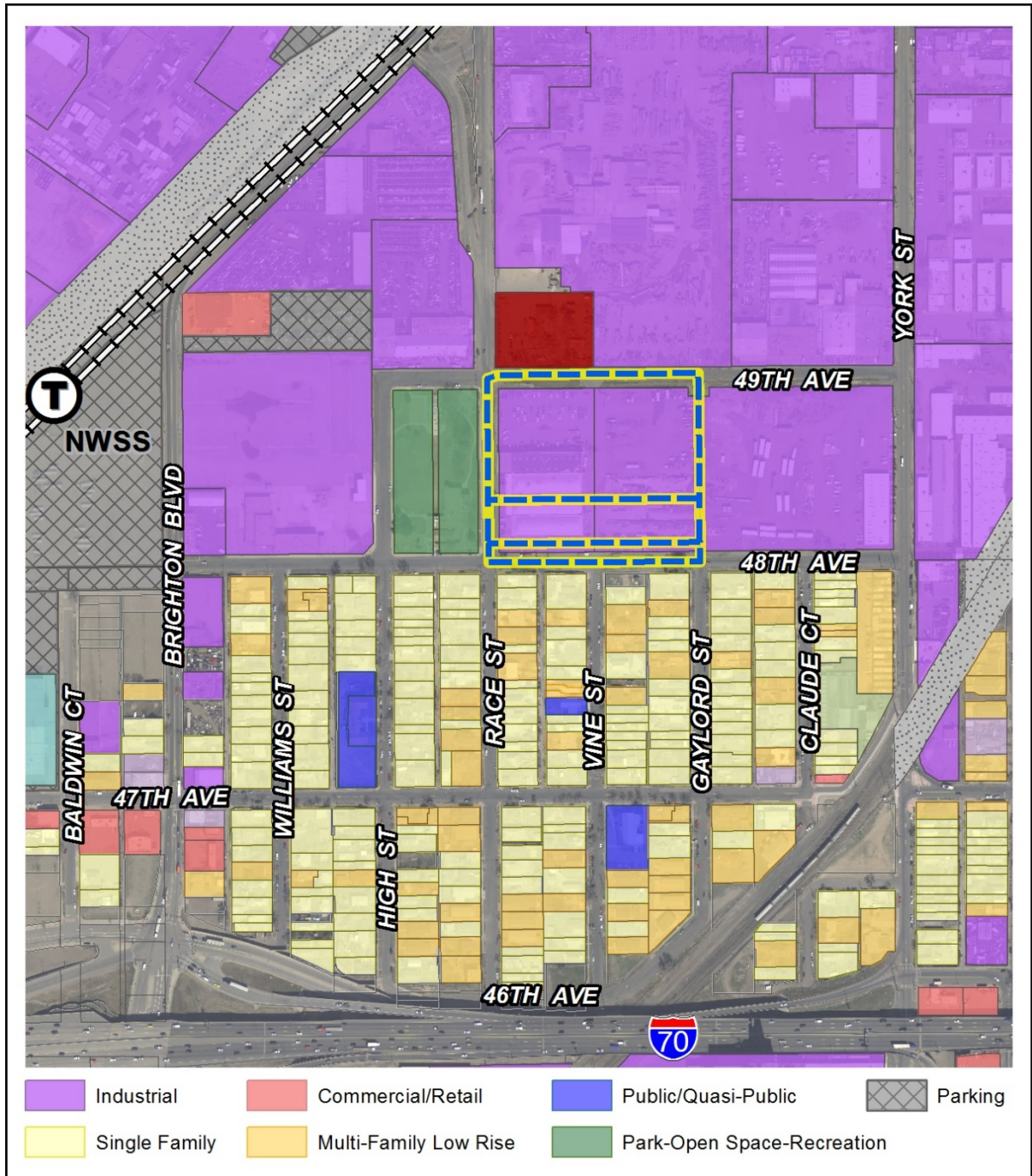
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	I-B / UO-2	Industrial warehouse and storage yard	1-story warehouse	Regular grid streets shaping a consistent pattern of rectilinear blocks with alleys; Vehicle parking is both surface and garage and to the rear of buildings (alley access).
North	I-B / UO-2	Industrial	1-story office building	
South	E-TU-B	Residential	1-2-story single-family residential structures	
East	I-B / UO-2	Industrial	1-story industrial structure	
West	OS-A / UO-2	City Park and Recreation Center	1-story recreational center	

1. Existing Zoning



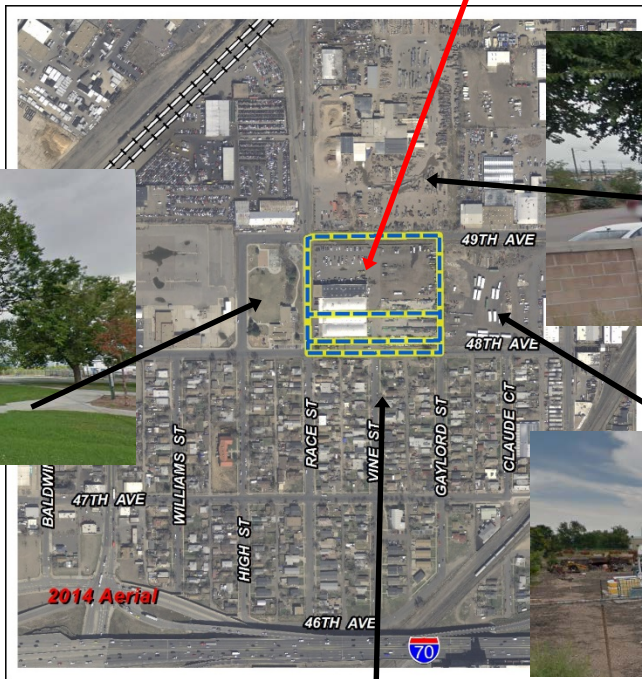
The current I-B zoning is general industrial zone district allowing the most intense industrial land uses. There are no height limits, unless the property is within 175 feet of a protected zone district, and maximum floor area ratio of structures is 2:1, or 2 times the size of the zone lot. The UO-2 use overlay creates a use allowance for billboards.

2. Existing Land Use Map



Existing Land Use

3. Existing Building Form and Scale



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:

Public Works – City Surveyor: Approved.

Public Works – Wastewater: Approve rezoning only-will require additional information at Site Plan Review. DS Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

Environmental Health: Approved with the following comments. General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system 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.

Parks and Recreation: Approved

Public Review Process

Informational Notice

- CPD staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on December 21, 2015.

Planning Board

- The property was legally posted for a period of 15 days announcing the March 16, 2016, Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members. At the meeting Planning Board voted unanimously to recommend approval of the application.

Neighborhoods and Planning Committee

- Following Planning Board review the rezoning application will be referred to the Neighborhoods and Planning (PLAN) Committee of the City Council for review at a public meeting. The PLAN Committee meeting is tentatively scheduled for April 6, 2016. Electronic notice of the meeting will be sent to all affected Registered Neighborhood Organizations 10 days in advance of the meeting. At the meeting Committee members will vote on whether to move the application forward to a public hearing before the full City Council.

City Council

- Following PLAN Committee review, the rezoning application is typically referred to the full City Council for final action at a public hearing. The City Council public hearing is tentatively scheduled for May 16, 2016. Electronic notice of the public hearing will be sent to all affected Registered Neighborhood Associations and notification signs will be posted on the property 21 days in advance of the hearing.

Registered Neighborhood Organizations (RNOs)

- To date, CPD has received no comment letters from Registered Neighborhood Organizations.

Other Public Comment

To date, no other public comments have 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)
- Elyria and Swansea Neighborhoods Plan (2015)

Denver Comprehensive Plan 2000

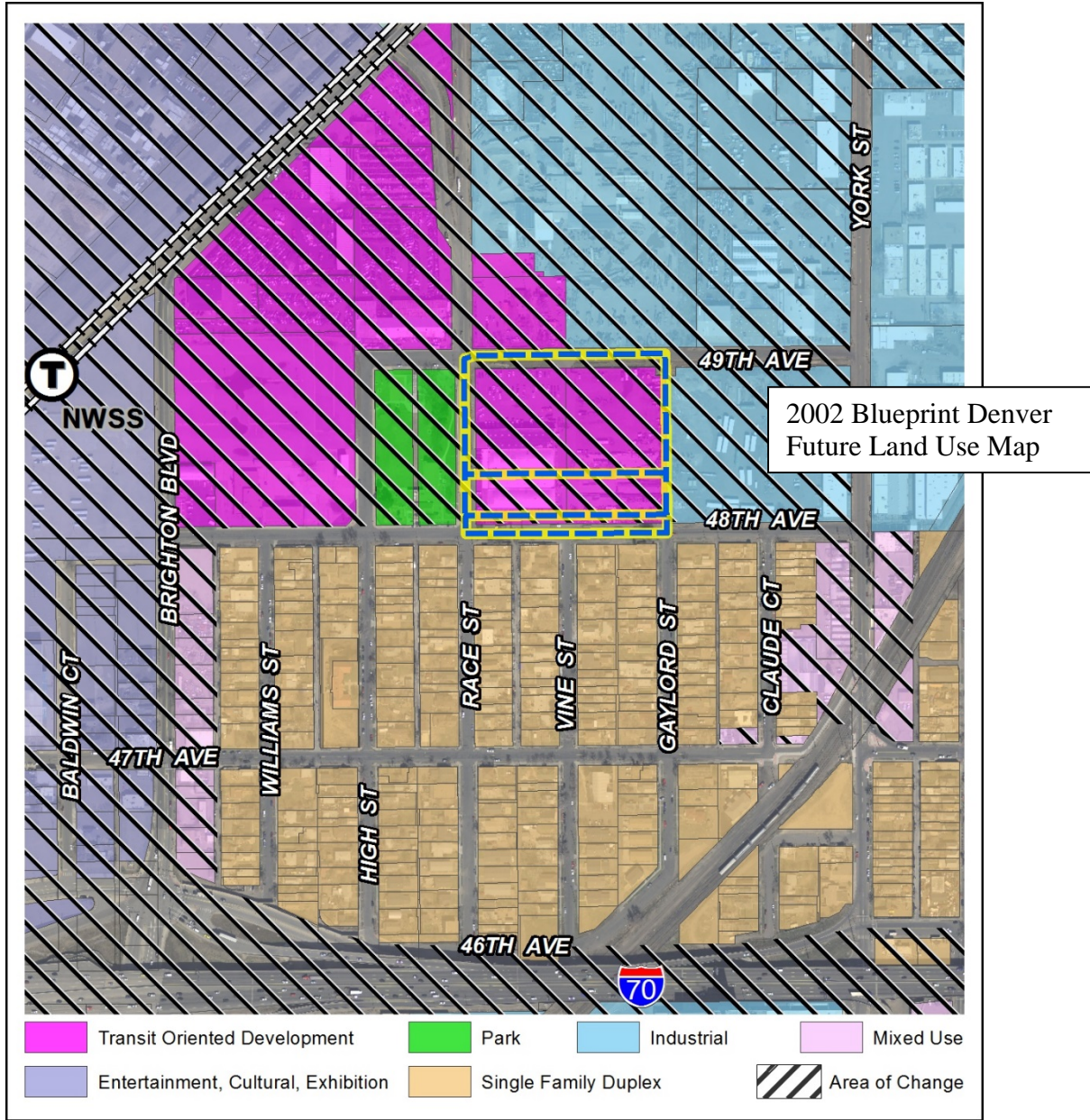
The proposal is consistent with many Denver Comprehensive Plan strategies, including:

- **Environmental Sustainability** Strategy 2-F – “**Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place**” (p. 39).
- **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**” (p. 60).
- **Legacies** Strategy 3-A – “**Identify areas in which increased density and new uses are desirable and can be accommodated**” (p. 99).

The rezoning is consistent with these Plan recommendations. The proposed C-MX-3, C-MX-5, and C-MX-8 zone districts allow a mixture of residential and commercial land uses that are compatible with a station. The map amendment will enable the redevelopment of an industrial property with primarily residential Transit Oriented Development.

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Transit Oriented Development and is located in an Area of Change.



Future Land Use

The Blueprint Denver Transit Oriented Development concept land use designation is described in the Plan as “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” (p. 44). Some key attributes listed in the Plan include:

- “A balanced mix of uses
- Compact mid-to high density development
- Close proximity to transit
- Multi-modal transportation connections

- *A variety of housing types and prices*
- *Access to open space and recreational amenities*
- *A high degree of connectivity between station area and surrounding neighborhoods” (p. 44).*

The proposed rezoning to the C-MX zone districts is consistent with this land use concept because additional residential density and a broader mix of land uses will contribute these attributes to the National Western Transit Station area.

Area of Change / Area of Stability

As noted, the subject property is in an Area of Change. 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...A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide a stimulus to redevelop...common traits are close proximity to a commercial arterial street, along a historical trolley route, adjacent to existing or planned light-rail stops, or locations in older industrial area or in large vacant areas” (p. 127).*

The rezoning application is consistent with the Blueprint Denver Area of Change recommendation of channeling growth where it can improve access to services with fewer and shorter auto trips. Redeveloping property in close proximity to the National Western Center and Transit Station make this proposal consistent with the goals of Areas of Change.

Street Classifications

Blueprint Denver classifies 48th and 49th Avenues and Race Street as Undesignated Local streets. According to Blueprint Denver, local streets are *“tailored more to providing local access.”* The C-MX-3, C-MX-5, and C-MX-8 zone districts allow for a higher-intensity residential land use envisioned for Areas of Change.

Elyria and Swansea Neighborhood Plan (2015)

The Elyria and Swansea Neighborhood Plan was adopted by City Council in February, 2015, and applies to the subject property. The Plan provides a vision and policy guidance for the study area. Pertinent Plan components include Vision, Guiding Principles and Character Area Strategies.

Vision and Guiding Principles

The overall vision and guiding principles of the Plan provide a broad perspective and overall concepts to guide neighborhood development. The vision for the neighborhoods is *“Elyria and Swansea is a unique, strong, connected and heathy neighborhood.”* The subject property is located in an Area of Change and the Plan concept land use recommendation is Transit Oriented Development (p. 25-28):

“B.1 Refine Areas of Change and Areas of Stability.” The Plan refined Areas of Change and Areas of Stability. (See Area of Change and Land Use and Maps below.) **“For Elyria and Swansea to be strong neighborhoods in the future, growth and change should occur in Areas of Change while enhancing Areas of Stability, including Traditional Residential Areas”** (p. 26).

“B.2 Establish a strong compilation of land uses that balances the needs of residents, commerce and industry.” The Plan also amended the Blueprint Denver Concept Land Use Map (see the Land Use map below). For Transit Oriented Development the Plan states *“These development sites are located at stations and 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. Transit Oriented Development may take on Mixed Use or Industrial Mixed use characteristics and uses” (p. 27).

“B.3 Increase housing choices. Encourage investment in new housing to expand the total number of residences and to provide a diversity of housing types to bring more people of all ages and income levels into the neighborhood” (p. 29).

“B.6 Build Transit Oriented Development (TOD).

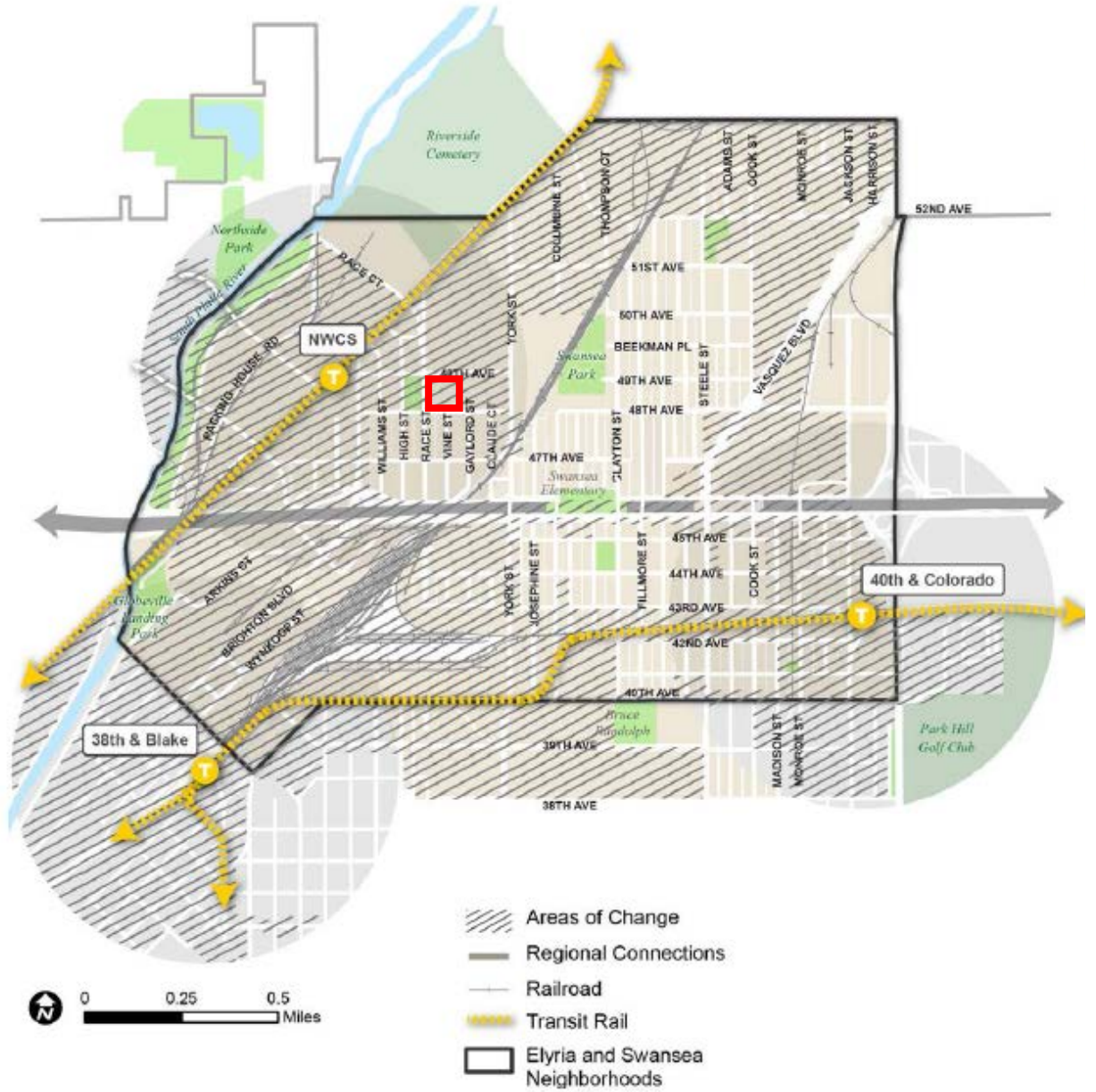
- **Encourage investment in higher density housing, services, and employment opportunities near rail stations to provide for a diverse population with a safe and convenient pedestrian access to the rail transit“** (p. 29).

“B.8 Establish maximum building heights to support a variety of land uses and community places. Establish maximum building heights consistent with the Future Maximum Building Heights Map to accomplish the following objectives:

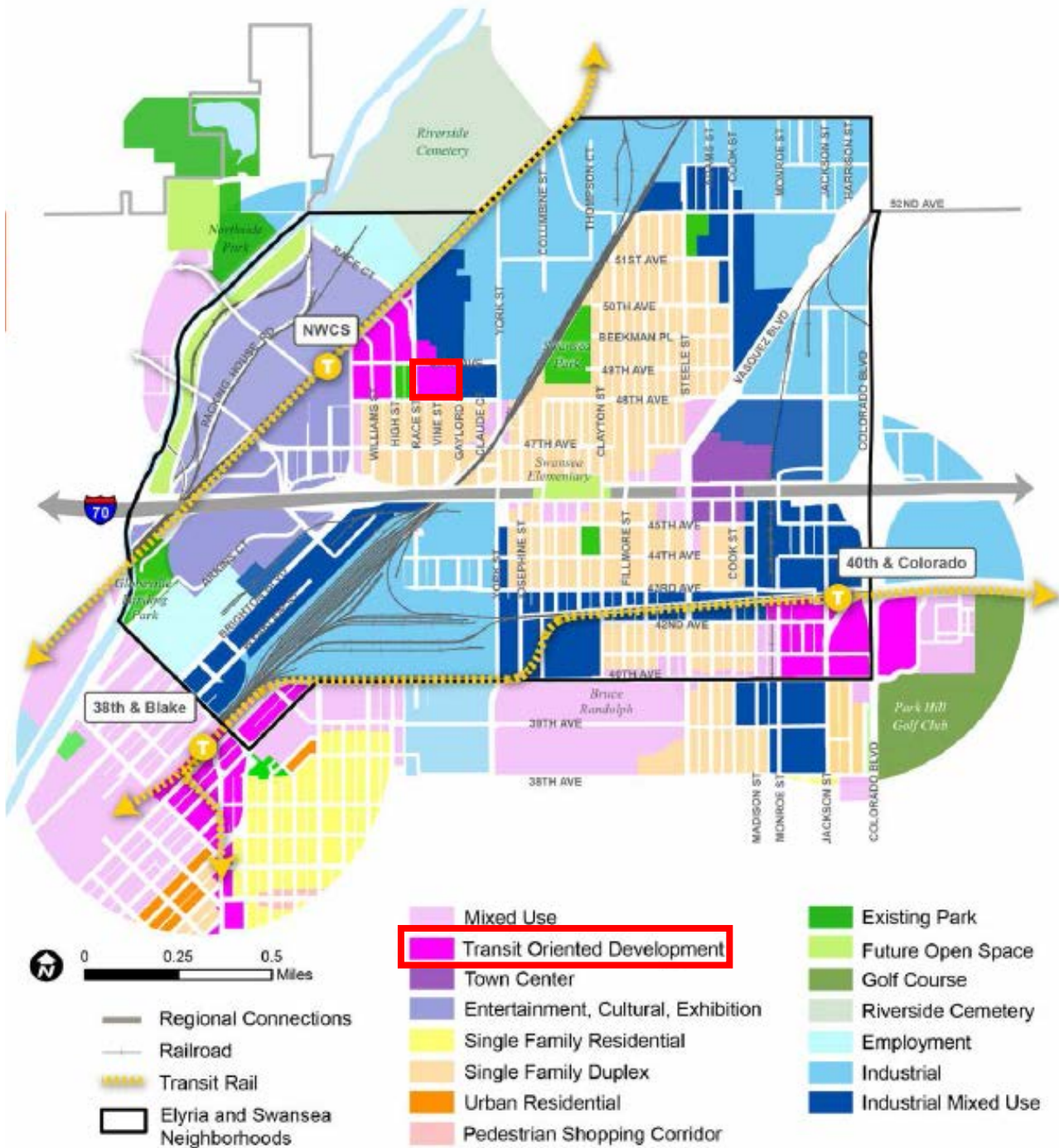
- **Accommodate infill development in vacant or underutilized areas**
- **Encourage height transitions between stable residential areas (Areas of Stability) and mid-rise infill or redevelopment areas (Areas of Change)**
- **Accommodate mid-rise development of up to 8 stories near the National Western Center, and 40th and Colorado commuter rail stations”** (p. 30).

“B.23 Increase access to Housing. Identify vacant and distressed parcels, blocks and potential redevelopment sites with a priority to develop those sites for new residential housing” (p. 46).

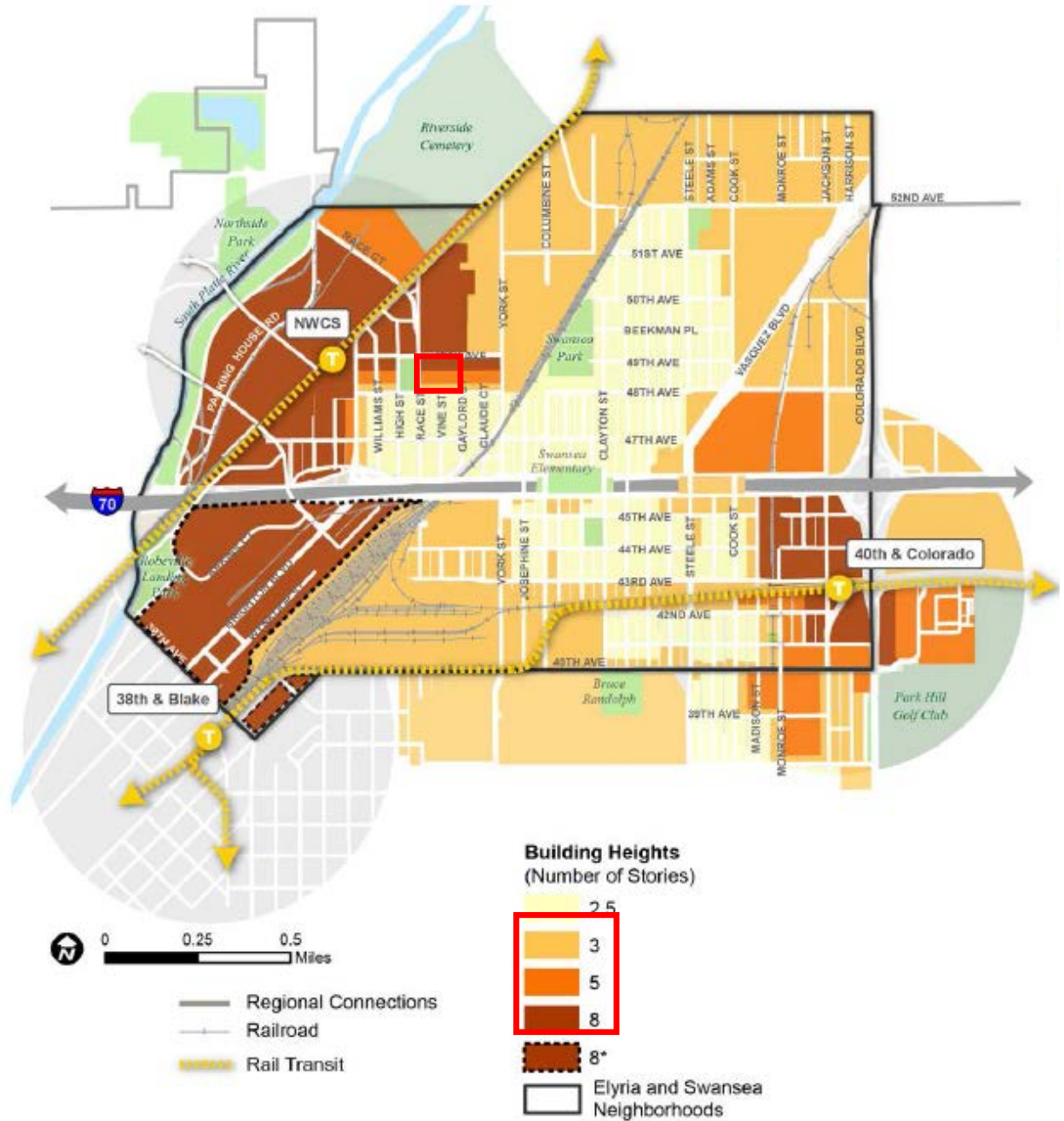
AREAS OF CHANGE MAP



CONCEPT LAND USE MAP



FUTURE MAXIMUM BUILDING HEIGHTS MAP



* During the planning process there was acknowledgment that up to 12 stories could be appropriate in strategic locations within the 8* area on the Maximum Building Heights Map. Those strategic locations should be determined through discussion and collaboration with the community and applicable neighborhood organizations (see A.3).

Character Area Strategies

The Elyria and Swansea Neighborhoods Plan establishes character areas, or areas with distinct characteristics. While the subject property is in the National Western Center and Station Area Character Area the Plan contains recommendations pertinent to the subject property in the Traditional Residential Areas and Industrial Areas Character Area discussions. These Plan recommendations for the subject property include:

“E.3 Buffer the Edge Between Industrial and Residential Uses. *Light industrial transitions along neighborhood edges should be encouraged to provide a visual and noise buffer between residential and industrial areas (see Concept Land use Map).*

- ***Encourage transition of industrial uses embedded in residential areas into lighter flex industrial uses, multi-family residential uses that better relate to adjacent lower scale residential uses, and that could provide some complementary neighborhood services.***
- ***Encourage pedestrian-friendly light industrial-flex infill development along edges on industrial areas that abut residential areas.*** *These transitional uses could also provide space for desired neighborhood services” (p. 89-90).*

“E. 8 Improve the Relationship between Industrial and Residential Uses. *Improve the relationship between heavier industrial uses and adjacent residential by encouraging light industrial mixed uses infill development to serve as a buffer, or transition between existing residential areas and heavier industrial uses” (p. 94).*

Recommendations from the National Western Center and Station Area Character Area portion of the Plan include:

“E. 29 Target TOD Opportunities Adjacent to the Station.

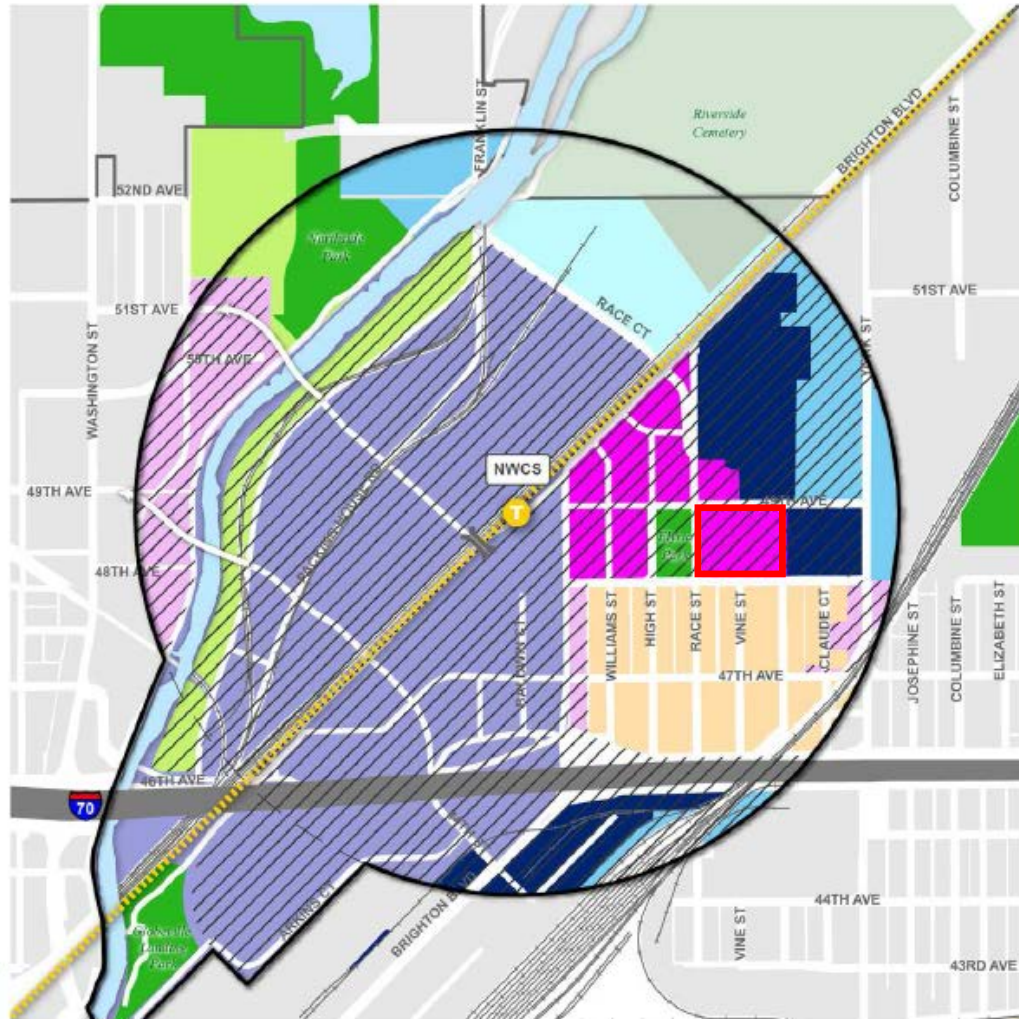
- ***Allow taller general shopfront and apartment building forms with higher densities” (p. 118).***

“E. 30 Encourage a Mix of Housing. *Throughout the station area where residential land use is recommended:*

- ***Explore opportunities to structure development surrounding the station to be mixed income and mixed-product housing to accommodate a variety of family-sizes, income levels and age groups***
- ***Encourage higher density with 3-5 story development*** (text not changed to reflect building heights map) *north of Elyria to help buffer the existing residential neighborhood from industrial uses to the north and to help activate Elyria Park and the station “(p. 118)*

The C-MX zone districts implement these recommendations by allowing a mixture of land uses and moderate infill density at a scale that is consistent with the height transition supported in the area Plan between the existing residential neighborhood, new development and existing industrial land uses that are within ½ mile of the National Western Stock Show Transit Station. The districts also provide a transition of allowed uses from the lower density residential zoning south of the site to the heavier industrial zoning north of the site.

FUTURE CONCEPT LAND USE AND AREAS OF CHANGE MAP - NATIONAL WESTERN CENTER AND STATION AREA



- | | | |
|------------------------------|-------------------------------------|--------------------|
| Rail Transit | Area of Change | Existing Park |
| Regional Connections | Mixed Use | Future Open Space |
| Railroad | Transit Oriented Development | Riverside Cemetery |
| Pedestrian / Bike Connection | Industrial Mixed Use | Employment |
| NWC Character Area | Entertainment, Cultural, Exhibition | Industrial |
| | Single Family Duplex | |

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-MX-3, 5 and 8 will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and Welfare

Because the proposed map amendment implements the area plan, the proposed official map amendment furthers the public health, safety and general welfare of the City.

4. Justifying Circumstances

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.*"

The application identifies the designation of the property as within an Area of Change, within ½ mile of a transit station and within 2 blocks of the major redevelopment of the National Western Center as the justifying circumstances for the redevelopment of the subject property. As discussed above, the Elyria and Swansea Neighborhoods Plan recognizes the changes taking place in the area and supports safeguarding the character of the residential areas in the neighborhood with new development of moderate scale. This is an appropriate justifying circumstance for the proposed rezoning.

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

The proposed C-MX-3, 5 and 8 zone districts are within the Urban Center Neighborhood context. This context is characterized by multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit buildings are typically Rowhouse and Apartment forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial and local streets. The street and block pattern are rectangular blocks shaped by a grid street system. Urban Center neighborhoods have a regular pattern of rectilinear blocks shaped by a grid street system.

The C-MX-3, 5 and 8 zone districts are mixed-use zone districts intended to protect and promote safe, active and pedestrian-scaled diverse areas through the use of moderate building forms and pedestrian enhancements that improve the transition between commercial development and adjacent residential neighborhoods. The 3 through 8 story rowhouse building form allowed by the zone districts are consistent with the area Urban Center neighborhood context and with the district intent of protecting and promoting safe, active and pedestrian-scaled diverse areas.

Staff Recommendation

Based upon the analysis set forth above, CPD staff finds that the application for rezoning the property located at 4800 Race Street to the C-MX-3, C-MX-5, and C-MX-8 zone districts meets the requisite review criteria. Accordingly, staff recommends approval.

Attachments

1. Application
2. Approved Legal Description



Zone Map Amendment (Rezoning) - Application

1/26/12

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>	
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.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Legal Description: (Can be submitted as an attachment. If metes & bounds, a map is required.)			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			



REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</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. 12.4.10.14</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 rezoning 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.
	<p>Please provide an attachment describing the justifying circumstance.</p>
	<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.

ATTACHMENTS

Please check any attachments provided with this application:

- Authorization for Representative
- Proof of Ownership Document(s)
- Legal Description
- Review Criteria

Please list any additional attachments:

Empty box for listing additional attachments.



PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

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.

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</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
48RaceLLC	305 Park Ave. W Denver, CO 80205 303.377.4477 x 22 tpickett@urbanlandc.org	100%	<i>Aaron Miripol</i> Aaron Miripol	12/9/15	B	YES

www.denvergov.org/rezoning



201 W. Colfax Ave., Dept. 205
Denver, CO 80202
(720) 865-2983 • rezoning@denvergov.org

**URBAN LAND CONSERVANCY
BOARD OF DIRECTORS
RESOLUTION**

Resolution #2015-02-01 – 48RACE

WHEREAS, Urban Land Conservancy, a Colorado nonprofit corporation ("ULC"), as buyer, and B.H. Denver LLC ("B.H."), as seller, have entered into that certain Contract to Buy and Sell Real Estate dated December 29, 2014 (together with all addenda thereto and amendments thereof, the "Contract"), pursuant to which and upon satisfaction of all conditions contained therein, the Company (defined below) shall acquire the real property described therein and more particularly known as 4800 Race St. Denver, Colorado (the "Property") for the purpose of preserving the property for community benefit including future affordable housing and job creation as part of a mixed use community near transit; and

WHEREAS, ULC and the Company have determined that the Property falls within the mission and strategic goals of Urban Land Conservancy to preserve community assets; operating as master developer, providing stewardship for community benefit purpose, creating opportunity along public transit corridors, being catalyst for new initiatives and income generation through existing tenants until redevelopment is imminent; and

WHEREAS, Denver Office of Economic Development (OED) approached ULC as a strategic partner to acquire the Property in order to facilitate its vision of catalytic investment strengthening and sustaining this neighborhood as a result of the consequence of future I-70 realignment, anticipating development that will include mixed-income housing as well as business and employment opportunities; and

WHEREAS, the Property consists of 6.07 acres comprised of office/warehouse buildings and fenced lots and is in close proximity to the FasTracks North Metro Western Stockshow station platform; and the ULC staff has conducted extensive due diligence including market and massing studies to determine the feasibility for future development; and

WHEREAS, the Company will acquire the Property which is located in the Elyria-Swansea neighborhood, a Denver Office of Economic Development Jump Start 2015 priority area, at a purchase price not to exceed \$5,500,000; and

WHEREAS, a limited liability company known as "48RACE LLC" (the "Company") shall be the successor-in-interest to ULC, as buyer, under the Contract, and ULC will be the sole Member of the Company; and

WHEREAS, ULC is seeking (1) first lien financing to acquire the Property utilizing the Calvert Facility Fund ("Calvert") in an anticipated amount of \$4,185,000 with 2.75% interest-only payments with a five (5) year term and a two (2) year extension option with 50 bp fee at closing, or equivalent or better financing from another lending agency; and (2) subordinate financing utilizing a loan from the City of Denver Office of Economic Development ("OED Funds") in the amount of \$1,500,000 with a thirty (30) year term: \$750,000 of which is at zero percent (0%) interest for the full thirty year term; and the remaining \$750,000 shall be at zero percent (0%) for the first ten (10) years then convert to a fully amortized loan for the remaining twenty (20) years bearing a 3% per annum interest rate (to be fully repaid at the end of 30 years); (collectively "Loan"); and

WHEREAS, ULC expects to contribute equity of approximately \$500,000 ("Funds") to complete due diligence investigation, acquisition of the Property, complete capital improvements, and address potential relocation expenses related to displacement of tenants at the time of redevelopment (as required by federal funds associated with OED funding); and

WHEREAS, the OED funding is contingent upon Denver City Council ("City") approval which involves a lengthy City process to complete contract paperwork and disburse funding, which may or may not occur by the time of closing per the terms of the Contract; therefore, in order to close the transaction expeditiously, ULC seeks authorization to utilize its own funds to bridge the \$1,500,000 OED loan until the City process is complete (anticipated no later than March 2015) and funds are released; and

WHEREAS, ULC and OED acknowledge the urgency of implementing Phase I of redevelopment as soon as is practical, therefore, OED has committed to provide additional funding of \$380,000 to assist ULC cover costs to relocate property tenants displaced as part of redevelopment which will be repayable after all ULC expenses, reimbursements, including land cost, have been sold or developed; and

WHEREAS, in the event that ULC is forced to terminate the Contract after the initial inspection period has expired, \$100,000 of earnest money becomes non-refundable. To mitigate the risk of losing these funds, OED has also provided a written commitment that it will award an equivalent amount (\$100,000) to ULC to support another ULC community project;

THEREFORE BE IT RESOLVED, that subject to the ULC Real Estate Development Committee or the ULC Executive Committee review and approval of the due diligence and Calvert and OED financing (the "Committee Approval"), the ULC Board of Directors hereby approves, consents to and ratifies (a) the utilization of the Company as successor-in-interest to ULC, as buyer under the contract, to acquire, redevelop, and hold the Property; (b) the Company's acquisition and redevelopment of the Property pursuant to the Contract, and the use of the ULC Funds to consummate the Company's acquisition of the Property and bridge OED Funds; (c) the Company's financing of the Property with Calvert and OED Funds, or equivalent or better financing from another lending agency; (d) ULC and the Company's execution of the Leases; and (e) any and all actions related to the foregoing (all of the foregoing, collectively, the "Transaction").

FURTHER RESOLVED, that each, Aaron Miripol, as President and CEO of ULC, and Debra Bustos, as Vice President of Real Estate of ULC (each, an "Authorized Representative"), acting singly, are hereby authorized, empowered and directed to take any and all actions on behalf of ULC and the Company necessary to consummate the Transaction, including without limitation, the execution of the Contract and any other purchase agreements, assignments, closing statements, affidavits, or other documents as are requested to effect the acquisition, redevelopment, and holding of the Property, including all amendments or modifications thereof (collectively, the "Property Documents"); the execution of any promissory notes, loan agreements, deeds of trust or mortgages, security agreements, assignments, closing statements, affidavits or other documents as are requested to close the Loan and/or utilize the ULC Funds, including all amendments and modifications thereof (collectively, the "Loan Documents"); the execution of the Property Documents and Loan Documents being in such forms and containing such terms and provisions as the Authorized Representative deems necessary or appropriate, and the execution and delivery thereof shall be conclusive evidence that the Authorized Representative deemed such forms, terms and provisions to be necessary or desirable.

FURTHER RESOLVED, that any and all actions heretofore taken by any Authorized Representative and any other officers, representatives and agents of ULC or the Company in connection with the Transaction (including without limitation, any action concerning the Contract or any other Property Document and any Loan Document), are and each of them hereby is, ratified, confirmed and approved in all respects.

FURTHER RESOLVED, that the Authorized Representative, acting singly, is authorized, empowered and directed to take any and all further action deemed necessary or appropriate in connection with the Transaction, including without limitation, the execution and delivery, on behalf of ULC and the Company, of any and all other documents that may be necessary or appropriate in connection therewith, such documents being in such forms and containing such terms and provision as the Authorized Representative deems necessary or appropriate, and the execution and delivery thereof shall be conclusive evidence that the Authorized Representative deemed such forms, terms and provisions to be necessary or desirable.

FURTHER RESOLVED, that the Authorized Representative be, and hereby is, authorized, empowered and directed to take any and all further action deemed necessary or appropriate to carry out the full intent and purposes of the foregoing resolutions.

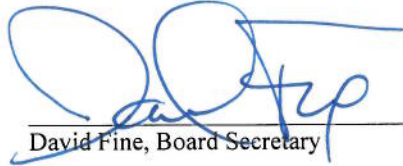
FURTHER RESOLVED, that any third party receiving a duly executed copy or facsimile of this consent may rely on the resolutions set forth herein, and that revocation or termination of the resolutions set forth herein shall not be effective as to such third party unless and until actual notice or knowledge of such revocation shall have been received by such third party.

#####

CERTIFICATION

I, David Fine, as Secretary of Urban Land Conservancy, a Colorado nonprofit corporation ("Company"), hereby certifies and declares that the foregoing is a full, true and correct copy of the resolution duly passed and adopted by the ULC Board of Directors at a regular meeting of the Board held February 9, 2015, at which meeting a quorum of the board of Directors was present and voted in favor of said resolution; that said resolution is now in full force and effect; that there is no provision in the Articles of Incorporation or Bylaws of ULC limiting the power of the ULC Board of Directors to pass the foregoing resolution and that such resolution is in conformity with the provisions of such Articles of Incorporation and Bylaws.

IN TESTIMONY WHEREOF, I have hereunto set my hand as of February 9, 2015.



David Fine, Board Secretary



URBAN LAND
CONSERVANCY

Preserving real estate to build stronger communities

305 Park Avenue West, Suite B, Denver, CO 80205 | 303.377.4477 | urbanlandc.org

December 9, 2015

Re: 48th & Race Rezoning Authorization

48Race LLC has engaged the professional consulting services of Radian to lead activities for the rezoning of property located at 4800 Race Street.

Ms. Yael Nyholm, as a registered architect and founder of Radian, is hereby authorized to act on behalf of 48Race, LLC for the purpose of rezoning the site located in Denver's Elyria/Swansea neighborhood.

Please feel free to contact Tony Pickett, ULC Vice President – Master Site Development at 303-377-4477 ext. 22 with any questions or additional requests related to this matter.

Best regards,

48Race LLC

Sole Member

URBAN LAND CONSERVANCY

A Colorado nonprofit corporation,

By: 

Aaron Miripol, President & CEO

cc: Tony Pickett, ULC

Yael Nyholm, RADIAN

Yong Cho, Studio Completiva

Chris Nevitt, Denver Community Planning & Development



04/28/2015 11:34 AM
City & County of Denver
Electronically Recorded

R \$36.00

WD

D \$550.00

4



SPACE ABOVE THIS LINE FOR RECORDER'S USE

AFTER RECORDING RETURN TO:

Kutak Rock LLP
1801 California St., Suite 3000
Denver, CO 80202
Attn: Peggy A. Richter, Esq.

State Documentary Fee
Date <i>4/27/15</i>
\$ <i>530.00</i>

SPECIAL WARRANTY DEED

THIS DEED, executed as of the 16 day of April, 2015, and made effective as of April 27, 2015, between **B.H. DENVER; LLC**, a California limited liability company ("Grantor"), whose mailing address is 11111 Santa Monica Blvd., Suite 600, Los Angeles, CA 90025, and **48RACE LLC**, a Colorado limited liability company ("Grantee"), whose mailing address is c/o Urban Land Conservancy, 305 Park Avenue West, Suite B, Denver, CO 80205.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the Grantee, its successors and assigns forever, all of Grantor's fee simple interest in and to the real property together with improvements, if any, situate, lying and being in the County of Denver, and State of Colorado, described as follows:

SEE EXHIBIT A ATTACHED HERETO

and known by street and number as: 4800 Race Street, Denver, CO 80237

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, its successors and assigns forever. The Grantor, for itself, its successors and assigns, does covenant and agree that the Grantor shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under the Grantor and none other except for the matters set forth on Exhibit B attached hereto and incorporated herein.

In addition, Grantor hereby conveys to Grantee, for the same consideration set forth above, all of Grantor's right, title and interest, if any, in and to any minerals, oil, gas and other

4810-4777-4497.1
Urban Land/Race
Special Warranty Deed
File No: 6443/02-67



70435783

hydrocarbon substances, development rights, air rights, water, water rights, wastewater or other utility rights, water stock relating to the land, strips and gores, streets, alleys, easements, rights-of-way, public ways, or other rights of Grantor appurtenant, abutting or adjoining the Property.

[Remainder of page intentionally left blank; signature page to follow]

4810-4777-4497.1
Urban Land/Race
Special Warranty Deed
File No: 6443/02-67

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its authorized officers, on the day and year first above written.

B.H. Denver, LLC
a California limited liability company

By: AG Properties, LP
a California limited partnership
Its: Member

By: AG Financial, LLC
a California limited liability company
Its: General Partner

By: _____
Name: Arsalan Gozini
Its: Manager

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of March, 2015, by Arsalan Gozini, as Manager of AG Financial, LLC, a California limited liability company, as General Partner of AG Properties, LP, a California limited partnership, as a Member of B.H. Denver, LLC, a California limited liability company.

Witness my hand and official seal.

My commission expires: _____

Notary Public

(See attached)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

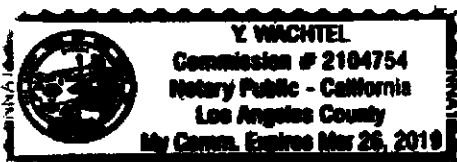
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Los Angeles)
 On April 16, 2015 before me, Y. Wachtel, Notary Public,
Date Here Insert Name and Title of the Officer
 personally appeared Arsalan Gozini
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s); or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *[Handwritten Signature]*
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

LEGAL DESCRIPTION:

AREA 1: (proposed CMX-3)

A PORTION OF LOTS 18 AND 19, BLOCK 40, KEENER'S SUBDIVISION; AND A PORTION OF LOTS 18 AND 19, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE N89°31'54"E ALONG THE SOUTH LINE OF THE SAID SE1/4 SE1/4 OF SECTION 14, 204.04 FEET TO A POINT ON THE EAST LINE OF RACE STREET EXTENDED; THENCE N00°28'06"W ALONG SAID EAST LINE OF RACE STREET EXTENDED, 30.00 FEET TO THE SOUTHWEST CORNER OF LOT 18, BLOCK 40, KEENER'S SUBDIVISION; THENCE CONTINUING ALONG THE EAST LINE OF RACE STREET N00°28'06"W, 25.00 FEET; THENCE DEPARTING FROM SAID EAST LINE N89°31'16"E, 569.99 FEET TO A POINT ON THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET; THENCE S00°28'15"E ALONG THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET, 25.00 FEET TO THE SOUTHEAST CORNER OF LOT 19, BLOCK 39, KEENER'S SUBDIVISION; THENCE S89°31'16"W ALONG THE NORTH LINE OF 48TH AVENUE, 569.99 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 14,250 SQUARE FEET OR 0.3271 ACRES MORE OR LESS.

LEGAL DESCRIPTION:

AREA 2: (proposed CMX-5)

LOTS 14 TO 17, LOTS 20 TO 23, AND A PORTION OF LOTS 13, 18, 19 AND 24, BLOCK 40, KEENER'S SUBDIVISION; AND LOTS 14 TO 17, LOTS 20 TO 23, AND A PORTION OF LOTS 13, 18, 19 AND 24, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THE ABOVE DESCRIBED PARCEL CONTAINS 71,248 SQUARE FEET OR 1.6356 ACRES MORE OR LESS.

LEGAL DESCRIPTION:

AREA 3: (proposed CMX-8)

LOTS 1 TO 12, LOTS 25 TO 36, AND A PORTION OF LOTS 13 AND 24, BLOCK 40, KEENER'S SUBDIVISION; AND LOTS 1 TO 12, LOTS 25 TO 36, AND A PORTION OF LOTS 13, AND 24, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE N89°31'54"E ALONG THE SOUTH LINE OF THE SAID SE1/4 SE1/4 OF SECTION 14, 204.04 FEET TO A POINT ON THE EAST LINE OF RACE STREET EXTENDED; THENCE N00°28'06"W ALONG SAID EAST LINE OF RACE STREET EXTENDED, 180.00 FEET TO THE TRUE POINT OF BEGINNING BEING A POINT ON THE WEST LINE OF SAID LOT 13, BLOCK 40; THENCE CONTINUING ALONG THE EAST LINE OF RACE STREET N00°28'06"W, 314.99 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 40; THENCE DEPARTING FROM SAID EAST LINE N89°32'37"E ALONG THE SOUTH LINE OF 49TH AVENUE, 539.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 36, BLOCK 39; THENCE S00°28'15"E ALONG THE EAST LINE OF SAID LOT 36, BLOCK 40, 25.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 36, BLOCK 40; THENCE DEPARTING FROM SAID EAST LINE OF SAID LOT 36, BLOCK 40, N89°32'37"E, 30.00 FEET TO A POINT ON THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET; THENCE S00°28'15"E ALONG THE SAID EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET, 289.76 FEET; THENCE DEPARTING FROM SAID EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET S89°31'16"W, 569.98 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

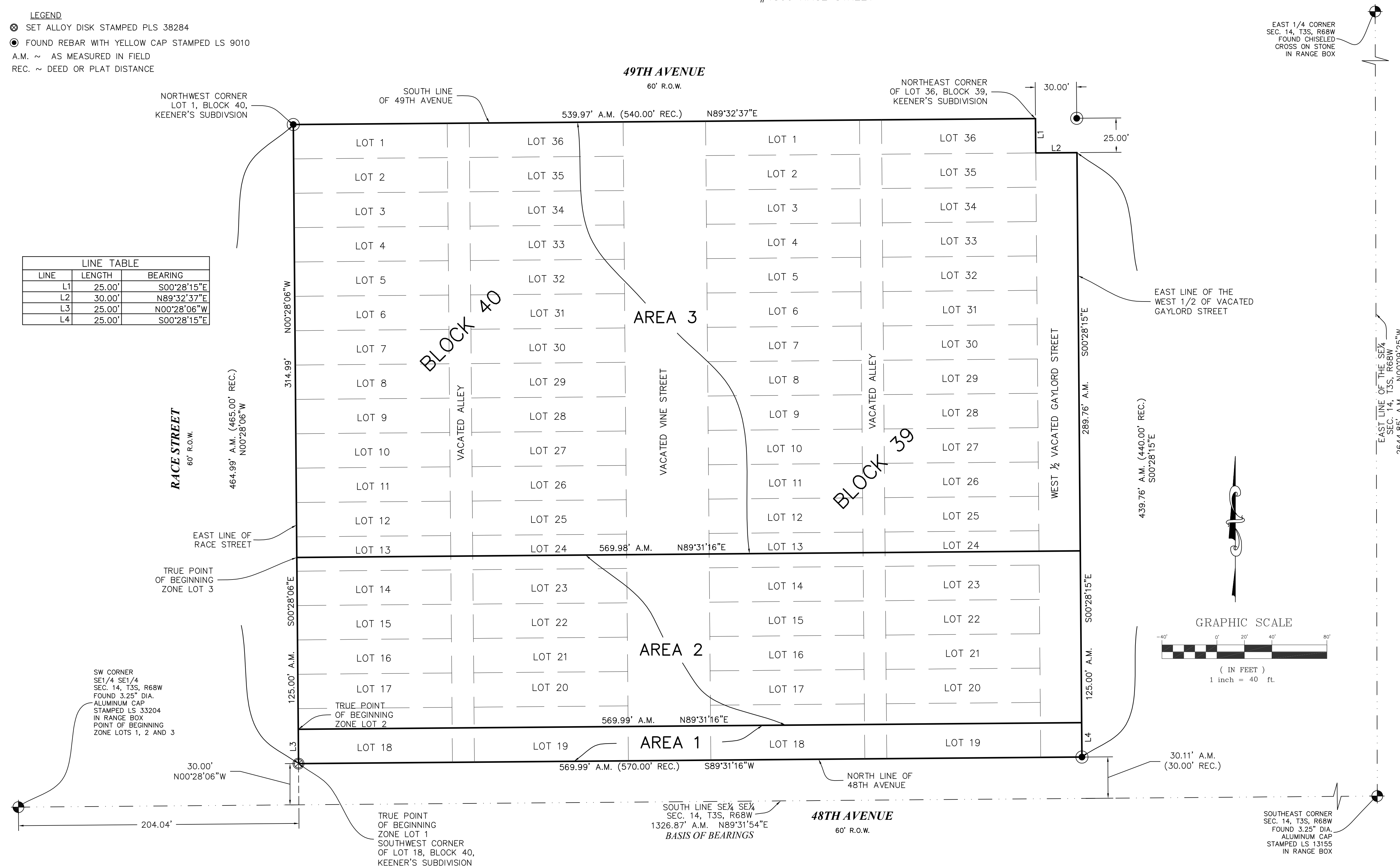
THE ABOVE DESCRIBED PARCEL CONTAINS 178,722 SQUARE FEET OR 4.1029 ACRES MORE OR LESS.

ZONE LOT EXHIBIT AND LEGAL DESCRIPTIONS

PARCEL LOCATED IN THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
#4800 RACE STREET

- LEGEND**
- ⊗ SET ALLOY DISK STAMPED PLS 38284
 - FOUND REBAR WITH YELLOW CAP STAMPED LS 9010
 - A.M. ~ AS MEASURED IN FIELD
 - REC. ~ DEED OR PLAT DISTANCE

LINE TABLE		
LINE	LENGTH	BEARING
L1	25.00'	S00°28'15"E
L2	30.00'	N89°32'37"E
L3	25.00'	N00°28'06"W
L4	25.00'	S00°28'15"E



THIS IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. THIS EXHIBIT IS INTENDED TO DEPICT THE ACCOMPANYING PARCEL DESCRIPTIONS.

I, DAMIEN CAIN, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF 39 NORTH ENGINEERING AND SURVEYING LLC, THAT THESE PARCEL DESCRIPTIONS AND EXHIBIT, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

DAMIEN CAIN PLS 38284
FOR AND ON BEHALF OF
39 NORTH ENGINEERING AND SURVEYING LLC

LEGAL DESCRIPTION:

AREA 1:
A PORTION OF LOTS 18 AND 19, BLOCK 40, KEENER'S SUBDIVISION; AND A PORTION OF LOTS 18 AND 19, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST 1/2 OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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THE ABOVE DESCRIBED PARCEL CONTAINS 14,250 SQUARE FEET OR 0.3271 ACRES MORE OR LESS.

LEGAL DESCRIPTION:

AREA 2:
LOTS 14 TO 17, LOTS 20 TO 23, AND A PORTION OF LOTS 13, 18, 19 AND 24, BLOCK 40, KEENER'S SUBDIVISION; AND LOTS 14 TO 17, LOTS 20 TO 23, AND A PORTION OF LOTS 13, 18, 19 AND 24, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST 1/2 OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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THE ABOVE DESCRIBED PARCEL CONTAINS 71,248 SQUARE FEET OR 1.6356 ACRES MORE OR LESS.

LEGAL DESCRIPTION:

AREA 3:
LOTS 1 TO 12, LOTS 25 TO 36, AND A PORTION OF LOTS 13 AND 24, BLOCK 40, KEENER'S SUBDIVISION; AND LOTS 1 TO 12, LOTS 25 TO 36, AND A PORTION OF LOTS 13, AND 24, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST 1/2 OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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THE ABOVE DESCRIBED PARCEL CONTAINS 178,722 SQUARE FEET OR 4.1029 ACRES MORE OR LESS.

BASIS OF BEARINGS:

AN ASSUMED BEARING OF N89°31'54"E BEING THE SOUTH LINE OF THE SE 1/4 SE 1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M. BETWEEN TWO FOUND MONUMENTS 1326.87 FEET APART ONE MONUMENT BEING A FOUND 3.25" DIAMETER ALUMINUM CAP STAMPED LS 33204 IN RANGE BOX AT THE SOUTHWEST CORNER OF THE SAID SE 1/4 SE 1/4 OF SECTION 14 AND THE OTHER MONUMENT BEING A FOUND 3.25" DIAMETER ALUMINUM CAP STAMPED LS 13155 IN RANGE BOX SOUTHWEST CORNER SAID SE 1/4 SE 1/4 OF SECTION 14.

Know what's below.
Call before you dig.

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Rezoning Meets General Review Criteria

A. Consistency with Adopted Plans

The proposed official map amendment is either consistent with the City's adopted plans or the proposed rezoning is necessary to provide land uses for community needs that were not anticipated at the time of the adoption of the City's past plans.

The requested rezoning is consistent with the following City plans and their related recommendations:

- Comprehensive Plan 2000:
 - Land Use for this area is defined as Transit Oriented Development (Mixed Uses, with compact to medium density).
 - Site is within an Area of Change.
- Blueprint Denver, An Integrated Land Use and Transportation Plan:
 - Proposed Zone Districts are consistent with the proposed new streets' Future Street Classification, which has designations for 48th Ave. and 29th Ave. as "undesignated local."
- Elyria-Swansea Neighborhood Plan:
 - Land Use for this area is defined as Transit Oriented Development (Mixed Use or Industrial Mixed Use).
 - Density and Stepped Zoning is recommended, i.e., Number of Stories transitions from 3 to 5 to 8.
 - Recommended that future development Improve Transition between Industrial and Residential uses.
 - Encourage height transition between stable residential areas (Areas of Stability) and mid-rise infill or redevelopment areas (Areas of Change).
 - Encourage pedestrian friendly light industrial flex infill development along the edges of industrial areas which abut residential areas.
 - 48th Ave. recommended as an undesignated local Street.

B. Public Health, Safety and General Welfare

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

The Requested rezoning and the future necessary infrastructure improvements, will improve an industrial site into a new mixed use development, incorporating a variety of uses desired by the community including new mixed-income housing and commercial space. The rezoning and future redevelopment of the site will contribute to the creation of a safer improved road and pedestrian sidewalk network for existing and future area residents..

C. Justification of Circumstances

The land and its surroundings have changed or are changing to such a degree that rezoning the Site is in the Public Interest to encourage physical improvements that recognize the changed character of the area.

- The Surrounding Area is designated as an Area of Change.

- The Site is a transit-oriented development located less than ½ a mile from the future National Western Center Commuter Rail Station.
- The Site is located within two blocks of the future \$856M redevelopment of The National Western Complex.

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

- The requested rezoning is aligned with the previously adopted neighborhood plans and the intent defined in Blueprint Denver.
- The Site is an existing industrial property that is located directly adjacent to an existing single family residential neighborhood to the south and existing public amenities such as Elyria Park and the Colorado Miners Community Center toward the west.
- The requested new Zone Districts are intended to provide higher density and more flexible land uses in the vicinity of a transit station, to support future redevelopment of the site consistent with the City's documented goals for the area.

Blueprint Denver Map

Blueprint Denver Concept Land Use and Area of Change.

4800 Race Search

Blueprint Denver Layer Visibility 75%

Transit Oriented Development

Address: 4800 N Race St

Area of Change: Yes

[Blueprint Denver](#)

Map data ©2015 Google Terms of Use Report a map error

Tags

Blueprint



El Desarrollo de 48th y Race Taller de Diseño Comunitario



Te invitamos a Focus Points
2501 avenida 48 , Denver CO 80216
El 20 de julio 6pm

El pasado 16 de junio tuvimos dos reuniones comunitarias para ayudar a diseñar el sitio que está en la 48 y Race. Se desarrollaron cuatro diseños buenos con espacios comunitarios, oficinas, viviendas, cocinas comerciales, mercados y más. Estamos muy contentos de mostrar cómo utilizamos sus ideas para crear un plan maestro para el sitio.

Resumen

El Diseño de la Comunidad

Resultados del Taller

48 y Race Desarrollo Orientado al Tránsito

En el 16 de junio la Conservación del Suelo Urbano (ULC) y su equipo de consultores de planeación convocaron dos talleres de diseño comunitarios en dos instalaciones locales del barrio; uno a las 9 de la mañana y el otro a las 6 de la tarde. Residentes de Elyria Swansea y grupos de interés del barrio fueron notificados y se les pidió asistir y proporcionar información para un plan maestro de reurbanización que servirá como base para la propuesta CMX-8 rezonificación de una propiedad de 6 acres industrial actualmente ubicado en la 48 y Race.

Las reuniones se anuncian utilizando maneras convencionales (notificaciones impresos publicados en la Biblioteca, Escuela de Swansea, El Centro de Rec Mineros de Colorado, etc ...) y por métodos no tan convencionales (correos electrónicos con Nola Miguel en la oficina de la Concejal Montero, La Colaborativa del Norte de Denver Piedra Angular, etc ...), maneras usadas y basadas en las sugerencias de otras organizaciones sin fines de lucro en la comunidad que están allí a largo plazo y cuales también tomaron cargo de distribuir información y ayudar en alcanzar a la comunidad. Los dos talleres de diseño eran idénticos tanto en la agenda y en las actividades.

- ULC proveo para los participantes una visión general del sitio con las condiciones actuales y se distribuyeron folletos resumiendo sugerencias de la comunidad que fueron colectados durante un período de 3 semanas delineando nuevos usos que deseaban y usos que no deseaban en el desarrollo. Nuevos servicios de salud y medicina eran los usos más deseados, seguidos por el acceso a los alimentos frescos.
- ULC indicó diversos compromisos que tienen los inquilinos existentes, patrocinadores, etc. ... El requerimiento de un número de unidades de viviendas asequibles, retener o crear 26 trabajos a tiempo completo y la intención del inquilino existente Materiales Atlas de renovar su actual arrendamiento por un período adicional de 5 años.
- ULC indicó que el plan adoptado del barrio de Elyria Swansea declara una rezonificación recomendación para el Uso Comercial Mixto de 8 niveles máximo (CMX-8) en el sitio. Altura de los edificios futuros pasarían de 3 a 5 a 8 pisos del sur al norte a través del sitio.
- Se llevaron a cabo discusiones de grupos pequeños, facilitados por voluntarios con experiencia resultando en planes maestros conceptuales para el sitio basados en las necesidades y deseos identificados por la comunidad.

Sesión de la mañana

La primera reunión se condujo de 9-11 de la mañana en la Biblioteca Perry Valdez

Los participantes de la comunidad incluyeron 8 residentes adultos, 2 dueños de negocios en el barrio, un representante de la Oficina de la Concejal Judy Montero, y 5 organizaciones sin fines de lucro del área local. El taller resultó en los siguientes planes de concepto:

Grupo A El Plan Enfocado en el Centro de Mujeres

El concepto del grupo resaltó la necesidad en la comunidad por mas servicios enfocados en la mujer. El concepto incluyo viviendas con una cocina comunitaria y comercial, jardín urbana, sitio de mercado, servicios para los que no tienen casa, cuidado de niños y una clínica.



Gropo B Plan Enfocado en Viviendas

El grupo elaboró un concepto de diseño con una variedad de tipos de viviendas de 3 pisos townhomes con "Viviendas con Unidades Accesorios" (ADU) a lo largo de la calle 48, edificios multi familiares con la altura media y con viviendas para personas mayores. Y en el borde norte, un espacio abierto y verde conectando este y oeste hasta el centro del sitio hacia el parque y centro de recreación actuales, con tiendas en el lado oeste del sitio.



Sesión de la Tarde

La segunda reunión se llevó a cabo de 6-7: 30 pm en El Centro de Recreación de los Mineros de Colorado

Los participantes de la comunidad: 5 residentes adultos, 4 niños, y 1 dueño de un negocio local, la representante de la Oficina de la Concejal Montero, 1 proveedor de servicios sin fines de lucro en la área y 1 miembro del Departamento de Planeación de la Ciudad. El taller dio como resultado el siguiente concepto del sitio.

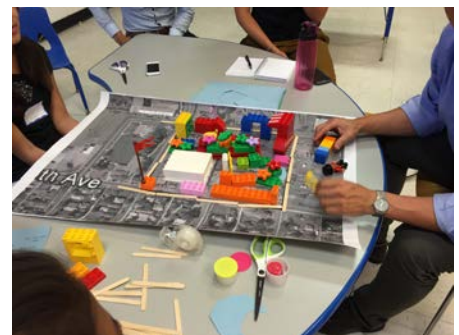
Grupo A Plan Enfocado en un Centro de Servicios

El concepto del grupo enfocó en las necesidades de los niños y adultos jóvenes. Viviendas estaban localizado en el borde del norte del sitio, y usos de apoyo como un cuidado de niños, un mercado abierto, y una cocina comercial fueron incluido.



Grupo B Plan Enfocado en un Cielo

El grupo entero consistía de niños del barrio diseñando un paraíso para ellos mismos. El concepto que resultó incluyo un parque de diversión, un jardín, un mercado, u un paraíso para los niños. El concepto incluyó una árcade de juegos electrónicos también. El edificio más alto fue localizado en la esquina del noreste esquina del sitio para tomar ventaja de las vistas y incluyo un jardín en el techo; creando un "marcador visible" alto para la área. El plan también incluyo una alberga para nadar, y townhomes en la calle 48.





48th and Race Development Community Design Workshop



Come Join us

Focus Points, 2501 E 48th, Denver CO
80216

July 20th 6pm

On 6/16 we held two great community meetings to assist in designing the site at 48th Race. Four great designs were developed, with community spaces, offices, housing, commercial kitchens, markets and more. We are excited to show you how we used your ideas to create a master plan for the site.

Summary

Community Design Workshop Results

48th and Race Transit Oriented Development (TOD)

On 6/16/15 the Urban Land Conservancy and its planning consultant team convened two community design workshops at two local neighborhood facilities; one at 9am and one at 6pm. Elyria Swansea neighborhood residents and stakeholders were notified and asked to attend and provide input for a redevelopment masterplan, which will serve as the basis for the proposed CMX-8 rezoning of a 6 acre existing industrial property located at 48th and Race.

The meetings were advertised using both conventional (printed notifications posted at the Library, Swansea Elementary School, Elyria Park Rec Center, etc...) and non-conventional methods (emails from Nola Miguel in Councilwoman Montero's office, the North Denver Cornerstone Collaborative, etc...) based on suggestions from other long term community non-profit organizations based in the neighborhood who also agreed to distribute information and assist in community outreach.

Each design workshop was identical in both agenda and activities;

- ULC provided participants with an overview of the site existing conditions and handouts were distributed summarizing suggestions from community stakeholders collected over a 3 week period outlining both new uses they desired and uses they did not desire for the redevelopment. New health and medical services were among the most frequently desired uses, followed by fresh food access.
- ULC outlined various commitments to existing tenants, funders, etc...ie. The requirement for some number of affordable housing units, to retain or create 26 full time jobs and the intent of existing tenant Atlas Materials to renew their existing lease for an additional 5 year period.
- ULC outlined the adopted Elyria Swansea neighborhood plan stated a rezoning recommendation for Commercial Mixed-Use of 8 stories max (CMX-8) at the site. Future building heights would transition from 3 to 5 to 8 stories from south to north across the site.
- Small group discussions were conducted and facilitated by experienced volunteers, resulting in conceptual masterplans for the site based on identified community needs and wants.

Morning Session

The 1st Session was held at 9-11am at the Valdez Perry Library

Community Participants included 8 Adult Residents, 2 Area Business Owners, a representative from Councilwoman Judy Montero's Office and 5 local area non-profit organizations. The workshop resulted in the following site concept plans:

Group A The Women's Center Focused Plan

The group concept design emphasized the need in the community for more women focused services. The concept included residential with a community commercial kitchen, urban garden, market place, homeless services, daycare and medical clinic.



Group B Housing Focused Plan

The group produced a concept design with a variety of housing types from 3 story townhomes with "accessory dwelling units" (ADU) along 48th, midrise multifamily buildings with senior housing and on the northern edge, a green public open space connection running east to west down the center of site toward the existing park and recreation center, with retail on the western edge of the site.



Evening Session

The 2nd Session was held from 6-7:30pm at the Colorado Miners Recreation Center

Community Participants included 5 Adult Residents, 4 Children, 1 Area Business Owner, a representative from Councilwoman Montero's Office, 1 local area nonprofit service provider and 1 member of the City Planning Department Staff. The workshop resulted in the following site concept plans:

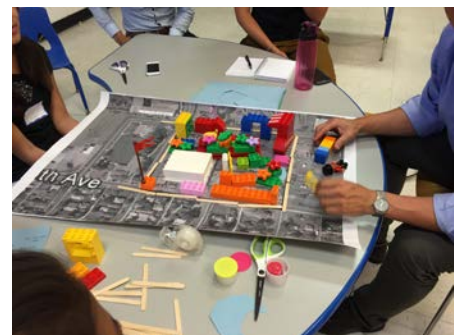
Group A Service Center Focused Plan

The group concept focused on the needs of children and young adults, housing was located on the north edge of the site, and supporting uses were included i.e. child day care, open market and a commercial kitchen.



Group B Kids Heaven Focused Plan

The entire group consisted of neighborhood kids designing a paradise for the kids. The resulting concept included an amusement park, a garden, market and an arcade. The tallest building was located on the Northeast corner of the site to take advantage of the views and included a rooftop garden; creating a tall "visible marker" for the area. The plan also included a swimming pool, and residential townhomes along 48th Street.



LEGAL DESCRIPTION:

AREA 1: (proposed CMX-3)

A PORTION OF LOTS 18 AND 19, BLOCK 40, KEENER'S SUBDIVISION; AND A PORTION OF LOTS 18 AND 19, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE N89°31'54"E ALONG THE SOUTH LINE OF THE SAID SE1/4 SE1/4 OF SECTION 14, 204.04 FEET TO A POINT ON THE EAST LINE OF RACE STREET EXTENDED; THENCE N00°28'06"W ALONG SAID EAST LINE OF RACE STREET EXTENDED, 30.00 FEET TO THE SOUTHWEST CORNER OF LOT 18, BLOCK 40, KEENER'S SUBDIVISION; THENCE CONTINUING ALONG THE EAST LINE OF RACE STREET N00°28'06"W, 25.00 FEET; THENCE DEPARTING FROM SAID EAST LINE N89°31'16"E, 569.99 FEET TO A POINT ON THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET; THENCE S00°28'15"E ALONG THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET, 25.00 FEET TO THE SOUTHEAST CORNER OF LOT 19, BLOCK 39, KEENER'S SUBDIVISION; THENCE S89°31'16"W ALONG THE NORTH LINE OF 48TH AVENUE, 569.99 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 14,250 SQUARE FEET OR 0.3271 ACRES MORE OR LESS.

LEGAL DESCRIPTION:

AREA 2: (proposed CMX-5)

LOTS 14 TO 17, LOTS 20 TO 23, AND A PORTION OF LOTS 13, 18, 19 AND 24, BLOCK 40, KEENER'S SUBDIVISION; AND LOTS 14 TO 17, LOTS 20 TO 23, AND A PORTION OF LOTS 13, 18, 19 AND 24, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE N89°31'54"E ALONG THE SOUTH LINE OF THE SAID SE1/4 SE1/4 OF SECTION 14, 204.04 FEET TO A POINT ON THE EAST LINE OF RACE STREET EXTENDED; THENCE N00°28'06"W ALONG SAID EAST LINE OF RACE STREET EXTENDED, 55.00 FEET TO THE TRUE POINT OF BEGINNING BEING A POINT ON THE WEST LINE OF SAID LOT 18, BLOCK 40; THENCE CONTINUING ALONG THE EAST LINE OF RACE STREET N00°28'06"W, 125.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 13, BLOCK 40; THENCE DEPARTING FROM SAID EAST LINE N89°31'16"E, 569.98 FEET TO A POINT ON THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET; THENCE S00°28'15"E ALONG THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET, 125.00 FEET; THENCE DEPARTING FROM SAID EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET S89°31'16"W, 569.99 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 71,248 SQUARE FEET OR 1.6356 ACRES MORE OR LESS.

LEGAL DESCRIPTION:

AREA 3: (proposed CMX-8)

LOTS 1 TO 12, LOTS 25 TO 36, AND A PORTION OF LOTS 13 AND 24, BLOCK 40, KEENER'S SUBDIVISION; AND LOTS 1 TO 12, LOTS 25 TO 36, AND A PORTION OF LOTS 13, AND 24, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE N89°31'54"E ALONG THE SOUTH LINE OF THE SAID SE1/4 SE1/4 OF SECTION 14, 204.04 FEET TO A POINT ON THE EAST LINE OF RACE STREET EXTENDED; THENCE N00°28'06"W ALONG SAID EAST LINE OF RACE STREET EXTENDED, 180.00 FEET TO THE TRUE POINT OF BEGINNING BEING A POINT ON THE WEST LINE OF SAID LOT 13, BLOCK 40; THENCE CONTINUING ALONG THE EAST LINE OF RACE STREET N00°28'06"W, 314.99 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 40; THENCE DEPARTING FROM SAID EAST LINE N89°32'37"E ALONG THE SOUTH LINE OF 49TH AVENUE, 539.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 36, BLOCK 39; THENCE S00°28'15"E ALONG THE EAST LINE OF SAID LOT 36, BLOCK 40, 25.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 36, BLOCK 40; THENCE DEPARTING FROM SAID EAST LINE OF SAID LOT 36, BLOCK 40, N89°32'37"E, 30.00 FEET TO A POINT ON THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET; THENCE S00°28'15"E ALONG THE SAID EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET, 289.76 FEET; THENCE DEPARTING FROM SAID EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET S89°31'16"W, 569.98 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 178,722 SQUARE FEET OR 4.1029 ACRES MORE OR LESS.