

## 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><b>*If More Than One Property Owner:</b> 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><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></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:			
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>	<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</p> <p>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.</p> <p><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.</p> <p><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>
<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><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><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.</p> <p><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</p> <p><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> <p>Please provide an attachment describing the justifying circumstance.</p> <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.</p> <p>Please provide an attachment describing how the above criterion is met.</p>

## 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:



## 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)
<b>EXAMPLE</b> 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
<b>48RaceLLC</b>	305 Park Ave. W Denver, CO 80205 303.377.4477 x 22 tpickett@urbanlandc.org	100%	<i>[Signature]</i> Aaron Miripol	12/9/15	B	YES

[www.denvergov.org/rezoning](http://www.denvergov.org/rezoning)



201 W. Colfax Ave., Dept. 205

Denver, CO 80202

(720) 865-2983 • [rezoning@denvergov.org](mailto: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.

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### 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: 48<sup>th</sup> & 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 4/27/15

\$ 530.00

**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 \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.~~

~~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)*

**CIVIL CODE § 1189**

December 16, 2015 Fee pd CC \$4000

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.

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

☐ 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

**Map Details:**

- Streets:** RACE STREET (60' R.O.W.), 49TH AVENUE (60' R.O.W.), 48TH AVENUE (60' R.O.W.), WEST 1/2 VACATED GAYLORD STREET.
- Blocks:** BLOCK 40, BLOCK 39.
- Areas:** AREA 1, AREA 2, AREA 3.
- Survey Points:** NORTHWEST CORNER LOT 1, BLOCK 40, KEENER'S SUBDIVISION; TRUE POINT OF BEGINNING ZONE LOT 1; TRUE POINT OF BEGINNING ZONE LOT 2; TRUE POINT OF BEGINNING ZONE LOT 3; SOUTHWEST CORNER OF LOT 18, BLOCK 40, KEENER'S SUBDIVISION; NORTHEAST CORNER OF LOT 36, BLOCK 39, KEENER'S SUBDIVISION; SOUTHWEST CORNER SE 1/4 SEC. 14, T3S, R68W FOUND 3.25" DIA. ALUMINUM CAP STAMPED LS 33204 IN RANGE BOX POINT OF BEGINNING ZONE LOTS 1, 2 AND 3; SOUTHEAST CORNER SEC. 14, T3S, R68W FOUND 3.25" DIA. ALUMINUM CAP STAMPED LS 13155 IN RANGE BOX.
- Measurements:** 539.97' A.M. (540.00' REC.), N89°32'37"E, 314.99', N00°28'06"W, 464.99' A.M. (465.00' REC.), N00°28'06"W, 125.00' A.M., S00°28'06"E, 569.98' A.M., N89°31'16"E, 569.99' A.M. (570.00' REC.), S89°31'16"W, 30.11' A.M. (30.00' REC.), 439.76' A.M. (440.00' REC.), S00°28'15"E, 289.76' A.M., S00°28'15"E, 125.00' A.M., S00°28'15"E, 30.00' N00°28'06"W, 204.04', 30.00' N00°28'06"W.
- Scale:** GRAPHIC SCALE (IN FEET) 1 inch = 40 ft.
- North Arrow:** Indicated by a stylized arrow pointing upwards.

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

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 ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

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 WEST ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

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 ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

AN ASSUMED BEARING OF N89°31'54"E BEING THE SOUTH LINE OF THE SE¼ SE¼ SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M. BETWEEN TWO FOUND MONUMENTS 1326.67 FEET APART ONE MONUMENT BEING A FOUND 3.25" DIAMETER ALUMINUM CAP STAMPED LS 33204 IN RANGE BOX AT THE S OUTWETH CORNER OF THE SAID SE¼ SE¼ OF SECTION 14 AND THE OTHER MONUMENT BEING A FOUND 3.25" DIAMETER ALUMINUM CAP STAMPED LS 13155 IN RANGE BOX SOUTHEAST CORNER SAID SE¼ SE¼ OF SECTION 14.



## 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 48<sup>th</sup> Ave. and 29<sup>th</sup> 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.
  - 48<sup>th</sup> 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

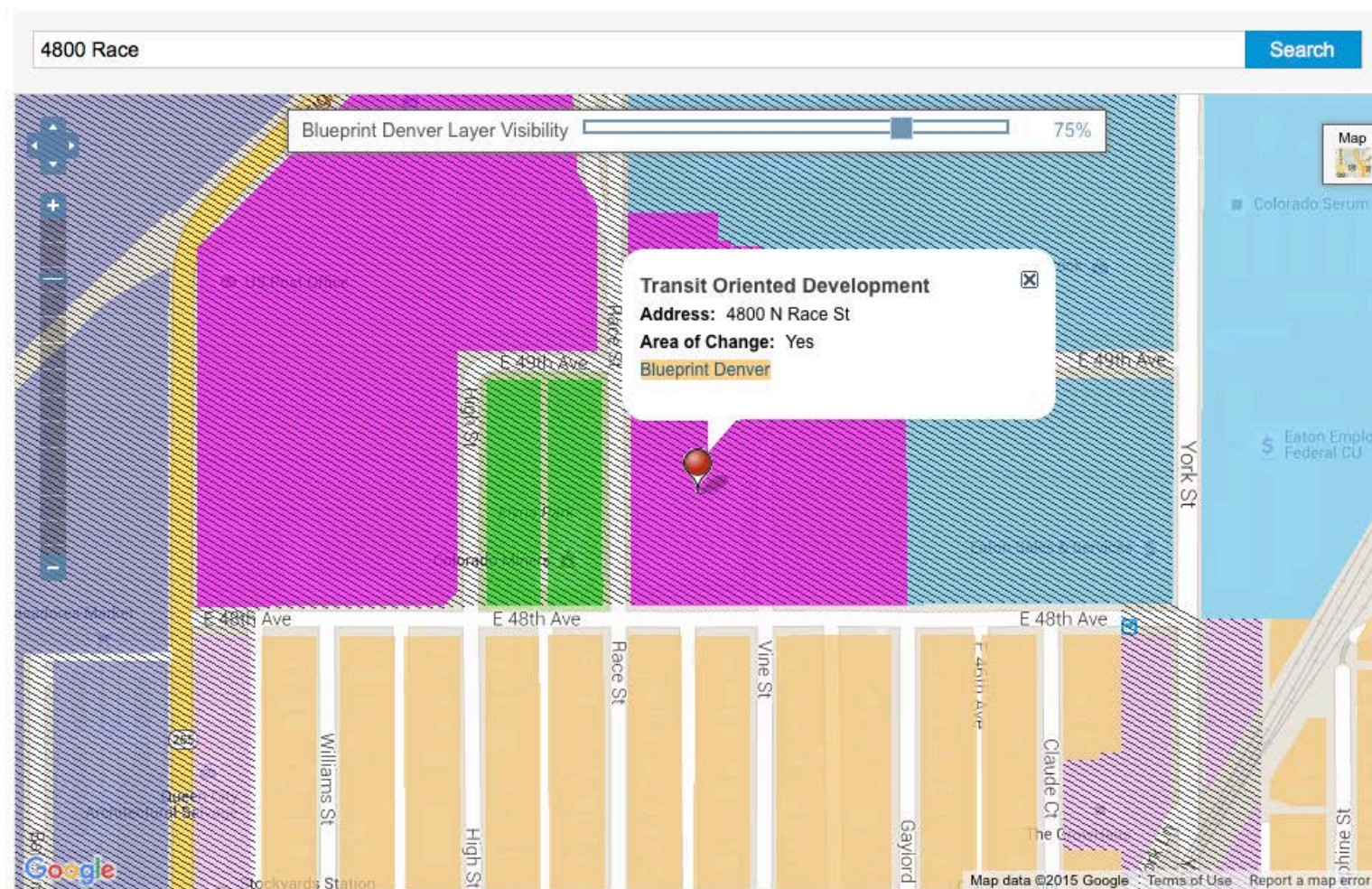
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DENVER MAPS

Blueprint Denver Concept Land Use and Area of Change.







# 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 provee 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

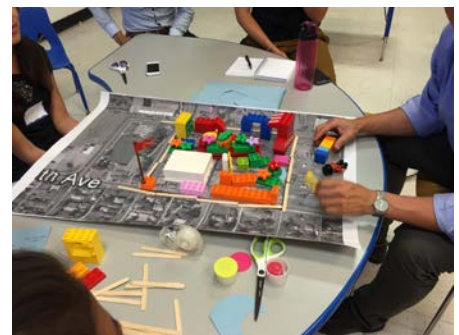
El concepto del grupo enfocó en las necesidades de los niños y adultos jóvenes. Viviendas estaban localizado en el borde del norte del sitio, y usos de apoyo como un cuidado de niños, un mercado abierto, y una cocina comercial fueron incluido.



#### 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 arcade 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 48<sup>th</sup> 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 1<sup>st</sup> 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 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 2<sup>nd</sup> 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 ie. 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 48<sup>th</sup> Street.

