# Zone Map Amendment (Rezoning) - Application

| PROPERTY OWNER INFORMATION* ☑ CHECK IF POINT OF CONTACT FOR APPLICATION | |
|---|---|
| Property Owner Name | JV DENARGO LLC |
| Address | 625 N MICHIGAN AVE STE 2000 |
| City, State, Zip | CHICAGO, IL 60611-3179 |
| Telephone | 312-440-8800 |
| Email | LGOLUB@GOCO.COM |

*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.

| PROPERTY OWNER(S) REPRESENTATIVE** ☑ CHECK IF POINT OF CONTACT FOR APPLICATION | |
|---|---|
| Representative Name | Nina Najmabadi |
| Address | 1620 Logan Street |
| City, State, Zip | Denver, CO 80203 |
| Telephone | 303-831-4010 |
| Email | nnajmabadi@trybaarchitects.com |

**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.

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.

If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.

| SUBJECT PROPERTY INFORMATION | |
|---|---|
| Location (address and/or boundary description): | 2650 Arkins Court, 3280 Denargo Street, 2700 Wewatta Way, 3205 Denargo Street |
| Assessor's Parcel Numbers: | 0227416001000, 0227400024000, 0227417001000, 0227400119000, 0227400118000, 0227400117000 |
| Area in Acres or Square Feet: | 564,872 SF (12.967 acres) |
| Current Zone District(s): | R-MU-30 with waivers & conditions; I-A UO-2; I-B UO-2; and PUD 605 |

| PROPOSAL | |
|---|---|
| Proposed Zone District: | C-MX-8 DO-7; C-MX-12 DO-7; C-MX-16 DO-7; C-MX-20 DO-7 |

## REVIEW CRITERIA

| | |
|---|---|
| General Review Criteria: The proposal must comply with all of the general review criteria<br><br>DZC Sec. 12.4.10.7 | ☑ 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.<br>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. |
| | ☑ 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. |
| | ☑ Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City. |
| Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria<br><br>DZC Sec. 12.4.10.8 | Justifying Circumstances - One of the following circumstances exists:<br>☐ The existing zoning of the land was the result of an error.<br>☐ The existing zoning of the land was based on a mistake of fact.<br>☐ 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.<br>☑ Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:<br>a. Changed or changing conditions in a particular area, or in the city generally; or,<br>b. A City adopted plan; or<br>c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.<br>☐ 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.<br>Please provide an attachment describing the justifying circumstance. |
| | ☑ 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.<br>Please provide an attachment describing how the above criterion is met. |

## REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- ☑ Legal Description (required to be attached in Microsoft Word document format)
- ☑ Proof of Ownership Document(s)
- ☑ Review Criteria, as identified above

## ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- ☑ Written Authorization to Represent Property Owner(s)
- ☑ Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

See attached project narrative.



201 W. Colfax Ave., Dept. 205

Denver, CO 80202

720-865-2974 • rezoning@denvergov.org

2018I-00139

October 9, 2020 fee pd $1000 cc

## 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<br>City, State, Zip<br>Phone<br>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 | 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 | Has the owner authorized a representative in writing? (YES/NO) |
|---|---|---|---|---|---|---|
| **EXAMPLE**<br>John Alan Smith and<br>Josie Q. Smith | 123 Sesame Street<br>Denver, CO 80202<br>(303) 555-5555<br>sample@sample.gov | 100% | *John Alan Smith*<br>*Josie Q. Smith* | 01/01/12 | (A) | YES |
| JV DENARGO LLC<br><br>Authorized Signatory | 625 N MICHIGAN AVE STE 2000 CHICAGO, IL 60611-3179 | 100% | Nina Najmabadi (Owner Representative) | 08/06/20 | C | YES |
| | | | | | | |
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*Last updated: May 24, 2018*

Return completed form to rezoning@denvergov.org

| Address, Lot, Block | Legal Description Title | Proposed Zoning |
|---|---|---|
| 2650 Arkins Ct<br>Lot 1, Block 5 | Exhibit "A"<br>Legal Description<br>District 1 | C-MX-12, DO-7 |
| 2650 Arkins Ct<br>Lot 1, Block 5 | Exhibit "A"<br>Legal Description<br>District 2 | C-MX-16, DO-7 |
| 2650 Arkins Ct<br>Lot 1, Block 5 | Exhibit "A"<br>Legal Description<br>District 3 | C-MX-20, DO-7 |
| 2650 Arkins Ct<br>Lot 1, Block 5 | Exhibit "A"<br>Legal Description<br>District 4 | C-MX-12, DO-7 |
| 2650 Arkins Ct<br>Lot 1, Block 5 | Exhibit "A"<br>Legal Description<br>Height Transition Zone | C-MX-8, DO-7 |
| 3280 Denargo St | Exhibit "A"<br>Legal Description | C-MX-16, DO-7 |
| 2700 Wewatta Way<br>Lot 1, Block 6 | Exhibit "A"<br>Legal Description | C-MX-16, DO-7 |
| 3205 Denargo St | Exhibit A<br>Legal Description<br>District No. 1 | C-MX-16, DO-7 |
| 3205 Denargo St | Exhibit C<br>Legal Description<br>District No. 2 | C-MX-16, DO-7 |
| 3205 Denargo St | Exhibit E<br>Legal Description<br>District No. 3 | C-MX-16, DO-7 |

# EXHIBIT "A"
# LEGAL DESCRIPTION
# DISTRICT 1

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, BLOCK 5, SOUTH 46°11'13" EAST, A DISTANCE OF 14.49 FEET TO THE **POINT OF BEGINNING;**

THENCE DEPARTING SAID NORTHEASTERLY BOUNDARY, SOUTH 43°48'47" WEST, A DISTANCE OF 1,005.11 FEET TO THE CENTERLINE OF DENARGO STREET, AN 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5340, PAGE 155 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, NORTH 00°01'41" WEST, A DISTANCE OF 549.89 FEET TO THE CENTERLINE OF ARKINS COURT, A 100-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5309, PAGE 272 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, NORTH 70°49'48" EAST, A DISTANCE OF 727.94 FEET TO THE CENTERLINE OF 29TH STREET, A 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5348, PAGE 374 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, SOUTH 46°11'13" EAST, A DISTANCE OF 50.22 FEET;

THENCE DEPARTING SAID CENTERLINE, SOUTH 43°48'47" WEST, A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 4.943 ACRES, (215,319 SQUARE FEET), MORE OR LESS.

**EXHIBIT ATTACHED AND MADE A PART HEREOF.**

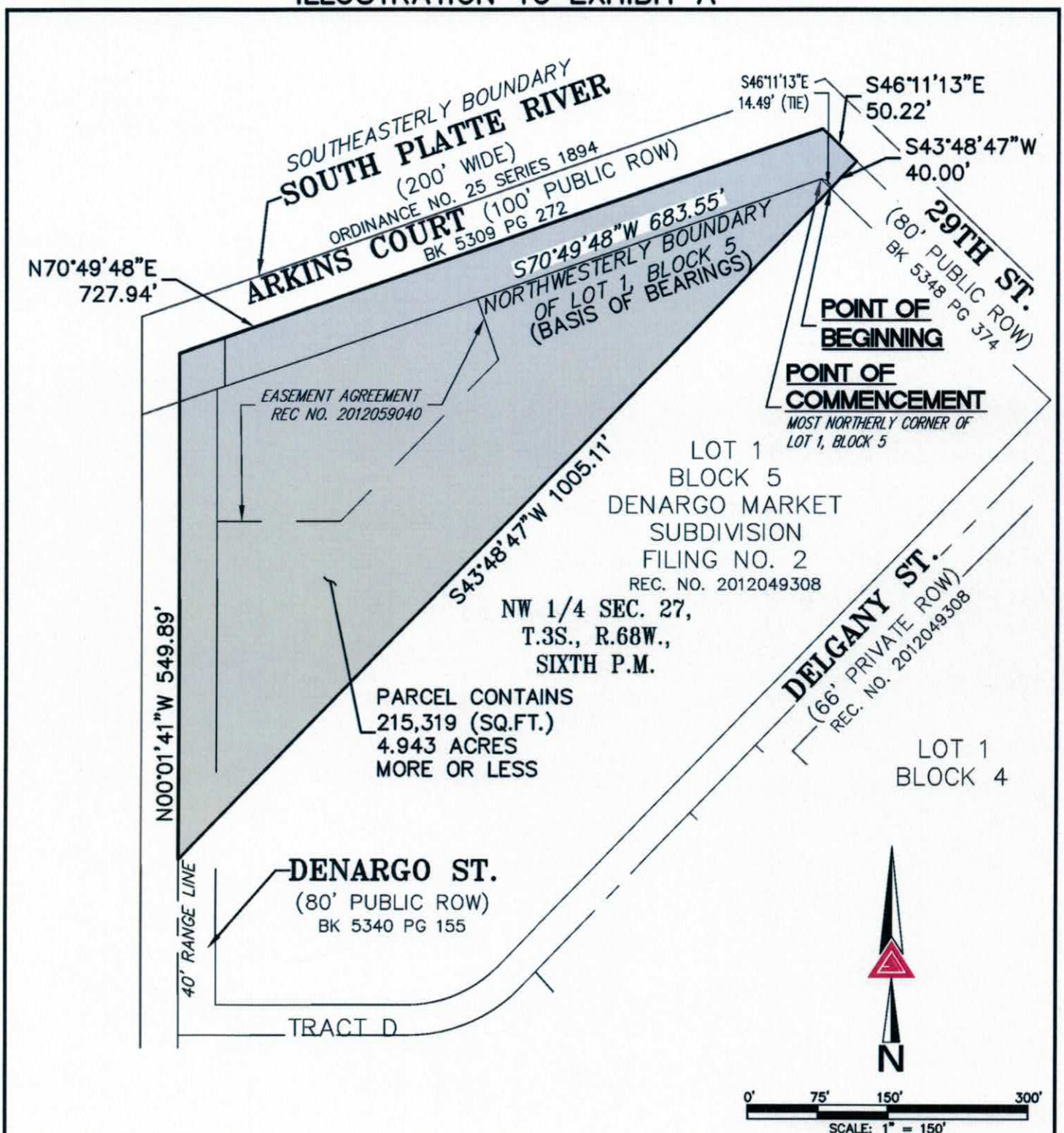
COLORADO LICENSED
DALE C. RUSH
8/31/20
33204
PROFESSIONAL LAND SURVEYOR

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898



2018I-00139 October 9, 2020 fee pd $1000 cc

# ILLUSTRATION TO EXHIBIT A




NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

| | | |
|---|---|---|
| PATH: | Q:\155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning\Dwg\EXHIBITS | **DISTRICT 1** |
| DWG NAME: | AZTEC CONSULTANTS, INC. 300 East Mineral Ave, Suite 1 Littleton, Colorado 80122 Phone: (303)713-1898 Fax: (303)713-1897 www.aztecconsultants.com | LOT 1, BLOCK 5 DENARGO MARKET SUBDIVISION FILING NO. 2 |
| DWG: RDR CHK: DCR | | CITY AND COUNTY OF DENVER, COLORADO |
| DATE: 08-25-2020 | | |
| SCALE: 1" = 150' | 2020-07-23 - Denargo Market Amended legals EXHIBIT 155720-02 | JOB NUMBER 155720-02 2 OF 2 SHEETS |

# EXHIBIT "A"
# LEGAL DESCRIPTION
# DISTRICT 2

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, AND TRACT D, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY AND SOUTHEASTERLY BOUNDARIES OF SAID LOT 1, BLOCK 5 THE FOLLOWING TWO (2) COURSES:

1. SOUTH 46°11'13" EAST, A DISTANCE OF 341.51 FEET;
2. SOUTH 43°48'47" WEST, A DISTANCE OF 836.68 FEET TO THE **POINT OF BEGINNING;**

THENCE DEPARTING SAID NORTHEASTERLY BOUNDARY, SOUTH 46°11'13" EAST, A DISTANCE OF 33.00 FEET TO THE CENTERLINE OF TRACT D, (DELGANY STREET), A 66-FOOT-WIDE PRIVATE RIGHT-OF-WAY RECORDED AT RECEPTION NO. 2012049308 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:

1. SOUTH 43°48'47" WEST, A DISTANCE OF 13.68 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 169.00 FEET;
2. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°09'32", AN ARC LENGTH OF 136.15 FEET ;
3. SOUTH 89°58'19" WEST, A DISTANCE OF 244.97 FEET TO THE CENTERLINE OF DENARGO STREET, AN 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5340, PAGE 155 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, NORTH 00°01'41" WEST, A DISTANCE OF 189.69 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 43°48'47" EAST, A DISTANCE OF 168.43 FEET;

THENCE SOUTH 46°11'13" EAST, A DISTANCE OF 327.02 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 1.725 ACRES, (75,144 SQUARE FEET), MORE OR LESS.

**EXHIBIT ATTACHED AND MADE A PART HEREOF.**

COLORADO LICENSED
DALE C. RUSH
8/31/20
33204
PROFESSIONAL LAND SURVEYOR

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
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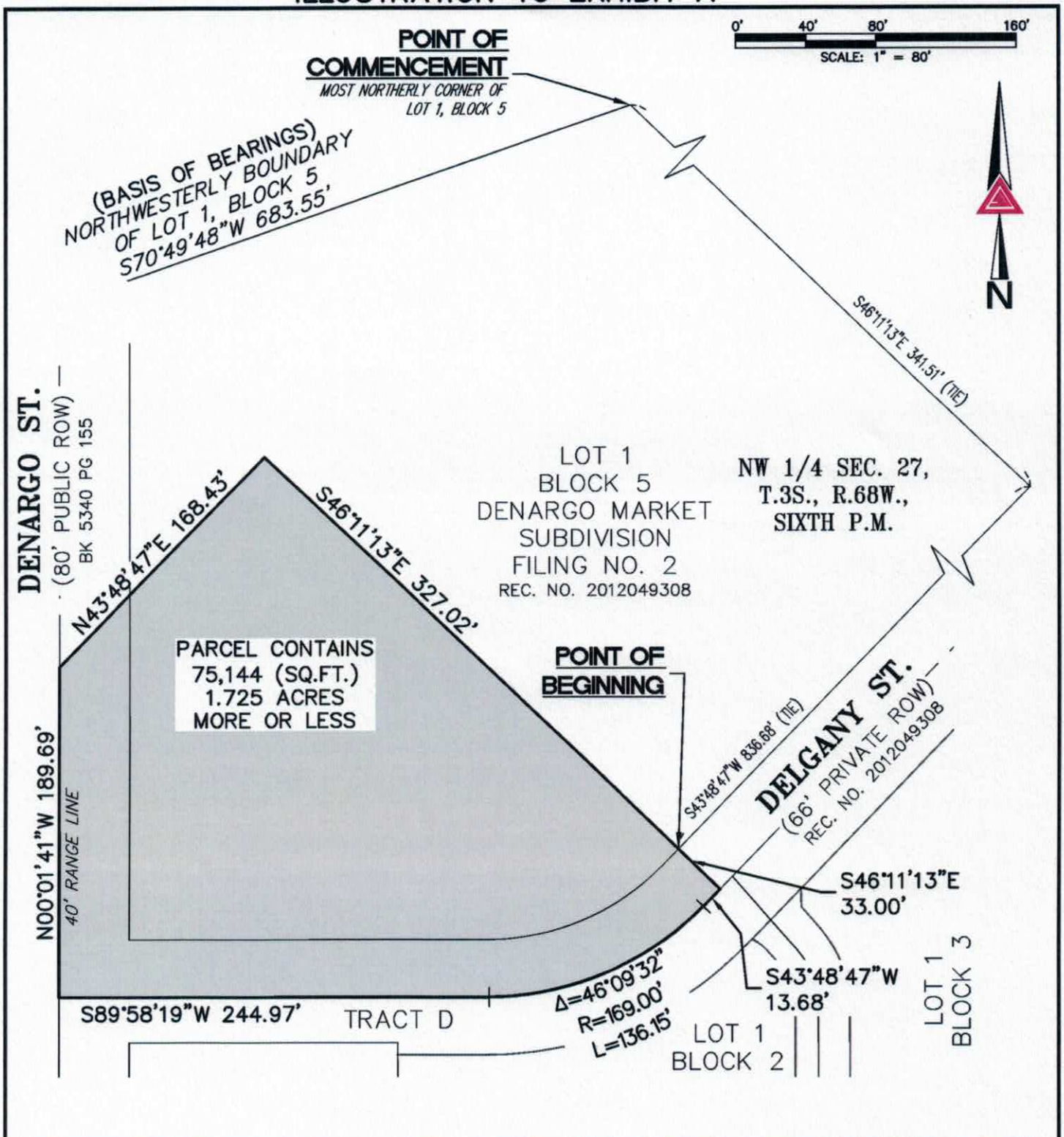
2018I-00139
October 9, 2020 fee pd $1000 cc

# ILLUSTRATION TO EXHIBIT A

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| | | |
|---|---|---|
| PATH: | Q:\155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning\Dwg\EXHIBITS | **DISTRICT 2** |
| DWG NAME: | AZTEC CONSULTANTS, INC. 300 East Mineral Ave, Suite 1 Littleton, Colorado 80122 Phone: (303)713-1898 Fax: (303)713-1897 www.aztecconsultants.com | LOT 1, BLOCK 5 DENARGO MARKET SUBDIVISION FILING NO. 2 |
| DWG: RDR CHK: DCR | | CITY AND COUNTY OF DENVER, COLORADO |
| DATE: 08-25-2020 | 2020-07-23 - Denargo Market Amended legals EXHIBIT 155720-02 | JOB NUMBER 155720-02 2 OF 2 SHEETS |
| SCALE: 1" = 80' | | |

# EXHIBIT "A"
# LEGAL DESCRIPTION
# DISTRICT 3

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, AND TRACT D, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY AND SOUTHEASTERLY BOUNDARIES OF SAID LOT 1, BLOCK 5 THE FOLLOWING TWO (2) COURSES:

1. SOUTH 46°11'13" EAST, A DISTANCE OF 341.51 FEET;
2. SOUTH 43°48'47" WEST, A DISTANCE OF 227.68 FEET TO THE **POINT OF BEGINNING;**

THENCE DEPARTING SAID SOUTHEASTERLY BOUNDARY, SOUTH 46°11'13" EAST, A DISTANCE OF 33.00 FEET TO THE CENTERLINE OF TRACT D, (DELGANY STREET), A 66-FOOT-WIDE PRIVATE RIGHT-OF-WAY RECORDED AT RECEPTION NO. 2012049308 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, SOUTH 43°48'47" WEST, A DISTANCE OF 609.00 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 46°11'13" WEST, A DISTANCE OF 360.02 FEET;

THENCE NORTH 43°48'47" EAST, A DISTANCE OF 609.00 FEET;

THENCE SOUTH 46°11'13" EAST, A DISTANCE OF 327.02 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 5.033 ACRES, (219,253 SQUARE FEET), MORE OR LESS.

**EXHIBIT ATTACHED AND MADE A PART HEREOF.**

COLORADO LICENSED
DALE C. RUSH
8/31/20
33204
PROFESSIONAL LAND SURVEYOR

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
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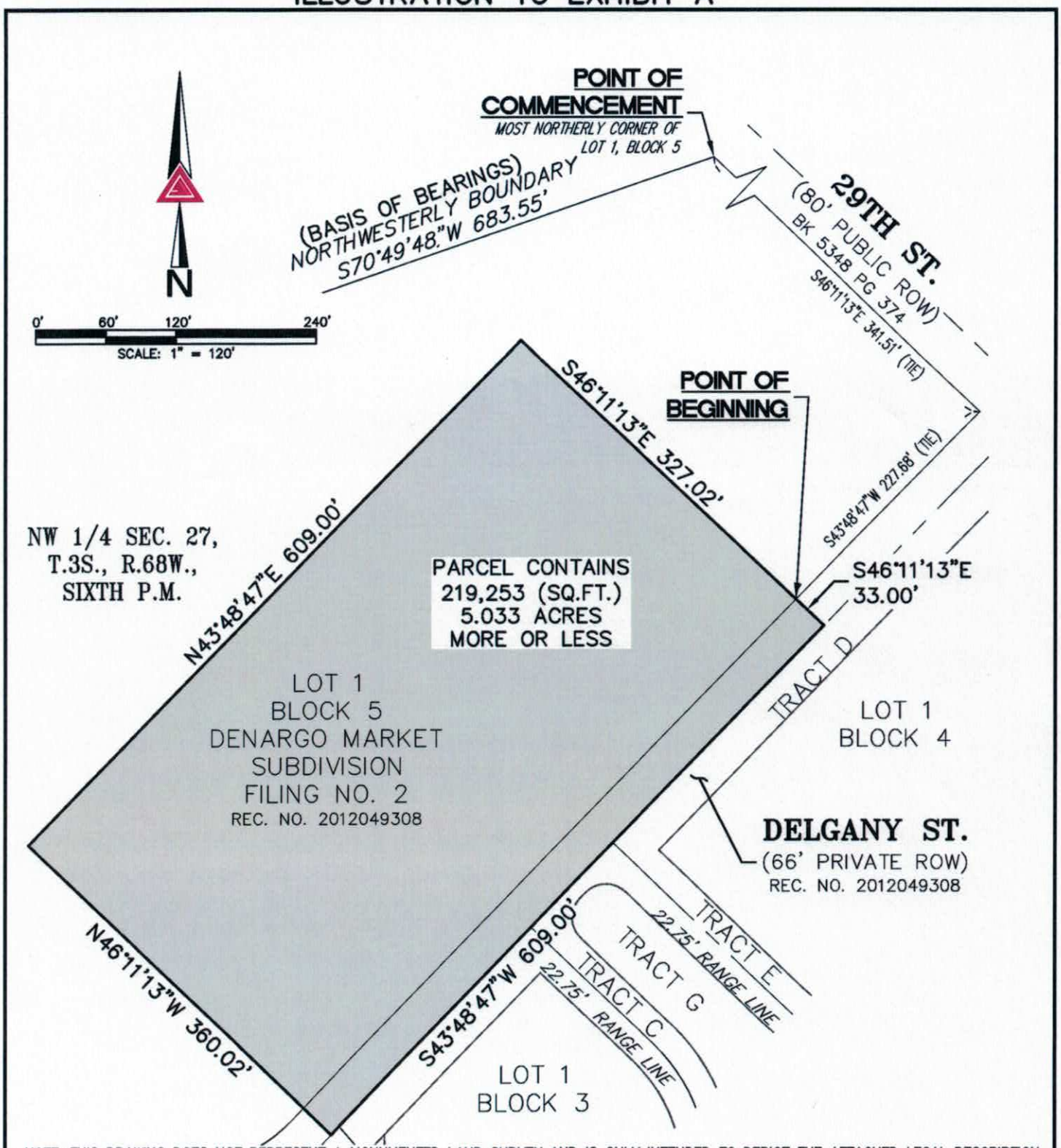


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PATH:
DWG NAME:
DWG: RDR CHK: DCR
DATE: 08-25-2020
SCALE: 1" = 120'

Q:\155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning\Dwg\EXHIBITS

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300 East Mineral Ave, Suite 1
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www.aztecconsultants.com

2020-07-23 - Denargo Market Amended legals EXHIBIT 155720-02

**DISTRICT 3**

LOT 1, BLOCK 5N AND TRACT D DENARGO MARKET SUBDIVISION FILING NO. 2
CITY AND COUNTY OF DENVER, COLORADO

JOB NUMBER 155720-02 2 OF 2 SHEETS

# EXHIBIT "A"
# LEGAL DESCRIPTION
# DISTRICT 4

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, AND TRACT D, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTH HALF OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, BLOCK 5, SOUTH 46°11'13" EAST, A DISTANCE OF 14.50 FEET TO THE **POINT OF BEGINNING;**

THENCE DEPARTING SAID NORTHEASTERLY BOUNDARY, NORTH 43°48'47" EAST, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF 29TH STREET, AN 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY RECORDED AT BOOK 5348, PAGE 374 IN SAID RECORDS;

THENCE ALONG SAID CENTERLINE, SOUTH 46°11'13" EAST, A DISTANCE OF 360.02 FEET TO THE NORTHEASTERLY EXTENSION OF THE CENTERLINE OF TRACT D, (DELGANY STREET), A 66-FOOT-WIDE PRIVATE RIGHT-OF-WAY RECORDED AT RECEPTION NO. 2012049308 IN SAID RECORDS;

THENCE ALONG SAID NORTHEASTERLY EXTENSION AND ALONG SAID CENTERLINE, SOUTH 43°48'47" WEST, A DISTANCE OF 267.68 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 46°11'13" WEST, A DISTANCE OF 360.02 FEET;

THENCE NORTH 43°48'47" EAST, A DISTANCE OF 227.68 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 2.212 ACRES, (96,372 SQUARE FEET), MORE OR LESS.

**EXHIBIT ATTACHED AND MADE A PART HEREOF.**

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
DALE C. RUSE
8/31/20
33204

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
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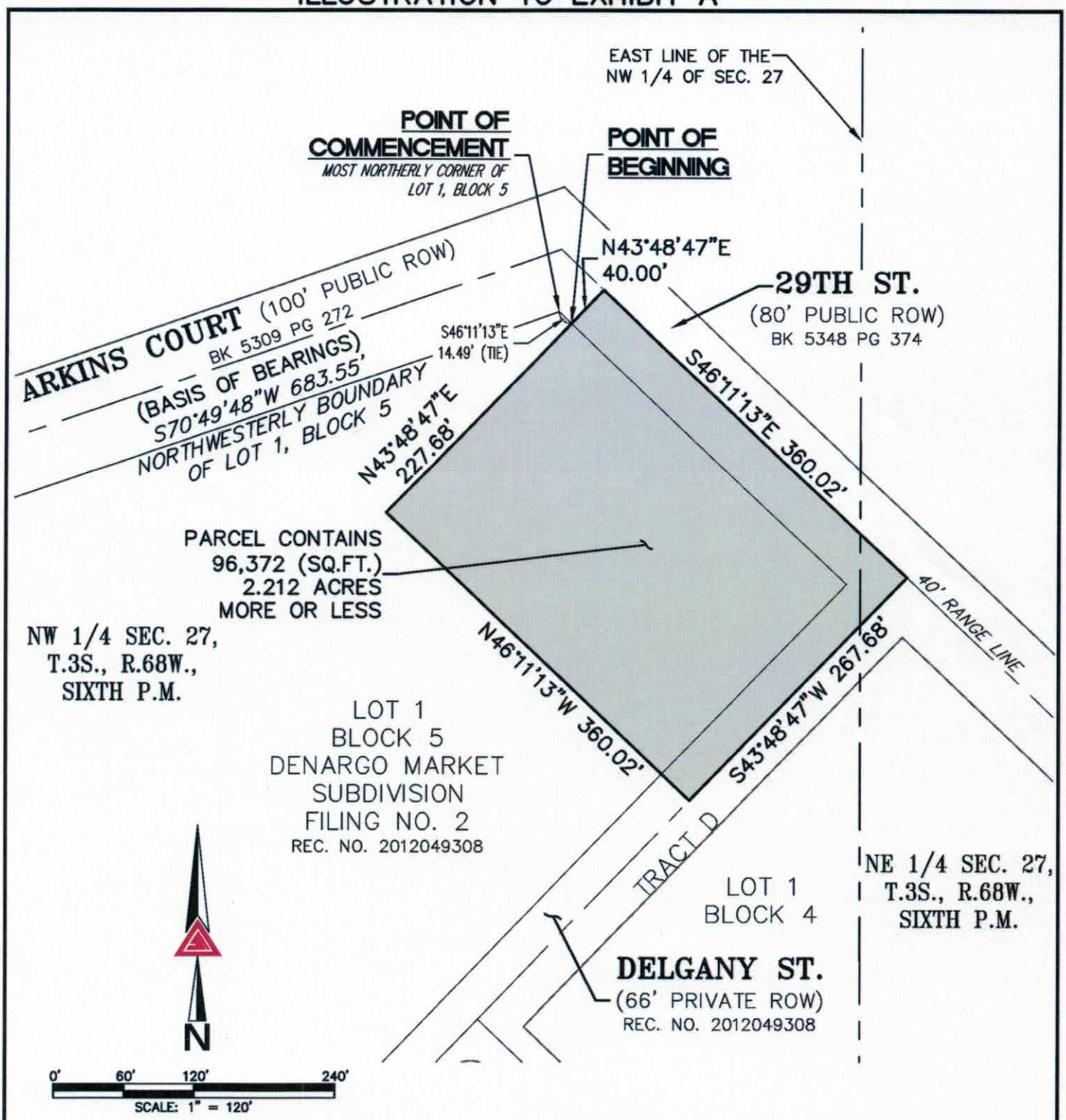
# ILLUSTRATION TO EXHIBIT A

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PATH:
DWG NAME:
DWG: RDR CHK: DCR
DATE: 08-25-2020
SCALE: 1" = 120'

Q:\155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning\Dwg\EXHIBITS

AZTEC CONSULTANTS, INC.
300 East Mineral Ave, Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com

2020-07-23 - Denargo Market Amended legals EXHIBIT 155720-02

**DISTRICT 4**

LOT 1, BLOCK 5N AND TRACT D DENARGO MARKET SUBDIVISION FILING NO. 2
CITY AND COUNTY OF DENVER, COLORADO

JOB NUMBER 155720-02 2 OF 2 SHEETS

# EXHIBIT "A"
# LEGAL DESCRIPTION
# HEIGHT TRANSITION ZONE

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST NORTHERLY CORNER OF SAID LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, WHENCE THE NORTHWESTERLY BOUNDARY OF SAID LOT 1, BEARS SOUTH 70°49'48" WEST, A DISTANCE OF 683.55 FEET, WITH ALL BEARINGS HEREON REFERENCED TO THIS LINE;

THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, BLOCK 5, SOUTH 46°11'13" EAST, A DISTANCE OF 112.25 FEET;

THENCE DEPARTING SAID NORTHEASTERLY BOUNDARY, SOUTH 70°49'48" WEST, A DISTANCE OF 769.25 FEET TO THE WESTERLY BOUNDARY OF SAID LOT 1, BLOCK 5;

THENCE ALONG SAID WESTERLY AND NORTHWESTERLY BOUNDARIES THE FOLLOWING TWO (2) COURSES:

1. NORTH 00°01'41" WEST, A DISTANCE OF 105.85 FEET;
2. NORTH 70°49'48" EAST, A DISTANCE OF 683.55 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 1.668 ACRES, (72,640 SQUARE FEET), MORE OR LESS.

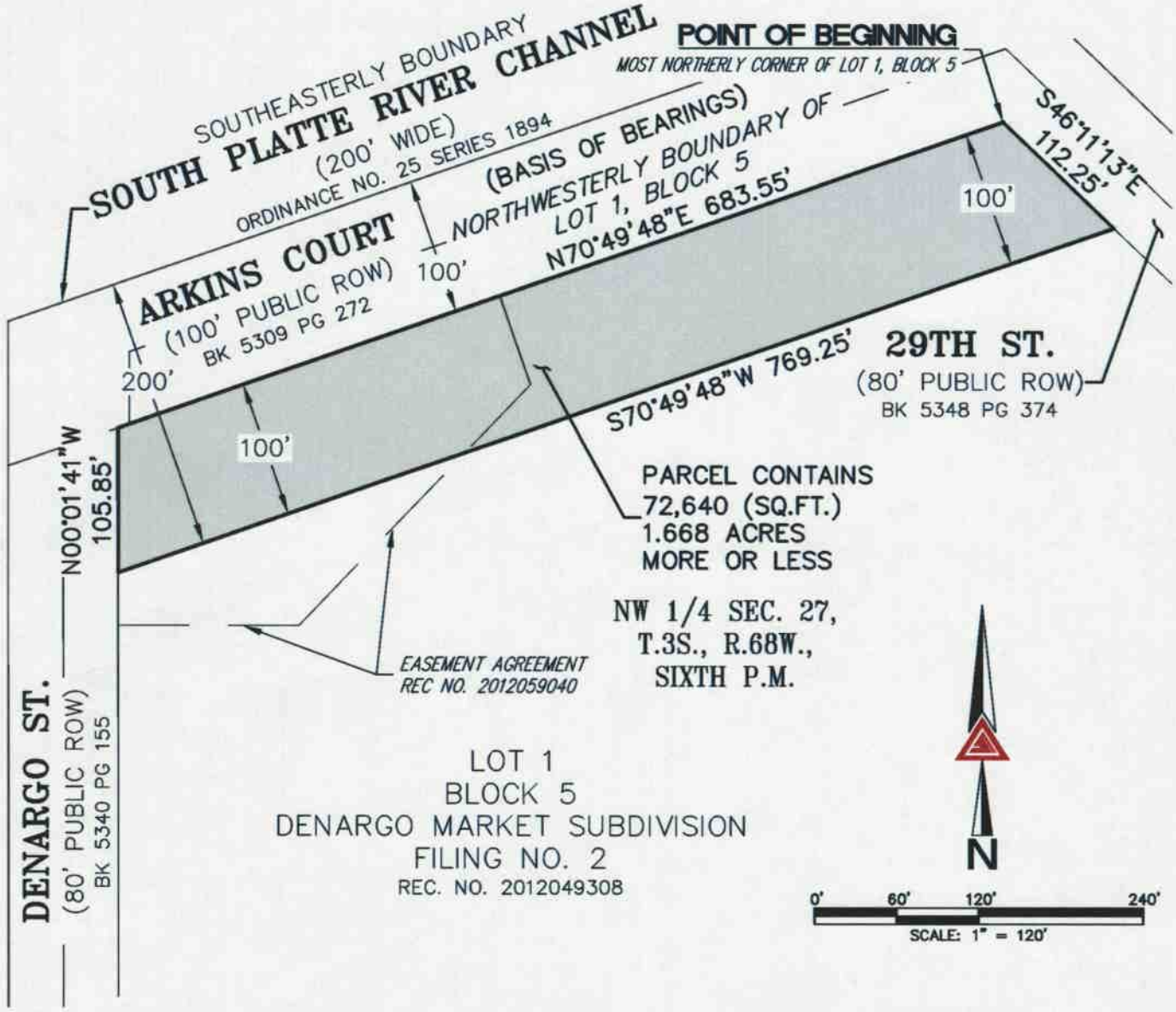
**EXHIBIT ATTACHED AND MADE A PART HEREOF.**

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898



2018I-00139 October 9, 2020 fee pd $1000 cc

# ILLUSTRATION TO EXHIBIT A




NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

| | | |
|---|---|---|
| PATH: | Q:\155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning\Dwg\EXHIBITS | **HEIGHT TRANS ZONE** |
| DWG NAME: | AZTEC CONSULTANTS, INC. 300 East Mineral Ave, Suite 1 Littleton, Colorado 80122 Phone: (303)713-1898 Fax: (303)713-1897 www.aztecconsultants.com | LOT 1, BLOCK 5 DENARGO MARKET SUBDIVISION FILING NO. 2 |
| DWG: RDR CHK: DCR | | CITY AND COUNTY OF DENVER, COLORADO |
| DATE: 08-14-2020 | 2020-07-23 - Denargo Market Amended legals EXHIBIT 155720-02 | JOB NUMBER 155720-02 2 OF 2 SHEETS |
| SCALE: 1" = 120' | | |

# EXHIBIT "A"
# LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE CENTER QUARTER CORNER OF SAID SECTION 27, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH 89°59'53" WEST, A DISTANCE OF 2,646.01 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE TO THIS LINE;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, SOUTH 89°59'53" WEST, A DISTANCE OF 903.75 FEET TO THE EAST RIGHT-OF-WAY LINE OF DENARGO STREET;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00°01'41" WEST, A DISTANCE OF 207.08 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, DENARGO MARKET SUBDIVISION FILING NO. 2, PER THE PLAT RECORDED AT RECEPTION NO. 2012049308 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, BEING THE **POINT OF BEGINNING;**

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00°01'41" WEST, A DISTANCE OF 200.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF DELGANY STREET AS DEDICATED BY SAID PLAT;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, NORTH 89°58'19" EAST, A DISTANCE OF 152.90 FEET;

THENCE ALONG A SOUTHERLY JOG IN THE SOUTH RIGHT-OF-WAY LINE OF SAID DELGANY STREET AND ALONG THAT CERTAIN WEST BOUNDARY OF SAID LOT 1, BLOCK 2 BEING COMMON WITH THE EAST BOUNDARY OF THE HEREIN DESCRIBED PARCEL, SOUTH 00°01'41" EAST, A DISTANCE OF 156.00 FEET;

THENCE DEPARTING SAID CERTAIN WEST BOUNDARY, SOUTH 04°00'45" WEST, A DISTANCE OF 44.11 FEET TO THAT CERTAIN NORTH BOUNDARY OF SAID LOT 1, BLOCK 2 BEING COMMON WITH THE SOUTH BOUNDARY OF THE HEREIN DESCRIBED PARCEL;

THENCE ALONG SAID CERTAIN NORTH BOUNDARY, SOUTH 89°58'19" WEST, A DISTANCE OF 149.79 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 0.700 ACRES (30,512 SQUARE FEET) MORE OR LESS.

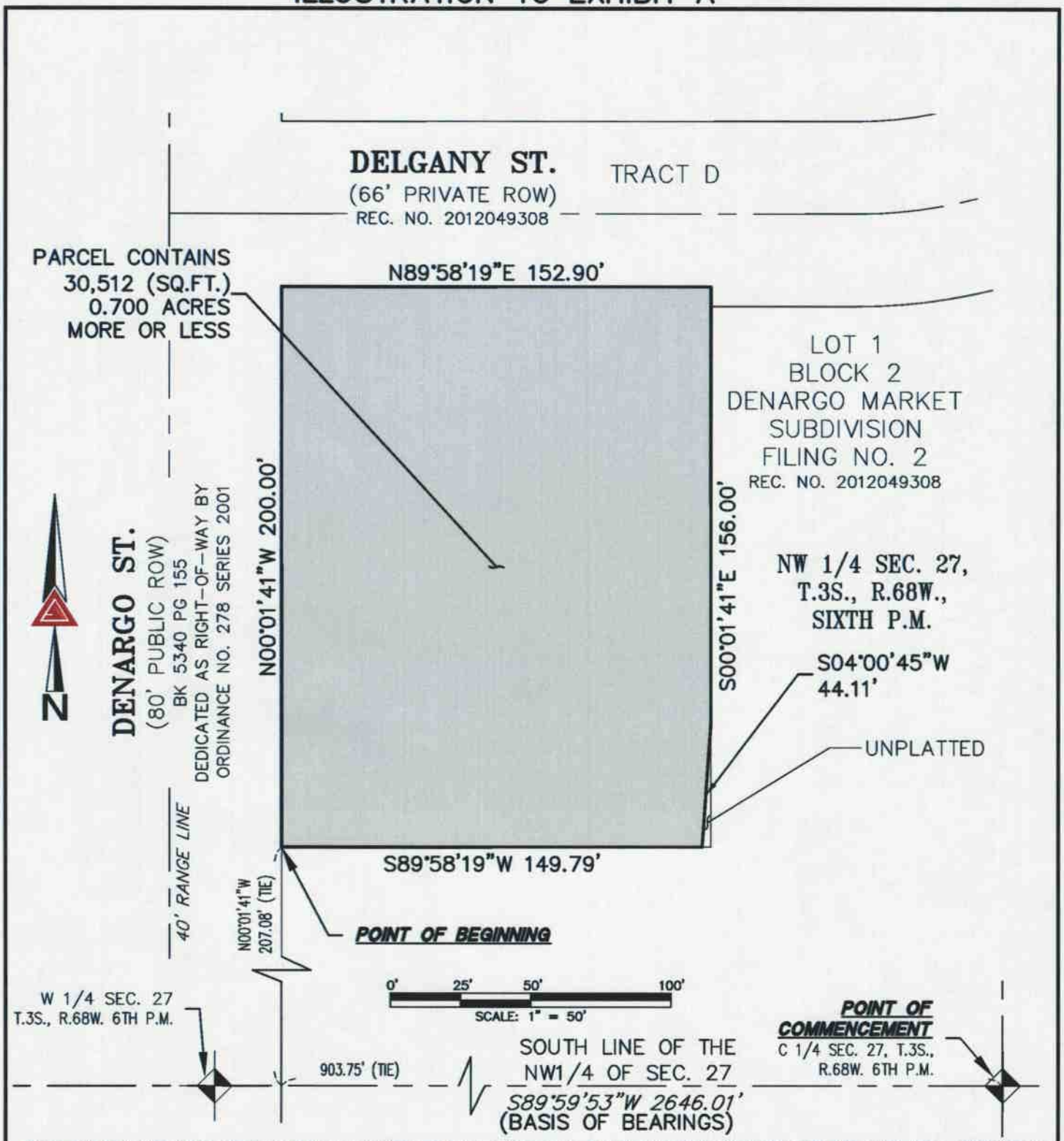
**EXHIBIT ATTACHED AND MADE A PART HEREOF.**

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898



2018I-00139 October 9, 2020 fee pd $1000 cc

# ILLUSTRATION TO EXHIBIT A




NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

| | | |
|---|---|---|
| PATH: | Q:\155720-02 - Denargo GDP 5th Am - Survey Sheet & Zoning\Dwg\EXHIBITS | **EXHIBIT A** |
| DWG NAME: | AZTEC CONSULTANTS, INC. 300 East Mineral Ave, Suite 1 Littleton, Colorado 80122 Phone: (303)713-1898 Fax: (303)713-1897 www.aztecconsultants.com | NW 1/4, SEC. 27, T.3S., R.68W., 6TH P.M. |
| DWG: RDR CHK: DCR | | CITY AND COUNTY OF DENVER, COLORADO |
| DATE: 08-19-2020 | 2020-08-17 - Denargo Market Amended legals 3280 DENARGO STREET 155720-02 | JOB NUMBER 155720-02 2 OF 2 SHEETS |
| SCALE: 1" = 50' | | |

# EXHIBIT "A"
# LEGAL DESCRIPTION

A PARCEL OF LAND BEING ALL OF LOT 1, BLOCK 6, DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 2012049308 IN THE OFFICIAL RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE WEST HALF OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO CONTAINING AN AREA OF 0.537 ACRES (23,373 SQUARE FEET) MORE OR LESS.

**EXHIBIT ATTACHED AND MADE A PART HEREOF.**

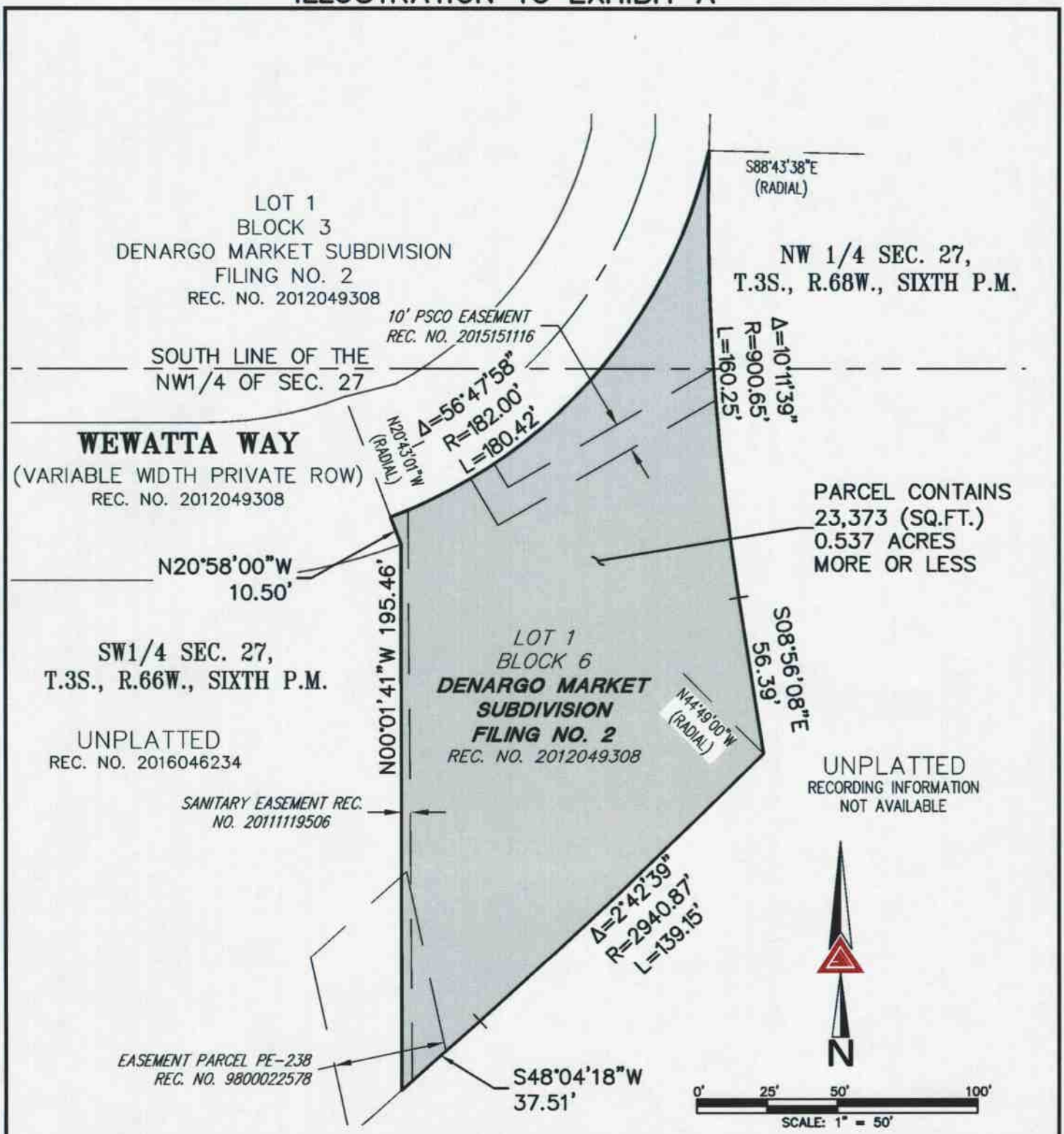
COLORADO LICENSED
DALE C. RUSE
8/20/20
33204
PROFESSIONAL LAND SURVEYOR

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898



2018I-00139 October 9, 2020 fee pd $1000 cc

# ILLUSTRATION TO EXHIBIT A




NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

| | | |
|---|---|---|
| PATH: | Q:\155720-02 – Denargo GDP 5th Am – Survey Sheet & Zoning\Dwg\EXHIBITS | **LOT 1, BLOCK 6** |
| DWG NAME: | AZTEC CONSULTANTS, INC. 300 East Mineral Ave, Suite 1 Littleton, Colorado 80122 Phone: (303)713-1898 Fax: (303)713-1897 www.aztecconsultants.com | LOT 1, BLOCK 5 DENARGO MARKET SUBDIVISION FILING NO. 2 |
| DWG: RDR CHK: DCR | | CITY AND COUNTY OF DENVER, COLORADO |
| DATE: 08-14-2020 | 2020-08-17 – Denargo Market Amended legals LOT 1 BLOCK 6 155720-02 | JOB NUMBER 155720-02 2 OF 2 SHEETS |
| SCALE: 1" = 50' | | |

# EXHIBIT A
## LEGAL DESCRIPTION
## DISTRICT NO. 1

A PARCEL OF LAND BEING A PORTION OF TRACT F, DENARGO MARKET SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED UNDER RECEPTION NO. 2009018921 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO, CLERK AND RECORDER'S OFFICE ON FEBRUARY 17, 2009, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST WESTERLY CORNER OF SAID TRACT F, WHENCE THE NORTHERLY BOUNDARY OF SAID TRACT F BEARS NORTH 89°58'19" EAST, A DISTANCE OF 150.21 FEET, WITH ALL BEARINGS HEREON RELATIVE THERETO;

THENCE ALONG SAID NORTHERLY BOUNDARY OF TRACT F, NORTH 89°58'19" EAST, A DISTANCE OF 13.43 FEET;

THENCE DEPARTING SAID NORTHERLY BOUNDARY, SOUTH 00°01'41" EAST, A DISTANCE OF 15.05 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID TRACT F;

THENCE ALONG SAID SOUTHWESTERLY BOUNDARY, NORTH 41°46'12" WEST, A DISTANCE OF 20.16 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 0.002 ACRES, (101 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

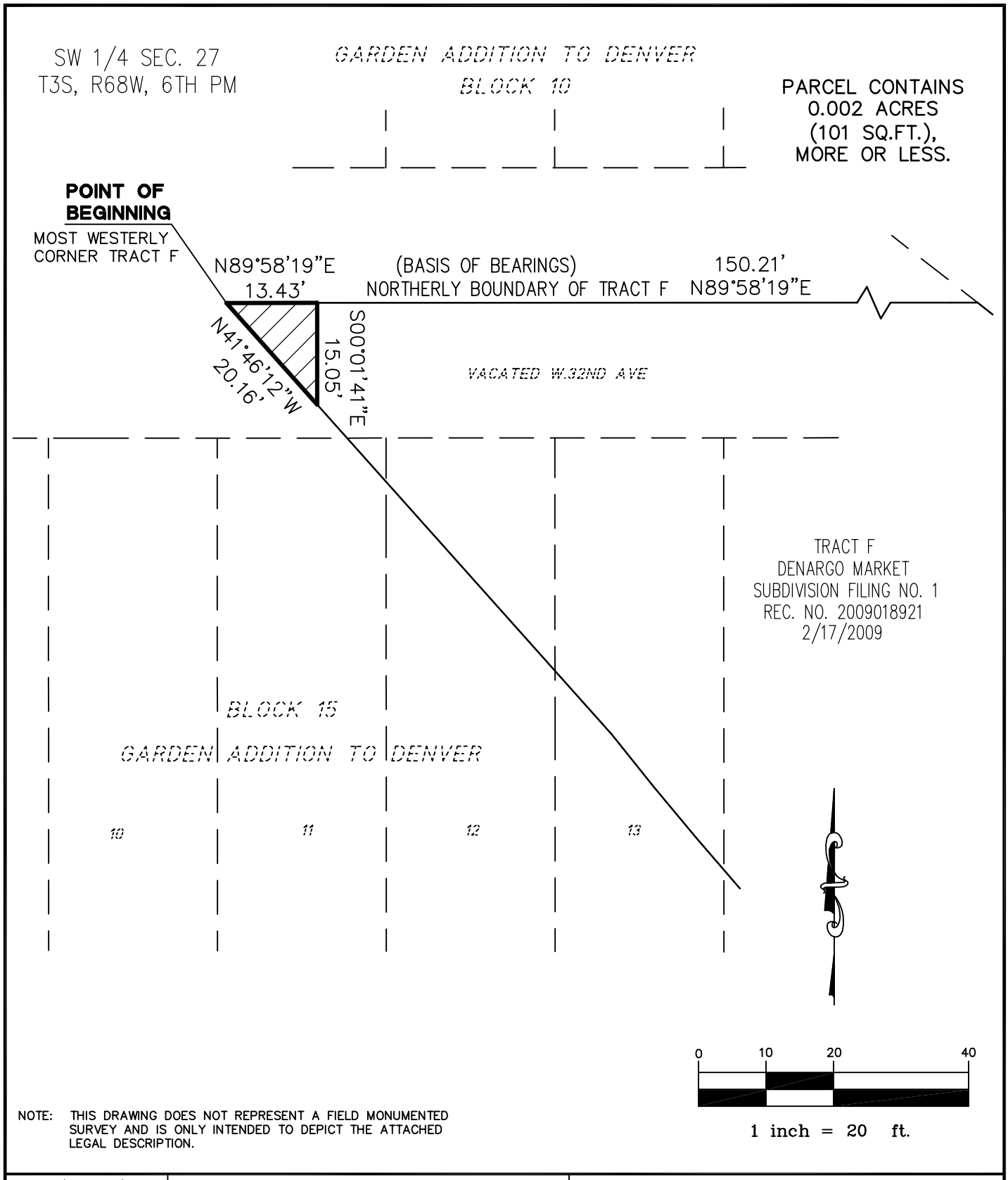
COLORADO LICENSED
DALE C. RUSH
11/06/09
33204
PROFESSIONAL LAND SURVEYOR

DALE C. RUSH
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.



2018I-00139 October 9, 2020 fee pd $1000 cc

# EXHIBIT B




NOTE: THIS DRAWING DOES NOT REPRESENT A FIELD MONUMENTED SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: P:\52109-01\DWG
DWG NAME: LEGAL - MD-1.DWG
DWG: JJP CHK: DCR
DATE: 11/06/2009
SCALE: 1" = 20'

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

**MAP OF DISTRICT 1 BOUNDARIES**

PART OF THE SW 1/4 SEC 27, T3S, R68W, 6TH PM

CITY & COUNTY OF DENVER, COLORADO

JOB NUMBER 52109-01

2 OF 2 SHEETS



October 9, 2020 fee pd $1000 cc

# EXHIBIT C
## LEGAL DESCRIPTION
## DISTRICT NO. 2 BOUNDARIES

A PARCEL OF LAND BEING A PORTION OF TRACT F, DENARGO MARKET SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED UNDER RECEPTION NO. 2009018921 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO, CLERK AND RECORDER'S OFFICE ON FEBRUARY 17, 2009, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST WESTERLY CORNER OF SAID TRACT F, WHENCE THE NORTHERLY BOUNDARY OF SAID TRACT F BEARS NORTH 89°58'19" EAST, A DISTANCE OF 150.21 FEET, WITH ALL BEARINGS HEREON RELATIVE THERETO;

THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°58'19" EAST, A DISTANCE OF 13.43 FEET TO THE **POINT OF BEGINNING;**

THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 89°58'19" EAST, A DISTANCE OF 132.74 FEET;

THENCE DEPARTING SAID NORTHERLY BOUNDARY, SOUTH 00°01'41" EAST, A DISTANCE OF 153.92 FEET TO THE SOUTHWESTERLY BOUNDARY OF SAID TRACT F AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 564.03 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 38°48'07" EAST;

THENCE ALONG SAID SOUTHWESTERLY BOUNDARY AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°53'50" AN ARC LENGTH OF 126.96 FEET;

THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY AND NON-TANGENT TO SAID CURVE, NORTH 41°46'12" WEST, A DISTANCE OF 65.47 FEET;

THENCE DEPARTING SAID SOUTHWESTERLY BOUNDARY, NORTH 00°01'41" WEST, A DISTANCE OF 15.05 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 0.269 ACRES, (11,731 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

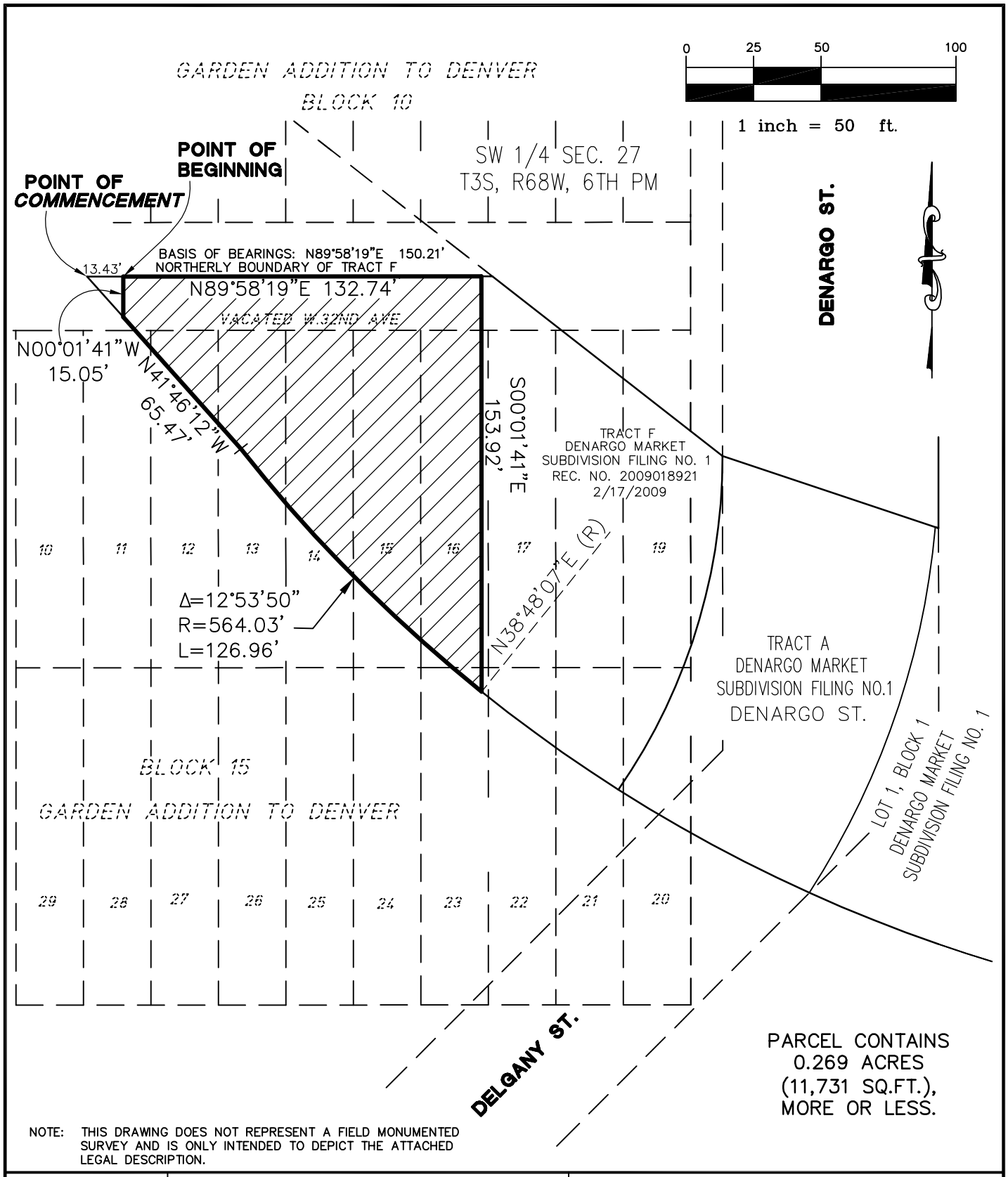
COLORADO LICENSED
DALE C. RUSH
11/06/09
33204
PROFESSIONAL LAND SURVEYOR

DALE C. RUSH
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.



2018I-00139 October 9, 2020 fee pd $1000 cc

# EXHIBIT D




NOTE: THIS DRAWING DOES NOT REPRESENT A FIELD MONUMENTED SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH: P:\52109-01\DWG
DWG NAME: LEGAL - MD-2.DWG
DWG: JJP CHK: DCR
DATE: 11/06/2009
SCALE: 1" = 50'

AZTEC CONSULTANTS, INC.
300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

**MAP OF DISTRICT 2 BOUNDARIES**
PART OF THE SW 1/4 SEC 27, T3S, R68W, 6TH PM
CITY & COUNTY OF DENVER, COLORADO
JOB NUMBER 52109-01 2 OF 2 SHEETS

# EXHIBIT E
## LEGAL DESCRIPTION
## DISTRICT NO. 3 BOUNDARIES

A PARCEL OF LAND BEING A PORTION OF TRACT F, DENARGO MARKET SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED UNDER RECEPTION NO. 2009018921 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, COLORADO, CLERK AND RECORDER'S OFFICE ON FEBRUARY 17, 2009, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST EASTERLY CORNER OF SAID TRACT F, WHENCE THE NORTHEASTERLY BOUNDARY OF SAID TRACT F BEARS NORTH 51°59'48" WEST, A DISTANCE OF 108.21 FEET, WITH ALL BEARINGS HEREON RELATIVE THERETO; SAID MOST EASTERLY CORNER ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 217.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 89°58'19" WEST;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID TRACT F AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°43'06" AN ARC LENGTH OF 131.49 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT F AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 564.03 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 32°27'58" EAST;

THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID TRACT F, AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°20'09" AN ARC LENGTH OF 62.37 FEET;

THENCE DEPARTING SAID SOUTHWESTERLY BOUNDARY, NORTH 00°01'41" WEST, A DISTANCE OF 153.92 FEET TO THE NORTH BOUNDARY OF SAID TRACT F;

THENCE ALONG SAID NORTH BOUNDARY, NORTH 89°58'19" EAST, A DISTANCE OF 4.04 FEET;

THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID TRACT F, SOUTH 51°59'48" EAST, A DISTANCE OF 108.21 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 0.269 ACRES, (11,731 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

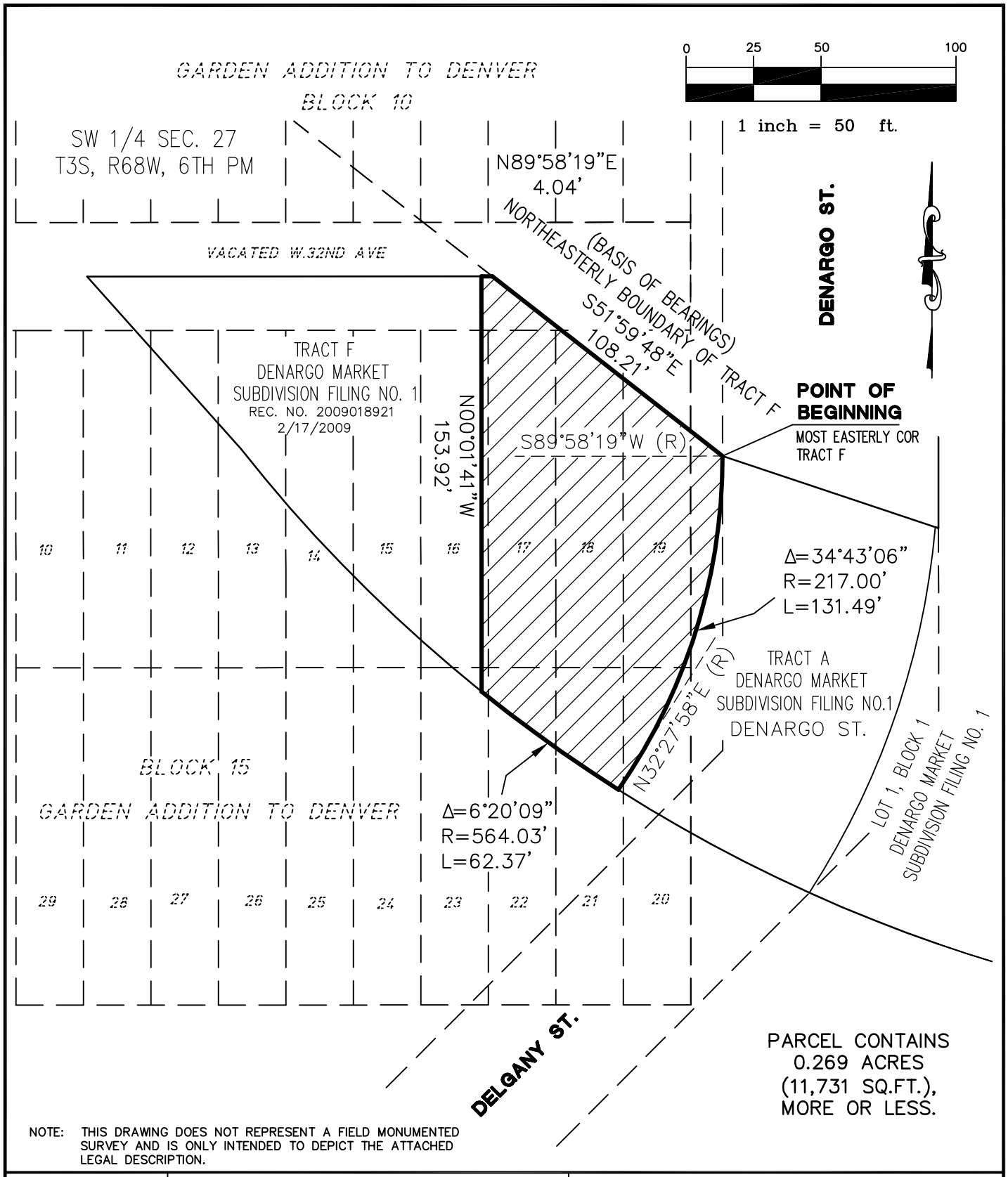
COLORADO LICENSED
DALE C. RUSH
11/06/09
33204
PROFESSIONAL LAND SURVEYOR

DALE C. RUSH
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.



2018I-00139 October 9, 2020 fee pd $1000 cc

# EXHIBIT F

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| | | |
|---|---|---|
| PATH: P:\52109-01\DWG | AZTEC CONSULTANTS, INC. | **MAP OF DISTRICT 3 BOUNDARIES** |
| DWG NAME: LEGAL - MD-1.DWG | 300 East Mineral Ave., Suite 1<br>Littleton, Colorado 80122<br>Phone: (303) 713-1898<br>Fax: (303) 713-1897<br>www.aztecconsultants.com | PART OF THE SW 1/4 SEC 27, T3S, R68W, 6TH PM |
| DWG: JJP CHK: DCR | | CITY & COUNTY OF DENVER, COLORADO |
| DATE: 11/06/2009 | | JOB NUMBER 52109-01 |
| SCALE: 1" = 50' | | 2 OF 2 SHEETS |

# DENARGO MARKET

## Project Narrative

November 19, 2020

This Denargo Market Revised Project Plan (the "Project Plan") comprises a proposed rezoning and an Amended and Restated Denargo Market General Development Plan (GDP) to allow for, among other things, greater density on the undeveloped parcels and significant public space improvements. The proposed Amended and Restated GDP requests alignment changes to the existing street network, location changes to the planned open spaces, and additions to the bicycle network. Current City & County of Denver adopted plans, including **Comprehensive Plan 2040**, **Blueprint Denver**, and the **River North Plan**, all support this proposal to add density and connectivity to this site as a designated urban center. Further detail on alignment with those and other plans is detailed below. This site's proximity to downtown Denver positions it well for high density development that can serve a transition to the existing and planned new development along the Brighton Boulevard corridor.

### Adopted Plan Alignment

The Project Plan aligns with the following adopted City & County of Denver plans and agreements:

| Plan Title | Adoption | Key Areas of Alignment |
|---|---|---|
| River North Plan | 2003 | The **River North Plan** calls out Denargo Market for "significant mixed-use development with destination commercial uses, anchored by housing, and benefitting from its relationship to the river corridor and downtown," (p. 75). |
| Urban Design Standards & Guidelines for Denargo Market | 2008 | The proposed Denargo Project Area goals align with the existing Denargo **Urban Design Standards & Guidelines** to create "an urban center destination that maximizes citywide assets, integrates with the existing and emerging neighborhoods and captures the benefits of its strategic location, visibility and recreational accessibility," (p. 2). |
| 38th & Blake Station Area Plan | 2009 | The **38th and Blake Station Area Plan** makes limited references to pending development at Denargo Market, but does not provide guidance on this specific area other than to note it is classified as an "Area of Change" (per the former Blueprint Denver designation) and that adjacent development should relate to plans at Denargo Market. |
| Form-Based Denver Zoning Code | 2010 | The proposed zoning aligns with the City's goals to update parcels zoned under the former Chapter 59 Zoning Code to current **Form-Based Denver Zoning Code** designations. Please reference the "Land Use and Zoning" section below for more information. |

| | | |
|---|---|---|
| Denver Moves: Bikes | 2011 | The proposed Project Plan supports the **Denver Moves: Bikes** plan by enhancing and increasing bicycle facilities in the Project area and providing key connections to the City's existing bicycle facility infrastructure. The Project will help the City achieve the goal outlined in **Denver Moves: Bikes** to create a bicycle network where people will "be no more than a half mile from a designated bicycle route." Please reference the "Bicycle Network" section below for more information about the Project's specific planned bicycle improvements. |
| River North Design Overlay District (DO-7) | 2017 | The Project supports many key purpose statements from the **River North Design Overlay**, including the promotion of "creative, high-quality design," the activation of "the South Platte River frontage to promote the river as a neighborhood asset," the promotion of "vibrant pedestrian street frontages with active uses and street-fronting building entries," the promotion of "active transportation options such as walking and biking," (DZC 9.4.5.11.B, numbers 2, 4, 6, and 9). |
| Denargo Market General Development Plan, 4th Amendment | 2017 (*Original Adoption 2003)* | The proposed Project aligns with the statements of intent from the current **Denargo Market General Development Plan, 4th Amendment,** including the creation of "an urban environment with a mix of uses including residential and retail/commercial uses." The existing GDP is further supported by the proposed Project by "reducing the height of buildings adjacent to the river and putting greater densities closer to Brighton Boulevard." Lastly, the Project further supports the goals of the GDP to include "improvements that will enhance connectivity within and outside of the project." (All quotations from the GDP Statement of Intent, Sheet 2 of 14). |
| Housing an Inclusive Denver | 2018 | The Project's anticipated affordable housing provisions under the forthcoming Development Agreement (as part of the LDR process) will align with the **Housing an Inclusive Denver** goal to "promote development of new affordable, mixed-income and mixed-use housing stock," (p. 120). It further supports the goals of this plan by creating affordable housing in "areas of opportunity…that have strong amenities such as transit, jobs, high quality education and health care," (p. 7). |

| | | |
|---|---|---|
| Comprehensive Plan 2040 | 2019 | The Project as currently planned supports many key goals of **Comprehensive Plan 2040**, including those listed below. Specifics and details of how the Project meets these goals will be finalized during the GDP Amendment process, rezoning process, anticipated Development Agreement negotiations, and updates to the Urban Design Standards and Guidelines.<br><br>1.2 – Support housing as a continuum to serve residents across a range of incomes, ages and needs.<br>1.5 – Reduce the involuntary displacement of residents and businesses.<br>2.2 – Enhance Denver's neighborhoods through high-quality urban design.<br>2.5 – Create and preserve parks and public spaces that reflect the identity of Denver's neighborhoods.<br>2.7 – Leverage the arts and support creative placemaking to strengthen community.<br>3.1 Deliver a multimodal network that encourages more trips by walking, rolling, biking and transit.<br>3.3 – Maximize the public right-of-way to create great places.<br>3.6 – Build and maintain safe bicycle and pedestrian networks.<br>4.3 – sustain and grow Denver's local neighborhood businesses.<br>4.7 – Accelerate Denver's economic vitality through arts, culture and creativity.<br>4.8 – Expand participation in arts and culture and ensure that arts and culture are accessible to all.<br>5.4 – Integrate stormwater into the built environment by using green infrastructure to improve water quality and reduce runoff.<br>5.5 – Enhance and protect the South Platte River.<br>5.6 – Protect and expand the city's green infrastructure network.<br>6.1 – Create and enhance environments that support physical activity and healthy living.<br>Provide high-quality parks, recreation facilities and programs that serve all Denver residents. |
| Blueprint Denver | 2019 | The Project supports many goals of Blueprint Denver, only some of which are highlighted below:<br><br>The "Urban Center Places" section of **Blueprint Denver** recommends the Denargo Project Area as a High-Density Residential Area, that would create an urban |

| | | |
|---|---|---|
| | | center neighborhood where development is "the most intense…of the city outside of downtown," (p. 255). The plan continues to support a 'mix of uses throughout-including many large-scale multi-unit residential buildings….[and where] buildings are generally the tallest of the residential places in this context," (p. 261).<br><br>The "Growth Strategy" section of **Blueprint Denver** recommends the Denargo Project Area as a High Growth Residential Area, where "a strategic and intentional approach to direct most of our growth to key centers and corridors helps to achieve citywide equity goals to benefit all residents," (p. 248). |
| Denver Moves: Transit | 2019 | The Project supports the **Denver Moves: Transit** plan by achieving the goal of creating "transit-friendly communities." The adopted plan notes existing bus routes on Denargo Street and Arkins Court, which the Project seeks to enhance. The plan proposes Bus Rapid Transit facilities on Brighton Boulevard, which the Project would support and which would support the high-density development planned for this neighborhood. |
| Denver Moves: Pedestrians & Trails | 2019 | The Project supports many of the specific goals of the **Denver Moves: Pedestrians & Trails** plan, and in particular aligns with the vision for a pedestrian network "that provides residents, employees and visitors with a walkable environment that is safe and comfortable for all users and treats all users with dignity," (p. 6). The Project will continue to align with the adopted Plan's guidance as the pedestrian realm and trail connections are further detailed during the anticipated Denargo GDP Major Amendment process and revisions to the Denargo Urban Design Standards and Guidelines. |
| Parks & Recreation Game Plan | 2019 | The Project and anticipated support of off-site improvements to the Riverfront (to be determined as part of the anticipated Development Agreement) will help the city achieve the following goals from page 16 of the **Parks & Recreation Game Plan**:<br>5. Increase opportunities for people to experience and connect to nature.<br>7. Achieve equitable access for underserved communities to parks and recreation amenities for all members of the community. |

| | | |
|---|---|---|
| | | 11. Explore alternative and additional funding options for park, trail and recreation needs.<br>12. Broaden system investments and services with allied individuals, agencies and organizations.<br>13. Increase the supply of parks, facilities, and resources relative to Denver's population growth.<br>15. Recognize parks and public spaces as vital elements of urban infrastructure for the City.<br>16. Protect and enhance Denver's legacy pathways: its parkways, greenways and trails.<br>19. Design parks, facilities and programs that reflect Denver's distinct places and neighborhood identities.<br>20. Provide opportunities to expand Denver's healthy outdoor lifestyle to all. |

<u>Adopted Plan Alignment: Goals and Intent Statements</u>

Denargo Market has been envisioned as a dense mixed-use destination within the River North neighborhood dating back to the 2003 River North Plan. When the original Denargo Market GDP was established in 2007 (reception number 2007054152) and the Denargo Market parcels were rezoned to R-MU-30 with waivers, the site was positioned to become a neighborhood center. At the time of the rezoning, R-MU-30 provided the most density for residential mixed-use districts. The Former Chapter 59 zoning describes R-MU-30 as "a primarily residential district allowing higher density multiple unit dwellings of a density appropriate to the center-city and other activity centers such as light rail transit stations." (p.377). Since then, many of the parcels surrounding the site were rezoned to allow for greater heights than the parcels within the Denargo Market GDP boundary. This proposed map amendment reestablishes Denargo Market as the neighborhood center by allowing for greater height allowances in this area. The terms neighborhood center and urban center are used throughout this document to describe Denargo Market per plan guidance documents. The urban center context is described as:

> "Urban center neighborhoods are dense and vibrant areas that support residents and visitors. This context contains high intensity residential and significant employment areas. Development typically contains a high mix of uses, with good street activation and connectivity. Residents living in this context are well served by high-capacity transit and have access to ample amenities and entertainment options." (Blueprint Denver p. 251)

The River North plan includes the goals listed below. The proposed map amendment supports the goals as follows:

1. *Adequate parking should be efficiently provided in the most appropriate form while maximizing development opportunities. (p.75)*
   The proposed C-MX zoning designations and DO-7 overlay require parking strategies that support a pedestrian-friendly public realm while prohibiting surface parking. Structured parking will be used throughout the Denargo Market development within the new building envelopes to maximize development opportunities. Street-level parallel parking is included to support neighborhood retail and businesses and is depicted in the conceptual street sections within the Amended and Restated GDP.

2. *Provide direct and pleasant multi-modal connections to residents and businesses in surrounding neighborhoods to access the development area and residents and businesses to access downtown, the South Platte River, and Brighton Blvd. (p. 75, 76)*
   The proposed street network connects Denargo Market to the surrounding neighborhood streets to strengthen vehicular, bicycle, and pedestrian access to the site and the public open spaces along the South Platte River. Denargo Street, 29th Street, and Arkins Court will continue to serve as primary ingress to the site. The conceptual street network plan in the Amended and Restated GDP realigns Denargo St to bisect the site as the main collector street. The Platte River Loop, a new local pedestrian-oriented street will tie into the realigned Denargo Street and run parallel to the South Platte River to provide public access to open space while also allowing for fire access and service to future buildings. This street will also serve as a festival street for special events with the ability to limit access for certain times of day. Overall, the new street network in the Amended and Restated GDP breaks the existing superblock down into pedestrian-friendly block sizes.

   Denargo Market is currently bordered by the Brighton Blvd cycle track to the southeast and the South Platte River Trail to the north. The proposed bicycle network includes two protected bicycle lanes on 29th Street extending from Brighton Blvd to the existing South Platte Trail access ramp. Additionally, two protected bicycle lanes will be located on the existing and realigned portions of Denargo Street and connect to a new access ramp to the South Platte River Trail at the north west tip of the development by way of the new plaza or shared Platte River Loop. Local bicycle traffic can access the center of the site via 28th Street, which will carry low-speed vehicular traffic for two blocks before terminating into the pedestrian/ bike plaza between Denargo Street and the riverfront. Limited vehicular traffic, narrow vehicular travel lanes and sharrows are proposed for this block to provide local bicycle infrastructure on this street.

   The primary pedestrian circulation path is a direct route along 28th Street from Brighton Blvd to the Riverfront Open Space adjacent to the South Platte River. Two existing RTD bus stops are located at the intersection of 29th Street and Brighton Blvd. Two additional RTD bus stops are proposed at the intersection of 28th Street and Denargo Street, providing access to downtown and surrounding neighborhoods. Pedestrian-scale design elements are planned along streetscapes as outlined in the Denargo Market Urban Design Standards and Guidelines to create quality walkable streets.

3. *Create a compact, mixed-use, pedestrian-friendly development. (p. 76)*
   The proposed map amendment will support dense mixed-use development in Denargo Market. The C-MX zoning designation with the DO-7 overlay will further diversify current uses by providing opportunities for office, residential, and retail uses in what is now primarily a residential area with few ground-level active uses. With the increased height allowed by the requested zoning, the future development on those parcels will be more compact than development of a lower density. The conceptual street network within the Amended and Restated GDP further supports walkability by breaking down the existing superblock into pedestrian-friendly block sizes. The increase in daytime and nighttime workers, residents, and visitors will provide more people walking around the development and customers for potential retail, both of which will add to the pedestrian experience.

4. *Ensure that urban design reinforces the pedestrian oriented and transit-supportive character of the area and creates friendly and useable public spaces. (p. 76)*

The Denargo Market Urban Design Standards and Guidelines address the design features required in the public realm for all future development. The River North Design Overlay (DO-7) zoning provides additional requirements to support a pedestrian-friendly public realm. For example, the DO-7 limits the visibility of vehicular parking and preserves access to daylight with incremental mass reductions. Transparency, build-to, and street level active use requirements are also included in the DO-7 to support pedestrian-oriented streets.

The Denver Comprehensive Plan 2040 includes the goals listed below. The proposed map amendment supports these goals as follows:

1. *Equitable, Affordable, and Inclusive 1.2 – Support housing as a continuum to serve residents across a range of incomes, ages and needs. (p. 18)*

   Conversations are currently underway with the Denver Department of Housing Stability (HOST) to finalize a Development Agreement that would ensure housing built on the parcels in question would serve a range of incomes, including "deep affordable" units. The Developer plans to provide a mix of affordable housing units in the Project, with deeply affordable units constructed on a single parcel located on a well-located parcel within the GDP area that is adjacent to already built structures on Brighton Blvd, and workforce affordable units throughout the remaining parcels. A commercial linkage fee is planned to be paid for all commercial development

2. *Equitable, Affordable, and Inclusive 1.5 – Reduce the involuntary displacement of residences and businesses. (p.18)*

   The Developer intends to support neighborhood organizations, such as the RiNo Arts District, via the provision of community gathering spaces, artist studio, and/or gallery space. They also intend to include local businesses and retailers and will consider rent subsidies to support specific tenants on a case-by-case basis. The affordable housing plan incorporated in the Development Agreement ensures housing will be provided for residents with varying levels of income and needs. The Denargo Market project is comprised of approximately 13 acres of vacant and contaminated land, the development of which will therefore not displace any existing residents or businesses.

3. *Strong & Authentic Neighborhoods 2.2 - Enhance Denver's neighborhoods through high-quality urban design. (p.18)*

   The currently vacant parcels included in this application represent a large void in the neighborhood. The proposed map amendment and Amended and Restated GDP will transform an underutilized portion of the South Platte River into an amenity for the River North neighborhood and the neighborhoods beyond. The Denargo Market Design Standards and Guidelines will ensure quality design, particularly within the public realm for all development within the Amended and Restated GDP boundary.

   For the subject parcels, the proposed map amendment calls for a mix of C-MX-12 DO-7, C-MX-16 DO-7, and C-MX-20 DO-7 zoning designations and a transition zone parallel to the South Platte River with C-MX-8 DO-7 zoning. The tallest proposed zoning designations are in the middle of the GDP boundary and are intended to establish a neighborhood center that transitions down from C-MX-20 (250' maximum height) to C-MX-12 (150' maximum height) in order to align with the surrounding parcels' zoning designations. Ultimately, the proposed zoning designations draw

from the urban fabric of the adjacent developed parcels for a context-driven urban design solution on a vacant site.

4. *Strong & Authentic Neighborhoods 2.5 – Create and preserve parks and public spaces that reflect the identity of Denver's neighborhoods. (p. 18)*
   The new riverfront open spaces will serve as a focal point of the Denargo Market development. As accessible public spaces, these parks and plazas will activate the surrounding development and serve as a public destination and gathering place for the communities of the River North neighborhood and beyond. The riverfront open spaces will be directly accessible from the South Platte River Trail, a highly trafficked regional trail system. Direct access points will create welcoming points of entry for the public. A robust public art program, to be incorporated into the parks and open spaces, is planned for the development to build on the neighborhood's already strong identity as an art district.

5. *Strong & Authentic Neighborhoods 2.5 – Leverage the arts and support creative placemaking to strengthen community. (p. 18)*
   The open spaces provide opportunities for local artists to display their works and represent cultures of surrounding
   communities. The two gateway corner parks are key components of the project's art installations. The Developer has been actively engaged with The RiNo Arts District to collaborate on a future art program during design and implementation phases.

6. *Connected, Safe, & Accessible Place 3.1 - Deliver a multimodal network that encourages more trips by walking, rolling, biking and transit. (p. 18)*
   The proposed concept plan in the Amended and Restated GDP supports multimodal transportation. Bicyclists can access the site via protected bike lanes from the 29th St & Brighton Blvd, 29th St & Arkins Ct, and the Denargo St access points. Two existing RTD stops on Brighton Blvd are adjacent to the primary pedestrian path through the center of the site along 28th Street. A South Platte River Trail access ramp currently exists on the northern portion of the site. The concept plan in the Amended and Restated GDP introduces an additional access ramp on the northwest tip of the site to further strengthen pedestrian and bicycle connection.

7. *Connected, Safe, & Accessible Place 3.1 - Maximize the public right-of-way to create great places. (p. 18)*
   The proposed circulation strategy shown in the Amended and Restated GDP realigns Denargo Street to bisect the existing large super block while maintaining public access along the former Denargo Street location (in the form of the Platte River Loop). This proposal increases the total amount of public right-of-way or Metro-District-owned right-of-way to increase circulation, serve the public and create great places.

   The proposed Platte River Loop will be located within public right-of-way. As a shared street, the Platte River Loop will provide a street made for people – pedestrians as well as those who choose to bike or drive. Enhanced materials such as stained and scored concrete will be used along with a curbless design to create a seamless open space environment. An extension of the RiNo Promenade will be located within this portion of public right-of-way to link into the public improvements further north on Arkins Ct. The 28th Street right-of-way is planned to be Metro District owned and maintained but will feature publicly accessible open space along its length to link the existing Brighton Blvd open space with the new Riverfront Open Space.

8. *<u>Connected, Safe, & Accessible Place 3.6</u> – Build and maintain safe bicycle and pedestrian networks. (p. 18)*

The proposed street network includes narrow traffic lanes to encourage lower travel speeds for cars and a safer bicycle and pedestrian experience. Protected bike lanes are separated from pedestrian zones with street trees and separated from travel lanes with curbed buffer zones. 28th Street serves as a sharrow with low traffic speeds and narrow travel lanes for local bicycle routes. All the pedestrian and bicycle infrastructure within the private property boundary will be provided and maintained by the Metro District.

9. *<u>Economically Diverse & Vibrant 4.7</u> – Accelerate Denver's economic vitality through arts, culture and creativity.*
*<u>Economically Diverse & Vibrant 4.8</u> – Expand participation in arts and culture and ensure that arts and culture are accessible to all. (p. 19)*

The proposed plan includes key locations for art throughout the open space network. These opportunities for public art provide avenues for potential collaboration with the RiNo Arts District, Denver Public Schools, local artists and more. The Developer has been actively engaged with The RiNo Arts District to collaborate on a future art program during design and implementation phases.

10. *<u>Environmentally Resilient 5.4</u> – Integrate stormwater into the built environment by using green infrastructure to improve water quality and reduce runoff. (p. 19)*

Locations for sustainable stormwater surface quality basins have been included in the Amended and Restated GDP conceptual stormwater plans for the development. These basins are planned to be fully integrated into the streetscape and landscape designs to improve water quality, paying close attention to the site's proximity to the Platte River.

11. *<u>Environmentally Resilient 5.5</u> – Enhance and protect the South Platte River. (p. 19)*

Per the Revised and Restated GDP and pending Development Agreement, the Developer is committing to make significant improvements on the publicly owned land alongside the South Platte River. The proposed plan will transform a currently underutilized portion of the riverfront into an activated public open space for residents, workers, and visitors. Improvements will be designed in collaboration with Denver Parks and the Greenway Foundation to ensure they align with future plans for the South Platte River restoration.

12. *<u>Healthy & Active 6.1</u> – Create and enhance environments that support physical activity and healthy living.*
*Provide high-quality parks, recreation facilities and programs that serve all Denver residents. (p.19)*

The proposed Denargo Market open space network within the Amended and Restated GDP provides 3.17 acres of publicly accessible open space on both publicly owned and privately owned land. These future open spaces will provide critical areas for relaxation and recreation

within an Urban Center context. All of the proposed open spaces are easily accessible from public rights-of-way.

Blueprint Denver includes the goals listed below. The proposed map amendment supports these goals as follows:

1. *Land Use & Built Form, General – Policy 1: Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets. (p. 72)*
   The proposed map amendment utilizes strategy A to meet this goal (Use zoning and land use regulations to
   encourage higher-density, mixed-use development in transit-rich areas including: High and medium-high residential areas in the downtown and urban center contexts). Blueprint Denver labels Denargo Market as an Urban Center and designates it as an area where "High Residential" use is appropriate (p.255).

2. *Land Use & Built Form, General – Policy 3: Ensure the Denver Zoning Code continues to respond to the needs of the city, while remaining modern and flexible. (p. 73)*
   With the exception of the parcel zoned I-A and half of the parcel zoned as I-B, all of the parcels contained in the proposed map amendment will transition from the Former Chapter 59 zoning to the new Denver Zoning Code (DZC) utilizing strategy A to meet this goal (Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code).(p. 73)

3. *Land Use & Built Form, General – Policy 9: Promote coordinated development on large infill sites to ensure new development integrates with its surroundings and provides appropriate community benefits. (p. 78)*
   The following strategies have been utilized to meet this goal:
   > Strategy B (Use large development review, or similar tools, to coordinate infrastructure and open space on large infill sites while minimizing and mitigating negative impacts on surrounding communities) and
   > Strategy C (Implement regulatory tools to set clear and predictable requirements for large redevelopments to provide benefits to the community such as affordable housing and open space).

   Conversations are currently underway with the Department of Housing Stability (HOST) to finalize an affordable housing plan for the Denargo Market development. Another large component of the community benefits package includes the South Platte riverfront improvements on public land and the new network of public open space on both public and privately owned land. The Denargo Market project plan includes a Large Development Framework and an Amended and Restated General Development Plan to outline the requirements for the proposed open spaces.

4. *Land Use & Built Form, Housing – Policy 6: Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities. (p. 85)*
   In collaboration with the Denver Department of Housing Stability (HOST), the Developer is finalizing the affordable housing provisions of the Development Agreement that would ensure housing built on the parcels in question would serve a range of incomes, including "deep affordable" units. The Developer plans to provide a mix of deep affordability on a single parcel

that is adjacent to existing apartment buildings developed since the 2007 GDP and also to disperse workforce-accessible units in residential development on the remaining parcels. A commercial linkage fee is planned be paid for all commercial development.

5. *Land Use & Built Form, Housing – Policy 7: Expand family-friendly housing throughout the city. (p. 85)*
   Based on the current draft of affordable terms being negotiated with HOST, a portion of the affordable units will include two bedrooms or more to support varying family needs.

6. *Land Use & Built Form, Housing – Policy 8: Capture 80 percent of new housing growth in regional centers, community centers and corridors, high-intensity residential areas, greenfield residential areas, innovation flex districts and university campus districts. (p. 86)*
   Denargo Market is designated as an Urban Center and a High-Density Residential Area (p.255). The proposed map amendment supports this goal by adding dense residential and commercial development in an Urban Center so residents can live near job providers. There is clear alignment between plan guidance and the proposed zoning designations.

7. *Land Use & Built Form, Economics – Policy 3: Preserve high-value manufacturing areas and allow low-value manufacturing areas to transition to higher intensity uses. (p. 91)*
   There are two existing industrial zoning designations in this map amendment. 3280 Denargo St is currently zoned as I-A, Light Industrial, and a portion of 2700 Wewatta Way is zoned as I-B, General Industrial. Given the designation of Denargo Market as an Urban Center with High Residential uses, these parcels should be rezoned for high intensity uses consistent with the surrounding parcels. As isolated industrial parcels surrounded by mixed-use zoning and development, they are low-value manufacturing sites and thus should transition to higher intensity uses.

8. *Land Use & Built Form, Economics – Policy 6: Ensure Denver and its neighborhoods have a vibrant and authentic retail and hospitality marketplace meeting the full range of experiences and goods demanded by residents and visitors. (p. 93)*
   The mix of proposed C-MX zoning designations with the DO-7 overlay creates the opportunity for an urban center with commercial, residential, hotel, and retail uses. The intent of the proposed map amendment and Amended and Restated GDP is to establish a new destination in River North with a distinct identity reflective of the neighborhood.

9. *Land Use & Built Form, Design Quality & Preservation – Policy 2: Ensure residential neighborhoods retain their unique character as infill development occurs. (p. 99)*
   This plan uses strategy C to meet this goal. (Use design overlays as targeted tools in developing or redeveloping areas that have a specific design vision, ideally one articulated through a planning process. Although these overlays tend to be specific to a particular area — such as a river corridor or newly developing neighborhood — it is also
   appropriate to create design overlays for multiple areas where common design outcomes are desired). (p.99)

   The inclusion of the River North Design Overlay (DO-7) will connect the Denargo Market development to the surrounding neighborhood. The Denargo Market Design Standard &

Guidelines will be applied to all the parcels within the Denargo Market GDP boundary to ensure consistency in design, particularly in the public realm features.

10. *Land Use & Built Form, Design Quality & Preservation – Policy 3: Create exceptional design outcomes in key centers and corridors. (p. 102)*
    This plan uses strategy C to meet this goal. (Create a system of design tools, including standards and guidelines, that are scalable and repeatable to enable baseline design requirements that can be applied to a range of contexts and locations and be modified with a smaller subset of locally-applicable features). (p.102)

    An administrative design review of the Denargo Market Design Standards & Guidelines by City of Denver staff will be required prior to SDP approval for all parcels within the Denargo Market GDP boundary.

11. *Land Use & Built Form, Design Quality & Preservation – Policy 4: Ensure an active and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors. (p. 103)*
    The introduction of C-MX and DO-7 zoning across the site will create an active mixed-use environment. The street level active use and transparency requirements within the DO-7 ensure building edges along primary streets contribute to the vibrancy of the public realm. Additional build-to and setback requirements in the C-MX and DO-7 zoning establish criteria for pedestrian-oriented streets.

12. *Mobility – Policy 1: Encourage mode-shift — more trips by walking and rolling, biking and transit — through efficient land use and infrastructure improvements. (p. 108)*
    The street network within the Amended and Restated GDP incorporates narrow travel lanes to encourage pedestrian and bicycle activity and increase safety. Bicyclists will have the option to use protected bike lanes along 29th Street and Denargo Street or a sharrow along 28th Street. Direct connections to surrounding pedestrian and bicycle infrastructure reduces conflict points and enhances the experience for residents, visitors, and commuters.

13. *Mobility – Policy 2: Align the impacts of private development with transportation infrastructure and promote development that creates walkable, transit-friendly communities. (p. 108)*
    The plan uses strategy A to meet this goal (Adopt policies that require Transportation Demand Management programs for developments to maximize use of alternative modes and reduce single-occupancy vehicle trips
    on Denver's streets). (p.108)
    A TDM proposal will be included in the Development Agreement or as an exhibit to the mobility study for the Amended & Restated GDP.

14. *Mobility – Policy 3: On all streets, prioritize people walking and rolling over other modes of transportation. (p.109)*
    Within the Amended and Restated GDP street sections, sidewalk dimensions are the Denver standard of 8 ft at a minimum throughout the development. For areas designated for heavy pedestrian use such as the Platte River Loop and 28th Street, the pedestrian zone (sidewalk) dimensions are larger.

15. <u>Mobility – Policy 8:</u> *Connect centers and corridors across the city through a variety of modal choices. (p.111)*
    The street, sidewalk, and bicycle networks proposed directly connect to the existing (or planned) street and bicycle networks surrounding the site. Two access points to the South Platte River Trail connect Denargo Market to a regional system in alignment with *Denver Moves*.

16. <u>Quality of Life Infrastructure – Policy 1:</u> *Expand tools and regulations to ensure high-quality parks and outdoor public spaces keep pace with Denver's growth. (p. 118)*
    This map amendment includes a robust contribution to open space and improvements on publicly owned land along the South Platte River. The plans for funding and maintaining the open spaces are currently being documented in the Development Agreement between the Developer and the City of Denver. Final open space designs will require approval by Denver Parks during the site development phase.

17. <u>Quality of Life Infrastructure – Policy 5:</u> *Ensure attractive streets and outdoor spaces in all centers and corridors, giving priority to pedestrian spaces and amenities. (p. 121)*
    The street network within the Amended and Restated GDP uses Strategy E to meet this goal (Identify opportunities to creatively use right-of-way as special shared streets that prioritize pedestrians, provide amenities, and encourage gathering and socializing). The South Platte River Loop is planned to be a shared street that favors the pedestrian experience. Materials such as stained and scored concrete will be used in lieu of the standard Denver asphalt or concrete to create a design unique to Denargo Market. The plans for 28th Street similarly favor the pedestrian experience with the incorporation of a 15 ft promenade that will function as a linear park connecting the existing Brighton Blvd open space with the future Riverfront Open Space.

18. <u>Quality of Life Infrastructure – Policy 7:</u> *Recognize greenways and trails as multimodal connections providing a variety of experiences and habitats for people, plants and wildlife. (p. 122)*
    The proposed map amendment and Amended and Restated GDP use Strategies A & B to meet this goal. (Study and implement tools to incentivize environmentally-sensitive, trail-oriented development along river and creek corridors.) and (Explore opportunities for public and private development to enhance and expand Denver's trail network). (p.122)
    The Developer has collaborated with Denver Parks over the past year and a half to ensure the conceptual plans for open space along the South Platte River align with plan guidance goals for restoration and activation. More recently we have met with the Mile High Flood District and DOTI to ensure riverfront improvements support plans for the South Platte River. During final design collaboration will continue to ensure the health of the South Platte River.

<u>Blueprint Denver Street Typology Alignment:</u>

The following Blueprint Denver street types are included in the Denargo Market plan:

1. <u>Mixed-Use Street:</u>
   Blueprint Denver designates Denargo St and Arkins Ct as Mixed-Use Collector streets (p.157). The conceptual street network documented in the Amended and Restated GDP similarly designates these streets as Mixed-Use Collectors. Blueprint Denver describes Mixed Use streets with the following: "Varied mix of uses including retail,
   office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage with a shallow front setback. A street wall is present but may vary." (p.159)

The application of C-MX and DO-7 zoning ensures a mix of office, residential, hotel, and/or retail uses in conformance with the appropriate uses listed for this street type. In fact, the DO-7 provides additional criteria for street level active uses to create a pedestrian-friendly environment. The street sections proposed for Denargo St in the Amended and Restated GDP meet Denver standards for Mixed-Use street as documented in the *Complete Streets* guide.

2. Main Street:
   28th Street serves as a Main Street with the primary pedestrian route in the Denargo Market plan. Blueprint Denver does not specify a street type for 28th Street but it lists Main Street as an appropriate typology for Urban Centers with a high level of pedestrian activity (p.262). Like Mixed-Use streets, Main Streets are characterized with a mix of uses such as office, residential, and retail. Main Streets should also feature a high level of transparency with street level active uses. (p.158). The Street Level Activation Requirements included in the DO-7 directly support the goals outlined in the Main Street typology. Per Blueprint Denver, "Sidewalks are generally wider with fewer driveways to prioritize people walking or rolling." The 28th St section in the Amended and Restated GDP includes a 15 ft pedestrian zone to serve as a promenade (a primary pedestrian path).

3. Shared Street:
   The Denargo Market plan includes a Shared Street with the Platte River Loop. Blueprint Denver does not specify locations for Shared Streets but includes the following for application of the street typology: "These streets are most appropriate where vehicle volumes and speeds are already low or where they are expected to be sufficiently reduced through implementation of a shared street." (p.162) The existing Denargo St and Arkins Ct are realigned in the proposed Denargo Market plan to allow for a shared street with low speeds and low traffic counts. Denargo Street will carry traffic through the site as the collector street. The Platte River Loop will provide access to the new Riverfront Open Space as well as the two buildings closest to the South Platte River. The conceptual design of the Platte River Loop in the Amended and Restated GDP conforms to the guidelines in the *Complete Streets* document.

4. Local:
   The remainder of the streets in the proposed Denargo Market plan will be local streets to provide access to future buildings. Blueprint Denver designates local street as appropriate for all contexts, including Urban Centers. (p.155)

Blueprint Denver Equity Goals:

Equity - Blueprint Denver includes three equity concepts:

1. Improving Access to Opportunity
2. Reducing Vulnerability to Displacement
3. Expanding Housing & Job Diversity

1. Improving Access to Opportunity

The "Measuring Access to Opportunity" map on page 35 designates Denargo Market as an area with somewhat less access to opportunity. Blueprint Denver describes access to opportunity with the following:

> "The proximity of an amenity (including quality jobs, schools, parks, health care services and healthy food), the afordability of that amenity, and the safety and ease of access to that amenity are important elements of access to opportunity." (p.32)

The proposed map amendment introduces opportunities for a mix of uses currently lacking in Denargo Market. Presently there is a high number of rental apartments while jobs, neighborhood retail, and amenities are lacking. The mix of C-MZ zoning with the DO-7 overlay provides opportunities to create a complete neighborhood. The introduction of office and residential uses will support new retail in Denargo Market. New office and retail development translate into new jobs for those living in Denargo Market and beyond. The Developer plans to provide a mix of "deep affordability" on a single parcel and disperse workforce accessible housing in residential development on the remaining parcels as outlined in the Development Agreement.

The proposed Denargo Market plan also provides 3.17 acres of public open space in future development. The open spaces are strategically located near the South Platte River Trail to ensure public access from a regional Denver trail network. The 28th Street Linear park will serve as a promenade through the site to provide pedestrians with a safe and direct path between the Brighton Blvd Open Space and the Riverfront Open Space. These open spaces provide a free recreational area for residents, workers, and visitors. The design of the riverfront open space on publicly owned land will be finalized in collaboration with Denver Parks to ensure it meets City of Denver criteria for accessibility, equity, and maintainability. Ultimately the new development at Denargo Market will provide housing options for residents with varying incomes who can live near jobs and high-quality open spaces.

2. <u>Reducing Vulnerability to Displacement</u>
The "Measuring Vulnerability to Displacement" map on page 39 designates Denargo Market with a low-medium risk for vulnerability to involuntary displacement. The existing site is a brownfield site with no current or historic residents so there is no direct displacement of residents in the Denargo Market area.

To minimize involuntary displacement of residents in surrounding areas and neighborhoods, there is an affordable housing plan for all new residential and commercial development on the parcels included in this map amendment. The details of the affordability plan are being finalized in a Development Agreement, but the goal is to stabilize any residents who are at risk of displacement.

This map amendment supports the Blueprint Denver housing policy 8 to "Capture 80 percent of new housing growth in regional centers, community centers and corridors, high-intensity residential areas, greenfield residential areas, innovation
flex districts and university campus districts." (p.87)

Blueprint designates Denargo Market as an Urban Center with High-Residential Uses. (p.255) According to this plan guidance, density is not only appropriate in this location, but it also presents an opportunity to minimize involuntary displacement by providing affordable housing options as detailed above (and in the Development Agreement).

3. <u>Expanding Housing & Job Diversity</u>
The "Measuring Housing Diversity" map on page 43 designates Denargo Market as an area with medium-low diversity. Given the proximity to downtown, this area primarily features rental apartment buildings.

Similar to the efforts to combat involuntary displacement mentioned above, the efforts to provide housing and job diversity focus on the affordable housing plan.

Based on current conversations with HOST, the affordable housing plan will include "deep affordability" on a single parcel with workforce accessible housing dispersed throughout the remaining residential development. A portion of the affordable units will include two bedrooms or more. This supports the Blueprint Denver Housing goal to "Expand family-friendly housing throughout the city." (p.85) Affordable units will be the same level of quality as the market-rate units. Ultimately this plan will ensure a spectrum of options for residents with varying incomes and family needs.

Uniformity of District Regulations and Restrictions:

The parcels subject to this map amendment were originally rezoned in 2003 with waivers and conditions. Rezoning these parcels from the Former Chapter 59 zoning code to the current form-based Denver Zoning Code ensures uniformity by removing 'non-standard' zone districts. The application of C-MX and DO-7 zoning provides consistency with neighboring C-MX parcels within the DO-7 boundary that currently surround the Denargo Market site. The parcels within the Denargo Market GDP boundary will have further restrictions based on the Denargo Market Design Standards and Guidelines. These guidelines establish criteria for consistency with the neighborhood, particularly for design elements in the public realm.

Public Health, Safety, and Welfare

The nature of the proposed map amendment is to permit redevelopment of six parcels of land located within an area defined as an Urban Center in *Blueprint Denver*. Currently, these parcels create a significant void within the neighborhood fabric and serve as a barrier to the South Platte River and the South Platte River trail network. The proposed map amendment allows for development as envisioned in *Blueprint Denver* and it aligns with the following goals and recommendations relating to health, safety, and welfare as outlined in *Blueprint Denver.*

1. *Promote coordinated development on large infill sites to ensure new development integrates with its surroundings and provides appropriate community benefits.*
   Community benefits comprise a large component of the proposed rezoning. Conversations are currently underway with HOST to finalize an affordable housing plan to ensure equity in future development. Collaboration is also ongoing with the Denver Parks Department to advance the plans for public open space on both privately and publicly owned land to promote wellbeing in the community. The applicant plans to contribute to the design, construction, and/or maintenance of improvements to publicly owned land alongside the South Platte River Trail. The largest planned open spaces are located with direct access from the South Platte River Trail to ensure these spaces are easily accessible for the public. The applicant also plans to support neighborhood organizations, such as the RiNo Arts District, via the provision of community gathering space(s) and artist studio or gallery space.
2. *Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets. (A) Use zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas*

*including…High and medium-high residential areas in the downtown and urban center contexts.*

Denargo Market is designated as an Urban Center where "residential uses are high intensity" and "While the focus is typically residential, these are typically mixed-use areas with many commercial, retail, and other complementary uses."(p. 149 *Blueprint Denver*).

Dense mixed- use development will provide necessary housing, commercial office space, and amenities in this growing neighborhood. Currently the Denargo Market neighborhood contains a significant amount of multifamily development with few amenities. Introducing dense mixed-use C-MX zoning with the DO-7 overlay will provide opportunities for the neighborhood amenities necessary for a vibrant community.

3. *Ensure an active and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors.*

   The proposed CM-X DO-7 zoning supports safe and active streets by including requirements such as build-to, transparency, and street level active uses. The proposed street network prioritizes pedestrians by breaking larger blocks down into typical downtown Denver block sizes. A central linear park along 28th Street provides pedestrians with a direct route to the future Riverfront Open Space, the largest open space area on the site. The DO-7 active use requirements will ensure this pedestrian experience is further enhanced with retail uses or street-level activity.

4. *Encourage mode-shift – more trips by walking and rolling, biking and transit – through efficient land use and infrastructure.*

   The proposed C-MX DO-7 provides opportunities for mixed-use development where residents can live, work, and recreate easily in the same neighborhood. The parcels subject to the proposed map amendment can be accessed via the South Platte River Trail as well as the Brighton Boulevard cycle track, providing commuters with safe alternative transportation options. The planned bicycle routes align with plans in *Denver Moves* to ensure appropriate levels of protection for bicyclists.

<u>Justifying Circumstances:</u>

The parcels subject to this map amendment were originally zoned in 2003 and they retain the Former Chapter 59 zoning. It is in the public interest to rezone these parcels under the City adopted Denver Zoning Code. The rezoning of these parcels would not only realign the zoning with plan guidance documents, but it will also make the zoning consistent with surrounding parcels that underwent rezoning to C-MX since 2010. Applying the DO-7 overlay to these parcels provides further consistency with the neighborhood since these parcels are located within the DO-7 boundary outlined by the City of Denver.

*Blueprint Denver* explains that "Centers should be consistent with the character of the surrounding area in scale and design" and "They should have an active street level presence and contain a good mix of commercial, retail, office, and residential uses." (p.256) The intent statements of the proposed C-MX-8, C-MX-12, C-MX-16, AND C-MX-20 zone districts and the DO-7 support this. Further, the applicant's proposed plan aligns with the Blueprint Denver and CM-X zoning goals of creating a dense pedestrian-focused neighborhood with community benefits.

The following intent statements for Mixed Use zone districts (C-MX-8, C-MX-12, C-MX-16, C-MX-20) are consistent with Urban Centers as described in Blueprint Denver:

A. *The Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate public street edge.*
   The proposed plan extends the surrounding Denver street grid into the site to create walkable blocks with clear and direct pedestrian connections extending from Brighton Boulevard to the South Platte River. The application of the DO-7 overlay, and the Denargo Market Design Standards and Guidelines establish criteria for an active public realm with high levels of transparency, street level active uses, and building articulation at ground level.
B. *Mixed Use zone districts are intended to enhance the convenience, ease, and enjoyment of transit, walking, shopping, and public gathering within and around the city's neighborhoods.*
   The proposed plan will introduce new bicycle and pedestrian improvements to enhance circulation of residents, workers, and visitors. New high-quality open spaces throughout the site provide different types of recreation experiences for users. Streetscape enhancements per Denargo Market Design Standards and Guidelines support active streets for shopping and other activities.
C. *The Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.*
   The proposed zoning is intended to establish a neighborhood center that transitions down from CMX-20 DO-7 to C-MX-12 DO-7 in order to align with the surrounding parcels' zoning designations.
D. *Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for a broader application at the neighborhood scale.*
   This proposal includes the application of CM-X and DO-7 zoning across the site to establish a larger cohesive mixed use community.
F. *Mixed Use buildings have a shallow front setback range. The build-to requirements are high.*
   The proposed street network reinforces the intent of the Denver Zoning Code by creating regular walkable blocks that create an urban street edge throughout the site. The build-to-requirements reinforce the *Blueprint Denver* intent statement that Urban Centers "should have an active street level presence and contain a good mix of commercial, retail, office, and residential uses (p.256)."

There are currently two parcels that are not rezoning from the Former Chapter 59 zone districts (3280 Denargo Street is currently I-A UO-2 and a portion of 2700 Wewatta Way is currently I-B UO-2). Given that 2700 Wewatta Way contains two zoning designations with conflicting goals, the rezoning should apply consistent zoning designations to optimize future development opportunities. Blueprint Denver designates Denargo Market (including 2700 Wewatta Way) as an Urban Center with High Residential uses.

Within the Denver Zoning Code, I-B states that "No new residential uses may be established in the I-B zone district in order to promote and continue a stable employment base for the city." This is in direct conflict with the plan guidance goals for this area. This map amendment proposes C-MX-16 DO-7 zoning for this parcel to align with the adjacent parcel directly to the west. Blueprint Denver describes this "High Residential Area" as "A high mix of uses throughout, including many large-scale multi-unit residential uses. Commercial uses are prevalent." (p.261) The proposed zoning designation directly aligns with that description.

The inclusion of 3280 Denargo Street in this map amendment provides consistency within the neighborhood. The 3280 Denargo Street parcel is isolated in terms of zoning designations; it exists as a vestige of the former industrial landscape that existed. The plan guidance for this area to transform into a High Residential Urban Center supports rezoning this parcel to Urban Center, C-MX zoning. Blueprint Denver Economics Policy 3 states, "Preserve high-value manufacturing areas and allow low-value manufacturing areas to transition to higher intensity uses." (p.91) The C-MX-16 DO-7 zoning designation provides more residents to support the transition to a residential area than the current low density I-A UO-2 zoning can allow.

## Land Use and Zoning

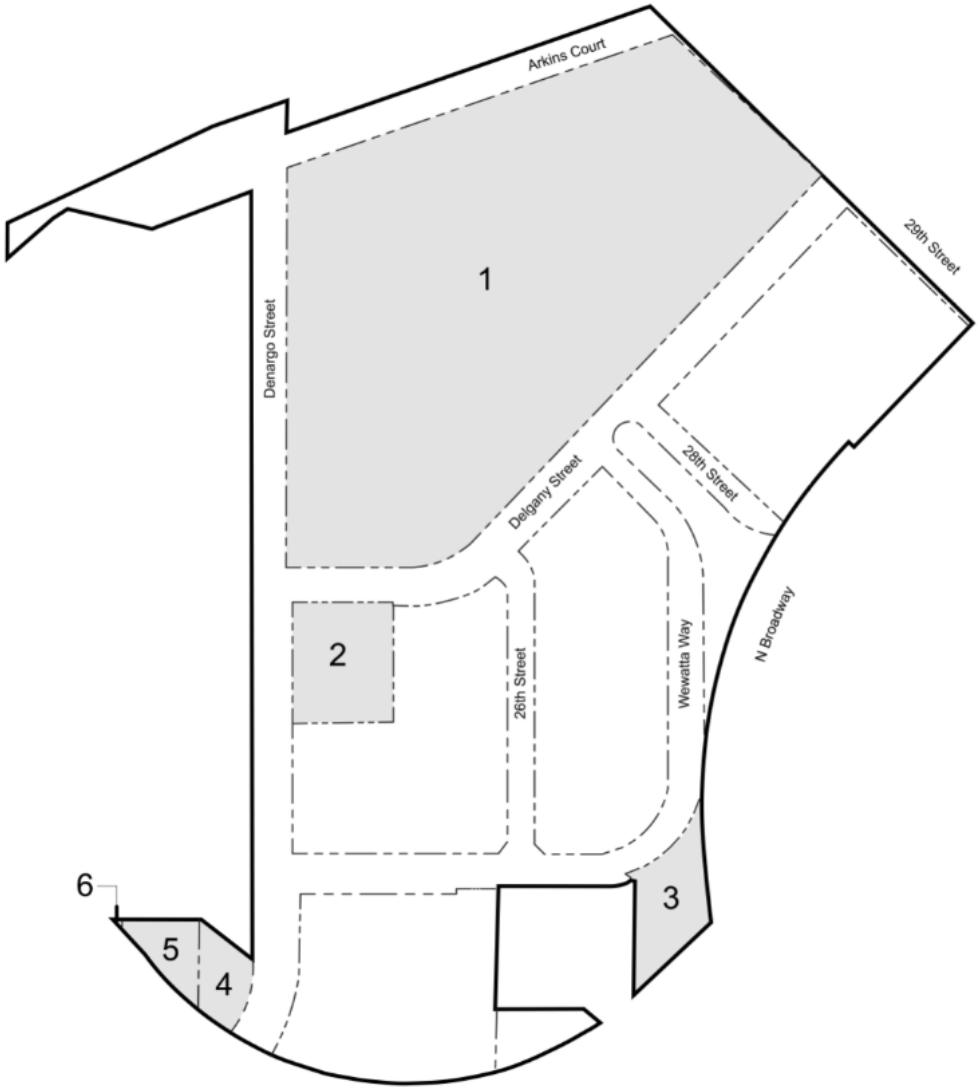
The current GDP site area is generally bounded by industrial land uses and light rail lines to the west, the South Platte River to the north, and Brighton Boulevard to the south. The current GDP boundary contains 32.73 acres. The Applicant owns six land parcels, five of which are in the current GDP boundary, one of which is immediately adjacent to it. The Project seeks to amend the GDP boundary to include the parcel at 3280 Denargo Street, bringing the total acreage to 33.80 acres.

Current zoning for the six subject parcels is R-MU-30 with waivers and conditions for a 75 ft maximum height throughout the site and a 55 ft transition zone on the north-west portion of the site parallel to the South Platte River. One parcel, currently outside the GDP, is zoned I-A. Those six parcels amount to 13.0 acres of the GDP's proposed 33.80 total acres and the largest parcel among them is 11.2 acres. Zoning changes are not proposed for all remaining parcels within the GDP boundary.

For the six subject parcels, the proposal calls for a mix of C-MX-12 DO-7, C-MX-16 DO-7, and C-MX-20 DO-7 zoning designations and a transition zone parallel to the South Platte River with C-MX-8 DO-7 zoning. Note the largest parcel would be separated into multiple parcels to include multiple zoning designations, as listed in the table below. The tallest proposed zoning designations are in the middle of the GDP boundary and are intended to establish a neighborhood center that transitions down from CMX-20 to C-MX-12 in order to align with the surrounding parcels' zoning designations. Three PUDs within the GDP (604, 605, 606) currently allow higher maximum heights of 200 ft, 220 ft, and 180 ft respectively. This proposal requests changing PUD 605 only; the other two PUDs would remain in place.

GDP Boundary and Parcel Key Map

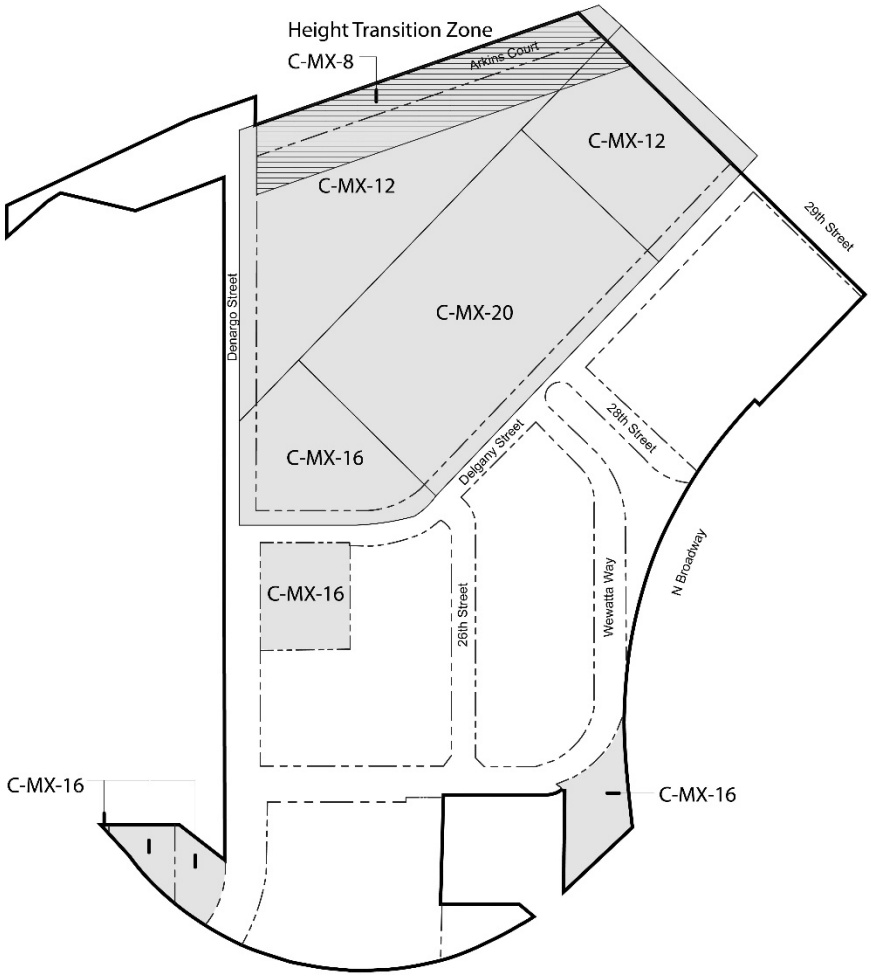
*(Shaded parcels are subject parcels)*



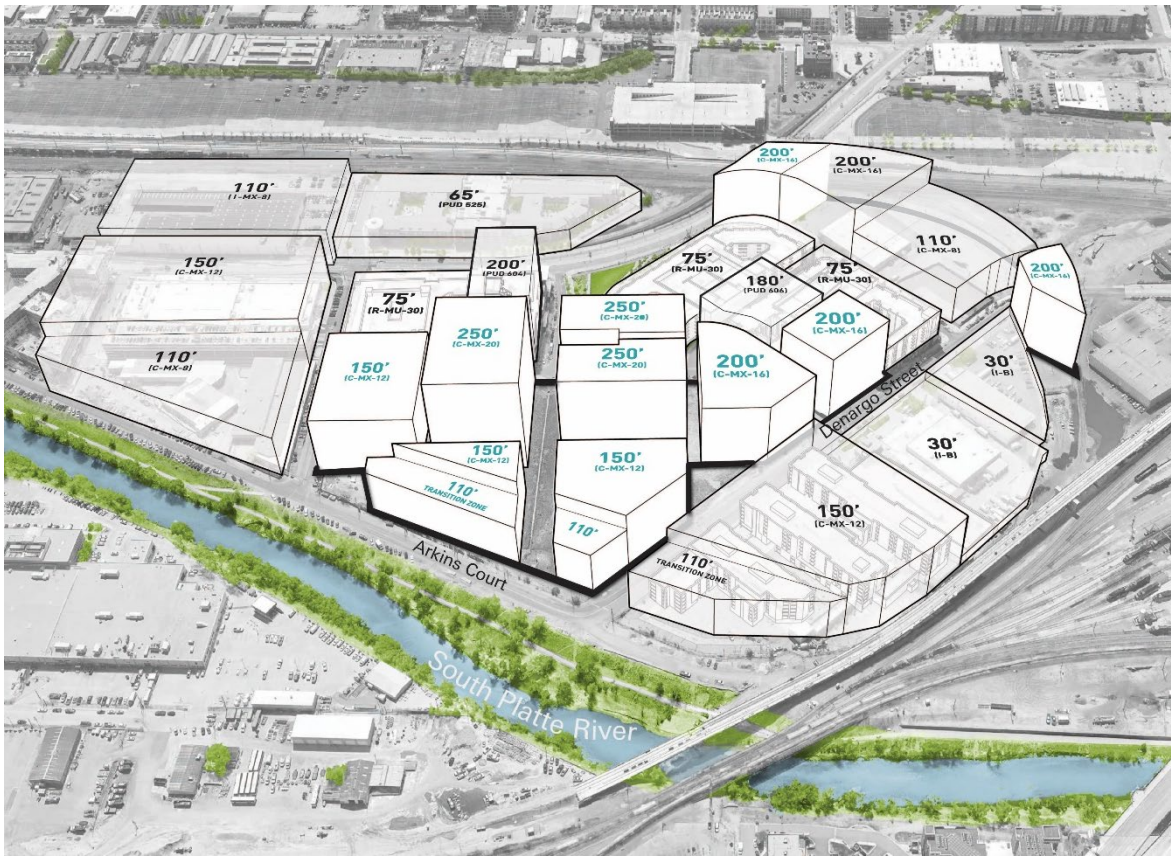
| Key Map Number | Parcel Schedule No., Size & Address | Existing Zoning and/or PUD | Proposed Zoning |
|---|---|---|---|
| 1 | 0227416001000<br>(11.2 acres)<br>2650 Arkins Ct | R-MU-30<br>with waivers (75-foot max height)<br><br>PUD 605<br>(220-foot max height) | C-MX-8<br>(110-foot max height)<br>(Height Transition Zone)<br><br>C-MX-12<br>(150-foot max height)<br><br>C-MX-16<br>(200-foot max height)<br><br>C-MX-20<br>(250-foot max height) |
| 2 | 0227400024000<br>(0.7 acres)<br>*3280 Denargo St* | I-A, UO-2 **<br>***Parcel currently excluded from the GDP.* | C-MX-16<br>(200-foot max height) |
| 3 | 0227417001000<br>(0.5 acres)<br>*2700 Wewatta Wy* | R-MU-30 and I-B, UO-2<br>with waivers (75-foot max height) | C-MX-16<br>(200-foot max height) |
| 4 | 0227400119000<br>(0.3 acres)<br>3205 Denargo St | R-MU-30<br>with waivers (75-foot max height) | C-MX-16<br>(200-foot max height) |
| 5 | 0227400118000<br>(0.3 acres)<br>3205 Denargo St | R-MU-30<br>with waivers (75-foot max height) | C-MX-16<br>(200-foot max height) |
| 6 | 0227400117000<br>(0.002 acres)<br>3205 Denargo St | R-MU-30<br>with waivers (75-foot max height) | C-MX-16<br>(200-foot max height) |

GDP Boundary and Zoning District Map

*(Shaded parcels are subject parcels)*



The image below highlights the existing surrounding zoning context with slightly transparent height envelopes with black text and the proposed zoning for the subject parcels with solid white height envelopes with teal blue text.




Historically, uses within the Denargo Market site GDP area have been primarily industrial along with small businesses and retail throughout. New apartment buildings have in recent years replaced former industrial sites to align with plans for Denargo Market as a high-density district. Proposed C-MX zoning will further diversify current uses by providing an opportunity for office as well as more residential, and retail uses in what is now primarily a residential area with few ground-level active uses. While specific land uses are not prescribed as part of the requested zoning changes, the current conceptual development plans project the addition of up to approximately 1.5M sf of office, 1,400 residential units, and 80,000 sf of retail on the remaining vacant parcels within the modified GDP area, with integrated parking structures to support that development.

## Street Network

The Project plan creates a new street grid that subdivides the largest existing land parcel (11.2 acres) into eight walkable development blocks. The planning impacts of the grid are as follows:

- The Project's proposed street network connects the surrounding urban grid to the site
- The plan realigns Denargo Street to bisect the site as the main collector street.
- A new local pedestrian-oriented street will run parallel to the South Platte River to provide public access to open space while also allowing for fire access and service to future buildings. This street would also serve as a festival street for special events with the ability to limit access for certain times of day.
- Denargo Street, 29th Street, and Arkins Court will continue to serve as primary ingress to the site.
- Pedestrian-friendly block sizes, the largest of which is only 1.5 acres and with a maximum linear block length less than 340 feet.

## Bicycle Network

Denargo Market is currently bordered by the Brighton Blvd cycle track to the south and the South Platte River Trail to the north. The proposed bicycle network includes two buffered bicycle lanes on 29th Street extending from Brighton Blvd to the existing South Platte Trail access ramp. Additionally, two protected bicycle lanes will be located on Denargo Street and connect to the larger bicycle network surrounding the site. Local bicycle traffic can access the center of the site via 28th Street, which will carry low-speed vehicular traffic for two blocks before terminating into the pedestrian/bike plaza between Denargo Street and the riverfront. Limited vehicular traffic, narrow vehicular travel lanes and sharrows are proposed for this short street to serve as local bicycle infrastructure on this street. A new access point to the South Platte River Trail is planned for the north west tip of the development to provide a high level of public access to the Riverfront open space.

## Open Space

The current GDP calls for 3.02 acres (12% of the existing GDP net developable area excluding ROW) of open space in three locations: 1) Riverfront Open Space, 2) Corner Parks, and 3) Brighton Blvd Open Space, the last of which is already constructed and operational today. The proposed plan calls for 3.17 acres (13% of the proposed net developable area) and adjusts the locations of the open spaces. The Riverfront Open Space will serve as the largest contiguous open space. This plan calls for a mix of both hard and soft scape surfaces in this zone to provide a flexible lawn and a pedestrian-only plaza. A Linear Park running parallel to 28th Street will connect the existing open space at Brighton Boulevard with the riverfront. Serving as an urban park, the streetscape along 28th Street will provide shade and visual interest for pedestrians by incorporating enhanced street trees, generous sidewalks, and the opportunity for innovative stormwater management facilities. Two corner parks are located on Denargo Street. The North Corner Park is located at the intersection of Denargo St, Arkins Ct, and 29th Street. The Southwest Corner Park is located near the intersection of Denargo Street and the new shared street, Platte River Loop. These parks are intended to be a mix of hard scape and soft scape surfaces. These parks will serve as gateway sites for the development and offer excellent opportunities for neighborhood-defining iconic public art.

# STATISTICAL INFORMATION

| | |
|---|---|
| Total Gross GDP Area (AC) | 33.80 |
| Total City ROW Area (AC) | 3.15 |
| Total Metro District ROW Area (AC) | 6.53 |
| Total Net GDP Area (Total Gross GDP Area - All ROW Area) (AC) | 24.12 |
| Minimum GDP Open Space Required, 12% of Net GDP Area | 2.89 |
| Total GDP Open Space To Be Provided (AC) | 3.17 |
| Total Existing (Constructed) Open Space Area (AC) | 0.76 |
| Minimum Remaining Open Space Area to be Constructed (AC) | 2.41 |

## OPEN SPACE LOCATIONS, AREA & OWNERSHIP

| AREA | EXISTING / CONSTRUCTED | CITY OWNED (AC) | METRO DISTRICT OWNED (AC) | TOTAL (AC) |
|---|---|---|---|---|
| Riverfront Open Space | No | 1.05 | 0.92 | 1.97 |
| Corner Park (North) | No | 0.11 | 0.01 | 0.12 |
| Corner Park (Southwest) | No | 0.19 | 0.03 | 0.22 |
| 28th Street Linear Park | No | | 0.10 | 0.10 |
| Brighton Blvd Open Space (Not In Ownership Boundary) | Yes | | 0.76 | 0.76 |
| **TOTAL OPEN SPACE** | **N/A** | **1.35** | **1.82** | **3.17** |
| **TOTAL OPEN SPACE IN OWNERSHIP BOUNDARY** | | | **1.06** | **1.06** |

Summary

This proposed Denargo Market project plan significantly expands on the existing public and private investment in the neighborhood and realigns the current GDP with Denver's various approved plans for future development. The proposed rezoning recalibrates the current designation to better align with the original intent of the GDP and positions Denargo Market as the neighborhood center. The proposed street and bicycle network will more successfully connect the site with the surrounding infrastructure improvements to provide locals, commuters, and visitors with options for safe multi-modal transportation. The new network of open spaces will activate a currently underutilized riverfront and make green spaces and plazas accessible throughout the development.

# JV DENARGO LLC

August 4, 2020

Community Planning and Development
Rezoning
201 West Colfax Avenue, Department 205
Denver, Colorado 80202

RE: Rezoning Application

Dear Rezoning Department:

The undersigned represents that I am an authorized owner of the property described opposite my name and that I do hereby request initiation of the rezoning application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate.

| | |
|---|---|
| Property Owner Name: | JV DENARGO LLC |
| Property Address: | 3205 & 3280 Denargo Street, 2809 Delgany Street, 2700 Wewatta Way, Denver, CO 80216 |
| Property Ownership: | 100% |
| Ownership Document: | Old Republic National Title Commitment order number: ABD70615589.1 |
| Authorized Representative: | Nina Najmabadi, Tryba Architects<br>1620 Logan Street, Denver, Colorado 80203<br>303-831-4010 |

Thank you,

JV DENARGO LLC
Authorized Signatory
Lee Golub

625 North Michigan Avenue Chicago, Illinois 60611 Telephone 312.440.8800 Fax 312.440.0809

2018I-00139 October 9, 2020 fee pd $1000 cc

**CERTIFICATE OF**

**JV DENARGO LLC**

**JV Denargo LLC**, a Delaware limited liability company, hereby certifies as follows as of this 31st day of July, 2020:

1. Attached hereto as Exhibit A is a true, correct and complete copy of the written consent of the majority of the Board of Managers of Golub Sponsor Fund Manager, LLC ("Fund Manager") setting forth the signing authority of certain officers of Fund Manager on behalf of JV Denargo LLC.

2. Below are the specimen signatures of certain authorized signatories of Fund Manager authorized pursuant to the Consent to execute certain documents on behalf of JV Denargo LLC.

| **Name and Title** | **Signature** |
|---|---|
| Michael Newman, Member of the Board of Managers | _____ |
| Lee Golub, Member of the Board of Managers | _____ |

Dated: July 31, 2020

JV Denargo LLC,
a Delaware limited liability company

By: GF Denargo Investor, LLC
a Delaware limited liability company
its Manager

By: GOCO Denargo Investors, LLC
its Authorized Representative

By: Golub & Company Sponsor Fund, LLC
its Authorized Representative

By: Golub Sponsor Fund Manager, LLC
its Managing Member

By: _____
Name: Michael Newman
Title: Member of the Board of Managers

**WRITTEN CONSENT**
**OF THE MAJORITY OF THE BOARD OF MANAGERS OF**
**GOLUB SPONSOR FUND MANAGER, LLC**

**JULY 31, 2020**

The undersigned, being a majority of the members of the Board of Managers (collectively, the "**Board**") of Golub Sponsor Fund Manager, LLC, a Delaware limited liability company (the "**Company**"), do hereby adopt the following resolutions by written consent:

**WHEREAS**, pursuant to the Limited Liability Company Agreement of the Company, as amended from time to time (as amended, the "**Company's LLCA**"), the Board has the full, exclusive and complete power of management and control of the conduct and operation of the Company business subject to the terms of the Company's LLCA;

**WHEREAS**, the Company is the managing member of Golub & Company Sponsor Fund, LLC, which is the authorized representative of GOCO Denargo Investors, LLC, which is the administrative manager and authorized representative of GF Denargo Investor, LLC, which is the manager of JV Denargo LLC ("**JV Denargo**");

**WHEREAS**, JV Denargo owns that certain real property commonly known as 2650 Arkins Court, 3280 and 3205 Denargo Street and 2700 Wewatta Way, Denver, Colorado (collectively, the "**Property**");

**WHEREAS**, JV Denargo will enter into certain applications and agreements relating to the zoning of the Property (the "**Zoning Applications**");

**SIGNATURE AUTHORITY**

**WHEREAS**, the Board desires to grant to and confirm that each of the officers of the Company (each, an "**Officer**") has the authority to enter into and bind the Company with respect to any and all Zoning Applications to be executed by the Company in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC.

**RESOLVED**, that each Officer is authorized to act on behalf of the Company in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC with respect to the Zoning Applications. The execution and delivery by the Company (in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC) prior to the date of this Written Consent by the Board is hereby ratified, confirmed and approved in all respects as acts of the Company.

**ENABLING RESOLUTION**

**RESOLVED**, that each Officer, be and hereby is authorized and directed in the name of and on behalf of the Company to make all such arrangements, to do and perform all such acts, to execute and the Zoning Applications, and to do everything that such Officer may deem to be reasonable and necessary or appropriate in order to fully implement the foregoing resolutions, and that any and all prior acts done on behalf of the Company consistent with the foregoing resolutions be, and the same are hereby, ratified, confirmed and approved in all respects as acts of the Company.

[SIGNATURE PAGE FOLLOWS]

**IN WITNESS WHEREOF**, a majority of the Board of Managers have made, executed and delivered this Consent as of the date written above.

**BOARD OF MANAGERS MEMBERS**:

_____
**Michael Newman**

_____
**Lee Golub**

**CERTIFICATE OF**

**JV DENARGO LLC**

**JV Denargo LLC**, a Delaware limited liability company, hereby certifies as follows as of this 31st day of July, 2020:

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2. Below are the specimen signatures of certain authorized signatories of Fund Manager authorized pursuant to the Consent to execute certain documents on behalf of JV Denargo LLC.

| **Name and Title** | **Signature** |
|---|---|
| Michael Newman, Member of the Board of Managers | _____ |
| Lee Golub, Member of the Board of Managers | _____ |

Dated: July 31, 2020

JV Denargo LLC,
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a Delaware limited liability company
its Manager

By: GOCO Denargo Investors, LLC
its Authorized Representative

By: Golub & Company Sponsor Fund, LLC
its Authorized Representative

By: Golub Sponsor Fund Manager, LLC
its Managing Member

By: _____
Name: Michael Newman
Title: Member of the Board of Managers

**WRITTEN CONSENT**
**OF THE MAJORITY OF THE BOARD OF MANAGERS OF**
**GOLUB SPONSOR FUND MANAGER, LLC**

**JULY 31, 2020**

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**WHEREAS**, the Board desires to grant to and confirm that each of the officers of the Company (each, an "**Officer**") has the authority to enter into and bind the Company with respect to any and all Zoning Applications to be executed by the Company in its capacity as the managing member of Golub & Company Sponsor Fund, LLC, the authorized representative of GOCO Denargo Investors, LLC, the administrative manager and authorized representative of GF Denargo Investor, LLC, the manager of JV Denargo LLC.

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**ENABLING RESOLUTION**



2018I-00139 October 9, 2020 fee pd $1000 cc

**RESOLVED**, that each Officer, be and hereby is authorized and directed in the name of and on behalf of the Company to make all such arrangements, to do and perform all such acts, to execute and the Zoning Applications, and to do everything that such Officer may deem to be reasonable and necessary or appropriate in order to fully implement the foregoing resolutions, and that any and all prior acts done on behalf of the Company consistent with the foregoing resolutions be, and the same are hereby, ratified, confirmed and approved in all respects as acts of the Company.

[SIGNATURE PAGE FOLLOWS]



2018I-00139 October 9, 2020 fee pd $1000 cc

**IN WITNESS WHEREOF**, a majority of the Board of Managers have made, executed and delivered this Consent as of the date written above.

**BOARD OF MANAGERS MEMBERS**:

**Michael Newman**

**Lee Golub**



October 9, 2020 fee pd $1000 cc

# Land Title Guarantee Company
## Customer Distribution

***PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.***

Order Number: **ABD70615589.1** Date: **07/29/2020**

Property Address: **3205 & 3280 DENARGO STREET, 2809 DELGANY STREET, AND 2700 WEWATTA WAY, DENVER, CO 80216**

**PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS**

**For Closing Assistance**

**For Title Assistance**
David Knapp
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
(303) 850-4174 (Work)
dknapp@ltgc.com

**Buyer/Borrower**
GOLUB & COMPANY LLC
Attention: LAURA NEWMAN
2724 WALNUT STREET
Denver, CO 80205
(303) 835-1167 (Work)
lnewman@goco.com
Delivered via: Electronic Mail

LAND TITLE GUARANTEE COMPANY
Attention: LUKE DAVIDSON
3033 EAST FIRST AVENUE SUITE 600
DENVER, CO 80206
(303) 321-1880 (Work)
(303) 393-4912 (Work Fax)
ldavidson@ltgc.com
Delivered via: Electronic Mail

# Land Title Guarantee Company
## Estimate of Title Fees

Order Number: **ABD70615589.1** Date: **07/29/2020**

Property Address: **3205 & 3280 DENARGO STREET, 2809 DELGANY STREET, AND 2700 WEWATTA WAY, DENVER, CO 80216**

Parties: **JV DENARGO LLC, A DELAWARE LIMITED LIABILITY COMPANY**

**JV DENARGO LLC, A DELAWARE LIMITED LIABILITY COMPANY**

Visit Land Title's Website at **www.ltgc.com** for directions to any of our offices.

| Estimate of Title insurance Fees | |
|---|---|
| "ALTA" Owner's Policy 06-17-06 | TBD |
| | **Total TBD** |
| If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing. | |
| **Thank you for your order!** | |

**Note:** The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

**Chain of Title Documents:**

**Denver county recorded 06/27/2019 under reception no. 2019082693**

**Plat Map(s):**

**Denver county recorded 04/12/2012 under reception no. 2012049308**

**ALTA COMMITMENT**

**Old Republic National Title Insurance Company**

**Schedule A**

**Order Number: ABD70615589.1**

**Property Address:**

3205 & 3280 DENARGO STREET, 2809 DELGANY STREET, AND 2700 WEWATTA WAY, DENVER, CO 80216

1. **Effective Date:**

   07/24/2020 at 5:00 P.M.

2. **Policy to be Issued and Proposed Insured:**

   "ALTA" Owner's Policy 06-17-06 TBD
   Proposed Insured:
   JV DENARGO LLC, A DELAWARE LIMITED LIABILITY COMPANY

3. **The estate or interest in the land described or referred to in this Commitment and covered herein is:**

   A Fee Simple

4. **Title to the estate or interest covered herein is at the effective date hereof vested in:**

   JV DENARGO LLC, A DELAWARE LIMITED LIABILITY COMPANY

5. **The Land referred to in this Commitment is described as follows:**

Parcel 1:

LOT 1, BLOCK 5, DENARGO MARKET SUBDIVISION FILING NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 12, 2012, AT RECEPTION NO. **2012049308**, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

Parcel 2:

LOT 1, BLOCK 6, DENARGO MARKET SUBDIVISION FILING NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 12, 2012, AT RECEPTION NO. **2012049308**, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

Parcel 3:

TRACT F, DENARGO MARKET SUBDIVISION FILING NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 12, 2012, AT RECEPTION NO. **2012049308**, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

Parcel 4 (HISTORIC LEGAL DESCRIPTION):

PARCEL OF LAND SITUATE IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, COLORADO, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF DENARGO STREET, AS NOW ESTABLISHED 80.0 FEET WIDE THAT IS 407.20 FEET DISTANT NORTH, MEASURED ALONG SAID EAST LINE OF DENARGO STREET, FROM THE EAST AND WEST CENTRAL LINE OF SAID SECTION 27;
THENCE SOUTH ALONG SAID EAST LINE OF DENARGO STREET A DISTANCE OF 200.00 FEET;
THENCE EAST AT RIGHT ANGLES TO SAID EAST LINE OF DENARGO STREET, A DISTANCE OF 147.94

FEET, MORE OR LESS, TO A POINT THAT IS 8.5 FEET DISTANT WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF SPUR TRACK NO. V-494 OF THE UNION PACIFIC RAILROAD COMPANY AS NOW CONSTRUCTED AND OPERATED;
THENCE NORTHERLY ALONG A STRAIGHT LINE FORMING AN ANGLE OF 85 DEGREES 57 MINUTES 34 SECONDS FROM EAST TO NORTH WITH THE EASTERLY EXTENSION OF THE LAST DESCRIBED LINE AND WHICH IS APPROXIMATELY PARALLEL WITH AND 8.5 FEET DISTANT WESTERLY, MEASURED AT RIGHT ANGLES, FROM SAID CENTER LINE OF SPUR TRACK NO. V-494, A DISTANCE OF 44.11 FEET;
THENCE NORTH ALONG A STRAIGHT LINE FORMING AN ANGLE OF 04 DEGREES 02 MINUTES 26 SECONDS FROM NORTHEAST TO NORTH WITH THE NORTHERLY EXTENSION OF THE LAST DESCRIBED STRAIGHT LINE AND WHICH IS APPROXIMATELY PARALLEL WITH AND 8.5 FEET DISTANT WEST, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF SAID SPUR TRACK NO. V-494, A DISTANCE OF 156.0 FEET, MORE OR LESS, TO A POINT IN A STRAIGHT LINE DRAWN AT RIGHT ANGLES TO SAID EAST LINE OF DENARGO STREET FROM THE POINT OF BEGINNING;
THENCE WEST ALONG SAID STRAIGHT LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF DENARGO STREET A DISTANCE OF 151.05 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 4 (AS SURVEYED):

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 27, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH 89°59'53" WEST, A DISTANCE OF 2646.01 FEET, WITH ALL BEARINGS HEREIN BEING RELATIVE TO THIS LINE;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, SOUTH 89°59'53" WEST, A DISTANCE OF 903.75 FEET TO THE EAST RIGHT OF WAY LINE OF DENARGO STREET;

THENCE ALONG SAID EAST RIGHT OF WAY LINE, NORTH 00°01'41" WEST, A DISTANCE OF 207.08 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, DENARGO MARKET SUBDIVISION FILING NO. 2, PER THE PLAT RECORDED AT RECEPTION NO. **2012049308** IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, NORTH 00°01'41" WEST, A DISTANCE OF 200.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF DELGANY STREET AS DEDICATED BY SAID PLAT;

THENCE DEPARTING SAID EAST RIGHT OF WAY LINE AND ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 89°58'19" EAST, A DISTANCE OF 152.90 FEET;

THENCE ALONG A SOUTHERLY JOG IN THE SOUTH RIGHT OF WAY LINE OF SAID DELGANY STREET AND ALONG THAT CERTAIN WEST BOUNDARY OF SAID LOT 1, BLOCK 2 BEING COMMON WITH THE EAST BOUNDARY OF THE HEREIN DESCRIBED PARCEL, SOUTH 00°01'41" EAST, A DISTANCE OF 156.00 FEET;

THENCE DEPARTING SAID CERTAIN WEST BOUNDARY, SOUTH 04°00'45" WEST, A DISTANCE OF 44.11 FEET TO THAT CERTAIN NORTH BOUNDARY OF SAID LOT 1, BLOCK 2 BEING COMMON WITH THE SOUTH BOUNDARY OF THE HEREIN DESCRIBED PARCEL;

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THENCE ALONG SAID CERTAIN NORTH BOUNDARY, SOUTH 89°58'19" WEST, A DISTANCE OF 149.79 FEET TO THE POINT OF BEGINNING.

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**ALTA COMMITMENT**

**Old Republic National Title Insurance Company**

**Schedule B, Part I**

**(Requirements)**

**Order Number:** ABD70615589.1

**All of the following Requirements must be met:**

**This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.**

**Pay the agreed amount for the estate or interest to be insured.**

**Pay the premiums, fees, and charges for the Policy to the Company.**

**Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.**

THIS COMMITMENT IS FOR INFORMATION ONLY, AND NO POLICY WILL BE ISSUED PURSUANT HERETO.

**ALTA COMMITMENT**

**Old Republic National Title Insurance Company**

**Schedule B, Part II**

**(Exceptions)**

**Order Number:** ABD70615589.1

**This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.**

1. **Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
2. **Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
3. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
6. **(a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
7. **(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
8. EXISTING LEASES AND TENANCIES, IF ANY.
9. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BY UNION PACIFIC RAILROAD COMPANY AS CONTAINED IN DEED RECORDED APRIL 26, 1949 IN BOOK 6535 AT PAGE **466**.

   NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. **2007046903**.

   NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

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**(Exceptions)**

**Order Number:** ABD70615589.1

10. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, WITHOUT THE RIGHT TO USE THE SURFACE, BY UNION PACIFIC RAILROAD COMPANY, AS CONTAINED IN DEED RECORDED JUNE 09, 1964 IN BOOK 9250 AT PAGE **44**.

    NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. **2007046903**.

    NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

11. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BY UNION PACIFIC RAILROAD COMPANY, AS CONTAINED IN DEED RECORDED APRIL 05, 1973 IN BOOK 671 AT PAGE **334**.

    NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. **2007046903**.

    NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

12. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BY UNION PACIFIC RAILROAD COMPANY, AS CONTAINED IN DEED RECORDED JANUARY 07, 1975 IN BOOK 994 AT PAGE **637**.

    NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. **2007046903**.

    NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

13. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BY UNION PACIFIC RAILROAD COMPANY AS CONTAINED IN DEED RECORDED DECEMBER 22, 1975 IN BOOK 1171 AT PAGE **630**.

    NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. **2007046903**.

    NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

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**Schedule B, Part II**

**(Exceptions)**

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14. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, WITHOUT THE RIGHT TO USE THE SURFACE, BY UNION PACIFIC LAND RESOURCES CORPORATION, AS CONTAINED IN DEED RECORDED DECEMBER 30, 1975 IN BOOK 1175 AT PAGE **106**.

    NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. **2007046903**.

    NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

15. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, WITHOUT THE RIGHT TO USE THE SURFACE BY UNION PACIFIC RAILROAD COMPANY AS CONTAINED IN DEED RECORDED APRIL 02, 1976 IN BOOK 1222 AT PAGE **276**.

    NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. **2007046903**.

    NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

16. RESERVATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, WITHOUT THE RIGHT TO USE THE SURFACE BY UNION PACIFIC LAND RESOURCES CORPORATION AS CONTAINED IN DEED RECORDED DECEMBER 08, 1976 IN BOOK 1357 AT PAGE **675**.

    NOTE: RELINQUISHMENT AND QUITCLAIM FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 22, 2007 UNDER RECEPTION NO. **2007046903**.

    NOTE: RELINQUISHMENT AND QUITCLAIM DEED FROM UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

17. AN EASEMENT FOR SUBSURFACE USE, AND INCIDENTAL PURPOSES, AS TAKEN BY THE CITY AND COUNTY OF DENVER IN RULE AND DECREE IN CONDEMNATION RECORDED FEBRUARY 17, 1998 UNDER RECEPTION NO. **9800022578**.

    (AFFECTS LOT 1, BLOCK 6)

18. RESERVATION BY UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION OF ALL MINERALS AND MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UNDERLYING THE PROPERTY, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE PROPERTY, AND IN SUCH MANNER AS NOT TO DAMAGE THE SURFACE OF THE PROPERTY, OR TO INTERFERE WITH THE USE THEREOF BY THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, AS CONTAINED IN DEED RECORDED MARCH 15, 2004 UNDER RECEPTION NO. **2004068945**.

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19. RESERVATION BY UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION OF ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE PROPERTY, AND IN SUCH MANNER AS NOT TO DAMAGE THE SURFACE OF THE PROPERTY, OR TO INTERFERE WITH THE USE THEREOF BY THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, AS CONTAINED IN DEED RECORDED NOVEMBER 06, 2006 UNDER RECEPTION NO. **2006178107**.
20. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE #227, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. **2007089032**.
21. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE #228, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. **2007089033**.
22. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE #229, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. **2007089034**.
23. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE #230, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. **2007089035**.
24. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT AGREEMENT BY AND BETWEEN DENARGO MARKET L.P., A DELAWARE LIMITED PARTNERSHIP AND THE CITY AND COUNTY OF DENVER RECORDED JULY 14, 2008 UNDER RECEPTION NO. **2008096448**, AS CORRECTED BY INSTRUMENT RECORDED OCTOBER 28, 2008 UNDER RECEPTION NO. **2008146409**, AS AMENDED BY FIRST AMENDMENT TO PERMANENT EASEMENT RECORDED OCTOBER 21, 2011 UNDER RECEPTION NO. **2011119506**.

    (AFFECTS LOT 1, BLOCK 6)
25. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENARGO MARKET GENERAL DEVELOPMENT PLAN RECORDED APRIL 4, 2007 UNDER RECEPTION NO. **2007054152** AND RECORDED OCTOBER 7, 2008 UNDER RECEPTION NO. **2008136480**, **2N**D MINOR AMENDMENT RECORDED SEPTEMBER 1, 2009 UNDER RECEPTION NO. **2009115958** AND **3R**D AMENDMENT - MINOR RECORDED JANUARY 10, 2014 UNDER RECEPTION NO. **2014003001**, AND DENARGO MARKET GENERAL DEVELOPMENT PLAN, 4TH AMENDMENT-MINOR RECORDED NOVEMBER 02, 2017 UNDER RECEPTION NO. **2017144227**.
26. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN CITY AND COUNTY OF DENVER HOUSING & NEIGHBORHOOD DEVELOPMENT SERVICES INCLUSIONARY HOUSING PROGRAM AFFORDABLE HOUSING PLAN RECORDED NOVEMBER 07, 2008 UNDER RECEPTION NO. **2008152785**.
27. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN COVENANT AND AGREEMENT BY AND BETWEEN DENARGO MARKET L.P., A DELAWARE LIMITED PARTNERSHIP AND PUBLIC SERVICE COMPANY OF COLORADO RECORDED DECEMBER 04, 2008 UNDER RECEPTION NO. **2008164065**.

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28. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AMENDED AND RESTATED FRAMEWORK AGREEMENT FOR DENARGO MARKET RECORDED JANUARY 10, 2012 UNDER RECEPTION NO. **2012003134** AND FIRST AMENDMENT THERETO RECORDED JANUARY 31, 2013 UNDER RECEPTION NO. **2013014036**.

29. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DENARGO MARKET DEVELOPMENT PLAN RECORDED FEBRUARY 25, 2009 UNDER RECEPTION NO. **2009023565**.

30. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN COVENANT BY DENARGO MARKET, L.P., A DELAWARE LIMITED PARTNERSHIP RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020701**.

    (AFFECTS LOT 1, BLOCK 6)

31. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF DENARGO MARKET SUBDIVISION FILING NO. 2 RECORDED APRIL 12, 2012 UNDER RECEPTION NO. **2012049308**.

    (AFFECTS PARCELS 1, 2 AND 3)

32. EASEMENT GRANTED TO DENARGO MARKET METROPOLITAN DISTRICT NO. 1, FOR QUALITY, DRAINAGE AND DETENTION FACILITIES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED MAY 04, 2012, UNDER RECEPTION NO. **2012059040**.

    (AFFECTS LOT 1, BLOCK 5)

33. RESTRICTIVE COVENANTS, INCLUDING EASEMENTS AND ASSESSMENTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DENARGO MARKET RECORDED MAY 04, 2012, UNDER RECEPTION NO. **2012059131**.

    ASSIGNMENT OF DECLARANT RIGHTS RECORDED DECEMBER 24, 2015 UNDER RECEPTION NO. **2015177880** AND RE-RECORDED NOVEMBER 02, 2016 UNDER RECEPTION NO. **2016152991**.

    FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DENARGO MARKET RECORDED JUNE 27, 2019 AT RECEPTION NO. **2019082692**.

    ASSIGNMENT OF DECLARANT RIGHTS RECORDED JUNE 27, 2019 AT RECEPTION NO. **2019082694**.

    (AFFECTS PARCELS 1, 2 AND 3)

34. EASEMENT GRANTED TO PUBLIC SERVICE COMPANY OF COLORADO, FOR UTILITY LINES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED OCTOBER 27, 2015, UNDER RECEPTION NO. **2015151116**.

    (AFFECTS LOT 1, BLOCK 6)

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35. ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER BE DISCOVERED, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, OIL AND GAS AND RIGHTS THERETO, TOGETHER WITH THE SOLE, EXCLUSIVE AND PERPETUAL RIGHT TO EXPLORE FOR, REMOVE AND DISPOSE OF, SAID MINERALS BY ANY MEANS OR METHODS SUITABLE, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE LANDS AND IN SUCH MANNER AS TO NOT DAMAGE THE SURFACE OF THE LANDS OR TO INTERFERE WITH THE USE THEREOF, AS RESERVED IN DEED RECORDED MAY 5, 1964 IN BOOK 9230 AT PAGE **91**.

    RELINQUISHMENT AND QUITCLAIM DEED CONTAINING AS SET FORTH IN PARAGRAPH 3 THEREIN, RECORDED FEBRUARY 23, 2010 UNDER RECEPTION NO. **2010020617**.

    (AFFECTS PARCEL 4)

36. RESERVATION OF THE RIGHT TO CONSTRUCT, MAINTAIN AND REMOVE SEWERS, WATER PIPES AND APPURTENANCES, AND TO AUTHORIZE THE CONSTRUCTION, MAINTENANCE AND REMOVAL OF THE SAME BY THE CITY AND COUNTY OF DENVER AS CONTAINED IN ORDINANCE #98, SERIES OF 1927, WITHIN THE VACATED PORTION OF WEST 32ND AVENUE RECORDED JANUARY 5, 1987 UNDER RECEPTION NO. **72494**.

    (AFFECTS PARCEL 3)

37. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE DENARGO MARKET METROPOLITAN DISTRICT NO. 1, AS EVIDENCED BY INSTRUMENT RECORDED JUNE 30, 2010, UNDER RECEPTION NO. **2010071743**.

    NOTICES CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NO. 1 RECORDED JANUARY 31, 2011 UNDER RECEPTION NO. **2011011515**, JANUARY 26, 2012 UNDER RECEPTION NO. **2012009810** AND JANUARY 31, 2013 UNDER RECEPTION NO. **2013014637**.

    SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT DENARGO MARKET METROPOLITAN DISTRICT NO. 1 RECORDED DECEMBER 19, 2014 UNDER RECEPTION NO. **2014155257**.

    NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NOS. 1-3 RECORDED JANUARY 31, 2014 UNDER RECEPTION NO. **2014010444** AND JANUARY 30, 2015 UNDER RECEPTION NO. **2015010938**.

    NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NO. 1 RECORDED JANUARY 17, 2019 UNDER RECEPTION NO. **2019006162**.

    (AFFECTS PARCEL 3)

38. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE DENARGO MARKET METROPOLITAN DISTRICT NO. 2, AS EVIDENCED BY INSTRUMENT RECORDED JUNE 30, 2010, UNDER RECEPTION NO. **2010071744**.

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SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT DENARGO MARKET METROPOLITAN DISTRICT NO. 2 RECORDED DECEMBER 29, 2014 UNDER RECEPTION NO. **2014157900** AND FIRST AMENDMENT TO SPECIAL DISTRICT PUBLIC DISCLOSURE DOCUMENT DENARGO MARKET METROPOLITAN DISTRICT NO. 2 RECORDED MAY 01, 2017 UNDER RECEPTION NO. **2017057038**..

NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NOS. 1-3 RECORDED JANUARY 31, 2014 UNDER RECEPTION NO. **2014010444** AND JANUARY 30, 2015 UNDER RECEPTION NO. **2015010938**.

NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NO. 2 RECORDED JANUARY 17, 2019 UNDER RECEPTION NO. **2019006163**

(AFFECTS PARCEL 3)

39. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE DENARGO MARKET METROPOLITAN DISTRICT NO. 3, AS EVIDENCED BY INSTRUMENT RECORDED JUNE 30, 2010, UNDER RECEPTION NO. **2010071745**.

    NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NOS. 1-3 RECORDED JANUARY 31, 2014 UNDER RECEPTION NO. **2014010444** AND JANUARY 30, 2015 UNDER RECEPTION NO. **2015010938**.

    NOTICE CONCERNING DENARGO MARKET METROPOLITAN DISTRICT NO. 3 RECORDED JANUARY 17, 2019 UNDER RECEPTION NO. **2019006164**.

    (AFFECTS PARCEL 3)

40. TERMS, CONDITIONS AND PROVISIONS OF BARGAIN AND SALE DEED RECORDED DECEMBER 24, 2015 AT RECEPTION NO. **2015177879**.

    (AFFECTS ALL PARCELS)

41. TERMS, CONDITIONS AND PROVISIONS OF AMENDMENT TO DEED RESTRICTIONS RECORDED JUNE 27, 2019 AT RECEPTION NO. **2019082691**.

42. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LARGE DEVELOPMENT FRAMEWORK DENARGO MARKET RECORDED MAY 26, 2020 UNDER RECEPTION NO. **2020069689**.

# LAND TITLE GUARANTEE COMPANY
# DISCLOSURE STATEMENTS

**Note: Pursuant to CRS 10-11-122, notice is hereby given that:**

(A) The Subject real property may be located in a special taxing district.

(B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).

(C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

**Note:** Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

**Note:** Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

**Note:** Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

(A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.

(B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.

(C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.

(D) The Company must receive payment of the appropriate premium.

(E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

**Note:** Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

(A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and

(B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

**Note:** Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**Note:** Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

# JOINT NOTICE OF PRIVACY POLICY OF LAND TITLE GUARANTEE COMPANY, LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY LAND TITLE INSURANCE CORPORATION AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
- your transactions with, or from the services being performed by us, our affiliates, or others;
- a consumer reporting agency, if such information is provided to us in connection with your transaction;

  and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

# Commitment For Title Insurance

# Issued by Old Republic National Title Insurance Corporation

**NOTICE**

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

**COMMITMENT TO ISSUE POLICY**

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

**COMMITMENT CONDITIONS**

1. DEFINITIONS
   - (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
   - (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
   - (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
   - (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
   - (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
   - (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
   - (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
   - (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:
   - (a) the Notice;
   - (b) the Commitment to Issue Policy;
   - (c) the Commitment Conditions;
   - (d) Schedule A;
   - (e) Schedule B, Part I—Requirements; and
   - (f) Schedule B, Part II—Exceptions; and
   - (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. **COMPANY'S RIGHT TO AMEND**

   The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. **LIMITATIONS OF LIABILITY**
   - (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
     - i. comply with the Schedule B, Part I—Requirements;
     - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
     - iii. acquire the Title or create the Mortgage covered by this Commitment.
   - (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
   - (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
   - (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
   - (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

(f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
(g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**
   (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
   (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
   (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
   (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
   (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
   (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. **IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

   The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.
8. **PRO-FORMA POLICY**

   The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.
9. **ARBITRATION**

   The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is $2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at http://www.alta.org/arbitration.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880

Senior Vice President

**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**
*A Stock Company*
*400 Second Avenue South, Minneapolis, Minnesota 55401*
*(612) 371-1111*

*By* *President*

*Attest* *Secretary*

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Land Title Insurance Corporation. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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# DENARGO MARKET

## SUPPLEMENTAL REZONE INFORMATION

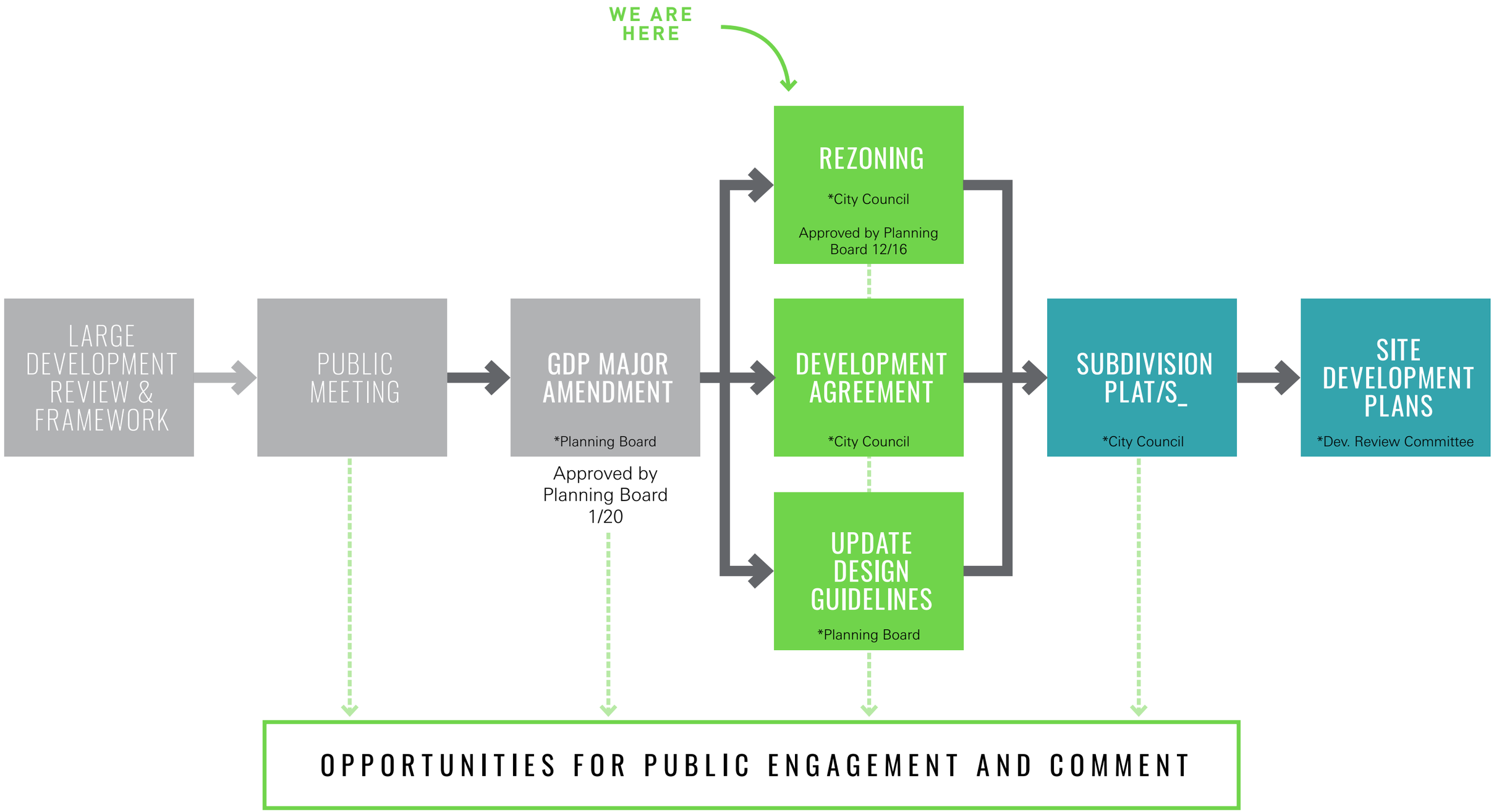
GOLUB FORMATIV TRYBA ARCHITECTS

# Resulting Benefits of Rezone and Amending the GDP:

| COMMUNITY BENEFITS |
| --- |
| Improved **multi-modal circulation network** |
| Enhanced and additional **open space** and **public open space cost sharing** |
| Extensive **affordable housing** commitments via Development Agreement |
| Improved and updated **Design Standards & Guidelines** |
| Fulfillment of plan guidance to update former Chapter 59 zoning parcels to **current form-based zoning** designations |

| ESTIMATED ECONOMIC BENEFITS | |
| --- | --- |
| **$35.5M** | Taxes & Fees paid to City & County of Denver *(one-time payment)* |
| **$21.5M** | Annual Revenue to the City & County of Denver *(recurring)* |
| **14,000 +** | New jobs to support proposed development |
| **20,000** | New daily visitors, residents, and employees on-site will expand RTD bus ridership |

# Process


WE ARE HERE
LARGE DEVELOPMENT REVIEW & FRAMEWORK
PUBLIC MEETING
GDP MAJOR AMENDMENT
*Planning Board
Approved by Planning Board 1/20
REZONING
*City Council
Approved by Planning Board 12/16
DEVELOPMENT AGREEMENT
*City Council
UPDATE DESIGN GUIDELINES
*Planning Board
SUBDIVISION PLAT/S_
*City Council
SITE DEVELOPMENT PLANS
*Dev. Review Committee
OPPORTUNITIES FOR PUBLIC ENGAGEMENT AND COMMENT

# Present Process

After **engaging in community discussions and presentations**, completing the **Large Development Review** process, and gaining **approval at Planning Board for the Rezoning and the GDP Amendment**, the current tasks include:

| | |
|---|---|
| REZONING | **In Process** |
| DEVELOPMENT AGREEMENT | Terms finalized with:<br>Dept. of Housing Stability (HOST)<br>Denver Parks & Rec (DPR)<br>Dept. of Health & Environment (DDPHE)<br>Dept. of Transportation & Infrastructure (DOTI) |
| UPDATE DESIGN GUIDELINES | Finalizing with CPD Staff |

# **Community Outreach** Timeline

**AUG 2019**

- **Jamie Torres, Kendra Black, Amanda Sawyer, Paul Kashmann, Chris Herndon, Stacie Gilmore** — *9/4, Initial Outreach*
- **Kevin Flynn** — *9/12, Initial Outreach*
  - **Chris Hinds** — *9/24, 1st Meeting Development Plan*
    - **Robin Kniech, Debbie Ortega** — *9/25, 1st Meeting Development Plan*
      - **Elyria Swansea/ Globeville Business Association** — *9/25, 1st Meeting Development Plan & Community Benefits*
        - **Paul Kashmann** — *9/26, 1st Meeting Development Plan*
          - **Jolon Clark, Chris Herndon, Stacie Gilmore** — *9/30, 1st Meeting Development Plan*

**SEP 2019**

- **Amanda Sandoval** — *8/16, Initial Outreach*
- **Robin Kniech, Debbie Ortega, Jolon Clark** — *8/6, Initial Outreach*
- **Candi CdeBaca** — *7/30, Initial Outreach*

**OCT 2019**

- **Kendra Black** — *10/21, 1st Meeting Development Plan*
- **Kevin Flynn** — *10/7, 1st Meeting Development Plan*
- **Jamie Torres** — *10/3, 1st Meeting Development Plan & Community Benefits*

**NOV 2019**

- **Candi CdeBaca** — *11/7, 1st Meeting Development Plan & Community Benefits*
  - **Elyria Swansea/ Globeville Business Association** — *11/12, Board Presentation Meeting, Development Plan*
    - **GES Coalition** — *11/13, 1st Meeting Development Plan & Community Benefits*
      - **Amanda Sandoval** — *11/21, 1st Meeting Development Plan*

**DEC 2019**

**JAN 2020**

- **Denver Arts & Culture Initiative, EGS & Partners, Globeville Civic Partners, Globeville Civic Assoc. #2, Globeville K.A.R.E.S., NEDFANS, RiNo Art District, Rio Norte, UCAN** — *1/6, Meeting Request Sent*
  - **RiNo Art District** — *1/14, 1st Meeting Development Plan & Art Program*
    - **Globeville First** — *1/22, 1st Meeting Development Plan & Community Benefits*
      - **Public Meeting Notification** — *1/31*

**FEB 2020**

- **Community Information Meeting** — *2/25, 1st Meeting Development Plan During LDR Process*
- **Ballpark Collective, Center City Denver Residents Org., INC, Post River North, Waterford RiNo, AMLI Denargo Market, City Gate** — *2/3, Invitation to Public Meeting*

**MAR 2020**

- **Globeville First** — *3/2, Development Info Packet Sent*
  - **GES Coalition** — *3/2, Request for Meeting*
    - **GES Coalition** — *3/10, Development Info Packet Sent*
      - **All City Council Members** — *3/16, 2nd Outreach*
        - **GES Coalition** — *3/24, Request for Meeting*
          - **Kevin Flynn** — *3/24, 2nd Meeting Development Plan*
            - **Jolon Clark** — *3/25, 2nd Meeting Development Plan & Community Benefits*
              - **Chris Hinds** — *3/30, 2nd Meeting Development Plan & Community Benefits*

**APR 2020**

- **Robin Kniech** — *4/29, 2nd Meeting Development Plan & Community Benefits*
- **Kendra Black** — *4/13, 2nd Meeting Development Plan & Community Benefits*
- **Stacie Gilmore** — *4/8, 2nd Meeting Development Plan & Community Benefits*
- **Chris Herndon** — *4/3, 2nd Meeting Development Plan & Community Benefits*
- **Paul Kashmann** — *4/1, 2nd Meeting Development Plan & Community Benefits*

**MAY 2020**

- **GES Coalition** — *5/1, Website Sent,*
  - **Globeville First** — *5/1, Website Sent,*
    - **Amanda Sandoval** — *5/13, 2nd Meeting Development Plan & Community Benefits*

**JUN 2020**

- **YIMBY** — *Month End, 1st Meeting Development Plan*
- **AMLI Denargo Market** — *6/15, 1st Meeting Development Plan*
- **Edison at RiNo** — *6/9, 1st Meeting Introduction*
- **City Gate** — *6/9, 1st Meeting Introduction*
- **Waterforf RiNo** — *6/9, 1st Meeting Introduction*

**JUL 2020**

- **Edison at RiNo, The Dylan, Block 32** — *7/1, Meeting Request Sent*
  - **GES Coalition, RiNo Art District** — *7/7, 2nd Meeting Open Space & Riverfront*
    - **All RNOs, GES Coalition, Curtis Park** — *7/31, Meeting Request Sent*

**AUG 2020**

- **Candi CdeBaca, Robin Kniech, Debbie Ortega, Amanda Sandoval, Kevin Flynn, Jamie Torres, Kendra Black, Amanda Sawyer, Stacie Gilmore** — *8/28, 3rd Outreach*

**SEP 2020**

- **Curtis Park** — *9/3, Meeting Development Plan & Community Benefits*
  - **Paul Kashmann, Jolon Clark, Chris Herndon, Chris Hinds** — *9/4, 3rd Outreach*
    - **Kevin Flynn** — *9/8, 3rd Meeting Development Plan & Community Benefits*
      - **Elyria Swansea/ Globeville Business Association** — *9/8, 2nd Meeting Development Plan & Community Benefits*
        - **Community Information Meeting** — *9/22, 2nd Meeting Development Plan & Community Benefits*

**OCT 2020**

- **Jamie Torres** — *10/3, 3rd Meeting Development Plan & Community Benefits*

**NOV 2020**

- **GES Coalition** — *11/4, Community Benefits 3rd Meeting*
  - **Reclaim the East Side** — *11/20, 1st Outreach*

**DEC 2020**

- **Planning Board Meeting, Zoning** — *12/16*
- **Reclaim the East Side** — *12/9 2nd Outreach*

**JAN 2021**

- **Planning Board Meeting, GDP** — *1/20*

**LEGEND**

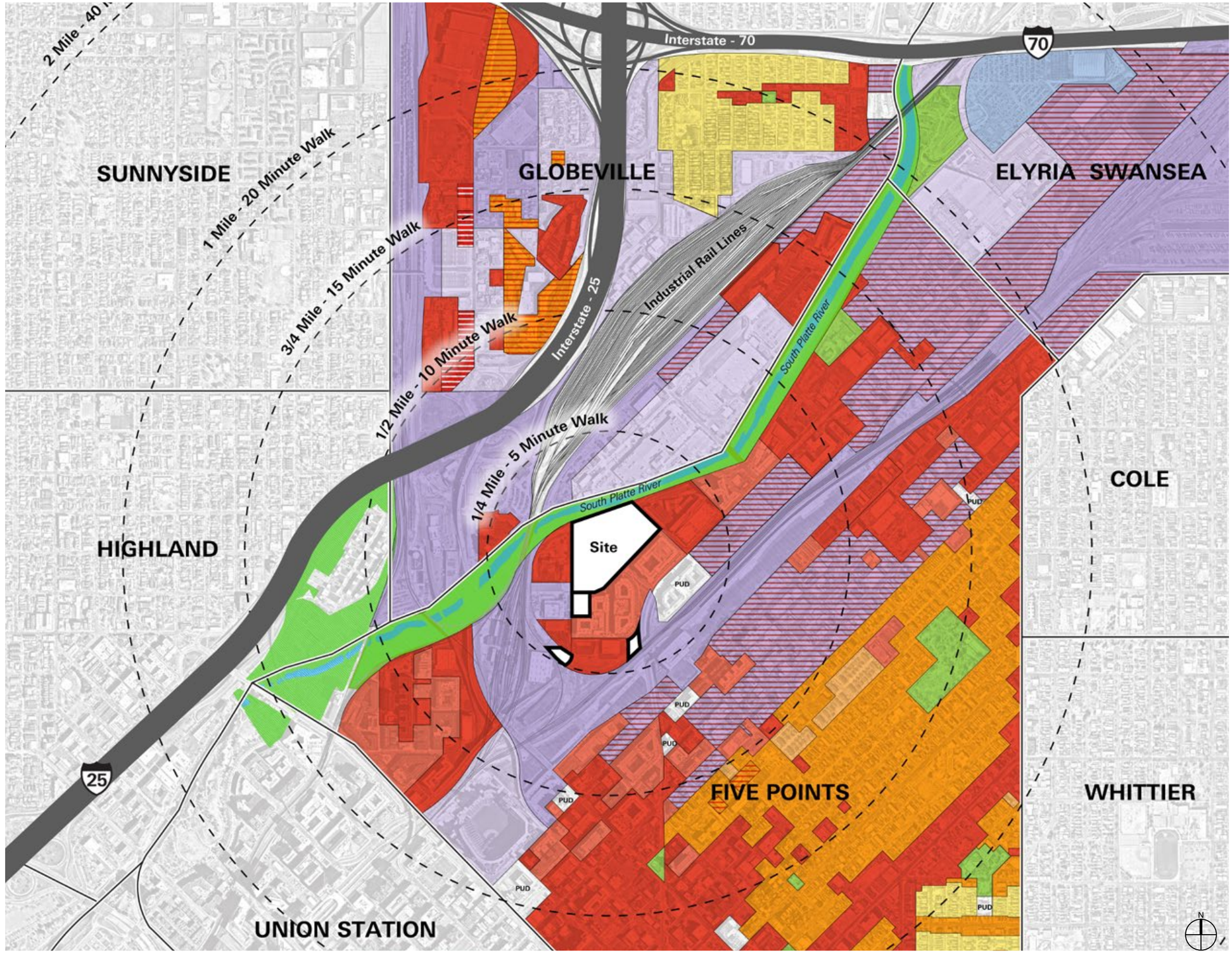
Outreach Attempt

**Virtual or In-Person Meeting**

**Community Information Meeting**

# Neighborhood Context

Proposed zoning and land uses are consistent with surrounding zoning, neighborhood plans, and Comp Plan 2040

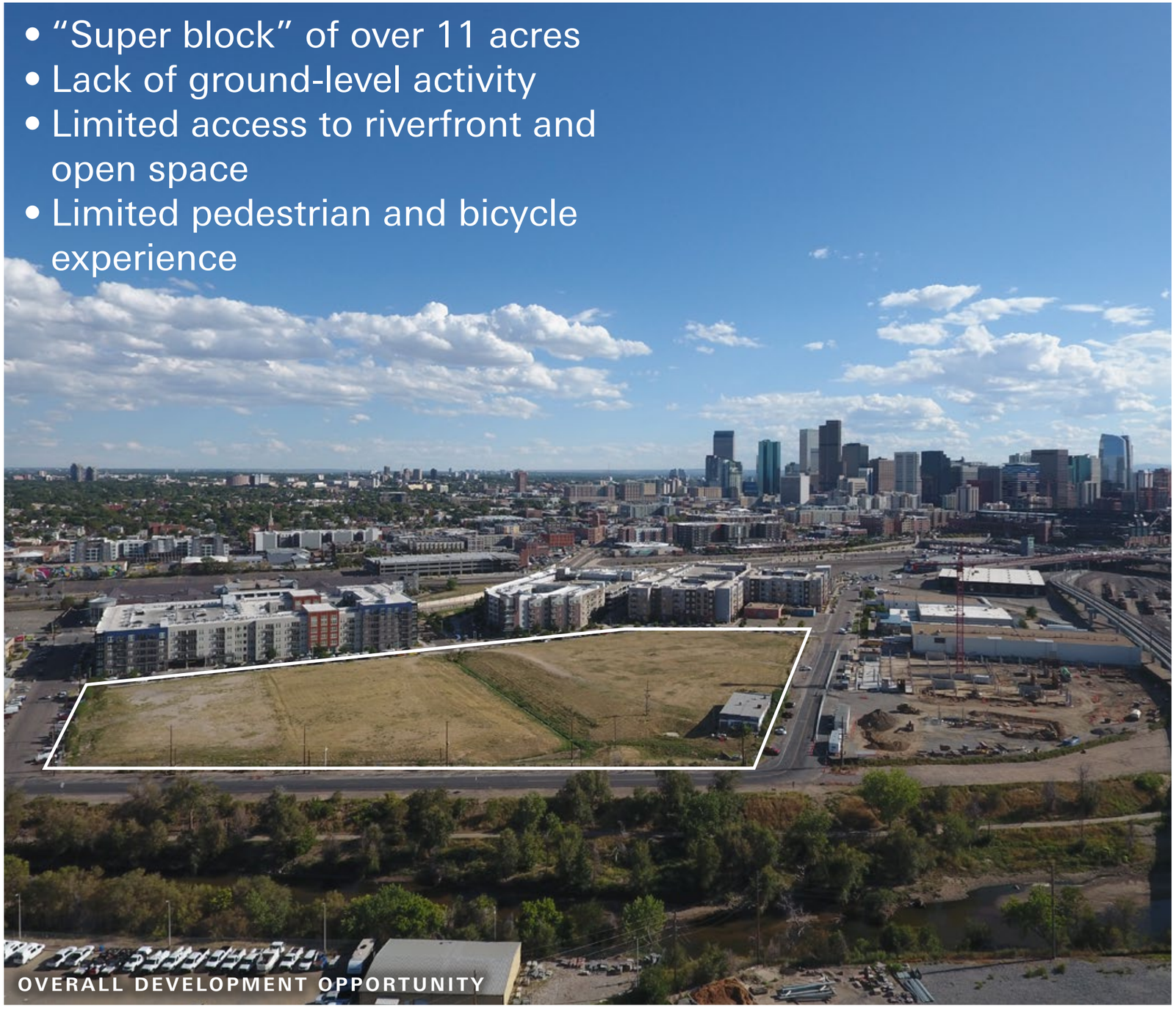



**LEGEND**

- Residential, Single Unit
- Residential, Multi Unit
- Residential Mixed Use
- Mixed Use
- Industrial Mixed Use
- Industrial
- Campus
- Open Space

# **Current Site Context** Riverfront Location

- "Super block" of over 11 acres
- Lack of ground-level activity
- Limited access to riverfront and open space
- Limited pedestrian and bicycle experience



OVERALL DEVELOPMENT OPPORTUNITY

CURRENT RIVER ACCESS CONDITIONS

CURRENT PEDESTRIAN / BICYCLIST EXPERIENCE

# **Community Benefit** Improved Circulation

The new Denargo Street alignment:

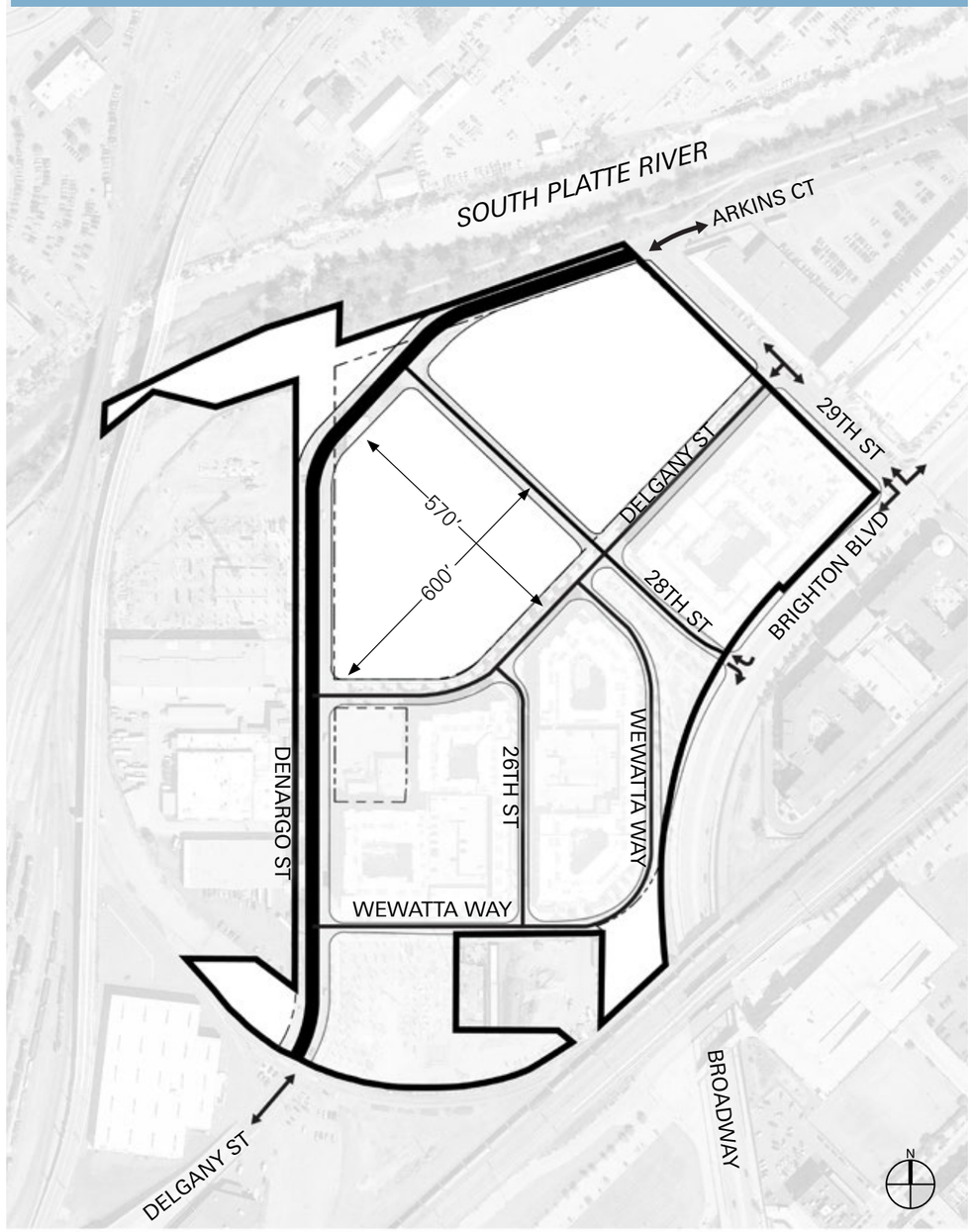
- breaks the largest "super block" parcel into six walkable blocks
- allows the more pedestrian-friendly shared street, Platte River Loop, to activate and provide access to the river

**LEGEND**

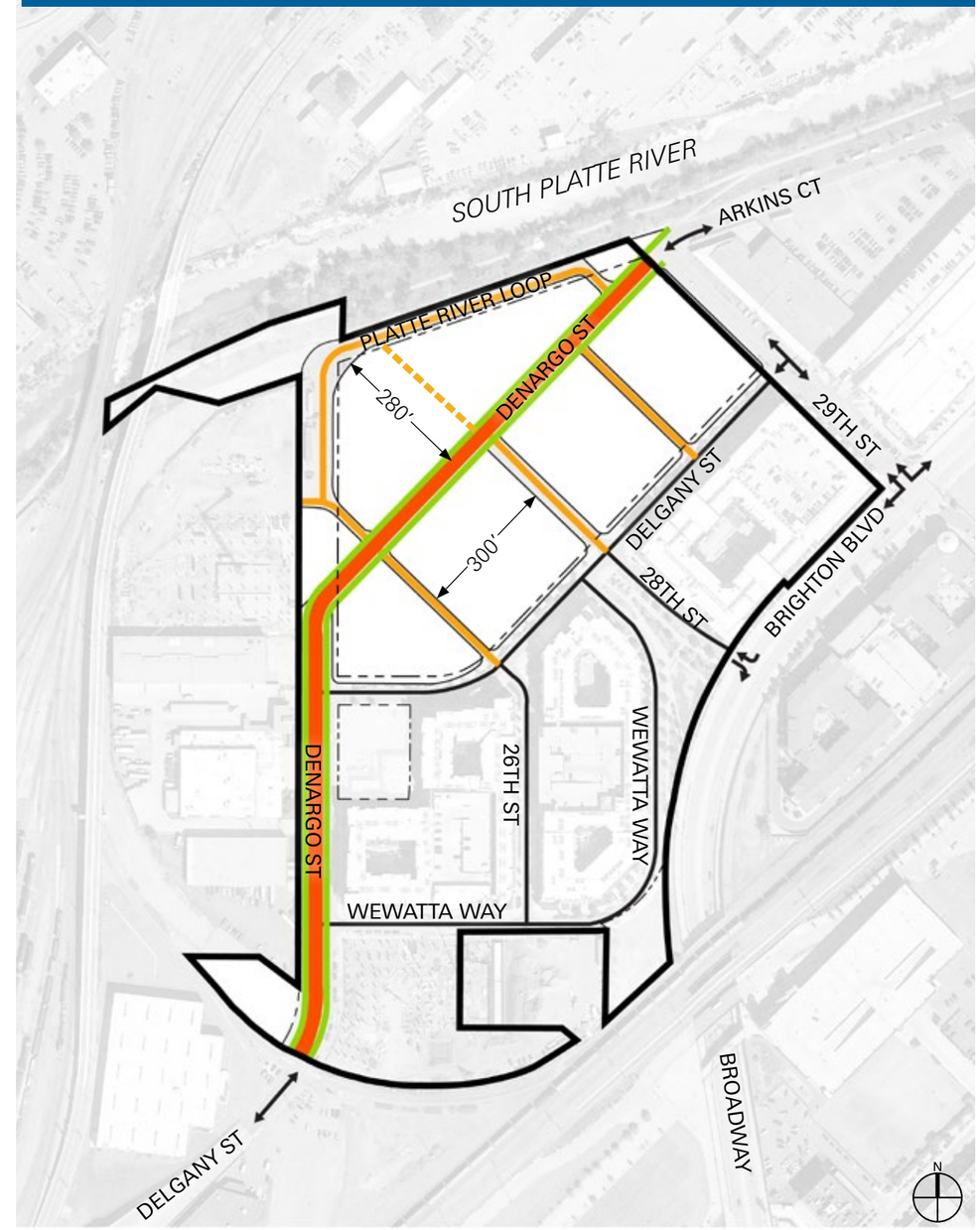
**GDP**
- Collector Street
- Local Street
- Site Access

**Proposed**
- Collector Street
- New Local Street
- Existing Local Street
- Protected Bike Lane
- Site Access

## Existing GDP



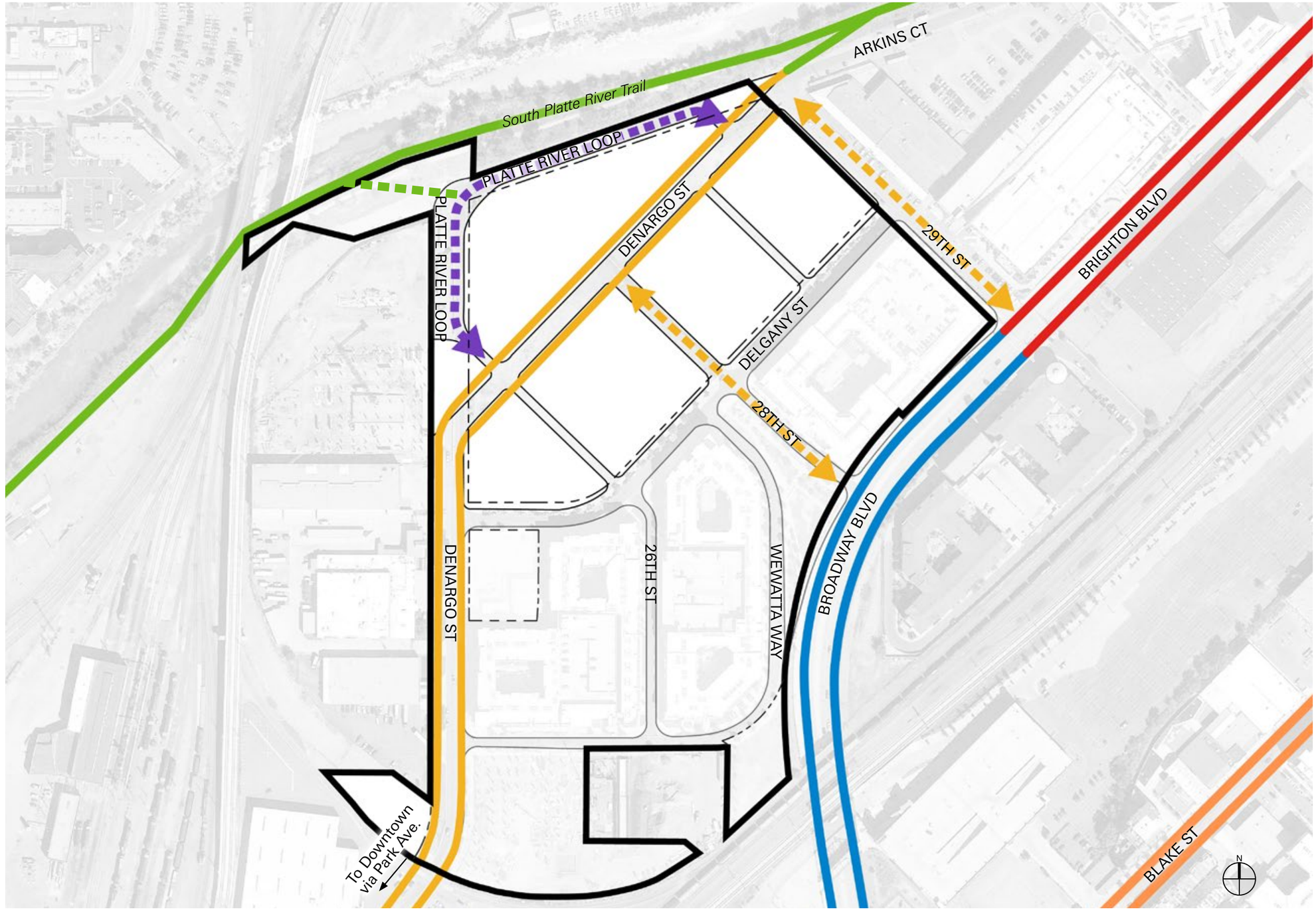

## Amended & Restated GDP



# **Community Benefit** Enhanced Bicycle Network

The proposed bicycle enhancements include:

- protected bike lanes on Denargo Street
- neighborhood bikeways connecting the Platte River Trail and the Brighton Blvd. protected bike lanes
- a new ramp from the South Platte River Trail to the Platte River Loop




**LEGEND**

- Planned Protected Bike Lane
- Planned Neighborhood Bikeway
- Planned Shared Street
- Existing Protected Bike Lane
- Existing Shared Use Sidewalk
- Existing Bike Lane
- Existing Multi Use Trail
- GDP Boundary

# **Community Benefit** Open Space & RiNo Promenade Extension

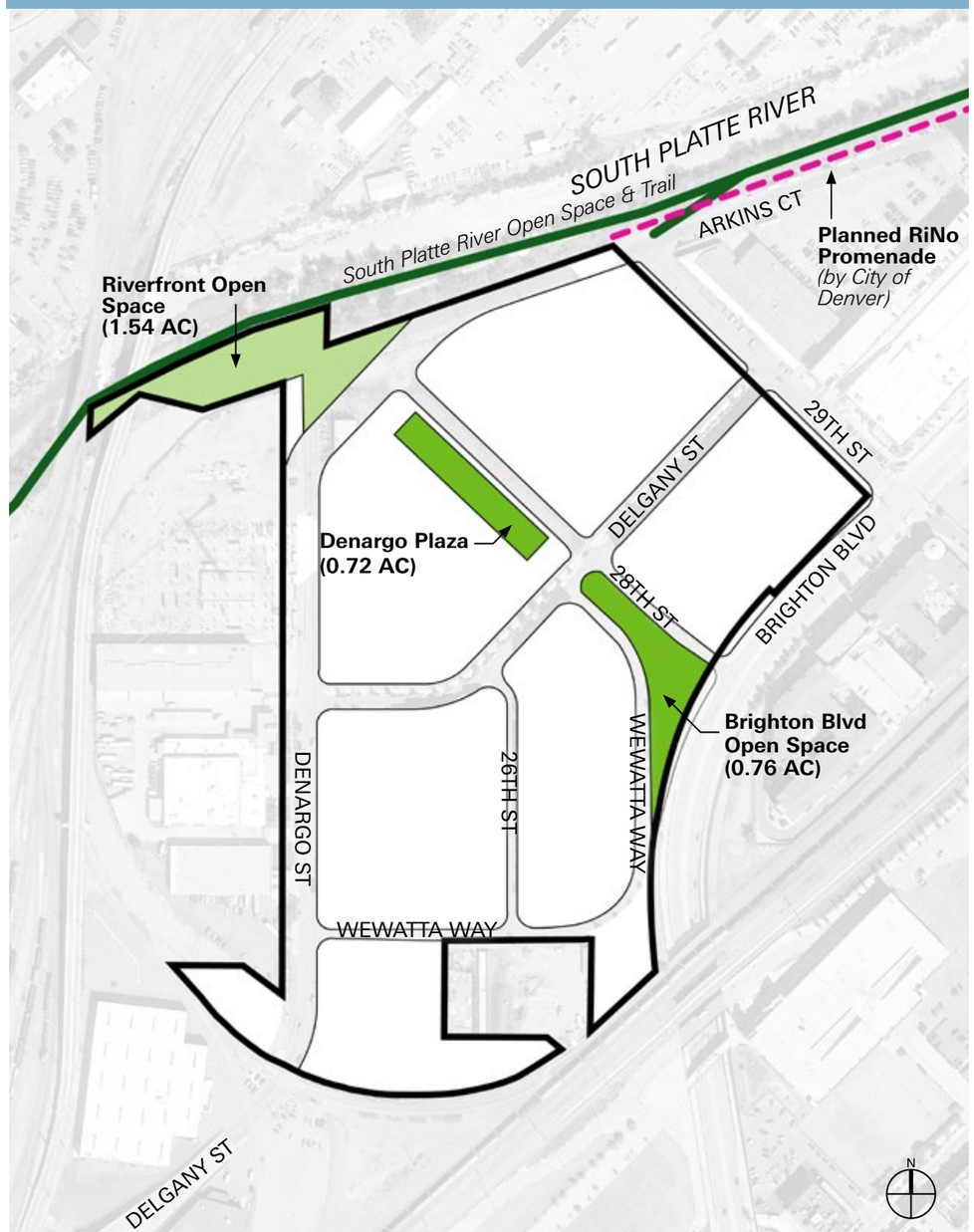
The proposed open space network:

- adds 0.88 acres of additional open space beyond the GDP boundary
- connects to and extends the existing/ planned RiNo Promenade
- creates an integrated network of unique open spaces
- reinforces connections to the South Platte River

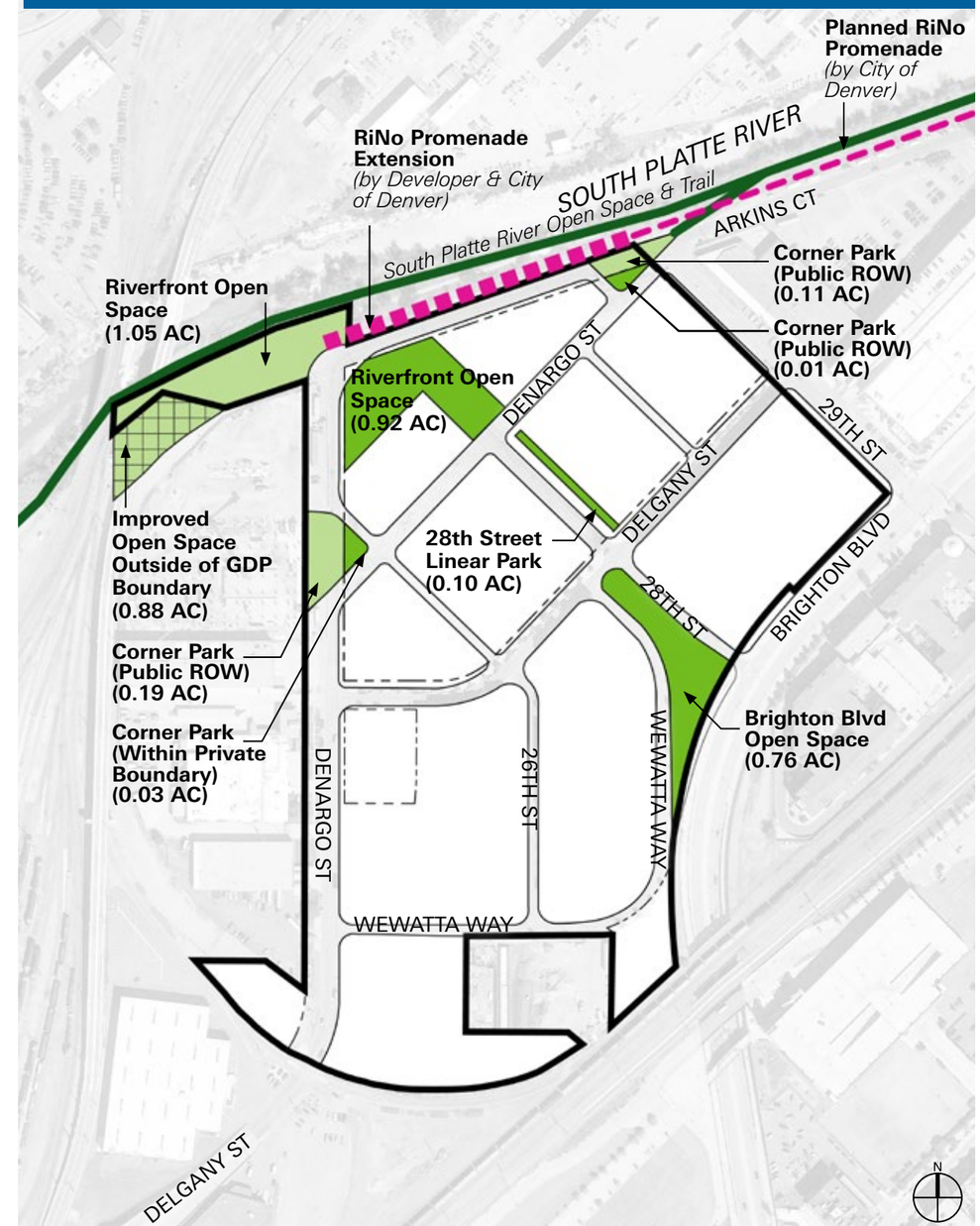
**LEGEND**

- Metro District-Owned Publicly Accessible Open Space
- Publicly-Owned Open Space
- Improved Open Space Outside GDP Boundary

## Existing GDP - 3.02 AC




## Amended & Restated GDP - 3.17 AC



# **Community Benefit** Affordable Housing

| EXISTING AFFORDABLE HOUSING REQUIREMENTS | |
|---|---|
| **No** | Rental Unit Affordability Requirements |
| **10%** | of any **for-sale** units built on site will be affordable |
| **No** | Unit Size Requirements |

| Affordable Housing Units Built on Site Since Original GDP (2003) | |
|---|---|
| **0** | Affordable Units |

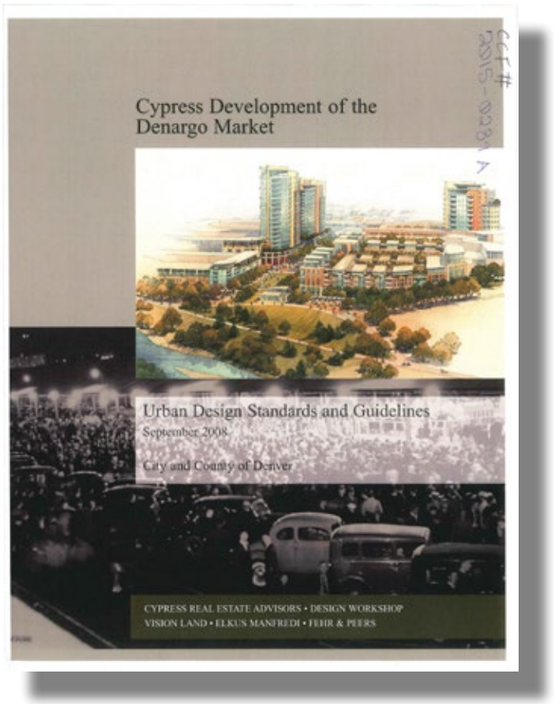
| PROPOSED REQUIREMENTS<br>VIA NEW DEVELOPMENT AGREEMENT; TERMS AGREED UPON BY HOST | |
|---|---|
| **15%** | of any residential units built on site will be affordable and integrated into market-rate projects. |
| **40+** | Minimum number of deeply affordable units to be constructed **on site** by the developer for residents earning **60% AMI** or less |
| **30%** | of all affordable units will have a minimum of **2 bedrooms** to support families |

Any **rental** residential units will be affordable to **80% AMI**. 25% of all affordable rental residential units will be affordable to **60% AMI**.

Any **for-sale** residential units will be affordable to **100% AMI**. 30% of all affordable for-sale residential units will be affordable to **80% AMI**.

# **Community Benefit** Updated Design Standards & Guidelines

## EXISTING REQUIREMENTS




Existing Denargo Market Design Standards and Guidelines (2003)

## UPDATED REQUIREMENTS

- **Restrict height at riverfront-** adjacent parcels to 55′ within 40′ of property boundary per River North Neighborhood Plan Guidance
- Update the 18 year old Design Standards and Guidelines document to **conform with current Denver design standards and guidelines** documents such as the Central Platte Valley - Auraria DSG
- **Overlay the River North Design Overlay (DO-7)** standards on the property to align with surrounding adopted design standards

# Additional Community Benefits

| |
|---|
| Public Art Program to enhance and grow the RiNo Arts District |
| Community meeting spaces for neighborhood organization activities |
| Art studios, galleries and performance spaces |
| Neighborhood-serving retail for everyday needs |
| On-street parallel parking & off-street public parking. |

RINO ART DISTRICT

UNION HALL - DENVER

# **Economic Benefits** Short Term Revenue to City & County of Denver

| **ESTIMATED FUTURE TAXES & FEES** *(ONE-TIME PAYMENT)* | |
|---|---|
| Permit and Miscellaneous Fees | $4.0 M |
| Affordable Housing Fund / Linkage Fee* | $3.0 M |
| Construction Sale and Use Taxes | $28.5 M |
| **TOTAL:** | **$35.5 M** |

*Estimated linkage fee for commercial component only, in addition to affordable units built on-site, based on current rate of $1.83/ sf

# **Economic Benefits** Recurring Revenue to City & County of Denver

| CURRENT ANNUAL TAXES & FEES | |
|---|---|
| Annual Property Taxes | $900 K |
| Annual Retail Sales Taxes | $0 |
| **TOTAL:** | **$900 K** |

| ESTIMATED ANNUAL TAXES & FEES* | |
|---|---|
| Annual Property Taxes | $20 M |
| Annual Retail Sales Taxes | $1.5 M |
| **TOTAL:** | **$21.5 M** |

*Annual property taxes assume $11/sf on the commercial side and $2,000/unit on the residential buildings and excludes any potential additional metro district taxes. Based on 1.6m sf of commercial space and 1,386 residential units.

# Economic Benefits

| ESTIMATED JOBS & INDIRECT BENEFITS* | |
|---|---|
| **8,000 +** | On-Site **construction jobs** in the next 6 to 10 years |
| **6,000 +** | New office employees |
| **65 - 70** | Full-time **building operations employees** to support new development |
| **60,000** | sf of **new retail** will provide full and part - time jobs in the Five Points neighborhood and much needed neighborhood-supporting retail services |
| **20,000** | new daily visitors, residents, and employees on-site will expand RTD bus ridership with the distict Transportation Demand Management (TDM) Program |

*Based on current estimated development plans

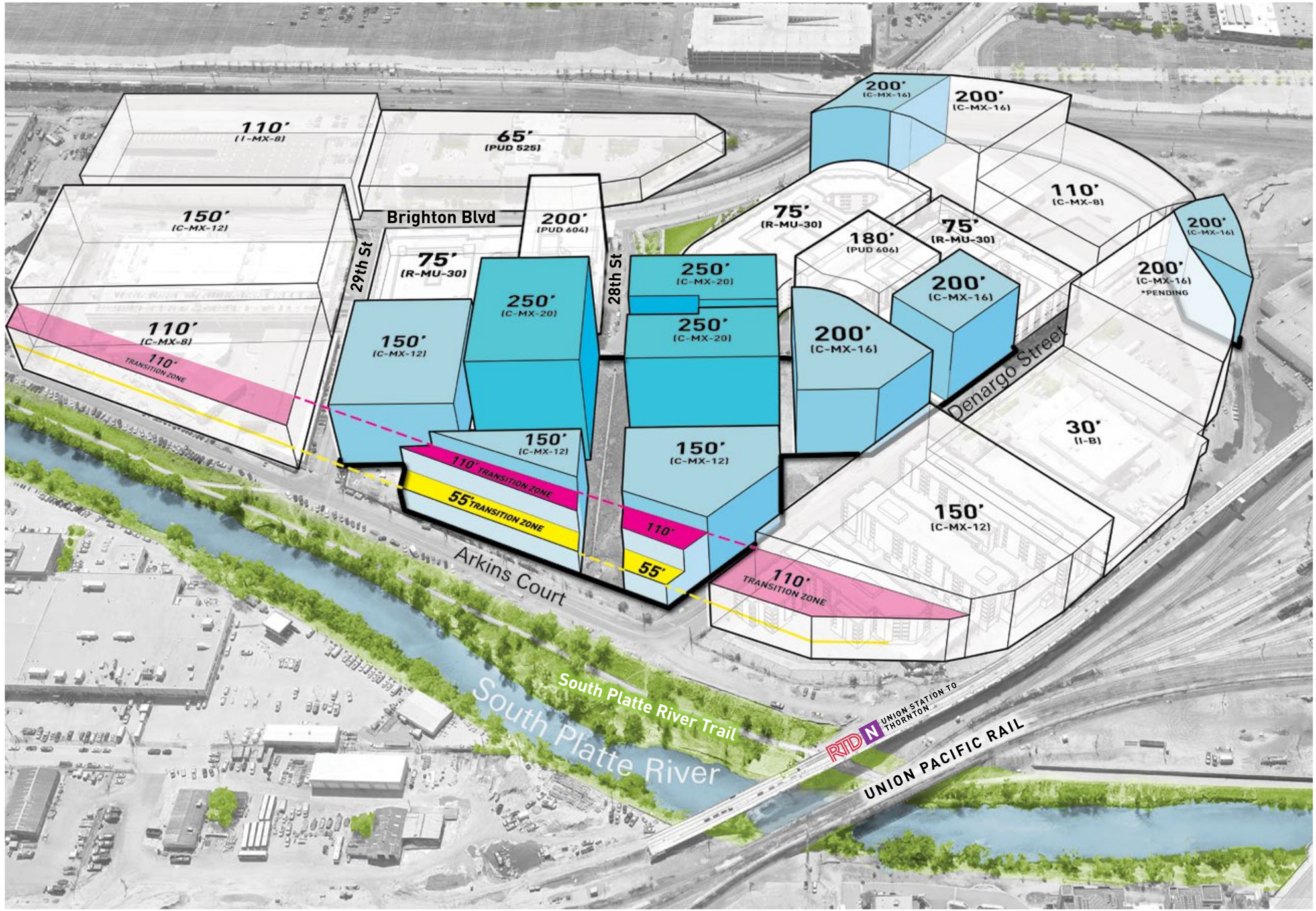
# Addressing Potential Residual Displacement

The site is currently vacant with no existing residents or businesses on the land. The development proposes the following strategies to address potential residual displacement:

| PROPOSED SOLUTIONS |
| --- |
| Mix of enhanced **affordable housing** across the site |
| Neighborhood-serving **retail** to provide **jobs** and **services** |
| Commitment to market affordable housing to **immediate surrounding neighborhoods** |
| Goal to **hire locally** and advertise opportunities to immediate surrounding neighborhoods. |
| Artist **galleries** and **studios** to support local artists |

# **Contextual Zoning** Consistent Riverfront Transition Zone

- Zoning envelopes shown are consistent with adjacent parcels surrounding the site
- Allowable heights gradually step down to the river and are regulated via a 55′ Design Standard and a 110′ (8-story) Transition Zone, as shown.
- 55 ft maximum height extends 40 ft from the riverfront property line
- 110 ft maximum height extends 100 ft from the riverfront property line

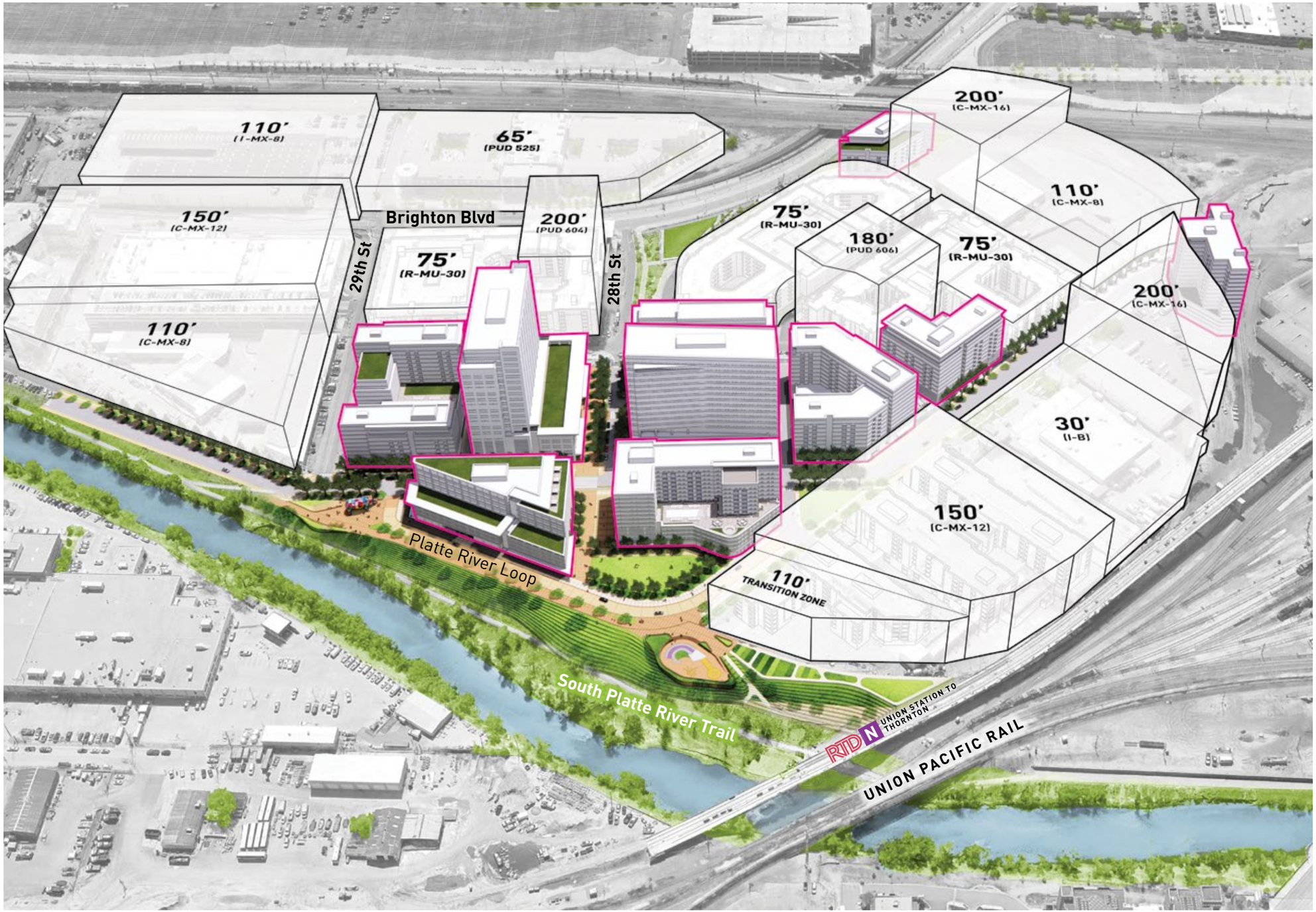



**LEGEND**

- Existing Zoning
- Proposed Zoning (Applicant Parcel)
- Proposed 55′ Height Transition Zone
- Proposed 110′ Height Transition Zone
- Existing (Approved) Height Transition Zone

# **Contextual Zoning** Conceptual Rendering

Conceptual rendering of development shown with adjacent zoning envelopes surrounding the site

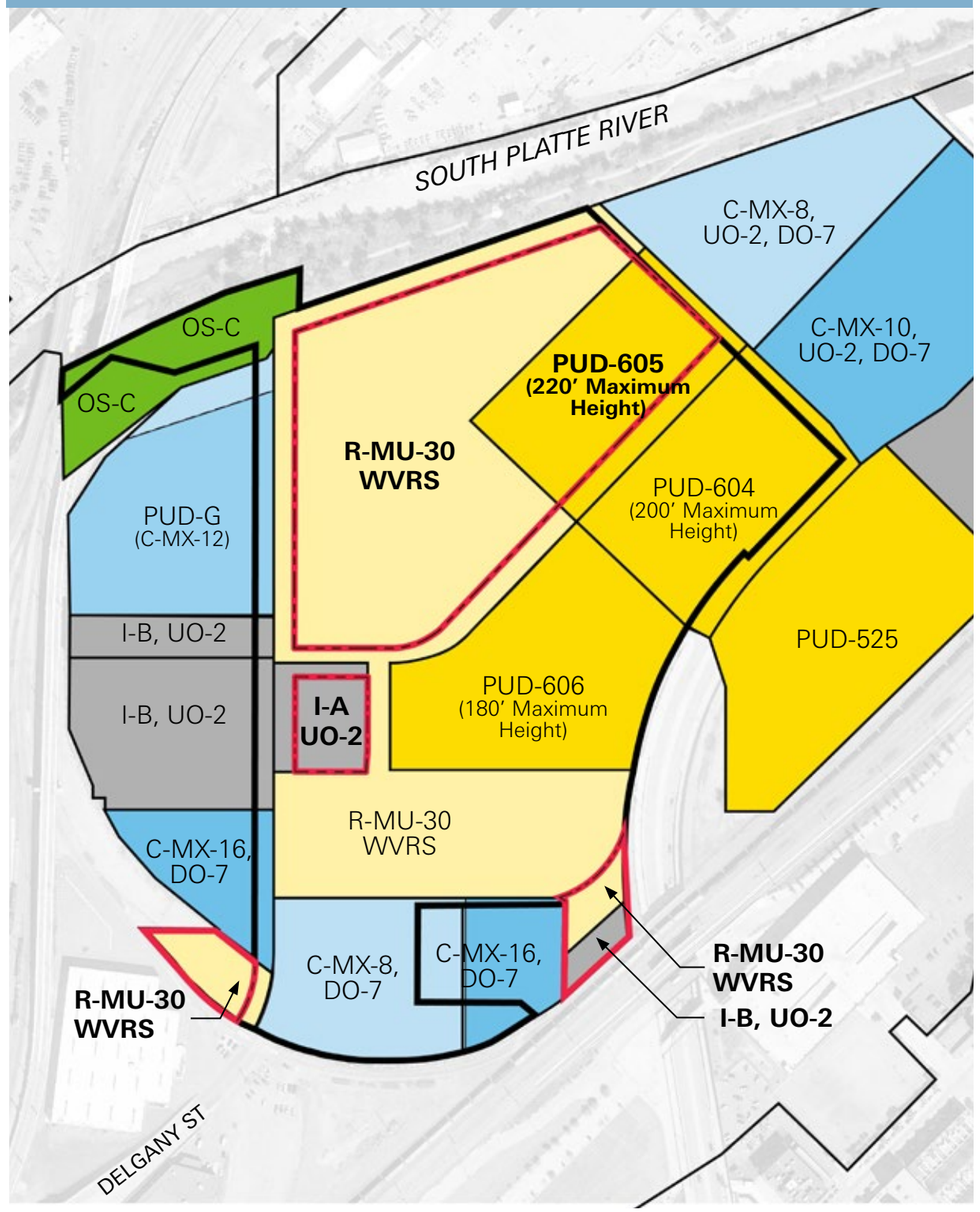



**LEGEND**

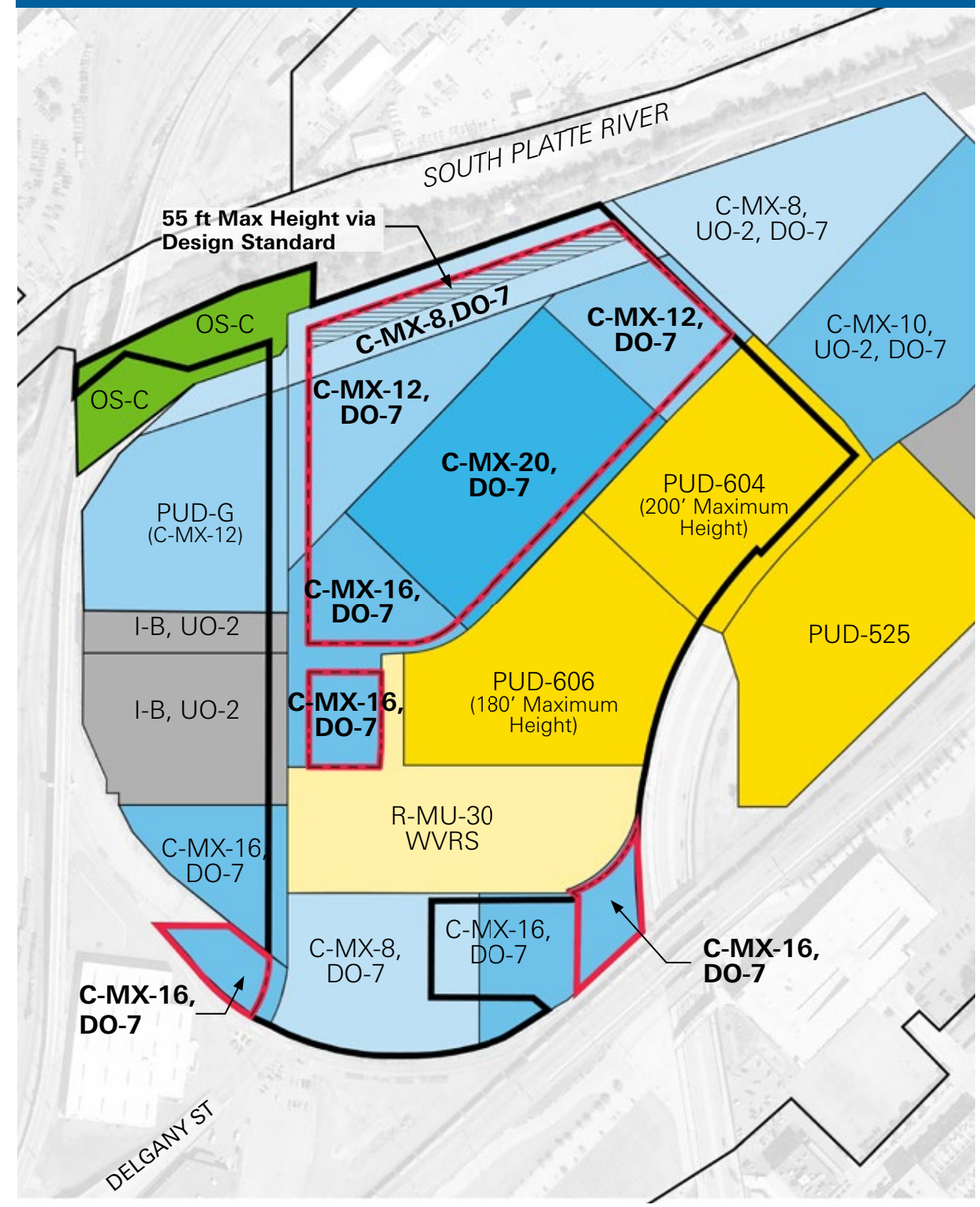
Applicant Parcels

# Rezoning

## Existing Zoning




## Proposed Zoning

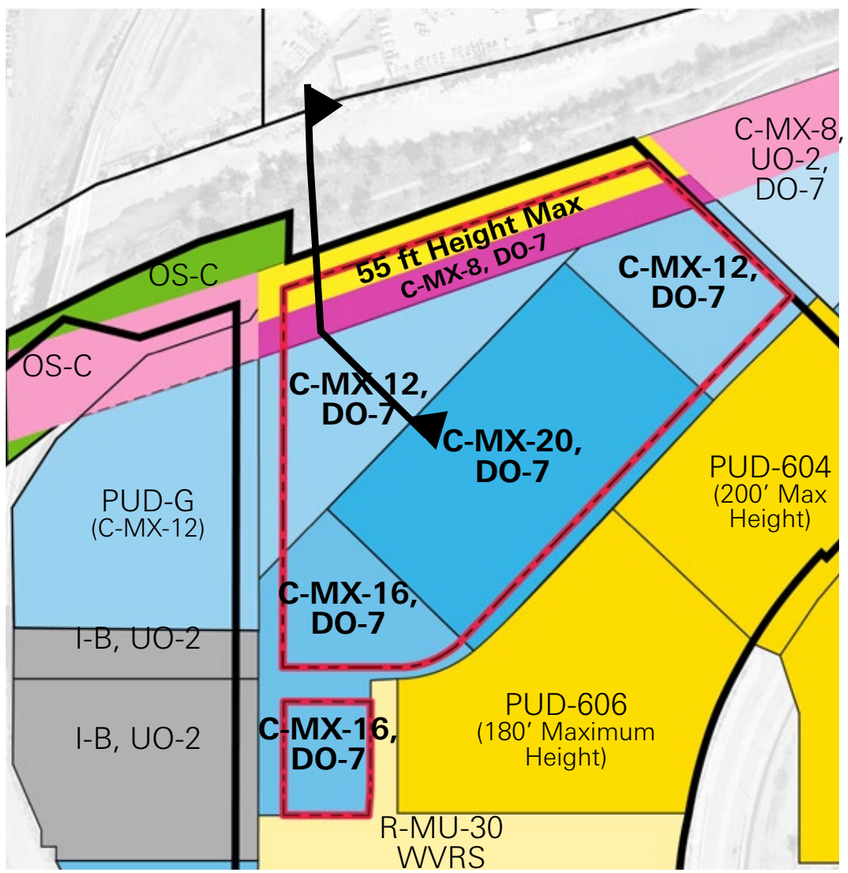


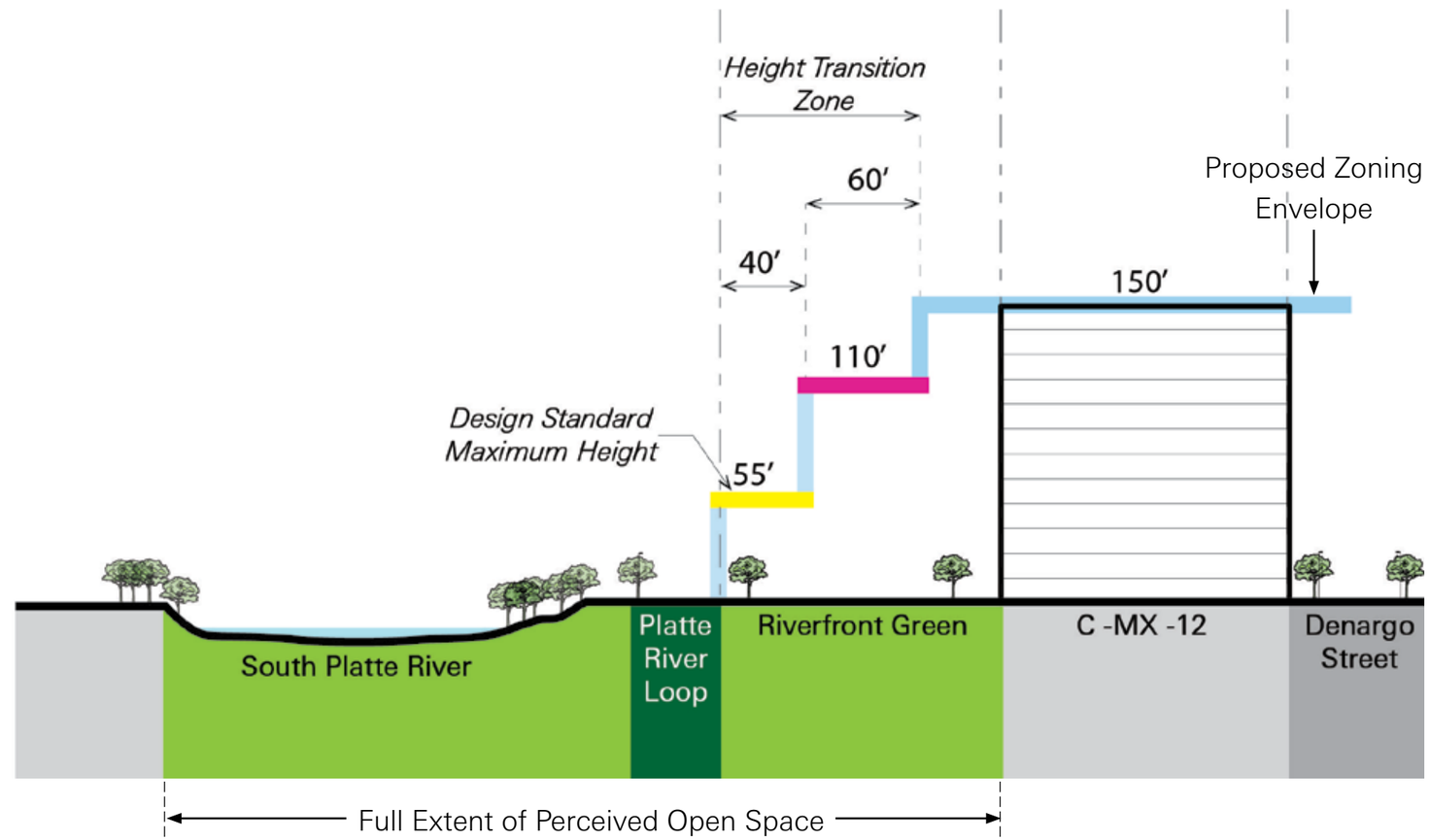

**LEGEND**

- Applicant Parcels
- Denver Zoning Code, Urban Center Mixed Use
- Former Chapter 59 Zoning,
- Former Chapter 59 Zoning, PUD
- Denver Zoning Code, General Industrial
- Denver Zoning Code, Open Space

# **Zoning & Open Space** Enhanced and Extended River Frontage

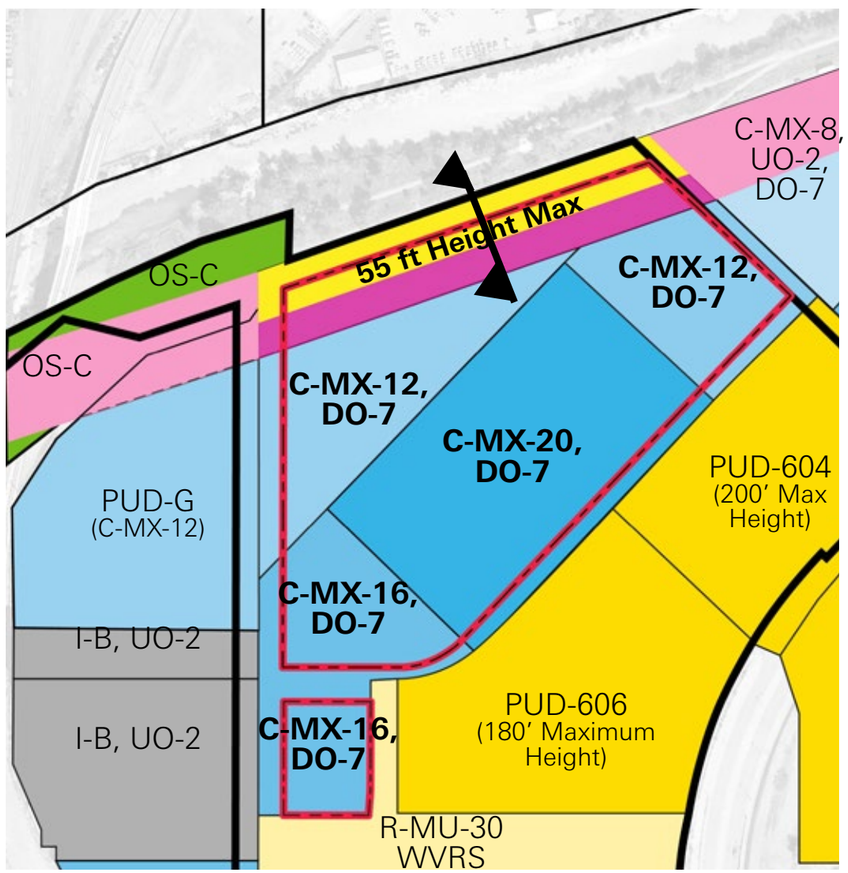
- Proposed Riverfront Green Open Space guarantees no buildings will be built in the Transition Zone in this location

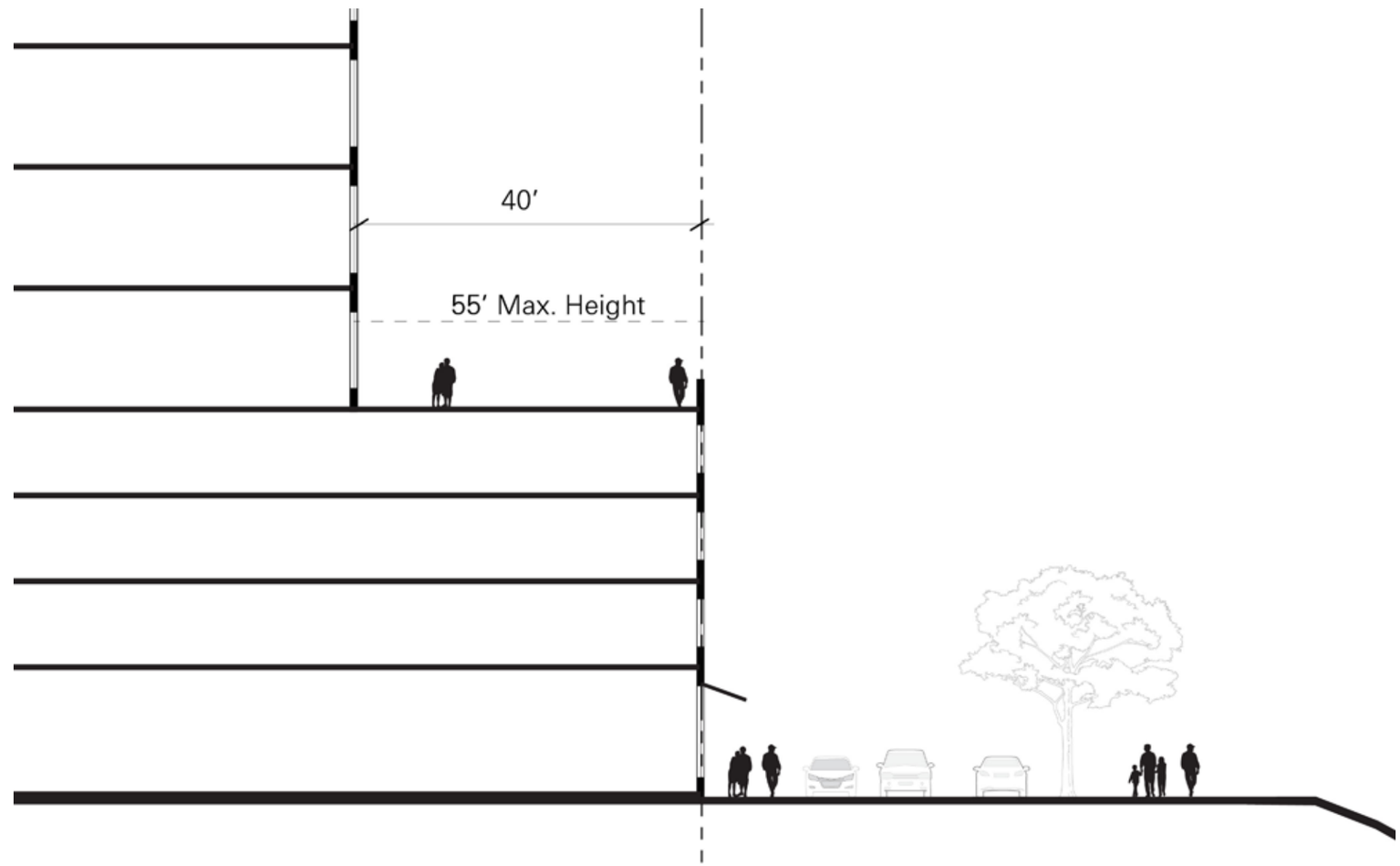


# **Design Standard** 55 ft Maximum Height Pedestrian View

- A 55 ft maximum height Design Standard creates a human scale edge running parallel along the South Platte River for a depth of 40 ft from the property line



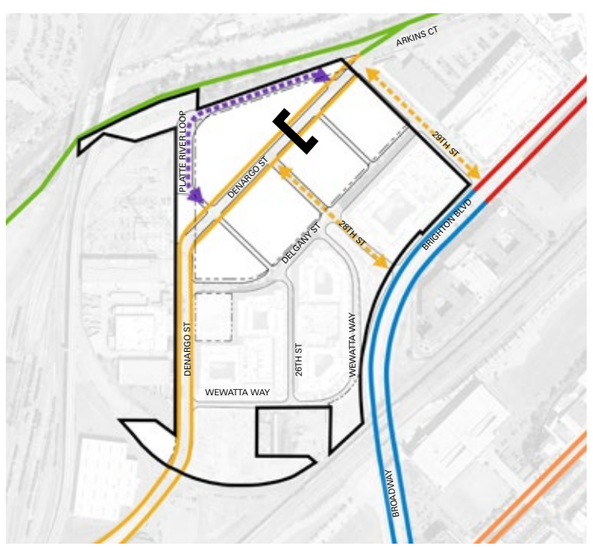
# Open Space Along the South Platte River

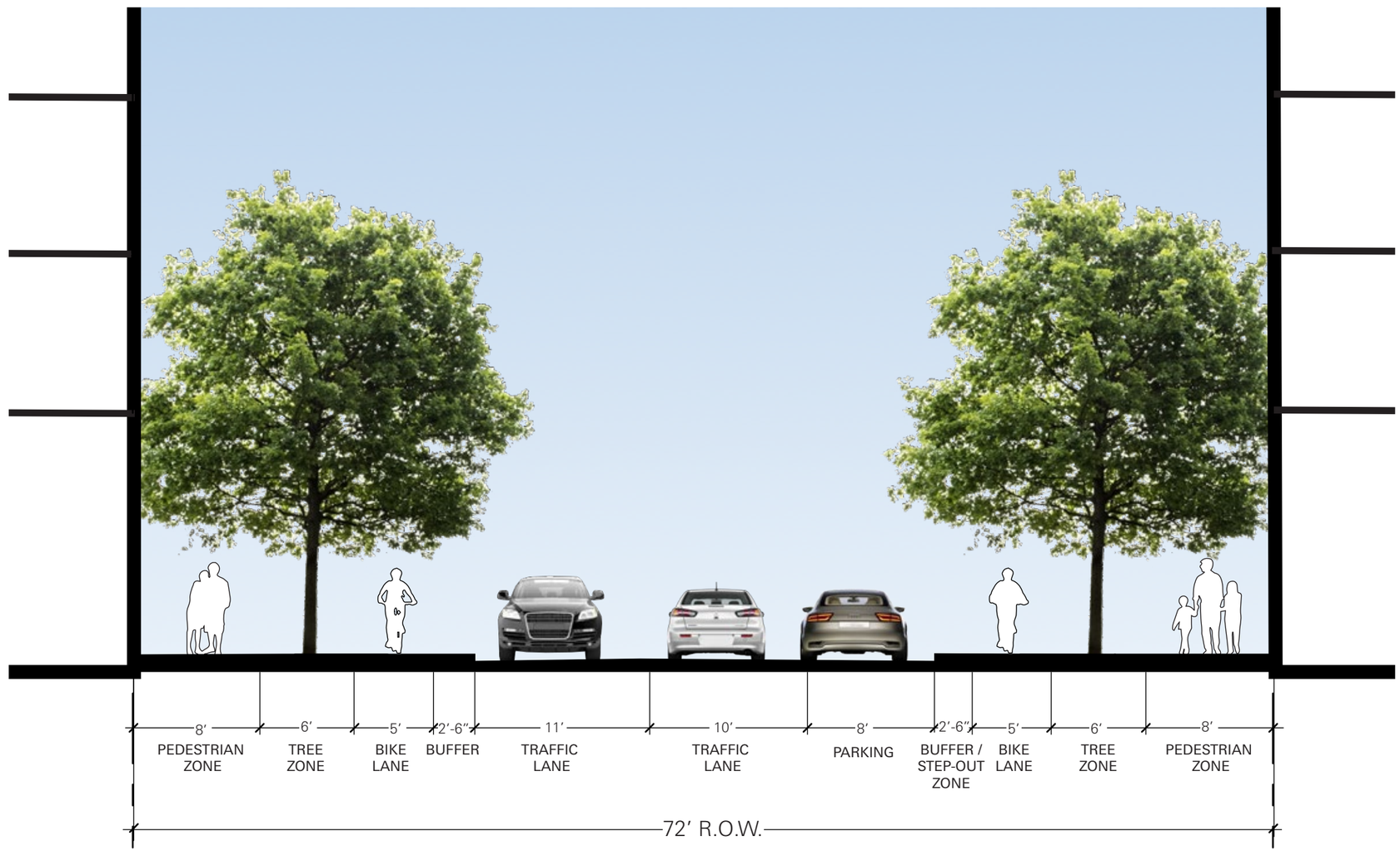
# Riverfront Open Space

# **Denargo Street Section** Protected Bicycle Lanes

- Regional Connection: Protected bicycle lanes on the newly aligned Denargo Street will connect to the South Platte River Trail access ramp

- Downtown Connection: Protected bike lanes will extend from Denargo Street to Shared Use sidewalk on Park Avenue



# Regulatory Plans & Guidance

## CITY PLANS

- River North Plan 2003
- 38th & Blake Station Area Plan 2009
- Form-Based Zoning Code 2010
- Denver Moves: Bikes 2011
- River North Design Overlay District 2017
- Housing an Inclusive Denver 2018
- Comprehensive Plan 2040 2019
- Denver Moves: Transit 2019
- Denver Moves: Pedestrians & Trails 2019
- Parks & Recreation Game Plan 2019
- Blueprint Denver 2019

## PROPERTY-SPECIFIC PLANS

- General Development Plan 2003 - 3017
- Affordable Housing Agreement for Denargo Market 2008
- Urban Design Standards & Guidelines 2008

# **Economic Benefits** Supporting Information

**The Economic Benefits provided herein are best estimates using currently available information. The methodology used to determine these figures is outlined below. Actual economic benefits are subject to change.**

1. $4M permits & misc. fees is based on our investment underwriting, which considers the size, type and economic volume of the planned buildings and related construction values.

2. $3m in commercial linkage fees assumes the 2020 rate of $1.83/sf fee on 1.6m sf of commercial (~60k sf of retail + 1.54m sf of office show in Tryba's latest 2.8m sf GDP master plan). That $3m in fees is in 2021 dollars ; there are no published rate increases for 2021.

3. Sales and use tax on construction is based on estimated hard costs of $691m (excluding contingency), and using 4.31% tax rate. So $691m – ($691m / 1.0431) gets us the estimated tax on our materials, supplies, tools, equipment, etc.

4. Annual property taxes assumes $11/sf on the commercial side and $2,000/unit on the residential buildings and excludes any potential additional metro district taxes. We assume 1.6m sf of commercial space and 1,386 units based on Tryba's 2.8m sf GDP master plan. That is ~$20m in today's $'s fully built out.

5. Retail sales tax is based on the retail health ratio concept that rent should be ~10% of a retailer's sales. Taking the gross retail rent of $57/sf * the 60,000 sf or retail that will be built= $3.42M in annual retail rent, divided by 10% gets us to $34.2M in estimated potential retail sales across the site, multiplied by the City and County of Denver sales tax of 4.31% which equates to ~$1.5m annually. This does not include the State of CO 4% sales tax.

6. The construction jobs is based on industry standard calculators that estimate 10-15 jobs per $1m in hard costs. So using $712m in hard costs (incl. contingency), and 12 jobs per $1M in cost would produce the estimate shown on the Economic benefits slides.

7. Full time building operations jobs estimate assumes 6 people employed at each of the 11 buildings (property manager, assistant property manager, chief engineer, assistant engineer, a leasing person and another maintenance tech).

8. 20,000 daily visitors is from the traffic report.

BY AUTHORITY

ORDINANCE NO. 230 COUNCIL BILL NO. 187

SERIES OF 2007 COMMITTEE OF REFERENCE: Blueprint Denver

A BILL

**For an ordinance changing the zoning classification, with waivers and a condition, for a portion of property between Brighton Boulevard to the Platte River and Denargo Street to 29th Avenue.**

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

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

1. That the land area hereinafter described is presently classified as I-1 and I-2 with waiver;

2. That the owner proposes that the land area hereinafter described be changed to R-MU-30 with reasonable waivers and a reasonable condition it has approved;

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

(i) Waive Section 59-312(7) (Maximum building heights) of the Denver Revised Municipal Code and instead the maximum building height shall be seventy-five (75) feet, except for the location shown below, where the maximum height shall be fifty-five (55) feet. The remaining provisions of Section 59-312(7) remain in full force and effect.

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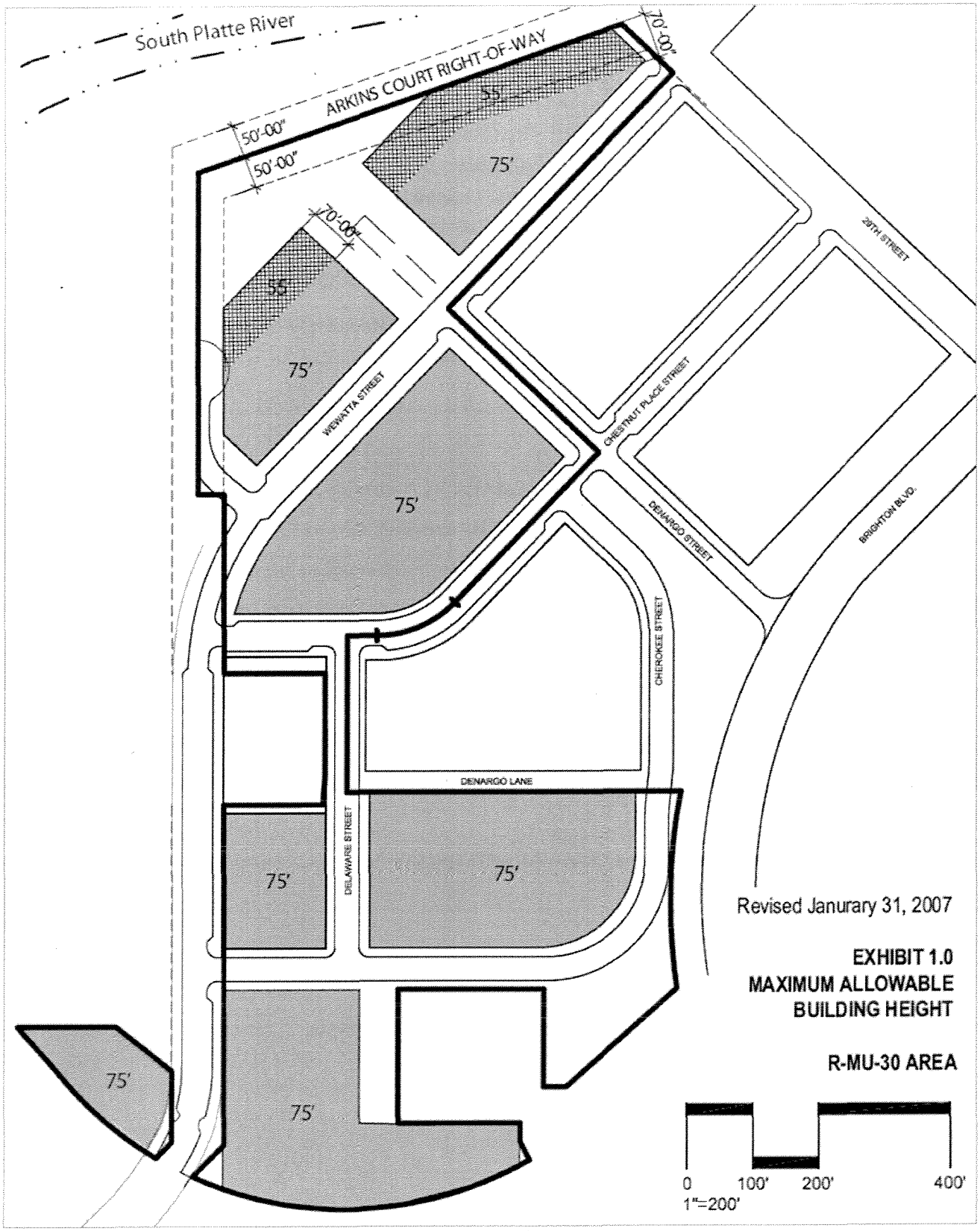
City & County Of Denver ORD R0.00 D0.00




R-MU-30 District

Proposed ROW

Maximum building height of 75'

Maximum building height of 55'

**Note:**

1. Only 29th Street and Brighton Boulevard right-of-way are currently dedicated.
2. The 55' height limit extends 70 feet back from the edge of the parcels that face the South Platte River.

(ii) Waive Sections 59-312(2) (Required unobstructed open space) of the Denver Revised Municipal Code and instead the unobstructed open space requirement shall be a minimum of twelve (12) percent as set forth in the Denargo Market General Development Plan ("DM-GDP"), recorded in the Denver County Records at Reception No. 2007054152. The DM-GDP allows for aggregation of open space, however, provided that the aggregated open space shall: (1) enhance the connection to transit facilities, plazas, or streets; and (2) enhance the pedestrian environment; and (3) enhance or create a public space, and in any event be publicly accessible and a benefit to the neighborhood. The remaining provisions of Section 59-312(2) remain in full force and effect.

(iii) Waive Section 59-312(3) (Setback for structures) of the Denver Revised Municipal Code and instead setbacks for all structures shall be zero (0) feet. However, no buildings shall be closer than one hundred sixty-six (166) feet from the centerline of the South Platte River as defined in Ordinance No. 25, Series of 1894. This limitation shall not prevent pedestrian-related plaza amenities as approved by Denver Parks and Recreation within the aforesaid one hundred sixty-six (166) feet. The remaining provisions of Section 59-312(3) remain in full force and effect.

(iv) Waive the three (3) year vesting period set forth in Section 59-314 (o) (Effect of approved General Development Plan ("GDP")) of the Denver Revised Municipal Code and instead the vesting period for the DM-GDP shall be ten (10) years. The remaining provisions of Section 59-314(o) remain in full fore and effect.

4. The owner approves and agrees, as a reasonable condition to the requested change in zoning classification related to the development, operation and maintenance of the land area hereinafter described:

(i) The City's Affordable Housing Ordinance, as provided in the Denver Revised Municipal Code Section 27-101 et seq., as may be amended from time to time, shall apply provided however, that an Affordable Housing Plan ("AHP") for the entire DM-GDP shall be submitted and approved by the City prior to the City's approval of the first site plan within the DM-GDP area.

**Section 2.** That the zoning classification of the land area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from I-1 and I-2 with waivers to R-MU-30 with reasonable waivers and reasonable condition, which reasonable waivers are set forth in Subsections 3(i) through 3(iv) of Section 1

hereof, and with a certain reasonable condition approved by the owner, which reasonable condition is set forth in Subsection 4(i) of Section 1 hereof:

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## PARCEL A

A PARCEL OF LAND BEING A PORTION OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AS SHOWN HEREON AND BEARING NORTH 00°01'41" WEST.

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF THAT PARCEL OF LAND KNOWN AS PARCEL 3 AS DESCRIBED AND RECORDED UNDER RECEPTION NO. 2002137766 IN THE OFFICE OF THE DENVER COUNTY CLERK AND RECORDER'S OFFICE. FROM WHENCE THE CENTER ONE-QUARTER CORNER OF SAID SECTION 27 BEARS NORTH 70°51'09" EAST, A DISTANCE OF 228.30 FEET;

THENCE ALONG THE BOUNDARY OF SAID PARCEL 3 THE FOLLOWING NINE (9) COURSES:

1. SOUTH 48°16'03" WEST, A DISTANCE OF 224.37 FEET;
2. SOUTH 89°58'19" WEST A DISTANCE OF 34.36 FEET;
3. NORTH 00°01'41" WEST, A DISTANCE OF 148.63 FEET;
4. SOUTH 89°58'19" WEST, A DISTANCE OF 222.17 FEET;
5. SOUTH 00°01'41" EAST, A DISTANCE OF 148.63 FEET;
6. SOUTH 00°01'24" EAST, A DISTANCE OF 54.90 FEET;
7. NORTH 89°58'19" EAST, A DISTANCE OF 185.99 FEET;
8. SOUTH 00°11'57" WEST, A DISTANCE OF 27.84 FEET;
9. SOUTH 27°11'27" EAST, A DISTANCE OF 31.56 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED AND RECORDED UNDER RECEPTION NO. 9500028258 ON MARCH 13,1995 IN SAID RECORDS AND THE BEGINNING OF A NON-TANGENT CURVE.

THENCE ALONG SAID SOUTHERLY BOUNDARY AND ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 29°46'55" WEST, HAVING A RADIUS OF 564.03 FEET, A CENTRAL ANGLE OF 48°50'01" AND AN ARC LENGTH OF 480.73 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND, ALSO BEING THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED AND RECORDED UNDER RECEPTION NO. 9500069687 ON JUNE 15, 1995 IN SAID RECORDS, AND ALSO BEING A POINT ON THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF DENARGO STREET AS RECORDED IN BOOK 5340 AT PAGE 155 ON SEPTEMBER 11, 1939 IN SAID RECORDS AND DEDICATED AS RIGHT-OF-WAY BY ORDINANCE NO. 278 OF SERIES 2001;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID RECEPTION NO. 9500069687 AND CONTINUING ALONG THE EXTENSION OF THE AFOREMENTIONED CURVE TO THE RIGHT,

1

HAVING A RADIUS OF 564.03 FEET, A CENTRAL ANGLE OF 05°14'30" AND AN ARC LENGTH OF 51.60 FEET TO THE MOST EASTERLY CORNER OF DELGANY STREET AS DEDICATED BY ORDINANCE NO. 282 OF SERIES 2001 IN SAID RECORDS AND BEING A PORTION OF THAT PARCEL OF LAND DESCRIBED AND RECORDED IN BOOK 5340 AT PAGE 155 IN SAID RECORDS ON SEPTEMBER 11, 1939;

THENCE NORTH 44°55'19" EAST ALONG THE EXTENSION OF THE SOUTHEASTERLY BOUNDARY OF SAID DELGANY STREET, A DISTANCE OF 67.84 FEET TO A POINT ON THE EAST BOUNDARY OF SAID RECEPTION NO. 9500069687, ALSO BEING A POINT ON SAID SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF DENARGO STREET;

THENCE NORTH 00°01'41" WEST ALONG SAID EAST BOUNDARY OF RECEPTION NO. 9500069687 AND ALONG SAID EAST RIGHT-OF-WAY LINE OF DENARGO STREET AND SAID LINE EXTENDED, A DISTANCE OF 518.65 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED AND RECORDED UNDER RECEPTION NO. 2003061904 IN SAID RECORDS ON APRIL 02, 2003;

THENCE ALONG THE BOUNDARY OF SAID PARCEL OF LAND THE FOLLOWING FOUR (4) COURSES;

1. NORTH 89°58'19" EAST, A DISTANCE OF 149.79 FEET;
2. NORTH 04°00'45" EAST, A DISTANCE OF 44.11 FEET;
3. NORTH 00°01'41" WEST, A DISTANCE OF 156.00 FEET;
4. SOUTH 89°58'19" WEST, A DISTANCE OF 152.90 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF DENARGO STREET;

THENCE NORTH 00°01'41" WEST ALONG SAID EAST RIGHT-OF-WAY LINE OF DENARGO STREET, A DISTANCE OF 273.45 FEET;

THENCE SOUTH 89°58'19" WEST, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF SAID DENARGO STREET;

THENCE NORTH 00°01'41" WEST ALONG THE CENTERLINE OF SAID DENARGO STREET, A DISTANCE OF 492.13 FEET TO A POINT ON THE CENTERLINE OF ARKINS COURT AS DESCRIBED AND RECORDED UNDER RECEPTION NO. 9700003525 IN SAID RECORDS ON JANUARY 09, 1997 AND DEDICATED AS RIGHT-OF-WAY BY ORDINANCE NO. 284 OF SERIES 2001;

THENCE NORTH 70°49'48" EAST ALONG SAID CENTERLINE OF ARKINS COURT AND ALONG THE CENTERLINE OF THAT PORTION OF ARKINS COURT DESCRIBED AND RECORDED IN BOOK 5309 AT PAGE 272 IN SAID RECORDS ON JUNE 08, 1939 AND DEDICATED AS RIGHT-OF-WAY BY ORDINANCE NO. 284 OF SERIES 2001, A DISTANCE OF 683.04 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 29$^{TH}$ STREET AS DESCRIBED AND RECORDED IN BOOK 5348 AT PAGE 374 IN SAID RECORDS ON OCTOBER 02, 1939 IN SAID RECORDS AND DEDICATED AS RIGHT-OF-WAY BY ORDINANCE NO. 781 OF SERIS 2001;

THENCE SOUTH 46°11'13" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF 29$^{TH}$ STREET, A DISTANCE OF 107.66 FEET;

THENCE SOUTH 43°47'48" WEST, A DISTANCE OF 495.85 FEET;

THENCE SOUTH 46°12'12" EAST, A DISTANCE OF 319.00 FEET;

THENCE SOUTH 43°47'48" WEST, A DISTANCE OF 316.78 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF 46°12'12" AND AN ARC LENGTH OF 133.06 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 44.84 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 238.43 FEET;

THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 507.83 FEET TO A POINT ON THE WEST BOUNDARY OF THAT PARCEL OF LAND KNOWN AS PARCEL NO. 203 AS DESCRIBED AND RECORDED UNDER RECEPTION NO. 9800181458 IN SAID RECORDS AND DEDICATED AS RIGHT-OF-WAY BY ORDINANCE NO. 280 OF SERIES 2001 AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE ALONG SAID WEST BOUNDARY AND ALONG THE ARC OF THE SAID NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 79°15'43" EAST, HAVING A RADIUS OF 900.65 FEET, A CENTRAL ANGLE OF 19°13'17" AND AN ARC LENGTH OF 302.15 FEET TO THE **POINT OF BEGINNING.**

PARCEL A CONTAINING 17.278 ACRES (752,617 SQ. FT.), MORE OR LESS.

**TOGETHER WITH:**

## PARCEL B:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID DELGANY STREET PARCEL AS DEDICATED BY ORDINANCE NO. 282 OF SERIES 2001. THENCE ALONG THE BOUNDARY OF THE SECOND DESCRIBED PARCEL OF LAND RECORDED UNDER SAID RECEPTION NO. 9500069687, THE FOLLOWING SIX (6) COURSES:

1. ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 30°41'06" EAST, HAVING A RADIUS OF 564.03 FEET, A CENTRAL ANGLE OF 21°00'52" AND AN ARC LENGTH OF 206.87 FEET;

2. NORTH 41°46'12" WEST, ALONG THE SOUTHWESTERLY BOUNDARY OF SAID SECOND DESCRIBED PARCEL OF LAND, A DISTANCE OF 85.63 FEET TO ITS MOST WESTERLY CORNER;

3. NORTH 89°58'19" EAST, ALONG THE NORTHERLY BOUNDARY OF SAID SECOND DESCRIBED PARCEL OF LAND, A DISTANCE OF 150.21 FEET TO A POINT ON THE SOUTHWESTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED AND RECORDED UNDER RECEPTION NO. 2003011068 ON JANUARY 17, 2003 IN SAID RECORDS;

4. SOUTH 51°59'48" EAST, ALONG SAID NORTHERLY BOUNDARY OF SAID SECOND DESCRIBED PARCEL OF LAND AND ALONG SAID SOUTHWESTERLY BOUNDARY OF RECEPTION NO. 2003011068, A DISTANCE OF 108.21 FEET TO THE SOUTHWEST CORNER OF SAID DENARGO STREET RIGHT-OF-WAY AS DEDICATED BY ORDINANCE NO. 278 OF SERIES 2001, ALSO BEING A POINT ON THE WEST BOUNDARY OF A PORTION OF DENARGO STREET AS DESCRIBED IN SAID BOOK 5340 AT PAGE 155;

1

5. SOUTH 00°01'41" EAST, ALONG THE EAST BOUNDARY OF SAID SECOND DESCRIBED PARCEL OF LAND AND ALONG SAID WEST BOUNDARY, A DISTANCE OF 109.04 FEET;

6. SOUTH 44°55'19" WEST, ALONG THE EAST BOUNDARYOF SAID SECOND DESCRIBED PARCEL OF LAND AND ALONG THE WEST LINE OF A PORTION OF DELGANY STREET AS DESCRIBED IN SAID BOOK 5340 AT PAGE 155 AND SAID WEST LINE EXTENDED, A DISTANCE OF 33.55 FEET TO THE **POINT OF BEGINNING;**

PARCEL B CONTAINING AN AREA OF 0.576 ACRE (25,099 SQ. FT.) MORE OR LESS.

PARCEL A AND B TOGETHER CONTAINING AN AREA OF 17.854 ACRES (777,716 SQ. FT) MORE OR LESS

in addition thereto those portions of all abutting public right-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

**Section 3**. The foregoing change in zoning classification is based upon the representation by the owner that it will waive those certain rights available to it, and, in lieu thereof, agrees to a certain limitations, which limitations are set forth in Subsections 3(i) through 3(iv) of Section 1 hereof, and is also based upon a reasonable condition approved by the owner, which reasonable condition is set forth in Subsection 4(i) of Section 1 hereof; and no permit shall be issued except in strict compliance the aforesaid reasonable waivers and the aforesaid reasonable condition. Said reasonable waivers and said reasonable condition shall be binding upon all successors and assigns of the owner, who along with the owner shall be deemed to have waived all objections as to the constitutionality of the aforesaid reasonable waivers and the aforesaid reasonable condition.

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

COMMITTEE APPROVAL DATE: April 11, 2006

MAYOR-COUNCIL DATE: April 17, 2007

PASSED BY THE COUNCIL May 21 2007

_____ - PRESIDENT

APPROVED: _____ - MAYOR ACTING MAYOR May 22, 2007

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

NOTICE PUBLISHED IN THE DAILY JOURNAL Apr. 27, 2007; May 25, 2007

PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY, April 19, 2007

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

City Attorney:

BY: _____, Assistant City Attorney DATE: April 19, 2007

P.U.D at Denargo Market – PUD 2
(Address)

| | | | |
|---|---|---|---|
| **Application For Zone Map Amendment**<br>City and County of Denver<br>Department of Zoning Administration<br>201 W. Colfax, Dept. 205<br>Phone: 720-865-3000 Fax: 720-865-3057 | | 1. Application Number<br>2006I-00013<br>4880 | |
| | | 2. Date Submitted<br>October 20, 2006<br>Revised 12/6/2006<br>Revised 2/22/2007 | 3. Fee<br>$3000 |
| 4. Applicant (attach completed ownership information sheet)<br>Denargo Market L.P. | 5. Address<br>301 Congress, Suite 500<br>Austin, TX 78701 | 6. Phone Number<br>512-494-8510 | 7. Interest<br>Owner |
| 8. Contact Person<br>Jill Jennings<br>Design Workshop | 9. Contact Person's Address<br>1390 Lawrence Street Suite 200<br>Denver, CO 80204 | 10. Contact's Phone Number<br>303-623-5186 | |

11. Location of proposed change
A portion of property between Brighton Boulevard to the Platte River and Denargo Street to 29th Ave

12. Legal Description of property: *(If Legal Description is lengthy. Please attach additional Sheet. If your text does not fit in the lot, block and addition form fields use the form field under the asterisk)*
Lots: Block: Addition:

See Attachment B

| | | |
|---|---|---|
| 13. Area of subject property.<br>+/- 158,165 sq. ft. +/- 3.63 acres | 14. Present Zone.<br>I-1, I-2 and I-2 with waivers | 15. Proposed Zone.<br>PUD 605 |

16. Describe the nature and effect of the proposed amendment.

See Attachment A

17. Explain in detail the legal basis for the proposal: either (a) the error in the map as approved by City Council, or (b) the changed or changing conditions that make the map amendment necessary.

See Attachment A

RECEIVED
MAR 13 2007
COMMUNITY PLANNING AND DEVELOPMENT AGENCY

18. State the land use and development proposed for the property to be rezoned. Include the time schedule (if any) for development.

See Attachment A

| | |
|---|---|
| 19. List all the attached exhibits<br>Attachment A – Questions 16, 17 & 18<br>Attachment B – Legal Description<br>Attachment C – PUD Application<br>Attachment D – Existing Conditions Map<br>Attachment E – District Plan<br>Attachment F – Maximum Height Map<br>Attachment G – Zone District Location Map<br>Attachment H – Concept Plan<br>Attachment I – Existing easements | 20. Applicant' signature.<br><br>John Kiltz<br>Cypress Real Estate Advisors |

# Denargo Market – PUD 2

PROPOSED ZONE MAP AMENDMENT

For Area Approximately Located At

Brighton Boulevard to Arkins and Denargo Street to 29th Avenue

DENVER, COLORADO

Submitted by:

Denargo Market L.P.

Denver, CO

Application No. 4880
October 16, 2006
Revised December 6, 2006
Revised February 22, 2007
Revised March 12, 2007

P.U.D at Denargo Market – PUD 2
(Address)

**OWNERSHIP INFORMATION SHEET**
City and County of Denver
Department of Zoning Administration
201 W. Colfax, Dept. 205
Phone: 720-865-3000 Fax: 720-865-3057

The Zoning Ordinance requires that applicants for rezoning provide current and complete ownership information to fulfill consent and notification requirements. If the property is has multiple owners, a separate sheet must be completed for each individual owner or entity. Documentation of ownership interest, including but not limited to: copies of deeds, powers of attorney, and or corporate and partnership registrations with the Secretary of State may be required to verify ownership.

Application Number 4880 Property Address See legal description – multiple properties

Owner's Name Denargo Market L.P.

Owner's Address 301 Congress, Suite 500 / Austin, TX 78701

**Note:** If the application is for rezoning to B-2, B-3, R-X or PUD and the applicant is not the property owner, this form must be accompanied by a power of attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "owner" above.

| | | |
|---|---|---|
| ☒ Fee title owner (has a deed of ownership) | ☐ all<br>☒ a portion | 75 % |
| ☒ Contract holder | ☐ all<br>☐ a portion | 25 % |
| ☐ Holder of a security interest | ☐ all<br>☐ a portion | % |

List the names and addresses all holders of deeds of trusts for the property, if any, and indicate which holders of deeds of trust are represented by the applicant in the space below.

This is to certify that the owner or owners shown above in fact own all or a portion of the land and/or structures affected by this application.

Signature of applicant
John Kiltz
Cypress Real Estate Advisors

Date 3/6/07

## ATTACHMENT A

### Application for Zone Map Amendment

**Item 16:**

**16. Describe the nature and effect of the proposed amendment.**

This amendment proposes to change the zoning of the subject property from Industrial 1 and 2 (I-1, I-2 and I-2 with waivers) to PUD. The goals of the Denver Comprehensive Plan are supported by this redevelopment as it increases the number of residential units near the city core and allows for a mix of uses within the project. This rezoning is being done concurrently with an R-MU-30 application and two other PUD's for sections of this development due to heights over the maximum limit for R-MU-30. This PUD application is based primarily on the R-MU-30 zone district, though a number of retail uses have been outright permitted for this site. This rezoning will allow an industrial site steps from downtown to be redeveloped as an urban mixed-use project that maximizes its location adjacent to the South Platte River. The rezoning is needed since industrial zoning does not allow residential uses, and will fulfill the vision laid out in the City's River North Plan.

This population base will be a positive addition to the River North area, revitalizing the corridor with new development that focuses on creation of public space throughout the development and highlighted by the connection to the river. Additionally, it will bring both buildings and people to the street – to help create a 24-hour environment.

Portions of the existing Arkins Court and Denargo Street rights-of-way are being included in this application because the development plan anticipates the future vacation of these roads in order to re-route the road network. These areas, once vacated, will be included in the development and therefore must be rezoned.

Properties adjacent to this redevelopment will retain their industrial character and uses. This project will improve the road network and adding in sidewalks and other amenities that these properties will benefit from. Most properties currently have unlimited access as there is no curb and gutter on the streets. While it is intended that remaining properties will continue to have access, there may be some limitation to that as the streets are upgraded to City of Denver standards and curb and gutter is installed.

**Item 17:**

**17. Explain in detail the legal basis for the proposal: either (a) the error in the map as approved by City Council, or (b) the changed or changing conditions that make the map amendment necessary.**

This rezoning is necessary due to the changing conditions along the Brighton Boulevard corridor. The area is identified as an Area of Change by the City's Comprehensive Land Use and Transportation Plan, Blueprint Denver. This plan calls for mixed-use development within this area. The goals of the Denver Comprehensive Plan are supported by this redevelopment as it increases the number of residential units near the city core and allows for a mix of uses within the project. Following Blueprint Denver, the City worked with stakeholders along the Brighton Corridor to draft the River North Plan. This plan discussed the history of the area and set up a vision for the corridor. The Denargo Market property was identified as appropriate for residential mixed-use development.

This site was originally zoned industrial and supported industrial uses, such as food markets and warehousing space. Over time, the importance of the Denargo Market site has decreased. Due to the Brighton Boulevard's importance as a connection between I-70 and downtown, this corridor is prime for redevelopment. Additionally, it is within walking distance of Coors Field and within one mile of three future rail transit stops (Denver Union Station, 38th/Inca, and 40th/40th). A portion of the area near 31st and Brighton has already been rezoned to R-MU-30, and across the street land was zoned PUD to allow for the construction of the Jefferson Gates apartment building. Redevelopment of this site into a residential mixed-use project is the next step for the redevelopment of this corridor.

As this previously industrial area is close to the city center and Coors Field, there is demand for housing in the area. We are requesting a map amendment to PUD to allow a mixed-use development that will anchor the transition of Broadway to Brighton and respect its location next to the South Platte River.

The following are goals highlighted in the River North Plan that this project will fulfill.

1. Close, shift or realign portions of Arkins Court to the extent that it will enhance development opportunities and increase open space so long as vehicular access to land uses is maintained – This plan allows for the realignment of Arkins Court away from the South Platte River, increasing open space and providing development parcels close to the River.
2. Create a pedestrian friendly environment and streetscape to encourage people to walk to nearby destinations – A comprehensive street network will be installed through the site providing streetscape improvements and sidewalks, allowing pedestrians easy movement both through and across the site.
3. Provide additional pedestrian connections as needed to the South Platte River Trail. – This plan proposes bringing a trail spur up in to the project to provide a direct connection to the trail. This will allow two new access points to the trail.
4. Maintain and enhance the South Platte River as a natural area. – By relocating Arkins Court, the area immediately adjacent to the River can become a maintained natural open space area for use by all.
5. Provide on-street parking where possible, on any new or reconstructed public or private streets within the area. – Streets will have parking on both sides unless it causes problems with site distance or pedestrian flow.
6. Provide direct and pleasant multi-modal connections to residents and businesses in surrounding neighborhoods to access the development area and residents and businesses to access downtown, the South Platte River, and Brighton Boulevard. – All of the surrounding streets will have improved connections through the site allowing easy access to downtown on both Broadway and Wewatta, an enhanced streetscape leading to a plaza on the relocated Denargo Street, and a new light at 29th and Brighton will allow safe pedestrian movements across Brighton.
7. Create a compact, mixed-use, pedestrian-friendly development.
8. Provide housing along the South Platte River. – With Arkins Court being relocated, two development parcels will be located close to the River that will allow small retail with residential above.
9. Insure that urban design reinforces the pedestrian oriented and transit-supportive character of the area and creates friendly and useable public spaces.

Both the Parks and Recreation Department's Game Plan and the South Platte River Management Plan discuss goals related to the treatment of the river. The following are goals from these plans that will be incorporated in to the project.

1. Accessibility to Public Space
   All open spaces counting toward the 10% open space will be publicly accessible and open for public use. Spaces will be designed to visually and physically reinforce their public nature.
2. Encourage a Variety of Public Spaces
   Amenities could include small grassed play areas, hardscape plazas, interpretation of neighborhood history, structured play areas for small children, natural open space
3. Comprehensive Vision for Natural Open Space
   If the Arkins Court ROW is vacated (as planned in this GDP), the ownership will be split between the adjacent property owner and the Developer. It is the Developer's intention to improve, restore and maintain the entire former Arkins Court to an open space area. Native plant species will be used to encourage habitat development and encourage plant diversity along the South Platte River (as encouraged in the South Platte River Management Plan).
4. Develop Open Spaces with Sustainable Practices
   Where possible, the development of open space will include, but not limited to, practices that use low water vegetation, incorporate stormwater BMPs and encourage surface drainage.
5. Create breathing spaces as defined in the Park and Recreation Department's Game Plan.
   Residents increasingly value green breathing space that they can walk to within their neighborhoods. These breathing spaces encompass a wide range of places with varied landscape character from natural open space to neighborhood parks or rooftop gardens, to more urban squares and plazas.

**Item 18:**

**18. State the land use and development proposed for the property to be rezoned. Include the time schedule (if any) for development.**

This PUD is part of a larger residential mixed-use project with approximately 125,000 to 200,000 square feet of retail and 2000-2500 dwelling units. It is anticipated that this project will be built out over 5-10 years. This PUD anticipates approximately 305 dwelling units to be in mid-rise structures beneath the tower. Approximately 45,000 square feet of retail is planned for this block. Exact dwelling unit counts and floor areas will be provided at site plan review.

A general development plan (GDP) has been completed for the entire site (both R-MU-30 and PUD sites) in order to coordinate the development (infrastructure and open space) and link the differently zoned parcels in to one vision. Plans currently call for enhancements to the project area adjacent to the South Platte River to provide improved open space and a decrease in the height of the wall along Brighton Boulevard to allow views in to the project. As recommended in the River North Plan, heights for buildings immediately adjacent to the South Platte River are planned to be 55 feet.

Current project timing has GDP approval in spring 2007, rezoning approval in spring/summer 2007 followed by site plan and construction documents for Phase 1. It is possible that Phase 1 could break ground in 2008. Phase 1 will likely consist of this PUD site and PUD 1.

# Attachment B

# Legal Description

# PUD-2
# LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AS SHOWN HEREON AND BEARING NORTH 00°01'41" WEST.

COMMENCING AT THE MOST NORTHERLY CORNER OF THAT PARCEL OF LAND DESCRIBED AS PARCEL NO. TK-236-B-2 AND RECORDED UNDER RECEPTION NO. 9700003525 ON JANUARY 09, 1997 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER'S OFFICE, ALSO BEING A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 29TH STREET AS RECORDED IN BOOK 5348 AT PAGE 374 IN SAID RECORDS ON OCTOBER 02, 1939 AND DEDICATED AS RIGHT-OF-WAY BY ORDINANCE NO. 281 OF SERIES 2001, FROM WHENCE THE CENTER ONE-QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH 14°47'34" WEST, A DISTANCE OF 915.89 FEET;

THENCE NORTH 46°11'13" WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF 29TH STREET, A DISTANCE OF 311.98 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 43°47'48" WEST, A DISTANCE OF 495.76 FEET;

THENCE NORTH 46°12'12" WEST, A DISTANCE OF 319.00 FEET;

THENCE NORTH 43°47'48" EAST, A DISTANCE OF 495.85 FEET TO A POINT ON SAID SOUTHWESTERLY RIGHT OF WAY LINE OF 29$^{TH}$ STREET;

THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF 29$^{TH}$ STREET, SOUTH 46°11'13" EAST, A DISTANCE OF 319.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 3.631 ACRES (158,165 SQ. FT.), MORE OR LESS.

COLORADO REGISTERED
DALE C. RUSH
33204
3/02/07
PROFESSIONAL LAND SURVEYOR

DALE C. RUSH
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR P.L.S. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

P.U.D at Denargo Market – PUD 2
(Address)

1. Schedule

a. Date of pre-application conference September 1, 2006
City representative(s) present Ken Brewer and Deirdre Oss.

b. Submittal date of preliminary application October 20, 2006; Revised application submitted on December11, 2006; revised on February 22, 2007.

c. Submittal date of completed application March 13, 2007

d. Application is scheduled for a:
- ☒ Planning Board Hearing on March 21, 2007.
- ☐ Planning Office Hearing on _____.
- ☐ Planning Staff Review.

## 2. DESCRIPTION OF PLANNED UNIT DEVELOPMENT (PUD)

This PUD (totaling 3.63 acres) is a part of a larger redevelopment of the Denargo Market property located between Brighton Boulevard and the South Platte River, and 29th Street and Wewatta/Denargo Street. In addition to this PUD, two other PUDs are being submitted for the parcels anticipated to have heights above the 140 feet allowed by the R-MU-30 district. However, most of the site is being rezoned to R-MU-30. Please refer to the zoning district location map attached at the end of this application.

This rezoning is intended to allow for a residential mixed-use project that was envisioned in the City of Denver's River North Plan. Page two of the River North Plan states, "The Denargo Market district is adjacent to downtown and has access from the Central Business District (CBD) via Broadway but also to the Central Platte Valley via Delgany Street. Its placement along the South Platte River and proximity to downtown provides an opportunity to create an exciting mixed-use area with its own identity."

While office is not currently anticipated in the development program, it is an allowed use for this site. While the existing office market likely does not mean there will be office uses on the site in the near term, this plan allows for this use in the future as the River North area continues to redevelop. Proximity to I-25 and I-70, in addition to downtown, make this site a prime location for future office tenants.

In addition to rezoning, the applicant has completed a General Development Plan (GDP) that covers the entire property, including the sites that will be rezoned to PUD. This GDP is intended ensure that there will be the necessary amount of infrastructure needed to support this land plan, and coordinate the timing of infrastructure and street network improvements. The GDP was reviewed and approved by City of Denver staff prior to the approval of this PUD application.

The maximum floor plate for this parcel is 135,000 square feet. Most of this parcel will be developed at heights of 75 feet or less, with the exception of one tower that can be 220 feet in height. Retail uses are anticipated on the first and possibly second floor of this parcel. Residential will be located above the retail uses.

## a. MAXIMUM GROSS FLOOR AREA FOR EACH PROPOSED USE

| | Use | Maximum Square Feet |
|---|---|---|
| A. | All R-MU-30 uses per Section 59-303 DRMC, however all uses classified as 'Retail, service, office' listed as requiring special review (SR) will be uses by right instead of SR uses | 1,200,000 |
| | Total Square Feet | 1,190,000 |

MAXIMUM FLOOR AREA RATIO (F.A.R) 6 : 1.
The floor area ratio is the ratio between the gross floor area of a building to the area of the zone lot on which the building is constructed. NOTE: Land area dedicated for public streets is not included in the area of the zone lot.

MAXIMUM NUMBER OF DWELLING UNITS: 500.

MAXIMUM NUMBER OF DWELLING UNITS PER ACRE 150 D.U./AC.
*This PUD is based primarily on the R-MU-30 zoning that will be on the rest of the site. The development program anticipates approximately 140 units in the high-rise tower that can be up to 220 feet tall. Approximately 320 units are anticipated to be in mid-rise structures beneath the tower. Approximately 40,000 square feet of retail is planned for this block. Exact dwelling unit counts and floor areas will be provided at the site plan review stage.

## b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES

| | SQUARE FT | % OF SITE AREA |
|---|---|---|
| Maximum area of building coverage (including garage(s) and all other accessory structures), drives, parking and other impervious surfaces: | 135,000 | 100 |
| MAXIMUM TOTAL OF BUILDING AND IMPERVIOUS SURFACES | 135,000 | 100 |

* There will be some impermeable coverage- grass or plantings adjacent to buildings, tree plantings within or adjacent to right-of-way, but this information will be provided at the site plan stage.

## c. LANDSCAPED AND/OR PERMEABLE AREAS

| | SQUARE FEET | % OF SITE AREA.* |
|---|---|---|
| Minimum area of live or organic landscaped lot coverage: | | 0 |
| Approximate area of non-live material coverage (graveled or other areas with permeable surfaces): | | 0 |
| MINIMUM TOTAL OF LANDSCAPED AND/OR PERMEABLE | | |

| | | |
|---|---|---|
| AREAS: | 0 | 0 |

*As allowed in the GDP Rules and Regulations, open space for the entire project area will be aggregated across zone lots. The entire project area shall provide at least 12% of open space within the GDP area as set forth within the Denargo Market GDP. In order to constitute aggregated open space, the open space must: (i) enhance the connection to transit facilities, plazas or streets, (ii) enhance the pedestrian environment, or (iii) enhance or create a public space, and in any event be publicly accessible and a benefit to the neighborhood.

Anticipated open space areas for this PUD site are depicted on the District Plan, but no specific square footage or locations are called out on this zoning application.

**d. PROJECT AREA TOTALS (totals of "b" and "c" above)**

| | PERCENTAGE |
|---|---|
| Building and impervious surfaces: | 100 |
| Landscaped and/or permeable areas: | 0 |
| TOTAL SITE AREA: | 100 |

**e. SETBACKS**

The minimum setbacks for buildings are shown on the District Plan. A building envelope may be used to graphically depict the minimum setbacks required.

| | | | | |
|---|---|---|---|---|
| North: | _____ feet | | Front: | 0 feet |
| South: | _____ feet | OR | Rear: | 0 feet |
| East: | _____ feet | | Side: | 0 feet |
| West: | _____ feet | | | |

The minimum spacing between buildings shall be 0 feet

Permitted encroachments into the minimum setbacks for buildings shall conform to Section 59 – 312(4) of the R-MU-30 zone district.

Official Parkway Setback requirements for this P.U.D. are: 0 feet for buildings and 0 feet for signs.
*This site does not border an officially designated parkway for the City and County of Denver as of March 1, 2007.

**f. MAXIMUM HEIGHTS OF STRUCTURES**

The maximum height of structures shall not exceed a total of 75 feet, except that one building up to 220 feet tall is allowed. Attachment F, maximum allowable building heights, illustrates the site area within which maximum building height is allowed.

Rooftop features (such as solar collectors, antennas, chimneys, flues, vents and air conditioning equipment) may exceed the maximum height of structures by

28 feet, as allowed in Section 59-2(52) of the Revised Municipal Code of the City and County of Denver.

Bulk plane restrictions ☐ shall ☒ shall not be required.

**g. OFF-STREET PARKING**

This project shall contain a majority of structure parking to facilitate off-street parking spaces at the ratios shown in the following chart. Parking for residential uses should be expressed in number of spaces per dwelling unit. NOTE: Any floor area utilized by a permitted use listed under 2.a. in a story where the ceiling is less than four (4) feet above grade shall be calculated into the off-street parking requirement.

*Exact parking counts for the site are not yet known and will be provided during the site plan stage.

| | |
|---|---|
| Non-residential uses | 1 per 500 square feet Parking Ratio |
| Residential – market rate unit | 1.0 space per unit Parking Ratio |
| Residential – affordable housing unit (provided units qualify under the provisions of Article IV, Chapter 27 of DRMC) | 0.8 space per unit Parking Ratio |

MINIMUM NUMBER OF OFF-STREET PARKING SPACES FOR PERSONS WITH DISABILITIES:

(i) For all uses other than multi-unit dwellings, the number of such parking spaces shall be one (1) percent of the number of spaces required; provided however, that at least one (1) such parking space for disabled persons shall be required where twenty-five (25) or more spaces are required.

(ii) For multi-unit dwellings, off-street parking spaces for disables persons shall be provided for one (1) percent of the dwelling units or for each dwelling unit occupied by a disabled person, whichever is the greater requirement; provided however, that at least one (1) such parking space shall be required where fifty (50) or more spaces are required. Dwelling units requiring parking for disabled persons within a multi-unit dwelling shall be provided with such spaces at a ratio of one (1) space per dwelling unit and each such parking space for disabled persons shall be a minimum of twelve (12) feet wide and seventeen and one-half (17 ½) feet long or an alternative size as suggested by the PUD/PBG rules and regulations.

(iii) Accessible routes, passenger loading zones and other facilities for disabled persons shall be provided according to the guidelines contained in the PUD/PBG rules and regulations for site plan review.

Does this P.U.D. comply with the use and maintenance requirements of Section 59-585(2)-(9)? Yes ☒ No ☐

Do the parking spaces and/or aisles in this P.U.D. comply with the requirements of Section 59-588, Chart No. 1? ☒ Yes ☐ No.

Will this project contain parking for bicycles? Yes ☒ No ☐ If yes, bicycle parking requirements shall be pursuant to Section 59-582(e) of the Revised Municipal Code of the City and County of Denver. Will this (these) bicycle parking area(s) comply with the rules and regulations for dimensional and equipment standards of Section 59-582(e)? Yes ☒ No ☐.

*There is not yet sufficient detail in site planning necessary to determine the exact locations of bicycle parking. Bicycle parking will be incorporated in to the site and will meet the rules and regulations for dimensional and equipment standards of Section 59-582(e). Exact details on bicycle parking will be included in future site plan submittals.

**h. OFF-STREET LOADING**

The exact amount of off-street loading space(s) will be determined at site plan review. Will this (these) space(s) conform with dimensions required in Section 59-599? Yes ☒ No ☐

**i. SURFACE DRAINAGE**

The rules and regulations of the Wastewater Management Division will require certain design and construction considerations to control surface water runoff. Does the site contain a flood hazard area as identified by the Federal Emergency Management Agency? ☐ Yes ☒ No Does the site contain wetland areas? ☐ Yes ☒ No

*Drainage will be addressed at the time of subdivision and/or site plan in accordance with the Denargo Market GDP drainage concepts as shown on Sheet 13 and all other studies required at detailed site plan stage.

**j. INTERIOR STREETS, DRIVES, PARKING AREAS AND PEDESTRIAN WALKWAYS**

Conceptual location of interior streets, drives, parking areas and pedestrian walkways within the P.U.D. district, if any, are shown on the District Plan.

*While most of this information is shown on the District Plan, please see the Circulation and Parks, Trails and Open Space sheets of the GDP for the entire property which provides additional information for the Denargo Market site.

A connection is proposed for the Denargo Market site to access the existing bicycle and pedestrian trail along the South Platte River. There will be a northwest to southeast pedestrian focal point linking Brighton Boulevard to the

South Platte River and associated open space. In addition, all of the internal streets will have sidewalks on both sides and be bicycle friendly. Pedestrian circulation will be enhanced along Brighton Boulevard with the addition of sidewalks and enhanced streetscape consistent with River North guidelines which include street oriented buildings, lighting, trees and a dedicated pedestrian crossing location which will occur with a stop light proposed at 29th Street and Brighton Boulevard.

**k. EASEMENTS**

Existing and/or proposed utility and/or access easements are shown on the District Plan or are located as follows:

*Proposed utility and/or access easement locations will be determined at the site plan review phase. See the attached utility easement exhibit, Attachment I, for the existing easements on the site.

**l. LANDSCAPING AND BUFFERING**

Areas to be landscaped must be shown on the District Plan. However, a more detailed landscaping plan may be required by the Planning Office as a part of this application. All foliage shall be maintained in a healthy, growing and safe condition. NOTE: A detailed landscaped plan is required as a part of the site plan review phase after the rezoning is approved.

NUMBER OF EXISTING TREES: 0.

MINIMUM NUMBER OF TREES TO BE PLANTED:

On private property: 0.

On public right of way or in tree lawns: 10.
(Based on 1 tree for every 35 feet of street frontage; this number may change at site plan review without an amendment to this PUD.)

MINIMUM SIZE OF TREES AT TIME OF PLANTING:

Evergreens/Coniferous (height): 4.

Deciduous (caliper): 2 1/2.

Ornamental (caliper): 2.

MINIMUM % OF EVERGREEN OR CONIFEROUS TREES: 0.

MINIMUM NUMBER OF SHRUBS TO BE PLANTED ON PRIVATE PROPERTY: 0.

MINIMUM SIZE OF CONTAINER AND HEIGHT AND/OR SPREAD REQUIREMENTS FOR PLANTED SHRUBS: 0.
*Exact landscaping details and amounts will be determined at the site plan stage.

Does the proposed P.U.D. comply with parking lot parking lot landscaping requirements of Section 59-585(11) Yes ☒ No ☐

*Parking details will be in the site plan and if parking areas require a parking lot landscaping permit, one will be obtained at the necessary time.

All foliage shall be maintained in a healthy, growing and safe condition.

FENCES AND/OR WALLS

The height of fences and/or walls which may be built in the P.U.D. district, except for the front setback space, shall be a minimum of 2 feet and a maximum of 6 feet

Fences and/or walls shall be either solid and view obscuring or open and view permitting as determined during site plan review. NOTE: Any fence heights exceeding the preceding requirements shall be subject to Section 59-38(11), Overheight Fences and Walls.

*Fencing details will be shown on site plans for development within this PUD.

Will earthen berms or mounds be installed? Yes ☒ No ☐ Such earthen berms or mounds shall be landscaped and shown on the District Plan. The height of earthen berms of mounds shall be a minimum of n/a feet and a maximum of n/a feet.
*Earthen berms or mounds may be used to enhance open space areas pursuant to requirements at the time of site plan.

**m. BOAT, CAMPER, TRAILER AND RECREATIONAL VEHICLE STORAGE**

Boat, camper, trailer and recreation vehicle storage ☐ is ☒ is not permitted on the property.

MAXIMUM LENGTH OF BOAT, CAMPER, TRAILER AND/OR RECREATION VEHICLE PERMITTED: n/a.

**n. DEDICATIONS AND IMPROVEMENTS**

The owner understands that City ordinances and agency rules and regulations may require the dedication of additional street right-of-way and the construction of certain public improvements.

*After approval of the rezoning and GDP, a subdivision plat will be prepared and submitted to the City for review that will vacate and dedicate all necessary right-

of-way and other lands. If another process is chosen for vacation and dedication of streets, this PUD does not need to be amended.

**o. EXTERNAL EFFECTS**

Vibration, heat, glare, radiation and fumes shall be regulated by Section 59-311 of the R-MU-30 zone district.

Reflective glass **may** be used.

Every use, unless expressly exempted, shall be operated within a completely enclosed structure. ☐ Yes ☒ No

*All allowed uses as noted in Section 2(a) above shall comply with the enclosure requirements as listed for each use.

**p. NATURAL TERRAIN**

The existing grade of the site **will** be altered.

**q. UTILITIES**

*See the Denargo Market GDP and associated Infrastructure Master Plan for the entire site for detailed information on utilities.

**r. SIGNS**

The project is regulated by the following:

Section 59-537, Signs permitted in all districts
Section 59-538, Sign area measurement
Section 59- 315, Sign regulations for the R-MU-30 zone district.

*At this time, exact signage details for the property are not known. Sign locations will be included in future site plan submittals for this site. Design guidelines for the site will provide standards and guidelines related to signage for the Denargo Market project.

**s. OUTDOOR STORAGE OF PRODUCTS, MATERIALS OR SOLID WASTE**

Outdoor storage of products and/or materials ☐ is ☒ is not permitted.

Fences for outdoor storage areas shall be provided. Said fences are solid and shall be a minimum of 4 feet and a maximum of 6 feet in height.

Outdoor storage of solid waste **is** permitted. If permitted, fences for such outdoor storage areas shall be provided. Said fences shall be solid and shall be a minimum of 4 feet and a maximum of 6 feet in height.

*Outdoor storage of solid waste is permitted to allow for the necessary trash receptacles to serve this development.

**t. TRANSPORTATION**

*The following traffic counts are provided to give a frame of reference for this PUD. The transportation impacts and any required mitigation will be determined as the property redevelops. As part of the Denargo Market GDP, a Traffic Impact Study (TIS) has been undertaken to understand the traffic impacts of the entire site. Further information on traffic details for this site can be found in the TIS for the Denargo Market GDP.

Existing Traffic Counts

| Street | AM Peak | PM Peak |
|---|---|---|
| Park Avenue - South | 2886 | 1688 |
| Park Avenue - North | 1018 | 2444 |
| Denargo Street - South | 88 | 129 |
| Denargo Street - North | 131 | 80 |
| 29th Street - South | 28 | 42 |
| 29th Street - North | 37 | 35 |
| 31st Street – South | 232 | 181 |
| 31st Street – North | 178 | 142 |
| Broadway – South | 1277 | 544 |
| Broadway – North | 418 | 957 |
| Brighton – East | 387 | 916 |
| Brighton – West | 1155 | 465 |

2030 Traffic Counts

| Street | AM Peak | PM Peak |
|---|---|---|
| Park Avenue - South | 4394 | 2804 |
| Park Avenue - North | 1742 | 3752 |
| Denargo Street - South | 190 | 394 |
| Denargo Street - North | 337 | 251 |
| 29th Street - South | 266 | 264 |
| 29th Street - North | 147 | 413 |
| 31st Street – South | 418 | 333 |
| 31st Street – North | 282 | 278 |
| Broadway – South | 2029 | 1011 |
| Broadway – North | 695 | 1707 |
| Brighton – East | 796 | 1561 |
| Brighton – West | 1800 | 970 |

PUBLIC TRANSPORTATION

The nearest bus stop is located: an RTD stop at Brighton Boulevard and 29th Street.

**u. SCHOOLS**

Future school sites **will not** be dedicated as a part of this project.

**v. HOME OCCUPATIONS**

Home occupations **are** permitted. If so permitted, home occupations shall conform to Section 59-89 as applicable to R-MU-30 uses of the Revised Municipal Code of the City and County of Denver.

**w. USES BY TEMPORARY PERMIT**

Uses by temporary permit are regulated by Section 59-86 as applicable to R-MU-30 uses of the Revised Municipal Code of the City and County of Denver.

**x. ACCESSORY USES**

Accessory uses are regulated by Section 59-87 as applicable to R-MU-30 uses of the Revised Municipal Code of the City and County of Denver. Rail service shall not be a permitted accessory use.

**y. INTERIM USES**

Prior to the development of this project, the property will be used on an interim basis for the following uses within the existing buildings: warehousing, distribution, retail and all R-MU-30 uses.

**z. PHASING**

Will the project be developed in phases? ☒ Yes ☐ No If yes, specify the phasing and the improvements to be constructed in each phase.

Anticipated starting date – Phase 1 3rd quarter 2008.
Anticipated completion date – Phase 1 2nd to 3rd quarter 2009.

NOTE: A separate site plan review is required for all P.U.D.'s prior to obtaining zoning or building permits for construction.

*Exact phasing information is not yet available. Development will generally begin at the project's outer edges and move in towards the South Platte River and then down to Wewatta Street. The first phase of development will occur at the two parcels along 29th Street off Brighton Boulevard (PUDs 1 and 2). These parcels will require the least amount of up front infrastructure and make use of the existing street access. This initial development will provide some of the retail and population base necessary to support the site's proposed mix of uses. Also, developing from the perimeter of the project will enhance land values and enable

the Developer to achieve long-term character and quality at the core of the project. The first block of Chestnut Place and Denargo Street will be built up to the new Wewatta alignment. These streets will provide the necessary circulation for the first phase of development. Utilities necessary to serve these parcels will be put in and it is likely a temporary detention pond will be put in place to serve these parcels until future phases are built.

Development of the site will then spread out in three subsequent phases. Phase two will consist of the two parcels adjacent to the South Platte River. With the second phase of development, Arkins Court will need to be vacated and the new Wewatta Street alignment will be built. It is likely that the portion of the existing Denargo Street close to the River will be vacated at the same time. The enhancement to the South Platte River corridor and Riverfront Open Space will occur in this phase.

The rest of the site will likely be built out in phases three and four, with the final phase likely being the parcels furthest from the South Platte River. At this time, the final road network will be built and all utilities will go in their final alignments, including detention facilities.

**aa. AFFORDABLE HOUSING**

The City's Affordable Housing Ordinance, as set forth in the Denver Revised Municipal Code Section 27-101 et seq., as may be amended from time to time shall apply; provided however, that an Affordable Housing Plan ("AHP") for the entire Denargo Market General Development Plan shall be submitted and approved by the City prior to the City's approval of the first site plan within the GDP area.

**bb. VESTING**

In order to ensure the phased development of this project under the vision laid out in the Denargo Market GDP, the specific items of the GDP shown on Sheet 2 shall vest for a 10 year time period from the GDP's approval date.

## 3. WRITTEN STATEMENT

The proposed PUD is comprised of what will be one parcel of land that will be part of the larger Denargo Market redevelopment. The development and design intent of Denargo Market is to create a residential mixed-use project that connects to the South Platte River. This project will serve as a unique destination for the River North corridor and downtown. Denargo Market and the future 40th and 40th light rail station will serve as the two focal points of the redevelopment of the Brighton corridor, as envisioned in the River North Plan.

The proposed concept of 2000-2500 dwelling units and 125,000 to 200,000 square feet of retail encourages higher densities with strong connectivity between uses, the South Platte River and surrounding activities. Emphasis will be placed on vitality and creating a walkable environment, doing so through the addition of the street grid with sidewalks. To achieve this, the existing Arkins Court will be relocated to pull it away from the river. This will allow for two development parcels to interact with the South Platte River, provide an immediate connection to

the trail and its users, and create a larger open space area as envisioned in the River North Plan. Development will be concentrated around what is currently planned to be a central public space along the relocated Denargo Street alignment. Retail uses are intended to serve the residents living in the development and compliment the revitalization of the Brighton Boulevard corridor.

This rezoning is necessary due to the changing conditions along the Brighton Boulevard corridor. The area is identified as an Area of Change by the City's Comprehensive Land Use and Transportation Plan, Blueprint Denver. This plan calls for mixed-use development within this area. Following Blueprint Denver, the City worked with stakeholders along the Brighton Corridor to draft the River North Plan. This plan discussed the history of the area and set up a vision for the corridor. The Denargo Market property was identified as appropriate for residential mixed-use development.

This site was originally zoned industrial and supported industrial uses, such as food markets and warehousing space. Over time, the importance of the Denargo Market site has decreased. Due to the Brighton Boulevard's importance as a connection between I-70 and downtown, this corridor is prime for redevelopment. Additionally, it is within walking distance of Coors Field and within one mile of three future rail transit stops (Denver Union Station, 38th/Inca, and 40th/40th). A portion of the area near 31st and Brighton has already been rezoned to R-MU-30, and across the street land was zoned PUD to allow for the construction of the Jefferson Gates (JPI) apartment building. Redevelopment of this site into a residential mixed-use project is the next step for the redevelopment of this corridor.

The proposed concept recognizes the importance of the River corridor by reducing the height of buildings adjacent to the South Platte River and putting greater densities closer to Brighton Boulevard. The plan emphasizes strong visual and physical connections to the River and downtown via the Broadway corridor. Development will be concentrated around what is currently planned to be a plaza along the Denargo Street alignment. Retail uses are intended to serve the residents living in the development and compliment the revitalization of the Brighton Boulevard corridor.

The area immediately surrounding the property continues to be primarily industrial in nature, though the entire Brighton Boulevard corridor will likely continue to redevelop per the City's River North Plan. This plan was put together as a supplement to the Comprehensive Plan and establishes a vision for this industrial corridor that serves as a primary entrance in to downtown Denver. Blueprint Denver identified this as an area of change. In addition to this redevelopment, a major transit stop will be located down Brighton Boulevard at 40th and 40th. This site will likely be rezoned to Transit Mixed-Use and feature very dense development.

Across Brighton Boulevard is the JPI apartment building that was developed a number of years ago, and has primarily been an isolated residential building. This redevelopment will provide important connections across Brighton and provide the residents of the JPI building an amenity – both in retail uses and connections to the South Platte River.

## 4. EXISTING CONDITIONS MAP

The Existing Conditions Map is attached at the end of this application.

## 5. DISTRICT PLAN

The District Plan is attached following the Existing Conditions Map.

This application includes the following listed and attached drawings or renderings:

- ☐ architectural concepts
- ☐ building elevations
- ☐ facade treatments
- ☐ exterior building materials
- ☒ and/or other important features (list): concept plan for the site.

*At this time, exact architectural details are not yet known. In order to ensure uniformity across the Denargo Market site, this PUD and the other two PUD sites will go through the mixed-use design review process as specified in DRMC Section 59-313 as if these sites were zoned R-MU-30. Urban design standards and guidelines adopted for the Denargo Market project shall apply, and any review process included in that document shall supersede the design review process in DRMC Section 59-313.

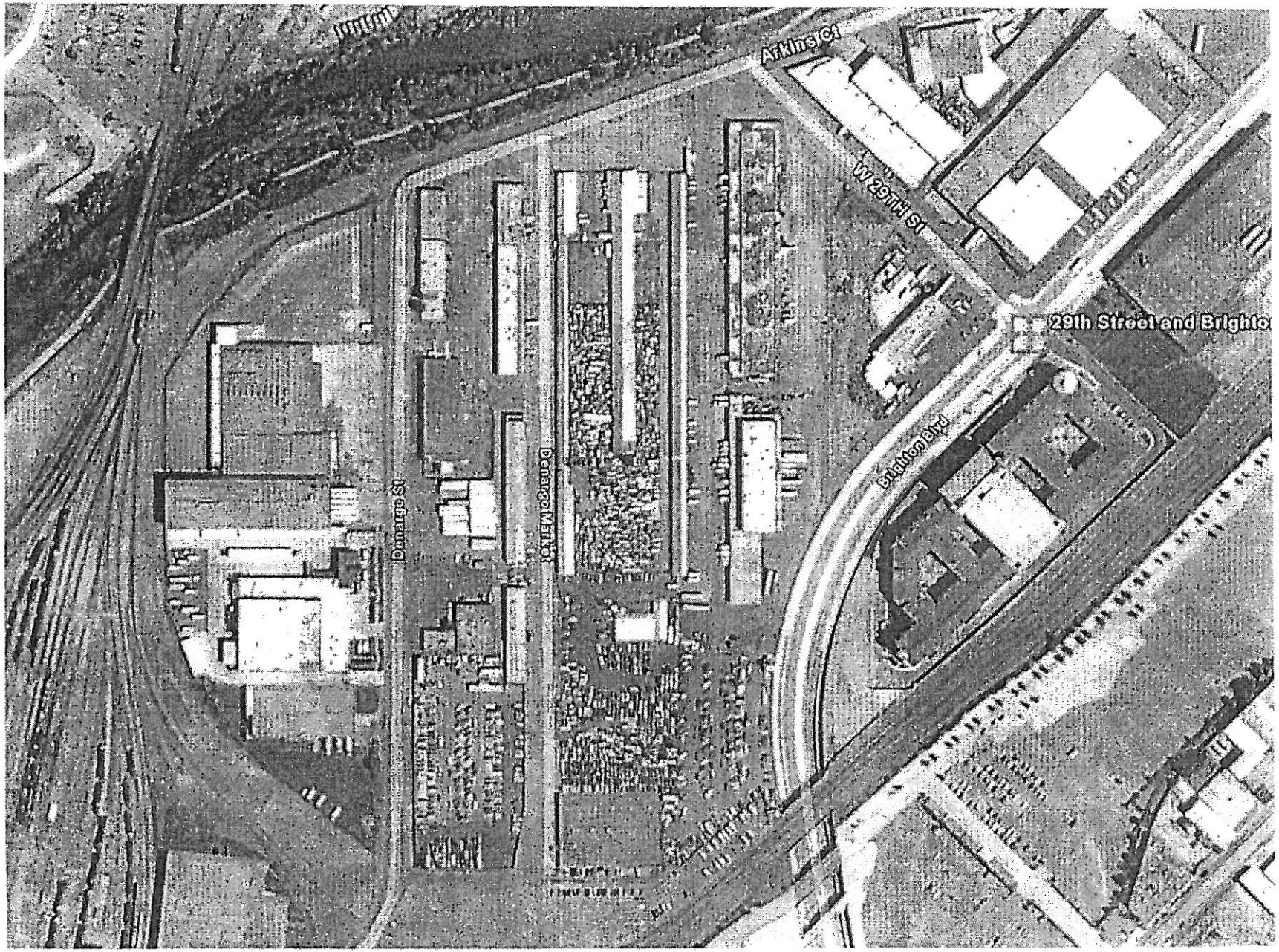
## 6. ACKNOWLEDGMENT

The applicant for this P.U.D. is the owner or owners of all the property contained within the proposed P.U.D. District or is the agent for the owner of owners of all the property contained within the proposed P.U.D. District. NOTE: Agents must supply proof of agency from the owner or owners of the property at the time of application.

The applicant understands that vested property rights shall be created ninety (90) days after the approval of this District Plan by the Denver City Council. These vested property rights shall remain vested for a period of three (3) years in accordance with Section 59-29.

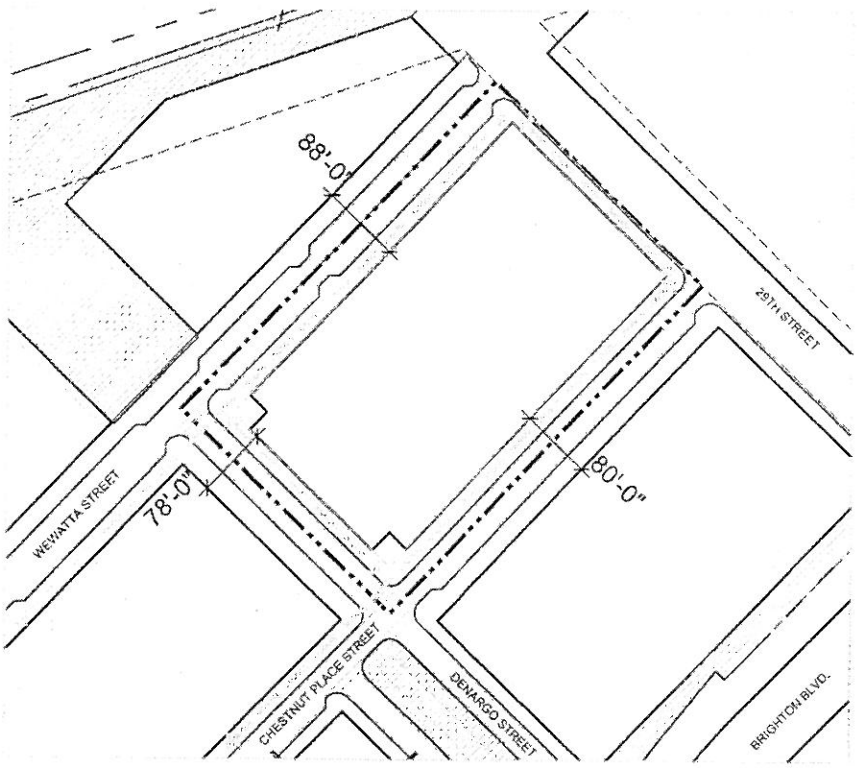
John Kiltz
Print or type Applicant's Name(s)

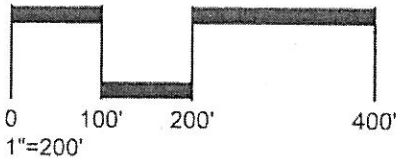
Applicant's Signature(s)




Attachment D - Denargo Market - Existing Conditions

# DENARGO MARKET




Area boundary

Proposed ROW

Dimensions between proposed buildings in feet

Pedestian connections

Open space area (privately owned, publicly accessible)

Revised December 8, 2006

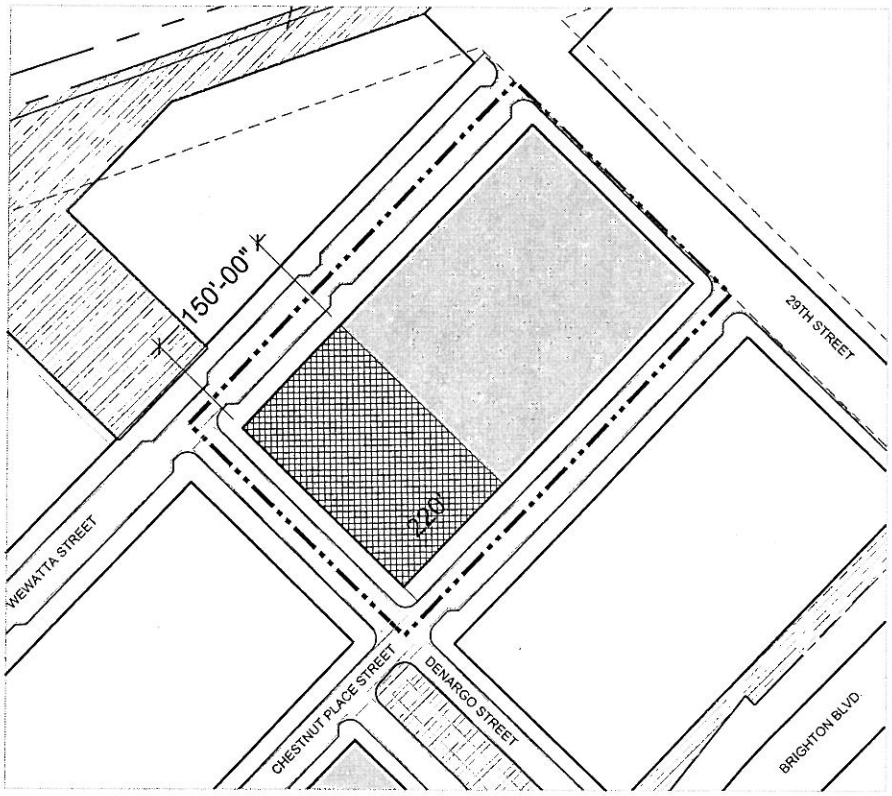
**EXHIBIT 1.0**
**DISTRICT PLAN**

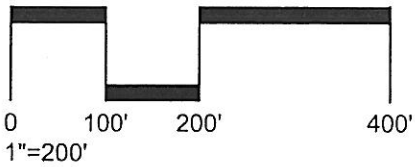
**PUD 2**

**Note:**

1. Only 29th Street and Brighton Boulevard right-of-way are currently dedicated.
2. Adjacent roadway locations and widths are conceptual and subject to change.
3. The location of vehicular access to each PUD will be determined during the redevelopment of each property within the Denargo Market redevelopment.
4. The roadway layout shown on this plan is conceptual and subject to change.

# DENARGO MARKET




Area boundary

Proposed ROW

Maximum distance from ROW in feet

Open space area(privately owned, publicly accessible)

Maximum building height of 75'

Maximum building height of 220'

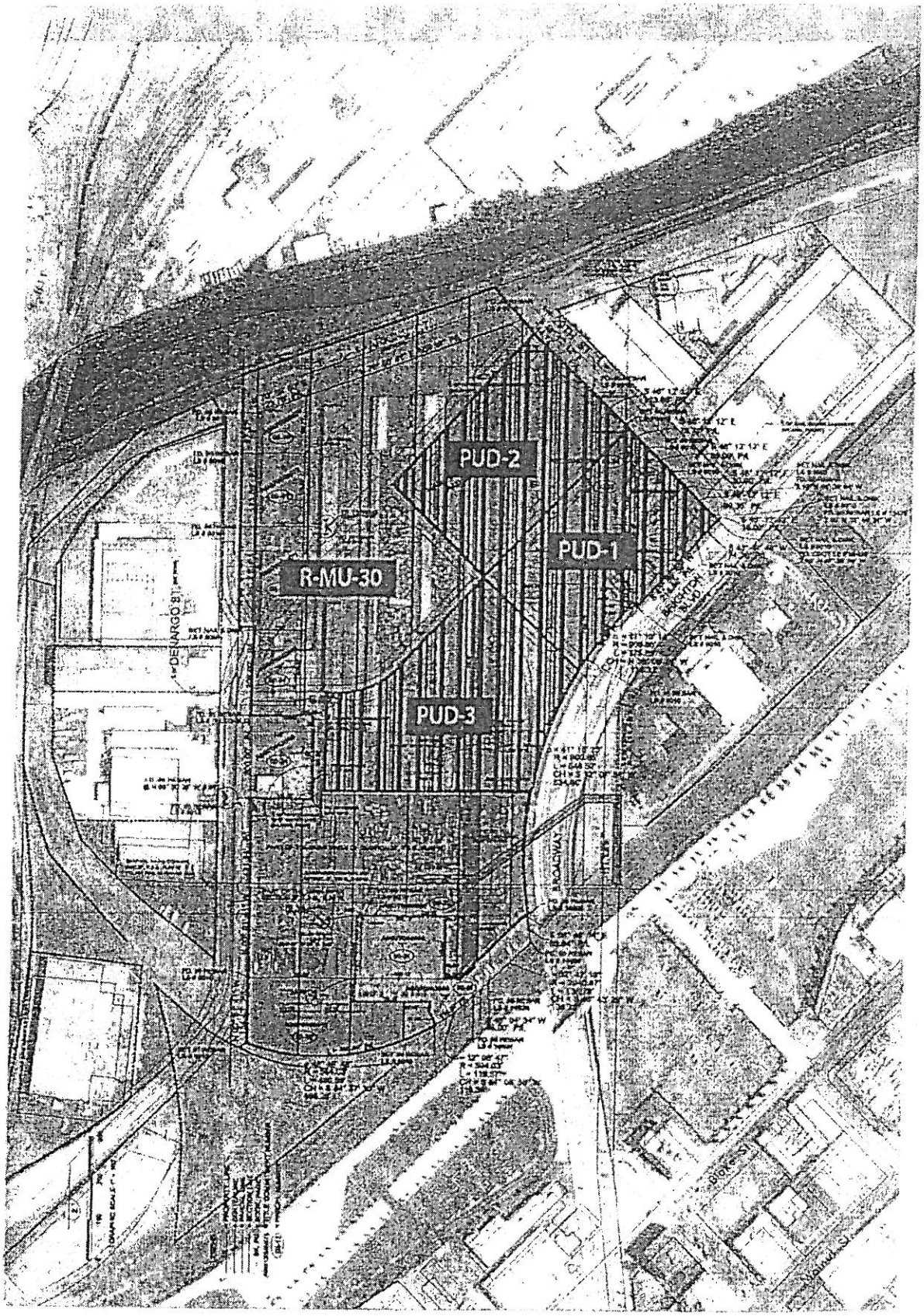
Revised March 13, 2007

**ATTACHMENT F**
**MAXIMUM ALLOWABLE BUILDING HEIGHT**

**PUD 2**

**Note:**

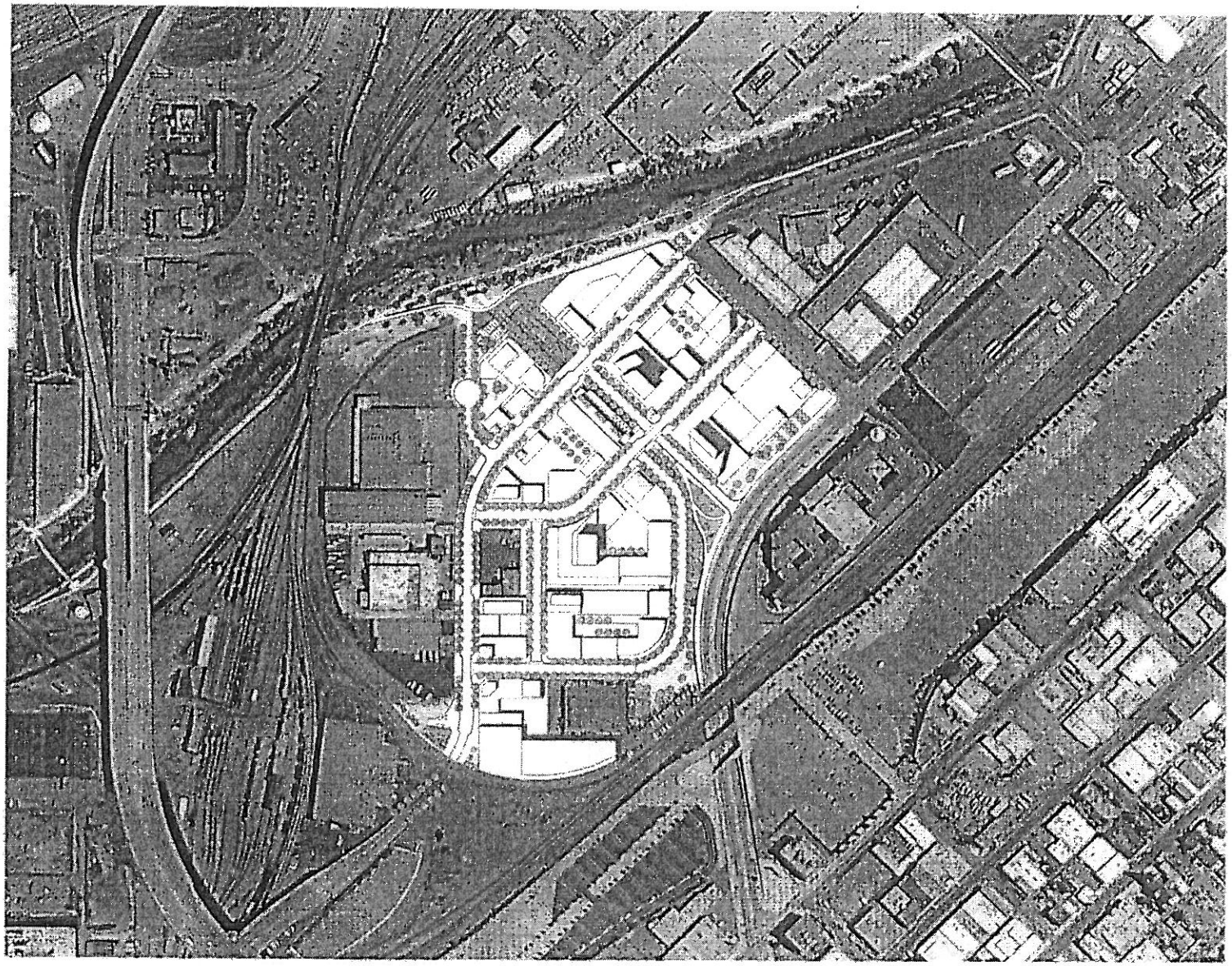
1. Only 29th Street and Brighton Boulevard right-of-way are currently dedicated



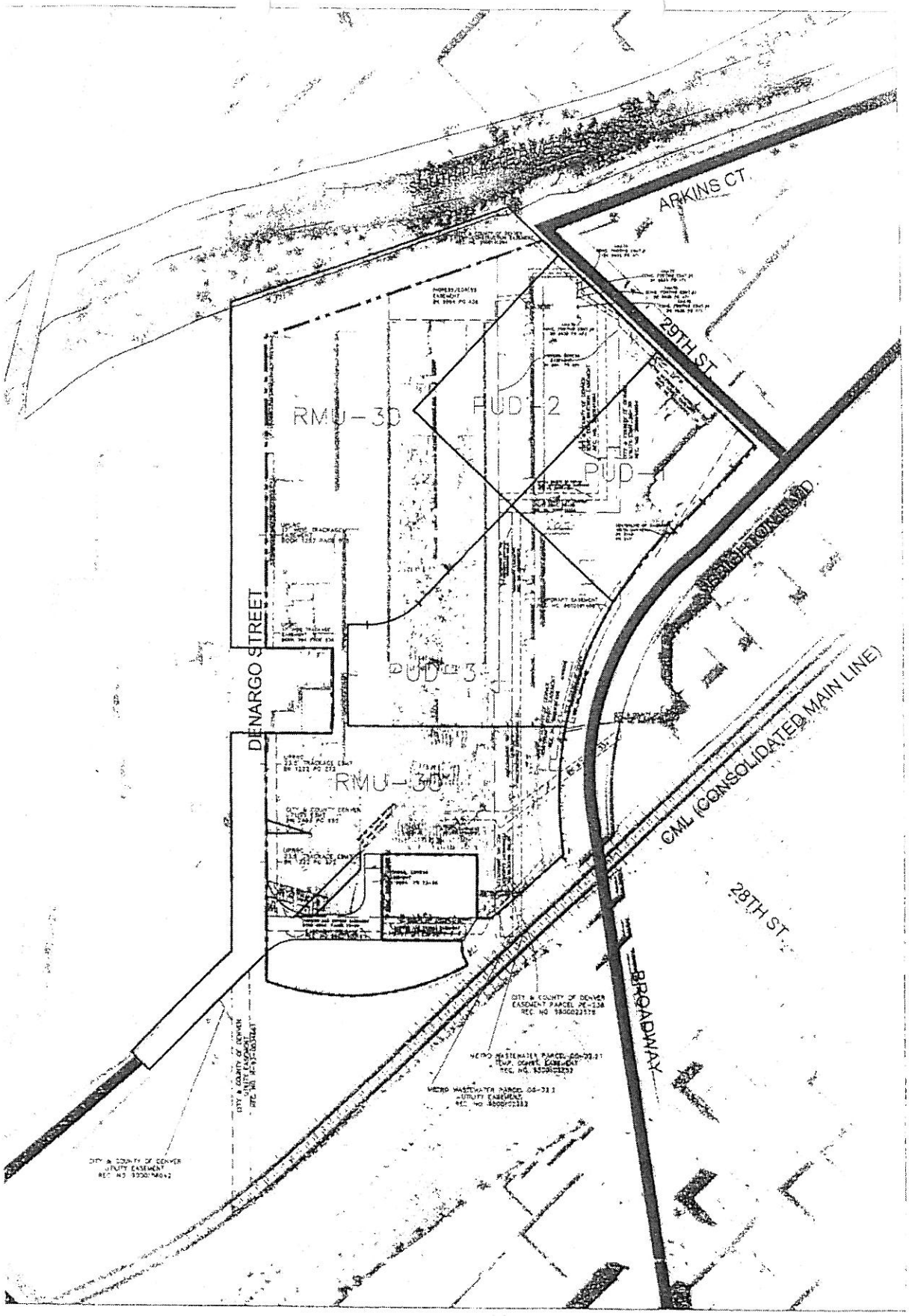

DENARGO MARKET REZONING MAP

Attachment G

DRAFT

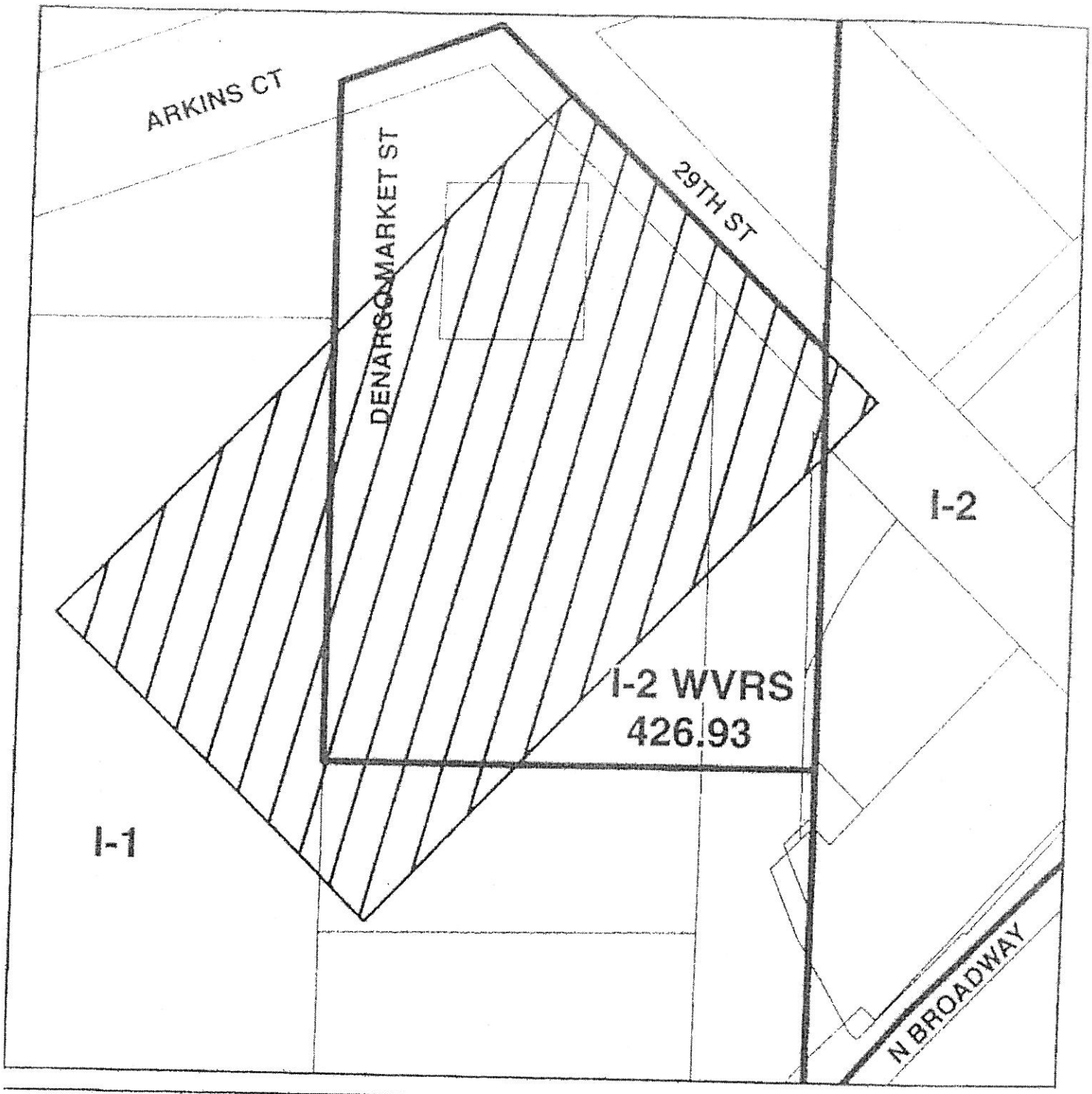


Attachment H - Denargo Market Conceptual Plan

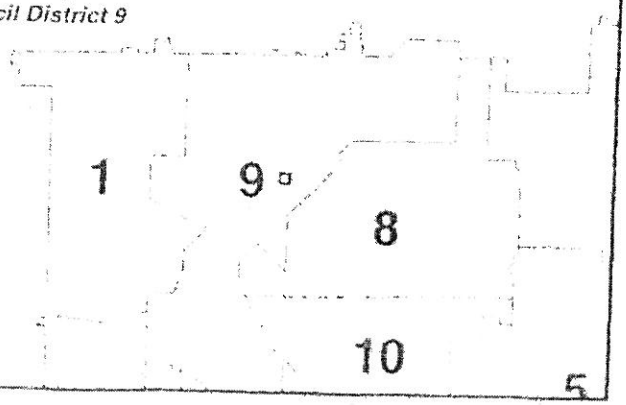



ATTACHMENT I - EXISTING EASEMENTS

# Pending Map Amendment




*Area in Detail*
*Council District 9*




Application #4880
Approx. Arkins Ct. & 29th St.

Proposed Rezoning
From: I-1, I-2 & I-2 w/WVRS
To: PUD

GIS

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Feet

DENVER
THE MILE HIGH CITY

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City & County of Denver LDF

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Page: 1 of 59
D $0.00

**Title of Document: LARGE DEVELOPMENT FRAMEWORK**

**SUBJECT PROPERTY: DENARGO MARKET**

**PARCELS:**

2650 Arkins Court (Parcel 1)
0227416001000

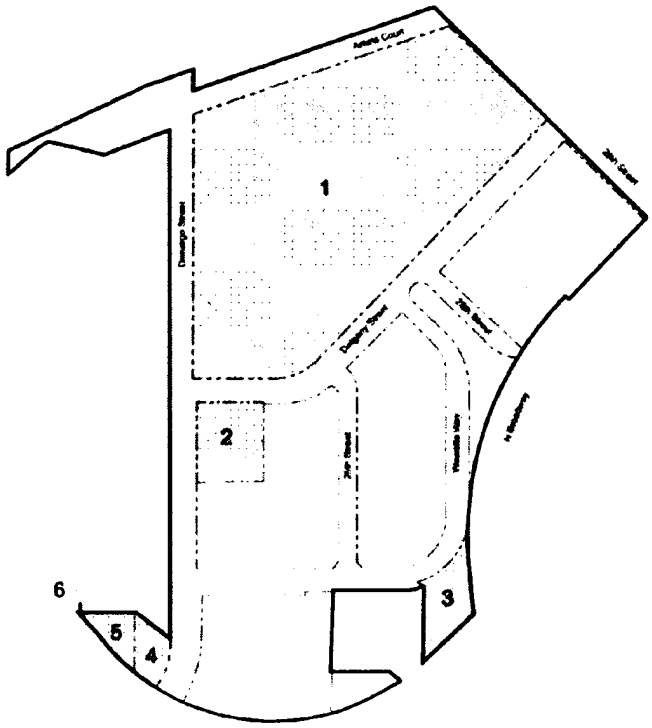
3280 Denargo (Machine Shop)
0227400024000

2700 Wewatta Way (Parcel 3)
0227417001000

3205 Denargo St (Parcel 4)
0227400119000

3205 Denargo St (Parcel 5)
0227400118000

3205 Denargo St (Parcel 6)
0227400117000




**SUBJECT PROPERTY OWNER:**
JV Denargo LLC
2724 Walnut Street
Denver, CO 80211

*This Framework shall apply to the property, and requirements forthwith shall be applicable to all owners, successors and/or assigns until this document is formally amended or withdrawn pursuant to DZC Section 12.4.12.*

## I. Purpose of Framework

This Large Development Framework (LDF) documents the required regulatory applications and review, sequencing of applications and reviews, and high-level project requirements for the undeveloped portion of Denargo Market. The LDF is drafted per Section 12.4.12 of the Denver Zoning Code (DZC) following determination by the Development Review Committee (DRC) that the proposed development is subject to the Large Development Review (LDR) Process.

The information described in this LDF is intended to:

- Document the project as initially proposed.
- Document initial feedback from the community on the proposed project.
- Provide for the coordinated assessment of general land development proposals by the City and other interested public agencies.
- Ensure that development in the LDR area is consistent with City Council adopted plans.
- Ensure that development in the LDR area will implement adopted plan policies related to infrastructure, open space, and public parks, as applicable, by establishing the appropriate timing and requirements for subsequent regulatory steps, submittals and approvals.
- Establish known project requirements based upon the scope of the development proposal.

The LDF is not a development agreement between the City and County of Denver and the Applicant. Nothing in this LDF prescribes a specific or guaranteed project outcome. The high-level project requirements outlined in this LDF are based upon initial assessment of the proposed development against adopted plans, studies and regulatory programs as identified in this agreement and may change based upon the outcome of project reviews and negotiation with the City.

All formal plan and technical reviews and permitting will occur in accordance with the prescribed application and review process identified within this LDF document. Further, they will be reviewed and permitted in accordance with process and procedures for each regulatory application established in the Denver Zoning Code, City and County of Denver Municipal Code, or any applicable adopted Rules and Regulations of the City and County of Denver, as applicable.

## II. Application and Owner Information

JV Denargo LLC
2724 Walnut Street
Denver, CO 80211

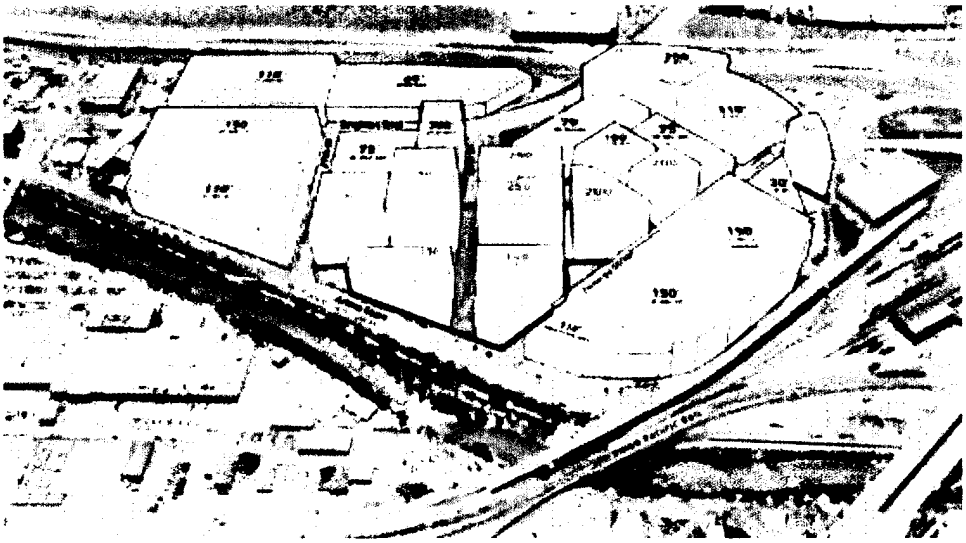
## III. LDR Boundary

The boundary of the Large Development Review Area incorporates the extent of the proposed development parcels and adjacent streets. See Attachment 1 for the LDR Boundary and Legal Description. The LDR boundaries shall align with the boundaries of Denargo Market GDP as well as inclusion of the .7-acre property at Denargo and Delgany, all generally bound by Brighton Blvd to the south, Denargo Street to the west, the South Platte River to the North, and 29th

Street to the east. At a minimum, language should be included in the LDR that all regulatory approvals must consider and integrate with anticipated surrounding infrastructure and land use changes. Such changes include South Platte River Promenade improvements. The specific boundaries are shown within **Attachment 1**.

## IV. Project Information – Project File No. 2019PM0000298

This project incorporates and plans for the remaining 12.2 acres undeveloped parcels (in highlighted white boxes and teal text below) within the Denargo Market General Development Plan located at the southwest end of Brighton Boulevard in the River North Arts District (RiNo). Historically, uses within the Denargo Market site GDP area have been primarily industrial along with small businesses and retail throughout. New apartment buildings have in recent years replaced former industrial sites to align with plans for Denargo Market as a high-density district. Proposed C-MX zoning will further diversify current uses by providing an opportunity for office



as well as more residential, and retail uses in what is now primarily a residential area with few ground-level active uses. While specific land uses are not prescribed as part of the requested zoning changes, the current conceptual development plans project the addition of up to approximately 1.5M sf of office, 1,100residential units, and 80,000 sf of retail on the remaining vacant parcels within the modified GDP area, with integrated parking structures to support that development. Development of the remainder of the Denargo Market General Development Plan area is guided by existing City adopted plans and programs as explained in Section V below.

## V. Plan Guidance

The following adopted Plans, studies and/or regulatory programs provide clear and sufficient guidance for review of the proposed large development project and will serve as a basis for providing a framework for interconnected land uses, streets, open space, public parks, and other infrastructure.

- River North Plan (2004)
- 38th and Blake Station Area Plan
- Denver Moves: Transit
- Denver Moves: Pedestrians & Trails
- Parks and Recreation Game Plan
- Blueprint Denver
- Comprehensive Plan 2040
- Housing an Inclusive Denver
- River North Design Overlay District DO-7, (DZC 9.4.5.11)
- 2008 Affordable Housing Agreement (Denargo Market)

Blueprint Denver identifies the subject property as part of the Urban Center neighborhood context, which calls for "a high mix of uses throughout" where "even the residential areas are highly mixed-use, often with high-intensity multi-unit residential in mixed-use buildings" (p. 252). The future place type is designated as High Residential, which is intended to have "a high mix of uses throughout" where "buildings are the tallest of the residential places in this context" and "there is high lot coverage and shallow setbacks" (p. 260). This is part of the High and High-Medium Residential Areas in Downtown and Urban Center Contexts growth strategy, which is expected to accommodate five percent of new jobs and 15 percent of new housing in Denver by 2040.
Mobility in the Urban Center High Residential place should include "a continuous well-connected pedestrian network and high levels of bicycle network connectivity" (p. 260). Denargo Street and Arkins Court are designated as Mixed-Use Collectors, which should "have high degrees of pedestrian activity" and "provide a sidewalk amenity zone with benches, trees, and/or planters" (p. 262).

Urban Center High Residential places should also have "good access to parks and other open spaces" where "plazas are common" and "green infrastructure is often integrated into the streetscape" (p. 260). The development as proposed would meet these and other goals of Blueprint Denver.

The goals of the River North Plan include to "attract new development along the South Platte River, especially new residential development that takes advantage of the river and enhances it as an open space corridor" (p. 60). The plan designates the subject property as Residential Mixed Use, which calls for "residential mixed-use zoning, commercial mixed-use zoning, or a combination of both of them" (p. 84).

The plan also includes specific recommendations for the Denargo Market area, stating "the Denargo Market area offers the potential for a significant mixed-use development with destination commercial uses, anchored by housing, and benefiting from its relationship to the river corridor and downtown" (p. 75). Recommendations include to "create a compact, mixed-use, pedestrian-friendly development" and "insure that urban design reinforces the pedestrian oriented and transit-supportive character of the area and creates friendly and useable public spaces" (p. 76). While the plan is 17 years old, and the River North area has changed significantly since 2003, the recommendations for Denargo Market are still applicable and supportive of the proposed development.

**Additional Planning and Zoning Direction**

The property is currently subject to the Denargo Market Design Standards and Guidelines. However, the property is also intended to be included in the River North Design Overlay District DO-7 when a rezoning occurs. As part of this redevelopment, the DO-7 design overlay would be applied to the property, and the existing Design Standards and Guidelines would be amended to ensure compatibility with the DO-7 while still achieving the design goals of the document and other plans.

The existing housing agreement for the property only applies to for-sale residential units that are built. As part of this proposal, a new affordable housing agreement will be negotiated to help meet the goals of the Housing an Inclusive Denver plan and to address the vulnerability to displacement highlighted by the Blueprint Denver equity concepts.

Based on existing Plans and known conditions, the following sections outline the timing and sequencing of required regulatory applications.

## VI. Project Requirements and Process Definitions

### 1. Required Planning and Regulatory Applications

The following regulatory processes have been identified as necessary for this project with timing and sequencing of each step identified in Table 1.

- General Development Plan Amendment (high-level requirements)
- Technical Studies reviewed as part of GDP Major Amendment
- Official Map Amendment (rezoning) of the undeveloped land within the LDR boundary
- Development Agreement
- Amendment to the existing Denargo Market Urban Design Standards and Guidelines
- Horizontal Infrastructure Applications
    - Subdivision Plan (one or multiple filings)
    - Transportation Engineering Plans (TEP)
    - Stormwater and Sanitary Sewer Construction Plans (SSPR)
- Site Development Plan(s) for horizontal and vertical development
    - Site-specific Engineering Construction Plans
    - Permits

## 2. Development Review Process

This section establishes the development review process for this application. Table 1 shows the required applications to be submitted for review, the sequencing of the initial application submittals, where approval authority is vested, and the sequencing of final action on the application. Explanation of the terms used in the table is as follows:

**Application Type:** The name of a required regulatory process/application or city agreement.

**Prerequisite applications** – Applications that must be submitted prior to the subject line application being submitted.

**Approval Authority**: The entity vested with approving a development application per adopted City regulations.

**Final action sequencing:** Timing of final action of each application and its relationship with final action sequencing of other applications.

**Table 1** is broken into three large categories consisting of similar application types that are generally submitted and reviewed concurrently;

> **Regulatory Applications** – these applications result in a regulatory framework for development of the property to guide site development and serve as a basis of design for all subsequent applications.
>
> **Horizontal Infrastructure** – required applications needed to subdivide the land into development parcels, zone lots and rights-of-ways, and construction drawings for trunk line infrastructure needed to service the development.
>
> **Vertical Site Development** - Anticipated applications required to support vertical development on individual sites within the overall development. Multiple sites are being developed independently, each site will require its own set of applications.

Applications within the Initial Regulatory category must be submitted, reviewed and approved prior to submittal of any application for horizontal or vertical development. *

The assigned Project Coordinator, in consultation with other development review Agencies, may allow submittal of horizontal and vertical applications prior to final action on prerequisite applications based upon the status of prerequisite applications.

**Table 1: Required Applications**

| Application Type | Prerequisite Application(s) | Approval Authority | Final Action Sequencing |
|---|---|---|---|
| Regulatory Applications | | | |
| GDP Major Amendment | None – Process for Amendment to be defined in this LDF | DRC | Review concurrently with rezoning, but approved prior to rezoning public hearings |
| Rezoning* | GDP Major Amendment | City Council | Public Hearing for rezoning and City Council action on Development Agreement to occur on same City Council Agenda |
| Urban Design Standards and Guidelines Update | Rezoning and GDP Major Amendment | Planning Board and CPD Executive Director | Concurrently with or shortly after Rezoning and Development Agreement |
| Development Agreement* | Rezoning | City Council | Final action on to be on same City Council Agenda as rezoning public hearing |
| Horizontal Infrastructure | | | |
| Subdivision | All Initial Regulatory Applications | City Council | After all initial regulatory application final action |
| Stormwater Construction Plan(s) | Subdivision | DOTI | After Subdivision |
| Sanitary Sewer Construction Plan(s) | Subdivision | DOTI | After Subdivision |
| Transportation Engineering Plan(s) | Subdivision | DOTI | After Subdivision |
| Horizontal Site Plan(s) | Concurrent with Transportation Engineering Plan | Development Review Committee | Concurrent with Transportation Engineering Plan |
| Vertical Site Development | | | |
| Site Development Plan | Rezoning | Development Review Committee | Following approval of rezoning and associated development agreement |
| Site Specific Engineering Construction Plan(s) for site infrastructure (SSPR, TEP, etc) | Concurrent with Site Development Plan | DOTI | Prior to, or concurrently with Site Development Plan |
| Sewer Use and Drainage Permit(s) | Prior to or concurrent with Building Permit | DOTI | After Site Development Plan approval but prior to Building Permit approval |
| Zoning Construction Permit(s) | Site Development Plan | Community Planning and Development / Project Coordination | After Site Development Plan approval, prior to building permit approval. |

| Application Type | Prerequisite Application(s) | Approval Authority | Final Action Sequencing |
|---|---|---|---|
| Building Permit(s) | Site Development Plan | Community Planning and Development | After Zoning Construction and Sewer Use and Drainage Permit |

*Process may be initiated concurrently with prerequisite applications when approved by Project Coordinator

## VII. GDP Major Amendment Process

The intent of the previously approved and soon to be amended Denargo Market General Development Plan is to ensure review and documentation of required land use, transportation and open space infrastructure to support the vision for future development of properties within Denargo Market as defined in boundaries called out previously and to be refined as part of this proposed Amendment. Pursuant to Section 12.4.12.18 of the Denver Zoning Code the Large Development Review and Infrastructure Master Plan Rules and Regulations, the Denargo Market General Development Plan may be amended to reflect the development program concept and vision outlined in this Denargo Market LDR Framework. The specific procedure for amendments to the Denargo Market GDP is identified herein.

1. Given the GDP's similarity in content and review requirements for Infrastructure Master Plans as outlined in the Denver Zoning Code, and with expectation that the subject property will be rezoned into the new Denver Zoning Code, the Denargo Market GDP Major Amendment process shall follow procedures and standards outlined in Section 12.3.14 Infrastructure Master Plans, specifically, but not limited to:
    i. Section 12.3.14.3 "Review Process" shall be applied by the Project Coordinator(s) to conduct technical studies referral and reviews
    ii. Section 12.4.14.4, "Review Criteria" shall be applied by the Development Review Committee (DRC)
2. The Denargo Market GDP Major Amendment shall be conducted concurrently with the future related rezoning, Development Agreement, and Urban Design Standards and Guidelines amendments
3. Review Phases:
    i. Concept/Pre-Application Review Phase:
        1. The Project Coordinator(s) shall assign a project number and utilize Accela for multiagency technical reviews
        2. The approved and recorded LDR Framework for Denargo Market may be used as the Concept Plan during the Pre-Application phase
        3. Public Notification: Public Notification shall follow procedures outlined in Section 12.3, Denver Zoning Code, as amended, for Notice of Receipt of Application.
    ii. Technical Review Phase:
        1. Review and referral will be conducted consistent with procedures outlined in Section 2 of the Large Development Review and Infrastructure Master Plan Rules and Regulations, as amended
        2. Format: Documents for review and approval during the technical review phase may be electronically submitted as 11 x 17 PDFs.

iii. Final GDP Submittal and Approval Phase:
   1. Format: The physical format of the final General Development Plan will be consistent with previously approved GDPs for Denargo Market as 24 x 36 sheets and will meet margin requirements for recordation.
   2. The final proposed GDP will be submitted to the Development Review Committee for a recommendation for approval, denial, or approval with conditions.
   3. Fees: Fees shall be collected at the time of Final GDP Submittal for approval signatures and recordation.

## VIII. Development Agreement Topics may include the following:

- Affordable Housing
- Off-site Improvements
- South Platte River Promenade improvements
- Denargo Market development open space phasing, maintenance and ownership
- Potential mass transportation solutions
- Transportation Demand Management
- Public art (near river)

## IX. Community Information Meeting

The Large Development Review process requires a community information meeting. This meeting was held on **February 25, 2020** and the summary of this meeting is included in **Attachment 2**. Key issues raised during the community meeting included accommodating additional traffic in the Brighton Boulevard corridor, open space improvements and connections, planning adjacent to the Salvation Army, and density and height considerations. Overall, the community was favorable toward the new development approach for this undeveloped section of Denargo Market.

## X. Approval

The Development Review Committee hereby approves this Large Development Framework upon finding that:

1. The LDF identifies the type and sequencing of regulatory and planning tools needed to implement adopted City Council Plans, and

2. The LDF establishes a coordinated development review process that ensures the future development of the subject area will address land use, development, infrastructure, open space, public parks, schools and other related issues, as application, in accordance with City Council adopted plans.

Eulois Cleckley (Nov 12, 2020 17:12 MST)

**Eulois Cleckley, Executive Director** **Date**
**Department of Transportation and Infrastructure**

Happy Haynes

**Allegra "Happy" Haynes, Executive Director** **Date**
**Department of Parks and Recreation**

Laura E. Aldrete
Laura E. Aldrete (Nov 6, 2020 16:25 MST)

**Laura E. Aldrete, Executive Director** **Date**
**Department of Community Planning and Development**

## XI. Owner Acknowledgement

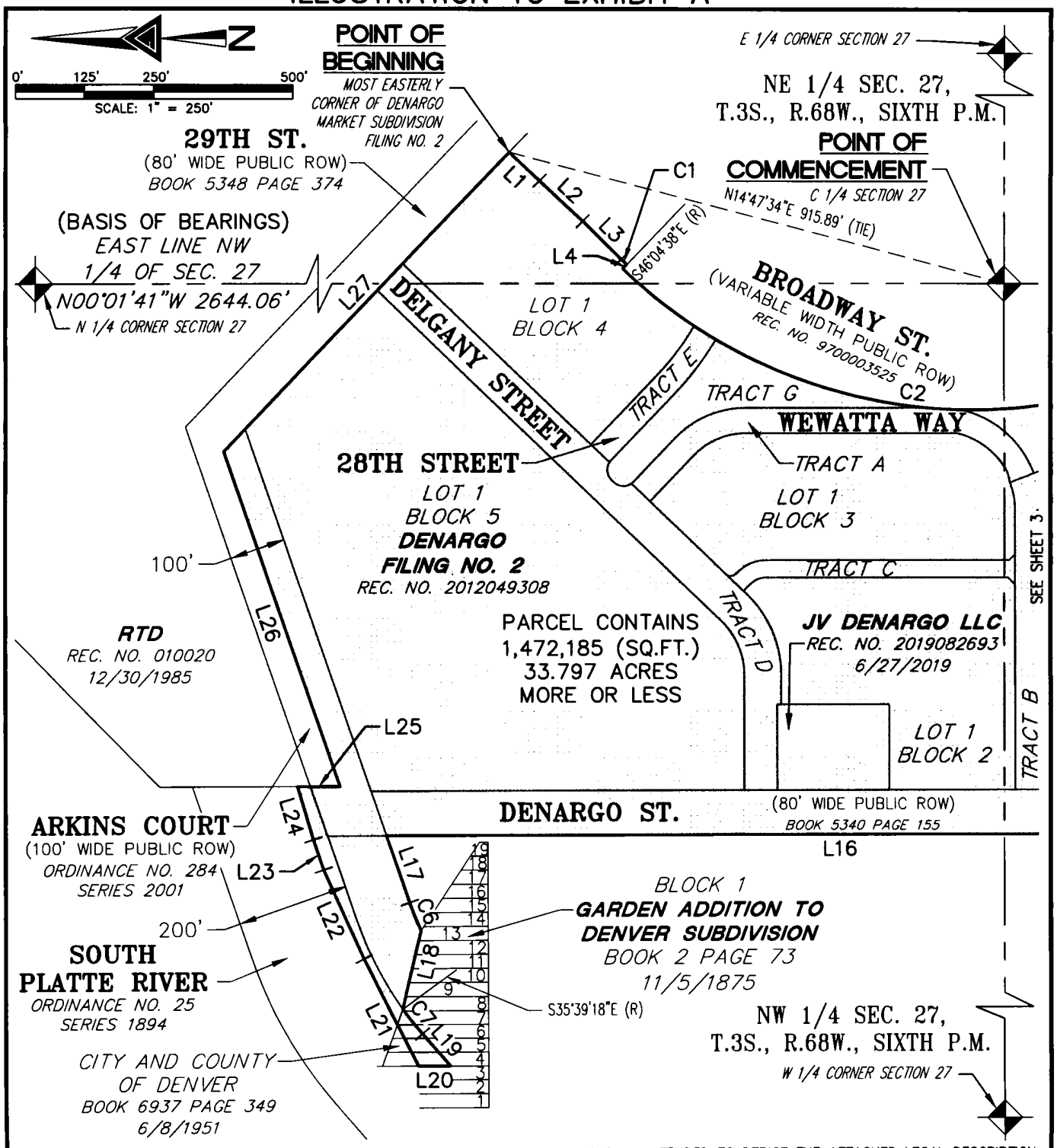
Recognizing DZC Sections 12.4.12.12. Review Criteria and 12.4.12.15 Effect of Approved LDFs and GDPs, the property owner hereby acknowledges City approval of the Large Development Framework for development of Denargo Market.
Pursuant with DZC Sections 12.4.12.16 and 12.4.12.17 the LDF may be amended or withdrawn.

23 MST)

Laura Newman, Director Date
JV Denargo LLC

## ATTACHMENT 1 –LDR BOUNDARY/LEGAL DESCRIPTION

# ILLUSTRATION TO EXHIBIT A



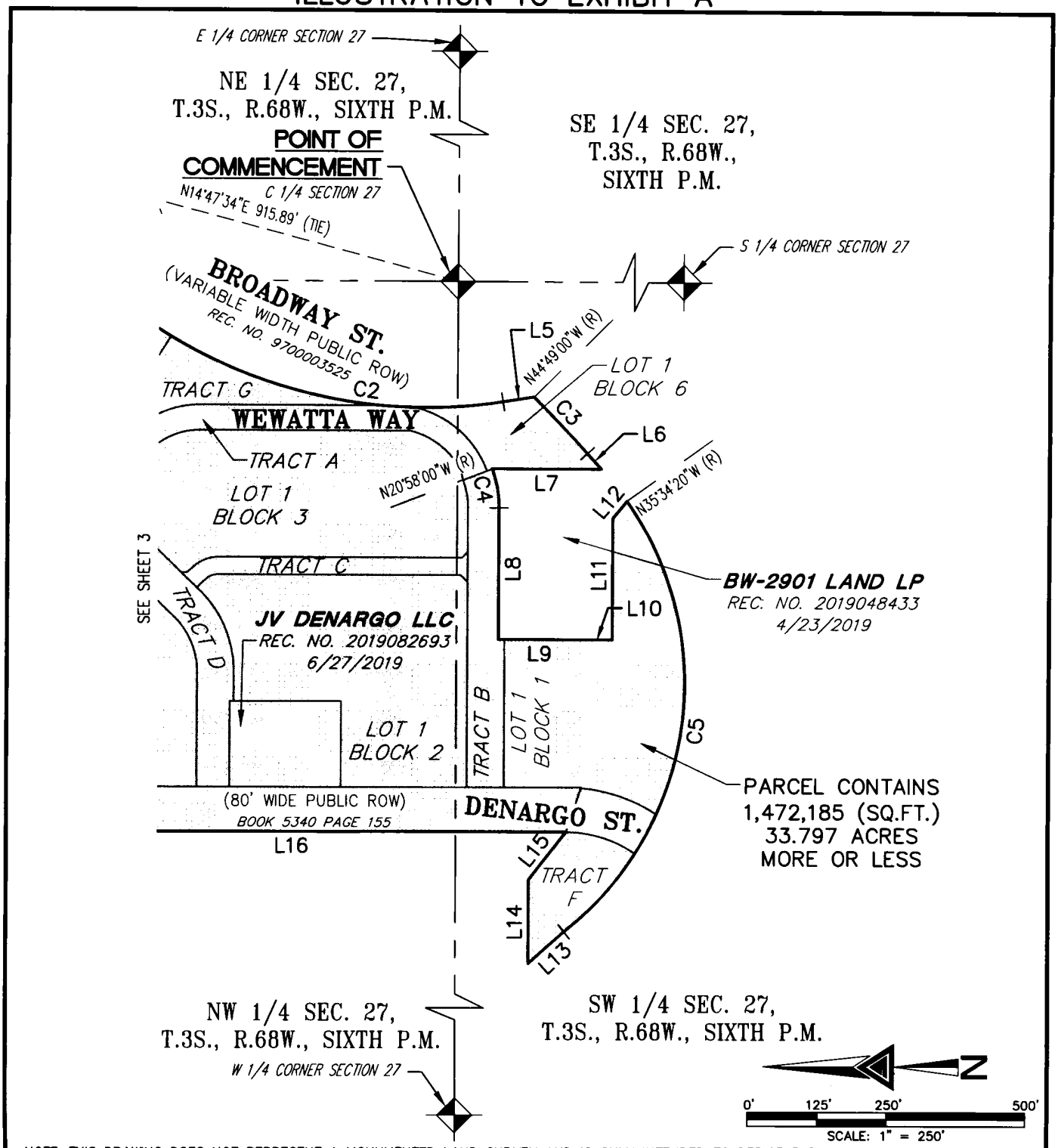

NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH:
DWG NAME: 155720-01 - Denargo Boundary.DWG
DWG: CWB CHK: JRW
DATE: 2/10/2020
SCALE: 1" = 250'

AZTEC CONSULTANTS, INC.
300 East Mineral Ave. Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com
Q:\155720-01 - Denargo GDP Legal Description\Dwg\EXHIBITS

**GDP BOUNDARY**
W 1/2, NE 1/4, SEC. 27, T3S, R68W, 6TH P.M.
DENVER COUNTY, COLORADO
JOB NUMBER 155720-01 4 OF 6 SHEETS

# ILLUSTRATION TO EXHIBIT A




NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

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W 1/2, NE 1/4, SEC. 27, T3S, R68W, 6TH P.M.
DENVER COUNTY, COLORADO
JOB NUMBER 155720-01 5 OF 6 SHEETS

# ILLUSTRATION TO EXHIBIT A

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L1 | S42°59'24"W | 74.29' |
| L2 | S43°02'22"W | 105.83' |
| L3 | S44°48'34"W | 96.15' |
| L4 | N46°38'00"W | 10.00' |
| L5 | S08°56'08"E | 56.39' |
| L6 | S48°04'18"W | 37.51' |
| L7 | N00°01'41"W | 195.46' |
| L8 | S89°58'19"W | 235.17' |
| L9 | S00°01'41"E | 148.63' |
| L10 | S00°01'24"E | 54.90' |
| L11 | N89°58'19"E | 217.56' |
| L12 | S50°40'14"E | 39.71' |
| L13 | N41°46'12"W | 85.63' |
| L14 | N89°58'19"E | 150.21' |
| L15 | S51°59'48"E | 108.21' |
| L16 | N00°01'41"W | 1303.60' |
| L17 | S70°49'48"W | 125.91' |
| L18 | N76°39'00"W | 144.03' |
| L19 | S49°02'38"W | 77.13' |
| L20 | N00°01'41"W | 58.16' |

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L21 | N63°11'28"E | 215.59' |
| L22 | N65°32'54"E | 174.46' |
| L23 | N71°28'42"E | 56.84' |
| L24 | N73°28'53"E | 98.84' |
| L25 | S00°01'41"E | 75.96' |
| L26 | N70°49'48"E | 632.05' |
| L27 | S46°11'13"E | 738.65' |

| CURVE TABLE | | | |
|---|---|---|---|
| CURVE | DELTA | RADIUS | LENGTH |
| C1 | 0°52'34" | 890.65' | 13.62' |
| C2 | 52°50'39" | 900.65' | 830.67' |
| C3 | 2°42'39" | 2940.87' | 139.15' |
| C4 | 20°56'19" | 195.00' | 71.26' |
| C5 | 87°16'18" | 564.03' | 859.12' |
| C6 | 5°57'01" | 516.78' | 53.67' |
| C7 | 5°18'04" | 616.78' | 57.07' |

NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH:
DWG NAME: 155720-01 - Denargo Boundary.DWG
DWG: CWB CHK: JRW
DATE: 2/10/2020
SCALE: N/A

AZTEC CONSULTANTS, INC.
300 East Mineral Ave, Suite 1
Littleton, Colorado 80122
Phone: (303)713-1898
Fax: (303)713-1897
www.aztecconsultants.com
Q:\155720-01 - Denargo GDP Legal Description\Dwg\EXHIBITS

**GDP BOUNDARY**
W 1/2, NE 1/4, SEC. 27, T3S, R68W, 6TH P.M.
DENVER COUNTY, COLORADO
JOB NUMBER 155720-01 6 OF 6 SHEETS

# EXHIBIT "A"
# LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY & COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE CENTER QUARTER CORNER OF SAID SECTION 27, WHENCE THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27 BEARS NORTH 00°01'41" WEST, A DISTANCE OF 2644.06 FEET, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE NORTH 14°47'34" EAST, A DISTANCE OF 915.89 FEET TO THE MOST EASTERLY CORNER OF DENARGO MARKET SUBDIVISION FILING NO. 2, RECORDED AT RECEPTION NO. 2012049308, IN THE RECORDS OF THE CLERK AND RECORDER OF DENVER COUNTY, COLORADO AND THE **POINT OF BEGINNING**;

THENCE ALONG THE BOUNDARY OF SAID DENARGO MARKET SUBDIVISION FILING NO. 2 THE FOLLOWING TWENTY, (20) COURSES;

1) SOUTH 42°59'24" WEST, A DISTANCE OF 74.29 FEET;

2) SOUTH 43°02'22" WEST, A DISTANCE OF 105.83 FEET;

3) SOUTH 44°48'34" WEST, A DISTANCE OF 96.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 890.65 FEET;

4) SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°52'34", AN ARC LENGTH OF 13.62 FEET;

5) NORTH 46°38'00" WEST, A DISTANCE OF 10.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 900.65 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 46°04'38" EAST;

6) SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52°50'39", AN ARC LENGTH OF 830.67 FEET;

7) SOUTH 08°56'08" EAST, A DISTANCE OF 56.39 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2940.87 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 44°49'00" WEST;

8) SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°42'39", AN ARC LENGTH OF 139.15 FEET;

9) SOUTH 48°04'18" WEST, A DISTANCE OF 37.51 FEET;

10) NORTH 00°01'41" WEST, A DISTANCE OF 195.46 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 195.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 20°58'00" WEST;

11) WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°56'19", AN ARC LENGTH OF 71.26 FEET;

12) SOUTH 89°58'19" WEST, A DISTANCE OF 235.17 FEET;

13) SOUTH 00°01'41" EAST, A DISTANCE OF 148.63 FEET;

14) SOUTH 00°01'24" EAST, A DISTANCE OF 54.90 FEET;

15) NORTH 89°58'19" EAST, A DISTANCE OF 217.56 FEET;

16) SOUTH 50°40'14" EAST, A DISTANCE OF 39.71 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 564.03 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 35°34'20" WEST;

17) WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 87°16'18", AN ARC LENGTH OF 859.12 FEET;

18) NORTH 41°46'12" WEST, A DISTANCE OF 85.63 FEET;

19) NORTH 89°58'19" EAST, A DISTANCE OF 150.21 FEET;

20) SOUTH 51°59'48" EAST, A DISTANCE OF 108.21 FEET TO THE WESTERLY RIGHT-OF-WAY OF DENARGO STREET, RECORDED IN BOOK 5340, PAGE 155 IN SAID RECORDS AND DEDICATED IN ORDINANCE NO. 278 OF SERIES 2001;

THENCE DEPARTING SAID DENARGO MARKET SUBDIVISION FILING NO. 2 BOUNDARY, ALONG SAID WESTERLY RIGHT-OF-WAY, NORTH 00°01'41" WEST, A DISTANCE OF 1303.60 FEET TO THE SOUTHWESTERLY CORNER OF THE DENARGO STREET AND ARKINS COURT INTERSECTION AS DEDICATED BY ORDINANCE NO. 284 OF SERIES 2001 IN SAID RECORDS;

THENCE SOUTH 70°49'48" WEST ON A LINE PARALLEL WITH AND 100.00 FEET SOUTHEASTERLY OF THE SOUTH PLATTE RIVER CHANNEL AS DEDICATED BY ORDINANCE NO. 25 OF SERIES 1894 IN SAID RECORDS, A DISTANCE OF 125.91 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 516.78 FEET;

THENCE CONTINUING PARALLEL TO SAID SOUTH PLATTE RIVER CHANNEL, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°57'01", AN ARC LENGTH OF 53.67 FEET TO A POINT ON THE NORTH BOUNDARY OF THE GARDEN ADDITION TO DENVER SUBDIVISION AS RECORDED IN BOOK 2, PAGE 73 ON NOVEMBER 5, 1875 IN SAID RECORDS;

THENCE ALONG SAID NORTH LINE, NORTH 76°39'00" WEST, A DISTANCE OF 144.03 FEET TO THE MOST EASTERLY CORNER OF THE CITY AND COUNTY OF DENVER PARCEL AS DESCRIBED AND RECORDED IN BOOK 6937 AT PAGE 349 ON JUNE 8, 1951 IN SAID RECORDS, ALSO BEING A POINT ON THE SOUTHEASTERLY BOUNDARY OF SAID SOUTH PLATTE RIVER CHANNEL AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 616.78 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 35°39'18" EAST;

THENCE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID CITY AND COUNTY OF DENVER PARCEL, AND ALONG THE SOUTHEASTERLY BOUNDARY OF SAID SOUTH PLATTE RIVER CHANNEL THE FOLLOWING TWO (2) COURSES:

(1) SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°18'04", AN ARC LENGTH OF 57.07 FEET;

(2) SOUTH 49°02'38" WEST, A DISTANCE OF 77.13 FEET TO THE MOST SOUTHERLY CORNER OF SAID CITY AND COUNTY OF DENVER PARCEL, ALSO BEING A POINT ON THE WEST BOUNDARY OF LOT 4, BLOCK 1, SAID GARDEN ADDITION TO DENVER SUBDIVISION.

THENCE NORTH 00°01'41" WEST ALONG SAID WEST BOUNDARY OF LOT 4, BLOCK 1, ALSO BEING THE WEST BOUNDARY OF SAID CITY AND COUNTY OF DENVER PARCEL, A DISTANCE OF 58.16 FEET;

THENCE DEPARTING SAID WEST BOUNDARIES, NORTH 63°11'28" EAST, A DISTANCE OF 215.59 FEET;

THENCE NORTH 65°32'54" EAST, A DISTANCE OF 174.46 FEET;

THENCE NORTH 71°28'42" EAST, A DISTANCE OF 56.84 FEET;

THENCE NORTH 73°28'53" EAST, A DISTANCE OF 98.84 FEET TO THE WEST BOUNDARY OF THE RTD PARCEL AS DESCRIBED AND RECORDED UNDER RECEPTION NO. 010020 ON DECEMBER 30, 1985 IN SAID RECORDS;

THENCE ALONG THE WEST BOUNDARY OF SAID RTD PARCEL, SOUTH 00°01'41" EAST, A DISTANCE OF 75.96 FEET TO THE CENTERLINE OF ARKINS COURT AS RECORDED IN BOOK 5309 AT PAGE 272 ON JUNE 8, 1939 IN SAID RECORDS AND DEDICATED BY ORDINANCE NO. 284 OF SERIES 2001;

THENCE ALONG THE CENTERLINE OF SAID ARKINS COURT, NORTH 70°49'48" EAST, A DISTANCE OF 632.05 FEET TO THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 29TH STREET AS RECORDED IN BOOK 5348 AT PAGE 374 ON OCTOBER 2, 1939 IN SAID RECORDS AND DEDICATED BY ORDINANCE NO. 781 OF SERIES 2001;

THENCE ALONG SAID NORTHWESTERLY EXTENSION AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF 29TH STREET, SOUTH 46°11'13" EAST, A DISTANCE OF 738.65 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 33.797 ACRES, (1,472,185 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

2/14/20
33204

DALE C. RUSH
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 33204
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122
(303) 718-1898

## ATTACHMENT 2 – COMMUNITY INFORMATION MEETING SUMMARY

# DENARGO MARKET

## Large Development Review

Community Information Meeting (CIM) Summary

**Meeting Date/Time:** February 25th, 2020, 5:00 – 7:00 pm

**Meeting Location:** 2763 Blake Street, Denver CO

## Public Attendees

| Name | Address | Email | Contact in Future? |
|---|---|---|---|
| Tom Thompson | Waterfront @ Rino, Braddock & Logan Services | TThompson@braddockandlogan.com | |
| Chris Lowell | Councilwoman Kniech's Office | Christopher.Lowell@denvergov.org | Yes |
| Leon McBroom | 3400 Larimer St #107 | lmcbroom@gmail.com | |
| Mark + Marte Saiz | 2890 Brighton Blvd #444 | mLmsaiz@yahoo.com | Yes |
| Nick Coleman | 1975 19th St | ncoleman871@gmail.com | Yes |
| Eric Paugh | 1859 28th St. #308 | ericspaugh@gmail.com | Yes |
| Geoff Pursell | 2525 Wewatta Way Apt 564 | gapursell@gmail.com | Yes |
| Kyle Chism | 1130 S Franklin St | kchism@tceo.com | Yes |
| Brandon O'Brien | 3204 W Hayward Pl | bobrien@tceo.com | Yes |
| Matt Parker | | maparker@tceo.com | Yes |
| Jesse Kelker | 1610 Little Raven St | jesse@exitrealtycherrycreek.com | Yes |
| Simon Cohn | 2680 Blake St | simoncohn@gmail.com | |
| ReJean Peeples | City and County of Denver | rejean.peeples@gmail.com | Yes |
| Sarah Odden | Post River North | sarahodden@gmail.com | |
| Paul Brown | 3785 N Williams St | paul.brown@gmx.us | Yes |
| Daniel Aicenman | 1409 Quince Ave, Boulder, CO | Daniel.aicenman@stanfec.com | Yes |
| J. Carson | 2525 Wewatta | Jaycarson616@gmail.com | Yes |
| Dan Huml | 500 Eudora St Denver, CO | Dan.huml@magneticcap.com | Yes |

## Meeting Summary

The meeting began with the Development & Design Team leading the audience through a presentation (Appendix A), followed by public questions/answers, and ending with casual questions and discussions surrounding the development physical model and presentation boards. Laura Newman (Golub), Sean Campbell (Formativ), Sarah Komppa (Tryba Architects), and Dave Smith (Golub) spoke and answered questions.

City of Denver staff attendees included Scott Robinson, Jeff Brasel, and Chris Lowell from Councilwoman Kniech's office.

City Councilwoman Candi CdeBaca attended for part of the presentation and stayed for a portion of the question & answer period; she did not stay for the casual discussion.

Including presenters, there were approximately 40 people in attendance, including residents of the surrounding apartment buildings and representatives from surrounding properties.

Note, additional neighborhood and stakeholder engagement is planned, and a website with public presentation materials and opportunities for comment will be released soon.

## Public Questions & Answers

**Q1:** City gate resident – Do you work with people in the periphery? One building there (next to public storage) used to be part of original Denargo Market and it would be cool to save. What is going to happen to homeless shelter? Under the bridge is the gateway to the site and it is not that enjoyable, the area is beautiful but ways to get to it do not feel safe.

> **A:** Golub/Formativ does not own that parcel, so we can't provide a response as to saving it or not.
>
> **A:** The city owns the shelter, HOST, and has a long-term plan, it is leased back to Salvation Army for at least 2 years, and after that we do not know the plan.
>
> **A:** Public Works will require improvements to Brighton as part of the rezoning process and traffic study, we hope to get feedback as we go through this process.

**Q2:** What is southern boundary of the City's river improvements? The homeless population has been pushed out from RiNo park to this area and how will they be addressed.

> **A:** It does not connect all the way to the City project but we want to stitch it together as the point between Confluence improvements and RiNo Park. Property does not extend all the way down to riverfront, but we have had conversation with Denver Parks & Rec and Greenway Foundation to partner in a design discussion about the riverfront piece.
>
> **A:** Homelessness will be included in that design discussion Denver Parks and Recreation to address lighting and the bridge and safety improvements, but gets into larger city-wide discussion about homelessness.

**Q3:** When will construction begin? Fences have been going up recently.

> **A:** Fences were for public safety and property maintenance, we will go through zoning most of this year and then design will take about 9 months, looking at end of 2021. [Residents thanked Golub for putting up fences to help with safety issues in neighborhood.]
>
> **A:** The intent was not to build everything at once, it is meant to be phased over time.

**Q4:** How likely is it that the community serving areas will end up as such given the phasing? So it's demand enforced not City-enforced?

> **A:** High likelihood that retail will be in the first phase because of demand from the existing units
>
> **A:** It is demand, retail gives incentive to get office and residents there.

**Q5:** Do you have plans for it to be condos you can purchase?

> **A:** It is early for the development team to call that because we are focused on the zoning and planning around that, but we agree that there is an ownership problem in the city. There have not been any decisions because it will be demand driven.

**Q6:** With developments like this what are the requirements as far as supply of parking permits or will it just be street parking?

> **A:** All zoning designations have different requirements for parking, for CMX there is a requirement for parking, and it could be different types but it will be included. That is part of the process, we have engaged a traffic consultant to see if the added traffic can be handled by the existing infrastructure, so parking and traffic will be considered throughout.

**Q7:** What's the current zoning and the difference between that and CMX? So it goes from 75' to 250'? How much more dense is the whole development going to be with that height change?

> **A:** The code was updated in 2009 and new zoning is form based and allows the market to dictate, the old zoning is RMU-30 and has 75' foot limit except for those 2 center blocks, we are trying to raise that to keep the original intent of the focal point.
>
> **A:** No, those spots of 250' are zoned 220', the idea is that whole intersection is the focal point so that one that is zoned 75' would be an increase to match the other parcels at the intersection.
>
> **A:** Explanation of the original intent, the up-zoning that has occurred, the existing step down and how it would be incorporated.
>
> **A:** Would increase original GDP by about 25%
>
> **A:** Going through the current plans indicates intense, mixed-use development here but does not detail how intense, so we want to hear community feedback about what that appropriate intensity is and what you want to see on the site.

**Q8:** Do you have studies on the increase of density and the impacts of shadows and wind?

> **A:** That is part of the process of the LDR, looking at the impact on infrastructure, shadows, wind will all be included in this review process and on that we want community input.
>
> **A:** At this phase, a lot of concepts can be changed, it's still early in the process and will be thoughtfully considering architecture and design deeper into planning, which is partially why we want to request that height that allows us to incorporate.

**Q9:** Is there a reason for stopping at 25% or have you thought beyond and is there room? The step-down aesthetic is nice.

> **A:** CMX is all encompassing and the highest is CMX-20, we would have to create new zoning designation at river mile, we don't want to come in at 20 on everything and make it feel like union station but want to balance the market and parks and community needs.
>
> **A:** Part of intention was to see this as you came down Broadway into Brighton, it's not necessarily in design and incentive areas of 38th and Blake or Ballpark or Downtown so we are looking for feedback for what this part needs. We think the design intent was to provide an alternative node to downtown and stitch to surrounding north side and ballpark and we want input around what you want this to be.

**Q10:** Where is the transportation line?

> **A:** The new line first stop after Union station is National Western, the A line stop is 38th and Blake.

**Q11:** With the development we lost the view, but I say still go tall, but include the restaurants and community piece because previous developments promised but its not there.

> **A:** That is our goal, retail means customers and the more people you have walking around during the day and night creates demand.

**Q12:** In the Union Station development, you could say that we missed an opportunity for more density, it is a vibrant area that was thoughtfully done but there could have been more density. Denargo market is an opportunity with an open canvas that is not appropriate in other parts of the city but here higher density might be appropriate.

> **A:** A lot of that happened because it was going so fast without design guidelines and that pedestrian activation and designed blocks didn't happen, South Platte is a blank canvas and ability for place making to create activation.

**Q13:** Seconded, if there is a location to target high density it is here. Some neighbors on one side of the street would want single-family and less density but other side cares less. If you do not have that density, the tradeoff is less green space so you've done a good job of thinking about that. The Denargo landing pedestrian activation is awesome, why is it also vehicle instead of just pedestrian? Love the design its very thoughtful.

> **A:** It is mainly service for retail and fire access and also considered food trucks, designed to discourage vehicle traffic and encourage pedestrian.

**Q14:** Resident to the Northeast – looks really nice having watched the area come up over the past few years and from a New York perspective.

**Q15:** Have you thought about mass transit? May take a bigger community effort to get busses that turn around down there to stop and pick people up. We watch the busses currently turn around down there, could they stop and pick these people up?

> **A:** We want to provide transportation in some form and have had conversations with RTD. To date, they have other priorities, but moving forward with more feedback from them and the City, we hope to be able to provide better options.

**Q16:** Is there thought to creating a dog park?

> **A:** We are planning to work with parks to thoughtfully design one and we want to keep areas for people who might not like dogs but yes definitely a consideration. A lot of apartments downtown have a dog amenity and it is kind of necessary. As we build out the neighborhood there may be some ability to make the current dog usage site an official dog park.

**Q17:** A protected bike lane is much more comfortable and ideal.

> **A:** It is already being considered but we are also working with the City's existing bicycle master plan.

# ATTACHMENT 3 – LDR APPLICATION

**LARGE DEVELOPMENT REVIEW CONCEPT RESUBMITTAL**
MARCH 2020

# DENARGO MARKET

## DENVER—COLORADO

**OWNER**
GOLUB & COMPANY
FORMATIV

**ARCHITECT**
TRYBA ARCHITECTS

# DENARGO MARKET

## Project Narrative

April 17, 2020

This Denargo Market Revised Project Plan (the "Project Plan") comprises a proposed rezoning and Major Amendment to the existing Denargo Market General Development Plan (GDP) to allow for, among other things, greater density on the undeveloped parcels and significant public space improvements. The proposed GDP amendment requests alignment changes to the existing street network, location changes to the planned open spaces, and additions to the bicycle network. Current City & County of Denver adopted plans, including **Comprehensive Plan 2040**, **Blueprint Denver**, and the **River North Plan**, all support this proposal to add density and connectivity to this site as a designated urban center. Further detail on alignment with those and other plans is detailed below. This site's proximity to downtown Denver positions it well for high density development that can serve a transition to the existing and planned new development along the Brighton Boulevard corridor.

### Adopted Plan Alignment

The Project Plan aligns with the following adopted City & County of Denver plans and agreements:

| Plan Title | Adoption | Key Areas of Alignment |
|---|---|---|
| River North Plan | 2003 | The **River North Plan** calls out Denargo Market for "significant mixed-use development with destination commercial uses, anchored by housing, and benefitting from its relationship to the river corridor and downtown," (p. 75). |
| Urban Design Standards & Guidelines for Denargo Market | 2008 | The proposed Denargo Project Area goals align with the existing Denargo **Urban Design Standards & Guidelines** to create "an urban center destination that maximizes citywide assets, integrates with the existing and emerging neighborhoods and captures the benefits of its strategic location, visibility and recreational accessibility," (p. 2). |
| 38th & Blake Station Area Plan | 2009 | The **38th and Blake Station Area Plan** makes limited references to pending development at Denargo Market, but does not provide guidance on this specific area other than to note it is classified as an "Area of Change" (per the former Blueprint Denver designation) and that adjacent development should relate to plans at Denargo Market. |
| Form-Based Denver Zoning Code | 2010 | The proposed zoning aligns with the City's goals to update parcels zoned under the former Chapter 59 Zoning Code to current **Form-Based Denver Zoning Code** designations. Please reference the "Land Use and Zoning" section below for more information. |

| | | |
|---|---|---|
| Denver Moves: Bikes | 2011 | The proposed Project Plan supports the **Denver Moves: Bikes** plan by enhancing and increasing bicycle facilities in the Project area and providing key connections to the City's existing bicycle facility infrastructure. The Project will help the City achieve the goal outlined in **Denver Moves: Bikes** to create a bicycle network where people will "be no more than a half mile from a designated bicycle route." Please reference the "Bicycle Network" section below for more information about the Project's specific planned bicycle improvements. |
| River North Design Overlay District (DO-7) | 2017 | The Project supports many key purpose statements from the **River North Design Overlay**, including the promotion of "creative, high-quality design," the activation of "the South Platte River frontage to promote the river as a neighborhood asset," the promotion of "vibrant pedestrian street frontages with active uses and street-fronting building entries," the promotion of "active transportation options such as walking and biking," (DZC 9.4.5.11.B, numbers 2, 4, 6, and 9). |
| Denargo Market General Development Plan, 4th Amendment | 2017 *(Original Adoption 2003)* | The proposed Project aligns with the statements of intent from the current **Denargo Market General Development Plan, 4th Amendment,** including the creation of "an urban environment with a mix of uses including residential and retail/commercial uses." The existing GDP is further supported by the proposed Project by "reducing the height of buildings adjacent to the river and putting greater densities closer to Brighton Boulevard." Lastly, the Project further supports the goals of the GDP to include "improvements that will enhance connectivity within and outside of the project." (All quotations from the GDP Statement of Intent, Sheet 2 of 14). |
| Housing an Inclusive Denver | 2018 | The Project's anticipated affordable housing provisions under the forthcoming Development Agreement (as part of the LDR process) will align with the **Housing an Inclusive Denver** goal to "promote development of new affordable, mixed-income and mixed-use housing stock," (p. 120). It further supports the goals of this plan by creating affordable housing in "areas of opportunity...that have strong amenities such as transit, jobs, high quality education and health care," (p. 7). |

| | | |
|---|---|---|
| Comprehensive Plan 2040 | 2019 | The Project as currently planned supports many key goals of **Comprehensive Plan 2040**, including those listed below. Specifics and details of how the Project meets these goals will be finalized during the GDP Amendment process, rezoning process, anticipated Development Agreement negotiations, and updates to the Urban Design Standards and Guidelines.<br><br>1.2 – Support housing as a continuum to serve residents across a range of incomes, ages and needs.<br>1.5 – Reduce the involuntary displacement of residents and businesses.<br>2.2 – Enhance Denver's neighborhoods through high-quality urban design.<br>2.5 – Create and preserve parks and public spaces that reflect the identity of Denver's neighborhoods.<br>2.7 – Leverage the arts and support creative placemaking to strengthen community.<br>3.1 Deliver a multimodal network that encourages more trips by walking, rolling, biking and transit.<br>3.3 – Maximize the public right-of-way to create great places.<br>3.6 – Build and maintain safe bicycle and pedestrian networks.<br>4.3 – sustain and grow Denver's local neighborhood businesses.<br>4.7 – Accelerate Denver's economic vitality through arts, culture and creativity.<br>4.8 – Expand participation in arts and culture and ensure that arts and culture are accessible to all.<br>5.4 – Integrate stormwater into the built environment by using green infrastructure to improve water quality and reduce runoff.<br>5.5 – Enhance and protect the South Platte River.<br>5.6 – Protect and expand the city's green infrastructure network.<br>6.1 – Create and enhance environments that support physical activity and healthy living.<br>Provide high-quality parks, recreation facilities and programs that serve all Denver residents. |
| Blueprint Denver | 2019 | The Project supports many goals of Blueprint Denver, only some of which are highlighted below:<br><br>The "Urban Center Places" section of **Blueprint Denver** recommends the Denargo Project Area as a High-Density Residential Area, that would create an urban |

| | | |
|---|---|---|
| | | center neighborhood where development is "the most intense...of the city outside of downtown," (p. 255). The plan continues to support a 'mix of uses throughout-including many large-scale multi-unit residential buildings....[and where] buildings are generally the tallest of the residential places in this context," (p. 261).<br><br>The "Growth Strategy" section of **Blueprint Denver** recommends the Denargo Project Area as a High Growth Residential Area, where "a strategic and intentional approach to direct most of our growth to key centers and corridors helps to achieve citywide equity goals to benefit all residents," (p. 248). |
| Denver Moves: Transit | 2019 | The Project supports the **Denver Moves: Transit** plan by achieving the goal of creating "transit-friendly communities." The adopted plan notes existing bus routes on Denargo Street and Arkins Court, which the Project seeks to enhance. The plan proposes Bus Rapid Transit facilities on Brighton Boulevard, which the Project would support and which would support the high-density development planned for this neighborhood. |
| Denver Moves: Pedestrians & Trails | 2019 | The Project supports many of the specific goals of the **Denver Moves: Pedestrians & Trails** plan, and in particular aligns with the vision for a pedestrian network "that provides residents, employees and visitors with a walkable environment that is safe and comfortable for all users and treats all users with dignity," (p. 6). The Project will continue to align with the adopted Plan's guidance as the pedestrian realm and trail connections are further detailed during the anticipated Denargo GDP Major Amendment process and revisions to the Denargo Urban Design Standards and Guidelines. |
| Parks & Recreation Game Plan | 2019 | The Project and anticipated support of off-site improvements to the Riverfront (to be determined as part of the anticipated Development Agreement) will help the city achieve the following goals from page 16 of the **Parks & Recreation Game Plan**:<br>5. Increase opportunities for people to experience and connect to nature.<br>7. Achieve equitable access for underserved communities to parks and recreation amenities for all members of the community. |

| | | |
|---|---|---|
| | | 11. Explore alternative and additional funding options for park, trail and recreation needs.<br>12. Broaden system investments and services with allied individuals, agencies and organizations.<br>13. Increase the supply of parks, facilities, and resources relative to Denver's population growth.<br>15. Recognize parks and public spaces as vital elements of urban infrastructure for the City.<br>16. Protect and enhance Denver's legacy pathways: its parkways, greenways and trails.<br>19. Design parks, facilities and programs that reflect Denver's distinct places and neighborhood identities.<br>20. Provide opportunities to expand Denver's healthy outdoor lifestyle to all. |

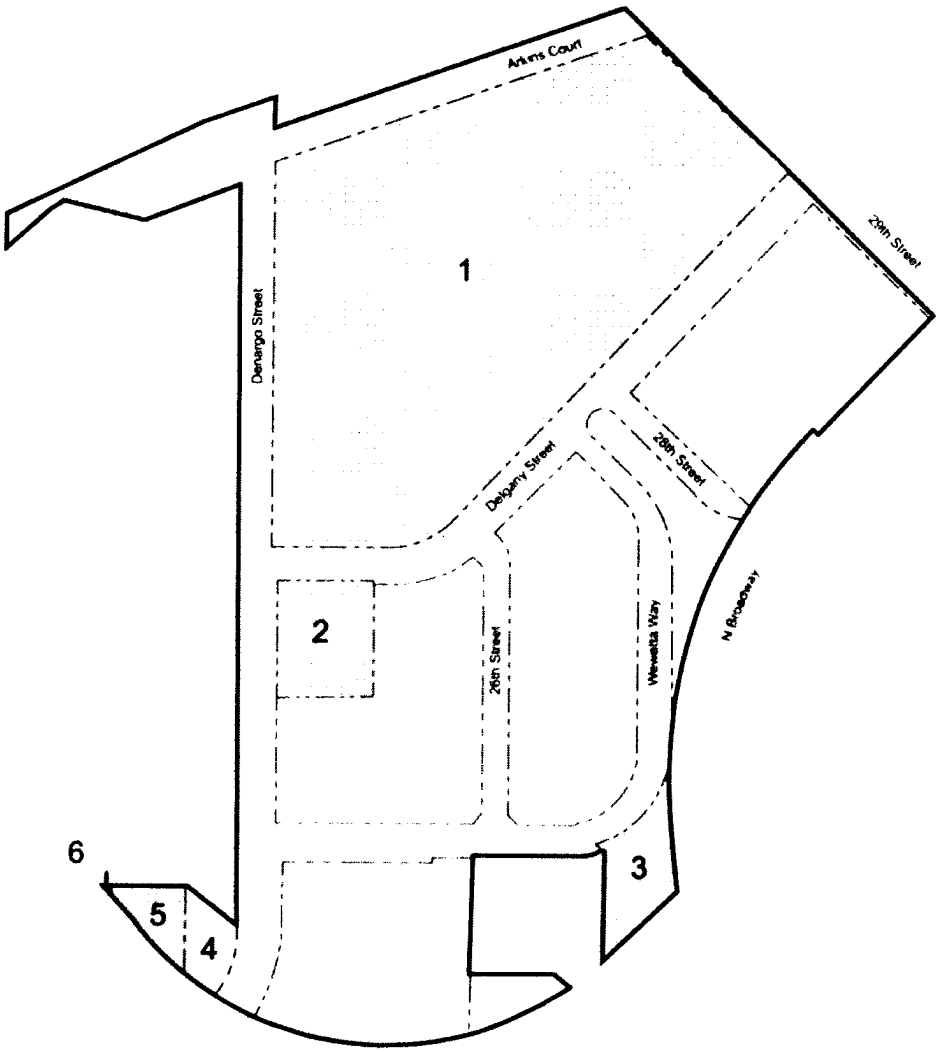
Land Use and Zoning

The current GDP site area is generally bounded by industrial land uses and light rail lines to the west, the South Platte River to the north, and Brighton Boulevard to the south. The current GDP boundary contains 32.73 acres. The Applicant owns six land parcels, five of which are in the current GDP boundary, one of which is immediately adjacent to it. The Project seeks to amend the GDP boundary to include the parcel at 3280 Denargo Street, bringing the total acreage to 33.80 acres.

Current zoning for the six subject parcels is R-MU-30 with waivers for a 75 ft maximum height throughout the site and a 55 ft transition zone on the north-west portion of the site parallel to the South Platte River. One parcel, currently outside the GDP, is zoned I-A. Those six parcels amount to 13.0 acres of the GDP's proposed 33.8 total acres and the largest parcel among them is 11.2 acres. Zoning changes are not proposed for all remaining parcels within the GDP boundary.

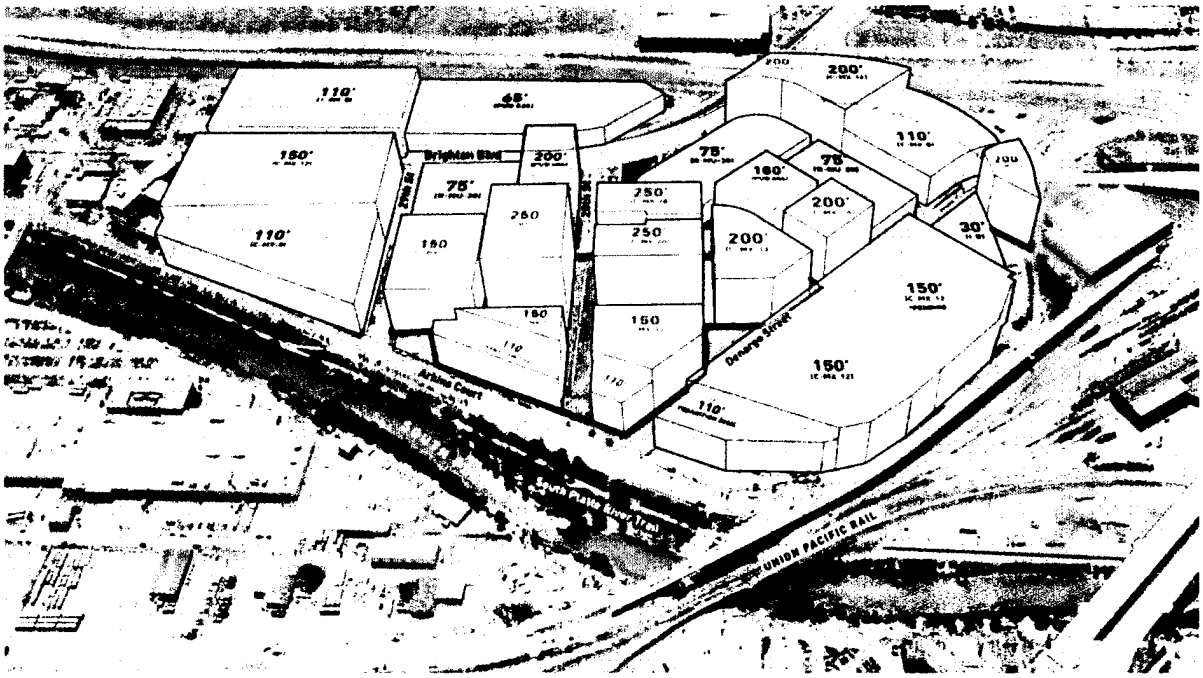
For the six subject parcels, the proposal calls for a mix of C-MX-12, C-MX-16, and C-MX-20 zoning designations and a transition zone with maximum height at 110 ft parallel to the South Platte River (the equivalent of C-MX-8 zoning). Note the largest parcel would be separated into multiple parcels to include multiple zoning designations, as listed in the table below. The tallest proposed zoning designations are in the middle of the GDP boundary and are intended to establish a neighborhood center that transitions down from CMX-20 to C-MX-12 in order to align with the surrounding parcels' zoning designations. Three PUDs within the GDP (604, 605, 606) currently allow higher maximum heights of 200 ft, 220 ft, and 180 ft respectively. This proposal requests changing PUD 605 only; the other two PUDs would remain in place.

GDP Boundary and Parcel Key Map
*(Shaded parcels are subject parcels)*



| Key Map Number | Parcel Schedule No., Size & Address | Existing Zoning and/or PUD | Proposed Zoning |
|---|---|---|---|
| 1 | 0227416001000<br>(11.2 acres)<br>2650 Arkins Ct | R-MU-30<br>with waivers (75-foot max height)<br><br>PUD 605<br>(220-foot max height) | C-MX-12*<br>(150-foot max height)<br><br>C-MX-16<br>(200-foot max height)<br><br>C-MX-20<br>(250-foot max height)<br><br>**Parcels adjacent to the Platte River to include a 110' max height transition zone* |
| 2 | 0227400024000<br>(0.7 acres)<br>*3280 Denargo St* | I-A**<br>***Parcel currently excluded from the GDP.* | C-MX-16<br>(200-foot max height) |
| 3 | 0227417001000<br>(0.5 acres)<br>*2700 Wewatta Wy* | R-MU-30<br>with waivers (75-foot max height) | C-MX-16<br>(200-foot max height) |
| 4 | 0227400119000<br>(0.3 acres)<br>3205 Denargo St | R-MU-30<br>with waivers (75-foot max height) | C-MX-16<br>(200-foot max height) |
| 5 | 0227400118000<br>(0.3 acres)<br>3205 Denargo St | R-MU-30<br>with waivers (75-foot max height) | C-MX-16<br>(200-foot max height) |
| 6 | 0227400117000<br>(0.002 acres)<br>3205 Denargo St | R-MU-30<br>with waivers (75-foot max height) | C-MX-16<br>(200-foot max height) |

The image below highlights the existing surrounding zoning context with slightly transparent height envelopes with black text and the proposed zoning for the subject parcels with solid white height envelopes with teal blue text.




Historically, uses within the Denargo Market site GDP area have been primarily industrial along with small businesses and retail throughout. New apartment buildings have in recent years replaced former industrial sites to align with plans for Denargo Market as a high-density district. Proposed C-MX zoning will further diversify current uses by providing an opportunity for office as well as more residential, and retail uses in what is now primarily a residential area with few ground-level active uses. While specific land uses are not prescribed as part of the requested zoning changes, the current conceptual development plans project the addition of up to approximately 1.5M sf of office, 1,100residential units, and 80,000 sf of retail on the remaining vacant parcels within the modified GDP area, with integrated parking structures to support that development.

## Street Network

The Project plan creates a new street grid that subdivides the largest existing land parcel (11.2 acres) into eight walkable development blocks. The planning impacts of the grid are as follows:

- The Project's proposed street network connects the surrounding urban grid to the site
- The plan realigns Denargo Street to bisect the site as the main collector street.
- A new local pedestrian-oriented street will run parallel to the South Platte River to provide public access to open space while also allowing for fire access and service to future buildings. This street would also serve as a festival street for special events with the ability to limit access for certain times of day.
- Denargo Street, 29th Street, and Arkins Court will continue to serve as primary ingress to the site.
- Pedestrian-friendly block sizes, the largest of which is only 1.5 acres and with a maximum linear block length less than 340 feet.

## Bicycle Network

Denargo Market is currently bordered by the Brighton Blvd cycle track to the south and the South Platte River Trail to the north. The proposed bicycle network, shown on page 17 of the included Concept Resubmittal document, includes two bicycle lanes on 29th Street extending from Brighton Blvd to the existing South Platte Trail access ramp. Additionally, two bicycle lanes will be located on Denargo Street and connect to a new access ramp to the South Platte River Trail at the north west tip of the development. Local bicycle traffic can access the center of the site via 28th Street, which will carry low-speed vehicular traffic for two blocks before terminating into the pedestrian/bike plaza between Denargo Street and the riverfront. Limited vehicular traffic, narrow vehicular travel lanes and sharrows are proposed for this short street to serve as local bicycle infrastructure on this street.

## Open Space

The current GDP calls for 3.02 acres (12% of the net developable area excluding ROW) of open space in three locations: 1) Riverfront Open Space, 2) Denargo Plaza, and 3) Brighton Blvd Open Space, the last of which is already constructed and operational today. The proposed plan increases the acreage to 3.10 acres (14% of the net developable area) and adjusts the locations of the open spaces. The Riverfront Open Space will serve as the largest contiguous open space. This plan calls for a mix of both hard- and softscape surfaces in this zone to provide a flexible lawn and a pedestrian-only plaza. A Linear Park running parallel to 28th Street will connect the existing open space at Brighton Blvd. with the riverfront. Serving as an urban park, the Linear Park will provide shade and visual interest for pedestrians by incorporating enhanced street trees, generous sidewalks and the opportunity for innovative stormwater management facilities. Denargo Grove is planned to serve as a primarily hardscape public plaza activated by the future ground level uses of surrounding buildings. The Delgany Corner Park is planned to be a green space serving surrounding residential uses. Two triangular-shaped pocket parks are included in this proposal at the two locations where Denargo Street intersects with the new local street alongside the South Platte River. These parks will serve as gateway sites for the development and offer excellent opportunities for neighborhood-defining iconic public art.

| PROVIDED OPEN SPACE BREAKDOWN | CITY OWNED | DEVELOPER OWNED | DEVELOPER & CITY - OWNED |
|---|---|---|---|
| Riverfront Open Space | 0.72 ACRES | | 1.42 ACRES |
| Riverfront Open Space | | 0.70 ACRES | |
| Corner Park | 0.27 ACRES | 0.04 ACRES | 0.31 ACRES |
| Linear Park | | 0.18 ACRES | 0.18 ACRES |
| Denargo Grove | | 0.15 ACRES | 0.15 ACRES |
| Triangle Park | 0.11 ACRES | 0.01 ACRES | 0.12 ACRES |
| Delgany Corner Park | | 0.16 ACRES | 0.16 ACRES |
| Brighton Blvd Open Space | | 0.76 ACRES | 0.76 ACRES |
| TOTAL CITY OWNED | 1.10 ACRES | | - |
| TOTAL DEVELOPER OWNED | | 2.0 ACRES | - |
| TOTAL OPEN SPACE | 3.10 ACRES | | 3.10 ACRES |

## Public Benefits

Discussions are underway with the stakeholders and responsible agencies to develop the optimal mix of public input and contributions. Proposed public benefits include the following:

- Contributions to improvements along the Platte River adjacent to Denargo Market, (including on publicly-owned land); contributions could include design and/or construction support, support of a public design process, and integration with the private property urban and landscape design
- Affordable housing and neighborhood-serving retail commitments
- High-quality public open spaces
- Support of neighborhood organizations, such as the RiNo Arts District, via the provision of community gathering space(s) and artist studio or gallery space

## Summary

This proposed Denargo Market project plan significantly expands on the existing public and private investment in the neighborhood and realigns the current GDP with Denver's various approved plans for future development. The proposed rezoning recalibrates the current designation to better align with the original intent of the GDP and positions Denargo Market as the neighborhood center. The proposed street and bicycle network will more successfully connect the site with the surrounding infrastructure improvements to provide locals, commuters, and visitors with options for safe multi-modal transportation. The new network of open spaces will activate a currently underutilized riverfront and make green spaces and plazas accessible throughout the development.

# Development Objectives

## Design Objectives

1. Improve connectivity to the site with upgrades to multi-modal transportation connections
2. Introduce a street grid that provides vehicular access but also encourages pedestrian activity
3. Activate the South Platte River frontage and integrate this zone into the site
4. Design architecturally pleasing and economically viable buildings and spaces that create a new sense of place by integrating new structures into RiNo that connect it to the South Platte River and create an impactful addition to Denver's urban fabric and skyline

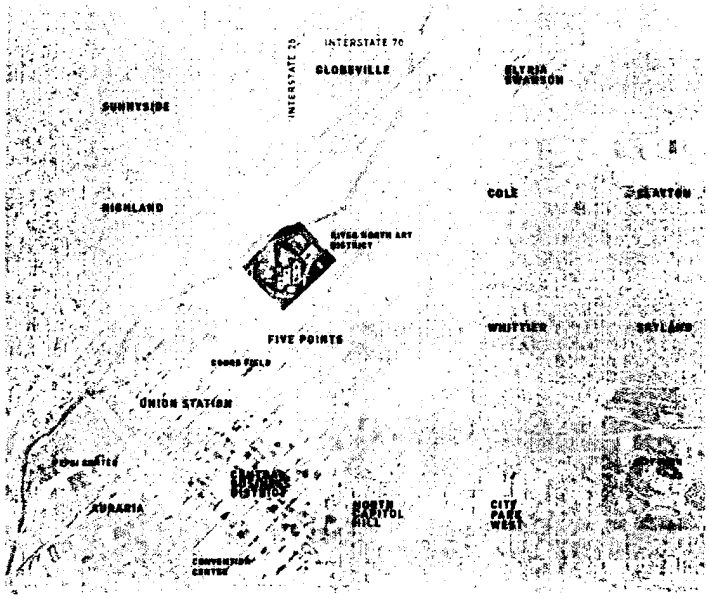
## Community Objectives

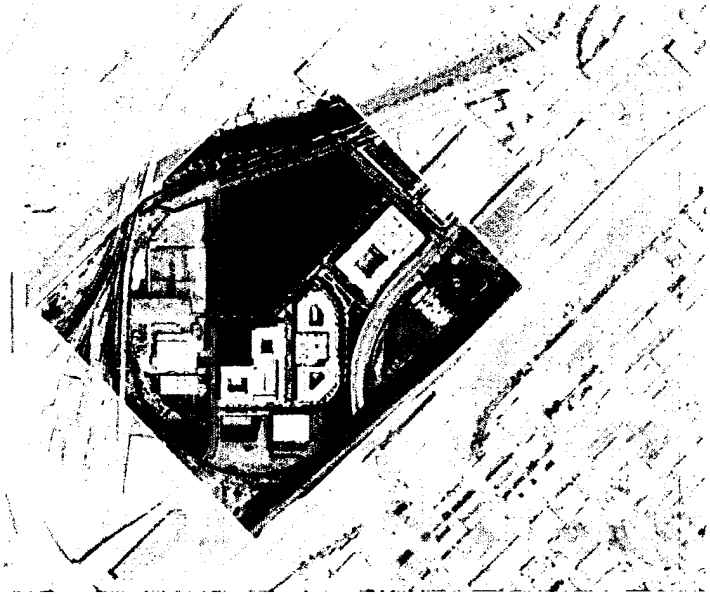
1. Create urban placemaking experience
2. Create additional housing options in RiNo across a range of affordability
3. Provide curated amenities throughout the site
4. Offer diverse open spaces for the public and activate open space along the South Platte River with purposeful site integration
5. Create opportunities for the installation of temporary and public art exhibitions and spaces for artists to work and live
6. Incorporate uses that compliment each other and provide amenities to residents and workers

## Entitlement Objectives

1. Enroll in the City's new Large Development Review (LDR) process to coordinate any proposed rezonings, open space requirements, infrastructure planning, circulation and any required development agreements.
2. Rezone from former R-MU-30 and a PUD with a 220' height limitation to C-MX-8, C-MX-12, C-MX-16, and C-MX-20 across the site
3. Amend the existing Denargo Market General Development Plan.
4. Adhere to the River North Design Overlay District (DO-7) requirements

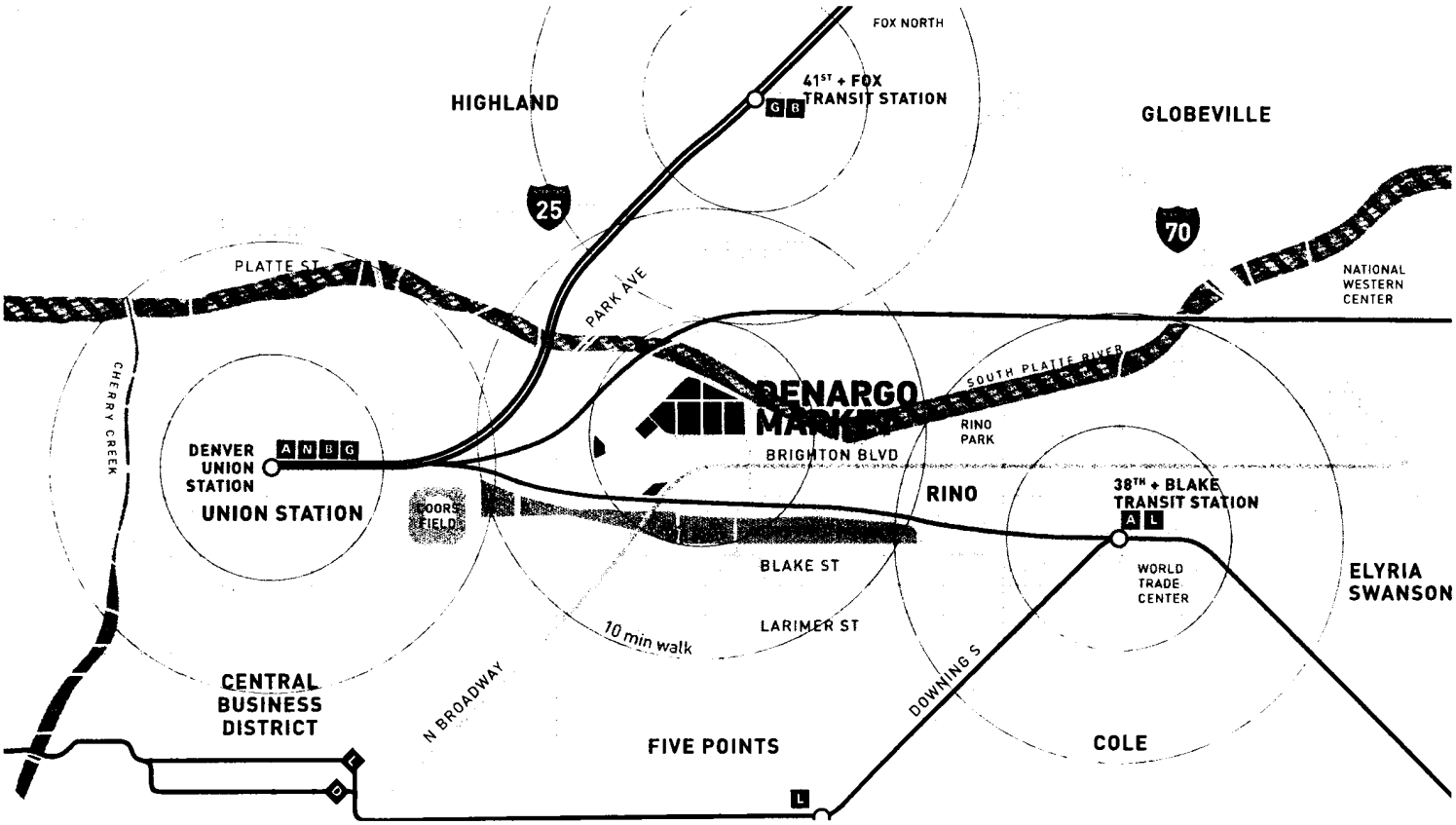
# **Urban Context** Vicinity Maps



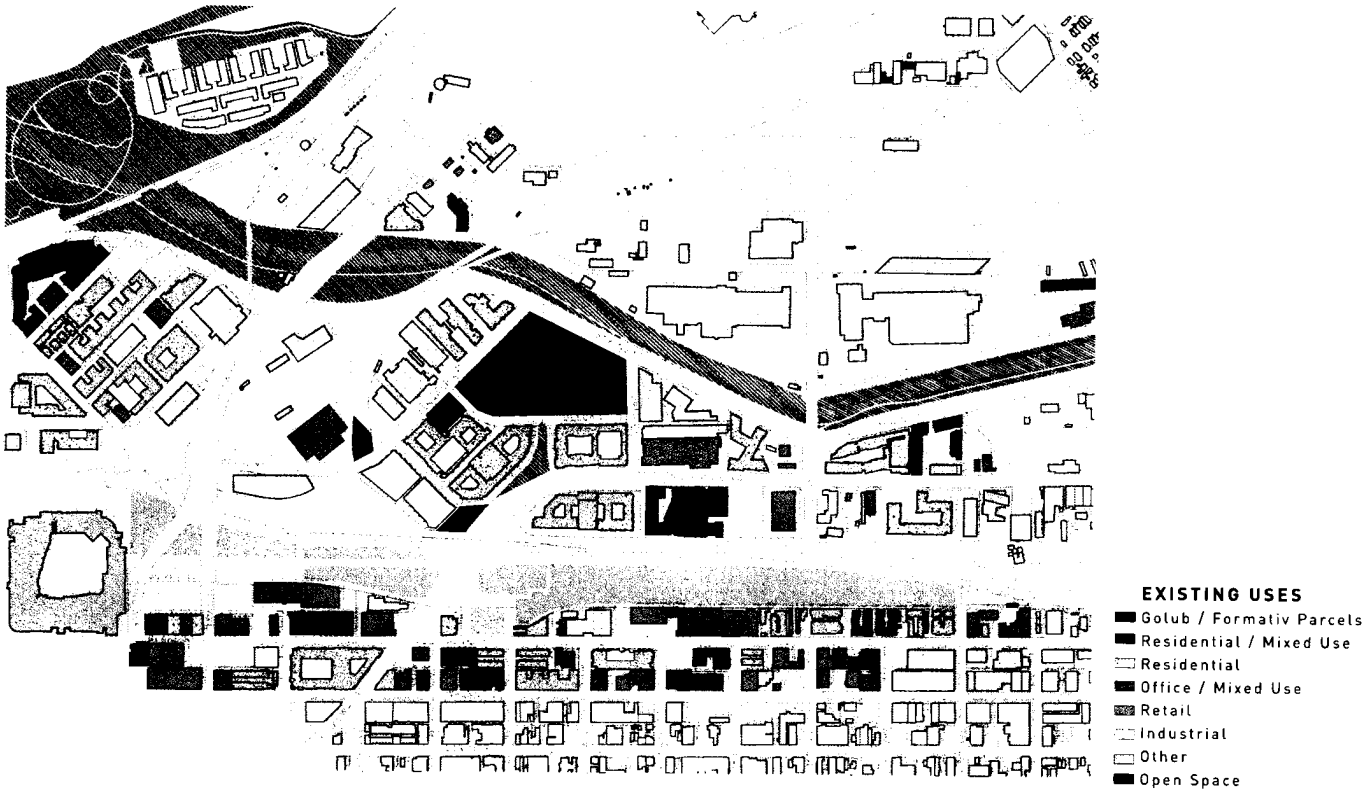



Golub / Formativ Parcels
GDP Boundary

## **Urban Context** Surrounding Neighborhoods

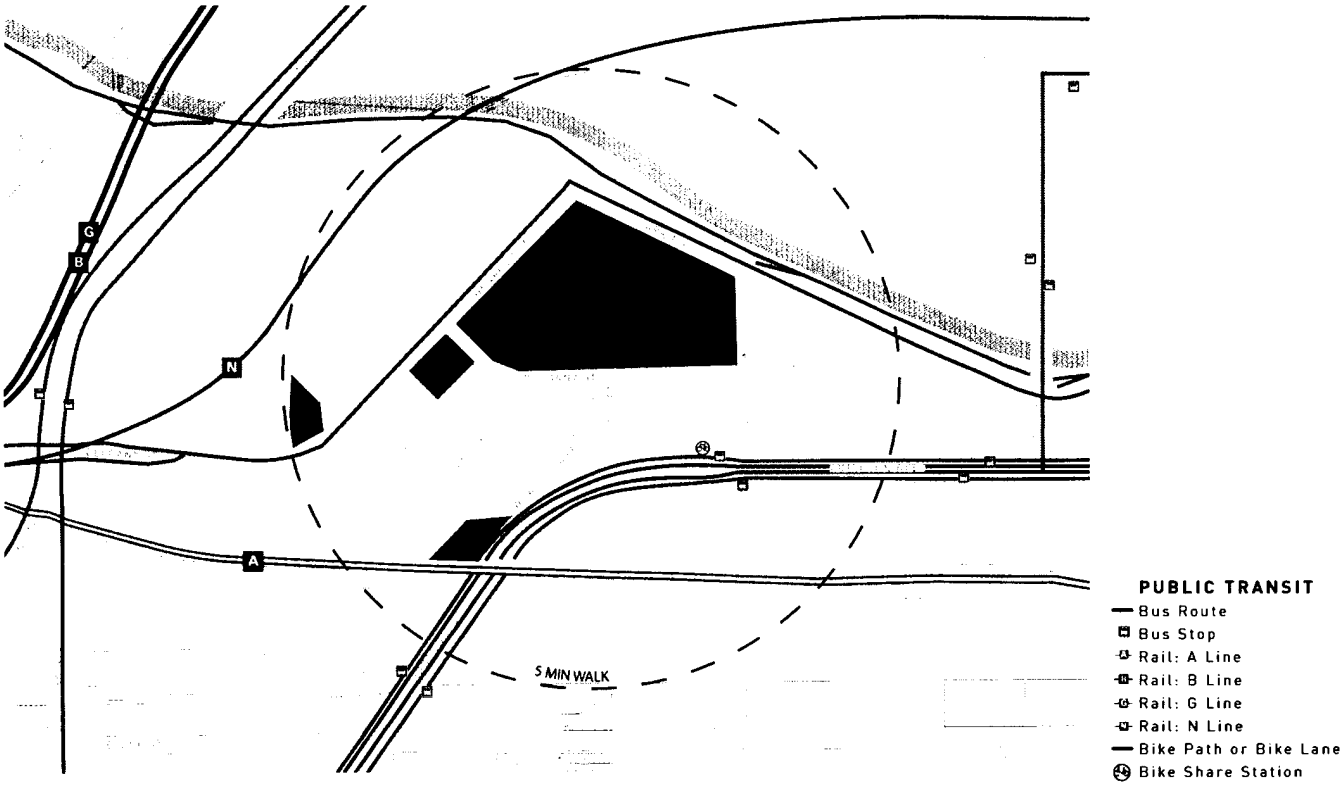


## Urban Analysis Diagram Existing Uses

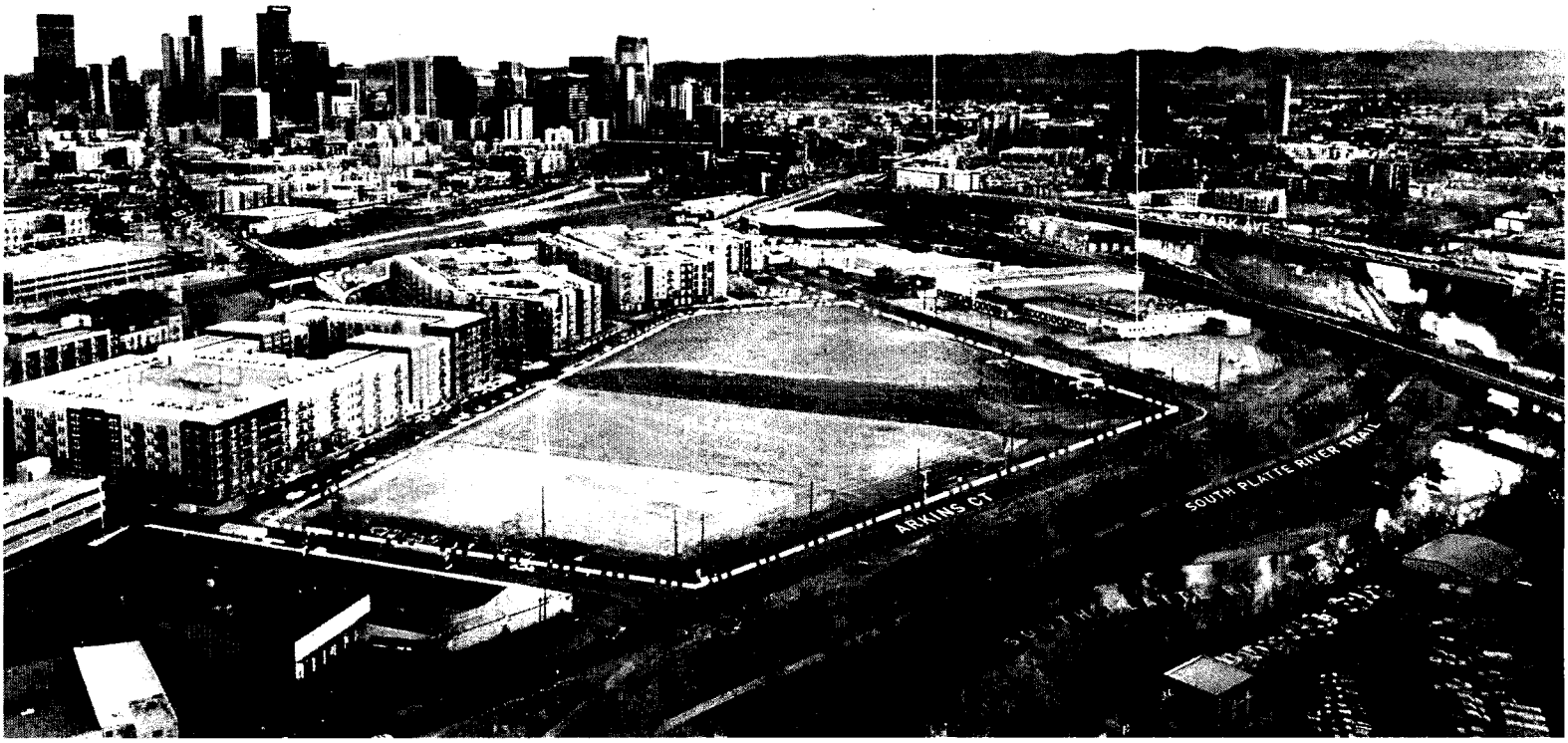



Golub | Formativ | © Tryba Architects

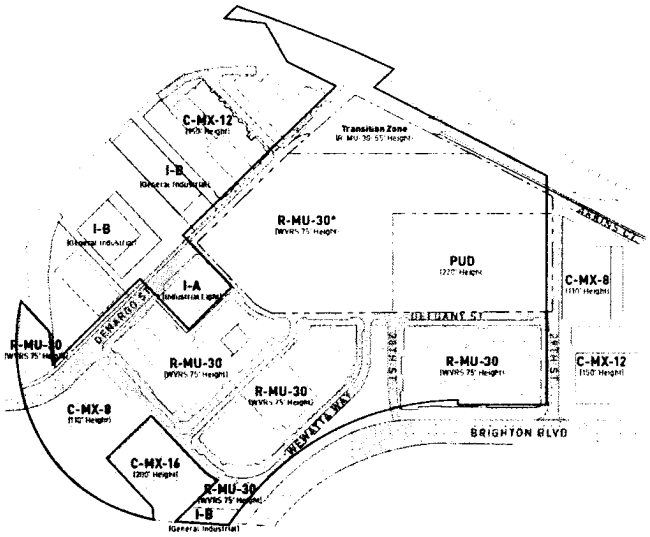
## **Urban Analysis Diagram** Existing Transit & Circulation



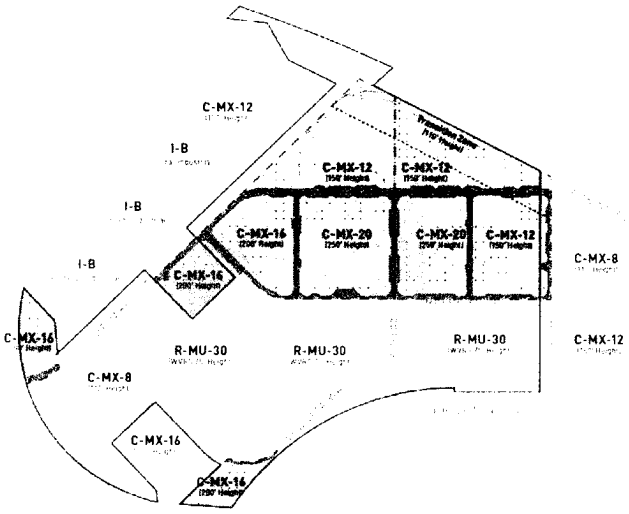
## Existing Denargo Context



# **Zoning** Existing & Proposed




**EXISTING ZONING**




**PROPOSED ZONING**

Proposed change to zoning

# **Site Density** GDP vs Proposed Comparison

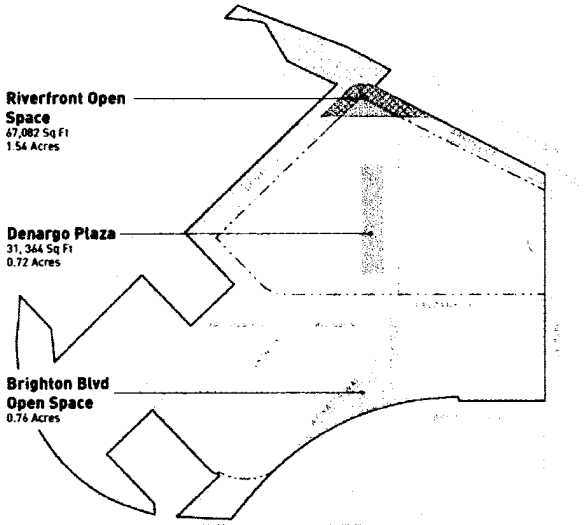
## DENSITY

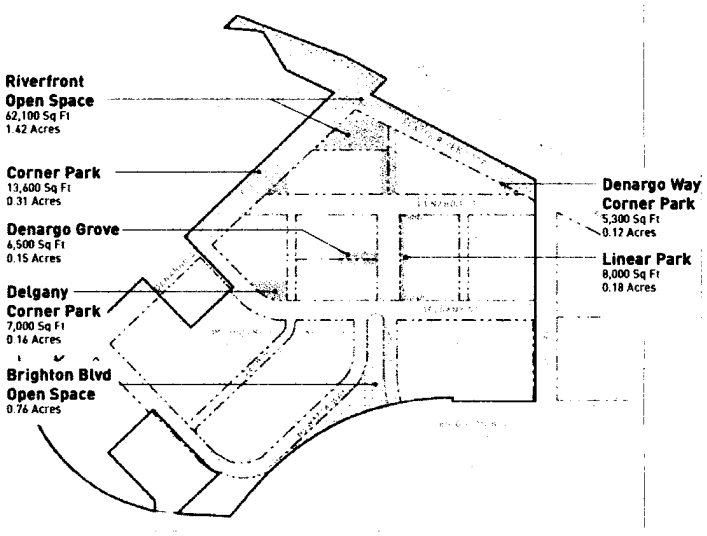
| | GDP Maximum | Realized | Proposed | Proposed Design + Realized | Delta |
|---|---|---|---|---|---|
| **Dwelling Units*** | 2,500 | 1,016 | 800 | 1,816 | +684 |
| **Retail Area (SF)** | 200,000 | 0 | 90,000 | 90,000 | +110,000 |
| **Office Area (SF)** | Unspecified | 0 | 1,400,000 | 1,400,000 | |
| **Hotel Rooms**** | Unspecified | 0 | 200 | 200 | |

* Assumes 850 SF per dwelling unit in the proposed design
** Assumes 650 SF per hotel key

# Open Space Existing GDP & Proposed

**Open Space as defined by the GDP:** Useable open space is defined, for the purposes of this GDP, to include areas of playgrounds, landscaped areas open to the sky, all of which are developed for recreational or leisure usage. This definition includes both green landscaped and hardscaped areas, with significant amount of green landscaped area in the Riverfront Open Space.




## EXISTING GDP OPEN SPACE (DEVELOPER - OWNED)

*52,708 GSF REQUIRED PRIVATE OPEN SPACE PER GDP*

| PROVIDED OPEN SPACE BREAKDOWN | CITY OWNED | DEVELOPER OWNED | DEVELOPER & CITY - OWNED |
|---|---|---|---|
| Riverfront Open Space | 1.05 ACRES | | 1.54 ACRES |
| Riverfront Open Space | | 0.16 ACRES | |
| Riverfront Open Space (to be vacated Arkins ROW) | | 0.22 ACRES | |
| Riverfront Open Space (to be vacated Denargo St) | | 0.11 ACRES | |
| Denargo Plaza | | 0.72 ACRES | 0.72 ACRES |
| Brighton Blvd Open Space | | 0.76 ACRES | 0.76 ACRES |
| TOTAL CITY OWNED | 1.05 ACRES | - | - |
| TOTAL DEVELOPER OWNED | - | 1.97 ACRES | - |
| TOTAL OPEN SPACE | 3.02 ACRES | | 3.02 ACRES |

**Plan Legend**
- Proposed Developer - Owned Open Space
- Existing Developer - Owned Open Space
- City - Owned Open Space
- To Be Vacated Right-of-Way
- --- Property Boundary
- — GDP Boundary

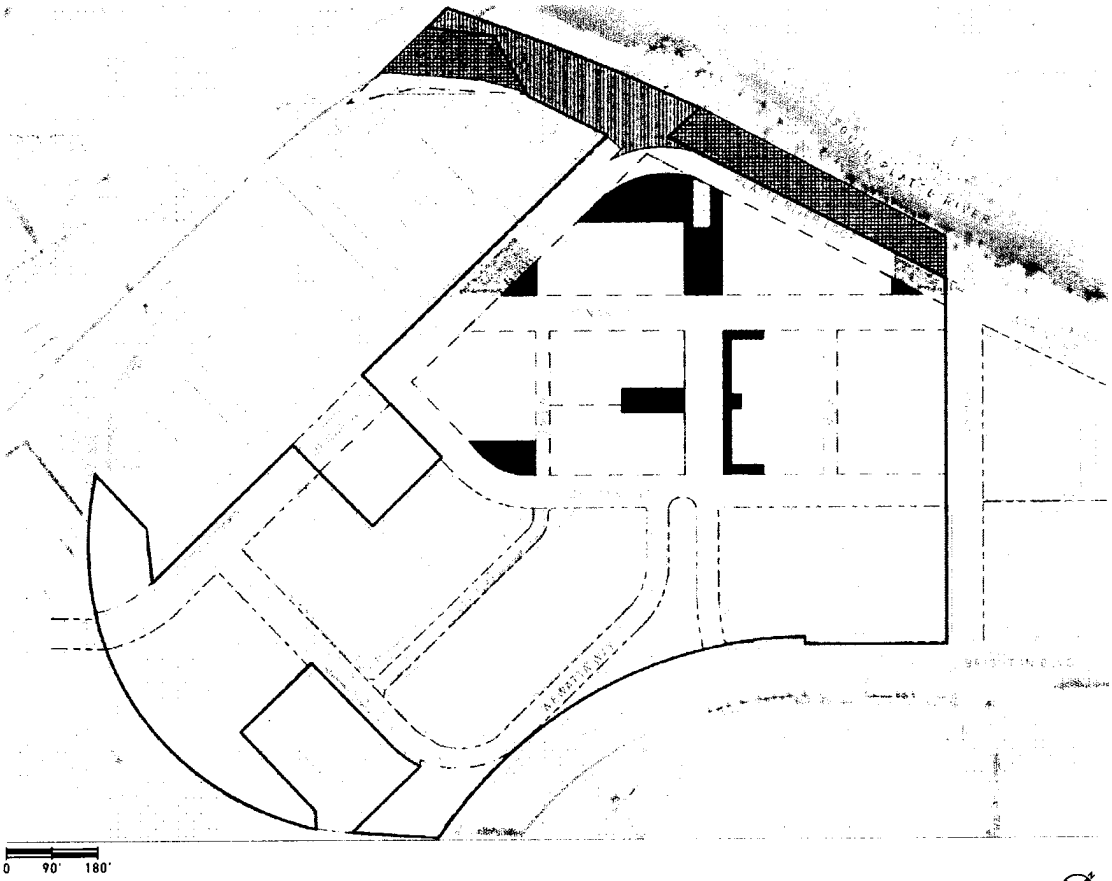
## PROPOSED OPEN SPACE

*54,014 GSF PROPOSED PRIVATE OPEN SPACE*

| PROVIDED OPEN SPACE BREAKDOWN | CITY OWNED | DEVELOPER OWNED | DEVELOPER & CITY - OWNED |
|---|---|---|---|
| Riverfront Open Space | 0.72 ACRES | | 1.42 ACRES |
| Riverfront Open Space | | 0.70 ACRES | |
| Corner Park | 0.27 ACRES | 0.04 ACRES | 0.31 ACRES |
| Linear Park | | 0.18 ACRES | 0.18 ACRES |
| Denargo Grove | | 0.15 ACRES | 0.15 ACRES |
| Triangle Park | 0.11 ACRES | 0.01 ACRES | 0.12 ACRES |
| Delgany Corner Park | | 0.16 ACRES | 0.16 ACRES |
| Brighton Blvd Open Space | | 0.76 ACRES | 0.76 ACRES |
| TOTAL CITY OWNED | 1.10 ACRES | - | - |
| TOTAL DEVELOPER OWNED | | 2.0 ACRES | - |
| TOTAL OPEN SPACE | 3.10 ACRES | | 3.10 ACRES |

**Plan Legend**
- Proposed Developer - Owned Open Space
- Existing Developer - Owned Open Space
- City- Owned Open Space
- --- Property Boundary
- — GDP Boundary

## **Open Space** Riverfront Activation



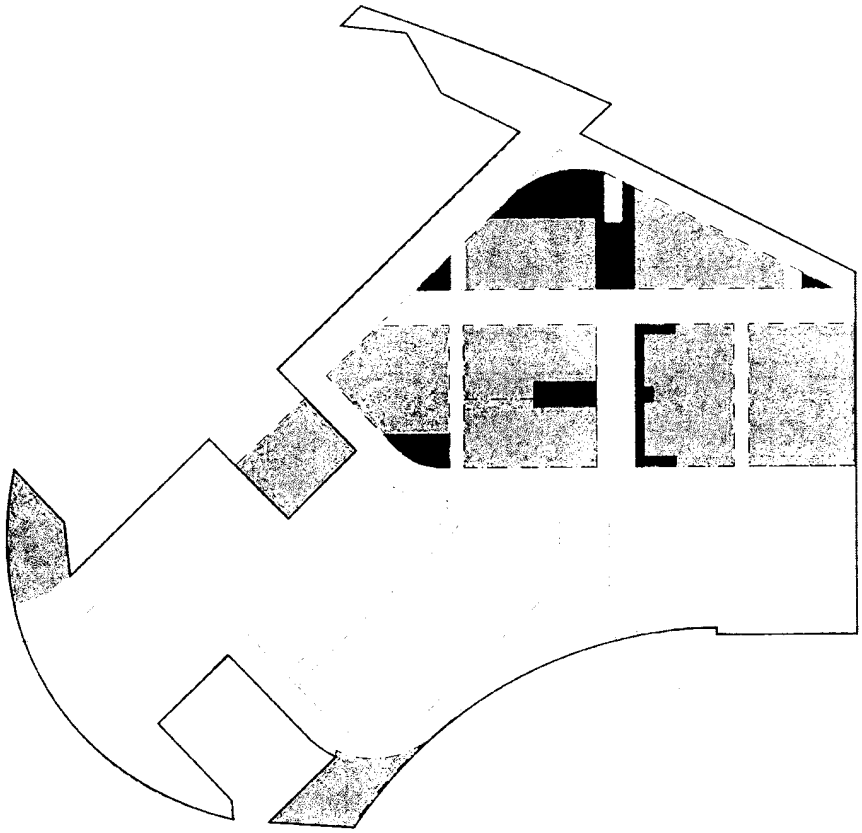
**OPEN SPACE KEY**

- Proposed Developer- Owned Open Space
- Proposed City- Owned Open Space
- City- Owned Open Space
- City- Owned Open Space Within GDP Boundary
- Community - Serving Use

0 90' 180'

Golub | Formativ | © Tryba Architects

# Proposed Land Uses



CONCEPTUAL RENDERINGS OF OPEN SPACE

28th Street Linear Park

Riverfront Open Space

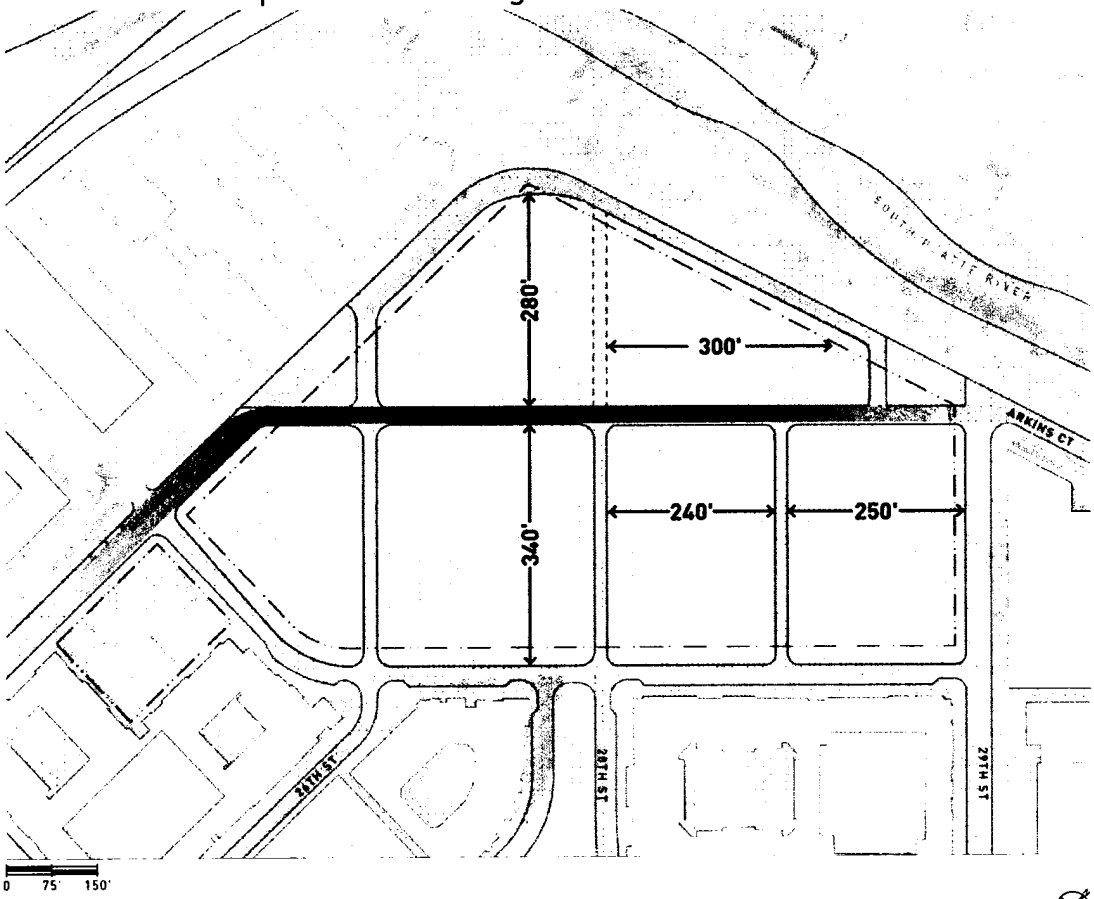
**PROPOSED LAND USES**

- Open Space
- Mixed Use (Residential, Office and / or Retail Uses)
- Community - Serving Use
- Property Boundary
- Existing GDP Boundary

0 90' 180'

Golub Formativ | © Tryba Architects

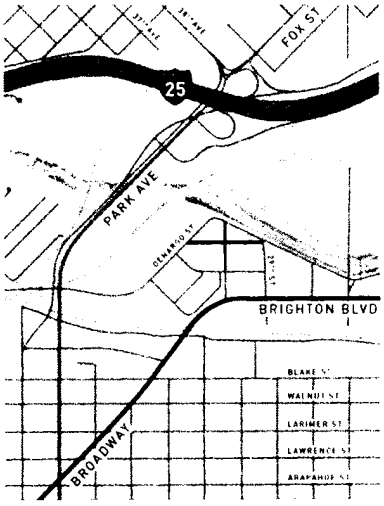
# **Block Size** Proposed Street Alignment



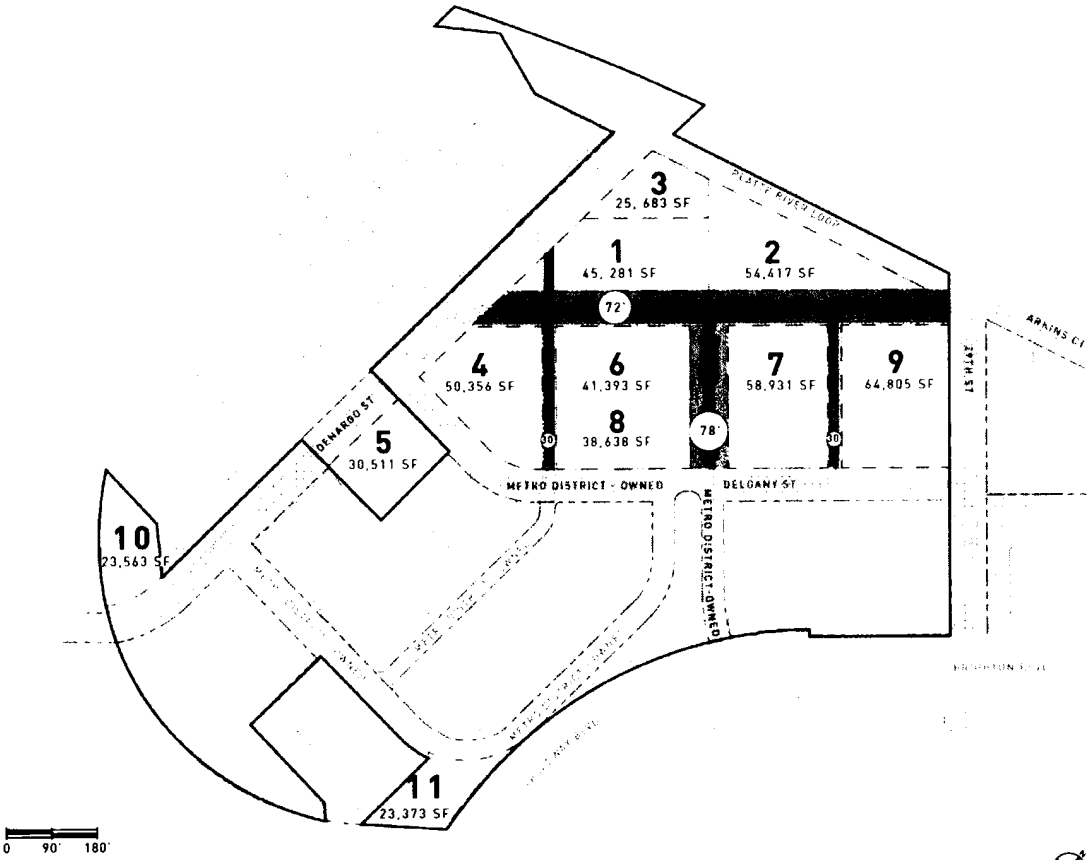

Golub | Formativ | © Tryba Architects

**RIGHT-SIZING THE GRID: NEIGHBORHOOD CONTEXT**

The cross street connection between Arkins Court and Denargo Street divides the site into two large parcels. The site is further subdivided into six developable parcels in order to maintain alignment with surrounding local streets. The original superblocks shown in the GDP have been broken up to more closely align with standard Denver block sizes as shown in the diagram below.



## Proposed Parcels



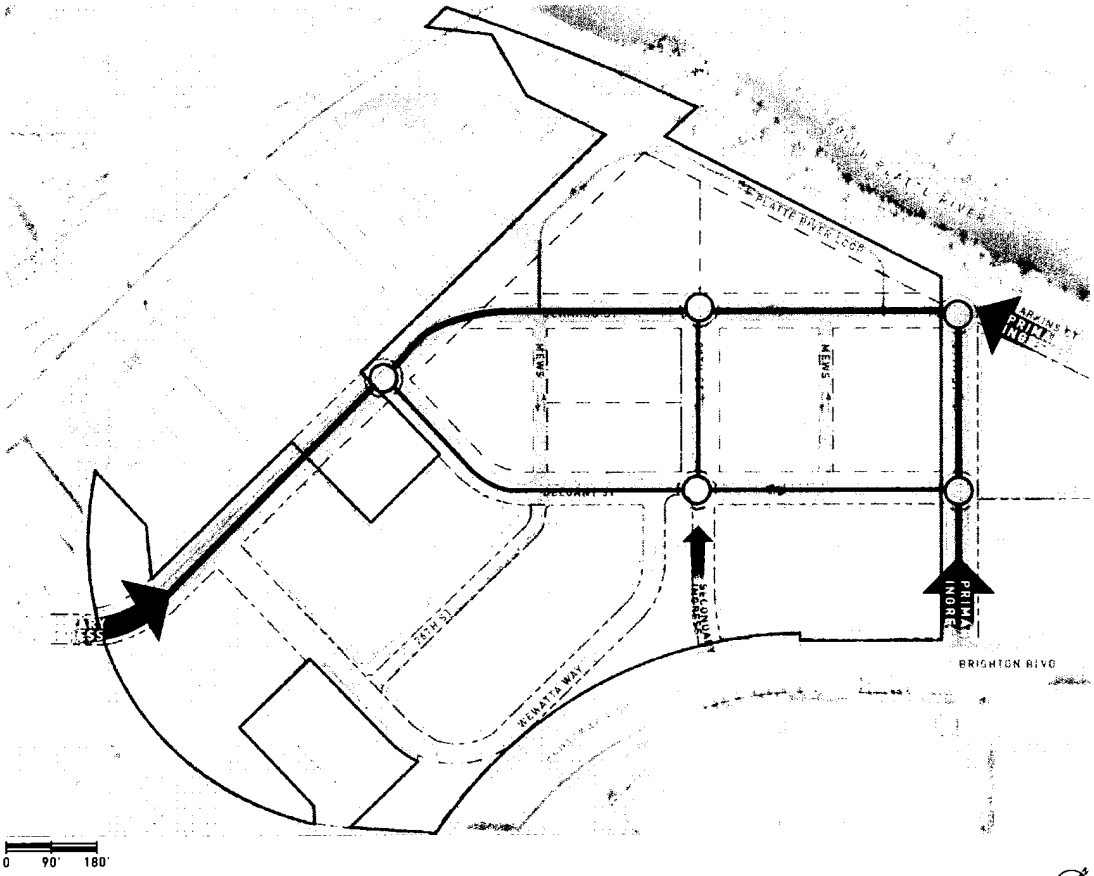

Road ownership to be determined during the Infrastructure Master Plan, metro-district ownership likely.

**PROPOSED ROW AREAS**

- **28th Street**: Total Area (SF) = 22,700
- **Cross Street**: Total Area (SF) = 67,600
- **Mews Streets**: Total Area (SF) = 19,940

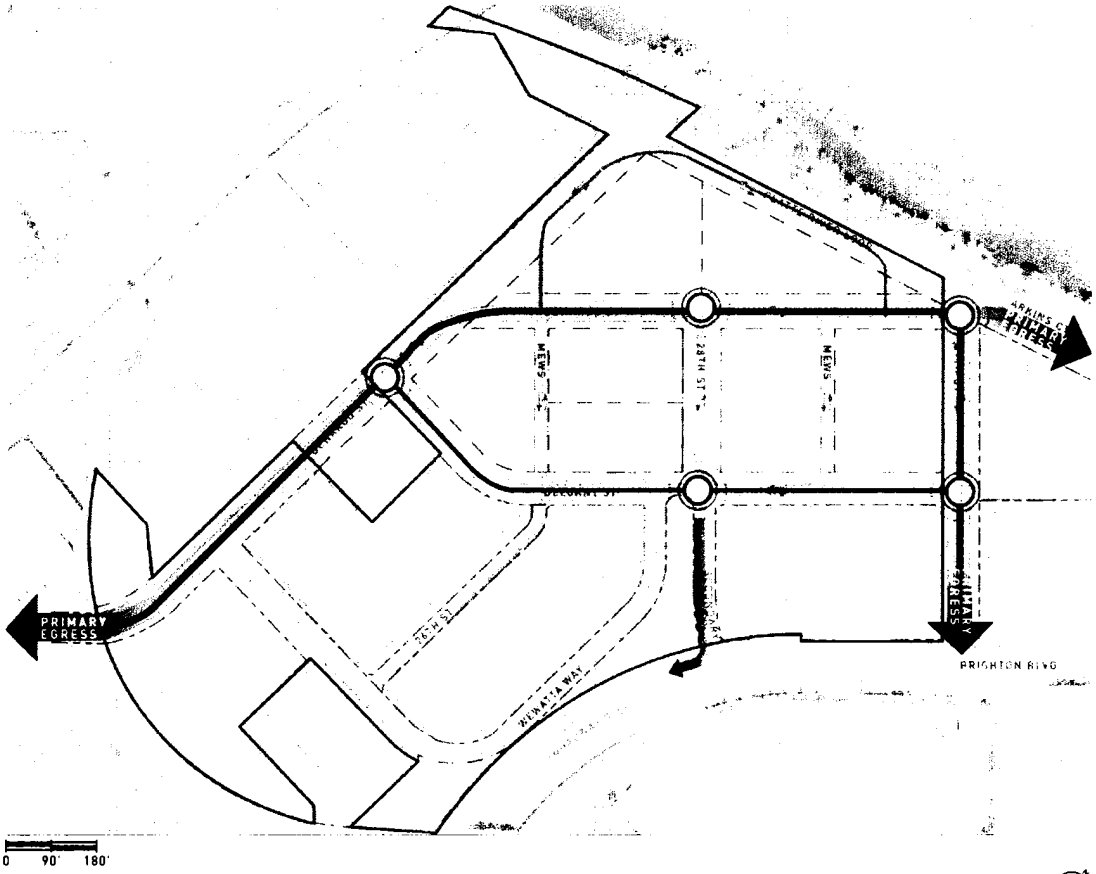
Golub | Formativ | © Tryba Architects

## **Site Access** Proposed Vehicular Entry & Arrival



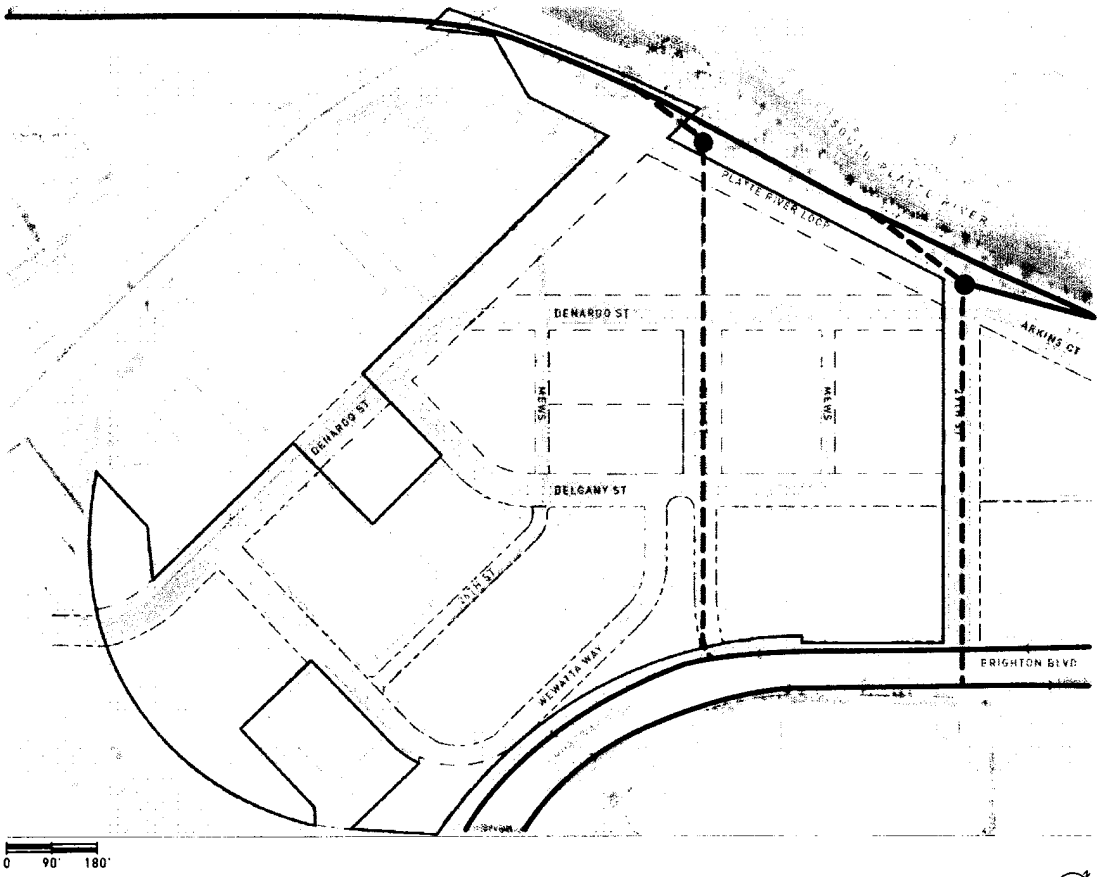

Golub | Formativ | © Tryba Architects

## **Site Access** Proposed Egress




Golub | Formativ | © Tryba Architects

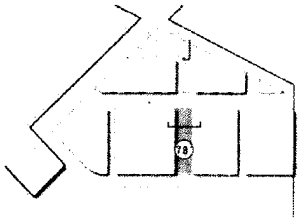
## **Connectivity** Bike Paths



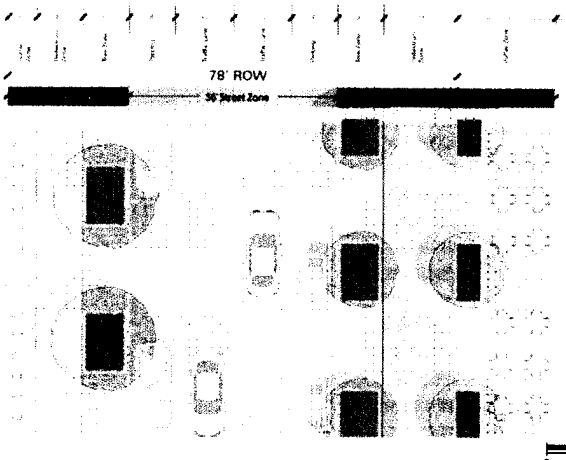

**BIKE PATH LEGEND**
- Existing Platte River Bike Trail
- Proposed Platte River Bike Trail Access Ramps
- Existing Brighton Blvd Protected Cycle Track
- Existing Sharrow
- Proposed Future Sharrow
- Existing Bike Path Access Point
- Proposed Bike Path Access Point

Golub | Formativ | © Tryba Architects

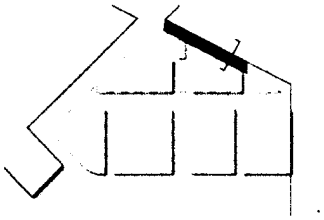
## Street Section 28th Street



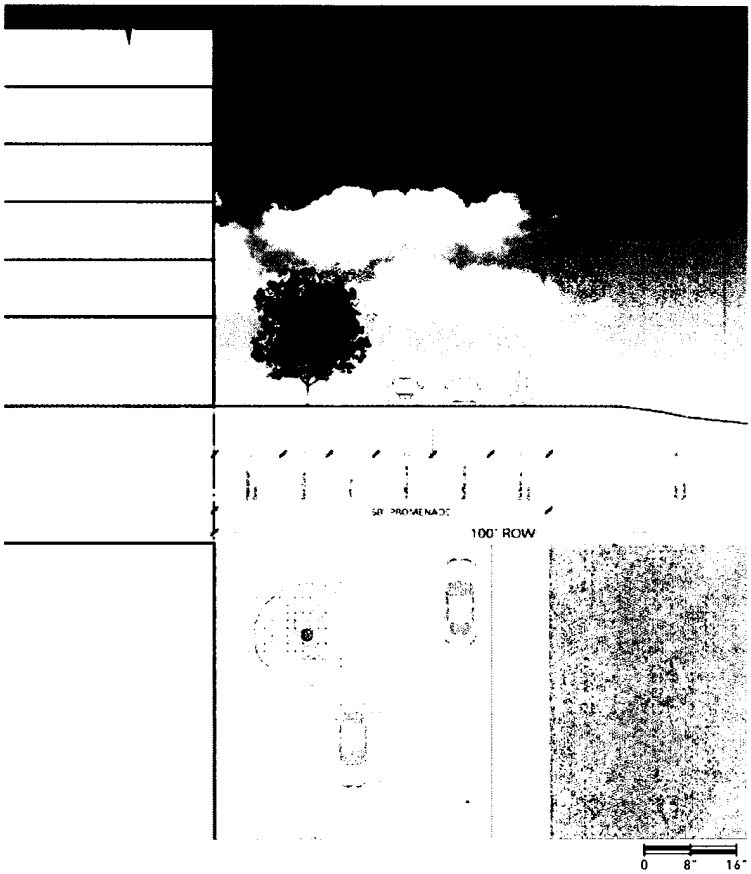
Foggy Bottom Station, Washington DC
*80' ROW*



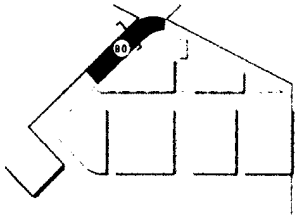
## **Street Section** Promenade

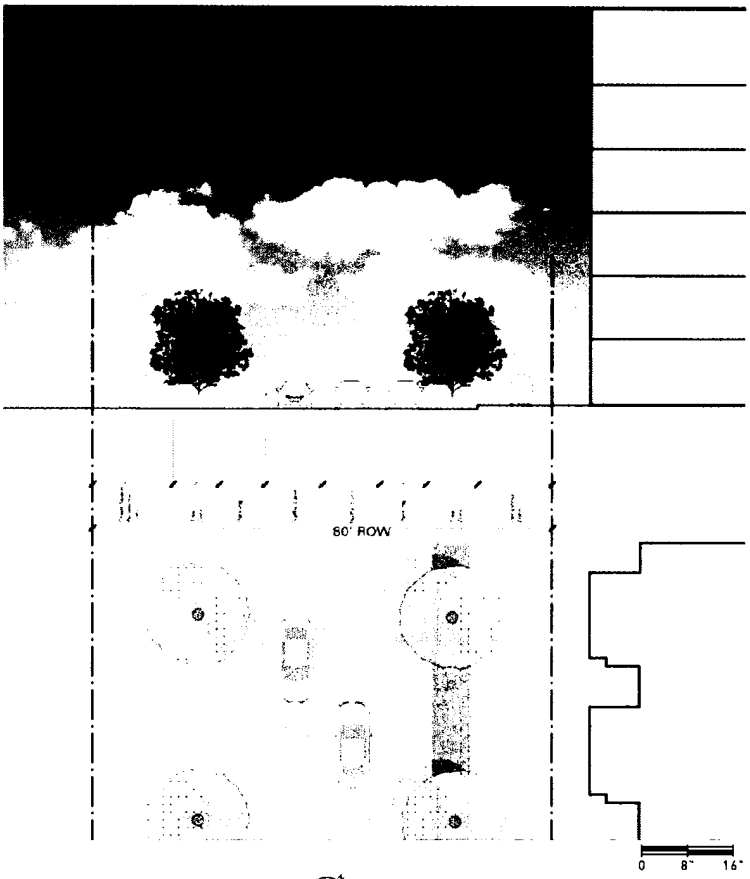


The Wharf, Washington DC
*Wharf Promenade*



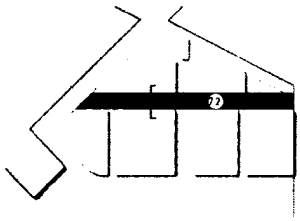
## **Street Section** Promenade at Developer - Owned Open Space

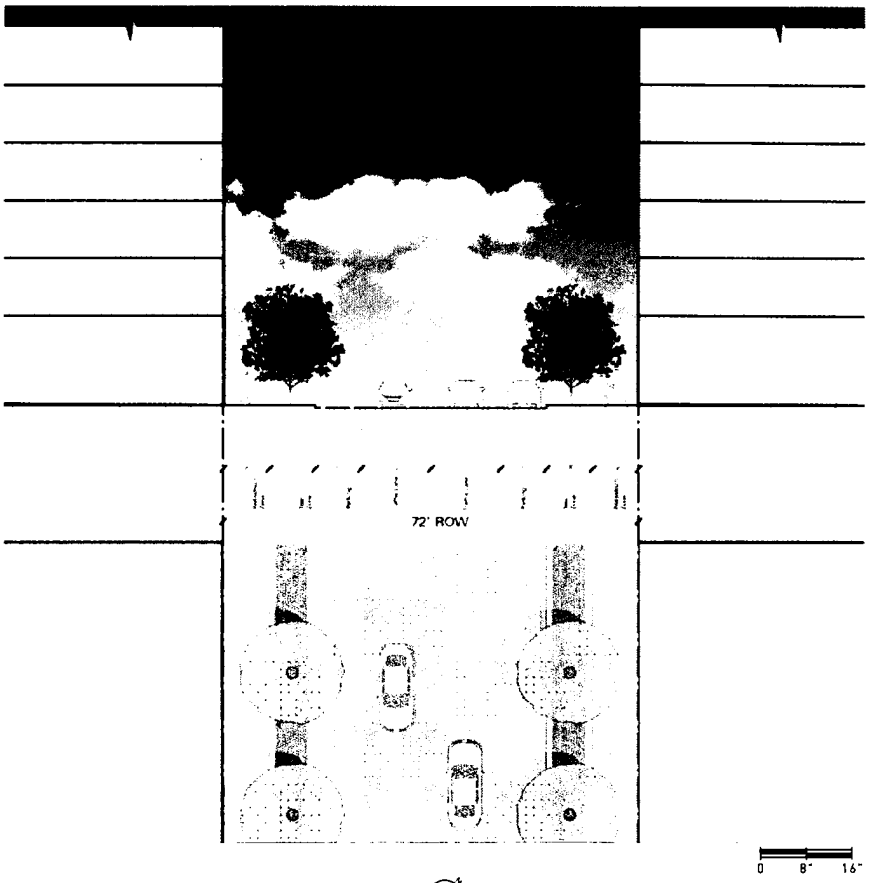




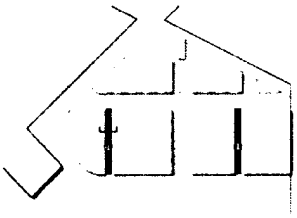
The Wharf, Washington DC
*Wharf Promenade*

## **Street Section** Denargo Street

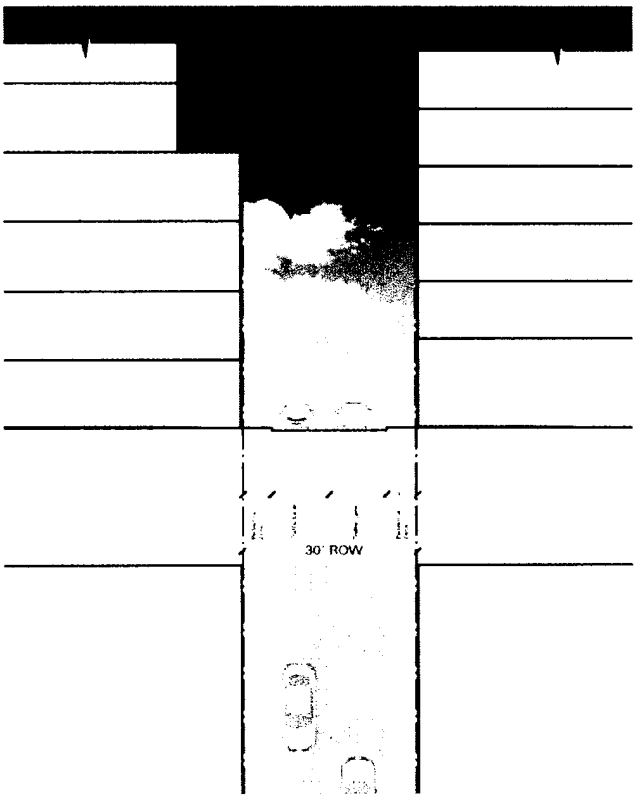




## **Street Section** Mews



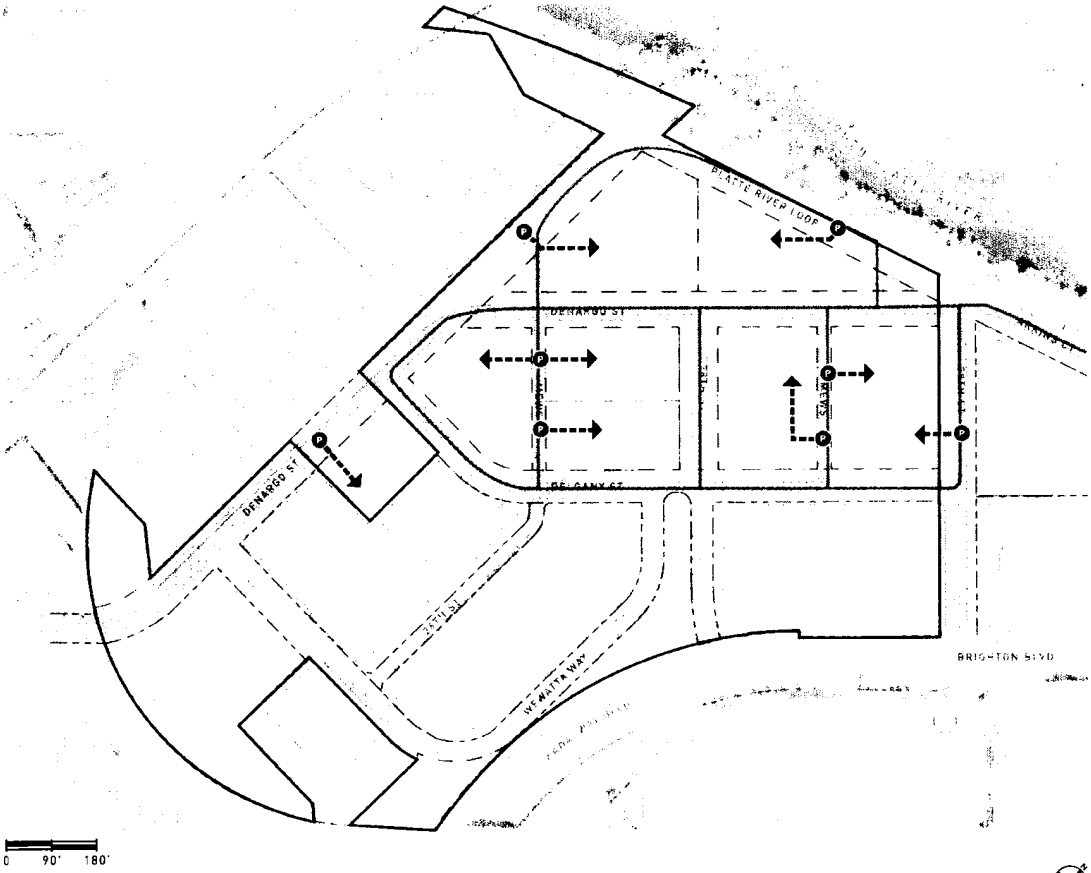
Parker Alley, Detroit, Michigan




0 8' 16'

Golub | Formativ | © Tryba Architects

## **Vehicular Access** Proposed Garage Entry




Above grade parking to adhere to design guidelines

Golub | Formativ | © Tryba Architects

## Conceptual Renderings

28th Street - Linear Park

Riverfront Open Space