

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Lowry Economic Redevelopment Authority	Representative Name	Marcus Pachner
Address	7290 E. 1st Avenue	Address	7290 E. 1st Avenue
City, State, Zip	Denver, CO 80230	City, State, Zip	Denver, CO 80230
Telephone	303-343-0276	Telephone	303-825-1671
Email	Monty.Force@lowryredevelopment.com	Email	marcus@thepachnercompany.com
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	Approx 6756 Archer Drive		
Assessor's Parcel Numbers:	0608421002000 and a portion of Archer Drive ROW		
Area in Acres or Square Feet:	See Exhibit "C" Legal Description, 88,521 +/- sf		
Current Zone District(s):	O-1		
PROPOSAL			
Proposed Zone District:	G-MU-5		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</p>	<p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>

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

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:

REZONING GUIDE

Rezoning Application Page 3 of 3

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

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
Lowry Redevelopment Authority	7290 E. 1st Avenue Denver, CO 80230 303-343-0276 Monty.Force@lowryredevelopment.org	100%	<i>Monty Force</i>	11/06/15	(B)	YES

Last updated: June 20, 2014

 Return completed form to rezoning@denvergov.org

Boulevard One
G-MU-5 Zoning Application Appendices

Applicant: Lowry Redevelopment Authority



(Location: Refer to the location graphic below)

Approximately 6756 Archer Place

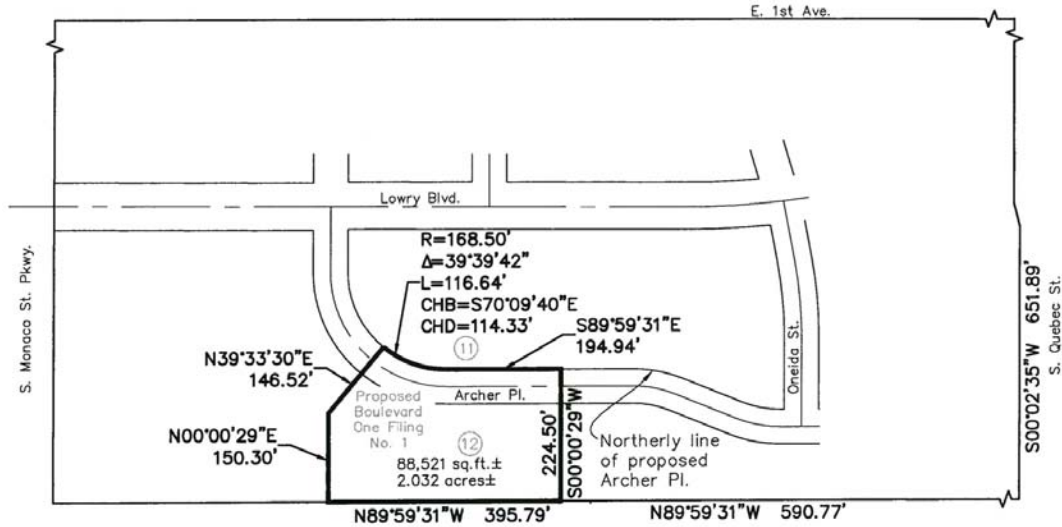
Application No. _____

Current Zoning: O-1

Proposed Zoning: G-MU-5

Site Size: 88,521± square feet

BOULEVARD ONE REZONING PARCEL 4



Property Owner

Lowry Economic Redevelopment Authority

7290 East First Avenue

Denver, Colorado 80230

Authorized Representative:

Marcus Pachner

Consultant – Lowry Redevelopment Authority

7290 East First Avenue

Denver, Colorado 80230

Marcus@ThePachnerCompany.com

Included as part of this submittal are the following documents:

Exhibit A: How Rezoning Meets General Review Criteria

Exhibit B: How Rezoning Meets Additional Review Criteria for Non-Legislative Rezonings

Exhibit C: Legal Descriptions and Graphic Exhibits

Exhibit D: Letter of Authorization

Exhibit E: Community Outreach

Exhibit F: Responses to Public Comments

Exhibit G: Proof of Ownership

Exhibit A

How Rezoning Meets General Review Criteria

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

A. Consistency with Adopted Plans

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

B. 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.”

C. Public Health, Safety and General Welfare

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

For the reasons set forth below, the proposed rezoning is consistent with these criteria:

1. The proposed rezoning is consistent with the City’s adopted plans, as required by Section 12.4.10.7(A).

a. Consistency with Comprehensive Plan 2000

Comprehensive Plan 2000, a Vision for Denver and Its People, sets forth broad goals to guide planning efforts in three areas: (a) Our Long-Term Physical Environment; (b) Our Long-Term Human Environment; and (c) Metropolitan Cooperation. The Comprehensive Plan addresses a number of issue area categories in each of these spheres. Within each issue area category, the Comprehensive Plan identifies Changes, Challenges and Opportunities; and Objectives and Strategies.

The proposed G-MU-5 zoning for Parcel 4 will satisfy numerous Plan 2000 goals for Our Long-Term Physical Environment, as set forth in detail below. (Justifications for consistency are provided in *italics*.)

Environment Chapter

Objective 2 – Stewardship of Resources

Strategy 2-F: Conserve land by:

- Promoting infill development within Denver at sites where services and infrastructure are already in place.
 - *Boulevard One presents the rare opportunity to develop a comprehensively planned community on a large site that is already located within the City’s urban grid of streets, utilities and public services. The development of Boulevard One will establish a cohesive neighborhood and the community will be integrally linked and be compatible with existing surrounding development.*
- Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.
 - *The proposed G-MU-5 zoning for Parcel 4, combined with zoning already approved for other parts of Boulevard One (C-MX-5 with waivers, U-SU-A, U-SU-B, and G-RH-3 with waivers), will facilitate development of the kind of mixed-use, sustainable community envisioned in Strategy 2-F. The mixed uses allowed by the G-MU-5 zoning in conjunction with the other zone districts already approved for Boulevard One, will reduce urban sprawl by providing housing, employment and recreational amenities and services all in proximity with one another.*

Objective 4 – The Environment and the Community

Strategy 4-A: Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work.

- *The proposed G-MU-5 zoning for Parcel 4, combined with zoning already approved for other parts of Boulevard One, will facilitate development of the kind of mixed-use community envisioned in Strategy 4-A. It will provide for excellent transit access and walkable/bikeable access to the rest of Lowry and other surrounding neighborhoods. Locating housing proximal to commercial uses allowed in other parts of Boulevard One will allow people to live where they work.*

Strategy 4-D: Promote convenient public transit for the community, including buses, light rail and other alternatives to single-occupancy vehicles.

- *Boulevard One, including Parcel 4, is served by multiple RTD bus routes (3, 3x, 6, 65, 73) along Quebec Street, Monaco Boulevard, Alameda Avenue and Lowry Boulevard. There are 13 transit stops within a short walk of future homes and offices in Boulevard One, including Parcel 4.*
- *The street design for all of Boulevard One incorporates motor vehicles, bicycles and pedestrians in order to encourage the use of alternatives to single-occupancy vehicles.*
- *Buckley Annex General Development Plan (“GDP”) (approved April 4, 2013) Sheets 7 and 9, copied below, show the detached sidewalks, bike lanes, multi-modal street designs and other elements that will create a walkable, bikeable neighborhood with close connections to transit, jobs, shopping, housing, schools and other needs.*

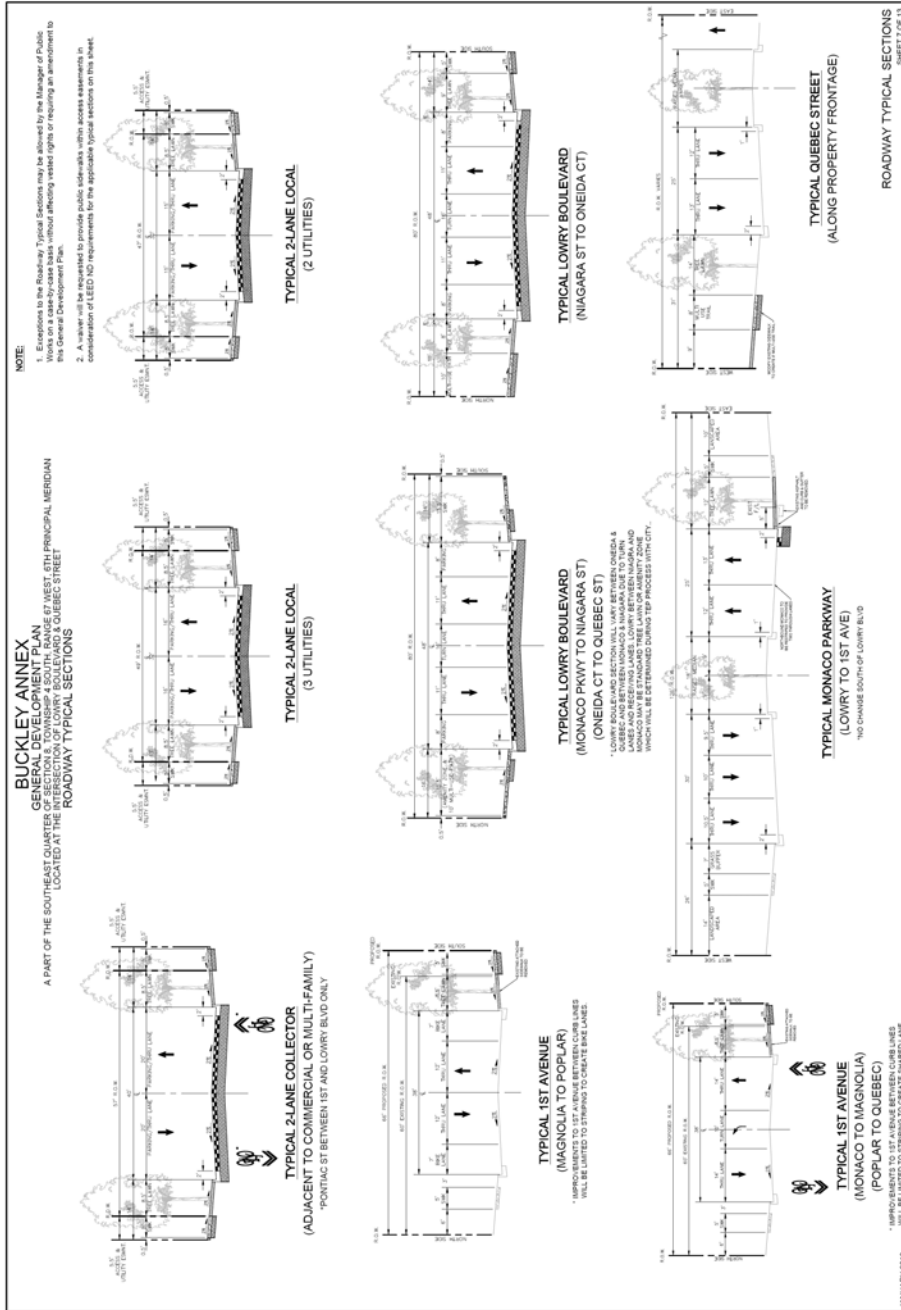


Figure 1: Roadway Typical Sections from Buckley Annex GDP Page 7

Strategy 4-E: Use neighborhood development, such as Stapleton, as projects that incorporate principles of sustainable development at the community level. Use these neighborhoods as models to encourage sustainable development throughout the city over time.

- *The proposed rezoning, because of its allowance of housing, will encourage sustainable development at the community level as a continuation of the Lowry neighborhood development. The master planning of the site allows for orderly, coherent development over time.*
- *The compact development pattern accommodated by the proposed rezoning will allow for sustainable approaches to living and transportation through apartments and options for transportation modes other than single-occupancy vehicles. Proximity of housing, recreation, work, and retail provides sustainable living opportunities.*

Land Use Chapter

Objective 1 – Citywide Land Use and Transportation Plan

Strategy 1-C: Encourage densities and mixes of uses that support walking, biking and the use of public transportation in existing, redeveloping and new areas. Reinforce urban centers and create the land use and transportation foundation for new urban centers.

- *Boulevard One, including Parcel 4, will be developed in accordance with this strategy. The mixed use nature and medium density of the Boulevard One project, which contemplates sitewide development of 800 residential units and up to 200,000 square feet of commercial development, will support walking, biking and the use of public transportation. The proposed G-MU-5 zoning for Parcel 4 is another step in facilitating development of Boulevard One. Figure 3 illustrates Boulevard One infill project with proposed zoning and uses. The G-MU-5 rezoning of Parcel 4 supports the mixed-use vision of Boulevard One.*

Boulevard One:
 Already Approved, Requested and Future Zoning

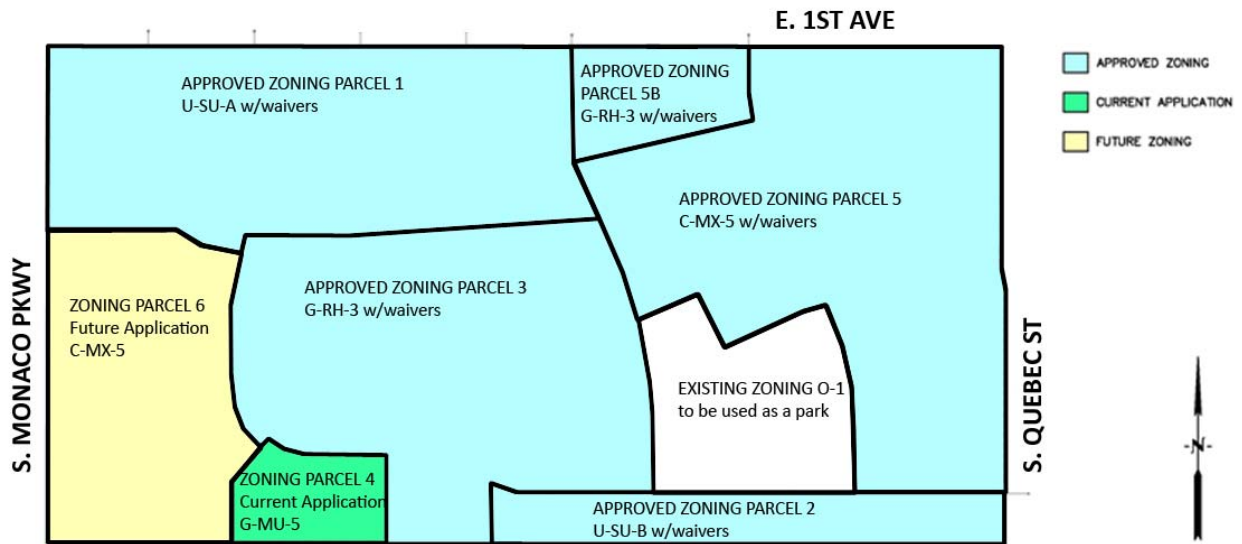


Figure 3: Boulevard One Existing Proposed and Future Zoning

Objective 1, Strategy 3-B: Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.

- *Boulevard One will be a quality infill development that is consistent with and complementary to the surrounding neighborhood. The proposed rezoning to G-MU-5 for Parcel 4 will offer opportunities for increased density and more amenities. The extensive design requirements associated with G-MU-5 zoning (including build to requirements, street activation, and parking at the rear of buildings) will encourage quality development for Parcel 4. The height restriction of 65' in G-MU-5 zoning will provide consistency with the character of the surrounding neighborhood and other parts of Lowry. In addition, the Boulevard One Design Guidelines contain requirements that will assure that future development will be compatible with the quality and character of the surrounding neighborhoods.*
- *Figure 4 and Table 1 show the proposed density and actual density of surrounding uses to demonstrate the compatibility with the Comprehensive Plan and with surrounding land uses. Boulevard One as a whole is in the middle of the range of surrounding densities. In addition, the approved residential zones in Boulevard One keep lower densities closer to lower-density adjacent areas (especially to the west), while the proposed G-MU-5 rezoning would keep higher density closer to higher intensity adjacent use (especially to the south).*



Figure 4: Boulevard One and Surrounding Residential Density

Neighborhood	Dwelling Units/Acre
Crestmoor Park	2.4
Mayfair Park	4
Lowry West Neighborhood	7.4
Lowry Town Center District	10.3
Boulevard One	11.4
The Lex at Lowry apartments	35.5

Table 1: Boulevard One and Surrounding Residential Density

Objective 4: Land Use and Transportation

Strategy 4-A: Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.

- *The development theme of Lowry is and has always been “Live, Work and Play.” This concept is incorporated into the Boulevard One neighborhood by providing a mixed-use environment where residents will be able to live near work opportunities and recreation amenities, and will have easy access to public transportation. Concentrating and combining uses in this way will reduce the need for travel generally, and will additionally reduce the need to use a single-occupancy vehicle. The proposed rezoning to G-MU-5 will facilitate mixed-uses by providing a variety of uses and transit access within a short walk of residents in and outside of Parcel 4.*

Strategy 4-B: Ensure that land use policies and decisions support a variety of mobility choices, including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities.

- *Boulevard One Parcel 4 residents, visitors and employees will benefit from the five routes and six existing RTD bus stops located adjacent to the site, and 13 total stops in the area within walking distance. The residential units that will be developed within Boulevard One, including Parcel 4, will support RTD rider patronage.*
- *The G-MU-5 siting and design requirements promote an environment that invites and safely accommodates bicyclists and pedestrians in addition to vehicular circulation.*
- *The GDP for Boulevard One contains an approved transportation study that demonstrates that the proposed transportation network in conjunction with existing infrastructure is compatible with the proposed development and sufficient to service the site, including Parcel 4.*
- *The proposed rezoning will not cause significant traffic impacts. The rigorous traffic analysis conducted for the Buckley Annex GDP assumed that the proposed redevelopment of the entire Buckley Annex site, including the proposed rezoning covered in this Application, would provide 800 total residential units, as well as up to 200,000 square feet of commercial uses, including office and retail. Utilizing this build out, the study estimated that these activities would generate approximately 9,500 vehicle trips per day. This volume is the same volume of traffic that was generated by the former Defense Finance and Accounting Services (DFAS) facility. The traffic analysis also assessed the effects of this traffic on signalized intersections in the area. It found that the proposed redevelopment of Buckley Annex would not adversely affect the levels of service for these intersections.*

Mobility Chapter

Objective 1 – Diverse Mobility Options

Strategy 1-C: Identify areas throughout the city where transportation policies should reflect pedestrian priorities. These include areas such as schools, child-care centers, civic institutions, business centers, shopping districts and parks.

- *The proposed G-MU-5 zoning for Parcel 4 will achieve the pedestrian priorities objective because the grouping and disposition of mixed uses in Boulevard One and the G-MU-5 siting and design requirements will encourage easy pedestrian access between residences, workplaces, shopping and services. Boulevard One already is located within walking distance of several schools (e.g., Lowry Elementary, Montclair International School, Stanley Primary British School, and the Denver Language School) and the existing Lowry Town Center.*

Objective 3 – Accommodating New Development

Strategy 3-C: Provide safe and convenient pedestrian and bicycle facilities within urban centers and new development areas.

- *The proposed development of Boulevard One, as contemplated by the GDP and including Parcel 4, includes multi-modal streets that anticipate active, safe and convenient use by pedestrians, bicyclists and motor vehicles alike. The G-MU-5 siting and design requirements facilitate pedestrian and bicycle activity.*

Objective 4 – Changing Travel Behavior

Strategy 4-E: Continue to promote mixed-use development, which enables people to live near work, retail and services.

- *The G-MU-5 zone district contemplates multifamily residential use located in very close proximity to a mix of office, retail and other uses, enabling residents to live near work, retail and services.*

Objective 8 – Walking and Bicycling

Strategy 8-A: Ensure safe and convenient access and accommodation of bicycle riders, pedestrians and transit riders.

Strategy 8-B: Ensure that sidewalks are continuous along all major Denver streets and that they provide pedestrians and transit riders with direct access to commercial areas, education facilities, recreational facilities and transit stops.

- *The proposed G-MU-5 zoning for Parcel 4, together with the pedestrian connections and bicycle lanes and facilities required by the Buckley Annex GDP, will accomplish these strategies. The Buckley Annex GDP also calls for continuous sidewalks within all of Boulevard One.*

Legacies Chapter

Opportunity – New development: Development plans for Lowry, Stapleton, the Central Platte Valley and the DIA/Gateway area can extend the quality and character of Denver's historic urban design features.

Objective 2 – New Development, Traditional Character

Strategy 2-A: Establish development standards to encourage positive change and diversity while protecting Denver's traditional character

- *Boulevard One, including Parcel 4, is subject to design guidelines that are based on Denver's traditional development patterns to allow for compact residential development and easy pedestrian access. The Lowry redevelopment has been successfully applying design guidelines based on Denver traditional development patterns for 20 years and will continue this record of positive change.*

Objective 3 – Compact Urban Development

Strategy 3-A: Identify areas in which increased density and new uses are desirable and can be accommodated.

- *Blueprint Denver identifies Boulevard One as an Area of Change, contemplating increased density and new uses; the Buckley Annex GDP has already identified the areas within Boulevard One—particularly Parcel 4 – that are appropriate for increased density and new uses. The G-MU-5 zoning for Parcel 4 will facilitate development that will adhere to the development patterns and land uses contemplated by Blueprint Denver and identified in the GDP.*

Strategy 3-B: Create regulations and incentives that encourage high-quality, mixed-use development at densities that will support Denver's diverse housing needs and public transportation alternatives.

- *Applying G-MU-5 zoning to Parcel 4 will promote the development of a high-quality residential option to meet Denver's diverse housing needs and its location within a mixed-use community that provides a range of retail opportunities, and offices within walking distance of public transportation routes will create a synergy between the uses envisioned by Strategy 3-B.*

Housing Chapter

Objective 6 – Preferred Housing Development: Encourage mixed-use, mixed-income housing development in Denver's core area and along transit lines.

Strategy 6-A: Support mixed-use development consistent with the goals of the Comprehensive Plan's land-use and mobility strategies.

Strategy 6-B: Continue to support mixed-income housing development that includes affordable rental and for-purchase housing for lower-income, entry-level and service employees, especially

in Downtown and along transit lines.

- *The proposed development of Boulevard One, including the G-MU-5 rezoning for Parcel 4, will achieve these goals by providing a range of housing units and ownership structures including studio apartments, multi-bedroom apartments, townhouses, affordable rentals, affordable for-sale housing, transitional housing for formerly homeless, and single-family houses.*
- *Housing types anticipated within the entirety of Boulevard One include studio apartments, multi-bedroom apartments, townhouses, affordable rental and for-sale housing, transitional housing for formerly homeless, and single-family houses. As contemplated by the Buckley Annex GDP (page 5), these housing types range from very affordable traditional housing to custom homes. Parcel 4 would provide the affordable rental and transitional multifamily uses contemplated for Boulevard One.*
- *Five Existing RTD bus routes (3, 3x, 6, 65 and 73) serve the Boulevard One site.*

b. Consistency with Blueprint Denver: An Integrated Land Use and Transportation Plan

i. Blueprint Denver's General Goals

Objective 1 of Comprehensive Plan 2000 was the establishment of a Citywide Land Use and Transportation Plan to “balance and coordinate Denver’s mix of land uses to sustain a healthy economy, support the use of alternative transportation and enhance the quality of life in the City.” Comprehensive Plan 2000, page 57. Blueprint Denver, adopted in 2002 in fulfillment of Objective 1 of Comprehensive Plan 2000, establishes a city-wide mechanism for encouraging and promoting “more efficient use of transportation systems, expanded transportation choices, and appropriate and mixed land uses,” to further the goals of Comprehensive Plan 2000. Blueprint Denver, page 2. Blueprint Denver “bridges the gap between the general policies of Comprehensive Plan 2000 and the detailed implementation measures that follow.” Blueprint Denver, page 6.

Blueprint Denver identifies two categories of general areas within the City – Areas of Stability and Areas of Change. Blueprint seeks to maintain and protect the character of Areas of Stability, stable residential neighborhoods where minimal change is expected over the next 20 years. Blueprint Denver, page 5. To accommodate this strategy and allow for the orderly accommodation of new residents and jobs, new development, primarily incorporating mixed uses, will be directed to Areas of Change. These are regions that Blueprint Denver identifies as those that will benefit from an infusion of population, economic activity and investment. *Id.* Areas of Change are appropriate for new growth or redevelopment because of the transportation choices and opportunities for mixed-use development they present. Blueprint Denver, page 19.

Blueprint Denver identifies several features characterizing an Area of Change, including the following, which also characterize Lowry and Parcel 4 of Boulevard One. Several of those features are listed below. Illustrations of the ways in which the Boulevard One development embody the Blueprint Denver characteristics appear in *italics* after each feature.

- **Areas undergoing positive change that is expected to continue**
 - *The Lowry Air Force base redevelopment has undergone positive change since the base closure in 1994, redeveloping into a vibrant new community. Now that the Air Force has exited the Buckley Annex property and transferred it to the LRA for redevelopment, Boulevard One can continue the positive changes that already have occurred at Lowry. Figure 4 shows the proposed complete redevelopment of Boulevard One, including Parcel 4. Figures 6-7 are aerial photographs that show the transformation of the Lowry Air Force Base from 1994 to the current state of the Boulevard One site.*



BOULEVARD ONE ILLUSTRATIVE MASTER PLAN FOR ILLUSTRATIVE PURPOSES ONLY DESIGNWORKSHOP JANUARY 6, 2015

Figure 5: Proposed Boulevard One, Including Parcel 5



Figure 6: 2005 Aerial Photograph of Buckley Annex Site Prior to DFAS Closure



Figure 7: 2015 Aerial Photo of Buckley Annex/Boulevard One Site

- Areas along corridors with frequent bus service that can accommodate development, especially where there is potential for a pedestrian-friendly shopping environment

- *The major roadways that form the boundaries of the Boulevard One site carry existing bus service that can be enhanced as the area develops. Development under the G-MU-5 zoning will allow residents within Parcel 4 to experience the multi-use development contemplated for the Boulevard One site, which will enable residents to live near work and retail along a corridor that also has frequent bus service.*
- **Areas with special opportunities such as where major public or private investments are planned**
 - *Development of the Boulevard One site, especially Parcel 4, will present a great opportunity for a variety of forms of private investment, including the participation of non-profit groups whose mission it is to provide equitable housing options. Boulevard One development is using public and private investment to break up an existing superblock and integrate it into the traditional grid form.*

ii. Blueprint Denver – Lowry

Blueprint Denver identifies the former Lowry Air Force Base, including Boulevard One, as an Area of Change. Blueprint Denver, page 19. The mixed use development pattern Blueprint Denver proposes for Lowry “ensures that residents can find goods, services and employment close to home” in a manner that is anticipated to reduce traffic external to the redeveloped area by 15 percent over what would be expected in the absence of the planned development pattern. Blueprint Denver, page 22. Multi-modal streets in an interconnected street grid will support mixed land uses and provide residents a range of transportation options. *Id.* The development of Boulevard One expressly adopts these strategies, as discussed below.

Blueprint Denver identifies the following strategies for redeveloping the Areas of Change at Gateway, Stapleton and Lowry, all of which are characterized as unusually large, vacant tracts that can accommodate the comprehensive creation of new neighborhoods. The discussion following each identified strategy, as listed on page 22 of Blueprint Denver, illustrates the consistency of the proposed G-MU-5 zoning for Parcel 4 with the goals of Blueprint Denver:

- **Coordinated master planning**
 - *The Boulevard One development within Lowry was designed comprehensively and is based on the 2008 Buckley Annex Redevelopment Plan and subsequent Buckley Annex GDP, discussed in detail below. The design includes: (a) the establishment of vehicular and pedestrian circulation patterns of varying intensity, (b) a range of housing types, (c) the incorporation of those housing types into the variety of commercial uses, (d) projected building forms and volume, (e) variation of edge expressions at the boundaries of the development to*

address and harmonize with the existing fabric of adjacent neighborhoods, and (f) coordination with public facilities. The proposed G-MU-5 zoning for Parcel 4 will facilitate development that will be consistent with these design concepts.

- *The building form criteria for the G-MU-5 zone district, which focus on build to lines, ground floor activation, pedestrian orientation and careful design, conform to these design criteria.*

- **Urban character**

- *Consistent with the General Urban Neighborhood Context applicable to the G-MU-5 Zoning District, Parcel 4 of Boulevard One will have buildings that have consistent orientation along streets, with shallow front setbacks from the street edge and sidewalks, in order to establish a consistent building line and, along with planned tree planting, a well-defined streetscape.*
- *This urban character is consistent with surrounding land uses. Surrounding zone districts have waivers approved by the City and County of Denver that promote the more urban, walkable and transit-friendly approach proposed for the G-MU-5 zone. Exhibit C.2 shows the surrounding zoning.*

- **Pedestrian and transit supportive design and development standards**

- *Lot sizes for single-family and town houses for the entire Boulevard One will range from 3,500 to 7,000 square feet and will average 4,500 square feet. All streets include sidewalks.*
- *Development of all residential and commercial uses is configured to provide convenient access to sidewalks and routes to transit corridors.*
- *All streets are lined with trees to enhance the pedestrian scale and create a buffer between vehicular lanes and sidewalks.*

- **Mixed land uses-retail and employment near residential neighborhoods**
 - *Mixed uses are located at the east and west edges of Boulevard One. The larger scale building allowed by the proposed G-MU-5 zone in Parcel 4 is directly adjacent to the existing Lex at Lowry apartment project which is 7 stories tall.*
 - *Boulevard One contemplates a variety of uses, including the following:*
 - *Household Living*
 - *Community/Public Services*
 - *Cultural/Special Purpose/Public Parks & Open Space*
 - *Arts, Recreation & Entertainment*
 - *Parking of Vehicles*
 - *Eating & Drinking Establishments*
 - *Office*
 - *Retail Sales, Service and Repair*

- **Diversity of housing type, size, and cost**
 - *Housing types anticipated within the entirety of Boulevard One include studio apartments, multi-bedroom apartments, townhouses, affordable rental and for-sale housing, transitional housing for formerly homeless, and single-family houses. As contemplated by the Buckley Annex GDP (page 5), these housing types range from very affordable traditional housing to custom homes. Parcel 4 would provide the affordable rental and transitional multifamily uses contemplated for Boulevard One.*

- **Multi-modal streets**
 - *Streets are designed to accommodate motor vehicles, bicycles and pedestrians.(See Buckley Annex GDP, pages 7 and 9.)*

- **Street grid/connectivity**
 - *Lowry Boulevard, a central arterial/collector, runs east-west through the center of the Boulevard One site, connecting Quebec Street and Monaco Parkway. (See Buckley Annex GDP, page 6.)*
 - *Secondary streets run north-south through the site, connecting across First Avenue to the existing street grid to the north.*

- **Transit service and access**
 - *Regularly scheduled RTD bus service operates along Monaco Parkway, existing Lowry Boulevard, Alameda Avenue and Quebec Street.*

- **Reduce land used for parking with shared parking and structured parking**
 - *In order to comply with the Boulevard Design Guidelines that require a limited area of land devoted to uncovered parking, the development envisioned on the G-MU-5 zone in Parcel 4 is anticipated to have a significant amount of covered parking.*
- **Adequate parks and open space**
 - *Open space is located throughout Boulevard One, including a large Community Park that occupies approximately 4.5 acres on the eastern half of the site on the western boundary of Parcel 5, open space at the corner of 1st Avenue and Monaco Parkway, and a linear park parallel to Lowry Boulevard in the center of the site. (See GDP, page 9.) Approximately 19% of the Boulevard One site is preserved as open space.*
 - *Street designs include tree lawns with street trees and other plantings between the sidewalks and vehicular lanes. (See GDP, page 7.)*

As described above, Boulevard One is designed to advance the goals established for an Area of Change in Blueprint Denver. The redevelopment of Buckley Annex will create a vibrant urban neighborhood with a variety of options for transportation, housing, employment and shopping in realization of Blueprint Denver's goals. G-MU-5 rezoning on Parcel 4 would be a central part of promoting the diverse, vibrant, mixed-use nature of Boulevard One to meet the goals identified in Blueprint Denver.

iii. Blueprint Denver Map

The Blueprint Denver map identifies the Buckley Annex property as an Employment Area. The DFAS operations that existed at the time of the Blueprint Denver adoption by the City have since been closed by the federal government, removing the historic employment on the Buckley Annex. However, the C-MX-5 with waivers zones within the Boulevard One development will include employment for retail, services and office.

c. Consistency with Buckley Annex General Development Plan (GDP)

In accordance with Section 12.4.12 of the Zoning Code, a General Development Plan establishes a framework for future land use and development and resulting public infrastructure. The GDP provides an opportunity to identify issues and the development's relationship with significant public infrastructure improvements such as major multi-modal facilities and connections thereto, major utility facilities, and publicly accessible parks and open spaces. An approved GDP provides a master plan for coordinating development, infrastructure improvements, and regulatory decisions as development proceeds within the subject area.

In accordance with Section 12.4.12.15(B) of the Zoning Code, the City may take the GDP into consideration when approving the rezoning of property within an approved GDP area.

The City may issue subdivision approvals, site development plan approvals, zoning permits, and may approve the construction, location, use and operation of all land and structures for properties located within an approved GDP area, upon finding that such subsequent zoning and building actions are consistent with the terms and conditions of the approved GDP.

The Buckley Annex GDP was approved by the City and recorded in May, 2013 and a Minor Deviation to the GDP was recorded on September 30, 2014. Dozens of public meetings were held by the Lowry Redevelopment Authority and the City and County of Denver as part of the process of developing and approving the GDP. Exhibit F identifies these meetings and the process of public engagement. As a result of this public process and in response to comments, the Lowry Redevelopment Authority made extensive changes to the proposed Buckley Annex redevelopment, including a substantial reduction of residential density (from 1,200 to 800 units), reduction in heights in critical transitional areas, and changes in the transportation infrastructure. The plan changes and evolution in response to comments are shown in Exhibit G. The GDP covers the entire Boulevard One area; its boundaries are Monaco Parkway, First Avenue, Quebec Street and Bayaud Avenue. The GDP was created within the guiding principles and framework of the 2008 Buckley Annex Redevelopment Plan.

For the reasons set forth below, the proposed rezoning is consistent with the Buckley Annex GDP.

i. The proposed rezoning is consistent with the Sustainability Principles on Sheet 3 of 13 of the GDP.

The GDP Sustainability Principles provide that development throughout Buckley Annex will be consistent with the principles of sustainable development by encouraging and fostering eight sustainability principles that are enumerated in the GDP. Two of those principles are relevant to rezoning activities:

- Land uses that provide a variety of transportation alternatives and pedestrian trails
- A variety of living and employment alternatives for a broad mix of economic levels

The proposed rezoning is consistent with these two principles. First, the general purposes of the G-MU-5 zone district are consistent with the goal of allowing for land uses that provide a variety of transportation alternatives and pedestrian/bicycle connections. As provided in the Zoning Code description of the G-MU-5 zone:

Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback.

The Boulevard One plan contemplates bike lanes along 1st Avenue and multi-purpose paths along Lowry Boulevard. In addition, the Boulevard One site is served by five RTD routes and six bus stops located adjacent to the site.

Second, the proposed G-MU-5 zone district meets the principle of providing for a variety of living and employment alternatives for a broad mix of economic levels. The height and density allowed in the G-MU-5 zone will facilitate the development of housing types that are more inclusive.

ii. The proposed rezoning is consistent with the Development Concepts in the GDP.

a. The proposed rezoning is consistent with the Intent Development Concept which calls for a comprehensive community through the integration of housing, employment and recreation. The G-MU-5 zoning for Parcel 4 allows for diverse housing components to combine with the previous rezonings that already have been approved for the Boulevard One property, facilitating development of a comprehensive community.

b. The proposed rezoning is consistent with the Housing Development Concepts, which contemplate a range of housing product types, affordable housing options, a compatible mix of medium and low density housing, high quality residential development that complements existing portions of Lowry and the surrounding neighborhoods, integration of housing into a dynamic, mixed use development, and relation of housing types to surrounding residential context. The G-MU-5 zoning for Parcel 4, allows for a higher density housing development to integrate with range of other housing product types. The design requirements associated with G-MU-5 zoning (including build to requirements, street activation, and parking at the rear of buildings) will require high quality residential development.

Housing types anticipated within the entirety of Boulevard One include studio apartments, multi-bedroom apartments, townhouses, affordable rental and for-sale housing, transitional housing for formerly homeless, and single-family houses. As contemplated by the Buckley Annex GDP (page 5), these housing types range from very affordable traditional housing to custom homes. Parcel 4 would provide the affordable rental and transitional multifamily uses contemplated for Boulevard One.

c. The proposed rezoning of Parcel 4 is consistent with the Planning Concepts, because combined with other zones in Boulevard One it creates a diverse mixed use plan, integrates with neighboring areas and systems, and promotes integrated and diverse uses that promote walkability.

d. The proposed rezoning is consistent with the Edge Treatments Concept which contemplates that development should fit with the existing fabric of adjacent neighborhoods. The G-MU-5 zone limits building heights to 65' which is a good transitional height between the lower scale neighborhoods envisioned to the north of Parcel 4 and the existing 7-story tall Lex at Lowry apartments to the south.

The G-MU-5 height, siting and design requirements contain build to, ground floor activation and pedestrian entrance provisions that all will promote a pedestrian scaled street edge. In addition, this zone district prohibits parking between the buildings and the primary or side street, thereby resulting in parking being located at the rear of buildings.

iii. The proposed rezoning is consistent with the Land Use and Urban Design Concept in the GDP.

The Land Use and Urban Design Concept establishes six subareas within the GDP property, each with its own unique development characteristics. The Parcel 4 property that is subject to the proposed rezoning is located within the South Residential Subarea. That subarea is described below. The consistency of the proposed rezoning with each description is provided in *italics*.

South Residential

Intent: This residential area focuses on single-family detached and attached homes in close proximity to the neighborhood center to the west and the community park to the east. Single unit detached, single unit attached, or multi-units on the southern edge provide a transition from the higher density uses in Berkshire Apartments to the south of the site.

The G-MU-5 zoning classification is consistent with this concept because it provides for multi-unit housing along the southern edge that provides a transition to the higher density of the Lex at Lowry apartments.

Land Use: Multi-unit, single units attached, single unit detached.

The G-MU-5 zoning classification is consistent with this concept because it provides for multi-unit housing.

Heights: Maximum 5 stories.

The proposed G-MU-5 zoning allows a maximum of 5 stories.

Urban Design:

- Pedestrian and vehicular access from the street.

The proposed G-MU-5 zoning provides build to lines for each of the allowed building

forms. Those building forms also require pedestrian entrances at the primary street.

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

The proposed zoning to G-MU-5 is a unique zone district; therefore, it is uniform within itself and will be uniform with any other property zoned G-MU-5.

3. The proposed rezoning furthers the public health, safety and general welfare in accordance with Section 12.4.10.7(C) of the Zoning Code.

The proposed rezoning to G-MU-5 will promote development of a diverse, vibrant, carefully designed community with a wide range of choices for transportation, housing, shopping and employment. Boulevard One will be served by regularly-scheduled RTD bus service along two of its boundaries, and the streets are designed to safely accommodate motor vehicles, bicycles and pedestrians. Extensive tree planting is planned throughout, and a network of open spaces and parks weaves through the site. The public interest for the citizens of Denver is best served by adoption of this map amendment, which will provide support for the services, amenities, employment opportunities and provide residential development necessary for positive planned growth to occur.

The project will be consistent with surrounding uses. The proposed residential density of the total Buckley Annex site (approximately 11.4 du/ac.) is in the middle of the range of density in adjacent neighborhoods: Crestmoor Park (2.4 dwelling units/acre), Mayfair Park (4 du/ac), Lowry West (7.4 du/ac), Lowry Town Center district (10.3 du/ac), and The Berkshires (35.5 du/ac). Further, the GDP, approved zoning and requested zoning would keep the lower density portions of Boulevard One nearest the lower-density adjacent uses, while providing higher density in Parcel 4 near higher intensity uses to the south.

The height is also compatible with surrounding neighborhoods. Surrounding properties will have buildings as high as or higher than allowed in the G-MU-5 zone. For example, the immediately adjacent Lex at Lowry apartment buildings are 7 stories tall. The GDP – allows a higher building height in Parcel 4 due to its adjacency to a higher building, however, in many other areas of Boulevard One, the building heights are much lower in order to relate with the lower surrounding heights found elsewhere.

The proposed rezoning will not cause significant traffic impacts. A rigorous traffic analysis conducted for the Buckley Annex GDP that was approved by the City Transportation Department found that the proposed redevelopment of the entire Buckley Annex site, including the proposed rezoning of Parcel 4 covered in this Application, that limits 800 total residential units and 200,000 s.f. of commercial, including retail and office uses. At build out, the study estimated a total of 9,500 vehicle trips per day. This volume is the same volume of traffic that was generated by the former DFAS facility.

The traffic analysis also assessed the effects of this traffic on signalized intersections in

the area. It found that the GDP redevelopment of Buckley Annex would not adversely affect the levels of service for these intersections.

Pursuant to the Boulevard One design guidelines, parking will exceed the Design Requirements for G-MU-5 zones. The Design Guidelines provide as follows:

Residential Off-Street Parking Guidelines

Single-family	2 off-street spaces/lot
Duplex	2 off-street spaces/unit
Row House	2 off-street spaces/unit
Multi-family	1.5 off-street spaces/unit

Commercial Parking Guidelines

Office	2/1,000 (gross) ft ²
Retail	5/1,000 (gross) ft ²
Eating/Drinking	5/1,000 (gross) ft ²

Exhibit B

How Rezoning Meets Additional Review Criteria for Non-Legislative Rezoning

In addition to meeting the general review criteria stated in Section 12.4.10.7 of the Zoning Code, the City Council may approve an official map amendment that is not a legislative rezoning if:

- (1) The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; and
- (2) 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.

- 1. The proposed rezoning meets the Justifying Circumstances because the land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.**

The proposed rezoning meets the Justifying Circumstances for the following reasons: (a) the property is no longer being used by the federal government and has been transferred to the Lowry Redevelopment Authority (LRA) for redevelopment; (b) the property was part of an extensive public redevelopment planning process, which resulted in a redevelopment master plan for the property; (c) the City has adopted policies encouraging redevelopment of the Boulevard One property generally; and (d) surrounding properties within the Boulevard One property already have been rezoned for mixed use purposes.

- a. The property is no longer being used by the federal government and has been transferred to the LRA for redevelopment.**

The Boulevard One property was the last parcel of land to be transferred by the Department of Defense to the LRA. This property contained the Denver Center of the Defense Finance and Accounting Services (DFAS) and the Air Reserve Personnel Center (ARPC), both operated by the United States Air Force. The Air Force announced closure of the DFAS facility in 2005, and transferred the Boulevard One property to the LRA in May, 2012. Accordingly, the land changed from an operating Air Force facility to a vacant property surrounded by barbed wire in the middle of a developing a Denver community. This change in the use of the property has resulted in the need to redevelop the property, and is one of the changed conditions that justify the proposed rezoning.

b. The property was part of an extensive public redevelopment planning process, which resulted in a redevelopment plan and subsequent General Development Plan.

Once the Air Force announced closure of the DFAS facility, the City encouraged the LRA to take title to the property and create a redevelopment plan for the property. The LRA initiated a collaborative community process to begin planning for the transition of the property to integrate it into the existing Lowry neighborhood. The LRA conducted a public redevelopment planning process in 2007 and 2008 involving numerous community task forces and stakeholder groups and over 60 public meetings. As a result of community input, the LRA made numerous changes to the redevelopment plan, including reducing the number of residential units from 1,200 to a maximum of 800; lowering building heights to a maximum of 65 feet; limiting buildings in mixed use sections along edge streets adjacent to residential uses to a maximum of 2.5 or 3 stories, and providing for parking beyond that required by the Denver Zoning Code. As described above, the redevelopment plan concepts were incorporated into the Buckley Annex GDP, approved by the City in May, 2013.

Development of the Boulevard One property will encourage the creation of livable, vibrant neighborhoods that are defined by choices, quality amenities and a range of housing types. The Boulevard One neighborhood will provide this for people at many life stages. This sustainable neighborhood will integrate with surrounding neighborhoods, provide opportunities to replace lost jobs, and create new tax revenues for the city.

c. The City has adopted policies that recognize the changed character of the property and encourage its redevelopment.

The proposed rezoning also meets the Justifying Circumstances because the City has adopted several policies that recognize the changed character of the property and encourage its redevelopment. These policies include (1) the numerous policies in Comprehensive Plan 2000 that encourage Lowry to develop as a new mixed use community; (2) Blueprint Denver, which identifies the Boulevard One property as an Area of Change; and (3) the Buckley Annex GDP, which contemplates a new mixed use community at Boulevard One.

d. Adjacent properties within Boulevard One already have been rezoned or are undergoing rezoning, consistent with the General Development Plan.

The proposed rezoning also meets Number 4 of the Justifying Circumstances because properties adjacent to the property that is the subject of this application already have been rezoned consistent with the Buckley Annex GDP. These properties have been rezoned to C-MX-5 with waivers, U-SU-A, U-SU-B, or G-RH-3 zones with waivers, and currently are being developed for single family attached and detached residences, and mixed uses consistent with the Buckley Annex GDP.

2. **The proposed rezoning meets the requirements of Section 12.4.10.8 (B) (Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements) because it is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.**

- a. **General Urban Neighborhood Context**

The G-MU-5 Zone District is included in the General Urban Neighborhood context. Section 6.1 of the Zoning Code describes the General Urban Neighborhood context as follows.

GENERAL CHARACTER

The General Urban Neighborhood Context is characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in a mix of residential forms. Low-scale commercial areas are embedded within residential areas. Commercial uses occur in a variety of building forms that may contain a mixture of uses within the same structure. Residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial and main streets but may be located at or between intersections of local streets.

Boulevard One is intended as a mixed use community with a wide variety of housing types as well as retail and office opportunities. The proposed G-MU-5 rezoning for Parcel 4 will allow for multi-unit residential uses located along local residential streets.

STREET, BLOCK AND ACCESS PATTERNS

The General Urban Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback.

The Buckley Annex GDP, as being implemented through new street infrastructure, breaks up the historic superblock and replaces it with traditionally sized blocks and an orthogonal street grid. The streets and blocks incorporate modest curves to reduce vehicular speeds and enhance pedestrian and bicycle friendliness. The GDP and approved construction documents include detached sidewalks, tree lawns, street and surface parking and landscaping in front setbacks.

BUILDING PLACEMENT AND LOCATION

Residential buildings typically have consistent, shallow to moderate front setbacks, shallow side setbacks and consistent orientation. Commercial buildings

typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

The G-MU-5 with zoning for Parcel 4 contains build to requirements and limits setbacks. It also requires that parking be located at the rear of buildings.

BUILDING HEIGHT

The General Urban Neighborhood Context is characterized by moderate to high residential buildings and low to moderate commercial and mixed use structures in appropriate locations to promote a dense urban character. Lower scale structures are typically found in areas transitioning to a less dense urban neighborhood.

The G-MU-5 zoning will allow for buildings up to 5 stories tall. This is an appropriate height due to the direct adjacency of much taller 7 story buildings in the Lex at Lowry apartment complex.

MOBILITY

There is a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system.

The proposed G-MU-5 zoning includes design requirements that promote pedestrian and bicycle use. These include ground floor activation requirements, prohibition of parking in front of buildings, and front or side door pedestrian entrances. All of these requirements, together with design guidelines that have been adopted for Boulevard One, will promote high levels of pedestrian and bicycle use. In addition, the site connects to five RTD urban transit lines, which conveniently connect to downtown.

Exhibit C.1

Parcel Legal Descriptions and Graphic Exhibits

Parcel 4
Proposed Zoning (G-MU-5)
Description

A part of the Southeast Quarter of Section 8, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows;

COMMENCING at the East Quarter Corner of said Section 8; thence North 89°59'52" West, along the northerly line of said Southeast Quarter of Section 8, a distance of 120.00 feet; thence South 00°02'35" West, parallel with and 120.00 feet west of the easterly line of said Southeast Quarter of Section 8, a distance of 30.00 feet to the southerly line of 1st Ave. and the northwest corner of Lowry Filing No. 3 recorded at Reception Number 9800190950 in the Clerk and Recorder's Office of said City and County of Denver; thence South 00°02'35" West, along the westerly line of said Lowry Filing No. 3 being parallel with and 120.00 feet west of said easterly line of the Southeast Quarter of Section 8, a distance of 381.74 feet to the northwest corner of Lowry Filing No. 1 recorded at Reception Number 9700089555 in said Clerk and Recorder's Office;

Thence along the westerly lines of said Lowry Filing No. 1 the following three (3) courses:

- 1.) South 00°02'35" West, being parallel with and 120.00 feet west of said easterly line of the Southeast Quarter of Section 8, a distance of 186.54 feet;
- 2.) South 14°00'02" East a distance of 41.21 feet;
- 3.) South 00°02'35" West, being parallel with and 110.00 feet west of said easterly line of the Southeast Quarter of Section 8, a distance of 651.89 feet to the northeast corner of Lowry Filing No. 2 recorded at Reception Number 9700172497 in said Clerk and Recorder's Office;

Thence North 90°00'00" West, along the northerly line of said Lowry Filing No. 2, a distance of 983.87 feet to the northwest corner of Lowry Filing No. 2 and the northerly line of Bayaud Ave.; thence North 89°59'31" West, along said northerly line of Bayaud Ave., a distance of 590.77 feet to the **POINT OF BEGINNING**;

thence North 89°59'31" West, along said northerly line of Bayaud Ave., a distance of 395.79 feet; thence North 00°00'29" East a distance of 150.30 feet; thence North 39°37'00" East a distance of 117.02 feet to the centerline of Archer Dr. as shown on Boulevard One Filing No.1, recorded at Reception Number 2014105351 in said Clerk and Recorder's Office and a point of non-tangent curve; thence along said centerline of Archer Dr. the following two (2) courses:

- 1.) along the arc of a curve to the left having a radius of 198.00 feet, a central angle of 39°36'31", an arc length of 136.88 feet and whose chord bears South 70°11'15" East a distance of 134.17 feet;
- 2.) South 89°59'31" East a distance of 194.94 feet;

Thence South 00°00'29" West a distance of 195.00 feet to the **POINT OF BEGINNING**.

POINT OF COMMENCEMENT

East 1/4 Sec 8,
T4S, R67W, 6th P.M.
Fnd. 3-1/4" Alum Cap
in Range Box Stamped:
BRW INC PLS 20683"

BASIS OF BEARINGS

North line of the SE 1/4 Sec 8 N89°59'52"W 2635.61'

Center of Sec 8,
T4S, R67W, 6th P.M.
Fnd. Witness Corner
in Range Box

E. 1st Ave.

Southerly Line
E. 1st Ave.

Westerly Line
Lowry Filing No. 3
Reception Number
9800190950

Westerly Line
Lowry Filing No. 1
Reception Number
9700089555

Northerly Line
Lowry Filing No.
2 Reception
Number
9700172497

R=168.50'
Δ=39°39'42"
L=116.64'

CHB=S70°09'40"E
CHD=114.33'

S89°59'31"E
194.94'

N39°33'30"E
146.52'

N00°00'29"E
150.30'

S00°00'29"W
224.50'

N89°59'31"W
590.77'

N89°59'31"W 395.79'

N89°59'31"W 590.77'

Northerly line
of proposed
Archer Pl.

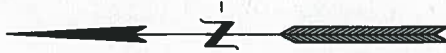
Northerly Line
Bayaud Ave.

Northerly Line Lowry Filing No. 2
Reception Number 9700172497

S. Monco St. Pkwy.

S00°02'35"W 651.89'

Westerly Line
S. Quebec St.



7



SCALE 1"=200'

URS

8181 E. Tufts Ave.
Denver, CO 80237
ph (303)740-2600

EXHIBIT ACCOMPANYING DESCRIPTION

**ZONING PARCEL 4
Proposed Zoning
(G-MU-5)**

DENVER

COLORADO

Scale:	Drawn by: EBV	Sheet No. 1	Drawing Name:
1"=200'	Checked by: ADJ	of 1 Sheet(s)	ZONING PARCEL 2

Exhibit C.2

Surrounding Zoning

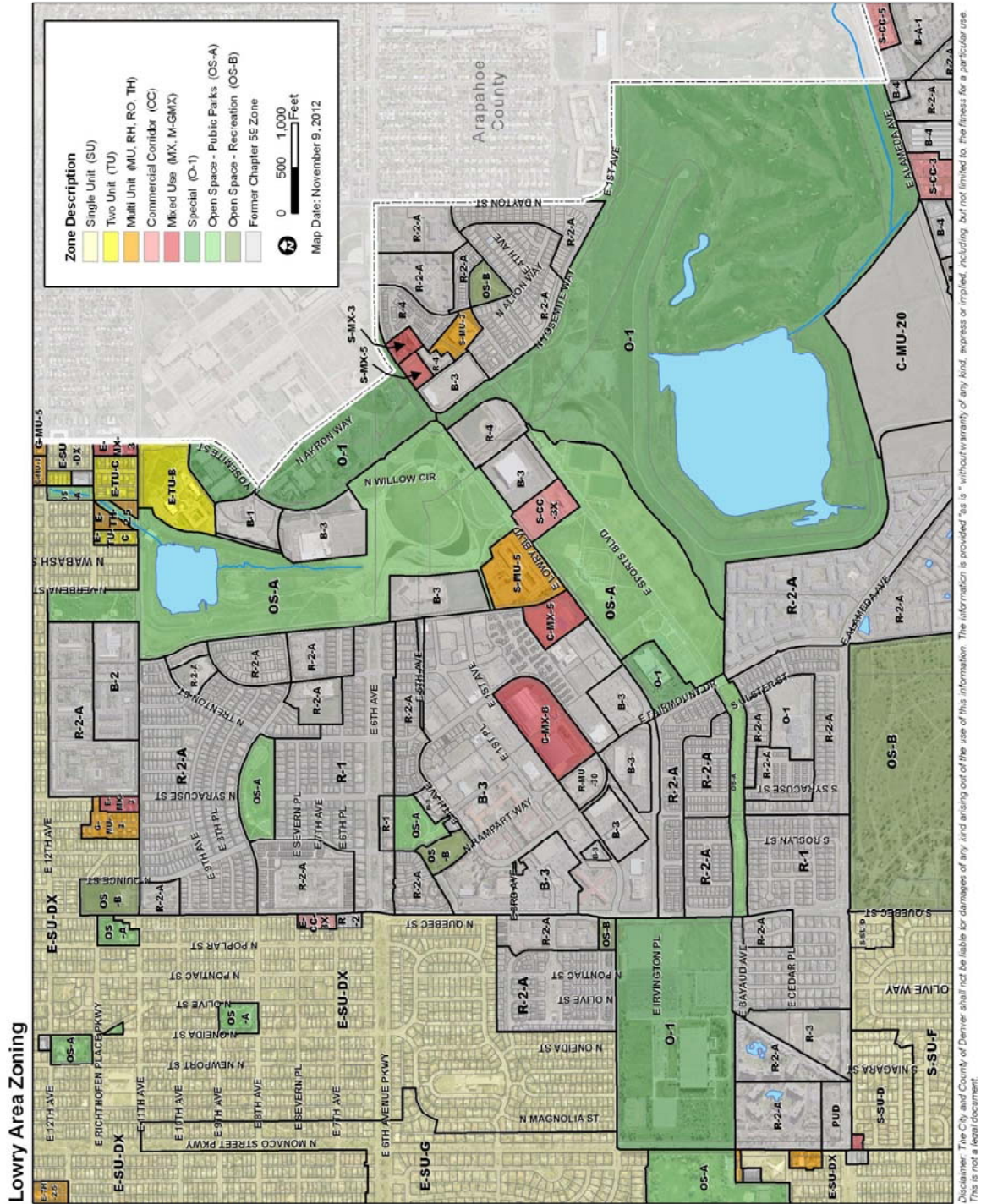


Exhibit D

Letter of Authorization



October 15, 2015

The Pachner Company
Marcus Pachner
7290 E. 1st Ave.
Denver, Colorado 80230

RE: Boulevard One G-MU-5 Zoning Submittal

Dear Marcus,

The Pachner Company, is hereby authorized to act on behalf of the Lowry Redevelopment Authority for the purpose of rezoning the +/- 2 acres currently zoned O-1 to G-MU-5 of Boulevard One. The site is located at Archer Place and South Niagara Street.

Respectfully,
LOWRY REDEVELOPMENT AUTHORITY

A handwritten signature in blue ink that reads "Montgomery C. Force".

Montgomery C. Force
Executive Director

Exhibit E

Community Outreach

This Exhibit summarizes and lists the community meetings and other events at which the Lowry Annex/Boulevard One Redevelopment Plan, GDP and zoning were discussed and developed.

A neighborhood newsletter with information about Boulevard One affordable housing will be delivered to approximately 6,000 area households in early December 2015.

Buckley Annex Redevelopment Planning
 General Development Plan
 Zoning (now Boulevard One)
 Public Meeting Outreach
 2006-2015

Date	Committee or Neighborhood Org	Place Time	# in attendance approx - does not include committee	Discussion Items
7/18/06	Homeless Assistance Providers/Public Benefit Conveyance screening workshop	DFAS Center a.m.	50	Buckley Annex closure, federally mandated screening procedures and timelines
2/12/07	BA Planning task force # 1	LRA evening	50	Informational and kick off meeting to establish goals and vision for plan
3/12/07	Combined task force # 2	LRA evening		
4/5/07	Housing task force # 1	LRA evening	15	Discussed application from Homeless Assistance Provider
4/11/07	Planning task force # 1	LRA evening	30	Discussed goals of plan
4/19/07	Combined task force # 3	LRA evening	50	Review of conceptual plan alternatives and shared perspectives on options
6/4/07	Housing task force # 2	LRA evening	25	Discussion of full housing spectrum
6/13/07	Combined task force # 4	LRA evening	75	Review updated market & transportation research; presented refined plan alternatives; alternatives

				reviewed and perspectives shared
6/26/07	Housing task force # 3	LRA evening	30	Continued discussions of housing spectrum and homeless assistance
7/11/07	Homeless Housing public hearing & open house	Eisenhower Chapel evening	150	Recommendations presented for 1.5 acre site for mixed income rental complex of up to 80 for-rent units.
8/1/07	Combined task force # 5 & open house	Lowry Elementary School evening	200	Introduction of redevelopment plan; information of BRAC process and planned disposition of property
8/22/07	Transportation task force # 1	LRA evening	60	Discussion of traffic studies and related impact issues
9/4/07	Transportation task force # 2	LRA evening	60	Continued research and discussion of transportation issues
9/6/07	Combined task force # 6	Machebeuf High School evening	250	Redevelopment plan reviewed; discussion of remaining challenges and plan enforcement with an undetermined developer
9/27/07	Planning/Disposition Subcommittee	evening		Redevelopment plan reviewed and impacts discussed
10/9/07	Lowry Community Advisory Committee	evening		Redevelopment plan reviewed and various elements discussed
10/10/07	Planning task force # 2	evening		Working session with task force members to reach a consensus on outstanding issues and balance opposing views
10/25/07	Planning/Disposition Subcommittee	evening		Report from 10/10 task force working session and further discussion
11/14/07	Final BA Redevelopment Plan Public Comment Meeting	Montclair Academy evening	300	Final plan presented and reviewed; public comments gathered
12/18/07	Combined Planning/Disposition & Community Advisory Committees	Eisenhower Chapel evening		Reviewed plan again with action taken to recommend submittal to AF and HUD
1/29/08	LRA Board of	Eisenho		Reviewed aspects of plan with

	Directors	wer Chapel evening		action taken to submit the plan to AF and HUD
6/5/12	Lowry Community Advisory Committee	Eisenho wer Chapel 5:30-7 pm	40	BA planning history, community planning process, development timeline, GDP plan process, site plan refinements Requested recommendation to submit GDP with refinements
6/13/12	Lowry United Neighborhoods	Village at Lowry 6:30-8 pm	60	BA redevelopment planning process, proposed, site plan refinements, proposed improvements to 1 st Ave, proposed berm on 1 st Ave, GDP process, DPS and projected BA student count, demo plans, development phasing
6/21/12	Planning/Disposition Subcommittee	Eisenho wer Chapel 4-5:30 pm	25	Site plan refinements Requested concurrence of CAC recommendation to submit GDP with refinements
6/26/12	LRA Board of Directors	Eisenho wer Chapel 8-9:30 am	25	Proposed site plan refinements Resolution approved to submit the GDP with refinements
7/10/12	Lowry Community Advisory Committee	CO Free U. 5:30-7 pm	75	Overview of site plan, sustainability framework (LEED ND), Proposed refinements to 1 st Ave and berm, preliminary results of traffic study
7/19/12	Mayfair Park/Lowry West Neighborhoods	Village at Lowry 5:30-7 pm	32	BA redevelopment planning process, proposed site plan refinements, proposed improvements on 1 st Ave, proposed berm on 1 st Ave, GDP process, DPS and projected BA students
7/26/12	Planning/Disposition Subcommittee	Eisenho wer Chapel 4-5:30 pm	20	DPS discussion of appropriate location of school for Mayfair Park and BA students, 1 st Ave berm, Updated Traffic Study
8/16/12	Planning/Disposition Subcommittee	Eisenho wer	30	Transportation Update, Demolition, Project Schedule

		Chapel 5-6:30 pm		Update
8/28/12	LRA Board of Directors	LRA 8:30- 9:30 am	20	Sustainability Program
9/4/12	Lowry Community Advisory Committee	LRA 5:30-7 pm	25	Transportation Update, Demolition Project Schedule Update
9/20/12	Planning/Disposition Subcommittee	LRA 5-6:30 pm	15	GDP Overview and Process, Buckley Annex Transportation Plan
10/2/12	Lowry Community Advisory Committee	LRA 5:30- 7:15	30	GDP Overview & Process, Buckley Annex Transportation Planning
10/18/12	Planning/Disposition Subcommittee	LRA 5-6:15 pm	15	GDP Update and CCD Comments, First Avenue Berm
10/23/12	LRA Board of Directors	LRA 8:-9:30 am	25	GDP Update
11/13/12	Lowry Community Advisory Committee	LRA 5:30- 7:30 pm	40	GDP update and CCD comments; First Ave berm, DPS Update; Overview of CCD zoning code
12/4/12	LRA Board of Directors	LRA 8-9:30 am	35	GDP update that CCD requested additional traffic counts; design guidelines addendum for Buckley Annex still to come; zoning suggestions to come from CCD then for public comment; DPS plan to be in place when needed
12/11/12	CCD required public meeting	Eisenho wer Chapel 6-8:30 pm	150	GDP review; public comment and Q/A session; open house period to look at the plan and ask questions
12/18/12	Open house sponsored by Councilwoman Susman	Temple Emanuel 6:30-8 pm	100	Open house format with discussion of the various elements of the GDP at stations around the room
2/5/13	Lowry Community Advisory Committee	Eisenho wer Chapel 6-7:30	100	Open House format with questions/discussion at stations around the room, a public comment period, discussion

		pm		among the CAC with action to recommend that the LRA Board approve the updated GDP
2/26/13	LRA Board of Directors	LRA 8:30-10 am	15	Discussion and action taken to move forward with submittal of the GDP (public comment made by 5 attendees)
3/19/13	LRA Board of Directors	LRA 8:30-10 am	4	GPD status update was given that the presentation to the Denver Planning Board was moved from 3/20/13 to 4/3/13
4/24/13	Planning/Disposition Subcommittee	LRA 5-6:15 pm	1	Educational discussion on CCD zoning code and proposed zoning for Buckley Annex
5/7/13	Community Advisory Committee	LRA 5:30-7 pm	3	Educational discussion on CCD zoning code and proposed zoning for Buckley Annex (public comment made from 1 attendee)
5/21/14	LRA Board of Directors	LRA 8-10:00 am	0	Educational discussion on CCD zoning code and proposed zoning for Buckley Annex
6/20/13	Planning/Disposition Subcommittee	LRA 5-6:30 pm	1	Action taken to recommend the approval of the proposed zone districts (public comment was answered in the discussion prior to action taken)
7/9/13	Community Advisory Committee	LRA 5:30-7 pm	0	Action taken to recommend that the LRA Board approve the proposed zone districts including G-MU-5
7/23/13	LRA Board of Directors	8-10:00 am	9	Resolution passed to submit a zoning application for the proposed 5 districts (including G-MU-5) with conditions for Buckley Annex (5 public comments given).
8/27/13	LRA Board of Directors	8-9:00 am	6	Zoning update that additional meetings will be done with Registered Neighborhood Organizations (RNOs) (5 public comments given)
8/27/13	Mayfair Park RNO	LRA 6-7:30 pm	10	Overview of zoning; discussed 1 st Ave.; price points & lot sizes; alleys opening to 1 st Ave.; choice of Urban rather than Urban Edge

9/3/13	Community Advisory Committee	LRA 5:30-7:00 pm	0	Zoning update for proposed LRA parking standards added as a condition to the zoning submittal pursuant to direction from the LRA Board; Park Heights neighbors have voiced concerns about the location of the DHA site and 10' setbacks
9/10/13	Crestmoor Park/CRL	LRA 4-6:00 pm		
9/13/13	Crestmoor/CCD Traffic		8	1 st Ave. & traffic patterns through Crestmoor
9/18/13	Lowry United Neighbors RNO	Village at Lowry 6:30-8 pm	30	Overview of zoning; pedestrian connection with Park Heights; DHA site location; rear setbacks adjacent to Park Heights; accessory dwelling units
9/19/13	Planning/Disposition Subcommittee	LRA 5-6:00 pm	5	Action taken to recommend modifications to the proposed zoning with 1) relocate DHA site to the west; 2) remove the option for accessory dwelling unit from U-SU-B1 district; 3) change rear setback to 20' because there is no alley nor rear-loaded garages in the U-SU-B district (public comments were taken during the discussion with the subcommittee members regarding action taken)
10/1/13	Community Advisory Committee	LRA 5:30-7pm	5	Action taken to accept the modifications to proposed zoning with 1) relocation of DHA site; 2) eliminate alleys in U-SU-B1 district; 3) eliminate accessory dwelling units in U-SU-B1; and 4) eliminate accessory dwelling units in U-SU-A1 (3 public comments were given)
10/2/13	Crestmoor I and II RNOs	Crestmoor II private residence 6-7:30	7	Building heights; density; transportation

		pm		
10/14/13	CCD Traffic/Mayfair Park/Crestmoor	LRA 4-5:30 pm	6	Discussed 1 st Ave.
10/22/13	LRA Board of Directors	LRA	1	Discussed modifications to previously presented zoning recommendations 1) DHA relocation to the west with townhomes east of them and extending single family on the southern edge by an addition 2-3 lots; 2) eliminate accessory dwelling units for districts U-SU-A and U-SU-; 3) no alleys on the southern edge so rear setback set at 20 feet; adding a condition for parking standards that reflect what has been used at Lowry from the old zone code and also having the LDRC examine and ask for more parking on a case by case basis for each project. The Board approved a resolution to move forward with the zoning submittal as presented with these modifications. Board approved resolution for staff to submit zoning applications for C-MX-5, G-RH-3, G-MU-5, U-SU-A and U-SU-B with waivers and conditions presented to Board.
1/28/14	LRA Board of Directors	LRA 8:30-10 a.m.	1	Discussed and took action to authorize removing the increased parking condition/waiver from zoning applications due to lack of support from CDP. The one public comment was very opposed to this action.
2/4/14	Community Advisory Committee	LRA 5:30-7 p.m.	0	Informed the committee of the lack of support from CPD regarding the increased parking condition/waiver included with zoning applications and the authorization from the board to remove this condition from the

				applications. Committee was disappointed with the CPD's lack of support, but were comfortable that increased parking standards would be addressed at Boulevard One via the Boulevard One Design Guidelines.
5/6/14	Community Advisory Committee	LRA 5:30-7 p.m.	0	Discussion and action taken to recommend approval of modification to C-MX-5 zoning application to 1) use overlay district for height restrictions 2) remove First Avenue Residential from C-MX-5 and use GRH-3 zoning and 3) remove community park from C-MX-5 application. CPD will designate this as private open space.
5/20/14	LRA Board of Directors	LRA 8-8:45 a.m.	0	Discussion and action taken to recommend approval of modification to C-MX-5 zoning application to 1) use overlay district for height restrictions 2) remove First Avenue Residential from C-MX-5 and use GRH-3 zoning and 3) remove community park from C-MX-5 application.
6/4/14	Denver Planning Board	Webb Building 5 th floor 3:30 p.m.		Public hearing for U-SU-A, U-SU-B and G-RH-3 (north) applications. All approved unanimously (9-0).
6/24/14	LRA Board of Directors	LRA 8-9:00 a.m.	0	An update report was given that the first 3 zoning applications had been unanimously approved by the Denver Planning Board on June 4.
6/24/14	Denver City Council Land Use and Transportation Committee	Denver City and County Building 10:30 a.m.		Meeting regarding U-SU-A, U-SU-B and G-RH-3 (north) applications. Committee moved applications to Denver City Council.
7/1/14	Denver Mayor-	Denver		Briefing regarding U-SU-A, U-

	Council Committee	City and County Building 10 a.m.		SU-B and G-RH-3 (north) applications.
7/21/14	Denver City Council	Denver City and County Building 5:30 p.m.		First reading for U-SU-A, U-SU-B and G-RH-3 (north) applications. Council published public hearing.
8/25/14	Denver City Council	Denver City and County Building 5:30 p.m.		Public hearing for U-SU-A, U-SU-B and G-RH-3 (north) applications. Approved 12-0 with one absent member.
9/17/14	Denver Planning Board	Webb Building 5 th floor 3:30 p.m.		Public hearing for G-RH-3 application. Unanimous recommendation (9-0) for City Council approval.
10/15/14	Denver City Council Neighborhoods and Planning Committee	Denver City and County Building 10:30 a.m.		Meeting regarding G-RH-3 application. Unanimous vote (7-0) to move to Denver City Council.
10/20/14	Denver City Council	Denver City and County Building 5:30 p.m.		First reading for G-RH-3 application. Council published public hearing.
10/21/14	Denver Mayor-Council Committee	Denver City and County Building 10 a.m.		Briefing regarding G-RH-3 application.
11/17/14	Denver City Council	Denver City and County Building 5:30 p.m.		Public hearing for G-RH-3 application. Approved (meeting minutes not posted as of 12/23/14).
2/11/15	Adjacent RNOs (Lowry Community)	8:45 a.m. LRA		Construction update Zoning update on C-MX-5
10/21/15	Crestmoor Park (2 nd)	6 p.m.	8	Presentation to Crestmoor Park

	Filing) Homes Association			Board regarding proposed G-MU-5 rezoning.
10/30/15	Mayfair Park	8 a.m.	6	Presentation to Mayfair Park Board members regarding proposed rezoning.
11/3/15	LRA Community Advisory Committee Public Meeting	7 p.m.	25	Discussion and action taken to reaffirm approval of G-MU-5 zoning application
11/5/15	Denver Academy of Torah	7 p.m.	5	Discussion with Board regarding supporting rezoning application for G-MU-5

Exhibit F

Responses to Public Comments

The following table summarizes how the Lowry Redevelopment Authority has addressed public comments and suggestions made during the 60+ public meetings and hearings relating to the proposed planning and subsequent rezoning(s).

**Lowry Redevelopment Authority
Boulevard One
Plan Responses to Public Comment
2006-2014**

Topic	Comments	Revised General Development Plan Response
Master Planning	The Buckley Annex plan should be consistent with Blueprint Denver	The former Buckley Annex, and all of Lowry, are identified as an Area of Change in Blueprint Denver. Blueprint Denver encourages a mix of land uses, diversity of homes, multimodal streets, access to transit routes and parks and open space for Areas of Change. The Boulevard One plan addresses all of these elements.
	The plan should mirror adjacent land uses	The land use plan has single family detached homes across from single family detached homes on the north (Mayfair Park, Lowry West) and the south (Park Heights). It has mixed-use on the east side, across from the Lowry Town Center and office park. It has multifamily uses on the south to mirror The Berkshires apartment community. There is significant open space on the west side, across from Crestmoor Park.
	The GDP should be more tied to the Buckley Annex Redevelopment Plan	The GDP is based on the Buckley Annex Redevelopment Plan. Many portions of the Redevelopment Plan text have been incorporated into Sheet 3 and Sheet 4.
Land Uses	The land uses depicted in the GDP are too broad	More information about land uses in each neighborhood subarea were added to Sheet 3 of the GDP
	The GDP land use map doesn't show distances	Setback language was added to Sheet 3 of the GDP
	The community park should be moved to west side of the development	The community park was located on the east side of the development because it serves a storm water detention function.
	Provide more detail on mixed use parcel in NE corner of site; prevent large format retail	The mixed-use area contemplates neighborhood-scale retail, based on market studies conducted for the Buckley Annex Redevelopment Plan. In addition, the site was not designed to accommodate the visibility and square footage needs of a typical large format retailer.
	There should be less retail on the west side of the site	The retail location and amount for the west side was reduced.
	Commercial uses should be on Lowry Boulevard	Commercial uses were planned for Lowry Boulevard.
	Offer more retail choices	Neighborhood retail services, stores and restaurants are contemplated in the plan.

**Lowry Redevelopment Authority
Boulevard One
Plan Responses to Public Comment
2006-2014**

Design Guidelines	The project should be bound by the Lowry Community Design Guidelines	This was noted on Sheet 5 of the GDP. The Boulevard One Design Guidelines are based on the Lowry Community Design Guidelines.
	The design guidelines should incorporate work completed by a volunteer citizen's committee.	The Boulevard One Design Guidelines included input from the citizen's committee. A member of the citizen committee now serves on the design review committee.
	Add lively colors to existing bland color palette	The Boulevard One Design Guidelines allow for a wide range of colors in support of architectural character, durability and sense of permanence.
	Address solar access and other sustainability requirements for buildings	Sustainability principles were incorporated into Sheet 3 of the GDP with more detail in the Boulevard One Design Guidelines.
Zoning	Zoning contexts and classifications should be determined as part of the GDP	Zoning classifications were determined based on the final approved GDP land use plan.
	Residential zoning should not allow accessory dwelling units	Accessory dwelling units were removed as a permitted use from U-SU-A and U-SU-B zoning applications.
Density	More specificity on proposed density, by square footage, unit count, etc.	The overall density is approximately 800 units residential (approximately 120 single family detached, 230 single family attached and 450 apartments) and up to 200,000 square feet of commercial office/neighborhood retail. Specific numbers of residential units and building square footage will depend on final product designs by third party developers and approved by the Lowry Redevelopment Authority and its committees.
	The project density should be in character with surrounding neighborhoods	Density in surrounding areas varies: Crestmoor Park (2.4 dwelling units/acre), Mayfair Park (4 du/ac), Lowry West (7.4 du/ac), Lowry Town Center district (10.3 du/ac), The Berkshires (35.5 du/ac), George Washington (3.2 du/ac), East Park Neighborhood (10 du/ac), Woodside Apartments (19.5 du/ac), Windsor Gardens (19 du/ac). The Boulevard One plan is approximately 11.4 dwelling units per acre.
	The Buckley Annex development should be limited to single family detached homes	The plan offers a variety of residential home types and prices to serve a diversity of citizens, from singles and couples without children to empty nesters and family units. This includes single family homes, rowhomes and apartments.
	There should be less residential density	The total number of residential units in the plan was reduced from 1,200 to 800.

**Lowry Redevelopment Authority
Boulevard One
Plan Responses to Public Comment
2006-2014**

	Add residential above retail to capture views and activate parks	The mixed-use areas in the plan allow for residential uses above retail.
	Townhomes should be along Lowry Boulevard	A Rowhome district was added to Lowry Boulevard.
Building Heights	Label building heights on GDP land use plan	Information about maximum building heights in each subarea was added to Sheet 3 of the GDP.
	Buildings should be lower	The GDP and mixed-use zoning applications limit building to heights to a maximum of 65 feet. Buildings in other areas are limited to 2-3 stories.
Transportation	Make Lowry Boulevard curved to calm traffic	Lowry Boulevard was curved.
	Distribute traffic to minimize effects on surrounding streets	The Boulevard One street grid connects with surrounding streets. The overall plan calls for a mix of uses to distribute traffic throughout the day.
	Finalize traffic study as part of GDP	The Buckley Annex Redevelopment Transportation Analysis Addendum was submitted with the Revised GDP, approved by the City Transportation Department and posted online for public review.
	Make sure Lowry Boulevard is transit-friendly	Lowry Boulevard was designed to accommodate busses for a potential future route through the site.
	Narrow Lowry Boulevard to reduce traffic	Lowry Boulevard was reduced from 5 lanes to 3 lanes to manage traffic and support a more cohesive neighborhood at Boulevard One.
	Remove northbound right turn lane on Monaco Parkway onto First Avenue to reduce traffic on First Avenue	This lane was removed from the transportation plan.
	Ensure pedestrian access on Poplar between the library and the site	Pedestrian access from Poplar to Boulevard One was added to the plan.
	Add right-in, right-out intersection at Quebec Street and East Archer Place	This intersection was added to the plan.
	Ensure that the project is served by transit	The site is served by RTD routes 6, 65, 73, 3 and 3L. There are 13 transit stops within a short walk of future homes and offices at Boulevard One.

**Lowry Redevelopment Authority
Boulevard One
Plan Responses to Public Comment
2006-2014**

	The plan should accommodate alternative transportation modes	The transportation network in the GDP (sheets 7 and 9) has a multi-modal street network to accommodate busses, bicycles and pedestrians.
Parking	Manage parking on the site	The Boulevard One Design Guidelines call for minimum parking ratios consistent with the old zoning code. The Boulevard One Design Review Committee will review parking plans for all proposed developments. They may require more parking spaces than required by Denver zoning.
	Don't repeat East Park situation with overflow apartment parking	The East Park situation is not indicative of parking at all multifamily developments at Lowry but it has raised awareness. At the Buckley Annex, the Lowry Design Review Committee will review parking plans for all proposed developments. They may require more parking spaces than required by Denver zoning.
	Provide for additional parking for Schlessman Family Library	Library parking needs were incorporated into the mixed-use area planning.
	Provide structured parking if possible	Structured parking is allowed in the mixed-use area.
Monaco Parkway Edge	Preserve existing berm	Most of the existing berm is being preserved, except the right-of-way-needed for the Lowry Boulevard extension and adjacent mixed-use development. Enhanced landscaping is being added to the berm. Reference was added to sheet 9 of the GDP.
	Don't allow commercial uses on Monaco	No commercial uses face Monaco Parkway in the plan, and documented in Sheet 3 of the GDP.
	Buildings should be set back further than 35 feet	Building setbacks planned for 35 feet from the public right-of-way east of Monaco Parkway. The right-of-way includes 27 feet of tree lawn, sidewalk and landscaped area. So buildings will be built a minimum of 100 feet from the eastern edge of Monaco Parkway. This is well in excess of the Denver requirement for a 35-foot setback from the public right-of-way for designated parkways.
First Avenue Edge	Improve First Avenue	First Avenue improvements support neighborhood desire for a residential street character. More detail was added to the GDP on Sheets 4 and 7. An enhanced landscape zone was added to the south side of the street. Bicycle lanes were added to both sides of the street.
	The transitional housing should not be located near the affordable First Avenue Townhomes	The transitional housing site was moved to the southern portion of the site, away from First Avenue.
	Consider removing the First Avenue berm	First Avenue berm was removed to allow for new Boulevard One streets to connect with the street grid for the new neighborhood to integrate with existing neighborhoods.

**Lowry Redevelopment Authority
Boulevard One
Plan Responses to Public Comment
2006-2014**

	Townhomes and paired homes along First Avenue would be more sustainable	Single family detached and attached homes were planned along First Avenue to mirror existing homes in the Mayfair Park and Lowry West Neighborhoods.
	Bike lanes should not be incorporated with on-street parking	Two bike lanes, one in either direction, were added to First Avenue. There is no on-street parking planned. Detail was added to Sheets 7 and 9 of the GDP.
Quebec Street Edge	Show building setbacks, heights and parking on parcels adjacent to Quebec Street	Maximum building heights, setbacks and parking placement were added to Sheet 3 of the GDP.
	Manage wetland area	The current detention pond will be moved to the west and incorporated into the Community Park.
Southern Edge	Remove alleys backing up to Park Heights homes	Alleys were removed.
	Add pedestrian access from Park Heights to Boulevard One	Pedestrian access from Park Heights to Boulevard One was added to the plan.
	Add pedestrian access from The Berkshires to Boulevard One	Pedestrian access from The Berkshires to Boulevard One was added to the plan.
Schools	Plan for Buckley Annex schoolchildren	Engaged with Denver Public Schools to accommodate new students at Lowry Elementary School.
Pedestrian Connections	Add a pedestrian access from the Berkshire apartment community to the south	In response to community input, the LRA is willing to add this and will discuss it with The Berkshires apartment community ownership. An easement onto their property will be required.
	Provide a pedestrian crossing for the library on Poplar Street	There will be a pedestrian access at Poplar Street onto the First Avenue sidewalk. There is a signalized pedestrian crossing at First Avenue and Quebec Street. Please see Sheet 9.
Open Space	Include more open space in the plan	Approximately 19% of the total acreage for the site, or 13 acres, was dedicated to open space. This exceeds Denver's requirement of 10% of the total acreage.
	Have trails and bike paths	Trails and bike paths were included in the Parks and Open Space plan.
	Make the park multi-use	The Community Park is being designed to meet the needs of local residents.
	Preserve Montclair Creek watershed	The GDP maintains the Montclair Creek watershed drainage patterns.
	Preserve existing trees	Existing trees were evaluated and as many as possible were preserved in place or transplanted on site.

In addition to the table above, there were further refinements made to the Buckley Annex (now known as Boulevard One) Plan that particularly relate to this G-MU-5 property and rezoning application. These changes were made in response to public comments/concerns and are listed in summary narrative below.

Master Planning

1. The Redevelopment Plan and the GDP meets all elements of Areas of Change within Blueprint Denver for a mix of land uses, diversity of homes, multimodal streets, and access to transit routes and parks and open space for these areas.
2. Respect adjacent neighborhoods by mirroring existing land uses.
3. Details of the GDP and Zoning are all based on the approved Buckley Annex Redevelopment Plan.
4. Details of land uses, building heights, density, setbacks and transportation elements were added to the GDP.

Land Uses

5. Locate formerly homeless housing away from the existing affordable First Avenue Townhomes.
6. The DHA parcel was moved further to the west and the number of southern single family custom lots was increased.

Design Guidelines

7. The project is bound by design guidelines as noted in the GDP with input from members of a citizens group formed in 2008.
8. The design review committee has the authority to require higher ratios than those required through the zoning code.

Zoning

9. Zoning classifications are based on the final approved GDP land use plan.

Density

10. Allow no more than 800 residential units (reduced from 1200 units)
11. Variety of residential home types and prices serves a diversity of citizens and market needs

Building Heights

12. Create a maximum 65-foot limit (5-stories) for select areas of the site and two to three-story limits for the rest of the site. (Reduced from 12 to 5 stories maximum height) Note: Number of 5-story buildings will not be all over the site as some have misunderstood.
13. Locate heights internal to the site and build height toward Lowry Blvd.

Parking

14. Parking ratios higher than those required by the zoning code are required through the Design Guidelines that will be administered by the Design Review Committee.

Sustainability

15. Sustainability principles and HERS standard requirements for all builders.

Exhibit G

Proof of Ownership

~~After recordation please send a copy of the recorded Deed to:
AFRPA/RETB
2361 Hughes Avenue, Ste 121
Lackland AFB, TX 78236-9821~~

QUITCLAIM DEED

I. PARTIES

THIS QUITCLAIM DEED is made and entered into this 3rd day of May, 2012, by and between THE UNITED STATES OF AMERICA, acting by and through the Secretary of the Air Force (the "Grantor"), under and pursuant to the powers and authority contained in the Defense Base Closure and Realignment Act of 1990, as amended (10 U.S.C. 2687 note), and delegations and regulations promulgated thereunder, and Lowry Economic Redevelopment Authority, a separate legal entity established pursuant to an Intergovernmental Agreement among the City of Denver, Colorado, County of Denver, Colorado and City of Aurora, Colorado (the "Grantee") and the recognized local redevelopment authority for Buckley Air Force Base Annex, Colorado ("Buckley Annex"). When used in this Deed, unless the context specifies otherwise, "Grantor" shall include the assigns of the "Grantor", and "Grantee" shall include the successors and assigns of the "Grantee".

II. CONSIDERATION AND CONVEYANCE

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) in hand paid by the Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, has remised, released, and deeded, and by these presents does remise, release, and quitclaim unto the Grantee, whose address is 200 Quebec Street, Building 600, Suite 215, Denver, Colorado 80230, all the right, title, interest, claim, and demand that the Grantor has in and to the real property, situated, lying, and being in the City of Denver and County of Denver and State of Colorado consisting of 70.2175 acres as described and depicted on **Exhibit A** attached hereto and made a part hereof by this reference.

III. APPURTENANCES

TOGETHER WITH all the buildings and improvements erected thereon, except for monitoring wells, treatment wells, and treatment facilities and related piping, and all and singular the tenements, hereditaments, appurtenances, and improvements hereunto belonging, or in any wise appertaining thereto (together with the real property described on Exhibit A, the "Property").

*Buckley AFB Annex Deed
Final*

Page 1 of 9

Return to: Lowry Redevelopment Authority
200 Quebec St., Bldg 600, Ste 215
Denver, CO 80230
Attn: Greg Palcanis

~~After recordation please send a copy of the recorded Deed to:
AFRPA/RETB
2361 Hughes Avenue, Ste 121
Lackland AFB, TX 78236-9821~~

QUITCLAIM DEED

I. PARTIES

THIS QUITCLAIM DEED is made and entered into this 31st day of May, 2012, by and between THE UNITED STATES OF AMERICA, acting by and through the Secretary of the Air Force (the "**Grantor**"), under and pursuant to the powers and authority contained in the Defense Base Closure and Realignment Act of 1990, as amended (10 U.S.C. 2687 note), and delegations and regulations promulgated thereunder, and Lowry Economic Redevelopment Authority, a separate legal entity established pursuant to an Intergovernmental Agreement among the City of Denver, Colorado, County of Denver, Colorado and City of Aurora, Colorado (the "**Grantee**") and the recognized local redevelopment authority for Buckley Air Force Base Annex, Colorado ("**Buckley Annex**"). When used in this Deed, unless the context specifies otherwise, "Grantor" shall include the assigns of the "Grantor", and "Grantee" shall include the successors and assigns of the "Grantee".

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III. APPURTENANCES

TOGETHER WITH all the buildings and improvements erected thereon, except for monitoring wells, treatment wells, and treatment facilities and related piping, and all and singular the tenements, hereditaments, appurtenances, and improvements hereunto belonging, or in any wise appertaining thereto (together with the real property described on Exhibit A, the "**Property**").

*Buckley AFB Annex Deed
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Page 1 of 9

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IV. EXCEPTIONS

None

V. RESERVATIONS

None, except as shown in Section VII below.

VI. CONDITION

A. The Grantee shall accept the conveyance of the Property subject to all covenants, conditions, restrictions, easements, rights-of-way, reservations, rights, agreements, and encumbrances, whether or not of record.

B. The Grantee shall accept the Property, "as is, where is" without any representation, promise, agreement, or warranty, whether express or implied, on the part of the Grantor, or otherwise provided for by law or in equity (other than as provided in Sections VII through IX, inclusive, of this Deed). The Grantor shall have no liability for any latent or patent defects in the Property, except to the extent provided in this Deed or applicable federal law or state law for which the Grantor has expressly waived its sovereign immunity.

VII. NOTICES AND COVENANTS RELATED TO SECTION 120(h)(3) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT (CERCLA) (42 U.S.C. § 9620(h)(3))

Consistent with Section 120(h)(3)(A) of CERCLA (42 U.S.C. § 9620(h)(3)(A)), Grantor provides the notices and covenants and retains the access rights stated below:

A. Notices Pursuant to Sections 120(h)(3)(A)(i)(I) and (II) of CERCLA (42 U.S.C. § 9620(h)(3)(A)(i)(I) and (II)):

Pursuant to Sections 120(h)(3)(A)(i)(I) and (II) of CERCLA(42 U.S.C. §§ 9620(h)(3)(A)(i)(I) and (II)), available information regarding the type, quantity, and location of hazardous substances and the time at which such substances were stored, released, or disposed of on the Property as defined in Section 120(h) is provided at **Exhibit B**, Notice of Hazardous Substances Released, attached hereto and made a part hereof by this reference.

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2361 Hughes Avenue, Ste 121
Lackland AFB, TX 78236-9821~~

B. Covenants Pursuant to Sections 120(h)(3)(A)(ii) and (B) of CERCLA (42 U.S.C. §§ 9620(h)(3)(A)(ii) and (B)):

The Grantor warrants that:

1. All remedial action necessary to protect human health and the environment with respect to any hazardous substance identified pursuant to Section 120(h)(3)(A)(i)(I) of CERCLA remaining on the Property has been taken before the date of this Deed; and

2. Any additional remedial action found to be necessary after the date of this Deed and required by Section 120(h) of CERCLA shall be conducted by the Grantor.

C. Access Rights Pursuant to Section 120(h)(3)(A)(iii) of CERCLA (42 U.S.C. § 9620(h)(3)(A)(iii)):

1. The Grantor retains and reserves a perpetual and assignable easement and right of access on, over, and through the Property, to enter upon the Property in any case in which an environmental response or corrective action is found to be necessary on the part of the Grantor, without regard to whether such environmental response or corrective action is on the Property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, testpitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the Grantor to comply with its obligations in this Deed. Such easement and right of access shall run with the land.

2. In exercising such easement and right of access, the Grantor shall provide the Grantee, with reasonable notice of its intent to enter upon the Property and exercise its rights under this Deed, which notice may be severely curtailed or even eliminated in emergency situations. The Grantor shall use all reasonable means to avoid and to minimize interference with the Grantee's quiet enjoyment of the Property. At the completion of work, the work site shall be restored. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the Property at a reasonable charge to the Grantor. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the Grantee for the exercise of the easement and right of access hereby retained and reserved by the Grantor.

3. In exercising such easement and right of access, the Grantee shall not have any claim at law or equity against the Grantor or any officer or employee of the Grantor based on actions taken by the Grantor or its officers, employees, agents contractors of any tier, or servants pursuant to and in accordance with this Deed: provided, however, that nothing in this paragraph

*Buckley AFB Annex Deed
Final*

Page 3 of 9

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shall be considered as a waiver by the Grantee of any remedy available to it under the Federal Tort Claims Act.

VIII. RELATED COVENANTS

A. Limitation on Warranty. The warranty set forth in subparagraph VII.B.2 above is limited to response actions found to be necessary to protect human health and the environment from “hazardous substances, pollutants or contaminants” (as such terms are defined in CERCLA) existing on the Property on the effective date of this Deed. The obligation of the Grantor under such warranty does not extend to response actions required as a result of the Grantee’s failure to comply with, or the Grantee’s acts or omissions resulting in responsibility or liability under, this Deed or applicable laws.

B. Notice of Contaminants. If the Grantee encounters what it believes to be a hazardous substance or hazardous waste during development activities on the Property, the Grantee shall immediately cease such activities in the affected area and implement controls for the exposed hazardous substance or hazardous waste to minimize the potential airborne release or migration of or exposure to such substance and promptly notify the Grantor. The Grantor shall promptly inspect the discovered substance and determine if a response or other mitigation is warranted by Grantor under CERCLA, other federal laws or state or local laws for which the Grantor has expressly waived its sovereign immunity. If such substance warrants a response or mitigation that is the responsibility of the Grantor under this Deed, then the Grantor shall take such actions. The Grantee shall not resume development activities in the affected area until it receives written notice that it may do so from the Grantor.

IX. OTHER COVENANTS

A. Asbestos-Containing Materials (ACM). The Property may contain current and former improvement, such as buildings, facilities, equipment, and pipelines, above and below the ground that contain ACM. The Grantee shall comply with all federal, state, and local laws relating to ACM. The Grantee shall use due care during Property development activities that may uncover pipelines or other buried ACM. The Grantee shall notify the Grantor promptly of any potentially friable ACM that constitutes a release (or potential release) under CERCLA (42 U.S.C. § 9601 et seq.). The Grantor’s responsibility under this Deed for friable ACM is limited to friable ACM in demolition debris or soil associated with past Grantor activities and is limited to the actions, if any, to be taken in accordance with the covenant contained in Section VII.B herein. The Grantor will not be responsible for removing or responding to ACM in or on utility pipelines. The Grantor shall have no liability for property damage or personal injury, illness, disability, or death to the Grantee, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity which occurs after the date of this Deed and causes or leads to contact of any kind whatsoever with ACM on the Property on the date of this Deed except for ACM that constitutes a release (or potential release) under CERCLA.

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B. Lead-Based Paint (LBP) and LBP Containing Materials and Debris.

1. LBP was commonly used prior to 1978 and may be located on the Property. The Grantee shall exercise caution during any use of the Property that may result in exposure to LBP.

2. The Grantee shall be solely responsible for managing LBP, including LBP in soils, in accordance with all applicable federal, state, and local laws and regulations. The Grantor's responsibility under this Deed for LBP is limited to LBP in soil associated with past Grantor activities that constitutes a release (or potential release) under CERCLA. The Grantor shall have no liability for property damage, personal injury, illness, disability, or death to the Grantee, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, contact, disposition, or other activity which occurs after the date of this Deed and involves LBP on the Property on the date of this Deed except for LBP in soil that constitutes a release (or potential release) under CERCLA. The Grantee shall notify the Grantor promptly of any discovery of LBP that is believed to be associated with past Grantor activities. The Grantor hereby reserves the right, in its sole discretion, to undertake an investigation and conduct any remedial action for which it is responsible under federal law that it determines is necessary.

C. Underground and Aboveground Storage Tanks (USTs and ASTs). There were four USTs and eleven ASTs located on the Property as listed in **Exhibit C**. All USTs on the Property have been removed. Seven of the ASTs remain on the Property. Six of these ASTs are active and one is inactive. The Grantee shall accept responsibility for complying with all applicable federal, State, and local laws and regulations relating to the use of the Tanks left in place. The Grantee assumes all liability for any leaks associated with these tanks after the date of transfer as a condition of receiving these tanks in lieu of their removal.

D. Energy (Utilities). Electrical utilities are in good condition and operational on the Property. These utilities could be disturbed by Property development. The Grantee accepts responsibility for complying with all applicable federal, state, and local laws and regulations relating to systems or services.

E. Grease Trap. A grease trap is located in Building 444 on the Property. The Grantee shall assume all liability associated with the grease trap after the date of transfer as a condition of receiving the grease trap in lieu of its removal.

F. Military Munitions (Unexploded Ordnance (UXO)), Discarded Military Munitions (DMM), Waste Military Munitions (WMM), Explosive Soils, Explosive Debris, and/or Munitions Constitutes (MC). Based on historical documentation, the Munitions Response Sites, Munitions storage in Facility 444 and berm areas located in the western portion of the

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Property were determined not to have the potential for UXO, DMM, WMM, explosive soils, explosive debris, or MC at the sites or otherwise to affect the future use of the Property. The Grantee shall use care when conducting ground disturbing activities on the Property. Should any UXO, DMM, WMM, or MC be discovered on the Property the Grantee shall immediately notify the CDPHE and the Grantor, and the Grantor shall remove any such UXO, DMM, WMM or MC from the Property at no expense to Grantee, provided such removal is expressly required by applicable federal laws or applicable state laws for which the Grantor has expressly waived its sovereign immunity.

G. Pesticides. Registered pesticides have been applied to the Property and may continue to be present thereon. Where a pesticide was applied by the Grantor or at the Grantor's direction, to the best of the Grantor's knowledge, the pesticide was applied in accordance with its intended purpose and consistent with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA – 7 U.S.C. §136, et. seq.) and other applicable laws. If the acts or omissions of the Grantee cause a release of any such pesticide, the Grantee assumes all resulting responsibility and liability therefor.

H. Non-Discrimination. The Grantee shall not discriminate upon the basis of race, color, religion, national origin, sex, age, or handicap in the use, occupancy, sale, or lease of the Property, or in its employment practices conducted thereon. This requirement shall not apply, however, to the lease or rental of a room or rooms within a family dwelling unit, nor shall it apply with respect to religion if the Property is on premises used primarily for religious purposes.

X. NOTICE ADDRESSES

Any notice required to be given to the Grantor pursuant to this Deed shall be given or served by personal delivery or by mailing the same by certified mail, postage prepaid, return receipt requested, addressed as follows:

Department of the Air Force
Deputy Assistant Secretary of the Air Force
(Installations)
1665 Air Force Pentagon
Washington, D.C. 20330-1665

With copies to:

Department of the Air Force
Attn: Chief Counsel, San Antonio Office of the
Deputy General Counsel (Environment & Installations)
Office of the Air Force General Counsel

Mailing Address:

*Buckley AFB Annex Deed
Final*

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Return to: Lowry Redevelopment Authority
200 Quebec St., Bldg 600, Ste 215
Denver, CO 80230
Attn: Greg Palcanis

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2261 Hughes Ave., Suite 121
Lackland AFB, TX 78236-9821

Delivery Address:
3515 S. Gen McMullen, Door 2
San Antonio, TX 78226-1858

Department of the Air Force
Attn: Division Chief, AFRPA/BPM
Mailing Address:
2261 Hughes Ave., Suite 121
Lackland AFB, TX 78236-9821

Delivery Address:
3515 S. Gen McMullen, Door 2
San Antonio, TX 78226-1858

or to such other address or addresses as the Grantor may from time to time designate in the Real Property Records of Denver County, Colorado.

XI. MISCELLANEOUS

Except for any personal covenant, each covenant of this Deed shall inure to the benefit of the Grantor; shall be binding on the Grantee; shall be deemed to touch and concern the land and shall run with the land.

XII. EXHIBITS

Exhibit A	Legal Description and Maps
Exhibit B	Notice of Hazardous Substances Released
Exhibit C	UST, AST Table

~~After recordation please send a copy of the recorded Deed to:
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IN WITNESS WHEREOF, I have hereunto set my hand at the direction of the Secretary of the Air Force, effective the day and year first above written.

THE UNITED STATES OF AMERICA,
acting by and through the Secretary of the Air Force

By: Stephen G. TerMaath
STEPHEN G. TERMAATH
Chief, BRAC Program Management Division
Air Force Real Property Agency

Witness:

Cynthia A. Hanson

STATE OF COLORADO)
CITY AND COUNTY OF DENVER)

This document was acknowledged before me this 31st day of May, 2012 by Stephen G. TerMaath, Chief, BRAC Program Management Division, Air Force Real Property Agency.

ORENA J. LINDHOLM
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/15/2013

Orena J. Lindholm
Notary Public, State of Colorado

My Commission Expires: 10/15/2013

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ACCEPTANCE

The Grantee hereby accepts this Deed and agrees to be bound by all terms and provisions, covenants, conditions, restrictions, and reservations contained in it.

DATE: May 31, 2012

Lowry Economic Redevelopment Authority
(Designated Buckley Annex, Co LRA)


MONTGOMERY C. FORCE
Executive Director

Description
Lowry Buckley Annex

A part of the Southeast Quarter of Section 8, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows;

Commencing at the East Quarter Corner of said Section 8;
thence North 89°59'52" West, along the northerly line of said Southeast Quarter, a distance of 120.00 feet;
thence South 00°02'35" West, parallel with and 120.00 feet west of the easterly line of said Southeast Quarter, a distance of 30.00 feet to the southerly line of First Ave. and the **point of beginning**;
thence along the westerly lines of the South Part of EDC Parcel described at Reception Number 9700080389 in the Clerk and Recorder's Office of said City and County of Denver the following two (2) courses;
1.) South 00°02'35" West, parallel with and 120.00 feet west of said easterly line, a distance of 1260.16 feet;
2.) North 90°00'00" West a distance of 973.87 feet to a corner in said westerly line of the South Part of EDC Parcel;
thence North 89°59'31" West, along the northerly line of Bayaud Ave., a distance of 1455.03 feet to the easterly line of S. Monaco St. Parkway;
thence North 00°11'21" East, parallel with and 90.00 feet east of the westerly line of said Southeast Quarter and along said easterly line of S. Monaco St. Parkway and along the easterly line of Monaco St. Parkway, a distance of 1260.06 feet to the southerly line of said First Ave.;
thence South 89°59'52" East, parallel with and 30.00 feet south of said northerly line of the Southeast Quarter of Section 8 and along said southerly line of First Ave., a distance of 2425.68 feet to the **point of beginning**;

Containing 3,058,748 square feet or 70.219 acres, more or less.

Basis of bearings: Bearings are based on the northerly line of the Southeast Quarter of Section 8, Township 4 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado as being North 89°59'52" West. The East Quarter Corner of said Section 8 is a 3 1/4" aluminum cap in a range box stamped BRW INC, PLS 20683. The Center of said Section 8 is a 3 1/4" aluminum cap Witness Corner stamped URS CORP, PLS 20683.

A. David Johnson, P.L.S. 20683
For and on behalf of URS Corporation
8181 E. Tufts Ave.
Denver, CO 80237
Ph. 303.740.2600 Fax 303.694.2770

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NOTICE OF HAZARDOUS SUBSTANCES RELEASE

Notice is hereby given that the information set out below provides notice of hazardous substances that are known to have been disposed of or release on the Property. The information contained in this notice is required under the authority of regulations promulgated under Section 120(h) of the comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 42 U.S. C. Section 9620(h).

Substance	Regulatory Synonym(s)	CAS Registry Number	Quantity kg/pounds	Date	Hazardous Waste ID Number (if applicable)	Response	Remarks
<i>Building 444</i> Polychlorinated Biphenyls	PCBs	Unknown	Unknown	1993	NA	Soil excavation was conducted in 1993. PCB-contaminated soils were disposed of at an off-site license facility.	Colorado Department of Health and U.S.EPA were notified, no further action was concurred by the two agencies.
<i>Building 409, OWS</i> Benzo(a)pyrene	NA	50-32-8	Unknown	Unknown	NA	Both OWSs were removed (409E removed in 2004, 409W removed in 2009). 409E-OWS No additional soil removal was required at 409E, all results were determined below the screening value and the detected	Colorado Department of Public Health and Environment concurred no further action for OWS 409E and OWS 409W on December 16, 2011.

EXHIBIT C
UST and AST Table

UST Summary Table

Facility Number	Tank ID	Former Contents	Tank Capacity (gallons)	Tank Status	Closure Status
444	424	Fuel Oil	24,000	Removed 9/7/2010	Leak was discovered associated with the improper installation of this tank. Additional information is provided in Section 5.3. Closed – CDPHE 2/8/2007
444	425	Fuel Oil	24,000	Removed	Closed – CDPHE 2/8/2007
444	426	Fuel Oil	24,000	Removed	Closed – CDPHE 2/8/2007
444	427	Fuel Oil	24,000	Removed	Closed – CDPHE 2/8/2007

AST Summary Table

Facility Number	Tank ID	Former Contents	Tank Capacity (gallons)	Tank Status
444	444-1	Diesel	5,200	Active
444	444-2	Diesel	10,000	Active
444	444-3	Diesel	300	Active
444	444-4	Diesel	275	Active
444	444-5	Diesel	100	Active
444	444-6	Diesel	250	Active
444	444-7	Recovered Product	1,000	Inactive
446	446-1	Magnesium Chloride	2,000	Removed
446	446-2	Magnesium Chloride	2,000	Removed
446	446-3	Magnesium Chloride	325	Removed
446	446-4	Magnesium Chloride	100	Removed